

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

RESOLUTION NO. 2024-066

***RESOLUTION APPROVING THE FINAL PLAT AND PUD REQUEST FOR LAKE ELMO
TOWNHOMES 8***

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

WHEREAS, the City of Lake Elmo has established a Comprehensive Plan that includes background data, policy statements, standards, and maps that help to guide the future physical, social, and economic development of the City; and

WHEREAS, At Home Apartments, LLC, (the “Applicant”) has requested a Final Plat and PUD for Lake Elmo Townhomes 8, on property legally described on **Exhibit A** attached hereto (the “Property”), consisting of approximately 7.56 acres for development of 48 single family attached units; and,

WHEREAS, the final plat is for Lake Elmo Townhomes 8, which will include both proposed residential lots plus an outlot for stormwater management; and

WHEREAS, the final plat is further depicted on **Exhibit B** attached hereto; and

WHEREAS, the plans submitted to the City on March 8, 2024, along with subsequent revisions; and

WHEREAS, the applications for Final Plat and PUD were not found by the city to be complete until April 5, 2024; and

WHEREAS, the Lake Elmo City Council reviewed the Final Plat and PUD requests at its meeting held on May 21, 2024 and voted to approve the item with the following findings of fact:

1. That all the requirements of City Code Section 103.00.100 related to the Final Plans and Final Plat have been met by the Applicant.
2. That the Lake Elmo Townhomes 8 Final Plat and PUD Plan consists of 48 attached single-family units plus an outlot intended for stormwater management.
3. That the Lake Elmo Townhomes 8 Final Plat and PUD is generally consistent with the Preliminary Plat and PUD Plans as approved by the City of Lake Elmo on February 20, 2024.
4. That the Lake Elmo Townhomes 8 Final Plat and PUD Plan are consistent with the intent of the 2040 Lake Elmo Comprehensive Plan and the 2040 Land Use Map for this area.
5. That the Lake Elmo Townhomes 8 Final Plat and PUD Plan complies with the general intent of the Village Mixed Use (V-MX) zoning district with PUD modifications.
6. That the Lake Elmo Townhomes 8 Final Plat and PUD Plan generally complies with the Lake Elmo Design Guidelines and Standards Manual.

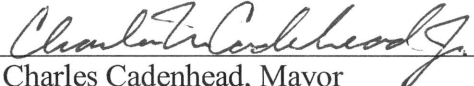
7. That the Lake Elmo Townhomes 8 Final Plat and PUD generally complies with the City's Subdivision regulations.
8. That the Lake Elmo Townhomes 8 Final Plat and PUD generally complies with the City's Zoning Code with the exceptions provided for in the PUD.
9. That the Lake Elmo Townhomes 8 Final Plat and PUD Plan is generally consistent with the City's engineering standards with the exceptions noted by the City Engineer in their review comments to the City dated April 22, 2024, and as otherwise identified in future reviews.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve lake Elmo Townhomes 8 Final Plat and PUD requests subject to the following conditions:

1. Prior to the City signing or approving recording of the Final Plat or Development Agreement, the Applicant shall fully address all comments in the following review memos, or any subsequently revised memo, to the satisfaction of the City:
 - a. City Engineer's memos dated April 22, 2024,
 - b. City Landscape Architect's memo dated April 5, 2024,
 - c. City Fire Chief's memo dated March 27, 2024.
2. That Outlot A is dedicated to the City.
3. That prior to the City permitting the recording of the Final Plat and Development Agreement, the applicant shall demonstrate that the plans reflect compliance with Valley Branch Watershed District (VBWD) review requirements and provide the City evidence that all conditions attached to a VBWD permit will be met before the starting any grading activity on the site.
4. That the applicant shall obtain all necessary permits for the Subdivision Improvements including but not limited to all applicable City permits (building, grading, sign, etc.), MDH, MPCA, County R/W, NPDES/SWPPP permits and Valley Branch Watershed District approval before starting any grading or construction activities.
5. No deviations are provided for signage. When construction of the subdivision monument sign is desired, the Applicant must apply for a sign permit with the City and will provide a complete sign plan detailing signage proposed.
6. The applicant/developer is responsible, at their own expense, for installing all required right of way improvements.
7. The applicant is required to construct a right turn lane along Wildflower Drive at the intersection of 39th Street for which the City will contribute up to half the cost of improvements due to conditions specific to the site and increased density of the village planning area.
8. 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.
9. If applicable, a storm water maintenance and easement agreement in a form acceptable to the City shall be executed and recorded with the final plat.
10. If applicable, a landscape and irrigation license agreement in a form acceptable to the City shall be executed and recorded with the final plat.
11. The applicant/developer shall provide the City a fee in lieu of park land dedication as required by Section 103.00.150 and consistent with preliminary approvals to be paid prior to recording of the final plat.
12. The applicant shall pay required Village AUAR fee prior to release of the final plat.
13. If necessary, the applicant shall provide the City with a copy of written permission for any off-site grading work and storm sewer discharges to adjacent properties before starting any site work, grading and as part of any final plat or final PUD application.

14. Before the execution and recording of a final plat for the development, the developer or applicant shall enter into a Developer's Agreement with the City. Such an Agreement must be approved by the City Attorney and by the City Council. The Agreement shall delineate who is responsible for the design, construction and payment for the required improvements with financial guarantees, therefore.
15. That the Applicant must record the final plat within 180 days after City Council approval or the final plat shall be considered void unless a request for a time extension is submitted in writing and approved by the City Council.

Passed and duly adopted this 21st day of May, 2024 by the Lake Elmo Minnesota City Council.



Charles Cadenhead, Mayor

ATTEST:



Julie Johnson, City Clerk

Resolution 2024-066
Exhibit A
Legal Description of Subject Property

That part of Lot 1, Block 3, Brookman 3rd Addition, according to the plat on file and of record in the office of the County Recorder, Washington County, Minnesota, lying Westerly of the following described line: Commencing at the Northeast corner of said Lot 1 then South 89 degrees 21 minutes 23 seconds West, assumed bearing, along the North line of said Lot 1, 74.18 feet to the point of beginning of said line; thence South 07 degrees 03 minutes 15 seconds East, 319.79 feet to the South line of said Lot 1 and said line there terminating. Washington County, Minnesota.

AND

Lot 2, Block 1, WILDFLOWER AND 39TH, according to the recorded plat thereof, Washington County, Minnesota.

Resolution 2024-066

Exhibit B

Lake Elmo Townhomes 8 Final Plat

