

**Proposed Comprehensive
Plan Amendment**

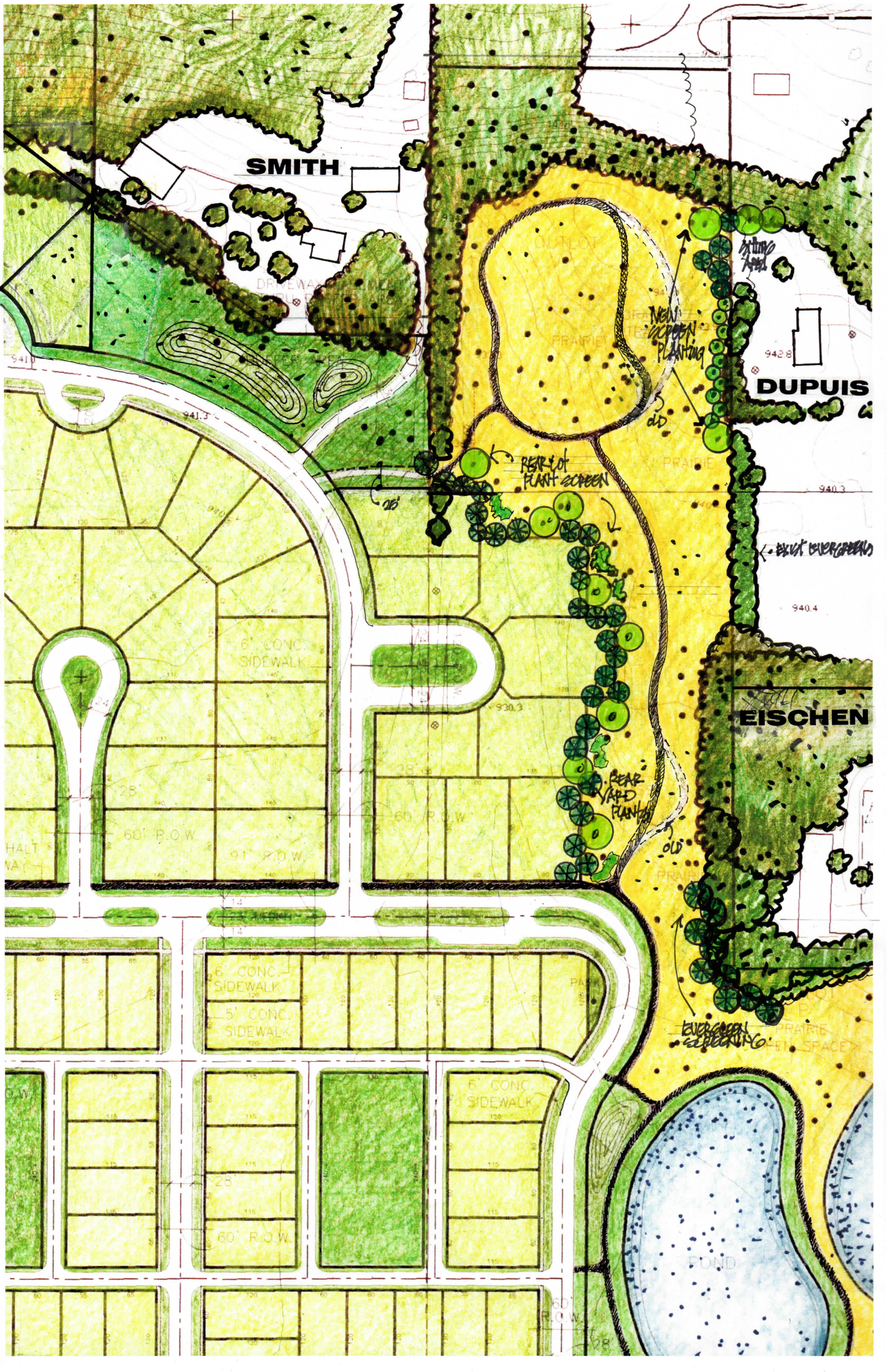
Wildflower at Lake Elmo Concept Plan



SMITH

DUPUIS

EISCHEN



WILDFLOWER

PLANT LIST

(Dry mesic soils)

- A. Sugar Maple – 1” – 1 ½”
- B. American Basswood - #2
- C. Swamp Oak
- D. Crab Apple
 - Donald Wyman
 - Spring Snow
 - Red Splendor
- E. Japanese Lilac
- F. Black Hills Spruce and/or Colorado Spruce – 5’-6’
- G. Shrubs
 - 1. Chokecherry
 - 2. Highbush Cranberry
 - 3. Dogwood
 - 4. Lilac
 - 5. Service Berry (multi-stem) - #2
 - 6. Fragrant Sumac - #2
 - 7. Grow Low Sumac (ground cover) - #1
 - 8. Arrowwood Viburnum - #2
 - 9. Nannyberry Viburnum - #2
 - 10. Big Bluestem (grass)

WILDFLOWER

Plant Quantities & Layout

Note:

Plans as shown are illustrated with plant materials deemed appropriate for soil conditions existing at sites (dry mesic soils). The attached list names these materials. The developer would like to have the flexibility to substitute within this group if better or larger selections are available at time of planting. The homeowner will be asked for substitution approval. Planting schedule will occur at such time when the site is in final graded condition and weather is cooperative. Actual tree planting locations will be done in the field with property owner's input.

Dupuis Property:

Developer will plant a screen grouping at NE corner of property to screen an existing sitting area. Plant screen will wrap lot corner west and north.

Recommended plant materials will be spruce trees 5'-6' ht and sugar maple 1 1/2" cal. An additional understory plant screen will be planted in front of existing norway pines to screen approx. 6'-8' of open area between ground and existing top mass of trees. Plant material selection will be selected from group G.

Eischen Property:

Developer will plant spruce evergreen trees at SW corner of lot to provide screening of car head lights. Screen will wrap corner as shown on site plan. Other plantings along west property line will be determined after an assessment of existing trees is made and determined what plants will be appropriate.

Smith Property:

Developer has provided a south buffer area along the total south line of property. Exact berming and plantings along with a new road easement is in the process of final negotiations.



June 9, 2014

The following is a summary of a tentative agreement between the Fields of St Croix Community Association (FoSC) and Robert Engstrom Companies (RECo) regarding RECo's proposed Wildflower development. This summary is provided for summary purposes only and is not meant to be a complete statement of the proposed agreement and is subject to change.

Subject: The Fields of St Croix Community Association (FoSC) and Robert Engstrom Companies (RECo) Wildflower development

Background: The Open Space Agreement(s) is/are key to this discussion because it explicitly prohibits the Wildflower development proposed for Outlots O & P, which are part of the FoSC. The express intent of the Open Space Agreement is in summary to:

- Permanently retain the protected land in its predominately natural, scenic, agricultural, forested and open space condition;
- Prevent or remedy action or use that significantly impairs or interferes with the Conservation Values of the land;
- Expressly prohibits the Owner (RECo) from subdividing all or part of the protected lands for residential, commercial or industrial development;
- Prohibits construction of roads, driveways and the alteration of the surface of the protected land, including excavation.

FoSC Homeowners

- Purchased lots and built homes understanding FoSC was a conservation community with Open Space Agreement protection.
- Do not want development on Outlot O & Outlot P, but will support *limited* residential development on part of Outlot P in turn for "additional" legal protection preventing development on the other Outlots associated with FoSC.
- Requested that representatives of FoSC conduct negotiations with RECo. Tentative agreement between FoSC and RECo was reached, pending City approval to allow limited residential development on Outlot P, given the terms of the agreement, which are attached.

The FoSC Community Association requests this agreement become part of Wildflower's development plan, and its terms enforced by the City of Lake Elmo.

Respectfully submitted on behalf of the FoSC Association homeowners:

John W. Hodler
Fields of St Croix Board President

The following are highlights of the tentative agreement:

- No development will occur on Outlot O.
 - Retain the existing Open Space Easement condition;
 - Fields of St Croix Community Association (FoSC) will be added as a party to the easement, thereby requiring FoSC's approval for any future changes thereto.

- Outlot P will have *limited* development on its west boundary (plan on page #4):
 - Includes small number of RECo-constructed homes along the west boundary of Outlot P;
 - No coffee shop or other retail/commercial facilities located on Outlot P;
 - RECo will install a path around part of the storm water system on Outlot P. This path will not connect to the FoSC pathways;
 - FoSC will have easement access rights for pedestrian and bicycles to Outlots O & P, and any Outlot created out of Outlot P for the storm water system;
 - FoSC will be added as a party to the existing easement on the title to the section of Outlot P not included in the new development's homes;
 - The exact boundary of the re-sized Outlot P will be defined by a survey (paid by RECo).

- The City of Lake Elmo will ensure the design of the Wildflower development's storm water system does not include a storm water retention basin on Outlot O; and will not increase the current flow of storm water drained onto Outlot O or any FoSC II Outlot (exception Outlot P):
 - The storm water design will not allow drainage to adversely affect any FoSC II homeowner;
 - Lake Elmo City will ensure the contractor and developer install the storm water system as designed;
 - The City of Lake Elmo will be responsible for maintenance of any portion of the Wildflower storm water system installed on Outlot P, or any Outlot created from Outlot P for the storm water system.

- Road access to Wildflower development:
 - The existing FOOSC, phase II, entry will remain "as is". This access road will not connect to the Wildflower development;
 - No access road for the new development will be constructed that connects to highway #5 through any Outlot.

- Ensure FoSC has the right to object to or modify any future development requests involving any one or more of the Outlots located in the Fields of St Croix development (see Outlots page #5).
 - FoSC will be added as a party to all Open Space Easements now in place for Phase II Outlots;
 - FOSC will be added as a party to the Minnesota Land Trust Conservation Easement now in place for Phase I Outlots.
- Phase I Outlots A & E's Minnesota Land Trust Conservation Easement revisions.
 - Rescind the right to construct a farm home;
 - Livestock operation or use of temporary farm buildings will only be granted if all parties to the easement (including FoSC) agree.
- RECo will transfer ownership of the Bluestem Village Green property (PIN1202921440009) if it is not under a 'public right of way restriction'.
- All easement updates or amendments and Outlot ownership transfers will be completed prior to approval of the new development's plans by the City of Lake Elmo.
- RECo's creation of the storm water system, path, natural setting, and plantings on Outlots O and P will be completed ~~in the beginning stage of the new development. The "beginning stage" is defined as a date equal to the completion of the first home.~~ *for the requirements and timeline established by Lake Elmo City and incorporated into the final plan*
- RECo coordinates with Lake Elmo City & FoSC during the design and installation of Wildflower's sewer pipe *Just REC 6/9/2014*
 - Ensure adequate capacity to handle the wastewater from FoSC's phase I, phase II (including Bluestem) and Tana Ridge homes;
 - Sewer easement across the Northeast corner of the new development and Outlots O & P will be granted to FoSC;
 - Final connection, if and when completed, between the Lake Elmo City sewer system and the FoSC wastewater system (currently serving the above homes) will be coordinated by the FoSC Association at a later time.

