



STAFF REPORT

DATE: 4/16/2019

ITEM #:

TO: City Council
FROM: Ken Roberts, Planning Director
AGENDA ITEM: **The Legacy at North Star Second Addition – Easement Vacations and Final Plat and PUD Plan Approval**
REVIEWED BY: Jack Griffin, City Engineer
Sarah Sonsalla – City Attorney

BACKGROUND:

GWSA Land Development is requesting City approval of easement vacations and the Final Plat and PUD Plans to create lots for 74 single family detached homes located on 22.8 acres. This proposed final plat is the second phase of a 266 single family residential development on +/- 98.93 acres known as Legacy at North Star.

The City approved the PUD Concept Plan on June 6, 2017 and approved the Preliminary Plat and PUD Plans on February 20, 2018 for the Legacy at North Star development. A part of the overall development in the southwest corner of the site is within the shoreland of Sunfish Lake. This triggers the need for a Planned Unit Development because the proposed lots do not meet the lot width and impervious requirements for Natural Environment lakes; because the density exceeds the allowable density with the Village Urban Low Density Residential land use category, and because the Applicant is proposed various other deviations from some zoning standards.

On August 8, 2018, the City Council approved a Final Plat and Planned Unit Development (PUD) Plans for 59 single family detached homes located on 23.26 acres. This approval was for the 1st phase of the Legacy at North Star development.

On March 25, 2019, the Planning Commission held a public hearing to review this request. There was no public comment about the proposed final plat and the Planning Commission recommended approval, subject to conditions.

ISSUE(S) BEFORE THE CITY COUNCIL:

Is the proposed Legacy at North Star Second Addition Final Plat generally consistent with the City-approved Legacy at North Star preliminary plat and PUD and has the applicant met all the required conditions of approval? Should the City vacate the easements over Outlots E, F and G to allow the recording of the Legacy at North Star Second Addition final plat?

GENERAL INFORMATION:

Applicant: GWSA Land Development, 10850 Old County Road 15, Suite 200, Plymouth, MN 55441

Property Owner: GWSA Land Development, Plymouth, MN 55441
Location: Outlot F and Outlot G, Legacy at North Star, Washington County, Minnesota.
PID#s: 14-029-21-11-0039 and 14-029-21-12-0014
Request: Easement Vacations, Final Plat and Development Stage PUD Plans
Site Area: 22.8 acres (total for two PIDs)
Res. Dev. Area: 97.25 acres (overall)
Land Use: Village Urban Low Density
Current Zoning: V-LDR/PUD
Proposed Zoning: V-LDR/PUD
Surrounding: RR (north)/ LDR and VMX (east)/Agriculture (south)/ OP and RR (west).
History: The City approved the PUD Concept Plan on June 6, 2017 and approved the Preliminary Plat and PUD Plans on February 20, 2018 for the Legacy at North Star development.
Deadline: Application Complete – 2/25/2019
60 Day Deadline – 4/24/2019
Extension Letter Mailed – No
120 Day Deadline – N/A
Applicable Code: Article 13 – Village Mixed Use District
Article 18 – Planned Unit Development Regulations
Chapter 153 – Subdivision Regulations
§150.270 Storm Water, Erosion, and Sediment Control

PROPOSAL DETAILS/ANALYSIS:

PUD Flexibility. The City approved this Village-Low Density Residential (V-LDR)/PUD development for the northern portion of the Schiltgen Farm at the northwest corner of CSAH 14 and CSAH 17. The development is a PUD because the City afforded the developer a higher density than is allowed within the V-LDR land use category and the City is allowing flexibility from the zoning regulations of the Shoreland Ordinance and the V-LDR zoning regulations.

Changes since Preliminary Plat Reviewed by the Planning Commission. The Preliminary Plans approved by City staff consisted of 266 lots. The Legacy at Lake Elmo 2nd Addition has been submitted consistent with the approved Preliminary Plans dated June 29, 2018. Ultimately the density within the entire development was approved at 2.75 units per acre but has been reduced to 2.72 units per acre with required changes. I have noted other changes to the Second Addition plat since this version throughout the report.

FINAL PLAT AND PUD PLANS

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 Legacy at North Star Preliminary Plat included a series of conditions that must be met by the applicant, which are addressed in the sections below.

Consistency with Preliminary Plat. Staff has reviewed the proposed final plat and found that it is generally consistent with the preliminary plat that was approved by the City. The developer updated the preliminary plan submissions to meet the conditions of approval before submitting the 2nd Addition Final Plat, and the final plat application incorporates these updates as well. 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.

For this phase of the development, the applicant is proposing to plat 74 single family lots instead of the 76 lots approved with the preliminary plat. The change increased the lot widths and sizes for lots in Block 1 and Block 4 by decreasing the number of lots from 9 to 8 in each block. The applicant stated they made this change to have larger lots in response to a request from builders. In reviewing the proposed final plat, Lot 8, Block 4, which is shown next to Outlot F, has a trapezoid shape with the front being 64.94 feet in width and the rear of the lot being 57.93 feet in width. The developer has proposed this layout to accommodate Outlot F which will have a trail and for storm sewer facilities including catch basins and underground pipes to provide storm water drainage to the area.

Lot Sizes and Widths. The minimum lot width for lots in the shoreland of Sunfish Lake is 125 feet and 70 feet in the V-LDR District. The minimum lot size for lots in the shoreland of Sunfish Lake is 40,000 sq. ft. and in the V-LDR District, 9,000 sq. ft. The City granted the developer the following deviations from setbacks and lot area/width, shown in the table below. Changes since preliminary plat approval include a slight decrease in minimum lot width for exterior single family; a significant decrease in minimum lot area for the villa lots and a slight decrease in minimum lot area for interior and exterior single family lots. None of the lots in this phase of the development, however, are in the shoreland area of Sunfish Lake.

	Shoreland Standard	V-LDR Standard	Villa Lots – Preliminary Approval	Villa Lots - Proposed	Interior Single Family – Preliminary Approval	Interior Single Family - Proposed	Exterior Single Family – Preliminary Approval	Exterior Single Family - Proposed
Minimum Lot Width	125 ft.	70 ft.	55 ft.	55 ft.	55 ft.	55 ft.	66 ft.	65 ft.
Minimum Lot Area	40,000 sq. ft.	9,000 sq. ft.	7,900 sq. ft.	6,600 sq. ft.	6,900 sq. ft.	6,840 sq. ft.	8,500 sq. ft.	8,090 sq. ft.
Minimum Front Yard Setback	N/A	25 ft.	15 ft.	15 ft.	25 ft.	25 ft.	25 ft.	25 ft.
Minimum Side Yard Setback	N/A	10 ft./5 ft. or 7.5 ft./7.5 ft.	7 ft./8 ft.	7 ft./8 ft.	7 ft./8 ft.	7 ft./8 ft.	10 ft./5 ft. or 7.5 ft./7.5 ft.	10 ft./5 ft. or 7.5 ft./7.5 ft.
Maximum Impervious Surface	N/A	35%	50%	50%	40%	45%	45%	45%

Landscaping and Tree Preservation. Staff submitted the proposed project landscape plans to the City's Landscape Architect for review. It is a recommended condition of approval that the landscape plans be approved before recording of final plat.

The applicant also provided the City with a tree preservation plan. The preliminary landscape plans indicated that there were no trees on the site and therefore no removal. However, trees were removed on the western edge of the property during grading. The tree preservation plan shows that three significant trees were removed. The applicant will be required to replace these trees per the tree preservation ordinance and has indicated that conversations have been had with adjacent property owners indicating that larger trees will be planted along this western edge to screen these properties as much as possible.

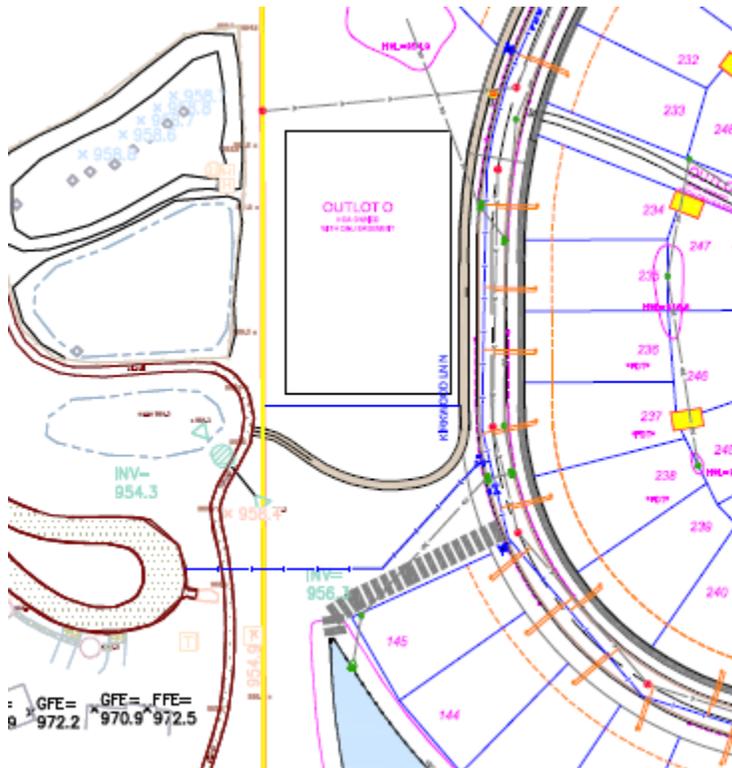
Outlots. Outlots A and C will be owned by the City for storm water management purposes. The plans indicate that Outlot B will be developer owned but eventually the HOA will own and maintain it. Outlots A and C will be dedicated to the city for storm water ponding purposes. Existing Outlots G and F are developer-owned and are the site of the Second Addition final plat. Outlot H (owned by Schiltgen Family) will be developed in the future and Outlots D and E are developer owned and used for private trail purposes, protected by a drainage and utility easement. Outlot F also will be owned by the HOA as it is for a private trail running between 39th Street North and 38th Trail North.

Parkland Dedication. The total required parkland dedication for the development is 10% of the total 98.93 (9.893 acres). The City approved a partial parkland dedication for the entire development with dedication of Outlot D of the Northport plat to the City. This outlot is 6.51 acres, and so the developer is only responsible for the remaining 3.473 acres of parkland dedication. With the first addition, the developer platted 27.2 acres of land which required a parkland dedication of 2.72 acres. By subtracting 2.72 acres from the 6.51 acres of land the city accepted from Outlot D of Northport, the developer has a "credit" 3.79 acres of parkland dedication with the City.

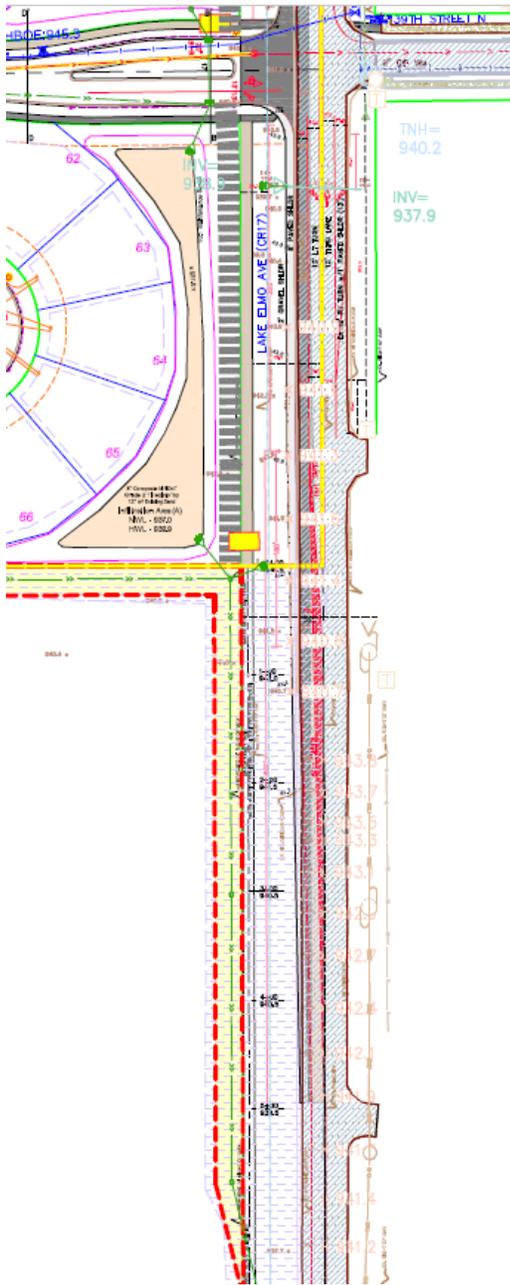
For second phase, with a development area of 22.8 acres, the City would normally require a parkland dedication of the equivalent of at least 2.28 acres (10 percent of this phase of the project.) With the 3.79 acres of parkland "credit" available, the City will not be requiring the developer to dedicated land or pay park dedication fees with this phase of the development. By subtracting 2.28 acres from the 3.79 acres, the developer will have 1.51 acres of parkland credit remaining after the Second Addition to apply toward parkland dedication requirements in future phases. In addition, the developer will eventually be responsible for paying the City a cash contribution of \$278,668 for park dedication purposes. This cash contribution for park dedication will be due after the remaining 1.51 acres of "credit" has been applied to future phases of the development. The City calculated the \$278,668 cash contribution by determining 10 percent of the value of the 98.93 acres within the entire preliminary plat area (\$816,173) less the value of Outlot D of Northport 1st Addition (\$537,505).

The development also will have an HOA-owned and maintained playfield on the west side of the development along with a playground, pool, pool house, and recreation area near the eastern side of the development on the south side of 39th Street.

