



PLANNING COMMISSION
DATE: 11/14/2016
AGENDA ITEM: 5A – PUBLIC HEARING
CASE # 2016-40

ITEM: Wildflower at Lake Elmo 2nd Addition Final Plat and Final PUD Plans
SUBMITTED BY: Stephen Wensman, Planning Director
REVIEWED BY: Emily Becker, City Planner
Jack Griffin, City Engineer

SUMMARY AND ACTION REQUESTED:

Robert Engstrom Companies is requesting approval of final plat, final PUD development plans for the second phase of the Wildflower at Lake Elmo PUD development. The final plat includes 20 single family residential lots located to the east of the first phase. Staff is recommending approval of the request subject to compliance with the conditions listed in this report.

GENERAL INFORMATION

Applicant: Robert Engstrom Companies; 4801 West 81st Street, #101, Bloomington, MN

Property Owners: Robert Engstrom Companies; 4801 West 81st Street, #101, Bloomington, MN

Location: Outlot O, Wildflower at Lake Elmo 1st Addition, near the intersection of Wildflower Drive and Monarch Lane.

Request: Application for lot Final Plat and Final Planned Unit Development (PUD) Plan approval for the second phase of the Wildflower PUD development. The final plat includes 20 single-family residential lots, an outlot (courtyard), and an outlot for future development.

Existing Land Use and Zoning: Vacant outlot and MDR/PUD.

Surrounding Land Use and Zoning: North – vacant outlot and MDR/PUD zoning –; west – Wildflower 1st Addition and MDR/PUD zoning –; south – offices, business park land – General Business zoning; east – Wildflower outlot and open space/Field of St. Croix II subdivision open space – RR and OP zoning.

Comprehensive Plan: Village Medium Density Residential (3-4 units per acre)/Village Open Space Overlay

History: The property is within the Village Planning Area boundary and municipal sewer service area. The site was historically been used for farming activities. A large portion of the site is located in a FEMA Flood District. The City approved a Comprehensive Plan Amendment in 2014 that removed portions of the site from the open space land category. The City approved a PUD Concept Plan for the property on June 17, 2014,

and a preliminary plat and preliminary PUD plans on April 7, 2015. Wildflower 1st Addition received final plat and PUD plan approval on 7/21/15.

Deadline for Action: Application Complete – 8/26/16
60 Day Deadline – 10/25/16
Extension Letter Mailed – Yes
120 Day Deadline – 12/24/16

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

REQUEST DETAILS

Robert Engstrom Companies is requesting approval of a final plat and final PUD plan associated with the second phase of the Wildflower Planned Unit Development (PUD). The proposed final plat will replat the Outlot O, Wildflower at Lake Elmo, 19.2074 acres, in 20 single-family residential lots, of which 10 will be the “garden villa” homes while the remaining 10 will be the general single family homes located north of Wildflower Drive. In addition to the 20 single family homes, the final plat and PUD plans include two outlots. Outlot A is 0.5818 acres in size and will be an HOA owned outlot for the garden villa courtyard. Outlot B is 11.99 acres in size and will be redeveloped into residential lots in the future. The ten garden villa lots average 0.16 acres in size with the smallest lot being 0.1405 acres in size and the largest 0.1774 acres in size; the ten single family lots average 0.29 acres in size, with the smallest being 0.2292 acres in size and largest being 0.3504 the acres in size. The lots sizes and dimensions are consistent with the preliminary plat and PUD Plans.

Plat Summary:

Development area (Outlot O):	19.2074 acres
Total lot area:	4.4962 acres
Residential lots:	20 (10 villa, 10 regular)
Outlot for future development (Outlot B):	11.9934 acres
Outlot for courtyard (Outlot A):	0.5818 acres
R/W area:	2.1359 acres
Average garden villa lot size:	0.16 acres
Average single family lot size:	0.29 acres
Gross density (excluding outlots):	2.55 dwelling units per acre
Net density (excluding outlots and R/W)	4.0 dwelling units per acre

Grading. The site was graded with the first phase development, so no grading plans were included in the final plat submittal.

REVIEW AND ANALYSIS:

At the October 10, 2016 Planning Commission meeting, Staff discussed the PUD Agreement and a conflict in the interpretation of the setback adjacent a public street in the courtyard areas. Since the meeting, Staff has further researched the issue and discovered that the PUD Agreement Summary document was in conflict with the Preliminary Plat Resolution No. 2015-23 (attached). The resolution and attached 4/14/16 City Council minutes clarify the setback issue, establishing the

sideyard setback adjacent a public street at 10 feet, rather than 15 feet. That being so, encroachments are allowed into setbacks, but not necessarily drainage and utility easements unless the encroachment is reviewed by the City Engineer and an encroachment agreement is executed. This process will ensure that there will be no more issues similar to the encroachments on Lot 4, Block 4, Wildflower at Lake Elmo 1st Addition.

Also at the October 10, 2016 meeting during the public hearing, stormwater from Wildflower and Village Preserve was discussed and the Planning Commission and as a result, the Planning Commission tabled the Wildflower 2nd Addition final plat and final PUD until the potential issues were better understood. John Hanson from the Valley Branch Watershed District has since investigated the storm water issues and has determined that there are some issues with the Wildflower stormwater pond depth and non-functioning infiltration basins in the Village Preserve development that will be corrected as part of the development process. The Village Preserve infiltration basins will be corrected yet this fall. The report attributes the primary reason for the high water levels to the large volume of rain this season. Overall, the report confirms that the planning and design of the stormwater system is adequate for the proposed development and therefore, the system can accommodate the additional stormwater that will be created with the development of the Wildflower 2nd Addition.

Also at the public hearing, Rich Smith claimed some conditions of the 1st Addition plat have not been satisfactorily addressed by the developer. The conditions appear to be a private agreement between Mr. Smith and Mr. Engstrom that would have provided connection to municipal sewer, landscaping and other improvements.

The issues remaining with the final plat are:

Stormwater. (as mentioned above).

Street Names. Street B on the Final Plat has not been given a proper name. This street should be named consistent with the City's street naming ordinance prior to recording the plat.

Engineering Review. The City Engineer has reviewed the final plat submittal and has prepared a memorandum for the Commission and Council's review. The comments in the City Engineer's review memorandum dated September 29, 2016 should be addressed prior to releasing the plat for recording.

Landscape Plan. A revised landscape plan has been submitted for review, but has not been approved. Approval of the landscape plan should be a condition prior to releasing the plat for recording.

Protective Easement. A condition of preliminary plat was to protect all open space with protective easements. An protective easement is being prepared to protect Outlot A from any future development. This should be a condition of that needs to be addressed prior to releasing the plat for recording.

Temporary Easements. The City Attorney has indicated that with the 2nd Addition Plat, existing temporary easement between the city and Mr. Smith and a temporary access easement between the developer and Mr. Smith will expire with the platting of the 2nd Addition. New easement agreements are being drafted and the execution of these agreements should be made a condition of the 2nd addition final plat.

Preliminary Plat Conditions. The final plat is in conformance with the preliminary plat. The preliminary plat and PUD plans were approved with conditions. Staff has provided comments on the status of each in bold italics:

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

- 1) No lots within a FEMA flood zone shall be approved as part of a final plat until such time that the City's Floodplain Management Map has been amended to remove these lots. As an alternative to amending this map, the developer must provide documentation that all structures will be built above the regulatory flood protection elevation, that any public infrastructure will also meet Floodplain Ordinance requirements, and that the proposed storm water ponds may be constructed within the floodplain area. ***Comments: This condition will apply to the final plat and all subsequent stages. The Valley Branch Watershed District has indicated that it will undertake a study to amend the FEMA flood delineations to lower the flood levels in this area to match those identified in the Goetschel Pond study. There are no buildable lots depicted on the final plat that are located in a flood district.***
- 2) Prior to any grading activity, the developer shall submit to the City temporary grading easements from the owner of the lots adjacent to Layton Avenue within the Brookman Addition in order to construct the improvements within this right-of-way as documented in the preliminary construction plans. ***Comments: These easements have been secured and grading was completed within this area.***
- 3) The developer has requested the inclusion of public art within common areas and public property throughout Wildflower development. Prior to the placement of any art on publicly owned property or public rights-of-way, the developer and City shall enter into an agreement that clarifies the individuals or entities responsible for maintenance, upkeep and removal of any public art. No public art shall be lit in a manner that conflicts with the City's Lighting Ordinance. ***Comments: This is a condition that will apply to any placement of public art within the development, including that installed in phase 1, the stamping of poetry into sidewalks and sculpture in the right of way. A landscape license agreement shall be executed to include public art as a landscape element and shall be executed prior to building permits in the second phase.***
- 4) Prior to the submission of a final plat for any portion of the Wildflower PUD, the developer shall work with the City to determine the appropriate park dedication calculations for the entire development area. ***Comments: The developer agreement for the first phase indicated that all park dedication was satisfied with the first phase of the development.***
- 5) 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 grading was completed with the first phase of the development***
- 6) The utility construction plans shall be updated to incorporate the recommendations of the City Engineer as described in a February 18, 2015 memorandum to the City concerning the appropriate location and size of sewer services through the PUD planning area, including any requested oversizing of these facilities to service adjacent properties, prior to the submission of a final plat. ***Comments: The supplemental plans included in the final plat submission address the previous review comments. The City Engineer approved the supplemental plans. This condition has been met.***

- 7) The developer shall minimize the number of rain gardens within public rights-of-way consistent with the review comments from the City Engineer. Any such storm water infiltration features shall be subject to review and approval by the City Engineer. ***Comments: All rain gardens as previously proposed have been eliminated from the plans.***
- 8) The preliminary development plans must be revised to comply with City Street standards as referenced in the City Engineer's review memorandum dated February 18, 2015. ***Comments: The plans have been updated to meet City standards and were approved as part of the PUD.***
- 9) The City approves all requests for flexibility from City Zoning and Subdivision requirements with the exception of the street standards noted in the preceding condition. ***Comments: The revised plans address this condition.***
- 10) The applicant is encouraged to incorporate elements from the Lake Elmo Theming Study into the open space areas within the subdivision. ***Comments: The final plans do not include any specific references to the City's theming study. This condition was not a mandatory requirement.***
- 11) The preliminary landscape plan shall be updated to address the review comments from the City's landscape architecture consultant as noted in a review letter dated February 4, 2015. ***Comments: The Preliminary Landscape Plans dated 5/28/15 generally meet the City's requirements for landscaping, however the Landscape Architect's review comments have not been fully addressed. The developer has since submitted an amended plan for a portion of the first addition landscaping which have been approved, subject to the landscape requirements for the entire site. The first phase landscaping will be evaluated for compliance once the first phase is landscaped and an asbuilt plan has been submitted. A second phase plan has been submitted and approval of the plan shall be required prior to recording the final plat of the 2nd Addition.***
- 12) All center median planting areas as depicted on the preliminary plat and plans shall be owned by the City of Lake Elmo and maintained by the Homeowners Association. The applicant shall enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park, trails, or open space on the final plat. ***The developer has entered into a landscape license agreement that meets this condition for the first phase which will need to be amended to address the public art. A similar agreement will be required with the second addition and will be a condition of approval. The agreement shall be executed prior to issuance of building permits in the second phase.***
- 13) The Final Plat and Plans must address the requested modifications outlined in the City Engineer's review memorandum dated February 18, 2015. ***Comments: The final plans have addressed these comments/***
- 14) Prior to recording the Final Plat for any portion of the area shown in the Preliminary Plat, the Developer shall enter into a Developers Agreement acceptable to the City Attorney that delineates who is responsible for the design, construction, and payment of public improvements. ***Comments: A developer's agreement was entered into for the first phase and will be for the second phase.***

- 15) The developer shall provide an easement over or dedicate in a separate outlot all trails to be dedicated for public use. Any such trails shall be considered a park land dedication provide said trails are constructed by the developer with other public improvements within the subdivision.
Comments: this condition has been met.
- 16) The City will not approve a final plat for any portion of Wildflower until such time that the City has approved construction plans and received financial security related to the construction of the public improvement project to connect the 39th Street Sewer to the 30th Street lift station.
Comments: This condition has been met and no longer applies.
- 17) The developer must follow all the rules and regulations of the Wetland Conservation Act, and adhere to the conditions of approval for the Valley Branch Watershed District Permit.
Comments: The developers plan have been reviewed and approved by the Watershed District and grading work has been completed in accordance with this permit.
- 18) The developer shall maintain access to the Smith property (11514 Stillwater Boulevard North) during construction of the first development phase. Said access shall, at a minimum, be capable of supporting emergency management vehicles and be consistent with City access driveway standards. The existing driveway easement shall be vacated prior to the recording of the final plat. **Comments: The driveway easement from the Smith property providing access to Stillwater Boulevard has been vacated. Easements to the City and Mr. Smith will expire upon the recording of the 2nd Addition Final Plat. These replacement easements are being drafted and should be a condition of final plat.**
- 19) The developer shall establish a legally binding agreement to prevent further residential or commercial development of all outlots that are planned for open space or conservation uses within the preliminary plat. **Comments: This condition has been met for the first phase and is being addressed in the second phase to protect Outlot A.**

Staff is recommending approval of the final plat and PUD plans with conditions intended to address the outstanding issues that will require additional review and/or documentation.

RECOMMENDED CONDITIONS OF APPROVAL:

Staff is recommending conditions as part of this final plat review to address issues highlighted in this report that include conditions of the preliminary plat that have not been fully addressed by the applicant. The City Engineer's review memorandum dated September 29, 2016 identifies a number of issues that need to be addressed by the developer in order for the City to deem the final plans complete. Based on the above Staff report and analysis, Staff is recommending approval of the final plat and final PUD development plans for phase two with the following conditions:

Recommended Conditions of Approval:

- 1) The comments in the City Engineer's review memorandum dated September 29, 2016 should be addressed prior to releasing the plat for recording. Final construction plans shall be reviewed and approved by the City Engineer prior to the recording of the Final Plat. All changes and modifications to the plans requested by the City Engineer in a memorandum dated September 29,

2016 and any future reviews shall be incorporated into these documents before they are approved.

- 2) Prior to the execution of the Final Plat by City officials, the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements for the Wildflower at Lake Elmo 2nd Addition Final Plat and Final PUD Development Plans with financial guarantees therefore.
- 3) All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat prior to the execution of the final plat by City Officials.
- 4) A Common Interest Agreement concerning management of the common areas of Wildflower at Lake Elmo 2nd Addition and establishing a homeowner's association shall be submitted in final form to the Community Development Director before a building permit may be issued for any structure within this subdivision.
- 5) The applicant shall also enter into a landscape license/public art agreement and maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping and public art installed in areas outside of land dedicated as public park and open space on the final plat.
- 6) The landscape plan shall be reviewed and approved by the City prior to releasing the final plat for recording.
- 7) Street signs and no parking signs shall be installed on City Streets within the development prior to any building permits being issued.
- 8) That street segment B, be given a name on the final plat prior to approval of the final plat by the City Council.
- 9) That new easements be executed between the Developer and the City and the Developer and Mr. Smith that replace the temporary easements that expire with the recording of the Wildflower at Lake Elmo 2nd Addition.
- 10) That a protective easement be placed over Outlot A to protect the area from future development.

DRAFT FINDINGS

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Wildflower Final Plat and Final PUD Plans

- That all the requirements of City Code Section 153.07 related to the Final Plan and Final Plat have been met by the Applicant.
- That the proposed Final Plat for Wildflower at Lake Elmo 2nd Addition consists of the creation of 20 single-family detached residential structures.

- That the Wildflower at Lake Elmo 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 April 7, 2014.
- That the Wildflower at Lake Elmo 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.
- That the Wildflower at Lake Elmo 2nd Addition Final Plat generally complies with the City's Urban Medium Density Residential zoning district, with the exceptions as noted in the approved Preliminary PUD Plans and PUD Agreement.
- That the Wildflower at Lake Elmo 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.
- That the Wildflower at Lake Elmo 2nd Addition Final Plat complies with the City's subdivision ordinance.
- That the Wildflower at Lake Elmo 2nd Addition Final Plat and Final PUD Plan complies with the City's Planned Unit Development Ordinance.
- That the Wildflower at Lake Elmo 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 September 29, 2016 and as otherwise identified in future reviews.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the Final Plat and Final Development Plans for Wildflower at Lake Elmo 2nd Addition with the 10 conditions of approval as listed in the Staff report.

Suggested motion:

“Move to recommend approval of the final plat and PUD development plans for the Wildflower at Lake Elmo 2nd Addition with 10 conditions based on the findings listed in the staff report.”

ATTACHMENTS:

1. Application and narrative
2. City Engineer Review Comments – 9/29/2016
3. 10/24/16 Planning Commission packet
4. Final Landscape Plan
5. Resolution 2015-23 – approving the final plat of Wildflower 1st Addn.
6. City Council minutes, 4-14-15, changing the 15' setback to 10'
7. Rich Smith correspondence with the developer.



PLANNING COMMISSION
DATE: 10/24/2016
AGENDA ITEM: 5A BUSINESS ITEM
CASE # 2016-40

ITEM: Wildflower at Lake Elmo 2nd Addition Final Plat and Final PUD Plans
SUBMITTED BY: Stephen Wensman, Planning Director
REVIEWED BY: Emily Becker, City Planner
Jack Griffin, City Engineer

SUMMARY AND ACTION REQUESTED:

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GENERAL INFORMATION

Applicant: Robert Engstrom Companies; 4801 West 81st Street, #101, Bloomington, MN
Property Owners: Robert Engstrom Companies; 4801 West 81st Street, #101, Bloomington, MN
Location: Outlot O, Wildflower at Lake Elmo 1st Addition, near the intersection of Wildflower Drive and Monarch Lane.
Request: Application for lot Final Plat and Final Planned Unit Development (PUD) Plan approval for the second phase of the Wildflower PUD development. The final plat includes 20 single-family residential lots, an outlot (courtyard), and an outlot for future development.
Existing Land Use and Zoning: Vacant outlot and MDR/PUD.
Surrounding Land Use and Zoning: North – vacant outlot and MDR/PUD zoning –; west – Wildflower 1st Addition and MDR/PUD zoning –; south – offices, business park land – General Business zoning; east – Wildflower outlot and open space/Field of St. Croix II subdivision open space – RR and OP zoning.
Comprehensive Plan: Village Medium Density Residential (3-4 units per acre)/Village Open Space Overlay
History: The property is within the Village Planning Area boundary and municipal sewer service area. The site was historically been used for farming activities. A large portion of the site is located in a FEMA Flood District. The City approved a Comprehensive Plan Amendment in 2014 that removed portions of the site from the open space land category. The City approved a PUD Concept Plan for the property on June 17, 2014,

and a preliminary plat and preliminary PUD plans on April 7, 2015. Wildflower 1st Addition received final plat and PUD plan approval on 7/21/15.

Deadline for Action: Application Complete – 8/26/16
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Extension Letter Mailed – No
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Applicable Regulations: Chapter 153 – Subdivision Regulations
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Plat Summary:

Development area (Outlot O):	19.2074 acres
Total lot area:	4.4962 acres
Residential lots:	20 (10 villa, 10 regular)
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Gross density (excluding outlots):	2.55 dwelling units per acre
Net density (excluding outlots and R/W)	4.0 dwelling units per acre

Grading. The site was graded with the first phase development, so no grading plans were included in the final plat submittal.

REVIEW AND ANALYSIS:

At the October 10, 2016 Planning Commission meeting, Staff discussed the PUD Agreement and a conflict in the interpretation of the setback adjacent a public street in the courtyard areas. Since the meeting, Staff has further researched the issue and discovered that the PUD Agreement Summary document was in conflict with the Preliminary Plat Resolution No. 2015-23 (attached). The resolution and attached 4/14/16 City Council minutes clarify the setback issue, establishing the

sideyard setback adjacent a public street at 10 feet, rather than 15 feet. That being said, encroachments are allowed into setbacks, but not necessarily drainage and utility easements. Staff will enforce a no encroachment policy for the drainage and utility easements adjacent the public street to ensure that there will be no more similar issues as was illustrated with Lot 4, Block 4, Wildflower at Lake Elmo 1st Addition.

Also at the October 10, 2016 meeting, stormwater from Wildflower and Village Preserve was discussed and the Planning Commission tabled the Wildflower 2nd Addition final plat and final PUD until the potential issues were better understood. John Hanson from the Valley Branch Watershed District is looking into the stormwater issues and will issue a report to the Valley Branch Board on 10/21/16, too late for the Planning Commission packet. Planning Staff will have copies of that memo available at the Planning Commission meeting and will email it to Planning Commissioners once it is received. The memo is anticipated to have an explanation of the stormwater issues that will hopefully make sense and will allow Wildflower 2nd Addition to proceed.

The Rich Smith issue, comments made by Rich Smith that conditions of the first addition plat have not been complied with, appear to be a private agreement between Mr. Smith and Mr. Engstrom that would have provided connection to municipal sewer, landscaping and other improvements.

The issues remaining with the final plat are:

Stormwater. (as mentioned above).

Street Names. Street B on the Final Plat has not been given a proper name. This street should be named consistent with the City's street naming ordinance prior to recording the plat.

Engineering Review. The City Engineer has reviewed the final plat submittal and has prepared a memorandum for the Commission and Council's review. The comments in the City Engineer's review memorandum dated September 29, 2016 should be addressed prior to releasing the plat for recording.

Preliminary Plat Conditions. The final plat is in conformance with the preliminary plat. The preliminary plat and PUD plans were approved with conditions. Staff has provided comments on the status of each in bold italics:

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

- 1) No lots within a FEMA flood zone shall be approved as part of a final plat until such time that the City's Floodplain Management Map has been amended to remove these lots. As an alternative to amending this map, the developer must provide documentation that all structures will be built above the regulatory flood protection elevation, that any public infrastructure will also meet Floodplain Ordinance requirements, and that the proposed storm water ponds may be constructed within the floodplain area. ***Comments: This condition will apply to the final plat and all subsequent stages. The Valley Branch Watershed District has indicated that it will undertake a study to amend the FEMA flood delineations to lower the flood levels in this area to match those identified in the Goetschel Pond study. There are no buildable lots depicted on the final plat that are located in a flood district.***
- 2) Prior to any grading activity, the developer shall submit to the City temporary grading easements from the owner of the lots adjacent to Layton Avenue within the Brookman Addition in order to construct the improvements within this right-of-way as documented in the preliminary

construction plans. **Comments: These easements have been secured and grading was completed within this area.**

- 3) The developer has requested the inclusion of public art within common areas and public property throughout Wildflower development. Prior to the placement of any art on publicly owned property or public rights-of-way, the developer and City shall enter into an agreement that clarifies the individuals or entities responsible for maintenance, upkeep and removal of any public art. No public art shall be lit in a manner that conflicts with the City's Lighting Ordinance. **Comments: This is a condition that will apply to any placement of public art within the development, including that installed in phase 1, the stamping of poetry into sidewalks and sculpture in the right of way. A landscape license agreement shall be executed to include public art as a landscape element and shall be executed prior to building permits in the second phase.**
- 4) Prior to the submission of a final plat for any portion of the Wildflower PUD, the developer shall work with the City to determine the appropriate park dedication calculations for the entire development area. **Comments: The developer agreement for the first phase indicated that all park dedication was satisfied with the first phase of the development.**
- 5) 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 grading was completed with the first phase of the development**
- 6) The utility construction plans shall be updated to incorporate the recommendations of the City Engineer as described in a February 18, 2015 memorandum to the City concerning the appropriate location and size of sewer services through the PUD planning area, including any requested oversizing of these facilities to service adjacent properties, prior to the submission of a final plat. **Comments: The supplemental plans included in the final plat submission address the previous review comments. The City Engineer approved the supplemental plans. This condition has been met.**
- 7) The developer shall minimize the number of rain gardens within public rights-of-way consistent with the review comments from the City Engineer. Any such storm water infiltration features shall be subject to review and approval by the City Engineer. **Comments: All rain gardens as previously proposed have been eliminated from the plans.**
- 8) The preliminary development plans must be revised to comply with City Street standards as referenced in the City Engineer's review memorandum dated February 18, 2015. **Comments: The plans have been updated to meet City standards and were approved.**
- 9) The City approves all requests for flexibility from City Zoning and Subdivision requirements with the exception of the street standards noted in the preceding condition. **Comments: The revised plans address this condition.**
- 10) The applicant is encouraged to incorporate elements from the Lake Elmo Theming Study into the open space areas within the subdivision. **Comments: The final plans do not include any specific references to the City's theming study. This condition was not a mandatory requirement.**

- 11) The preliminary landscape plan shall be updated to address the review comments from the City's landscape architecture consultant as noted in a review letter dated February 4, 2015. ***Comments: The Preliminary Landscape Plans dated 5/28/15 generally meet the City's requirements for landscaping, however the Landscape Architect's review comments have not been fully addressed. The developer has since submitted an amended plan for a portion of the first addition landscaping which have been approved, subject to the landscape requirements for the entire site. The first phase landscaping will be evaluated for compliance once the first phase is landscaped and an asbuilt plan has been submitted.***
- 12) All center median planting areas as depicted on the preliminary plat and plans shall be owned by the City of Lake Elmo and maintained by the Homeowners Association. The applicant shall enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park, trails, or open space on the final plat. ***The developer has entered into a landscape license agreement that meets this condition for the first phase which will need to be amended to address the public art. A similar agreement will be required with the second addition and will be a condition of approval. The agreement shall be executed prior to issuance of building permits in the second phase.***
- 13) The Final Plat and Plans must address the requested modifications outlined in the City Engineer's review memorandum dated February 18, 2015. ***Comments: The final plans have addressed these comments/***
- 14) Prior to recording the Final Plat for any portion of the area shown in the Preliminary Plat, the Developer shall enter into a Developers Agreement acceptable to the City Attorney that delineates who is responsible for the design, construction, and payment of public improvements. ***Comments: A developer's agreement was entered into for the first phase and will be for the second phase.***
- 15) The developer shall provide an easement over or dedicate in a separate outlot all trails to be dedicated for public use. Any such trails shall be considered a park land dedication provide said trails are constructed by the developer with other public improvements within the subdivision. ***Comments: this condition has been met.***
- 16) The City will not approve a final plat for any portion of Wildflower until such time that the City has approved construction plans and received financial security related to the construction of the public improvement project to connect the 39th Street Sewer to the 30th Street lift station. ***Comments: This condition has been met and no longer applies.***
- 17) The developer must follow all the rules and regulations of the Wetland Conservation Act, and adhere to the conditions of approval for the Valley Branch Watershed District Permit. ***Comments: The developers plan have been reviewed and approved by the Watershed District and grading work has been completed in accordance with this permit.***
- 18) The developer shall maintain access to the Smith property (11514 Stillwater Boulevard North) during construction of the first development phase. Said access shall, at a minimum, be capable of supporting emergency management vehicles and be consistent with City access driveway standards. The existing driveway easement shall be vacated prior to the recording of the final

plat. *Comments: The driveway easement from the Smith property providing access to Stillwater Boulevard has been vacated.*

- 19) The developer shall establish a legally binding agreement to prevent further residential or commercial development of all outlots that are planned for open space or conservation uses within the preliminary plat. *Comments: This condition has been met.*

Staff is recommending approval of the final plat and PUD plans with conditions intended to address the outstanding issues that will require additional review and/or documentation.

RECOMMENDED CONDITIONS OF APPROVAL:

Staff is recommending conditions as part of this final plat review to address issues highlighted in this report that include conditions of the preliminary plat that have not been fully addressed by the applicant. The City Engineer's review memorandum dated September 29, 2016 identifies a number of issues that need to be addressed by the developer in order for the City to deem the final plans complete. Based on the above Staff report and analysis, Staff is recommending approval of the final plat and final PUD development plans for phase two with the following conditions:

Recommended Conditions of Approval:

- 1) The comments in the City Engineer's review memorandum dated September 29, 2016 should be addressed prior to releasing the plat for recording. Final construction plans shall be reviewed and approved by the City Engineer prior to the recording of the Final Plat. All changes and modifications to the plans requested by the City Engineer in a memorandum dated September 29, 2016 and any future reviews shall be incorporated into these documents before they are approved.
- 2) Prior to the execution of the Final Plat by City officials, the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements for the Wildflower at Lake Elmo 2nd Addition Final Plat and Final PUD Development Plans with financial guarantees therefore.
- 3) All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat prior to the execution of the final plat by City Officials.
- 4) A Common Interest Agreement concerning management of the common areas of Wildflower at Lake Elmo 2nd Addition and establishing a homeowner's association shall be submitted in final form to the Community Development Director before a building permit may be issued for any structure within this subdivision.
- 5) The applicant shall also enter into a landscape license/public art agreement and maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping and public art installed in areas outside of land dedicated as public park and open space on the final plat.

- 6) Revised landscape plan shall be submitted for review and approval consistent with recommended changes per the City's Consulting Landscape Architect's review memo dated February 14, 2015, prior to recording of the final plat.
- 7) Street signs and no parking signs shall be installed on City Streets within the development prior to any building permits being issued.
- 8) That street segment B, be given a name on the final plat prior to approval of the final plat by the City Council.

DRAFT FINDINGS

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Wildflower Final Plat and Final PUD Plans

- That all the requirements of City Code Section 153.07 related to the Final Plan and Final Plat have been met by the Applicant.
- That the proposed Final Plat for Wildflower at Lake Elmo 2nd Addition consists of the creation of 20 single-family detached residential structures.
- That the Wildflower at Lake Elmo 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 April 7, 2014.
- That the Wildflower at Lake Elmo 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.
- That the Wildflower at Lake Elmo 2nd Addition Final Plat generally complies with the City's Urban Medium Density Residential zoning district, with the exceptions as noted in the approved Preliminary PUD Plans and PUD Agreement.
- That the Wildflower at Lake Elmo 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.
- That the Wildflower at Lake Elmo 2nd Addition Final Plat complies with the City's subdivision ordinance.
- That the Wildflower at Lake Elmo 2nd Addition Final Plat and Final PUD Plan complies with the City's Planned Unit Development Ordinance.
- That the Wildflower at Lake Elmo 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 September 29, 2016 and as otherwise identified in future reviews.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the Final Plat and Final Development Plans for Wildflower at Lake Elmo 2nd Addition with the 8 conditions of approval as listed in the Staff report.

Suggested motion:

“Move to recommend approval of the final plat and PUD development plans for the Wildflower at Lake Elmo 2nd Addition based on the findings listed in the staff report.”

ATTACHMENTS:

1. Application and narrative
2. City Engineer Review Comments – 9/29/2016
3. Final Plat
4. Final Construction Plans
5. Preliminary Landscape Plan dated 5/28/15
6. Landscape Architect memorandum dated 2/14/15
7. Lot 4, Block 4, Wildflower at Lake Elmo 1st Addition Building Permit Survey
8. Resolution 2015-23 – approving the final plat of Wildflower 1st Addn
9. City Council minutes, 4-14-15, changing the 15’ setback to 10’



PLANNING COMMISSION
DATE: 10/10/2016
AGENDA ITEM: 4B – PUBLIC HEARING
CASE # 2016-40

ITEM: Wildflower at Lake Elmo 2nd Addition Final Plat and Final PUD Plans
SUBMITTED BY: Stephen Wensman, Planning Director
REVIEWED BY: Emily Becker, City Planner
Jack Griffin, City Engineer

SUMMARY AND ACTION REQUESTED:

Robert Engstrom Companies is requesting approval of final plat, final PUD development plans for the second phase of the Wildflower at Lake Elmo PUD development. The final plat includes 20 single family residential lots located to the east of the first phase. Staff is recommending approval of the request subject to compliance with the conditions listed in this report.

GENERAL INFORMATION

Applicant: Robert Engstrom Companies; 4801 West 81st Street, #101, Bloomington, MN
Property Owners: Robert Engstrom Companies; 4801 West 81st Street, #101, Bloomington, MN
Location: Outlot O, Wildflower at Lake Elmo 1st Addition, near the intersection of Wildflower Drive and Monarch Lane.
Request: Application for lot Final Plat and Final Planned Unit Development (PUD) Plan approval for the second phase of the Wildflower PUD development. The final plat includes 20 single-family residential lots, an outlot (courtyard), and an outlot for future development.
Existing Land Use and Zoning: Vacant outlot and MDR/PUD.
Surrounding Land Use and Zoning: North – vacant outlot and MDR/PUD zoning –; west – Wildflower 1st Addition and MDR/PUD zoning –; south – offices, business park land – General Business zoning; east – Wildflower outlot and open space/Field of St. Croix II subdivision open space – RR and OP zoning.
Comprehensive Plan: Village Medium Density Residential (3-4 units per acre)/Village Open Space Overlay
History: The property is within the Village Planning Area boundary and municipal sewer service area. The site was historically been used for farming activities. A large portion of the site is located in a FEMA Flood District. The City approved a Comprehensive Plan Amendment in 2014 that removed portions of the site from the open space land category. The City approved a PUD Concept Plan for the property on June 17, 2014,

and a preliminary plat and preliminary PUD plans on April 7, 2015. Wildflower 1st Addition received final plat and PUD plan approval on 7/21/15.

Deadline for Action: Application Complete – 8/26/16
 60 Day Deadline – 10/25/16
 Extension Letter Mailed – No
 120 Day Deadline – 12/24/16

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

REQUEST DETAILS

Robert Engstrom Companies is requesting approval of a final plat and final PUD plan associated with the second phase of the Wildflower Planned Unit Development (PUD). The proposed final plat will replat the Outlot O, Wildflower at Lake Elmo, 19.2074 acres, in 20 single-family residential lots, of which 10 will be the “garden villa” homes while the remaining 10 will be the general single family homes located north of Wildflower Drive. In addition to the 20 single family homes, the final plat and PUD plans include two outlots. Outlot A is 0.5818 acres in size and will be an HOA owned outlot for the garden villa courtyard. Outlot B is 11.99 acres in size and will be redeveloped into residential lots in the future. The ten garden villa lots average 0.16 acres in size with the smallest lot being 0.1405 acres in size and the largest 0.1774 acres in size; the ten single family lots average 0.29 acres in size, with the smallest being 0.2292 acres in size and largest being 0.3504 the acres in size. The lots sizes and dimensions are consistent with the preliminary plat and PUD Plans.

Plat Summary:

Development area (Outlot O):	19.2074 acres
Total lot area:	4.4962 acres
Residential lots:	20 (10 villa, 10 regular)
Outlot for future development (Outlot B):	11.9934 acres
Outlot for courtyard (Outlot A):	0.5818 acres
R/W area:	2.1359 acres
Average garden villa lot size:	0.16 acres
Average single family lot size:	0.29 acres
Gross density (excluding outlots):	2.55 dwelling units per acre
Net density (excluding outlots and R/W)	4.0 dwelling units per acre

Grading. The site was graded with the first phase development, so no grading plans were included in the final plat submittal.

REVIEW AND ANALYSIS:

Staff has reviewed the final plat and final PUD development plans and has identified a number of issues that need to be addressed prior to recoding the final plat. A summary of the issues are as follows:

Planned Unit Development Agreement. The Wildflower development is a Planned Unit Development and some flexibility was permitted under this ordinance. Flexibility granted under planned unit developments are negotiated up front and the agreements are approved with the plat. The City's MDR – Medium Density Residential Zoning District requirements will apply to this development with the exceptions outlined in the PUD Agreement approved with the first phase below:

WILDFLOWER

LOT PROFILE (SFD)

	RIDGE LOTS	CONSERVANCY LOTS	PRAIRIE LOTS	COURTYARD LOTS (Garden Villa Homes)
QUANTITY	9	13	54	67
AVG DIMENSION	VARIABLE	VARIABLE	85'x145' +/-	60'x115' +/-
AVG SIZE (S.F.)	18,585	21,600	12,325 +/-	7,015 +/-

SETBACKS

	RIDGE LOTS	CONSERVANCY LOTS	PRAIRIE LOTS	GARDEN VILLA HOMES
FRONT YD.	25'	25'	25'	20'+
SIDE YD.				15' TOTAL
HOUSE:	15'	15'	10'	10' (OR 7.5')
GARAGE:	10'	10'	5'	5' (OR 7.5')
PUBLIC STREET:	25'	25'	15'	15'
REAR YARD TO COURT DRIVEWAY R.O.W.	VARIABLE To maintain bluff vegetation and slope erosion (25' Minimum)	VARIABLE To maintain bluff vegetation and slope erosion (25' Minimum)	30'	20'+

COURTYARD LOTS:

SPECIFIC CONDITIONS FOR SETBACK DESIGN FEATURES, FRONT, REAR & SIDE YARDS, TO ALLOW FOR OVERLAPPING ARCHITECTURAL AND LANDSCAPE ELEMENTS IN SETBACK AREAS.

- A. FIREPLACE BUILD OUTS (CHIMNEY & VENT BOXES) 2'-0" MAX.
- B. WINDOW BAYS OR BOX OUT FEATURES (CANTILEVERED) 2'-0" MAX.
- C. CANTILEVERED FLOOR AREAS (1 & 2 STORIES) 2'-0" MAX.
- D. FRONT PORCHES 10'-0" MAX. PAST HOUSE FRONT FACE
- E. ROOF OVERHANGS, ALL SIDES 3'-6" MAX.
- F. HIGH FENCES – NOT ATTACHED TO HOUSE (MAX. HT. 6') SIDE YARD SETBACK 3'-0" MAX. DISTANCE FROM SETBACK LINE
- G. LOW FENCES (30"- 42" HT.) – FRONT & REAR YD - ALLOWED, CONSISTENT WITH SIZE OF PRIVATE PATIOS, DECKS AND GARDEN AREAS. FRONT YD - 8'-0" INSIDE FRONT YARD P.L.
REAR YD: NOT TO EXCEED 12'-0" PAST GARAGE DOOR WALL FACE
- H. DECKS & PATIOS – FRONT YD. 6'-0" INSIDE FRONT P.L.
- I. DECKS & PATIOS – SIDE YD. 3'-0" MAX. DISTANCE FROM SETBACK LINE
- J. DECKS & PATIOS – REAR YD. NOT TO EXCEED 12'-0" PAST GARAGE DOOR WALL FACE
- K. TRELLIS, ARBORS, GATEWAYS & FEATURES LOCATION & SIZE TO BE CONSISTENT WITH SIZE OF PRIVATE PATIOS, DECKS & GARDEN AREAS. EXACT FEATURE DESIGN AND LOCATION TO BE REVIEWED AND APPROVED BY R.E.C. DESIGN REVIEW PROCEDURE.

The PUD Plans/Agreement also allowed flexibility from the City street standards. The following is a general summary of the subdivision design elements that were approved:

Proposed Street Standards:

- ROW Width – Local 60 ft. (per Subdivision Ordinance)
- Street Widths – Local: 28 ft. (per City standard)
- Street Widths – Other: 24 ft. (two way with parking one side)
20 ft. (one way with parking)
18ft. (one way with no parking)
- Alley/Rear Access 18ft. (proposed PUD standard)

The proposed streets in the Wildflower at Lake Elmo 2nd Addition are as follows:

- Goldenrod Court is a 60 foot R/W with 28' wide local street
- Wildflower Drive is a 110 foot with R/W divided by a median with street lane widths of 19'-4" and 21'-4" (no parking)
- Monarch Path a 30 foot R/W with 18' wide lane (one way - no parking).
- Street B (unnamed) is a 32 foot R/W with 20.5' wide lane (one way with parking).
- Sunflower lane is a 65 foot R/W with a 24' wide lane (parking on one side).

PUD Agreement - Phase 2. The developer has suggested an interpretation of the PUD Agreement that is inconsistent with Staff's interpretation. The PUD Agreement (above) established the sideyard setback from a public street as being 15 feet for the courtyard areas. Typically setbacks are established from property lines, not streets, and all the other setbacks in the PUD Agreement are to property lines. The developer's interpretation is problematic as is illustrated by the building permit being issued for Lot 4, Block 4, Wildflower at Lake Elmo 1st Addition. The permit was approved after Staff being convinced the setback was from the street. The home was constructed with a setback that is 10.2 feet from the corner side property line, or 16 feet from the street (Hummingbird Path). As a result, the home is located up to the side yard drainage utility easement with multiple encroachments into it, including: a fireplace, a bay window and an egress window well. When the small utility company installed the utilities, the trencher damaged the egress window well stone wall that encroached in the easement. The developer, aware of this issue, is specifically requesting a 10 foot (property line) setback for lot 1, Block 3 and Lot 4, Block 3, Wildflower at Lake Elmo 2nd Addition. It is Staff's belief that this permit should not have been approved and that the 15 foot setback from a public street should have been interpreted as setback from the property line on a corner lot adjacent a public street. Furthermore, encroachments are not permitted in drainage and utility easements. Some encroachments are permitted into setbacks as outline above in the PUD Agreement. Planning and Engineering Staff are opposed to the suggested interpretation and does not support corneryard setbacks adjacent a public street at 10 feet.

Street Names. Street B on the Final Plat has not been given a proper name. This street should be named consistent with the City's street naming ordinance prior to recording the plat.

Engineering Review. The City Engineer has reviewed the final plat submittal and has prepared a memorandum for the Commission and Council's review. The comments in the City Engineer's review memorandum dated September 29, 2016 should be addressed prior to releasing the plat for recording.

Preliminary Plat Conditions. The final plat is in conformance with the preliminary plat. The preliminary plat and PUD plans were approved with conditions. Staff has provided comments on the status of each in bold italics:

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

- 1) No lots within a FEMA flood zone shall be approved as part of a final plat until such time that the City's Floodplain Management Map has been amended to remove these lots. As an alternative to amending this map, the developer must provide documentation that all structures will be built above the regulatory flood protection elevation, that any public infrastructure will also meet Floodplain Ordinance requirements, and that the proposed storm water ponds may be constructed within the floodplain area. ***Comments: This condition will apply to the final plat and all subsequent stages. The Valley Branch Watershed District has indicated that it will undertake a study to amend the FEMA flood delineations to lower the flood levels in this area to match those identified in the Goetschel Pond study. There are no buildable lots depicted on the final plat that are located in a flood district.***
- 2) Prior to any grading activity, the developer shall submit to the City temporary grading easements from the owner of the lots adjacent to Layton Avenue within the Brookman Addition in order to construct the improvements within this right-of-way as documented in the preliminary construction plans. ***Comments: These easements have been secured and grading was completed within this area.***
- 3) The developer has requested the inclusion of public art within common areas and public property throughout Wildflower development. Prior to the placement of any art on publicly owned property or public rights-of-way, the developer and City shall enter into an agreement that clarifies the individuals or entities responsible for maintenance, upkeep and removal of any public art. No public art shall be lit in a manner that conflicts with the City's Lighting Ordinance. ***Comments: This is a condition that will apply to any placement of public art within the development, including that installed in phase 1, the stamping of poetry into sidewalks and sculpture in the right of way. A landscape license agreement shall be executed to include public art as a landscape element and shall be executed prior to building permits in the second phase.***
- 4) Prior to the submission of a final plat for any portion of the Wildflower PUD, the developer shall work with the City to determine the appropriate park dedication calculations for the entire development area. ***Comments: The developer agreement for the first phase indicated that all park dedication was satisfied with the first phase of the development.***
- 5) 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 grading was completed with the first phase of the development***
- 6) The utility construction plans shall be updated to incorporate the recommendations of the City Engineer as described in a February 18, 2015 memorandum to the City concerning the appropriate location and size of sewer services through the PUD planning area, including any requested oversizing of these facilities to service adjacent properties, prior to the submission of a

final plat. **Comments: The supplemental plans included in the final plat submission address the previous review comments. The City Engineer approved the supplemental plans. This condition has been met.**

- 7) The developer shall minimize the number of rain gardens within public rights-of-way consistent with the review comments from the City Engineer. Any such storm water infiltration features shall be subject to review and approval by the City Engineer. **Comments: All rain gardens as previously proposed have been eliminated from the plans.**
- 8) The preliminary development plans must be revised to comply with City Street standards as referenced in the City Engineer's review memorandum dated February 18, 2015. **Comments: The plans have been updated to meet City standards and were approved.**
- 9) The City approves all requests for flexibility from City Zoning and Subdivision requirements with the exception of the street standards noted in the preceding condition. **Comments: The revised plans address this condition.**
- 10) The applicant is encouraged to incorporate elements from the Lake Elmo Theming Study into the open space areas within the subdivision. **Comments: The final plans do not include any specific references to the City's theming study. This condition was not a mandatory requirement.**
- 11) The preliminary landscape plan shall be updated to address the review comments from the City's landscape architecture consultant as noted in a review letter dated February 4, 2015. **Comments: The Preliminary Landscape Plans dated 5/28/15 generally meet the City's requirements for landscaping, however the Landscape Architect's review comments have not been fully addressed. The developer has since submitted an amended plan for a portion of the first addition landscaping which have been approved, subject to the landscape requirements for the entire site. The first phase landscaping will be evaluated for compliance once the first phase is landscaped and an asbuilt plan has been submitted.**
- 12) All center median planting areas as depicted on the preliminary plat and plans shall be owned by the City of Lake Elmo and maintained by the Homeowners Association. The applicant shall enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park, trails, or open space on the final plat. **The developer has entered into a landscape license agreement that meets this condition for the first phase which will need to be amended to address the public art. A similar agreement will be required with the second addition and will be a condition of approval. The agreement shall be executed prior to issuance of building permits in the second phase.**
- 13) The Final Plat and Plans must address the requested modifications outlined in the City Engineer's review memorandum dated February 18, 2015. **Comments: The final plans have addressed these comments/**
- 14) Prior to recording the Final Plat for any portion of the area shown in the Preliminary Plat, the Developer shall enter into a Developers Agreement acceptable to the City Attorney that delineates who is responsible for the design, construction, and payment of public improvements. **Comments: A developer's agreement was entered into for the first phase and will be for the second phase.**

- 15) The developer shall provide an easement over or dedicate in a separate outlot all trails to be dedicated for public use. Any such trails shall be considered a park land dedication provide said trails are constructed by the developer with other public improvements within the subdivision. ***Comments: this condition has been met.***
- 16) The City will not approve a final plat for any portion of Wildflower until such time that the City has approved construction plans and received financial security related to the construction of the public improvement project to connect the 39th Street Sewer to the 30th Street lift station. ***Comments: This condition has been met and no longer applies.***
- 17) The developer must follow all the rules and regulations of the Wetland Conservation Act, and adhere to the conditions of approval for the Valley Branch Watershed District Permit. ***Comments: The developers plan have been reviewed and approved by the Watershed District and grading work has been completed in accordance with this permit.***
- 18) The developer shall maintain access to the Smith property (11514 Stillwater Boulevard North) during construction of the first development phase. Said access shall, at a minimum, be capable of supporting emergency management vehicles and be consistent with City access driveway standards. The existing driveway easement shall be vacated prior to the recording of the final plat. ***Comments: The driveway easement from the Smith property providing access to Stillwater Boulevard has been vacated.***
- 19) The developer shall establish a legally binding agreement to prevent further residential or commercial development of all outlots that are planned for open space or conservation uses within the preliminary plat. ***Comments: This condition has been met.***

Staff is recommending approval of the final plat and PUD plans with conditions intended to address the outstanding issues that will require additional review and/or documentation.

RECOMMENDED CONDITIONS OF APPROVAL:

Staff is recommending conditions as part of this final plat review to address issues highlighted in this report that include conditions of the preliminary plat that have not been fully addressed by the applicant. The City Engineer's review memorandum dated September 29, 2016 identifies a number of issues that need to be addressed by the developer in order for the City to deem the final plans complete. Based on the above Staff report and analysis, Staff is recommending approval of the final plat and final PUD development plans for phase two with the following conditions:

Recommended Conditions of Approval:

- 1) The comments in the City Engineer's review memorandum dated September 29, 2016 should be addressed prior to releasing the plat for recording. Final construction plans shall be reviewed and approved by the City Engineer prior to the recording of the Final Plat. All changes and modifications to the plans requested by the City Engineer in a memorandum dated September 29, 2016 and any future reviews shall be incorporated into these documents before they are approved.

- 2) Prior to the execution of the Final Plat by City officials, the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements for the Wildflower at Lake Elmo 2nd Addition Final Plat and Final PUD Development Plans with financial guarantees therefore.
- 3) All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat prior to the execution of the final plat by City Officials.
- 4) A Common Interest Agreement concerning management of the common areas of Wildflower at Lake Elmo 2nd Addition and establishing a homeowner's association shall be submitted in final form to the Community Development Director before a building permit may be issued for any structure within this subdivision.
- 5) The applicant shall also enter into a landscape license/public art agreement and maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping and public art installed in areas outside of land dedicated as public park and open space on the final plat.
- 6) Revised landscape plan shall be submitted for review and approval consistent with recommended changes per the City's Consulting Landscape Architect's review memo dated February 14, 2015, prior to recording of the final plat.
- 7) Street signs and no parking signs shall be installed on City Streets within the development prior to any building permits being issued.
- 8) That street segment B, be given a name on the final plat prior to approval of the final plat by the City Council.
- 9) The developer should identify lots with corners adjacent a public street and adjust the building plans to have a 15' setback from the side property line adjacent a public street.

DRAFT FINDINGS

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Wildflower Final Plat and Final PUD Plans

- That all the requirements of City Code Section 153.07 related to the Final Plan and Final Plat have been met by the Applicant.
- That the proposed Final Plat for Wildflower at Lake Elmo 2nd Addition consists of the creation of 20 single-family detached residential structures.
- That the Wildflower at Lake Elmo 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 April 7, 2014.

- That the Wildflower at Lake Elmo 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.
- That the Wildflower at Lake Elmo 2nd Addition Final Plat generally complies with the City’s Urban Medium Density Residential zoning district, with the exceptions as noted in the approved Preliminary PUD Plans and PUD Agreement.
- That the Wildflower at Lake Elmo 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.
- That the Wildflower at Lake Elmo 2nd Addition Final Plat complies with the City’s subdivision ordinance.
- That the Wildflower at Lake Elmo 2nd Addition Final Plat and Final PUD Plan complies with the City’s Planned Unit Development Ordinance.
- That the Wildflower at Lake Elmo 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 September 29, 2016 and as otherwise identified in future reviews.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the Final Plat and Final Development Plans for Wildflower at Lake Elmo 2nd Addition with the 9 conditions of approval as listed in the Staff report.

Suggested motion:

“Move to recommend approval of the final plat and PUD development plans for the Wildflower at Lake Elmo 2nd Addition based on the findings of fact listed in the staff report.”

ATTACHMENTS:

1. Application and narrative
2. City Engineer Review Comments – 9/29/2016
3. Final Plat
4. Final Construction Plans
5. Preliminary Landscape Plan dated 5/28/15
6. Landscape Architect memorandum dated 2/14/15
7. Lot 4, Block 4, Wildflower at Lake Elmo 1st Addition Building Permit Survey

SUGGESTED ORDER OF BUSINESS:

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

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

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



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

FINAL PLAT APPLICATION

Applicant: _____ Robert Engstrom Companies _____
Address: _____ 4801 West 81st Street, Suite 101 Minneapolis, MN 55437 _____
Phone #: _____ 952-893-1001 _____
Email Address: _____ bob@engstromco.com _____

Fee Owner: _____ Robert Engstrom Companies _____
Address: _____ 4801 West 81st Street, Suite 101 Minneapolis, MN 55437 _____
Phone #: _____ 952-893-1001 _____
Email Address: _____ bob@engstromco.com _____

Property Location (Address): _____ Intersection of Wildflower Drive & Monarch Lane _____
Complete (long) Legal Description: _____ Outlot O of Wildflower at Lake Elmo 1st Addition _____

PID#: _____ 12.029.21.34.0056 _____

General information of proposed subdivision: _____

_____ Wildflower at Lake Elmo 2nd Addition; 10-Prairie Lots, 10-Courtyard Lots _____

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

Signature of applicant: Robert Engstrom Date: 8/25/14

Fee Owner Signature: Robert Engstrom Date: 8/25/14

AUG 26 2016



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

ACKNOWLEDGEMENT OF RESPONSIBILITY

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

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

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

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

Signature of applicant *Robert Engstrom* Date 8/25/14

Name of applicant Robert Engstrom Phone 952-893-1001
(Please Print)

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

Wildflower at Lake Elmo 2nd Addition

Robert Engstrom Companies is submitting a Final Plat Application for Wildflower at Lake Elmo, 2nd Addition.

The 2nd Addition consists of 19.2 acres, including two outlots. The acreage for the 20 lots is 7.3 acres. There are ten Garden Villa Home Sites and ten lots on a Cul de sac. Much of the infrastructure for the streets, sanitary sewer, storm sewer, and municipal water is already constructed.

One half of the Garden Villa sites for the second neighborhood are included in the Final Plat. The other half of the site involves substantial stormwater construction. The private park will be fully developed with this phase. The design will be similar to the Phase 1 park, which has been very well received.

The homes and Garden Villas will continue on a similar pattern to Phase 1, with continued Architectural approvals.

Section two of the application:

- a. Developer and owner of record: Robert Engstrom Companies, Paul Engstrom 612-280-7797, Bob Engstrom 612-720-9990.

Pioneer Engineering (John Molinaro) 651-251-0640

Design Forum (Jerry Mazarra) 612-618-7406
- b. Lot 6—Current zoning, Residential PUD. Parcel size is 19.2 acres, including two outlots. The lots area is 7.3 acres or 317,988 sf.
- c. See Pioneer Engineering plat calculations.
- d. Any issues were resolved as part of the Phase 1 Plat
- e. NA
- f. Much of the infrastructure is already constructed as part of phase one. Seven Garden Villa lots on Monarch Lane are already served with utilities. The balance of the infrastructure will be similar to phase one.
- g. Any concerns raised by neighboring properties were addressed during phase one.
- h. NA
- i. NA
- j. NA
- k. The outlot park for the Garden Villa neighborhood will be similar to phase one. The Conservancy and other areas have already been planted in prairie.

*Plat #
12.029.21.34.
0056*

WILDFLOWER

LOT PROFILE (SFD)

	RIDGE LOTS	CONSERVANCY LOTS	PRAIRIE LOTS	COURTYARD LOTS (Garden Villa Homes)
QUANTITY	9	13	54	67
AVG DIMENSION	VARIABLE	VARIABLE	85'x145' +/-	60'x115' +/-
AVG SIZE (S.F.)	18,585	21,600	12,325 +/-	7,015 +/-

SETBACKS

	RIDGE LOTS	CONSERVANCY LOTS	PRAIRIE LOTS	GARDEN VILLA HOMES
FRONT YD.	25'	25'	25'	20'+
SIDE YD.				15' TOTAL
HOUSE:	15'	15'	10'	10' (OR 7.5')
GARAGE:	10'	10'	5'	5' (OR 7.5')
PUBLIC STREET:	25'	25'	15'	15'
REAR YARD TO COURT DRIVEWAY R.O.W.	VARIABLE To maintain bluff vegetation and slope erosion (25' Minimum)	VARIABLE To maintain bluff vegetation and slope erosion (25' Minimum)	30'	20'+

COURTYARD LOTS:

SPECIFIC CONDITIONS FOR SETBACK DESIGN FEATURES, FRONT, REAR & SIDE YARDS, TO ALLOW FOR OVERLAPPING ARCHITECTURAL AND LANDSCAPE ELEMENTS IN SETBACK AREAS.

A.	FIREPLACE BUILD OUTS (CHIMNEY & VENT BOXES)	2'-0" MAX.
B.	WINDOW BAYS OR BOX OUT FEATURES (CANTILEVERED)	2'-0" MAX.
C.	CANTILEVERED FLOOR AREAS (1 & 2 STORIES)	2'-0" MAX.
D.	FRONT PORCHES	10'-0" MAX. PAST HOUSE FRONT FACE
E.	ROOF OVERHANGS, ALL SIDES	3'-6" MAX.
F.	HIGH FENCES – NOT ATTACHED TO HOUSE (MAX. HT. 6') SIDE YARD SETBACK	3'-0" MAX. DISTANCE FROM SETBACK LINE
G.	LOW FENCES (30"- 42" HT.) – FRONT & REAR YD - ALLOWED, CONSISTENT WITH SIZE OF PRIVATE PATIOS, DECKS AND GARDEN AREAS.	FRONT YD - 8'-0" INSIDE FRONT YARD P.L. REAR YD: NOT TO EXCEED 12'-0" PAST GARAGE DOOR WALL FACE
H.	DECKS & PATIOS – FRONT YD.	6'-0" INSIDE FRONT P.L.
I.	DECKS & PATIOS – SIDE YD.	3'-0" MAX. DISTANCE FROM SETBACK LINE
J.	DECKS & PATIOS – REAR YD.	NOT TO EXCEED 12'-0" PAST GARAGE DOOR WALL FACE
K.	TRELLIS, ARBORS, GATEWAYS & FEATURES	LOCATION & SIZE TO BE CONSISTENT WITH SIZE OF PRIVATE PATIOS, DECKS & GARDEN AREAS. EXACT FEATURE DESIGN AND LOCATION TO BE REVIEWED AND APPROVED BY R.E.C. DESIGN REVIEW PROCEDURE.

8-21-2014

8-26-2014

11-5-2014 - TOTAL LOTS: 143

9-1-2015

8-18-16

PHASE 2: APPROVED SIDEYARD SETBACKS:

10' SB – LOT 1 BLOCK 3 (at courtyard driveway side yard)

10' SB – LOT 4 BLOCK 3 (at courtyard driveway side yard)

WILDFLOWER AT LAKE ELMO 2ND ADDITION

KNOW ALL PERSONS BY THESE PRESENTS That Robert Engstrom Companies, a Minnesota Corporation, owner of the following described property:

Parcel O, WILDFLOWER AT LAKE ELMO 1ST ADDITION according to the recorded plat thereof, Washington County, Minnesota
Has caused the same to be surveyed and platted as WILDFLOWER AT LAKE ELMO 2ND ADDITION and does hereby dedicate to the public, for public use, the public ways and the drainage and utility easements as created by this plat.

In witness whereof said Robert Engstrom Companies, a Minnesota Corporation, has caused these presents to be signed by Robert E. Engstrom, its President, this ____ day of _____, 20____.

Signed: Robert E. Engstrom

Robert E. Engstrom, its President

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me on this _____, by Robert E. Engstrom, the President of Robert Engstrom Companies, a Minnesota Corporation, on behalf of the corporation.

Notary Public
My Commission Expires _____

SURVEYOR'S CERTIFICATE

I, Peter J. Hawkinson do hereby certify that this plat was prepared by me or under my direct supervision; 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 this plat; that all monuments depicted on this plat have been set, or will be correctly set within one year; that all water boundaries and wet lands as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this ____ day of _____, 20____.

Peter J. Hawkinson, Licensed Land Surveyor
Minnesota License No. 42299

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me on this _____, by Peter J. Hawkinson, Licensed Land Surveyor.

Notary Public
My Commission Expires _____

CITY PLANNING COMMISSION, Lake Elmo, Minnesota

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

By: _____ By: _____
Chairman Secretary

CITY COUNCIL, Lake Elmo, Minnesota

This plat was approved by the City Council of the City of Lake Elmo, Minnesota, this ____ day of _____, 20____, and hereby certifies compliance with all requirements as set forth in Section 505.03, Subd. 2, Minnesota Statutes.

By: _____ By: _____
Mayor Clerk

COUNTY SURVEYOR, Washington County, Minnesota

Pursuant to Chapter 620, Laws of Minnesota, 1971, and in accordance with Minnesota Statutes, Section 505.021, Subd. 1, this plat has been reviewed and approved this ____ day of _____, 20____.

By: _____ By: _____
Washington County Surveyor

COUNTY AUDITOR/TREASURER, Washington County, Minnesota

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20____ on the real estate 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: _____ By: _____
Washington County Auditor/Treasurer Deputy

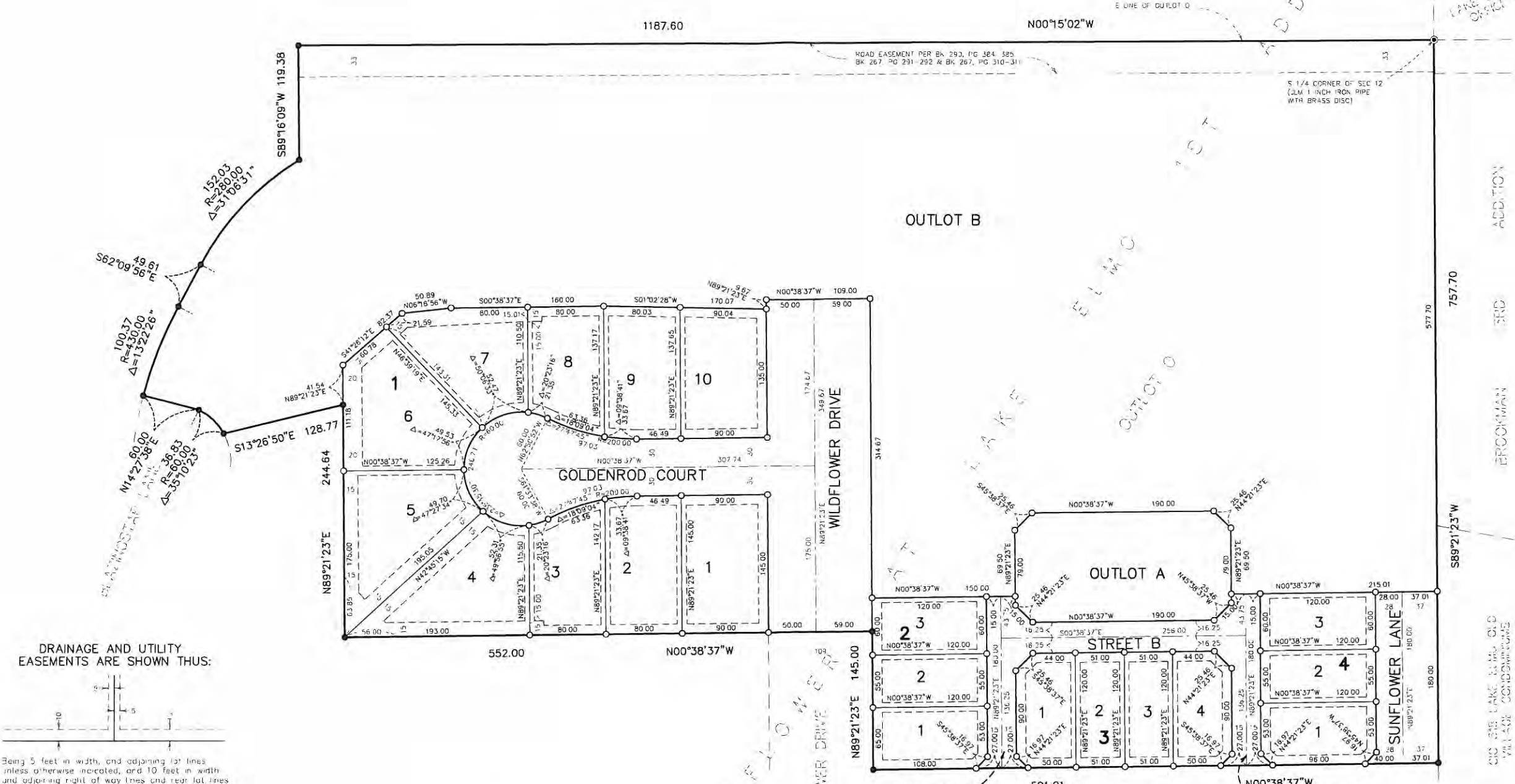
COUNTY RECORDER, Washington County, Minnesota

Document Number _____

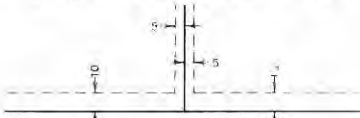
I hereby certify that this instrument was recorded in the Office of the County Recorder for record on this ____ day of _____, 20____, at ____ o'clock ____ M, and was duly recorded in Washington County Records.

By: _____ By: _____
Washington County Recorder Deputy

WILDFLOWER AT LAKE ELMO 2ND ADDITION

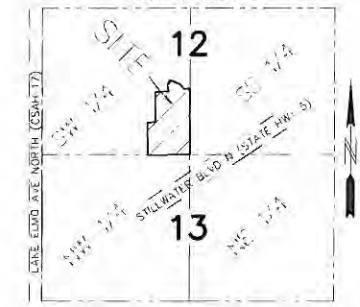


DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



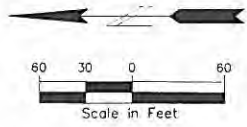
Being 5 feet in width, and adjoining lot lines unless otherwise indicated, and 10 feet in width and adjoining right of way lines and rear lot lines unless otherwise indicated and shown on the plot.

SECTION 12 & 13, TWP 29, RGE 21
LOCATION MAP
NOT TO SCALE



THE ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE EAST LINE OF OUTLOT D, WILDFLOWER AT LAKE ELMO 1ST ADDITION, WHICH IS ASSUMED TO HAVE A BEARING OF SOUTH 89°21'23\"

- DENOTES FOUND WASHINGTON COUNTY CAST IRON MONUMENT
- DENOTES SET 1/2 INCH BY 14 INCH IRON PIPE MONUMENT MARKED BY LICENSE NUMBER 42293, OR WILL BE SET IN ACCORDANCE WITH MS SECTION 505.021 SUBD 10.
- DENOTES FOUND 1/2 INCH IRON MONUMENT MARKED BY LICENSE NUMBER 42289 UNLESS OTHERWISE NOTED.



WILDFLOWER AT LAKE ELMO 2ND ADDITION

AREA SKETCH

EXISTING LEGAL DESCRIPTION

Sublot D, WILDFLOWER AT LAKE ELMO 1ST ADDITION

EXISTING PID# 12 029 21 34 0056

ADDRESS: Unassigned

ZONED: PUD

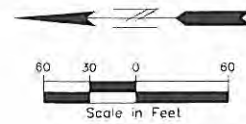
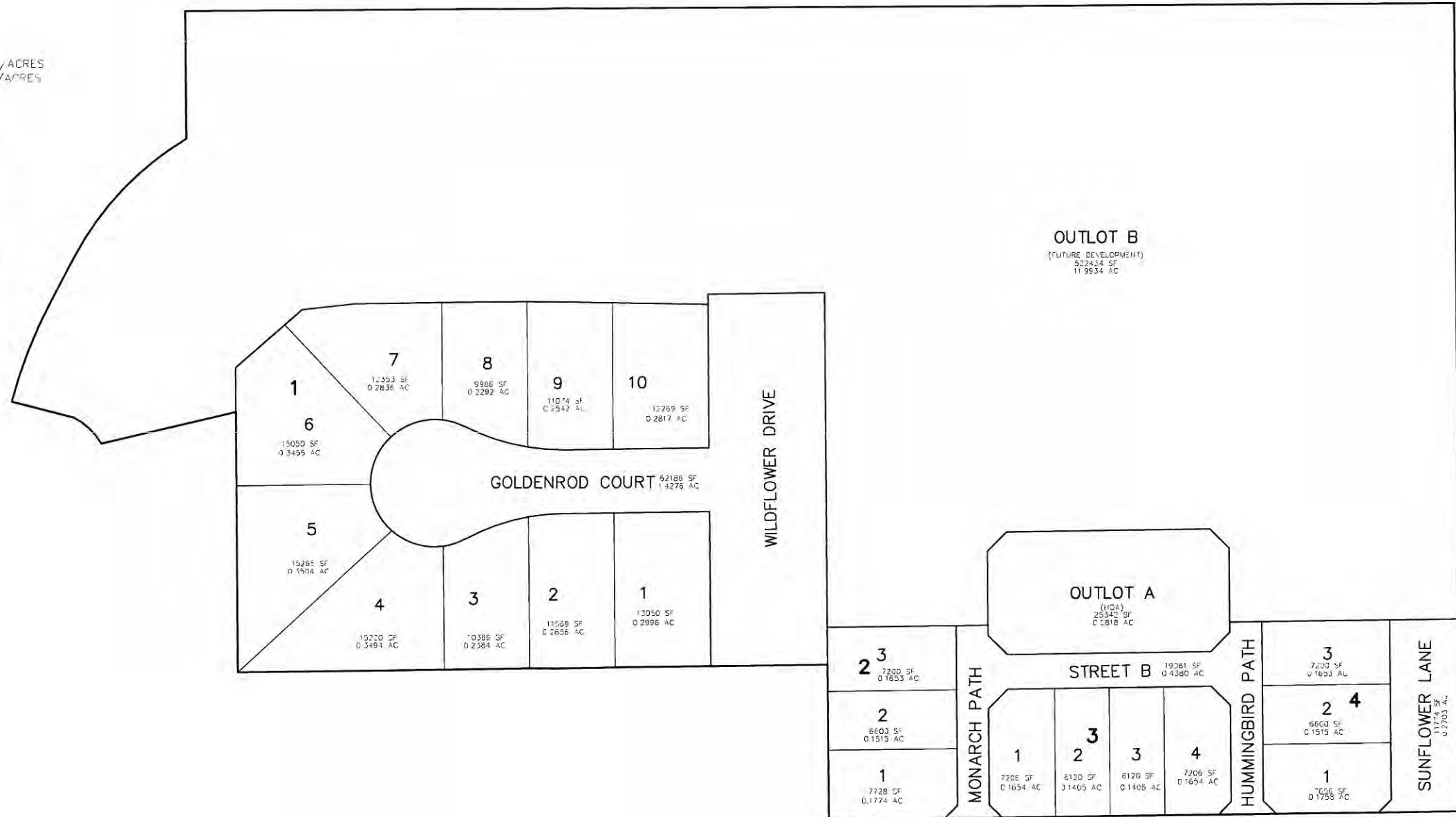
GROSS DENSITY (EXCLUDES OUTLOTS) 2.55 LOTS/ACRES

NET DENSITY (EXCLUDES OUTLOTS AND R/W) 4.00 LOTS/ACRES

AREA SUMMARY

BLOCK 1 =	126,222 SF	2.8976 AC
BLOCK 2 =	21,528 SF	0.4942 AC
BLOCK 3 =	26,652 SF	0.6118 AC
BLOCK 4 =	21,456 SF	0.4926 AC
TOTAL LOT AREA =	195,858 SF	4.4962 AC
FUTURE DEV OUTLOT AREA =	522,434 SF	11.9934 AC
HOA OUTLOT AREA =	25,342 SF	0.5818 AC
PUBLIC OPEN SPACE AREA =	0 SF	0 AC
WETLAND AREA =	0 SF	0 AC
WETLAND BUFFER AREA =	0 SF	0 AC
TOTAL OUTLOT AREA =	547,776 SF	12.5752 AC
TOTAL R/W AREA =	93,041 SF	2.1359 AC
TOTAL AREA =	836,675 SF	19.2074 AC

BLOCK #	LOT #	SIZE (AC)	WIDTH AT FRONT OF LOT (FT)	AVERAGE DEPTH (FT)
1	1	0.2996	90	145
1	2	0.2656	80	144
1	3	0.2584	80	129
1	4	0.3494	78	137
1	5	0.3504	71	145
1	6	0.3455	74	144
1	7	0.2836	75	124
1	8	0.2237	80	124
1	9	0.2542	80	137
1	10	0.2817	90	136
2	1	0.774	65	120
2	2	0.515	55	120
2	3	0.653	60	120
3	1	0.1654	62	120
3	2	0.1405	51	120
3	3	0.1405	51	120
3	4	0.1654	62	120
4	1	0.758	65	120
4	2	0.515	55	120
4	3	0.653	60	120



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: September 29, 2016

To: Stephen Wensman, City Planner
Cc: Rob Weldon, Public Works Director
Chad Isakson, P.E., Municipal Engineer
From: Jack Griffin, P.E., City Engineer

Re: Wildflower 2nd Addition – Final Plat
Engineering Review Comments

An engineering review has been completed for the Wildflower 2nd Addition. Final Plat/Final Construction Plans were received on August 26, 2016. The submittal consisted of the following documentation prepared by Carlson-McCairst, Inc. or as noted:

- Wildflower 2nd Addition Final Plat, not dated.
- Wildflower 2nd Addition Street and Utility Construction Plans dated August 22, 2016.
- Wildflower 2nd Addition Storm Sewer Calculations dated July 11, 2016.
- Wildflower at Lake Elmo Grading Plans revised August 10, 2016.
- No Specifications.
- No Landscape Plans.

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: WILDFLOWER 2ND ADDITION

- Final Construction Plans and Specifications must be revised in accordance with the Construction Plan engineering review memorandum dated September 29, 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.
- All easements presented on the Final Plat should be fully reserved for drainage and utility easement purposes. No building or egress well encroachments will be allowed. If there are any lots, in particular courtyard lots, intended to encroach onto easements this should be presented at the time of final plat and final construction plan approval to allow staff the opportunity to verify adequate drainage and utility easements are made available to support the PUD.
- The Wildflower 2nd Addition Final Plat should be conditioned upon Street A being extended and paved up to the Street A3 intersections as part of the Wildflower 2nd Addition plans to better eliminate future phase construction impacts to new homeowners in the 2nd Addition.

- The Final Plat must be revised to provide a name for Street B in accordance with the City's street naming policy.

FINAL CONSTRUCTION PLANS & SPECIFICATIONS

- No construction for Wildflower 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 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.



WILDFLOWER AT LAKE ELMO – DESIGN REVIEW REPORT **LAKE ELMO, MN**

LANDSCAPE ARCHITECTURAL DESIGN REVIEW DATED FEBRUARY 14TH, 2015
REVIEWED PLAN SET DATED FEBRUARY 4TH, 2015

Per our review the Landscape Plan is NOT in compliance with the City's planting requirements.

Required Action Items by Wildflower at Lake Elmo Project Team

1. Tree placement needs to be more accurately considered and represented throughout the plan. In some cases trees are represented on sidewalks and streets or too close to hardscape elements.
2. Street trees need to be at least 5 feet from back of curb. In areas where the boulevard does not allow this because of sidewalk or trail placement as noted on Sheet L1 please redesign to accommodate required trees.
3. Please provide an analysis of street tree plantings in relationship to proposed residential utility connections with appropriate setbacks from both utility service connections and driveways. It appears that once this exercise is completed some of the proposed street trees as currently represented will have to be relocated and / or an adjustment of the lot width may need to take place to facilitate the incorporation of the required trees in the streetscape corridor.
4. When determining landscape requirements and trees required per street frontage please recalculate to include street frontage on Hwy 5 and Lake Elmo Avenue North as well in addition to the new proposed streets.
5. Trees are to have a two year warranty.
6. Please add note to plan sheets: All trees to be field staked prior to installation. Contractor to coordinate field review of proposed tree locations with the city and project landscape architect prior to any tree installation.
7. Correct conversion for multi-stem trees to 2.5 inch B& B is 12 foot height.
8. Per plant schedule the specified River Birch/Betula nigra 'Heritage' is incorrectly spelled / noted. Should read: Heritage River Birch / Betula nigra 'Cully'.
9. Minimum size for ornamental trees is 2" Caliper per Table 6-1. Minimum Size Standards for Landscape Materials within the City's landscape requirements.
10. Please provide more diversity of all plantings – overstory trees, evergreen trees and ornamental trees. For example specify more than one type of evergreen on the entire project. Perhaps focusing on pollinator friendly choices would work nicely with the overall theme of the development. 211 Black Hills Spruce is not acceptable as the only evergreen specified,

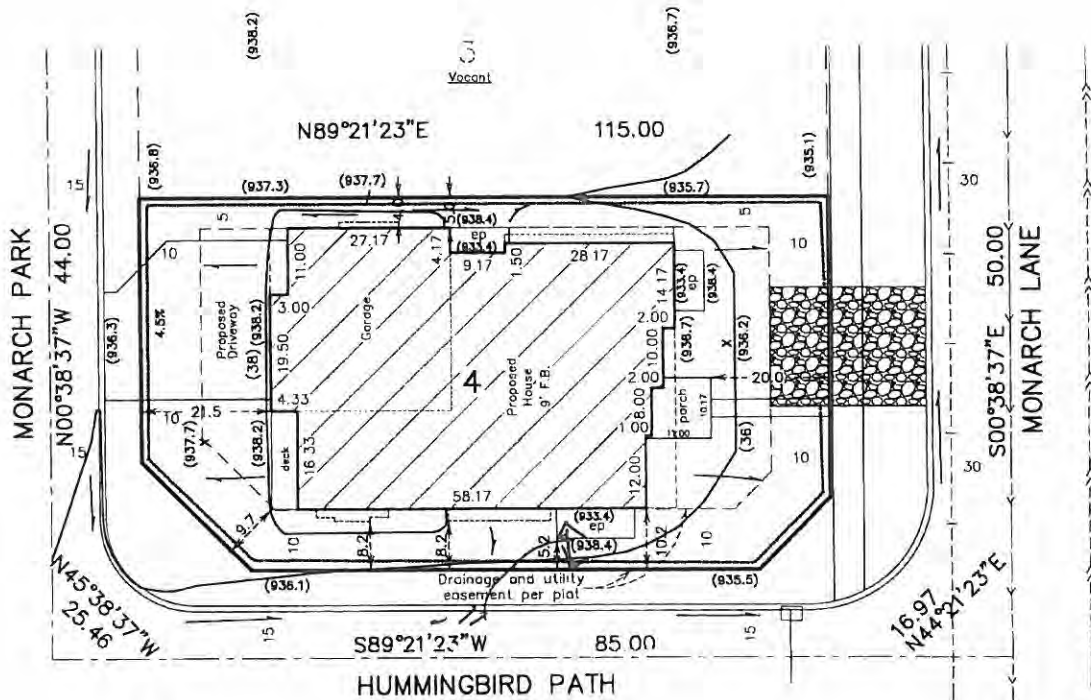
52 PrairieFire Crab is too many of one type of Crab, try to limit the use of Honey Locust as it provides filtered light at best as a street tree, etc. as a few examples.

11. Please provide design sections for all berms / landscape screening suggested representing all typical planting arrangements with species specified and represented to scale at time of installation. When planting berms please consider planting side slopes verses simply planting the top as it is currently suggested. Plants are much happier when not placed on the highest, driest and windiest part of the berm.
12. Please provide design drawings for all signage and way finding elements.
13. Please provide us with an understory planting plan for the entire development. This includes all shrub & perennial beds, infiltration basins, raingardens as well as native seeding and turf sodding areas.
14. We request more information as it relates to the tree preservation plan to make a determination if tree replacement is in fact required.
15. We would like your design team to rethink the layout of the plantings within the HOA outlots M, O & P. It appears the layout is not very well developed. The absence of street tree plantings is noted and should be addressed. The observation is that the tree layout suggested simply occupies the green space rather than utilizing trees to reinforce or create space which would be our preference.
16. Correctly label Lake Elmo Avenue North on the western edge of the property. Currently it is labeled Lake Elmo Drive North.
17. We request information on soil preparation and planting specifications for all plantings/seeding.
18. Provide landscape irrigation plans for our review for all commonly held HOA & City Outlots / R.O.W. areas.
19. We recommend you provide a three year maintenance plan for all landscape materials/areas within all commonly held HOA & City Outlot / R.O.W areas.

SINCERELY,

LANDSCAPE ARCHITECTURE, INC.

STEPHEN MASTEY, ASLA, CLARB, LEED AP BD+C



Lot area = 6896 SF
 House area = 2832 SF
 Porch area = 99 SF
 Sidewalk area = 60 SF
 Driveway area = 586 SF
 Total Impervious Area = 3577 SF
 Impervious Coverage = 51.8%

- Denotes service
- Denotes television box
- Denotes electric box
- Denotes telephone box
- Denotes existing elevation
- Denotes proposed elevation
- Denotes drainage flow direction
- Denotes spikes
- Denotes proposed erosion control
- Denotes proposed rock construction entrance

Lowest allowable floor elevation 930.2

House elevations (Proposed) / As-built
 Lowest Floor Elevation : (930.2) /
 Top Of Foundation Elev : (938.9) /
 Garage Slab Elev @ Door : (938.2) lowest opening garage
 Top Of Egress Well Elev : (938.4) lowest opening house
 Egress Window : (933.4) /

Construction Notes

1. Install rock construction entrance.
2. Install silt fence as needed for erosion control.
3. Sidewalks shall drain away from house a minimum of 1.0%.
4. Contractor must verify driveway design.
5. Contractor must verify service elevation prior to construction.
6. Add or remove foundation ledge as required.

General Notes:

1. Grading plan by Pioneer Engineering last dated 8/7/15 was used to determine proposed elevations shown herein.
2. This survey does not purport to show improvements or encroachments, except as shown, as surveyed by me or under my direct supervision.
3. Proposed building dimensions shown are for horizontal location of structures on the lot only. Contact builder prior to construction for approved construction plans.
4. No specific soils investigation has been performed on this lot by the surveyor. The suitability of soils to support the specific house proposed is not the responsibility of the surveyor.
5. This certificate does not purport to show easements other than those shown on the recorded plat.
6. Bearings shown are based on an assumed datum.

We hereby certify to Landmark Custom Homes that this survey, plan or report was prepared by me or under my direct supervision, and that I am a duly licensed Land Surveyor under the laws of the State of Minnesota, dated 02/11/16

Signed: Pioneer Engineering, P.A.

BY: Peter J. Hawkinson, Professional Land Surveyor
 Minnesota License No. 42299 email-phawkinson@pioneereng.com

Scale 1" = 20'

Benchmark
 Top Nut Hydrant
 Elevation =

Revisions
 1) 02-24-16 Preliminary
 2) 04-14-16 Add egress elevation

PIONEER engineering P.A.

2422 Enterprise Drive
Mendota Heights, MN 55120

Ph: (651) 681-1914
Fax: (651) 681-9488
www.pioneereng.com

Project # 115262002 | Folder # 7665 | Drawn by MTW

© Pioneer Engineering

Lot 4, Block 4,
 WILDFLOWER AT LAKE ELMO 1ST ADDITION
 according to the recorded plat thereof
 Washington County, Minnesota

Address: Monarch Lane, Lake Elmo, Minnesota
 House Model: Elevation:
 Buyer: Carey/Nesheim

Certificate of Survey for:
Landmark Custom Homes

501 Main Street, Unit #122
 Stillwater, MN 55082

Memorandum

To: Valley Branch Watershed District Board of Managers
From: John Hanson
Subject: Wildflower at Lake Elmo/Village Preserve/Floodplain Southwest of Goetschel Pond
Date: October 19, 2016
Project: 23820020.00 2200 346 and 352
c: Susannah Torseth, Ray Roemmich, Melissa Imse, John Hanson

Background and Introduction

As the Managers saw during their September 22, 2016, tour, some infiltration basins on the Village Preserve site (see Figure 1) are not functioning and water levels in the floodplain downstream appear high (see Figures 2 and 3). The property owners west of the floodplain are concerned about the high water levels and standing water in the Lake Elmo Avenue ditch. The City of Lake Elmo's Planning Commission rejected approval of the next construction phase of the Wildflower at Lake Elmo subdivision until stormwater management issues are better understood and asked Valley Branch Watershed District to study the issue and identify potential solutions.

Requested Manager Action

Review memo

To understand the cause of the observed high water levels, we compared 2016 precipitation data to other years and reviewed the development plans and permit application models to determine if construction was done as planned and if stormwater management facilities are functioning as assumed. Based on this review, we have recommendations for corrective actions. This memo summarizes our analysis and findings.

Precipitation

The area received 32.29 inches of precipitation from April 1–September 30, 2016, making it by far the wettest year over the last 10 years. Between 2007 and 2015, the wettest April–September had been in 2014, with 28.54 inches of precipitation. The average during the 9-year period was 22.76 inches. Table 1 summarizes the precipitation recorded in the area.

Table 1 2007–2016 April–September Precipitation (inches)

Year	April	May	June	July	August	September	Total
2016	Not Available	2.20	4.290	9.30	10.41	5.82	>32.02
	2.47	2.86	4.46	6.69	9.12	6.69	32.29
2015	3.02	3.59	5.29	6.11	3.69	5.32	27.02
	1.99	4.16	4.34	7.07	3.07	5.55	26.18
2014	6.90	4.48	9.46	2.16	2.95	2.18	28.13
	6.53	4.21	9.93	2.55	2.86	2.46	28.54
2013	5.19	5.15	9.06	2.24	0.57	1.69	23.90
	5.46	5.35	9.67	1.57	1.21	1.56	24.82
2012	3.26	7.18	4.26	5.76	1.36	0.59	22.41
	3.23	6.99	2.86	5.20	1.44	0.66	20.38
2011	3.58	3.11	5.58	10.6	4.85	0.71	28.43
	2.13	4.07	3.40	6.98	5.11	1.02	22.71
2010	2.01	3.36	5.97	5.28	5.21	5.65	27.48
	1.64	3.55	4.90	5.10	6.49	6.40	28.08
2009	1.38	0.58	2.94	2.12	7.02	0.64	14.68
	0.75	0.60	3.56	2.39	7.25	0.93	15.48
2008	4.41	3.23	3.61	2.39	2.87	2.72	19.23
	4.04	2.44	4.23	2.44	3.55	2.44	19.14
2007	1.51	3.62	1.17	1.06	5.75	6.52	19.63
	1.85	4.06	1.32	1.32	5.95	5.00	19.50

The first row for each year is the precipitation recorded by VBWD citizen volunteer Charles Taylor at his home on the northwest side of Lake Jane, 2.5 miles west of the site. The second row is the precipitation recorded at the closest reporting station (within 2 miles of the site), accessed from http://climate.umn.edu/HIDradius/radius_new.asp.

Historic Water Levels

The VBWD has not measured lowland water levels. We reviewed aerial photos, but these were taken in early spring or late fall so were not helpful in determining extreme or typical summer water levels.

At Wetland F (see Figure 3 for the location and the following October 18, 2016, photos), cottonwood and oak trees are standing in water. Based on their size, we estimate the trees to be 12–20 years old. While cottonwood trees are flood-resistant, oak trees are not. Therefore, water levels in the wetland have not

To: Valley Branch Watershed District Board of Managers
From: John Hanson
Subject: Wildflower at Lake Elmo/Village Preserve/Floodplain Southwest of Goetschel Pond
Date: October 19, 2016
Page: 3

likely been sustained at this level for at least 12–20 years. Aerial photos appear to show trees along the wetland fringe in 1996, but not in 1992. This is consistent with precipitation records, which show that 2002, 1993, and 1991 were wet years; it's probable that the trees came in after one of the wet years during 1990s when water levels in the wetland were high.



To: Valley Branch Watershed District Board of Managers
From: John Hanson
Subject: Wildflower at Lake Elmo/Village Preserve/Floodplain Southwest of Goetschel Pond
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To: Valley Branch Watershed District Board of Managers
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Date: October 19, 2016
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Drainage Patterns

Figure 2 shows the pre-development drainage patterns, overflow elevations of lowlands, and the 1%-probability flood level for the area. Figure 3 shows the developed conditions drainage patterns and 1%-probability flood level for the area.

Developments and Impacts

Areas south of the floodplain are currently under construction. Figure 1 shows the developments in relation to the floodplain. Village Preserve and Arbor Glen Senior Living are on the west side and Wildflower at Lake Elmo is on the east side; a future cul-de-sac extends to the west, separating the floodplain from Village Preserve.

Wetland A and Krueger Property

The drainage area to Wetland A (see Figure 3) was reduced with development. Within the Village Preserve site, 0.6 acres of the predeveloped 1.6-acre drainage area was diverted from flowing north into Wetland A. Runoff from the remaining 1 acre (38% impervious) in the northwest corner of Village Preserve drains to an infiltration basin with a capacity of 36,800 cubic feet (Infiltration Basin 1, see Figure 3). Soils investigations prior to construction of this basin indicated infiltration rates exceeded 20 inches per hour. It was expected to drain dry within 48 hours of rainstorms with an infiltration rate of at least 2 inches per hour. Basin overflows were anticipated only during storms significantly greater than the 100-year 24-hour design storm (7.3 inches).

During site visits in late August and September, Infiltration Basin 1 was found full of water. There were also signs that it had discharged to the north along Lake Elmo Avenue and into Wetland A. The water level in the basin on October 18, 2016, was approximately 1 foot below the overflow (see the following photo, where the orange cone is the overflow). Therefore, this basin is not infiltrating as designed. As noted above, it should drain dry within 48 hours of a rainstorm and should not discharge.

To: Valley Branch Watershed District Board of Managers
From: John Hanson
Subject: Wildflower at Lake Elmo/Village Preserve/Floodplain Southwest of Goetschel Pond
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Within the Wildflower at Lake Elmo site (see Figure 1), the developer filled a low area south of Wetland A (see Figure 2). That area now drains to an infiltration basin (Infiltration Basin 300) that overflows to Wetland G (see Figure 3). This change, combined with the Village Preserve drainage change, reduced the drainage area to Wetland A by 5.1 acres. Under pre-developed conditions, runoff from the south would fill that low area; if it were to overflow, it would overflow to Wetland A.

Even with the reduction in runoff storage by the elimination of the low area south of Wetland A, less runoff reaches Wetland A because of the development changes. Table 2 summarizes the drainage areas and inflow runoff volumes.

Table 2 Drainage Areas, Inflow Volumes, and High Water Levels of Wetland A

	Drainage Area from South (acres)	2-Year 2-Hour Storm	
		Inflow Volume (acre-feet)	High Water Level (feet)
Pre-Development	17.9	0.98	911.9
Post-Development	12.8	0.64	911.6

High water levels were observed in Wetland A in 2014, prior to any development in the area. Given that there has been much more precipitation in 2016, the current high water levels are not surprising. And, they would likely be higher if the development had not made changes to the drainage area.

Wetland A overflows to Veronica’s Pond at Elevation 914.7. The 1%-probability flood level of Wetland A is Elevation 916.9. The ground adjacent to an outbuilding on the Krueger property west of Lake Elmo Avenue is approximately Elevation 917.5. While this outbuilding should be safe from flooding, the low area between it and Lake Elmo Avenue will fill with water after large storm events and during wet-weather cycles. Figure 4 shows a close-up view of Wetland A and the Krueger property.

Wetland H and G

Wetland H and G (see Figure 3) receive runoff from the Arbor Glen Senior Living Facility and Village Preserve sites. Before development, runoff from the Arbor Glen Senior Living Facility and Village Preserve generally drained southeast and eventually to Downs Lake. Once complete, part of the Arbor Glen Senior Living site and all of the Village Preserve site will drain north to the Goetschel Pond watershed. The VBWD allowed this diversion because soils investigations and computer modeling showed that the diversion would not increase the 100-year flood level of the local lowlands or Goetschel Pond. Figures 5 and 6 show the pre- and post-development drainage areas.

Runoff diverted from the Downs Lake watershed into the Goetschel Pond watershed drains through a series of stormwater management features before reaching the lowlands southwest of Goetschel Pond. Runoff from the Arbor Glen Senior Living site will drain to a biofiltration basin and then to the Village Preserve wet pond at the southwest corner of that subdivision. Runoff from Village Preserve generally flows in a counterclockwise pattern through wet ponds before reaching a large infiltration basin (Infiltration Basin 2) in the north-central portion of the site. Soils investigations prior to construction indicated infiltration rates at this basin exceeded 20 inches per hour. It was expected to drain dry within 48 hours of rainstorms with infiltration rates of at least 4 inches per hour. Basin overflows were anticipated only during storms significantly greater than the 10-year 24-hour design storm (4.17 inches). During site visits in late August and September, the infiltration basin was found full of water and discharging to the north (Wetland H, see Figure 6.) Therefore, Infiltration Basin 2 is not functioning as designed. If the basin were functioning properly, Wetland H and downstream wetlands on the Wildflower at Lake Elmo site would receive less runoff than they did this summer.

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Subject: Wildflower at Lake Elmo/Village Preserve/Floodplain Southwest of Goetschel Pond
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The Lake Elmo City Engineer and I have discussed the problem with the developer of Village Preserve. The developer indicated that the infiltration basin will be cleaned out (sediment removed) before the end of October. According to him, the basin was functioning well in the early part of 2016 and he expects that it will function again once cleaned out. Neither the City nor the VBWD will release surety if it does not.

Wetland F

Wetland F (and Veronica's Pond) is downstream of area developments and associated stormwater management facilities under construction. While the current water level in the wetland appears to be approximately Elevation 904, 11 feet below the 1%-probability flood level, it is higher than typical. As previously described, several 8-inch-diameter and smaller oak trees, which are not flood-resistant, are in standing water. The high water level is likely because:

- 2016 has been an extremely wet year. During the warm seasons of the last 60 years, only 2002, 1993, 1991, 1986, and 1978 were as wet.
- Infiltration Basin 2 on the Village Preserve site discharged water that eventually reached Wetland F. It was designed to discharge only in extreme events; otherwise, no water should discharge to the Wildflower at Lake Elmo site.
- Infiltration Basin 300 on the Wildflower at Lake Elmo site was not constructed to store as much runoff as planned and could have sent more runoff downstream and eventually to Wetland F.
- Infiltration Basin 200 on the Wildflower at Lake Elmo site is not draining dry within 48 hours and is sending more runoff downstream.

Needed Actions at Stormwater Management Facilities

The developer's engineer for the Wildflower at Lake Elmo site submitted as-built drawings. The as-builts show the grading and constructed infrastructure are generally with the appropriate tolerances with two exceptions: (1) the outlet for Infiltration Basin 300 was constructed 0.6 feet lower than planned, and (2) the bottom of Infiltration Basin 300 was constructed 0.1 foot lower than planned. Therefore, less volume is being stored in the basin. This should be corrected or additional volume control needs to be provided.

Drainage patterns appear consistent with the as-built drawings and original plans, but Wetland G is overflowing into the Wet Pond, rather than Infiltration Basin 200.

As previously noted, the infiltration basins on the Village Preserve site are not infiltrating. The developer said they will be cleaned out by the end of October 2016.

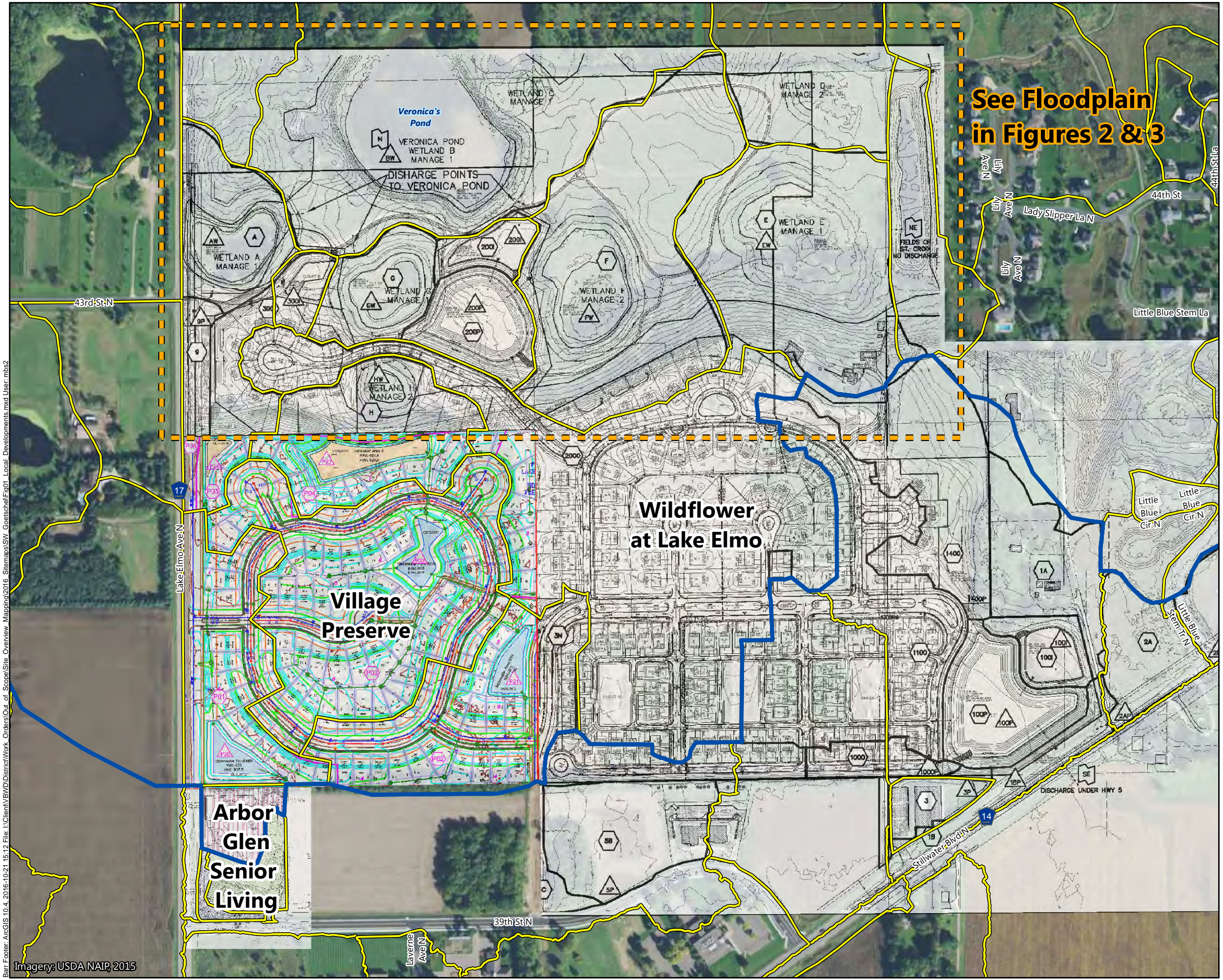
On the Wildflower at Lake Elmo site, erosion problems should be corrected, builders should be more diligent about installing and maintaining erosion controls, and vegetation should be better established within the floodplain.



To: Valley Branch Watershed District Board of Managers
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Conclusions

Higher-than-normal precipitation coupled with non-functioning infiltration basins have created abnormally high water levels in Wetland F. Wetland A, which backs up water onto the Krueger property, also has high water levels. While an infiltration basin draining to the wetland is not functioning properly, the high water levels in Wetland A are due to higher-than-normal precipitation. The 100-year flood level of Wetland A, both before and after development, is Elevation 916.9, which appears to be just below the elevation of an outbuilding on the Krueger's property.

The developer of the Village Preserve project has committed to cleaning the non-functioning infiltration basins on the site. The developer of the Wildflower at Lake Elmo site will be informed that Infiltration Basin 200 is not functioning as designed and Infiltration Basin 300 was not constructed as designed and that corrective actions are needed. Erosion issues also need to be addressed on the Wildflower at Lake Elmo site and vegetation needs to be better established. VBWD should not release any escrow deposit until these corrective actions have been taken and proof is submitted that the projects conform to the VBWD Rules and Regulations, as described in the VBWD permit closeout process.



 Developed Subwatershed Boundary
 Major Subwatershed Boundary

**See Floodplain
in Figures 2 & 3**

*Vertical Datum: NAVD88

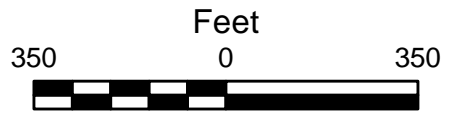
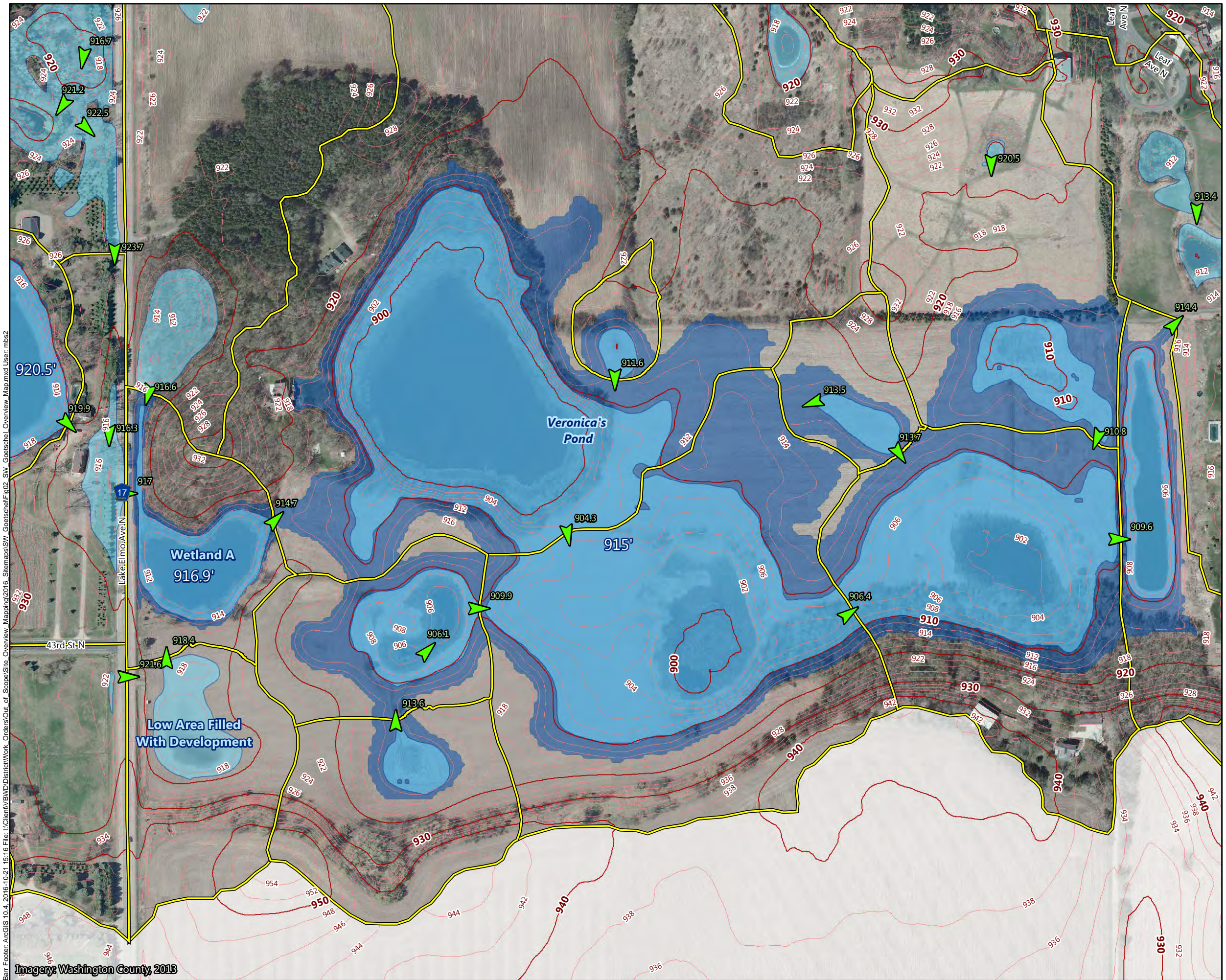








Figure 1

LOCAL DEVELOPMENTS
 Valley Branch Watershed District
 Washington County, Minnesota

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 Imagery: USDA NAIP, 2015



-  Depression Area Low Point
Overflow Elevation (ft)
-  Local Depression Boundary
-  Inundation Extents to Local Overflow Point
-  100-Year Floodplain Labeled with
1% Probability Flood Level (ft)
- Contours (DNR, November 2011)
 -  2-Foot Contour
 -  10-Foot Contour

*Vertical Datum: NAVD88

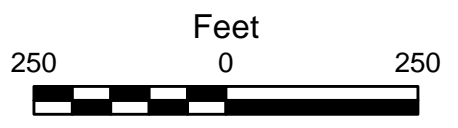
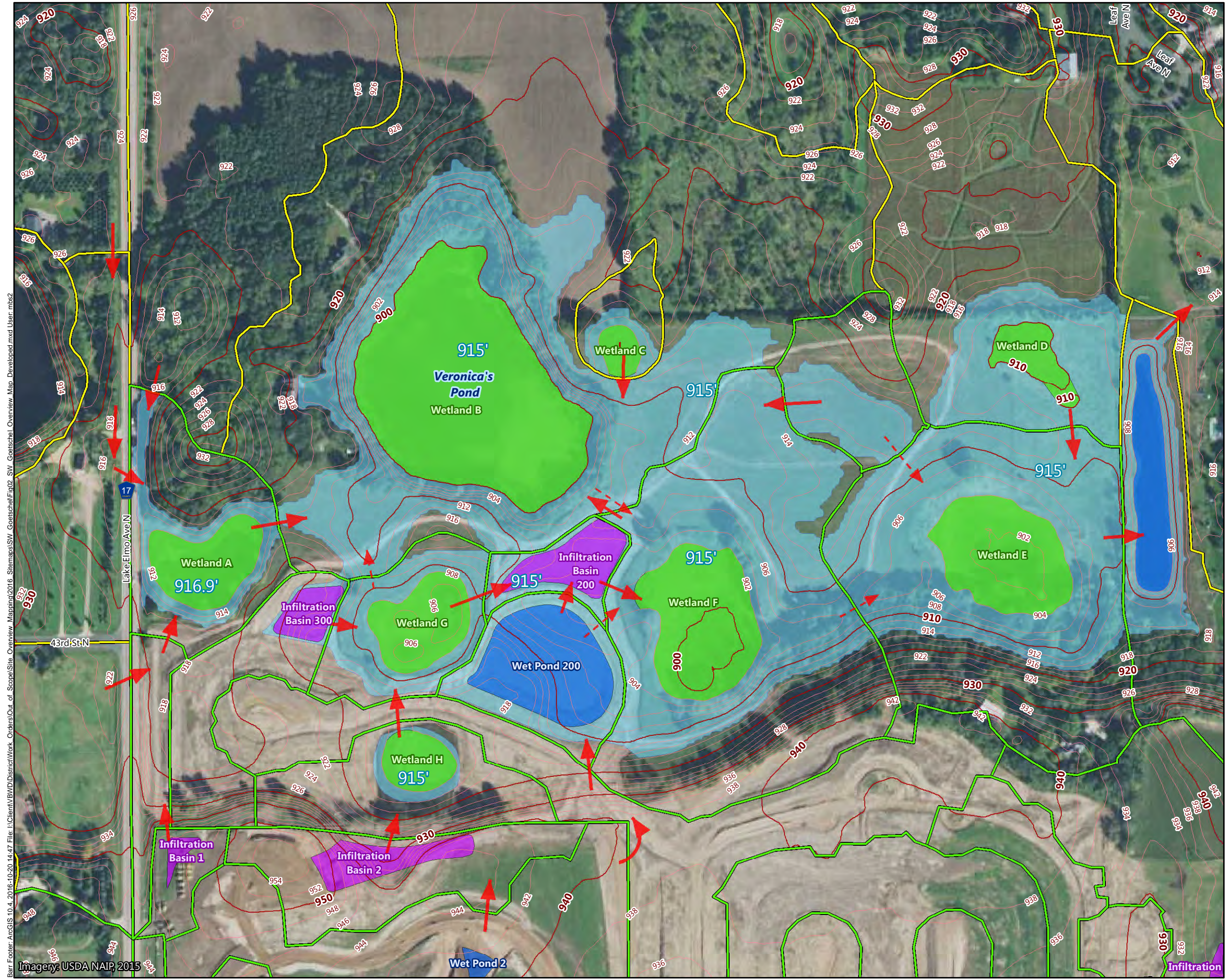


Figure 2

**SOUTHWEST GOETSCHEL
WATERSHED DETAIL**
Valley Branch Watershed District
Washington County, Minnesota



- Primary Overflow
- Secondary Overflow
- Wetland
- Wet Pond
- Infiltration Basin
- Developed Inundation Extents Labeled with 1% Probability Flood Level (ft)
- Developed Subwatersheds
- Original Goetschel Pond Subwatershed
- Contours (DNR, November 2011)
- 2-Foot Contour
- 10-Foot Contour

*Vertical Datum: NAVD88

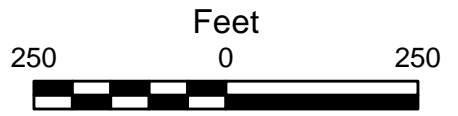









Figure 3

**SOUTHWEST GOETSCHTEL
DEVELOPED WATERSHED DETAIL**
Valley Branch Watershed District
Washington County, Minnesota

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 Imagery: USDA NAIP, 2015



-  Depression Area Low Point Overflow Elevation (ft)
-  Inundation to 914.7 Feet (Overflow Elevation)
-  Inundation to 916.9 Feet (100-Year Flood Level)
-  Developed Subwatersheds
-  Original Goetschel Pond Subwatershed
-  Culvert (Approximate Location)
- Contours (DNR, November 2011)
-  2-Foot Contour
-  10-Foot Contour

*Vertical Datum: NAVD88

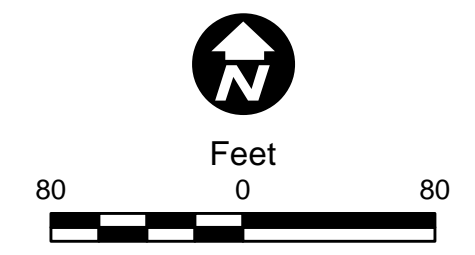
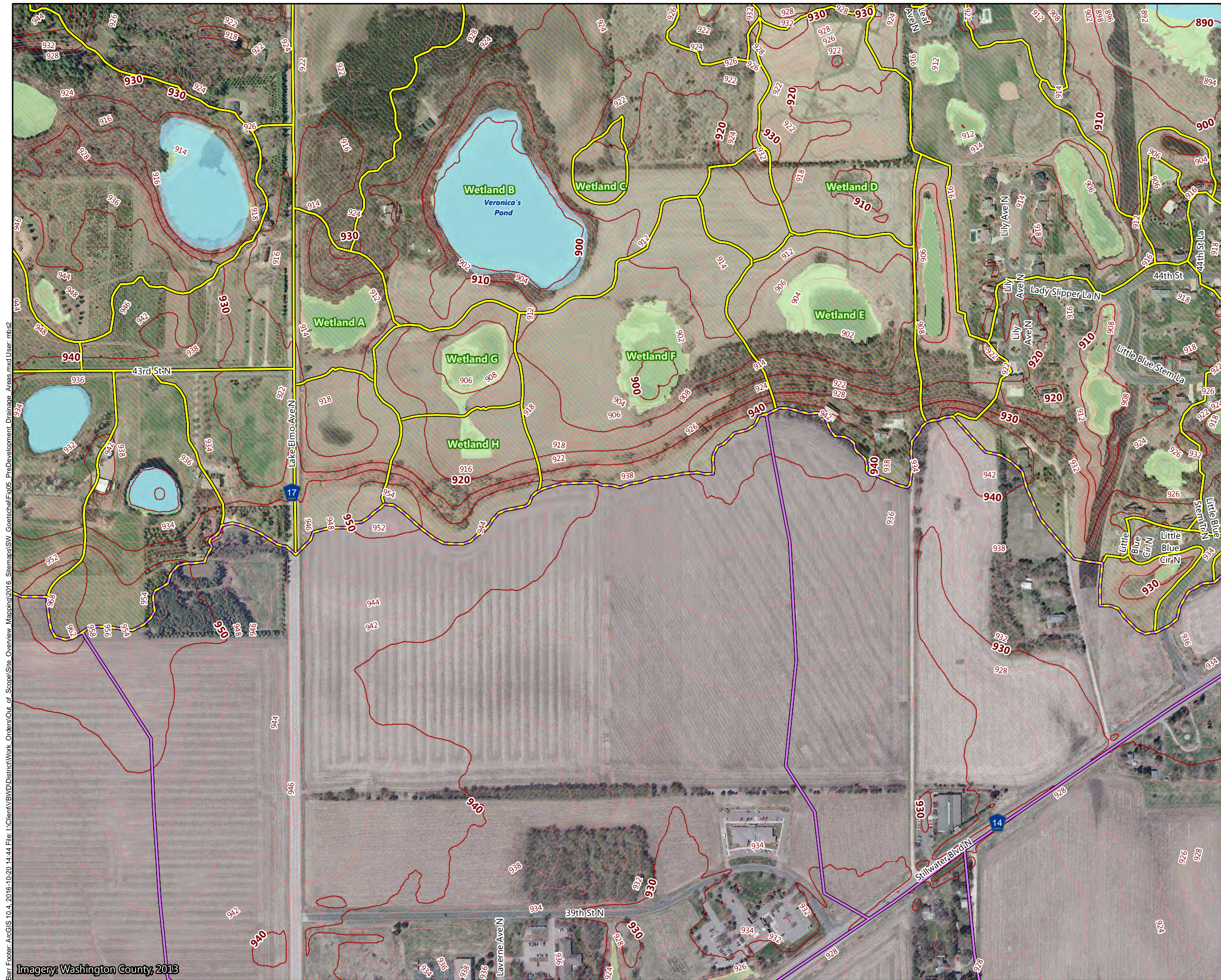






Figure 4

LAKE ELMO AVENUE DETAIL
 Valley Branch Watershed District
 Washington County, Minnesota

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 Imagery: Washington County, 2013



- Pre-Development Subwatershed Boundary
-  Downs Lake Watershed
-  Goetschel Pond Watershed
- Contours (DNR, November 2011)
-  2-Foot Contour
-  10-Foot Contour

*Vertical Datum: NAVD88

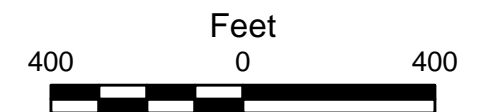
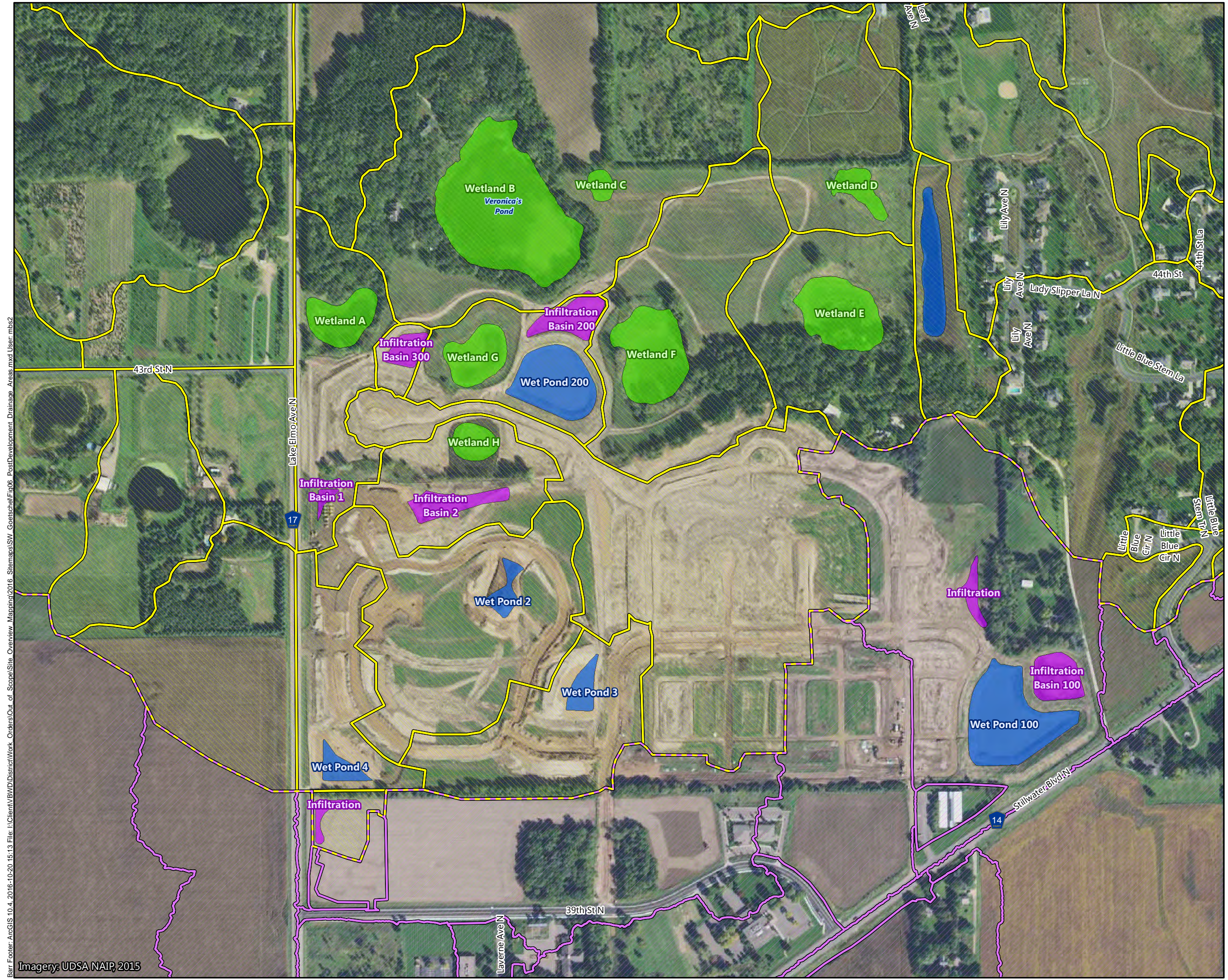







Figure 5

**PRE-DEVELOPMENT
DRAINAGE AREAS**

Valley Branch Watershed District
Washington County, Minnesota



-  Wetland
-  Wet Pond
-  Infiltration Basin
- Developed Subwatershed Boundary
-  Downs Lake Watershed
-  Goetschel Pond Watershed

*Vertical Datum: NAVD88

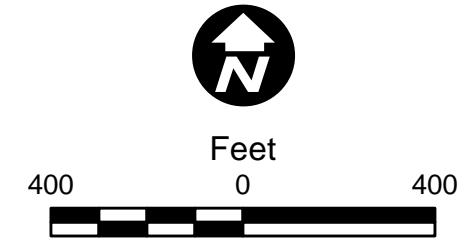


Figure 6

**POST-DEVELOPMENT
DRAINAGE AREAS**
Valley Branch Watershed District
Washington County, Minnesota

Barr Footer: ArcGIS 10.4, 2016-10-20 15:13 File: L:\Client\VBWD\District\Work_Orders\Out of Scope\Site Overview Mapping\2016_SiteMap\SW_Goetschel\Fin06_PostDevelopment_Drainage_Areas.mxd User: mbs2 Imagery: UDSA NAIP, 2015

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

RESOLUTION NO. 2015-23

*A RESOLUTION APPROVING A FINAL PLAT AND FINAL PLANNED UNIT DEVELOPMENT (PUD)
PLAN FOR THE BOULDER PONDS 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 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 Final Plat and Final PUD Plan includes 47 single family residential lots within a planned development on three parcels of land (PIDs: 34.029.21.33.0001, 34.029.21.32.0001 and 34.029.21.33.0002) in Stage 1 of the I-94 Corridor Planning Area; and

WHEREAS, the Lake Elmo Planning Commission held public hearing on March 9, 2015 to consider the Final Plat and Preliminary PUD Plan request; and

WHEREAS, the Lake Elmo Planning Commission adopted a motion recommending approval of the Final Plat and Final PUD Plan subject to 14 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 April 21, 2015 Council Meeting; and

WHEREAS, the City Council reviewed the Boulder Ponds Final Plat and Final PUD Plan at its meeting held on April 21, 2015 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 Final Plat complies with the City's subdivision ordinance.
- 6) That the Boulder Ponds Final Plat and Final PUD Plan complies with the City's Planned Unit Development Ordinance.
- 7) That the Boulder Ponds 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 March 4, 2015.

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 3/4/15 shall be incorporated into these documents before they are approved.
- 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) 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, including 10-foot easements behind all proposed meandering sidewalks within the Boulder Ponds subdivision.
- 5) A Common Interest Agreement concerning management of the common areas of Boulder Ponds and establishing a homeowner's association shall be submitted in final form to the Community Development Director before a building permit may be issued for any structure within this subdivision. Said agreement shall comply with Minnesota Statutes 515B-103, and specifically the provisions concerning the transfer of control to the future property owners. The applicant shall also enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the Final Plat.
- 6) As part of the development agreement for the 1st phase of the Boulder Ponds development, the applicant shall provide fees in lieu of land dedication for 2.57 acres of land to fulfill the City's parkland dedication requirements prior to the release of Final Plat for recording. The fee can be provided in a pro-rated amount for the Phase 1 Area or in an amount addressing the total residential portion of the site.

- 7) The Final Landscape Plan shall be revised per the requested modifications of the City Landscape Consultant, documented in a memo dated 3/3/15. The Final Landscape Plans shall be approved prior to the release of Final Plat for recording.
- 8) 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.
- 9) The applicant must provide written authorization to perform any work in the Electrical Transmission easement areas prior to the release of the Final Plat for recording.
- 10) The locations of fire hydrant identified in a memo dated 2/23/15 shall be revised per the direction of the Fire Chief.
- 11) The applicant shall provide a complete development lot book for all lots in Phase 1 of the Boulder Ponds development clarifying proper building placement for use in granting building permits prior to the release of Final Plat for recording.
- 12) The applicant is encouraged to incorporate multi-sided architecture and view sheds consistent with design concepts and examples shown during the Preliminary Plat presented by Rick Harrison.
- 13) The applicant is encouraged to incorporate elements of the Lake Elmo theming study into the open space and public areas within the subdivision.
- 14) The final landscape plan shall be reviewed by the City to ensure that road safety issues are properly address by the development, and specifically the site triangle requirements.
- 15) The street name "6th Street" shall be revised to an alternative street name acceptable to the City staff prior to the recording of the Boulder Ponds Final Plat.

Passed and duly adopted this 21st day of April, 2015 by the City Council of the City of Lake Elmo, Minnesota.



Mike Pearson, Mayor

ATTEST:



Adam Bell, City Clerk

CITY OF LAKE ELMO
SPECIAL CITY COUNCIL MINUTES
APRIL 14, 2015

Mayor Pearson called the meeting to order at 9:25pm.

PRESENT: Mayor Mike Pearson and Council Members Julie Fliflet, Anne Smith, Justin Boyer, and Jill Lundgren.

Staff present: City Administrator Zuleger, Community Development Director Klatt, City Engineer Griffin, Finance Director Bendel, and City Clerk Bell.

PLEDGE OF ALLIGENCE

Approval of agenda by consensus

WILDFLOWER PRELIMINARY PLAT; RES. NO. 2015-23

Community Development Director Klatt provided summary of the proposed PUD development and the process for a PUD. He explained the minor changes from the concept plan approved on 6/17/2014. The flexibility that a PUD affords was explained. Mr. Klatt went over the critical path issues and provided an update on issues identified during the Planning Commission public hearing. Staff recommends adding one additional condition of allowing 10 foot side yard setbacks.

The alley streets were discussed. Conservation easements were discussed. Median maintenance and rain gardens were discussed. Street naming was discussed. The sanitary sewer construction from 30th St lift station to 39th St. was explained.

The previously discussed conditions placed on the Concept Plan and Comp Plan amendment were discussed. Staff reported that all conditions have been met.

The proposed home size was explained to be about 1500 to 2200 for courtyard homes (Garden Villas); the other lots include one stories with about 1800 sq ft and two stories with about 2200 sq ft. It was noted that there are design standards in place, but they are not mandated by the City.

Staff supports the proposed PUD variances. It was pointed out that the 6ft fences in courtyard homes have not been specifically reviewed, but if allowed they will be outside of the current fence regulations.

The plantings in the development were discussed.

Neil Krueger, 4452 Lake Elmo Ave, is concerned about the water issue. He thanked staff for addressing the issue.

Richard Smith, 11514 Stillwater Blvd, spoke on behalf of Mary Jane Dupuis. He spoke in opposition to the walking trail on Outlot H. It was noted that the HOA could create a trail at any later time if it was removed from the plans.

Bob Engstrom, developer, spoke about the proposal and its unique features.

Mayor Pearson read letter from Mary Jane Dupuis. *See Exhibit 20150414A*

It was confirmed that the courtyard fences would have to be 4 feet max, but interior privacy fencing could be allowed.

The accommodations afforded the surrounding property owners by the developer were explained.

Council Member Fliflet is concerned about safety as many of the streets do not extend through and it can cause confusion for emergency services. Street naming was further discussed. Mr. Klatt explained that this is a bigger issue that needs resolution for future developments.

MOTION: *Council Member Smith moved to adopt Resolution No. 2015-23, approving the Wildflower at Lake Elmo Preliminary Plat and Preliminary PUD Plan subject to 20 conditions of approval. Council Member Fliflet seconded the motion.*

LAKE ELMO CITY COUNCIL MINUTES

APRIL 14, 2015

Friendly amendment by Council Member fliflet to amend motion to allow 10 foot side yard setback. Accepted by Council Member Smith

Friendly amendment by Council Member Fliflet to amend motion to remove the Outlot H loop trail from the plan. Accepted by Council Member Smith.

The existence of the loop trail and what ability the city has to restrict the use of the property were discussed. Council Member Bloyer is opposed to Council restricting use of other parties' property. Lundgren supported

Council Member Bloyer called the question. CALL TO QUESTION PASSED 5-0

MAIN MOTION FAILS. 2-3 (Pearson, Bloyer, and Lundgren).

MOTION: Council Member Smith moved to adopt Resolution No. 2015-23, approving the Wildflower at Lake Elmo Preliminary Plat and Preliminary PUD Plan subject to 20 conditions of approval and allow 10 foot side yard setback. Council Member Lundgren seconded the motion.

Council Member Fliflet wishes all the developments in Lake Elmo were like Mr. Engstrom's. His proposal is exactly what she wants for the Village, and she hopes that future developments follow suit.

Public versus private road maintenance was discussed.

MOTION TO AMEND: Mayor Pearson moved to AMEND THE MOTION THAT THE ALLEYWAYS BE PRIVATELY MAINTAINED. Council Member Bloyer seconded the motion. MOTION TO AMEND FAILS 1-4 (Fliflet, Smith, Bloyer, and Lundgren – Nay).

Council Member Bloyer questioned why this development was not scrutinized strictly as others. Mayor Pearson voiced his support for the proposal despite it not being completely perfect as it brings diversity in development. He expressed his desire that all developments can be treated with fair scrutiny despite not being perfect.

Friendly amendment by Council Member Smith to remove condition #12. Accepted by Council Member Lundgren.

Roll Call Vote called for by Council Member Bloyer

Fliflet: YEA

Smith: YEA

Pearson: YEA

Bloyer: YEA

Lundgren: YEA

MOTION PASSED 5-0.

Mayor Pearson Adjourned the meeting at 11:39 pm.

LAKE ELMO CITY COUNCIL



Mike Pearson, Mayor

ATTEST:



Adam R. Bell, City Clerk

Anne... Thank you for speaking on our behalf. We would like you to make sure that all letters of intent between Robert Engstrom Companies and the 3 neighbor's Richard Smith, Mary Jean Dupuis and Robert and Marcy Eischen are on record with the city and honored in there entirety in Phase 1 of the Wildflower development.

Thanks again; Rich, MJ, Bob and Marcy

Rich Smith 651-485-7935

September 16, 2014

To: Bob and Marcy Eischen

Re: Landscape plan previously prepared and approved by you

Bob and Marcy,

The same plan is attached with our commitment to implement as shown. The plan includes selected clearing of the property on outlot P contiguous with the Eischen property as shown. This area will be interspersed with new plant materials as indicated. Exact locations will be determined in the field by you and Robert Engstrom Companies.

The clearing process is required before new plant material can be installed. The exact timing for clearing and planting is dependent upon the overall grading schedule for that portion of outlot P shown. At the time of this agreement it is our hope this will occur in the spring of 2015 barring any unforeseen delays.

Respectfully submitted,


Robert Engstrom Companies

40 0h 0h

2.00

S T. C R O I X

DUPUIS PROPERTY.

N00°43'51"W

598.00

BUILDING

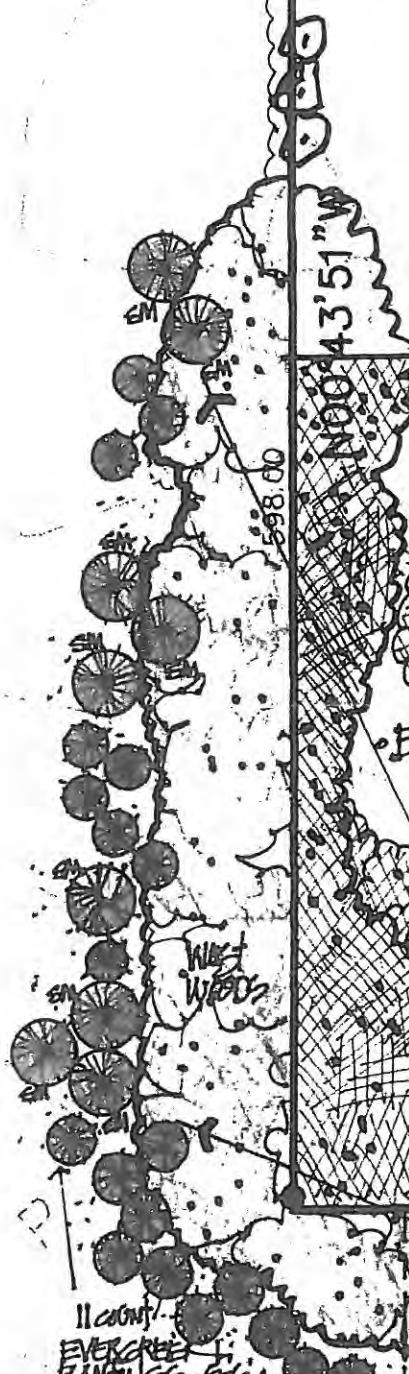
ESCHEN RESIDENCE

BUILDING

HOUSE

BUILDING

N59°16'09"E 23.60



1100ms
EVERGREEN PLANTINGS - 156
SCREEN OUT AUTO LIGHTS ON ROAD

BUFFER PLANTING

- 20-25' 6" BLACKHILL SPRUCE
- 10-1" 1/2" SUGAR MAPLE TREES
- 50 SHADE TOLERANT SHRUBS : 1-2 GAL

NOTE: EXACT PLANT LOCATIONS TO BE FIELD STAKED BY DEVELOPER AND PROPERTY OWNER

EXISTING CONDITIONS: WEST WOODS ON CRUB OUT SITE / REMOVE DEAD OR GENERALLY DAMAGED EXISTING TREES. EG. CHINESE ELMS, BUCKHORN, SOME BOXELDER INTERPERSE AREA WITH NEW MAPLES - TREES & SHRUBS



ROBERT ENGSTROM COMPANIES

To: Richard R. Smith
11514 Stillwater Blvd. N.
Lake Elmo, MN 55042

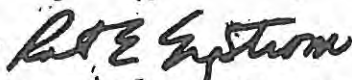
Rich,

In response to your letter dated Feb. 23, 2015, addressed to the Lake Elmo Planning Commission, as stated, the items of agreement at our meeting with you on Dec. 11, 2014, stand as approved by the Developer, Robert Engstrom Companies, and agreed to as previously stated.

1. Documentation of road/driveway as blacktop.
2. Driveway is to follow current location to east of Oak Tree.
3. Access is to be provided in Phase 1.
4. Existing 33' easement vacated.
5. New 30' easement and filing with the county.
6. Services: sewer/water/gas to the house at the developer's expense.
7. Landscape planting plan as submitted to you and approved by you.
8. Removal of existing power pole in outlot O and provide new electrical service.

The schedule for installation and completion of said items will be concurrent with phasing completions of infrastructure and services availability. Landscaping will also be completed when site is suitable for planting physically and seasonally.

Respectfully submitted,

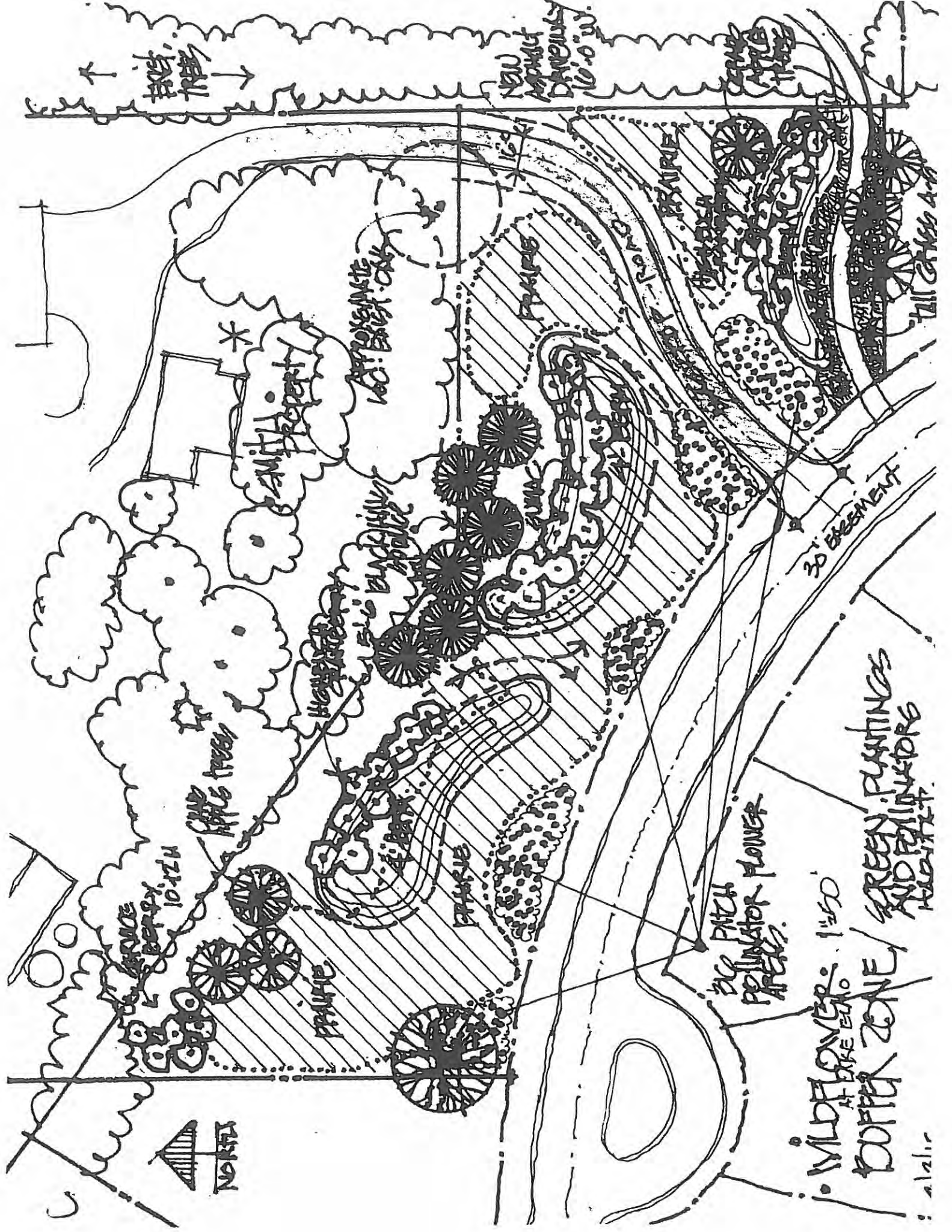


Robert Engstrom Companies

...RESIDENTIAL COMMUNITY DEVELOPERS...

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↑
TREES
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NEW
ASPHALT
DRIVEWAY
16'-0" W.

APPLE
TREES

SMITH PROPERTY

APPROXIMATE
100' BROAD OAK

BLACK HAWK
HOLLER

HONEY
SUCKLE

APPLE TREES

12'-0"
KIND
SUNNY

PRUNING

PRUNING

PRUNING

PRUNING

30' BROADWAY

200' PATCH
PRUNING PLANTER
AREAS

• WILD FLOWER: 1'-50"
AT LAKE EUNO

• COPPER ZONE / GREEN PLANTINGS
AND POLLINATORS
HABITAT



• 1/2" = 1'