

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

RESOLUTION NO. 2005-086

**A RESOLUTION APPROVING THE OPEN SPACE PRESERVATION
DEVELOPMENT STAGE PLAN, PRELIMINARY PLAT, AND
CONDITIONAL USE PERMIT OF DISCOVER CROSSING.**

WHEREAS, on the 21st day of April, 2005, MBM Development, LLC (“Applicant”) and Elizabeth Lundquist submitted a completed application requesting that the City of Lake Elmo approve an Open Space Preservation Development Concept Plan for 24 residential lots on 71.6 acres; and

WHEREAS, on the 9th day of May, 2005, at a public hearing, the Lake Elmo Planning Commission reviewed the Development Application, the City Planner’s reports and comments, the comments of the Applicant and the Applicant’s representatives, and recommended approval of the Development Application; AND

WHEREAS, on the 25th day of July, 2005, at a public hearing, the Lake Elmo Planning Commission reviewed the Development Stage Application, the City Planner’s reports and comments, the comments of the Applicant and the Applicant’s representatives, and recommended approval of the Development Application based upon the following Findings:

1. The application is in compliance with the approved Concept Plan.
2. The application generally complies with the OP Ordinance Design Standards.
3. The OP Development Stage Plan and Preliminary Plat complies with City Code for issuance of a Conditional Use Permit for an OP Project.
4. The Preliminary Plat and Plan, upon compliance with the City Engineer’s recommendations, comply with the Development Stage Plan and design standards of the Subdivision Code.

And subject to the following Conditions:

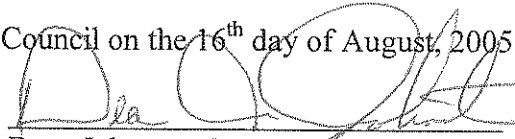
1. Deletion of the project monument sign.
2. The Final Plat shall include no more than 25 building lots unless the Comprehensive Plan/Zoning Ordinance has been officially amended to allow a higher lot count. The final platting of Outlots A, B and/or C will only be on the basis of the Zoning Ordinance density allowed for OP development.
3. Compliance with Valley Branch Watershed District recommendations as determined to be applicable by the City Engineer.
4. Compliance with the recommendations of the City Engineer, specifically as to street widths.

5. Compliance with the recommendations of the City Attorney, specifically as to the City's liability regarding the use of "color-stamped" roadway paving to encourage pedestrian/bike utilization.
6. The Final Plat shall include right-of-way for a future Highway 36 service road in a location and to a width recommended by the City Engineer.
7. The applicant and City Engineer are encourage to maintain private utility placement within 3 feet of the paved road surfaces to preserve existing trees.

NOW, THEREFORE, BE IT RESOLVED that the Lake Elmo City Council hereby:


Approves the Open Space Development Stage Plan, Preliminary Plat, and Conditional Use Permit for DISCOVER CROSSING as illustrated on the Preliminary Plat prepared by Folz, Freeman, Erickson, Inc., dated July 5 , 2005.

ADOPTED, by the Lake Elmo City Council on the 16th day of August, 2005



Dean Johnston, Mayor

ATTEST:



Martin Rafferty, City Administrator