

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

RESOLUTION NO. 2015-07

A RESOLUTION APPROVING A FINAL PLAT FOR EASTON VILLAGE

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

WHEREAS, Easton Village, LLC, 2140 West County Road 42, Burnsville , MN (Applicant) has submitted an application to the City of Lake Elmo (City) for a Final Plat for Easton Village, 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 30, 2014 to consider the Easton Village 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 15, 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 15, 2014 meeting and adopted Resolution No. 2014-058 approving the Preliminary Plat; and

WHEREAS, the Lake Elmo Planning Commission met on January 26, 2015 to review the Final Plat for Easton Village consisting of 71 single-family detached residential lots; and

WHEREAS, on January 26, 2015 the Lake Elmo Planning Commission adopted a motion to recommend that the City Council approve the Final Plat for Easton Village with conditions; and

WHEREAS, the City Council reviewed the recommendation of the Planning Commission and the Final Plat for Easton Village at a meeting held on February 3, 2015; 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, with the exception of the items identified in the Staff report to the Planning Commission dated January 26, 2015.
- 3) That the proposed Final Plat for Easton Village consists of the creation of 71 single-family detached residential structures.
- 4) That the Easton Village Final Plat is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on July 15, 2014 and as amended to comply with all conditions of preliminary plat approval.
- 5) That the Easton Village Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 6) That the Easton Village Final Plat complies with the City's Urban Low Density Residential zoning district regulations.
- 7) That the Easton Village 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 January 26, 2015 Staff report to the Planning Commission.
- 8) That the Easton Village Final Plat complies with the City's subdivision ordinance.
- 9) That the Easton Village 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 January 22, 2015.

CONCLUSIONS AND DECISION

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

- 1) Final grading, drainage, and erosion control plans, sanitary and storm water management plans, landscape 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 a memorandum dated January 22, 2015 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 for: a) the Easton Village Final Plat with financial guarantees therefore, and b) for the Eastern Village Trunk Utility Project 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 Easton Village 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
- 5) The developer is encouraged to incorporate elements from the Lake Elmo Theming Study into the final design of the community mailboxes within Easton Village.
- 6) The applicant shall separate those portions of Outlots B and E that are intended to be used for storm water management facilities and trails respectfully to facilitate the transfer of these public facilities to the City of Lake Elmo. The applicant shall deed Outlots A, D, F and those portions of D and E as described above to the City upon recording of the final plat.
- 7) The applicant shall comply with recommendations of the Metropolitan Airports Commission as documented in a letter dated December 8, 2014 from the Commission's Airport Planner.
- 8) The applicant shall provide shall provide a disclosure statement to all first homeowners in the development advising of the airport and associated over-flights, strobe lighting used by the airport, the potential future expansion of the airport, the location of an active Union Pacific rail line in close proximity to the development, and the temporary nature of the Manning Avenue connection providing access to Easton Village.
- 9) All builders shall be encouraged to incorporate interior noise reduction measures into single family residential structures within the subdivision based on the Metropolitan Council's Builder Guide.
- 10) The proposed street names shall be revised as follows to match existing and planned subdivisions in the area: a) 34th Street North to 32nd Street North and b) Lockwood Avenue North North to Linden Avenue North, and c) Lockwood Lane North to Linden Lane North.
- 11) The proposed access to Manning Avenue will be permitted as a temporary access until such time that the Village Parkway is connected to 30th Street or 5 years has passed from the date of final plat approval, whichever is longer. The developer's agreement for Easton Village shall include appropriate financial securities concerning the future cost for removal of the temporary access.

Passed and duly adopted this 3rd day of February 2015 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk