

## **NOTICE OF MEETING**

The City of Lake Elmo  
Planning Commission will conduct a meeting on  
**Monday October 10, 2016 at 7:00 p.m.**  
**AGENDA**

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
  - a. September 26, 2016
4. Public Hearings
  - a. INWOOD 4<sup>TH</sup> ADDITION FINAL PLAT: The Planning Commission will review an application for the Final Plat for Inwood 4<sup>th</sup> Addition which includes 60 single family homes.
  - b. WILDFLOWER 2<sup>ND</sup> ADDITION FINAL PLAT AND FINAL PUD PLAN: The Planning Commission will review an application for the Final Plat for Wildflower 2<sup>nd</sup> Addition which includes 38 single family homes.
  - c. CONDITIONAL USE PERMIT: A request by Rod and Diane Sessing for a Conditional use permit for an additional accessory structure in the RR – Rural Residential zoning district for the property located at 5699 Keats Avenue N, PID# 02.029.21.23.003.
  - d. CONDITIONAL USE PERMIT AMENDMENT: A request by Rockpoint Church for a Conditional Use Permit Amendment to original Conditional Use Permit granted by Res. 2005-029 to allow construction of an overflow parking lot on the property located at 5825 Kelvin Avenue N, Lake Elmo, MN, PID# 02.029.21.21.0003.
5. Business Items
6. Updates
  - a. City Council Updates – October 4, 2016 Meeting
    - i. OP Ordinance - Passed
    - ii. Horning Lot Size & Expiration Variance - Passed
    - iii. Fence Ordinance Amendment – Solid Wall Fences – Passed
    - iv. Common Ground IUP - Passed
    - v. Wasatch Storage Partners CUP - Passed
  - b. Staff Updates
    - i. Upcoming Meetings:
      - October 24, 2016
      - November 14, 2016
  - c. Commission Concerns
7. Adjourn

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



**City of Lake Elmo  
Planning Commission Meeting  
Minutes of September 26, 2016**

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

**COMMISSIONERS PRESENT:** Fields, Dodson, Dunn, Larson, Griffin, Kreimer, and Lundquist

**COMMISSIONERS ABSENT:** Haggard, Williams

**STAFF PRESENT:** Planning Director Wensman

**Approve Agenda:**

An amendment was suggested to add getting some information on Minnesota Administration rule 6120 that was brought up at the last City Council meeting.

M/S/P: Fields/Dodson, move to approve the Agenda as amended, ***Vote: 7-0, motion carried Unanimously.***

**Approve Minutes:** September 12, 2016

M/S/P: Fields/Dodson, move to approve the September 12, 2016 minutes as amended, ***Vote: 7-0, motion carried.***

**Public Hearing – Conditional Use Permit – Wasatch Storage**

Wenman started his presentation for a conditional use permit for a self-storage facility and exterior vehicle storage for the property located at 9200 Hudson Boulevard in the Commercial Zoning District, PID 34.029.21.33.0005. Wensman went through the existing site conditions. Lamperts and Boulder Ponds borders this property. They are proposing 4 new buildings and 170 spaces for RV's with 2 proposed future buildings. They are proposing security of fencing, gate keypad and security cameras. There will be 4 handicap accessible spaces. There will be 2-3 employees at a time. Office hours would be 8:30a-6:30p. Wensman went over the tree preservation requirements and the proposed landscape plan. There are 10 additional parking lot trees required. The proposal does meet setback requirements. There was some concern regarding the setback for Boulder Ponds, but the setback requirement is met. The parking stalls proposed meets the requirements and dimensional standards.

The buildings do meet the setback and height requirements. They are subject to the City's design guidelines and standards manual. Wensman went through the proposed fencing and signage proposed and what is required. The lighting plan meets the city lighting standards. The maximum impervious surface requirement is met. 70.25% is proposed with the City maximum being 75%. They need to meet all of the City standards for Drainage and Stormwater and meet the engineer comments for revisions. There are some required easements for hydrants and connections for City Standards. There might be a conflict for future buildings. They demonstrated that they meet requirements for emergency services, but they need additional fire hydrants.

Wensman stated that the 12 required findings for approval of a conditional use permit are all met. There were no comments received. Staff is recommending approval of the CUP subject to 17 staff recommended conditions.

Dodson asked about potential berming and choice of trees along the North boundary. Wensman stated that is the intent with the requested changes to the landscape plan. Dodson asked about REC counts. Wensman stated that the REC count comes from MET Council and there are probably not a lot of REC's with this application.

Dodson asked about the storage ponds and if they could be moved to one of the borders to provide more of a screening. Wensman stated that the back of the site is like a bowl and the ponds would not be able to be moved. Griffin asked if the SWWS has looked at this proposal. Wensman stated that he has no confirmation that they have looked at it.

Dodson is wondering if the Planning Commission has latitude to decide if the design meets what is acceptable to the city. Wensman stated that the Commission has the ability to enforce the design standards.

Kreimer asked if our design standards included recommended fence material. Wensman stated that in the front, the fence is compliant, but in the back it is not necessary as no one sees it.

Larson asked if there were any similar uses in the City. Wensman stated that the only other self storage is a small 12 unit facility in the Village area. Wensman stated that this is a fairly restrictive site as it is long and narrow.

Scott Wyckoff, Wasatch Storage, said they took the previous comments regarding screening, parapet height, etc. into consideration. Wyckoff showed aerial photos and street level photos showing the landscaping. Wyckoff showed pictures of buildings incorporating suggestions from the Planning Commission.

Public Hearing opened at 7:40 pm

There were no other written or electronic comments received

Public hearing closed at 7:40 pm

Fields thinks the applicant has done a nice job for this type of use. However, we have very limited area for commercial and this is along 94. Commercial property is the primary resource to bring in employment and lower the residential property tax burden. Fields feels this development makes a very limited contribution to the City in terms of employment or tax base. He is concerned that if this development goes in, it will set the standard for lower value uses for other developments coming forward in the vicinity.

Dodson is persuaded by the argument made by Commissioner Fields and struggles with the aesthetics of this project. Dunn stated it is an improvement to what is there now, however, this is our prime commercial district. She struggles with this being a good fit and the scope of it is so huge. She is not real excited about it. Lundquist does not believe that if it meets the zoning, that they can vote against it just because they want something better. Larson stated that this property has been available and no business has come forward. This is a difficult site and from a standpoint of other businesses, it will not be visible. This will serve the community and he would like to support it because it is an improvement and they will meet the recommendations.

Dunn asked Wensman to explain the differences between permitted and conditional uses. Wensman stated that it is conditional to give the City some discretion in the use of the land. It provides safeguards to the City. Fields asked if he was saying that approving a CUP is not discretionary. Wensman stated that with a CUP, you can put conditions on it to make it more acceptable, but if they are willing to meet those things, it should be granted. Kreimer stated that they were told a number of years ago that they are not tasked with fiscal impact and employment. They are tasked with if it meets the code. The Planning Commission is not responsible to make a project viable, but are tasked with making sure it meets the code. Dodson stated that he would like to see the building look more like a farm building to be more aesthetically pleasing. Kreimer pointed out that it is in the middle of the other buildings.

Dunn would like to add to condition #5 that they should try to save as many of the mature healthy trees as possible. Wensman stated that the trees on the site are not of high value species and the City does not go out of their way to save them.

M/S/P: Lundquist/Larson, move to recommend approval of the CUP for a self storage facility and Outdoor Vehicle Storage for the property located at 9200 Hudson Blvd North subject to the 12 findings of fact and 17 conditions of approval, ***Vote: 5-2, motion carried, with Dunn and Dodson voting no.***

Fields stated that they have limited ability to deny based on financial and employment issues, so he will have to support it.

Dodson feels that it does not meet the design standards. Wensman stated that they do meet the basics of the standards, while there could be room for improvement. Kreimer would like to see a little more enhancement on the front, but feels they are meeting the requirements. Dunn wanted to make sure that the SWWD looked at this project and this site for the runoff.

#### **Public Hearing – Interim Use Permit – Common Ground Church**

Wensman started his presentation regarding an interim use permit for the keeping of horses in the public facility zoning district. The Church had an interim use permit that expired at the end of 2011, and it has not been renewed since. There are 4 acres identified for the pasture of the horses. Staff is recommending approval with 6 conditions, including the date for termination for December 31, 2026.

Dawn Oswald, applicant, stated that they have been able to serve many different groups including teen challenge, Willow Health and other adult groups.

Griffin asked what they do with the manure. Oswald stated that they compost it back into the ground. Griffin stated that Washington Conservation district has plans that people can get for composting sites and there are sanitation services that will come and get the manure.

Rolf is wondering if there are ever cooperative events where other horses are brought in. Oswald stated that they have not. She stated that they are foster horses and they like to have 2. They have an electric fence that is powered by solar.

Public Hearing opened at 8:22 pm

Bob Taverna, 10174 Stillwater Lane, this is the first notice that they have received. He is concerned that when they come to work with the horses, they are parking on the road by the stop sign. He would like them to put class five on the other side of the gate to get the cars off of the road. With school buses, etc. it is very tight when they are parking on the road. The back yard of the church is his front yard. If they could make it a little more pleasant, he would appreciate it. Where the horses are, is actually supposed to be a retention pond and now the water can't get across Kelvin and is backing up behind the Church.

There were no other written or electronic comments received

Public Hearing closed at 8:30 pm

Dodson is wondering about the gate being on the corner. Is there any chance that the gate could be moved? Oswald stated that it was the flattest part of the property to put

the gate in. Dodson also asked if it is feasible to put gravel in. Oswald said that she is open to the gravel solution. When it isn't wet, she is able to park inside to unload supplies. Possibly a sign might be an option.

M/S/P:Dodson/Lundquist, move to add a condition #7 that the applicant work with staff to install no parking signs at the SE corner of Kelvin and Stillwater Lane, **Vote: 7-0, motion carried unanimously.**

M/S/P:Griffin/Dunn, move to recommend approval of an Interim Use Permit for the keeping of horses at 10240 Stillwater Blvd N with 7 conditions of approval, **Vote: 7-0, motion carried unanimously.**

Dunn added the item on Minnesota Administration rules 6120 that was brought up at the last City Council meeting. It is about Planned Unit developments within sensitive areas. She is not familiar with how this would play into anything they are looking at. She would like this explained to the Planning Commission. It talks about how it pertains to Shoreland and how 50% should remain in open space. She wants to know how this will apply to Tartan Park. She also wants to know what other areas in Lake Elmo this would apply to. Wensman stated that it is the statutory requirements for the Shoreland Ordinance. Because the Royal Golf is in the Shoreland, this rule would apply. Wensman stated that he believes that the residential portion of the project has 50% open space.

Dodson is wondering what would trigger a DNR review. Wensman stated that they are going through that review right now. Dodson asked what the difference is between the DNR review and the watershed district review. Wensman stated that they have different goals.

#### **City Council Updates – September 20, 2016 Meeting**

- i) Solid Wall Fence Text Amendment – Failed.
- ii) OP Ordinance – tabled.

#### **Staff Updates**

- 1. Upcoming Meetings
  - a. October 10, 2016
  - b. October 24, 2016

#### **Commission Concerns**

Dunn is concerned that Easton Village put in playground equipment while they are still doing construction. There was a lot of water damage and concerns. She would like to see playgrounds put in after the development is further along.

Lundquist is concerned about the North end of Wildflower and Village Preserve. This area used to be a marsh that has now turned into a lake. Even though we have been above average rain, this shouldn't be happening. Kreimer mentioned that Wildflower II is on the October 10<sup>th</sup> meeting and maybe a little background could be brought forward in conjunction with that. Wensman stated that he will gather some background info regarding what was planned, what is there and if it is functioning properly.

Dunn also wanted info regarding possible replatting in Easton Village. Wensman stated that the Developer was interested in putting in a Villa product similar to what Wildflower and Inwood has and increasing the density. Wensman made it clear to the developer that it wasn't allowed. He hasn't heard of any other proposal from the developer.

Kriemer asked if Boulder Ponds is putting in a Villa product where single family homes were approved. Wensman stated that as far as he knows, they are compliant with what was approved.

Dodson is concerned that they are compelled to vote on something that they don't agree with because of how the codes are written like the CUP from tonight. He is concerned that if they vote for things they don't like because they feel compelled to, it sends a message to the City Council and the applicant that the Planning Commission voted unanimously for it. He feels it might also strengthen the legal position of the applicant if the City Council denies it for some other reason. Wensman stated that their comments that it meets the basic criteria, but they have reservations, will be communicated to the City Council. Wensman stated that if the Planning Commission does not agree with staff findings, they can change them and that can be part of the reason for voting against.

Larson asked what the roll of abstention would be. Can you abstain and send a message that way. Wensman said that can be an option. Could get complicated if there were numerous people abstaining.

Fields feels that it is very ambiguous to abstain and they need to vote and comment to make their message clear.

Dunn mentioned that the Minnesota Land Trust is holding their 25 year celebration on October 2<sup>nd</sup>.

Meeting adjourned at 8:57 pm

Respectfully submitted,

Joan Ziertman  
Planning Program Assistant



PLANNING COMMISSION

DATE: 10/10/16

AGENDA ITEM: 4A- PUBLIC HEARING ITEM

CASE # 2016-38

ITEM: Inwood 4th Addition Final Plat and Final Planned Unit Development Plans

SUBMITTED BY: Stephen Wensman, Planning Director

REVIEWED BY: Jack Griffin, City Engineer  
Emily Becker, City Planner

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**SUMMARY AND ACTION REQUESTED:**

M/I Homes of Minneapolis/St. Paul (Hans Hagen Homes) is requesting approval of Final Plat and Final Planned Unit Development (PUD) Plans for Inwood 4th Addition to create 38 single family lots. Staff is recommending the Planning Commission recommend approval of the request subject to the conditions listed in this report.

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**GENERAL INFORMATION**

*Applicant:* M/I Homes/Hans Hagen Homes (John Rask), 941 NE Hillwind Rd. Suite 300, Fridley, MN

*Property Owners:* M/I Homes (John Rask), 941 NE Hillwind Rd. Suite 300, Fridley, MN

*Location:* Outlot B, Inwood 1<sup>st</sup> Addition.

*PID#:* 330.292.114.0030

*Request:* Application for Final Plat and Final PUD approval of a 38 unit residential subdivision to be named Inwood 4th Addition.

*Existing Land Use and Zoning:* Vacant land –within Inwood Final Plat area. Current Zoning: PUD/LDR – Low Density Residential

*Surrounding Land Use and Zoning:* Surrounded by residential lots to the north (vacant) and west, parkland to the east and parkland and 5<sup>th</sup> Street to the south, all within Inwood. .

*Comprehensive Plan:* Urban Low Density Residential (2.5 - 4 units per acre)

*History:* The City Council approved the general concept plan for the Inwood on September 16, 2014, the preliminary plat on December 2, 2014 and the Final Plat on May 19, 2015 for phase 1. Inwood 2<sup>nd</sup> was approved on 9/1/15, Inwood 3<sup>rd</sup> was approved on 4/19/16.

*Deadline for Action:* Application Complete – 9/1/2016  
60 Day Deadline – 10/31/2016  
Extension Letter Mailed – No  
120 Day Deadline – 12/30/16

*Applicable Regulations:* Chapter 153 – Subdivision Regulations  
 Article 10 – Urban Residential Districts (LDR)  
 Article 16 – Planned Unit Development Regulations  
 §150.270 Storm Water, Erosion, and Sediment Control

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## REQUEST DETAILS

M/I Homes/Hans Hagen Homes is requesting Final Plat and Final Planned Unit Development (PUD) approval of Inwood 4th Addition, replat of Outlot B, Inwood 1<sup>st</sup> Addition. The final plat will result in 38 single family lots on 10.91 acres. The final plat will have a gross density of 3.5 (DUA) dwelling units per acre compared to the overall Inwood gross density of 2.7 DUA. The Net density is 3.5 DUA as there are no ponds, wetlands, collector roads or parkland in the 4<sup>th</sup> phase. Lot widths vary from 64.3 feet to 105 feet and lot sizes vary from 8,171 sq. ft. to 13,650 sq. ft., consistent with the preliminary plat and the LDR – Urban Low Density Residential zoning requirements.

|                              |                              |
|------------------------------|------------------------------|
| Plat Summary:                |                              |
| Development area (Outlot B): | 10.91 acres                  |
| Total lot area:              | 8.4 acres                    |
| Residential lots:            | 38                           |
| R/W area:                    | 2.51 acres                   |
| Average lot size:            | .22 acres                    |
| Gross density:               | 3.51 dwelling units per acre |
| Net density:                 | 3.51 dwelling units per acre |

There is no parkland dedication in this phase. All parkland dedication was dedicated with the first phase. No trails are proposed with this plat, however condition of the 3<sup>rd</sup> Addition final plat was that the surrounding trails be installed prior to issuance of building permits. The trails have been constructed including the east-west trail to the north of this phase of the plat. The previously dedicated parkland is located between this plat and 5<sup>th</sup> Street. Street access to the park will be from Ivywood Ave or Ivywood Lane (or new name given to these streets).

The City's subdivision ordinance establishes the procedure for obtaining final subdivision approval. A final plat can only be approved if it is in substantial conformance with the approved preliminary plat and if in conformance it must be approved. Staff has reviewed the final plat and found that it is consistent with the preliminary plat. The developer will need to follow all approved development and construction plans for Inwood 4<sup>th</sup> Addition.

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## REVIEW AND ANALYSIS

Staff has reviewed the final plat and final PUD development plans and has identified a number of issues that need to be addressed prior to recoding the final plat. A summary of the issues are as follows:

**Landscape Plans.** Staff has reviewed the landscape plans and has the following comments:

- The landscape plans/utility plans must be revised to maintain 10 foot offset between trees to utilities. As proposed there are multiple conflicts with the boulevard trees being placed too close to water/sewer service stubs. Also Lots s 5 and 6, Block 1 have trees located over a

stormsewer pipe. These trees need to be relocated to the lot side of the sidewalk outside the 10' drainage and utility easement or in the easement with approval of the City after staking.

- Add plan note to the landscape plans to require all trees to be field located and approved by the city prior to planting trees.
- Remove plan note #3 on sheet L2. Tree installation is required as part of the developer installed improvements.
- Revise plan note #7 on sheet L2 as follows; "Trees may be adjusted with prior city approval to accommodate final home plans and driveway locations."
- One irrigation service is proposed from Ivywood Avenue to the proposed Park. Location must be reviewed and approved by Planning/Public Works prior to installation. The City of Lake Elmo Irrigation service detail must be on the landscape plans.

**Engineering Review.** The City Engineer has reviewed the final plat submittal and has prepared a memorandum for the Commission and Council's review. The comments in the City Engineer's review memorandum dated September 28, 2016 should be addressed prior to releasing the plat for recording.

**Preliminary Plat Conditions.** The Inwood 4th Addition final plat is in conformance with the preliminary plat. The preliminary plat and PUD plans for Inwood were approved with conditions. From that preliminary plat approval, the following conditions remain outstanding (Staff has provided comments related to each condition in bold italics):

- 1) The applicant shall work with Community Development Director to name all streets in the subdivision in a manner acceptable to the City prior to the submission of final plat. ***The Planning Department had named all streets within the entire plat, however, the City is in the process of revising its street naming policy. Based on discussions with the City Council, the Council may want to provide guidance on street names within the plat. Based on discussions, Staff is recommending renaming the new road Ivywood Circle North.***
- 2) The preliminary landscape plan shall be updated to address the review comments from the City's landscape architecture consultant as noted in a review letter dated November 18, 2014. ***The preliminary landscape plan has been updated and Phases 1 – 3 have been approved. The landscape plan for phase 4 is consistent with the preliminary landscape plans except as noted below.***
- 10) All center median planting areas as depicted on the preliminary plat and plans shall be owned by the City of Lake Elmo and maintained by the Home Owners Association. The applicant shall enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park, trails, or open space on the final plat. ***There is no signed maintenance agreement for the 4<sup>th</sup> phase. An approved and executed landscape license agreement shall be required prior to the release of building permits in the 4<sup>th</sup> phase.***
- 18) The developer shall install a multi-purpose trail along 10th Street between "Street B" and Inwood Avenue. ***This condition will be addressed in a future phase.***

Any conditions that would still apply to Inwood 4<sup>th</sup> addition are included as part of the Staff recommendation below.

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**RECOMMENDED CONDITIONS OF APPROVAL:**

Staff is recommending conditions as part of this final plat review to address issues highlighted in this report that include conditions of the preliminary plat that have not been fully addressed by the applicant. The City Engineer's review memorandum dated September 28, 2016 identifies a number of issues that need to be addressed by the developer in order for the City to deem the final plans complete. Based on the above Staff report and analysis, Staff is recommending approval of the final plat and final PUD development plans for Inwood 4<sup>th</sup> Addition with the following conditions:

***Recommended Conditions of Approval:***

- 1) All easements as requested by the City Engineer or Public Works Department shall be documented on the Final Plat prior to the execution of the final plat by City Officials.
- 2) All conditions/comments from the City Engineer's review memorandum dated September 28, 2016 be complied with prior to the execution of the final plat by City Officials.
- 3) That the Landscape Plans be revised to address the Planning and Engineering review comments prior to recording the final plat.
- 4) That the 5<sup>th</sup> Street Irrigation water service be installed with the 4<sup>th</sup> Addition improvements consistent with the Landscape Specifications for 5<sup>th</sup> Street, and that the City's standard water service for irrigation detail be added to the final landscape plans.
- 5) A Common Interest Agreement concerning management of the common areas of Inwood 4th Addition and establishing a homeowner's association shall be submitted in final form to the Planning Director before a building permit may be issued for any structure within this subdivision.
- 6) That the new street in the final plat be named Ivywood Circle North.
- 7) The applicant shall also enter into a landscape license agreement and maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the final plat.

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**DRAFT FINDINGS**

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Inwood 4th Addition Final Plat:

- That all the requirements of City Code Section 153.08 related to the Final Plat have been met by the Applicant.
- That the proposed Final Plat for Inwood 4<sup>th</sup> Addition consists of the creation of 38 single-family detached residential structures.
- That the Inwood 4th Addition Final Plat is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on December 2, 2014.

- That the Inwood 4th Addition Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- That the Inwood 4th Addition Final Plat generally complies with the City's Urban Low Density Residential zoning district except as previously approved as part of the Inwood PUD.
- That the Inwood 4<sup>th</sup> Addition Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances, except as previously approved as part of the Inwood PUD.
- That the Inwood 4th Addition Final Plat complies with the City's subdivision ordinance.

#### **RECOMMENDATION:**

Staff recommends that the Planning Commission recommend approval of the Inwood 4th Addition Final Plat with the 7 conditions of approval as listed in the Staff report.

Suggested motion:

***“Move to recommend approval of the Inwood 4th Addition Final Plat with 7 conditions of approval as drafted by Staff based on the findings listed in the Staff Report.”***

#### **ATTACHMENTS:**

1. Application Forms and Narrative
2. Inwood 4<sup>th</sup> Addition Final Plat
3. Inwood 4<sup>th</sup> Addition Final PUD Plans

#### **SUGGESTED 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

AUG 17 2016

## 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 ☐ Wireless Communications

Applicant: M/I Homes, of. mpls/st. Paul  
Address: 941 NE Hillwood Rd, Suite 300 Fridley mn  
Phone #: 762-586-7202  
Email Address: grask@mihomes.com

Fee Owner: M/I Homes  
Address: Same  
Phone #: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Property Location (Address): \_\_\_\_\_  
(Complete (long) Legal Description: Outlot B, Imwood)  
PID#: 530292140030

Detailed Reason for Request: Final platting lots  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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: 8/5/16  
Signature of fee owner: [Signature] Date: 8/5/16



AUG 17 2016

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

## **ACKNOWLEDGEMENT OF RESPONSIBILITY**

This is to certify that I am making application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am the party whom the City should contact regarding any matter pertaining to this application.

I have read and understand the instructions supplied for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I will keep myself informed of the deadlines for submission of material and of the progress of this application.

I understand that this application may be reviewed by City staff and consultants. I further understand that additional information, including, but not limited to, traffic analysis and expert testimony may be required for review of this application. I agree to pay to the City upon demand, expenses, determined by the City, that the City incurs in reviewing this application and shall provide an escrow deposit to the City in an amount to be determined by the City. Said expenses shall include, but are not limited to, staff time, engineering, legal expenses and other consultant expenses.

I agree to allow access by City personnel to the property for purposes of review of my application.

Signature of applicant  Date 8/5/16

Name of applicant John Rask Phone 763-586-7202  
(Please Print)

Name and address of Contact (if other than applicant) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



AUG 17 2016  
Lake Elmo City Hall  
651-747-3900  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

## AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I am the **fee title owner** of the below described property or that I have written authorization from the owner to pursue the described action.

Name of applicant mtc Homes  
(Please Print)

Street address/legal description of subject property \_\_\_\_\_

Outlot B, Truro  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Signature]  
Signature

8/5/16  
Date

If you are not the fee owner, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

If a corporation is fee title holder, attach a copy of the resolution of the Board of Directors authorizing this action.

If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.

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



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

## FINAL PLAT APPLICATION

Applicant: M/I Homes of Minneapolis / St. Paul LLC.  
Address: 941 NE Hillwind Rd. Suite 300  
Phone #: 763-586-7202  
Email Address: grask@mihomes.com

Fee Owner: Same  
Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Property Location (Address): East of Townard Ave and North of 54th Street  
Complete (long) Legal Description: \_\_\_\_\_

PID#: 33-029-21-14-0030

General information of proposed subdivision: See attached  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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: 8/5/16

Fee Owner Signature: [Signature] Date: 8/5/16



AUG 17 2016

Lake Elmo City Hall  
651-747-3900  
3800 Lavene Avenue North  
Lake Elmo, MN 55042

## **AFFIRMATION OF SUFFICIENT INTEREST**

I hereby affirm that I am the **fee title owner** of the below described property or that I have written authorization from the owner to pursue the described action.

Name of applicant MTL Homes  
(Please Print)

Street address/legal description of subject property Outlot B, Inwood

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Signature]  
Signature

8/5/16  
Date

If you are not the fee owner, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

If a corporation is fee title holder, attach a copy of the resolution of the Board of Directors authorizing this action.

If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.



Lake Elmo City Hall  
651-747-3900

AUG 17 2016  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

## ACKNOWLEDGEMENT OF RESPONSIBILITY

This is to certify that I am making application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am the party whom the City should contact regarding any matter pertaining to this application.

I have read and understand the instructions supplied for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I will keep myself informed of the deadlines for submission of material and of the progress of this application.

I understand that this application may be reviewed by City staff and consultants. I further understand that additional information, including, but not limited to, traffic analysis and expert testimony may be required for review of this application. I agree to pay to the City upon demand, expenses, determined by the City, that the City incurs in reviewing this application and shall provide an escrow deposit to the City in an amount to be determined by the City. Said expenses shall include, but are not limited to, staff time, engineering, legal expenses and other consultant expenses.

I agree to allow access by City personnel to the property for purposes of review of my application.

Signature of applicant [Signature] Date 8/5/16

Name of applicant John Paul Phone 763-586-7202  
(Please Print)

Name and address of Contact (if other than applicant) Same

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Final Plat and PUD Final Plan Narrative  
Hans Hagen Homes  
January 17, 2016**

2. Written Statements

a. *List of contact information:*

Applicant

John Rask  
Hans Hagen Homes  
941 NE Hillwind Road, Suite 300  
Fridley, MN 55432  
763-586-7200

Property Owner

John Rask  
Hans Hagen Homes  
941 NE Hillwind Road, Suite 300  
Fridley, MN 55432  
763-586-7200

Surveyor

Dan Obermiller  
EG Rud and Sons, Inc.  
6776 Lake Drive NE, Suite 110  
Lino Lakes, MN 55014  
651-361-8200

Civil Engineer

Brian Krystofiak, PE  
Carlson McCain, Inc.  
248 Apollo Drive, Suite 100  
Lino Lakes, MN 55014  
763-489-7905

Wetland Consultant

Melissa Barrett  
Kjolhaug Environmental  
26105 Wild Rose Lane  
Shorewood, MN 55331  
952-401-8757

AUG 17 2016

- b. *A listing of the following site data: Address, current zoning, parcel size in acres and square feet, property identification number(s) (PID), and current legal description(s);*

See attached.

c. *Final Subdivision and Lot Information*

July 1 / 2016

- i. InWood 4th Addition
- ii. Lot Tabulation – see attached plat and table. The 4th addition plat includes a total of 38 lots, which is consistent with the approved preliminary plat for this part of the neighborhood.
- iii. There is no park land dedicated in this phase.
- iv. 2.51 acres of public right-of-way.

- d. *An explanation of how issues have been addressed since the Preliminary Plat phase of the development;*

The final plat for the 4th Addition is consistent with the preliminary plat and conditions of approval as discussed below.

**Conditions of Preliminary Plat Approval:**

1. The applicant shall work with Community Development Director to name all streets in the subdivision in a manner acceptable to the City prior to the submission of final plat.

*Response: The Community Development Director has supplied street names for the entire plat.*

2. The City and the applicant shall reach an agreement concerning the location and dedication of land associated with the proposed water necessary to provide adequate water service to the InWood project area prior to the acceptance of a final plat for any portion of the PUD area.

*Response: The applicant and City have agreement on the final water system design. The property owner, Inwood 10 LLC, has provided land for a future City water tower.*

3. The preliminary landscape plan shall be updated to address the review comments from the City's landscape architecture consultant as noted in a review letter dated November 18, 2014.

*Response: The applicant has submitted revised plans to the City addressing the above. Landscaping for the first phase and 5<sup>th</sup> Street has been partially installed.*

4. Prior to the submission of a final plat for any portion of the InWood PUD, the developer shall work with the City to determine the appropriate park dedication calculations for the entire development area.

*Response: The Park Dedication requirements were satisfied with the Final Plat for Inwood. Outlot L, Inwood was dedicated to the City for future park.*

5. As part of any development agreement that includes improvements to one of the adjacent County State Aid Highways (CSAH 13 and 10<sup>th</sup> Street), the City and the developer shall determine the appropriate responsibility for the cost of these improvements.

*Response: There are no improvements or connections planned to either CSAH 13 or 10<sup>th</sup> Street with this phase. Cost sharing was determined and agreed upon with the Inwood final plat for CSAH 13 and funds were provided by Hans Hagen Homes.*

6. The applicant must enter into a separate grading agreement with the City prior to the commencement of any grading activity in advance of final plat and plan approval. The City Engineer shall review any grading plan that is submitted in advance of a final plat, and said plan shall document extent of any proposed grading on the site.

*Response: The applicant entered into a separate grading agreement with the City and has graded the property consistent with the approval.*

7. The applicant shall continue to work with the City on the final design of 5<sup>th</sup> Street, and in particular, the transition from the InWood PUD to properties located further to the east (including the Boulder Ponds development and land owned by Bremer Financial Services).

*Response: The applicant worked with the City on the final design and has constructed 5<sup>th</sup> Street through the project site.*

8. The utility construction plans shall be updated to incorporate the recommendations of the City Engineer concerning the appropriate location and size of sewer services through the PUD planning area, including any requested oversizing of these facilities to service adjacent properties.

*Response: The utility plans were updated and resubmitted to the City Engineer prior to the approval of the Inwood Final Plat.*

9. The proposed public street access to 5<sup>th</sup> Street from Streets D2 and the southwest park area (Park 1) shall be eliminated from the preliminary development plans in order to bring the proposed spacing into conformance with the City's access spacing guidelines. Staff is requesting that the developer continue working with the City to determine the most appropriate access into and out of the southwest park area.

*Response: This change was made to the preliminary plat. The 4<sup>th</sup> Addition Plat is consistent with this requirement.*

10. All center median planting areas as depicted on the preliminary plat and plans shall be owned by the City of Lake Elmo and maintained by the Home Owners Association. The applicant shall enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park, trails, or open space on the final plat.

*Response: The HOA documents for the project were drafted consistent with this condition. The documents are recorded against the property.*

11. The applicant must either move the planned north/south trail through Park 1 further to the west around an existing wetland area located approximately 400 feet south of 10<sup>th</sup> Street or will need to work with the South Washington Watershed District to design a multi-purpose trail through the buffer area that complies with all applicable watershed district's requirements.

*Response: The trail was installed with the previous phase of the development*

12. The Final Plat and Plans must address the requested modifications outlined in the City Engineer's review memorandum dated November 16, 2014.

*Response: The applicant updated the preliminary streets and utility plans to be consistent with the City Engineer's comments. The update plans were submitted to the City prior to the Final Plat and Final PUD plan for the 1<sup>st</sup> phase.*

13. The applicant shall be responsible for updating the final construction plans to include the construction of all improvements within County rights-of-way as required by Washington County and further described in the review letter received from the County dated November 17, 2014.

*Response: The plans are updated to include the necessary right-of-way as required by Washington County.*

14. Prior to recording the Final Plat for any portion of the area shown in the Preliminary Plat, the Developer shall enter into a Developers Agreement acceptable to the City Attorney that delineates who is responsible for the design, construction, and payment of public improvements.

*Response: The applicant has entered into a Developers Agreement consistent with this condition.*

15. The developer must follow all the rules and regulations of the Wetland Conservation Act, and adhere to the conditions of approval for the South Washington Watershed District Permit.

*Response: There are no wetlands being impacted as a result of this project and all the conditions of South Washington Watershed District are being met. The applicant has received the necessary development approvals from the Watershed District.*

- e. A statement showing the proposed density of the project with the method of calculating said density shown (Below numbers are based on all the single family lots, and not just this phase);*
  - i. Single Family land use area of the overall plat includes 102.9 acres (The 4th additional includes 10.91 acres)
  - ii. 275 total single family homes (38 lots in 4th Addition).
  - iii. Single Family Gross Density of 3.5 units per acre (Overall project density is 2.7 units per gross acres)
  - iv. Single Family Net Density of 3.51 units per acre (there is no park land, ponds, wetlands, and collector roads in this phase of the neighborhood.)
- f. Discuss proposed infrastructure improvements and phasing thereof (i.e. proposed roadways, sewer systems, water systems, sidewalks/trails, parking, etc) necessary to serve the subdivision;*

The 4th phase will include the construction of the necessary roads, sewer and water. The storm water improvements, including ponding and infiltration basins were installed with the first phase of development.

- g. A narrative addressing concerns/issues raised by neighboring properties (discussing your proposal with the neighboring land owners is recommended to get a sense of what issues may arise as your application is processed);*

Neighborhood input was provided during the PUD Plan review stage. Comments generally related to concerns over the extension of municipal services in this area of the community and the impacts that come along with changes to land use.

The land uses and density of the InWood neighborhood are consistent with the City's Comprehensive Plan, and no changes are necessary as a result of the Preliminary Plat application.

Hans Hagen Homes has also designed the neighborhood to lessen the impacts on adjacent property owners, as well as to enhance the neighborhood for future residents. These design features include:

- i. A linear park along the eastern edge of the property that exceeds the City's initial standard of 100 feet. The InWood linear park varies from 100 feet to over 200 feet.

- ii. The lots and streets were orientated east/west with cul-de-sac lots backing to the linear park. There are only 19 lots that back up to the linear park over a distance of 2,640 feet. Under standard zoning, there could be 40 lots backing up to the buffer.
- iii. Additional land for a neighborhood park adjacent to the existing Stonegate development. This park will serve the needs of residents living in InWood as well as the neighborhoods to the east.
- iv. Landscaped berms along 10<sup>th</sup> Street, 5<sup>th</sup> Street, and along a portion of the western edge of the neighborhood.

- h. A description of how conflicts with nearby land uses (livability, value, potential future development, etc.) and/or disturbances to wetlands or natural areas are being avoided or mitigated;*

The InWood neighborhood is consistent with the City's Comprehensive Plan which provides for a graduation of land use intensities over the site. North of the 5<sup>th</sup> Street parkway will be single family homes. Transitioning to the west will be commercial. The neighborhood plan for InWood provides a large pond and berms to help transition between the commercial and single family neighborhood.

The InWood neighborhood plan avoids and preserves the three wetland basins found on the site. While these wetlands are currently farmed and significantly degraded, it's our intent to restore them with native vegetation.

- i. Provide justification that the proposal will not place an excessive burden on roads (traffic), sewage, water supply, parks, schools, fire, police, or other public facilities/services (including traffic flows) in the area.*

The City's Comprehensive Plan provides for the planned and orderly growth of the community by making sure that the necessary infrastructure and services are in place as growth occurs. Because the proposed neighborhood is consistent with the City's Comprehensive Plan, no impacts or excessive burdens are anticipated to the roads, public utilities, or public services.

A detailed traffic study was prepared as part of the EAW, and found no traffic impacts that could not be mitigated.

The majority of the homes in the neighborhood will not contain school age children. As such, no impacts are anticipated to the North St. Paul school district.

- j. If applicable, provide a description of proposed lakeshore access (i.e. shared dock with multiple slips, individual docks for each lot, etc.);*

Not applicable.

# INWOOD FOURTH ADDITION (PHASE 3) LOT SUMMARY TABULATIONS

8-Aug-16

| Lot # | Block # | Area (sq.ft.) | Lot Width | Lot Depth |
|-------|---------|---------------|-----------|-----------|
| 1     | 1       | 9,772         | 75.8      | 128.8     |
| 2     | 1       | 8,552         | 65.0      | 131.6     |
| 3     | 1       | 10,099        | 75.0      | 134.3     |
| 4     | 1       | 10,250        | 70.0      | 146.4     |
| 5     | 1       | 10,402        | 65.0      | 161.1     |
| 6     | 1       | 10,071        | 65.0      | 155.1     |
| 7     | 1       | 11,957        | 87.8      | 139.5     |
| 8     | 1       | 10,972        | 87.3      | 131.5     |
| 9     | 1       | 8,964         | 65.0      | 138.1     |
| 10    | 1       | 8,875         | 65.0      | 136.5     |
| 11    | 1       | 8,774         | 65.0      | 135.0     |
| 12    | 1       | 8,672         | 65.0      | 133.4     |
| 13    | 1       | 8,571         | 65.0      | 131.9     |
| 14    | 1       | 12,428        | 93.1      | 130.0     |
| 1     | 2       | 13,650        | 105.0     | 130.0     |
| 2     | 2       | 8,515         | 65.5      | 130.0     |
| 3     | 2       | 8,515         | 65.5      | 130.0     |
| 4     | 2       | 8,515         | 65.5      | 130.0     |
| 5     | 2       | 8,515         | 65.5      | 130.0     |

| Lot # | Block # | Area (sq.ft.) | Lot Width | Lot Depth |
|-------|---------|---------------|-----------|-----------|
| 6     | 2       | 10,749        | 75.0      | 142.9     |
| 7     | 2       | 10,303        | 70.0      | 146.6     |
| 8     | 2       | 9,660         | 64.4      | 131.6     |
| 9     | 2       | 10,715        | 79.8      | 130.0     |
| 10    | 2       | 11,529        | 73.2      | 127.5     |
| 11    | 2       | 9,790         | 64.3      | 121.8     |
| 12    | 2       | 9,165         | 64.3      | 115.9     |
| 13    | 2       | 9,128         | 64.3      | 126.8     |
| 14    | 2       | 8,450         | 65.0      | 130.0     |
| 15    | 2       | 9,840         | 64.4      | 130.0     |
| 16    | 2       | 10,804        | 64.4      | 127.2     |
| 17    | 2       | 10,572        | 64.4      | 125.2     |
| 18    | 2       | 9,550         | 64.5      | 121.1     |
| 19    | 2       | 8,662         | 64.5      | 120.1     |
| 20    | 2       | 8,171         | 65.0      | 125.7     |
| 21    | 2       | 8,171         | 65.0      | 125.7     |
| 22    | 2       | 8,171         | 65.0      | 125.7     |
| 23    | 2       | 8,171         | 65.0      | 125.7     |
| 24    | 2       | 8,171         | 65.0      | 125.7     |
| TOTAL |         | 365,841       |           |           |

|              |  |               |
|--------------|--|---------------|
| RIGHT OF WAY |  | Area (sq.ft.) |
| RESIDENTIAL  |  | 109,502       |

|                 |         |
|-----------------|---------|
| TOTAL SITE AREA | 475,343 |
|-----------------|---------|

Please Note: Lots widths shown represent the width of the lot at the proposed house location.

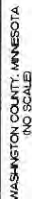
E.G. Rud & Sons, Inc.  
Job No. 13777PP

8/9/16



PART OF SEC. 33, TWP. 29, RING 2

PART OF SEC. 33, TWP. 29, RING 2



PUBLIC DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



BRING A FEET IN WIDTH AND ADJOINING SEE 101 LINES AND 10 FEET IN WIDTH AND ADJOINING STREET LINES AND NEAR 101 LINES. UNLESS OTHERWISE SHOWN ON THIS PLAN.



John Rask, Vice President  
M/A Homes of Minneapolis/St. Paul, LLC  
941 NE Millwood Road, Suite 300  
Fridley, MN 55432  
763-546-7700

M/J Homes of Minneapolis/St. Paul, LLC  
941 NE Highway Road, Suite 300  
Fridley, MN 55432  
763-586-7200

[illegible]

Field surveys were completed by L. B. Jara-Saiz, an *in situ* biologist, all livingfish shown are on the Washington Field Coordinate System. Field artists are from the top and back of each fish. All fish were measured to the nearest millimeter. All measurements, restrictions and/or abnormalities may exist other than those shown. Survey subject is retained upon receipt of a burial tag.   
PacBio ID: 311-00001-21-00002, 33-029-21-00002, 33-029-21-12-0001, 33-029-21-00003, 33-029-21-00004, 33-029-21-00005.   
Mass source code = 151-16.   
This report was prepared by Kymono Environmental Services, Inc.   
Report done by Amirjon Ego, Fieldist, on June 21/21/14 report.

|                               |      |             |
|-------------------------------|------|-------------|
| TOTAL PLANT AREA (ALL PHASES) |      | 157.7 ACRES |
| PHASE 3 INFORMATION:          |      |             |
| PHASED SINKS - FAMILY LOTS    | 38   | ACRES       |
| PUD SINKS - FAMILY LOTS AREA  | 3.5  | ACRES       |
| HIGH-RISE WALK AREA           | 10.9 | ACRES       |
| TOTAL AREA OF PHASE 3         |      |             |

| FRONT YARD                          | 20 FEET |
|-------------------------------------|---------|
| SIDE YARD <td>4 FEET</td>           | 4 FEET  |
| CONCRETE SIDE YARD <td>20 FEET</td> | 20 FEET |
| REAR YARD <td>20 FEET</td>          | 20 FEET |

| DATE | TIME | LOCATION | REMARKS |
|------|------|----------|---------|
| 1    |      |          |         |
| 2    |      |          |         |
| 3    |      |          |         |
| 4    |      |          |         |
| 5    |      |          |         |
| 6    |      |          |         |
| 7    |      |          |         |
| 8    |      |          |         |
| 9    |      |          |         |
| 10   |      |          |         |
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| 23   |      |          |         |
| 24   |      |          |         |
| 25   |      |          |         |
| 26   |      |          |         |
| 27   |      |          |         |
| 28   |      |          |         |
| 29   |      |          |         |
| 30   |      |          |         |
| 31   |      |          |         |

I hereby certify that this survey, plan or report was prepared by  
me or my duly authorized representative on the following date:  
Long Beach, California, September 19, 1968

*[Signature]*  
JAMES W. O'SHEA  
Date 9/19/68

Exhibit No. 22291

5776 Lake Drive NE, Suite 110  
Lino Lakes, MN 55014  
Tel (651) 341-4286 Fax (651) 341-4901



**E. G. RUD & SONS, INC.**  
Professional Land Surveyors

**HANS HAGEN HOMES**  
941 NE Hillwind Rd., Suite 300  
Fridley, MN 55432

**INWOOD**  
Lake Elmo, Minnesota

UPD FINAL PLAN PHASE 3

13777PP

13777PP

## MEMORANDUM

# FOCUS ENGINEERING, inc.

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

Date: September 28, 2016

To: Stephen Wensman, City Planner  
Cc: Chad Isakson, P.E., Municipal Engineer  
From: Jack Griffin, P.E., City Engineer

Re: Inwood 4th Addition – Final Plat  
Engineering Review Comments

An engineering review has been completed for the Inwood 4<sup>th</sup> Addition. Final Plat/Final Construction Plans were received on August 17, 2016. The submittal consisted of the following documentation prepared by Carlson-McCaist, Inc. or as noted:

- Inwood Fourth Addition Final Plat, dated August 8, 2016.
- Inwood 4th Addition Street and Utility Construction Plans dated July 20, 2016.
- Inwood 4th Addition Specifications dated July 20, 2016.
- Inwood 4th Addition Landscape Plans dated August 9, 2016.

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

### FINAL PLAT: INWOOD 4TH ADDITION

- Final Construction Plans and Specifications must be revised in accordance with the Construction Plan engineering review memorandum dated September 28, 2016.
- Final Construction Plans and Specifications must be prepared in accordance with the City Engineering Design Standards Manual using City details, plan notes and specifications and meeting City Engineering Design Guidelines.
- All easements as requested by the City Engineer and Public Works department shall be documented on the Final Plat prior to the release of the Final Plat for recording.
- All easements as requested by the City Engineer and Public Works department shall be documented on the Final Construction Plans.

### FINAL CONSTRUCTION PLANS & SPECIFICATIONS

- No construction for Inwood 4th Addition may begin until the applicant has received City Engineer approval for the Final Construction Plans; the applicant has obtained and submitted to the City all applicable permits, easements and permissions needed for the project; and a preconstruction meeting has been held by the City's engineering department.
- The Final Plat shall not be recorded until final construction plan approval is granted.
- A separate memorandum will be provided to direct additional plan corrections necessary for final construction plan approval.

**From:** [Rob Weldon](#)  
**To:** [Stephen Wensman](#)  
**Subject:** Inwood 4th review  
**Date:** Friday, September 02, 2016 11:39:11 AM

---

Steven,

There are a couple changes we would like to see to the water and street plans.

Water – Add a 12" gate valve on the north side of Ivywood Ave. at its intersection w/ Ivywood Ln. As the current plans show, we would be shutting water off to the entire addition it work/repairs would be needed in the area from 5<sup>th</sup> St. north to were the 12" main ties in from the easement on the west. Adding this valve would help us isolate the area and better control water flowage.

Streets – R8-3 No Parking (symbol) signs shall be 18"x18". This is the size we currently stock and prefer to stay with.

Another point of concern and question is the size of trees being proposed for boulevard landscaping. We would like to stay away from trees that will grow to a size that impacts traffic flow and creates damage to streets, curbs and walks.

Thanks!

Rob

Rob Weldon  
Public Works Director  
City of Lake Elmo  
651-747-3941  
[rweldon@lakeelmo.org](mailto:rweldon@lakeelmo.org)



# **SANITARY SEWER NOTES**

1. ALL SANITARY SEWER AND ACCESSORIES MUST BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF LAKE ELMO STANDARD SPECIFICATIONS AND DETAILS.
2. ALL SANITARY SEWER PVC PIPE SHALL BE INSTALLED ACCORDING TO CITY STANDARD SPECIFICATIONS AND DETAILS FOR 4" PVC SANITARY SEWER PIPE.
3. UNLESS NOTED OTHERWISE, ALL SMOOTH-WALLED SANITARY SEWER PVC PIPE AND FITTINGS SHALL BE 33 WITH ELASTOMERIC GASKETED JOINTS.
4. ALL SANITARY SEWER SERVICES SHALL BE 4" MIN PVC SCH 40.
5. SMOOTH-WALLED PVC PIPE AND FITTINGS SHALL CONFORM WITH THE REQUIREMENTS OF ASTM D1774 15.2. THE SIZE STANDARD DRAIN-BOY (SD) AND STRENGTH REQUIREMENTS INDICATED ON THE PLANS, SPECIFICATIONS, AND SPECIAL INSTRUCTIONS.
6. REINFORCED CONCRETE PIPE AND FITTINGS SHALL CONFORM WITH THE REQUIREMENTS OF MOST SPEC 3236 (REINFORCED CONCRETE PIPE) AND THE TYPE, SIZE AND STRENGTH CLASS SPECIFIED HEREIN.
7. JOINTS OF MANHOLE RIGID SECTIONS SHALL BE TIGHTLY AND GROEVED WITH RUBBER JOINT JOINTS PROVIDED ON ALL SANITARY SEWER MANHOLES.
8. SANITARY SEWER INLET AND OUTLET PIPES SHALL BE JOINED TO THE MANHOLE WITH A GASKETED, FLANGED, WATER-TIGHT CONNECTION TO ALLOW DIFFERENTIAL SETTLEMENT OF THE PIPE AND MANHOLE TO TAKE PLACE.
9. A 1'-3" TO 1'-4" MANHOLE SECTION SHALL BE INSTALLED UNDER THE CONE SECTION TO ALLOW FOR HEIGHT ADJUSTMENT WHENEVER POSSIBLE.
10. ALL SERVICE LINE STOPS MUST BE A 7'-2" HARDWOOD MARKER WITH METAL SERVICE RUNNING FROM THE END OF PIPE TO FINISHED GRADE ELEVATION.
11. UPON MAKING A CONNECTION TO AN EXISTING SANITARY SEWER STUB OR MANHOLE, DIRT AND DEBRIS SHALL BE PREVENTED FROM ENTERING THE EXISTING SEWER BY UNOBTAINING INSTALLING AN APPROPRIATE PLUG AS SHOWN IN THE EXISTING MANHOLE.

# **WATERMAIN NOTES**

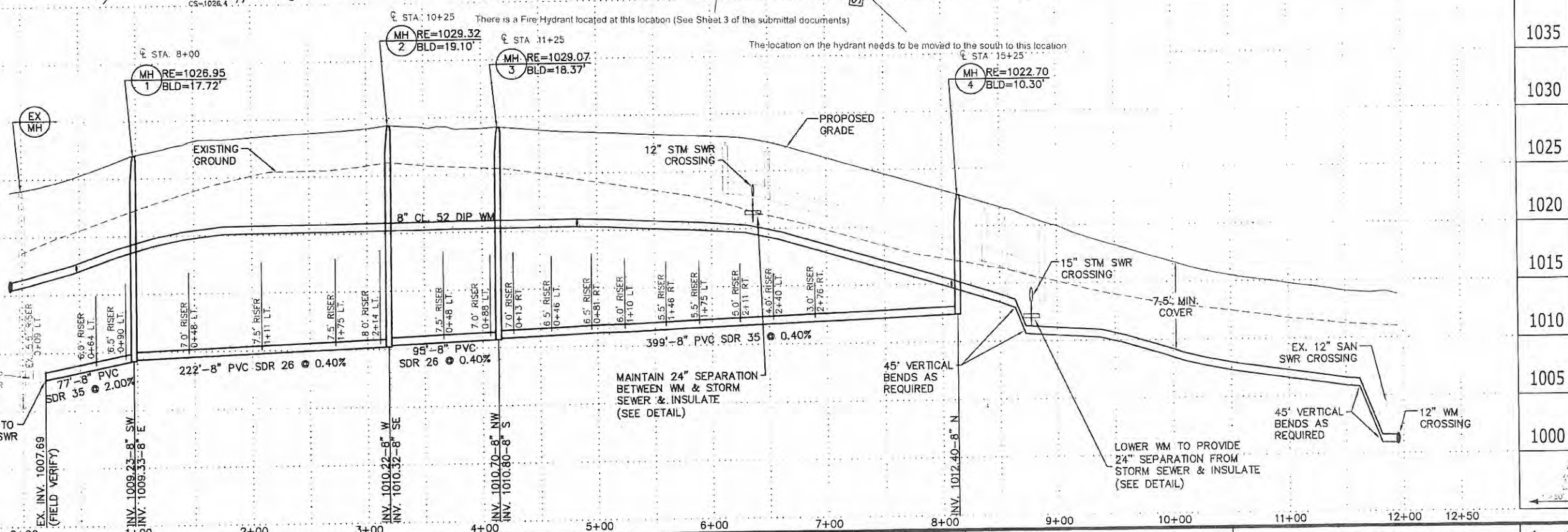
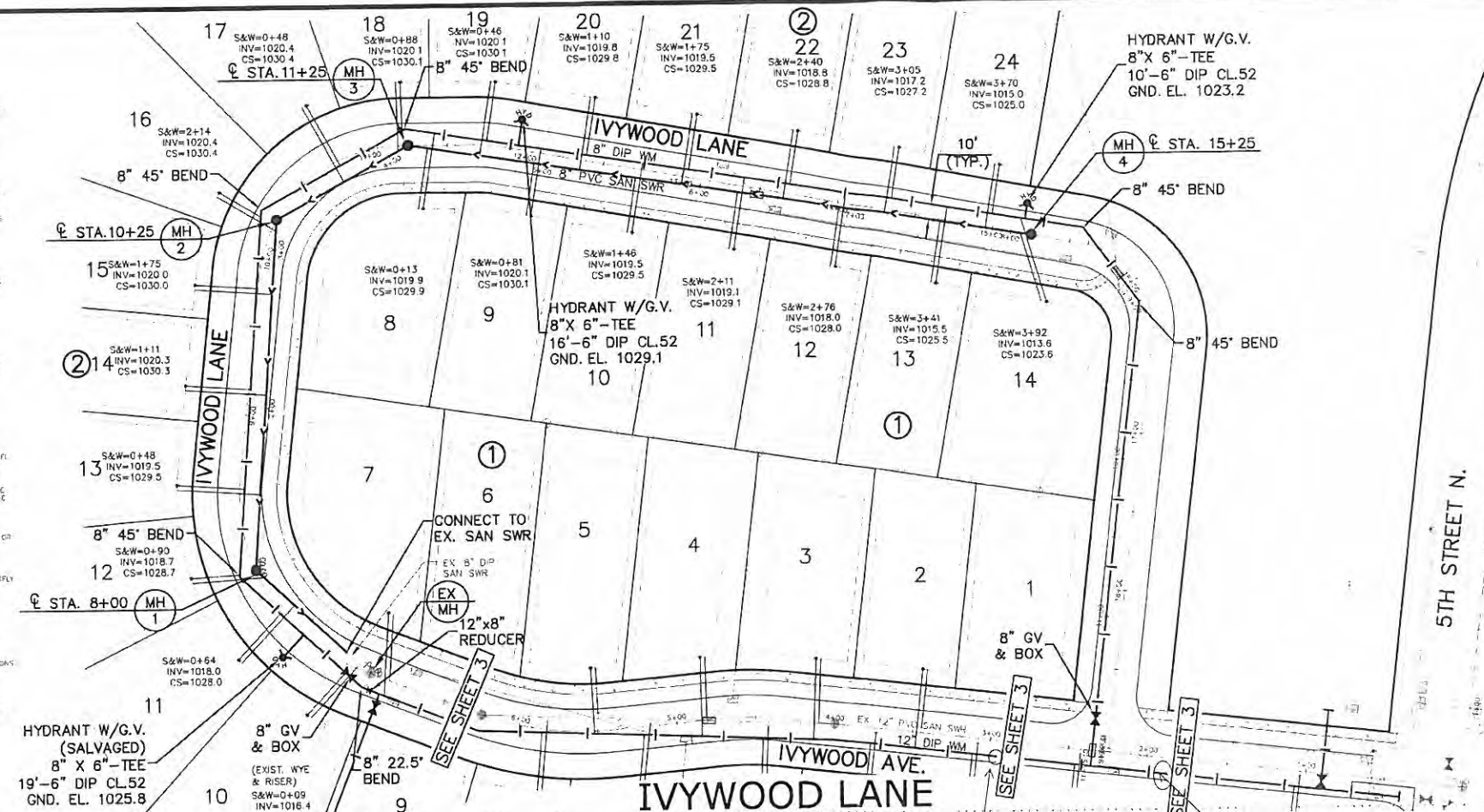
1. ALL WATERMAIN AND ACCESSORIES MUST BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF LAKE ELMO STANDARD SPECIFICATIONS AND DETAILS.
2. MAINTENANCE OF EXISTING WATER MAINS SHALL BE PERFORMED ONLY BY CITY PERSONNEL.
3. WATERMAIN SHALL BE 12" DUCTILE IRON PIPE ENCASED IN POLYETHYLENE CLASS-52.
4. ALL FITTINGS SHALL COMPLY WITH CEAM SPEC 2811.2.1. ALL FITTINGS SHALL BE DUCTILE IRON PIPE WITH POLYETHYLENE ENCASEMENT. ALL CONNECTIONS SHALL BE INSTALLED OUTSIDE CURB-SIDE WAYS & BOXES.
5. USE GATE VALVES FOR ALL APPLICATIONS UP THROUGH 24" SIZES.
6. GATE VALVES SHALL BE PERMITTING PROPER AMERICAN FLOW CONTROL SERIES 2700 OR APPROVED EQUAL. GATE VALVES MUST COMPLY WITH CEAM SPEC 2811.2.2.
7. USE BUTTERFLY VALVES FOR ALL APPLICATIONS GREATER THAN 24" SIZES.
8. BUTTERFLY VALVES SHALL BE MULTIPLE LINEAR, 11" OR APPROVED EQUAL BUTTERFLY VALVES SHALL COMPLY WITH CEAM SPEC 2811.2.3.
9. BOLTS AND NUTS ON ALL VALVES AND HYDRANTS SHALL BE STAINLESS STEEL.
10. ALL HYDRANTS SHALL BE INSTALLED 5.0 FEET BACK ON CURB.
11. HYDRANTS SHALL BE WATERTIGHT VALVE MODEL 88-87 OR APPROVED EQUAL, FINISHED WITH EN 800 SERIES FLEX SHAKE AND PAINTED RED.
12. HYDRANTS SHALL HAVE TWO OUTLET NOZZLES FOR 2-1/2" (1/2") HOSE CONNECTIONS AND ONE 4" STORZ NOZZLE MODEL 88-87 AND PENTAGON NUT END CAP.
13. THE CURB STOP SERVICE ASSEMBLY SHALL HAVE A MINIMUM 1" FT ADJUSTMENT RANGE AND SHALL EXTEND 5 INCHES ABOVE FINISHED GRADE FULLY EXTENDED.
14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING WATER TO HOMES AND BUSINESSES WHOSE WATER SUPPLY IS DISRUPTED DURING THE COURSE OF THE PROJECT.

# **GENERAL SERVICE NOTES:**

1. SANITARY SEWER SERVICES SHALL BE 4" PVC SCHEDULE 40.
2. WATER SERVICES SHALL BE 1" COPPER TYPE K AND SHALL HAVE 7.5' MINIMUM COVER.
3. SANITARY SEWER SERVICE WYES ARE STATIONED FROM THE DOWN STREAM MANHOLE.
4. SANITARY SEWER INVERTS ARE SHOWN AT THE CURB STOP.

# **BENCHMARKS**

1. Top Nut of Hydrant located on the south side of Eagle Point Road approximately 250 ft. easterly of the intersection of Eagle Point Road and Inwood Avenue North - Elevation=1006.57 (NGVD 29)
2. Railroad spike in power pole located on the south side of 10th Street North approximately 1250 ft. east of the West line of the NE 1/4 of S 33, T. 29, R 21 - Elevation=1033.78 (NGVD 29)



**Carlson McCain**  
• environmental  
• engineering  
• surveying

3890 Pheasant Ridge DR. NE,  
Suite 100  
Blaine, MN 55449  
Phone: (763) 489-7900  
Fax: (763) 489-7959  
www.carlsonmccain.com

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota

Print Name: Brian J. Krystofski, P.E.  
Signature: *Brian J. Krystofski*  
Date: 07/20/16 License #: 25063

Drawn: ADB  
Designed: BJK  
Date: 07/29/16

Revisions:  
1.

**M/I HOMES**  
941 NE Hillwind Rd., Suite 300  
Fridley, MN 55432

**INWOOD 4TH ADDITION**  
Lake Elmo, Minnesota

**SANITARY SEWER & WATER MAIN**



PLANNING COMMISSION  
DATE: 10/10/2016  
AGENDA ITEM: 4B – PUBLIC HEARING  
CASE # 2016-40

ITEM: Wildflower at Lake Elmo 2<sup>nd</sup> Addition Final Plat and Final PUD Plans

SUBMITTED BY: Stephen Wensman, Planning Director

REVIEWED BY: Emily Becker, City Planner  
Jack Griffin, City Engineer

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#### **SUMMARY AND ACTION REQUESTED:**

Robert Engstrom Companies is requesting approval of final plat, final PUD development plans for the second phase of the Wildflower at Lake Elmo PUD development. The final plat includes 20 single family residential lots located to the east of the first phase. Staff is recommending approval of the request subject to compliance with the conditions listed in this report.

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#### **GENERAL INFORMATION**

*Applicant:* Robert Engstrom Companies; 4801 West 81<sup>st</sup> Street, #101, Bloomington, MN

*Property Owners:* Robert Engstrom Companies; 4801 West 81<sup>st</sup> Street, #101, Bloomington, MN

*Location:* Outlot O, Wildflower at Lake Elmo 1<sup>st</sup> Addition, near the intersection of Wildflower Drive and Monarch Lane.

*Request:* Application for lot Final Plat and Final Planned Unit Development (PUD) Plan approval for the second phase of the Wildflower PUD development. The final plat includes 20 single-family residential lots, an outlot (courtyard), and an outlot for future development.

*Existing Land Use and Zoning:* Vacant outlot and MDR/PUD.

*Surrounding Land Use and Zoning:* North – vacant outlot and MDR/PUD zoning –; west – Wildflower 1<sup>st</sup> Addition and MDR/PUD zoning –; south – offices, business park land – General Business zoning; east – Wildflower outlot and open space/Field of St. Croix II subdivision open space – RR and OP zoning.

*Comprehensive Plan:* Village Medium Density Residential (3-4 units per acre)/Village Open Space Overlay

*History:* The property is within the Village Planning Area boundary and municipal sewer service area. The site was historically been used for farming activities. A large portion of the site is located in a FEMA Flood District. The City approved a Comprehensive Plan Amendment in 2014 that removed portions of the site from the open space land category. The City approved a PUD Concept Plan for the property on June 17, 2014,

and a preliminary plat and preliminary PUD plans on April 7, 2015. Wildflower 1<sup>st</sup> Addition received final plat and PUD plan approval on 7/21/15.

*Deadline for Action:*           Application Complete – 8/26/16  
                                           60 Day Deadline – 10/25/16  
                                           Extension Letter Mailed – No  
                                           120 Day Deadline – 12/24/16

*Applicable Regulations:*   Chapter 153 – Subdivision Regulations  
                                           Article 10 – Urban Residential Districts (MDR)  
                                           Article 16 – Planned Unit Development Regulations  
                                           §150.270 Storm Water, Erosion, and Sediment Control

## REQUEST DETAILS

Robert Engstrom Companies is requesting approval of a final plat and final PUD plan associated with the second phase of the Wildflower Planned Unit Development (PUD). The proposed final plat will replat the Outlot O, Wildflower at Lake Elmo, 19.2074 acres, in 20 single-family residential lots, of which 10 will be the “garden villa” homes while the remaining 10 will be the general single family homes located north of Wildflower Drive. In addition to the 20 single family homes, the final plat and PUD plans include two outlots. Outlot A is 0.5818 acres in size and will be an HOA owned outlot for the garden villa courtyard. Outlot B is 11.99 acres in size and will be redeveloped into residential lots in the future. The ten garden villa lots average 0.16 acres in size with the smallest lot being 0.1405 acres in size and the largest 0.1774 acres in size; the ten single family lots average 0.29 acres in size, with the smallest being 0.2292 acres in size and largest being 0.3504 the acres in size. The lots sizes and dimensions are consistent with the preliminary plat and PUD Plans.

### **Plat Summary:**

|                                           |                              |
|-------------------------------------------|------------------------------|
| Development area (Outlot O):              | 19.2074 acres                |
| Total lot area:                           | 4.4962 acres                 |
| Residential lots:                         | 20 (10 villa, 10 regular)    |
| Outlot for future development (Outlot B): | 11.9934 acres                |
| Outlot for courtyard (Outlot A):          | 0.5818 acres                 |
| R/W area:                                 | 2.1359 acres                 |
| Average garden villa lot size:            | 0.16 acres                   |
| Average single family lot size:           | 0.29 acres                   |
| Gross density (excluding outlots):        | 2.55 dwelling units per acre |
| Net density (excluding outlots and R/W)   | 4.0 dwelling units per acre  |

**Grading.** The site was graded with the first phase development, so no grading plans were included in the final plat submittal.

## REVIEW AND ANALYSIS:

Staff has reviewed the final plat and final PUD development plans and has identified a number of issues that need to be addressed prior to recoding the final plat. A summary of the issues are as follows:

**Planned Unit Development Agreement.** The Wildflower development is a Planned Unit Development and some flexibility was permitted under this ordinance. Flexibility granted under planned unit developments are negotiated up front and the agreements are approved with the plat. The City's MDR – Medium Density Residential Zoning District requirements will apply to this development with the exceptions outlined in the PUD Agreement approved with the first phase below:

## **WILDFLOWER**

### **LOT PROFILE ( SFD )**

|                 | RIDGE LOTS | CONSERVANCY LOTS | PRAIRIE LOTS | COURTYARD LOTS<br>(Garden Villa Homes) |
|-----------------|------------|------------------|--------------|----------------------------------------|
| QUANTITY        | 9          | 13               | 54           | 67                                     |
| AVG DIMENSION   | VARIABLE   | VARIABLE         | 85'x145' +/- | 60'x115' +/-                           |
| AVG SIZE (S.F.) | 18,585     | 21,600           | 12,325 +/-   | 7,015 +/-                              |

### **SETBACKS**

|                                    | RIDGE LOTS                                                                  | CONSERVANCY LOTS                                                            | PRAIRIE LOTS | GARDEN VILLA HOMES |
|------------------------------------|-----------------------------------------------------------------------------|-----------------------------------------------------------------------------|--------------|--------------------|
| FRONT YD.                          | 25'                                                                         | 25'                                                                         | 25'          | 20'+               |
| SIDE YD.                           |                                                                             |                                                                             |              | 15' TOTAL          |
| HOUSE:                             | 15'                                                                         | 15'                                                                         | 10'          | 10' (OR 7.5')      |
| GARAGE:                            | 10'                                                                         | 10'                                                                         | 5'           | 5' (OR 7.5')       |
| PUBLIC STREET:                     | 25'                                                                         | 25'                                                                         | 15'          | 15'                |
| REAR YARD TO COURT DRIVEWAY R.O.W. | VARIABLE<br>To maintain bluff vegetation and slope erosion<br>(25' Minimum) | VARIABLE<br>To maintain bluff vegetation and slope erosion<br>(25' Minimum) | 30'          | 20'+               |

### **COURTYARD LOTS:**

**SPECIFIC CONDITIONS FOR SETBACK DESIGN FEATURES, FRONT, REAR & SIDE YARDS, TO ALLOW FOR OVERLAPPING ARCHITECTURAL AND LANDSCAPE ELEMENTS IN SETBACK AREAS.**

|    |                                                                                                                        |                                                                                                                                                                                      |
|----|------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A. | FIREPLACE BUILD OUTS (CHIMNEY & VENT BOXES)                                                                            | 2'-0" MAX.                                                                                                                                                                           |
| B. | WINDOW BAYS OR BOX OUT FEATURES (CANTILEVERED)                                                                         | 2'-0" MAX.                                                                                                                                                                           |
| C. | CANTILEVERED FLOOR AREAS (1 & 2 STORIES)                                                                               | 2'-0" MAX.                                                                                                                                                                           |
| D. | FRONT PORCHES                                                                                                          | 10'-0" MAX. PAST HOUSE FRONT FACE                                                                                                                                                    |
| E. | ROOF OVERHANGS, ALL SIDES                                                                                              | 3'-6" MAX.                                                                                                                                                                           |
| F. | HIGH FENCES – NOT ATTACHED TO HOUSE (MAX. HT. 6') SIDE YARD SETBACK                                                    | 3'-0" MAX. DISTANCE FROM SETBACK LINE                                                                                                                                                |
| G. | LOW FENCES (30"- 42" HT.) – FRONT & REAR YD - ALLOWED, CONSISTENT WITH SIZE OF PRIVATE PATIOS, DECKS AND GARDEN AREAS. | FRONT YD - 8'-0" INSIDE FRONT YARD P.L.<br>REAR YD: NOT TO EXCEED 12'-0" PAST GARAGE DOOR WALL FACE                                                                                  |
| H. | DECKS & PATIOS – FRONT YD.                                                                                             | 6'-0" INSIDE FRONT P.L.                                                                                                                                                              |
| I. | DECKS & PATIOS – SIDE YD.                                                                                              | 3'-0" MAX. DISTANCE FROM SETBACK LINE                                                                                                                                                |
| J. | DECKS & PATIOS – REAR YD.                                                                                              | NOT TO EXCEED 12'-0" PAST GARAGE DOOR WALL FACE                                                                                                                                      |
| K. | TRELLIS, ARBORS, GATEWAYS & FEATURES                                                                                   | LOCATION & SIZE TO BE CONSISTENT WITH SIZE OF PRIVATE PATIOS, DECKS & GARDEN AREAS. EXACT FEATURE DESIGN AND LOCATION TO BE REVIEWED AND APPROVED BY R.E.C. DESIGN REVIEW PROCEDURE. |

The PUD Plans/Agreement also allowed flexibility from the City street standards. The following is a general summary of the subdivision design elements that were approved:

**Proposed Street Standards:**

- ROW Width – Local 60 ft. (per Subdivision Ordinance)
- Street Widths – Local: 28 ft. (per City standard)
- Street Widths – Other: 24 ft. (two way with parking one side)  
20 ft. (one way with parking)  
18ft. (one way with no parking)
- Alley/Rear Access 18ft. (proposed PUD standard)

The proposed streets in the Wildflower at Lake Elmo 2<sup>nd</sup> Addition are as follows:

- Goldenrod Court is a 60 foot R/W with 28' wide local street
- Wildflower Drive is a 110 foot with R/W divided by a median with street lane widths of 19'-4" and 21'-4" (no parking)
- Monarch Path a 30 foot R/W with 18' wide lane (one way - no parking).
- Street B (unnamed) is a 32 foot R/W with 20.5' wide lane (one way with parking).
- Sunflower lane is a 65 foot R/W with a 24' wide lane (parking on one side).

**PUD Agreement - Phase 2.** The developer has suggested an interpretation of the PUD Agreement that is inconsistent with Staff's interpretation. The PUD Agreement (above) established the sideyard setback from a public street as being 15 feet for the courtyard areas. Typically setbacks are established from property lines, not streets, and all the other setbacks in the PUD Agreement are to property lines. The developer's interpretation is problematic as is illustrated by the building permit being issued for Lot 4, Block 4, Wildflower at Lake Elmo 1<sup>st</sup> Addition. The permit was approved after Staff being convinced the setback was from the street. The home was constructed with a setback that is 10.2 feet from the corner side property line, or 16 feet from the street (Hummingbird Path). As a result, the home is located up to the side yard drainage utility easement with multiple encroachments into it, including: a fireplace, a bay window and an egress window well. When the small utility company installed the utilities, the trencher damaged the egress window well stone wall that encroached in the easement. The developer, aware of this issue, is specifically requesting a 10 foot (property line) setback for lot 1, Block 3 and Lot 4, Block 3, Wildflower at Lake Elmo 2<sup>nd</sup> Addition. It is Staff's belief that this permit should not have been approved and that the 15 foot setback from a public street should have been interpreted as setback from the property line on a corner lot adjacent a public street. Furthermore, encroachments are not permitted in drainage and utility easements. Some encroachments are permitted into setbacks as outline above in the PUD Agreement. Planning and Engineering Staff are opposed to the suggested interpretation and does not support corneryard setbacks adjacent a public street at 10 feet.

**Street Names.** Street B on the Final Plat has not been given a proper name. This street should be named consistent with the City's street naming ordinance prior to recording the plat.

**Engineering Review.** The City Engineer has reviewed the final plat submittal and has prepared a memorandum for the Commission and Council's review. The comments in the City Engineer's review memorandum dated September 29, 2016 should be addressed prior to releasing the plat for recording.

**Preliminary Plat Conditions.** The final plat is in conformance with the preliminary plat. The preliminary plat and PUD plans were approved with conditions. Staff has provided comments on the status of each in bold italics:

**Preliminary Plat Conditions – With Staff Update Comments (updated information in bold italics):**

- 1) No lots within a FEMA flood zone shall be approved as part of a final plat until such time that the City's Floodplain Management Map has been amended to remove these lots. As an alternative to amending this map, the developer must provide documentation that all structures will be built above the regulatory flood protection elevation, that any public infrastructure will also meet Floodplain Ordinance requirements, and that the proposed storm water ponds may be constructed within the floodplain area. ***Comments: This condition will apply to the final plat and all subsequent stages. The Valley Branch Watershed District has indicated that it will undertake a study to amend the FEMA flood delineations to lower the flood levels in this area to match those identified in the Goetschel Pond study. There are no buildable lots depicted on the final plat that are located in a flood district.***
- 2) Prior to any grading activity, the developer shall submit to the City temporary grading easements from the owner of the lots adjacent to Layton Avenue within the Brookman Addition in order to construct the improvements within this right-of-way as documented in the preliminary construction plans. ***Comments: These easements have been secured and grading was completed within this area.***
- 3) The developer has requested the inclusion of public art within common areas and public property throughout Wildflower development. Prior to the placement of any art on publicly owned property or public rights-of-way, the developer and City shall enter into an agreement that clarifies the individuals or entities responsible for maintenance, upkeep and removal of any public art. No public art shall be lit in a manner that conflicts with the City's Lighting Ordinance. ***Comments: This is a condition that will apply to any placement of public art within the development, including that installed in phase 1, the stamping of poetry into sidewalks and sculpture in the right of way. A landscape license agreement shall be executed to include public art as a landscape element and shall be executed prior to building permits in the second phase.***
- 4) Prior to the submission of a final plat for any portion of the Wildflower PUD, the developer shall work with the City to determine the appropriate park dedication calculations for the entire development area. ***Comments: The developer agreement for the first phase indicated that all park dedication was satisfied with the first phase of the development.***
- 5) The applicant must enter into a separate grading agreement with the City prior to the commencement of any grading activity in advance of final plat and plan approval. The City Engineer shall review any grading plan that is submitted in advance of a final plat, and said plan shall document extent of any proposed grading on the site. ***Comments: The site grading was completed with the first phase of the development***
- 6) The utility construction plans shall be updated to incorporate the recommendations of the City Engineer as described in a February 18, 2015 memorandum to the City concerning the appropriate location and size of sewer services through the PUD planning area, including any requested oversizing of these facilities to service adjacent properties, prior to the submission of a

final plat. *Comments: The supplemental plans included in the final plat submission address the previous review comments. The City Engineer approved the supplemental plans. This condition has been met.*

- 7) The developer shall minimize the number of rain gardens within public rights-of-way consistent with the review comments from the City Engineer. Any such storm water infiltration features shall be subject to review and approval by the City Engineer. *Comments: All rain gardens as previously proposed have been eliminated from the plans.*
- 8) The preliminary development plans must be revised to comply with City Street standards as referenced in the City Engineer's review memorandum dated February 18, 2015. *Comments: The plans have been updated to meet City standards and were approved.*
- 9) The City approves all requests for flexibility from City Zoning and Subdivision requirements with the exception of the street standards noted in the preceding condition. *Comments: The revised plans address this condition.*
- 10) The applicant is encouraged to incorporate elements from the Lake Elmo Theming Study into the open space areas within the subdivision. *Comments: The final plans do not include any specific references to the City's theming study. This condition was not a mandatory requirement.*
- 11) The preliminary landscape plan shall be updated to address the review comments from the City's landscape architecture consultant as noted in a review letter dated February 4, 2015. *Comments: The Preliminary Landscape Plans dated 5/28/15 generally meet the City's requirements for landscaping, however the Landscape Architect's review comments have not been fully addressed. The developer has since submitted an amended plan for a portion of the first addition landscaping which have been approved, subject to the landscape requirements for the entire site. The first phase landscaping will be evaluated for compliance once the first phase is landscaped and an asbuilt plan has been submitted.*
- 12) All center median planting areas as depicted on the preliminary plat and plans shall be owned by the City of Lake Elmo and maintained by the Homeowners Association. The applicant shall enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park, trails, or open space on the final plat. *The developer has entered into a landscape license agreement that meets this condition for the first phase which will need to be amended to address the public art. A similar agreement will be required with the second addition and will be a condition of approval. The agreement shall be executed prior to issuance of building permits in the second phase.*
- 13) The Final Plat and Plans must address the requested modifications outlined in the City Engineer's review memorandum dated February 18, 2015. *Comments: The final plans have addressed these comments/*
- 14) Prior to recording the Final Plat for any portion of the area shown in the Preliminary Plat, the Developer shall enter into a Developers Agreement acceptable to the City Attorney that delineates who is responsible for the design, construction, and payment of public improvements. *Comments: A developer's agreement was entered into for the first phase and will be for the second phase.*

- 15) The developer shall provide an easement over or dedicate in a separate outlot all trails to be dedicated for public use. Any such trails shall be considered a park land dedication provide said trails are constructed by the developer with other public improvements within the subdivision.  
***Comments: this condition has been met.***
- 16) The City will not approve a final plat for any portion of Wildflower until such time that the City has approved construction plans and received financial security related to the construction of the public improvement project to connect the 39th Street Sewer to the 30th Street lift station.  
***Comments: This condition has been met and no longer applies.***
- 17) The developer must follow all the rules and regulations of the Wetland Conservation Act, and adhere to the conditions of approval for the Valley Branch Watershed District Permit.  
***Comments: The developers plan have been reviewed and approved by the Watershed District and grading work has been completed in accordance with this permit.***
- 18) The developer shall maintain access to the Smith property (11514 Stillwater Boulevard North) during construction of the first development phase. Said access shall, at a minimum, be capable of supporting emergency management vehicles and be consistent with City access driveway standards. The existing driveway easement shall be vacated prior to the recording of the final plat. ***Comments: The driveway easement from the Smith property providing access to Stillwater Boulevard has been vacated.***
- 19) The developer shall establish a legally binding agreement to prevent further residential or commercial development of all outlots that are planned for open space or conservation uses within the preliminary plat. ***Comments: This condition has been met.***

Staff is recommending approval of the final plat and PUD plans with conditions intended to address the outstanding issues that will require additional review and/or documentation.

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

Staff is recommending conditions as part of this final plat review to address issues highlighted in this report that include conditions of the preliminary plat that have not been fully addressed by the applicant. The City Engineer's review memorandum dated September 29, 2016 identifies a number of issues that need to be addressed by the developer in order for the City to deem the final plans complete. Based on the above Staff report and analysis, Staff is recommending approval of the final plat and final PUD development plans for phase two with the following conditions:

##### ***Recommended Conditions of Approval:***

- 1) The comments in the City Engineer's review memorandum dated September 29, 2016 should be addressed prior to releasing the plat for recording. Final construction plans shall be reviewed and approved by the City Engineer prior to the recording of the Final Plat. All changes and modifications to the plans requested by the City Engineer in a memorandum dated September 29, 2016 and any future reviews shall be incorporated into these documents before they are approved.

- 2) Prior to the execution of the Final Plat by City officials, the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements for the Wildflower at Lake Elmo 2<sup>nd</sup> Addition Final Plat and Final PUD Development Plans with financial guarantees therefore.
- 3) All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat prior to the execution of the final plat by City Officials.
- 4) A Common Interest Agreement concerning management of the common areas of Wildflower at Lake Elmo 2<sup>nd</sup> Addition and establishing a homeowner's association shall be submitted in final form to the Community Development Director before a building permit may be issued for any structure within this subdivision.
- 5) The applicant shall also enter into a landscape license/public art agreement and maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping and public art installed in areas outside of land dedicated as public park and open space on the final plat.
- 6) Revised landscape plan shall be submitted for review and approval consistent with recommended changes per the City's Consulting Landscape Architect's review memo dated February 14, 2015, prior to recording of the final plat.
- 7) Street signs and no parking signs shall be installed on City Streets within the development prior to any building permits being issued.
- 8) That street segment B, be given a name on the final plat prior to approval of the final plat by the City Council.
- 9) The developer should identify lots with corners adjacent a public street and adjust the building plans to have a 15' setback from the side property line adjacent a public street.

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## DRAFT FINDINGS

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Wildflower Final Plat and Final PUD Plans

- That all the requirements of City Code Section 153.07 related to the Final Plan and Final Plat have been met by the Applicant.
- That the proposed Final Plat for Wildflower at Lake Elmo 2<sup>nd</sup> Addition consists of the creation of 20 single-family detached residential structures.
- That the Wildflower at Lake Elmo 2<sup>nd</sup> Addition Final Plat and Final PUD Plan is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on April 7, 2014.

- That the Wildflower at Lake Elmo 2<sup>nd</sup> Addition Final Plat and Final PUD Plan is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- That the Wildflower at Lake Elmo 2<sup>nd</sup> Addition Final Plat generally complies with the City's Urban Medium Density Residential zoning district, with the exceptions as noted in the approved Preliminary PUD Plans and PUD Agreement.
- That the Wildflower at Lake Elmo 2<sup>nd</sup> Addition Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances, except as noted in this report or attachment thereof.
- That the Wildflower at Lake Elmo 2<sup>nd</sup> Addition Final Plat complies with the City's subdivision ordinance.
- That the Wildflower at Lake Elmo 2<sup>nd</sup> Addition Final Plat and Final PUD Plan complies with the City's Planned Unit Development Ordinance.
- That the Wildflower at Lake Elmo 2<sup>nd</sup> Addition Final Plat is consistent with the City's engineering standards with the exceptions noted by the City Engineer in his review comments to the City dated September 29, 2016 and as otherwise identified in future reviews.

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#### **RECOMMENDATION:**

Staff recommends that the Planning Commission recommend approval of the Final Plat and Final Development Plans for Wildflower at Lake Elmo 2<sup>nd</sup> Addition with the 9 conditions of approval as listed in the Staff report.

Suggested motion:

***“Move to recommend approval of the final plat and PUD development plans for the Wildflower at Lake Elmo 2<sup>nd</sup> Addition based on the findings of fact listed in the staff report.”***

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#### **ATTACHMENTS:**

1. Application and narrative
2. City Engineer Review Comments – 9/29/2016
3. Final Plat
4. Final Construction Plans
5. Preliminary Landscape Plan dated 5/28/15
6. Landscape Architect memorandum dated 2/14/15
7. Lot 4, Block 4, Wildflower at Lake Elmo 1<sup>st</sup> Addition Building Permit Survey

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#### **SUGGESTED ORDER OF BUSINESS:**

- Introduction ..... Planning Staff
- Report by Staff ..... Planning Staff
- Questions from the Commission ..... Chair & Commission Members

- Open the Public Hearing ..... Chair
- Close the Public Hearing ..... Chair
- Discussion by the Commission ..... Chair & Commission Members
- Action by the Commission ..... Chair & Commission Members

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



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

## FINAL PLAT APPLICATION

Applicant: \_\_\_\_\_ Robert Engstrom Companies  
Address: \_\_\_\_\_ 4801 West 81st Street, Suite 101 Minneapolis, MN 55437  
Phone #: \_\_\_\_\_ 952-893-1001  
Email Address: \_\_\_\_\_ bob@engstromco.com

Fee Owner: \_\_\_\_\_ Robert Engstrom Companies  
Address: \_\_\_\_\_ 4801 West 81st Street, Suite 101 Minneapolis, MN 55437  
Phone #: \_\_\_\_\_ 952-893-1001  
Email Address: \_\_\_\_\_ bob@engstromco.com

Property Location (Address): \_\_\_\_\_ Intersection of Wildflower Drive & Monarch Lane  
Complete (long) Legal Description: \_\_\_\_\_ Outlot O of Wildflower at Lake Elmo 1st Addition

PID#: \_\_\_\_\_ 12.029.21.34.0056

General information of proposed subdivision: \_\_\_\_\_

\_\_\_\_\_ Wildflower at Lake Elmo 2nd Addition; 10-Prairie Lots, 10-Courtyard Lots  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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: \_\_\_\_\_ *Robert Engstrom* \_\_\_\_\_ Date: \_\_\_\_\_ 8/25/14 \_\_\_\_\_

Fee Owner Signature \_\_\_\_\_ *Robert Engstrom* \_\_\_\_\_ Date: \_\_\_\_\_ 8/25/14 \_\_\_\_\_

AUG 26 2016



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

## **ACKNOWLEDGEMENT OF RESPONSIBILITY**

This is to certify that I am making application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am the party whom the City should contact regarding any matter pertaining to this application.

I have read and understand the instructions supplied for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I will keep myself informed of the deadlines for submission of material and of the progress of this application.

I understand that this application may be reviewed by City staff and consultants. I further understand that additional information, including, but not limited to, traffic analysis and expert testimony may be required for review of this application. I agree to pay to the City upon demand, expenses, determined by the City, that the City incurs in reviewing this application and shall provide an escrow deposit to the City in an amount to be determined by the City. Said expenses shall include, but are not limited to, staff time, engineering, legal expenses and other consultant expenses.

I agree to allow access by City personnel to the property for purposes of review of my application.

Signature of applicant Robert Engstrom Date 8/25/14  
Name of applicant Robert Engstrom Phone 952-893-1001  
(Please Print)

Name and address of Contact (if other than applicant) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Wildflower at Lake Elmo 2<sup>nd</sup> Addition

Robert Engstrom Companies is submitting a Final Plat Application for Wildflower at Lake Elmo, 2<sup>nd</sup> Addition.

The 2<sup>nd</sup> Addition consists of 19.2 acres, including two outlots. The acreage for the 20 lots is 7.3 acres. There are ten Garden Villa Home Sites and ten lots on a Cul de sac. Much of the infrastructure for the streets, sanitary sewer, storm sewer, and municipal water is already constructed.

One half of the Garden Villa sites for the second neighborhood are included in the Final Plat. The other half of the site involves substantial stormwater construction. The private park will be fully developed with this phase. The design will be similar to the Phase 1 park, which has been very well received.

The homes and Garden Villas will continue on a similar pattern to Phase 1, with continued Architectural approvals.

### Section two of the application:

- a. Developer and owner of record: Robert Engstrom Companies, Paul Engstrom 612-280-7797, Bob Engstrom 612-720-9990.

Pioneer Engineering (John Molinaro) 651-251-0640

Design Forum (Jerry Mazarra) 612-618-7406

- b. Lot 3—Current zoning, Residential PUD. Parcel size is 19.2 acres, including two outlots. The lots area is 7.3 acres or 317,988 sf.
- c. See Pioneer Engineering plat calculations.
- d. Any issues were resolved as part of the Phase 1 Plat
- e. NA
- f. Much of the infrastructure is already constructed as part of phase one. Seven Garden Villa lots on Monarch Lane are already served with utilities. The balance of the infrastructure will be similar to phase one.
- g. Any concerns raised by neighboring properties were addressed during phase one.
- h. NA
- i. NA
- j. NA
- k. The outlot park for the Garden Villa neighborhood will be similar to phase one. The Conservancy and other areas have already been planted in prairie.

*P10<sup>th</sup>  
12.029.21.34.  
0056*

# **WILDFLOWER**

## **LOT PROFILE ( SFD )**

|                 | RIDGE LOTS | CONSERVANCY LOTS | PRAIRIE LOTS | COURTYARD LOTS<br>(Garden Villa Homes) |
|-----------------|------------|------------------|--------------|----------------------------------------|
| QUANTITY        | 9          | 13               | 54           | 67                                     |
| AVG DIMENSION   | VARIABLE   | VARIABLE         | 85'x145' +/- | 60'x115' +/-                           |
| AVG SIZE (S.F.) | 18,585     | 21,600           | 12,325 +/-   | 7,015 +/-                              |

## **SETBACKS**

|                                    | RIDGE LOTS                                                                  | CONSERVANCY LOTS                                                            | PRAIRIE LOTS | GARDEN VILLA HOMES |
|------------------------------------|-----------------------------------------------------------------------------|-----------------------------------------------------------------------------|--------------|--------------------|
| FRONT YD.                          | 25'                                                                         | 25'                                                                         | 25'          | 20'+               |
| SIDE YD.                           |                                                                             |                                                                             |              | 15' TOTAL          |
| HOUSE:                             | 15'                                                                         | 15'                                                                         | 10'          | 10' (OR 7.5')      |
| GARAGE:                            | 10'                                                                         | 10'                                                                         | 5'           | 5' (OR 7.5')       |
| PUBLIC STREET:                     | 25'                                                                         | 25'                                                                         | 15'          | 15'                |
| REAR YARD TO COURT DRIVEWAY R.O.W. | VARIABLE<br>To maintain bluff vegetation and slope erosion<br>(25' Minimum) | VARIABLE<br>To maintain bluff vegetation and slope erosion<br>(25' Minimum) | 30'          | 20'+               |

## **COURTYARD LOTS:**

**SPECIFIC CONDITIONS FOR SETBACK DESIGN FEATURES, FRONT, REAR & SIDE YARDS, TO ALLOW FOR OVERLAPPING ARCHITECTURAL AND LANDSCAPE ELEMENTS IN SETBACK AREAS.**

|    |                                                                                                                        |                                                                                                                                                                                      |
|----|------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A. | FIREPLACE BUILD OUTS (CHIMNEY & VENT BOXES)                                                                            | 2'-0" MAX.                                                                                                                                                                           |
| B. | WINDOW BAYS OR BOX OUT FEATURES (CANTILEVERED)                                                                         | 2'-0" MAX.                                                                                                                                                                           |
| C. | CANTILEVERED FLOOR AREAS (1 & 2 STORIES)                                                                               | 2'-0" MAX.                                                                                                                                                                           |
| D. | FRONT PORCHES                                                                                                          | 10'-0" MAX. PAST HOUSE FRONT FACE                                                                                                                                                    |
| E. | ROOF OVERHANGS, ALL SIDES                                                                                              | 3'-6" MAX.                                                                                                                                                                           |
| F. | HIGH FENCES – NOT ATTACHED TO HOUSE (MAX. HT. 6' ) SIDE YARD SETBACK                                                   | 3'-0" MAX. DISTANCE FROM SETBACK LINE                                                                                                                                                |
| G. | LOW FENCES (30"- 42" HT.) – FRONT & REAR YD - ALLOWED, CONSISTENT WITH SIZE OF PRIVATE PATIOS, DECKS AND GARDEN AREAS. | FRONT YD - 8'-0" INSIDE FRONT YARD P.L.<br>REAR YD: NOT TO EXCEED 12'-0" PAST GARAGE DOOR WALL FACE                                                                                  |
| H. | DECKS & PATIOS – FRONT YD.                                                                                             | 6'-0" INSIDE FRONT P.L.                                                                                                                                                              |
| I. | DECKS & PATIOS – SIDE YD.                                                                                              | 3'-0" MAX. DISTANCE FROM SETBACK LINE                                                                                                                                                |
| J. | DECKS & PATIOS – REAR YD.                                                                                              | NOT TO EXCEED 12'-0" PAST GARAGE DOOR WALL FACE                                                                                                                                      |
| K. | TRELLIS, ARBORS, GATEWAYS & FEATURES                                                                                   | LOCATION & SIZE TO BE CONSISTENT WITH SIZE OF PRIVATE PATIOS, DECKS & GARDEN AREAS. EXACT FEATURE DESIGN AND LOCATION TO BE REVIEWED AND APPROVED BY R.E.C. DESIGN REVIEW PROCEDURE. |

8-21-2014

8-26-2014

11-5-2014 - TOTAL LOTS: 143

9-1-2015

**8-18-16**

## **PHASE 2: APPROVED SIDEYARD SETBACKS:**

10' SB – LOT 1 BLOCK 3 (at courtyard driveway side yard)

10' SB – LOT 4 BLOCK 3 (at courtyard driveway side yard)

# WILDFLOWER AT LAKE ELMO 2ND ADDITION

KNOW ALL PERSONS BY THESE PRESENTS That Robert Engstrom Companies, a Minnesota Corporation, owner of the following described property:

Outlot O, WILDFLOWER AT LAKE ELMO 1ST ADDITION according to the recorded plat thereof Washington County, Minnesota  
Has caused the same to be surveyed and plotted as WILDFLOWER AT LAKE ELMO 2ND ADDITION and does hereby dedicate to the public, for public use, the public ways and the drainage and utility easements as created by this plat.

In witness whereof said Robert Engstrom Companies, a Minnesota Corporation, has caused these presents to be signed by Robert E. Engstrom, its President, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed: Robert E. Engstrom

Robert E. Engstrom, its President

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on this \_\_\_\_\_, by Robert E. Engstrom, the President of Robert Engstrom Companies, a Minnesota Corporation, on behalf of the corporation.

Notary Public: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

## SURVEYOR'S CERTIFICATE

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

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Peter J. Hawkinson, Licensed Land Surveyor  
Minnesota License No. 42299

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on this \_\_\_\_\_, by Peter J. Hawkinson, Licensed Land Surveyor.

Notary Public: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

## CITY PLANNING COMMISSION, Lake Elmo, Minnesota

Approved by the Planning Commission of the City of Lake Elmo, Minnesota, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_  
Chairman

By: \_\_\_\_\_  
Secretary

## CITY COUNCIL, Lake Elmo, Minnesota

This plat was approved by the City Council of the City of Lake Elmo, Minnesota, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and hereby certifies compliance with all requirements as set forth in Section 505.03, Subd. 2, Minnesota Statutes.

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
Clerk

## COUNTY SURVEYOR, Washington County, Minnesota

Pursuant to Chapter 820, Laws of Minnesota, 1971, and in accordance with Minnesota Statutes, Section 505.021, Subd. 1, this plat has been reviewed and approved this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_  
Washington County Surveyor

By: \_\_\_\_\_

## COUNTY AUDITOR/TREASURER, Washington County, Minnesota

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

By: \_\_\_\_\_  
Washington County Auditor/Treasurer

By: \_\_\_\_\_  
Deputy

## COUNTY RECORDER, Washington County, Minnesota

Document Number \_\_\_\_\_

I hereby certify that this instrument was recorded in the Office of the County Recorder for record on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_ o'clock \_\_\_\_ M. and was duly recorded in Washington County Records.

By: \_\_\_\_\_  
Washington County Recorder

By: \_\_\_\_\_  
Deputy

SECRET

ENC 135  
LARE ELMO  
O/SITE WARENS  
CREATIVE



200 385 LARK LANE OLD  
C/O 4125 LARK LANE  
C/O 4125 LARK LANE  
P.O. BOX 4125

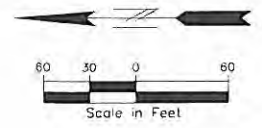
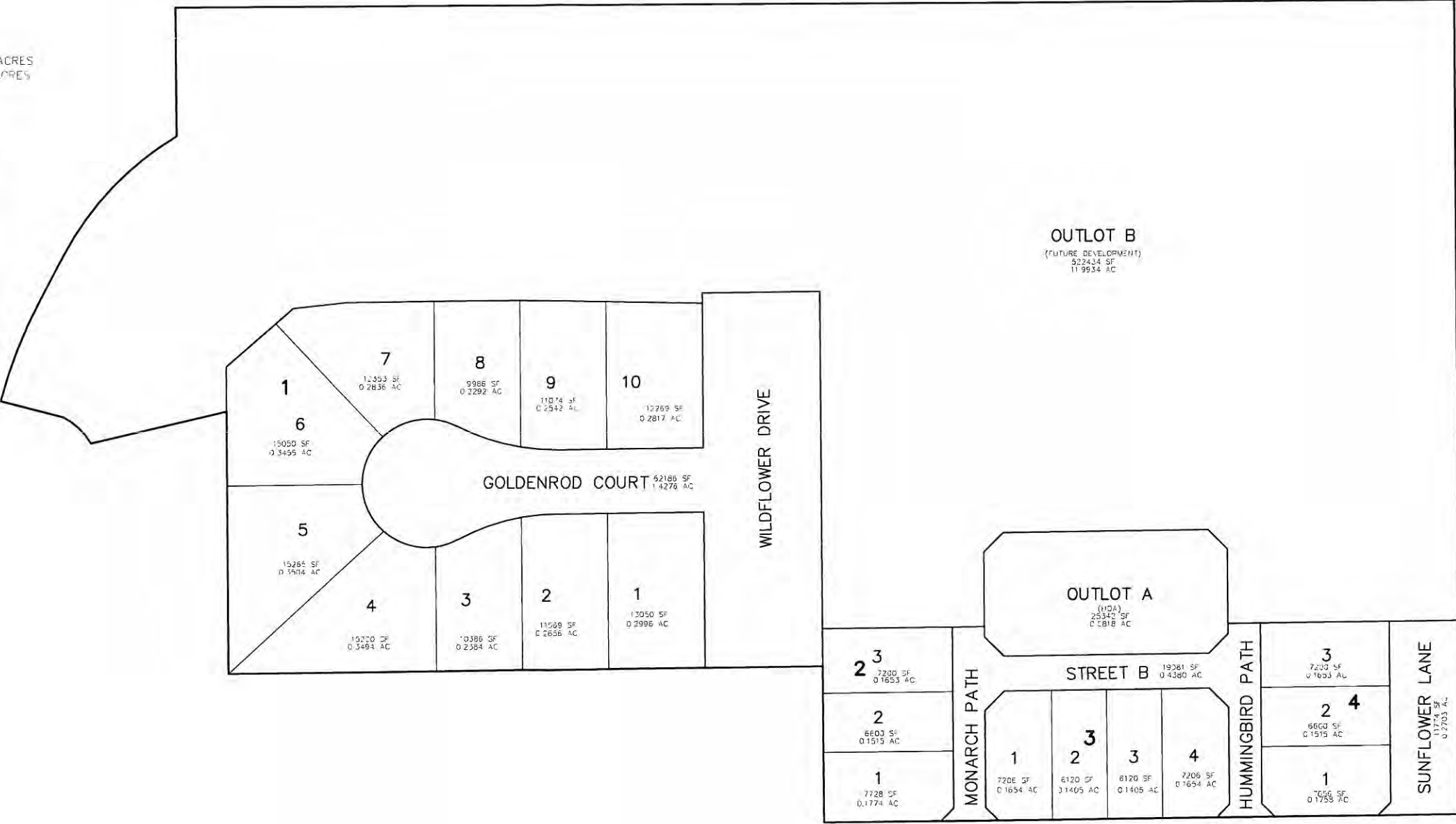
SHEET 2 OF 2 SHEETS

WILDFLOWER AT LAKE ELMO 2ND ADDITION  
AREA SKETCH

EXISTING LEGAL DESCRIPTION  
Sublot D, WILDFLOWER AT LAKE ELMO 1ST ADDITION  
EXISTING PID# 12 029 21 34 0056  
ADDRESS: Unassigned  
ZONED: PUD  
GROSS DENSITY (EXCLUDES OUTLOTS) 2.55 LOTS/ACRES  
NET DENSITY (EXCLUDES OUTLOTS AND R/W) 4.00 LOTS/ACRES

| AREA SUMMARY              |            |            |  |
|---------------------------|------------|------------|--|
| BLOCK 1 =                 | 126,222 SF | 2.8976 AC  |  |
| BLOCK 2 =                 | 21,528 SF  | 0.4942 AC  |  |
| BLOCK 3 =                 | 26,652 SF  | 0.6118 AC  |  |
| BLOCK 4 =                 | 21,456 SF  | 0.4926 AC  |  |
| TOTAL LOT AREA =          | 195,858 SF | 4.4962 AC  |  |
| FUTURE DEV. OUTLOT AREA = | 522,434 SF | 11.9934 AC |  |
| HOA OUTLOT AREA =         | 25,342 SF  | 0.5818 AC  |  |
| PUBLIC OPEN SPACE AREA =  | 0 SF       | 0 AC       |  |
| WETLAND AREA =            | 0 SF       | 0 AC       |  |
| WETLAND BUFFER AREA =     | 0 SF       | 0 AC       |  |
| TOTAL OUTLOT AREA =       | 547,775 SF | 12.5752 AC |  |
| TOTAL R/W AREA =          | 93,041 SF  | 2.1359 AC  |  |
| TOTAL AREA =              | 836,675 SF | 19.2074 AC |  |

| BLOCK # | LOT # | SIZE (AC) | WIDTH AT FRONT SETBACK (FT) | AVERAGE DEPTH (FT) |
|---------|-------|-----------|-----------------------------|--------------------|
| 1       | 1     | 0.2996    | 90                          | 145                |
| 1       | 2     | 0.2656    | 80                          | 144                |
| 1       | 3     | 0.2384    | 80                          | 129                |
| 1       | 4     | 0.3494    | 78                          | 137                |
| 1       | 5     | 0.3504    | 71                          | 145                |
| 1       | 6     | 0.3455    | 74                          | 144                |
| 1       | 7     | 0.2836    | 75                          | 124                |
| 1       | 8     | 0.2232    | 80                          | 124                |
| 1       | 9     | 0.2542    | 80                          | 137                |
| 1       | 10    | 0.2817    | 90                          | 136                |
| 2       | 1     | 0.774     | 65                          | 120                |
| 2       | 2     | 0.515     | 55                          | 120                |
| 2       | 3     | 0.653     | 60                          | 120                |
| 3       | 1     | 0.1654    | 62                          | 120                |
| 3       | 2     | 0.1405    | 51                          | 120                |
| 3       | 3     | 0.1405    | 51                          | 120                |
| 3       | 4     | 0.1654    | 62                          | 120                |
| 4       | 1     | 0.1758    | 65                          | 120                |
| 4       | 2     | 0.515     | 55                          | 120                |
| 4       | 3     | 0.653     | 60                          | 120                |



## MEMORANDUM

# FOCUS ENGINEERING, inc.

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

Date: September 29, 2016

To: Stephen Wensman, City Planner  
Cc: Rob Weldon, Public Works Director  
Chad Isakson, P.E., Municipal Engineer  
From: Jack Griffin, P.E., City Engineer

Re: Wildflower 2nd Addition – Final Plat  
Engineering Review Comments

An engineering review has been completed for the Wildflower 2nd Addition. Final Plat/Final Construction Plans were received on August 26, 2016. The submittal consisted of the following documentation prepared by Carlson-McCaist, Inc. or as noted:

- Wildflower 2nd Addition Final Plat, not dated.
- Wildflower 2nd Addition Street and Utility Construction Plans dated August 22, 2016.
- Wildflower 2nd Addition Storm Sewer Calculations dated July 11, 2016.
- Wildflower at Lake Elmo Grading Plans revised August 10, 2016.
- No Specifications.
- No Landscape Plans.

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

### FINAL PLAT: WILDFLOWER 2ND ADDITION

- Final Construction Plans and Specifications must be revised in accordance with the Construction Plan engineering review memorandum dated September 29, 2016.
- Final Construction Plans and Specifications must be prepared in accordance with the City Engineering Design Standards Manual using City details, plan notes and specifications and meeting City Engineering Design Guidelines.
- All easements as requested by the City Engineer and Public Works department shall be documented on the Final Plat prior to the release of the Final Plat for recording.
- All Outlots to be owned by the City, all easements and all right-of-way as requested by the City Engineer and Public Works department shall be documented on the Final Construction Plans.
- All easements presented on the Final Plat should be fully reserved for drainage and utility easement purposes. No building or egress well encroachments will be allowed. If there are any lots, in particular courtyard lots, intended to encroach onto easements this should be presented at the time of final plat and final construction plan approval to allow staff the opportunity to verify adequate drainage and utility easements are made available to support the PUD.
- The Wildflower 2nd Addition Final Plat should be conditioned upon Street A being extended and paved up to the Street A3 intersections as part of the Wildflower 2nd Addition plans to better eliminate future phase construction impacts to new homeowners in the 2nd Addition.

- The Final Plat must be revised to provide a name for Street B in accordance with the City's street naming policy.

#### FINAL CONSTRUCTION PLANS & SPECIFICATIONS

- No construction for Wildflower 2nd Addition may begin until the applicant has received City Engineer approval for the Final Construction Plans; the applicant has obtained and submitted to the City all applicable permits, easements and permissions needed for the project; and a preconstruction meeting has been held by the City's engineering department.
- The Final Plat shall not be recorded until final construction plan approval is granted.
- A separate memorandum will be provided to direct additional plan corrections necessary for final construction plan approval.



## **WILDFLOWER AT LAKE ELMO – DESIGN REVIEW REPORT** **LAKE ELMO, MN**

**LANDSCAPE ARCHITECTURAL DESIGN REVIEW DATED FEBRUARY 14<sup>TH</sup>, 2015**  
**REVIEWED PLAN SET DATED FEBRUARY 4<sup>TH</sup>, 2015**

Per our review the Landscape Plan is NOT in compliance with the City's planting requirements.

### ***Required Action Items by Wildflower at Lake Elmo Project Team***

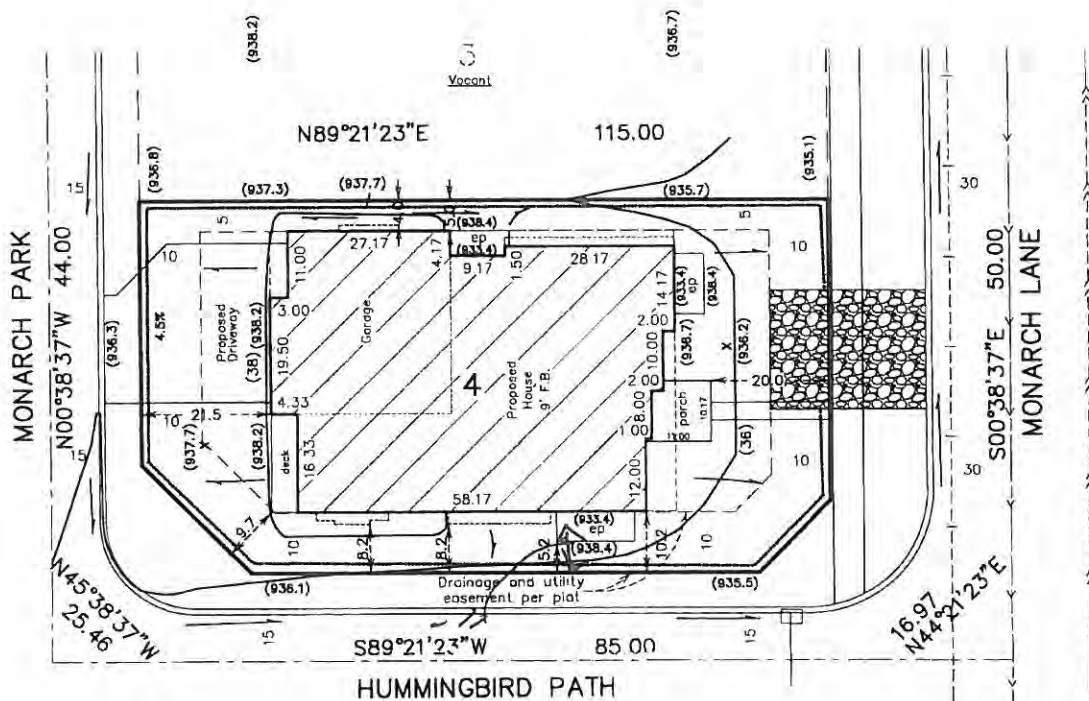
1. Tree placement needs to be more accurately considered and represented throughout the plan. In some cases trees are represented on sidewalks and streets or too close to hardscape elements.
2. Street trees need to be at least 5 feet from back of curb. In areas where the boulevard does not allow this because of sidewalk or trail placement as noted on Sheet L1 please redesign to accommodate required trees.
3. Please provide an analysis of street tree plantings in relationship to proposed residential utility connections with appropriate setbacks from both utility service connections and driveways. It appears that once this exercise is completed some of the proposed street trees as currently represented will have to be relocated and / or an adjustment of the lot width may need to take place to facilitate the incorporation of the required trees in the streetscape corridor.
4. When determining landscape requirements and trees required per street frontage please recalculate to include street frontage on Hwy 5 and Lake Elmo Avenue North as well in addition to the new proposed streets.
5. Trees are to have a two year warranty.
6. Please add note to plan sheets: All trees to be field staked prior to installation. Contractor to coordinate field review of proposed tree locations with the city and project landscape architect prior to any tree installation.
7. Correct conversion for multi-stem trees to 2.5 inch B & B is 12 foot height.
8. Per plant schedule the specified River Birch/Betula nigra 'Heritage' is incorrectly spelled / noted. Should read: Heritage River Birch / Betula nigra 'Cully'.
9. Minimum size for ornamental trees is 2" Caliper per Table 6-1. Minimum Size Standards for Landscape Materials within the City's landscape requirements.
10. Please provide more diversity of all plantings – overstory trees, evergreen trees and ornamental trees. For example specify more than one type of evergreen on the entire project. Perhaps focusing on pollinator friendly choices would work nicely with the overall theme of the development. 211 Black Hills Spruce is not acceptable as the only evergreen specified,

- 52 PrairieFire Crab is too many of one type of Crab, try to limit the use of Honey Locust as it provides filtered light at best as a street tree, etc. as a few examples.
11. Please provide design sections for all berms / landscape screening suggested representing all typical planting arrangements with species specified and represented to scale at time of installation. When planting berms please consider planting side slopes verses simply planting the top as it is currently suggested. Plants are much happier when not placed on the highest, driest and windiest part of the berm.
  12. Please provide design drawings for all signage and way finding elements.
  13. Please provide us with an understory planting plan for the entire development. This includes all shrub & perennial beds, infiltration basins, raingardens as well as native seeding and turf sodding areas.
  14. We request more information as it relates to the tree preservation plan to make a determination if tree replacement is in fact required.
  15. We would like your design team to rethink the layout of the plantings within the HOA outlots M, O & P. It appears the layout is not very well developed. The absence of street tree plantings is noted and should be addressed. The observation is that the tree layout suggested simply occupies the green space rather than utilizing trees to reinforce or create space which would be our preference.
  16. Correctly label Lake Elmo Avenue North on the western edge of the property. Currently it is labeled Lake Elmo Drive North.
  17. We request information on soil preparation and planting specifications for all plantings/seeding.
  18. Provide landscape irrigation plans for our review for all commonly held HOA & City Outlots / R.O.W. areas.
  19. We recommend you provide a three year maintenance plan for all landscape materials/areas within all commonly held HOA & City Outlot / R.O.W areas.

**SINCERELY,**

**LANDSCAPE ARCHITECTURE, INC.**

STEPHEN MASTEY, ASLA, CLARB, LEED AP BD+C



Lot area = 6896 SF  
House area = 2832 SF  
Porch area = 99 SF  
Sidewalk area = 60 SF  
Driveway area = 586 SF  
Total Impervious Area = 3577 SF  
Impervious Coverage = 51.8%

- Denotes service
- Denotes television box
- Denotes electric box
- Denotes telephone box
- Denotes existing elevation
- Denotes proposed elevation
- Denotes drainage flow direction
- Denotes spikes
- Denotes proposed erosion control
- Denotes proposed rock construction entrance

#### Construction Notes

1. Install rock construction entrance.
2. Install silt fence as needed for erosion control.
3. Sidewalks shall drain away from house a minimum of 1.0%.
4. Contractor must verify driveway design.
5. Contractor must verify service elevation prior to construction.
6. Add or remove foundation ledge as required.

#### General Notes:

1. Grading plan by Pioneer Engineering last dated 8/7/15 was used to determine proposed elevations shown herein.
2. This survey does not purport to show improvements or encroachments, except as shown, as surveyed by me or under my direct supervision.
3. Proposed building dimensions shown are for horizontal location of structures on the lot only. Contact builder prior to construction for approved construction plans.
4. No specific soils investigation has been performed on this lot by the surveyor. The suitability of soils to support the specific house proposed is not the responsibility of the surveyor.
5. This certificate does not purport to show easements other than those shown on the recorded plat.
6. Bearings shown are based on an assumed datum.

Lowest allowable floor elevation 930.2

House elevations (Proposed) / As-built  
Lowest Floor Elevation : (930.2) /  
Top Of Foundation Elev : (938.9) /  
Garage Slab Elev @ Door : (938.2) lowest opening garage  
Top Of Egress Well Elev : (938.4) lowest opening house  
Egress Window : (933.4) /

We hereby certify to Landmark Custom Homes 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, dated 02/11/16

Signed: Pioneer Engineering, P.A.

BY: Peter J. Hawkinson, Professional Land Surveyor  
Minnesota License No. 42299 email-phawkinson@pioneereng.com

Scale 1" = 20'

Benchmark  
Top Nut Hydrant  
Elevation =

Revisions  
1) 02-24-16 Preliminary  
2) 04-14-16 Add egress elevation

**PIONEER**engineering P.A.  
P.A. ENGINEERS LAND SURVEYORS LANDSCAPE ARCHITECTS

2422 Enterprise Drive  
Mendota Heights, MN 55120

Ph: (651) 681-1914  
Fax: (651) 681-9488  
www.pioneereng.com

Project # 115262002 Folder # 7665 Drawn by MTW

Pioneer Engineering

Lot 4, Block 4,  
WILDFLOWER AT LAKE ELMO 1ST ADDITION  
according to the recorded plat thereof  
Washington County, Minnesota  
Address: Monarch Lane, Lake Elmo, Minnesota  
House Model: Elevation:  
Buyer: Carey/Nesheim

Certificate of Survey for:  
Landmark Custom Homes

501 Main Street, Unit #122  
Stillwater, MN 55082



PLANNING COMMISSION  
DATE: 10/10/20126  
AGENDA ITEM: 4C- PUBLIC HEARING  
CASE # 2016-37

ITEM: Conditional Use Permit Request for an additional accessory structure - 5699 Keats Avenue North.

SUBMITTED BY: Emily Becker, City Planner

REVIEWED BY: Stephen Wensman, Planning Director

---

#### **SUMMARY AND ACTION REQUESTED:**

The Planning Commission is being asked to hold a public hearing and consider a request from Rodney and Diane Sessing for a conditional use permit for an additional accessory structure for the property located at 5699 Keats Avenue North. The subject property is located in the Rural Residential zoning district and is 11.87 acres, or 517,057.2 square feet. Per Section 154.406: Accessory Structures, Rural Districts, Subd. A: Size and Number, of the Zoning Ordinance, the property is allowed up to two accessory buildings totaling 2500 square feet. However, the Section provides that additional accessory buildings may be considered in A and RR zones via a conditional use permit, but the building must clearly serve an agricultural purpose.

---

|                              |                                                                                                                                                                                                                                                                                                                   |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Applicant:</i>            | Rodney and Diane Sessing                                                                                                                                                                                                                                                                                          |
| <i>Property Owners:</i>      | Rodney and Diane Sessing, 5699 Keats Avenue North                                                                                                                                                                                                                                                                 |
| <i>Location:</i>             | PT NW1/4 BEING THE S 1125FT OF THE W 1100FT OF SD NW1/4 OF SEC 2 EXCEPT THE W 660FT OF THE S 825FT THEREOF-SUBJ TO SUBJ TO EASE OVER W 33FT FOR KEATS AVE EXCEPT:THE SOUTH 400 FEET OF THE EAST 440 FEET OF THE WEST 1100 FEET OF THE NW1/4 OF SEC 2 Section 02 Township 029 Range 021<br>PID#: 02.029.21.23.0003 |
| <i>Request:</i>              | Conditional use permit for an additional accessory structure that exceeds size and number restrictions on accessory structures in the RR district for the purpose of storage of farm equipment, produce, and animals.                                                                                             |
| <i>Existing Land Use:</i>    | Residential/Agricultural                                                                                                                                                                                                                                                                                          |
| <i>Existing Zoning:</i>      | Rural Residential                                                                                                                                                                                                                                                                                                 |
| <i>Surrounding Land Use:</i> | Residential/Agricultural                                                                                                                                                                                                                                                                                          |
| <i>Surrounding Zoning:</i>   | Rural Residential to the North, South, and East; and Residential Estate to the West (separated by right-of-way).                                                                                                                                                                                                  |
| <i>Comprehensive Plan:</i>   | Rural Area Development                                                                                                                                                                                                                                                                                            |

|                                |                                                                                                                                                                                                                                             |
|--------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Proposed Zoning:</i>        | No Change                                                                                                                                                                                                                                   |
| <i>History:</i>                | According to the applicant, the subject property was part of a larger parcel on which a family farm operated since at least 1972. The applicant's property and neighboring property at 5671 Keats Avenue were split from this farm in 1989. |
| <i>Deadline for Action:</i>    | Application Complete – 9/2/2016<br>60 Day Deadline – 11/1/2016<br>Extension Letter Mailed – N/A<br>120 Day Deadline – N/A                                                                                                                   |
| <i>Applicable Regulations:</i> | 154.400-408 – Rural Districts<br>154.106 – Conditional Use Permits (Administration and Enforcement)<br>154.406 - Accessory Structures, Rural District                                                                                       |

## REQUEST DETAILS

The applicant is requesting a conditional use permit for an additional accessory structure that exceeds size and number restrictions on accessory structures in the RR – Rural Residential for the property located at 5699 Keats Avenue North. The proposed accessory structure is 2400 square feet in size, and would be in addition to an existing 2448 square foot building.

According to the applicant, the property is being used for agricultural purposes, and the applicant claims that additional storage is needed for that purpose. In the narrative, the applicant has explained that there are currently six 650-foot rows of raspberries, pumpkins, squash, and vegetables. The property's tax description classifies the use as Agricultural. According to the City Assessor, a property is so taxed only if it is part of at least ten acres of agricultural production. The applicant desires to expand the farm, and therefore an additional building is being requested in order to accommodate more storage for additional equipment and produce, as well as a place to house the addition of chickens and milking goats to the farm.

## BACKGROUND

As previously explained, the applicant has stated that the subject property has long been used for farming, and there are plans to expand this operation. The applicant's property and neighboring property at 5671 Keats Avenue were split from a family farm in 1989. The original farmstead and remaining 106 acres were sold to the organization that built Rockpoint Church in 2006, which received preliminary plat approval for an open space preservation development named Hidden Meadows. Application for final plat approval for this development is expected in the near future, but for now, this space remains vacant except for the church and parking lot. The approved Preliminary Plat for this development shows residential lots to the east of the subject property.

The application narrative also references a variance previously granted to 5671 Keats Avenue in 2011, located in the same zoning district as, and of similar size to, the subject property, for the construction of an additional accessory structure building for the purposes of housing equipment related to growing and selling agricultural products.

## PLANNING AND ZONING ISSUES

**Rural District Accessory Building Size and Number Restrictions.** The Zoning Code restricts the number and size of permitted accessory structures in rural zoning districts based on the size of the property. The following table details what is permitted:

| Lot Size      | Maximum Structure Size <sup>a</sup><br>(square feet) | No. of<br>Permitted Bldgs |
|---------------|------------------------------------------------------|---------------------------|
| under 1 acre  | 1,200 <sup>b</sup>                                   | 1                         |
| 1 - 2 acres   | 1,200                                                | 1                         |
| 2 - 5 acres   | 1,300                                                | 1                         |
| 5 - 10 acres  | 2,000                                                | 2                         |
| 10 - 15 acres | 2,500                                                | 2                         |
| 15 - 20 acres | 3,000                                                | 2                         |
| 20 - 40 acres | 4,000                                                | 2                         |
| 40+ acres     | Unregulated <sup>c</sup>                             | Unregulated <sup>c</sup>  |

Because the subject property is located in a rural zoning district and is 11.87 acres in size, it is allowed up to 2 accessory structures totaling 2500 square feet in size.

**Additional Accessory Buildings.** The Code also states that allowances for additional accessory buildings in A and RR zones may be considered via conditional use permit for agricultural purposes. This request is being processed as such. This provision of the Zoning Code was added to an accessory structure ordinance amendment approved in 2014. Previously, similar requests have been processed as variances.

**Existing Storage.** The property currently has one detached accessory structure, as mentioned, that is 2448 square feet in size. Additionally, there are two attached garages that are 22 feet by 22 feet and 18 feet by 36 feet in size, totaling 1132 square feet. Attached garages are not considered accessory structures, and so are not regulated in the accessory structure ordinance. The applicant has told Staff that personal vehicles are stored in these attached garages.

### Permitted Uses in Rural Residential Zoning District

The following are permitted uses in the Rural Residential Zoning District: single-family detached dwelling; parks and open areas; and agricultural production. The Zoning Code defines agricultural production as “establishments engaged in the production of crops, plants or vines, including agro forestry, or establishments which are engaged in the keeping, grazing, or feeding of livestock for sale, value increase, or livestock increase.” The applicant proposes to construct the additional accessory building to store equipment, produce and live animals related to a farming operation. As such, the proposed use is permitted. The conditional use of an accessory structure in addition to what would normally be allowed on a property for agricultural use is appropriate in this circumstance with farming use.

It should be noted, however, that Agricultural Sales Businesses, which are defined as the retail sale of fresh fruits, vegetables, flower, herbs, trees, or other agricultural, floricultural, or horticultural products, are interim uses in the Rural Residential zoning district. An Interim Use Permit would

need to be granted before an agricultural sales business could operate on the property. Home occupations are permitted accessory uses in this zoning district but must meet the City's definition, below:

**HOME OCCUPATION.** Any gainful occupation or profession engaged in by the occupant, only, of a dwelling when carried on within a dwelling unit or in an accessory building, provided that no signs other than those normally utilized in a residential district are present, that no stock in trade over 1,000 cubic feet is stored on the premises, that no over-the-counter retail sales are involved unless ancillary to the permitted business, and that entrance to the home occupation is or can be gained from within the structure. Uses include professional office, hair salons serving no more than 2 customers at a time, or teaching limited to no more than 3 students at any time, and other uses which do not create a nuisance as outlined in Chapter 96 of this Code. A HOME OCCUPATION shall not be interpreted to include tourist homes, restaurants, disorderly house as defined by M.S. § 609.33, Subd. 1, as it may be amended from time to time, or similar uses. No HOME OCCUPATION shall be permitted that creates the need for more than 3 parking spaces at any given time in addition to the parking spaces required by the occupants. HOME OCCUPATIONS shall not be carried on except between the hours of 7:00 a.m. and 10:00 p.m.

**Other Zoning Requirements for Accessory Buildings.** The applicant has shown the proposed location of the accessory structure for which a conditional use permit is being requested. The structure is proposed to be located behind the home and the existing accessory structure. The proposed location will far exceed all minimum required setbacks from property lines. Before a building permit is issued, the applicant will need to show septic site locations in order to determine that setbacks are met as well as demonstration that the grading of the location is suitable for construction. The structure will need to meet minimum height requirements. Rural Residential zoning districts do not have maximum impervious surface standards, though the proposed additional accessory structure would add on less than 0.5% of impervious surface to the property.

**Pole Construction Building.** Pole construction buildings are permitted in the A and RR zoning districts subject to the setbacks and other performance standards required under the Zoning Code. As such, this accessory structure may be a pole construction building.

**Exterior Storage in Residential Districts.** Currently, agricultural equipment used on the property is being stored outdoors. This is permitted per 154.458: Accessory Uses; Subd. (A) (3) of the Zoning Code. The applicant has communicated the desire, however, to store this inside in order to prevent damage. The existing accessory structure is utilized to store three tractors, lawn furniture over the winter, two enclosed trailers, tools, truck jacks, welders, and cabinets. The applicant has provided photos of equipment currently on the site. Because the request is for a conditional use permit for an additional storage building, Staff recommends there be a condition that does not allow exterior storage of inoperable equipment on the site.

**Surrounding Lots.** The property to the east is currently being farmed, although a Final Plat application is expected, and if approved, an Open Space Preservation Development will exist on the property. A Residential Estate Development is located to the west of the property.

The applicant has also noted a number of surrounding parcels on which he perceived comparable accessory structures are located. The property to the north of the subject parcel also engages in farming operations and was granted a variance from the size and number restrictions on accessory structures in 2011. This parcel is similar in size to the subject parcel. A 2400 square-foot barn exists on the 6.5 acre parcel to the south of the subject property, which would not be allowed without a

special permit or variance today. A property to the southwest of the subject parcel is around five acres in size and has a 2160 square foot barn; which also would not be allowed today without a special permit or variance. Additionally, a property to the northwest of the parcel was granted a variance to re-construct a 3800 square-foot accessory structure in the floodplain that did not meet maximum size requirements.

**Development Standards.** The Zoning Code states that additional accessory structures are allowed in the A – Agricultural and RR – Rural Residential zoning districts but does not provide any specific development standards to adhere to. As such, Staff does have concern that there are a number of properties that may make this same request. A map has been provided in this packet to show the number of properties that are zoned Agricultural or Rural Residential and are under 40 acres and so are subject to accessory structure size and number limitations; these properties could all potentially apply for a conditional use permit for an additional accessory structure. While Staff has drafted findings and has found that the proposal meets the provisions set forth, Staff recommends that the Planning Commission consider directing Staff to draft potential develop standards for this conditional use.

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## DRAFT FINDINGS

In order to approve a conditional use permit, the city is required to find the proposal compliant with the following. Staff has provided recommended, draft findings in **bold**.

1. The proposed use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or the city. **The proposed use would not make a major impact on the property. The proposed accessory structure would be located in an area that is of lower grade than the rest of the property and is mostly screened from view from the street and adjacent properties. A further review of grading will be conducted before a building permit is issued to avoid any potential impacts on adjacent properties.**
2. The use or development conforms to the City of Lake Elmo Comprehensive Plan. **The proposal is consistent with the Comprehensive Plan in that the property is guided Rural Area Development. The Comprehensive Plan proclaims that “existing operating agricultural uses and qualifying alternative uses that preserve the open space within the community shall be supported. These uses shall be encouraged to continue operations and to retain large land holdings that contribute to operating efficiency...the City shall affirmatively establish and pursue specific strategies and seek resources to assist existing agricultural uses in remaining a viable alternative to urbanization for landowners, consistent with the concept of “a right to farm.””**
3. The use or development is compatible with the existing neighborhood. **The use is compatible with the existing neighborhood, as similar accessory structures exist on some surrounding properties. The additional accessory structure is not expected to make a significant impact on the property.**
4. The proposed use meets all specific development standards for such use listed in Article 7 of this Chapter. **There are no specific development standards for additional accessory structures listed in Article 7 of this Chapter. However, Article 5, Section 154.213 sets forth standards for Accessory Buildings and Structures, Generally. Provided conditions are met, the accessory structure meets these standards.**
5. If the proposed use is in a flood plain management or shoreland area, the proposed use meets all the specific standards for such use listed in Chapter 150, §150.250 through 150.257

(Shoreland Regulations) and Chapter 152 (Flood Plain Management). **The property is located in an area of minimal flood hazard.**

6. The proposed use will be designed, constructed, operated and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity and will not change the essential character of that area. **The use of an additional accessory structure is not expected to change the essential character of the area, as the area surrounding the Applicant's property has historically been used for active farming, and the proposed building will be located in such a manner that it will not be directly visible from surrounding properties. Additionally, former farm sites with multiple accessory buildings are not uncommon in this area.**
7. The proposed use will not be hazardous or create a nuisance as defined under this Chapter to existing or future neighboring structures. **The proposed accessory structure is claimed to be needed to store equipment, produce, and animals. If used as proposed, the additional accessory structure would reduce exterior storage of equipment on the property, possibly reducing a perceived nuisance.**
8. The proposed use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use. **The proposed use is expected to be served adequately by the aforementioned.**
9. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. **The proposed use is not expected to create additional requirements at public cost or be detrimental to economic welfare.**
10. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors. **Provided conditions are met, the proposed use is not expected to be detrimental.**
11. Vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares. **The proposed use will likely create not create traffic congestion or interfere with traffic on surrounding public thoroughfares, provided conditions are met.**
12. The proposed use will not result in the destruction, loss or damage of a natural or scenic feature of major importance. **N/A**

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#### RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the request for a conditional use permit for an additional accessory structure in the RR – Rural Residential zoning district for the property located at 5699 Keats Avenue North, subject to the following conditions:

- The accessory structure must obtain all applicable permits, including a Valley Branch Watershed District permit if applicable, building permit, and grading permit if moving more than 50 cubic yards of material per acre.
- The accessory structure must comply with all other building, zoning and City requirements before a building permit is issued.
- The accessory structure must not be used for storage of hazardous materials.

- If applicable, the property must be in compliance with all Minnesota Pollution Control Agency requirements.
- If applicable, the property must adhere to standards set forth by the City's Home Occupation definition.
- Agricultural Sales Business operations are not permitted on the property unless an Interim Use Permit is obtained for such a use.
- The property must comply with all standards of Chapter 95: Animals and Chapter 96: Nuisances, of the Zoning Code.
- The property must maintain existing screening provided by trees on the west and south sides of the property.
- All farm equipment must be stored inside after use. Exterior storage shall be kept at a minimum. Exterior storage of inoperable equipment is not allowed.
- The use of the proposed additional accessory structure shall be restricted to agricultural activities only. It must not be used for storage of personal automobiles, home-based business activity, or other non-agricultural equipment.
- Agricultural production must be maintained on the property. The property shall be subject to at least an annual inspection.
- The Conditional Use Permit shall become invalid if the property subdivides or is rezoned to a higher-density zoning classification.

The suggestion motion for taking action on the Staff recommendation is as follows:

***“Move to recommend approval of the request for a conditional use permit for an additional accessory structure in the RR – Rural Residential zoning district for the property located at 5699 Keats Avenue North, subject to the outlined conditions of approval.”***

Staff also recommends that the Planning Commission consider whether specific development standards should be adopted in Article 7 of the Zoning Code for additional accessory structures in the A – Agricultural and RR – Rural Residential zoning districts.

***“Move to direct Staff to draft specific development standards for the conditional use of additional accessory structures on properties zoned A – Agricultural and RR – Rural Residential.”***

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#### **ATTACHMENTS:**

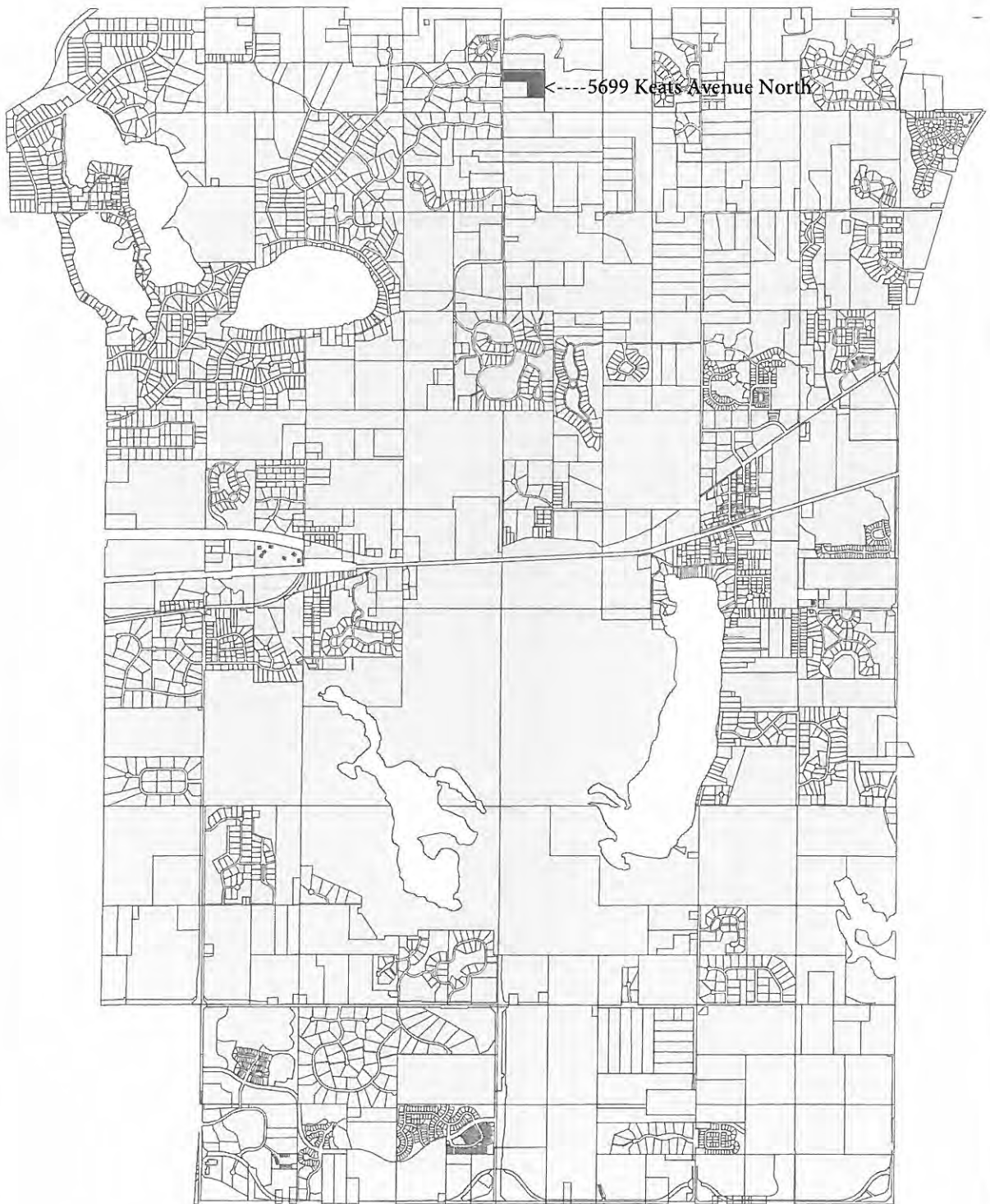
1. Application Form and Project Narrative
2. Location Map
3. Properties Zoned Agricultural or Rural Residential <40 Acres, subject to accessory structure size and number limitations

#### **ORDER OF BUSINESS:**

- Introduction ..... Planning Staff
- Report by Staff ..... Planning Staff
- Questions from the Commission ..... Chair & Commission Members
- Open the Public Hearing ..... Chair
- Close the Public Hearing..... Chair

- Discussion by the Commission ..... Chair & Commission Members
- Action by the Commission ..... Chair & Commission Members

# 5699 Keats Avenue North Location Map



Date Received: 9/2/16  
Received By: Gilly Becker  
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 ☐ Wireless Communications

Applicant: Rodney & Diane Sessing  
Address: 5699 Keats Ave N. Lake Elmo, MN 55042  
Phone #: 612-919-4792  
Email Address: rodsessing@yahoo.com

Fee Owner: Same  
Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Property Location (Address): 5699 Keats Ave  
(Complete (long) Legal Description: Section 02 Township 029 Range 021 PT NW 1/4 being the S. 1125 ft. of the 1100 ft. and NW 1/4 of Section 2 except 660 ft. of the S 825 ft. thereof -  
PID#: 02.029.21.23.0003 subject to subj to enc over west 236 ft. of Keats Ave except: the south 400 ft. of the east 440 ft. of the west 1100 ft. of the NW 1/4 of Sec 2.  
Detailed Reason for Request: Need additional space to store Agricultural Equipment & protection of goats & chickens from weather.

\*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:

Small farms need the additional storage for equipment & animals to make it viable.

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

Signature of applicant: [Signature] Date: 9-2-2016

Signature of fee owner: [Signature] Date: \_\_\_\_\_

## CITY-WIDE PLANNING POLICY

The following general planning and development policies will guide development in a manner that will allow reasonable growth to take place, while preserving and enhancing the rural character and features of Lake Elmo that make the City a unique and desirable community:

1. Develop land use and infrastructure plans corresponding to the 2030 population forecast of 24,000 in the 2030 Regional Development Framework.
2. Encourage the majority of the new households created in areas north of 10<sup>th</sup> Street North, and outside of the Village Area to be efficiently developed in a rural context in the form of Open Space Development cluster neighborhoods.
3. Guide new community growth in keeping with the geographic assignments and decennial household, population, and employment targets established by the Memorandum of Understanding entered into by the City and the Metropolitan Council in January 2005.
4. Limit Metropolitan Urban Service Area (MUSA) expansion to the area that can be served from the Regional Wastewater Interceptors specified, in the wastewater volumes specified by the aforementioned Memorandum of Understanding, and staged consistent with a City adopted development Staging Plan.
5. Adopt a MUSA expansion development Staging Plan schedule that will limit total annual City household and employment growth to a use, mix, and scale that remains sustainable in the context of providing municipal services/infrastructure and local government fiscal responsibility.

### **Agricultural Preservation**

In keeping with the general policies enumerated above, existing operating agricultural uses and qualifying alternative uses that preserve the open space within the community shall be supported. These uses shall be encouraged to continue operations and to retain large land holdings that contribute to operating efficiency.

In keeping with the general policies enumerated above, the City shall affirmatively establish and pursue specific strategies and seek resources to assist existing agricultural uses in remaining a viable alternative to urbanization for landowners, consistent with the concept of “a right to farm.” The provision of municipal infrastructure and services to areas of the City where operating agriculture exists shall not be in a manner that results in an economic or operational disincentive to continue agricultural use of the land.

### **Residential Development**

All residential units will be designed, sited, and constructed to conserve energy in lighting, cooling, and heating processes.

The primary style of residential dwelling unit within RAD, RED, RAD2, and NC land

Accessory Building Variance – 5761 Keats Avenue

The City Council considered a variance required from Steve and Joan Ziertman, 5761 Keats Avenue, to allow the construction of a second 2,400 sq.ft. accessory building on their property. The proposed building would be used to house equipment related to the growing and selling of agricultural products. A variance has been requested because the applicants already have built a 2,310 sq.ft. building on their property, and the RR – Rural Residential Zoning District only allows one such accessory building on their property.

The Planning Commission recommended approval of the variance request with two conditions of approval.

Rod Sessing, 5699 Keats Avenue, stated his property is part of the Ziertman farm. He has grown pumpkins since 1997 and plans on getting back into farming. He said he had to cut back because of storage problems... had equipment in the building and sitting outside. He would like the Council to open to all property owners with 10.7 acres the ability to construct an additional accessory building.

Doug Lovitt, 9940 59<sup>th</sup> St. Court N., has a small produce farm and sees the need for more barn space.

*MOTION: Council Member Smith moved to adopt Resolution Number 2011-028 A Resolution approving a variance to allow the construction of a new 2,400 sq.ft. Accessory building at 5761 Keats Avenue in addition to an existing 2,310 sq.ft. building in a Rural Residential Zoning District. Council Member Park seconded the motion. The motion passed 3-2 (Council Member Emmons and Pearson voting against.)*

*MOTION: Council Member Emmons moved to direct staff to add the review of the ordinance relative to this question at a workshop for prioritization on the Planning Commission work plan. Council Member Pearson seconded the motion. The motion passed 5-0.*

Hotel/Motel Water Rates – Discussion and Proposed Ordinance No. 08-51

The City Council received an update on efforts to address issues related to water service to the Wildwood Lodge. Lake Elmo staff met with the Wildwood Lodge staff to discuss the history of billing and review of the infrastructure and water meters. Cathy Bendel, C&J Consulting, provided additional information which the Wildwood Lodge staff requested more time for review. A decision on hotel/motel water rates will be added to the next City Council agenda.

Update Re: Library Service Consideration

This item was scheduled at the request of the City Council in order to update the Council and public on efforts to retain and enhance library services for the Lake Elmo community. Administrator Messelt reported that all four boutique libraries will most likely close by January 2012. Attorney Snyder addressed questions regarding the City establishing their own library and authorizing a library levy.



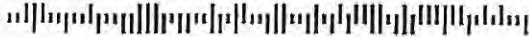
Department of Property Records  
and Taxpayer Services

14949 62nd Street North PO Box 200  
Stillwater, MN 55082-0200  
(651) 430-6175 www.co.washington.mn.us

Property ID: 02.029.21.23.0003

Bill #: 512663

Taxpayer: RODNEY N & DIANE L SESSING  
5699 KEATS AVE N  
LAKE ELMO MN 55042-8509



# TAX STATEMENT

2015 Values for Taxes Payable in

# 2016

| VALUES AND CLASSIFICATION |                                                                                                     |                     |                     |
|---------------------------|-----------------------------------------------------------------------------------------------------|---------------------|---------------------|
| Step<br>1                 | Taxes Payable Year:                                                                                 | 2015                | 2016                |
|                           | Estimated Market Value:                                                                             | 540,000             | 539,000             |
|                           | Homestead Exclusion:                                                                                | 600                 | 700                 |
|                           | Taxable Market Value:                                                                               | 539,400             | 538,300             |
|                           | New Improvements/<br>Expired Exclusions:                                                            |                     |                     |
|                           | Property Classification:                                                                            | Res Hstd<br>Ag Hstd | Res Hstd<br>Ag Hstd |
| Sent in March 2015        |                                                                                                     |                     |                     |
| Step<br>2                 | PROPOSED TAX                                                                                        |                     |                     |
|                           | Did not include special assessments or referenda<br>approved by the voters at the November election |                     | \$4,320.00          |
| Sent in November 2015     |                                                                                                     |                     |                     |
| Step<br>3                 | PROPERTY TAX STATEMENT                                                                              |                     |                     |
|                           | First half taxes due                                                                                | May 15              | \$2,496.00          |
|                           | Second half taxes due                                                                               | November 15         | \$2,496.00          |
|                           | Total Taxes Due in 2016                                                                             |                     | \$4,992.00          |



# \$\$\$

REFUNDS?

You may be eligible for one or even two refunds to reduce your property tax. Read the back of this statement to find out how to apply.

## Property Address:

5699 KEATS AVE  
LAKE ELMO MN 55042

## Description:

Section 02 Township 029 Range 021 PT NW1/4  
BEING THE S 1125FT OF THE W 1100FT OF SD  
NW1/4 OF SEC 2 EXCEPT THE W 660FT OF THE S  
825FT THEREOF SUBJ TO SUBJ TO EASE OVER W  
33FT FOR KEATS AVE EXCEPT THE SOUTH 400  
FEET OF THE EAST 440 FEET OF THE WEST 1100  
FEET OF THE NW1/4 OF SEC 2

## Line 13 Special Assessment Detail:

2013 KEATS STREET IMPROVEMENT 462.40  
2013 KEATS WATER IMPROVEMENT 364.40  
COUNTY ENVIRONMENTAL CHARGE P&H DEP 3.00

Principal: 633.00  
Interest: 226.80

## Tax Detail for Your Property:

| Taxes Payable Year:                                                                                                                                                             |                                                   | 2015                                                                     | 2016                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|--------------------------------------------------------------------------|------------------------|
| 1. Use this amount on Form MTPR to see if you are eligible for a property tax refund. File by August 15. If this box is checked, you owe delinquent taxes and are not eligible. |                                                   |                                                                          | \$3,983.34             |
| 2. Use these amounts on Form MTPR to see if you are eligible for a special refund.                                                                                              |                                                   | \$4,018.25                                                               |                        |
| Tax and Credits                                                                                                                                                                 | 3. Property taxes before credits                  | \$4,541.05                                                               | \$4,494.80             |
|                                                                                                                                                                                 | 4. Credits that reduce property taxes             |                                                                          |                        |
|                                                                                                                                                                                 | A. Agricultural market value credit               | \$363.20                                                                 | \$362.60               |
|                                                                                                                                                                                 | B. Other Credits                                  | \$0.00                                                                   | \$0.00                 |
|                                                                                                                                                                                 | 5. Property taxes after credits                   | \$4,177.85                                                               | \$4,132.20             |
| Property Tax by Jurisdiction                                                                                                                                                    | 6. WASHINGTON COUNTY                              | A. County General \$1,181.15<br>B. County Regional Rail Authority \$9.05 | \$1,183.20<br>\$10.52  |
|                                                                                                                                                                                 | 7. CITY OF LAKE ELMO                              | \$1,015.05                                                               | \$982.65               |
|                                                                                                                                                                                 | 8. State General Tax                              | \$0.00                                                                   | \$0.00                 |
|                                                                                                                                                                                 | 9. ISD 834 STILLWATER                             | A. Voter approved levies \$630.25<br>B. Other Local Levies \$1,084.17    | \$663.29<br>\$1,018.23 |
|                                                                                                                                                                                 | 10. Special Taxing Districts                      | A. Metropolitan Council                                                  | \$40.22                |
|                                                                                                                                                                                 |                                                   | B. Metropolitan Council Transit                                          | \$57.85                |
|                                                                                                                                                                                 |                                                   | C. Metropolitan Mosquito Control                                         | \$20.89                |
|                                                                                                                                                                                 |                                                   | D. Valley Branch Watershed                                               | \$72.54                |
|                                                                                                                                                                                 |                                                   | E. County HRA                                                            | \$50.38                |
|                                                                                                                                                                                 | 11. Non-school voter approved referenda levies    | \$16.30                                                                  | \$15.83                |
|                                                                                                                                                                                 | 12. Total property tax before special assessments | \$4,177.85                                                               | \$4,132.20             |
|                                                                                                                                                                                 | 13. Special assessments                           | \$888.15                                                                 | \$859.80               |
|                                                                                                                                                                                 | 14. TOTAL PROPERTY TAX AND SPECIAL ASSESSMENTS    | \$5,066.00                                                               | \$4,992.00             |

## PAYABLE 2016 2nd HALF PAYMENT STUB

TO AVOID PENALTY PAY ON OR BEFORE: November 15

Property ID: 02.029.21.23.0003

Bill #: 512663

Detach at perforation & mail this stub with your 2nd half payment in the enclosed green envelope

Ag Hstd Res Hstd

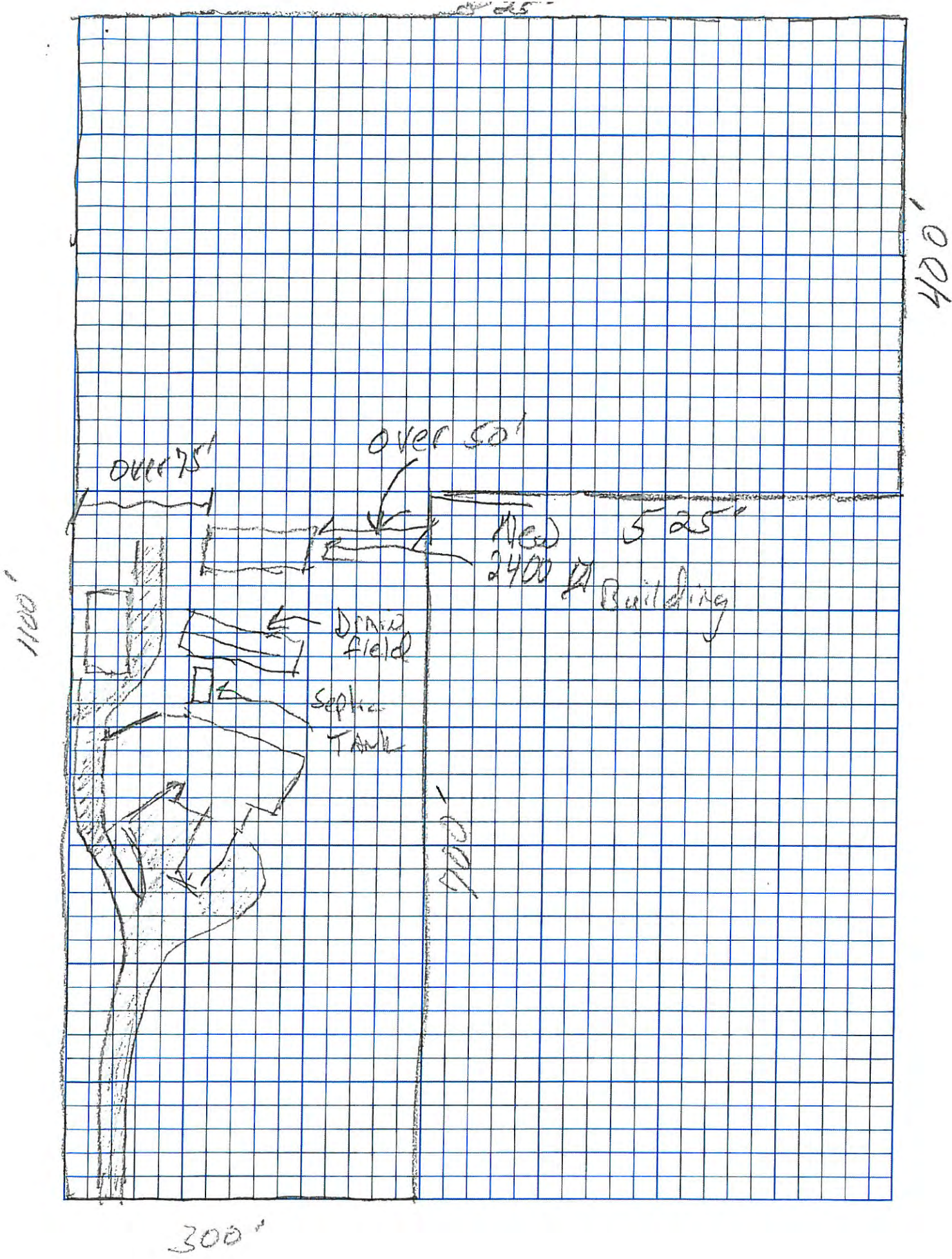
SECOND HALF TAX AMT

\$2,496.00

MAKE CHECKS PAYABLE TO:  
Washington County  
P.O. Box 200  
Stillwater MN 55082-0200

☐ CHECK  
☐ CASH

No Receipt sent. Your canceled check is proof of payment. Do not send postdated checks.



56999 Keats Ave N, Lake Elmo, MN

*New 2400 Sq.ft. Building*

© 2013 Google

5699 Keats Ave N, Lake Elmo, MN

New Building

© 2013 Google

Google

5699 Keats Ave. North Variance Application Information:

Written Statements:

- A. Owners: Rod and Diane Sessing
- B. Legal Description: Section 02 Township 029 Range 021 PT NW ¼ BEING THE S 1125FT OF THE W 1100FT OFSD NW1/4 OF SEC 2 EXCEPT THE W 660FT OF THE S 825FT THEREOF- SUBJ TO SUBJ TO EASE OVER W 33FT FOR KEATS AVE EXCEPT:THE SOUTH 400 FEET OF THE EAST 440FEET OF THE WEST 1100FEETOF THE NW1/4OF SEC 2  
Parcel ID# 02.029.21.23.0003  
Parcel Size: 11.5 Acres or 497,375 square feet.  
Existing use of land: Residential/ Agricultural (Tax Class will be agricultural as we meet the state statute Requirements)

Current Zoning: Rural Residential

- C. The Provisions of the code that we seek a variance from is 154.092 Accessory Building and Structures, the precedent has been set with the Ziertman's Variance 5 years ago.
- D. We are asking to build an additional 2400 square foot building out our property (see Site Plan). In our zoning district, we are allowed a 2500 square foot building, which we currently have 2448 square foot.
- E. I would like to speak to the practical difficulties of the new variance standards.
  - 1. Is the variance consistent with the comp plan? Yes Very Much so. Our 2030 comp plan states this: " The following general planning and development policies will guide development in a manner that will allow reasonable growth to take place, while preserving and enhancing the Rural Character and features of Lake Elmo that make the city a unique and desirable community." The comp plan further talks about agricultural preservation. "In keeping with the general policies enumerated above, existing operating agricultural uses and qualifying alternative uses that preserve the open space within the community shall be supported. These uses shall be encouraged to continue operations and to retain large land holdings that contribute to operating efficiency. In keeping with the general policies enumerated above, the city shall affirmatively establish and pursue specific strategies and seek resources to assist existing agricultural uses in remaining available alternative to urbanization for landowners, consistent with the concept of right to farm. The provision of municipal infrastructure and services to the areas of the city where operating agriculture exists shall not be in a manner that results in an economic or operational disincentive to continue agricultural use of the land." In summary, the Comp plan requires the city to help us keep our farm viable which this new building will do.

2. Does the proposal put the property to use in a reasonable manner? Yes. This is a reasonable use of our property. Farming it is an allowed use in Rural Residential. It is logical that an agricultural use would need a building to store farm equipment and produce and also animals. Every property in RR is allowed a certain size of building for personal property whether they farm or not. It only makes sense that if someone farms and is allowed to farm by the city code and is classified as agricultural by the county, they should be allowed to have an agricultural building. By state statute, we do meet the criteria of agriculture and we are taxed as Agricultural for our land. The zoning in the city is somewhat random and there are properties zoned RR that should be Ag based on size and AG properties that should be zoned RR based on size. If we look at the future zoning map for our part of the city, all the property whether it is currently AG or RR is all RAD and there was even talk of combining AG and RR into one zoning for performance zoning. I think in our situation it is reasonable to base this decision on the use of our property and not the zone. Also since the city has already allowed my neighbor with 10.7 acres of land to be allowed an extra agricultural building of 2400 square feet, with less acreage than I have for our land of 11.5 acres, so the rule has been made once already, and at that city council meeting that approve the variance for the Ziertman's, I said I would be back asking for the same rights the council gave the Ziertman's, which would only be fair to all people.

I had slowed down in in agricultural produce due to Chuck Dillerud saying you cannot have retail sales on residential property in 2001 and only sold pumpkins wholesale and not sold on site. Since then I slowed down on planting due to not having enough storage for equipment and produce from freezing. So as the Ziertman's went thru their variance process got finalized and the council gave the Ziertman's additional rights due to them having a 10.7 acre parcel, now anyone coming to the city asking for those same rights should be issued the same decision, For the City of Lake Elmo to be fair for all. Plus other people in the area all have larger buildings than what should normally be allowed and some do not even do agricultural like the Ziertman's and us.

3. Will the variance if granted alter the essential character of the neighborhood? No. The proposed building will not be seen from Keats Ave. there is an extensive tree line to the north as well as the neighbors own additional agricultural building will screen from their view from their house. There are other parcels around us that either have more or larger buildings than this size because the existing buildings were not required to be taken down as the properties go sub-divided. This is a rural portion of our city and people expect to see barns and buildings.

We need additional storage for our equipment and also other new equipment I need to purchase to complete all the work I need to do.

We also have 6 rows of 650 feet each row of raspberry's, pumpkins, squash, vegetables and we will be adding Chickens to sell organic eggs to the public and Goats for milking, which is the best natural probiotic there is.

4. Are their unique circumstances to the property? Our farm has been around for a long time and is a unique part of the community and part of the original farmstead. It was a part of a larger family farm that was also a pumpkin farm starting in 1972. Without this building we cannot continue with the farm and expand our produce and add animals to our farm. We are an integral part of the community and according to the comp plan, the City needs to assist us in remaining viable, especially since the city has already approved one of these buildings on less acreage, which is allowing us the tools by adding the this building to allow us to store more agricultural equipment inside of it instead of outside and also store produce in it so it does not freeze and also allow us to add chicken's and goats to our farm.

In addition to the points already made, I would like to make a few more. I would point out that the city has already allowed this to happen on the property that lies to the north of us, who has less acreage than we have. Another point is that currently AG parcels of 40 acres or more can have a 20,000 square foot building in addition to unlimited AG buildings. That would equate to a 5000 square foot building on 10 acres without the unlimited AG buildings. This is less than 1% of the total square footage of our property and is pretty insignificant.

The character of the neighborhood will not be affected as there are many other lots less than 40 acres that have more than the currently allowed size or amount of buildings. We are in the rural part of the city and to the north of us all the way to highway 36 will continue to be open space along with the Ziertman's 10 acre parcel which already has an additional AG building on their property which the city approved in 2011 with the Rock Point Church behind us that cannot see our buildings. It will not be visible from adjoining property's main structure and it will sit down low in a valley also.

I would like to mention that all of our produce is grown on site. Therefore we have a lot of equipment and I need more to accommodate our need. Plus we need this to house chickens which we are adding and also milking goats. In the fall our produce needs to be stored inside so it does not freeze along with giving the animals shelter from the cold and also storage of additional equipment.

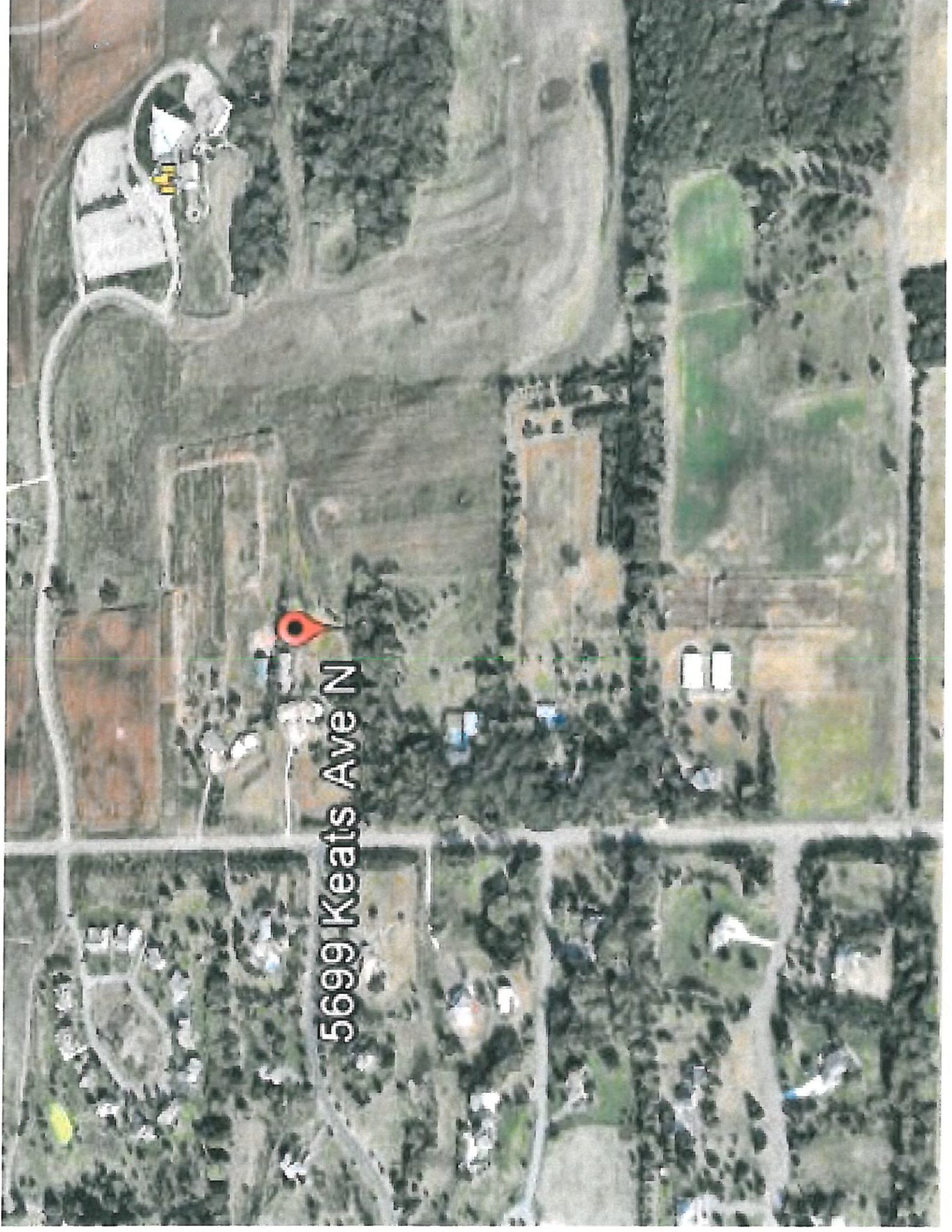
The State spends a lot of tax dollars every year for the department of agriculture and Minnesota Grown, which we do, and this helps to ensure that the small farm like ours

remain viable. Buy local is Huge!! We help to make Lake Elmo Unique and this contributes to our community. We have donated produce to many charity organizations over the years.

We would like to be able to preserve our farm and to be able to preserve it forward for our community. I think our situation is an example of why cities and city officials and league of Minnesota cities fought so hard to get the variance standards changed. So that the cities have a much greater say in what is acceptable outside the big box code that is not a one size fits all.

Thank you

Rodney and Diane Sessing



5699 Keats Ave N



PLANNING COMMISSION  
DATE: 10/10/20126  
AGENDA ITEM: 4D– PUBLIC HEARING  
CASE # 2016-31

ITEM: Conditional Use Permit Amendment - Rockpoint Church Overflow Parking Lot Expansion – 5825 Kelvin Avenue North.

SUBMITTED BY: Emily Becker, City Planner

REVIEWED BY: Stephen Wensman, Planning Director

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**SUMMARY AND ACTION REQUESTED:**

The Planning Commission is being asked to hold a public hearing and consider a request from Rockpoint Church for a Conditional Use Permit Amendment to allow the expansion of an overflow parking lot on the eastern portion of their property. The proposed parking lot would provide an additional 124 spaces, including 8 accessible parking spaces. A future parking area has been designated that would provide an additional 116 parking spaces.

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|                              |                                                                                                                                                     |
|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Applicant:</i>            | Rockpoint Church                                                                                                                                    |
| <i>Property Owners:</i>      | Rockpoint Church                                                                                                                                    |
| <i>Location:</i>             | SUBJ TO EASE SUBDIVISIONNAME HIDDEN MEADOWS OF LAKE ELMO LOT 1 BLOCK 1 SUBDIVISIONCD 02126<br>PID#: 02.029.21.21.0003                               |
| <i>Request:</i>              | Conditional use permit amendment for parking lot expansion                                                                                          |
| <i>Existing Land Use:</i>    | Place of Worship                                                                                                                                    |
| <i>Existing Zoning:</i>      | PF – Public and Quasi-Public Open Space/Public Facilities Rural Residential                                                                         |
| <i>Surrounding Land Use:</i> | Rural Residential                                                                                                                                   |
| <i>Surrounding Zoning:</i>   | Rural Residential                                                                                                                                   |
| <i>Comprehensive Plan:</i>   | Public/Park                                                                                                                                         |
| <i>Proposed Zoning:</i>      | No Change                                                                                                                                           |
| <i>History:</i>              | The property was farmed until 2006. Construction of Rockpoint Church was completed in 2007 and included on-site parking for approximately 300 cars. |
| <i>Deadline for Action:</i>  | Application Complete – 9/14/2016<br>60 Day Deadline – 11/13/2016<br>Extension Letter Mailed – N/A                                                   |

120 Day Deadline – N/A

*Applicable Regulations:* 154.600 PF – Public and Quasi-Public Open Space  
 154.106 – Conditional Use Permits (Administration and Enforcement)  
 154.210 Off-Street Parking  
 154.258 Landscape Requirements

## REQUEST DETAILS

The applicant is requesting a Conditional Use Permit amendment to allow the expansion of an overflow parking lot on the eastern portion of the property. The current parking lot provides parking space for about 300 cars. This has become insufficient, and more parking is needed to accommodate increased attendance.

## BACKGROUND

Rockpoint Church is located to the East of the intersection of Keats Avenue North and 59<sup>th</sup> Street North in the Northern area of Lake Elmo. It was established within what was formerly known as the Deer Glen subdivision, and currently platted as Hidden Meadows of Lake Elmo. The site is zoned PF- Public and Quasi-Public Open Space, and is 19.67 acres in size. Under the PF designation, Rockpoint Church would be classified as a “place of worship”. In the PF zoning district, this use is permitted as a Conditional Use.

The property was granted a Conditional Use Permit for a place of worship in 2005 by Resolution 2005-029. The conditions of approval included approval of a 520 site plan. The 520 site plan did not include this expanded parking lot, and so any change to this site plan requires a Conditional Use Permit amendment. In September of 2011, a similar Conditional Use Permit amendment was approved to allow a parking lot expansion, however, construction of the expanded parking lot never took place.

Section 154.106: Conditional Use Permits of the Zoning Code requires that substantial construction take place within 12 months of the date on which the conditional use permit was granted. Also, the new parking lot being proposed is much larger than what was permitted in the amendment, so a new Conditional Use Permit amendment must be granted in order for construction of the parking lot expansion can be permitted.

## PLANNING AND ZONING ISSUES

**Public and Quasi-Public Open Space Conditional Use Permit Provisions for Places of Worship (Staff comments in Bold).**

- Direct access is provided to a public street classified by the Comprehensive Plan as major collector or arterial. **Kelvin Avenue North is classified as a local/municipal street, which connects to Keats Avenue North, which is classified as a major collector.**
- No use may exceed 235 gallons wastewater generation per day per net acre of land. **The proposed parking lot expansion will not create any additional generation of wastewater from the site.**

- No on-site sewer system shall be designed to handle more than 5,000 gallons per day. **The proposed parking lot will not require the expansion or alteration of any existing septic systems.**
- Exterior athletic fields shall not include spectator seating, public address facilities or lighting. **There are no athletic fields on this site.**
- No freestanding broadcast or telecast antennas are permitted. No broadcast dish or antenna shall extend more than 6 feet above or beyond the principal structure. **There are no broadcast antennas on the site.**

**Surrounding Properties.** As previously mentioned, the property is part of the Hidden Meadows Plat. The property is the 1<sup>st</sup> Addition of this development. Hidden Meadows 2<sup>nd</sup> Addition was granted Preliminary Plat approval for an Open Space Preservation Development in 2006. Application for Final Plat has been received, but it has been deemed incomplete.

**Setbacks.** The PF district and requires a buffer of 150 feet for a parcel of the subject property's size. The proposed parking lot expansion is setback 199.2131 feet from the south property line. The future parking area is setback approximately 191.53 feet from the east property line.

