



STAFF REPORT

DATE: April 16, 2019

CONSENT

AGENDA ITEM: Detachment Petition

SUBMITTED BY: Kristina Handt, City Administrator

BACKGROUND:

Mark Lambert, Central Commons, LLC, owns 38 acres at the southwest corner of Manning Ave and TH 36. Most of that area was detached from Lake Elmo a number of years ago and is within Stillwater Township. One exception to that is an approximately one acre parcel at 5775 Manning Ave which remained in the City of Lake Elmo. Mr. Lambert is now proposing to detach that one acre parcel from the City of Lake Elmo to assist in his development efforts.

ISSUE BEFORE COUNCIL:

Should the Council approve a Resolution supporting the petition to detach?

PROPOSAL DETAILS/ANALYSIS/OPTIONS:

Included in your packet is a petition from Central Commons LLC to detach a 1 acre parcel in Lake Elmo to Stillwater Township. The petition and resolution have been reviewed by the city attorney. The parcel is located along Manning Ave across from Sanctuary. The developer has met with city staff and we have expressed our concerns related to providing the same level of access to the Sanctuary Development as they have today. He is supportive of our position and has met with Washington County to discuss access locations from his parcels to the east so as not to interfere with the Sanctuary access.

FISCAL IMPACT:

Estimated loss of property tax revenue to the city is about \$900 per year. The applicant is planning to make a financial contribution to the city and pay for legal fees incurred by the city.

OPTIONS:

- 1) Approve Resolution No 2019-025
- 2) Amend and then Approve Resolution No. 2019-025
- 3) Direct Staff to prepare a resolution to oppose the detachment petition

RECOMMENDATION:

If removed from the consent agenda:

Motion to approve Resolution No. 2019-025

ATTACHMENTS:

- Detachment Petition and Resolution

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

RESOLUTION NO. 2019-025

*A RESOLUTION SUPPORTING THE DETACHMENT OF CERTAIN LAND
OWNED BY CENTRAL COMMONS, LLC FROM THE CITY OF LAKE ELMO
PURSUANT TO MINN. STAT. SECTION 414.06*

WHEREAS, the City of Lake Elmo (the "City") has received the Petition of Central Commons, LLC, for the detachment of certain land from the City (the Petition"); and

WHEREAS, the land proposed for detachment consists of approximately 1.08 acres and is legally described as follows:

All that part of Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4) of Section Six (6), Township Twenty-nine (29), Range Twenty (20), described as follows: Beginning at a point on the West line of said Section 6, 923 feet South of the Northwest corner; thence North 73 degrees 0 minutes East a distance of 330 feet; thence South parallel to the West section line a distance of 148.5 feet; thence South 73 degrees 0 minutes West a distance of 330 feet to the West line of said Section 6; thence North along the West line a distance of 148.5 feet to the point of beginning. Washington County, Minnesota

Abstract Property

WHEREAS, a copy of the Petition is attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED THAT:

The City Council of the City of Lake Elmo does hereby SUPPORT the above-referenced Petition for Detachment.

Passed and duly adopted this _____ day of _____, 2019 by the City Council of the City of Lake Elmo, Minnesota

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

**IN THE MATTER OF THE PETITION FOR DETACHMENT OF
CERTAIN LAND FROM THE CITY OF LAKE ELMO, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.06**

TO: Office of Administrative Hearings
Municipal Boundary Adjustment Unit
P. O. Box 64620
St. Paul, MN 55164-0620

PETITIONERS STATE: The number of petitioners required by Minnesota Statutes § 414.06, Subd. 1, to commence this proceeding is: all of the property owners if the area is less than 40 acres; or 75% or more of the property owners in number if the area is more than 40 acres.

It is hereby requested by:

 X all of the property owners, the area is less than 40 acres; or
 75% or more of the property owners, the area is more than 40 acres;

to detach certain properties described herein from the City of Lake Elmo and make a part of the Township of Stillwater.

1. There is one (1) property owner in the area proposed for detachment, Central Commons, LLC.
2. All property owners have signed this petition.
3. The property is situated within the City of Lake Elmo, abuts the municipal boundary, and is located in the County of Washington. The petitioned area abuts on the E (eastern) boundary of the City of Lake Elmo.

See attached Map(s).

4. The property proposed for detachment is rural in character and not developed for urban residential, commercial, or industrial purposes.
5. The reason detachment is requested is: The land meets the statutory requirements for detachment from the City to a township and juts into land immediately to the east in the jurisdiction of Stillwater Township. The land is zoned Agricultural by Lake Elmo and is not served by any public utilities. The property proposed for detachment is more compatible with the adjacent land in the Township and can best be used in combination with the Township land.

6. Summarize what efforts were taken prior to filing this petition to resolve the issues: The current property owner had discussions with City of Lake Elmo staff regarding the issues. Because of its small size, the parcel proposed for detachment (the "detachment parcel") is best used in conjunction with the immediately surrounding properties currently in the Township of Stillwater. The detachment parcel was previously included in a petition for detachment from the City of Lake Elmo along with other land in file OAH 3-0330-21901-BA. However, the former owners of the detachment parcel (the "Hauths") subsequently decided not to proceed.

7. The number of acres in the property proposed for detachment is 1.08 acres and is described as follows:

All that part of Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4) of Section Six (6), Township Twenty-nine (29), Range Twenty (20), described as follows: Beginning at a point on the West line of said Section 6, 923 feet South of the Northwest corner; thence North 73 degrees 0 minutes East a distance of 330 feet; thence South parallel to the West section line a distance of 148.5 feet; thence South 73 degrees 0 minutes West a distance of 330 feet to the West line of said Section 6; thence North along the West line a distance of 148.5 feet to the point of beginning.

Abstract Property

8. The number and character of buildings on said property is: 1 home (built 1970) and a shed.

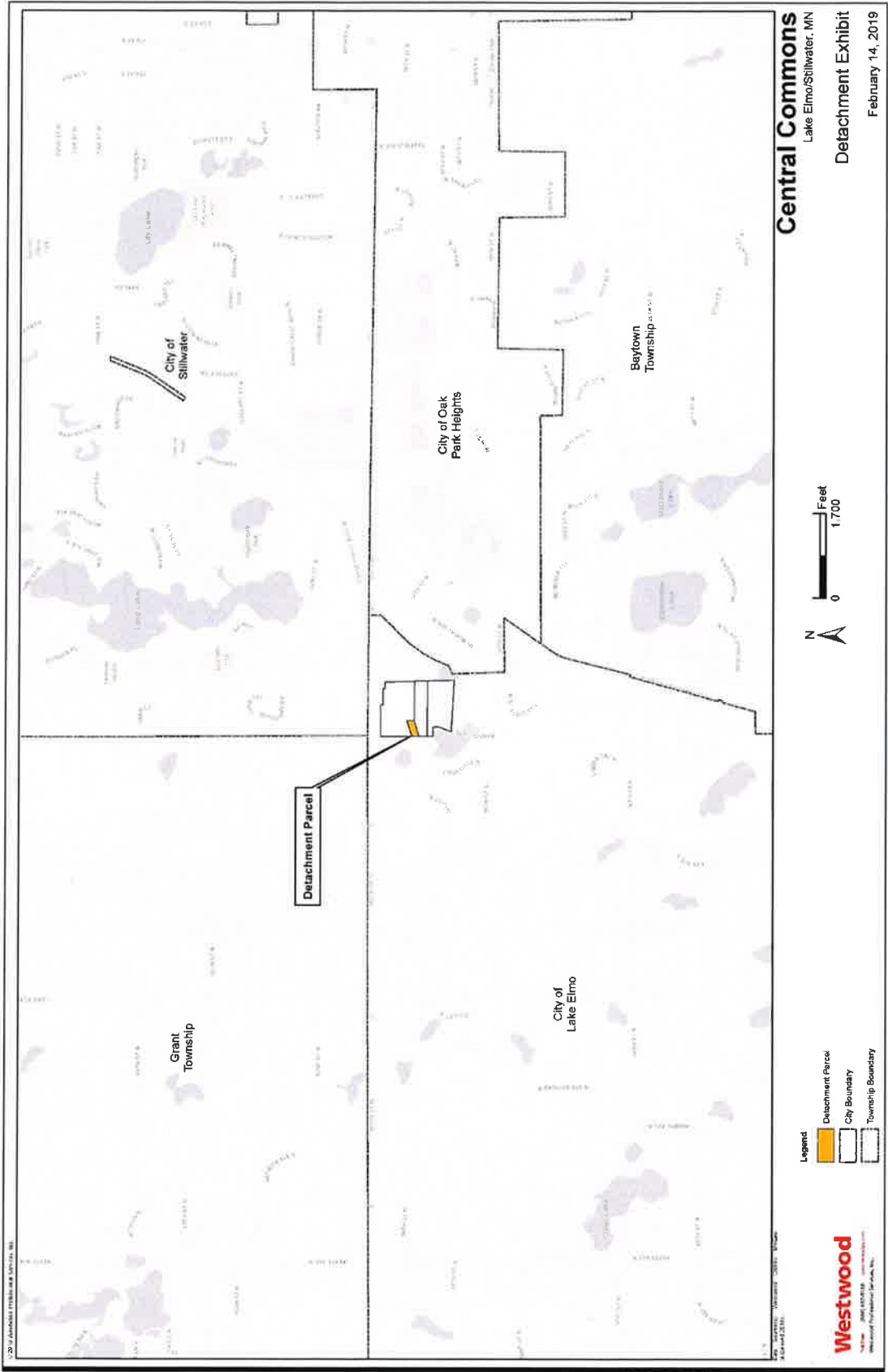
9. The number of residents in the area proposed for detachment is None. The property is vacant and currently uninhabited.

