



PLANNING COMMISSION

DATE: 5/11/15

AGENDA ITEM: 4A – BUSINESS ITEM

CASE # 2015-18

ITEM: United Properties Minor Subdivision – Outlot A of Eagle Point 3rd Addition

SUBMITTED BY: Kyle Klatt, Planning Director

REVIEWED BY: Nick Johnson, City Planner

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider a minor subdivision request from United Land, LLC to split Outlot A of Eagle Point Business Park 3rd Addition into two separate parcels. The proposed minor subdivision would facilitate the transfer of 4.974 acres of land to Bremer Bank, which is located immediately north of the property under consideration. Staff is recommending approval of the minor subdivision as presented.

GENERAL INFORMATION

Applicant: Sunde Land Surveying, LLC, 9001 East Bloomington Freeway, Bloomington, MN (Mark Hanson)

Property Owners: United Land, LLC, 3600 American Boulevard West, Bloomington, MN (Melissa Duce)

Location: Outlot A, Eagle Point Business Park 3rd Addition. PID Number 33.029.21.41.0048

Request: Application for a Minor Subdivision to split said property into two separate parcels

Existing Land Use and Zoning: Agricultural field; future development site within the Eagle Point Business Park. Current Zoning: BP – Business Park

Surrounding Land Use and Zoning: North – Bremer Bank facility; East – Eagle Point Outlot, future site of ISD916 building; West – Boulder Ponds PUD development; South – Eagle Point Business Park Condominiums

Comprehensive Plan: BP – Business Park

History: The Eagle Point Business Park 3rd Addition, which includes the current Bremer Bank site and Outlot A, was approved by the City in 2002.

Deadline for Action: Application Complete – 4/29/15
60 Day Deadline – 6/28/15
Extension Letter Mailed – No
120 Day Deadline – 8/27/15

Applicable Regulations: Chapter 153 – Subdivision Regulations
§154.550 Business Park Zoning District

REQUEST DETAILS

The City of Lake Elmo has received a request from Sunde Land Surveying, acting on behalf of United Land, LLC, for a minor subdivision to split Outlot A of the Eagle Point Business Park into two lots. The purpose of the proposed minor subdivision is to facilitate the transfer of 4.974 acres of land from United Land to Bremer Bank, which will leave 7.399 acres of the original 12.373 lot as a separate parcel. Bremer Bank intends to use this property for future expansion of its current facility, but does not intend to proceed with any such project in the immediate future.

The City's Subdivision regulations allow for certain subdivisions of land to be exempt from the City's requirements for platting when not more than four lots are being created and when these lots comply with the minimum road frontage and area requirements of the underlying zoning. The lots that would be created as part of the minor subdivision each exceed the BP – Business Park zoning requirements concerning lot size and lot frontage (2 acres and 200 feet respectfully). In addition, the proposed minor subdivision does not alter the underlying legal description that identifies each lot as part of the original Outlot A of Eagle Point Business Park 3rd Addition. This relationship to the underlying outlot is important because it means that future development on either parcel can only occur upon a full replat of each lot and allows the City to consider the minor subdivision without requiring additional easements or other subdivision design elements at this time.

DRAFT FINDINGS

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Minor Subdivision:

- That the Minor Subdivision is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- That the Minor Subdivision complies with the minimum lot frontage and area requirements of the City's BP – Business Park Zoning District.
- That the Minor Subdivision complies with the City's subdivision ordinance and specifically the requirements concerning exceptions to platting.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the minor subdivision request from United Land, LLC to split Outlot A of Eagle Point Business Park 3rd Addition into two separate parcels.

Suggested motion:

“Move to recommend approval of the Minor Subdivision request to split Outlot A of Eagle Point Business Park 3rd Addition into two lots”

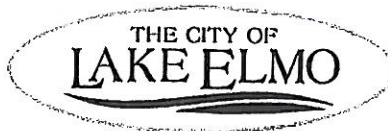
ATTACHMENTS:

1. Application Form
2. Minor Subdivision Survey
3. Parcel A and B Descriptions
4. Eagle Point 3rd Addition Final Plat

ORDER OF BUSINESS:

- IntroductionPlanning Staff
- Report by StaffPlanning Staff
- Questions from the Commission Chair & Commission Members
- Public CommentsChair
- Discussion by the Commission Chair & Commission Members
- Action by the Commission Chair & Commission Members

Land use
Date Received: 4/29/15
Received By: [Signature]
Permit #: 020150-18



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

Applicant: Mark Hanson, Sunde Land Surveying, LLC (on behalf of United Properties)

Address: 9001 East Bloomington Freeway, Bloomington, MN 55420

Phone # 952-881-2455

Email Address: Mark.Hanson@Sunde.com

Fee Owner: United Land, LLC

Address: 3600 American Boulevard West, Bloomington, MN 55431 Attn: Melissa Duce

Phone # 952-893-8866, 651-261-8273

Email Address: Melissa.Duce@uproperties.com

Property Location (Address and Complete (long) Legal Description): Outlot A, Eagle Point Business Park 3rd Addition.
Address is unassigned.

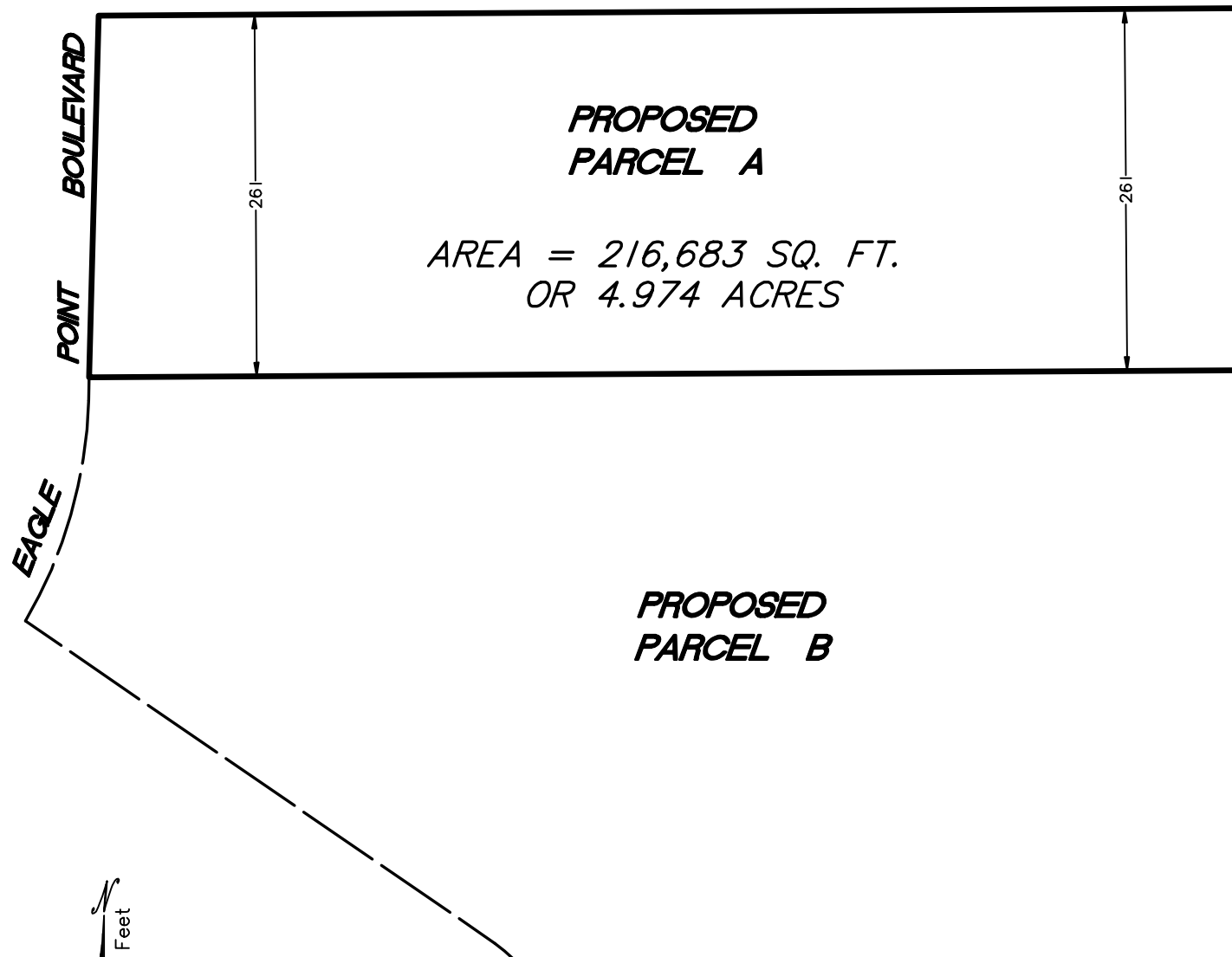
Detailed Reason for Request: The Bremer land acquisition will be held for future building expansion development.