#### **Off-Street Parking Requirements.**

- The plans indicate that the proposed parking area will have curbing (except for the portion proposed to connect to the future parking area) and there will be 4" pavement striping as required.
- Stalls are nine feet wide and 18 feet deep, meeting standards.
- Proposed drive aisle widths are 24 feet in length, exceeding minimum City standards for two-way aisle widths.
- Accessible parking requirements are met, as eight accessible spaces are provided for 116 parking spaces. However, the additional 116 spaces that will be added in the future parking area will require an additional two accessible stalls, as one accessible space is required per 24 parking spaces. The applicant must revise plans to show area where two additional accessible spaces will be provided when the future parking area designated on the site plan is constructed.
- Additionally, Staff recommends financial guarantee be provided to the City for the cost of curbing the northern section of the parking lot proposed to connect to the future parking lot. The parking lot shall be expanded in to the future parking area or curbing be provided within a period of five years.
- The worship center has a seating capacity of 588 seats, and there are approximately 8,000 square feet of classroom and recreation space. Per Specific Minimum Off-Street Parking Requirements, one space per each six seats or ten feet of pews and one space per 250 square feet of office or administrative space is required. Therefore, 130 parking spaces are required for this site. There are currently 295 parking spaces at the church, so the current number of parking spaces already meets this requirement. However, due to the large number of events the church holds, it is necessary for the parking lot to be expanded beyond this requirement. These events include the following:
  - Corn Maze – conducted in the fall for four to six weekends during the afternoon.
  - Valley Lights – conducted in November and December, nightly.
  - Outdoor Baptism – conducted in the summer of each year on one or two weekends.
  - Outdoor Worship Services – conducted in the summer months.

- Community Garden – conducted in spring, summer, and fall.

It should be noted that such events do not require a Special Event Permit, as Section 110.70: Special Event Permits, of the City Code, exempts “any permanent place of worship.”

| <b>Current # of Parking Spaces</b> | <b>Current <u>Minimum</u> Required</b> | <b>Previously Approved Addition of Parking Spaces</b> | <b>Proposed Addition of Parking Spaces (not including future parking spaces)</b> | <b>Proposed <u>TOTAL</u> <u>Future</u> Addition of Parking Spaces</b> | <b>Proposed Total # of Parking Spaces</b>              |
|------------------------------------|----------------------------------------|-------------------------------------------------------|----------------------------------------------------------------------------------|-----------------------------------------------------------------------|--------------------------------------------------------|
| 295                                | 130                                    | 84                                                    | 124                                                                              | 232 (will require two more handicap-accessible spaces)                | 527 (will require two more handicap-accessible spaces) |

**Lighting.** The lighting plan is not provided on the proposed plans but will need to be in compliance with 150.035: Lighting, Glare Control, and Exterior Lighting Standards of the Code.

**Landscape Requirements.** The applicant has provided a landscape plan. Interior parking lot landscape requirements are met. The plan meets the requirement that at least five percent of the interior of the parking lot be devoted to landscape planting. Within these landscaped areas, it is required that parking lots of this size provide at least one tree per fifteen spaces. The site plan proposes 124 parking spaces, so at least 9 trees would be required, and the landscape plan proposes a total of 10 trees, with a mix of six Skyline Honeylocust trees in corner planting beds and four Black Hills Spruce along the perimeter to the east, which will be an island when the future parking lot is constructed. Adequate screening is provided on the east side of the parking lot, which will abut a residential district, through 24 Mugo Big Tuna Pines, which will provide year-round screening, and Compact American Viburnum. Arctic Fire Dogwood is proposed along the southern portion of the parking lot. Landscaping of the future parking lot is not provided. An updated landscape plan must be provided prior to issuance of a permit to construct the future parking lot area in order to ensure compliance with screening requirements.

**Tree Preservation.** The applicant is proposing the removal of one tree.

**Impervious Surface.** The PF district allows a maximum of 35% impervious coverage. The proposed parking lot expansion will add 43,722 square feet of impervious surface to the site, bringing the percentage of impervious coverage to 27.02%. The future parking lot expansion area would add approximately 39,500 square feet, increasing impervious surface coverage to approximately 31.6%.

**Valley Branch Watershed District.** Because the project will be involving the construction of 43,722 square feet of impervious surface, a Valley Branch Watershed District will be required.

**Engineering Comments.** Detailed comments from the City Engineer are in the attached email review. In summary, the following needs to be addressed:

- Plans must be signed by a Minnesota-licensed, Professional Engineer.
- Survey must be revised to show City watermain utility easements.

- Existing Conditions must be revised to accurately show site utilities, adhering to Hidden Meadows Phase I record drawings; must show all easements; and drainage conditions must extend at a minimum 150 feet from the property.
- Erosion Control information must be placed on grading plans and removed from Existing Conditions.
- Stormwater Maintenance and Easement Agreement in City's standard agreement form for the privately owned stormwater facilities is required. Also, pre-treatment should be incorporated into the plans prior to runoff reaching the infiltration basin.
- Grading Plan should: show erosion control; indicate High Water Level (HWL) elevations; indicate emergency overflow points; fully contain HWL on property; increase storm sewer pipe size to at least 15 inches.

**Fire Safety Concerns.** The plans need to be revised and approved by the Fire Chief and Building Official to indicate appropriate "No Parking" and "Fire Lane" sign locations. The plans do not accurately show utilities, so this will need to be revised so appropriate locations of fire hydrants can be determined. Staff recommends this and all other comments provided by the Building Official and Fire Chief in the attached email dated October 4, 2016 be addressed as a condition of approval.

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## DRAFT FINDINGS

In order to approve a conditional use permit, the city is required to find the proposal compliant with the following. Staff has provided recommended, draft findings in **bold**.

1. The proposed use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or the city. **The proposed parking lot would have no such impact. It will accommodate an increase of attendance at an existing church.**
2. The use or development conforms to the City of Lake Elmo Comprehensive Plan. **The proposal is consistent with the Comprehensive Plan in that the parcel is guided for Public/Park use. Places of worship are a conditional use in this zoning district.**
3. The use or development is compatible with the existing neighborhood. **The use is compatible with the existing neighborhood, as it is an expansion of an existing use as a place of worship. The parking an accessory use to the church.**
4. The proposed use meets all specific development standards for such use listed in Article 7 of this Chapter. **The use meets most standards for places of worship as described in this report. Direct access to the church is not provided to a public street classified by the Comprehensive Plan as major collector or arterial. The church is provided direct access by Kelvin Avenue North, which is classified as a local/municipal street and connects to Keats Avenue North, which is classified as a major collector.**
5. If the proposed use is in a flood plain management or shoreland area, the proposed use meets all the specific standards for such use listed in Chapter 150, §150.250 through 150.257 (Shoreland Regulations) and Chapter 152 (Flood Plain Management). **The property is located outside a flood plain management area.**
6. The proposed use will be designed, constructed, operated and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity and will not change the essential character of that area. **The proposed parking lot expansion will be compatible in design to the existing parking lots and will be adequately screened from residential areas.**

7. The proposed use will not be hazardous or create a nuisance as defined under this Chapter to existing or future neighboring structures. **The proposed parking lot expansion will not be hazardous or create a nuisance, as the parking lot will accommodate an increase in attendance that its existing parking lot does not.**
8. The proposed use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use. **The proposed use is expected to be served adequately by the aforementioned.**
9. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. **The proposed use is not expected to create additional requirements at public cost or be detrimental to economic welfare.**
10. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors. **Provided conditions are met, the proposed use is not expected to be detrimental.**
11. Vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares. **The proposed parking lot would alleviate ongoing incidents of congestion on nearby streets during special events and holidays.**
12. The proposed use will not result in the destruction, loss or damage of a natural or scenic feature of major importance. **N/A**

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#### RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the request for a conditional use permit amendment to allow the expansion of a parking lot for the property located at 5825 Kelvin Avenue North, subject to the following conditions:

- The applicant must obtain a permit from the Valley Branch Watershed District prior to the issuance of a permit for construction and provide a copy of the permit to the City.
- Lighting will need to comply with Section 150.035: Lighting, Glare Control, and Exterior Lighting Standards of the City Code.
- Designation of two additional accessible parking spaces must be shown on the site plan for when future parking is constructed.
- The site plan shall be revised to provide safe, handicap accessibility to the existing sidewalk detailed on the site plan.
- The future parking area may not be used as parking until paved with a durable surface including, but not limited to, hot asphalt, bituminous or concrete.
- Financial security of 125% of the cost of proposed landscaping shall be required prior to issuance of permit to ensure performance for at least two years after the installations have been completed.
- Landscape plans shall comply with the City irrigation specifications and with water supply connection detail.

- New landscape plans must be submitted prior to the issuance of a permit for construction of the future parking lot to ensure compliance with screening requirements on the east side of the parking lot.
- Site plans shall be revised and approved by the Fire Chief and Building Official to indicate appropriate “No Parking” and “Fire Lane” sign locations.
- Water utilities shall be shown on the plans, and fire hydrant locations must be added in accordance with the 2015 Minnesota State Fire Code and approved by the Fire Chief and Building Official. All other items addressed in the email from the Building Official dated October 4, 2016 shall be addressed.
- Appropriate watermain and hydrant easements shall be granted.
- The applicant shall address all comments provided by the Engineer via attached email dated September 28, 2016.
- The applicant shall amend the site plan to either curb the northern portion of the parking lot that is proposed to connect to the future parking lot or eliminate the connection altogether until the future parking lot is constructed.
- Construction of the proposed parking area and future parking area must be in compliance with the approved site plan, meeting conditions outlined herein.
- The expiration provisions outlined in Subd. K: Expiration of Section 154.106: Conditional Use Permits apply to the construction of the proposed parking lot. This provision does not apply to the future parking lot as indicated in the site plan.

Potential additional condition:

- The future parking lot may not be constructed until/if church expansion plans are approved. Until such time, only the addition of 124 parking spaces, as outlined in the proposed site plan, is allowed.

The suggestion motion for taking action on the Staff recommendation is as follows:

***“Move to recommend approval of the request for a conditional use permit amendment to allow a parking lot expansion for the property located at 5825 Kelvin Avenue North.”***

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#### **ATTACHMENTS:**

1. Application Form and Project Narrative
2. Application Materials
3. Engineering Review E-mail
4. Resolution 2005-029 – Approval of Original Conditional Use Permit
5. Resolution 2011-041 – Approval of Conditional Use Permit Amendment to Allow Parking Lot Expansion
6. Site Plan Previously Approved
7. Location Map and Aerial View of Property

#### **ORDER OF BUSINESS:**

- Introduction ..... Planning Staff
- Report by Staff ..... Planning Staff
- Questions from the Commission ..... Chair & Commission Members

- Open the Public Hearing ..... Chair
- Close the Public Hearing ..... Chair
- Discussion by the Commission ..... Chair & Commission Members
- Action by the Commission ..... Chair & Commission Members

5825 Kelvin Avenue North  
Lake Elmo, Minnesota 55042  
651.770.3172 | Fax 651.770.3476



July 25, 2016

Emily Becker  
City Planner  
City of Lake Elmo, MN

Re: CUP Amendment for a Parking Lot Expansion  
Rockpoint Church  
5825 Kelvin Ave North  
Lake Elmo, MN

Hello, Emily-

Following are itemized responses to required informational items listed in the Land Use Application:

**1) Contact Info**

- a) Owner: Rockpoint Church. Contact: Bill Bartolic 612-805-4895, [williambartolic@gmail.com](mailto:williambartolic@gmail.com)  
Architect: Richard Stuermer, BWBR Architects, 651-290-1984, [r.stuermer@bwbr.com](mailto:r.stuermer@bwbr.com)

**2) Site Information**

- a) Current zoning: PF
- b) 20 acres

**3) Property History**

- a) The property was farmed until 2006. Construction of Rockpoint Church was completed in 2007, and included on-site parking for approx. 300 cars.
- b) The property has continued to function as a church facility since 2007, and growth in the attendance has continued to increase. We, therefore, now need to expand our current parking capability in order to accommodate the attendance increase, and to keep fire lanes open during church activities.
- c) We have met with BWBR Architects, who were the original architects for the construction of the church, to help us determine what parking capability current codes and ordinances would allow. Through this process, we have determined that we are able to construct up to an additional 260 parking stalls, but we are only seeking to build approx. additional parking stalls at this time. We have also met with Emily Becker and Stephen Wensman to discuss our long term plans for the present site, which includes a fully expanded building and site development Master Plan, of which the current parking lot expansion is a part. In 2011, Rockpoint Church received approval for a CUP Amendment to build a dirt parking lot, but the construction of the dirt parking lot never occurred. Emily Becker informed that, because our latest plan for the parking lot expansion is significantly different than the dirt lot approved in 2011, we must now secure a new CUP Amendment, which this document will serve.

**4) Discription of Proposed Use**

- a) The proposed location for the parking lot expansion is east of the present church building. Currently, the proposed site is farmed and/or fallow. Our plan is to orient the parking in a north/south direction, of which the west half would be constructed now. The east half would be constructed in the future when the church building is fully expanded. Ingress and egress from the new parking lot will be by way of existing drive lanes now on the property. We do not anticipate that the construction of the parking to will cause any negative impact on existing wetlands or surrounding farmland. Construction of the 1<sup>st</sup>

5825 Kelvin Avenue North  
Lake Elmo, Minnesota 55042  
651.770.3172 | Fax 651.770.3476

# Rockpoint

phase of this masterplan parking lot will be of permanent materials, including concrete curb and gutter, asphalt pavement, site lighting, and green restoration.

## 5) **Justification**

- a) We worked with BWBR Architects in the development of our master site plan, and preparation of the parking lot expansion. The master site plan, inclusive of the parking lot expansion, was based upon, and in compliance with, current codes and ordinances enforced in the City of Lake Elmo. Therefore, the parking lot expansion will not be detrimental or endanger the public health, safety, or comfort. The expansion conforms with the City of Lake Elmo Comprehensive Plan, and it is compatible with the existing neighborhood, and it will not change the essential character of that area. Also, the proposed use will adequately serve the public facility and services. Since the parking lot is private, it will not cause any more cost to the city for maintenance and upkeep of Kelvin Ave No than was identified and anticipated when the Kelvin Ave No was originally constructed in 2007. Similarly, the parking lot expansion will not create more traffic or noise than was originally anticipated when the church construction was approved as a public facility on 20 acres in 2006. Finally, the parking lot expansion will not result in the destruction of any natural or scenic feature of major importance.

We have attached two (2) copies of the site plan prepared by BWBR Architects for your initial review, and are prepared to engage the services of a civil engineer to assist in addressing your specific requirements.

We are in immediate need of this parking lot expansion, and are poised to help in expediting this process in any way we can.

Thank you for your consideration.

Sincerely,



William J. Bartolic III  
Co-Chair  
Rockpoint Church  
612-805-4895



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 ☐ Wireless Communications

Applicant: BILL BARTOLIC  
Address: 5825 KELVIN AVE NO, LAKE ELMO, MN 55042  
Phone #: 612-805-4895  
Email Address: WILLIAM.BARTOLIC@GMAIL.COM

Fee Owner: ROCKPOINT CHURCH  
Address: 5825 KELVIN AVE NO, LAKE ELMO, MN 55042  
Phone #: 651-770-3172  
Email Address: \_\_\_\_\_

Property Location (Address): 5825 KELVIN AVE NO  
(Complete (long) Legal Description: \_\_\_\_\_

PID#: \_\_\_\_\_

Detailed Reason for Request: PARKING LOT EXPANSION.

\*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:

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: 7/25/16

Signature of fee owner: [Signature] Date: 7/25/16

CO-CHAIR  
ROCKPOINT CHURCH

Conditional use permits can be requested for many different uses in all areas of the City which makes it very difficult to generate at handout that is applicable in all situations. It is strongly recommended that an applicant meet with staff prior to putting an application together to identify components listed herein that may be exempted, and to identify additional information that may be needed in order to deem your application complete.

**At a minimum, the following materials must be submitted prior to deeming an application complete:**

- | <u>Sub:</u>                         | <u>Req:</u>                 | <u>Item:</u>                                                                                                            |
|-------------------------------------|-----------------------------|-------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> 1. | A completed land use application form signed by <b>all</b> property owners along with payment of the proper filing fee. |

- iv. The proposed use meets all specific development standards for such use listed in Article 7 of the Zoning Code.
- v. If the proposed use is in a flood plain management or shoreland area, the proposed use meets all the specific standards for such use.
- vi. The proposed use will be designed, constructed, operated and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity and will not change the essential character of that area.
- vii. The proposed use will not be hazardous or create a nuisance as defined in the zoning code to existing or future neighboring structures.
- viii. The proposed use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use.
- ix. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- x. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors.
- xi. Vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares.
- xii. The proposed use will not result in the destruction, loss or damage of a natural or scenic feature of major importance.

N/A

- | <u>Sub:</u>              | <u>Req:</u>              | <u>Item:</u>                                                                                                                                                                                                                                |
|--------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | 3. <b>Verification of ownership</b> (a copy of a current title report, purchase agreement, etc.)                                                                                                                                            |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. <b>Address labels:</b> A certified list of property owners located within three hundred fifty (350') feet of the subject property obtained from and certified by a licensed abstractor or through Washington County (see attached form). |

N/A

- Building coverage
- Driveway and parking
- Public street right-of-way
- Open space and/or landscaped area
- ☐ Proposed Treatment of the Perimeter, including Screens, Fences, Walls, & Landscaping
- ☐ Location of adjacent Municipal boundaries
- ☐ Top and toe of bluffs (if applicable)
- ☐ Location, dimensions, and number of off-street parking spaces (including guest, handicapped, bicycle, and motorcycle spaces)
- ☐ Location of existing and proposed pedestrian sidewalks. Identify possible vehicular conflicts and indicate the proposed treatment of such
- ☐ Administrative Information:
  - Scale & North Point
  - Signature of Surveyor
  - Date of Preparation
  - PID Number
  - Site Address
  - Legal Description
  - Subdivision Name (if applicable)
  - Zoning Classification
  - Parcel Size in Acres & Square Feet
- ☐ Other: \_\_\_\_\_

**Sub:   Req:   Item:**

- ☐   ☐   **6.   Landscape Plan:** Ten copies of a Landscape Plan depicting the property in question. Each document shall be at a consistent, readable, and measurable engineering scale, be composed of sheet(s) not smaller<sup>6</sup> than 11x17, and be pre-folded for distribution. Staff will assist you in determining what is required.

The landscape plan will not be considered complete unless all required elements are included.

- ☐ Extent and location of all plant materials and landscape features. Please include a plant material schedule with common and botanical names, symbols, sizes, quantities, and total percentage of each species.
- ☐ Flower and shrub beds shall be clearly shown and drawn to scaled dimensions. Actual plant quantities must be shown with landscape edge and mulch material identified.

<sup>6</sup> If your survey or sketch plan must be larger than 11x17 to be fully legible, we ask that that ten (10) copies of the plan be in the large format, and an additional twenty (20) be reduced to 11x17.

- ☐ A detailed lighting plan insuring that all lighting apparatuses are down shielded as to ensure such do not shine or create glare on abutting properties and surrounding areas (include a specification sheet for all wall fixtures and site plan fixtures).
- ☐ Location of utility meters, HVAC equipment, vaults, irrigation boxes, transformers, and other utility service functions (such as conduits, and vents). Show how this equipment will be screened so that the visual and acoustic impacts of these functions are fully contained and out of view of the adjacent properties and public streets.

**Sub:   Req:   Item:**

- ☐   ☐ 8.   **Utilities & Services Plan:** A plan set detailing the existing and proposed utility systems including sanitary sewers, storm sewers, water, electric, gas lines, telephone lines, fire hydrants, and trash collection areas.
- ☐   ☐ 9.   **Electronic file(s) of plan sets.** Staff can generally work with most file formats (we would prefer .jpg or .pdf files).
- ☐   ☐ 10.   Any **other information** required by city staff, commissioners, or council members necessary to provide a complete review of the conditional use request. Information deemed critical to the review process not listed in this handout may be requested<sup>7</sup>. Staff will list other requirements below:

\_\_\_\_\_

The City may require (or the applicant may choose to submit) evidence that is beyond what is required in any section outlined in this handout. Please be advised that the City reserves the right to impose conditions on an approved conditional use if necessary to avoid a detrimental impact on surrounding properties or the City as a whole.

If you have any questions regarding these requirements, please call City Hall at (651) 747-3900. Thank You!

<sup>7</sup> Number of copies, size, and other such administrative details may also be imposed when requiring additional information



### LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET
- ⊙ DENOTES EVERGREEN TREE
- ⊙ DENOTES EVERGREEN TREE
- ⊙ DENOTES DECIDUOUS TREE
- ☼ DENOTES LIGHT POLE
- ☼ DENOTES GUY WIRE
- ☼ DENOTES POWER POLE
- ☼ DENOTES CATCH BASIN
- ☼ DENOTES WATER VALVE
- ☼ DENOTES FIRE HYD
- ☼ DENOTES DRAINAGE MANHOLE
- ☼ DENOTES SANITARY MANHOLE
- ☼ DENOTES TREE & BRUSH LINE
- ☼ DENOTES EXISTING CONTOUR
- ☼ DENOTES SANITARY SEWER LINE
- ☼ DENOTES WATER MAIN LINE
- ☼ DENOTES STORM SEWER LINE
- ☼ DENOTES FENCE
- ☼ DENOTES FIBER OPTIC LINE
- ☼ DENOTES OVERHEAD ELECTRIC LINE
- ☼ DENOTES GAS LINE (BURIED)
- ☼ DENOTES TELEPHONE LINE (BURIED)
- ☼ DENOTES ELECTRIC LINE (BURIED)
- ☼ DENOTES BURIED CABLE
- ☼ DENOTES BITUMINOUS SURFACE
- ☼ DENOTES CONCRETE SURFACE
- ☼ DENOTES GRAVEL SURFACE

### HARD COVER CALCULATIONS

#### EXISTING

TOTAL SITE AREA=856,654 SF  
(19.67 AC)  
BUILDING = 30,489 SF  
FIRE PIT = 370 SF  
BITUMINOUS PARKING LOT = 134,256 SF  
BITUMINOUS PATH = 3,497 SF  
CONCRETE SIDEWALK = 19,165 SF

TOTAL HARD COVER = 187,777 SF

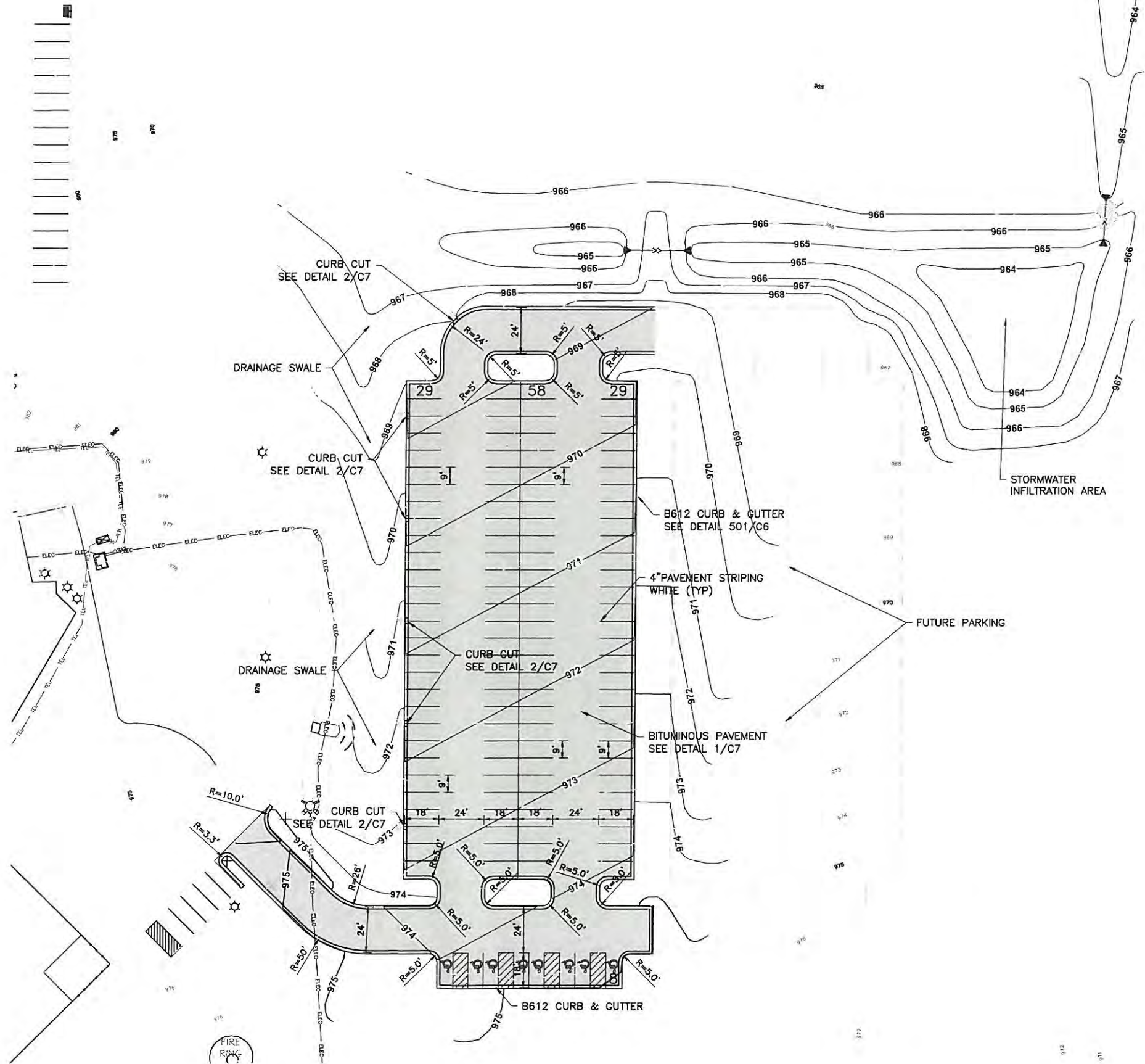
#### PROPOSED

BITUMINOUS PARKING LOT = 43,722 SF  
TOTAL ADDITIONAL HARD COVER = 43,722 SF

NEW TOTAL HARD COVER = 231,499 SF  
REMAINING OPEN SPACE = 625,155 SF

HARD COVER = 27.02%  
OPEN SPACE / LANDSCAPED AREA = 72.98%

NOTE  
PARKING LOT LIGHTING BY OTHERS



### REVISIONS BY

| NO. | DESCRIPTION | DATE | BY |
|-----|-------------|------|----|
|     |             |      |    |
|     |             |      |    |
|     |             |      |    |
|     |             |      |    |
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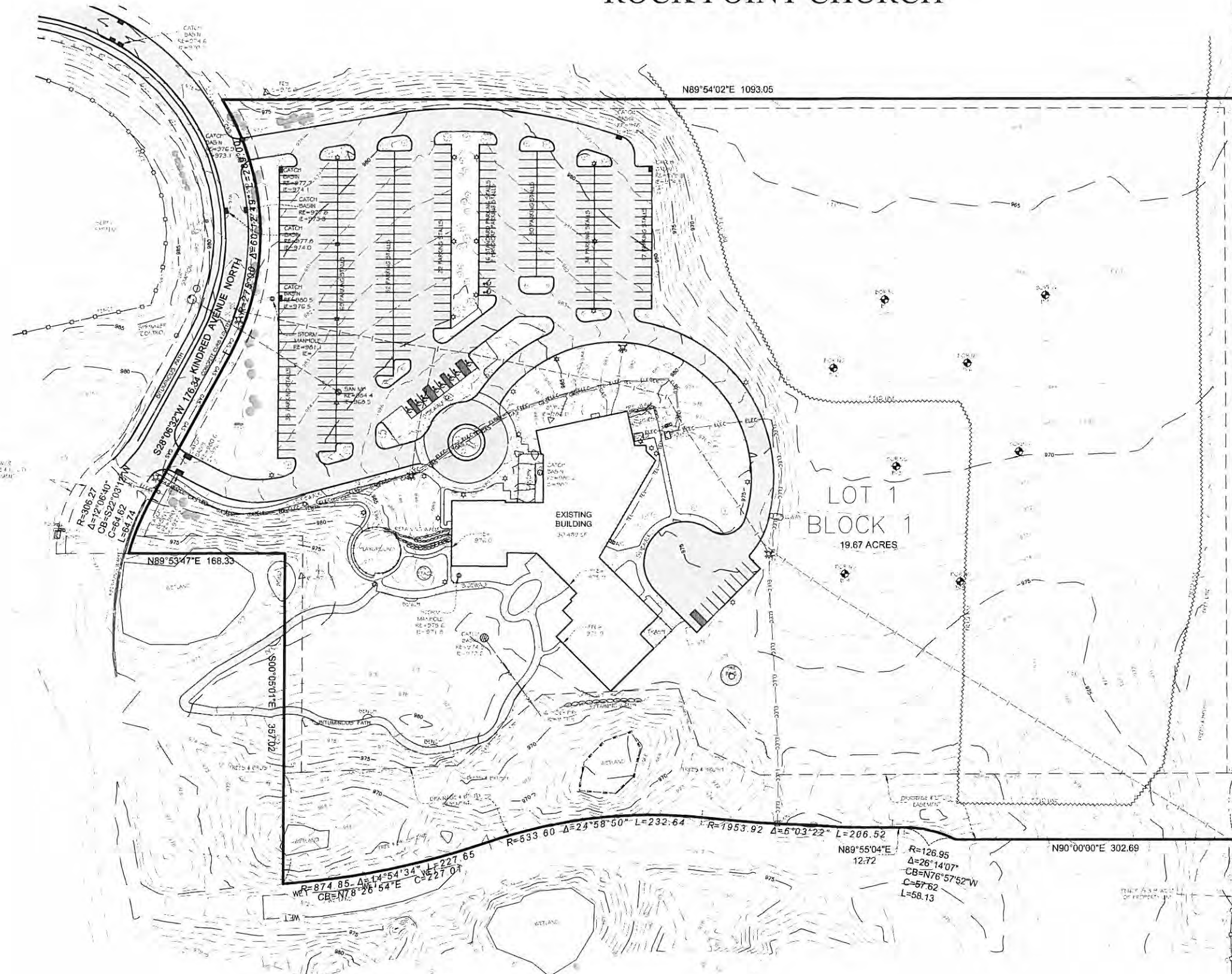


SITE PLAN  
ROCK POINT CHURCH  
LAKE ELMO, MN

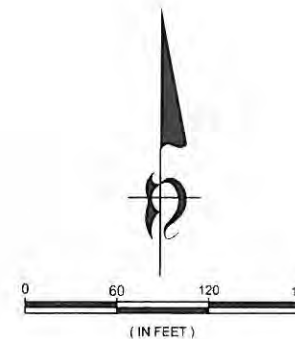
DRAWN BY  
NW/RAT  
CHECKED BY  
RAT  
DATE  
09-12-16  
JOB NO  
160801  
SHEET

C4

CERTIFICATE OF SURVEY  
FOR  
ROCK POINT CHURCH



- LEGEND**
- DENOTES IRON MONUMENT FOUND
  - DENOTES IRON MONUMENT SET
  - ⊙ DENOTES EVERGREEN TREE
  - ⊙ DENOTES EVERGREEN TREE
  - ⊙ DENOTES DECIDUOUS TREE
  - ⊙ DENOTES LIGHT POLE
  - ⊙ DENOTES GUY WIRE
  - ⊙ DENOTES POWER POLE
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  - ⊙ DENOTES TELEPHONE LINE (BURIED)
  - ⊙ DENOTES ELECTRIC LINE (BURIED)
  - ⊙ DENOTES BITUMINOUS SURFACE
  - ⊙ DENOTES CONCRETE SURFACE
  - ⊙ DENOTES GRAVEL SURFACE



**PROPERTY DESCRIPTION**  
LOT 1, BLOCK 1, HIDDEN MEADOWS OF LAKE ELMO, CITY  
OF LAKE ELMO, WASHINGTON COUNTY, MINNESOTA.

I HEREBY CERTIFY THAT THIS SURVEY 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.

DATE: 8-18-2016

Thomas J. O'Meara  
THOMAS J. O'MEARA, LAND SURVEYOR  
MINNESOTA LICENSE NO. 46167

**Bohlen  
Surveying & Associates**

31432 Foliage Avenue  
Northfield, MN 55057  
Phone: (507) 645-7768  
tomeara@bohlenurveying.com

1682 Cliff Road E.  
Burnsville, MN 55337  
Phone: (952) 895-9212  
Fax: (952) 895-9259

**From:** [Jack Griffin](#)  
**To:** [Emily Becker](#)  
**Cc:** [Stephen Wensman](#)  
**Subject:** Re: Rockpoint Church Parking Lot Expansion Plans  
**Date:** Wednesday, September 28, 2016 6:30:50 PM

---

Emily,

I have reviewed the Rock Point Church Parking Lot Plans and have the following comments for your consideration:

1. The plans must be signed by a Professional Engineer licensed in the state of Minnesota. No PE signature block was found on the plans. The plans should be resubmitted with signature.
2. Certificate of Survey: The survey must be revised to show the city watermain utility easements.
3. Existing Conditions Plan: The existing conditions plan must be revised to facilitate a complete review.
  - The site utilities (watermain and storm sewer) do not appear to be accurately shown as compared to the record drawings (see attached).
  - All easements must be shown on the plans including the city watermain utility easements.
  - Existing drainage conditions must extend further to the north to depict the existing drainage discharge conditions (extend minimum 150 feet from property).
4. Erosion Control Plans: Erosion control information needs to be removed from the existing conditions plan and placed on the grading plans.
5. Site Plan. The plan indicates more than 6,000 SF of new impervious surface is being added. The applicant must obtain a VBWD permit for the project. The city should be provided a copy of any approved permit.
6. Stormwater Management:
  - The applicant must execute a Stormwater Maintenance and Easement Agreement in the City's standard agreement form for the privately owned storm water facilities.
  - Pre-treatment should be incorporated into the plans prior to runoff reaching the infiltration basin.
7. Grading Plan:
  - Erosion control information must be shown on the grading plans.
  - High water level (HWL) elevation for the proposed infiltration basin must be shown on the plans. All emergency overflow points must be shown in **BOLD** and labeled as EOF.
  - The HWL must be shown to be fully contained on the Rock Point Church property.
  - Minimum storm sewer pipe size is 15-inch. The stormwater model should be updated along with the plans.
8. Landscape Plans: I did not review the landscape plans, Sheets L1 and L2.
9. No review was completed in regards to parking requirements, either total stalls or handicap stall compliance.

Please let me know if you have any questions or require any further review. Thanks ~Jack

John (Jack) W. Griffin, P.E.

Principal / Sr. Municipal Engineer

**FOCUS** ENGINEERING, INC.

651.300.4264

[jack.griffin@focusengineeringinc.com](mailto:jack.griffin@focusengineeringinc.com)

On Wed, Sep 14, 2016 at 2:52 PM, Emily Becker <[EBecker@lakeelmo.org](mailto:EBecker@lakeelmo.org)> wrote:

Jack,

Rockpoint Church has submitted an application for a CUP amendment for a parking lot expansion. I have put the large plans of the attached along with a hard copy of the storm water management plan in your inbox. Can you please review when you're able?

Emily Becker

City Planner

City of Lake Elmo

[651-747-3912](tel:651-747-3912)

[ebecker@lakeelmo.org](mailto:ebecker@lakeelmo.org)



**From:** [Michael Bent](#)  
**To:** [Emily Becker](#)  
**Cc:** [Greg Malmquist](#); [Stephen Wensman](#)  
**Subject:** Rock Point Parking Plan  
**Date:** Tuesday, October 04, 2016 1:53:51 PM

---

Emily,

Chief Malmquist and I have reviewed the parking plan proposed by Rock Point Church. The following comments should be included with your review:

1. The proposal is incomplete due to the lack of water utilities shown on the plans. Utilities locations need to be included in order to review and approve fire hydrant spacing per city requirements.
2. All of the drive lanes proposed and existing will need to be shown as 'No Parking, Fire Lanes' with required signage per the 2015 Minnesota State Fire Code.
3. There are handicap parking stalls shown on the proposed parking plans, the accessible route needs to be shown from the lot to the building and verified as meeting the 2015 Minnesota State Accessibility Code.
4. The turn radiuses shown at the islands in the parking area will need verification that they meet the required turn radiuses as per city standards for emergency vehicles and apparatus access.

Thanks,

Mike B.

Michael Bent  
Building Official  
City of Lake Elmo  
651-747-3910  
[mbent@lakeelmo.org](mailto:mbent@lakeelmo.org)



CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-029

A RESOLUTION APPROVING THE REQUEST FOR A CONDITIONAL USE  
PERMIT BY LAKEWOOD EVANGELICAL FREE CHURCH FOR  
PROPOSED LOT 1, BLOCK 1, DEER GLEN

WHEREAS, on the 7<sup>th</sup> day of February, 2005, the Lakewood Evangelical Free Church ("Applicant") submitted a completed application request that the City of Lake Elmo approve a Conditional Use Permit to construct a church on 20 acres, and

WHEREAS, on the 28<sup>th</sup> day of February 2005, at a public hearing, the Lake Elmo Planning Commission reviewed the Conditional Use Permit application, the City Planner's reports and comments, the comments of the Applicant and the Applicant's representatives; and recommended denial of the Conditional Use Permit; and

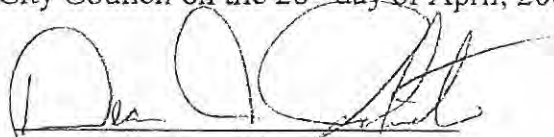
WHEREAS, on the 15<sup>th</sup> day of March, 2005 and on the 19<sup>th</sup> day of April, 2005, the Lake Elmo City Council reviewed the Conditional Use Permit application, the City Planner's reports and comments, the Planning Commission recommendation and the comments of the Applicant and its representatives.

WHEREAS, on the 28<sup>th</sup> day of April, 2005, the City Council completed its review of the request to approve a Conditional Use Permit.

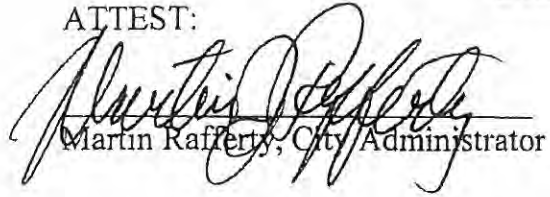
NOW, THEREFORE, BE IT RESOLVED, that the Lake Elmo City Council hereby approves the Conditional Use Permit for a church on proposed Lot 1, Block 1, Deer Glen for the following reasons because the use is allowed within the PF zoning district; and subject to the following conditions:

1. Construction, at the applicant's sole expense, of traffic improvements at the intersection of Keats Avenue and Highway 36, as defined in the traffic study dated the 15<sup>th</sup> day of December, 2004 prepared by Kimley-Horn and Associates, Inc.
2. Approval of a 520 Site Plan.
3. Approval of Plat creating a parcel not more than 20 acres.

ADOPTED by the Lake Elmo City Council on the 28<sup>th</sup> day of April, 2005.

  
Dean Johnston, Mayor

ATTEST:

  
Martin Rafferty, City Administrator

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

**RESOLUTION NO. 2011-041**

*A RESOLUTION APPROVING A CONDITIONAL USE PERMIT AMENDMENT FOR THE  
ROCKPOINT CHURCH AT 5825 KELVIN AVENUE NORTH TO ALLOW THE  
CONSTRUCTION OF AN OVERFLOW PARKING LOT*

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

**WHEREAS**, Rockpoint Church, 5825 Kelvin Avenue North (the "Applicant") has submitted an application to the City of Lake Elmo (the "City") for a Conditional Use Permit amendment to allow the construction of an overflow parking lot on the eastern portion of its 20 acre property, a copy of which is on file with the City; and

**WHEREAS**, notice has been published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.018; and

**WHEREAS**, the Lake Elmo Planning Commission held a public hearing on said matter on August 8, 2011; and

**WHEREAS**, the Lake Elmo Planning Commission has submitted its report and recommendation to the City Council as part of a Staff Memorandum dated August 23, 2011; and

**WHEREAS**, the City Council considered said matter at its August 23, 2011 and September 20, 2011 meetings.

**NOW, THEREFORE**, based on the testimony elicited and information received, the City Council makes the following:

**FINDINGS**

- 1) That the procedures for obtaining said Conditional Use Permit (CUP) Amendment are found in the Lake Elmo Zoning Ordinance, Section 154.018.
- 2) That all the submission requirements of said 154.018 have been met by the Applicant.
- 3) That the proposed CUP Amendment is to allow the construction of an overflow parking lot on the eastern portion of the Rockpoint Church property.

- 4) That the proposed CUP Amendment will be located on property legally described as follows and commonly known as 5825 Kelvin Avenue North:

Lot 1, Block 1, Hidden Meadows of Lake Elmo.

All in Washington County, State of Minnesota. PID Number: 02-029-21-21-0003

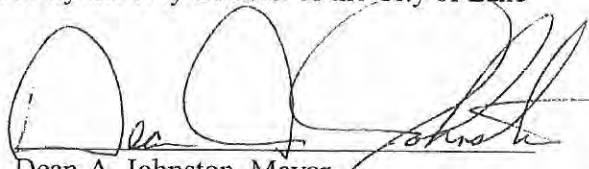
- 5) That the proposed structure will not negatively affect the health, safety, morals, convenience, or general welfare of surrounding lands. *The proposed parking lot will be located in a screened portion of the applicant's site, and will not generate any additional traffic, noise, or other impacts beyond what presently exists on the property.*
- 6) The proposed improvements will not affect traffic or parking conditions. *The proposed parking lot will provide additional overflow parking in another portion of the site, alleviating congestion caused by a shortage of parking during holidays, special events, and other times when parking is at or near capacity. No additional traffic from off-site will be generated from the new parking lot. The applicant has agreed to work with the City to develop a frontage road along Highway 36 by granting any easements necessary to implement such a frontage road system.*
- 7) The proposed improvements will not have an effect on utility or school capacities. *Sanitary sewer facilities will not be provided to the parking lot.*
- 8) The proposed improvements would have no effect on property values of surrounding lands. *The proposed parking lot will not be visible from surrounding lands and will accommodate activities already occurring on the site.*
- 9) The proposed improvements would be consistent with the Comprehensive Plan. *Rockpoint Church is considered a "Place of Worship" and permitted as a Conditional Use in the PF Zoning District. The property is guided for Public and Semi-Public Facilities in the Comprehensive Plan.*
- 10) No use may exceed a ratio of 3.0 SAC units per 3.5 acres or 235 gallons per day per net acre of land based on design capacity of all facilities, whichever is more restrictive. *The proposed parking lot will not result in any increase in the septic system capacity for the site.*
- 11) Direct access is provided to a public street classified by the Comprehensive Plan as a major collector or arterial. *Kelvin Avenue North is classified as a local/municipal street, which connects to Keats Avenue North, which is classified as a major collector.*

### CONCLUSIONS AND DECISION

Based on the foregoing, the Applicants' application for a Conditional Use Permit Amendment is granted subject to the following conditions:

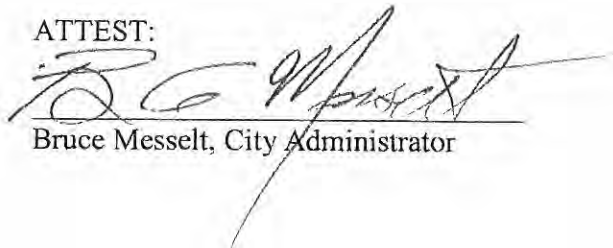
1. The applicant must obtain a permit from the Valley Branch Watershed District prior to construction.
2. The applicant shall agree to grant an easement to the City of Lake Elmo across the northern portion of Outlot A of Hidden Meadows of Lake Elmo in the location of the proposed 16" Watermain.
3. The applicant shall provide a letter of credit in the amount of 125% of the cost of paving and landscaping to complete the overflow parking lot. This letter of credit shall be returned to the Church upon completion of the improvements.
4. The applicant shall provide additional year-round screening with evergreen trees on the South side of the parking lot to shield the future residential development, which shall be planted as soon as the parking lot is constructed.
5. The applicant shall provide an erosion control plan, a landscaping plan, as well as specify the proposed material for the parking lot, per the City Engineer's request.
6. The applicant shall provide a storm water management plan, per the request of the Planning Commission

Passed and duly adopted this 20<sup>th</sup> day of September 2011 by the City Council of the City of Lake Elmo, Minnesota.



Dean A. Johnston, Mayor

ATTEST:



Bruce Messelt, City Administrator

**Larson Engineering, Inc.**  
 2024 Larson Road  
 White Bear Lake, MN 55110  
 651.437.3720 (F) 651.481.3289  
 www.larsoneng.com

**ROCKPOINT CHURCH**  
 5825 KENILWORTH AVENUE NORTH  
 LAKE ELMO, MN 55042

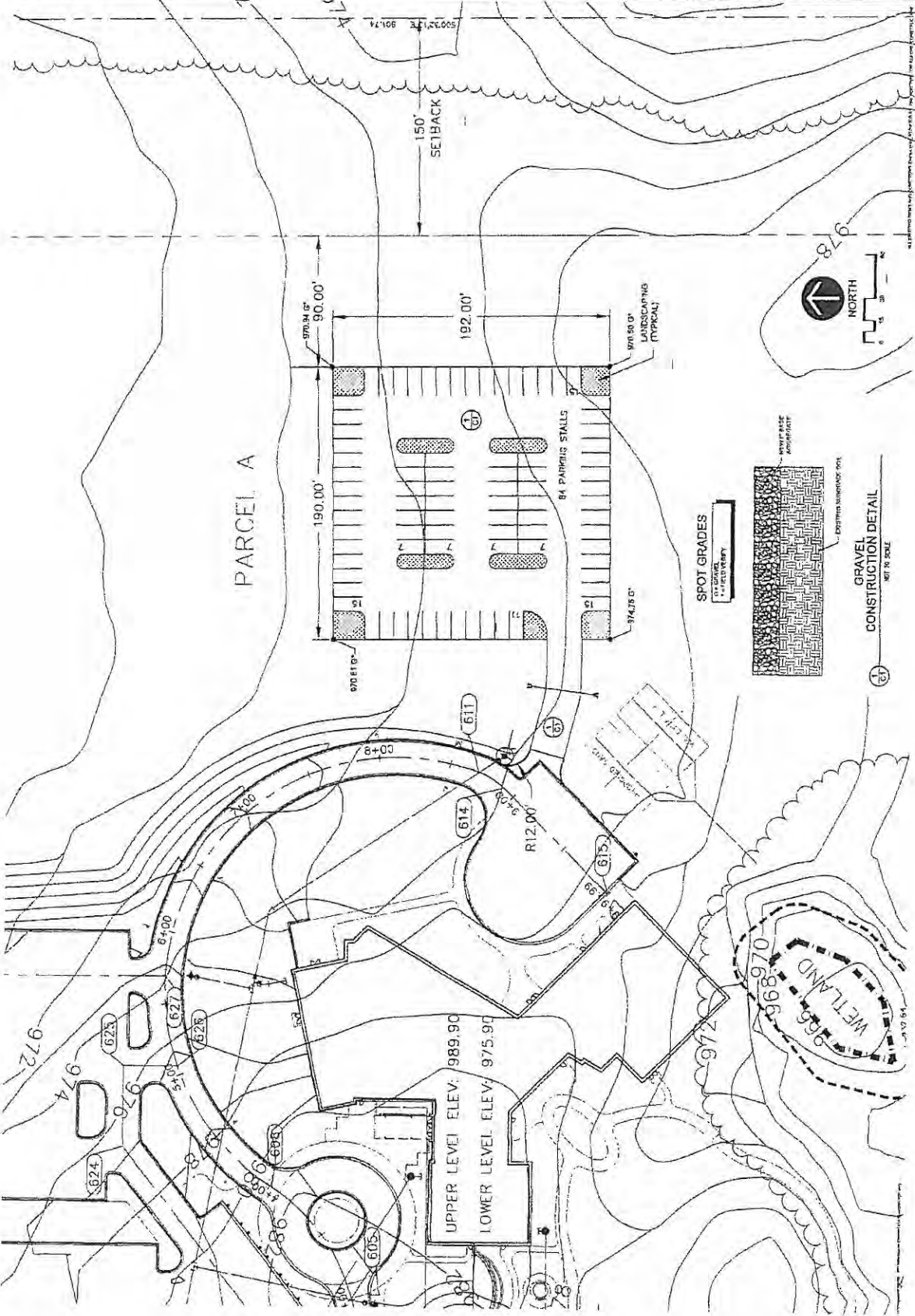
**2011 PARKING LOT EXPANSION**  
 ROCKPOINT CHURCH

Prepared For:  
 Prepared By:  
 Date: 01/01/11, Page No.: 01/01

Project No.:  
 Drawing No.:  
 Revision:  
 Date: 01/01/11  
 Drawn By: JMM  
 Check By: JMM  
 Scale: 1" = 40'

**LAYOUT**  
**C1**

1 of 1



Development Status Sheet

Final Plat Appro' DA Agreement  
Approved

DA Agreement  
Signed

Plat Recorded

Updated 10/5/16

Southern Developments

SAVONA - 310 Total

|            |           |           |            |            | Developer | Builder | Total #<br>Of Homes | Total # of<br>SF Homes | Total # of<br>Townhomes | Building<br>Permits Issued | CO's<br>Issued | Zoning  |
|------------|-----------|-----------|------------|------------|-----------|---------|---------------------|------------------------|-------------------------|----------------------------|----------------|---------|
| Savona 1st | 2/18/2014 | 5/20/2014 | 6/18/2014  | 9/25/2014  | Lennar    | Lennar  | 44                  | 44                     | 0                       | 42                         | 39             | LDR     |
| Savona 2nd | 9/16/2014 | 9/16/2014 | 10/22/2014 | 4/14/2015  | Lennar    | Lennar  | 67                  | 45                     | 22                      | 49                         | 39             | LDR/MDR |
| Savona 3rd | 9/15/2015 | 9/15/2016 | 9/16/2015  | 11/19/2015 | Lennar    | Lennar  | 120                 | 21                     | 99                      | 48                         | 18             | LDR/MDR |
| Savona 4th | 3/15/2016 | 4/5/2016  |            |            | Lennar    | Lennar  | 78                  | 78                     | 0                       | 0                          | 0              | LDR     |
|            |           |           |            |            |           |         | 309                 | 188                    | 121                     | 139                        | 96             |         |

BOULDER PONDS - 162 Total

|                   |           |           |           |          |                    |                |    |    |   |    |   |         |
|-------------------|-----------|-----------|-----------|----------|--------------------|----------------|----|----|---|----|---|---------|
| Boulder Ponds 1st | 4/21/2015 | 4/21/2015 | 5/16/2015 | 6/5/2015 | OP 4 Boulder Ponds | Creative Homes | 47 | 47 | 0 | 18 | 7 | PUD/LDR |
| Boulder Ponds 2nd | 5/17/2016 |           |           |          | OP 4 Boulder Ponds | Creative Homes | 18 | 18 | 0 | 0  | 0 | PUD/LDR |
|                   |           |           |           |          |                    |                | 65 | 65 | 0 | 18 | 7 |         |

HUNTER'S CROSSING - 51 Total

|                       |          |           |            |            |                     |              |    |    |   |    |    |     |
|-----------------------|----------|-----------|------------|------------|---------------------|--------------|----|----|---|----|----|-----|
| Hunter's Crossing 1st | 7/1/2014 | 10/7/2014 | 10/15/2015 | 12/18/2014 | Ryland/Cal Atlantic | Cal Atlantic | 22 | 22 | 0 | 21 | 17 | LDR |
| Hunter's Crossing 2nd | 5/5/2015 | 5/5/2015  | 5/29/2015  | 8/4/2015   | Ryland/Cal Atlantic | Cal Atlantic | 29 | 29 | 0 | 23 | 16 | LDR |
|                       |          |           |            |            |                     |              | 51 | 51 | 0 | 44 | 33 |     |

INWOOD - 537 Total

|            |           |           |            |            |                     |          |     |     |   |    |    |         |
|------------|-----------|-----------|------------|------------|---------------------|----------|-----|-----|---|----|----|---------|
| Inwood 1st | 5/19/2015 | 5/19/2015 | 6/9/2015   | 8/3/2015   | Hans Hagen/MI Homes | MI Homes | 40  | 40  | 0 | 39 | 35 | PUD/MDR |
| Inwood 2nd | 9/1/2015  |           | 11/19/2015 | 11/23/2015 | Hans Hagen/MI Homes | MI Homes | 21  | 21  | 0 | 21 | 17 | PUD/MDR |
| Inwood 3rd | 4/19/2016 | 5/3/2016  | 5/16/2016  |            | Hans Hagen/MI Homes | MI Homes | 68  | 68  | 0 | 15 | 0  | PUD/MDR |
|            |           |           |            |            |                     |          | 129 | 129 | 0 | 75 | 52 |         |

HAMMES ESTATES - 163 Total

|                    |           |           |           |  |  |  |    |    |   |   |   |     |
|--------------------|-----------|-----------|-----------|--|--|--|----|----|---|---|---|-----|
| Hammes Estates 1st | 10/7/2014 | 8/16/2016 | 8/16/2016 |  |  |  | 57 | 57 | 0 | 0 | 0 | LDR |
|                    |           |           |           |  |  |  | 57 | 57 | 0 | 0 | 0 |     |

DIEDRICH/REIDER - 46 Total

12 month extension to Final Plat Deadline to 12/1/16.

Northern Developments

EASTON VILLAGE - 217 Total

|                    |          |          |           |           |                   |          |    |    |   |    |   |     |
|--------------------|----------|----------|-----------|-----------|-------------------|----------|----|----|---|----|---|-----|
| Easton Village 1st | 3/3/2015 | 3/3/2015 | 7/23/2015 | 8/10/2015 | Chase Development | Multiple | 71 | 71 | 0 | 23 | 9 | LDR |
|                    |          |          |           |           |                   |          | 71 | 71 | 0 | 23 | 9 |     |

VILLAGE PRESERVE - 91 Total

|                      |           |           |           |           |              |          |    |    |   |    |   |     |
|----------------------|-----------|-----------|-----------|-----------|--------------|----------|----|----|---|----|---|-----|
| Village Preserve 1st | 5/5/2015  | 6/2/2015  | 8/3/2015  | 8/25/2015 | Gonyea Homes | Multiple | 46 | 46 | 0 | 17 | 4 | LDR |
| Village Preserve 2nd | 4/19/2016 | 8/16/2016 | 8/19/2016 | 9/9/2016  | Gonyea Homes | Multiple | 45 | 45 | 0 | 0  | 0 | LDR |
|                      |           |           |           |           |              |          | 91 | 91 | 0 | 17 | 4 |     |

WILDFLOWER - 145 Total

|                            |           |          |           |           |                    |          |    |    |   |    |   |         |
|----------------------------|-----------|----------|-----------|-----------|--------------------|----------|----|----|---|----|---|---------|
| Wildflower @ Lake Elmo 1st | 7/21/2015 | 8/4/2015 | 8/27/2015 | 10/6/2015 | Engstrom Companies | Multiple | 60 | 60 | 0 | 16 | 2 | PUD/MDR |
|                            |           |          |           |           |                    |          | 60 | 60 | 0 | 16 | 2 |         |

Cummulative Totals

|     |     |     |     |     |
|-----|-----|-----|-----|-----|
| 833 | 712 | 121 | 332 | 203 |
|-----|-----|-----|-----|-----|

VILLAGE PARK PRESERVE - 100 Total

extension to Final Plat Deadline to 4/15/17.

On hold