

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, September 14, 2015 at 7:00 p.m.

AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a. August 24, 2015
4. Presentations
 - a. GATEWAY CORRIDOR PRESENTATION – Washington County has been asked to give the Planning Commission an update concerning the Gateway Corridor Bus Rapid Transit Line through Lake Elmo. East Metro Strong will also be presenting an update concerning a potential Market and Fiscal Impact Study associated with future Gateway Corridor planning.
5. Public Hearings
 - a. LEGENDS OF LAKE ELMO CONCEPT PLAN – The city has received an application for an open space development concept plan on three unaddressed parcels totaling 110 acres to the North of 50th Street North and to the South of the Sanctuary development. This concept plan includes 51 residential lots – The PID's of the subject property are: 01-029-21-42-0003; 01-029-21-43-0001; 01-029-21-41-0001.
6. Business Items
 - a. MINOR SUBDIVISION – The City has received an application for a minor subdivision from the Kleis family. This minor subdivision will create two new ten acre parcels, leaving approximately 34 acres with the original farmstead at 9130 55th Street Lane. The PID of the subject property is 03-029-21-24-0001.
7. Updates
 - a. City Council Updates – September 1, 2015 Meeting
 - i. Village Park Preserve Final Plat Extension – Passed.
 - ii. Zoning Text Amendment – Commercial Wedding Ceremony Venue Ordinance – Passed.
 - iii. Inwood 2nd Addition Final Plat – Passed.
 - iv. Savona 3rd Addition Final Plat – Tabled.

- v. NE Metro 916 Intermediate School District Final Plat and Preliminary and Final PUD Plans – Passed.
 - b. Staff Updates
 - i. Upcoming Meetings:
 - September 28, 2015
 - October 12, 2015
 - c. Commission Concerns
8. Adjourn



**City of Lake Elmo
Planning Commission Meeting
Minutes of August 24, 2015**

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

COMMISSIONERS PRESENT: Dodson, Dorschner, Williams, Fields, Haggard, Griffin and Kreimer

COMMISSIONERS ABSENT: Larson

STAFF PRESENT: Community Development Director Klatt

Approve Agenda:

The agenda was accepted as presented.

Approve Minutes: August 10, 2015

M/S/P: Williams/Kreimer, move to approve minutes as amended, ***Vote: 6-0, motion carried with Haggard abstaining.***

Public Hearing: Final Plat and Preliminary and Final PUD Plans – NE Metro 916 Intermediate School District

Klatt began his presentation regarding Independent School District 916 proposing to construct a public school within the Eagle Point Business Park, with minor amendments. This will be in compliance with city design standards for buildings within a Business park.

Fields asked if the service agreement is comparable to what the City would receive in tax revenue if this was a commercial development. Klatt stated that the service agreement is \$30,000 which is comparable to what the City would receive.

Williams asked about adding a condition stating that all of the conditions in the City Engineers letter dated August 21, 2015 be met.

Dodson asked if it is necessary to have condition 10 regarding the sign. Klatt stated that he feels it is. Dodson asked about a possible trail. Erickson responded that these kids do not leave the site during the day. There is no public access to the park which is why the parkland fee is being paid.

Haggard asked if this facility will be used in off hours by other entities. Erickson stated that because of the special nature of this school, it would not be used for other purposes like other schools are.

Public Hearing opened at 7:43 pm

The only correspondence the City received was a letter from ISD 916 stating that they have been in contact with Bremer Bank regarding some issues.

Public Hearing closed at 7:44 pm

M/S/P: Williams/Haggard, move to recommend that all changes and modifications of the plans requested by the City Engineer in review memo dated 8/21/15 shall be incorporated into these documents before they are approved, ***Vote: 7-0, motion carried unanimously.***

M/S/P: Williams/Haggard, move to recommend deleting conditions 3 and 7 which deal with the service agreement and lighting plan as these issues have been resolved, ***Vote: 7-0, motion carried unanimously.***

Dodson feels that the parkland dedication should be waived as this is a school and has a public purpose. Dorschner and Haggard disagree because it is a regional school that benefits students in multiple cities and our City is losing the ability to develop this as commercial.

Dorschner does not feel that a school belongs in the business park. He feels that if the CUP had not already been issued, he would have voted to deny this as there are other more appropriate areas to locate this school.

M/S/P: Williams/Kreimer, Move to recommend approval with findings as drafted and with the amended conditions as discussed and recommended, ***Vote: 7-0, motion carried unanimously.***

Business Item: Final Plat – Inwood 2nd Addition

Klatt began his discussion regarding the final plat for Inwood 2nd addition. This final plat does not include any specific development or PUD Plans. It only re-subdivides a larger outlot that was platted with 1st addition. The proposed final plat includes 21 single-family detached lots covering outlot E of Inwood 1st addition.

Dodson asked if condition #2 regarding the Common Interest Agreement, is really necessary. Klatt stated that it should be covered from 1st addition, but it is a blanket condition just to cover the City.

Kreimer asked when the switch will happen from sewer coming from Oakdale vs. the new collector. Klatt stated that he believes it is the Woodbury interceptor. Klatt stated that the timing is based on the Met Council timing. Kreimer asked if with all the development, we would run short of the overall number that would be allowed to hook up before our interceptor is completed. Klatt stated that he believes the engineers are keeping an eye and that and would let us know if we are coming close to that number.

M/S/P: Williams/Fields, Move to recommend approval of Inwood 2nd addition Final Plat with the conditions of approval and the findings of fact as listed in the Staff Report, **Vote: 7-0 motion carried unanimously.**

Business Item: Savona Third Addition – Final Plat

Klatt began his discussion regarding a final plat request from Lennar for the 3rd phase of a planned 310 unit development. This phase will include 21 single family lots and 99 single family attached units, all of which will be accessed via the 5th street Parkway off of Keats Ave. The city previously approved a conditional use permit that allowed the single family attached units to be accessed via a series of private roads.

Williams asked why the HOA agreement was only for 1st and 2nd Addition and not all subsequent additions. Klatt stated that it is a condition so that they have a chance to review it.

Klatt mentioned that staff would like to see an additional condition added that any assessments due would be due prior to the recording of the final plat.

Paul Tabone, Lennar, stated that there are 2 HOA's, 1 for the single family homes and 1 for the townhome area. The homes in 3rd addition will be added to the appropriate HOA document.

Klatt stated that there is a separate maintenance agreement spelling out what the HOA is responsible for such as landscaping and meters in common outlots and center medians.

M/S/P: Kreimer/Haggard, Move to add condition 11 to read "Park Commission will review and approve plans for a tot lot which shall be installed when block 11 of the townhouse area is built", **Vote: 7-0 motion carried unanimously.**

M/S/P: Williams/Haggard, Move to add the words "and safety fencing" to condition 8 so it reads "The proposed retaining wall east of Block 13 must be designed by a professional engineer registered in the state of Minnesota and must comply with all applicable building codes and any other authorities with jurisdiction for the wall and safety fencing and proposed grading adjacent to the wall", **Vote: 7-0 motion carried unanimously.**

M/S/P: Williams/Haggard, Move to add condition 12 to read “all special assessments due for the entire Savona 3rd addition shall be paid prior to the recording of the plat”,
Vote: 7-0 motion carried unanimously.

M/S/P: Williams/Kreimer, Move to add condition 13 to read “the City Landscape Architectural consultant shall review the plans for the retaining wall around the pond at the SE corner and make recommendations for landscaping which will soften the view and/or screen the wall from Keats Ave”, **Vote: 7-0 motion carried unanimously.**

M/S/P: Williams/Dodson, Move to recommend approval of the Final Plat for Savona 3rd Addition with the 13 conditions of approval and conditions listed in the staff report,
Vote: 7-0 motion carried unanimously.

Business Item: Future Household Projections Discussion

Klatt started his presentation regarding future household projections. He stated that the City has also been looking at pro-formas as well to look at financial numbers to pay for water and sewer. Klatt went through the approved number of 1829 combined units in the I94 and Village Planning Areas. The future potential under the current comp plan is a combined total of 2485. Total approved and potential under Comp Plan is 4314. With the new system statement, there is potential for a reduction of 1278.

Dodson asked if the BRT played into the systems statement. Klatt stated it has not been adopted into the regional plan yet and therefore, would not be a factor.

The city is no longer under a mandate from Met Council to achieve certain population densities under a certain time frame. There is no longer a memorandum of understanding. These are target numbers and we have more discretion on how we grow.

Fields would like to see us be as aggressive as possible in using the I94 corridor for commercial. Possibly Business Park or light industrial. It will employ more people and bring more tax revenue to keep property taxes down. He also doesn't want us to fall into a trap with the BRT to have high density housing along that to feed nodes of employment in other areas.

Williams asked if with this analysis they have looked at the payback of the utility costs. Klatt stated that they have not looked at that with this analysis, but the Council has asked for additional analysis with the pro-formas.

Klatt brought up a map regarding the rural area and potential for future development. He looked at the parcels over 40 acres which would be eligible for OP development.

Calculated out, it ends up with just under 700 housing units. If you add in 20 acre parcels, you would add an additional 300 housing units. This did not take into consideration sites that have water bodies or land owners that have no intention of ever developing. Tartan Park is not part of this calculation as it is currently guided as a Public Facility.

Klatt went through the rural areas and what was projected and how those numbers could be rebalanced.

Klatt stated that the next step for the Planning Commission would be a conversation regarding how to proceed with Comp Plan updates. How should we rebalance with the new system statement, and to start gearing up for the 2018 Comprehensive Plan amendment. Once the system statement is released, we can start planning against that and adopting Comprehensive Plan Amendments.

Kreimer would like to state that south of 10th Street needs to get significant relief as the people that live down there also came to Lake Elmo for the rural character as well.

Dodson would like to see a workshop in place to start the discussion for the planning.

Williams asked if the system statement talks about rec units or just population and households. Klatt stated that it talks about both, but is primarily focused on households and population.

Council Updates – August 18, 2015 Meeting

1. Preliminary Plat/Plan and PUD Plat/Plan – Auto Owners – Passed.
2. Zoning Text Amendment – Subdivision Identification Signs – Passed with Changes.
3. Projected City Growth Analysis – Update.

Staff Updates

1. Upcoming Meetings
 - a. September 14, 2015
 - b. September 28, 2015

Commission Concerns

Haggard is concerned that preliminary and final plats are being brought forward together. She would prefer to see them separate. She thinks there is some risk for the city. Klatt stated that the Commission is able to approve just the preliminary and not the final or they can table it. Kreimer stated that he is glad to know that they can separate it.

Williams has a concern regarding affordable housing. There have been a couple of recent articles regarding the lack of affordable housing in the metro area. He is wondering if in the sewer areas we could require a certain percentage of affordable housing. There was some discussion by Commission, but no solution was decided. Klatt stated that he has participated in discussions with Washington County. There is the livable communities act which means we are obligated to meet certain things, but we are also eligible for funding. Williams would like to see it addressed at a future date.

Meeting adjourned at 10:50 pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant



PLANNING COMMISSION
DATE: 8/10/15
AGENDA ITEM: 4A – PRESENTATION
CASE # N/A

ITEM: Gateway Corridor Update

SUBMITTED BY: Kyle Klatt, Community Development Director *KK*

REVIEWED BY: Washington County
City Council

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to receive an update from Washington County concerning the Gateway Corridor Project, and in particular, to review proposed alignment alternatives through Lake Elmo. The Commission is further being asked to review a potential market and fiscal analysis and visioning process concerning the corridor that would be sponsored by Washington County and East Metro Strong. Representatives from the County and East Metro Strong will be in attendance to present information to the Planning Commission. Staff has attached materials from previous discussions with the Council on this matter for review by the Commission.

RECCOMENDATION:

No action is required on this item.

ATTACHMENTS:

1. Staff Memorandum to Council dated 9/1/15
2. Proposed Scope of Work for Lake Elmo Market and Fiscal Impact Study
3. Lake Elmo Station Area Plan Design Dialogue
4. East Metro Strong Presentation

ORDER OF BUSINESS:

- Introduction Community Development Director
- Presentation Washington County and East Metro Strong
- Questions from the Commission Chair & Commission Members
- Discussion by the Commission Chair & Commission Members

MAYOR & COUNCIL COMMUNICATION

DATE: 9/1/15

Presentation

ITEM #10

AGENDA ITEM: Lake Elmo Market and Fiscal Impact Study

SUBMITTED BY: Clark Schroeder

THROUGH: Clark Schroeder, Interim City Administrator

REVIEWED BY: Clark Schroeder

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation.....City Administrator
- Questions from Council to Staff..... Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECOMMENDER: City Council

FISCAL IMPACT: Metro Strong has suggested a meaningful contribution for a couple reasons. First; a contribution demonstrations support for the overall Bus Rapid Transit line through Lake Elmo. Secondly, the information gathered by the Market Study would be incorporated into our Comp Plan which we need to do anyway. It is the feeling from staff that the comp plan would be studying and guiding the area south of 10th also, so there is no point in doing this study twice. Contributing to the market study would allow us to use the data and leverage that for our own use. A meaningful contribution in this case would be between \$10,000 and \$30,000.

SUMMARY AND ACTION REQUESTED: Lake Elmo is at an important turning point. The City has endorsed the Locally Preferred Alternative (LPA) for the Gateway Gold Line bus rapid transit (BRT) that is expected to run from St. Paul east into Washington County. The next step for Lake Elmo is to consider the

implications the BRT has for future land uses in the parts of the City that will be the most transit accessible, likely the area bounded by the city limits to the east and west, I-94 to the south, and the proposed Fifth Street to the north. This is important because the communities along the transitway, by voting for the LPA, have indicated that they are in favor of a successful transitway; but the transitway will only be successful if it is supported by surrounding land uses that will generate ridership, i.e., transit oriented development (TOD). Thus, this work will evaluate the future market demand for the kinds of TOD that might be appropriate for the study area. However, the work will not be limited to examining potential TOD only; we will also evaluate future demand for a variety of possible land uses, including those that are drawn to the area to take advantage of the access and visibility from I-94. The intent is to develop a market-driven profile of land uses that could be accommodated in the study area to both inform the Lake Elmo community about future options for the area, and to inform the land planning charrette activity.

LEGISLATIVE HISTORY:

RESOLUTION NO. 2014-71

**A RESOLUTION TRANSMITTING THE CITY OF LAKE ELMO'S
SUPPORT OF THE LOCALLY PREFERRED ALTERNATIVE (LPA) TO
THE RCRRRA, WCRRA, and METROPOLITAN COUNCIL**

WHEREAS, the Gateway Corridor is a proposed project that will provide for transit infrastructure improvements in the eastern portion of the Twin Cities, and;

WHEREAS, the purpose of the project is to provide transit service to meet the existing and long-term regional mobility and local accessibility needs for businesses and the traveling public within the project area by providing all day bi-directional station-to-station service that compliments existing and planned express bus service in the corridor, and;

WHEREAS, the Gateway Corridor is located in Ramsey and Washington Counties, Minnesota, extending approximately 12 miles, and connecting downtown Saint Paul with its East Side neighborhoods and the suburbs of Maplewood, Landfall, Oakdale, Lake Elmo, and Woodbury, and;

WHEREAS, the Gateway Corridor Commission (GCC), in partnership with the Metropolitan Council and other project stakeholders, completed the Gateway Corridor Alternatives Analysis (AA) Study that in addition to the No-Build alternative recommended one bus rapid transit (BRT) and one light rail transit (LRT) alternative be advanced for further study in the federal and state environmental review process, and;

WHEREAS, the Federal Transit Administration (FTA); the Washington County Regional Railroad Authority (WCRRA), serving on behalf of the GCC; and the Metropolitan Council have initiated the environmental review process for the Gateway Corridor project, with FTA designated as the lead federal agency for this project, and;

WHEREAS, the Gateway Corridor project recently received the important Presidential designation as a Federal Infrastructure Permitting Dashboard Project, and;

WHEREAS, the Gateway Corridor project recently completed the Scoping phase of the environmental process, which resulted with the Policy Advisory Committee (PAC) and the GCC recommending further study of the No-Build alternative, four BRT alternatives operating within a dedicated Guideway (A-B-C-D1-E1, A-B-C-D2-E1, A-B-C-D2-E2, A-B-C-D2-E3) and a managed lane alternative in the Draft Environmental Impact Statement (EIS) at the request of the FTA and Federal Highway Administration (FHWA), and;

WHEREAS, the BRT alignments that advance into the Draft EIS will be further defined and evaluated to minimize impacts to surrounding properties and the I-94 corridor which may include operating in existing lanes with mixed traffic at pinch points where right-of-way is constrained, enhance economic development potential, and reduce capital costs while providing required operating efficiency, with attention to mobility options for environmental justice populations, and;

WHEREAS, through the Scoping process, the PAC and the GCC recommended that the LRT alternative be eliminated from further study due to its higher costs while generating a similar ridership, and;

WHEREAS, the identification of a Locally Preferred Alternative (LPA) is a critical first step in pursuing federal funding for the Gateway Corridor project, and;

WHEREAS, the adoption of the LPA into the Metropolitan Council's Transportation Policy Plan will conclude the FTA Alternatives Analysis process, and;

WHEREAS, the LPA will be one of the Build alternatives identified and studied in the Draft EIS, and;

WHEREAS, the LPA includes the definition of the Gateway Corridor mode and a conceptual alignment which can be refined through further engineering efforts, and;

WHEREAS, the LPA selection process does not replace or override the requirement to fully examine alternatives and determine the adverse impacts that must be avoided or mitigated under the federal and state environmental review process, and;

WHEREAS, the comments submitted by agencies, the business sector, and the public during the Scoping phase, as well as the additional comments received from adjacent communities since the Scoping phase, will be addressed accordingly through the Draft EIS process, and;

WHEREAS, the PAC and GCC each passed resolutions on July 24, 2014 recommending BRT Alternative A-B-C-D2-E2 (*see attached figure*) as the proposed LPA for review at the August 7 PAC sponsored LPA public hearing and inclusion in the Metropolitan Council's Draft 2040 Transportation Policy Plan, and;

WHEREAS, the Gateway Corridor PAC/GCC held a public hearing on August 7, 2014 as part of the LPA decision making process. A total of 35 comments were received through the proposed LPA review process, and;

WHEREAS, the Cities will be working collaboratively and with support from the GCC to complete a market analysis and station area plans for the areas around the BRT Guideway stations as a part of the Draft EIS process, and;

NOW THEREFORE BE IT RESOLVED that the City of Lake Elmo supports the LPA recommendation of the PAC and GCC and identifies the dedicated BRT alternative generally on the Hudson Road – Hudson Boulevard alignment that crosses to the south side of I-94 between approximately Lake Elmo Avenue and

Manning Avenue is the Locally Preferred Alternative for the Gateway Corridor project (see attached figure).

BE IT FURTHER RESOLVED that the City of Lake Elmo commits to undertaking and developing station area plans with the support of the GCC for the proposed BRT guideway station areas within its jurisdiction based on the results of a market analysis, community input, and Metropolitan Council guidelines and expectations for development density, level of activity, and design.

BE IT FURTHER RESOLVED that through the Draft EIS process the PAC and the GCC will continue to evaluate and focus on transit service connections to the dedicated BRT system (A-B-C-D2-E2), including an efficient feeder bus network, as well as the number and location of stations throughout the Gateway Corridor to maximize service, accessibility, and surrounding economic development opportunities, while minimizing impacts.

BE IT FURTHER RESOLVED that the City of Lake Elmo commits to working with the Washington County Regional Railroad Authority, on behalf of the Gateway Corridor Commission, and the Metropolitan Council to address the comments submitted by agencies, adjacent communities, the business sector, and the public during the Scoping phase, as well as additional comments received during the development of the LPA, through the Draft EIS process, and the following areas of particular importance to the City of Lake Elmo.

1. The ownership and maintenance responsibilities of Hudson Boulevard were recently turned back to the City of Lake Elmo from MnDOT. If Hudson Boulevard is expanded to accommodate a BRT guideway or additional travel lanes for the exclusive use of buses it may increase the demands on the City to properly maintain the roadway. **The City of Lake Elmo requests analysis of appropriate jurisdictional control over Hudson Boulevard and robust consideration of a possible turn back to Washington County.**
2. Maintaining access for current land owners along Hudson Boulevard and planning for access for future development needs to be part of a functional ingress – egress policy. **The City of Lake Elmo requests the development of an access management plan for Hudson Blvd. that is supported by property owners, the City of Lake Elmo and Washington County.**
3. The City of Lake Elmo supports an easterly station in the proximity of the NW corner of Manning Avenue and I-94 to support economic development, including job creation, tax value, and traffic efficiency associated with the

creation of a business park as guided by the City's Comprehensive Plan. Incorporating a Gateway station in Lake Elmo will require station area planning resources to ensure that Lake Elmo is maximizing economic development potential and ridership. **The City Lake Elmo requests thorough analysis of economic development potential to assist in guiding the placement of Gateway stations in the corridor segment from Keats Avenue to Manning Avenue as well as planning resources from the Gateway Corridor Commission and Washington County to assist with transit oriented development/station area planning.**

4. Lake Elmo Avenue serves as an important access point to downtown Lake Elmo. Due to the proximity of the road to both the Lake and developed neighborhoods, future expansion is constrained through the downtown area and the roadway cannot functionally handle additional growth in the regional movement of traffic beyond what is currently forecasted. **The City of Lake Elmo recognizes that while the Gateway Corridor project will likely not preclude an interchange in this location, it would like to take this opportunity to state to Washington County, the Minnesota Department of Transportation and the Federal Highways Administration that an interchange is NOT desired in this location.**
5. Safety and security at BRT stations for transit patrons and surrounding businesses and neighborhoods is very important to Lake Elmo. BRT Stations should be designed to be safe and secure environments that incorporate design elements to deter crime such as good lighting, visibility, security monitoring. **The City of Lake Elmo requests a safety and security plan to ensure that adequate resources are provided at a regional and local level to effectively address safety and security concerns at Gateway Corridor facilities.**
6. **The City of Lake Elmo would also support an A-B-C-D2-E3 alignment and continued evaluation as part of the Draft EIS.**

BE IT FURTHER RESOLVED that this resolution adopted by the City of Lake Elmo be forwarded to the Metropolitan Council for their consideration.

Recommended Locally Preferred Alternative – BRT Alternative A-B-C-D2-E2 (Conceptual)

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE SIXTEENTH
DAY OF SEPTEMBER 2014.**

BACKGROUND INFORMATION (SWOT):

Strengths Lake Elmo would be able to use the market study in our comp plan. Lake Elmo would show continued support for the Goldline and corresponding development around transit stations by contributing to this study.

Weaknesses If no contribution is made the support for the BRT line would be in question.

Opportunities Market study would save money on our comp plan for that corridor

Threats Un-planned/unguided development along corridor could affect the future ridership of the BRT line.

RECOMMENDATION:

Staff recommend that Lake Elmo contribute _____ out of our 2016 comp-plan budget to the Market and Fiscal Impact Study.

Lake Elmo Market and Fiscal Impact Study

Proposed Scope of Work

Strategic Economics

Introduction

Lake Elmo is at an important turning point. The City has endorsed the Locally Preferred Alternative (LPA) for the Gateway Gold Line bus rapid transit (BRT) that is expected to run from St. Paul east into Washington County. The next step for Lake Elmo is to consider the implications the BRT has for future land uses in the parts of the City that will be the most transit accessible, likely the area bounded by the city limits to the east and west, I-94 to the south, and the proposed Fifth Street to the north. This is important because the communities along the transitway, by voting for the LPA, have indicated that they are in favor of a successful transitway; but the transitway will only be successful if it is supported by surrounding land uses that will generate ridership, i.e., transit oriented development (TOD). Thus, this work will evaluate the future market demand for the kinds of TOD that might be appropriate for the study area. However, the work will not be limited to examining potential TOD only; we will also evaluate future demand for a variety of possible land uses, including those that are drawn to the area to take advantage of the access and visibility from I-94. The intent is to develop a market-driven profile of land uses that could be accommodated in the study area to both inform the Lake Elmo community about future options for the area, and to inform the land planning charrette activity (see accompanying scope of work).

The following scope of work has two objectives:

- 1) To inform Lake Elmo's decision-makers and community members about land use possibilities for the study area based on short, medium and potential long-term market potential as it could be shaped by the presence of high capacity transit as well as uses that would respond to the area's existing competitive advantages, including the I-94 access, and;
- 2) To provide input into the planning charrette that will explore various land use options for the Gold Line corridor segment in Lake Elmo. Both the market findings and the charrette outcomes will assist Lake Elmo in understanding its various options for accommodating future growth. In addition, we expect that the information developed by this work will be useful to other Gateway communities and stakeholders.

Scope of Work

Task 1: Understand Community Goals (Project Initiation)

Strategic Economics has a preliminary understanding of Lake Elmo, the Gold Line, and related issues obtained during a previous engagement. For this work, our first task will be to develop a deeper

understanding of Lake Elmo's goals for future land uses and overall community outcomes in the Study Area.

In Task 1 we will meet with City representatives to review

- the city's goals;
- how it currently sees the land in the transit corridor in relationship to those goals;
- opportunities and threats from various possible land uses.

Task 1 Deliverable: Information gathered in Task 1 will be used by Strategic Economics in performing the other Tasks.

Task 2: Review Existing Regional Economic and Employment Trends and Projections Analysis

The Met Council has assigned considerable population and employment growth to Lake Elmo through 2040. However, "assigning" growth through a planning process does not necessarily mean that market forces will deliver that growth, or, if the growth does occur, that it will deliver development that would benefit Lake Elmo, or will meet other community objectives. Therefore, the first step in completing a market study for Lake Elmo is to better understand regional employment and population growth projections and trends.

This task will evaluate future growth projections for the region, for Washington County, and for the I-94 corridor, to measure past growth trends and evaluate projected growth patterns against these trends. While the future will not necessarily be a reflection of the past, creating robust assumptions about future growth must still be linked to existing conditions and market trends.

This task will include:

1. Breaking down both past growth trends and future growth projections by industry and household type
2. Creating a spatial understanding of how growth trends match up to certain kinds of locations.

Both types of information will help to lay the groundwork for establishing a more informed market demand estimate for different development types in Lake Elmo.

Task 2 Deliverable: Output from this task will be incorporated into the TOD Real Estate Market Report to be produced in Task 4.

Task 3: Document Recent Market Trends in the I-94 Corridor Communities

This task will build on the recent TOD market assessment completed by HR&A, but will provide more detail by product type for the entire corridor, rather than just focusing on the specific station areas. This analysis will focus primarily on Lake Elmo, Maplewood, Oakdale, and Woodbury. The market trends in these cities, rather than in St. Paul, provide a better baseline for demand as these communities would all be considered “suburban” as compared to St. Paul.

Information to be collected includes performance metrics for existing retail, office, industrial, mixed-use, and housing projects (various types and densities) within a one-mile buffer on both the north and south side of I-94. These metrics include: total space inventory, vacancy rates, rents/sales prices, tenant/buyer profile, and recently built projects. This information, combined with the qualitative interviews will provide considerable information about the ways in which the market along the proposed transit corridor is evolving in response to broader market trends well in advance of transit.

This Task will include and draw on interviews with local real estate brokers, developers, and others familiar with evolving market conditions in the corridor. We will also reach out to planning staff, electeds, and local property owners for their perspectives.

Task 3 Deliverable: Output from this task will be incorporated into the TOD Real Estate Market Report to be produced in Task 4.

Task 4: Establish Demand Estimates by Product Type for Lake Elmo

Based on the market information and detailed growth projections developed in the previous two tasks, estimates of potential demand for the primary future land uses for Lake Elmo will be developed. These primary uses include housing, light industrial, and office space. Retail will be treated as an amenity, rather than a primary use within the framework, and will therefore, be considered as a secondary use driven by demand generated from primary uses.

These demand estimates will be stated as “ranges” in terms of units or square feet and will be developed for each proposed station area within Lake Elmo including Inwood (in Oakdale, but TOD-shed extends into lake Elmo), Keats, and Manning. The two primary objectives of these demand estimates are to provide an “order of magnitude” demand that can inform future station area planning for each area, and to understand what kinds of implementation strategy would be appropriate for capturing this potential demand. Among other things, this information will also be helpful to existing property owners in the area around Lake Elmo’s proposed station areas as to what additional uses could be options for their property, given changing market conditions both in advance of transit and as the transit corridor gets built.

As possible and appropriate, Strategic Economics will break out demand for “transit oriented” sub-categories of some use types.

Task 4 Deliverable: TOD Real Estate Market Report incorporating the findings from Tasks 1, 2, and 3.

Task 5: Evaluate the Fiscal Impacts of Lake Elmo's Existing Land Use Patterns

Development types and patterns will have significant implications for the City's budget. Lake Elmo's current land use pattern focuses primarily on residential projects clustered around large open space areas. However, the City's current land uses, the primary municipal revenue source, do not necessarily generate enough money to pay for upkeep and maintenance of the City's public facilities, including roads and some open space. This task will explore exactly what the existing relationship is between the City's current land use pattern and its fiscal health. In addition to this analysis, and as necessary, Strategic Economics will also explore information about typical municipal costs and revenues associated with the land use types that could be successful in Lake Elmo based on the Real Estate Market Report findings. This information will form a fiscal "baseline" and establish the assumptions necessary to evaluate the fiscal implications of various land use alternatives to be identified in Task 5 below.

Task 5 Deliverable: Fiscal Impact Baseline Memo.

Task 6: Participate in TOD Planning Charretts for the Three Lake Elmo Station Areas

The findings from the previous four tasks will be used as inputs to a community planning charrette process intended to identify land use scenarios for the three proposed station areas in Lake Elmo that reflect community values, respond to market demand, and contribute to the City's fiscal health. Strategic Economics will prepare materials regarding the market demand for Lake Elmo and indicate how this demand should/could inform the land planning process.

In addition, Strategic Economics will prepare a fiscal impact model to test the potential fiscal implications of different land use scenarios for each station area for the City's budget. This model can test scenarios "in real time" so that people can see how the evolving land use scenarios can balance among the three charrette objectives: meeting community values, addressing market demand, and contributing to the City's fiscal health during the course of the charrette.

Smart Growth America will have primary responsibility for organizing and running the charrette(s).

Task 6 Deliverable: Participation in the TOD station area charrette(s) with real time fiscal modeling.

Optional Task 7: Preparing a Land Use Implementation Action Plan

The charrette will explore scenarios that respond to various issues, including to what extent the land use scenarios help contribute to the eventual success of the Gold Line. If the charrette is successful in identifying a scenario that various stakeholders believe meets the relevant needs of the city and of the corridor, by mutual agreement between the City and East Metro Strong, Strategic Economics and Smart Growth America will work with the City and Washington County to prepare an Implementation Action Plan so that the City has a clear process for implementing the preferred scenario, allowing development to continue in the station areas in advance of an operating transit line.

Task 7 Deliverable: Land Use Implementation Action Plan memo.

Budget

The total budget to complete the scope of work described above would be \$103,430, including both labor and expenses. A detailed breakdown of these costs by task and staffing level is shown below.

Strategic Economics

Proposed Budget for Lake Elmo Phase 2

Tasks	Staff Title Billing Rate	Doris Belzer President \$250.00		Senior Associate \$170		Associate \$120		Research Analyst \$95		TOTAL	
		Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost
Task 1 Project Initiation		20	\$ 5,000	20	\$ 3,400	0	\$ -	0	\$ -	40	\$8,400.00
Task 2 Regional Trends		8	\$ 2,000	32	\$ 5,440	60	\$ 7,200	40	\$ 3,800.00	140	\$18,440.00
Task 3 Corridor Market Conditions		4	\$ 1,000	50	\$ 8,500	90	\$ 10,800	50	\$ 4,750.00	194	\$25,050.00
Task 4 Market Demand Estimate		4	\$ 1,000	32	\$ 5,440	16	\$ 1,920	0	\$ -	52	\$8,360.00
Task 5 Fiscal Impact Analysis		6	\$ 1,500	60	\$ 10,200	80	\$ 9,600	20	\$ 1,900.00	166	\$23,200.00
Task 6 Charrette Participation		32	\$ 8,000	0	\$ -	0	\$ -	0	\$ -	32	\$8,000.00
Task 7 Implementation Plan		8	\$ 2,000	24	\$ 4,080	20	\$ 2,400	0	\$ -	52	\$8,480.00
Task Subtotals		82	\$ 20,500	218	\$ 37,060	266	\$ 31,920	110	\$ 10,450.00	676	\$99,930.00
Expenses											\$3,500.00
TOTAL BUDGET											\$103,430.00

Lake Elmo Station Area Plan Design Dialogue

Task Objective

East Metro Strong realizes that a successful outcome will involve a partnership between the public and private sectors and between local, regional, and state governments. In such partnerships, public sector decision-makers desire to make informed decisions based on the best available information and after hearing from their constituents.

The *design dialogue* approach provides a cost-effective and timely way to illustrate potential station area plan solutions and considerations identified by the community. Project stakeholders will be provided with:

- A timely understanding of community concerns and acceptable solutions to those concerns;
- A synthesis of design concepts that meet stakeholder requirements and have the backing of participants in the design dialogue process; and
- A product that is ready for immediate advancement to a draft report for discussion with community leaders.

A series of small meetings will be held over the course of one week with groups of station-area stakeholders. This allows the opinions of all parties to be heard in a constructive and non-confrontational atmosphere.

During these design dialogue meetings the Smart Growth America (SGA) team is responsible for synthesizing the input of diverse parties into a plan concept (drawings and text). SGA will present the draft goals and objectives for stakeholder input and buy-in. The team will then prepare and test transportation, land use and design recommendations for the area with project stakeholders.

An open house to present initial findings and obtain additional comment will conclude the design dialogue process.

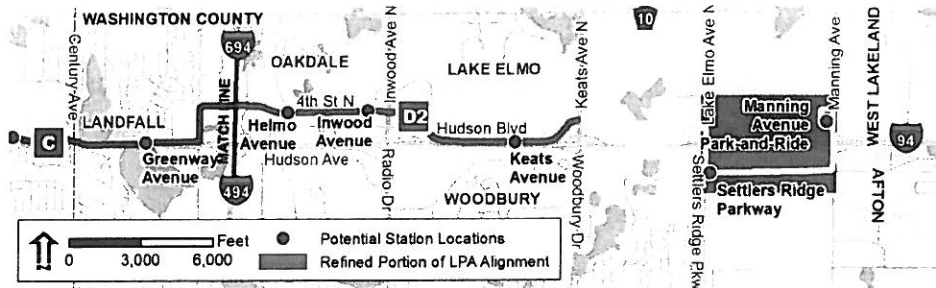
Work to be accomplished

- With local staff, arrange design dialogue logistics (workroom, public meeting room, open house site, equipment, etc. (Assumes refreshments for each session provided by Lake Elmo.)
- With staff, identify stakeholder groups for inclusion in the design dialogue process. (Assumes 15 meetings over four days.)
- Assist staff in scheduling individual sessions and review invitation list and mailing. (Assumes actual mailing and follow up calls by Lake Elmo.)
- Prepare advertisement announcing public design session. (Assumes ad placement by Lake Elmo.)

- Conduct work session with local agency staff directly involved in the project. (Assumes two hour meeting Monday morning.)
- Conduct work session with transit agency staff.
- Conduct work session with Gateway project staff.
- Conduct 15 work sessions with stakeholder groups. (Assumes three 90-minute sessions Monday afternoon, five 90-minute sessions Tuesday and Wednesday, and two 90-minute sessions Thursday morning.)
- Conduct public design session. (Wednesday evening)
- Prepare open house materials (summary notes, graphics) and conduct open house for design dialogue participants (assumes two hour open house Friday 11:30 to 1:30).
- Summarize comments received during the design dialogue and the recommended design direction and prepare design dialogue memorandum.

Deliverables

- Draft and final stakeholder invitation letter.
- Draft and final advertisement copy.
- Session materials and graphics for review and approval (work sessions and design session).
- Documentation of design sessions (notes, graphics).
- Draft and final design dialogue memorandum.



Market study and Design Dialog for Lake Elmo and the Gold Line

East Metro
STRONG

September 1, 2015
Will Schroerer, Executive Director

Today

1. Recap: East Metro Strong
2. Review: Consultant support for Lake Elmo
3. Proposal: Additional consultant support for Lake Elmo and the Gold Line
4. Request
5. Discussion



EAST METRO STRONG
Public – private partnership

Business

- Saint Paul Area Chamber of Commerce
- 3M
- Health East

Counties

- Ramsey
- Dakota
- Washington

Cities

- Saint Paul
- West Saint Paul
- White Bear Lake
- Woodbury

Philanthropy

- Saint Paul Foundation



GOAL
Catalytic transit investments in the East Metro

Help draw investment that creates great places

- More transit investment



- Economic development



East Metro Strong

Help overcome barriers to transit investments

- Deliver technical assistance to East Metro projects & stakeholders who request it.

5

East Metro Strong

Previous consultant support for Lake Elmo

Consultants (Smart Growth America and Strategic Economics) met with city and county leaders, residents, and landowners in April 2015:

- Lake Elmo staff
- Lake Elmo City Council
- Lake Elmo Planning Commission
- Gateway Gold Line consultant team
- Metro Transit staff
- Metropolitan Council staff
- MnDOT staff
- Washington County staff
- Washington County Commissioners
- Lake Elmo property owners
- Investors from the Gold Line corridor
- Mayor and staff from the City of Woodbury



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East Metro Strong

Previous consultant support for Lake Elmo

Presented recommendations
to Council:

- In person: April 14, 2015
- Written: May 11, 2015



Lake Elmo request

- City requested follow-up support
 - Further market analysis to clarify what could be successful in the corridor, especially in relation to the planned Gold Line.
 - Planning assistance to visualize what these areas may look like in terms of land uses, densities, mixed-use development, access, fiscal performance, and other performance factors.
- Consultants developed scopes
 - Market analysis: Strategic Economics. ~\$100,000
 - Design dialog: SGA + Design Workshop. \$100,000

Proposal: how to fund request

Package

- For Market Analysis

Lake Elmo commits meaningful funding to study, from 2016 budget

East Metro Strong contracts with Strategic Economics for the \$100,000 market demand study.

Lake Elmo reimburses EMS committed amount from 2016 budget.

- For Design Dialog

Washington County is submitting an annual grant request to the Counties Transit Improvement Board (CTIB) to fund station area planning in the Gateway Corridor. \$100,000 in funds from this CTIB grant would be used for the Design Dialog. If approved, Washington Co. would use funds to hire the consultant directly..

