

**INVER GROVE HEIGHTS
PLANNING COMMISSION AGENDA**

**Wednesday, February 7, 2018 – 7:00 p.m.
City Council Chambers - 8150 Barbara Avenue**

- 1. CALL TO ORDER**
- 2. APPROVAL OF PLANNING COMMISSION MINUTES FOR DECEMBER 5, 2017 and JANUARY 16, 2018**
- 3. APPLICANT REQUESTS AND PUBLIC HEARINGS**
 - 3.01 INDUSTRIAL EQUITIES, LLP - CASE NO. 18-02ZPA**

Consider a Comprehensive Plan Amendment to change land use from P, Public/Institutional to GI, General Industrial and a Rezoning from P, Institutional District to I-2, General Industry District for the property located at Auburn Path and Argenta Trail (PID No. 20-29300-00-010).

Planning Commission Action _____
 - 3.02 CITY OF INVER GROVE HEIGHTS - CASE NO. 18-04ZA**

Consider an Ordinance Amendment allowing park-and-ride facilities as an interim use in B-3, B-4 and P zoning districts.

Planning Commission Action _____
- 4. OTHER BUSINESS**
 - 4.01 TRANSIENT LODGING – CASE NO. 17-33ZA**

Discussion on allowing transient lodging (short-term rentals) of residential property

No action required _____
 - 4.02 PINE BEND LANDFILL**

Presentation and background regarding a side slope expansion for the property located at 2495 117th Street E.

No action required _____
- 5. ADJOURN**

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PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, December 5, 2017 – 7:00 p.m.
City Hall Chambers - 8150 Barbara Avenue

Chair Maggi called the Planning Commission meeting to order at 7:00 p.m.

Commissioners Present: Tony Scales
Dennis Wippermann
Jonathan Weber
Joan Robertson
Pat Simon
Annette Maggi
Elizabeth Niemioja
Brett Kramer
Armando Lissarrague

Commissioners Absent:

Others Present: Allan Hunting, City Planner
Heather Botten, Associate Planner

APPROVAL OF MINUTES

The minutes from the November 7 and November 21 Planning Commission meetings were approved as submitted.

VICKIE STADTHER (McDONALDS) – CASE NO. 17-57CA

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a conditional use permit amendment to add a second drive-through lane, along with other site improvements, for the property located at 5760 Cahill Avenue. 40 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the subject property is zoned B-3, General Business. The request is to add a second drive-through lane, along with additional site improvements (i.e. updating the ADA areas, replacing the building façade, a partial restriping of the parking lot, and reconstruction of the trash enclosure). Engineering reviewed the plans and has been working with the applicant on stormwater and grading requirements. Standard engineering conditions are included in the report. Staff recommends approval of the request with the ten conditions listed. Staff did not hear from any of the neighbors.

Opening of Public Hearing

Vicky Stadther, McDonalds, 1650 West 82nd Street, Bloomington, advised she was available to answer any questions.

Chair Maggi asked the applicant if she read and understood the report.

Ms. Stadther replied in the affirmative.

Chair Maggi closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Scales, second by Commissioner Wippermann, to approve the request for a conditional use permit amendment to add a second drive-through lane, along with other site improvements, for the property located at 5760 Cahill Avenue.

Motion carried (9/0). This item goes to the City Council on December 11, 2017.

HAMPTON COMPANIES – CASE NO. 17-42PUD

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a rezoning of a portion of the property from R-1C/PUD, Single-Family Residential Planned Unit Development to R-3C/PUD, Multiple-Family Residential Planned Unit Development, a preliminary plat and preliminary PUD development plan for a 68-unit single-family villa development and a 32-unit assisted living facility, and a conditional use permit for a multiple-family development consisting of the 32-unit assisted living facility, for property located along 80th Street, east of South Robert Trail and west of Babcock Trail. 5 notices were mailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the applicant is proposing a mixed density residential development consisting of 68 single-family detached villa lots and a 32-bed senior care facility. The property is currently zoned R-1C/PUD for the previous single-family project that was approved in 2014 but never built. The assisted living building would require a rezoning to R-3C. In order to provide the density needed to match the financial assumptions for the site, the applicant is requesting a reduced front and rear setback, and a setback reduction for the senior building from 80th Street. The street system consists of both public and private streets. Outlot B will be owned by the City and will provide access to the property on the east side of the main public road. The landscape plan is 101 trees short; therefore, they can add the trees on site or provide a cash contribution. Staff recommends approval for the request with the conditions listed in the report.

Chair Maggi asked staff to clarify the proposed and maximum allowed impervious surface.

Mr. Hunting explained the impervious surface calculations, advising that the proposed development meets the overall requirements.

Commissioner Niemioja asked why a condition was needed regarding impervious surface.

Mr. Hunting replied because staff needs to establish a specific impervious surface allotment per lot to be used when reviewing individual building permits.

Commissioner Robertson asked for the definition of single-family villas.

Mr. Hunting replied that the developer is describing them as 'single-family villas'; however, planning staff considers them single-family detached homes and has no separate standards specifically for this product.

Commissioner Simon asked what is considered a 'structure' in regard to Condition 19.

Mr. Hunting replied anything that is built.

Chair Maggi asked if concrete would be allowed outside the building pad.

Mr. Hunting replied that patios could theoretically be outside the building pad; the condition related to anything being built above ground.

Chair Maggi noted that a patio would still have to comply with the impervious surface maximum allowed.

Commissioner Weber asked if the Fire Department reviewed this application.

Mr. Hunting replied in the affirmative.

Commissioner Wippermann asked staff to explain the difference between public and private side corner setbacks.

Mr. Hunting explained that the applicant is proposing a 5-foot side corner setback from private streets and 10 feet from public streets.

Commissioner Wippermann noted the reduced setbacks being requested, which were even less than the already reduced Northwest Area requirements.

Commissioner Niemioja asked what the plan was for sidewalk connectivity.

Mr. Hunting advised there is not a defined plan, but the proposed sidewalk system will connect to 80th Street and to the west as those properties get developed.

Commissioner Weber asked if the Abbott parcel would have access via the private road.

Mr. Hunting replied in the affirmative, stating the property owner would retain that access until such time as he developed his property.

Opening of Public Hearing

Joel Larson, Hampton Companies, 1341 County Road D Circle, Vadnais Heights, advised he was available to answer any questions.

Chair Maggi asked the applicant if he read and understood the report.

Mr. Larson replied in the affirmative.

Commissioner Weber asked what Mr. Abbott's options were should there be any issues with his access to the private road.

Mr. Larson replied that he would be happy to discuss this with Mr. Abbott, and that Mr. Abbott would be given the same access rights as the people purchasing lots in the development.

Commissioner Niemioja asked if the road would be maintained by a homeowner's association.

Mr. Larson replied in the affirmative.

Commissioner Niemioja asked if there were any age restrictions on who could live in this development.

Mr. Larson replied that there were no age restrictions, and that their market was likely empty nesters, snow birds, and millennials.

Commissioner Lissarrague asked how Mr. Abbott would be assessed for the private road maintenance.

Mr. Larson replied that Mr. Abbott would not be assessed for using the private road to get to his home.

Commissioner Scales asked what the anticipated price point was for the villas.

Mr. Larson replied approximately \$400,000.

Commissioner Wippermann asked if the landscaping and snow removal would be handled by the association.

Mr. Larson replied in the affirmative.

Commissioner Robertson asked the applicant what size garages were being proposed.

Mr. Larson stated they would likely be approximately 22' x 22', which would allow homeowners to park two vehicles in the garage and two in the driveway. They would be open to building a three-car garage if space permitted.

Chair Maggi stated she was surprised to hear about the \$400,000 price point as she was hoping for something more financially feasible for people to be able to sell their homes and downsize to something like this with smaller lots. She noted that the development originally proposed for this parcel was for 44 lots rather than the 69 currently being proposed.

Mr. Larson stated he was not associated with the prior request, but that the price of townhomes had dramatically increased recently due to carpenter shortages, hurricanes, etc.

Commissioner Niemioja asked the applicant to try to protect more of the heritage trees.

Mr. Larson advised they would try to work in some of those species if possible.

Commissioner Wippermann asked the applicant if they had considered making this development specifically for seniors.

Mr. Larson replied that they had considered narrowing it down to a 55-plus neighborhood, but ultimately decided against it.

Commissioner Weber noted that two of the three house plans in the packet were too large to fit on the building sites.

Mr. Larson replied that they were aware of that and were in the process of redesigning the plans.

Commissioner Lissarrague asked what happened to the 44-lot development that was originally approved.

Mr. Hunting replied that his understanding was that it was not financially feasible because of the considerable amount of money needed to cover the shortage of units they were proposing, as well as the cost of construction.

Commissioner Lissarrague asked if the current applicant was a new investor from the previous group that brought forward the 44-lot development.

Mr. Hunting replied in the affirmative, stating it was an entirely different group.

Kurt Rechtzigel, 1407 - 80th Street East, advised that he was considering developing his adjacent property as well, and wanted to make sure he and Mr. Abbott would retain access to their property from 80th Street. He also wanted to make sure they could tie into the sewer and water system. He requested to see more detailed plans of the proposed memory care building.

Commissioner Robertson asked who made decisions regarding access and turn lanes on 80th Street.

Mr. Hunting advised that it was a County road and therefore the County would make decisions on the access and turn lanes. He noted that the design has a right turn lane in and a bypass lane on the other side. When Mr. Rechtzigel is ready to develop he can stub into the proposed public street and connect just as anyone else would be able to.

Anthony Abbott, 1401 – 80th Street East, asked if the homeowners association would pertain only to the assisted living facility or to the single-family villas as well.

Chair Maggi replied it would pertain to the single-family villas as well.

Mr. Abbott asked who would be responsible for road maintenance.

Mr. Hunting replied that the public roads would be taken care of by the City and the homeowners association would care for the private roads.

Mr. Abbott asked if he would have to pay association fees.

Mr. Hunting advised that the applicant has stated Mr. Abbott would not be charged association dues.

Mr. Larson reiterated that Mr. Abbott would not be charged association fees. He displayed a rendering of the proposed senior building and explained that it is a single level 32-unit memory care and high acuity assisted living facility.

Mr. Rechtzigel wanted to make sure that he and Mr. Abbott would receive the same flexibilities that this development was granted at such time as they developed their own properties.

Chair Maggi stated that while she understood that this development would be setting a precedent, each request was considered individually.

Chair Maggi closed the public hearing.

Planning Commission Discussion

Mr. Hunting addressed Mr. Abbott's concern regarding his driveway for the private road, and advised that one of the conditions of approval requires access to the Abbott parcel to remain open at all times.

Chair Maggi asked if the conditions applied to all four approvals being requested.

Mr. Hunting replied they would apply to all; however, technically there are no conditions for a rezoning.

Commissioner Weber asked what Mr. Abbott's guarantee was that he would have access should the association fail or change hands.

Mr. Hunting thanked him for bringing up that point and stated they would consider that when preparing the final documents.

Commissioner Lissarrague asked if there would be something in writing guaranteeing Mr. Abbott access 24/7 and assurance that he would not be landlocked.

Mr. Hunting replied in the affirmative.

Chair Maggi noted that Condition 18 addresses access for the Abbott parcel. She advised that she was generally supportive of the request, but was hoping this development would have offered a more affordable housing option and she was concerned about the steep allowances they were requesting on setbacks.

Commissioner Wippermann stated he would have gone along with the significant concessions being requested had this been strictly senior housing; however, he was concerned about this being a single-family development with children as there was no park, small yards, and no place for children to play. He did not think the reduced setbacks would create a positive appearance, was not in favor of this as a single-family development, and was concerned about the potential for variance requests since the lots were only 5,000 square feet in size.

Commissioner Robertson understood Commissioner Wippermann's concerns but stated she did not believe people with children would be drawn to this development. She could; however, see people wishing to move out of a big home into a smaller unit such as this where they would be part of an association. She supported the request and felt it was a new product not currently available in the City.

Commissioner Scales supported the request, stating it helped fulfill the comprehensive plan's need for density.

Commissioner Lissarrague stated he was not opposed to the project but was concerned about the potential for homeowners wanting to build additional structures on these small lots.

Commissioner Niemioja was somewhat concerned about the precedent this would set, especially with two adjacent lots looking to develop. In her opinion there would be children living here, she liked that this was a new product to the City, noted that not everyone wants a large yard, and questioned what Inver Grove Heights and their single-family neighborhoods were about and whether they valued open space and greenery.

Commissioner Kramer asked if the homeowners association would have to come before the City Council and Planning Commission to request patios or decks if the HOA itself did not allow them.

Chair Maggi advised that HOA covenants were private agreements outside the purview of the City.

Commissioner Robertson stated one benefit of the proposed development is that it could add density that would help support the nearby businesses.

Commissioner Weber asked if Outlot H could be used as a park area.

Mr. Hunting replied that it could not as it was needed for stormwater purposes.

Chair Maggi asked Commissioners to keep in mind that there was the potential for two adjacent parcels to be requesting the same setbacks as this applicant.

Commissioner Scales stated in his opinion allowing these developments flexibility to add density would be beneficial to the City.

Commissioner Simon stated her biggest concern with the flexibilities being requested was allowing a ten-foot separation between houses.

Commissioner Lissarrague asked if the City could request that the homeowner association bylaws include language stating that the City would not grant variances for decks, sheds, etc. outside the building pad.

Mr. Hunting replied that they could not do that as there is a process to allow for variances.

Commissioner Scales stated the Commission has spent a lot of time talking about the comprehensive plan and how we need to build density within the City in certain areas, but yet when someone comes with a request such as this we say they want people to have more space. He believes there is a market for this type of home, and it is a good product that works well in the proposed area. He noted that Argenta Hills was built with similar setbacks and people were buying them as fast as they could build them.

Chair Maggi agreed with Commissioner Scales about the need for density, but felt the challenge was the extreme discrepancies being proposed from the norm.

Commissioner Scales suggested they look at these villas as a completely different product from what currently exists.

Commissioner Niemioja agreed, stating they should consider the villas as a new product which, in her opinion, would likely be successful. If this were a townhome development she would be more supportive as there would be more space on the sides.

Commissioner Weber stated that the reduced setback from 80th Street did not bother him as it was the back of the assisted care facility, it would be heavily landscaped, and perhaps the activity would actually be beneficial for the residents.

Commissioner Robertson stated for some people a ten-foot separation was desirable rather than being a detriment, and that people had the right to come to the Planning Commission with variance requests. Commissioners should not deny a request because they were afraid of getting variances.

Commissioner Weber asked for clarification of a line of construction being outside the lot boundaries on Sheet T1-0.

Mr. Hunting advised he was not sure what that referred to, but stated the work would not go beyond the lot lines.

Chair Maggi asked if the Housing Committee made a recommendation on this request.

Mr. Hunting replied that he had presented it to them but that they did not make a formal recommendation.

Commissioner Weber if Fire Department staff had reviewed the proposed turnarounds.

Mr. Hunting replied in the affirmative, stating there was enough room being proposed for the fire trucks to back up or circle to get out.

Commissioner Lissarrague asked if the original HOA bylaws were the builder's responsibility.

Commissioner Niemioja replied in the affirmative, but stated the issue was that associations can dissolve at any moment.

Commissioner Lissarrague stated they would be binding though once they were recorded at Dakota County.

Commissioner Weber replied not if the association dissolves and becomes inactive.

Commissioner Lissarrague stated in his opinion it would be unusual for an association to dissolve.

Commissioner Weber disagreed, stating the reason he asked if there was an easement placed on the private road for Mr. Abbott's land was because if the HOA dissolved Mr. Abbott would have no one to go after at that point. In his opinion there should be an easement placed on that land ensuring Mr. Abbott access through the private road.

Planning Commission Recommendation

Motion by Commissioner Robertson, second by Commissioner Scales, to approve the request for a rezoning of a portion of the property from R-1C/PUD, Single-Family Residential Planned Unit Development to R-3C/PUD, Multiple-Family Residential Planned Unit Development, a preliminary plat and preliminary PUD development plan for a 68-unit single-family villa development and a 32-unit assisted living facility, and a conditional use permit for a multiple-family development consisting of the 32-unit assisted living facility, for the property located along 80th Street, east of South Robert Trail and west of Babcock Trail, with the conditions listed in the report.

Commissioner Weber asked if the motioners would accept a friendly amendment to add a condition to grant an easement through the private road to Mr. Abbott's land.

The motioner and seconder agreed to accept the friendly amendment.

Mr. Larson stated that an easement was not needed as Mr. Abbott had access to the public road to the south and was not landlocked.

Commissioner Scales advised that it would be very expensive for Mr. Abbott to expand his driveway down to the public road.

Mr. Hunting agreed that a public right-of-way would be stubbed up to Mr. Abbott's land allowing him access.

Commissioner Weber stated regardless of whether the property was landlocked, he recommended granting an easement to Mr. Abbott from the private road.

Commissioner Scales asked if they could sunset the easement as Mr. Abbott would likely no longer need it once he developed his land and got access to the public road.

Mr. Hunting stated he would have to check with the City Attorney regarding sunseting.

Commissioner Robertson stated in her opinion there is value in putting some form of a sunset onto the condition to grant an easement for Mr. Abbott through the private road as long as his property is not developed. That easement would be vacated when Mr. Abbott's land is developed.

Chair Maggi restated the motion by Commissioner Robertson, second by Commissioner Scales, to approve the request for a rezoning of a portion of the property from R-1C/PUD, Single-Family Residential Planned Unit Development to R-3C/PUD, Multiple-Family Residential Planned Unit Development, a preliminary plat and preliminary PUD development plan for a 68-unit single-family villa development and a 32-unit assisted living facility, and a conditional use permit for a multiple-family development consisting of the 32-unit assisted living facility, for the property located along 80th Street, east of South Robert Trail and west of Babcock Trail, with the conditions listed in the report, with the conditions listed, **and an added condition granting an easement for Mr. Abbott from the private road which is sunsetted when he develops his own property.**

The motioners agreed to the amended motion.

Motion carried (9/0 – Wippermann, Simon). This item goes to the City Council on December 11, 2017.

The meeting was adjourned by unanimous vote at 8:14 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, January 16, 2018 – 7:00 p.m.
City Hall Chambers - 8150 Barbara Avenue

Chair Maggi called the Planning Commission meeting to order at 7:00 p.m.

Commissioners Present: Tony Scales
Dennis Wippermann
Jonathan Weber
Pat Simon
Annette Maggi
Elizabeth Niemioja
Brett Kramer
Armando Lissarrague

Commissioners Absent: Joan Robertson (excused)

Others Present: Heather Botten, Associate Planner

APPROVAL OF MINUTES

The minutes from the December 19, 2017 Planning Commission meeting were approved as submitted.

CITY OF INVER GROVE HEIGHTS – CASE NO. 18-03X

Steve Dodge, Assistant City Engineer, explained the request as detailed in the report. He asked the Planning Commission to recommend that capital expenditures for City Project No. 2015-09D (Broderick Boulevard Reconstruction) and 2017-09E (93rd Street/Abigail Court Reconstruction) are consistent with the Comprehensive Plan. The assessment hearing for the Broderick Boulevard reconstruction project is set for February 26. The City is currently acquiring the necessary easements for the 93rd Street/Abigail Court reconstruction project. It is projected to have a post-July 4 construction date per MNDOT's request.

Commissioner Simon asked if the 93rd Street/Abigail Court reconstruction project was requested by the property owners.

Mr. Dodge replied that it was petitioned by the residents.

Motion by Commissioner Wippermann, second by Commissioner Simon, to recommend that capital expenditures for City Project No. 2015-09D (Broderick Boulevard Reconstruction) and 2017-09E (93rd Street/Abigail Court Reconstruction) are consistent with the Comprehensive Plan.

JAEGER CONSTRUCTION (HYUNDAI) - CASE NO. 17-61CA

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a conditional use permit amendment to add a 2,164-square foot addition to the existing Hyundai building, located at 1290 – 50th Street. 4 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised

that the applicant is requesting a conditional use permit amendment to add a 2,164-square foot addition to their existing building to accommodate a car detailing area. No additional impervious surface is proposed. All plans will be reviewed by the engineering staff, fire department, and the building official prior to the building permit. Staff recommends approval for the request with the nine conditions listed in the report.

Commissioner Simon asked if the three existing plastic/fabric signs on the block wall in front of the parking lot were included in the approved signage package for the property.

Ms. Botten replied they were likely temporary signs that were not included with the official sign package. She advised that the Code Enforcement Specialist would not have addressed the issue unless she received a complaint as it was a reactive program.

Opening of Public Hearing

Barry Jaeger, Jaeger Construction, 8308 Alverno Avenue, advised he was available to answer any questions.

Chair Maggi asked the applicant if he read and understood the report.

Mr. Jaeger replied in the affirmative.

Chair Maggi closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Wippermann, second by Commissioner Lissarrague, to approve the request for a conditional use permit amendment to add a 2,164-square foot addition to the existing Hyundai building, located at 1290 – 50th Street, with the conditions as listed in the staff report.

Motion carried (8/0). This item goes to the City Council on January 22, 2018.

OTHER BUSINESS

Ms. Botten advised that the next Planning Commission meeting has been rescheduled to Wednesday, February 7 due to February 6 being Caucus Night.

The meeting was adjourned by unanimous vote at 7:11 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary

**PLANNING REPORT
CITY OF INVER GROVE HEIGHTS**

REPORT DATE:	February 2, 2018	CASE NO.: 18-02ZPA
APPLICANT:	Industrial Equities, LLP	
PROPERTY OWNER:	Zion Pentecostal Assembly	
REQUEST:	Comprehensive Plan Amendment to change land use from P, Public/Institutional to GI, General Industrial and Rezoning from P, Institutional District to I-2, General Industry District.	
LOCATION:	Auburn Path and Argenta Trail	
HEARING DATE:	February 7, 2018	
COMPREHENSIVE PLAN:	P, Public/Institutional	
ZONING:	P, Institutional District Northwest Area Overlay District	
REVIEWING DIVISIONS:	Planning Engineering	PREPARED BY: Allan Hunting City Planner

BACKGROUND

The applicant is proposing to change the land use designation of approximately 8.3 acres from Public/Institutional to General Industrial. The applicant is anticipating developing the parcel with an approximate 95,250 square foot office/warehouse building and parking lot. The site is located within the Northwest Area Overlay District, but is not currently served with municipal water and sewer.

The applicant has submitted a plan with a 95,250 square foot building with the front side facing east and the truck bays and service doors facing west. Parking would be located on the west, north and south sides of the building. Storm ponding is proposed along the west boundary of the site.

The site is part of a three lot subdivision that was created in the early 2000's. Three church groups bought the lots for future church locations. To date, only the lot with the existing cemetery has done any expansions or improvements. The other two lots have remained vacant.

If the comprehensive plan amendment and rezoning is successful, an application for Northwest Area PUD plan approval will be required before development can occur. This subsequent process provides for public review and comment on the actual site plan.

In 2016, an application for a comp plan amendment and rezoning was submitted to change the use to Limited Industrial. A concept of open storage or mini-storage was proposed until sewer became available. City Council denied the request based on concerns of land use compatibility and road extension impacts. They did however, state that the request did not provide enough benefit to the City to justify the land use change.

SURROUNDING USES

The subject property is surrounded by:

North	Large lot single family residential; zoned A; guided Low-Medium Density Residential.
East	Cemetery, large lot residential; zoned P and A; guided Public/Institutional and Rural Residential.
West	Industrial (City of Eagan).
South	Industrial, Emerald Hills manufactured home park; zoned I-1, R-4; guided LI, MDR.

EVALUATION OF REQUEST

Comprehensive Plan Amendment

The subject parcel and abutting properties are guided as three different land use categories; P, LMDR and LI. Each is defined in the 2030 Comprehensive Plan as follows:

Public/Institutional is defined in the 2030 Comprehensive Plan as:

“Public/Institutional uses in Inver Grove Heights include churches, buildings and land adjacent to schools, cemeteries, government facilities and other parcels that are owned by a public agency or institution. The public/institutional category does not include parks and recreation areas. They are classified separately under this plan.”

“The most prominent public/institutional land uses in Inver Grove Heights include schools and local government facilities. Schools include facilities owned and run by the three public school districts that lie within the community and Inver Hills Community College. Local government facilities include the city hall, community center and public works complex and the fire station locations.”

Low-Medium Density Residential is defined in the 2030 Comprehensive Plan as:

“The Low-Medium density residential category includes a combination of single family attached and single family detached housing that is generally a greater density than traditional single family housing in Inver Grove Heights. Density of the LMDR category

ranges from 3 to 6 units per net acre. This land use category is principally isolated to the Northwest Area and it's a new land use category."

Light Industrial is defined in the 2030 Comprehensive Plan as:

"Light industrial areas in Inver Grove Heights include lots or parcels containing light manufacturing, goods movement and wholesale trade. Light industrial parcels are located in a number of sites throughout the community with concentrations in the northeast and extreme southern portions of the city".

The applicant is proposing to change the land use designation to GI, General Industrial in order to provide the most flexibility for uses allowed.

General Industrial is defined in the 2030 Comprehensive Plan as:

"The general industrial category includes lots or parcels containing manufacturing, processing and disposal facilities. General industrial parcels exist in the only one area, southern Inver Grove Heights lying immediately west of Highway 52/55. The land designated as general industrial on the future land use plan includes the Pine Bend Landfill."

The main issue is what is the most appropriate future land use for the property. The following discussion addresses some of the issues that Staff has raised regarding the land use change.

Traffic. The City is aware of some traffic issues with UPS trucks leaving the facility in Eagan, exiting Opperman Drive, taking Argenta Trail north to Yankee Doodle and ultimately to Hwy 55. At peak times, there can be traffic backups on this stretch of road.

Auburn Path is planned to extend north at some future time. There is an existing easement at the current end of Auburn Path that was created for a possible future extension northward to serve the properties to the north of the subject site. There is an existing curb cut on Yankee Doodle at approximately the Eagan/Inver Grove Heights boundary that could be used as the intersection point for a future extension of Auburn Path. This would allow a local street connection to a county road without having to extend through the residential properties to the north. Otherwise, an alternative route would be northward then east through residential property to intersect with Argenta Trail at Alberta Way.

Based on future traffic demands, Alverno Avenue will become a collector road at some point and will be a continuous road that would re-route the current Argenta Trail and 82nd intersection to a more fluid continuous north south road. If this occurs, it would be some time in the future. The potential improvements to the road system would allow for the handling of higher traffic volumes in the future.

If Planning Commission or City Council wanted more definitive information, a traffic generation study could be required to look at the main nearby streets and analyze current background traffic to anticipated new traffic generation, based on current and proposed land uses.

Existing surrounding uses. The site is currently surrounded by large lot residential to the north, industrial uses to the west in Eagan, a cemetery, vacant church owned property and residential to the east, and industrial and residential to the south. The proposed land use would be consistent with the industrial uses to the west and east. There are potential conflicts if industrial uses expand with the residential to the north, east and south, and possible impacts to the vacant parcel in the subdivision that is still owned by a church organization.

Dakota County Mendota-Lebanon Regional Trail. The regional trail alignment in this area runs just on the west side of this property along the city boundary. Construction of the regional trail through Inver Grove Heights has begun in the Blackstone Vista and Ponds developments. The regional trail will eventually continue southward through western Inver Grove Heights into Eagan. A trail corridor of approximately 30 feet wide along the west boundary would be required if and when a development application was submitted.

Northwest Area and Utility Joint Powers Agreement with Eagan. The property is located within the Northwest Area and therefore would be required to comply with those standards as part of a development application review. The site currently is not served by municipal water and sewer. Service from Inver Grove Heights could occur once the trunk lines are extended under Hwy 55 to serve the land south of the highway. This is not expected to occur for some time. The utility analysis done with the Northwest Area anticipated the long term time frame for this extension and therefore anticipated utility service to this lot and others in the area could be accommodated through the existing joint powers agreement with Eagan. Details of sewer and water connection would be addressed with a development application

Economic Development. The City's Economic Development Authority (EDA) has been encouraging industrial and commercial growth.. Benefits to the city include; employment, tax base, variety of goods and services. A change of land use to industrial has the potential to generate the benefits listed above.

The following provides some rationale for approval and denial of the proposed land use change.

RATIONAL FOR THE LAND USE CHANGE

- The site is abutting industrial uses to the west and south. Expanding industrial uses would be consistent with the existing pattern.

- Industrial land use guiding would allow for future tax revenue based on industrial uses. The current guiding would most likely be a tax exempt use.
- A change of land use to industrial has the potential to generate employment, tax base, variety of goods and services.
- The Institutional category is very restrictive in the uses allowed. The property has remained vacant even after platting and rezoning some 10+ years ago. A change of use could allow a more productive use of land as industrial allows a broader range of uses.

RATIONALE AGAINST THE LAND USE CHANGE

- The change would expand industrial uses which could have a negative impact on the development potential for the vacant lot in the subdivision and to the existing and future residential uses in the area.
- Traffic could be a concern if the use was a heavy trucking type operation including noise of the trucks or semi's.
- The extension of Auburn Path could create a land use conflict with future residential development depending upon the routing to connect to either Yankee Doodle or Argenta Trail.

Rezoning

The applicant is proposing to change the zoning to I-2, General Industry District. The purpose of the I-2 district listed as follows:

"The purpose of the I-2 general industry district is to provide for areas which, because of the availability to thoroughfares and railroads, suitable topography, and isolated from residential areas, are appropriate for industrial uses which are of a more intense nature. The I-2 district also allows certain business users necessary to complement general industrial uses."

If Planning Commission and Council support the request, Staff offers a possible alternative zoning to I-1, Limited Industry. This category is designed for a less intensive industrial type use. The zoning ordinance identifies the purpose of the I-1 district as follows:

"The I-1 limited industry district is intended for the continued operation of light manufacturing, warehousing, and wholesale businesses."

The list of uses in each district are attached to this report. In general, both districts allow most of the same type of uses. Auto related uses are allowed in the I-1, but not in the I-2. Nearly all

uses allowed in the I-2 district are permitted uses, whereas many more uses are conditional in the I-1 district. The type of uses proposed would be allowed in either the I-1 or I-2 district.

ALTERNATIVES

The Planning Commission has the following alternatives available for the proposed request:

A. Approval If the Planning Commission finds the application acceptable, the Commission should make the following recommendations:

- o Approving the Comprehensive Plan Amendment from Public/Institutional to GI, General Industrial subject to the following conditions:

1. The Metropolitan Council shall not require any significant modifications to the comprehensive plan amendment.
2. The Metropolitan Council shall not make a finding that the comprehensive plan amendment has a substantial impact or contain a substantial departure from any metropolitan systems plan.
3. The comprehensive plan land use change shall not become effective until a rezoning and development plan has been approved by the City Council.

- o Approving the Rezoning of the property from P, Institutional District to I-2, General Industry District

B. Denial If the Planning Commission does not favor the comprehensive plan amendment, a recommendation of denial should be forwarded to the City Council. With a recommendation of denial, findings or the basis for the denial should be given.

RECOMMENDATION

Staff recognizes there are potential benefits and detriments to the proposed land use designation change. The Council through the EDA has been focusing on expanding industrial and commercial opportunities for the city. Public/institutional uses may not be the most appropriate in this area. An industrial plan as presented by the applicant may be a better alternative use based information raised in this report.

Staff raises some concerns regarding the request to I-2 zoning. There is no other I-2 zoning in the area. All other industrial sites are zoned I-1. The intent of the I-2 District is to allow more intense uses. With a residential property to the north, I-2 zoning may not be the best fit. If it is

determined that the I-1 district is more appropriate, then a recommendation of the comp plan change must be for LI, Light Industrial.

Staff supported the previous application for I-1 Industrial and comp plan change to Limited Industrial. Staff continues to believe that appropriate use of the property is industrial, but notes possible issues with the I-2 zoning.

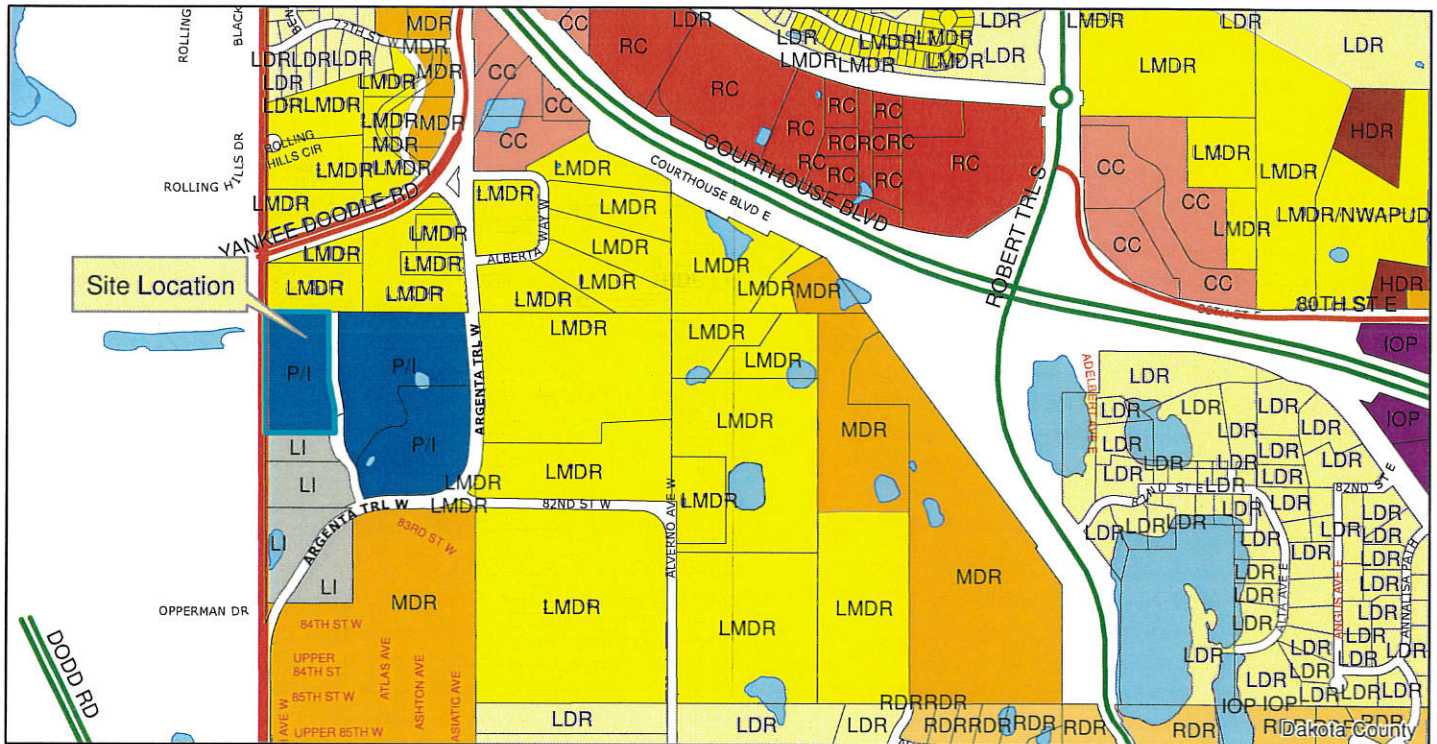
Attachments: Existing/Proposed Comp Plan Map
Zoning Map
Applicant Narrative
Proposed Site Plan
Table of I-1 and I-2 allowed uses



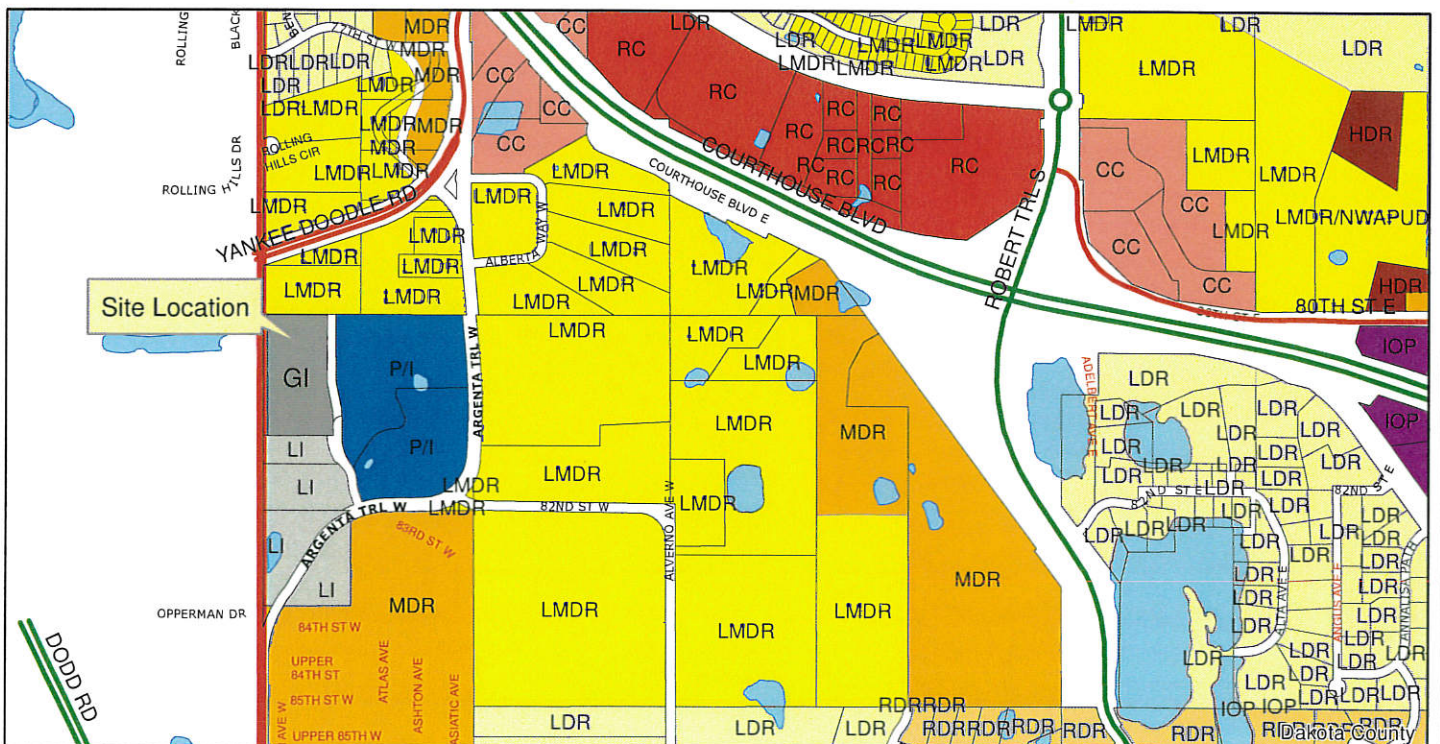
Industrial Equities Comp Plan Amendment



Existing Comp Plan



Proposed Comp Plan





Zoning Map

Case No. 18-02ZPA



The proposed project is a state of the art industrial flex facility designed to accommodate single or multiple corporate office, warehouse, and manufacturing real estate requirements.

Project features will include energy efficient and upgraded aggregate designer precast panels, attractive corporate like glass entries, gracious perimeter landscaping, perimeter warehouse daylight windows at 26 ft. for natural light, ESFR sprinklers, and ample parking.

Additionally, the design has all truck access docks facing to the west, with the building shielding the truck court from the neighbors and cemetery property to the east.

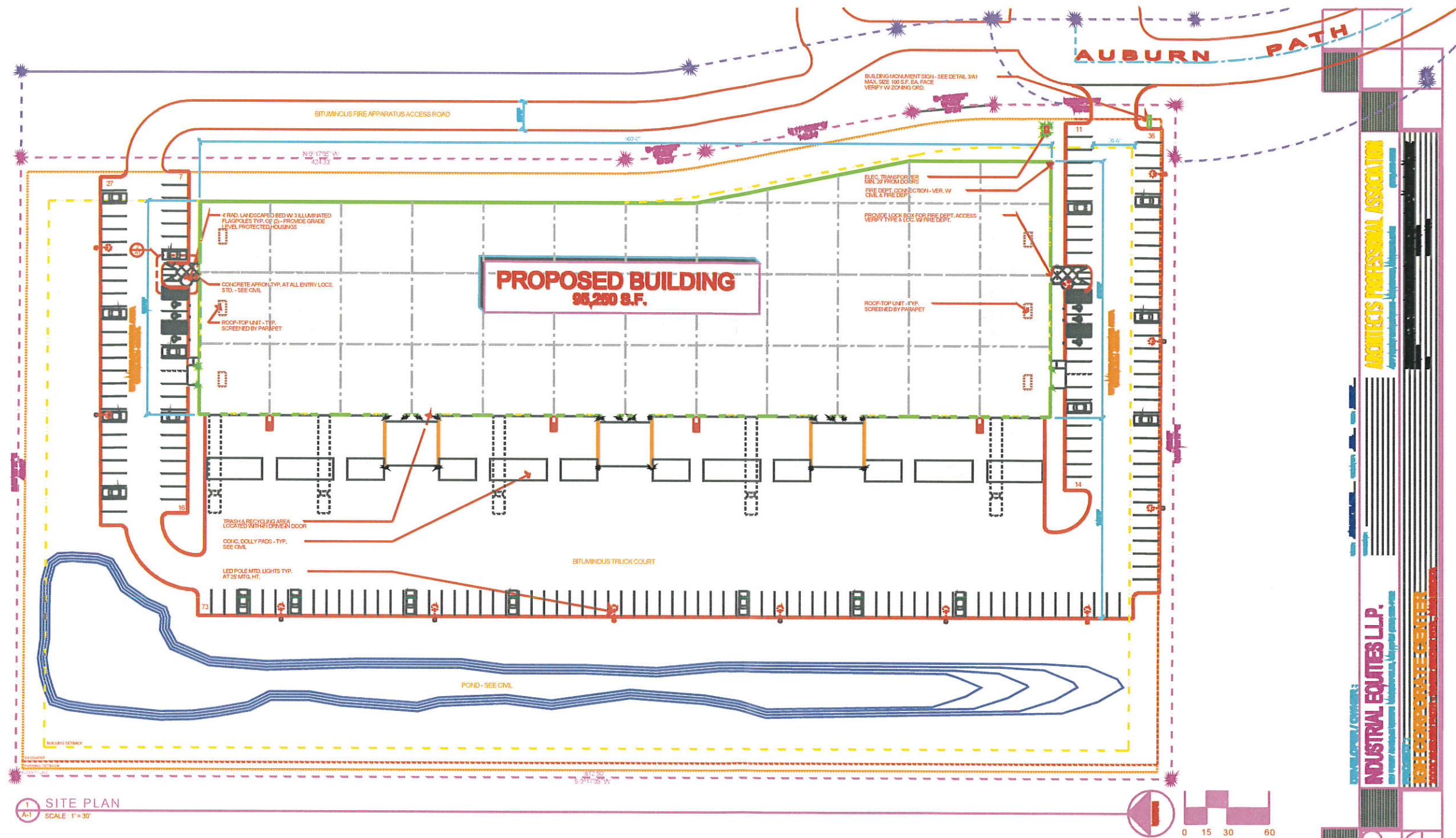
The site plan provides for the drainage easement along the north 60 feet of the property, area for the county bike path along the west property line, and the required circulation for fire and safety vehicles around the facility. The project is designed to be sensitive to and comply with city requirements.

Zoning request: Industrial Equities has a portfolio of 3.1 million square feet in the Twin Cities metropolitan area. Within this portfolio of buildings, which are substantially similar to the proposed project, are multiple corporate 500 and strong regional corporate tenants. The mix uses include office, warehouse, distribution, manufacturing, biotech, and high-tech companies. Each of the uses often have a combination of these elements. Industrial Equities anticipates a demand at this project will be very similar, and therefore requests an I-2 zoning to accommodate a broader range of the typical industrial users within our portfolio.

Since the site is not currently serviced with city sewer and water, and subject to the approval of both the cities of Inver Grove Heights and Eagan, utility service will be provided with an easement acquired from the contiguous property owner and the appropriate municipal inter local agreements.

The proposed developer, Industrial Equities is a privately held investment, development, and management firm with long term ownership of over 3 million square feet of newer institutional grade, high quality industrial type project in 15 different metropolitan communities. This project would be incorporated into that portfolio.

In the surrounding area Industrial Equities owns the 120,000 square foot Eagan Distribution Center, developed in 2001, to the immediate west of the proposed project, and the 4 building, 250,000 square foot Flagship Business Center on 494 and Dodd Road, which was developed in 1995.



