

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

RESOLUTION NO. 2021-058

***A RESOLUTION APPROVING A FINAL PLAT FOR THE UNION PARK WEST
ADDITION LOCATED SOUTH OF 5TH STREET NORTH, WEST 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, U. S. Homes Corporation, doing business as Lennar, Plymouth, MN 55446 (Applicant) has submitted an application to the City of Lake Elmo (City) for a Final Plat to subdivide the property located lying south of 5th Street North and west of Julia Avenue North into 102 lots and four outlots along with the dedication of the public street right-of-way for 5th Street North in accordance with Union Park West 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 Director has submitted his report and recommendation about the proposed Final Plat as part of a memorandum to the City Council for the May 18, 2021 City Council Meeting; and

WHEREAS, the Lake Elmo City Council reviewed the Applicant's Final Plat request at a meeting held on May 18, 2021.

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

FINDINGS

1. That all the requirements of City Code Section 153.10 related to the Final Plat have been met by the Applicant.
2. That the proposed Final Plat for the Union Park West Addition will create 102 lots for townhouses (Attached) residential units.
3. That the Union Park West 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 West 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 West Addition Final Plat and Plans comply with general intent of the City's Medium Density Residential zoning district regulations.
6. That the Union Park West 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 April 6, 2021 Staff report to the City Council.
7. That the Union Park West Addition Final Plat and Plans comply with the City's subdivision ordinance.
8. That Union Park West 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 West Addition Final Plat and Plans dated March 31, 2021.
9. That the Union Park West Addition final plat will create 102 lots for townhouses, will include the dedication public street right-of-way for 5th Street North as well as four outlots – Outlots A, B, C and D.

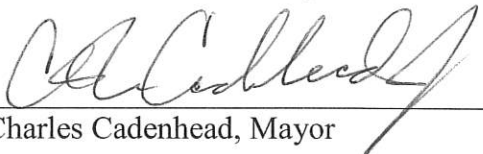
CONCLUSIONS AND DECISION

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 West Addition, provided the applicant/developer meet 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 memorandums addressing Union Park West Final Plat and Plans dated March 31, 2021 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 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 and building plans.
9. That the applicant pay the City the required parkland dedication fee applicable to this phase of the development (based on 10 percent of the purchase price of the 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 18th day of May 2021 by the City Council of the City of Lake Elmo, Minnesota.


Charles Cadenhead, Mayor

ATTEST:


Julie Johnson, City Clerk