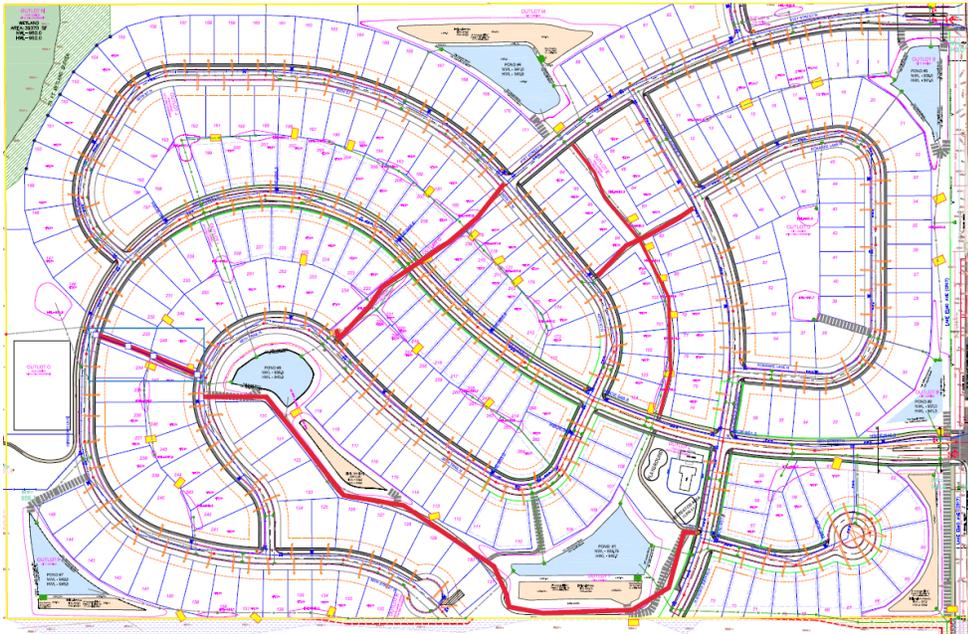
Trails. It was a condition of preliminary plat approval that the applicant provide a trail connection to the Hamlet on Sunfish Lake trails plat, as shown below. This trail connection runs along 39th Street and will connect the Hamlet on Sunfish Lake trails to Lake Elmo Avenue. The applicant and City have worked with the Hamlet on Sunfish Lake residents to determine this connection point.



Another condition was that a trail be provided from 39th Street to the southern limits of the plat and that the future County right-of-way area along Lake Elmo Avenue of the parcel to the south of the plat be graded for a future bituminous trail extension (grade ready trail) along the storm sewer outfall pipe location.



Private Trails. Private trails are shown below in red.



Subdivision Signs. The developer has proposed to install two subdivision signs within the medians of 41st Street North and 39th Street North. This is allowed per an amendment to the Sign Regulations ordinance adopted by the City in December of 2017. One subdivision sign of up to 32 square feet is allowed with additional signs of up to 24 square feet for each entrance. The developer is not proposing any additional signs with this phase of the development.

Streets and Access. With the First Addition final plat, the developer proposed a modified street grid with 60 foot wide public rights-of-ways with 28' wide streets (back to back), allowing parking on both sides of the street, except where center island exist, such as at the entrance roads off of Lake Elmo Avenue. The developer provided right-of-way and street stubs from the First Addition to allow for vehicle connectivity to the north and south of that phase. They also provided two access points to the Schiltgen parcel to the south of the project site in the event this property develops in the future and also to accommodate the land locked Chavez parcel. The First Addition also included a street stub to the property to the north of the development to accommodate future development.

For the Second Addition, the proposed street connection points and designs are consistent with the approved overall preliminary plat and with the approved First Addition final plat.

Village Parkway Design. When reviewing the Concept Plan, the Planning Commission recommended and the Council adopted a condition of approval that the developer carry the Village Parkway design through in the development with the southern road (39th Street) to at least to the first street stub providing access to the south. The developer met this design with the First Addition, with a trail on the north side and sidewalk on the south side to match up with existing configuration of 39th Street to the east.

Street Names. The proposed street names are consistent with the City street naming policy.

Fire Chief and Building Official Comments. Planning staff provided the Fire Chief and Building Official copies of the proposed Second Addition final plat. They offered the following comments:

Fire Chief Malmquist:

1. Street naming and numbering to be consistent with City guidelines.
2. Hydrant locations to be reviewed and approved (by City staff).

Building Official Bent:

1. Fire hydrant spacing/locations, street signage, etc. shall be in accordance with City regulations and should be the same as the First Addition approvals.
2. Provide temporary turn-arounds or temporary cul-de-sac and street ends where necessary.
3. Street signs shall be installed before any (home) construction may be begin in this addition.

Washington County Review. City staff sent the proposed final plat to Washington County for review. The developer provided enough right-of-way for County Road 17 (Lake Elmo Avenue) with the recording of the First addition final plat. Before construction, the developer or contractor must obtain any applicable Washington County right-of-way permits, submit drainage report and calculations to the City and access control shall be dedicated to Washington County along CSAH 17/Lake Elmo Avenue frontage.

City Engineer Comments. The City Engineer memo dated March 19, 2019 is attached to this report. He had several comments about the ownership and platting of the various outlots within the development.

Other Concerns.

Watering Ban. Due to a possible shortage of water, the City may need to implement severe watering restrictions in the City for this summer and into the future. This could include limiting or prohibiting the use water outside including for car washing and for watering grass. This could affect future home builders and buyers as there may be a limited supply of water available for outdoor uses. It may be wise for the City to put a condition on this phase of the plat to require the home builders to inform the buyers about the possible watering restrictions.

Finishing Streets in the First Addition. The developer started construction of the First Addition in 2018 but did not finish the streets to City standards before winter. They installed the utilities and the gravel base but did not install the concrete curb and gutter or the bituminous pavement. The City allowed the developer to install a temporary bituminous driving surface over the center of the roads in the First Addition in the fall of 2018. This is to allow access to the house sites (to allow for their construction) with the requirement that the developer remove the temporary road surface and finish the streets (with curb and gutter and permanent bituminous) this spring. The City made it a condition of this temporary street approval that the City would not issue certificates of occupancy for any new house on a temporary street until after the contractor installed the permanent street to the satisfaction of the City.

The streets for the Second Addition intersect with 39th Street (to the north and south). The City Engineer indicated to me that the construction of the utilities and new streets for the Second Addition should not be impacted by the condition of the streets in the First Addition. It would be prudent for the developer to finish the streets in the First Addition as quickly as possible to minimize conflicts and problems this year. Staff is recommending the City require the developer finish the streets in the First Addition (with at least the installation of curb and gutter and the base course of bituminous) before the City issues any building permits in the Second Addition.

Conditions of Concept Preliminary Plat and PUD Plan Approval. The following indicates how this phase of the development will meet the conditions of Preliminary Plat and PUD Plan Approval.

1. *That PID# 11.029.21.44.0001 is subdivided to create Parcel 3 as indicated on the Preliminary Plat and that a Zoning Map Amendment is approved to rezone Parcels 1, 2, and 3 from Rural Development Transitional to Village Urban Low Density Residential.*

This condition has been met.

2. *That the future preliminary plat and PUD Plans include parcels with PID# 14.029.21.11.0001, 11.029.21.43.0001, and a portion of 11.029.21.44.0001.*

This condition has been met.

3. *That the future preliminary plat and preliminary PUD Plans submittal identify all requests for flexibility from the V-LDR zoning district.*

The Applicant indicates in the narrative that PUD Flexibility is being requested on minimum lot width, lot area, front yard setback, side yard setback and maximum impervious coverage.

4. *That all comments of the City Engineer's Memorandum dated May 8, 2017 be addressed with the future preliminary plat and preliminary PUD Plans submittal.*

It is a recommended condition of approval for the Second Addition that the applicant address all items outlined in the City Engineer's memo for the Final Plat and PUD Plans dated March 19, 2019.

5. *That the Applicant submit additional details on the proposed stormwater reuse system and ongoing operations for City review and consideration. Ownership, maintenance and ongoing operational responsibilities must be clearly defined, and City acceptance of stormwater reuse must be contingent upon the City agreeing to the ongoing ownership, maintenance and operation plan, including the execution of a stormwater maintenance and easement agreement that addresses stormwater reuse.*

The Applicant has chosen to not pursue stormwater reuse on this time. While the Council did grant amenity points for this feature, there are still enough amenity points granted to reach the increased density. The applicant has indicated within the narrative that it was decided that this site would be better served with infiltration basins and that the stormwater reuse was not necessary due to the decrease in lot count and increase in open space.

6. *That the Applicant provide a detailed phasing plan with the Final Plat 1st Addition application that clearly indicates the phasing of the construction for each public infrastructure component and addresses both construction access to the site and public access for new residents. Temporary cul-de-sacs should be part of the phasing plans and are required for any street with a platted lot with driveway access.*

The applicant provided this with the construction plans.

7. *That the developer provide a trail connecting the trail in the middle of the development to Hamlet on Sunfish Lake trails along with a trail corridor of at least 30 feet in width. The developer shall not receive parkland dedication credit for the trail corridor nor cost of construction of the trail.*

The developer provided this trail and will not receive parkland dedication credit for the construction of this trail.

8. *That any approval be contingent on complying with Washington County's requirements and requests pertaining to right-of-way, turn lanes and trail needs as noted in the Washington County Memo dated June 1, 2017.*

Washington County submitted preliminary plat comments to the City in a memo dated June 1, 2018. This memo indicated that sufficient right-of-way has been provided as per the Washington County Comprehensive Plan on the preliminary plat and that a sufficient right-of-way easement is provided to the south of the development. The applicant will be installing the required turn lanes this year as part of completing the construction of the 1st Addition.

9. *Sufficient right-of-way along Lake Elmo Avenue N (CSAH-17) for both the Legacy at North Star Plat and PID# 14.02.921.11.0001 must be provided. Verification from Washington County that sufficient right-of-way along Lake Elmo Avenue N (CSAH-17) has been provided must be received by the City.*

This condition has been met.

10. *The Applicant shall be solely responsible for all construction costs associated with the intersection improvements as recommended by Washington County.*

The developer started the construction of the First Addition in 2018 including the intersection of County Road 17 and 39th Street. It is not clear if they have completed all the construction at this intersection but any costs and responsibilities for those improvements would be covered by the Developer's Agreement for the First Addition.

11. *That the Applicant provide a minimum 30 foot buffer from the northern edges and 50 foot buffer from the western edges of the plat. This buffer shall average 170 feet on the western edge of the plat and 86 feet on the northern edge of the plat and include sufficient landscaping and/or berming as deemed adequate by the City-*

The applicant provided the City with the preliminary plat application an exhibit showing that the plans will meet this requirement. The exhibit shows that the buffer on the western edge averages 170 feet and that the buffer on the northern edge averages 90 feet. This condition is not applicable to the Second Addition Final Plat.

12. *That the Landscape Plans receive approval from the City's Landscape Architect and include revisions as mentioned in the Staff Report dated to the Planning Commission dated December 11, 2017.*

The overall landscape plans have been approved by the City's Landscape Architect, and it is a condition of approval that the City approve the landscape plans for this phase of the development.

- 13. That wetlands and wetland buffer areas be contained within outlots outside of lot areas and dedicated to the City.*

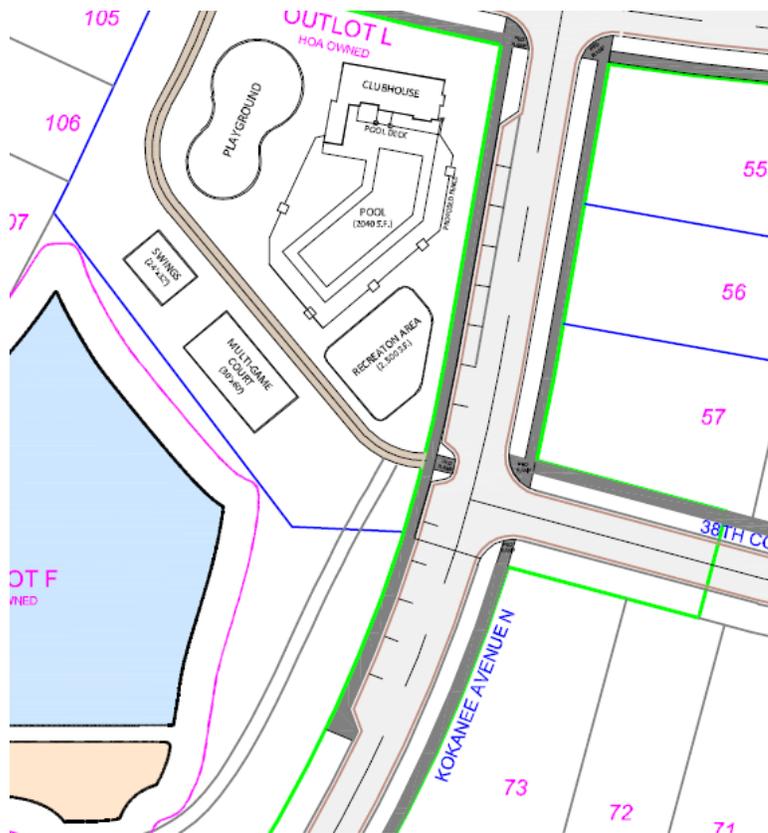
The preliminary plat shows that with buffer averaging this wetland buffer has been contained within Outlot N of the preliminary plat. This condition is not applicable to the Second Addition.

- 14. That the Applicant provide a detailed sanitary sewer phasing plan must be provided with Final Plat 1st Addition application to address timely connection to sewer for the wastewater treatment system that includes, at a minimum, dedicated right-of-way or utility easement extended to the westerly side of the plat.*

The applicant provided a drainage and utility easement over all of Outlot H, which may be used by the City as a permanent drainage and utility easement for the installation of a trunk sanitary sewer pipe to serve the Hamlet on Sunfish Lake development before any future Legacy at North Star additions.

- 15. That the Final Plat and PUD Plans include a parking area for the HOA pool/playground recreation area that meets all applicable standards.*

The parking area has been removed from the originally proposed preliminary plat that the Planning Commission reviewed in December of 2017 but has been replaced with approximately 13 parking spaces along Kokanee Avenue North as shown below. This was due to the new design and increases open space within the park and provides more parking than what would be provided with the parking lot. This condition is not applicable to the Second Addition.



16. That the proposed 15 foot front yard setback for Villa Lots be approved provided the HOA documents include architectural requirements that require 4-sided architecture and garages facing the public right-of-ways to have windows and/or other architectural features.

The applicant has indicated that they would prefer to have this requirement within the architectural guidelines, which is requested to be a separate document from the HOA documents. The applicant has indicated that this would provide greater control over the building designs. This change is a recommended condition of Final Plat and PUD Plans approval to have the applicant provide the City with this documentation before the recording of the final plat.

17. That the Landscape Plans receive approval from the City's Landscape Architect and include revisions as mentioned in the Staff Report dated to the Planning Commission dated December 11, 2017.

It is a recommended condition of Second Addition Final Plat and PUD Plans approval that the City's Landscape Architect approve the landscape plans for this phase of the development.

18. That the developer comply with any comments provided by the MnDNR.

The applicant has provided with the Preliminary Plat and PUD Plans application a shoreland tier analysis that shows the applicant has provided sufficient open space and has proposed the allowed number of lots within the shoreland area. This condition is not applicable to the Second Addition.

19. *That the developer provide deed restrictions, covenants, permanent easements or other instruments for open space that prohibit future vegetative and topographic alterations other than routine maintenance, construction of buildings or storage of vehicles and other materials; and ensure preservation and maintenance of open space.*

The outlot that will serve as open space within the shoreland will be owned by the City and therefore will not require a protective covenant preserving the open space. It is a recommended condition of approval that the Applicant enter in to an open space easement with the City over homeowners' association-owned outlots on the northern and western edges of the development.

20. *That all Fire Chief and Building Official comments be addressed.*

Planning staff submitted the proposed Second Addition Final Plat and PUD Plans to the Building Official and Fire Chief. It is a recommended condition of approval of the Final Plat and PUD Plans that the developer address all these comments.

21. *That street names comply with City's Street Naming Policy.*

The applicant has changed the street names since preliminary plat approval to adhere to the City's current street naming policy.

22. *That the Applicant provide specific examples of proposed development signage, fencing, landscaping, lighting and site furnishings, including the clubhouse, that will adhere to the Lake Elmo Branding and Theming Study with the Final Plat and PUD Plans submittal.*

The applicant provided the City with this information with the Final Plat for the First Addition.

23. *That the Applicant submit and the City approve updated Preliminary Plat and PUD Plans prior to submission of Final Plat and PUD Plans.*

The preliminary plat and PUD plans were approved before the applicant submitted the proposed Second Addition Final Plat and PUD application.

24. *The proposed 7'8" sideyard setbacks shall be approved by the City Engineer.*

The Engineer does not have issue with this side yard setback.

25. *That the Applicant construct a bituminous trail extending south along the County right-of-way from 30th Way to the southerly plat limits (along the east side of Outlot C) and the future County right-of-way area along Lake Elmo Avenue of the parcel to the south of the plat should be graded for a future bituminous trail extension (grade ready trail) along the storm sewer outfall pipe location.*

This trail was shown on the construction plans for the First Addition and is covered by the developer's agreement for that phase of the project.

26. *That the Applicant pay a cash contribution in an amount equal to the fair market value of 3.383 acres of land to satisfy the development's park land dedication requirement pursuant to Section 154.14 of the City Code.*

This will be addressed in the development agreement.

EASEMENT VACATIONS

Easement Vacations. The applicant is requesting the City vacate the drainage and utility easements that are now over Outlot E, Outlot F and Outlot G. (Please see that attached exhibit showing these areas.) The developer dedicated these easements with the First Addition final plat but the City will not need these easements as the developer will be dedicating new easements with the Second Addition final plat. In addition, the developer could not record a new final plat (or replat) these existing Outlots into Lots and Blocks with the existing easements in place.

Minnesota Statue outlines the provisions for vacating a public right-of-way or easement. It states in part that “Council may, by resolution, vacate any street, alley, public grounds, public way, or any part thereof, on its own motion or on petition of a majority of the owners of land abutting said property. Easement vacations require a public hearing and 4/5 vote by Council only if there has been no petition.”

Recommended Findings. Staff recommends approval of the Legacy at North Star Second Addition Final Plat and PUD Plans based on the following findings:

1. That the applicant has met all the requirements of City Code Section 153.10 related to the Final Plan and Final Plat.
2. That the proposed Final Plat and PUD Plans for Legacy at North Star Second Addition will create 74 lots for single-family detached residential structures.
3. That the Legacy at North Star Second Addition Final Plat and PUD Plans are generally consistent with the Preliminary Plat and PUD Plans as approved by the City of Lake Elmo on February 20, 2018 by Resolution 2018-013.
4. That the Legacy at North Star Second Addition Final Plat and PUD Plans are consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area with an allowed increase in density as a Planned Unit Development and with the exception of the Village Open Space Overlay District Greenbelt Corridor.
5. That the Legacy at North Star Second Addition Final Plat and PUD Plans comply with general intent of the City’s Village Low Density Residential zoning district regulations with PUD Modifications.
6. That the Legacy at North Star Second Addition Final Plat and PUD Plans comply with all other applicable zoning requirements, including the City’s landscaping, storm water, sediment and erosion control and other ordinances with the exception of issues identified in the July 27, 2018 Staff report to the Planning Commission.
7. That the Legacy at North Star Second Addition Final Plat and PUD Plans comply with the City’s subdivision ordinance with PUD modifications.
8. That the Legacy at North Star Second Addition Final Plat and PUD Plans are generally consistent with the City’s engineering standards with the exception of necessary plan revisions outlined by the

City Engineer in his review comments to the City about Legacy at North Star Second Addition Final Plat and PUD Plans dated March 14, 2019.

9. That the Legacy at North Star Second Addition Final Plat and PUD Plans meet the minimum requirement for a PUD including minimum lot area, open space and street layout.
10. That the Legacy at North Star Second Addition Final Plat and PUD Plans meet more than one of the required PUD objectives identified in Section 154.751 including providing: 1) more adequate, usable, and suitably located open space and recreational amenities and other public facility than would otherwise be provided under conventional development techniques, 2) Preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities, and 3) Allowing the development to operate in concern with a redevelopment plan in certain areas of the City and to ensure the redevelopment goals and objective will be achieved.
11. That the Legacy at North Star Second Addition Final Plat and PUD Plans meet the allowed density requirements allowed with PUD flexibility.
12. That the Applicant is providing the following amenities, for which the City shall award amenity points:
 - a. Pedestrian improvements including construction of a trail along the County right-of-way from 30th Way to the southerly plat limits; grading along the storm sewer outfall pipe location within the future right-of-way area along Lake Elmo Avenue of the property to the south of the proposed development along with dedication of County right-of-way to facilitate a future trail; and dedication of a 30-foot wide trail corridor along with construction of a trail connecting the trail within the development from Lak Elmo Avenue to the trail within the Hamlet on Sunfish Lake development (10 points).
 - b. Theming elements from the Lake Elmo Theming Study (1 point).
 - c. Additional open space above 20% (2 points).
 - d. Connection of sewer to Hamlet on Sunfish Lake Development (5 points).
 - e. Provision of private park amenities including a clubhouse, tot lot, and pool (5 points).
13. That the proposed PUD will allow a more flexible, creative, and efficient approach to the use of the land, and will specifically relate to existing zoning district standards in the following manner (with exceptions as noted):

a. Lot Dimensions and Bulk Building Requirements

	Villa Lots	Interior Single Family	Exterior Single Family
Minimum Lot Width	55 ft.	55 ft.	65 ft.
Minimum Lot Area	6,600 sq. ft.	6,840 sq. ft.	8,090 sq. ft.
Minimum Front Yard Setback	15 ft.	25 ft.	25 ft.
Minimum Side Yard Setback	7 ft./8 ft.	7 ft./8 ft.	10 ft./5 ft. or 7.5 ft./7.5 ft.

Maximum Impervious Surface	50%	45%	45%
----------------------------------	-----	-----	-----

Recommended Conditions of Approval. Staff and the Planning Commission recommend approval of the requested Legacy at North Star Second Addition Final Plat and PUD Plans with the following conditions:

1. Final grading, drainage, and erosion control plans, sanitary and storm water management plans, landscape plans, and street and utility construction plans shall be reviewed and approved by the City Engineer and applicable Staff before the recording of the Final Plat. All changes and modifications to the plans requested by the City Engineer in the memorandum addressing Legacy at North Star Second Addition Final Plat and PUD Plans dated March 19, 2019 shall be incorporated into these documents before the City will review and approve the plans.
2. All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat before its execution by City Officials.
3. Final Plat approval is contingent upon the temporary cul-de-sac along 38th Trail North extending fully beyond Lot 3, Block 6 for the 2nd Addition, or that Lot 3, Block 6 is removed from the 2nd Addition Plat. The temporary cul-de-sac cannot encroach on a lot proposed for platting.
4. If applicable, the Final Plat ~~must~~ be contingent upon the City receiving separate drainage and utility easements in the City's standard form of easement agreement for all off-site development improvements (beyond the plat limits). All off-site easements must be clearly shown on the street, grading and utility plans, with all dimensions labeled. The easements must be obtained before the start of construction.
5. Before the execution of the Final Plat by City officials, the Developer shall enter into a Development 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 and shall include the payment of required park dedication fees for the Legacy at North Star Second Addition Final Plat with financial guarantees therefore.
6. A Landscape License Agreement shall be executed for the maintenance of commonly held homeowners' association-owned and City-owned outlots, right-of-ways, and medians before the release of the final plat by City Officials.
7. ~~That the developer provide a trail connecting to the trails of Hamlet on Sunfish Lake. The Applicant shall not receive parkland dedication credit for the trail outlot or easement or construction of the trail. (Not applicable with this phase of the development).~~
8. That before construction and if applicable, any Washington County right-of-way permits that may be required must be obtained, drainage report and calculations must be submitted and access control shall be dedicated to Washington County along CSAH 17/Lake Elmo Avenue frontage.
9. ~~That the applicant provide a Roadway, Drainage and Utility Easement in City standard form of roadway easement agreement, along Lake Elmo Avenue (CSAH 17) from the southern boundary~~

~~to Stillwater Boulevard North (CSAH 14), and consistent with the requirements of the preliminary plat approval. (Completed with the First Addition).~~

10. That the Landscape Plans for this phase of the development be approved by the City's Landscape Architect before the recording of final plat.
11. That the applicant include in the Architectural Control guidelines ~~(included in the Covenants for the development)~~ the requirements that villa lots utilize 4-sided architecture and garages facing the public right-of-ways to have windows and/or other architectural features. These guidelines ~~and covenants~~ shall be subject to review and approval by the City before the plat is recorded.
12. That the applicant address all Fire Chief and Building Official comments.
13. That street names shall comply with City's Street Naming Policy.
14. That the applicant notify all home builders about possible City outdoor watering restrictions ~~unless notified by the City that notices are no longer needed~~ and that the home builders notify all home buyers that the City may impose limits on outdoor water use including no watering of grass or sod, unless the applicant is notified by the City that this notice is no longer required. Said decision about whether or not this notice is no longer required shall be made at the sole discretion of the City. The applicant shall have the City approve the notification message before recording the final plat.^[CA1]
15. That the developer finish the streets in the First Addition (with at least the installation of curb and gutter and the base course of bituminous) before the City issues any building permits in the Second Addition.
16. That the development utilize Traditionaire LED Downlights from Xcel Energy for the development in lieu of the Street Light Type/Pole of Acorn with aluminum pole (all black) indicated in the City's Engineering Standards and that streetlights be located only at intersections and ends of cul-de-sacs.

RECOMMENDATION:

Staff and the Planning Commission recommend approval of the Legacy at North Star Second Addition Final Plat and PUD Plans with recommended findings and conditions of approval as outlined in the staff report.

“Move to recommend approval of the Legacy at North Star Second Addition Final Plat and PUD Plans with recommended findings and conditions of approval.”

Staff and the Planning Commission recommend approval of the proposed vacation of the drainage and utility easements on Outlot E, Outlot F and Outlot G of Legacy at North Star First Addition as shown on the easement vacation Exhibit dated October 31, 2018.

“Move to recommend approval of the request for the vacation of the drainage and utility easements over Outlot E, Outlot F and Outlot G, Legacy at North Star as shown on the easement vacation exhibit dated October 31, 2018.”

ATTACHMENTS:

1. Application Narrative dated 2-26-2019
2. 2 City Maps
3. Proposed Final Plat (3 pages)
4. Easement Vacation Exhibit dated October 31, 2018
5. Sheet 1 of Construction Plans (Title Sheet)
6. Sheet 27 of Construction Plans (Phasing Plan)
7. Sheet 2 of Project Plans (Outlot Map)
8. Approved Preliminary Plat (2 sheets)
9. City Engineer Report dated March 19, 2019
10. Resolution 2019 – XXX approving the Final Plat and PUD plans
11. Resolution 2019 – XXX approving easement vacations

Document comparison by Workshare Compare on Monday, April 15, 2019
12:11:13 PM

Input:	
Document 1 ID	file://C:\Users\sj\\Desktop\Staff Report - Legacy at North Star 2nd Addition.docx
Description	Staff Report - Legacy at North Star 2nd Addition
Document 2 ID	PowerDocs://DOCSOPEN/563986/1
Description	DOCSOPEN-#563986-v1-Revised_Staff_Report
Rendering set	Standard

Legend:	
<u>Insertion</u>	
Deletion	
Moved from	
<u>Moved to</u>	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	9
Deletions	4
Moved from	1
Moved to	1
Style change	0
Format changed	0
Total changes	15

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

RESOLUTION NO. 2019 - 026

RESOLUTION APPROVING THE LEGACY AT NORTH STAR 2ND ADDITION FINAL PLAT AND PLANNED UNIT DEVELOPMENT (PUD) PLANS

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

WHEREAS, GWSA Land Development, 10850 Old County Road 15, Suite 200 Plymouth, MN 55441 submitted an application to the City of Lake Elmo (City) for a Final Plat and Planned Unit Development Plan for 74 detached single family lots as the second phase of a 266 detached single family residential planned unit development on 98.93 acres, a copy of which is on file in the City of Lake Elmo Planning and Zoning Department; and

WHEREAS, notice has been published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.102; and

WHEREAS, the Lake Elmo Planning Commission held public hearing on March 25, 2019 to consider the Final Plat and PUD Plans; and

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

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Final Plat and PUD Plans as part of a memorandum to the City Council from the Planning Director for the April 16, 2019 City Council Meeting; and

WHEREAS, the City Council reviewed the application at its meeting held on April 16, 2019 and made the following findings:

1. That the applicant has met all the requirements of City Code Section 153.10 related to the Final Plat and Final Plat.
2. That the proposed Final Plat and PUD Plans for Legacy at North Star 2nd Addition consist of the creation of 74 single-family detached residential structures.
3. That the Legacy at North Star 2nd Addition Final Plat and PUD Plans are generally consistent with the Preliminary Plat and PUD Plans as approved by the City of Lake Elmo on February 20, 2018 by Resolution 2018-013.
4. That the Legacy at North Star 2nd Addition Final Plat and PUD Plans are consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area with an allowed

increase in density as a Planned Unit Development and with the exception of the Village Open Space Overlay District Greenbelt Corridor.

5. That the Legacy at North Star 2nd Addition Final Plat and PUD Plans comply with general intent of the City's Village Low Density Residential zoning district regulations with PUD Modifications.
6. That the Legacy at North Star 2nd Addition Final Plat and PUD Plans comply with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances with the exception of issues identified in the April 16, 2019 Staff report to the City Council.
7. That the Legacy at North Star 2nd Addition Final Plat and PUD Plans comply with the City's subdivision ordinance with PUD modifications.
8. That the Legacy at North Star 2nd Addition Final Plat and PUD Plans are generally consistent with the City's engineering standards with the exception of necessary plan revisions outlined by the City Engineer in his review comments to the City about the Legacy at North Star 2nd Addition Final Plat and PUD Plans dated March ____, 2019.
9. That the Legacy at North Star 2nd Addition Final Plat and PUD Plans meet the minimum requirement for a PUD including minimum lot area, open space and street layout.
10. That the Legacy at North Star 2nd Addition Final Plat and PUD Plans meet more than one of the required PUD objectives identified in Section 154.751 including providing: 1) more adequate, usable, and suitably located open space and recreational amenities and other public facility than would otherwise be provided under conventional development techniques, 2) Preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities, and 3) Allowing the development to operate in concern with a redevelopment plan in certain areas of the City and to ensure the redevelopment goals and objective will be achieved.
11. That the Legacy at North Star 2nd Addition Final Plat and PUD Plans meet the allowed density requirements allowed with PUD flexibility.
12. That the Applicant is providing the following amenities in the Legacy at North Star development, for which the City shall award amenity points:
 - a. Pedestrian improvements including construction of a trail along the County right-of-way from 30th Way to the southerly plat limits; grading along the storm sewer outfall pipe location within the future right-of-way area along Lake Elmo Avenue of the property to the south of the proposed development along with dedication of County right-of-way to facilitate a future trail; and dedication of a 30-foot wide trail corridor along with construction of a trail connecting the trail within the development from Lak Elmo Avenue to the trail within the Hamlet on Sunfish Lake development (10 points).
 - b. Theming elements from the Lake Elmo Theming Study (1 point).
 - c. Additional open space above 20% (2 points).

- d. Connection of sewer to Hamlet on Sunfish Lake Development (5 points).
 - e. Provision of private park amenities including a clubhouse, tot lot, and pool (5 points).
13. That the proposed PUD will allow a more flexible, creative, and efficient approach to the use of the land, and will specifically relate to existing zoning district standards in the following manner (with exceptions as noted):

a. Lot Dimensions and Bulk Building Requirements

	Villa Lots	Interior Single Family	Exterior Single Family
Minimum Lot Width	55 ft.	55 ft.	65 ft.
Minimum Lot Area	6,600 sq. ft.	6,840 sq. ft.	8,090 sq. ft.
Minimum Front Yard Setback	15 ft.	25 ft.	25 ft.
Minimum Side Yard Setback	7 ft./8 ft.	7 ft./8 ft.	10 ft./5 ft. or 7.5 ft./7.5 ft.
Maximum Impervious Surface	50%	45%	45%

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the Legacy at North Star 2nd Addition Final Plat and PUD Plans subject to the following conditions:

1. Final grading, drainage, and erosion control plans, sanitary and storm water management plans, landscape plans, and street and utility construction plans shall be reviewed and approved by the City Engineer and applicable Staff before the recording of the Final Plat. All changes and modifications to the plans requested by the City Engineer in the memorandum addressing Legacy at North Star Second Addition Final Plat and PUD Plans dated March 19, 2019 shall be incorporated into these documents before the City will review and approve the plans.
2. All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat before its execution by City Officials.
3. Final Plat approval is contingent upon the temporary cul-de-sac along 38th Trail North extending fully beyond Lot 3, Block 6 for the 2nd Addition, or that Lot 3, Block 6 is removed from the 2nd Addition Plat. The temporary cul-de-sac cannot encroach on a lot proposed for platting.
4. If applicable, the Final Plat be contingent upon the City receiving separate drainage and utility easements in the City's standard form of easement agreement for all off-site development improvements (beyond the plat limits). All off-site easements must be clearly shown on the street,

grading and utility plans, with all dimensions labeled. The easements must be obtained before the start of construction.



5. Before the execution of the Final Plat by City officials, the Developer shall enter into a Development 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 and shall include the payment of required park dedication fees for the Legacy at North Star Second Addition Final Plat with financial guarantees therefore.
6. A Landscape License Agreement shall be executed for the maintenance of commonly held homeowners' association-owned and City-owned outlots, right-of-ways, and medians before the release of the final plat by City Officials.
7. ~~That the developer provide a trail connecting to the trails of Hamlet on Sunfish Lake. The Applicant shall not receive parkland dedication credit for the trail outlot or easement or construction of the trail.~~ (Not applicable with this phase of the development).
8. That before construction and if applicable, any Washington County right-of-way permits that may be required must be obtained, drainage report and calculations must be submitted and access control shall be dedicated to Washington County along CSAH 17/Lake Elmo Avenue frontage.
9. ~~That the applicant provide a Roadway, Drainage and Utility Easement in City standard form of roadway easement agreement, along Lake Elmo Avenue (CSAH 17) from the southern boundary to Stillwater Boulevard North (CSAH 14), and consistent with the requirements of the preliminary plat approval.~~ (Completed with the First Addition).
10. That the Landscape Plans for this phase of the development be approved by the City's Landscape Architect before the recording of final plat.
11. That the applicant include in the Architectural Control guidelines the requirements that villa lots utilize 4-sided architecture and garages facing the public right-of-ways to have windows and/or other architectural features. These guidelines shall be subject to review and approval by the City before the plat is recorded.
12. That the applicant address all Fire Chief and Building Official comments.
13. That street names shall comply with City's Street Naming Policy.
14. That the applicant notify all home builders about possible City outdoor watering restrictions and that the home builders notify all home buyers that the City may impose limits on outdoor water use including no watering of grass or sod, unless the applicant is notified by the City that this notice is no longer required. Said decision about whether or not this notice is no longer required shall be made at the sole discretion of the City. The applicant shall have the City approve the notification message before recording the final plat.
15. That the developer finish the streets in the First Addition (with at least the installation of curb and gutter and the base course of bituminous) before the City issues any building permits in the Second Addition.

16. That the development utilize Traditionaire LED Downlights from Xcel Energy for the development in lieu of the Street Light Type/Pole of Acorn with aluminum pole (all black) indicated in the City's Engineering Standards and that streetlights be located only at intersections and ends of cul-de-sacs.

Passed and duly adopted this 16th day of April, 2019 by the City Council of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

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

RESOLUTION NO. 2019-027

***A RESOLUTION VACATING DRAINAGE AND UTILITY EASEMENT OVER OUTLOTS
E, F, AND G, LEGACY AT NORTH STAR 1ST ADDITION***

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

WHEREAS, the City Council approved a Preliminary Plat and for the Legacy at North Star development in Lake Elmo on February 20, 2018 through adoption of Resolution 2018-013; and

WHEREAS, the City Council approved the Legacy at North Star First Addition Final Plat on August 21, 2018 through adoption of Resolution 2018-090, which includes PID#s 14-029-21-12-0013, 14-029-21-12-004 and PID# 14-029-21-11-0039; and

WHEREAS, PID#s 14-029-21-12-0013, 14-029-21-12-004 and PID# 14-029-21-11-0039 are owned by GWSA Land Development, LLC, Plymouth, MN 55441 (Owner); and

WHEREAS, the City of Lake Elmo was granted a Drainage and Utility Easement over portions of PID#s 14-029-21-12-0013, 14-029-21-12-004 and PID# 14-029-21-11-0039 and these easements were recorded with the Legacy at North Star First Addition Plat by the Office of the Registrar of Titles of Washington County on September 17, 2018; and

WHEREAS, a request has been made to the City Council pursuant to Minnesota Statute §412.851 to vacate the Drainage and Utility Easements recorded with the Legacy at North Star First Addition by the Office of the Registrar of Titles of Washington County, Minnesota over PID#s 14-029-21-12-0013, 14-029-21-12-004 and PID# 14-029-21-11-0039, legally described as follows:

All of the drainage and utility easements, as created and dedicated over, under, and across Outlot E, Outlot F, and Outlot G, Legacy at North Star First Addition, according to the plat thereof, Washington County, Minnesota.

WHEREAS, the City Clerk reviewed and examined the signatures on said request and determined the signatures constituted all of the landowners abutting upon the portion of easement to be vacated and rededicated; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing to consider the vacation of the Drainage and Utility Easements on the March 25, 2019 before the Planning Commission in the Lake Elmo City Hall located at 3800 Laverne Avenue North after due

published and posted notice had been given and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

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

- 1) The City has granted Final Plat Approval for Legacy at North Star 2nd Addition, which includes PID#s 14-029-21-12-0013, 14-029-21-12-004 and PID# 14-029-21-11-0039; which will grant the City more appropriate easements for similar purposes.

WHEREAS, the City Council, at its meeting on April 16, 2019, considered the easement vacation request.

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 Easements is hereby granted in accordance with the property descriptions provided above, subject to the following condition of approval:

- 1) New easements as requested by the City Engineer and Public Works Director shall be recorded with the Legacy at North Star 2nd Addition Final Plat.

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 16th day of April, 2019.

Effective Date: _____

Approved:

Mike Pearson, Mayor

Attested by:

Julie Johnson, City Clerk



SATHRE-BERGQUIST, INC.

150 SOUTH BROADWAY, WAYZATA, MINNESOTA,
55391 (952) 476-6000 FAX (952) 476-0104

Date: February 26, 2019

Subject: Legacy at North Star 2nd Addition – 74 Lots – Final Plat Narrative

Prepared For: GWSA LAND DEVELOPMENT, LLC.

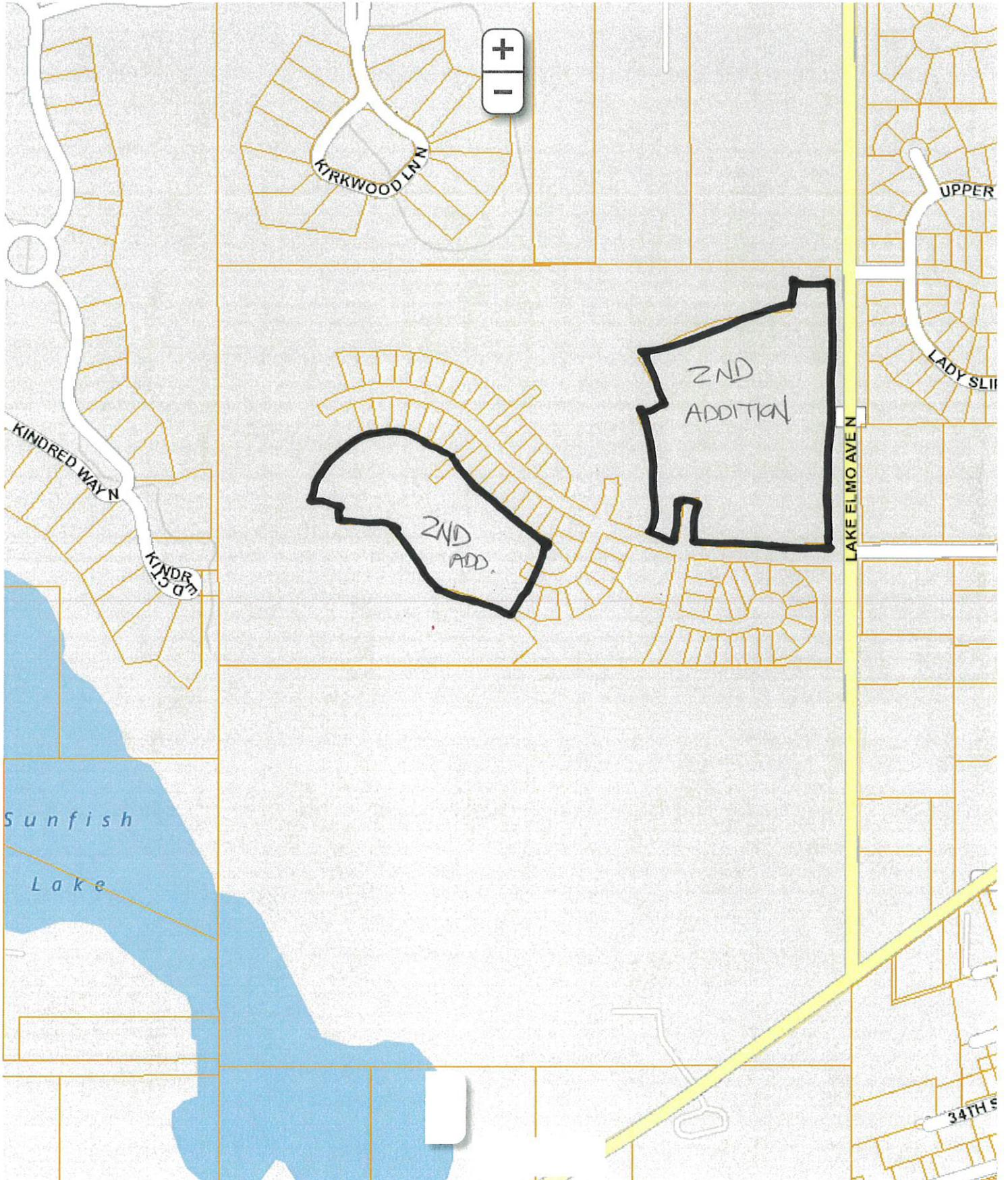
Contact: Craig Allen

Narrative:

The proposed final plat for Legacy at North Star 2nd Addition will consist of 74 single family residential lots. The 2nd addition area was platted as 76 lots however Block 1 and Block 4 now consist of 8 lots as builders are wanting larger lots and 2 lots have been removed to accommodate. The site is located to the west of Lake Elmo Ave and north of Stillwater Boulevard. The site is a total of +/- 22.8 Acres. (Please see the final plat application package). The project is proposed as PUD zoning.



Property Viewer



LEGACY AT NORTH STAR 2ND ADDITION

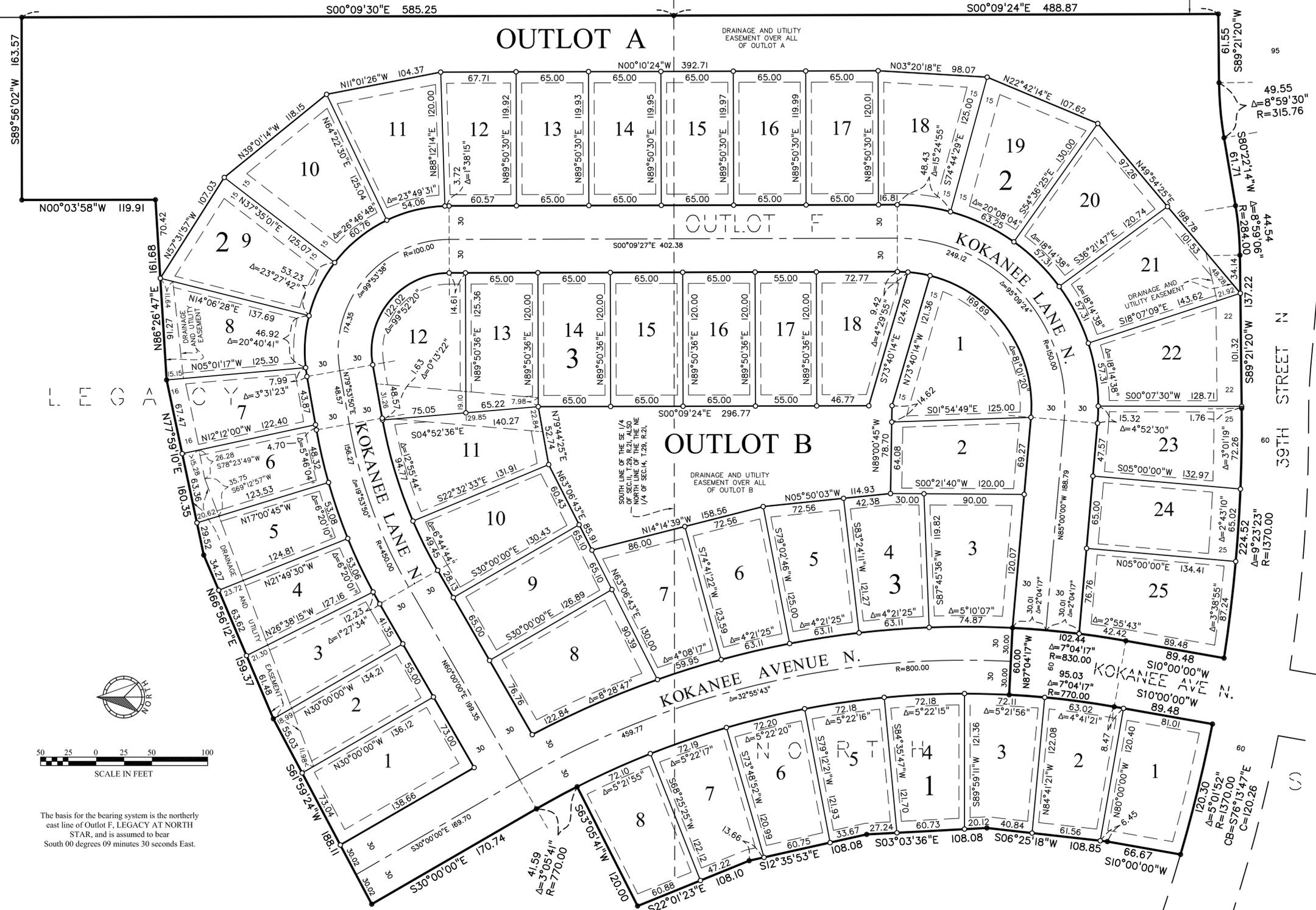
41ST STREET N.

39TH STREET N.

BROOKMAN 3RD ADDITION

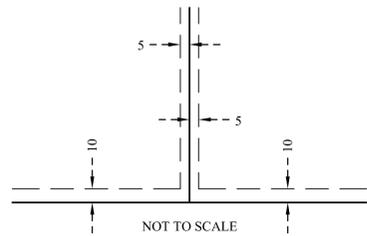
LAKE ELMO AVENUE N.

(C.S.A.H. NO. 17)



- Denotes a 1/2 inch by 14 inch iron pipe set and marked by License No. 40344.
- Denotes a 1/2 inch pipe found and marked by License No. 40344, unless shown otherwise.

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



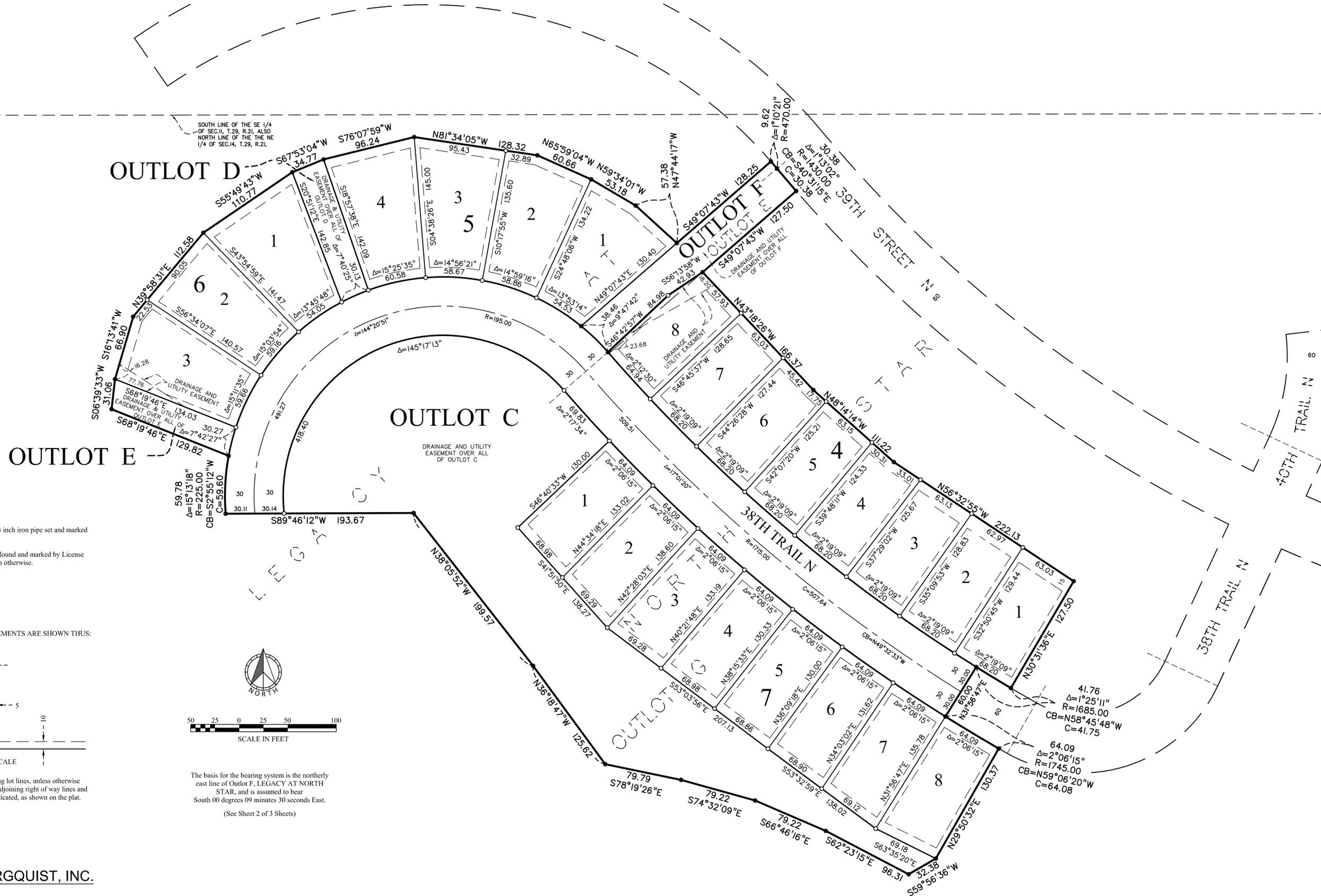
Being 5 feet in width and adjoining lot lines, unless otherwise indicated, and 10 feet in width and adjoining right of way lines and rear lot lines, unless otherwise indicated, as shown on the plat.

The basis for the bearing system is the northerly east line of Outlot F, LEGACY AT NORTH STAR, and is assumed to bear South 00 degrees 09 minutes 30 seconds East.



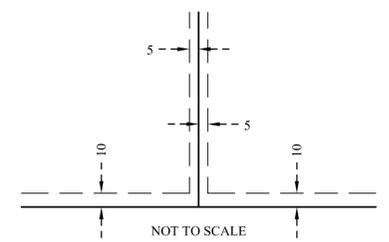
SATHRE-BERGQUIST, INC.

LEGACY AT NORTH STAR 2ND ADDITION

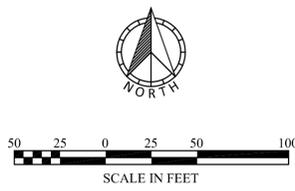


- Denotes a 1/2 inch by 14 inch iron pipe set and marked by License No. 40344.
- Denotes a 1/2 inch pipe found and marked by License No. 40344, unless shown otherwise.

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, as shown on the plat.

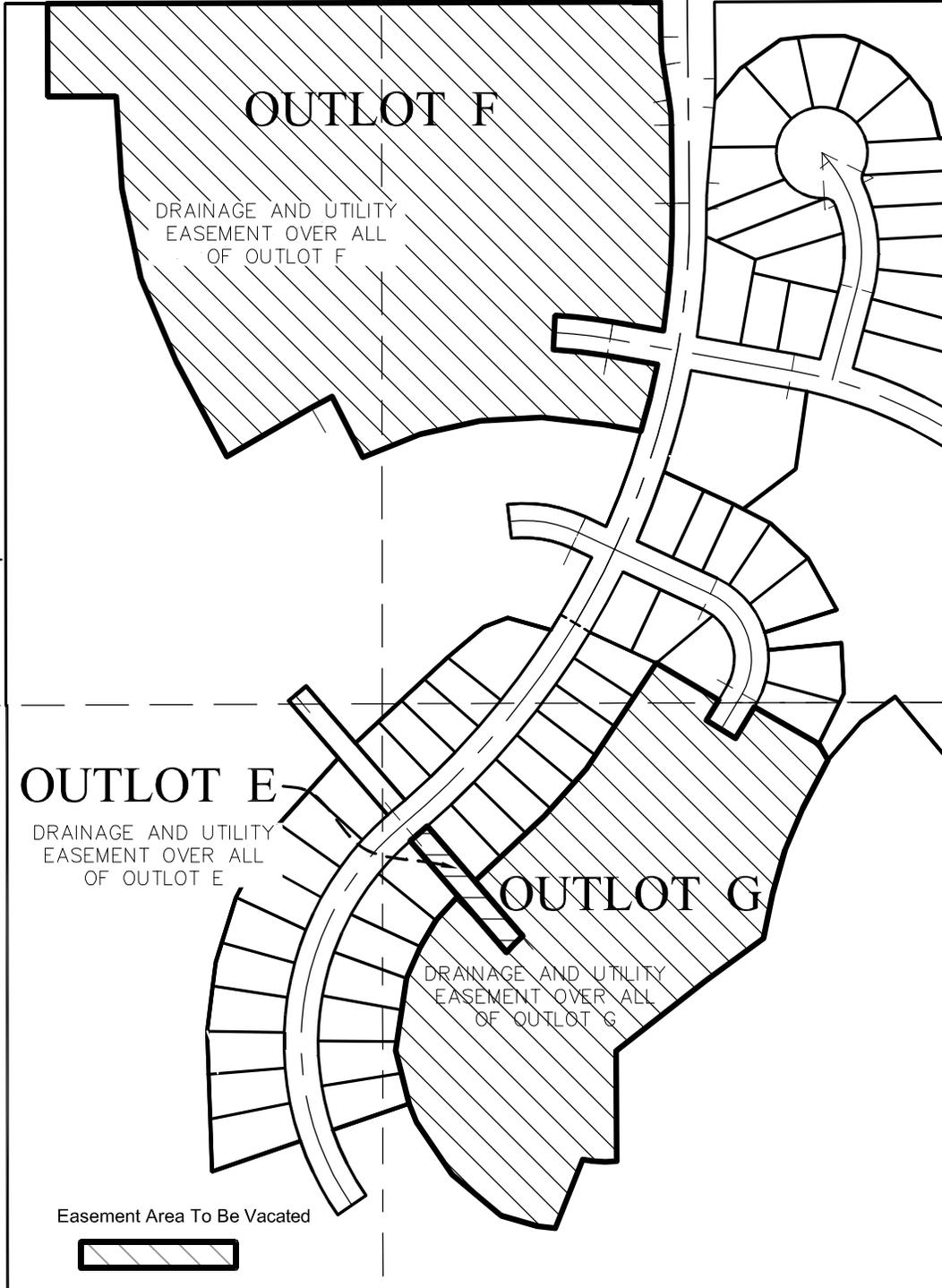


The basis for the bearing system is the northerly east line of Outlot F, LEGACY AT NORTH STAR, and is assumed to bear South 00 degrees 09 minutes 30 seconds East.
(See Sheet 2 of 3 Sheets)

415

LAKE ELMO AVENUE N.

(C.S.AH. NO. 17)



EASEMENT VACATION DESCRIPTION

A drainage and utility easement over all of Outlot E, Outlot F and Outlot G, LEGACY AT NORTH STAR, according to the recorded plat thereof, Washington County, Minnesota.



SCALE IN FEET

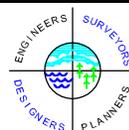
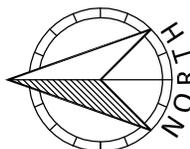
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 31st day of October, 2018.

SATHRE-BERGQUIST, INC.

Jared J. Averbeck
 Jared J. Averbeck, PLS
 javerbeck@sathre.com

Minnesota License No. 53642

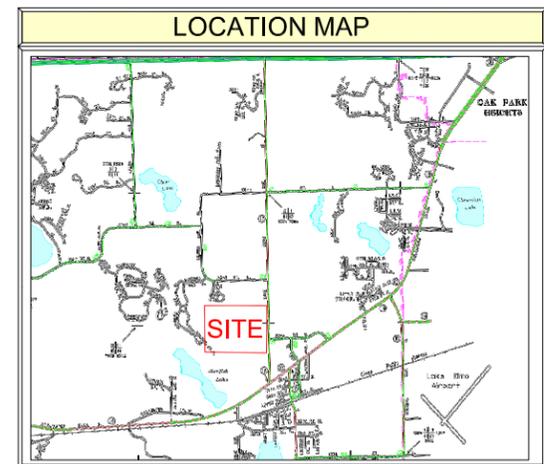
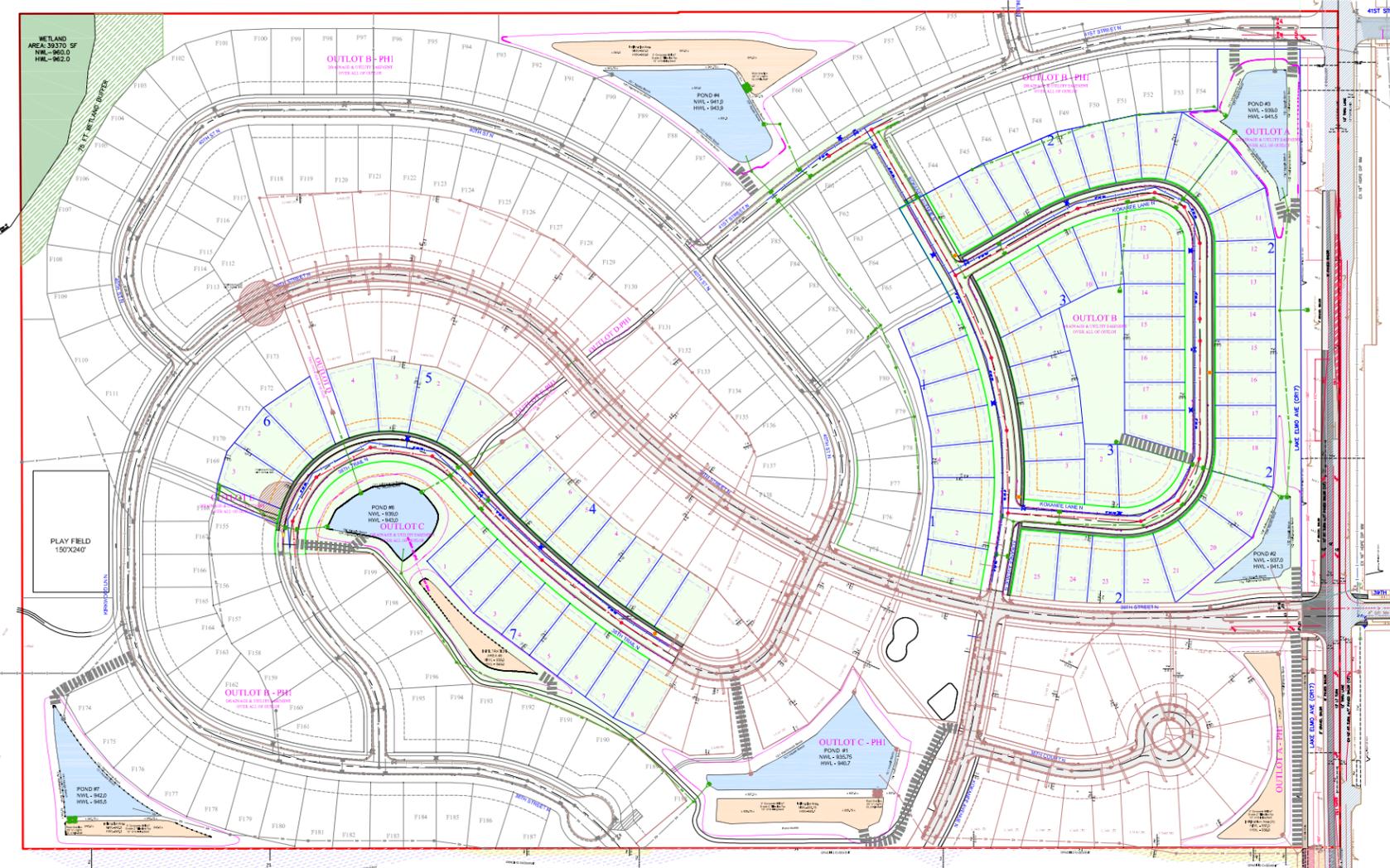


SATHRE-BERGQUIST, INC.

150 South Broadway Ave.
 Wayzata, MN. 55391
 (952) 476-6000 www.sathre.com

Easement Vacation Exhibit
 Prepared For
 GWSA Land Development, LLC

Date: 10/31/18	Revision Date: 02/27/19
Prepared By: JJA	Check By:
Layout Sheet:	1/1
Project Number: 3120-047-200	



SHEETS INDEX TABLE	
SHEET	DESCRIPTION
1	TITLE SHEET
2	OUTLOT MAP
3-5	FINAL SIGNAGE/LIGHTING/STRIPING PLAN
6-9	FINAL STREET PLANS
10-14	FINAL SANITARY & WATERMAIN PLAN
15-21	FINAL STORM PLAN
22	FINAL GRADING PLAN
23-26	FINAL EROSION CONTROL PLAN
27	PHASE 2 - PHASING PLAN
28-31	DETAILS

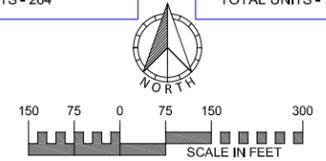
PREPARED BY	PREPARED FOR
ENGINEER SATHRE-BERGQUIST, INC. 150 SOUTH BROADWAY WAYZATA, MINNESOTA 55391 PHONE: (952) 476-6000 FAX: (952) 476-0104 CONTACT: ROBERT S. MOLSTAD, P.E. EMAIL: MOLSTAD@SATHRE.COM	DEVELOPER GWSA LAND DEVELOPMENT 10850 OLD COUNTY RD 15 SUITE 200 PLYMOUTH, MN 55441 CONTACT: CRAIG ALLEN PHONE: (952) 270-4473 EMAIL: CRAIG@GONYEACOMPANY.COM

OUTLOT OWNERSHIP	
OUTLOT	OWNER
A	CITY
B	CITY
C	CITY
D	HOA - DRAINAGE & UTILITY EASEMENT OVER ENTIRE OUTLOT
E	HOA - DRAINAGE & UTILITY EASEMENT OVER ENTIRE OUTLOT
A - PH1	CITY
B - PH1	SCHILTGEN FAMILY - DRAINAGE & UTILITY EASEMENT OVER ENTIRE OUTLOT
C - PH1	CITY
D - PH1	HOA - DRAINAGE & UTILITY EASEMENT OVER ENTIRE OUTLOT
E - PH1	HOA - DRAINAGE & UTILITY EASEMENT OVER ENTIRE OUTLOT

- DENOTES PERMANENT DRAINAGE & UTILITY EASEMENT
- DENOTES TEMPORARY GRADING EASEMENT
- LEGACY AT NORTHSTAR 2ND ADDITION STREET AND UTILITY IMPROVEMENTS
- PERMANENT ROADWAY EASEMENT
- EX 50FT ROADWAY EASEMENT

FINAL BUILD OUT
PUD CONCEPT PLAN
Zoning - PUD
Fysb - 25 ft
Sysb - 15 ft (Total)
Rysb - 20 ft
Corner Lot - 20 ft
60' Row - 28' B-B Streets
55'/65' VILLA - 73 (55'/65' x +/- 140')
57' SINGLE FAMILY - 44 (57' x +/- 120')
65' (SINGLE FAMILY - 147 (65' x +/- 130')
TOTAL UNITS - 264

PHASE 2 BUILD OUT
PUD CONCEPT PLAN
Zoning - PUD
Fysb - 25 ft
Sysb - 15 ft (Total)
Rysb - 20 ft
Corner Lot - 20 ft
60' Row - 28' B-B Streets
55'/65' VILLA - 43 (55'/65' x +/- 140')
57' SINGLE FAMILY - 0 (57' x +/- 120')
55'/65' (SINGLE FAMILY - 31 (65' x +/- 130')
TOTAL UNITS - 74



EXISTING UTILITIES SHOWN ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES ARISING OUT OF HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.

DRAWING NAME	NO.	BY	DATE	REVISIONS
LN GP				
DRAWN BY				
TCW				
CHECKED BY				
RSM				
DATE				
10/22/18				

USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.

I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Robert S. Molstad
 ROBERT S. MOLSTAD, P.E.
 Date: 10/20/19 Lic. No. 26728

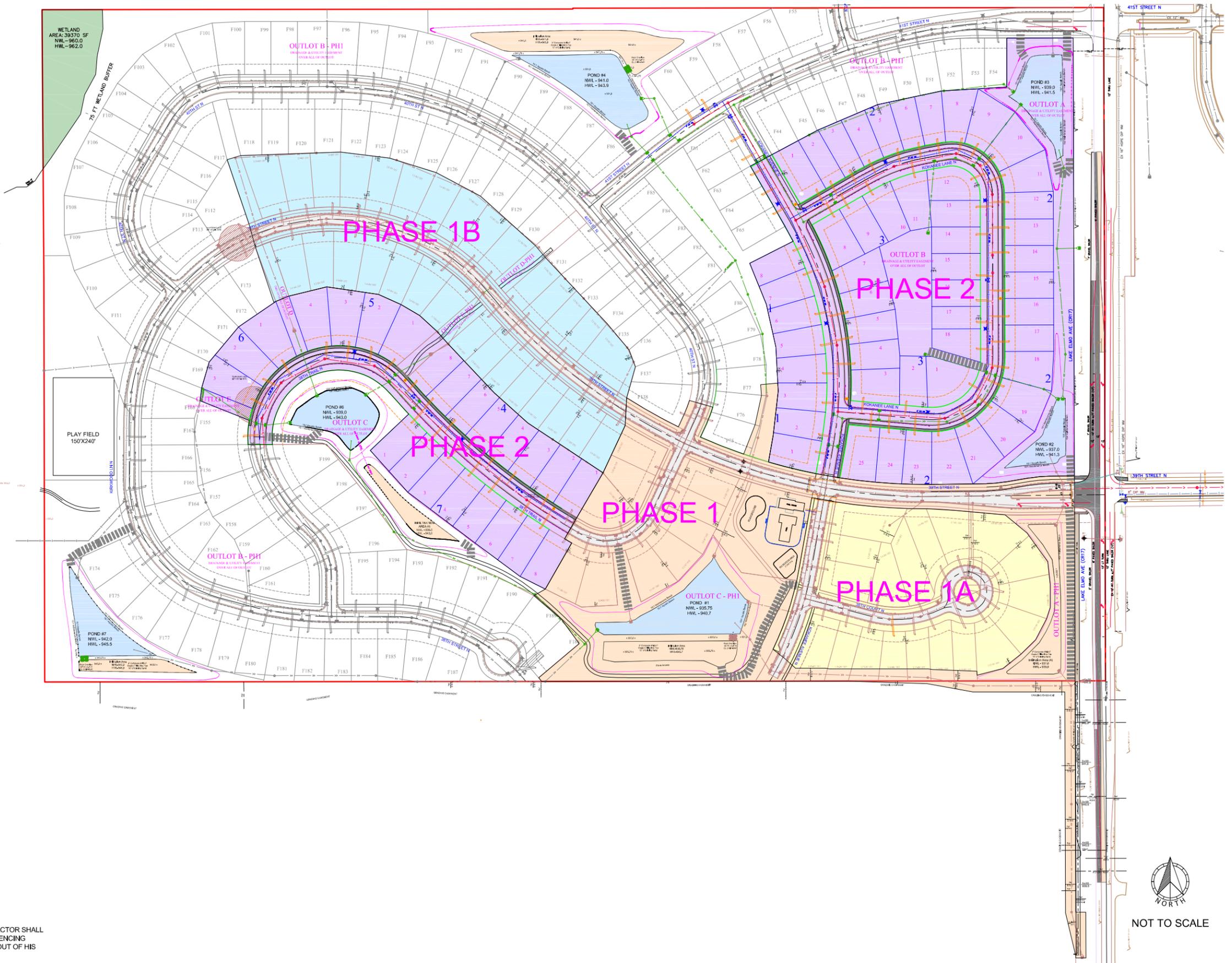


SATHRE-BERGQUIST, INC.
 150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

CITY PROJECT NO. ---
LAKE ELMO, MINNESOTA

TITLE SHEET
LEGACY AT NORTHSTAR 2ND ADDITION
GWSA LAND DEVELOPMENT, LLC

FILE NO. 3120-047-200
1
31



EXISTING UTILITIES SHOWN ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES ARISING OUT OF HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.



DRAWING NAME	NO.	BY	DATE	REVISIONS
LN GP				
DRAWN BY				
TCW				
CHECKED BY				
RSM				
DATE				
10/22/18				

USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.

I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Robert S. Molstad
 ROBERT S. MOLSTAD, P.E.
 Date: 10/31/18 Lic. No. 26428

ENGINEERS SURVEYORS
 DESIGNERS PLANNERS

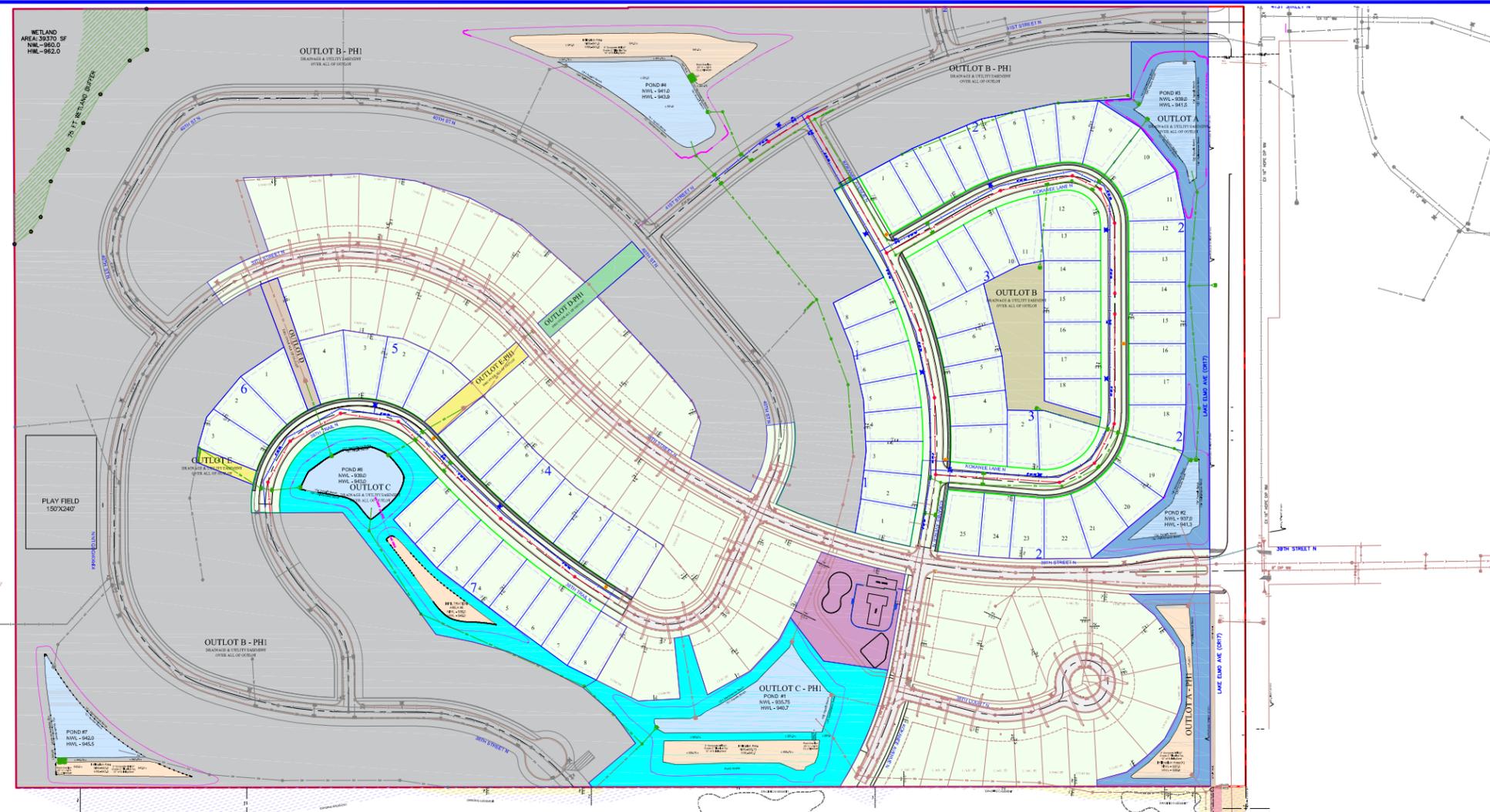
SATHRE-BERGQUIST, INC.
 150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

CITY PROJECT NO.
 LAKE ELMO, MINNESOTA

PHASE 1 - PHASING PLAN
 LEGACY AT NORTHSTAR 2ND ADDITION
 GWSA LAND DEVELOPMENT, LLC.

FILE NO.
 3120-047-200
 27
 31

PROJECT NAME AND NUMBER



OUTLOT OWNERSHIP		
OUTLOT	OWNER	
A, A-PH1	CITY	
B-PH1	SCHILTGEN FAMILY - DRAINAGE & UTILITY EASEMENT OVER ENTIRE OUTLOT	
B	CITY	
C, C-PH1	CITY	
D-PH1	HOA - DRAINAGE & UTILITY EASEMENT OVER ENTIRE OUTLOT	
D	HOA - DRAINAGE & UTILITY EASEMENT OVER ENTIRE OUTLOT	
E, E-PH1	HOA - DRAINAGE & UTILITY EASEMENT OVER ENTIRE OUTLOT	
	PLATTED LOT - HOA AMENITY LOT	
	PLATTED SINGLE FAMILY LOTS	

- DENOTES PERMANENT DRAINAGE & UTILITY EASEMENT
- DENOTES TEMPORARY GRADING EASEMENT
- PERMANENT ROADWAY EASEMENT
- EX 50FT ROADWAY EASEMENT
- DENOTES TEMPORARY DRAINAGE DITCH WITHIN DRAINAGE & UTILITY EASEMENT

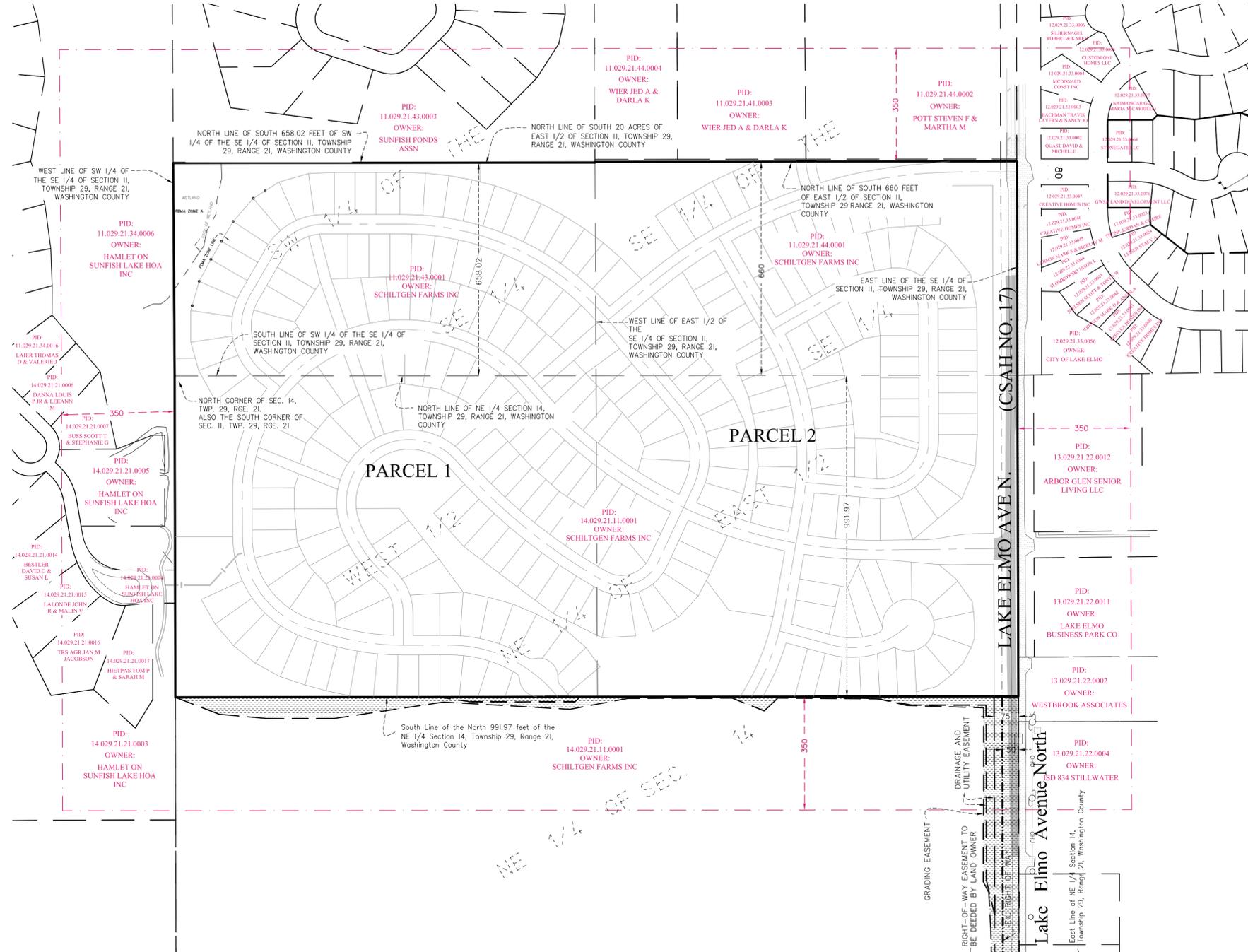
	2ND ADDITION	FUTURE	EXISTING
BACKYARD CATCH BASIN			
CATCH BASIN			
STORM SEWER / MANHOLE			
FLARED END SECTION W/IRIP-RAP			
SANITARY SEWER / MANHOLE			
HYDRANT			
WATERMANN / GATE VALVE			
DRAINAGE AND UTILITY EASEMENTS			

D & U REFERS TO DRAINAGE AND UTILITY EASEMENT



NOT TO SCALE

DRAWING NAME	NO.	BY	DATE	REVISIONS	USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.	I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA. ROBERT S. MOLSTAD, P.E. Date: <u>02/20/19</u> Lic. No. <u>26428</u>	 SATHRE-BERGQUIST, INC. 150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000	CITY PROJECT NO. ---	OUTLOT MAP LEGACY AT NORTHSTAR 2ND ADDITION GWSA LAND DEVELOPMENT, LLC.	FILE NO. 3120-047-200 2 31
---------------------	-----	----	------	-----------	---	--	---	-------------------------	--	---



DESCRIPTION OF PROPERTY SURVEYED

Parcel 1:
The South 658.02 feet of the Southwest Quarter of the Southeast Quarter of Section 11, Township 29 North, Range 21 West, Washington County, Minnesota.
And
The north 991.97 feet of the West Half of Northeast Quarter of Section 14, said Township 29 North, Range 21 West, Washington County, Minnesota.

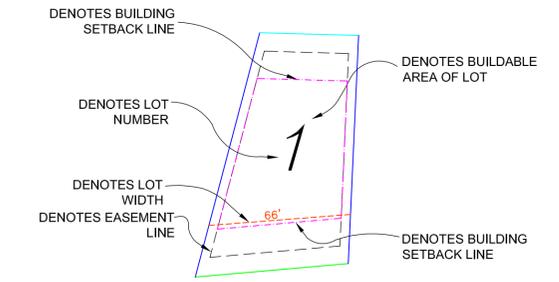
Parcel 2:
The South 20 acres of the East Half of the Southeast Quarter of Section 11, Township 29 North, Range 21 West, Washington County, Minnesota.
And
The north 991.97 feet of the East Half of Northeast Quarter of Section 14, said Township 29 North, Range 21 West, Washington County, Minnesota.

ALTA/ACSM OPTIONAL TABLE A NOTES

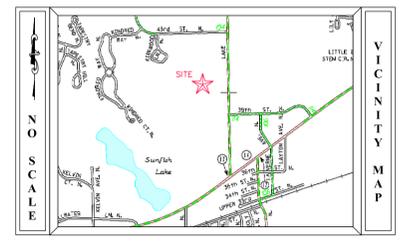
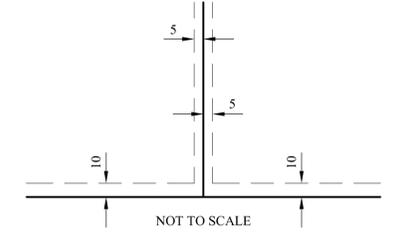
(The following items reference Table A optional survey responsibilities and specifications)

- 2) **Address:** Parcel 1- Unassigned; PID: 11.029.21.43.0001
Parcel 2- Unassigned; PID: 11.029.21.44.0001
Parcel 3-10880 Stillwater Blvd N., Lake Elmo, MN 55042; PID: 14.029.21.11.0001
- 3) **Flood Zone Information:** Parcel 1 is contained in Zone X (area of minimal flooding) and Zone A (Areas subject to inundation by the 1-percent-annual-chance flood event. Because detailed hydraulic analyses have not been performed, no Base Flood Elevations (BFEs) or flood depths are shown) per Flood Insurance Rate Map, Community Panel No. 27163C0245E, effective date of February 3, 2010. Parcel 2 is contained in Zone X (area of minimal flooding) per Flood Insurance Rate Map, Community Panel No. 27163C0245E, effective date of February 3, 2010. Parcel 3e is contained in Zone X (area of minimal flooding) and Zone AE (Areas subject to inundation by the 1-percent-annual-chance flood event determined by detailed methods. BFEs are shown within these zones.) per Flood Insurance Rate Map, Community Panel No. 27163C0245E, effective date of February 3, 2010. Please note that we have shown the division line between these zones hereon by digitizing said Flood Insurance Rate Maps.
- 4) **Parcel Area To Be Developed:**
Gross- 4,309,191 Sq. Ft. - 98.925 Acres
RW- 82,599 Sq. Ft. - 1.896 Acres
Wetland- 39,370 Sq. Ft. - 0.903 Acres
Net- 4,187,222 Sq. Ft. - 96.125 Acres
- 5) Elevations are based on MN/DOT Geodetic Database Station Name: 8214K which has an elevation of: 935.539 feet (NAVD88). Contours shown hereon are per field observations along with LIDAR data obtained from the Minnesota Department of Natural Resources on January 11, 2013.
- 6) The current Zoning for the subject property is RT (Rural Transitional) per the City of Lake Elmo's zoning map dated May 21, 2013.
- 11)(a) We have shown the location of utilities on the surveyed property by observed evidence only. There may be underground utilities encumbering the subject property of which we are unaware.
- 18) The Wetland delineation was performed on Parcels 1, 2 and the North 900 feet of Parcel 3 by Kjolhaug Environmental Service and the delineation flags were located on January 15, 2014. The remaining South portion of Parcel 3 may contain wetlands per FEMA mapping, that were not delineated as part of this survey.

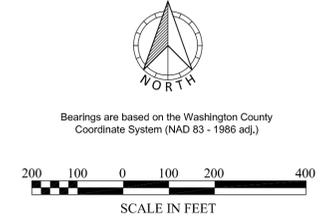
TYPICAL LOT LEGEND



DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



PREPARED BY		PREPARED FOR	
ENGINEER SATHRE-BERGQUIST, INC. 150 SOUTH BROADWAY WAYZATA, MINNESOTA 55391 PHONE: (952) 476-6000 FAX: (952) 476-0104 CONTACT: ROBERT S. MOLSTAD, P.E. EMAIL: MOLSTAD@SATHRE.COM	DEVELOPER GWSA LAND DEVELOPMENT 10850 OLD COUNTY ROAD 15 SUITE 200 PLYMOUTH, MN 55441 CONTACT: CRAIG ALLEN PHONE: (952) 270-4473 EMAIL: CRAIG@GONYEACOMPANY.COM		



FIELD CREW	NO.	BY	DATE	REVISION
XXX	8	JJA	6/11/2018	CITY COMMENTS
DRAWN	9	JJA	6/19/2018	CITY COMMENTS
CHECKED				
DATE				

USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.

I hereby certify 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 this 31st day of August, 2017.
Jared J. Averbeck
Jared J. Averbeck, PLS
javerbeck@sathre.com
Minnesota License No. 53642

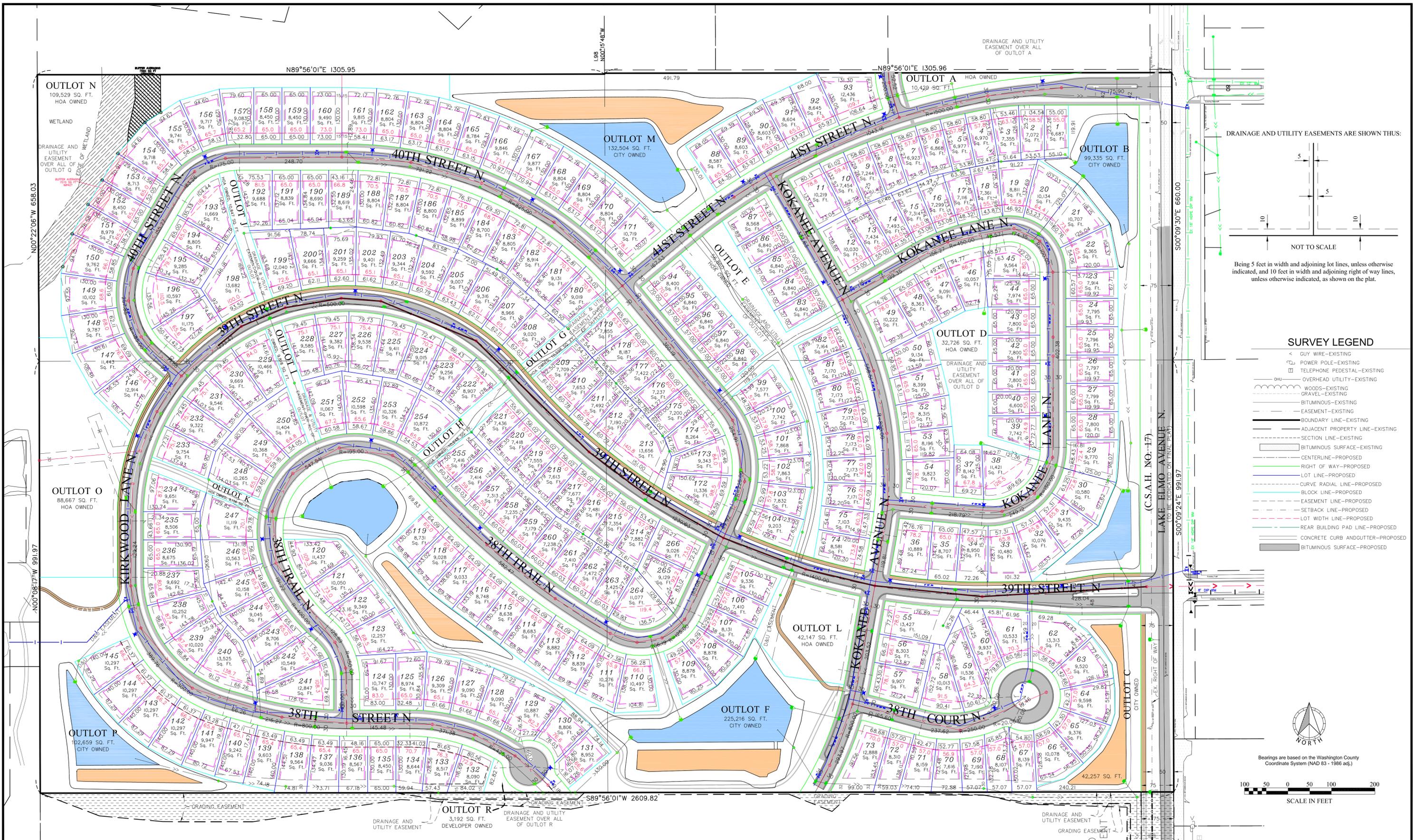
SATHRE-BERGQUIST, INC.
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000
WWW.SATHRE.COM

ENGINEERS SURVEYORS
DESIGNERS PLANNERS

TWP:29-RGE:21-SEC:11
Washington County
LAKE ELMO, MINNESOTA

PRELIMINARY PLAT
LEGACY AT NORTH STAR
GWSA LAND DEVELOPMENT

FILE NO.
3120-047
1
2



FIELD CREW	NO.	BY	DATE	REVISION
XXX	8	JJA	6/11/2018	CITY COMMENTS
DRAWN	9	JJA	6/19/2018	CITY COMMENTS
CHECKED				
DBP				
DATE				
08/23/2017				

USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.

I hereby certify that this survey, plan or report was made 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 this 31st day of August, 2017.
Jared J. Averbeck
 Jared J. Averbeck, PLS
 javerbeck@sathre.com
 Minnesota License No. 53642

SATHRE-BERGQUIST, INC.
 150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000
 WWW.SATHRE.COM

ENGINEERS SURVEYORS
 DESIGNERS PLANNERS

TWP:29-RGE:21-SEC.11
 Washington County

LAKE ELMO, MINNESOTA

PRELIMINARY PLAT
 LEGACY AT NORTH STAR
 GWSA LAND DEVELOPMENT

FILE NO.
 3120-047
2
2

MEMORANDUM

FOCUS ENGINEERING, inc.

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

Date: March 19, 2019

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

Re: Legacy at Northstar 2nd Addition – Final Plat
Engineering Review Comments

An engineering review has been completed for the Legacy at Northstar 2nd Addition. Final Plat/Final Construction Plans were received on February 26, 2018. The submittal consisted of the following documentation:

- Legacy at Northstar 2nd Addition Final Plat, Sheets 1-3, received February 26, 2019.
- Legacy at Northstar 2nd Addition Construction Plans, Sheets 1-31, dated February 20, 2019.
- Legacy at Northstar 2nd Addition Specifications dated November 6, 2018.
- Legacy at Northstar Tree Survey, Sheets TS1-TS2, dated July 18, 2018.
- Legacy at Northstar Preliminary Landscape Plan, Sheets LP1-LP7, dated June 26, 2018.

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/PLANS: LEGACY AT NORTHSTAR 2ND ADDITION

- The Final Construction Plans must be revised so that Outlots and ownership are consistent throughout the Final Plat and Final Construction Plans.
- Outlot A is identified to be dedicated to the City as required by the preliminary plat. The Outlot includes both storm water pond #2 and storm water pond #3, including the 100-year HWL and maintenance access roads. The reference to the drainage and utility easement over all of Outlot A should be removed.
- The construction plans must be revised to identify Outlot B as HOA owned with a drainage and utility easement over all of Outlot B to be consistent with the preliminary plat. Update the Outlot ownership table accordingly.
- Outlot C is identified to be dedicated to the City as required by the preliminary plat. The Outlot includes storm water pond #6 including the 100-year HWL and maintenance access road. The reference to the drainage and utility easement over all of Outlot C should be removed.
- The construction plans must be revised to show Outlot D as part of the Legacy at North Star 2nd Addition.
- The construction plans must be revised to show Outlot F as part of the Legacy at North Star 2nd Addition. Outlot F must be shown in the Outlot Ownership table as HOA owned with drainage and utility easement over all of Outlot F.
- Final Plat approval must be contingent upon City approval for the proposed changes to Outlot F from the approved preliminary plat. Outlot F has been reduced in width. Additional plan review is needed to determine if this change is acceptable.
- Remove sheet 2 from the construction plans to avoid conflicts, or correct plan sheet to be consistent with 1st and 2nd Addition Plats.

- Drainage and utility easements have been provided on the Final Plat over all of Outlots B, D, E, and F. These easements are consistent with the preliminary plat.
- 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.
- No trunk watermain or trunk sanitary sewer oversizing is anticipated for this development. All watermains should be 8-inch diameter pipe.
- Final Construction Plans and Specifications must be prepared in accordance with the City Engineering Design Standards Manual dated February 2019, 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 March 19, 2019.
- The Final Plat shall not be recorded until final construction plan approval is granted.
- No construction for Legacy at Northstar 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.