



City Council Memorandum

To: Mayor Fasbender and City Council
From: John Hinzman, Community Development Director
Date: July 17, 2023
Item: Resolution: Extend Final Plat Approval – Heritage Ridge 4th Addition

Council Action Requested:

Adopt the attached resolution authorizing a one-year extension of the Final Plat approval for HERITAGE RIDGE 4TH ADDITION containing 36 lots located west of General Sieben Drive and Northridge Drive. A simple majority is necessary for action.

Background Information:

The City Council granted approval of the Final Plat on August 15, 2022 subject to a one-year sunset clause requiring recording of the plat with Dakota County. Owner Mark Guenther has stated that:

“Market conditions have slowed over the past year where the remaining lot inventory in the 3rd addition is still substantial. Sales are continuing to be slow and steady, and we anticipate that the 4th addition can begin in the spring/summer of 2024”.

Financial Impact:

The addition of 36 home sites will add to the tax base and create needed housing opportunities.

Advisory Commission Discussion:

N/A

Attachments:

- Resolution
- Extension Request Letter
- Preliminary Plat
- Final Plat

HASTINGS CITY COUNCIL

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HASTINGS
AMENDING RESOLUTION NO 08-12-22 FINAL PLAT APPROVAL OF
HERITAGE RIDGE 4TH ADDITION**

Council member _____ introduced the following Resolution and moved its adoption:

WHEREAS, TC Land LLC has petitioned for Final Plat approval of HERITAGE RIDGE 4TH ADDITION, containing 36 lots and one outlet. The subject property is generally located west of General Sieben Drive and Northridge Drive and legally described as Outlot E, HERITAGE RIDGE, and Outlot B, HERITAGE RIDGE 3RD ADDITION, all within Dakota County, Minnesota; AND

WHEREAS, on October 5, 2020 the City Council granted Preliminary Plat approval; and

WHEREAS, on June 13, 2022, review of the final plat was conducted before the Planning Commission of the City of Hastings, as required by state law, city charter, and city ordinance; and

WHEREAS, The Planning Commission recommended approval of the Final Plat finding it to be consistent with the approved Preliminary Plat; and

WHEREAS, on August 15, 2022 the City Council adopted Resolution No. 08-12-22 granting approval of the Final Plat subject to certain conditions of approval including a one-year sunset clause requiring the plat to be recorded with Dakota County within one year of City Council approval or approval is null and void; and

WHEREAS, The petitioner seeks a one-year extension to the sunset clause provision requiring recording within one year citing slowing market conditions.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HASTINGS AS FOLLOWS:

That the City Council hereby amends City Council Resolution No. 08-12-22 granting Final Plat approval. The Sunset Clause provision of Condition No. 19 has been extended to August 15, 2024. All other conditions remain as originally enacted. The conditions for Final Plat are as follows:

- 1) Conformance with the plans submitted with the City Council Staff Report dated August 15, 2022.
- 2) Final approval of all Civil Plans including Grading, Drainage and Erosion Control Plan, and Utility Plan by the Public Works Director.
- 3) All disturbed areas on the property shall be stabilized with rooting vegetative cover to eliminate erosion control problems.
- 4) Establishment of sureties and payment of escrow prior to commencement of site grading and utilities.
- 5) No Occupancy of dwelling units shall occur until Developer furnishes the City with a copy of written notice, acknowledged by the initial owners and occupants of the dwelling, demonstrating that the Developer notified initial owners and occupants, and by recording a written notice to any subsequent owners, of the existence of active mining operations including blasting on the adjacent property and the potential for disturbance to foundations and improvements.
- 6) Execution of a Development Agreement to memorialize conditions of approval and to establish applicable escrow amounts to ensure completion of public improvements.
- 7) Execution of a stormwater access and maintenance agreement between the City and property owner prior to recording of the final plat.
- 8) A declaration of covenants, conditions and restrictions or the equivalent document shall be submitted for review and approval by the City before release of the final plat mylars to ensure maintenance of any open space, median plantings, cul-de-sac plantings, common drives, stormwater infrastructure, and common utilities. The declaration shall include, but is not limited to, the following:
 - a. A statement requiring the deeds, leases or documents of conveyance affecting buildings, units, parcels, tracts, townhouses, or apartments be subject to the terms of the declaration.
 - b. A provision for the formation of a property owners association or corporation and that all owners must be members of said association or corporation which may maintain all properties and common areas in good repair, and which may assess individual property owners proportionate shares of joint or common costs. The association or corporation must remain in effect and may not be terminated or

disbanded.

- c. Membership in the association shall be mandatory for each owner and any successive buyer.
 - d. Any open space restrictions must be permanent and may not be changed or modified without city approval.
 - e. The association is responsible for liability insurance, local taxes and the maintenance of the open space facilities deeded to it.
 - f. Property owners are responsible for their pro-rata share of the cost of the association by means of an assessment to be levied by the association which meet the requirements for becoming a lien on the property in accordance with Minnesota Statutes.
 - g. The association may adjust the assessment to meet changing needs.
- 9) Submission of certification of taxes paid in full for the property prior to release of the final plat mylars for recording.
 - 10) Payment of \$79,200 (\$2,200 x 36 units) to satisfy park dedication requirements prior to release of the final plat mylars for recording.
 - 11) Payment of \$17,460 (\$485 x 36 units) in sewer interceptor fees prior to release of the final plat mylars for recording.
 - 12) Developer presentation of trunk sewer extension costs to the Public Works Director to determine any City contribution towards upsizing.
 - 13) Individual mailboxes for each home are not permitted. Mailboxes must be grouped into clusters.
 - 14) Developer shall plant "boulevard" trees of at least 1.5 caliper inches according to the submitted tree plan. An escrow is required for any unplanted trees before a certificate of occupancy is issued.
 - 15) One front yard tree of at least 1.5 caliper inches must be planted by the builder or developer on every platted lot. An escrow is required for any unplanted trees before a certificate of occupancy is issued.
 - 16) Blanket drainage and utility easements shall be recorded against all outlets, unless they are further delineated to the satisfaction of the Public Works Director.

- 17) Any uncompleted site work (including landscaping) must be escrowed for VIII-05 prior to issuance of a certificate of occupancy.
- 18) Authorization to execute related Stormwater Management and Easement Agreements as part of the Plat approval.
- 19) Approval is subject to a Sunset Clause; the plat must be recorded with Dakota County by August 15, 2024 or approval is null and void.

Council member _____ moved a second to this resolution and upon being put to a vote it was adopted by the Council Members present.

Adopted by the Hastings City Council on July 17, 2023 by the following vote:

Ayes:
Nays:
Absent:

ATTEST:

Mary Fasbender, Mayor

Kelly Murtaugh,
City Clerk

(City Seal)

I HEREBY CERTIFY that the above is a true and correct copy of resolution presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the 17th day of July, 2023, as disclosed by the records of the City of Hastings on file and of record in the office.

Kelly Murtaugh, City Clerk

(SEAL)

This instrument drafted by:
City of Hastings (JH)
101 4th St. E.
Hastings, MN 55033

June 13, 2023

Mr. John Hinzman
Community Development Director
City of Hastings Minnesota
101 East 4th Street
Hastings, MN 55033

Re: Heritage Ridge 4th Addition Plat Extension Request

Dear Mr. Hinzman,

The City of Hastings approved Heritage Ridge 4th Addition plat on August 15, 2022. Fenway Land Company is requesting an extension of this resolution for an additional year. Market conditions have slowed over the past year where the remaining lot inventory in the 3rd addition is still substantial. Sales are continuing to be slow and steady, and we anticipate that the 4th addition can begin in the spring/summer of 2024. Please let me know if there is anything else you need to process and approve this request.

