



STAFF REPORT

DATE: 8/20/2019

REGULAR

TO: City Council
FROM: Ken Roberts, Planning Director
AGENDA ITEM: **Four Corners 2nd Addition** – Easement and Right-of-Way Vacations and Final PUD and Plat
REVIEWED BY: Jack Griffin, City Engineer
Ben Prchal, City Planner

BACKGROUND:

The City has received a request from Terry Emerson for approval of the vacation of easements and a road right-of-way and for Final PUD and Final Plat for a commercial development to be known as Four Corners Second Addition. This proposal includes the realignment of Hudson Boulevard and the creation of several lots for commercial development (including a lot for a Metro Transit park and ride lot) for the property generally on the northwest corner of Manning Avenue and Hudson Boulevard North.

The City Council approved the Concept PUD plans for this site on July 17, 2018.

On March 19, 2019, the City Council approved a preliminary plat, preliminary PUD plans and a zoning map amendment (from RT to C) for the Four Corners Second Addition. The preliminary plat approval was subject to 20 conditions of approval.

On May 29, 2019, the Planning Commission reviewed these requests, held a public hearing and recommended approval of the proposed vacation and final plat for the Four Corners Second Addition.

ISSUE BEFORE THE CITY COUNCIL:

The City Council is being requested to review and make a decision about the proposed vacations and on the Final PUD and Final Plat for the proposed Four Corners Second Addition.

PROPOSAL DETAILS/ANALYSIS:

General Information.

- *Property Owner:* Terry Emerson, 2204 Legion Lane Circle North, Lake Elmo, MN 55042
- *Location:* North of I-94/Hudson Boulevard and West of Manning Avenue North, lying east of 11530 Hudson Boulevard North
- *Current Site Area:* 56.9 acres
- *Land Use Guidance:* The 2030 Comprehensive Plan guides the eastern portion of the site as Commercial, and the western portion is guided as Business Park. The 2040 Comprehensive Plan guides the eastern part of the site as Commercial and the western part as Business Park.
- *Current Zoning:* Commercial

- *Current Surrounding Land Use Guidance:* Vacant land to the north (Rural Development Transitional); I-94 to the south (Woodbury); Stillwater School Bus facility and vacant land to the west (Rural Development Transitional); Manning Avenue to the east (West Lakeland).
- *History:* The property has been used as rural vacant land.
- *Application Timeline:* The City received the complete application on April 26, 2019. The 60-day review ended on June 24, 2019. City staff sent applicant a letter on June 24, 2019 extending the review for another 60 days (until August 23, 2019) since they had not submitted copies of all the necessary easements for the final plat.

Overall Plan Review:

Subdivision and Right-of-Way Realignment. The proposed project plans show the applicant realigning Hudson Boulevard about 470 feet to the north from where it now intersects with Manning Avenue. This new street alignment is required by Washington County to meet Manning Avenue Access Spacing requirements and has several advantages. It will have Hudson Boulevard lining up with the driveway for the Holiday Station on the east side of Manning Avenue, will provide more spacing between Hudson Boulevard and the on and off ramps to Interstate 94 and will create buildable lots and a storm water ponding area on the south side of Hudson Boulevard. The new alignment also provides street access to the property to the north of the site from the new Hudson Boulevard. City and County staff support this realignment design.

As shown, the relocated Hudson Boulevard will be located in a 100-foot-wide right-of-way that will accommodate drive lanes, turn lanes, sidewalks and trails and utilities consistent with the Hudson Boulevard design standards. The City Engineer's report dated May 20, 2019, includes comments about the required right-of-way dedication and improvements for transportation. He noted that there may be a need for additional right-of-way along Manning Avenue, sight triangle right-of-way and additional intersection improvements at Hudson Boulevard and Manning Avenue.

The proposed realignment, design details and standards will be subject to the approval of the City Engineer, Washington County and MnDOT.

Site Data. The entire subdivision area is 56.9 acres which includes all of Lot 1, Block 1, Outlots A, B and C and the right-of-way for Hudson Boulevard.

Lot Sizes. The lots within the development will have a range of widths and sizes. As proposed, the lots would be 2.42 acres, 5.66 acres, 7.92 acres and 36.39 acres in area. As proposed and expected commercial sites, the developer had each lot shown on the preliminary plat and PUD plans for a specific uses or functions.

Outlots. As proposed, Outlot B is expected to have commercial development, Outlot C is intended for a storm water ponding area and the uses for Outlot A are unknown at this time. The developer is proposing to own Outlot C and keep it private for storm water ponding purposes. The developer does not have any definitive uses or users for Outlots A and B, so they will need City approval of final PUD plans and a final plat outlot as each outlot proceeds through the City review process toward development.

Urban Services Required. Because the property is within the MUSA, any development of the property will require that the property be hooked up to city services (sanitary sewer and water). Therefore, the developer has submitted utility (sanitary sewer and water) and other construction plans to the City for approval as part of the overall project approval process.

Sidewalks and Trails. The City/County Comprehensive Trails Plans show the need for a trail along the entire length of Hudson Boulevard in Lake Elmo. The City is planning to have 8 foot-wide trails along the

north side of Hudson Boulevard to meet this need. The City will require the developer to install this trail as part of the realignment and reconstruction of Hudson Boulevard.

Parkland Dedication. The City requires commercial development to provide fees to the City in lieu of parkland dedication. The City will require the developer or applicant to pay these fees before recording the final plat of each phase of the development. The current City parkland dedication fee for commercial properties is \$4,500 per acre. For this phase, the developer is creating several outlots and one lot for building (Lot 1, Block 1) that will be 5.66 acres. At \$4,500 an acre, the total park charge with this final plat is \$25,470.00

Consistency with Preliminary Plat. (Final Plat Review):

Final Plat Approval Process. The City's subdivision ordinance establishes the procedure for obtaining final subdivision approval, in which case a final plat may only be reviewed after the City takes action on a preliminary plat. As long as the final plat is consistent with the preliminary approval, it must be approved by the City. Please note that the City's approval of the Four Corners Second Addition Preliminary Plat included a series of conditions that must be met by the applicant, which staff has addressed below.

In order to provide the City Council with an update concerning the conditions associated with the preliminary plat for Four Corners Second Addition, staff has prepared the following:

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

1. The Final Plat and PUD Plans include a portion of PID# 34.029.21.43.0003.

This condition has been met.

2. That City approve a zoning map amendment to rezone Outlots A and B and Lot 1, Block 1 of the plat to C (commercial).

This condition has been met.

3. The Final Plat and PUD Plans shall identify proposed land uses, and those land uses shall accompany a detailed site plan to be approved by the City. Any use that is not designated on the Preliminary Plat and PUD Plans and is not designated as a permitted use within the Commercial zoning district shall require a conditional use permit.

The applicant noted in their project narrative that they are planning commercial land uses for Outlots A and B, a Metro Transit Park and Ride Facility is proposed for Lot 1, Block 1 and a storm water pond will be on Outlot C.

4. That the applicant submit and the City approve updated preliminary plat and PUD plans that meet all city conditions of approval before submitting a Final Plat application and final PUD plans to the City.

It is recommended condition of approval for the Four Corners Second Addition final plat that the applicant address all items outlined in the City Engineer's final plat review memo dated May 20, 2019 and his construction plan review memo dated July 22, 2019.

5. Before the execution of a final plat for any phase of the development by the City, the developer or applicant shall enter into a development agreement with the City for that phase according to the City Attorney and shall be approved by the City Council. This agreement shall delineate who is responsible for the design, construction and payment for the required improvements with financial guarantees therefore.

City staff will be working with the applicant to prepare a Development Agreement for City Council consideration and approval. City staff has not yet received any cost estimates from the applicant to complete the development agreement.

6. The Final Plat and PUD Plans shall provide the required 20% open space within the development or specify what the proposed public or site amenity the development will provide that the City may consider as an alternative to the open space requirement. The City must approve any proposed amenities as part of the development approval process.

The applicant is aware of this requirement. City staff will be verifying the amount of open space and amenities with each building or development plan within the plat.

7. The Final Plat and PUD Plans should detail proposed amenities in exchange for flexibility from standards of the Zoning Code.

City staff will be verifying the proposed amenities with each building or development plan within the plat.

8. The Final Plat and PUD Plans shall comply with comments outlined in the City Engineer Review Memo dated May 20, 2019.

It is recommended condition of approval for the Second Addition final plat that the applicant address all items outlined in the City Engineer's review memo for the Final Plat dated May 20, 2019 and his construction review memo dated July 22, 2019.

9. The Final Plat and PUD Plans shall include provisions for City sanitary sewer and municipal water as well as sanitary sewer and water capacity demands. The Applicant shall be responsible to extend City sanitary sewer and municipal water to the site at the applicant's cost. Sanitary sewer and water main stubs will be required to all adjacent properties.

The proposed construction plans include sanitary sewer and public water along and in Hudson Boulevard.

10. The Final Plat and PUD Plans shall include right-of-way and easements from the adjacent property to the north to allow for the Hudson Boulevard realignment at Manning Avenue.

The applicant has indicated to staff that he has an agreement with the property owner to the north to plat and build Hudson Boulevard as proposed – including on the neighboring property. The City will verify this approval before allowing the applicant to record the final plat or to construct Hudson Boulevard. This approval may require signed agreements from the adjacent property owner and/or his signatures on the final plat before the recording of the final plat at Washington County.

11. The Final Plat and PUD Plans shall include a storm water management plan including a summary report describing the overall management plan and performance criteria for all required storm events.

The applicant's project engineer has submitted a storm water management plan to the City and VBWD and permits from the VBWD and MnDOT will be required before the construction plans will be approved by the City Engineer.

12. The Applicant shall obtain all necessary permits including but not limited to all applicable city permits (building, grading, sign, etc.), NPDES/SWPPP permits and Valley Branch Watershed District and MnDOT approval before starting any grading or construction activities.

The applicant is aware of this condition and staff is recommending that the City require this as a condition of approval for the final plat and prior to recording the final plat.

13. Storm water facilities shall be privately owned and maintained. A maintenance agreement in the City standard form of agreement shall be executed and recorded with the final plat.

Staff will be preparing such an agreement for the applicant to record with the final plat.

14. The Final Plat and PUD Plans shall include tree planting and landscape plans for each lot and building site or project phase to be approved by the City's Landscape Architect.

City staff will be reviewing the tree planting and landscape plans for each lot and building site as they proceed through the City review and approval process to ensure they meet or exceed the City's tree and landscaping standards.

15. The Final Plat and PUD Plans shall include architectural renderings for each lot and building site.

City staff will be reviewing the architectural plans for each lot and building site within the plat as they proceed through the City approval process to ensure they meet the City's design standards.

16. The Applicant(s) or developers shall submit a photometric plan for each lot and building site. All lighting must meet the requirements of Sections 150.035-150.038 of the City Code.

City staff will be reviewing the photometric plan for each lot and building site within the plat as they proceed through the City approval process to ensure each the lighting plans meet all City standards.

17. That the developer provide the City fees in lieu of park land dedication as required by 153.15 of the City Code with final plat.

City staff will include the required park dedication fees in the development agreement for this project.

18. The Applicant shall meet all requirements and requests of Washington County including the needs and requirements for drainage, right-of-way, turn lanes and trails.

City staff and the applicant will verify that all conditions of Washington County have been met before the applicant records the final plat.

19. The applicant shall meet all the requirements of MNDOT as outlined in their comments dated February 15, 2019.

City staff will require documentation that the applicant and the project plans have met all the requirements of MN/DOT.

20. That the applicant or developer address all the comments of the Fire Chief and the Building Official with final site and building plans including the placement of fire hydrants, driveway design and emergency vehicle access within each building site.

City staff will be reviewing the site and building plans for each lot and building site within the plat to ensure that all plans meet the requirements of the Fire Chief, the city Engineer and the Public Work Director.

Engineering Comments.

The City Engineer prepared review memos for the final plat and for the construction plans (dated May 20, 2019 and July 22, 2019) for the Four Corners Second Addition. I have attached his final plat review memo for your reference. In these memos he notes several conditions that the applicant and project engineer will need to complete before the applicant may proceed with this project including the need for easements within and adjacent to the development site. Many of these are conditions and issues the City raised during the review and approval of the preliminary plat for this site.

EASEMENT AND ROAD RIGHT-OF-WAY VACATIONS:

Right-of-way and Easement Vacations: There are two public rights-of-way the developer will need to have vacated as part of the approvals of the final plat for this development. The first is an existing 60-foot-wide right-of-way lying between the existing Hudson Boulevard and the north side of I-94 (near the proposed lot line between Lot 1, Block 1 and Outlot C) (owned by MNDOT) and the other is the existing Hudson Boulevard right-of-way lying west of Manning Avenue. The City will not need either of these rights-of-ways after the new Hudson Boulevard and the new lots and easements are dedicated to the public with the final plat.

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.”

The timing of the right-of-way vacation, road construction and the recording of the final plat will need to be coordinated and implemented to ensure the City’s interests and needs are met and protected. The City Attorney has reviewed this matter and provided staff with the following information:

The resolution approving the vacation of the road should be conditioned upon the following:

1. The final plat of Four Corners being approved by the City Council and recorded at Washington County. The final plat must include the dedication of the relocated (new) Hudson Boulevard; and
2. The developer constructing the relocated Hudson Boulevard and the City accepting the relocated (new) Hudson Boulevard.

Once both of the above-listed items are complete, the vacation will be effective. The City should not record the Resolution vacating the current Hudson Boulevard until the vacation is effective.

The City Attorney also noted that at the time the vacation is effective, the City Council should adopt a resolution accepting the relocated road and declaring that both of the conditions of the vacation (as noted above) have been met. This resolution will provide confirmation from the City that is of record that the conditions have been met and the vacation is effective.

RECOMMENDED FINDINGS. Staff and the Planning Commission recommend approval of the Four Corners Second Addition Final PUD and Plat based on the following findings:

1. That the City approved the Four Corners Second Addition Preliminary Plat and PUD Plans on March 19, 2019 and the submitted final plat is generally consistent with the city-approved preliminary plat and PUD plans.

2. That the Applicant has submitted all application requirements outlined in Section 153.10: Application Requirements for Final Plat approval.
3. That the proposed Final Plat is consistent with the intent of the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
4. That the proposed Final PUD and Plat meets the general intent of the Commercial zoning district with PUD modifications.
5. That the Four Corners Second Addition Final Plat complies with all other applicable zoning requirements, including storm water, sediment and erosion control and other ordinances with the exceptions identified in this staff report.
6. That the Four Corners Second Addition Final Plat generally meet the City's Subdivision regulations.
7. That the proposed Four Corners Second Addition Final PUD and Plat is generally consistent with the City's engineering standards with exceptions as noted in the City Engineer's memorandums dated May 20, 2019 and July 22, 2019.

Recommended Conditions of Approval: Staff and the Planning Commission recommend approval of the Four Corners Second Addition Final PUD and Plat 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 memorandums addressing Four Corners Second Addition Final Plat and Construction Plans dated May 20, 2019 and July 22, 2019 shall be incorporated into these documents and plans before the City will approve the plans.
- 2) Before the execution of the Final Plat by City officials, the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements for the Four Corners Second Addition Final Plat with financial guarantees therefore.
- 3) 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, or dedicated to the City in the City's standard form of agreement and be fully signed by all parties before the recording the final plat. The following easements are required:
 - a. An off-site roadway and utility easement to be acquired from the adjacent property north of the plat to accommodate the Hudson Boulevard realignment at the intersection with Manning Avenue (CSAH-15).
 - b. A roadway and utility easement with 80-foot right-of-way to be provided to facilitate a public street connection from the adjacent property to the north to Hudson Boulevard at the first intersection west of Manning Avenue (CSAH 15).
 - c. A drainage and utility easement for the drainage ditch on the north side of Hudson Boulevard, and for the storm sewer pipe stubs from STMH18 and CB27.
 - d. An on-site and off-site drainage and utility easement for the existing 100-year HWL ponding.
- 4) That the applicant/developer meet all requirements and requests of Washington County including the needs and requirements for drainage, right-of-way, turn lanes and trails. The developer shall provide the City written verification from Washington County that sufficient right-of-way has been provided on the plat along with a sufficient right-of-way easement along Manning Avenue before plat recording. Before construction, the plan section detailing southbound right turn lanes and center left turn lanes on Manning Avenue at Hudson Boulevard must be submitted and

approved by the county traffic engineer, applicable Washington County right-of-way permits must be obtained, drainage report and calculations must be submitted, and access control shall be dedicated to Washington County along CSAH 15/Manning Avenue frontage. The Applicant shall be solely responsible for all construction costs associated with the intersection improvements as recommended by Washington County.

- 5) That the applicant/developer pay the City the required parkland dedication fees in lieu of park land dedication applicable to this phase of the development (\$25,470.00) before the City releases the final plat for recording.
- 6) The Final Plat and PUD Plans for each building site shall provide the required 20% open space within the development or specify what the proposed public or site amenity the development will provide that the City may consider as an alternative to the open space requirement. The City must approve any proposed amenities as part of the development approval process for each lot or building site.
- 7) The Final Plat and PUD Plans for each building site shall detail proposed amenities in exchange for flexibility from standards of the Zoning Code.
- 8) The Final Plat and PUD Plans shall include provisions for City sanitary sewer and municipal water. The Applicant shall be responsible to extend City sanitary sewer and municipal water to the site at the applicant's cost, including all oversize costs. Sanitary sewer and water main stubs will be required to all adjacent properties.
- 9) The Applicant shall obtain all necessary permits including but not limited to all applicable city permits (building, grading, sign, etc.), NPDES/SWPPP permits and Valley Branch Watershed District and MnDOT approval before starting any grading or construction activities.
- 10) Storm water facilities shall be privately owned and maintained. A maintenance and easement agreement in the City standard form of agreement shall be executed and recorded with the final plat.
- 11) The Final Plat and PUD Plans for each lot shall include tree planting and landscape plans for each building site or project phase to be approved by the City's Landscape Architect.
- 12) The Final Plat and PUD Plans for each lot shall include architectural renderings for each lot and building site.
- 13) The Applicant(s) or developers shall submit a photometric plan for each lot and building site. All lighting must meet the requirements of Sections 150.035-150.038 of the City Code.
- 14) The applicant shall meet all the requirements of MNDOT as outlined in their comments dated February 15, 2019.
- 15) That the applicant or developer address all the comments of the Fire Chief and the Building Official with final site and building plans including the placement of fire hydrants, driveway design and emergency vehicle access within each building site.
- 16) That the applicant record the Final Plat with Washington County within 120 days of City Council approval (as required by the City Code).

RECOMMENDATIONS:

Staff and the Planning Commission recommend approval of the proposed vacation of road right-of-way and easements for Hudson Boulevard as shown on the Vacation Exhibit dated January 23, 2019.

“Move to adopt Resolution 2019-060 approving the request for the vacation of part of the Hudson Boulevard road right-of-way and the easements as shown in the vacation exhibit dated January 23, 2019.”

Staff and the Planning Commission recommend approval of the Four Corners Second Addition Final PUD and Plat with the recommended findings and conditions of approval listed in the staff report.
Suggested motion:

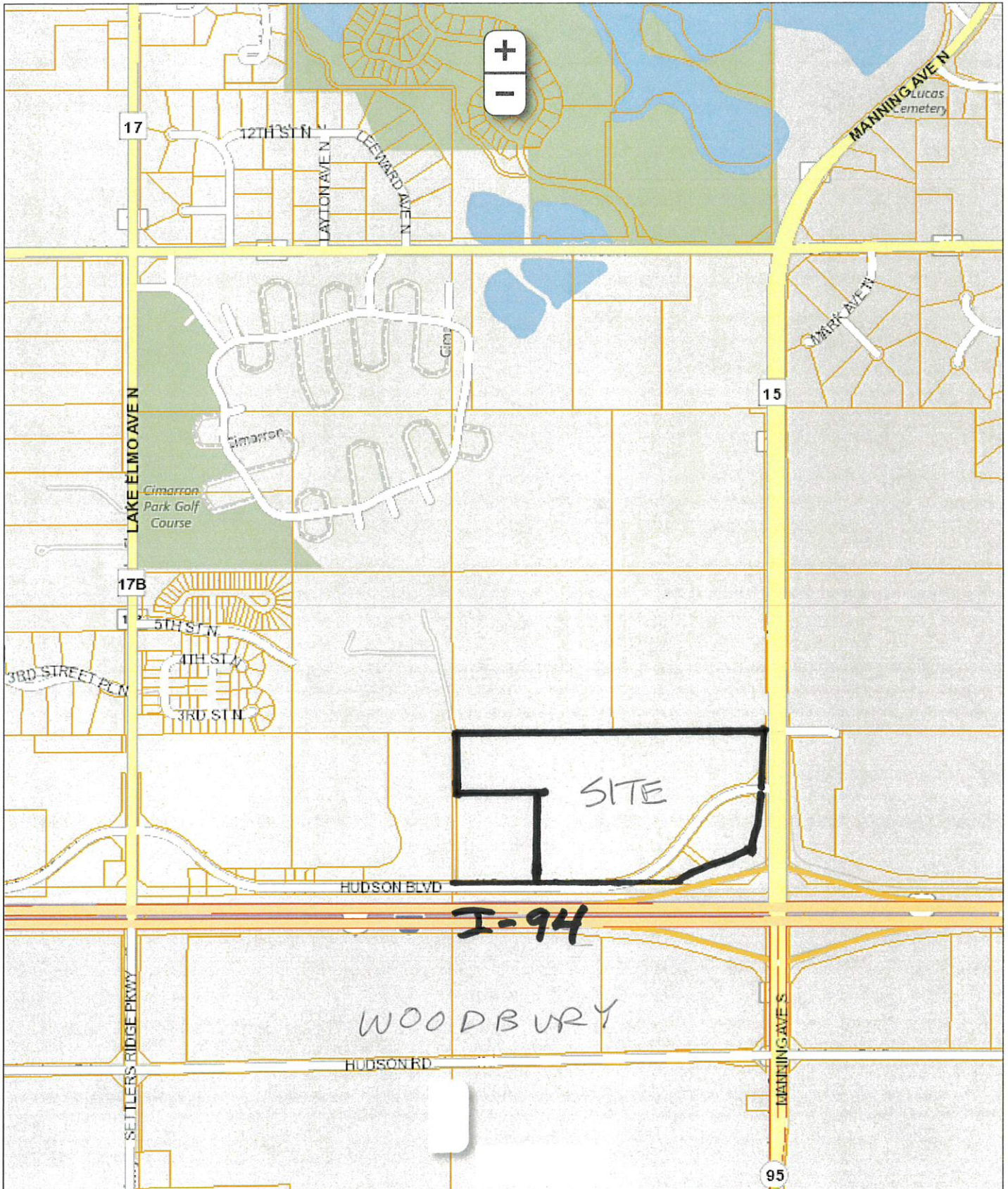
“Move to adopt Resolution 2019-061 approving the Four Corners Second Addition Final PUD and Final Plat with the recommended findings and conditions of approval as listed in the staff report.”

ATTACHMENTS:

- 3 City Maps
- Final Plat Narrative dated May 6, 2019
- Approved Preliminary Plat
- Proposed Final Plat
- Right-of-way Vacation/Jurisdiction Map
- Lake Elmo Easement Vacation Map
- City Engineer Final Plat Review memo dated May 20, 2019
- MnDOT Review memo dated February 15, 2019
- Washington County review memo dated February 22, 2019
- Resolution 2019 – 060 approving roadway right-of-way vacation
- Resolution 2019 – 061 approving Four Corners Second Addition Final Plat

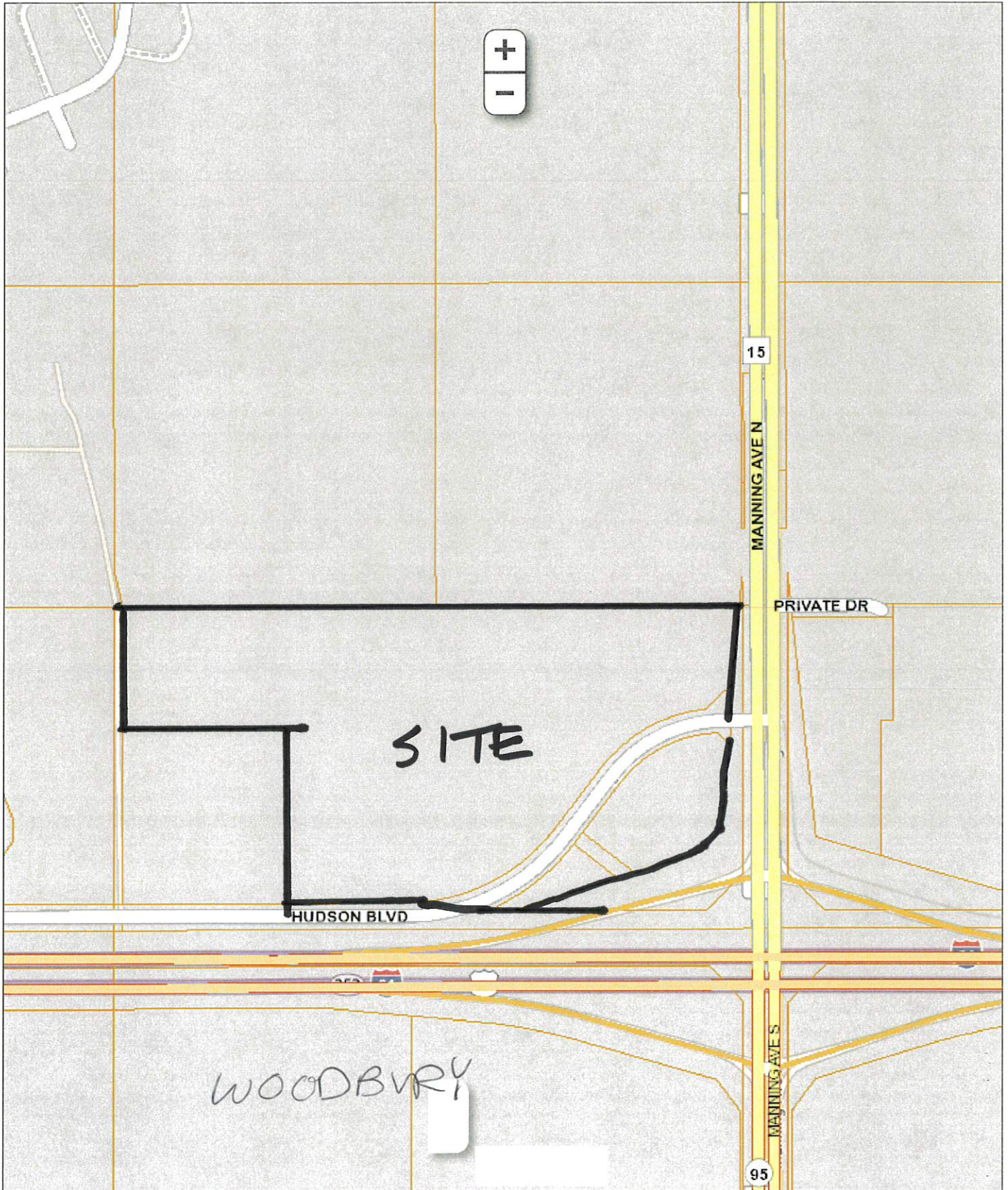


Property Viewer





Property Viewer





Property Viewer





May 6, 2019

FOUR CORNERS 2ND ADDITION FINAL PLAT NARRATIVE

This project is a multi-phase PUD development. It consists of an 80-acre property that has a garage building in the southwest corner that has had several tenants over the years. This parcel was platted in the original FOUR CORNERS plat as Lot 1, Block 1. This Lot 1 was rezoned and has since been sold to the Stillwater Area School District to be used as their bus garage and terminal. This is in accordance with the permitted use approved by the City of Lake Elmo. The original plat created the Lot 1, Block 1 along with Outlots A, B and C to be replatted later as well as a new alignment of Hudson Boulevard as required by the City of Lake Elmo and Washington County. This realigned roadway is to facilitate a possible upgraded intersection and traffic control that align with the road east of Manning Avenue North, and north of the Holiday Station in West Lakeland Township. This roadway was part of the MN DOT Right of Way prior to being turned over to local control, to the City of Lake Elmo. The remaining Outlots and vacated right of way will now be developed as a commercial and highway business project for various uses. The property owner is EN Properties LLC. The Surveyor for the project is Timothy J. Freeman of Folz Freeman Surveying LLC. The Civil Engineer for the project is Matt Woodruff of Larson Engineering, Inc.

Lot 1, Block 1	430 Wide	600 deep	5.66 acres	246806 sq ft
Outlot A	Irregular shape parcel		36.4 acres	1585421 sq ft
Outlot B	Irregular shape parcel		7.92 acres	345110 sq ft
Outlot C	Irregular shape parcel		2.42 acres	105592 sq ft
New R/W	Irregular shape parcel		4.15 acres	180900 sq ft
There are not existing wetlands on site				

All items that are conditions of the preliminary plat have been addressed with all of the entities that are applicable.

There were no neighboring properties who raised any issues.

A concept plan for this project was previously approved showing the re-aligned roadway with several lots for a few different uses. This project will require several plats to ultimately build out the parcels approved with the initial concept plan. The Preliminary Plat has also been approved.

The next phase is to plat the right of way and build the new road for this proposed realignment of Hudson Boulevard (frontage road to I94). This plat (FOUR CORNERS 2nd ADDITION) is being platted to dedicate the new right of way. One of the steps required is to vacate the existing right of way for Hudson Boulevard North. The City of Lake Elmo and MN Dept of Transportation will have to vacate the unused right of way of the old alignment for development. They will vacate the right of way, reserving a temporary easement while the existing roadway is still being used during construction. There is a map that shows the portion of right of way to be vacated... along with legal descriptions for each vacation portion.

*12445 55th Street North, Lake Elmo, Minnesota 55042 * Phone: 651-439-8833 * Website: FFSurveying.com*

Bruce A. Folz, LS

Timothy J. Freeman, LS

1939 – 2001

Principal

5/6/2019

Final Plat Narrative

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The next phase is to plat the right of way and build the new road for this proposed realignment of Hudson Boulevard (frontage road to I94). This plat (FOUR CORNERS 2nd ADDITION) is being platted to dedicate the new right of way. One of the steps required is to vacate the existing right of way for Hudson Boulevard North. The City of Lake Elmo and MN Dept of Transportation will have to vacate the unused right of way of the old alignment for development. They will vacate the right of way, reserving a temporary easement while the existing roadway is still being used during construction. The Preliminary Plat had a map that shows the portion of right of way to be vacated... along with legal descriptions for each vacation portion. The other item shown on that map is which entities have jurisdiction of the existing and new right of way. Essentially, the City of Lake Elmo received the right of way that contains the Hudson Boulevard North (frontage road), and MN Dot has the balance of the right of way where the Interstate Highway 94 and its ramps... as well as the portion of Manning that crosses the Interstate 94. The vacation step is critical for the realignment of the roadway process that the City of Lake Elmo and Washington County are requiring. The alignment for the new Hudson Boulevard has been in the planning stages for years now. The consultant engineering company used by the City of Lake Elmo was hired to design the new alignment, to facilitate the needs of the City of Lake Elmo. Our planning/platting efforts utilized this alignment for Hudson Boulevard North as shown on the Preliminary Plat and Final Plat.

This plat contains the 3 Outlots from the original plat, along with the proposed vacated right of way from the old alignment of the frontage road and the MN Dot strip that now contains a drainage ditch. This Final Plat contains a Lot 1, Block 1 for the proposed Metro Transit Park and Ride project as well as the Outlots to the north of it and south of the realigned roadway right of way for future uses. The southerly Outlot C was approved for a regional ponding facility for the area that takes the place of the previous drainage ditch. More detailed information on the potential users and their proposed development plans for Outlots A and B will be submitted at the time they have potential users. It is impossible to provide all of the detailed information required by the City Code for preliminary and final plat on these Outlots without the user of the parcels identified. We anticipate that the two Outlots will be replatted in the future phases, as the individual users come along. The users will understand that the zoning requires only potential uses that are allowed in the code for their appropriate zoning district. Lot 1, Block 1 of this phase is being rezoned to allow the Park and Ride facility as a part of this request. The remaining outlots will be rezoned when they are developed and replatted. The Comprehensive Plan is consistent with the uses being proposed. The outlots in this phase also includes the requirement of uses that develop impervious/greenspace at a ratio of 80/20 percent, as well as parking for 5 cars per 1000 square feet of usable building square footage.

The proposed construction schedule is to begin the sewer, water and storm sewer as soon as the Final Plat is approved and recorded... unless we can begin prior to recording with the development agreement and deposits with the City of Lake Elmo.

Street construction would follow the utilities as soon as they are complete. It is the goal of the project to be complete in this construction season 2019.

The City Engineer review items are completed... pending approval by City Engineer.

The Storm Water Management plan is completed and pending review by City Engineer, Watershed District and MN Dot.

5/6/2019

Final Plat Narrative

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The easements for offsite roadway, utilities, streets and ponding areas have been verbally approved by the owners of neighboring properties. The attorney is finalizing the documents to be reviewed and signed by the parties and then submitted to the City of Lake Elmo.

FOUR CORNERS 2ND ADDITION

Folz Freeman Surveying LLC
LAND PLANNING and SURVEYING

12445 55TH STREET NORTH
LAKE ELMO, MINNESOTA 55042
(651) 439-8833 www.FFSurveying.com

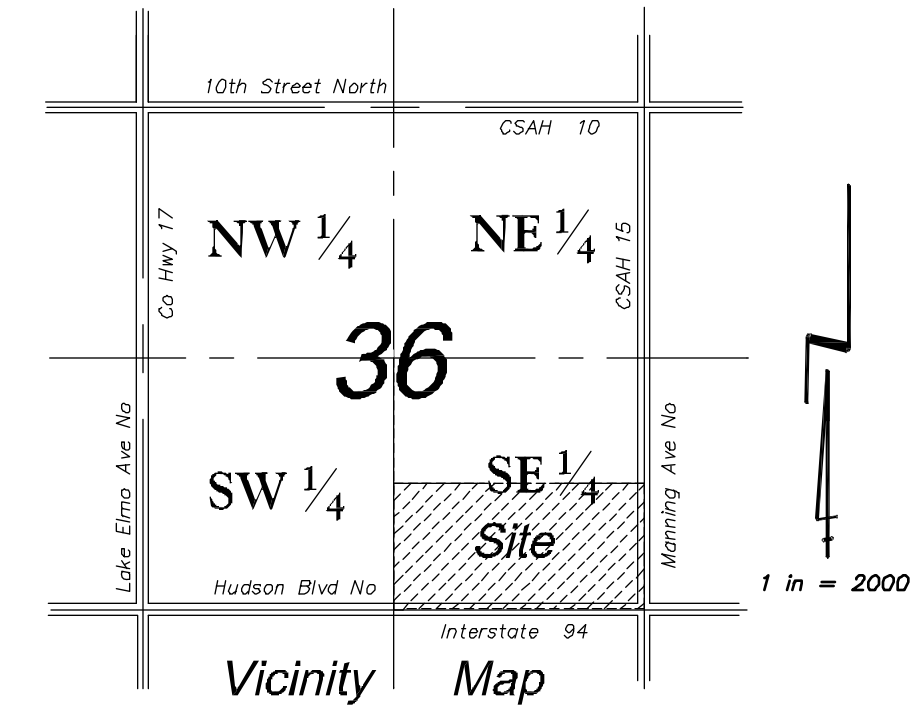


LEGEND

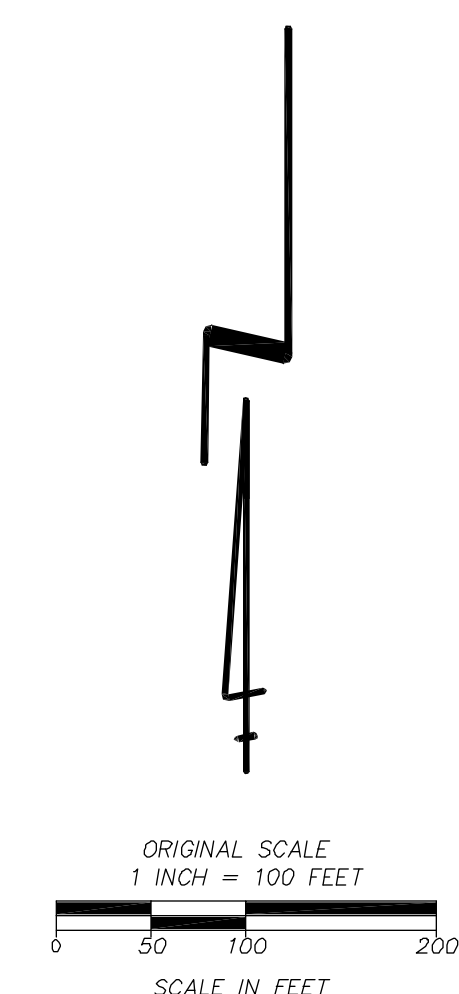
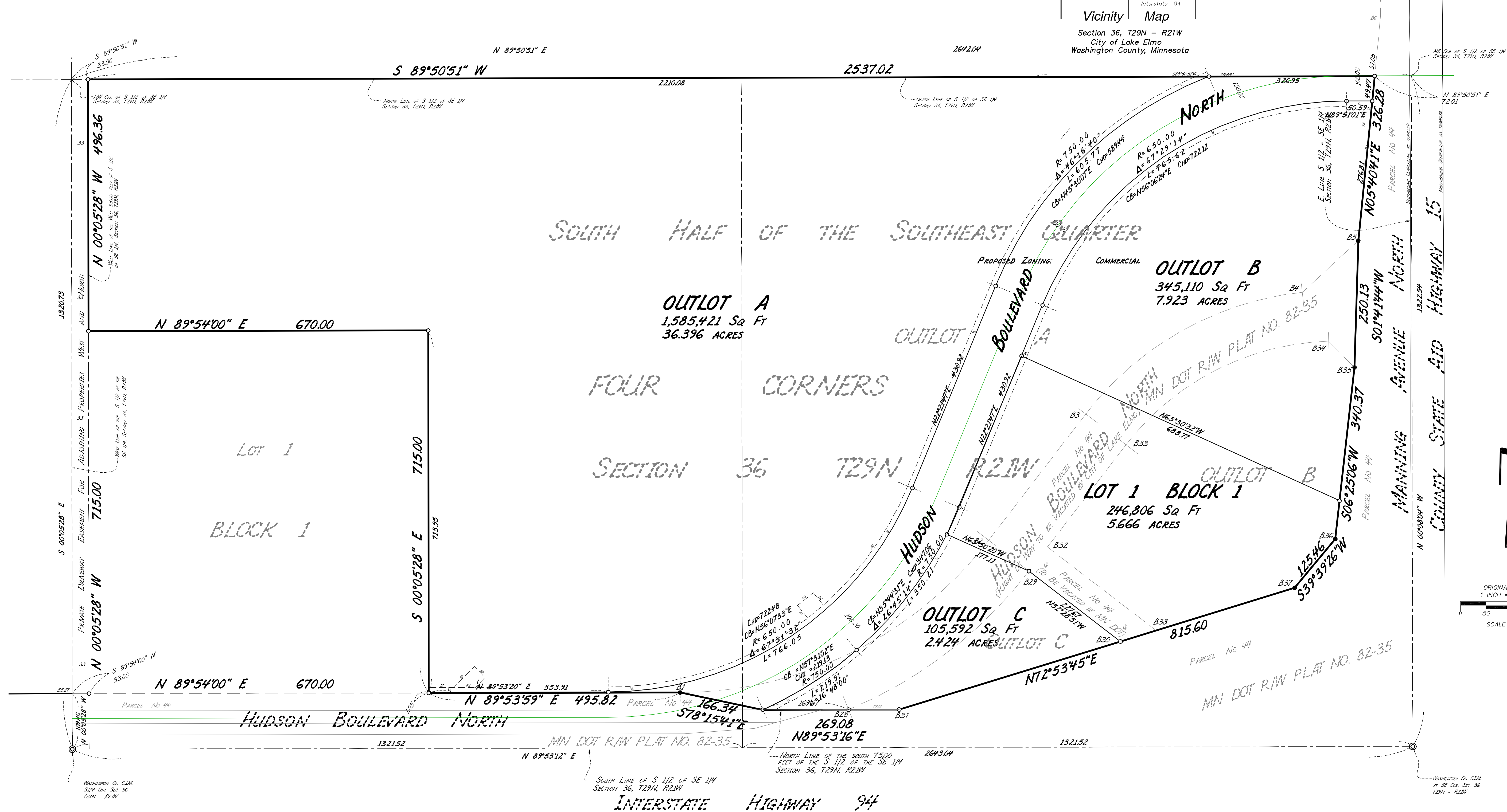
- DENOTES SET 1/2 INCH DIA. BY 16 INCH IRON PIPE MONUMENT MARKED WITH A PLASTIC CAP INSCRIBED "FREEMAN LS 16989", UNLESS SHOWN OTHERWISE
- DENOTES FOUND MN DOT 3/4 INCH IRON PIN MONUMENT

NOTES

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE WASHINGTON COUNTY COORDINATE SYSTEM, NAD83, 1986 ADJUSTMENT



Vicinity Map
Section 36, T29N - R21W
City of Lake Elmo
Washington County, Minnesota

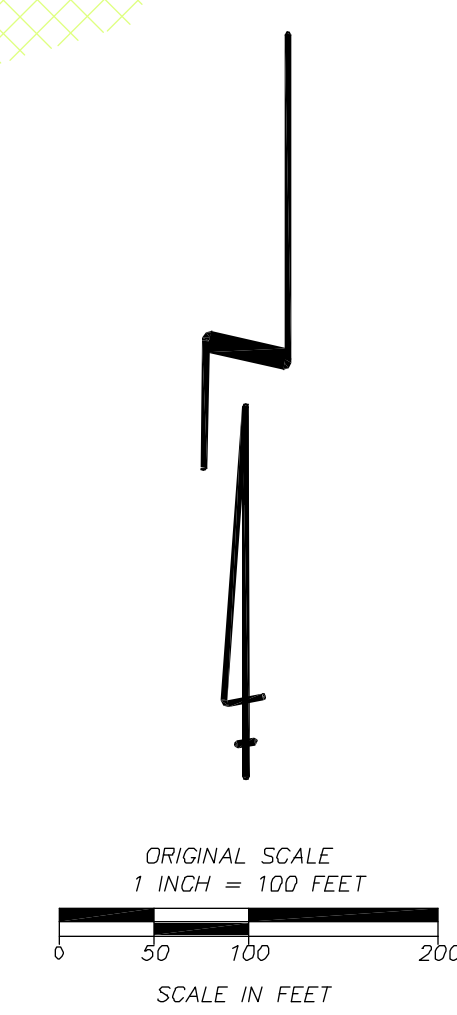
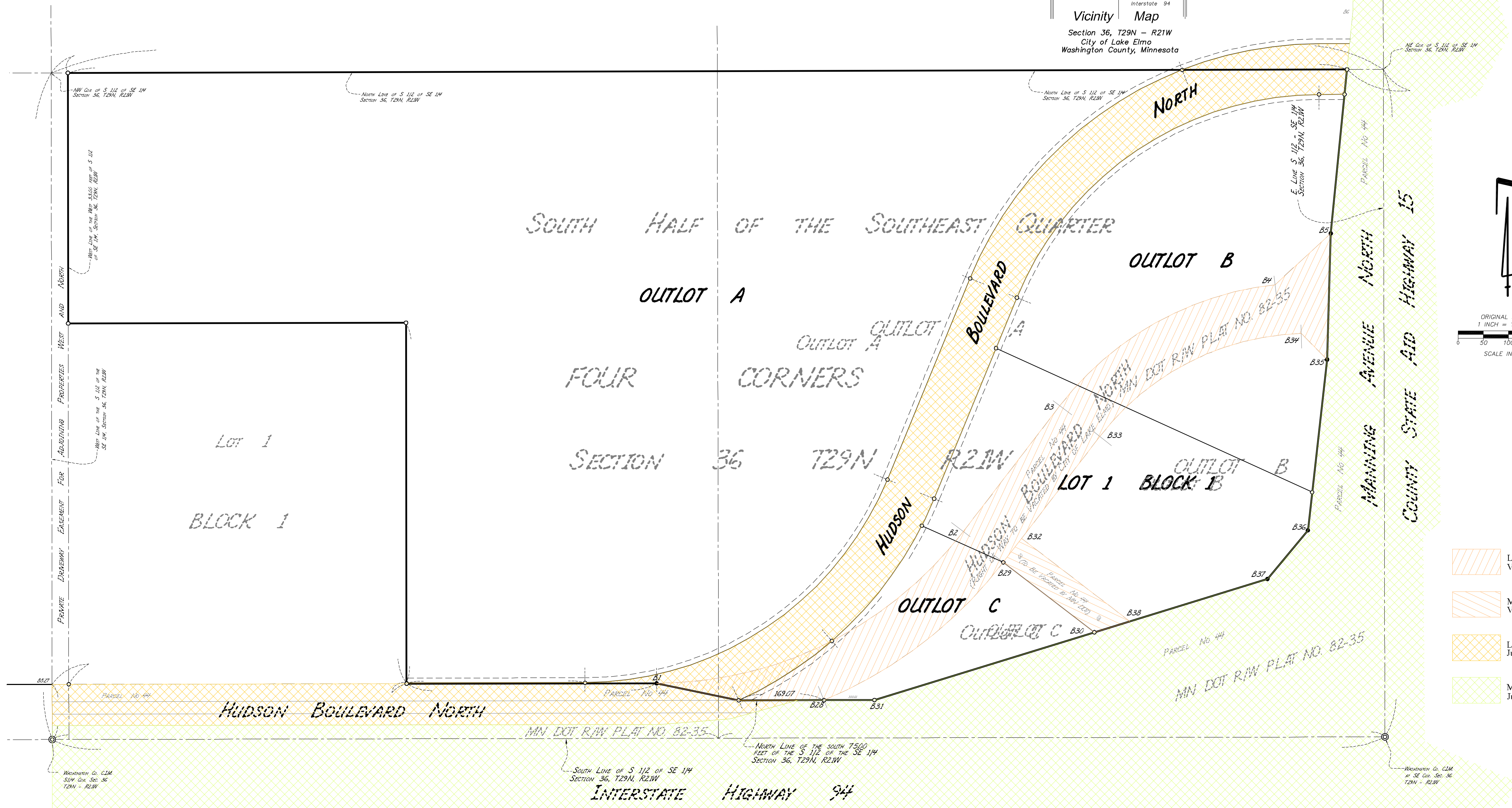
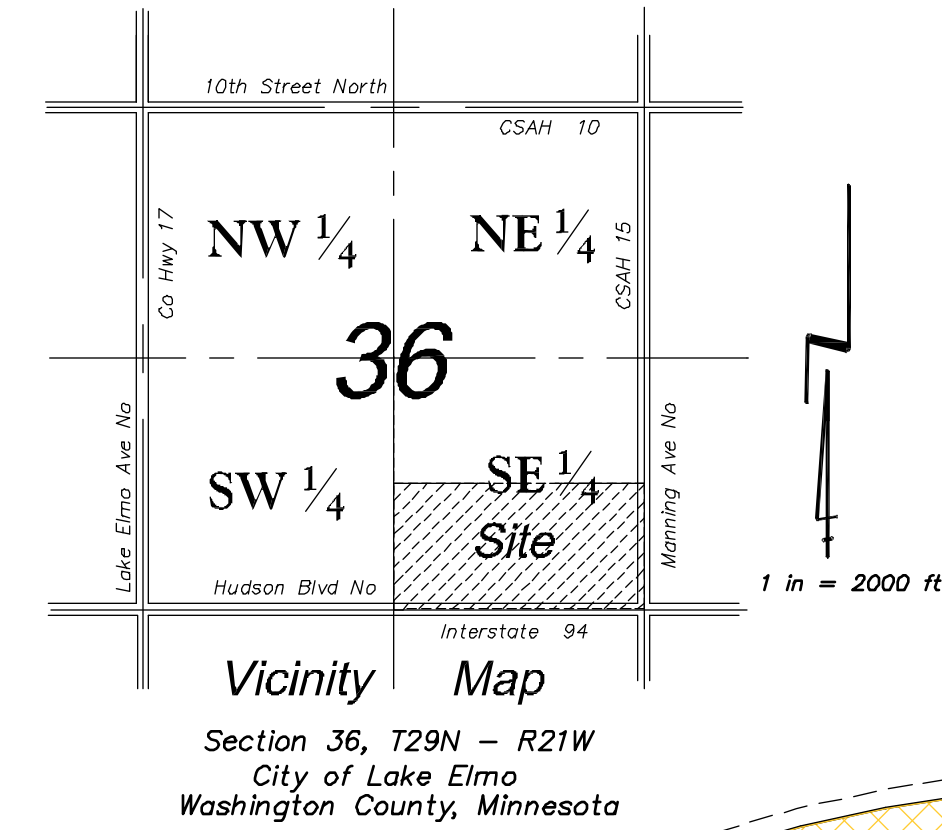


FOUR CORNERS 2ND ADDITION

PRELIMINARY PLAT

Right of Way Vacation/Jurisdiction

Folz Freeman Surveying LLC
 LAND PLANNING and SURVEYING
 12445 55TH STREET NORTH
 LAKE ELMO, MINNESOTA 55042
 (651) 439-8833 www.FFSurveying.com



- Lake Elmo to Vacate R/W
- MN DOT to Vacate R/W
- Lake Elmo R/W Jurisdiction
- MN DOT R/W Jurisdiction

CERTIFICATE OF SURVEY

Lake Elmo Easement Vacation

Folz Freeman Surveying LLC
LAND PLANNING and SURVEYING



12445 55TH STREET NORTH
LAKE ELMO, MINNESOTA 55042
(651) 439-8833 www.FFSurveying.com

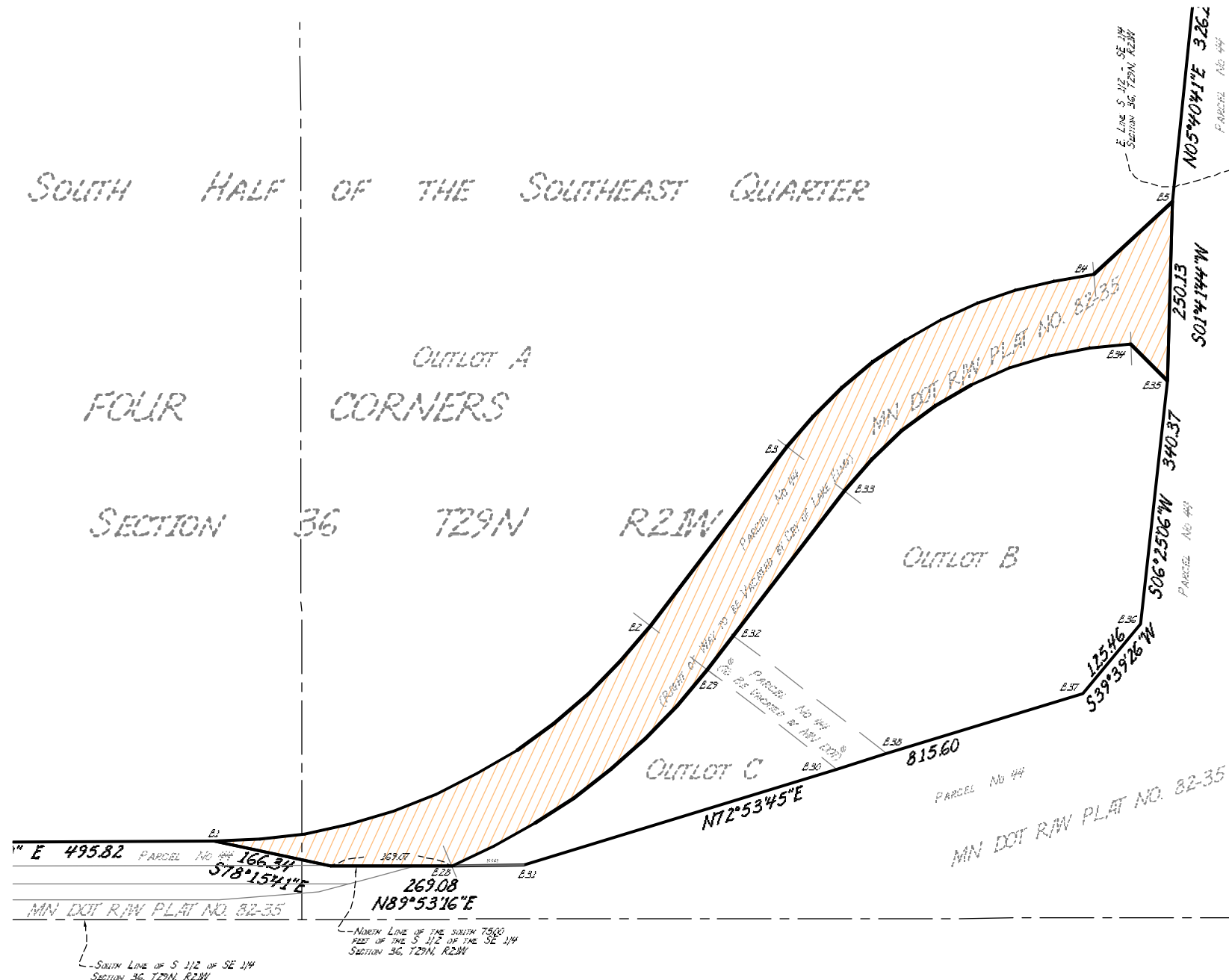
SURVEY FOR:

EN Properties, LLC
11530 Hudson Blvd. No., Suite A
Lake Elmo, MN 55042

LEGAL DESCRIPTION:

That part of the South Half of the Southeast Quarter of Section 36, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota contained within Parcel 44 of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 82-35, according to the plat thereof on file and of record in the office of the County Recorder, Washington County Minnesota described as follows:

Beginning at the right of way corner designated as B5; thence in a direct line to the right of way corner designated as B35; thence along the line of said Parcel 44 to the right of way corner designated as B34; thence along the line of said Parcel 44 to the right of way corner designated as B33; thence along the line of said Parcel 44 to the right of way corner designated as B32; thence in a direct line to the right of way corner designated as B29; thence along the line of said Parcel 44 to the right of way corner designated as B28, which is on the north line of the south 75.00 feet of said South Half of the Southeast Quarter; thence westerly along said north line of the south 75.00 feet a distance of 169.07 feet; thence in a direct line to the right of way corner designated as B1; thence along the line of said Parcel 44 to the right of way corner designated as B2; thence along the line of said Parcel 44 to the right of way corner designated as B3; thence along the line of said Parcel 44 to the right of way corner designated as B4; thence along the line of said Parcel 44 to the right of way corner designated as B5, the point of beginning.



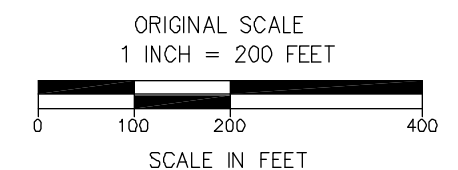
SURVEYOR'S NOTE:

The right of way represented on this Lake Elmo Easement Vacation Sketch was transferred to the City of Lake Elmo by Quit Claim Deed from the State of Minnesota recorded as Document No. 3975938 in the office of the County Recorder, Washington County Minnesota.

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.

Timothy J. Freeman
Timothy J. Freeman, LS
Minnesota License No. 16989

1/23/19
Date



Note: Official Copies of this map are crimp scaled

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. 651.300.4285

Date: May 20, 2019

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

Re: Four Corners 2nd Addition Final Plat
Engineering Review Comments

An engineering review has been completed for the Four Corners 2nd Addition Final Plat/Plans received on April 26, 2019. The submittal consisted of the following documentation:

- Four Corners 2nd Addition Final Plat, Sheets 1-2, not dated, prepared by Folz Freeman Surveying (FFS).
- Four Corners 2nd Addition Hudson Blvd Realignment & Trunk Utility Extension Plans, dated 04.26.2019, prepared by Larson Engineering.
- Four Corners 2nd Addition Stormwater Management Plan, dated 04.26.2019, prepared by Larson Engineering.
- Four Corners 2nd Addition Right-of-Way Vacation/Jurisdiction Exhibit, dated 01.22.2019, prepared by FFS.
- Four Corners 2nd Addition Lake Elmo Easement Vacation Request, dated 01.23.2019, prepared by FFS.
- Four Corners 2nd Addition MnDOT Right-of-Way Vacation Request, dated 01.23.2019, prepared by FFS.

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: FOUR CORNERS 2ND ADDITION

- Lot 1, Block 1, Outlot A, Outlot B and Outlot C ownership has been identified as EN Properties LLC on the Construction Plans. The Final Plat must be contingent upon the Plat being revised to include a drainage and utility easement over all of Outlot C for maintenance of the storm water facilities.
- 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.
- The proposed improvements cannot be constructed without the dedication of several critical drainage and utility easements being dedicated to the City as shown on the Construction Plans. Final Plat must therefore be contingent upon all drainage and utility easements, as required by the City Engineer and Public Works Director, being dedicated in the City's standard form of agreement, and signed by all parties prior to the release of the Final Plat for recording. Easements include:
 - An off-site roadway and utility easement to be acquired from the adjacent property north of the plat to accommodate the Hudson Boulevard realignment at the intersection with Manning Avenue (CSAH-15).
 - A roadway and utility easement with 80-foot right-of-way to be provided to facilitate a public street connection from the adjacent property to the north to Hudson Boulevard at the first intersection west of Manning Avenue (CSAH 15).
 - A drainage and utility easement for the drainage ditch on the north side of Hudson Boulevard, and for the storm sewer pipe stubs from STMH18 and CB27.
 - An on-site and off-site drainage and utility easement for the existing 100-year HWL ponding.

- Written landowner permission must be submitted as part of the final plat applications for any off-site grading work, easements and storm water discharges to adjacent properties.
- Final Plat must be contingent upon obtaining MnDOT and Washington County permits for completing the improvements as proposed, including the dedication of additional right-of-way along Manning Avenue, if required, sight triangle right-of-way matching existing, and additional intersection improvements at Hudson Boulevard and Manning Avenue (CSAH-15), if required.
- A State and Valley Branch Watershed District (VBWD) permit will be required. The site plan is subject to a storm water management plan meeting State, VBWD and City rules and regulations.
- The storm water facilities constructed for this development should remain privately owned and maintained. The applicant will be required to execute and record a Stormwater Maintenance and Easement Agreement in the City's standard form of agreement.
- 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 May 20, 2019.
- The Final Plat shall not be recorded until final construction plan approval is granted.
- No construction for Four Corners 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.

February 15, 2019

Ken Roberts, Planning Director
City of Lake Elmo
3880 Laverne Avenue North
Lake Elmo, MN 55042

SUBJECT: Four Corners Second Edition Preliminary Plat
MnDOT Review #P19-002
NW quad of I-94 and CSAH 15 (Manning Ave N)
City of Lake Elmo, Dakota County

Dear Mr. Roberts:

MnDOT has reviewed the preliminary plat received 1/31/19 for the Four Corners Second Edition project in compliance with Minnesota Statute 505.03, subdivision 2, Plats. Before further development, please address the following:

Design

The preliminary plat shows the relocation of the frontage road (Hudson Blvd) and its intersection with CSAH 15 (Manning Ave N) within the MnDOT right-of-way, which extends several hundred feet north of I-94 along Manning Ave. Roadway configuration changes of this magnitude require a Level 2 layout, as noted in MnDOT's review of the EAW for the Manning Avenue Corridor Management and Safety Improvement Project (see MnDOT comment letter of 12/21/2016 attached).

MnDOT layout design guidance and layout requirements are provided at: <http://www.dot.state.mn.us/design/geometric/index.html>. Please direct questions regarding roadway design to Jeff Rones of MnDOT's Metro District Design Section at 651-234-7647 or Jeff.Rones@state.mn.us.

Traffic

MnDOT strongly recommends that the city require a traffic impact study (TIS) to be performed, as the traffic volumes associated with the proposed development and uses are significant (likely exceeding 15,000 AADT) and meet MnDOT warrants for a TIS (2,500 or more new daily vehicle trips). See Chapter 5 of MnDOT's Access Management Manual for TIS guidance: www.dot.state.mn.us/accessmanagement/docs/pdf/manualchapters/chapter5.pdf.

Please direct questions regarding traffic to Kaare Festvog of MnDOT's Metro District Traffic Engineering Section at 651-234-7814 or Kaare.Festvog@state.mn.us.

Right-of-Way

The 60' drainage way shown on the future Lot 1 labeled "PARCEL No. 44 (TO BE VACATED BY MN DOT)" is currently owned in fee by MnDOT. Therefore, MnDOT will need to convey fee ownership of the parcel to the owner. Please contact Jennifer Matti in MnDOT's Metro District Surveys Section at 651-234-3474 or Jennie.Bailey@state.mn.us regarding acquisition of the drainage way.

Please direct questions regarding right-of-way to Michael Lynch of MnDOT's Metro District Right of Way Section at 651-234-7558 or Mike.Lynch@state.mn.us.

Drainage

A MnDOT drainage permit will be required to ensure that current drainage rates to MnDOT right-of-way will not be increased. MnDOT's Drainage Permits Checklist is attached. The drainage permit application is available online at: <https://dotapp7.dot.state.mn.us/OLPA> and requires the following information:

1. A grading plan showing existing and proposed contours.
2. Drainage area maps for the proposed project showing existing and proposed drainage areas. Any off-site areas that drain to the project area should also be included in the drainage area maps. The direction of flow for each drainage area must be indicated by arrows.
3. Drainage computations for pre- and post-construction conditions during the 2-, 10-, 50- and 100-year rain events.
4. Time of concentration calculations.
5. An electronic copy of any computer modeling used for the drainage computations.
6. See also the attached Drainage Permits Checklist for more information.

The application should be submitted to:

MnDOT – Metropolitan District Permit Office
1500 West County Road B-2
Roseville, MN 55113

MnDOT will perform a thorough review of the application and request any additional information that may be needed. For questions, please contact Bryce Fossand of MnDOT's Metro District Water Resources Section at 651-234-7529 or Bryce.Fossand@state.mn.us.

Permits/No Impacts to Interstate Highway

In addition to the drainage permit, any other work affecting or impacting MnDOT right of way on Manning Ave N will require a permit. No work within or impacts to the I-94 right-of-way will be allowed. Permit forms are available from MnDOT's utility website: <http://www.dot.state.mn.us/utility/forms.html>. Please include one 11"x17" plan set and one full size plan set with each permit application.

Please direct questions regarding these requirements to Buck Craig of MnDOT's Metro District Permits Section at 651-234-7911 or Buck.Craig@state.mn.us.

Review Submittal Options

MnDOT's goal is to review proposed development plans and documents within 30 days of receipt. Electronic file submittals are typically processed more rapidly. There are four submittal options:

1. Email documents and plans in .pdf format to metrodevreviews.dot@state.mn.us. Attachments may not exceed 20 megabytes per email. If multiple emails are necessary, number each message.
2. Upload .pdf file(s) to MnDOT's external shared internet workspace site at: <https://mft.dot.state.mn.us>. Contact MnDOT Planning development review staff at metrodevreviews.dot@state.mn.us for access instructions and send an email listing the file name(s) after the documents have been uploaded.

3. Mail, courier, or hand deliver documents and plans in .pdf format on a CD-ROM compact disc to:
MnDOT – Metro District Planning Section
Development Reviews Coordinator
1500 West County Road B-2
Roseville, MN 55113
4. Submit printed documents via U.S. Mail, courier, or hand delivery to the address above.
Include one set of full size plans.

You are welcome to contact me with questions at 651-234-7795.

Sincerely,

David Elvin, AICP
Senior Planner

Copy via E-Mail:

Adam Josephson, Area Engineer
Ryan Coddington, Engineering
Jeff Rones, Design
Mike Lynch, Right of Way
Jennifer Matti, Surveys
Buck Craig, Permits
Bryce Fossand, Water Resources
Kaare Festvog, Traffic Engineering
Carl Jensen, Transit Advantages
Mike Nelson, Surveys
Cameron Muhic, Multi-Modal
Russell Owen, Metropolitan Council
Michael Welling, Washington County Survey Division



Public Works Department

Donald J. Theisen, P.E.
Director

Wayne H. Sandberg, P.E.
Deputy Director/County Engineer

February 22, 2019

Ken Roberts
Community Development Director
City of Lake Elmo
3600 Laverne Avenue North
Lake Elmo, MN 55042

RE: Washington County comments on Four Corners Second Addition Plat

Dear Ken,

Thank you for providing Washington County with the Four Corners Second Addition, Proposed Concept Plat in the City of Lake Elmo. The plat consists of an express park-and-ride lot and outlots for future development. The property is located on the northwest corner of Interstate 94 (I-94) and County State Aid Highway (CSAH) 15/Manning Avenue. Our comments are as follows:

- The realigned access location of Hudson Boulevard, which aligns with the access road to the Holiday Gas station in West Lakeland Township at 2nd St N and CSAH 15, is acceptable to the County as shown. A new southbound right-turn lane and northbound left-turn lane will need to be constructed as part of the Hudson Boulevard realignment, along with removal of the in-place turn lanes and median opening at Hudson Blvd. Plans for those improvements will need to be prepared and approved by the county engineer via the county's permit process or a cooperative construction agreement.
- As this area continues to attract development the city may want to consider conducting an area traffic study to determine if the new intersection will meet warrants for a traffic signal. When traffic signal is warranted, the City of Lake Elmo will have a 25% cost share.
- A bicycle and pedestrian trail on the south side of Hudson Blvd is needed to connect these facilities to CSAH 15, and the trail to the east of CSAH 15. This trail parallels I-94, and is programmed in 2020 for improvements to connect to 2nd St. This connection is critical for cyclists and pedestrians to conveniently access the park-and-ride from the east side of CSAH 15. As shown in the plat, the lack of such a connection on the south side forces trail users from the east to cross to the north side of 2nd St, then CSAH 15, and finally cross again to the south side of Hudson Blvd at the park-and-ride entrance.
- The developer or the city must submit the drainage report and calculations to our office for review of any downstream impacts to the county drainage system. Along with the drainage calculations, we will request written conclusions that the volume and rate of stormwater run-off into the county right-of way will not increase as part of the project.

February 22, 2019
Four Corners Addition
Page 2 of 2

- Access control should be dedicated to Washington County along the CSAH 15 frontage, except for the opening corresponding to Hudson Boulevard North.
- A Right-of-Way Permit will be required for any work in the CSAH 15 right-of-way as it relates to the development.
- All utility connections for the development require Washington County Right-of-Way Permits. Typically, these are the responsibility of the utility companies.

Thank you for the opportunity to comment on this preliminary plat. If you have any questions, please contact me at 651-430-4316 or jan.lucke@co.washington.mn.us. For permit applications, please contact Carol Hanson at Carol.hanson@co.washington.mn.us.

Regards,

A handwritten signature in black ink that reads "Jan Lucke". The signature is written in a cursive style with a large, looping initial "J".

Jan Lucke
Public Works Planning Director

C: Carol Hanson, Office Specialist

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

RESOLUTION NO. 2019-061

***A RESOLUTION VACATING A ROADWAY RIGHT-OF-WAY FOR THE FOUR CORNERS
SECOND 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 for the Four Corners Second Addition development in Lake Elmo on March 19, 2019 through adoption of Resolution 2019-021; and

WHEREAS, the City Council approved the Four Corners Second Addition Final Plat on August 20, 2019 through adoption of Resolution 2019-060, and

WHEREAS, the development site of the Four Corners Second Addition includes PID#s 36-029-21-43-0005, 36-029-21-44-0005 and PID# 36-029-21-44-0004; which are owned by EN Properties LLC, Lake Elmo MN 55042 (Owner); and

WHEREAS, the City of Lake Elmo was granted a roadway right-of-way for Hudson Boulevard lying west of Manning Avenue by the Minnesota Department of Transportation and this roadway right-of-way was recorded at the Office of the Registrar of Titles of Washington County; and

WHEREAS, a request has been made to the City Council pursuant to Minnesota Statute §412.851 to vacate parts of the easements and right-way for Hudson Boulevard lying west of Manning Avenue legally described as follows:

That part of the South Half of the Southeast Quarter of Section 36, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota contained within Parcel 44 of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 82-35, according to the plat thereof on file and of record in the office of the County Recorder, Washington County Minnesota described as follows:

Beginning at the right of way corner designated as B5; thence in a direct line to the right of way corner designated as B35; thence along the line of said Parcel 44 to the right of way corner designated as B34; thence along the line of said Parcel 44 to the right of way corner designated as B33; thence along the line of said Parcel 44 to the right of way corner designated as B32; thence in a direct line to the right of way corner designated as B29; thence along the line of said Parcel 44 to the right of way corner designated as B28, which is on the north line of the south 75.00 feet of said South Half of the Southeast Quarter; thence westerly along said north line of the south 75.00 feet a distance of 169.07 feet; thence in a direct line to the right of way corner designated as B1; thence along the line of said Parcel 44 to the right of way corner designated as

B2; thence along the line of said Parcel 44 to the right of way corner designated as B3; thence along the line of said Parcel 44 to the right of way corner designated as B4; thence along the line of said Parcel 44 to the right of way corner designated as B5, the point of beginning.

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 roadway and right-of-way to be vacated and rededicated; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing to consider the vacation of the Hudson Boulevard roadway easements and right-of-way on the May 29, 2019 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 proposed vacation of the existing Hudson Boulevard easements and roadway right-of-way will benefit the public interest because:

- 1) The City has granted Final Plat Approval for the Four Corners 2nd Addition, which includes PID#s 36-029-21-43-0005, 36-029-21-44-0005 and PID# 36-029-21-44-0004; which will grant the City new right-of-way for Hudson Boulevard for similar purposes.

WHEREAS, the City Council, at its meeting on August 20, 2019, considered the easement and roadway right-of-way 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 existing roadway easements and right-of-way for parts of Hudson Boulevard lying west of Manning Avenue is hereby granted in accordance with the property descriptions provided above, subject to the following conditions of approval:

1. The final plat of Four Corners being approved by the City Council and recorded at Washington County. The final plat must include the dedication of the relocated (new) Hudson Boulevard; and
2. The developer constructing the relocated Hudson Boulevard and the City accepting the relocated (new) Hudson Boulevard.

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 20th day of August, 2019.

Effective Date: _____

Approved:

Mike Pearson, Mayor

Attested by:

Julie Johnson, City Clerk

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

RESOLUTION NO. 2019-060

***A RESOLUTION APPROVING A FINAL PUD AND FINAL PLAT FOR THE FOUR
CORNERS SECOND ADDITION LOCATED ALONG HUDSON BOULEVARD NORTH,
WEST OF MANNING AVENUE***

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

WHEREAS, Terry Emerson, 2204 Legion Lane Circle North, Lake Elmo, MN 55042 (Applicant) has submitted an application to the City of Lake Elmo (City) for Final PUD approval and for a Final Plat to subdivide the property located along Hudson Boulevard lying west of Manning Avenue into one lot and three outlots along with the realignment of Hudson Boulevard in accordance with Four Corners Second Addition Final Plat prepared by Folz Freeman Surveying, a copy of which is on file in the City of Lake Elmo Planning Department; and

WHEREAS, the Lake Elmo Planning Department has reviewed the proposed Final Plat request for consistency with the City of Lake Elmo Zoning and Subdivision Ordinances; and

WHEREAS, the Lake Elmo Planning Commission reviewed the proposed Final Plat at a meeting held on May 29, 2019; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation about the proposed Final Plat as part of a memorandum to the City Council for the August 20, 2019 City Council Meeting; and

WHEREAS, the City Council reviewed the Applicant's Final PUD and Final Plat request at a meeting held on August 20, 2019.

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

FINDINGS

1. That the Four Corners Second Addition final plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
2. That the Four Corners Second Addition final plat complies with the minimum lot frontage and area requirements of the City's C (commercial) and BP (Business Park) zoning districts.
3. That the Four Corners Second Addition final plat complies with the City's subdivision ordinance.

4. That the Four Corners Second Addition final plat meets other City zoning ordinances, such as landscaping, erosion and sediment control, and other ordinances.
5. That the Four Corners Second Addition final plat is consistent with the City's engineering standards provided the plans are updated to address the City Engineer's comments documented in a memo dated May 20, 2019.
6. That the Four Corners Second Addition final plat creates one new lot of 5.66 acres with the following legal description as well as three outlots A, B, and C of respectively 36.39, 7.92, and 2.42 acres:

Lot 1, Block 1, Four Corners Second Addition

CONCLUSIONS AND DECISION

NOW, THEREFORE, BE IT RESOLVED THAT that based on the testimony elicited and information received, the City Council of the City of Lake Elmo hereby approves the Final PUD and Final Plat request, provided the following conditions are met:

- 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 memorandums addressing Four Corners Second Addition Final Plat and Construction Plans dated May 20, 2019 and July 22, 2019 shall be incorporated into these documents and plans before the City will approve the plans.
- 2) Before the execution of the Final Plat by City officials, the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements for the Four Corners Second Addition Final Plat with financial guarantees therefore.
- 3) 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, or dedicated to the City in the City's standard form of agreement and be fully signed by all parties prior to recording the final plat. The following easements are required:
 - a. An off-site roadway and utility easement to be acquired from the adjacent property north of the plat to accommodate the Hudson Boulevard realignment at the intersection with Manning Avenue (CSAH-15).
 - b. A roadway and utility easement with 80-foot right-of-way to be provided to facilitate a public street connection from the adjacent property to the north to Hudson Boulevard at the first intersection west of Manning Avenue (CSAH 15).
 - c. A drainage and utility easement for the drainage ditch on the north side of Hudson Boulevard, and for the storm sewer pipe stubs from STMH18 and CB27.
 - d. An on-site and off-site drainage and utility easement for the existing 100-year HWL ponding.
- 4) That the applicant/developer meet all requirements and requests of Washington County including the needs and requirements for drainage, right-of-way, turn lanes and trails. The developer shall provide the City written verification from Washington County that sufficient right-of-way has been provided on the plat along with a sufficient right-of-way easement along Manning Avenue

before plat recording. Before construction, the plan section detailing southbound right turn lanes and center left turn lanes on Manning Avenue at Hudson Boulevard must be submitted and approved by the county traffic engineer, applicable Washington County right-of-way permits must be obtained, drainage report and calculations must be submitted, and access control shall be dedicated to Washington County along CSAH 15/Manning Avenue frontage. The Applicant shall be solely responsible for all construction costs associated with the intersection improvements as recommended by Washington County.

- 5) That the applicant/developer pay the City the required parkland dedication fees in lieu of park land dedication applicable to this phase of the development (\$25,470.00) before the City releases the final plat for recording.
- 6) The Final Plat and PUD Plans for each building site shall provide the required 20% open space within the development or specify what the proposed public or site amenity the development will provide that the City may consider as an alternative to the open space requirement. The City must approve any proposed amenities as part of the development approval process for each lot or building site.
- 7) The Final Plat and PUD Plans for each building site shall detail proposed amenities in exchange for flexibility from standards of the Zoning Code.
- 8) The Final Plat and PUD Plans shall include provisions for City sanitary sewer and municipal water. The Applicant shall be responsible to extend City sanitary sewer and municipal water to the site at the applicant's cost, including all oversize costs. Sanitary sewer and water main stubs will be required to all adjacent properties.
- 9) The Applicant shall obtain all necessary permits including but not limited to all applicable city permits (building, grading, sign, etc.), NPDES/SWPPP permits and Valley Branch Watershed District and MnDOT approval before starting any grading or construction activities.
- 10) Storm water facilities shall be privately owned and maintained. A maintenance and easement agreement in the City standard form of agreement shall be executed and recorded with the final plat.
- 11) The Final Plat and PUD Plans for each lot shall include tree planting and landscape plans for each building site or project phase to be approved by the City's Landscape Architect.
- 12) The Final Plat and PUD Plans for each lot shall include architectural renderings for each lot and building site.
- 13) The Applicant(s) or developers shall submit a photometric plan for each lot and building site. All lighting must meet the requirements of Sections 150.035-150.038 of the City Code.
- 14) The applicant shall meet all the requirements of MNDOT as outlined in their comments dated February 15, 2019.
- 15) That the applicant or developer address all the comments of the Fire Chief and the Building Official with final site and building plans including the placement of fire hydrants, driveway design and emergency vehicle access within each building site.

16) That the applicant record the Final Plat with Washington County within 120 days of City Council approval (as required by the City Code).

Passed and duly adopted this 20th day of August 2019 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk