

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

RESOLUTION NO. 2016-16

A RESOLUTION APPROVING A FINAL PLAT FOR SAVONA 4TH 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 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 4th 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 February 22, 2016 to review the Final Plat for Savona 4th Addition consisting of 78 single-family detached residential lots; and

WHEREAS, on February 22, 2016 the Lake Elmo Planning Commission adopted a motion to recommend that the City Council approve the Final Plat for Savona 4th Addition with conditions; and

WHEREAS, the City Council reviewed the recommendation of the Planning Commission and the Final Plat for Savona 4th Addition at a meeting held on March 15, 2016; 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 4th Addition consists of the creation of 78 single-family detached residential lots.
- 4) That the 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 Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 6) That the Final Plat complies with the City's Urban Low Density Residential zoning district.
- 7) That the Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances, except as noted in this report or attachments thereof.
- 8) That the Final Plat complies with the City's subdivision ordinance.
- 9) That the Final Plat is consistent with the City's engineering standards with the plan revisions as requested by the City Engineer.

CONCLUSIONS AND DECISION

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the Final Plat for Savona 4th Addition subject to the following conditions:

- 1) That Final grading, drainage, and erosion control plans, utility plans, sanitary and storm water management plans, street and utility construction plans and agreements shall be reviewed and approved by the City Engineer complying with the Engineer's memorandum dated February 15, 2016 prior to release of the final plat by City Officials.
- 2) That the developer comply with the 3 items identified in the Landscape Architect's review memo dated February 10, 2016 prior to release of the final plat by City Officials.
- 3) That the Developer comply with the Fire Chief's review memo dated December 22, 2015 prior to release of the final plat by City Officials
- 4) That 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 prior to release of the final plat by City Officials

- 5) A Common Interest Agreement concerning management of the common areas of Savona 4th Addition and establishing a homeowner's association shall be submitted in final form to the City prior to the issuance of any building permit within this subdivision.
- 6) That a 3-year maintenance plan for commonly held HOA and City outlots and rights-of-ways to be incorporated into the HOA covenants and Landscape and Irrigation License Agreement, prior to release of the final plat by City Officials
- 7) That a Landscape and Irrigation License Agreement be executed for the maintenance of commonly held HOA and City outlots and rights-of-ways prior release of the final plat by City Officials.
- 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.

Passed and duly adopted this 15th day of March, 2016 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk