

3800 Laverne Avenue North
Lake Elmo, MN 55042

(651) 747-3900
www.lakeelmo.org

NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday February 12, 2018
at 7:00 p.m.
AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a. January 22, 2018
4. Public Hearings
 - a. **CONDITIONAL USE PERMIT.** A request by Lake Elmo Inn, Inc., PO Box 182, Lake Elmo, MN 55042 for a conditional use permit for a parking facility as a principal use for the property located at 3504 Lake Elmo Avenue North PID #13.029.21.32.0022.
 - b. **ZONING MAP AMENDMENT AND MINOR SUBDIVISION.** Requests by Beverly Rieks, 4564 Kimbro Avenue North, Lake Elmo, MN 55042, for a minor subdivision to subdivide in to three parcels and a zoning map amendment to rezone the property located at 4564 Kimbro Avenue North from A – Agricultural to RR – Rural Residential. PID # 11.029.21.13.0001.
 - c. **EASEMENT VACATION.** A request by Rachel Development to vacate a drainage and utility easement over Outlot B, Hammes Estates 1st Addition. PID# 34.029.21.13.0004.
5. Business Items
 - a. **FINAL PLAT.** Rachel Development is requesting final plat approval for the 3rd Addition of Hammes Estates. This addition will include 69 single family lots on 39.013 acres.
6. Updates
 - a. **City Council Updates – 2/7/18 Meeting**
 - a. Wyndham Village Sketch Plan and Comp Plan Amendment - tabled
 - b. Legacy at North Star Prelim Plat and PUD - tabled
 - c. Fairfield Inn Final PUD and CUP - passed
 - d. Solar Ordinance - passed
 - e. Wind Power Ordinance -passed
 - f. Short-Term Rentals - passed
 - b. **Staff Updates**
 - a. **Upcoming Meetings:**
 - February 26, 2018
 - March 12, 2018
 - b. **Comprehensive Plan Update**

c. Commission Concerns

7. Adjourn

***Note: Every effort will be made to accommodate person or persons that need special considerations to attend this meeting due to a health condition or disability. Please contact the Lake Elmo City Clerk if you are in need of special accommodations.



**City of Lake Elmo
Planning Commission Meeting
Minutes of January 22, 2018**

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

COMMISSIONERS PRESENT: Kreimer (joined at 8:06) Pearce, Weeks, Lundquist, Johnson, & Hartley

COMMISSIONERS ABSENT: Dodson, Dorschner, & Emerson

STAFF PRESENT: City Planner Prchal & Planning Director Becker

Election of Officers:

M/S/P: Lundquist/Johnson, move to postpone election of officers until the end of the meeting, ***Vote: 5-0, motion carried unanimously.***

Approve Agenda:

The agenda was accepted as amended.

Approve Minutes: December 11, 2017

M/S/P: Lundquist/Hartley, move to postpone the minute of December 11, 2017 to the end of the meeting when there will be enough people, ***Vote: 5-0, motion carried unanimously.***

Public Hearing – Final Planned Unit Development (PUD) Plans and Conditional Use Permit

Ben started his presentation regarding the application for both Final Planned Unit Development and a Conditional Use permit application from Central Design Group LLC for a Fairfield Inn Hotel. The location of the property is Lot 1 Block 1, HOA 2nd Addition of the Eagle Point Business Park at 8574 Eagle Point Circle. This proposal is for a a 90 room hotel on 2.496 acres (2 acre minimum in Eagle Point).

There are standards as part of the PUD that was done when the Eagle Point Business Park PUD was approved. The plans have been reviewed by the Planning Staff, City Engineer, Fire Chief and Building Official. They have also been sent to the DNR.

The building meets the setback, but there is some encroachment into an easement that needs to be addressed. There are 95 parking spaces with 4 handicap accessible spots, which meets the parking requirement. Part of this development is in the Shoreland and that is where the DNR comment comes in. Staff believes the project meets the architectural guidelines for the Eagle Point Business Park.

The DNR is recommending that the site not have more than 25 percent impervious and that they could use pervious pavers. However, this is just a recommendation. The City Engineer has verified that the stormwater pond is more than adequate to handle the runoff. This project is exceeding the allowed impervious amount allowed within a sewer property within the shoreland by 19.6%

Lundquist asked about the lack of greenspace around the building. It goes right from building to parking lot. Hartley stated that with the number of parking spaces required and the easement, it would be very difficult to add more greenspace. Lundquist thought that possibly the parking lot could be reconfigured.

Lundquist feels that when there is a deviation from the impervious surface standard, it should be stated why it was allowed. Prchal stated that it should be allowed because the original Eagle Point Business Park plans were developed without the DNR approval. Only a portion of the property is in the shoreland, and the rear stormwater pond was established to handle all of the runoff for this lot. Becker stated that when this property was platted, it was prior to the current shoreland ordinance. The shoreland ordinance in existence at the time was silent on impervious surface in sewer areas.

Hartley wanted to draw attention to item 2 on the fire chief's memo. The structure is a 4 story building with limited access to the back of it. Hartley would like to see the items in the letter itemized in the conditions because they are big issues that need to be done.

Public Hearing opened at 7:49 pm

No one spoke and there were no written documents.

Public Hearing closed at 7:50 pm

M/S/P: Hartley/Lundquist, move to add items 1 through 4 from the fire chief's memo as sub items under conditions of approval for final planned unit development item 3, specifically location of the fire hydrants and access to the rear of the building, **Vote: 5-0, motion carried unanimously.**

M/S/P: Hartley/Lundquist, move to recommend approval of the request by Central Design Group, LLC for approval of Final Planned Unit Development plans associated with a 90 unit hotel to be located on Lot 1, Block 1, HOA 2nd Addition, subject to the

conditions of approval as recommended by staff and amended by Planning Commission, ***Vote: 5-0, motion carried unanimously.***

Johnson is concerned that if they are adding access to the back, that is increasing the amount of impervious. Weeks does not feel that the widening of the hard surface for better access would have much impact.

M/S/P: Weeks/Hartley, move to recommend approval of the request by Central Design Group, LLC for approval of a Conditional Use Permit associated with a 90 unit hotel to be located on Lot 1, Block 1, HOA 2nd Addition, subject to the approval of Final Planned Unit Development Plans, ***Vote: 5-0, motion carried unanimously.***

Public Hearing – Zoning Text Amendment – Bed & Breakfast as Accessory Use

Becker started her presentation regarding Airbnb's , defined as Bed & Breakfasts in the zoning code. This item was previously discussed at the July 11, 2017 workshop, and staff was asked to explore this item. At the August 14, 2017 meeting, the Planning Commission considered where Airbnb's and other types of bed & breakfasts should be allowed and in what zoning districts. Currently, Bed & Breakfasts are allowed in a number of residential districts as a Conditional Use and not allowed in a number of other residential districts such as RS and RE. At the August 14, 2017 meeting, the Planning Commission recommended that Bed & Breakfasts be allowed permitted use in the residential zones it is currently allowed and that they be allowed as a conditional use in the residential zones they are currently not allowed in.

Becker stated that there are currently standards in the code for Bed & Breakfasts. There were not any recommendation for changes at the last meeting. Becker went over those standards which include maximum number of rooms at 5, a required guest register, stay limited to 7 days, and liability insurance required.

Commissioner Dodson sent an email regarding this which stated that he feels the Airbnb should be an allowed use in all zoning districts. Dodson does not feel that the stay should be limited to 7 days and feels that should be removed. Dodson feels that the requirement that it be located in a single family detached dwelling should be removed because it would exclude townhomes. Dodson also feels that the guest register requirement should be removed.

Public Hearing opened at 8:02 pm

No one spoke and there were no written comments

Public Hearing closed at 8:03 pm

Johnson tends to agree with a lot of the items in Dodson's email. He doesn't feel that there will be a huge demand for Airbnb's in Lake Elmo than other communities that might have that have larger attractions. Johnson feels that Airbnb's are quite different from a Bed & Breakfast and does not function the same. Johnson does not feel the need to regulate unless there is an issue.

Weeks agrees and googled Lake Elmo Bed & Breakfast and none came up. Weeks believes that there are a few people in Lake Elmo operating Airbnb's and there have not been any complaints. Weeks feels that they should be permitted and will be self-regulating.

Hartley is wondering how you would separate Airbnb from a Bed & Breakfast if they are grouped together in the code.

Lundquist is wondering if the City needs to do anything to protect itself from somebody listing a property that is vacant on Airbnb that turns into a party house. It happened in a western suburb.

Hartley asked if we require a permit for a Bed & Breakfast. Becker stated that currently the City requires a conditional use permit. Hartley is in favor of keeping the conditional use permit requirement as it is at least a minimal requirement that the City can use for enforcement. Becker stated that the recommendation from the Planning Commission in August was to make Bed & Breakfast a permitted use in existing zones, which would eliminate the permit requirement.

Weeks stated that if the City requires a permit, she would worry that the City might have to start doing inspections and that kind of thing.

Kreimer asked how surrounding communities handle this. Becker stated that typically it is done under a licensing process.

Hartley stated that in Stillwater it seems that one of the big issues is in regards to parking. A lot of times the type of houses turned into Bed & Breakfasts do not usually have adequate space to double or triple the parking.

Lundquist asked if this is a business where they are making money, should they be paying a permit fee and taxes for that business.

Kreimer asked if there was a way to make this a permitted use, but that there needed to be some sort of low cost permit. Becker stated that it could be written into the ordinance and could be less expensive and less invasive. Kreimer stated that it would give the City a chance to revoke it and they would need to show that they can provide enough parking, etc.

M/S/P: Lundquist/Hartley, move to set up a licensing system that is \$100 for every two years for Bed & Breakfasts and require one parking stall for every rental unit, **Vote: 4-0, motion carried, with Weeks abstaining.**

Pearce asked if there is an HOA, those rules would also come into play. Weeks stated that HOA agreements are private agreements that are enforced by the neighborhood.

M/S/P: Kreimer/Lundquist, move to change Bed & Breakfast from Conditional Use to Permitted Use in RT, AG and RR, **Vote: 6-0, motion carried unanimously.**

Kreimer feels that there could be more issues in RE and RS with parking on the smaller lots. Kreimer feels that the maximum number of guest rooms at 5 is too high of a number and is wondering if they could be different for different zones. Johnson thinks that the CUP process might be too complex and prefers a licensing process better. Kreimer would rather have it be conditional because there are more complex things that could come up in those zones. Weeks is in favor or not changing the code in those districts and not allowing it in any fashion.

M/S/P: Kreimer/Lundquist, move to not include Bed and Breakfast as a permitted or Conditional Use in RS or RE and leave it as is, **Vote: 6-0, motion carried unanimously.**

M/S/F: Hartley/Lundquist, move to allow Bed & Breakfast as a Conditional Use in GCC, LDR, MDR and HDR, **Vote: 3-3, motion failed.**

Johnson and Weeks were not in favor of the CUP process. Weeks feels that people just won't come in and apply for the CUP.

M/S/P: Johnson/Lundquist, move to allow Bed & Breakfast as a permitted use in GCC, LDR, MDR and HDR with the licensing requirement, **Vote: 5-1, motion passed with Kreimer voting no.**

M/S/P: Johnson/Pearce, move to allow Bed & Breakfast as a permitted use in V-LDR and VMX with the licensing requirement, **Vote: 5-1, motion passed with Kreimer voting no.**

M/S/P: Johnson/Hartley, move to allow Bed & Breakfast as a permitted use in with the Commercial zoning district with the licensing requirement, **Vote: 4-2, motion passed with Kreimer and Lundquist voting no.**

Kreimer asked if staff was only proposing it be a conditional use for the Commercial district. Becker stated that is correct because any sort of residential use is only allowed in the commercial zone.

Business Item – Zoning Test Amendment – Wind Generator

Prchal started his presentation regarding the wind generator ordinance by going through what has changed since the last meeting. The wind generators now can be a principle use in addition to an accessory use. Prchal went through what the application process is. Johnson is wondering if this ordinance is too restrictive. The Planning Commission had some discussion regarding this.

M/S/P: Hartley/Johnson, move to strike the requirement under setbacks that in the rural district these systems be required to be mounted to the rear portion of the building, **Vote: 6-0, motion passed unanimously.**

Hartley thinks that under general standards, the design does not need to preclude prototypes. Weeks thinks that should be in there as a deterrent to someone building their own and there would be safety standards.

M/S/P: Hartley/Johnson, move to strike "utility scale" from General Standards Design 3 (a), **Vote: 4-2, motion passed.**

M/S/P: Hartley/Johnson, move to strike "grounded" and simply state that all wind generators shall be protected against lightning strikes, **Vote: 6-0, motion passed unanimously.**

Kreimer is wondering if something can be added to the maintenance section to be more specific about what it should look like, so that the owner would either need to fix it or it would be decommissioned. Prchal stated that there would be a letter of credit for this reason.

M/S/P: Kreimer/Hartley, move to remove from 4b, A letter of credit shall be submitted to the City equal to the removal cost of system and remove from 4b a letter of credit submitted to the City equal to the value of the restoration costs and add in a new section 1f a letter of credit for the removal and restoration costs shall be submitted to the City, **Vote: 6-0, motion passed unanimously.**

Pearce is wondering how expensive it will be for someone to submit that letter of credit to the City and is wondering if a bond would be better. Becker stated that usually the City requires letter of credit, but that would be more of an administrative question. Hartley stated that usually the City is dealing with developers that are done within a couple of years. This might be 15-20 years and would be a burden. Kreimer is wondering if the letter of credit was intended to be submitted at the time of decommissioning which would be a much shorter time. The Planning Commission is looking for clarification between letter of credit and bond.

Kreimer still does not feel that there is anything strong enough in the ordinance to ensure there would be adequate maintenance and not be a rusty pole sitting there. Becker stated that they could add "subject to penalty ordinance".

M/S/P: Kreimer/Lundquist, move to add “subject to penalties under 10.99” after the word necessary under maintenance 3b subsection, **Vote: 6-0, motion passed.**

Public Hearing closed at 9:55 pm (Left open from previous meeting)

M/S/P: Hartley/Johnson, move to recommend approval of the wind generator ordinance by adding additional standards and language as amended, with clarification regarding bond vs. letter of credit and if it should be at time of application or at decommissioning, **Vote: 6-0, motion passed unanimously.**

Approve Minutes: December 11, 2017

Kreimer would like “15 feet” added to the last paragraph of page 7.

M/S/P: Lundquist/Johnson, move to approve the minutes of December 11, 2017 as amended, **Vote: 4-0, motion carried with Pearce and Weeks abstaining as they were not there.**

Election of Officers:

Kreimer stated that it would be nice to have someone else learn the ropes.

M/S/P: Kreimer/Lundquist, move to nominate Dean Dodson as Chairperson of the Planning Commission, **Vote: 6-0, motion carried unanimously.**

M/S/P: Lundquist/Weeks, move to nominate Tom Kreimer as Vice Chairperson of the Planning Commission, **Vote: 6-0, motion carried unanimously.**

M/S/P: Kreimer/Pearce, move to nominate Stuart Johnson as Secretary of the Planning Commission, **Vote: 6-0, motion carried unanimously.**

City Council Updates – December 19, 2017 Meeting

- i) CPA, ZTA and ZMA for Closed Landfill – passed
- ii) Sign Ordinance Revisions – tabled
- iii) Easton Village 3rd Addition Developers Agreement – passed

City Council Updates – January 2, 2018 Meeting

- i) Sign Ordinance revisions - passed

City Council Updates – January 16, 2018 Meeting

- i) Wyndham Village Subdivision Sketch Plan and CPA – tabled
- ii) Legacy at North Star Preliminary Plat and PUD Plans – tabled
- iii) Interim Ordinance for CPA Moratorium - passed

Staff Updates

1. Upcoming Meetings

- a. February 12, 2018
- b. February 26, 2018
2. MAC CEP Report
3. Comprehensive Plan Update

Commission Concerns

M/S/P: Lundquist/Johnson, move to ask the City Council to publically acknowledge Todd Williams for all of his years on the Planning Commission as well as his work on the Comprehensive Plan, ***Vote: 6-0, motion carried unanimously.***

Meeting adjourned at 10:05 pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant

STAFF REPORT

DATE: 2/12/18
PUBLIC HEARING
ITEM #: 4a
MOTION

TO: Planning Commission
FROM: Emily Becker, Planning Director
AGENDA ITEM: Lake Elmo Inn Parking Lot Conditional Use Permit
REVIEWED BY: Ben Prchal, City Planner

BACKGROUND:

The City has received a request from Lake Elmo Inn, Inc. for a conditional use permit for a parking facility as a principal use for the property located at 3504 Lake Elmo Avenue North.

Existing Land Use: Vacant Lot

Existing Zoning: VMX – Village Mixed Use

Surrounding Use/Zoning: Single family homes to the North (VMX – Village Mixed Use) and West (RS – Rural Single Family); Commercial (VMX – Village Mixed Use) to the South and West.

Comprehensive Plan: VMX – Village Mixed Use

History: The site has long been a vacant lot and is currently being used for parking for the Lake Elmo Inn restaurant. There is no parking lot currently at the site, however.

Deadline for Action: Application Complete – 12/18/17
60 Day Deadline – 2/16/18
Extension Letter Mailed – Yes
120 Day Deadline – 4/17/18

Applicable Regulations: §154.500 VMX – Village Center District
§ 154.106 – Conditional Use Permits
§ 154.210 – Off-street Parking

ISSUE BEFORE COMMISSION:

The Commission is being asked to hold a public hearing and make recommendation on the request for a Conditional Use Permit for a parking facility as a principal use on the property located at 3504 Lake Elmo Avenue North.

PROPOSAL DETAILS/ANALYSIS:

Purpose for Parking Facility. Lake Elmo Inn has expressed the need for more parking for their restaurant. The applicant had stated Washington County Old Village of Lake Elmo: Street and Utility Improvement Project (Phase 2) had brought about some on-street parking challenges. The applicant has also stated that the Lake Elmo Inn has been using the subject property located at 3504 Lake Elmo Avenue North, which is not paved for a parking lot, for a number of years now for parking. This is not allowed per ordinance, however, as the City's off-street parking requirements mandate that in all residential, commercial and mixed use districts, all areas intended to be utilized for parking space for five or more vehicles and associated driveways shall be paved with a durable surface including, but not limited to, hot asphalt, bituminous, or concrete. In addition to parking on the subject property, the Inn has also used parking within the right-of-way for valet parking.

Current Available Parking for the Lake Elmo Inn. The City's off-street parking requirements mandate that a standard restaurant provide at least one space per 3 customer seats or each 100 square feet of interior space. The Lake Elmo Inn is currently served with approximately 9 parking spaces on the parcel on which the restaurant is located. Additionally, the Inn appears to utilize a parcel to the north for some parking, which appears to provide approximately 12 spaces. The Inn also works with a property owner to the east who provides shared parking. Parking standards for a standard restaurant require one space per 100 square feet or one space per three customers. The Inn's site plan indicates 2609 square feet, and so the parking that would be required if the site plan for the restaurant were being reviewed today would be 26 spaces.





Conditional Use Permit Required for Parking Facility in VMX District. The property is located within the VMX zoning district, and a conditional use permit for a parking facility in the VMX District is required.

Parking Lot Design.

- *Access.* The applicant is proposing access off of 34th Street North via a driveway.
- *Number.* The applicant is proposing a total of 54 spaces for the parking lot.
- *Proposed Paving in the Right-of-Way.* These 54 spaces, however, include proposed pavement in the right-of-way. This is not allowed. All improvements must be contained within the site. This will result in at least 11 spaces from the proposed plan needing to be removed.
- *Size.* The drawing that the applicant has provided is not scalable, and therefore Staff does not know if the proposed size of the stalls is adequate. The stalls will need to be at least 9 feet in width, 8'6" in depth, and aisles will need to be at least 22 feet wide in order to allow two-way access.
- *Accessibility Parking.* At least one accessible parking space will be required if the site has 1 to 25 parking spaces, and 26 to 50 parking spaces will require an additional accessible parking space. At least one of the accessible parking spaces must be van-accessible.
- *Required Setback from Residential Properties.* The City's requirements mandate that off-street parking containing more than four parking spaces shall be located a minimum of twenty (20) feet from the boundary of any adjacent lot zoned or used for residential purposes. The property to the north is used for residential purposes, and the property to the west is zoned for residential purposes, and therefore the parking lot must be setback 20 feet from these properties.
- *Marking of Parking Spaces.* The proposed site plan shows that parking spaces will be marked. Marking of spaces with painted lines at least four inches in width is a requirement for parking lots with five or more spaces.
- *Curbing.* The City's off-street parking facilities require that open off-street parking areas designed to have head-in parking along the property line shall provide a bumper curb not less than five (5) feet from the side property line or a barrier of normal bumper height not less than three (3) feet from the side property line.
- *Landscaping.* The applicant has not submitted a landscaping plan for the parking lot. The parking lot application will need to include a landscape plan that includes the following:
 - *Interior Parking Lot Landscaping.* At least 5% of the interior area of parking lots with more than 30 spaces is to be devoted to landscaping planning areas in islands or corner beds. Because the proposed number of spaces is over 30, this will be a requirement. Additionally, at least one tree per ten spaces or fraction thereof must be provided.
 - *Perimeter Parking Lot Landscaping.* A landscaped frontage strip at least five feet wide needs to be provided between parking areas and public streets, sidewalks or paths and include screening consisting of either a masonry wall, fence, berm, or hedge or combination that forms a screen 3.5-4 feet in height. Additionally, screening 4-6 feet in height along the north and west sides of the parcel (sides abutting residential properties) shall be provided along with at least one deciduous or coniferous tree every forty feet (this

will require at least 4 along the northern property line and at least two along the western property line).

Engineering Review. At this time, the Applicant has not submitted construction plans for the parking lot. The Applicant will be required to submit a parking lot permit application approved by the City Engineer.

Valley Branch Watershed District. Because the proposed increase of impervious surface on the site will be more than 6,000 square feet, the Applicant will be required to obtain a Valley Branch Watershed District permit.

Recommended Findings. Staff recommends the following required findings for allowing a conditional use:

1. The proposed use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or the city. **The proposed use will pave an area that has already been used as parking for a significant period of time, bringing the property in to compliance with City Code.**
2. The use or development conforms to the City of Lake Elmo Comprehensive Plan. **The area is guided for VMX – Village Mixed Use in the Land Use Guide of the Comprehensive Plan. Parking facility is a conditional use in this district.**
3. The use or development is compatible with the existing neighborhood. **A parking facility will alleviate parking needs for the Lake Elmo Inn.**
4. The proposed use meets all specific development standards for such use listed in Article 7 of this Chapter. **There are no specific development standards for a parking facility in Article 7.**
5. If the proposed use is in a flood plain management or shoreland area, the proposed use meets all the specific standards for such use listed in Chapter 150, §150.250 through 150.257 (Shoreland Regulations) and Chapter 152 (Flood Plain Management). **The property is located outside the 0.2% annual chance floodplain and is not within the shoreland area.**
6. The proposed use will be designed, constructed, operated and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity and will not change the essential character of that area. **The property is already used for parking. Paving a parking lot will not drastically change the existing or intended character of the general vicinity or alter the essential character.**
7. The proposed use will not be hazardous or create a nuisance as defined under this Chapter to existing or future neighboring structures. **The proposed parking lot will potentially slightly increase the number of cars that are able to park on the property than had been parking there previously when the parking area was not paved, but paving the parking lot will bring the property in to compliance with City standards.**
8. The proposed use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use. **The proposed use will be adequately served by the aforementioned, provided a parking lot application is submitted and approved, meeting City standards.**
9. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. **The proposed use will not create additional requirements or cost.**
10. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors. **The use will not involve anything that would be detrimental.**

11. Vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares. **The use will create little more traffic congestion than already exists at the site.**
12. The proposed use will not result in the destruction, loss or damage of a natural or scenic feature of major importance. N/A

Recommended Conditions of Approval. If approved, Staff recommends the following conditions of approval for the Conditional Use Permit allowing the use of a parking facility at 3504 Lake Elmo Avenue North:

1. The Applicant shall submit and have approved a parking lot permit meeting all zoning, engineering, and other applicable requirements.
2. The parking lot must adhere to all screening and landscaping requirements as outlined in the Staff Report to the Planning Commission dated 2/12/2018.
3. The applicant must obtain a permit from the Valley Branch Watershed District prior to the issuance of a permit for construction, provide a copy of the permit to the City, and adhere to all conditions of approval.
4. Lighting will need to comply with Section 150.035: Lighting, Glare Control, and Exterior Lighting Standards of the City Code.
5. The parking lot shall not extend beyond property lines.
6. The Applicant shall not barricade public right-of-way for the use of valet parking or any other purposes without issuance of a right-of-way obstruction permit by the City.

FISCAL IMPACT:

Staff does not foresee fiscal impact.

OPTIONS:

The Commission may:

- Recommend approval of the requested Conditional Use Permit with recommended conditions.
- Amend recommended conditions of approval and recommend approval of the requested Conditional Use Permit with conditions as amended.
- Recommend denial of the Conditional Use Permit.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the request for a Conditional Use Permit to allow the use of a parking facility on the property located at 3504 Lake Elmo Avenue North.

“Move to recommend approval of a Conditional Use Permit for a parking facility on the property located at 3504 Lake Elmo Avenue North, subject to recommended conditions of approval.”

ATTACHMENTS:

- Application

Date Received: _____
Received By: _____
Permit #: _____



651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

LAND USE APPLICATION

- Comprehensive Plan Zoning District Amend Zoning Text Amend Variance*(see below) Zoning Appeal
- Conditional Use Permit (C.U.P.) Flood Plain C.U.P. Interim Use Permit (I.U.P.) Excavating/Grading
- Lot Line Adjustment Minor Subdivision Residential Subdivision Sketch/Concept Plan
- PUD Concept Plan PUD Preliminary Plan PUD Final Plan Wireless Communications

Applicant: Lake Elmo Inn, Inc.
Address: 3442 Lake Elmo Ave NW, P.O. Box 182 Lake Elmo, MN 55042
Phone # 651-777-8495
Email Address: chefschi17@aol.com

Fee Owner: John Schiltz
Address: 721 10th Ave NW, St. Paul 55075
Phone # 651-402-1262
Email Address: chefschi17@aol.com

Property Location (Address): 3504 LAKE ELMO AVENUE, LAKE ELMO, MN 55042
(Complete (long) Legal Description: COUNTY AUDITORS PLAT NO. 8 LOT 7
COUNTY AUD PLAT NO 8 LAKE ELMO CITY
PID#: 13.029.21.32.0022

Detailed Reason for Request: LACK OF PARKING IN DOWNTOWN LAKE ELMO

*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

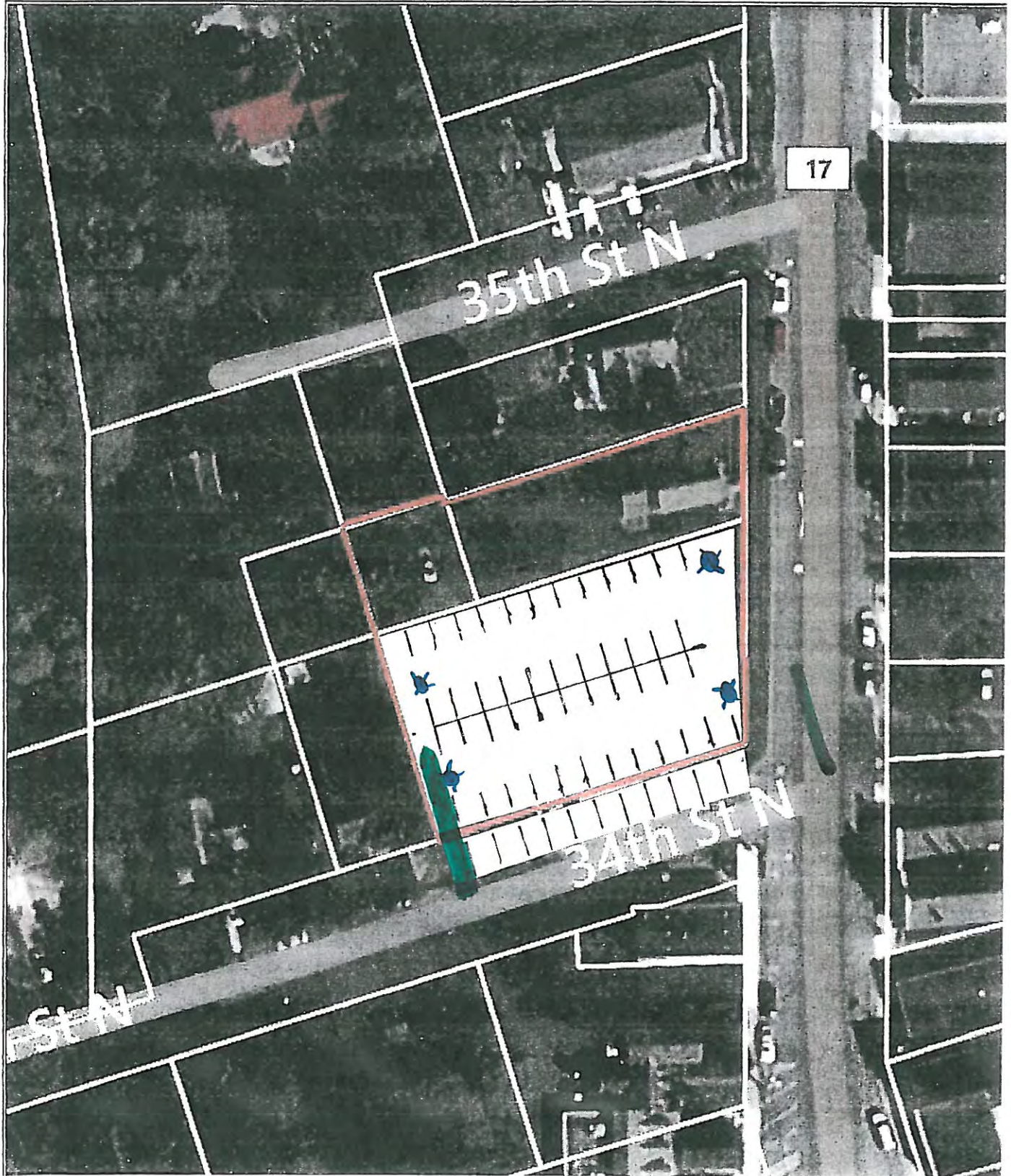
In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: John Schiltz Date: 12-18-17
Signature of fee owner: John Schiltz Date: 12-18-17

Green - Driveway (Entry)
Blue - Light Poles
Black - Parking spots



SUMMARY OF SALIENT F/





AERIAL PHOTO OF SUBJECT "BEFORE THE TAKING"

From: John
To: [Emily Becker](#)
Subject: Conditional Use Permit
Date: Monday, February 05, 2018 12:13:04 PM

Emily, we feel the area in question should be a real parking lot, not a grass area, cement or asphalt and for use of all of Lake Elmo people and not just the Lake Elmo Inn. In other words a public parking lot. We are against the conditional use permit asked for in your letter.

Vicky Rehak

John Lenzmeier



STAFF REPORT

DATE: 2/12/2018

AGENDA ITEM: 4B – PUBLIC HEARING

TO: Planning Commission
FROM: Emily Becker, Planning Director
ITEM: 4564 Kimbro Avenue North Minor Subdivision and Zoning Map Amendment
REVIEWED BY: Ben Prchal, City Planner

BACKGROUND:

The Planning Commission is being asked to consider a minor subdivision request from Beverly Rieks to subdivide the property located at 4564 Kimbro Avenue North in to three separate parcels, creating two new lots and for a Zoning Map Amendment to re-zone the aforementioned property from A - Agricultural to RR – Rural Residential.

GENERAL INFORMATION

Applicant: Beverly Rieks, 4564 Kimbro Avenue North, Lake Elmo, MN
Property Owners: Beverly Rieks, 4564 Kimbro Avenue North, Lake Elmo, MN
Location: 4564 Kimbro Avenue North, Lake Elmo, MN, PID# 11.029.21.13.0001
Request: Application for a Minor Subdivision to split said property into three separate parcels with two new lots.
Existing Land Use: Single Family Home
Existing Zoning: A - Agricultural
Surrounding Use/Zoning: RR - Rural Residential with detached single family homes to the north, south and west
Comprehensive Plan: Rural Area Development
History: The site has been used as a single family residence and farming purposes.
Deadline for Action: Application Complete – 2/1/2018
60 Day Deadline – 4/2/2018

Extension Letter Mailed – No
120 Day Deadline – N/A

Applicable Regulations: Chapter 153 – Subdivision Regulations
§154.400 – Rural Districts

REVIEW AND ANALYSIS:

Minor Subdivision

Review of Minor Subdivision. The property meets the requirements of Section 153.09: Exceptions to Platting, as it qualifies as a minor subdivision, as the proposed subdivision is a division of land that results in no more than four parcels. City requires that a completed Minor Subdivision application be submitted to the Planning Commission for its review and recommendation to City Council. There is no public hearing requirement for a Minor Subdivision request.

Rezoning Required.

- As outlined above in the General Information section of this report, the property is zoned A – Agricultural, and the minimum lot size for this zoning district is 40 acres.
- The applicant is requesting to subdivide the currently 73.51 acre parcel in to three separate parcels of 27.94, 10.03, and 35.54 acres in size, all of which do not meet the required minimum lot size for the Agricultural zoning district.
- Therefore, in order to subdivide the current parcel as proposed, the property would need to be rezoned from A – Agricultural to RR – Rural Residential.

Septic Design. The Applicant has submitted a septic system design by Ed Eklin Septic System Design. The proposed design is a Type 1 sewage treatment design, and a pressurized mound system is recommended. The proposed septic area is 21,400 square feet and is shown on the attached survey.

Valley Branch Watershed District (VBWD). The applicant has granted the Valley Branch Watershed District an easement over parts of the property per the District’s request. The VBWD has issued a permit for the construction of the new home.

Engineering Comments. The City Engineer has provided engineering comments in the attached memo dated January 12, 2018. These comments are also outlined below, as they are pertinent points the Commission should carefully consider. An update has also been provided, as the applicant has addressed many of the comments of the aforementioned memo.

- *Right-of-Way Dedication Required.* The current parcel runs across Kimbro Avenue North, which currently has a prescriptive easement. It will be a condition of approval that 80 feet of right-of-way be dedicated to the City centered on the center line of Kimbro Avenue North (40 feet on each side). Additionally, a 10-foot utility easement corridor will need to be provided along the right-of-way on both sides of Kimbro Avenue North.
 - *Update:* This has been updated since the applicant has received the Engineer’s comments. An 80 foot right-of-way is shown as dedicated to the City (40 feet on each side of the centerline of Kimbro Avenue as traveled. Additionally, a 10 foot utility easement has been provided.
- *Proposed Septic System.* The septic field will need to be set back at least 10 feet from the ROW and not within the easement corridor or right-of-way.
 - *Update:* The septic field is set back 10 feet from the right-of-way and is outside of the utility easement.

- *Driveway.* The driveway should be reconstructed to be perpendicular to Kimbro Avenue within the Kimbro Avenue right-of-way and the driveway should align with the existing driveway on the west side of the road.
 - *Update:* The driveway has been reconfigured to be perpendicular and align with the existing driveway on the west side of the road.

Parkland Dedication. The City requires cash contribution in lieu of land dedication for residential development resulting in three or fewer parcels. This fee is set by Council resolution. The current fee schedule for parkland dedication for residential development up to four lots is \$3600 per new lot created. At \$3600 per lot, the applicant will need to pay \$7200 for parkland dedication.

Zoning Map Amendment

Zoning Map Amendment Review. The Planning Commission is to hold a public hearing on each complete application for a Zoning Amendment and then consider findings and submit the same together with its recommendation to Council. Any rezoning shall be consistent with the Comprehensive Plan.

Consistency with Comprehensive Plan. As mentioned above, the property is guided for Rural Area Development in the Comprehensive Plan Land Use Plan. The Comprehensive Plan allows a density of 0.1 units per acre in this district. Corresponding zoning districts to the Rural Area Development Land Use are A – Agricultural and RR – Rural Residential.

Proposed Zoning – RR – Rural Residential District. The RR District is established for lands that have existing small-scale agricultural activity, as well as single-family residential dwellings. Future residential development may occur at a density of 1 dwelling unit per 10 acres, or through the Open-Space Preservation Development process. These sites are expected to be served by on-site wastewater treatment facilities. Some limited agriculture-related businesses, such as wayside stands, are appropriate as interim uses for this district.

Allowed Uses. The following table provides a side-by-side comparison of what is allowed within the Agricultural District vs. the Rural Residential District (differences bolded). The applicant intends to use Parcel B, as shown in the attached survey, as a single family detached home. Parcel A will remain vacant for the time being.

	A	RR	Standard
Residential Uses			
Household Living			
Single-Family Detached Dwelling	P	P	154.404 (A)
Secondary Dwelling	P	-	154.404 (D)
Services			
Self Service Storage Facility	I ^a	I ^a	154.404 (G)
Outdoor Recreation			
Outdoor Recreation Facility	C	-	154.306 (C)
Parks and Open Areas	P	P	154.012 (B) (7)
Restricted Recreation	C	-	154.306 (B)
Agricultural and Related Uses			
Agricultural Entertainment Business	I	I	154.914
Agricultural Production	P	P	154.012 (B) (9)

Agricultural Sales Business	I	I	154.913
Agricultural Services	C	-	154.404 (J)
Forestry Operations	P	-	154.012 (B) (9)
Greenhouses, Non Retail	C	C	154.012 (B) (9)
Wayside Stand	P	P	154.012 (B) (9)
Industrial and Extractive Uses			
Motor Freight and Warehousing	-	-	154.404 (G)
Accessory Uses			
ed and Breakfast	C	C	154.012 (B) (12)
Domestic Pets	P	P	154.012 (B) (12)
Family Day Care	P	P	154.012 (B) (12)
Home Occupation	P	P	154.012 (B) (12)
Kennel, Private	C	C	154.012 (B) (12)
Solar Equipment	P	P	154.310 (C)
Stable, Private	C	C	154.012 (B) (12)
Swimming Pools, Hot Tubs, Etc.	P	P	154.012 (B) (12)
Water-Oriented Accessory Structures	P	P	154.800
Other Structures Typically Incidental and Clearly Subordinate to Permitted Uses	P	P	
Commercial Wedding Ceremony Venue	I	I	154.310 (D)

Lot Size and Setbacks. The minimum lot size within the RR – Rural Residential zoning district is 10 acres, and the proposed two newly-created parcels will be 27.94 and 10.03 acres in size, meeting minimum requirements. The proposed lot widths will be 1315.30 and 512.59 feet in width. Setbacks will be reviewed at time of building permit application. The minimum lot width required of 300 feet for the Rural Residential zoning district is also met on all three parcels.

Conceptual Requirements.

- While the Zoning Code typically requires a conceptual sewer and water utility plan, conceptual landscape plan, and conceptual grading, erosion control, and storm water management plan for rezoning, the resultant parcels will be used as single family homes, and grading and erosion control will be reviewed at the time of the building permit application.
- Due to the aforementioned, Staff recommends that the aforementioned conceptual requirements be waived.

Site Design and Development Standards. All lots must have at least 20,000 square feet of land suitable for septic drainfields and area sufficient for 2 separate and distinct drainfield sites. Placement of the second required drainfield between the trenches of the first drainfield is prohibited.

DRAFT FINDINGS

Minor Subdivision.

1. That the Minor Subdivision is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
2. That the Minor Subdivision complies with the minimum lot frontage and area requirements of the City's RR – Rural Residential zoning district.
3. That the Minor Subdivision complies with the City's subdivision ordinance and specifically the requirements concerning exceptions to platting.

Zoning Map Amendment. Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Zoning Map Amendment to rezone the property located at 4564 Kimbro Avenue North:

1. That the proposed rezoning is consistent with the Lake Elmo Comprehensive Plan and Future Land Use Map for this area.

RECOMMENDED CONDITIONS OF APPROVAL:

Minor Subdivision.

- 1) The property shall be rezoned to RR – Rural residential.
- 2) The applicant shall pay a fee in lieu of parkland dedication in the amount of \$3600.00 per lot of the newly created lots totaling \$7200.00 prior to any formal City authorization to split the existing parcel into three lots.
- 3) The applicant address all comments outlined in the City Engineer memo dated January 12, 2018.
- 4) The applicant must submit and receive approval of a building permit application; grading, erosion control, and other applicable plans prior to the commencement of any construction activity on the parcel.

- 5) The applicant must obtain all other necessary City, State, Valley Branch Watershed District and other applicable governing body permits prior to the commencement of any construction activity on the parcel and must adhere to all conditions to which such permits are issued.

Zoning Map Amendment.

- 1) That the City approve the Minor Subdivision request as proposed by the Certificate of Survey dated 12/6/2017.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the minor subdivision request by Beverly Rieks to split the parcel at 4564 Kimbro Avenue North into three separate parcels, thereby creating two new lots of 27.94 acres and 10.03 acres.

“Move to recommend approval of the Minor Subdivision request for the property located at 4564 Kimbro Avenue North, subject to the 5 outlined conditions of approval.”

Staff also recommends that the Planning Commission recommend approval of the request by Beverly Rieks for a Zoning Map Amendment to rezone the property from A – Agricultural to RR – Rural Residential.

“Move to recommend approval of the Zoning Map Amendment to rezone the property located at 4564 Kimbro Avenue North to RR – Rural Residential, subject to one condition of approval.”

ATTACHMENTS:

- 1. Application Forms
- 2. Minor Subdivision Survey
- 3. City Engineer Memo Dated 1/12/18

ORDER OF BUSINESS:

- Introduction.....Planning Staff
- Report by Staff.....Planning Staff
- Questions from the Commission.....Chair & Commission Members
- Public Comments.....Chair
- Discussion by the Commission.....Chair & Commission Members
- Action by the CommissionChair & Commission Members

Date Received: _____
Received By: _____
Permit #: _____



JAN - 651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

LAND USE APPLICATION

- Comprehensive Plan Zoning District Amend Zoning Text Amend Variance*(see below) Zoning Appeal
- Conditional Use Permit (C.U.P.) Flood Plain C.U.P. Interim Use Permit (I.U.P.) Excavating/Grading
- Lot Line Adjustment Minor Subdivision Residential Subdivision Sketch/Concept Plan
- PUD Concept Plan PUD Preliminary Plan PUD Final Plan Wireless Communications

Applicant: BEVERLY RIEKS
Address: 4564 KIMBERD AVE. No., LAKE ELMO, MN 55042
Phone #: (651) 331-9910 MOBILE
Email Address: BEVRIEKS@GMAIL.COM

Fee Owner: SAME
Address: _____
Phone #: _____
Email Address: _____

Property Location (Address): NO ADDRESS ASSIGNED -- CURRENTLY VACANT AG LAND USE
(Complete (long) Legal Description): (SEE ATTACHED DEED)

PID#: 11-029-21-13--0001

Detailed Reason for Request: MINOR SUBDIVISION TO CREATE ONE NEW 10 ACRE BUILDABLE LOT FOR FAMILY MEMBER TO EVENTUALLY BUILD A NEW SINGLE FAMILY HOME. BOTH THE NEW PARCEL AND REMNANT PARCEL MEET OR EXCEED ALL OF THE CURRENT MINIMUM DESIGN STANDARDS

*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

NONE

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: Beverly A. Rieks Date: 1-5-18

Signature of fee owner: Beverly A. Rieks Date: 1-5-18

Date Received _____
Received By: _____
Permit #: _____



651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

LAND USE APPLICATION

- Comprehensive Plan Zoning District Amend Zoning Text Amend Variance*(see below) Zoning Appeal
- Conditional Use Permit (C.U.P.) Flood Plain C.U.P. Interim Use Permit (I.U.P.) Excavating/Grading
- Lot Line Adjustment Minor Subdivision Residential Subdivision Sketch/Concept Plan
- PUD Concept Plan PUD Preliminary Plan PUD Final Plan Wireless Communications

Applicant: BEVERLY RIEKS
Address: 4564 KIMBERL AVE. No. LAKE ELMO, MN 55042.
Phone #: (651) 331-9910 - MOBILE
Email Address: BEVRIEKS@GMAIL.COM

Fee Owner: SAME
Address: _____
Phone #: _____
Email Address: _____

Property Location (Address): NO ADDRESS ASSIGNED - CURRENTLY VACANT AG LAND USE
(Complete (long) Legal Description): SEE ATTACHED SURVEY

PID#: 11-029-21-13-0001

Detailed Reason for Request: ZONING MAP AMENDMENT - REZONE FROM AG - AGRICULTURAL TO RR - RURAL RESIDENTIAL TO FACILITATE A MINOR SUBDIVISION OF ONE NEW HOMESITE OF 10 ACRES

*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:
NONE

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: Beverly Rieks Date: 1-9-18


Signature of fee owner: _____ Date: _____

SURVEY FOR:
 Beverly Ricks
 4564 Kimbro Ave No
 Lake Elmo, MN 55042

CERTIFICATE OF SURVEY

MINOR SUBDIVISION

Part Northeast Quarter of Section 11 Township 29 North, Range 21 West City of Lake Elmo, Minnesota

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

LEGAL DESCRIPTIONS:

**Existing Parcel
 Legal Description**

That part of the Southwest Quarter of the Northeast Quarter of Section 11, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota lying southerly of the North 54 00 feet thereof.

**Proposed Parcel A
 Legal Description**

That part of the Southwest Quarter of the Northeast Quarter of Section 11, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota lying southerly of the North 54 00 feet thereof, described as follows:

Commencing at the southwest corner of said Southwest Quarter of the Northeast Quarter, thence North 00 degrees 22 minutes 06 seconds West, on an assumed bearing along the west line of said Southwest Quarter of the Northeast Quarter, a distance of 512.59 feet to the point of beginning, thence North 89 degrees 30 minutes 46 seconds East, a distance of 158.74 feet, thence South 59 degrees 02 minutes 27 seconds East, a distance of 402.89 feet, thence South 78 degrees 02 minutes 41 seconds East, a distance of 318.11 feet, thence North 71 degrees 21 minutes 57 seconds East, a distance of 523.19 feet to the east line of said Southwest Quarter of the Northeast Quarter, thence North 00 degrees 14 minutes 05 seconds West, along said east line, a distance of 353.89 feet to the southeast corner of said South 54 00 feet of said Southwest Quarter of the Northeast Quarter, thence South 89 degrees 53 minutes 19 seconds West, along said south 54 00 feet, a distance of 1312.51 feet to the southwest corner of said Southwest Quarter of the Northeast Quarter, thence South 00 degrees 22 minutes 06 seconds East, along said west line of the Southwest Quarter of the Northeast Quarter, a distance of 748.71 feet to the point of beginning.

This parcel is subject to part of an 80 Foot wide Roadway Dedication for Kimbro Avenue North and subject to additional 10 foot wide easements for Drainage and Utility purposes adjoining the Roadway Dedication. This parcel is also subject to Drainage easements in favor of the Valley Branch Watershed District.

**Proposed Parcel B
 Legal Description**

That part of the Southwest Quarter of the Northeast Quarter of Section 11, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota lying southerly of the North 54 00 feet thereof, described as follows:

Beginning at the southwest corner of said Southwest Quarter of the Northeast Quarter, thence North 00 degrees 22 minutes 06 seconds West, on an assumed bearing along the west line of said Southwest Quarter of the Northeast Quarter, a distance of 512.59 feet, thence North 89 degrees 30 minutes 46 seconds East, a distance of 158.74 feet, thence South 59 degrees 02 minutes 27 seconds East, a distance of 402.89 feet, thence South 78 degrees 02 minutes 41 seconds East, a distance of 318.11 feet, thence North 71 degrees 21 minutes 57 seconds East, a distance of 523.19 feet to the east line of said Southwest Quarter of the Northeast Quarter, thence North 00 degrees 14 minutes 05 seconds West, along said east line, a distance of 353.89 feet to the southeast corner of said Southwest Quarter of the Northeast Quarter, thence South 89 degrees 54 minutes 27 seconds West, along the south line of said Southwest Quarter of the Northeast Quarter, a distance of 1309.57 feet to the point of beginning.

This parcel is subject to part of an 80 Foot wide Roadway Dedication for Kimbro Avenue North and subject to additional 10 foot wide easements for Drainage and Utility purposes adjoining the Roadway Dedication. This parcel is also subject to Drainage easements in favor of the Valley Branch Watershed District.

ROADWAY DEDICATION AND DRAINAGE/UTILITY EASEMENTS

That part of the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter, all in Section 11, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota lying 40 00 feet on each side of the following described easement:

Beginning at a point on the north line of said Southwest Quarter of the Northeast Quarter, distant 25 33 feet easterly of the northwest corner thereof, thence in a straight line to a point on the south line of said Southwest Quarter of the Northeast Quarter, distant 20 57 feet easterly of the southwest corner thereof, and said described centerline there terminating.

Also that part of the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter, all in Section 11, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota lying 10 00 feet on each side of the above roadway dedication strip.

VALLEY BRANCH WATERSHED DISTRICT

**Proposed VBWD Easement
 Legal Description
 (Parcel A)**

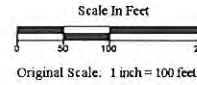
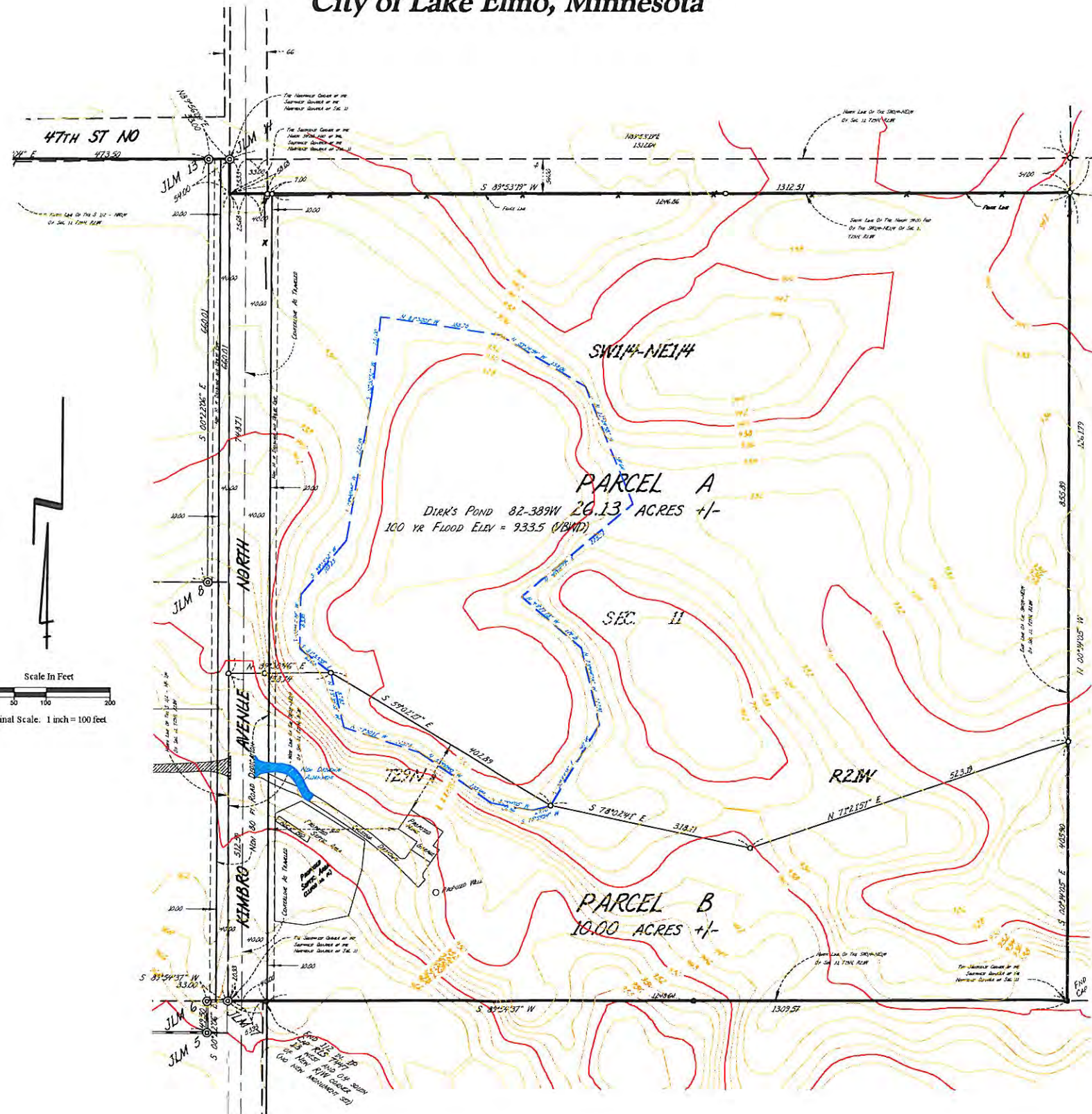
That part of the Southwest Quarter of the Northeast Quarter of Section 11, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota lying southerly of the North 54 00 feet thereof, described as follows:

Commencing at the southwest corner of said Southwest Quarter of the Northeast Quarter, thence North 00 degrees 22 minutes 06 seconds West, on an assumed bearing along the west line of said Southwest Quarter of the Northeast Quarter, a distance of 512.59 feet, thence North 89 degrees 30 minutes 46 seconds East, a distance of 158.74 feet to the point of beginning, thence South 59 degrees 02 minutes 27 seconds East, a distance of 402.89 feet, thence South 78 degrees 02 minutes 41 seconds East, a distance of 318.11 feet, thence North 71 degrees 21 minutes 57 seconds East, a distance of 523.19 feet to the east line of said Southwest Quarter of the Northeast Quarter, thence North 00 degrees 14 minutes 05 seconds West, along said east line, a distance of 353.89 feet to the southeast corner of said Southwest Quarter of the Northeast Quarter, thence South 89 degrees 53 minutes 19 seconds West, along said south 54 00 feet, a distance of 124 19 feet, thence North 50 degrees 05 minutes 17 seconds East, a distance of 225.52 feet, thence North 22 degrees 24 minutes 58 seconds West, a distance of 197.64 feet, thence North 59 degrees 14 minutes 54 seconds West, a distance of 158.06 feet, thence North 81 degrees 30 minutes 01 seconds West, a distance of 188.70 feet, thence South 06 degrees 00 minutes 52 seconds West, a distance of 131.00 feet, thence South 09 degrees 40 minutes 44 seconds West, a distance of 221.29 feet, thence South 39 degrees 15 minutes 52 seconds West, a distance of 109.25 feet, thence South 00 degrees 56 minutes 24 seconds West, a distance of 82.95 feet, thence South 21 degrees 53 minutes 59 seconds East, a distance of 61.85 feet to the point of beginning.

**Proposed VBWD Easement
 Legal Description
 (Parcel B)**

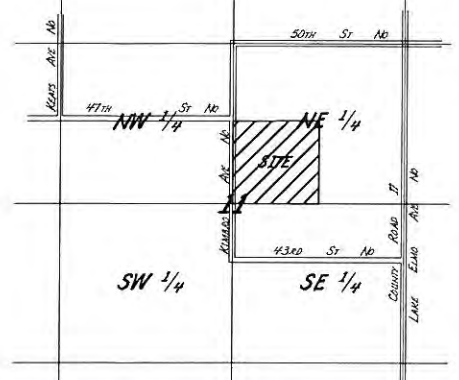
That part of the Southwest Quarter of the Northeast Quarter of Section 11, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota lying southerly of the North 54 00 feet thereof, described as follows:

Commencing at the southwest corner of said Southwest Quarter of the Northeast Quarter, thence North 00 degrees 22 minutes 06 seconds West, on an assumed bearing along the west line of said Southwest Quarter of the Northeast Quarter, a distance of 512.59 feet, thence North 89 degrees 30 minutes 46 seconds East, a distance of 158.74 feet to the point of beginning, thence South 59 degrees 02 minutes 27 seconds East, a distance of 402.89 feet, thence South 75 degrees 59 minutes 54 seconds West, a distance of 29.70 feet, thence North 80 degrees 04 minutes 05 seconds West, a distance of 66.86 feet, thence North 55 degrees 00 minutes 40 seconds West, a distance of 135.44 feet, thence North 71 degrees 30 minutes 11 seconds West, a distance of 125.75 feet, thence North 13 degrees 34 minutes 31 seconds West, a distance of 87.81 feet to the point of beginning.



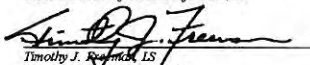
- LEGEND**
- DENOTES SET 1/2 INCH DIA. BY 16 INCH IRON PIPE MONUMENT MARKED WITH A PLASTIC CAP INSCRIBED "FREEMAN LS 16989", UNLESS SHOWN OTHERWISE
 - DENOTES FOUND MONUMENT, SIZE AND MARKINGS AS INDICATED
 - ⊙ DENOTES FOUND CAST IRON MONUMENT, 4" ROUND TOP "JUDICIAL LANDMARK" WITH MARKINGS AS INDICATED
 - DENOTES BOUNDARY LINE
 - DENOTES SUBDIVISION LINE
 - DENOTES ROADWAY DEDICATION
 - DENOTES DRAINAGE AND UTILITY EASEMENT
 - DENOTES DRAINAGE EASEMENT TO VALLEY BRANCH WATERSHED DISTRICT
 - ✕ DENOTES EXISTING FENCE LINE

- NOTES**
- 1) ELEVATIONS ARE NAVD MEAN SEA-LEVEL, 1988 ADJUSTMENT
 - 2) ORIENTATION OF THIS BEARING SYSTEM IS ORIENTED TO THE WASHINGTON COUNTY COORDINATE SYSTEM, NAD83, 1988 ADJ



Vicinity Map
 Section 11, T29N - R21W
 Washington County, Minnesota

Revised 1/4/18: Added VBWD Easement Legal Descriptions
 Revised 1/10/18: Added more detail to septic test area
 Revised 1/31/18: Added more details per City Engineer Memo
 Revised 2/2/18: Added more details per City Planner request

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

 Timothy J. Freeman, L.S.
 Minnesota License No. 49989
 Date: 12/6/17

MEMORANDUM

FOCUS ENGINEERING, inc.

Cara Geheren, P.E.	651.300.4261
Jack Griffin, P.E.	651.300.4264
Ryan Stempski, P.E.	651.300.4267
Chad Isakson, P.E.	651.300.4285

Date: January 12, 2018

To: Emily Becker, Planning Director
From: Jack Griffin, P.E., City Engineer

Re: Rieks Minor Subdivision (4564 Kimbro Ave.)
Site Improvements Plan Review

The Beverly Rieks Minor Subdivision located at 4564 Kimbro Avenue was received January 8, 2018 consisting of the following documentation:

- Certificate of Survey, dated 12/6/2017.

Engineering has the following review comments:

1. The Certificate of Survey should be updated to provide an accurate scale and key dimensions should be labeled on the drawing to clearly document the proposed Minor Subdivision. The legend should be updated to identify each line type used on the survey, or each line type must be labeled.
2. Kimbro Avenue North is a collector rural section roadway requiring a minimum 80-foot right-of-way. As part of the minor subdivision, a 40-foot right-of-way dedication must be provided as measured from the existing centerline of Kimbro Avenue. An updated certificate of survey should clearly identify the proposed right-of-way dedication with dimensions labeled.
3. In addition to right-of-way dedication, a 10-foot utility easement corridor should be dedicated adjacent to the right-of-way along the length of Kimbro Avenue. The certificate of survey should be updated to clearly identify the proposed easement and the easement width should be labeled on the drawing.
4. The proposed septic system area should be located so that there is no encroachment into the dedicated Kimbro Avenue right-of-way or 10-foot utility easement corridor.
5. The certificate of survey shows an existing driveway to a new proposed home. The driveway should be reconstructed to be perpendicular to Kimbro Avenue within the Kimbro Avenue right-of-way and the driveway centerline should align with the existing driveway on the west side of the road.
6. The County Viewer indicates the current property is larger than indicated on the Certificate of Survey. The County Viewer shows the current property at 73.51 acres. If the property currently extends to the west side of the Kimbro Avenue roadway centerline, then additional right-of-way/easement dedication should be provided up to the full 80-foot right-of-way with 10-foot utility easements on both sides.



STAFF REPORT

DATE: 2/12/2018

AGENDA ITEM: 4C & 5A –REGULAR

TO: Planning Commission

FROM: Emily Becker, Planning Director

ITEM: Hammes Estates 3rd Addition Final Plat and Easement Vacation

REVIEWED BY: Ben Prchal, City Planner
Jack Griffin, City Engineer
Greg Malmquist, Fire Chief
Mike Bent, Building Official

BACKGROUND:

The Planning Commission is being asked to consider a Final Plat request from Rachael Development for the third phase of the a planned 163-unit residential development to be located on 78.1 acres of land west of Keats Avenue and within Stage 1 of the City's I-94 MUSA area. The 3rd Addition final plat, which is the last phase of the development, will include 69 single-family lots on 39.013 acres, all of which will be accessed off of Keats Avenue and through 8th Street North.

Additionally, Hammes Estates 3rd Addition will require an easement vacation for Outlot B in order to plat 3rd Addition.

ISSUE BEFORE COMMISSION:

Is the proposed Hammes Estates 3rd Addition Final Plat consistent with the approved Hammes Estates 3rd Addition Preliminary Plat?

REVIEW/ANALYSIS:

Applicant and Owner: Rachel Development.

Location: Part of Section 34 in Lake Elmo, immediately west of Keats Avenue (CSAH 19), approximately 1,300 feet south of 10th Street (CSAH 10), and south of Goose Lake. Outlot B Hammes Estates.

Request: Application for final plat approval of 69 residential lots

Existing Land Use and Zoning: Vacant outlot; Current Zoning: LDR - Urban Low Density Residential

Surrounding Land Use and Zoning: North –Hammes Estates 1st Addition, Goose Lake and Stonegate Residential Estates (RE) subdivision; west – Stonegate RE subdivision; south – Lennar Savona Urban Low Density Residential (LDR) subdivision.

Comprehensive Plan: Urban Low Density Residential (2.5 – 4 units per acre)

History: The site was previously utilized as an active mining and gravel operation. The site has since been reclaimed. The property was rezoned from Rural Development Transitional District (RT) to Urban Low Density Residential (LDR) on 7/22/2014. Preliminary Plat approved on 7/1/2014 (public hearing on 5/12/14). Final plat of 1st phase was approved on October 7, 2014. The final plat was granted an extension to October 7, 2016 by Council on November 4, 2015. Rachael Development purchased the project in 2016 and the Developer Agreement and Final Construction plans for the first phase were approved on August 16, 2016. 2nd Addition was approved on January 2, 2017.

Deadline for Action: Application Complete – 1/19/18
60 Day Deadline – 3/20/18
Extension Letter Mailed – No
120 Day Deadline – NA

Applicable Regulations: Chapter 153 – Subdivision Regulations
Article 10 – Urban Residential Districts (LDR)
§150.270 Storm Water, Erosion, and Sediment Control

FINAL PLAT

The City of Lake Elmo has received a request from Rachael Development for final plat approval of the second phase of the Hammes Estates residential development to be called Lake Ridge Crossing. The 3rd Addition final plat is the replat of Outlot B Hammes Estates 1st Addition and includes 69 single family residential lots and associated infrastructure. The City Council approved the Hammes Estates Preliminary Plat on July 1, 2013, which platted 163 single family lots over approximately 78 acres of land within the I-94 MUSA Area. 1st Addition consisted of 57 single family lots, and 2nd Addition consisted of 37 single family lots out of the 163 planned for the entire subdivision.

Final Plat Approval Procedure. The City’s subdivision ordinance establishes the procedure for obtaining final subdivision approval, in which case a final plat may only be reviewed after the City takes action on a preliminary plat. As long as the final plat is consistent with the preliminary approval, it must be approved by the City. The City’s approval of the Hammes Estates Preliminary Plat included a series of conditions that must be met by the applicant, which are addressed in the “Review and Analysis” section below. There are no public hearing requirements for a final plat.

Consistency with Preliminary Plat. Staff has reviewed the final plat and found that it is consistent with the preliminary plat that was approved by the City. The developer updated the preliminary plan submissions to comply with the conditions of approval prior to submission of 2nd Addition Final Plat, and the final plat application incorporates these updates as well. A condition of preliminary plat required that no more than 100 residential units be approved prior to the development having street connection to the Savona subdivision. The second phase plat made the street connection to the Savona development. The applicant has submitted detailed construction plans for related to sanitary sewer, water main, storm sewer, grading, drainage, landscaping, and other details that have been reviewed by the City.

Street Naming. Street names have been reviewed and have been found to be consistent with the City’s new street naming ordinance, though the Final Plat will need to include the street names as indicated on the Grading Plans: “8th St N,” “James Ct N,” “James Cir N,” and “James Ave N”.

Landscaping. Staff has reviewed the Final Landscape Plan for Hammes 3rd Addition and has provided comments in the attached memorandum. These plans will need to be modified to include irrigation plans, include 25% coniferous trees and include three additional red oaks.

Engineering Review. The applicant has submitted detailed construction plans related to sanitary sewer, water main, storm sewer, grading, drainage, landscaping, and other details that have been reviewed by the City. These must be revised in accordance with the Construction Plan engineering review memorandum dated February 5, 2018, attached. Staff is recommending that all revisions and modifications noted within the City Engineer's review memorandum be completed prior to the release of Final Plat for recording as a condition of approval. Payment for pipe oversizing from the City standard 8-inch pipe along 8th Street North and James Avenue North, connecting to the existing 12-inch watermain in the Savona development should be addressed in the Development Agreement.

Infrastructure Improvements and Phasing. The infrastructure improvements will tie in with the improvements completed in the 1st and 2nd phase.

Drainage and Utility Easements. Additional drainage and utility easements are required for various lots per the City Engineer's Memorandum dated February 5, 2018.

Fire Chief Review. The Fire Chief has reviewed the proposed final plat and has made comment that the fire hydrants on James Circle appear to exceed the 500 foot required spacing, and that the middle hydrant may need to be relocated further east to comply.

Shoreland District. While a portion of the proposed 3rd Addition Final Plat is in the Shoreland Overlay District, none of the lots are riparian, and there are 2.041 acres of wetland and 4.837 acres of wetland buffer.

Parkland Dedication. The developer is dedicating Outlots A and D, which will be parkland for trails. There are approximately 2640 feet of public trail to be constructed along the northern and western edges of the plat. Along with this parkland dedication, the Developer had satisfied the park dedication requirements with the 1st Addition Final Plat. One of the conditions of approval of the Preliminary Plat was that a tot lot be constructed within Goose Lake Park (the park within the development along Goose Lake), however, due to the Parks Commission concern about the park's proximity to Keats Avenue and removal of significant trees, the Parks Commission requested that a play structure be constructed within an outlot within the development. Therefore, the developer has proposed a private tot lot within Outlot C. It is a recommended condition of approval that Staff and the Parks Commission review and approve this play structure before it is erected.

Density. The entire portion of the approved Hammes Preliminary Plat is zoned Limited Density Residential (2.5-4 units per acre). The density of the 3rd Addition Final Plat is 2.62 units per acre (69 units/26.348 acres (39.013 gross acres – (8.715 acres of Outlot A (parkland) and 0.133 acres of Outlot D (parkland) and 3.817 acres outside of park area of wetlands and wetland buffers)).

Lot Size. The average lot size of the lots in the 3rd Addition is .286 acres. The smallest lot is .219 acres, and the largest lot is .453 acres. This meets minimum lot size requirements of the LDR zoning district and consistent with Preliminary Plat. The lot widths and depths are all consistent with those of the approved Preliminary Plat.

Outlots. Outlot A, 8.715 acres, will be dedicated to the City for parkland for trails. 1.102 acres of this outlot are wetlands, and 1.959 acres are wetland buffers. Outlot B, 4.897 acres, is an infiltration basin to be dedicated to the City. Outlot C, 0.132 acres, will be HOA-owned and maintained and will contain a totlot. Outlot D, 0.133 acres, will be City-owned and will contain a trail.

Road Right-of-Way. 5.394 acres are dedicated for right-of-way for non-arterial roads.

Neighboring Property Issues. The impact on the Stonegate development to the north and west was addressed during Preliminary Plat through the provision of a buffer. The 3rd Addition has provided this buffer consistent with the approved Preliminary Plat. The buffer borders the Stonegate Development; is 100 feet in width; and contains a trail.

Preliminary Plat Conditions – With Staff Update Comments (updated information in bold italics). The preliminary plat for Hammes Estates was approved with several conditions, which are indicated below along with Staff's comments on the status of each.

- 1) Within six months of preliminary plat approval, the applicant shall complete the following: a) The applicant shall provide adequate title evidence satisfactory to the City Attorney; and b) The applicant shall submit a revised Preliminary Plat and plans meeting all conditions of approval. All of the above conditions shall be met prior to the City accepting an application for Final Plat and prior to the commencement of any grading activity on the site. ***Comment: a) all title work was submitted and reviewed by the City Attorney with the first phase of the development b) revised preliminary plat were approved with the approval of the first phase of the development.***
- 2) The City Engineer shall review and approve all revised Preliminary Plans that are submitted to the City in advance of Final Plat to satisfy Condition #1. ***Comments: This has been completed (See Condition #1 response).***
- 3) The Preliminary Plat approval is conditioned upon the applicant meeting all minimum City standards and design requirements. ***Comments: The preliminary plat was approved with the first phase of the development.***
- 4) All required modifications to the plans as requested by the City Engineer in a review letter dated June 16, 2014 shall be incorporated into the plans prior to consideration of a Final Plat. ***Comments: This condition has been met.***
- 5) Prior to the acceptance of the public improvements for the Hammes Estates plat, all wetland buffers shall be delineated and identified via staking or signage that is acceptable to the City. ***Comments: The final construction plans (Grading, Drainage and Erosion Control) include wetland buffer monuments to identify the locations of all wetland buffers. The applicants are aware of this condition and it will be a condition of final plat for all phases.***
- 6) The landscape plan shall be updated per the recommendations of the City's landscape consultant in a review memo dated 5/7/14. ***Comments: The City's Landscape Consultant approved the Preliminary Landscape Plan and a review of the second addition landscape plans are in conformance with the preliminary plans and City requirements.***
- 7) The applicant shall be responsible for the construction of all improvements within the Keats Avenue (CSAH 19) right-of-way as required by Washington County and further described in the review letter received from the County dated May 6, 2014. The required improvements shall include, but not be limited to: construction of a modified median crossing, construction of a trail/sidewalk to the south side of the median, turn lanes, and other improvements as required by the County. ***Comments: The Keats Avenue was part of the first addition project.***
- 8) The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and shall acquire the needed permits from Valley Branch Watershed

District prior to the commencement of any grading or development activity on the site.

Comments: The site has been graded and VBWD permits were approved.

- 9) Landscape islands shall be platted as part of the right-of-way and shall be maintained by the Home Owners Association. The applicant shall enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the final plat. ***Comments: A landscape license agreement was executed as part of the first and second addition plats and will be executed as part of the third addition plat. A condition of final plat will be that no building permits will be issued until the agreement is executed.***

- 10) With an eligible parkland dedication of 5.7 acres provided, the applicant is responsible to pay a fee in lieu of land dedication for the equal market value amount of 2.1 acres of land at the time of the Final Developers Agreement. The City will work with the developer to clarify any and all park fee payments at the time of the Final Developers Agreement. ***Comments: Parkland dedication was addressed with the first addition final plat. The city had the opportunity to review the park amenities prior to construction and the tot lot will be constructed as part of the 3rd Addition within Outlot C.***

- 11) No more than 100 units may be approved as part of a final plat until secondary access is provided to the subdivision via a connection to 5th Street through the Savona subdivision. ***Comments: The second phase development made this connection.***

- 12) For trails proposed to be located in any wetland buffer, the applicant must present a suitable design or material that is acceptable to the City and Valley Branch Watershed District. ***Comments: The applicants have presented a boardwalk design to the watershed district and the VBWD was agreeable to a boardwalk design through a small portion of the buffer area. The construction details of the proposed limited boardwalk section within the wetland buffer must be provided to the City as part of the Final Construction Plans for the pertinent future phase of the Hammes Estates subdivision.***

- 13) The applicant must enter into a separate grading agreement with the City prior to the commencement of any grading activity in advance of final plat and plan approval. The City Engineer shall review any grading plan that is submitted in advance of a final plat, and said plan shall document extent of any proposed grading on the site. ***Comments: The project was graded with the first addition.***

- 14) The applicant must incorporate a play structure into the proposed park at Goose Lake per the request of the Lake Elmo Park Commission. Furthermore, the applicant must submit an updated design of the park property that meets City approval in advance of Final Plat. ***Comments: An HOA owned and maintained tot lot play structure will be located in Outlot C. The location of the play structure was moved per recommendation of the Parks Commission due to concern about Goose Lake Park's proximity to Keats Avenue and to minimize the removal of trees. The Parks Commission reviewed the proposed location at its August 15, 2016 meeting and recommended approval of this location. It is a recommended condition of approval that this play structure be installed prior to issuance of building permits for Lots 1 and 2, Block 6 are issued and that Staff and the Parks commission review and approve plans for the equipment prior to installation.***

- 15) The applicant shall work with the Planning Staff to name all streets in the subdivision prior to submission of a Final Plat. *Comments: This condition has been met.*
- 16) Lots 1-6, Block 10 and Lots 1-5 and 11-12, Block 9 shall not be platted until the southern channel of Goose Lake is closed off from the lake, or the shoreland issue around the channel is resolved in some other manner that is acceptable to the DNR. *Comments: The applicants have received MN DNR approval to restore the southern shore of Goose Lake back to its original state, closing off the southern channel and Wetland G. The applicant is responsible for following all requirements and conditions of the DNR permit, including the 5-year invasive species monitoring. The monitoring is required as part of the first phase Landscape License Agreement. The 3rd Addition Final Plat application has been sent to the MNDNR for comment to ensure they have had no issues. The City has heard nothing back in regards to the application or notification of issues.*
- 17) The applicant shall work to relocate segments of the northern buffer trail further to the south of the Stonegate subdivision wherever it is feasible as long as the trail does not encroach on any required wetland buffers. *Comments: The trail alignment was staked as part of the first phase. There is a proposed, bike-friendly boardwalk within the wetland areas.*

Recommended Findings. Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Hammes Estates 3rd Addition Final Plat:

- 1) That the Hammes Estates 3rd Addition Final Plat is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on July 1, 2013 and revised on September 19, 2016.
- 2) That the Hammes Estates 3rd Addition Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 3) That the Hammes Estates 3rd Addition Final Plat complies with the City's Urban Low Density Residential zoning district.
- 4) That the Hammes Estates 3rd Addition Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances, except as noted in this report or attachment thereof.
- 5) That the Hammes Estates 3rd Addition Final Plat complies with the City's subdivision ordinance.
- 6) That the Hammes Estates 3rd Addition Final Plat is consistent with the City's engineering standards with the exceptions noted by the City Engineer in his review comments to the City dated February 5, 2018.

Recommended Conditions of Approval. Based on the above Staff report and analysis, Staff is recommending approval of the Final Plat with conditions intended to address the outstanding issues noted above and to further clarify the City's expectations in order for the developer to proceed with the recording of the Final Plat. The recommended conditions are as follows:

- 1) Final grading, drainage, and erosion control plans, utility plans, sanitary and storm water management plans, and street and utility construction plans shall be reviewed and approved

by the City Engineer prior to the recording of the Final Plat. All changes and modifications to the plans requested by the City Engineer in the Hammes Estates 3rd Addition – Final Plat Engineering Review Comments and Hammes Estates 3rd Addition Construction Plan Review memo dated February 5, 2018 shall be incorporated into these documents before they are approved. The Final Plat shall not be recorded until final construction plan approval is granted.

- 2) Prior to the execution of the Final Plat by City officials, the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements with financial guarantees therefore.
- 3) All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat prior to the execution of the Final Plat by City Officials. This must include additional or expanded drainage and utility easements as outlined in the City Engineer's Memorandum dated February 5, 2018.
- 4) The plat shall be incorporated into the Hamme Estates Common Interest Agreement concerning management of the common areas of Hammes Estates and establishing a homeowner's association shall be submitted in final form to the Planning Director before a building permit may be issued for any structure within this subdivision. Said agreement shall comply with Minnesota Statutes 515B-103, and specifically the provisions concerning the transfer of control to the future property owners.
- 5) The applicant shall enter into a landscape license and maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the Final Plat.
- 6) The Final Landscape Plan shall be revised per the requested modifications and shall be approved prior to the release of Final Plat for recording.
- 7) Prior to the issuance of building permits, for Hammes Estates 3rd Addition, all wetland buffers shall be delineated and identified via staking or signage that is acceptable to the City.
- 8) The Final Plat should include proposed street names as indicated on the Construction Plans before recording of Final Plat.
- 9) Staff and the Parks Commission will review and approve plans for the equipment to be located in the private townhouse park area and these improvements shall be installed prior to issuance of building permits for Lots 1 and 2, Block 6.

EASEMENT VACATION

Rachel Development is also requesting vacation of a drainage and utility easement over all of Outlot B, Hammes Estates 1st Addition in order to record the final plat of Hammes Estates 3rd Addition. This drainage and utility easement was placed over Outlot B during phase 1 final plat in order for the City to have control and access of the drainage in the outlot. Outlot B will be developed into Hammes 3rd Addition and new easements will be put into place over planned drainage ways, ponds, infiltration

basins and along property lines as is customary. Staff has reviewed the proposed easement vacation and recommends approval.

Recommended Findings.

- 1) The proposed replat of Outlot B, Hammes Estates 1st Addition into Hammes Estates 3rd Addition complies with all applicable zoning and subdivision regulations.
- 2) The dedication of a new easements will be provided with the recording of Hammes Estates 3rd Addition to provide the same function as the one being vacated with no negative impact to the public.

Recommended Conditions of Approval. Because the applicant is requesting the easement vacation to be approved concurrently with the Hammes Estates Final Plat, Staff recommends that the following be a condition of approval of the easement vacation:

- 1) Final Plat of the Property over which the easement is subject must be approved by Council and recorded.

RECCOMENDATION:

Staff recommends that the Planning Commission recommend approval of the Final Plat for Hammes Estates 3rd Addition with the 9.

conditions of approval as listed in the Staff report. Suggested motion:

“Move to recommend approval of the Hammes Estates 3rd Addition Final Plat with the 9 conditions of approval based on the findings of fact listed in the Staff Report.”

Staff also recommends that the Planning Commission recommend approval of the request to vacate the easement over Outlot B of Hammes Estates 1st Addition. Suggested motion:

“Move to recommend approval of the request to vacate the easement over Outlot B, Hammes Estates 3rd Addition, subject to one condition of approval.”

ATTACHMENTS:

1. Application
2. Final Plat
3. Final Landscape Plans
4. City Engineer Review Memorandum, dated 2/5/2018
5. Landscape Review Comments
6. Fire Chief Review Comments
7. Easement Vacation Sketch

ORDER OF BUSINESS:

- Introduction Planning Staff
- Report by Staff Planning Staff
- Public Hearing..... Chair & Commission Members

- Questions from the Commission Chair & Commission Members
- Discussion by the Commission Chair & Commission Members
- Action by the Commission Chair & Commission Members

Date Received: _____
Received By: _____
LU File #: _____



651-747-3900
3800 Laveme Avenue North
Lake Elmo, MN 55042

FINAL PLAT APPLICATION

Applicant: Rachel Development
Address: 4125 Napier Court NE, St. Michael MN 55376
Phone #: 763 424 1525
Email Address: dstradtman@racheldevelopment.com

Fee Owner: Same.
Address: _____
Phone #: _____
Email Address: _____

Property Location (Address): N/A
Complete (long) Legal Description: Outlot B, Hammes Estates 1st Addition
PID#: 340292130004

General information of proposed subdivision: final phase of Hammes Estates, 69
single family lots.

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning Ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant:  Date: 1/10/18

Fee Owner Signature:  Date: 1/10/18



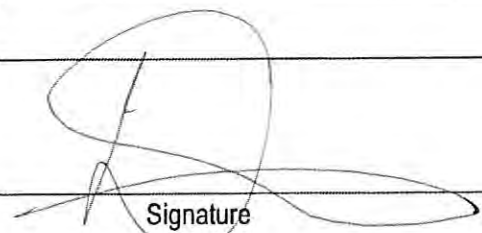
Lake Elmo City Hall
651-747-3900
3800 Laveme Avenue North
Lake Elmo, MN 55042

AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

Name of applicant Rachel Development
(Please Print)

Street address/legal description of subject property Lot B, Hammes Estates 1st Addition.


Signature

1/10/18
Date

If you are not the fee owner, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

If a corporation is fee title holder, attach a copy of the resolution of the Board of Directors authorizing this action.

If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.



Lake Elmo City Hall
651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042


ACKNOWLEDGEMENT OF RESPONSIBILITY

This is to certify that I am making application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am the party whom the City should contact regarding any matter pertaining to this application.

I have read and understand the instructions supplied for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I will keep myself informed of the deadlines for submission of material and of the progress of this application.

I understand that this application may be reviewed by City staff and consultants. I further understand that additional information, including, but not limited to, traffic analysis and expert testimony may be required for review of this application. I agree to pay to the City upon demand, expenses, determined by the City, that the City incurs in reviewing this application and shall provide an escrow deposit to the City in an amount to be determined by the City. Said expenses shall include, but are not limited to, staff time, engineering, legal expenses and other consultant expenses.

I agree to allow access by City personnel to the property for purposes of review of my application.

Signature of applicant  Date 1/10/18

Name of applicant David Stradtman Phone 763 424 1525
(Please Print)

Name and address of Contact (if other than applicant) _____
Rachel Development
4125 Napier Court NE
St. Michael, MN 55376

Date Received: _____
Received By: _____
Permit #: _____



651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

LAND USE APPLICATION

- Comprehensive Plan Zoning District Amend Zoning Text Amend Variance*(see below) Zoning Appeal
- Conditional Use Permit (C.U.P.) Flood Plain C.U.P. Interim Use Permit (I.U.P.) Excavating/Grading
- Lot Line Adjustment Minor Subdivision Residential Subdivision Sketch/Concept Plan
- PUD Concept Plan PUD Preliminary Plan PUD Final Plan Wireless Communications Easement Vacation

Applicant: Rachel Development
Address: 4125 Napier Court NE, St. Michael MN 55376
Phone #: 763 424 1525
Email Address: dstradtman@racheldevelopment.com

Fee Owner: Same.
Address: _____
Phone #: _____
Email Address: _____

Property Location (Address): N/A
(Complete (long) Legal Description): Outlot B, Hammes Estates 1st Addition
PID#: 3402921130004

Detailed Reason for Request: vacate easement to allow platting of 3rd Addition

*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: [Signature] Date: 1/10/18
Signature of fee owner: [Signature] Date: 1/10/18

January 16, 2018

Emily Becker
Planning Director
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042

Re: Hammes Estates 3rd Addition Final Plat Narrative
PID: 3402921130004
File 0009282.03
Cc: David Stradtman, Rachel Development

Dear Ms. Becker:

Rachel Development proposes to develop Hammes Estates 3rd Addition consisting of 69 single family lots. This will be the final phase of Hammes Estates. Plat recording is anticipated in spring 2018 with construction starting in spring as soon as weather conditions allow. The first phase of construction as shown on the enclosed Final Construction Plans will be completed in 2018. The remaining site construction is anticipated to be completed in 2019. However if sales are strong, the entire site may be completed in 2018.

Rachel Development, 5125 Napier Court NE, St. Michael MN 55376 is the Developer and Fee Owner of the proposed development. Park dedication was addressed with the Development Agreement for Hammes Estates 1st Addition. Outlot A will be dedicated as park per that Agreement. This submittal package is the Final Plat application along with supporting documents and application fees, including:

- Final Plat Application
- Affirmation of Sufficient Interest
- Acknowledgement of Responsibility
- Easement Vacation Application
- Applications Fee Check for **\$1,765** (\$1,250 Final Plat, \$515 Easement Vacation)
- Property Legal Description
- Parcel, Right-of-Way and Wetland Areas Table
- Easement Vacation Exhibit and Description
- Final Plat
- Final Construction Plans and Specifications
- Revised Grading Plan & Minimum Floor Elevation Table
- Mailing Labels of Property Owners Within 350 Feet

Outlot A will be dedicated to the City for parkland. Outlots B & D will be dedicated to the City for stormwater and utilities. Outlot C will be owned by the Home Owners Association for use as a tot lot.

Please review this application package for completeness and place us on the first available public hearing. Contact me if you have any questions or need additional information.

Sincerely,

WESTWOOD PROFESSIONAL SERVICES



John Bender
Project Manager

Enclosures:

- Final Plat Application
- Affirmation of Sufficient Interest
- Acknowledgement of Responsibility
- Easement Vacation Application
- Applications Fee Check for **\$1,765** (\$1,250 Final Plat, \$515 Easement Vacation)
- Property Legal Description
- Parcel, Right-of-Way and Wetland Areas Table
- Mailing Labels of Property Owners Within 350 Feet
- Minimum Floor Elevation Table
- Storm sewer design calculations spreadsheet
- 5 full size & 10 reduced Final Construction Plans
- 2 Construction Specifications books
- 5 full size & 10 reduced Final Plat
- 10 Easement Vacation Sketch Exhibits (legal size)
- 2 full size & 1 reduced Grading & Erosion Control Plans

HAMMES ESTATES 3RD ADDITION

KNOW ALL PERSONS BY THESE PRESENTS: That Rachel Development, Inc., a Minnesota corporation, fee owner of the following described property situated in the County of Washington, State of Minnesota, to wit:

Outlot B, HAMMES ESTATES 1ST ADDITION according to the recorded plat thereof, Washington County, Minnesota.

Have caused the same to be surveyed and platted as **HAMMES ESTATES 3RD ADDITION** and do hereby donate and dedicate to the public for public use forever the public ways, as shown on this plat and also dedicate the easements as created by this plat for drainage and utility purposes only.

In witness whereof said Rachel Development, Inc., a Minnesota corporation, has caused these presents to be signed by Donald Rachel, Chief Executive Officer, this _____ day of _____, 20____.

By _____
Donald Rachel, Chief Executive Officer

STATE OF MINNESOTA

COUNTY OF _____

The foregoing instrument was acknowledged before me on this _____ day of _____, 20____, by Donald Rachel, Chief Executive Officer of Rachel Development, Inc., a Minnesota corporation, on behalf of the corporation.

(Signature) (Name Printed)

Notary Public, _____ County, Minnesota

My Commission Expires _____

I hereby certify that I have surveyed and platted or directly supervised the survey and platting of the property described on this plat as **HAMMES ESTATES 3RD ADDITION**; 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 the plat; that all monuments depicted on the plat have been or will be correctly set within one year; that all water boundaries and wet lands as defined in MS Section 505.01, Subd. 3 existing as of the date of this certification are shown and labeled on the plat; and that all public ways are shown and labeled on the plat.

Dated this _____ day of _____, 20____.

Craig W. Morse, Licensed Land Surveyor
Minnesota License No. 23021

STATE OF MINNESOTA

COUNTY OF HENNEPIN

The foregoing Surveyor's Certificate was acknowledged before me on this _____ day of _____, 20____, by Craig W. Morse, Licensed Land Surveyor, Minnesota License No. 23021.

(Signature) (Name Printed)

Notary Public, _____ County, Minnesota

My Commission Expires _____

CITY PLANNING COMMISSION

Approved by the Planning Commission of the City of Lake Elmo, Minnesota, on this _____ day of _____, 20____.

By _____ By _____
Chair Secretary

CITY OF LAKE ELMO, MINNESOTA

This plat was approved by the City Council of the City of Lake Elmo, Minnesota this _____ day of _____, 20____, and hereby certifies compliance with all requirements as set forth in Minnesota Statutes, Section 505.03, Subdivision 2.

By _____ By _____
Mayor 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 _____, 20____.

By _____ By _____
Washington County Surveyor

COUNTY AUDITOR/TREASURER

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this _____ day of _____, 20____.

By _____ By _____
Washington County Auditor/Treasurer Deputy

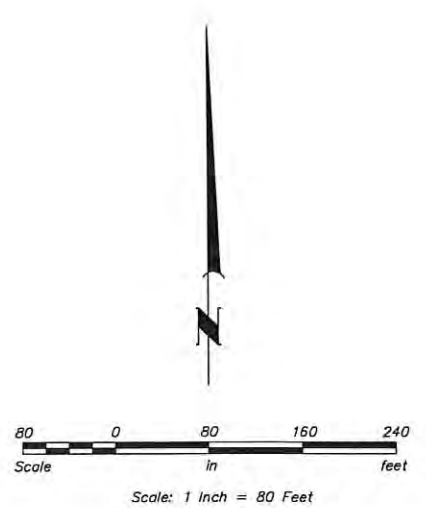
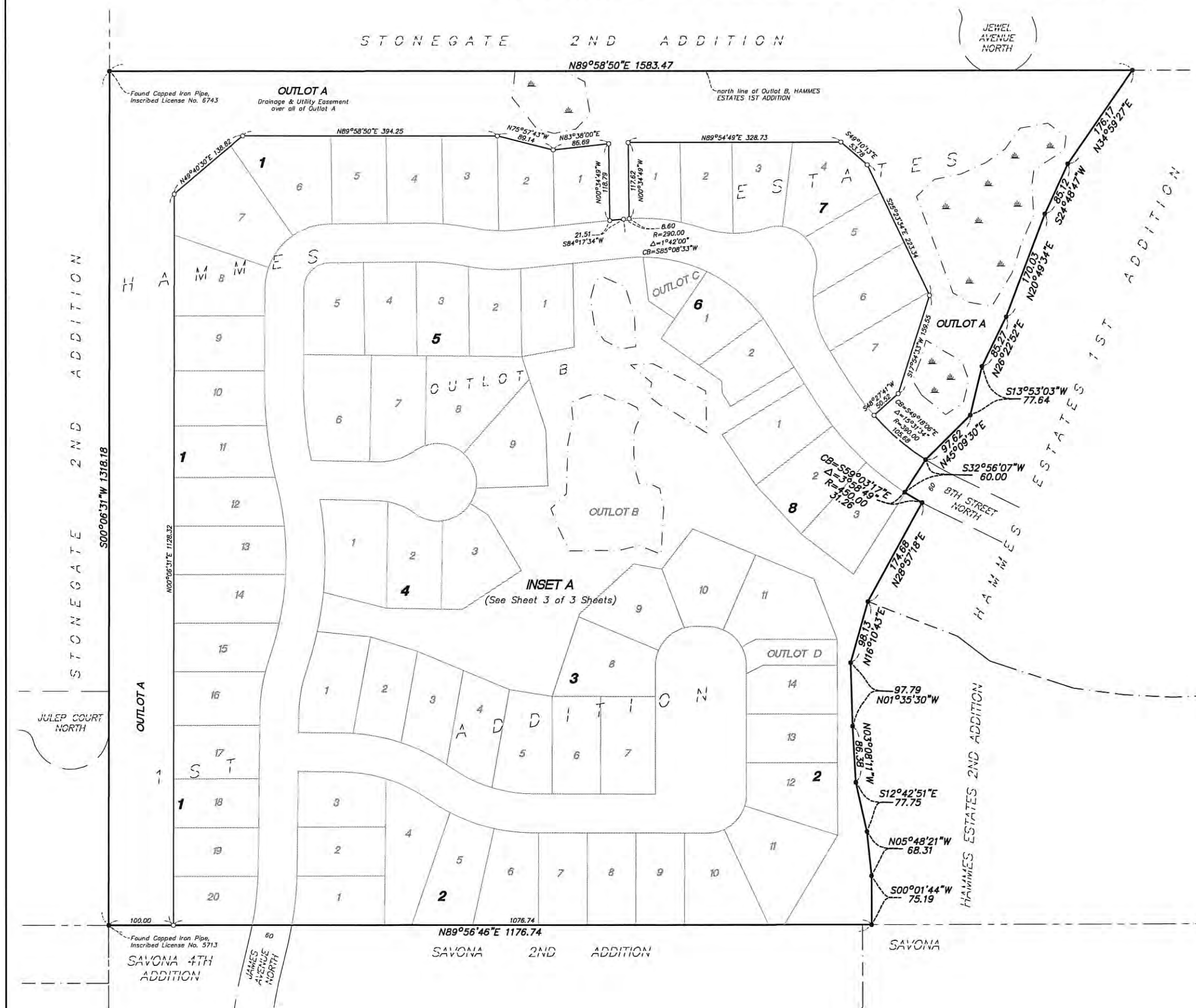
COUNTY RECORDER

Document Number _____

I hereby certify that this instrument was recorded in the office of the County Recorder for record on this _____ day of _____, 20____, at _____ o'clock _____M., and was duly recorded in Washington County Records.

By _____ By _____
Washington County Recorder Deputy

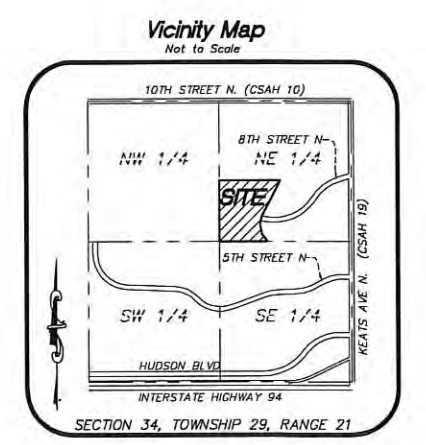
HAMMES ESTATES 3RD ADDITION



The orientation of this bearing system is based on the north line of Outlot B, HAMMES ESTATES 1ST ADDITION, which is assumed to bear N 89°58'50" E

- Denotes 1/2 inch by 14 inch iron rebar set and marked by License No. 23021
- Denotes 1/2 inch by 14 inch iron rebar found and marked by License No. 23021, unless otherwise shown

Wetlands were delineated by Bobroy Environmental in September of 2013

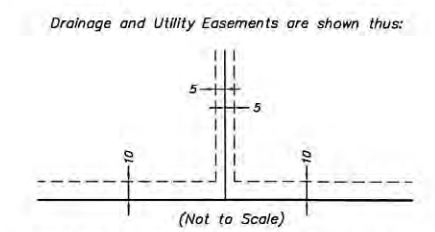
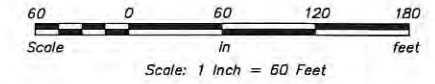
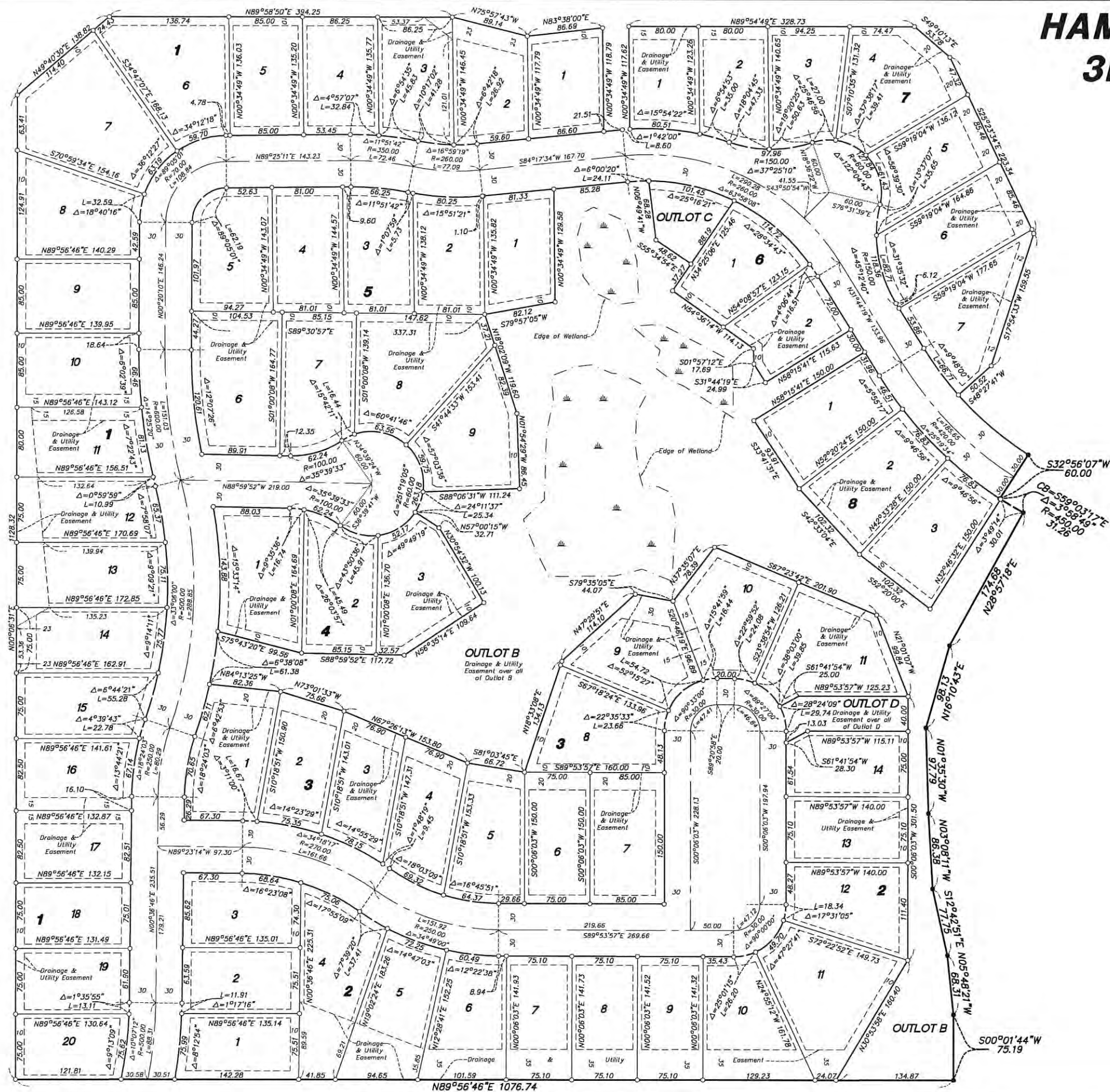


INSET A
(See Sheet 3 of 3 Sheets)

HAMMES ESTATES 3RD ADDITION

INSET A

(From Sheet 2 of 3 Sheets)

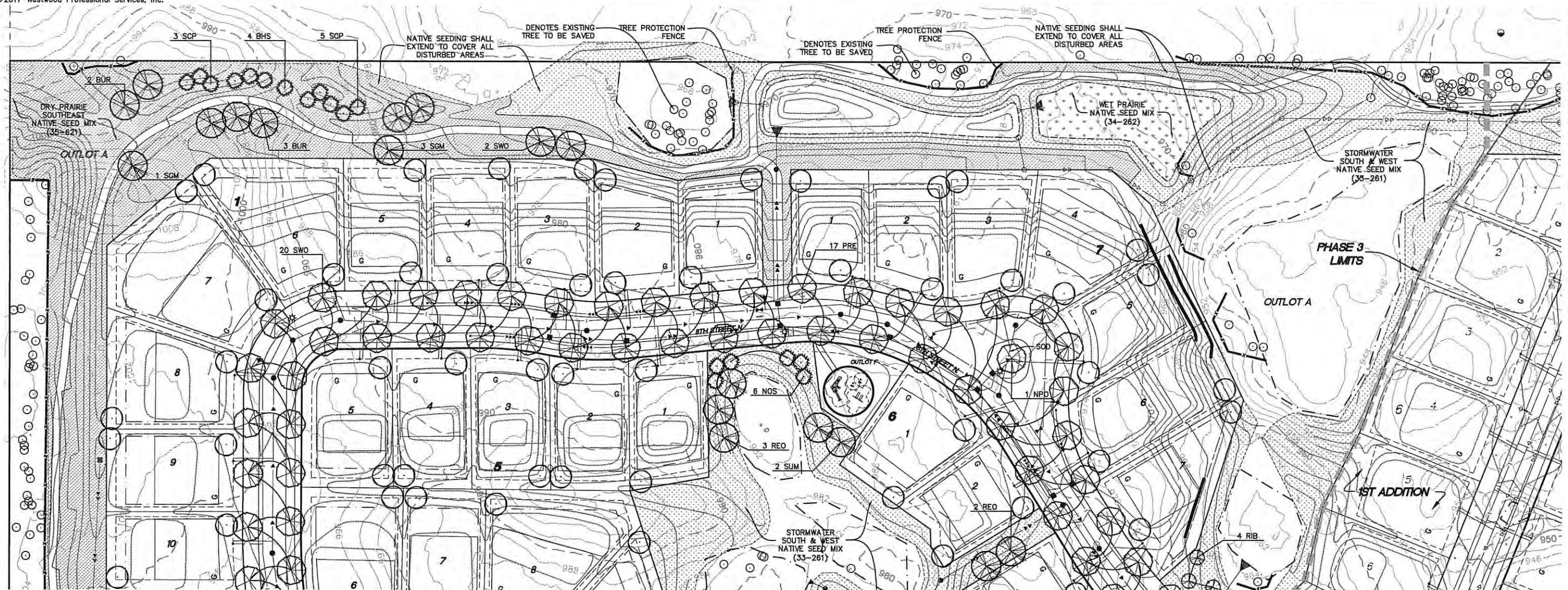


Being 5 feet in width, unless otherwise indicated, and adjoining lot lines, and 10 feet in width and adjoining right-of-way lines as shown on the plat.

The orientation of this bearing system is based on the north line of Outlot B, HAMMES ESTATES 1ST ADDITION, which is assumed to bear N 89°58'50" E

- Denotes 1/2 inch by 14 inch iron rebar set and marked by License No. 23021
- Denotes 1/2 inch by 14 inch iron rebar found and marked by License No. 23021, unless otherwise shown

Wetlands were delineated by Bobray Environmental in September of 2013



Landscape Requirement Calculations

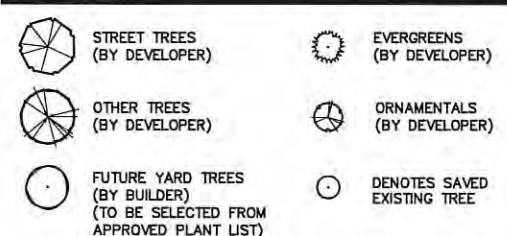
OVERALL LANDSCAPE REQUIREMENTS:	
FIVE TREES PER ACRE X SITE AREA (67.1 AC) (326 trees @ 2-1/2" cal inches)	= 840 CAL IN. REQUIRED
OVERALL STREET TREE REQUIREMENTS:	
1 TREE PER 50 STREET FRONTAGE (16,381 LF) (326 trees @ 2-1/2" cal inches)	= 820 CAL IN. REQUIRED
SUBTOTAL LANDSCAPE REQUIREMENTS:	= 1660 CAL IN. REQUIRED
TREE REPLACEMENT REQUIREMENTS:	= 884 CAL IN. REQUIRED
OVERALL LANDSCAPING REQUIREMENTS:	= 2544 CAL IN. REQUIRED
OVERALL LANDSCAPING PROVIDED: (INCLUDES ALL PLANTINGS ON-SITE)	= 2545 CAL IN. PROVIDED
PHASE 3 LANDSCAPE REQUIREMENTS:	
FIVE TREES PER ACRE X SITE AREA (28.0 AC) (140 trees @ 2-1/2" cal inches)	= 350 CAL IN. REQUIRED
PHASE 3 STREET TREE REQUIREMENTS:	
1 TREE PER 50 STREET FRONTAGE (6,810 LF) (137 trees @ 2-1/2" cal inches)	= 342.5 CAL IN. REQUIRED
SUBTOTAL LANDSCAPE REQUIREMENTS:	= 692.5 CAL IN. REQUIRED
PHASE 3 TREE REPLACEMENT REQUIREMENTS: (41.7% OF TOTAL SITE AREA)(884 CAL IN. @ .417)	= 369 CAL IN. REQUIRED
PHASE 3 LANDSCAPING REQUIREMENTS:	= 1061.5 CAL IN. REQUIRED
PHASE 3 TOTAL LANDSCAPING PROVIDED:	= 1063 CAL IN. PROVIDED
STREET TREES BY DEVELOPER (144 trees @ 3")	= 432 CAL IN.
OTHER PLANTINGS BY DEVELOPER (33 trees @ 3")	= 99 CAL IN.
FUTURE YARD TREES BY BUILDER (138 trees @ 3")	= 414 CAL IN.
ORNAMENTAL TREES BY DEVELOPER (4 trees @ 2")	= 8 CAL IN.
EVERGREEN TREES BY DEVELOPER (44 trees @ 2.5")	= 110 CAL IN.

Final Plant Schedule

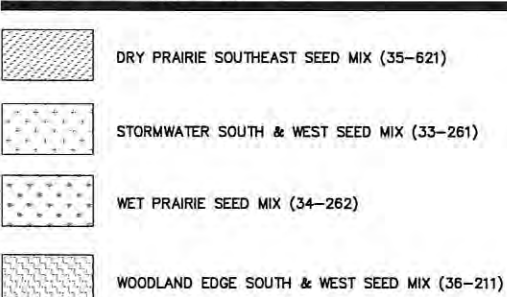
CODE	QTY.	COMMON/BOTANICAL NAME	SIZE	SPACING
APPROVED PLANT LIST				
SUM	16	Sugar Maple / <i>Acer saccharum</i>	3" BB	AS SHOWN
ABM	23	Autumn Blaze Maple / <i>Acer x freemanii 'Jeffers Red'</i>	3" BB	AS SHOWN
SGM	18	Sienna Glen Maple / <i>Acer x freemanii 'Sienna'</i>	3" BB	AS SHOWN
SKH	---	Skyline Honeylocust / <i>Gleditsia triacanthos inermis 'Skycole'</i>	3" BB	AS SHOWN
NPO	13	Northern Pin Oak / <i>Quercus ellipsoidalis</i>	3" BB	AS SHOWN
REO	12	Red Oak / <i>Quercus rubra</i>	3" BB	AS SHOWN
SWO	32	Swamp White Oak / <i>Quercus bicolor</i>	3" BB	AS SHOWN
BUR	8	Bur Oak / <i>Quercus macrocarpa</i>	3" BB	AS SHOWN
BOL	24	Boulevard Linden / <i>Tilia americana 'Boulevard'</i>	3" BB	AS SHOWN
GSL	---	Greenspire Linden / <i>Tilia cordata 'Greenspire'</i>	3" BB	AS SHOWN
DCE	14	Discovery Elm / <i>Ulmus davidiana var. japonica 'Discovery'</i>	3" BB	AS SHOWN
PRE	17	Princeton Elm / <i>Ulmus americana 'Princeton'</i>	3" BB	AS SHOWN
ORNAMENTALS				
RIB	4	River Birch / <i>Betula nigra</i>	6' HT., BB CLUMP	AS SHOWN
TCH	---	Thornless Cockspur Hawthorn / <i>Crataegus crusgalli 'inermis'</i>	2" BB	AS SHOWN
JTL	---	Japanese Tree Lilac / <i>Syringa reticulata</i>	6' HT., BB CLUMP	AS SHOWN
DSB	---	Downy Serviceberry / <i>Amelanchier arborea</i>	2" BB	AS SHOWN
ALS	---	Allegheny Serviceberry / <i>Amelanchier laevis</i>	6' HT., BB CLUMP	AS SHOWN
WSB	---	Whitespire Birch / <i>Betula populifolia 'Whitespire'</i>	2" BB	AS SHOWN
PFC	---	Prairiefire Crab / <i>Malus 'Prairiefire'</i>	2" BB	AS SHOWN
POC	---	Profusion Crab / <i>Malus 'Profusion'</i>	2" BB	AS SHOWN
SSC	---	Spring Snow Crab / <i>Malus 'Spring Snow'</i>	2" BB	AS SHOWN
EVERGREENS				
BHS	7	Black Hills Spruce / <i>Picea glauca densata</i>	6' HT., BB	AS SHOWN
AUP	---	Austrian Pine / <i>Pinus nigra</i>	6' HT., BB	AS SHOWN
NOS	14	Norway Spruce / <i>Picea abies</i>	6' HT., BB	AS SHOWN
SCP	8	Scotch Pine / <i>Pinus sylvestris</i>	6' HT., BB	AS SHOWN
WHP	15	White Pine / <i>Pinus strobus</i>	6' HT., BB	AS SHOWN

NOTES: • QUANTITIES ON PLAN SUPERSEDE LIST QUANTITIES IN THE EVENT OF A DISCREPANCY.
 • STREET TREE LOCATIONS AND SPACING ARE SUBJECT TO CHANGE BASED ON CONSTRUCTED DRIVEWAY AND UTILITY LOCATIONS.
 • ALL TREES TO BE FIELD LOCATED AND APPROVED BY CITY PRIOR TO PLANTING

Legend

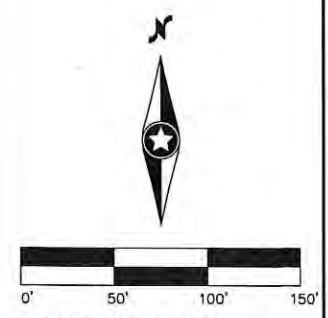


Native Seeding Legend



1. FROM THE TIME OF THE COMMENCEMENT OF THE PROJECT, THE CITY OF LAKE ELMO SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE LANDSCAPE AND SHALL BE RESPONSIBLE FOR THE REPLACEMENT OF ANY TREES THAT DIE OR ARE DAMAGED DURING THE PROJECT. THE CITY SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE LANDSCAPE AND SHALL BE RESPONSIBLE FOR THE REPLACEMENT OF ANY TREES THAT DIE OR ARE DAMAGED DURING THE PROJECT. THE CITY SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE LANDSCAPE AND SHALL BE RESPONSIBLE FOR THE REPLACEMENT OF ANY TREES THAT DIE OR ARE DAMAGED DURING THE PROJECT.

STANDARD PLAN NOTES
 FEBRUARY 2015
 CITY OF LAKE ELMO



Call 48 Hours before digging:
811 or call811.com
 Common Ground Alliance 0009282.03PLF01.dwg
 Date 12/29/17 Sheet 1 OF 3

Westwood
 Phone (652) 937-5150 7699 Anagram Drive
 Fax (652) 937-5822 Eden Prairie, MN 55344
 TollFree (888) 937-5150 westwoodps.com
 Westwood Professional Services, Inc.

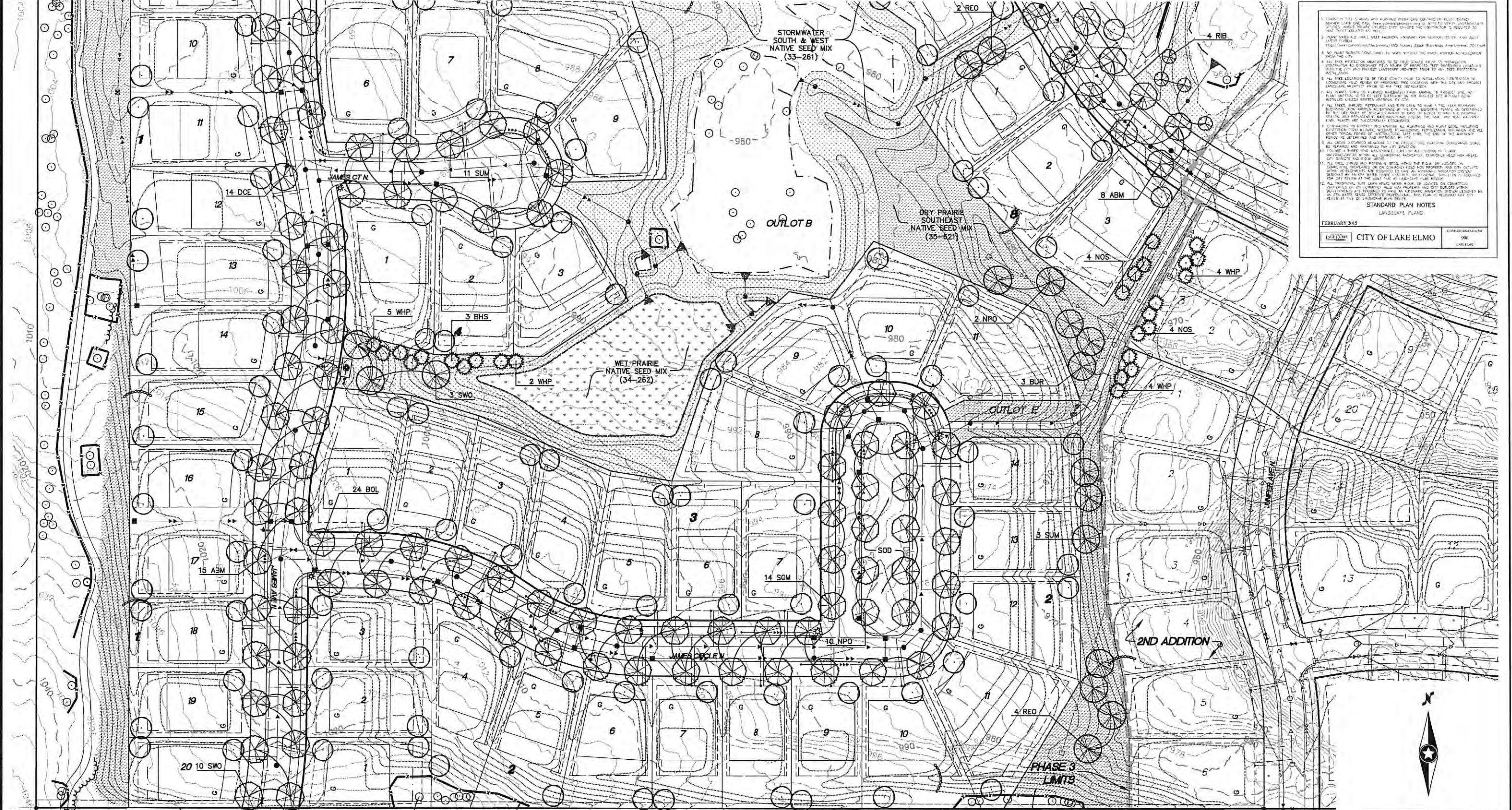
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed LANDSCAPE ARCHITECT under the laws of the State of Minnesota.
 Cory Meyer
 Date 12/29/16 License No. 26971

Revisions:
 Design:
 Check:
 Drawn:
 Record Drawing by/date:

Prepared for:
Rachel Development
 4125 Napier Court NE
 St. Michael, Minnesota 55376

Hammes
Estates 3rd
Addition
 Lake Elmo, Minnesota

Final Landscape Plan



1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LAKE ELMO AND THE STATE OF MINNESOTA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LAKE ELMO AND THE STATE OF MINNESOTA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LAKE ELMO AND THE STATE OF MINNESOTA.

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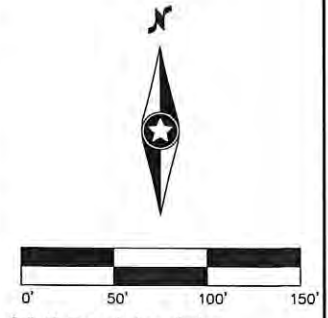
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STANDARD PLAN NOTES
LANDSCAPE PLAN
FEBRUARY 2015
CITY OF LAKE ELMO
900
LAKE ELMO



DENOTES EXISTING TREE TO BE SAVED TREE PROTECTION FENCE NATIVE SEEDING SHALL EXTEND TO COVER ALL DISTURBED AREAS

Call 48 Hours before digging:
811 or call811.com
Common Ground Alliance 0009282.03PLF02.dwg
Date 12/29/17 Sheet: 2 OF 3

Westwood
Phone (952) 937-5150 7609 Anagram Drive
Fax (952) 937-5822 Eden Prairie, MN 55344
Tel/Fax (952) 937-5150 westwoodps.com
Westwood Professional Services, Inc.

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed LANDSCAPE ARCHITECT under the laws of the State of Minnesota.
Cory Meyer
Date 12/29/16 License No. 26971

Revisions:

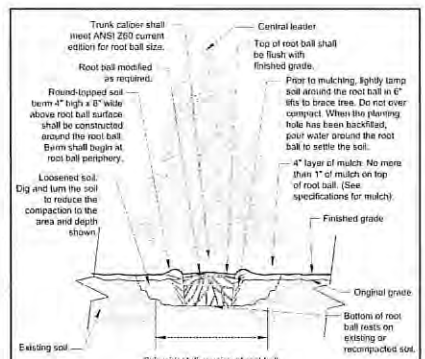
Designed:
Checked:
Drawn:
Record Drawing by/date:

Prepared for:

Rachel Development
4125 Napier Court NE
St. Michael, Minnesota 55376

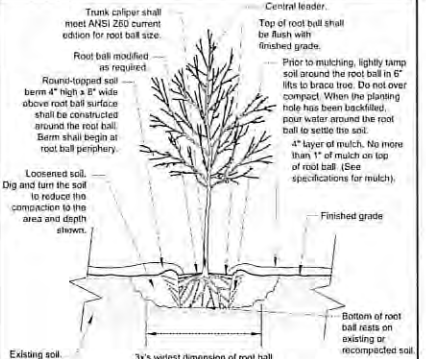
Hammes Estates 3rd Addition
Lake Elmo, Minnesota

Final Landscape Plan



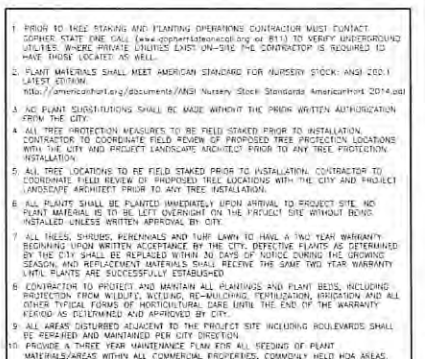
1. Modified soil - Depth of soil varies (see specifications for soil modification).
 2. Trees shall be of quality prescribed in crown observations and root observations details and specifications.
 3. See specifications for further requirements related to this detail.
- Poorly Drained Soil Notes:
1. Root ball surface shall be positioned to be one-quarter above finished grade.
 2. Existing site soil shall be added to create a smooth transition from the top of the raised root ball to the finished grade at a 15% max. slope.

CONIFEROUS TREE - MODIFIED/UNMODIFIED SOIL & POORLY DRAINED SOIL
 FEBRUARY 2015
 CITY OF LAKE ELMO
 901A
 LAKELAND



1. Modified soil - Depth of soil varies (see specifications for soil modification).
 2. Trees shall be of quality prescribed in crown observations and root observations details and specifications.
 3. See specifications for further requirements related to this detail.
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1. Root ball surface shall be positioned to be one-quarter above finished grade.
 2. Existing site soil shall be added to create a smooth transition from the top of the raised root ball to the finished grade at a 15% max. slope.

DECIDUOUS TREE - MODIFIED/UNMODIFIED SOIL & POORLY DRAINED SOIL
 FEBRUARY 2015
 CITY OF LAKE ELMO
 902A
 LAKELAND



1. Modified soil - Depth of soil varies (see specifications for soil modification).
 2. Trees shall be of quality prescribed in crown observations and root observations details and specifications.
 3. See specifications for further requirements related to this detail.
- Poorly Drained Soil Notes:
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CONIFEROUS TREE - MODIFIED/UNMODIFIED SOIL & POORLY DRAINED SOIL
 FEBRUARY 2015
 CITY OF LAKE ELMO
 900
 LAKELAND

STANDARD PLAN NOTES
 LANDSCAPE PLANS

Supplemental Planting Notes

1. ACTUAL LOCATION OF PLANT MATERIAL IS SUBJECT TO FIELD AND SITE CONDITIONS.
2. NO PLANTING WILL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
3. PRUNE PLANTS AS NECESSARY - PER STANDARD NURSERY PRACTICE AND TO CORRECT POOR BRANCHING OF EXISTING AND PROPOSED TREES.
4. CONTRACTOR SHALL PROVIDE TWO YEAR GUARANTEE OF ALL PLANT MATERIALS. THE GUARANTEE BEGINS ON THE DATE OF THE LANDSCAPE ARCHITECT'S OR OWNER'S WRITTEN ACCEPTANCE OF THE INITIAL PLANTING. REPLACEMENT PLANT MATERIAL SHALL HAVE A ONE YEAR GUARANTEE COMMENCING UPON PLANTING.
5. THE NEED FOR SOIL AMENDMENTS SHALL BE DETERMINED PRIOR TO ANY PLANTING OPERATIONS AND SHALL BE BASED UPON EXAMINATION AND/OR TESTING OF THE EXISTING SOIL CONDITIONS. LANDSCAPE CONTRACTOR SHALL NOTIFY THE LA FOR A FIELD REVIEW OF SOIL CONDITIONS PRIOR TO PLANTING. LANDSCAPE ARCHITECT WILL DETERMINE THE NEED FOR ANY SOIL AMENDMENTS.
6. BACKFILL SOIL AND TOPSOIL TO ADHERE TO MN/DOT STANDARD SPECIFICATION 3877 (FOR COMMON TOPSOIL BORROW) AND SHALL BE NATIVE TOP SOIL FROM SITE FREE OF ROOTS, ROCKS LARGER THAN ONE INCH, SUBSOIL DEBRIS, AND LARGE WEEDS. MINIMUM OF 4" DEPTH OF TOPSOIL IS REQUIRED FOR ALL PERENNIALS, LAWN GRASS, AND NATIVE SEEDING AREAS. MINIMUM OF 12" DEPTH BACKFILL TOPSOIL IS REQUIRED FOR TREE AND SHRUB PLANTINGS.
7. MULCH TO BE AT ALL TREE, SHRUB, PERENNIAL, AND MAINTENANCE AREAS. SHREDDED HARDWOOD MULCH TO BE USED AROUND ALL PLANTS WITHIN TURF AREAS, PERENNIAL AND ORNAMENTAL GRASS BEDS SHALL HAVE 2" DEPTH SHREDDED HARDWOOD MULCH. MULCH TO BE FREE OF DELETERIOUS MATERIAL.
8. EDGING TO BE SPADED EDGE, UNLESS OTHERWISE INDICATED. SPADED EDGE TO PROVIDE V-SHAPED DEPTH AND WIDTH TO CREATE SEPARATION BETWEEN MULCH AND GRASS. INDIVIDUAL TREE, SHRUB, OR RAIN-GARDEN BEDS TO BE SPADED EDGE, UNLESS NOTED OTHERWISE.
9. PROVIDE IRRIGATION TO ALL STREET TREE AND BUFFER LANDSCAPING ON SITE. REAR YARD AND OPEN SPACE PLANTINGS WILL NOT BE IRRIGATED. IRRIGATION SYSTEM TO BE DESIGN/NOTED BY LANDSCAPE CONTRACTOR. LANDSCAPE CONTRACTOR TO PROVIDE SHOP DRAWINGS TO CITY OF LAKE ELMO FOR APPROVAL PRIOR TO INSTALLATION OF IRRIGATION SYSTEM. CONTRACTOR TO PROVIDE OPERATION MANUALS, AS-BUILT PLANS, AND NORMAL PROGRAMMING. SYSTEM SHALL BE WINTERIZED AND HAVE SPRING STARTUP DURING FIRST YEAR OF OPERATION. SYSTEM SHALL HAVE ONE-YEAR WARRANTY ON ALL PARTS AND LABOR. ALL INFORMATION ABOUT INSTALLATION AND SCHEDULING CAN BE OBTAINED FROM THE GENERAL CONTRACTOR.
10. REPAIR ALL DAMAGE TO PROPERTY FROM PLANTING OPERATIONS AT NO COST TO OWNER.
11. ALL DISTURBED AREAS WITHIN OUTLOTS TO BE SEEDDED WITH NATIVE GRASS SEED MIX, AS INDICATED, UNLESS NOTED OTHERWISE. ALL AREAS WITHIN INDIVIDUAL LOTS TO BE SOODED. SOO TO BE STANDARD MINNESOTA GROWN AND HARDY BLUEGRASS MIX, FREE OF LAWN WEEDS. ALL TOPSOIL AREAS TO BE RAKED TO REMOVE DEBRIS AND ENSURE DRAINAGE. SEED AS SPECIFIED PER MN STATE SEED MIX SPECIFICATIONS (SEE SEED MIX TABLES).

Dry Prairie Native Seed Mix

Common Name	Scientific Name	Rate (lb/ha)	Rate (lb/ac)	% of Mix (% by wt)	Seed/ha R
big bluestem	<i>Andropogon gerardii</i>	1.27	1.13	10.23%	2.48
blue grama	<i>Bouteloua curtipendula</i>	0.76	0.68	6.18%	10.06
lamb's tongue	<i>Bromus tectorum</i>	0.28	0.25	2.25%	0.98
meadow wild rye	<i>Elymus canadensis</i>	1.68	1.50	13.61%	3.86
western wheatgrass	<i>Elymus trichyachne</i>	1.32	1.18	10.76%	2.90
junegrass	<i>Hordeum molle</i>	0.46	0.41	3.71%	30.88
live bluestem	<i>Stipa capensis</i>	0.19	0.17	1.52%	0.30
hard fescue	<i>Festuca arvensis</i>	0.28	0.25	2.25%	1.50
total grasses		8.87	7.90	85.28%	75.84
total cover crop		0.67	0.60	5.92%	0.69
total		9.54	8.50	100.00%	82.72

Stormwater Native Seed Mix

Common Name	Scientific Name	Rate (lb/ha)	Rate (lb/ac)	% of Mix (% by wt)	Seed/ha R
big bluestem	<i>Andropogon gerardii</i>	2.24	2.00	17.79%	7.35
big bluestem	<i>Andropogon gerardii</i>	2.24	2.00	17.79%	7.35
blue grama	<i>Bouteloua curtipendula</i>	0.87	0.78	6.83%	8.40
meadow wild rye	<i>Elymus canadensis</i>	1.12	1.00	8.68%	2.13
western wheatgrass	<i>Elymus trichyachne</i>	1.88	1.69	14.59%	2.31
junegrass	<i>Hordeum molle</i>	0.43	0.39	3.37%	1.81
live bluestem	<i>Stipa capensis</i>	1.18	1.06	9.28%	10.78
hard fescue	<i>Festuca arvensis</i>	0.13	0.12	1.09%	0.55
total grasses		8.83	7.93	80.78%	80.78
total cover crop		0.29	0.26	2.31%	2.10
total		9.12	8.19	100.00%	82.88

Wet Prairie Native Seed Mix

Common Name	Scientific Name	Rate (lb/ha)	Rate (lb/ac)	% of Mix (% by wt)	Seed/ha R
big bluestem	<i>Andropogon gerardii</i>	1.17	1.07	6.69%	3.67
big bluestem	<i>Andropogon gerardii</i>	1.17	1.07	6.69%	3.67
blue grama	<i>Bouteloua curtipendula</i>	1.88	1.69	14.59%	8.68
meadow wild rye	<i>Elymus canadensis</i>	0.84	0.76	6.27%	4.03
western wheatgrass	<i>Elymus trichyachne</i>	1.96	1.75	14.07%	3.70
junegrass	<i>Hordeum molle</i>	0.43	0.39	3.37%	2.68
live bluestem	<i>Stipa capensis</i>	0.84	0.76	6.27%	3.85
hard fescue	<i>Festuca arvensis</i>	0.22	0.20	1.68%	0.60
total grasses		6.86	6.29	44.36%	22.20
total cover crop		0.16	0.15	1.20%	1.20
total		7.02	6.44	100.00%	40.80

Woodland Native Seed Mix

Common Name	Scientific Name	Rate (lb/ha)	Rate (lb/ac)	% of Mix (% by wt)	Seed/ha R
big bluestem	<i>Andropogon gerardii</i>	1.12	1.00	2.90%	2.69
blue grama	<i>Bouteloua curtipendula</i>	1.12	1.00	2.90%	2.35
meadow wild rye	<i>Elymus canadensis</i>	1.68	1.50	4.54%	4.40
western wheatgrass	<i>Elymus trichyachne</i>	1.40	1.25	3.61%	2.38
junegrass	<i>Hordeum molle</i>	0.36	0.32	0.91%	6.88
live bluestem	<i>Stipa capensis</i>	1.40	1.25	3.61%	3.18
hard fescue	<i>Festuca arvensis</i>	0.67	0.60	1.71%	0.30
total grasses		6.86	6.29	17.98%	24.45
total cover crop		1.12	1.00	2.90%	4.45
total		8.00	7.29	100.00%	28.90

Westwood Professional Services, Inc.
 7699 Ansgar Drive
 Eden Prairie, MN 55344
 PHONE 952-937-5150
 FAX 952-937-5822
 TOLL FREE 1-888-937-5150
 www.westwoodps.com

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed LANDSCAPE ARCHITECT under the laws of the State of Minnesota.
 Cory Meyer
 Date: 12/29/16 License No. 26971

Revisions:
 Design:
 Check:
 Record Drawing by/date:

Prepared for:
 Rachel Development
 4125 Napier Court NE
 St. Michael, Minnesota 55376

Call 48 Hours before digging:
811 or call811.com
 Common Ground Alliance
 0009282.03PLF03.dwg
 Date: 12/29/17 Sheet: 3 OF 3
Hammes Estates 3rd Addition
 Final Landscape Notes
 Lake Elmo, Minnesota

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: February 5, 2018

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

Re: Hammes Estates 3rd Addition – Final Plat
Engineering Review Comments

An engineering review has been completed for Hammes Estates 3rd Addition. Final Plat/Final Construction Plans were received on January 17, 2018. The submittal consisted of the following documentation prepared by Westwood Professional Services, or as noted:

- Hammes Estates 3rd Addition Final Plat, not dated.
- Hammes Estates 3rd Addition Construction Plans dated January 8, 2018.
- Hammes Estates 3rd Addition Construction Specifications dated December 12, 2017.
- Hammes Estates 3rd Addition Grading & Erosion Control Plans dated January 10, 2018.
- Storm Sewer Design Calculations dated January 10, 2018.

STATUS/FINDINGS: Engineering review comments have been provided in two separate memos; one for Final Plat approval, and one to assist with the completion of the final Construction Plans. Please see the following review comments relating to the Final Plat application.

FINAL PLAT: HAMMES ESTATES 3RD ADDITION

- Outlots A (trail & storm water), B (storm water), and D (utilities) must be dedicated to the City as part of the Final Plat. Outlot C (tot lot) is HOA owned. Outlot ownership must be noted on the final construction plans.
- The 8th Street eyebrow center island will be platted as right-of-way as required by preliminary plat approval. The center island landscaping will be HOA maintained (addressed in the Landscape Maintenance Agreement).
- 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.
- Hammes 3rd Addition includes trunk watermain (12-inch diameter) pipe oversizing along 8th Street North and James Avenue North, connecting to the existing 12-inch watermain in the Savona development. Payment for pipe oversizing from the City standard 8-inch pipe should be addressed in the development agreement.

FINAL CONSTRUCTION PLANS & SPECIFICATIONS

- Final Construction Plans and Specifications must be prepared in accordance with the City Engineering Design Standards Manual dated March 2017, using City details, plan notes and specifications and meeting City Engineering Design Guidelines.
- Final Construction Plans and Specifications must be revised in accordance with the Construction Plan engineering review memorandum dated February 5, 2018.
- No construction for Hammes Estates 3rd Addition may begin until the applicant has received City Engineer approval for the Final Construction Plans and Specifications; 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.
- The Final Plat shall not be recorded until final construction plan approval is granted.



February 5, 2018

David Stradtman
Rachel Development
4126 Napier Ct NE
St. Michael, MN 55376

Re: Hammes 3rd Addition Landscape Plan Review

Dear Mr. Stradtman,

Please see below the landscape plan review for Hammes 3rd Addition. The landscape plans are not approved. Please note the conditions of approval at the end of this letter, revise plans and resubmit.

Submittals

- Preliminary Landscape Plan and Tree Preservation Plan, dated June 23, 2016.
- Landscape Plans, dated December 29, 2017, received January 19, 2018.

Location: West of Keats Avenue and South of Goose Lake, Lake Elmo, MN

Land Use Category: Urban Low Density Residential

Surrounding Land Use Concerns: None.

Special landscape provisions in addition to the zoning code: There is a required buffer on the west and northern portion of this development as per the Comprehensive Land Use Plan.

Tree Preservation:

A tree preservation plan has been previously submitted along with the preliminary landscape plans.

Irrigation Plan:

An irrigation plan has not been submitted and needs to be submitted once complete for review and approval.

Landscape Requirements:

The phase 3 plan dated December 29, 2017 is consistent with the preliminary landscape plan dated June 23, 2016.

The proposed phase 3 plans show more than the required tree quantities, but the quantity shown is required to meet tree preservation replacement caliper inch requirements.

	Preliminary Plan	Phase 3 Required	Phase 3 Proposed	Lineal Feet
Street frontage	16381	6810		

Lake Shore	0	0		Lineal Feet
Stream Frontage	0	0		Lineal Feet
Total Linear Feet	16381	6810	0	Lineal Feet
/50 Feet = Required Frontage Trees	328	136	144	Trees

Development Area	67.1	28.0		Acres
/5 = Required Development Trees	336	140	219	Trees

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.

B. A landscape plan has been submitted that does not meet all requirements.

1. Provisions for irrigation and other water supplies.

	Qty	% Composition	
Deciduous Shade Tree	177	64%	>25% required
Coniferous Tree	44	16%	>25% required
Required # of Trees	276		

2. A minimum of twenty-five percent (25%) of the required number of trees shall be coniferous trees. This has not been met.
3. There is a discrepancy between the plant schedule and number of trees shown on the plan. REO – Red Oak / *Quercus rubra* lists 12 in the plant schedule and only 9 are counted on the plan. All 12 trees are required to meet the landscape and tree preservation caliper inch 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 – Screening is not required by City code

F. Maintenance and Installation of Materials – The landscape plan does include required City standard notes and details.

Findings:

1. An irrigation plan has not been provided and is required.

2. There is a discrepancy between the plant schedule and number of trees shown on the plan. REO – Red Oak / *Quercus rubra* lists 12 in the plant schedule and only 9 are counted on the plan.
3. The number of proposed coniferous trees does not meet the required 25% of the required number of trees.

Conditions of Approval:

1. Submit an irrigation plan.
2. Submit a revised landscape plan with 3 additional REO – Red Oak / *Quercus rubra* trees.
3. Submit a revised landscape plan that meets the required percentage of coniferous trees.

Please let me know if you have questions.

Sincerely,

Emily Becker
Planning Director 651-747-3912
ebecker@lakeelmo.org

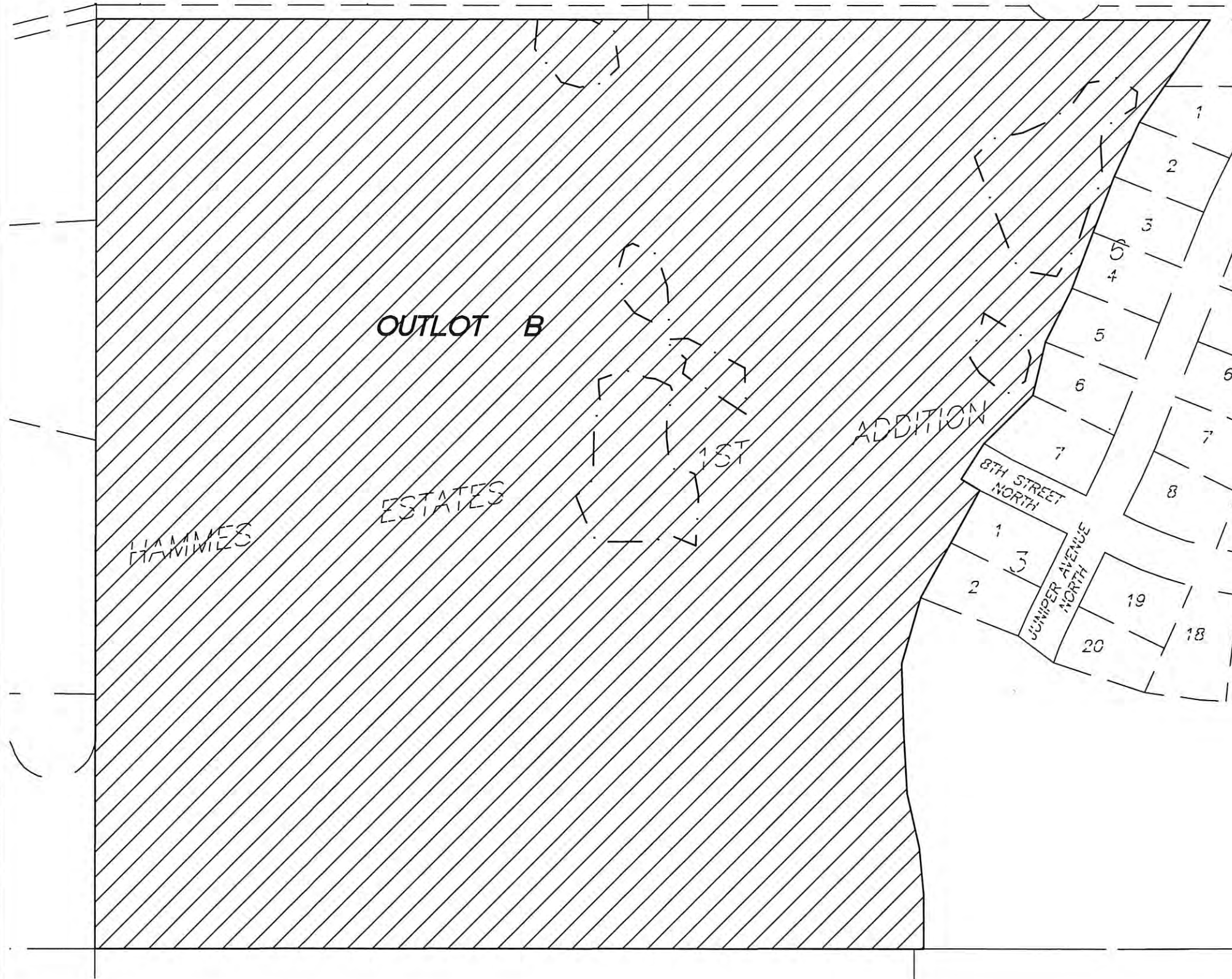
From: [Greg Malmquist](#)
To: [Emily Becker](#)
Cc: "[Chad Isakson](#)"
Subject: HAMMES 3rd
Date: Friday, January 19, 2018 2:12:34 PM
Attachments: [image001.png](#)

Here are my comment for the Hammes 3rd:

Hydrants on James Circle appear to exceed our 500' spacing. Possibly relocate middle hydrant east to comply?

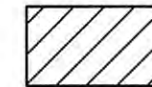


Greg Malmquist, Chief
Lake Elmo Fire Department
3510 Laverne Ave. No.
Lake Elmo, MN 55042
W-651-770-5006
C-651-775-1137
Fax-651-770-5620

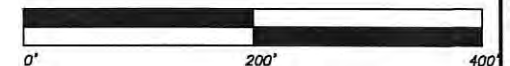


Easement Vacation Sketch

The Drainage & Utility Easement over Outlot B, HAMMES ESTATES 1ST ADDITION, according to the recorded plat thereof, Washington County, Minnesota.



Easement to be Vacated



Date: 12/06/2017 Sheet: 1 OF 1

0009282.03ESF01.dwg

Westwood

Phone (952) 937-5150 7699 Anagram Drive
Fax (952) 937-5822 Eden Prairie, MN 55344
Toll Free (888) 937-5150 westwoodps.com
Westwood Professional Services, Inc.

Crew:	
Checked:	CWM
Drawn:	SD
Record Drawing by/date:	

Prepared for:

Rachel Development

**Hammes Estates
1st Addition**

Lake Elmo, Minnesota

Easement Vacation Sketch

Exhibit

STAFF REPORT

DATE: 2/12/18

PUBLIC HEARING

ITEM #:

MOTION

TO: Planning Commission
FROM: Emily Becker, Planning Director
AGENDA ITEM: Todd Williams Resolution
REVIEWED BY: Ben Prchal, City Planner

BACKGROUND:

At its last meeting, the Planning Commission requested that Todd Williams be recognized for his service to the Planning Commission, particularly his role as chair and his contribution to the Comprehensive Plan update. Staff has drafted a resolution recognizing Todd Williams which will be signed by the Planning Commission Chair and Mayor. This is the typical process the City goes about recognizing a member of a committee or commission for his/her service.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt Resolution 2018-001PZ recognizing Todd Williams for his service to the City.

“Move to adopt Resolution 2018-001PZ recognizing Todd Williams for his years of service on the Planning Commission and his contribution to the Comprehensive Plan update.”

ATTACHMENTS:

- Resolution 2018-001PZ



CITY OF LAKE ELMO PLANNING COMMISSION

RESOLUTION 2018-001PZ: RECOGNIZING TODD WILLIAMS

WHEREAS: Todd Williams served on the Lake Elmo Planning Commission from 2009 to 2017, serving as Chair from 2012 to 2014; and

WHEREAS: Todd Williams was actively involved in the process of updating the City's Comprehensive Plan; and

NOW, THEREFORE BE IT RESOLVED, that the Lake Elmo Planning Commission recognizes Todd Williams for his years of service and commitment to the Lake Elmo Planning Commission.

Signed this 12th day of February, 2018.

Dean Dodson
Chair

Michael Pearson
Mayor