1 SITE PLAN
A-1 SCALE: 1" = 30'

PROJECT DATA :

OWNER:
INDUSTRIAL EQUITIES LLP,
321 FIRST AVENUE NORTH
MINNEAPOLIS, MINNESOTA 55401
(612) 332-0332

CIVIL ENGINEER:
PLOWE ENGINEERING, INC.
6776 LAKE DRIVE - SUITE 110
LINO LAKE, MINNESOTA 55014
(651) 361-8210

ARCHITECT:
ARCHITECTS PROFESSIONAL ASSOCIATION
4011 VINCENT AVENUE NORTH
MINNEAPOLIS, MINNESOTA 55412
(612) 568-9593

STRUCTURAL ENGINEER:
INNOVATIVE STRUCTURAL SOLUTIONS
5279 KYLER AVENUE NE
MAPLE GROVE, MINNESOTA 55369
(763) 425-9990

LANDSCAPE ARCHITECT:
CALYX DESIGN GROUP, LLC
1583 BERKELEY AVENUE
ST. PAUL, MINNESOTA 55105
(651) 334-5408

BUILDING CODES:

SITE AREA:

BUILDING AREA:

SITE COVERAGE:

PARKING PROVIDED:

2015 MN BUILDING CODE
2015 MN ACCESSIBILITY CODE

403,676 S.F.; (9.3 ACRES)

95,250 S.F.

23.6%

178 SPACES @ 9' x 18'

6 ADA SPACES

ZONE:

OCCUPANCY:

CONSTRUCTION TYPE:

CLEAR STORAGE HEIGHT:

ALLOWABLE BUILDING AREA:

NORTHWEST SECTION
OVERLAY DISTRICT

B, F, & S

IBEW AUTOMATIC SPRINKLER

28'

UNLIMITED PER IBC SEC. 507

DRAWING INDEX :

A-1 SITE PLAN & PROJECT DATA
A-2 FLOOR PLAN
A-3 ELEVATIONS

SITE PLAN
AND DATA
A-1
1 OF 3

ARCHITECTS PROFESSIONAL ASSOCIATION

INDUSTRIAL EQUITIES LLP.

NON-CONFORMANCE CENTER

10-6-2:LAND USES IN ALL NONRESIDENTIAL DISTRICTS:

P = Permitted use

C = Conditionally permitted use

A = Accessory use

Use	Zoning District											
	B-1	B-2	B-3	B-4	OP	I-1	IOP	I-2	P	MU-PUD	COMM-PUD	OFFICE-PUD
Additional building height (see section 10-5-8 of this title)	C	C	C	C	C	C	C	C	C	C	C	C
Adult uses (see chapter 15, article F of this title)			C			C						
Airport						C						
Antennas:												
Commercial (see chapter 15, article G of this title)	A	A	A	A	A	A	A	A	A		A	A
Noncommercial (see exception in subsection 10-15G-2B of this title)	A	A	A	A	A	A	A	A	A	A	A	A
Antique shop		P	P	P								
Appliance store		P	P	P								
Art studio (nonretail)	P									P	C	
Auto parts and accessories store, no on site shop or repairs		P	P	P								
Auto repair:												
Major			A			P						
Minor			P	C		P						

I-1
I
Z

Automobile and off highway vehicle sales			C									
Automobile body shop			A			P						
Automobile rental business		C										
Automobile service - as accessory to retail sales (see section 10-15-24 of this title)				C								
Automobile service center			C									
Automobile service station (see section 10-15-23 of this title)		C	C	C		P						
Bagel shop	P	P	P	P					A	P		
Bakeries - retail		P	P	P						P	C	
Bank (see section 10-15-25 of this title)	P	P	P	P						P		
Bar (tavern)		C	P	P								
Barber/beauty shop	C	P	P	P						P	C	
Bicycle sales and repair		P	P	P						P	C	
Billboard (see section 10-15E-6 of this title)			P	P		P		P				
Boat and marine sales (enclosed building)			P	P								
Body art establishment (see section 10-15-32 of this title)		P	P	P		C						
Bookstore		P	P	P							C	
Bottling works						P						

Building materials yard			C	C		C						
Bus terminal			C	P								
Bus terminal and repair garage						P						
Business and trade school			C			C			C			
Car wash		P	A	A								
Cemetery, including mausoleum and columbarium									P			
Church			C						P			
Clothing store		P	P	P								
Clubhouse and other golf course structures									A			
Coffee shop	P	P	P	P					A	P		
Commercial greenhouse			P									
Commercial kennels, daycare (see definition of "kennel, commercial daycare" in section 10-2-2 of this title)			C									
Community gardens	P	P	P	P	P	P	P	P	P	P	P	P
Construction office/trailer, temporary	P	P	P	P	P	P	P	P	P	P	P	P
Contractor's shop - indoor						P		P				
Contractor's yard - outside but enclosed with fence						C		P ²				
Convenience store with gas sales (see	C	C	C	C						C		

section 10-15-23 of this title)												
Convention center			C									
Convents, seminaries, monasteries, and nunneries; rectories, parsonages and parish houses; religious retreats when accessory to a place of worship									A			
Copy center	C	P	P	P						P	C	C
Crematorium		P	P	P								
Data center	P		P			P	P	P				
Daycare facility	C	C	C	C					C	C		
Dessert shop		P	P	P						P	C	
Drinking establishment (see "bar (tavern)" in this section)												
Drugstore		P	P	P						P		
Dry cleaning; laundry pick up stations	C	P	P	P						P	C	
Electrical, heating, plumbing, and appliance repair			C			P		P				
Enclosed maintenance facility when architecturally compatible with the surroundings						C		P	C			
Essential services	P	P	P	P	P	P	P	P	P	P	P	P
Essential services buildings	C	C	C	C	C	C	C	P	C			

Fences (see section 10-15-12 of this title)	A	A	A	A	A	A	A	A	A	A	A	A
Floor covering stores		P	P	P								
Florist - retail sales		P	P	P						C		
Fuel storage and dispensing with conditions: A. Exclusive use by owner; B. No retail sales except for propane	P					P		P				
Fuel storage tank such as crude oil, gasoline, natural gas, propane and other fuels									C			
Furniture store		P	P	P								
Gallery	C	P	P	P								
Game arcade		C	P	P								
Garden supply store:			P	P								
Outdoor sales and display area			A	A								
Gift shop		P	P	P						C		
Golf course									P			
Grocery store		P	P	P								
Hardware store		P	P	P								
Higher education facilities									P			
Hobby shop		P	P	P								
Home improvement center:			C	P								

Outdoor sales and display				A								
Hospital									P			
Impound lot (see section 10-15-29 of this title) and auto auction sales						C		C				
Interior decorating store	P	P	P	P								
Jewelry store		P	P	P							C	
Laundromat		P	P	P						P		
Laundry						P						
Liquor store		C	P	P							C	
Locksmith		P	P	P								
Manufacturing and assembly:						C	C	P				
Sales and service of semi-tanks, trucks and trailers, including equipment, parts and tires								A				
Marina			C			C						
Massage therapy, licensed	P	P	P	P								
Medical and dental clinics	P	P	P	P						P	C	C
Medical complexes and facilities	C			C	C		P				C	C
Ministorage facilities (including caretaker quarters) and outdoor vehicle storage			C			C		P				
Mortuary		P	P	P								

Motel/hotel			P	C							C	
Multiple-family dwellings when attached to business										P		
Municipal community center and recreation facilities									P			
Municipal government administration buildings, fire stations, and police stations									P			
Museum	C								P			
Music store		P	P	P								
Music studio:												
Nonretail	P	P	P	P						P	C	
With incidental sales	C	P	P	P						C		
Newspaper and publishing office			P	P								
Nightclub (providing structure is more than 100 feet from R zoned property)			C									
Nursing home									C			
Off street parking	A	A	A	A	A	A	A	A	A	A	A	A
Office:												
Showroom						P		P				
Trucking terminal						C		P				
Warehouse						C	P	P				
Office building	P	P			P		P	P		P	C	C

Office supply store		P	P	P								
Open sales lot (excludes automobile and off highway vehicle sales lots)		C	C			C		P				
Optical/eyeware sales:												
<1,000 square feet floor area	C	P	P	P							C	
>1,000 square feet floor area		P	P	P								
Outdoor storage			C			C		P ^{1,2}				
Outdoor storage associated with municipal government use only									P			
Packaging, cleaning, repair or testing (enclosed building)						P	P	P				
Paint and wallpaper sales		P	P	P		C						
Pawnshop, licensed			P									
Personal gardens	P	P	P	P	P	P	P	P	P	P	P	P
Pet shop (no boarding)		C	P	P								
Photo processing with film sales	C	P	P	P						P		
Photography studio (nonretail)	P	P	P	P						P	C	
Photography supply and processing		P	P	P								
Picture framing	P	P	P	P							C	
Places of worship			C						P			

Playhouses	C	P	P	P					P			
Post office			P	P								
Printing and publishing:						P	P	P				
<14,000 square feet floor area			P									
Private lodges and clubs		C	C						P			
Private motor fuel dispensing station (see section 10-15-23 of this title)	C					C		P				
Processing and treatment						C	C	P				
Professional offices, not within office building	P	P	P	P	P	A	P	A	A		C	
Public and private schools									P			
Public libraries and art galleries									P	P		
Public parks and playgrounds									P			
Radio and television studios	C											
Recreation centers			C						P			
Research and development facilities (indoor only)	P			C	C	C	P	P			C	C
Restaurant:	P	P	P	P	P						C	
Fast food (see section 10-15-25 of this title)		C	C	C	C							
Within a clubhouse on a golf course									A			
Retail, general:												

<1,000 square feet		P	P	P							C	
> or = 1,000 square feet			P	P								
Service of semi-tanks, trucks and trailers (except as prohibited by the fire code), including equipment, parts and tires								P				
Shelter for battered women when accessory to at least 1 of the following: place of worship, academy, higher education facility, or hospital									C			
Shoe repair		P	P	P								
Signs (see chapter 15, article E of this title)	A	A	A	A	A	A	A	A	A	A	A	A
Single-family dwelling: (see section 10-10A-4 of this title)	A											
Attached										P		
Existing (see section 10-10F-4 of this title)											P	
Small appliance repair		P	P	P								
Sporting goods store		P	P	P								
Stone and monument sales			C			C						
Studios: dance, exercise, marshal arts, etc.:												
<2,000 square feet in floor area	C	P	P	P							P	
> or = 2,000 square feet in floor area		P	P	P								

Tanning salon	C	P	P	P							C	
Theater (movie)		C	C	C							C	
Tower, telecommunications (see chapter 15, article G of this title) and commercial television and radio transmitters	C	C	C	C	C	C	C	C	C			
Truck and freight terminal						C		P				
Truck stop (see section 10-15-23 of this title)						C						
Upholstery shop		P	P	P								
Veterinary clinic:												
Small animals	C	C	C	C							C	
Large animals						C						
Video store		P	P	P								
Warehousing and distribution						P		P				
Wholesale office and showroom			P			P		P				
Wholesaling and distribution						P		P				
Wind power converter						C		P ³ , C ⁴	C			

Notes:

1. Must comply with performance standards found in subsection [10-15-10B](#) of this title.
2. Must comply with performance standards found in subsection [10-15-10B](#) of this title when abutting Highway 52/55.
3. Maximum height of 45 feet.
4. Maximum height of 60 feet.

(Ord. 1323, 10-10-2016; amd. Ord. 1334, 3-27-2017; Ord. 1335, 4-10-2017)

P L A N N I N G R E P O R T
CITY OF INVER GROVE HEIGHTS

HEARING DATE: February 7, 2018 **CASE NO.:** 18-04ZA

APPLICANT: City of Inver Grove Heights

REQUEST: An Ordinance Amendment to add park-and-ride facilities to the list of Interim Uses.

REVIEWING DIVISIONS: Planning **PREPARED BY:** Heather Botten 
Associate Planner

BACKGROUND

Over the past few years staff have received general inquiries regarding the City having a short term park-and-ride facility to be used for commuters. More recently, an inquiry was received regarding a property to have remote airport parking as an additional use and as a primary use of a property. Currently, city code does not address either parking situation and therefore, they would not be an allowed use.

There are many different types of parking services and facilities available, including but not limited to: Metropolitan Council transit park-and-ride facilities, park-and-ride services set up by private companies, joint parking agreements with an off-site business, and remote airport parking (park-and-fly). Each of these uses can be a primary or accessory use on a property.

City Council discussed this topic at two worksessions in 2017 and recommended staff to come up with language to allow these types of uses by an Interim Use Permit (IUP). The property owner or applicant would then apply for an IUP for the specific parcel and type of facility they would like to operate.

EVALUATION OF THE REQUEST

Based on a meeting held with business representatives on September 14, 2017, staff determined there are currently two businesses in town affected by a potential ordinance change:

- 1) AmericInn: AmericInn currently leases 175 spaces at the AMC theater lot in addition to the spaces at the hotel. Representatives from the hotel stated the overflow parking is needed for customers that stay in their hotel. They stated that even though they provide park-and-fly services to non-guests (no stay in the hotel), only five parking spaces are held for this service. The majority of vehicles associated with the hotel are parked overnight, some for days at a time. The AMC property has excess parking as they recently renovated the theater reducing the total number of seats available for customers.

A park-and-fly provides customers an alternative to parking at the airport while providing the land owner revenue from the vehicles being stored. Vehicles are stored

overnight and the facility is typically responsible for bringing the customers to and from the airport.

- 2) Rochester City Lines: The Rochester bus line operates from the old Rainbow parking lot. They have been operating a park-and-ride on this site since 2007. They offer commuter bus travel to Rochester each weekday morning and return from Rochester in the evening. There is no overnight parking allowed, based on the agreement between the bus company and land owner. Rochester City Lines is looking at other places in the City to rent space for their commuters; one of the places they are considering is the Community Center.

Allowing short term parking facilities (park-and-rides) would provide residents an opportunity to car pool or take public transportation to work or other daily activities. Park-and-rides are found throughout the metro area, providing a parking area that individuals can use to get closer to their destination without taking a private vehicle the entire trip.

The issues or impacts of allowing short term or airport parking options would be:

Benefits

- Park-and-ride facilities provide a service to local businesses and residents to park vehicles for a short amount of time, typically during business hours.
- Environmental benefits for commuter parking are less vehicles traveling on the road.
- Park-and-fly facilities provide a service to travelers that is an alternative to airport parking.

Concerns

- A parking lot generates a less tax value than a commercial building.
- A parking facility creates fewer employment opportunities than a commercial building.
- There may be challenges with stormwater requirements that could impact a local and regional stormwater system.
- There may be high traffic volumes that impact the road system during peak drop-off and pick-up times.
- There may be increased criminal activity and public safety concerns with vehicles left unattended for extended periods of time.
- The parking reduces the number of parking stalls required for the principle use on the property.

Zoning. As mentioned, currently city code does not address either parking situation and therefore, they would not be an allowed use.

Although changing the code to allow such use as a permitted, conditional, or accessory use in commercial districts is an option, staff is not comfortable doing so. Allowing the request as a permitted or accessory use would be difficult to administer and could have an impact on the required parking for the principle use on the property. A conditional use would stay with the property, even if the tenant would change, which could impact future uses and required parking on a property.

Staff is proposing the following language to the Interim Use section of the City Code.

SECTION 10-14-2: INTERIM USES ENUMERATED:

I. Within B-3, B-4, and P zoning districts, park-and-ride facilities such as short-term parking and park-and-fly lots shall be allowed subject to the conditions contained in an approved interim use permit and subject to the following:

- a. the applicant shall show that there is no substantial conflict in the principal operating hours of the two or more uses for which the joint use of off street parking facilities is proposed.
- b. required parking facilities serving two or more uses may be located on the same lot except in R and E districts, provided that the total number of parking spaces so furnished shall be not less than the sum total of the separate requirements for each use during any peak hour parking period when the parking facility is utilized at the same time.
- b. off street parking spaces shall not be utilized for open storage of goods or for the storage of vehicles that are inoperable or for lease, rent or sale.

If an ordinance amendment is adopted, a separate interim use permit application would be required to be submitted by the applicant and a public hearing would take place for that specific interim use permit. With the Interim Use Permit, additional conditions could be added such as: If the additional parking use would cease or the main business would require a higher parking demand the ancillary parking use would end, screening may be required from abutting residential properties and/or for security reasons, there may be a limit to the number of days or hours vehicles could be parked.

ALTERNATIVES

The Planning Commission has the following actions available on the following request:

- A. Approval.** If the Planning Commission finds the application to be acceptable, the following action should be recommended for approval:

- Approval of the Ordinance Amendment to add park-and-ride facilities as described above to the list of Interim Uses subject to the following condition:
 - 1) An Interim Use Permit application is required to be submitted by the applicant.

B. Denial. If the Planning Commission does not favor the proposed application, the above request or requests should be recommended for denial. With a recommendation for denial, findings or the basis for the denial should be given.

RECOMMENDATION

Staff supports the request as presented with the language stated in the report and the one condition listed in Alternative A.

PLANNING REPORT CITY OF INVER GROVE HEIGHTS

MEETING DATE: February 7, 2018

CASE NO.: 17-33ZA

APPLICANT AND PROPERTY OWNER: City of Inver Grove Heights

REQUEST: Discussion on allowing transient lodging (short-term rentals) of residential property

COMP PLAN: N/A

ZONING: N/A

REVIEWING DIVISIONS: Planning

PREPARED BY: Heather Botten
Associate Planner 

BACKGROUND

Last year the City Council reviewed transient lodging (short-term rentals) at two work sessions and then directed staff to amend the city code to prohibit transient lodging. In August 2017, the Planning Commission held a public hearing to prohibit transient lodging in residential homes. The Planning Commission did not support the proposed ordinance to prohibit transient lodging (6-2 vote). At the third reading, held on November 27, 2017, the City Council reversed their earlier decision to prohibit and decided to possibly allow transient lodging with conditions. Council directed staff to bring the topic of short-term rentals to the Planning Commission and Housing Committee for review and comment. After comments are received, staff will then bring the item back to the Planning Commission for a public hearing and then to City Council for their review.

The definition of transient lodging (short-term rentals) the City has been using is: The letting, lease, license or other agreement for the use or occupancy of a rental dwelling unit, or portion thereof, where the actual term of use or occupancy is less than 30 consecutive calendar days including, but not limited to vacations homes, crash pads, hostels, and the like.

If someone wanted to rent out their home on a longer term they would have to comply with the Rental License chapter of the City Code (4-13).

Online rental sites such as VRBO, Airbnb, and other home sharing sites have become quite popular. These are services individuals may use to arrange short-term rental of someone's house, apartment, or room for one night or more. They create a unique situation by placing short-term vacationers in the City's residential zones. Short-term rentals located in residential zoning districts could be viewed as a hotel/commercial use on residential property.

ANALYSIS

The issues or impacts of allowing short term rentals would be:

Benefits:

- promotes an alternative to a hotel stay while tourists visit Inver Grove Heights for a getaway
- provides an opportunity for a large family or group of people to stay in one place instead of numerous hotel rooms while visiting Inver Grove
- provides an alternative to a hotel for business travelers who are in the area and need short-term housing
- provides residents an opportunity to rent their home for additional income

Concerns:

- create conflicting land uses with a commercial use being operated out of a residential neighborhood
- generates additional traffic and high occupant turnover which may negatively impact a residential neighborhood
- provide an opportunity for large gatherings of people, who do not own the home or live in the neighborhood, to be disruptive to the abutting residents
- may cause complaints to the public safety department regarding noise, underage drinking and other nuisances to a residence not occupied by the owner

Staff met to discuss different alternatives and came up with the recommendation that, if the City decides to allow short term rentals, this could be done by interim use permit. The interim use permit process requires neighbor notification, allows for enforcement through the termination of the permit, and allows for conditions that could be specific to a location. Staff discussed hosted rentals (homeowner being present while the guest is renting) and determined it would be impossible to enforce and difficult to require a homeowner to not leave their home if they had a transient lodger present.

Council expressed concerns about the number guests that the transient lodgers could have on the property. Staff discussed a condition that could be included stating that no guests would be allowed after a designated time (ie.10:00 pm); this is similar to what hotels implement for their guests. Staff also discussed adding conditions such as requiring off street parking,

If an interim use ordinance amendment is adopted, a separate interim use permit application would be required to be submitted by the applicant and a public hearing would take place for that specific interim use permit. With the interim use permit, additional conditions could be added relating to the rental.

Regulations other cities have imposed on short-term rentals:

- Require a minimum of a two-night stay
- Owner must provide contact information to residents within 100 feet of the property boundary in case of issues or complaints
- Maximum occupancy based on the number of bedrooms (or square footage of the house)
- Off street parking shall be provided based on the number of bedrooms
- All parking must be off street and on the owners property
- Owner must keep a guest record including name, address, phone number and license plate information for all guests and must provide to the City within 48 hours notice
- Number of times a month a unit can be rented
- Cannot be used for commercial or social events
- Require the property to be homesteaded.

Duluth, Stillwater, and Prior Lake allow short term rentals with regulations. Below are a couple points from each ordinance; the complete ordinances are attached for your information.

Duluth: The City of Duluth allows short term rentals (vacation dwelling unit) by interim use permit. There is a minimum two night stay and a maximum of 29 days. A total of 60 vacation dwelling unit permits are allowed in the City.

Stillwater: The City of Stillwater allows different types of short term rentals; the type most closely related to VRBO rentals would be Type C (please refer to the attached ordinance for more information). No more than 15 licenses may be valid at any one time for Type C short term rentals. The ordinance requires a conditional use permit, license with the City, a maximum number of guests based on bedrooms and off street parking requirements.

Prior Lake: The City of Prior Lake allows short term rentals but regulates the number of times a month a home can be rented. They also require the rental home to be registered with the City and, based on the size of the home, regulate the number of occupants allowed to rent the home at one time.

ACTION

The Planning Commission is to discuss regulating transient lodging and what type of conditions they would possibly like to include with the ordinance.

Attachments: Ordinance language from Duluth, Stillwater, and Prior Lake

Duluth

1. In the R-C and RR-1 districts, this use is permitted provided that service is limited to large livestock/large animal care and any building or enclosure so used shall be located not less than 100 feet from any lot line;

2. In the R-2, R-P, MU-N and MU-C districts, this use is permitted provided that practice is limited to the treatment of small animals (household pets, i.e. dogs, cats, birds, that are ordinarily permitted in the house for company) and that all aspects of the facility are totally contained (including kennel runs and exercise areas) within a soundproof building with adequate ventilation;

U. Vacation dwelling unit.

1. The minimum rental period shall be not less than two consecutive nights;

2. The total number of persons that may occupy the vacation dwelling unit is one person plus the number of bedrooms multiplied by two;

3. Off street parking shall be provided at the following rate:

(a) Vacation dwelling units licensed on May 15, 2016, shall provide the following minimum number of off street parking spaces:

1. 1-2 bedroom unit, one space
2. 3-4 bedroom unit, two spaces
3. 5+ bedroom unit, three spaces.

(b) Vacation dwelling units licensed after May 15, 2016, shall provide the following minimum number of off street parking spaces:

1. 1-2 bedroom unit, one space
2. 3 bedroom unit, two spaces
3. 4+ bedroom unit, number of spaces equal to the number of bedrooms minus one.

(c) Vacation dwelling units licensed on May 15, 2016, are entitled to continue operating under the former off-street parking requirement. The parking exemption for vacation dwelling units licensed on May 15, 2016, expires upon transfer of any ownership interest in the permitted property.

4. Only one motorhome (or pickup-mounted camper) and/or one trailer either for inhabiting or for transporting recreational vehicles (ATVs, boat, personal watercraft, snowmobiles, etc.) may be parked at the site, on or off the street;

5. The property owner must obtain all licenses and permits from the city of Duluth and state of Minnesota required for guest occupancy on the property for two to 29 days;

6. The property owner must provide required documents and adhere to additional requirements listed in the city of Duluth's UDC application manual related to the keeping of a guest record, designating and disclosing a local contact, property use rules, taxation, and interim use permit violations procedures;

7. The property owner must provide a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbecue grill, recreational fire, pool, hot tub, or sauna, and provide detail concerning the provision of any dense urban screen that may be required to buffer these areas from adjoining properties;

8. Any vacation dwelling unit that will be located in a multi-family structure that has nine or more dwelling units shall:

(a) Make available 24-hour staffing at a front desk that is accessible to all tenants;

(b) If determined applicable by the Land Use Supervisor, provide a letter from a duly established Home Owner's Association stating the support of the Home Owner's Association Board of Directors for the vacation dwelling unit, and enumerating any Home Owner's Association rules to be incorporated into the interim use permit;

89. The interim use permit shall expire upon change in ownership of the property or in six years, whichever occurs first. An owner of a vacation dwelling unit permitted prior to May 15, 2016, may request, and the land use supervisor may grant, an application for adjustment of an

existing permit to conform to this section, as amended, for the remainder of the permit term.

Section 2. That Section 50-20.5 of the Duluth City Code be amended as follows:

50-20-5 Accessory uses.

A. Accessory agriculture roadside stand.

Only one stand offering for sale farm products produced on the premises is permitted provided that such stand does not exceed an area of 200 square feet and that it is located not nearer than 25 feet to any street or highway;

B. Accessory bed and breakfast.

The owner and operator of an accessory bed and breakfast shall be required to live in the establishment. In addition, the use shall:

1. Have no more than five habitable units;
2. Appear outwardly to be a one-family dwelling, giving no appearance of a business use other than allowed signs;
3. Have no greater impact on surrounding public areas, infrastructure or natural resources than a fully occupied private home with house guests;
4. Be located on a lot or tract containing a minimum of 0.6 acre;
5. Contain a minimum of 1,500 square feet of area on the first floor of the main building;
6. Dining areas shall not exceed three seats per habitable unit in bed and breakfast inns. In addition to resident guests, only guests of resident guests shall be permitted to dine in a bed and breakfast, or guests participating in meetings or other private events hosted by the facility when other overnight guests are not present, not to exceed the approved seating capacity of the facility. For profit events on the premises that involve a total number of participants in excess of the approved dining area seating capacity shall be limited to six days per year and shall be restricted to the period of October 15 through June 15;
7. Shall not have signage exceeding 12 square feet in size, and any signage shall complement the architecture of the structure;
8. Shall limit each guest stay to a maximum of 21 consecutive days;
9. May be subject to other conditions deemed necessary by the city to ensure the use complies with the purpose of this subsection;

C. Accessory boat dock, residential.

This use shall comply with the following standards:

1. Dockage of boats owned and primarily used by a resident of the property is a permitted accessory use to the primary residential use and shall not be limited in number;
2. If there is a residential structure on the property and the property has frontage on an improved street, the owner of the residential structure may rent out boat dockage to a maximum of two boats owned by others. If the property does not have frontage on an improved street, the owner of the residential structure may not rent dockage space to others. Boat dockage use on a property that is not residentially developed is permitted as a principal use provided that the use is limited to one boat for each lot or group of contiguous lots in the same ownership, and the boat is owned and primarily used by the owner of the property;
3. For each new rental boat dock space created or made legal after April 14, 1974, one off street parking space shall be provided in addition to all other off street parking spaces required by other legal uses of the property, such spaces to be constructed in accordance with Section 50-24;
4. At the request of the building official, the owner of property shall provide boat registration or other documentary evidence to prove compliance with these standards;
5. No buildings other than residential or residential accessory structures, no winter storage of boats other than those owned by a resident of the property in question, no repair facilities, fuel sales, food or refreshment sales, rentals of boats, boat or parts sales or displays or other commercial uses shall be permitted;

D. Accessory dwelling unit.

Stillwater

ORDINANCE NO. 1093

AN ORDINANCE AMENDING THE STILLWATER CITY CODE
CHAPTER 31, ENTITLED ZONING ORDINANCE
BY ADDING REGULATIONS FOR
SHORT TERM HOME RENTALS

THE CITY COUNCIL OF THE CITY OF STILLWATER DOES ORDAIN:

1. Definitions

Amend City Code Chapter 31, Section 31-101 Definitions, by adding the following:

- 119.1. *Primary Residence*, means the dwelling unit within which a person lives for six months plus a day during a calendar year.
- 119.2. *Primary Resident*, means a person living on a property where the property is the person's primary residence.
- 145.1. *Short Term Home Rental, Type A (hosted short term rental)*, means a dwelling unit that is offered to transient guests for a period of less than 30 consecutive days, where a primary resident of the property is present while the transient guests are present.
- 145.2. *Short Term Home Rental, Type B (unhosted short term rental)*, means a dwelling unit that is offered to transient guests for a period of less than 30 consecutive days, where the property serves as a person's primary residence but a primary resident of the property is not present while the transient guests are present. This Type B also includes Short Term Home Rental of any Accessory Dwelling Units, non-owner occupied Duplexes or "mother-in-law" apartments.
- 145.3. *Short Term Home Rental, Type C (dedicated short term rental)* means a dwelling unit that is offered to transient guests for a period of less than 30 consecutive days, where the property does not serve as a person's primary residence
- 145.4. *Short Term Home Rental, Type D (Bed & Breakfast)* – see the definition of Bed & Breakfast in Paragraph 16 of this Definition Section 31-101.

2. Short Term Home Rental Regulations.

Amend City Code Chapter 31 by adding the following Section.

Sec. 31-514.1. Short-Term Home Rental Regulations

Subd. 1. Purpose. The purpose of this Section 31-514.1 is to allow Short Term Home Rentals where appropriate while mitigating impacts upon surrounding properties by implementing balanced regulations to protect the integrity of the city's neighborhoods as well as protect the general public health, safety and welfare.

Subd. 2. License required. No property may be used for Type A, B or C Short Term Home Rental unless granted a license by the city. No property may be used for Type C Short Term Home Rental unless granted a Conditional Use Permit and a license by the city. No property may be used for Type D Short Term Home Rental (aka Bed & Breakfast) unless granted a Special Use Permit by the city pursuant to Section 31-504 of this Chapter.

Subd. 3. License application. Any property owner desiring to undertake Short Term Home Rentals must apply to the community development department for a Short Term Home Rental License. A license must be approved prior to operating within the city. The license application request must be submitted on the form prescribed by the city and must include all the information requested on the application form. The license application will not be accepted by the city unless an inspection report has been signed by personnel from both the city's fire department and building department.

Subd. 4. License fee. The license application form must be accompanied by payment in full of the required license application fee. The license application fee amount will be as determined by the city council in the city fee schedule.

Subd. 5. License issuance. The process for review and issuance of a license will vary depending upon the type of Short Term Home Rental as follows:

A. Type A, Hosted Short Term Home Rentals. Type A Short Term Home Rentals are required to have an administratively issued license from the city.

1. A Type A Short Term Home Rental license or renewal license will be issued administratively only if:
 - i. The licensee certifies on the application form that all applicable items found in this Section 31-514.1 are satisfied. That includes:
 - a. Proper zoning as found in Subd. 6; and
 - b. Performance standards as found in Subd. 7.
 - ii. The applicant submits a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbeque grill, recreational fire, or sauna.
 - iii. The applicant submits a floor plan, drawn to scale, of the home identifying which rooms will be used as transient guest bedrooms.
 - iv. The property passes the city inspection (see Section 31-514.1, Subd. 9B) for residential code standards applicable to renting a home on a short term basis. The list of health and safety items that will be inspected for this purpose will be included amongst license application materials so that the property owner will know what items will be inspected prior to submitting the license application to the city.
 - a. An inspection must be completed within 60 days prior to submission of the license application form.

- b. An inspection report must be submitted together with the license application form and other necessary materials. Without the inspection report, the license application will not be considered complete, nor will it be accepted by the city.
 - c. If the inspection identifies items that must be corrected, all corrections must be completed and verified by the city prior to submitting an application for the Short Term Home Rental license.
- 2. There shall be no change in the exterior appearance of the home or premises, or other visible evidence of the conduct of a Short Term Home Rental, except that additional on-site city code compliant parking may be provided.
- 3. The licensee must provide proof of sufficient and suitable property insurance at the time of license issuance, and must be able to confirm that the coverage remains in place within 24 hours of a city request for confirmation.
- 4. Licenses are non-transferable and shall expire upon change of ownership of the property.
- 5. A license constitutes a limited license granted to the applicant by the city and in no way creates a vested zoning right.
- 6. No more than a total of thirty-five Type A licenses may be valid within the city at one time.
- 7. If three substantiated and relevant complaints are received from neighbors or guests within a 12 month period, the license shall be revoked. The revocation may be appealed to the city council pursuant to procedures established in Section 31-217 of this Chapter. If a license is revoked, the owner is prohibited from making application for another license for any type of Short Term Home Rental for six months.
- 8. Licenses are valid for a period of three years. A renewal license must be applied for every three years.

B. Type B – Unhosted Short Term Rental. Type B Short Term Home Rentals are required to have an administratively issued license from the city. Prior to issuing the license, a neighborhood notification is required, as specified below.

- 1. A Type B Short Term Home Rental license or renewal license will be issued administratively only if:
 - i. The applicant submits a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbeque grill, recreational fire, or sauna.
 - ii. The applicant submits a floor plan, drawn to scale, of the home identifying which rooms will be used as transient guest bedrooms.
 - iii. The licensee certifies on the application form that all applicable items found in this Section 31-514.1 are satisfied. That includes:

- a. Proper zoning as found in Subd. 6
 - b. Performance standards as found in Subd. 7
 - c. Proof of sufficient and suitable property insurance.
- iv. No more than a total of thirty-five Type B licenses may be valid within the City at one time.
- v. Notices have been mailed by the city to all surrounding property owners according to the following standards:
 - a. 150 feet of all applicant properties zoned RB, CCR, CR, TH, CTHR, RCL, RCM, RCH, CBD;
 - b. 200 feet of all applicant properties zoned RA, LR, CTR, TR;
 - c. 500 feet of all applicant properties zoned AP; and
- vi. There are no objections received by the city within ten days of mailing the notices.
 - a. If objections are received, then the license request must be considered by the planning commission.
 - (1). The planning commission must hold a hearing, to which neighbors within the above defined notification area are invited to offer comments.
 - (2). After considering the license request and hearing comments from the neighbors, the planning commission may either approve a one year provisional license, with or without conditions, or deny the license request.
 - (3). If there are no substantiated relevant complaints from neighbors or guests during the provisional year, the permit will automatically extend two more years. If there are three substantiated relevant complaints, the provisional license is automatically revoked and the owner is prohibited from making application for another license for any type of Short Term Home Rental for six months.
- vii. The property passes the city inspection (see Section 31-514.1, Subd. 9B) for residential code standards applicable to renting a home on a short term basis. The list of health and safety items that will be inspected for this purpose will be included amongst license application materials so that the property owner will know what items will be inspected prior to submitting the license application to the city.
 - a. An inspection must be completed within 60 days prior to submission of the license application form.
 - b. An inspection report must be submitted together with the license application form and other necessary materials. Without the inspection report, the license application will not be considered complete, nor will it be accepted by the city.

- c. If the inspection identifies items that must be corrected, all corrections must be completed and verified by the city prior to submitting an application for the Short Term Home Rental license.
2. There shall be no change in the exterior appearance of the home or premises, or other visible evidence of the conduct of a Short Term Home Rental, except that additional on-site city code compliant parking may be provided.
3. The licensee must provide proof of sufficient and suitable property insurance at the time of license issuance, and must be able to confirm that the coverage remains in place within 24 hours of a city request for confirmation.
4. If three substantiated and relevant complaints are received from neighbors or guests within a 12 month period, the license shall be revoked. The revocation may be appealed to the city council pursuant to procedures established in Section 31-217 of this Chapter. If a license is revoked, the owner is prohibited from making application for another license for any type of Short Term Home Rental for six months.
5. Licenses are non-transferable and shall expire upon change of ownership of the property.
6. A license constitutes a limited license granted to the applicant by the city and in no way creates a vested zoning right.
7. Licenses are valid for a period of three years. A renewal license must be applied for every three years. No neighborhood notification is required for the renewal of licenses.

C. Type C – Dedicated Short Term Rental. Type C Short Term Home Rentals are required to have both a Conditional Use Permit and an administrative license issued by the city. The Conditional Use Permit and initial license may be processed simultaneously.

1. **Conditional Use Permit.** The application for the Conditional Use Permit to operate a Type C Short Term Home Rental must be filed with the city's community development department on the applicable form. The application will be reviewed according to the process established in Sections 31-204 and 31-207 of this Chapter. In addition, the following procedures, criteria and conditions shall also apply:
 - i. The applicant must submit a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbeque grill, recreational fire, or sauna.
 - ii. The applicant submits a floor plan, drawn to scale, of the home identifying which rooms will be used as transient guest bedrooms.
 - iii. The Conditional Use Permit runs with the land and must be filed in the property's chain of title, but since a license is also required for a

Type C Short Term Rental, possession of a Conditional Use Permit is not sufficient to operate. Any new owner desiring to operate a Type C Short Term Rental on property that has an unexpired Conditional Use Permit filed in the chain of title must also obtain a license from the city. A Conditional Use Permit expires if a property is not operated as a Short Term Home Rental for more than a year.

- iv. The Conditional Use Permit applicant must certify on the city application form that all applicable items found in this Section 31-514.1 are satisfied. That includes:
 - a. Proper zoning as found in Subd. 6
 - b. Performance standards as found in Subd. 7
 - c. Proof of sufficient and suitable property insurance.
 - v. The property must pass inspection by city building and fire code inspectors and found to meet the residential code standards applicable to renting a home on a short term basis (see Section 31-514.1, Subd 9B) prior to holding the public hearing for the Conditional Use Permit. The list of health and safety items that will be inspected for this purpose will be included amongst license application materials so that the property owner will know what items will be inspected prior to submitting the license application to the city.
 - vi. No more than a total of fifteen Conditional Use Permits for Type C Short Term Home Rentals may be valid within the City at one time.
2. **License.** The application form for the license or renewal license must certify by the applicant that all applicable items found in this Section 31-514.1 are satisfied. That includes:
- i. A Conditional Use Permit has been issued for the subject property and is still valid.
 - ii. The property has been inspected no more than 60 days prior to submission of the license application by city building and fire code inspectors and found to meet the residential code standards applicable to renting a home on a short term basis.
 - a. An inspection must be completed and the inspection report submitted together with the license application form and other necessary materials. Without the inspection report, the license application will not be considered complete, nor will it be accepted by the city.
 - b. If the inspection identifies items that must be corrected, all corrections must be completed and verified by the city prior to submitting an application for the Short Term Home Rental license.
 - iii. Proper zoning as found in Subd. 6
 - iv. Performance standards as found in Subd. 7
 - v. Proof of sufficient and suitable property insurance.

- vi. No more than a total of fifteen Type C Short Term Home Rental licenses may be valid at one time within the City.
- 3. The license for a Type C Short Term Home Rental may only be issued to the owner of the property and is not transferable to any other entity.
- 4. There shall be no change in the exterior appearance of the home or premises, or other visible evidence of the conduct of a Short Term Home Rental, except that additional on-site city code compliant parking may be provided.
- 5. The licensee must provide proof of sufficient and suitable property insurance at the time of license issuance, and must be able to confirm that the coverage remains in place within 24 hours of a city request for confirmation.
- 6. Type C Short Term Home Rental licenses are valid for a period of three years. A renewal license must be applied for every three years. The Conditional Use Permit will not expire unless its use is discontinued for more than a year.
- 7. The Type C Short Term Home Rental license is not transferable and shall expire upon change of ownership of the property.
- 8. A license constitutes a limited license granted to the applicant by the city and in no way creates a vested zoning right.
- 9. If three substantiated and relevant complaints are received from neighbors or guests within a 12 month period, the license shall be revoked. The revocation may be appealed to the city council pursuant to procedures established in Section 31-217 of this Chapter. If a license is revoked, the owner is prohibited from making application for another license for any type of Short Term Home Rental for six months.

D. Type D – Bed & Breakfast. Type D Short Term Home Rentals are also known as Bed & Breakfasts and are required to have a Special Use Permit as regulated in Section 31-504 of this Chapter.

Subd. 6. Zoning District. Short Term Home Rentals are permitted, with an approved license from the City of Stillwater, in the following Zoning Districts:

- A. **Residential Zoning Districts.** Type A and B Short Term Home Rentals are allowed by city license in all Residential Zoning Districts. Type C Short Term Home Rentals are allowed by Conditional Use Permit in all Residential Zoning Districts. Type D Short Term Home Rentals (aka Bed & Breakfasts) are allowed by city license in the RCL Zoning District and by Special Use Permit in the RB and RCM Zoning Districts
- B. **Commercial Zoning Districts.** Type A, B and C Short Term Home Rentals are permitted by city license in the CBD Zoning District.

Subd. 7. Performance standards. Type A, B and C Short Term Home Rentals shall be subject to the following performance standards. Type D Short Term Home Rentals shall be subject to the standards found in Section 31-504 of this Chapter.

A. Parking.

1. In residential zoning districts, all guest parking must be accommodated on improved surfaces on the premises. No on-street parking is allowed for guests. At a minimum, parking shall be provided at the following rate:
 - i. 1-2 bedroom unit, 1 space
 - ii. 3 bedroom unit, 2 spaces
 - iii. 4 and 4+ bedroom units, number of spaces equal to the number of bedrooms minus one.
2. In the CBD zoning district, guest parking must either be accommodated on the property of the Short Term Home Rental dwelling unit, or a parking mitigation plan must be approved by the Parking Commission.

B. Length of guest stay. The minimum length of stay is one day. The maximum length of stay is 30 days, since more than that is by definition not a Short Term Home Rental property.

C. Number of guests. The maximum number of transient guests will be limited to two times the number of bedrooms plus one.

D. Guest records. The licensee for Type B and C Short Term Rentals must keep a transient guest record including the name, address, phone number, and vehicle license plate information for all guests and must provide a report to the city upon 48 hours notice.

E. Guest disclosures. The licensee must disclose in writing to their transient guests the following rules and regulations, and must submit a copy of the disclosure to the city with the license application and renewal applications. In addition the disclosures must be conspicuously displayed in the home.

1. For Type B and C Short Term Home Rentals, the name, phone number and address of the owner, operating lessee or managing agent/representative;
2. The maximum number of guests allowed at the property;
3. The maximum number of vehicles allowed at the property and where they are to be parked;
4. Property rules related to use of outdoor features, such as decks, patios, grills, recreational fires, saunas and other recreational facilities;
5. City nuisance ordinances will be enforced by the Stillwater Police Department, including reduced noise levels between 10 PM and 8 AM.
6. No events are allowed to be hosted on the premises.

F. License number. The licensee must post their city license number on all print, poster or web advertisements.

G. Proximity of assistance. For Type B and Type C Short Term Home Rentals, the property owner or a manager/representative must be located within 30 minutes travel time of the property. The community development department

must be notified within 10 days of a change in the managing agent/representative or their contact information. The licensee must provide the name, address and phone number for the licensee or managing agent/representative to all property owners within 150 feet of the property boundary. The licensee must notify neighboring properties within 10 days of a change in the managing agent/representation or contact information.

- H. **Garbage.** As required by City Code Chapter 30-1, Subd 5, all garbage must be kept in rubbish containers that are stored out of view of a public street.
- I. **Signage.** No signage is allowed on the property of a Type A, B or C Short Term Home Rental. Type D is allowed signage as regulated in Section 31-504 of this Chapter.
- J. **Events.** Events are not allowed to be hosted by transient guests on the premises. For purposes of this Section 31-541.1, an event means a gathering on the premises of more than three un-registered transient guests. Events hosted by the property owner are allowed, but must abide by all applicable city ordinances and polices, including the prohibition on renting private residential property out for events.

Subd. 8. Required inspections.

A. Type A, B and C Short Term Home Rentals

1. These types of Short Term Home Rentals are required to have, and pass, a health and safety code inspection by city building and fire code staff prior to issuance of a license or renewal of the license.
2. The list of health and safety items that will be inspected for this purpose will be included amongst license application materials so that the licensee will know in advance what items will be inspected.
3. Upon receipt of a complaint, the city zoning administrator will contact the licensee and will determine whether a compliance inspection is required.

B. Type D Short Term Home Rentals (aka Bed & Breakfast)

1. This type of Short Term Home Rental is required to have inspections as regulated by Section 31-504.

Subd. 9. Limit on number of licenses. No more than a total of thirty-five licenses may be valid at any one time for Type A Short Term Home Rentals. No more than a total of thirty-five licenses may be valid at any one time for Type B Short Term Home Rentals. No more than fifteen licenses may be valid at any one time for Type C Short Term Home Rentals. Type D Short Term Home Rentals are required to have a Special Use Permit, but no license is required. 

Subd. 10. Sales taxes. In addition to state sales tax, the licensee is required to pay the city lodging tax.

- A. The city lodging tax must be collected and paid either by the web based booking company that the Short Term Home Rental is listed on, or by the licensee directly to the city if the Short Term Home Rental does not use a web based booking service.

- B. The license application must supply information on any web based booking service(s) used for the licensed property.
- C. The licensee, or booking agent on their behalf, is required to pay the city lodging tax quarterly. If no sales are made during a quarter, a report must none the less be submitted to the city stating that no sales were made or lodging tax collected during that quarter.

Subd. 11. Interchangeability. A licensee may use the license to operate any Short Term Home Rental type equal to or less restrictive than the one for which the license is issued. Therefore, if an owner is issued a Type C license, the property is permitted to operate as a Type C, B or A. And, a Type B license allows the owner to operate as a Type B or A. However, a Type D owner may only operate as a Bed & Breakfast.

Subd. 12. Enforcement.

- A. In the event of a violation or threatened violation of this ordinance, the city, in addition to other remedies, is entitled to seek Injunctive Relief or proceedings to prevent, restrain, correct or abate such violations or threatened violations.
- B. The penalty for violation of this Section 31-514.1 shall be a Misdemeanor.
- C. In addition to penalty provisions A and B above, the fine for the first substantiated and relevant complaint or violation shall be \$250. The fine for the second shall be \$500.00. The fine for the third shall be \$750.00 and this third offense shall also result in automatic license revocation.

3. Amend City Code Section 31-315, Allowable Uses in Residential Districts by adding:

ALLOWABLE USES	ZONING DISTRICTS											
	A-P	LR	CTR	RA	TR	CCR	RB	CR	TH	CTHR	RCL	RCM
Bed & Breakfast (Type D Short Term Home Rental)							SUP ¹⁰				P ¹¹	SUP
Short Term Home Rental; Type A and B	P	P	P	P	P	P	P	P	P	P	P	P
Short Term Home Rental; Type C	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP

P = Permitted use

SUP = Use permitted with a Special Use Permit

CUP = Use permitted with a Conditional Use Permit

A = Accessory use

Blank cell in table means that the use is NOT allowed.

4. Amend City Code Section 31-325, Allowable Uses in Non-Residential Districts by adding:

ALLOWABLE USES	ZONING DISTRICTS									
	CA	CBD	VC	BP-C	BP-O	BP-I	CRD	PA	PWFD	PROS
Short Term Home Rental, Type A, B, C		P								

P = Permitted use

SUP = Use permitted with a Special Use Permit

CUP = Use permitted with a Conditional Use Permit

PUD = Use permitted with a Planned Unit Development Permit

A = Accessory use

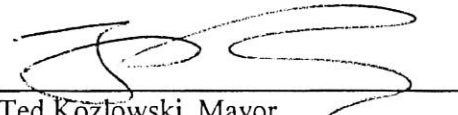
ACC = Allowed as an accessory improvement to an allowed use located on or adjacent to the site

Blank cell in table means that the use is NOT allowed.

5. Savings. In all other ways City Code Chapter 31 shall remain in full force and effect.
6. Effective Date. This Ordinance will be in full force and effect from and after its passage and publication according to law.

Enacted by the City Council of the City of Stillwater this 2nd day of May, 2017.

CITY OF STILLWATER


Ted Kozłowski, Mayor

ATTEST:


Diane Ward, City Clerk

SECTION 315 SHORT TERM RENTALS

SUBSECTIONS:

315.100:	PURPOSE
315.200:	SCOPE
315.300:	DEFINITIONS
315.400:	PERMIT REQUIRED
315.500:	RESPONSIBILITY OF OWNER
315.600:	DISORDERLY CONDUCT
315.700:	SUSPENSION AND REVOCATION
315.800:	APPEAL
315.900:	PENALTY

315.100: **PURPOSE:** The purpose of this Section is to ensure that the short-term rental of dwelling units in the City's Residential Use Districts is conducted, operated, and maintained so as not to become a nuisance to the surrounding neighborhood or an influence that fosters blight and deterioration or creates a disincentive to reinvest in the community.

315.200 **SCOPE:** This section applies to the short-term rental of all dwelling units located in the City's Residential Use Districts.

315.300 **DEFINITIONS:** The following words and terms when used in this Section shall have the following meanings unless the context clearly indicates otherwise:

Bedroom: A habitable room within a single-family dwelling which is used, or intended to be used, primarily for the purpose of sleeping, but shall not include any kitchen, dining room, or living room.

Code Enforcement Officer: An employee of the City designated as the Code Enforcement Officer. The term Code Enforcement Officer also includes all City employees authorized by City Code Section 104.400 to issue citations.

Dwelling unit: One or more rooms physically arranged so as to create an independent housekeeping establishment for occupancy by one family with separate toilets and facilities for cooking and sleeping.

Occupant: Any person who occupies a dwelling unit or part of the same.

Owner: A person having legal or equitable interest in the dwelling unit or its premises.

Off-street parking space: An area on the premises or within a building on the premises intended for the use of temporary parking of a motor vehicle which has a means of access to a public street.

Permitted Premises: The platted lot or part of such lot or unplatted parcel of land on which a dwelling unit permitted as a short-term rental is located.

Public waters: Any waters as defined in Minnesota Statutes § 103G.005, Subd. 15.

Residential Use District: The land-use districts identified in City Code Section 1102, Subsections 1102.100 through 1102.700.

Short-term rental: The rental or lease of a dwelling unit in whole or in part for 30 days or less.

Short-term rental permit: The permit issued by the City for the rental or lease of a dwelling unit in whole or in part for 30 days or less.

Tenant: Any person who is occupying a dwelling unit under any agreement, lease, or contract, whether oral or written, which requires the payment of money as rent for the use of the dwelling unit.

Watercraft: Any vessel, boat, canoe, raft, barge, sailboard, or any similar device used or useable for carrying and transporting persons on the public waters.

315.400 PERMIT REQUIRED: No owner shall undertake the short-term rental of any dwelling unit to a tenant or tenants unless properly permitted as hereinafter provided.

315.401 Application: An owner desiring to undertake or allow the short-term rental of a dwelling unit in one of the City's Residential Use Districts shall apply to the Code Enforcement Officer for a short-term rental permit. The application shall be submitted by the owner. The permit application shall be on a form prescribed by the City and include all required information.

315.402 Permit Fee: Each application shall be accompanied by payment in full of the required permit fee. The annual permit fee shall be determined by the City Council and set forth in the City fee schedule. The fee shall not be prorated.

315.403 Issuance of Short-Term Rental Permit:

- (1) If the Code Enforcement Officer determines that an applicant has met the requirements for issuance of a short-term rental permit, the Code Enforcement Officer shall issue the applicant a short-term rental permit.
- (2) If the Code Enforcement Officer determines that an applicant has not met the requirements for issuance of a short-term rental permit, the Code Enforcement Officer shall endorse on such application his/her disapproval and his/her reasons for the same and provide the application and recommendation for denial to the City Manager. The City Manager may either: (i) deny the application and return the endorsed application to the applicant to notify the applicant that his/her application is denied and that no permit will be issued; or (ii) direct the Code Enforcement Officer to issue the applicant a short-term rental permit.

315.404 Expiration of Permit: Except as otherwise provided in this Section, all short-term rental permits shall expire annually on December 31 of each year unless suspended or revoked earlier.

- 315.405 **Renewal of Permit:** Applications for renewal of an existing short-term rental permit shall be made at least sixty (60) days prior to the expiration of the current short-term rental permit. All such applications shall be submitted to the Code Enforcement Officer on forms provided by the City and shall be accompanied by the required fee.
- 315.406 **Permit Not Transferable:** No short-term rental permit shall be transferable to another person or to another dwelling unit. Every person holding a short-term rental permit shall give notice in writing to the Code Enforcement Officer within five (5) business days after having legally transferred or otherwise disposed of the legal control of any dwelling unit for which a short-term rental permit has been issued. Such notice shall include the name and address of the person succeeding to the ownership or control of such dwelling unit.
- 315.407 **Resident Agent Required:** No short-term rental permit shall be issued without the designation of a local agent. The agent must live and work within 30 miles of the dwelling unit. The Agent may, but is not required to be, the owner. One person may be the agent for multiple dwelling units. At all times, the agent shall have on file with the Code Enforcement Officer a primary and a secondary phone number as well as a current address. The agent or a representative of the agent shall be available 24 hours a day during all times that the dwelling unit is being rented at the primary or secondary phone number to respond immediately to complaints and contacts relating to the dwelling unit. The Code Enforcement Officer shall be notified in writing within two (2) business days of any change of agent. The agent shall be responsible for the activities of the tenants and maintenance and upkeep of the dwelling unit and shall be authorized and empowered to receive service of notice of violation of the provisions of City ordinances and state law, to receive orders, and to institute remedial action to effect such orders, and to accept all service of process pursuant to law.
- 315.408 **Denial of Short-Term Rental Permit:** Any applicant aggrieved by the denial of a short-term rental permit or the non-renewal of an existing permit may appeal to the City Council. Such appeal shall be taken by filing with the City Manager within ten (10) days after the date of issuance of the written denial, a written statement requesting a hearing before the City Council and setting forth fully the grounds for the appeal. A hearing shall be held within thirty (30) days of receipt of the request. Notice of the hearing shall be given by the City Manager in writing, setting forth the time and place of hearing. Such notice shall be mailed, postage prepaid, to the applicant at his/her last known address at least five (5) days prior to the date set for hearing.
- 315.500 **RESPONSIBILITY OF OWNERS:** No owner shall undertake or allow the short-term rental of a dwelling unit in a Residential Use District that does not comply with all applicable City ordinances, the laws of the State of Minnesota, and this Section. It shall be the owner's responsibility to ensure that all tenants, occupants, and guests comply with the following:
- 315.501 **Maximum Overnight Occupancy:** The number of overnight occupants allowed for a short-term rental shall be limited as set out below. Children under three (3) years of age are not be counted toward the limit.

For lots of ½ acre or more if the livable square footage of the primary building is:
under 1,500 square feet: 6 occupants
1,500 square feet to less than 2,000 square feet: 8 occupants
2,000 square feet or more: 12 occupants

For lots of less than ½ acre:

under 1,500 square feet: 4 occupants
1,500 square feet to less than 2,000 square feet: 6 occupants
2,000 square feet or more: 8 occupants

- 315.502 **Off-Street Parking:** The permitted premises shall contain off-street parking spaces equal in number to the number of bedrooms contained in the dwelling unit.
- 315.503 **Storage of Watercraft:** No watercraft shall be permanently or temporarily placed or stored within the side yard setback of the permitted premises, as prescribed for the relevant zoning district by City Code Section 1102.
- 315.504 **Maintenance Standards:** Every dwelling unit used for short-term rental shall conform to all building and zoning requirements of the City Code, special permits issued by the City, and the laws of the State of Minnesota.
- 315.505 **Rental Limit:** No dwelling unit shall be rented out more than 5 times per calendar month.
- 315.506 **Occupants:** The agent shall maintain a list of all current occupants of each dwelling unit. The agent shall make the list available to City staff and/or law enforcement upon request.
- 315.600 DISORDERLY CONDUCT:**
- 315.601 **Disorderly Conduct Prohibited:** Disorderly conduct is prohibited on all permitted premises. It shall be the responsibility of the owner to ensure that all tenants occupying the permitted premises and their guests conduct themselves in such a manner as not to cause the permitted premises to be disorderly. For purposes of this Section, disorderly conduct includes but is not limited to, a violation of any of the following statutes or ordinances:
- (1) Minn. Stat. §§ 609.75–609.76, which prohibit gambling;
 - (2) Minn. Stat. §§ 609.321–609.324, which prohibit prostitution and acts relating thereto;
 - (3) Minn. Stat. §§ 152.01–152.027, which prohibit the unlawful sale or possession of controlled substances;
 - (4) Minn. Stat. § 340A.401, which prohibits the unlawful sale of alcoholic beverages;
 - (5) Minn. Stat. § 340A.503, which prohibits the underage consumption of alcoholic beverages;
 - (6) Minn. Stat. § 609.595, which prohibits damage to property;
 - (7) Minn. Stat. §§ 97B.021, 97B.045, 609.66–609.67, and 624.712–624.716, and City Code Section 804, which prohibit the unlawful possession, transportation, sale, or use of a weapon;
 - (8) Minn. Stat. § 609.72, which prohibits disorderly conduct, when the violation disturbs the peace and quiet of the other occupants of the permitted premises or other surrounding premises;
 - (9) Minn. Stat. § 152.027, subd. 4, which prohibits the unlawful sale or possession of small amounts of marijuana;

- (10) Minn. Stat. § 152.092, which prohibits the unlawful possession or use of drug paraphernalia;
- (11) City Code Section 605, which prohibits public nuisances;
- (12) City Code Sections 803.200 and 803.300, which prohibit public drunkenness and disturbing the peace;
- (13) City Code Sections 601.201 and 601.600, which prohibits littering on private or public property;
- (14) City Code Sections 802.901-802.903, which prohibits pets from running at large and requires immediate waste removal;
- (15) City Code Section 1102.700, which prohibits parking vehicles on required yard or landscape areas;
- (16) City Code Section 605.1006, which prohibits nuisance noise including additional restrictions between the hours of 10:00 p.m. and 7:00 a.m.;
- (17) Minnesota State Fire Code 302 and 307-307.5, which limit recreational fires to no larger than 3'X3' feet, natural wood only, attended until extinguished, conditions permitting; and
- (18) Minn. Stat. §§ 624.20-624.21 which prohibits exploding fireworks.

315.602 **Determination of Disorderly Conduct:**

- (1) A determination that the permitted premises has been used in a disorderly manner as described in subsection 315.601 shall be made by the Code Enforcement Officer upon evidence to support such a determination. It shall not be necessary that criminal charges are brought to support a determination of disorderly use, nor shall the fact of dismissal or acquittal of such a criminal charge operate as a bar to adverse permit action under this Section.
- (2) Upon determination by the Code Enforcement Officer that a permitted premises was used in a disorderly manner, as described in subsection 315.601, the Code Enforcement Officer shall notify the owner and agent by certified mail of the violation and direct the owner and/or agent to take appropriate action to prevent further violations.
- (3) If a second instance of disorderly use of the permitted premises occurs within one year of an incident for which notice in subsection 315.602(2) was given, the Code Enforcement Officer shall notify the owner and agent by certified mail of the violation and shall also require the owner and agent to submit within 15 days a written report of the actions taken, and proposed to be taken, by the owner and/or agent to prevent further disorderly use of the permitted premises.
- (4) If a third incident of disorderly use of the permitted premises occurs within one year after the second of any two previous instances of disorderly use for which notices were sent to the owner and agent pursuant to this subsection, the short-term rental permit may be revoked, suspended, or not renewed. An action to revoke, suspend, or not renew a permit

under this subsection 315.600 shall be initiated by the Code Enforcement Officer in the manner described below.

315.700 PERMIT SUSPENSION OR REVOCATION:

315.701 Procedure:

- (1) Every short-term rental permit issued under this Section is subject to suspension or revocation by the City Manager for any violation of this Section or any other ordinance of the City or the law of the state.
- (2) The Code Enforcement Officer may recommend suspension or revocation of a short-term rental permit to the City Manager. The City Manager shall review the recommendation and the reasons supporting the recommendation and may suspend or revoke the permit. The City Manager shall provide written notice to the owner and agent of the suspension or revocation. The notice shall inform the owner and agent of the right to appeal the decision of the City Manager to the City Council.
- (3) Any applicant aggrieved by the suspension or revocation of a short-term rental permit may appeal to the City Council. Such appeal shall be taken by filing with the City Manager within ten (10) days after date of issuance of the written suspension or revocation notice, a written statement requesting a hearing before the City Council and setting forth fully the grounds for the appeal. A hearing shall be held within thirty (30) days of receipt of the request. Notice of the hearing shall be given by the City Manager in writing, setting forth the time and place of hearing. Such notice shall be mailed, postage prepaid, to the applicant at his/her last known address at least five (5) days prior to the date set for hearing.

315.702 Effect of Suspension or Revocation: If a short-term rental permit is suspended or revoked, it shall be unlawful for anyone to thereafter allow any new short-term rental occupancies of the dwelling until such time as a valid short-term rental permit is restored by the City.

315.703 Effect of Revocation: No person who has had a permit revoked under this Section shall be issued a short term rental permit for one year from the date of revocation.

315.800 APPEAL: The decision of the City Council to deny, suspend, or revoke a short-term rental permit following a hearing as provided for in subsections 315.408 or 315.701 can be appealed by petitioning the Minnesota Court of Appeals by a writ of certiorari.

315.900 Posting: The following language shall be posted at or near the entrance of every short term rental dwelling unit. The posting shall be printed in a minimum 18 point font.

All short term rental of dwelling units shall comply with City Code Section 315. These posted regulations are a summary of a portion of the short term rental regulations. For additional information please refer to City Code Section 315 or contact City Hall.

- No person shall undertake the short-term rental of any dwelling unit without a City permit.
- The property lines of this unit are marked or identified as follows _____

- Every permitted premises shall have an agent within 30 miles available during all times the unit is rented, 24 hours a day at the following phone numbers _____ and/or _____ to respond immediately to complaints and contacts relating to the dwelling unit.
- The **Maximum Overnight Occupancy** for this dwelling unit is: _____ occupants. Not counting children under three (3) years of age.
- No watercraft shall be permanently or temporarily placed or stored within the side yard setback of the permitted premises.
- Disorderly conduct is prohibited. All disorderly conduct will be reported to the property's agent and the Prior Lake Police Department.
- Increased noise regulations are in place between the hours of 10 p.m. and 7 a.m.
- Littering is prohibited.
- Recreational fires are limited please check with the City to determine what prohibitions exist for current conditions.
- Any violation of this Section shall constitute a misdemeanor.

315.1000:

PENALTY: Any person who undertakes or allows any violation of this Section shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine or by imprisonment, or both, in accordance with the provisions of Minnesota State Statutes.

MEMO
CITY OF INVER GROVE HEIGHTS

TO: Planning Commission

FROM: Thomas J. Link, Director of Community Development

DATE: February 2, 2018

SUBJECT: Pine Bend Landfill Expansion

Pine Bend Landfill has submitted a request for a "side slope" expansion. The base, or footprint, of the landfill would not expand and the height of the landfill would not increase. Rather, the side slopes of the landfill would increase from a 5:1 slope to a 3:1 slope.

Because of the landfill's lengthy history and complex application, the Planning Commission will consider the application at two meetings. The first meeting, on February 7, will provide the Commission with background material and an explanation of the request. Presentations will be made by Pine Bend Landfill, Jeff Ubl of Barr Engineering, the City's environmental consultant, and me. The Commission will have the opportunity to ask questions and request further information.

City staff, Barr Engineering and the City Attorney will complete their analysis in early February. The Planning Commission will further discuss Pine Bend Landfill's request and make a recommendation to the City Council at its second meeting on February 20.

This Planning Commission packet consists of the following two items:

- Pine Bend Landfill's application, consisting of text and plans
- A partial and preliminary staff report with attachments

Next meeting's packet will include the full and complete staff report, a report from Barr Engineering, and draft ordinance and resolutions.

cc: Jeff Marone, Pine Bend Landfill
Jeff Ubl, Barr Engineering

Attachments

P L A N N I N G R E P O R T
C I T Y O F I N V E R G R O V E H E I G H T S

REPORT DATE: February 1, 2018

CASE NO: 17-36NCUC

HEARING DATE: February 7, 2018

APPLICANT: Pine Bend Sanitary Landfill

PROPERTY OWNER: Republic Services

REQUEST: -Zoning Ordinance Amendment
 -Conditional Use Permit Amendment
 -Non-Conforming Use Certificate Amendment

LOCATION: 2495 East 117th Street

COMPREHENSIVE PLAN: GI, General Industrial

ZONING: I-2, General Industrial and IRM, Integrated Resource Management Overlay Zoning District

REVIEWING DIVISIONS: Planning
 City Attorney
 Public Works/Engineering
 Administration
 Public Safety
 Barr Engineering

PREPARED BY: Thomas J. Link
 Comm. Dev. Dir.

PROPOSAL

The Pine Bend Sanitary Landfill consists of approximately 323 acres located on the north side of 117th Street, between Highways 52/55 and Rich Valley Boulevard. The Landfill accepts solid wastes for disposal, including mixed municipal solid waste, non-hazardous industrial solid waste, construction debris and demolition debris, non-infectious waste, and asbestos. The landfill currently has a permitted airspace capacity of 29.8 million cubic yards, including 28.6 million cubic yards of waste and 1.2 million cubic yards of final cover material. As of January 2017, the landfill had a remaining permitted airspace capacity of approximately 1.9 million cubic yards. The landfill assumes that it accepts an average of approximately 450,000 cubic yards of waste per year. This amount, however, can vary significantly depending on various factors.

The landfill is proposing a side slope capacity expansion of 4.14 million cubic yards, including 3.53 million cubic yards of waste and .61 million yards of final cover material. The expansion would extend the life of the landfill about eight years.

Pine Bend Landfill is proposing a side slope capacity expansion. The outside slopes of the landfill's north and east sides would be increased from a 5:1 grade to a 3:1 grade. The base, or

footprint, of the landfill would not be expanded and the height of the landfill would not be increased. The landfill currently has 3:1 slopes on the south and west sides of the landfill. The expansion would occur over the unlined portions of the landfill. The landfill is also proposing to install a new liner and leachate collection system beneath the expansion area.

The airspace capacity expansion is referred to in the exhibits and in technical documents as Phase 6. The existing landfill consists of Phases 1 through 5.

Operational aspects of the landfill would remain the same. Site security, hours of operation, number of employees, number and type of equipment, processing, nuisance control, stormwater and erosion control, landscaping, traffic generation and traffic characteristics, and end land use would not change. However, there would be a temporary increase in employees, equipment, and traffic for a few months while the side slope expansion is constructed.

SPECIFIC REQUESTS

The proposal requires the approval of the following:

- A Zoning Ordinance Amendment to allow a side slope capacity expansion of existing sanitary landfills as a conditional use, providing the landfills have a non-conforming use certificate, are in compliance with that certificate, and meet other conditions regarding final cover, liners, leachate collection, gas extraction, height, property boundaries, airspace capacity, and acceptable wastes.
- A Conditional Use Permit to allow a side slope capacity expansion of 4.1 million cubic yards, including 3.53 million cubic yards of waste.
- A Non-Conforming Use Certificate Amendment to allow the capacity expansion.

BACKGROUND

The Pine Bend Sanitary Landfill initially received a conditional use permit for the operation of the sanitary landfill in 1975. The landfill became a legal non-conforming use in 1991 when the City adopted a zoning ordinance amendment. That amendment prohibited sanitary landfills, such as Pine Bend's, created the Integrated Resource Management Overlay Zoning District, and placed that overlay zoning district on the Pine Bend Landfill and other properties in the area. The overlay zoning district prohibits certain waste industries, restricts and regulates other waste industries, and requires waste industries to be concentrated in the southeast industrial area of the City.

Since there were numerous questions regarding how the City zoning ordinance's non-conforming language applied to the landfill, the City and the landfill entered into a Non-Conforming Use Certificate (NCUC) in 1995. The NCUC resolved uncertainties for both the City and the landfill. It clarified the zoning status of the landfill, specified rights and responsibilities of the landfill, and provided the City with more specific controls which had not been clearly defined in the previous conditional use permit.

Since the adoption of the NCUC in 1995, the City has approved several additional requests by Pine Bend. Most of these requests were for accessory uses or minor revisions, such as an energy recovery facility for the generation of electricity, open storage of trucks and trailers, a

revised landscaping plan, a modified elevation and grading plan, a compost facility, and stockpiling of soils. In 2004 the City approved a capacity expansion of 5.6 million cubic yards. This expansion was primarily a vertical expansion over previously filled areas and a small horizontal expansion where the landfill offices are located.

In August 2015, Pine Bend Landfill made application to the State of Minnesota for the proposed side slope capacity expansion. The Minnesota Pollution Control Agency (MPCA) then prepared an Environmental Assessment Worksheet (EAW) for the expansion. The City reviewed the EAW and submitted comments to the MPCA. The MPCA completed the EAW process by making a finding of a negative declaration, meaning that a more involved Environmental Impact Statement (EIS) was not necessary.

In 2016, the MPCA commenced the review of the Pine Bend Landfill application. City staff and Barr Engineering, the City's environmental engineering consultant, were very involved in the process and review of the MPCA permit. The City had numerous communications with MPCA regarding the permit. Most of these comments were addressed in three lengthy letters to the MPCA from April 2016 through June 2017. Numerous technical issues were examined, discussed, and resolved.

EVALUATION OF THE REQUEST

ZONING ORDINANCE AMENDMENT

The zoning ordinance prohibits sanitary landfills. The proposed zoning ordinance amendment would continue to prohibit sanitary landfills but would provide an exception by conditional use permit. That exception would only allow a side slope capacity expansion of an existing non-conforming sanitary landfill if the landfill has an NCUC. The existing sanitary landfill would also be required to have a liner and leachate collection system and gas extraction system approved by MPCA, Dakota County, and the City. The size of the side slope capacity expansion would be severely limited. The boundaries of the property on which the landfill would be located could not be expanded, the height of the landfill could not increase, and the types of waste to be accepted for disposal would continue to be restricted. The proposed ordinance would be similar to an ordinance amendment which was approved in 1998 for a vertical expansion of the SKB Rich Valley Demolition Landfill and in 2004 for a vertical expansion of the Pine Bend Landfill.

The proposed ordinance amendment can be evaluated by comparing it to the purpose and intent of the Integrated Resource Management Overlay Zoning District, as attached. The amendment would not deter industrial development in the surrounding area, which is desired for purposes of tax base, employment, and buffering. Since the ordinance would not allow a horizontal expansion, i.e. an extension beyond the boundaries of the existing landfill, it would not consume additional acreage that could otherwise be used for other industries. Furthermore, it would not create disincentives for further industrial development or discourage such development by creating potential incompatible land uses. The ordinance amendment would also continue the integration of other waste industries in the area, including the SKB Demolition Landfill and Transfer Station, the Republic Recylery, and JR Appliance's recycling facility.

The ordinance amendment would not deter the creation of a buffer of compatible industrial development around an existing landfill since it would not be a horizontal expansion. The amendment would continue to provide for the concentration of waste industries in this specific,

delineated area of the City. Though the State, County, and City continue to encourage reduction, re-use, recycling, and composting, instead of landfilling, there continues to be a need for sanitary landfills. Furthermore, landfills typically recycle materials including appliances, household hazardous waste, electronics, and tires. Though the ordinance amendment may not have a significant impact on the development of the City tax base, it generates City revenue through the Host Community Fee. Landfills also provide a moderate amount of employment.

The proposed ordinance could have minimal impacts on the environment, depending on the specific proposal. Furthermore, a side slope capacity expansion could offer some public environmental benefits, as discussed later in this report.

In summary, the proposed amendment appears to be consistent with the purpose and intent of the Integrated Resource Management Overlay Zoning District.

CONDITIONAL USE PERMIT AMENDMENT

Whereas the above analysis of the ordinance amendment addresses the general appropriateness of a side slope capacity expansion of an existing sanitary landfill in the I-2 zoning district, the conditional use permit analysis addresses the appropriateness of the use specifically at Pine Bend Landfill. The zoning ordinance outlines general review standards to be used in the consideration of conditional use permit requests. These standards measure consistency with the Comprehensive Plan, consistency with the City Zoning Ordinance, compatibility with existing and proposed development in the area, adequacy of existing and proposed public facilities, suitability of the property for the proposed use, and impacts on the environment.

Consistency with the Comprehensive Plan and Zoning

Adjacent properties have the following Comprehensive Plan land use designations and zoning districts:

North	-General Industrial (GI) and Rural Residential (RR) comprehensive plan land use designation -General Industrial (I-2), Residential Estate (E-1), and Integrated Resource Management (IRM) zoning districts
West	-Light Industrial (LI) comprehensive plan land use designation -Limited Industrial (I-1), Integrated Resource Management (IRM) and Agricultural (A) zoning districts.
South	-General Industrial (GI) comprehensive plan land use designations -General Industrial (I-2) and Integrated Resource Management (IRM) zoning Districts
East	-General Industrial (GI) comprehensive plan land use designation -General Industrial (I-2), Integrated Resource Management (IRM) and Sand and Gravel (S & G) zoning districts

As the comprehensive plan states, "the general industrial category includes lots or parcels containing manufacturing, processing and disposal facilities. General industrial parcels exist in

only one area, southern Inver Grove Heights lying west of Highways 52/55. The land designated as general industrial on the future land use plan includes the Pine Bend Landfill.

Light industrial and general industrial are similar uses with the predominate differences being in the intensity of the types of uses and the nature of the uses themselves. General industrial is analogous to "heavy" industrial users such as the landfill operation. In southern Inver Grove Heights, areas containing both of these uses are intended to be improved and upgraded over time. Industrial development in the southern part of the City has been occurring for the past 40 years. Public improvements and comprehensive plan amendments have enabled the extension of public infrastructure to serve much of this area. In the future, if it becomes feasible to extend infrastructure to more of this area, the City anticipates potential redevelopment."

The purpose of the I-2 General Industry Zoning District is "to provide for areas which, because of the availability to thoroughfares and railroads, suitable topography, and isolation from residential areas, are appropriate for industrial uses which are of a more intense nature. The I-2 zoning district also allows certain business uses necessary to compliment general industrial uses."

The purpose of the Integrated Resource Management Overlay Zoning District is to:

- A. Prevent the expansion of mixed municipal solid waste landfills by encouraging industrial development on adjacent properties.
- B. Encourage solid waste processing facilities, which can integrate their operations with mixed municipal solid waste landfills, to locate in proximity to such landfills.
- C. Promote orderly development of other properties in the community by creating a buffer of compatible industrial development around mixed municipal solid waste landfills.
- D. Reduce the areas of the City subject to the potential adverse environmental impacts of solid waste processing facilities by encouraging them to locate in close proximity to mixed municipal solid waste landfills and each other.
- E. Delineate an area for select solid waste uses that exhibit minimal environmental impacts and are generally environmentally friendly.
- F. Provide an opportunity for solid waste uses that are consistent with the state's waste management hierarchy of encouraging reduction, reuse, recycling, composting and discouraging incineration and landfilling.
- G. Enhance regulation and inspection of solid waste processing facilities by encouraging them to locate in proximity to one another.
- H. Enhance the tax base by encouraging development around mixed municipal solid waste landfills consistent with sound principles of municipal planning.
- I. Provide additional employment opportunities for city residents by encouraging industrial development.

- J. Establish standards and restrictions for solid waste uses to protect the environment and to promote sound land use planning

The proposal would maintain the same G-I comprehensive plan designation and the same I-2 and IRM zoning districts, as currently exist on the property. The Integrated Resource Management (IRM) overlay zoning district was created specifically to allow and regulate certain waste industries in this part of the city. Since the proposal does not expand the base of the existing landfill, it does not consume acreage that could be used for other industrial development. Though there is Estate Residential land use designations and zoning to the north, there is an intervening property and considerable distance between the landfill and those residential uses. Moreover, the proposed side slope capacity expansion would be no different than the existing landfill operation and would not expand the landfill's base any closer to the residences. The land use designations and zoning to the west, south, and east are identical to or similar to that of the Pine Bend Landfill property. Furthermore, those designations and zoning specifically allow certain waste industries. As stated above, the proposal provides revenue in addition to existing taxes, and some employment. Therefore, the proposal appears to be consistent with the comprehensive plan and the zoning ordinance.

Compatibility with Existing and Future Land Uses

Adjacent land uses include the following:

North	-Closed CAP/Amdura Landfill and Estate Residential
West	-Electrical Generation Facility and Vacant
South	-Mini-Storage, SKB Rich Valley Demolition Landfill, and Thermo Gas Company
East	-BFI Recycling, North American Trailer Repair, and Steenberg Watrud Construction

There are other industrial uses in the surrounding area, such as Bituminous Roadways Sand and Gravel, Flint Hills Refinery, Kane Transport, Enterprise LP Gas, Steininger Sand and Gravel, Cut Fruit Express, Praxair Industrial Gas and Excel Energy's storage tanks and peaking plant. The nature of these uses is very compatible with the landfill.

The nearest single-family residence, excepting a residence owned by Pine Bend Landfill, is approximately 1,000 feet from the northwest corner of the BFI property. There are four residences within a ¼ mile radius of the landfill boundary. The impacts to these residences would be identical to the existing operation and would continue to be mitigated by a considerable separation distance. The only change to the existing situation would be the continued landfill operation and the construction of the expansion area. This construction activity would be temporary and would be similar to past construction activities and the current landfill operation in terms of its scale of activity, type of equipment, hours of operation, noise, and dust.

A sanitary landfill has the possibility of nuisances, such as litter, dust, and odor, and noise. The NCUC addressed nuisances by restricting hours of operation and requiring control programs. The NCUC would continue to regulate nuisances if the side slope capacity expansion is approved.

The proposed expansion would not create any more nuisances than the existing landfill. The City has received four complaints regarding nuisances over the last several years. The complaints pertain to litter, noise and odor. The impact of the nuisances is mitigated by the surrounding industrial land uses, the very low density residential development, and the residences' distances from the landfill. Because of the combination of other heavy industrial uses and their long-established presence, a certain amount of nuisances must be reasonably expected. However, the Pine Bend Landfill has taken appropriate action to mitigate nuisances and would be required to continue such performance, if the proposal would be approved. In addition, Dakota County Environmental Resources inspects the landfill ten times a year and requires the landfill to correct nuisance violations. Therefore, the proposed use, which is identical to the existing use, would be compatible with and, in most cases, similar to nuisances of the surrounding industrial uses.

The side slope capacity expansion would not generate any more noise than existing landfill operations. In 2004 Pine Bend Landfill completed an analysis of noise generated by landfill equipment and its impact on the nearest residences. The report found that landfill equipment would comply with State noise standards, except in the early morning, between 5:30 AM and 7:00 AM. At that time, two pieces of equipment, compactors and trucks, would slightly exceed the State noise standards. Pine Bend Landfill subsequently stated that they would not use compactors in the early morning hours. Moreover, truck traffic is a constant activity on 117th Street and Rich Valley Boulevard, regardless of the landfill, because of the heavy industrial activities in this part of Inver Grove Heights and Rosemount.

State Highways 52/55 is sufficient to handle the traffic generated by the landfill. Major improvements were made to the highway about ten years ago, including an interchange, frontage roads, and traffic signals. Dakota County and the City recognize the need to improve 117th Street to carry increased volumes of traffic, especially the large number of trucks generated by industries in the area. It is anticipated that the road will be expanded to a four-lane, limited access highway though there is no definite timeframe yet established for these improvements. Jurisdictional responsibility of the road needs to be determined, following construction of the improvements.

The proposal would not generate additional truck traffic beyond that which currently exists with the landfill operation. Though traffic generation related to the operation of the landfill would not change, there would be a temporary increase in traffic while the side slope capacity expansion is constructed. This would be similar to the construction of previous phases of the landfill. These previous construction activities did not cause any difficulties, except when semi-trucks waiting to enter the landfill backed up onto 117th Street. The 2004 conditional use permit subsequently prohibited such stacking, or queuing, on 117th Street.

Municipal water has been extended to the area and is adequate to serve the expansion. If the Metropolitan Council, or the City, were to extend sanitary sewer to this area, it would be designed at a sufficient size to adequately handle Pine Bend Landfill's sanitary sewer needs. A condition of the 2004 CUP requires Pine Bend Landfill to connect to sanitary sewer service, if and when it would become available.

Barr Engineering has reviewed the grading, drainage, and erosion control plans. The engineers paid particular attention to increased stormwater runoff volumes and rates, updated rainfall rates, stormwater calculation methodology, model stormwater events, pond capacity, infiltration volumes, erosion and erosion control details, and pond maintenance. In response to these concerns, Pine Bend Landfill has modified their plans and provided additional information and

analysis. With these modifications and additional information, Barr Engineering finds the landfill's stormwater plans to be acceptable.

Suitability of the Property

Since the proposal does not include a horizontal expansion beyond the boundaries of the existing landfill property or an increase in the landfill's height, the size and shape of the Pine Bend Landfill property would be sufficient for the proposed airspace capacity expansion. The topography of the existing landfill provides for the expansion. As stated above, the property is adequately provided with City facilities and services, including roads and highways, municipal water, police services, and fire service. Other aspects of the site, such as access, parking, private sewage disposal, and zoning requirements would continue to be adequate for the proposed use. Therefore, the property would be suitable for the proposed use.

Environmental Impacts

As stated previously, Barr Engineering has been very involved in the technical review of the proposed expansion and has offered numerous comments and recommendations to the MPCA, on the City's behalf. The two major issues of concern to the City are the groundwater and gas management.

The City has had a longstanding concern about the landfill's impact on the areas' groundwater quality. The proper design, construction, maintenance, and operation of the liner system, leachate collection and extraction system, final cover system, and groundwater monitoring are all essential parts to the mitigation of groundwater contamination.

(Additional text to be provided in final report)

NON-CONFORMING USE CERTIFICATE AMENDMENT

(To be provided in final report)

Enc: Application
 Comprehensive Plan Map
 Zoning Map
 Aerial Map
 Barr Report (to be provided in final report)
 Integrated Resource Management Purpose and Intent

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Conditional Use Permit Amendment (one copy provided under separate cover)
Non-Conforming Use Certificate Amendment (one copy provided under separate cover)
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D	Stormwater Management Calculations and Model
E	Closure, Post Closure, and Contingency Action Plan Cost Estimates

1.0 Introduction

1.1 GENERAL PROJECT DESCRIPTION

BFI Waste Systems of North America, LLC (BFI) respectfully submits to the City of Inver Grove Heights (City) an application for an airspace expansion and continued development of the Pine Bend Landfill (PBL). This application was prepared based upon an initial meeting on Thursday, October 13, 2016 with City staff as well as follow-up meetings and telephone conversations along with the applicable City requirements.

With this application, BFI is requesting amendments and approvals from the City for the following:

- ▲ Zoning Ordinance amendment
- ▲ Conditional Use Permit (CUP) amendment
- ▲ Non-Conforming Use Certificate (NCUC) amendment
- ▲ Host Community Agreement amendment

1.2 CITY APPROVAL REQUIREMENTS

The Pine Bend Landfill is a mixed municipal solid waste (MSW) landfill, located in Inver Grove Heights, Minnesota, which has been in operation since 1971 under the Minnesota Pollution Control Agency (MPCA) Solid Waste Permit SW-45. The landfill is owned and operated by BFI Waste Systems of North America, Inc. (BFI).

BFI submitted an application for a major modification to the Minnesota Pollution Control Agency (MPCA) for Solid Waste Permit #SW-45 in August 2015. The request for a major modification detailed a proposed Phase 6 airspace capacity expansion over the existing landfill footprint by developing and permitting 3:1 cover slopes around the entire existing landfill footprint, including the north and east sides. The landfill is currently permitted with 3:1 cover slopes on the south and west sides. It is important to note that no footprint increase or increase to the currently permitted peak elevation of the landfill was proposed as part of the major modification request. This application to the City of Inver Grove Heights is the next step in the governmental approval process with an application to Dakota County to follow.

1.3 PROJECT BENEFITS

The landfill is located in an area consistent with nearby industrial uses including a construction and demolition landfill as well as a large refinery. In addition, the project provides many environmental benefits including:

- ▲ Continued surface water control efficiency. The surface water management system has been designed to manage a 100-year, 24-hour MSE 24 hr. 3 storm event of 7.45 inches. The surface water management system is inspected and maintained by PBL.
- ▲ Efficient landfill gas collection and management. As part of the expansion, the existing gas collection system at the landfill will be expanded to capture landfill gas generated from the future waste to be placed. The landfill currently generates approximately 3,000 cfm of landfill gas which results in 41,344.70 Megawatts of

electrical power provided in 2016 to the power grid by the landfill gas to energy plant located on-site and operated by a landfill gas developer.

- ▲ Continued and improved leachate collection and management. The Phase 6 expansion will provide for liner systems over the old unlined Phase 1 and 2 fill areas, thus reducing the amount of leachate currently reaching the unlined fill areas.

The landfill and proposed expansion also provide many socio - economic and financial benefits to the City including:

- ▲ The landfill provides an important service to the community for the disposal of municipal solid waste generated. The landfill is host to an annual City-wide cleanup event. BFI is also a member of the River Heights Chamber of Commerce and donates to the B.E.S.T. Foundation.
- ▲ Property tax revenue. PBL currently pays \$184,000.00 in property taxes. If the Recyclery and Hauling company, both of which are also located in Inver Grove Heights, are included this number increases to \$296,163.00
- ▲ Host free revenue. In 2016, PBL contributed \$1,914,000.00 host fees to the City.
- ▲ Local employment. Including the Landfill, Recyclery, and Hauling Company, approximately 220 people are employed by BFI.

2.0 Facility Information and Design Issues

2.1 OWNERSHIP AND HISTORY

As previously stated, BFI owns and operates the landfill. With regards to ownership history, MPCA permit SW-45 was originally issued to Pine Bend Development Company on September 7, 1971. Phoenix, Inc. operated the facility until 1976 when they purchased it. Browning Ferris Industries purchased the stock of Phoenix, Inc. on August 1, 1980 and Browning Ferris Industries then established Pine Bend Landfill, Inc. as a wholly owned subsidiary. Through additional mergers and acquisitions with Allied Waste in 1999 and Republic Services in 2008, the facility ownership has ultimately changed to its current status, BFI Waste Systems of North America, LLC a subsidiary of Republic Services, Inc.

BFI is ultimately responsible for all operations at the landfill, including the active gas management system and gas to energy plant. It should be noted that Fortistar currently operates the active gas system at the landfill. Browning Ferris Gas Services, Inc. which was purchased by Gas Recovery Systems, Inc. previously operated the gas system. A site lease agreement between BFI and Fortistar for the operation of the active gas system is provided in Appendix A.

A timeline for important historical environmental permitting, monitoring and response actions is provided as follows:

- ▲ **April 23, 1985** – The Proposer and the MPCA entered into a Response Order by Consent ("Order") under Section 17 and 18 of the Minnesota Environmental Response and Liability Act of 1983. Minn. Stat. ch. 115B. The Order required the Proposer to perform a Remedial Investigation and Feasibility Study to investigate the source or sources of groundwater contamination at and near the Facility; to assess actual and potential impacts of the releases or threatened releases of hazardous substances, pollutants and contaminants from the Facility on public health, welfare and the environment; and to identify, assess, design, develop and implement response action alternatives.
- ▲ **October 23, 1990** – The Proposer and the MPCA entered into an Amended Response Order by Consent ("Amended Order"). The scope of the Amended Order required the Proposer to redesign and complete the remedial investigation agreed to in the 1985 Order, conduct a feasibility study; develop a plan to provide an alternative drinking water source for certain residential wells adversely affected by the release(s) from the Facility and the neighboring Crosby American Demolition Landfill; and to develop a response action plan and implement the approved response actions.
- ▲ **September 23, 1991** – The MPCA approved the Updated Remedial Investigation Report for the Facility. In regard to the alternative drinking water source, the Proposer developed a plan and the MPCA issued a Record of Decision in September 1991, which required the residences with affected wells to connect to the city's water supply system. The city of Inver Grove Heights completed the connections supplying municipal water to the residences in December 1994.

- ▲ **November 21, 1994** – The MPCA approved No Action Alternatives under the Superfund process for the source control and the remediation of groundwater contamination as recommended in the Updated Detailed Remedial Analysis Report. The Minnesota solid waste management rules require more stringent levels for cleanup and remediation than the Superfund Program, therefore, the source control and the remediation of groundwater contamination was previously and currently managed in accordance with this Permit.
- ▲ **March 4, 2003** – The MPCA granted the Proposer a CON capacity as part of the Phase 5 vertical expansion of the Facility. The CON capacity granted was six (6) million cy and brought the total Facility disposal capacity to 29,800,000 cy.
- ▲ **July 2008 and November 2013** – The Proposer submitted Applications for Permit Renewal with a new SW-45 Permit being reissued.
- ▲ **August 2015** – The Proposer submitted a Request for a Major Modification to Permit SW-45 for the Phase 6 Development.
- ▲ **November 10, 2016** – The MPCA issued an approved Findings of Fact and Order for a Negative Declaration on the Need for an Environmental Impact Statement (EIS) on the Environmental Assessment Worksheet (EAW) proposed for the proposed Pine Bend Landfill Phase 6 Development.
- ▲ **October 25, 2016, March 6, 2017, and July 17, 2017** – The proposer provided responses to City comments on the Major Modification Application submitted to the MPCA.

The Permittee has constructed and the MPCA has approved the following major features Construction Summary:

Feature	Year Constructed
Methane Gas Extraction System	1995, 1996
Liner Base	
Phase 1	1987
Phase 2	1988
Phase 3	1992
Phase 3B	1995
Phase 4 Cell A	1999
Phase 4 Cell B	2001
Phase 5 Cell A	2005
Phase 5 Cell B	2006
Phase 5 Cell C	2009
Phase 5 Cell D	2010
Phase 5 Cell E	2013

Feature	Year Constructed
Phase 5 Cell F	Future Construction
Final Cover of Unlined Fill Area	
Phase 1	1993
Phases 2 and 3	1995, 1996
Phase 3 (SE corner)	2001
Phase 4 (lower portion of Phase 4)	2011
Liner Sidewall Extension	1995, 1996

2.2 TYPES OF WASTE RECEIVED

The Pine Bend Landfill is projected to accept approximately 344,000 tons of solid waste in 2017. This includes the following:

- ▲ MSW
- ▲ Processing residuals
- ▲ Industrial waste (This includes processing residual and alternative daily cover material. Asbestos is not currently accepted at the site. If market conditions change, BFI may wish to accept asbestos. This would require that the facility's Industrial Waste Management Plan be amended and approved by both the City and County. The July 2014 Solid Waste Management Plan was incorporated into the August 2015 MPCA Permit Application.)

A yard waste compost facility located on the west 100 acres was closed in 2010 due to ash borer disease. The MPCA permit for this facility has been kept up to date.

2.3 FACILITY USERS

At present, all materials at the Pine Bend Landfill are deposited by licensed haulers of municipal solid waste, demolition materials and approved industrial waste haulers, as well as the general public.

2.4 WASTE FLOW/SITE CAPACITY/PHASING

The waste flows and site capacity information presented in the August 2015 MPCA Permit Application were based on information provided in the 2014 Annual Report prepared for this facility. According to the 2014 Annual Report prepared for this facility and submitted to the MPCA, the PBL utilized approximately 416,629 cubic yards of solid waste capacity in 2014. The landfill utilized approximately 272,000 cubic yards of solid waste capacity in 2016. The reduction in waste flow to the site is mainly due to the disruption in the metropolitan area waste shed caused by the Ramsey and Washington Counties purchase of the former RRT RDF Facility now called the Recycling and Energy Center.

For the purposes of cell phasing in the August Application for Major Modification submitted to the MPCA, an annual fill rate of approximately 450,000 cubic yards per year was used. The 450,000 cubic yards annual fill rate is based upon PBL's knowledge and experience in the solid waste collection marketplace and provides for a conservative outlook of remaining airspace capacity.

PBL is currently filling in the Phase 5 area of the landfill. The Phase 4 development, which consists of Phases 4A, 4B, and 4C is approximately 36.8 acres in size, and was designed and permitted to allow for approximately 4 million cubic yards of capacity. Phase 5 is the vertical expansion over previously filled areas and is to be developed with a total of 6 cells designated Phases 5A through 5F of which Phases 5A through 5E have been constructed. As of December 2016, the remaining permitted/ultimate landfill capacity is approximately 1,953,575 cubic yards (which includes final cover requirements). This results in a total facility capacity of 29,800,000 cubic yards. This major permit modification application is requesting an additional 4,137,400 cubic yards of airspace capacity for the Phase 6 development. The total ultimate disposal capacity of the site would be increased from 29,800,000 cubic yards to 33,937,400 cubic yards.

Based on the amount of remaining airspace capacity as of December 2016, it is anticipated that landfill cell Phase 6A would be constructed in 2018 based on approval of this major modification request. To preserve infrastructure, the currently permitted Phase 5F would be the last cell constructed at the landfill following completion of Phase 6.

A summary of the design volumes as provided in the August 2015 Application for Major Modification submittal to the MPCA is provided in Table 2-1: Landfill Design Volumes. As shown, the landfill will be constructed and closed in phases.

Table 2-1: Landfill Design Volumes

Phase	Remaining Airspace (cy) ⁽¹⁾⁽²⁾	Base Liner Area (ac)	Final Cover Area (ac)	Final Cover Soils (cy) ⁽³⁾	Base Drainage Layer (cy)	Operational Volume (cy) ⁽⁴⁾	Site Life (year) ⁽⁵⁾	Site Life (months)	Open Date
5A	34,900	Const.	7.2	34,900	Const.	Full	0.00	0	2005
5B	108,700	Const.	12.3	59,759	Const.	48,941	0.11	1	2006
5C	465,500	Const.	18.2	88,040	Const.	250,000	0.56	7	2009
5D	999,100	Const.	9.4	45,433	Const.	653,667	1.45	17	2011
5E	869,100	Const.	10.7	51,551	Const.	612,772	1.36	16	2013
6A	1,240,000	23	30.0	145,200	37,107	1,057,693	2.35	28	2017
6B	1,118,000	20	27.0	130,680	32,267	955,053	2.12	25	2020
6C	910,000	17	22.0	106,480	27,427	776,093	1.72	21	2023
6D	869,400	20	20.0	96,800	32,267	740,333	1.65	20	2025
5F	1,164,869	6.61	15.8	76,269	10,664	1,077,936	2.40	29	2027
Total	7,779,569	86.61	172.5	835,112	139,731	6,172,489	13.72	164	

(1) Based on 2014 Annual Report

(2) Phase 5 volumes and closure areas include portions of the underlying phase 4 remaining capacities.

(3) Based on a 3- foot thick final cover

- (4) Operational volume is the total airspace less the final cover soils and the base drainage layer.
(5) Based on Annual waste flow of 450,000 cubic yards.

2.5 PHASE 6 LANDFILL EXPANSION ENGINEERING DESIGN

The Phase 6 design proposes to increase final cover slopes around the north and east perimeter of the landfill from 5:1 to 3:1. The design provides for increased capacity without increasing the footprint or peak elevation. The 3:1 final cover slope design already in place on the west side of the landfill has been shown to be stable and efficient at surface water management. The proposed and current landfill design includes environmental controls that meet or exceed regulatory requirements for this type of facility. Updated plan sheets from the August 2015 Major Modification Application detailing the design for Phase 6 are provided in Appendix B. A geotechnical evaluation including a response to previous geotechnical comments raised by the City are included in Table 1 on pg. 1 of Appendix C.

2.6 SUBBASE PREPARATION

Site preparation for continued construction and vertical expansion of the MSW facility begins with grading and shaping to the required grades. Soft or loose soils, organic material, rocks, roots, etc. will be replaced with more suitable fill material as needed, and compacted to a minimum of 95 percent Standard Proctor Dry Density (ASTM D-698). In general, a majority of the remaining subgrade preparation will be completed on waste filled slopes of the existing landfill. Subgrade is the prepared natural soil surface on which liner construction will begin. The subgrades for the disposal area have been designed to maximize site life, minimize environmental impacts, and blend into existing site grades.

The following is a description of the subgrade preparation that will occur in the 3:1 expansion areas:

Over a majority of the Phase 6 area, there is an existing 2-foot clay barrier serving as the final cover cap; there is no synthetic geomembrane. For development of Phase 6, the existing final cover will be removed down to the top of the existing clay barrier layer. The new liner system for this area (GCL and 60-mil HDPE) will be placed directly on the 2-foot clay barrier layer. BFI is proposing to utilize the existing clay cap as part of the base liner system for expansion over this area.

BFI would like to further propose that GCL could be removed from the liner system if the suitability of the existing clay cap could be documented as base liner quality clay. This was approved for the Phase 5 landfill development. Quality assurance testing, as documented in a Work Plan to be submitted to the MPCA prior to cell construction (cover soils stripping), would be completed on the clay cap to determine whether the clay will meet base liner quality standards including maximum permeability of 1×10^{-7} cm/sec, liquid limit of 25 to 50, plastic index limit > 12 , and percent fines passing #200 sieve > 50 percent.

Over a portion of proposed Phase 6A in the southeast corner of the site, the proposed expansion area is final covered with a 12-inch layer of cover soil, 12-inch sand drainage layer, and 40-mil synthetic geomembrane. In developing this Phase 6A area, the top 12-inch soil cover layer will be removed and stockpiled for utilization as part of final cover on

other disposal areas at the site. The 12-inch sand drainage layer and 40-mil geomembrane will be left to serve as a protective layer. The 12 inches of material left in-place over the synthetic membrane will help ensure that the membrane is not damaged.

Use of low-ground-pressure tracked dozers will be employed and downslope movement will be prohibited. The final cover topsoil and cover layers will only be removed as the filling proceeds, thus limiting open area to a small section. Non-contact surface water from the upper slopes will be diverted away from the fill areas by the use of temporary berms as needed.

2.7 BASE GRADES

2.7.1 Design

Base grade is defined as the top of the liner surface. The base grades for the currently permitted MSW facility have been designed to maximize site life, and yet minimize environmental impacts. The grades range from 33 percent on the internal sideslopes (3 horizontal to 1 vertical) to a minimum of 3 percent on the base, with leachate flow being directed to collection sumps within each phase.

The base grades for the Phase 6 expansion design will be set by the current grade on the overfill areas but will be no less than 3 percent and no greater than 20 percent, with the exception of the 3:1 containment berm slope. A containment berm will be constructed around the perimeter of the existing landfill to contain the overfill waste area (Phase 6) and provide for leachate collection.

2.8 LINER DESIGN

The liner system for MSW disposal areas, according to MPCA solid waste rules, must be designed to have a minimum collection efficiency of 95 percent. In addition, the liner system in combination with the final cover must have a minimum collection efficiency of 98.5 percent.

The approved liner system designs for the existing and remaining landfill development vary for the different areas of the site depending upon the existing liner system in-place below the vertical expansion. The proposed liner designs are as follows:

1. The western fill area or what basically constitutes Phase 4 development has been constructed with a composite liner consisting of one 60-mil (0.060 inch) high density polyethylene (HDPE) liner, overlying a 2-foot compacted clay liner. The clay liner has a maximum permeability of 1×10^{-7} cm/sec, and was compacted to a minimum of 95 percent Standard Proctor Dry Density, with a moisture content 0 to 5 percent wet of optimum moisture content.
2. The Central Fill Area or the valley between Phases 1, 2, and 3 and Phase 4 development is generally on virgin ground and a composite liner is currently permitted for this area. The composite liner is the same design as presented above and what is currently being utilized in Phase 4, & Phases 5A through 5 E and permitted for 5F.

3. The southeast fill area is the portion of Phase 3 landfill development which has received final cover with a 40-mil flexible membrane liner. The permitted liner design for overfill in this area is one 60- mil HDPE liner, overlying a geosynthetic clay liner (GCL). A technical reference paper published by CETCO and titled "GCL Compatibility with MSW Leachate" was previously provided to the City and MPCA indicates that MSW Leachate has minimal negative impact on the hydraulic conductivity of the GCL.
4. The majority of the Phase 6 expansion area is over Phases 1 and 2 which were constructed without an engineered liner. The permitted liner design for overfill in this area and for that being proposed for this expansion is one 60- mil HDPE liner, overlying a GCL. Also, PBL will utilize the existing 2-foot clay cap as part of the base liner system for this area and not incorporate a GCL should the existing 2-foot clay cap be shown to meet base liner quality clay standards.

The HELP Model calculations for the above liner designs were prepared as part of the previous MPCA permit application process and verify that these liner designs have an efficiency approaching 100 percent, which is exceeding MPCA rule requirements. The potential for the HDPE membrane to be punctured by a particle from the sand drainage layer was also evaluated. The factor of safety from puncture by this mechanism was shown to be 1.5.

Geotechnical calculations presented in Appendix C demonstrate that the liner system will not be adversely affected by settlement of the underlying waste due to the combined effects of biodegradation and physical creep. The post settlement grade on the slopes analyzed will be greater than or equal to 3%; at the end of the site life and subsequent post closure care period (a total of 45 years), which is consistent with the HELP modeling predictions of leachate head buildup.

2.9 LEACHATE COLLECTION SYSTEM

2.9.1 Introduction

The leachate collection system for the 3:1 overfill buildout is designed to collect and convey leachate from the overfill area to one of 6 leachate collection sumps located as shown on the drawings. The leachate collection sumps are created by excavating low points in the designated areas between the proposed perimeter berm and the existing landfill to serve as containment for the proposed 3:1 overfill area. The containment berm will be constructed so that the alignment creates a trench slope along the inside toe that directs leachate to the respective sumps. The trench area will be filled with coarse aggregate and a perforated leachate collection pipe will direct leachate to the sumps. Each sump will hold approximately 4,000 gallons of leachate.

Leachate collected in the sumps will then be pumped via a submersible sideslope riser pump to the existing forcemain that encircles the perimeter of the landfill. Each sump incorporates a sideslope riser to eliminate penetration of the liner. A submersible pump capable of pumping approximately 80 to 120 gpm of leachate will be installed at the bottom of each sideslope riser. The leachate pumps to be selected at the time of construction will maintain less than 12-inches of head over the liner during regular operations. Leachate from the

sumps will continue to be pumped to the leachate tanks through the existing double-wall, HDPE forcemain, which has been buried at a minimum 5-foot depth to prevent freezing.

Currently, the site is served by two above ground steel leachate storage tanks as follows:

- ▲ One 101,000-gallon tank in southern portion of site near office building;
- ▲ One 80,000-gallon tank in southern portion of site near office building.

From the storage tanks, tanker trucks transport the leachate to the MCES wastewater treatment plant in St. Paul. The storage tanks have provided adequate storage capacity in the past and are anticipated to serve the site's needs moving forward. This is mainly because construction of Phase 6 will be accompanied with final closure of areas in Phases 4 and 5 that are anticipated to be completed in upcoming years, which will result in a reduction in leachate generation at the site.

Historical leachate collection data is presented below.

Year	Leachate Collection Volumes (Gallons)
2016	8,260,197
2015	7,698,668
2014	8,372,828
2013	7,820,987
2012	6,642,340
2011	9,670,009
2010	7,610,212
2009	5,148,812
2008	7,540,650

Based on the data, it is reasonable to estimate that the leachate generation will continue to be about 8 to 9 million gallons per year in upcoming years as PBL plans to final close portions of the landfill as soon as final grade is reached and open areas should remain approximately the same as current. The real variability is a function of seasonal precipitation and the amount of open landfill surface area, rather than total landfill area.

2.9.2 Drainage Layer System

The HDPE liner will be overlain by 12 inches of granular drainage layer material. In compliance with the MPCA Solid Waste Rules, the permeability of the drainage layer is specified to be 1×10^{-3} cm/sec, or greater. On all sideslopes steeper than 10 percent, a textured HDPE membrane will be utilized to improve stability of the geomembrane/clay interface, geomembrane/drainage layer interface and the geomembrane/GCL interface.

The granular drainage layer will collect leachate and provide drainage along the liner to the leachate collection trench. Coarse aggregate (5/8 inch to 1 inch) will be embedded around the collection pipes to protect them from damage and provide increased flow performance. An intermediate filter aggregate will overlie the coarse aggregate. The granular drainage layer also will also function as a protective layer to prevent equipment from damaging the HDPE liner. The potential for the HDPE membrane to be punctured by a particle from the pipe bedding material was evaluated. These calculations were previously completed and the factor of safety from puncture by this mechanism (coarse aggregate) was shown to be 1.5.

2.9.3 Collection Pipes

Construction of the leachate collection trench begins with the placement of a geotextile in the pipe trenches above the HDPE liner. A layer of coarse aggregate 3 inches thick will be placed in the trench, and the pipe will be placed and aligned. The remaining coarse aggregate will be placed after the pipe is fully installed. Graded filter aggregate 12 inches thick, will be placed over the coarse aggregate to provide a filter from the overlying granular drainage layer. This filter will help stop migration of particles that might otherwise clog the collection pipe. The granular drainage layer material will then be placed over the trench. Special care will be taken to properly align the pipes, according to the invert elevations and locations. The perforations will be oriented to be on bottom.

The collection pipes will be 6-inch diameter, perforated, Standard Dimension Ratio (SDR) 11, HDPE pipe. Pipe strength calculations were previously completed for the Phase 5 vertical expansion and the pipe deflection due to maximum loading by waste is determined to be less than 5 percent. Failure due to buckling or wall crushing was also evaluated and safety factors were shown to be 11.6 and 6.8, respectively. The Phase 6 expansion area will not have any fill depths and maximum loading conditions greater than those used in the above calculations.

Since the proposed Phase 6 leachate collection piping will be placed over existing waste, there is potential for settlement caused by loading of waste. Calculations were performed for the anticipated settlement of the proposed Phase 6 piping to assure that at least 1% slope (post-settlement) would remain. Settlement calculations are presented in Appendix C.

The design of the leachate piping system, including all locations of collection pipes is shown on the leachate piping plan. Access to the leachate collection pipes for maintenance will be provided by cleanout risers, which will extend up the sideslopes (see Plan Drawings for details on the extensions). Cleanouts and sweeps have been provided in the design of the leachate collection system to allow for jetting of the pipes. Maximum lengths of the

collection system are approximately 1,000 feet. Currently, sewer cleaning equipment is capable of jetting lengths in excess of 1,200 feet at PBL.

Calculations presented in Appendix C demonstrate that the leachate collection piping will not be adversely affected by settlement of the underlying waste due to the combined effects of biodegradation and physical creep. The post settlement slopes for each 100-foot-long segment of leachate collection pipe will be greater than or equal to 1% at the end of the site life and subsequent post closure care period (a total of 45 years).

2.9.4 Leachate Sump, Head Build-Up, and Removal

As previously described, there is a significant amount of historical leachate collection data for this site. This historical data shows that, approximately 8 to 9 million gallons of leachate will likely be generated and collected per year while this site is in operation.

For the proposed overfill area, leachate sumps will be created by the intersection of the proposed perimeter berm and the existing final cover. Approximately 4,000 gallons of leachate can be contained in the leachate sumps, which are designed to be 2 feet deep and assuming the porosity of coarse aggregate to be 0.4. During regular operations, leachate head will be maintained at 12 inches or less over the sump area by setting the start/stop limits of the leachate pump to reflect these elevations. The pumps will pump the leachate to one of the two existing leachate tanks via the existing forcemain.

Leachate can be controlled during initial filling of the overfill area by limiting the area constructed and by diverting surface water, prior to contact with the waste, to the surface water downslope structures if possible or directly off the waste footprint. However, in the event of an extreme rainfall event during the filling of an overfill phase, the following scenario was analyzed:

Assuming an open area of 20 acres (approximate size of one Cell of Phase 6 expansion) draining to the area between the proposed perimeter berm and existing landfill final cover, an approximate 8.5-inch rainfall could be contained within the leachate collection trench area while maintaining a foot of freeboard below the top of the perimeter berm. This analysis is conservative for the following reason:

- ▲ No waste was considered in any of the open 20 acres
- ▲ An 8.5-inch rainfall exceeds even the 100-year event in this location
- ▲ PBL intends to limit the open area of the Phase 6 expansion to less than 20 acres and use operational berms to the extent possible to minimize the leachate that needs to be managed.

2.9.5 Leachate Leak Detection

With regards to a leak detection system (lysimeter) installed beneath the low point of the Phase 6 fill area, MPCA Solid Waste Rules part 7035.2815, subp. 9 states:

A. The owner or operator must install the detection system at the lowest elevation of the fill area and throughout the fill area, as necessary, to monitor

leachate build-up and for use as a part of the collection system. The detection system must be capable of monitoring leachate build-up in the fill area and consist of collection lysimeters and standpipes capable of monitoring, detecting, and collecting leachate movement through the liner. The detection system must consist of materials compatible with the leachate. The commissioner may approve a detection system without collection lysimeters or standpipes provided the owner or operator shows either to be unnecessary based on the liner system, subsurface soil conditions, ground and surface water flow patterns, depth to ground water, and the amount of leachate generated. The detection system must be designed and constructed to monitor the effectiveness of the leachate storage area.

For the proposed Phase 6 development, which includes an enhanced liner system in the sump areas (60 mil, GCL, 2 feet of clay), PBL is proposing to commit to liner leak location testing following each phase of liner system construction in lieu of lysimeters. Historically, PBL sees little to no liquid and no detection of leachate indicator parameters in their current lysimeters. PBL is committing to providing enhanced design and construction activities for this overflow development; above and beyond what has been performed in the past for their liner system that is showing no indication of loss of integrity. PBL is aware that the MPCA has approved the elimination of lysimeters in other composite lined facilities.

2.9.6 Dual Extraction System

The leachate dual extraction system at the Pine Bend Sanitary Landfill in Inver Grove Heights, Minnesota was installed in 2002 to collect leachate from the unlined portion of the fill area. Forty-six (46) existing gas extraction wells were reconfigured to allow for dual use for landfill gas and leachate recovery. Because this portion is unlined, successful leachate extraction is vital in source control of the groundwater and in reducing leachate from the closed portion of the landfill mound. An evaluation of the system shows a continued reduction in leachate levels from 2002 to the present during the time the system has been on-line. Currently, twenty-six (26) extraction wells are equipped with leachate extraction pumps and are operating as dual leachate extraction wells. The number of dual extraction wells is down to twenty-six (26) due to nineteen (19) extraction wells being taken off-line for Phase 5 landfill construction and one well rendered ineffective as the pump silted in.

The Grundfos Redi-Flo 3 pumps installed in the dual extraction wells are equipped with an onboard electronic motor that records pump starts and stops, hours of operation, and speed of the pump along with several other operating features. This information is stored in the pump motor and viewed on a CU300, a motor controlled equipment monitor at each individual well. Each well is also equipped with a bubbler tube and reference port for liquid level measurements. A Wenck Associates, Inc. (Wenck) field technician is regularly staffed on-site to monitor the function of the leachate pumps, the condensate sumps, and storage tanks; collect data on liquid level in the wells; collect data from the CU300 units; conduct maintenance and cleaning activities on the wells; and resolve any emergency situations that may jeopardize the efficiency of the leachate extraction system. Data is collected from the CU300 units and bubbler tubes on a bi-weekly basis and is used to aid in assessing proper operation, any changes occurring within the wells, and the overall productivity of the leachate extraction system.

Based on experience with maintaining the dual extraction system in the Phase 5 overflow area, the installation or removal of pumps for maintenance or the converting of other gas wells to dual extraction wells is very difficult, if not impossible, due to the age of the gas wells and expected deformities over time. In the past, pumps have been pulled from the wells for general maintenance and cleaning and in some cases, the pumps are not able to be returned to their original position. To address this concern, as well as the potential to add additional wells to the dual extraction system, PBL installed four pumping stations prior to Cell 5C construction in 2010. The pumping stations were constructed with 10-inch riser pipes rather than the 6 to 8-inch wells typically installed at landfills. This was done to more easily allow for the removal and reinstallation of pumps over time. PBL installed pumps in two of the pumping stations, PS-1 and PS-2 in October of 2013. The two pumping stations were electrically connected and the forcemain was connected to the existing forcemain installed adjacent to PS-1. Pumping stations PS-3 and PS-4 will be turned into active pumping stations once final waste elevations are achieved in those areas.

Due to the above experience, PBL is proposing to install six (6) additional pumping stations throughout the Phase 6 3:1 build-out area. The pumping stations will be installed in the same manner as those in the Phase 5 overflow area and will help maintain access for removing leachate from the old unlined Phase 1 and 2 fill areas at the site. The locations and construction details for the proposed pumping stations are provided in the Plan Drawings. The proposed depths of the pumping stations were based on not penetrating through the bottom of the waste in the unlined landfill area. The bottom of waste in the unlined areas was determined using boring records from the installation of the gas extraction wells in this area.

The bottom of waste is shown on the cross-sections and this information was used to determine the depth of the pumping stations. The locations were based on evaluating the pumping volumes from existing dual extraction wells in the area. The proposed pumping stations are located near areas where relatively higher volumes of leachate are currently being removed.

2.10 FINAL COVER

2.10.1 Design Overview

The final cover is designed to contain or divert precipitation from filled areas of the site. The efficiency of the cover system is defined as the amount of precipitation that is rejected or contained in the cover system, and must be at least 90 percent (Minnesota Rules Part 7035.2815 Subp. 6.D.(2)). The previously completed HELP model calculations show the cover system design efficiency approaches 100 percent.

One of the design features of the proposed expansion is to continue the 3:1 benched final cover slope around the entire perimeter of the existing landfill. This design provides for increased capacity without increasing site footprint or elevation. In addition, the design has been shown to be stable and very efficient at surface water management. The MPCA guidance document for 3:1 final cover systems was utilized in completing the design for PBL.

As shown on the plan sheets, benched sideslope final cover system will be constructed on all areas that are covered at a 3:1 slope. A benched system will be stable, efficient, and maintainable. The benches are 12 feet wide to incorporate access roads and surface water management. The benches are sloped at 12.5 to 16.6 percent into the sideslopes with a long axis grade of 3 to 5 percent. The final cover sideslopes will be 33 percent for a maximum length of 40 vertical feet and a flow distance of 120 feet. The majority of the final cover area will be at a three percent grade.

The final cover barrier layer will consist of a 40-mil LLDPE liner, or equivalent. For increased stability, all final cover slopes will utilize a textured liner material. A synthetic geonet drainage layer with geotextile bonded on both sides (geocomposite) will overlie the liner.

The cover material will consist of 24 inches of cover soil and/or topsoil. The upper 6 inches will be topsoil capable of sustaining vegetation. The final cover topsoil layer will be mulched and seeded with shallow-rooted, drought-tolerant grasses.

A cross section of the final cover system (from top to bottom) is provided below.

- ▲ 6 inches Topsoil
- ▲ 18 inches Cover Soil
- ▲ Geonet geocomposite
- ▲ 40-mil LLDPE Geomembrane
- ▲ 6 inches Smoothing or Buffer Layer

Slopes on the final cover of the facility will be constructed at up to 33 percent grade. The final cover then peaks at a 3 percent grade to a maximum elevation of 1,018 feet.

2.10.2 Final Cover Grades

2.10.2.1 Slope Stability

The stability of the landfill was evaluated for both a circular failure within the waste mass and for a block-slide type failure along the interfaces within the existing final cover system and the proposed base liner system.

Detailed explanation of the methodology and assumptions is presented in Appendix C and the results are summarized below.

Analysis	Factor of Safety
Circular Failure Within Waste Mass	2.37
Block Failure Along Existing Final Cover/Proposed Base Liner System	Varies; 1.5 @ Interface Friction Angle of 8 Degrees

The sensitivity of the analysis with respect to the interface strength along the existing final cover system/proposed base liner interface (and all components therein) was also evaluated. A sensitivity analysis completed as part of the geotechnical calculations provided to the City in comment/response correspondence shows that the minimum interface friction

angle required in any of the various material interfaces is 8 degrees. Given the various materials proposed for the liner system and materials in place for the existing cover system (whether geomembrane or clay was used as the barrier layer component), an interface friction angle of greater than 8 would be expected. Again, this analysis is conservative in that it neglects any adhesion that would occur along each interface.

2.10.2.2 Veneer Cover Stability

Benches will be incorporated at intervals of 40 vertical feet or 120 feet flow distance. The benches are 12 feet wide and are designed for use as access roads with surface water control on the inboard side. Benching provides for a buttressing effect at the toe for each 40 vertical feet of slope. This buttressing effect contributes greatly to the stability of the veneered cover system. Each bench will also serve as an anchor for the geosynthetic materials. This anchoring effect was neglected (conservative) in slope analysis. The final cover design includes the use of textured LLDPE geomembrane and a synthetic geocomposite drainage layer. This combination of features greatly enhances removal of infiltrated surface water while providing a high friction angle and resulting stability in the final cover components.

Overlying the drainage media is a 24-inch layer of cover soils/topsoil. This layer, once vegetated, provides significant moisture holding and evapotranspiration capability, which also enhances overall final cover performance.

An analysis of the veneer stability of the final cover system was previously performed during the phase 5 expansion permitting and demonstrated that the stability of the final cover design will meet the design safety factor criteria of 1.5. The proposed final cover profile is consistent with what was proposed in that permitting document, so no additional analysis is warranted.

2.10.2.3 Final Cover Access

The proposed benches provide for more designed access roadway surface than typically provided on landfill covers. The larger amount of final cover access roadway results in better access to the final cover, surface water control features, and many of the landfill gas well heads for operation, maintenance, and inspection. Landfill gas wellheads are placed for easy access from the benches (access roads).

2.10.3 Surface Water Management

The surface water system has been designed to manage a 100-year, 24-hour storm event of 7.45 inches (MSE-3 distribution). The system consists of benches, catch basins, drainage piping, downslope structures, junction vaults, and sedimentation ponds.

The 3:1 benched design provides improved performance in surface water management. The details of this and components of the surface water management system are discussed in the following sections. Surface water management calculations and model are provided in Appendix D.

2.10.3.1 Peak Run-off

HydroCAD 10.00 was the model used to determine the maximum discharge from the final cover system to each of the stormwater management ponds. Peak runoff was estimated using calculated composite CNs for each subwatershed assuming that a portion of the final cover would be in the newly graded condition (30%) and the remainder would be in a fair grass cover condition (70%). These percentages are representative of the proposed construction phasing since the entire final cover area will not be in the newly graded condition at the same time. To address concerns raised by the City during comment response correspondence, CNs for the steeper sideslopes were assigned assuming an HSG C soil group. CNs for the other final cover areas are based on HSG B soils. Time of concentration (Tc) for each subwatershed was calculated in HydroCAD by entering the respective land cover, flowpath length, and slope for each area.

2.10.3.2 Bench and Drainage Swale Design

Benches, constructed on all 3:1 slopes, are 12 feet wide, and are sloped into the final cover. The benches are placed to intercept and direct flow, as well as minimize erosion. The drainage channel at the interior of the bench was designed with the following characteristics:

Height= 22" (typical)
Slope= 3% to 5% (typical)
Manning "n" value= 0.035

The drainage benches were designed to handle the flow for each subarea and are spaced 40' vertically around the perimeter of the landfill. The peak flow depth will not exceed the depth of the bench. Benches will have erosion control matting installed to protect against erosion until vegetation is established.

In response to a comment received from the MPCA regarding maintenance of 1% drainage swales on the final cover design at PBL, the swales were removed from the upper 3% final cover and additional erosion control matting was added at the change in grade from the top 3% to the 3:1 sideslope; this change was approved by the MPCA.

2.10.3.3 Downslope Structures

Each bench discharges into one of six cable concrete lined downslope structures located around the perimeter of the site. Two of these structures are part of the currently permitted design. The four additional structures are located on the NW, NE, east, and SE sides of the proposed final cover area. Each downslope structure is a trapezoidal channel with design characteristics summarized below:

Depth = 2.0' (typical)
Bottom width = 9 feet
Manning "n" value= 0.040

Each channel was sized based on the HydroCAD modeling. Calculations for channels lined with cable concrete were performed in 2011 for the downslope structures installed during closure construction. Based on the information received from the manufacturer at that time, the maximum velocity for cable concrete using the CC 45 cable concrete block system is 17 ft/sec. The maximum velocity modeled for the 100- year, 24-hour storm event is ~15 feet per second in the proposed channels. Also, the cable concrete material installed in 2011 is acceptable for use for a flow of 231 cfs and a shear stress of 14.8 psf. The proposed channels modeled have a maximum flow of 163 cfs and a maximum shear stress of 14 psf. The use of the CC45 cable concrete for the proposed channels is supported based on the supporting calculations from the manufacturer which have been previously provided to the City.

2.10.3.4 Junction Vaults

The downslope piping systems in the southwest and northeast corners of the currently permitted design discharge to concrete junction vaults. In the junction vaults, flow is combined to a single pipe that outlets to the existing railroad crossing culverts, a 48-inch RCP on the southwest and a 96-inch RCP on the northwest.

2.10.3.5 Sedimentation Ponds

Surface water from the proposed Phase 6 3:1 build-out final cover area is also directed to existing sedimentation ponds. Discharge to the existing east pond (6P) is directed through an existing low area into a set of culverts beneath the railroad tracks prior to final outfall. There is currently one 36-inch culvert in place beneath the tracks. To accommodate additional stormwater flows per the design, two additional 36-inch culverts will be installed in this area. It should be noted that this will require installation by horizontal drilling methods due to the adjacent railroad tracks. Below is a summary of the ponds:

Pond	100-yr 24 hr storm runoff volume (ac-ft)	Total available storage above the April 14, 2015 aerial survey water level (ac-ft)
Existing East Pond (6P)	14.1	36.5
Existing Northeast Pond (4P)	22.0	31.2
Existing Northwest Pond (3P)	14.2	22.2

The ponds were designed to serve as infiltration ponds. The sandy soils at the landfill are conducive to infiltration. A universal soil loss equation was completed and provided in previous submittals. A Pond Maintenance Plan was also completed in March 2017 and has been incorporated into the Operations and Maintenance Plan presented in the August 2015 MPCA Permit Application.

During the MPCA permitting process, the City requested a calculation that would account for water volume reaching the ponds via surface runoff and via the underdrain system. The calculation was completed as part of a response to the City and is provided below.

Previously completed HELP modeling indicates that the peak daily flow rate in the closed condition through the geonet layer is approximately 1,443 CF/acre. Based on this flow rate and the drainage area to each pond, the volume of water draining to each pond via the underdrain system was calculated. Considering this volume in addition to the surface flow as modeled using HydroCAD, each pond has sufficient storage capacity above the modeled HWL for the flow volume from the underdrain system. A HWL considering the additional volume was also calculated using the surface area of the modeled HWL. Calculations are tabulated below:

Pond	Drainage Area (acres)	Peak Daily Flow (CF) to Pond ⁽¹⁾	HWL Elev. ⁽²⁾	HWL Surface Area (SF) ⁽²⁾	Top of Pond Elev.	Volume Above HWL (CF)	Approx. HWL Including Underdrain Volume ⁽³⁾
4P (Exist. NE Sed Pond)	55	78,775	889.0	204,189	892	384,598	889.4
6P (Exist. E Sed Pond)	35	51,048	887.5	83,699	896	973,323	888.1
3P (Exist. NW Sed Pond)	35	50,017	869.6	70,650	874	330,467	870.3

(1) From previously completed HELP modeling.

(2) From 100-yr HydroCAD model.

(3) Calculated based on the 100-yr HydroCAD model HWL surface area.

2.11 LANDFILL GAS MANAGEMENT

2.11.1 Background

The EPA and MPCA require that landfill gas (LFG) generated at MSW landfills be controlled. This control requirement is to achieve two objectives. First, the methane component of LFG is combustible in the concentration range of 5 to 15 percent by volume in air. Five percent is considered the lower explosive limit or LEL and 15 percent is considered the upper explosive limit or UEL. Consequently, migration and concentration of methane into enclosed spaces could result in an explosive atmosphere. Therefore, Minnesota Rule 7035.2815 Subp. 11 requires that the concentration of any explosive gas not exceed the LEL at the property boundary or 25 percent of the LEL in or around facility structures. PBL has an MPCA-approved gas collection and monitoring system to address concerns with migration of combustible gas.

The second objective in controlling LFG is for maintenance of air quality standards. In March of 1996, the EPA promulgated air emissions regulations for large new and existing MSW landfills. These are the New Source Performance Standards and Emission Guidelines (NSPS). Under these regulations, affected facilities that emit more than 34 megagrams per year (Mg/yr) of non-methane organic compounds (NMOC) must install controls. The installed controls must be capable of reducing the NMOC in the collected LFG by at least 98 percent by weight. PBL has been proactive in the installation of landfill gas control equipment.

PBL employs a comprehensive monitoring program for early detection of landfill gas (LFG) in on-site structures and at adjacent properties, as well as gas collection and a landfill gas to energy plant. Occupied buildings and structures located at the facility are continuously monitored using electronic monitoring devices. These devices allow for detection of concentrations of LFG well below the concentrations at which the gas reaches an explosive range. Landfill gas migration from the landfill is monitored with permanent landfill gas monitoring probes around the perimeter of the facility.

2.11.2 Gas Probe Management

As stated above, PBL employs a comprehensive monitoring program for early detection of landfill gas (LFG) in on-site structures and at adjacent properties, as well as gas collection and a landfill gas to energy plant. Minnesota Rule 7035.2815 Subp.11 also requires that occupied buildings and structures located at the facility are continuously monitored using electronic monitoring devices. These devices allow for detection of concentrations of LFG well below the concentrations at which the gas reaches an explosive range. Landfill gas migration from the landfill is monitored with permanent landfill gas monitoring probes around the perimeter of the facility. These probes are monitored in accordance with the Gas Management and Monitoring Plan which is included in the Facility Operations and Maintenance Plan.

Currently, PBL has been working with the MPCA and the City of Inver Grove Heights to address gas migration concerns. PBL recently completed a gas migration investigation at the site and the August 2017 Gas Migration Remodel Action Report has been provided under separate cover to the City.

2.11.3 Future Gas System Installation

The Pine Bend Landfill gas extraction system will be augmented in the Phase 6 area to include a horizontal gas collector system as well as the installation of six (6) new pumping stations. Although the pumping stations primary purpose is to remove leachate from the unlined landfill area, they may also be retrofitted to serve as dual extraction wells and also provide for landfill gas collection. Lateral subheader piping (8-inch HDPE) will be connected to the existing header piping system to provide vacuum to the new horizontal gas collection system. Horizontal collector piping (6-inch HDPE) will be installed as shown on the plans. The proposed system has been designed to provide effective control of landfill gases in the Phase 6 expansion area upon completion of filling. Horizontal collectors will be identified as HC-XX. All new wells/horizontal collectors will be given a sequential identification number when installed. The system will be installed in phases as filling progresses with the use of temporary controls to keep the existing system active during the construction of the proposed Phase 6 expansion.

2.11.4 Existing Extraction Wells

The existing gas wells will be extended as filling progresses during Phase 6 development. This means that periodically the well head assembly will require repositioning as development dictates. This may include remotely locating the wellhead away from the filling area. It is also possible that certain wells may be extended, but temporarily taken out of

service. The existing gas wells in areas where overfilling will occur will be extended vertically by fusing piping to the existing well pipe and also to the subheader connection to maintain the wellheads at 48 inches above the landfill surface during operations. The existing wellhead assembly will be removed prior to fusing the well and subheader extensions and will be reinstalled after the extension is made. A bentonite mixture will be used to seal the annular space between the outer pipe and well casing, if applicable.

It is anticipated that gas well extension process will take approximately two (2) hours per well to complete. The existing gas system is set up such that individual gas wells can be isolated from the active gas system by valves. Therefore, the entire active gas system will not need to be shut down during the extension process. Only a portion of the system will be isolated as a preventive measure against excessive oxygen intrusion during the extension work.

2.11.5 Horizontal Collectors

As previously discussed, horizontal collectors are proposed for installation in the areas of the Phase 6 expansion where the overfill waste thickness will be too shallow for practical installation of vertical extraction wells. The horizontal collectors will consist of 6-inch HDPE perforated piping and the proposed layout is shown on the Drawings. Coarse aggregate will be installed below, above, and on each side of the perforated horizontal collector piping and geotextile will be placed over the coarse aggregate. The solid piping portion of the collectors will be bed with sand. Condensate from the horizontal gas collection piping will drain to existing condensate pumps. The minimum pipe slope will be 3% to promote condensate drainage.

3.0 Operations

3.1 GENERAL OPERATIONS AND SITE SECURITY

A bound copy of a recently updated operations and maintenance plan along with the latest site evaluation reports as amended and approved and a complete set of plans will be kept in the operations office at the landfill for reference. A certified operator will be present to observe proper operation and monitoring of the facility.

The site will be maintained to provide a safe operating environment. The perimeter fencing and entrance gate will be maintained to provide security for the facility and discourage unauthorized access. The operator will lock the gates at the end of each working day and maintain the security systems on the facility buildings.

3.2 HOURS OF OPERATION

Normal operating hours for the facility are from 4:45 a.m. to 10:00 p.m. Monday through Friday, with waste received from 6:00 a.m. to 8:00 p.m., and Saturday 5:30 a.m. to 6:00 p.m., with waste received from 6:00 a.m. to 4:00 p.m. It should be noted that the landfill may be opened on Sunday should a solid waste processing facility request service on Sunday. The hours for receipt on Sunday shall be 7:00 a.m. to 2:00 p.m. with placement of daily cover until 4:00 p.m. A certified operator is on-site during the normal operating hours and during extended hours when waste is being delivered.

3.3 EMPLOYEES

As of August 2017, the facility has three MPCA-certified operators, allowing one certified operator to be present at the facility during all hours of site operation. New site personnel who will be charged with operating responsibilities generally receive formal training within the first six months of employment. All employee-training records are maintained at the facility office. Facility operators are encouraged to update their training on a biannual basis, or as necessary, to maintain MPCA certification.

The facility strives to maintain a safe work environment for the employees and customers. The Pine Bend Landfill has a mandatory safety and/or training program. Typical on-site training includes the following topics:

- ▲ Personal Protective Equipment
- ▲ Electrical Safety
- ▲ BFI Special Waste/Hazardous Waste Identification
- ▲ Random Inspection Program
- ▲ Working Face Safety
- ▲ Waste Screening/Evaluation
- ▲ Lock-out/Tag-out Program
- ▲ Hazard Communication

- ▲ Fire Extinguisher Training - Fire Prevention
- ▲ Drug and Alcohol Policy
- ▲ Storm Water Pollution Prevention Program
- ▲ Unacceptable Waste Procedures
- ▲ Exempt Industrial Waste Identification
- ▲ Bloodborne Pathogen
- ▲ Seat Belt Policy
- ▲ Safe Lifting/Back Safety
- ▲ Eye Protection
- ▲ Storm Water Management Plan
- ▲ Respirator Program/Fit Testing
- ▲ Hearing Conservation
- ▲ Winter Safety Slips-Trips-Falls
- ▲ Confined Space Entry
- ▲ Compaction Techniques
- ▲ Railroad Crossing Safety
- ▲ Heat Stress

The meetings are held monthly, or more often, to review and update current operating procedures.

3.4 EQUIPMENT

The following equipment is available on-site and is adequate for daily landfill operations.

- ▲ 836G Landfill Compactor
- ▲ 836H Landfill Compactor
- ▲ D-8T Dozer
- ▲ D-6R Dozer
- ▲ Motor Grader
- ▲ Wheel Loader 930
- ▲ Skid Steer
- ▲ 2-Farm Tractors with Mower Decks
- ▲ Water Truck

This equipment list may change at any time depending upon updated technology and the requirements of the site. All equipment is maintained on a routine basis. Equipment maintenance records are kept on-site at the landfill.

Facility equipment is adequately maintained to ensure safe operation and the ability to handle the waste as it is received. Each piece of equipment has its own maintenance schedule, depending on its level of usage. General maintenance operations are performed at the site. In-depth maintenance and repair is performed in the facility equipment building. Maintenance manuals for all equipment at the site are kept in a file in the equipment building.

A daily maintenance program includes: removing waste from radiators and checking for worn cooling system hoses and fan belts, checking hydraulic systems for worn hoses and fluid leaks, checking for fuel leaks, worn tracks or tires, etc.

Prior to operating the equipment at the beginning of each day, all water, hydraulic fluid, oil, and fuel levels are checked. An inspection of the area around the equipment is made to ensure the area is clear. The backup warning system is checked before leaving the startup area.

While equipment is operating, the machine is checked periodically for hanging or attached debris. The fuel and hydraulic systems are checked for leaks. Waste is handled in a manner, which protects the operator, as well as those at the working face.

At shutdown, the engine is allowed to cool evenly prior to shutting off. A 3-to-5-minute idle period is typical. All blades and other moveable parts are lowered to the ground, and the brakes and transmission locks set.

Records are kept of all maintenance work performed on the facility equipment. These records are kept with the equipment manuals in the maintenance building.

During the construction phase of the landfill expansion, additional equipment will be on-site to perform the actual landfill construction activities.

3.5 PROCESSING

There is no processing or open storage of MSW at the Pine Bend Landfill. However, Pine Bend Landfill does provide appliance recycling, electronics recovery, and household hazardous waste removal.

3.6 POST-CLOSURE, CONTINGENCY ACTION PLAN AND FINANCIAL ASSURANCES

Refer to the attached Appendix E for the modified closure, post-closure, and contingency action cost estimates. These cost estimates have been modified based upon comments received from the City in review of the MPCA permit application.

3.7 TOTAL FACILITY OPERATING PERMIT

The landfill is governed by a Total Facility Operating Permit (SW-45) through the MPCA with an AQD Facility ID No. 037000138.

4.0 Potential Environmental Impacts

4.1 LEACHATE

The leachate generated from the proposed expansion will be collected and conveyed from the composite liner to collection sumps in the expansion area. Leachate is removed from the sumps by pumps capable of handling the expected leachate quantities and treated off-site at the MCES St. Paul (Pigs Eye) wastewater treatment facility, which stipulates its own leachate monitoring requirements with which PBL must comply. A leak detection system will be installed beneath the low point of each sump located at the south and north ends of the proposed expansion to detect any potential leakage of leachate from the sump areas. The sump areas are where leakage would be most likely to occur, if at all, since the head buildup on the liner is the greatest at those points.

4.2 METHANE

The owner and operator of PBL, BFI Waste Systems of North America, LLC (BFI), operates an active gas collection and monitoring system at the site. The monitoring system consists of gas probes around the perimeter of the site. Per MPCA requirements, all facility gas probes are monitored; Minnesota Rule 7035.2815 Subp. 11 requires that the concentration of any explosive gas not exceed the lower explosive limit (LEL) of five percent methane at the property boundary or 25 percent of the LEL (1.25 percent methane) in or around facility structures. The gas probes that have historically shown exceedances of the LEL are monitored monthly, while other probes are monitored quarterly. Gas probe measurements are acquired using a GEM 2000 monitoring device and are performed by Fortistar, the gas developer for the landfill.

PBL employs a comprehensive monitoring program for early detection of landfill gas (LFG) in on-site structures and at adjacent properties, as well as an active gas collection and a landfill gas to energy plant. Minnesota Rule 7035.2815 Subp. 11 also requires that occupied buildings and structures located at the facility are continuously monitored using electronic monitoring devices. These devices allow for detection of LFG concentrations well below the LEL. Landfill gas migration from the landfill is monitored with permanent landfill gas monitoring probes around the perimeter of the facility. Gas level readings at the gas probes on the east, south, and west sides of the PBL have historically indicated LFG concentrations above the LEL. PBL suspects that the current gas probes have been installed in close proximity to unlined areas of waste, and therefore are not providing an accurate measurement of off-site gas migration. As part of on-going landfill operations and to address comments from the MPCA and the City of Inver Grove Heights, PBL has performed various gas probe investigations to help identify the off-site migration of methane around the perimeter of the site; PBL has been actively working to address gas migration issues. The most recent investigations and actions completed at the site will be provided in a Gas Migration Remedial Action Report to be submitted under separate cover in August 2017.

4.3 NOISE

It is important to note that, as reported in the EAW prepared for the Phase 5 expansion, the expansion will alter the existing noise generation at the sites during construction activities only. The expansion will not result in an increase in truck traffic and noise during routine daily operations as to what currently exists. The following information regarding noise is as follows:

4.3.1 Landfill Equipment/Machinery Related to Waste Disposal

Noise presently generated at the site is the result of equipment used for hauling, compacting, and covering the refuse. The following machines or vehicles are operated at the site:

4.3.1.1 Landfill Machinery

Decibel (dBA) Range		Hrs/ week
Dozer	80-115	36hrs/week
Compactor 1	82-92	72hrs/week
Compactor 2	82-92	14hrs/week
Soil hauling truck	85-95	42hrs/week
Backhoe	73-80	42hrs/week

4.3.1.2 Haul Trucks

Refuse trucks hauling refuse to the site generate other noise. Approximately 200 refuse hauling trucks enter the site every day. 80 percent of these trucks are semi-trailer trucks and 20 percent are dump trucks. Such trucks are likely to generate from 85 to 95 dBA at the truck according to data furnished by the Hennepin County Department of Public Works. Traffic from these haul trucks take place from Highway 52 onto 117th Street into the south entrance of the site. All land within this reach of 117th Street is zoned industrial and no private homes or residences are presently in that area.

4.3.1.3 Nearby Sensitive Receptors

The closest resident is approximately 2,100 feet west of the landfill (east side of Rich Valley Blvd.) and 1,500 feet from the stockpile or borrow area located within the 100-acre adjacent site. This home is owned by BFI and rented out to a local resident. Topography presents a buffer between the work areas and private dwellings.

4.3.1.4 Operating Hours

Waste is received at the landfill between 6AM and 8PM, Monday through Friday, and 6AM to 4PM on Saturdays. No heavy equipment operates outside of these times unless opened on Sunday for special circumstances.

4.3.2 Landfill Equipment/Machinery Related to Cell Construction

The proposed expansion will not alter the existing noise generation typical of a cell construction project. Noise presently generated at the site for cell construction involves the following machines or vehicles:

4.3.2.1 Landfill Machinery

dBA w/in 200'	Hrs/ week	Project Duration	
Dozer 1	80-105	60hrs/week	approx. 3-4 months
Dozer 2	80-105	60hrs/week	approx. 3-4 months
Dozer 3	80-105	60hrs/week	approx. 3-4 months
Scraper 1	80-115	60hrs/week	approx. 3-4 months
Scraper 2	80-115	60hrs/week	approx. 3-4 months
Scraper 3	80-115	0hrs/week	approx. 3-4 months
Compactor 1	82-92	60hrs/week	approx. 3-4 months
Loader	69-80	60hrs/week	approx. 3-4 months
Soil hauling truck	85-95	60hrs/week	approx. 3-4 months
Soil hauling truck	85-95	60hrs/week	approx. 3-4 months
Backhoe	73-80	60hrs/week	approx. 3-4 months

Data originated from a federal highway administration study published in 1973.

Noise generated by the above equipment will be mitigated by the following considerations:

- ▲ Location of haul road. The major haul road to the site is 117th Street between the gate and U.S. Highway 52 to the east. All land in this reach of 117th Street is zoned industrial and no private homes or residences are presently in that area.
- ▲ Proximity of proposed project to living areas. The proposed project site is at least 2,100 feet from the nearest private dwelling. At such distances, dBA levels should be reduced by about 28 dBA.
- ▲ Topography between work site and private dwellings. Topography features buffer the work areas. The previously closed and covered waste cells along the east side of the 220-acre parcel will serve as a buffer between work areas and neighbors to the east.
- ▲ Operating hours. Operating hours at the site for receiving waste are from 6:00 AM - 8:00 PM Monday through Friday, and 6:00 AM - 4:00 PM on Saturdays. No heavy equipment is usually operated outside of these time frames.

Construction activities will be temporary in duration. Local noise ordinances will be complied with during the construction of each cell. Construction, when feasible, would take place primarily during the less noise sensitive daylight hours to avoid impact during hours associated with sleep.

4.3.2.2 Haul Trucks

Approximately 17,000 trucks will be entering the site to haul soils during each cell construction event. Such trucks are likely to generate from 85 to 95 dBA at the truck according to data furnished by the Hennepin County Department of Public Works. This estimate would serve as an average for future cell construction projects.

4.3.2.3 Nearby Sensitive Receptors

The closest resident is approximately 2,100 feet from the landfill (east side of Rich Valley Blvd.) and 1,500 feet from the stockpile or borrow area located within the 100-acre adjacent site. This home is owned by BFI and rented out to a local resident. Topography presents a buffer between the work areas and private dwellings.

4.4 LITTER, VECTORS, AND ODOR

Unloading of all wastes will be confined to as small an area as practical, and surrounded with appropriate facilities to confine wind-blown material within the area. The litter is picked up daily as generated.

During periods of windy weather, the operators employ an appropriate variety of tactics to prevent littering. These tactics are described as follows:

- ▲ Maintain disposal area in well-screened areas.
- ▲ Place the waste at the lowest level of the fill area possible.
- ▲ Apply liberal quantities of cover soil as the cell is filled.
- ▲ Reject waste that is highly susceptible to becoming windblown.
- ▲ Police the site fences and tree lines and return all litter to the working face.

In certain extreme conditions, operations will cease. The decision for operations to cease is made at the discretion of the facility manager. Historically, the site has closed and ceased accepting waste for disposal on days of high winds that prohibit landfill personnel from controlling litter within the boundaries of the site.

Vector control is achieved through the use of daily, intermediate, and final cover. Highly putrescible wastes are covered immediately upon placement at the working face. PBL also has a contract with Plunkett's Pest Control Company to provide inspection of the buildings on a monthly basis. Plunkett's Pest Control also completes a site walkover to identify rodent harborage and baits any active areas to eliminate problem areas.

Odors at the site are currently controlled by the operation of the active gas extraction system. The proposed expansion will not alter the existing odor conditions or generation at the site.

4.5 FUGITIVE DUST

Fugitive dust control during construction operations and landfilling operations of the expansion will be controlled as is currently being done with the following landfill practices:

- ▲ The approach road to the landfill, 117th Street, is paved.
- ▲ The main on-site road to the active fill area is paved.
- ▲ An on-site water tank truck applies water to areas subjected to dust creation.
- ▲ If dust becomes a problem, sand is spread on the unpaved roads to control dust.

4.6 SITE GEOLOGY AND GROUNDWATER

Site geology and hydrogeology has received extensive evaluation since the Facility began operations in 1971. The Facility owner installed a groundwater monitoring network in 1972 and collected more than 35 years of groundwater monitoring data.

The 2014 Annual Water Quality and Natural Attenuation Monitoring Report prepared by Groundwater and Environmental Services, Inc. ("GES") represent the most recent compilation of site hydrogeologic information available. Also, refer to the 2016 Annual Report for a more detailed discussion. Following is a brief overview of the site hydrogeology.

The uppermost aquifer underneath the site consists of the glacial deposits hydraulically connected to the Prairie du Chien Group and the Jordan bedrock formations. In the bedrock valley, also hydraulically connected to the glacial deposits is the Franconia Formation. Prairie du Chien and Jordan together comprise the major aquifer in the Twin Cities metropolitan area. The Franconia Formation can provide small amounts of water, but usually considered, along with the St. Lawrence Formation, a confining unit (Schoenberg, 1990). The Ironston and Galesville Sandstones serve as a regional aquifer above the Eau Claire formation, which acts as a major aquitard. The Mt. Simon Sandstone is considered the deepest aquifer in the area.

An extensive monitoring well network functions for water-level measurements and water quality sampling at the Facility. The water table in glacial deposits lies between 725 to 800 feet National Geodetic Vertical Datum (NGVD). Groundwater flows to the northeast with the northeast flow becoming more easterly as it approaches the bedrock valley along the northern boundary of the Facility.

The average horizontal hydraulic gradient in the uppermost aquifer was calculated to be 0.010 feet per feet. Historically, the gradient has been steeper along the eastern boundary of the Facility. Adjacent to and east of the Facility, the hydraulic gradient becomes more gradual until about U.S. Highway 52/Minnesota Highway 55 where the hydraulic gradient increases once again due to the proximity of the Mississippi River Valley.

There are no changes being proposed as part of the Phase 6 development relating to the groundwater monitoring system at the landfill.

The Project will not appropriate or consume groundwater and therefore not contribute to groundwater supply issues in the area. The Facility has an existing groundwater monitoring network in place and would continue to monitor groundwater quality. The groundwater monitoring network and program would ensure early detection of groundwater quality impacts. If the Proposer observes groundwater quality impacts during monitoring, they will work with the MPCA to develop appropriate actions to address and improve groundwater

quality under the terms of their solid waste permit. The Proposer would secure all required permits prior to implementing actions targeted at improving groundwater quality.

Additionally, the proposed vertical expansion will include appropriate lined cells to ensure capture and treatment of leachate within the landfill. These practices will minimize the potential for groundwater contamination. The existing groundwater monitoring network and sampling program will detect if leachate or other landfill constituents have entered the groundwater prior to reaching sensitive waterbodies such as the Mississippi River.

5.0 Land Use Impacts

5.1 LAND USE

The site is situated in a zoned industrial area with largely industrial neighbors; Koch Refining Company, Excel Energy, Inc., Mid-America Pipeline Company, Rich Valley (SKB Demo Landfill), etc. In addition, the closed Crosby American Demolition Landfill is located immediately north of the Pine Bend Landfill. Since the landfill has seemingly operated compatibly with neighboring sites and nearby land uses, this is not anticipated to change as a result of the proposed expansion. There are no anticipated conflicts involving environmental matters associated with the proposed expansion.

The Inver Grove Heights zoning ordinance allows for the airspace expansion of current landfills (10-13E-6) as a conditional use. Therefore, the Project is allowable on the site with a Conditional Use Permit ("CUP"). The Facility currently operates under an existing CUP and a Non-Conforming Use Certificate from the City of Inver Grove Heights. The Facility also operates under a Solid Waste Facility License from Dakota County. The Proposer will need to amend their existing CUP and Dakota County Solid Waste License for the Project.

The Project would not change the nature of the Facility. The Project will not expand the footprint of the Facility and it would continue to operation as a municipal waste landfill. Existing conditions associated with traffic, noise, dust, odor, and other issues related to Facility operations would continue, but would not change from current operations.

5.2 TRAFFIC AND HAUL ROUTES

During the construction of the proposed expansion, approximately 195 trucks per day for 3-4 months will be enter the site in addition to the normal waste truck traffic. All haul vehicles will access the site off 117th Street East, which is a paved road. Dump trucks would haul fill, liner material, and cover material during the construction period. Enclosed semi-trailers and garbage trucks would continue to be used for hauling MSW into the site.

5.3 STORMWATER/EROSION CONTROL

No adverse impacts to the receiving waters from the site's surface water runoff are anticipated. There are no immediate receiving waters at or near the landfill. Surface water discharges are, and will continue to be directed to existing sedimentation ponds. The proposed expansion is not anticipated to increase the surface run-off volume, all of which is directed to the two existing sedimentation ponds. The storm water control facilities at the landfill have been conservatively designed to handle the 100-year, 24-hour storm event of 7.48 inches.

Erosion control on the landfill cover will be controlled by the installation of benches and permanent turf reinforcement mat that will intercept the run-off and direct it to downslope

piping systems. Vegetation will be established as soon as possible on the intermediate and final covered areas of the landfill.

It is proposed that soils stockpiled during the construction of a cell will be located in the adjacent 100-acre undeveloped parcel west of the landfill. The soil stockpiles would be managed using the following methods to minimize soil erosion:

- ▲ Stockpiles will be compacted to minimize precipitation saturating the material.
- ▲ Stockpiles will be crowned and graded smooth, with side slopes no steeper than necessary.
- ▲ Stockpiles that remain in place for long periods of time will be seeded to prevent erosion.
- ▲ Drainage will be rerouted if the stockpiles are constructed in a manner that will interrupt a portion of the drainage.
- ▲ When the active face will be near the stockpile, steps will be taken to ensure surface water runoff from the stockpile does not flow onto the active disposal area.

The proposal incorporates structural and/or non-structural control measures to reduce pollutants in storm water from soil erosion. The structural control measures include the following:

- ▲ Benches
- ▲ Downslope piping system
- ▲ Junction vaults
- ▲ Sedimentation ponds
- ▲ Curbs, berms, and earthen dikes
- ▲ Velocity dissipation devices
- ▲ Rock outlet protection
- ▲ Silt fencing
- ▲ Straw bale dikes
- ▲ Subsurface drains

The non-structural control measures include the following:

- ▲ Best management practices (spill prevention, neat and orderly material storage)
- ▲ The Spill & Emergency Response Plan
- ▲ Security
- ▲ Routine visual inspections

5.4 UTILITIES

The proposed Phase 6 development will require minimal revisions to the utilities at the site. Some utilities will be removed in the final development of Phase 5.

5.5 LANDSCAPING

The Pine Bend Landfill has already constructed a network of landscaping berms and uses as much of the natural tree barriers as possible for screening around their current facility.

Since the proposed expansion does not increase the boundaries of the current landfilling operations, the existing landscaping is considered adequate.

The Facility has operated at this site since 1971. Such activities and the subsequent visual impacts related to the expansion's construction and operation will not differ from existing conditions. The current Facility permit allows for a final construction height of approximately 1,019 feet MSL. The Project designed such that the final height of the Project will match the currently permitted final height. Industrial properties surround the Facility with limited visibility from residential or scenic areas. No additional visual impacts from the proposed vertical expansion of the Facility will occur.

5.6 FIRE PROTECTION

Arrangements and coordination with the City of Inver Grove Heights police and fire services is a condition of Pine Bend Landfill's non-conforming use certificate with the City. The fire department has keys for the landfill gate.

Fire extinguishers are located on all large earth moving and waste handling equipment. They are also available in the shop and office. The vendor checks them annually. Testing verification is maintained with the facility records. The landfill has a water truck, normally used for dust control that can be used for fires. It can draw water from a water supply tank or a surface water source.

6.0 Additional Items

6.1 HOST COMMUNITY FEE

The City and Pine Bend Landfill are in negotiation for a renewal of the Host Community Agreement, which will include provisions for the proposed expansion.

Pine Bend Landfill has also entered into a new Host Fee Agreement with Dakota County in January 1, 2003. The term of the new Dakota County Host Agreement runs through December 31, 2017.

6.2 COMPLIANCE HISTORY

6.2.1 MPCA

6.2.1.1 Groundwater Contamination

BFI implemented a long-term groundwater monitoring program in accordance with the Minnesota Solid Waste Landfill Compliance Program to assess trends in water quality downgradient of the PBL. On April 23, 1985, BFI and the MPCA entered into an agreement for BFI to perform a Remedial Investigation and Feasibility Study that would: a) investigate the source, or sources, of groundwater contamination at, and near, the facility; b) assess actual and potential impacts of the releases, or threatened releases, of hazardous substances, pollutants, and contaminants from the facility on public health, welfare, and the environment; and c) identify, assess, design, develop, and implement response action alternatives. On October 23, 1990, BFI and the MPCA entered into an agreement for BFI to conduct a feasibility study; develop a plan to provide an alternative drinking water source for certain residential wells adversely affected by the release(s) from the landfill and the neighboring Crosby American Demolition Landfill; and to develop a response action plan and implement the approved response actions.

The actual and potential impacts of the releases, or threatened releases, of hazardous substances, pollutants, and contaminants from the facility on public health, welfare, and the environment were determined to be primarily Volatile Organic Compounds (VOCs) and particularly chlorinated hydrocarbons that were encountered within the landfill's groundwater monitoring network. FBI developed response action alternatives for remediation. On September 23, 1991, the MPCA approved the Updated Remedial Investigation Report for the PBL. In regard to the alternative drinking water source, PBL developed a plan, and the MPCA issued a Record of Decision in September 1991, which required the residences with affected wells to be connected to the city of Inver Grove Heights (City) water supply system. The City completed the connections supplying municipal water to the residences in December 1994. On November 21, 1994, the MPCA approved No Action Alternatives under the Superfund process for the source control and the remediation of groundwater contamination as recommended in the Updated Detailed Remedial Analysis Report.

In 2001, BFI completed a pilot study to evaluate the applicability of utilizing enhanced in-situ bioremediation as a remedial approach for mitigating VOCs in the groundwater beneath the site. The in-situ bioremediation system stimulates the growth of biological organisms in a saturated subsurface environment by introducing a supplemental food source of high

fructose corn syrup that is injected into the unlined portion of the landfill through three injection wells. The bioremediation system increases the breakdown of groundwater contaminants, which in turn decreases contaminants in the groundwater. The conclusions drawn from the twelve-quarter study revealed that the introduction of high fructose corn syrup into the groundwater has resulted in marked changes in groundwater inorganic chemistry and in a statistical reduction in the concentration of chlorinated alkenes in the groundwater. In general, VOC concentrations have decreased and continue to decrease in all wells located in the pilot study area.

To mitigate the existing groundwater contamination further, BFI proposed, in July 2002, to enhance the existing source control measures at the PBL through the installation of additional leachate collection pumps within existing landfill gas collection wells. This dual extraction well system, which was installed in October 2002, is expected to reduce leachate levels in Phase I and II and subsequently reduce the concentrations of contaminants in the groundwater.

There are no changes being proposed as part of the Phase 6 development relating to the groundwater monitoring system at the landfill. For a detailed discussion on groundwater conditions at the Pine Bend Landfill, please refer to the 2016 Annual Groundwater Monitoring Report as well as a report entitled "Update on the Effects of Natural Attenuation and Source Control Measures with Respect to Groundwater Quality at the Pine Bend Landfill" which was submitted by BFI on May 15, 2003. The City of Inver Grove Heights received a copy of this report.

The MPCA MSW solid waste permit for the proposed landfill expansion will incorporate specific conditions to ensure that the permittee implements further remedial measures to address the existing groundwater contamination.

6.2.2 County

During the course of the past few years, Pine Bend Landfill has received notifications from Dakota County of minor operational deficiencies that have been immediately corrected to the satisfaction of Dakota County.

6.2.3 City

There have been no documented compliance issues with the City of Inver Grove Heights.

6.3 STATUS OF OTHER PERMITS AND APPROVALS

The following permits are required for the project. The status of the individual permits is also listed.

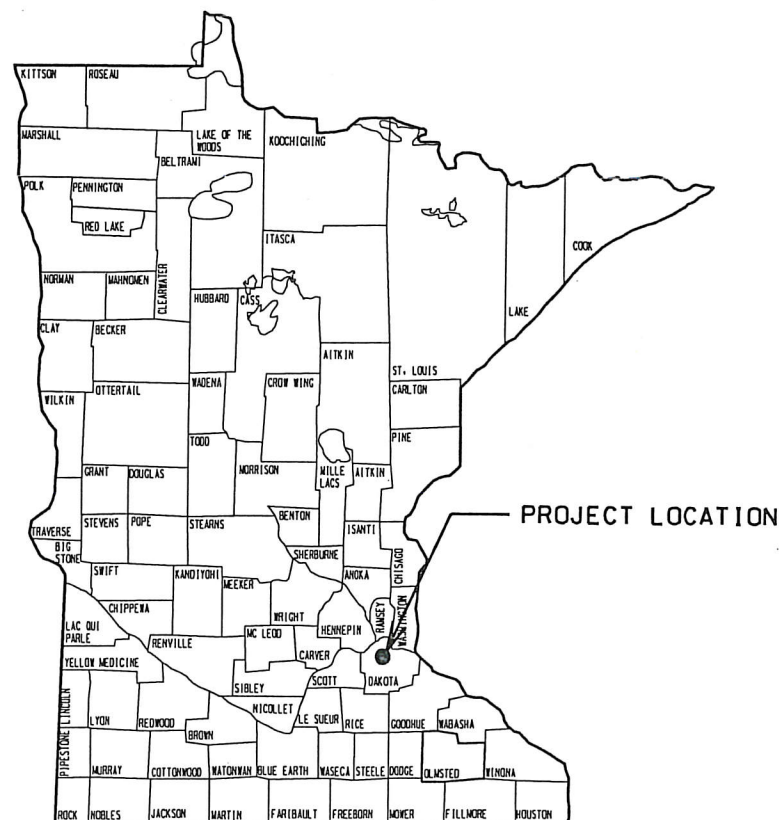
Unit of Government	Permit or Approval Required	Status
A. MPCA	Solid Waste Permit (SW-45)	Application Submitted and under review.
B. MPCA	NPDES General Storm Water Permit for Industrial Activity	In Compliance.

C. MPCA	NPDES General Storm Water Permit for Discharges During Construction Activity	Application to be Submitted for next construction project disturbing over 1 acre.
D. MPCA	EAW	Findings of fact issued on November 10, 2016 and negative declaration ordered.
E. MOEA	Landfill Expansion Certificate of Need	Application to be Submitted.
F. MOEA	Consistency with Metropolitan Area Solid Waste Management Policy Plan	In Compliance.
G. Metropolitan Council	Industrial Discharge Permit	In Compliance.
H. Dakota County (County)	Solid Waste Facility License Modification	In Compliance.
I. County	Community Host Agreement	Negotiations.
J. City	Zoning Ordinance Amendment and Conditional Use Permit for stockpiling soils in west 100-acre site	Approved on August 26, 2002
K. City	Non-Conforming Conditional Use Permit (#2641)	To be amended.
L. City	Host Agreement	To be amended.

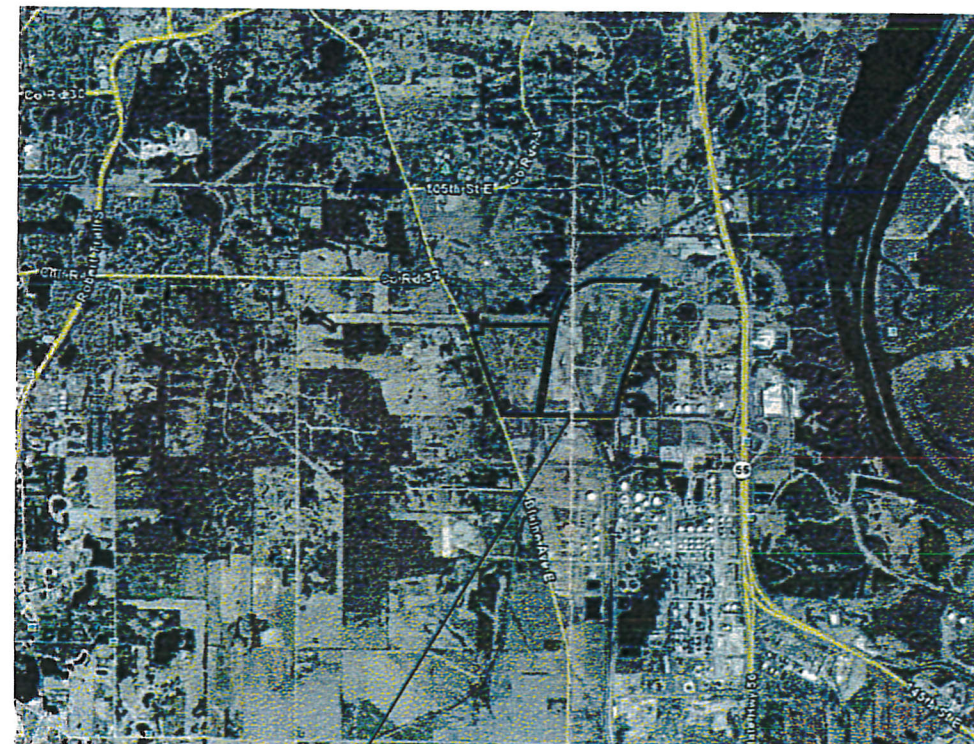
Appendix B

Plan Sheets

2015 MAJOR PERMIT MODIFICATION
PINE BEND LANDFILL - SW 45
PREPARED FOR BFI WASTE SYSTEMS OF NORTH AMERICA, LLC
T27N, R22W, SECTION 33
INVER GROVE HEIGHTS, MINNESOTA



MINNESOTA
STATE MAP



PINEBEND
LANDFILL
SITE
LOCATION MAP

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26. GAS SYSTEM DETAILS
27. GAS SYSTEM DETAILS

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION,
OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT
SUPERVISION AND THAT I AM A QUALIFIED LICENSED
PROFESSIONAL ENGINEER UNDER THE LAWS OF THE
STATE OF MINNESOTA.
PRINT NAME THOMAS J. SHUSTARICH
SIGNATURE *Thomas J. Shustarich*
DATE 08/31/15 LICENSE # 21210

FILE NAME: M:\0951\PINEBEND\2015 PERMIT\2015 PERMIT MOD01.DGN



Responsive partner. Exceptional outcomes.
1808 PIONEER CREEK CENTER PHONE: 763-479-4288
MAPLE PLAIN, MN 55357 FAX: 763-479-4242

PROJECT
2015 MAJOR PERMIT MODIFICATION
BFI WASTE SYSTEMS
OF NORTH AMERICA, LLC
PINE BEND LANDFILL
INVER GROVE HEIGHTS, MINNESOTA

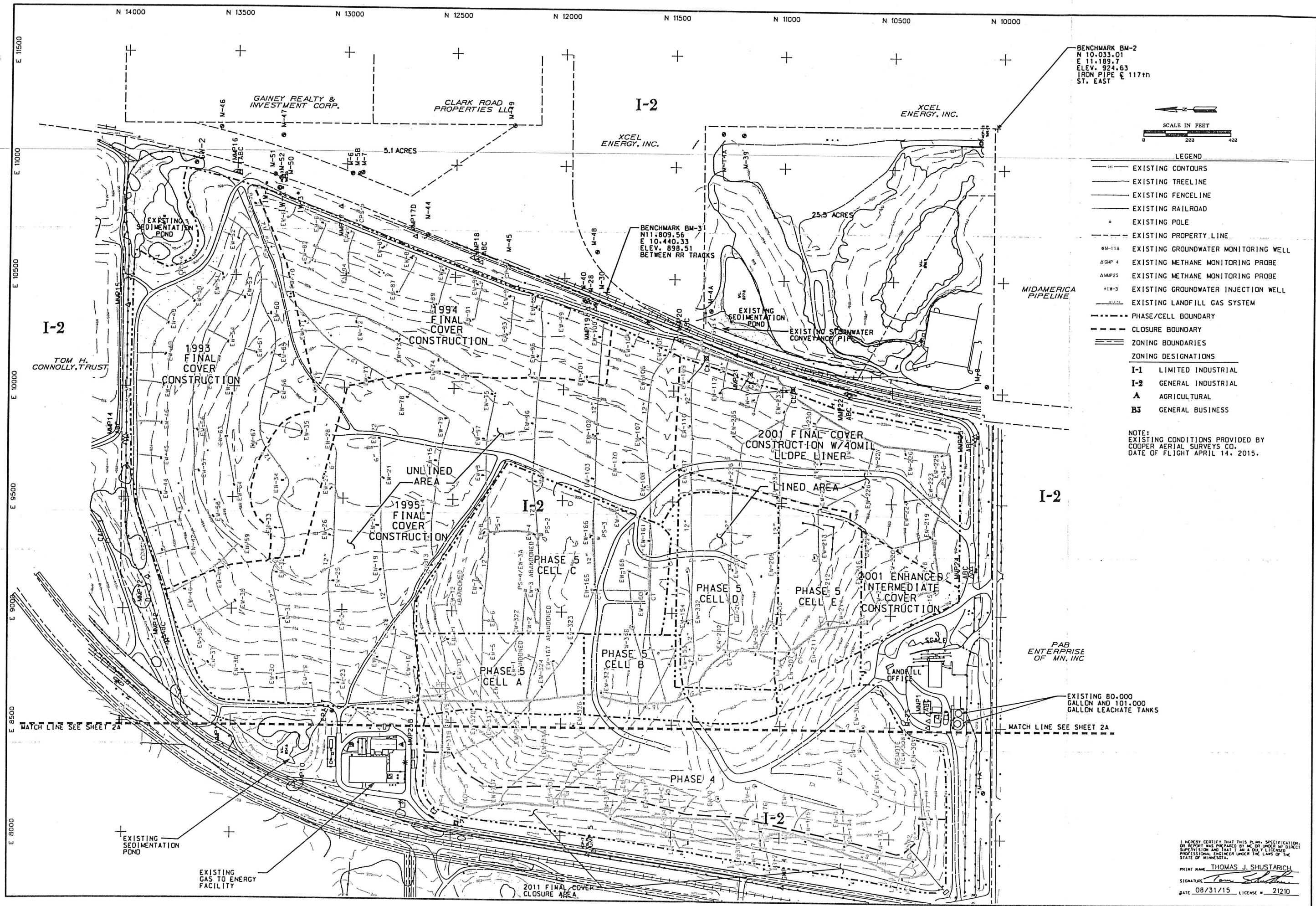
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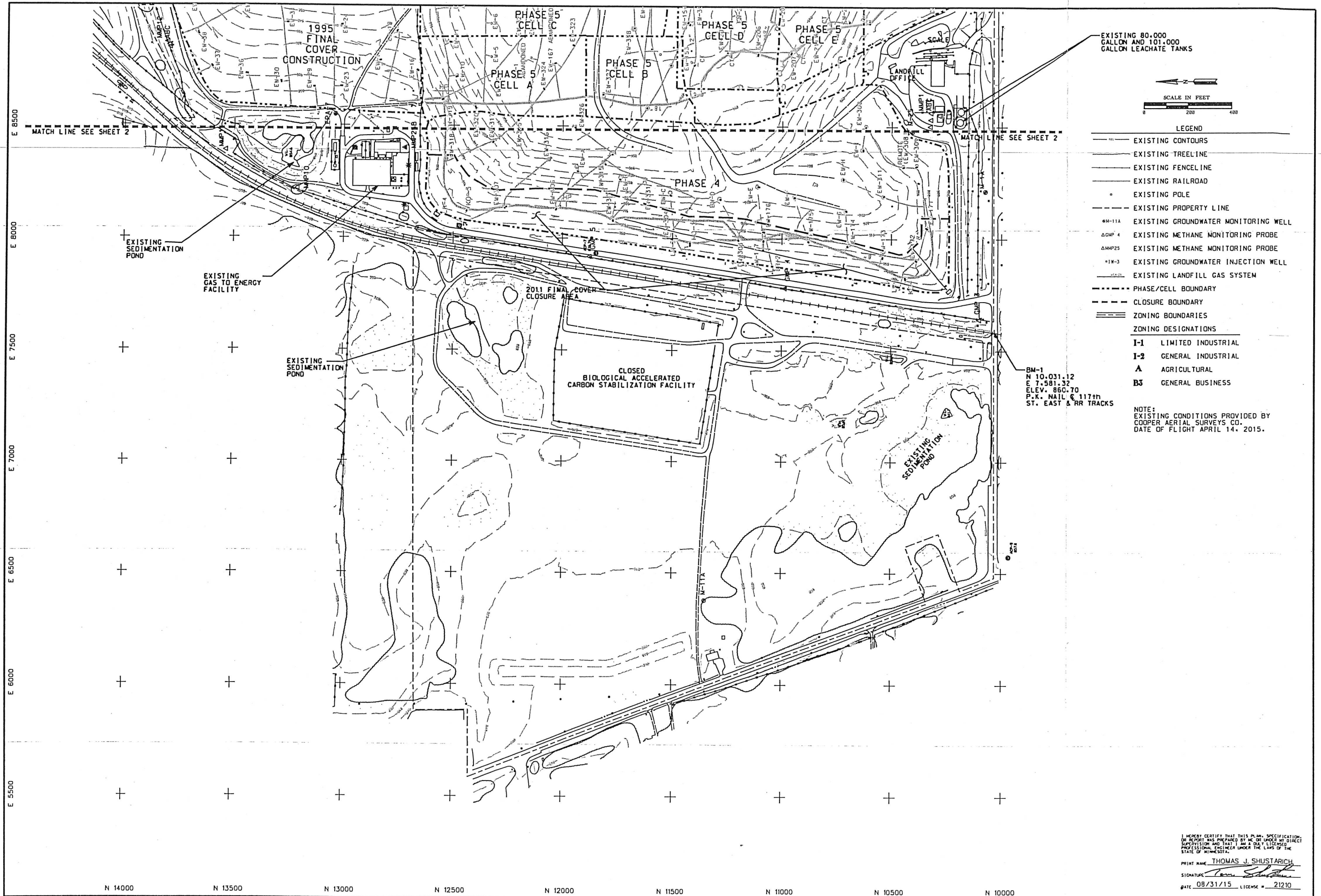
SHEET TITLE
TITLE AND INDEX SHEET
DATE/AUGUST, 2015

REVISIONS

DATE

DWN JMT CHK'D SKH APP'D TJS





DATE

REVISIONS

SHEET TITLE

EXISTING CONDITIONS MAP (WEST SIDE)

DATE: AUGUST, 2015

2015 MAJOR PERMIT MODIFICATION

BFI WASTE SYSTEMS OF NORTH AMERICA, LLC

PINE BEND LANDFILL

INVER GROVE HEIGHTS, MINNESOTA

PROJECT

FILE NAME: M:\099\PINEBEND\2015 PERMIT\2015 PERMIT MOD2A.DGN

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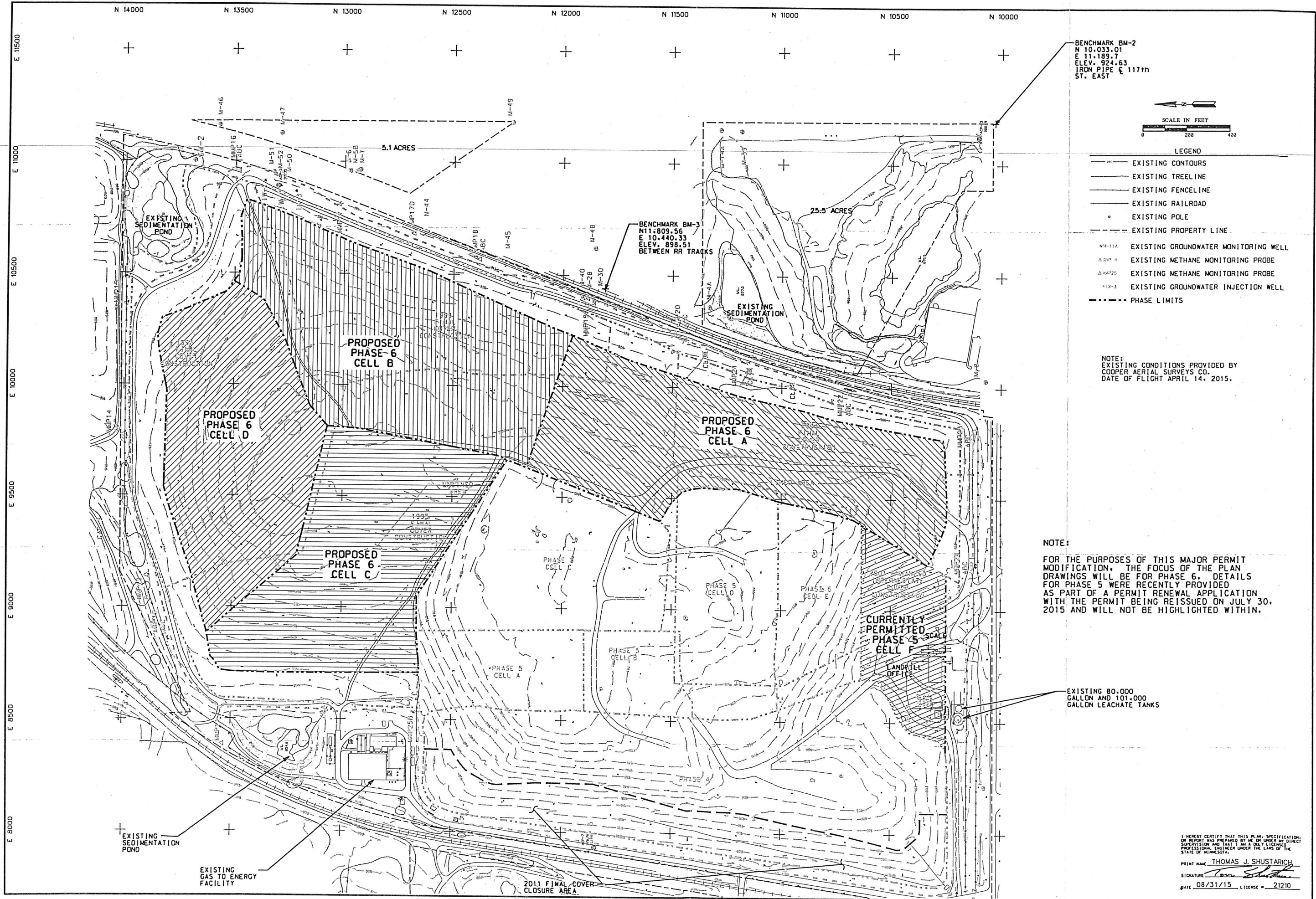
2A

PRINT NAME: THOMAS J. SHUSTARICH

SIGNATURE:

DATE: 08/31/15 LICENSE # 21210

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.



FILE NAME: M:\091\PINEBEND\2015 PERMIT\2015 PERMIT MOD03.DGN

WENCK ASSOCIATES

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PROJECT: 2015 MAJOR PERMIT MODIFICATION
BFI WASTE SYSTEMS
OF NORTH AMERICA, LLC
PINE BEND LANDFILL
INVER GROVE HEIGHTS, MINNESOTA

SHEET TITLE: PHASING PLAN

DATE: AUGUST, 2015

DWN: JMT CHK'D: SKH APP'D: TJS

REVISIONS:

DATE:

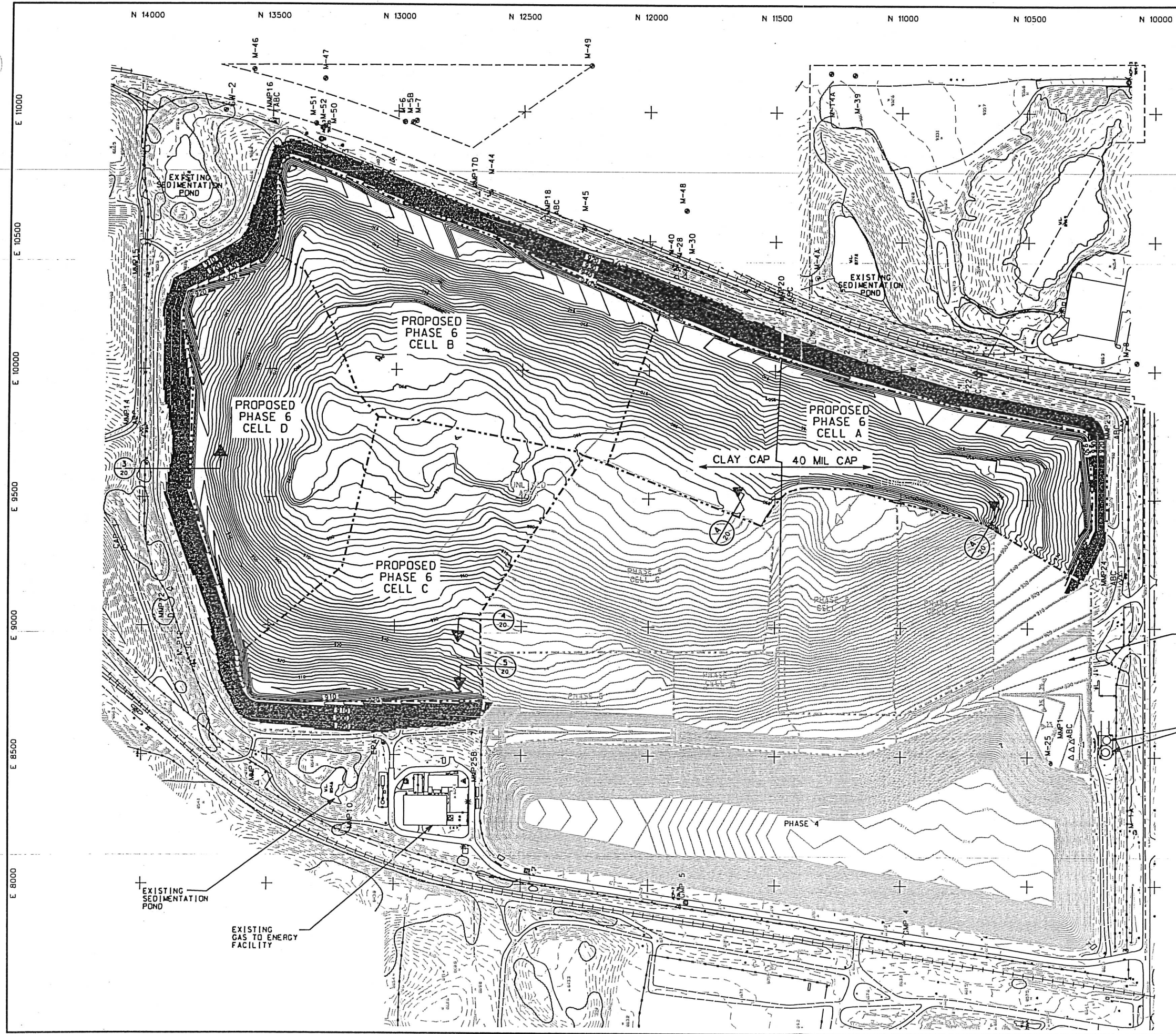
SHEET NO. 3

DATE: 08/31/15 LICENSE # 21210

PRINT NAME: THOMAS J. SHUSTARICH

SIGNATURE: *Thomas J. Shustarich*

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.



SCALE IN FEET
0 200 400

LEGEND

- EXISTING CONTOURS
- EXISTING SPOT ELEVATION
- EXISTING TREELINE
- EXISTING FENCELINE
- EXISTING RAILROAD
- EXISTING POLE
- EXISTING PROPERTY LINE
- EXISTING GROUNDWATER MONITORING WELL
- EXISTING METHANE MONITORING PROBE
- EXISTING METHANE MONITORING PROBE
- EXISTING GROUNDWATER INJECTION WELL
- PROPOSED CONTOURS
- PROPOSED SLOPE DIRECTION
- EXISTING PHASE 4 AND 5 BASE GRADES
- PHASE 5F PERMITTED BASE GRADES
- LIMIT OF EXPANSION LINER

NOTE:
EXISTING CONDITIONS PROVIDED BY
COOPER AERIAL SURVEYS CO.
DATE OF FLIGHT APRIL 14, 2015.

CURRENTLY PERMITTED
PHASE 5 CELL F

EXISTING 80,000
GALLON AND 101,000
GALLON LEACHATE TANKS

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.

