

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

RESOLUTION NO. 2003-009

A RESOLUTION APPROVING THE CONCEPT PLAN OF WHISTLING VALLEY

WHEREAS, Bald Eagle Development and David Sorenson have made application for a Concept Plan to create twenty-one residential building lots on a parcel of 58 acres.

The property is located on the north side of 10th Street, and west of Keats Avenue, legally described as:

THAT PART OF THE W ¼ OF THE SE ¼ OF SECTION 27, TOWNSHIP 29 NORTH, RANGE 21 WEST, WASHINGTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: BEGINNING AT THE S ¼ CORNER OF SAID SECTION 27; THENCE ALONG THE W LINE OF SAID SE ¼, N0° 42' 40" W, 1,825.46 FEET TO A POINT ON THE SOUTHERLY LINE OF A PARCEL CONVEYED TO WASHINGTON COUNTY BY DEED RECORDED AS DOCUMENT 338329, WASHINGTON COUNTY RECORDS: THENCE ALONG SAID SOUTHERLY LINE N89° 11' 43" E, 511.07 FEET; THENCE CONTINUING ALONG SAID SOUTHERLY LINE, N0° 42' 52"W, 153.25 FEET; THENCE CONTINUING ALONG SAID SOUTHERLY LINE, N89° 11' 40"E, 807.36 FEET TO THE EAST LINE OF SAID W ¼ OF THE SE ¼; THENCE ALONG SAID E LINE S0° 42' 43"E, 1,978.76 FEET OF THE S LINE OF SAID SE ¼; THENCE ALONG SAID S LINE S89° 11' 49"W, 1,318.45 FEET TO THE POINT OF BEGINNING, SUBJECT TO RIGHT OF STATE OF MINNESOTA FOR ROAD AS RECORDED IN DOCUMENT NO. 505493.

WHEREAS, at its January 27, 2003 meeting, the Planning Commission conducted a Public Hearing, reviewed and recommended denial of this application.

WHEREAS, the Concept Plan of WHISTLING VALLEY was presented to the City Council at its February 4, 2003 City Council Meeting.

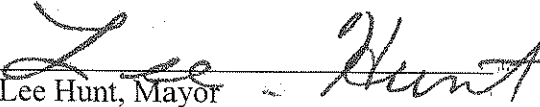
NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Lake Elmo does hereby approve and accept the OP Concept Plan of WHISTLING VALLEY, based on the following Findings.

1. The documentation submitted in support of the OP Concept Plan is substantially complete as prescribed by the OP Ordinance.
2. The Concept Plan is consistent with the purpose of the Open Space Preservation Ordinance.
3. The Concept Plan is consistent with the goals, objectives, and policies of the Comprehensive Plan.

4. The Concept Plan is approved for 19 units but, the Developer has the allowed right to demonstrate that the site will support the greater density in connection with the Open Space Development Preliminary Plan, provided the calculations are consistent with OP Regulations.

Further, that the applicant shall, in order to retain the 100 feet proposed west buffer, submit with the Development Stage Plan, Landscape Plan details proposed along the west property line to assure year-round screening of the structures within the OP Project from all lands to the west.

ADOPTED, by the Lake Elmo City Council on the 4th day of February, 2003.


Lee Hunt, Mayor

ATTEST:


Charles E. Dillerud, Acting City Administrator