



## **STAFF REPORT**

DATE: 2/4/2025

**Regular**

**TO:** Lake Elmo City Council  
**FROM:** Sophia Jensen, Senior City Planner  
**AGENDA ITEM:** Northstar 2<sup>nd</sup> Addition – Final Plat and Final PUD  
**REVIEWED BY:** Jason Stopa, Community Development Director  
Nathan Fuerst, AICP, Consulting Planner

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### **BACKGROUND:**

On December 20, 2022, the City Council conditionally approved Preliminary Plat and PUD requests by GWSA Land Development (dba Gonyea Custom Homes, hereafter the “Applicant”) for a single family home development consisting of 200 units on 101.39 gross acres northwest of the intersection of Lake Elmo Ave N and Stillwater Blvd N. Prior to the preliminary plat and PUD approval, the City approved a rezoning of the parcel from Rural Transition (RT) to Village – Low Density Residential (V-LDR)

On August 15<sup>th</sup>, 2023, the City Council approved the final plat and final PUD for Northstar 1<sup>st</sup> addition which included the dedication of roughly 29 acres for a City Park and 105 single family homes.

The request before the City Council tonight is the second addition for 61 single family homes within Outlot J and L of Northstar 1<sup>st</sup> Addition. There will be a third addition at a later date which will complete the development.

### **ISSUE BEFORE THE CITY COUNCIL:**

Should the City Council approve the final plat and final PUD to allow Northstar 2<sup>nd</sup> Addition to move forward?

### **REQUEST DETAILS:**

<i>Applicant/Owner:</i>	GWSA Land Development, LLC (Gonyea)
<i>Property Owner</i>	Sycamore Investment Partners LLC (Gonyea)
<i>Location:</i>	Outlot J and L of Northstar 1 <sup>st</sup> Addition
<i>Zoning District:</i>	Village Low Density Residential (V-LDR) and Shoreland Overlay
<i>History:</i>	This is the 2 <sup>nd</sup> of 3 additions for the Northstar Development.
<i>Future Land Use:</i>	Village Low Density Residential (V-LDR) and Shoreland Overlay
<i>Deadline for Action:</i>	Application Complete: 1/7/2025 60 Day Deadline: 3/8/2025
<i>Regulations:</i>	Article 13 – Village Districts Article 18 – Planned Unit Development Regulations (PUD) Article 19 – Shoreland Management Overlay District Title 103 – Subdivision Regulations City of Lake Elmo Design Standards

## **PROPOSAL DETAILS/ANALYSIS:**

### **Plat Summary.**

Gross Site Area	101.39 acres
Net Site Area	87.9 acres
Net Site Area 1 <sup>st</sup> Addition	64.23 acres
Net Site Area 2 <sup>nd</sup> Addition	16.12 acres
Wetland Area	13.49 acres
Future 3 <sup>rd</sup> Addition	7.55 acres
Total Units – Preliminary Plat	200 units
1 <sup>st</sup> Addition Units	105 units
2 <sup>nd</sup> Addition Units	61 units
Remaining Units	34 units
Overall Net Density	2.27units/acre
First Addition Net Density	1.63 units/acre
Second Addition Net Density	3.78 units/acre

**Final PUD Review.** No changes have been proposed to the deviations requested by the developer since preliminary plat approval. The submittals have been reviewed against the preliminary plat and zoning standards. The proposed request is generally consistent with the preliminary plat and PUD approvals granted in 2022. Below is a table summarizing flexibilities received; Cells in the ‘As Proposed’ column shaded in blue indicate a deviation requested from City Code:

Standards (105.12.790)	V-LDR Requirement: (Single-Family Dwelling)	As Proposed - Single Style Lots	As Proposed - Villa Style Lots
Number of Lots		36	69
Minimum Lot Area	9,000 square feet	7,898 sq ft	5,776 sq ft
Minimum Lot Width	70 feet	65 feet	51 feet
Max Impervious Cover	35%	50%	50%
Minimum Setback - Front	25 feet	25 feet	25 feet
Minimum Setback - Side	10 feet principal building 5 feet garage or accessory structure	7 feet (15 feet between bldgs.)	7 feet (15 feet between bldgs.)
Minimum Setback - Rear	20 feet	20 feet	20 feet
Maximum Height	35 feet	Reviewed with building permit	Reviewed with building permit

**Environmental and AUAR Review.** The entire Village Area was subject to an Alternative Urban Areawide Review (AUAR) when the area was brought into the Municipal Urban Service Area (MUSA). The AUAR was updated in early 2022 as required. No further environmental review is required. The AUAR Fee will be required to be paid prior to release of the final plat.

**Design Standards.** Sample elevations and site plans were submitted and reviewed at the time of preliminary plat approval. The Developer did not seek any flexibility to applicable design standards. Building permits will be reviewed for conformance with site design, bulk standards, exterior materials, and fenestration prior to issuance.

**Parking and Driveways.** No deviations are being granted for parking and driveways associated with the future single-family homes in this development. Conformance will be reviewed at the time of building permit submittal.

**Parks and Trails.** The City Code allows the City to require cash in lieu of land. During its preliminary approvals, the City determined it would take ownership of Outlot A, which is roughly 30 acres. Due to the land in Outlot A being both difficult to access, and to use as parkland, the City determined to provide a credit for that area of 50% of the overall land dedication requirement. The Developer is also proposing trails as part of the development, those areas shall not exceed 25 percent of the total required park dedication. The Developer has paid all required park dedication for the whole development with the 1<sup>st</sup> addition. This includes the dedication of Outlot A as a City Park and the fee of \$218,876 which has been added to the park fund.

**Signs.** The development plans do not include any proposed signage. The Developer has indicated they are planning to seek sign permits for signage after the development has received final approvals.

#### **CONSISTENCY WITH PRELIMINARY PLAT:**

The process for review a of subdivision is established in Title 103 of City Code. The City has determined that the applicant has addressed the required revisions, and the final plat is generally consistent with the preliminary plat approval. Conditions of approval have been added where applicable.

#### **AGENCY REVIEW:**

This request was distributed to several departments and agencies for review on January 3<sup>rd</sup> 2025. The following review comments are attached to this staff report:

- Fire Department - Provided their standard comments regarding drive lanes, entrances, phasing, hydrants addressing/street naming and parking.
- Landscape Architect - Provided comments that the tree preservation plan and the landscaping plan within the 2<sup>nd</sup> addition are acceptable. The architect is requiring a resubmittal to address the tree relocation for the Legacy trail connection to verify suitable planting locations and spacing from future trail.
- City Engineer– The City Engineer is recommending that plans be revised to address all City comments. Key comments are summarized below:
  - Easements must be provided and clear of encroachments
  - A bituminous trail connected between Northstar and Legacy at Northstar must be provided to the satisfaction of the Public Works Director
  - Stormwater Reuse Irrigation System Maintenance and License agreement are required due to the stormwater reuse on site.
  - The Engineer provided comments on the construction plan submittal
- Valley Branch Watershed District – A permit has been issued for the project VBWD Permit #2023-01.
- MN DNR – Provided the same comment memo as what was provided for the preliminary plat. The memo finds the request compliant with state and city shoreland regulations. The memo restricts use of the park through a conservation easement and prohibits docking/mooring facilities in the park.
- City Attorney – Provided a plat opinion with required revisions.
- Washington County DOT– Did not have comments on the request.

**RECOMMENDED FINDINGS:**

1. That all the requirements of City Code Section 103.00.100 related to the Final Plans and Final Plat have been met by the Applicant.
2. That the North Star 2<sup>nd</sup> Addition Final Plat and PUD Plan consists of 61 single family lots.
3. That the North Star 2<sup>nd</sup> Addition Final Plat and PUD is generally consistent with the Preliminary Plat and PUD Plans as approved by the City of Lake Elmo on December 20, 2022.
4. That the North Star 2<sup>nd</sup> Addition Final Plat and PUD Plan are consistent with the intent of the 2040 Lake Elmo Comprehensive Plan and the 2040 Land Use Map for this area.
5. That the North Star 2<sup>nd</sup> Addition Final Plat and PUD Plan complies with the general intent of the Village Low Density Residential (V-LDR) zoning district with PUD modifications.
6. That the North Star 2<sup>nd</sup> Addition Final Plat and PUD Plan generally complies with the Lake Elmo Design Guidelines and Standards Manual.
7. That the North Star 2<sup>nd</sup> Addition Final Plat and PUD generally complies with the City's Subdivision regulations.
8. That the North Star 2<sup>nd</sup> Addition Final Plat and PUD generally complies with the City's Zoning Code (including Shoreland Zoning) with the exceptions provided for in the PUD.
9. That the North Star 2<sup>nd</sup> Addition Final Plat and PUD Plan is generally consistent with the City's engineering standards with the exceptions noted by the City Engineer in their review comments to the City dated 1/28/2025, and as otherwise identified in future reviews.

**RECOMMENDED CONDITIONS OF APPROVAL:**

1. Prior to the City signing or approving recording of the Final Plat or Development Agreement, the Applicant shall fully address all comments in the following review memos, or any subsequently revised memo, to the satisfaction of the City:
  - a. City Engineer's memos dated 1/28/2025
  - b. City Landscape Architect's memo dated 1/21/2025
  - c. City Fire Chief's memo dated 12/20/2024
  - d. City Attorney Plat Opinion dated 1/10/2025
2. That the applicant shall obtain all necessary permits for the Subdivision Improvements including but not limited to all applicable City permits (building, grading, sign, etc.), MDH, MPCA, County R/W, NPDES/SWPPP permits and Valley Branch Watershed District approval before starting any grading or construction activities.
3. No deviations are provided for signage. When construction of the subdivision monument sign is desired, the Applicant must apply for a sign permit with the City and will provide a complete sign plan detailing signage proposed.
4. The applicant/developer is responsible, at their own expense, for installing all required improvements to the property and within public Right of Way.
5. If applicable, a storm water maintenance and easement agreement in a form acceptable to the City shall be executed and recorded with the final plat.
6. The developer is responsible for, at their own expense, installation of the trail connection to and within Legacy at Northstar.
7. The developer is responsible for, at their own expense, installation and relocation of the existing trees impacted by the Legacy at Northstar trail connection.
8. The applicant shall pay required Village AUAR fee prior to release of the final plat.

9. If applicable, a landscape and irrigation license agreement in a form acceptable to the City shall be executed and recorded with the final plat.
10. A stormwater reuse irrigation and license agreement in a form acceptable to the City shall be executed and recorded with the final plat.
11. All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat before the execution of the final plat by City Officials.
12. If necessary, the applicant shall provide the City with a copy of written permission for any off-site grading work and storm sewer discharges to adjacent properties before starting any site work, grading and as part of any final plat or final PUD application.
13. Before the execution and recording of a final plat for the development, the developer or applicant shall enter into a Developer's Agreement with the City. Such an Agreement must be approved by the City Attorney and by the City Council. The Agreement shall delineate who is responsible for the design, construction and payment for the required improvements with financial guarantees, therefore.

**OPTIONS:**

The City May:

- Approve the request;
- Approve the request with conditions (staff recommendation);
- Deny the request citing findings of fact for denial.

**FISCAL IMPACT:** Prior to recording the Final Plat, the Applicant will pay the City fees for utility connections, the AUAR fee, and Parkland Dedication. Building Permit fees will be collected at the time of permit issuance. Regional ponds will treat stormwater produced outside the project's boundary. Costs will be detailed in the Development Agreement.

**RECOMMENDATION:**

Staff recommends the City Council conditionally approve the proposed Final Plat and Final PUD for the subject property with the recommended findings and conditions of approval listed in the staff report. Staff recommends the following motion:

***“Move to adopt Resolution 2025-14 approving the final plat and PUD, requested by GWSA Land Development, LLC. for the subject property based on the findings of fact and recommended conditions of approval listed in the staff report.”***

**ATTACHMENTS:**

1. Location Map
2. Application Materials and Plan Set
3. Fire Dept Memo 12/20/2024
4. MN DNR Approval Letter 2/4/2023
5. City Attorney Plat Opinion 1/10/2025
6. Valley Branch Watershed District Permit # 2023-01
7. Landscape Architect Memo 1/21/2025
8. City Engineer Memo 1/28/2025
9. Resolution 2025-14