

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

**RESOLUTION NO. 2014-76**

*A RESOLUTION APPROVING A FINAL PLAT FOR SAVONA 2<sup>ND</sup> ADDITION*

**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 36<sup>th</sup> Avenue North, Suite 600, Plymouth, MN (Applicant) has submitted an application to the City of Lake Elmo (City) for a Final Plat for Savona 2<sup>nd</sup> Addition, 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 August 25, 2014 and September 8, 2014 to review the Final Plat for Savona 2<sup>nd</sup> Addition consisting of 45 single-family detached residential lots and 22 single family attached residential units; 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 Savona 2<sup>nd</sup> Addition with conditions; and

**WHEREAS**, the City Council reviewed the recommendation of the Planning Commission and the Final Plat for Savona 2<sup>nd</sup> Addition 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 Plat have been met by the Applicant.
- 3) That the proposed Final Plat for Savona 2<sup>nd</sup> Addition consists of the creation of 45 single-family detached residential lots and 22 single-family attached residential units.
- 4) That the Savona 2<sup>nd</sup> Addition 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 2<sup>nd</sup> Addition Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 6) That the Savona 2<sup>nd</sup> Addition Final Plat complies with the City's Urban Low Density Residential (LDR) and Urban Medium Density Residential (MDR) zoning district regulations.
- 7) That the Savona 2<sup>nd</sup> Addition 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 the items identified in the August 25, 2014 and September 8, 2014 Staff reports to the Planning Commission.
- 8) That the Savona 2<sup>nd</sup> Addition Final Plat complies with the City's subdivision ordinance.
- 9) That the Savona 2<sup>nd</sup> Addition Final Plat is consistent with the City's engineering standards with the plan revisions requested by the City Engineer in his review comments to the City dated August 21, 2014.

## CONCLUSIONS AND DECISION

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council does hereby approve the Final Plat for Savona 2<sup>nd</sup> Addition 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 8/21/14 shall be incorporated into these documents before they are approved.
- 2) 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.

- 3) 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.
- 4) 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 must create a separate agreement for the single-family attached lots. Said agreements shall comply with Minnesota Statutes 515B-103, and specifically the provisions concerning the transfer of control to the future property owners. 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
- 5) Any final plat for future townhouses will take into account land previously credited as parkland, and will not reduce the size of any area that was depicted for park land on the preliminary plat.
- 6) The developer shall revise the final landscape plan to address comments from the City's landscape architect dated September 4, 2014.
- 7) The developer shall provide written authorization from the property owner to the south of Savona 2<sup>nd</sup> Addition to allow the proposed drainage improvements and discharge of storm water on to their property. In conjunction with this permission, the proposed drainage and utility easement across this site shall be recorded with the Washington County Recorder's office. As an alternative, the final plat maybe updated to include a drainage and utility easement across this property.
- 8) The construction plans must be updated to include all portions of 5<sup>th</sup> Street adjacent to the subdivision that will, at a minimum, extend the current limits of 5<sup>th</sup> Street west beyond Junco Road North. The developer shall update the final plat to include the portion of the 5<sup>th</sup> Street right-of-way necessary to meet the associated construction limits for Savona 2<sup>nd</sup> Addition west of Junco Road North.

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

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Mike Pearson, Mayor

ATTEST:

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Adam Bell, City Clerk

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