

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-106

A RESOLUTION APPROVING THE OP DEVELOPMENT STAGE PLAN,
CONDITIONAL USE PERMIT, AND PRELIMINARY PLAT OF THE SANCTUARY

WHEREAS, at its July 19, 2005 meeting, the City Council approved the Concept Plan for THE SANCTUARY,

WHEREAS, Lake Elmo Development Company, Richard and Eileen Bergmann, and Trustees for the Alvin and Helen Bergmann Trust, made application for an OP Development Stage Plan, Conditional Use Permit, and Preliminary Plat, THE SANCTUARY, to create 62 residential building lots and seven outlots on a parcel of 152.9 acres legally described as follows:

The property is generally located south of Highway 36 and westerly of Manning Avenue. The subject properties lie easterly and southerly of Country Sun Farm. The parcels included are legally described as follows:

Parcel I.D. Numbers

01.029.21.11.0001
01.029.21.11.0002
01.029.21.11.0003
01.029.21.11.0005
01.029.21.11.0007
01.029.21.12.0001
01.029.21.13.0001
01.029.21.13.0002
01.029.21.21.0006 (the easterly 23 +/- acres)
06.029.20.23.0001

WHEREAS, at its September 26, 2005 meeting, the Planning Commission reviewed and recommended approval of this Development Stage Plan/CUP/Preliminary Plat with conditions.

WHEREAS, the OP Development Stage Plan, the Conditional Use Permit and Preliminary Plat of THE SANCTUARY was presented to the City Council at its October 4, 2005 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 Development Stage Plan, Conditional Use Permit, and Preliminary Plat of THE SANCTUARY, per plans staff dated September 7, 2005, as the same on file with the City Administrator, based on the following Conditions:

1. Compliance with recommendations of the City Attorney and the City Engineer's recommendations, excluding the roundabouts.

2. To incorporate a T intersection on the east/west road at the south end of the plat into the future MSA road.
3. Roads are to be constructed at 22 feet in width except where MSA standards will require 26 feet in width.
4. Compliance with the recommendation of Browns Creek Watershed District as found to be practical and/or applicable by the City Engineer.
5. Compliance with the recommendations of the Park Superintendent and Parks Commission regarding park and trail development by the developer and park dedication fees in lieu of land.
6. The OP Final Plan submission shall include construction details and cost estimates for the restoration of the historic barn on site. Plans and costs shall be concurred in by the Building Official as to structural integrity and compliance with the \$25,000 minimum restoration expenditure.
7. Lots 1-7, Block 2 (as numbered on the Preliminary Plat) shall be reduced in lot depth, and Outlot B increased in area to preclude private property ownership of any portion of MN DNR Protected Wetland #82-316W or the 15 foot vegetative buffer to the wetland required by Valley Branch Watershed District.
8. Lots designated in red on the copy of the preliminary plat that has been signed by the City Planner, dated October 4, 2005, shall not be developed unless the City changes its regulations to permit a greater density, and if the City does not permit a greater density, those lots will become land trust conservation easements or open space easements.

ADOPTED, by the Lake Elmo City Council on the 4th day of October, 2005.



Dean Johnston, Mayor

ATTEST:



Martin J. Rafferty, City Administrator