



PLANNING COMMISSION  
DATE: 6/30/14  
AGENDA ITEM: 4A – PUBLIC HEARING  
CASE # 2014-21

ITEM: Easton Village Preliminary Plat

SUBMITTED BY: Kyle Klatt, Planning Director

REVIEWED BY: Nick Johnson, City Planner  
Jack Griffin, City Engineer  
Lake Elmo Development Review Committee

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**SUMMARY AND ACTION REQUESTED:**

The Planning Commission is being asked to consider a Preliminary Plat request from Easton Village, LLC, 2140 West County Road 42, Burnsville, MN for a 217 unit single family residential subdivision to be located on 98.47 acres west of Manning Avenue and immediately south of the Union Pacific railroad corridor in the Village Planning Area. Staff is recommending approval of the request subject to compliance with a series of conditions as noted in this report.

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**GENERAL INFORMATION**

*Applicant:* Easton Village, LLC, (Tom Wolter) 2140 West County Road 42, Burnsville, MN

*Property Owners:* Same

*Location:* Section 13, Township 29 North, Range 21 West in Lake Elmo, north of 30th Street, west of Manning Avenue, and south of the Union Pacific railroad right-of-way. PID Numbers 13.029.21.14.0002, 13.029.21.41.0001, 13.029.21.42.0001 and 13.029.21.13.0001

*Request:* Application for preliminary plat approval of a 217 unit residential subdivision to be named Easton Village.

*Existing Land Use:* Agriculture, Woods/Natural Vegetation

*Current Zoning:* RT – Rural Transitional

*Proposed Zoning:* LDR – Urban Low Density Residential

*Surrounding Land Use:* North – vacant/agricultural land; west – single family home, City park, natural vegetation; south – vacant/agricultural land; east – Lake Elmo Airport (Baytown Township)

*Surrounding Zoning:* RT – Rural Transitional; PF – Public and Quasi-Public Open Space

*Comprehensive Plan:* Village Urban Low Density Residential (1.5 - 2.5 units per acre)

*History:* Property was included in Village Planning Area boundary and municipal sewer service area as defined in the 2013 Village Land Use Plan. Site has historically been used for farming activities, including the growing of agricultural crops. Sketch Plan review by Planning Commission on 1/27/14. AUAR for the project area approved by the City in May of 2009.

*Deadline for Action:* Application Complete – 6/13/14  
60 Day Deadline – 8/13/14  
Extension Letter Mailed – No  
120 Day Deadline – 10/13/14

*Applicable Regulations:* Chapter 153 – Subdivision Regulations  
Article 10 – Urban Residential Districts (LDR)  
§150.270 Storm Water, Erosion, and Sediment

## REQUEST DETAILS

The City of Lake Elmo has received a request from Easton Village, LLC for a preliminary plat to subdivide approximately 98 acres of land within the Village Planning Area into 217 single-family residential housing sites. The proposed subdivision would be located immediately south of the Union Pacific rail line that cuts through the bottom half of the Village Planning Area, and would extend from the Manning Avenue right-of-way to easternmost line of Reid Park. The development site has formerly been referenced as the Anchor Bank property; which also includes a large area north of the railroad tracks. At this time, the developer is only seeking to plat the land south of the railroad right-of-way, and will bring a preliminary plat forward on the northern site at a future date.

The subdivision site is presently used for agricultural purposes, and therefore has very little in the way of larger trees or other landscape features. Almost all of the trees on the applicant's site are located within the extreme western portion of the land, either around an existing single-family parcel of 5.15 acres in size, along the western property boundary, or in a windrow of trees along the property line to the south. When reviewing drainage patterns in the Village Area, it becomes obvious that the site under consideration accepts a large amount of storm water as it travels north to south and eventually into the Downs Lake watershed basin. With the recent heavy rains, the water moving through the site is readily apparent when driving by on Manning Avenue. A major component of the City Engineer's comments focus on storm water, which is the most significant site constraint that the applicant will need to properly address.

The transportation infrastructure surrounding the site also plays a major role in planning for the proposed subdivision because of the constraints it places on the site. In particular, the property to be subdivided is bordered by a major county roadway, Manning Avenue, that is planned for expansion to a four-lane section within the next several years. The site is further bordered by the Union Pacific rail line, which typically carries around 6 trains each day, and is immediately across from the Lake Elmo Regional Airport. The extreme northeast corner of the site is in a runway protection zone, which extends across the rail road tracks into the applicant's northern property. The location of airport safety zones in this area is one of the reasons that the developer is planning open space and storm water infiltration areas in the northeast portion of the site and why the site south of the tracks has been selected for development first.

A significant feature of the Easton Village preliminary plat is the proposed construction of an initial segment of the Village Parkway minor collector roadway. This road will ultimately provide a

connection between Highway 5 in the northern part of the Village Area to 30<sup>th</sup> Street at the southern end of the Village. Village Parkway, as depicted in the attached plans, has been designed to conform to the City's specifications for this roadway in terms of right-of-way width (80 feet), road width (32 feet), boulevard areas, and the location of a sidewalk and trail within the right-of-way. Because the road will be primarily providing access to the adjacent residential lots, the specifications for the road do not call for separated driving lanes with a center median. The internal road system has been designed to accommodate the Planning Commission's request for a modified grid layout that makes use of cul-de-sacs while still allowing for pedestrian connections back to the Village Parkway trail. The primary access into the development will be from a new connection to Manning Avenue immediately across from an existing entrance into the Lake Elmo Airport. Staff is recommending that this access road be used on a temporary basis until such time that the Village Parkway connection to 30<sup>th</sup> Street is completed.

In terms of parks and trails, the preliminary plat includes a fairly extensive system of trails that provide for internal connections to the planned lots and that will also traverse the open space in the northern and western portions of the plat. Consistent with previous direction from the Planning Commission, the developer has added trail connections at the end of the cul-de-sacs (with an exception that will be addressed in the comment section of this report) and has extended trails to the western property boundary. The western trails could potentially extend into Reid Park or through an adjacent parcel north of Reid Park. There is one larger 1.36 acre park planned within the middle portion of the site on Outlot D, with larger open space areas planned in Outlots B, H, and K.

There are two parcels that will be partially surrounding by the proposed development along its western boundary, including a 5.15 acre residential lot owned by Elizabeth Miner and Scott Lampert and a 2.6 acre parcel owned by Northern Natural Gas and used for a utility station. Both of these lots are accessed via a private driveway connection across the railroad that would be eliminated under the proposed subdivision plan. These sites will be able to access the planned public roadway system serving the lots in Easton Village.

The proposed storm water management plan for Easton Village includes a large and very deep storm water basin in the northeast part of the site, with smaller facilities located along the railroad right-of-way. All storm water runoff is therefore being direction north and around the residential homes, and will eventually outlet to into the planned storm water improvements on the property to the south. The developer will need to obtain permission from this property owner to move forward with the plan as proposed. The applicant has not yet obtained the proper permits from the Valley Branch Watershed District for the project, and will need to address any permitting requirements that come out of this review.

As the first project that will be seeking a connection to the Village Trunk Sewer line, the developer will need to make the initial connection to the Reid Park lift station as a part of this project. This connection will cross the southerly parcel currently under contract with Gonyea Homes, and both parties have indicated that they are agreeable to this extension. In this case, Gonyea and Easton Village, LLC have been coordinating a larger sewer extension project that will bring public sanitary sewer services to the northern portion of the Village and tie into the City's planned infrastructure project for 39<sup>th</sup> Street. With the platting and development of Easton Village, a significant piece of this larger sewer project will be constructed with this development. Water will be extended via a stub from the adjacent property and will connect to existing lines in the Village.

The applicant is proposing to bring forward a final plat for Easton Village development in stages, starting with the southeast portion of the property that will be served by the Manning Avenue access road.

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## PLANNING AND ZONING ISSUES

The Easton Village site is guided for Village Urban Low Density development in the City's Comprehensive Plan, and Staff is recommending that the zoning for the site be established as LDR – Low Density Residential. The overall subdivision plan has therefore been prepared in order to comply with the district standards for the LDR districts in terms of lot size, lot widths, building setbacks, and other design criteria. With the recent influx of subdivision and land applications, Staff will be bringing a broader Zoning Map Amendment proposal forward at the July 14<sup>th</sup> Planning Commission meeting in order to more efficiently notice and prepare zoning map amendments for each of these developing areas.

The arrangement of lots and blocks within the subdivision follows a fairly rigid grid pattern as one moves from east to west through the subdivision, but with cul-de-sacs off of the Village Parkway due to the City's access spacing requirements along this roadway. The proposed roadways have been designed in conformance to City standards, with the exception of the "eyebrow" pull out areas located at the curve of several streets. These road features will need be subject to further review by the City's Engineering and Public Works Departments. All other aspects of the road and subdivision layout conform to applicable subdivision ordinance requirements.

Although the proposed street system meets City requirements, the platting of Easton Village will include the southerly extension of the Village Parkway that will cross the Union Pacific rail line. The City will need to work with the railroad to obtain the necessary permits to create a new crossing, and this permitting process will likely take some time to complete. The City has been given initial feedback from the railroad that a new crossing will be considered in this location, but will require the closing of at least one existing public crossing as part of the permit. Staff is continuing to work towards making a formal request to the railroad in order to ensure that the planned crossing can move forward. In addition, the City needs to also determine whether or not the Easton Village, LLC should contribute towards the cost of the railroad crossing, or if this expense will be taken on by the City as a broader road improvement project.

Sidewalks and trails are planned throughout the subdivision, and as with other recent subdivisions, Staff is recommending that sidewalks be installed on at least one side of all single-family residential streets. The proposed plans provide for sidewalks consistent with the Staff recommendation. In addition to the internal trails and sidewalks that are proposed by the developer, the City has asked that the Village Parkway Corridor include a 10-foot bituminous trail on one side of the road and a six-foot sidewalk on the opposite side. The proposed plans conform to this request as well.

The proposed development standards for the lots are included as part of the attached subdivision packet, and each lot as depicted in the plans includes a description of the lot size, dimensions, and all required easements. The majority of the proposed lots are between 65 and 75 feet in width, and all meet the City's minimum area requirement of 8,000 for single family lots in a LDR district, with the smallest lot proposed at 8,100 square feet. The site plans further illustrate that throughout the single family area the lots will average 10,489 square feet, which exceeds the minimum requirements by a fairly wide margin.

The following is a general summary of the subdivision design elements that have proposed as part of the Easton Village preliminary plat and plans:



Zoning and Site Information:

- Existing Zoning: RT – Rural Transitional
- Proposed Zoning: LDR
- Total Site Area: 98.47 acres
- Total Residential Units: 217
- Proposed Density (Net): 2.5 units per acre
- REC Units from Comp Plan: 148-246 (using gross area calculation)

Proposed Lot Dimensional Standards:

- Min. Lot Width: 65 ft.
- Lot Depth: 100 ft. (130 ft. typical)
- Lot Area: 8,000 sq. ft. (8,100 min.)
- Front Yard Setback: 25 ft.
- Side Yard Setback: 5 ft. garage, 10 ft. primary building
- Rear Yard Setback: 20 ft.

Proposed Street Standards:

- ROW Width – Local 60 ft. (per Subdivision Ordinance)
- ROW Width – Minor Collector 80 feet
- Street Widths – Local: 28 ft. (per City standard)
- Street Width – Minor Collector 32 ft. – per City standard

The standards listed above are all in compliance with the applicable requirements from the City’s zoning and subdivision regulations. Based on Staff’s review of the preliminary plat, the applicant has demonstrated compliance with all applicable code requirements at the level of detail that is required for a preliminary plat.

As with any new subdivision the City Code requires that a portion of the plat be set aside for public park use. In this case, the applicant has indicated that certain outlot areas will be dedicated to the City for this purpose, including Outlots D and portions of B and H. Since a large portion these areas represent green belt or trail corridors and are not suitable for other types of active recreation usage, it is Staff’s recommendation that the City only accept the trail corridors as part of the park land dedication requirements if the developer constructs the planned trail over these areas in conjunction with other required infrastructure improvements. As a general policy, Staff is recommending that the City consider accepting smaller land dedications in exchange for a more robust and connected trail system that will provide access to the City’s numerous parks (including the regional park preserve).

The Subdivision Ordinance requires 10% of the land in urban residential districts to be set aside as open space, which totals 9.84 acres. The areas to be dedicated for public use add up to 7.96 acres based on the applicants calculation, which leaves the applicant 1.88 acres short of the required land dedication. Please note that Staff was having a difficult time following the area calculations included in the subdivision materials, and is recommending that these calculations be subject to further review by Staff and the developer. In addition, the developer does own additional land north of the railroad line that will include additional dedications of park land, and the City may want to consider future land dedications as part of the current subdivision review. This is an issues that can be resolved prior to submission of a final plat.

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## REVIEW AND ANALYSIS

City Staff has reviewed the proposed preliminary plat, which has gone through several versions in advance of the formal application being accepted as complete by the City. During the course of these reviews, several of the issues and concerns that were pointed out by Staff have been addressed by the applicant with updated submission documents; however, there are other elements of the plat that must still be addressed or corrected by the applicant, primarily as it relates to storm water management. In general, the proposed plat will meet all applicable City requirements for approval, and any deficiencies or additional work that is needed is noted as part of the review record.

Because of its location in the Village Planning Area, Easton Village will not be subject to a separate environmental review as long as the project is consistent with the development scenarios studied under the Village Area AUAR. The project is consistent with the City's Comprehensive Plan for the area, and the Comprehensive Plan was designed to be consistent with the AUAR. Where applicable, Staff has recommended condition of approval to ensure that the development conforms to the AUAR Mitigation Plan.

The City has received a detailed list of comments from the City Engineer and the Washington County concerning the proposed subdivision, in addition to general comments from the Valley Building Official and Fire Chief which are incorporated as part of the Staff comments below.

In addition to the general comments that have been provided in the preceding sections of this report, Staff would like the Planning Commission to consider the issues and comments related to the following discussion areas as well:

- **Comprehensive Plan.** The proposed subdivision is consistent with the Lake Elmo Comprehensive Plan for this area and with the densities that were approved for the Village Planning Area as part of this plan. The net density for the development is at the upper end of the range allowed for the Village urban low density land use category of 2.5 units per acre. Furthermore, the overall number of REC units planned matches the overall numbers that were used for projecting the unit counts in this area. With the current zoning restrictions associated of the airport runway safety zones crossing the applicant's property north of the railroad tracks, the applicant is seeking the maximum allowed density for the southern property given the uncertainty over the potential densities that may ultimately be allowed north of the tracks. At present, Staff estimates that the current airport zoning would allow no more than half of the projected density in this future development area. Other aspects of the Comprehensive Plan relate to the Easton Village subdivision as follows:
  - **Transportation.** The City's transportation plan calls for the construction of a minor collector road that will connect the northern and southern portions of the Village. Staff views this road as a critical piece of the transportation infrastructure that is needed to serve the densities that have been planned for this area. The applicant has incorporated the right-of-way at the width necessary to construct the minor collector as part of its preliminary plat. The plan does not include any specific language concerning the proposed Manning Avenue connection, although Washington County has noted that this connection will divert some traffic that would otherwise be using the 30<sup>th</sup> Street/Manning Avenue intersection. There will not be enough future traffic along Manning Avenue to support a signalized intersection at both intersections.

- **Parks.** The Village Land Use Plan calls for a larger park area along both the northern and southern edge of the railroad right-of-way, and the proposed development includes open space and a trail along the railroad's southern boundary. This area is not as large as depicted in the Comprehensive Plan; however, the applicant has expressed concern that the open space and/or park dedication on the northern property may need to expand due to airport zoning restrictions. Based on the Park Commission's review of the sketch plan, the Park Commission was interested in the more robust trail system and potential expansion of park areas north of the rail line consistent with the developer's preliminary plat.
- **Water.** Water is being stubbed into the site from an adjacent property and will connect to the broader Village (and City) water system. The City recently installed Well Number 4 just north of the Village consistent with the City's Water Plan, and there is adequate supply to provide for the proposed development.
- **Sanitary Sewer.** Sewer will be extended to the development from the Reid Park lift station, but will need to cross the property to the south (under contract with Gonyea Homes). This project is part of a larger project to bring sewer to the northern portions of the Village, and both Easton Village and Gonyea are cooperating on the line south of the railroad.
- **Phasing.** All of the Village is identified as a Stage 1 phasing area for development, and the preliminary plat documents that adequate public facilities are available or will be constructed as part of the project to serve the subdivision.
- **Zoning.** As noted above, future zoning action will be necessary to change the zoning of the subject parcels from RT to LDR. A zoning map amendment to achieve the necessary change will be brought before the Planning Commission in the near future.
- **Airport Zoning Issues.** The northeastern portion of the site lies within a runway protection zone for the Lake Elmo Airport, and development activity of any kind is severely restricted in this zone. The proposed infiltration basin is acceptable; however, there are some trees and other plantings depicted on the plans that will likely be deemed incompatible with the protection zone (RPZ). The Metropolitan Airports Commission (MAC) did discuss Easton Village with Staff prior to the Planning Commission meeting, and requested that the developer consider potential noise and other impacts associated with the airport as the development progresses. Staff is recommending that the landscape plan be reviewed by MAC to ensure conformance with RPZ requirements and to help address airport concerns over the landscaping of storm water ponds outside of the RPZ. The City is continuing to work with the MAC and MnDOT aeronautics to develop airport zoning that will address airport zoning restrictions on the northern Easton Village property.
- **Subdivision Requirements.** The City's Subdivision Ordinance includes a fairly lengthy list of standards that must be met by all new subdivisions, and include requirements for blocks, lots, easements, erosion and sediment control, drainage systems, monuments, sanitary sewer and water facilities, streets, and other aspects of the plans. The majority of these requirements have been addressed as part of the City Engineer's comments (which are summarized below) or have been reviewed as part of Staff's ongoing communications with the applicant regarding the project.
- **Infrastructure.** The developer will be required to construct all streets, sewer, water, storm water ponds, and other infrastructure necessary to serve the development. The responsibility

for the costs associated with the future Village Parkway railroad crossing still needs to be discussed between the City and the developer.

- **Landscaping.** The City's consulting landscape architect has reviewed the preliminary landscape plan and noted that the plans submitted were not prepared by a landscape architect as per the City's ordinance. The plans do provide calculations to document compliance with the ordinance, but these calculations show that the project is short on the number of trees, but exceeds the requirements for the size (in terms of caliper inches) of the proposed trees. Staff is recommending that a plan, prepared by a landscape architect, be submitted as a condition of approval, and that this plan be reviewed for consistency with the City's requirements.
- **Tree Preservation and Protection.** The City recently adopted a tree preservation and protection ordinance; and the subdivision plans include a description of the trees and sizes of these trees to be removed. There is no related replacement plan consistent with the City's requirements included in the attached materials. Staff is recommending that this plan can be reviewed with an updated landscaped plan given the relatively low number of trees that will be impacted by the development.
- **Green Belt/Buffer.** The Village Land Use Plan includes a green belt/open space area around the proposed residential development areas. The plan does not identify a specific dimension for the green belt, and instead noted that each development will be reviewed for consistency with the general plan. In the case of Easton Village, the developer is proposing to accommodate storm water retention and infiltration within a buffer area along Manning Avenue, and the width of this buffer will vary from approximately 600 feet in width on the north part of the subdivision to 100 feet in the southern portion of the subdivision.
- **Natural Area Preservation.** The Village AUAR identifies primary and secondary ecologically sensitive areas throughout the planning area, and a larger primary area is located on what is labeled as Outlot K on the preliminary plat. This area is shown as an open space area within the plat, and will therefore not be developed for residential lots. Because this area is located adjacent to Reid Park, Staff is recommending that this parcel be considered for park land dedication.
- **Existing Residential Parcel.** The proposed development will plat single family homes adjacent to the Lampert/Minor parcel in the eastern portion of the subdivision. The applicant's plan preserves most of the trees and landscaping around this parcel; Staff is recommending the proposed protective tree fencing depicted on the existing conditions plan also be shown on the grading plan to help ensure that as few trees as possible are impacted by the construction activity.
- **Streets and Transportation.** The proposed street system has been designed to comply with all applicable subdivision requirements and City engineering standards. Staff is requesting that the plans for Village Parkway include all design elements as requested by the City, including the street trees, landscaping, lighting, signage, and fencing proposed as part of the City's theming project prepared by Damon and Farber Associates. Other transportation comments from Staff include the following:
  - **Manning Avenue Access.** The proposed access to Manning Avenue will meet County access spacing and other design requirements with the modifications as requested in the Washington County review comments. However, after further reviewing the overall transportation plan for the Village, Staff is recommending that this access be approved as a temporary access until such time that Village Parkway is

extended to 30<sup>th</sup> Street. Staff is recommending this course of action for the following reasons: 1) the connecting road between Manning Avenue and Village Parkway will be a heavily travelled segment and serve as a de facto extension of the parkway, 2) residents along this stretch will experience heavy amounts of traffic and will likely run into times when queuing lines from Manning extend across their driveways, and 3) removing traffic from the Manning Avenue/30<sup>th</sup> Street intersection will greatly decrease the potential for this intersection to be signalized at some point in the future.

- **Trails.** The sketch plan included a trail connection between Lots 13 and 14 of Block 3 on the preliminary plat. Staff is recommending that that this connection be included in the final plat.
- **Street Names.** Staff is continuing to work on implementing a clear and consistent naming system for new streets in the community and will need to provide names for the streets within Easton Village. As a condition of approval, Staff is asking that the applicant continue to work with the City at developing street names for the project, and that these names be included with the final plat submission.
- **City Engineer Review.** The City Engineer has provided the Planning Department with a detailed comment letter as a summary of his preliminary plat review. Staff has incorporated the more significant issues identified by the Engineer as part of the recommended conditions of approval, and has also included a general condition that all issues identified by the City Engineer must be addressed by the applicant prior to approval of a final plat for any portion of the Easton Village subdivision. Storm water management is a significant concern as noted in the comments, and the applicant is advised to continue working with the watershed district to ensure the storm water management plans will meet Valley Branch requirements.
- **Fire Department Review.** The Fire Chief has reviewed the plat and has requested that additional buffering be provided between the proposed homes and Northern Natural Gas utility site. He has also asked that the spacing of fire hydrants comply with the City's requirements. The City Engineer will be taking these comments into consideration during its review of future construction plans for this subdivision.
- **Washington County Review.** County Staff has reviewed the Easton Village plat and provided specific comments to the City in a letter dated June 24, 2014. The most significant of the County's concerns is that the applicant will need to make improvements to Manning Avenue in order to construct the proposed access into the subdivision. These improvements will required whether or not the access road is temporary or permanent. As a condition of approval, Staff has noted that the applicant will be responsible for address all of the County's review comments.
- **Watershed Districts.** The project area lies within the Valley Branch Watershed District; the developer will need to secure permits from the watershed district in order to proceed with the development as planned.
- **AUAR Mitigation Plan.** As projects within the Village Planning Area come forward, Staff is continuing to monitor each development for consistency with the AUAR and to make sure that the mitigation plan is being properly addressed either as part of broader City actions or directly through appropriate development plans. In this case, the mitigation elements that are most directly applicable to the Easton Village include the following;



- ***Railroad Setbacks and Noise.*** The proposed plat establishes a larger setback between the rail line and individual homes within the subdivision by incorporating outlots along the southern edge of the railroad right-of-way.
- ***Storm Water Management.*** The storm water management system has been designed to comply with City and Watershed District requirements. The larger amount of open space, including ponding areas, is consistent with the expectations established in the AUAR.
- ***Traffic.*** The crossing of the railroad is a critical component of the transportation plan and the proposed plans anticipate this crossing. The eventual elimination of the Manning Avenue access will help keep anticipated improvements at 30<sup>th</sup> and Manning a viable option.
- ***Railroad Crossing.*** The design of the railroad crossing, and in particular, the necessary improvements within the Village Parkway to design for a whistle-free crossing, should be further evaluated with the developer. Staff is recommending that the final development plans include a design that will allow for a future whistle-free crossing.

Based on the above Staff report and analysis, Staff is recommending approval of the preliminary plat 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 move forward with a final plat. The recommended conditions are as follows:

***Recommended Conditions of Approval:***

- 1) Within six months of preliminary plat approval, the applicant shall complete the following: a) the applicant shall provide adequate title evidence satisfactory to the City Attorney; b) the applicant shall pay all fees associated with the preliminary plat. All of the above conditions shall be met prior to the City accepting an application for final plat and prior to the commencement of any grading activity on the site.
- 2) The grading plan shall be updated to include the protective tree fencing necessary to preserve all vegetative areas identified for protection around the 5.15 acre residential parcel to the west of the subdivision.
- 3) The applicant shall work with the City and Washington County to identify and reserve sufficient space for a future trail corridor along the western right-of-way line of Manning Avenue.
- 4) The applicant shall submit a landscape plan prepared by landscape architect for review and approval by the City. The landscape plan submittal will include a tree protection and replacement plan consistent with City ordinances.
- 5) The final plat will incorporate all review comments from the City's landscape architect, including the selection and mix of plantings within storm water basins and infiltration areas.
- 6) The landscape plan shall include additional plantings around the Northern Natural Gas utility site.
- 7) The proposed access to Manning Avenue will be permitted as a temporary access until such time that the Village Parkway is connected to 30<sup>th</sup> Street. The construction plans will be updated to reflect the temporary nature of this street.

- 8) The applicant shall be responsible for the construction of all improvements within the Manning Avenue (CSAH 15) right-of-way as required by Washington County and further described in the review letter received from the County dated June 24, 2014.
- 9) The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and shall acquire the needed permits from the appropriate watershed districts prior to the commencement of any grading or development activity on the site.
- 10) 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 and open space on the final plat.
- 11) The developer shall provide an updated accounting of the land to be dedicated for park purposes prior to submission of a final plat. If required, the developer shall be required to pay a fee in lieu of park land dedication equivalent to the fair market value for the amount of land that is required to be dedicated for such purposes in the City's Subdivision Ordinance less the amount of land that is accepted for park purposes by the City. Any cash payment in lieu of land dedication shall be paid by the applicant prior to the release of the final plat for recording.
- 12) Any land under which public trails are located will be accepted as park land provided the developer constructs said trails as part of the public improvements for the subdivision.
- 13) All required modifications to the plans as requested by the City Engineer in a review letter dated June 26, 2014 shall be incorporated into the plans prior to consideration of a final plat.
- 14) The City and developer will determine the appropriate distribution of future costs associated with the Village Parkway railroad crossing improvements as part of a developer's agreement for any portion of Easton Village.
- 15) The developer shall address any comments from Metropolitan Airport Commission as part of a final plat submission for any portion of Easton Village. MAC will be asked to comment on the landscape plan, and the plan shall be revised to address any specific comments concerning the appropriate vegetation to be planted within storm water facilities.
- 16) The landscape plan shall be revised to eliminate all trees planted within the Lake Elmo Airport Regulatory Protection Zone.
- 17) The final plat shall include a paved trail connection between Lots 13 and 14 of Block 3.
- 18) The applicant shall submit written acknowledgement from property owner of the parcel immediately to the south of Easton Village concerning the storm water being outlet running into their property.
- 19) The applicant is encouraged to incorporate elements from the Lake Elmo Theming Study into the open space areas within the subdivision.
- 20) The developer shall obtain all required permits from Northern Natural Gas to perform construction work over the gas line that runs from north to south across this site.
- 21) The developer shall be required to extend sewer to the northernmost boundary of the site.

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## DRAFT FINDINGS

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

- That the Easton Village preliminary plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- That the Easton Village preliminary plat complies with the City’s Urban Low Density Residential zoning district.
- That the Easton Village preliminary plat complies with all other applicable zoning requirements, including the City’s landscaping, storm water, sediment and erosion control and other ordinances.
- That the Easton Village preliminary plat complies with the City’s subdivision ordinance.
- That the Easton Village preliminary plat is consistent with the City’s engineering standards.

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## RECCOMENDATION:

Staff recommends that the Planning Commission recommend approval of the Easton Village preliminary plat with the 21 conditions of approval as listed in the Staff report. Suggested motion:

*“Move to recommend approval of the Easton Village preliminary plat with the 21 conditions of approval as drafted by Staff”*

## ATTACHMENTS:

1. Application Form (3)
2. Preliminary Plat Narrative
3. Legal Description
4. Wetland Evaluation Report (Summary)
5. Review Comments:
  - a. City Engineer
  - b. Washington County
  - c. Landscape Architecture, Inc,
6. Preliminary Plat and Plans (37 sheets)

## 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

Date Received: \_\_\_\_\_  
Received By: \_\_\_\_\_  
LU File #: \_\_\_\_\_



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

### PRELIMINARY PLAT APPLICATION

Applicant: Easton Village LLC  
Address: 2140 W County Rd 42 Burnsville MN 55337  
Phone #: 952 292 0046  
Email Address: Tom @ Walter-mn.com

Fee Owner: SAME  
Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Property Location (Address and Complete (long) Legal Description): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

General information of proposed subdivision: \_\_\_\_\_  
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Conducted pre-application meeting with Staff?  Yes  No

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: Tom Walter Date: 3-27-2014

<b>City Use Only</b> Planning: Zoning District: _____ Reviewed by: _____ Date: _____ Subject to the following conditions: _____ _____ Engineering: Reviewed by: _____ Date: _____ Subject to the following conditions: _____ _____
---





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 Easton Village LLC  
(Please Print)

Street address/legal description of subject property \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Tom Wro  
Signature

3-27-2014  
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.



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 *Ton Wase* Date 3-27-2014

Name of applicant Easton Village LLC Phone 952-292-0046  
(Please Print)

Name and address of Contact (if other than applicant) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# *E*<sub>ASTON</sub> *V*<sub>ILLAGE</sub>

## Preliminary Plat Narrative

June 12, 2014

The project property consists of 98.5 acres located along the west side of Manning Avenue North about a quarter mile south of Highway 5 and bordered on the north by railroad tracks. The property is owned by Easton Village, LLC. The property is currently used for farming practices. The property is currently identified as Low Density Residential in the Comprehensive Plan, Planned Land Use section. No change is required or requested of the Comprehensive Plan designation.

### DENSITY/LOTS

The density of the project is 2.20 units per acre of gross area and 2.38 net density, below the maximum allowed by the Comprehensive Plan of 2.5 units per acre. The typical lot size as shown is 65 feet wide and 130 feet in length, providing a typical lot area of 8,450 square feet, larger than the 8,000 minimum. The smallest proposed lot is 8,100 square feet. The average lot area is 10,489 square feet. All of the lots will meet or exceed the minimum standards. No variances or exceptions are anticipated. Proposed setbacks meet with the minimum established for this zoning district, 5-ft garage side, 10-ft house side, 25-ft front, 15-ft corner side yard and 20-ft rear yard setback.

EASTON VILLAGE  
 PRELIMINARY PLAT NARATIVE  
 Page 2 of 4

AREA CALCULATION SUMMARY

PARK AREA	7.96
OPEN SPACE	18.90
LOT AREA	52.25
RIGHT OF WAY	19.37
RUNWAY PROTECTION ZONE	4.77
STEEP SLOPE AREAS	2.65
TOTAL PROPERTY AREA	98.47
TOTAL PROPOSED LOTS	217
PERCENT OF OPEN SPACE/PARK	27.3%
GROSS DENSITY	2.20
NET DENSITY*	2.38

OPEN SPACE

As with the concept drawing the preliminary plat document design includes a large amount of open space and park area. Approximately 27.3% of the project is either defined as park or open space. The area along Manning Avenue North will provide for buffering of 100 feet or more, with ponds, berms and landscaping of this area. The concept was redesigned per our discussions with the Park Commission and the Planning Commission, with a reduction in park space on the north of the property. Parks and neighborhoods will now be connected together with a trail system that has been expanded from the first concept. Reid Park will be connected to the development with a trail connection that will extend to the park (Outlot D) proposed for the first phase of the development. The proposed northern parks have been reduced in size and reconfigured as a linear park system, once again with the goal of connecting neighborhoods together. Due to the location and use of the Outlots, we are currently proposing to turn all Outlots over to the City for maintenance and care. The area designated as the infiltration area meets with the requirements for the Runway Protection Zone for Runway 32 at the Lake Elmo Airport.

## EASTON VILLAGE

### PRELIMINARY PLAT NARATIVE

Page 3 of 4

#### PHASING

The phasing of the project is anticipated to begin with a 36 unit addition identified on sheet C5 of the plan set. Connection to water and sewer through Reid Park would be a part of this first phase. Each additional phase would more than likely move north and then west. We anticipate that the first phase will involve the construction of the large ponds on the north and east of the project, and enough grading to ensure proper drainage for all portions of the project. Trunk sewer and water will also be part of Phase I, as indicated on sheet C5.

#### STREETS/TRAILS

The street design for the local roads meets with the City Standard width and section. The collector road width and right of way width both meet with dimensions provided by City Staff. Both street sections will feature concrete curb and gutter with bituminous surfacing. The collector road provides a trail corridor and sidewalk. The trail is featured on the east side of the road with the sidewalk on the west. The trails section meets City requirements of 8.5 feet in width and all sidewalks have been designed as 6 feet in width. The sidewalks are proposed on at least one side of the local roads, also helping to connect the neighborhoods together. A quiet zone design has been shown for the future railroad crossing.

#### UTILITIES

The home sites will be served with City Sewer and City Water from the new lift station and existing water main systems that will be extended to the property limits of this site as discussed with City Staff. Currently the design shows the sanitary sewer extending to the site from the property to the south. This system then continues through our site to the northwest property boundary and will serve as the trunk sewer that will provide service to the future developments north of Highway 5. The water may follow the same route or up the future collector road, this has yet to be decided and will be addressed in the near future with City Staff and other property owners to determine the best routing.

#### STORM SEWER AND PONDING

One of the major challenges for the design of this subdivision was the large amount of water flowing through the site. The design incorporates retention ponds, detention ponds and a large infiltration pond to meet the rate and volume control for the property. Due to the limited outfall from the site the proposed pond on Outlot B has been designed with extra depth to allow for increased water



## EASTON VILLAGE

### PRELIMINARY PLAT NARATIVE

Page 4 of 4

quality and to provide adequate material to be able to meet the freeboard separation for the proposed home sites. This ponding area is connected to the proposed infiltration area with a rock filter berm to help filter the water prior to entering the area. This design feature will help to minimize the future maintenance and improve the longevity of the infiltration capability. The ponding area on Outlot B will be lined extensively to insure the pond remains at its normal water elevation is maintain as best as possible. The ponding and infiltration as shown in Outlot B and Outlot H provide the needed rate and volume control for the entire subdivision, both of which have been designed with access for maintenance with the proposed trail system. The remaining drainage for the property is accomplished with the used of backyard swales, which act as retention only areas for flood conditions. Depending upon timing of the Gonyea's Development to the south, grading may have to occur on the Schiltgen Property in order to facilitate the proper timing of the construction of this development. This will be decided in the near future and will be incorporated into the construction documents and final phase of the project. All home sites have been designed with their lowest floor 2 feet or more above the 100-Year High Water Elevation, and 1 foot above the emergency overflow elevations. Lookout type lots have been labeled with elevations that create proper drainage from low openings of the homes, with low openings 1 foot above emergency overflow points and with basements 2 feet above the 100-year flood events.

### NEIGHBORING PROPERTIES AND IMPACTS

Due to the lack of neighbors to this parcel, no opposition has been received. The one adjoining resident is located on the western boundary and this development will have little impact on this parcel. A buffering of trees will remain between the new and existing neighbor. One benefit will be the future road connection, eliminating the current access easement used by the neighbor, which is a poorly graded and maintained gravel access to the gas facility in the northwest corner of the property. We have made early efforts to address issues associated with the gas crossings and the Airport Runway Protection Zone. We have also made contact and had discussions with the County in regards to the location and type of access for this development, all done to help move this project to the next stage.



# LAND TITLE

service beyond the expected

Prepared for:

Tom Wolters  
2140 County Road 42 West  
Burnsville, MN 55337  
Attn: Tom Wolters  
Client File No.:

LT File Number: 502715

## 350 FOOT RADIUS REPORT LETTER

Land Title, Inc. hereby certifies that as of 3/12/2014, it has searched the public records in the Washington County Department of Property Taxation and finds the names and addresses of property owners within 350 feet of the property described as:

All that part of the West Fifty-nine and one-half (59 ½) rods of the West Half of the Northeast Quarter (W ½ of NE ¼) of Section Thirteen (13), Township Twenty-nine (29) North, Range Twenty-one (21) West lying South of the right of way of the Chicago, St. Paul, Minneapolis & Omaha Railway Company; and also the North Half of the Southeast Quarter (N ½ of SE ¼) of Section Thirteen (13), Township Twenty-nine (29) North, Range Twenty-one (21) West, excepting therefrom:

Commencing at the Southwest corner of Northwest Quarter of Southeast Quarter (NW ¼ of SE ¼) of Section Thirteen (13), Township Twenty-nine (29) North, Range Twenty-one (21) West, East Oakdale Township, Washington County, Minnesota; thence North along the West line of said Southeast Quarter (SE ¼) of Section Thirteen (13) for Two Hundred Forty (240) feet to the point of beginning of this description; thence continuing North along said West line of Southeast Quarter (SE ¼) for Six Hundred sixty-seven and eight tenths (667.8) feet; thence East at right angle for Thirty (30) feet; thence Southeasterly by a deflection angle to the right Forty-six degrees twenty-eight minutes (46° 28') for Two Hundred twenty and seven tenths (220.7) feet; thence Southeasterly by a deflection angle to the left Twenty degrees thirty-five minutes (20° 35') for Two Hundred eighty-six and eight tenths (286.8) feet; thence South by deflection to the right Sixty-four degrees and zero seven minutes (64° 07') and parallel with said West line of Southeast Quarter (SE ¼) for Three Hundred eighty-two and seven tenths (382.7) feet; thence West at right angle for Four Hundred forty (440) feet to the point of beginning.

### Exhibit I

The above described tract is sold subject to an easement Thirty (30) feet in width, which is hereby reserved by the first party, sellers, for purposes of a roadway to provide access to the above described 5.1 acre tract, the Westerly line of said easement being described as follows:

Commencing at the Southwest corner of the Northwest Quarter of Southeast Quarter (NW 1/4 of SE 1/4) of Section Thirteen (13), Township Twenty-nine (29) North, Range Twenty-One (21) West, East Oakdale Township, Washington County, Minnesota; thence North along the West line of Southeast 1/4 (SE 1/4) of Section Thirteen (13), being the North and South Quarter line of said Section Thirteen (13) for Nine hundred seven and eight tenths (907.8) feet to the point of beginning of this thirty (30) foot road easement; thence continuing North along said North and South quarter line of Section Thirteen (13) for

EXHIBIT A  
LT File No. 502715

Four hundred seventy-six and two tenths (476.2) feet being along said Westerly line of this thirty (30) foot road easement to its intersection with the Southerly right of way line of Chicago, St. Paul, Minneapolis & Omaha Railway Company, being the end of this easement.

And also excepting therefrom:

All that part of the Northeast Quarter (NE  $\frac{1}{4}$ ) and all that part of the North Half of the Southeast Quarter (N  $\frac{1}{2}$  of SE  $\frac{1}{4}$ ), all in Section Thirteen (13), Township Twenty-nine (29) North, Range Twenty-one (21) West, Village of Lake Elmo, Washington County, Minnesota, more particularly described as follows:

Beginning at a point on the Southerly right-of-way line of the Chicago and North Western Transportation Company, said point being Sixty-six (66) feet East of (as measured at right angles to) the North-South Quarter Section line of Section Thirteen (13), Township Twenty-nine (29) North, Range Twenty-one (21) West, Washington County, Minnesota; thence South, parallel with and Sixty-six (66) feet East of (as measured at right angles to) said North-South Quarter Section line for Three Hundred Thirty (330) feet; thence East at right angles for Three Hundred (300) feet; thence North at right angles for Four Hundred Twenty-four and Two Hundredths (424.02) feet to its intersection with said Southerly right-of-way of the Chicago and North Western Transportation Company; thence Southwesterly along said Southerly right-of-way of the Chicago and North Western Transportation Company for Three Hundred Fourteen and Thirty-nine Hundredths (314.39) feet to the point of beginning.

Together with an easement for ingress and egress over the following described tract:

The West Sixty-six (66) feet of the Northeast Quarter (NE  $\frac{1}{4}$ ), excepting therefrom all that part thereof which lies North of Southerly right-of-way of the Chicago and North Western Transportation Company, and the West Sixty-six (66) feet of the North Half of the Southeast Quarter (N  $\frac{1}{2}$  of SE  $\frac{1}{4}$ ). Excepting therefrom all that part thereof which lies South of a Westerly projection of the South line of the above described tract, all in Section Thirteen (13), Township Twenty-nine (29) North, Range Twenty-one (21) West, Washington County, Minnesota.

And also excepting therefrom:

That part of the Northeast Quarter of the Southeast Quarter of Section 13, Township 29 North, Range 21 West lying Easterly of a line 60.00 feet West of, measured at a right angle to and parallel with the centerline of County State Aid Highway 15 described as follows:

Commencing at the East quarter corner of said Section 13, thence South 00 degrees 51 minutes 49 seconds East, bearing oriented to the Washington County Coordinate System, South Zone, along the East line of said Section 13 to the Southeast corner of said Section 13 and the beginning of the center line to be described, thence North 00 degrees 45 minutes 51 seconds West a distance of 2700.00 feet, and said center line there terminating, Washington County, Minnesota.

AND

EXHIBIT A  
LT File No. 502715

The Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼); also the South Four Hundred Ninety-five (495) feet of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼); also that part of the East Three Hundred thirty-eight and twenty-five hundredths (338.25) feet of the West One-half (W ½) of the Northeast Quarter (NE ¼) lying South of the North One Hundred twenty-eight and seventy-eight hundredths (128.78) feet thereof; all in Section thirteen (13) in Township Twenty-nine (29) North of Range Twenty-one (21). According to the United States Government Survey thereof.

Excepting therefrom:

That part of the Southeast Quarter of the Northeast Quarter and that part of the Northeast Quarter of the Northeast Quarter except the North 50 rods (825.00 feet) of Section 13, Township 29 North, Range 21 West lying Easterly of a line 60.00 feet West of, measured at a right angle to and parallel with the center line of County State Aid Highway 15 described as follows:

Commencing at the East Quarter corner of said Section 13, thence South 00 degrees 51 minutes 49 seconds East, bearing oriented to the Washington County Coordinate System, South Zone, along the East line of said Section 13 to the Southeast corner of said Section 13 and the beginning of the center line to be described; thence North 00 degrees 45 minutes 51 seconds West a distance of 3571.19 feet, thence North 00 degrees 54 minutes 55 seconds West a distance of 1000.00 feet, and said center line there terminating, except the Chicago and Northwestern Railroad right of way, Washington County, Minnesota.

And

Except that portion North of the Chicago and Northwestern Railroad right of way, Washington County, Minnesota.

to be entries 1 through 11, inclusive, as shown on attached Exhibit A.

Dated this 18th day of March, 2014 at 7 o'clock A.M.



By: Missy Jensen  
An Authorized Signature



**KJOLHAUG** ENVIRONMENTAL SERVICES COMPANY  
*Providing Sound, Balanced, Comprehensive Natural Resource Solutions*

## Memorandum

**Date:** May 16, 2014

**To:** Karen Wold, Barr Engineering  
Thomas Hingsberger, Army Corps of Engineers

**Cc:** Tom Wolter

**From:** Ben Carlson, Kjolhaug Environmental Services Company

**Re:** Site Assessment for Wetland Habitat – Wolter Project in Lake Elmo, MN  
KES PROJECT # 2014-033

---

On Thursday, April 24, 2014, Ben Carlson (Certified Wetland Delineator #1125) with Kjolhaug Environmental Services (KES) reviewed the aforementioned parcel for potential wetland habitat. The parcel is located in part of the E ½ of Section 13, T29N, R21W, Washington County, Lake Elmo, MN. The site is comprised of four parcels for a total of 98.39 acres. The site was examined in 2005 by Kjolhaug Environmental Services and no wetland was identified within the project area (KES Project # 2005-171, Hutchinson Property, dated August 18<sup>th</sup>, 2005).

The intent of the site assessment was to determine if wetland was present at the project location and if present determine the extent.

A Project Location Map (Hudson and Stillwater Quads) (**Figure 1**), the Minnesota Department of Natural Resources (MN DNR) Public Water Inventory Map (PWI) (**Figure 2**), the Washington County Soil Survey Map (**Figure 3**), and the National Wetland Inventory (NWI) Map (**Figure 4**) were reviewed prior to the site visit and used in the site review process. Aerial images from 1980, 1981, 1983-2000, 2003, 2004, 2006, 2008, 2009, 2010, and 2013 were examined for cropping history and indicators of hydrology (Appendix A).

The PWI and NWI maps indicate no wetland habitat within the project area. According to the Washington County Soil Survey map, the project area is mapped with Antigo, Campia, Chetek, Comstock, and Crystal Lake (all non-hydric) soil with a small area of Auburndale (Hydric) soil in the SW corner of the site. It should be noted that the parcel to the south of the site was delineated by Kjolhaug Environmental Services in 2013 and a small wetland was identified



south of the area mapped as Auburndale soil, however, the wetland area did not extend onto the Wolter's site.

### Site Review

The project area gradually slopes from north to south with a slight drop in elevation across the site. The project area is currently used for agricultural production; the southwest corner of the project area is hardwood forest with a small wetland identified south of the property.

Three areas (Sample Points A, B, and C) were assessed for potential wetland habitat, however, the areas were determined to be non-wetland. All three areas were located within plowed agricultural field and were lacking any vegetation. Sample Point A (SP-A) was located at the north end of a shallow drainage channel that runs from north to south (western channel). Sample Point B (SP-B) was located at the southern end of a shallow drainage channel that runs from north to south (eastern channel). Sample Point C (SP-C) was located at the south end of the western channel (South of SP-A).

Soil borings were taken at each sample area and non-hydric soil was observed at each location. Sample Point A had water within 4" of the soil surface, Sample Points B and C were dry (no water in the borehole, see Data Sheets in Appendix B).

A precipitation graph is included (Figure 5), for the year (From January 1 to April 24<sup>th</sup>) the area is 0.71" above normal for precipitation, the week prior to the site visit had 1.67" inches of precipitation.

An FSA aerial photo review was performed for the site. Aerial images from 1980, 1981, 1983-2000, 2003, 2004, 2006, 2008, 2009, 2010, and 2013 were examined for cropping history and indicators of hydrology (Appendix A). Precipitation data was obtained from the Minnesota Climatology Working Group Website (<http://climate.umn.edu/doc/historical.htm> Stillwater, MN Station). Antecedent precipitation conditions were compared to available years of imagery; years with normal precipitation conditions were 1980, 1981, 1983, 1984, 1985, 1991, 1992, 1994, 1995, 1996, 2000, 2004, and 2008. An assumed date of July 1<sup>st</sup> was applied for each image.

According to the WETS table (Figure 6) Sample Point A showed hydrology indicators 23% of the time (3 out of 13 years with normal precipitation), Sample Point B showed hydrology indicators 38% of the time (5 out of 13 years with normal precipitation), and Sample Point C showed hydrology indicators 46% of the time (6 out of 13 years with normal precipitation).

The drainage channels are periodically visible throughout the historical imagery; however, the imagery may be misleading. Because of the ongoing erosion and drainage, signatures are present frequently; KES believes the signatures to be a false positive of hydrology indicators. During the early part of the growing season and into the early part of summer, much of the agricultural field is void of vegetation. During significant rain events, without vegetation to absorb or slow down the energy from the rain event, significant erosion occurs thus washing out the channels. The channels then shows up in aerial imagery (images are generally taken on our around July 1<sup>st</sup>). By the time the image has been taken the vegetation within the field has shown

significant growth, however, the vegetation within the channel has been washed away, making the area look drowned out or avoided. These areas may look like wetland on the historical images but are temporarily flooded drainage channels lacking persistent hydrology to meet jurisdictional wetland criteria.

Based on this information and the fact that non-hydric soils were observed at each sample location, the areas associated with Sample Points A, B, and C should be considered non-wetland.

Summary

Certified Wetland Delineator, Ben Carlson reviewed the property and did not observe any jurisdictional wetland within the property. The NWI map indicates no wetland habitat within the project boundary; the review areas had non-hydric soils and were lacking persistent hydrology indicators based on the long term photographic record.

If you have any questions regarding this project, or need additional information, please do not hesitate to call me at 612-237-5996.

Thank you,

A handwritten signature in cursive script that reads "Ben Carlson".

Ben Carlson, WDC (#1125)

# MEMORANDUM

# FOCUS ENGINEERING, inc.

Cara Geheren, P.E. 651.300.4261  
Jack Griffin, P.E. 651.300.4264  
Ryan Stempksi, P.E. 651.300.4267  
Chad Isakson, P.E. 651.300.4285

Date: June 26, 2014

To: Kyle Klatt, Planning Director  
Cc: Nick Johnson, City Planner  
Ryan Stempksi, P.E., Assistant City Engineer  
From: Jack Griffin, P.E., City Engineer

Re: Easton Village  
Preliminary Plat Review

An engineering review has been completed for the Easton Village development. A Preliminary Plan submittal was received on June 16, 2014. The submittal consisted of the following documentation prepared by Erickson Civil:

- Preliminary Plans dated June 12, 2014.
- An updated Preliminary Storm Water Drainage Report was not provided.

**STATUS/FINDINGS: Engineering review comments are as outlined below. Comments that are underlined indicate potential site plan changes that may impact the preliminary or final plat:**

## AGENCY AND THIRD PARTY APPROVALS

- The City must receive copies of the written approvals from Washington County to verify the proposed access to Manning Avenue (CSAH 15) together with any County requirements. Turn lane, by-pass lane and other improvements on Manning Avenue as required by Washington County must be identified and incorporated into the plans at the developer's cost.
- Union Pacific Railroad must provide approval of the location and profile of the proposed street and utility crossings.
- The City must receive copies of the written approvals from Northern Natural Gas for the proposed locations and profiles of the multiple street and utility crossings. Any conditions of approval must be provided.
- The proposed drainage plan indicates the direct discharge of storm water runoff from the site to the property to the south. The applicant must submit written permission from the impacted property owner acknowledging and consenting to this discharge location, volume and rate(s).
- Plan revisions are necessary to fully incorporate and comply with the Lake Elmo engineering design standards. Any changes proposed in the Lake Elmo engineering design standards, standard details, plan notes, or specifications must be clearly identified in a "change request" letter by the developer's engineer and submitted for consideration.
- The plans must include all applicable City standard details and must use City standard plan notes for the applicable plan sheets. All other plan notes must be removed where they duplicate or contradict the City standards. Plan standard details shall retain the Lake Elmo title block to indicate no changes.
- The phasing plan requires utilities to be extended within the street R/W of future street phases. The final design of these streets will be required as part of the Phase 1 approvals to initiate construction.
- Easement widths appear to provide the 30 foot minimum utility width. Additional easements and amendments may be required as the plan continues to evolve through the process.



## WATERMAIN AND SANITARY SEWER PLANS

- Watermain stubs to adjacent property and pipe oversizing will continue to be reviewed by City staff as the development progresses forward and oversizing routes may need to be changed as part of the final construction plans. Watermain oversizing is paid by the City as a reimbursement addressed within the development agreement.
- Sanitary sewer pipe stubs to adjacent property and pipe oversizing will continue to be reviewed by City staff as the development progresses forward. Revisions may need to be incorporated as part of the final construction plans. Sewer pipe oversizing has been accounted for through the Village East Trunk Sanitary Sewer project. Therefore, the sewer pipe oversizing must be installed at no cost to the City.
- A minimum of 10 feet of separation must be provided between the watermain and storm sewer along Lot 19, Block 3; Lot 5, Block 5; and Lots 16-22, Block 9.
- City Standard Plan Notes must be added to all applicable utility plan sheets. All other plan notes must be removed where they duplicate or contradict the City Standards.

## GRADING, STORM WATER MANAGEMENT AND EROSION CONTROL AND STORM SEWER SYSTEM

- Preliminary Plat approval should be contingent upon additional plan revisions needed to provide a grading plan, storm water management plan and storm sewer system that complies with the requirements of the City of Lake Elmo Engineering Design Standards Manual. The latest version of the preliminary plans, dated June 12, 2014, will require additional site plan modifications to design a comprehensive drainage system that provides adequate flood protection for the proposed building lots, provides positive drainage across the development without the creation of flat low areas or landlocked drainage areas, and constructs a storm sewer system that complies with minimum City construction standards to result in a functional storm sewer infrastructure that is not subject to early failure. Plan modifications will be necessary to meet these requirements and standards and must be completed prior to grading operations or start of construction. Specific issues that will need to be addressed include but is not limited to the following:
  - The site plan is dependent upon and subject to a storm water management plan meeting State, VBWD and City rules and regulations. Storm water facilities proposed as part of the site plan to meet VBWD permitting requirements must be constructed in accordance with the City Engineering Design Standards Manual.
  - The general drainage system consists of flat low lying areas in the rear yards of most lots, flat vegetated swales and emergency overflow points that tend to equalize the storm water between low areas rather than provide for positive storm water drainage. The design results in localized landlocked drainage basins and rear yards that will remain wet for significant periods of time following each rain event. The general drainage system should be revised to provide positive storm water drainage across the development through a conveyance system that flows from low area to low area until it discharges to the storm water infiltration and pond facilities constructed for the development.
  - The storm sewer system or grading plans must be revised to provide the City standard **minimum** pipe cover of 3.5 feet. Throughout the site plan the storm sewer minimum cover has not been provided, specifically in low areas. Additional vertical elevation is needed in these locations to result in a site design that coordinates the constructability and functionality for the street design, storm sewer design, grading and drainage requirements, and emergency overflow requirements.
  - Drain tile is required as part of the City standard street section at all localized low points in the street. Drain tile considerations may impact the storm sewer design and depth requirements at low points.
  - The storm water pond 100-year HWL in Outlot B encroaches onto Lots 11-19, Block 5.
  - The 100-year HWL elevations for all low areas adjacent to streets and trail must be one foot below the sub base for the adjacent street and trail.
  - Lot, grading and/or emergency overflow revisions are necessary to provide minimum required flood protection for some lots. Building low opening elevations must be a minimum 1 ft. above an adjacent overland EOF. The building pad type may need to be revised.
  - EOF's for landlocked drainage areas, if allowed to be incorporated into the site design, must be set at the 100-year HWL for back to back storm events.

- Catch basin low points have been located along rear and side yard swales throughout development and a 100-year HWL has been identified. The actual 100-year HWL contour must be shown on the plans to verify that the HWL is fully contained within a drainage and utility easement.
- The 100-year HWL calculations should be provided to support the flood elevations on the site.

#### STREET AND TRAIL PLANS

- Two trail crossings along Village Parkway require additional staff review for safety considerations.
- The UP Railroad street crossing design has been provided to comply with Quiet Zone design requirements. A transportation railroad engineer should be retained to review the proposed Village Parkway alignment at the UP Rail crossing and quiet zone design elements.
- Planning, engineering and public works should jointly review the street “eyebrow” designs to establish City geometric guidelines.
- Planning should review the proposed lighting standard detail to determine if it is consistent with the City selected Xcel standard pole.



**Public Works Department**

Donald J. Theisen, P.E.  
Director

Wayne H. Sandberg, P.E.  
Deputy Director/County Engineer

June 24, 2014

Nick Johnson  
Planner  
City of Lake Elmo  
3600 Laverne Avenue North  
Lake Elmo, MN 55042

**RE: Washington County comments on the Preliminary Plat for the Easton Village Residential Development in the City of Lake Elmo**

Dear Mr. Johnson,

Thank you for providing the county with the concept plan of the Easton Village Residential subdivision in Section 13, Township 29, Range 21 along County State Aid Highway (CSAH) 15/ Manning Avenue, City of Lake Elmo. The project will consist of 217 single family residential lots on 98.47 acres of property. Based on review of the plans, we offer the following comments and recommendations to consider as you process this subdivision application through the City of Lake Elmo:

- The proposed access point on CSAH 15/Manning Avenue is acceptable to the County; however, as indicated to the city previously, there should be consideration whether this access should be temporary or permanent. A collector roadway is identified in the center of the subdivision that will connect 30<sup>th</sup> Street to Trunk Highway (TH) 5 which will then provide a sub-regional connection to the County Highway system. Providing a direct link to CSAH 15/Manning Avenue at this location may influence the future function of the local street to a collector roadway. According to the *Trip Generation Manual, 7<sup>th</sup> Addition ITE, 2003*, this development will generate 2076 Average Vehicle Trips (AVT) per day which can be accommodated by the new collector street.
- The Functional Classification of CSAH 15/ Manning Avenue is "A" Minor Arterial Roadway, expander category. The future right-of-way requirement within this section of roadway is 184 feet. As part of the subdivision plat, there should be an additional 32 feet of right-of way dedicated to Washington County. The preliminary plat identifies this as a 36 foot right-of- way easement. The final plat should reflect right-of-way dedication.
- The 2012 Traffic Volumes on this section of roadway is 12,600 Average Daily Trips (ADT) according to the Washington County 2012 Traffic Volumes Map. The Washington County Traffic Study prepared for the Washington County Comprehensive Plan 2030, has estimated that traffic will increase to 15,400 TPD by 2030.
- Since the proposed project will generate additional traffic on CSAH 15/Manning Avenue, functionally classified as an "A" Minor Arterial Roadway, improvements to CSAH 15/Manning Avenue will need to be provided for access to the roadway. These improvements should include a left and right turn lanes on the southbound



lane and a left turn lane on the northbound lane on CSAH 15 in order to provide through traffic moving and provide additional safety by protecting turning traffic. The county, city and the developer will continue to define the specific scope of improvements as it relates to the current Manning Avenue study and future county roadway projects.

- A right-of way permit will be required for any work in the CSAH 15 right-of way as it relates to the development. A plan set is required with the application and include any grading, installation of culverts, installation of water and sewer services, left and right turn lanes on CSAH 15/Manning Avenue, parallel trail grading, signage and any landscaping and other improvements within county right-of-way.
- The proposed project will generate pedestrian/bicycle traffic on CSAH 15/ Manning Avenue. Pedestrians from the future development will need to access any proposed off road trail on CSAH 15/Manning Avenue.
- The developer or the city must submit the drainage report and calculations to our office for review of any downstream impacts to the county drainage system. Along with the drainage calculations, we will request written conclusions that the volume and rate of stormwater run-off into the county right-of way will not increase as part of the project.

As the developer plans the stormwater facilities on this property, there should be consideration for setbacks from county right-of-way and perimeter landscape elements and berming.

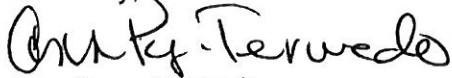
- Access control must be dedicated to Washington County along the CSAH 15/Manning Avenue, except for the opening corresponding to the City's right of way for the local street.
- Washington County's policy is to assist local governments in promoting compatibility between land use and highways. Residential uses located adjacent to highways often result in complaints about traffic noise. Traffic noise from this highway could exceed noise standards established by the Minnesota Pollution Control Agency (MPCA), the U.S. Department of Housing and Urban Development, and the U.S. Department of Transportation. Minnesota Rule 7030.0030 states that municipalities are responsible for taking all reasonable measures to prevent land use activities listed in the MPCA's Noise Area Classification (NAC) where the establishment of the land use would result in violations of established noise standards. Minnesota Statute 116.07, Subpart 2a exempts County Roads and County State Aid Highways from noise thresholds.

County policy regarding development adjacent to existing highways prohibits the expenditure of highway funds for noise mitigation measures in such areas. The developer should assess the noise situation and take any action outside of County right of way deemed necessary to minimize the impact of any highway noise.

Easton Village  
June 25, 2014  
Page 3

Thank you for the opportunity to comment on this preliminary plat. If you have any questions, please contact me at 651-430-4362 or [ann.pung-terwedo@co.washington.mn.us](mailto:ann.pung-terwedo@co.washington.mn.us). For permit applications, please contact Carol Hanson at [Carol.hanson@co.washington.mn.us](mailto:Carol.hanson@co.washington.mn.us).

Sincerely,

A handwritten signature in black ink that reads "Ann Pung-Terwedo". The signature is written in a cursive style with a large initial "A".

Ann Pung-Terwedo  
Senior Planner

C: Carol Hanson, Office Specialist

R/Plat Reviews/City of Lake Elmo/Easton Village 6-25-2014

**EASTON VILLAGE – DESIGN REVIEW REPORT**  
**LAKE ELMO, MN**

LANDSCAPE ARCHITECTURAL DESIGN REVIEW DATED JUNE 25<sup>TH</sup>, 2014

REVIEWED PLAN SET DATED MAY 7<sup>TH</sup>, 2014

***Required Action Items by Easton Village Project Team***

1. Per ordinance 08-077, passed 5-07-2013: Article VI – Environmental Performance Standards under 154.258 Landscape Requirements, A.  
*"The landscape plan shall be prepared by a landscape architect"*

**Please resubmit drawings using the current zoning code as well as with the appropriate design professional for this work as required by code.**

SINCERELY,

LANDSCAPE ARCHITECTURE, INC.

A handwritten signature in black ink, appearing to read "Stephen Mastey", followed by a long horizontal line extending to the right.

STEPHEN MASTEY, ASLA, CLARB, LEED AP BD+C  
**DIRECTOR OF DESIGN**

# METROPOLITAN AIRPORTS COMMISSION

## Minneapolis-Saint Paul International Airport

6040 - 28th Avenue South • Minneapolis, MN 55450-2799

Phone (612) 726-8100



June 30, 2014

Kyle Klatt  
Planning Director  
City of Lake Elmo  
3800 Laverne Avenue North  
Lake Elmo, MN 55042-9629

Re: Easton Village Preliminary Plat Review  
Lake Elmo Airport

Dear Mr. Klatt:

The Metropolitan Airports Commission (MAC) has reviewed the Easton Village concept plan document slated for the City of Lake Elmo Planning Commission on June 30, 2014. We appreciate the opportunity to review the document and offer the following comments:

### Airport Over Flights and Noise

The proposed Easton Village development is located adjacent to the Lake Elmo Airport in an area that receives aircraft over flights. Although the 2005 and Forecast 2025 65 DNL Noise Contours do not appear to encompass any of the proposed residential parcels, several parcels in the northeast corner of the proposed development are located in close proximity to the Forecast 65 DNL Noise Contour line. (Residential development should not occur within the 65 DNL Noise Contour.) It is the MAC's experience that placing residential areas in such locations around airports can result in noise complaints and resident concerns about aircraft noise. The MAC requests that prospective Easton Village property buyers be provided information on the properties' locations relative to the airport and the related existence of aircraft operations over this area.

As is detailed in the Village Area AUAR record, the agreed upon maintenance of open space in the Runway 14 Runway Protection Zone (RPZ) is critical to the Lake Elmo Airport. The MAC appreciates and acknowledges that the proposed development is consistent with this requirement and will provide for the continuation of a clear area within the Runway 14 RPZ.

### Water Quality – Surface Water Runoff

The preliminary plat plan provides some information about the proposed ponding area for the Development area. As discussed in earlier correspondence, open water ponds, especially those with mowed grass nearby, have been shown to be hazardous to the flight of aircraft due to the use of the ponds by Canada geese and other waterfowl. The FAA's Advisory Circular 150/5200-33B can be found on their web page, at [www.faa.gov](http://www.faa.gov). It outlines the restrictions and

Mr. Kyle Klatt  
June 30, 2014  
Page 2

prohibitions surrounding drainage areas within the vicinity of airports as well as guidelines for not only ponds, but other potential wildlife attracting sources. According to the circular, the entire development area lies within the separation distance recommended by the FAA (5,000 feet for airports serving piston-powered aircraft).

MAC fully supports the use of infiltration basins in the vicinity of the airport and encourages all ponding areas to be designed as dry ponds that are non-attractive to waterfowl. If this is not possible, we offer the following suggestions to reduce the attraction to wildlife: design ponds with no slope benches; maintain a water depth of less than two feet so that water-emergent growth can occur; plant tall grasses around ponds; install riprap around ponds; and/or cover ponds with a grid of kevlar wire to keep birds out.

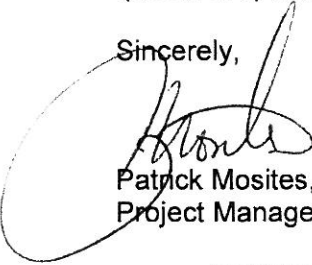
As detailed in the preliminary plat, the developer is providing infiltration ponds and ponds that are 2 foot or less in depth for high water. We however must object to the use of overstory trees and fruit bearing ornamentals near the approach zone for the airport. These will one day become an obstruction to the Airport's airspace affecting flight procedures and the fruit will attract wildlife. We would request that the vegetation be limited to shrubs and tall grasses as discussed above to limit waterfowl and other wildlife. The City must also be aware that any of the overstory trees planted within the development may require removal at some future date if they become an obstruction to the airspace of the Airport and compromise flight procedures.

Lastly, please identify who will be the responsible party for long-term maintenance of this pond.

One last comment relates to the design of the street luminaries. Due to the close proximity to the runway we request the luminaries be down lighted to avoid confusion by pilots as they approach the airfield at night.

Thank you for the opportunity to comment on this preliminary plat. The Lake Elmo Airport is an important recreational and transportation asset to the City and the region. If you have any questions, please contact me at 612-713-7499 or via e-mail at [pat.mosites@mspmac.org](mailto:pat.mosites@mspmac.org).

Sincerely,



Patrick Mosites, P.E.  
Project Manager – Airport Development

cc: Neil Ralston, MAC  
Chad Leqve, MAC  
Joe Harris, MAC