

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

RESOLUTION NO. 2019 - 076

***A RESOLUTION APPROVING A MINOR SUBDIVISION OF
PROPERTY KNOWN AS OUTLOT O – INWOOD ADDITION LOCATED ON THE SOUTH
SIDE OF 5TH STREET NORTH***

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

WHEREAS, RPS Legacy Desoto, Little Canada MN, (Applicant) has submitted an application to the City of Lake Elmo (City) for a Minor Subdivision to subdivide the property known as Outlot O, Inwood Addition, located on the south side of 5th Street North into three separate parcels in accordance with the proposed Inwood 6th Addition plat dated June 28, 2019 as prepared Carlson McCain Surveyors and signed by Thomas R. Balluff, P.L.S., License #40361, a copy of which is on file in the City of Lake Elmo Planning and Zoning Department; and

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

WHEREAS, the Lake Elmo Planning Commission reviewed the proposed Minor Subdivision at a meeting held on August 12, 2019; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Minor Subdivision as part of a memorandum to the City Council for the October 15, 2019 City Council Meeting; and

WHEREAS, the City Council reviewed the Applicant's Minor Subdivision request at a meeting held on October 15, 2019.

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

FINDINGS

1. That the Minor Subdivision is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
2. That the Minor Subdivision complies with the minimum lot frontage and area requirements of the City's C (commercial) and HDR (high-density residential PUD) zoning districts.

3. That the Minor Subdivision complies with the City's subdivision ordinance and specifically the requirements concerning exceptions to platting.
4. That the Minor Subdivision subdivides Outlot O, Inwood Addition that is now 9.89 acres into three lots as follows – Lot 1, Block 1 - 2.27 acres; Outlot A - 1.90 acres and Outlot B - 5.72 acres.

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 Minor Subdivision request, provided the following conditions are met:

1. All required modifications to the plans as requested by the City Engineer in the review letter dated August 6, 2019 shall be incorporated into the plat and project plans. The City shall approve all plans before releasing the final plat for recording.
2. The developer shall pay the City a cash contribution of \$10,215 (the fee consistent with the City standards) for park dedication lieu of donating land for park dedication. The applicant or owner shall pay this fee before the City signs the final plat or gives any formal authorization to split the parcel into three lots.
3. The final plat shall show a 10-foot-wide drainage and utility easement along all property lines.
4. All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat before the execution of the final plat by City Officials.
5. Before recording the Final Plat, the Developer shall enter into a Developers Agreement or Site Work Agreement with the City. This agreement shall be in a form acceptable to the City Attorney and shall delineate who is responsible for the design, construction, and payment of public improvements and other site management and operation considerations including erosion control and construction staging.
6. Final Plat shall 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 before the start of grading or construction.
7. The applicant must submit and receive approval of a building permit application; grading, drainage, landscaping, erosion control, and other applicable plans before starting any construction activity on Lot 1, Block 1 and on the future development sites.
8. The applicant must obtain all other necessary City, State, South Washington Watershed District and other applicable governing body permits before the commencement of any construction activity on Lot 1, Block 1 and the future development sites.

Passed and duly adopted this 15th day of October, 2019 by the City Council of the City of Lake Elmo, Minnesota.



Mike Pearson, Mayor

ATTEST:



Julie Johnson, City Clerk