

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

RESOLUTION NO. 2014-013

A RESOLUTION APPROVING A FINAL PLAT FOR SAVONA

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

WHEREAS, U.S. Home Corporation (d/b/a Lennar), 16305 36th Avenue North, Suite 600, Plymouth, MN (Applicant) has submitted an application to the City of Lake Elmo (City) for a Final Plat for Savona, a copy of which is on file in the City of Lake Elmo Community Development Department; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on July 22, 2013 to consider the Savona Preliminary Plat and continued discussion on the Preliminary Plat until its July 29, 2013 meeting; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Preliminary Plat as part of a memorandum to the City Council for the August 6, 2013 City Council Meeting; and

WHEREAS, the Lake Elmo Planning Commission adopted a motion recommending approval of the Preliminary Plat; and

WHEREAS, the City Council reviewed the Preliminary Plat request at its August 6, 2013 meeting and adopted Resolution No. 2013-064 approving the Preliminary Plat; and

WHEREAS, the Lake Elmo Planning Commission met on February 10, 2014 to review the Final Plat for Savona consisting of 44 single-family detached residential lots; and

WHEREAS, on February 10, 2014 the Lake Elmo Planning Commission adopted a motion to recommend that the City Council approve the Final Plat for Savona with conditions; and

WHEREAS, the City Council reviewed the recommendation of the Planning Commission and the Final Plat for Savona at a meeting held on February 18, 2014; and

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

FINDINGS

- 1) That the procedure for obtaining approval of said Final Plat is found in the Lake Elmo City Code, Section 153.08.

- 2) That all the requirements of said City Code Section 153.07 related to the Final Plan and Final Plat have been met by the Applicant.
- 3) That the proposed Final Plat for Savona consists of the creation of 44 single-family detached residential structures.
- 4) That the Savona Final Plat is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on August 8, 2013 and revised on November 25, 2013.
- 5) That the Savona Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 6) That the Savona Final Plat complies with the City's Urban Low Density Residential zoning district regulations.
- 7) That the Savona Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances.
- 8) That the Savona Final Plat complies with the City's subdivision ordinance.
- 9) That the Savona preliminary plat is consistent with the City's engineering standards with one exception as noted by the City Engineer in his review comments to the City dated February 7, 2014.

CONCLUSIONS AND DECISION

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the Final Plat for Savona subject to the following conditions:

- 1) Final grading, drainage, and erosion control plans, utility plans, sanitary and storm water management plans, and street and utility construction plans shall be reviewed and approved by the City Engineer prior to the recording of the Final Plat. All changes and modifications to the plans requested by the City Engineer shall be incorporated into these documents before they are approved.
- 2) The developer shall provide evidence in a form satisfactory to the City Attorney that warrants it has fee interest in area included in the Savona Final Plat.
- 3) Prior to the execution of the Final Plat by City officials, the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements with financial guarantees therefore.
- 4) All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat prior to the execution of the final plat by City Officials.

- 5) A Common Interest Agreement concerning management of the common areas of Savona and establishing a homeowner's association shall be submitted in final form to the Community Development Director before a building permit may be issued for any structure within this subdivision. The applicant shall also enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the final plat
- 6) The applicant shall work with the City to determine the required park land dedication for the entire Savona subdivision prior to the recording of the final plat. Any payments in lieu of land dedication for the entire subdivision will be pro-rated based on the percentage of the overall subdivision included in the final plat.
- 7) The landscape plan shall be reviewed and approved by an independent forester or landscape architect prior to the City's final approval of the construction plans.
- 8) The applicant shall provide evidence that all conditions attached the Valley Branch Watershed District permit for the final plat and associated grading work have been met prior to the commencement of any grading activity.
- 9) The applicant must provide written authorization to perform the proposed work in the Electrical Transmission easement areas prior to the release of the final plat for recording. Work includes installation of storm sewer pipe, grading activities, and storm water ponding.
- 10) The applicant shall provide evidence that Washington County has approved final construction plans for all required work within the Keats Avenue right-of-way as described in a letter from the County dated July 3, 2013.
- 11) The final construction plans related to the 5th Street Minor Collector road shall be revised to be consistent with the City's design specifications for this road. These revisions shall be reviewed in conjunction with the other changes requested by the City Engineer.
- 12) The final construction plans shall be revised to incorporate a multi-purpose trail within the western portion of the Keats Avenue right-of-way and north of 5th Street consistent with Washington County design specifications.
- 13) The final construction plans shall be revised to include the additional storm sewer elements and street construction as specified in a review letter from the City Engineer dated February 7, 2014. These revisions shall be reviewed in conjunction with the other changes requested by the City Engineer.
- 14) Jewel Avenue North shall be renamed Juniper Avenue on the final plat that is submitted for recording.

- 15) The developer is encouraged to incorporate elements from the Lake Elmo Theming Study into the final design of the community mailboxes within Savona.
- 16) The applicant shall submit an affidavit to the City signed by Lennar Corporation, Amaris Custom Homes, and Dale Properties agreeing to an alignment of 5th Street within the western portion of the Savona subdivision that moves the road further south of the alignment shown on the preliminary plat.

Passed and duly adopted this 18th day of February 2014 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk