

**CITY OF COLOGNE  
CARVER COUNTY, MINNESOTA**

**RESOLUTION NO. 17-11**

**A RESOLUTION APPROVING A FINAL PLAT FOR A DEVELOPMENT KNOWN AS  
THE VILLAGE AT COLOGNE NORTH SECOND ADDITION**

**WHEREAS**, the City of Cologne is a Minnesota municipal corporation, duly organized and authorized to conduct its affairs under the laws of the State of Minnesota; and

**WHEREAS**, M/I Homes of Minneapolis/St. Paul, LLC, a limited liability company (the “Developer”) is the applicant for development and owner of certain real property located in the City of Cologne, State of Minnesota, legally described as follows:

Outlots C and F, The Village at Cologne North, Carver County, Minnesota

(the “Subject Property”) which contains 14.7 **[NEED]** acres; and

**WHEREAS**, the Developer has received approval, by Resolution No. 16-22 adopted on August 15, 2016, of a preliminary plat to plat the Subject Property and other lands into various lots and outlots as shown on a preliminary plat and preliminary grading plans for a development entitled The Village at Cologne North; and

**WHEREAS**, the Developer has received approval by Resolution No. 16-26 of a final plat to plat the Subject Property and other lands into The Village at Cologne North; and

**WHEREAS**, the Developer has submitted a proposed final plat entitled The Village at Cologne North Second Addition which includes twenty eight single family designer lots and eight

villa lots for the Subject Property attached hereto as **Exhibit A** and has requested approval of the final plat; and

**WHEREAS**, the City Council has considered the proposed final plat and it makes the following findings of fact:

1. The proposed final plat is consistent with the City's Comprehensive Plan.
2. Technical issues highlighted in Resolution No. 16-22 have been resolved.
3. The development of the Subject Property is subject to a prior preliminary plat resolution for The Village at Cologne, Resolution No. 05-10, as amended (the "Prior Resolution"), Resolution No. 16-22, and Resolution No. 16-26 which approved the final plat of The Village at Cologne North.

**NOW, THEREFORE, BE IT RESOLVED**, the final plat is approved subject to the following conditions:

1. Lot sizes and setbacks are as shown on the preliminary plat.
2. Prior to filing the final plat, Developer must provide a current title commitment to the City Attorney and County Surveyor for review and approval.
3. Park dedication requirements for the Subject Property are satisfied.
4. All comments contained within Bolton & Menk's memo dated July 29, 2016, and letters dated August 31, 2016, September 1, 2016, September 8, 2016, and April 7, 2017, and Resource Strategies Corporation's memos dated August 10, 2016, August 30, 2016, and April 7, 2017, together with all subsequent memos, letters, and requirements of the City Engineer and City Planner, are incorporated herein by reference and must be addressed and incorporated into the final plat, and approval of the final plat is subject to satisfaction of all such comments.
5. Developer shall be responsible for securing necessary easements and for constructing streets and utility improvements as shown on the following:
  - a. Plat:
    - i. Titled "The Village at Cologne North Second Addition"
    - ii. Prepared by E.G. Rud & Sons, Inc.
    - iii. Undated
    - iv. Sheet 1 of 1

- b. Grading Plan:
  - i. Titled "Final Grading Plan of The Village at Cologne North"
  - ii. Prepared by E.G. Rud & Sons, Inc.
  - iii. Dated August 25, 2016
  - iv. Latest Revision Date August 25, 2016
  - v. Sheets 1 of 5 through 5 of 5
- c. Street and Utility Plans:
  - i. Titled "Village at Cologne North"
  - ii. Prepared by Stantec
  - iii. Dated October 22, 2016
  - iv. Latest Revision Date April 14, 2017
  - v. Sheets G0.00 through C8.10 totaling 29 sheets.

The cost of constructing utility improvements shown on the plans to be approved by the City shall be borne solely by the Developer. However, to the extent that such utilities are oversized at the request of the City, the City shall reimburse the Developer \$4,510.00 for the cost of the extra diameter of the pipe. The location of such utility lines within the Subject Property shall be as designated and approved by the City Engineer.

- 6. Prior to the release of the final plat for recording, a Developer's Agreement must be entered into which Developer's Agreement will include, but not be limited to, the following:
  - a. Street and utility construction details, processes, plans.
  - b. All required approvals from other governmental agencies.
  - c. Final grading and drainage plans.
  - d. Maintenance requirements during construction.
  - e. Landscaping plans.
  - f. Financial guaranties.
  - g. Other planning and engineering items, as appropriate.
  - h. Payment of all applicable dedication and fees.

The Mayor and City Clerk are authorized to execute the Developer's Agreement prepared by the City Attorney.

