

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

RESOLUTION NO. 2014-55

A RESOLUTION APPROVING A PRELIMINARY PLAT FOR HAMMES ESTATES

WHEREAS, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, Hammes West, LLC, 36 Moonlight Bay, Stillwater, MN has submitted an application to the City of Lake Elmo (City) for a Preliminary Plat for Hammes Estates, a copy of which is on file in the City of Lake Elmo Planning and Zoning Department; and

WHEREAS, the Lake Elmo Planning Commission held public hearing on May 12, 2014 to consider the Preliminary Plat request and continued discussion of the Preliminary Plat at its June 23, 2014 meeting ; and

WHEREAS, the Lake Elmo Planning Commission adopted a motion recommending approval of the Preliminary Plat subject to 17 conditions of approval; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Preliminary Plat as part of a memorandum to the City Council from City Planner Nick Johnson for the July 1, 2014 Council Meeting; and

WHEREAS, the City Council reviewed the Preliminary Plat at its meeting held on July 1, 2014 and made the following findings of fact:

- 1) That the Hammes Estates Preliminary Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 2) That the Hammes Estates Preliminary Plat complies with the City's LDR- Urban Low Density Residential zoning district.
- 3) That the Hammes Estates Preliminary Plat complies with the City's subdivision ordinance.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the Hammes Estates Preliminary Plat subject to the following conditions:

- 1) Within six months of preliminary plat approval, the applicant shall complete the following:
 - a. The applicant shall provide adequate title evidence satisfactory to the City Attorney.
 - b. The applicant shall submit a revised Preliminary Plat and plans meeting all conditions of approval. All of the above conditions shall be met prior to the City accepting an

application for Final Plat and prior to the commencement of any grading activity on the site.

- 2) The City Engineer shall review and approve all revised Preliminary Plans that are submitted to the City in advance of Final Plat to satisfy Condition #1.
- 3) The Preliminary Plat approval is conditioned upon the applicant meeting all minimum City standards and design requirements.
- 4) All required modifications to the plans as requested by the City Engineer in a review letter dated June 16, 2014 shall be incorporated into the plans prior to consideration of a Final Plat.
- 5) Prior to the acceptance of the public improvements for the Hammes Estates plat, all wetland buffers shall be delineated and identified via staking or signage that is acceptable to the City.
- 6) The landscape plan shall be updated per the recommendations of the City's landscape consultant in a review memo dated 5/7/14.
- 7) The applicant shall be responsible for the construction of all improvements within the Keats Avenue (CSAH 19) right-of-way as required by Washington County and further described in the review letter received from the County dated May 6, 2014. The required improvements shall include, but not be limited to: construction of a modified median crossing, construction of a trail/sidewalk to the south side of the median, turn lanes, and other improvements as required by the County.
- 8) The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and shall acquire the needed permits from Valley Branch Watershed District prior to the commencement of any grading or development activity on the site.
- 9) Landscape islands shall be platted as part of the right-of-way and shall be maintained by the Home Owners Association. The applicant shall enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the final plat.
- 10) With an eligible parkland dedication of 5.7 acres provided, the applicant is responsible to pay a fee in lieu of land dedication for the equal market value amount of 2.1 acres of land at the time of the Final Developers Agreement. The City will work with the developer to clarify any and all park fee payments at the time of the Final Developers Agreement.
- 11) No more than 100 units may be approved as part of a final plat until secondary access is provided to the subdivision via a connection to 5th Street through the Savona subdivision.
- 12) For trails proposed to be located in any wetland buffer, the applicant must present a suitable design or material that is acceptable to the City and Valley Branch Watershed District.
- 13) The applicant must enter into a separate grading agreement with the City prior to the commencement of any grading activity in advance of final plat and plan approval. The City Engineer shall review any grading plan that is submitted in advance of a final plat, and said plan shall document extent of any proposed grading on the site.

- 14) The applicant must incorporate a play structure into the proposed park at Goose Lake per the request of the Lake Elmo Park Commission. Furthermore, the applicant must submit an updated design of the park property that meets City approval in advance of Final Plat.
- 15) The applicant shall work with the Planning Staff to name all streets in the subdivision prior to submission of a Final Plat.
- 16) Lots 1-6, Block 10 and Lots 1-5 and 11-12, Block 9 shall not be platted until the southern channel of Goose Lake is closed off from the lake, or the shoreland issue around the channel is resolved in some other manner that is acceptable to the DNR.
- 17) The applicant shall work to relocate segments of the northern buffer trail further to the south of the Stonegate subdivision wherever it is feasible as long as the trail does not encroach on any required wetland buffers.

Passed and duly adopted this 1st day of July 2014 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk