



## STAFF REPORT

DATE: 2/20/2018

AGENDA ITEM: 20 –REGULAR

**TO:** City Council

**FROM:** Emily Becker, Planning Director

**ITEM:** Hammes Estates 3<sup>rd</sup> Addition Final Plat and Easement Vacation

**REVIEWED BY:** Ben Prchal, City Planner  
Jack Griffin, City Engineer  
Greg Malmquist, Fire Chief  
Mike Bent, Building Official

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### **BACKGROUND:**

The Council is being asked to consider a Final Plat request from Rachel Development for the third phase of the planned 163-unit residential development to be located on 78.1 acres of land west of Keats Avenue and within Stage 1 of the City's I-94 MUSA area. The 3<sup>rd</sup> Addition final plat, which is the last phase of the development, will include 69 single-family lots on 39.013 acres, all of which will be accessed off of Keats Avenue and through 8<sup>th</sup> Street North.

Additionally, Hammes Estates 3<sup>rd</sup> Addition will require an easement vacation for Outlot B in order to plat 3<sup>rd</sup> Addition.

### **ISSUE BEFORE COUNCIL:**

Is the proposed Hammes Estates 3<sup>rd</sup> Addition Final Plat consistent with the approved Hammes Estates 3<sup>rd</sup> Addition Preliminary Plat? Should the easement over Outlot B be vacated in order to allow recording of Hammes Estates 3<sup>rd</sup> Addition Final Plat?

### **REVIEW/ANALYSIS:**

*Applicant and Owner:* Rachel Development.

*Location:* Part of Section 34 in Lake Elmo, immediately west of Keats Avenue (CSAH 19), approximately 1,300 feet south of 10<sup>th</sup> Street (CSAH 10), and south of Goose Lake. Outlot B Hammes Estates.

*Request:* Application for final plat approval of 69 residential lots

*Existing Land Use and Zoning:* Vacant outlot; Current Zoning: LDR - Urban Low Density Residential

*Surrounding Land Use:* North –Hammes Estates 1<sup>st</sup> Addition, Goose Lake and Stonegate Residential Estates (RE) subdivision; west – Stonegate RE subdivision; south – Lennar Savona Urban Low Density Residential (LDR) subdivision.

<i>Comprehensive Plan:</i>	Urban Low Density Residential (2.5 – 4 units per acre)
<i>History:</i>	The site was previously utilized as an active mining and gravel operation. The site has since been reclaimed. The property was rezoned from Rural Development Transitional District (RT) to Urban Low Density Residential (LDR) on 7/22/2014. Preliminary Plat approved on 7/1/2014 (public hearing on 5/12/14). Final plat of 1 <sup>st</sup> phase was approved on October 7, 2014. The final plat was granted an extension to October 7, 2016 by Council on November 4, 2015. Rachael Development purchased the project in 2016 and the Developer Agreement and Final Construction plans for the first phase were approved on August 16, 2016. 2 <sup>nd</sup> Addition was approved on January 2, 2017.
<i>Deadline for Action:</i>	Application Complete – 1/19/18 60 Day Deadline – 3/20/18 Extension Letter Mailed – No 120 Day Deadline – NA
<i>Applicable Regulations:</i>	Chapter 153 – Subdivision Regulations Article 10 – Urban Residential Districts (LDR) §150.270 Storm Water, Erosion, and Sediment Control

### FINAL PLAT

The City of Lake Elmo has received a request from Rachael Development for final plat approval of the second phase of the Hammes Estates residential development to be called Lake Ridge Crossing. The 3<sup>rd</sup> Addition final plat is the replat of Outlot B Hammes Estates 1<sup>st</sup> Addition and includes 69 single family residential lots and associated infrastructure. The City Council approved the Hammes Estates Preliminary Plat on July 1, 2013, which platted 163 single family lots over approximately 78 acres of land within the I-94 MUSA Area. 1<sup>st</sup> Addition consisted of 57 single family lots, and 2<sup>nd</sup> Addition consisted of 37 single family lots out of the 163 planned for the entire subdivision.

**Final Plat Approval Procedure.** The City’s subdivision ordinance establishes the procedure for obtaining final subdivision approval, in which case a final plat may only be reviewed after the City takes action on a preliminary plat. As long as the final plat is consistent with the preliminary approval, it must be approved by the City. The City’s approval of the Hammes Estates Preliminary Plat included a series of conditions that must be met by the applicant, which are addressed in the “Review and Analysis” section below. There are no public hearing requirements for a final plat.

**Consistency with Preliminary Plat.** Staff has reviewed the final plat and found that it is consistent with the preliminary plat that was approved by the City. The developer updated the preliminary plan submissions to comply with the conditions of approval prior to submission of 2<sup>nd</sup> Addition Final Plat, and the final plat application incorporates these updates as well. A condition of preliminary plat required that no more than 100 residential units be approved prior to the development having street connection to the Savona subdivision. The second phase plat made the street connection to the Savona development. The applicant has submitted detailed construction plans for related to sanitary sewer, water main, storm sewer, grading, drainage, landscaping, and other details that have been reviewed by the City.

**Street Naming.** Street names have been reviewed and have been found to be consistent with the City's new street naming ordinance, though the Final Plat will need to include the street names as indicated on the Grading Plans: "8<sup>th</sup> St N," "James Ct N," "James Cir N," and "James Ave N".

**Landscaping.** Staff has reviewed the Final Landscape Plan for Hammes 3<sup>rd</sup> Addition and has provided comments in the attached memorandum. These plans will need to be modified to include irrigation plans, include 25% coniferous trees and include three additional red oaks.

**Engineering Review.** The applicant has submitted detailed construction plans related to sanitary sewer, water main, storm sewer, grading, drainage, landscaping, and other details that have been reviewed by the City. These must be revised in accordance with the Construction Plan engineering review memorandum dated February 5, 2018, attached. Staff is recommending that all revisions and modifications noted within the City Engineer's review memorandum be completed prior to the release of Final Plat for recording as a condition of approval. Payment for pipe oversizing from the City standard 8-inch pipe along 8<sup>th</sup> Street North and James Avenue North, connecting to the existing 12-inch watermain in the Savona development should be addressed in the Development Agreement.

**Infrastructure Improvements and Phasing.** The infrastructure improvements will tie in with the improvements completed in the 1<sup>st</sup> and 2<sup>nd</sup> phase.

**Drainage and Utility Easements.** Additional drainage and utility easements are required for various lots per the City Engineer's Memorandum dated February 5, 2018.

**Fire Chief Review.** The Fire Chief has reviewed the proposed final plat and has made comment that the fire hydrants on James Circle appear to exceed the 500 foot required spacing, and that the middle hydrant may need to be relocated further east to comply.

**Shoreland District.** While a portion of the proposed 3<sup>rd</sup> Addition Final Plat is in the Shoreland Overlay District, none of the lots are riparian, and there are 2.041 acres of wetland and 4.837 acres of wetland buffer.

**Parkland Dedication.** The developer is dedicating Outlots A and D, which will be parkland for trails. There are approximately 2640 feet of public trail to be constructed along the northern and western edges of the plat. Along with this parkland dedication, the Developer had satisfied the park dedication requirements with the 1<sup>st</sup> Addition Final Plat. One of the conditions of approval of the Preliminary Plat was that a tot lot be constructed within Goose Lake Park (the park within the development along Goose Lake), however, due to the Parks Commission concern about the park's proximity to Keats Avenue and removal of significant trees, the Parks Commission requested that a play structure be constructed within an outlot within the development. Therefore, the developer has proposed a private tot lot within Outlot C. It is a recommended condition of approval that Staff and the Parks Commission review and approve this play structure before it is erected.

**Density.** The entire portion of the approved Hammes Preliminary Plat is zoned Limited Density Residential (2.5-4 units per acre). The density of the 3<sup>rd</sup> Addition Final Plat is 2.62 units per acre (69 units/26.348 acres (39.013 gross acres – (8.715 acres of Outlot A (parkland) and 0.133 acres of Outlot D (parkland) and 3.817 acres outside of park area of wetlands and wetland buffers)).

**Lot Size.** The average lot size of the lots in the 3<sup>rd</sup> Addition is .286 acres. The smallest lot is .219 acres, and the largest lot is .453 acres. This meets minimum lot size requirements of the LDR zoning district and consistent with Preliminary Plat. The lot widths and depths are all consistent with those of the approved Preliminary Plat.

**Outlots.** Outlot A, 8.715 acres, will be dedicated to the City for parkland for trails. 1.102 acres of this outlot are wetlands, and 1.959 acres are wetland buffers. Outlot B, 4.897 acres, is an infiltration

basin to be dedicated to the City. Outlot C, 0.132 acres, will be HOA-owned and maintained and will contain a totlot. Outlot D, 0.133 acres, will be City-owned and will contain a trail.

**Road Right-of-Way.** 5.394 acres are dedicated for right-of-way for non-arterial roads.

**Neighboring Property Issues.** The impact on the Stonegate development to the north and west was addressed during Preliminary Plat through the provision of a buffer. The 3<sup>rd</sup> Addition has provided this buffer consistent with the approved Preliminary Plat. The buffer borders the Stonegate Development; is 100 feet in width; and contains a trail.

**Preliminary Plat Conditions – With Staff Update Comments (updated information in bold italics).** The preliminary plat for Hammes Estates was approved with several conditions, which are indicated below along with Staff’s comments on the status of each.

- 1) Within six months of preliminary plat approval, the applicant shall complete the following: a) The applicant shall provide adequate title evidence satisfactory to the City Attorney; and b) The applicant shall submit a revised Preliminary Plat and plans meeting all conditions of approval. All of the above conditions shall be met prior to the City accepting an application for Final Plat and prior to the commencement of any grading activity on the site. ***Comment: a) all title work was submitted and reviewed by the City Attorney with the first phase of the development b) revised preliminary plat were approved with the approval of the first phase of the development.***
- 2) The City Engineer shall review and approve all revised Preliminary Plans that are submitted to the City in advance of Final Plat to satisfy Condition #1. ***Comments: This has been completed (See Condition #1 response).***
- 3) The Preliminary Plat approval is conditioned upon the applicant meeting all minimum City standards and design requirements. ***Comments: The preliminary plat was approved with the first phase of the development.***
- 4) All required modifications to the plans as requested by the City Engineer in a review letter dated June 16, 2014 shall be incorporated into the plans prior to consideration of a Final Plat. ***Comments: This condition has been met.***
- 5) Prior to the acceptance of the public improvements for the Hammes Estates plat, all wetland buffers shall be delineated and identified via staking or signage that is acceptable to the City. ***Comments: The final construction plans (Grading, Drainage and Erosion Control) include wetland buffer monuments to identify the locations of all wetland buffers. The applicants are aware of this condition and it will be a condition of final plat for all phases.***
- 6) The landscape plan shall be updated per the recommendations of the City’s landscape consultant in a review memo dated 5/7/14. ***Comments: The City’s Landscape Consultant approved the Preliminary Landscape Plan and a review of the second addition landscape plans are in conformance with the preliminary plans and City requirements.***
- 7) The applicant shall be responsible for the construction of all improvements within the Keats Avenue (CSAH 19) right-of-way as required by Washington County and further described in the review letter received from the County dated May 6, 2014. The required improvements shall include, but not be limited to: construction of a modified median crossing, construction

of a trail/sidewalk to the south side of the median, turn lanes, and other improvements as required by the County. *Comments: The Keats Avenue was part of the first addition project.*

- 8) The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and shall acquire the needed permits from Valley Branch Watershed District prior to the commencement of any grading or development activity on the site. *Comments: The site has been graded and VBWD permits were approved.*
- 9) Landscape islands shall be platted as part of the right-of-way and shall be maintained by the Home Owners Association. The applicant shall enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the final plat. *Comments: A landscape license agreement was executed as part of the first and second addition plats and will be executed as part of the third addition plat. A condition of final plat will be that no building permits will be issued until the agreement is executed.*
- 10) With an eligible parkland dedication of 5.7 acres provided, the applicant is responsible to pay a fee in lieu of land dedication for the equal market value amount of 2.1 acres of land at the time of the Final Developers Agreement. The City will work with the developer to clarify any and all park fee payments at the time of the Final Developers Agreement. *Comments: Parkland dedication was addressed with the first addition final plat. The city had the opportunity to review the park amenities prior to construction and the tot lot will be constructed as part of the 3<sup>rd</sup> Addition within Outlot C.*
- 11) No more than 100 units may be approved as part of a final plat until secondary access is provided to the subdivision via a connection to 5<sup>th</sup> Street through the Savona subdivision. *Comments: The second phase development made this connection.*
- 12) For trails proposed to be located in any wetland buffer, the applicant must present a suitable design or material that is acceptable to the City and Valley Branch Watershed District. *Comments: The applicants have presented a boardwalk design to the watershed district and the VBWD was agreeable to a boardwalk design through a small portion of the buffer area. The construction details of the proposed limited boardwalk section within the wetland buffer must be provided to the City as part of the Final Construction Plans for the pertinent future phase of the Hammes Estates subdivision.*
- 13) 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 project was graded with the first addition.*
- 14) The applicant must incorporate a play structure into the proposed park at Goose Lake per the request of the Lake Elmo Park Commission. Furthermore, the applicant must submit an updated design of the park property that meets City approval in advance of Final Plat. *Comments: An HOA owned and maintained tot lot play structure will be located in Outlot C. The location of the play structure was moved per recommendation of the Parks Commission due to concern about Goose Lake Park's proximity to Keats Avenue and to minimize the removal of trees. The Parks Commission reviewed the proposed location at*

*its August 15, 2016 meeting and recommended approval of this location. It is a recommended condition of approval that this play structure be installed prior to issuance of building permits for Lots 1 and 2, Block 6 are issued and that Staff and the Parks commission review and approve plans for the equipment prior to installation.*

- 15) The applicant shall work with the Planning Staff to name all streets in the subdivision prior to submission of a Final Plat. *Comments: This condition has been met.*
- 16) Lots 1-6, Block 10 and Lots 1-5 and 11-12, Block 9 shall not be platted until the southern channel of Goose Lake is closed off from the lake, or the shoreland issue around the channel is resolved in some other manner that is acceptable to the DNR. *Comments: The applicants have received MN DNR approval to restore the southern shore of Goose Lake back to its original state, closing off the southern channel and Wetland G. The applicant is responsible for following all requirements and conditions of the DNR permit, including the 5-year invasive species monitoring. The monitoring is required as part of the first phase Landscape License Agreement. The 3<sup>rd</sup> Addition Final Plat application has been sent to the MNDNR for comment to ensure they have had no issues. The City has heard nothing back in regards to the application or notification of issues.*
- 17) The applicant shall work to relocate segments of the northern buffer trail further to the south of the Stonegate subdivision wherever it is feasible as long as the trail does not encroach on any required wetland buffers. *Comments: The trail alignment was staked as part of the first phase. There is a proposed, bike-friendly boardwalk within the wetland areas.*

**Planning Commission Review and Public Hearing.** The Planning Commission considered the Hammes Estates 3<sup>rd</sup> Addition Final Plat and held a public hearing on and considered the requested vacation of the easement over Outlot B of Hammes Estates 1<sup>st</sup> Addition at its meeting on February 12, 2018. No one spoke at the public hearing, and only one inquiry requesting clarification on the easement vacation request was received by Staff prior to the public hearing. During the meeting, the Planning Commission had requested that Staff work with the applicant on the possibility of possibly connecting the trail along the western side of the development to Julep Court N (within the Stonegate Development). Staff had contacted the developer about this possible trail connection, but after further discussion with the applicant and a member of the Planning Commission who is also a resident of the Stonegate community, it was felt that because the Stonegate development has no Homeowners' Association, it would be very difficult to ensure that everyone in the neighborhood could express their view on the connection. Additionally, because the Final Plat does not require a public hearing and because the Preliminary Plat has already been approved, it would not be appropriate to change the connection at this time.

**Recommended Findings.** Staff is the following findings with regards to the proposed Hammes Estates 3<sup>rd</sup> Addition Final Plat:

- 1) That the Hammes Estates 3<sup>rd</sup> Addition Final Plat is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on July 1, 2013 and revised on September 19, 2016.
- 2) That the Hammes Estates 3<sup>rd</sup> Addition Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.

- 3) That the Hammes Estates 3<sup>rd</sup> Addition Final Plat complies with the City's Urban Low Density Residential zoning district.
- 4) That the Hammes Estates 3<sup>rd</sup> Addition Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances, except as noted in this report or attachment thereof.
- 5) That the Hammes Estates 3<sup>rd</sup> Addition Final Plat complies with the City's subdivision ordinance.
- 6) That the Hammes Estates 3<sup>rd</sup> Addition Final Plat is consistent with the City's engineering standards with the exceptions noted by the City Engineer in his review comments to the City dated February 5, 2018.

**Recommended Conditions of Approval.** Based on the above Staff report and analysis, Staff is recommending approval of the Final Plat with conditions intended to address the outstanding issues noted above and to further clarify the City's expectations in order for the developer to proceed with the recording of the Final Plat. The recommended conditions are as follows:

- 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 plans requested by the City Engineer in the Hammes Estates 3<sup>rd</sup> Addition – Final Plat Engineering Review Comments and Hammes Estates 3<sup>rd</sup> Addition Construction Plan Review memo dated February 5, 2018 shall be incorporated into these documents before they are approved. The Final Plat shall not be recorded until final construction plan approval is granted.
- 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 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. This must include additional or expanded drainage and utility easements as outlined in the City Engineer's Memorandum dated February 5, 2018.
- 4) The plat shall be incorporated into the Hamme Estates Common Interest Agreement concerning management of the common areas of Hammes Estates and establishing a homeowner's association shall be submitted in final form to the Planning 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.
- 5) The applicant shall enter into a landscape license and 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) The Final Landscape Plan shall be revised per the requested modifications and shall be approved prior to the release of Final Plat for recording.
- 7) Prior to the issuance of building permits, for Hammes Estates 3<sup>rd</sup> Addition, all wetland buffers shall be delineated and identified via staking or signage that is acceptable to the City.
- 8) The Final Plat should include proposed street names as indicated on the Construction Plans before recording of Final Plat.
- 9) Staff and the Parks Commission will review and approve plans for the equipment to be located in the private townhouse park area and these improvements shall be installed prior to issuance of building permits for Lots 1 and 2, Block 6.

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### EASEMENT VACATION

Rachel Development is also requesting vacation of a drainage and utility easement over all of Outlot B, Hammes Estates 1<sup>st</sup> Addition in order to record the final plat of Hammes Estates 3<sup>rd</sup> Addition. This drainage and utility easement was placed over Outlot B during phase 1 final plat in order for the City to have control and access of the drainage in the outlot. Outlot B will be developed into Hammes 3<sup>rd</sup> Addition and new easements will be put into place over planned drainage ways, ponds, infiltration basins and along property lines as is customary. Staff has reviewed the proposed easement vacation and recommends approval.

#### **Recommended Findings.**

- 1) The proposed replat of Outlot B, Hammes Estates 1<sup>st</sup> Addition into Hammes Estates 3<sup>rd</sup> Addition complies with all applicable zoning and subdivision regulations.
- 2) The dedication of a new easements will be provided with the recording of Hammes Estates 3<sup>rd</sup> Addition to provide the same function as the one being vacated with no negative impact to the public.

**Recommended Conditions of Approval.** Because the applicant is requesting the easement vacation to be approved concurrently with the Hammes Estates Final Plat, Staff recommends that the following be a condition of approval of the easement vacation:

- 1) Final Plat of the Property over which the easement is subject must be approved by Council and recorded.

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#### **RECCOMENDATION:**

Staff and the Planning Commission recommend approval of the Final Plat for Hammes Estates 3<sup>rd</sup> Addition with the 9 conditions of approval as listed in the Staff report. Suggested motion:

***“Move to adopt Resolution 2018-016 approving the Hammes Estates 3<sup>rd</sup> Addition Final Plat with the 9 conditions of approval based on the findings of fact listed in the Staff Report.”***

Staff and the Planning Commission also recommend approval of the request to vacate the easement over Outlot B of Hammes Estates 1<sup>st</sup> Addition. Suggested motion:



***“Move to adopt Resolution 2018-017 approving the request to vacate the easement over Outlot B, Hammes Estates 1<sup>st</sup> Addition, subject to one condition of approval.”***

**ATTACHMENTS:**

1. Application
2. Final Plat
3. Final Landscape Plans
4. City Engineer Review Memorandum, dated 2/5/2018
5. Landscape Review Comments
6. Fire Chief Review Comments
7. Easement Vacation Sketch
8. Resolution 2018-016 approving Hammes 3<sup>rd</sup> Addition Final Plat
9. Resolution 2018-017 approving the request for an easement vacation of Outlot B, Hammes Estates 1<sup>st</sup> Addition

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



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

## FINAL PLAT APPLICATION

Applicant: Rachel Development  
Address: 4125 Napier Court NE, St. Michael MN 55376  
Phone #: 763 424 1525  
Email Address: dstradtman@racheldevelopment.com

Fee Owner: Same.  
Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Property Location (Address): N/A  
Complete (long) Legal Description: Outlot B, Hammes Estates 1<sup>st</sup> Addition

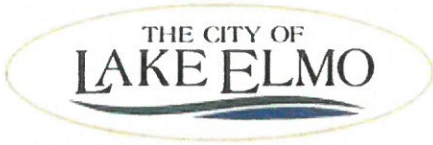
PID#: 340292U30004

General information of proposed subdivision: final phase of Hammes Estates, 69 single family 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:  \_\_\_\_\_ Date: 1/10/18

Fee Owner Signature: \_\_\_\_\_ Date: 1/10/18



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

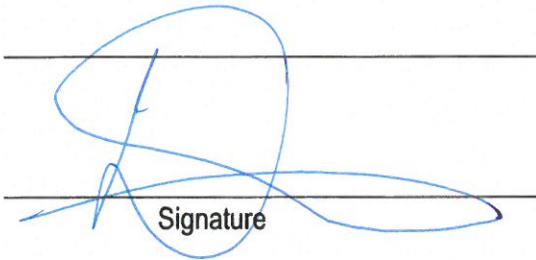
**AFFIRMATION OF SUFFICIENT INTEREST**

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

Name of applicant Rachel Development  
(Please Print)

Street address/legal description of subject property Outlot B, Hammes Estates 1<sup>st</sup> Addition.

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

  
Signature

1/10/18  
Date

**If you are not the fee owner**, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

**If a corporation is fee title holder**, attach a copy of the resolution of the Board of Directors authorizing this action.

**If a joint venture or partnership is the fee owner**, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.



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

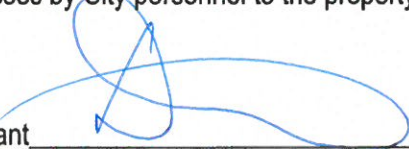
## ACKNOWLEDGEMENT OF RESPONSIBILITY

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

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

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

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

Signature of applicant  Date 1/10/18

Name of applicant David Stradtman Phone 763 424 1525  
(Please Print)

Name and address of Contact (if other than applicant) \_\_\_\_\_  
Rachel Development  
4125 Napier Court NE  
St. Michael, MN 55376

Date Received: \_\_\_\_\_  
Received By: \_\_\_\_\_  
Permit #: \_\_\_\_\_



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

## LAND USE APPLICATION

- Comprehensive Plan  Zoning District Amend  Zoning Text Amend  Variance\*(see below)  Zoning Appeal
- Conditional Use Permit (C.U.P.)  Flood Plain C.U.P.  Interim Use Permit (I.U.P.)  Excavating/Grading
- Lot Line Adjustment  Minor Subdivision  Residential Subdivision Sketch/Concept Plan
- PUD Concept Plan  PUD Preliminary Plan  PUD Final Plan  Wireless Communications  Easement Vacation

Applicant: Rachel Development  
Address: 4125 Napier Court NE, St. Michael MN 55376  
Phone #: 763 424 1525  
Email Address: dstradtman@racheldevelopment.com

Fee Owner: Same.  
Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Property Location (Address): N/A  
(Complete (long) Legal Description: Outlot B, Hammes Estates 1st Addition

PID#: 3402921130004

Detailed Reason for Request: vacate easement to allow platting of 3rd Addition

\*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

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: [Signature] Date: 1/10/18

Signature of fee owner: [Signature] Date: 1/10/18

January 16, 2018

Emily Becker  
Planning Director  
City of Lake Elmo  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

**Re: Hammes Estates 3<sup>rd</sup> Addition Final Plat Narrative**  
**PID: 3402921130004**  
File 0009282.03  
**Cc: David Stradtman, Rachel Development**

Dear Ms. Becker:

Rachel Development proposes to develop Hammes Estates 3<sup>rd</sup> Addition consisting of 69 single family lots. This will be the final phase of Hammes Estates. Plat recording is anticipated in spring 2018 with construction starting in spring as soon as weather conditions allow. The first phase of construction as shown on the enclosed Final Construction Plans will be completed in 2018. The remaining site construction is anticipated to be completed in 2019. However if sales are strong, the entire site may be completed in 2018.

**Rachel Development, 5125 Napier Court NE, St. Michael MN 55376** is the Developer and Fee Owner of the proposed development. Park dedication was addressed with the Development Agreement for Hammes Estates 1<sup>st</sup> Addition. Outlot A will be dedicated as park per that Agreement. This submittal package is the Final Plat application along with supporting documents and application fees, including:

- Final Plat Application
- Affirmation of Sufficient Interest
- Acknowledgement of Responsibility
- Easement Vacation Application
- Applications Fee Check for **\$1,765** (\$1,250 Final Plat, \$515 Easement Vacation)
- Property Legal Description
- Parcel, Right-of-Way and Wetland Areas Table
- Easement Vacation Exhibit and Description
- Final Plat
- Final Construction Plans and Specifications
- Revised Grading Plan & Minimum Floor Elevation Table
- Mailing Labels of Property Owners Within 350 Feet

Outlot A will be dedicated to the City for parkland. Outlots B & D will be dedicated to the City for stormwater and utilities. Outlot C will be owned by the Home Owners Association for use as a tot lot.

Please review this application package for completeness and place us on the first available public hearing. Contact me if you have any questions or need additional information.

Sincerely,

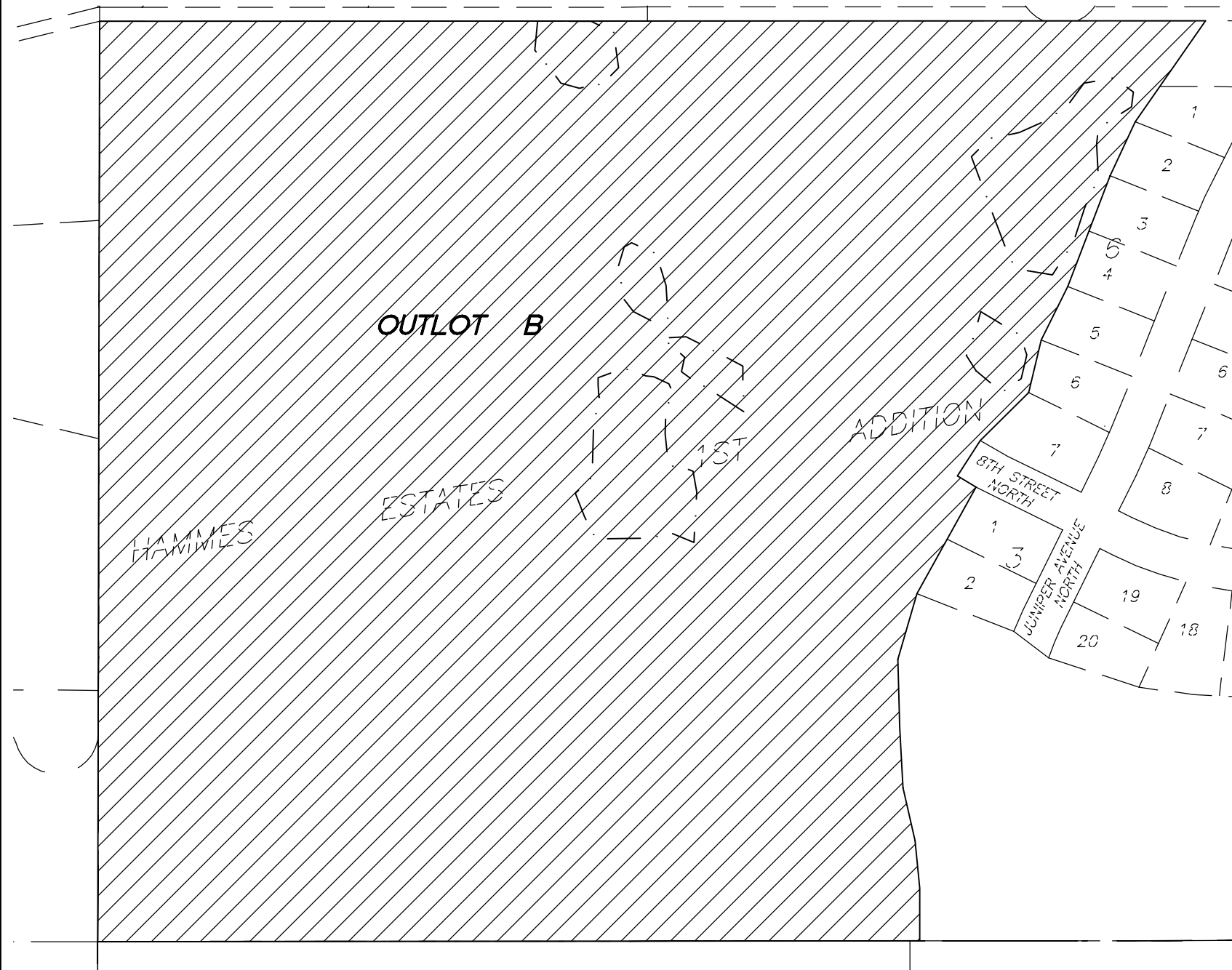
WESTWOOD PROFESSIONAL SERVICES



John Bender  
Project Manager

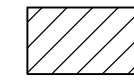
Enclosures:

- Final Plat Application
- Affirmation of Sufficient Interest
- Acknowledgement of Responsibility
- Easement Vacation Application
- Applications Fee Check for **\$1,765** (\$1,250 Final Plat, \$515 Easement Vacation)
- Property Legal Description
- Parcel, Right-of-Way and Wetland Areas Table
- Mailing Labels of Property Owners Within 350 Feet
- Minimum Floor Elevation Table
- Storm sewer design calculations spreadsheet
- 5 full size & 10 reduced Final Construction Plans
- 2 Construction Specifications books
- 5 full size & 10 reduced Final Plat
- 10 Easement Vacation Sketch Exhibits (legal size)
- 2 full size & 1 reduced Grading & Erosion Control Plans

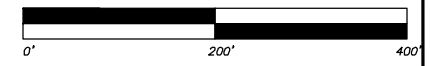


**Easement Vacation Sketch**

The Drainage & Utility Easement over Outlot B, HAMMES ESTATES 1ST ADDITION, according to the recorded plat thereof, Washington County, Minnesota.



**Easement to be Vacated**



Date: 12/06/2017 Sheet: 1 OF 1  
0009282.03ESF01.dwg

**Westwood**

Phone (952) 937-5150 7699 Anagram Drive  
Fax (952) 937-5822 Eden Prairie, MN 55344  
Toll Free (888) 937-5150 westwoodps.com  
Westwood Professional Services, Inc.

Drawn:	
Checked:	CW/K
Designed:	RR
Record Drawing by/Date:	

Prepared for:

**Rachel Development**

**Hammes Estates  
1st Addition**

Lake Elmo, Minnesota

**Easement Vacation Sketch**

Exhibit



# HAMMES ESTATES 3RD ADDITION

**KNOW ALL PERSONS BY THESE PRESENTS:** That Rachel Development, Inc., a Minnesota corporation, fee owner of the following described property situated in the County of Washington, State of Minnesota, to wit:

Outlot B, HAMMES ESTATES 1ST ADDITION according to the recorded plat thereof, Washington County, Minnesota.

Have caused the same to be surveyed and platted as **HAMMES ESTATES 3RD ADDITION** and do hereby donate and dedicate to the public for public use forever the public ways, as shown on this plat and also dedicate the easements as created by this plat for drainage and utility purposes only.

In witness whereof said Rachel Development, Inc., a Minnesota corporation, has caused these presents to be signed by Donald Rachel, Chief Executive Officer, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By \_\_\_\_\_  
Donald Rachel, Chief Executive Officer

**STATE OF MINNESOTA**  
**COUNTY OF \_\_\_\_\_**

The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Donald Rachel, Chief Executive Officer of Rachel Development, Inc., a Minnesota corporation, on behalf of the corporation.

\_\_\_\_\_  
(Signature) \_\_\_\_\_  
(Name Printed)

Notary Public, \_\_\_\_\_ County, Minnesota

My Commission Expires \_\_\_\_\_

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

Dated this \_\_\_\_\_, day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Craig W. Morse, Licensed Land Surveyor  
Minnesota License No. 23021

**STATE OF MINNESOTA**  
**COUNTY OF HENNEPIN**

The foregoing Surveyor's Certificate was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Craig W. Morse, Licensed Land Surveyor, Minnesota License No. 23021.

\_\_\_\_\_  
(Signature) \_\_\_\_\_  
(Name Printed)

Notary Public, \_\_\_\_\_ County, Minnesota

My Commission Expires \_\_\_\_\_

## CITY PLANNING COMMISSION

Approved by the Planning Commission of the City of Lake Elmo, Minnesota, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By \_\_\_\_\_ By \_\_\_\_\_  
Chair Secretary

## CITY OF 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 Minnesota Statutes, Section 505.03, Subdivision 2.

By \_\_\_\_\_ By \_\_\_\_\_  
Mayor Clerk

## COUNTY SURVEYOR

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

By \_\_\_\_\_ By \_\_\_\_\_  
Washington County Surveyor

## COUNTY AUDITOR/TREASURER

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

By \_\_\_\_\_ By \_\_\_\_\_  
Washington County Auditor/Treasurer Deputy

## COUNTY RECORDER

Document Number \_\_\_\_\_

I hereby certify that this instrument was recorded in the office of the County Recorder for record on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_M., and was duly recorded in Washington County Records.

By \_\_\_\_\_ By \_\_\_\_\_  
Washington County Recorder Deputy

# HAMMES ESTATES 3RD ADDITION

STONEGATE 2ND ADDITION

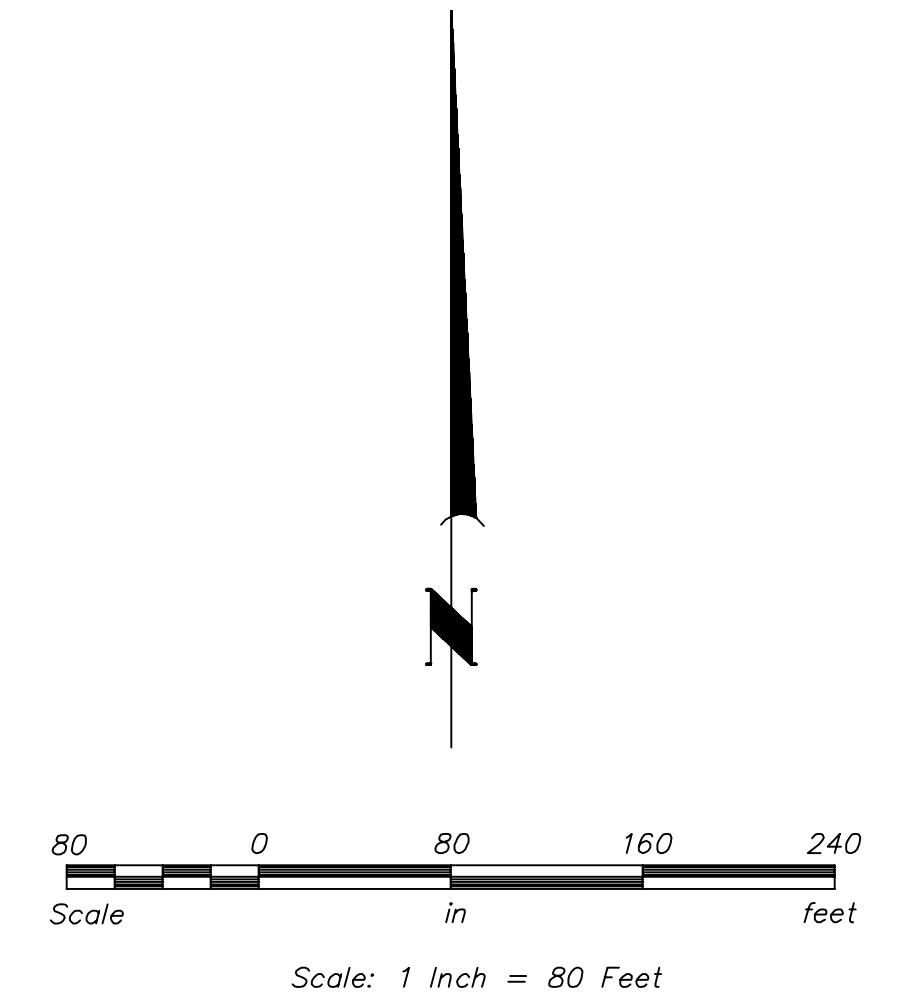
JEWEL AVENUE NORTH

N89°58'50"E 1583.47

Found Capped Iron Pipe,  
Inscribed License No. 6743

**OUTLOT A**  
Drainage & Utility Easement  
over all of Outlot A

north line of Outlot B, HAMMES  
ESTATES 1ST ADDITION

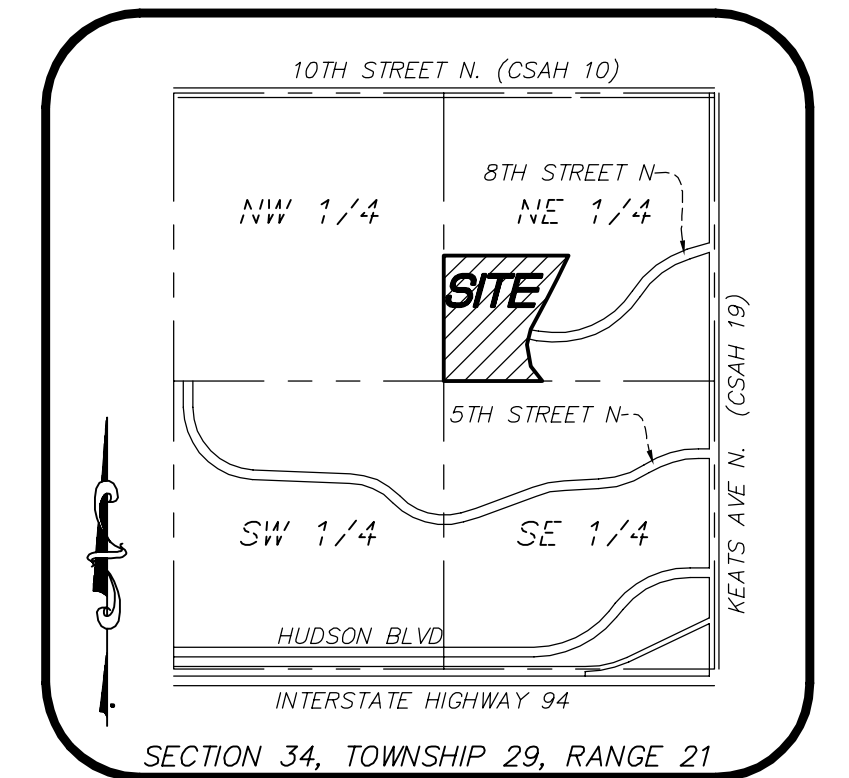


The orientation of this bearing system is based on the north line of Outlot B, HAMMES ESTATES 1ST ADDITION, which is assumed to bear N 89°58'50" E

- Denotes 1/2 inch by 14 inch iron rebar set and marked by License No. 23021
- Denotes 1/2 inch by 14 inch iron rebar found and marked by License No. 23021, unless otherwise shown

Wetlands were delineated by Bobray Environmental in September of 2013

**Vicinity Map**  
Not to Scale



STONEGATE 2ND ADDITION

S00°06'31"W 1318.18

OUTLOT A

N00°06'31"E 1128.32

JULEP COURT NORTH

1

100.00

Found Capped Iron Pipe,  
Inscribed License No. 5713

SAVONA 4TH  
ADDITION

JAMES AVENUE NORTH

N89°56'46"E 1176.74

SAVONA 2ND ADDITION

SAVONA

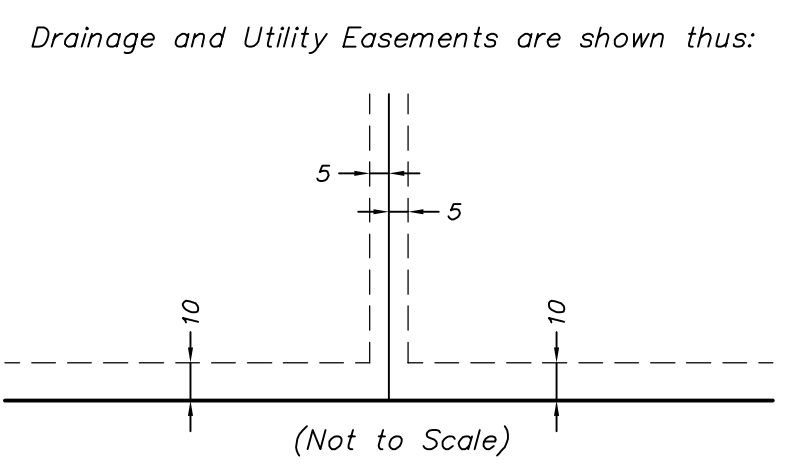
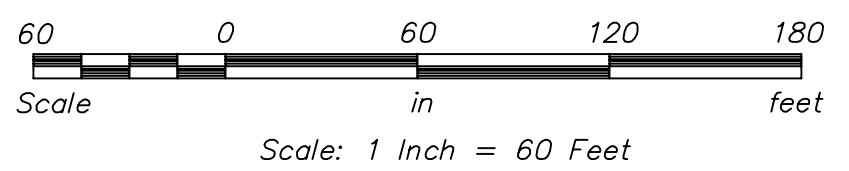
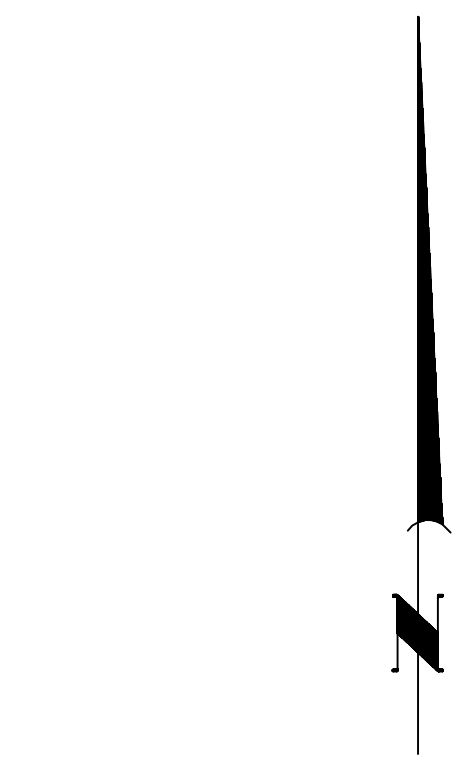
HAMMES ESTATES 2ND ADDITION



# HAMMES ESTATES 3RD ADDITION

## INSET A

(From Sheet 2 of 3 Sheets)

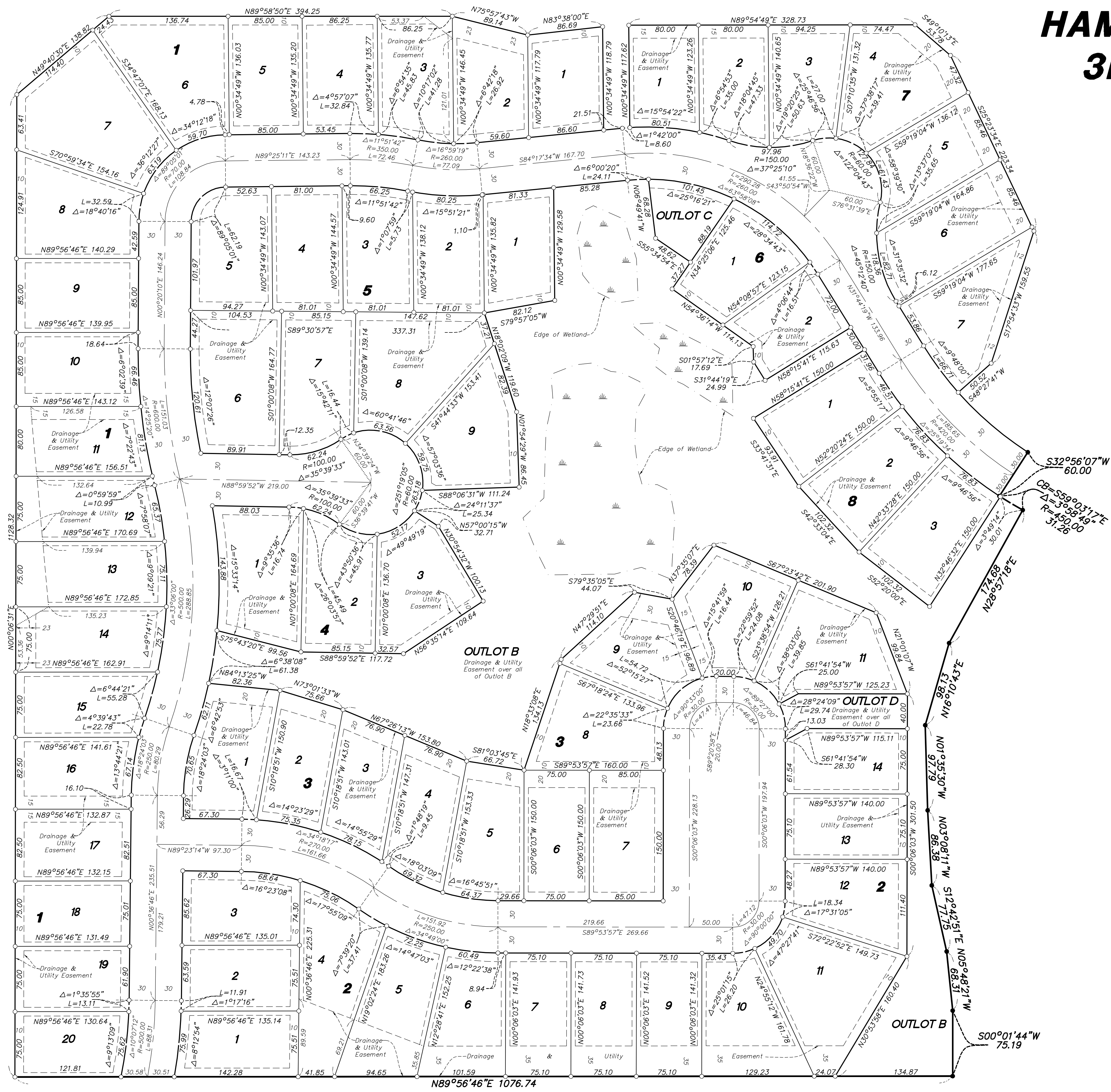


Being 5 feet in width, unless otherwise indicated, and adjoining lot lines, and 10 feet in width and adjoining right-of-way lines as shown on the plat.

The orientation of this bearing system is based on the north line of Outlot B, HAMMES ESTATES 1ST ADDITION, which is assumed to bear N 89°58'50" E

- Denotes 1/2 inch by 14 inch iron rebar set and marked by License No. 23021
- Denotes 1/2 inch by 14 inch iron rebar found and marked by License No. 23021, unless otherwise shown

Wetlands were delineated by Bobray Environmental in September of 2013



# 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: February 5, 2018

---

To: Emily Becker, Planning Director  
Cc: Chad Isakson, P.E., Assistant City Engineer  
From: Jack Griffin, P.E., City Engineer

Re: Hammes Estates 3rd Addition – Final Plat  
Engineering Review Comments

---

An engineering review has been completed for Hammes Estates 3rd Addition. Final Plat/Final Construction Plans were received on January 17, 2018. The submittal consisted of the following documentation prepared by Westwood Professional Services, or as noted:

- Hammes Estates 3rd Addition Final Plat, not dated.
- Hammes Estates 3rd Addition Construction Plans dated January 8, 2018.
- Hammes Estates 3rd Addition Construction Specifications dated December 12, 2017.
- Hammes Estates 3rd Addition Grading & Erosion Control Plans dated January 10, 2018.
- Storm Sewer Design Calculations dated January 10, 2018.

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**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.

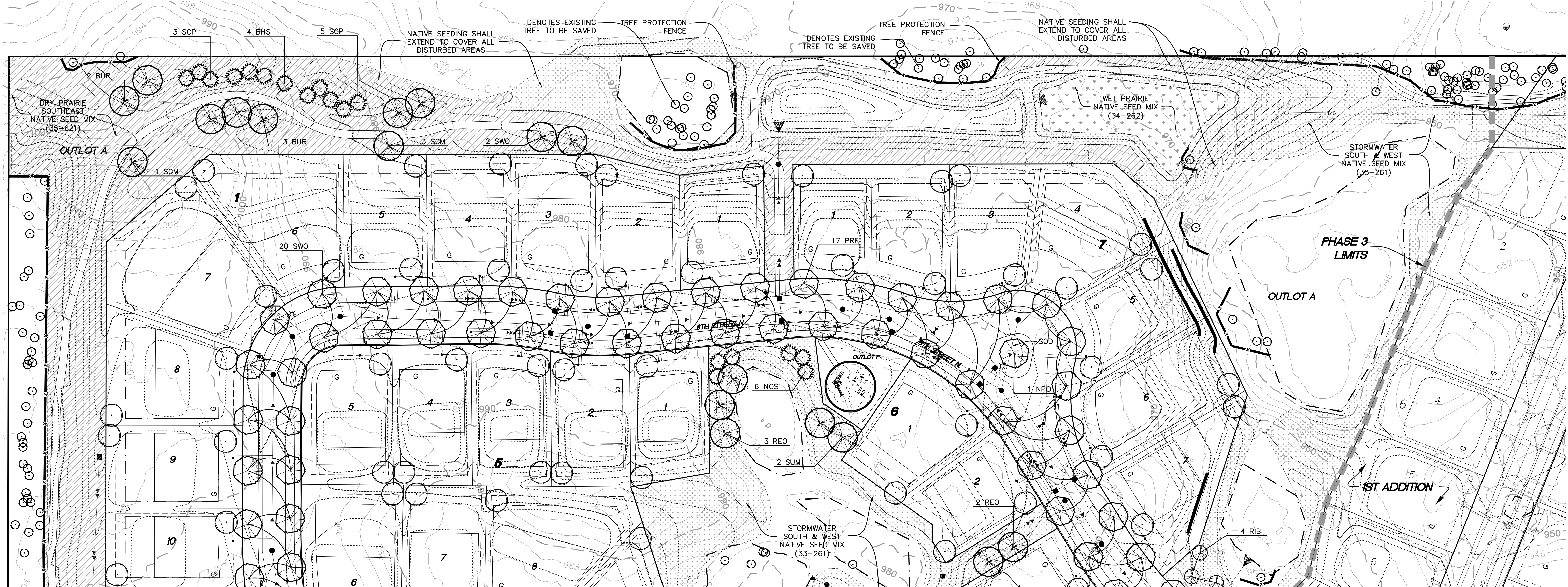
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## FINAL PLAT: HAMMES ESTATES 3RD ADDITION

- Outlots A (trail & storm water), B (storm water), and D (utilities) must be dedicated to the City as part of the Final Plat. Outlot C (tot lot) is HOA owned. Outlot ownership must be noted on the final construction plans.
- The 8th Street eyebrow center island will be platted as right-of-way as required by preliminary plat approval. The center island landscaping will be HOA maintained (addressed in the Landscape Maintenance Agreement).
- 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.
- Hammes 3rd Addition includes trunk watermain (12-inch diameter) pipe oversizing along 8th Street North and James Avenue North, connecting to the existing 12-inch watermain in the Savona development. Payment for pipe oversizing from the City standard 8-inch pipe should be addressed in the development agreement.

## FINAL CONSTRUCTION PLANS & SPECIFICATIONS

- Final Construction Plans and Specifications must be prepared in accordance with the City Engineering Design Standards Manual dated March 2017, using City details, plan notes and specifications and meeting City Engineering Design Guidelines.
- Final Construction Plans and Specifications must be revised in accordance with the Construction Plan engineering review memorandum dated February 5, 2018.
- No construction for Hammes Estates 3rd Addition may begin until the applicant has received City Engineer approval for the Final Construction Plans and Specifications; 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.



**Landscape Requirement Calculations**

<b>OVERALL LANDSCAPE REQUIREMENTS:</b>	
FIVE TREES PER ACRE X SITE AREA (67.1 AC) (336 trees @ 2-1/2" cal inches)	= 840 CAL IN. REQUIRED
<b>OVERALL STREET TREE REQUIREMENTS:</b>	
1 TREE PER 50 STREET FRONTAGE (16,381 LF) (328 trees @ 2-1/2" cal inches)	= 820 CAL IN. REQUIRED
<b>SUBTOTAL LANDSCAPE REQUIREMENTS:</b>	= 1660 CAL IN. REQUIRED
<b>TREE REPLACEMENT REQUIREMENTS:</b>	= 884 CAL IN. REQUIRED
<b>OVERALL LANDSCAPING REQUIREMENTS:</b>	= 2544 CAL IN. REQUIRED
<b>OVERALL LANDSCAPING PROVIDED:</b>	= 2545 CAL IN. PROVIDED (INCLUDES ALL PLANTINGS ON-SITE)
<b>PHASE 3 LANDSCAPE REQUIREMENTS:</b>	
FIVE TREES PER ACRE X SITE AREA (28.0 AC) (140 trees @ 2-1/2" cal inches)	= 350 CAL IN. REQUIRED
<b>PHASE 3 STREET TREE REQUIREMENTS:</b>	
1 TREE PER 50 STREET FRONTAGE (6,810 LF) (137 trees @ 2-1/2" cal inches)	= 342.5 CAL IN. REQUIRED
<b>SUBTOTAL LANDSCAPE REQUIREMENTS:</b>	= 692.5 CAL IN. REQUIRED
<b>PHASE 3 TREE REPLACEMENT REQUIREMENTS:</b>	= 369 CAL IN. REQUIRED (41.7% OF TOTAL SITE AREA)(884 CAL IN. ÷ 417)
<b>PHASE 3 LANDSCAPING REQUIREMENTS:</b>	= 1061.5 CAL IN. REQUIRED
<b>PHASE 3 TOTAL LANDSCAPING PROVIDED:</b>	= 1063 CAL IN. PROVIDED
STREET TREES BY DEVELOPER (144 trees @ 3")	= 432 CAL IN.
OTHER PLANTINGS BY DEVELOPER (33 trees @ 3")	= 99 CAL IN.
FUTURE YARD TREES BY BUILDER (138 trees @ 3")	= 414 CAL IN.
ORNAMENTAL TREES BY DEVELOPER (4 trees @ 2")	= 8 CAL IN.
EVERGREEN TREES BY DEVELOPER (44 trees @ 2.5")	= 110 CAL IN.

**Final Plant Schedule**

CODE	QTY.	COMMON/BOTANICAL NAME	SIZE	SPACING
<b>APPROVED PLANT LIST</b>				
SUM	16	Sugar Maple / <i>Acer saccharum</i>	3" BB	AS SHOWN
ABM	23	Autumn Blaze Maple / <i>Acer x freemanii</i> 'Jeffers Red'	3" BB	AS SHOWN
SGM	18	Sienna Glen Maple / <i>Acer x freemanii</i> 'Sienna'	3" BB	AS SHOWN
SKH	--	Skyline Honeylocust / <i>Gleditsia triacanthos inermis</i> 'Skycole'	3" BB	AS SHOWN
NPO	13	Northern Pin Oak / <i>Quercus ellipsoidalis</i>	3" BB	AS SHOWN
REO	12	Red Oak / <i>Quercus rubra</i>	3" BB	AS SHOWN
SWO	32	Swamp White Oak / <i>Quercus bicolor</i>	3" BB	AS SHOWN
BUR	8	Bur Oak / <i>Quercus macrocarpa</i>	3" BB	AS SHOWN
BOL	24	Boulevard Linden / <i>Tilia americana</i> 'Boulevard'	3" BB	AS SHOWN
GSL	--	Greenspire Linden / <i>Tilia cordata</i> 'Greenspire'	3" BB	AS SHOWN
DCE	14	Discovery Elm / <i>Ulmus davidiana</i> var. <i>japonica</i> 'Discovery'	3" BB	AS SHOWN
PRE	17	Princeton Elm / <i>Ulmus americana</i> 'Princeton'	3" BB	AS SHOWN
<b>ORNAMENTALS</b>				
RIB	4	River Birch / <i>Betula nigra</i>	6" HT., BB CLUMP	AS SHOWN
TCH	--	Thornless Cockspur Hawthorn / <i>Crataegus crusgalli</i> 'inermis'	2" BB	AS SHOWN
JTL	--	Japanese Tree Lilac / <i>Syringa reticulata</i>	6" HT., BB CLUMP	AS SHOWN
DSB	--	Downy Serviceberry / <i>Amelanchier arborea</i>	2" BB	AS SHOWN
ALS	--	Allegheny Serviceberry / <i>Amelanchier laevis</i>	6" HT., BB CLUMP	AS SHOWN
WSB	--	Whitespire Birch / <i>Betula populifolia</i> 'Whitespire'	2" BB	AS SHOWN
PFC	--	Prairiefire Crab / <i>Malus 'Prairiefire'</i>	2" BB	AS SHOWN
POC	--	Profusion Crab / <i>Malus 'Profusion'</i>	2" BB	AS SHOWN
SSC	--	Spring Snow Crab / <i>Malus 'Spring Snow'</i>	2" BB	AS SHOWN
<b>EVERGREENS</b>				
BHS	7	Black Hills Spruce / <i>Picea glauca</i> densata	6" HT., BB	AS SHOWN
AUP	--	Austrian Pine / <i>Pinus nigra</i>	6" HT., BB	AS SHOWN
NOS	14	Norway Spruce / <i>Picea abies</i>	6" HT., BB	AS SHOWN
SCP	8	Scotch Pine / <i>Pinus sylvestris</i>	6" HT., BB	AS SHOWN
WHP	15	White Pine / <i>Pinus strobus</i>	6" HT., BB	AS SHOWN

NOTES:

- QUANTITIES ON PLAN SUPERSEDE LIST QUANTITIES IN THE EVENT OF A DISCREPANCY.
- STREET TREE LOCATIONS AND SPACING ARE SUBJECT TO CHANGE BASED ON CONSTRUCTED DRIVEWAY AND UTILITY LOCATIONS.
- ALL TREES TO BE FIELD LOCATED AND APPROVED BY CITY PRIOR TO PLANTING

**Legend**

- STREET TREES (BY DEVELOPER)
- OTHER TREES (BY DEVELOPER)
- FUTURE YARD TREES (BY BUILDER) (TO BE SELECTED FROM APPROVED PLANT LIST)
- EVERGREENS (BY DEVELOPER)
- ORNAMENTALS (BY DEVELOPER)
- DENOTES SAVED EXISTING TREE

**Native Seeding Legend**

- DRY PRAIRIE SOUTHEAST SEED MIX (35-621)
- STORMWATER SOUTH & WEST SEED MIX (33-261)
- WET PRAIRIE SEED MIX (34-262)
- WOODLAND EDGE SOUTH & WEST SEED MIX (36-211)

1. PRIOR TO TREE STAKING AND PLANTING OPERATIONS CONTRACTOR MUST CONTACT COLUMBIAN STATE ONE CALL (www.columbiastateneedcall.org or 811) TO VERIFY UNDERGROUND UTILITIES WHERE PRIVATE UTILITIES EXIST ON-SITE THE CONTRACTOR IS REQUIRED TO HAVE THOSE LOCATED AS WELL.

2. PLANT MATERIALS SHALL MEET AMERICAN STANDARD FOR NURSERY STOCK, ANSI Z60.1, LATEST EDITION.

3. NO PLANT SUBSTITUTIONS SHALL BE MADE WITHOUT THE PRIOR WRITTEN AUTHORIZATION FROM THE CITY.

4. ALL TREE PROTECTION MEASURES TO BE FIELD STAKED PRIOR TO INSTALLATION. CONTRACTOR TO COORDINATE FIELD REVIEW OF PROPOSED TREE PROTECTION LOCATIONS WITH THE CITY AND PROJECT LANDSCAPE ARCHITECT PRIOR TO ANY TREE PROTECTION INSTALLATION.

5. ALL TREE LOCATIONS 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.

6. ALL PLANTS SHALL BE PLANTED IMMEDIATELY UPON ARRIVAL TO PROJECT SITE. NO PLANT MATERIAL IS TO BE LEFT OVERNIGHT ON THE PROJECT SITE WITHOUT BEING INSTALLED UNLESS WRITTEN APPROVAL BY CITY.

7. ALL TREES, SHRUBS, PERENNIALS AND TURF LAWN TO HAVE A TWO YEAR WARRANTY BEGINNING DATE OF PLANTING. CONTRACTOR TO MAINTAIN ALL PLANTINGS AND PLANT BEDS, INCLUDING PROTECTION FROM WEEDS, WEIGHING, RE-MULCHING, FERTILIZATION, IRRIGATION AND ALL OTHER TYPICAL FORMS OF HORTICULTURAL CARE UNTIL THE END OF THE WARRANTY PERIOD AS DETERMINED AND APPROVED BY CITY.

8. CONTRACTOR TO PROTECT AND MAINTAIN ALL PLANTINGS AND PLANT BEDS, INCLUDING PROTECTION FROM WEEDS, WEIGHING, RE-MULCHING, FERTILIZATION, IRRIGATION AND ALL OTHER TYPICAL FORMS OF HORTICULTURAL CARE UNTIL THE END OF THE WARRANTY PERIOD AS DETERMINED AND APPROVED BY CITY.

9. ALL AREAS DISTURBED ADJACENT TO THE PROJECT SITE INCLUDING BOULEVARDS SHALL BE REPAIRED AND MAINTAINED PER CITY DIRECTION.

10. PROVIDE A THREE YEAR MAINTENANCE PLAN FOR ALL SEEDING OF PLANT MATERIALS/AREAS WITHIN ALL COMMERCIAL PROPERTIES, COMMONLY HELD HOA AREAS, CITY OUTLOTS AND R.O.W. AREAS.

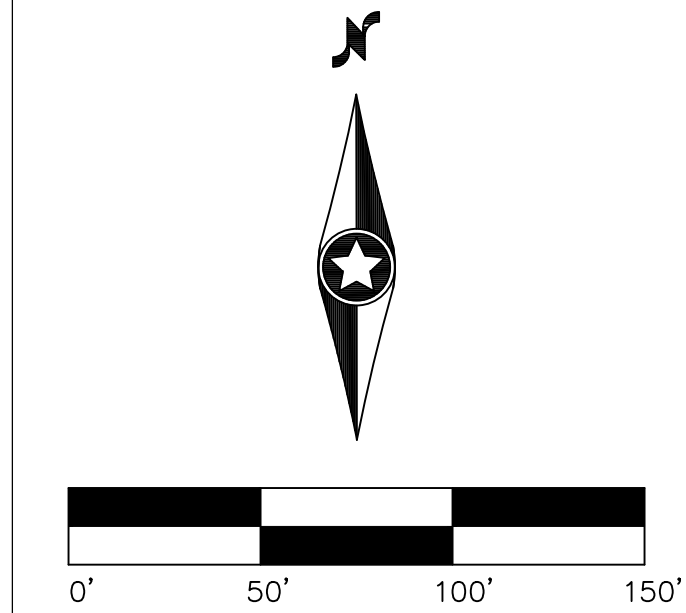
11. ALL TREE, SHRUB AND PERENNIAL BEDS, WITHIN THE R.O.W. OR LOCATED ON COMMERCIAL PROPERTIES OR ON COMMONLY HELD HOA PROPERTY AND CITY OUTLOTS WITHIN DEVELOPER ARE REQUIRED TO HAVE AN AUTOMATIC IRRIGATION SYSTEM DESIGNED BY AN EPA WATER SENSE CERTIFIED PROFESSIONAL. THIS PLAN IS REQUIRED FOR CITY REVIEW AT THE SAME TIME AS LANDSCAPE PLAN REVIEW.

12. ALL TRADITIONAL TURF LAWN AREAS WITHIN R.O.W. OR LOCATED ON COMMERCIAL PROPERTIES OR ON COMMONLY HELD HOA PROPERTY AND CITY OUTLOTS WITHIN DEVELOPER ARE REQUIRED TO HAVE AN AUTOMATIC IRRIGATION SYSTEM DESIGNED BY AN EPA WATER SENSE CERTIFIED PROFESSIONAL. THIS PLAN IS REQUIRED FOR CITY REVIEW AT TIME OF LANDSCAPE PLAN REVIEW.

**STANDARD PLAN NOTES**  
LANDSCAPE PLANS

FEBRUARY 2015

CITY OF LAKE ELMO  
900 LAKE ELMO



Call 48 Hours before digging:  
**811 or call811.com**  
Common Ground Alliance  
Date: 12/29/17 Sheet: 1 OF 3

**Westwood**  
Phone (952) 937-5150 7699 Anagram Drive  
Fax (952) 937-5822 Eden Prairie, MN 55344  
Toll Free (888) 937-5150 westwoodps.com  
Westwood Professional Services, Inc.

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed LANDSCAPE ARCHITECT under the laws of the State of Minnesota.  
  
Cory Meyer  
Date: 12/29/16 License No. 26971

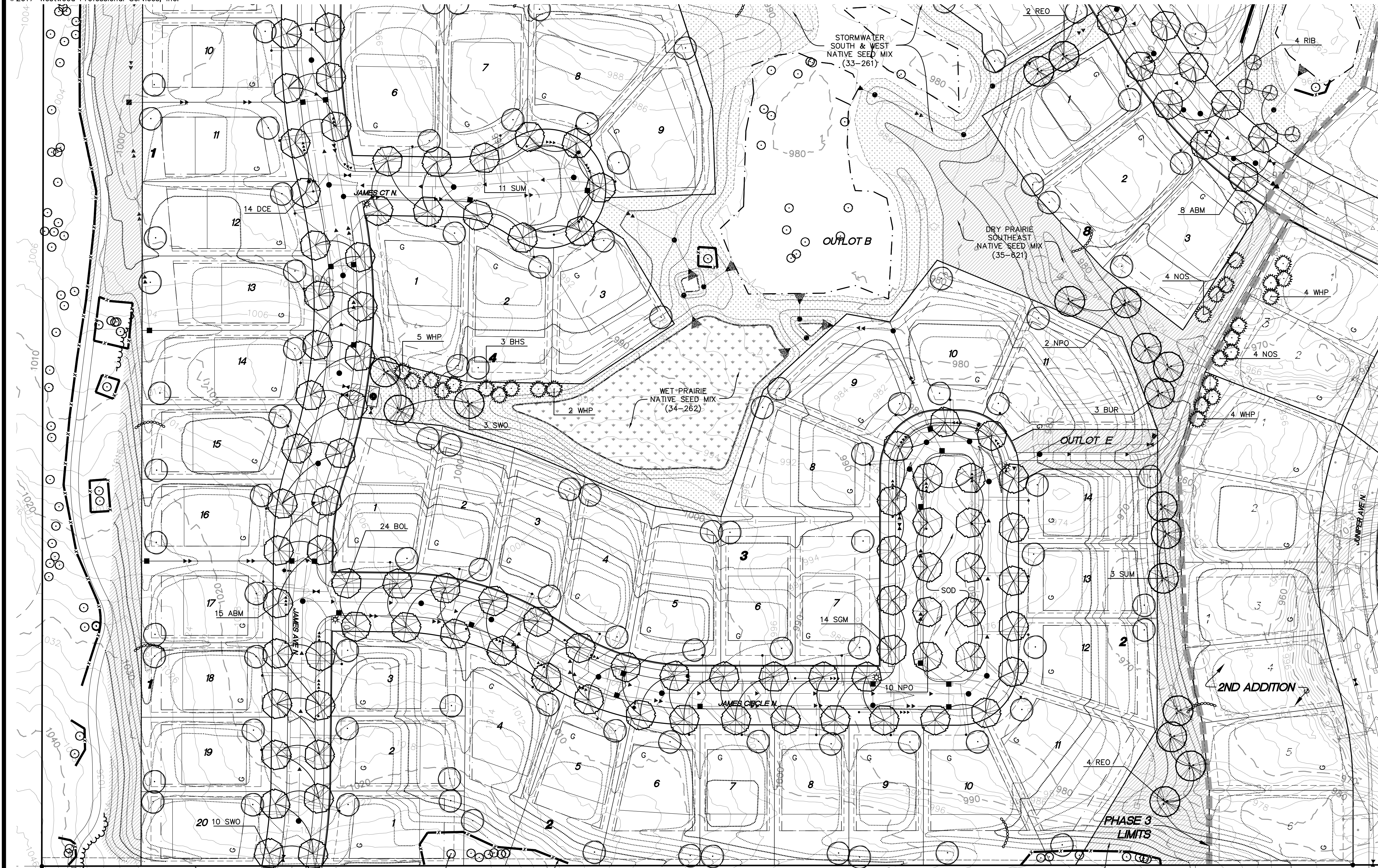
Revisions:


Designed: \_\_\_\_\_  
Checked: \_\_\_\_\_  
Drawn: \_\_\_\_\_  
Record Drawing by/date: \_\_\_\_\_

Prepared for:  
**Rachel Development**  
4125 Napier Court NE  
St. Michael, Minnesota 55376

**Hammes**  
**Estates 3rd**  
**Addition**  
Lake Elmo, Minnesota

Final Landscape Plan



1. PRIOR TO TREE STAKING AND PLANTING OPERATIONS CONTRACTOR MUST CONTACT CITY ENGINEER FOR TREE SURVEY OF PROPOSED TREE PROTECTION LOCATIONS. WHERE PRIVATE UTILITIES EXIST ON-SITE THE CONTRACTOR IS REQUIRED TO HAVE THOSE LOCATED AS WELL.

2. PLANT MATERIALS SHALL MEET AMERICAN STANDARD FOR NURSERY STOCK ANSI Z60.1 EDITION 2014.

3. NO PLANT SUBSTITUTIONS SHALL BE MADE WITHOUT THE PRIOR WRITTEN AUTHORIZATION FROM THE CITY.

4. ALL TREE PROTECTION MEASURES TO BE FIELD STAKED PRIOR TO INSTALLATION. CONTRACTOR TO MAINTAIN FIELD SURVEY OF PROPOSED TREE PROTECTION LOCATIONS WITH THE CITY AND PROJECT LANDSCAPE ARCHITECT PRIOR TO ANY TREE PROTECTION INSTALLATION.

5. ALL TREE LOCATIONS TO BE FIELD STAKED PRIOR TO INSTALLATION. CONTRACTOR TO MAINTAIN FIELD SURVEY OF PROPOSED TREE PROTECTION LOCATIONS WITH THE CITY AND PROJECT LANDSCAPE ARCHITECT PRIOR TO ANY TREE INSTALLATION.

6. ALL PLANTS SHALL BE PLANTED IMMEDIATELY UPON ARRIVAL TO PROJECT SITE. NO PLANT MATERIALS TO BE LEFT OVERNIGHT ON THE PROJECT SITE WITHOUT BEING INSTALLED UNLESS WRITTEN APPROVAL BY CITY.

7. ALL TREES, SHRUBS, PERENNIALS AND TURF LAWN TO HAVE A TWO YEAR WARRANTY BEGINNING UPON WRITTEN ACCEPTANCE BY THE CITY. DEFECTIVE PLANTS AS DETERMINED BY THE CITY SHALL BE REPLACED WITHIN 30 DAYS OF NOTICE DURING THE GROWING SEASON, AND REPLACEMENT MATERIALS SHALL RECEIVE THE SAME TWO YEAR WARRANTY UNLESS PLANTS ARE SUCCESSFULLY ESTABLISHED.

8. CONTRACTOR TO PROTECT AND MAINTAIN ALL PLANTINGS AND PLANT BEDS, INCLUDING PROTECTION FROM WEEDS, INCLUDING WEEDING, FERTILIZATION, IRRIGATION AND ALL OTHER TYPICAL FORMS OF HORTICULTURAL CARE UNTIL THE END OF THE WARRANTY PERIOD AS DETERMINED AND APPROVED BY CITY.

9. ALL AREAS DISTURBED ADJACENT TO THE PROJECT SITE INCLUDING BOULEVARDS SHALL BE REPAIRED AND MAINTAINED PER CITY DIRECTION.

10. PROVIDE A THREE YEAR MAINTENANCE PLAN FOR ALL SEEDING OF PLANT MATERIALS/AREAS WITHIN ALL COMMERCIAL PROPERTIES, COMMONLY HELD HOA AREAS, CITY OUTLOTS AND R.O.W. AREAS.

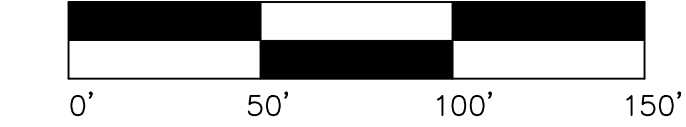
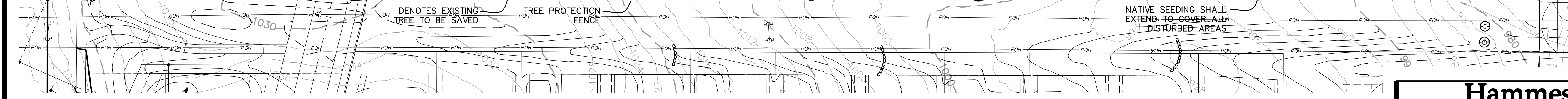
11. ALL TREES, SHRUBS, PERENNIALS AND TURF LAWN TO BE LOCATED ON COMMONLY HELD HOA PROPERTY AND CITY OUTLOTS ADJACENT TO THE PROJECT SITE SHALL HAVE AN AUTOMATIC IRRIGATION SYSTEM DESIGNED BY AN EPA WATER SENSE CERTIFIED PROFESSIONAL. THIS PLAN IS REQUIRED FOR CITY REVIEW AT THE SAME TIME AS LANDSCAPE PLAN REVIEW.

12. ALL TRADITIONAL TURF LAWN AREAS WITHIN R.O.W. OR LOCATED ON COMMERCIAL PROPERTIES OR ON COMMONLY HELD HOA PROPERTY AND CITY OUTLOTS WITHIN DEVELOPMENTS ARE REQUIRED TO HAVE AN AUTOMATIC IRRIGATION SYSTEM DESIGNED BY AN EPA WATER SENSE CERTIFIED PROFESSIONAL. THIS PLAN IS REQUIRED FOR CITY REVIEW AT TIME OF LANDSCAPE PLAN REVIEW.

**STANDARD PLAN NOTES**  
LANDSCAPE PLANS

FEBRUARY 2015

LAKE ELMO	CITY OF LAKE ELMO	STANDARD DRAWING NO. 900
		LAKE ELMO



Call 48 Hours before digging:  
**811 or call811.com**  
Common Ground Alliance

Date: 12/29/17 Sheet: 2 OF 3

**Westwood**

Phone (952) 937-5150 7699 Anagram Drive  
Fax (952) 937-5822 Eden Prairie, MN 55344  
Toll Free (888) 937-5150 [westwoods.com](http://westwoods.com)  
Westwood Professional Services, Inc.

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed LANDSCAPE ARCHITECT under the laws of the State of Minnesota.

*Cory Meyer*  
Cory Meyer  
Date: 12/29/16 License No. 26971

Revisions:

Designed: \_\_\_\_\_  
Checked: \_\_\_\_\_  
Drawn: \_\_\_\_\_  
Record Drawing by/date: \_\_\_\_\_

Prepared for:  
**Rachel Development**  
4125 Napier Court NE  
St. Michael, Minnesota 55376

**Hammes**  
**Estates 3rd**  
**Addition**  
Lake Elmo, Minnesota

Final Landscape Plan





February 5, 2018

David Stradtman  
Rachel Development  
4126 Napier Ct NE  
St. Michael, MN 55376

Re: Hammes 3<sup>rd</sup> Addition Landscape Plan Review

Dear Mr. Stradtman,

Please see below the landscape plan review for Hammes 3<sup>rd</sup> Addition. The landscape plans are not approved. Please note the conditions of approval at the end of this letter, revise plans and resubmit.

**Submittals**

- Preliminary Landscape Plan and Tree Preservation Plan, dated June 23, 2016.
- Landscape Plans, dated December 29, 2017, received January 19, 2018.

**Location:** West of Keats Avenue and South of Goose Lake, Lake Elmo, MN

**Land Use Category:** Urban Low Density Residential

**Surrounding Land Use Concerns:** None.

**Special landscape provisions in addition to the zoning code:** There is a required buffer on the west and northern portion of this development as per the Comprehensive Land Use Plan.

**Tree Preservation:**

A tree preservation plan has been previously submitted along with the preliminary landscape plans.

**Irrigation Plan:**

An irrigation plan has not been submitted and needs to be submitted once complete for review and approval.

**Landscape Requirements:**

The phase 3 plan dated December 29, 2017 is consistent with the preliminary landscape plan dated June 23, 2016.

The proposed phase 3 plans show more than the required tree quantities, but the quantity shown is required to meet tree preservation replacement caliper inch requirements.

	Preliminary Plan	Phase 3 Required	Phase 3 Proposed	Lineal Feet
Street frontage	16381	6810		



Lake Shore	0	0		Lineal Feet
Stream Frontage	0	0		Lineal Feet
Total Linear Feet	16381	6810	0	Lineal Feet
/50 Feet = Required Frontage Trees	328	136	144	Trees
Development Area	67.1	28.0		Acres
/5 = Required Development Trees	336	140	219	Trees

1. A minimum one (1) tree is proposed for every fifty (50) feet of street frontage.
2. A minimum of five (5) trees are proposed to be planted for every one (1) acre of land that is developed or disturbed by development activity.

- B. A landscape plan has been submitted that does not meet all requirements.
1. Provisions for irrigation and other water supplies.

	Qty	% Composition	
Deciduous Shade Tree	177	64%	>25% required
Coniferous Tree	44	16%	>25% required
Required # of Trees	276		

2. A minimum of twenty-five percent (25%) of the required number of trees shall be coniferous trees. This has not been met.
3. There is a discrepancy between the plant schedule and number of trees shown on the plan. REO – Red Oak / *Quercus rubra* lists 12 in the plant schedule and only 9 are counted on the plan. All 12 trees are required to meet the landscape and tree preservation caliper inch requirements.

- C. Interior Parking Lot Landscaping – The development does not include interior parking lots.
- D. Perimeter Parking Lot Landscaping – The development does not include perimeter parking lots.
- E. Screening – Screening is not required by City code
- F. Maintenance and Installation of Materials – The landscape plan does include required City standard notes and details.

**Findings:**

1. An irrigation plan has not been provided and is required.

2. There is a discrepancy between the plant schedule and number of trees shown on the plan. REO – Red Oak / *Quercus rubra* lists 12 in the plant schedule and only 9 are counted on the plan.
3. The number of proposed coniferous trees does not meet the required 25% of the required number of trees.

**Conditions of Approval:**

1. Submit an irrigation plan.
2. Submit a revised landscape plan with 3 additional REO – Red Oak / *Quercus rubra* trees.
3. Submit a revised landscape plan that meets the required percentage of coniferous trees.

Please let me know if you have questions.

Sincerely,

Emily Becker  
Planning Director 651-747-3912  
ebecker@lakeelmo.org

**From:** [Greg Malmquist](#)  
**To:** [Emily Becker](#)  
**Cc:** ["Chad Isakson"](#)  
**Subject:** HAMMES 3rd  
**Date:** Friday, January 19, 2018 2:12:34 PM  
**Attachments:** [image001.png](#)

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Here are my comment for the Hammes 3<sup>rd</sup>:

Hydrants on James Circle appear to exceed our 500' spacing. Possibly relocate middle hydrant east to comply?



Greg Malmquist, Chief  
Lake Elmo Fire Department  
3510 Laverne Ave. No.  
Lake Elmo, MN 55042  
W-651-770-5006  
C-651-775-1137  
Fax-651-770-5620

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

**RESOLUTION NO. 2018-016**

*A RESOLUTION APPROVING A FINAL PLAT FOR HAMMES ESTATES 3<sup>RD</sup> ADDITION*

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

**WHEREAS**, Rachel Development Inc, 4125 Napier Ct NE, St. Michael, MN 55376 (Applicant) has submitted an application to the City of Lake Elmo (City) for a Final Plat for Hammes Estates 2<sup>nd</sup> Addition, a copy of which is on file in the City of Lake Elmo Planning Department; and

**WHEREAS**, the Lake Elmo Planning Commission held a public hearing on May 12, 2014 to consider the Hammes Estates Preliminary Plat and continued discussion on the Preliminary Plat until its June 23, 2014 meeting; and

**WHEREAS**, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Preliminary Plat as part of a memorandum to the City Council for the July 1, 2014 City Council Meeting; and

**WHEREAS**, the Lake Elmo Planning Commission adopted a motion recommending approval of the Preliminary Plat; and

**WHEREAS**, the City Council reviewed the Preliminary Plat request at its July 1, 2014 meeting and adopted Resolution No. 2014-55 approving the Preliminary Plat; and

**WHEREAS**, the Lake Elmo Planning Commission met on February 12, 2018 to review the Final Plat for Hammes Estates consisting of 69 single-family residential lots; and

**WHEREAS**, on February 12, 2018 the Lake Elmo Planning Commission adopted a motion to recommend that the City Council approve the Final Plat for Hammes Estates 3<sup>rd</sup> Addition with conditions; and

**WHEREAS**, the City Council reviewed the recommendation of the Planning Commission and the Final Plat for Hammes Estates 3<sup>rd</sup> Addition at a meeting held on February 20, 2018; and

**NOW, THEREFORE**, based upon the testimony elicited and information received, the City Council makes the following:

**FINDINGS**

- 1) That the Hammes Estates 3<sup>rd</sup> Addition Final Plat is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on July 1, 2013 and revised on September 19, 2016.
- 2) That the Hammes Estates 3<sup>rd</sup> Addition Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 3) That the Hammes Estates 3<sup>rd</sup> Addition Final Plat complies with the City's Urban Low Density Residential zoning district.
- 4) That the Hammes Estates 3<sup>rd</sup> Addition Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances, except as noted in this report or attachment thereof.
- 5) That the Hammes Estates 3<sup>rd</sup> Addition Final Plat complies with the City's subdivision ordinance.
- 6) That the Hammes Estates 3<sup>rd</sup> Addition Final Plat is consistent with the City's engineering standards with the exceptions noted by the City Engineer in his review comments to the City dated February 5, 2018.

### **CONCLUSIONS AND DECISION**

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council does hereby approve the Final Plat for Hammes Estates 3<sup>rd</sup> Addition 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 plans requested by the City Engineer in the Hammes Estates 3<sup>rd</sup> Addition – Final Plat Engineering Review Comments and Hammes Estates 3<sup>rd</sup> Addition Construction Plan Review memo dated February 5, 2018 shall be incorporated into these documents before they are approved. The Final Plat shall not be recorded until final construction plan approval is granted.
- 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 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. This must include additional or expanded drainage and utility easements as outlined in the City Engineer's Memorandum dated February 5, 2018.
- 4) The plat shall be incorporated into the Hamme Estates Common Interest Agreement concerning management of the common areas of Hammes Estates and establishing a homeowner's association shall be submitted in final form to the Planning 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.

- 5) The applicant shall enter into a landscape license and 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) The Final Landscape Plan shall be revised per the requested modifications and shall be approved prior to the release of Final Plat for recording.
- 7) Prior to the issuance of building permits, for Hammes Estates 3<sup>rd</sup> Addition, all wetland buffers shall be delineated and identified via staking or signage that is acceptable to the City.
- 8) The Final Plat should include proposed street names as indicated on the Construction Plans before recording of Final Plat.
- 9) Staff and the Parks Commission will review and approve plans for the equipment to be located within Outlot C of Hammes Estates 3<sup>rd</sup> Addition, and these improvements shall be installed prior to issuance of building permits for Lots 1 and 2, Block 6.

Passed and duly adopted this 20<sup>th</sup> day of February, 2018 by the City Council of the City of Lake Elmo, Minnesota.

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Mike Pearson, Mayor

ATTEST:

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Julie Johnson, City Clerk

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

**RESOLUTION NO. 2018-017**

A RESOLUTION VACATING A DRAINAGE AND UTILITY EASEMENT OVER  
OUTLOT B, HAMMES ESTATES 1ST ADDITION

**THE CITY COUNCIL OF THE CITY OF LAKE ELMO, MINNESOTA DOES HEREBY  
RESOLVE AS FOLLOWS:**

**WHEREAS**, the City of Lake Elmo approved the final plat of Hammes Estates 3<sup>rd</sup> Addition on February 20, 2018 with blanket drainage and utility easements over Outlot B of Hammes Estates 1<sup>st</sup> Addition; and

**WHEREAS**, a request has been made to the City Council pursuant to Minnesota Statute §412.851 to vacate the existing drainage and utility easements on Outlot B, Hammes Estates 1<sup>st</sup> Addition; and

**WHEREAS**, the City of Lake Elmo had received a request for the Final Plat of Hammes Estates 3<sup>rd</sup> Addition from Rachel Development, replatting Outlot B, Hammes Estates 1<sup>st</sup> Addition into a residential development; and

**WHEREAS**, a public hearing to consider the vacation of the drainage and utility easement was held on the February 12, 2018 at the Planning Commission meeting in the Lake Elmo City Hall located at 3800 Laverne Avenue North at 7:00 p.m. or shortly thereafter after due published and posted notice had been given, as well as personal mailed notice to all property owners within 350 feet of Outlot B, Hammes Estates 1<sup>st</sup> Addition by the City Clerk and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

**WHEREAS**, the Council in its discretion has determined that the vacation will benefit the public interest because:

- 1) The proposed replat of Outlot B, Hammes Estates 1<sup>st</sup> Addition into Hammes Estates 3<sup>rd</sup> Addition complies with all applicable zoning and subdivision regulations.
- 2) The dedication of a new easements will be provided with the recording of Hammes Estates 3<sup>rd</sup> Addition to provide the same function as the one being vacated with no negative impact to the public.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF LAKE ELMO, COUNTY OF WASHINGTON MINNESOTA**, that such request

for vacation of an existing drainage and utility easement is hereby granted in accordance with the property descriptions provided above, subject to the following condition:

- 1) Final Plat of the Property over which the easement is subject must be approved by Council and recorded.

**BE IT FURTHER RESOLVED**, that the Mayor and City Clerk are hereby authorized to sign all documents necessary to effectuate the intent of this resolution.

Adopted by the Council this 20<sup>th</sup> day of February 2018.

Effective Date: \_\_\_\_\_

Approved:

\_\_\_\_\_  
Mike Pearson, Mayor

Attested by:

\_\_\_\_\_  
Julie Johnson, City Administrator