Sincerely,



Mark Guenther
President

LOCATION MAP



Preliminary Plat

VIII-05

DEVELOPER

TC LAND INVESTMENTS, LLC
13925 Fenway Blvd. No.
Hugo, MN 55038

MUNICIPALITY



PROJECT
SIEBEN RIDGE
HASTINGS, MINNESOTA

ISSUE / REVISION HISTORY

DATE	ISSUE / REVISION	REASON
07/30/2020	PRELIMINARY PLAT	FOR REVIEW

LEGAL DESCRIPTION

The Southwest Quarter of the Northwest Quarter of Section 31, Township 11S, Range 17, Dakota County, Minnesota.

BENCHMARK

GS0 Station # 19107 Lat. 444417.40 Lon. 92561.38115 Stamping: 1910 T2015
Monument Type: Aluminum alloy rod (no above) (depth: 18")
Disk Type: Metal rod (path: retrievable) (d: 0.5")

Description: (2015)
2.3 miles west of Hastings, 2.3 miles west along Truck Highway 55 from the junction of Truck Highway 55 and Truck Highway 61 in Hastings, at Truck Highway 55 (approximately 218.15, 20.9 feet south of Truck Highway 55) sign, 0.4 mile west of General Sabin Road, 130.7 feet west of Hastings population sign, 1.5 feet north of a witness pole.

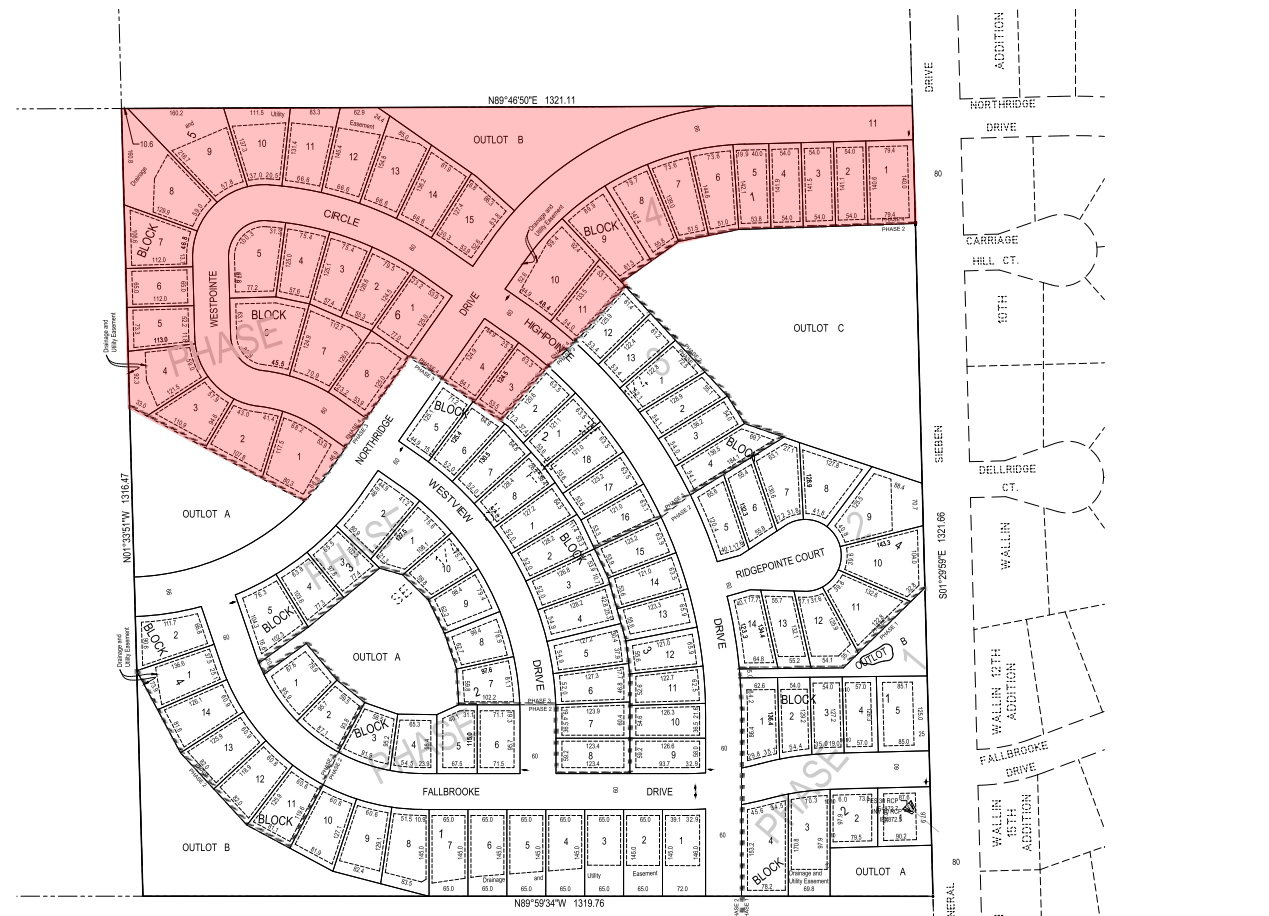
Locating Derived Coordinates: Height: (From NAVD83): 498.339

AREA SUMMARY

TOTAL SITE AREA: 1,741,202 S.F. = 39.97 AC.
WETLAND AREA: 0 S.F. = 0 AC.
RIGHT OF WAY AREA: 382,000 S.F. = 8.83 AC.
NET AREA: 1,359,202 S.F. = 31.02 AC.
TOTAL SINGLE FAMILY LOTS = 116
NET DENSITY = 3.7 U/A

ZONING AND SETBACK SUMMARY

THE PROPERTY IS CURRENTLY NOT ZONED.
PROPOSED ZONING: R-2 Medium Density Residence
PROPOSED SETBACK INFORMATION:
FRONT: 25 FT.
REAR: 25 FT.
SIDE: 7 FT.
SIDE (STREET): 10 FT.
MINIMUM LOT AREA: 7,000 S.F.
MINIMUM LOT WIDTH: 50 FT.



LOT AREA TABLE - PHASE 1

Parcel #	Lot/Block	Area
1	1-11	8945
2	2-21	7144
3	3-31	6904
4	4-41	7225
5	5-51	10686
6	6-62	8705
7	7-72	7789
8	8-82	12287
9	9-92	12854
10	Outlot A	14196
11	Outlot B	13815
12	R/W	19008

LOT AREA TABLE - PHASE 2

Parcel #	Lot/Block	Area
13	2-31	10451
14	2-21	9425
15	2-31	9425
16	2-41	9425
17	2-51	9425
18	2-61	9425
19	2-71	9425
20	2-81	9425
21	2-81	9066
22	2-101	8673
23	2-12	7191
24	2-22	7032

LOT AREA TABLE - PHASE 3

Parcel #	Lot/Block	Area
25	2-32	7459
26	2-42	8220
27	2-13	7477
28	2-23	7127
29	2-33	7179
30	2-43	7427
31	2-53	7441
32	2-63	7167
33	2-73	7295
34	2-14	7998
35	2-24	7998
36	2-34	8989

LOT AREA TABLE - PHASE 4

Parcel #	Lot/Block	Area
37	2-44	9983
38	2-54	13560
39	2-64	12000
40	2-74	9798
41	2-84	8639
42	2-94	7195
43	2-104	7707
44	2-114	43496
45	2-124	8231
46	2-134	145104
47	2-R/W	102373

LOT AREA TABLE - PHASE 5

Parcel #	Lot/Block	Area
48	3-11	8663
49	3-21	7348
50	3-31	7140
51	3-41	7763
52	3-51	7812
53	3-61	7107
54	3-12	7123
55	3-22	7148
56	3-32	7164
57	3-42	7198
58	3-52	7025
59	3-62	7792
60	3-72	7425
61	3-82	7571
62	3-92	7480

LOT AREA TABLE - PHASE 6

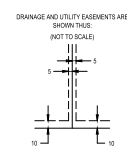
Parcel #	Lot/Block	Area
59	3-102	7407
64	3-112	7444
65	3-122	7443
66	3-132	7815
67	3-142	7874
68	3-152	7321
69	3-162	7183
70	3-172	7295
71	3-182	7881
72	3-192	7098
73	3-202	7069
74	3-43	7094
75	3-53	8039
76	3-63	8009
77	3-73	7078

LOT AREA TABLE - PHASE 7

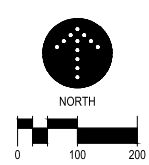
Parcel #	Lot/Block	Area
78	3-83	7032
79	3-93	9784
80	3-14	8235
81	3-24	7038
82	3-15	8594
83	3-25	8629
84	3-35	8637
85	3-45	8680
86	3-45	8687
87	3-45	9331
88	3-104	47170
89	3-R/W1	93664
90	3-R/W2	19149

LOT AREA TABLE - PHASE 8

Parcel #	Lot/Block	Area
91	4-11	12048
92	4-21	8922
93	4-31	8454
94	4-41	10915
95	4-41	7693
96	4-41	7280
97	4-71	9644
98	4-81	16873
99	4-81	16891
100	4-101	10946
101	4-111	10224
102	4-121	11638
103	4-131	10812



BEING 5 FEET IN WIDTH AND ADJOINING LOT LINES, UNLESS OTHERWISE SPECIFIED, AND 10 FEET IN WIDTH AND ADJOINING RIGHT OF WAY LINES AND REAR LOT LINES UNLESS OTHERWISE SPECIFIED ON THIS PLAT.



CERTIFICATION

I hereby certify that the plat was prepared by me, or under my direct supervision, and that I am a duly Licensed Professional Engineer in the State of Minnesota.

PRELIMINARY NOT FOR CONSTRUCTION

IF THE SIGNATURE, SEAL, OR EXPIRES DIRECTLY ABOVE AND NOT INDICATED HEREON, THIS PLAN IS UNLAWFUL AND SHOULD BE REMOVED IMMEDIATELY. IF YOU ARE AN OWNER AND DO NOT CONTACT THE ENGINEER THROUGH ADDITIONAL COORDINATE.

PRELIMINARY PLAT
JULY 30, 2020



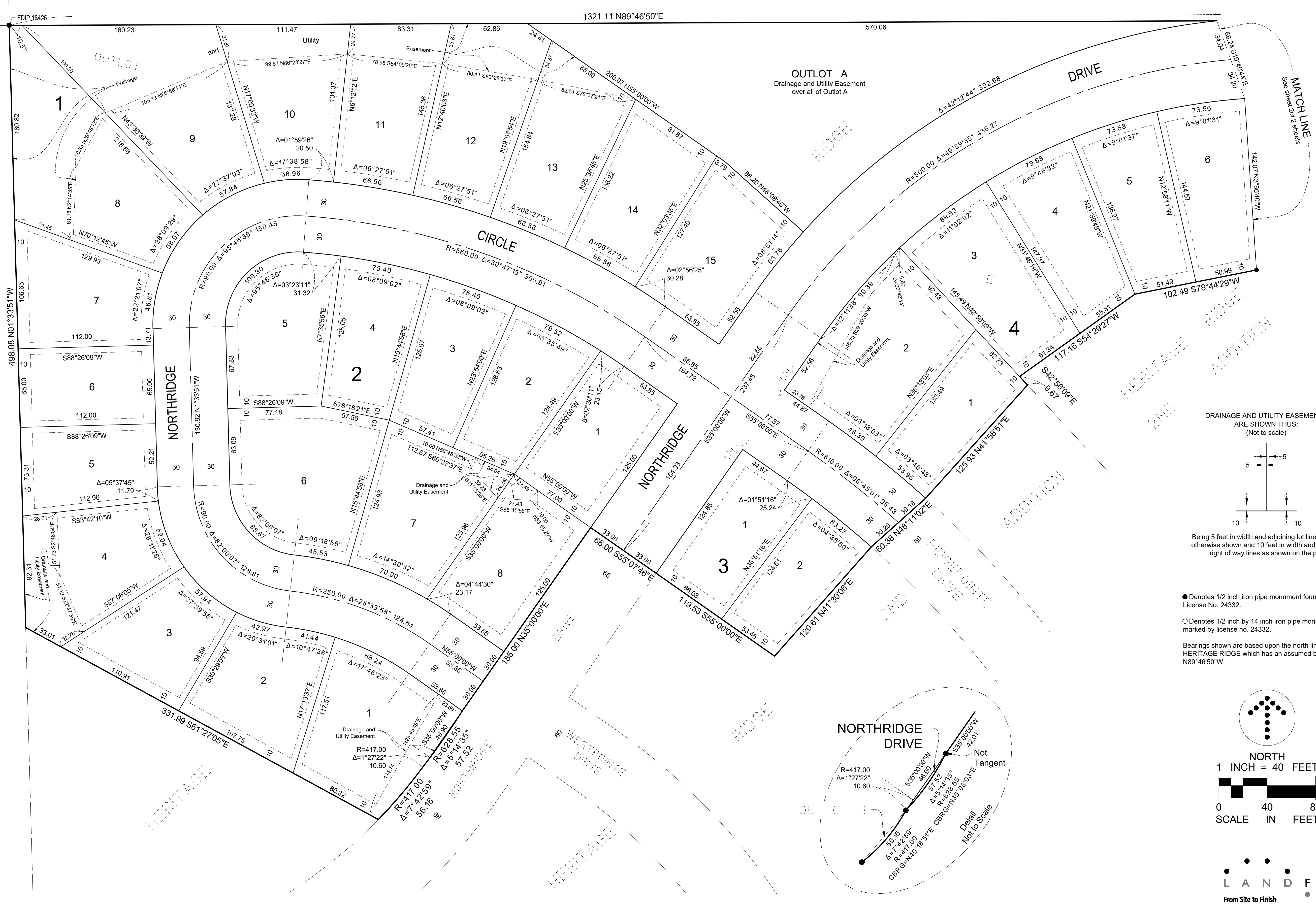
195 South Fifth Avenue Suite 519 Minneapolis, MN 55401
Tel: 612-352-9070 Fax: 612-352-9077
Web: landform.net

FILE NAME: C02022450.dwg
PROJECT NO.: ZZZ19450.PLC

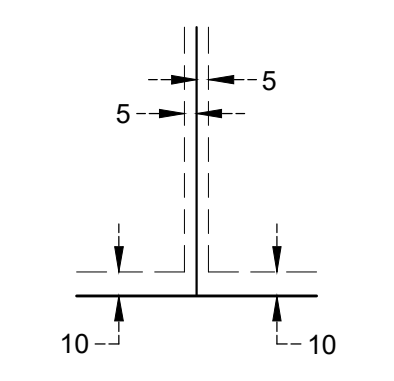
PRELIMINARY PLAT
C0.2

Landform.net Site & Plot File Registered service marks of Landform Professional Services, LLC.

HERITAGE RIDGE 4TH ADDITION



DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:
(Not to scale)

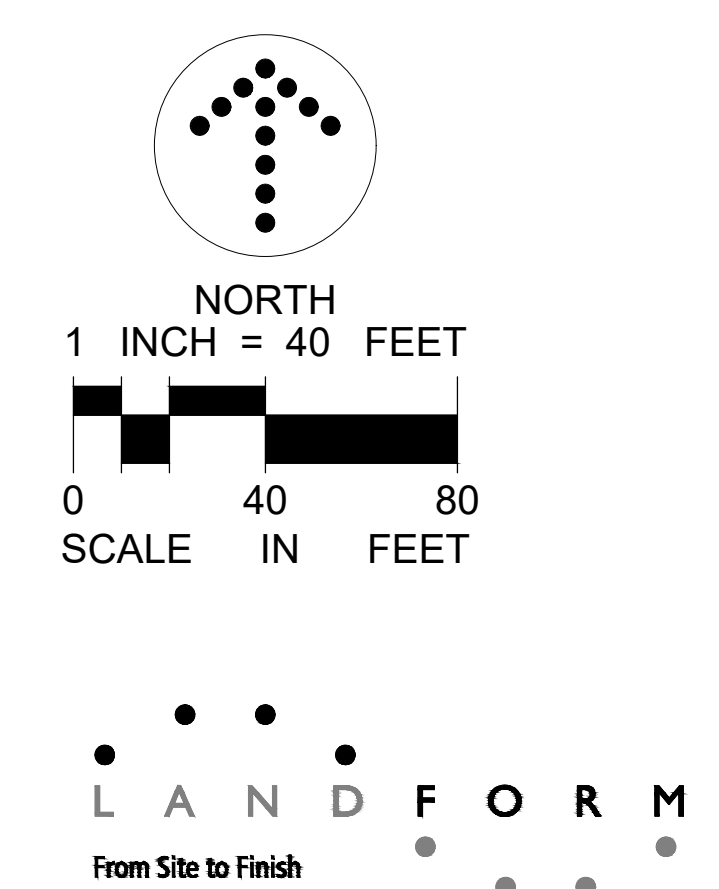
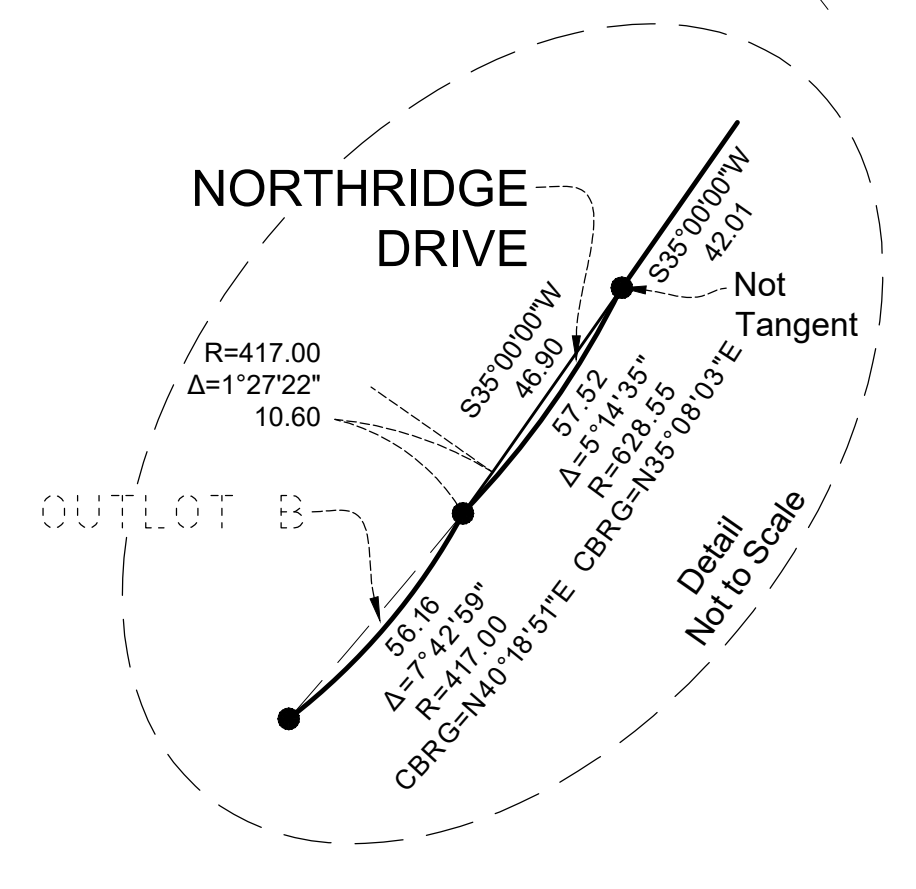


Being 5 feet in width and adjoining lot lines, unless otherwise shown and 10 feet in width and adjoining right of way lines as shown on the plat.

● Denotes 1/2 inch iron pipe monument found and marked by License No. 24332.

○ Denotes 1/2 inch by 14 inch iron pipe monument set and marked by license no. 24332.

Bearings shown are based upon the north line of Outlot E, HERITAGE RIDGE which has an assumed bearing of N89°46'50"W.



LANDFORM
From Site to Finish