



**City of Lake Elmo  
Planning Commission Meeting  
Minutes of February 23, 2015**

Chairman Dodson called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m.

**COMMISSIONERS PRESENT:** Williams, Dodson, Kreimer, Larson and Dorschner

**COMMISSIONERS ABSENT:** Haggard

**STAFF PRESENT:** Community Development Director Klatt and City Planner Johnson

**Approve Agenda:**

The agenda was accepted as presented.

**Approve Minutes: January 26, 2015**

M/S/P: Williams/Larson, move to approve minutes as amended, ***Vote: 5-0, motion carried, unanimously.***

**Public Hearing: Variance – 3033 Inwood Avenue N**

Johnson started his presentation by explaining the variance request is for an accessory building forward of the principal structure that does not meet the required 100-foot front yard setback in Residential Estates. This property has unique constraints due to topography, a BP pipeline easement and the location of septic drainfield. In addition, the lot is a corner lot abutting two County roads (CSAH 13 and CSAH 6) and has above average levels of traffic.

Johnson stated that from staff's perspective, the 4 criteria for a variance would be met and staff is recommending approval.

Williams asked the applicant if there wasn't a more suitable location that didn't require a variance. The applicant stated that the location being requested is the best option, and there is an added benefit that the structure would help block some of the noise from the traffic of the busy nearby roads.

Public Hearing opened at 7:23pm

Greg McGrath, 1509 15<sup>th</sup> Street Court, wanted to congratulate the applicant for the work and improvements he has made to the property. He spoke in favor of the

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variance. He also noted that the front setbacks in the RE district limits a property owner's ability to use their property.

Staff noted that no written comments were received.

Public Hearing closed at 7:25pm.

Williams noted that he is not in favor of recommending approval of the variance. There was discussion about the proposed location of the structure. Williams suggested that the structure be moved further to the north to provide greater setback to the southern property line. Johnson provided clarification that the proposed location of the structure would meet the required setback from the southern property line. It is the 100-foot setback from the western property line for which the applicant is requesting a variance. Williams withdrew his objection based upon the clarification.

M/S/P: Dorschner/Larson, move to recommend approval of the variance request at 3033 Inwood Ave N to allow the construction of an accessory structure nearer the front lot line than the principal structure and within the 100 foot setback from the front property line based on the findings identified in the Staff Report, ***Vote: 5-0, motion carried, unanimously.***

During the discussion, the motion was amended by Kreimer to state that the architecture of the accessory building will be substantially similar to the principal structure, seconded by Williams.

Johnson noted that the Zoning Code already has language related to the building materials and appearance of accessory buildings as they relate to principal structure. He noted that this provision in the Zoning Code is in 154.406.E.

Kreimer withdrew the motion, Williams accepted the withdrawal of the motion.

### **Public Hearing: Zoning Text Amendment – Liquor Stores, Convenience Commercial Zoning District**

Johnson began his presentation by explaining that the request is for a zoning text amendment to allow liquor stores as a permitted use in the Convenience Commercial (CC) zoning district. There are only 2 properties in Lake Elmo that currently have this zoning designation. The CC district was added in 2012 as part of the Zoning Code update that added the urban residential and commercial zoning districts. Johnson stated that requested action is to decide if liquor stores are an appropriate use for this zoning district, as opposed to deciding whether a liquor store is appropriate on one specific site. In deciding the actual location of liquor stores, the liquor license process is the correct review mechanism.

Keith Carlson noted that the Liquor Store would service the local community, and there have been multiple requests for that use. He noted that there are presently no other liquor stores in close proximity to the commercial property he owns.

Public Hearing opened at 7:59pm

No one spoke.

Public Hearing closed at 8:00pm

M/S/P: Williams/Dorschner, move to recommend approval of the requested Zoning Text Amendment to change liquor stores to a permitted use in the Convenience Commercial Zoning District based on the findings of fact listed in the staff report, **Vote: 4-1, motion carried** with Larson voting no.

Larson referenced the U of M study about businesses in Lake Elmo. He noted that the City already has more than average amount of liquor sales. He does not support the motion, as he does not support further expansion of liquor stores as a use in the community.

Williams asked the staff to do some research about size specifications and proximity specifications for liquor stores.

M/S/P: Williams/Kreimer, move to direct staff to conduct research about 3 items: proximity to liquor stores, size of liquor stores, and maximum size of convenience commercial parcels, **Vote: 5-0, motion carried unanimously.**

#### **Public Hearing: Wildflower at Lake Elmo Preliminary Plat and Preliminary PUD Plan**

Klatt started his presentation regarding the application for a residential subdivision on 117 acres. This plan includes 145 single family lots and roughly half the site is preserved as open space in the form of a nature conservancy, storm water ponds and parklands. Klatt noted that the gross density of the site is 1.2 units per acre. The net density of the developed portion of the site is 3.5 units per acre of the site.

Klatt highlighted the fact that a Comprehensive Plan Amendment was completed at the time of the Concept Plan. The Met Council has since approved the requested Comp Plan Amendment. Moving on, Klatt presented the approved Concept Plan. He highlighted the changes between the Concept Plan and the proposed Preliminary Plat. The largest change from Concept to Preliminary relates to the cul-de-sac in the northern portion of the site. This residential area previously was accessed off Lake Elmo Ave, whereas now it is accessed from the Wildflower neighborhood to the southeast. This change occurred due to the need to run sanitary sewer to the residential sites.

Klatt then described the area in the northern portion of the site, which is planned for a nature conservancy. The northern portion has multiple wetlands in the area. The developer is planning to use the northern portion for storm water purposes, as well as a natural area to promote natural habitat and pollinators.

Klatt provided an overview of the feedback and comments from the surrounding property owners. He noted that 3 letters have been submitted. One of the letters, submitted by the Dupuis family, request that the trail in the northeastern portion of the site be moved further away from their property boundary.

In relation to PUDs, Klatt noted why the PUD tool is being utilized in this case. In addition, he identified the specific requests for flexibility as allowed under the PUD ordinance. The flexibility requests include reduced lot size and setback requirements for the courtyard homes, streets that do not meet the City standard for width, and a cul-de-sac that exceeds the City's standard for maximum length.

Klatt then presented specific details about the proposed street widths, comparing them to the City's minimum standards. This is one area where staff does not agree with the applicant. More specifically, the City Engineer and Fire Chief are concerned about the street width from a maintenance, snow removal, and emergency services access standpoint.

One other critical note that Klatt highlighted is that the sanitary sewer that is available to the site is currently not operational. One segment of the trunk gravity sewer from the lift station to the railroad tracks is yet to be completed. The Easton Village development has submitted plans to complete this segment of the sewer. The City Council will review this development on March 3<sup>rd</sup>.

Klatt also noted that with regards to the stormwater management of the development, the applicant is proposing to move stormwater to the north to the Goetschel Pond sub-watershed. The Valley Branch Watershed District has reviewed this proposal and completed a study. The watershed has agreed in concept to allow the stormwater to move to the north.

To wrap up the presentation, Klatt identified the following critical path issues:

- Street widths – developer proposal vs. staff recommendation.
- Conservation easements – revised easement should be recorded prior to approval of Final Plat.
- Plat Dedication and Modifications – all right-of-way and stormwater pond areas will need to be dedicated or easements provided.
- Floodplain areas need to be addressed and either need to follow FEMA rules or be taken out of the Floodplain areas.
- Rain garden areas need to be reduced or minimized.

Klatt discussed the draft findings recommended by staff. Staff is recommending that the Planning Commission recommend approval of the Wildflower Preliminary Plat and Preliminary PUD Plan, subject to 19 conditions of approval.

Finally, Klatt showed three additional exhibits submitted by the applicant: 1) Phasing Plan, 2) additional landscaping and screening exhibit and 3) a concept site plan for the park area.

Dodson asked about the flood plain. Klatt explained the process and noted that staff will consult with the watershed district. Dodson asked if staff knew how long it would take to resolve the issue. Klatt did not know for sure, but noted that the area in the flood plain is proposed as the last phase of the development.

Larson asked how high Goetschel pond could rise and what type of damage could occur if additional stormwater is directed there. Johnson stated that the study indicated that the pond has been low since the early 2000's. In addition, the watershed study revealed that the previous 100-year flood elevation was reduced significantly with the more detailed study.

Williams asked if Condition #9 regarding the street standards included sidewalks. Klatt noted that the standard does include sidewalks. Williams asked if condition #8 of VBWD report regarding pond is included somewhere in report. Klatt stated that is included in condition 19. Williams noted finding 19 should be VBWD, not South Washington. Williams asked about the tradeoff for Outlot N.

Dodson asked about the impact to the City of the rain gardens. He asked if the maintenance is heavy. Dorschner noted that the rain gardens do require maintenance to ensure that they drain properly. Williams asked if the HOA could maintain the rain gardens. Klatt noted that they could maintain them, however, the City will still likely need to be involved as they are located within the right-of-way. Klatt noted that if the City is going to take on more rain gardens, there needs to be a more robust maintenance program or policy in place. Williams asked how many rain gardens should be eliminated. Klatt was not sure, but would work with the Engineer.

Dodson asked about the request to allow duplexes. The developer noted that the plan to include a minimal amount to duplexes has been eliminated. Dodson asked if the Concept Plan had any conditions with regards to single family design standards. Klatt noted that no such condition was included.

Kreimer asked which trails would be paved and which would be grass. Klatt noted that the public trails would be paved, and the HOA maintained trails may be grass in some cases.

Williams asked about accessing the trails. Klatt noted that there would be parking available on the public streets.

Dodson asked about the “tear-drop” cul-de-sacs. Klatt noted that the Engineer is recommending that they be designed for emergency and maintenance vehicles to maneuver safely.

Larson asked if there is any parking available on Lake Elmo Avenue. Klatt noted that parking is allowed in some areas, but there may be difficulties due to a bypass lane in the areas for 43<sup>rd</sup> Ave. N. Larson also asked about making a trail connection to Fields of St. Croix in the northern portion of the conservancy. Klatt noted that the City would need to acquire the land or an easement to make the trail connection public.

Bob Engstrom discussed the street naming of the development. He discussed his preference of looking at alternative street names that are not consistent with the County street naming system. Engstrom discussed the purpose of the rain gardens. He noted they are not required, but are above and beyond the watershed standard. He recognized recognizes the maintenance concerns associated with the rain gardens. Engstrom then moved on to the design of the streets. He noted that he does not agree with the Engineer’s recommendations. He noted that there are many 18 foot roads in Fields of St. Croix.

Williams asked about Mr. Smith’s letter which indicated he was waiting for a letter of intent. Mr. Engstrom stated he would work on that.

Dorschner asked for clarification about street width and parking. Engstrom went over the width of roads and single side and 2 sided parking.

Engstrom noted that the MN Land Trust is no longer party to the agreement with Fields of St. Croix.

Dodson asked who the builders would be. Engstrom listed some of the participating builders such as Hartman Homes, Redstone, TJB, etc. Dodson asked if the covenants for the development would include architectural controls. Engstrom noted that there would be standards in place based on some specific principles, such as 4-sided architecture. Dodson asked when the developer would give control of the HOA to the neighborhood. Engstrom noted that the control would transfer at 75% buildout.

To finish his comments, Engstrom noted that the trail system will include native species specifically intended for pollinators. There will be an educational component.

Public Hearing opened at 9:42pm.

John Hodler, 11834 44<sup>th</sup> Street Lane N, Fields of St. Croix, noted that the Fields of St. Croix HOA identified 40 issues to resolve in order to support the Wildflower development. He noted that they are down to 1 or 2 remaining issues. Hodler stated that the Fields HOA supports the rain gardens, as it reduces the amount of water that would go to the north. In addition, the Fields HOA also would like special attention paid to the home on the eastern boundary of the development, some of which currently need to pump water via their sump pumps. Hodler also noted that the Fields of St. Croix would like additional capacity in the sanitary sewer in case the Fields neighborhood chose to connect to the City sewer system. He asked Engstrom which phase of the Wildflower development included the sewer stub to Fields of St. Croix. Engstrom noted it would be Phase II of the development. Hodler wanted it known that the sewer connection is critical for the fields neighborhood. Paul Thomas, Pioneer Engineering, explained that the sewer stub is readily available as part of Phase I of the development. In other words, if the Fields of St. Croix neighborhood needs to connect to sewer before Phase II moved forward, the stub is easily accessible. Dorschner asked if the City Engineer has reviewed the proposed additional capacity needed to serve other neighborhoods. Klatt noted that the City Engineer has confirmed that there is additional capacity.

Richard Smith, 11514 Stillwater Blvd N., read a letter from Robert and Marcy Eischen, who reside at 11676 Stillwater Blvd North. He also highlighted the comments noted in the letter submitted by Mary Jean Dupuis. Finally, Smith presented his letter and made some additional comments about commitments made to Smith from Engstrom. Williams asked if an additional condition of approval would be warranted. Klatt noted that it could be incorporated.

Neil Krueger, 4452 Lake Elmo Ave. N., thanked staff and the City for the notification. He noted that communication is critical to build community. Krueger asked where the water will outlet from Wildflower at Lake Elmo to Geostchel Pond. He noted his concern about the storm water in the northwestern cul-de-sac area. He noted that they have not received adequate answers to some of their questions. Williams asked which questions remain unanswered. Krueger noted the following questions:

- 1) How does the water flow to Geostchel Pond, physically.
- 2) How does the stormwater plan impact the water in and out of their property.

Deb Krueger, 4452 Lake Elmo Ave. N., noted that she has lived in the community for a long period of time and worked hard to complete a vision for the Old Village community that included open space and greenbelts. She is concerned that this vision has been lost. She also supported the previous comments about the importance of communication. She reiterated their concern about flooding or additional water being directed to their property. She asked if it is the liability of the City to ensure that no additional stormwater be directed to their property. Deb Krueger noted that there should be a guarantee that the trails be public. She also suggested that some trails be

constructed of pervious material. To wrap up, she asked if the City will be responsible for the culvert in between the Krueger property and the Wildflower development. Williams asked who is responsible for the culvert. Klatt confirmed that if the culvert is in County right-of-way, then the County is responsible. Deb asked that no parking be allowed on Lake Elmo Avenue. Dodson noted that the road is County jurisdiction.

Williams asked the Engineer of record how the water travels to Goetschel pond. He notes that water travels overland in the northeastern portion of the site. The Engineer, Paul Thomas, noted that additional capacity is being provided in the flood plain area to address the added water volume. The Kruegers noted that the pond just east of Lake Elmo Ave has overflowed and gone across the road to the Krueger property.

Matt Frisbee, representing Mike Lynsky, noted that the Lynsky group would like to be part for the dialogue regarding the grading of Layton Ave. North. They would also like to discuss potential connections to Layton that may serve the Lysnky parcels. Finally, they wanted to ensure proper erosion control.

Three letters were submitted into the public record from the surrounding landowners (Eischen, Smith and Dupuis).

Public Hearing closed at 10:37pm.

Williams noted that he is concerned about acting on this item tonight. The surface water management is the big issue including how many rain gardens would be considered acceptable by the City Engineer. He also asked if the street pavement widths could be increased to meet City Standards in place of the rain gardens.

There was a discussion of the ownership of the trails. Klatt noted that the City is beginning conversations with various HOAs about connections of private trails to public trails.

Williams requested additional information about the impact of the storm water system on the Fields of St. Croix drainfield. He suggested it be reviewed by the City Engineer. Klatt noted that the stormwater management plan has been reviewed by the City Engineer and Valley Branch Watershed District. Through these reviews, no major concerns were identified related to the Fields drainfield or the culvert in between Wildflower and the Krueger property. There was additional discussion about the storm water management of the site.

There was discussion about whether to table consideration of the application, or take action this evening. The majority felt there needed to be more answers, especially regarding the storm water plan.



Williams requested comment from the engineer, public works and fire department about the concerns related to narrower streets. Planning staff shared some of the common concerns that public works, fire and the engineers share with regards to narrower streets.

Kreimer noted that he feels that the storm water issue is too important not to get more information before taking action.

The Planning Commission then discussed the proposed conditions and findings:

Condition #4: Changed to read – The developer has requested the inclusion of public art within common areas and public property throughout Wildflower development. Prior to placement of any art on publicly owned property or public rights-of-way, the developer and City shall enter into an agreement that clarifies the individuals or entities responsible for maintenance, upkeep and removal of any public art. No art installations can conflict with the dark skies ordinance.

Condition #7: Changed to read – The utility construction plans shall be updated prior to final plat, to incorporate the recommendations of the City Engineer’s memo dated February 18, 2015, concerning the appropriate location and size of sewer services through the PUD planning area, including any requested oversizing of these facilities to service adjacent properties.

Condition #11: There was a general discussion about this condition, which Klatt stated is a general condition for all developments. There was no change made.

Add Condition #20: documentation be provided to establish easement and access to the Smith property prior to final plat.

Condition #13: there was discussion about allowing variation of the street names. The Commission decided to keep the condition in place and utilize the County street naming system.

Condition #18: There was discussion about the timing of the sewer segment yet to be completed. Klatt explained the intent of the condition and timing of the upcoming review by the City Council on March 3<sup>rd</sup>. This issue might be resolved by the time the application returns to the Planning Commission should they postpone consideration.

Williams suggested an additional finding of fact that reads - the change in conservation easements on Outlots O and P are justified due to the much greater amount of conserved open space received in return.

M/S/P: Williams/Dodson, move to postpone taking action on the Wildflower Preliminary Plat to gather additional information, **vote: 5-0, motion carried unanimously.**

Items for further info:

- 1) Rain gardens and specifically how many.
- 2) Could the road widths be expanded in place of raingardens.
- 3) Narrow streets – what are specific problems associated with them.
- 4) Fields of St. Croix drainfield - Are there problems with directing water across.
- 5) Drainage issue near Krueger property – Are there any issues with culver and flooding with this area.

Planning Commission suggested that the Engineer attend the meeting.

There was a discussion about the extra-long cul-de-sac and Williams suggested an additional finding of fact.

M/S/P: Williams/Dorschner, move to amend the motion to add additional finding of fact regarding extra-long cul-de-sac, **vote: 5-0, motion carried unanimously.**

Finding reads: The extra-long cul-de-sac is justified based on the unique circumstances of this property and development.

#### **Business Item: Lennar Homes Sketch Plan – Diedrich/Reider Property**

Klatt started his presentation by going over the sketch plan for a proposed residential subdivision for a 50 unit single family detached development on 14.35 acres. This subdivision is located in the I-94 corridor along Lake Elmo Ave and immediately north of Hunter's Crossing.

No formal action is required with the sketch plan.

Klatt noted that the site was the subject of a previous Comp Plan Amendment, changing the guidance of the site from high density to medium density residential. The site is just north of the Hunters Crossing single family subdivision. The gross density is 3.48 units per acre, and the net density is 4.17 units per acre, which is near the low end of the allowed range for medium density (4-7.5 units per acre). Klatt noted that the layout of the subdivision is straightforward, as there is limited area on the parcel to have a much different layout. In addition, the timing of the development may be good, as the applicants could participate in the full construction of 5<sup>th</sup> Street.

Williams asked about the proposed zoning of the property. He noted that the application stated that the zoning would need to be PUD. Klatt confirmed that the proposed plan would meet the zoning standards for the MDR zoning district.

There was discussion about the possibility of trail connections to the cul-de-sacs.

Kreimer asked if the access spacing would be acceptable to have driveways near the entrance of the development, as is the case with one of the twin homes. Klatt stated that he would bring that up with the engineer.

Dodson asked if the development had been reviewed by the Park Commission. Klatt noted they still needed to schedule review by the Park Commission.

There was a question about the adjacent golf course, if that would cause a problem. There is not a major concern, as there is a power line easement that provides a buffer. In addition, the golf course is down an incline from the development.

Paul Tabone spoke about the development. He noted that the product is a twin home that is a side by side home. There will be a homeowners association. They are planning on submitting a preliminary plat this spring. The development could be built in one or two phases.

Williams asked if the streets would be public or private. Klatt noted that the street would need to be public per code. There will be further discussion on the nature of the ownership of the road.

Williams made two recommendations: 1) that a trail connection be made to the eastern cul-de-sac, and 2) that Lennar makes every effort to construct 5<sup>th</sup> street with Ryland Homes as part of one project.

Tabone asked if the Commission saw any other red flags since they are in the preliminary stage.

Dodson recommended that some design standard for the garage doors be considered. Williams suggested that recessing the garage doors is a good technique. There was additional discussion about the design of the twin homes.

## **Updates and Concerns**

### *Council Updates – February 3, 2015 Meeting*

1. Blinkoff Pool – Sale of Property and Vacation of Park Land was approved.
2. Easton Village Final Plat – Tabled by the City Council.
3. Planning Commission 2015 Work Plan was accepted.
4. Staff presented the 5<sup>th</sup> Street design to Council.
5. Approval of Municipal Consent of Phase I of Downtown Street and Utility Project
6. Appointment of Gary Fields as Full Voting Member of Planning Commission

### *Staff Updates*

1. Upcoming Meetings
  - a. March 9, 2015
  - b. Future Joint Meeting with EDA – still undetermined

*Commission Concerns*

Klatt discussed the distribution and better access to upcoming application and development plans.

Meeting adjourned at 11:52 pm

Respectfully submitted,

Joan Ziertman  
Planning Program Assistant

*Mary Jean Dupuis*

**February 22, 2015**

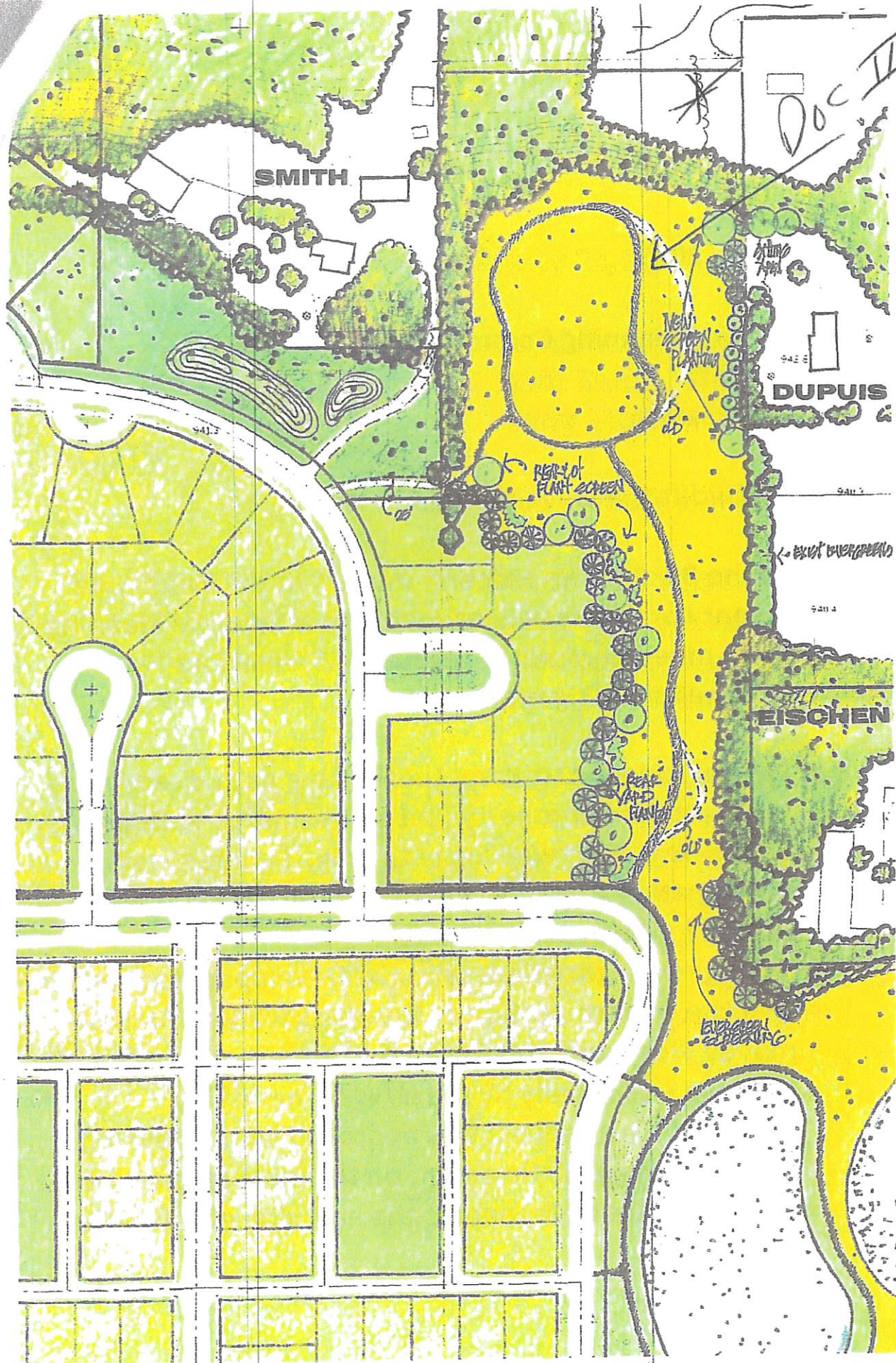
**To: Lake Elmo Planning Commission  
Kyle Klatt  
Jerry Mazzara**

**Subject: Wildflower Development**

**As one of the 3 adjoining property owners to the Wildflower Development I probably will be unable to attend the Planning Commission meeting Monday February 23 therefore I am submitting the following request.**

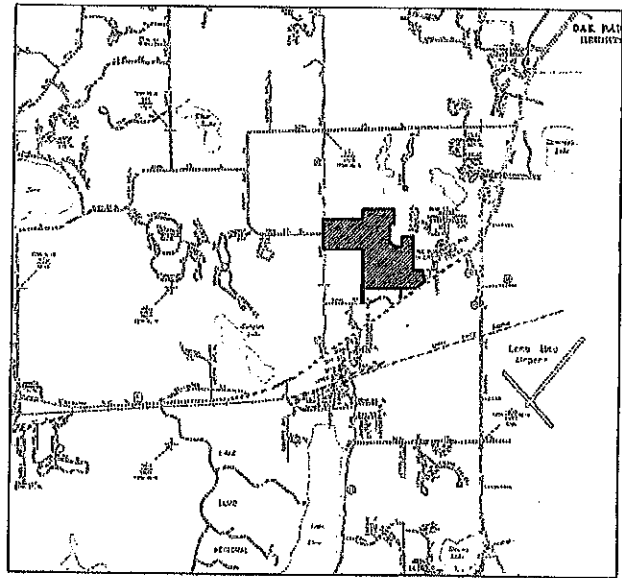
- 1) I always understood that the walking path directly to the west of my property (between Smith and Dupuis) would be a grass walking path only. I am requesting confirmation that this will remain the case and not turned into a paved pathway.**
- 2) During my negotiations with the Developer I requested that the eastern portion of this grass walking path be moved westward away from my property line as far as possible – especially by the N/W corner of my property. This request was approved by the developer ~ see document II. However, on the most recent plan ~ see document I ~ it appears the east side of the path**



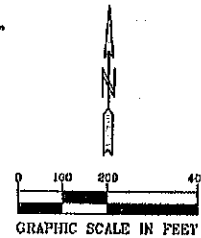




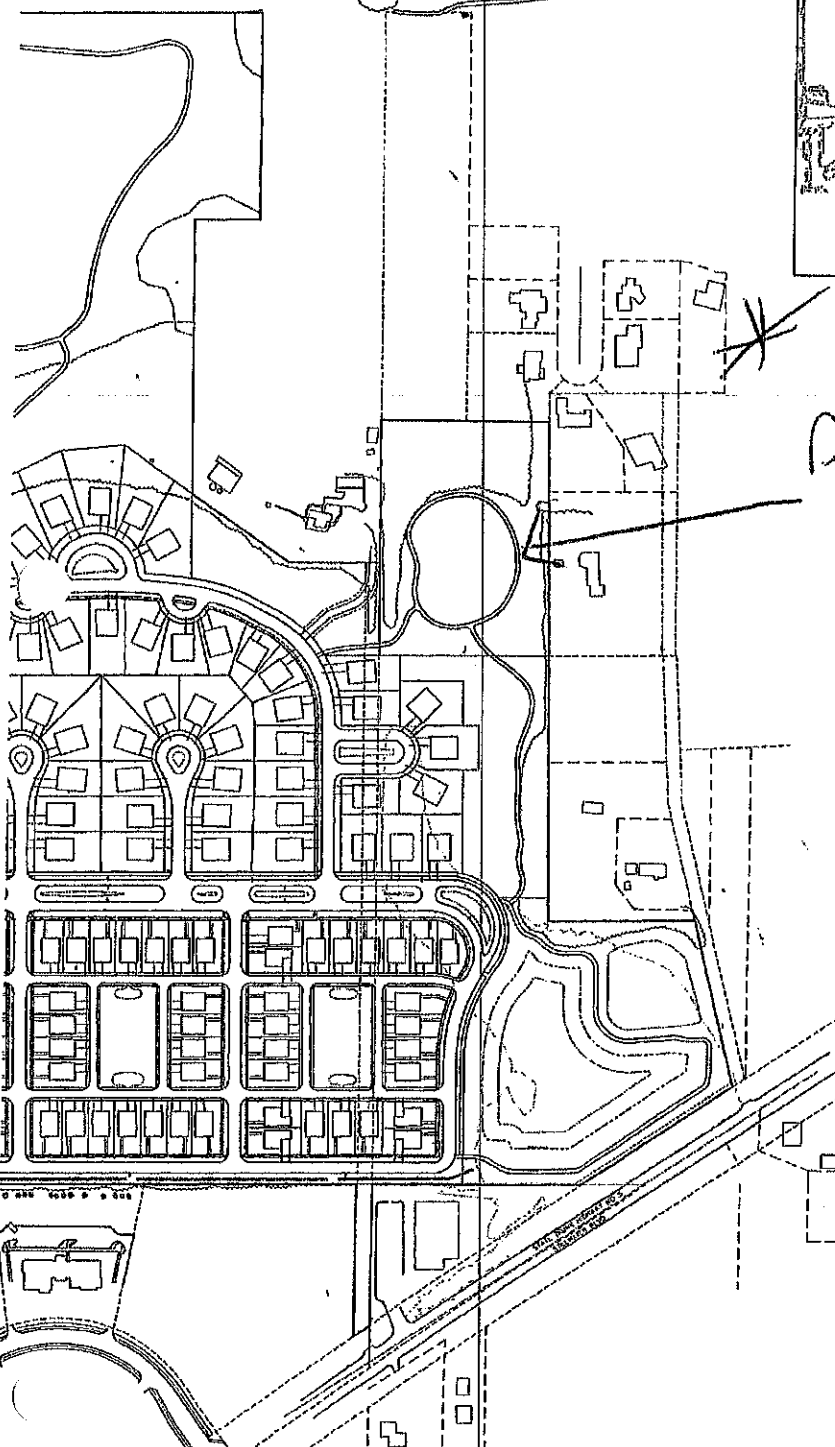
# LAKE ELMO DEVELOPMENT PRELIMINARY PLAT MINNESOTA



LOCATION MAP



*Doc I*



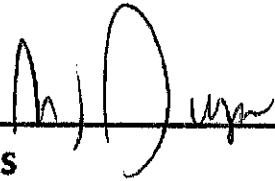
- SHEET INDEX**
- 1. COVER SHEET
  - 2. LEGENDS
  - 3-4. EXISTING CONDITIONS
  - 5. OWNERSHIP AND LAND USE
  - 6-7. PRELIMINARY PLAT
  - 8-10. PRELIMINARY SITE PLAN
  - 11-19. PRELIMINARY GRADING PLAN
  - 20-21. EROSION CONTROL PLAN
  - 22-25. STREET PROFILES
  - 26-34. PRELIMINARY UTILITY PLAN
  - 35-37. DETAILS

- L1-5. LANDSCAPE PLAN
- T1. TREE PRESERVATION PLAN

was repositioned back closer to my property line. I am requesting it be moved west per our negotiations

- 3) The approximate 16 acres between Dupuis and Smith and southward to Mn 5 adjoining the Eischen property that was never supposed to be developed has now been converted into a section of land that will accommodate about 19 homes. I am requesting some written verification that the remaining open area of this land cannot be opened up yet again to accept more future housing.

Thank you for your consideration.



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Mary Jean Dupuis



To: Lake Elmo Planning Commission  
From: Richard Smith  
Cc: Kyle Klatt, Robert Engstrom Companies  
Re: Wildflower Development  
Date: February 23, 2015

I reside at 11514 Stillwater Blvd N. I have been a resident in Lake Elmo for 28 years.

I, along with my neighbors, Mary Jean Dupuis and Bob and Marcy Eischen feel we were misled by the developer during his FOSC 2 development with respect to the future use of the property between us and hence, request documentation that outlot G, H, I, and J as shown on the most recent plan not be allowed to be rezoned or repurposed in the future for anything other than the buffer which is it's intended purpose.

I am also asking that no new future public access to the Wildflower development be granted along Hwy 5, specifically at my current easement. I have been told by Mr. Engstrom that there are no plans, at this time, to create such an access, however, the plans now reference this property as outlot N.

I have attached a copy of the items agreed upon between Robert Engstrom Companies and myself. I am awaiting a letter of intent from Mr. Engstrom outlining these conditions and would request that the conditions be in writing and on record with the city prior to preliminary plot approval.

In general, I've come to terms with the layout of the housing, roads and conservancy space as proposed by Robert Engstrom Companies in his proposed Wildflower Development.

Respectfully,

  
Richard Smith

Attachments (4): 12/11/14 Meeting notes (original and summary), Outlot G, Planting, berming and roadway thru outlot G.

## Summary of December 11, 2014 meeting notes...

The following is a list of items discussed and agreed upon in a meeting with Robert Engstrom, Gerald Mazzara and Richard Smith on December 11, 2014 at the offices of Robert Engstrom Companies in Bloomington Mn.

1. Documentation of road/driveway as blacktop
2. Driveway is to follow current location to east of Oak Tree.
3. Access is to be provided in phase 1
4. Existing 33' easement vacated.
5. New 30' easement and filling with the county.
6. Services: sewer/water/gas to the house at the developer's expense.

There was also discussion regarding the availability of the north portion of the Smith property between the FOOSC 2 and Wildflower Conservancy.

DEC. 1. 2014. RICH R. SMITH. / Meeting.  
11514 STILLWATER BLVD N 55092

BOB / RICH. / CM.

- DOCUMENTATION OF ROAD AS/BLACKTOP <sup>PAVING</sup> CONDO.
- OAK TREE. KEEP AS IS.
- SERVICES: SEWER/WATER/ & GAS. / TO HOUSE. <sup>EXISTING?</sup> CONNECTIONS?
- TIME FOR BUFFERING: AS SOON AS ROAD IS CONSTRUCTED
- ROAD ON WEST (PART LOTS/BLUFF.) PROVIDE ACCESS. IN PHASE I
- IS PROPERTY ON SOUTH OF SMITH (AVAIL.) WOULD BE <sup>MADE?</sup> IN/BE?
- CITY WILL OWN HANDSURFACE TRAIL & MOUNTAIN PARK ETC.
- EASEMENT (EXISTING) 33' - VACATED. - PROCESS.
- WHO PLOWS ROADS.

\* RICH LIST AGREEMENT, & AGREEMENT  
DESCRIBE STAGING FOR BUFFER. ] TALK TO ENGINEER

. BUCKHORN,

- NEW EASEMENT, FOR ACCESS RD.





Serviceberry 10' x 12'

Apple trees

Smith Property

Approximate location of oak



PRAIRIE



PRAIRIE

10' x 10'

NEW SPREAD DRAINAGE 10' x 10' WY.

Big patch Pollinator flower Area

WIDE OVER: 15' x 10'

DIFFER ZONE / GREEN PAINTING

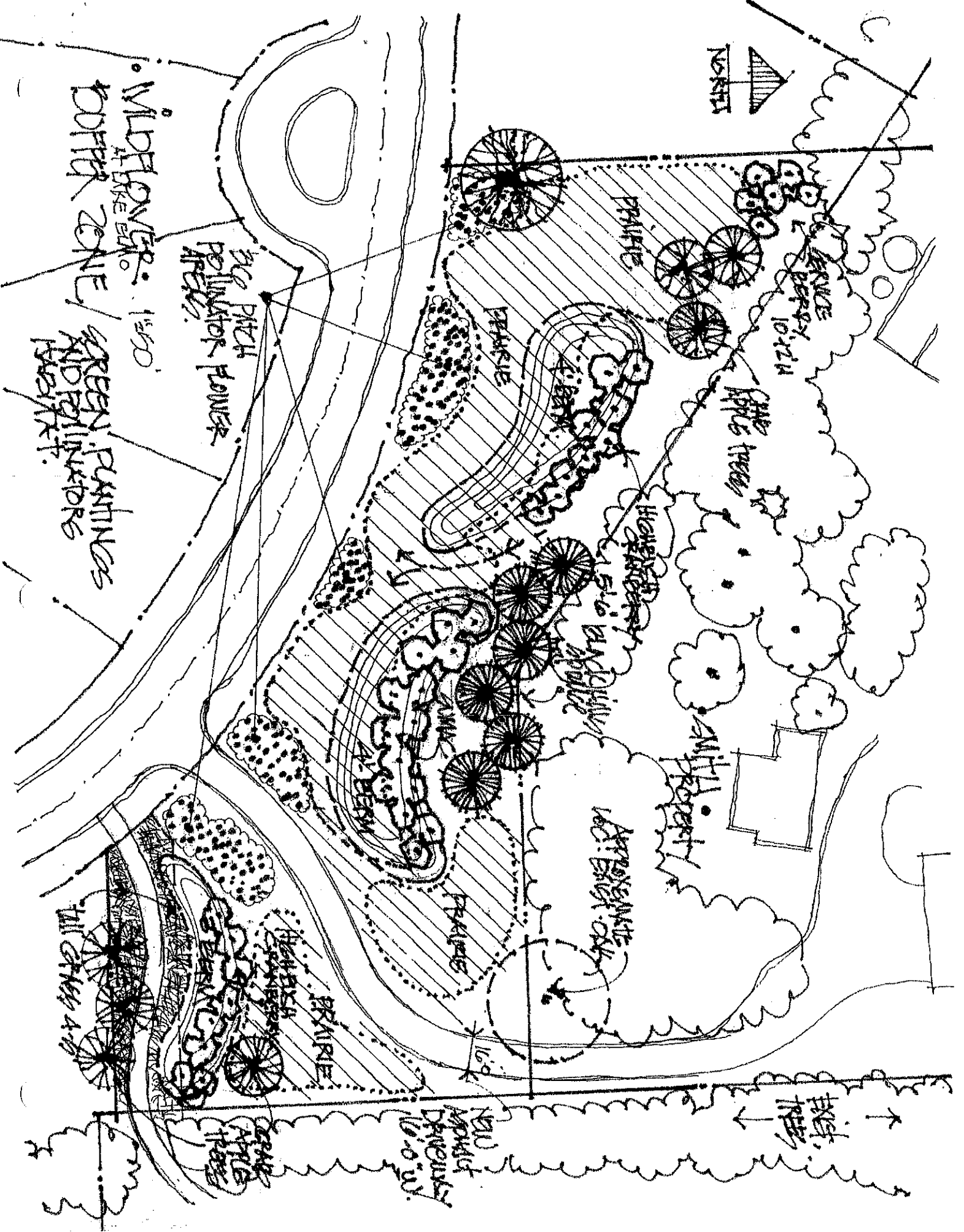
AND POLLINATORS

PRAIRIE

Apple trees



10' x 10' WY.



**ROBERT P & MARCY EISCHEN**

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**To: Lake Elmo Planning Commission  
& Kyle Klatt**

**My name is Bob Eischen. My wife Marcy & I live at 11676 Stillwater Blvd North, Lake Elmo. We've lived at this address 46 years and our home is located between the Fields of St. Croix II and the newly proposed Wildflower Development. We are one of 3 adjoining property owners to this development.**

**As you likely are aware, the strip of land owned by the Developer to the South and West of our home is currently in a 100 year Agricultural Land Trust and earlier reported by the Developer to us that homes would never be built on this property. This land was said to be in an undeveloped green parkway and buffer zone. This Land Trust designation zoning is now proposed to be rezoned to include up to 20 homes within its boundary and be part of a Nature Conservancy to include 2 water run off ponds for this development and a walking and bicycle trail. The developer and architect of Wildflower met with my wife and I several times regarding proposed development on this land adjoining our property and agreed to many compromised changes affecting our property.**

**For example, remove parking lot and small park adjacent to our property. Adding environmental shrubs to shield our property from development and redesigning road in development so that car lights from circular drive would not shine on our property.**

**My remaining issues following the February 12<sup>th</sup> letter received from Kyle Klatt Lake Elmo Community Development Director with Wildflower draft and latest map of development includes:**

- 1) Moving smaller run off water holding pond ~ which on earlier map draft was located in close proximity to Highway 5 ~ is now closely abutting the southern edge of our property line within a matter of feet. The potential problem is my well is some 65 feet from property line in fairly close proximity to this pond containing contaminated chemical run off water. Review by a Hydrologist with a follow up report would be helpful to our concerns.**
- 2) Can changes by the developer from a 100 year Agricultural Land Trust to a Nature Conservancy with up to 20 adjoining houses be again changed at some later date for expansion of additional homes resulting in the elimination or modification of the Nature Conservancy open area land? I am requesting confirmation that this cannot be changed again.**
- 3) I request the agreed upon September 16, 2014 landscape plan between the developer and Bob & Marcy Eischen be included as part of any approval process of this development and be a part of the public record.**
- 4) My wife and I feel that the aforementioned issues should be taken into consideration by this Planning Commission.**

**Respectfully  
Robert P & Marcy Eischen**



40 oh oh

1.00

S T. C R O I X

DUPUIS PROPERTY.

N00°43'51"W

598.00

BUILDING

EISCHEN RESIDENCE

P-BUILDING

HOUSE

BUILDING

N89°16'09"E 323.66

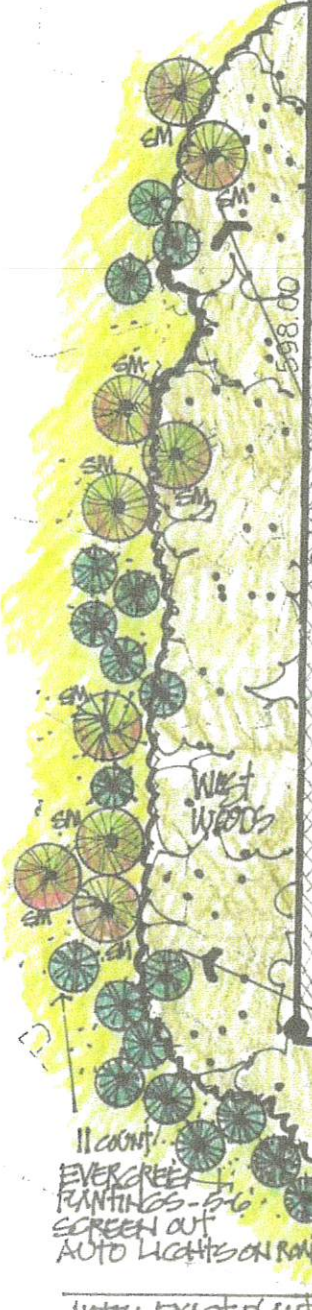
BUFFER PLANTINGS

- 20-5'-6" BLACKHILL SPRUCE
- 10-1"-1 1/2" SUGAR MAPLE TREES
- 50 SHADE TOLERANT SHRUBS: 1-2011

EXISTING CONDITIONS: WEST WOODS ON OUTLOT. P GRUB OUT SITE / REMOVE DEAD OR SEVERELY DAMAGED EXISTING TREES. 59 CHINESE ELMS, BUCKTHORN, SOME BOXELDER INTERPERSE AREA WITH NEW TREES & SHRUBS

11 COUNT  
EVERGREEN PLANTINGS - 5'6"  
SCREEN OUT AUTO LIGHTS ON ROAD

NOTE: EXACT PLANT LOCATIONS TO BE FIELD STAKED BY DEVELOPER AND PROPERTY OWNER





September 16, 2014

To: Bob and Marcy Eischen


Re: Landscape plan previously prepared and approved by you

Bob and Marcy,

The same plan is attached with our commitment to implement as shown. The plan includes selected clearing of the property on outlot P contiguous with the Eischen property as shown. This area will be interspersed with new plant materials as indicated. Exact locations will be determined in the field by you and Robert Engstrom Companies.

The clearing process is required before new plant material can be installed. The exact timing for clearing and planting is dependent upon the overall grading schedule for that portion of outlot P shown. At the time of this agreement it is our hope this will occur in the spring of 2015 barring any unforeseen delays.

Respectfully submitted,

  
Robert Engstrom Companies