7. Compliance with the Prior Resolution, Resolution No. 16-22, and Resolution No. 16-26.
8. Slab on grade single family villa homes consistent with the zoning for the Subject Property is the permitted use on Lots 1 to 8, Block 1.
9. Single family homes consistent with the zoning for the Subject Property is the permitted use on Lots 1 to 13, Block 2, and Lots 1 to 15, Block 3.
10. The Developer must reimburse the City for all costs incurred by City and its consultants in relation to review of the proposed development plan of Developer and in relation to the installation and inspection of any improvements making up the development of the Subject Property.
11. The Developer shall supply detailed storm sewer calculations for ten (10) year storm events and all hydrologic and hydraulic calculations to the City Engineer to review and approval.
12. The Developer shall supply detailed construction plans for sanitary sewer, watermain, street access points and storm sewer improvements for the City Engineer to review and approve. All utility improvements shall be constructed in accordance with the City's specifications and detail standards.
13. The Developer shall be responsible for obtaining and complying with all necessary permits from the Minnesota Department of Health, DNR, Carver County Watershed Management Organization, MPCA, MnDOT, and any other governmental agencies.
14. The Developer shall incorporate the standards and procedures of the Best Management Practices Handbook for site restoration and erosion control measures during the construction process.
15. The Developer may not commence construction of any improvements on the Subject Property until the City Engineer has approved both the detailed grading plan and the detailed construction plan and issued written confirmation to the City and the Developer of the approval of such plans. Any grading must be in conformance with the grading permit previously issued by the City.
16. The lowest floor elevations and garage floor elevations for each building pad on each separate lot must be shown on the grading plan. The lowest floor elevation shall be at least two (2) feet above the calculated high water level of the storm water detention ponds from a one hundred (100) year, twenty-four (24) hour storm event, or the emergency overflow elevation, whichever is higher. Residences and garages shall not be constructed within twenty-five (25) feet of the calculated high

water level of any storm water detention pond on a one hundred (100) year, twenty-four (24) hour storm event.

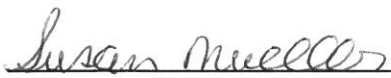
17. Ponding calculations for rear yard pond areas shall be submitted for review to ensure that proposed lowest opening house elevations are a minimum of 1 foot above 100 year HWL or EOFs, whichever is higher.
18. House lowest floor elevations for lots adjacent to any ponds shall be a minimum of 2 feet above the 100 year HWL or EOF whichever is higher, in accordance with Resolution No. 16-22. In land locked pond areas with no adjacent or reliable EOF, such as the Pond 14 area, the lowest openings shall be a minimum of 1 foot above the back to back 100 year HWL elevation.
19. The Developer shall submit details on corrected building pads including compaction tests, limits of the pads and elevations of the excavations. The general soils report for the development must also be submitted to the City Engineer for the project records.
20. The Developer shall submit the plat in electronic format (either AutoCADD.DWG file, X.DXF format, or such other format as is required by the City Engineer).
21. Street lights shall be installed by the Developer.
22. The Developer shall survey all storm water holding ponds as required by the City. The Developer shall be responsible for storm sewer cleaning and holding pond dredging, as required, by the City prior to completion of the development of the Subject Property.
23. The Developer shall construct a trail in conformance with the requirements of the City Planner in the median of Carriage Way from Naples Avenue to Outlot D, The Village at Cologne North.
24. The Developer shall construct a trail in conformance with the requirements of the City Planner on the north side of Village Parkway from the southeast corner of Outlot I, The Village at Cologne North, to the southwest corner of Lot 10, Block 5, The Village at Cologne North.
25. The Developer shall prepare and file, subject to approval of the City Attorney, an easement for the trail described in Section 24 herein.
26. The Developer shall construct a trail in conformance with the requirements of the City Planner from Carriage Way through the City park property to Naples Avenue in a location to be designated by the City Planner and City Engineer **[CITY COUNCIL NEEDS TO DECIDE IF IT WANTS THIS TRAIL.]**

27. Park improvements and dedication requirements have been satisfied.
28. The street name of Carriage Lane shall be changed to Naples Avenue.
29. The Developer shall construct a sidewalk on the southerly/westerly side of Naples Avenue from the westerly intersection of Naples Avenues and Village Parkway to the easterly intersection of Naples Avenue and Village Parkway.
30. Homeowners' association documents shall be provided and approved by the City Attorney prior to release of the final plat for recording.
31. The homeowners' association established by Developer shall maintain all center medians in Carriage Way; the City shall not maintain such medians.
32. Additional conditions as determined necessary by the City Planner, City Engineer, and City Attorney as review of the project progresses and is completed.
33. The City has previously issued a grading permit for the Subject Property to the Developer, and Developer must conform to the terms and conditions of the Grading Agreement and Permit.
34. The following fee is payable by Developer before the final plat will be released for recording:
  - a. \$735.00 transportation fee in lieu of assessment for each of the single family and villa lots at the time of each building permit issuance.

Adopted by the City Council of the City of Cologne on this 17<sup>th</sup> day of April, 2017.

  
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Matt Lein, Mayor

ATTEST:

  
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Susan Mueller, City Clerk

FINAL PLAT

PRELIMINARY PRINT

**Dated: 2 / 28 / 17**