PRINT NAME THOMAS J. SHUSTARICH
SIGNATURE *Thomas J. Shustarich*
DATE 08/31/15 LICENSE # 21210

PROJECT 2015 MAJOR PERMIT MODIFICATION
BFI WASTE SYSTEMS
OF NORTH AMERICA, LLC
PINE BEND LANDFILL
INVER GROVE HEIGHTS, MINNESOTA

RESPONSIVE PARTNER. EXCEPTIONAL OUTCOMES.
1888 PIONEER CREEK CENTER
MAPLE PLAIN, MN 55357
PHONE 763-479-4288
FAX 763-479-4242

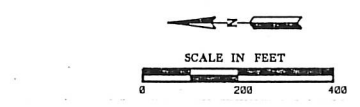
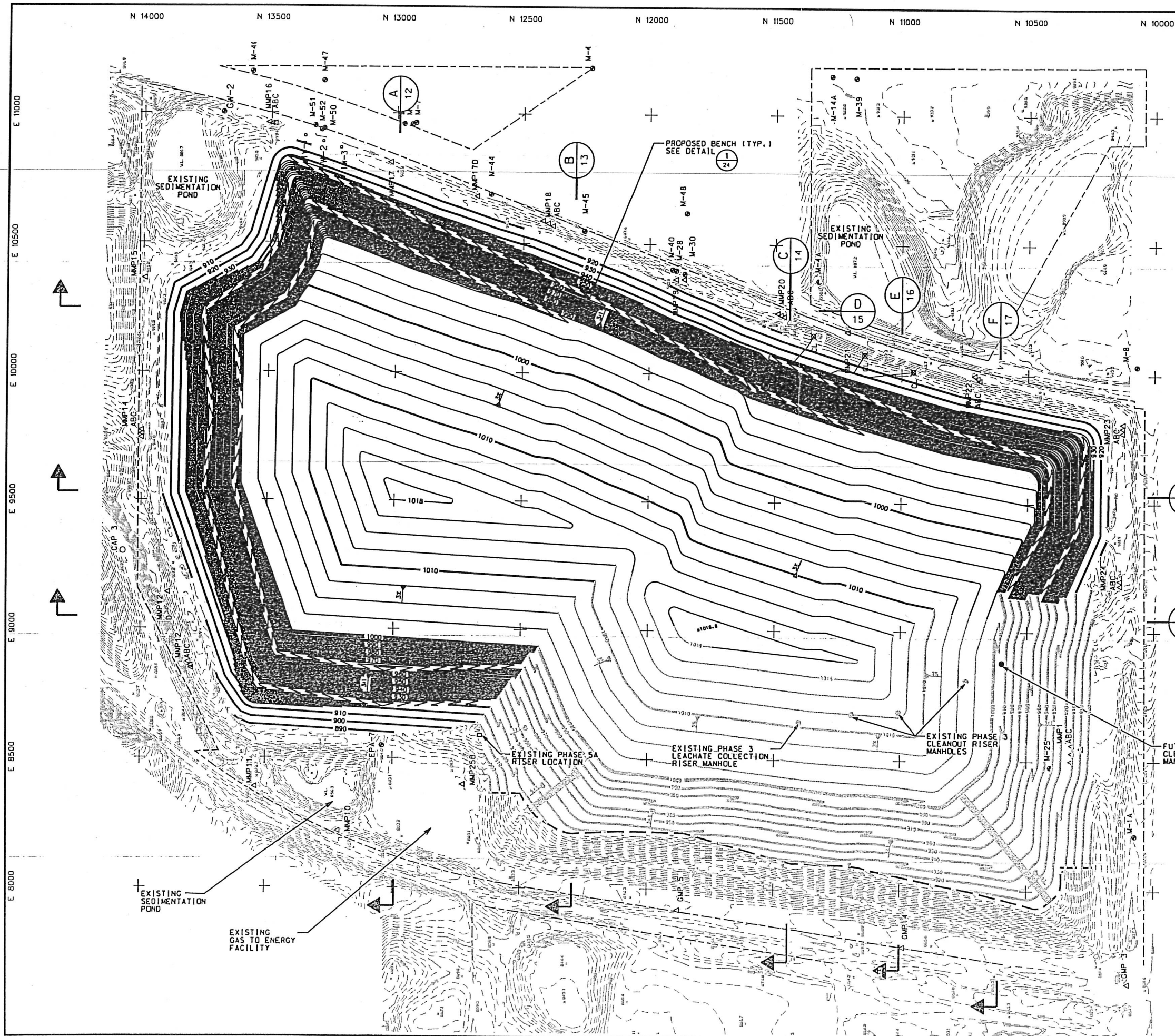
WENCK ASSOCIATES

DATE 08/31/15

REVISIONS

NO.	DATE	DESCRIPTION
1	08/31/15	BASE GRADING PLAN

SHEET NO. 4



- LEGEND
- EXISTING CONTOURS
 - EXISTING SPOT ELEVATION
 - EXISTING TREELINE
 - EXISTING FENCELINE
 - EXISTING RAILROAD
 - EXISTING POLE
 - EXISTING PROPERTY LINE
 - EXISTING GROUNDWATER MONITORING WELL
 - EXISTING METHANE MONITORING PROBE
 - EXISTING METHANE MONITORING PROBE
 - EXISTING GROUNDWATER INJECTION WELL
 - PROPOSED CONTOURS
 - PROPOSED SLOPE DIRECTION
 - CURRENTLY PERMITTED FUTURE GRADES

NOTE:
EXISTING CONDITIONS PROVIDED BY
COOPER AERIAL SURVEYS CO.
DATE OF FLIGHT APRIL 14, 2015

NOTE:
ONLY 10' CONTOURS SHOWN
ON 3:1 SLOPES FOR CLARITY

CROSS-SECTION LOCATION (TYP.)

FILE NAME: M:\0991\PINEBEND\2015 PERMIT\2015 PERMIT.MXD



Responsive partner. Exceptional outcomes.
1888 PIONEER CREEK CENTER
MAPLE PLAIN, MN 55357
PHONE: 763-479-4280
FAX: 763-479-4242

2015 MAJOR PERMIT MODIFICATION
BFI WASTE SYSTEMS
OF NORTH AMERICA, LLC
PINE BEND LANDFILL
INVER GROVE HEIGHTS, MINNESOTA

PROJECT

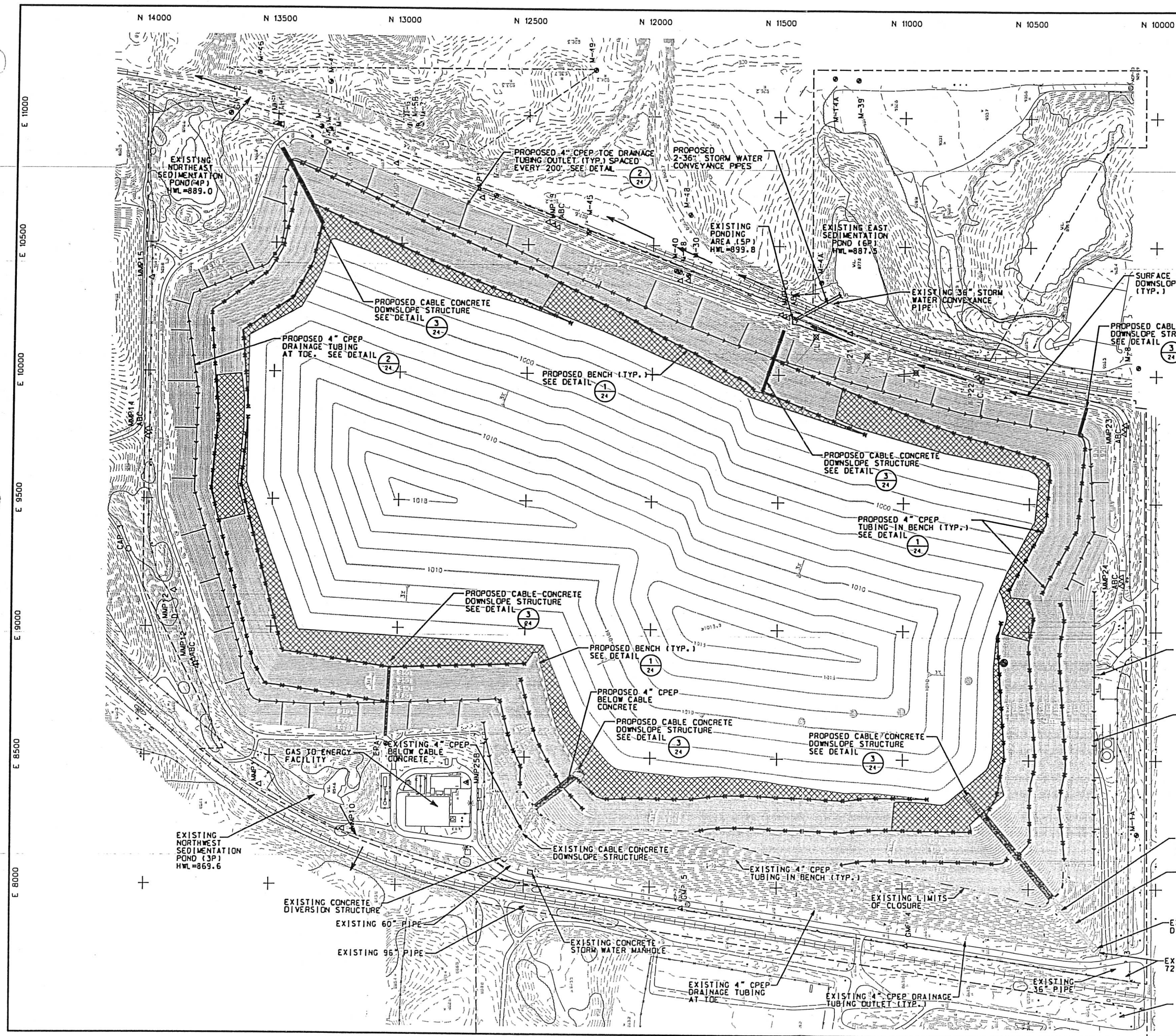
SHEET TITLE
FINAL COVER GRADING PLA

REVISIONS
REVISED BENCHES
DATE
7/26/16

SHEET NO.
6

DWN
JMT
CHK'D
SKH
APP'D
LJS
DATE: AUGUST 1, 2015

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.
PRINT NAME: THOMAS J. SHUSTARICH
SIGNATURE: *Thomas J. Shustarich*
DATE: 08/31/15 LICENSE #: 21210



- LEGEND
- EXISTING CONTOURS
 - EXISTING SPOT ELEVATION
 - EXISTING TREELINE
 - EXISTING FENCELINE
 - EXISTING RAILROAD
 - EXISTING POLE
 - EXISTING PROPERTY LINE
 - EXISTING GROUNDWATER MONITORING WELL
 - EXISTING METHANE MONITORING PROBE
 - EXISTING METHANE MONITORING PROBE
 - EXISTING GROUNDWATER INJECTION WELL
 - PROPOSED SLOPE DIRECTION
 - PROPOSED TURF REINFORCEMENT MATTING
 - PROPOSED CPEP BENCH DRAINAGE PIPE
 - EXISTING CPEP BENCH DRAINAGE PIPE
 - PROPOSED CPEP TOE DRAINAGE PIPE
 - EXISTING CPEP TOE DRAINAGE PIPE
 - PROPOSED APPROXIMATE LOCATION OF MANHOLE FOR EXISTING LEACHATE COLLECTION SYSTEM.
 - EXISTING MANHOLES FOR EXISTING LEACHATE COLLECTION SYSTEM.
 - SURFACE WATER FLOW

NOTE:
EXISTING CONDITIONS PROVIDED BY
COOPER AERIAL SURVEYS CO.
DATE OF FLIGHT APRIL 14, 2015.
NORTHEAST CONTOURS ARE FROM
APRIL 2009 AERIAL BY THE BASE
MAPPING CO. LTD.

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION,
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PROFESSIONAL ENGINEER UNDER THE LAWS OF THE
STATE OF MINNESOTA.

PRINT NAME: THOMAS J. SHUSTARICH
SIGNATURE: *Thomas J. Shustarich*
DATE: 08/31/18 LICENSE # 21210

FILE NAME: M:\0991\PINEBEND\2015 PERMIT\2015 PERMIT M0007.DGN



Responsive partner. Exceptional outcomes.
1808 PIONEER CREEK CENTER
MAPLE PLAIN, MN 55357
PHONE: 763-479-4200
FAX: 763-479-4242

2015 MAJOR PERMIT MODIFICATION
BFI WASTE SYSTEMS
OF NORTH AMERICA, LLC
PINE BEND LANDFILL
INVER GROVE HEIGHTS, MINNESOTA

SHEET TITLE
SURFACE WATER
MANAGEMENT PLAN

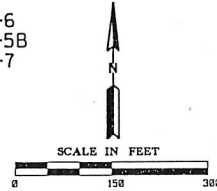
REVISIONS
SED POND LEVEL & FLOW ARROWS 05/11/16
DATE
DWN JMT CHK'D SKH APP'D TJS
DATE: AUGUST, 2015

SHEET NO.
7



EXISTING
SEDIMENTATION
POND

GAS TO ENERGY
FACILITY



- LEGEND
- EXISTING CONTOURS
 - EXISTING SPOT ELEVATION
 - EXISTING TREELINE
 - EXISTING FENCELINE
 - EXISTING RAILROAD
 - EXISTING POLE
 - EXISTING PROPERTY LINE
 - EXISTING GROUNDWATER MONITORING WELL
 - EXISTING METHANE MONITORING PROBE
 - EXISTING METHANE MONITORING PROBE
 - EXISTING GROUNDWATER INJECTION WELL
 - EXISTING GAS EXTRACTION WELL
 - EXISTING GAS PIPING
 - EXISTING CONDENSATE PUMPING STATION
 - DUAL EXTRACTION WELL

NOTE:
EXISTING CONDITIONS PROVIDED BY
COOPER AERIAL SURVEYS CO.
DATE OF FLIGHT APRIL 14, 2015

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PROFESSIONAL ENGINEER UNDER THE LAWS OF THE
STATE OF MINNESOTA.
PRINT NAME: THOMAS J. SHUSTARICH
SIGNATURE: *Thomas J. Shustarich*
DATE: 08/31/15 LICENSE #: 21210

REVISIONS	DATE

SHEET TITLE
EXISTING GAS PIPING PLAN
NORTH HALF
DATE: AUGUST, 2015
DWN JMT CHK'D SKH APP'D TJS

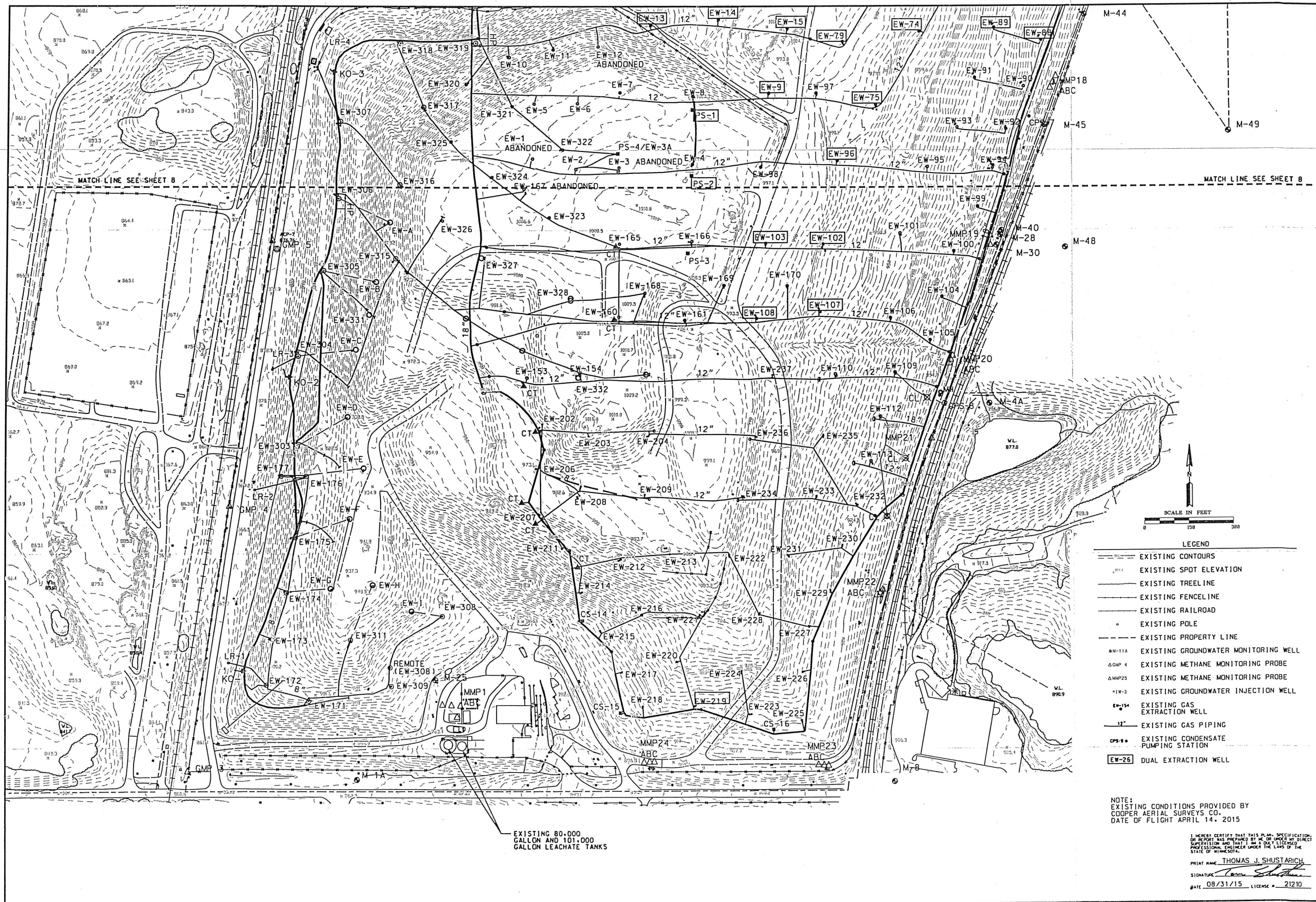
2015 MAJOR PERMIT MODIFICATION
BFI WASTE SYSTEMS
OF NORTH AMERICA, LLC
PINE BEND LANDFILL
INVER GROVE HEIGHTS, MINNESOTA

FILE NAME: M:\0991\PINEBEND\2015 PERMIT\2015 PERMIT MOD08.DGN



Responsive partner. Exceptional outcomes.
1888 PIONEER CREEK CENTER
MAPLE PLAIN, MN 55357
PHONE: 763-479-4200
FAX: 763-479-4242

SHEET NO.
8



2015 MAJOR PERMIT MODIFICATION
BFI WASTE SYSTEMS
OF NORTH AMERICA, LLC
PINE BEND LANDFILL
INVER GROVE HEIGHTS, MINNESOTA

PROJECT

DATE

REVISIONS

SHEET TITLE
EXISTING GAS PIPING PLAN
SOUTH HALF
DATE: AUGUST, 2015

WENCK
ASSOCIATES

Responsive partner. Exceptional outcomes.
1808 PIONEER CREEK CENTER
MAPLE PLAIN, MN 55357
PHONE: 763-479-4280
FAX: 763-479-4242

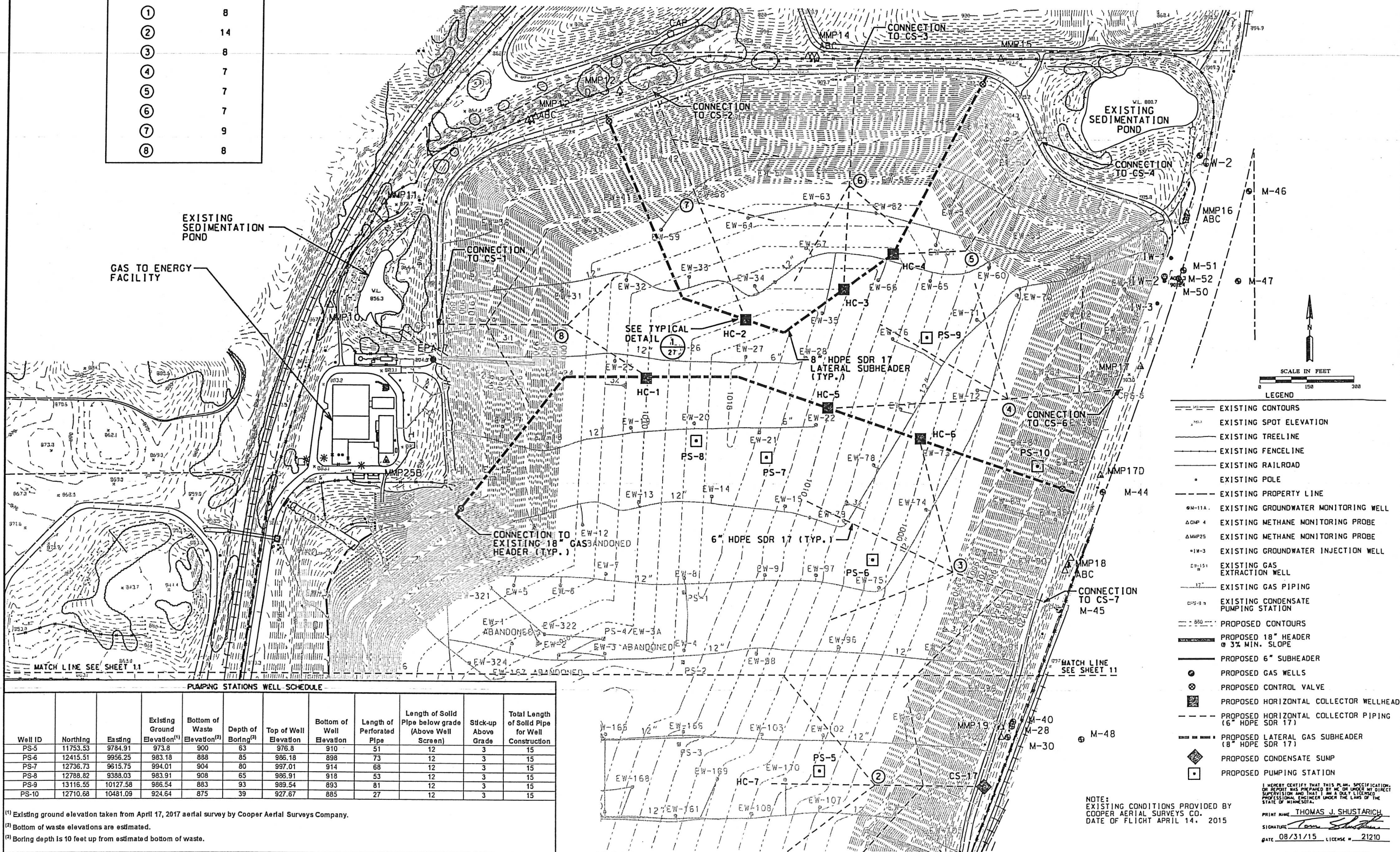
FILE NAME: W-0901/PINEBEND/2015 PERMIT/2015 PERMIT MOD09.DGN

DATE

REVISIONS

SHEET NO.
9

HORIZONTAL COLLECTION SYSTEM TRENCH POINT	APPROXIMATE DEPTH (FT)
①	8
②	14
③	8
④	7
⑤	7
⑥	7
⑦	9
⑧	8



PUMPING STATIONS WELL SCHEDULE									
Well ID	Northings	Eastings	Existing Ground Elevation ⁽¹⁾	Bottom of Waste Elevation ⁽²⁾	Depth of Boring ⁽³⁾	Top of Well Elevation	Bottom of Well Elevation	Length of Perforated Pipe	Total Length of Solid Pipe for Well Construction
PS-5	11753.53	9784.91	973.8	900	63	976.8	910	51	15
PS-6	12415.51	9956.25	983.18	888	85	986.18	898	73	15
PS-7	12736.73	9615.75	994.01	904	80	997.01	914	68	15
PS-8	12788.82	9388.03	983.91	908	65	986.91	918	53	15
PS-9	13116.55	10127.58	986.54	883	93	989.54	893	81	15
PS-10	12710.68	10481.09	924.64	875	39	927.67	885	27	15

(1) Existing ground elevation taken from April 17, 2017 aerial survey by Cooper Aerial Surveys Company.
 (2) Bottom of waste elevations are estimated.
 (3) Boring depth is 10 feet up from estimated bottom of waste.

DATE

02/21/17

RESPONSE TO COMMENTS

07/25/17

PUMP STATION WELL SCHEDULE

07/25/17

REVISIONS

DWN

JMT

CHKD

SKH

APPD

TJS

SHEET TITLE

PROPOSED GAS PIPING PLAN

NORTH HALF

DATE: AUGUST, 2015

2015 MAJOR PERMIT MODIFICATION

BFL WASTE SYSTEMS

OF NORTH AMERICA, LLC

PINE BEND LANDFILL

INVER GROVE HEIGHT, MINNESOTA

WENCK

ASSOCIATES

Responsive partner. Exceptional outcomes.

1800 PIONEER CREEK CENTER

MAPLE PLAIN, MN 55357

PHONE: 763-479-4200

FAX: 763-479-4242

FILE NAME: W:\0591\PINEBEND\2015 PERMIT\CITY SUBMITTAL\2015 PERMIT MOD.DGN

PROJECT

2015 MAJOR PERMIT MODIFICATION

BFL WASTE SYSTEMS

OF NORTH AMERICA, LLC

PINE BEND LANDFILL

INVER GROVE HEIGHT, MINNESOTA

PRINT NAME

THOMAS J. SHUSTARICH

SIGNATURE

Thomas J. Shustarich

DATE

08/31/15

LICENSE #

21210

NOTE:

EXISTING CONDITIONS PROVIDED BY

COOPER AERIAL SURVEYS CO.

DATE OF FLIGHT APRIL 14, 2015

LEGEND

EXISTING CONTOURS

EXISTING SPOT ELEVATION

EXISTING TREELINE

EXISTING FENCELINE

EXISTING RAILROAD

EXISTING POLE

EXISTING PROPERTY LINE

EXISTING GROUNDWATER MONITORING WELL

EXISTING METHANE MONITORING PROBE

EXISTING METHANE MONITORING PROBE

EXISTING GROUNDWATER INJECTION WELL

EXISTING GAS EXTRACTION WELL

EXISTING GAS PIPING

EXISTING CONDENSATE PUMPING STATION

PROPOSED CONTOURS

PROPOSED 18" HEADER @ 3% MIN. SLOPE

PROPOSED 6" SUBHEADER

PROPOSED GAS WELLS

PROPOSED CONTROL VALVE

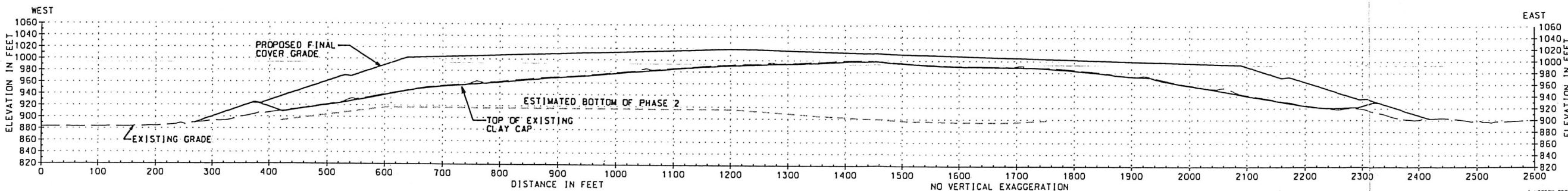
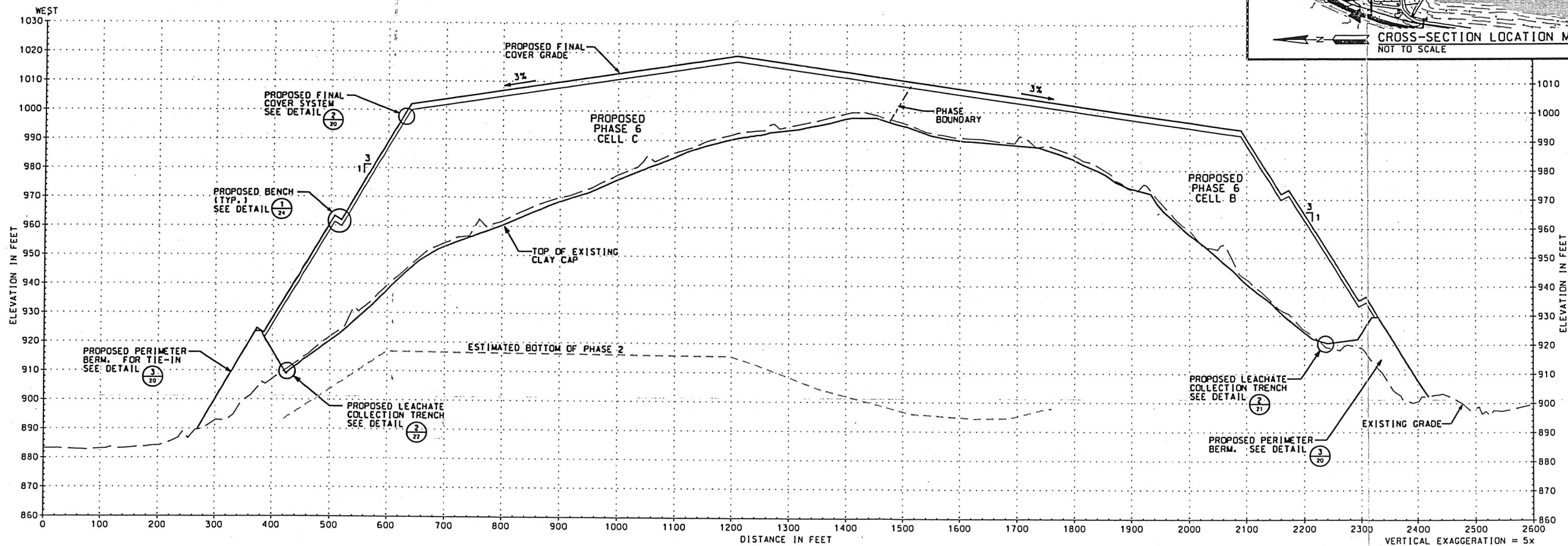
PROPOSED HORIZONTAL COLLECTOR WELLHEAD

PROPOSED HORIZONTAL COLLECTOR PIPING (6" HOPE SDR 17)

PROPOSED LATERAL GAS SUBHEADER (8" HOPE SDR 17)

PROPOSED CONDENSATE SUMP

PROPOSED PUMPING STATION



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PRINT NAME: THOMAS J. SHUSTARICH
 SIGNATURE: *Thomas J. Shustarich*
 DATE: 08/31/15 LICENSE #: 21210

FILE NAME: M:\0951\PINEBEND\2015 PERMIT\2015 PERM MOD12.DGN



Responsive partner. Exceptional outcomes.
 1808 PIONEER CREEK CENTER
 MAPLE PLAIN, MN 55357

PHONE: 763-479-4208
 FAX: 763-479-4242

PROJECT

2015 MAJOR PERMIT MODIFICATION
 BFI WASTE SYSTEMS
 OF NORTH AMERICA, LLC
 PINE BEND LANDFILL
 INVER GROVE HEIGHTS, MINNESOTA

SHEET TITLE
 CROSS-SECTION A

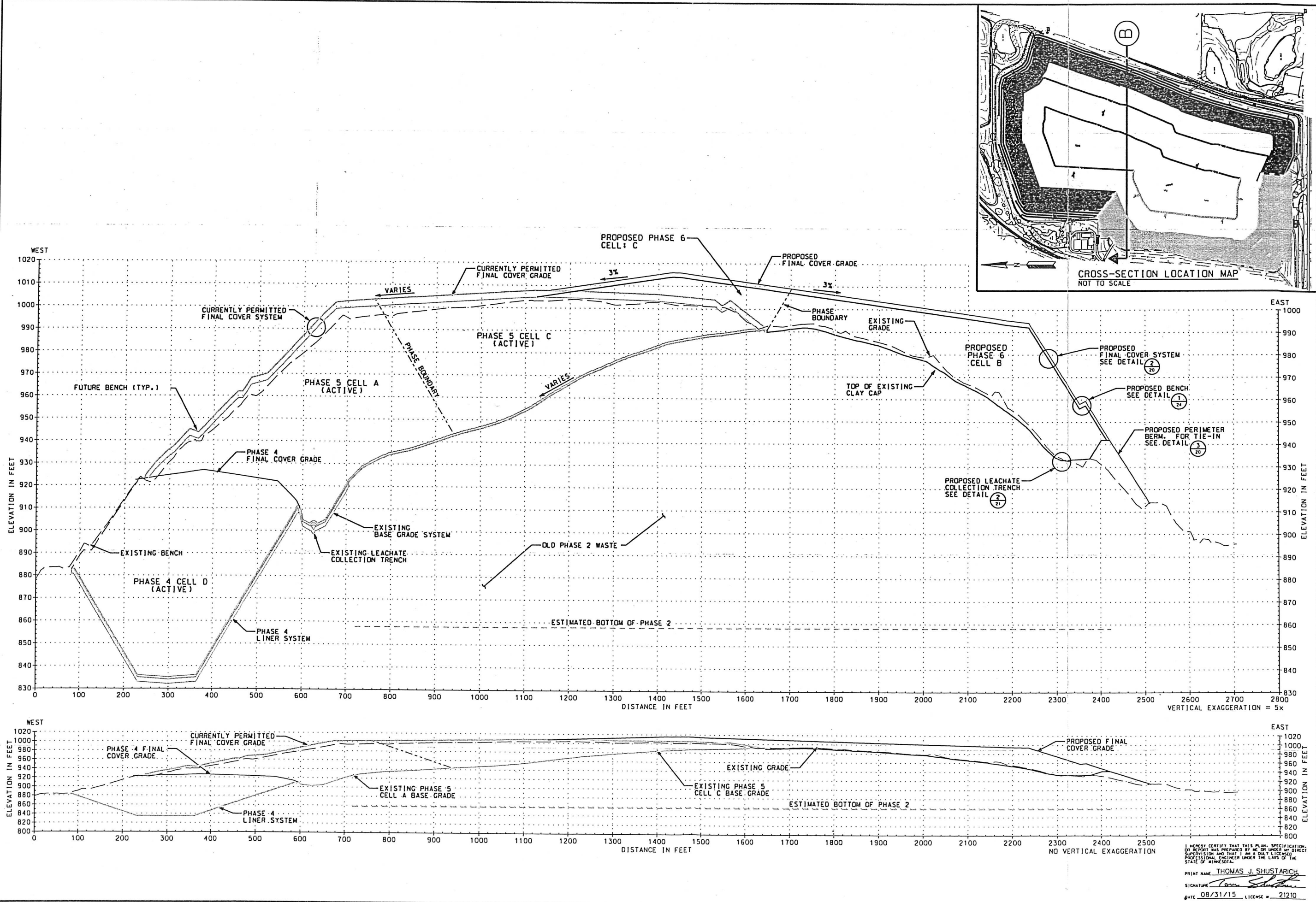
REVISIONS

DATE

DWN_JWT_CHK'D_SKH_APP'D_TJS

DATE: AUGUST, 2015

SHEET NO.
 12



DATE: _____

REVISIONS: _____

SHEET TITLE: CROSS-SECTION B

DATE/AUGUST, 2015

DWN: JWI CHK'D: SKH APP'D: JUS

PROJECT: 2015 MAJOR PERMIT MODIFICATION

CLIENT: BFI WASTE SYSTEMS OF NORTH AMERICA, LLC

LOCATION: PINE BEND LANDFILL

ADDRESS: INVER GROVE HEIGHTS, MINNESOTA

Responsive partner. Exceptional outcomes.

1808 PIONEER CREEK CENTER
MAPLE PLAIN, MN 55357

PHONE: 763-475-4200
FAX: 763-475-4242

FILE NAME: M:\0891\PINEBEND\2015 PERMIT\2015 PERM MOD1.DGN

PRINT NAME: THOMAS J. SHUSTARICH

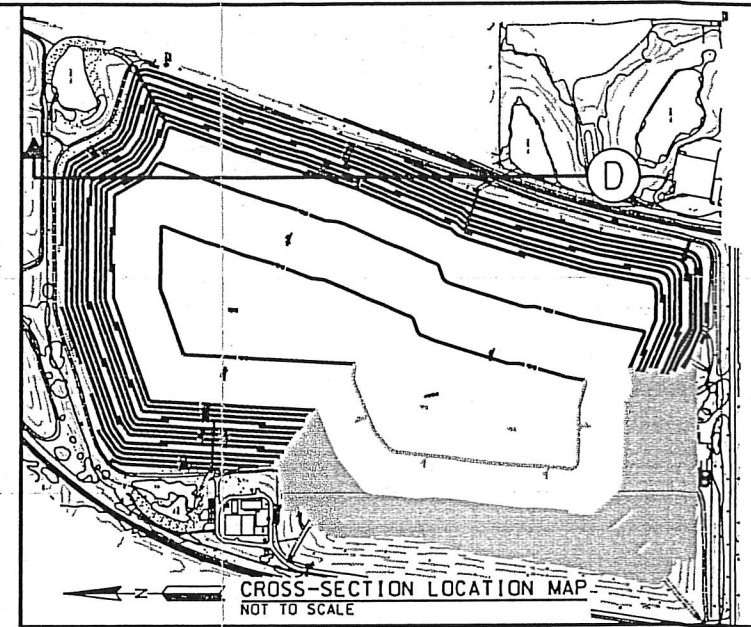
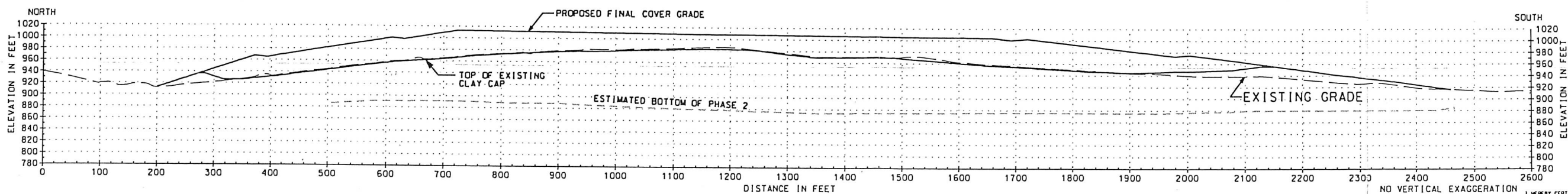
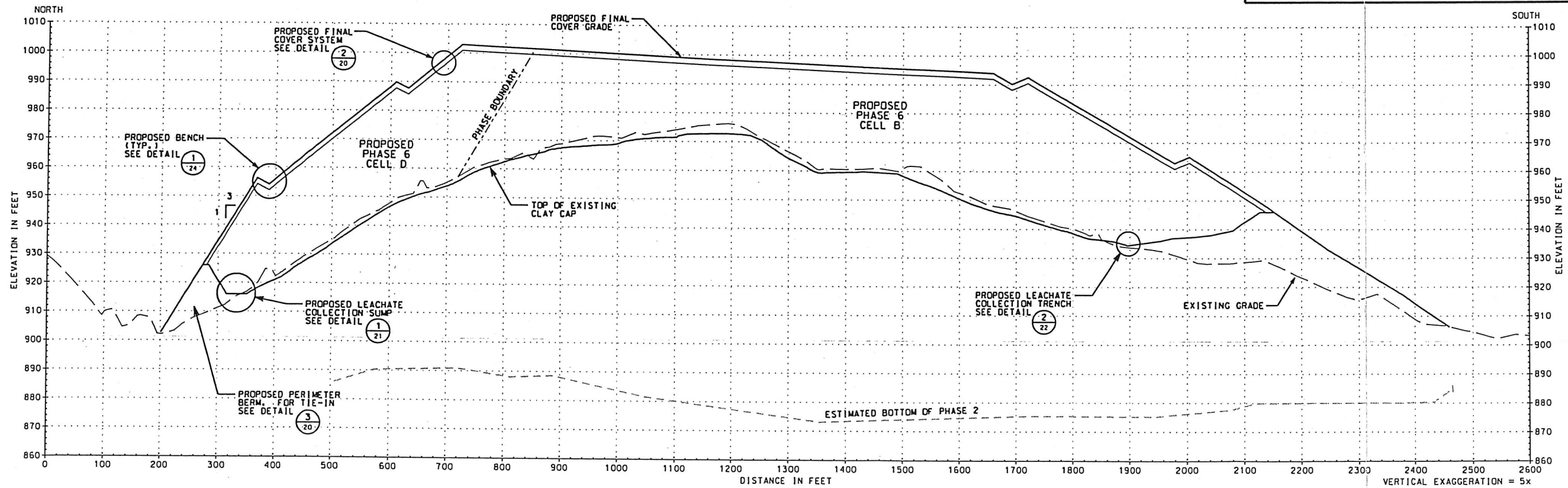
SIGNATURE: *Thomas J. Shustarich*

DATE: 08/31/15 LICENSE #: 21210

SHEET NO. 13

VERTICAL EXAGGERATION = 5x

NO VERTICAL EXAGGERATION



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PRINT NAME: THOMAS J. SHUSTARICH
 SIGNATURE: *Thomas J. Shustarich*
 DATE: 08/31/15 LICENSE # 21210

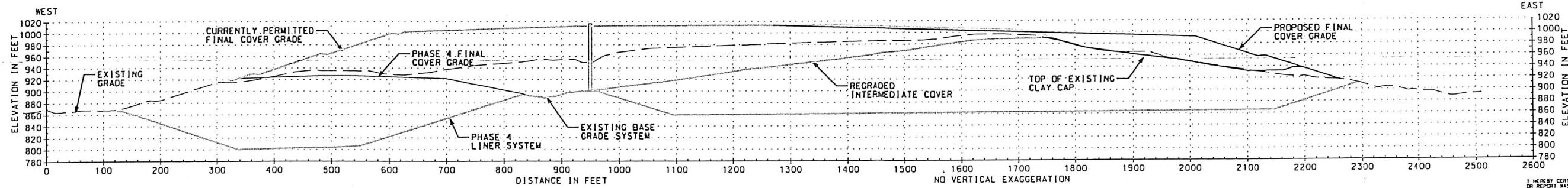
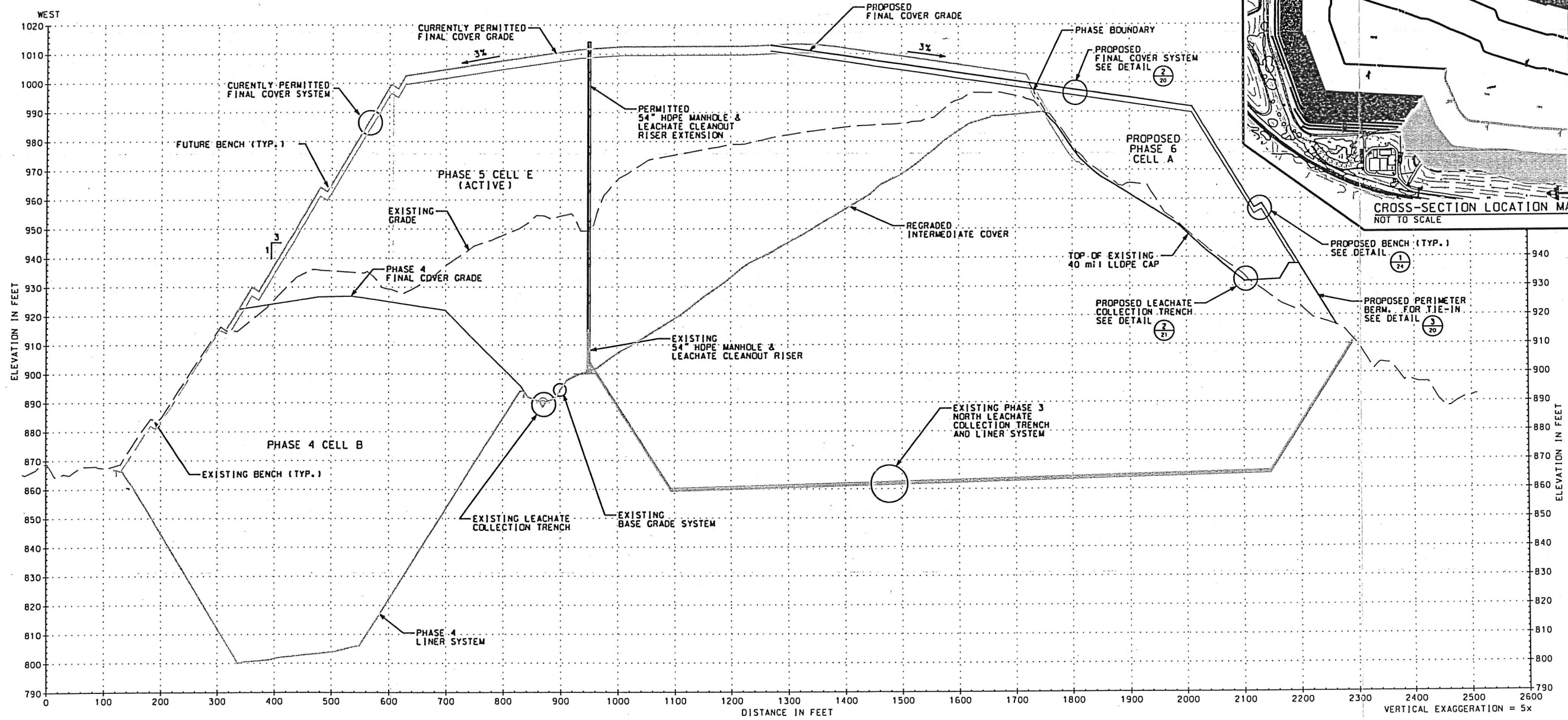
FILE NAME: M:\099\PIEBEND\2015 PERMIT\2015 PERM MOD15.DGN

WENCK ASSOCIATES
 Responsive partner. Exceptional outcomes.
 1808 PIONEER CREEK CENTER
 MAPLE PLAIN, MN 55557
 PHONE: 763-479-4288
 FAX: 763-479-4242

PROJECT: 2015 MAJOR PERMIT MODIFICATION
 OF NORTH AMERICA, LLC
 PINE BEND LANDFILL
 INVER GROVE HEIGHTS, MINNESOTA

SHEET TITLE: CROSS-SECTION D
 SHEET NO.: 15

REVISIONS: _____
 DATE: _____
 DWN: JMT CHK'D: SKH APP'D: LJS
 DATE: AUGUST, 2015



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.

PRINT NAME: THOMAS J. SHUSTARICH

SIGNATURE: *Thomas J. Shustarich*

DATE: 08/31/15 LICENSE #: 21210

PROJECT: 2015 MAJOR PERMIT MODIFICATION

CLIENT: BFI WASTE SYSTEMS OF NORTH AMERICA, LLC

LOCATION: PINE BEND LANDFILL, INVER GROVE HEIGHTS, MINNESOTA

DATE: _____

REVISIONS: _____

SHEET TITLE: CROSS-SECTION E

DATE: AUGUST, 2015

DWN: JMT CHK'D: SKH APP'D: JJS

WENCK ASSOCIATES

Responsive partner. Exceptional outcomes.

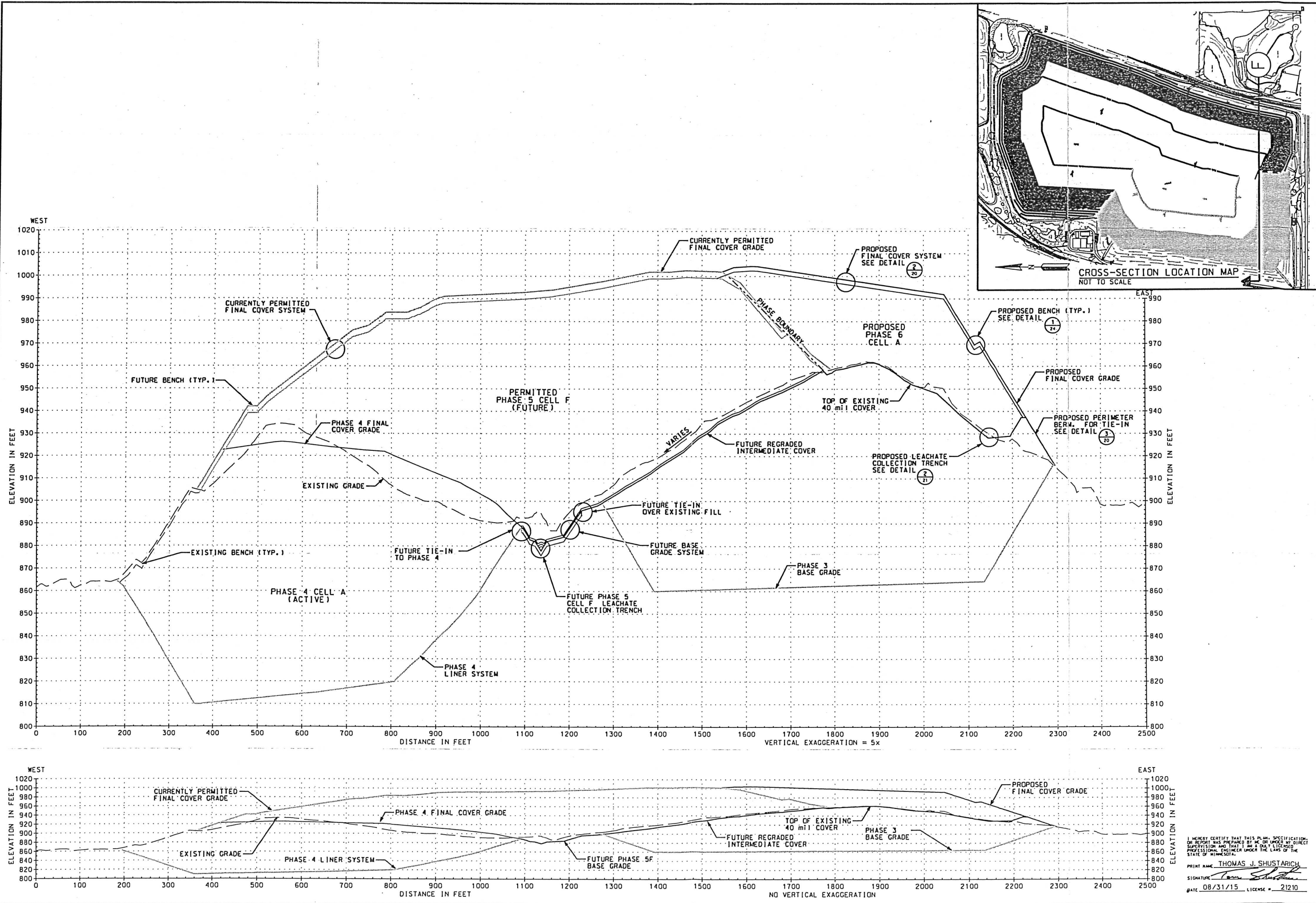
1888 PIONEER CREEK CENTER

MAPLE PLAIN, MN 55357

PHONE: 763-479-4200

FAX: 763-479-4242

SHEET NO. 16



PROJECT		2015 MAJOR PERMIT MODIFICATION	
BFL WASTE SYSTEMS OF NORTH AMERICA, LLC		PINE BEND LANDFILL	
INVER GROVE HEIGHTS, MINNESOTA			
SHEET TITLE		CROSS-SECTION F	
REVISIONS		DATE: AUGUST, 2015	
DATE		APP'D	
DWN		JMT	
CHK'D		SKH	
DATE		APP'D	
TJS			

FILE NAME: W:\099\PINEBEND\2015 PERMIT\2015 PERM MOD\7.DGN

WENCK ASSOCIATES

Responsive partner. Exceptional outcomes.

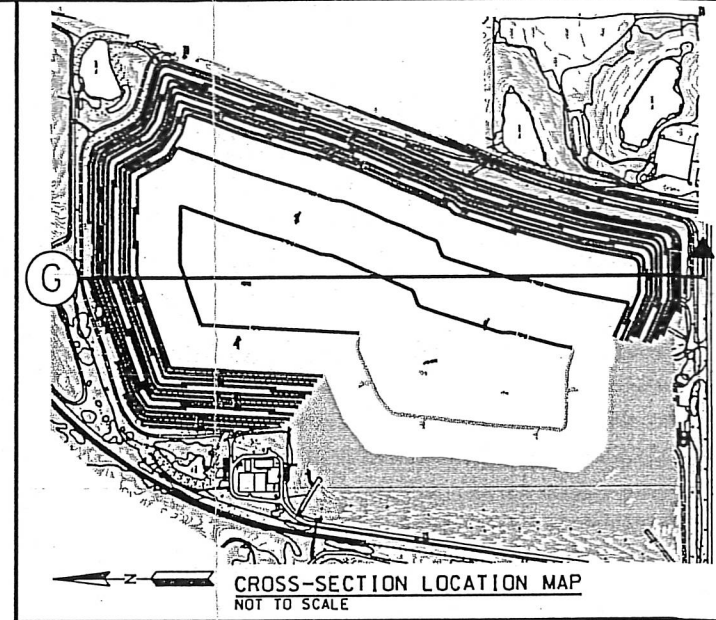
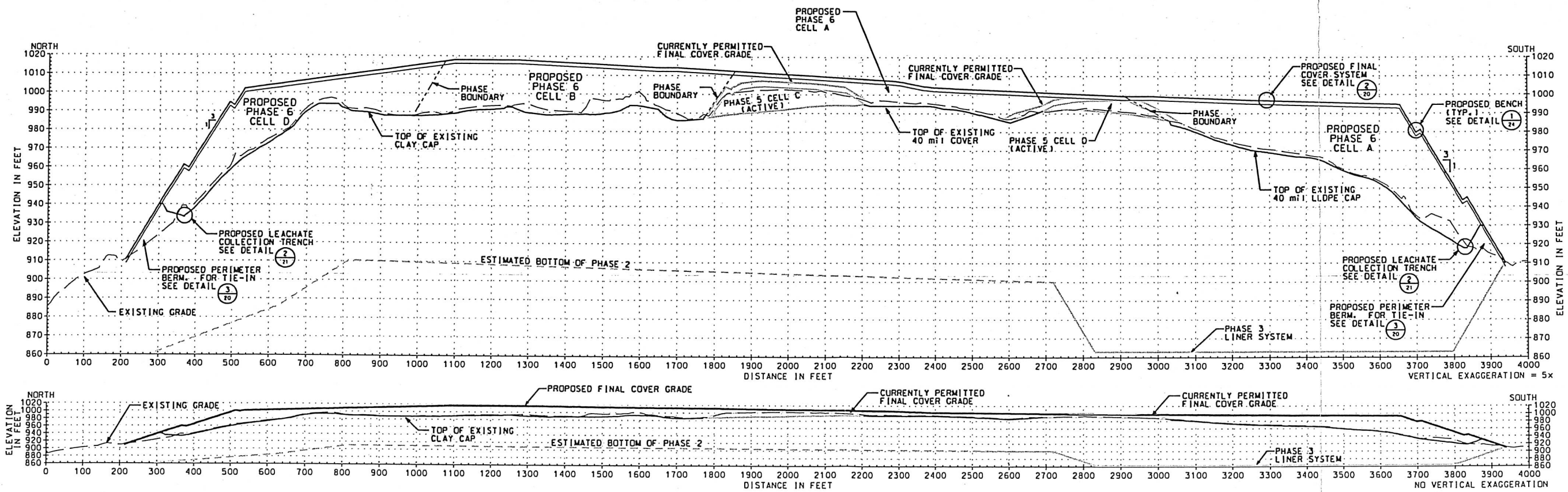
1800 PIONEER CREEK CENTER
MAPLE PLAIN, MN 55357

PHONE: 763-479-4200
FAX: 763-479-4242

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.

PRINT NAME: THOMAS J. SHUSTARICH
SIGNATURE: *Thomas J. Shustarich*
DATE: 08/31/15 LICENSE #: 21210

SHEET NO. 17



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PRINT NAME THOMAS J. SHUSTARICH
 SIGNATURE Thomas J. Shustarich
 DATE 08/31/15 LICENSE # 21210

FILE NAME: M:\0951\PINEEND\2015 PERM\2015 PERM MOD18.DGN



Responsive partner. Exceptional outcomes.
 1800 PIONEER CREEK CENTER
 MAPLE PLAIN, MN 55357
 PHONE: 763-479-4200
 FAX: 763-479-4242

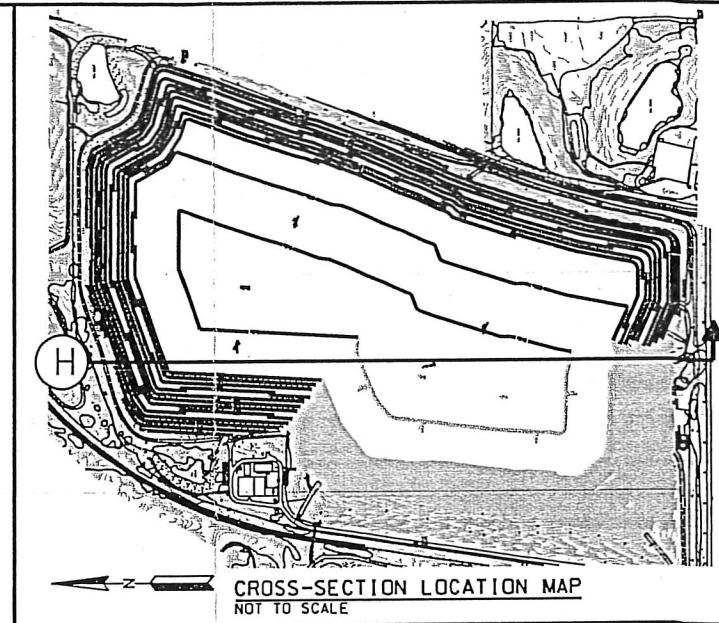
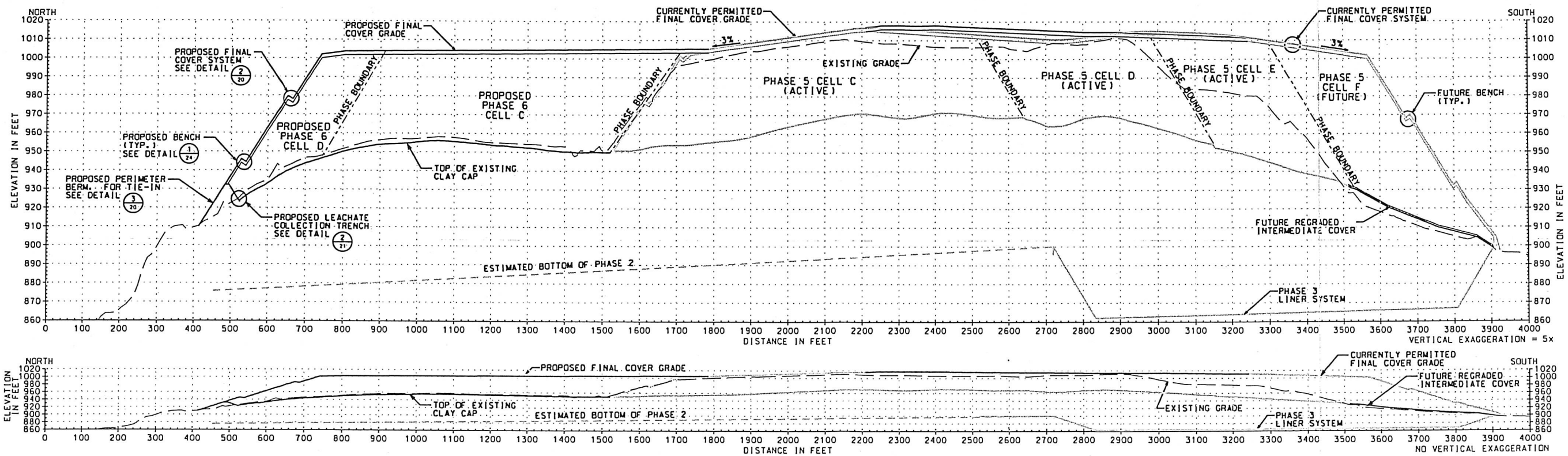
PROJECT

2015 MAJOR PERMIT MODIFICATION
 BFI WASTE SYSTEMS
 OF NORTH AMERICA, LLC
 INVER GROVE HEIGHTS, MINNESOTA

SHEET TITLE
 CROSS-SECTION G

REVISIONS
 DATE: AUGUST, 2015
 DWN: JMT
 CHK'D: SKH
 APP'D: TJS

SHEET NO.
 18



NOTE:
FUTURE LINER GRADES TO BE FIELD
MODIFIED PRIOR TO CONSTRUCTION TO
MATCH EXISTING CONDITIONS

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION,
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SUPERVISION AND THAT I AM A DULY LICENSED
PROFESSIONAL ENGINEER UNDER THE LAWS OF THE
STATE OF MINNESOTA.
PRINT NAME THOMAS J. SHUSTARICH
SIGNATURE *Thomas J. Shustarich*
DATE 08/31/15 LICENSE # 21210

FILE NAME: W:\0991\PINEBEND\2015 PERMIT\2015 PERM MODS.DGN



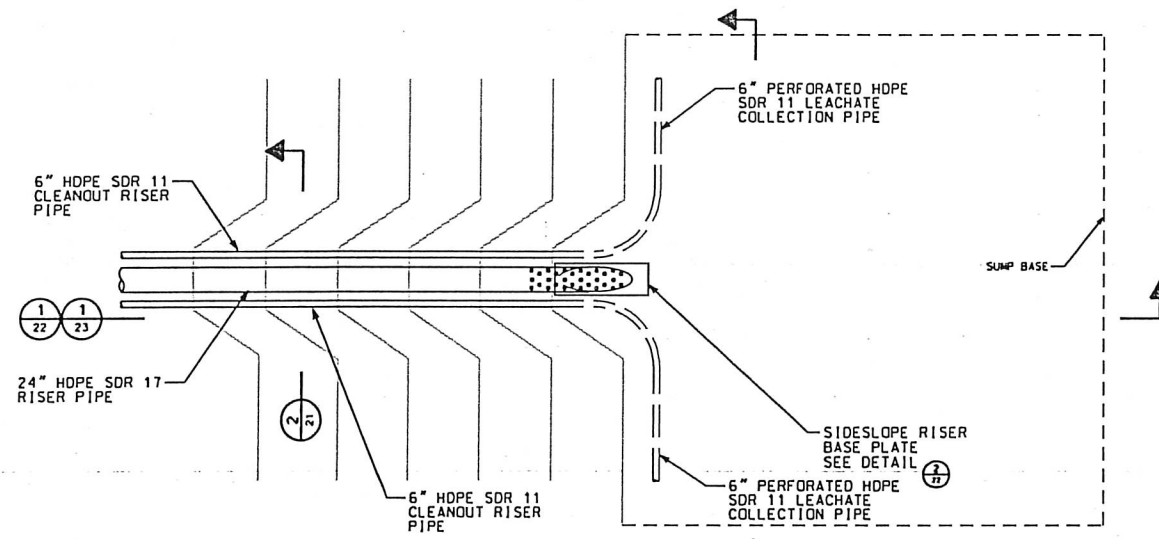
Responsive partner. Exceptional outcomes.
1800 PIONEER CREEK CENTER
MAPLE PLAIN, MN 55357
PHONE: 763-479-4288
FAX: 763-479-4242

PROJECT
2015 MAJOR PERMIT MODIFICATION
BFI WASTE SYSTEMS
OF NORTH AMERICA, LLC
PINE BEND LANDFILL
INVER GROVE HEIGHTS, MINNESOTA

SHEET TITLE
CROSS-SECTION H
DATE: AUGUST, 2015
DWN: JMT CHK'D: SKH APP'D: TJS

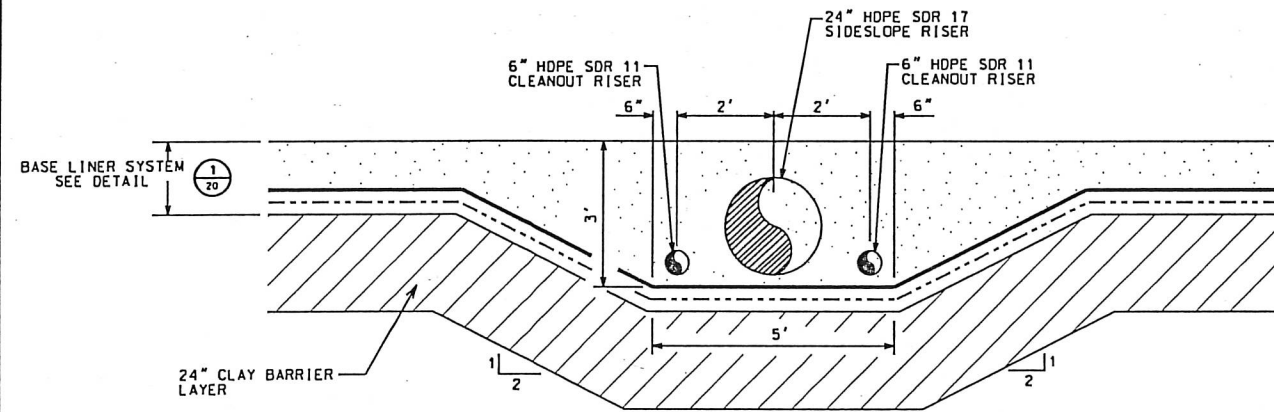
REVISIONS
DATE

SHEET NO.
19



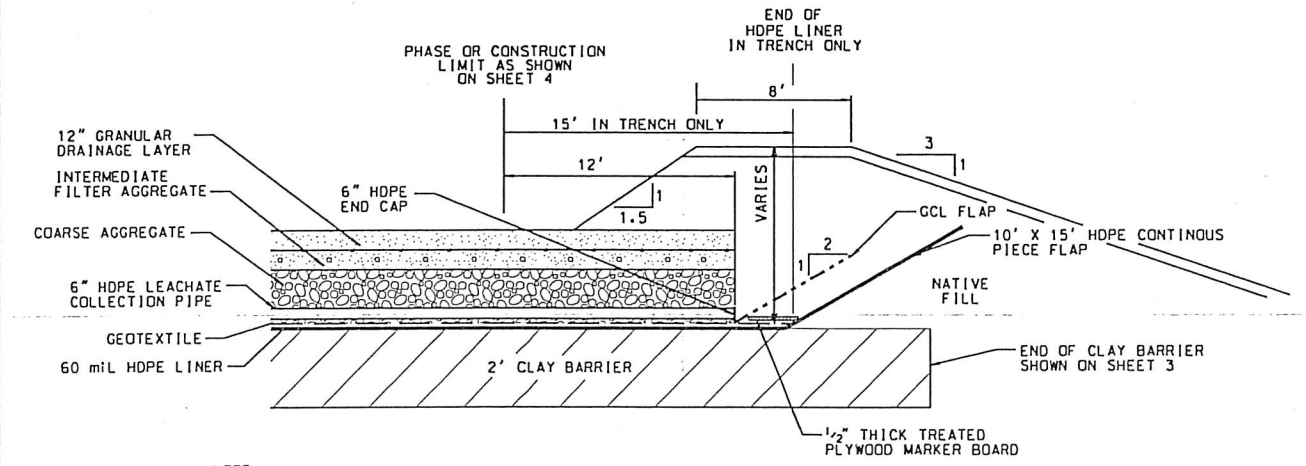
TYPICAL LEACHATE COLLECTION SUMP PLAN

SCALE IN FEET



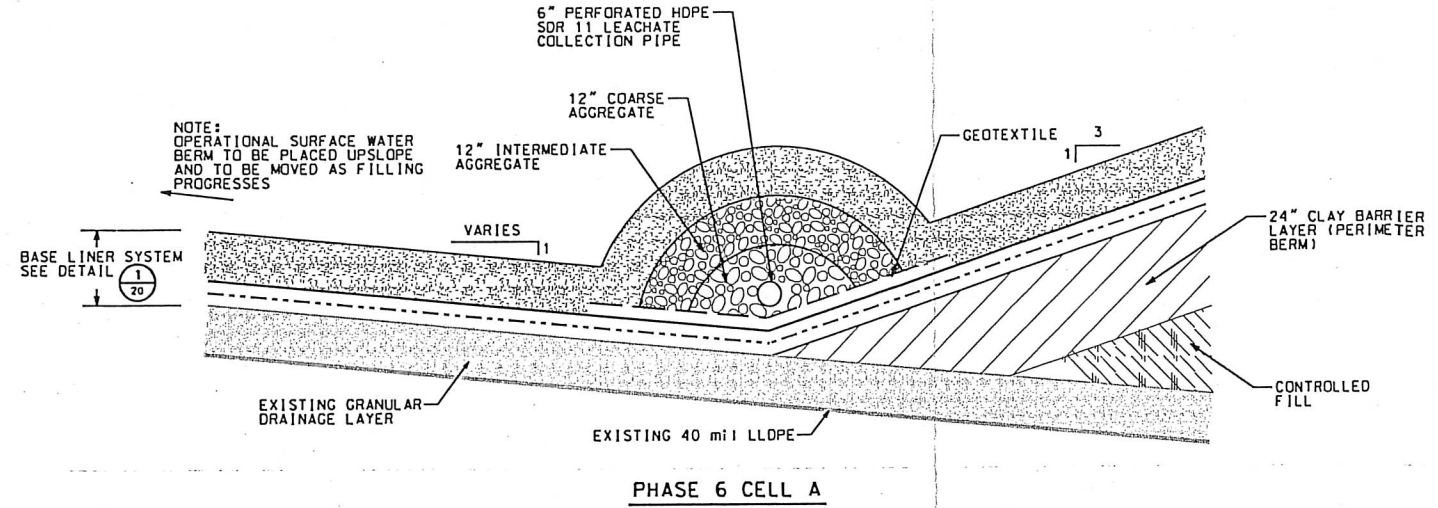
SIDESLOPE RISER TRENCH

SCALE IN FEET

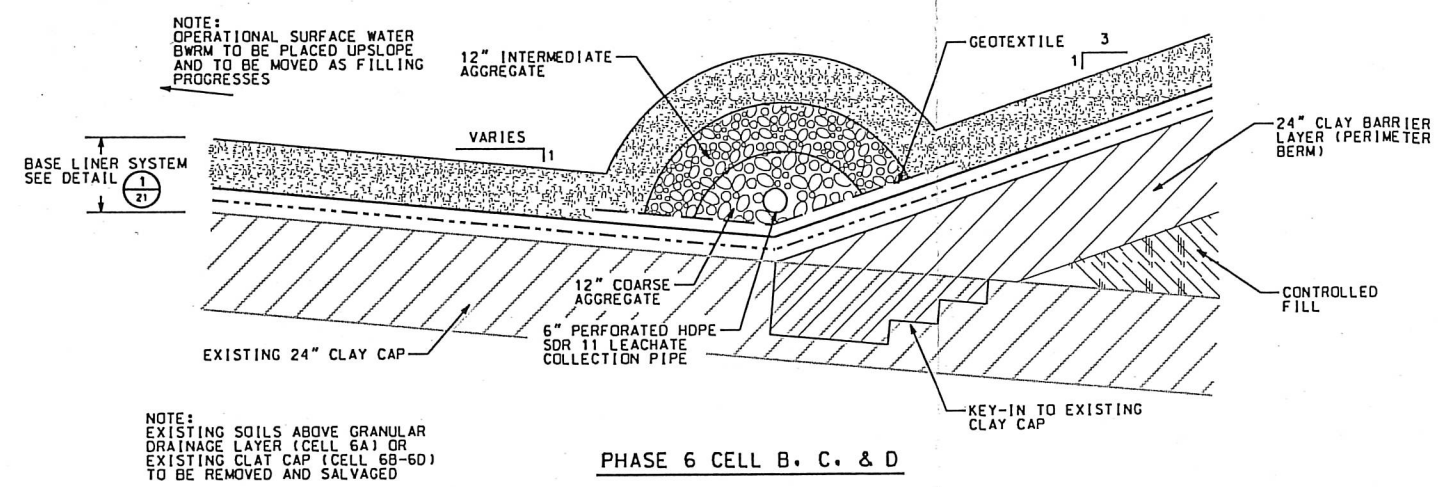


TEMPORARY PHASE SEPARATION BERM AT LEACHATE COLLECTION TRENCH

SCALE IN FEET



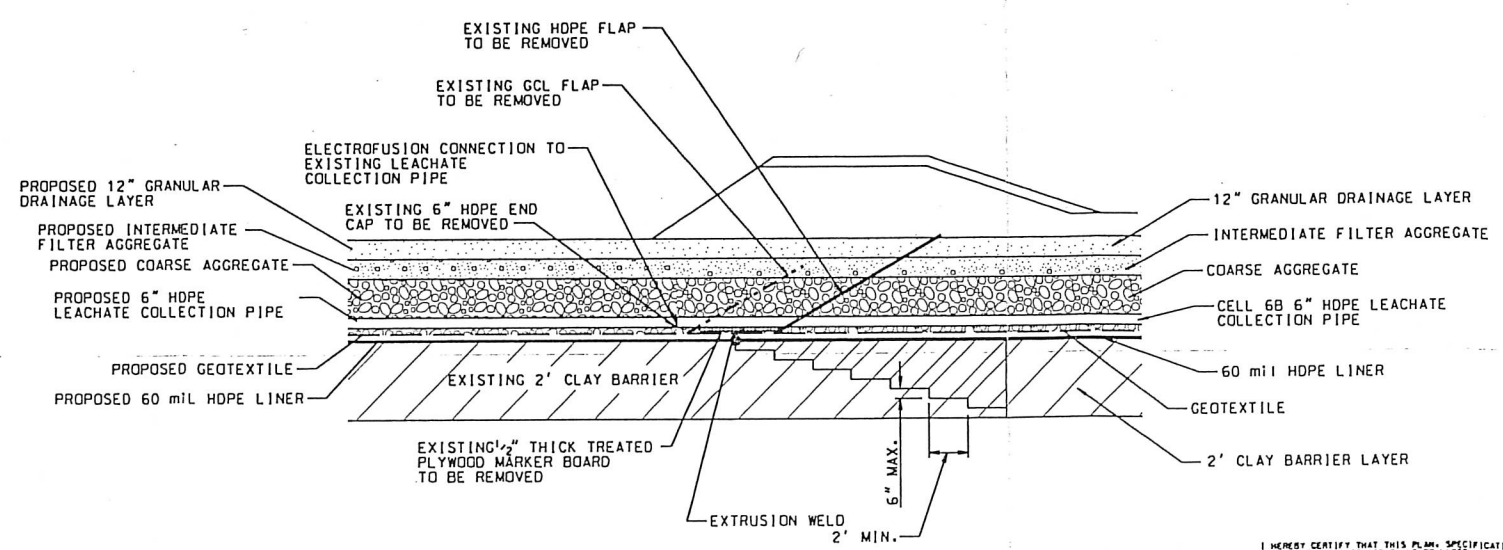
PHASE 6 CELL A



PHASE 6 CELL B, C, & D

LEACHATE COLLECTION TRENCH

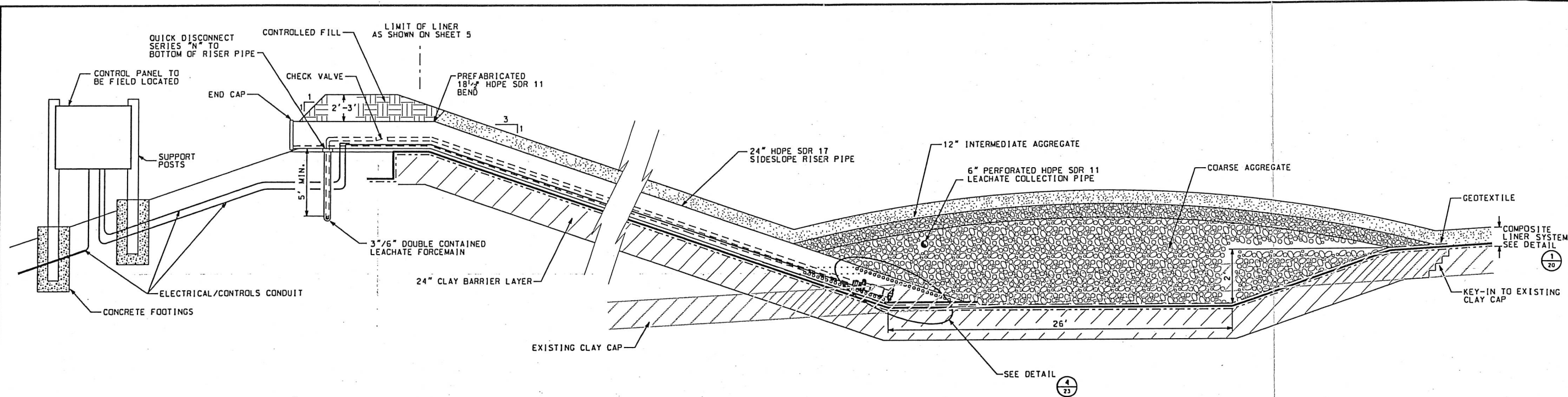
NOT TO SCALE



TIE-IN AT TEMPORARY PHASE SEPARATION BERM WITH PROPOSED LEACHATE COLLECTION TRENCH

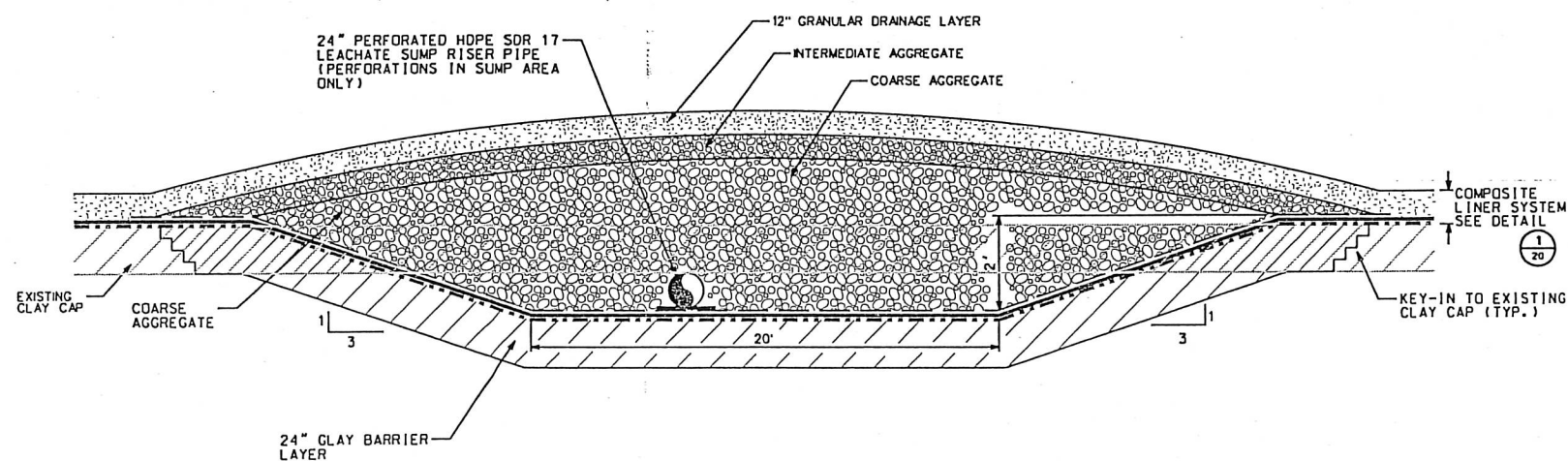
SCALE IN FEET

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 PRINT NAME: THOMAS J. SHUSTARICH
 SIGNATURE: [Signature]
 DATE: 08/31/15 LICENSE # 21210



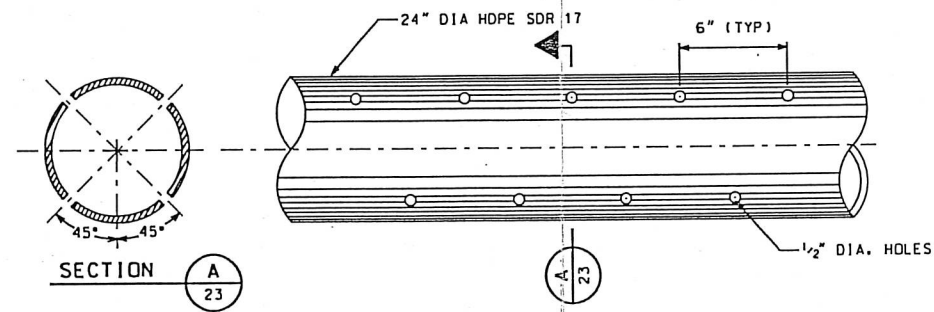
LEACHATE COLLECTION SUMP
AND RISER PIPE PROFILE
PHASE 6 CELLS B, C, AND D
NOT TO SCALE

1
23



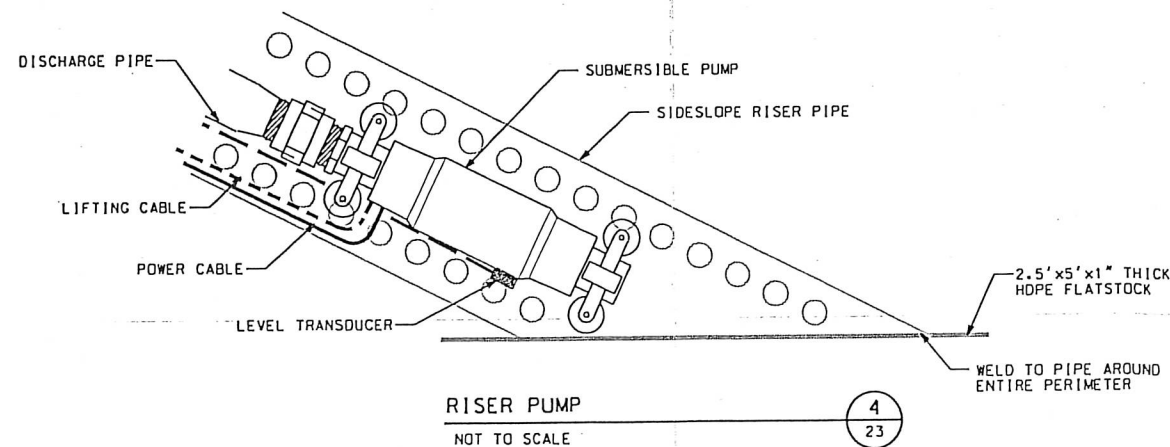
LEACHATE COLLECTION SUMP
SECTION
PHASE 6 CELLS B, C, AND D
NOT TO SCALE

2
23



SIDESLOPE RISER PIPE
PERFORATION DETAIL
NOT TO SCALE

3
23



RISER PUMP
NOT TO SCALE

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PRINT NAME: THOMAS J. SHUSTARICH
SIGNATURE: *Thomas J. Shustarich*
DATE: 08/31/15 LICENSE #: 21210

PROJECT

FILE NAME: M:\0991\PINEBEND\2015 PERMIT\2015 PERM MOD23.DGN

WENCK ASSOCIATES

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FAX: 763-479-4242

MAJOR PERMIT MODIFICATION
BFI WASTE SYSTEMS
OF NORTH AMERICA, LLC
PINE BEND LANDFILL
INVER GROVE HEIGHTS, MINNESOTA

SHEET TITLE
LEACHATE COLLECTION
DETAILS

REVISIONS

DATE

DWN

JMT

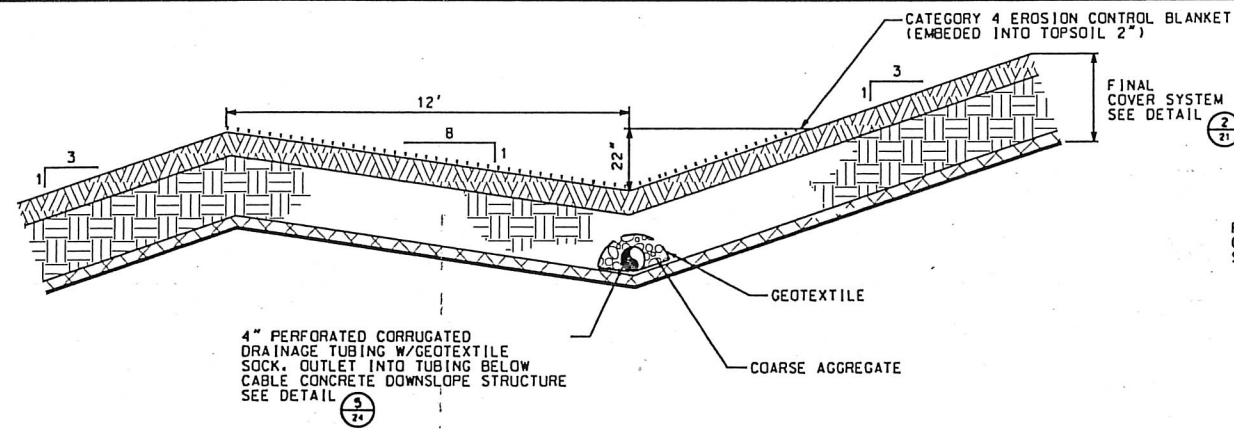
CHK'D

SKH

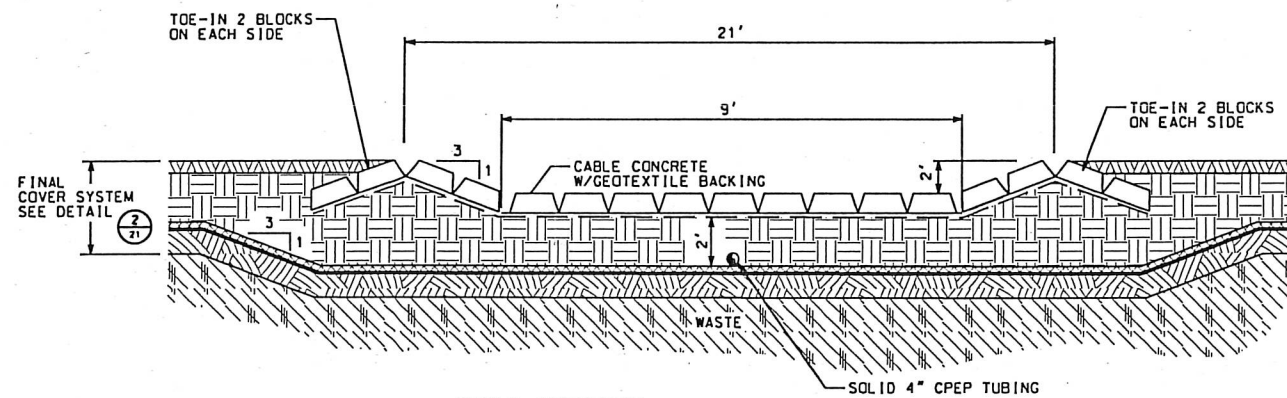
APP'D

TJS

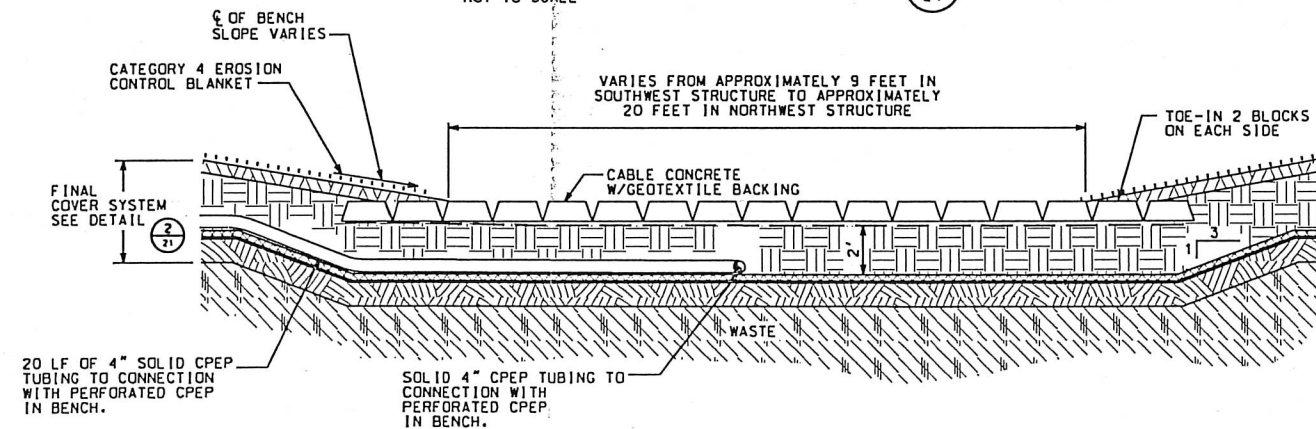
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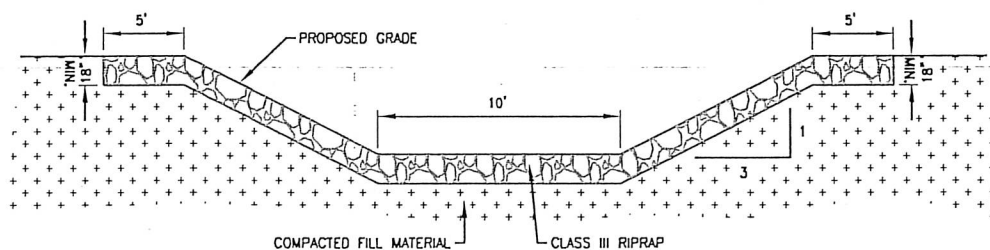
BENCH DETAIL
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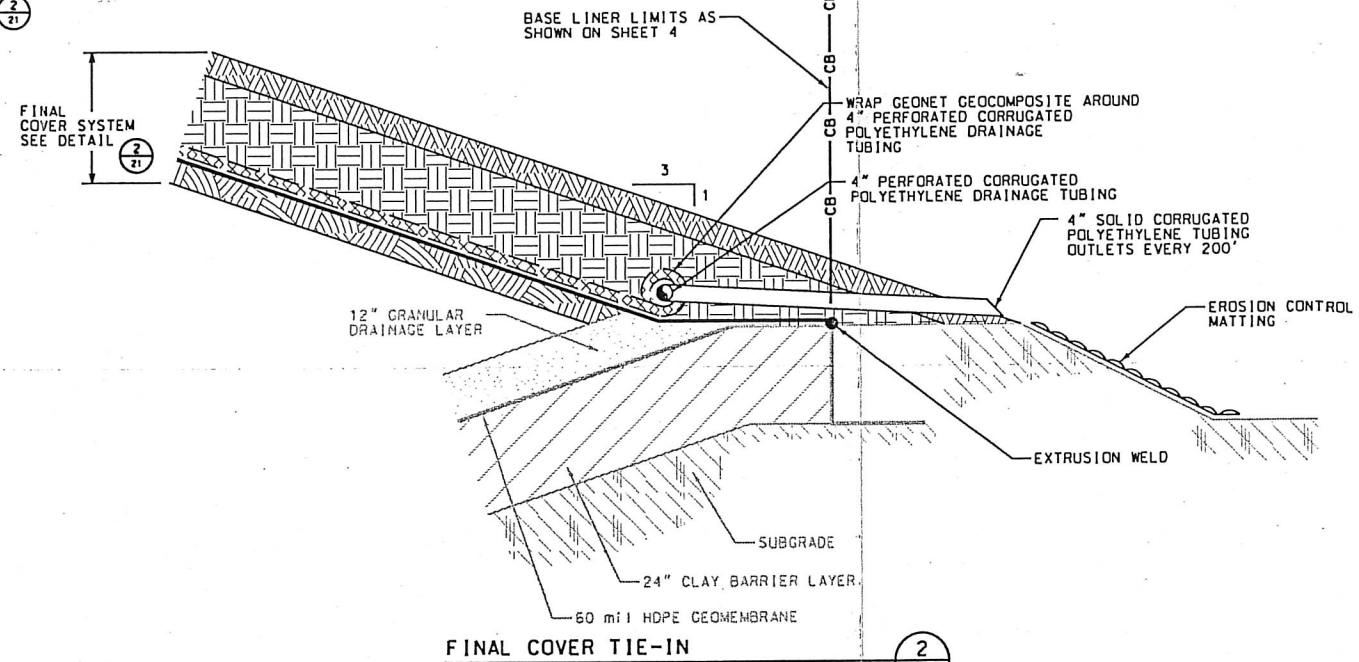
**CABLE CONCRETE
DOWNSLOPE STRUCTURE SECTION**
NOT TO SCALE



**BENCH TO DOWNSLOPE
STRUCTURE SECTION**
NOT TO SCALE

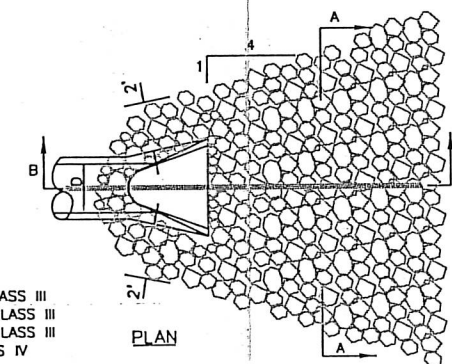


EMERGENCY OVERFLOW SPILLWAY
NOT TO SCALE

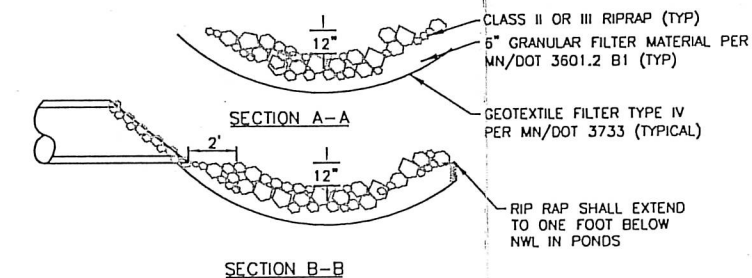


FINAL COVER TIE-IN

SCALE IN FEET
0 2 4



PIPE DIAMETER	RIPRAP
12"-24"	8-12 CY CLASS III
27"-33"	12-20 CY CLASS III
36"-48"	23-38 CY CLASS III
54" AND UP	62 CY CLASS IV



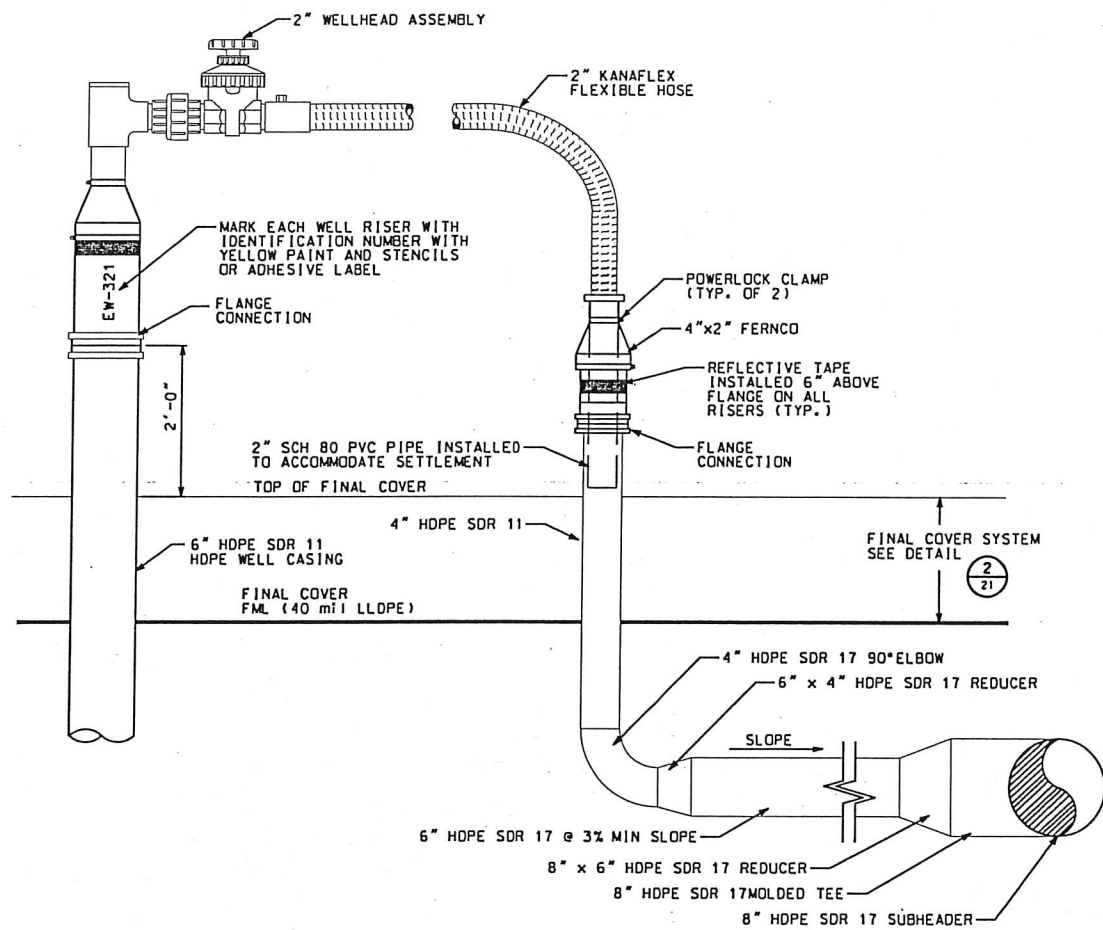
NOTES:

1. THE RIPRAP FOUNDATION SHALL BE EXCAVATED AND SHAPED TO THE CROSS-SECTIONS INDICATED IN PLANS.
2. FOUNDATION MATERIAL SHALL BE COMPACTED BEFORE PLACEMENT OF RIPRAP OR FILTER MATERIAL.
3. 6" OF FILTER MATERIAL SHALL COVER THE ENTIRE AREA ON WHICH RIPRAP WILL BE PLACED.
4. THE GEOTEXTILE FABRIC SHALL BE PLACED SMOOTHLY AND BE FREE OF DEBRIS THAT COULD PUNCTURE FABRIC.
5. PLACE FABRIC WITH LONGEST DIMENSION PARALLEL TO DIRECTION OF WATER FLOW.
6. OVERLAP FABRIC SEAMS BY 18".
7. OVERLAP UNDERWATER FABRIC SEAMS BY 36".

