

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

**RESOLUTION NO. 2015-31**

*A RESOLUTION APPROVING A FINAL PLAT FOR HUNTER'S CROSSING 2<sup>ND</sup> ADDITION*

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

**WHEREAS**, The Ryland Group, 7599 Anagram Drive, Eden Prairie, MN (Applicant) has submitted an application to the City of Lake Elmo (City) for a Final Plat for Hunter's Crossing 2<sup>nd</sup> Addition, a copy of which is on file in the City of Lake Elmo Community Development Department; and

**WHEREAS**, the Lake Elmo Planning Commission held a public hearing on June 23, 2014 to consider the Hunter's Crossing Preliminary Plat; and

**WHEREAS**, the Lake Elmo Planning Commission submitted its report and recommendation concerning the Preliminary Plat as part of a memorandum to the City Council for the July 1, 2014 City 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 request at its July 1, 2014 meeting and adopted Resolution No. 2014-053 approving the Preliminary Plat; and

**WHEREAS**, the Lake Elmo Planning Commission met on April 13, 2015 to review the Final Plat for Hunter's Crossing consisting of 29 single-family detached residential lots; and

**WHEREAS**, on April 13, 2015 the Lake Elmo Planning Commission adopted a motion to recommend that the City Council approve the Final Plat for Hunter's Crossing with conditions; and

**WHEREAS**, the City Council reviewed the recommendation of the Planning Commission and the Final Plat for Hunter's Crossing at a meeting held on May 5, 2015; and

**NOW, THEREFORE**, based upon the testimony elicited and information received, the City Council makes the following:

**FINDINGS**

- 1) That the procedure for obtaining approval of said Final Plat is found in the Lake Elmo City Code, Section 153.08.
- 2) That all the requirements of said City Code Section 153.07 related to the Final Plan and Final Plat have been met by the Applicant.

- 3) That the proposed Final Plat for Hunters Crossing 2<sup>nd</sup> Addition consists of the creation of 29 single-family detached residential structures.
- 4) That the Hunters Crossing 2<sup>nd</sup> Addition Final Plat is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on July 1, 2014.
- 5) That the Hunters Crossing 2<sup>nd</sup> Addition Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 6) That the Hunters Crossing 2<sup>nd</sup> Addition Final Plat complies with the City's Urban Low Density Residential zoning district regulations.
- 7) That the Hunters Crossing 2<sup>nd</sup> Addition Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances with the exception of issues identified in the April 13, 2015 Staff report to the Planning Commission.
- 8) That the Hunters Crossing 2<sup>nd</sup> Addition Final Plat complies with the City's subdivision ordinance.
- 9) That the Hunters Crossing 2<sup>nd</sup> Addition Final Plat is consistent with the City's engineering standards with the plan revisions as requested by the City Engineer in his review comments to the City dated April 2 and April 3, 2015.

### **CONCLUSIONS AND DECISION**

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council does hereby approve the Final Plat for Hunters Crossing 2<sup>nd</sup> Addition subject to the following conditions:

- 1) Final grading, drainage, and erosion control plans, utility plans, sanitary and storm water management plans, and street and utility construction plans shall be reviewed and approved by the City Engineer prior to the recording of the Final Plat. All changes and modifications to the Hunters Crossing 2<sup>nd</sup> Addition and 5<sup>th</sup> Street Construction plans requested by the City Engineer in review letters dated 4/2/15 and 4/3/15 shall be incorporated into these documents before they are approved.
- 2) Prior to the execution of the Final Plat by City officials, the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements with financial guarantees therefore.
- 3) All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat prior to the execution of the final plat by City Officials.
- 4) A Common Interest Agreement concerning management of the common areas of Hunter's Crossing and establishing a homeowner's association shall be submitted in final form to the Community Development Director before a building permit may be issued for any structure within this subdivision. The applicant shall also 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

- 5) The final landscape plan shall be subject to review and approval by the Community Development Director.
- 6) The final construction plans for 5<sup>th</sup> street shall include 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 September 2, 2014.
- 7) The developer is encouraged to incorporate elements from the Lake Elmo Theming Study into the final design of the community mailboxes within Hunter's Crossing.
- 8) The developer shall 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 (or trails) by the City. Any cash payment in lieu of land dedication shall be pro-rated based on the percentage of the overall lots to be platted within the subdivision and shall be paid by the applicant prior to the release of the final plat for recording.
- 9) The applicant shall deed Outlot A, to the City upon recording of the final plat.

Passed and duly adopted this 5<sup>th</sup> day of May 2015 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