

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

RESOLUTION NO. 2017-070

A RESOLUTION APPROVING FINAL PLAT FOR SOUTHWIND OF LAKE ELMO

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

WHEREAS, Southwind Builders, Inc., 2372 Liebel Street, White Bear Lake, MN 55110 has submitted an application to the City of Lake Elmo (“City”) for a Final Plat for Southwind of Lake Elmo, a copy of which is on file in the City of Lake Elmo Planning Department; and

WHEREAS, a Sketch Plan of the property was reviewed by the Planning Commission during its meeting on February 23, 2015 and by City Council on March 3, 2015; and

WHEREAS, the City adopted Resolution 2015-056 approving Preliminary Plat for the property, subject to 21 conditions, on July 21, 2015; and

WHEREAS, the proposed Southwind of Lake Elmo Final Plat includes 46 single family attached residential lots; and

WHEREAS, the Lake Elmo Planning Commission reviewed the Southwind of Lake Elmo Final plat at its June 12, 2017 meeting; and

WHEREAS, the Lake Elmo Planning Commission adopted a motion recommending approval of the Southwind Final Plat subject to 16 conditions of approval; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Final Plat as part of a memorandum to the City Council for its July 5, 2017 meeting; and

WHEREAS, the City Council reviewed the Southwind of Lake Elmo Final Plat at its meeting held on July 5, 2017 and made the following findings:

- 1) That the Final Plat is generally consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on July 21, 2015.
- 2) That the Final Plat is generally consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 3) That the Final Plat complies with the City’s Urban Medium Density Residential zoning district, except as noted in the Staff Report to the City Council dated July 5, 2017.

- 4) 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 with the plan revisions as requested by the City.
- 5) That the Final Plat is generally consistent with the City's engineering standards with the plan revisions as requested by the City Engineer.
- 6) That the Final Plat complies with the City's subdivision ordinance.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the Southwind of Lake Elmo Final Plat 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 prior to recording of Final Plat. All comments outlined by the Engineer's memorandum dated June 5, 2017 shall be addressed to the satisfaction of the City.
- 2) All easements as requested by the City Engineer and Public Works shall be documented on the Final Plat prior to recording.
- 3) The Landscape Plans, including 5th Street Irrigation Plans, shall be updated and approved by the City.
- 4) The Applicant shall enter into Landscape and License 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/or open space on the final plat.
- 5) 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.
- 6) The Developers Agreement shall address all costs associated with the development including but not limited to construction of the northern half of 5th Street from CSAH 17 to the east plat line, partial responsibility (\$25,000) for the improvements required by Washington County at the intersection of 5th Street and CSAH 17, and payment of a Water Availability Charge consistent with the Lake Elmo Fee Schedule for the entire development.
- 7) The developer shall be required to 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.
- 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.
- 9) A finalized stormwater management plan must be approved by the City, meeting all State, VBWD and City rules and regulations.
- 10) The Applicant shall amend the proposed Common Interest Agreement to include architectural covenants that include provisions that discourage blank garage doors. All garage doors shall incorporate windows or decorative trim to minimize the visual impact of the garage-forward home design.

11) That a sidewalk or trail be constructed from the bulb of the westerly cul-de-sac within the development to the trail along 5th Street North.

Passed and duly adopted this 5th day of July, 2017 by the City Council of the City of Lake Elmo, Minnesota.



Mike Pearson, Mayor

ATTEST:



Julie Johnson, City Clerk