

NOTICE OF MEETING

The City of Lake Elmo Planning Commission will conduct a meeting on Monday, May 11, 2015 at 7:00 p.m.

AGENDA

- 1. Pledge of Allegiance
- 2. Approve Agenda
- 3. Approve Minutes
 - a. April 27, 2015
- 4. Public Hearing
 - a. None
- 5. Business Items
 - a. BREMER BANK MINOR SUBDIVISION. United Properties has applied for a minor subdivision to split Outlot A of the Eagle Point Business Park 3rd Addition into two separate parcels. The lot split will facilitate the transfer of 4.974 acres of land to Bremer Bank.
- 6. Updates
 - a. City Council Updates May 5, 2015 Meeting
 - i. Hunter's Crossing 2^{nd} Addition Final Plat Passed
 - ii. Hunter's Crossing 2nd Addition Developers agreement Passed
 - iii. Village Preserve Final Plat Passed
 - iv. Zoning Text Amendment Freestanding Freeway Signs Denied
 - b. Staff Updates
 - i. Upcoming Meetings:
 - May 27, 2015 (Wednesday due to Memorial Day)
 - June 8, 2015
 - c. Commission Concerns
- 7. Adjourn



City of Lake Elmo Planning Commission Meeting Minutes of April 27, 2015

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

COMMISSIONERS PRESENT: Dodson, Kreimer, Larson, Dorschner and Fields

COMMISSIONERS ABSENT: Williams, Griffin and Haggard

STAFF PRESENT: Community Development Director Klatt and City Planner Johnson

Approve Agenda:

The agenda was amended to move the Village Preserve Final Plat before the freeway sign code amendment.

Approve Minutes: April 13, 2015

M/S/P: Dorschner/Fields move to approve minutes as presented, *Vote: 5-0, motion carried unanimously*.

Public Hearing: Final Plat and Final PUD Plans – Inwood PUD

Klatt began presentation by discussing the requested Zoning Map Amendment.

Klatt presented the phasing plan of the InWood Development. The first phase of the development includes 40 lots located in the central portion of the site. In addition, the first phase includes the entire construction of 5th Street from Inwood Ave. (CSAH 13) to the Boulder Ponds development.

Klatt noted that the construction of the 10th street trail is not shown on the plans. He noted that the developer and City would like to further discuss the location and design of the 10th Street trail prior to completing the design work. With 5 subsequent phases to the development anticipated, staff is comfortable that this improvement is not shown at this time.

Klatt talked about the landscape plan changes.

Klatt moved on to discuss the critical issues, starting with the water tower site. He noted that the co-applicant owns the site north of 10th Street, which is the proposed location for the water tower. The City and the landowner are close to finalizing a purchase

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agreement for the water tower site. The site has been surveyed and soil borings have been taken to confirm that a water tower can be built on the site.

The next critical issue is the design and construction of 5th Street. Klatt noted that the curve into the Boulder Ponds development will include a reduced speed, while maintaining a safe design. In addition, it will be necessary to vacate a small portion of the Stonegate Park as part of dedicating the necessary right-of-way at the pinch point.

With regards to the parkland dedication and trails, Klatt noted that the buffer trail will need to be field staked in order to determine the best alignment that reduces impacts to existing trees and is closer to the Inwood development than the Stonegate neighborhood. In addition, staff worked with the applicant to submit an updated parkland dedication calculation. Upon review of the proposal, it was determined that the applicant was 0.8 acres short. Staff is confident this can be addressed via fees in lieu of land dedication as part of the developers agreement.

Related to Inwood Ave., Klatt shared that a traffic signal will be required at the intersection of 5th Street and Inwood at some point in the future. Staff is recommending that the applicant contribute to the City's portion of the traffic signals when they need to be constructed. In addition, the applicant must finalize plans for improvements to Inwood Ave. as directed by Washington County.

Klatt noted that staff is recommending approval of the Final Plat and Final PUD Plan. He then summarized the 12 recommended conditions of approval. Also, he presented the draft findings for approval of the Inwood final Plat and Final PUD Plan. Klatt presented the two recommended motions.

Kreimer asked about the location of the improvements, noting that phase 1 platting does not include areas south of 5th Street. Klatt noted that this area is being platted as an outlot, and utility connections will need to be made to Eagle Point Boulevard. Kreimer asked about the timing of improvements in Eagle Point Blvd. given that the Eagle Point will be reconstructed this year. Klatt and Johnson noted that these construction activities will be coordinated between the private and public projects to the best extent possible.