9

Request

Partnership / Full participation in studies

1. Financial

Lake Elmo contributes meaningful funding to Market Analysis study, from 2016 budget

2. Policy

- Lake Elmo commits to full participation in performing the studies.
- Lake Elmo uses the results of the study in developing plans for the Gateway Corridor.
 - Does not require 'does exactly what consultants recommend'.
 - Looking for commitment to meaningfully take results into account.

10

Questions

Discuss

11

Will Schroeer, Executive Director
will@eastmetrostrong.com

East Metro
STRONG

EastMetroStrong.com

City of Lake Elmo Planning Commission Agenda Item
Executive Summary

Title of Item: **OP Development / Concept Plan Review:** Application from Landucci Homes requesting approval of an OP development concept plan that would create fifty-one (51) lots on 90.15 gross buildable acres. The development is currently be called “Legends of Lake Elmo.”

Meeting Date: **9-14-15**

Staff Reporting: **Ben Gozola, City Planner**

Summary: An OP Concept Plan allows a developer to gain initial feedback on a development proposal prior to investing significant dollars towards the idea. The initial proposal for the “Legends of Lake Elmo” is a traditional OP development utilizing a community septic system to serve each of the 51 lots they wish to develop. Areas of concern that the Commission should focus on include the number of proposed OP deviations (4), park land, phasing, and whether the layout is appropriate given the location of farmlands, woods, and surrounding home sites.

Guidance:

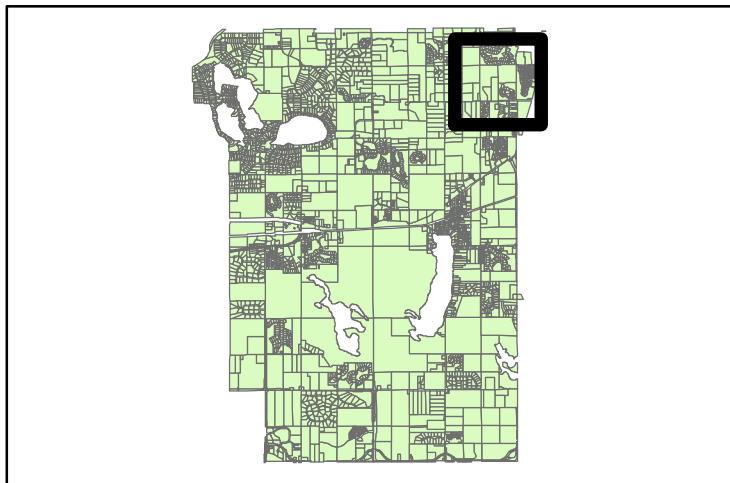
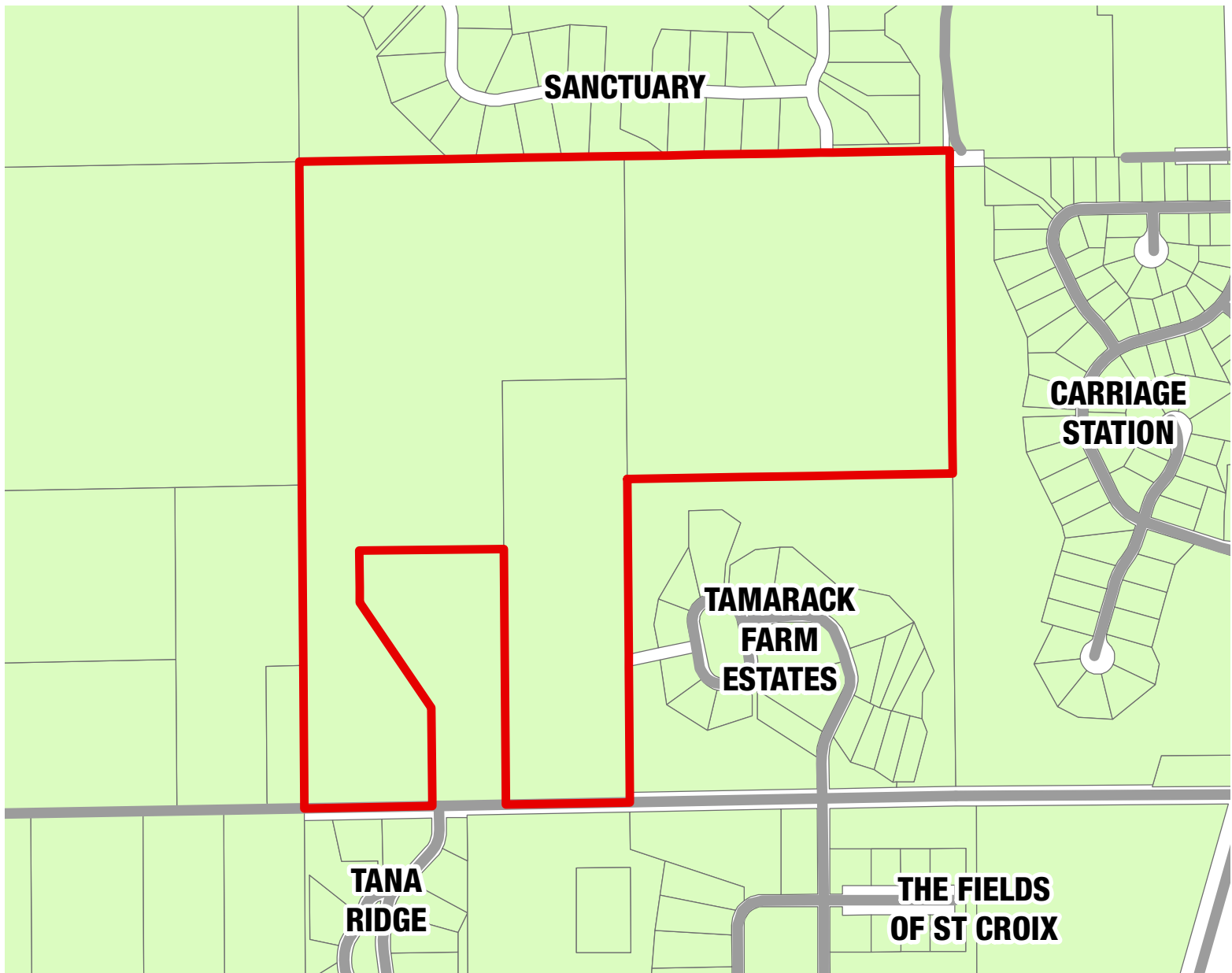
- The review criteria for concept plans is very broad and subjective, so approval or denial at this stage is less about compliance with specific standards, and more about determining whether the proposal is best for this property, best for the surrounding properties, and best for the City as a whole.
- The commission is asked to consider all facts outlined in the report, and make a recommendation of approval or denial for Council consideration.
- **Things to consider for an approval recommendation** are listed on pages 25 & 26
- **Things to consider for a denial recommendation** are listed on page 27

ATTACHMENTS:

- 1. Area Map
- 2. Staff Report
- 3. Engineering Memo
- 4. Fire Chief Memo
- 5. Neighbor Feedback
- 6. Applicant’s Submittals

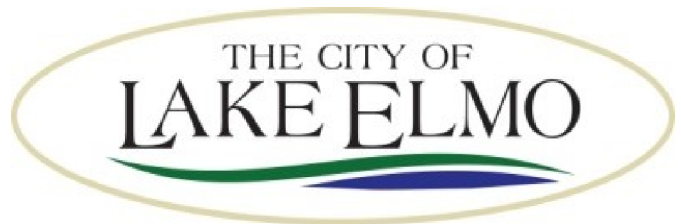
ORDER OF BUSINESS:

- Introduction..... Consulting Planner
- Report by Staff Consulting Planner
- Questions from the Commission.....Chair & Commission Members
- Questions to the Applicant.....Chair & Commission Members
- Open the Public Hearing Chair
- Close the Public Hearing Chair
- Discussion by the CommissionChair & Commission Members
- Action by the Commission.....Chair & Commission



Location within the City of Lake Elmo

Legends of Lake Elmo



SITE IDENTIFICATION MAP



City of Lake Elmo Planning Department
OP Development / Concept Plan Review

To: **City Council**

From: **Ben Gozola, City Planner**

Meeting Date: **September 14th, 2015**

Applicants: **Landucci Homes**

Location: **North of 50th Street North & South of the Sanctuary Development**

Introductory Information

Request: The applicants are seeking approval of an OP development concept plan that would create fifty-one (51) lots on 90.15 gross buildable acres. The development is currently be called “Legends of Lake Elmo.”

Site Data:

- *Existing Zoning* – RR (Rural Residential)
- *Land Use Guidance* – RAD (Rural Area Development)
- *Parcel sizes* – 50.03 acres, 20.0 acres, and 39.97 acres (110 gross acres total)
- *Property Identification Numbers (PIDs):* 01-029-21-42-0003, 01-029-21-43-0001, and 01-029-21-41-0001

Various Calcs:

<i>TOTAL PROPERTY AREA</i>	<i>110.01</i>
<i>BUILDABLE ACREAGE</i>	<i>90.15</i>
<i>LAND USED FOR LOTS</i>	<i>40.78</i>
<i>OPEN SPACE (INCLUDES PARK)</i>	<i>57.50</i>
- <i>PARK AREA</i>	<i>3.93</i>
<i>PERCENT OF OPEN SPACE/PARK</i>	<i>52.27%</i>
<i>RIGHT OF WAY</i>	<i>11.72</i>
<i>WETLAND AREA</i>	<i>17.93</i>
<i>WOODED AREAS</i>	<i>20.22</i>
<i>STEEP SLOPE AREAS</i>	<i>1.93</i>
<i>TOTAL PROPOSED LOTS</i>	<i>51</i>
<i>GROSS DENSITY</i>	<i>0.46 UNITS/ACRE</i>
<i>NET DENSITY</i>	<i>0.57 UNITS/ACRE</i>

Review

Site Character:	<p>Applicant Comments: Legends of Lake Elmo is proposed as an open space development, located in the northeastern portion of the City, Section 1, Township 29N, Range 21W. The project property consists of 110.1 acres, bordered on the south by 50th Street, Tamarack Farm Estates and Carriage to the east, St. Croix Sanctuary to the north and large agricultural properties to the west. The site is best characterized as rolling open farm fields surrounded by existing mature oak stands, pines and wetlands, by far one of the nicest natural beauty parcels in Lake Elmo.</p> <p>Fortunately the availability of farm fields and natural terrain allow the proposed design to preserve every wetland and nearly all of the mature trees. The Open Space Ordinance appears to have been written with this parcel in mind.</p> <p>Staff Comments: The rolling hills, open farm fields and scattered woodlands on these three (3) parcels are a prime example of Lake Elmo's rural landscape.</p>
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“OP” STANDARDS REVIEW:

Land Area:	<p>According to code, applications for a residential OP development shall meet the following criteria unless modified by a 4/5 vote of the City Council:</p> <p>A. The minimum land area for the proposed OP development shall be 40 acres;</p> <p>Staff comment: The development is proposed on 110 gross acres. Criteria met.</p> <p>B. The ratio of parcel length to width shall not exceed 3:1</p> <p>Staff comment: The width to depth of the three parcels which make up this proposed development is roughly 1:1. Criteria met.</p> <p>C. The total number of dwelling units permitted shall be according to the development density criteria contained in the Comprehensive Plan (0.45 dwelling units per buildable acre when planned as part of an Open Space Preservation development);</p> <p>AND</p> <p>D. The total number of dwelling units within an OP development shall not exceed the density limitations contained in the Comprehensive Plan for OP Districts.</p> <p>Criteria “C” and “D” are identical, so they were reviewed together.</p> <p>Applicant comment: The density of the project, based on the underlying zoning is 18/40 for an open space development. Subtracting out the steep slopes and wetlands the net acreage for the development is 90.15 acres, which nets 40.57 units. Because of the uniqueness of the property and our ability to save the natural features, we can demonstrate the bonus for this proposed plan to be 20%, which</p>
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(cont.)

nets an additional 8.11 units, giving a total of 49 total units to plan for the new development. To help create more of a sense of community for this development, Sanctuary and Carriage Station, we are proposing a community park in the northeast corner of the proposed development. In order to accomplish this we respectfully request an additional two lots be included in our total lot count, with a requested total of 51 units.

The average lot size as proposed is 34,833 sq. ft., 62% larger than the required 21,780 sq. ft. minimum. The typical lot width as demonstrated on the concept plan is 140-ft in width. The smallest proposed lot is 25,550 Sq. Ft., with the largest at 48,953 Sq. Ft. As found in the following table [see page 1] the overall gross density is proposed at 0.46 units/acre, with net density at 0.57 units/acre.

Staff comment: The provided documentation identifies 90.15 net buildable acres after protected wetlands and sloped areas are taken out of consideration. As 51 units are proposed, the resulting density is 0.57 units per acre. The applicant is requesting a modification to this requirement based on the arguments above. **This criteria will require a 4/5 vote of the City Council in order to be met.**

E. *Total preserved open space within the proposed development shall be at least 50% of the total Buildable Land Area as defined by Chapter 150 of the City Code;*

Staff comment: Based on 90.15 buildable acres, this development is required to set aside a minimum of 45.08 acres of open space to meet the requirements of OP development. The applicant is proposing 57.5 acres of open space (a 27.5% increase over the minimum requirement). **Criteria met.**

F. *Dwelling units are to be grouped so that at least 50% of the Buildable Land Area of the proposed development remains in preserved open space.*

Staff comment: The proposed open spaces are all interconnected and coordinated throughout the proposed development. Suggestions for improvement are listed under the review of open space below. **Criteria met.**

Open Space:

Applicant Comments on Open Space: *The open space as proposed is predominately preserving wetland and subsequently the large areas of mature oak forest on the property. The largest open space area is Outlot B, 29.57 acres of hardwood forest and high valued wetlands.*

With this concept the park, situated in the northeast corner of the development, will help create a sense of community for all three adjoining developments in the area. The park is planned to accommodate a play structure, which is proposed to be relocated from Sanctuary and move to this new location. In addition to the park structure a community park shelter would be constructed. The adjoining wetland could also be utilized during

(cont.) *the winter as a community ice rink. The expense of creating this new park is the driving force behind our request for the additional two units for this development.*

Trails are proposed to make the beautiful natural areas accessible to the subdivision and with the connectivity of trails, the natural areas will be open to the surrounding subdivisions to enjoy as well. A very logical and necessary connection of the trail system is completed with this subdivision trail layout, which is a north south connection to the 50th Street Trail. Families from St. Croix Sanctuary, Carriage Station, Tamarack Estates, Tana Ridge, Fields of St. Croix and others will be able to complete large bicycle, running or walking loops with this design and gain better access to the proposed park area with vehicles.

By code, open space created as part of an OP development must meet the following criteria unless modified by a 4/5 vote of the City Council:

A. *Open space created as part of an OP development must be protected by a conservation easement;*

Staff comment: The applicants have not indicated whether they have identified an agency to oversee the required conservation easement for the proposed open space. As part of the Concept plan review, they will be directed to have this requirement addressed prior to proceeding to Preliminary Plat if allowed to do so.

B. *Not less than 60% of the preserved open space shall be in contiguous parcels of not less than ten (10) acres;*

Staff comment: Outlots B (29.32 acres) and H (11.7 acres) make up 71.3% of the proposed open space in this development, and both Outlots are proposed to be contiguous. Factor in Outlot F (6.29 acres) which is also contiguous save one road, and nearly 80% of the proposed open space will be connected.

While this criteria is met, that's not to say there are not areas worthy of debate for potential change. Staff would encourage the applicant, Planning Commission and Council to consider whether the following areas can/should be reconfigured:

- i.** The area around the three lots on Outlot H leaves very limited separation ($\approx 15'$) between the private lots and the private land to the west. Consideration should be given to three smaller lots with a shared driveway configuration to increase this buffer.
- ii.** Similarly, the chimney portion of Outlot I only provides a 25' separation between the proposed lots and the private land to the west. Infringement into this part of a conservation easement, unless clearly denoted somehow, would be likely if this configuration remains.

(cont.)

iii. Outlot F and its interplay with the dedicated park in Sanctuary must be given consideration as part of this development review. This is especially important given the following problems with the existing City Park:

- The existing park is dismally located and acts far more as an extended backyard for eight private residential lots than as a gathering/play place for the public.
- Despite being public, the land and its equipment is largely hidden from the public: it cannot be seen from any nearby road, and there is no sign on Lily Avenue North to indicate a park is present.
- Access to the Park is difficult (especially for the handicapped) given the topography leading to the park, and the fact that the asphalt path becomes a gravel mess before turning into grass prior to actually reaching the groomed park land.
- Ignoring the Park's major shortcomings in terms of location and accessibility, the topography throughout the park parcel (from north to south) makes it largely unusable for active uses except in the area where playground equipment has been added. While topography, woods and wetlands are great feature within a private park or in preserved open space, it is not ideal land for an active public park (which this land is assigned to be).

In staff's opinion, the only way overcome the existing poor design characteristics of Sanctuary Park is to make the land both visible and easily accessible via adjacent development. Unfortunately, topography between proposed Outlot F and the existing Sanctuary Park is such that addressing either visibility or accessibility is nearly impossible. The only apparent reason to expand the Sanctuary Park with land in the Legends development would be to create a public sledding hill. If the City has no interest in that type of facility, the City should be focusing on parkland elsewhere (and the configuration of Outlot F becomes less of a concern).

C. *Preserved open space is to be maintained for the purposes for which it was set aside;*

Staff comment: Per the applicant's narrative, the proposed open space will be passively managed as maintenance areas for wetlands and woods. **Criteria met.**

(cont.) **D.** *Where applicable, a homeowner's association shall be established to permanently maintain all residual open space and recreational facilities;*

Staff comment: The applicant is anticipated to create an HOA to handle at least trail maintenance (cleaning and plowing), maintenance of development landscaping, and maintenance of the entrance monument(s). **Criteria met.**

E. *Preserved open space shall be contiguous with preserved open space or public parks on adjacent parcels.*

Staff comment: The proposed open space is contiguous with open space or parkland on adjacent property. **Criteria met.**

Lot Design: According to code, lots are to be designed to achieve the following objectives:

A. *On the most suitable soils for sub-surface septic disposal.*

Staff comment: Per the applicant, the proposed community septic system is proposed to be located on the best soils for the design being proposed. Assuming engineering agrees with this assessment, this criteria will be met.

B. *On the least fertile soils for agricultural uses and in a manner which maximizes the usable area remaining for such agricultural use.*

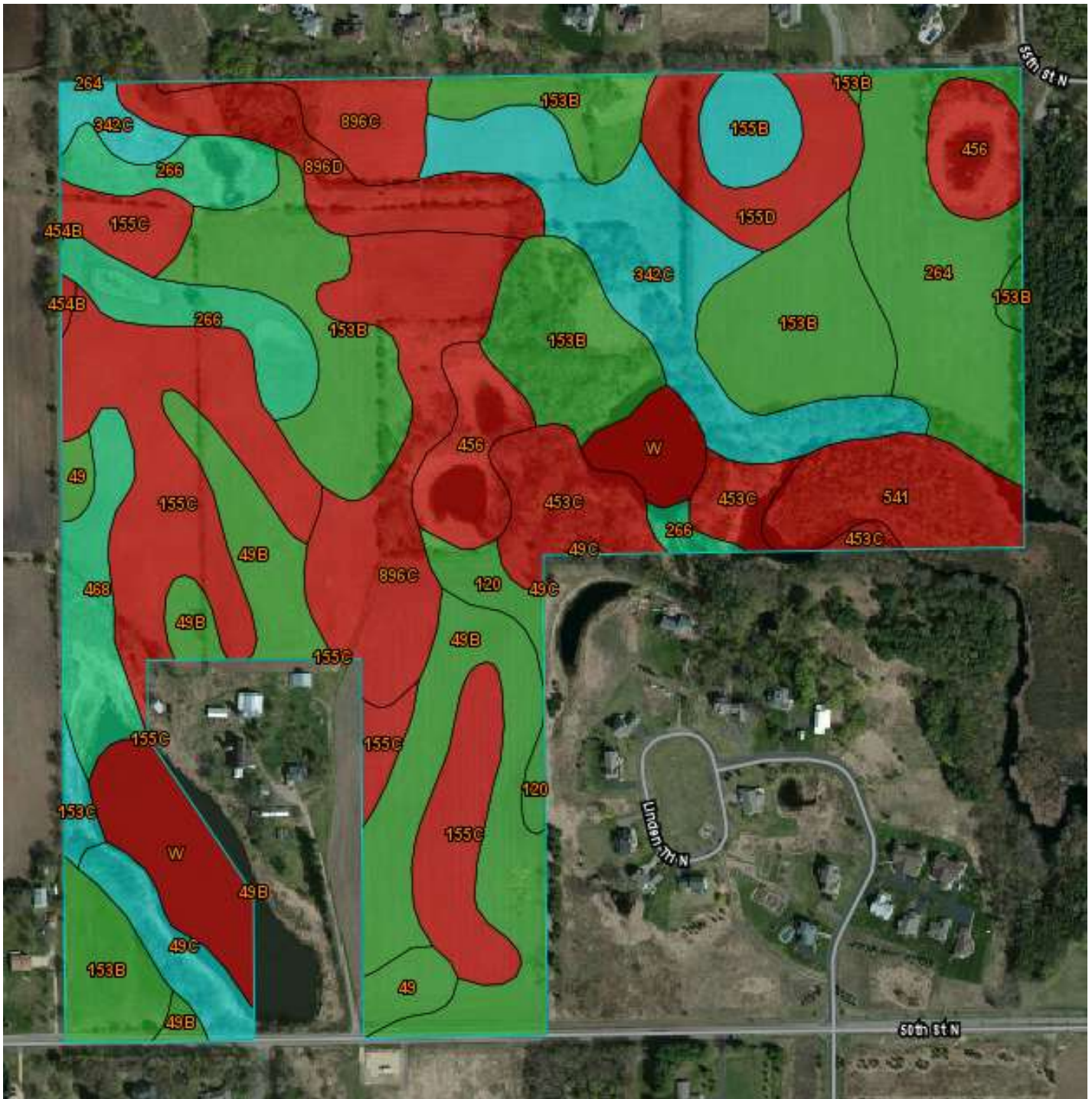
Staff comment: Please see the soils data and maps on the following pages.

Soil Symbol	Map Unit Name	Acres	Percent of total acres	Farmland Rating
HIGH QUALITY FARMLAND				
153B	Santiago silt loam, 2 to 6 percent slopes	19.1	17.4%	All areas are prime farmland
49B	Antigo silt loam, 2 to 6 percent slopes	10.7	9.7%	All areas are prime farmland
264	Freeon silt loam, 1 to 4 percent slopes	7.6	6.9%	All areas are prime farmland
49	Antigo silt loam, 0 to 2 percent slopes	1.4	1.3%	All areas are prime farmland
120	Brill silt loam	1.4	1.3%	All areas are prime farmland
266	Freer silt loam	5.1	4.7%	Prime farmland if drained
468	Otter silt loam	3.0	2.8%	Prime farmland if drained
		48.3 acres	44%	

MODERATE QUALITY FARMLAND				
342C	Kingsley sandy loam, 6 to 12 percent slopes	8.6	7.9%	Farmland of statewide importance
49C	Antigo silt loam, 6 to 12 percent slopes	1.9	1.8%	Farmland of statewide importance
155B	Chetek sandy loam, 0 to 6 percent slopes	1.7	1.5%	Farmland of statewide importance
153C	Santiago silt loam, 6 to 15 percent slopes	0.6	0.5%	Farmland of statewide importance
		12.8 acres	12%	

LOW QUALITY FARMLAND				
155C	Chetek sandy loam, 6 to 12 percent slopes	13.6	12.3%	Not prime farmland
896C	Mahtomedi-Kingsley complex, 3 to 12 percent slopes	9.8	8.9%	Not prime farmland
W	Water	4.9	4.5%	Not prime farmland
456	Barronett silt loam	4.5	4.1%	Not prime farmland
453C	DeMontreville loamy fine sand, 6 to 12 percent slopes	4.3	3.9%	Not prime farmland
541	Rifle muck	4.0	3.7%	Not prime farmland
896D	Mahtomedi-Kingsley complex, 12 to 25 percent slopes	4.0	3.7%	Not prime farmland
155D	Chetek sandy loam, 12 to 25 percent slopes	3.6	3.2%	Not prime farmland
454B	Mahtomedi loamy sand, 0 to 6 percent slopes	0.1	0.1%	Not prime farmland
		48.8 acres	44%	
TOTALS:		110.0	100.0%	

Washington County Soil Survey data from the USDA Soil Survey Website (<http://websoilsurvey.nrcs.usda.gov/>)



- High Quality Farmlands = GREENS
- Moderate Quality farmland = BLUES
- Low Quality Farmlands = RED

Soils vs. Lot Layout Comparison



Many of the lots in the northern half of the development are largely located on higher quality soils, so a 4/5 vote of Council is recommended to authorize continuance of the proposed layout under this criteria.

(cont.) C. *Within any woodland contained in the parcel or along the far edges of open fields adjacent to any woodland.*

Staff comment: The lot design will border the woodland on the northern portion of the property, but many of the lots to the south and west will largely be located on land that is currently farmed today. Again, a 4/5 vote will be needed to find compliance with this criteria.

D. *In locations least likely to block scenic vistas as viewed from Hwy 36.*

Staff comment: The property is not visible from Hwy 36. Criteria met.

E. *Away from woodlands in open fields.*

Staff comment: This criteria appears to be the opposite of Criteria C, so given the proposed configuration away from woods and within open fields, we find this criteria is met.

Structures:

- The applicant is planning to construct homes at a slightly higher price point than the ones found in the Sanctuary development to the north.

Buffer Zones: ***Applicant Comments on Home Setbacks and Buffering:** With the confining nature of this site and desire to save the trees and wetlands of the site, we are proposing the setbacks to this projects as defined on the plan and request this as part of the Planned Unit Development Process.*

- The required buffer zones from the properties to the north, south, and west are currently not met by the proposed development plan. Per code, one-hundred (100) foot buffers are required from the adjacent OP developments (St. Croix Sanctuary, Tamarack Farm Estates, The Fields of St. Croix, and Tana Ridge), and two-hundred (200) foot buffers are required from Carriage Station to the east, and the Bergman & Vanderhoff properties to the west.
- As part of this concept plan proposal, the applicant is seeking a 4/5 vote of Council to reduce the surrounding buffers from adjacent development as proposed.

Boulevard Landscaping:

- ***Applicant Comments on Landscaping:** With the homes being positioned in the open farm fields, the addition of trees in the boulevards and around ponding areas will be necessary to enhance the development. The concept plan demonstrates the initial conceptual design for tree plantings, providing buffering and beautification of the site.*
- Per code, boulevard landscaping is required along all streets. Such landscaping shall consist of at least one tree per every 30 feet, or be placed in “dusters” at the same ratio.

- (cont.)
- Landscaping over the entirety of the site must consist of at least ten (10) trees per proposed building site, and such trees shall not be smaller than 1.5 caliper inches when measured at 54 inches above grade level.
 - As part of a future preliminary plan submission, the applicant will be required to provide a landscape plan for the entire site that meets the above requirements.

**Lot
Configuration:**

- Section 150.180 (B)(2)(h) sets minimum lot sizes based on whether lots will be serviced by individual septic systems or a communal facility. As the applicant proposes to hook up to a communal system, the minimum lot size would be ½ acre which is met by all proposed lots.
- The following is a listing of all proposed lot sizes. One acre – 43,560 square feet; one-half acre = 21,780 square feet.

<u>LOT</u>	<u>SQ FT</u>		<u>LOT</u>	<u>SQ FT</u>		<u>LOT</u>	<u>SQ FT</u>
1	34,198		18	38,020		35	30,000
2	43,484		19	37,386		36	31,005
3	44,238		20	37,854		37	30,718
4	36,841		21	34,384		38	35,073
5	37,979		22	36,419		39	32,786
6	37,500		23	46,612		40	32,856
7	35,049		24	35,309		41	26,473
8	32,601		25	34,916		42	31,395
9	37,816		26	36,887		43	36,170
10	38,518		27	34,398		44	27,907
11	48,953		28	40,051		45	22,500
12	36,386		29	40,676		46	22,500
13	33,851		30	42,695		47	22,500
14	32,785		31	35,499		48	22,500
15	32,740		32	31,875		49	32,164
16	31,178		33	35,722		50	35,844
17	34,748		34	30,007		51	46,548

Staff Comments: All of the proposed lots meet the basic requirements for lot dimensions as spelled out in code.

Pathways:

- The proposed development includes a comprehensive trail system to serve this and surrounding development.
- The overall length of paths proposed by the concept plan is approximately 10,000 feet (1.9 miles).

- (cont.)
- Trails are proposed to be eight (8) foot wide bituminous paths.

Staff Comments: A critical pedestrian connection needed by the City is the construction of a bituminous trail on the north side of 50th Street connecting Outlot I to Outlot H and extending to the westerly limits of the Plat (including the Phase 1 Lots). This connection must be shown on any future preliminary application. Other than that, the requirements for pathways appear to be met by the proposed plans. **Criteria met.**

**Proposed
Density:**

- The maximum dwelling density within an OP development shall be 18 units per 40 gross acres of buildable land (or 0.45 units per acre). With 90.15 acres of buildable land available, a maximum of 40 units is allowed by code.

○ $90.15 * 0.45 = 40.57 = 40 \text{ units}$

- As proposed, this development would result in 51 units on 90.15 acres of buildable land which equates to a density of 0.57 units per acre (a 27.5% increase). A 4/5 vote of Council will be needed to find compliance with the OP density standard.
- To support their argument for a density increase, the applicants completed an analysis of their proposal against the “amenities” criteria used by the City to judge density increases in the context of a PUD.

Applicant Comments: *We feel that the following amenity points are available for this proposed design, meeting or exceeding the number of points needed to achieve a bonus of 20%:*

- **10 Points: Additional Open Space**
Contiguous and Connecting Trail System
- **10 Points: Right of way and Trail**
Connection to property to the east, not needed for this development, but serves a needed purpose for future emergency vehicle access. Also planned are 60-ft right of way widths instead of the minimum 50-ft.
- **5 Points: Pedestrian Improvements**
Pedestrian and Bicycle access to amenities and existing/future park and needed connectivity to other developments.
- **1-5 Points: Enhanced Landscaping**
Use of natural native trees and plantings for open space areas and monument/entrance areas.
- **3 Points: Enhanced Stormwater Management**
Creative and natural looking plans for ponding and infiltration of water on site.

(cont.)

- **1-3 Points: Theming**

Theming elements associated with signage and entrance monument.

- **3 Points: Natural Features**

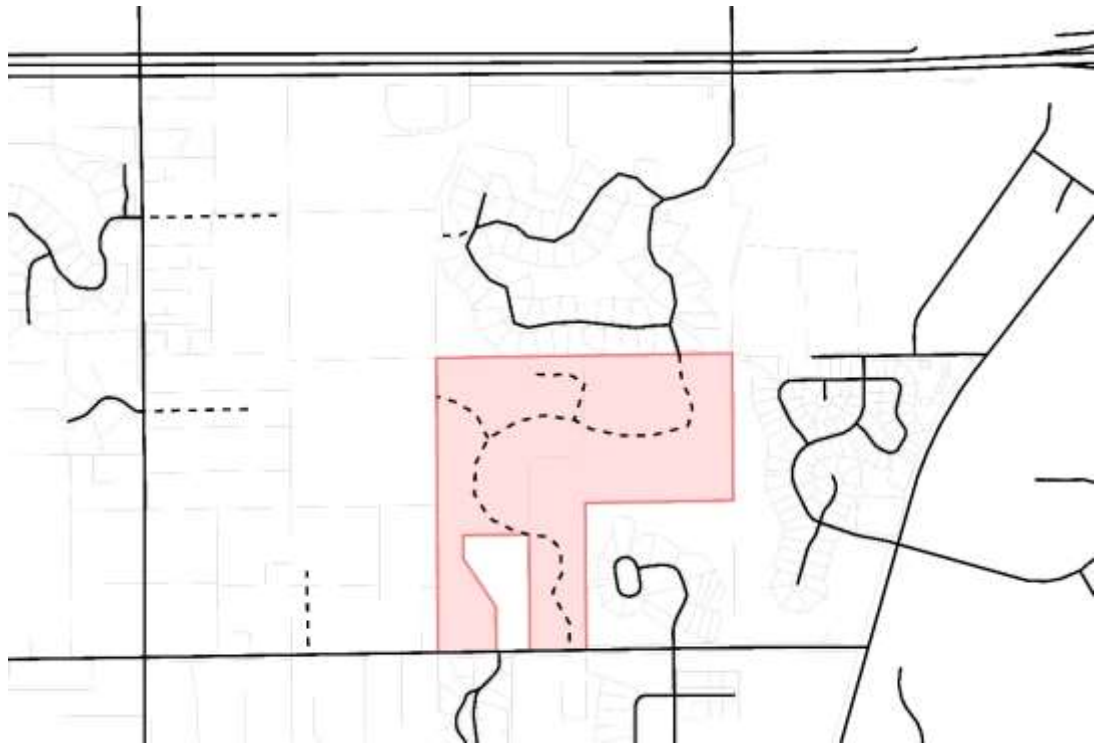
Preservation of and enhancement of buckthorn infested wooded areas.

- Because this is not a PUD application, the applicant's findings above should not be construed as code support for the proposed density increase. While Council and the Planning Commission may consider those points, ultimately the decision to authorize via 4/5 vote should be made solely on the City's feeling as to whether the proposed development is best for this lot, the surrounding parcels, and the City as a whole.

IN GENERAL

**Adjacent parcel
dev.:**

- The surrounding parcels to the west can develop at some point in the future, so it is important to consider how the current proposal will integrate with those future developments.
- As you can see in the graphic below, there are potentially three nearby future entry points on to either Lake Elmo Avenue or 50th Street North. At least one right-of-way in this development should dead-end on the western property line for eventually continuation to these points.



<i>(cont.)</i>	<ul style="list-style-type: none">▪ The circle road in Tamarack Farm Estates (to the southeast of the proposed development) does include an undeveloped right-of-way which ends on this property. Utilization of this undeveloped right-of-way is not recommended as it would unnecessarily disturb wetlands, and would do nothing positive for area transportation.
Lot Access:	<ul style="list-style-type: none">▪ All lots have direct access to a public road.▪ Driveways should be located so as to preserve existing trees in as much as possible.▪ Addresses for the individual homes should be posted at each driveway entrance.
Future parcel development:	<ul style="list-style-type: none">▪ The proposed subdivision would fully divide the property as an OP development.
Easements:	<ul style="list-style-type: none">▪ All standard drainage and utility easements will need to be shown on the future preliminary plan document(s).▪ All easements intended for utilities shall be a minimum of 10 feet on each side of the utility and shall be shown on the future plans. All easements will be as wide as necessary to address access and/or maintenance objectives.
OP Deviation Summary:	<p>The Legends of Lake Elmo is proposed to vary from the standard OP development requirements in the following manner:</p> <ol style="list-style-type: none">1) <i>The total number of dwelling units permitted shall be according to the development density criteria contained in the Comprehensive Plan (0.45 dwelling units per buildable acre when planned as part of an Open Space Preservation development); AND, the total number of dwelling units within an OP development shall not exceed the density limitations contained in the Comprehensive Plan for OP Districts.</i><ul style="list-style-type: none">▪ The proposal would result in a density of 0.57 units/buildable acre.2) <i>On the least fertile soils for agricultural uses and in a manner which maximizes the usable area remaining for such agricultural use.</i><ul style="list-style-type: none">▪ The proposal includes lots within areas classified as prime farmland.3) <i>[Locate houses] along the far edges of open fields [and] adjacent to any woodland.</i><ul style="list-style-type: none">▪ The proposal includes lots within wooded areas rather than the edges of open fields and adjacent to the woodlands.

- (cont.) 4) *Elimination of buffer zones from the north, south, and west; and reduction of buffer zone from the east to approximately seventy-seven (77) feet.*
- **The proposal will have in places 0' buffers from the north, south, and west; and a 77' buffer from the east.**

Again, a 4/5 vote of Council is required to approve each of these deviations.

**Resident
Concerns:**

Applicant Comments: *no comments were provided*

Staff received a number of comments from residents leading up to the Planning Commission meeting which follow this report as attachments (one letter is in support of the development). A summary of the noted concerns is as follows:

- There is concern about the proposal to connect this development to Linden Avenue which will allow vehicular traffic between the two neighborhoods. Concerns include dirt, noise, traffic, safety, and impact to Linden Avenue.
- There are questions as to why Legends would not be required to build its roads fully prior to building their first homes.
- 50th Street is viewed as a more appropriate entry point for this development.
- There is opposition to the homes proposed south of 56th Street as they are believed to be too close given that Sanctuary lots were built without a buffer.
- Concerns that the development is not financially feasible.
- There is dislike of the proposed phasing plan.
- Concern that the City will not utilize its leverage to ensure the development is completed per plan (as allegedly occurred in Sanctuary).

Staff Comments: Regarding the above concerns, staff will be very adamant about preserving the connection between Sanctuary and Legends for a number of reasons:

1. As indicated by a resident, there are currently 59 (eventually 62) homes in Sanctuary that rely on a single access point for ingress/egress to their home sites. The status quo should NOT be supported by the City as a **minimum** of two ingress/egress points are necessary (three are preferred) for the number of homes in this development. Ostensibly the reason the City felt comfortable approving Sanctuary with a single access point was the knowledge that roads within the development would eventually provide two (2) additional access points.

- | | |
|---------|--|
| (cont.) | <ol style="list-style-type: none"> 2. One access point is a major safety problem that must be rectified. Reconstruction of Hwy 36 or Manning Avenue has the potential to severely limit (or eliminate at times) access to this neighborhood. During those times, not only will residents have problems accessing their properties, but so too will emergency vehicles. The fire chief strongly supports multiple entry points for this reason. 3. Linden Avenue is not a “dead end.” It is clearly a right-of-way that temporarily terminates at the development’s boundary, and there could be no mistaking the intent that it would eventually be a through-road. 4. Enforcing the continuation of through-roads between developments that are completed years apart is difficult for all communities, and all existing neighborhoods request that such roads be terminated. Importantly, the City has a responsibility to represent not only the current residents in this neighborhood, but also the future residents as well. The access issue must be addressed. 5. Sanctuary was designed to have three access points: Manning Avenue North, 58th Street North, and Linden Avenue North. Allowing Linden Avenue to be closed at this time will all but REQUIRE that 58th Street North continue to the west in the future. Such a decision has the potential to instigate a resentment within this neighborhood (those near the 58th termination against those near the Linden Avenue termination). |
|---------|--|

INFRASTRUCTURE:

- | | |
|---------------------------|--|
| <i>In General:</i> | <ul style="list-style-type: none"> ▪ All public improvements constructed to support the development must be designed and constructed in accordance with the City Engineering Design Standards Manual available on the City website. |
|---------------------------|--|

<i>Streets and Transportation:</i>	<p><i>Applicant Comments on Streets and Trails:</i> The street design for the local roads are proposed as 24-ft in width, with bituminous curb and gutter. Right of way is proposed as 60-ft in width to allow for adequate room for small utilities, water main and sewer. The road width and right of way width are slightly larger than what is required, due to the feedback from City Staff. The trail is proposed to meet the current standard and makes many loops through the project and provides connection, north to south from St. Croix Sanctuary to 50th Street as previously described.</p>
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Engineering Comments:

- | | |
|--|--|
| | <ul style="list-style-type: none"> ▪ The Plat must dedicate sufficient R/W along 50th Street North to ensure 40 feet of R/W north of the existing centerline of the road (a total of 80 foot R/W for collector roadway). Additional R/W may be required along Phase 1 Lots, and Outlots B, H and I. |
|--|--|

- (cont.)
- The City's Transportation Plan identifies 50th Street N. as a major east-west collector roadway and Municipal State Aid route. Traffic concerns and complaints have increased along 50th Street over the past few years and will continue to increase as traffic volumes grow. There are two ways that the City can help manage and mitigate these growing traffic issues:
 - Improve access management along the corridor when opportunities arise.
 - Improve pedestrian facilities along the corridor, at a minimum, completing the bituminous trail along the north boulevard from Old TH 5 (CSAH 14) to Lake Elmo Avenue.
 - Access Management: The development access point along 50th Street does not meet the City's Transportation Plan access spacing guidelines for Collector Roadways (every 660 ft. to residential streets and commercial driveways). The proposed plat adds an additional roadway access plus three driveway accesses to an area that would then have two road accesses and six private driveways within 1,000 feet. □
 - The proposed access is 1,045 feet from Linden Trail to the east. Condition met.
 - The proposed access is only 500 feet from Lily Avenue to the west which is too close. Condition not met. The previous plan submittal had this access at 680 feet.
 - The proposed access is only 240 feet from the adjacent farm driveway (Hecker property) to the west. Condition not met if this becomes a commercial use property. The previous plan submittal had this access at 420 feet.
 - From a brief field review the proposed access to 50th Street N. appears to provide adequate sight distances for safe ingress and egress.
 - Revised access management recommendations along 50th Street to improve safety and access management along the road corridor:
 - The development access road connection to 50th Street should be moved to the location shown with the previous submittal, approximately 180 feet to the east.
 - A shared driveway must be constructed to serve the 3 Phase 1 Lots along 50th Street N. and potentially the adjacent westerly property to avoid additional driveways directly to 50th Street N.
 - The existing farm (Hecker parcel) should be required to connect to the new roadway internal to the development to eliminate the driveway access to 50th Street N.
 - Right and left turn lanes must be incorporated along 50th Street per the City design standards to maintain safety along the roadway. Right and left turn lanes shall be constructed at the developer's expense.

- (cont.)
- Pedestrian facilities: A bituminous trail must be incorporated along the north boulevard of 50th Street N. to improve pedestrian safety and work toward future trail connectivity. Segments of a bituminous trail currently exist along 50th Street N. alternating from the north to south side of the road. As traffic continues to increase on 50th Street N. it is critical for the City to create a continuous bituminous trail along the north side of 50th Street, from Old TH5 to Lake Elmo Avenue.
 - A residential street connection is required as shown to Linden Avenue in the Sanctuary subdivision.
 - A residential street stub with temporary cul-de-sac will be required to the westerly plat limits as shown between the Phase 3 area and Outlot F. Additional plan details are needed to review and finalize the stub location to ensure the feasibility of the road location for the adjacent parcel.
 - All streets must be designed to meet the City's Engineering Design Standards including R/W width, street width and cul-de-sac radii. Surmountable concrete curb and gutter shall be installed in single family residential areas with future driveways and B618 curb installed along entrance roadways.
 - The application indicates 24 foot wide streets meeting the standards for parking along one-side.
 - Street intersections must approximate 90 degrees and maintain 50 feet of tangent with maximum slopes of 2.5%. Residential maximum longitudinal grade is 8% with no sidewalks, 6% where there are sidewalks.
 - Parkway or divided roadways must be a minimum of 18 feet wide from back or curb to back of curb. The development street plan indicates one segment with divided one-way streets.
 - Due to the narrow street widths, six (6) foot sidewalks must be provided along all residential streets where there is no proposed trail.
 - Ten (10) foot utility easements are required on either side of all right-of-ways.

**Water
System(s):**

- Municipal water service is readily available in two locations. The applicant is responsible to extend municipal water into the development to serve the proposed properties.
- Two connection points to the existing City system will be required:
 - 1) A connection to the existing 16-inch watermain at Linden Avenue in the Sanctuary subdivision.
 - 2) A connection to the existing 12-inch watermain at 50th Street N.

(cont.)	<ul style="list-style-type: none"> ▪ A watermain lateral stub will be required to the westerly plat limits within the proposed street R/W for Phase 3 and Outlot F. ▪ No trunk watermain oversizing is anticipated for this development.
Sanitary System(s):	<ul style="list-style-type: none"> ▪ The applicant is responsible to provide wastewater management infrastructure to support the proposed development. All sewer infrastructure must be provided at the developer's cost. ▪ The proposed development is located outside of the City designated Municipal Urban Service Area (MUSA) for sanitary sewer service. A Community Drain Field is proposed to provide wastewater management jointly for the 51 lots. The shared community wastewater treatment system would exceed a 10,000 gpd capacity and would therefore require a NPDES permit through the MPCA. <u>The development must be contingent upon an approved NPDES permit from the MPCA.</u> ▪ The application indicates that a private low pressure sewer system would be installed in the development to convey the wastewater to the community drain field. □ <ul style="list-style-type: none"> ➤ It is strongly recommended that a public gravity sanitary sewer system meeting City design standards be designed and constructed within the development. Use of a low pressure sewer system would prohibit future expansion to serve Carriage Station and the Sanctuary developments should these systems ever combine to connect to a public sewer system. ➤ If the Legends sewer system is allowed to remain a private low pressure system, the sewer system must be installed entirely outside of City street pavement surfaces with adequate separation from the back of curb to allow for repair excavations with no impacts to the street or curb.
Storm water /Grading:	<p><i>Applicant Comments:</i> <i>The natural rolling nature of this site makes it easy to design storm ponding and infiltration systems for the site. The final storm design will appear natural in location and will provide a treatment train of ponding, swales and infiltration areas to clean and lessen the impacts to the existing natural wetland features of the site.</i></p> <ul style="list-style-type: none"> ▪ The site plan is subject to a storm water management plan meeting State, VBWD and City rules and regulations. No proposed storm water management plan was provided as part of the Concept Plans. ▪ Storm water facilities proposed as part of the site plan to meet State and VBWD permitting requirements must be constructed in accordance with the <u>City Engineering Design Standards Manual available on the City website.</u>

- (cont.)
- The general drainage system should mimic the natural topography of the site in order to ensure a drainage system that provides positive storm water drainage across the development. Overland emergency overflows or outlets will be required as part of the site plan.
 - Storm water pond facilities should be combined together to the greatest extent possible to ensure adequate hydrology for efficient facility treatment operations.
 - The ultimate discharge rate and location will be an important consideration to avoid negative impacts to downstream properties. The storm water management plan will need to address changes to the downstream drainage system to the extent alterations are proposed. To the extent adjacent properties are impacted, written permission from those properties must be submitted as part of the development applications.
 - Per City requirements, all storm water facilities, including infiltration basins, must be placed in Outlots deeded to the City for maintenance purposes. The Stormwater Facility Outlots must fully incorporate the 100-year HWL, 10 foot maintenance bench and all maintenance access roads. It is unclear from the concept plan if the proposed ponding and infiltration is on Outlots that will be dedicated to the City.
 - The storm sewer system shall be designed to maintain the City standard **minimum** pipe cover of 3 feet. Drain tile is required as part of the City standard street section at all localized low points in the street. Drain tile considerations may impact the storm sewer design and depth requirements at low points.
 - Per City requirements all storm sewer pipe easements must be a minimum 30-feet in width.

Development Phasing: *Applicant Comments: The phasing of the project is anticipated to begin with the northeastern 15 lots, and move logically to the south as market conditions allow. A phasing map is shown on Page 2 of 4 of the drawing set.*

- The Phasing plan indicates that the project will begin with the northeastern 15 lots and move south with subsequent phases. Such a phasing plan is inconsistent with the location of the proposed community drain field and sewer plan. The phasing plan also requires all new home construction to gain access to the development through the Sanctuary development until Phase IV when the connection to 50th Street is completed.
- While staff is not necessarily opposed to this progression if the applicant feels it is vital to marketing the property, we would be opposed to construction traffic utilizing the local roads in Sanctuary. To address this, staff would suggest that the applicants either change the phasing plan to work from south to north (with the final phase completing the connection with Sanctuary), OR utilize the phasing plan as proposed, but require the applicant to construct a construction access road (likely following the

(cont.) | future main roadway) to provide site access for all construction traffic. Traffic from newly built homes could go north through Sanctuary, but all construction traffic would need to access the site from the south throughout the duration of the project.

Utilities: | ***Applicant Comments:** The home sites are proposed to be served with City water and a private low pressure system that will send the sewage to a Community Drain Field, similar to that of Discover Crossing. The proposed drain field has been located in the area of the best suited soils found on site and is adequate in size to accommodate a primary and backup system. This system, due to its size, will require permitting from the MPCA.*

The proposed water main system will help to create a looped water system, connecting the 50th Street System to the St. Croix Sanctuary's system, which will help to improve water quality in the water main line and better flow for fire flow protection to this and area developments. The connection points are shown on Page 1 of 4 of the drawing set.

- All public utilities and facilities such as gas, electrical, sewer, and water supply systems to be located in the flood plain district shall be flood-proofed in accordance with the building code or elevated to above the regulatory flood protection elevation.
- Telephone, electric, and/or gas service lines are to be placed underground in accordance with the provisions of all applicable City ordinances.

Parking Facilities: | ▪ Staff did not identify any parking issues for the proposed lots. On-site and on-street parking opportunities should meet all needs within the development.

Required Signage: | ▪ New street signs will be required at all intersections at the developer's expense.

Entrance Monument: | Designs and locations for entrance monuments off of 50th Street North and south of Sanctuary should be identified as part of any future preliminary plan submittal.

Fire Hydrants: | ▪ The applicant will be required to work with the City Engineer and Public Works to identify the proper locations for future fire hydrants.

Streetlights: | ▪ No streetlights are required as part of this development.

Monuments: | ▪ In accordance with Section 400.14 Subd. 6; reference monuments shall be placed in the subdivision as required by state law.

ENVIRONMENTAL & OTHER NEIGHBORHOOD IMPACTS:

<i>Environmental Impacts:</i>	<ul style="list-style-type: none">▪ Staff does not foresee the need for an in-depth environmental analysis based on the current proposal (i.e. EAW, EIS, AUAR, etc.)
<i>Wetlands:</i>	<ul style="list-style-type: none">▪ The Valley Branch Watershed District (VBWD) is the Local Government Unit (LGU) responsible for administering the Wetland Conservation Act (WCA). The developer will need to follow all of the rules and regulations spelled out in the WCA, and acquire the needed permit from the VBWD.▪ Review and comment by the Valley Branch Watershed District (VBWD) will be needed with any future preliminary plat/plan application. The applicant is encouraged to meet with the VBWD prior to any future submittal.
<i>Shoreland District:</i>	<ul style="list-style-type: none">▪ While there are three public waters inventory wetlands in the area, there are no waterbodies protected by the City's shoreland overlay district within or near the development site.
<i>Erosion Control:</i>	<ul style="list-style-type: none">▪ The future grading plan should indicate proposed erosion control methodologies to be utilized during the development process.▪ Silt fencing should be shown at the construction limits for the proposed houses or driveways with the future building permit application.
<i>Traffic:</i>	<ul style="list-style-type: none">▪ The proposed project will not significantly increase traffic volumes in the area to justify a traffic study.
<i>Flood Plain & Steep Slopes:</i>	<ul style="list-style-type: none">▪ According to the February 3, 2010 FEMA Flood Insurance Rate Map, the floodplain around the wetland complexes near within the development are undetermined (Zone A).▪ The significant topography around the wetlands suggest that all proposed housing sites will be outside of floodplains.
<i>Docks:</i>	<ul style="list-style-type: none">▪ The project does not include any lakeshore or deeded access to lakes.
<i>Other Permits:</i>	<ul style="list-style-type: none">▪ All necessary permits must be provided to the City. (VBWD, MPCA, NPDES, MDH)

CHARGES, FEES, & RESPONSIBILITIES:

- In General:***
- As always, the applicant is responsible for all fees related to the review of this application (including but not limited to planning, legal, engineering, wetland, environmental consultants, or other such experts as required by this application).

- Park Dedication:***
- Section 400.15 of City Code requires all subdivisions of land to dedicate a reasonable portion of land to the City for public use as parks, trails, or open space. The percentage for an OP development on RR zoned property is 7%.
- 110.01 acres * 7% required dedication = 7.7 acres of land**
- The concept plan is proposing to create a central park (3.93 acres) for this development, Sanctuary, and Carriage Station in the NE corner of the property. The applicant's vision would be to relocate the existing Sanctuary playground equipment to this more visible and usable space, and to utilize the wetland area as a winter skating rink (research would need to be conducted to determine whether this is possible). Given this proposed dedication, the remaining land to be dedicated would be 3.77 acres.
 - Because the applicant is proposing 10,084 feet (1.9 miles) of trails, it is highly likely that much of the remaining cash-in-lieu will be satisfied by the eight (8) foot wide bituminous path system.
 - Should this development move forward, the City will determine the fair market value of the land by hiring a licensed appraiser (at the developer's expense) prior to final plat approval. The required cash-in-lieu of land payment shall be the fair market value of the acreage not provided in dedication less the cost of trail construction. If the cost of trail construction is equal to or exceeds the required payment, then only land dedication will be required.

- Sewer Charges:***
- Not applicable.

- Water Charges:***
- Water service charges will consist of a \$3,000 Water Availability Charge (WAC) per REC unit plus \$1,000 Water Connection Charge per REC unit. The number of REC units will be as determined for SAC charges

Conclusion

The Planning Commission is asked to examine the proposed Concept Plan and provide a recommendation of approval or denial for City Council consideration. Keep in mind that an approval at this point simply allows the applicant to proceed to the preliminary plan stage, and does NOT carry with it any assurances of future success or approvals. Denial at this point will require the applicant to reassess the approach and return with a revised concept plan.

Commission Options:

The Planning Commission has the following options:

- A) RECOMMEND APPROVAL of the requested Concept Plan and (some or all of the) deviations from OP development standards based on the applicant's submission, the contents of this report, public testimony and other evidence available to the Council.
- B) RECOMMEND DENIAL of the requested Concept Plan and deviations from OP development standards based on the applicant's submission, the contents of this report, public testimony and other evidence available to the Commission.
- C) TABLE the request for further study.

Approval of Deviations:

The following deviations from standard OP development must be approved by a 4/5 vote of City Council as a component of any motion for approval:

- 1) The proposal would result in a density of 0.57 units/buildable acre which is greater than the allowed 0.45 units/acre.
- 2) The proposal includes lots within areas classified as prime farmland.
- 3) The proposal includes lots within wooded areas rather than the edges of open fields and adjacent to the woodlands.
- 4) The proposal will have in places 0' buffers from the north, south, and west; and a 77' buffer from the east.

The Commission is asked to provide separate recommendations on each of the proposed deviations for Council consideration.

Review Criteria:	<p>Per code, the Planning Commission is to make a recommendation on this concept plan which includes findings on the following:</p> <ul style="list-style-type: none">A) The concept plan is consistent with the goals, objectives, and policies of the Comprehensive Plan.B) The concept plan is consistent with the purpose of open space preservation development (i.e. to maintain the rural character of Lake Elmo by preserving agricultural land, woodlands, corridors, and other significant natural features while allowing residential development consistent with the goals and objectives of the City's Comprehensive Plan; and that protected open space will enhance and preserve the natural character of the community and create distinct neighborhoods).C) The concept plan complies with the development standards required of OP developments.
Staff Guidance:	<p>The review criteria for concept plans is very broad and subjective, so approval or denial at this stage is less about compliance with code, and more about determining whether the proposal is best for this property, best for the surrounding properties, and best for the City as a whole. As such, staff is focusing our guidance on recommended conditions or findings depending upon the Planning Commission's decision.</p> <ul style="list-style-type: none">▪ Should the Planning Commission determine that a recommendation of APPROVAL is appropriate, staff would recommend the following conditions and/or guidance be directed at the applicant:<ul style="list-style-type: none">1) As part of any future preliminary plan application, the applicant shall:<ul style="list-style-type: none">(a) Articulate the details of the conservation easement that will be necessary to protect the open space within the OP development;(b) Give consideration to providing greater buffering when possible from surrounding developments;(c) Give consideration to utilizing a portion of Outlot F to expand the Sanctuary Park and create a public facility that could take advantage of the area's topography for public a sledding hill;(d) Provide detailed information on how the proposed public open space will be managed and maintained into the future;(e) Provide details of an HOA and outline its responsibilities for the maintenance of open space and recreational facilities.

(cont.)

- (f) Address all requirements of the City Engineer as listed in this report and the Engineer's memo on any future preliminary plan submittal including but not limited to:
 - i. Right and left turn lanes must be incorporated at the developer's expense along 50th Street per the City design standards to maintain safety along the roadway;
 - ii. The future preliminary plat must dedicate sufficient R/W along 50th Street North to ensure there is a minimum of 40 feet of R/W north of the existing centerline of the road;
 - iii. Final access points onto 50th Street North shall be as directed by the City Engineer. Specific issues to address currently include:
 - o A shared driveway must be constructed to serve the 3 Phase 1 Lots along 50th Street N. and potentially the adjacent westerly property to avoid additional driveways directly to 50th Street N.
 - o The existing farm (Hecker parcel) should be required to connect to the new roadway internal to the development to eliminate the driveway access to 50th Street N.
 - iv. A bituminous trail must be incorporated along the north boulevard of 50th Street N. on the future preliminary plan set;
 - v. All streets must be designed to meet the City's Engineering Design Standards including R/W width, street width and cul-de-sac radii;
 - vi. A residential street connection is required as shown to Linden Avenue in the Sanctuary subdivision;
 - vii. A residential street stub with temporary cul-de-sac will be required to the westerly plat limits as shown between the Phase 3 area and Outlot F;
 - viii. Due to the narrow street widths, six (6) foot sidewalks must be provided along all residential streets where there is no proposed trail;
 - ix. Ten (10) foot utility easements are required on either side of all right-of-ways;
 - x. The applicant shall be responsible for costs to extend municipal water into the development as required by the City Engineer to serve the proposed properties;
 - xi. The applicant is responsible to provide wastewater management infrastructure to support the proposed development, and all such sewer infrastructure must be provided at the developer's expense;

(cont.)

- xii. A storm water management plan in accordance with the City Engineering Design Standards Manual and Watershed district standards shall be provided as part of a future Preliminary Plan/Plat application;
 - xiii. Development phasing should ensure that lots, as they are developed, have immediate access to the proposed sewer facilities.
- **Should the Planning Commission determine that a recommendation of DENIAL is appropriate**, staff would recommend findings such as the following be cited to support the conclusion:
- 1) The concept plan is not consistent with the purpose of open space preservation development given the following:
 - (a) The requested density is too high and not in-line with code expectations for this type of development;
 - (b) The plan does not strive to protect areas classified as prime farmland;
 - (c) The proposal does not include adequate buffers from surrounding OP or future OP developments.
 - (d) The proposed extension of sewer to serve an OP development is not consistent with the development standards for this type of subdivision.
 - 2) The concept plan was found to not enhance and preserve the natural character of the community.
 - 3) The concept plan was not approved to proceed given the level of deviations sought to OP development standards.

MEMORANDUM

FOCUS ENGINEERING, inc.

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

Date: September 9, 2015

To: Kyle Klatt, Planning Director

Re: Legends of Lake Elmo – OP Concept Plan Review

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

We received a revised Concept Plan submittal on 09.03.2015 for the above referenced development proposal consisting of the following exhibits/documentation prepared by Erickson Civil:

- Concept Plans dated August 24, 2015, Sheets 1-4.
- Concept Narrative dated August 24, 2015.

We have the following engineering review comments:

All public improvements constructed to support the development must be designed and constructed in accordance with the City Engineering Design Standards Manual available on the City website.

STREETS AND TRANSPORTATION

- The Plat must dedicate sufficient R/W along 50th Street North to ensure 40 feet of R/W north of the existing centerline of the road (a total of 80 foot R/W for collector roadway). Additional R/W may be required along Phase 1 Lots, and Outlots B, H and I.
- The City's Transportation Plan identifies 50th Street N. as a major east-west collector roadway and Municipal State Aid route. Traffic concerns and complaints have increased along 50th Street over the past few years and will continue to increase as traffic volumes grow. There are two ways that the City can help manage and mitigate these growing traffic issues:
 - Improve access management along the corridor when opportunities arise.
 - Improve pedestrian facilities along the corridor, at a minimum, completing the bituminous trail along the north boulevard from Old TH 5 (CSAH 14) to Lake Elmo Avenue.
- Access Management: The development access point along 50th Street does not meet the City's Transportation Plan access spacing guidelines for Collector Roadways (every 660 ft. to residential streets and commercial driveways). The proposed plat adds an additional roadway access plus three driveway accesses to an area that would then have two road accesses and six private driveways within 1,000 feet.
 - The proposed access is 1,045 feet from Linden Trail to the east. Condition met.
 - The proposed access is only 500 feet from Lily Avenue to the west which is too close. Condition not met. The previous plan submittal had this access at 680 feet.
 - The proposed access is only 240 feet from the adjacent farm driveway (Hecker property) to the west. Condition not met if this becomes a commercial use property. The previous plan submittal had this access at 420 feet.
 - From a brief field review the proposed access to 50th Street N. appears to provide adequate sight distances for safe ingress and egress.

- Revised access management recommendations along 50th Street to improve safety and access management along the road corridor:
 - The development access road connection to 50th Street should be moved to the location shown with the previous submittal, approximately 180 feet to the east.
 - A shared driveway must be constructed to serve the 3 Phase 1 Lots along 50th Street N. and potentially the adjacent westerly property to avoid additional driveways directly to 50th Street N.
 - The existing farm (Hecker parcel) should be required to connect to the new roadway internal to the development to eliminate the driveway access to 50th Street N.
 - Right and left turn lanes must be incorporated along 50th Street per the City design standards to maintain safety along the roadway. Right and left turn lanes shall be constructed at the developer's expense.
- Pedestrian facilities: A bituminous trail must be incorporated along the north boulevard of 50th Street N. to improve pedestrian safety and work toward future trail connectivity. Segments of a bituminous trail currently exist along 50th Street N. alternating from the north to south side of the road. As traffic continues to increase on 50th Street N. it is critical for the City to create a continuous bituminous trail along the north side of 50th Street, from Old TH5 to Lake Elmo Avenue.
- A residential street connection is required as shown to Linden Avenue in the Sanctuary subdivision.
- A residential street stub with temporary cul-de-sac will be required to the westerly plat limits as shown between the Phase 3 area and Outlot F. Additional plan details are needed to review and finalize the stub location to ensure the feasibility of the road location for the adjacent parcel.
- All streets must be designed to meet the City's Engineering Design Standards including R/W width, street width and cul-de-sac radii. Surmountable concrete curb and gutter shall be installed in single family residential areas with future driveways and B618 curb installed along entrance roadways.
- The application indicates 24 foot wide streets meeting the standards for parking along one-side.
- Street intersections must approximate 90 degrees and maintain 50 feet of tangent with maximum slopes of 2.5%. Residential maximum longitudinal grade is 8% with no sidewalks, 6% where there are sidewalks.
- Parkway or divided roadways must be a minimum of 18 feet wide from back of curb to back of curb. The development street plan indicates one segment with divided one-way streets.
- Due to the narrow street widths, six (6) foot sidewalks must be provided along all residential streets where there is no proposed trail.
- Ten (10) foot utility easements are required on either side of all right-of-ways.

MUNICIPAL WATER SUPPLY

- Municipal water service is readily available in two locations. The applicant is responsible to extend municipal water into the development to serve the proposed properties.
- Two connection points to the existing City system will be required:
 - 1) A connection to the existing 16-inch watermain at Linden Avenue in the Sanctuary subdivision.
 - 2) A connection to the existing 12-inch watermain at 50th Street N.
- A watermain lateral stub will be required to the westerly plat limits within the proposed street R/W for Phase 3 and Outlot F.
- No trunk watermain oversizing is anticipated for this development.

MUNICIPAL SANITARY SEWER / WASTEWATER MANAGEMENT

- The applicant is responsible to provide wastewater management infrastructure to support the proposed development. All sewer infrastructure must be provided at the developer's cost.
- The proposed development is located outside of the City designated Municipal Urban Service Area (MUSA) for sanitary sewer service. A Community Drain Field is proposed to provide wastewater management jointly for the 51 lots. The shared community wastewater treatment system would exceed a 10,000 gpd capacity and would therefore require a NPDES permit through the MPCA. The development must be contingent upon an approved NPDES permit from the MPCA.

- The application indicates that a private low pressure sewer system would be installed in the development to convey the wastewater to the community drain field.
 - It is strongly recommended that a public gravity sanitary sewer system meeting City design standards be designed and constructed within the development. Use of a low pressure sewer system would prohibit future expansion to serve Carriage Station and the Sanctuary developments should these systems ever combine to connect to a public sewer system.
 - If the Legends sewer system is allowed to remain a private low pressure system, the sewer system must be installed entirely outside of City street pavement surfaces with adequate separation from the back of curb to allow for repair excavations with no impacts to the street or curb.

STORMWATER MANAGEMENT

- The site plan is subject to a storm water management plan meeting State, VBWD and City rules and regulations. No proposed storm water management plan was provided as part of the Concept Plans.
- Storm water facilities proposed as part of the site plan to meet State and VBWD permitting requirements must be constructed in accordance with the City Engineering Design Standards Manual available on the City website.
- The general drainage system should mimic the natural topography of the site in order to ensure a drainage system that provides positive storm water drainage across the development. Overland emergency overflows or outlets will be required as part of the site plan.
- Storm water pond facilities should be combined together to the greatest extent possible to ensure adequate hydrology for efficient facility treatment operations.
- The ultimate discharge rate and location will be an important consideration to avoid negative impacts to downstream properties. The storm water management plan will need to address changes to the downstream drainage system to the extent alterations are proposed. To the extent adjacent properties are impacted, written permission from those properties must be submitted as part of the development applications.
- Per City requirements, all storm water facilities, including infiltration basins, must be placed in Outlots deeded to the City for maintenance purposes. The Stormwater Facility Outlots must fully incorporate the 100-year HWL, 10 foot maintenance bench and all maintenance access roads. It is unclear from the concept plan if the proposed ponding and infiltration is on Outlots that will be dedicated to the City.
- The storm sewer system shall be designed to maintain the City standard **minimum** pipe cover of 3 feet. Drain tile is required as part of the City standard street section at all localized low points in the street. Drain tile considerations may impact the storm sewer design and depth requirements at low points.
- Per City requirements all storm sewer pipe easements must be a minimum 30-feet in width.

ADDITIONAL CONSIDERATIONS

- The application addresses amenity points (15 points) by indicating pedestrian improvements and connectivity. A critical pedestrian connection needed by the City is the construction of a bituminous trail on the north side of 50th Street connecting Outlot I to Outlot H and extending to the westerly limits of the Plat, including the Phase 1 Lots.
- The Phasing plan indicates that the project will begin with the northeastern 15 lots and move south with subsequent phases. This phasing plan is inconsistent with the location of the proposed community drain field and sewer plan. The phasing plan also requires all new home construction to gain access to the development through the Sanctuary development until Phase IV when the connection to 50th Street is completed. It is recommended that the Phasing plan be revised to begin at 50th Street.

Station #1

3510 Laverne Ave. No.
Lake Elmo, MN 55042
651-770-5006

**LAKE ELMO FIRE DEPARTMENT****Station #2**

4259 Jamaca Ave. No.
Lake Elmo, MN. 55042
651-779-8882

September 8, 2015

Review of the OPEN SPACE DEVELOPMENT (OP) CONCEPT PLAN. (Legends of Lake Elmo)

Given the very limited information in the packet as it pertains to fire safety matters, I will make standard recommendations and bring to your attention standard items associated with developments.

- Nice to see and I am supportive of the multiple access roads into the development, with the north road into Sanctuary.
- Meet our standards pertaining to fire hydrant location and spacing. Final locations approved by AHJ (Fire Chief).
- Street naming to remain consistent with current program as adopted by City Council.
- Meet our standards on road widths.
- Islands in cul-de-sacs make emergency vehicle access difficult.
- Size of homes may require them to be sprinkled.

Sincerely,

Greg Malmquist, Fire Chief

"Proudly Serving Neighbors & Friends"

September 10th, 2015

Kyle Klatt
Community Development Director
City of Lake Elmo

Dear Kyle:

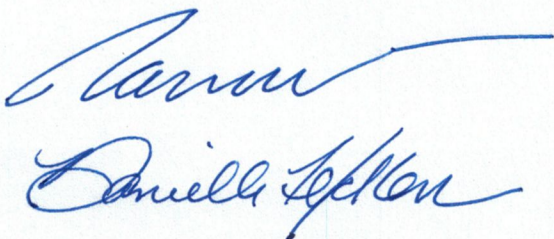
This letter is to inform the City Council and Staff of our support of the proposed OP development, Legends of Lake Elmo, surrounding our property located at 11658 50th St. N to the north, east and west borders.

Like many residents, we moved to Lake Elmo for the rural character. Though we love and appreciate the open fields we look at now; we also understand the proximity to the Twin Cities and that over time there will be changes, namely growth and development. This creates a competing dynamic and as an impacted neighbor, we believe our part is to support developers that are putting together plans that are consistent with the values of Lake Elmo and are beneficial to the community as a whole. Based on the plans that were presented, we believe that Landucci's development fits those objectives.

Our decision to support this development was strengthened by an early meeting with Nathan. Throughout our meeting, he was very transparent with his plans - seeking to understand our concerns, taking notes on our questions, and following up with those needing further research. Maintaining privacy and a "rural feel" within our neighborhood is a top priority for us. The design of the development appears to respect these values, leveraging natural barriers to buffer neighbors when possible. In areas where this is not possible, the plans include sufficient landscaping to maintain privacy. Additionally, we support the quality, custom building approach and the emphasis on the trails and park as it benefits the surrounding area and would improve property values. On a personal note, we appreciated the collaborative nature of the conversation and felt that Nathan's intentions and values for the development were in-line with the kind of neighborhood that we would want to be a part of.

We plan to support this development through constructive and collaborative engagement to help ensure our future neighborhood is representative of our communities values.

Sincerely,

A handwritten signature in blue ink, appearing to read "Daniel L. Nelson". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Resident Email:

Thanks for your e-mail requesting information about the August meeting regarding the proposed Legends development south of the Sanctuary. Several of us attended the meeting and the consensus among the Sanctuary homeowners present is that while we do **not** oppose the development itself, we take issue with the following:

1. Oppose the use of Linden Ave N as a "link" or thoroughfare to Legends especially during the construction phase

- dirt
- noise
- traffic/congestion at the only entrance/exit to the Sanctuary
- safety of our families
- wear and tear on Linden Ave

We know of no other development in Lake Elmo that is accessed through another development.

There is NO benefit to Sanctuary homeowners.

2. Other developments, past and current, have put in their own roads and infrastructure PRIOR to building their first homes.

Why is Legends not subject to the same protocol?

3. 50th Street is not a neighborhood street. It is built to handle more traffic than a neighborhood street like Linden Ave and serves as a link between Lake Elmo Ave and Hwy 5.

Why isn't the Legends' developer being required to use the least disruptive route?

4. Oppose the construction of a road behind the homes on 56th Street. Since the City let the developer of the Sanctuary get by without requiring a buffer behind these homes, there needs to be a resolution satisfactory to these homeowners.

5. Financial concerns:

- Inability or unwillingness of the Legends' developer to put in his own roads and infrastructure prior to building his first homes.

- Gonyea Homes backed out of a deal with Landucci because of the difficulty and expense to develop this land.

- 4 phases to this development; there is no way to determine if or when these 4 phases will be completed;

construction traffic through the Sanctuary neighborhood could continue for many years.

- There is no way the developer can assure that home prices can remain in the \$800,000 range.

6. Our experience with the City regarding the Sanctuary developer:

- The City did NOT require the developer to abide by the legal agreement between the City and the developer.

- The City did NOT use the legal means provided in the agreement to take action against the developer.

- The City returned the \$2,000,000 line/letter of credit to the developer who then "walked."

- Can the City guarantee that it will enforce its agreement with the Legends' developer?

We hope you will give our concerns your consideration. Thank you.

Earlier Email from the Same Resident:

Mayor Pearson and Council Members:

We received a letter today informing us of a meeting concerning the proposed development of Landucci's "Legends of Lake Elmo." It was our understanding that there would be no further approvals for additional developments for one year.

While we are not opposed to Mr. Landucci developing his property at a future date, **our biggest concern and objection would be if St.Croix's Sanctuary's neighborhood streets, especially Linden Avenue North, becomes a through access to future homesites in the Legends.** The Legends' property owners should not have to go through the Sanctuary Development to access their homes when 50th Street North seems to be a reasonable option involving less disruption to a neighborhood. (We are currently unaware of any Lake Elmo neighborhood being accessed through another.) **Most importantly, we have many small children in our neighborhood for whom safety will become a real risk if traffic were increased.** Linden Avenue currently dead ends.

We purchased our home in the Sanctuary because of its rural setting and because we were in a low traffic neighborhood. We have only one way in and out of our development. Our development of 62 homesites has taken almost 8 years to complete 59 homes. We were hoping that we would now be able to enjoy our home and neighborhood with less traffic, dirt, noise, wear and tear on our streets, and most importantly provide safer streets for the children who live here.

Please share your thoughts.



Concept Narrative

August 24, 2015

Legends of Lake Elmo is proposed as an open space development, located in the northeastern portion of the City, Section 1, Township 29N, Range 21W. The project property consists of 110.1 acres, bordered on the south by 50th Street, Tamarack Farm Estates and Carriage to the east, St. Croix Sanctuary to the north and large agricultural properties to the west. The site is best characterized as rolling open farm fields surrounded by existing mature oak stands, pines and wetlands, by far one of the nicest natural beauty parcels in Lake Elmo.

Fortunately the availability of farm fields and natural terrain allow the proposed design to preserve every wetland and nearly all of the mature trees. The Open Space Ordinance appears to have been written with this parcel in mind.

DENSITY/LOTS

The density of the project, based on the underlying zoning is 18/40 for an open space development. Subtracting out the steep slopes and wetlands the net acreage for the development is 90.15 acres, which nets 40.57 units. Because of the uniqueness of the property and our ability to save the natural features, we can demonstrate the bonus for this proposed plan to be 20%, which nets an additional 8.11 units, giving a total of 49 total units to plan for the new development. To help create more of a sense of community for this development, Sanctuary and Carriage Station, we are proposing a community park in the northeast corner of the proposed development and excess trails to link the neighboring properties. In order to accomplish this we respectfully request an additional two lots be included in our total lot count, with a requested total of 51 units.

The average lot size as proposed is 34,833 sq. ft., 62% larger than the required 21,780 sq. ft. minimum. The typical lot width as demonstrated on the concept plan is 140-ft in width. The smallest proposed

LEGENDS OF LAKE ELMO

CONCEPT NARRATIVE

Page 2 of 5

lot is 22,500 Sq. Ft., with the largest at 48,953 Sq. Ft. As found in the following table the overall gross density is proposed at 0.46 units/acre, with net density at 0.57 units/acre.

AREA CALCULATION SUMMARY	PARK AREA	3.93
	OPEN SPACE (INCLUDES PARK)	57.50
	LOT AREA	40.78
	RIGHT OF WAY	11.72
	WETLAND AREA	17.93
	WOODED AREAS	20.22
	STEEP SLOPE AREAS	1.93
	TOTAL PROPERTY AREA	110.01
	BUILDABLE ACREAGE	90.15
	TOTAL PROPOSED LOTS	51
	PERCENT OF OPEN SPACE/PARK	52.27%
	GROSS DENSITY	0.46UNITS/ACRE
	NET DENSITY	0.57UNITS/ACRE

OPEN SPACE

The open space as proposed is predominately preserving wetland and subsequently the large areas of mature oak forest on the property. The largest open space area is Outlot B, 29.57 acres of hardwood forest and high valued wetlands.

With this concept the park, situated in the northeast corner of the development, will help create a sense of community for all three adjoining developments in the area. The park is planned to accommodate a play structure, which is proposed to be relocated from Sanctuary and move to this new location. In addition to the park structure a community park shelter would be constructed. The adjoining wetland could also be utilized during the winter as a community ice rink. The expense of creating this new park is the driving force behind our request for the additional two units for this development.

Trails are proposed to make the beautiful natural areas accessible to the subdivision and with the connectivity of trails, the natural areas will be open to the surrounding subdivisions to enjoy as well. A very logical and necessary connection of the trail system is completed with this subdivision trail layout,

LEGENDS OF LAKE ELMO

CONCEPT NARRATIVE

Page 3 of 5

which is a north south connection to the 50th Street Trail. Families from St. Croix Sanctuary, Carriage Station, Tamarack Estates, Tana Ridge, Fields of St. Croix and others will be able to complete large bicycle, running or walking loops with this design and gain better access to the proposed park area with vehicles.

AMENITY POINTS

We feel that the following amenity points are available for this proposed design, meeting or exceeding the number of points needed to achieve a bonus of 20%:

10 Points	Additional Open Space – Contiguous and Connecting Trail System
10 Points	Right of way and Trail – Connection to property to the east, not needed for this development, but serves a needed purpose for future emergency vehicle access. Also planned are 60-ft right of way widths instead of the minimum 50-ft.
5 Points	Pedestrian Improvements - Pedestrian and Bicycle access to amenities and existing/future park and needed connectivity to other developments.
1-5 Points	Enhanced Landscaping - Use of natural native trees and plantings for open space areas and monument/entrance areas.
3 Points	Enhanced Storm Water Management – Creative and natural looking plans for ponding and infiltration of water on site.
1-3 Points	Theming – Theming elements associated with signage and entrance monument.
3 Points	Natural Features – Preservation of and enhancement of buckthorn infested wooded areas.

PHASING

The phasing of the project is anticipated to begin with the northeastern 15 lots, and move logically to the south as market conditions allow. A phasing map is shown on Page 2 of 4 of the drawing set.

STREETS/TRAILS

The street design for the local roads are proposed as 24-ft in width, with bituminous curb and gutter. Right of way is proposed as 60-ft in width to allow for adequate room for small utilities, water main and sewer. The road width and right of way width are slightly larger than what is required, due to the feedback from City Staff. The trail is proposed to meet the current standard and makes many loops through the project and provides connection, north to south from St. Croix Sanctuary to 50th Street as previously described.

UTILITIES

The home sites are proposed to be served with City water and a private low pressure system that will send the sewage to a Community Drain Field, similar to that of Discover Crossing. The proposed drain field has been located in the area of the best suited soils found on site and is adequate in size to accommodate a primary and backup system. This system, due to its size will require permitting from the MPCA.

The proposed water main system will help to create a looped water system, connecting the 50th Street System to the St. Croix Sanctuary's system, which will help to improve water quality in the water main line and better flow for fire flow protection to this and area developments. The connection points are shown on Page 1 of 4 of the drawing set.

STORM SEWER AND PONDING

The natural rolling nature of this site makes it easy to design storm ponding and infiltration systems for the site. The final storm design will appear natural in location and will provide a treatment train of ponding, swales and infiltration areas to clean and lesson the impacts to the existing natural wetland features of the site.

HOME SETBACKS AND BUFFERING

With the confining nature of this site and desire to save the trees and wetlands of the site, we are proposing the setbacks to this projects as defined on the plan and request this as part of the Planned Unit Development Process.

LANDSCAPING

With the homes being positioned in the open farm fields, the addition of trees in the boulevards and around ponding areas will be necessary to enhance the development. The concept plan demonstrates the initial conceptual design for tree plantings, providing buffering and beautification of the site.

LEGENDS OF LAKE ELMO

CONCEPT NARRATIVE

Page 5 of 5

ENGINEER/PLANNER

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WETLAND BIOLOGIST

Melissa Barrett

Kjolhaug Environmental

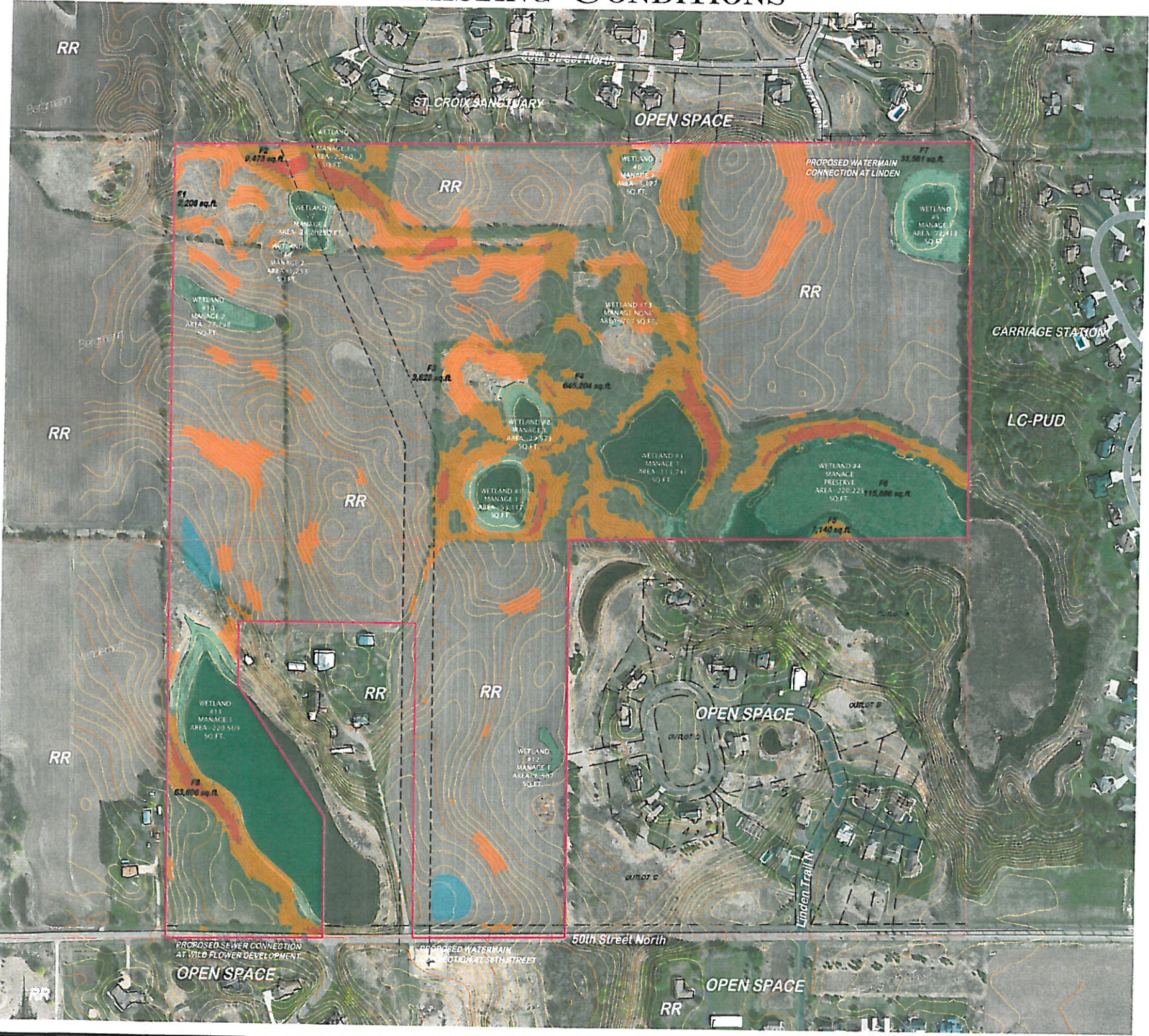
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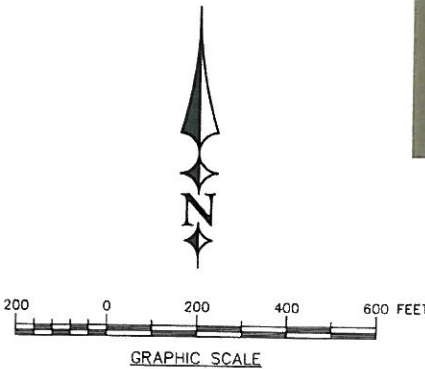
Legends

of Lake Elmo

EXISTING CONDITIONS



Landucci
Homes



LEGEND

- EXISTING 2-FT CONTOUR
- PROTECTED WETLANDS
- EXISTING 12% - 25% SLOPES
- EXISTING 25%+ SLOPES
- EXISTING WATERMAIN

NATURAL RESOURCE INVENTORY

TOTAL SITE	110.01 Acres
PROTECTED WETLANDS	17.93 Acres
12% - 24% SLOPED AREAS	16.11 Acres
25% + SLOPED AREAS	1.93 Acres
WOODLANDS (F1 - F8)	20.22 Acres
TOTAL BUILDABLE AREA	90.15 Acres



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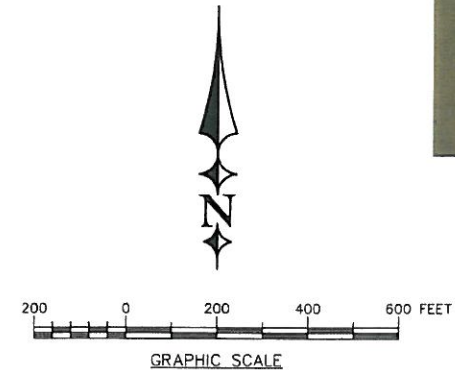
Legends

of Lake Elmo

CONCEPT LAYOUT



Landucci
Homes



BUILDABLE AREA CALCULATION

TOTAL SITE	110.01 Acres
PROTECTED WETLANDS	17.93 Acres
25% + SLOPED AREAS	1.93 Acres
TOTAL BUILDABLE AREA	90.15 Acres

UNIT CALCULATION

TOTAL BUILDABLE AREA:	90.15 Acres
UNIT CALCULATION (18 UNITS / 40 ACRES):	40.57 Units
PUD DENSITY BONUS (20%):	8.11 Units
REQUESTED BONUS:	10 Units (2 Additional for Park Amenities)
TOTAL PROPOSED LOTS:	51 Units

OPEN SPACE CALCULATION

TOTAL BUILDABLE AREA:	90.15 Acres
OPEN SPACE REQUIRED:	45.08 Acres
OPEN SPACE PROVIDED:	57.50 Acres
OUTLOT AREAS LESS THAN 10 Acres:	12.30 Acres (21.4% of Outlots)

STREET & TRAIL

TOTAL STREET LENGTH:	8,092 Feet
TOTAL RIGHT OF WAY AREA:	11.72 Acres
TOTAL TRAIL PROPOSED:	10,050 Feet

LOT INFORMATION

AVERAGE LOT SIZE:	0.80 Acres
MINIMUM LOT SIZE:	0.52 Acres
MAXIMUM LOT SIZE:	1.12 Acres

NATURAL RESOURCE INVENTORY

TOTAL SITE	110.01 Acres
PROTECTED WETLANDS	17.93 Acres
12% - 24% SLOPED AREAS	16.11 Acres
25% + SLOPED AREAS	1.93 Acres
WOODLANDS (F1 - F8)	20.22 Acres
TOTAL BUILDABLE AREA	90.15 Acres

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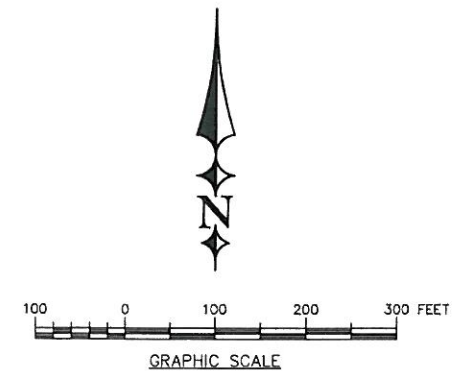
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Legends

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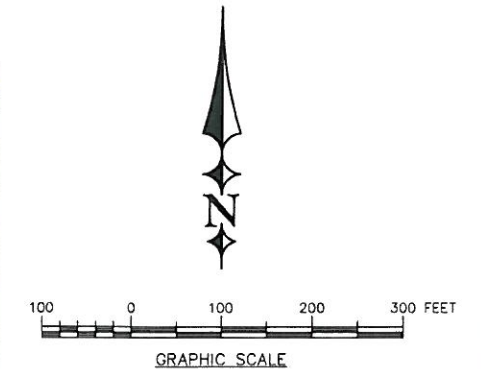
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PLANNING COMMISSION
DATE: 9/14/15
AGENDA ITEM: 6A – BUSINESS ITEM
CASE # 2015-30

ITEM: Kleis Farm Minor Subdivision
SUBMITTED BY: Kyle Klatt, Planning Director *KK*
REVIEWED BY: N/A

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider a minor subdivision request from Peter Kastler to create two new 10-acre parcels from a larger 54.29 acre parcel presently owned by the Kleis Family Trust. Staff is recommending approval of the minor subdivision as presented with conditions of approval related to any future building on the new parcels.

GENERAL INFORMATION

Applicant: Peter Kastler, 9130 55th Street North, Lake Elmo, MN
Property Owners: Kleis Family Trust, 9130 55th Street North, Lake Elmo, MN
Location: 9130 55th Street North
Request: Application for a Minor Subdivision to split said property into three separate parcels with two new lots of 10 acres in size.
Existing Land Use and Zoning: Agricultural land with farmstead.
Surrounding Land Use and Zoning: Rural Residential, Agricultural, Rural Single Family, and Residential Estates lots. Located across from Green Acres.
Comprehensive Plan: RAD – Rural Agricultural Density
History: The site has historically been used for farming. There are multiple agricultural buildings on the premises, in addition to two separate single family residential dwelling units. Based on Staff's review of the property, these units appear to be a legal non-conforming use of the property.
Deadline for Action: Application Complete – 8/27/15
60 Day Deadline – 10/27/15
Extension Letter Mailed – No
120 Day Deadline – 12/27/15
Applicable Regulations: Chapter 153 – Subdivision Regulations
§154.400-408 Rural Zoning District Standards

REQUEST DETAILS

The City of Lake Elmo has received a request from Peter Kastler, 9130 55th Street North, for a Minor Subdivision to split property that has historically been called the Kleis farmstead at the same address into three parcels as follows:

- Two 10-acre parcels along the western edge of the larger farmstead property that would each have direct access to 55th Street North.
- The remaining 34.29 acres that would consist of the existing farmstead and related buildings and surrounding land east of the two new lots.

The subdivision will facilitate the sale of the larger 10 acre parcels while allowing the Kleis family to retain ownership of the larger farmstead. Each of the parcels that will be created with the minor subdivision will meet the City's minimum requirements for lot size, frontage, and ratios for parcels in the rural residential zoning district. The applicant has provided a wetland delineation report with the application to the City, and there is an existing wetland in the extreme southwestern portion of "Parcel A" as labeled on the attached survey. Any future construction on this property will need to observe appropriate setbacks from the wetland. The applicant has also submitted a site evaluation performed by a licensed septic designer establishing two preliminary sewage treatment areas on the two new lots. Prior to permitting any building on the property, any future owners will need to demonstrate that there is 20,000 square feet of land suitable for septic drain fields and area sufficient for 2 separate and distinct drain field sites on each parcel.

The City's Subdivision regulations allow for certain subdivisions of land to be exempt from the City's requirements for platting when not more than four lots are being created and when these lots comply with the minimum road frontage and area requirements of the underlying zoning. The lots that would be created as part of the minor subdivision each meet or exceed the RR- Rural Residential zoning requirements concerning lot size and lot frontage (10 acres and 300 feet respectfully).

REVIEW AND ANALYSIS

With the configuration of the lots as proposed, Staff is recommending that the City's review include conditions to ensure that future reviews are properly conducted on the site. Of particular importance will be the placement of the driveways for each lot so that they do not create a public safety issue at the intersection of Jamaca Avenue North and 55th Street North, therefore, any future driveway locations should be reviewed and approved by the City Engineer. Staff is also recommending a condition of approval related to any required Watershed District permitting necessary for either subdivision approval or future construction on the site.

Because the proposed subdivision will create two new buildable lots, the applicant will need to pay a fee in lieu of land dedication for the newly created lots consistent with the City's adopted fee schedule. In this case, the applicant will need to pay a fee of \$3,600 for each lot.

Based on the above Staff report and analysis, Staff is recommending approval of the minor subdivision with conditions intended to address the future review issues noted above. The recommended conditions are as follows:

Recommended Conditions of Approval:

- 1) The applicant shall pay a fee in lieu of parkland dedication in the amount of \$3,600 per buildable lot (\$7,200 total) prior to any formal City authorization to split the existing parcel into three lots.
- 2) The future location of any driveways providing access to the two 10-acre parcels shall be subject to review and approval by the City Engineer.
- 3) The applicant must obtain any permits, if required, from the Valley Branch Watershed District either in conjunction with the City's approval of a Minor Subdivision or prior to the commencement of any construction activity on each parcel.
- 4) The minimum low floor elevations for the individual lots must be depicted on any future surveys for building permits on each lot.

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 RR – Rural Residential Zoning District.
- That the Minor Subdivision complies with the City's subdivision ordinance and specifically the requirements concerning exceptions to platting.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the minor subdivision request from Peter Kastler to split the parcel at 9130 55th Street North into three separate parcels, thereby creating two new buildable lots of 10-acres each.

Suggested motion:

“Move to recommend approval of the Kleis Farmstead Minor Subdivision”

ATTACHMENTS:

1. Application Form
2. Application Narrative
3. Minor Subdivision Survey
4. Proposed Legal Descriptions
5. Septic Report
6. Wetland Delineation Report (Available Upon Request)

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

Date Received: _____
Received By: _____
Permit #: _____



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

LAND USE APPLICATION

- ☐ Comprehensive Plan ☐ Zoning District Amend ☐ Zoning Text Amend ☐ Variance*(see below) ☐ Zoning Appeal
- ☐ Conditional Use Permit (C.U.P.) ☐ Flood Plain C.U.P. ☐ Interim Use Permit (I.U.P.) ☐ Excavating/Grading
- ☐ Lot Line Adjustment ☒ Minor Subdivision ☐ Residential Subdivision Sketch/Concept Plan
- ☐ PUD Concept Plan ☐ PUD Preliminary Plan ☐ PUD Final Plan

Applicant: PETER KASTLER
Address: 9130 55th St. N. LAKE ELMO MN 55042
Phone #: 612 382 9385
Email Address: peter.kastler@gmail.com

Fee Owner: KLEIS FAMILY TRUST
Address: 9130 55th St. N. LAKE ELMO MN 55042
Phone #: 612 636 8212 (LINDA DORNFELD)
Email Address: ldornfeld@tels.net

Property Location (Address and Complete (long) Legal Description): 9130 55th St. N., LAKE ELMO MN 55042
TAX PARCEL # 03-029-21-24-0001, COMPLETE LEGAL DESCRIPTION
ON ATTACHMENT DOCUMENTATION.

Detailed Reason for Request: THIS APPLICATION FOR THE MINOR SUBDIVISION OF TWO
10 ACRE PARCELS IS BEING REQUESTED BECAUSE THE APPLICANT IS PURCHASING
ONE OF THE CO-OWNER'S (AL KLEIS) HALF OF THE PROPERTY. THE APPLICANT WILL
THEN RETAIN OWNERSHIP OF THE FAMILY FARM ALONG WITH THE OTHER CURRENT
OWNER (LINDA DORNFELD) WHO IS HIS MOTHER. TO BE ABLE TO FINANCE THIS, A PORTION
OF THE PROPERTY WILL NEED TO BE SOLD, THUS THE NEED FOR THE MINOR SUBDIVISION.

*Variance Requests: As outlined in Section 301.060 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:

N/A

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: [Signature] Date: 8/27/15

Signature of fee owner: [Signature] Date: _____

Al Kleis 8-28-15
AL KLEIS, CO PROPERTY OWNER
AND CO-TRUSTEE
KLEIS FAMILY TRUST

Linda J. Dornfeld
LINDA DORNFELD, 8-28-15
CO-PROPERTY OWNER &
CO-TRUSTEE
KLEIS FAMILY TRUST

Ed Eklin Septic System Design

2303 County Road F East • White Bear Lake, MN 55110
651-485-2300

August 21, 2015

Parcel 1

Peter Kastler
2829 37th Ave S
Minneapolis, MN 55406

Dear Peter,

At your request, a site evaluation was performed at the property located at 9130 55th St N, Lake Elmo, MN. Parcel ID # 0302921240001. This parcel is approximately 54 acres.

I have established two preliminary sewage treatment areas for a proposed minor subdivision on this property. I will refer to these as parcel 1, which is the western proposed parcel, and parcel 2, which will be the eastern proposed parcel. These proposed parcels will be approximately 10 acres each.

Because there is tall corn on this property, it is difficult to perform soil borings. For this reason, the proposed sewage treatment areas start at the edge of the corn.

The preliminary sewage treatment areas must be reviewed by Washington County Public Health, and a permit must be obtained.

If you have any questions or concerns, please feel free to call me. I would be glad to help.