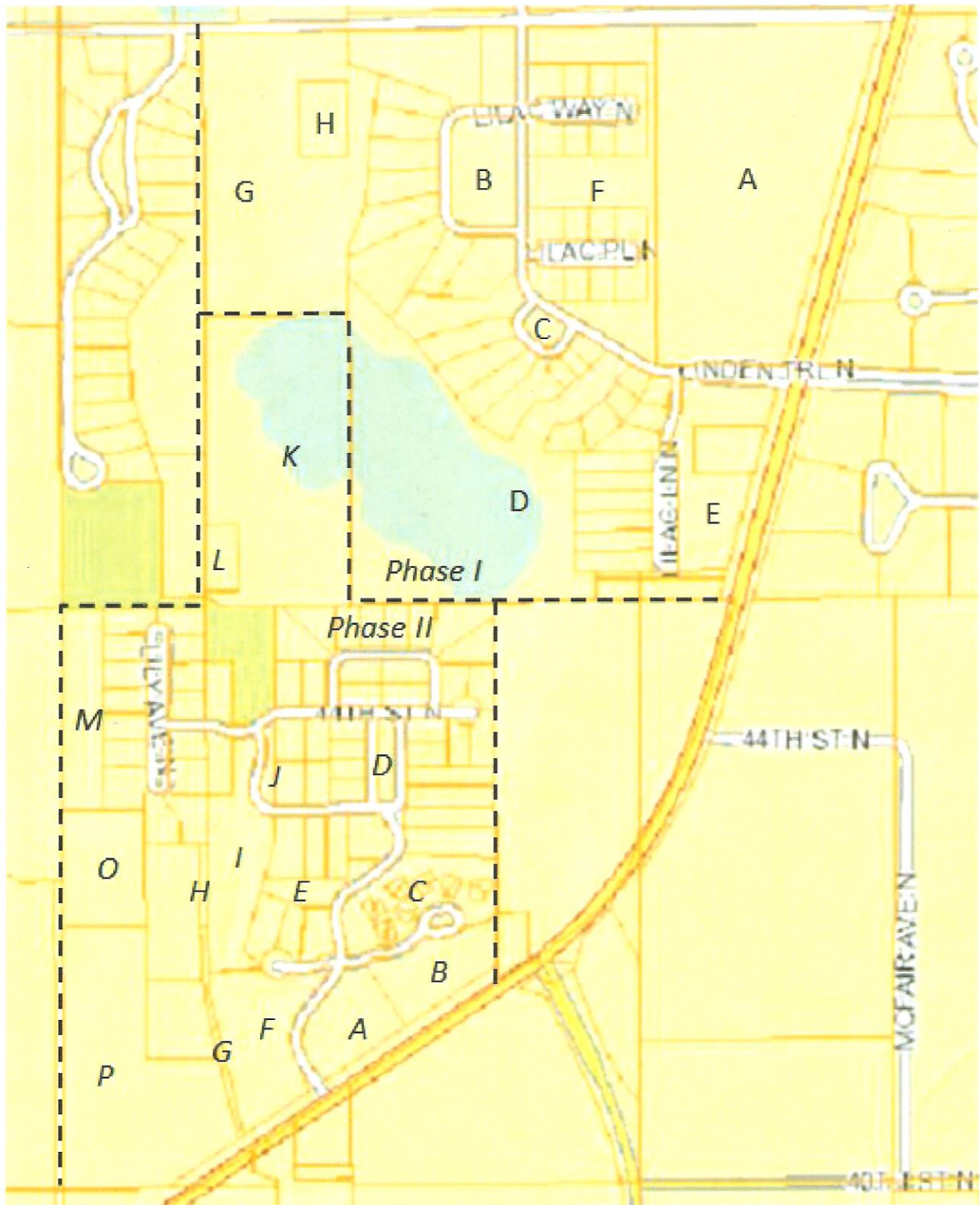
It is understood, that any agreements between RECo and FOSC will be subject to approval by the Lake Elmo City Council and other regulatory bodies.

The final agreement will include a provision that neither party may assign the agreement to any other person without the express prior written consent of the other party or its successor in interest.

REC
 Rob E. Engstrom³
 6/9/14

FOSC
 John Holden
 6/9/2014

FoSC Phase I & II outlots



ROBERT & MARCELLA EISCHEN

Date: June 24, 2014
To: Kyle Klatt
Community Development Director
Subject: Wildflower Proposal

As we are adjoining property owners to the proposed Engstrom Wildflower Development, my wife Marcy and I met with Bob Engstrom and architect Jerry Mazarra on June 19th to review our proposals for changes to the most recently proposed changes to the conservation easement adjacent to our land. As we previously agreed:

- ✚ Remove large parking and small Public Park from the close proximity to the S/E portion of our property.
- ✚ Straighten the walking path away from the western edge of our property and more toward the middle of the conservation easement.
- ✚ Straighten Wildflower property road with circular drive and remove pie shaped circular turn to help eliminate vehicle lights shining and flashing on our home.
- ✚ As proposed by the developer, plant a buffer of evergreen trees near S/W corner of our property. We request two rows of 5' trees planted on the S/W corner estimated some 40 feet long. We feel this is a satisfactory solution for the S/W corner of our property.

We withdraw our previous request for a 5' earthen berm with trees and shrubs planted on the berm's western side of our property.

The developer now proposes trees and shrubs be planted in front of homes located adjacent to the west side of our property. We agree this is a good idea but not an alternative to our request for trees and shrubs, i.e., Black Hills and Colorado Spruce interspaced with Maple Trees and shrubs such as High Bush

Cranberry, Bridal Wreath and shrubs compatible with butterfly conservation issues. These plantings should be adjacent to the western edge of the Eischen property line and extending north from the evergreens planted to serve as a light buffer to the N/W Eischen property line marker. These plantings should be further extended north through the western edge of the Dupuis property as recommended by Mary Jean. We feel the developer and/or property association is further responsible for maintenance of these plantings.

We request these agreements and/or lack thereof be recorded and put in writing. Where reasonable requests and/or agreements can't be agreed upon, we would suggest a further opportunity to review these issues with a mediator and/or arbitrator.

Respectfully

Robert Eischen

Robert Eischen

Marcela Eischen

Marcella Eischen