*Variance Requests: As outlined in Section 301.080 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: 4/29/15

Signature of fee owner: [Signature] Date: 4/29/15



**PROPOSED
PARCEL A**

*AREA = 216,683 SQ. FT.
OR 4.974 ACRES*

**PROPOSED
PARCEL B**

**DESCRIPTION OF PROPOSED
PARCEL A**

The northerly 261.00 feet of Outlot A, Eagle Point Business Park 3rd Addition, according to the recorded plat thereof, Washington County, Minnesota.

Area = 216,683 square feet or 4.974 acres

SCALE: 1 Inch = 120 Feet

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

Dated this 15th day of April, 2015

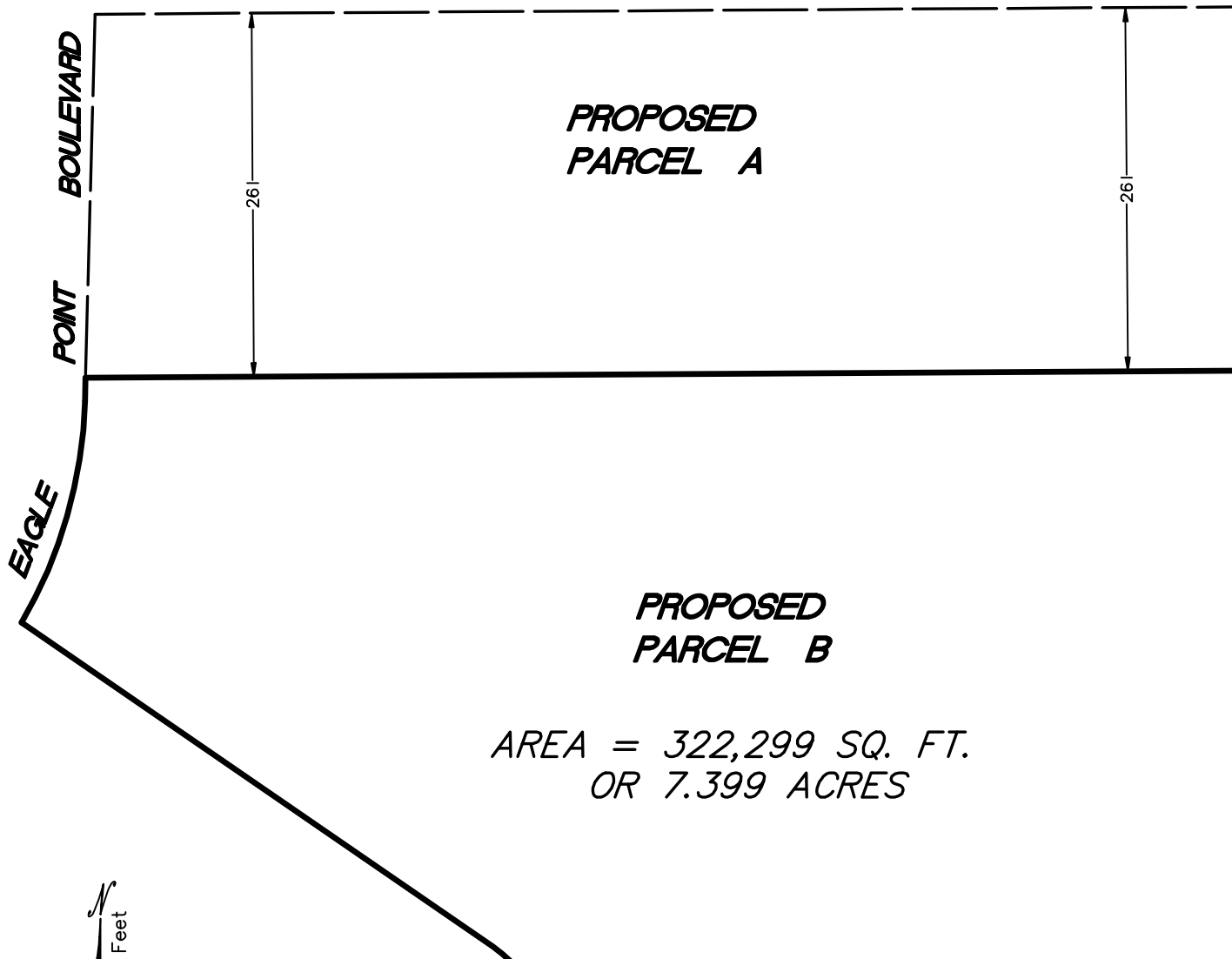
SUNDE LAND SURVEYING, LLC.

By: Mark S. Hanson
Mark S. Hanson, P.L.S. Minn. Lic. No. 15480

SHEET 1 OF 2 SHEETS

**SUNDE
LAND SURVEYING**

9001 East Bloomington Freeway (35W) • Suite 118
Bloomington, Minnesota 55420-3435
952-881-2455 (Fax: 952-888-9526)
www.sunde.com



**DESCRIPTION OF PROPOSED
PARCEL B**

That part of Outlot A, Eagle Point Business Park 3rd Addition, according to the recorded plat thereof, Washington County, Minnesota, lying southerly of the northerly 261.00 feet.

Area = 322,299 square feet or 7.399 acres

SCALE: 1 Inch = 120 Feet

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

Dated this 15th day of April, 2015

SUNDE LAND SURVEYING, LLC.

By: Mark S. Hanson
Mark S. Hanson, P.L.S. Minn. Lic. No. 15480

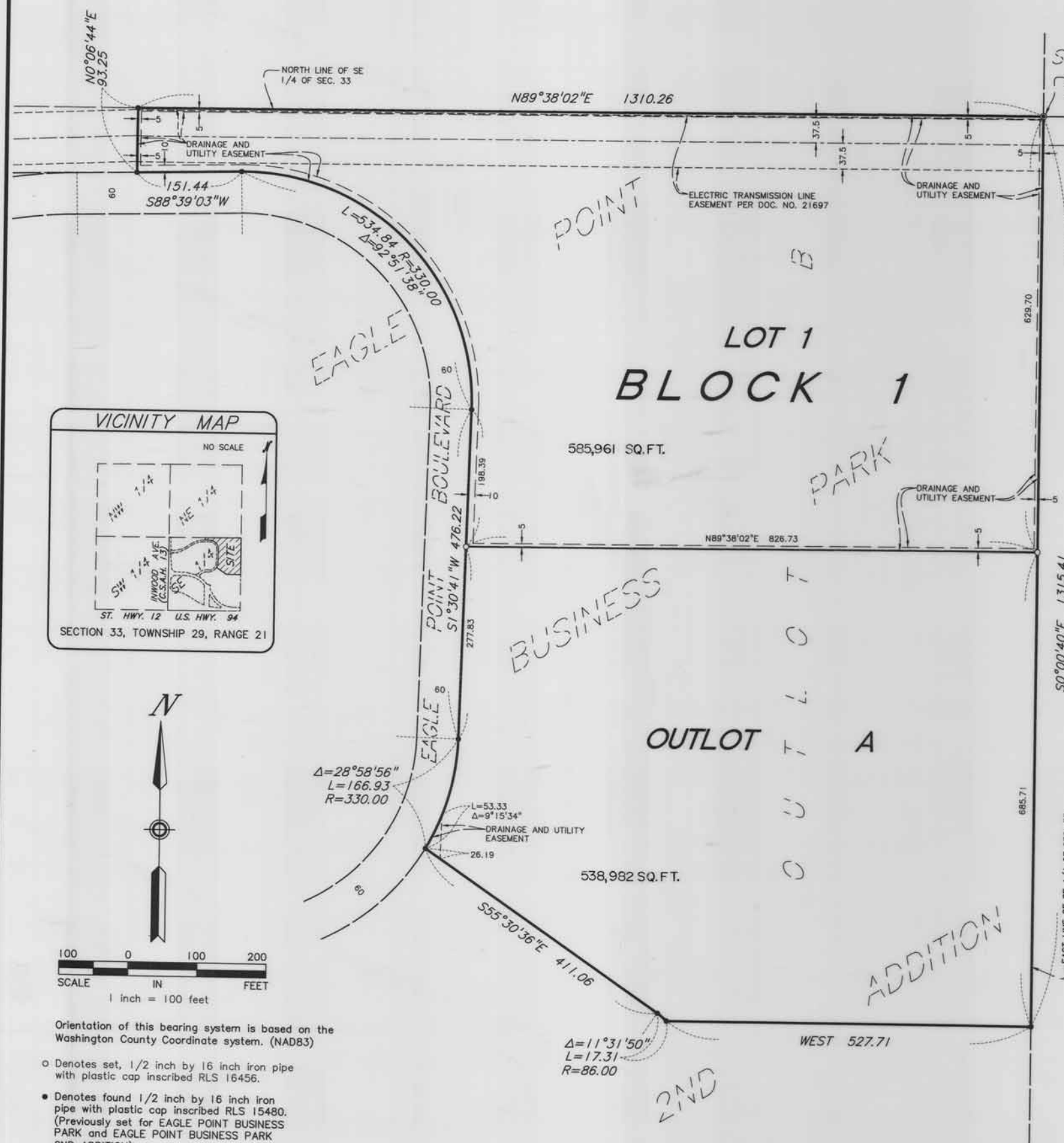
SHEET 2 OF 2 SHEETS



9001 East Bloomington Freeway (35W) • Suite 118
Bloomington, Minnesota 55420-3435
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EAGLE POINT BUSINESS PARK 3RD ADDITION



KNOW ALL BY THESE PRESENTS: That UNITED LAND LLC, a Minnesota limited liability company, owner and proprietor of the following described property, situated in the County of Washington, State of Minnesota to wit:

Outlot B, EAGLE POINT BUSINESS PARK 2ND ADDITION, according to the plat thereof filed of record in the office of the Registrar of Titles in and for Washington County, Minnesota.

As evidenced by Certificate of Title No. 57112.

Has caused the same to be surveyed and platted as EAGLE POINT BUSINESS PARK 3RD ADDITION, and does hereby donate and dedicate to the public the easements created by this plat for drainage and utility purposes only.

In witness whereof said UNITED LAND LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officers this 11 day of April, 2002.

UNITED LAND LLC

BY: David D. Dube its Exec. Vice Pres. and David M. Mow its Vice Pres.

STATE OF Minnesota
COUNTY OF Hennepin

The foregoing instrument was acknowledged before me this 11th day of April, 2002 by David D. Dube its Exec. Vice President and David M. Mow its Vice President of said UNITED LAND LLC, a Minnesota limited liability company, on behalf of said company.



Ardyce E. Hanson
Notary Public, Hennepin County, Minnesota
My Commission Expires January 31, 2005

I, John K. Barnes, hereby certify that I have surveyed and platted the property described on this plat as EAGLE POINT BUSINESS PARK 3RD ADDITION; that this plat is a correct representation of the survey; that all distances are correctly shown on the plat in feet and hundredths of a foot; that all monuments have been correctly placed in the ground as shown; that the outside boundary lines are correctly designated on the plat; and that there are no wet lands as defined in MS 505.02, Subd. 1 or public highways to be designated other than as shown.

John K. Barnes
John K. Barnes, Land Surveyor
Minnesota License No. 16456

STATE OF MINNESOTA
COUNTY OF Hennepin

The foregoing Surveyor's Certificate by John K. Barnes, Minnesota Registration No. 16456, was acknowledged before me this 11th day of April, 2002.



Janet C. Pochler
Notary Public, Dakota County, Minnesota
My Commission Expires January 31, 2005

This plat of EAGLE POINT BUSINESS PARK 3RD ADDITION was approved by the City Council of the City of Lake Elmo, Minnesota, this 16 day of April, 2002, and hereby certifies compliance with all requirements as set forth in Minnesota Statutes, Section 505.03, Subd. 2.

SIGNED: Lee Hart
Mayor
SIGNED: Mary K. Kasper
City Administrator

Pursuant to Chapter 820, Laws of Minnesota, 1971, this plat has been approved this 22nd day of April, 2002.

BY: LAWRENCE S. NYBECK
Washington County Surveyor
BY: Michael J. Hiding
Assistant County Surveyor

There are no delinquent taxes, the current taxes due and payable for the year 2002 have been paid, and transfer has been entered this 22nd day of April, 2002.

BY: Molly F. O'Rourke
Washington County Auditor/Treasurer
BY: Rebecca J. Auld
Deputy

Document Number 1111330

I hereby certify that this instrument was filed in the Office of the Registrar of Titles for record on this 22 day of April, 2002 at 2:11 o'clock P.M., and was duly recorded in Washington County Records.

BY: Washington County Registrar of Titles
BY: Deputy