

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

RESOLUTION NO. 2014-75

A RESOLUTION APPROVING A FINAL PLAT FOR HUNTER'S CROSSING

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

WHEREAS, The Ryland Group, 7599 Anagram Drive, Eden Prairie, MN (Applicant) has submitted an application to the City of Lake Elmo (City) for a Final Plat for Hunter's Crossing, 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 June 23, 2014 to consider the Hunter's Crossing Preliminary Plat; and

WHEREAS, the Lake Elmo Planning Commission submitted its report and recommendation concerning the Preliminary Plat as part of a memorandum to the City Council for the July 1, 2014 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 July 1, 2014 meeting and adopted Resolution No. 2014-053 approving the Preliminary Plat; and

WHEREAS, the Lake Elmo Planning Commission met on September 8, 2014 to review the Final Plat for Hunter's Crossing consisting of 22 single-family detached residential lots; and

WHEREAS, on September 8, 2014 the Lake Elmo Planning Commission adopted a motion to recommend that the City Council approve the Final Plat for Hunter's Crossing with conditions; and

WHEREAS, the City Council reviewed the recommendation of the Planning Commission and the Final Plat for Hunter's Crossing at a meeting held on September 16, 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 Hunter's Crossing consists of the creation of 22 single-family detached residential structures.
- 4) That the Hunter's Crossing Final Plat is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on July 1, 2014.
- 5) That the Hunter's Crossing Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 6) That the Hunter's Crossing Final Plat complies with the City's Urban Low Density Residential zoning district regulations.
- 7) That the Hunter's Crossing Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances with the exception of issues identified in the September 8, 2014 Staff report to the Planning Commission.
- 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 the plan revisions as requested by the City Engineer in his review comments to the City dated September 3, 2014.

CONCLUSIONS AND DECISION

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the Final Plat for Hunter's Crossing 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 in review memo dated 9/3/14 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 Hunter's Crossing 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) The final plat shall include an access easement, in a location deemed satisfactory by the City Engineer, across the temporary access road into the subdivision.

- 6) A Common Interest Agreement concerning management of the common areas of Hunter's Crossing 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
- 7) The final landscape plan shall be updated to address the comments from the City's consulting landscape architect in a review letter to the City dated 9/5/14.
- 8) The developer shall provide written authorization from the property owner to the east of Hunter's Crossing to allow the proposed drainage improvements and discharge of storm water on to their property. A utility easement across the affected property is one option for compliance with this condition.
- 9) The final construction plans for any additional final plat within Hunter's Crossing shall include, at a minimum, the southern portion of 5th Street. At this time these plans are prepared they shall include the construction of all improvements within the Lake Elmo Avenue (CSAH 17) right-of-way as required by Washington County and further described in the review letter received from the County dated September 2, 2014.
- 10) The developer is encouraged to incorporate elements from the Lake Elmo Theming Study into the final design of the community mailboxes within Hunter's Crossing.
- 11) The developer shall pay a fee in lieu of park land dedication equivalent to the fair market value for the amount of land that is required to be dedicated for such purposes in the City's Subdivision Ordinance less the amount of land that is accepted for park purposes (or trails) by the City. Any cash payment in lieu of land dedication shall be pro-rated based on the percentage of the overall lots to be platted within the subdivision and shall be paid by the applicant prior to the release of the final plat for recording.
- 12) The applicant shall deed Outlots A, B, and E to the City upon recording of the final plat.

Passed and duly adopted this 16th day of September 2014 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk