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## **NOTICE OF MEETING**

The City of Lake Elmo

Planning Commission will conduct a meeting on

**Monday May 22, 2017 at 7:00 p.m.**

## **AGENDA**

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
  - a. May 8, 2017
4. Public Hearings
  - a. CONCEPT PLANNED UNIT DEVELOPMENT PLAN. GWSA Land Development is requesting Concept PUD review for a 279 single family residential development on 99.12 net acres of 192.44 acres consisting of two parcels, PID #'s 14.029.21.11.0001, 11.029.21.43.0001, and a portion of a third parcel, PID # 11.029.21.44.0001 located northwest of CSAH 14 and CSAH 17 intersection.
5. Business Items
  - a. None
6. Updates
  - a. City Council Updates – 5/16/17 Meeting
    - i. Zoning Map Amendment VMX Rezoning – passed
    - ii. Zoning Text Amendment V-LDR/VMX – passed
    - iii. Wildflower PUD Agreement Amendment – tabled
  - b. Staff Updates
    - i. Upcoming Meetings:
      - June 12, 2017
      - June 26, 2017
    - ii. MAC CEP Report-none
  - 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 May 8, 2017**

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

**COMMISSIONERS PRESENT:** Dorschner, Fields, Larson, Kreimer, Dodson, Emerson, Williams, Lundquist and Hartley

**COMMISSIONERS ABSENT:**

**STAFF PRESENT:** Planning Director Wensman

**Approve Agenda:**

Accept the agenda as amended adding an item for the Lake Elmo Library.

**Approve Minutes:** April 24, 2017

**M/S/P: /,** move to approve the April 24, 2017 minutes as amended, **Vote: 7-0, motion carried unanimously.**

**Public Hearing – Easement Vacation – Southwind Builders**

Wensman started his presentation regarding a request from Southwind Builders to vacate a public roadway and utility easement from PID #36.029.21.32.0034. Vacation of the easement will allow for development of the property.

Public Hearing opened at 7:15 pm

There were no written comments and no one spoke

Public Hearing closed at 7:15 pm

M/S/P: Williams/Lundquist, move to recommend approval of the request to vacate a Public Roadway and Utility Easement as recorded by Document Number 3970178, subject to recommended condition of approval, **Vote: 7-0, motion carried unanimously.**

**Public Hearing – PUD Agreement Amendment for Wildflower at Lake Elmo Development**

Lake Elmo Planning Commission Minutes; 5-8-17

Wensman started his presentation regarding a request from Robert Engstrom to amend the PUD agreement for the Wildflower at Lake Elmo Development. The requested changes are to reduce the rear and side yard setbacks on some lots from 20 ft. to 10 ft., allow front doors to face the corner side yard, to allow driveway access locations to be more flexible, to reduce the side yard setbacks for conservancy and ridge lots from 15/10ft to 10/5 ft., and to increase the courtyard lots allowed impervious from 50% to 56%.

The developer withdrew his request for all items except for allowing driveway access to Sunflower Lane for Lots 12 and 13, Block 3, Wildflower at Lake Elmo 1<sup>st</sup> Addition, the reduction of the rear yard setback for Lot 18, Block 3, Wildflower at Lake Elmo 1<sup>st</sup> Addition, the increase in impervious surfaces for the courtyard lots from 50% to 56%, and the reduction of the sideyard corner lot setback from 15' to 10' for two lots in phase 3 of the preliminary plat, Lots 108 and 115. Wensman explained that there was no need for approval for the entrance to be located on the side yard setback, as it is not prohibited in the Code.

Public Hearing opened at 8:14 pm

Rich Smith, 11456 Blazingstar Lane, asked about the Park in Wildflower and if they are open to all residents of Lake Elmo, or if they are only for the Wildflower residents. Wensman stated that the roads that surround the park are City owned, but the land labeled as park is HOA owned and maintained.

Public Hearing closed at 8:16 pm

Lundquist stated that the developer seems all over the place with what they are asking for and haven't really made it clear what they are asking for. She is very uncomfortable with this. Dodson is wondering how they are supposed to deal with the page dealing with the public art, monument and landscaping. He doesn't feel that staff has been given enough time to review those items. Wensman stated that the developer has wanted to be able to be flexible with the landscaping which makes it very difficult for staff to know what is actually in the ground. Wensman stated that they are trying to get the developer back to the process of what is proposed is what gets planted.

Wensman stated that as far as the shed in the outlot, staff has not been given any details on size, location, etc. Typically, no structures are allowed in open space. Engstrom stated that it has become obvious that there is a need for a storage shed to store hoses, dirt, etc. For the association to use to store equipment to maintain the common area. He said it would be something around 300-400 square feet.

Hartley asked when the information was received. Wensman stated that the narrative was received on Wednesday and packets went on Thursday. The graphics that helped

him to understand what was being asked for was received on Thursday morning. The public hearing was noticed before all of the information was received to try to be accommodating for the developer as he has a request from a homeowner that he needs to get back to. Wensman stated that it is a PUD, but is not an open ended PUD. There is a process for PUD's which they are trying to accommodate tonight. Initially he thought the request was only going to deal with changing a couple of setbacks, but the request has gotten much larger. Staff had asked the developer to be inclusive of all requests at this one time, which is why the list got longer than what staff expected or understood was being asked for.

Dorschner is wondering if the City Engineer has reviewed this request as he is concerned about the public utility issue. Wensman stated that he is concerned with the request for a side yard corner setback reduction from 15 feet to 10 feet. The closer the homes get to the public ROW, the bigger the issues when there is public work. Williams stated that all of the setbacks in all districts is 20 feet so that a car can be parked between the garage and public ROW without interfering with a sidewalk. The setback is already less than that at 15 feet. Wensman stated that the garage setback is larger than 15 feet.

Fields stated that a buyer of a lot has an issue that they would like to resolve. This is a development that he finds attractive, but feels that this request was made at the last minute when there really wasn't time to review the information in a timely manner. It seems that is what the Commission is struggling with. Fields feels that renegotiating the PUD standards after the Final Plat sets a poor precedent and would not want all developments to renegotiate their agreement as new things come up.

Williams feels the driveway requests are reasonable given the configuration of the lots. He feels the side and rear yard setback requests are not appropriate because of the vehicle interfering with the sidewalk. He feels that the setback issue should have been anticipated and to change the whole PUD agreement to benefit one homeowner is not a good thing.

Dorschner agrees with what Williams said and he is concerned with changing the setbacks, but the driveways seem fine. He recalls when this development was proposed he asked about the small lots and was told that these were for retired couples and they would not be large houses. Dorschner stated that he is not comfortable making these changes after the fact and maybe the home is just too large for this lot. He is concerned with the impervious surface as there were drainage issues. He would like to table this until such time as they bring forward all changes.

Larson pointed out that even though these are small lots, there is a lot of open space in this development. He feels the only significant issue would be safety and fire access. Larson also feels that this could open up a can of worms for other developments. He feels these are design issues and should be up to the designer to work with the

homeowners. He would like to see the Planning Commission vote to allow the changes to lots 16, 17 & 18, and the rest of it be brought back with further information.

Williams asked if there was any consequence of them denying certain parts vs. the developer withdrawing until they provide further information. Wensman stated that if the applicant withdraws, they will have to start the process over again.

Hartley feels that changing the setbacks on these lots, affects the lots around them. He feels the corner setbacks will not be consistent with the other setbacks on the street. Kreimer stated that when he reviewed the packet, he was against a lot of this. He went and spent some time in the neighborhood to see what the issues are. He agrees with the driveway reorientation. He is not opposed to the reduction of the side yards, if it is approved by engineering, as this is a very unique development. Dodson agrees that if it is just an aesthetic issue, he is ok with it, but if there are utility issues identified by the engineer, that would be a different issue. Dodson is not in agreement with the change of setbacks for the conservancy and Ridge lots. He does not feel that just because there is a buyer, this is an urgency.

M/S/P: Williams/Fields, move to recommend 2 findings 1) the proposed driveway locations for some courtyard lots are a minimal number and do not change the character of the PUD and 2) the overall development has significant open space with pervious surfaces. A small change in impervious surface coverage for the courtyard lots will not significantly impact the overall stormwater management system pending VBWD approval, **Vote: 7-1, motion carried, with Dorschner voting no.**

Dorschner is concerned that impervious surface is condensed and there is not enough are for it to seep in and it will all be discharged to the storm water sewer system. He thinks this needs to be reviewed by the engineer before this is approved. Lundquist added that it is the area just north of this development that was flooding across Lake Elmo Ave. Williams stated that he feels VBWD is able to evaluate and that is why finding is pending VBWD approval.

M/S/P: Dodson/Lundquist, move to recommend a finding that the existing design of lots 12 & 13, the driveways are problematic in the courtyard and they are too close together, **Vote: 7-0, motion carried unanimously.**

M/S/P: Dodson/Dorschner, move to recommend approval to amend the PUD agreement to allow driveway access to Sunflower Lane for lots #12 & #13, pending review and approval from engineering and public safety, and with the 4 conditions of approval in the staff report, **Vote: 7-0, motion carried unanimously.**

M/S/P: Williams/Larson, move to recommend approval to amend the PUD agreement to change the allowed impervious surface for the courtyard lots only from 50% to 55%, conditioned on VBWD approval, **Vote: 3-4, motion fails.**

Dodson is nervous about increasing the impervious surface allowance since there have been issues in the past. Hartley stated that if it goes up, it won't just be for 1 lot, but all of them will try to go right up to the limit. Williams stated that VBWD will model the whole area and if it won't work, they won't approve it. Dorschner stated that this development was designed and engineered as it was and there were concerns then. He feels it is a wet area and that is probably why there is more open area in this development.

The developer spoke to the request of the reduction of the rear yard setback for lot 17 & 18. Fields is wondering what grounds they would have to deny a future request from a homeowner. Wensman stated that they could create a finding that states that for lot 17 & 18 there is a unique circumstance because it is 5 feet shorter than the rest of the Courtyard lots. Fields doesn't feel that the depth makes that much difference if there was a design that was agreed to and this is inconsistent.

M/S/P: Williams/Larson, move to recommend a finding that lot 17 & 18 are 5 feet shorter east/west than the other similarly oriented lots on the corner of phase 4, **Vote: 4-3, motion carried.**

Dorschner is concerned with that finding. If the house plan doesn't work on this lot, why are they not building on one of the other lots that is larger? He feels this is arbitrary based on a buyer that wants to put a specific house on a specific lot, which is not a good reason to change the setback. He feels this is a slippery slope.

M/S/P: Williams/Kreimer, move to recommend approval of a 15 ft. rear yard setback for lots 17 & 18, **Vote: 4-3, motion carried.**

### **Business Item – Lake Elmo Library**

Williams started the discussion with a resolution that was passed out to the Commission. Williams is concerned that the resolution that was passed is very vague and confusing. He would like details clarifying the resolution. Williams feels that the City Council should reject the resolution as written until there are specific details given.

Dorschner wants to make sure that this falls under the Planning Commission's purview. He is not sure that capital decisions and finances fall under the Planning Commission. Williams feels that the details fall under what he considers a land use issue. He feels the library is a valuable land use to attract other land uses. Williams stated that the Planning Commission is required by law to comment on the City's Capital Improvement Program.

Larson feels that the library also brings people together and is a community builder. It brings people to downtown Lake Elmo.

Fields does not feel that the Planning Commission is charged with the business details of the library. They are charged with the land use questions. Williams stated that the library is mentioned in the Comprehensive Plan and if it is lost, the City is losing a component that is an important element of downtown.

M/S/P: Williams/Larson, move to recommend the resolution be presented to the City Council, **Vote: 3-4, motion fails.**

Dorschner is concerned with the assumption that the library is going to go away. He has talked to County Commissioners about this and it is not their plan. Larson stated that it was closed 5 years ago because there was no community based programming with very few hours.

#### **City Council Updates – May 2, 2017 Meeting**

- i) Royal Golf Preliminary Plat Discussion
- ii) Royal Golf Grading Permit – passed
- iii) Noise Ordinance – passed
- iv) Easton Village 2<sup>nd</sup> Addition Final Plat – passed
- v) VMX – Zoning Map Amendment – tabled
- vi) V-LDR/VMX Zoning Text Amendment - tabled

#### **Staff Updates**

- 1. Upcoming Meetings
  - a. May 22, 2017
  - b. June 12, 2017
- 2. MAC CEP Report

#### **Commission Concerns**

Lundquist is concerned about the developer for the Wildflower development. If they come back, she would like to see very specific details about what they are requesting.

Meeting adjourned at 10:00 pm

Respectfully submitted,

Joan Ziertman  
Planning Program Assistant

## **STAFF REPORT**



PLANNING COMMISSION  
DATE: 05/22/2017  
AGENDA ITEM: 4A– PUBLIC HEARING ITEM  
CASE # 2017-20

**TO:** Planning Commission  
**FROM:** Stephen Wensman, Planning Director  
**AGENDA ITEM:** Parcel A – Schiltgen property Concept PUD  
**REVIEWED BY:** Stephen Wensman, Planning Director  
Emily Becker, City Planner  
Jack Griffin, City Engineer  
Ann Pung-Terwedo, Senior Planner, Washington County

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### **BACKGROUND:**

GWSA Land Development is requesting approval of a concept planned unit development (PUD) for Parcel A – Schiltgen property. Concept PUD requires a public hearing.

The proposed concept PUD is for a 279 single family residential development on 99.12 acres acres (net) with a density of +/- 2.9 dwelling units per acre (D.U.A). A portion of the development in the southwest corner of the site is within the Shoreland of Sunfish Lake which triggers the need for a Planned Unit Development because the proposed lots do not meet the lot width and impervious requirements for Natural Environment lakes.

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### **ISSUE BEFORE THE COMMISSION:**

The Commission is respectfully being requested to review, hold a public hearing, provide feedback to the developer, and make a recommendation to the City Council for the concept planned unit development for the Schiltgen Parcel A property.

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### **GENERAL INFORMATION:**

*Applicant:* GWSA Land Development, 10850 Old County Road 15, Suite 200, Plymouth, MN 55441  
*Property Owner:* Schiltgen Farms Inc. 10880 Stillwater Boulevard  
*Location:* 10880 Stillwater Blvd, Lake Elmo/ Parcel 1 – The South 658.02 feet of the Southwest Quarter of the Southeast Quarter of Section 11, Township 29 North, Range 21 West; and Parcel 2- The South 20 acres of the East Half of the



Southeast Quarter of Section 11, Township 29 North, Range 21 West; and a portion of Parcel 3- The Northeast Quarter of Section 14, Township 29 North, Range 21 West, Washington County, Minnesota.

PID#s: 1402921110001, 1102921430001, and 1102921440001

*Request:* Concept PUD Plans approval

*Site Area:* 192.44 acres (all PIDs)

*Residential Development Area:* 99.12 acres (Parcel 1, Parcel 2, and a portion of Parcel 3)

*Land Use Guidance:* Village Urban Low Density

*Current Zoning:* RT – Rural Development Transitional District

*Proposed Zoning:* V-LDR/PUD

*Surrounding Zoning:* RR(north)/ LDR and VMX (east)/Agriculture (south)/ OP and RR (west).

*History:* The parcels are part of the Schiltgen Farm property and are currently zoned RT.

*Deadline for Action:* Application Complete – 4/25/17  
60 Day Deadline – 6/24/17  
Extension Letter Mailed – No  
120 Day Deadline –

*Applicable Code:* Article 12 – Urban Residential Districts  
Article 18 – Planned Unit Development Regulations  
Article 19 – Shoreland Management Overlay District  
Chapter 153 – Subdivision Regulations  
§150.270 Storm Water, Erosion, and Sediment Control

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**PROPOSAL DETAILS/ANALYSIS:**

The proposed Village-Urban Low Density/PUD development will be located on the northern portion of the Schiltgen Farm at the northwest corner of CSAH 14 and CSAH 17. The proposed development is proposed as a PUD because the developer is requesting flexibility from the strict zoning regulations of the Shoreland Ordinance and the V-LDR zoning regulations, adopted on 5/16/2017

**Environmental Review.** The entire Village Area was subject to an Alternative Urban Areawide Review (AUAR) when the area was brought into the Municipal Urban Service Area (MUSA). The AUAR was updated in early 2017 as required. No further environmental review is required.

**Zoning Map Amendment.** In order to develop the site, the developer will be required to rezone the southern portion of Parcel 3 to A-Agriculture and the residential area (Parcels 1, 2 and a

portion of Parcel 3 to V-LDR/PUD, consistent with the City's Comprehensive Plan guidance for the area. The comprehensive plan and the V-LDR zoning district allow for a density of 1.5-2.49

**Subdivision Schiltgen Farms.** When the developer subdivides the property for development, one of the development lots will contain the Schiltgen Farm property which will likely be developed into an equestrian facility in the future.

**Site Data.** The entire subdivision area is 192.44 acres which includes all of Parcels 1, 2 and 3. Of the 192.44, the developer is proposing to develop 99.12 acres into a 279 unit single family residential PUD development with a net density of 2.94 du/acre, in excess of the allowed V-LDR density.

Total Site Area	192.44 acres
Residential Site Area	99.12 acres
Outlot & Recreation Areas	17.72 acres (3.3 acre park open green and 0.90 acre pool/play lot)
Right-of-Way (R/W)	18.20 acres
Lake Elmo Ave R/W	2.84 acres
Wetland Area	0.90 acres
Wetland Buffer	0.26 acres
Residential Lot Area	60.36 acres

The calculation of net density is as follows:

Development Area	98.84 acres
Lake Elmo Ave Right-of-Way	2.84 acres
Wetlands	0.90 acres
Wetland Buffers	0.26 acres
Net Residential Area	94.84 acres
Total Number of Lots	279 units
Gross Density	2.82 du/acre
Net Density	2.94 du/acre

**PUD Minimum Requirements.** The proposed development is within the shoreland of Sunfish Lake and is therefore subject to Shoreland regulations. Within a shoreland, development lots must conform to the shoreland standards contained in the Zoning Code, Section 154.800, Table 17-3, or develop as a Planned Unit Development with a Conditional Use Permit. A PUD is a negotiated zoning district, and according to the Lake Elmo Zoning Code Article 19, Planned Unit Development Regulations, zoning flexibility can be granted in order to better utilize site features and to obtain a higher quality of development. When evaluating a PUD proposal, a PUD must meet one or more objectives contained in Section 154.751 and meet the minimum requirements of Section 154.753 which include a minimum of 20% protected open space and Street Layout requirements.

Minimum Requirements for PUD:

- a. Lot Area: The site area exceeds the minimum lot area and potentially achieves the following PUD objectives identified in Section 154.751:
  - C. Provision of more adequate, usable, and suitably located open space and recreational amenities and other public facility than would otherwise be provided under conventional development techniques. **Staff comment: The developer is providing more than required for recreational amenities within the development area and is providing additional land or Reed Park.**
  - E. Preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities. **Staff comment: This objective might be satisfied if considering the dedication of land for Reed Park, although it is not part of this development.**
  - I. Allowing the development to operate in concern with a redevelopment plan in certain areas of the City and to ensure the redevelopment goals and objective will be achieved. **Staff comment: The development will be phased in a way to provide sanitary sewer to the Hamlet development, which has a failed community septic and is required by the MPCA to be hooked up to the City sewer.**
- b. Open Space: The developer has provided 23% open space as part of this development which will encompass landscape buffer areas, stormwater management areas in outlots and recreation areas ( $77.8 \text{ acres} \times 0.20 = 15.56 = \text{required open space}$ ). As proposed with 17.72 acres, the development exceeds minimum required open space. In addition, the developer is suggesting an additional +/- 7 acres of parkland dedication for Reed Park. If accepted, this would result in 32% open space component. The Shoreland Ordinance requires 50% of the shoreland area be open space held in conservation easement. It is unclear whether 50% open space requirement in the shoreland has been met. As part of the preliminary plat and preliminary PUD Plans, the developer will be required to provide a shoreland tiering analysis.
- c. Street Layout: The PUD ordinance appears to place a preference for a street grid to compliment the older portions of the City. The proposed PUD development does incorporate a modified street grid, but does not include street stubs to the north or south where future subdivision may occur.

**V-LDR/PUD Density.** The V-LDR zoning district allows a maximum density of 2.49 du/acre. The PUD ordinance provides the ability increase density by up to 20% by meeting amenity point thresholds per Section 154.754 Table 16-1 and Table 16-2. The developer is seeking 2.94 du/acre, 18% over the allowed base density with PUD amenity points ( $2.94 - 2.49 = 0.45$ ,  $0.45 / 2.49 = 18\%$ ). From the developer's narrative, the developer is seeking amenity points for:

- Providing additional open space 10 points = 10% increase in density
- Providing pedestrian improvements 5 points = 5% increase in density
- Providing theming 1-3 points = 1-3% increase in density
- Enhanced landscaping 1-5 points = 1-5% increase in density

Total potential amenity points = 23

The Planning Commission should review the proposal and determine whether the project warrants an increase in density and the specific amenity points that will be granted. The Commission should recommend additional conditions that would allow the development to proceed with the density as proposed, or to provide a condition that would reduce the density to match the density points as granted.

**Shoreland Tier Analysis.** The southwest portion of the development site is within the shoreland of Sunfish Lake. Because the proposed development does not conform to the base dimensional standards of the shoreland district, a PUD is required and a shoreland tier analysis is required. This will be required with the future preliminary plat and preliminary PUD Plans submittal. Furthermore, the shoreland ordinance requires that 50% of the shoreland area be preserved as open space with a conservation easement. This will be a recommended condition of approval. The MnDNR was provided plans for comment, but no comments have been received.

**Lot Sizes and Widths.** The minimum lot width for the shoreland of Sunfish Lake is 125 feet, and in the V-LDR District 70 feet. The minimum lot size for the shoreland of Sunfish Lake is 40,000 sq. ft. and in the V-LDR District, 9,000 sq. ft. The developer is proposing the following deviations from setbacks and lot area:

	<u>V-LDR</u>	<u>Proposed</u>
Minimum lot width	70 feet	55-65 feet
Minimum lot area	9,000 sq. ft.	6,800-14,000 sq. ft.

The Concept PUD plans identify (110) -55 foot wide Cottage and Village units and (66)-66 foot wide Heritage units.

**Setbacks.** The setbacks in the V-LDR District are:

- Front – 25 feet
- House side – 10 feet
- Garage side – 5 feet
- Corner side-15 feet
- Rear – 20 feet
- Setback from County Roads – 50 feet

The developer is proposing the following setbacks:

- Front yard – 25 feet
- Front yard/Side loaded garages – 15 feet
- Side yard -7.5 feet/7.5 feet
- Rear yard -25 feet
- Side yard corner lot - 20 feet
- Setback from the CSAH 17 -= 80 feet

The typical side yard setback in all the urban districts is 10' for the principle building and 5' for the garage, however in practice we allow a 7.5'/7.5' setback provided that there are no encroachments into side yard drainage and utility easements. Often on such lots, the developer will finish off basements and propose egress windows to provide light and an emergency exit and with a 7.5' side yard setback, the egress window wells become a problem by encroaching into

easements. Staff prefers the V-LDR side yard setbacks (5'/10'), to provide for the option of having egress windows.

The typical front yard setback in all urban districts is 25', but the City has allowed 20' front yard setbacks in some instances. Most recently, the Royal Golf Club at Lake Elmo Planned Unit Development was allowed 20' front yards setbacks where the garages were side loaded. The current proposal for 15' front yard setbacks raises concerns related to parking, landscaping and other requirements. The City Engineer has indicated that the City would need a detailed right-of-way/utility easement design layout that shows/demonstrates that all infrastructure is being adequately accommodated, and in addition other City requirements are being met.

**Impervious Surfaces.** The allowed impervious surface within the shoreland of Sunfish Lake is 30% and in the V-LDR 35%. The developer has not identified any proposed changes to the required impervious coverage maximums, however, impervious coverage will likely be exceeded on the smaller lots proposed.

**Sidewalks.** The City's standard street detail requires a 6 foot wide public sidewalk be constructed on one side of any public street and to accommodate a sidewalk, the standard right-of-way width is 60 feet wide. The developer has not shown sidewalks on any streets.

**Easements.** The City requires 10' easements along all public rights-of-ways and rear property lines, 5' easements alongside property lines, and easements for stormwater management and public utilities as needed.

**Architecture.** The developer has proposed three housing types, Cottage, Village and Heritage. The developer's narrative suggests the Cottage and Village homes will be primarily main floor living with a finished basement and occasional second story rooms. Cottage units will accommodate two car front loaded garages or three car side loaded garages with a reduced setback. Village lots will include two car garages or two car garages with a tandem. No additional architectural information has been provided. A more robust architectural plan will be required with the preliminary plat and preliminary PUD Plans submittal.

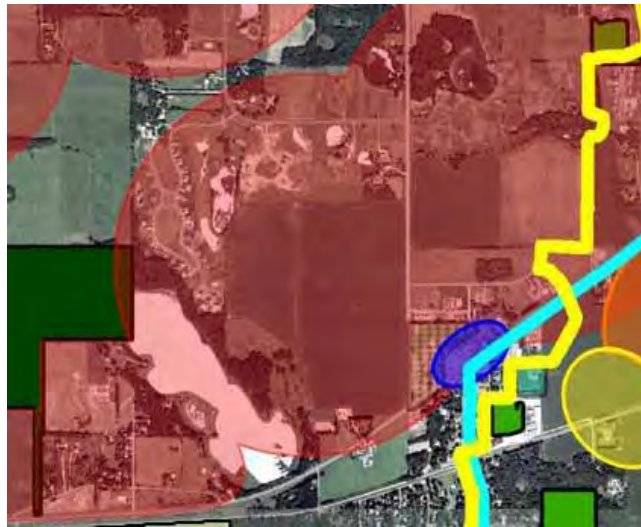
**Village Open Space Overlay.** The City's Comprehensive Plan shows the Village Open Space Overlay over the outer edges of the development area. The Comprehensive Plan provides the following suggestion as to how the overlay is intended to be implemented:

**For all parcels that are designated with urban land use categories (V-LDR, V-MDR, VMX and C), the open space overlay shall act as a zoning or subdivision restriction.** Through restrictions via zoning or the subdivision process, the City will have multiple tools to provide for the open space areas in the urban districts in the Village. For example, the City can utilize zoning to enforce various setbacks from the existing Village Boundary. Another option would be to dedicate outlots in the open space areas through the subdivision process. As long as the end result is achieved, the City would like to take a flexible approach so that the private market can select the best solution for achieving the intent of the Village Open Space Plan.

The recently approved V-LDR Zoning Ordinance restricts residential lots from encroaching on the Village Open Space Overlay unless berming or screening protected by a landscape easement is provided as an alternative approved by the Council.

Although the overlay in the Comprehensive Plan is not dimensioned, it appears as though the width of the overlay is around 200 feet. The buffer shown in the proposed development is 20' on the north edge and 10' on the west edge. It is Staff's recommendation that the buffer areas be enlarged such that they are more easily maintained and do not become a dumping area for leaf litter, sticks, or other debris, or are incorporated into the surrounding lot area with significant berming, landscaping and a landscape easement as required by the V-LDR Zoning Code and protected by an easement such that individual homeowners cannot remove the required landscaping. This has been an issue in other developments where required landscaping is later removed by homeowners to make room for private amenities or simply because they do not like the landscaping.

**Parks.** The Comprehensive Park Plan identifies a neighborhood park search area over the proposed development area.



The developer has identified two recreational areas on the Concept PUD that the City could consider for neighborhood park land dedication. The first is a 0.9 acre site with a small playground, swimming pool and fitness area near the northeastern entrance to the development. The other is a 3.3 acre area labeled open space on the Concept Plan as an open green area.

The park dedication requirements for a 99.12 acre development is 9.912 acres of parkland, or a combination of parkland or fees in lieu of parkland. The developer, in his narrative, suggests additional +/- 7 acres of park land will be dedicated with the Village Park Preserve development, in excess of what will be required for that development. The City's Comprehensive Park Plans identifies a need for a neighborhood park in this area, however, the Parks Commission, on May 15<sup>th</sup>, voted 6-1 in favor of accepting fees in lieu of parkland dedication.

**Trails.** The Comprehensive Trails Plan identifies a needed trail along the north edge of the development to connect to the private Sunfish Ponds HOA trail and an east-west trail connecting Lake Elmo Avenue near 39<sup>th</sup> Street east to the private Hamlet on Sunfish Lake HOA trails on the north side of Sunfish Lake.

*Note: According to City records, the Hamlet HOA trails were paid for by the City and were supposed to have been dedicated to the City when the plat was recorded. The Hamlet HOA currently maintains the trails.*



At its May 15, 2017 meeting, the Parks Commission stated (with a vote of 7-0) that they would like to see the trails connecting to the private Sunfish Ponds trail and to the private Hamlet on Sunfish Lake trail, provided the City is able to obtain ownership and maintenance responsibility for those trails. The Parks Commission indicated they would put forth an effort in helping obtain this ownership.

The Planning Commission should also consider the need for a trail along CSAH 17 to provide safe pedestrian connectivity from this development to developments north and to the Village area to the south.

**HOA recreation area parking.** The proposed pool and playground near the north entrance drive is in a prominent location that will make for an attractive entrance to the development. With 28' wide streets, parking will be allowed on both sides of the street, but the parking will potentially create significant congestion. The Commission may want to consider the parking for the recreation area and may want to require a dedicated parking area for it.

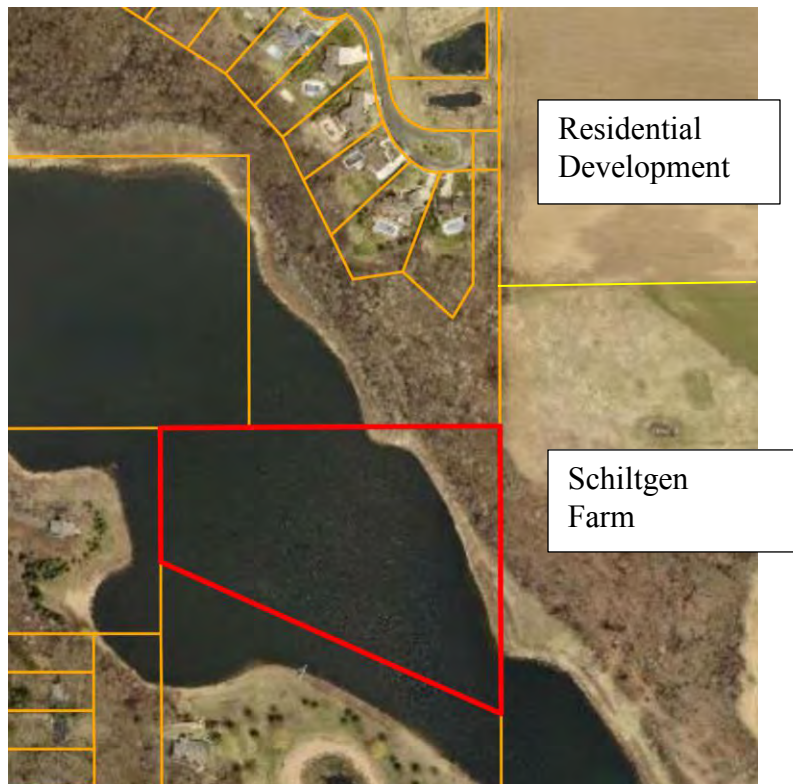
**Subdivision Signs.** Section 154.212 allows a maximum of 2 subdivisions signs per residential development with a maximum sign area of 24 sq. ft. per sign. No additional signs have been proposed.

**Streets.** The developer is proposing a modified street grid and is proposing 60 foot wide public rights-of-ways with 28' wide streets (back to back), allowing parking on both sides of the street, except where center island exist, such as at the entrance roads off of Lake Elmo Avenue. As part of this development, the developer should provide right-of-way and street stubs to allow for vehicle connectivity to the north and south of this development (see Engineer's memorandum dated May

8, 2017) to accommodate potential future development. An equestrian center proposal has been suggested for the large Agricultural property located south of the proposed development. Washington County has indicated that the residential development and the equestrian center would be required to share access to CSAH 17, if one is needed for the equestrian center. GWSA Land Development should plan for this access, near the frontage of CSAH 17. Additionally, the developer should plan for a secondary access to the south near the western portion of the site to provide access in the event the Agricultural property later develops residentially, or access is needed to the land locked Chavez parcel (to be discussed next in this report).

The developer will be required to dedicate right-of-way for CSAH 17 and to provide turnlanes according to County requirements. The CSAH 17 right-of-way requirement is 75 feet from the centerline. Furthermore, the plat will need to include all of Pete Schiltgen's property, so the right-of-way dedication will be required for both CSAH 17 and CSAH 14. The County had not completed its review in time for this report. The County has indicated that they will be considering the need for a transportation study, and means to providing safe pedestrian access to the elementary school, the Village and to exiting trail networks.

**Chavez Land Locked Parcel.** To the southwest of the residential development and on the west side of the Schiltgen Farm, is the Chavez property. For some time, Mr. Chavez has been seeking



access to his landlocked parcel. It is unclear to Staff if the Chavez property is buildable. The property is subject to shoreland and Rural Residential setback requirements, septic area and setback requirements. Mr. Chavez is requesting access through the subdivision of the Schiltgen Farm Property. Staff has suggested two stubs from the proposed residential property to the Schiltgen parcel, one which might provide future access to the Chavez parcel.



**Tree Preservation.** There are no trees on the site and no tree preservation plan is required.

**Phasing Plan/Sewer Expansion to the Hamlet on Sunfish Lake.** Staff has requested that the developer provide a phasing plan in order to get an understanding of when sewer can be expanded to serve the Hamlet on Sunfish Lake development. The Hamlet development presently has a failed wastewater system that the MPCA wanted to be remedied by the end of 2016. The developer's narrative states that phasing will occur in an east to west manner depending on market absorption. There is no indication as to when the Hamlet development will have sewer service available.

**Wetlands/Buffers.** There is an existing wetland on the northwest corner of the development area shown to be partially within proposed residential lots. The City requires wetlands and wetland buffers to be fully contained within outlots, outside of lot areas.

**Stormwater Management.** No stormwater management plan has been prepared for the project at this time. The City Engineer's memorandum addresses general stormwater management considerations that will be required as part of this development.

**Municipal Sewer and Water.** The City Engineer's memorandum provides a review of municipal sewer and water considerations. One issue of importance is the need to provide sanitary sewer to serve the Hamlet subdivision. The City Engineer suggests that the preliminary plat and preliminary PUD Plans submittal include a proposal to provide a temporary sewer connection to serve the Hamlet with the first phase of the development or within an expedited manner.

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**RECOMMENDED FINDINGS:**

Staff recommends approval of the PUD Concept Plan based on the following findings:

1. That the PUD Concept Plan is consistent with the intent of the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
2. That the PUD Concept Plan complies with the general intent of the Village-Urban Low Density Residential zoning districts with PUD modifications.
3. That the PUD Concept Plan generally complies with the City's Subdivision regulations.
4. That the PUD Concept Plan is generally consistent with the City's engineering standards with exceptions as noted in the City Engineer's memorandum dated May 8, 2017.
5. The PUD Concept Plan meets the minimum requirement for a PUD including minimum lot area, open space and street layout.
6. The PUD Concept Plan meets more than one of the required PUD objectives identified in Section 154.751 including providing: 1) more adequate, usable, and suitably located open space and recreational amenities and other public facility than would otherwise be provided under conventional development techniques. 2) Preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities, and 3) Allowing the development to operate in concern with a redevelopment

plan in certain areas of the City and to ensure the redevelopment goals and objectives will be achieved.

7. The PUD Concept Plan meets the allowed density requirements with conditions.

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**RECOMMENDATION:**

Staff recommends the Planning Commission recommend approval of the Concept PUD with the following conditions:

1. That the future preliminary plat and preliminary PUD Plans includes parcels with the PID#s 1402921110001, 1102921430001, and 1102921440001.
2. That the future preliminary plat and preliminary PUD Plans submittal identify all requests for flexibility from the V-LDR zoning district.
8. That all comments of the City Engineer's Memorandum dated May 8, 2017 be addressed with the future preliminary plat and preliminary PUD Plans submittal.
9. That a shoreland tier analysis be provided with the future preliminary plat and preliminary PUD Plans submittal with the required 50% protected open space.
10. That the developer provide trails as recommended by the Parks Commission.
11. That any approval be contingent on complying with Washington County's requirements and requests pertaining to right-of-way, turn lanes and trail needs.
12. That the preliminary plat and preliminary PUD Plans submittal include a landscape and buffering plan to address open space overlay area requirements.
13. That 6 ft. sidewalks be provided on one side of all city streets.
14. That wetlands and wetland buffer areas be contained on outlots outside of lot areas.
15. That fees in lieu of park land dedication be provided as required by 153.14 with future final plat.
16. That the preliminary plat and preliminary PUD Plans submittal include a detailed subdivision phasing plan which includes a timeline for providing sanitary sewer to the Hamlet development.
17. That the preliminary plat and preliminary PUD Plans submittal include a parking area for the HOA pool/playground recreation area.
18. That the preliminary plat and preliminary PUD Plans submittal include a detailed architectural plan and clearly identify the various architecture styles and locations for them on the plans.
19. That the developer comply with any comments to be provided by the MnDNR.

*Note: The Commission should recommend additional conditions that would allow the development to proceed with the density as proposed, or to provide a condition that would reduce the density to match the density points as granted.*

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**ATTACHMENTS:**

1. Application Narrative

2. Concept PUD Plan
3. Alta Survey
4. City Engineer Report.



**Lake Elmo Parcel A**  
**PUD Concept Plan Narrative**  
**April 20, 2017**

This proposed development consists of +/- 99.12 acres out of 192.438 total acres located on the west side of Lake Elmo Avenue North, across from the Village Preserve development and north of Schiltgen Farms. The property is currently used for agricultural purposes. The planned land use, as part of the Lake Elmo Comprehensive Plan 2030, is Village Urban Low Density (V-LDR). We are proposing a Planned Unit Development (PUD) for this development.

The concept plan for Parcel A is on the north side of the property owned by Schiltgen Farms. The proposed plan has 279 single family lots. The lot sizes proposed as part of this plan are 55' and 65' wide. The setbacks for the project are proposed as follows:

Proposed PUD Setbacks

- Fysb - 25 ft
- Fysb (sideload) - 15 ft (Cottage Units)
- Sysb - 7.5 ft/7.5 ft
- Rysb - 25 ft
- Corner Lot - 20 ft

The proposed plan will provide HOA owned common open space and private amenities for the development. The areas are as follows:

- Total Site Area - +/- 8,382,599 SF (192.44 Acres)
- Residential Area - +/- 4,317,657 SF (99.12 Acres)
- Residential Lot Area - +/- 2,629,283 SF (60.36 Acres)
- ROW Area - +/- 792,908 SF (18.20 Acres)
- Lake Elmo Ave ROW Area - +/- 123,570 SF (2.84 Acres)
- Open Space Area - +/- 784,093 SF (18.00 Acres)
- Wetland Area - +/-39,370 SF (0.90 acres)
- Wetland Buffer Area - +/-11,366 SF (0.26 acres)

Development Density Calculations:

Development Area	99.12 acres
Lake Elmo Ave Right-of-Way	2.84 acres
Wetlands	.90 acres
Wetland Buffers	.26 acres
Net Residential Area	95.12 acres
Total Number of Lots	279 units
Gross Density	2.81 du/acre
Net Density	2.93 du/acre

- Describe why a PUD:

The request for a PUD is due to multiple factors. A development this size, requires a variation of housing and lot types with thoughtful consideration to the demand in the market place and competition in the surrounding area. The current V-LDR zoning is set up to accommodate a lower density, larger lot development. Although we have a good track record with this type of development and a custom builder pool more than capable of supplying this product to the market, there simply isn't room in the current Lake Elmo marketplace for more of this product. By our estimation, there is currently at least a 10-15 year supply of approved, platted lots that fit into the V-LDR zoning in Lake Elmo. However, based on our success in Village Preserve with lots that fall at or just below the V-LDR minimum requirements, and the demand for the Villa and Cottage product in Lake Elmo and the surrounding metro, we feel we can move forward immediately with a PUD that would encompass smaller lot areas and widths than those required in V-LDR zoning.

Another variance from the V-LDR requirements we are proposing is a smaller front yard setback on a portion of our lots to accommodate a side loaded garage on our Cottage lot. It is common practice in most communities to get a variance to allow at least a 10' setback for this product as it reduces impervious surface on the lot and the development as a whole, while still allowing for more driveway parking than a V-LDR required 25' setback with a front-loaded garage. Cottage lots make up approximately 25% of the total lots proposed.

With smaller lot widths and areas, our goal is to keep the lot prices down and allow for the homebuyer to invest more into the homes architecture and amenities within. With smaller lots and higher density, the concept allows for more park, open space and amenities for the neighborhood than would otherwise be afforded.

- How it meets the requirements for PUD

The proposed development will meet a number of PUD objectives. The development includes adequate and usable open space and recreational facilities with a 3.3 acre park/green area for kids to play and neighborhood gatherings, as well as a 0.90 acre lot with pool, playground, and clubhouse for neighborhood gatherings and meeting space. The development accommodates a number of different housing types with sidewalk and trail access to the Lake Elmo Village area. A portion of the development will offer lawn care and snow removal to cater to seniors and busy professionals. The development area includes +/-18 acres of open space; included in that is the areas for park/green area and pool, clubhouse and playground. In addition to the open space within the development, we propose to dedicate +/- 7 acres of additional land to add to the expansion of Reid Park, cited as an objective in the Village Comprehensive Plan.

- Discuss open space requirement

In order to qualify for a PUD, at least 20% of the project area not within street rights-of-way shall be preserved as open space. Other public or site amenities may be approved as an alternative to this requirement. Our proposal includes +/-18 acres of open space within the project area as well as the additional +/- 7 acres east of Reid Park totaling +/-25 acres. Site amenities include lawn care and snow removal for a portion of the homeowners, a pool, clubhouse, and playground and another neighborhood park with 3.3 acres of open play and gathering space. Our open space requirement amounts to 15.62 acres, over two acres less than what is proposed in the development area and nearly 10 acres less than our proposal of +/-25 acres with land dedicated east of Reid Park.

Project Area – 99.12 acres

Right of Way – 18.20 acres  
 Lake Elmo Avenue Right of Way – 2.84  
 Total Project Area minus R/W – 78.08 acres  
 20% of Total Project Area – 15.62 acres

- Discuss proposed deviations from the base zoning, V-LDR (as proposed)  
 Our proposal deviates from the V-LDR in four areas noted above – lot widths, lot areas, maximum density and minimum front yard setbacks. \*Lot areas have not been calculated so numbers listed below are estimates.

	<u>V-LDR</u>	<u>Proposed</u>
Minimum Lot Width	70'	55' – 65'
Minimum Lot Area	9,000 SF	6,800 – 14,000 SF
Maximum Density	2.49 du/acre	2.94 du/acre
Minimum FYSB	25'	15'-25'

- Sell the City on what it gets for the proposed deviations  
 In order to best explain what the City is getting in return for the deviations listed above, it's easiest to go down the list of Village Development Guiding Principles:

- 1) Evoke a sense of place – Our proposal will include a number of elements listed in the Lake Elmo Branding and Theming study including fencing, signage, street lighting and landscaping. In addition, our clubhouse design will pay tribute to the Lake Elmo heritage.
- 2) Provide a variety of housing choices for young and old residents. Active living and connectivity to the trail systems and low maintenance choices with lawn care and snow removal.
- 3) Invest in public space with neighborhood park, pool, clubhouse, playground and addition to Reid Park.
- 4) Increase connectivity – Trail connections are not shown on the concept plan, but corridors were included to connect to trails currently in place.
- 5) Build partnerships – We are in a position to develop this property well ahead of schedule due to a partnership with the City and two other local developers that teamed together to pay for the sewer extension from Reid Park to Lake Elmo Avenue. We are bringing this proposal forward at this time in a continued effort to partner with the City as well as the Hamlet of Sunfish Lake community by extending the needed sewer extension west through our property to Hamlet of Sunfish Lake.
- 6) Forward a vision that can be implemented – As zoned, this project simply cannot be developed at this time under current market conditions. The flexibility of a PUD allows this property to be developed immediately while still providing high quality and livability.

- Discuss home types  
 The three different lot types accommodate a variety of housing choices for everything from seniors to large and small families. The Cottage lots are a villa product - main floor living that will accommodate a two car front loaded garage and three car side-loaded garage with the smaller setbacks. The Heritage lots are single family homes that can be two story or rambler. The Village lots will accommodate are a smaller single family home.

- Discuss stormwater generally  
 Without a grading plan and final approved layout, no stormwater management plan has been designed. Although based on the site characteristics and soil types, no significant challenges are anticipated. The site has one small wetland in the northwest corner and there are no known or visual signs of drainage problems.

- Described proposed Landscaping

We propose to meet the standards for a V-LDR zoning district. There will be screening provided along Lake Elmo Avenue and where needed along the perimeter of the property to provide a buffer as shown on the site rendering. The south edge of the property is bordered by a future equestrian center and open space. The north edge is primarily lined with evergreen trees, providing a natural buffer with a small gap that will be filled with trees as shown. To the west, there is natural buffering, but this area will also be filled with landscaping where needed.

Street lighting, fencing, signage and clubhouse design will be in concert with the Lake Elmo Branding and Theming study and pay tribute to Lake Elmo heritage.

- Offsite access to Chavez and the Equestrian Center

The proposal shows corridors to the north, south and west to accommodate trail and future road connections as needed.

- Phasing

Phasing ultimately depends on the approval process and then once the initial phase is completed, market absorption. Ideally, we would like to start construction and deliver lots this fall, but if we fail to get approvals in time to deliver lots, we will most likely wait until spring to begin construction. Phasing will start from the east along Lake Elmo Avenue and progress west.

- Proposed development signage, location

Signage will be along Lake Elmo Avenue at one or both entrances into the development.

- Contact information & list of contractors/subcontractors involved in the Concept PUD

### **Development Team:**

#### Civil Engineering, Surveying & Land Planning

#### **Sathre-Bergquist, Inc.**

Robert S. Molstad, P.E.

David B. Pemberton, P.L.S.

150 South Broadway

Wayzata, Minnesota 55391

Telephone: 952-476-6000

Facsimile: 952-476-0104

Email: [molstad@sathre.com](mailto:molstad@sathre.com)

Email: [pemberton@sathre.com](mailto:pemberton@sathre.com)

#### Wetland & Biological Sciences

#### **Kjolhaug Environmental Services**

Melissa Barrett

26105 Wild Rose Lane

Shorewood, MN 55331

Telephone: 952-401-8757

Email: [Melissa@kjolhaugenv.com](mailto:Melissa@kjolhaugenv.com)

#### Soil Sciences

**Haugo GeoTechnical Services**

Paul Haugo

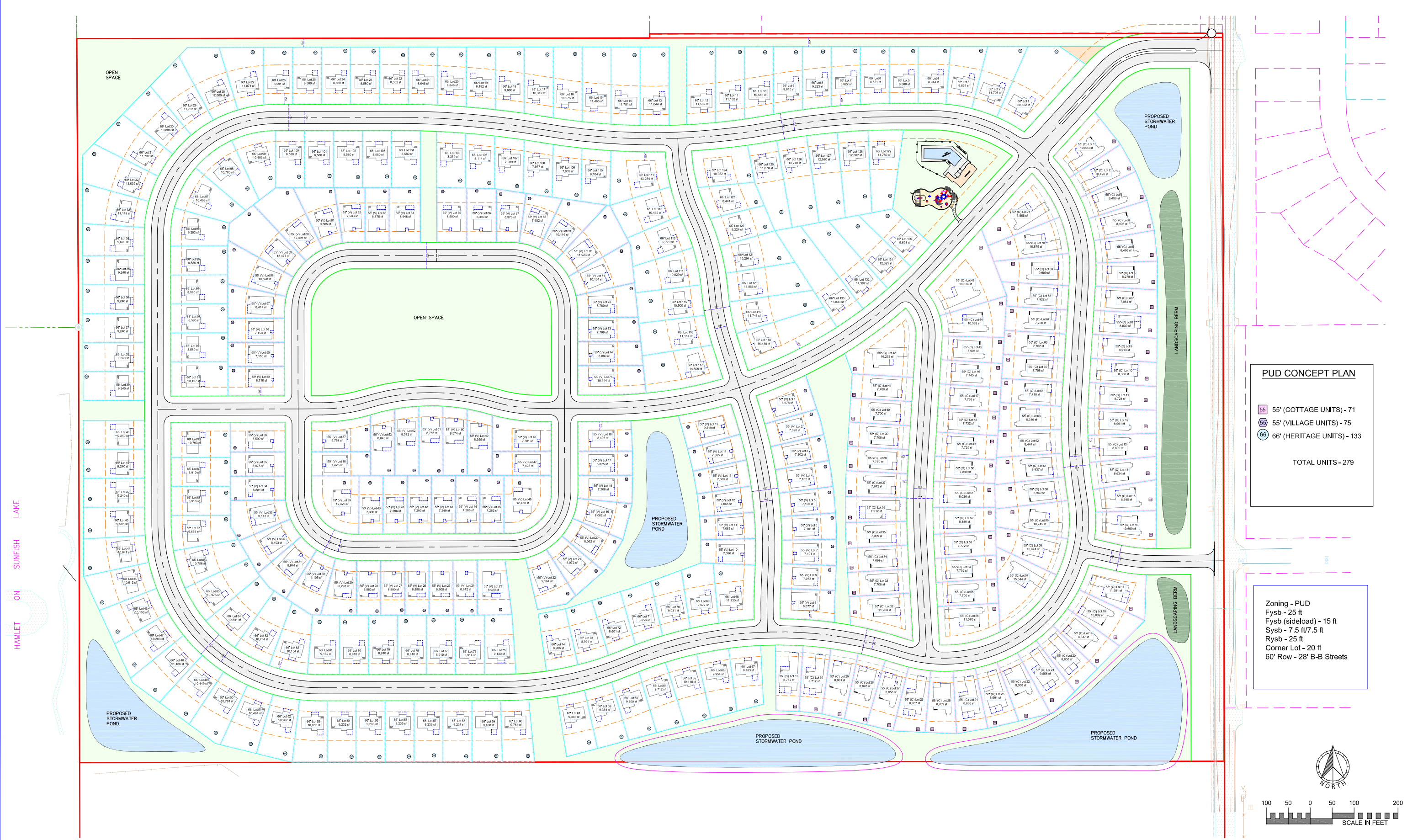
13570 Grove Drive #278

Maple Grove, MN 55311

Telephone: (612) 554-4829

Email: [p.haugo@gmail.com](mailto:p.haugo@gmail.com)





**PUD CONCEPT PLAN**

- 55 55' (COTTAGE UNITS) - 71
- 55 55' (VILLAGE UNITS) - 75
- 66 66' (HERITAGE UNITS) - 133

**TOTAL UNITS - 279**

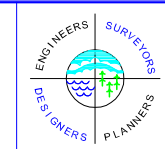
**Zoning - PUD**  
 Fysb - 25 ft  
 Fysb (sideload) - 15 ft  
 Sysb - 7.5 ft/7.5 ft  
 Rysb - 25 ft  
 Corner Lot - 20 ft  
 60' Row - 28' B-B Streets

DRAWING NAME	NO.	BY	DATE	REVISIONS
xxx				
DRAWN BY				
xxx				
CHECKED BY				
xxx				
DATE				
xx/xx/xx				

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Name, P.E. \_\_\_\_\_  
 Date: \_\_\_\_\_ Lic. No. \_\_\_\_\_



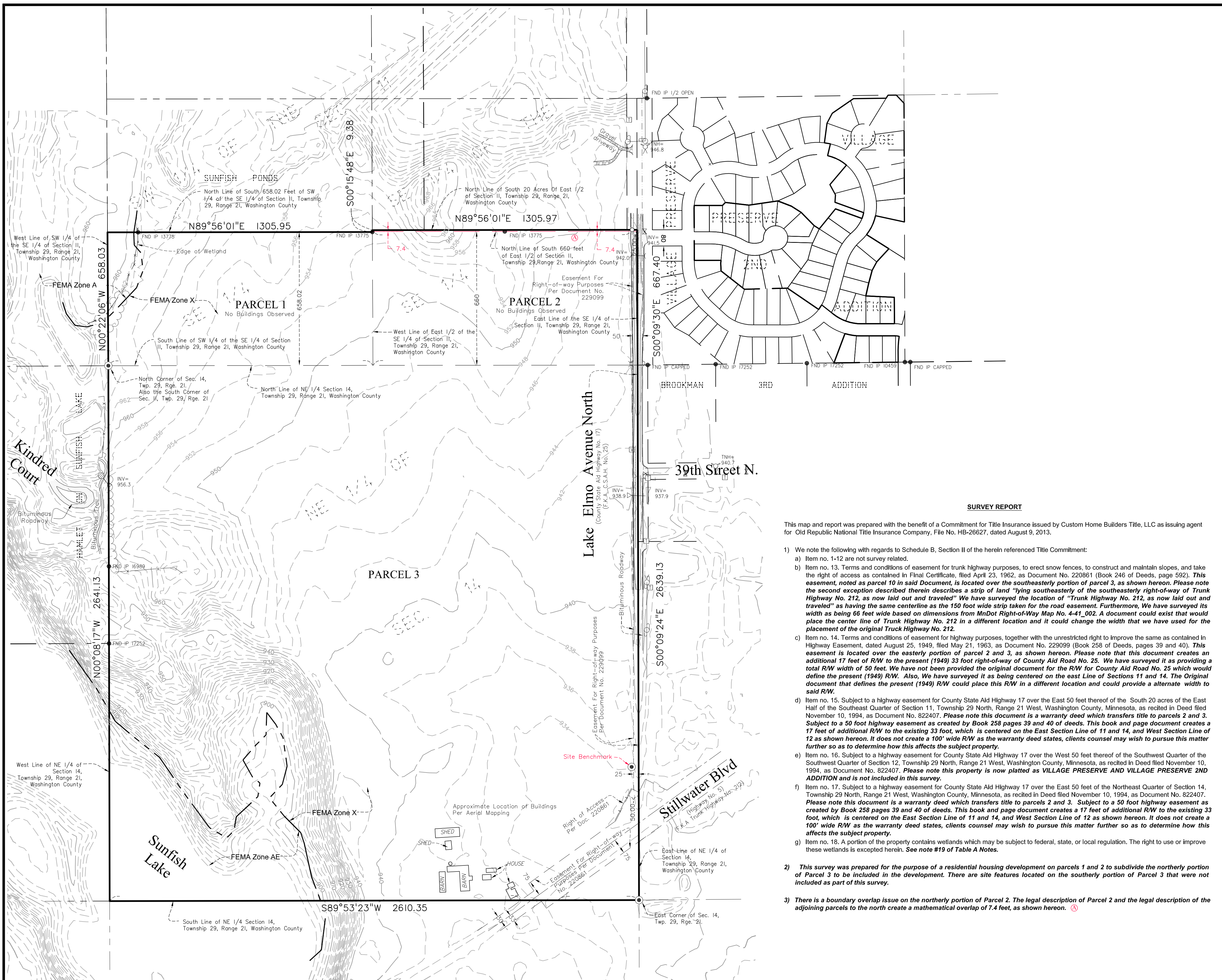
**SATHRE-BERGQUIST, INC.**  
 150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

CITY PROJECT NO. ---  
**LAKE ELMO, MINNESOTA**

**CONCEPT 041717**  
**PARCEL A - SCHILTGEN**  
**GWSA LAND DEVELOPMENT, LLC.**

FILE NO. 3120-047-200  
 X  
 X





**DESCRIPTION OF PROPERTY SURVEYED**  
(Per Schedule A of the herein referenced Title Commitment)

- Parcel 1:  
The South 658.02 feet of the Southwest Quarter of the Southeast Quarter of Section 11, Township 29 North, Range 21 West, Washington County, Minnesota.
- Parcel 2:  
The South 20 acres of the East Half of the Southeast Quarter of Section 11, Township 29 North, Range 21 West, Washington County, Minnesota.
- Parcel 3:  
The Northeast Quarter of Section 14, Township 29 North, Range 21 West, Washington County, Minnesota.

**ALTA/ACSM OPTIONAL TABLE A NOTES**  
(The following items reference Table A optional survey responsibilities and specifications)

- 2) **Address:** Parcel 1- Unassigned  
Parcel 2- Unassigned  
Parcel 3-10880 Stillwater Blvd N., Lake Elmo, MN 55042
- 3) **Flood Zone Information:** Parcel 1 is contained in Zone X (area of minimal flooding) and Zone A (Areas subject to inundation by the 1-percent-annual-chance flood event. Because detailed hydraulic analyses have not been performed, no Base Flood Elevations (BFEs) or flood depths are shown) per Flood Insurance Rate Map, Community Panel No. 27163C0245E, effective date of February 3, 2010. Parcel 2 is contained in Zone X (area of minimal flooding) per Flood Insurance Rate Map, Community Panel No. 27163C0245E, effective date of February 3, 2010. Parcel 3 is contained in Zone X (area of minimal flooding) and Zone AE (Areas subject to inundation by the 1-percent-annual-chance flood event determined by detailed methods. BFEs are shown within these zones.) per Flood Insurance Rate Map, Community Panel No. 27163C0245E, effective date of February 3, 2010. Please note that we have shown the division line between these zones hereon by digitizing said Flood Insurance Rate Maps.
- 4) **Parcel Area Information:**
- |                   |   |
|-------------------|---|
| <b>Parcel 1:</b>  | Net- 858,947 Sq. Ft. - 19.72 Acres  |
| <b>Parcel 2:</b>  | Gross- 871,200 Sq. Ft. - 20.00 Acres<br>ROW- 33,370 Sq. Ft. - 0.77 Acres<br>Net- 837,830 Sq. Ft. - 19.23 Acres        |
| <b>Parcel 3:</b>  | Gross- 6,890,526 Sq. Ft. - 158.18 Acres<br>ROW- 204,699 Sq. Ft. - 4.70 Acres<br>Net- 6,685,827 Sq. Ft. - 153.48 Acres |
| <b>Total Net:</b> | Net- 8,382,604 Sq. Ft. - 192.438 Acres  |
- 5) Elevations are based on MN/DOT Geodetic Database Station Name: 8214K which has an elevation of: 935.539 feet (NAVD88). Contours shown hereon are per field observations along with LIDar data obtained from the Minnesota Department of Natural Resources on January 11, 2013.
- 6) The current Zoning for the subject property is RT (Rural Transitional) per the City of Lake Elmo's zoning map dated May 21, 2013. The planning department informed us per a phone call that the property is in the process of changing to Village Low Density. Per this phone call, the setback, height, and density restrictions for this zoning designation are going to be as follows: SETBACKS - Front 25 feet, Side 10 feet living and 5 feet garage, Rear 20 feet; HEIGHT - 35 feet; DENSITY - 1.5 - 2 unit per acre.

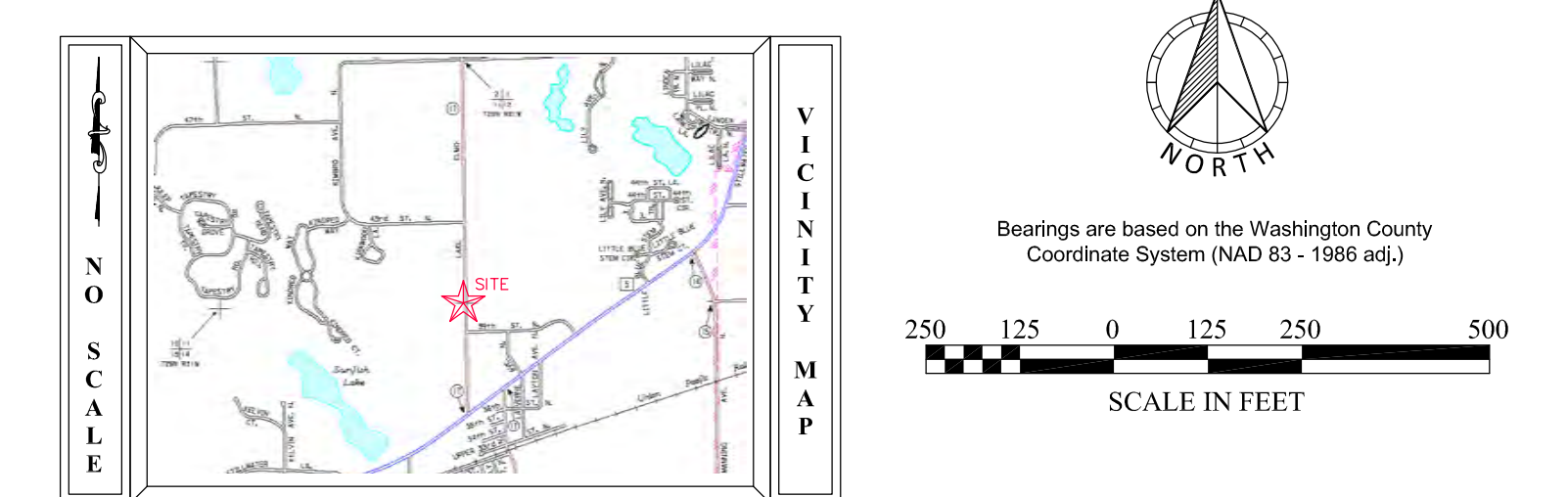
Please note that the general restrictions for the subject property may have been amended through a city process. We could be unaware of such amendments if they are not in a recorded document provided to us. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site.

- 11)(a) We have shown the location of utilities on the surveyed property by observed evidence only. There may be underground utilities encumbering the subject property of which we are unaware.
- 19) The Wetland delineation was performed on Parcels 1, 2, 3, and the North 900 feet of Parcel 4 by Kjolhaug Environmental Service and the delineation flags were located on January 15, 2014. The remaining South portion of Parcel 4 may contain wetlands per FEMA mapping, that were not delineated as part of this survey.

**SURVEY REPORT**

This map and report was prepared with the benefit of a Commitment for Title Insurance issued by Custom Home Builders Title, LLC as issuing agent for Old Republic National Title Insurance Company, File No. HB-26627, dated August 9, 2013.

- 1) We note the following with regards to Schedule B, Section II of the herein referenced Title Commitment:
- Item no. 1-12 are not survey related.
  - Item no. 13. Terms and conditions of easement for trunk highway purposes, to erect snow fences, to construct and maintain slopes, and take the right of access as contained in Final Certificate, filed April 23, 1962, as Document No. 220861 (Book 246 of Deeds, page 592). **This easement, noted as parcel 10 in said Document, is located over the southeasterly portion of parcel 3, as shown hereon. Please note the second exception described therein describes a strip of land "lying southeasterly of the southeasterly right-of-way of Trunk Highway No. 212, as now laid out and traveled" We have surveyed the location of "Trunk Highway No. 212, as now laid out and traveled" as having the same centerline as the 150 foot wide strip taken for the road easement. Furthermore, We have surveyed its width as being 66 feet wide based on dimensions from Mn/Dot Right-of-Way Map No. 4-41.002. A document could exist that would place the center line of Trunk Highway No. 212 in a different location and it could change the width that we have used for the placement of the original Truck Highway No. 212.**
  - Item no. 14. Terms and conditions of easement for highway purposes, together with the unrestricted right to improve the same as contained in Highway Easement, dated August 25, 1949, filed May 21, 1963, as Document No. 229099 (Book 258 of Deeds, pages 39 and 40). **This easement is located over the easterly portion of parcel 2 and 3, as shown hereon. Please note that this document creates an additional 17 feet of R/W to the present (1949) 33 foot right-of-way of County Aid Road No. 25. We have surveyed it as providing a total R/W width of 50 feet. We have not been provided the original document for the R/W for County Aid Road No. 25 which would define the present (1949) R/W. Also, We have surveyed it as being centered on the east Line of Sections 11 and 14. The Original document that defines the present (1949) R/W could place this R/W in a different location and could provide a alternate width to said R/W.**
  - Item no. 15. Subject to a highway easement for County State Aid Highway 17 over the East 50 feet thereof of the South 20 acres of the East Half of the Southeast Quarter of Section 11, Township 29 North, Range 21 West, Washington County, Minnesota, as recited in Deed filed November 10, 1994, as Document No. 822407. **Please note this document is a warranty deed which transfers title to parcels 2 and 3. Subject to a 50 foot highway easement as created by Book 258 pages 39 and 40 of deeds. This book and page document creates a 17 feet of additional R/W to the existing 33 foot, which is centered on the East Section Line of 11 and 14, and West Section Line of 12 as shown hereon. It does not create a 100' wide R/W as the warranty deed states, clients counsel may wish to pursue this matter further so as to determine how this affects the subject property.**
  - Item no. 16. Subject to a Highway easement for County State Aid Highway 17 over the West 50 feet thereof of the Southwest Quarter of the Southwest Quarter of Section 12, Township 29 North, Range 21 West, Washington County, Minnesota, as recited in Deed filed November 10, 1994, as Document No. 822407. **Please note this property is now platted as VILLAGE PRESERVE AND VILLAGE PRESERVE 2ND ADDITION and is not included in this survey.**
  - Item no. 17. Subject to a highway easement for County State Aid Highway 17 over the East 50 feet of the Northeast Quarter of Section 14, Township 29 North, Range 21 West, Washington County, Minnesota, as recited in Deed filed November 10, 1994, as Document No. 822407. **Please note this document is a warranty deed which transfers title to parcels 2 and 3. Subject to a 50 foot highway easement as created by Book 258 pages 39 and 40 of deeds. This book and page document creates a 17 feet of additional R/W to the existing 33 foot, which is centered on the East Section Line of 11 and 14, and West Section Line of 12 as shown hereon. It does not create a 100' wide R/W as the warranty deed states, clients counsel may wish to pursue this matter further so as to determine how this affects the subject property.**
  - Item no. 18. A portion of the property contains wetlands which may be subject to federal, state, or local regulation. The right to use or improve these wetlands is excepted herein. **See note #19 of Table A Notes.**
- 2) **This survey was prepared for the purpose of a residential housing development on parcels 1 and 2 to subdivide the northerly portion of Parcel 3 to be included in the development. There are site features located on the southerly portion of Parcel 3 that were not included as part of this survey.**
- 3) **There is a boundary overlap issue on the northerly portion of Parcel 2. The legal description of Parcel 2 and the legal description of the adjoining parcels to the north create a mathematical overlap of 7.4 feet, as shown hereon.**



**SURVEY LEGEND**

- |                      |                        |                               |
|----------------------|------------------------|-------------------------------|
| ● CAST IRON MONUMENT | ⊠ CABLE TV PEDESTAL    | ⊠ BITUMINOUS                  |
| ○ CATCH BASIN        | ⊠ ELECTRIC TRANSFORMER | — CONCRETE CURB               |
| ⊠ FLARED END SECTION | ⊠ ELECTRIC MANHOLE     | — CONTOUR EXISTING            |
| ⊠ GATE VALVE         | ⊠ ELECTRIC METER       | — ELC — ELECTRIC UNDERGROUND  |
| ⊠ GUY WIRE           | ⊠ GAS METER            | — x — x — FENCE               |
| ⊠ HYDRANT            | ⊠ GAS VALVE            | — — — GAS UNDERGROUND         |
| ○ IRON PIPE SET      | ⊠ HAND HOLE            | — OHU — OVERHEAD UTILITY      |
| ● IRON PIPE FOUND    | ⊠ BENCHMARK            | — — — SANITARY SEWER          |
| ⊠ LIGHT POLE         | ⊠ TELEPHONE MANHOLE    | — — — STORM SEWER             |
| ⊠ POWER POLE         | ⊠ TELEPHONE PEDESTAL   | ⊠ TEL — TELEPHONE UNDERGROUND |
| ⊠ SANITARY MANHOLE   | ⊠ UTILITY MANHOLE      | — UTL — UTILITY UNDERGROUND   |
| ⊠ GROUND ELEVATION   | ⊠ UTILITY PEDESTAL     |                               |

FIELD CREW	NO.	BY	DATE	REVISION
CL, JA, SR, CT				
DRAWN				
JUA, JML				
CHECKED				
DBP				
DATE				
12-09-2016				

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To GW Land Development, and Custom Home Builders Title, LLC as issuing agent for Old Republic National Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1 - 5, 8, 11 and 18 of Table A thereof. The field work was completed on December 2, 2016.

Date of Plat or Map: December 12, 2016

David B. Pemberton, PLS  
Minnesota License No. 40344

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ENGINEERS SURVEYORS  
DESIGNERS PLANNERS

TWP:29-RGE-21-SEC-11,14  
Washington County

**LAKE ELMO,  
MINNESOTA**

**ALTA/NSPS LAND TITLE SURVEY**

PREPARED FOR:  
**GW LAND DEVELOPMENT**

FILE NO.  
3120-047-002

**1**

**1**

# MEMORANDUM

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

Date: May 8, 2017

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To: Stephen Wensman, Planning Director  
Cc: Emily Becker, City Planner  
Chad Isakson, Assistant City Engineer  
From: Jack Griffin, P.E., City Engineer

Re: Gonyea Village West (Shiltgen Parcel A)  
Concept Plan Review

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An engineering review has been completed for the Gonyea Village West (Shiltgen Parcel A) Concept Plan. The submittal consisted of the following documentation prepared by Sathre Bergquist, Inc. unless noted otherwise.

- PUD Concept Plan dated April 17, 2017.
  - PUD Concept Plan Narrative dated April 20, 2017 by Gonyea Company.
  - ALTA Survey dated December 12, 2016.
- 

We have the following review comments:

All public improvements constructed to support the development must be designed and constructed in accordance with the City Engineering Design Standards Manual available on the City website dated March, 2017.

## TRANSPORTATION IMPROVEMENTS

- Right-of-way dedication. The Plat must dedicate sufficient right-of-way along CSAH 17 (Lake Elmo Avenue) as required by Washington County. The concept plan shows this dedication, however the actual right-of-way widths must be reviewed and approved by the County.
- Access Management. The Concept plan shows two access locations to Lake Elmo Avenue, one at 39th Street North and one at 41st Street North, approximately 1,160 feet apart. Both locations have been previously determined by the City and Washington County and should be acceptable access locations for the development.
- Intersection Improvements. The applicant will be responsible to construct all intersection and turn lane improvements along CSAH 17 as required by Washington County. These improvements must be completed at the developer's cost.
- Pedestrian facilities: The City should review potential bituminous trail requirements to be incorporated along CSAH 17 and to interconnect adjacent developments to the north, south and west to improve pedestrian safety and work toward future trail connectivity.

## RESIDENTIAL STREETS

- All streets must be public streets and must be designed to meet the City's Engineering Design Standards including right-of-way width (60-feet), street width (28-feet) and cul-de-sac radii.
- All street intersections must be at 90 degrees and maintain 50 feet of tangent with maximum slopes of 2.5%. Residential maximum longitudinal grade is 8% with no sidewalks, 6% where there are sidewalks.

- Surmountable concrete curb and gutter shall be installed in single family residential areas with future driveways and B618 curb installed along entrance roadways and roadway stretches with no lots.
- The proposed internal street network is well interconnected creating multiple access routes into and out of the development.
- Right-of-way and street stubs should be constructed as part of this development to plan for connectivity to adjacent properties to the north and south. The north right-of-way and street stub should be located to allow the northerly property to plat a 2-sided street as part of any future development of that site. Two separate right-of-way and street stubs should be planned to connect to the southerly property.
- Parkway or divided roadways must be a minimum of 19 feet wide from face of curb to face of curb. The development street plan indicates landscaped medians at the 41st Street development entrance.
- Six (6) foot sidewalks must be provided along all residential streets and as may be required for connectivity.
- Ten (10) foot utility easements are required on either side of all right-of-ways.
- As part of the PUD application the development is proposing front yard setbacks as little as 15 feet. Reduced front yard setbacks should only be considered after receiving detailed right-of-way/utility easement design layouts demonstrating that all infrastructure is being adequately accommodated. For example, with a 15 foot front yard setback and a 10 foot utility easement corridor, the homeowner has only 5 feet between the easement and garage/home to plant front yard trees.

#### STORMWATER MANAGEMENT

- The site plan is subject to a storm water management plan meeting State, VBWD and City rules.
- Storm water facilities proposed as part of the site plan to meet State and VBWD permitting requirements must be constructed in accordance with the City Engineering Design Standards Manual.
- The general drainage system should mimic the natural topography of the site in order to ensure a drainage system that provides positive storm water drainage across the development. Overland emergency overflows or outlets will be required as part of the site plan.
- The ultimate discharge rate and location will be an important consideration. The storm water management plan will need to address changes to the downstream drainage system to the extent alterations are proposed. To the extent adjacent properties are impacted, written permission from those properties must be submitted as part of the development applications.
- In conjunction with the preliminary plat for this development, the City may want to consider pursuing aspects of the Sunfish Lake Stormwater diversion plan, which would re-route some portion of the storm water to ultimately discharge to Sunfish Lake.
- It appears that all storm water facilities (ponds and infiltration basins) have been placed in Outlots. These Outlots will be deeded to the City for maintenance purposes. The Stormwater Facility Outlots must fully incorporate the 100-year HWL, 10 foot maintenance bench and all maintenance access roads. The Concept plan shows the 100-year HWL encroaching onto the adjacent property to the south. The storm water ponds will need to be moved north to contain them within the development site.
- Maintenance access roads meeting City standards must be provided for all storm water facilities.
- The storm sewer system shall be designed to maintain the City standard **minimum** pipe cover of 3.0 feet. Drain tile is required as part of the City standard street section at all localized low points in the street. Drain tile considerations may impact the storm sewer design and depth requirements at low points.
- Per City requirements all storm sewer pipe easements must be a minimum 30-feet in width.

#### MUNICIPAL WATER SUPPLY

- Municipal water supply is available immediately adjacent to the proposed development along Lake Elmo Avenue. The applicant is responsible to extend the municipal water supply into the development site at developer's cost.

- Watermain connections will be required at 39th Street North and Lake Elmo Avenue and at 41st Street North and Lake Elmo Avenue. The watermain distribution lines will need to be looped within the subdivision wherever reasonably possible.
- Watermain stubs will be required to the adjacent properties to the north, south and west of the development. As part of any preliminary plat submittal, the proposed stub locations should be reviewed and incorporated into the development has deemed necessary by the City including a future watermain connection to Hamlet of Sunfish Lake.
- No trunk watermain oversizing is anticipated for this development.

#### MUNICIPAL SANITARY SEWER

- Municipal sanitary sewer is available immediately adjacent to the proposed development at Lake Elmo Avenue and 39th Street North. The applicant is responsible to extend sanitary sewer into the development site at developer's cost.
- The extension of sanitary sewer to the westerly plat boundaries is required to make a sanitary sewer connection available to the Hamlet on Sunfish Lake (HOSL) private community wastewater treatment system. The MPCA is requiring the HOSL treatment system to connect to City sewer or make extensive improvements to the system to restore treatment to a compliant condition. As part of any preliminary plat submittal, the proposed stub location for connection to Hamlet on Sunfish Lake should be reviewed and incorporated into the development has deemed necessary by the City.
- The PUD narrative indicates phasing of the development from east to west. Due to the timing of the HOSL connection requirements by the MPCA, a temporary sewer system plan should be implemented to extend sewer to HOSL as part of the first phase or in an expedited manner.
- No trunk sewer oversizing is anticipated.

#### ADDITIONAL CONSIDERATIONS

- A detailed phasing plan should be provided with the preliminary plat application that clearly indicates the phasing of the construction for each public infrastructure component and addresses both construction access to the site and public access for new residents. Temporary cul-de-sacs should be part of the phasing plans and are required for any street with a platted lot with driveway access.
- A sanitary sewer phasing plan should be provided to address timely connection to sewer for the HOSL wastewater treatment system.