Sincerely,

Ed Eklin

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 Luke Elong MW
 N- + A 501 VE 1
 1' = 230'

North
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12 04 25

OSTP Preliminary Evaluation Form



4. Preliminary Soil Profile Information (from web soil survey - map unit description & official series descriptions)

Enter information here or attach map and description

Map Unit	1550	Depth	Texture(s)	Structure(s)	Consistence	Other (bleeding, ponding, etc.)
Horizon 1		0-8	Sandy loam			
Horizon 2		8-14	Loam			
Horizon 3		14-19	Sandy loam			gravelly
Horizon 4		19-60	Coarse Sand			gravelly
Horizon 5						

Map Unit		Depth	Texture(s)	Structure(s)	Consistence	Other (bleeding, ponding, etc.)
Horizon 1						
Horizon 2						
Horizon 3						
Horizon 4						
Horizon 5						

Map Unit		Depth	Texture(s)	Structure(s)	Consistence	Other (bleeding, ponding, etc.)
Horizon 1						
Horizon 2						
Horizon 3						
Horizon 4						
Horizon 5						

Map Unit		Depth	Texture(s)	Structure(s)	Consistence	Other (bleeding, ponding, etc.)
Horizon 1						
Horizon 2						
Horizon 3						
Horizon 4						
Horizon 5						

5. Local Government Unit Information

Local Unit Name	
Local Unit Address	
Local Unit Design Requirements	
Local Unit Installation Requirements	
I hereby certify that I have completed this work in accordance with all applicable Minnesota rules and laws.	

Designator

Inspector

Commissioner

Other

OSTP Field Evaluation Form



1. Contact Information		Project ID	v. 12.04.25
Property Owner/Client: <u>Peter Kastler</u>		Client Phone Number: _____	
Address: <u>9130 55th St. N., Lake Elmo, MN</u>			
Date: <u>8/15/2015</u>	Weather Conditions: _____	Surfing: _____	

2. Utility and Structure Information			
Utility Locations Identified:	<input type="checkbox"/> Gopher State Uno	<input type="checkbox"/> Any Private Utilities	
Property Lines:	<input type="checkbox"/> Determined and Approved by Client <input type="checkbox"/> Determined But Not Approved <input checked="" type="checkbox"/> Approximate <input type="checkbox"/> Property Lines Surveyed		
Client's Approval (initials): _____			
Locate and Verify (see Site Evaluation Map):			
<input type="checkbox"/> Existing Buildings <input type="checkbox"/> Improvements <input type="checkbox"/> Easements <input type="checkbox"/> Setbacks			

3. Site Information			
Percent Slope:	<u>11</u>	Slope Direction:	<u>Southwest</u>
Landscape Position:	<u>Shoulder</u>	Slope Shape: linear / convex	
Vegetation type(s):	<u>corn</u>		
Evidence of soil fill, compacted or disturbed areas:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Locate Area on Site Evaluation Map: _____
Discuss the flooding or run-on potential of site: _____			
Identify benchmarks and elevations (Site Evaluation Map): _____			
Proposed soil treatment area adequately protected:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

4. General Soils Information			
General soils:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Soil observation type:	Soil Probe	<input checked="" type="checkbox"/> Soil	<input type="checkbox"/> Soil Pit
Number of soil observations:	<u>4</u>		
Soil observations were conducted in the proposed system location:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
A soil observation was made within the most limiting area of the proposed system:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Soil boring logs completed and attached:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Percolation tests performed, forms completed and attached:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

5. Phase I. Reporting Information			
Depth to standing water:	_____	inches	Additional test data to be reviewed
Flood elevation:	_____	feet	
Depth to bedrock:	_____	inches	Differences between soil survey and field evaluation
Depth to periodically saturated soil:	_____	inches	
Maximum depth of system:	_____	inches	
Elevation of system bottom:	_____	feet	
Percolation rate:	_____	cm/hr	
Loading rate:	<u>0.5</u>	gpd/ft ²	
Control loading rate:	<u>12</u>	gpd/ft ²	
Site evaluation issues - comments:			

I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

(Designer)

(Signature)

(License #)

(Date)

Additional Soil Observation Logs

Project ID:



Client Address:		Peter Kastler		Legal Description		GPS		9130 55th St N, Lake Elmo, MN	
Soil parent material(s): (Check all that apply) <input checked="" type="checkbox"/> Outwash <input type="checkbox"/> Lacustrine <input type="checkbox"/> Loess <input type="checkbox"/> Till <input type="checkbox"/> Alluvium <input type="checkbox"/> Bedrock <input type="checkbox"/> Organic Matter									
Landscape Position (check one) <input type="checkbox"/> Summit <input checked="" type="checkbox"/> Shoulder <input type="checkbox"/> Back/Side Slope <input type="checkbox"/> Foot Slope <input type="checkbox"/> Toe Slope <input type="checkbox"/> Slope shape linear									
Vegetation		corn		soil survey map units		1:50		Elevation:	
Weather Conditions		Time of Day:		partly sunny 10:10 AM		Date		08/20/15	
Observation #:		Location:		BH-5		Observation Type:		<input checked="" type="checkbox"/> Auger <input type="checkbox"/> Probe <input type="checkbox"/> Pit	
Depth (in)	Texture	Rock Frag.	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Indicator(s)	Shape	Grade	Consistence
0-14	Loamy Fine Sand		7.5yr 4-2				Single grain		
14-42	Loamy Fine Sand		7.5yr 4-3				Single grain		
Comments OK 3 b									

Observation #:		Location:		BH-6		Observation Type:		Auger	
Depth (in)	Texture	Rock Frag.	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Indicator(s)	Shape	Grade	Consistence
0-14	Loamy Sand		7.5yr 4-2				Single grain		
14-54	Loamy Sand		7.5yr 5-4				Single grain		
Comments OK 4 b									



Client / Address:		Peter Kastler		Legal Description		GPS		9130 55th St. N, Lake Elmo, MN					
Soil parent material(s): (Check all that apply)		<input checked="" type="checkbox"/> Outwash		<input type="checkbox"/> Lacustrine		<input type="checkbox"/> Till		<input type="checkbox"/> Alluvium		<input type="checkbox"/> Bedrock		<input type="checkbox"/> Organic Matter	
Landscape Position: (check one)		<input type="checkbox"/> Summit		<input checked="" type="checkbox"/> Shoulder		<input type="checkbox"/> Back / Side Slope		<input type="checkbox"/> Foot Slope		<input type="checkbox"/> Toe Slope		Slope shape	
Vegetation		corn		Soil survey map units		455D		Slope %		Elevation		linear/convex	
Weather Conditions / Time of Day:				partly sunny 10:55 AM		Date		08/20/15					
Observation # / Location:				BH7		Observation Type:		<input checked="" type="checkbox"/> Auger		<input type="checkbox"/> Probe		<input type="checkbox"/> Pit	
Depth (in)		Texture		Rock Frag. #		Matrix Color(s)		Mottie Color(s)		Redox Kind(s)		Indicator(s)	
												Shape	
												Grade	
												Consistence	
0-12		Fine Sand		7.5yr 4-2								single grain	
12-30		Fine Sand		7.5yr 5-3								Single grain	
Comments		OK 30 obstruction											
I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws													
(Designer)				(Signature)				(License #)				(Date)	

Additional Soil Observation Logs

Project ID:

Client Address:		Legal Description GPS:									
Soil parent material(s): (Check all that apply) <input checked="" type="checkbox"/> Outwash <input type="checkbox"/> Lacustrine <input type="checkbox"/> Loess <input type="checkbox"/> Till <input type="checkbox"/> Alluvium <input type="checkbox"/> Bedrock <input type="checkbox"/> Organic Matter											
Landscape Position: (check one) <input type="checkbox"/> Summit <input checked="" type="checkbox"/> Shoulder <input type="checkbox"/> Back Side Slope <input type="checkbox"/> Foot Slope <input type="checkbox"/> Toe Slope shape linear/convex											
Vegetation	corn	Soil survey map units	15D	Slope	Elevation:						
Weather Conditions: Time of Day:		partly sunny				Date	08/20/15				
Observation #: Location:		BH8				Observation Type:	<input checked="" type="checkbox"/> Auger <input type="checkbox"/> Probe <input type="checkbox"/> Pit				
Depth (in)	Texture	Rock Frag.	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Indicator(s)	Shape	Grade	Consistence		
0-12	Fine Sand		7.5y: 4-2				Single grain				
12-24	Fine Sand		7.5y: 5-3				Single grain				
Comments OK 24											
Observation #: Location:											
BH9											
Depth (in)	Texture	Rock Frag. *	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Indicator(s)	Shape	Grade	Consistence		
Comments											

Folz, Freeman, Erickson, Inc.
LAND PLANNING • SURVEYING • ENGINEERING
12445 55TH STREET NORTH
LAKE ELMO, MINNESOTA 55042
Phone (651) 439-8833 Fax (651) 430-9331

City of Lake Elmo, Washington Co., MN

LEGAL DESCRIPTION:

Vicinity Map
Section 3 - T29N - R21W
City of Lake Elmo,
Washington County, Minnesota

LEGEND

- DENOTES SET $\frac{1}{2}$ INCH DIA. BY 16 INCH IRON PIPE MONUMENT MARKED WITH A PLASTIC CAP INSCRIBED "FREEMAN LS 16989", UNLESS SHOWN OTHERWISE
- DENOTES FOUND MONUMENT, SIZE AND MARKINGS AS INDICATED
- Denotes BEARING PER TITLE COMMITMENT P22405-15-P136 - EXHIBIT A.

Note: Monuments shown on map will be set barring approval.

NOTES

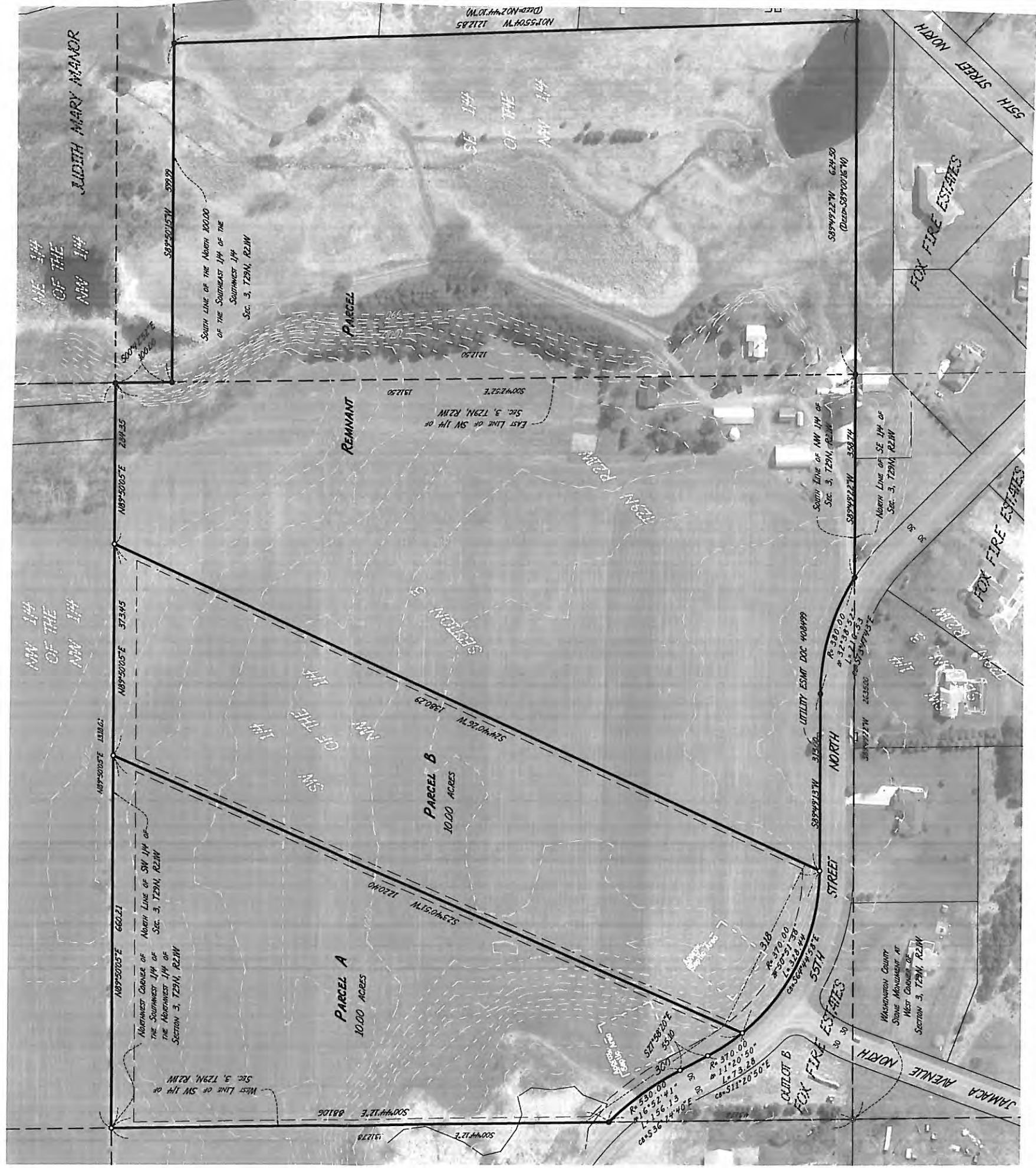
BEARING ORIENTATION IS BASED ON THE WASHINGTON COUNTY COORDINATE SYSTEM, NA0383, 1986 ADJUSTMENT.

BEARING ORIENTATION FOR THE NORTH LINE OF 55TH STREET NORTH PER FORIRE ESTATES ROTATED 0°49'06" COUNTER-CLOCKWISE FROM RECORD BEARING ORIENTATION.

Note: Survey prepared without the benefit of current title work. There may be documents of record that affect this property.



ORIGINAL SCALE
1 INCH = 200 FEET



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

Timothy J. Freeman
Minnesota License No. 16989
Date 8/31/2015

Map No. 15-134 Kostler - Minor Subdivision - Page 2

Note: Official Copies of this map are crimp sealed

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Minor Subdivision

Part of the Northwest Quarter of Section 3
Township 29 North, Range 21 West
City of Lake Elmo, Washington Co., MN

SURVEY FOR:

Peter Kastler
Klies Family Trust
9130 55th St N
Lake Elmo, MN 55042

PROPOSED LEGAL DESCRIPTIONS:

Proposed Parcel A
Legal Description

That part of the Southwest Quarter of the Northwest Quarter, Section 3, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota described as follows:

Beginning at the northwest corner of said Southwest Quarter of the Northwest Quarter; thence North 89 degrees 50 minutes 05 seconds East, bearings oriented to the Washington County Coordinate System, NAD83, 1986 adjustment, along the north line of said Southwest Quarter of the Northwest Quarter, a distance of 660.21 feet; thence South 23 degrees 40 minutes 51 seconds West, a distance of 1220.40 feet to the north line of 55th Street North as dedicated on FOX FIRE ESTATES, according to the plat thereof on file and of record in the office of the County Recorder, Washington County, Minnesota; thence northwesterly along said north line of 55th Street North, on a non-tangential curve, concave to the north, chord bearing North 11 degrees 20 minutes 50 seconds West, radius 370.00 feet, central angle 11 degrees 20 minutes 50 seconds, 73.28 feet; thence North 27 degrees 58 minutes 20 seconds West along said north line of 55th Street North, a distance of 55.10 feet; thence northwesterly along a tangential curve, concave to the southwest, chord bearing North 36 degrees 24 minutes 40 seconds West, radius 530.00 feet, central angle 16 degrees 52 minutes 41 seconds, 156.13 feet, along said north line of 55th Street North to the west line of said Southwest Quarter of the Northwest Quarter; thence North 00 degrees 44 minutes 12 seconds West, along said west line of the Southwest Quarter of the Northwest Quarter, a distance of 881.06 feet to the point of beginning.

Proposed Parcel B
Legal Description

That part of the Southwest Quarter of the Northwest Quarter, Section 3, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota described as follows:

Commencing the northwest corner of said Southwest Quarter of the Northwest Quarter; thence North 89 degrees 50 minutes 05 seconds East, bearings oriented to the Washington County Coordinate System, NAD83, 1986 adjustment, along the north line of said Southwest Quarter of the Northwest Quarter a distance of 660.21 feet to the point of beginning; thence continue North 89 degrees 50 minutes 05 seconds East, along said north line, a distance of 373.45 feet; thence South 24 degrees 40 minutes 26 seconds West, a distance of 1380.29 feet to the north line of 55th Street North as dedicated on FOX FIRE ESTATES, according to the plat thereof on file and of record in the office of the County Recorder, Washington County, Minnesota; thence northwesterly along said north line of 55th Street North, on a non-tangential curve, concave to the north, chord bearing North 64 degrees 44 minutes 58 seconds West, radius 370.00 feet, central angle 50 degrees 51 minutes 38 seconds, 328.44 feet to the intersection with a line bearing South 23 degrees 40 minutes 51 seconds West from the point of beginning; thence North 23 degrees 40 minutes 51 seconds East, a distance of 1220.40 to the point of beginning.

Proposed Remnant Parcel
Legal Description

That part of the Southwest Quarter of the Northwest Quarter, Section 3, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota described as follows:

Commencing the northwest corner of said Southwest Quarter of the Northwest Quarter; thence North 89 degrees 50 minutes 05 seconds East, bearings oriented to the Washington County Coordinate System, NAD83, 1986 adjustment, along the north line of said Southwest Quarter of the Northwest Quarter a distance of 1033.66 feet to the point of beginning; thence continue North 89 degrees 50 minutes 05 seconds East, along said north line, a distance of 284.35 feet to the east line of said Southwest Quarter of the Northwest Quarter; thence South 00 degrees 42 minutes 52 seconds East, along said east line, a distance of 1312.50 to the south line of said Southwest Quarter of the Northwest Quarter, thence South 89 degrees 49 minutes 22 seconds West, along said south line, a distance of 358.74 feet to the north line of 55th Street North as dedicated on FOX FIRE ESTATES, according to the plat thereof on file and of record in the office of the County Recorder, Washington County, Minnesota; thence northwesterly along said north line of 55th Street North, on a non-tangential curve, concave to the north, chord bearing North 73 degrees 47 minutes 43 seconds West, radius 380.00 feet, central angle 32 degrees 38 minutes 52 seconds, 216.53 feet; thence South 89 degrees 49 minutes 13 seconds West along said north line of 55th Street North, a distance of 313.00 feet to the intersection with a line bearing South 24 degrees 40 minutes 26 seconds West from the point of beginning; thence North 24 degrees 40 minutes 26 seconds East, a distance of 1380.29 to the point of beginning.

Also, that part of the Southeast Quarter of the Northwest Quarter of Section 3, Township 29 North, Range 21 West, Washington County, Minnesota lying southerly of the North 100.00 feet thereof and lying westerly of the following described line:

Commencing at the southeast corner of said Southeast Quarter of the Northwest Quarter, thence South 89 degrees 00 minutes 16 seconds West, assumed bearing, along the south line of said Southeast Quarter of the Northwest Quarter a distance of 693.00 feet to the point of beginning of the line to be described; thence North 02 degrees 44 minutes 10 seconds West 1212.85 feet to the south line of said North 100.00 feet of the Southeast Quarter of the Northwest Quarter and said line there terminate.

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


 Timothy J. Freeman, LS
 Minnesota License No. 16989
 Date 8/31/2015