

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

RESOLUTION NO. 2018-090

*RESOLUTION APPROVING THE LEGACY AT NORTH STAR 1ST ADDITION FINAL PLAT
AND PLANNED UNIT DEVELOPMENT (PUD) PLANS*

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

WHEREAS, GWSA Land Development, 10850 Old County Road 15, Suite 200 Plymouth, MN 55441 submitted an application to the City of Lake Elmo (City) for a Final Plat and Planned Unit Development Plan for 59 detached single family lots as the first phase of a 266 detached single family residential planned unit development on 98.93 acres, a copy of which is on file in the City of Lake Elmo Planning and Zoning Department; and

WHEREAS, notice has been published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.102; and

WHEREAS, the Lake Elmo Planning Commission held public hearing on July 23, 2018 to consider the Final Plat and PUD Plans; and

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

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Final Plat and PUD Plans as part of a memorandum to the City Council from the Planning Director for the August 8, 2018 Council Meeting; and

WHEREAS, the City Council reviewed the application at its meeting held on August 8, 2018 and made the following findings:

1. That all the requirements of City Code Section 153.10 related to the Final Plan and Final Plat have been met by the Applicant.
2. That the proposed Final Plat and PUD Plans for Legacy at North Star 1st Addition consist of the creation of 59 single-family detached residential structures.
3. That the Legacy at North Star 1st Addition Final Plat and PUD Plans are generally consistent with the Preliminary Plat and PUD Plans as approved by the City of Lake Elmo on February 20, 2018 by Resolution 2018-013.
4. That the Legacy at North Star 1st Addition Final Plat and PUD Plans are consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area with an allowed

increase in density as a Planned Unit Development and with the exception of the Village Open Space Overlay District Greenbelt Corridor.

5. That the Legacy at North Star 1st Addition Final Plat and PUD Plans comply with general intent of the City's Village Low Density Residential zoning district regulations with PUD Modifications.
6. That the Legacy at North Star 1st Addition Final Plat and PUD Plans comply 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 July 27, 2018 Staff report to the Planning Commission.
7. That the Legacy at North Star 1st Addition Final Plat and PUD Plans comply with the City's subdivision ordinance with PUD modifications.
8. That the Legacy at North Star 1st Addition Final Plat and PUD Plans are generally consistent with the City's engineering standards with the exception of necessary plan revisions outlined by the City Engineer in his review comments to the City regarding Legacy at North Star 1st Addition Final Plat and PUD Plans dated July 18, 2018.
9. That the Legacy at North Star 1st Addition Final Plat and PUD Plans meet the minimum requirement for a PUD including minimum lot area, open space and street layout.
10. That the Legacy at North Star 1st Addition Final Plat and PUD Plans meet more than one of the required PUD objectives identified in Section 154.751 including providing: 1) more adequate, usable, and suitably located open space and recreational amenities and other public facility than would otherwise be provided under conventional development techniques, 2) Preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities, and 3) Allowing the development to operate in concern with a redevelopment plan in certain areas of the City and to ensure the redevelopment goals and objective will be achieved.
11. That the Legacy at North Star 1st Addition Final Plat and PUD Plans meet the allowed density requirements allowed with PUD flexibility.
12. That the Applicant is providing the following amenities, for which the City shall award amenity points
 - a. Pedestrian improvements including construction of a trail along the County right-of-way from 30th Way to the southerly plat limits; grading along the storm sewer outfall pipe location within the future right-of-way area along Lake Elmo Avenue of the property to the south of the proposed development along with dedication of County right-of-way to facilitate a future trail; and dedication of a 30-foot wide trail corridor along with construction of a trail connecting the trail within the development from Lak Elmo Avenue to the trail within the Hamlet on Sunfish Lake development (10 points).
 - b. Theming elements from the Lake Elmo Theming Study (1 point).
 - c. Additional open space above 20% (2 points).

- d. Connection of sewer to Hamlet on Sunfish Lake Development (5 points).
- e. Provision of private park amenities including a clubhouse, totlot, and pool (5 points).

13. That the proposed PUD will allow a more flexible, creative, and efficient approach to the use of the land, and will specifically relate to existing zoning district standards in the following manner (with exceptions as noted):

a. Lot Dimensions and Bulk Building Requirements

	Villa Lots	Interior Single Family	Exterior Single Family
Minimum Lot Width	55 ft.	55 ft.	65 ft.
Minimum Lot Area	6,600 sq. ft.	6,840 sq. ft.	8,090 sq. ft.
Minimum Front Yard Setback	15 ft.	25 ft.	25 ft.
Minimum Side Yard Setback	7 ft./8 ft.	7 ft./8 ft.	10 ft./5 ft. or 7.5 ft./7.5 ft.
Maximum Impervious Surface	50%	45%	45%

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the Legacy at North Star 1st Addition Final Plat and PUD Plans subject to the following conditions:

1. The property must be rezoned to V-LDR Village Low Density Residential.
2. 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 and applicable Staff prior to the recording of the Final Plat. All changes and modifications to the plans requested by the City Engineer in the memorandums addressing Legacy at North Star 1st Addition Final Plat and PUD Plans dated July 18, 2018 shall be incorporated into these documents before they are approved.
3. All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat prior to its execution by City Officials.
4. Final Plat must be contingent upon the City receiving separate drainage and utility easements in the City's standard form of easement agreement for all off-site development improvements (beyond the plat limits). All off-site easements must be clearly shown on

the street, grading and utility plans, with all dimensions labeled. The easements must be obtained prior to the start of construction.

5. Prior to the execution of the Final Plat by City officials, the Developer shall enter into a Development 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 the Legacy at North Star 1st Addition Final Plat with financial guarantees therefore.
6. A Landscape License Agreement shall be executed for the maintenance of commonly held homeowners' association-owned and City-owned outlots, right-of-ways, and medians prior to release of the final plat by City Officials.
7. That the developer provide a trail connecting to the trails of Hamlet on Sunfish Lake. The Applicant shall not receive parkland dedication credit for the trail outlot or easement or construction of the trail.
8. That the developer provide the City written verification from Washington County that sufficient right-of-way has been provided on the plat along with a sufficient right-of-way easement along the property to the south of the development (PID# 14.02.921.11.0001) prior to plat recording. Prior to construction, the plan section detailing southbound right turn lanes and center left turn lanes at 39th Street must be submitted and approved by the county traffic engineer, applicable Washington County right-of-way permits must be obtained, drainage report and calculations must be submitted, and access control shall be dedicated to Washington County along CSAH 17/Lake Elmo Avenue frontage. The Applicant shall be solely responsible for all construction costs associated with the intersection improvements as recommended by Washington County.
9. That the applicant provide a Roadway, Drainage and Utility Easement in City standard form of roadway easement agreement, along Lake Elmo Avenue (CSAH 17) from the southern boundary to Stillwater Boulevard North (CSAH 14), consistent with the requirements of the preliminary plat approval.
10. That the Landscape Plans be approved by the City's Landscape Architect prior to recording of final plat.
11. That the applicant include in the Architectural Control guidelines the requirements that villa lots utilize 4-sided architecture and garages facing the public right-of-ways to have windows and/or other architectural features.
12. That all Fire Chief and Building Official comments be addressed.
13. That street names comply with City's Street Naming Policy.
14. That the development utilize Traditionaire LED Downlights from Xcel Energy for the development in lieu of the Street Light Type/Pole of Acorn with aluminum pole (all black)

indicated in the City's Engineering Standards and that streetlights be located only at intersections and ends of cul-de-sacs.

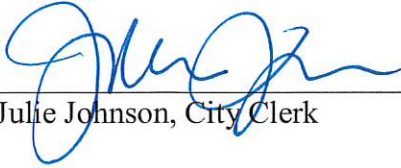
15. That the Developer provide proof that a replacement reserve was created for the Common Interest Community (CIC) in accordance with Minnesota Statute 515B.3-1141.
16. That the significant trees removed by the Applicant be replaced per the approved landscape plans.

Passed and duly adopted this 21st day of August, 2018 by the City Council of the City of Lake Elmo, Minnesota.



Mike Pearson, Mayor

ATTEST:



Julie Johnson, City Clerk