



STAFF REPORT

DATE: 04/06/2021

REGULAR

TO: Mayor and City Council
FROM: Ben Prchal, City Planner
AGENDA ITEM: **The Legacy at North Star Fourth Addition – Easement Vacation, Final Plat and PUD Plans**
REVIEWED BY: Ken Roberts, Planning Director

BACKGROUND:

GWSA Land Development is requesting City approval of easement vacations and the Final Plat and PUD Plans to create 62 lots for single family over 21.84 acres. This proposed final plat is the fourth phase of a 262 (*previously 269*) single family residential development on +/- 98.93 acres known as Legacy at North Star. Please see the attached project narrative, maps and project plans for more information about this proposed development.

The City approved the PUD Concept Plan on June 6, 2017 and approved the Preliminary Plat and PUD Plans on February 20, 2018. On August 8, 2018, the City Council approved the 1st addition of the Development (PUD) with 59 single family lots (*Res. 2018-090*), 2nd addition on April 16th, 2019 with 74 single family lots (*Res. 2019-026*), and 3rd addition on April 7th, 2020 with 64 single family lots (*Res. 2020-034*). Due to engineering comments and a desire for larger lots, developer has reduced the total number of lots throughout the development from 269 to 262.

On March 8, 2021, the Planning Commission held a public hearing about these latest requests. They reviewed the proposals and recommended approval of both the final plat and final PUD plans and the proposed easement vacation, subject to conditions of approval.

ISSUE BEFORE THE CITY COUNCIL:

The City Council is respectfully being requested to review and approve the developer's requests for the easement vacation and the final plat and Final PUD Plans for Legacy at North Star Fourth Addition.

GENERAL INFORMATION:

Applicant: GWSA Land Development
Property Owner: GWSA Land Development, 10850 Old County Road 15, Suite 200, Plymouth, MN 55441
Location: Outlot E, Outlot C, and Outlot B of 3rd Addition, Legacy at North Star, Washington County, Minnesota.
PID#s: 11.029.21.43.0035, 11.029.21.44.0048, 11.029.21.44.0049
Request: Easement Vacation, Final Plat and Development Stage PUD Plans
Site Area: 21.84 acres
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)/V-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 – 2/12/2021
60 Day Deadline – 4/11/2021
Extension Letter Mailed – yes
120 Day Deadline – May 15, 2021

Applicable Code: Article 13 – Village Mixed Use District
Article 18 – Planned Unit Development Regulations
Article 20 – Shoreland Code
Subdivision Regulations

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 in 2018. The developers requested a PUD because the process afforded the developer a higher density than would normally be allowed if the development followed straight V-LDR zoning. Furthermore, it also allowed flexibility within the Shoreland Code and other areas of the zoning code, such as lot dimensions and setbacks.

Changes since Preliminary Plat. The City had previously reviewed and discussed the preliminary plat for Legacy at North Star which included a higher number of units and a different configuration than the one approved by the City Council in 2018. However, due to conditions of approval and engineering/planning comments the developer reduced the number of lots from 276 to 269 (down from 279 from Concept Plan), and again to 266 units due to engineering comments. Ultimately the approved overall density for the development ended a 2.72 units per acre with the required changes. Now the developer is requesting to plat fewer lots in Phase 4 than what would have been allowed and thus the overall density is now at 2.64 units per acre. The overall project density does not conflict with the zoning code or comprehensive plan.

Lot Sizes and Widths. The minimum allowed lot width 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 20,000 sq. ft. and in the V-LDR District, 9,000 sq. ft. To meet the shoreland requirement, the City allowed the developer to determine the area of buildable land and divide it by 20,000 sq. ft. This allows the developer the ability to have smaller lots but still maintain the total amount of land required for the shoreland code.

Phases 1, 2, and 3 received approval for the standards shown in red on the table below. The deviations are for setbacks, lot area, and width. Of Phase 4, twenty-one lots will need to take advantage of the amended lot width requirements and three will need relief on the size requirement (compared to preliminary approval). The proposed lot layout/dimensions are consistent with what the City approved with previous phases. When reviewing lot width, keep in mind the City has a definition of how a width is determined (front or rear).

“LOT WIDTH. *The horizontal distance between the side lot lines of a lot measured at the setback line.”*

The proposed lots do not conflict with the shoreland code or the previous approvals.

| | 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. | - | 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. | - | 10 ft./5 ft. or 7.5 ft./7.5 ft. | - |

| | | | | | | | | |
|----------------------------|-----|-----|-----|---|-----|-----|-----|---|
| Maximum Impervious Surface | N/A | 35% | 50% | - | 40% | 45% | 45% | - |
|----------------------------|-----|-----|-----|---|-----|-----|-----|---|

Landscaping and Tree Preservation. Staff submitted the proposed project landscape plans to the City's Landscape Architect for review. Fortunately the corrections that need to be made to the landscape plans are relatively minor. They are missing 4 trees and driveways were not shown on the plans. It is a recommended condition of approval that the final landscape plans be approved by the Landscape Architect before recording of final plat.

Outlots. Outlot A is shown as being owned by the City but instead it shall be owned by the HOA. The City Engineer also notes that this should be owned by the HOA with a drainage and utility easement for the City. Please also see the Engineering review memo for this development dated March 3, 2021.

Parkland Dedication. The total required parkland dedication for the entire development is 10% of the total 98.93 (9.893 acres) either being made up of physical land or fee payment. The applicant partially satisfied the park dedication requirement for the 1st and 2nd addition with the dedication of Outlot D of the Northport addition, which consisted of 6.51 acres.

The Developer applied 2.72 acres of the 6.51 acres next to Reid Park for the first addition. The developer then took an additional 2.28 acres from the 6.51 and applied it to the 2nd addition. With the 3rd phase of development consisting of 21.45 acres the applicant was responsible for dedicating 2.145 acres of land. During the 3rd addition they dedicated 1.5 acres of land to the City and paid the City a cash contribution of \$53,212.53 (.645 acres * \$81,617

9.893 acres required to satisfy the City dedication requirements.

6.51 acres dedicate to the City via Outlot D of Northport

1st addition = 2.72 acres dedicated

2nd addition = 2.28 acres dedicated

3rd addition = 1.5 acres dedicated and \$53,212.53 paid (2.145 acres accounted for)

Total 7.145 acres of land accounted for in Phases 1-3 toward park dedication.

4th addition dedication requirement: $9.893 - 7.145 = 2.75$ acres of land dedication or payment of \$224,447.58 to satisfy the 4th addition park dedication requirement (Staff recommends cash payment at \$81,617.30 per acre).

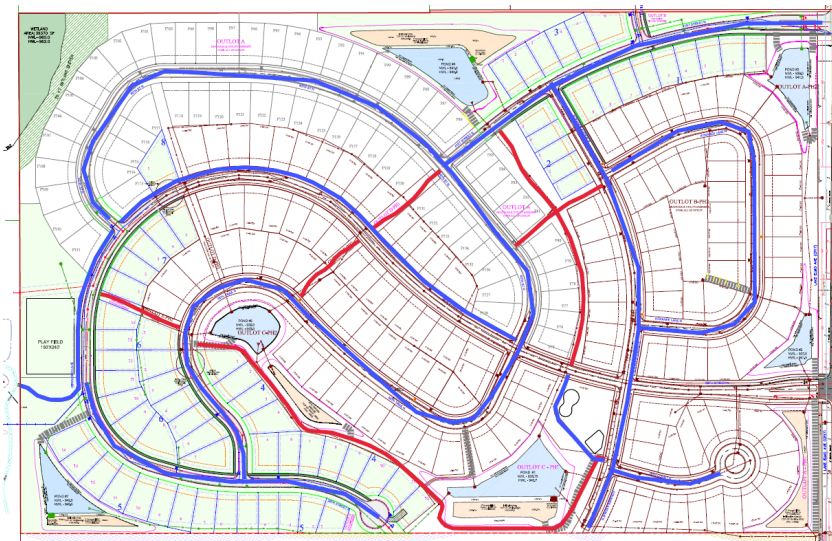
The development has an HOA owned and maintained playfield on the west side of the development as well as a playground, pool, pool house, and recreation area that the Developer established in the 1st addition.



Trails. It was a condition of preliminary plat approval that the applicant provide a trail connection to the Hamlet on Sunfish Lake trails. This trail connection runs along 39th Street and will connect the Hamlet on Sunfish Lake trails to Lake Elmo Avenue. This trail connection will take place during the final build out of the 3rd Addition but the condition still carries through.

Private Trails. Private trails are shown in red and the blue lines represent areas where there are either public sidewalks, trails, or both.

Subdivision Signs. Staff does not see that the developer is proposing to install any additional subdivision signs. However, if the developer desires to install another sign, it will need to be reviewed against the City Sign Code and will require a permit.



Streets and Access. The development has a modified street grid with 60 foot wide public rights-of-ways with 28-foot-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 properties, should those properties ever develop. The overall development has two access points to the Schiltgen parcel to the south of the project site in the event this property develops in the future which will also accommodate the land locked Chavez parcel. The proposed Fourth Addition street connections and designs are consistent with the approved overall preliminary plat.

Village Parkway Design. When reviewing the Concept Plan, the City 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 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 Fourth Addition final plat. The comments they provided to the Planning Staff do not generate changes to the plan.

Washington County Review. The final plat and construction plans have been sent to Washington County for review. Staff did not receive comments from them for the 4th addition.

City Engineer Comments. The City Engineer memo dated March 3, 2021 is attached to this report. A few of the Engineering comments do require corrections to the plat and plans but overall they do not appear to be impactful.

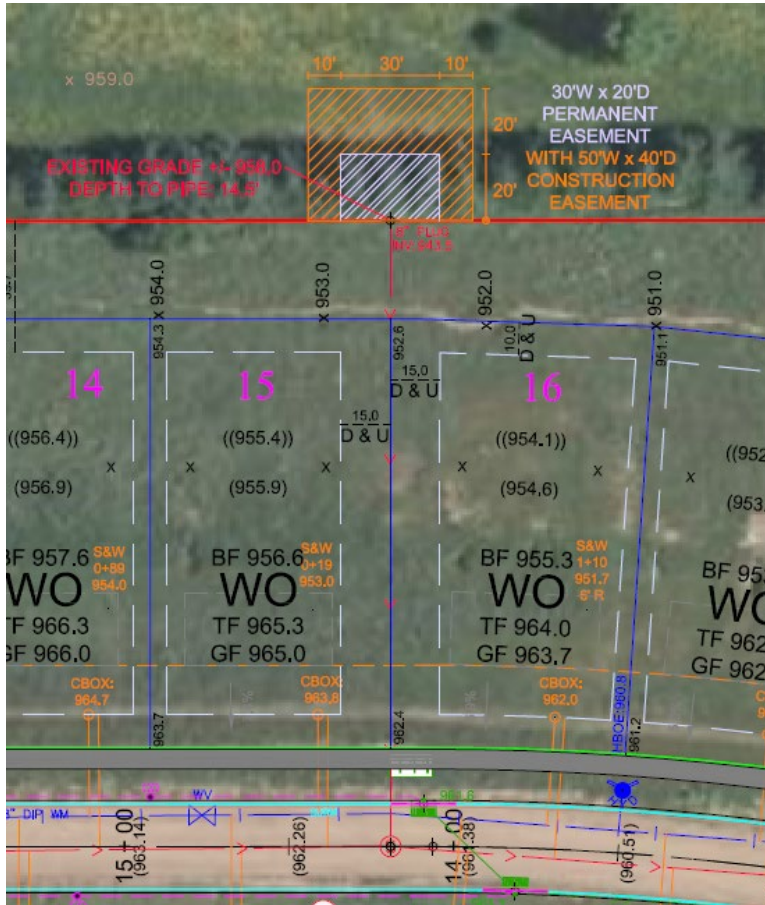
Engineering Memo Summary:

- Adjustment of some easement lines
- An easement is required over Outlot A
- Construction plans must be approved by the City Engineer prior to recording the plat.

Sanitary Sewer Line Extension to the North Property Line

As part of the City Engineer's review comments, he is suggesting the City require the developer extend a sanitary sewer line to the north property line of the site. This new sewer line would run between Lots 15 and 16, Block 4, would be in an Outlot and would be available to serve the Sunfish Ponds development if those homes would ever

need to connect to the City sanitary sewer system. The City's policy has been to require developers to extend all public utilities to the perimeter of the project sites to allow for the extension of the utilities when and if there is a need to do so. The installation of the utilities in this manner makes for easier connections to those systems and ensures there would be no disturbance to nearby homes if the utilities are extended in the future. It also ensures there would be no extra cost to the City or to another developer to extend the utilities compared to if they are installed all the way to a property line.



The installation of this sanitary sewer line to the north property line of the project site would require the developer to get construction easements from the adjacent property owners as the installation of the new sewer pipe would require ground disturbance and grading on the adjacent property. The pipe installation also would require the removal of 2 or 3 existing pine trees that are now part of the screening and buffering between the properties. This area is shown on the image to the left.

Mr. Allen, the applicant, is asking the City to allow him to install the new sanitary sewer pipe to only within about 15 feet of the northern property line of the project site. Keeping the new sewer pipe away from the north property line would not require any grading on the adjacent property and should not require the removal of any of the existing trees along the property line. City staff supports the developer's request since the end of the new sewer pipe would be in an Outlot, would not be directly adjacent to any single-family homes and would allow for the preservation of the existing trees along the property line. The image below shows the area in question.

Staff is requesting the City Council consider this request and make a determination about the amount of required sewer pipe installation as part of the approvals for the final plat and final PUD plans.

Other Concerns.

Watering Ban. Due to shortage of water, the City may need to implement watering restrictions in the City for this summer and into the future. This could include limiting or prohibiting the use water outside including for vehicle 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. This water shortage may be lessened after Well Number 5 is put into service later this year.

Conditions of 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 as all of the development is now zoned V-LDR.
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. This will carry through to the Fourth Addition.
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 Fourth Addition that the applicant address all items outlined in the City Engineer's memo for the Final Plat and PUD Plans dated March 3, 2021.
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 not to 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 desired 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 met this condition 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 implementation of this condition was a requirement of the 3rd addition. The Developer will need to install the trail and have it accepted by the City before the building permits for the 4th Addition can be released. The western end of the trail will be installed over a City owned Outlot (Outlot H of 3rd Addition).
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.
This condition has been met and is not applicable to the 4th Addition of the PUD.
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.
It was a recommended condition of approval that the City receive written documentation from Washington County that sufficient right-of-way has been provided along CSAH 17/Lake Elmo Avenue along with a sufficient right-of-way easement on the property to the south. This has been provided.
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. The Developer installed 41st Street with the Third Addition which also has an intersection with Lake Elmo Avenue.

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. Staff is recommending a condition of a 30 foot wide no build buffer be applied to the lots adjacent to the northern development lot line and a 50 foot wide no build buffer be applied to the western edge of the development. The City must approve the form of this buffer or easement before releasing the final plat for recording. The buffer and landscaping plans are to maximize the size of the buffer and no disturb (no build area) on each lot and is to show sufficient landscaping with trees and/or berming along the west or north property line of each lot to provide screening. These plans for each lot shall be subject to City staff approval and the no-disturb buffer area for each lot shall be included in the conservation easement or in another protective easement for the development.
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 project landscape plans have been approved by the City's Landscape Architect. It is a condition of approval for Phase 4 that the developer have the landscape plans updated to meet current City Standards and be revised to incorporate the requested changes.
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 a wetland buffer has been contained within Outlot N of the preliminary plat (Outlot A of the 4th 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 G, which is being 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. This sanitary sewer pipe was installed with the 3rd Addition.
15. That the Final Plat and PUD Plans include a parking area for the HOA pool/playground recreation area that meets all applicable standards.
This condition was addressed and implemented in Phase 1.
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.
17. 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 within the shoreland area.
18. 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.

It is a recommended condition of approval that the Applicant provide an open space easement to the City over homeowners' association-owned Outlots on the northern and western edges of the development. Outlot A of the 4th Addition will be HOA owned.

19. That all Fire Chief and Building Official comments be addressed.
Planning staff submitted the proposed Fourth 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 their comments.
20. 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.
21. 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 of the First Addition.
22. 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 Fourth Addition Final Plat and PUD application.
23. The proposed 7'8'sideyard setbacks shall be approved by the City Engineer.
The Engineer does not have issue with this side yard setback.
24. 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.
25. 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.
The applicant dedicated 6.51 physical acres during phases 1, 2, and 3 with fee payment also being provided during phase 3. With a total required contribution amount of 9.893 acres the Developer is now required to provide 2.75 acres to either dedicate or provide financial contribution to the City for the Fourth Addition. The applicant will be responsible for a park dedication fee of \$224,447.58 with this phase of the development.

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

1. That all the requirements of City Code Section 153.10 related to the Final Plan and Final Plat have been met by the Applicant.
2. That the proposed Final Plat and PUD Plans for Legacy at North Star Fourth Addition will create 62 lots for single-family detached residential structures.
3. That the Legacy at North Star Fourth 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 Fourth 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.
5. That the Legacy at North Star Fourth Addition Final Plat and PUD Plans meet the allowed density requirements allowed with PUD flexibility.
6. That the Legacy at North Star Fourth Addition Final Plat and PUD Plans comply with general intent of the City's Village Low Density Residential zoning district regulations with PUD Modifications.
7. That the Legacy at North Star Fourth 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 Engineering memo dated March 3, 2021.
8. That the Legacy at North Star Fourth Addition Final Plat and PUD Plans comply with the City's subdivision ordinance with PUD modifications.
9. That the Legacy at North Star Fourth 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 Fourth Addition Final Plat and PUD Plans dated March 3, 2021.
10. That the Legacy at North Star Fourth Addition Final Plat and PUD Plans meet the minimum requirement for a PUD including minimum lot area, open space and street layout.
11. That the Legacy at North Star Fourth 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.
12. That the Applicant has or 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 are recommending approval of the requested Legacy at North Star Fourth 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 memorandums addressing Legacy at North Star Fourth Addition Final Plat and PUD Plans dated March 3, 2021 shall be incorporated into these documents before they are approved. The updated plans also shall include any changes as may be approved by the City Council – including the approved end point of the new sanitary sewer pipe between Lots 15 and 16, Block 4.
2. The developer shall install the new sanitary sewer line between Lots 15 and 16, Block 4 to point about 15 feet south of the north project line to allow all the grading to occur within the project site and to allow for the preservation of the existing trees on the adjacent property. The final design and location of this sanitary sewer line shall be subject to approval by the City Engineer.
3. All easements (temporary and permanent) as requested by the City Engineer and Public Works Department shall be documented on the Final Plat before its execution by City Officials.
4. Outlot A as shall be restated as an HOA owned outlot with and a City open space easement shall be applied to the property.
5. 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.
6. 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 Fourth Addition Final Plat with financial guarantees therefore.
7. 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.
8. The Developer will need to install a trail to the edge of Hamlet on Sunfish, as shown on the construction plans and have it accepted by the City before the building permits for the 4th Addition can be released.
9. That the developer 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 the property to the south of the development before plat recording. Prior to construction, the plan section detailing southbound right turn lanes and center left turn lanes at 39th Street 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 17/Lake Elmo Avenue frontage. The Applicant shall be solely responsible for all construction costs associated with the intersection improvements as recommended by Washington County. **(Complete)**

10. That the Landscape Plans for this phase of the development be updated and approved by the City's Landscape Architect before recording of final plat. The developer shall not plant any trees that will conflict with proposed utilities or utility easements.
11. That the applicant address all Fire Chief and Building Official comments.
12. That street names shall comply with City's Street Naming Policy.
13. That the applicant satisfy the park dedication requirement before the City releases the final plat for recording. The park dedication requirement shall be a fee equivalent to 2.74 acres, which is \$224,447.58.
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 vehicle washing and no watering of grass or sod.
15. A 30-foot-wide open space (no disturb) buffer shall be applied to the area adjacent to the northern property line of the development and a 50-foot-wide open space (no disturb) buffer be applied to the western property line of the development.
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 at the ends of cul-de-sacs.
17. That the developer record the approved final plat with Washington County within 180 days after City Council approval. Failure to record the final plat within 180 days of approval will cause the approval to become void.

EASEMENT VACATION

Reason. The applicant is requesting an easement vacation over Outlot B and Outlot E of the 3rd addition of Legacy at North Star. The drainage and utility easements was dedicated to the City with the Final Plat of the 3rd Addition. These outlots will be re-platted with the 4th Addition to accommodate residential lots. In order to avoid "stacking easements" and to keep the title clean for future owners/users of the parcels, the Applicant is requesting that the easements be vacated with dedication of new easements. Outlot A as shown on the 4th Addition plat will be dedicated for wetland purposes.

Recommended Condition of Approval. Staff and the Planning commission are recommending approval of the easement vacation, 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 4th Addition Final Plat.
-

RECOMMENDATIONS:

Staff and the Planning Commission recommend approval of the Legacy at North Star Fourth Addition Final Plat and PUD Plans with recommended findings and conditions of approval.

"Move to adopt Resolution 2021-043 approving the Legacy at North Star Fourth Addition Final Plat and Final PUD Plans as recommended by City staff and the Planning Commission with the recommended findings and conditions of approval as listed in the staff report."

Staff and the Planning Commission also recommend approval of the proposed vacation of the drainage and utility easements on Outlot B and Outlot E of Legacy at North Star Third Addition.

“Move to adopt Resolution 2021 – 044 approving the requested vacation of the drainage and utility easements on Outlot B and Outlot E of Legacy North Star Third Addition for the purposes of final platting the Legacy at North Star Fourth Addition with the findings and conditions of approval as listed in the staff report.”

ATTACHMENTS:

1. Project Narrative
2. Location Map
3. Approved Preliminary Plat
4. Proposed Final Plat (4 pages)
5. Site Plan
6. City Engineer Report dated March 3, 2021.
7. Landscape Architect Review Memo January 26, 2021
8. Resolution 2021 –043 Approving the final plat and final PUD plans
9. Resolution 2021 - 044 Approving easement vacation

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

RESOLUTION NO. 2020-043

***RESOLUTION APPROVING THE LEGACY AT NORTH STAR FOURTH 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 62 detached single family lots as the fourth 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 8, 2021 to consider the Final Plat and PUD Plans for the Fourth Addition; and

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

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Fourth Addition Final Plat and PUD Plans as part of a memorandum to the City Council from the Planning Director for the April 6, 2021 City Council Meeting; and

WHEREAS, the City Council reviewed the Fourth Addition Final PUD Plan and Final Plat application at its meeting held on April 6, 2021 and made the following findings:

1. That all the requirements of City Code Section 153.10 related to the Final Plan and Final Plat have been met by the Applicant.
2. That the proposed Final Plat and PUD Plans for Legacy at North Star Fourth Addition will create 62 lots for single-family detached residential structures.
3. That the Legacy at North Star Fourth 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 Fourth 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.
5. That the Legacy at North Star Fourth Addition Final Plat and PUD Plans meet the allowed density requirements allowed with PUD flexibility.
6. That the Legacy at North Star Fourth Addition Final Plat and PUD Plans comply with general intent of the City's Village Low Density Residential zoning district regulations with PUD Modifications.
7. That the Legacy at North Star Fourth 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 Engineering memo dated March 3, 2021.
8. That the Legacy at North Star Fourth Addition Final Plat and PUD Plans comply with the City's subdivision ordinance with PUD modifications.
9. That the Legacy at North Star Fourth 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 Fourth Addition Final Plat and PUD Plans dated March 3, 2021.
10. That the Legacy at North Star Fourth Addition Final Plat and PUD Plans meet the minimum requirement for a PUD including minimum lot area, open space and street layout.
11. That the Legacy at North Star Fourth 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.
12. That the Applicant has or 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 Lake 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 Fourth 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 memorandums addressing Legacy at North Star Fourth Addition Final Plat and PUD Plans dated March 3, 2021 shall be incorporated into these documents before they are approved. The updated plans also shall include any changes as may be approved by the City Council – including the approved end point of the new sanitary sewer pipe between Lots 15 and 16, Block 4.
2. The developer shall install the new sanitary sewer line between Lots 15 and 16, Block 4 to point about 15 feet south of the north project line to allow all the grading to occur within the project site and to allow for the preservation of the existing trees on the adjacent property. The final design and location of this sanitary sewer line shall be subject to approval by the City Engineer.
3. All easements (temporary and permanent) as requested by the City Engineer and Public Works Department shall be documented on the Final Plat before its execution by City Officials.
4. Outlot A as shall be restated as an HOA owned outlot with and a City open space easement shall be applied to the property.
5. 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.

6. 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 Fourth Addition Final Plat with financial guarantees therefore.
7. 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.
8. The Developer will need to install a trail to the edge of Hamlet on Sunfish, as shown on the construction plans and have it accepted by the City before the building permits for the 4th Addition can be released.
9. That the developer 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 the property to the south of the development before plat recording. Prior to construction, the plan section detailing southbound right turn lanes and center left turn lanes at 39th Street 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 17/Lake Elmo Avenue frontage. The Applicant shall be solely responsible for all construction costs associated with the intersection improvements as recommended by Washington County. **(Complete)**
10. That the Landscape Plans for this phase of the development be updated and approved by the City's Landscape Architect before recording of final plat. The developer shall not plant any trees that will conflict with proposed utilities or utility easements.
11. That the applicant address all Fire Chief and Building Official comments.
12. That street names shall comply with City's Street Naming Policy.
13. That the applicant satisfy the park dedication requirement before the City releases the final plat for recording. The park dedication requirement shall be a fee equivalent to 2.74 acres, which is \$224,447.58.
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 vehicle washing and no watering of grass or sod.
15. A 30-foot-wide open space (no disturb) buffer shall be applied to the area adjacent to the northern property line of the development and a 50-foot-wide open space (no disturb) buffer be applied to the western property line of the development.
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 at the ends of cul-de-sacs.

17. That the developer record the approved final plat with Washington County within 180 days after City Council approval. Failure to record the final plat within 180 days of approval will cause the approval to become void.

Passed and duly adopted this 6th day of April, 2021 by the City Council of Lake Elmo, Minnesota.

Charles Cadenhead, Mayor

ATTEST:

Julie Johnson, City Clerk

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

RESOLUTION 2021-044

***A RESOLUTION VACATING DRAINAGE AND UTILITY EASEMENTS OVER OUTLOT
B AND OUTLOT E OF LEGACY AT NORTH STAR THIRD 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 Third Addition Final Plat on April 7, 2020 through adoption of Resolution 2020-034, which includes PID#s 11-029-21-43-0035 and PID# 11-029-21-44-0046; and

WHEREAS, PID#s 11-029-21-43-0035 and PID# 11-029-21-44-0046 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 11-029-21-43-0035 and PID# 11-029-21-44-0046 and these easements were recorded with the Legacy at North Star Third Addition Plat by the Office of the Registrar of Titles of Washington County on June 1, 2020; 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 Third Addition by the Office of the Registrar of Titles of Washington County, Minnesota over PID# 11-029-21-43-0035 and PID# 11-029-21-44-0046, legally described as follows:

All of the drainage and utility easements, as created and dedicated over, under, and across Outlot B and Outlot E, Legacy at North Star Third 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 8, 2021 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 Fourth Addition, which includes PID# 11-029-21-43-0035 and PID# 11-029-21-44-0046; which will grant the City more appropriate easements for similar purposes.

WHEREAS, the City Council, at its meeting on April 6, 2021, 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 Fourth 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 6th day of April, 2021.

Effective Date: _____

Approved:

Charles Cadenhead, Mayor

Attested by:

Julie Johnson, City Clerk



SATHRE-BERGQUIST, INC.

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

Date: January 15, 2021

Subject: Legacy at North Star 4th Addition – 62 Lots – Final Plat Narrative

Prepared For: GWSA LAND DEVELOPMENT, LLC.

Contact: Craig Allen

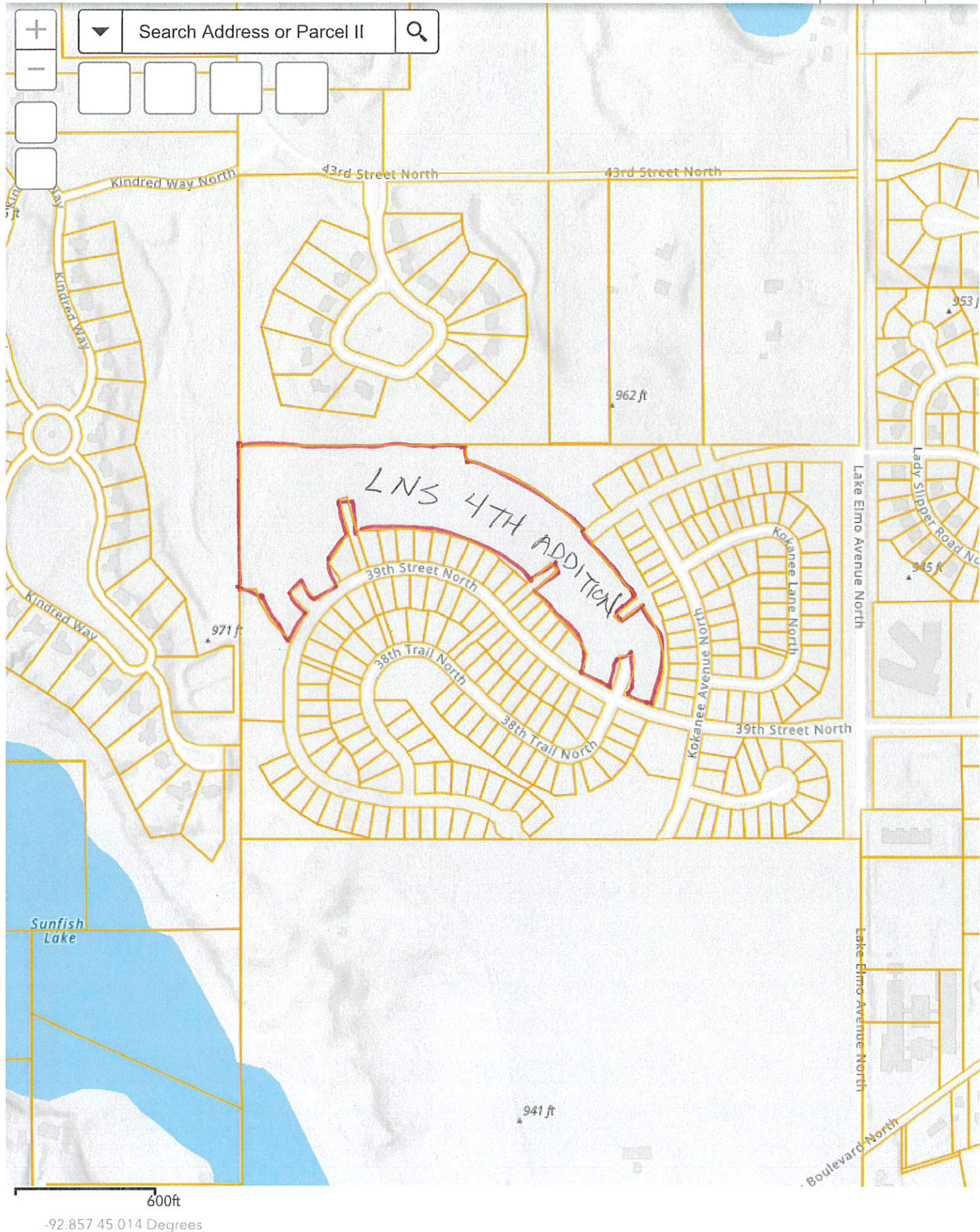
Narrative:

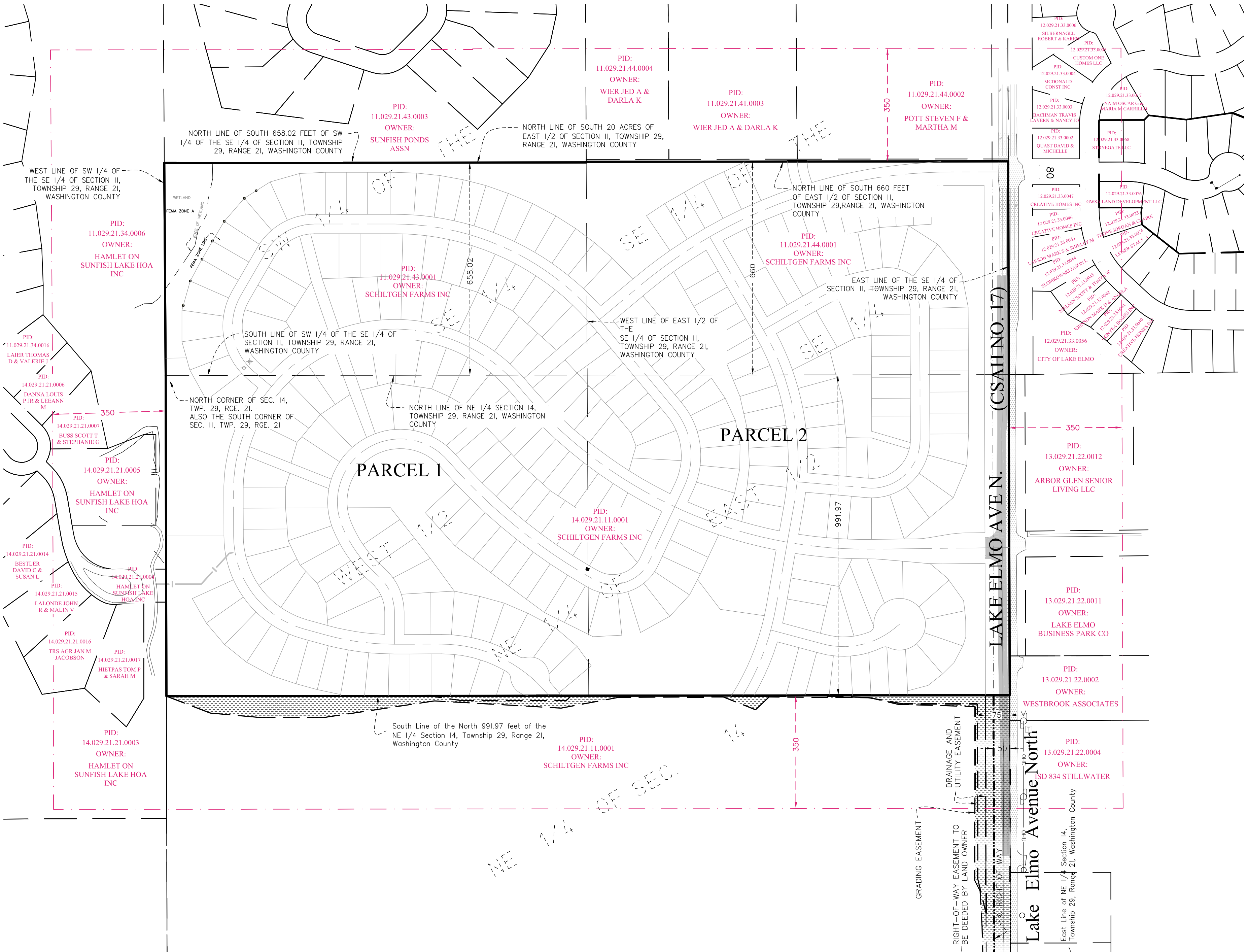
The proposed final plat for Legacy at North Star 4th Addition will consist of 62 single family residential lots. The 4th addition area was platted as 65 lots however Blocks 1, 5, and 6 now consist of 1 less lot each as builders are wanting larger lots and 3 lots have been removed to accommodate. The site is located to the west of Lake Elmo Ave and north of Stillwater Boulevard. The site is a total of +/- 21.8 Acres. (Please see the final plat application package). The project is proposed as PUD zoning.

Parcel Viewer - Quick Access

Beta

Washington Co





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.

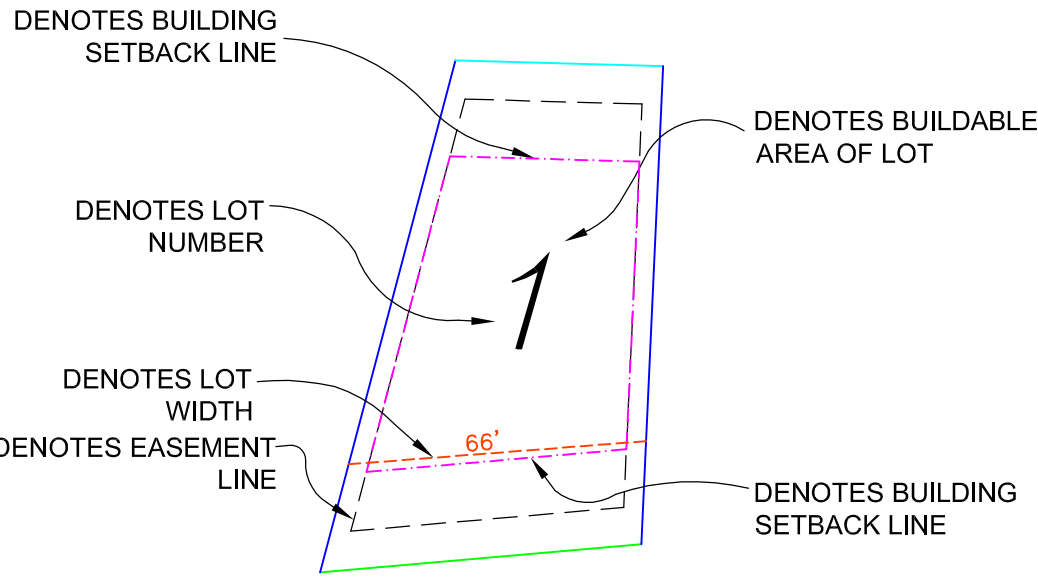
Parcel 2:
The South 20 acres of the East Half of the Southeast Quarter of Section 11, Township 29 North, Range 21 West, Washington County, Minnesota.
And
The north 991.97 feet of the East Half of Northeast Quarter of Section 14, said Township 29 North, Range 21 West, Washington County, Minnesota.

ALTA/ACSM OPTIONAL TABLE A NOTES

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

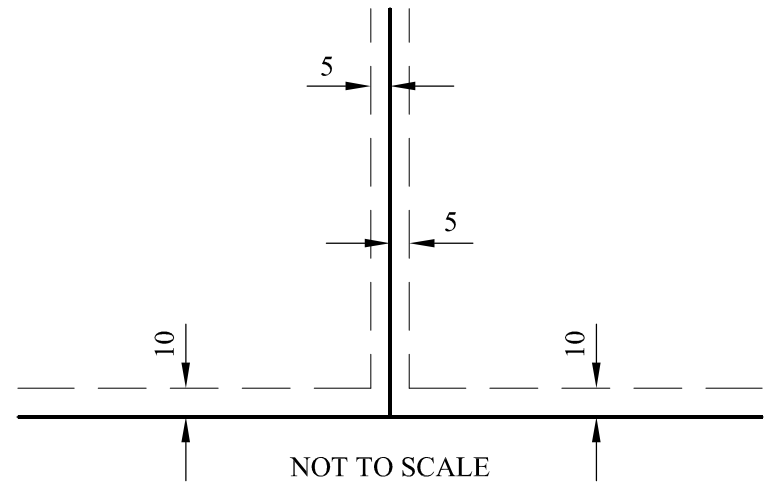
- 2) **Address:** Parcel 1- Unassigned; PID: 11.029.21.43.0001
Parcel 2- Unassigned; PID: 11.029.21.44.0001
Parcel 3-10880 Stillwater Blvd N., Lake Elmo, MN 55042; PID: 14.029.21.11.0001
- 3) **Flood Zone Information:** Parcel 1 is contained in Zone X (area of minimal flooding) and Zone A (Areas subject 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 3re 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 herein by digitizing said Flood Insurance Rate Maps.
- 4) **Parcel AreaTo 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 MNDOT 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

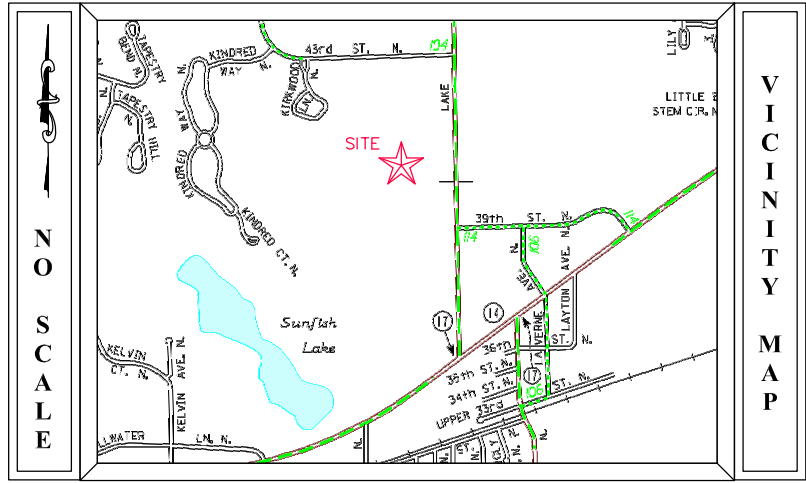


Zoning - PUD
Fysb - 25 ft
Fysb (sideload) - 15 ft
Sysb - 7.5 ft/7.5 ft
Rysb - 20 ft
Corner Lot - 20 ft
60' Row - 28' B-B Streets

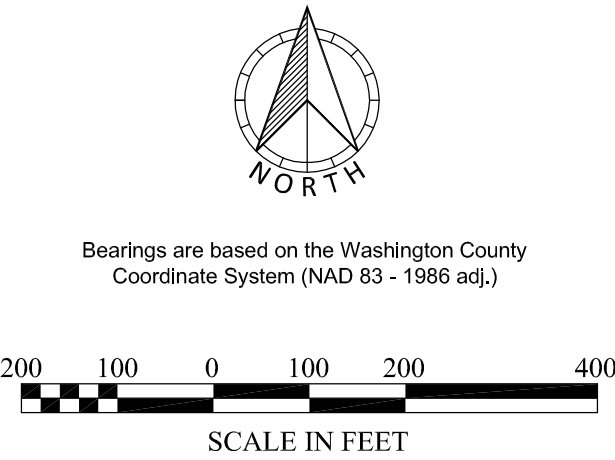
DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



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



| 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 10880 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 | 10 | JJA | 6/27/2018 | LOTS 108-111, AND CITY COMMENTS |
| DBP | | | | |
| DATE | | | | |
| 08/23/2017 | | | | |

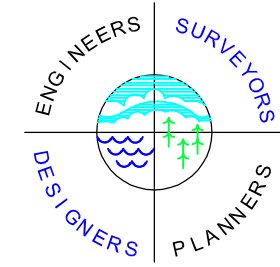
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I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 31st day of August, 2017.

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

Minnesota License No. 53642

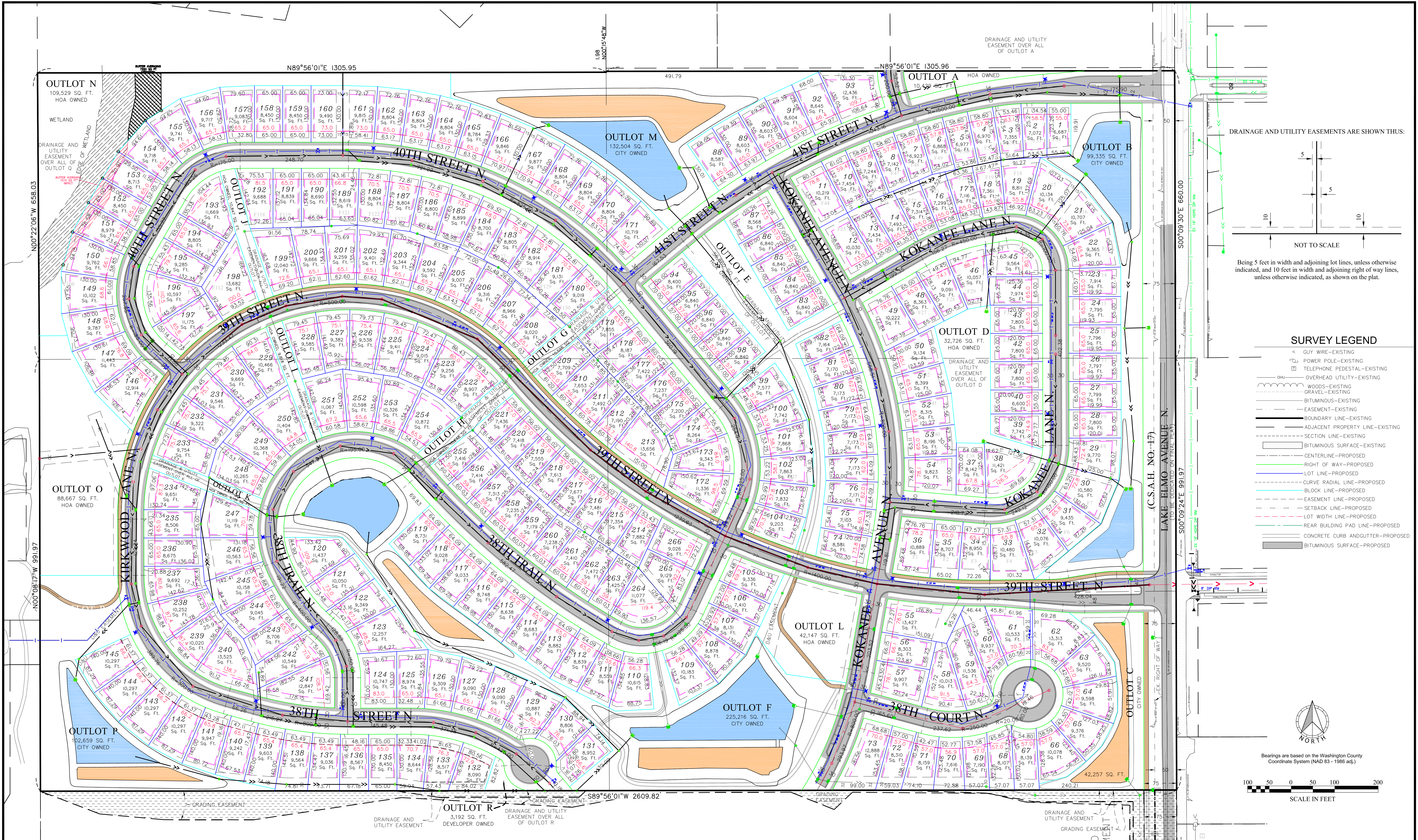


SATHRE-BERGQUIST, INC.
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000
WWW.SATHRE.COM

| |
|---|
| 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



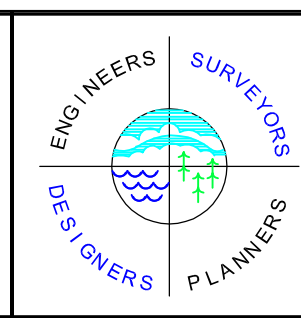
| FIELD CREW | NO. | BY | DATE | REVISION |
|------------|-----|-----|-----------|---------------------------------|
| XXX | 8 | JJA | 6/11/2018 | CITY COMMENTS |
| DRAWN | 9 | JJA | 6/19/2018 | CITY COMMENTS |
| JJA | 10 | JJA | 6/27/2018 | LOTS 109-111, AND CITY COMMENTS |
| CHECKED | | | | |
| DBP | | | | |
| DATE | | | | |
| 08/23/2017 | | | | |

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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

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

LEGACY AT NORTH STAR 4TH ADDITION

KNOW ALL PERSONS BY THESE PRESENTS: That GWSA Land Development, LLC, a Minnesota limited liability company, fee owner, of the following described property situated in the County of Washington, State of Minnesota, to wit:

Outlot B and E, LEGACY AT NORTH STAR 3RD ADDITION, Washington County, Minnesota.

Abstract Property.

Have caused the same to be surveyed and platted as LEGACY AT NORTH STAR 4TH ADDITION and do hereby dedicate to the public for public use the public ways, as shown on the plat, and also the drainage and utility easements as created by this plat.

In witness whereof said GWSA Land Development, LLC, a Minnesota limited liability company, has caused these presents to be signed by Craig Allen, Chief Manager on this _____ day of _____, 2021.

By: GWSA Land Development, LLC.

Craig Allen, Chief Manager

STATE OF MINNESOTA, COUNTY OF _____

The foregoing instrument was acknowledged before me on this _____ day of _____, 2021, by Craig Allen, Chief Manager of GWSA Land Development, LLC, a Minnesota limited liability company, on behalf of the company.

Notary Public, _____ County, Minnesota

Printed Name

My Commission Expires: _____

SURVEYORS CERTIFICATION

I Daniel L. Schmidt do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been set, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 2021.

Daniel L. Schmidt, Licensed Land Surveyor
Minnesota License No. 26147

STATE OF MINNESOTA, COUNTY OF HENNEPIN

This instrument was acknowledged before me on this _____ day of _____, 2021, by Daniel L. Schmidt, Licensed Land Surveyor, Minnesota Licence No. 26147.

Notary Public, Hennepin County, Minnesota

Printed Name

My Commission Expires: _____

LAKE ELMO, MINNESOTA PLANNING COMMISSION

Approved by the Planning Commission of the City of Lake Elmo, Minnesota, on this _____ day of _____, 2021.

Signed: _____
Chair, Planning Commission

Signed: _____
Secretary, Planning Commission

LAKE ELMO, MINNESOTA

This plat of LEGACY AT NORTH STAR 4TH ADDITION was approved by the City Council of the City of Lake Elmo, Minnesota on this _____ day of _____, 2021, and hereby certifies compliance with all requirements as set forth in Minnesota Statutes, Section 505.03, Subd. 2.

Signed: CITY OF LAKE ELMO

By: _____
Mayor

By: _____
Clerk

COUNTY SURVEYOR

Pursuant to Chapter 820, Laws of Minnesota, 1971, and in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this _____ day of _____, 2021.

By: _____
Washington County Surveyor

By: _____

COUNTY AUDITOR/TREASURER

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, and Section 272.12, taxes payable in the year 20 ___, on the real estate hereinbefore described, have been paid; and there are no delinquent taxes, and transfer has been entered on this _____ day of _____, 2021.

By: _____
Washington County Auditor/Treasurer

By: _____
Deputy

COUNTY RECORDER

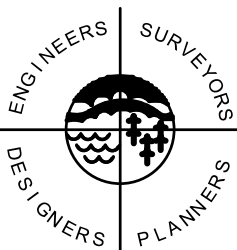
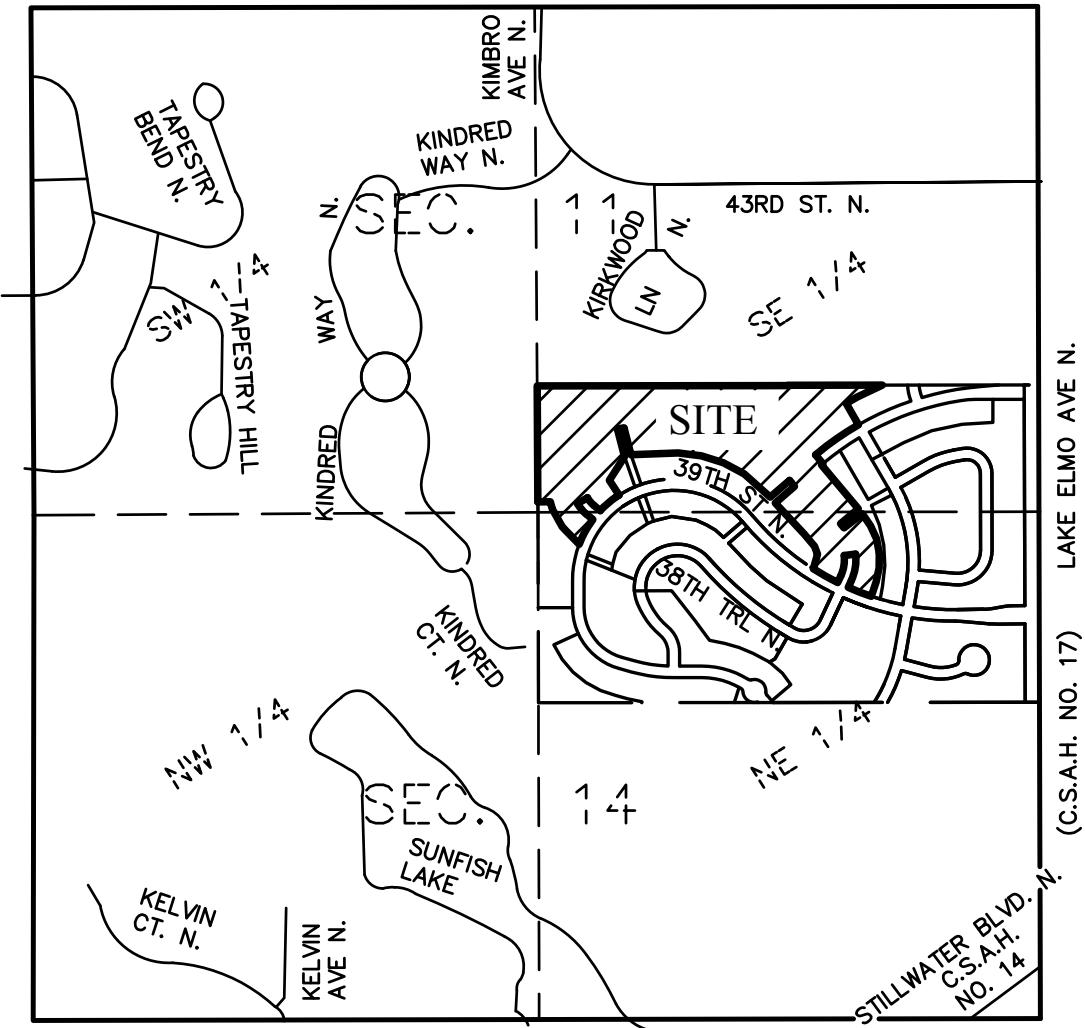
Document Number _____

I hereby certify that this instrument was recorded in the Office of the County Recorder for record on this _____ day of _____, 2021, at _____ o'clock ____, M. and was duly recorded in Washington County Records.

By: _____
Washington County Recorder

By: _____
Deputy

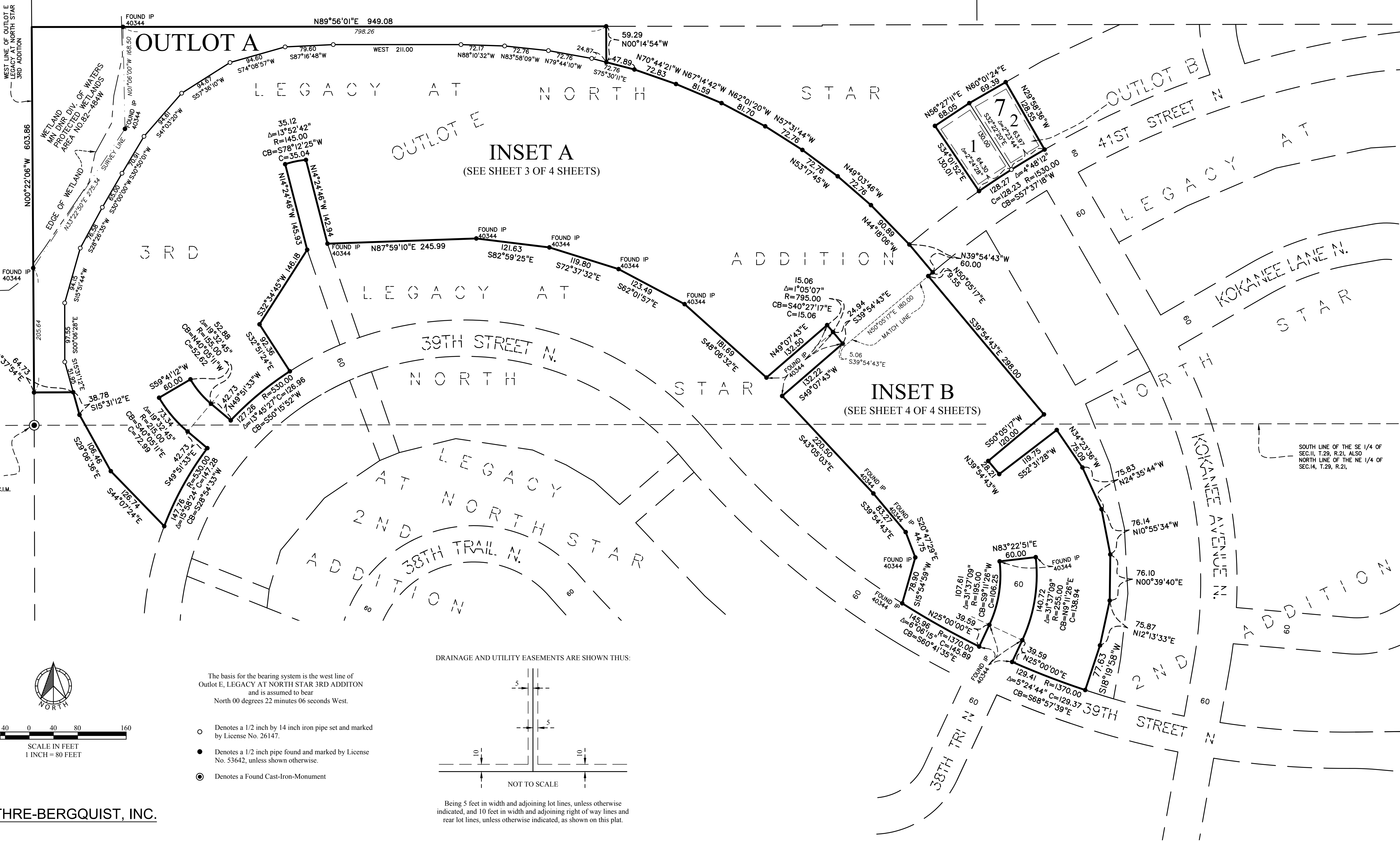
LOCATION MAP
SECTION 11 & 14, TWP. 29N., RGE. 21W.
(NOT TO SCALE)



SATHRE-BERGQUIST, INC.

LEGACY AT NORTH STAR 4TH ADDITION

S U N F I S H P O N D S

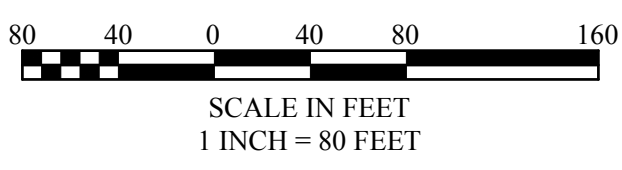


INSET A
(SEE SHEET 3 OF 4 SHEETS)

INSET B
(SEE SHEET 4 OF 4 SHEETS)

NORTH 1/4 CORNER OF
SEC.14, T.29, R.21
ALSO, SOUTH 1/4 CORNER OF
SEC.11, T.29, R.21
FOUND WASHINGTON COUNTY C.I.M.

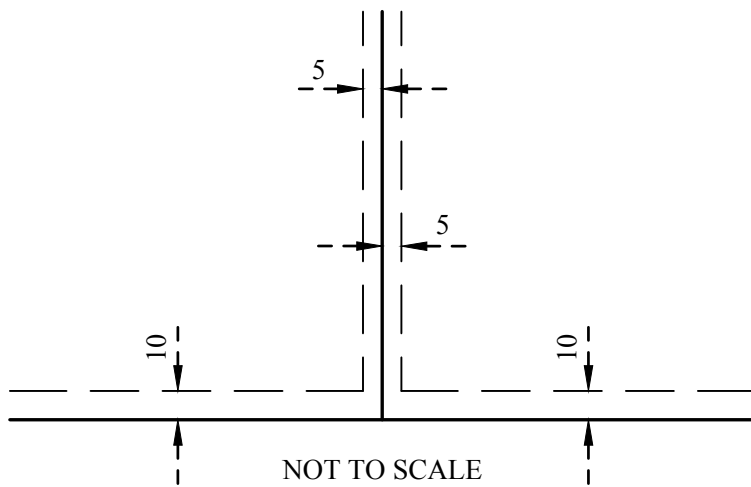
SOUTH LINE OF THE SE 1/4 OF
SEC.11, T.29, R.21, ALSO
NORTH LINE OF THE NE 1/4 OF
SEC.14, T.29, R.21,



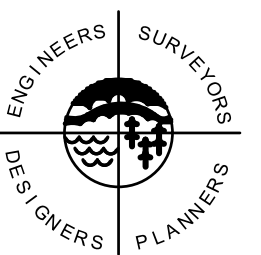
The basis for the bearing system is the west line of
Outlot E, LEGACY AT NORTH STAR 3RD ADDITION
and is assumed to bear
North 00 degrees 22 minutes 06 seconds West.

- Denotes a 1/2 inch by 14 inch iron pipe set and marked
by License No. 26147.
- Denotes a 1/2 inch pipe found and marked by License
No. 53642, unless shown otherwise.
- ⊙ Denotes a Found Cast-Iron-Monument

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



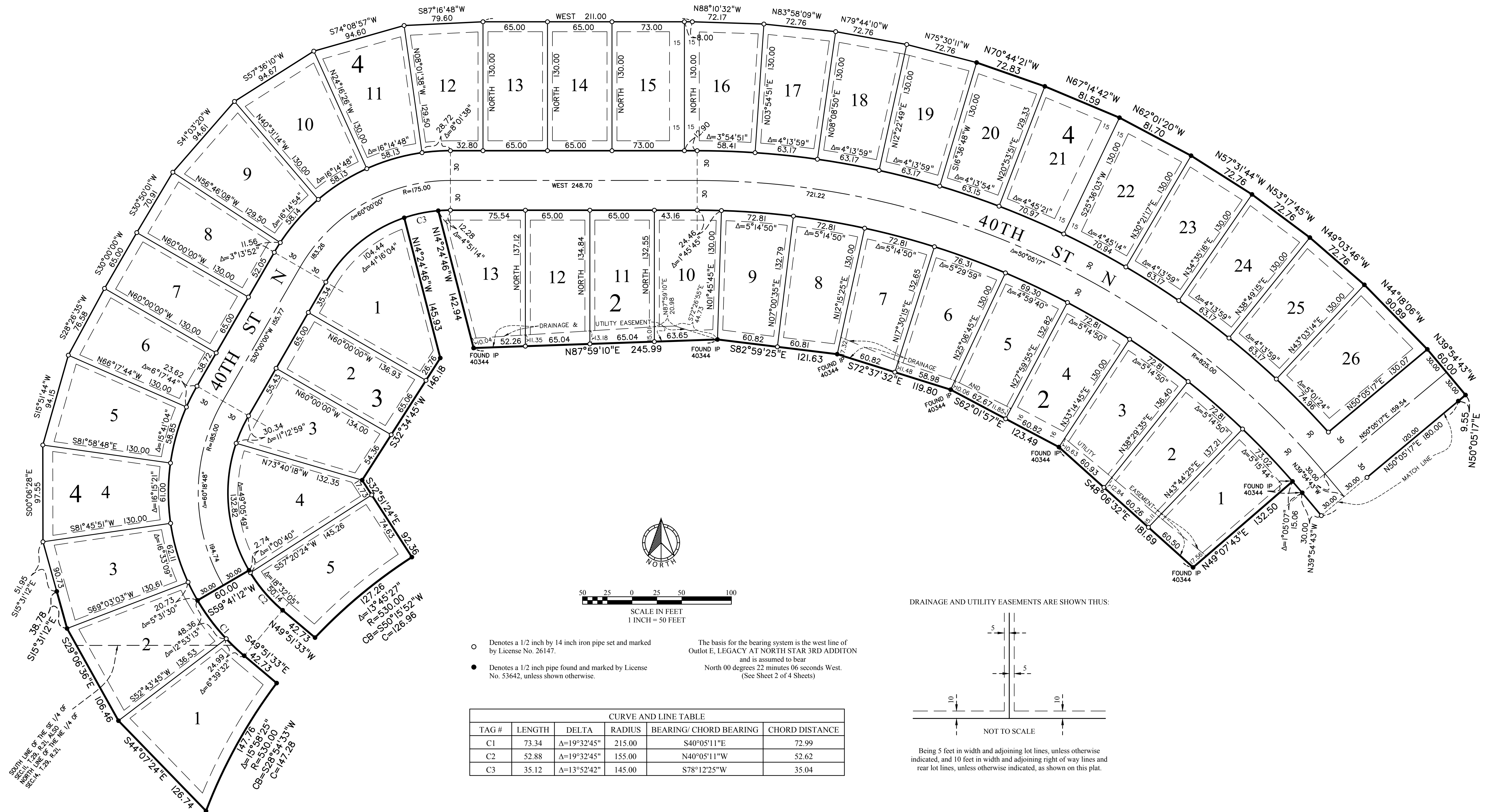
Being 5 feet in width and adjoining lot lines, unless otherwise
indicated, and 10 feet in width and adjoining right of way lines and
rear lot lines, unless otherwise indicated, as shown on this plat.



SATHRE-BERGQUIST, INC.

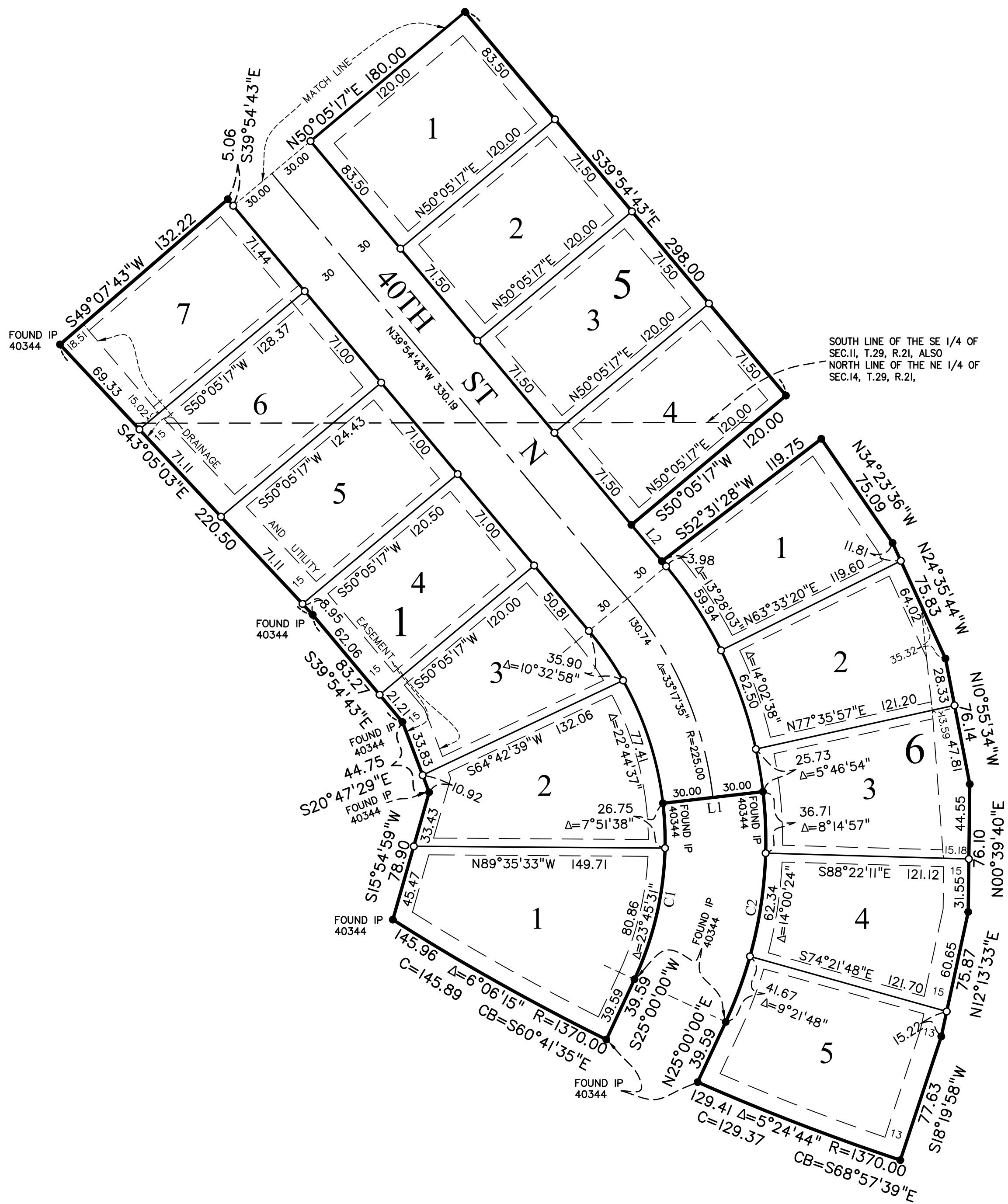
LEGACY AT NORTH STAR 4TH ADDITION

INSET A

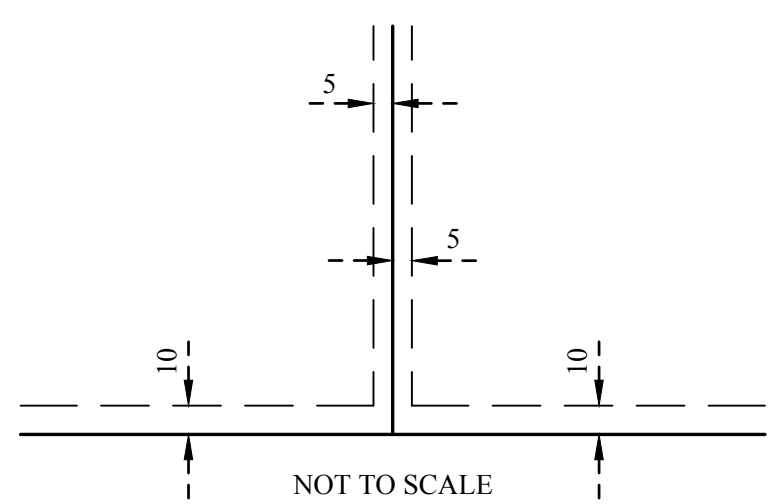


LEGACY AT NORTH STAR 4TH ADDITION

INSET B



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 this plat.

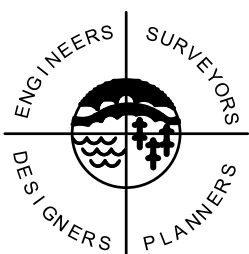
| CURVE AND LINE TABLE | | | | | |
|----------------------|--------|----------------------------|--------|------------------------|----------------|
| TAG # | LENGTH | DELTA | RADIUS | BEARING/ CHORD BEARING | CHORD DISTANCE |
| C1 | 107.61 | $\Delta=31^{\circ}37'09''$ | 195.00 | S9°11'26"W | 106.25 |
| C2 | 140.72 | $\Delta=31^{\circ}37'09''$ | 255.00 | N9°11'26"E | 138.94 |
| L1 | 60.00 | | | N83°22'51"E | |
| L2 | 28.21 | | | N39°54'43"W | |



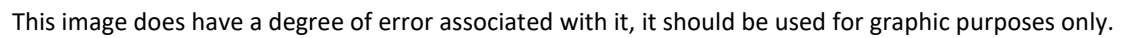
50 25 0 25 50 100
SCALE IN FEET
1 INCH = 50 FEET

The basis for the bearing system is the west line of
Outlot E, LEGACY AT NORTH STAR 3RD ADDITON
and is assumed to bear
North 00 degrees 22 minutes 06 seconds West.
(See Sheet 2 of 4 Sheets)

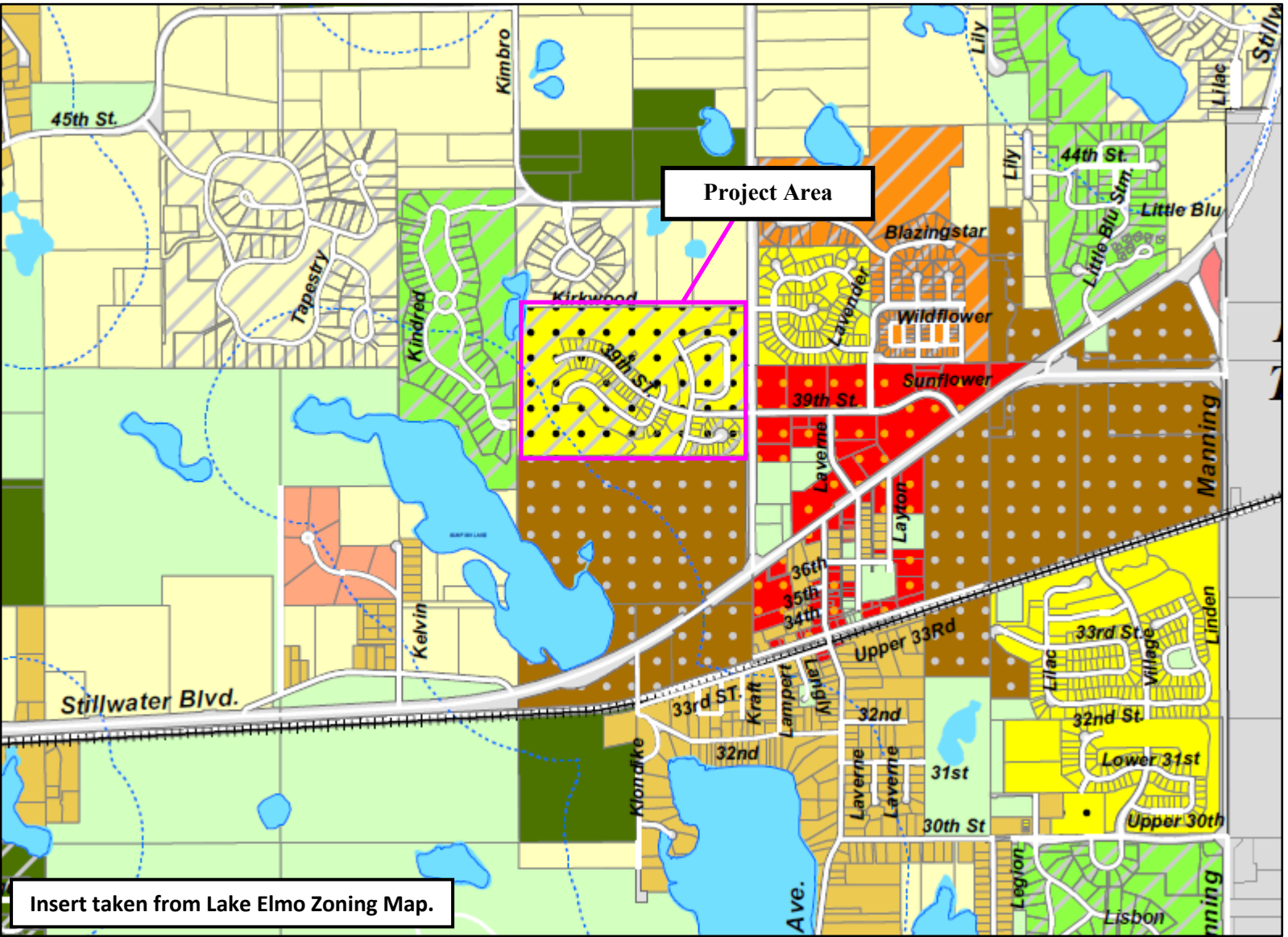
- Denotes a 1/2 inch by 14 inch iron pipe set and marked by License No. 26147.
- Denotes a 1/2 inch pipe found and marked by License No. 53642, unless shown otherwise.



SATHRE-BERGQUIST, INC.



This image does have a degree of error associated with it, it should be used for graphic purposes only.



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 3, 2021

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

Re: Legacy at Northstar 4th Addition Final Plat
Engineering Review Comments

An engineering review has been completed for the Legacy at Northstar 4th Addition. Final Plat/Final Construction Plans were received on January 21, 2021. The City requested a revised Final Plat and Construction Plans on February 3, 2021 to correct the submittal documentation to provide the correct Outlot and easement information per the approved Preliminary Plans. The revised Final Plat and Construction Plans were received on February 12, 2021. The submittal consisted of the following documentation:

- Legacy at Northstar 4th Addition Final Plat, Sheets 1-4, received February 12, 2021.
- Legacy at Northstar 4th Addition Construction Plans, Sheets 1-22, dated February 11, 2020.
- Legacy at Northstar 4th Addition Specifications dated December 15, 2020.
- Legacy at Northstar Phase 4 Landscape Plan, Sheets LP1-LP5, dated January 7, 2021.

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 4TH ADDITION

- Outlot A is shown as City owned on the Plans. This must be revised on the Plans to be HOA owned with a drainage and utility easement over all of Outlot A.
- 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 Final Plat must be revised to show a drainage and utility easement over all of Outlot A.
- The rear yard lot easement must be revised on the Plat and Plans for Lot 10, Block 2. The easement should be a straight line while containing the localized HWL within the easement area.
- All off-site easements must be clearly shown on the street, grading and utility plans, with all dimensions labeled. The easements must be obtained and recorded prior to the start of construction.
 - A temporary construction easement is required for the proposed sanitary sewer to the Sunfish Ponds subdivision, between Lot 15 and Lot 16, Block 4, to accommodate the construction of the stub to the north plat boundary.
- No trunk watermain or trunk sanitary sewer oversizing is anticipated. All watermain and sanitary sewer pipe should be 8-inch diameter pipe.
- Final Construction Plans and Specifications must be prepared in accordance with the City Engineering Design Standards Manual dated April 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 3, 2021.
- The Final Plat shall not be recorded until final construction plan approval is granted.
- No construction for Legacy at North Star 4th 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.



To: Ken Roberts, City of Lake Elmo Planning Director

From: Lucius Jonett, Wenck Landscape Architect
Jenna Niday, Wenck Landscape Designer

Date: January 26, 2021

Subject: City of Lake Elmo Landscape Plan Review
Legacy at Northstar 4th Addition, Review #1

Submittals

- Landscape Plans: drawings dated January 7, 2021, files dated December 11, 2020, drawing stamp dated January 7, 2021, received January 18, 2021.

Location: East of Sunfish Lake and West of Lake Elmo Avenue North with entrances into the proposed development on 39th Street North and 41st Street Circle North.

Land Use Category: Village Low Density Residential

Surrounding Land Use Concerns: Screening from northern and western edges of the plat.

Special landscape provisions in addition to the zoning code: The northern and western edges of the property require a greenbelt buffer consisting of a sufficiently wide buffer, berming and landscaping to screen the adjacent properties.

Tree Preservation:

- A. A tree preservation plan has been submitted that does meet all requirements. This tree preservation plan was submitted and approved with the preliminary plan.

| | | |
|--|-------------|-------------------|
| Master Plan | | |
| Total Caliper Inches on-Site: | 295.00 | Cal Inches |
| Significant Inches Removed On-Site | 60.5 | Cal Inches |
| Common Trees | 60.5 | |
| Conifer/Evergreen Trees | 0 | |
| Hardwood Trees | 0 | |
| Tree Removal Limits (30% Significant Inches Removed On-Site) | 88.50 | Cal Inches |
| Subtract Common Tree Removals | 60.5 | |
| Subtract Conifer/Evergreen Tree Removals | 0 | |
| Subtract Hardwood Tree Removals | 0 | |
| Removals in excess of 30% allowance | 0.00 | Cal Inches |
| Removals in Excess of Allowance | 0 | Cal Inches |
| Hardwood Tree Replacement (1/2 the dia inches removed) | 0.00 | Cal Inches |
| Tree replacement needed | 0.00 | Cal Inches |
| Tree Replacement Required @ 2.5" per Tree | 0 | # of Trees |

- B. Tree replacement is not required because less than thirty (30) percent of the diameter inches of significant trees surveyed will be removed.
- C. Tree replacement calculations follow the required procedure and are correct.
- D. This project is a residential development, any required mitigation replacement trees shall be in addition to landscape required tree counts.

Landscape Requirements:

The proposed 4th addition landscape plans are consistent with the previously approved preliminary plat landscape plans and meet the code required number of trees.

| | Master Plan | Preliminary Plan | 1st Addition | 1st Addition | 2nd Addition | 2nd Addition | 3rd Addition | 3rd Addition | 4th Addition | 4th Addition | |
|------------------------------------|-------------|------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-------------|
| | Required | Approved | Required | Proposed | Required | Proposed | Required | Proposed | Required | Proposed | |
| Street frontage | 26276 | | 3185 | | 3315 | | 3733 | | 2626 | | Lineal Feet |
| Lake Shore | 0 | | | | | | | | | | Lineal Feet |
| Stream Frontage | 0 | | | | | | | | | | Lineal Feet |
| Total Linear Feet | 26276 | | 3185 | | 3315 | | 3733 | | 2626 | | Lineal Feet |
| /50 Feet = Required Frontage Trees | 526 | 526* | 64 | | 66 | | 75 | | 53 | | Trees |
| Development or Disturbed Area | - | | | | | | | | | | SF |
| Development or Disturbed Area | 100 | | 23 | | 25 | | 28 | | 24 | | Acres |
| *5 = Required Development Trees | 500 | 500 | 115 | | 125 | | 140 | | 120 | | Trees |
| Required Mitigation Trees** | 0 | | | | | | | | | | |
| Required Number of Trees | 1026 | | 179 | | 191 | | 215 | | 173 | | |
| Total Trees to Date*** | | 1022 | | 232 | | 263 | | 316 | | 211 | |

* Residential development - mitigation replacement trees are in addition to landscape required tree counts.

** Commercial, mixed-use development - mitigation replacement trees can be included toward landscape required tree counts.

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

The landscape plans do meet the minimum compositions of required trees:

- At least 25% of the required number of trees shall be deciduous shade trees
- At least 25% of the required number of trees shall be coniferous trees

| Preliminary Plan | Qty |
|---------------------------------|-------------|
| Developer Deciduous Shade Trees | 297 |
| Developer Coniferous Trees | 195 |
| Developer Ornamental Trees | 9 |
| Builder Deciduous Shade Trees | 342 |
| Builder Coniferous Trees | 176 |
| Tree Count | 1019 |

% Composition

| | | | |
|-----------------------------|-----|-----|---------------|
| Total Deciduous Shade Trees | 648 | 64% | >25% required |
| Total Coniferous Trees | 371 | 36% | >25% required |

Tree Count 1019

| Phase 1 | Qty |
|---------------------------------|------------|
| Developer Deciduous Shade Trees | 69 |
| Developer Coniferous Trees | 46 |
| Developer Ornamental Trees | 0 |
| Builder Deciduous Shade Trees | 80 |
| Builder Coniferous Trees | 37 |
| Tree Count | 232 |

% Composition

| | | | |
|-------------------------------------|-----|-----|---------------|
| Phase 1 Total Deciduous Shade Trees | 149 | 64% | >25% required |
| Phase 1 Total Coniferous Trees | 83 | 36% | >25% required |

Tree Count 232

| Phase 2 | | Qty |
|---------------------------------|--|------------|
| Developer Deciduous Shade Trees | | 54 |
| Developer Coniferous Trees | | 49 |
| Developer Ornamental Trees | | 9 |
| Builder Deciduous Shade Trees | | 92 |
| Builder Coniferous Trees | | 59 |
| Tree Count | | 263 |

% Composition

| | | | |
|-------------------------------------|-----|-----|---------------|
| Phase 2 Total Deciduous Shade Trees | 155 | 59% | >25% required |
| Phase 2 Total Coniferous Trees | 108 | 41% | >25% required |

Tree Count 263

% Composition

| | | | |
|---|-----|-----|---------------|
| Phase 1 & 2 Total Deciduous Shade Trees | 304 | 61% | >25% required |
| Phase 1 & 2 Total Coniferous Trees | 191 | 39% | >25% required |

Tree Count 495

| Phase 3 | | Qty |
|---------------------------------|--|------------|
| Developer Deciduous Shade Trees | | 71 |
| Developer Coniferous Trees | | 116 |
| Developer Ornamental Trees | | 0 |
| Builder Deciduous Shade Trees | | 86 |
| Builder Coniferous Trees | | 43 |
| Tree Count | | 316 |

% Composition

| | | | |
|-------------------------------------|-----|-----|---------------|
| Phase 3 Total Deciduous Shade Trees | 157 | 50% | >25% required |
| Phase 3 Total Coniferous Trees | 159 | 50% | >25% required |

Tree Count 316

% Composition

| | | | |
|---------------------------------------|-----|-----|---------------|
| Phase 1-3 Total Deciduous Shade Trees | 461 | 57% | >25% required |
| Phase 1-3 Total Coniferous Trees | 350 | 43% | >25% required |

Tree Count 811

| Phase 4 | | Qty |
|---------------------------------|--|------------|
| Developer Deciduous Shade Trees | | 33 |
| Developer Coniferous Trees | | 57 |
| Developer Ornamental Trees | | 0 |
| Builder Deciduous Shade Trees | | 78 |
| Builder Coniferous Trees | | 43 |
| Tree Count | | 211 |

% Composition

| | | | |
|-------------------------------------|-----|-----|---------------|
| Phase 4 Total Deciduous Shade Trees | 111 | 53% | >25% required |
| Phase 4 Total Coniferous Trees | 100 | 47% | >25% required |

Tree Count 211

% Composition

| | | | |
|---------------------------------------|-----|-----|---------------|
| Phase 1-4 Total Deciduous Shade Trees | 572 | 56% | >25% required |
| Phase 1-4 Total Coniferous Trees | 450 | 44% | >25% required |

Tree Count 1022

- A. A landscape plan has been submitted that **does not include** all requirements.
 - 1. The total quantity of proposed trees **is not** being met.
 - 2. Driveway pavements **are not** shown on the landscape plan to review for tree placement conflicts.
- B. The landscape plan does meet City landscape layout requirements.
- C. Interior Parking Lot Landscaping – The development does not include interior parking lots.
- D. Perimeter Parking Lot Landscaping – The development does not include perimeter parking lots.
- E. Screening – A greenbelt with screening is required on the northern and western edges of the property and is shown on the proposed 4th addition landscape plans. The screening design meets City requirements.

Findings:

- 1. All four additions of the Legacy at Northstar development should meet the minimum number of required trees when added together. By adding the four additions together as currently proposed, four (4) trees are missing. These remaining four trees will need to be added to the landscape plan to meet minimum requirements.
- 2. Driveway pavements **are not** shown on the landscape plan to review for landscape placement conflicts. Applicant has noted on the drawings that, "Driveways are not represented, as they are unknown, installation contractor shall maintain 10' separation from the edge of driveway to tree trunk." The builder company is different than the development company on this project and this approach is consistent with the preliminary plat, 1st addition, 2nd addition and 3rd addition of this development.
- 3. Trees within residential lots that are intended to count toward the required number of landscape trees will need to be installed by the developer before the lot is built on and maintained. Proposed builder site trees will be difficult for City inspections since staff would possibly have to go on a homeowner's lot to inspect. Builder street trees are okay since they can be inspected from public property. However, all builder trees will need to be installed and maintained for 2 years before the landscape financial security can be released.

Ken Roberts
Planning Director
City of Lake Elmo
January 26, 2021



Recommendation:

It is recommended that a condition of approval include:

1. Four (4) additional trees be proposed to meet the minimum required number of trees.

Sincerely,

A handwritten signature in black ink that reads 'Lucius Jonett'. The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Lucius Jonett, PLA (MN)
Wenck Associates, Inc.
City of Lake Elmo Municipal Landscape Architect