



MAYOR AND COUNCIL COMMUNICATION

DATE: 5/17/16
CONSENT
ITEM #: 18
MOTION

AGENDA ITEM: Boulder Ponds 2nd Addition Final PUD and Final Plat
SUBMITTED BY: Stephen Wensman, Planning Director
REVIEWED BY: Emily Becker, City Planner
Jack Griffin, City Engineer

BACKGROUND:

OP4 Boulder Ponds, LLC is requesting approval of Boulder Ponds 2nd Addition Final PUD and Final Plat, the second phase of the Boulder Ponds residential development. The Planning Commission reviewed the Final PUD and Final Plat on April 25, 2016 and recommended approval with eight conditions.

ISSUE BEFORE COUNCIL:

Approval of the Final PUD and Final Plat of Boulder Ponds 2nd Addition.

PROPOSAL DETAILS/ANALYSIS:

The Planning Commission recommended approval of the Boulder Ponds 2nd Addition Final PUD and Final Plat with eight conditions. Since the Planning Commission review, OP4 Boulder Ponds has received approval for both Boulder Ponds and Boulder Ponds 2nd Addition landscape plans. The irrigation plans for Boulder Ponds 2nd Addition are still being reviewed. The Developer is currently reviewing the Landscape Maintenance and License Agreement, also a condition of Final Plat. The Developer has provided evidence to the City Attorney that it has a fee interest in the Plat. Evidence of Watershed approval and compliance with conditions has been met. There is no work to be performed within the BP pipeline area. As a result, the related conditions have been removed from the attached resolution of approval.

Staff is recommending approval of Boulder Ponds 2ND Addition Final Plat and Final PUD Plan based on the following findings:

- 1) That the Boulder Ponds 2nd Addition Final Plat and Final PUD Plan is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on September 16, 2014.
- 2) That the Boulder Ponds 2nd Addition Final Plat and Final PUD Plan is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.

- 3) That the Boulder Ponds 2nd Addition Final Plat generally complies with the City's Urban Low Density Residential zoning district, with the exceptions as noted in the approved Preliminary PUD Plans.
- 4) That the Boulder Ponds 2nd 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 Boulder Ponds 2nd Addition Final Plat complies with the City's subdivision ordinance.

FISCAL IMPACT:

The City will be asked to review a developer's agreement as a separate agenda item. The agreement will include a detailed accounting of any development costs that will be the responsibility of the City.

OPTIONS:

The Boulder Ponds 2nd Addition Final PUD and Final Plat are consistent with the Preliminary Plat approval and should be approved by the City Council.

RECOMMENDATION:

Staff and the Planning Commission recommend approval with the following motion:

“move to approve Resolution 2016-41 approving the Final PUD and Final Plat for Boulder Ponds 2nd Addition with 5 conditions”

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

RESOLUTION NO. 2016-41

*A RESOLUTION APPROVING A FINAL PLAT AND FINAL PLANNED UNIT DEVELOPMENT
(PUD) PLAN FOR THE BOULDER PONDS 2ND ADDITION PLANNED RESIDENTIAL
DEVELOPMENT*

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

WHEREAS, Boulder Ponds OP4, LLC, 11455 Viking Drive, Suite 350, Eden Prairie, MN has submitted an application to the City of Lake Elmo (“City”) for a Final Plat and Final PUD Plan for the Boulder Ponds 2nd residential development, a copy of which is on file in the City of Lake Elmo Community Development Department; and

WHEREAS, the City approved the Boulder Ponds PUD General Concept Plan on December 17, 2013; and

WHEREAS, the City approved the Boulder Ponds Preliminary Plat and Preliminary PUD Plan on September 16, 2014; and

WHEREAS, the proposed Boulder Ponds 2nd Final Plat and Final PUD Plan includes 18 single family residential lots within a planned development on Outlot H, Boulder Ponds in Stage 1 of the I-94 Corridor Planning Area; and

WHEREAS, the Lake Elmo Planning Commission reviewed the Final Plat and Final PUD Plans on April 25, 2016; and

WHEREAS, the Lake Elmo Planning Commission adopted a motion recommending approval of the Final Plat and Final PUD Plan subject to 8 conditions of approval; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Final Plat and Final PUD Plan as part of a memorandum to the City Council for the May 17, 2016 Council Meeting; and

WHEREAS, the Developer has complied with three of the eight conditions prior to City Council review; and

WHEREAS, the City Council reviewed the Boulder Ponds 2nd Final Plat and Final PUD Plan at its meeting held on May 17, 2016 and made the following findings of fact:

- 1) That the Boulder Ponds Final Plat and Final PUD Plan is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on September 16, 2014.

- 2) That the Boulder Ponds Final Plat and Final PUD Plan is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 3) That the Boulder Ponds Final Plat generally complies with the City's Urban Low Density Residential zoning district, with the exceptions as noted in the approved Preliminary PUD Plans.
- 4) That the Boulder Ponds 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 Boulder Ponds 2nd Addition Final Plat complies with the City's subdivision ordinance.
- 6) That the Boulder Ponds 2nd Addition Final Plat and Final PUD Plan complies with the City's Planned Unit Development Ordinance.
- 7) That the Boulder Ponds 2nd 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 April 21, 2016.

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

- 1) Final grading, drainage, and erosion control plans, utility plans, sanitary and storm water management plans, and street and utility construction plans shall be reviewed and approved by the City Engineer prior to the recording of the Final Plat. All changes and modifications to the plat and plans requested by the City Engineer in a memo dated 4/21/16 shall be incorporated into these documents before prior to signing the Plat for recording.
- 2) 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.
- 3) The Final Irrigation Plan shall be submitted for review and approval by the City Landscape Architect Consultant prior to the release of building permits.
- 4) The applicant shall provide a complete development lot book for all lots in Phase 2 of the Boulder Ponds development clarifying proper building placement for use in granting building permits prior to the release of Final Plat for recording.
- 5) 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.

Passed and duly adopted this 17st day of May, 2016 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk



PLANNING COMMISSION
DATE: APRIL 25, 2016
AGENDA ITEM: 5A– BUSINESS ITEM
CASE # 2016-07

ITEM: Boulder Ponds 2nd Addition – Final Plat, Final PUD Plan

SUBMITTED BY: Stephen Wensman, Planning Director

REVIEWED BY: Emily Becker, City Planner
Jack Griffin, City Engineer
South Washington Watershed District
Greg Malmquist, Fire Chief

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider an application for a Final Plat, Final PUD Plan submitted by OP4 Boulder Ponds, LLC. The Final Plat application represents the second phase of the Boulder Ponds residential development and includes 18 single family residential lots. The proposed project is located north of Hudson Blvd. N., east of the Eagle Point Business Park and south of the Stonegate subdivision. Staff is recommending approval of the of the Boulder Ponds 2nd Addition Final Plat and Final PUD Plan subject to compliance with 8 conditions as noted in this report.

GENERAL INFORMATION

Applicant: OP4 Boulder Ponds, LLC (Deb Ridgeway), 11455 Viking Drive, Suite 350, Eden Prairie, MN 55344.

Property Owners: OP4 Boulder Ponds, LLC (Deb Ridgeway), 11455 Viking Drive, Suite 350, Eden Prairie, MN 55344 and Bremer Bank (Kathleen Tucci) 8555 Eagle Point Blvd., PO Box 1000, Lake Elmo.

Location: Outlot H, Boulder Ponds, PID # 34.029.21.32.0035

Request: Application for Final Plat and Final Planned Unit Development (PUD) Plan for the 2nd phase of the Boulder Ponds planned development which includes 18 single family lots.

Existing Land Use and Zoning: LDR (PUD) - Urban Low Density Residential Planned Unit Development.

Surrounding Land Use and Zoning: North –Stonegate Residential Estates (RE) subdivision; west – Eagle Point Business Park (Bremer Bank, Eagle Point Town Office Condos, High Pointe Medical Campus, vacant land) (BP); east – Lennar Savona Urban Low Density Residential (LDR) subdivision; south – vacant land guided for Commercial and Interstate Highway 94.

| | |
|--------------------------------|--|
| <i>Comprehensive Plan:</i> | Urban Medium Density Residential (4.5-7.0 units per acre), |
| <i>History:</i> | Boulder Ponds General Concept Plan approved by the City on 12/17/13 (Resolution #2013-109). Boulder Ponds Preliminary Plat and Preliminary PUD Plan approved by the City on 9/16/14 (Resolution #2014-73). The first phase Boulder Ponds Final Plat and Final PUD was approved on April 21, 2015 |
| <i>Deadline for Action:</i> | Application Complete – 3/21/16 60 Day Deadline –5/20/16 Extension Letter Mailed – N/A 120 Day Deadline – N/A |
| <i>Applicable Regulations:</i> | Chapter 153 – Subdivision Regulations Article 10 – Urban Residential Districts (LDR) Article 16 – Planned Unit Development Regulations §150.270 Storm Water, Erosion, and Sediment |

REQUEST DETAILS

The City of Lake Elmo has received a request from OP4 Boulder Ponds, LLC for a Final Plat and Final PUD Plan to subdivide Oulot H, Boulder Ponds, 5.07 acres, into 18 single family (detached Villa) lots on a cul-de-sac as guided by the approved Preliminary PUD Plan.

The applicant has submitted detailed construction plans for 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 City's subdivision ordinance establishes the procedure for obtaining final subdivision approval, in which case a final plat may only be reviewed after the City takes action on a preliminary plat. As long as the final plat is consistent with the preliminary approval, it must be approved by the City. Please note that the City's approval of the Boulder Ponds Preliminary Plat included 13 conditions that must be met by the applicant, which 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 September 16, 2014. Please note that the final plat and construction plans indicate the new street will have the name, Jade Way North, which is consistent with the preliminary plat.

The City Engineer has reviewed the final plat, and his 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 April 21, 2016 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 Boulder Ponds 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 13 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.

Please also note that the applicant has also provided a response to the preliminary plat conditions as part of the project narrative (Attachment #2).

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

- 1) 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. ***Comments: The site was mass graded in phase 1.***
- 2) The developer shall be required to submit an updated parkland dedication calculation in advance of Final Plat. Upon submission of the calculation, the applicant must work with the City to achieve the required parkland dedication amount per the City's Subdivision Ordinance. The developer shall be required to pay a fee in lieu of 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 in lieu of land dedication shall be paid by the applicant prior to the release of the Final Plat for recording. ***Comments: The park land dedication of 1.77 acres which will be comprised of that the portion of the northern greenbelt park not within the Xcel Energy easement will be dedicated in the third phase of the development. The remaining park dedication equivalent to the fair market value of 2.57 acres of land was paid with the first phase of the development.***
- 3) The developer shall follow all the rules and regulations of the Wetland Conservation Act and adhere to the conditions of approval for the South Washington Watershed District Permit. ***Comments: The permit was received with the first phase of the development.***
- 4) The applicant will work with the Planning Staff to name all streets in the subdivision in a manner acceptable to the City prior to the submission of Final Plat. ***Comments: The streets in the entire development were named and the names were approved by the Fire Chief.***
- 5) The applicant will work with staff to address the comments in the City Engineer's review memo dated 7/24/14 to the satisfaction of the City Engineer as part of the Final Plat and Final PUD Plan. ***Comments: These were completed for the 1st phase.***
- 6) In addition to standard easements required by the Subdivision Ordinance, additional drainage and utility easements must be provided extending 10 feet from meandering sidewalks, as well as all of the portion of private lots between meandering sidewalks and the public right-of-way. ***Comments: This was complied with in the first phase and will be again in the second phase.***
- 7) The landscape plan shall be updated to locate all boulevard trees in between the public street and sidewalk to not interfere with private utilities. ***Comments: The landscaping plans for all phases have been accepted per Stephen Mastey's review memo 4/20/16 with the exception of the irrigation plans. Irrigation plans are close to being approved.***

- 8) All islands and medians internal to the Boulder Ponds development shall be platted as part of the right-of-way and shall be maintained by the Home Owners Association. The applicant shall enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the Final Plat. **Comments: The islands and median except those in 5th Street are the responsibility of the HOA into perpetuity. The developer has an approved management plan, but has not entered into a landscape license agreement.**
- 9) The design of the northern buffer trail shall be modified to a width of 8 feet as opposed to the regional trail standard of 10 feet. **Comments: This condition will be address in the third phase of the development.**
- 10) The eastern segment of the northern buffer trail shall be moved to the south to the greatest extent possible with plantings to screen the trail on the north side. **Comments: This has been completed.**
- 11) Prior to recording the Final Plat for any portion of the area shown in the Preliminary Plat, the Developer shall enter into a Developers Agreement acceptable to the City Attorney that delineates who is responsible for the design, construction, and payment of public improvements. **Comments: Complete**
- 12) The Final PUD Plan will include a development lot book to clarify proper building placement for use in granting building permits for the development. **Comments: Completed**

Staff is recommending that the conditions noted above that pertain to the 1st Addition Final Plat and that have not yet been addressed by the applicant should be again conditioned with this approval. 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 little bearing on the final plat. The City Landscape Architect has reviewed and approved the Landscape Plans, the Landscape Management Plan, however the irrigation plans have not yet been approved, and are about half way complete. The Fire Chief has reviewed the Final Plat and has identified no issues.

Staff is recommending that City Officials not sign the final plat mylars until the City's construction plan review is finalized and all necessary easements are documented on the Final Plat.

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

The recommended conditions are as follows:

Recommended Conditions of Approval:

- 1) Final grading, drainage, and erosion control plans, utility plans, sanitary and storm water management plans, and street and utility construction plans shall be reviewed and approved by the City Engineer prior to the recording of the Final Plat. All changes and modifications to the plat and plans requested by the City Engineer in a memo dated April 21, 2016 shall be incorporated into these documents before prior to signing the Plat for recording.

- 2) Prior to the release of Final Plat for recording, the developer shall provide evidence in a form satisfactory to the City Attorney that warrants it has fee interest in area included in the Boulder Ponds Final Plat.
- 3) 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.
- 4) The Final Irrigation Plan shall be submitted for review and approval by the City Landscape Architect Consultant prior to the release of building permits.
- 5) The applicant shall provide evidence that all conditions attached to the South Washington Watershed District permit for the Final Plat and associated grading work have been met prior to the release of the Final Plat for recording.
- 6) The applicant must provide written authorization to perform any work in the BP Pipeline easement areas prior to the release of the Final Plat for recording.
- 7) The applicant shall provide a complete development lot book for all lots in Phase 2 of the Boulder Ponds development clarifying proper building placement for use in granting building permits prior to the release of Final Plat for recording.
- 8) 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.

DRAFT FINDINGS

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Boulder Ponds 2ND Addition Final Plat and Final PUD Plan:

- 1) That the Boulder Ponds 2nd Addition Final Plat and Final PUD Plan is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on September 16, 2014.
- 2) That the Boulder Ponds 2nd Addition Final Plat and Final PUD Plan is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 3) That the Boulder Ponds 2nd Addition Final Plat generally complies with the City's Urban Low Density Residential zoning district, with the exceptions as noted in the approved Preliminary PUD Plans.
- 4) That the Boulder Ponds 2nd 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 Boulder Ponds 2nd Addition Final Plat complies with the City's subdivision ordinance.

- 6) That the Boulder Ponds 2nd Addition Final Plat and Final PUD Plan complies with the City’s Planned Unit Development Ordinance.
- 7) That the Boulder Ponds 2nd 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 April 21, 2016.

RECCOMENDATION:

Staff is recommending approval of the Boulder Ponds 2nd Addition Final Plat and Final PUD Plan with the 8 conditions of approval as listed in the Staff report. The suggested motion is the following:

“Move to recommend approval of the Boulder Ponds 2nd Addition Final Plat and Final PUD Plan with the 8 conditions of approval as drafted by Staff based on the findings of fact listed in the Staff Report.”

ATTACHMENTS:

- Application Forms and Project Narrative
- Final Plat
- City Engineer Review Memorandum, dated 4/21/16
- Fire Chief Review Memorandum, dated 3/24/16
- Landscape Consultant Review Memorandum, dated 4/20/16
- (Final Construction Plans are available upon request)

ORDER OF BUSINESS:

- IntroductionPlanning Staff
- Report by StaffPlanning Staff
- Questions from the Commission Chair & Commission Members
- 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

FINAL PLAT APPLICATION

Applicant: OP4 Boulder Ponds, LLC (Contact: Deb Ridgeway)
Address: 1660 Highway 100 South, Suite 400, St. Louis Park, MN 55416
Phone #: 952.525.3223
Email Address: Deb.Ridgeway@ExcelsiorLLC.com

Fee Owner: Same as Applicant
Address: _____
Phone #: _____
Email Address: _____

Property Location (Address and Complete (long) Legal Description: _____
Outlot H, Boulder Ponds

General information of proposed subdivision: _____
Applicant proposes to plat Outlot H, Boulder Ponds to create 18 detached Villa lots as contemplated on the
approved Boulder Ponds Preliminary Plat. The product will be similar to the Villa units currently being
constructed in the 1st phase of development.

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.

OP4 Boulder Ponds, LLC
Signature of applicant: _____ Date: 2/18/16

OP4 Boulder Ponds, LLC
Fee Owner Signature: _____ Date: 2/18/16




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 OP4 Boulder Ponds, LLC
(Please Print)

Street address/legal description of subject property Outlot H, Boulder Ponds

OP4 Boulder Ponds, LLC

Signature

2/12/16
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.

OP4 Boulder Ponds, LLC

Signature of applicant BY  Date 2/18/16

Name of applicant Ben Schmidt, Vice President Phone 952.525.3225
(Please Print)

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

Deb Ridgeway (deb.ridgeway@excelsiorllc.com)
c/o The Excelsior Group, LLC
1660 Highway 100 S, Suite 400
St. Louis Park, MN 55416

FINAL PLAT APPLICATION REQUIREMENTS¹
All Subdivisions of Land creating four (4) or more lots

This handout is intended to provide guidance on putting together and submitting a Final Plat application for the subdivision of property in Lake Elmo. The purpose of the Final Plat is to incorporate all conditions placed on the Preliminary Plat application into the final plans, and to finalize all documentation for legal recording at the County. This steps completes the subdivision process.

In order to have your Final Plat application be complete and reviewed in a timely fashion, there are a number of steps that must be followed:

1. **Pre-submittal Meeting:** Contact City Staff to discuss the status of any outstanding Preliminary Plat conditions, to discuss the requirements for Final Plat application submittal and obtain another land use application.
2. **Final Plat Submittal:** Prepare an informational packet (described herein) that fulfills the Final Plat submittal requirements. Providing a detailed and thorough application packet will greatly reduce the overall review time. Submit your completed packet to Staff to initiate review.
3. **Completeness Review:** Staff will examine your submittal to determine if the application is complete, and contact you if additional information is required or was omitted. It is to your advantage to submit your materials as early as possible so Staff can assist you in meeting all requirements. Applications found to be incomplete will be returned to the applicant.²
4. **Final Plat Review/Processing:** Staff will process completed applications. This process typically requires at least one applicant revision and resubmittal of plans to work through review comments. The process may also include additional applicant meetings, requesting review comments from partnering agencies, and writing reports.
5. **Planning Commission Meeting:** Once the plans are revised to fully meet the Zoning and Subdivision Ordinance and Engineering Design Standards as outlined by Staff, planning and engineering reports are prepared and the item is scheduled for the next available Planning Commission meeting (2nd or 4th Monday of the month³).

¹ The information provided in this document is intended to be a correct statement of the law as set forth in the Lake Elmo City Code and the laws of the State of Minnesota. However, the applicant should refer to the actual sources and consult with their own legal advisor regarding applicability to their application. In providing this information, the City makes no representations nor provides any legal advice or opinion.

² Minnesota State Statute 15.99 requires local governments to review an application within 15 business days of its submission to determine if an application is complete and/or if additional information is needed to adequately review the subject request.

³ Staff will determine when applications are reviewed based on the time needed to review the application and the number of items already scheduled on future agendas. Please note that meeting dates are ange due to holidays, lack of quorum, etc. Please contact City Hall to confirm all dates and times.

6. **Revisions:** If needed, the Final Plat is revised to address the Planning Commission's recommendation(s) and any outstanding review comments prior to City Council consideration.
7. **City Council Meeting:** Once the plans are finalized and ready for the City Council's consideration, staff reports are prepared and the Final Plat is placed on the next available City Council meeting agenda (1st or 3rd Tuesday of the month³). Applicants are advised to attend both the Planning Commission and City Council meetings and be open to questions regarding the request.
8. **Decision:** The City Council will review the request and either grant or deny the Final Plat.
9. **Title Work:** If the Final Plat application is approved by the City Council, all title work must be reviewed and approved by the City Attorney before the plat is recorded by the County. The applicant shall provide evidence in a form satisfactory to the City Attorney that he/she has fee interest in the subject property.

Above all else, it is imperative that an applicant begin preparations as early as possible and to ensure that a complete application is submitted. Review by the Planning Commission will not occur until at least three weeks have passed from when the City has deemed the application complete.

Final Plat Fees: The City Council has established a **non-refundable fee**⁴ for processing Final Plat applications. Please see the current fee schedule on our website. In addition, the City requires that the applicant enter into an Escrow Agreement with the City and post an \$8,000 escrow to reimburse the City for all technical planning, engineering, public works and legal review.

You will find that a great deal of the information requested for a Final Plat application matches the requirements for Preliminary Plat application submittal. While we have your original applications, the City does require that all applicants submit a new and complete application at every stage of the development process (updating information as needed). This allows us to track changes as the application progresses through the various levels of review. With this in mind, the following materials must be submitted prior to deeming an application complete:

Sub: Req: Item:

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. A completed land use application form signed by all property owners along with payment of the proper filing fee, escrow and escrow agreement. |
|--------------------------|--------------------------|--|

⁴ Applicant is also responsible for any additional fees incurred by the City (i.e. engineering, planning, postage, legal expenses, et cetera).

2. **Written statements** providing information regarding your proposal. Please provide a separate answer for each of the lettered items listed below (answers must be submitted in both hard copy and electronic form-- MS Word format or PDF):
- a. A listing of contact information including name(s), address(es) and phone number(s) of: the owner of record, authorized agents or representatives, engineer, surveyor, and any other relevant associates.
 - b. A listing of the following site data: Address, current zoning, parcel size in acres and square feet, property identification number(s) (PID), and current legal description(s).
 - c. Final Subdivision and Lot Information:
 - i. The name of the Final Plat.
 - ii. A table listing the lot and block number, size of lot, width of lot, and depth of lot.
 - iii. Final exact area calculations of parks, trails, and any other dedicated public open space; and estimated values of all dedicated land and improvements (trails, park equipment, sports fields, etc.).
 - iv. Final exact area calculations of wetlands and buffers.
 - v. Final proposed area calculations for all dedicated right-of-ways.
 - vi. Proposed legal descriptions for: all lots, easements to be created (if not being dedicated on the plat), and easements to be vacated (if any).
 - d. An explanation of how issues have been addressed since the Preliminary Plat phase of the development.
 - e. A statement showing the final density of the project with the method of calculating said density shown.
 - f. Discuss proposed infrastructure improvements and phasing thereof (i.e. proposed roadways, sewer systems, water systems, sidewalks/trails, parking, etc) necessary to serve the subdivision.
 - g. If applicable, a narrative addressing how concerns/issues raised by neighboring properties have been addressed (discussing your proposal with the neighboring land owners is recommended to get a sense of what issues may arise as your application is processed).
 - h. If applicable, a description of how conflicts with nearby land uses (livability, value, potential future development, etc.) and/or disturbances to wetlands or natural areas are being avoided or mitigated.
 - i. Provide justification that the proposal will not place an excessive burden on roads (traffic), sewage, water supply, parks, schools, fire, police, or other public facilities/services (including traffic flows) in the area.

Written statements continued:

- j. If applicable, provide a description of proposed lakeshore access (i.e. shared dock with multiple slips, individual docks for each lot, etc.).
- k. A description of proposed parks and/or open space, including a brief statement of the overall land dedication of fees to be paid in lieu of land dedication that meets the public land dedication requirements of the Subdivision Ordinance.
- l. A proposed development schedule indicating the approximate date when construction of the project, or stages of the same, can be expected to begin and be completed (including the proposed phasing of construction of public improvements and recreational and common space areas).

Sub: Req: Item:

3. **Plat & Associated Plans:** Ten (10) packets of reduced size (11x17) and five (5) packets of full plan size (24x36) containing each of the following required pieces of information depicting the proposed subdivision. Each document shall be at a consistent, readable, and measurable engineering scale, include a title and a page number (Sheet 1 of 5±, Sheet 2 of 5±, et cetera). Staff will assist you in determining what is required. The plan sets will not be considered complete unless all required elements are included. Additionally, each of the packet items must be submitted in an electronic format (.jpg, .pdf, etc.) for use in presentations.

The following pages outline the information that is required to deem your application complete.

 Final Plat:**Sub: Required: Item:**

1. **Administrative Information:**
- *Appropriate identification of the drawing (i.e. final plat, grading plan, etc).*
 - *Name of the subdivision, which shall not duplicate or too closely approximate the name of any existing platted subdivision in Washington County. Proposed names must be verified by the Washington County Recorder.*
 - *Signature of surveyor, engineer, landscape architect, and all other professionals certifying the documents.*
 - *Date of plan preparation with revision date(s) (if any).*
 - *Graphic scale and true north arrow (engineering scale only, not less than one (1) inch equals one hundred (100) feet.*
 - *A complete Legend depicting all line types and symbols used within the plans.*

Final Plat continued:

2. **General Property Information:**
- *Address(es) and PID(s) for the subject property.*
 - *Existing legal description(s) for the subject property.*
 - *Existing parcel boundaries shown with survey measurement data matching the existing legal description of the parcel of land to be platted.*
 - *Date of survey.*
 - *Name, address, and phone number of landowner (and subdivider if not the same)*
 - *Name, address, and phone number of engineer, surveyor, landscape architect, or land planner preparing the plat (include registration #'s)*
3. Indication of the gross area being subdivided and the proposed number of lots shown in square feet and acres.
4. Existing site improvements within the parcel of land to be platted and for a distance of 150 feet outside of the parcel boundaries.
5. Zoning district(s) of the land being subdivided (if more than one zoning district, zoning boundary lines must be shown) and proposed future zoning for the subdivided land.
6. Layout of proposed lots with future lot and block numbers. The boundary lines of the subdivision should be clearly distinguishable from other property lines. Denote outlots planned for public dedication and/or open space (schools, parks, trails, stormwater ponds, etc.).
7. Layout of existing property lines if (different from proposed lot lines). Existing lot lines should be easily distinguishable from the proposed lot lines and not be a prominent feature on the plat.
8. Denote the area within each of the proposed parcels (in the appropriate units of acres and/or square feet)
9. Existing contours at intervals of two feet. Contours must extend a minimum of 150 feet beyond the boundary of the parcel(s) in question.
10. Delineation of wetlands and/or watercourses on the plat and within 150 feet of the perimeter of the subdivision parcel. The ordinary high water elevation and the 100 year flood elevation shall be shown for all existing water bodies.
11. Location, width, and names of existing and proposed streets within and immediately adjacent to the subdivision parcel, showing pavement type and width.

Final Plat continued:

12. All easements of record within or adjacent to the plat.
13. Lines establishing the buildable area on each lot (setbacks)
14. Boundary lines of adjoining parcels within three hundred fifty (350) feet beyond the plat. Individual parcels shall be identified by name and ownership including all contiguous land owned or controlled by the subdivider.
15. Location and dimensions of existing buildings or significant above ground structures on or within one hundred and fifty (150) feet of the outer plat boundary.
16. Location of any unique natural and/or historic features (if any)

 Final Grading, Drainage & Erosion Control Plan:**Sub: Required: Item:**

1. Appropriate identification of the drawing as a “final grading, drainage and erosion control plan.”
2. Administrative information as required for the Final Plat
3. Final Grading Plan: The developer shall submit a final grading, drainage and erosion control plan utilizing a copy of the current certificate of survey as a base for the site in question, prepared and signed by a Minnesota licensed engineer, depicting the following information:
4. North arrow and date of preparation.
5. Graphic Scale (engineering scale only, not less than one (1) inch equals fifth (50) feet).
6. For each lot, provide lot and block numbers, building pad location, building type and proposed building first floor elevation, low floor elevation and elevation at garage slab.
7. Stormwater Management Plan, with a narrative, including the configuration of drainage areas and calculations that meet the requirements of the City Code and/or applicable Watershed Standards.
8. Location of all natural features on the tract. Natural features are considered to include, but are not limited to the following: tree lines, wetlands, ponds, lakes, streams, drainage channels, bluffs, steep slopes, etc.

Final Grading, Drainage and Erosion Control Plan continued:

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 9. All delineated Wetlands and watercourse buffers per the City and Watershed standards; and wetland replacement plan, if needed. |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Location of all existing storm sewer facilities, including pipes, manholes, catch basins, ponds, swales, and drainage channels within one hundred fifty (150) feet of the tract. Existing pipe type, grades, rim and invert elevations and normal and high water elevations must be included. |
| <input type="checkbox"/> | <input type="checkbox"/> | 11. Normal water level (NWL) and 100-year high water level (100-year HWL) for all water bodies, existing and proposed. |
| <input type="checkbox"/> | <input type="checkbox"/> | 12. Spot elevations at drainage break points and emergency overflows (in BOLD) with directional arrows indicating site, swale and lot drainage. |
| <input type="checkbox"/> | <input type="checkbox"/> | 13. Retaining Walls (wall heights and elevations). |
| <input type="checkbox"/> | <input type="checkbox"/> | 14. Locations, grades, rim and invert elevations of all storm sewer facilities, including ponds and BMP's proposed to serve the tract. |
| <input type="checkbox"/> | <input type="checkbox"/> | 15. Locations and elevations of all street high and low points. |
| <input type="checkbox"/> | <input type="checkbox"/> | 16. Street grades shown. |
| <input type="checkbox"/> | <input type="checkbox"/> | 17. Provide phasing plan for site grading. |
| <input type="checkbox"/> | <input type="checkbox"/> | 18. All soil erosion and sediment control measures to be incorporated during and after construction must be shown. Locations and standard detail plates for each measure must be included on the plan using Lake Elmo city standard details. Plan must meet the requirements of MPCA General Permit Construction Activity. |
| <input type="checkbox"/> | <input type="checkbox"/> | 19. All revegetation measures proposed for the tract, including seed and mulch types and application rates must be included on the plan. |
| <input type="checkbox"/> | <input type="checkbox"/> | 20. Existing contours at two (2) foot intervals shown as dashed lines (may be prepared by a Minnesota licensed surveyor). Existing contours shall extend one hundred fifty (150) feet outside of the tract. |
| <input type="checkbox"/> | <input type="checkbox"/> | 21. Proposed grade elevations at two (2) foot intervals shown as solid lines. |
| <input type="checkbox"/> | <input type="checkbox"/> | 22. Other information as required and outlined in the City Plan Sheet Format Requirements. |

Final Utility Plan:

| <u>Sub:</u> | <u>Required:</u> | <u>Item:</u> |
|-------------|------------------|--------------|
|-------------|------------------|--------------|

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Appropriate identification of the drawing as a “final utility plan.” |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Administrative information as required for the Final Plat |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Final Utility Plan, prepared and signed by a Minnesota licensed engineer, depicting the following information: |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Easements: Location, dimension and purpose of all utility easements. |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Underground and Overhead Facilities: Location and size of existing utilities including sewers, water mains, culverts, gas, electric, phone, cable, fiberoptic, utility poles or other underground facilities within the tract and to a distance of one hundred fifty (150) feet beyond the tract. Such data as grades, invert elevations, and location of catch basins, manholes and hydrants shall also be shown. |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Proposed utility plans including sanitary sewer, watermain, and storm sewer, all in accordance with the City engineering design standards manual. |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Water Supply, Public: Water mains shall be provided to serve the subdivision by extension of an existing community system wherever feasible. Service connections shall be stubbed to the property line. Extensions of the public water supply system shall be designed so as to provide public water in accordance with the engineering design standards as approved by the City Engineer and in accordance with the City’s Comprehensive Water Plan. The Final Utility Plan shall indicate the location of all hydrants and valves. |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Water Supply, Private: In areas where public water supply is not available, individual wells shall be provided on each lot, properly placed in relationship to the individual sewage disposal facilities. Well plans must comply with the State Well Code, as may be amended, and be submitted for the approval of the City Engineer. |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Sewage Disposal, Public: Sanitary sewer laterals and service connections shall be installed in accordance with the design standards of the City as approved by the City Engineer. The Final Utility Plan shall provide the locations, grades, rim and invert elevations, and sizes of all proposed sanitary sewer facilities to serve the tract. |

Final Utility Plan continued:

10. Sewage Disposal, Private: All individual sewage treatment systems shall be installed in accordance with all applicable State, County, and City requirements.
11. Other information as required and outlined in the City Plan Sheet Format Requirements.

 Final Street & Storm Sewer Plan:**Sub: Required: Item:**

1. Appropriate identification of the drawing as a “final street & storm sewer plan.”
2. Administrative information as required for the preliminary plat
3. Final Street and Storm Sewer Plan, prepared and signed by a Minnesota licensed engineer, depicting the following information:
4. Layout of proposed streets showing the proposed lot lines, right-of-way widths, and proposed names of streets in conformance with the County Uniform Street Naming and Addressing System.
5. Locations and widths of proposed streets, alleys and pedestrian-ways.
6. Location, dimensions and purpose of all easements.
7. Annotation of street geometrics for all horizontal curves, tangent lengths and corner radii.
8. Centerline profile and gradients for all streets, with vertical geometrics annotated on the plan profiles.
9. Typical cross section of proposed street improvements.
10. Minimum front and side street building setback lines.
11. When lots are located on a curve, the width of the lot at the building setback line.
12. Location and number of off-street parking spaces (guest, handicapped, bicycle, motorcycle, etc.) including typical dimensions of each. *Note: not required for single family residential developments.*
13. Other information as required and outlined in the City Plan Sheet Format Requirements.

Final Tree Preservation Plan⁵:

Sub: Required: Item:

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Appropriate identification of the drawing(s) as the “final tree preservation plan.” |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Administrative information as required for the Final Plat. |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Final Tree Preservation Plan, prepared and signed by a Minnesota licensed forester or landscape architect, depicting the following information: |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Tree inventory and survey, including a total listing of all healthy significant trees, all healthy significant trees to be removed and all healthy significant trees to remain. Information should be presented in both graphic (at a scale not less than one (1) inch equals one hundred (100) feet) and tabular form (charts listing significant trees by field tag number). |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. General description of the trees on the site not meeting the significant size threshold. |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Locations of proposed buildings, structure, or impervious surfaces. |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Delineation of all areas to be graded and limits of land disturbance. |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Identification of all significant trees to be removed in the construction area, presented in both graphic and tabular form. |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Measures to protect the significant trees that are to remain. |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Size, species, number and location of all replacement trees proposed to be planted on the property in accordance with the Mitigation Plan, if necessary, presented in both graphic (at a scale not less than one (1) inch equals one hundred (100) feet) and tabular form. |

Final Landscaping Plan⁶:

Sub: Required: Item:

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Appropriate identification of the drawing(s) as the “final landscaping plan.” |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Administrative information as required for the Final Plat. |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. The proposed location, size, quantity, and species of all existing and proposed plant materials as required in §154.258. Information should also be provided in tabular form. |

⁵ All tree preservation plans shall be certified by a forester or landscape architect.

⁶ All landscape plans shall be certified by a landscape architect.

Final Landscaping Plan continued:

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Methods for protecting existing trees and other landscape material, consistent with §154.257. |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Proposed structural and ground cover materials. |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Proposed provisions for irrigation and other water supplies. |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. If required, proposed screening showing details and typical cross-sections. |

Ghost Plat (Note: Ghost Plat may be required dependent on potential future land uses of adjacent property as guided by the City's Comprehensive Plan):

Sub: Required: Item:

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Appropriate identification of the drawing as a "ghost plat." |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Administrative information as required for the Final Plat. |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Show potential future subdivision possibilities for the land if your proposal was approved (i.e. if you are not subdividing to the maximum density, how might the land be further divided in the future to reach the maximum density). |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Indicate how the proposed subdivision will relate to potential future subdivisions of adjacent properties (you may need to ghost plat development on adjacent properties to establish this relation). |

Electronic files

Sub: Required: Item:

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. A cd or flashdrive must be submitted which includes electronic files for the written statements regarding the proposal, the plat and all associated plans. Staff can generally work with most file formats (.jpg or .pdf files are preferred). |
|--------------------------|--------------------------|---|

Sub: Req: Item:

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Supplemental Information. Depending upon the submittal, the following items may also be required: |
| <input type="checkbox"/> | <input type="checkbox"/> | Feasibility report(s) for proposed individual on-site sewer and water systems. Such reports will be required with any future plat; |

Supplemental Information continued:

- Proposed protective covenants;
- Ten (10) copies of a context diagram that graphically depicts how the development plan relates to its surrounding neighborhood or community context including the pedestrian, bike, and street (vehicular access) network (existing and potential);
- A Traffic Impact Study (TIS) (6 copies) prepared in accordance with State, County and/or City Engineering guidelines;
- A soil survey and report;
- Signed letters of intent indicating that all required off-site easements and off-site rights-of-way necessary for the project could be negotiated and obtained;
- A hydrological/groundwater report;
- Any other special natural area or environmental study or report pursuant to Lake Elmo Code as requested by the City, if such exists or is deemed necessary;
- Any **other information** required by Staff, Commissioners, or Council Members necessary to provide a complete review of the preliminary plat and associated plans⁷. Additional items include:

Sub: Req: Item:

- 5. **Variances:** If you are requesting variances in any portion of the submitted Final Plat, the City asks that you list each of the requested variances and provide an explanation as to why each is necessary and cannot be avoided. Additionally, you must provide written answers to the following questions:
 - (1) Identify the unusual hardship on the land that necessitates the variance request; and
 - (2) Explain the nature of the proposed use of land and the existing use of land in the vicinity of the property; and
 - (3) Estimate the number of persons to reside or work in the proposed subdivision; and
 - (4) Indicate the anticipated effect of the proposed subdivision upon traffic conditions in the vicinity.

⁷ Number of copies, size, and other such administrative details may also be imposed when requiring additional information.

Sub: Req: Item:

- 6. Additional Applications:** If your request involves a rezoning request, additional applications will be required.
- Zoning Map Amendment Application

Upon City Council approval of Final Plat, and prior to any construction commencing, a pre-construction meeting must occur for both grading and street utility construction. These meetings may be combined into one meeting provided all items on both check lists are completed. Pre-construction meetings may not occur before the City Council approves the Final Plat and Development Agreement.

Checklist for Pre-Construction Conference for Grading

- 1. Payment of Development Fees
- 2. Issuance of securities on City of Lake Elmo approved form
- 3. Copy of Certificate of Insurance for both Developer and General Contractor identifying City of Lake Elmo as additional insured on City of Lake Elmo approved form
- 4. Copy of NPDES card
- 5. Grading specifications
- 6. Proposed construction schedule
- 7. List of subcontractors and contacts
- 8. List of materials and suppliers

Prior to grading operations commencing, contractor shall install all perimeter erosion control and other required erosion control best management practices and have the site inspected and approved by the City of Lake Elmo’s Water Resource Manager.

Checklist for Pre-Construction Conference for Streets and Utilities

- 1. Payment of Development Fees
- 2. Issuance of securities on City of Lake Elmo approved form

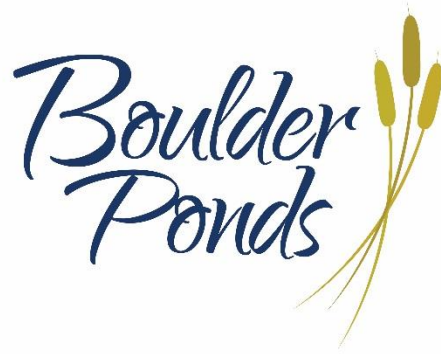
Street and Utility Pre-Con Checklist continued:

3. Copy of Certificate of Insurance for both Developer and General Contractor identifying City of Lake Elmo as additional insured on City of Lake Elmo approved form
4. Approved construction plans and specifications. (Note: these may not be the same as the approved Final Plat Street and Utility Plans. Questions about construction plans and specifications should be directed to the City Engineer)
5. Minnesota Department of Health Watermain Permit
6. Minnesota Pollution Control Agency Sanitary Sewer Extension Permit
7. Proposed construction schedule
8. List of subcontractors and contacts
9. List of materials and suppliers

State Statutes provide City staff with fifteen (15) business days to review an application to determine if it is complete. Applications found to be incomplete will be returned to the applicant. Please contact staff at (651) 747-3900 if you have any questions.

Thank you!

This handout last updated on 1/8/14



Boulder Ponds 2nd Addition Final Plat Narrative/Written Statement

Consisting of nearly 60 acres, Boulder Ponds offers a uniquely planned mixed-use neighborhood. The variety of land uses provides a seamless transition to the existing surrounding areas. From the south, the commercial parcels complement the existing commercial uses. Moving north, the medium density residential serves to buffer the commercial from the lower density single family homes. 5th Street further provides the separation between the commercial and residential uses.

The design concept and goals for Boulder Ponds has generally remained consistent throughout the approval process. As opposed to the more standard grid approach, the curvilinear nature of the streets is designed around the existing topography of the site, which offers premium lots with maximum open space. Further, the design works to limit double fronted lots. The oversized cul-de-sacs, meandering sidewalks and varying setbacks not only enhance site lines, but also create a quality neighborhood with aesthetically pleasing characteristics.

The detached single family lots consist of two types of housing; traditional single family homes and detached Villa homes. The single family homes are geared toward families typically with children with pricing starting around \$390,000. The detached Villa product will include association maintained grounds which is largely geared toward empty nesters. Pricing for these start around \$360,000. Please refer to attached Typical Elevation and Floor Plans for further details on product type.

Boulder Ponds will have its own neighborhood theming evident in the signage, landscaping and site furnishings. Neighborhood signage will include monuments clad in natural stone at the main entry points as shown in the landscape plan set. Community gathering spaces will be located in key areas of Boulder Ponds including a larger centrally located gathering space along Jade Trail which will include a shelter, grill and seating. Another area will be in the southerly cul-de-sac to include a smaller scale shelter and seating. Consistent theming in all these elements creates a neighborhood with a stronger sense of identity. The homeowners associations will be responsible for the ownership and maintenance these special features.

INCLUDED ATTACHMENTS:

Attachment A – Lot Tabulation, Zoning & Density

Attachment B – Tree Study Plan

Attachment C – Typical Villa House Plans

Written Statements

a. *Landowner's Name(s), Project Representatives and Contact Information.*

LANDOWNER/
DEVELOPER OP4 Boulder Ponds, LLC
 c/o The Excelsior Group, LLC
 1660 Highway 100 South, Suite 400
 St. Louis Park, MN 55416

Ben Schmidt, Vice President
952.525.3225
Ben.Schmidt@ExcelsiorLLC.com

Deb Ridgeway, Asset Manager
952.525.3223
Deb.Ridgeway@ExcelsiorLLC.com

ENGINEER SEH
 Dave Blommel
 320.229.4349
 dblommel@sehinc.com

SURVEYOR EG Rud
 Jason Rud
 651.361.8200
 jrud@egrud.com

LANDSCAPE
ARCHITECT Westwood Professional Services
 Cory Meyer
 952.906.7437
 cory.meyer@westwoodps.com

b. *Property Address, Zoning, Parcel Size, PID and Legal Description*

| | Boulder Ponds 2nd Addition |
|----------------------|--|
| ADDRESS | n/a |
| CURRENT ZONING | LDR - PUD |
| PARCEL SIZE Acres | 5.07 |
| Sq. Ft | 22,0795 |
| PID | 34-029-21-32-0035 |
| LEGAL DESCR | Outlot H, BOULDER PONDS |

c. Final Subdivision & Lot Information

Please refer to ATTACHMENT A Lot tabulation sheet for lot information.

d. How issues have been addressed since Preliminary Plat

Below are the conditions of preliminary approval per Resolution 2014-73 with responses:

| | CONDITION | RESPONSE/STATUS |
|---|--|--|
| 1 | 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. | COMPLETE |
| 2 | The developer shall be required to submit an updated parkland dedication calculation in advance of Final Plat. Upon submission of the calculation, the applicant must work with the City to achieve the required parkland dedication amount per the City's Subdivision Ordinance. The developer shall be required to pay a fee in lieu of 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 in lieu of land dedication shall be paid by the applicant prior to the release of the Final Plat for recording. | The greenway park lot will be dedicated with the third phase of development along with trail improvements. |
| 3 | The developer shall follow all the rules and regulations of the Wetland Conservation Act and adhere to the conditions of approval for the South Washington Watershed District Permit. | PERMIT RECEIVED |
| 4 | The applicant will work with the Planning Staff to name all streets in the subdivision in a manner acceptable to the City prior to the submission of Final Plat. Modifications to the Preliminary Plat and Preliminary PUD Plans | COMPLETE |
| 5 | The applicant will work with staff to address the comments in the City Engineer's review memo dated 7/24/14 to the satisfaction of the City Engineer as part of the Final Plat and Final PUD Plan. | COMPLETE for 1 st phase |
| 6 | In addition to standard easements required by the Subdivision Ordinance, additional drainage and utility easements must be provided extending 10 feet from meandering sidewalks, as well as all of the portion of private lots between meandering sidewalks and the public right-of-way. | Where sidewalks encroach onto lots, easements are shown on the Final Plat. |
| 7 | The landscape plan shall be updated to locate all boulevard | COMPLETE |

| | CONDITION | RESPONSE/STATUS |
|--------------------------|--|--|
| | trees in between the public street and sidewalk to not interfere with private utilities. | |
| 8 | All islands and medians internal to the Boulder Ponds development shall be platted as part of the right-of-way and shall be maintained by the Home Owners Association. The applicant shall enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the Final Plat. | HOA documents specify that public islands and medians (except 5 th Street) are the responsibility of the HOA. |
| 9 | The design of the northern buffer trail shall be modified to a width of 8 feet as opposed to the regional trail standard of 10 feet. | COMPLETE |
| 10 | The eastern segment of the northern buffer trail shall be moved to the south to the greatest extent possible with plantings to screen the trail on the north side. | COMPLETE |
| Plat Restrictions | | |
| 11 | Prior to recording the Final Plat for any portion of the area shown in the Preliminary Plat, the Developer shall enter into a Developers Agreement acceptable to the City Attorney that delineates who is responsible for the design, construction, and payment of public improvements. | COMPLETE for the 1 st phase. |
| 12 | The Final PUD Plan will include a development lot book to clarify proper building placement for use in granting building permits for the development. | COMPLETE for the 1 st phase and will be done for the 2 nd Addition, as well. |

e. *Site Density Calculation*

The Lot Tabulation submitted with the 1st phase approvals showed density information for the entire site.

In summary:

- The overall gross site density (for all phases of development) is calculated at 2.74 dwelling units per acre (DUA).
- Net of commercial, ponding and right-of way, the total site density is calculated at 5.18 DUA.

f. *Phasing of Infrastructure and Other Improvements*

Grading. Grading for the entire site was completed in 2015.

Streets & Utilities. Utility and street construction is complete for the 1st phase, with the exception of the final lift of asphalt. The 2nd Addition includes improvements for

18 Villa lots. It is anticipated that the 1st lift of asphalt will be complete mid-summer 2016.

Site Amenities. The main monument on 5th Street and Jade Trail is complete. The planned monument at the Hudson & Jade Trail entrance along with site furnishings and remaining landscaping for the 1st phase will be complete spring 2016. The 2nd Addition landscaping will be complete August 2016.

Model Homes. All the single family and Villa style lots are under contract with one builder. Model homes for each of these product styles are complete and currently used to market the site.

Future Phases. The last phase of the development including the completion of 5th Street will occur dependent on sales. This will likely occur in 2017.

g. *How Concerns of Neighboring Properties Have Been Addressed*

The only concern raised was at the 2014 public hearing by a Stone Gate Estates neighbor. It was requested that the trail be located as far south as possible. With some grade adjustments, this has been achieved.

h. *How Conflicts with Nearby Land Uses and/or Disturbances to Wetlands or Natural Areas Have Been Mitigated*

Northerly Buffer. The future trail between Stone Gate Estates to the north softens the impact of the lot sizes between the two neighborhoods.

Transition. The future senior housing (MDR) provides a transition between the commercial and residential (LDR) uses.

5th Street. 5th Street provides a separation of the residential neighborhood from the surrounding commercial uses.

Supplemental Uses. The Boulder Ponds commercial area compliments the other commercial uses along Hudson Blvd.

Preservation. The existing wetland is being preserved.

i. *Justification that Proposal will Not Place Excessive Burden on Infrastructure in the Area.*

Roads / Traffic. We are participating in the construction of 5th Street, a regional MSA road that runs east/west. The City of Lake Elmo has studied the area and determined the new MSA road will be sufficient to serve the new developments in the area. In addition to participation with the construction of 5th Street, we are proposing the construction of a north/south road (Jade Trail) connecting Hudson

Blvd to 5th Street. Future turn lanes are shown on Hudson Blvd, which are planned for installation when Hudson Blvd is expanded.

Sewer. The site has gravity sewer access along Hudson Blvd that is served by the regional sewer system. This additional capacity has been accounted for in the City of Lake Elmo's Comprehensive Plan.

Water Supply. Water will be served by Oakdale's water supply until such time the City of Lake Elmo can run its own trunk lines to the wider regional development area. Staff has indicated there is sufficient water to serve the development.

Parks. A 3.85 acre linear park in the 2nd phase of development will connect to the regional system. Staff has indicated that the trail construction or other related improvement costs may be used as an offset to park dedication fees. It is understood that the City is not requiring additional parkland.

Fire / Police. The streets were designed to accommodate a ladder fire truck. Boulder Ponds is primarily residential, which tends to have less calls per capita than other property types.

j. *Proposed Lakeshore Access*

N/A

k. *Parks and Open Space Description*

The linear park located along the northerly property line will be dedicated and improved with a trail and landscaping with the 3rd phase of development.

l. *Development Schedule*

- Grading - COMPLETE
- 1st Phase Utility Installation - COMPLETE
- 1st phase street & sidewalk construction (1st lift) - COMPLETE
- 1st Phase landscape and monument installation – SPRING 2016
- 2nd lift asphalt on 1st phase streets – FALL 2016
- 2nd Addition Improvements (Street & Utilities) – JULY 2016
- 3rd Addition Improvements – 2017 (sales dependent)

ATTACHMENT A

Lot Tabulation

**BOULDER PONDS 2ND ADDITION, Lake Elmo
Final Plat Lot Tabulation**

2/19/2016

| LOT | BLK | SQ | | LOT TYPE | PROPOSED |
|---------------------|-----|--------|------|--------------|----------|
| | | FT | ACRE | | ZONING |
| LOTS | | | | | |
| 1 | 1 | 9,057 | 0.21 | Villa | LDR |
| 2 | 1 | 8,001 | 0.18 | Villa | LDR |
| 3 | 1 | 8,012 | 0.18 | Villa | LDR |
| 4 | 1 | 9,582 | 0.22 | Villa | LDR |
| 5 | 1 | 9,959 | 0.23 | Villa | LDR |
| 6 | 1 | 8,783 | 0.20 | Villa | LDR |
| 7 | 1 | 8,455 | 0.19 | Villa | LDR |
| 8 | 1 | 9,080 | 0.21 | Villa | LDR |
| 9 | 1 | 12,793 | 0.29 | Villa | LDR |
| 10 | 1 | 21,111 | 0.48 | Villa | LDR |
| 11 | 1 | 10,190 | 0.23 | Villa | LDR |
| 12 | 1 | 9,331 | 0.21 | Villa | LDR |
| 13 | 1 | 8,270 | 0.19 | Villa | LDR |
| 14 | 1 | 8,973 | 0.21 | Villa | LDR |
| 15 | 1 | 8,645 | 0.20 | Villa | LDR |
| 16 | 1 | 10,929 | 0.25 | Villa | LDR |
| 17 | 1 | 10,342 | 0.24 | Villa | LDR |
| 18 | 1 | 9,546 | 0.22 | Villa | LDR |
| RIGHT OF WAY | | | | | |
| | | 39,735 | 0.91 | Right of Way | |
| | | | | | |

5.07 TOTAL SITE ACREAGE

ATTACHMENT B

Tree Study Plan

All trees have been cleared from the site, most of which were around the former homestead. A summary of the significant trees surveyed in May 2014 was included with the 1st Phase application.

ATTACHMENT C

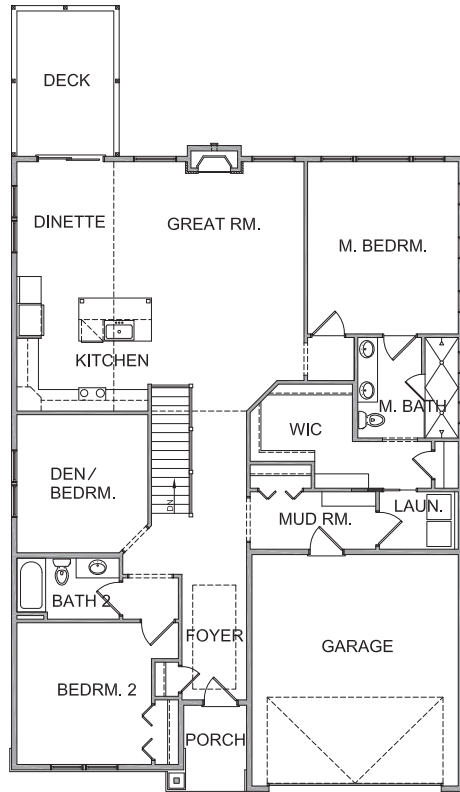
Typical Villa Elevations and Floor Plans

VILLA FLOOR PLANS

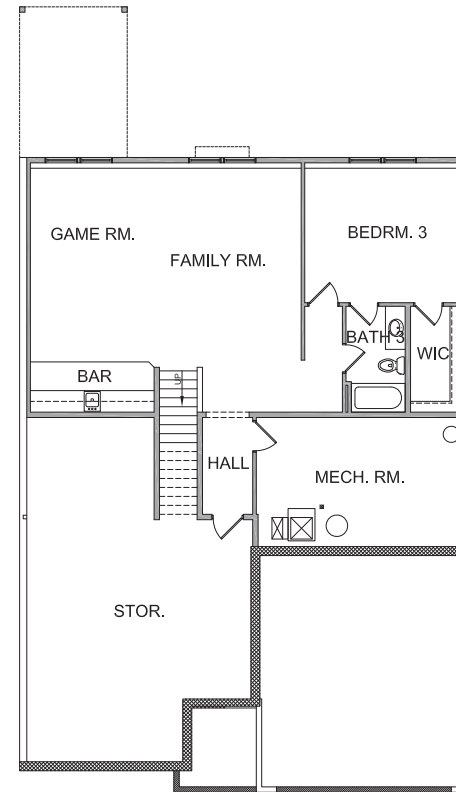


LEXINGTON

2-4 Bedrooms | 3 Baths | 2-Car Garage | 1,936-3,426 sf



Main Level: 1,963 sf



Future Basement
1,020 -1,463 sf

All prices, promotions, features, options, amenities, floor plans, elevations, materials and dimensions are subject to change without notice. All information is deemed reliable but not guaranteed. Please ask the new home specialist for more information.
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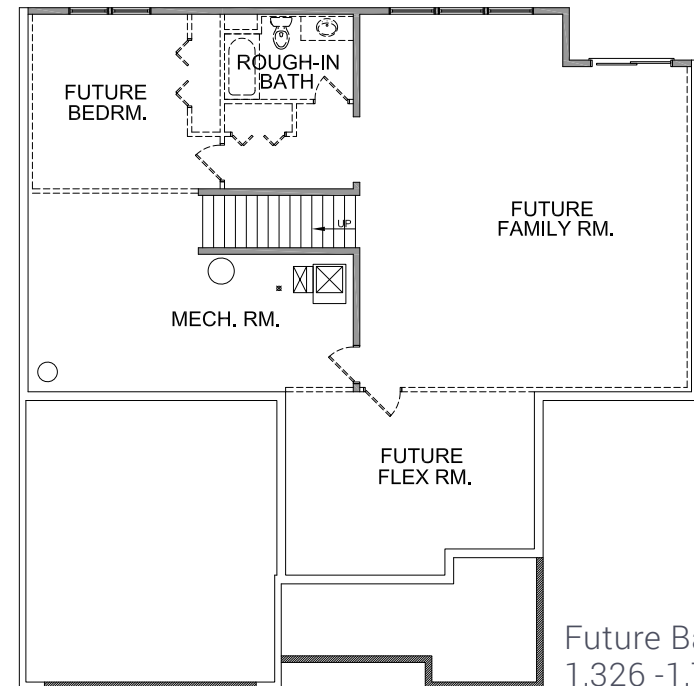
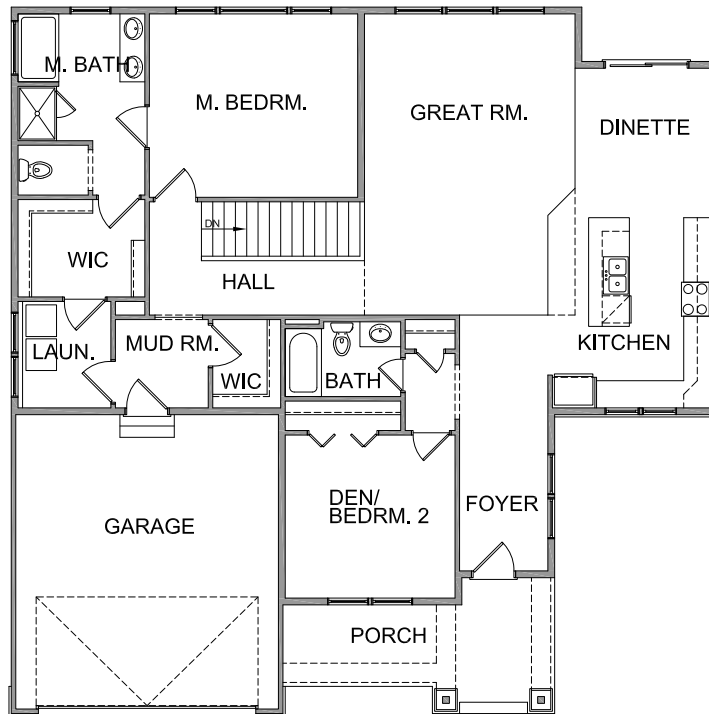


VILLA FLOOR PLANS



WESTON

2-4 Bedrooms | 2-3 Baths | 2-Car Garage | 1,791-3,582 sf



All prices, promotions, features, options, amenities, floor plans, elevations, materials and dimensions are subject to change without notice. All information is deemed reliable but not guaranteed. Please ask the new home specialist for more information.
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BOULDER PONDS 2ND ADDITION, Lake Elmo

Final Plat Lot Tabulation

2/19/2016

| PROPOSE | | | | | | |
|---------------------|-----|--------|------|--------------|--------|-------|
| D | | | | | | |
| LOT | BLK | SQ FT | ACRE | LOT TYPE | ZONING | NOTES |
| LOTS | | | | | | |
| 1 | 1 | 9,057 | 0.21 | Villa | LDR | |
| 2 | 1 | 8,001 | 0.18 | Villa | LDR | |
| 3 | 1 | 8,012 | 0.18 | Villa | LDR | |
| 4 | 1 | 9,582 | 0.22 | Villa | LDR | |
| 5 | 1 | 9,959 | 0.23 | Villa | LDR | |
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| 9 | 1 | 12,793 | 0.29 | Villa | LDR | |
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| 11 | 1 | 10,190 | 0.23 | Villa | LDR | |
| 12 | 1 | 9,331 | 0.21 | Villa | LDR | |
| 13 | 1 | 8,270 | 0.19 | Villa | LDR | |
| 14 | 1 | 8,973 | 0.21 | Villa | LDR | |
| 15 | 1 | 8,645 | 0.20 | Villa | LDR | |
| 16 | 1 | 10,929 | 0.25 | Villa | LDR | |
| 17 | 1 | 10,342 | 0.24 | Villa | LDR | |
| 18 | 1 | 9,546 | 0.22 | Villa | LDR | |
| RIGHT OF WAY | | | | | | |
| | | 39,735 | 0.91 | Right of Way | | |
| | | | | | | |

5.07 TOTAL SITE ACREAGE

BOULDER PONDS SECOND ADDITION

PRELIMINARY DRAFT
PRINTED 3/2/2016

KNOW ALL PERSONS BY THESE PRESENTS: OP4 Boulder Ponds, LLC, a Minnesota limited liability company, fee owner of the following described property situated in the County of Washington, State of Minnesota, to wit:

Outlot H, BOULDER PONDS, Washington County, Minnesota.

Has caused the same to be surveyed and platted as BOULDER PONDS SECOND ADDITION and does hereby dedicate to the public for public use the public ways and drainage and utility easements created by this plat.

In witness whereof said OP4 Boulder Ponds, LLC, a Minnesota limited liability company, has caused these presents to be signed by Ben Schmidt, Vice President this _____ day of _____, 20____.

OP4 BOULDER PONDS, LLC

Ben Schmidt, Vice President

STATE OF MINNESOTA

COUNTY OF _____
This instrument was acknowledged before me on this _____ day of _____, 20____, by Ben Schmidt, Vice President of OP4 Boulder Ponds, LLC, a Minnesota limited liability company, on behalf of the company.

Notary Public, _____ County, Minnesota
My Commission Expires _____

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

Dated this _____ day of _____, 20____.

Jason E. Rud, Licensed Land Surveyor
Minnesota License No. 41578

STATE OF MINNESOTA

COUNTY OF _____
The foregoing Surveyor's Certificate was acknowledged before me on this _____ day of _____, 20____ by Jason E. Rud, Licensed Land Surveyor, Minnesota License No. 41578.

Notary Public, _____ County, Minnesota
My Commission Expires _____

LAKE ELMO PLANNING COMMISSION
Approved by the Planning Commission of the City of Lake Elmo, Minnesota, this _____ day of _____, 20____.

PLANNING COMMISSION, CITY OF LAKE ELMO, MINNESOTA

By _____ Chairman
By _____ Secretary

CITY OF LAKE ELMO, MINNESOTA

The foregoing plat of BOULDER PONDS SECOND ADDITION was approved by the City Council of Lake Elmo, Minnesota, this _____ day of _____, 20____, and hereby certifies compliance with all requirements as set forth in Minnesota Statutes, Section 505.03, Subdivision 2.

CITY OF LAKE ELMO, MINNESOTA

By _____ Mayor
By _____ Clerk

COUNTY SURVEYOR

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

By _____ Washington County Surveyor
By _____

COUNTY AUDITOR/TREASURER

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

By _____ Washington County Auditor/Treasurer
By _____ Deputy

COUNTY RECORDER

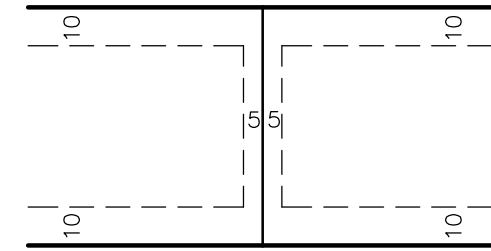
Document Number _____
I hereby certify that this instrument was recorded in the Office of the County Recorder for record on this _____ day of _____, 20____, at _____ o'clock _____, M., and was duly recorded in Washington County Records.

By _____ Washington County Recorder
By _____ Deputy

EASEMENT DETAIL

(NOT TO SCALE)

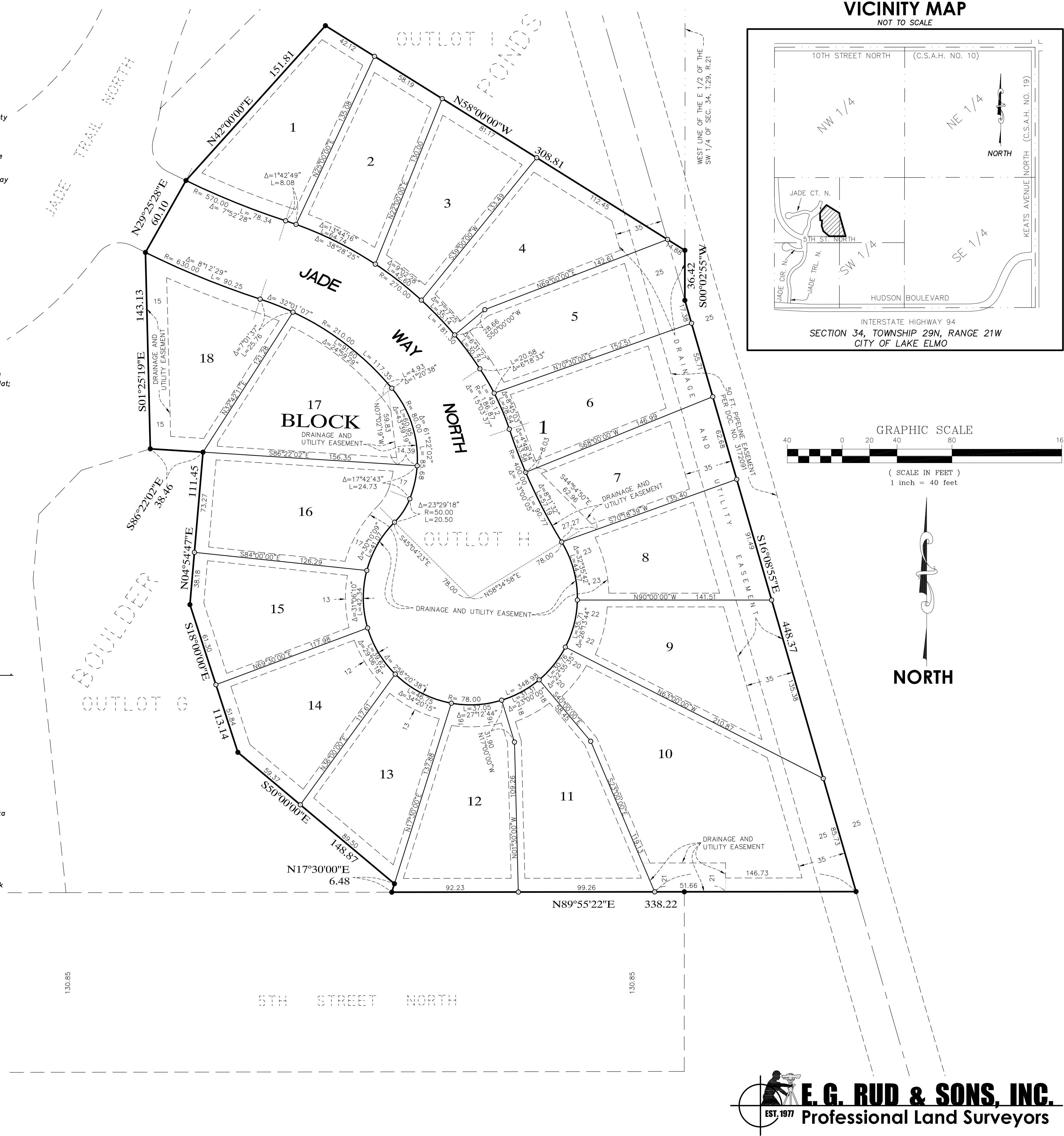
DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



BEING 10 FEET IN WIDTH, AND ADJOINING ALL FRONT AND REAR LOT LINES AND BEING 5 FEET IN WIDTH, AND ADJOINING ALL SIDE LOT LINES, UNLESS OTHERWISE SHOWN ON THIS PLAT.

- DENOTES 1/2 INCH BY 14 INCH IRON PIPE TO BE SET AND MARKED BY RLS NO. 41578.
- DENOTES FOUND IRON MONUMENT AS LABELED

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



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

MEMORANDUM

FOCUS ENGINEERING, inc.

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

Date: April 21, 2016

To: Stephen Wensman, City Planner
Cc: Ryan Stempski, P.E., Assistant City Engineer
From: Jack Griffin, P.E., City Engineer

Re: Boulder Ponds 2nd Addition – Final Plat
Engineering Review Comments

An engineering review has been completed for the Boulder Ponds 2nd Addition. Final Plat/Final Construction Plans were received on March 17, 2016. The submittal consisted of the following documentation:

- Boulder Ponds 2nd Addition Final Plat, dated March 2, 2016, prepared by E.G. Rud & Sons, Inc.
 - Boulder Ponds 2nd Addition Construction Plans dated March 16, 2016, prepared by SEH, Inc.
 - Boulder Ponds Landscape Plans, dated March 17, 2016, prepared by Westwood Professional Services.
-

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: BOULDER PONDS 2ND ADDITION

- Final Construction Plans and Specifications must be revised in accordance with the Construction Plan engineering review email dated April 2, 2016 and any subsequent engineering review completed upon receipt of updated construction plans.
- 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. Easements may need to be revised pending review by the City of a detailed right-of-way boulevard plan. Boulder Ponds 2nd Addition includes meandering sidewalks which, when implemented, does not comply with the City standard boulevard layout. Therefore an alternate boulevard layout plan must detail the proposed changes for City review and approval and easements must be amended as necessary to accommodate all right-of-way infrastructure, including sidewalk location, boulevard trees, hydrants, street lights, street signs, water and sewer service stubs, and location for the private utility trench.
- 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.

- Final Plat should be contingent upon receipt and City Attorney review of any agreements between the Developer and the BP Pipeline easement area and the Xcel Energy Transmission Easement area, demonstrating that said agreements in no way unacceptably encumbers the City.

FINAL CONSTRUCTION PLANS & SPECIFICATIONS

- No construction for Boulder Ponds 2nd 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.
- The construction plans, landscape plans and grading plans must incorporate a complete project, including completion, as part of the Boulder Ponds 2nd Addition, of the infiltration basins and wetland areas within Outlots G and I, including the installation of draitiles and any soil corrections. The plans must also incorporate an erosion and sedimentation control plan specific to the work to be completed for the Boulder Ponds 2nd Addition.
- Landscape Plans must be prepared to identify the specific improvements to be completed with the Boulder Ponds 2nd Addition including plantings and restoration within Outlots G and I.
- The Final Plat shall not be recorded until final construction plan approval is granted.
- A separate memorandum has been provided, dated April 2, 2016 to direct additional plan corrections necessary for final construction plan approval.

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

Review of the FINAL PLAT, BOULDER PONDS SECOND ADDITION, (Jade Way No.)

Following a review of the packet provided, I would like to address the following:

- Signage as it relates to “NO PARKING” looks good.
- Hydrant placement/spacing meets requirements.

Sincerely,

Greg Malmquist, Fire Chief



BOULDER PONDS PHASE 1, 2 & 5TH STREET – DESIGN REVIEW
LAKE ELMO, MN

LANDSCAPE ARCHITECTURAL DESIGN REVIEW DATED APRIL 20TH, 2016

REVIEWED PLAN SET DATED MARCH 17TH, 2016

Landscape Plans are Approved (with condition below - Item #1)

Required Items still in process by Boulder Ponds Project Team

1. Landscape irrigation plans dated 04 15 2016 have been submitted by Northway Irrigation on behalf of your project team with City review in process for all commonly held HOA & City Outlots / R.O.W. areas.

SINCERELY,

LANDSCAPE ARCHITECTURE, INC.

STEPHEN MASTEY, ASLA, CLARB, LEED AP