Kreimer asked about the number of units to be approved prior to water connection being made down Inwood Avenue. Klatt noted the City has to ensure that the total number of units approved does not exceed the water allowance provided by Oakdale prior to the Inwood watermain extension being completed.

Dorschner asked about the timing of subdivision for lots around Street I. Klatt noted that the street is being platted, but lots around that area are not.

Dodson asked about the utility easement down to Eagle Point Blvd, wondering if the street will be constructed. Klatt noted that the street would be constructed as part of a future phase.

Dorschner asked about 5th street connection to Inwood. Klatt explained that it remains a condition of preliminary plat approval. He also noted that a County access permit is required. Dorschner asked when the costs for the traffic signals would be recovered. Klatt noted that the final trigger will be spelled out in the development contract.

Dodson asked about the street names. Klatt noted that the City Council is reviewing the City's policy with street names. Staff needs further direction from the Council to ensure that the proposed street names meet the Council's expectations.

Dodson asked if any intersections in 5th Street would need signalization. Klatt shared that certain intersections may warrant signals into the future, but staff is not anticipating that these warrants will be met in the near term.

Kreimer asked about critical issue #2. Klatt noted that this issue is addressed in Condition #10. Further details of the construction will be included in the developer's agreement.

Dorschner asked about the ownership of the retaining walls, noting that it is a specific requirement described by the City Engineer. Dorschner recommended an additional condition of approval that the retaining walls be owned and maintained by the HOA.

John Rask, Hans Hagen Homes, spoke about the berms and 10th Street trail. He noted that the County is planning a regional trail to connect Oakdale to Lake Elmo Park Reserve. Further study and planning needs to be completed on the part of the County, but it is likely that this trail would be accommodated on the north side of 10th Street. Rask also addressed the platting of lots in the 4th cul-de-sac. He noted that it was a function of breaking the construction up into clear breaks. Finally, regarding theming, Rask noted that the uses near the 5th Street and Inwood Ave. intersection are not yet known. The landowners feel that entry features can be better identified once uses are identified. It should be noted that there are entry features at Street B and 5th Street.

Dodson asked about the 15-foot separation between storm water pipes and structures. Rask explained that there are drainage pipes in backyards with retaining walls and Klatt also stated that the City Engineer is asking for easements to ensure that separation as well.

Dodson asked about parkland dedication. Rask noted that the dedication requirement is an educated guess at this point, because the future phases of the total development, mainly high density residential and commercial uses, are still up in the air. Dodson asked how the collection of parkland dedication occurs, either as a total figure or prorated

figure. Klatt noted that statute allows either approach, and parkland dedication is finalized in developer's agreement. Dodson asked about the phasing, Klatt responded.

Public Hearing opened at 8:15pm.

No one spoke.

No written correspondence was received.

Public Hearing closed at 8:16pm.

Dorschner suggested an additional condition of approval.

M/S/P: Dorschner/Kreimer, move to require that retaining walls within rear yard utility easements be clearly documented and owned and maintained by the HOA, *Vote: 5-0, motion carried unanimously.*

M/S/P: Dorschner/Dodson, move to recommend approval of the zoning map amendment of Inwood based on the findings of fact listed in the staff report, **Vote: 5-0, motion carried unanimously**

M/S/P: Dorschner/Larson, move to recommend approval of the Inwood Final Plat and PUD Plan with the 13 conditions of approval as drafted by Staff based on the findings of fact listed in the Staff Report, *Vote: 5-0, motion carried unanimously.*

Business Item: Village Preserve Final Plat

Johnson presented an overview of a request for approval of a final plat for Village Preserve. Phase 1 will include 46 single family homes. He stated that the developer of the project does own several parcels within the Village Planning Area and has decided to proceed with development in the northern portions of the Village area prior to other parcels. Johnson noted that the final plat eliminated 6 lots and therefore lowered the overall project density somewhat from the preliminary plat.

Johnson reviewed the critical issues identified through the staff review, which included discharge of storm water to the north of the project site, completion of the Eastern Village Trunk Sewer project, and other joint and external improvements necessary to serve the development. Most of the critical issues are related to the completion of broader development plans for the Village and are either under construction or going through final plan review in conjunction with the Village Preserve final plat.

Johnson stated that Staff is recommending approval of the final plat with 11 conditions of approval. He reviewed the proposed conditions with the Commission, and indicated that staff is recommending a modification to Condition #10 concerning the timing of the regional public improvements to clarify the intent of the model home permit allowances.

Johnson explained the park land dedication and how it relates to the other plats owned by this developer.

Fields asked about agreement between Gonyea and Engstrom. Johnson explained that the agreement is a private matter.

Kriemer asked if the street names are acceptable? Johnson stated that yes, they have been previously reviewed and approved.

Dorschner asked about the timing of extension of sewer to Hamlet on Sunfish Lake; does this help move this project forward. Johnson stated that the MPCA has extended the deadline to 2017 or 2018, brings the sewer closer to this development.

Dorschner asked about the timing of project phase I. Dave Gonyea, intends to be grading by June 1st.

The Commission asked general questions of the project developer concerning the timing and process for constructing the public improvements.

Johnson reviewed the reasons for the extension of the trail into the property owned by Engstrom Companies to the north.

M/S/P Dorschner/Dodson to amend condition number 10 to include "excluding model home permits" *Vote: 5-0, motion carried unanimously*.

Condition 10 will now read: "All public improvements outside of the Village Preserve site needed to serve the residential subdivision, including the Eastern trunk sewer and facilities shared with the Wildflower at Lake Elmo, must be completed prior to the issuance of building permits, with the exception of model home permits, in the Village Preserve residential subdivision.

M/S/P: Dodson/Dorschner, move to add condition number 11 "all outlots containing stormwater management facilities or public parkland shall be deeded to the City upon recording of final plat." *Vote: 5-0, motion carried unanimously*.

M/S/P: Dorschner/Kreimer, move to recommend approval of the Village Preserve Final Plat with the 11 conditions of approval as drafted by Staff and revised and based on the findings of fact listed in the Staff Report, *Vote: 5-0, motion carried unanimously*.

Business Item: Zoning Text Amendment – Freeway Signs.

Johnson stated that the Planning Commission had tabled taking action on a request from Rihm Kenworth to amend the Sign Ordinance to allow larger signs than currently allowed along the I-94 corridor area. He stated that Staff has done some research on design standards for signs from other communities and summarized the results of the Staff findings. Johnson reviewed the example language that was included in the Planning Commission meeting materials.

Johnson reviewed the changes to the ordinance that have been recommended by Staff based on the review of sign design guidelines and other ordinances. Staff recommends approval of the zoning text amendment with modifications presented by Staff during the meeting.

Fields requested that the language concerning the pylon covers be revised to clarify how the sign may be covered. In particular, he suggested that the ordinance states that the pylon coverings must match the sign materials.

Dorschner asked for clarification concerning the separation requirements. General discussion concerning the intent of the separation requirements. Recommended revision to strike "or the furthest distance possible from another freeway sign".

Kreimer asked if we had design standards from White Bear Lake Township as those are the ones that were looked at for the last meeting. Johnson responded that they could not find design standards for White Bear Lake Township. That must have been the choice of the owner.

M/S/P: Dorschner/Dodson, move to approve the request to amend the Sign Ordinance with changes discussed by Planning Commission. *Vote: 5-0, motion carried unanimously*.

Updates and Concerns

Council Updates – April 21, 2015 Meeting

- 1. Zoning Map Amendment Perfecting Amendment approved.
- 2. Easton Village Developer Agreement approved.
- 3. Sign Variance 8515 Eagle Point Blvd approved.
- 4. Boulder Ponds Zoning Map Amendment, Final plat and PUD approved.
- 5. Boulder Ponds Developer Agreement approved.
- 6. Municipal Consent Phase II Downtown Street and Utility Project approved.

Staff Updates

- 1. Upcoming Meetings
 - a. May 11, 2015
 - b. May 27,2015

Commission Concerns

Dodson asked how bus rapid transit would affect the forecast numbers. The Commission had a brief discussion regarding the bus rapid transit.

Meeting adjourned at 9:53 pm

Respectfully submitted,

Joan Ziertman Planning Program Assistant





PLANNING COMMISSION DATE: 5/11/15

AGENDA ITEM: 4A – BUSINESS ITEM

CASE # 2015-18

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

SUBMITTED BY: Kyle Klatt, Planning Director

REVIEWED BY: Nick Johnson, City Planner

SUMMARY AND ACTION REQUESTED:

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

GENERAL INFORMATION

Applicant: Sunde Land Surveying, LLC, 9001 East Bloomington Freeway, Bloomington,

MN (Mark Hanson)

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

Duce)

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

33.029.21.41.0048

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

parcels

Existing Land Use and Zoning: Agricultural field; future development site within the Eagle

Point Business Park. Current Zoning: BP – Business Park

Surrounding Land Use and Zoning: North – Bremer Bank facility; East – Eagle Point Outlot, future

site of ISD916 building; West – Bouler Ponds PUD development; South – Eagle Point Business Park

Condominiums

Comprehensive Plan: BP – Business Park

History: The Eagle Point Business Park 3rd Addition, which includes the current Bremer Bank

site and Outlot A, was approved by the City in 2002.

Deadline for Action: Application Complete -4/29/15

60 Day Deadline – 6/28/15 Extension Letter Mailed – No 120 Day Deadline – 8/27/15 Applicable Regulations: Chapter 153 – Subdivision Regulations

§154.550 Business Park Zoning District

REQUEST DETAILS

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

The City's Subdivision regulations allow for certain subdivisions of land to be exempt from the City's requirements for platting when nor more than four lots are being created and when these lots comply with the minimum road frontage and area requirements of the underlying zoning. The lots that would be created as part of the minor subdivision each exceed the BP – Business Park zoning requirements concerning lot size and lot frontage (2 acres and 200 feet respectfully). In addition, the proposed minor subdivision does not alter the underlying legal description that identifies each lot as part of the original Outlot A of Eagle Point Business Park 3rd Addition. This relationship to the underlying outlot is important because it means that future development on either parcel can only occur upon a full replat of each lot and allows the City to consider the minor subdivision without requiring additional easements or other subdivision design elements at this time.

DRAFT FINDINGS

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

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

RECCOMENDATION:

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

Suggested motion:

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

ATTACHMENTS:

- 1. Application Form

- Minor Subdivision Survey
 Parcel A and B Descriptions
 Eagle Point 3rd Addition Final Plat

ORDER OF BUSINESS:

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

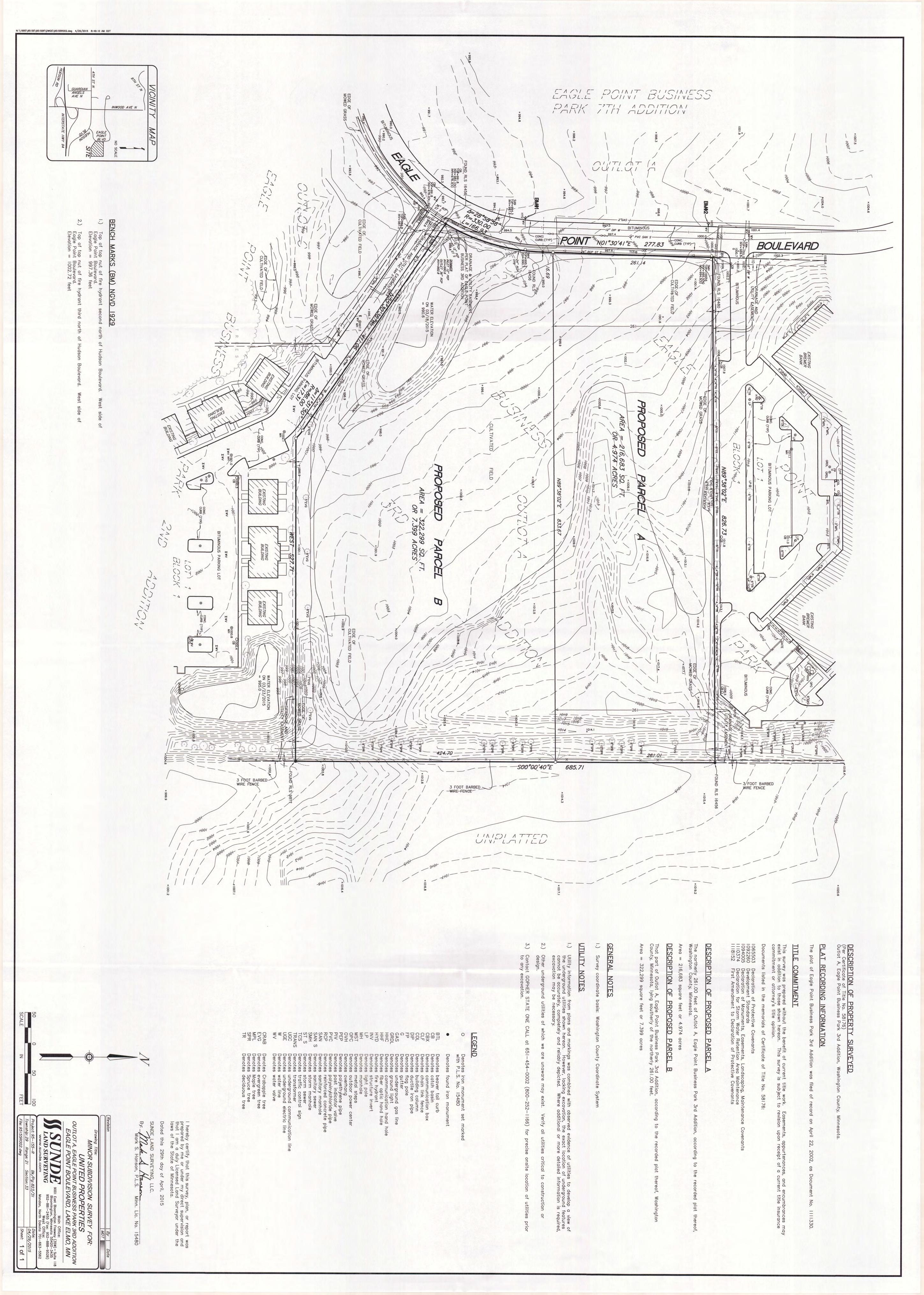
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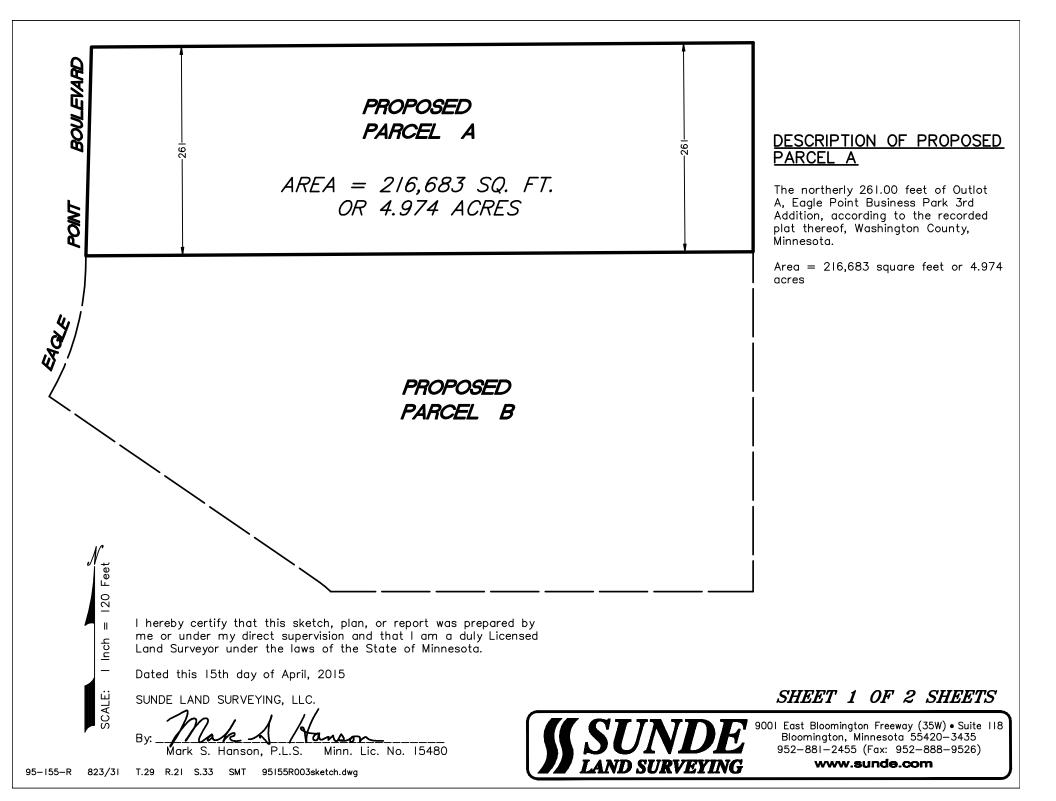


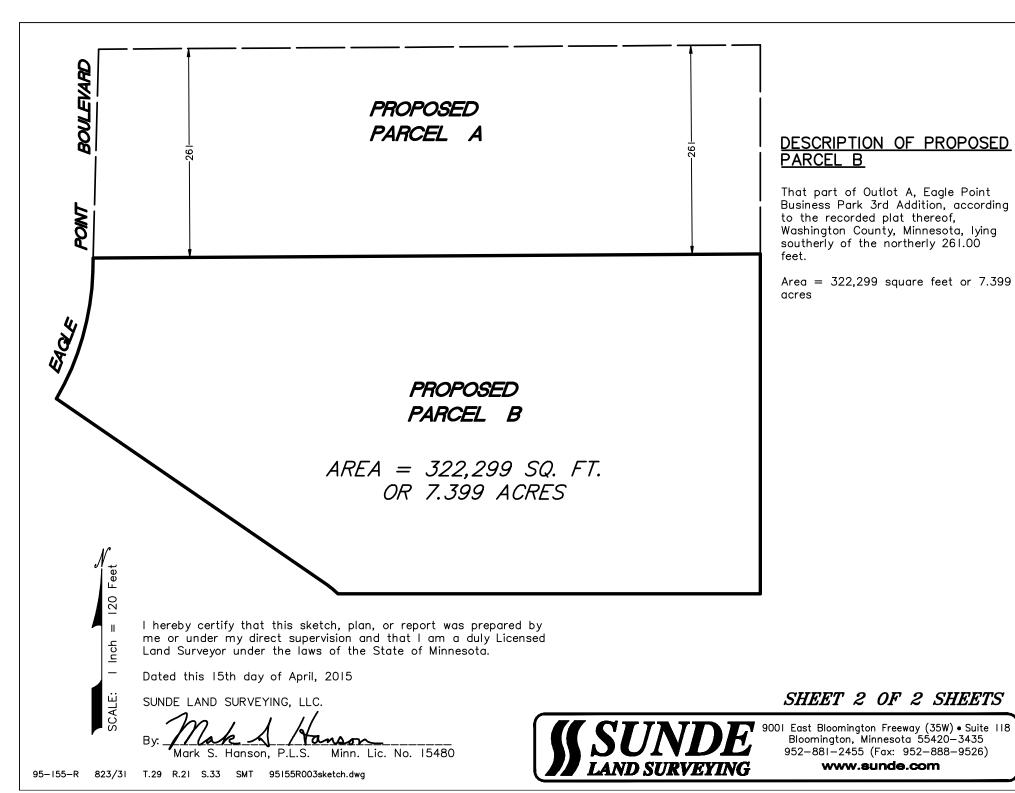
651-747-3900 3800 Laverne Avenue North Lake Elmo, MN 55042

LAND USE APPLICATION

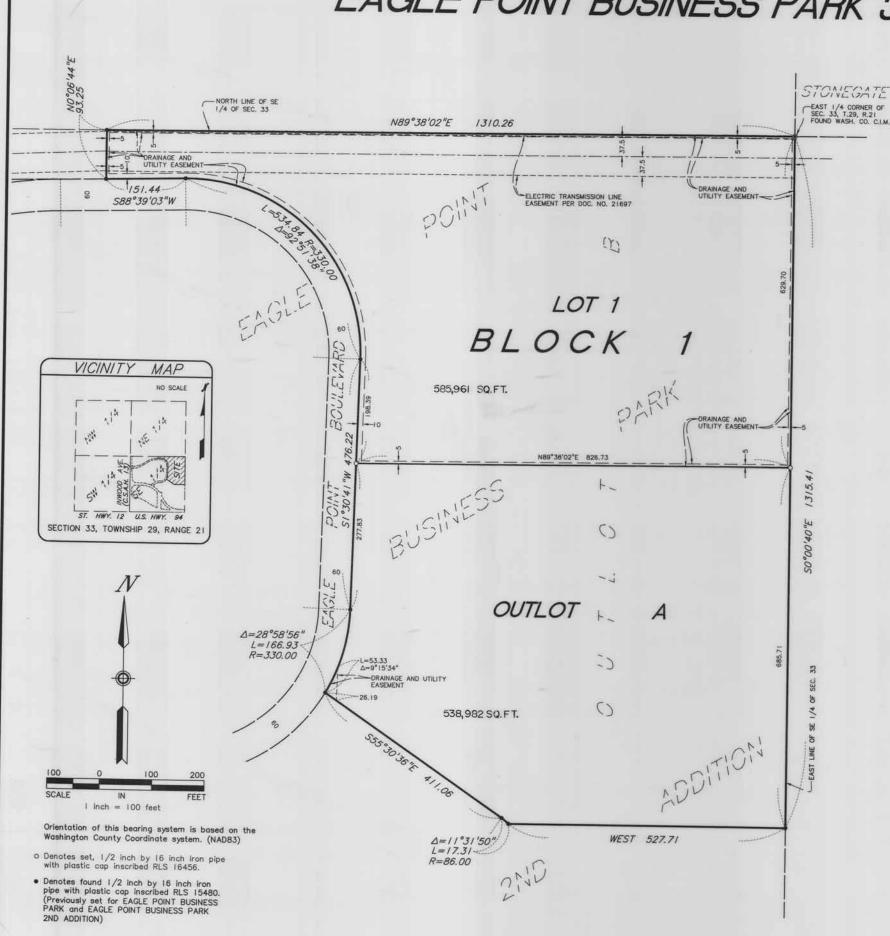
☐ Comprehensive Plan ☐ Zoning District Amend ☐ Zoning Text Amend ☐ Variance*(see below) ☐ Zoning Appeal
☐ Conditional Use Permit (C.U.P.) ☐ Flood Plain C.U.P. ☐ Interim Use Permit (I.U.P.) ☐ Excavating/Grading
☐ Lot Line Adjustment
☐ PUD Concept Plan ☐ PUD Preliminary Plan ☐ PUD Final Plan
Applicant: Mark Hanson, Sunde Land Surveying, LLC (on behalf of United Properties) Address: 9001 East Bloomington Freeway, Bloomington, MN 55420 Phone # 952-881-2455 Email Address: Mark, Hanson@Sunde.com
Fee Owner: United Land, LLC Address: 3600 American Boulevard West, Bloomington, MN 55431 Attn: Melissa Duce Phone # 952-893-8866, 651-261-8273
Email Address: Melissa. Duce@uproperties.com Property Location (Address and Complete (long) Legal Description: Outlot A, Eagle Point Business Park 3rd Addition. Address is unassigned,
Detailed Reason for Request: <u>The Bremer land aquisition will be held for future building expansion development.</u>
*Variance Requests: As outlined in Section 301.080 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:
In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.
Signature of fee owner: Date: 4/29/15







EAGLE POINT BUSINESS PARK 3RD ADDITION



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

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

As evidenced by Certificate of Title No. 57112.

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

BY: Drank Dake its Execute Pice and Daly Stown its Vice Pres.

STATE OF Manueles COUNTY OF Manueles

The foregoing instrument was acknowledged before me this the day of the 2002 by its with the day of the limited liability company, on behalf of said company.



Notary Public, America County, Minesota My Commission Expires January 1, 2005

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

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

TATE OF MINNESOTA

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



Notary Public, Daksta County, Minnesota My Commission Expires January 3, 2005

This plat of EAGLE POINT BUSINESS PARK 3RD ADDITION was approved by the City Council of the City of Lake Elmo, Minnesota, this 46 day of APR: 2002, and hereby certifies compliance with all requirements as set forth in Minnesota Statutes, Section 505.03, Subd. 2.

SIGNED: The Mayor
SIGNED: Mayor
City Administration

BY: LAWRENCE S. NYBECK
Washington County Surveyor
BY: Assistant County Surveyor

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

BY: Molly F. ORough Washington County Auditor Treasurer BY: Lebuty Auditor Treasurer

Document Number 111133D

I hereby certify that this instrument was filed in the Office of the Registrar of Titles for record on this $\frac{22}{4}$ day of $\frac{1}{4}$ day o

BY: Washington County Registrar of Titles
BY: Deputy

Sunde Land Surveying, LLC.