



**MAYOR AND COUNCIL COMMUNICATION**

DATE: 4/19/16  
**REGULAR**  
ITEM #: 19a  
**RESOLUTION 2016-35**

**AGENDA ITEM:** Village Preserve 2<sup>nd</sup> Addition Final Plat  
**SUBMITTED BY:** Stephen Wensman, Planning Director  
**THROUGH:** Kristina Handt, City Administrator  
**REVIEWED BY:** Emily Becker, City Planner  
Jack Griffin, City Engineer

---

**SUGGESTED ORDER OF BUSINESS:**

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

**PUBLIC POLICY STATEMENT**

N/A

**SUMMARY AND ACTION REQUESTED:**

GWSA Land Development, LLC. Is requesting the Final Plat Village Preserve 2<sup>nd</sup> Addition, the second and last phase of the Village Preserve residential development of 45 single family residential lots. The proposed project is located on the east side of Lake Elmo Ave, north of 39<sup>th</sup> Street, at the north side of the old village to the west of the Wildflower development.

Staff and the Planning Commission are recommending the City Council approve the Village Preserve 2<sup>nd</sup> Addition Final Plat and the Village Preserve 2<sup>nd</sup> Addition with the following motions:

**“Move to approve Resolution 2016-35 granting approval of the Village Preserve 2<sup>nd</sup> Addition Final Plat with 13 conditions based on the findings of fact in the staff report”**

**BACKGROUND AND STAFF REPORT:**

GWSA made application for Final Plat of the Village Preserve 2<sup>nd</sup> Addition on March 7, 2016 and the Planning Commission held a meeting to review the Plat on April 11, 2016. The Planning Commission discussed several of the conditions, in particular, the storm ponding, soil stockpiling, landscaping and irrigation status, HOA status, and items to be completed in cooperation with the Wildflower development. The Planning Commission recommended approval with the 13 conditions in the staff report.

**RECOMMENDATION:**

Staff and the Planning Commission are recommending the City Council approve the Village Preserve 2<sup>nd</sup> Addition Final Plat and the Village Preserve 2<sup>nd</sup> Addition with the following motions:

**“Move to approve Resolution 2016-35 granting approval of the Village Preserve 2<sup>nd</sup> Addition Final Plat with 13 conditions based on the findings of fact in the staff report”.**

**ATTACHMENT(S):**

- Village Preserve Final Plat
- Resolution 2016-35
- Planning Commission packet 4/11/16
- Planning Commission Minutes 4/11/16

ITEM: Village Preserve 2<sup>nd</sup> Addition Final Plat

SUBMITTED BY: Stephen Wensman, Planning Director

REVIEWED BY: Emily Becker, City Planner  
Jack Griffin, City Engineer  
Greg Malmquist, Fire Chief  
Stephen Mastey, Landscape Architecture, Inc.

---

**SUMMARY AND ACTION REQUESTED:**

The Planning Commission is being asked to consider an application for a Final Plat submitted by GWSA Land Development, LLC. The Final Plat application represents the second phase of the Village Preserve residential development and includes 45 single family residential lots. The proposed project is located on the east side of Inwood Ave, north of 5<sup>th</sup> Street, and south of 10<sup>th</sup> Street. Staff is recommending the Planning Commission recommend approval of the Village Preserve 2<sup>nd</sup> Addition Final Plat subject to compliance with XX conditions as noted in this report.

---

**GENERAL INFORMATION**

*Applicant:* GWSA Land Development, LLC (Craig Allen); 10850 Old County Road 15, Suite 200, Plymouth, MN 55441

*Property Owners:* GWSA Land Development, LLC (Craig Allen); 10850 Old County Road 15, Suite 200, Plymouth, MN 55441

*Location:* Outlot C, Village Preserve, PID Number: 12.029.21.33.0050.

*Request:* Application for a Final Plat for the 2<sup>nd</sup> Addition of the Village Preserve residential subdivision. The Final Plat (2<sup>nd</sup> Addition of Village Preserve) includes 45 single family lots and .13 outlot for a trail corridor.

*Existing Land Use and Zoning:* Undeveloped outlot. Current Zoning: LDR - Urban Low Density Residential

*Surrounding Land Use and Zoning:* North – vacant/agricultural land (likely flood plain); west – agricultural land, guided for Village Urban Low Density Residential (V-LDR); south – vacant land guided for Village Mixed-Use (VMX); east – vacant/agricultural land guided for Village Medium Density Residential (V-MDR) and planned for Wildflower at Lake Elmo planned residential development

*Comprehensive Plan:* Village Urban Medium Density Residential (2.5 – 4.99 units per acre).

*History:* Sketch Plan review by Planning Commission on 3/10/14. Sketch Plan review by the Park Commission on 3/17/14. The Village Preserve Preliminary Plat was approved by the City Council on 7/15/14 (Resolution #2014-59). Park Plan reviewed by Park Commission on 4/20/15. Village Preserve Final plat reviewed by City Council on 5/5/15 (Resolution 2015-32).

*Deadline for Action:* Application Complete – 3/7/2016  
60 Day Deadline – 5/6/16  
Extension Letter Mailed – N/A  
120 Day Deadline – N/A

*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 GWSA Land Development, LLC for a Final Plat to subdivide 14.19 acres of land located within the northern portion of the Village Planning Area. The Final Plat would represent the second and final phase of the Village Preserve residential subdivision and include 45 single family lots, a .13 acre outlot for a trail, and 2.38 acres of public right-of-way. The proposed plat is located on the east side of Lake Elmo Avenue (CASH17), approximately 525 feet north of 39<sup>th</sup> Street North, and immediately west of the planned Wildflower at Lake Elmo residential development.

The Village Preserve preliminary plat was approved in July 15, 2014. The developer has built homes in the western half of the site in the first phase. The developer mass graded the site at that time, and installed city sanitary sewer and water in the first phase. The public utilities will be extended from the 1<sup>st</sup> phase into the 2<sup>nd</sup> phase after final approval and a signed developers agreement. The second phase lots will have a minimum lot size of 65 feet. The smallest lot will have a lot size of 8,459 sq. ft. and the largest, 12,246, with an average lot area of 11,295. The net density will be 3.2 units per acre, and 2.5 units per acre for the entire subdivision, phases one and two. The grading of the park and the trail construction will be completed with this second phase of development. The applicant has submitted detailed construction plans related to sanitary sewer, water main, storm sewer, grading, drainage, landscaping, and other details that have been reviewed by the City Engineer, Fire Chief and Landscape Consultant. The landscaping plan for the second phase was approved with the 1<sup>st</sup> Addition final construction plans. No irrigation plans have been approved for either phase.

The City's subdivision ordinance establishes the procedure for obtaining final subdivision approval, in which case a final plat may only be reviewed after the City takes action on a preliminary plat. As long as the final plat is consistent with the preliminary approval, it must be approved by the City. The City's approval of the Village Preserve Preliminary Plat included 13 conditions that the developer is required to comply with. The developer's compliance with these conditions are addressed in the "Review and Analysis" section below. Staff has reviewed the final plat and found that it is consistent with the preliminary plat that was approved by the City on July 15, 2014. The street names for the development were established with the final plat of the first phase, however, the Fire Chief has requested a street name change. Staff is recommending that Lady Slipper Circle N. be changed to 41<sup>st</sup> Street Circle N.

City Staff have reviewed the final plat, and their comments are attached to this report. Although there are some additional revisions and additions necessary for the Final Plat and final construction plans that need to be addressed by the applicant, the revisions can be made before the City releases the final plat for recording. Staff is recommending that all revisions and modifications noted within the City Engineer's review memorandum date 3/28/16 be completed prior to the release of Final Plat for recording as a condition of approval.

---

## FINAL PLAT REVIEW AND ANALYSIS

The preliminary plat for Village Preserve was approved with several conditions, which are indicated below along with Staff's comments on the status of each. For those items and issues that are not directly addressed below, Staff has provided additional comments following the preliminary plat conditions list. Staff is recommending approval of the final plat, but with additional conditions intended to address the outstanding issues that will require additional review and/or documentation.

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

- 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. *The applicant has provided a warranty deed conveying the property from Schiltgen Farms, Inc to GWSA Land Development, LLC. Title evidence has been provided to the City Attorney prior to the plat being recorded.*
  - b. The applicant shall submit a revised Preliminary Plat and plans meeting all conditions of approval. 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. *The engineers conditions have been met and the site has been mass graded with the first phase.*
- 2) The City Engineer shall review and approve all revised Preliminary Plans that are submitted to the City in advance of Final Plat to satisfy Condition #1. *The engineer has reviewed the full final plat and final construction plan set for the entire Village Preserve site.*
- 3) The Preliminary Plat approval is conditioned upon the applicant meeting all minimum City standards and design requirements. *This condition has been met.*
- 4) All required modifications to the plans as requested by the City Engineer in a review letter dated June 23, 2014 shall be incorporated into the plans prior to consideration of a Final Plat. *This condition has been met.*
- 5) The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and shall acquire the needed permits from Valley Branch Watershed District prior to the commencement of any grading or development activity on the site. *The applicant has obtained the necessary permit from Valley Branch Watershed District. There are several conditions that apply to the second phase.*
- 6) Related to proposed storm water discharge to the north, the applicant must provide written permission from the property owner of the parcel located immediately north of the proposed

Village Preserve subdivision consenting to the discharge location, volume and rate(s) in advance of submitting Final Plat. ***This condition has been completed.***

- 7) The applicant shall be responsible for the submission of final plans and the construction of all improvements within the Lake Elmo Avenue (CSAH 17) right-of-way as required by Washington County and further described in the review letter received from the County dated June 24, 2014. ***The applicants have submitted updated final plans for proposed improvements on Lake Elmo Ave., including turn lanes, to Washington County. The improvements have not been completed and staff recommends that no building permits be issued in the second phase until the turnlanes are installed and Washington County's requirements have been complied with.***
- 8) The Landscape Plan shall be updated per the recommendations of the City's Landscape Consultant, describe in a memo dated 6/25/14. ***The final landscape plan was approved by the City's Landscape Architect, with the exception of the irrigation plans for the 1<sup>st</sup> phase.***
- 9) The developer shall be required to submit an updated parkland dedication calculation in advance of Final Plat to clarify the proposed amount of dedication being provided in the Village Preserve Subdivision. For whatever amount of land the applicant is short of the required parkland dedication amount, the applicant will either:
  - a. Subdivide the parcel under contract with Schiltgen Farms, Inc. and dedicate the land being proposed for parkland dedication east of Reid Park; or  
  
***The applicant has deeded the City this land.***
  - b. Post an escrow in the amount equal to the fees in lieu of land dedication for the equal market value of the remaining land dedication requirement for Village Preserve until such time the land is dedicated east of Reid Park.  
  
***The applicant has deeded the City this land.***
- 10) Secondary access to the site must be provided as part of the 2nd phase of the Village Preserve Subdivision. Said access must be included in the Final Plat and final construction documents for the 2nd phase of the development. ***The secondary access will be completed with the 2<sup>nd</sup> phase of the development.***
- 11) The applicant must enter into a separate grading agreement with the City prior to the commencement of any grading activity in advance of final plat and plan approval. The City Engineer shall review any grading plan that is submitted in advance of a final plat, and said plan shall document extent of any proposed grading on the site. ***The site has been graded.***
- 12) Application for Final Plat for the Village Preserve subdivision will not be accepted until approved plans for the extension of sanitary sewer to the site have been accepted or ordered by the City. ***This condition has been met.***
- 13) All of the outlots within the Village Preserve Preliminary Plat that serve as parkland or storm water management shall be dedicated to the City. ***This condition has been met.***

Staff is recommending that the conditions noted above that pertain to the Final Plat and that have not yet been addressed by the applicant should be adopted with the Final Plat. The City Engineer's review letter identifies several issues that need to be addressed by the developer in order for the City to approve the final plans. However, the majority of these concerns are related to the construction plans and should have limited bearing on the final plat. Staff is recommending that City Officials not sign the final plat mylars until the City's construction plan review is finalized and applicable conditions of approval are complied with.

Based on the above Staff report and analysis, Staff is recommending approval of the Final 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 proceed with the recording of the Final Plat.

The recommended conditions are as follows:

***Recommended Conditions of Approval:***

- 1) Final construction plans and specifications, shall be revised and approved along with other comments complying with the City Engineer's memorandum dated 4/28/16 prior to the release of the final plat for recording.
- 2) The applicant shall be responsible for the construction of all improvements within the Lake Elmo Avenue (CSAH 17) right-of-way as required by Washington County and further described in the review letter received from the County dated June 24, 2014, and that no building permits be issued in the second phase until the turnlanes are installed and Washington County's requirements have been complied with.
- 3) The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and shall comply with the permit #2015-06 from Valley Branch Watershed District.
- 4) Prior to the release of the Final Plat for recording, the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements with financial guarantees therefore.
- 5) All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat prior to the release of the Final Plat for recording.
- 6) All outlots to be owned by the City, all easements and all rights-of-way as requested by the City Engineer and Public Works Department shall be documented on the Final Construction Plans.
- 7) The developer shall provide fully executed temporary construction easements or property owner permissions in a form acceptable the city Attorney that allow for the construction and grading activities for all work off-site from the proposed Plat prior to releasing the Final Plat for recording.
- 8) The street Lady Slipper Circle N. shall be changed to 41<sup>st</sup> Street Circle N. on the Village Preserve 2<sup>nd</sup> Addition Plat prior to recording.

- 9) All public improvements outside of the Village Preserve site needed to serve the residential subdivision, including the facilities shared with Wildflower at Lake Elmo, must be completed prior to issuance of building permits in the Village Preserve 2nd Addition.
- 10) Prior the release of building permits, the developer shall annex the Village Preserve 2nd Addition into the Village Preserve Homeowners Association covenants.
- 11) That a City approved maintenance plan for commonly held HOA and City outlots and rights-of-ways to be incorporated into the HOA covenants and Landscape and Irrigation License Agreement, prior to release of the final plat for recording.
- 12) That a Landscape and Irrigation License Agreement be executed for the maintenance of commonly held HOA and City outlots and rights-of-ways prior release of the final plat by City Officials.
- 13) That the Final Landscape Plan for Village Preserve 2<sup>nd</sup> Addition be submitted for approval by the City, including irrigation plans for Village Preserve 1<sup>st</sup> and 2<sup>nd</sup> Additions per the requested of the City Landscape Consultant, documented in a memo dated 3/30/16. Approval shall be required prior to the release of Final Plat for recording.

#### **DRAFT FINDINGS**

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Village Preserve 2<sup>nd</sup> Addition Final Plat:

- 1) That the Village Preserve 2<sup>nd</sup> Addition Final Plat is consistent with the Preliminary Plat as approved by the City of Lake Elmo on 7/15/14.
- 2) That the Village Preserve 2<sup>nd</sup> Addition Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 3) That the Village Preserve 2<sup>nd</sup> Addition Final Plat complies with the City's Urban Low Density Residential zoning district.
- 4) That the Village Preserve 2<sup>nd</sup> Addition Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances, except as noted in this report or attachment thereof.
- 5) That the Village Preserve 2<sup>nd</sup> Addition Final Plat complies with the City's subdivision ordinance.
- 6) That the Village Preserve 2<sup>nd</sup> Addition Final Plat is consistent with the City's engineering standards with the exceptions noted by the City Engineer in his review comments to the City dated 3/28/16.



**RECOMENDATION:**

Staff is recommending approval of the Village Preserve 2<sup>nd</sup> Addition Final Plat with the 13 conditions of approval as listed in the Staff report. The suggested motion is the following:

*“Move to recommend approval of the Village Preserve 2nd Addition Final Plat with the 13 conditions of approval as drafted by Staff based on the findings of fact listed in the Staff Report.”*

**ATTACHMENTS:**

- Project Narrative
- Final Plat
- City Engineer Review Memorandums, dated 3/28/16
- Fire Chief Review Memorandum, dated 3/24/16
- Landscape Consultant Review Memorandum, dated 3/30/16

**NOT ATTACHED BUT AVAILABLE UPON REQUEST:**

- Final Construction Plans and Specifications

**ORDER OF BUSINESS:**

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



**Village Preserve 2<sup>nd</sup> Addition  
Development Narrative  
March 3, 2016**

**Developer Introduction:**

GWSA LAND DEVELOPMENT, LLC.  
Craig Allen  
10850 Old County Road 15  
Suite 200  
Plymouth, Minnesota 55441  
Telephone: 952-270-4473  
Email: [craig@gonyeacompany.com](mailto:craig@gonyeacompany.com)

The developer is proposing the 2<sup>nd</sup> Addition of Village Preserve, an addition of 45 single family homes located on the east side of Lake Elmo Avenue (CASH17), approximately 525 feet north of 39<sup>th</sup> Street North. The developer is requesting Final Plat for the remaining 45 single family homes in the 2<sup>nd</sup> Addition on +/- 14.6 acres of the total +/-39.84. This proposed addition to Village Preserve will consist of higher end single family homes. It is anticipated that these homes will range in price from \$450,000 to \$750,000. The development is located in an area of Lake Elmo with easy access to the transportation system. This will provide the future home owners a secluded place to live that is located within minutes of all the amenities Lake Elmo has to offer with the regional facilities of the larger metropolitan area.

***Village Preserve 2<sup>nd</sup> Addition***

**Development Team:**

Civil Engineering, Surveying & Land Planning

**Sathre-Bergquist, Inc.**

Robert S. Molstad, P.E.  
David B. Pemberton, P.L.S.  
150 South Broadway  
Wayzata, Minnesota 55391  
Telephone: 952-476-6000  
Facsimile: 952-476-0104  
Email: [molstad@sathre.com](mailto:molstad@sathre.com)  
Email: [pemberton@sathre.com](mailto:pemberton@sathre.com)

Wetland & Biological Sciences

**Kjolhaug Environmental Services**

Melissa Barrett  
26105 Wild Rose Lane  
Shorewood, MN 55331  
Telephone: 952-401-8757  
Email: [Melissa@kjolhaugenv.com](mailto:Melissa@kjolhaugenv.com)

Soil Sciences

**Haugo GeoTechnical Services**

Paul Haugo

13570 Grove Drive #278

Maple Grove, MN 55311

Telephone: (612) 554-4829

Email: [p.haugo@gmail.com](mailto:p.haugo@gmail.com)

**Property Ownership:**

Village Preserve 2<sup>nd</sup> Addition consists of outlots C and H, See final plat for Village Preserve.

GWSA LAND DEVELOPMENT, LLC.

Craig Allen

10850 Old County Road 15

Suite 200

Plymouth, Minnesota 55441

Telephone: 952-270-4473

Email: [craig@gonyeacompany.com](mailto:craig@gonyeacompany.com)

**Comprehensive Plan, Zoning, Density, & Variances:**

The planned Land Use is Village Urban Medium Density. On the Village Land Use Plan, the project site is classified as Village Urban Medium Density (V-MDR). The density range for V-MDR is 2.5 – 4.99 units per acre. The attached final plat shows 45 single family lots that are a minimum width of 65 feet. The smallest lot area is L2B4 – 8,459 sf and the largest lot area is L4B1 at 23,246 sf, with an average lot area of 11,295 for the entire project.

**Lake Elmo Zoning:**

LDR District

Minimum Lot Area – 8,000 square feet

Minimum Width – 60 feet

Front Yard Setback – 25 feet

Side Yard Setback – 5 feet to garage and 10 feet to living space

Corner Yard Setback – 15 feet

Rear Yard Setback – 20 feet

**Density:**

***Total Site*** (total unit count 91 lots)

Gross Site Area: 39.84 acres

Gross Density =  $91/39.84 = 2.28$  units per acre

CSAH 17 ROW: 2.27 acres

Open Space: 1.22 acres

Net Area:  $39.84 - 2.27 - 1.22 = 36.35$  acres

Net Density =  $91/36.35 = 2.50$  units per acre

**Variiances** – No variances are proposed.

A final plat lot area tabulation sheet for the 2<sup>nd</sup> Addition is in Appendix A of this narrative.

**Site Analysis:**

The site is bordered on the north and east by the proposed Wildflower at Lake Elmo development, a Robert Engstrom Development. The site is bordered on the west by Lake Elmo Avenue and on the south by future commercial properties. The primary access to the site will be via Lake Elmo Avenue with a second access from 39<sup>th</sup> Street North via Layton Avenue North.

The site is currently graded as part of Village Preserve 1<sup>st</sup> Addition. Sanitary sewer was extended to the site as part of the Village East Trunk Utility Improvement project. Watermain is located on site as part of Village Preserve 1<sup>st</sup> Addition. Storm water will be managed and outlet from the site in accordance with the City and Watershed requirements. The site is within the Valley Branch Watershed District. Minor utilities (gas, electric, phone, and TV) will need to be extended to service the site.

The topography of the site is relatively flat on most of the site, 940 to 945 along Lake Elmo Avenue and sloping southeast to 938 at the south east corner. The highest elevations are in the northwest corner at +/- 955. There is an existing slope in the north central portion of the site that slopes from 940 down to 920.

There are no wetlands on the site.

The USDA Soil Survey of the project site indicates Antigo Silt Loams, Campia Silt Loams, and Mahtomedi Loamy Sand. The soils that are present consist of mostly moderately well drained loams and sandy loams with a moderate permeability.

**Street Design:**

Village Preserve proposes to have public streets; the public streets within the project would be 28' B-B, with a sidewalk along one side of the street, within a 60' ROW. The cul-de-sacs will have a 45' radius to the back of curb. All streets will be constructed to the City of Lake Elmo standard street section.

**Utility Services:**

City sanitary sewer and water has been installed in the 1<sup>st</sup> addition and will be continued in the 2<sup>nd</sup> addition.

**Site Grading:**

The mass site grading was completed in the 1<sup>st</sup> addition.

**Storm water:**

The storm water facilities proposed in Village Preserve 2<sup>nd</sup> Addition are illustrated on the enclosed plans. Runoff from the site will be directed to storm sewer inlet locations, collected and conveyed to the proposed treatment pond(s) and filtration area(s). The ponds and filtration areas will provide temporary storage of storm water runoff, treatment of storm water and sediment removal. The storm water plan will provide adequate treatment and storage to meet the City of Lake Elmo and the Valley Branch Watershed District requirements.

**Wetlands:**

There are no wetlands on the site.

**Traffic:**

Village Preserve 2<sup>nd</sup> Addition proposes one primary access point off of Lake Elmo Avenue and a secondary street connection to 39<sup>th</sup> Street North via Layton Avenue North.

Traffic Generation – (anticipate 10 trips per day per home site)

Total Site: 91 Lots = 910 trips per day

2<sup>nd</sup> Addition: 45 Lots = 450 trips per day

The additional traffic generated from this site is not anticipated to have a noticeable impact on the existing traffic in the area and is on the lower end of the proposed Comprehensive Plan guiding.

**Trail System:**

Six-foot concrete sidewalks are proposed along residential streets within the site. In addition, there are 8.5 foot trails proposed to promote neighborhood connectivity as well as encourage and expand pedestrian use of Downtown.

**Park:**

The neighborhood park grading and trails will be completed with the 2<sup>nd</sup> addition of the development. The developer is working with Robert Engstrom Companies and the Lake Elmo Park Commission on possible park improvements.

**Woodland Areas & Protection:**

**I. Introduction**

A tree survey in accordance with City of Lake Elmo requirements has been completed for this site and was submitted with the 1<sup>st</sup> addition plans. The tree inventory plan is shown on the Erosion Control Plan. Only 14 trees were identified, per the City requirements.

**II. Tree Species, Distribution and Size:**

The site has 318 caliper inches of significant trees, with 15 caliper inches of exempt trees for a net total of 303 caliper inches. The trees are located throughout the site. The species include Cherry, Maple, Box Elder, Red Cedar and a few others. A table containing data on the trees, as well as a map which shows tree location, species, size and condition, are shown in the preliminary plans, please see the Erosion Control Plan.

**Tree Removal & Restitution:**

The Village Preserve development will impact approximately 61.4% of the significant trees on the site. The development is over the allowable 30% threshold and a proposed replacement plan has been prepared for the project.

**Landscape Plan, Monuments, & Entrance:**

This development will have a divided entry off of Lake Elmo Avenue and some small berming along Lake Elmo Avenue. Many of the lots will have pond views or overlook views, due to the site topography. The storm water pond and treatment areas will have landscaping to create unique water treatment facilities for the proposed project. A custom entry monument will be constructed at the proposed entrance(s). This will create a sense of luxury and livability for the new single family residents, while providing safer access to the site.

**Homeowner's Association and Restrictive Covenants:**

The developer will prepare restrictive covenants and standards that will apply to this 91 lot project. The restrictive covenants will be tailored to the developer's vision of the project. Each home will be required to meet the specifics of building types, landscaping, and overall goals of the development.

A master HOA will be created for the Village Preserve project. This association will be in charge of the monumentation, entrance, landscaping, and infiltration basins. The HOA will also be responsible for maintenance issues within the subdivision. These may include special landscaping, mailboxes, signage, and other common elements.

**APPENDIX A:**

**Village Preserve 2<sup>nd</sup> Addition – Final Plat Lot Area Summary**

<b>BLOCK 1</b>	<b>GROSS AREA</b>				<b>WETLAND AREA</b>		<b>NET AREA</b>				<b>WIDTH @ SETBACK</b>		
Lot 1	11,421	s.f.	0.26	acres	0	s.f.	11,421	s.f.	0.26	acres	89.3	+/-	l.f.
Lot 2	13,330	s.f.	0.31	acres	0	s.f.	13,330	s.f.	0.31	acres	80.8	+/-	l.f.
Lot 3	14,864	s.f.	0.34	acres	0	s.f.	14,864	s.f.	0.34	acres	80.8	+/-	l.f.
Lot 4	23,246	s.f.	0.53	acres	0	s.f.	23,246	s.f.	0.53	acres	80.8	+/-	l.f.
Lot 5	13,732	s.f.	0.32	acres	0	s.f.	13,732	s.f.	0.32	acres	80.2	+/-	l.f.
Lot 6	17,640	s.f.	0.40	acres	0	s.f.	17,640	s.f.	0.40	acres	90.2	+/-	l.f.
Lot 7	13,898	s.f.	0.32	acres	0	s.f.	13,898	s.f.	0.32	acres	84.1	+/-	l.f.
Lot 8	12,977	s.f.	0.30	acres	0	s.f.	12,977	s.f.	0.30	acres	80.4	+/-	l.f.
Lot 9	13,156	s.f.	0.30	acres	0	s.f.	13,156	s.f.	0.30	acres	81	+/-	l.f.
<b>Total</b>	<b>134,264</b>	<b>s.f.</b>	<b>3.08</b>	<b>acres</b>	<b>0</b>	<b>s.f.</b>	<b>134,264</b>	<b>s.f.</b>	<b>3.08</b>	<b>acres</b>			
<b>BLOCK 2</b>	<b>GROSS AREA</b>				<b>WETLAND AREA</b>		<b>NET AREA</b>				<b>WIDTH @ SETBACK</b>		
Lot 1	11,667	s.f.	0.27	acres	0	s.f.	11,667	s.f.	0.27	acres	111	+/-	l.f.
Lot 2	12,035	s.f.	0.28	acres	0	s.f.	12,035	s.f.	0.28	acres	114	+/-	l.f.
<b>Total</b>	<b>23,702</b>	<b>s.f.</b>	<b>0.54</b>	<b>acres</b>	<b>0</b>	<b>s.f.</b>	<b>23,702</b>	<b>s.f.</b>	<b>0.54</b>	<b>acres</b>			
<b>BLOCK 3</b>	<b>GROSS AREA</b>				<b>WETLAND AREA</b>		<b>NET AREA</b>				<b>WIDTH @ SETBACK</b>		
Lot 1	9,748	s.f.	0.22	acres	0	s.f.	9,748	s.f.	0.22	acres	75	+/-	l.f.
Lot 2	8,540	s.f.	0.20	acres	0	s.f.	8,540	s.f.	0.20	acres	65	+/-	l.f.
Lot 3	9,965	s.f.	0.23	acres	0	s.f.	9,965	s.f.	0.23	acres	65	+/-	l.f.
Lot 4	11,240	s.f.	0.26	acres	0	s.f.	11,240	s.f.	0.26	acres	65	+/-	l.f.
Lot 5	13,284	s.f.	0.30	acres	0	s.f.	13,284	s.f.	0.30	acres	69.3	+/-	l.f.
Lot 6	8,719	s.f.	0.20	acres	0	s.f.	8,719	s.f.	0.20	acres	65.2	+/-	l.f.
Lot 7	9,957	s.f.	0.23	acres	0	s.f.	9,957	s.f.	0.23	acres	65	+/-	l.f.
Lot 8	11,070	s.f.	0.25	acres	0	s.f.	11,070	s.f.	0.25	acres	65	+/-	l.f.
<b>Total</b>	<b>82,523</b>	<b>s.f.</b>	<b>1.89</b>	<b>acres</b>	<b>0</b>	<b>s.f.</b>	<b>82,523</b>	<b>s.f.</b>	<b>1.89</b>	<b>acres</b>			

<b>BLOCK 4</b>		<b>GROSS AREA</b>			<b>WETLAND AREA</b>		<b>NET AREA</b>			<b>WIDTH @ SETBACK</b>			
Lot 1	10,917	s.f.	0.25	acres	0	s.f.	10,917	s.f.	0.25	acres	81.2	+/-	1.f.
Lot 2	8,459	s.f.	0.19	acres	0	s.f.	8,459	s.f.	0.19	acres	65.1	+/-	1.f.
Lot 3	9,936	s.f.	0.23	acres	0	s.f.	9,936	s.f.	0.23	acres	65	+/-	1.f.
Lot 4	14,203	s.f.	0.33	acres	0	s.f.	14,203	s.f.	0.33	acres	65	+/-	1.f.
Lot 5	12,723	s.f.	0.29	acres	0	s.f.	12,723	s.f.	0.29	acres	65.1	+/-	1.f.
Lot 6	15,411	s.f.	0.35	acres	0	s.f.	15,411	s.f.	0.35	acres	65.5	+/-	1.f.
Lot 7	11,805	s.f.	0.27	acres	0	s.f.	11,805	s.f.	0.27	acres	65.2	+/-	1.f.
Lot 8	11,701	s.f.	0.27	acres	0	s.f.	11,701	s.f.	0.27	acres	84.4	+/-	1.f.
Lot 9	10,833	s.f.	0.25	acres	0	s.f.	10,833	s.f.	0.25	acres	65	+/-	1.f.
Lot 10	9,244	s.f.	0.21	acres	0	s.f.	9,244	s.f.	0.21	acres	65	+/-	1.f.
Lot 11	8,997	s.f.	0.21	acres	0	s.f.	8,997	s.f.	0.21	acres	65.2	+/-	1.f.
Lot 12	9,684	s.f.	0.22	acres	0	s.f.	9,684	s.f.	0.22	acres	65	+/-	1.f.
Lot 13	8,916	s.f.	0.20	acres	0	s.f.	8,916	s.f.	0.20	acres	65.1	+/-	1.f.
Lot 14	10,466	s.f.	0.24	acres	0	s.f.	10,466	s.f.	0.24	acres	87.5	+/-	1.f.
Total	153,295	s.f.	3.52	acres	0	s.f.	153,295	s.f.	3.52	acres			

<b>BLOCK 5</b>		<b>GROSS AREA</b>			<b>WETLAND AREA</b>		<b>NET AREA</b>			<b>WIDTH @ SETBACK</b>			
Lot 1	10,306	s.f.	0.24	acres	0	s.f.	10,306	s.f.	0.24	acres	75.2	+/-	1.f.
Lot 2	9,738	s.f.	0.22	acres	0	s.f.	9,738	s.f.	0.22	acres	89.8	+/-	1.f.
Lot 3	8,514	s.f.	0.20	acres	0	s.f.	8,514	s.f.	0.20	acres	66.3	+/-	1.f.
Lot 4	8,659	s.f.	0.20	acres	0	s.f.	8,659	s.f.	0.20	acres	66	+/-	1.f.
Lot 5	10,761	s.f.	0.25	acres	0	s.f.	10,761	s.f.	0.25	acres	78.3	+/-	1.f.
Lot 6	10,805	s.f.	0.25	acres	0	s.f.	10,805	s.f.	0.25	acres	91.3	+/-	1.f.
Lot 7	9,473	s.f.	0.22	acres	0	s.f.	9,473	s.f.	0.22	acres	70	+/-	1.f.
Lot 8	9,296	s.f.	0.21	acres	0	s.f.	9,296	s.f.	0.21	acres	70.5	+/-	1.f.
Total	77,552	s.f.	1.78	acres	0	s.f.	77,552	s.f.	1.78	acres			

<b>BLOCK 6</b>		<b>GROSS AREA</b>			<b>WETLAND AREA</b>		<b>NET AREA</b>			<b>WIDTH @ SETBACK</b>			
Lot 1	10,954	s.f.	0.25	acres	0	s.f.	10,954	s.f.	0.25	acres	65.1	+/-	1.f.
Lot 2	9,014	s.f.	0.21	acres	0	s.f.	9,014	s.f.	0.21	acres	65	+/-	1.f.
Lot 3	8,510	s.f.	0.20	acres	0	s.f.	8,510	s.f.	0.20	acres	65	+/-	1.f.
Lot 4	10,213	s.f.	0.23	acres	0	s.f.	10,213	s.f.	0.23	acres	79.9	+/-	1.f.
Total	38,691	s.f.	0.89	acres	0	s.f.	38,691	s.f.	0.89	acres			

<b>OUTLOT</b>		<b>GROSS AREA</b>			<b>WETLAND AREA</b>		<b>NET AREA</b>			<b>WIDTH @ SETBACK</b>			
A	5,494	s.f.	0.13	acres	0	s.f.	5,494	s.f.	0.13	acres	0	+/-	1.f.
Total	5,494	s.f.	0.13	acres	0	s.f.	5,494	s.f.	0.13	acres			

<b>R/W</b>		<b>GROSS AREA</b>			<b>WETLAND AREA</b>		<b>NET AREA</b>			<b>WIDTH @ SETBACK</b>			
	103,879	s.f.	2.38	acres	0	s.f.	103,879	s.f.	2.38	acres	0	+/-	1.f.

<b>TOTAL</b>		<b>GROSS AREA</b>			<b>WETLAND AREA</b>		<b>NET AREA</b>						
	619,400	s.f.	14.22	acres	0	s.f.	619,400	s.f.	14.22	acres			



**From:** [Craig@gonyearcompany.com](mailto:Craig@gonyearcompany.com)  
**To:** [Emily Becker](#)  
**Cc:** [Stephen Wensman](#)  
**Subject:** RE: Final Plat Application - Village Preserve 2nd Addition  
**Date:** Tuesday, March 15, 2016 3:15:10 PM  
**Attachments:** [Village Preserve 2nd -Final Plat Narrative 031516.docx](#)

---

Hi Emily – When going through your questions, I noticed a small typo in the Final Plat Narrative. We had 14.6 acres as the area of the second phase and it's 14.19. I made the correction and attached an updated narrative.

Bullets Addressed in order:

- 2.87 acres (1.575 acres for Phase 1 and 1.293 for Phase 2) were required for the entire development and that was deeded to the City from our property adjacent to Reid Park when we filed our final plat for Phase 1. I will send the Alta and deeds in a separate email. In section 22 of the Phase 1 developer's agreement, it gives the approved appraisal value (\$82,831) of the land dedicated. Calculations for Phase 2:

Gross Area: 14.19 acres  
Park Dedication Amount: 1.42 acres  
Trail Corridor: .126 acres  
Park Dedication Requirement: 1.29 acres

- The proposed area calculations for all dedicated ROW is listed in Appendix A of the Final Plat Narrative (2.38 acres)
- Density for Phase 2. Phase 1 and Phase 2 Net Density came to 2.50. Calculations for all phases below (rounded):

All Phases:

Gross Area: 39.84 ac  
Lake Elmo Ave: 02.27 ac  
Trail Corridor 1: 00.31 ac  
Trail Corridor 2: 00.36 ac  
Park: 00.55 ac  
Net: 36.35 ac

Net Density:  $91/36.35 = 2.50$

Phase 1:

Gross Area: 25.64 ac  
Lake Elmo Ave: 02.27 ac  
Trail Corridor 1: 00.19 ac  
Trail Corridor 2: 00.36 ac  
Park: 00.55 ac  
Net: 22.27 ac

Net Density:  $46/22.27 = 2.07$

Phase 2:

Gross Area: 14.19 ac

Lake Elmo Ave: 00.00 ac

Trail Corridor 1: 00.13 ac

Trail Corridor 2: 00.00 ac

Park: 00.00 ac

Net: 14.06 ac

Net Density:  $45/14.06 = 3.20$

- All issues were addressed in the Preliminary Plat stage. We basically had the entire development ready for Final Plat before we submitted for Phase 1 Final Plat.
- The landscaping plan for the entire development was completed for Preliminary Plat. I can submit that plan, however, we're working with Wildflower on a few changes to our joint property line that may result in a few changes – not in tree totals, but placement. When finalized, we will submit to the City landscape architect for approval. Let me know if you want what we have for now or wait for final.

Thanks,

Craig Allen

---

Craig Allen

10850 Old County Road 15

Suite 200

Plymouth, MN 55441

Cell: 952-270-4473

[craig@gonyecompany.com](mailto:craig@gonyecompany.com)

**From:** Emily Becker [mailto:EBecker@lakeelmo.org]

**Sent:** Monday, March 14, 2016 12:25 PM

**To:** Craig@gonyecompany.com

**Cc:** Stephen Wensman <SWensman@lakeelmo.org>

**Subject:** Final Plat Application - Village Preserve 2nd Addition

Hi Craig,

Upon preliminary review of your final plat application for Village Preserve 2<sup>nd</sup> Addition, we are missing the following items:

- Final exact area calculations of parks, trails, & any other dedicated public open space; and estimated values of all dedicated land and improvement (trails, park equipment, sports fields, etc) of the 2nd addition only
- Final proposed area calculations for all dedicated right-of-ways of the 2nd addition only
- A statement showing the final density of the project with method of calculating said density show of the 2nd addition only
- An explanation of how issues have been addressed since the Preliminary Plat phase of the development
- Landscaping plan

We are awaiting comments from engineering. In the meantime, please submit the items above. Please let me know if you have questions.

Emily Becker  
City Planner  
City of Lake Elmo  
651-747-3912  
[cbecker@lakeelmo.org](mailto:cbecker@lakeelmo.org)





**VILLAGE PRESERVE 1<sup>st</sup> & 2<sup>nd</sup> ADDITIONS**  
**LAKE ELMO, MN**

**LANDSCAPE ARCHITECTURAL DESIGN REVIEW MEMO DATED MARCH 30<sup>TH</sup>, 2016**

LAST REVIEWED PLAN SET DATED FEBRUARY 24<sup>TH</sup>, 2015  
(1<sup>ST</sup> ADDITION LANDSCAPE PLAN)

***Outstanding Action Items by Village Preserve 1<sup>st</sup> Addition by Project Team***

1. Village Preserve Project Team to provide landscape irrigation plans for all commonly held HOA & City R.O.W. areas for submittal / city review.

***Project Update on Village Preserve 2<sup>ND</sup> Addition***

2. We checked in with Project Landscape Architect 03 29 2016. Phase 2 Landscape Plans are in process and have not yet been submitted to Developer.

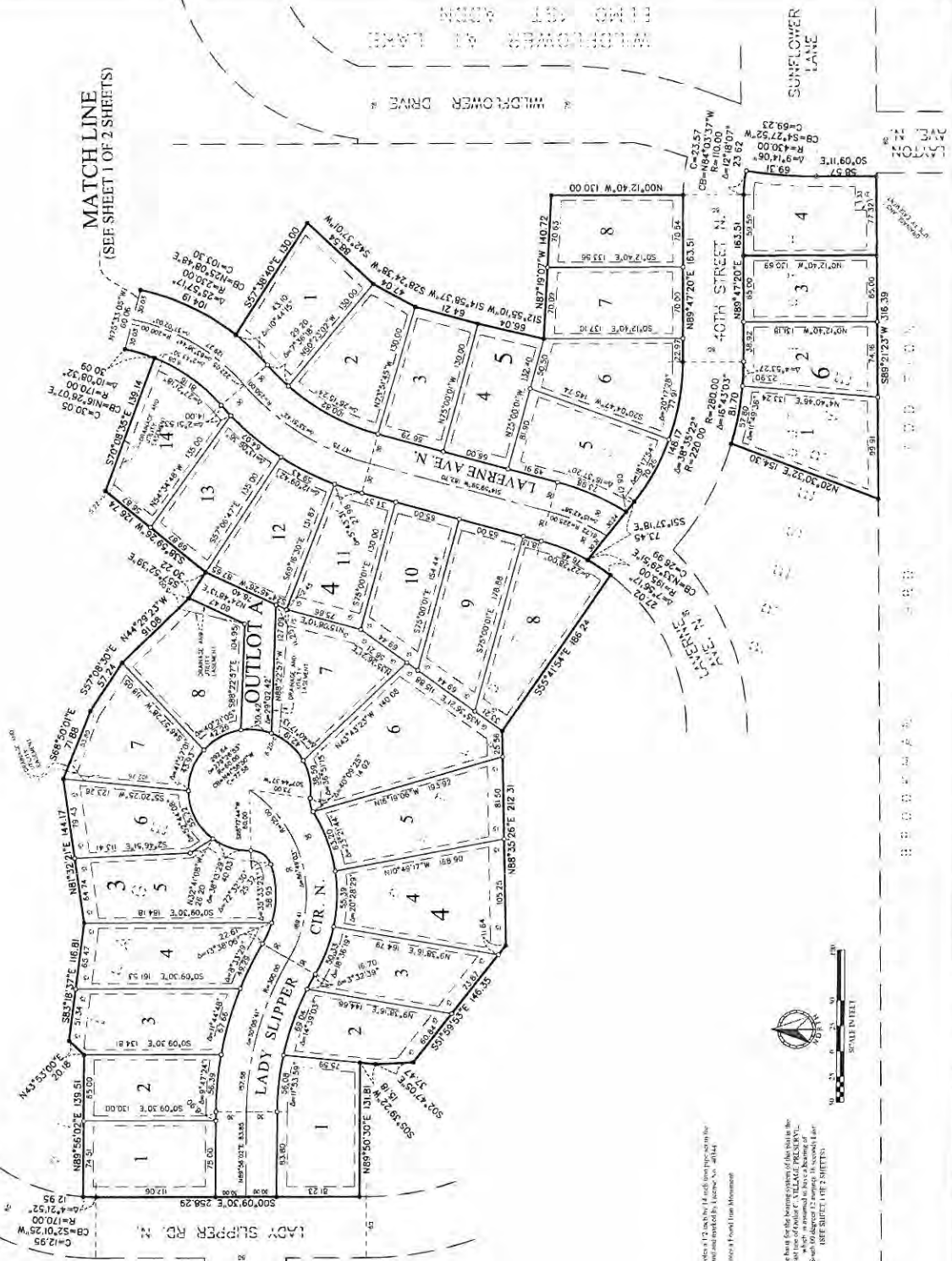
**SINCERELY,**

**LANDSCAPE ARCHITECTURE, INC.**

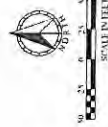
STEPHEN MASTEY, ASLA, CLARB, LEED AP BD+C  
**DIRECTOR OF DESIGN**



# VILLAGE PRESERVE 2ND ADDITION



MATCH LINE  
(SEE SHEET 1 OF 2 SHEETS)



FRANAGE AND UTILITY ELEMENTS ARE SHOWN IN RED  
 NOT TO SCALE  
 BEING'S LOT IS WITH SUBDIVISION AND IS TO BE USED FOR THE PURPOSES OF THE VILLAGE PRESERVE. THE BEING'S LOT IS NOT TO BE USED FOR THE PURPOSES OF THE VILLAGE PRESERVE. THE BEING'S LOT IS NOT TO BE USED FOR THE PURPOSES OF THE VILLAGE PRESERVE.

This plan is for the Village Preserve 2nd Addition, which is a subdivision of the Village Preserve, as shown on the attached plat. The Village Preserve is a subdivision of the Village Preserve, as shown on the attached plat. The Village Preserve is a subdivision of the Village Preserve, as shown on the attached plat.

SATHRE-BERGQUIST, INC.



**Station #1**  
3510 Laverne Ave. No.  
Lake Elmo, MN 55042  
651-770-5006



**Station #2**  
4259 Jamaca Ave. No.  
Lake Elmo, MN. 55042  
651-779-8882

---

**LAKE ELMO FIRE DEPARTMENT**

---

March 24, 2016

After review of the VILLAGE PRESERVE SECOND ADDITION, I have the following comments.

- Spacing and locations of fire hydrants meets requirements.
- Ensure road widths are in compliance and address no parking if needed to ensure access for emergency vehicles.
- I am concerned with the naming of LADY SLIPPER CIRCLE NO.. It is an East/West road, directly in line with 41<sup>st</sup> Street No. I would recommend the continuation of 41<sup>st</sup> Street No.

Reviewed by

A handwritten signature in black ink, appearing to read 'G. Malmquist', is written over a faint, illegible printed name.

Greg Malmquist, Fire Chief

*"Proudly Serving Neighbors & Friends"*

# MEMORANDUM

# FOCUS ENGINEERING, inc.

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

Date: March 28, 2016

To: Stephen Wensman, City Planner  
Cc: Chad Isakson, P.E., Municipal Engineer  
From: Jack Griffin, P.E., City Engineer

Re: Village Preserve 2<sup>nd</sup> Addition – Final Plat  
Engineering Review Comments

An engineering review has been completed for the Village Preserve 2<sup>nd</sup> Addition development. Final Plat/Final Construction Plans were received on February 23, 2016. The submittal consisted of the following documentation prepared by Sathre-Bergquist, Inc., or as noted:

- Village Preserve Phase 2 Final Plat, not dated.
- Village Preserve 2nd Final Plat Narrative.
- Village Preserve 2nd Addition Specifications dated February 22, 2016.
- Village Preserve 2nd Addition Construction Plans dated February 9, 2016.

**STATUS/FINDINGS:** Engineering review comments have been provided in two separate memos; one for Final Plat approval, and one to assist with the completion of the final Construction Plans. Please see the following review comments relating to the Final Plat application.

## FINAL PLAT: VILLAGE PRESERVE 2<sup>ND</sup> ADDITION

- Final Construction Plans and Specifications must be revised in accordance with the Construction Plan engineering review memorandum dated March 28, 2016.
- Final Construction Plans and Specifications must be prepared in accordance with the City Engineering Design Standards Manual using City details, plan notes and specifications and meeting City Engineering Design Guidelines.
- All easements as requested by the City Engineer and Public Works department shall be documented on the Final Plat prior to the release of the Final Plat for recording.
- All Outlots to be owned by the City, all easements and all right-of-way as requested by the City Engineer and Public Works department shall be documented on the Final Construction Plans.
- Final Plat should be contingent upon the City receiving copies of fully executed temporary construction easements or property owner permissions in a form acceptable to the City Attorney that allows for the construction and grading activities for all work off-site from the proposed Plat limits.
- All public improvements outside of the Village Preserve site needed to serve the residential subdivision, including the facilities shared with the Wildflower at Lake Elmo development, must be completed prior to the issuance of building permits in the Village Preserve 2<sup>nd</sup> Addition residential subdivision.

## FINAL CONSTRUCTION PLANS & SPECIFICATIONS

- No construction for Village Preserve 2<sup>nd</sup> Addition may begin until the applicant has received City Engineer approval for the Final Construction Plans; the applicant has obtained and submitted to the City all



applicable permits, easements and permissions needed for the project; and a preconstruction meeting has been held by the City's engineering department.

- No construction for Village Preserve 2<sup>nd</sup> Addition may begin until there is resolution in regards to the Village Preserve As-built grading for Ponds 3N and 4N. Per email correspondence dated March 3 and March 8, 2016, pond 3N and 4N grading must be corrected to be within City standard grading tolerances; or a revised Stormwater Management Plan must be prepared and approved by the City and the VBWD.
- The Final Plat shall not be recorded until final construction plan approval is granted.
- A separate memorandum will be provided to direct additional plan corrections necessary for final construction plan approval.

**CITY OF LAKE ELMO  
WASHINGTON COUNTY  
STATE OF MINNESOTA**

**RESOLUTION NO. 2016-35**

*A RESOLUTION APPROVING A FINAL PLAT FOR THE VILLAGE PRESERVE 2<sup>ND</sup>  
ADDITION RESIDENTIAL SUBDIVISION*

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

**WHEREAS**, GWSA Land Development, LLC, 10850 Old County Road 15, Suite 200, Plymouth, MN 55441 has submitted an application to the City of Lake Elmo (“City”) for a Final Plat for the first phase of the Village Preserve residential subdivision, a copy of which is on file in the City of Lake Elmo Community Development Department; and

**WHEREAS**, the City approved the Village Preserve Preliminary Plat on July 15, 2014; and

**WHEREAS**, the proposed Village Preserve Final Plat includes 45 single family residential lots within a planned subdivision on Outlot C, Village Preserve, PID Number: 12.029.21.33.0050 in the Village Planning Area; and

**WHEREAS**, the Lake Elmo Planning Commission reviewed the Final Plat on April 11, 2016 and adopted a motion recommending approval of the Final Plat subject to 13 conditions of approval; and

**WHEREAS**, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Final Plat as part of a memorandum to the City Council for the April 19, 2016 Council Meeting; and

**WHEREAS**, the City Council reviewed the Village Preserve Final Plat at its meeting held on April 19, 2016 and made the following findings of fact:

- 1) That the Village Preserve 2<sup>nd</sup> Addition Final Plat is consistent with the Preliminary Plat as approved by the City of Lake Elmo on 7/15/14.
- 2) That the Village Preserve 2<sup>nd</sup> Addition Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 3) That the Village Preserve 2<sup>nd</sup> Addition Final Plat complies with the City’s Urban Low Density Residential zoning district.
- 4) That the Village Preserve 2<sup>nd</sup> Addition Final Plat complies with all other applicable zoning requirements, including the City’s landscaping, storm water, sediment and erosion control and other ordinances, except as noted in this report or attachment thereof.

- 5) That the Village Preserve 2<sup>nd</sup> Addition Final Plat complies with the City's subdivision ordinance.
- 6) That the Village Preserve 2<sup>nd</sup> Addition Final Plat is consistent with the City's engineering standards with the exceptions noted by the City Engineer in his review comments to the City dated 3/28/16.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council does hereby approve the Village Preserve Final Plat subject to the following conditions:

- 5) Final construction plans and specifications, shall be revised and approved along with other comments complying with the City Engineer's memorandum dated 3/28/16 prior to the release of the final plat for recording.
- 6) The applicant shall be responsible for the construction of all improvements within the Lake Elmo Avenue (CSAH 17) right-of-way as required by Washington County and further described in the review letter received from the County dated June 24, 2014, and that no building permits be issued in the second phase until the turnlanes are installed and Washington County's requirements have been complied with.
- 7) The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and shall comply with the permit #2015-06 from Valley Branch Watershed District.
- 8) Prior to the release of the Final Plat for recording, the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements with financial guarantees therefore.
- 9) All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat prior to the release of the Final Plat for recording.
- 10) All outlots to be owned by the City, all easements and all rights-of-way as requested by the City Engineer and Public Works Department shall be documented on the Final Construction Plans.
- 11) The developer shall provide fully executed temporary construction easements or property owner permissions in a form acceptable the city Attorney that allow for the construction and grading activities for all work off-site from the proposed Plat prior to releasing the Final Plat for recording.
- 12) The street Lady Slipper Circle N. shall be changed to 41<sup>st</sup> Street Circle N. on the Village Preserve 2<sup>nd</sup> Addition Plat prior to recording.
- 13) All public improvements outside of the Village Preserve site needed to serve the residential subdivision, including the facilities shared with Wildflower at Lake Elmo, must be completed prior to issuance of building permits in the Village Preserve 2nd Addition.

- 14) Prior the release of building permits, the developer shall annex the Village Preserve 2nd Addition into the Village Preserve Homeowners Association covenants.
- 15) That a City approved maintenance plan for commonly held CIC and City outlots and rights-of-ways to be incorporated into the CIC declarations and bylaws and Landscape and Irrigation License Agreement prior to release of the final plat for recording.
- 16) That a Landscape and Irrigation License Agreement be executed for the maintenance of commonly held CIC and City outlots and rights-of-ways prior release of the final plat for recording.
- 17) That the Final Landscape Plan for Village Preserve 2<sup>nd</sup> Addition be submitted for approval by the City, including irrigation plans for Village Preserve 1<sup>st</sup> and 2<sup>nd</sup> Additions per the requested of the City Landscape Consultant, documented in a memo dated 3/30/16. Approval shall be required prior to the release of Final Plat for recording.

Passed and duly adopted this 19<sup>th</sup> day of April, 2016 by the City Council of the City of Lake Elmo, Minnesota.

---

Mike Pearson, Mayor

ATTEST:

---

Julie Johnson, City Clerk



**City of Lake Elmo  
Planning Commission Meeting  
Minutes of April 11, 2016**

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

**COMMISSIONERS PRESENT:** Kreimer, Dunn, Larson, Griffin, Dodson, Fields, Lundquist and Williams.

**COMMISSIONERS ABSENT:** Haggard & Larson

**STAFF PRESENT:** Planning Director Wensman, & City Planner Becker

**Approve Agenda:**

The agenda was approved as presented.

**Approve Minutes:** March 28, 2015

M/S/P: Williams/ move to approve the March 28, 2016 minutes as amended, **Vote: 7-0, motion carried.**

**Public Hearing – Comprehensive Plan Map Amendment**

Wensman started his presentation regarding the Comprehensive Plan amendment. The City is planning for the Old Village Phase 2 street and utility improvement project. 3 parcels have petitioned to join the MUSA. Within the proposed MUSA, many properties are currently guided for rural single family and rural area development which is not consistent with sewered development. The identified parcels will be reguided to Village Urban Low Density. Met Council approval is required and upon review, the Met Council has requested that the properties within the MUSA be guided for sewered development.

Dunn asked how many acres are in the new area. She wants the motions broke into 2 separate motions. She wants to know what the density range is for this Village Urban Low Denisty. Wensman stated that the range is 1.5 – 2.49 per acre. Wensman stated that this might need to be continued as the Comp plan requires 3 units per acre for sewered. Kreimer stated that there can be pockets as long as the overall area meets the 3 units per acre. Wensman stated that he thinks that we will get push back from Met Council if we use this guidance.

Public hearing on adding the 3 properties opened at 7:15 pm

Steve Johnson, 2915 Lake Elmo Ave, asked what the designation needed to be. Williams pointed out that the public hearing was only to add them to the MUSA.

There were no written comments

Public hearing closed at 7:18 pm

M/S/P: Williams/Dunn, move to add findings of fact that there is a homeowner petition, that the Met Council staff is in agreement with adding these properties and that there is no significant change in project scope and cost to the City. **Vote: 7-0, motion carried.**

M/S/P: Williams/Dodson, move to recommend approval of an amendment to the City's Comprehensive Wastewater Facilities Plan adding 3 residential parcels, PID #'s 24.029.21.22.0019, 24.029.21.22.0020 and 24.029.21.22.0021 to the Village MUSA area based on the attached findings, **Vote: 7-0, motion carried.**

M/S/P: Williams/Dodson, move to postpone amending the Comprehensive Land Use Plan by reguiding parcels in the Village MUSA until such time as a new public hearing has been noticed, **Vote: 7-0, motion carried.**

Dodson is concerned that the existing RS homes will get that Village Medium Density designation. Wensman stated that the rezoning should occur shortly after the sewer hook ups occur.

Dunn stated that the maps are different in the packet than what was shown tonight. She would like things clarified and simplified.

### **Public Hearing – Rezoning the Inwood Water Tower site to PF**

The City's Inwood Watertower site is currently zoned Rural Residential and essential services are guided in the Comprehensive Plan as Public/Park. The request is to rezone the Inwood watertower to PF – Public/Semi Public. This is a 1.44 acre parcel owned by the City.

Public hearing opened at 7:34 pm

No one spoke and there were no written comments.

Public hearing closed at 7:35 pm

M/S/P:Lundquist/Williams, move to recommend approval of the rezoning of the Inwood Watertower site PID #28.029.21.42.0003, from the RR – Rural Residential Zoning District to the PF – PF Public or Semi-Public zoning district, **Vote: 7-0, motion carried.**

M/S/P:Williams/Dodson, proposes an amendment to include based on the findings presented in the staff report, **Vote: 7-0, motion carried.**

### **Business Item – Village Preserve 2<sup>nd</sup> Addition Final Plat**

Wensman started his presentation regarding Village Preserve 2<sup>nd</sup> addition. This application is to Final Plat Outlot C into 45 single family homes and a .13 acre outlot for a trail. This final plat is consistent with the preliminary plat.

The Fire Chief would like the street named Lady Slipper Circle on the plat map changed to 41<sup>st</sup> Street Circle. Wensman went through his findings of fact and 13 conditions of approval, one of which is constructing a turn lane on Lake Elmo Ave. Building permits will not be issued until the turn lane is constructed.

Dodson pointed out a few technical changes. He also asked if the HOA had been established yet. Wensman stated that the documents have been drafted, but beyond that he is not sure.

Craig Allen, GWSA, talked about the drainage of the development and the shared ponding with Wildflower. The irrigation and landscape plan was all done at once and should not be difficult to finish up for phase II.

Dunn asked about the sidewalk and trail system and why they are different widths. Allen went through the trail system.

M/S/P: Williams/Dodson, move to approve the Village Preserve 2<sup>nd</sup> addition Final Plat with the 13 conditions of approval as drafted by Staff based on the findings of fact listed in the staff report as amended, **Vote: 7-0, motion carried.**

### **Business Item – Zoning Text Amendment Noise Ordinance**

Planner Becker explained the proposed ordinance as requested by the City Engineer. The staff would like feedback from the Planning Commission prior to the public hearing scheduled on April 25<sup>th</sup>, 2016.

Dodson likes the Oakdale ordinance better than either version of the Lake Elmo ordinance. He prefers talking about how loud something is and hours vs. types of equipment allowed. He is also wondering what the penalties are for violations. Becker stated that the penalty is outlined in ordinance 10.99.

Dunn is concerned about MPCA standards, but does not see those standards anywhere. Wensman stated that it was previously discussed during the Hecker wedding venue and states what the noise limits are. Williams thinks there should be a reference to those standards. Wensman stated that he does not think it is necessary as our numbers come from those standards.

Dunn feels that the current ordinance protects the current residents and does not feel it should change. Kreimer does not see a need to change the noise ordinance. He lived through it in 2014 with Hammes Estates and they worked weekends and it was miserable. They could not enjoy their property that whole summer.

Fields would rather have exemptions on a project by project basis rather than change the ordinance. Williams is troubled by the inclusion of Saturday. He would rather see the ordinance allow public projects to be exempted.

Williams would like to suggest that in section 1A, construction activity is allowed from 7am – 7pm during the week, but nothing on Saturdays. In the last section where it talks about public projects, allow

#### **Business Item – Zoning Text Amendment – Open Space Preservation Ordinance**

#### **Business Item – 2016 Planning Commission Work Plan**

#### **Council Updates – April 5, 2016 Meeting**

1. Savona 4<sup>th</sup> addition Developer Agreement – passed.
2. Easton Village Park Plan – passed.
3. Palmquist Commercial Wedding Venue IUP – Postponed.

#### **Staff Updates**

1. Upcoming Meetings
  - a. April 25, 2016
  - b. May 10, 2016

#### **Commission Concerns**

Meeting adjourned at 9:50 pm

Respectfully submitted,

Joan Ziertman  
Planning Program Assistant