



City Council Memorandum

To: Mayor Fasbender and City Council
From: John Hinzman, Community Development Director
Date: August 5, 2024
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. On July 17, 2023 the Council granted a one-year extension expiring on August 15, 2024. Owner Mark Guenther has stated market conditions continue to be slow and they have substantial inventory within the previous additions to the plat. They hope to begin construction of the 4th addition by spring/summer of 2025.

Park Dedication Fees:

The plat extension includes payment of park dedication fees based upon the 2023 Park Dedication Ordinance Amendment as follows:

2022 Approval	2024 Plat Recording	2025 Plat Recording
\$79,200 (\$2,200 per unit)	\$115,200 (\$3,200 per unit)	\$129,600 (\$3,600 per unit)

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 FINAL PLAT APPROVAL OF HERITAGE RIDGE 4TH ADDITION**

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, on July 17, 2023 the City Council adopted Resolution No. 07-02-23. The Sunset Clause provision of Condition No. 19 of the original approval was extended to August 15, 2024. All other conditions remained as originally enacted; and

WHEREAS, The petitioner seeks an additional 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 and City Council Resolution 07-02-23 granting Final Plat approval. The Sunset Clause provision of Condition No. 19 has been extended to August 15, 2025. Condition No. 10 has been deleted in its entirety and replaced as provided below. 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 fees to satisfy park dedication requirements as follows:
 - a. \$115,200 (\$3,200 x 36 units) upon City signature of the final plat mylars on or before December 31, 2024.
 - b. \$129,600 (\$3,600 x 36 units) upon City signature of the final plat mylars on or after January 1, 2025.
 - 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 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, 2025 or approval is null and void.

Adopted by the Hastings City Council on August 5, 2024 by the following vote:

ATTEST:

Mary Fasbender, Mayor

Kelly Murtaugh,
City Clerk

(City Seal)

STATE OF MINNESOTA)
) ss. City of Hastings
COUNTY OF DAKOTA)

I, the undersigned, being the duly qualified and acting City Clerk of the City of Hastings, Minnesota, DO HEREBY CERTIFY, that I have carefully compared the attached copy of Resolution No. _____ with the original on file in my office and the same is a full, true and complete copy thereof.

WITNESS, my hand as such City Clerk and the corporate seal of the City of Hastings this 5th day of August, 2024

Kelly Murtaugh, City Clerk

SEAL STICKER

July 9, 2024

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, and a one-year extension request in August 2023. Fenway Land Company is requesting an additional extension of this resolution for an additional year. Market conditions are still slow due to inflation and high mortgage rates, where the remaining lot inventory in the 3rd addition is still substantial (29 lots). Sales are continuing to be very slow, and we hope that the 4th addition can begin in the spring/summer of 2025. Please let me know if there is anything else you need to process this request through the city council.

Sincerely,



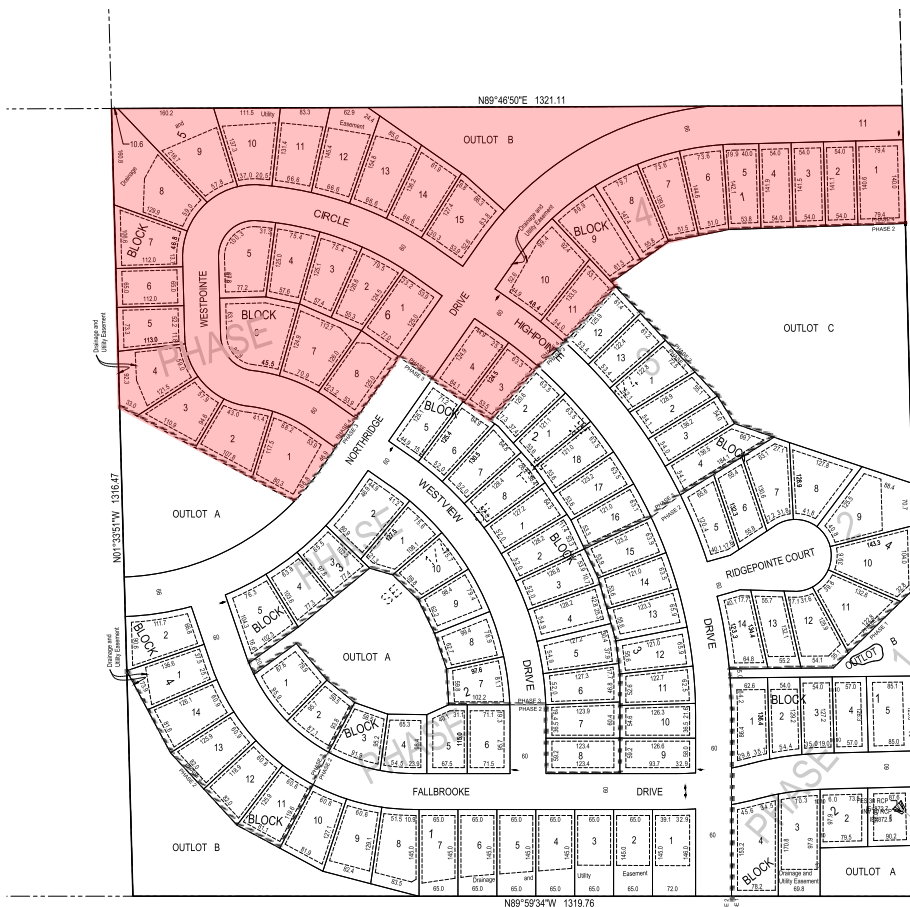
Mark Guenther
President

LOCATION MAP



Preliminary Plat

VIII-07



LOT AREA TABLE - PHASE 1

Parcel #	Lot/Block	Area
1	1-1	8945
2	2-1	7144
3	3-1	6904
4	4-1	7225
5	5-1	10686
6	1-2	8705
7	2-2	7789
8	3-2	12287
9	4-2	12654
10	Outlot A	14196
11	Outlot B	13815
12	R/W	19008

LOT AREA TABLE - PHASE 2

Parcel #	Lot/Block	Area
13	2-3-1	10451
14	2-3-1	9425
15	2-3-1	9425
16	2-4-1	9425
17	2-5-1	9425
18	2-6-1	9425
19	2-7-1	9425
20	2-8-1	9425
21	2-8-1	9066
22	2-10-1	8673
23	2-12	7191
24	2-22	7032

LOT AREA TABLE - PHASE 3

Parcel #	Lot/Block	Area
25	2-3-2	7459
26	2-4-2	8220
27	2-1-3	7477
28	2-2-3	7127
29	2-3-3	7179
30	2-4-3	7427
31	2-5-3	7441
32	2-6-3	7167
33	2-7-3	7295
34	2-1-4	7998
35	2-2-4	7998
36	2-3-4	8989

LOT AREA TABLE - PHASE 4

Parcel #	Lot/Block	Area
37	2-4-4	9983
38	2-5-4	13560
39	2-6-4	12000
40	2-7-4	9798
41	2-8-4	8639
42	2-9-4	7195
43	2-10-4	7707
44	2-11-4	43496
45	2-12-4	8231
46	2-13-4	145104
47	2-R/W	102373

LOT AREA TABLE - PHASE 5

Parcel #	Lot/Block	Area
48	3-1-1	8663
49	3-2-1	7348
50	3-3-1	7140
51	3-4-1	7763
52	3-5-1	7812
53	3-6-1	7107
54	3-7-2	7123
55	3-8-2	7148
56	3-9-2	7164
57	3-10-2	7198
58	3-11-2	7825
59	3-12-2	7792
60	3-13-2	7425
61	3-14-2	7571
62	3-15-2	7480

LOT AREA TABLE - PHASE 6

Parcel #	Lot/Block	Area
59	3-10-2	7407
64	3-11-2	7444
65	3-12-2	7443
66	3-13-2	7815
67	3-14-2	7874
68	3-15-2	7321
69	3-16-2	7183
70	3-17-2	7295
71	3-18-2	7881
72	3-19-2	7098
73	3-20-2	7069
74	3-4-3	7094
75	3-5-3	8039
76	3-6-3	8009
77	3-7-3	7078

LOT AREA TABLE - PHASE 7

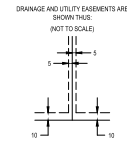
Parcel #	Lot/Block	Area
78	3-8-3	7032
79	3-9-3	9784
80	3-14	8235
81	3-24	7038
82	3-15	8594
83	3-25	8629
84	3-25	8637
85	3-25	8680
86	3-25	8687
87	3-25	9331
88	3-25	47170
89	3-R/W1	93664
90	3-R/W2	19149

LOT AREA TABLE - PHASE 8

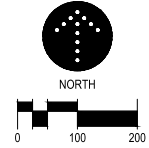
Parcel #	Lot/Block	Area
91	4-1-1	12048
92	4-2-1	8922
93	4-3-1	8454
94	4-4-1	10915
95	4-5-1	7693
96	4-6-1	7280
97	4-7-1	9644
98	4-8-1	10573
99	4-9-1	10591
100	4-10-1	10946
101	4-11-1	10224
102	4-12-1	11638
103	4-13-1	10812

LOT AREA TABLE - PHASE 9

Parcel #	Lot/Block	Area
104	4-14-1	9691
105	4-15-1	10740
106	4-16-1	9621
107	4-22	8544
108	4-32	8458
109	4-42	8356
110	4-52	10341
111	4-62	13554
112	4-72	11227
113	4-82	9632
114	4-10	8499
115	4-23	7164
116	4-14	7517



BENEFIT 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 SHOWN ON THIS PLAT.



LEGAL DESCRIPTION
The Southwest Quarter of the Northwest Quarter of Section 31, Township 115, Range 17, Dakota County, Minnesota.

BENCHMARK
GSD Station # 19107 Lat. 444417.40 Lon. 925651.38115 Stamping: 1910 T.2015
Monument Type: Aluminum alloy rod (no sleeve) (depth 18")
Disk Type: Metal rod (path retrievable) (d size)

DESCRIPTION (DPI):
2.3 miles west of Hastings, 2.3 miles west along Truck Highway 88 from the junction of Truck Highway 88 and Truck Highway 61 in Hastings, at Truck Highway 88 (approximately 218.15, 20.9) south of Truck Highway 88 (approximately 130.7) west of Hastings (approximately 130.7) west of a witness pole.

Leveling Certified Elevation: Height (From NAVD83) = 498.338

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 = 0.37 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.

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

MUNICIPALITY
Hastings
MINNESOTA

PROJECT
SIEBEN RIDGE
HASTINGS, MINNESOTA

ISSUE / REVISION HISTORY
DATE: 05/13/2020
BY: [Signature]

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

PRELIMINARY PLAT
JULY 30, 2020

LANDFORM

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

FILE NAME: C02222450.dwg
PROJECT NO.: ZZZ19450.PLC

PRELIMINARY PLAT C0.2

HERITAGE RIDGE 4TH ADDITION

VIII-07

KNOW ALL PERSONS BY THESE PRESENTS: That TC Land LLC, a Minnesota limited liability company, owner of the following described property:

Outlot E HERITAGE RIDGE, according to the recorded plat thereof, Dakota County, Minnesota.

And

Outlot B, HERITAGE RIDGE 3RD ADDITION, according to the recorded plat thereof, Dakota County, Minnesota.

Has caused the same to be surveyed and platted as HERITAGE RIDGE 4TH 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 TC Land LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this _____ day of _____, 20____.

TC Land LLC

(Signature)

_____, Its _____
(Print name) (Title)

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me this _____ day of _____, 20____ by _____, it's _____ of TC Land LLC, a Minnesota limited liability company, on behalf of the company.

(Signature)

(Print name)

Notary Public, _____ County, Minnesota
My Commission Expires _____

SURVEYOR'S CERTIFICATE

I Larry J. Huhn 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 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 that all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20____.

Larry J. Huhn, Licensed Land Surveyor
Minnesota License Number 24332

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me on this _____ day of _____, 20____, by Larry J. Huhn.

(Signature)

(Print name)
Notary Public, _____ County, Minnesota
My Commission Expires _____

CITY COUNCIL, CITY OF HASTINGS, MINNESOTA

This plat of HERITAGE RIDGE 4TH ADDITION was approved and accepted by the City Council of the City of Hastings, Minnesota at a regular meeting thereof held this _____ day of _____, 20____, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

By _____, Mayor By _____, Clerk

CITY PLANNING COMMISSION, CITY OF HASTINGS, MINNESOTA

Approved by the Planning Commission of the City of Hastings, Minnesota at a regular meeting thereof held this _____ day of _____, 20____.

By _____, Chairman By _____, Secretary

DAKOTA COUNTY SURVEYOR, County of Dakota, State of Minnesota

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, and the Dakota County Contiguous Plat Ordinance, this plat has been reviewed and approved this _____ day of _____, 20____.

By _____
Todd B. Tollefson
Dakota County Surveyor

DEPARTMENT OF PROPERTY TAXATION AND RECORDS, County of Dakota, State of Minnesota

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

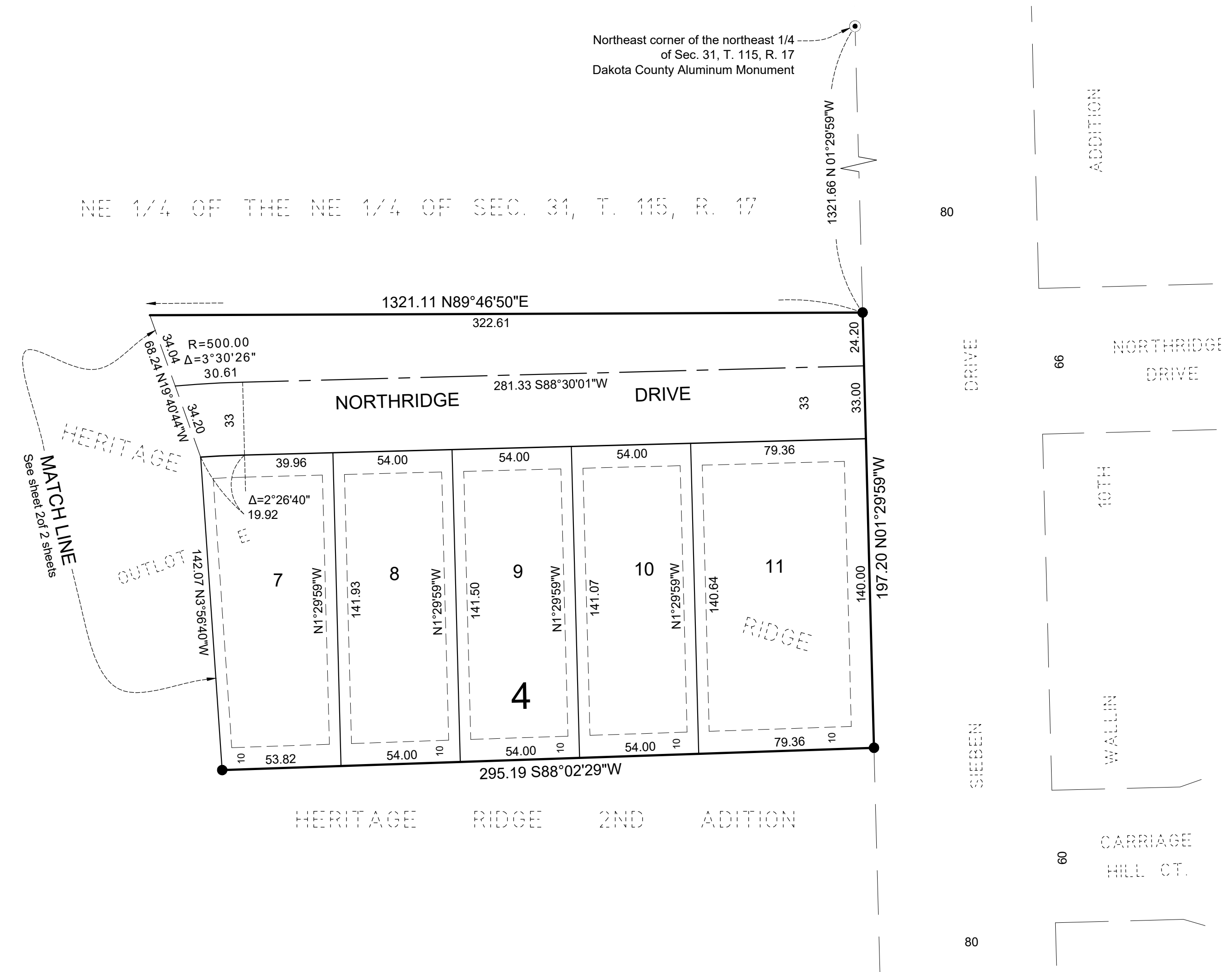
By _____
Amy A. Koethe
Director Department of Property Taxation and Records

COUNTY RECORDER, County of Dakota, State of Minnesota

I hereby certify that this plat of HERITAGE RIDGE 4TH ADDITION was filed in the office of the County Recorder for public record on this _____ day of _____, 20____, at _____ o'clock _____ M., and was duly filed in Book _____

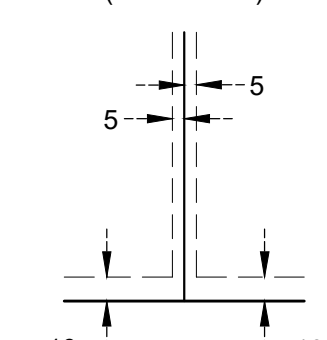
_____ of Plats, Page _____, as Document Number _____.

By _____
Amy A. Koethe
Dakota County Recorder

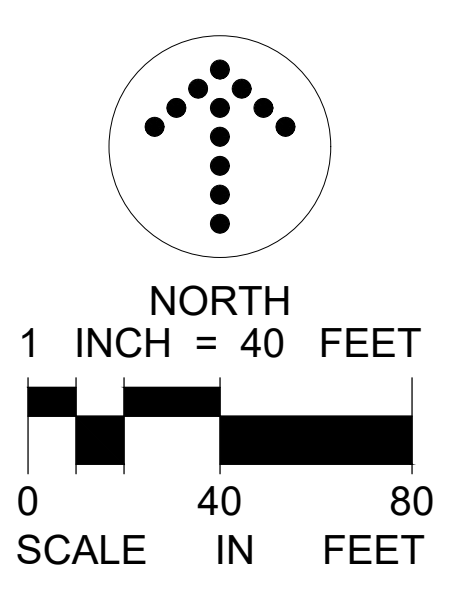
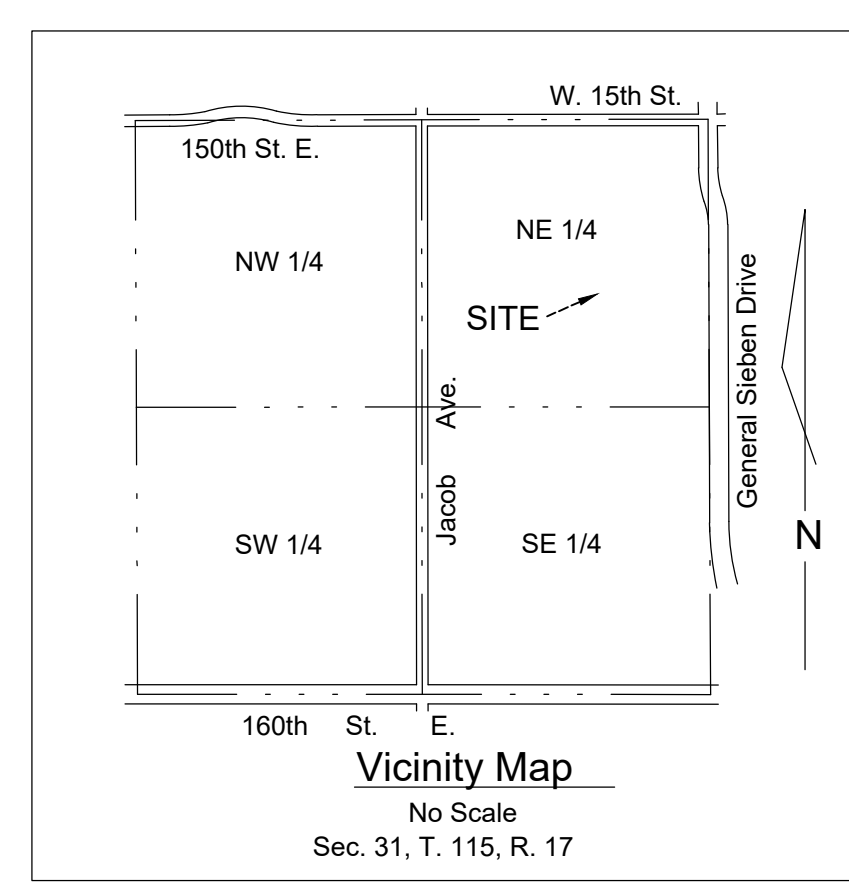


● Denotes 1/2 inch iron pipe monument found and marked by License No. 24332.
○ Denotes 1/2 inch by 14 inch iron pipe monument set and marked by License No. 24332.
Bearings shown are based upon the north line of Outlot E, HERITAGE RIDGE which has an assumed bearing of N89°46'50"W.

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

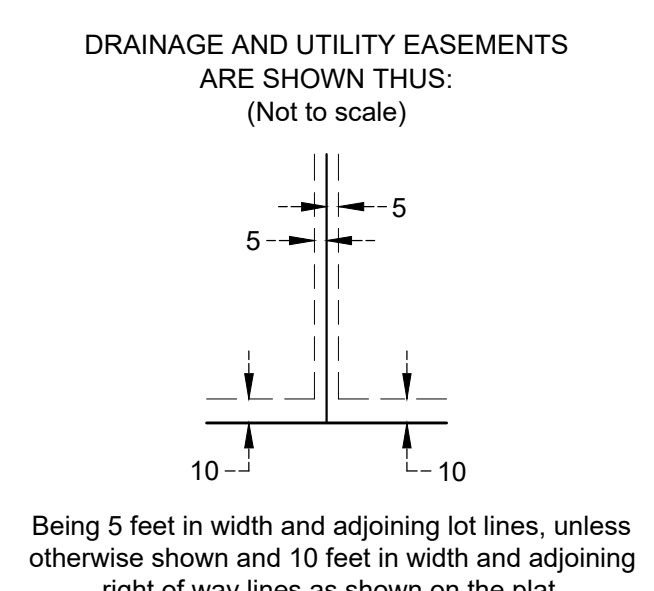
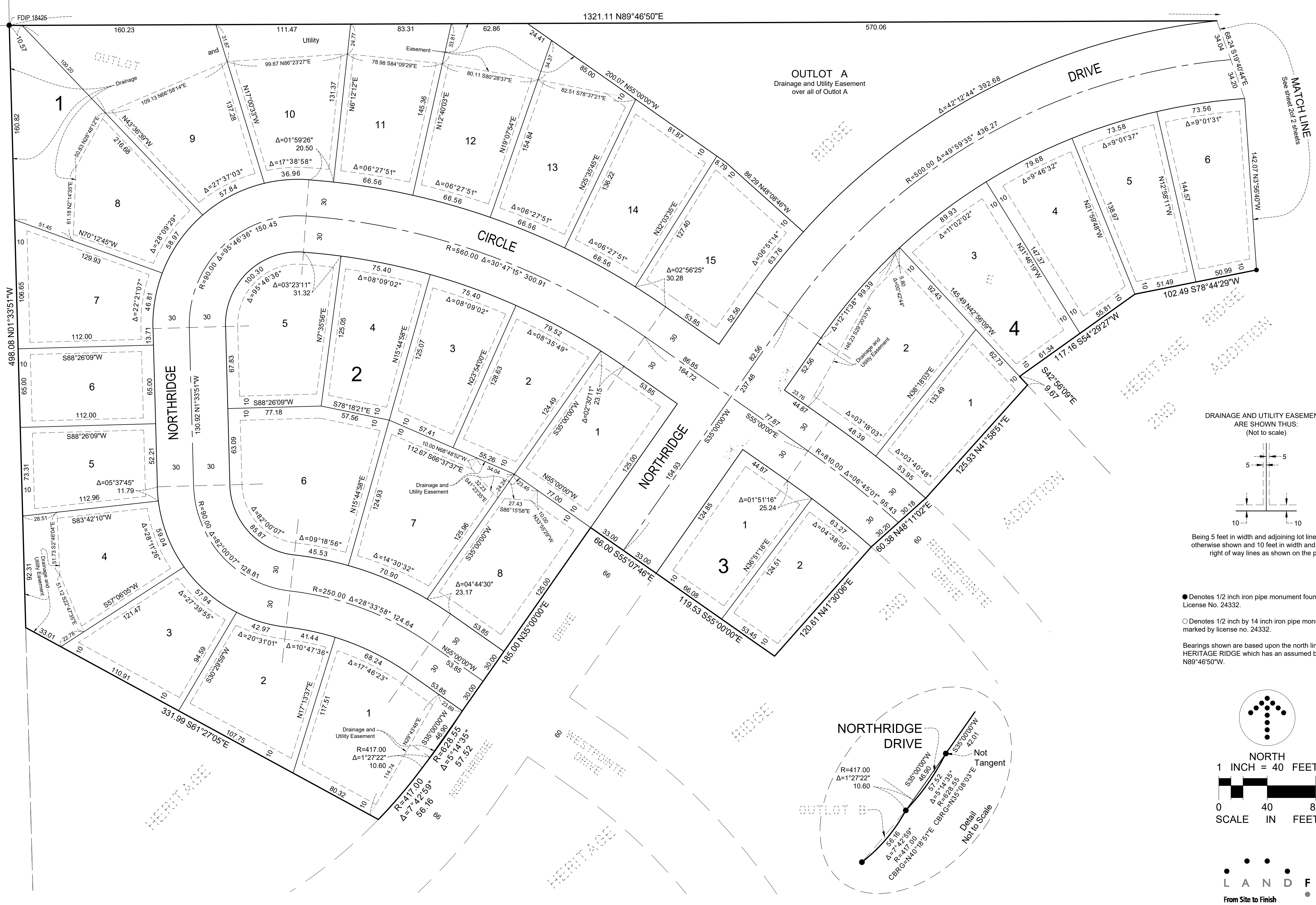


Bearing 5 feet in width and adjoining lot lines, unless otherwise shown and 10 feet in width and adjoining right of way lines as shown on the plat.



LANDFORM
From Site to Finish

HERITAGE RIDGE 4TH ADDITION



- 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.

