

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

RESOLUTION NO. 2021-100

*A RESOLUTION APPROVING A FINAL PLAT AND FINAL PLANNED UNIT DEVELOPMENT
(PUD) PLAN FOR THE WILDFLOWER AT LAKE ELMO 4TH ADDITION PLANNED
RESIDENTIAL DEVELOPMENT*

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

WHEREAS, Robert Engstrom Companies, 4801 West 81st Street, #101, Bloomington, MN has submitted an application to the City of Lake Elmo ("City") for a Final Plat and Final PUD Plan for the Wildflower at Lake Elmo 4th Addition planned residential development, a copy of which is on file in the City of Lake Elmo Community Development Department; and

WHEREAS, the City approved the Wildflower at Lake Elmo General Concept Plan on June 17, 2014; and

WHEREAS, the City approved the Wildflower at Lake Elmo Preliminary Plat and Preliminary PUD Plan on April 7, 2015; and

WHEREAS, the proposed Wildflower at Lake Elmo 4th Addition Final Plat and Final PUD Plan includes 41 single family residential lots within a planned development on Outlots G, H, I, and Q, Wildflower at Lake Elmo 1st Addition, and Outlot A, Wildflower at Lake Elmo 3rd Addition; and

WHEREAS, the Lake Elmo Planning Commission held public hearing on August 9, 2021 to consider the Final Plat and Final PUD Plan request; and

WHEREAS, the Lake Elmo Planning Commission adopted a motion recommending approval of the Final Plat and Final PUD Plan subject to 9 conditions of approval on August 9, 2021; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Final Plat and Final PUD Plan as part of a memorandum to the City Council for the September 7, 2021, Council Meeting; and

WHEREAS, the City Council reviewed the Wildflower at Lake Elmo 3rd Addition Final Plat and Final PUD Plan at its meeting held on September 7, 2021 and made the following findings of fact:

- 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 Wildflower at Lake Elmo 4th Addition consists of the creation of 41 single-family detached residential structures.
- 3) That the Wildflower at Lake Elmo 4th Addition Final Plat and Final PUD Plan is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on April 7, 2014 with the exceptions noted by the City Engineer in his review comments to the City dated August 2, 2021.
- 4) That the Wildflower at Lake Elmo 4th Addition Final Plat and Final PUD Plan is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 5) That the Wildflower at Lake Elmo 4th Addition Final Plat generally complies with the City's Urban Medium Density Residential zoning district, with the exceptions as noted in the approved Preliminary PUD Plans and PUD Agreement.
- 6) That the Wildflower at Lake Elmo 4th Addition Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances, except as noted in this report or attachment thereof.
- 7) That the Wildflower at Lake Elmo 4th Addition Final Plat complies with the City's subdivision ordinance.
- 8) That the Wildflower at Lake Elmo 4th Addition Final Plat and Final PUD Plan complies with the City's Planned Unit Development Ordinance.
- 9) That the Wildflower at Lake Elmo 4th Addition Final Plat is generally consistent with the City's engineering standards with the exceptions noted by the City Engineer in his review comments to the City dated August 2, 2021 and as otherwise identified in future reviews.

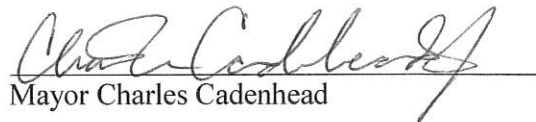
NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the Wildflower at Lake Elmo 4th Addition Final Plat and Final PUD Plan subject to the following conditions:

- 1) The applicant shall address the comments in the City Engineer's review memorandums dated August 2, 2021 before the City releases the final plat for recording. The City Engineer shall review and approve the final construction plans prior to the recording of the Final Plat. All changes and modifications to the plans requested by the City Engineer in the memorandums dated August 2, 2021 and any future reviews (including the extension of the 10-inch trunk sanitary sewer line to the north in Outlot A) shall be incorporated into these project documents before the City approves the final plans.
- 2) Prior to 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 Wildflower at Lake Elmo 4th Addition Final Plat and Final PUD Development Plans with financial guarantees, therefore.

- 3) 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.
- 4) The applicant shall submit to the City for approval a Common Interest Agreement concerning management of the common areas of Wildflower at Lake Elmo 4th Addition and establishing a homeowner's association before the City issues a building permit for any structure within this subdivision.
- 5) The applicant also shall enter into a landscape license/public art agreement and maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping and public art installed in areas outside of land dedicated as public park and open space on the 4th Addition final plat.
- 6) The applicant shall revise the final landscape and tree planting plan for approval by the City before the City releases the final plat for recording.
- 7) The applicant shall install street signs and no parking signs on City Streets within the development before the City issues any building permits in the 4th Addition.
- 8) Street names shall be given the suffix "N" prior to recording of final plat.
- 9) The applicant shall prepare and the City shall approve a protective or conservation easement that protects Outlot A from any future development, building or subdivision. This easement shall be approved by the City before the City releases the final plat for recording.
- 10) The final plat shall not be recorded until the existing easements have been vacated, and new easements are identified on the new plat.

Passed and duly adopted this 7th day of September, 2021 by the City Council of the City of Lake Elmo, Minnesota.



Mayor Charles Cadenhead

ATTEST:



Julie Johnson, City Clerk