



## STAFF REPORT

DATE: 1/02/2019

CONSENT

**TO:** Mayor and City Council  
**FROM:** Ben Prchal, City Planner  
**ITEM:** Wyndham Village Final Plat  
**REVIEWED BY:** Ken Roberts, Planning Director

### **BACKGROUND**

The Wyndham Village Development received Final Plat approval from City Council during the December 4<sup>th</sup> 2018 Council meeting. At that time staff unintentionally forgot to include the appropriate resolution, which would formally memorialize the final plat approval. The resolution is now being presented to the City Council for approval.

### **PROPOSAL DETAILS/ANALYSIS:**

#### **General Information.**

*Applicant:* JP Bush Homes, 1980 Quasar Ave S, Lakeland, MN 55043  
*Property Owners:* James McLeod, 11580 30<sup>th</sup> St N, Lake Elmo, MN 55042  
*Location:* Part of the southwest quarter of the southeast quarter of Section 13, Township 29 North, Range 21 West  
*PID:* 13-029-21-43-0001  
*History:* A Comprehensive Plan Amendment to re-guide the property from Rural Single Family to Village Low Density Residential was approved by the City Council on February 7, 2018 and by Metropolitan Council on March 14, 2018. The Preliminary Plat was approved July 17, 2018 (Resolution No. 2018-066), and an application to rezone the property from Rural Single Family to Village Low Density Residential was approved July 17, 2018 (Ordinance No. 08-212). The City Council heard and approved the Final Plat proposal on December 4<sup>th</sup> 2018 and will formally approve the Final Plat with Resolution No. 2019-006.

### **ISSUE BEFORE CITY COUNCIL:**

The City Council already approved the development and the final plat. This action will strictly serve as the formal approval of the Council resolution and is not an opportunity to amend the final plat or its approval.

### **RECOMMENDATION:**

Staff recommends that the City Council approve the resolution as it has been presented.

**“Move to approve resolution 2019-006 granting approval for the Wyndham Village Final Plat”**

### **ATTACHMENTS:**

1. Resolution 2019-006

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

**RESOLUTION NO. 2019-006**

*A RESOLUTION RATIFYING THE CITY COUNCIL'S APPROVAL OF THE FINAL PLAT FOR  
WYNDHAM VILLAGE*

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

**WHEREAS**, the Lake Elmo Planning Commission reviewed a proposed Sketch Plan and Comprehensive Plan Amendment request for Wyndham Village on November 13, 2017; and

**WHEREAS**, the Lake Elmo City Council reviewed a proposed Sketch Plan and approved a Comprehensive Plan Amendment request for Wyndham Village on February 20, 2018; and

**WHEREAS**, the Metropolitan Council approved a Comprehensive Plan Amendment to re-guide the land use of Wyndham Village from Rural Single Family to Village Low Density Residential on March 14, 2018; and

**WHEREAS**, the City of Lake Elmo approved the preliminary plat for Wyndham Village on July 17, 2018 by Resolution No. 2018-066; and

**WHEREAS**, the Lake Elmo Planning Commission submitted its report and recommendation of approval of the final plat as part of a memorandum to the City Council for the December 4, 2018 City Council Meeting; and

**WHEREAS**, the City Council reviewed and approved the final plat (Exhibit A) at its meeting held on December 4, 2018 with the following findings of fact and conditions of approval; and

**WHEREAS**, the City Council is adopting this resolution ratifying its approval of the final plat; and

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council does hereby ratify its approval of the final plat for Wyndham Village that occurred on December 4, 2018, subject to the following findings:

1. That the Wyndham Village final plat is consistent with the approved preliminary plat, the Lake Elmo Comprehensive Plan and its Future Land Use Map, and the amended zoning for the subject property;
2. That the Wyndham Village final 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 the corrections as noted by the City Engineering Review Comments and Construction Plan Review Memos dated November 5, 2018;

3. That the Wyndham Village Final Plat complies with the City's subdivision ordinance.

**NOW, THEREFORE, BE IT FURTHER RESOLVED THAT** the City Council does hereby ratify its approval of the final plat for Wyndham Village that occurred on December 4, 2018 subject to the following conditions:

1. All required modifications to the construction plans as requested by the City Engineer in a review letter dated November 5, 2018 shall be incorporated into the plans, and the plans shall be approved prior to recording the final plat.
2. Written easement holder permission must be obtained, and copies provided to the City, for work to be completed within the Northern Natural Gas easement. The City must receive copies of the written permission prior to any site work or construction activity commencing on site.
3. If applicable, written landowner permission must be submitted for any off-site grading work and storm water discharges to adjacent properties.
4. The developer shall have the full property appraised and pay a cash contribution in lieu of land for park dedication to the City equal to 10% of the fair market value of the entire parcel prior to recording of the final plat.
5. 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 the property prior to any site work or construction activity commencing on site.
6. The landscape plan shall be amended to include a landscape easement on Lot 7 and shall be approved by the City prior to recording of the final plat.
7. The development agreement shall include language regarding a required principal structure setback of 20 feet from the Northern Natural Gas easement area on Lots 8, 9, and 10 denoted on the final plat.
8. The development agreement shall include language that requires the Developer to provide a disclosure statement to all first homeowners in the development advising them of the airport and associated over-flights as well as the property's proximity to the railroad and associated noise and vibration.
9. The development agreement shall include language that encourages all builders to incorporate interior noise reduction measures into single family residential structures within the subdivision based on the Metropolitan Council's Builder Guide.

10. All easements as requested by the City Engineer and the Public Works Department shall be documented on the final plat prior to the execution of the final plat by City officials.
11. Prior to recording the final plat, the Developer shall enter into a development agreement acceptable to the City Attorney that delineates who is responsible for the design, construction, and payment of public improvements.
12. The Developer shall amend the Lot 7 detail to show screening/buffering consistent with the City's ordinances, which shall be reviewed approved by the City's Landscape Architect prior to any site work being completed.

Passed and duly adopted this 2<sup>nd</sup> day of January, 2019 by the City Council of the City of Lake Elmo, Minnesota.

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Mike Pearson, Mayor

ATTEST:

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Julie Johnson, City Clerk