10. Public improvements on said property are: None.

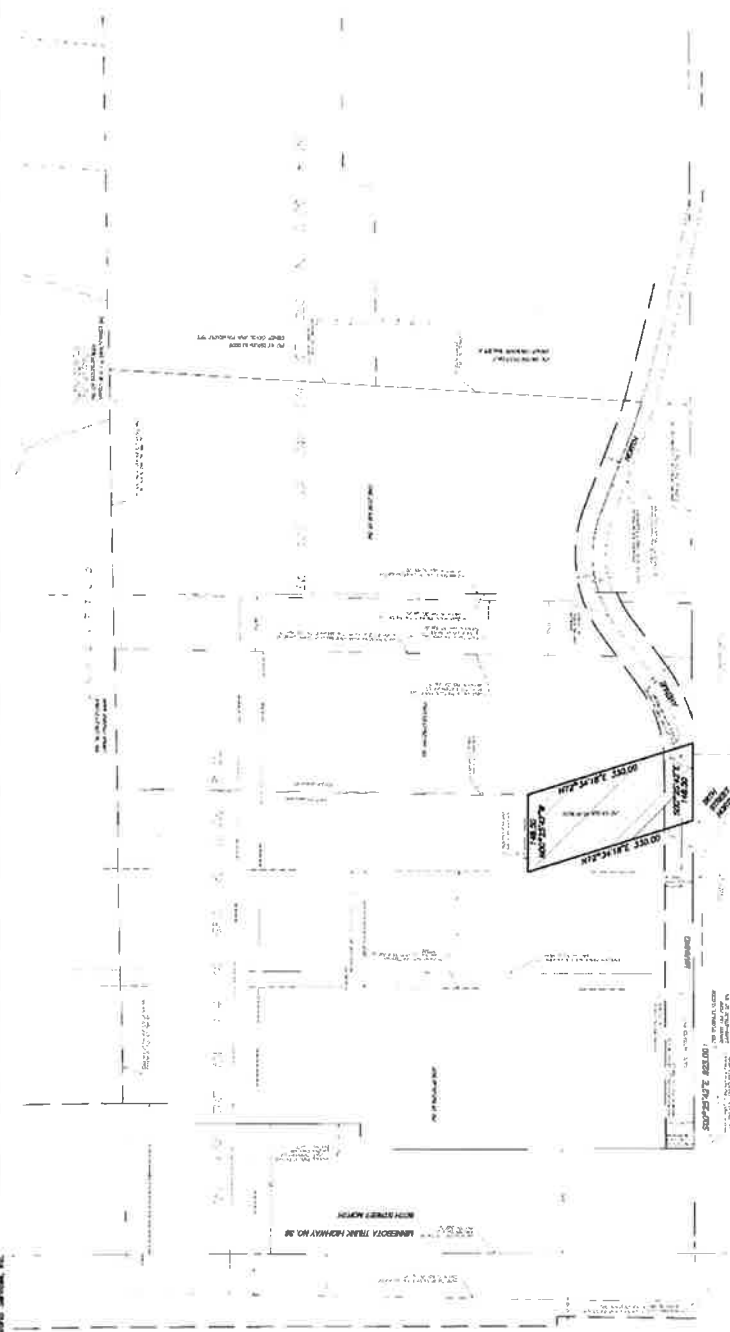
Property Owner: Central Commons, LLC

Date: _____

By: _____
Its:



Call 48 hours before digging
811 or 811.com
Common Ground Alerts



Detachment Area
1.08 acres



Date: 2/12/2019 Sheet: 1 of 1

Central Commons
1441 SummitCommons, MN

Prepared for:
Summit Management, LLC
233 North Main Street, Suite 310
Duluth, Minnesota, 55812

Property Description: Health Parcel from Blower's Quarry Title Commitment Number 591087

As the land is described in the Northern Cassia County (NCC) of the State of Idaho, the land is located in the Blower's Quarry area, NCC, and is subject to the Blower's Quarry Title Commitment Number 591087. The land is located in the Blower's Quarry area, NCC, and is subject to the Blower's Quarry Title Commitment Number 591087. The land is located in the Blower's Quarry area, NCC, and is subject to the Blower's Quarry Title Commitment Number 591087.

Check	Date	Drawn	Scale	Notes
<input type="checkbox"/>				
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Westwood
2020 W. 10th St.
Duluth, MN 55812
Phone: (218) 726-2222
Fax: (218) 726-2223
www.westwoodmn.com