

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

RESOLUTION NO. 2014-59

A RESOLUTION APPROVING A PRELIMINARY PLAT FOR VILLAGE PRESERVE

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

WHEREAS, GWSA Land Development, LLC, 10850 Old County Road 15, Suite 200, Plymouth, MN, has submitted an application to the City of Lake Elmo (City) for a Preliminary Plat for a 97-unit single family subdivision on an approximately 40 acre parcel in the Village Planning Area (PID: 12.029.21.33.0001) to be called Village Preserve, 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 adopted a motion recommending approval of the Preliminary Plat subject to 13 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 15, 2014 Council Meeting; 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 Village Preserve Preliminary Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 2) That the Village Preserve Preliminary Plat complies with the City's MDR- Urban Medium Density Residential zoning district.
- 3) That the Village Preserve Preliminary Plat complies with the City's subdivision ordinance.
- 4) That the Village Preserve preliminary plat meets other City zoning ordinances, such as landscaping, tree preservation, erosion and sediment control, and other ordinances, with the exceptions noted in the conditions of approval.
- 5) That the Village Preserve preliminary plat is consistent with the City's engineering standards provided the plans are updated to address the City Engineer's comments documented in a letter dated June 23, 2014.
- 6) That the Village Preserve preliminary plat provides effective and safe pedestrian facilities, contributing to a walkable community as guided by the Village Land Use Plan.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the Village Preserve 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 23, 2014 shall be incorporated into the plans prior to consideration of a Final Plat.
- 5) 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.
- 6) Related to proposed storm water discharge to the north, the applicant must provide written permission from the property owner of the parcel located immediately north of the proposed Village Preserve subdivision consenting to the discharge location, volume and rate(s) in advance of submitting Final Plat.
- 7) The applicant shall be responsible for the submission of final plans and the construction of all improvements within the Lake Elmo Avenue (CSAH 17) right-of-way as required by Washington County and further described in the review letter received from the County dated June 24, 2014.
- 8) The Landscape Plan shall be updated per the recommendations of the City's Landscape Consultant, describe in a memo dated 6/25/14.
- 9) The developer shall be required to submit an updated parkland dedication calculation in advance of Final Plat to clarify the proposed amount of dedication being provided in the Village Preserve Subdivision. For whatever amount of land the applicant is short of the required parkland dedication amount, the applicant will either:
 - a. Subdivide the parcel under contract with Schiltgen Farms, Inc. and dedicate the land being proposed for parkland dedication east of Reid Park; or
 - b. Post an escrow in the amount equal to the fees in lieu of land dedication for the equal market value of the remaining land dedication requirement for Village Preserve until such time the land is dedicated east of Reid Park.

- 10) Secondary access to the site must be provided as part of the 2nd phase of the Village Preserve Subdivision. Said access must be included in the Final Plat and final construction documents for the 2nd phase of the development.
- 11) 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.
- 12) Application for Final Plat for the Village Preserve subdivision will not be accepted until approved plans for the extension of sanitary sewer to the site have been accepted or ordered by the City.
- 13) All of the outlots within the Village Preserve Preliminary Plat that serve as parkland or storm water management shall be dedicated to the City.

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

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk