

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

RESOLUTION NO. 2017-013

*A RESOLUTION APPROVING A MINOR SUBDIVISION OF
PROPERTY LOCATED AT 3880 LAVERNE AVENUE NORTH*

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

WHEREAS, John J. Zignego, 3880 Laverne Avenue North, P, Lake Elmo, MN, (Applicant) has submitted an application to the City of Lake Elmo (City) for a Minor Subdivision to subdivide the property located at 3880 Laverne Avenue North in to three separate parcels in accordance with the certificate of survey dated November 21, 2016 and signed by Timothy J. Freeman, P.L.S., License #16989, a copy of which is on file in the City of Lake Elmo Planning and Zoning Department; and

WHEREAS, the Lake Elmo Planning Department has reviewed the Minor Subdivision request for consistency with the City of Lake Elmo Zoning and Subdivision Ordinances; and

WHEREAS, the Lake Elmo Planning Commission reviewed the proposed Minor Subdivision at a meeting held on January 9, 2017; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Minor Subdivision as part of a memorandum to the City Council for the February 7, 2017 Council Meeting; and

WHEREAS, the City Council reviewed the Applicant's Minor Subdivision request at a meeting held on February 7, 2017.

WHEREAS, the City Council re-reviewed the Applicant's Minor Subdivision request at a meeting held on September 4, 2018 to amend findings by removing finding #4 and to amend conditions by removing condition #7 from the previously-adopted Resolution 2017-017.

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

FINDINGS

1. That the Minor Subdivision is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
2. That the Minor Subdivision complies with the minimum lot frontage and area requirements of the City's VMX – Village Mixed Use District.

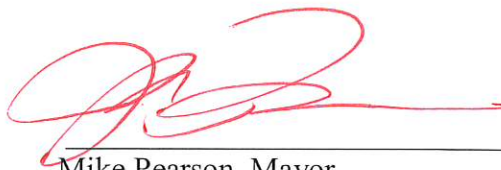
3. That the Minor Subdivision complies with the City's subdivision ordinance and specifically the requirements concerning exceptions to platting.

CONCLUSIONS AND DECISION

NOW, THEREFORE, BE IT RESOLVED THAT that based on the testimony elicited and information received, the City Council of the City of Lake Elmo hereby approves the Minor Subdivision request, provided the following conditions are met:

- 1) The property shall be rezoned to Village Mixed Use – VMX.
- 2) The applicant shall pay a fee in lieu of parkland dedication in the amount of \$4,500 per acre for the two new 0.58 acre parcels being created (\$5,220 total) prior to any formal City authorization to split the existing parcel into three lots.
- 3) The applicant must submit and receive approval of a landscape plan, grading, erosion control, and other plans outlined herein prior to the commencement of any construction activity on the parcel.
- 4) The applicant must obtain all other necessary City, State and governing body permits prior to the commencement of any construction activity on the parcel including but not limited to building permits, conditional use permits, etc.
- 5) Any plans for construction on the newly created parcels must comply with the Lake Elmo Design Standards Manual and specific general site considerations and development standards for specific uses within the Village Mixed Use District.
- 6) Building setback locations are subject to City approval and must allow for planned street improvements.
- 7) 8-inch watermain stub and 8-inch sanitary sewer main stub shall be shown on the plans and approved by the City Engineer prior to commencement of construction activity to ensure that the building placement does not conflict with the ability of the stubs to service both parcels.
- 8) The site plan is subject to a storm water management plan meeting State, Valley Branch Watershed District and City rules and regulations. All applicable permits must be obtained if needed.
- 9) Stormwater drainage patterns must be maintained as part of any site development.
- 10) Storm sewer connections to the 39th Street system must be at existing or reduced runoff rates and volumes.

Passed and duly adopted this 4th day of September 2018 by the City Council of the City of Lake Elmo, Minnesota.



Mike Pearson, Mayor

ATTEST:



Julie Johnson, City Clerk