RIPRAP APRON
NOT TO SCALE

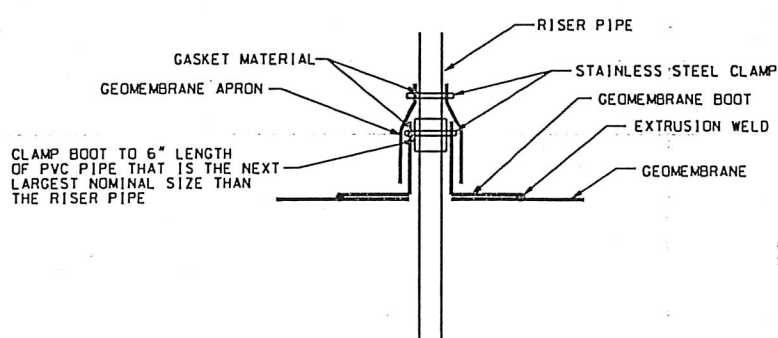
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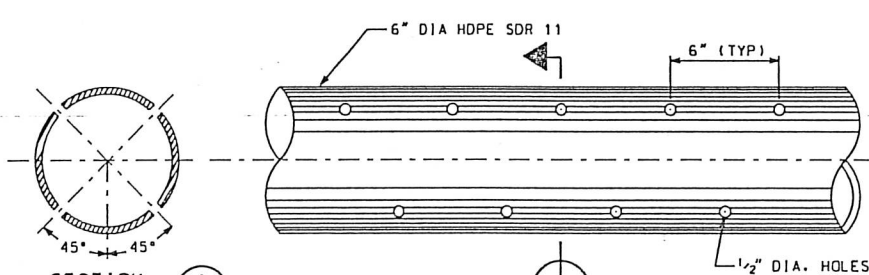
GAS EXTRACTION WELLHEAD AND CONNECTION TO SUBHEADER
NOT TO SCALE

1
25



CAP GEOMEMBRANE SLIP-JOINT PENETRATION DETAIL
NOT TO SCALE

2
25



SECTION A

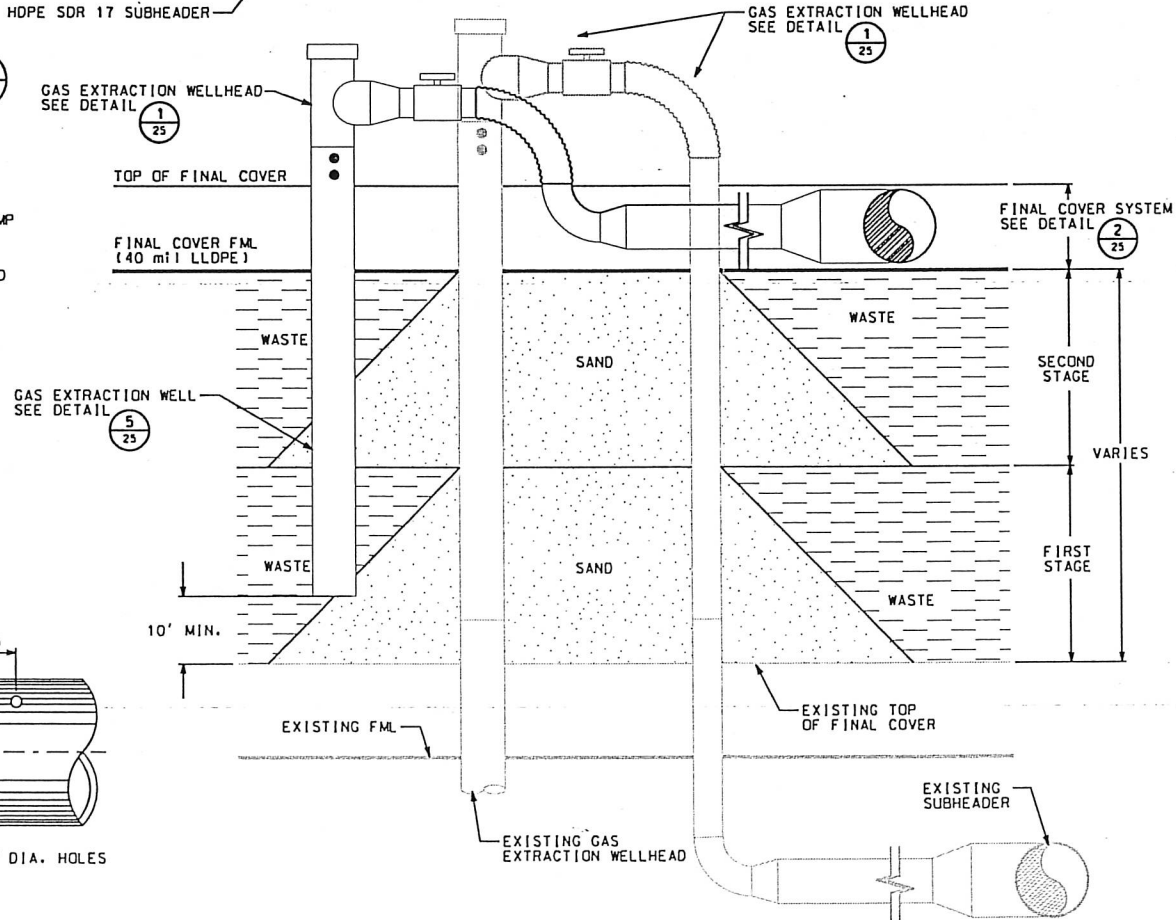
25

GAS WELL PIPE PERFORATION DETAIL
NOT TO SCALE

3
25

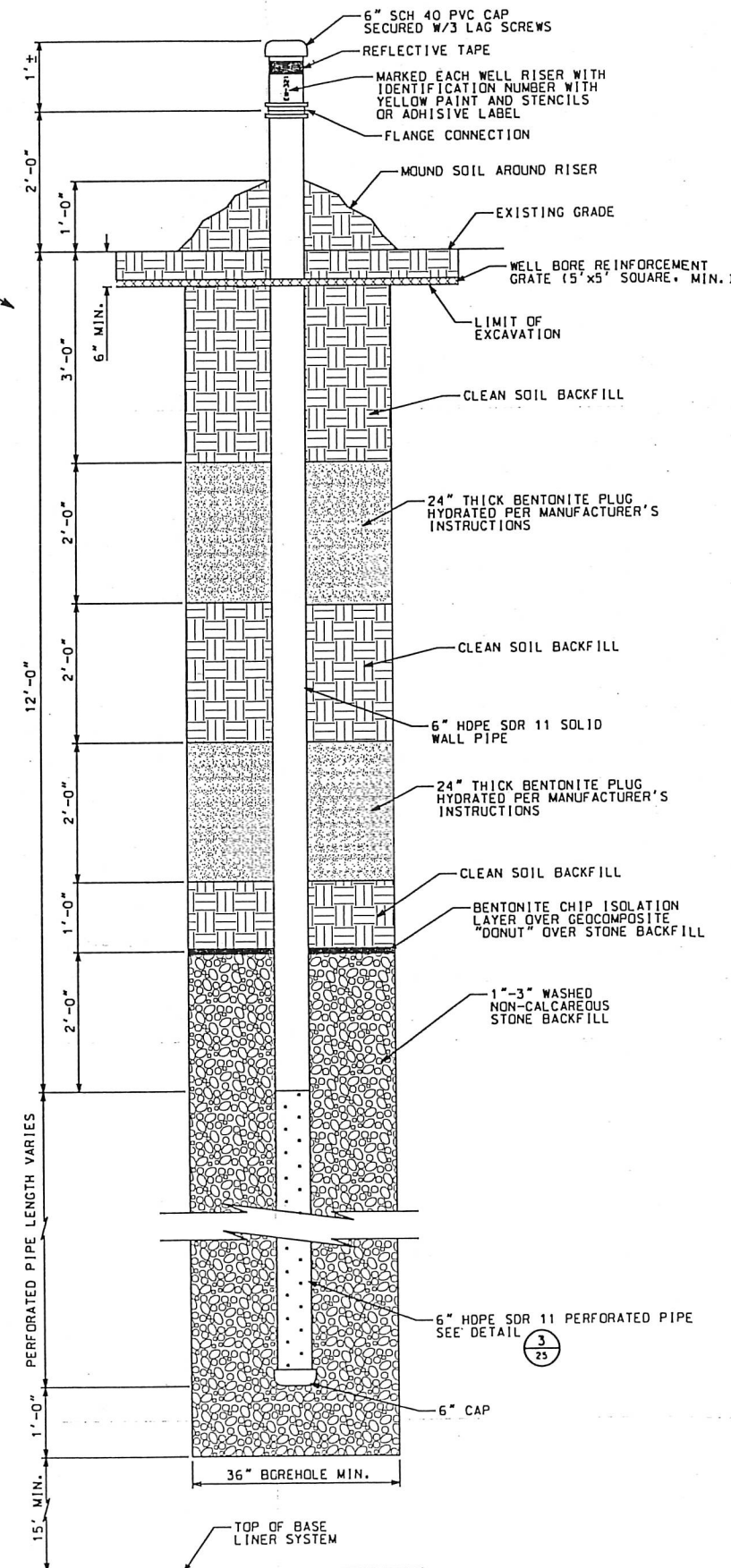
NOTE:

PUMPING STATIONS OF SIMILAR DESIGN W/10" HDPE SDR 11. PUMPING CONTROL BOX TO BE INSTALLED. PUMP TO BE PLACED WITHIN 5' OF BOTTOM OF WELL. ONE BENTONITE SEAL AND A LONGER SCREEN LENGTH MAY ALSO BE INCORPORATED.



GAS EXTRACTION WELL EXTENSION DETAIL
NOT TO SCALE

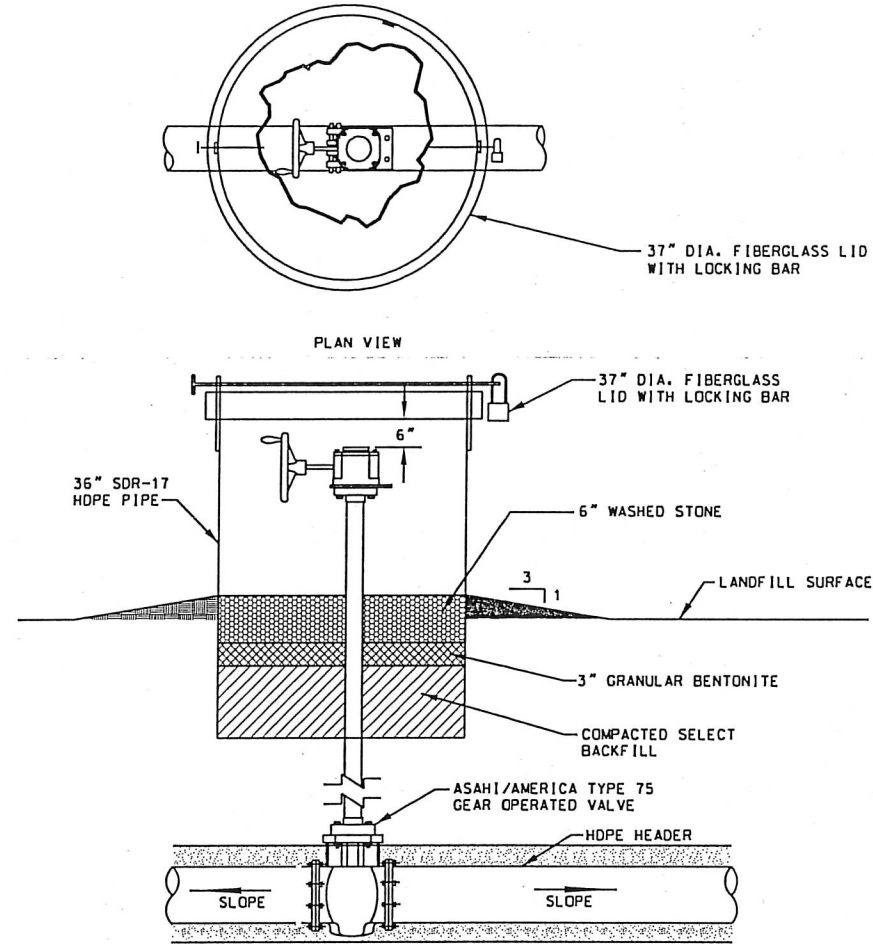
4
25



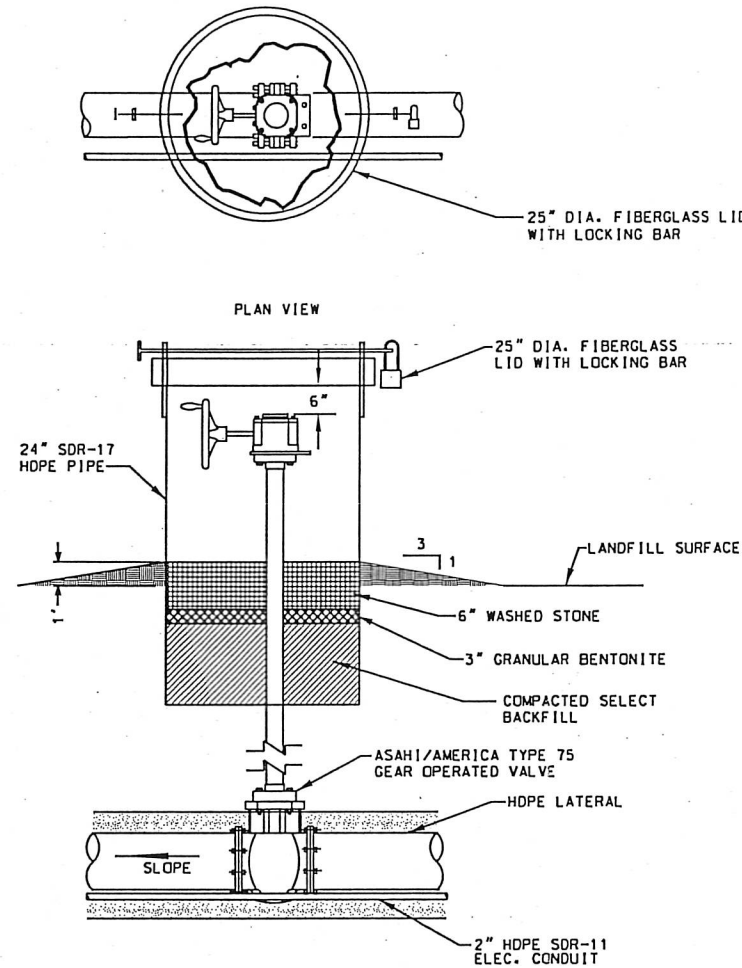
LANDFILL GAS EXTRACTION WELL DETAIL
NOT TO SCALE

5
25

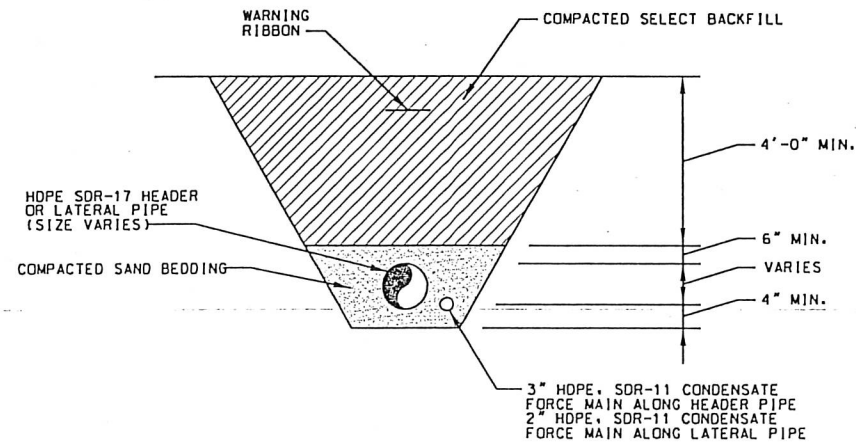
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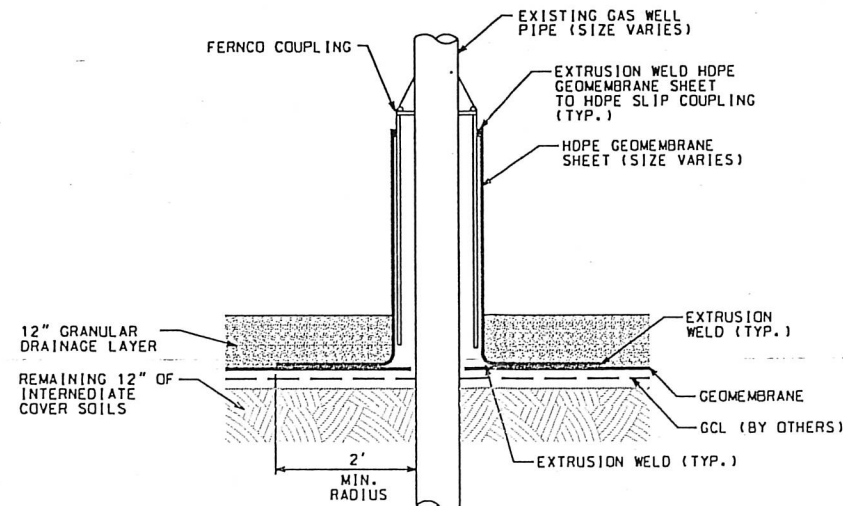
CONTROL VALVE DETAIL (GAS HEADER) 1
NOT TO SCALE 26



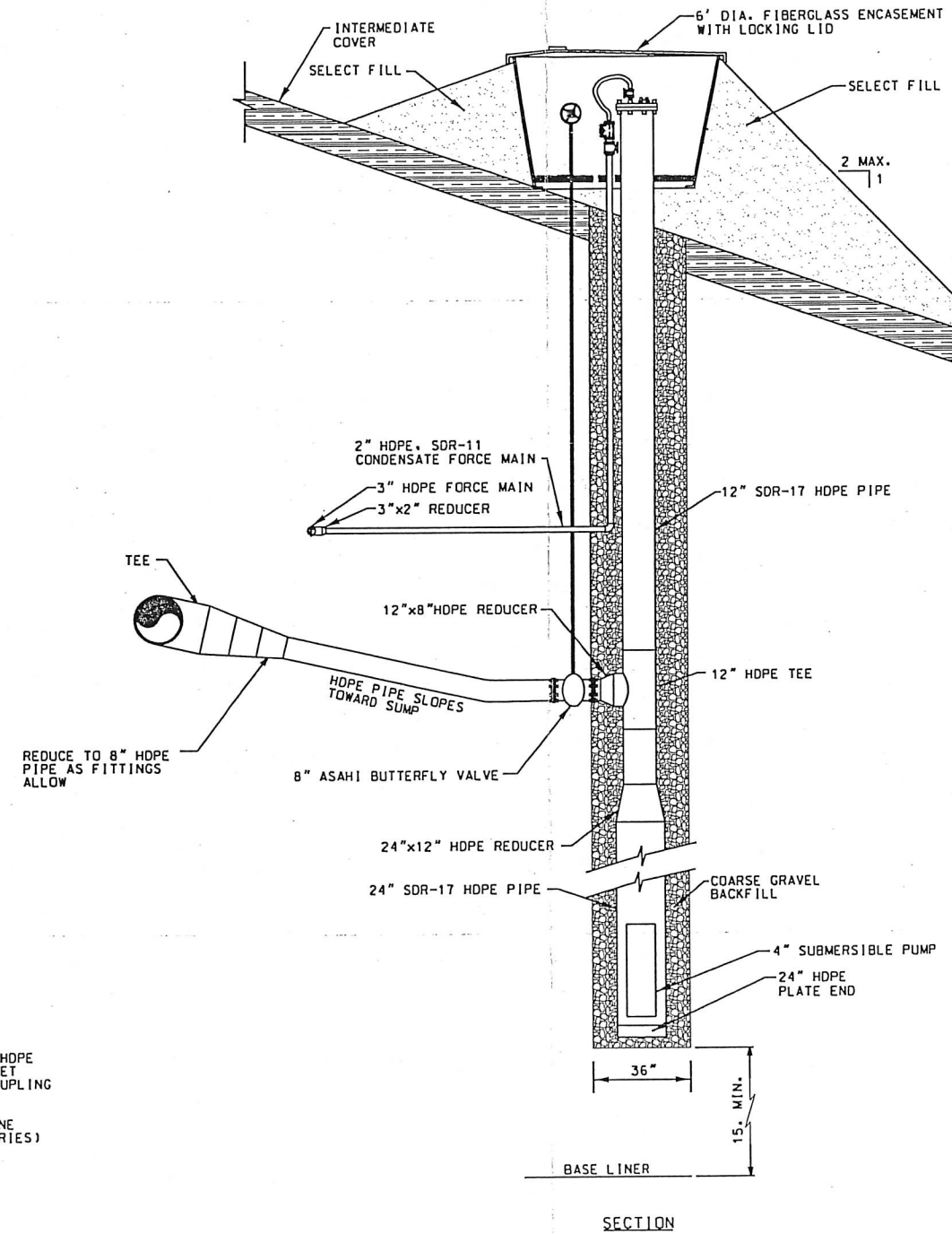
ISOLATION VALVE DETAIL (LATERAL) 2
NOT TO SCALE 26



TYPICAL PIPE TRENCH DETAIL 4
NOT TO SCALE 26

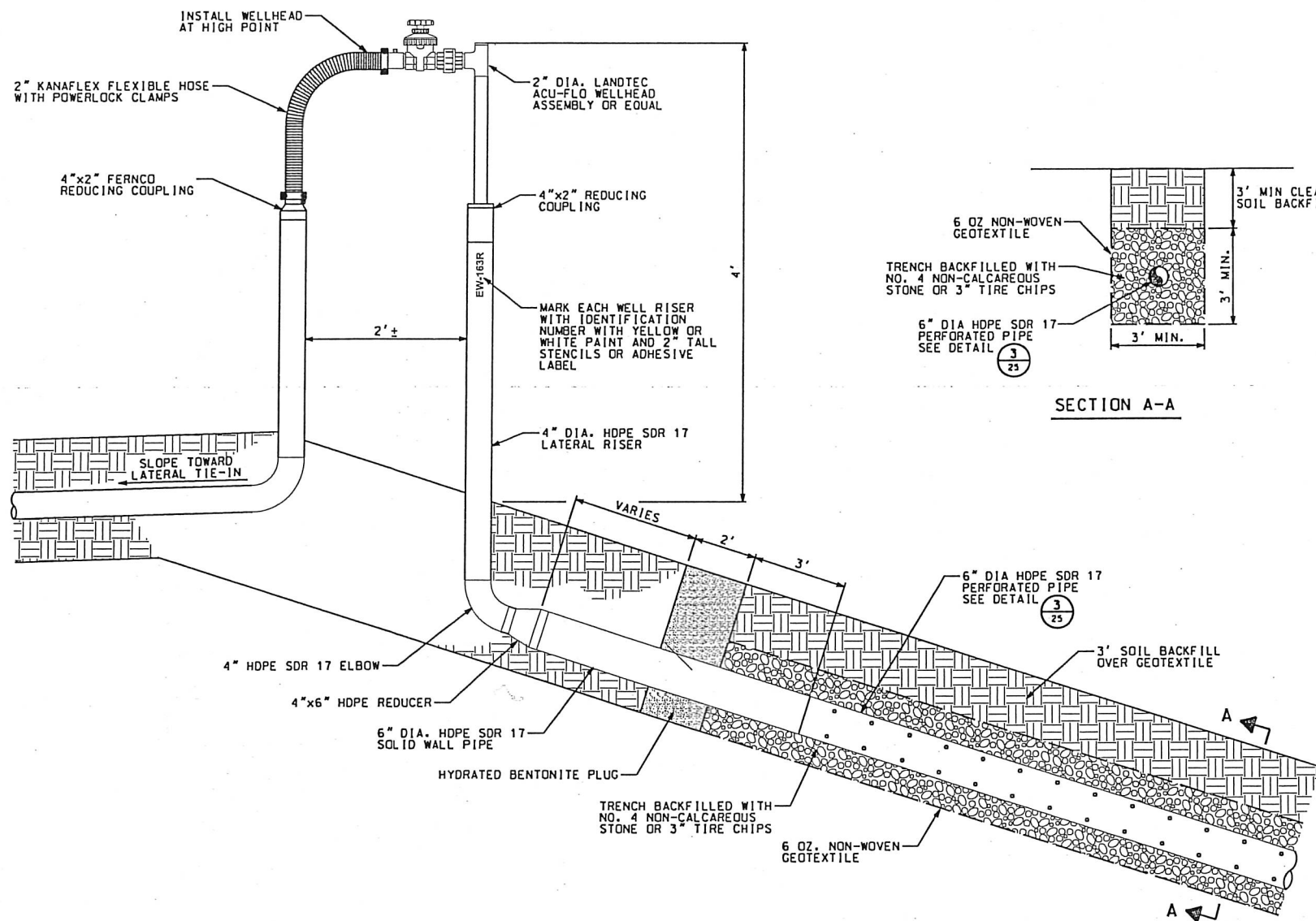


EXISTING GAS WELL EXTENSION 5
NOT TO SCALE 26



CONDENSATE SUMP DETAIL 3
NOT TO SCALE 26

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HORIZONTAL LFG COLLECTOR DETAIL 1
NOT TO SCALE 27

SECTION A-A

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FAX: 763-479-4242

PROJECT
2015 MAJOR PERMIT MODIFICATION
BFI WASTE SYSTEMS
OF NORTH AMERICA, LLC
PINE BEND LANDFILL
INVER GROVE HEIGHTS, MINNESOTA

SHEET TITLE
GAS SYSTEM DETAILS

DATE: AUGUST, 2015

REVISIONS

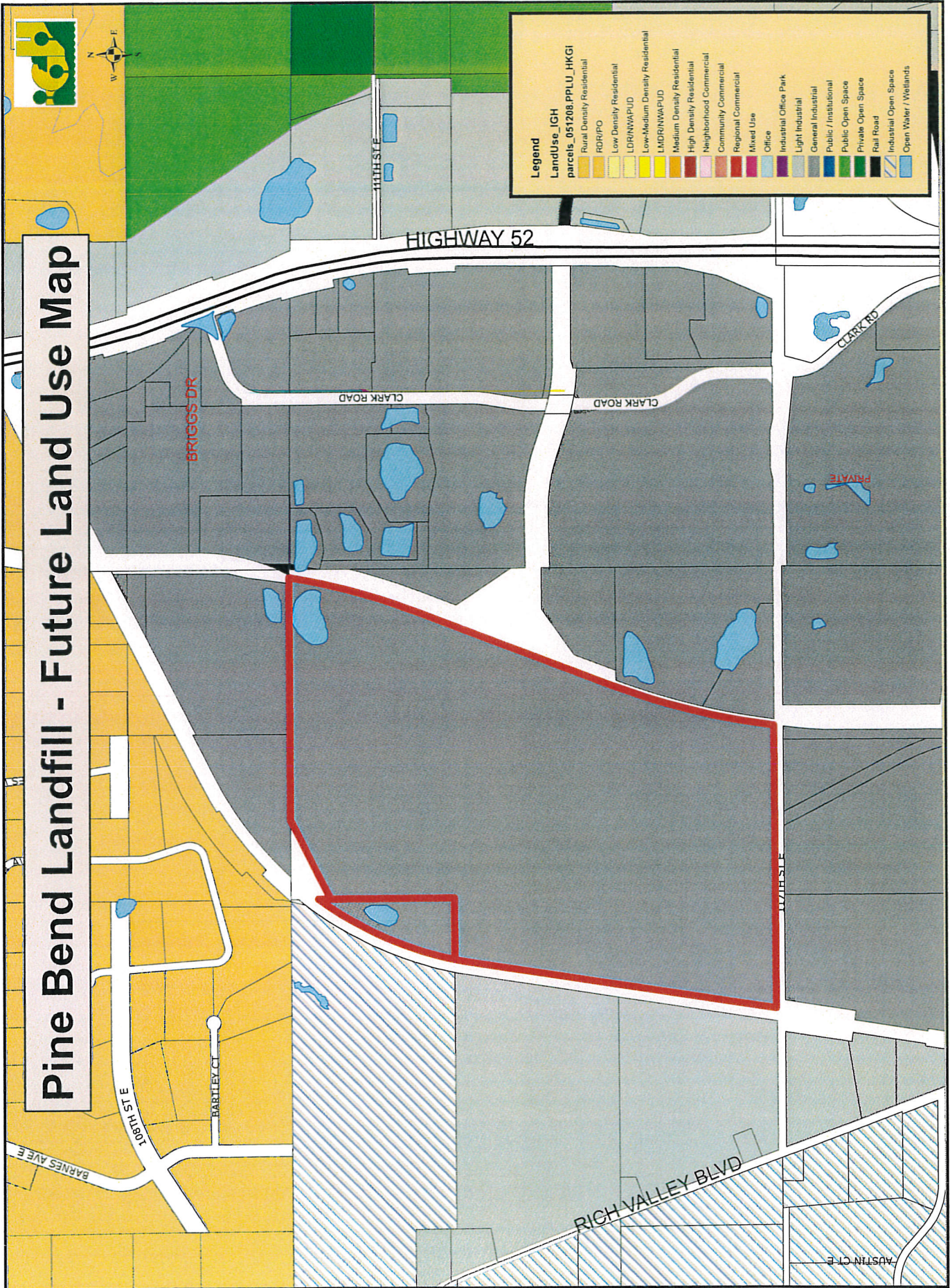
DATE

DWN JMT CHK'D SKH APP'D TJS

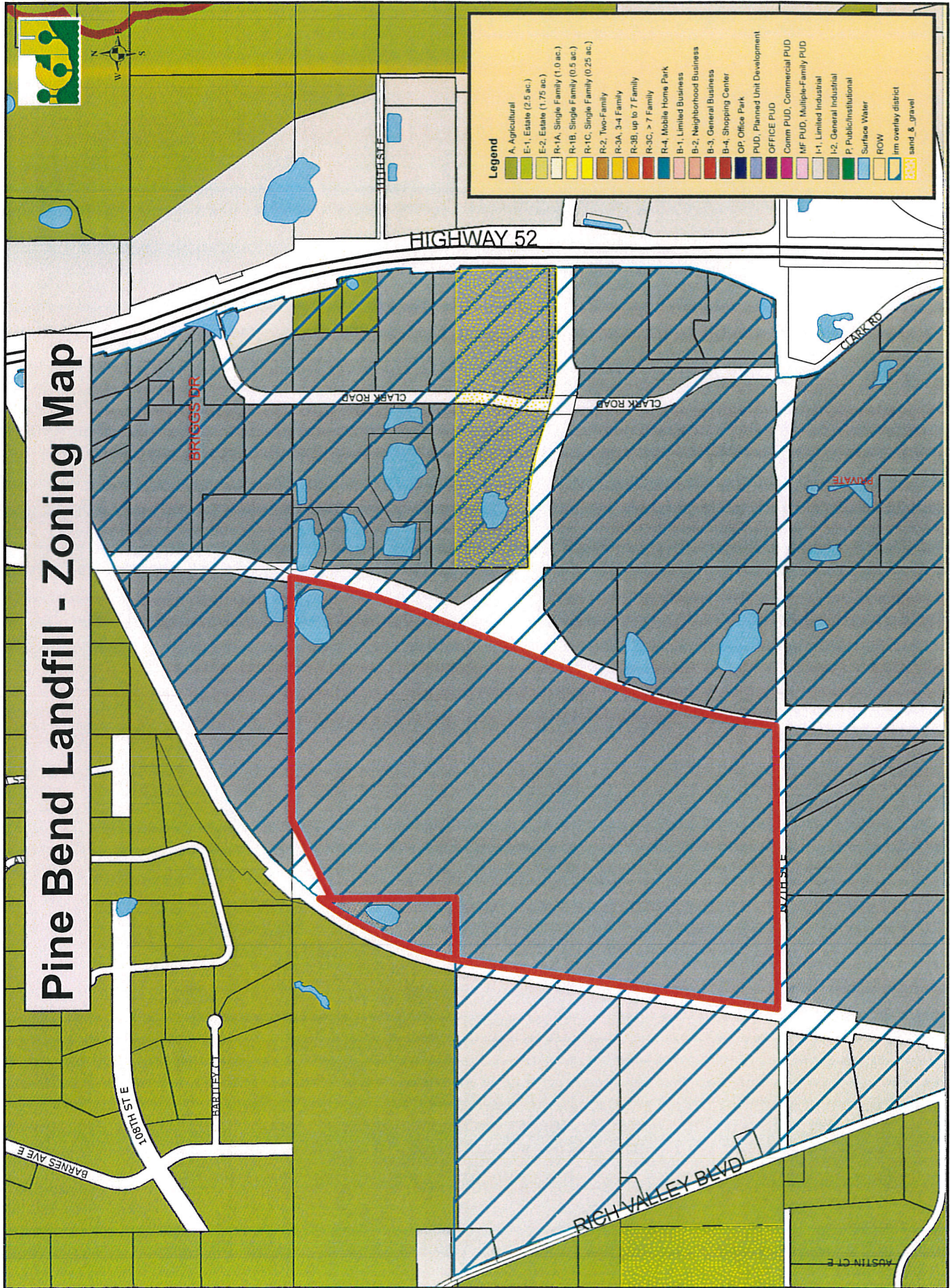
SHEET NO.
27

FILE NAME: M:\0991\PINEBEND\2015 PERMIT\2015 PERM MOD27.DGN

Pine Bend Landfill - Future Land Use Map

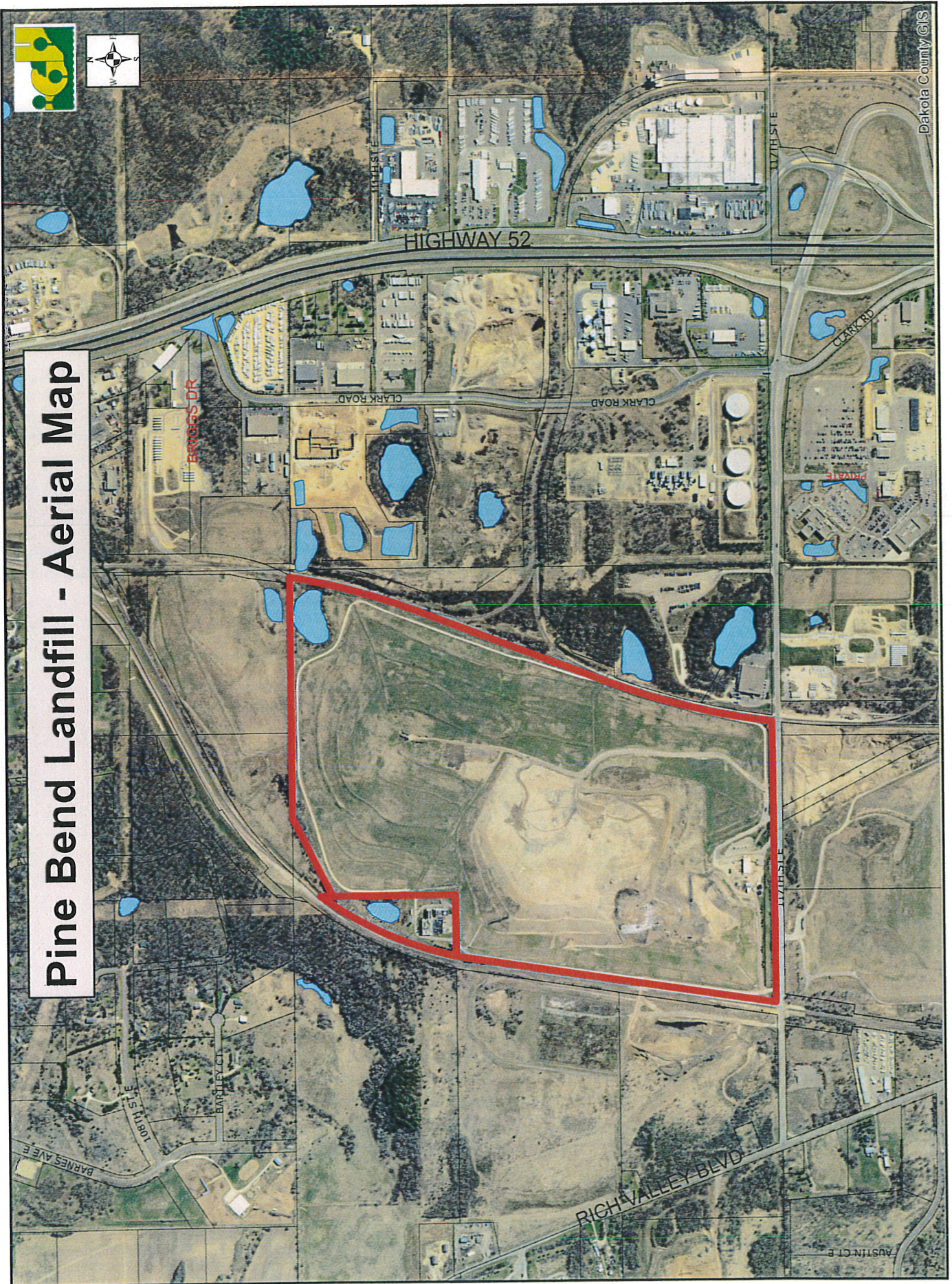


Pine Bend Landfill - Zoning Map





Pine Bend Landfill - Aerial Map



10-13E-2: PURPOSE:

The integrated resource management (IRM) overlay zoning district is created for the following purposes:

- A. Prevent the expansion of mixed municipal solid waste landfills by encouraging industrial development on adjacent properties.
- B. Encourage solid waste processing facilities, which can integrate their operations with mixed municipal solid waste landfills to locate in proximity to such landfills.
- C. Promote orderly development of other properties in the community by creating a buffer of compatible industrial development around mixed municipal solid waste landfills.
- D. Reduce the areas of the city subject to the potential adverse environmental impacts of solid waste processing facilities by encouraging them to locate in close proximity to mixed municipal solid waste landfills and each other.
- E. Delineate an area for select solid waste uses that exhibit minimal environmental impacts and are generally environmentally friendly.
- F. Provide an opportunity for solid waste uses that are consistent with the state's waste management hierarchy of encouraging reduction, reuse, recycling, composting, and discouraging incineration and landfilling.
- G. Enhance regulation and inspection of solid waste processing facilities by encouraging them to locate in proximity to one another.
- H. Enhance the tax base by encouraging development around mixed municipal solid waste landfills consistent with sound principles of municipal planning.
- I. Provide additional employment opportunities for city residents by encouraging industrial development.
- J. Establish standards and restrictions for solid waste uses to protect the environment and to promote sound land use planning. (Ord. 1098, 11-8-2004)