

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

**RESOLUTION NO. 2019-062**

***A RESOLUTION APPROVING A FINAL PLAT FOR THE UNION PARK FIRST  
ADDITION LOCATED SOUTH OF 5<sup>TH</sup> STREET NORTH, EAST OF JULIA AVENUE***

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

**WHEREAS**, Pulte Homes of Minnesota, Eden Prairie, MN 55344 (Applicant) has submitted an application to the City of Lake Elmo (City) for a Final Plat to subdivide the property located lying south of 5<sup>th</sup> Street North and north of Hudson Boulevard into 62 lots and eight outlots along with the dedication of the public street right-of-way for 5<sup>th</sup> Street North and Julia Avenue in accordance with Union Park First Addition Final Plat prepared by Alliant Engineering, Inc., a copy of which is on file in the City of Lake Elmo Planning Department; and

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

**WHEREAS**, the Lake Elmo Planning Commission reviewed the proposed Final Plat at a meeting held on August 12, 2019; and

**WHEREAS**, the Lake Elmo Planning Commission has submitted its report and recommendation about the proposed Final Plat as part of a memorandum to the City Council for the September 3, 2019 City Council Meeting; and

**WHEREAS**, the City Council reviewed the Applicant's Final Plat request at a meeting held on September 3, 2019.

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

**FINDINGS**

1. That the Applicant has met all the requirements of City Code Section 153.10 related to the Final Plat.
2. That the proposed Final Plat for the Union Park First Addition will create 62 lots for townhouses (Attached) residential units.
3. That the Union Park First Addition Final Plat is generally consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on March 19, 2019 by Resolution 2019-020.

4. That the Union Park Addition Final Plat and Plans are consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
5. That the Union Park First Addition Final Plat and Plans comply with general intent of the City's Medium Density Residential zoning district regulations.
6. That the Union Park First Addition Final Plat and 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 August 12, 2019 Staff report to the Planning Commission.
7. That the Union Park First Addition Final Plat and Plans comply with the City's subdivision ordinance.
8. That Union Park First Addition Final Plat and 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 about the Union Park First Addition Final Plat and Plans dated August 1, 2019.
9. That the Union Park First addition final plat will create 62 lots for townhouses, will include the dedication public street right-of-way for 5<sup>th</sup> Street North and for Julia Avenue as well as eight outlots – Outlots A, B, C, D, E, F and G.

### **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 Final Plat request for the Union Park First Addition, provided the following conditions are met:

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 memorandums addressing Union Park Final Plat and Plans dated August 1, 2019 shall be incorporated into these documents before they are approved.
2. 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.
3. Final Plat must be contingent upon the City receiving any necessary 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 before the start of grading or construction.
4. Before 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 and shall include the payment of required park dedication fees for the Union Park First Addition Final Plat with financial guarantees therefore.

5. 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 before the release of the final plat by City Officials.
6. That the Landscape Plans for this phase of the development be approved by the City's Landscape Architect before recording of final plat.
7. 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.
8. That the applicant address all Fire Chief and Building Official comments in their final development plans.
9. That the applicant pay the City the required parkland dedication fee applicable to this phase of the development (based on 7.92 acres of land) before the City releases the final plat for recording.
10. That the applicant notify all home builders and home buyers about possible City outdoor watering restrictions and that the developer notify all home buyers that the City may impose limits on outdoor water use including no vehicle washing and no watering of grass, sod or landscaping.
11. That applicant obtain any necessary approvals or easements from adjoin property owners for any private off-site work or impacts the development may have, including, but not limited to, storm water drainage and utility work.
12. That the applicant record the Final Plat with Washington County within 180 days of City Council approval (as required by the City Code).

Passed and duly adopted this 3<sup>rd</sup> day of September 2019 by the City Council of the City of Lake Elmo, Minnesota.

  
Mike Pearson, Mayor

ATTEST:

  
Julie Johnson, City Clerk