



## STAFF REPORT

DATE: 7/5/2017

**REGULAR**

ITEM #: 11

**MOTION**

**TO:** City Council

**FROM:** Stephen Wensman, Planning Director

**AGENDA ITEM:** Hidden Meadows 2<sup>nd</sup> Addition OP Final Plat

**REVIEWED BY:** Emily Becker, City Planner  
Jack Griffin, City Engineer  
Mike Bent, Building Official  
Greg Malmquist, Fire Chief  
Kristina Handt, City Administrator

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### **BACKGROUND:**

Hidden Meadows 1st Addition was approved on 5/16/2006 which included the platting of the Rock Point Church property and two outlots proposed for a future OP - Open Space Preservation development. The deadline for final plat application for the OP development was extended from January 2007 to January 2, 2018. RM Investments, LLC & Mpls Re, LLC is now requesting final plat approval of Hidden Meadows 2nd Addition, a 26 unit single family OP – Open Space Preservation development located off of Keats and State Highway 36.

### **General Information.**

*Applicant:* RM Investments, LLC & Mpls Re, LLC, 13925 Fenway Blvd N, Hugo, MN 55038

*Property Owners:* Rockpoint Church, 5825 Kelvin Ave N., Lake Elmo, MN 55042

*Location:* Outlots A and B, Hidden Meadows Addition

*Request:* Final Plat and Easement Vacation

*Existing Land Use and Zoning:* Vacant / Rural Residential Zoning

*Surrounding Land Use and Zoning:* State Highway 36 to the North; Keats Avenue and residential properties to the west; Bergmann's Farm to the east; and large lot residential properties to the south; Rock Point Church is surrounded by the proposed development on 3 sides

*Comprehensive Plan:* Rural Area Development

*History:* Approval of Comprehensive Plan Amendment, Rezoning, 1<sup>st</sup> Addition preliminary plat (2005-030) and Conditional Use Permit for the church on 04/28/2005; OP Development Concept Plan approval on 04/28/2005 by Resolution 2005-031; 1<sup>st</sup> Addition Final Plat approval on 5/16/2006; Hidden Meadows 2<sup>nd</sup> Addition preliminary plat and conditional use permit approval on 4/18/2006 by Resolution 2006-038; Hidden Meadows 1st Addition final plat approval on 5/16/2006 by Resolution 2006-048; A 1-year final plat extension was approved on 01/02/2007 by

Council motion; A 5-year final plat extension was approved on 12/11/2007 by Resolution 2007-97; A 6-month final plat extension was approved on January 15, 2013 by Council motion; A 2-year final plat extension was approved on 01/19/2016 by Council motion. Planning Commission reviewed the final plat on 6/12/17 recommending approval.

*Deadline for Action:*       Application Complete – 5/17/17  
                                      60 Day Deadline – 7/16/17  
                                      Extension Letter Mailed – N/A  
                                      120 Day Deadline – N/A

**ISSUE BEFORE COUNCIL:**

The City Council is being requested:

1. To adopt Resolution 2017-073 approving the Final Plat for Hidden Meadows 2<sup>nd</sup> Addition.

**PROPOSAL DETAILS/ANALYSIS:**

The Hidden Meadows preliminary plat was approved nearly ten years ago and because some of the details of the preliminary plat are missing and because many City standards have changed since 2005/2006, Staff has prepared a review of the final plat that is more robust than typical to provide the Council a better understanding of the proposed final plat and project.

**Preliminary Plat Status.** State Statute prohibits any amendment to a comprehensive plan or official control that applies to or would affect the use, development density, lot size, lot layout, or dedication or platting required or permitted by the approved application for one year following preliminary approval unless the subdivider and the municipality agree otherwise. Because it has been more than one year since the initial Preliminary Plat approval, and no such agreement was forthcoming, this prohibition longer applies. The City can enforce the current regulations and standards including the Engineering Design Standards. Typically, if a final plat is in substantial conformance with the approved preliminary plat, the City Council must approve the final plat. If the Hidden Meadows 2<sup>nd</sup> Addition final plat is not approved at this time, the applicant or property owner will have to begin the planning process again, submitting new preliminary and final plat applications to bring forth a new development plan meeting current ordinances and standards.

**Easement Vacation.** With last final plat extension, the owner granted a drainage and utility easement over the watermain in Outlot A to comply with a condition of the Hidden Meadows final plat. This easement needs to be vacated to accommodate the 2<sup>nd</sup> Addition final plat. New easements will be put into place. The applicant has requested the easement vacation be placed on a subsequent City Council agenda.

**OP – Open Space Preservation Ordinance.** On 10/04/2016 the City Council approved Ordinance 08-152 amending the OP ordinance with some new standards and a new PUD - Planned Unit Development process. Hidden Meadows 2<sup>nd</sup> Addition was preliminary platted in 2006 under the old OP ordinance and a subsequent conditional use permit was approved for the development.

**Land Area.** The OP development was conceived of in conjunction with the development of the church, now called Rock Point Church. Hidden Meadows 1<sup>st</sup> Addition consisted of a 108 acre development that included the church parcel (19.97 acres), Outlot A (57.98 acres), Outlot B (28.53 acres) and right-of-way for 59<sup>th</sup> Street North.

Hidden Meadows 2<sup>nd</sup> Addition is 86.52 acres in size and is the replat of Hidden Meadow's Outlots A (57.98 acres) and B (28.53 acres), however a portion of Outlot B (18.63 acres) is not considered part of the OP residential development and will remain in church ownership as originally proposed as Outlot A, Hidden Meadows 2<sup>nd</sup> Addition. The proposed development meets the 40-acre minimum land area requirement for an OP development (old ordinance).

Hidden Meadows 2<sup>nd</sup> Addition Plat Area

<i>Area</i>	<i>Acres</i>	<i>Future Ownership</i>
Outlot A	18.63	Church
Outlot B	7.45	Church
Outlot C	15.06	HOA
Outlot D	1.36	HOA
Outlot E	8.29	City
Outlot F	3.51	City
Right-of-way	4.01	City
Lot Area	25.91	Developer
Lot 1, Block 1	2.46	Church
<b>Total Area</b>	<b>86.68</b>	

OP Residential Development Area

<i>Area</i>	<i>Acres</i>	<i>Future Ownership</i>
Outlot B	7.45	Church
Outlot C	15.06	HOA
Outlot D	1.36	HOA
Outlot E	8.29	City
Outlot F	3.51	City
Right-of-way	4.01	City
Lot Area	25.91	Developer
Lot 1, Block 1	2.46	Church
<b>Total</b>	<b>68.05</b>	

**Density.** As indicated above, the OP development area is 68.05 acres, of which 4.44 acres is wetland and wetland buffer. The allowed OP density cannot exceed .45 du/buildable acres. Subtracting for wetlands, the development density will be .41 du/buildable acres ( $26 / (68.05 - 4.44) = 63.61$ ).

**Lot Size.** The average lot size within Hidden Meadows 2<sup>nd</sup> Addition is just over an acre with the smallest being just over 3/4- acres and the largest being 2.46-acres in size (Lot 1, Block 1). Lot 1, Block 1 contains an old barn and farmhouse that existed on the property when the area was a farm. This lot will be retained by the church and is part of the plat. It is the only lot that is proposed to have its own septic system, and is not proposed to be connected to the community septic system. Staff recommended to the Planning Commission that Lot 1, Block 1 be connected to the community septic system. The Planning Commission does not recommend connection to the community septic because connection will be difficult and the lot has an existing septic system. Given the Planning Commission's recommendation, Staff researched the records on the existing septic system and found only a record of maintenance (pumping) performed on 12/15/2016. Staff recommends the existing septic system be inspected with the final plat and if the septic system is failing, then the lot be connected to the community septic system.

**Open Space Requirement.** By the old OP ordinance, open space created as part of an OP development must meet the following criteria:

- A. Total preserved open space within the proposed development shall be at least 50% of the total Buildable Land Area (old ordinance). Hidden Meadows 2<sup>nd</sup> Addition preserves Outlots B-F (35.67 acres) as open space, or 51% of the OP development area when subtracting out unbuildable wetlands and wetland buffers (32.37/63.61).

<i>Open Space Areas</i>	<i>Acres</i>	<i>Buildable Acres</i>	<i>Future Ownership</i>
Outlot B	7.45	6.23	Church
Outlot C	15.06	15.06	HOA
Outlot D	1.36	0.89	HOA
Outlot E	8.29	6.81	City
Outlot F	3.51	3.38	City
Total	35.67	32.37	

32.37/63.61= 51% buildable open space

- B. Not less than 60% of the preserved open space shall be in contiguous parcels of not less than ten (10) acres. (Staff Comment) Of the proposed open space, only Outlot C meets the contiguous 10 acre requirement, but it only represents 44% of the preserved open space. This is a deviation from the OP regulations, but is consistent with the preliminary plat. The City Council should reaffirm the approval of the deviation from the OP Standards with an affirmative 4/5<sup>th</sup> vote.
- C. Preserved open space is to be maintained for the purposes for which it was set aside; (Staff Comment) Outlot B will be preserved open space owned by the Church. It will not be changed from its current condition. Outlot C currently contains the community septic system to be shared between the church and the residential development. The open space regulations allow the community septic system to be in preserved open space. Outlot D contains a wetland, woods, and a segment of the church's trail to remain untouched. Outlot E contains most of the wetlands, woods and proposed stormwater ponds and an



infiltration basin and will remain unchanged except for the infiltration basin. Outlot F will contain proposed stormwater ponds and an existing wetland and some buffer area. Staff and the Planning Commission recommend breaking up Outlot F into 3 outlots with the City taking ownership of the portion with stormwater infrastructure and the HOA owning and maintaining the others.

- D.** The OP ordinance requires that the open space be protected by a conservation easement. (Staff Comment) In the past, the Minnesota Land Trust (MLT) had reviewed the open space and had provided conditions in which it might hold the open space. It is not clear whether the MLT is willing to hold the conservation easement. If the MLT is not willing to hold the conservation easement, then according to ordinance, it can be conveyed by to the City. Presently, there is a temporary conservation easement (attached) over all of Outlot B, Hidden Meadows 1<sup>st</sup> Addition which terminates upon approval of the Hidden Meadows 2<sup>nd</sup> Addition final plat. The OP Ordinance requires preserved open space be conveyed by conservation easement to the City. This conveyance would pertain to Outlots B and D, E and F (the portions to be owned by the HOA).
- E.** Where applicable, a homeowner's association shall be established to permanently maintain all residual open space and recreational facilities; (Staff Comment) An HOA will be set up to maintain all open space and the community septic system (shared responsibility with the church). In addition, a Landscape License Agreement will be prepared and executed to identify ownership and responsibilities for landscaping and open space.
- F.** Preserved open space shall be contiguous with preserved open space or public parks on adjacent parcels; (Staff Comment) There are no preserved open spaces contiguous to this development.

**OP Buffers.** The Hidden Meadows 2<sup>nd</sup> Addition preliminary plat was approved with 200 foot buffers from residential properties to the west and south and a 100 foot buffer from the Bergmann property on the east (considered to be a future OP development), all of which, comply with the OP buffer standards. In the approved preliminary plat, nearly all of the required buffer area was within individual lots with the buffer extending to the rear façade of the proposed homes protected by drainage and utility easements. No structures are allowed within buffers which would leave the proposed homes with no usable backyard for pools, sheds, swing-sets, gazebos, or even decks. In order to provide each home with some usable backyard for these typical residential structures, the developer has modified the buffers on the proposed final plat to 150 feet from residential properties to the west and south and 50 feet from the Bergmann farm property to the east. The City Council should affirm the new deviation from the buffer requirement with a 4/5 vote as required by the OP regulations.

The Ziernans, located on the west side of the proposed development, had been vocal during the preliminary plat public hearing process. They do not object to the reduced buffer provided that a berm is provided in conjunction with the coniferous screening. The Bergman's have not commented on the buffer, but have asked for a street stub connection to their farm.

#### **Engineering Standards and Subdivision Standards:**

The City's Engineering Design Standards and the Subdivision Standards have been updated since the City's approval of the Hidden Meadows 2<sup>nd</sup> Addition preliminary plat, with the most recent update being approved in April, 2017. The City requires the City's Engineering Design Standards be shown on the construction plans. The preliminary plat approved in 2006, does not conform to the current City of Lake Elmo Engineering Design Standards. This fact has made reviewing the proposed development difficult. With this report, Planning and Engineering Staff have highlighted areas in which the current standards have not been met and how they differ.

**Street Right-of-Way Design.** The streets in Hidden Meadows and Hidden Meadows 2<sup>nd</sup> Additions do not match the City's typical right-of-way layout (Engineering detail 805). The applicant has provided a proposed layout on Plan Sheet C24.0 to illustrate where proposed infrastructure will go within the right-of-way. The infrastructure proposed for the 50 foot right-of-way includes a 24 foot wide street, surmountable curbs, street trees, street lights, an 8' bituminous trail, and sanitary sewer for the community septic system. To make the street work, the street trees on one side of the street are located on the outer edge of the 10 ft. drainage utility easement adjacent to the right-of-way in the residential front yards. The private sanitary sewer is located under the City trail. In general, this layout matches the street profile of 59<sup>th</sup> Street, the street providing access to Rock Point Church in the first phase.

**Cul-de-sac Length.** 59<sup>th</sup> Street N. was platted with Hidden Meadows 1<sup>st</sup> Addition providing access to Rock Point Church. This segment of road is roughly 2,000 feet long. The Hidden Meadows 2<sup>nd</sup> Addition final plat extends the 59<sup>th</sup> Street N. into a cul-de-sac that is nearly 4,000 feet long. The shorter proposed cul-de-sac, shown as 57<sup>th</sup> Place N., is nearly 1,000 feet long. The City's standard for cul-de-sac length for subdivisions with lots 2.5 acres or less in size is 1,000 feet.

**Street Connections to Adjacent Properties.** During the preliminary plat process, there are records indicating discussion about providing access to a landlocked parcel to the south of the plat, however, the preliminary plat was approved without such a road connection. The land locked parcel has a driveway easement providing access, however, the property would not be able to subdivide in the future without street frontage. Most recently, the Bergman's contacted the City and are requesting that one of the cul-de-sacs provide a street stub to their farm located to the east of the site. The final plat street layout is consistent with the preliminary plat approval. The Planning Commission reviewed the final plat and was concerned with the length of the cul-de-sac and the need for connectivity to the Bergmann parcel to the east. The Planning Commission recommended a condition of approval that the Hidden Meadows 2<sup>nd</sup> Addition provide street right-of-way for 57<sup>th</sup> Street North to the east edge of the plat to provide the requested access to Bergmann's property and to improve east west street connectivity.

**Wetland Buffers.** Current Engineering Design Standards require wetland buffers to be outside of individual residential lots on outlots in order to provide maximum protection from residential intrusion such as mowing, piling of debris, or placement of structures, etc. The required wetland buffers in the Hidden Meadows 2<sup>nd</sup> Addition preliminary plat and final plat do not comply with this engineering standard. It is recommended that wetland buffer signs be placed within the

residential lots to identify the wetland buffer limits and that the HOA documents restrict residents from mowing and intruding into the buffer area.

**Stormwater Ponds and Infiltration areas.** It is City policy to require storm ponds and infiltration areas to be located in outlots owned and maintained by the City. The proposed final plat deviates from this with a large storm pond that stretches over the rear of Lots 8-10, Block to and Outlot F, all contained within drainage and utility easements. Although deviating from City standards, the condition is consistent with preliminary plat. Outlot F will be City owned and maintained and the developer has provided a maintenance access bench, also within rear yards. The location of the pond and associated slopes are +/- 40 feet from the rear façade of the proposed home pads.

**Retaining Walls in Right-of-Way.** It is a City policy to limit or discourage the location of retaining walls within City right-of-ways in order to minimize City costs to maintain or replace walls in the future. In this case, the development was graded after preliminary plat approval and the roads and ponds were essentially graded to plan. As a result, if the final plat moves forward as planned the walls in the City rights-of-way are unavoidable because of existing grades and wetlands.

#### **Other Zoning Issues:**

**Street Names.** The proposed final plat for Hidden Meadows 2<sup>nd</sup> Addition street names were reviewed against the City's amended street naming ordinance approved in 2016 and the Hidden Meadows 1st Addition Plat. Staff has reviewed the proposed streets and finds them consistent with the street naming ordinance, however if the northerly cul-de-sac is to continue to the east through the Bergmann property as a thru-street as recommended by the Planning Commission, it will be named 57<sup>th</sup> Street North.

**Parks and Trail Dedication.** The minimum park dedication requirements for OP Developments is 7% of the land area, or an amount of cash equal to 7% of the fair market value for the zoning district in which the property is located. Fair market value is determined by reference to current market data, if available, or by an appraisal from a licensed real estate appraiser; paid for by the developer.

The approved preliminary plat shows trails in the rights-of way as a continuation of the trail in Hidden Meadows 1<sup>st</sup> Addition and a trail spur into Outlot F to the southern edge of the property. This trail location was in response to a proposed trail corridor identified in the City's Comprehensive Trail Guide Plan, dated November 29, 2005. The proposed trail dead ended at the southern property line. The property immediately south has no road frontage and cannot at this time further subdivide; therefore, Staff does not recommend construction of the proposed trail at this time or until a viable trail corridor can be established. The Parks Commission was consulted on this at its January 17, 2017 meeting and a voted unanimously to recommend no trail be constructed in Outlot F. They also mentioned it would be nice to provide a trail that would connect to an existing park, however, there is currently no viable option to do so. There also was general consensus that there was no preference to trails over sidewalks within the right-of-way.



Comprehensive Trail Guide Plan Map, dated November 29, 2005

The Applicant has amended the Final Plat to remove the trail corridor in Outlot F though still proposes trails within the right-of-way to match the trail constructed within the right-of-way in Hidden Meadows 1<sup>st</sup> Addition.

The City requires sidewalks on one side of all streets and therefore, does not allow trails in rights-of-way to receive a credit towards park dedication. Park Dedication requirements will be incorporated into the Developers Agreement and collected prior to recording the final plat.

**Rear Yard Area.** Although there are no zoning or subdivision regulations requiring usable yard area per lot, it should be pointed out that a several lots have limited back yard space due to stormwater management requirements. Lots 8-10, Block 2 have +/- 40 foot deep back yard area because of the stormwater pond location. The rear yards on Lot 1, Block 4 and Lot 1, Block 3 are impacted by drainage areas. Many of the lots have limited backyard area (50 feet) because of OP buffer requirements.

**Street Lights.** The Construction Plans identify street lights at intersection and at the ends of cul-de-sacs. At the April 10 Commission meeting, the Commission requested Staff revise ordinances and standards to minimize the requirement for residential street lighting. Staff has communicated this to the developer and has requested that a street light be provided only at the intersection of Kelvin Avenue and the first cul-de-sac. The plans have not been updated to limit the number of street lights.

**Development Signage.** No development signage has been proposed, but the likely location would be in Outlot C within the proposed HOA owned open space. A provision for a future sign within the open space should be made, prior to the execution of a new conservation easement. A separate sign permit is required for development signs.

**Dump Site.** The existing conditions identified a dump site on the survey. The developer should verify that the dump site has been appropriately cleaned up meeting applicable environmental regulations.

**Parking.** The proposed streets in the development are 24 feet wide and will be limited to one side of street parking. Staff will prepare an ordinance concurrent with the final plat to limit parking to one side of the street at a subsequent City Council meeting.

**Community Septic System.** The community septic system, on Outlot B, was installed by the Rock Point Church when the property was developed. The system was designed to be shared with the residential development and has enough excess capacity at this time to accommodate 17 new homes according to the septic report provided by the applicant. An expansion is needed to accommodate the remaining homes. The developer has not provided a design for the expansion of the system which is needed to service the remaining 8 lots. The design and permitting of the septic system expansion has been made a condition of final plat such that the septic system expansion be constructed prior to the permitting of the 17th home in the development and that costs of the system be held in escrow.

**Landscape Island.** The preliminary plat envisioned a landscape island in Kelvin Avenue between the church and residential development. The developer has eliminated this feature (widened right-of-way) from the plat and from the construction plans.

**Landscaping.** A review of the landscape plans were conducted and the following comments sent to the developer on April 17, 2017 by email (Landscape Plans by Kimley-Horn have been provided as an attachment to this report):

1. Please show on final plans the water and sanitary sewer connections to verify there are no conflicts with planned street tree locations. The City prefers a 10 foot setback from individual lines and requires a minimum 5 foot setback.
2. Please use the City of Lake Elmo standard details and plan notes on your plans.
3. The plans identify 88 Street trees (trees within the public R/W), however the landscape ordinance requires 1 tree per lineal foot of street frontage. If there are 6657 lineal feet of road, then there is 13,314 lineal feet of frontage (2 sides of road). The street tree requirement is **266 street trees**. Staff will accept the trees at the edge of the utility easement outside the R/W as required street trees.
4. The plans identify 157 evergreen trees and 24 overstory trees meeting the 5 trees/ acre of disturbed area. The plans exceed the non-street tree requirement.
5. The evergreen buffer along the west property line identifies a mix of evergreen tree species. The arborvitae are extremely susceptible to deer browse. City staff suggests changing the arborvitae to Austrian Pine. The Medora Junipers get a mature width of 3 feet. Staff suggests changing the Medora to 'Sky High' or 'Star Power' varieties which have a mature width of 5 feet.
6. The landscape plans should identify the proposed stormpond maintenance roads in order to identify conflicts between proposed trees and storm pond access.
7. Please identify the seeding areas (limits of native seeding) for each proposed seed mix on the plans or a separate plan exhibit.
8. Reading through the preliminary plat approval records, there are a number of comments about the effectiveness of screening on the east side of the plat. I found the Kimley-Horn Landscape Plan dated 05/02/2006 that show a staggered row of conifers along the east

tree-line intended to bolster the screening. This planting was subject of much debate and it appears as though a final landscape plan was approved prior to the July 5, 2006 City Council meeting. I would suggest this was the approved landscape plan. If so, your plans are deficient screening along the east in particular (see attached 05/02/2006 Landscape Plans)

9. The buffer on the west side has been reduced from 200 ft. to 150 ft. as suggested to provide for a back yard area that is usable. It has been suggested that a berm be added along the west property line along with the proposed trees in lieu of the 200 ft. buffer (there will be public comments as such).
10. Revised and approved landscape plans are required prior to recording the final plat.

An additional comment:

- The proposed sanitary sewer appear to be in conflict with planned tree locations.

A revised and approved landscape plan set meeting City requirements is required prior to recording the final plat.

### **Other Final Plat Issues:**

**State Highway 36 Frontage Road Study.** The City's Consulting Engineer is soon to begin a Highway 36 Frontage Road Study to coincide with MnDOT's long range plans to limit access to State Highway 36. The need for a frontage road has become known after the approval of the Hidden Meadows preliminary plat. Upon review, it appears as though a frontage road would need to roughly follow the 59<sup>th</sup> Street N. alignment to avoid impacting Wetland 13 in Outlot B. A future frontage road would likely impact planned Outlot A, Hidden Meadows 2<sup>nd</sup> Addition. No specific plans for the Church's Outlot A have been identified, although sketch plans have indicated interest in developing the area as ballfields and a community center with parking.

**Outlots.** The final plat contains outlots A-F:

<i>Outlots</i>	<i>Acres</i>	<i>Future Ownership</i>
Outlot A	18.63	Church
Outlot B	7.45	Church
Outlot C	15.06	HOA
Outlot D	1.36	HOA
Outlot E	8.29	City
Outlot F	3.51	City

Outlot A and B are church owned and will be retained by the church after the final plat of Hidden Meadows 2<sup>nd</sup> Addition. The church has previously shown sketch plans for Outlot A to be used for ballfields, community center and parking. There may also be a need to utilize the outlot for a future frontage road. Outlot B will remain as church property, but is part of the open space for the residential OP development, therefore, it cannot be developed and will be preserved with a conservation easement over it.

Outlot C is part of the residential open space and contains the shared community septic system for the church and residential development.

Outlot D is part of the residential open space and contains trails used by the church and an existing wetland.

Outlot E is part of the residential openspace and was preserved to protect the existing trees and wetlands on the site. It will also contain a new infiltration basin for the development. Outlot E will be city owned and maintained because of the stormwater management functions.

Outlot F was originally planned for a public trail and an infiltration basins, however, the trail has since been eliminated as a recommendation from the Parks Commission. Outlot F will be City owned and maintained because of the stormwater management functions. Staff is recommending that Outlot F be broken up into 3 Outlots such that the City only retains ownership of that portion of F which contains the stormwater infrastructure. The remainder of Outlot F, two new outlots, will be HOA maintained. This would be a deviation from the approved preliminary plat.

#### **MNDOT Review:**

MNDOT reviewed plans initially and submitted a review memorandum on December 2, 2016. At that time, the State agency was unable to conduct a complete review based on the information submitted. This information was shared with the developer. Staff forwarded the May 17, 2017 submittal to MNDOT on May 19, 2017 for comments. MNDOT has no concerns.

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#### **PRELIMINARY PLAT CONDITIONS ANALYSIS:**

The preliminary plat for Hidden Meadows was approved with conditions. With final plat reviews, it is typical to review the preliminary plat conditions as part of the analysis. The developer did not provide the typical response to preliminary plat conditions because they were not involved with the preliminary plat, nor were they aware of the preliminary plat conditions. Staff has provided a response to each condition of preliminary plat approval. Please also note that the applicant provided a response to the preliminary plat conditions which has been included in the application materials attached to this report. The applicant's response has not been duplicated for this report. Staff's comments related to each condition are indicated in ***bold italics***. In some instances, staff's comments are different than the developers.

Preliminary Plat Conditions (Resolution 2006-038):

- 1) Compliance with the recommendations/requirements of the City Engineer. **(Staff Comments) The only comments found from the City Engineer was an email dated March 23, 2006 which (summarized) states that the cul-de-sacs do not meet City standards and should be revised. The comment did not come with any specific recommendations for change. The drive lanes must be 16' wide. Guard rails are required for the retaining walls. The Engineer was seeking additional information to complete his review. The cul-de-sac's do not meet current City standards for length, however, they are consistent with the preliminary plat. The Planning Commission is**

**recommending an extension of the northerly cul-de-sac to the east property line which will become a through street in the future, making the cul-de-sacs compliant with City standards.**

- 2) Compliance with the recommendations/requirements of the Valley Branch Watershed District as found to be appropriate by the City Engineer. *(Staff Comments) The final plat will require VBWD review and permit. VBWD as reviewed the plans and they have been updated to reflect comments.*
- 3) Trail setback to the Ziertman property be increased and screening be considered in the landscape plan. *(Staff Comment) This condition appears to have been met, however, in exchange for a change in the buffer from 200' to 150', the Ziertman's would like the landscaping and a berm be provided adjacent their property.*
- 4) Confirm drainfield setback is to be 100' from property line. *(Staff Comment) This condition appears to have been met.*
- 5) Provide size and delineation of the alternate drainfield. *(Staff Comments) The plans do not show an alternate drainfield site, however, there appears to be adequate land to the west of the current drainfield for an alternate site.*
- 6) Secondary drainfield have the appropriate easement for trail use. *(Staff Comment) This condition is no longer applicable as the trails are located within the road right-of-way and Outlot F.*

A trail easement be added to the proposed watermain easement. *(Staff Comment) This condition appears to be related to condition #6 and is no longer applicable.*

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#### **FISCAL IMPACT:**

The Developer Agreement will be prepared by Staff and presented in a subsequent meeting for approval by the City Council which will include a detailed accounting of any development costs that will be the responsibility of the City. The development will result in the payment of Water Access Charges of \$78,000 for the 26 residential lots and connection charges of \$26,000, \$1,000 collected with each building permit. Park dedication will also be paid based on 7% of the fair market value of the development.

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#### **PLANNING COMMISSION/PUBLIC HEARING:**

The Planning Commission reviewed the final plat application on June 12, 2017 and recommended approval with 21 conditions of approval. The Commission discussed HOA issues with community septic systems, the deviations from standards and the need for a street right-of-way to the Bergman property. Commissioner Dorschner motioned for denial, but ultimately supported approval with the addition of condition #21. The



Commission deleted a Staff recommended condition that Lot 1, Block 1 be connected to the community septic. The Commission also recommended the following:

7. That the OP buffers on the west and south sides of the plat be reduced from 200 feet to 150 feet, and the buffers on the east side be reduced from 100 feet to 50 feet and that the buffer areas be protected from the construction or placement of any structures within the buffer areas by easements. Furthermore, the developer shall install berms with the landscape screening consistent with University of MN Extension Service Urban Landscape Information Series Berm Standards near the rear property lines of Lots 1, 2 and 3, Block 2 of the development.
10. That no more than 17 building permits will be issued by the City until the developer obtains a permit for expansion and constructs an expanded the community septic system with adequate capacity for all 26 lots and the church meeting State/County/City standards and that funds for this system be placed into escrow and the declarant of the Common Interest Community will demonstrate a bank account statement with a capital reserve required for operation of the wastewater system is either 1/3 the cost or an amount based on an equipment failure model provided by the vendor operating the wastewater system, whichever is greater.
20. That the declarant of the Common Interest Community will demonstrate transfer of all permits and titles for the wastewater system to the Common Interest Community
21. That the developer provide right-of-way for a future extension of the northerly cul-de-sac (to be called 57<sup>th</sup> Street N) to the east property line.

Because the Commission deleted Staff's recommendation requiring Lot 1, Block 1 be connected to the community septic system and because there are no septic system records for Lot 1, Block 1, Staff is recommending the following condition:

22. That the septic system on Lot 1, Block 1, Hidden Meadows 2<sup>nd</sup> Addition be inspected for compliance and if not in compliance the lot be connected to the community septic system or the individual system be replaced.

Also, the Planning Commission did not specify the size or shape of the berms in condition number 7. The Ziertman's are requesting 6 ft. high berms with 7:1 side slopes. The condition number 7 has been amended to reflect their request.

#### **OPTIONS:**

The Council has the following options:

1. Adopt a Resolution 2017-073 approving the final plat of Hidden Meadows 2<sup>nd</sup> Addition
2. Amend and adopt Resolution 2017-073 approving the final plat of Hidden Meadows 2<sup>nd</sup> Addition
3. Adopt Resolution 2017-073 denying the final plat of Hidden Meadows 2<sup>nd</sup> Addition.

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#### **RECOMMENDED FINDINGS FOR FINAL PLAT APPROVAL:**

Staff and the Planning Commission are recommending the following findings for approval of the Hidden Meadows 2<sup>nd</sup> Addition Final Plat:

- 1) That the Final Plat is generally consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on March 27, 2006.
- 2) That the Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 3) That the Final Plat complies with Open Space Preservation Overlay District regulations that were established at the time of the preliminary plat approval except as approved by the City Council.
- 4) That the Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control, landscaping and other ordinances except as approved by the City Council.
- 5) That the Final Plat complies with the City's subdivision ordinance except as approved by the City Council.
- 6) That the Final Plat is consistent with the City's engineering standards with the plan revisions as requested by the City Engineer, except as highlighted within the City Engineer's Report dated June 1, 2017

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#### **RECOMMENDED FINDINGS FOR FINAL PLAT DENIAL:**

Staff and the Planning Commission are recommending approval, but because the development deviates from the preliminary plat, OP zoning requirements, subdivision standards and Engineering Standards and the City is not compelled by State Statute to approve the final plat due to the time that has lapsed since approval of the preliminary plat, the following findings for denial have been provided:

- 1) That the Final Plat is not consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on March 27, 2006.
- 2) That the Final Plat and Final Construction Plans do not comply with the applicable zoning requirements for OP developments.
- 3) That the Final Plat does not comply with the City's subdivision ordinance.
- 4) That the Final Plat is not consistent with the City's engineering standards highlighted within the City Engineer's Report dated June 1, 2017.

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#### **RECOMMENDED CONDITIONS OF APPROVAL:**

Staff and the Planning Commission are recommending the following conditions of approval:

1. That Final grading, drainage, and erosion control plans, utility plans, sanitary and storm water management plans, street and utility construction plans and agreements shall be reviewed and approved by the City Engineer complying with the Engineer's memorandum dated June 1, 2017 and complying with the Planning Director's email comments dated April 17, 2017, prior to the execution of the final plat by City Officials.
2. All easements as requested by the City Engineer or Public Works Department shall be documented on the Final Plat prior to the execution of the final plat by City Officials.

3. The applicant shall also enter into a landscape license agreement 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.
4. That the open space be protected by a conservation easement in accordance with M.S.Ch 84C.01-05, as it may be amended from time to time), to an acceptable land trust as approved by the City; and /or conveyed to the by conservation easement to the City.
5. The developer provide verification of proper clean-up of the former dump site on the property.
6. That the OP buffers on the west and south sides of the plat be reduced from 200 feet to 150 feet, and the buffers on the east side be reduced from 100 feet to 50 feet and that the buffer areas be protected from the construction or placement of any structures within the buffer areas by easements. Furthermore, the developer shall install 6 ft high landscape berms with 7:1 side slopes with landscape screening consistent with University of MN Extension Service Urban Landscape Information Series Berm Standards near the rear property lines of Lots 1, 2 and 3, Block 2 of the development.
7. That park dedication be paid as a fee in lieu of land dedication equal to 7% of the fair market land value consistent with City Ordinance Section 153.14 prior to recording the final plat.
8. Wetland buffer monuments shall be placed every 50 feet or where the buffer boundary changes along wetland buffers where the buffers are within individual platted lots prior to issuance of any building permits.
9. That no more than 17 building permits will be issued by the City until the developer obtains a permit for expansion and constructs an expanded the community septic system with adequate capacity for all 26 lots and the church meeting State/County/City standards and that funds for this system be placed into escrow and the declarant of the Common Interest Community will demonstrate a bank account statement with a capital reserve required for operation of the wastewater system is either 1/3 the cost or an amount based on an equipment failure model provided by the vendor operating the wastewater system, whichever is greater.
10. Prior to recording the Final Plat, the developer will submit a septic system design that has been permitted by the MPCA with capacity for all 26 lots.
11. 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 that delineates who is responsible for the design, construction, and payment of the required improvements, including park dedication with financial guarantees therefore.
12. A Common Interest Agreement concerning management of the common areas of Hidden Meadows 2<sup>nd</sup> Addition and maintenance responsibilities for the communal septic system and establishing a homeowner's association shall be submitted in final form to the City prior to the issuance of any building permit within this subdivision.
13. Septic system maintenance be shared by the church and the residential HOA as part of the HOA documents.
14. Approved Landscaping Plans complying with City Ordinance Section 154.258 shall be required prior to recording the final plat.

15. The applicant shall provide evidence that all conditions attached the Valley Branch Watershed District permit for the final plat and associated grading work have been met prior to the commencement of any site work.
  16. That Outlot F on the plat be divided into three Outlots with only the Outlot with street frontage being dedicated to the City with the recording of the final plat. The other portions shall be HOA owned and maintained.
  17. That Outlot E be conveyed to the City with the recording of the final plat.
  18. That any development (subdivision) signs be constructed only after approval of sign permit by the Planning Department.
  19. That the final plat and plans be submitted to MNDOT for review and approval and all conditions be addressed prior to recording the final plat.
  20. That the declarant of the Common Interest Community will demonstrate transfer of all permits and titles for the wastewater system to the Common Interest Community
  21. That the developer provide right-of-way for a future extension of the northerly cul-de-sac (to be called 57<sup>th</sup> Street N) to the east property line.
  22. That the septic system on Lot 1, Block 1, Hidden Meadows 2<sup>nd</sup> Addition be inspected for compliance and if not in compliance the lot be connected to the community septic system or the individual system be replaced.
- 

**RECOMMENDATION:**

Staff and the Planning Commission recommend the City Council adopt Resolution 2017-073 approving the final plat of Hidden Meadows 2<sup>nd</sup> Addition with the following motion:

***“Move to adopt Resolution 2017-073 approving the Hidden Meadows 2<sup>nd</sup> Addition with 22 conditions.”***

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**ATTACHMENTS:**

- Resolution 2017-073 approving the Hidden Meadows 2<sup>nd</sup> Final Plat
- Resolution 2017-073 denying the Hidden Meadows 2<sup>nd</sup> Final Plat
- Final Plat application and narrative
- Final Plat Construction Plans
- Preliminary Plat (stamped “received, April 17, 2006”)
- Resolution 2006-038 approving the preliminary plat
- Temporary Conservation Easement
- City Engineer Report dated June 1, 2017
- MnDOT Comments, dated December 2, 2016
- Old preliminary plat Staff Reports and Minutes
- July 5, 2006 final plat report to City Council.



**CITY OF LAKE ELMO  
WASHINGTON COUNTY  
STATE OF MINNESOTA**

**RESOLUTION NO. 2017-073**

*A RESOLUTION APPROVING THE HIDDEN MEADOWS 2<sup>ND</sup> ADDITION FINAL PLAT*

**WHEREAS**, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

**WHEREAS**, on July 25<sup>th</sup>, 2005, the Lake Elmo Planning Commission reviewed and recommended approval of an amended OP Concept Plan for Deer Glen subject to certain conditions; and

**WHEREAS**, on August 16, 2005, and September 6, 2005, the Lake Elmo City Council reviewed the recommendations of the Lake Elmo Planning Commission along with revised OP concept plans for Deer Glen; and

**WHEREAS**, on September 20, 2005, the Lake Elmo City Council approved resolution 2005-102 which approved the amended OP Concept Plan of Deer Glen; and

**WHEREAS**, on September 20, 2005, the Lake Elmo City Council approved an amendment to the conditional use permit for Rockpoint Church, Resolution 2005-029, to reflect the amended OP Concept Plan dated September 6, 2005; and

**WHEREAS**, on September 20, 2005, the Lake Elmo City Council approved an amendment to the preliminary plat formerly approved by Council Resolution 2005-030 to reflect the amended OP Concept plan dated September 6, 2005; and

**WHEREAS**, on May 16, 2006, the Lake Elmo City Council approved the final plat for Hidden Meadows 1<sup>st</sup> Addition, previously referred to as Deer Glen; and

**WHEREAS**, the developers agreement for Hidden Meadows 1<sup>st</sup> Addition required future platting of the residential portion of the approved plan; and

**WHEREAS**, on January 2, 2007 the Lake Elmo City Council approved a one year extension to the deadline for the final plat submittal for the residential portion of the approved plan, thereby extending the final plat deadline to January 2, 2008; and

**WHEREAS**, on December 11, 2007, the Lake Elmo City Council approved Resolution 2007-97 granting a five year extension to the final plat submittal deadline to January 2, 2013; and

**WHEREAS**, on January 15, 2013, the Lake Elmo City Council approved a six month extension to the final plat submittal deadline to August 2, 2013 with the understanding that future

extension will be considered after the dedication of a utility easement across the Church's property consistent with the location of a planned 16" water line; and

**WHEREAS**, on August 3, 2013, the Hidden Meadows 2<sup>nd</sup> Addition Plat became void for failure to extend the plat in a timely manner; and

**WHEREAS**, on November 24, 2015, Rockpoint Church applied for a three year extension to the final plat submittal to allow a perspective buyer time to close on the purchase of the development property or to find an alternate buyer if the property does not sell; and

**WHEREAS**, on January 12, 2016, Rockpoint Church executed for recording a utility easement across its property consistent with the location of a planned 16" water line as requested by the City Council; and

**WHEREAS**, on January 19, 2016, the Lake Elmo City Council approved a two-year extension to the final plat submittal until January 2, 2018 by Council motion; and

**WHEREAS**, on May 17, 2017, RM Investments, LLC and Mpls RE, LLC, 139 Fenway Boulevard, N, Hugo, MN (applicant) submitted an application for final plat of Hidden Meadows 2<sup>nd</sup> Addition; and

**WHEREAS**, on June 12, 2017, the Lake Elmo Planning Commission reviewed the final plat application and made a recommendation for approval with conditions; and

**WHEREAS**, on June 12, 2017, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Final Plat as part of a memorandum to the City Council for the July 7, 2017 Council Meeting; and

**WHEREAS**, the City Council reviewed the Hidden Meadows 2<sup>nd</sup> Addition Final Plat at its meeting held on July 7, 2017 and made the following findings:

- 1) That the Final Plat is generally consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on March 27, 2006.
- 2) That the Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 3) That the Final Plat complies with Open Space Preservation Overlay District regulations that were established at the time of the preliminary plat approval except as approved by the City Council.
- 4) That the Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control, landscaping and other ordinances except as approved by the City Council.
- 5) That the Final Plat complies with the City's subdivision ordinance except as approved by the City Council.
- 6) That the Final Plat is consistent with the City's engineering standards with the plan revisions as requested by the City Engineer, except as highlighted within the City Engineer's Report dated June 1, 2017

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council does hereby approve the Hidden Meadows 2<sup>nd</sup> Addition Final Plat subject to the following conditions:

1. That Final grading, drainage, and erosion control plans, utility plans, sanitary and storm water management plans, street and utility construction plans and agreements shall be reviewed and approved by the City Engineer complying with the Engineer's memorandum dated June 1, 2017 and complying with the Planning Director's email comments dated April 17, 2017, prior to the execution of the final plat by City Officials.
2. All easements as requested by the City Engineer or Public Works Department shall be documented on the Final Plat prior to the execution of the final plat by City Officials.
3. The applicant shall also enter into a landscape license agreement 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.
4. That the open space be protected by a conservation easement in accordance with M.S.Ch 84C.01-05, as it may be amended from time to time), to an acceptable land trust as approved by the City; and /or conveyed to the by conservation easement to the City.
5. The developer provide verification of proper clean-up of the former dump site on the property.
6. That the OP buffers on the west and south sides of the plat be reduced from 200 feet to 150 feet, and the buffers on the east side be reduced from 100 feet to 50 feet and that the buffer areas be protected from the construction or placement of any structures within the buffer areas by easements. Furthermore, the developer shall install 6 ft high landscape berms with 7:1 side slopes with landscape screening consistent with University of MN Extension Service Urban Landscape Information Series Berm Standards near the rear property lines of Lots 1, 2 and 3, Block 2 of the development.
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9. That no more than 17 building permits will be issued by the City until the developer obtains a permit for expansion and constructs an expanded the community septic system with adequate capacity for all 26 lots and the church meeting State/County/City standards and that funds for this system be placed into escrow and the declarant of the Common Interest Community will demonstrate a bank account statement with a capital reserve required for operation of the wastewater system is either 1/3 the cost or an amount based on an equipment failure model provided by the vendor operating the wastewater system, whichever is greater.
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11. 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 that delineates who is responsible for the design, construction, and payment of the required improvements, including park dedication with financial guarantees therefore.



12. A Common Interest Agreement concerning management of the common areas of Hidden Meadows 2<sup>nd</sup> Addition and maintenance responsibilities for the communal septic system and establishing a homeowner's association shall be submitted in final form to the City prior to the issuance of any building permit within this subdivision.
13. Septic system maintenance be shared by the church and the residential HOA as part of the HOA documents.
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19. That the final plat and plans be submitted to MNDOT for review and approval and all conditions be addressed prior to recording the final plat.
20. That the declarant of the Common Interest Community will demonstrate transfer of all permits and titles for the wastewater system to the Common Interest Community
21. That the developer provide right-of-way for a future extension of the northerly cul-de-sac (to be called 57<sup>th</sup> Street N) to the east property line.
22. That the septic system on Lot 1, Block 1, Hidden Meadows 2<sup>nd</sup> Addition be inspected for compliance and if not in compliance the lot be connected to the community septic system or the individual system be replaced.

Passed and duly adopted this 5th day of July, 2017 by the City Council of the City of Lake Elmo, Minnesota.

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Mike Pearson, Mayor

ATTEST:

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Julie Johnson, City Clerk

**CITY OF LAKE ELMO  
WASHINGTON COUNTY  
STATE OF MINNESOTA**

**RESOLUTION NO. 2017-073**

*A RESOLUTION DENYING THE HIDDEN MEADOWS 2<sup>ND</sup> ADDITION FINAL PLAT*

**WHEREAS**, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

**WHEREAS**, on July 25<sup>th</sup>, 2005, the Lake Elmo Planning Commission reviewed and recommended approval of an amended OP Concept Plan for Deer Glen subject to certain conditions; and

**WHEREAS**, on August 16, 2005, and September 6, 2005, the Lake Elmo City Council reviewed the recommendations of the Lake Elmo Planning Commission along with revised OP concept plans for Deer Glen; and

**WHEREAS**, on September 20, 2005, the Lake Elmo City Council approved resolution 2005-102 which approved the amended OP Concept Plan of Deer Glen; and

**WHEREAS**, on September 20, 2005, the Lake Elmo City Council approved an amendment to the conditional use permit for Rockpoint Church, Resolution 2005-029, to reflect the amended OP Concept Plan dated September 6, 2005; and

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**WHEREAS**, on May 16, 2006, the Lake Elmo City Council approved the final plat for Hidden Meadows 1<sup>st</sup> Addition, previously referred to as Deer Glen; and

**WHEREAS**, the developers agreement for Hidden Meadows 1<sup>st</sup> Addition required future platting of the residential portion of the approved plan; and

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extension will be considered after the dedication of a utility easement across the Church's property consistent with the location of a planned 16" water line; and

**WHEREAS**, on August 3, 2013, the Hidden Meadows 2<sup>nd</sup> Addition Plat became void for failure to extend the plat in a timely manner; and

**WHEREAS**, on November 24, 2015, Rockpoint Church applied for a three year extension to the final plat submittal to allow a perspective buyer time to close on the purchase of the development property or to find an alternate buyer if the property does not sell; and

**WHEREAS**, on January 12, 2016, Rockpoint Church executed for recording a utility easement across its property consistent with the location of a planned 16" water line as requested by the City Council; and

**WHEREAS**, on January 19, 2016, the Lake Elmo City Council approved a two-year extension to the final plat submittal until January 2, 2018 by Council motion; and

**WHEREAS**, on May 17, 2017, RM Investments, LLC and Mpls RE, LLC, 139 Fenway Boulevard, N, Hugo, MN (applicant) submitted an application for final plat of Hidden Meadows 2<sup>nd</sup> Addition; and

**WHEREAS**, on June 12, 2017, the Lake Elmo Planning Commission reviewed the final plat application and made a recommendation for approval with conditions; and

**WHEREAS**, on June 12, 2017, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Final Plat as part of a memorandum to the City Council for the July 7, 2017 Council Meeting; and

**WHEREAS**, the City Council reviewed the Hidden Meadows 2<sup>nd</sup> Addition Final Plat at its meeting held on July 7, 2017 and made the following findings:

- 1) That the Final Plat is not consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on March 27, 2006.
- 2) That the Final Plat and Final Construction Plans do not comply with the applicable zoning requirements for OP developments.
- 3) That the Final Plat does not comply with the City's subdivision ordinance.
- 4) That the Final Plat is not consistent with the City's engineering standards highlighted within the City Engineer's Report dated June 1, 2017.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council does hereby deny the Hidden Meadows 2<sup>nd</sup> Addition Final Plat.

Passed and duly adopted this 5th day of July, 2017 by the City Council of the City of Lake Elmo, Minnesota.

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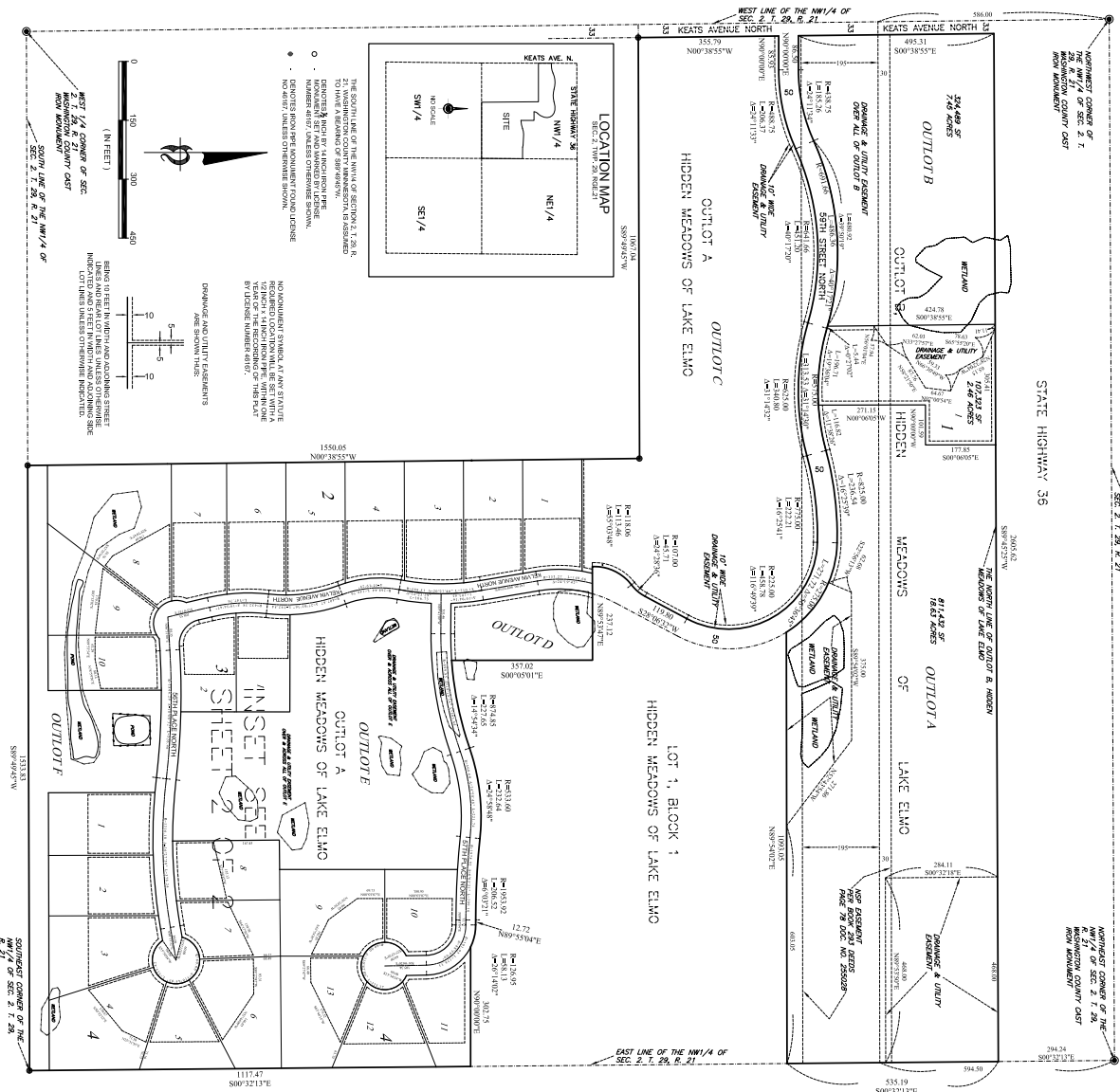
Mike Pearson, Mayor

ATTEST:

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Julie Johnson, City Clerk

# HIDDEN MEADOWS OF LAKE ELMO 2ND ADDITION



KNOW ALL PERSONS BY THESE PRESENTS, That B&I Investments, LLC, a Minnesota limited liability company, and Backstop Church, a Minnesota nonprofit corporation, owners of the following described property:

OUTLOT A, HIDDEN MEADOWS OF LAKE ELMO, Washington County, Minnesota.

Has caused this plat to be prepared and filed in the Office of the County Recorder for public record on this day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_, MN, and was duly filed in Book \_\_\_\_\_ of Public Maps \_\_\_\_\_ as Document Number \_\_\_\_\_.

In witness whereof, said B&I Investments, LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

B&I Investments, LLC

By: \_\_\_\_\_  
Leslie K. Grays, Chief Manager

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_  
I, \_\_\_\_\_, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original filed in my office on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

In witness whereof, said Apple, B&I, LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Apple, B&I, LLC

By: \_\_\_\_\_  
Leslie K. Grays, Chief Manager

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_  
I, \_\_\_\_\_, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original filed in my office on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Apple, B&I, LLC

By: \_\_\_\_\_  
Leslie K. Grays, Chief Manager

In witness whereof, said Backstop Church, a Minnesota nonprofit corporation, has caused these presents to be signed by its proper officer this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Backstop Church

By: \_\_\_\_\_  
John Wesley Ford, Executive Pastor

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_  
I, \_\_\_\_\_, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original filed in my office on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Backstop Church

By: \_\_\_\_\_  
John Wesley Ford, Executive Pastor

MINNESOTA CERTIFICATE  
I, Thomas J. O'Mara, do hereby certify that this plat was prepared by me or under my direct supervision and that I am duly Licensed Land Surveyor in the State of Minnesota. I have caused this plat to be prepared and filed in the Office of the County Recorder for public record on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_, MN, and was duly filed in Book \_\_\_\_\_ of Public Maps \_\_\_\_\_ as Document Number \_\_\_\_\_.

In witness whereof, said Thomas J. O'Mara, a Minnesota Licensed Land Surveyor, has caused these presents to be signed by its proper officer this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Thomas J. O'Mara, Licensed Land Surveyor

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_  
I, \_\_\_\_\_, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original filed in my office on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Thomas J. O'Mara, Licensed Land Surveyor

By: \_\_\_\_\_  
Leslie K. Grays, Chief Manager

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_  
I, \_\_\_\_\_, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original filed in my office on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Thomas J. O'Mara, Licensed Land Surveyor

By: \_\_\_\_\_  
Leslie K. Grays, Chief Manager

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_  
I, \_\_\_\_\_, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original filed in my office on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Thomas J. O'Mara, Licensed Land Surveyor

By: \_\_\_\_\_  
Leslie K. Grays, Chief Manager

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_  
I, \_\_\_\_\_, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original filed in my office on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Thomas J. O'Mara, Licensed Land Surveyor

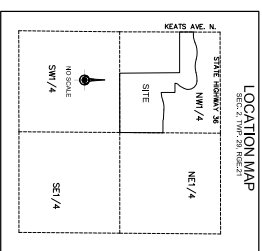
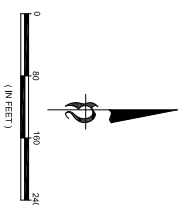
By: \_\_\_\_\_  
Leslie K. Grays, Chief Manager

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_  
I, \_\_\_\_\_, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original filed in my office on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Thomas J. O'Mara, Licensed Land Surveyor

By: \_\_\_\_\_  
Leslie K. Grays, Chief Manager

R=118.06  
L=113.46  
Δ=55°03'48"

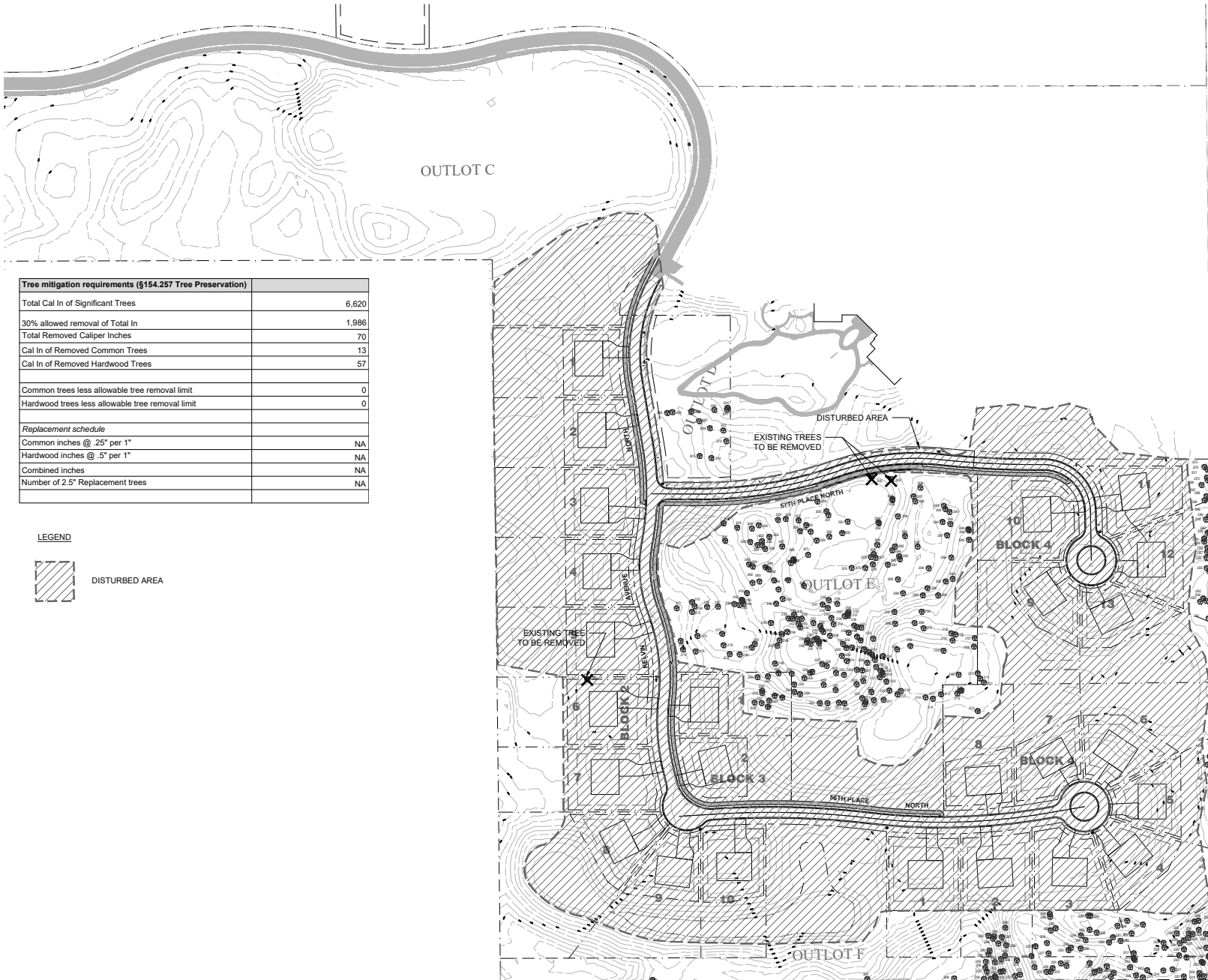


THE SOUTH LINE OF THE NW1/4 OF SECTION 2, T. 29,  
21, WASHINGTON COUNTY, MINNESOTA, IS ASSURE  
TO HAVE A BEARING OF S89°45'45" E.  
DENOTES  $\frac{1}{2}$  INCH BY 14 INCH IRON PIPE  
MONUMENT SET AND MARKED BY LICENSE  
NUMBER 46167, UNLESS OTHERWISE SHOWN.  
DENOTES IRON PIPE MONUMENT FOUND LICENSE  
NO 46167, UNLESS OTHERWISE SHOWN.

NO MONUMENT SYMBOL AT ANY STATUTE  
REQUIRED LOCATION WILL BE SET WITH A  
1/2 INCH X 1/4 INCH IRON PIPE WITHIN ONE  
YEAR OF THE RECORDING OF THIS PLAT  
BY LICENSE NUMBER 46167.

BEING 10 FEET IN WIDTH AND ADJOINING STREET LINES AND REAR LOT LINES UNLESS OTHERWISE INDICATED AND 5 FEET IN WIDTH AND ADJOINING SIDE LOT LINES UNLESS OTHERWISE INDICATED.

CADD USER: Andrew Montgomery FILE: L-001-0016 PROJECT: 15-230 HIDDEN MEADOWS OF LAKE ELMO CADD USER: JLD LANDSCAPE P&L UPDATE DWG: BLOCK SCALE: 1:1% OF DATE: 5/16/2017 11:53 AM

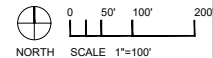


Tree mitigation requirements (\$154,257 Tree Preservation)	
Total Cal In of Significant Trees	6,620
30% allowed removal of Total In	1,986
Total Removed Caliper Inches	70
Cal In of Removed Common Trees	13
Cal In of Removed Hardwood Trees	57
Common trees less allowable tree removal limit	0
Hardwood trees less allowable tree removal limit	0
Replacement schedule	
Common inches @ .25" per 1"	NA
Hardwood inches @ .5" per 1"	NA
Combined inches	NA
Number of 2.5" Replacement trees	NA

LEGEND



DISTURBED AREA



REVISIONS BY	

HIDDEN MEADOWS  
LAKE ELMO,  
MINNESOTA

**DF/** **DAWN FARDER**  
**LANDSCAPE ARCHITECTS**  
407 2nd Avenue North, Suite 410  
Minneapolis, MN 55401 P.612.332.7522

Signature:   
Print Name: **Thomas Whitlock**  
Date: 5/12/2017  
License No: 26242

TREE PRESERVATION  
PLAN

DRAWN BY  
**AM**  
CHECKED BY  
**HK**  
DATE  
**5/12/2017**  
JOB NO.  
**16-210**  
SHEET

**L-001**

## REMOVALS

Tag Number*	Species**	Size***	Condition****
2001	oak	28	5
2002	Cottonwood	40	6
2003	Oak, Bur	21	4
2004	Oak, Red	36	6
2005	Oak, Bur	27	6
2006	Oak, Red	20	5
2007	Oak, Red	35	7
2008	Oak, Bur	29	7
2009	Oak, Red	27	6
2010	Oak, Bur	20	6
2011	Oak, Red	29	6
2012	Cherry, Black	8	5
2013	Oak, Bur	26	6
2014	Oak, Bur	31	6
2015	Oak, Bur	25	4
2016	Oak, Bur	21	4
2017	Oak, Bur	40	5
2018	Oak, Red	20	5
2019	Oak, Bur	21	7
2020	Oak, Red	11	6
2021	Oak, Red	10	6
2022	Elm, American	15	6
2023	Aspen	13	5
2024	Oak, Red	21	6
2025	Aspen	12	7
2026	Cherry, Black	9	6
2027	Oak, White	17	7
2028	Cherry, Black	6	5
2029	Oak, Bur	33	4
2030	Cherry, Black	8	4
2031	Cherry, Black	10	5
2032	Oak, Bur	33	6
2033	Oak, Bur	24	6
2034	Aspen	14	4
2035	Elm, American	12	5
2036	Oak, Bur	25	5
2037	Oak, Bur	21	5
2038	Oak, Red	17	7
2039	Oak, Bur	15	6
2040	Oak, Red	29	6
2041	Oak, Red	33	6
2042	Oak, Red	17	6
2043	Oak, Red	14	6
2044	Oak, Red	9	5
2045	Oak, Red	17	5
2046	Aspen	15	5
2047	Cherry, Black	10	6
2048	Aspen	12	6
2049	Aspen	16	6
2050	Elm, American	12	5
2051	Oak, Red	25	7
2052	Cherry, Black	7	5
2053	Aspen	13	4
2054	Oak, Red	24	4
2055	Cherry, Black	9	5
2056	Cherry, Black	6	4
2057	Oak, Bur	29	6
2058	Oak, Red	13	4
2059	Oak, Bur	11	4
2060	Aspen	12	4
2061	Basswood	13	5
2062	Cherry, Black	12	5
2063	Oak, Bur	16	5
2064	Cherry, Black	8	6
2065	Cherry, Black	11	6
2066	Cherry, Black	12	5
2067	Cherry, Black	10	5
2068	Oak, Bur	32	7
2069	Cherry, Black	7	4
2070	Oak, Bur	8	5
2071	Oak, Bur	27	4
2072	Cherry, Black	7	5
2073	Oak, Bur	18	5
2074	Aspen	13	5

\*Tag Number: Round, silver tag located at eye-level on tree. Tags are located at the same side of each tree, when possible.

\*\*Species: Tree's common name.

\*\*\*Tree Diameter: Measured at 4.5 feet above ground level. Multiple stems are measured taking the largest stem and adding half of all other stems.

\*\*\*\*Condition: Health of Tree based on a scale from 0 - 9. Zero being a dead tree and 9 being a perfect tree. Trees 0 - 3 are considered unhealthy.

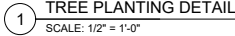
2075	Cherry, Black	8	5
2076	Oak, Red	13	6
2077	Oak, Bur	26	6
2078	Oak, Red	18	5
2079	Oak, Red	15	6
2080	Oak, Bur	23	4
2081	Oak, Red	20	5
2082	Oak, Bur	22	5
2083	Cherry, Black	7	5
2084	Oak, Bur	9	5
2085	Oak, Bur	9	5
2086	Oak, Bur	15	6
2087	Oak, Bur	26	7
2088	Cherry, Black	7	5
2089	Aspen	12	5
2090	Oak, Bur	34	5
2091	Oak, Bur	25	5
2092	Oak, Bur	25	6
2093	Oak, Bur	19	6
2094	Oak, Bur	26	7
2095	Cherry, Black	19	5
2096	Cherry, Black	8	5
2097	Cherry, Black	17	6
2098	Cherry, Black	16	6
2099	Oak, White	32	7
2100	Cherry, Black	14	5
2101	Oak, Bur	24	5
2102	Oak, Bur	24	7
2103	Willow	23	5
2104	Oak, Bur	26	4
2105	Cherry, Black	22	4
2106	Oak, Bur	15	5
2107	Bowelder	28	4
2108	Bowelder	25	4
2109	Oak, Bur	33	6
2110	Cherry, Black	9	5
2111	Cherry, Black	6	5
2112	Aspen	12	4
2113	Aspen	12	5
2114	Aspen	15	5
2115	Cherry, Black	12	5
2116	Bowelder	20	4
2117	Cherry, Black	17	5
2118	Elm, American	15	5
2119	Oak, Red	32	5
2120	Oak, Bur	28	6
2121	Oak, Bur	16	5
2122	Oak, Bur	13	5
2123	Elm, American	12	5
2124	Cherry, Black	13	5
2125	Cherry, Black	9	5
2126	Cherry, Black	11	6
2127	Cherry, Black	11	6
2128	Cherry, Black	10	6
2129	Oak, Red	29	7
2130	Cherry, Black	10	5
2131	Cherry, Black	9	5
2132	Cherry, Black	11	6
2133	Oak, Bur	22	6
2134	Oak, Bur	24	4
2135	Aspen	12	5
2136	Cherry, Black	14	5
2137	Oak, Red	8	6
2138	Aspen	14	5
2139	Aspen	14	5
2140	Oak, Red	7	6
2141	Cherry, Black	6	5
2142	Oak, Bur	27	6
2143	Oak, Bur	16	5
2144	Oak, Red	24	6
2145	Oak, Bur	17	5
2146	Oak, Bur	22	6
2147	Oak, Bur	29	6
2148	Oak, Red	13	7
2149	Cherry, Black	10	5

2150	Oak, Red	10	6
2151	Oak, Bur	22	6
2152	Cherry, Black	9	5
2153	Cherry, Black	10	5
2154	Oak, Red	6	5
2155	Oak, Red	12	6
2156	Oak, Red	21	6
2157	Oak, Red	17	6
2158	Oak, Red	24	6
2159	Oak, Red	21	7
2160	Oak, Bur	7	6
2161	Birch, Paper	8	5
2162	Oak, Red	7	5
2163	Cherry, Black	17	6
2164	Cherry, Black	13	6
2165	Aspen	15	6
2166	Cherry, Black	14	5
2167	Oak, Bur	33	7
2168	Aspen	12	5
2169	Aspen	13	6
2170	Aspen	14	4
2171	Oak, Bur	23	6
2172	Oak, Bur	18	7
2173	Oak, Bur	18	4
2174	Oak, Bur	21	5
2175	Oak, Bur	10	6
2176	Oak, Bur	20	4
2177	Oak, Bur	28	7
2178	Oak, Bur	16	7
2179	Oak, Bur	23	7
2180	Oak, Bur	26	7
2181	Birch, Paper	18	5
2182	Oak, Bur	14	5
2183	Cherry, Black	14	4
2184	Oak, Bur	26	7
2185	Oak, Red	22	6
2186	Oak, Bur	21	6
2187	Oak, Bur	19	7
2188	Cherry, Black	9	6
2189	Oak, Bur	10	6
2190	Cherry, Black	9	5
2191	Cherry, Black	12	5
2192	Oak, Red	14	7
2193	Cherry, Black	13	6
2194	Oak, Red	9	6
2195	Cherry, Black	11	5
2196	Cherry, Black	10	6
2197	Cherry, Black	9	5
2198	Cherry, Black	8	5
2199	Cherry, Black	7	5
2200	Aspen	12	5
2201	Oak, Bur	22	4
2202	Cherry, Black	6	5
2203	Aspen	12	5
2204	Oak, Bur	12	5
2205	Aspen	13	6
2206	Cherry, Black	12	6
2207	Oak, Bur	15	4
2208	Cherry, Black	10	5
2209	Oak, Bur	21	4
2210	Aspen	25	7
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2212	Oak, Bur	18	6
2213	Oak, Bur	30	5
2214	Oak, Red	15	4
2215	Oak, Bur	20	5
2216	Oak, Red	32	4
2217	Oak, Red	26	5
2218	Cherry, Black	9	5
2219	Oak, Bur	24	7
2220	Oak, Bur	18	7
2221	Oak, Bur	19	6
2222	Oak, Bur	12	5
2223	Oak, Red	28	4
2224	Oak, Bur	27	6

2225	Cherry, Black	12	6
2226	Cherry, Black	9	5
2227	Oak, Bur	27	6
2228	Oak, Bur	22	5
2229	Oak, Bur	24	7
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2235	Oak, Bur	21	7
2236	Oak, Red	6	5
2237	Aspen	13	6
2238	Cherry, Black	20	6
2239	Oak, Bur	18	4
2240	Oak, Bur	16	6
2241	Birch, Paper	6	5
2242	Cedar, Red	8	5
2243	Oak, Bur	29	6
2244	Oak, Bur	25	6
2245	Elm, American	13	5
2246	Oak, Red	8	7
2247	Oak, Bur	21	5
2248	Oak, Bur	15	4
2249	Oak, Bur	15	4
2250	Oak, Red	23	5
2251	Oak, Red	27	4
2252	Oak, Red	21	5
2253	Oak, Red	16	4
2254	Oak, White	15	5
2255	Oak, White	23	5
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2259	Oak, Bur	16	5
2260	Oak, Bur	18	5
2261	Cherry, Black	10	4
2262	Cherry, Black	8	4
2263	Oak, White	33	5
2264	Oak, Bur	21	7
2265	Oak, Bur	26	4
2266	Aspen	16	5
2267	Oak, White	6	4
2268	Cherry, Black	10	4
2269	Cherry, Black	9	4
2270	Bowelder	13	4
2271	Oak, Red	34	5
2272	Cherry, Black	6	5
2273	Oak, Red	21	6
2274	Cherry, Black	13	6
2275	Oak, Bur	13	5
2276	Cherry, Black	11	5
2277	Bowelder	12	4
2278	Oak, White	12	5
2279	Oak, White	12	5
2280	Oak, White	21	5
2281	Oak, White	16	5
2282	Bowelder	13	4
2283	Oak, White	12	5
2284	Oak, White	13	4
2285	Cherry, Black	11	5
2286	Oak, Bur	25	6
2287	Oak, Bur	25	6
2288	Cherry, Black	7	5
2289	Cherry, Black	9	5
2290	Oak, Bur	26	5
2291	Cherry, Black	7	4
2292	Cherry, Black	21	5
2293	Oak, Bur	26	6
2294	Cherry, Black	8	4
2295	Cherry, Black	9	4
2296	Oak, Red	24	6
2297	Oak, Red	9	6
2298	Oak, Red	16	5
2299	Oak, Red	21	6

2300	Oak, White	26	6
2301	Bowelder	17	5
2302	Cherry, Black	9	4
2303	Elm, American	12	5
2304	Cherry, Black	16	7
2305	Bowelder	14	4
2306	Oak, Red	23	7
2307	Cherry, Black	7	4
2308	Cherry, Black	13	5
2309	Cherry, Black	6	5
2310	Cherry, Black	9	6
2311	Oak, White	19	6
2312	Maple, Silver	25	4
2313	Aspen	17	4
2314	Aspen	17	4
2315	Aspen	25	4
2316	Aspen	12	5
2317	Oak, Red	29	6
2318	Oak, Red	24	5
2319	Cherry, Black	8	4
2320	Oak, Red	10	6
2321	Oak, Red	12	6
2322	Oak, White	15	5
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2324	Cherry, Black	11	5
2325	Aspen	14	5
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2328	Oak, Bur	15	5
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2330	Cherry, Black	16	5
2331	Oak, White	9	5
2332	Cherry, Black	17	6
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2338	Cherry, Black	8	4
2339	Cherry, Black	9	4
2340	Cherry, Black	15	5
2341	Oak, Red	8	5
2342	Oak, Bur	26	5
2343	Oak, White	13	5
2344	Oak, Red	35	5
2345	Cherry, Black	14	5
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2352	Bowelder	27	4
2353	Bowelder	16	4
2354	Oak, Red	22	6
2355	Oak, Red	26	6
2356	Oak, Red	35	5
2357	Oak, Red	35	5
2358	Oak, Red	38	5
2359	Oak, Red	48	4
2360	Oak, Red	24	6
2361	Oak, Red	17	6
2362	Oak, Red	37	5
2363	Oak, Bur	30	5
2364	Oak, Red	65	5
2365	Oak, Bur	15	5
2366	Cherry, Black	9	4
2367	Oak, Bur	16	5
2368	Oak, Red	40	5
2369	Cherry, Black	10	5
2370	Oak, Bur	13	5
2371	Oak, Red	28	5
2372	Oak, Red	48	5
2373	Oak, Red	6	4





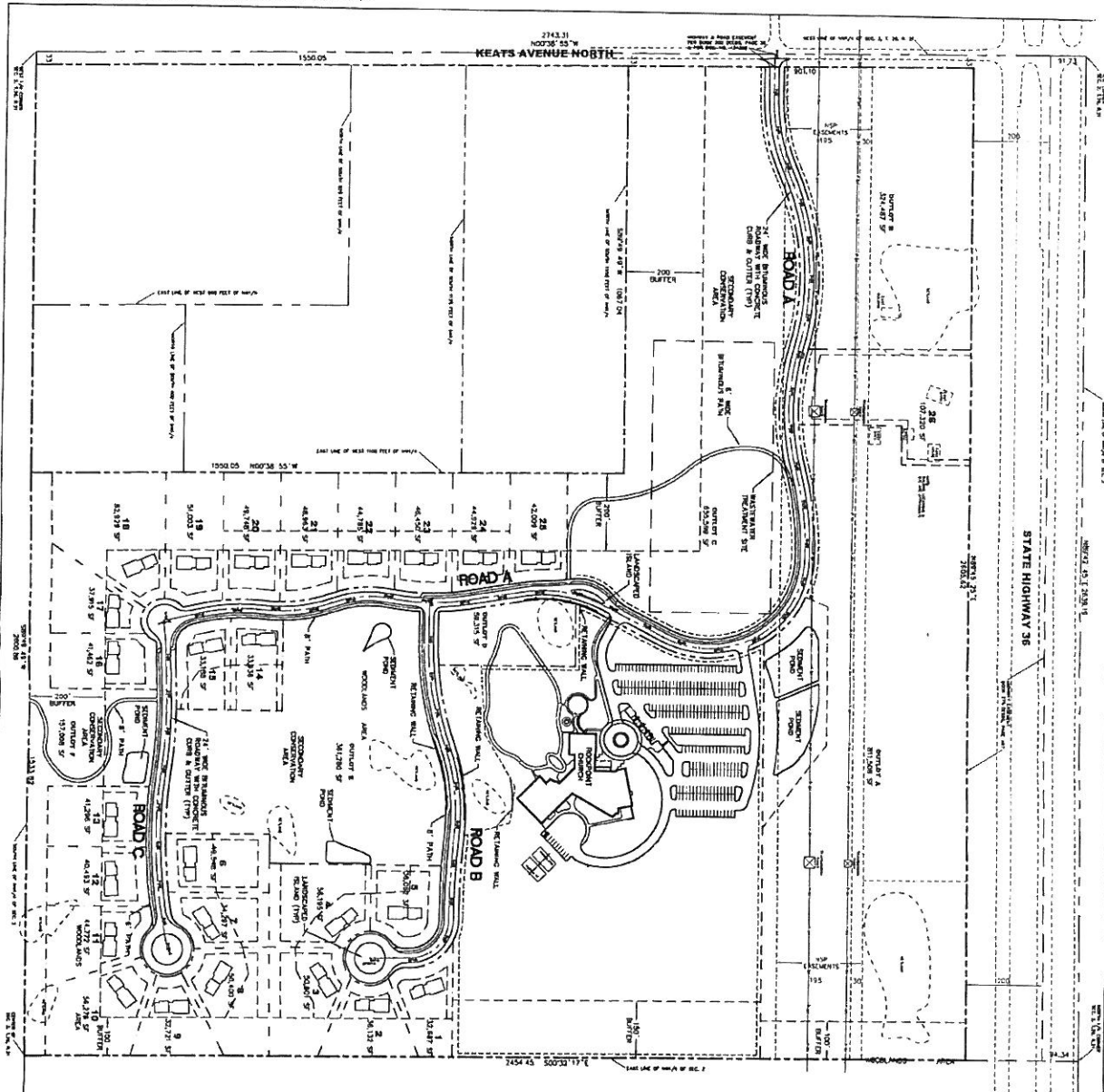
CADD USER: Andrew Montgomery FILE: \\DFAPPS01\JOB\_FILES\2016 PROJECTS\16-210 HIDDEN MEADOWS OF LAKE ELMO\CADD\16-210 LANDSCAPE PLAN\_UPDATE.DWG PLOT SCALE: 1:1 PLOT DATE: 5/16/2017 11:53 AM

LANDSCAPE NOTES:

1. SEED GRADED AREAS WITHIN 50 FEET OF WATER WITH MnDOT 33-261 NATIVE GRASS SEED AT 30 lbs/acre.
2. UNLESS OTHERWISE NOTED, SEED ALL GRADED AREAS WITH MnDOT 35-221 NATIVE GRASS SEED AT 30 lbs/acre.
3. TREE LOCATIONS MUST BE FIELD LOCATED AND INSPECTED BY THE CITY PRIOR TO INSTALLATION.



**L-003**



RECEIVED  
APR 17 2006

P.D. Approved  
AS Res  
with  
1321

LEGEND

- NIGHT OR WAY LINE
- FLOOD LINE
- LOT LINE
- EXTRACT LINE
- UTILITY EASEMENT LINE
- WETLAND DELINEATION

Typical Building  
SEMAOS Publications

HIDDEN MEADOWS OF LAKE ELMO  
SITE DEVELOPMENT PLAN  
DEVELOPMENT PLAN

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

*Paul B. Danvers, Jr.*  
PAUL B. DANVERS, JR.  
DATE: 1/7/96 TIME: 1:00 PM TIME

 **Kimley-Horn  
and Associates, Inc.**

7700 UNIVERSITY AVE. WEST, SUITE 3000  
ST. PAUL, MINNESOTA 55127

TEL. 612/744-7400 FAX 612/744-7401  
TELETYPE 612/744-7402

**CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA**

**RESOLUTION NO. 2006-038**

**A RESOLUTION APPROVING THE OPEN SPACE PRESERVATION  
DEVELOPMENT STAGE PLAN, PRELIMINARY PLAT, AND  
CONDITIONAL USE PERMIT OF HIDDEN MEADOWS OF LAKE ELMO.**

**WHEREAS**, on the 30<sup>th</sup> day of June, 2005, Pat Kinney of Hidden Meadows Development, LLC ("Applicant") submitted a completed application requesting that the City of Lake Elmo approve an Open Space Preservation Development Concept Plan for a residential subdivision on 69.68 acres of a 108.62 acre parcel; AND

**WHEREAS**, on the 25<sup>th</sup> day of July, 2005, at a public hearing, the Lake Elmo Planning Commission reviewed the Concept Plan, the City Planner's reports and comments, the comments of the Applicant and the Applicant's representatives, and recommended approval of the Concept Plan; AND

**WHEREAS**, on the 20<sup>th</sup> day of September, 2005, the Lake Elmo City Council reviewed changes to the Concept Plan, the City Planner's reports and comments dated September 6, 2005, the comments of the Applicant and the Applicant's representatives, and recommended approval of the Concept Plan.

**WHEREAS**, on the 27<sup>th</sup> day of March, 2006, at a public hearing, the Lake Elmo Planning Commission reviewed the Development Stage Application, the City Planner's reports and comments, the comments of the Applicant and the Applicant's representatives, and recommended approval of the OP Development Stage Application, Conditional Use Permit, and Preliminary Plat of HIDDEN MEADOWS OF LAKE ELMO based upon the following Findings:

1. The OP Development Stage Plan and Preliminary Plat are generally compliant with the approved OP Concept Plan, and condition of Concept Plan approval.
2. The Development Stage Plan is compliant with the standards of Section 301 of the City Code (Open Space Development).
3. The Preliminary Plat and preliminary construction plans are compliant with Section 400 of the City Code (platting).
4. The Conditional Use Permit complies with the pertinent findings required by Section 300.06 of the City Code.

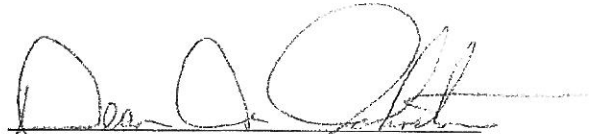
And subject to the following Conditions:

1. Compliance with the recommendations/requirements of the City Engineer.
2. Compliance with the recommendations/requirements of the Valley Branch Watershed District as found to be appropriate by the City Engineer.

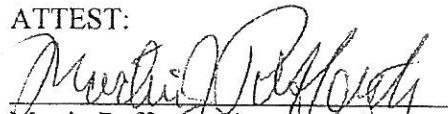
3. Trail setback to the Ziertman property be increased and screening be considered in the Landscape Plan.
4. Confirm drainfield setback is to be 100' feet from property line.
5. Provide size and delineation of the alternate drainfield.
6. Secondary drainfield have the appropriate easement for trail use.
7. A trail easement be added to the proposed watermain easement.

**NOW, THEREFORE, BE IT RESOLVED** that the Lake Elmo City Council hereby approves the Open Space Development Stage Plan, Preliminary Plat, and Conditional Use Permit for HIDDEN MEADOWS OF LAKE ELMO, as illustrated on the Preliminary Plat prepared by Kimley-Horn and Associates, Inc., dated March 3, 2006.

**ADOPTED**, by the Lake Elmo City Council on the 18<sup>th</sup> day of April, 2006.

  
Dean A. Johnston, Mayor

ATTEST:

  
Martin Rafferty, City Administrator

**3674146**

Receipt#: 56843



AGR

\$46.00

Certified Filed and/or recorded on:  
12/19/2007 4:10 PM

**3674146**

Office of the County Recorder  
Property Records & Taxpayer Services  
Washington County, MN

Return to:  
PETERSON FRAM & BERGMAN  
55 E 5TH STREET SUITE 800  
ST PAUL MN 55101

*Kevin J Corbid, County Recorder*

---

INTERIM AGREEMENT

**INTERIM AGREEMENT  
HIDDEN MEADOWS OF LAKE ELMO**

1.0 Parties. This agreement is dated the 7 day of June, 2007, and is entered into by and between the City of Lake Elmo, a Minnesota municipal corporation (herein the "City"); and The Rockpoint Church, a Minnesota non-profit corporation (herein the "Developer").

2.0 Recitals.

- A. On May 16, 2006, the City approved the final plat for Hidden Meadows of Lake Elmo, a copy of which is attached and incorporated as Exhibit A.
- B. The Developer is the owner of Lot 1, Block 1 and outlots A and B, Hidden Meadows of Lake Elmo as shown on Exhibit A.
- C. When the final plat of Hidden Meadows of Lake Elmo was approved it was anticipated that a Church building would be constructed on Lot 1, Block 1, Hidden Meadows of Lake Elmo and that outlots A and B, Hidden Meadows of Lake Elmo would be replatted as Hidden Meadows of Lake Elmo 2<sup>nd</sup> Addition ("Residential Project"). A copy of the proposed plat for the Residential Project is attached and incorporated as Exhibit B.
- D. The Development Agreement for Hidden Meadows of Lake Elmo ("Development Agreement") includes a provision which requires the Developer to construct the waste water treatment system for the Church building and for the anticipated Residential Project before occupancy of the Church building.
- E. The Developer would like to occupy the Church building by June 10, 2007 without constructing a waste water treatment system for the Residential Project.
- F. The City wants some assurance with respect to the conservation easement areas of the Residential Project which are illustrated as outlots B, C, E and F (Conservation Easement Areas) on Exhibit B will be preserved.

IN WITNESS WHEREOF, the above-named parties have hereunto set their hands.

CITY OF LAKE ELMO  
By: [Signature] Dean Johnston  
Mayor  
By: [Signature] Susan Hoyt  
City Administrator

STATE OF MINNESOTA )  
COUNTY OF Washington ) ss.

On this 7<sup>th</sup> day of June, 2007, before me, a notary public within and for said county, personally appeared Dean Johnston and Susan Hoyt, to me known to be respectively the Mayor and City Administrator of the City of Lake Elmo, and they executed the foregoing instrument and acknowledged that they executed the same by authority of and on behalf of City of Lake Elmo.

[Signature]  
Notary Public





## 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: November 21, 2016

To: Stephen Wensman, Planning Director  
Cc: Randal Tweden, P.E., Solution Blue  
Chad Isakson, P.E., Assistant City Engineer  
From: Jack Griffin, P.E., City Engineer

Re: Hidden Meadows 2nd Addition  
Final Plat/Construction Plan  
Completeness Review

The following documentation was received on November 17, 2016 for the Hidden Meadows 2nd Addition Final Plat as prepared by Solution Blue:

- Hidden Meadows 2nd Addition Final Plat, not dated.
- Hidden Meadows 2nd Addition Construction Plans dated November 15, 2016.

**STATUS/FINDINGS:** The submittal is incomplete and must be revised and resubmitted for staff to initiate its plan review. Final Construction Plans and Specifications must be prepared in accordance with the City Engineering Design Standards Manual using City details, plan notes and specifications and meeting City Engineering Design Guidelines and Plan Sheet Format Requirements available for download on the City website.

The following comments are intended to assist with plan preparation and may call your attention to a several of the more important issues resulting in an incomplete application, however, the comments below are not intended to be all inclusive. The applicant or applicant's representative should review the City's design standards guidelines and plan format requirements carefully before resubmitting. Also, please review printed plan copies prior to submittal and verify line types for all information are clearly visible and can be fully distinguished for the purpose of plan review.

### FINAL PLAT/CONSTRUCTION PLANS

- Add Lot and Block numbers and street names to all plan sheets for reference points.
- Update plan legend to include all line types use in the preparation of the plans.
- Sheet C2.0. Revise scale to 1" = 50 feet. Existing conditions must be provided for the plat area and to a distance of 150 feet from the plat limits.
  - All utilities must be shown including type of utility, material, size and inverts if applicable.
  - All wetlands, wetland buffers and water bodies must be clearly shown/delineated and must include the existing normal water level (NWL) and high water level (HWL).
  - Include trees, wooded areas, structures and other existing conditions that require removal, or will be impacted.
- Sheet C4.0. Typically the erosion control plan must be shown on the grading plan to verify grading limits.
  - Revise scale to 1" = 50 feet.
  - Add City standard Plan notes to the erosion control plan sheets and remove the notes from the details page.



- Sheets C18.0 through C20.0.
  - Move storm sewer plan and profiles to the street plan and profile sheets.
  - Add pipe size and material in plan view.
  - Add rip rap to discharge locations.
  - Add dimensions in plan view to indicate placement of utilities in right-of-way and following city standards. Storm sewer to be placed south and east of centerline, offset by minimum 10 feet.
  - Watermain and sewer main should be greyed out but remain visible to review for conflicts.
  - Add storm sewer plan notes.
  - Show pipe crossings in profile.
- Sheet C21.0. Add existing and proposed grade profile for each structure and storm sewer run.
- Sheet C22.0. Add proposed pipe velocity for each storm sewer pipe under the 10-year design condition. Verify pipe velocities are < 15 fps for all pipes and < 5 fps at all discharge points.
- Sheets C23.0 through C27.0. City standard Plan notes must be placed on the applicable plan sheets and removed from the details sheets.
- Sheet L-003. Landscape plan must show all proposed utilities on the plan to assist with plan review.
  - Add plan note that all trees must be field flagged and approved by the City prior to installation.
  - Verify that all trees are planted to maintain minimum 10 feet from water/sewer services and other pipe utilities. Trees must also be planted to maintain minimum 5 feet from utility joint trench.
- Add street signage, lighting and pavement marking plan with city standard plan notes.
- Specifications. Specifications for the Hidden Meadows 2<sup>nd</sup> Addition must be submitted for review by the City. Specifications must use the City Standard Specifications found on the City website.

#### COLLECTION SYSTEM PLANS

- All Plan Sheets: Revise plans to be 22" by 34" and scale 1" = 50 feet.
- Add plan notes as needed to identified pipe separations and location within right-of-way.
- Provide all existing conditions for the wastewater treatment system.
  - Include current inspection report demonstrating system condition and statement of compliance. Also provided current system capacity and current use.
  - Include proposed system use and capacity and provide plans for any system expansion.

Date Received: \_\_\_\_\_  
Received By: \_\_\_\_\_  
LU File #: \_\_\_\_\_



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

## FINAL PLAT APPLICATION

Applicant: RM Investments, LLC & Mpls RE, LLC - Mark Guenther

Address: 13925 Fenway Blvd. N, Hugo, MN 55038

Phone #: 651-425-0469

Email Address: mark@genmarkbuilders.com

Fee Owner: RM Investments, LLC & Mpls RE, LLC - BRENDA KUNKEL

Address: 13925 Fenway Blvd. N, Hugo, MN 55038

Phone #: 651-762-1110

Email Address: BRENDA@SBCCC.COM

Property Location (Address): 5825 Kelvin Ave N., Lake Elmo, MN 55042

Complete (long) Legal Description: \_\_\_\_\_

PID#: 0202921240001

General information of proposed subdivision: Hidden Meadows of Lake Elmo is a 25 lot open preservation community. Lots sizes are ~1-2 acres. The development has a shared community septic system with Rockpoint Church which is managed by an HOA. Water is city supplied. This development was preliminary platted with a 2 year final plat extension granted by the City in December 2015.

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: 9/21/16

Fee Owner Signature: [Signature]

Date: 9/21/16

SEP 26 2016

## HIDDEN MEADOWS OF LAKE ELMO 2<sup>nd</sup> ADDITION

### Narrative Statements

2. Written statements providing information regarding your proposal. Please provide a separate answer for each of the lettered items listed below (answers must be submitted in both hard copy and electronic form-- MS Word format or PDF):

a. A listing of contact information including name(s), address (es) and phone number(s) of: the owner of record, authorized agents or representatives, engineer, surveyor, and any other relevant associates.

#### Owner

Rockpoint Church  
5825 Kelvin Ave N.  
Lake Elmo, MN 55042  
Attn: Wes Oren  
651-770-3172 (202)

#### Purchaser & Developer (Fee Title Owner)

RM Investments, LLC & Mpls Re, LLC  
13925 Fenway Blvd N  
Hugo, MN 55038  
Attn: Brenda Kunkel  
651-762-1110

#### Engineer

Solution Blue  
318 Cedar Street  
St. Paul, MN 55101  
Attn: Mitchell Cookas  
651-294-0038

#### Surveyor

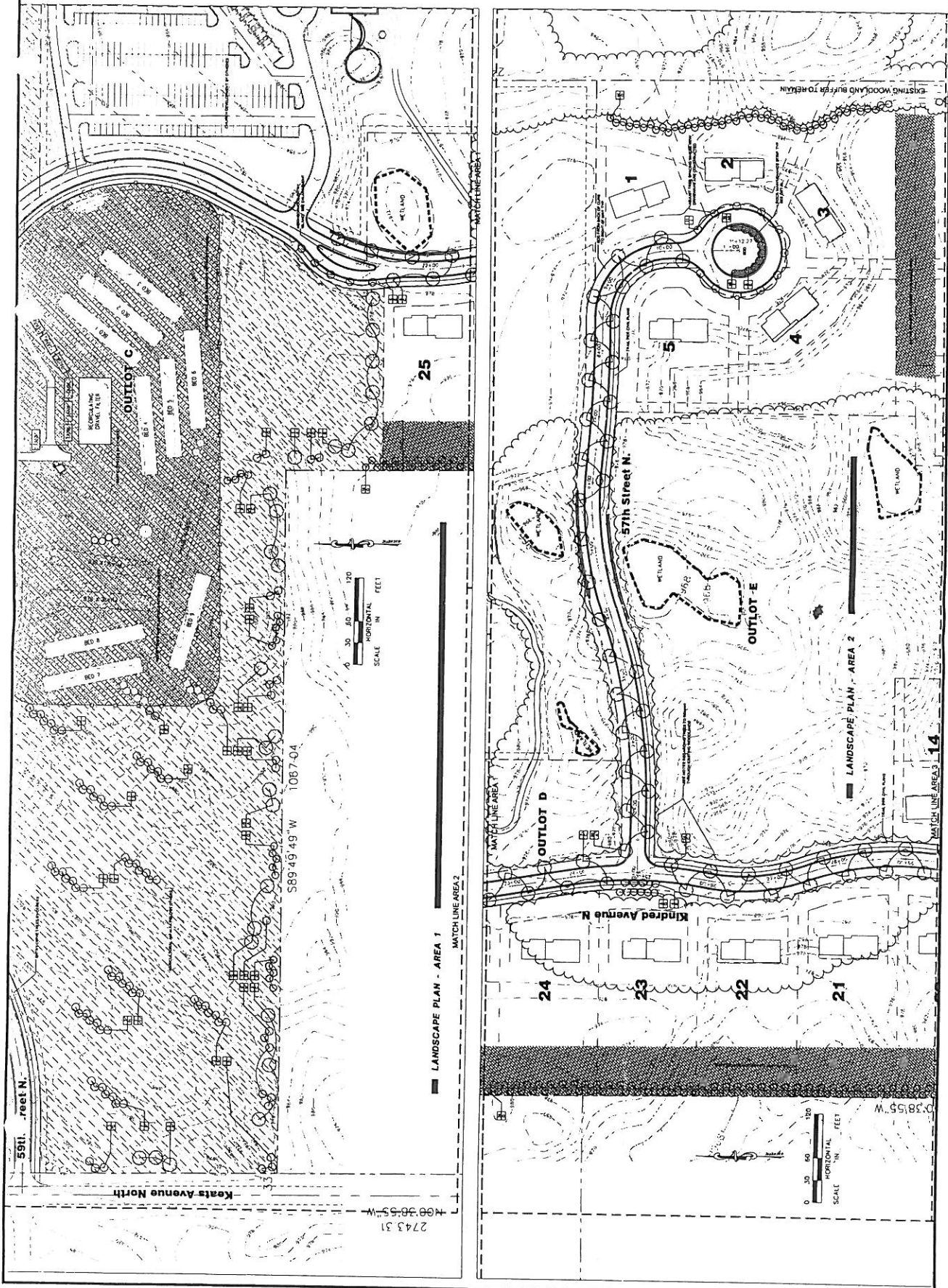
Bohlen Surveying and Associates  
1682 Cliff Road East  
Burnsville, MN 55337  
952-895-9212

b. A listing of the following site data: Address, current zoning, parcel size in acres and square feet, property identification number(s) (PID), and current legal description(s). See plat sheets, parcel is 86.52 acres.

Proposed development will begin in March/April of 2017 depending on weather. Expected completion will be June/July of 2017. All the utilities will be installed and possibly phase the road construction in 2 phases. All recreational trails will be installed when the road improvements are installed.

S:\2006 Projects\06-128 Hidden Meadows of Lake Elmo\CD Set\dwg\06-128.LF.DWG May 05, 2006 - B 49m

with  
L-  
APPROVE  
Plan



SCALE	SHEET NO.	13	14
AS NOTED	HIDDEN MEADOWS OF LAKE ELMO		
DESIGNED BY	BH		
DRAWN BY	BH		
CHECKED BY	TM		
DATE	05-02-06		
PROJECT NO	06-128		
SITE DEVELOPMENT PLANS			
LANDSCAPE LAYOUT PLAN			
DATE 05/03/06 BY LIC NO. 26292			
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SUPERVISOR AND LANDSCAPE			
PREPARED BY ME OR UNDER MY DIRECT			
SUPERVISOR THAT THIS PLAN WAS			
DATE 05/03/06 BY LIC NO. 26292			
THOMAS WITLOCK			
STATE OF MINNESOTA			
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Kimley-Horn  
and Associates, Inc.  
7000 Highway 100, Suite 100  
Minneapolis, MN 55412  
Phone 612.333.0938  
Fax 612.333.0938  
www.kimley-horn.com





## Stephen Wensman

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**From:** Stephen Wensman  
**Sent:** Monday, April 17, 2017 12:46 PM  
**To:** 'Randal Tweden'; Mark Guenther  
**Cc:** Emily Becker; 'jack.griffin@FOCUSengineeringinc.com' (jack.griffin@FOCUSengineeringinc.com)  
**Subject:** Hidden Meadows 2nd Planning Comments:  
**Attachments:** SKMBT\_C25317041712170.pdf

Dear Mark,

I have reviewed the proposed final plans and have prepared preliminary comments. The City Engineer will be providing a separate set of comments. The final landscape plans dated 04/03/2017 were reviewed and I have following comments:

1. Please show on final plans the water and sanitary sewer connections to verify there are no conflicts with planned street tree locations. The City prefers a 10 foot setback from individual lines and requires a minimum 5 foot setback.
2. Please use the City of Lake Elmo standard details and plan notes on your plans.
3. The plans identify 88 Street trees (trees within the public R/W), however the landscape ordinance requires 1 tree per lineal foot of street frontage. If there are 6657 lineal feet of road, then there is 13,314 lineal feet of frontage (2 sides of road). The street tree requirement is **266 street trees**. Staff will accept the trees at the edge of the utility easement outside the R/W as required street trees.
4. The plans identify 157 evergreen trees and 24 overstory trees meeting the 5 trees/ acre of disturbed area. The plans exceed the non-street tree requirement.
5. The evergreen buffer along the west property line identifies a mix of evergreen tree species. The arborvitae are extremely susceptible to deer browse. City staff suggests changing the arborvitae to Austrian Pine. The Medora Junipers get a mature width of 3 feet. Staff suggests changing the Medora to 'Sky High' or 'Star Power' varieties which have a mature width of 5 feet.
6. The landscape plans should identify the proposed stormpond maintenance roads in order to identify conflicts between proposed trees and storm pond access.
7. Please identify the seeding areas (limits of native seeding) for each proposed seed mix on the plans or a separate plan exhibit.
8. Reading through the preliminary plat approval records, there are a number of comments about the effectiveness of screening on the east side of the plat. I found the Kimley-Horn Landscape Plan dated 05/02/2006 that show a staggered row of conifers along the east tree-line intended to bolster the screening. This planting was subject of much debate and it appears as though a final landscape plan was approved prior to the July 5, 2006 City Council meeting. I would suggest this was the approved landscape plan. If so, your plans are deficient screening along the east in particular (see attached 05/02/2006 Landscape Plans)
9. The buffer on the west side has been reduced from 200 ft to 150 ft as suggested to provide for a back yard area that is usable. It has been suggested that a berm be added along the west property line along with the proposed trees in lieu of the 200 ft. buffer (there will be public comments as such).
10. Revised and approved landscape plans are required prior to recording the final plat.

Other comments:

- Recently the Planning Commission has indicated that they prefer minimal street lighting in residential subdivisions. Their most recent comments suggest they prefer street lighting only at intersections. There are no street lighting requirements in the City code, so this is just commentary.

- The Detail sheet #805 does not appear to apply to this development. Check with the City Engineer if the alternate detail on C22 would take its place.
- Outlot ownership comments: The City may or may not want to own Outlots E and F. If Outlot F is owned, the City may want to only accept the portion with the stormpond access and pond on it (breaking it down to smaller outlots).
- Water service stub on Lot 10, Block 2 is within the proposed driveay (check with City Engineer if this is an issue)
- Verify with the City Engineer the required width of the easement between Lots 3 and 4, Block 2 is of adequate width.
- The open space calculation is incorrectly calculated on C4:

Open Space Calculation:

Outlot A	N/I
Outlot B	7.45 ac
Outlot C	15.06 ac
Outlot D	1.36 ac
Outlot E	8.29 ac
Outlot F	3.51 ac
Total	35.59 acres

Open Space Calculation = 35.67 ac/67.89 acres=53% open space

Stephen Wensman  
Planning Director  
City of Lake Elmo  
651-747-3911





## Minnesota Department of Transportation

### Metropolitan District

Waters Edge Building  
1500 County Road B2 West  
Roseville, MN 55113

December 2, 2016

Kyle Klatt  
Planning Director, City of Lake Elmo  
3800 Laverne Avenue N.  
Lake Elmo, MN 55042  
[kklatt@lakeelmo.org](mailto:kklatt@lakeelmo.org)

SUBJECT: P16-067 Hidden Meadows  
SE Quad of MN 36 & Keats Ave N  
Lake Elmo, Washington County  
Control Section 8204

Dear Mr. Klatt:

The Minnesota Department of Transportation (MnDOT) has reviewed the above referenced plat in compliance with Minnesota Statute 505.03, subdivision 2, Plats. Before any further development, please address the following issues:

#### ***Water Resources***

A drainage permit may be required. The submitted information is insufficient to determine if the proposed drainage system would impact MnDOT right of way. The proposed development will need to maintain existing drainage rates (i.e., the rate at which storm water is discharged from the site must not increase).

As part of a drainage permit submittal, the City or project developer will need to submit before/after hydraulic computations for both 10 and 100 year rainfall events verifying that all existing drainage patterns and systems affecting Mn/DOT right of way will be perpetuated.

For questions on these points or to submit additional information, please call Bryce Fossand, Mn/DOT Metro District Water Resources Engineering, at (651) 234-7529 or email [bryce.fossand@state.mn.us](mailto:bryce.fossand@state.mn.us).

#### ***Noise Control:***

MnDOT's policy is to assist local governments in promoting compatibility between land use and highways. Residential uses located adjacent to highways often result in complaints about traffic noise. Traffic noise from this highway could exceed noise standards established by the Minnesota Pollution Control Agency (MPCA), the U.S. Department of Housing and Urban Development, and the U.S. Department of Transportation.

Minnesota Rule 7030.0030 states that municipalities are responsible for taking all reasonable measures to prevent land use activities listed in the MPCA's Noise Area Classification (NAC) where the establishment of the land use would result in violations of established noise standards.

MnDOT's policy regarding development adjacent to existing highways prohibits the expenditure of highway funds for noise mitigation measures in such areas. The project proposer should assess the noise situation and take the action deemed necessary to minimize the impact of any highway noise.

If you have any questions regarding MnDOT's noise policy please contact Natalie Ries in our Noise/Air Quality section at (651) 234-7681.

***Review Submittal Options:***

MnDOT's goal is to complete the review of plans within 30 days. Submittals sent electronically can usually be turned around faster. There are four submittal options:

1. One (1) electronic pdf version of the plans. MnDOT accept plans at [metrodevreviews.dot@state.mn.us](mailto:metrodevreviews.dot@state.mn.us) provided that each e-mail is less than 20 megabytes.
2. Three (3) sets of full size plans. Although submitting seven sets of full size plans will expedite the review process. Send plans to:

MnDOT – Metro District Planning Section  
Development Reviews Coordinator  
1500 West County Road B-2  
Roseville, MN 55113

3. One (1) compact disk.
4. Plans can also be submitted to MnDOT's External FTP Site at:  
<ftp://ftp2.dot.state.mn.us/pub/incoming/MetroWatersEdge/Planning>. Internet Explorer may not work using FTP so use an FTP Client or your Windows Explorer (My Computer). Notify [metrodevreviews.dot@state.mn.us](mailto:metrodevreviews.dot@state.mn.us) indicating the plans have been submitted on the FTP site.

If you have any questions concerning this review, please contact me at 651-234-7784.

Sincerely,



Karen Scheffing  
MnDOT Principal Planner

**Copy sent via E-Mail:**

Buck Craig, Permits  
Nancy Jacobson, Design  
Bryce Fossand, Water Resources  
Matt Aguirre, Right-of-Way  
Russ Owen, Metropolitan Council  
Kaare Festvog, Traffic  
Ryan Coddington, Area Engineer  
Natalie Ries, Noise/Air quality

## **LAKE ELMO PLANNING COMMISSION STAFF REPORT**

**Date:** March 24, 2006 for the Meeting of March 27, 2006

**Applicant:** Hidden Meadows Development, LLC (Pat Kinney)/Lakewood Evangelical Church

**Location:** Southeast Quadrant of State Highway 36 and Keats Avenue

**Requested Action:** OP Development Stage Plan/Preliminary Plat and CUP – “Hidden Meadows of Lake Elmo”

**Land Use Plan Guiding:** RAD

**Existing Zoning:** RR

### **Site History and Existing Conditions:**

A Preliminary Plat of Deer Glen was approved by the City Council on April 28, 2005 concurrently with several other related applications for 108 acre site. That Preliminary Plat specified a partial street right-of-way extending into the site from Keats Avenue and a 20 acre Lot 1, Block 1 – the site reguidd and rezoned PF to accommodate the (now) Rock Point Church. The balance of the 108 acres was “outlotted” in the Deer Glen plat pending a revised OP Concept Plan for the residential portion of the project. The 2005 approval of the Deer Glen Preliminary Plat did specify that the portion of the lands adjacent to State Highway 36 and north of the public street could be excluded from the OP project, and remain an outlot with no designated use.

On September 20, 2005 the City Council approved an amended OP Concept Plan for the residential portion of the project south of the public street. It is this area (and the original homestead site north of the public street) that is the subject of the OP Development Stage Plan. The Preliminary Plat covers the actual OP development and the remaining Outlots north of the public street.

### **Discussion and Analysis:**

City review of OP Development Stage Plans and accompanying Preliminary Plats includes findings of both compliance with the approved OP Concept Plan and compliance of the preliminary infrastructure plans with City engineering standards and OP design standards. The City Engineer’s review of those infrastructure plans is the critical component of this development review stage since the general neighborhood design/lot count/required amenities are established at the Concept Plan Stage.

#### OP Development Stage Plan/CUP

1. The proposed lot count and lot configuration (including OP buffer areas) are responsive to the approved Concept Plan (September 20, 2005).
2. The Landscape Plan proposes 470 trees to be introduced to the site with deciduous trees partly 2.5 inch and partly 1.5 inch caliper (depending on species), and coniferous trees 6 feet and 8 feet in planted height (dependent on species). This count and quality of trees will

respond to both OP and Section 400 standards for landscape – particularly considering significant existing tree population on some of the proposed lots that will be retained.

3. We do not find a Landscape Plan response to Condition #5 of the OP Concept Plan approval resolution, “5. *The Development Stage Plan shall demonstrate the year-round effectiveness of screening measures that support the 100 foot OP buffer on the east side of site.*” While the Landscape Plan notes existing tree groupings along the east side of the plat, we find no indication of the species, spacing and sizes of the trees in that grouping that would demonstrate that this would be effective year-round screening of the homes within the plat. Together with a listing of the trees proposed as effective year-round screening, the preferred method to demonstrate that effectiveness is providing cross sections from house through screen to adjacent land.
4. With the exception of #3 above we find that the applicable conditions of the Concept Plan approval resolution are complied with.

#### Preliminary Plat

The City Engineer has presented a March 23, 2006 Email outlining a number of infrastructure related review comments, including a finding that certain information required to complete his review has not been submitted by the applicant.

#### **Findings and Recommendations:**

Where City Engineer or Watershed review comments address minor plat modifications we usually recommend the plat go forward to the City Council with a condition requiring compliance by the applicant with those comments and recommendations. In this case the City Engineer’s review recommends more substantial modifications than we have seen previously, and the need for additional information to complete his review. This concern coupled with the lack of a plan demonstration screening effectiveness leads staff to recommend that this Preliminary Plat be tabled by the Commission pending applicant’s plan adjustments and submission of the information we do not as yet have.

The Noticed Public Hearing regarding the plat and CUP should be conducted by the Commission on March 27, as scheduled. Based on the above comments the City does not have a “completed application” as of this date. We suggest, however, that the meeting at which the Commission should next consider this matter is April 24, and the meeting at which the City Council should act is May 2, 2006.

#### **Planning Commission Actions Requested:**

Motion to table the OP Development Stage Plan/Preliminary Plat/CUP of “Hidden Meadows of Lake Elmo” until such time as completed application documentation is submitted and modifications to the infrastructure design recommended by the City Engineer are completed.

---

Charles E. Dillerud, City Planner

#### **Attachments:**

1. City Council Resolution #2005-102 Approving the OP Concept Plan
2. Approved OP Concept Plan
3. City Engineer’s Email
4. Applicant’s Documentation



<b>Lake Elmo City Council April 18, 2006</b>	<b>Agenda Section: Planning, Land Use and Zoning</b>	<b><u>No.</u> 9A</b>
<b><u>Agenda Item:</u></b> OP Development Stage Plan/Preliminary Plat and CUP – “Hidden Meadows”		
<p><b><u>Background Information for April 18, 2006:</u></b></p> <p>The Planning Commission considered this OP Plan/Plat/CUP to create 26 single family lots (25 new and 1 existing) at meetings March 27 and April 10, 2006. The Official Public Hearing was conducted on March 27, and the applications were then tabled pending resolution with the City Engineer of several infrastructure design issues, and submission by the applicant of a screening plan along the east site boundary to comply with OP standards where a 100 foot OP buffer is proposed. The majority of the infrastructure design issues were resolved with the City Engineer by April 10, and the applicant presented the screening plan at the April 10 Commission meeting. Following substantial discussion the Commission decided to recommend the applicant’s proposed screening plan to be compliant with the intent of the OP buffer standards.</p> <p>Public Hearing testimony focused on a request by an adjoining (at the extreme southwest corner) property owner for a public street extension to the south plat boundary. That neighboring 20 acre parcel is accessed via an easement to Keats that was created when a 40 acre parcel was divided, with City approval, into 2 “shotgun” 20’s several years ago. The property owner advised the Commission that he desires a direct public street access through this plat to eliminate a long easement driveway and enhance the potential to further divide the 20 acre parcels (perhaps to 10’s) in the future. The Commission does not recommend the street extension be required.</p> <p>A second adjoining property owner requested that the trail along the west perimeter of the plat be moved away from the property line. The applicant has agreed to do so.</p> <p>The Commission has unanimously recommended that the OP Plan/Plat/CUP be approved.</p>		
<p><b><u>Action items:</u></b></p> <p>Motion to adopt Resolution #2006 - , approving the OP Development Stage Plan/OP Conditional Use Permit and Preliminary Plat for “Hidden Meadows of Lake Elmo per plans staff dated April 13, 2006 and subject to conditions of approval as recommended by the Planning Commission.</p>	<p><b><u>Person responsible:</u></b></p> <p>City Planner</p>	
<p><b><u>Attachments:</u></b></p> <ol style="list-style-type: none"> <li>1. Draft Resolution #2006 – Approving Plat/Plan/CUP</li> <li>2. Location Map</li> <li>3. Planning Commission Minutes of March 27 and April 10</li> <li>4. Planning Staff Reports of March 24 and April 6</li> <li>5. Documentation and graphics</li> </ol>	<p><b><u>Time Allocated:</u></b></p>	

<p><b>Lake Elmo City Council July 5, 2006</b></p>	<p><b>Agenda Section: Planning, Land Use and Zoning</b></p>	<p><b><u>No.</u> 9B</b></p>
<p><b><u>Agenda Item:</u></b> Final Plat and Development Agreement – Hidden Meadows 2<sup>nd</sup> Addition</p>		
<p><b><u>Background Information for July 5, 2006:</u></b></p> <p>An application for Final Plat of Hidden Meadows 2<sup>nd</sup> Addition has been presented for City Council approval. This Final Plat is for the 69.68 acre residential (OP) portion of the Rock Point Church site at 59<sup>th</sup> Street North and Keats Avenue, and plats 25 lots and the remaining street right-of-way not platted with the Rockpoint Church Final Plat. The Preliminary Plat was approved on April 18, 2006.</p> <p>Staff has prepared a Development Agreement including content and format similar to those of prior OP plats. The City Forester has reviewed and approved the Final Landscape Plan. Note that the City Engineer has determined that the primary drainfield setback to the west property line is (and always was) 100 feet or more. The applicant has delineated a secondary drainfield site, and the water main/trail easements thereon will be provided in written format rather than by plat notation – the usual method for these types of easements.</p> <p>As this is written the City Attorney is continuing review of the various Covenants/Declarations/Easements that will be required prior to release of the plat by the City for recording. The Conservation Easement over the Preserved Open Space may be held by the City rather than the Land Trust – as is permitted by the Zoning Ordinance. The applicant and the Land Trust are still conversing on those matters. In no case can the plat be released for recording prior to the Conservation Easement (as well as the other required written easements) being provided to either the City or the Land Trust or both.</p>		
<p><b><u>Action items:</u></b></p> <p>Motion to adopt Resolution #2006 - approving the Final Plat and Development Agreement for Hidden Meadows 2<sup>nd</sup> Addition.</p>	<p><b><u>Person responsible:</u></b></p> <p>City Planner</p>	
<p><b><u>Attachments:</u></b></p> <ol style="list-style-type: none"> <li>1. Draft Resolution #2006 - Approving Final Plat and DA</li> <li>2. Draft Development Agreement</li> <li>3. Final Plat</li> <li>4. Resolution #2006 – Approving Preliminary Plat</li> <li>5. Approved Preliminary Plat</li> </ol>	<p><b><u>Time Allocated:</u></b></p>	