

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

RESOLUTION NO. 2019-034

A RESOLUTION APPROVING A FINAL PLAT FOR EASTON VILLAGE 5TH ADDITION

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

WHEREAS, Chase Development, 2140 West County Road 42, Burnsville, MN has submitted an application to the City of Lake Elmo ("City") for a Final Plat for Easton Village 5th Addition Final Plat, a copy of which is on file in the City of Lake Elmo Planning Department; and

WHEREAS, the Easton Village Sketch Plan was reviewed by the Planning Commission on January 7, 2014 and approved by City Council on February 5, 2014; and

WHEREAS, the City approved the Easton Village Preliminary Plat on July 15, 2014, subject to 21 conditions; and

WHEREAS, the proposed Easton Village 5th Addition includes 48 single family residential lots within the Easton Village 217 unit residential development; and

WHEREAS, the Lake Elmo Planning Commission reviewed the Easton Village 5th Addition Final plat at its April 8, 2019 meeting; and

WHEREAS, the Lake Elmo Planning Commission adopted a motion recommending approval of the Final Plat subject to 12 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 May 7, 2019 meeting; and

WHEREAS, the City Council reviewed the Easton Village 5th Addition Final Plat at its meeting held on May 7, 2019 and made the following findings:

- 1) That all the requirements of City Code Section 153.07 related to the Final Plan and Final Plat have been met by the Applicant.
- 2) That the proposed Final Plat for Easton Village 5th Addition consists of the creation of 48 lots for detached single-family homes.
- 3) That the Easton Village 5th Addition Final Plat is generally consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on July 15, 2014 and as amended to comply with

conditions of preliminary plat approval with the exceptions of issues identified in the March 31, 2019 Staff report to the Planning Commission.

- 4) That the Easton Village 5th Addition Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 5) That the Easton Village 5th Addition Final Plat complies with the City's Urban Low Density Residential zoning district regulations.
- 6) That the Easton Village 5th Addition 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 exception of the issues identified in this staff report to the Planning Commission.
- 7) That the Easton Village 5th Addition Final Plat complies with the City's subdivision ordinance.
- 8) That the Easton Village 5th Addition Final Plat is 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 dated April 3, 2019.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the Easton Village 5th Addition Final Plat subject to the following conditions:

- 1) 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 before the recording of the Final Plat. All changes and modifications to the plans requested by the City Engineer in the memorandum addressing Easton Village 5th Addition Final Plat and Construction Plan Review dated April 3, 2019 and those of the City's Landscape Architect dated March 29, 2019 shall be incorporated into these documents and plans before the City will approve the plans.
- 2) Before 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 for the Easton Village 5th Addition Final Plat with financial guarantees therefore. Payment for pipe oversizing from the City standard 8-inch watermain to the required 12-inch watermain shall be addressed in the developer's agreement.
- 3) All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat before its execution by City Officials.
- 4) The final grading plans must provide a sufficient emergency overland flow path that is adequately protected by lot easements from the Outlot A drainage area to prevent this area from being landlocked and thereby becoming a flood threat to adjacent properties. The extent of the required easement for this purpose over Lot 1, Block 3 may render this lot unbuildable unless an improved design can be worked out and approved by the City Engineer.

- 5) A Landscape License Agreement shall be executed for the maintenance of commonly held HOA and City outlots and right-of-ways before release of the final plat by City Officials.
- 6) The applicant shall provide a disclosure statement to all first homeowners in the development advising of the location of the Lake Elmo Airport and associated over-flights.
- 7) All builders shall be encouraged to incorporate interior noise reduction measures into single family residential structures within the subdivision based on the Metropolitan Council's Builder Guide.
- 8) The developer shall provide copies of the Northern Natural Gas permits to the City and shall abide by any conditions of approval as listed in permits issued by Northern Natural Gas to perform construction work over the gas line that runs from north to south across this site.
- 9) The developer shall maintain the temporary secondary access to Village Parkway in the 4th Addition until a permanent 35th Street North is constructed to connect to Village Parkway and the contractor has placed the wear course of bituminous on the streets within the 5th Addition. Lot 13, Block 3 of the Easton Village 4th Addition shall remain platted as outlots (Outlots A and B) owned by the developer with a temporary road access granted to the City until such time as the City accepts 35th Street North.
- 10) That the development improvements include the connection of the private driveways from 11361 Upper 33rd Street and the Northern Natural Gas property at 11371 Upper 33rd Street to the proposed 34th Street cul-de-sac, immediately following the placement of bituminous base course along 34th Street North.
- 11) Final Plat approval shall be contingent upon the development improvements including the installation of bituminous trail and a concrete sidewalk along Village Parkway (with barriers at the railroad tracks) and the developer extending a 12-inch watermain to the northerly plat limits along Village Parkway.
- 12) The applicant/developer shall revise the landscape plans to meet the conditions of approval of the preliminary plat and the changes required by the City's Landscape Architect as outlined in his memo dated March 29, 2019.
- 13) That the applicant notify all home builders about possible City outdoor watering restrictions and that the home builders notify all home buyers that the City may impose limits on outdoor water use including no watering of grass or sod unless the applicant is notified by the City that this notice is no longer required. Said decision about whether or not this notice is no longer required shall be made at the sole discretion of the City. The applicant shall have the city approve the notification message before recording the final plat.

Passed and duly adopted this 7th day of May, 2019 by the City Council of the City of Lake Elmo, Minnesota.



Mike Pearson, Mayor

ATTEST:



Julie Johnson, City Clerk