

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

RESOLUTION NO. 2023 -079

***A RESOLUTION APPROVING THE FINAL PLAT FOR EASTON VILLAGE 6TH
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, Inc., 2140 West County Road 42, Burnsville, MN (the “Applicant”) has submitted an application to the City of Lake Elmo (“City”) for a final plat for Easton Village 6th Addition, a copy of which is on file in the City of Lake Elmo Planning Department (the “Final Plat”); and

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

WHEREAS, the City Council approved the Easton Village Preliminary Plat on July 15, 2014, subject to 21 conditions (the “Preliminary Plat”); and

WHEREAS, the Preliminary Plat has expired for those lots that have yet to be platted into lots and blocks; and

WHEREAS, the City Council has reviewed a request to extend the Preliminary Plat so that the Easton Village 6th Addition may be final platted; and

WHEREAS, the proposed Easton Village 6th Addition includes one single family residential lot within the Easton Village 217-unit residential development; and

WHEREAS, the City Council reviewed the memorandum prepared by City staff for the Final Plat at its meeting held on August 15, 2023 and makes the following findings:

- 1) That all the requirements of City Code Section 103.00.090 related to the Final Plat have been met by the Applicant.
- 2) That the proposed Final Plat consists of the creation of 1 lot for a detached single-family home.
- 3) That the Final Plat is generally consistent with the Preliminary Plat as approved by the City of Lake Elmo on July 15, 2014.
- 4) That the Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.

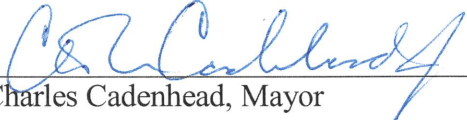
- 5) That the Final Plat complies with the City's Low Density Residential zoning district regulations.
- 6) That the Final Plat complies with all other applicable zoning requirements, including the City's landscaping, stormwater, sediment and erosion control and other ordinances with the exception of the issues identified in the City staff report.
- 7) That the Final Plat complies with the City's subdivision ordinance.
- 8) That the 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 July 18, 2023.

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

- 1) The 180 day recording requirement as stated in Section 103.00.100 of the City's subdivision regulations is applicable. Should the Final Plat not be recorded by the Applicant within 180 days of City Council approval, the Final Plat and the Preliminary Plat shall expire.
- 2) The final construction plans must be revised to the satisfaction of the City Engineer to include the removal and restoration of the temporary Manning Avenue access at the corner of 32nd Street and Linden Avenue. The Development Agreement security shall include the full costs for this work to be completed as part of the subdivision improvements. Said closure and removal of the temporary access must be completed by the Applicant before the City will hold a pre-construction meeting for the development of the subdivision.
- 3) 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 City staff before the release of the Final Plat by the City for recording. The City Council's approval of the Final Plat is contingent upon the Applicant making all changes and modifications to the plans requested by the City Engineer in the Easton Village 6th Addition Construction Plan Review Memorandum dated July 18, 2023. Said changes and modifications to the plans must be made to the satisfaction of the City Engineer.
- 4) When constructed, building address numbers shall be plainly visible from the street fronting the property and shall be contrasting color from the background to the satisfaction of the Fire Chief.
- 5) 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 subdivision with financial guarantees therefor.

- 6) The Applicant shall provide a disclosure statement to all initial home buyers in the development advising of the location of the Lake Elmo Airport and associated over-flights.
- 7) All builders shall be encouraged by the Applicant to incorporate interior noise reduction measures into single family residential structures within the subdivision based on the Metropolitan Council's Builder Guide.
- 8) The Applicant must notify all home builders about the City's outdoor watering restrictions and that all home builders must notify all home buyers that the City has imposed limits on outdoor water use including a limit of 2 days per week of watering. Said decision about whether 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 the release of the Final Plat by the City.
- 9) The City will not issue any building permits until all public subdivision improvements have been accepted by the City.
- 10) Approval of Final Plat by the City Council is conditioned upon the execution of an agreement to extend the Preliminary Plat which has since expired.
- 11) The Applicant must provide adequate title evidence satisfactory to the City Attorney prior to the Final Plat being signed by City officials.
- 12) The Applicant must pay for a portion of the costs to secure, build, and install a public railroad crossing. The amount of the cash payment for the Final Plat is \$965.00. Said payment must be made to the City prior to the Final Plat being released for recording.
- 13) The applicant shall pay required AUAR fee prior to release of building permits.
- 14) The temporary construction easement agreement granted in 2020 to accommodate the Village Parkway UPRR crossing project that is now expired shall be renewed and extended for a five year period from date of approval of this final plat.

Passed and duly adopted this 15th day of August 2023 by the City Council of the City of Lake Elmo, Minnesota.


Charles Cadenhead, Mayor

ATTEST:


Julie Johnson, City Clerk