

MEMORANDUM

FOCUS ENGINEERING, inc.

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Date: June 2, 2014

To: Kyle Klatt, Planning Director
Cc: Nick Johnson, City Planner

Re: Wildflower at Lake Elmo
Sketch Plat Engineering Review

From: Jack Griffin, P.E., City Engineer

We have received a Concept Plan submittal for the above referenced development proposal consisting of the following exhibits/documentation received on May 29, 2014.

- Concept Plan Narrative and application dated May 22, 2014.
- Concept Site Plan dated May 20, 2014, Sheet 1, prepared by Design Forum Incorporated.
- Existing Conditions dated May 22, 2014, prepared by Pioneer Engineering.

We have the following review comments:

COMMENTS

- The phasing plan indicates the first phase to begin on the east side of the development. With street access, sewer and water all coming from the west, it should be noted that the preliminary plans and construction plans must evolve to near completion for the entire development to facilitate this phasing strategy; providing assurance to allow utility installation within future R/W.

MUNICIPAL WATER SUPPLY

- The project narrative and plans do not address water service for the development. As part of the Village municipal urban service area, the development must be served by the Lake Elmo municipal water system.
- Municipal water supply is available along 39th Street North and along State Highway 5. Connections to both locations will be required as well as a stub to the adjacent property to the west.
- The applicant is responsible to extend the municipal water supply to the development site at developers cost. Watermain distribution lines will need to be looped wherever reasonably possible. The proposed site plan facilitates watermain looping very well.

MUNICIPAL SANITARY SEWER

- The project narrative and plans do not address sewer service for the development. As part of the Village municipal urban service area, the development must be served by the Lake Elmo municipal sanitary sewer system.
- A sanitary sewer lift station will be required to provide municipal sewer service for the 12 lots proposed with access from CSAH 17. This lift station is not a part of the City's comprehensive sewer plan and would therefore be added infrastructure.

- Municipal sanitary sewer is not currently available to the development. The applicant is responsible to extend the municipal sanitary sewer to the development site at developers cost. We understand that the developer is part of a collaborative group pursuing a trunk sanitary sewer extension project to route the sewer along the east side of the Village from the Reid Park lift station to State Highway 5. The applicant has also submitted an escrow to partially secure and support the sanitary sewer improvement project along 39th Street North. In addition the applicant will be responsible for the extension of municipal sewer from 39th Street N. to the property to be developed. Preliminary Plat approval should be conditioned upon sewer service being brought to the development.
- Consideration should be given to stubbing municipal sanitary sewer to the northeast of this development for a future potential extension for relief of failing wastewater management systems. A 10-inch sewer line will need to be extended through this development to the northeast corner.

STORMWATER MANAGEMENT

- Stormwater facilities shall be in accordance with the requirements listed in the City of Lake Elmo Engineering Design Standards in addition to the requirements of the Valley Branch Watershed District.
- All storm water ponds, infiltration basins and other facilities that are constructed with the purpose to fulfill the rate and volume control requirements of the VBWD rules must be placed within Outlots dedicated to the City for operation and maintenance purposes and with no other restrictions on the City. The Outlots must contain the entire facility including the HWL elevation together with maintenance access roads and graded areas that allow safe access to all storm sewer outfalls and structures.
- The proposed trails adjacent to the ponds must be placed such that the trail subgrade is 1 foot above the pond HWL at all points.
- The minimum 25 foot wetland buffer width must be placed fully outside of any proposed lots. Additional buffering may encroach on lots if contained within a defined easement. The current plan shows wetland buffer encroachments on 3 of the 12 lots located in the northwest part of the plan.
- No utility piping is shown on the drawings. However, it should be noted that all easements for City utilities must be a minimum of 30 feet with the pipe centered on the easement. Wider easements may be required for deep pipes to meet OSHA excavation requirements.

STREETS AND TRANSPORTATION

- It is recommended that a second access connection be pursued along 39th Street North or the development access is combined with the Fields of St. Croix entrance. The development proposes 133 lots with one access. Secondary access may be completed with later phases for the development but should be accommodated as part of the overall development plan.
- The access to Lake Elmo Avenue requires Washington County approval. Improvements along CSAH 17 (Lake Elmo Avenue) as required by Washington County will be the responsibility of the developer. Improvements should be included as part of the preliminary plat.
- Some streets are proposed with 30 foot R/W and 18 foot paved streets. The project narrative does not define the use and purpose for these streets. A clearly defined purpose and use for these streets must be provided to allow further review on the minimum required widths and potential additional requirements. Because these streets appear to act more like "Alleys" the following considerations are recommended:
 - Consideration should be given to requiring these streets to be privately owned and maintained.
 - If publically owned and maintained, minimum widths for both R/W and pavement section must be further reviewed by all City staff to establish minimums for the defined purposes.
 - Example restrictions that must apply to accept less than standard minimums:
 - Less than standard minimums should be considered only when acting as secondary street to any given lot. The primary street must always meet the City standard.

- No public utilities, except minimal storm sewer necessary to facilitate drainage will be allowed within these R/W, and storm sewer can be allowed only when centered within the 30 foot R/W.
 - No private utilities will be allowed within these R/W.
 - No parking can be allowed. No parking signs must be installed to designate the no parking zones.
- The remaining proposed “primary” streets do not all comply with City minimum design standards. The following considerations are recommended:
 - The street along the southern part of the plat requires a minimum 60-foot R/W and 28 foot street width since this street serves as the primary street access to several proposed residential lots. If private utilities are allowed within the 15 foot buffer area, the 50 foot R/W may be acceptable. The Street should be centered within the “60 foot area (R/W plus first 10 feet of Buffer)” to meet the minimum City boulevard areas on each side.
 - Since this street is single sided by residential properties a reduced pavement width may be considered if appropriately signed. A 24 foot minimum pavement width could be allowed if the street is signed “No Parking” along one side.
 - The proposed emergency exit should be eliminated by connecting the road as a full intersection.
 - All streets must be centered within the proposed R/W.
 - The proposed parking near Outlot P must be parallel parking or a bump out design be utilized that extends further into Outlot P.
 - The two smaller “eyebrows” located on the northern loop street should be eliminated since they require increased maintenance while adding no additional lot potential.
 - Consideration should be given to extending the 8-foot trail along the northern loop street to connect to the trail at Outlot O.
 - Some sidewalks are proposed at 5 foot widths instead of the City standard 6 foot sidewalk. A 5 foot sidewalk seems appropriate when sidewalk is provided along both sides of the street, otherwise the City standard 6 foot sidewalk should be provided.
- All streets must include concrete curb and gutter on both sides of the road.

Robert & Marcy Eischen
Mary Jean Dupuis

Date: June 4, 2014
To: Kyle Klatt & Lake Elmo Planning Commission
Subject: Wildflower Proposal

Please consider this letter as our written comments in reference to the recently received Notice of Public Hearing from the City of Lake Elmo scheduled for June 9th 2014 at the Lake Elmo City Hall for the Wildflower Planned Unit Development Concept Plan by Robert Engstrom Companies.

In the initial planning of the Fields of St Croix II development, we were personally contacted by Bob Engstrom, the developer for our support. Perhaps he didn't need our support at that time but he was gracious enough to have meetings with us. In addition, we attended council meetings dealing with FOSC II proposals. There was also a meeting with Washington County dealing with Land Trusts.

The west side of our properties is adjacent to the Engstrom Outlots O & P. Lots O & P go west to Richard Smith's (our neighbor) driveway. Bob & Marcy Eischen have lived in their Lake Elmo home since 1969 ~ some 45 years. Mary Jean Dupuis has lived in her home since 1973 ~ 41 years.

During the planning and review process for the FOSC II all three of us neighbors understood by our meetings with Bob Engstrom and from the City Council meetings that the land to the immediate west and south of our properties would be part of the open space for FOSC II. That section of land was required as open space for the development to proceed. This property was also a part of the natural flow of water or water shed and part of it held large amounts of runoff water during early spring & after heavy rains.

We were assured by Mr. Engstrom that those outlots would never be developed for homes and would always remain open space exclusively for farming, perhaps a tree farm or wildflowers. We all understood that this adjacent property to ours was in a long term agricultural land trust or conservation easement. Plus ~ we do not understand taking lots from an existing development and re-allocating them for a new development.

Mr. Engstrom did a very nice job with FOSC II. Our support for that development was all based on the fact that it would never be developed for home building.

When we moved here ~ 45 & 41 years ago there was nothing except open fields which was part of our life style. We did know however that someday some of this area would be developed. We have a lot of history with Lake Elmo and view it as a proud developing community with rural roots. We don't know if there are legal issues regarding the development of the outlots but there are certainly ethical and verbal commitments by the developer to consider. Any housing on those outlots would be very unsatisfactory to us on land that was never supposed to be developed.

We anticipate that the Planning Commission and ultimately the Council will support the rural tradition and history of this land and most importantly represent the residents of Lake Elmo in dealing with the Wildflower proposal.

In conclusion we would like to add that Mr. Engstroms's property development history is exemplary including the proposed Wildflower development of which we support except for the afore mentioned exceptions. We ask that the original intention of the outlots be preserved and honored by the City and Mr. Engstrom.

Cordially

Robert Eischen
11674 Stillwater Blvd N
Lake Elmo MN 55042
777-9542

Robert Eischen

Marcy Eischen
11674 Stillwater Blvd N
Lake Elmo MN 55042
777-9542

Marcy Eischen

Mary Jean Dupuis
11676 Stillwater Blvd N
Lake Elmo MN 55042
7747-1230

MJ Dupuis

Date: June 7, 2014
To: Kyle Klatt & Lake Elmo Planning Commission
RE: Planned Unit Development Concept Plan
From: Richard Smith

The following are written comments regarding the concept plan being submitted by Robert Engstrom Companies named, Wildflower at Lake Elmo.

I have been a homeowner in Lake Elmo for more than 27 years. I own the property to the north of the proposed housing in the sketch plan that was submitted to the Planning Commission by Robert Engstrom Companies earlier this spring. In that sketch, the housing on the northeast corner of the proposed development abuts the south edge of my property.

Approximately 10 yrs ago the City of Lake Elmo embarked on an amendment to the Comprehensive Plan, creating the Village Master Plan. At that time, October 2003, the City honored the decision Mary Jean Dupuis, Robert and Marcy Eischen and myself made to have our properties removed from the Village Planning Area. We had our properties removed because the Village envisioned green corridors/buffers surrounding the Village. Had we not, our properties would have been subjected to having housing directly abutting our properties.

In the summer of 2005, the City of Lake Elmo retained a team led by Robert Engstrom Companies to prepare a Master Plan to guide anticipated development within the Village Planning Area. This study focused on techniques that could be used by the City to help preserve the character of the Village. One of the guiding principles was the "Promotion of open space and green corridors", part of the Lake Elmo Comprehensive Plan, (chapter III, page 3).

Although the master plan submitted in 2005 was not adopted it was my understanding that it would be used as guidance as the City grew. In the Village Plan (maps 3-3 and 3-5, circa 12/30/2013 and 10/8/2013 respectively) there is property referenced as the Village Open Space Overlay that I interpret as a buffer to the adjacent homeowners.

I have met with Mr. Engstrom on several occasions since he submitted his sketch plan to the planning commission. I have reviewed numerous

iterations subsequent to this plan and have discussed my concerns regarding the lack of buffer that he originally proposed in 2005.

I have also made some suggestions regarding connectivity with respect to the trails proposed in the Wildflower Conservancy, the Tanna Ridge and Fields of St. Croix II developments, as all three are adjacent to me.

That said, I cannot think of another developer that I would rather have involved in the design and implementation of this project. Mr. Engstrom is nationally respected for having designed and developed communities focused on their vision for future growth. Having been involved in other developments that Mr. Engstrom has done (FOSCII) I have always been impressed with his willingness to work with the adjacent property owners, conservation community leaders and city to arrive at a fair, equitable and workable arrangement. I trust that in this project he will do the same and that all parties will be satisfied with the final plan.

Respectfully,
Richard Smith

Cc Mary Jean Dupuis
Cc Robert and Marcy Eischen
Cc Robert Engstrom

Date: October 18, 2003
To: Lake Elmo City Council & Administrator
Lee Hunt
Steve DeLapp
Sue Dunn
Dean Johnson
Chuck Siedow
Chuck Dillerud

In referring to the map and plan of the proposed amendment to the Lake Elmo comprehensive plan, we are recommending the following modifications:

- 1) Exclude the properties of Marcy & Bob Eischen and Mary Jean Dupuis from permanent open space designation (approximately 3.5 acres). This would then be consistent with the present exclusion on the map of their neighbors, Onie Jacobson, Bill & Gerri Bartholomew and the property in front of Bill & Gerri.
- 2) Extend the connected greenway designated directly in front of the property (south) of Richard Smith a minimum of 300 feet which will give him an additional buffer from the newly proposed homes in front of his house and exclude any proposed roadway immediately adjoining his property to the south.

We propose that these modifications will not adversely affect the proposed plan amendment and will contribute as our input and overall satisfaction to the plan. Thank you for your consideration.

Robert & Marcy Eischen
11674 Stillwater Blvd N
Lake Elmo, MN 55042

Robert P Eischen
Marcy Eischen

Mary Jean Dupuis
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MJ Dupuis

Richard Smith
11514 Stillwater Blvd N
Lake Elmo, MN 55042

Richard Smith

June 9, 2014

The following is a summary of a tentative agreement between the Fields of St Croix Community Association (FoSC) and Robert Engstrom Companies (RECo) regarding RECo's proposed Wildflower development. This summary is provided for summary purposes only and is not meant to be a complete statement of the proposed agreement and is subject to change.

Subject: The Fields of St Croix Community Association (FoSC) and Robert Engstrom Companies (RECo) Wildflower development

Background: The Open Space Agreement(s) is/are key to this discussion because it explicitly prohibits the Wildflower development proposed for Outlots O & P, which are part of the FoSC. The express intent of the Open Space Agreement is in summary to:

- Permanently retain the protected land in its predominately natural, scenic, agricultural, forested and open space condition;
- Prevent or remedy action or use that significantly impairs or interferes with the Conservation Values of the land;
- Expressly prohibits the Owner (RECo) from subdividing all or part of the protected lands for residential, commercial or industrial development;
- Prohibits construction of roads, driveways and the alteration of the surface of the protected land, including excavation.

FoSC Homeowners

- Purchased lots and built homes understanding FoSC was a conservation community with Open Space Agreement protection.
- Do not want development on Outlot O & Outlot P, but will support *limited* residential development on part of Outlot P in turn for "additional" legal protection preventing development on the other Outlots associated with FoSC.
- Requested that representatives of FoSC conduct negotiations with RECo. Tentative agreement between FoSC and RECo was reached, pending City approval to allow limited residential development on Outlot P, given the terms of the agreement, which are attached.

The FoSC Community Association requests this agreement become part of Wildflower's development plan, and its terms enforced by the City of Lake Elmo.

Respectfully submitted on behalf of the FoSC Association homeowners:

John W. Hodler
Fields of St Croix Board President

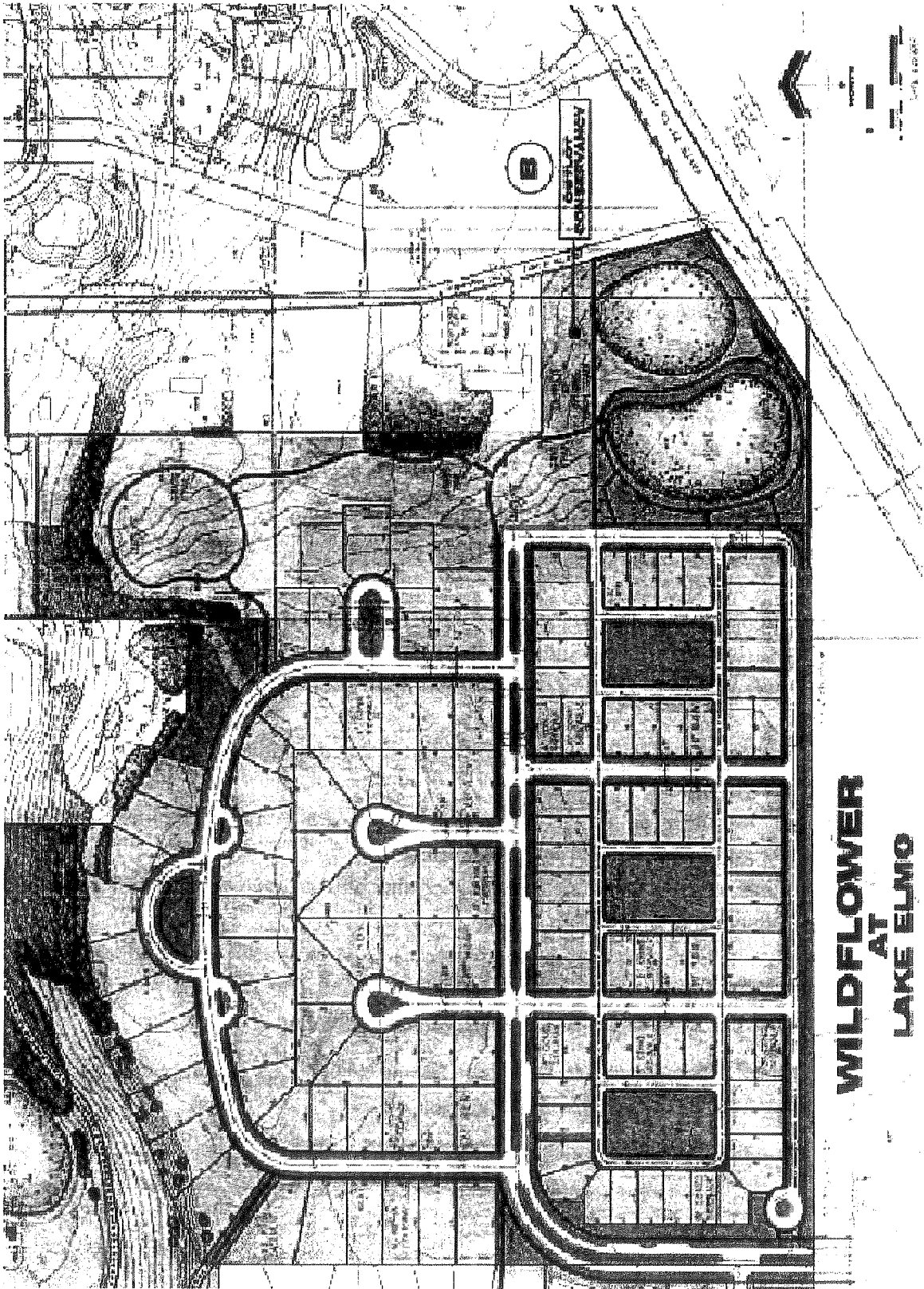
The following are highlights of the tentative agreement:

- No development will occur on Outlot O.
 - Retain the existing Open Space Easement condition;
 - Fields of St Croix Community Association (FoSC) will be added as a party to the easement, thereby requiring FoSC's approval for any future changes thereto.
- Outlot P will have *limited* development on its west boundary (plan on page #4):
 - Includes small number of RECo-constructed homes along the west boundary of Outlot P;
 - No coffee shop or other retail/commercial facilities located on Outlot P;
 - RECo will install a path around part of the storm water system on Outlot P. This path will not connect to the FoSC pathways;
 - FoSC will have easement access rights for pedestrian and bicycles to Outlots O & P, and any Outlot created out of Outlot P for the storm water system;
 - FoSC will be added as a party to the existing easement on the title to the section of Outlot P not included in the new development's homes;
 - The exact boundary of the re-sized Outlot P will be defined by a survey (paid by RECo).
- The City of Lake Elmo will ensure the design of the Wildflower development's storm water system does not include a storm water retention basin on Outlot O; and will not increase the current flow of storm water drained onto Outlot O or any FoSC II Outlot (exception Outlot P):
 - The storm water design will not allow drainage to adversely affect any FoSC II homeowner;
 - Lake Elmo City will ensure the contractor and developer install the storm water system as designed;
 - The City of Lake Elmo will be responsible for maintenance of any portion of the Wildflower storm water system installed on Outlot P, or any Outlot created from Outlot P for the storm water system.
- Road access to Wildflower development:
 - The existing FOSE, phase II, entry will remain "as is". This access road will not connect to the Wildflower development;
 - No access road for the new development will be constructed that connects to highway #5 through any Outlot.

- Ensure FoSC has the right to object to or modify any future development requests involving any one or more of the Outlots located in the Fields of St Croix development (see Outlots page #5).
 - FoSC will be added as a party to all Open Space Easements now in place for Phase II Outlots;
 - FOSC will be added as a party to the Minnesota Land Trust Conservation Easement now in place for Phase I Outlots.
- Phase I Outlots A & E's Minnesota Land Trust Conservation Easement revisions.
 - Rescind the right to construct a farm home;
 - Livestock operation or use of temporary farm buildings will only be granted if all parties to the easement (including FoSC) agree.
- RECo will transfer ownership of the Bluestem Village Green property (PIN1202921440009) if it is not under a 'public right of way restriction'.
- All easement updates or amendments and Outlot ownership transfers will be completed prior to approval of the new development's plans by the City of Lake Elmo.
- RECo's creation of the storm water system, path, natural setting, and plantings on Outlots O and P will be completed in the beginning stage of the new development. The "beginning stage" is defined as a date equal to the completion of the first home.
- RECo coordinates with Lake Elmo City & FoSC during the design and installation of Wildflower's sewer pipe
 - Ensure adequate capacity to handle the wastewater from FoSC's phase I, phase II (including Bluestem) and Tana Ridge homes;
 - Sewer easement across the Northeast corner of the new development and Outlots O & P will be granted to FoSC;
 - Final connection, if and when completed, between the Lake Elmo City sewer system and the FoSC wastewater system (currently serving the above homes) will be coordinated by the FoSC Association at a later time.

It is understood, that any agreements between RECo and FOSC will be subject to approval by the Lake Elmo City Council and other regulatory bodies.

The final agreement will include a provision that neither party may assign the agreement to any other person without the express prior written consent of the other party or its successor in interest.



FoSC Phase I & II outlots

