

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

**RESOLUTION NO. 2014-58**

*A RESOLUTION APPROVING A PRELIMINARY PLAT FOR  
EASTON VILLAGE*

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

**WHEREAS**, Easton Village, LLC 2140 West County Road 42, Burnsville, MN has submitted an application to the City of Lake Elmo (City) for a Preliminary Plat for Easton Village, 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 June 30, 2014 to consider the Preliminary Plat request; 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 Community Development Director Kyle Klatt for the July 15, 2014 Council Meeting; and

**WHEREAS**, the Lake Elmo Planning Commission adopted a motion recommending approval of the Preliminary Plat; and

**WHEREAS**, the City Council reviewed the Preliminary Plat at its meeting held on July 15, 2014 and made the following findings of fact:

- 1) That the Easton Village preliminary plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 2) That the Easton Village preliminary plat complies with the City's Urban Low Density Residential zoning districts.
- 3) That the Easton Village preliminary plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances, and is consistent with the City's engineering design standards with corrections as noted by the City Engineer.
- 4) That the Easton Village preliminary plat complies with the City's subdivision ordinance.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council does hereby approve the preliminary plat for Easton Village 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 pay all fees associated with the preliminary plat. 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 grading plan shall be updated to include the protective tree fencing necessary to preserve all vegetative areas identified for protection around the 5.15 acre residential parcel to the west of the subdivision.
- 3) The applicant shall work with the City and Washington County to identify and reserve sufficient space for a future trail corridor along the western right-of-way line of Manning Avenue.
- 4) The applicant shall submit a landscape plan prepared by landscape architect for review and approval by the City. The landscape plan submittal will include a tree protection and replacement plan consistent with City ordinances.
- 5) The final plat will incorporate all review comments from the City's landscape architect, including the selection and mix of plantings within storm water basins and infiltration areas.
- 6) The landscape plan shall include additional plantings around the Northern Natural Gas utility site.
- 7) The proposed access to Manning Avenue will be permitted as a temporary access until such time that the Village Parkway is connected to 30th Street. The construction plans will be updated to reflect the temporary nature of this street.
- 8) The applicant shall be responsible for the construction of all improvements within the Manning Avenue (CSAH 15) right-of-way as required by Washington County and further described in the review letter received from the County dated June 24, 2014.
- 9) The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and shall acquire the needed permits from the appropriate watershed districts for the storm water management system prior to the commencement of any grading or development activity on the site.
- 10) 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.
- 11) The developer shall provide an updated accounting of the land to be dedicated for park purposes prior to submission of a final plat. If required, the developer shall be required to pay a fee in lieu of park land dedication equivalent to the fair market value for the amount of land that is required to be dedicated for such purposes in the City's Subdivision Ordinance less the amount of land that is accepted for park purposes by the City. Any cash payment in lieu of land dedication shall be paid by the applicant prior to the release of the final plat for recording.
- 12) Any land under which public trails are located will be accepted as park land provided the developer constructs said trails as part of the public improvements for the subdivision.

- 13) All required modifications to the plans as requested by the City Engineer in a review letter dated June 26, 2014 shall be incorporated into the plans prior to consideration of a final plat.
- 14) The City and developer will determine the appropriate distribution of future costs associated with the Village Parkway railroad crossing improvements as part of a developer's agreement for any portion of Easton Village.
- 15) The developer shall address any comments from Metropolitan Airport Commission as part of a final plat submission for any portion of Easton Village. MAC will be asked to comment on the landscape plan, and the plan shall be revised to address any specific comments concerning the appropriate vegetation to be planted within storm water facilities.
- 16) The landscape plan shall be revised to eliminate all trees planted within the Lake Elmo Airport Regulatory Protection Zone.
- 17) The final plat shall include a paved trail connection between Lots 13 and 14 of Block 3.
- 18) The applicant shall submit written acknowledgement from property owner of the parcel immediately to the south of Easton Village concerning the storm water being outlet running into their property.
- 19) The applicant is encouraged to incorporate elements from the Lake Elmo Theming Study into the open space areas within the subdivision.
- 20) The developer shall obtain all required permits from Northern Natural Gas to perform construction work over the gas line that runs from north to south across this site.
- 21) The developer shall be required to extend sewer to the northernmost boundary of the site.

Passed and duly adopted this 15<sup>th</sup> day of July 2014 by the City Council of the City of Lake Elmo, Minnesota.

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Mike Pearson, Mayor

ATTEST:

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Adam Bell, City Clerk