THE CITY OF LAKE ELMO

MAYOR & COUNCIL COMMUNICATION

DATE: **May 19, 2015**
CONSENT ITEM# **15**

AGENDA ITEM: Approval of Mutual Aid Agreement between Washington County and St. Croix County Fire Departments

SUBMITTED BY: Greg Malmquist, Fire Chief

THROUGH: City Administrator

REVIEWED BY: City Clerk and Finance Director

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item ..... City Administrator
- Report/Presentation..... Fire Chief
- Questions from Council to Staff ..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion ..... Mayor & City Council
- Action on Motion ..... Mayor Facilitates

POLICY RECCOMENDER:

FISCAL IMPACT: Expected to be a break even since this represents a resource sharing contract. The cost savings related to being able to tap into these resources would far exceed any potential incremental Paid on Call costs if called to assist St. Croix County.

SUMMARY AND ACTION REQUESTED: Staff is requesting approval of participation in this County to County Mutual Aid agreement. This will increase our resource pool when we have large events and may need large amounts of water in a non-hydranted area, manpower, specialty equipment or specially trained personnel. This County to County agreement simplifies the process for all responding agencies by eliminating the past practice of City to City agreements and eliminates the possibility of responding to a jurisdiction not covered under agreement.

Historically Lake Elmo FD, Stillwater FD, Bayport FD and LSCV FD have had individual agreements with Hudson FD. FD's in northern Washington County that border Wisc. had the same situation. You can see the number of agreements that were necessary and in MN we are required to have the Governor sign each one.

The other issue we ran into was ensuring we only responded to the jurisdiction we had a direct agreement with.

Upon completion of the new Stillwater Bridge, our response dynamics will change. It will open up the likelihood of more Mutual Aid response.

The attached County to County document is identical (word for word) to the previous document between Lake Elmo and Hudson with the exception of Lake Elmo and Hudson being replaced by County names.

LEGISLATIVE HISTORY: For many years, Lake Elmo FD and Hudson FD have had a direct agreement that was renewed every two years. This process was very cumbersome due to all the required signatures, especially on the MN side as our Governor is required to sign and there were times when the agreement would lapse waiting for it to get through the process. When our last agreement was renewed, we were able to eliminate the expiration date.

This agreement is supported by the Washington County Chiefs organization.

These agreements are reviewed and approved by HSEM (Homeland Security and Emergency Management) on their way to the Governor each time.

BACKGROUND INFORMATION (SWOT):

Strengths	Increases our resource pool for large events.
Weaknesses	Increases likelihood of responding to St. Croix County
Opportunities	Elimination of need for individual agreements, City to City.
Threats	None

RECOMMENDATION: Based on the aforementioned, the staff recommend:
Motion to approve the following:

> "Approval of participation by the Lake Elmo Fire Department in the Mutual Aid Agreement between Washington County, Minnesota and St. Croix County, Wisconsin."
>
> (4 signature pages need to be signed, 1-Washington County Chiefs file, 1-St. Croix County Chiefs file, 1-State of MN and 1-Lake Elmo)

ATTACHMENTS:

1. Mutual Aid Agreement

MUTUAL AID AGREEMENT
INCLUSIVE OF: THE FIRE DEPARTMENTS OF WASHINGTON COUNTY, MINNESOTA (will list each dept) AND THE FIRE DEPARTMENTS OF ST. CROIX COUNTY, WISCONSIN (will list each dept)

This Agreement is made pursuant to Minnesota Statutes §471.59 and Minnesota Statutes §438.08 and Wisconsin Statutes §66.0303, Subd. (2) and (3)(b) which authorize the joint and cooperative exercise of powers common to contracting parties. The intent of this agreement is to make equipment, personnel and other resources available to political subdivisions from other political subdivisions during an emergency situation or for designated training activities.

Section 1. Definitions.

a. "Party" means a political subdivision.

b. "Requesting Official" means the person designated by a Party who is responsible for requesting Assistance from other Parties.

c. "Requesting Party" means a party that requests assistance from other parties.

d. "Responding Official" means the person designated by a party who is responsible to determine whether and to what extent that party should provide assistance to a Requesting Party.

e. "Responding Party" means a party that provides assistance to a Requesting Party.

f. "Assistance" means Fire and/or emergency medical services personnel and equipment, and any associated and related training necessary to further the purpose of this Agreement.

Section 2. Request for assistance.

Whenever, in the opinion of a Requesting Official, there is a need for assistance from other parties, the Requesting Official may call upon the Responding Official of any other party to furnish assistance.

Section 3. Response to request.

Upon the request for assistance from a Requesting Party, the Responding Official may authorize and direct his/her party's personnel to provide assistance to the Requesting Party. This decision will be made after considering the needs of the responding party and the availability of resources.

Section 4. Recall of Assistance.

The Responding Official may at any time recall such assistance when in his or her best judgment or by an order from the governing body of the Responding Party, it is considered to be in the best interests of the Responding Party to do so.

Section 5. Command of Scene.

The Requesting Party shall be in command of the mutual aid scene. The personnel and equipment of the Responding Party shall be under the direction and control of the Requesting Party until the Responding Official withdraws assistance.

Section 6. Workers' compensation.

Each party shall be responsible for injuries or death of its own personnel. Each party will maintain workers' compensation insurance or self-insurance coverage, covering its own personnel while they are providing assistance pursuant to this agreement. Each party waives the right to sue any other party for any workers' compensation benefits paid to its own employee or volunteer or their dependants, even if the injuries were caused wholly or partially by the negligence of any other party or its officers, employees, or volunteers.

Section 7. Damage to equipment.

Each party shall be responsible for damages to or loss of its own equipment. Each party waives the right to sue any other party for any damages to or loss of its equipment, even if the damages or losses were caused wholly or partially by the negligence of any other party or its officers, employees, or volunteers.

Section 8. Liability.

a. For the purposes of Tort Liability, the employees and officers of the Responding Party are deemed to be employees of the Requesting Party.

b. The Requesting Party agrees to defend and indemnify the Responding Party against any claims brought or actions filed against the Responding Party or any officer, employee, or volunteer of the Responding Party for injury to, death of, or damage to the property of any third person or persons, arising from the performance and provision of assistance in responding to a request for assistance by the Requesting Party pursuant to this agreement.

c. Under no circumstances, however, shall a party be required to pay on behalf of itself and other parties, any amounts in excess of the limits on liability established in its Home State applicable to any one party. The limits of liability for some or all of the parties may not be added together to determine the maximum amount of liability for any party.

d. The intent of this subdivision is to impose on each Requesting Party a limited duty to defend and indemnify a Responding Party for claims arising within the Requesting Party's jurisdiction subject to the limits of liability under the laws of its Home State. The purpose of creating this duty to defend and indemnify is to simplify the defense of claims by eliminating conflicts among defendants, and to permit liability claims against multiple defendants from a single occurrence to be defended by a single attorney.

e. No party to this agreement nor any officer of any Party shall be liable to any other Party or to any other person for failure of any party to furnish assistance to any other party, or for recalling assistance, both as described in this agreement.

f. For the purposes of training, and other than Workers' compensation claims as described in Section 6, the laws of the State where the training takes place will control disputes based upon claims of one party against the other.

Section 9. Charges to the Requesting Party.

a. No charges will be levied by a Responding Party to this agreement for assistance rendered to a Requesting Party under the terms of this agreement unless that assistance continues for a period of more than 12 hours. If assistance provided under this agreement continues for more than 12 hours, the Responding Party may submit to the Requesting Party an itemized bill for the actual cost of any assistance provided after the initial 12 hour period, including salaries, overtime, materials and supplies and other necessary expenses; and the Requesting Party will reimburse the party providing the assistance for that amount.

b. Such charges are not contingent upon the availability of federal or state government funds.

Section 10. Duration.

This agreement will be in force from the date of execution and shall continue until terminated. Any party may withdraw from this agreement upon thirty (30) days written notice to the other party or parties to the agreement.

Section 11. Amendments.

Any amendments to this agreement shall be in writing and signed by all parties.

Section 12. Agreement.

This agreement contains the entire agreement of the Fire Departments of Washington County Minnesota and the Fire Departments of St. Croix County Wisconsin. Any prior correspondence, memoranda or agreements are replaced in total by this agreement.

Section 13. Execution.

Each party hereto has read, agreed to and executed this Mutual Aid Agreement on the date indicated. Each party to this agreement shall maintain a copy of an executed copy of this agreement.

IN WITNESS WHEREOF, the undersigned, on behalf of their political subdivision or their fire department corporation has executed this agreement pursuant to authorization by its governing body:

STATE OF MINNESOTA

_____

Its _____

Dated: _____, 2015

STATE OF WISCONSIN

_____

Its _____

Dated: _____, 2015

IN WITNESS WHEREOF, the undersigned, on behalf of their political subdivision or their fire department corporation has executed this agreement pursuant to authorization by its governing body:

City of Lake Elmo

_____

Mike Pearson, Mayor

_____

Adam Bell, City Clerk

_____

Greg Malmquist, Fire Chief

Date:_____2015

THE CITY OF LAKE ELMO

MAYOR & COUNCIL COMMUNICATION

DATE: **May 19, 2015**
CONSENT ITEM # **16**

AGENDA ITEM: United Properties Minor Subdivision – Outlot A of Eagle Point 3rd Addition

SUBMITTED BY: Kyle Klatt, Community Development Director

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Planning Commission
Nick Johnson, City Planner

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item .....Community Development Director
- Report/Presentation.....Community Development Director
- Questions from Council to Staff ..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion ..... Mayor & City Council
- Action on Motion ..... Mayor Facilitates

POLICY RECCOMENDER: The Planning Commission is recommending that the City Council approve a minor subdivision that will facilitate the transfer of property from United Land to Bremer Bank.

FISCAL IMPACT: None

SUMMARY AND ACTION REQUESTED: The City Council is being asked to consider a minor subdivision request from United Land, LLC to split Outlot A of Eagle Point Business Park 3rd Addition into two separate parcels. The proposed minor subdivision would facilitate the transfer of 4.974 acres of land to Bremer Bank, which is located immediately north of the property under consideration.

The Planning Commission considered this matter at its May 11, 2015 meeting and recommended approval of the minor subdivision as presented. If this item is removed from the consent agenda, the suggested motion to adopt the Planning Commission recommendation is as follows:

"Move to adopt Resolution No. 2015-37 approving the Minor Subdivision"

LEGISLATIVE HISTORY/PLANNING COMMISSION REPORT: The attached Staff report to the Planning Commission a summary of the proposed minor subdivision along with details concerning the application. The Planning Commission reviewed the application at its May 11, 2015 meeting and asked general questions concerning the surrounding properties and conditions on the site to be subdivided. The Commission recommended an additional condition to note that under current regulations of the Zoning Code and Eagle Point Development Standards, Parcel B cannot be further subdivided.

The Planning Commission adopted a motion to recommend approval of the minor subdivision consistent with the findings as noted in the attached Resolution No. 2015-37. The vote on the motion was unanimous (6 ayes, 0 nays).

BACKGROUND INFORMATION (SWOT):

Strengths	• The minor subdivision meets all underlying subdivision and zoning requirements.
Weaknesses	• Future development of the two parcels will require formal platting and PUD approval.
Opportunities	• The minor subdivision provide additional space for Bremer Bank to expand its facility.
Threats	• None

RECOMMENDATION: The Planning Commission and Staff are recommending that the City Council approve the minor subdivision for Outlot A of Eagle Point 3rd Addition by adopting Resolution No. 2015-37. Should this item be removed from the consent agenda, the suggested motion to adopt the Planning Commission recommendation is as follows:

"Move to adopt Resolution No. 2015-37 approving the Minor Subdivision"

ATTACHMENTS:

1. Resolution No. 2015-37
2. Planning Commission Staff Report – 5/11/15
3. Application Form
4. Minor Subdivision Survey
5. Parcel A and B Descriptions
6. Eagle Point 3rd Addition Final Plat

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2015-37

A RESOLUTION APPROVING A MINOR SUBDIVISION OF OUTLOT A, EAGLE POINT BUSINESS PARK 3RD ADDITION

WHEREAS, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, Sunde Land Surveying, LLC, 9001 East Bloomington Freeway, Bloomington, MN, acting on behalf of United Land, LLC, 3600 American Boulevard West, Bloomington, MN (Applicant) has submitted an application to the City of Lake Elmo (City) for a Minor Subdivision to split Outlot A of Eagle Point Business Park 3rd Addition (PID 33.029.21.41.0048) into two separate parcels in accordance with the certificate of survey dated April 29, 2015 signed by Mark Hanson, P.L.S, License #15480, a copy of which is on file in the City of Lake Elmo Planning and Zoning Department; and

WHEREAS, the Lake Elmo Planning Department has reviewed the Minor Subdivision request for consistency with the City of Lake Elmo Zoning and Subdivision Ordinances; and

WHEREAS, the Lake Elmo Planning Commission reviewed the proposed Minor Subdivision at a meeting held on May 11, 2015; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Minor Subdivision as part of a memorandum to the City Council from Community Development Director Kyle Klatt for the May 19, 2015 Council Meeting; and

WHEREAS, the City Council reviewed the Applicant's Minor Subdivision request at a meeting held on May 19, 2015.

NOW, THEREFORE, based upon the testimony elicited and information received, the City Council makes the following:

FINDINGS

1) That the Minor Subdivision is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.

2) That the Minor Subdivision complies with the minimum lot frontage and area requirements of the City's BP – Business Park Zoning District.

3) That the Minor Subdivision complies with the City's subdivision ordinance and specifically the requirements concerning exceptions to platting.

4) That under current regulations of the Zoning Code and Eagle Point Development Standards, Parcel B cannot be further subdivided.

CONCLUSIONS AND DECISION

NOW, THEREFORE, BE IT RESOLVED THAT that based on the testimony elicited and information received, the City Council of the City of Lake Elmo hereby approves the Minor Subdivision request.

Passed and duly adopted this 19th day of May 2015 by the City Council of the City of Lake Elmo, Minnesota.

_____
Mike Pearson, Mayor

ATTEST:

_____
Adam Bell, City Clerk

PLANNING COMMISSION
DATE: 5/11/15
AGENDA ITEM: 4A – BUSINESS ITEM
CASE # 2015-18

ITEM: United Properties Minor Subdivision – Outlot A of Eagle Point 3rd Addition

SUBMITTED BY: Kyle Klatt, Planning Director

REVIEWED BY: Nick Johnson, City Planner

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider a minor subdivision request from United Land, LLC to split Outlot A of Eagle Point Business Park 3rd Addition into two separate parcels. The proposed minor subdivision would facilitate the transfer of 4.974 acres of land to Bremer Bank, which is located immediately north of the property under consideration. Staff is recommending approval of the minor subdivision as presented.

GENERAL INFORMATION

Applicant: Sunde Land Surveying, LLC, 9001 East Bloomington Freeway, Bloomington, MN (Mark Hanson)

Property Owners: United Land, LLC, 3600 American Boulevard West, Bloomington, MN (Melissa Duce)

Location: Outlot A, Eagle Point Business Park 3rd Addition. PID Number 33.029.21.41.0048

Request: Application for a Minor Subdivision to split said property into two separate parcels

Existing Land Use and Zoning: Agricultural field; future development site within the Eagle Point Business Park. Current Zoning: BP – Business Park

Surrounding Land Use and Zoning: North – Bremer Bank facility; East – Eagle Point Outlot, future site of ISD916 building; West – Bouler Ponds PUD development; South – Eagle Point Business Park Condominiums

Comprehensive Plan: BP – Business Park

History: The Eagle Point Business Park 3rd Addition, which includes the current Bremer Bank site and Outlot A, was approved by the City in 2002.

Deadline for Action: Application Complete – 4/29/15
60 Day Deadline – 6/28/15
Extension Letter Mailed – No
120 Day Deadline – 8/27/15

Applicable Regulations: Chapter 153 – Subdivision Regulations
§154.550 Business Park Zoning District

REQUEST DETAILS

The City of Lake Elmo has received a request from Sunde Land Surveying, acting on behalf of United Land, LLC, for a minor subdivision to split Outlot A of the Eagle Point Business Park into two lots. The purpose of the proposed minor subdivision is to facilitate the transfer of 4.974 acres of land from United Land to Bremer Bank, which will leave 7.399 acres of the original 12.373 lot as a separate parcel. Bremer Bank intends to use this property for future expansion of its current facility, but does not intend to proceed with any such project in the immediate future.

The City's Subdivision regulations allow for certain subdivisions of land to be exempt from the City's requirements for platting when nor more than four lots are being created and when these lots comply with the minimum road frontage and area requirements of the underlying zoning. The lots that would be created as part of the minor subdivision each exceed the BP – Business Park zoning requirements concerning lot size and lot frontage (2 acres and 200 feet respectfully). In addition, the proposed minor subdivision does not alter the underlying legal description that identifies each lot as part of the original Outlot A of Eagle Point Business Park 3rd Addition. This relationship to the underlying outlot is important because it means that future development on either parcel can only occur upon a full replat of each lot and allows the City to consider the minor subdivision without requiring additional easements or other subdivision design elements at this time.

DRAFT FINDINGS

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Minor Subdivision:

- That the Minor Subdivision is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.

- That the Minor Subdivision complies with the minimum lot frontage and area requirements of the City's BP – Business Park Zoning District.

- That the Minor Subdivision complies with the City's subdivision ordinance and specifically the requirements concerning exceptions to platting.

RECCOMENDATION:

Staff recommends that the Planning Commission recommend approval of the minor subdivision request from United Land, LLC to split Outlot A of Eagle Point Business Park 3rd Addition into two separate parcels.

Suggested motion:

"Move to recommend approval of the Minor Subdivision request to split Outlot A of Eagle Point Business Park 3rd Addition into two lots"

ATTACHMENTS:

1. Application Form
2. Minor Subdivision Survey
3. Parcel A and B Descriptions
4. Eagle Point 3rd Addition Final Plat

ORDER OF BUSINESS:

- Introduction ..... Planning Staff
- Report by Staff ..... Planning Staff
- Questions from the Commission ..... Chair & Commission Members
- Public Comments ..... Chair
- Discussion by the Commission ..... Chair & Commission Members
- Action by the Commission ..... Chair & Commission Members

Date Received: 4/29/15
Received By: [illegible]
Land use ~~Permit #:~~ 2015-18

THE CITY OF
LAKE ELMO

651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

LAND USE APPLICATION

☐ Comprehensive Plan ☐ Zoning District Amend ☐ Zoning Text Amend ☐ Variance*(see below) ☐ Zoning Appeal

☐ Conditional Use Permit (C.U.P.) ☐ Flood Plain C.U.P. ☐ Interim Use Permit (I.U.P.) ☐ Excavating/Grading

☐ Lot Line Adjustment ☒ Minor Subdivision ☐ Residential Subdivision Sketch/Concept Plan

☐ PUD Concept Plan ☐ PUD Preliminary Plan ☐ PUD Final Plan

Applicant: Mark Hanson, Sunde Land Surveying, LLC (on behalf of United Properties)
Address: 9001 East Bloomington Freeway, Bloomington, MN 55420
Phone # 952-881-2455
Email Address: Mark.Hanson@Sunde.com

Fee Owner: United Land, LLC
Address: 3600 American Boulevard West, Bloomington, MN 55431 Attn: Melissa Duce
Phone # 952-893-8866, 651-261-8273
Email Address: Melissa.Duce@uproperties.com

Property Location (Address and Complete (long) Legal Description: Outlot A, Eagle Point Business Park 3rd Addition. Address is unassigned.

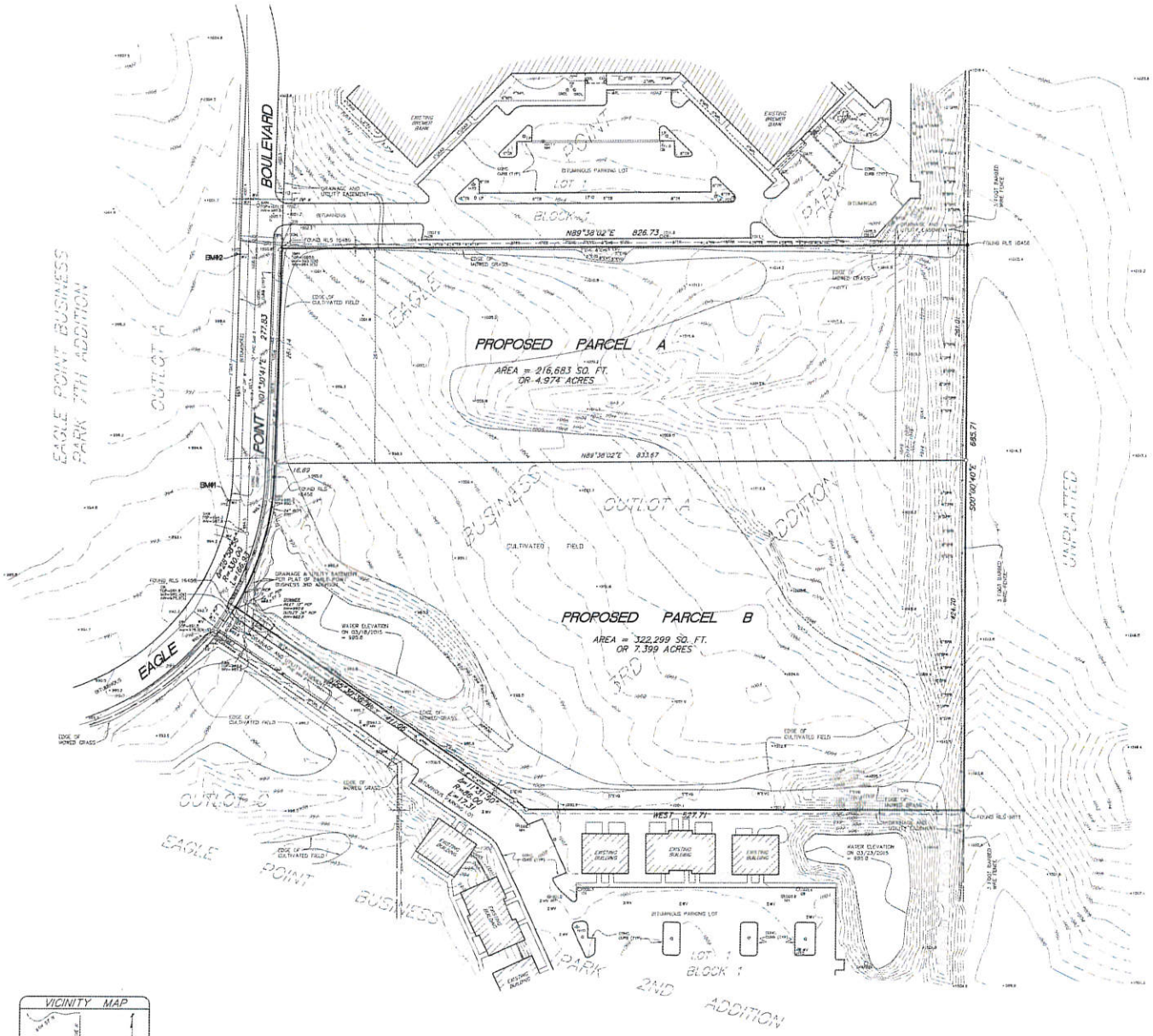
Detailed Reason for Request: The Bremer land aquisition will be held for future building expansion development.

*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: [signature] Date: 4/29/15

Signature of fee owner: [signature] Date: 4/29/15



DESCRIPTION OF PROPERTY SURVEYED

(Per Certificate of Title No. 58176)
Outlot A, Eagle Point Business Park 3rd Addition, Washington County, Minnesota

PLAT RECORDING INFORMATION

The plat of Eagle Point Business Park 3rd Addition was filed of record on April 22, 2002, as Document No. 1111330

TITLE COMMITMENT

This survey was prepared without the benefit of current title work. Easements, appurtenances, and encumbrances may exist in addition to those shown hereon. This survey is subject to revision upon receipt of a current title insurance commitment or attorney's title opinion.

Documents listed in the memorials of Certificate of Title No. 58176:

1065503 Declaration of Protective Covenants
1092260 Development Standards
1094029 Declaration of Monuments, Easements, Landscaping, Maintenance Covenants
1110374 Declaration for Storm Water Retention Area Maintenance
1118152 First Amendment to Declaration of Protective Covenants

DESCRIPTION OF PROPOSED PARCEL A

The northerly 281.00 feet of Outlot A, Eagle Point Business Park 3rd Addition, according to the recorded plat thereof, Washington County, Minnesota

Area = 216,683 square feet or 4.974 acres

DESCRIPTION OF PROPOSED PARCEL B

That part of Outlot A, Eagle Point Business Park 3rd Addition, according to the recorded plat thereof, Washington County, Minnesota, lying southerly of the northerly 281.00 feet.

Area = 322,299 square feet or 7.399 acres

GENERAL NOTES

1.) Survey coordinate basis: Washington County Coordinate System

UTILITY NOTES

1.) Utility information from plans and markings was combined with observed evidence of utilities to develop a view of the underground utilities shown hereon. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, excavation may be necessary.

2.) Other underground utilities of which we are unaware may exist. Verify all utilities critical to construction or design.

3.) Contact GOPHER STATE ONE CALL at 651-454-0002 (800-252-1166) for precise onsite location of utilities prior to any excavation.

LEGEND

O	Denotes iron monument set marked with P.L.S. No. 15480
●	Denotes found iron monument
BTL	Denotes beaver tail curb
CB	Denotes catch basin
CBX	Denotes communication box
CLF	Denotes chain link fence
COL	Denotes building column
DIP	Denotes ductile iron pipe
FP	Denotes flag pole
G	Denotes gutter
GAS	Denotes underground gas line
GRDL	Denotes ground light
HHC	Denotes communication hand hole
HHF	Denotes fiber optic hand hole
HYD	Denotes fire hydrant
INV	Denotes structure invert
LP	Denotes light pole
MH	Denotes manhole
MST	Denotes metal steps
OPC	Denotes outdoor power center
OVH	Denotes overhang
PEP	Denotes polyethylene pipe
PIV	Denotes post indicator valve
PVC	Denotes polyvinylchloride pipe
RCP	Denotes reinforced concrete pipe
SAN	Denotes sanitary manhole
SAN S	Denotes sanitary sewer
SMH	Denotes storm manhole
ST S	Denotes storm sewer
TCS	Denotes traffic control sign
TRANS	Denotes transformer
UCC	Denotes underground communication line
UGE	Denotes underground electric line
W	Denotes water line
WV	Denotes water valve
CRAB	Denotes Crabapple tree
EVG	Denotes evergreen tree
MPL	Denotes Maple tree
SPR	Denotes Spruce tree
TR	Denotes deciduous tree

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 29th day of April, 2015

SUNDE LAND SURVEYING, LLC
By: Mark S. Hansen
Mark S. Hansen, P.L.S. Minr. Lic. No. 15480

BENCH MARKS (BM) NGVD 1929

1.) Top of top nut of fire hydrant second north of Hudson Boulevard. West side of Eagle Point Boulevard.
Elevation = 997.36 feet

2.) Top of top nut of fire hydrant third north of Hudson Boulevard. West side of Eagle Point Boulevard.
Elevation = 1002.72 feet

N

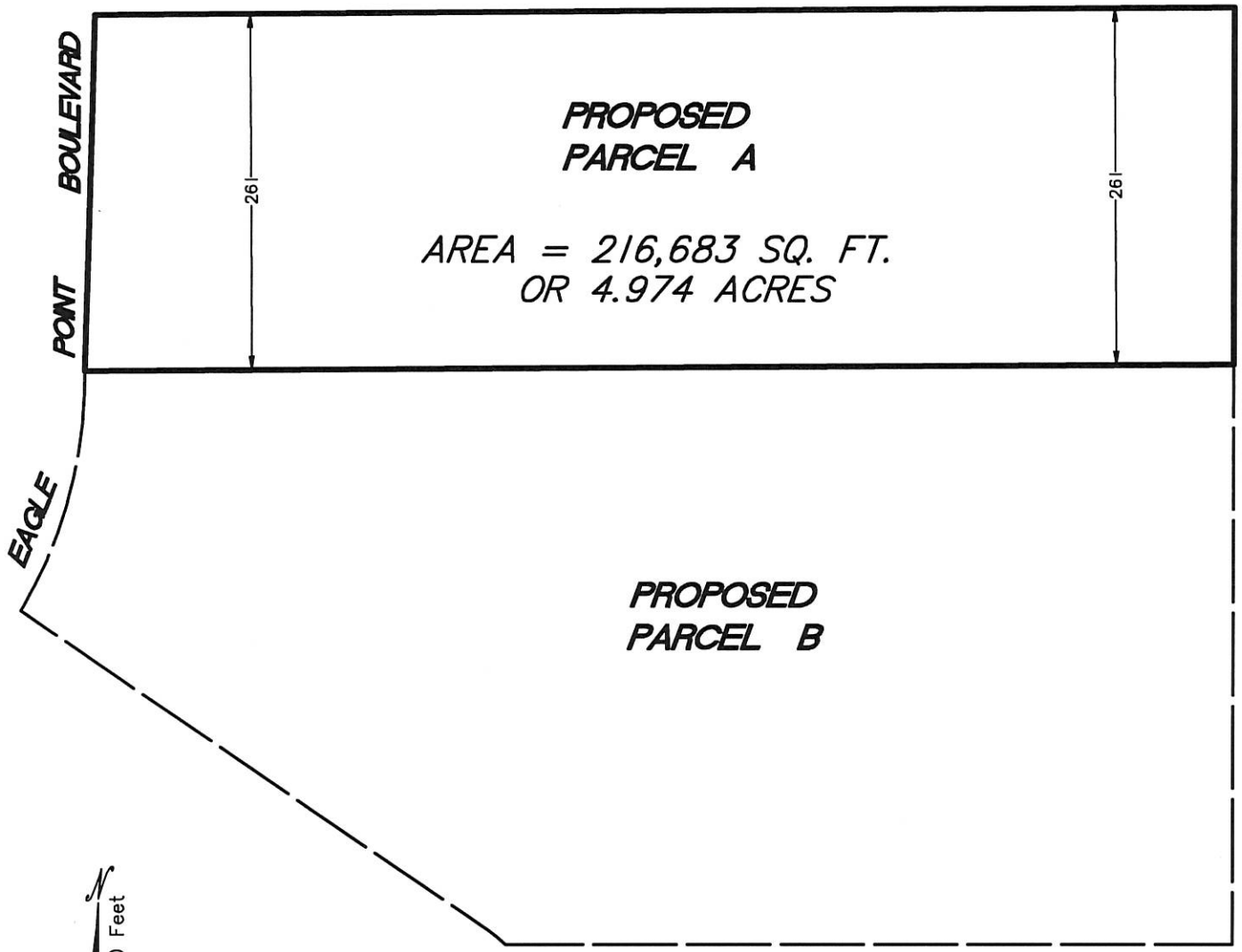
50 0 50 100
SCALE IN FEET

Revision	By	Date

Drawing Title:
MINOR SUBDIVISION SURVEY FOR:
UNITED PROPERTIES
OUTLOT A, EAGLE POINT BUSINESS PARK 3RD ADDITION
EAGLE POINT BOULEVARD, LAKE ELMO, MN

SUNDE LAND SURVEYING
Main Office: 9201 East Bloomington Freeway (35W) - Suite 118 Bloomington, Minnesota 55420-3435 952-884-1453 Fax: 952-888-9928
West Office: Mandan, North Dakota 701-663-9262
www.sundelandsurveying.com

Project: 88-188-4	By/Tp: 83/30		Date: 04/29/2015
Township: 29	Range: 21	Section: 33	Sheet: 1 of 1
File: 88188N03.dwg			



DESCRIPTION OF PROPOSED PARCEL A

The northerly 261.00 feet of Outlot A, Eagle Point Business Park 3rd Addition, according to the recorded plat thereof, Washington County, Minnesota.

Area = 216,683 square feet or 4.974 acres

N

SCALE: 1 Inch = 120 Feet

I hereby certify that this sketch, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 15th day of April, 2015

SUNDE LAND SURVEYING, LLC.

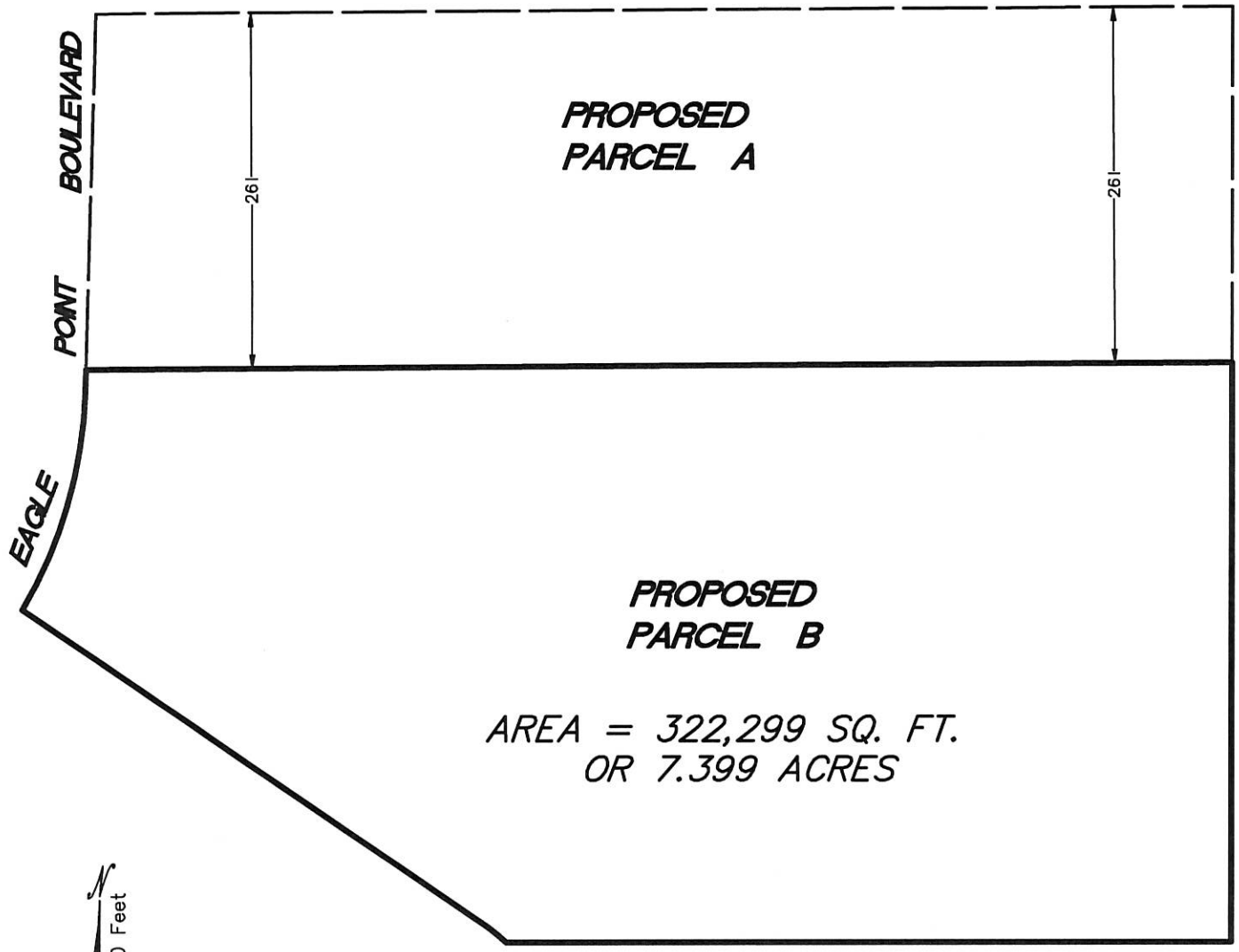
By: Mark S. Hanson

Mark S. Hanson, P.L.S. Minn. Lic. No. 15480

SHEET 1 OF 2 SHEETS

SUNDE LAND SURVEYING
9001 East Bloomington Freeway (35W) • Suite 118
Bloomington, Minnesota 55420-3435
952-881-2455 (Fax: 952-888-9526)
www.sunde.com

95-155-R 823/31 T.29 R.21 S.33 SMT 95155R003sketch.dwg



DESCRIPTION OF PROPOSED PARCEL B

That part of Outlot A, Eagle Point Business Park 3rd Addition, according to the recorded plat thereof, Washington County, Minnesota, lying southerly of the northerly 261.00 feet.

Area = 322,299 square feet or 7.399 acres

N

SCALE: 1 Inch = 120 Feet

I hereby certify that this sketch, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 15th day of April, 2015

SUNDE LAND SURVEYING, LLC.

By: Mark S. Hanson

Mark S. Hanson, P.L.S. Minn. Lic. No. 15480

95-155-R 823/31 T.29 R.21 S.33 SMT 95155R003sketch.dwg

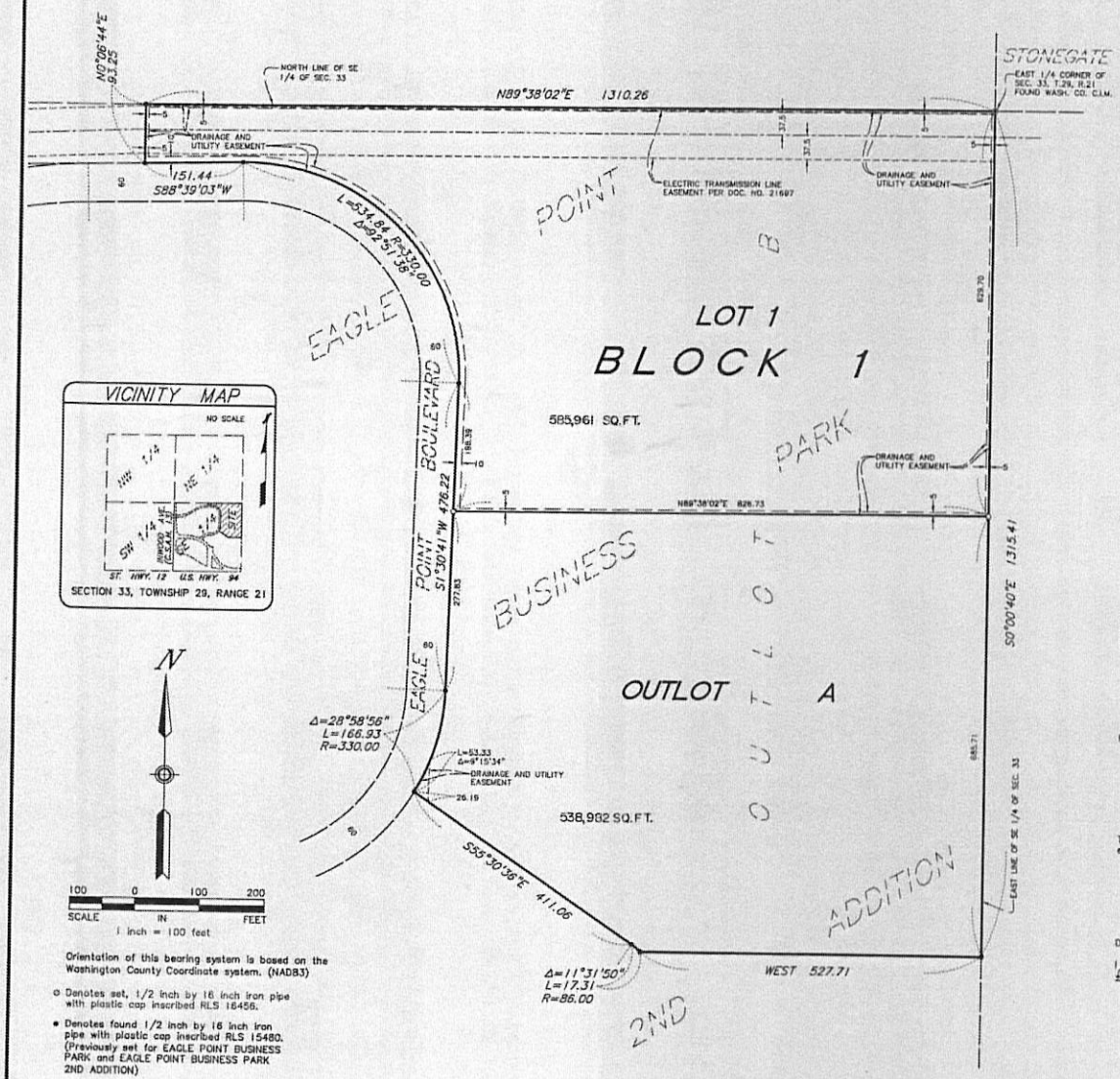
SHEET 2 OF 2 SHEETS

SUNDE LAND SURVEYING
9001 East Bloomington Freeway (35W) • Suite 118
Bloomington, Minnesota 55420-3435
952-881-2455 (Fax: 952-888-9526)
www.sunde.com

CITY OF LAKE ELMO

COPY

EAGLE POINT BUSINESS PARK 3RD ADDITION



Orientation of this bearing system is based on the Washington County Coordinate system. (NAD83)

⊙ Denotes set, 1/2 inch by 18 inch iron pipe with plastic cap inscribed RLS 15456.

• Denotes found 1/2 inch by 18 inch iron pipe with plastic cap inscribed RLS 15480. (Previously set for EAGLE POINT BUSINESS PARK and EAGLE POINT BUSINESS PARK 2ND ADDITION)

KNOW ALL BY THESE PRESENTS: That UNITED LAND LLC, a Minnesota limited liability company, owner and proprietor of the following described property, situated in the County of Washington, State of Minnesota to wit:

Outlot B, EAGLE POINT BUSINESS PARK 2ND ADDITION, according to the plat thereof filed of record in the office of the Registrar of Titles in and for Washington County, Minnesota.

As evidenced by Certificate of Title No. 57112.

Has caused the same to be surveyed and platted as EAGLE POINT BUSINESS PARK 3RD ADDITION, and does hereby donate and dedicate to the public the easements created by this plat for drainage and utility purposes only.

In witness whereof said UNITED LAND LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officers this 11 day of April 2002.

UNITED LAND LLC

BY: [signature] its Exec Vice Pres and [signature] its Vice Pres.

STATE OF Minnesota
COUNTY OF Hennepin

The foregoing instrument was acknowledged before me this 11th day of April, 2002 by [signature] its Exec Vice President and [signature] its Vice President of said UNITED LAND LLC, a Minnesota limited liability company, on behalf of said company.

JOYCE E. HANSON NOTARY PUBLIC-MINNESOTA My Commission Expires Jan. 31, 2005

[signature]
Notary Public, Hennepin County, Minnesota
My Commission Expires January 31, 2005

I, John K. Barnes, hereby certify that I have surveyed and platted the property described on this plat as EAGLE POINT BUSINESS PARK 3RD ADDITION; that this plat is a correct representation of the survey; that all distances are correctly shown on the plat in feet and hundredths of a foot; that all monuments have been correctly placed in the ground as shown; that the outside boundary lines are correctly designated on the plat; and that there are no wet lands as defined in MS 505.02, Subd. 1 or public highways to be designated other than as shown.

[signature]
John K. Barnes, Land Surveyor
Minnesota License No. 16456

STATE OF MINNESOTA
COUNTY OF Hennepin

The foregoing Surveyor's Certificate by John K. Barnes, Minnesota Registration No. 16456, was acknowledged before me this 11th day of April 2002.

JANET C. POEHLER NOTARY PUBLIC-MINNESOTA My Commission Expires Jan. 31, 2005

[signature]
Notary Public, Dakota County, Minnesota
My Commission Expires January 31, 2005

This plat of EAGLE POINT BUSINESS PARK 3RD ADDITION was approved by the City Council of the City of Lake Elmo, Minnesota, this 16 day of APRIL 2002, and hereby certifies compliance with all requirements as set forth in Minnesota Statutes, Section 505.03, Subd. 2.

SIGNED: [signature]
Mayor

SIGNED: [signature]
City Administrator

Pursuant to Chapter 820, Laws of Minnesota, 1971, this plat has been approved this 22nd day of APRIL 2002.

BY: LAWRENCE S. NYBECK
Washington County Surveyor

BY: [signature]
Assistant County Surveyor

There are no delinquent taxes, the current taxes due and payable for the year 2002 have been paid, and transfer has been entered this 22nd day of April 2002.

BY: Molly F. O'Rourke
Washington County Auditor/Treasurer

BY: [signature]
Deputy

Document Number 1111330

I hereby certify that this instrument was filed in the Office of the Registrar of Titles for record on this 22 day of April 2002 at 11 o'clock P.M., and was duly recorded in Washington County Records.

BY: _____
Washington County Registrar of Titles

BY: _____
Deputy

Sunde Land Surveying, LLC.

THE CITY OF LAKE ELMO

MAYOR & COUNCIL COMMUNICATION

DATE: **May 19, 2015**
CONSENT ITEM # **17**

AGENDA ITEM: Approving Master Subscriber Agreement for Minnesota Court Data Services for Governmental Agencies and Request Form for Minnesota Government Access (MGA) Login Account

SUBMITTED BY: Adam Bell, Assistant City Administrator/City Clerk

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Dave Snyder, City Attorney
Sarah Sicheneder, City Prosecutor

SUGGESTED ORDER OF BUSINESS *(If removed from Consent)*:

- Introduction of Item ..... City Administrator
- Report/Presentation..... City Administrator
- Questions from Council to Staff ..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion ..... Mayor & City Council
- Action on Motion ..... Mayor Facilitates

POLICY RECOMMENDER: City Attorney

SUMMARY AND ACTION REQUESTED: City Council is respectfully requested to approve Resolution 2015-38. *As part of the Consent Agenda, no formal action is required.* If Council wishes to discuss this item, it can be approved by taking the following action:

"Move to approve Resolution 2015-38, Approving Master Subscriber Agreement for Minnesota Court Data Services for Governmental Agencies and Request Form for Minnesota Government Access (MGA) Login Account."

BACKGROUND: This agreement allows Lake Elmo City Attorney's Office to access electronic court data through the Minnesota Court Data Services for Governmental Agencies. The City entered into an agreement to participate in the pilot program in 2013. This is an updated resolution authorizing legal counsel to continue that subscriber access for criminal cases.

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION 2015-38

APPROVING MASTER SUBSCRIBER AGREEMENT FOR MINNESOTA COURT DATA SERVICES FOR GOVERNMENTAL AGENCIES AND REQUEST FORM FOR MINNESOTA GOVERNMENT ACCESS (MGA) LOGIN ACCOUNT

WHEREAS, the City of Lake Elmo desires to improve efficiencies through participating in a paperless court process with the Minnesota Judicial Branch; and

WHEREAS, the City Attorney for the City of Lake Elmo has reviewed the Master Subscriber Agreement for Governmental Agencies and Request for Minnesota Government Access (MGA) Login Account; and

WHEREAS, as the Minnesota Judicial Branch moves towards a paperless court, the eCourtMN initiative is committed to ensuring that non-court governmental agencies have appropriate access to court records and documents. The Minnesota Government Access (MGA) Login Account will permit attorneys' electronic access to appropriate court records and documents in Washington County Criminal Cases.

WHEREAS, the City of Lake Elmo desires to subscribe to the Minnesota Government Access (MGA) Login Account that will permit attorneys in the offices of the Lake Elmo City Attorney to electronically access court records and documents.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Elmo, Minnesota, as follows:

The MASTER SUBSCRIBER AGREEMENT FOR MINNESOTA GOVERNMENTAL AGENCIES for the Minnesota Government Access (MGA) Login Account is approved and the Mayor and Administrator are authorized and directed to execute and deliver said documents.

Passed and Adopted by the Council on this 19th day of May, 2015.

_____
Mike Pearson, Mayor

ATTEST:

_____
Dean Zuleger, City Administrator

THE CITY OF LAKE ELMO

MAYOR & COUNCIL COMMUNICATION

DATE: **May 19, 2015**
REGULAR ITEM **18**

AGENDA ITEM: Old Village Phase 1 Street and Utility Improvements – Resolution Receiving Feasibility Report and Calling Hearing on Improvement

SUBMITTED BY: Chad J. Isakson, Project Engineer

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Adam Bell, City Clerk
Cathy Bendel, Finance Director
Jack Griffin, City Engineer
Dave Snyder, City Attorney

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item ..... City Engineer
- Report/Presentation ..... City Engineer
- Questions from Council to Staff ..... Mayor Facilitates
- Public Input, if Appropriate ..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion ..... Mayor & City Council
- Action on Motion ..... Mayor Facilitates

POLICY RECOMMENDER: Engineering.

FISCAL IMPACT: None.

The Feasibility Report was previously authorized. Calling for and conducting the Public Improvement Hearing is included in the feasibility report scope of services.

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to consider adopting Resolution No. 2015-39 receiving the Feasibility Report and calling for a Public Improvement Hearing for the Old Village Phase 1 Street and Utility Improvements to be held on June 16, 2015. The recommended motion for this action is as follows:

"Move to adopt Resolution No. 2015-39, receiving the Feasibility Report and Calling Hearing for the Old Village Phase 1 Street and Utility Improvements."

LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

A feasibility report was authorized by the City Council on July 1, 2014 in order to ready these improvements for 2015 construction. The feasibility report is needed to meet state statutory requirements if any portion of the project is to be assessed to benefitting properties. The report identifies the necessary improvements, the estimated project costs, the assessment methodology and preliminary assessment amounts to be levied against properties adjacent to and benefitting from the street and sanitary sewer improvements.

The improvements consist of the following:

- Reconstruction of streets with the addition of sidewalks as approved by Council as a part of Municipal Consent on February 5, 2015.
- Construction of the initial regional drainage system improvements including a large infiltration pond and oversized storm sewer to begin addressing flooding issues in the Old Village Area.
- Extension of sanitary sewer to provide service to benefitting properties within the Old Village.
- Replacement of an aged watermain system.
- Street lights and landscaping amenities including boulevard trees.

The total estimated project cost for the Phase 1 improvements is $5,568,100. The estimated total cost of the street and landscape improvements are $1,405,900, sanitary sewer improvements are $906,300, streetscape improvements are $73,400, regional drainage improvements are $2,709,100, and water system improvements are $473,400.

The street and landscape improvements and extension of sanitary sewer are proposed to be assessed against the benefitting properties consistent with the City's Special Assessment Policy. Street improvement assessments are proposed at a rate of 30% for residential properties using an average residential front footage, and 100% for commercial properties based upon the actual front footage. Extension of sanitary sewer is 100% paid for by the benefitting property owners using a per residential equivalent method. The remainder of the proposed project costs are proposed to be paid through a combination of municipal state aid funds, water enterprise funds, and general funds.

Due to the unique nature of the Village project, the Finance Committee was directed to review and consider multiple assessment methodologies. The feasibility report presents the assessment methodology as recommended by the Finance Committee.

Assessments for street improvements are levied over 10 years while the sanitary sewer improvements would be levied over a 20 year period. Additional cost breakdown, assessment information, and financial detail is present in the Feasibility Report.

RECOMMENDATION:

Staff is recommending that the City Council adopt Resolution No. 2015-39, receiving the Feasibility Report and calling Hearing for the Old Village Phase 1 Street and Utility Improvements. The recommended motion for this action is as follows:

"Move to adopt Resolution No. 2015-39, receiving the Feasibility Report and Calling Hearing for the Old Village Phase 1 Street and Utility Improvements."

ATTACHMENT(S):

1. Resolution No. 2015-39 Receiving Report and Calling for Hearing on Improvements.
2. Notice of Hearing on Improvement.
3. Location Map.
4. Project Schedule.
5. Feasibility Report *(available for review at City Hall)*

CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA

RESOLUTION NO. 2015-39

A RESOLUTION RECEIVING A FEASIBILITY REPORT FOR THE OLD VILLAGE PHASE 1 STREET AND UTILITY IMPROVEMENTS AND CALLING HEARING ON IMPROVEMENT

WHEREAS, pursuant to city council authorization, adopted on July 1, 2014, a feasibility report has been prepared by FOCUS Engineering, Inc. for the Old Village Phase 1 Street and Utility Improvements; and

WHEREAS, the feasibility report recommends that benefitting properties be assessed all or a portion of the cost of the improvements pursuant to the city's Special Assessment Policy and Minnesota Statutes, Chapter 429; and

WHEREAS, the feasibility report provides information regarding whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvements as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

NOW, THEREFORE, BE IT RESOLVED,

1. That the City Council will consider the improvements in accordance with the report and the assessments of the abutting properties for all or a portion of the cost of the improvements pursuant to Minnesota Statues, Chapter 429 at an estimated total project cost of $5,568,100; consisting of the street and landscape improvements at $1,405,900, sanitary sewer improvements at $906,300, streetscape improvements at $73,400, regional drainage improvements at $2,709,100, and water system improvements of $473,400.

2. A public hearing shall be held on such proposed improvements on the 16th day of June, 2015, in the council chambers of the City Hall at or approximately after 7:00 P.M. and the clerk shall give mailed and published notice of such hearing and improvement as required by law.

ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE NINETEENTH DAY OF MAY, 2015.

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)
ATTEST:

_____
Adam Bell
City Clerk

CITY OF LAKE ELMO
NOTICE OF HEARING ON IMPROVEMENT
OLD VILLAGE PHASE 1 STREET AND UTILITY IMPROVEMENTS

Notice is hereby given that the City Council of Lake Elmo will meet in the council chambers of the city hall at or approximately after 7:00 P.M. on Tuesday, June 16, 2015, to consider the making of the following improvements, pursuant to Minnesota Statutes, Sections 429.011 to 429.111;

> The street, landscape and streetscape improvements are proposed along Upper 33rd Street from Lake Elmo Avenue to Laverne Avenue, Laverne Avenue from Upper 33rd Street to Trunk Highway 5, 36th Street from Lake Elmo Avenue to Laverne Avenue, and the Alley between Laverne Avenue and Lake Elmo Avenue from Upper 33rd Street to 36th Street. The improvements consist of reconstruction of the existing streets with concrete curb and gutter, installation of a storm sewer system, replacement of aged watermain, boulevard trees, ornamental street lights, and minor paver block details at intersections.
>
> The sanitary sewer improvements include the extension of existing sanitary sewer along Upper 33rd Street from where it crosses the Union Pacific Railroad Tracks to Lake Elmo Avenue, along Laverne Avenue from Upper 33rd Street to Trunk Highway 5, 36th Street from Lake Elmo Avenue to Laverne Avenue, and the Alley between Laverne Avenue and Lake Elmo Avenue from Upper 33rd Street to 200-feet south of 36th Street. Improvements will include a service stub to each benefitting property to the property line.

The area proposed to be assessed for the street improvements include the properties directly abutting Upper 33rd Street, 36th Street, and Laverne Avenue as detailed above.

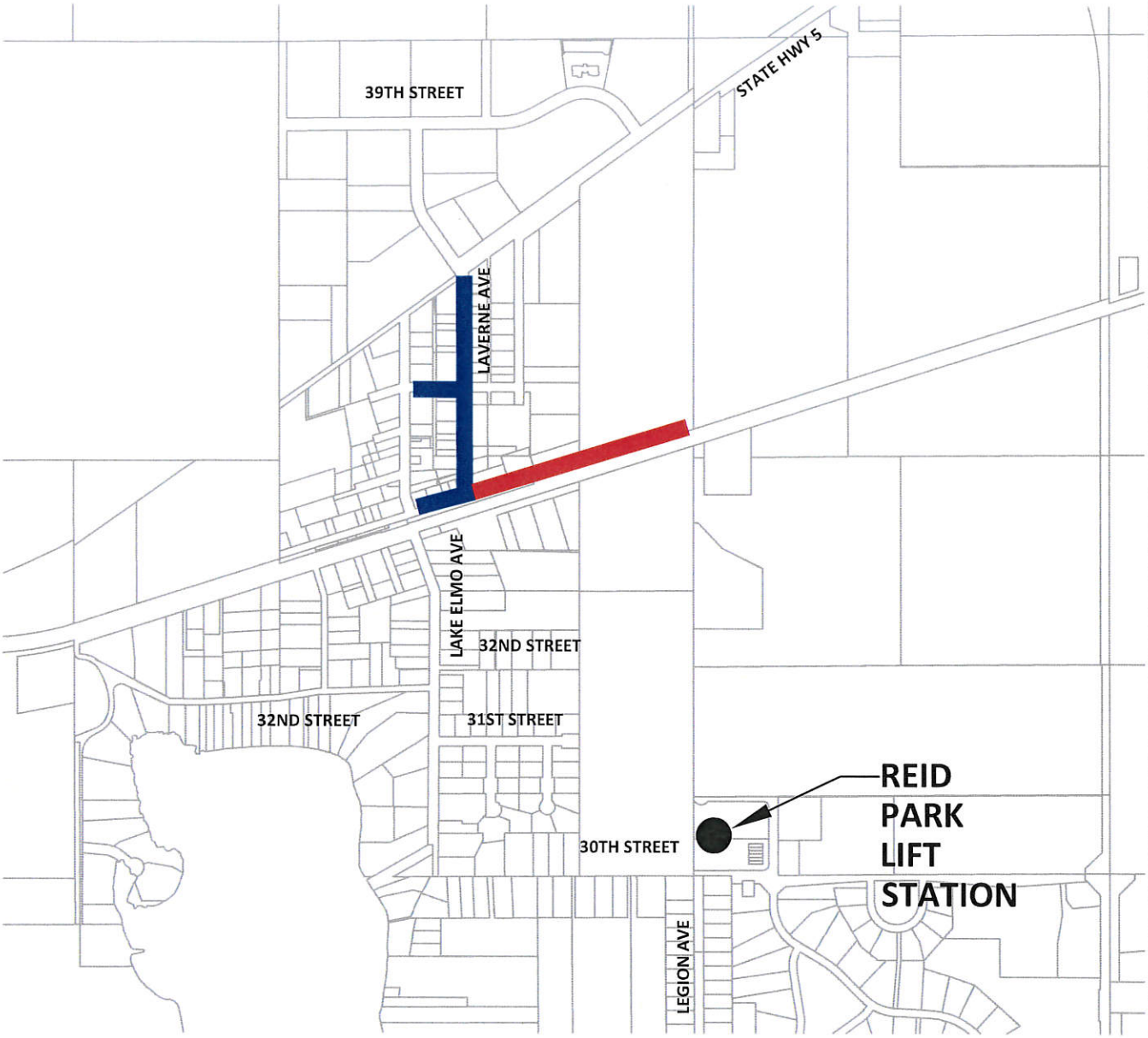
The estimated total project cost is $5,568,100. The estimated total cost of the street and landscape improvements are $1,405,900; sanitary sewer improvements are $906,300; streetscape improvements are $73,400; regional drainage improvements are $2,709,100; and water system improvements are $473,400. The streetscape improvements, watermain replacement and regional storm sewer system will not be assessed. A reasonable estimate of the impact of the assessment will be available at the hearing. Such persons as desiring to be heard with reference to the proposed improvements will be heard at this meeting.

DATED: May 19, 2015

BY ORDER OF THE LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

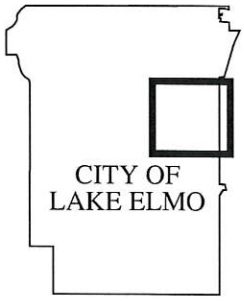
(Published in the Oakdale-Lake Elmo Review on May 27, 2015 and June 3, 2015)



LEGEND

OLD VILLAGE PHASE 1 STREETAND UTILITY IMPROVEMENTS

OLD VILLAGE PHASE 1 STREETAND UTILITY IMPROVEMENTS (SANITARY SEWER AND REGIONAL STORM SEWER ONLY)



THE CITY OF LAKE ELMO

N

FOCUS ENGINEERING

OLD VILLAGE STREET AND UTILITY IMPROVEMENTS
PROJECT NO. 2014.137
APRIL, 2015

EXHIBIT NO. 1

LOCATION MAP

OLD VILLAGE PHASE 1 STREET AND UTILITY IMPROVEMENTS

PROJECT SCHEDULE

OLD VILLAGE PHASE 1: STREET AND UTILITY IMPROVEMENTS

MAY, 2015

FOCUS ENGINEERING, inc.

Cara Geheren, P.E.	**651.300.4261**
Jack Griffin, P.E.	**651.300.4264**
Ryan Stempski, P.E.	**651.300.4267**
Chad Isakson, P.E.	**651.300.4283**

FEBRUARY 5, 2015	Council approves Municipal Consent. County proceeds with Final Design.
FEBRUARY 24, 2015	Council authorizes the preparation of a Feasibility Report.
MAY 1, 2015	County posts advertisement for bid.
MAY 19, 2015	Council accepts Report; and adopts project assessment policy. Calls Public Improvement Hearing. Submit Notice of Public Hearing for Publication.
MAY 27, 2015	Notice of Public Hearing Published (2nd Notice on June 3rd).
JUNE 2, 2015	Accept Contractor Bids. Finalize Cooperative Agreement.
JUNE 16, 2015	County Board Meeting. County accepts bids and awards Contract contingent up City award.
JUNE 16, 2015	Public Improvement Hearing. Council approves "Concurrence" to award contract. Council Orders the Improvement for the 2015 IMPROVEMENTS (Requires 4/5th vote).
OCTOBER 15, 2015	Substantial Completion.
JUNE 15, 2016	Final Completion.

THE CITY OF LAKE ELMO

MAYOR & COUNCIL COMMUNICATION

DATE: **May 19, 2015**
REGULAR
ITEM # **19**

AGENDA ITEM: InWood Final Plat and Final PUD Plans (Phase 1) and Zoning Map Amendments

SUBMITTED BY: Kyle Klatt, Community Development Director

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Nick M. Johnson, City Planner
Planning Commission
Jack Griffin, City Engineer
Greg Malmquist, Fire Chief
Stephen Mastey, City's Landscape Consultant

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item .....Community Development Director
- Report/Presentation.....Community Development Director
- Questions from Council to Staff ..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion ..... Mayor & City Council
- Action on Motion ..... Mayor Facilitates

POLICY RECCOMENDER: The Planning Commission is recommending that the City Council approve a final plat and final development plan for the first phase of the InWood PUD development. The Commission is also recommending that the City Council establish the base zoning for the entire development area in accordance with the approved concept plan. The Planning Commission considered the final plat and plans at its April 27, 2015 meeting and a summary of the Commission's report and recommendation are included below.

FISCAL IMPACT: TBD – the City will be asked to review a developer's agreement concerning the final plat on May 19, 2015. The agreement will include a detailed accounting of any development costs that will be the responsibility of the developer and/or the City.

SUMMARY AND ACTION REQUESTED: The City Council is being asked to consider a request from Hans Hagen Homes for approval of a zoning map amendment, final plat and final PUD plan for the first phase of the InWood planned residential development. The final plat

includes 40 single-family residential lots, and the related construction plans for the improvements necessary to serve these homes. The City Council approved the InWood Preliminary Plat and Preliminary PUD Plan on December 2, 2014, which covered the single family portion of the broader 158-acre project area. There are 275 single family residential lots planned within the entire subdivision, in addition to 264 multi-family units that are planned as part of latter phases. The final plat covers only a portion of the overall total of units that will eventually be platted.

The Planning Commission considered this matter at its April 27, 2015 meeting and recommended approval of the InWood Final Plat and Final PUD Plan subject to 13 conditions of approval. The suggested motions to adopt the Planning Commission recommendation is as follows:

"Move to adopt Resolution No. 2015-40 approving the Final Plat and Final PUD Plan for InWood."

In addition, the Planning Commission recommended approval of the requested zoning map amendment. The suggested motion to adopt the Planning Commission recommendation concerning the proposed zoning map amendment is as follows:

"Move to adopt Ordinance 08-120, approving the Zoning Map Amendment for the InWood Planned Unit Development."

BACKGROUND INFORMATION: Attached is the original detailed Staff report that was provided to the Planning Commission regarding the applicant's request for a zoning map amendment, final plat and final PUD plan. The staff report includes general information about the application, a summary of the relevant planning and zoning issues, a thorough review and analysis of the final plat (including a draft list of recommended conditions of approval), draft findings, and the Staff recommendation to the Planning Commission.

It should also be noted that the applicants have submitted updated final plat and final construction documents. These final plans are currently being reviewed by the City Engineer and Community Development Department. The preliminary plat was approved by the City Council on December 2, 2014, and this approval included a series of conditions that must be met by the applicant. Included in the Staff analysis is a line-by-line review of the conditions attached to the preliminary plat.

Prior to commencing with the construction of any public improvements on the site, the developer will need to receive final approval of all construction plans by the City Engineer.

PLANNING COMMISSION REPORT: The Planning Commission reviewed the final plat and final PUD application at its April 27, 2015 meeting. At the meeting, a public hearing was held, necessitated by the zoning map amendment and final PUD plan actions. No one spoke during the public hearing, and staff did not receive and written or electronic correspondence regarding the application.

The Commission discussed various aspects of the development, and recommended that a condition of approval be added to those drafted by Staff in order to address the City Engineer's recommendations concerning retaining walls throughout the development. An excerpt from the Planning Commission's April 27th meeting minutes is included as an attachment to this report.

The Planning Commission recommended approval of the InWood Final Plat and Final PUD Plan with 13 conditions of approval. The vote to recommend approval of the InWood Final Plat was unanimous among the Commissioners present (Vote: 5-0).

In reviewing the proposed zoning map amendment, the Planning Commission unanimously recommended approval (5-0) as presented. Staff is recommending the following findings for the zoning map amendment based on the Planning Commission discussion:

1) The City of Lake Elmo approved the InWood PUD Concept Plan on September 16, 2014.
2) The requested zoning map amendment is consistent with the appropriate zoning as guided by the approved InWood PUD Concept Plan.
3) Municipal sanitary sewer and water utilities are presently available to the site from the southern border.

STRENGTHS, WEAKNESSES, OPPORTUNITIES, THREATS:

Strengths: The final plat is consistent with the approved preliminary plat subject to the conditions being recommended by Staff and the Planning Commission.

Construction of the development would include all portions of the minor collector road 5th Street through the project site, which is necessary to serve the I-94 Corridor according to the City's Transportation Plan.

Weaknesses: Several conditions of approval must be met by the applicant, including revisions to the final construction plans to address comments from the City Engineer.

Opportunities: Approval of the plat application allows the development plans for the InWood planned development to proceed as planned in the Comprehensive Plan.

Moving forward with sewered single family growth should allow the City to add additional users to the City's public sanitary sewer system, helping to finance the City's investments in sanitary sewer.

Threats: None

RECOMMENDATION: The Planning Commission and Staff are recommending that the City Council approve the InWood Final Plat and Final PUD Plan subject to 13 conditions of approval. The suggested motion to adopt the Planning Commission recommendation is as follows:

"Move to adopt Resolution No. 2015-40 approving the Final Plat and Final PUD Plan for InWood."

In addition, the Planning Commission and Staff are recommending that the City Council approve the requested zoning map amendment through the following motion:

"Move to adopt Ordinance 08-120, approving the Zoning Map Amendment for the InWood Planned Unit Development."

ATTACHMENTS:

1. Resolution No. 2015-40
2. Ordinance 08-120
3. Exhibit A – Zoning Map Amendment
4. Staff Report to the Planning Commission, 4/27/15
5. City Engineer Review Comments – 4/23/15
6. InWood Park Calculations (Provided by Developer)
7. Excerpt of Planning Commission Minutes from 4/27/15
8. Application Booklet – with Table of Contents
    a. PUD Final Plan
    b. Final Plat
    c. Application Forms
    d. PUD Narrative
    e. Phasing Plan
    f. Open Space Plan
    g. Grading Plan
    h. Storm Water Plan *(Electronic Only)*
    i. Utility Plan *(Electronic Only)*
    j. Landscape and Tree Preservation Plans
    k. HOA Documents *(Electronic Only)*
    l. Example Home Elevations

CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA

RESOLUTION NO. 2015-40

A RESOLUTION APPROVING A FINAL PLAT AND FINAL PLANNED UNIT DEVELOPMENT (PUD) PLAN FOR THE FIRST PHASE OF THE INWOOD PLANNED UNIT DEVELOPMENT

WHEREAS, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, Hans Hagen Homes, 941 NE Hillwind Road, Suite 300, Fridley, MN has submitted an application to the City of Lake Elmo ("City") for a Final Plat and Final PUD Plan for the first phase of the InWood Planned Unit Development, a copy of which is on file in the City of Lake Elmo Community Development Department; and

WHEREAS, the City approved the InWood PUD General Concept Plan on September 16, 2014; and

WHEREAS, the City approved the InWood Preliminary Plat and Preliminary PUD Plan on December 2, 2014; and

WHEREAS, the proposed InWood Final Plat and Final PUD Plan includes 40 single family residential lots within the single family residential portion of the 157.2-acre InWood planned unit development located in Stage 1 of the I-94 Corridor Planning Area; and

WHEREAS, the Lake Elmo Planning Commission held public hearing on April 27, 2015 to consider the Final Plat and Preliminary PUD Plan request; and

WHEREAS, the Lake Elmo Planning Commission adopted a motion recommending approval of the Final Plat and Final PUD Plan subject to 13 conditions of approval; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Final Plat and Final PUD Plan as part of a memorandum to the City Council for the May 19, 2015 Council Meeting; and

WHEREAS, the City Council reviewed the InWood Final Plat and Final PUD Plan at its meeting held on May 19, 2015 and made the following findings of fact:

1) That the procedure for obtaining approval of said Final Plat and Final PUD plans is found in the Lake Elmo City Code, Sections 153.08 and 154.750.

2) That all the requirements of said City Code Sections 153.08 and 154.750 related to the Final Plat and Final PUD plans have been met by the Applicant.

3) That the proposed Final Plat for InWood consists of the creation of 40 single-family detached residential structures.

4) That the InWood Final Plat and Final PUD Plan is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on December 2, 2014.

5) That the InWood Final Plat and Final PUD Plan is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.

6) That the InWood Final Plat generally complies with the City's Urban Low Density Residential zoning district, with the exceptions as noted in the approved Preliminary PUD Plans and as further specified in Resolution No. 2014-094.

7) That the InWood Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances, except as noted in this report or attachment thereof.

8) That the InWood Final Plat complies with the City's subdivision ordinance.

9) That the InWood Final Plat and Final PUD Plan complies with the City's Planned Unit Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the InWood Final Plat and Final PUD Plan subject to the following conditions:

1) Final grading, drainage, and erosion control plans, sanitary and storm water management plans, landscape plans, and street and utility construction plans shall be reviewed and approved by the City Engineer prior to the recording of the Final Plat. All changes and modifications to the plans requested by the City Engineer in a memorandum dated April 23, 2015 shall be incorporated into these documents before they are approved.

2) Prior to the execution of the Final Plat by City officials, the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements for the InWood Final Plat and Final Development Plans with financial guarantees therefore.

3) All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat prior to the execution of the final plat by City Officials.

4) A Common Interest Agreement concerning management of the common areas of InWood and establishing a homeowner's association shall be submitted in final form to the Community Development Director before a building permit may be issued for any structure within this subdivision. The applicant shall also enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the final plat.

5) The developer is encouraged to incorporate elements from the Lake Elmo Theming Study into the final design of the community mailboxes within InWood.

6) The applicant shall deed Outlots C, D, F, G, I and H to the City upon recording of the final plat.

7) The applicant shall work with Community Development Director to name all streets in the subdivision in a manner acceptable to the City prior the recording of the final plat.

8) The City and the applicant shall enter into a final purchase agreement concerning the location and dedication of land associated with the proposed water tower necessary to provide adequate water service to the InWood project area prior to the execution of a developer's agreement or the recording of the final plat.

9) The final landscape plan shall be updated to address the review comments from the City's landscape architecture consultant and shall incorporate all design elements as specified in the City's 5th Street Standard Details and Design Book.

10) The developer shall update the final construction plans for 5th Street to include those portions of this road that will cross the southwest corner of Stonegate Park.

11) The developer shall update the final development plans to identify an alignment for a multi-purpose trail connection Street B to Inwood Avenue based on further review of this trail with the City of Lake Elmo and Washington County.

12) The final plat and final development plans shall include provisions satisfactory to the City that no structure be located within 15 feet of any storm water improvement (include pipes and catch basins).

13) Retaining walls within rear yard utility easements shall be clearly documented and shall be owned and maintained by the InWood homeowners' association. All costs associated with protection, replacement, or maintenance of retaining walls due to any work in easements by the City shall be the full responsibility of the HOA.

Passed and duly adopted this 19th day of May, 2015 by the City Council of the City of Lake Elmo, Minnesota.

_____
Mike Pearson, Mayor

ATTEST:

_____
Adam Bell, City Clerk

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 08-120

AN ORDINANCE AMENDING CHAPTER 154 OF THE LAKE ELMO CITY CODE OF ORDINANCES BY ADOPTIONG A REVISED OFFICIAL ZONING DISTRICT MAP RELATED TO THE INWOOD PLANNED DEVELOPMENT

SECTION 1. Zoning Map Amendment. The following property is hereby rezoned from RT - Rural Development Transitional to LDR-PUD - Urban Low Density Residential - Planned Unit Development, HDR - Urban High Density Residential and C - Commercial as depicted on the attached "Exhibit "A":

The West Half of the Southeast Quarter of Section 33, Township 29 North. Range 21 West, lying north of the north right of way line as shown on State Highway Right-of-way Plat No. 4 of 12, State Project 8282 (94-392) 902, Washington County, Minnesota. (Abstract)

AND

The Northeast Quarter of Section 33. Township 29. Range 21, less and except: Parcel No. 4 of Washington County Highway Right-of-way Plat No. 41; and Parcel No. 3 of Washington County Highway Right-of-way Plot No. 42, Washington County, Minnesota. (Torrens)

SECTION 2. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 3. Adoption Date. This Ordinance 08-120 was adopted on this 19th day of May 2015, by a vote of ___ Ayes and ___ Nays.

LAKE ELMO CITY COUNCIL

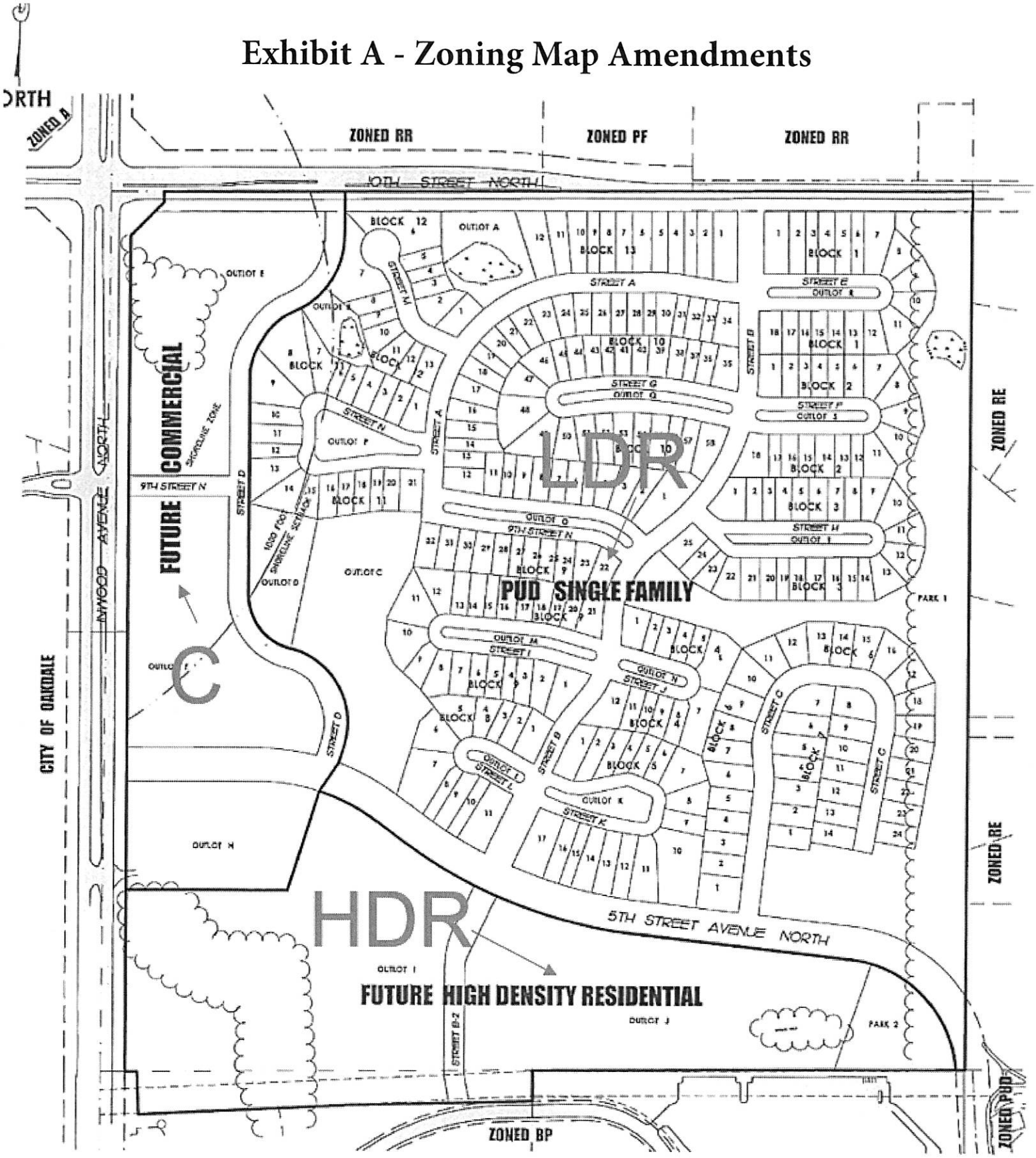
_____
Mike Pearson, Mayor

ATTEST:

_____
Adam Bell, City Clerk

This Ordinance 08-120 was published on the ____ day of _____, 2015.

Exhibit A - Zoning Map Amendments



PLANNING COMMISSION
DATE: 4/27/15
AGENDA ITEM: 4A – PUBLIC HEARING
CASE # 2015-12

ITEM: InWood Final Plat and Final PUD Plans (Phase 1)

SUBMITTED BY: Kyle Klatt, Planning Director

REVIEWED BY: Nick Johnson, City Planner
Jack Griffin, City Engineer

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider a request to approve a final plat, final PUD development plans, and related zoning map amendments associated with the first phase of the InWood PUD development. The final plat includes 40 single family residential lots that will be located within the southern portion of the development along with all portions of the 5th Street right-of-way through the PUD development area. The developer is also seeking approval of amendments to the City's Zoning Map that will establish the base zoning for the entire development area. Staff is recommending approval of the request subject to compliance with the conditions listed in this report.

GENERAL INFORMATION

Applicant: Hans Hagen Homes (John Rask), 941 NE Hillwind Rd. Suite 300, Fridley, MN and Inwood 10, LLC (Tom Scheutte) 95 S Owasso Blvd. W., St. Paul, MN

Property Owners: Inwood 10, LLC (Tom Scheutte), 95 S Owasso Blvd. W., St. Paul, MN

Location: Part of Section 33 in Lake Elmo, south of 10th Street (CSAH 10), north of Eagle Point Business Park, east of Inwood Avenue (CSAH 13) and west of Stonegate residential subdivision. PIDs: 33.029.21.12.0001, 33.029.21.12.0003, 33.029.21.11.0002 and 33.029.21.11.0001.

Request: Application for Final Plat and Final Planned Unit Development (PUD) Plan approval for the first phase of a mixed-use development to be named InWood. The final plat includes 40 single-family residential lots, while the remainder of the site will be platted as outlots for either public dedication or to be reserved for future development. The applicant is requesting a rezoning to establish the base zoning for the overall area included in the concept plan.

Existing Land Use and Zoning: Vacant land used for agricultural purposes. Current Zoning: RT– Rural Transitional Zoning District; Proposed Zoning: LDR – Low Density Residential, HDR – High Density Residential and C – Commercial (all with PUD overlay)

Surrounding Land Use and Zoning: North: Vacant agricultural land and two residential homes – RR and PF zoning; West: Oak Marsh Golf Course, urban single family subdivision, commercial – City of Oakdale jurisdiction;

South: Offices in Eagle Point Business Park (including Bremer Bank facility) – BP zoning; East: Stonegate residential estates subdivision – RE zoning.

Comprehensive Plan: Urban Low Density Residential (2.5 - 4 units per acre)
Urban High Density Residential (7.5 – 15 units per acre)
Commercial

History: The site has historically been used for agricultural purposes; there is no specific site information on file with the City (the property was subject to development speculation at various times in the past). The applicants have summited a mandatory Environmental Assessment Worksheet (EAW) for the development and the comment period for the EAW ended on October 29, 2014. The City Council adopted a resolution declaring no need for an EIS (Environmental Impact Statement) at its December 2, 2014 meeting. The City Council approved the general concept plan for the development at its September 16, 2014 meeting and approved the preliminary development plans at its December 2, 2014 meeting.

Deadline for Action: Application Complete – 3/27/15
60 Day Deadline – 5/26/15
Extension Letter Mailed – No
120 Day Deadline – 7/25/15

Applicable Regulations: Chapter 153 – Subdivision Regulations
Article 10 – Urban Residential Districts (LDR)
Article 16 – Planned Unit Development Regulations
§150.270 Storm Water, Erosion, and Sediment Control

REQUEST DETAILS

The City of Lake Elmo has received a request from Hans Hagen Homes and InWood 10, LLC for approval of a final plat and final PUD plan associated with the first phase of the InWood Planned Unit Development (PUD). The final plat consists of four primary components that will initiate development of a much larger development project that will ultimately include single family residential, multi-family residential, and commercial buildings over the applicants' entire 160 acre parcel. The initial development components included as part of the final plat request include the following:

- A final plat for the first 40 single family homes within the development. The proposed houses are part of planned 275 "lifestyle" houses that will be slab-on-grade construction with common open space around each home.
- The platting and construction of all portions of 5th Street that bisects the applicants' site, connecting Inwood Avenue to the planned 5th Street connection within the Boulder Ponds development.
- Mass grading of the entire site and the construction of the public and private infrastructure necessary to serve the initial project phase. This infrastructure will include a sewer connection into the Eagle Point Business Park and the construction of the road connecting 5th Street to Eagle Point Boulevard.

- The platting of all other portions of the larger development area into outlots to facilitate either the future transfer of these outlots to the City for park or storm water management purposes or the replatting of lots into future project phases.

Please note that the attached application materials provided by the applicant include maps and plans that cover the entire development site (including grading, landscape, and others) while the final plat and certain construction plans are specific to the first phase. Staff has not provided copies of the overall PUD development plans, but these are available as part of previous Planning Commission agendas and are on file in the Planning Department.

In advance of submitting an application for a final plat, the developer worked with the City and other external agencies to address the conditions attached to the City's approval of the preliminary plat. The end result of this process was a revised preliminary plat and associated plans dated March 27, 2015 that were deemed compliant with the previous conditions of approval by the City. There are a few minor issues that need to be addressed as noted in the City Engineer's review memorandum, but none significant enough that they cannot be resolved through revisions to the final development plans. Staff has provided an update concerning the preliminary plat conditions in the latter sections of this report.

The applicant has submitted a binder with all final plat and PUD development plan submissions to the City, which includes the final plat, project narrative, phasing plan, grading plans, street and utility plans, landscape plan, proposed HOA documents, and example home elevations and designs. The first phase of the project will located immediately north of 5th Street roughly halfway between Inwood Avenue and the eastern project boundary. All of the proposed lots are located within the "lifestyle" housing portion of the site, and subsequent phases would generally continuing with the platting of additional single family lots further to the north. There are no specific time frames associated with the commercial or multi-family areas, which will need further City review and approval the preliminary stage of review.

One of the significant elements of the final development plans is the construction of the 5th Street minor collector road over the entire development area. Unlike other developments within Section 34, the developer is not proposing to phase the construction of 5th Street with future project phases, and instead will undertake all of this work as part of phase one. This will help establish the road in advance of all future development activity, and will help provide a connection to the adjacent Boulder Ponds development (which will eventually connect through Boulder Ponds and Savona all of the way to Keats Avenue). The developer has proposed a landscape design for 5th Street that does need to be updated to reflect the City's final design for road. Because this final design was completed shortly after Inwood has submitted its plans, Staff is recommending that the landscape architect review the design for consistency with the City's plans and direct the applicant to make any changes necessary to bring the landscaping into conformance with City's design standards for the roadway.

The applicant has provided an updated grading, erosion control, and storm water management plan that has also been approved by the South Washington Watershed District. In advance of final plat approval, the developer has also applied for an interim grading permit to begin grading the site in accordance with the approved preliminary plans.

The revised preliminary plat and plans address other review comments as noted in the following section of this report. As the applicant has worked to address the previous review comments and conditions of approval, there have been some minor modifications to the configuration of some lots within the subdivision. These changes directly address preliminary plat review comments, and more specifically respond to the following:

- Two access points on 5th Street have been eliminated consistent with the preliminary plat review comments: a secondary access between Street D and Inwood Avenue and the eastern leg of a loop road into the City park (Outlot L).
- A public road through Outlot L has been eliminated and the primary access to the City park will be from Street C and off of 5th Street.
- Trails that encroached into wetland setback areas have been moved outside of these areas.

The City's subdivision ordinance establishes the procedure for obtaining final subdivision approval, in which case a final plat may only be reviewed after the City takes action on a preliminary plat. As long as the final plat is consistent with the preliminary approval, it must be approved by the City. Please note that the City's approval of the Inwood Preliminary Plat and Plans did include a series of conditions that must be met by the applicant, which are addressed in the "Review and Analysis" section below. Because the application is for approval of a final PUD plan, the request does require a public hearing to establish the final PUD zoning for the first phase of the development.

As part of the request for final PUD approval, the applicant is also requesting to establish the base zoning for the entire project area. With the City's approval of the preliminary plat and PUD plans and the proposed platting of the future development areas into outlots (and with the extension of public services proposed with the final plat), it is appropriate to establish the zoning for each portion of the site at this time. Staff has revised the applicant's Zoning and Phasing Map to specifically denote the specific zoning for each portion of the site that will be applied to the official zoning map. In this case, all single-family areas will be rezoned from RT – Rural Transitional to LDR – Urban Low Density Residential, all multi-family areas will be rezoned from RT to HDR – Urban High Density Residential, and the commercial areas will be rezoned from RT to C – Commercial. With the base zoning in place, the City will be able to proceed with establishing a PUD overlay district for the portions of the site that receive final plan approval.

Staff has reviewed the final plat and found that it is consistent with the preliminary plat that was approved by the City with the exceptions as noted below and as listed in the City Engineer's report. These exceptions can be addressed with the submission of revised final plans, and primarily relate to details that need to be worked out before final approval of the construction plans. The City Engineer and Landscape Architect have reviewed the final plat, although the final report from the Landscape Architect is still forthcoming. Although there are some additional revisions to the final construction plans that will need to be addressed by the applicant, the remaining revisions are relatively minor and can be made before the City releases the final plat for recording.

PLANNING AND ZONING ISSUES

The InWood development includes a request for a Planned Unit Development and some related flexibility as permitted under this ordinance. In order to grant a PUD, an applicant is required to demonstrate compliance with the City's PUD applicant requirements and PUD Objectives. These requirements and objectives were previously detailed with the applicants' preliminary plan submissions. For the most part, the single family portion of the development is consistent with the zoning requirements for the City's LDR – Low Density Residential Zoning District, with the exceptions that were discussed during the concept and preliminary plan review and are summarized as follows:

Setback	**LDR Zoning District (Min.)**	**Inwood PUD (Min.)**
Front Yard	25 feet	20 feet

Interior Side Yard	10 Feet Principal Structure Side / 5 Feet Garage Side	4 Feet
Rear Yard	20 feet	20 feet
Lot Area	8,000 square feet	4,250 square feet
Lot Depth	N/A	110 feet
Lot Width	60 feet	38 feet

All other requirements for the City's LDR zoning district will apply, including the allowed uses and other site and development standards.

Please note that the above table includes some minor modifications from the numbers originally proposed by the developer and are being recommended by Staff in order to ensure that there is sufficient flexibility to construct the subdivision as proposed. The purpose of this table is to document the minimum expectation for lots and homes in the development, and is otherwise consistent with the development plans. Staff also recommended these numbers to account for minor revisions between the preliminary and final plat review (for issues such as wetland buffers, provision of adequate storm water infiltration areas, and road adjustments that are necessary for the development to comply with all applicable City development and engineering standards).

The overall site plan for the property follows the adopted concept plan very closely, and the final plat and plans are consistent with preliminary plat as well. The following is a general summary of the subdivision design elements that have proposed as part of the InWood final plat and plans:

Zoning and Site Information:

- Existing Zoning: RT – Rural Development Transitional District
- Proposed Zoning: LDR
- Total Site Area: Final Plat Area +/- 15 acres outside of road ROW
- Total Residential Units: 40 (out of 275 approved single family units)
- Proposed Density (Net): Single Family – 3.0 units per acre

Proposed Lot Dimensional Standards through Planned Unit Development Process:

- As listed above

Proposed Street Standards:

- ROW Width – Local 60 ft. (per Subdivision Ordinance)
- ROW Width – Minor Collector 100 ft. (Engineering Standard)
- ROW Width – Loop Roads 40 ft. (one way segment with median)
- Street Widths – Local: 28 ft. (per City standard)
- Street Widths – Loop Roads 24 ft. (one way)

The standards listed above are all either in compliance with the applicable requirements from the City's zoning and subdivision regulations, or are consistent with requested modifications through the proposed planned unit development (PUD). Based on Staff's review of the Preliminary Plat and Preliminary PUD Plan, the applicant has generally demonstrated compliance with the majority of the applicable codes, and the requested modifications or flexibilities as allowed under the City's PUD Ordinance represent a reasonable request given the various design goals the applicant it trying to achieve.

As part of the Staff recommendation below, Staff is recommending that the Planning Commission adopt specific zoning map amendments using the applicant's provided zoning map and phasing plan as a guide for these amendmnets.

REVIEW AND ANALYSIS

The preliminary plat and plans for InWood were approved with several conditions, which are indicated below along with Staff's comments on the status of each. Staff is recommending approval of the final plat and plans with conditions intended to address the outstanding issues that will require additional review and/or documentation. Staff is also recommending approval of the Zoning Map amendments to establish the base zoning throughout the larger development area. In order to assist the Planning Commission with its review, Staff is also including a summary the critical issues that need to be resolved for the subdivision to move forward.

Critical Issues Summary:

1) ***Water Tower Site***. The City's water supply plan, last updated as part of the 2008 Comprehensive Plan Update, indicates that a water tower is necessary to serve this area in order to provide adequate water system operations to serve the additional units (both commercial and residential REC units) within the proposed development area. Although the Comprehensive Plan does identify a water tower southwest of the 10th Street and Inwood Avenue intersection of the applicant's property, the land owner and the City have reached an agreement to site the tower roughly midway between 15th Street and 10th Street along Inwood Avenue on land currently owned by the co-applicant (Inwood 10, LLC). The City Attorney is drafting a final agreement for the purchase of this land, and this agreement will need to executed prior to work commencing on the public improvements within the InWood PUD development.

2) ***5th Street Design and Construction***. The City's review of the preliminary development plans included a fairly extensive review of the proposed alignment and design of 5th Street. The design that ultimately has been approved and recommended by the City Engineer includes a slightly tighter curve and transition between InWood and Boulder Ponds, and will result in a speed reduction notification at this curve. In general, Staff believes that this represents a fair compromise to ensure that the road is situated in a location that minimizes impacts to all adjacent properties, including the Bremer Bank Facility and Stonegate Park. In order to address the last remaining "gap" between Boulder Ponds and Inwood where four properties meeting, Staff is recommending that the developer be responsible for the design and construction of the road across the extreme southwestern corner of the Stonegate Park property. The City also needs to formally vacate a small portion of the parkland in order to provide the right-of-way necessary to bring the road across this property (or find another appropriate mechanism such as easements for the roadway). Staff will be working with the developer to finalize the construction plans for 5th Street and to deal with any other associated issues prior to the execution of a development agreement for the project.

3) ***Park Land Dedication and Trails***. The overall trail plan has been revised form the original preliminary plat submission in order to address previous review comments. The one exception is the northern trail segment that will be required along 10th Street. The developer is asking to address the specific alignment and location of this trail as part of a future project submission in order to more fully consider whether the trail should be constructed on the north or south side of 10th Street. In general, there are valid reasons for choosing either

location, but ultimately, both Staff and the developer would like continue discussing this matter with Washington County prior to making any final decisions.

4) ***Inwood Avenue Improvements***. Washington County has previously provided review comments to the City that describe the type of improvements that will be necessary at Inwood Avenue and 5th Street in order to support current and planned development around this intersection. Because these improvements will ultimately include a signalized intersection in this location, Staff is recommending that the developer share in the costs associated with the City's portion of any future signal improvements. All other improvements as recommended by the County will be the developer's responsibility to construct with the other public improvements.

5) ***General Review Comments***. All other recommended conditions of approval relate to final details that must be addressed by the applicant and can be handled prior to release of the final plat for recording.

In order to provide the Planning Commission with an update concerning the conditions associated with the preliminary plat and plans for InWood, Staff has prepared the following:

Preliminary Plat Conditions – With Staff Update Comments (updated information in bold italics):

1) The applicant shall work with Community Development Director to name all streets in the subdivision in a manner acceptable to the City prior to the submission of final plat. ***Comments: Street naming within new subdivisions has been a point of discussion at the City Council level recently, and Staff is holding off on naming new streets in order to receive further direction from the City Council on this matter. In general, the City Council has not supported strict adherence to the County naming system, and would like to consider some additional options for streets that may align with each other without connecting. Since this is not a developer responsibility, Staff is recommending that the final street names be included on the final plat after further discussion on this subject with the City Council.***

2) The City and the applicant shall reach an agreement concerning the location and dedication of land associated with the proposed water tower necessary to provide adequate water service to the InWood project area prior to the acceptance of a final plat for any portion of the PUD area. ***Comments: The final agreement concerning the water tower site is presently under review by the City Attorney as noted above and should be completed prior to the construction of public utilities within the project area. Since the final execution of the purchase agreement still needs to the finalized, this condition should be carried forward as part of the City's final plat decision.***

3) The preliminary landscape plan shall be updated to address the review comments from the City's landscape architecture consultant as noted in a review letter dated November 18, 2014. ***Comments: The landscape plan has been updated and has been distributed to the landscape architect for final review. Any final comments should be incorporated into the plans prior to construction. The landscape plans will need to be updated to address the City's final design and standards for 5th Street (this information has been provided to the developer). The landscape architect is also asking for further documentation concerning the preservation and protection of trees in the eastern portion of the site.***

4) Prior to the submission of a final plat for any portion of the InWood PUD, the developer shall reach agreement with the City to determine the appropriate park dedication calculations for the entire development area. ***Comments: The developer is indicated that the overall park land that***

will be dedicated as part of the development will total 12.49 acres, and has provided an analysis of the City's requirements taking into account the requirements for commercial development areas as well as residential areas. The developer's calculations have been included as an attachment to this report. Staff is concerned that the developer appears to be using a net acreage calculation whereas the City Code requires park land dedication to be calculated on a gross acreage basis. In either case, the updated preliminary plans show that 12.49 acres of park land will be dedicated with the plat. Any amount short of the requirements will need to be recovered as a fee in lieu of land dedication. Staff will work with the developer to finalize these numbers prior to the Planning Commission meeting. No park land is planned for dedication with the first project phase; the developer's agreement will address the developer's obligations for future dedications as required by the City.

5) As part of any development agreement that includes improvements to one of the adjacent County State Aid Highways (CSAH 13 and 10th Street), the City and the developer shall determine the appropriate responsibility for the cost of these improvements. ***Comment: This condition will be addressed as part of a development agreement with the developer to construct the public improvements.***

6) The applicant must enter into a separate grading agreement with the City prior to the commencement of any grading activity in advance of final plat and plan approval. The City Engineer shall review any grading plan that is submitted in advance of a final plat, and said plan shall document extent of any proposed grading on the site. ***Comment: the developer has met this condition and has commenced grading work on the site.***

7) The applicant shall continue to work with the City on the final design of 5th Street, and in particular, the transition from the InWood PUD to properties located further to the east (including the Boulder Ponds development and land owned by Bremer Financial Services). ***Comment: The final plans include a final design for 5th Street that addresses the City Engineer's requirements. There will need to be final adjustments to the plans prior to final approval; however, the alignment and design as submitted addresses the previous review comments. Staff has noted the City action that will be necessary to connect the road across the southwest corner of Stonegate Park, and this action will be scheduled for a future Council meeting.***

8) The utility construction plans shall be updated to incorporate the recommendations of the City Engineer concerning the appropriate location and size of sewer services through the PUD planning area, including any requested oversizing of these facilities to service adjacent properties. ***Comments: The plans have been updated accordingly. Final review will be required before construction may commence on the site.***

9) The proposed public street access to 5th Street from Streets D2 and the southeast park area (Park 1) shall be eliminated from the preliminary development plans in order to bring the proposed spacing into conformance with the City's access spacing guidelines. The developer shall provide access into the park to the satisfaction of the City Engineer. ***Comments: The preliminary plans have been updated to remove these connections.***

10) All center median planting areas as depicted on the preliminary plat and plans shall be owned by the City of Lake Elmo and maintained by the Home Owners Association. The applicant shall enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park, trails, or open space on the final plat. ***Comments: The maintenance agreement will be incorporated into the developer's agreement.***

11) The applicant must either move the planned north/south tail through Park 1 further to the west around an existing wetland area located approximately 400 feet south of 10th Street or will need to work with the South Washington Watershed District to design a multi-purpose trail through the buffer area that complies with all applicable watershed district's requirements. ***Comments: The preliminary plans have been updated accordingly.***

12) The Final Plat and Plans must address the requested modifications outlined in the City Engineer's review memoranda dated November 16, 2014 and November 24, 2014. ***Comments: The City has received updated plans that have been reviewed and approved by the City Engineer.***

13) The applicant shall be responsible for updating the final construction plans to include the construction of all improvements within County rights-of-way as required by Washington County and further described in the review letter received from the County dated November 17, 2014. ***Comments: The plans have been updated and are pending final approval by the County.***

14) Prior to recording the Final Plat for any portion of the area shown in the Preliminary Plat, the Developer shall enter into a Developers Agreement acceptable to the City Attorney that delineates who is responsible for the design, construction, and payment of public improvements. ***Comments: A developer's agreement will be submitted to the City Council either with or shortly after the final plat is approved.***

15) The developer must follow all the rules and regulations of the Wetland Conservation Act, and adhere to the conditions of approval for the South Washington Watershed District Permit. ***Comments: These requirements will apply for all project phases moving forward. The developer has secured a permit from South Washington Watershed District which has allowed grading to start on the site.***

16) The developer shall provide landscape material along the west side of Pond #200 to the satisfaction of the City's landscape consultant. ***Comments: The landscape plan has been updated to incorporate additional plantings in this portion of the site.***

17) The developer shall incorporate elements from the Lake Elmo Theming Study at the intersection of 5th Street and Inwood Avenue. ***Comments: The developer is proposing some unique theming elements along 5th Street; however, these improvements are focused around the primary entrance into the residential subdivision and not at Inwood Avenue. Staff will discuss this matter with the development and City's landscape architect prior to the meeting.***

18) The developer shall install a multi-purpose trail along 10th Street between "Street B" and Inwood Avenue. ***Comments: Please refer to the Staff comments in the preceding section of this report. The final alignment for this trail is a decision that will need to be made at a future date.***

19) The multi-purpose trail through the eastern buffer area shall be kept as far west on the applicant's property as possible, and the final alignment of this trail shall be subject to review by the City's landscape consultant. ***Comments: The final location of the trail attempts to balance the City's request for a larger setback with the goal of preserving as many trees as possible within this buffer area. Staff is recommending that final alignment of the trail be staked on the site and subject to further review and approval by the City.***

Staff is recommending certain conditions that been specifically identified as part of the final plat review, and that have not otherwise been addressed by the applicant, be addressed as part of the Planning Commission's recommendation to the City Council. The City Engineer's review letter does identify several issues that need to be addressed by the developer in order for the City to deem the

final plans complete. Of particular concern to the City Engineer is maintaining an appropriate setback between individual homes and storm water pipes being installed in rear yards. Staff is recommending that City Officials not sign the final plat mylars until the City's construction plan review is finalized and all necessary easements are documented on the final plat.

Based on the above Staff report and analysis, Staff is recommending approval of the final plat and final development plans for phase one with several conditions intended to address the outstanding issues noted above and to further clarify the City's expectations in order for the developer to proceed with the recording of the final plat.

The recommended conditions are as follows:

Recommended Conditions of Approval:

1) Final grading, drainage, and erosion control plans, sanitary and storm water management plans, landscape plans, and street and utility construction plans shall be reviewed and approved by the City Engineer prior to the recording of the Final Plat. All changes and modifications to the plans requested by the City Engineer in a memorandum dated April 23, 2015 shall be incorporated into these documents before they are approved.

2) Prior to the execution of the Final Plat by City officials, the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements for the InWood Final Plat and Final Development Plans with financial guarantees therefore.

3) All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat prior to the execution of the final plat by City Officials.

4) A Common Interest Agreement concerning management of the common areas of InWood and establishing a homeowner's association shall be submitted in final form to the Community Development Director before a building permit may be issued for any structure within this subdivision. The applicant shall also enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the final plat.

5) The developer is encouraged to incorporate elements from the Lake Elmo Theming Study into the final design of the community mailboxes within InWood.

6) The applicant shall deed Outlots C, D, F, G, I and H to the City upon recording of the final plat.

7) The applicant shall work with Community Development Director to name all streets in the subdivision in a manner acceptable to the City prior the recording of the final plat.

8) The City and the applicant shall enter into a final purchase agreement concerning the location and dedication of land associated with the proposed water tower necessary to provide adequate water service to the InWood project area prior to the execution of a developer's agreement or the recording of the final plat.

9) The final landscape plan shall be updated to address the review comments from the City's landscape architecture consultant and shall incorporate all design elements as specified in the City's 5th Street Standard Details and Design Book.

10) The developer shall update the final construction plans for 5th Street to include those portions of this road that will cross the southwest corner of Stonegate Park.

11) The developer shall update the final development plans to identify an alignment for a multi-purpose trail connection Street B to Inwood Avenue based on further review of this trail with the City of Lake Elmo and Washington County.

12) The final plat and final development plans shall include provisions satisfactory to the City that no structure be located within 15 feet of any storm water improvement (include pipes and catch basins).

DRAFT FINDINGS

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Easton Village Final Plat:

- That all the requirements of City Code Section 153.07 related to the Final Plan and Final Plat have been met by the Applicant.

- That the proposed Final Plat for InWood consists of the creation of 40 single-family detached residential structures.

- That the InWood Final Plat and Final PUD Plan is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on December 2, 2014.

- That the InWood Final Plat and Final PUD Plan is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.

- That the InWood Final Plat generally complies with the City's Urban Low Density Residential zoning district, with the exceptions as noted in the approved Preliminary PUD Plans.

- That the InWood Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances, except as noted in this report or attachment thereof.

- That the InWood Final Plat complies with the City's subdivision ordinance.

- That the InWood Final Plat and Final PUD Plan complies with the City's Planned Unit Development Ordinance.

- That the InWood Final Plat is consistent with the City's engineering standards with the exceptions noted by the City Engineer in his review comments to the City dated April 23, 2015.

RECCOMENDATION:

Staff recommends that the Planning Commission recommend approval of the Final Plat and Final Development Plans for InWood with the 12 conditions of approval as listed in the Staff report.

Staff further recommends that the Planning Commission recommend approval of amendments to the City's Zoning Map to rezone land within the InWood PUD development area from RT Rural Transitional and as depicted in the "Zoning and Phasing Map" dated 2/16/15 and submitted by the developer to the following:

- PUD Single Family: LDR – Low Density Residential
- Future High Density Residential – HDR – High Density Residential
- Future Commercial: C - Commercial

Suggested motions:

"Move to recommend approval of the requested Zoning Map Amendment for the InWood planned development based on the findings of fact listed in the Staff Report."

"Move to recommend approval of the InWood Final Plat and Final PUD Plan with the 12 conditions of approval as drafted by Staff based on the findings of fact listed in the Staff Report."

ATTACHMENTS:

1. City Engineer Review Comments – 4/23/15
2. InWood Park Calculations (Provided by Developer)
3. Application Booklet – with Table of Contents
    a. PUD Final Plan
    b. Final Plat
    c. Application Forms
    d. PUD Narrative
    e. Phasing Plan
    f. Open Space Plan
    g. Grading Plan
    h. Storm Water Plan
    i. Utility Plan
    j. Landscape and Tree Preservation Plans
    k. HOA Documents
    l. Example Home Elevations

SUGGESTED ORDER OF BUSINESS:

- Introduction.....Planning Staff
- Report by Staff.....Planning Staff

- Questions from the Commission ..... Chair & Commission Members
- Open the Public Hearing .....Chair
- Close the Public Hearing.....Chair
- Discussion by the Commission ..... Chair & Commission Members
- Action by the Commission..... Chair & Commission Members

MEMORANDUM

FOCUS ENGINEERING, inc.

Cara Geheren, P.E.	**651.300.4261**
Jack Griffin, P.E.	**651.300.4264**
Ryan Stempski, P.E.	**651.300.4267**
Chad Isakson, P.E.	**651.300.4283**

Date: April 23, 2015

To: Kyle Klatt, Planning Director

From: Jack Griffin, P.E., City Engineer

Re: Inwood – PUD Final Plat and Revised Preliminary Plans

An engineering review has been completed for the Inwood PUD Final Plat and Revised Preliminary Plan submittal for the Inwood PUD. The submittal consisted of the following documentation prepared by Carlson-McCain and E.G. Rud & Sons, Inc.:

- Inwood PUD Preliminary Plan Set, Sheets 1-30, dated April 10, 2015.
- Inwood Final Plat, dated March 26, 2015.

STATUS/FINDINGS: Engineering has prepared the following review comments:

REVISED PRELIMINARY PLAT

- Additional utility easements are still required or other building restriction provisions are necessary to assure that no building can be constructed within 15 feet of a City utility pipe. Currently only 10 foot easements are provided for proposed storm sewer pipe along Lots 1-7 Block 2, Lots 1-7 Block 5, Lots 1-5 Block 9, Lots 12-21 Block 9, Lots 6-8 Block 10, and Lots 35-48 Block 10. Additional easement is also required for the southwest corner of Lot 12 Block 10.
- Retaining walls are proposed within rear yard utility easements throughout much of the development. It should be clearly documented that the retaining walls remain within the ownership of the HOA even though they are within drainage and utility easements. It should be further documented that any and all costs associated with protection, replacement or maintenance of retaining walls due to any work in the easements by the City, shall be the full responsibility of the HOA.
- The 12-inch trunk watermain along 10th Street, between Street B and the easterly plat limits should be relocated to the south side of the CSAH 10 R/W. The pipe should be placed within a utility easement dedicated to the City.
- The plan note for the 5th Street horizontal curve on the preliminary site and grading plans must be revised to include "The westbound lane of 5th Street North shall include a 2.5% super elevation slope from STA 24+50 to STA 29+00 with 150 foot transitions on each end. The curve shall be posted with a 35 MPH Speed Advisory per MSA standards".

INWOOD FINAL PLAT

- Final Plat should be contingent upon the applicant expanding utility easements or other building restriction provisions to assure that no building can be constructed within 15 ft of a City utility pipe. Currently only 10 foot easements are provided for proposed storm sewer pipe along Lots 1-6 Block 1 and Lots 13-19 Block 2.

- Retaining walls are proposed within rear yard utility easements for Lots 7-12, Block 2 (and for future Lots in Outlot E). It should be clearly documented that the retaining walls remain within the ownership of the HOA even though they are within drainage and utility easements. It should be further documented that any and all costs associated with protection, replacement or maintenance of retaining walls due to any work in the easements by the City, shall be the full responsibility of the HOA.
- The design and construction of 5th Street North shall be completed in accordance with the City design standards for 5th Street including streetscape amenities consistent with the remaining corridor segments and the design standards previously established by the City. Design elements include a center landscape median, street lighting, and theming elements.

FINAL CONSTRUCTION PLANS

- No street and utility construction can occur on the site until the applicant has received City Engineer approval for the final construction plans, has obtained all applicable permits for the Subdivision, and has scheduled a preconstruction notice through the City's engineering department.
- The Final Plat shall not be recorded until final construction plan approval is granted.
- Final Construction Plans and Specifications must be prepared in accordance with the City Engineering Design Standards Manual using City details and specifications and meeting City Engineering Design Guidelines.
- Final construction plan review comments will be provided separately to assist the applicant with the completion of Final Construction Plans.

InWood Park Calculations

Total Site Area	157.18
5th Street Right of Way	6.39
Wetlands and Ditch	0.96
Net Acres	149.83
Total Residential	114.7
Total Commercial	35.13
Total Net Acres	149.83
Inwood Land Area	
Single Family Land Area/including pond	95.71
High Density Residential	18.99
Total Residential	114.7
Park North of 5th Street	
Buffer and Parkland	12.11
Ponds	1.15
Wetland	0.23
Net Parkland	10.73
Park South of 5th Street	1.76
Total Parkland	**12.49**
Residential Required Park	**11.47**
Commercial Required Park	
Commercial Acres	35.13
Commercial Fee Per Acre	$ 4,500
Total Park Fee	$ 158,085
Land Dedication Equivalent	2.63
Total Park Required	14.1
Total Park Dedicated	13.4
Park Shortage	(0.7)

City of Lake Elmo
Planning Commission Meeting
Minutes of April 27, 2015

Chairman Dodson called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m.

COMMISSIONERS PRESENT: Dodson, Kreimer, Larson, Dorschner and Fields

COMMISSIONERS ABSENT: Williams, Griffin and Haggard

STAFF PRESENT: Community Development Director Klatt and City Planner Johnson

Approve Agenda:

The agenda was amended to move the Village Preserve Final Plat before the freeway sign code amendment.

Approve Minutes: April 13, 2015

M/S/P: Dorschner/Fields move to approve minutes as presented, ***Vote: 5-0, motion carried unanimously***.

Public Hearing: Final Plat and Final PUD Plans – Inwood PUD

Klatt began presentation by discussing the requested Zoning Map Amendment.

Klatt presented the phasing plan of the InWood Development. The first phase of the development includes 40 lots located in the central portion of the site. In addition, the first phase includes the entire construction of 5th Street from Inwood Ave. (CSAH 13) to the Boulder Ponds development.

Klatt noted that the construction of the 10th street trail is not shown on the plans. He noted that the developer and City would like to further discuss the location and design of the 10th Street trail prior to completing the design work. With 5 subsequent phases to the development anticipated, staff is comfortable that this improvement is not shown at this time.

Klatt talked about the landscape plan changes.

Klatt moved on to discuss the critical issues, starting with the water tower site. He noted that the co-applicant owns the site north of 10th Street, which is the proposed location for the water tower. The City and the landowner are close to finalizing a purchase

agreement for the water tower site. The site has been surveyed and soil borings have been taken to confirm that a water tower can be built on the site.

The next critical issue is the design and construction of 5th Street. Klatt noted that the curve into the Boulder Ponds development will include a reduced speed, while maintaining a safe design. In addition, it will be necessary to vacate a small portion of the Stonegate Park as part of dedicating the necessary right-of-way at the pinch point.

With regards to the parkland dedication and trails, Klatt noted that the buffer trail will need to be field staked in order to determine the best alignment that reduces impacts to existing trees and is closer to the Inwood development than the Stonegate neighborhood. In addition, staff worked with the applicant to submit an updated parkland dedication calculation. Upon review of the proposal, it was determined that the applicant was 0.8 acres short. Staff is confident this can be addressed via fees in lieu of land dedication as part of the developers agreement.

Related to Inwood Ave., Klatt shared that a traffic signal will be required at the intersection of 5th Street and Inwood at some point in the future. Staff is recommending that the applicant contribute to the City's portion of the traffic signals when they need to be constructed. In addition, the applicant must finalize plans for improvements to Inwood Ave. as directed by Washington County.

Klatt noted that staff is recommending approval of the Final Plat and Final PUD Plan. He then summarized the 12 recommended conditions of approval. Also, he presented the draft findings for approval of the Inwood final Plat and Final PUD Plan. Klatt presented the two recommended motions.

Kreimer asked about the location of the improvements, noting that phase 1 platting does not include areas south of 5th Street. Klatt noted that this area is being platted as an outlot, and utility connections will need to be made to Eagle Point Boulevard. Kreimer asked about the timing of improvements in Eagle Point Blvd. given that the Eagle Point will be reconstructed this year. Klatt and Johnson noted that these construction activities will be coordinated between the private and public projects to the best extent possible.

Kreimer asked about the number of units to be approved prior to water connection being made down Inwood Avenue. Klatt noted the City has to ensure that the total number of units approved does not exceed the water allowance provided by Oakdale prior to the Inwood watermain extension being completed.

Dorschner asked about the timing of subdivision for lots around Street I. Klatt noted that the street is being platted, but lots around that area are not.

Dodson asked about the utility easement down to Eagle Point Blvd, wondering if the street will be constructed. Klatt noted that the street would be constructed as part of a future phase.

Dorschner asked about 5th street connection to Inwood. Klatt explained that it remains a condition of preliminary plat approval. He also noted that a County access permit is required. Dorschner asked when the costs for the traffic signals would be recovered. Klatt noted that the final trigger will be spelled out in the development contract.

Dodson asked about the street names. Klatt noted that the City Council is reviewing the City's policy with street names. Staff needs further direction from the Council to ensure that the proposed street names meet the Council's expectations.

Dodson asked if any intersections in 5th Street would need signalization. Klatt shared that certain intersections may warrant signals into the future, but staff is not anticipating that these warrants will be met in the near term.

Kreimer asked about critical issue #2. Klatt noted that this issue is addressed in Condition #10. Further details of the construction will be included in the developer's agreement.

Dorschner asked about the ownership of the retaining walls, noting that it is a specific requirement described by the City Engineer. Dorschner recommended an additional condition of approval that the retaining walls be owned and maintained by the HOA.

John Rask, Hans Hagen Homes, spoke about the berms and 10th Street trail. He noted that the County is planning a regional trail to connect Oakdale to Lake Elmo Park Reserve. Further study and planning needs to be completed on the part of the County, but it is likely that this trail would be accommodated on the north side of 10th Street. Rask also addressed the platting of lots in the 4th cul-de-sac. He noted that it was a function of breaking the construction up into clear breaks. Finally, regarding theming, Rask noted that the uses near the 5th Street and Inwood Ave. intersection are not yet known. The landowners feel that entry features can be better identified once uses are identified. It should be noted that there are entry features at Street B and 5th Street.

Dodson asked about the 15-foot separation between storm water pipes and structures. Rask explained that there are drainage pipes in backyards with retaining walls and Klatt also stated that the City Engineer is asking for easements to ensure that separation as well.

Dodson asked about parkland dedication. Rask noted that the dedication requirement is an educated guess at this point, because the future phases of the total development, mainly high density residential and commercial uses, are still up in the air. Dodson asked how the collection of parkland dedication occurs, either as a total figure or prorated

figure. Klatt noted that statute allows either approach, and parkland dedication is finalized in developer's agreement. Dodson asked about the phasing, Klatt responded.

Public Hearing opened at 8:15pm.

No one spoke.

No written correspondence was received.

Public Hearing closed at 8:16pm.

Dorschner suggested an additional condition of approval.

M/S/P: Dorschner/Kreimer, move to require that retaining walls within rear yard utility easements be clearly documented and owned and maintained by the HOA, ***Vote: 5-0, motion carried unanimously.***

M/S/P: Dorschner/Dodson, move to recommend approval of the zoning map amendment of Inwood based on the findings of fact listed in the staff report, **V*ote: 5-0, motion carried unanimously***

M/S/P: Dorschner/Larson, move to recommend approval of the Inwood Final Plat and PUD Plan with the 13 conditions of approval as drafted by Staff based on the findings of fact listed in the Staff Report, ***Vote: 5-0, motion carried unanimously.***

Business Item: Village Preserve Final Plat

Johnson presented an overview of a request for approval of a final plat for Village Preserve. Phase 1 will include 46 single family homes. He stated that the developer of the project does own several parcels within the Village Planning Area and has decided to proceed with development in the northern portions of the Village area prior to other parcels. Johnson noted that the final plat eliminated 6 lots and therefore lowered the overall project density somewhat from the preliminary plat.

Johnson reviewed the critical issues identified through the staff review, which included discharge of storm water to the north of the project site, completion of the Eastern Village Trunk Sewer project, and other joint and external improvements necessary to serve the development. Most of the critical issues are related to the completion of broader development plans for the Village and are either under construction or going through final plan review in conjunction with the Village Preserve final plat.

Johnson stated that Staff is recommending approval of the final plat with 11 conditions of approval. He reviewed the proposed conditions with the Commission, and indicated that staff is recommending a modification to Condition #10 concerning the timing of the regional public improvements to clarify the intent of the model home permit allowances.

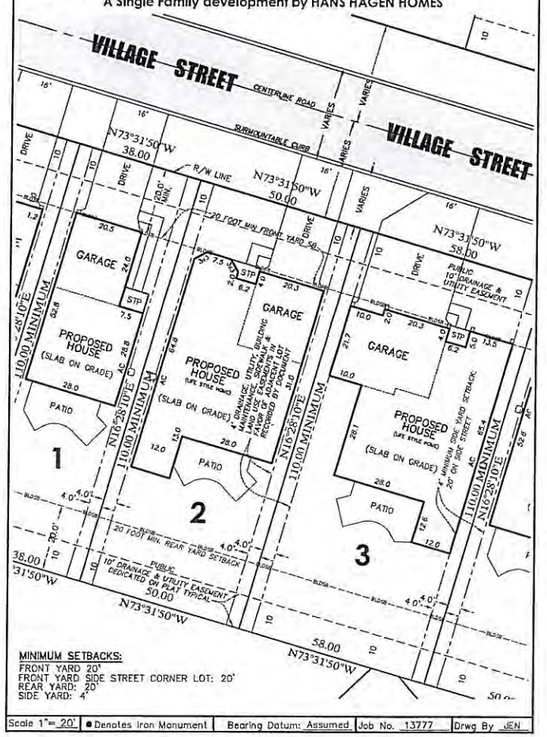
VICINITY MAP

PART OF SEC. 33, TWP. 29, RNG. 21

WASHINGTON COUNTY, MINNESOTA
(NO SCALE)

DETAIL SHEET
SINGLE FAMILY HOMES BLOCKS 1-5 AND 8-13
@ "INWOOD"

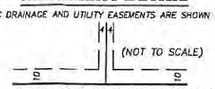
A Single Family development by HANS HAGEN HOMES



Scale 1"= 20' | ● Denotes Iron Monument | Bearing Datum: Assumed | Job No. 13777 | Drwg By JEN

BLOCK 6 AND 7 EASEMENT DETAIL

PUBLIC DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



BEING 4 FEET IN WIDTH AND ADJOINING SIDE LOT LINES AND 10 FEET IN WIDTH AND ADJOINING STREET LINES AND REAR LOT LINES, UNLESS OTHERWISE SHOWN ON THIS PLAT.

APPLICANT:

John Rask
Hans Hagen Homes
941 NE Hillwind Road, Suite 300
Fridley, MN 55432
763-586-7200

PROPERTY OWNER:

Tom Schuette
Inwood 10 LLC
95 South Owasso Blvd. E
St. Paul, MN 55117
651-484-0070

PROPERTY DESCRIPTION:

The West Half of the Southeast Quarter of Section 33, Township 29 North, Range 21 West, lying north of the north right of way line as shown on State Highway Right-of-way Plat No. 4 of 12, State Project 8282 (94=392) 902, Washington County, Minnesota.
(Abstract)
AND
The Northeast Quarter of Section 33, Township 29, Range 21, less and except:
Parcel No. 4 of Washington County Highway Right-of-way Plat No. 41; and
Parcel No. 3 of Washington County Highway Right-of-way Plat No. 42, Washington County, Minnesota.
(Torrens)

NOTES:

- Field survey was completed by E.G. Rud and Sons, Inc. on 4/10/14.
- Bearings shown are on the Washington County Coordinate System.
- Curb shots are taken at the top and back of curb.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Parcel ID Nos. 33-029-21-11-0001, 33-029-21-11-0002, 33-029-21-12-0001, 33-029-21-12-0003, 33-029-21-42-0002.
- Total parcel area = 157.18 acres.
- Wetland delineation/location provided by Kjolhaug Environmental Services. See report dated July 3, 2014.
- Borings done by American Eng. Testing, Inc. from 5/13/14 Report.

SITE DATA AND LAND USE NOTES:

TOTAL PLAT AREA	157.2 ACRES
PUD SINGLE FAMILY LAND AREA	102.8 ACRES – 65.4%
PUD HIGH DENSITY RESIDENTIAL LAND AREA	30.8 ACRES – 19.6%
FUTURE COMERCIAL LAND AREA	23.5 ACRES – 15.0%
TOTAL	157.2 ACRES – 100%
PUD SINGLE FAMILY LAND AREA	102.8 ACRES – 100%
PUBLIC PARK	12.7 ACRES – 12.3%
OUTLOTS	11.6 ACRES – 11.3%
PROPOSED PUBLIC RIGHT OF WAY	23.8 ACRES – 23.2%
SINGLE FAMILY LOT AREA	54.7 ACRES – 53.2%
TOTAL	102.8 ACRES – 100%
* PROPOSED SINGLE FAMILY LOTS	275 UNITS
* OVERALL SINGLE FAMILY DENSITY	2.7 LOTS PER ACRE
* SINGLE FAMILY DENSITY EXCLUSIVE OF PARK	3.0 LOTS PER ACRE
FUTURE HIGH DENSITY RESIDENTIAL LAND AREA	30.8 ACRES – 100%
PUBLIC PARK	1.8 ACRES – 5.8%
PROPOSED PUBLIC RIGHT OF WAY	0.9 ACRES – 2.9%
HIGH DENSITY RESIDENTIAL LOT AREA	28.1 ACRES – 91.3%
TOTAL	30.8 ACRES – 100%
* PROPOSED HIGH DENSITY RESIDENTIAL LOTS	244-264 UNITS
* OVERALL HIGH DENSITY RESIDENTIAL DENSITY	7.9 TO 8.6 LOTS PER ACRE
* HIGH DENSITY RESIDENTIAL EXCLUSIVE OF PARK	8.4 TO 9.1 LOTS PER ACRE
FUTURE COMMERCIAL LAND AREA	23.5 ACRES – 100%
PROPOSED PUBLIC RIGHT OF WAY	5.3 ACRES – 22.6%
COMMERCIAL LAND LOT AREA	18.2 ACRES – 77.4%
TOTAL	23.5 ACRES – 100%
OVERALL AREA OF 10TH STREET N RIGHT OF WAY PROPOSED	2.6 ACRES
OVERALL AREA OF 5TH STREET N RIGHT OF WAY PROPOSED	6.4 ACRES
OVERALL PUBLIC PARK DEDICATION	14.5 ACRES
GREEN SPACE AFTER DEVELOPMENT	63% OF SITE
IMPERVIOUS SURFACES AFTER DEVELOPMENT	37% OF SITE

SITE DATA IS FOR ENTIRE DEVELOPMENT

SINGLE FAMILY HOME BUILDING SETBACKS:

FRONT YARD	20 FEET
SIDE YARD	4 FEET
CORNER SIDEYARD	20 FEET
REAR YARD	20 FEET

E. G. RUD & SONS, INC.
Professional Land Surveyors
www.egrud.com
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701

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

DANIEL W. OBERMILLER
Date: 03/11/15 License No. 25341

DRAWN BY: JEN	JOB NO: 13777PP	DATE: 03/11/15
CHECK BY: DWO	SCANNED ☐	

NO.	DATE	DESCRIPTION	BY
1			
2			
3			

GRAPHIC SCALE
200 0 100 200 400 600
(IN FEET)
1 inch = 200 ft.

HANS HAGEN HOMES
941 NE Hillwind Rd., Suite 300
Fridley, MN 55432

INWOOD
Lake Elmo, Minnesota

PUD FINAL PLAN PHASE 1

1 of 1

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13777PP

InWood Lake Elmo, Minnesota

This is a graphic illustration only and subject to change without notice.
Please refer to record plans for lot sizes, easements,
landscaping, water levels, and topography.

Hans Hagen Homes

PRELIMINARY COPY
UNRECORDED AS OF 3-26-15

INWOOD

KNOW ALL PERSONS BY THESE PRESENTS: That Inwood 10, LLC., a Minnesota limited liability company, fee owner of the following described property situated in the County of Washington, State of Minnesota, to wit:

The West Half of the Southeast Quarter of Section 33, Township 29 North, Range 21 West, lying north of the north right of way line as shown on State Highway Right-of-way Plat No. 4 of 12, State Project 8282 (94-392) 902, Washington County, Minnesota. (Torrens)

AND

The Northeast Quarter of Section 33, Township 29, Range 21, less and except:
Parcel No. 4 of Washington County Highway Right-of-way Plat No. 41; and
Parcel No. 3 of Washington County Highway Right-of-way Plat No. 42, Washington County, Minnesota.
(Abstract)

Has caused the same to be surveyed and platted as INWOOD and does hereby dedicate to the public the public ways and drainage and utility easements created by this plat.

In witness whereof said Inwood 10, LLC., a Minnesota limited liability company, has caused these presents to be signed by its proper officer this_____day of_____, 20_____.

INWOOD 10, LLC.

_____
_____, *its*_____.

STATE OF MINNESOTA
*COUNTY OF*_____
This instrument was acknowledged before me on this_____day of_____, 20_____, by _____, _____ of Inwood 10, LLC., a Minnesota limited liability company, on behalf of the company.

_____
_____
Notary Public, _____ County, Minnesota
*My Commission Expires*_____

I Daniel W. Obermiller do hereby certify that I have surveyed and platted or directly supervised the survey and platting of the property described on this plat as INWOOD; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on the plat; that all monuments depicted on the plat have been or will be correctly set within one year as indicated on the plat; that all water boundaries and wet lands as defined in MS 505.01, Subd. 3 existing as of the date of this certification are shown and labeled on the plat; and that all public ways are shown and labeled on the plat.

Dated this _____ day of _____, 20_____.

_____
Daniel W. Obermiller, Licensed Land Surveyor
Minnesota License No. 25341

STATE OF MINNESOTA
*COUNTY OF*_____

The foregoing Surveyor's Certificate was acknowledged before me this_____day of_____, 20_____ by Daniel W. Obermiller, Licensed Land Surveyor, Minnesota License No. 25431.

_____
_____
Notary Public, _____ County, Minnesota
*My Commission Expires*_____

CITY OF LAKE ELMO, MINNESOTA
The foregoing plat of INWOOD was approved by the City Council of Lake Elmo, Minnesota, this_____day of _____, 20_____, and hereby certifies compliance with all requirements as set forth in Minnesota Statutes, Section 505.03, Subdivision 2.

CITY OF LAKE ELMO, MINNESOTA

By _____ *By*_____
Mayor *Clerk*

COUNTY SURVEYOR
Pursuant to Chapter 820, Laws of Minnesota, 1971, and in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this _____ day of _____, 20_____,

By _____ *By*_____
Washington County Surveyor

COUNTY AUDITOR/TREASURER
Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20____ on the land hereinbefore described have been paid. Also pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this _____day of _____, 20_____,

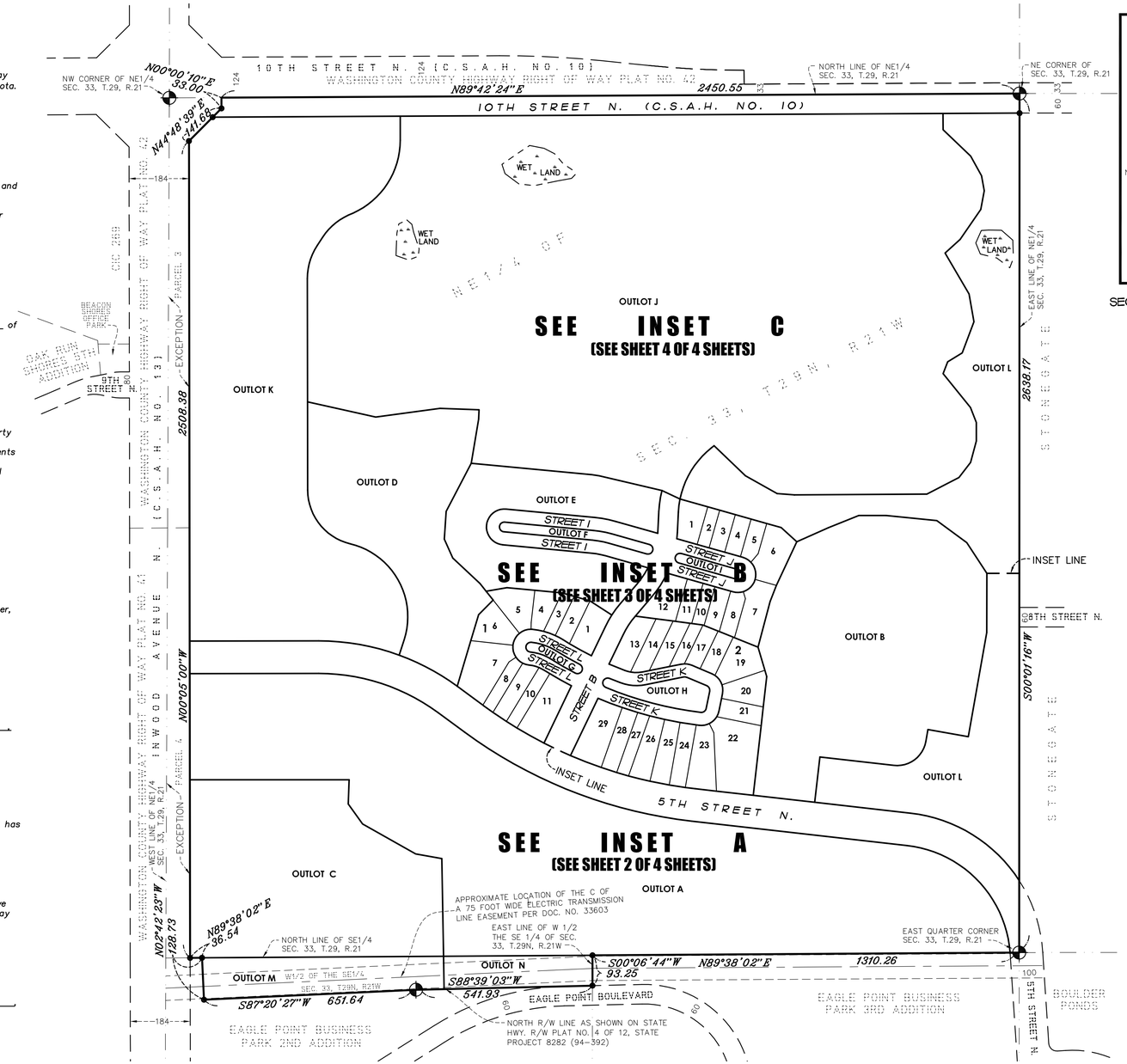
By _____ *By*_____
Washington County Auditor/Treasurer *Deputy*

COUNTY RECORDER
*Document Number*_____
I hereby certify that this instrument was recorded in the Office of the County Recorder for record on this _____ day of _____, 20_____, at _____ o'clock _____, M., and was duly recorded in Washington County Records.

By _____ *By*_____
Washington County Recorder *Deputy*

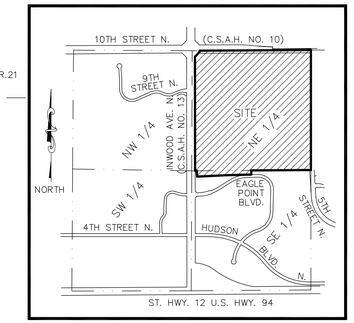
COUNTY REGISTRAR OF TITLES
*Document Number*_____
I hereby certify that this instrument was recorded in the Office of the County Registrar of Titles for record on this _____ day of , 20_____, at _____ o'clock _____, M., and was duly recorded in Washington County Records.

By _____ *By*_____
Washington County Registrar of Titles *Deputy*



VICINITY MAP

NOT TO SCALE



SECTION 33, TOWNSHIP 29 NORTH, RANGE 21 WEST
CITY OF LAKE ELMO

NORTH

EASEMENT DETAIL

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

BEING 10 FEET IN WIDTH AND ADJOINING RIGHT OF WAY LINES UNLESS OTHERWISE SHOWN.

(NO SCALE)

SCALE IN FEET
200 0 100 200 400 800
1 Inch = 200 Feet

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE WASHINGTON COUNTY COORDINATE SYSTEM (NAD 83).

DENOTES WASHINGTON COUNTY CAST IRON MONUMENT, UNLESS OTHERWISE SHOWN.

DENOTES FOUND IRON PIPE MONUMENT AS LABELED.

DENOTES A 1/2 INCH BY 14 INCH IRON PIPE, WITH PLASTIC CAP INSCRIBED R.L.S. NO. 25431, WHICH HAS BEEN OR WILL BE SET IN ACCORDANCE WITH MS 505.021, SUBD 10.

E. G. RUD & SONS, INC.
EST. 1977
Professional Land Surveyors

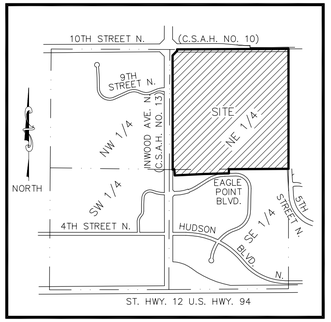
S:\rud\CAD\13proj\13777\13777-FINAL-PLAT.dwg 3/26/2015 9:05:18 AM CDT

PRELIMINARY COPY
UNRECORDED AS OF 3-26-15

INWOOD
INSET A

E. G. RUD & SONS, INC.
EST. 1977
Professional Land Surveyors

VICINITY MAP
NOT TO SCALE



SECTION 33, TOWNSHIP 29 NORTH, RANGE 21 WEST
CITY OF LAKE ELMO

EASEMENT DETAIL
DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

BEING 10 FEET IN WIDTH AND ADJOINING RIGHT OF WAY LINES UNLESS OTHERWISE SHOWN.

(NO SCALE)

NORTH

SCALE IN FEET
100 0 50 100 200 400
1 Inch = 100 Feet

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE WASHINGTON COUNTY COORDINATE SYSTEM (NAD 83).

DENOTES WASHINGTON COUNTY CAST IRON MONUMENT, UNLESS OTHERWISE SHOWN.

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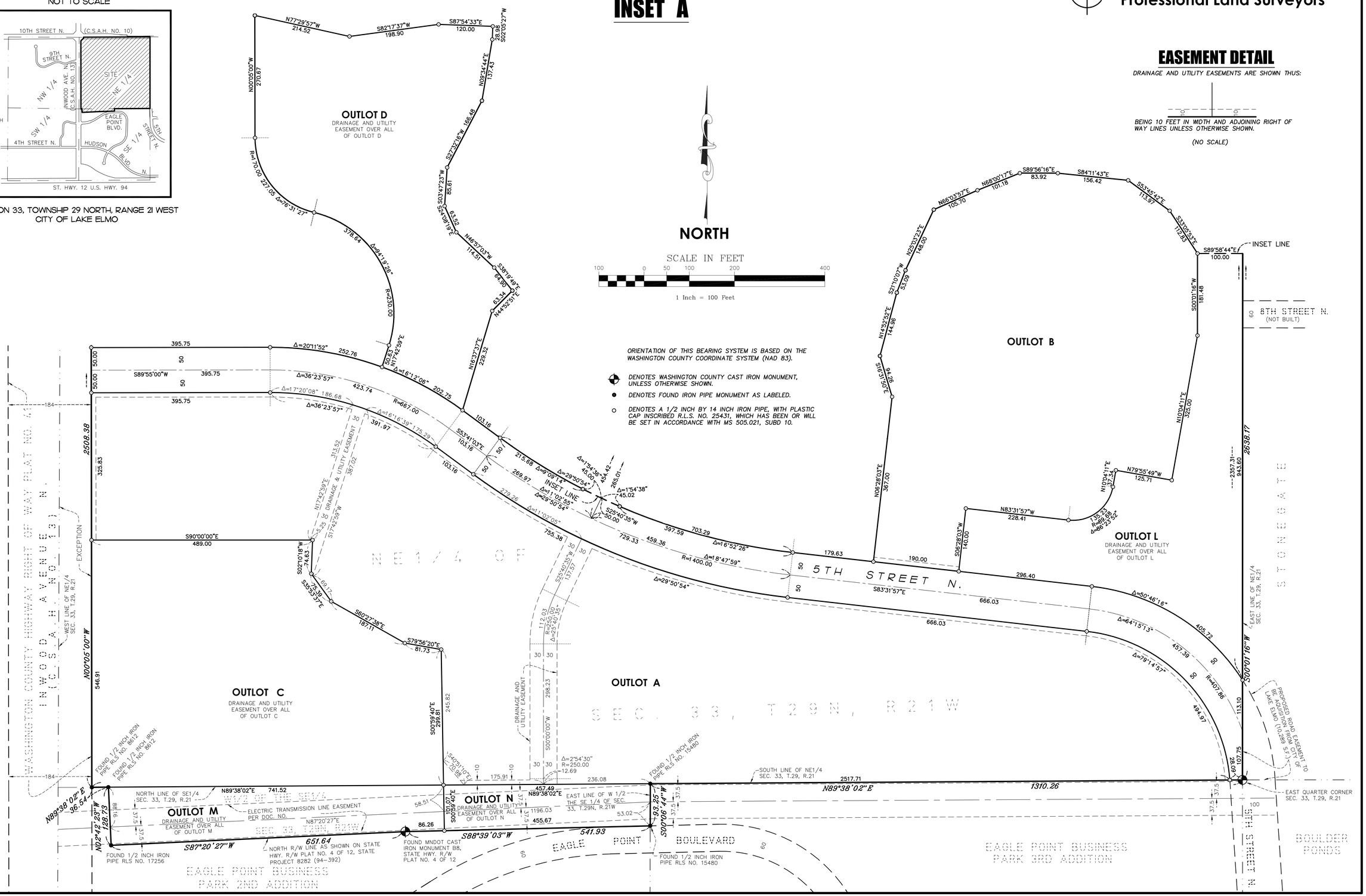
OUTLOT D
DRAINAGE AND UTILITY EASEMENT OVER ALL OF OUTLOT D
OUTLOT B
OUTLOT C
DRAINAGE AND UTILITY EASEMENT OVER ALL OF OUTLOT C
OUTLOT A
OUTLOT L
DRAINAGE AND UTILITY EASEMENT OVER ALL OF OUTLOT L
OUTLOT M
DRAINAGE AND UTILITY EASEMENT OVER ALL OF OUTLOT M
OUTLOT N
DRAINAGE AND UTILITY EASEMENT OVER ALL OF OUTLOT N
INSET LINE
5TH STREET N.
8TH STREET N. (NOT BUILT)
NE 1/4 OF SEC. 33, T29N, R21W
W1/2 OF THE SE1/4 SEC. 33, T29N, R21W
WASHINGTON COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 41
INWOOD AVENUE N. (C.S.A.H. NO. 13)
EXCEPTION
WEST LINE OF NE1/4 SEC. 33, T.29, R.21
EAST LINE OF NE1/4 SEC. 33, T.29, R.21
SOUTH LINE OF NE1/4 SEC. 33, T.29, R.21
NORTH LINE OF SE1/4 SEC. 33, T.29, R.21
EAST LINE OF W 1/2 THE SE 1/4 OF SEC. 33, T.29N, R.21W
ELECTRIC TRANSMISSION LINE EASEMENT PER DOC. NO.
DRAINAGE & UTILITY EASEMENT
DRAINAGE AND UTILITY EASEMENT
PROPOSED ROAD EASEMENT TO BE ACQUIRED FROM CITY OF LAKE ELMO (10,289 S.F.)
EAST QUARTER CORNER SEC. 33, T.29, R.21
FOUND 1/2 INCH IRON PIPE RLS NO. 8612
FOUND 1/2 INCH IRON PIPE RLS NO. 17256
FOUND 1/2 INCH IRON PIPE RLS NO. 15480
FOUND MNDOT CAST IRON MONUMENT B8, STATE HWY. R/W PLAT NO. 4 OF 12
NORTH R/W LINE AS SHOWN ON STATE HWY. R/W PLAT NO. 4 OF 12, STATE PROJECT 8282 (94-392)
EAGLE POINT BOULEVARD
EAGLE POINT BUSINESS PARK 2ND ADDITION
EAGLE POINT BUSINESS PARK 3RD ADDITION
BOULDER PONDS
N77°29'57"W 214.52
S82°17'37"W 198.90
S87°54'33"E 120.00
S02°05'27"W 28.98
N00°05'00"W 270.67
N09°34'44"E 137.43
S27°32'16"W 166.48
S03°47'23"W 85.61
S24°08'19"E 63.52
N46°57'03"W 114.51
S38°19'49"E 64.90
N44°52'51"E 63.34
N18°37'37"E 239.32
R=170.00 227.05 Δ=76°31'27"
378.64 Δ=94°19'26"
R=230.00
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Δ=20°11'52" 252.76
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Δ=36°23'57"
Δ=17°20'08" 186.68
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Δ=11°02'55"
Δ=29°50'54"
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Δ=29°50'54" 454.42
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N83°31'57"W 228.41
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N79°55'49"W 125.71
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107.75
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N87°20'27"E 86.26
N89°38'02"E 36.54
N02°42'23"W 128.73
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S00°59'40"W 245.82
S00°00'00"W 298.23
S00°59'40"W 299.81
S90°00'00"E 489.00
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S33°33'37"E 68.17
S60°27'38"E 161.11
S79°56'20"E 81.73
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S00°96'26"W 28.26
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666.03
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S21°10'07"W 53.09
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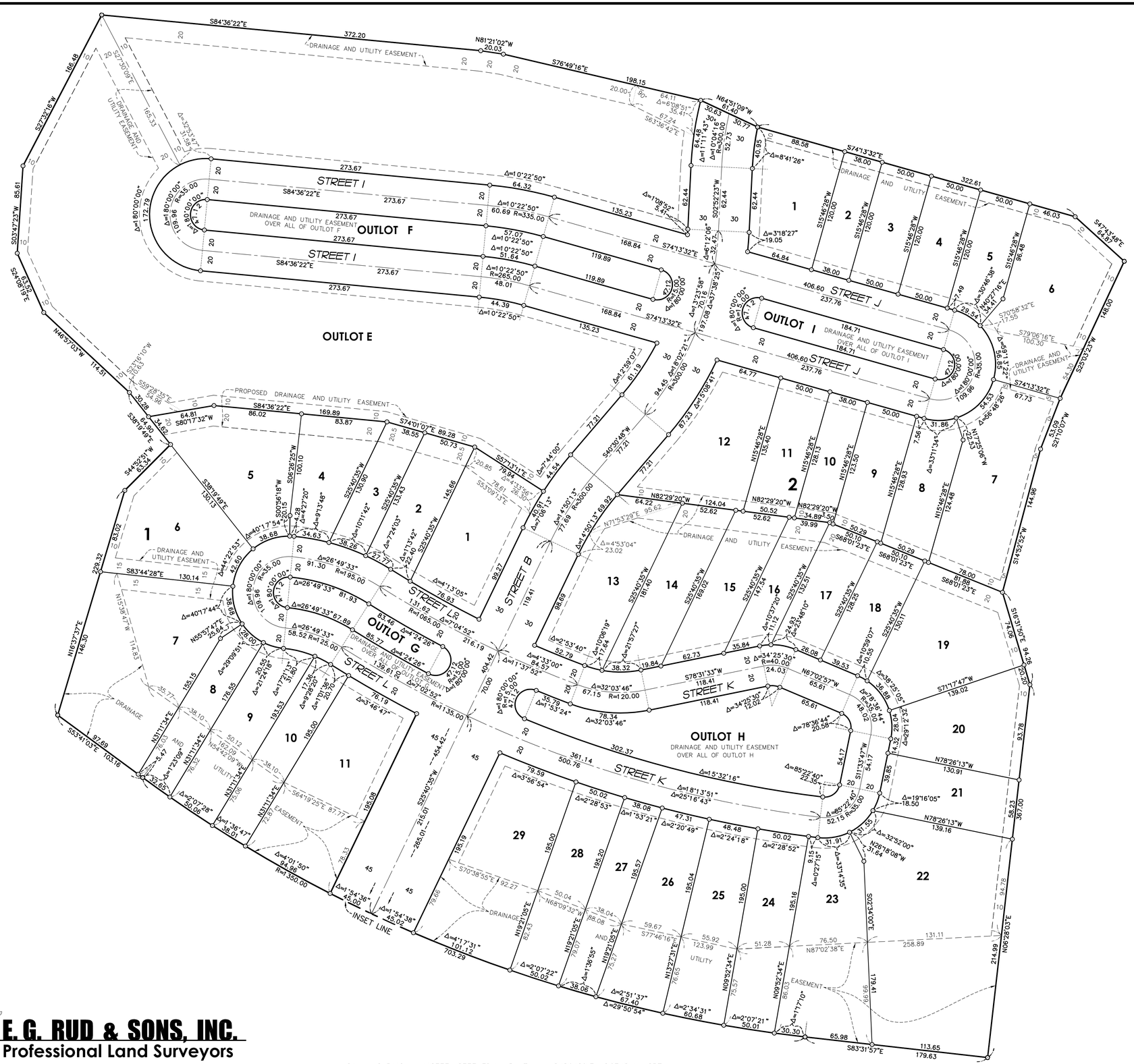
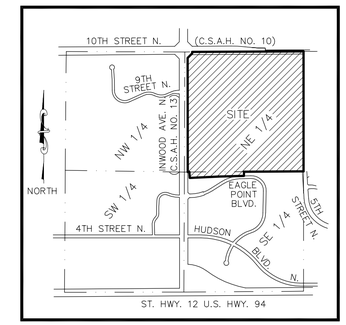
N89°38'02"E 36.54
N02°42'23"W 128.73
S87°20'27"W 651.64
S88°39'03"W 541.93

PRELIMINARY COPY
UNRECORDED AS OF 3-26-15

INWOOD
INSET B



VICINITY MAP
NOT TO SCALE



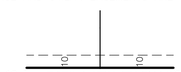
SECTION 33, TOWNSHIP 29 NORTH, RANGE 21 WEST
CITY OF LAKE ELMO

NORTH

SCALE IN FEET
50 0 25 50 100 200
1 Inch = 50 Feet

EASEMENT DETAIL

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



BEING 10 FEET IN WIDTH AND ADJOINING RIGHT OF WAY LINES UNLESS OTHERWISE SHOWN.

(NO SCALE)

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE WASHINGTON COUNTY COORDINATE SYSTEM (NAD 83).

DENOTES WASHINGTON COUNTY CAST IRON MONUMENT, UNLESS OTHERWISE SHOWN.

DENOTES FOUND IRON PIPE MONUMENT AS LABELED.

DENOTES A 1/2 INCH BY 14 INCH IRON PIPE, WITH PLASTIC CAP INSCRIBED R.L.S. NO. 25431, WHICH HAS BEEN OR WILL BE SET IN ACCORDANCE WITH MS 505.021, SUBD 10.

E. G. RUD & SONS, INC.
EST. 1977
Professional Land Surveyors

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PRELIMINARY COPY
UNRECORDED AS OF 3-26-15

INWOOD
INSET C

SCALE IN FEET
100 0 50 100 200 400
1 Inch = 100 Feet

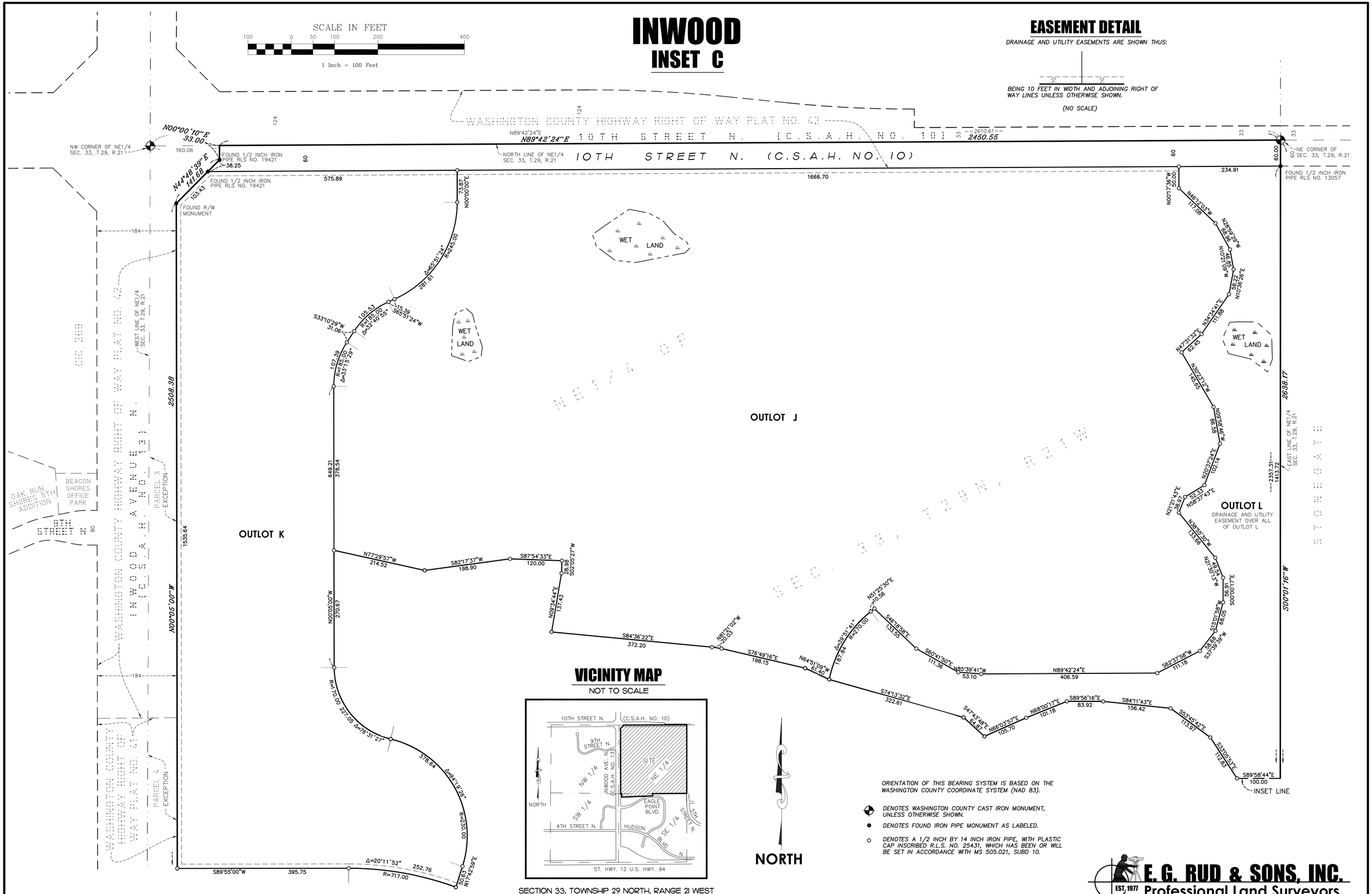
EASEMENT DETAIL

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

10 10

BEING 10 FEET IN WIDTH AND ADJOINING RIGHT OF WAY LINES UNLESS OTHERWISE SHOWN.

(NO SCALE)



VICINITY MAP

NOT TO SCALE

SECTION 33, TOWNSHIP 29 NORTH, RANGE 21 WEST
CITY OF LAKE ELMO

NORTH

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE WASHINGTON COUNTY COORDINATE SYSTEM (NAD 83).

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Professional Land Surveyors

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INWOOD LOT SUMMARY TABULATIONS
26-Mar-15

Lot #	Block #	Area (sq.ft.)	Lot Width	Lot Depth
1	1	11,055	76.8	143.8
2	1	6,953	50.0	138.8
3	1	5,001	38.0	131.3
4	1	7,550	50.3	120.4
5	1	12,418	59.3	137.5
6	1	12,148	75.1	131.1
7	1	20,895	65.5	156.4
8	1	6,616	38.0	177.0
9	1	9,261	50.0	185.6
10	1	7,402	38.0	195.0
11	1	16,688	78.8	195.1
1	2	9,322	70.0	120.0
2	2	4,560	38.0	120.0
3	2	6,000	50.0	120.0
4	2	6,000	50.0	120.0
5	2	5,957	50.0	122.9
6	2	15,637	93.2	150.5
7	2	14,738	75.5	193.7
8	2	6,664	50.0	134.5
9	2	6,311	50.0	126.2

Lot #	Block #	Area (sq.ft.)	Lot Width	Lot Depth
10	2	4,766	38.0	125.4
11	2	6,588	50.0	131.8
12	2	12,663	70.0	140.5
13	2	11,999	70.0	174.4
14	2	8,879	50.0	179.0
15	2	7,914	50.0	158.3
16	2	5,301	38.0	139.4
17	2	6,431	50.0	127.8
18	2	6,437	50.0	128.7
19	2	13,242	61.8	151.8
20	2	10,283	59.8	130.4
21	2	7,761	58.0	133.5
22	2	29,235	61.2	194.3
23	2	14,653	59.0	196.7
24	2	9,753	50.0	195.0
25	2	10,643	50.1	195.0
26	2	11,184	50.2	195.2
27	2	7,424	38.0	195.4
28	2	9,754	50.0	195.1
29	2	17,620	82.6	195.0
	TOTAL	403,706		

OUTLOT	Area (sq.ft.)
A	1,020,226
B	475,345
C	368,715
D	276,158
E	169,384
F	14,144
G	5,493
H	20,499
I	6,248
J	2,075,675
K	755,855
L	527,721
M	84,320
N	44,356
TOTAL	5,844,139

RIGHT OF WAY	Area (sq.ft.)
5TH STREET N	278,281
10 STREET N	147,396
RESIDENTIAL	173,437
TOTAL R/W	599,114

TOTAL SITE AREA	6,846,959

Please Note: Lot widths shown represent the width of the lot at the proposed house location.

E.G. Rud & Sons, Inc.
Job No. 13777PP

Date Received: _____
Received By: _____
Permit #: _____

THE CITY OF
LAKE ELMO

651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

LAND USE APPLICATION

☐ Comprehensive Plan ☒ Zoning District Amend ☐ Zoning Text Amend ☐ Variance*(see below) ☐ Zoning Appeal

☐ Conditional Use Permit (C.U.P.) ☐ Flood Plain C.U.P. ☐ Interim Use Permit (I.U.P.) ☐ Excavating/Grading

☐ Lot Line Adjustment ☐ Minor Subdivision ☐ Residential Subdivision Sketch/Concept Plan

☐ PUD Concept Plan ☐ PUD Preliminary Plan ☒ PUD Final Plan

Applicant: Hans Hagen Homes
Address: 941 West Highway Rd, Suite 300
Phone # 763-586-7202
Email Address: jonsk@hanshagenhomes.com

Fee Owner: Inwood 10 LLC
Address: 95 S. Owasso Blvd E.
Phone # 651-484-0070
Email Address: schwette@azureproperties.com

Property Location (Address and Complete (long) Legal Description: NE Qtr Section 33 T29 R21

Detailed Reason for Request: See attached. Rezoning to PUD

*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: _____ Date: 3/9/15

Signature of fee owner: R Schwette Jr. Date: 10 MAR 2015

THE CITY OF
LAKE ELMO

Lake Elmo City Hall
651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I **am the fee title owner** of the below described property or that I have written authorization from the owner to pursue the described action.

Name of applicant Hans Hagen Homes
(Please Print)

Street address/legal description of subject property NE¼ Section 33
T29 R21 E

R Schreier Jr.
Signature

10 MAR 2015
Date

If you are not the fee owner, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

If a corporation is fee title holder, attach a copy of the resolution of the Board of Directors authorizing this action.

If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.

Date Received: _____
Received By: _____
LU File #: _____

THE CITY OF
LAKE ELMO

651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

FINAL PLAT APPLICATION

Applicant: Hans Hagen Homes
Address: 941 NE Hillwood Rd, Suite 300
Phone #: 763-586-7202
Email Address: grask@yahoo.com

Fee Owner: Inwood 10 LLC
Address: 95 S. Owasso Blvd. E.
Phone #: 651-484-0070
Email Address: schuette@azurepropertiies.com

Property Location (Address and Complete (long) Legal Description: NE¼ Section 33 T29 R21

General information of proposed subdivision: See attached

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning Ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: [signature] Date: 3/9/15

Fee Owner Signature R Schneider Jr. Date: 10 MAR 2015

THE CITY OF
LAKE ELMO

Lake Elmo City Hall
651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that **I am the fee title owner** of the below described property or that I have written authorization from the owner to pursue the described action.

Name of applicant Inwood 10 LLC
(Please Print)

Street address/legal description of subject property NE¼ Section 32
T29 R21

R Schneider
Signature

10 March 2015
Date

If you are not the fee owner, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

If a corporation is fee title holder, attach a copy of the resolution of the Board of Directors authorizing this action.

If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.

THE CITY OF
LAKE ELMO

Lake Elmo City Hall
651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

ACKNOWLEDGEMENT OF RESPONSIBILITY

This is to certify that I am making application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am the party whom the City should contact regarding any matter pertaining to this application..

I have read and understand the instructions supplied for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I will keep myself informed of the deadlines for submission of material and of the progress of this application.

I understand that this application may be reviewed by City staff and consultants. I further understand that additional information, including, but not limited to, traffic analysis and expert testimony may be required for review of this application. I agree to pay to the City upon demand, expenses, determined by the City, that the City incurs in reviewing this application and shall provide an escrow deposit to the City in an amount to be determined by the City. Said expenses shall include, but are not limited to, staff time, engineering, legal expenses and other consultant expenses.

I agree to allow access by City personnel to the property for purposes of review of my application.

Signature of applicant _____ Date 3/9/15

Name of applicant John Rask Phone 763-586-7202
(Please Print)

Name and address of Contact (if other than applicant) _____

Final Plat Narrative
Hans Hagen Homes
March 9, 2015

2. Written Statements

a. *List of contact information*:

Applicant
John Rask
Hans Hagen Homes
941 NE Hillwind Road, Suite 300
Fridley, MN 55432
763-586-7200

Property Owner
Tom Schuette
Inwood 10 LLC
95 South Owasso Blvd. E
St. Paul, MN 55117
651-484-0070

Surveyor
Dan Obermiller
EG Rud and Sons, Inc.
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
651-361-8200

Civil Engineer
Brian Krystofiak, PE
Carlson McCain, Inc.
248 Apollo Drive, Suite 100
Lino Lakes, MN 55014
763-489-7905

Wetland Consultant
Melissa Barrett
Kjolhaug Environmental
26105 Wild Rose Lane
Shorewood, MN 55331
952-401-8757

b. *A listing of the following site data: Address, current zoning, parcel size in acres and square feet, property identification number(s) (PID), and current legal description(s);*

See attached.

c. *Final Subdivision and Lot Information*

i. InWood
ii. Lot Tabulation – see attached plat.
iii. There is no park land dedicated in this first phase.
iv. Outlot A wetland is 17,773 sq. ft., buffer is 16,089 square feet
Park 1 wetland is 1,929 sq. ft., buffer is 11,173 square feet
Outlot B wetland is 6,425 sq. ft., buffer is 10,259 square feet
v. 13.75 acres of public right-of-way.

d. *An explanation of how issues have been addressed since the Preliminary Plat phase of the development;*

The final plat is consistent with the preliminary plat and conditions of approval.

e. *A statement showing the proposed density of the project with the method of calculating said density shown (Below numbers are based on all the single family lots, and not just this phase);*

i. Single Family land use area of the overall plat includes 102.9 acres (first phase plat includes 9.27 acres excluding right-of-way.)
ii. 275 total single family homes (40 in first phase).
iii. Single Family Gross Density of 2.7 units per acre
iv. Single Family Net Density of 3.0 units per acre (excludes park land)

f. *Discuss proposed infrastructure improvements and phasing thereof (i.e. proposed roadways, sewer systems, water systems, sidewalks/trails, parking, etc) necessary to serve the subdivision;*

The first phase will include the construction of 5th Street, a portion of Street B, and all of streets L, K, J, and I. Sewer and water will be installed within the roads.

Municipal sanitary sewer and water and will be extended from the south connecting to Eagle Point Boulevard.

Municipal Water will be extended from both the south and west. The City is planning the construction of a trunk water main along Inwood in the summer

of 2015. The neighborhood will connect to this main along with a connection in the Eagle Point Business Park.

Sidewalks and trails will be installed along 5th Street in the first phase of development. A portion of the trail in the buffer area along the eastern edge of the property will be constructed in the first phase in 2015. Sidewalks will be installed on both sides of Street B for the portion of road being constructed in this first phase.

g. *A narrative addressing concerns/issues raised by neighboring properties (discussing your proposal with the neighboring land owners is recommended to get a sense of what issues may arise as your application is processed);*

Neighborhood input was provided during the PUD Concept Plan review stage. Comments generally related to concerns over the extension of municipal services in this area of the community and the impacts that come along with changes to land use.

The land uses and density of the InWood neighborhood are consistent with the City's Comprehensive Plan, and not changes are necessary as a result of the Preliminary Plat application.

Hans Hagen Homes has also designed the neighborhood to lessen the impacts on adjacent property owners, as well as to enhance the neighborhood for future residents. These design features include:

i. A linear park along the eastern edge of the property that exceeds the City's initial standard of 100 feet. The InWood linear park varies from 100 feet to over 200 feet.
ii. The lots and streets were orientated east/west with cul-de-sac lots backing to the linear park. There are only 19 lots that back up to the linear park over a distance of 2,640 feet. Under standard zoning, there could be 40 lots backing up to the buffer.
iii. Additional land for a neighborhood park adjacent to the existing Stonegate development. This park will serve the needs of residents living in InWood as well as the neighborhoods to the east.
iv. Landscaped berms along 10th Street, 5th Street, and along a portion of the western edge of the neighborhood.

h. *A description of how conflicts with nearby land uses (livability, value, potential future development, etc.) and/or disturbances to wetlands or natural areas are being avoided or mitigated;*

The InWood neighborhood is consistent with the City's Comprehensive Plan which provides for a graduation of land use intensities over the site. North of the 5th Street parkway will be single family homes. Transitioning to the west

will be commercial. The neighborhood plan for InWood provides a large pond and berms to help transition between the commercial and single family neighborhood.

The InWood neighborhood plan avoids and preserves the three wetland basins found on the site. While these wetlands are currently farmed and significantly degraded, it's our intent to restore them with native vegetation.

i. *Provide justification that the proposal will not place an excessive burden on roads (traffic), sewage, water supply, parks, schools, fire, police, or other public facilities/services (including traffic flows) in the area.*

The City's Comprehensive Plan provides for the planned and orderly growth of the community by making sure that the necessary infrastructure and services are in place as growth occurs. Because the proposed neighborhood is consistent with the City's Comprehensive Plan, no impacts or excessive burdens are anticipated to the roads, public utilities, or public services.

A detailed traffic study was prepared as part of the EAW, and found no traffic impacts that could not be mitigated.

The majority of the homes in the neighborhood will not contain school age children. As such, no impacts are anticipated to the North St. Paul school district.

j. *If applicable, provide a description of proposed lakeshore access (i.e. shared dock with multiple slips, individual docks for each lot, etc.);*

Not applicable.

k. *A description of proposed parks and/or open space. Please include a brief statement on the proposed ownership and maintenance of said areas;*

The neighborhood will include approximately 14.5 acres of public parkland. Overall, the neighborhood includes approximately 49 acres of open spaces, including public park, trail corridors, landscaped berms, ponding, infiltration areas, wetland preservation areas, and private open space. The private open space and infiltration areas will be maintained by a homeowners association.

l. *A proposed development schedule indicating the approximate date when construction of the project, or stages of the same, can be expected to begin and be completed (including the proposed phasing of construction of public improvements and recreational and common space areas).*

Construction of 5th street and site grading would commence in the spring of 2015 with the first neighborhood lots being developed in the summer of 2015.

The single family neighborhood is anticipated to be phased over a 7 year period. Annual home construction will likely vary with fluctuations in the housing market.