

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

RESOLUTION NO. 2002-053

**A RESOLUTION APPROVING THE SUNFISH PONDS OPEN SPACE
CONCEPT PLAN FOR ST.CROIXLAND/WIER**

WHEREAS, at its June 4, 2002 meeting, the Lake Elmo City Council conducted a Public Hearing regarding the Open Space Preservation Concept Plan application (dated May 31, 2002) from St.CroixLand/Jed Wier to develop a combined site of 40 acres with 16 single family detached building sites.

WHEREAS, the Lake Elmo City Council reviewed this Open Space Preservation Concept Plan and made the following findings:

1. The Concept Plan is consistent with the goals, objectives and policies of the Comprehensive Plan.
2. The Concept Plan is consistent with the purpose of the Open Space Preservation Ordinance.
3. The Concept Plan complies with the development standards of the Open Space Preservation Ordinance.

NOW, THEREFORE, BE IT RESOLVED, the Lake Elmo City Council hereby approves the Sunfish Ponds OP Concept Plan for St.CroixLand/Wier, staff-dated May 31, 2002; based on the following conditions:

1. Prior to submission of the Preliminary Plat/Development Stage Plan, the applicants' secure a Wetlands Evaluation from a qualified Wetlands Evaluator. The OP Development Stage Plan shall reflect protection of the identified wetlands; and, OP Preserved Open Space calculations shall be adjusted to also reflect the area of those identified Wetlands. No waiver of the Buildable Area/Preserved Open Space formulas of the zoning ordinance is approved.
2. Concurrent with the submission of the Preliminary Plat/Development Stage Plan, the applicants shall provide the City evidence of review of the Plan by the Minnesota Land Trust together with a decision by the Land Trust regarding the acceptability of the Preserved Open Space for Land Trust easement and stewardship activities. Acceptance of the Preserved Open Space by the Land Trust is not necessarily a condition of Plan approval.

3. Compliance with City Engineer recommendations.
4. That the road paving width will not exceed 22 feet.
5. That the roadway bubble adjacent to Lots 3, 4, 5, Block 2 will be removed.
6. That the trees along the property line on the east side be divided and dispersed rather than forming a physical separation between the lots in Block 2 and Outlot C.
7. That the mature existing trees on the west side will not be disturbed.

ADOPTED, by the Lake Elmo City Council on the 4th day of June, 2002.



Lee Hunt, Mayor

ATTEST:



Mary Kueffner, City Administrator