

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

RESOLUTION NO. 2018-016

A RESOLUTION APPROVING A FINAL PLAT FOR HAMMES ESTATES 3RD ADDITION

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

WHEREAS, Rachel Development Inc, 4125 Napier Ct NE, St. Michael, MN 55376 (Applicant) has submitted an application to the City of Lake Elmo (City) for a Final Plat for Hammes Estates 2nd Addition, a copy of which is on file in the City of Lake Elmo Planning Department; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on May 12, 2014 to consider the Hammes Estates Preliminary Plat and continued discussion on the Preliminary Plat until its June 23, 2014 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 July 1, 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 1, 2014 meeting and adopted Resolution No. 2014-55 approving the Preliminary Plat; and

WHEREAS, the Lake Elmo Planning Commission met on February 12, 2018 to review the Final Plat for Hammes Estates consisting of 69 single-family residential lots; and

WHEREAS, on February 12, 2018 the Lake Elmo Planning Commission adopted a motion to recommend that the City Council approve the Final Plat for Hammes Estates 3rd Addition with conditions; and

WHEREAS, the City Council reviewed the recommendation of the Planning Commission and the Final Plat for Hammes Estates 3rd Addition at a meeting held on February 20, 2018; and

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

FINDINGS

- 1) That the Hammes Estates 3rd Addition Final Plat is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on July 1, 2013 and revised on September 19, 2016.
- 2) That the Hammes Estates 3rd Addition Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 3) That the Hammes Estates 3rd Addition Final Plat complies with the City's Urban Low Density Residential zoning district.
- 4) That the Hammes Estates 3rd Addition 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 attachment thereof.
- 5) That the Hammes Estates 3rd Addition Final Plat complies with the City's subdivision ordinance.
- 6) That the Hammes Estates 3rd Addition Final Plat is consistent with the City's engineering standards with the exceptions noted by the City Engineer in his review comments to the City dated February 5, 2018.

CONCLUSIONS AND DECISION

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the Final Plat for Hammes Estates 3rd 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 the Hammes Estates 3rd Addition – Final Plat Engineering Review Comments and Hammes Estates 3rd Addition Construction Plan Review memo dated February 5, 2018 shall be incorporated into these documents before they are approved. The Final Plat shall not be recorded until final construction plan approval is granted.
- 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. This must include additional or expanded drainage and utility easements as outlined in the City Engineer's Memorandum dated February 5, 2018.
- 4) The plat shall be incorporated into the Hamme Estates Common Interest Agreement concerning management of the common areas of Hammes Estates and establishing a homeowner's association shall be submitted in final form to the Planning Director before a building permit may be issued for any structure within this subdivision. Said agreement shall

comply with Minnesota Statutes 515B-103, and specifically the provisions concerning the transfer of control to the future property owners.

- 5) The applicant shall enter into a landscape license and 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.
- 6) The Final Landscape Plan shall be revised per the requested modifications and shall be approved prior to the release of Final Plat for recording.
- 7) Prior to the issuance of building permits, for Hammes Estates 3rd Addition, all wetland buffers shall be delineated and identified via staking or signage that is acceptable to the City.
- 8) The Final Plat should include proposed street names as indicated on the Construction Plans before recording of Final Plat.

Passed and duly adopted this 20th day of February, 2018 by the City Council of the City of Lake Elmo, Minnesota.



Mike Pearson, Mayor

ATTEST:


Julie Johnson, City Clerk