

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

RESOLUTION NO. 2007-016

**A RESOLUTION APPROVING THE CONCEPT PLAN OF
WHISTLING VALLEY WEST**

WHEREAS, Dave Sorenson of Whistling Valley West, LLC and Robert Forsythe have made application for a Concept Plan to create six residential building lots and two outlots on a parcel of 15 acres. The property is generally located northwesterly of Keats Avenue and 10th Street, southerly and adjacent to Lake Elmo Park Reserve, and westerly of WHISTLING VALLEY, and is legally described as follows:

That part of the Southeast Quarter of the Southwest Quarter of Section 27, Township 29, Range 21, described as follows: Beginning at the South Quarter corner of said Section 27, thence North along the East line of said Southwest Quarter for 200 feet; thence West along a line parallel with the South line of said Section 27 for 218 feet; thence North along a line parallel with said East line for 50 feet; thence West along a line parallel with said South line for 32 feet; thence North along a line parallel with said East line for 120 feet; thence East along a line parallel with said South line for 250 feet to the said East line of said Southwest Quarter; thence North along said East line for 901 feet, more or less, to the Northeast corner of said Southeast Quarter of said Southwest Quarter; thence West along the North line of said Southeast Quarter of said Southwest Quarter for 690 feet; thence South and parallel with said East line of said Southwest Quarter; to the south line of said Southwest Quarter; thence East along said South line for 690 feet to the point of beginning: EXCEPT, the following described tract: that part of the Southeast Quarter of the Southwest Quarter of Section 27, Township 29, Range 21, described as follows: Beginning at the South Quarter corner of said Section 27, thence North along the East line of said Southwest Quarter for 200 feet; thence West along a line parallel with the South line of said Section 27 for 218 feet; thence North along a line parallel with said East line for 50 feet; thence West along a line parallel with said South line for 32 feet; thence North along a line parallel with said East line for 123 feet; thence West along a line parallel with said South line for 440 feet; thence South along a line parallel with said East line to its intersection with said South line; thence East along said South line for 690 feet to the point of beginning.

Subject to an easement in favor of American Telephone and Telegraph Company.

WHEREAS, at its January 16, 2007 meeting, the Planning Commission reviewed an application for a concept plan of an open space preservation residential development of 8 building lots, and asked the applicants and staff to look at redesigning the concept.

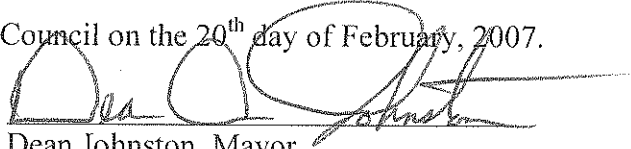
WHEREAS, at its February 6, 2007 meeting, the City Council reviewed a revised Concept Plan called "Concept 3B" and unanimously recommended approval of the revised Concept Plan for an open space preservation residential development with six residential lots and open spaces on approximately 15 acres based on 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 is proposed by a developer who previously completed an adjacent OP development.
4. On its own, the proposed density on the parcel is in conformance with the anticipated density for open space development.
5. The Concept Plan, when averaged with the previous Additions, results in an overall plan which appears to conform to current Open Space Preservation regulations.


NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Lake Elmo does hereby approve and accept the Concept Plan of an Open Space Preservation Development commonly known as WHISTLING VALLEY WEST, per plans that staff dated February 6, 2007 as the same on file with the City Administrator, based with the following Conditions:

1. Compliance with the recommendations of the City Engineer, City Attorney, City Planner, and those of the Valley Branch Watershed District and Washington County found by the City to be reasonable and proper.
2. Adherence to feedback provided by the Planning Commission and City Council.

ADOPTED, by the Lake Elmo City Council on the 20th day of February, 2007.


Dean Johnston, Mayor

ATTEST:


Sharon Lumby, City Clerk