

3800 Laverne Avenue North
Lake Elmo, MN 55042

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NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday March 9, 2020
at 7:00 p.m.

AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a. February 10, 2020
4. Public Hearings
 - a. Preliminary Plat and Easement Vacation – Legacy at North Star Third Addition (west of County Road 17)
5. New/Unfinished Business
 - a. Land Use and Concept Plan Review – City-owned 180 acres (County Road 14 and Ideal Avenue)
6. Communications/Updates
 - a. City Council Update
 - 02-04-20 Meeting – Applewood Pointe of Lake Elmo – Tabled
 - 02-18-20 Meeting – No Planning items
 - 03-04-20 Meeting – Northport 3rd Addition Preliminary Plat, Ord. Amendment – 20,000 square foot requirement for septic systems
 - b. Staff Updates
 - c. Upcoming PC Meetings:
 1. March 23, 2020
 2. April 13, 2020
7. Adjourn

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



STAFF REPORT

DATE: 3/9/2020
PUBLIC HEARING ITEM

TO: Planning Commission
FROM: Ben Prchal, City Planner
AGENDA ITEM: The Legacy at North Star Third Addition – Easement Vacation(s) and Final Plat and PUD Plans
REVIEWED BY: Ken Roberts, Planning Director

BACKGROUND:

GWSA Land Development is requesting City approval of easement vacations and the Final PUD Plans to create lots for 66 single family detached homes located on 46.75 acres. This proposed final plat is the third phase of a 266 single family residential development on +/- 98.93 acres known as Legacy at North Star. The City approved the PUD Concept Plan on June 6, 2017 and approved the Preliminary Plat and PUD Plans on February 20, 2018. On August 8, 2018, the City Council approved the 1st addition of the Development (PUD) with 59 single family lots (*Res. 2018-090*), and 2nd addition on April 16th, 2019 with 74 single family lots (*Res. 2019-026*). The third phase will consist of 66 single family lots primarily located in the southwest corner and the north east side of the development.

ISSUE BEFORE THE COMMISSION:

The Commission is respectfully being requested to review, hold a public hearing and make a recommendation to the City Council about the proposed easement vacations and on Final PUD Plans for Legacy at North Star Third Addition.

GENERAL INFORMATION:

Applicant: GWSA Land Development
Property Owner: GWSA Land Development, 10850 Old County Road 15, Suite 200, Plymouth, MN 55441
Location: Outlot B of 1st Addition, Legacy at North Star, Washington County, Minnesota.
PID#s: 14.029.21.11.0037
Request: Easement Vacations, Final Plat and Development Stage PUD Plans
Site Area: 46.75 acres
Res. Dev. Area: 97.25 acres (overall)
Land Use: Village Urban Low Density
Current Zoning: V-LDR/PUD
Proposed Zoning: V-LDR/PUD

Surrounding: RR (north)/ LDR and VMX (east)/Agriculture (south)/ OP and RR (west).
History: The City approved the PUD Concept Plan on June 6, 2017 and approved the Preliminary Plat and PUD Plans on February 20, 2018 for the Legacy at North Star development.
Deadline: Application Complete – 1/29/2020
60 Day Deadline – 3/29/2020
Extension Letter Mailed – No
120 Day Deadline – N/A

Applicable Code: Article 13 – Village Mixed Use District
Article 18 – Planned Unit Development Regulations
Article 20 – Shoreland Code
Subdivision Regulations

PROPOSAL DETAILS/ANALYSIS:

PUD Flexibility. The City approved this Village-Low Density Residential (V-LDR)/PUD development for the northern portion of the Schiltgen Farm at the northwest corner of CSAH 14 and CSAH 17. The developers requested to develop with a PUD because this process would afforded the developer a higher density than would normally be allowed if the development followed straight V-LDR zoning, furthermore, it also allowed flexibility within the Shoreland Code and other areas of the zoning code, such as lot dimensions.

Changes since Preliminary Plat. The City had previously reviewed the discussed the preliminary plat for the Legacy at North Star which included higher number of units and had a different configuration than the one approved by the City Council in 2018. That approval came with revisions as directed by City Staff, Planning review, Engineering memo, and Landscaping memo. The developer reduced the number of lots from 276 to 269 (down from 279 from Concept Plan), and again to 266 units due to engineering comments. Ultimately the density for the development ended a 2.72 units per acre with the required changes.

Lot Sizes and Widths. The minimum allowed lot with in the shoreland of Sunfish Lake is 125 feet and 70 feet in the V-LDR District. The minimum lot size for lots in the shoreland of Sunfish Lake is 20,000 sq. ft. and in the V-LDR District, 9,000 sq. ft. The City allowed the developer to determine the area of buildable land and divide it by 20,000 sqft. This allows the developer the ability to have smaller lots but still maintain the total amount of land required for the code.

Phases 1 and 2 the received approval for the lot sizes shown in red in the table below. The deviations are from setbacks, lot area, and width. Of phase 3 lots 1-4 of block 2, and lot 1 of block 5 take advantage of the amended lot dimensions. The proposed lot layout/dimensions are consistent with what was approved with the preliminary plat.

Focusing on shoreland lots, of this phase only lots 5-14 of block 5 are in the shoreland district. Based off the standards on the shoreland code, the developer would be allowed to have 17 lots in the shoreland district and they are requesting 15 lots. Staff does not see that there are conflicts with the shoreland code.

	Shoreland Standard	V-LDR Standard	Villa Lots – Preliminary Approval	Villa Lots - Proposed	Interior Single Family – Preliminary Approval	Interior Single Family - Proposed	Exterior Single Family – Preliminary Approval	Exterior Single Family - Proposed
Minimum Lot Width	125 ft.	70 ft.	55 ft.	55 ft.	55 ft.	55 ft.	66 ft.	65 ft.
Minimum Lot Area	40,000 sq. ft.	9,000 sq. ft.	7,900 sq. ft.	6,600 sq. ft.	6,900 sq. ft.	6,840 sq. ft.	8,500 sq. ft.	8,090 sq. ft.
Minimum Front Yard Setback	N/A	25 ft.	15 ft.	15 ft.	25 ft.	25 ft.	25 ft.	25 ft.
Minimum Side Yard Setback	N/A	10 ft./5 ft. or 7.5 ft./7.5 ft.	7 ft./8 ft.	7 ft./8 ft.	7 ft./8 ft.	7 ft./8 ft.	10 ft./5 ft. or 7.5 ft./7.5 ft.	10 ft./5 ft. or 7.5 ft./7.5 ft.
Maximum Impervious Surface	N/A	35%	50%	50%	40%	45%	45%	45%

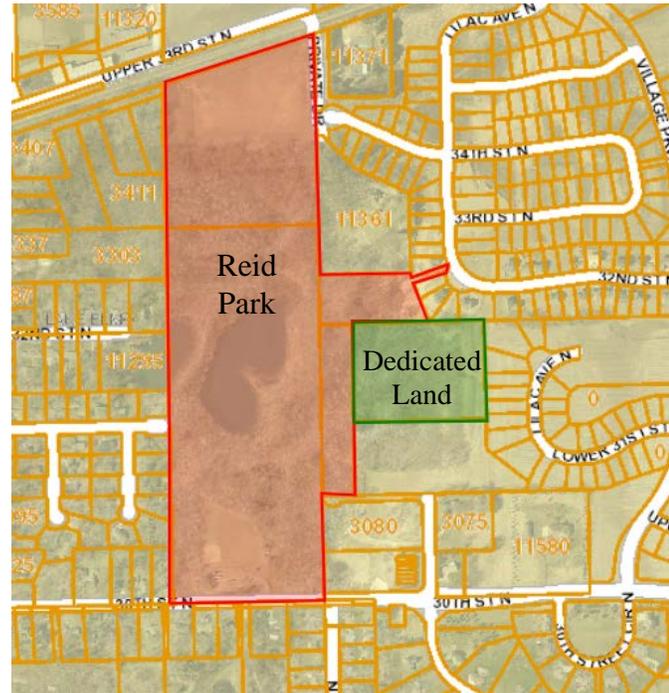
Landscaping and Tree Preservation. Staff submitted the proposed project landscape plans to the City’s Landscape Architect for review. It is a recommended condition of approval that the landscape plans be approved by the Landscape Architect before recording of final plat. Much of what needs to be corrected in the landscape plans are setback related.

The applicant also provided a tree preservation plan. For this phase of development there are no trees shown for removal.

Outlots. Outlots B and C will eventually be owned by the HOA and have a Drainage and Utility easement applied to them while Outlot D and Outlot A will have a drainage and utility easement applied while also be retained by the Developer for future additions. See Engineering section below for additional comments.

Parkland Dedication. The total required parkland dedication for the development is 10% of the total 98.93 (9.893 acres). The applicant partially satisfied the park dedication requirement for the 1st and 2nd addition with the dedication of Outlot D of the Northport addition, which consisted of 6.51 acres.

Park dedication is based off of a 10% basis, either cash or land. The Developer applied 2.72 acres of the 6.51 acre dedication and applied it to the first addition. The developer then took an additional 2.28 acres from the 6.51 and applied it to the 2nd addition. With the 3rd phase of development consisting of 21.45 acres the applicant will be responsible for dedication 2.145 acres of land. Being that the Developer has 1.5 acres of credit remaining from the initial 6.51 acres they will be responsible for paying the City a cash contribution of \$53,212.53 (.645 acres * 81,617.3 value per acre)



9.893 acres required to satisfy the City dedication requirements.
6.51 acres dedicate to the City via Outlot D of Northport

1st addition = 2.72 acres required
2nd addition = 2.28 acres required
Total 5 → 6.51 – 5 = 1.5 acres remaining for credit

3rd addition = 2.145 acres required → 2.145 – 1.5 = .645 acres required for park dedication.

The development will also provide an HOA-owned and maintained playfield on the west side of the development which will come with this phase. There is also a playground, pool, pool house, and recreation area that the Developer established in the 1st addition.

Trails. It was a condition of preliminary plat approval that the applicant provide a trail connection to the Hamlet on Sunfish Lake trails plat, as shown below. This trail connection runs along 39th Street and will connect the Hamlet on Sunfish Lake trails to Lake Elmo Avenue. The trail connection will be a part of this phase, but will stop at the Northstar property line.



Private Trails. Private trails are shown below in red where blue represents areas where there are either public sidewalks, trails, or both.

Subdivision Signs. Staff does not see that the developer is proposing to install any subdivision signs. However, if a sign is desired for install, it will need to be reviewed against the City sign Code.

Streets and Access. The development has a modified street grid with 60 foot wide public rights-of-ways with 28' wide streets (back to back), allowing parking on both sides of the street, except where center island exist, such as at

the entrance roads off of Lake Elmo Avenue. The developer provided right-of-way and street stubs from the First Addition to allow for vehicle connectivity to the north and south properties, should those ever develop. The development will now have two access points to the Schiltgen parcel to the south of the project site in the event this property develops in the future which will also accommodate the land locked Chavez parcel. The Third Addition street connections and designs are consistent with the approved overall preliminary plat.

Village Parkway Design. When reviewing the Concept Plan the Council adopted a condition of approval that the developer carry the Village Parkway design through in the development with the southern road (39th Street) to at least to the first street stub providing access to the south. The developer met this design with the First Addition, with a trail on the north side and sidewalk on the south side to match up with existing configuration of 39th Street to the east.

Street Names. The proposed street names are consistent with the City street naming policy.

Fire Chief and Building Official Comments. Planning staff provided the Fire Chief and Building Official copies of the proposed Third Addition final plat. Comments were not provided.

Washington County Review. The final plat and construction plans have been sent to Washington County for review. Staff did not receive comments from them for the 3rd addition.

City Engineer Comments. The City Engineer memo dated February 17, 2020 is attached to this report. There are several comments in the report that will be impactful to the development. Staff views them as being positive.

Engineering Memo Summary:

- Outlot M, P, and O (*As shown on the preliminary Plat, Attached*) will need to be included in the 3rd phase for stormwater management.
- Outlot I (*Preliminary Plat – Outlot D of 3rd addition plat*) must be an outlot as opposed to a drainage and utility easement.
- The Trail through outlot E shall be completed, which was partially in the 2nd addition.

Other Concerns.

Watering Ban. Due to shortage of water, the City may need to implement watering restrictions in the City for this summer and into the future. This could include limiting or prohibiting the use water outside including for car washing and for watering grass. This could affect future home builders and buyers as there may be a limited supply of water available for outdoor uses.

Conditions of Preliminary Plat and PUD Plan Approval. The following indicates how this phase of the development will meet the conditions of Preliminary Plat and PUD Plan Approval.

1. That PID# 11.029.21.44.0001 is subdivided to create Parcel 3 as indicated on the Preliminary Plat and that a Zoning Map Amendment is approved to rezone Parcels 1, 2, and 3 from Rural Development Transitional to Village Urban Low Density Residential.
This condition has been met.
2. That the future preliminary plat and PUD Plans include parcels with PID# 14.029.21.11.0001, 11.029.21.43.0001, and a portion of 11.029.21.44.0001.
This condition has been met.
3. That the future preliminary plat and preliminary PUD Plans submittal identify all requests for flexibility from the V-LDR zoning district.
The Applicant indicates in the narrative that PUD Flexibility is being requested on minimum lot width, lot area, front yard setback, side yard setback and maximum impervious coverage.
4. That all comments of the City Engineer's Memorandum dated May 8, 2017 be addressed with the future preliminary plat and preliminary PUD Plans submittal.

It is a recommended condition of approval for the Third Addition that the applicant address all items outlined in the City Engineer's memo for the Final Plat and PUD Plans dated February 17, 2020.

5. That the Applicant submit additional details on the proposed stormwater reuse system and ongoing operations for City review and consideration. Ownership, maintenance and ongoing operational responsibilities must be clearly defined, and City acceptance of stormwater reuse must be contingent upon the City agreeing to the ongoing ownership, maintenance and operation plan, including the execution of a stormwater maintenance and easement agreement that addresses stormwater reuse.

The Applicant has chosen to not pursue stormwater reuse on this time. While the Council did grant amenity points for this feature, there are still enough amenity points granted to reach the increased density. The applicant has indicated within the narrative that it was decided that this site would be better served with infiltration basins and that the stormwater reuse was not necessary due to the decrease in lot count and increase in open space.

6. That the Applicant provide a detailed phasing plan with the Final Plat 1st Addition application that clearly indicates the phasing of the construction for each public infrastructure component and addresses both construction access to the site and public access for new residents. Temporary cul-de-sacs should be part of the phasing plans and are required for any street with a platted lot with driveway access.

The applicant provided this with the construction plans.

7. That the developer provide a trail connecting the trail in the middle of the development to Hamlet on Sunfish Lake trails along with a trail corridor of at least 30 feet in width. The developer shall not receive parkland dedication credit for the trail corridor nor cost of construction of the trail.

The developer will provide this trail and will not receive parkland dedication credit for the construction of this trail.

8. That any approval be contingent on complying with Washington County's requirements and requests pertaining to right-of-way, turn lanes and trail needs as noted in the Washington County Memo dated June 1, 2017.

Washington County submitted preliminary plat comments to the City in a memo dated June 1, 2018. This memo indicated that sufficient right-of-way has been provided as per the Washington County Comprehensive Plan on the preliminary plat and that a sufficient right-of-way easement is provided to the south of the development. However, this memo also indicated that it would be preferable for there to be an additional 25 feet of right-of-way in order to accommodate a proposed route for the Central Greenway Trail, and because there is not 75 feet of right-of-way present on the on the east side of CSAH 17 centerline in order to accommodate a the 150 foot corridor required to expand to a four-lane divided highway.

9. Sufficient right-of-way along Lake Elmo Avenue N (CSAH-17) for both the Legacy at North Star Plat and PID# 14.02.921.11.0001 must be provided. Verification from Washington County that sufficient right-of-way along Lake Elmo Avenue N (CSAH-17) has been provided must be received by the City.

It is a recommended condition of approval that the City receive written documentation from Washington County that sufficient right-of-way has been provided along CSAH 17/Lake Elmo Avenue along with a sufficient right-of-way easement on the property to the south.

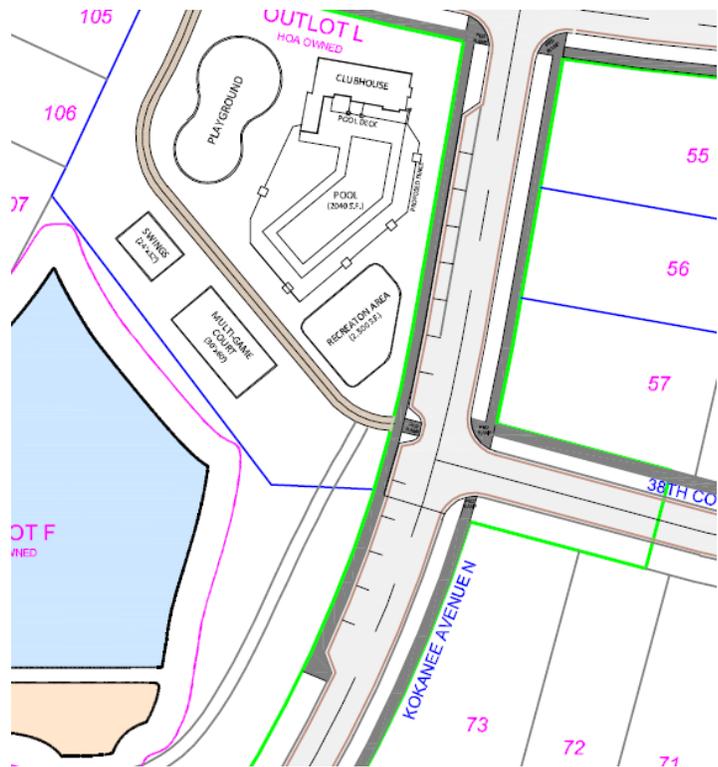
10. The Applicant shall be solely responsible for all construction costs associated with the intersection improvements as recommended by Washington County.

The developer started the construction of the First Addition in 2018 including the intersection of County Road 17 and 39th Street. The Developers Agreement(s) will further outline the Developer responsibility for the costs of the new intersection at 41st Street also known as County Road 17.

11. That the Applicant provide a minimum 30 foot buffer from the northern edges and 50 foot buffer from the western edges of the plat. This buffer shall average 170 feet on the western edge of the plat and 86 feet on the northern edge of the plat and include sufficient landscaping and/or berming as deemed adequate by the City.

The applicant provided the City with the preliminary plat application an exhibit showing that the plans will meet this requirement. Staff is recommending a condition of a 30 ft. no build buffer be applied to the northern development lot line and a 50 ft. no build buffer be incorporated on the western edge.

12. That the Landscape Plans receive approval from the City’s Landscape Architect and include revisions as mentioned in the Staff Report dated to the Planning Commission dated December 11, 2017.
The overall landscape plans have been approved by the City’s Landscape Architect, and it is a condition of approval for Phase 3 that the plans are updated to meet current City Standards.
13. That wetlands and wetland buffer areas be contained within outlots outside of lot areas and dedicated to the City.
The preliminary plat shows that with buffer averaging this wetland buffer has been contained within Outlot N of the preliminary plat. This condition is not applicable to the Third Addition.
14. That the Applicant provide a detailed sanitary sewer phasing plan must be provided with Final Plat 1st Addition application to address timely connection to sewer for the wastewater treatment system that includes, at a minimum, dedicated right-of-way or utility easement extended to the westerly side of the plat.
The applicant provided a drainage and utility easement over all of Outlot H, which may be used by the City as a permanent drainage and utility easement for the installation of a trunk sanitary sewer pipe to serve the Hamlet on Sunfish Lake development before any future Legacy at North Star additions.
15. That the Final Plat and PUD Plans include a parking area for the HOA pool/playground recreation area that meets all applicable standards.
This condition was addressed in phase 1.



16. That the proposed 15 foot front yard setback for Villa Lots be approved provided the HOA documents include architectural requirements that require 4-sided architecture and garages facing the public right-of-ways to have windows and/or other architectural features.
The applicant has indicated that they would prefer to have this requirement within the architectural guidelines, which is requested to be a separate document from the HOA documents. The applicant has indicated that this would provide greater control over the building designs. This change is a recommended condition of Final Plat and PUD Plans approval to have the applicant provide the City with this documentation.

17. That the developer comply with any comments provided by the MnDNR.
The applicant has provided with the Preliminary Plat and PUD Plans application a shoreland tier analysis that shows the applicant has provided sufficient open space within the shoreland area.
18. That the developer provide deed restrictions, covenants, permanent easements or other instruments for open space that prohibit future vegetative and topographic alterations other than routine maintenance, construction of buildings or storage of vehicles and other materials; and ensure preservation and maintenance of open space.
It is a recommended condition of approval that the Applicant provide an open space easement with the City over homeowners' association-owned outlots on the northern and western edges of the development.
19. That all Fire Chief and Building Official comments be addressed.
Planning staff submitted the proposed Third Addition Final Plat and PUD Plans to the Building Official and Fire Chief. It is a recommended condition of approval of the Final Plat and PUD Plans that the developer address all these comments.
20. That street names comply with City's Street Naming Policy.
The applicant has changed the street names since preliminary plat approval to adhere to the City's current street naming policy.
21. That the Applicant provide specific examples of proposed development signage, fencing, landscaping, lighting and site furnishings, including the clubhouse, that will adhere to the Lake Elmo Branding and Theming Study with the Final Plat and PUD Plans submittal.
The applicant provided the City with this information with the Final Plat for the First Addition.
22. That the Applicant submit and the City approve updated Preliminary Plat and PUD Plans prior to submission of Final Plat and PUD Plans.
The preliminary plat and PUD plans were approved before the applicant submitted the proposed Third Addition Final Plat and PUD application.
23. The proposed 7'8' sideyard setbacks shall be approved by the City Engineer.
The Engineer does not have issue with this side yard setback.
24. That the Applicant construct a bituminous trail extending south along the County right-of-way from 30th Way to the southerly plat limits (along the east side of Outlot C) and the future County right-of-way area along Lake Elmo Avenue of the parcel to the south of the plat should be graded for a future bituminous trail extension (grade ready trail) along the storm sewer outfall pipe location.
This trail was shown on the construction plans for the First Addition and is covered by the developer's agreement for that phase of the project.
25. That the Applicant pay a cash contribution in an amount equal to the fair market value of 3.383 acres of land to satisfy the development's park land dedication requirement pursuant to Section 154.14 of the City Code.
The applicant dedicated 6.51 physical acres during preliminary approval. With a total required contribution amount of 9.893 acres that leaves 3.383 acres left to either dedicate or provide financial contribution for. During phase 3 of the development the applicant will be responsible for a park dedication fee or \$53,212.53

Recommended Findings. Staff recommends approval of the Legacy at North Star Third Addition Final Plat and PUD Plans based on the following findings:

1. That all the requirements of City Code Section 153.10 related to the Final Plan and Final Plat have been met by the Applicant.

2. That the proposed Final Plat and PUD Plans for Legacy at North Star Third Addition will create 66 lots for single-family detached residential structures.
3. That the Legacy at North Star Third Addition Final Plat and PUD Plans are generally consistent with the Preliminary Plat and PUD Plans as approved by the City of Lake Elmo on February 20, 2018 by Resolution 2018-013.
4. That the Legacy at North Star Third Addition Final Plat and PUD Plans are consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area with an allowed increase in density as a Planned Unit Development and with the exception of the Village Open Space Overlay District Greenbelt Corridor.
5. That the Legacy at North Star Third Addition Final Plat and PUD Plans comply with general intent of the City's Village Low Density Residential zoning district regulations with PUD Modifications.
6. That the Legacy at North Star Third Addition Final Plat and PUD Plans comply with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances with the exception of issues identified in the Engineering memo dated February 17, 2020.
7. That the Legacy at North Star Third Addition Final Plat and PUD Plans comply with the City's subdivision ordinance with PUD modifications.
8. That the Legacy at North Star Third Addition Final Plat and PUD Plans are generally consistent with the City's engineering standards with the exception of necessary plan revisions outlined by the City Engineer in his review comments to the City about Legacy at North Star Third Addition Final Plat and PUD Plans dated December 12, 2019.
9. That the Legacy at North Star Third Addition Final Plat and PUD Plans meet the minimum requirement for a PUD including minimum lot area, open space and street layout.
10. That the Legacy at North Star Third Addition Final Plat and PUD Plans meet more than one of the required PUD objectives identified in Section 154.751 including providing: 1) more adequate, usable, and suitably located open space and recreational amenities and other public facility than would otherwise be provided under conventional development techniques, 2) Preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities, and 3) Allowing the development to operate in concert with a redevelopment plan in certain areas of the City and to ensure the redevelopment goals and objective will be achieved.
11. That the Legacy at North Star Third Addition Final Plat and PUD Plans meet the allowed density requirements allowed with PUD flexibility.
12. That the Applicant is providing the following amenities, for which the City shall award amenity points:
 - a. Pedestrian improvements including construction of a trail along the County right-of-way from 30th Way to the southerly plat limits; grading along the storm sewer outfall pipe location within the future right-of-way area along Lake Elmo Avenue of the property to the south of the proposed development along with dedication of County right-of-way to facilitate a future trail; and dedication of a 30-foot wide trail corridor along with construction of a trail connecting the trail within the development from Lak Elmo Avenue to the trail within the Hamlet on Sunfish Lake development (10 points).
 - b. Theming elements from the Lake Elmo Theming Study (1 point).
 - c. Additional open space above 20% (2 points).
 - d. Connection of sewer to Hamlet on Sunfish Lake Development (5 points).
 - e. Provision of private park amenities including a clubhouse, tot lot, and pool (5 points).

13. That the proposed PUD will allow a more flexible, creative, and efficient approach to the use of the land, and will specifically relate to existing zoning district standards in the following manner (with exceptions as noted):

a. Lot Dimensions and Bulk Building Requirements

	Villa Lots	Interior Single Family	Exterior Single Family
Minimum Lot Width	55 ft.	55 ft.	65 ft.
Minimum Lot Area	6,600 sq. ft.	6,840 sq. ft.	8,090 sq. ft.
Minimum Front Yard Setback	15 ft.	25 ft.	25 ft.
Minimum Side Yard Setback	7 ft./8 ft.	7 ft./8 ft.	10 ft./5 ft. or 7.5 ft./7.5 ft.
Maximum Impervious Surface	50%	45%	45%

Recommended Conditions of Approval. Staff recommends the Planning Commission recommend approval of the requested Legacy at North Star Third Addition Final Plat and PUD Plans with the following conditions:

1. Final grading, drainage, and erosion control plans, sanitary and storm water management plans, landscape plans, and street and utility construction plans shall be reviewed and approved by the City Engineer and applicable Staff before the recording of the Final Plat. All changes and modifications to the plans requested by the City Engineer in the memorandums addressing Legacy at North Star Third Addition Final Plat and PUD Plans dated December 12, 2019 shall be incorporated into these documents before they are approved.
2. All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat before its execution by City Officials.
3. Final Plat must be contingent upon the City receiving separate drainage and utility easements in the City’s standard form of easement agreement for all off-site development improvements (beyond the plat limits). All off-site easements must be clearly shown on the street, grading and utility plans, with all dimensions labeled. The easements must be obtained before the start of construction.
4. Before the execution of the Final Plat by City officials, the Developer shall enter into a Development Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements and shall include the payment of required park dedication fees for the Legacy at North Star Third Addition Final Plat with financial guarantees therefore.
5. A Landscape License Agreement shall be executed for the maintenance of commonly held homeowners’ association-owned and City-owned outlots, right-of-ways, and medians before the release of the final plat by City Officials.
6. That the developer provide a trail connecting to the trails of Hamlet on Sunfish Lake. The Applicant shall not receive parkland dedication credit for the trail outlot or easement or construction of the trail.
7. That the developer provide the City written verification from Washington County that sufficient right-of-way has been provided on the plat along with a sufficient right-of-way easement along the property to the south of the development before plat recording. Prior to construction, the plan section detailing southbound

right turn lanes and center left turn lanes at 39th Street must be submitted and approved by the county traffic engineer, applicable Washington County right-of-way permits must be obtained, drainage report and calculations must be submitted, and access control shall be dedicated to Washington County along CSAH 17/Lake Elmo Avenue frontage. The Applicant shall be solely responsible for all construction costs associated with the intersection improvements as recommended by Washington County.

8. If still needed, that the applicant provide a Roadway, Drainage and Utility Easement in City standard form of roadway easement agreement, along Lake Elmo Avenue (CSAH 17) from the southern boundary to Stillwater Boulevard North (CSAH 14), and consistent with the requirements of the preliminary plat approval.
9. That the Landscape Plans for this phase of the development be approved by the City's Landscape Architect before recording of final plat.
10. That the applicant include in the Architectural Control guidelines the requirements that villa lots utilize 4-sided architecture and garages facing the public right-of-ways to have windows and/or other architectural features.
11. That the applicant address all Fire Chief and Building Official comments.
12. That street names shall comply with City's Street Naming Policy.
13. That the applicant pay the City the required parkland dedication fee applicable to this phase of the development, which is .645 acres, before the City releases the final plat for recording.
14. That the applicant notify all home builders about possible City outdoor watering restrictions and that the home builders notify all home buyers that the City may impose limits on outdoor water use including no watering of grass or sod.
15. A 30 ft. open space buffer shall be applied to the northern development line as well as a 50 ft. open space buffer on the western line of the development.
16. The approved final plat shall be recorded with Washington County within 180 days after approval, failure to record will cause the approval to become void.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the Legacy at North Star Third Addition Final Plat and PUD Plans with recommended findings and conditions of approval.

“Move to recommend approval of the Legacy at North Star Third Addition Final Plat and PUD Plans with recommended findings and conditions of approval.”

EASEMENT VACATION:

Easement Vacations. The applicant is requesting the City vacate part of the drainage and utility easement that resides over Outlot B, which was established in the first addition for the third addition. The developer dedicated the easement with the First Addition final plat but it will no longer be required because new easements will be established with phase 3. In addition, the developer could not record a new final plat (or replat) these existing Outlots into Lots and Blocks with the existing easements in place.

Minnesota Statue outlines the provisions for vacating a public right-of-way or easement. It states in part that “Council may, by resolution, vacate any street, alley, public grounds, public way, or any part thereof, on its own motion or on petition of a majority of the owners of land abutting said property. Easement vacations require a public hearing and 4/5 vote by Council only if there has been no petition.”

Recommended Findings.

- The applicant has satisfied the City Platting Requirements.
- The existing easement that resides over Outlot B of the 1st addition will no longer serve a functional purpose, for the land under the proposed 3rd addition.
- That the dedication of new easements will be provided with the recording of Legacy at Northstar 3rd addition which will provide the same function as the easement that is being vacated.

Recommended Conditions of Approval.

- The final plat and approval of the Legacy at North Star 3rd addition and PUD Plans shall be approved by the City Council.
- The dedication of new easements will be provided with the recording of Legacy at North Star 3rd Addition which will provide the same function as the easement(s) that are being vacated.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the proposed vacation of the drainage and utility easements on Outlot B of Legacy at North Star First Addition as shown on the easement vacation Exhibit dated January 8, 2020.

“Move to recommend approval of the request for the vacation of the drainage and utility easements on Outlot B of Legacy North Star First Addition for the purposes of platting third addition.”

ATTACHMENTS:

1. Proposed Final Plat
2. Approved Preliminary Plat
3. Construction Phasing Plan
4. Vacation Map (Outlot Map)
5. Site Maps
6. City Engineer Report dated February 17, 2020
7. Landscape Architect Review Memo February 19, 2020

LEGACY AT NORTH STAR 3RD ADDITION

KNOW ALL PERSONS BY THESE PRESENTS: That GWSA Land Development, LLC, a Minnesota limited liability company, fee owner, of the following described property situated in the County of Washington, State of Minnesota, to wit:

Outlot B, LEGACY AT NORTH STAR, according to the recorded plat thereof.

Have caused the same to be surveyed and platted as LEGACY AT NORTH STAR 3RD ADDITION and do hereby dedicate to the public for public use the public ways, as shown on the plat, and also the drainage and utility easements as created by this plat.

In witness whereof said GWSA Land Development, LLC, a Minnesota limited liability company, has caused these presents to be signed by Craig Allen, Chief Manager on this _____ day of _____, 2020.

By: GWSA Land Development, LLC.

Craig Allen, Chief Manager

STATE OF MINNESOTA, COUNTY OF HENNEPIN

The foregoing instrument was acknowledged before me on this _____ day of _____, 2020, by Craig Allen, Chief Manager of GWSA Land Development, LLC, a Minnesota limited liability company, on behalf of the company.

Notary Public, Hennepin County, Minnesota

Printed Name

My Commission Expires: _____

SURVEYORS CERTIFICATION

I Jared J. Averbeck do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on the plat; that all monuments depicted on the plat have been set, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 2020.

Jared J. Averbeck, Licensed Land Surveyor
Minnesota License No. 53642

STATE OF MINNESOTA, COUNTY OF HENNEPIN

This instrument was acknowledged before me on this _____ day of _____, 2020, by Jared J. Averbeck, Licensed Land Surveyor, Minnesota License No. 53642.

Notary Public, Hennepin County, Minnesota

Printed Name

My Commission Expires: _____

LAKE ELMO, MINNESOTA PLANNING COMMISSION

Approved by the Planning Commission of the City of Lake Elmo, Minnesota, on this _____ day of _____, 2020.

Signed: _____
Chair, Planning Commission

Signed: _____
Secretary, Planning Commission

LAKE ELMO, MINNESOTA

This plat of LEGACY AT NORTH STAR 3RD ADDITION was approved by the City Council of the City of Lake Elmo, Minnesota on this _____ day of _____, 2020, and hereby certifies compliance with all requirements as set forth in Minnesota Statutes, Section 505.03, Subd. 2.

Signed: CITY OF LAKE ELMO

By: _____
Mayor

By: _____
Clerk

COUNTY SURVEYOR

Pursuant to Chapter 820, Laws of Minnesota, 1971, and in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this _____ day of _____, 2020.

By: _____
Washington County Surveyor

By: _____

COUNTY AUDITOR/TREASURER

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, and Section 272.12, taxes payable in the year 20____, on the real estate hereinbefore described, have been paid; and there are no delinquent taxes, and transfer has been entered on this _____ day of _____, 2020.

By: _____
Washington County Auditor/Treasurer

By: _____
Deputy

COUNTY RECORDER

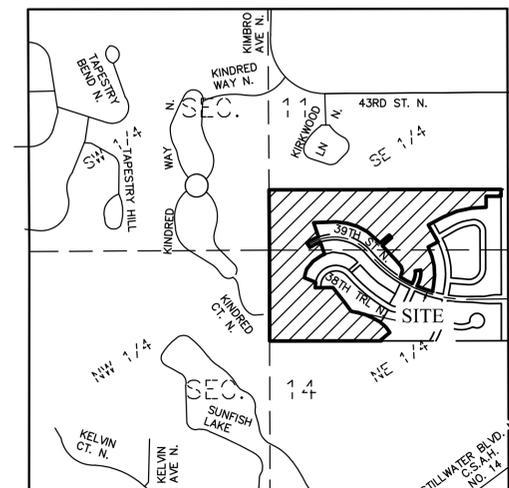
Document Number _____

I hereby certify that this instrument was recorded in the Office of the County Recorder for record on this _____ day of _____, 2020, at _____ o'clock _____ M. and was duly recorded in Washington County Records.

By: _____
Washington County Recorder

By: _____
Deputy

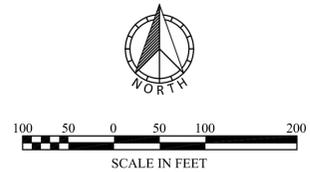
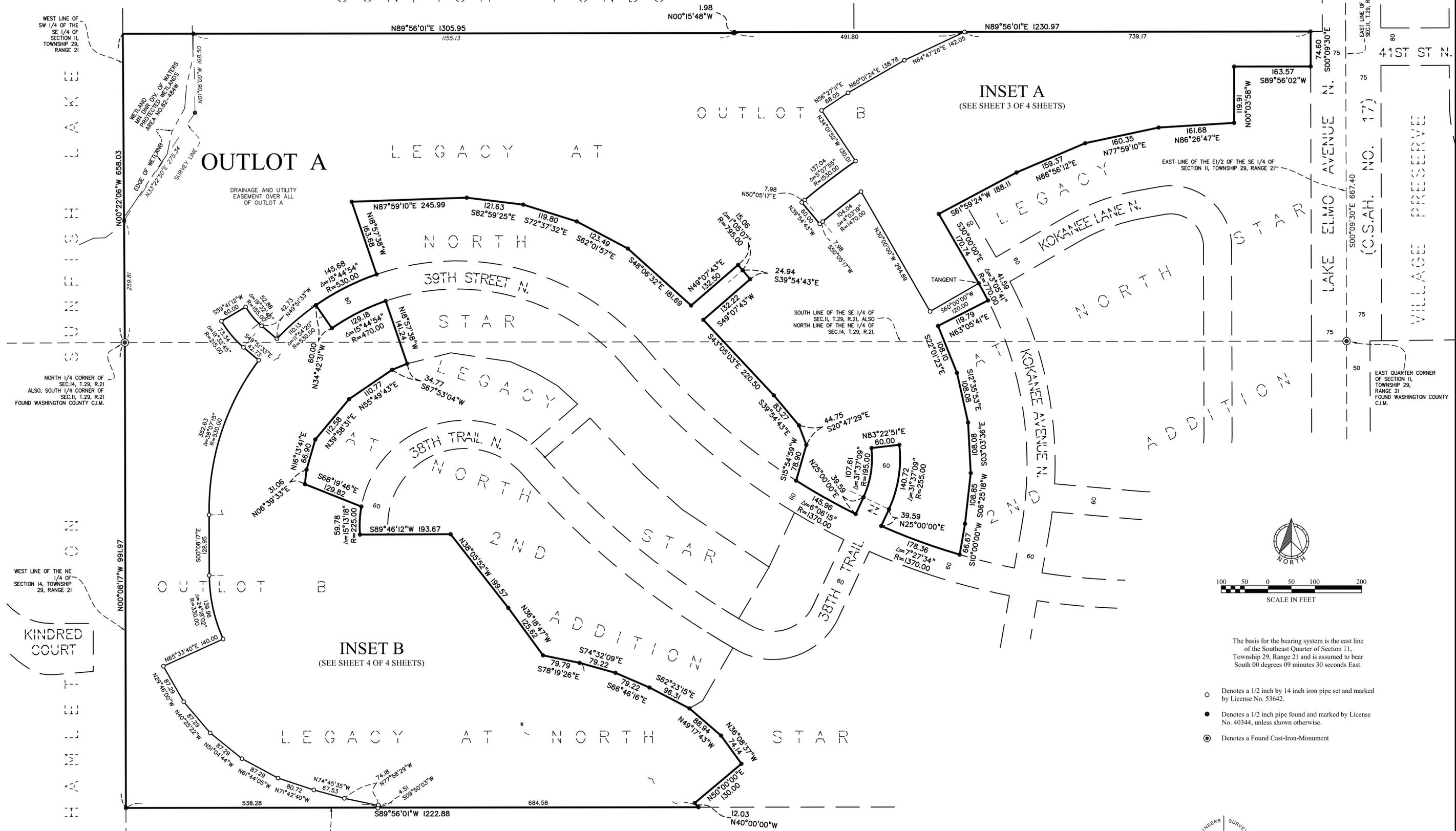
LOCATION MAP
SECTION 11 & 14, TWP. 29N., RGE. 21W.
(NOT TO SCALE)



SATHRE-BERGQUIST, INC.

LEGACY AT NORTH STAR 3RD ADDITION

SUNFISH PONDS



The basis for the bearing system is the east line of the Southeast Quarter of Section 11, Township 29, Range 21 and is assumed to bear South 00 degrees 09 minutes 30 seconds East.

- Denotes a 1/2 inch by 14 inch iron pipe set and marked by License No. 53642.
- Denotes a 1/2 inch pipe found and marked by License No. 40344, unless shown otherwise.
- ⊙ Denotes a Found Cast-Iron-Monument

ENGINEERS SURVEYORS
DESIGNERS PLANNERS

SATHRE-BERGQUIST, INC.

LEGACY AT NORTH STAR 3RD ADDITION

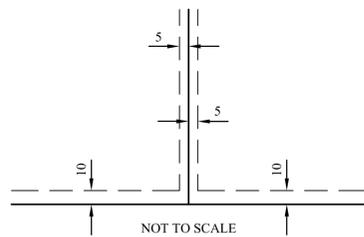
INSET A



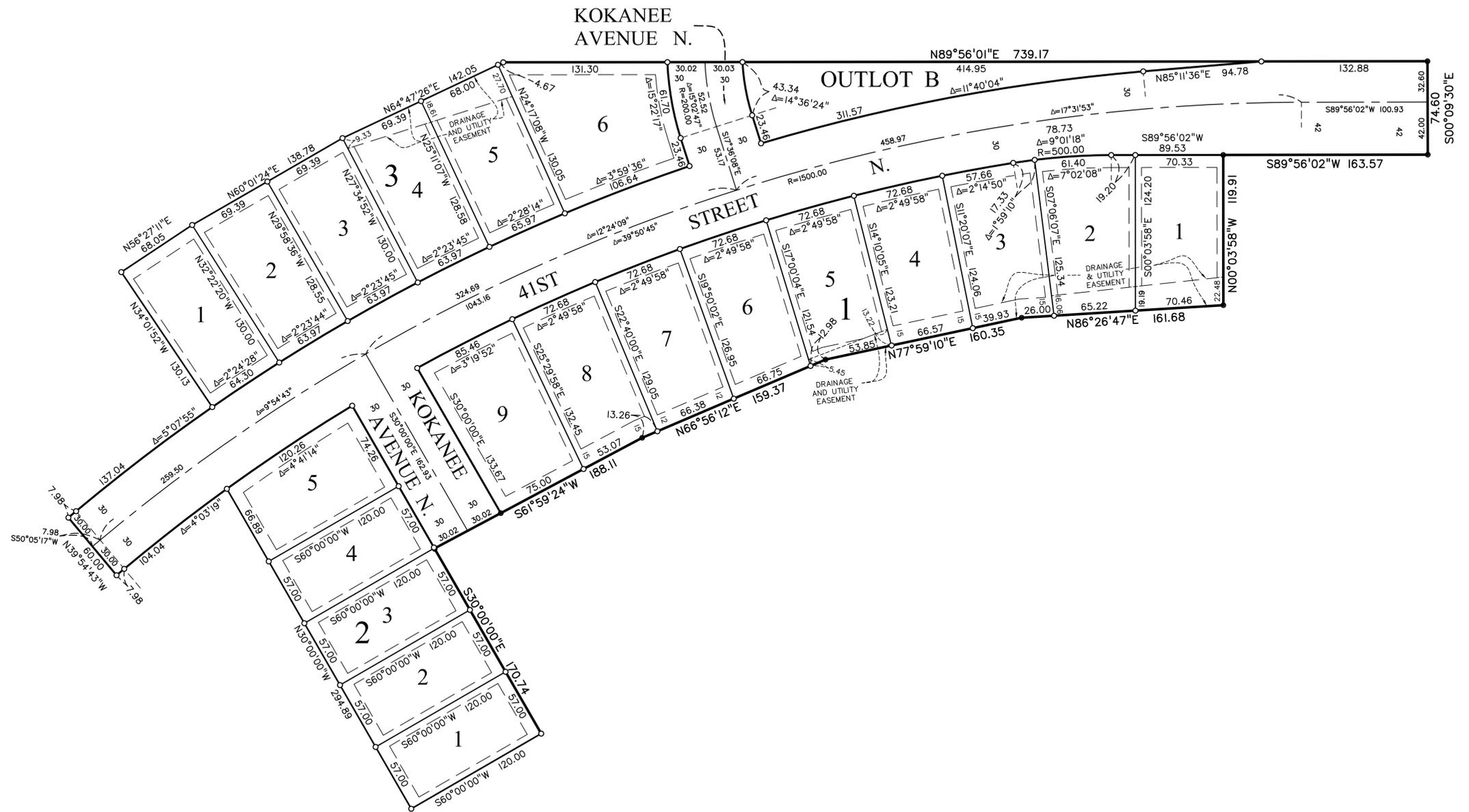
The basis for the bearing system is the east line of the Southeast Quarter of Section 11, Township 29, Range 21 and is assumed to bear South 00 degrees 09 minutes 30 seconds East. (See Sheet 2 of 4 Sheets)

- Denotes a 1/2 inch by 14 inch iron pipe set and marked by License No. 53642.
- Denotes a 1/2 inch pipe found and marked by License No. 40344, unless shown otherwise.

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



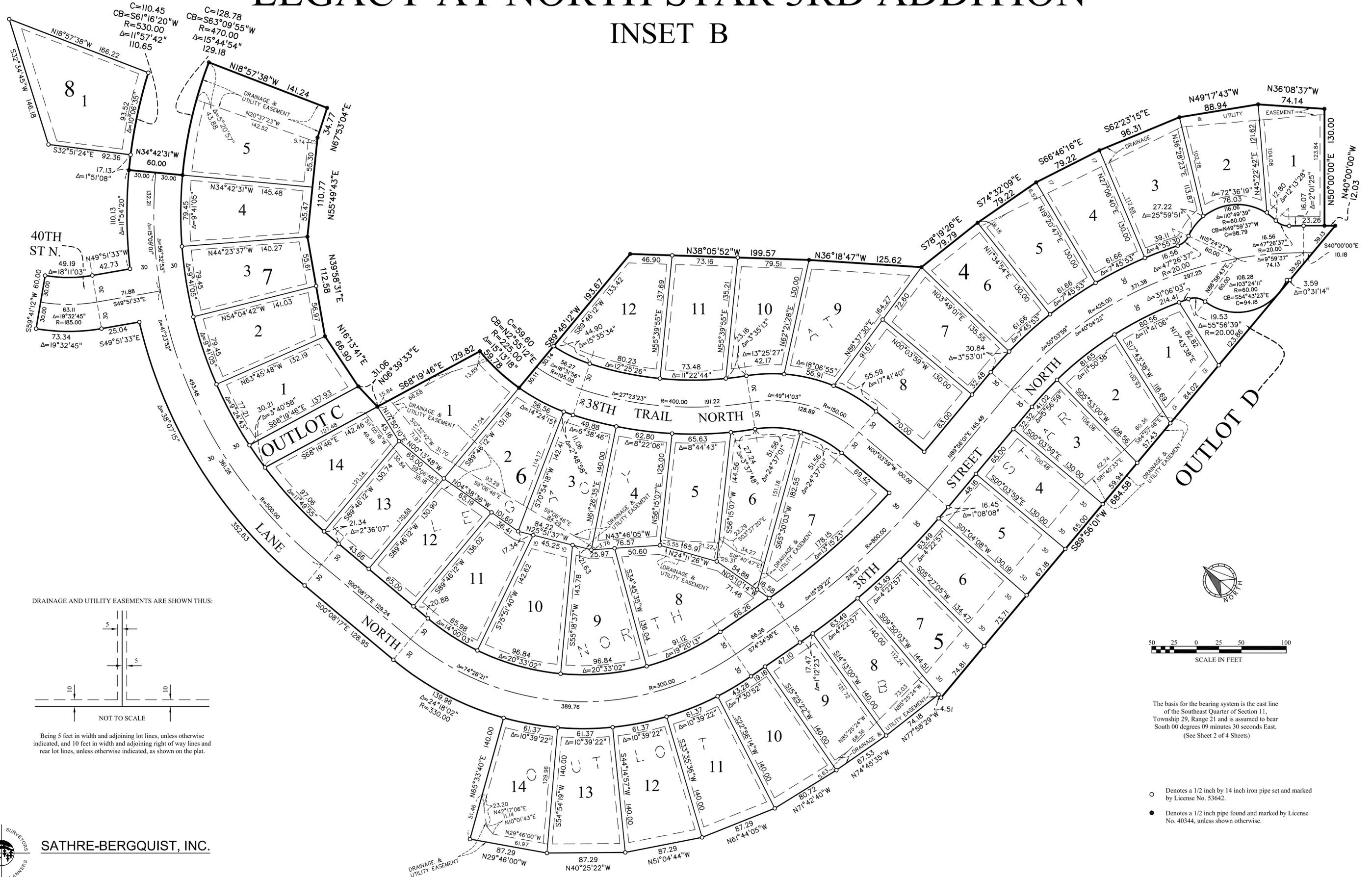
Being 5 feet in width and adjoining lot lines, unless otherwise indicated, and 10 feet in width and adjoining right of way lines and rear lot lines, unless otherwise indicated, as shown on the plat.



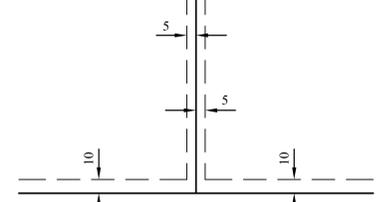
SATHRE-BERGQUIST, INC.

LEGACY AT NORTH STAR 3RD ADDITION

INSET B



DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



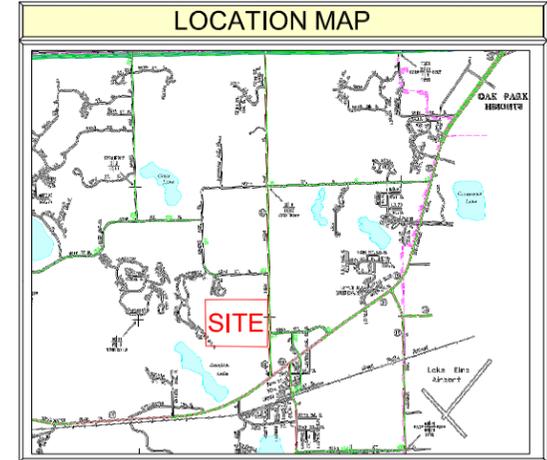
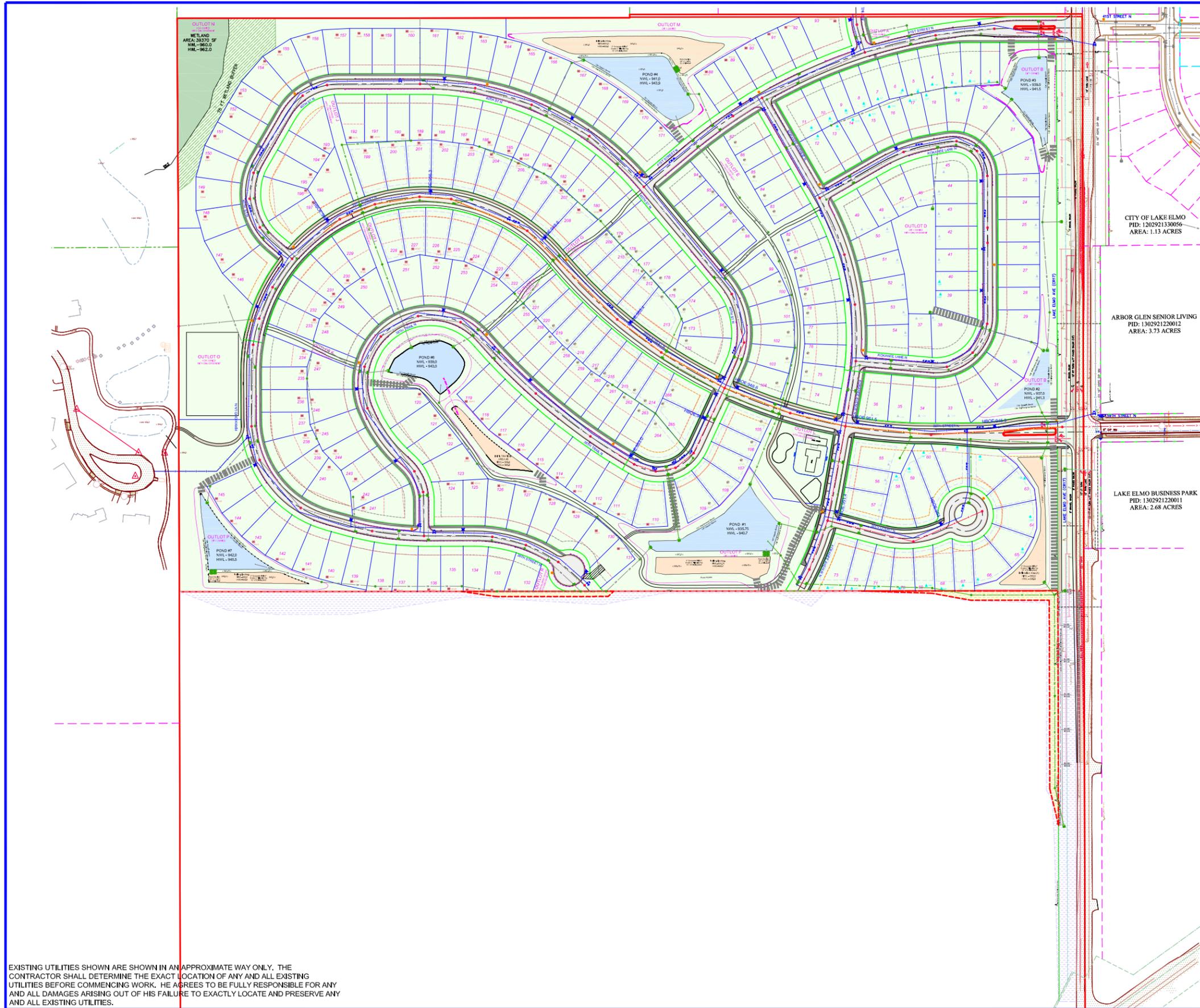
Being 5 feet in width and adjoining lot lines, unless otherwise indicated, and 10 feet in width and adjoining right of way lines and rear lot lines, unless otherwise indicated, as shown on the plat.

The basis for the bearing system is the east line of the Southeast Quarter of Section 11, Township 29, Range 21 and is assumed to bear South 00 degrees 09 minutes 30 seconds East. (See Sheet 2 of 4 Sheets)

- Denotes a 1/2 inch by 14 inch iron pipe set and marked by License No. 53642.
- Denotes a 1/2 inch pipe found and marked by License No. 40344, unless shown otherwise.

ENGINEERS SURVEYORS
DESIGNERS PLANNERS

SATHRE-BERGQUIST, INC.



SHEET INDEX TABLE	
SHEET	Description
SP	Site Plan
1	ALTA
1 - 2	Preliminary Plat
SI1-SI5	Preliminary Signage/Lighting/Marking Plan
ST1-ST16	Preliminary Street Plan
UP1-UP14	Preliminary Utility Plan
GP1-GP6	Preliminary Grading Plan
EC1-EC6	Preliminary Erosion Control Plan
PH1 - PH2	Phasing Plan
LP1 - LP7	Landscape Plan

PREPARED BY	PREPARED FOR
ENGINEER SATHRE-BERGQUIST, INC. 150 SOUTH BROADWAY WAYZATA, MINNESOTA 55391 PHONE: (952) 476-6000 FAX: (952) 476-0104 CONTACT: ROBERT S. MOLSTAD, P.E. EMAIL: MOLSTAD@SATHRE.COM	DEVELOPER GWSA LAND DEVELOPMENT 10850 OLD COUNTY RD 15 SUITE 200 PLYMOUTH, MN 55441 CONTACT: CRAIG ALLEN PHONE: (952) 270-4473 EMAIL: CRAIG@GONYEACOMPANY.COM

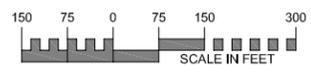
PUD CONCEPT PLAN
 Zoning - PUD
 Fysb - 25 ft
 Sysb - 15 ft (Total)
 Rysb - 20 ft
 Corner Lot - 20 ft
 60' Row - 28' B-B Streets

 55'/65' VILLA - 73
 (55'/65' x +/- 140')

 57' SINGLE FAMILY - 63
 (57' x +/- 120')

 65' (SINGLE FAMILY) - 130
 (65' x +/- 130')

 TOTAL UNITS - 266



EXISTING UTILITIES SHOWN ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES ARISING OUT OF HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.

DRAWING NAME	NO.	BY	DATE	REVISIONS
LN GP	02	TCW	05/08/18	CITY COMMENTS
DRAWN BY	03	TCW	05/21/18	ADD WETLAND BUFFER SIGN NOTES
RSM	03	TCW	05/22/18	CITY COMMENTS 05/21/18
CHECKED BY	05	CAW	05/30/18	WATERSHED COMMENTS
RSM	06	CAW	06/04/18	ADDITIONAL DTILE & EASEMENT PER WATERSHED COMMENTS
DATE	07	CAW	06/19/18	CITY COMMENTS - ENTRANCE CHANGES, UTILITY UPDATES
02/26/18	08	CAW	06/27/18	CITY COMMENTS - ADD EASEMENT, REMOVE BLVD TREE

USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.

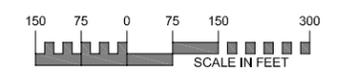
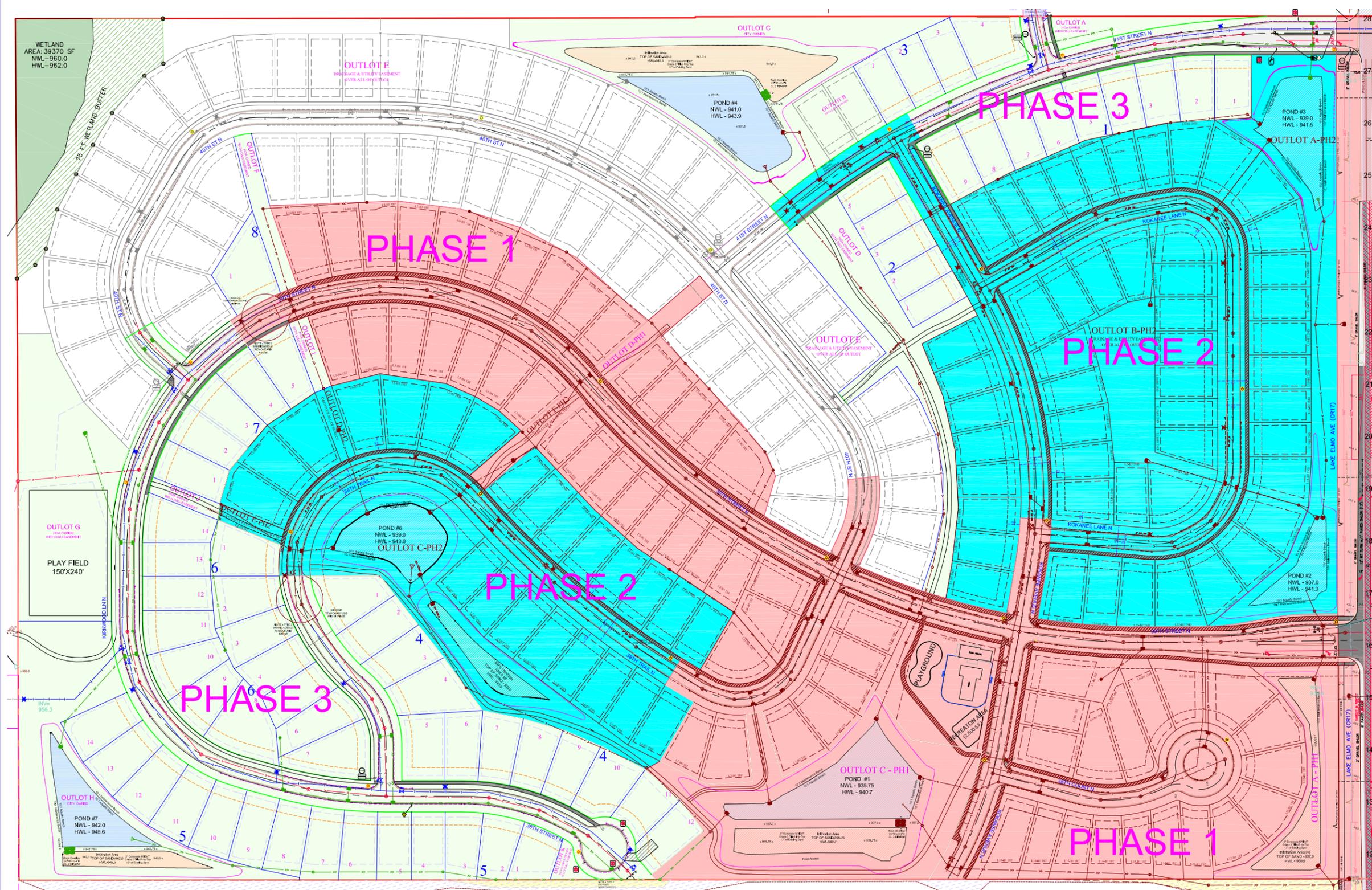
I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
Robert S. Molstad
 ROBERT S. MOLSTAD, P.E.
 Date: 02/26/18 Lic. No. 26428

ENGINEERS SURVEYORS DESIGNERS PLANNERS
SATHRE-BERGQUIST, INC.
 150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

CITY PROJECT NO.
 LAKE ELMO, MINNESOTA

SITE PLAN
LEGACY AT NORTHSTAR
GWSA LAND DEVELOPMENT

FILE NO.
 3120-047-020
 SP
 SP



EXISTING UTILITIES SHOWN ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES ARISING OUT OF HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.

DRAWING NAME	NO.	BY	DATE	REVISIONS
LN GP	01	TCW	02/27/20	CITY COMMENT MEMO - 021720
DRAWN BY				
TCW				
CHECKED BY				
RSM				
DATE				
12/10/19				

USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.

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

Robert S. Molstad
 ROBERT S. MOLSTAD, P.E.
 Date: 12/19/19 Lic. No. 26428



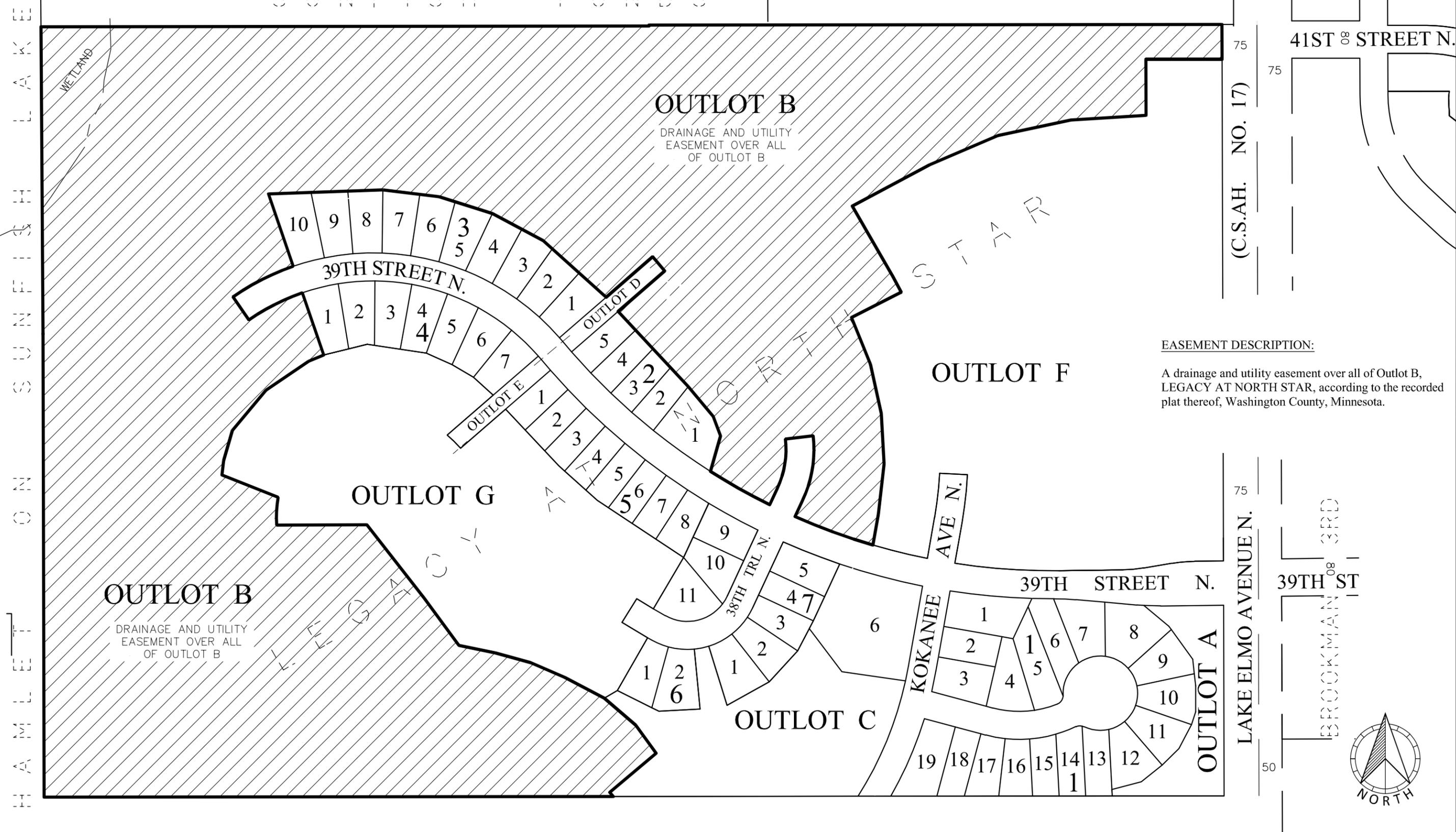
SATHRE-BERGQUIST, INC.
 150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

CITY PROJECT NO.
 --
 LAKE ELMO,
 MINNESOTA

PHASE EXHIBIT
 LEGACY AT NORTHSTAR 3RD ADDITION
 GWSA LAND DEVELOPMENT, LLC

FILE NO.
 3120-047-300
 EX
 32

SUNFISH PONDS



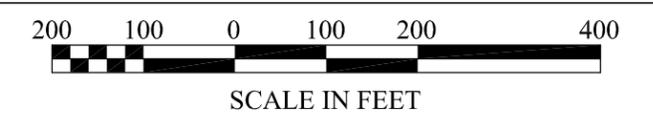
(C.S.A.H. NO. 17)

EASEMENT DESCRIPTION:
 A drainage and utility easement over all of Outlot B, LEGACY AT NORTH STAR, according to the recorded plat thereof, Washington County, Minnesota.

JOB #: 3120-047-300	REVISIONS
FIELD CREW:	
DRAWN BY: JJA	
CHECKED BY:	
DATE: 1/8/2020	

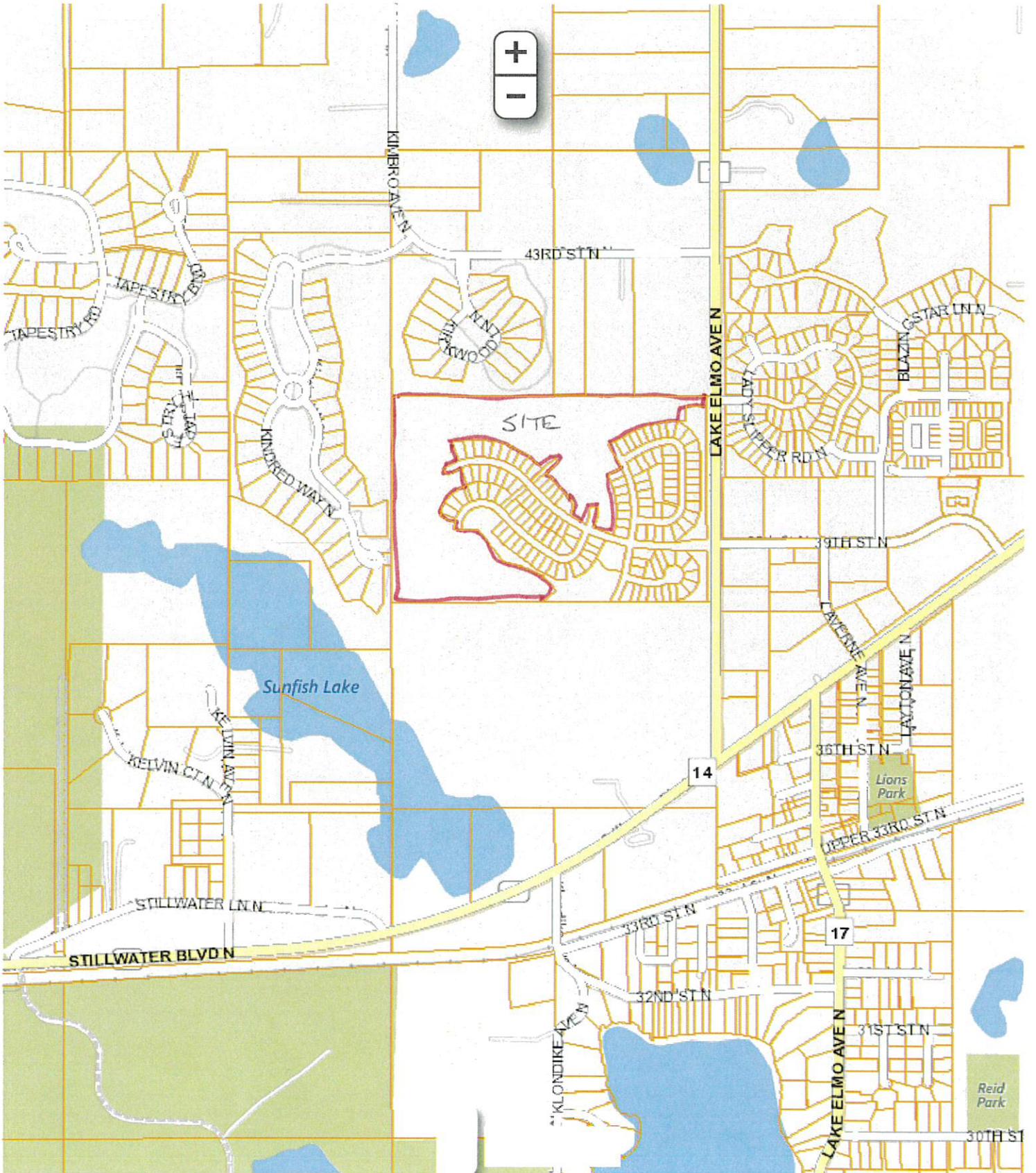

SATHRE-BERGQUIST, INC.
 150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

EASEMENT VACATION EXHIBIT
 PREPARED FOR
GWSA LAND DEVELOPMENT



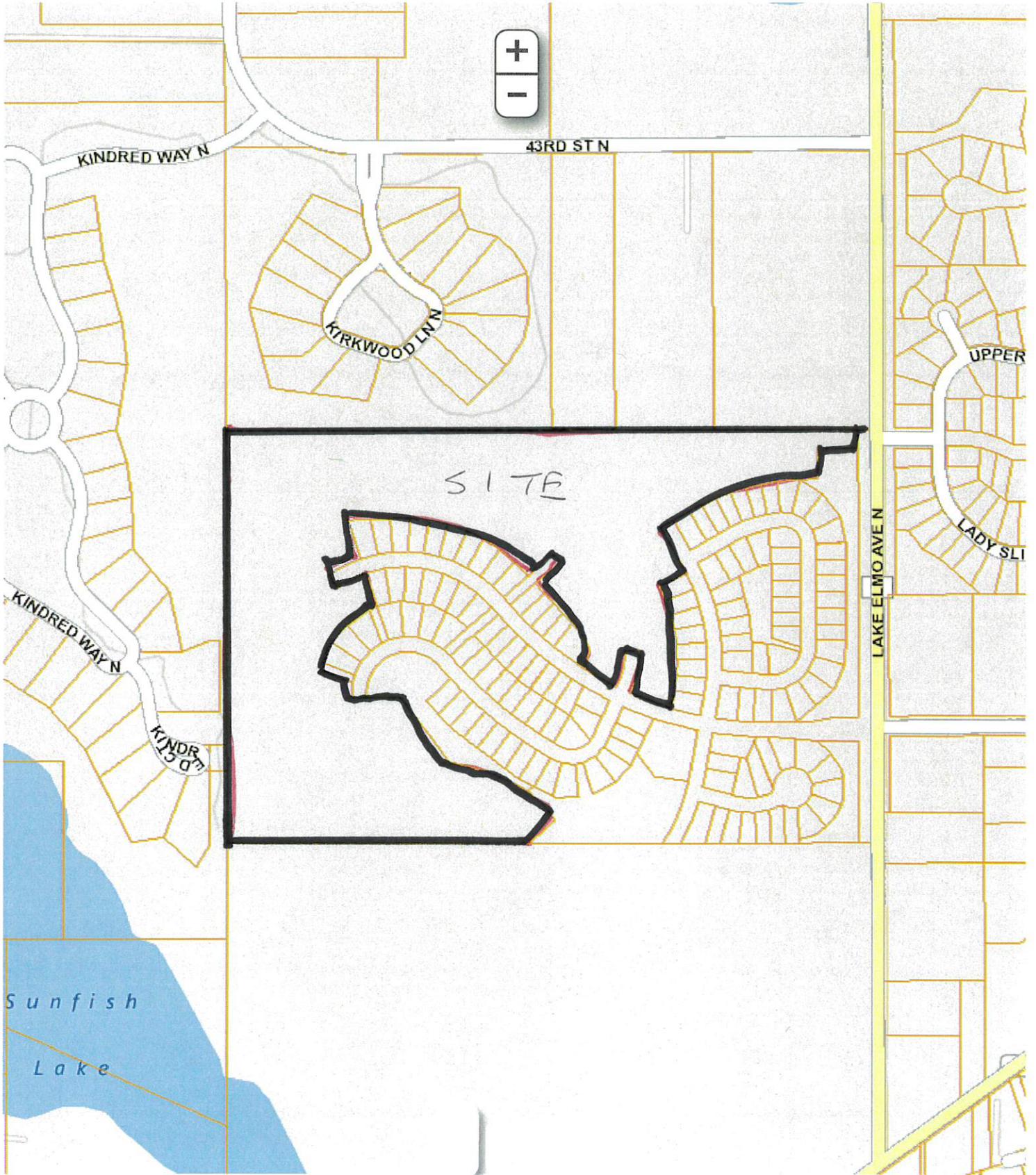


Property Viewer



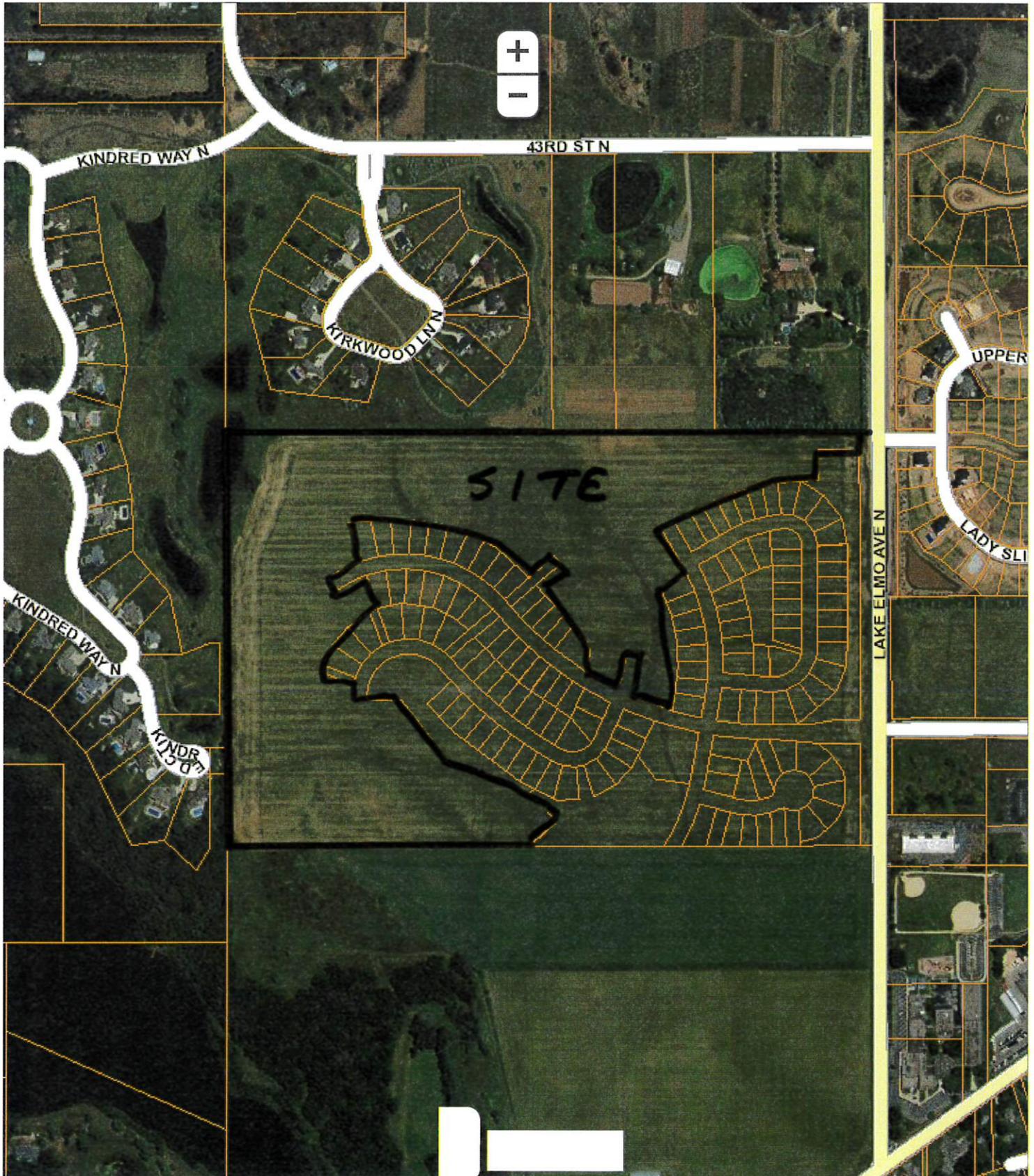


Property Viewer





Property Viewer



MEMORANDUM

FOCUS ENGINEERING, inc.

Cara Geheren, P.E.	651.300.4261
Jack Griffin, P.E.	651.300.4264
Ryan Stempski, P.E.	651.300.4267
Chad Isakson, P.E.	651.300.4283

Date: February 17, 2020

To: Ken Roberts, Planning Director	Re: Legacy at Northstar 3rd Addition – Final Plat
Cc: Chad Isakson, P.E., Assistant City Engineer	Engineering Review Comments
From: Jack Griffin, P.E., City Engineer	

An engineering review has been completed for the Legacy at Northstar 3rd Addition. Final Plat/Final Construction Plans were received on January 31, 2020. The submittal consisted of the following documentation:

- Legacy at Northstar 2nd Addition Final Plat, Sheets 1-4, received January 31, 2020.
 - Legacy at Northstar 3rd Addition Construction Plans, Sheets 1-32, dated December 19, 2019.
 - Legacy at Northstar 3rd Addition Specifications dated January 20, 2020.
 - Legacy at Northstar Phase 3 Landscape Plan, Sheets LP1-LP6, dated January 27, 2020.
-

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

FINAL PLAT/PLANS: LEGACY AT NORTHSTAR 3RD ADDITION

- Final Plat approval must be contingent upon the Northstar 3rd Addition Plat including the dedication of city owned Outlot M for storm water management, city owned Outlot P for storm water management, and HOA owned Outlot O (Outlot names from the approved preliminary plat). The Plat must include the required sanitary sewer and storm sewer easements on Outlot O.
- Final Plat approval must be contingent upon the dedication of Outlot I (as shown on the preliminary plat) rather than the proposed drainage and utility easement over Lot 5, Block 7. Outlot I must include a drainage and utility easement to the city over the entire Outlot.
- The Legacy at North Star 3rd Addition Final Plat should include the dedication of HOA owned Outlot E (preliminary plat) including the drainage and trail improvements to be completed adjacent to the 2nd Addition and 3rd Addition platted lots. A drainage and utility easement must be provided over all Outlot E.
- The Final Plat should be revised to either remove Lot 1, Block 8 (to be constructed with future development phases) or to include the dedication of Outlot J (HOA owned) with a drainage and utility easement to the city over the entire Outlot.
- The Final Plat/construction plans must include a temporary cul-de-sac on the west end of 41st Street in order to include Lots 1 and 2, Block 3 as platted lots in the 3rd Addition.
- Outlot A is shown as Shiltgen Family owned and is reserved for future development.
- Outlot B is shown as HOA owned as required. The Final Plat must be revised to add a drainage and utility easement over all of Outlot B.
- Outlot C is shown as HOA owned as required. The Final Plat must be revised to add a drainage and utility easement over all of Outlot C.

- Outlot D is shown as HOA owned. The Final Plat must be revised to add a drainage and utility easement over all of Outlot D. The approved preliminary plat shows Outlot D as developer owned?
- The Final Plat and Final Construction Plans must be revised so that Outlots and ownership are consistent throughout the Final Plat and Final Construction Plans. There are significant discrepancies between the proposed final plat and proposed plan documents.
- All easements as requested by the City Engineer and Public Works department shall be documented on the Final Plat prior to the release of the Final Plat for recording.
- All off-site easements must be clearly shown on the street, grading and utility plans, with all dimensions labeled. The easements must be obtained and recorded prior to the start of construction (if not already provided).
 - Permanent drainage and utility easements are required for the proposed water/sewer stubs on the northerly property at the north end of Kokanee Avenue.
 - Permanent drainage and utility easements are required for the proposed storm sewer and water/sewer stubs on the southerly property at the south end of 38th Street.
- The Final Plat/Plans show access to Lake Elmo Avenue at 41st Street North as required to provide secondary access for the Legacy at North Star development.
- The sanitary sewer plan includes approximately 550 feet of 10-inch diameter sewer pipe oversizing, extended along 39th Street and stubbed across Outlot O to the Hamlet of Sunfish Lake subdivision. Oversize pipe costs should be addressed as part of the development agreement. No trunk watermain oversizing is anticipated. All watermains should be 8-inch diameter pipe.
- Final Construction Plans and Specifications must be prepared in accordance with the City Engineering Design Standards Manual dated April 2019, using City details, plan notes and specifications and meeting City Engineering Design Guidelines.
- Final Construction Plans and Specifications must be revised in accordance with the Construction Plan engineering review memorandum dated February 17, 2020.
- The Final Plat shall not be recorded until final construction plan approval is granted.
- No construction for Legacy at Northstar 3rd Addition may begin until the applicant has received City Engineer approval for the Final Construction Plans; the applicant has obtained and submitted to the City all applicable permits, easements and permissions needed for the project; and a preconstruction meeting has been held by the City's engineering department.



To: Ken Roberts, City of Lake Elmo Planning Director
From: Lucius Jonett, Wenck Landscape Architect
Date: February 19, 2020
Subject: City of Lake Elmo Landscape Plan Review
Legacy at Northstar 3rd Addition, Review #1

Submittals

- Tree Preservation Plan, dated July 5, 2018, received February 19, 2020.
- Landscape Plans, dated January 27, 2020, received February 19, 2020.

Location: East of Sunfish Lake and West of Lake Elmo Avenue North with entrances into the proposed development on 39th Street North and 41st Street Circle North.

Land Use Category: Village Low Density Residential

Surrounding Land Use Concerns: Screening from northern and western edges of the plat.

Special landscape provisions in addition to the zoning code: The northern and western edges of the property require a greenbelt buffer consisting of a sufficiently wide buffer, berming and landscaping to screen the adjacent properties.

Tree Preservation:

- A. A tree preservation plan has been submitted that does meet all requirements. This tree preservation plan was submitted and approved with the preliminary plan.

Master Plan		
<u>Total Caliper Inches on-Site:</u>	295.00	Cal Inches
Significant Inches Removed On-Site	60.5	Cal Inches
Common Trees	60.5	
Conifer/Evergreen Trees	0	
Hardwood Trees	0	
Tree Removal Limits (30% Significant Inches Removed On-Site)	88.50	Cal Inches
Subtract Common Tree Removals	60.5	
Subtract Conifer/Evergreen Tree Removals	0	
Subtract Hardwood Tree Removals	0	
Removals in excess of 30% allowance	0.00	Cal Inches
Removals in Excess of Allowance	0	Cal Inches
Hardwood Tree Replacement (1/2 the dia inches removed)	0.00	Cal Inches
Tree replacement needed	0.00	Cal Inches
Tree Replacement Required @ 2.5" per Tree	0	# of Trees

- B. Tree replacement is not required because less than thirty (30) percent of the diameter inches of significant trees surveyed will be removed.
- C. Tree replacement calculations follow the required procedure and are correct.
- D. This project is residential development, any require mitigation replacement trees shall be in addition to landscape required tree counts.

Landscape Requirements:

The proposed 3rd addition landscape plans are consistent with the previously approved preliminary plat landscape plans and meet the code required number of trees.

	Master Plan Required	Preliminary Plan Approved	1st Addition Required	1st Addition Proposed	2nd Addition Required	2nd Addition Proposed	
Street frontage	26276		3185		3315		Lineal Feet
Lake Shore	0						Lineal Feet
Stream Frontage	0						Lineal Feet
Total Linear Feet	26276		3185		3315		Lineal Feet
/50 Feet = Required Frontage Trees	526	526*	64		66		Trees

Development or Disturbed Area	-						SF
Development or Disturbed Area	100		23		25		Acres
*5 = Required Development Trees	500	500	115		125		Trees

Required Mitigation Trees**	0						
-----------------------------	---	--	--	--	--	--	--

Required Number of Trees	1026		179		191		
---------------------------------	-------------	--	------------	--	------------	--	--

Total Trees to Date***		1019		232		263	
-------------------------------	--	-------------	--	------------	--	------------	--

*It is noted on the plans, "Due to utility conflicts 44 of the boulevard trees shall be planted as buffer trees."

**Ornamental Trees are not acceptable for use as replacement trees

***Proposed 12' evergreen trees shall count as 2 - 6' trees allowing 7 trees less than required.

	Master Plan Required	Preliminary Plan Approved	3rd Addition Required	3rd Addition Proposed	
Street frontage	26276		3733		Lineal Feet
Lake Shore	0				Lineal Feet
Stream Frontage	0				Lineal Feet
Total Linear Feet	26276		3733		Lineal Feet
/50 Feet = Required Frontage Trees	526	526*	75		Trees

Development or Disturbed Area	-				SF
Development or Disturbed Area	100		28		Acres
*5 = Required Development Trees	500	500	140		Trees

Required Mitigation Trees**	0				
-----------------------------	---	--	--	--	--

Required Number of Trees	1026		215		
---------------------------------	-------------	--	------------	--	--

Total Trees to Date***		1019		316	
-------------------------------	--	-------------	--	------------	--

1. A minimum one (1) tree is proposed for every fifty (50) feet of street frontage.
2. A minimum of five (5) trees are proposed to be planted for every one (1) acre of land that is developed or disturbed by development activity.

The landscape plans do meet the minimum compositions of required trees:

- At least 25% of the required number of trees shall be deciduous shade trees
- At least 25% of the required number of trees shall be coniferous trees

Preliminary Plan	Qty
Developer Deciduous Shade Trees	297
Developer Coniferous Trees	195
Developer Ornamental Trees	9
Builder Deciduous Shade Trees	342
Builder Coniferous Trees	176

Tree Count 1019

% Composition

Total Deciduous Shade Trees	648	64%	>25% required
Total Coniferous Trees	371	36%	>25% required

Tree Count 1019

Phase 1	Qty
Developer Deciduous Shade Trees	69
Developer Coniferous Trees	46
Developer Ornamental Trees	0
Builder Deciduous Shade Trees	80
Builder Coniferous Trees	37

Tree Count 232

% Composition

Phase 1 Total Deciduous Shade Trees	149	64%	>25% required
Phase 1 Total Coniferous Trees	83	36%	>25% required

Tree Count 232

Phase 2	Qty
Developer Deciduous Shade Trees	54
Developer Coniferous Trees	49
Developer Ornamental Trees	9
Builder Deciduous Shade Trees	92
Builder Coniferous Trees	59

Tree Count 263

% Composition

Phase 2 Total Deciduous Shade Trees	155	59%	>25% required
Phase 2 Total Coniferous Trees	108	41%	>25% required

Tree Count 263

% Composition

Phase 1 & 2 Total Deciduous Shade Trees	304	61%	>25% required
Phase 1 & 2 Total Coniferous Trees	191	39%	>25% required

Tree Count 495

Phase 3	Qty
Developer Deciduous Shade Trees	71
Developer Coniferous Trees	116
Developer Ornamental Trees	0
Builder Deciduous Shade Trees	86
Builder Coniferous Trees	43
Tree Count	316

		% Composition	
Phase 3 Total Deciduous Shade Trees	157	50%	>25% required
Phase 3 Total Coniferous Trees	159	50%	>25% required
Tree Count	316		

		% Composition	
Phase 1-3 Total Deciduous Shade Trees	461	57%	>25% required
Phase 1-3 Total Coniferous Trees	350	43%	>25% required
Tree Count	811		

- A. A landscape plan has been submitted that **does not include** all requirements.
1. Driveway pavements **are not** shown on the landscape plan to review for tree placement conflicts.
 2. Stormwater utilities **are not** shown on the landscape plan to review for tree placement conflicts.
 3. Property lines and easements, including 10' small utility setback/easement from all property lines, **are not** shown on the landscape plan to review for landscape placement conflicts.
 - i. No deciduous tree trunks, evergreen tree mature driplines, or shrubs are allowed in the easement areas.
- B. The landscape plan **does not** meet the landscape layout requirements.
1. No utility conflicts; Prefer that the trunk of trees shall be 10 feet from the nearest utility, including water and sewer service stubs to each lot.
- C. Interior Parking Lot Landscaping – The development does not include interior parking lots.
- D. Perimeter Parking Lot Landscaping – The development does not include perimeter parking lots.
- E. Screening – A greenbelt with screening is required on the northern and western edges of the property and is shown on the proposed 3rd addition landscape plans. The screening design meets City requirements.

Findings:

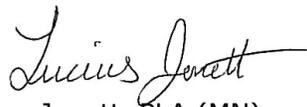
1. Driveway pavements, stormwater utilities, and easement lines, including 10' small utility setback/easement from all property lines, **are not** shown on the landscape plan to review for landscape placement conflicts.
2. With the 10' small utility setback/easement from all property line requirement, it is expected that the applicant will have to shift the greenbelt screening buffer out of the easements as required.
3. There are several trees drawn within 10' of the utility service lines to the properties. See attached figure showing conflicts. It is noted on the plans that trees are to be 10' away from trunk to utility pipes in case symbols depict a location too close to utility services to homes on the plan.
4. Trees within residential lots that are intended to count toward the required number of landscape trees will need to be installed by the developer before the lot is built on and maintained. Proposed builder site trees will be difficult for City inspections since staff would possibly have to go on a homeowner's lot to inspect. Builder street trees are okay, since they can be inspected from public property. However all builder trees will need to be installed and maintained for 2 years before the landscape financial security can be released.

Recommendation:

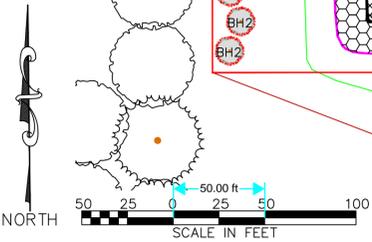
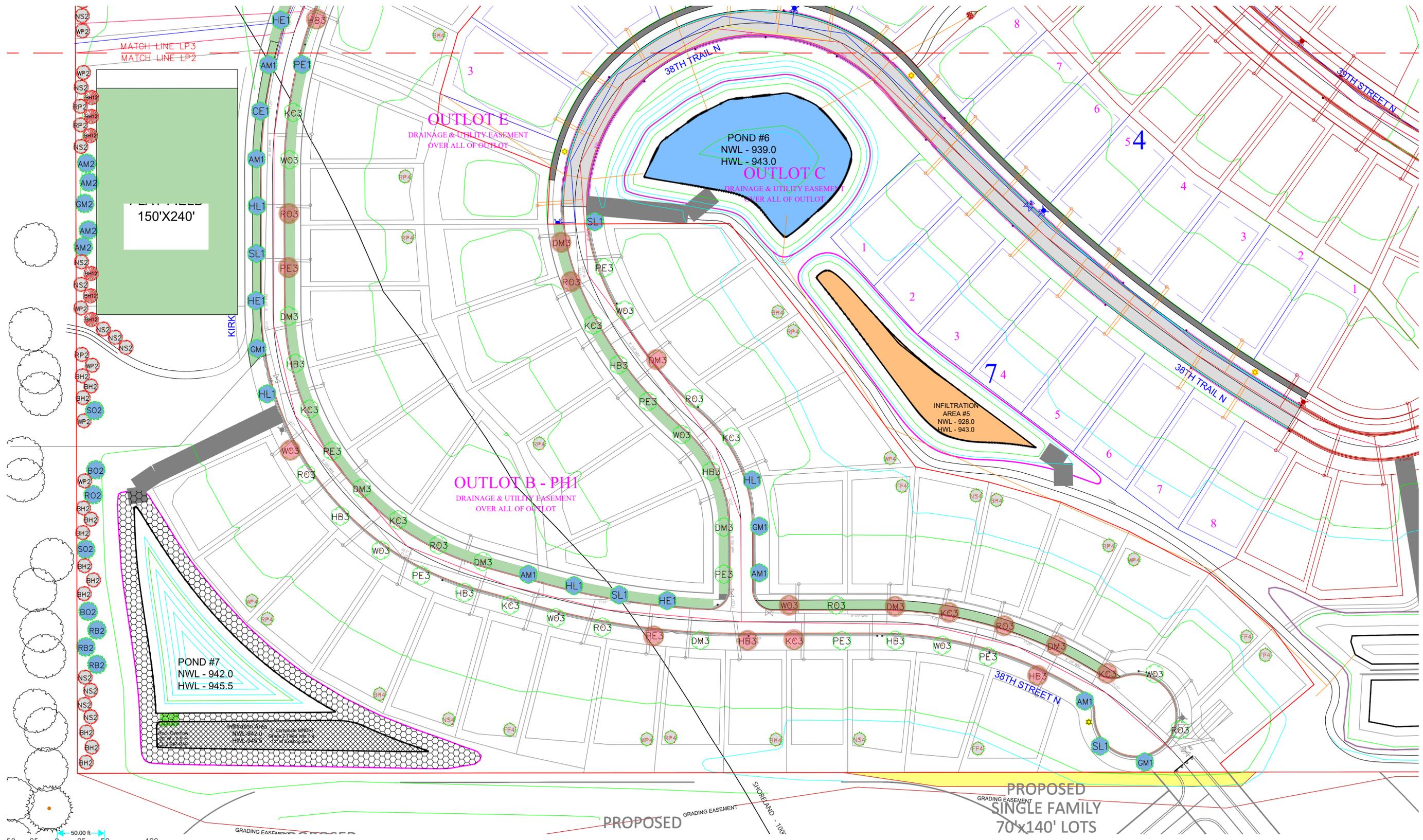
It is recommended that a condition of approval includes:

1. Submit a revised landscape plan including the missing driveway pavements, stormwater utilities, and easement lines for conflict review. And adjust the location of the greenbelt screening plantings to be outside of the 10' small utility setback/easement from all property lines.

Sincerely,



Lucius Jonett, PLA (MN)
Wenck Associates, Inc.
City of Lake Elmo Municipal Landscape Architect



DRAWING TYPE	NO.	BY	DATE	REVISION
Landscape Plan	---	---	00--00	---
DRAWN BY		MK		
CHECKED BY		KN		
DATE		01/27/20		

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I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am duly registered Landscape Architect under the laws of the State of Minnesota

Signed: *Ken*

Date: 01-27-20 Registration#: 20144

Norby & Associates
Landscape Architects, Inc.
 100 East Second St Suite 200 Chaska, MN 55318
 (952) 361-0644 / www.norbylandscape.com

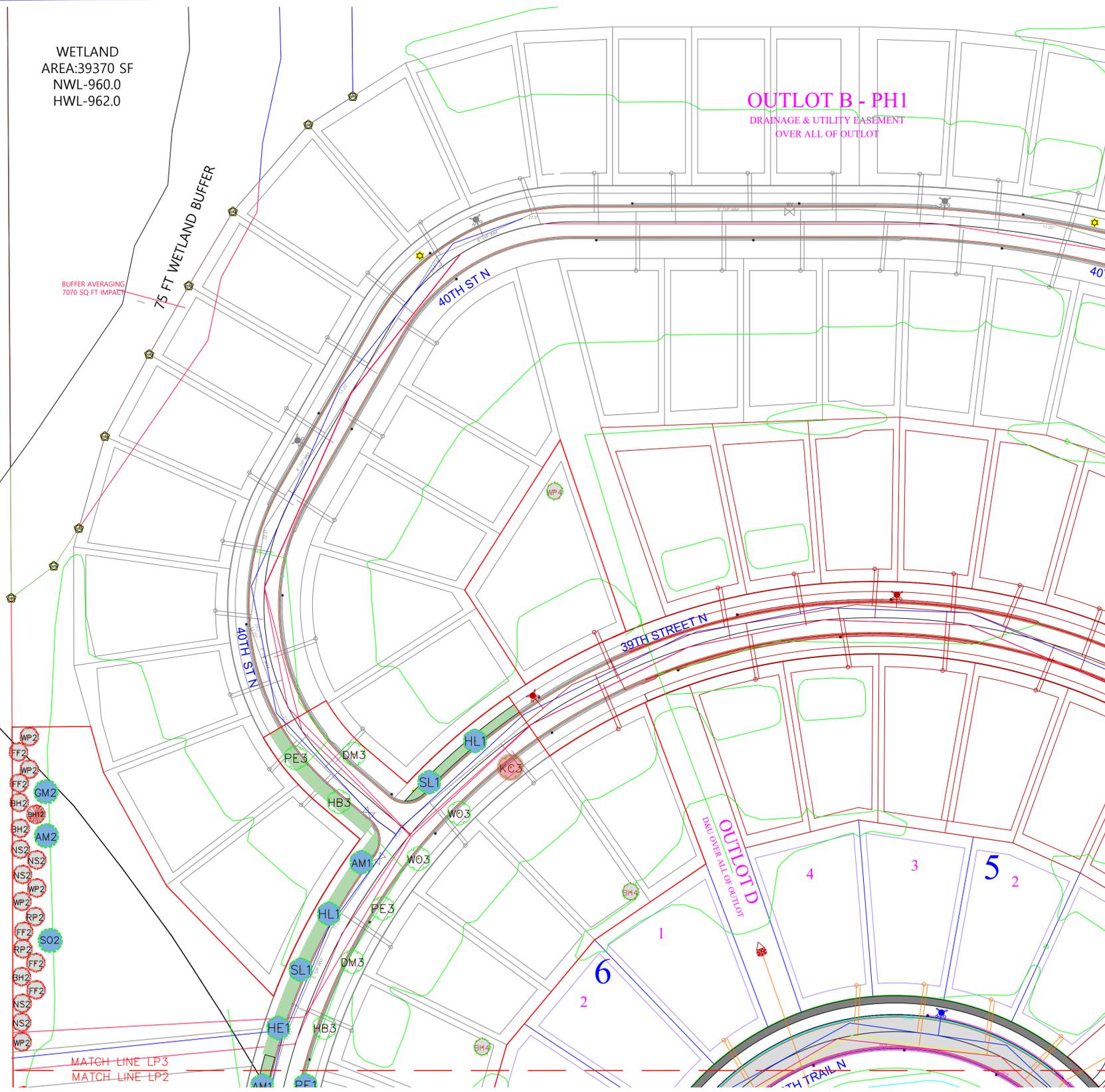
CITY PROJECT NO.
 LAKE ELMO
 , MINNESOTA

PHASE 3 LANDSCAPE PLAN
 LEGACY AT NORTHSTAR
 GONYEA

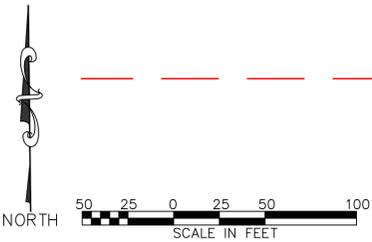
FILE NO.
 XX-XX
 LP2
 LP6

WETLAND
 AREA:39370 SF
 NWL-960.0
 HWL-962.0

OUTLOT B - PH1
 DRAINAGE & UTILITY EASEMENT
 OVER ALL OF OUTLOT



- WP2
- FF2
- FF2
- GM2
- BH2
- BH2
- AM2
- NS2
- NS2
- WP2
- WP2
- RP2
- FF2
- RP2
- FF2
- BH2
- FF2
- NS2
- NS2
- WP2



DRAWING TYPE	NO.	BY	DATE	REVISION
Landscape Plan	---	---	00-00-00	-----
DRAWN BY				
MK				
CHECKED BY				
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DATE				
01/27/20				

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Signed: *Ken*

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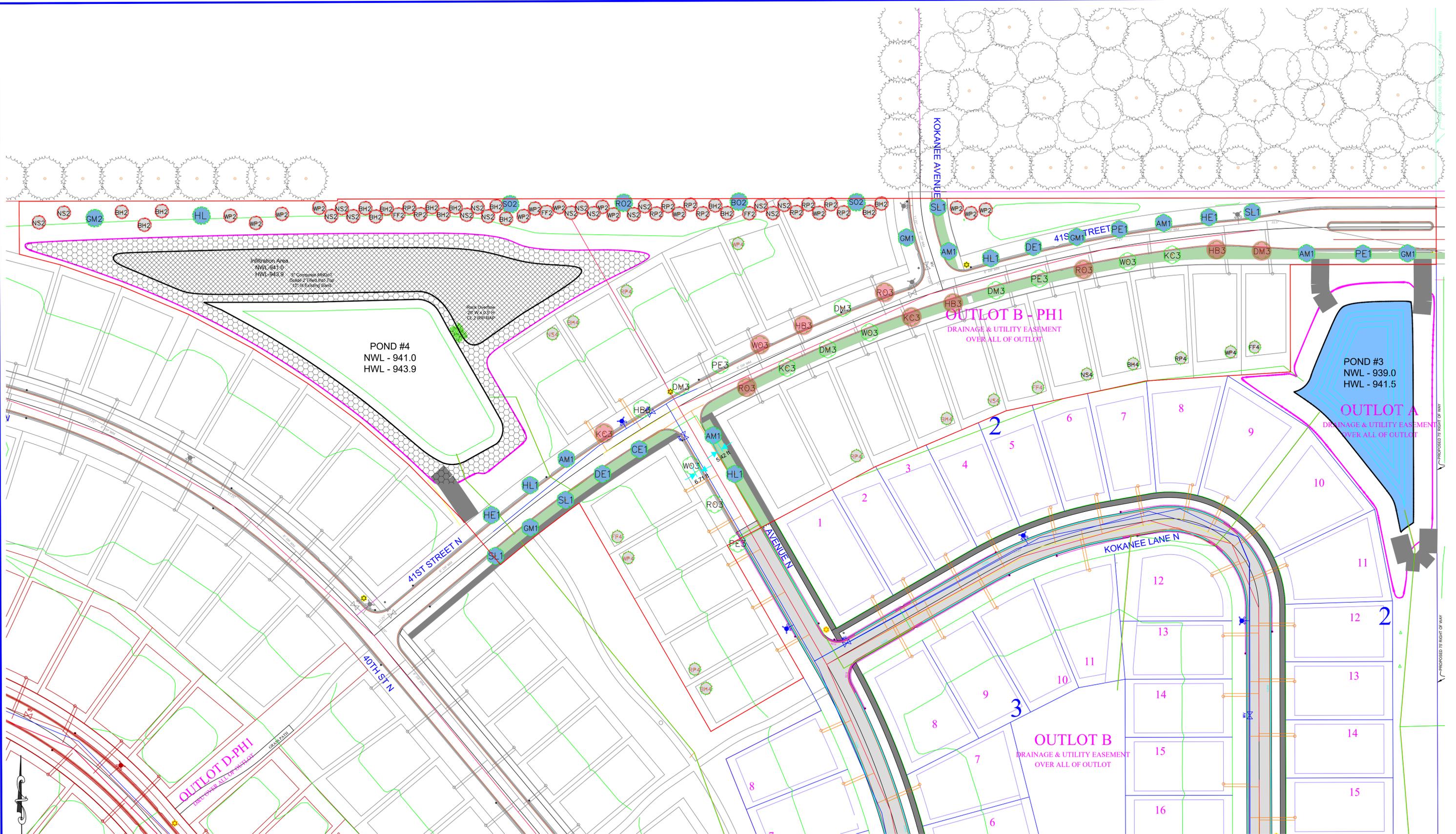
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CITY PROJECT NO.

 LAKE ELMO
 MINNESOTA

PHASE 3 LANDSCAPE PLAN
 LEGACY AT NORTHSTAR
 GONYEA

FILE NO.
 XX-XX
 LP3
 LP6



NORTH
 50 25 0 25 50 100
 SCALE IN FEET

DRAWING TYPE	NO.	BY	DATE	REVISION
Landscape Plan	---	---	00-00-00	---
DRAWN BY		MK		
CHECKED BY		KN		
DATE			01/27/20	

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Signed: *Ken*

Date: 01-27-20 Registration#: 20144

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CITY PROJECT NO.
 LAKE ELMO
 MINNESOTA

PHASE 3 LANDSCAPE PLAN
 LEGACY AT NORTHSTAR
 GONYEA

FILE NO.
 XX-XX
 LP4
 LP6



STAFF REPORT

DATE: March 9, 2020
NEW BUSINESS/DISCUSSION

TO: Lake Elmo Planning Commission

AGENDA ITEM: 180 acres of City Property on Ideal Avenue

SUBMITTED BY: Kristina Handt, City Administrator
Ken Roberts, Planning Director

BACKGROUND:

In November 2019, the City Council approved a resolution in support of a Pre Development Finance Grant from the Washington County CDA to look at making the 180 acre site on Ideal Avenue shovel ready (ready for development). As part of the shovel ready study, City staff has been working with our consultants on preparing concept plans for the area. City staff and the consultants came up with 3 different concepts (A, B, and C) for the property that I have included with this memo.

On February 11, 2020, the City Council reviewed and discussed the three concept plans and potential land uses for the city-owned property during the Council workshop meeting. From this review and discussion, it was the consensus of the City Council that:

- The area south of County Road 14 (old Highway 5) be planned for Business Park/Warehouse land uses.
- The area north of County Road 14 should have a variety of land uses and that Concept A was the plan that came closest at this point in the planning process to accurately reflect those potential land uses. While reviewing Concept Plan A, the Council discussed the proposed location of the ball fields, the potential City Hall site, the access road from Ideal Avenue, the inclusion of low-density housing and the need for storm water ponding in that area.
- The City should reach-out to nearby property owners to give them the opportunity to provide their comments and input about the land uses for the area north of County Road 14. In response to that directive, staff sent public meeting notices to 70 nearby property owners (those to the north and east) about the land use planning for the area and inviting them to the March 9, 2020 Planning Commission meeting.

ISSUE BEFORE THE PLANNING COMMISSION:

Staff and the City Council are seeking feedback from the Planning Commission and nearby property owners on potential development layouts and land uses for the area north of County Road 14 to aid the City Council in its analysis and decision-making for the property.

PROPOSAL DETAILS/ANALYSIS:

As mentioned above, staff along with our consultants (Focus Engineering and Hoisington Koegler Group Inc.) have had meetings to master plan the 180 acres of City-owned property. Staff erred on the side of including all possible land uses that have been brought up in the concept plans for the area – a site for a new city hall, ballfields, dog park, commercial, business park, and residential. It is important to remember that at this point these are only high level concepts. Use, size, location, etc. can and probably will change

going forward as the uses and layouts are further refined. Most of the land is guided as rural area development (RAD) in the 2040 Comprehensive Plan so the City would need to approve a Comprehensive Plan update before any of these uses could be implemented.

City staff and the City Council are looking for feedback from the Planning Commission on the things they like and don't like about the concept plans. Are there any uses we haven't included that the City should consider? Are the proposed uses acceptable? We know that details like buffering between different uses will be needed upon implementation but the City has not yet gotten very detailed with the Concept Plans. The plans show stormwater ponds in the areas where the topography supports it (drainage area across the northern section, low wetland areas on the south section, etc.) but they also could be changed during the final designs. The City is planning land uses for this area assuming sanitary sewer would be available from Oakdale.

As we have been working through this process, the City was approached by several parties interested in potentially developing the City property. One firm interested in both the south and northern sections is North Point Development. They recently presented the City with several options for development of the southern portion of the area (lying south of County Road 14) that were similar to some of the options that staff had been working on. (Please see their concept plan for the area (attached)). They also have indicated to staff they are interested in the northern portion of the property and if Council is open to this they would provide the City with a proposal for the development of northern section as well.

FISCAL IMPACT:

Unknown at this time. Will be completed at end of grant process.

RECOMMENDATION:

Staff is asking the Planning Commission to take testimony from the public, discuss the potential land uses for the area and then provide comments to the City Council about the concept plans for the 105-acres of City-owned property lying north of County Road 14 and east of Ideal Avenue.

ATTACHMENTS:

- Property Line Map
- City Concept Plans A, B, C
- March 9, 2020 Public Meeting Notice
- North Point 5-building concept plan

Pebble Park

H STN

IDEAL AVE N

13

39TH STN

39TH STN

38TH STN

38TH STN

OAKDALE

IDEAL AVE N

35TH STN

SITE

PUBLIC WORKS

TRISTINE N

34TH STN

CORD 14

32ND STN

31ST STN

6

STILLWATER BLVD N

Tablyn P

30TH STN

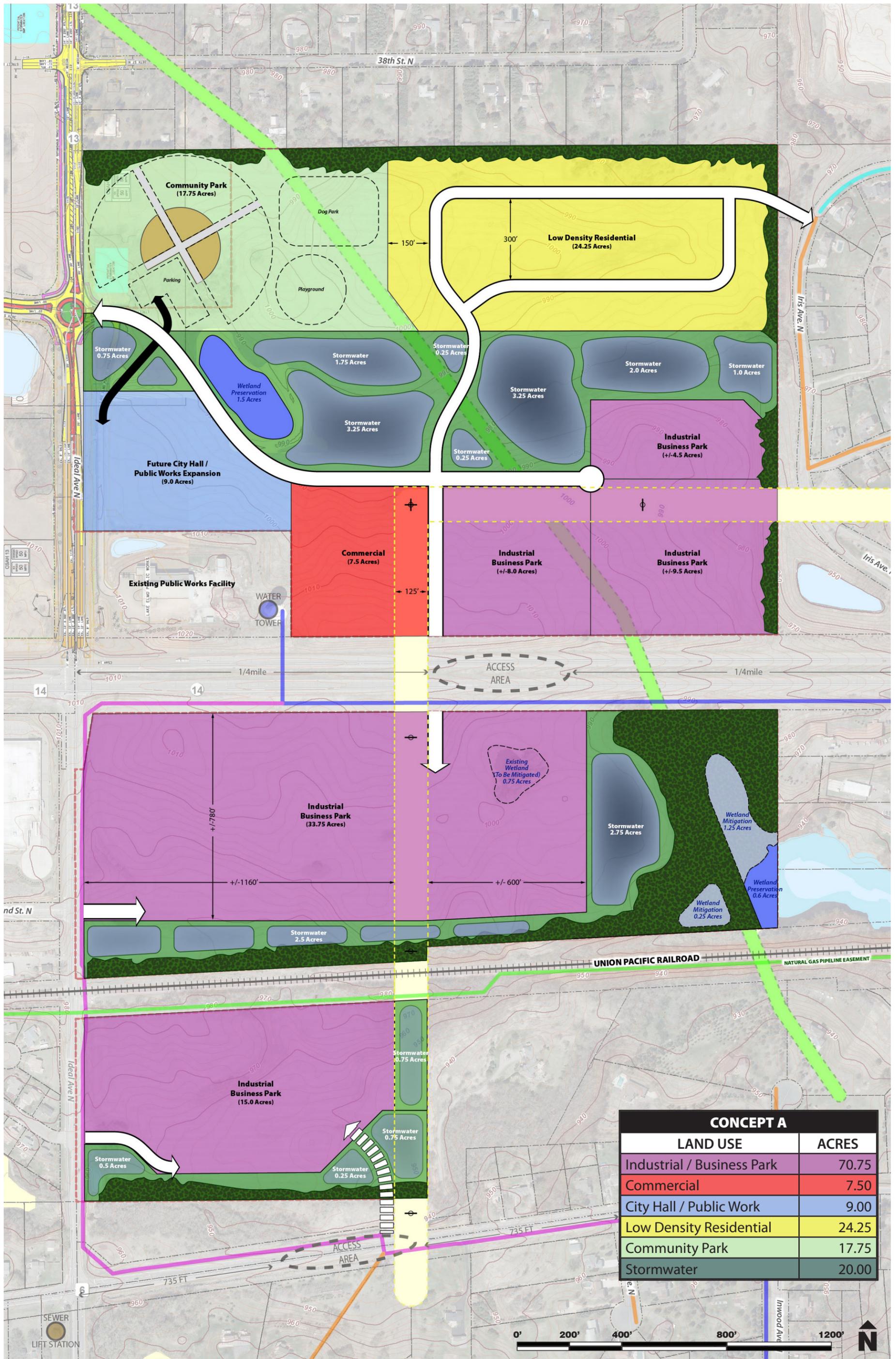
IMPERIALA

IDEAL AVE N

IRONWOOD TRN

LAKE ELMO SECTION 16 DEVELOPMENT MASTER PLAN - CONCEPT A

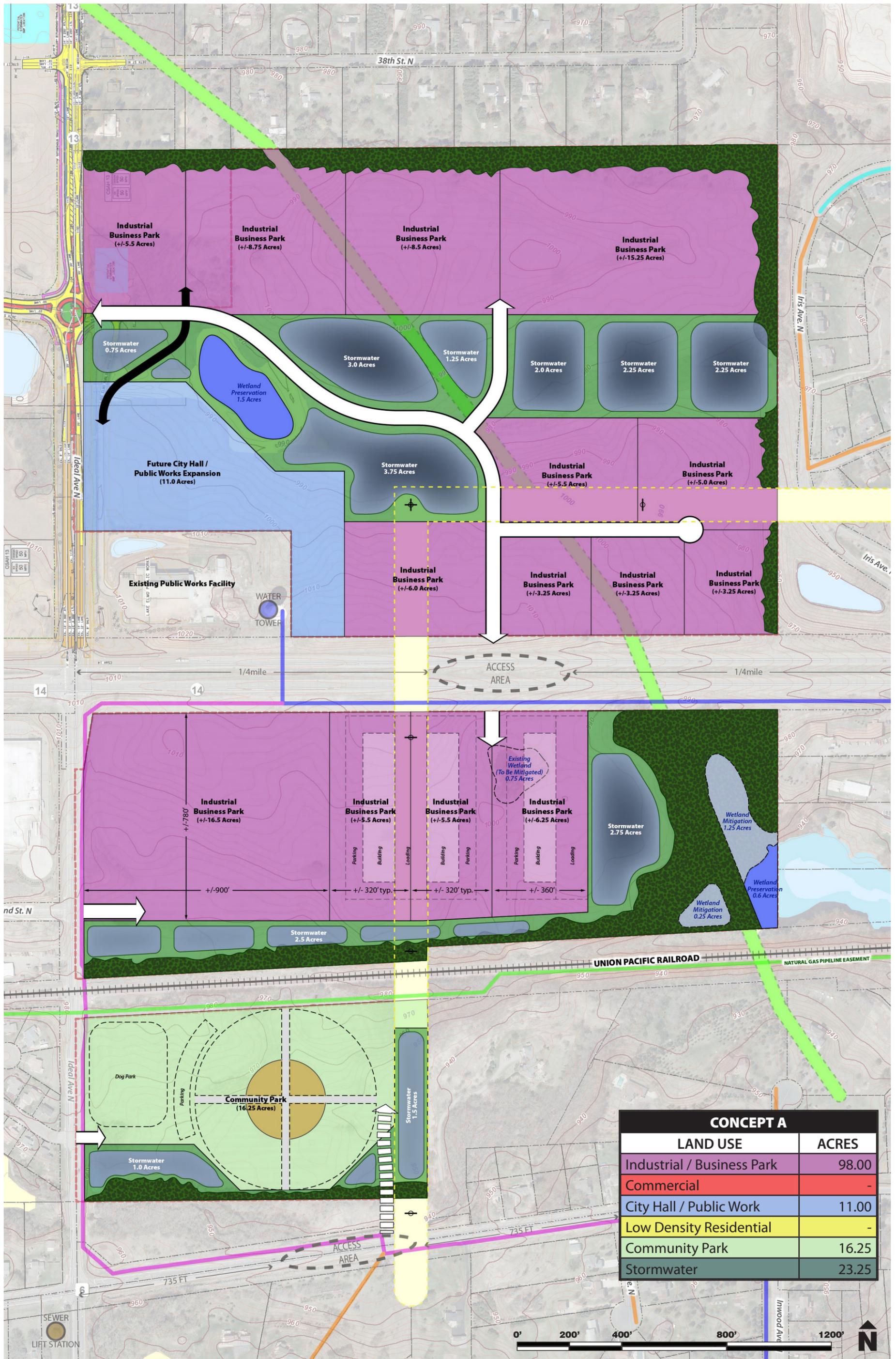
DRAFT - JANUARY 24, 2020



CONCEPT A	
LAND USE	ACRES
Industrial / Business Park	70.75
Commercial	7.50
City Hall / Public Work	9.00
Low Density Residential	24.25
Community Park	17.75
Stormwater	20.00

LAKE ELMO SECTION 16 DEVELOPMENT MASTER PLAN - CONCEPT B

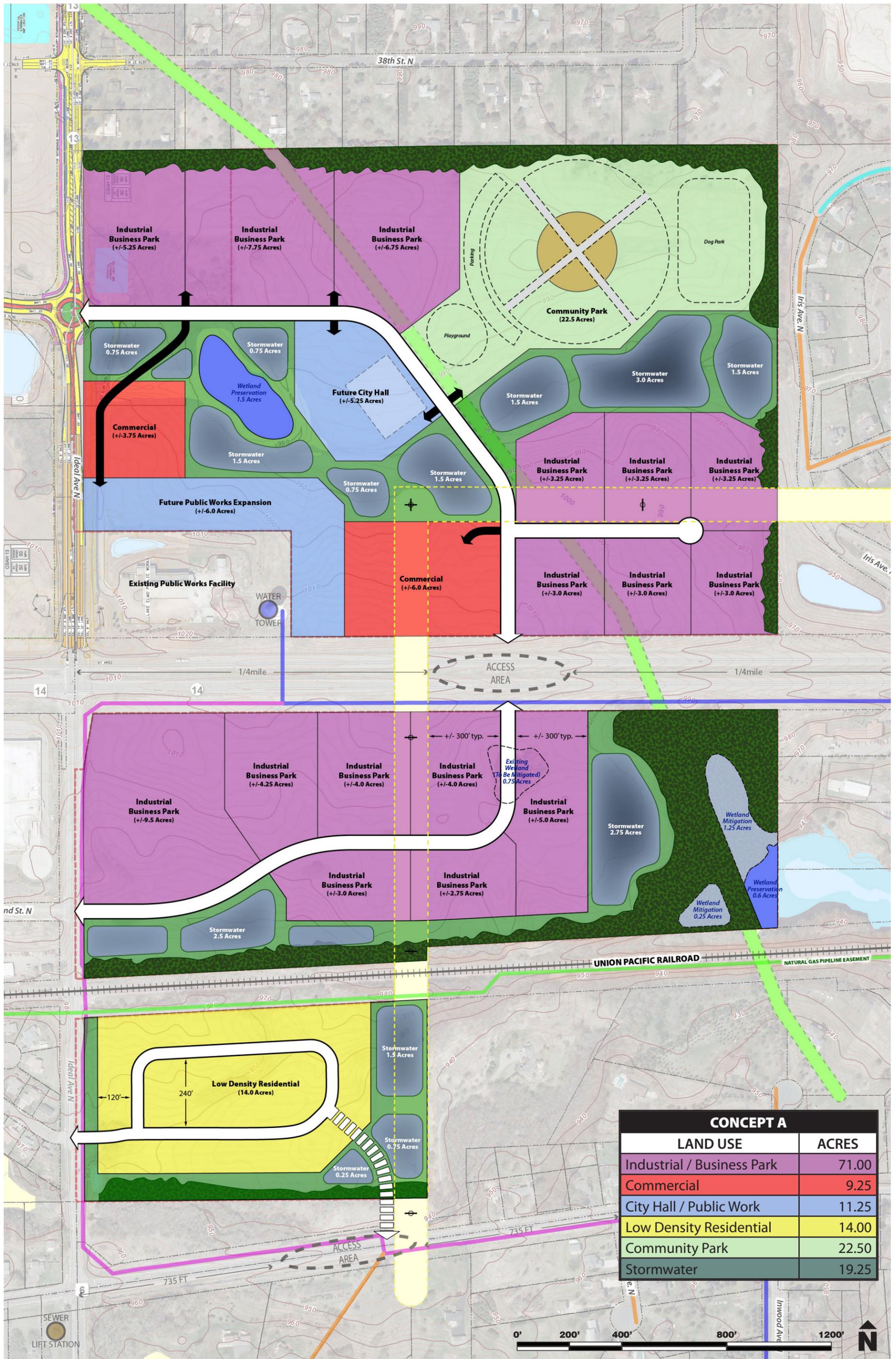
DRAFT - JANUARY 24, 2020



CONCEPT A	
LAND USE	ACRES
Industrial / Business Park	98.00
Commercial	-
City Hall / Public Work	11.00
Low Density Residential	-
Community Park	16.25
Stormwater	23.25

LAKE ELMO SECTION 16 DEVELOPMENT MASTER PLAN - CONCEPT C

DRAFT - JANUARY 24, 2020



CONCEPT A	
LAND USE	ACRES
Industrial / Business Park	71.00
Commercial	9.25
City Hall / Public Work	11.25
Low Density Residential	14.00
Community Park	22.50
Stormwater	19.25

LAKE ELMO PUBLIC MEETING NOTICE

DATE: Monday March 9, 2020

TIME: 7:00 p.m.

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

PURPOSE: The Lake Elmo Planning Commission will be holding a public meeting to gather input about the following:

FORMER 3M PROPERTY – COUNTY ROAD 14 AND IDEAL AVENUE

The City of Lake Elmo is starting the planning process to determine the uses for the undeveloped 104 acres of land lying north of County Road 14 (old Highway 5) and east of Ideal Avenue. This property is adjacent to the City Public Works facility and City Water Tower and is a portion of the 180 acres of property acquired by Lake Elmo from 3M in 2019 as part of a settlement agreement. (Please see the attached property line map of the area.) This area is guided for rural residential development but the City is now considering for a variety of land use alternatives.

Lake Elmo recently had 3 concept land use plans prepared for the area including the 104 acres north of County Road 14. The City Council reviewed the 3 concept plans during their February 11, 2020 workshop and directed City staff to contact nearby property owners to get their input about proposed Concept A. This concept plan (attached) shows a mix of potential land uses for the property lying north of County Road 14 including ball fields, a dog park, storm water ponding, 24 acres of low-density residential housing, a location for a possible new City Hall, 7.5 acres for commercial development and space for industrial/business park uses.

As shown on the concept plan, Lake Elmo expects the undeveloped area south of County Road 14 (approximately 77 acres) now owned by the City to eventually develop as a business park with offices and warehouses.

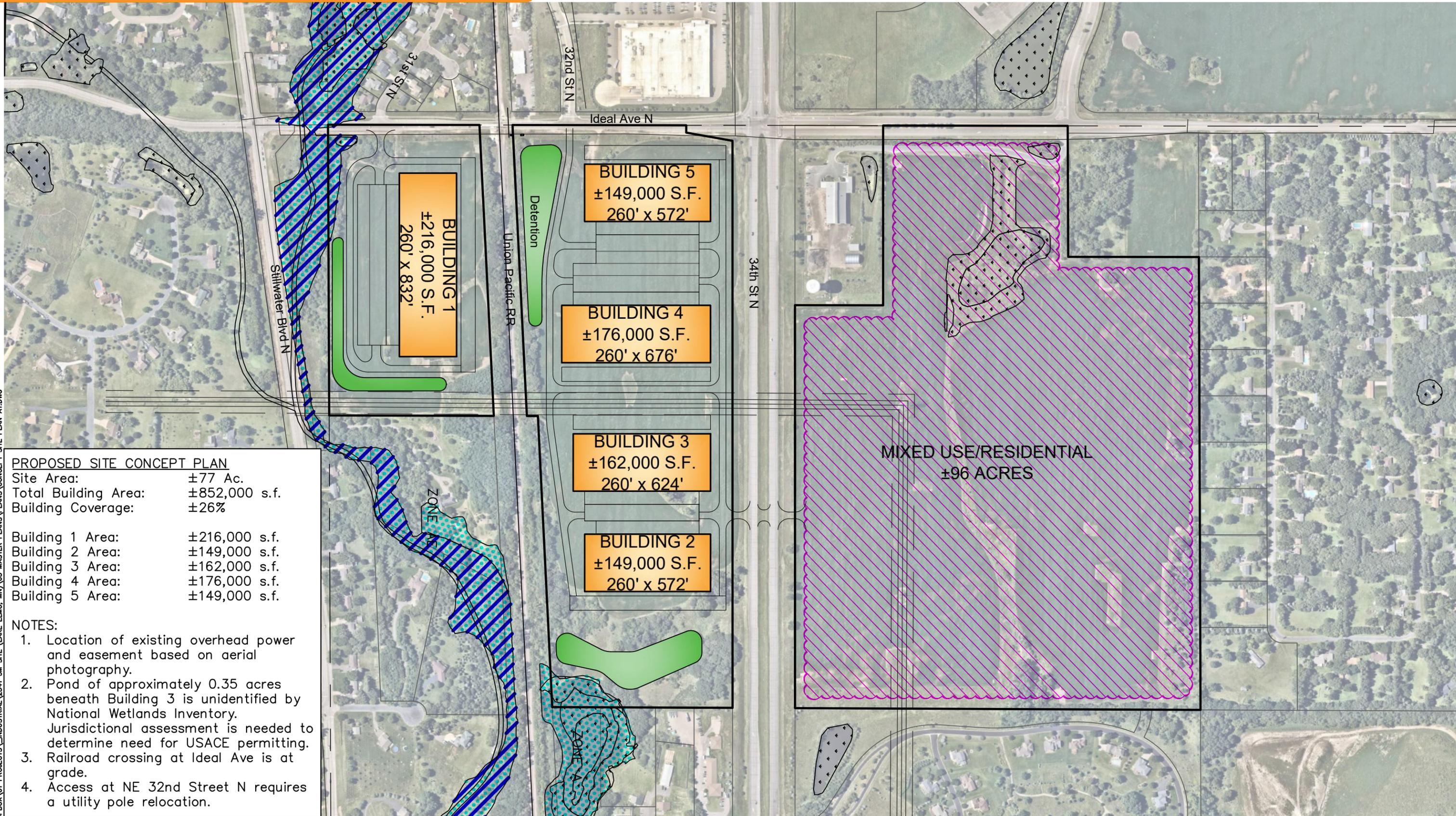
The City of Lake Elmo considers your interest and input in this matter, as well as your neighbor's input, an extremely important part of the City's review and decision-making process. All persons wishing to be heard on this matter should attend the meeting. If you are unable to attend the meeting, but would like to provide the City input on this matter, written comments are welcome. Written comments may be emailed to kroberts@lakeelmo.org or mailed to Lake Elmo City Hall, 3880 Laverne Avenue North, Suite 100, Lake Elmo, MN 55042. Written comments may be submitted to the City no later than 4:00 p.m. on Friday March 6, 2020. Plans and materials about this property are available for review at the Lake Elmo City offices (Monday – Friday; 8:00 a.m. – 4:30 p.m. (excluding holidays)) – by appointment. Please call City Hall if you have any questions.

The list of affected property owners for this public meeting is derived from official records of the Washington County Recorder. Because of the lag time between occupancy and record keeping, or because of rental situations, a few affected property owners may have been missed. Please feel free to notify your neighbors of this Planning Commission meeting so all may have the opportunity to attend.

PUBLIC MEETING: The Planning Commission Meeting, Monday March 9, 2020, starts at 7:00 p.m. This item will be heard at 7:00 p.m. or later that evening.

Dated this 26th day of February, 2020.

Ken Roberts – Lake Elmo Planning Director



PROPOSED SITE CONCEPT PLAN

Site Area: ±77 Ac.
 Total Building Area: ±852,000 s.f.
 Building Coverage: ±26%

Building 1 Area: ±216,000 s.f.
 Building 2 Area: ±149,000 s.f.
 Building 3 Area: ±162,000 s.f.
 Building 4 Area: ±176,000 s.f.
 Building 5 Area: ±149,000 s.f.

NOTES:

1. Location of existing overhead power and easement based on aerial photography.
2. Pond of approximately 0.35 acres beneath Building 3 is unidentified by National Wetlands Inventory. Jurisdictional assessment is needed to determine need for USACE permitting.
3. Railroad crossing at Ideal Ave is at grade.
4. Access at NE 32nd Street N requires a utility pole relocation.

D:\SITEPOINT_DROPBOX\01_PROJECTS\INDUSTRIAL\2541_3M_SITE (LAKE ELMO, MN)\05_MASTER_PLANS\CONCEPT SITE PLAN A1.DWG



From: Kristina Handt
Sent: Tuesday, March 3, 2020 11:49 AM
To: Ken Roberts
Subject: FW: 180 acre site proposals - 3M site - Public works
Attachments: 3E930F55-8AE7-4A62-9174-A7B853626A1A.jpeg; Screen Shot 2020-03-01 at 8.58.10 AM.png; Screen Shot 2020-03-01 at 8.58.53 AM.png; ConceptA.pdf

I didn't see you copied on this so I'm sharing for the meeting next week.

From: Scott Smith <scottsmith@kw.com>
Sent: Sunday, March 1, 2020 10:04 AM
To: Mike Pearson <MPearson@lakeelmo.org>; Justin Bloyer <jbloyer@lakeelmo.org>; Kristina Handt <KHandt@lakeelmo.org>; Christine Nelson <CNelson@lakeelmo.org>; Dale Dorschner <DDorschner@lakeelmo.org>; Lisa McGinn <LMcGinn@lakeelmo.org>
Subject: 180 acre site proposals - 3M site - Public works

Caution: This email originated outside our organization; please use caution.

Greetings neighbors-

Our family received notice of the proposed development to the west of our neighborhood. As a resident and local real estate agent for 25+ years, I wanted to reach out with some ideas, questions and concerns prior to the public hearing.

1. Commercial and warehouse space is about 1,000,000 square feet

My concerns are with the placement the viability of this much space. In addition to office parks in Lake Elmo, there are similar office parks nearby in Oakdale along 694 and 94 with significant vacancy rates. There is also the former Imation complex, 4Front has been barely occupied for years. Stillwater and Oak Park Heights already have large spaces sitting vacant. Bringing another project to the area would dilute an already saturated market for similar space.

2. Expansion of city sewer to this area and neighbors

With a project of this scale, will city sewer expansion be available? To the north of our neighborhood is a gravel pit that I would expect to become a housing development in the future. It would make sense to have the foresight of connecting this new project from west to neighbors to the east. Our Wildflower Shores neighborhood has HOA reserves for either upgrading our shared system or eventually connecting to city sewer. The timing and proximity makes perfect sense.

3. Placement of housing, parks and commercial

With the increased number of households in Lake Elmo, there is a need for more ballfields and parks. This would be a great addition to our community and bring more activity to this side of town. I would propose investigating moving the ballfields from the NW corner to the SE corner so you can add a fourth diamond and tie in the dog park and playground with the wetlands. It would provide a better use of space, accessibility and nice buffer. Next, either expand the single family (yellow) or design the NW corner for starter townhomes or single level townhomes similar to the Southwind development near Cimmaron.

Commercial traffic does not mix well with neighborhoods and school buses. Is it possible to keep the commercial space on the south side of 14? The 1400 unit housing development in Oakdale will certainly bring more activity to the area. (attached). Maybe consider this space for a new elementary school that would feed Tri-Lakes and western Lake Elmo. This would relieve overcrowding at Lake Elmo Elementary. That is an entirely different political football!

** There is a wonderful development in Shoreview that incorporates all of these zoning needs that is worth a field trip. The setting, location and use are well thought out and provide a beautiful and smart buffer between each. (attached)

4. Green space, parks and trails

Concept A shows what looks to be some green space woven throughout the development. The design shows 10 small drainage ponds. Is it possible to modify the design with 2-3-4 larger ponds with walking paths connecting public works with the playground, dog park, residential and commercial spaces?

5. Placement of City Hall

The idea of placing a new city hall near the existing public works is certainly convenient but it pulls residents away from our quaint downtown. Small towns are disappearing and for decades Lake Elmo has fought to maintain it's charm and 'rural character'. In my opinion, placement of city hall outside of downtown would be a huge mistake. Don't place it on the far edge of the city amongst a business park. You have the opportunity to make it a cornerstone of downtown that will last for decades. Please find a way to incorporate city hall, community space, along with police and fire accessibility and use this as a starting point to bring the community together.

A growing community certainly has challenges and all of you should be commended for all the work you have done. I trust you will take these ideas into consideration and I look forward to the discussion at the public hearing.

Regards-

Scott Smith
4057 35th Street N. Lake Elmo, MN 55042

Scott Smith
REALTOR | Listing Specialist, The Smith Team
"Our Family Moving Yours"



Keller Williams Premier Realty 3555 Willow Lake Blvd. #100, Vadnais Heights, MN 55110
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scottsmith@kw.com | www.twincitiesliving.com



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