

**CITY OF HAMBURG, MINNESOTA
RESOLUTION NUMBER 2020-08**

**RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT AND
CONSTRUCTION PLANS FOR PROPERTY TO BE PLATTED AS
DROEGE'S THIRD ADDITION**

WHEREAS, Lois Ann Droege, Trustee of the “Lois Ann Droege Trust” (hereinafter referred to as the “**Applicant**”) is the applicant for preliminary and final plat (hereinafter collectively referred to as the “Application”) for property located within the City, legally described and depicted on attached Exhibit A (hereinafter referred to as the “**Property**”); and

WHEREAS, the City staff studied the matter, made a report, and provided other information to the Planning Commission and City Council; and

WHEREAS, the City Council, acting as the City Planning Commission, held a public hearing and considered the Application on April 28, 2020 recommending approval of the Application; and

WHEREAS, the City Council consider the Application at its April 28, 2020 meeting receiving the recommendation from the Planning Commission, the report from City staff and other information.

NOW THEREFORE, BE IT RESOLVED, by the City Council of Hamburg, Minnesota makes the following:

FINDINGS

- A. The Application is for preliminary plat and final plat for the purpose of developing the Property with two twin homes on two lots.
- B. Subdivision of the Property is governed by City Code Chapter 160B.
- C. City Code Chapter 160B, Section A, Subd. 3, provides that no subdivision shall be accepted for filing by Carver County unless accompanied by a City resolution approving the subdivision.
- D. City Code Chapter 160B, Sections B and C, governs the requirements of a preliminary plat and final plat.
- E. City Code Chapter 160B, Section D, provides for specific subdivision design standards.
- F. City Code Chapter 160B, Section E, provides for the installation and construction of certain improvements.
- G. The Applicant has submitted, for the City Council’s review and approval, the final plat of Droege’s Third Addition, drafted by E.G. Rud & Sons, Inc. (hereinafter referred to as the



“**Final Plat**”), and the 2018 George Street Improvement Project Construction Plans drafted by SEH, dated June 20, 2018, the Lois Droege – Twin Home Construction Plans for Grading Twin Home Pads, drafted by SEH, dated July 26, 2018, and the Certificate of Surveys for the Property, drafted by Sibley Surveyors, Inc., dated July 16, 2109 (hereinafter referred to as the “**Plans**”). The Plans are submitted for and pertain to the preliminary plat requirements of City Code Chapter 160B, Section B and C, the subdivision standards of City Code Chapter 160B, Section D, and the Applicant’s installation and construction of certain improvements as required by City Code Chapter 160B, Section E.

- H. The Final Plat and Plans meet the City Code requirements provided they are subject to and meet, to the satisfaction of the City, the conditions set forth in this Resolution.

DECISION

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hamburg and based upon the information received and the above Findings:

1. The City Council does hereby conditionally approves the Plans, subject to the conditions set forth in Paragraph 3 below that must be met, to the satisfaction of the City, prior to the release of the Final Plat, unless otherwise expressly stated.
2. The City Council does hereby conditionally approve the Final Plat and the Mayor and City Clerk/Treasurer are hereby authorized to execute the Final Plat, subject to the conditions set forth in Paragraph 3 below that must be met, to the satisfaction of the City, prior to release of the Final Plat, unless otherwise expressly stated.
3. The following conditions must be met to the satisfaction of the City prior to release of the Final Plat, unless otherwise expressly stated:
 - a. The following conditions must be met, to the satisfaction of the City Planner, prior to release of the Final Plat:
 - i. The Plans shall be modified to provide for an exhibit showing utility connections.
 - b. The requirements of City Code Chapter 160B, Section D, must be met prior to the issuance of any certificates of occupancy, including, but not limited to, installation of mailboxes, sanitary sewer and water utility connection, and landscaping.
 - c. The requirements of City Code Chapter 160B, Section F, must be met prior to the issuance of any certificates of occupancy, including, but not limited to, installation of monuments as required by City Code Chapter 160B, Section F, Subd., 3.A.



- d. Issuance of any certificates of occupancy is conditioned upon approval of the rezoning and comprehensive plan that allows the use as set forth in the Plans and the Final Plat.
- e. The Applicant shall execute a Development Agreement, drafted by the City, ensuring, among other things, the construction of and payment for public improvements.
- f. Applicant shall convey to the City that area shown on the Plans for the stormwater pond (hereinafter referred to as the “**Pond Area**”). The conveyance on the Pond Area satisfies all park dedication requirements for the Final Plat.
- g. Applicant shall grant an easement to the City for the area, as shown on the Plans, containing the stormwater pipe from the stormwater pond to the public right-of-way.
- h. Applicant shall cooperate with the City with regard to the annexation process of for the Pond Area, which annexation may occur after the release of the Final Plat.
- i. The Applicant shall provide a platting title commitment as required by Minn. Stat. §505.03. The above-mentioned evidence of title shall be subject to the review and approval of the City Attorney to determine the entities that must execute the Final Plat and other documents to be recorded against the Property. Further, Applicant shall provide the City with evidence, which sufficiency shall be determined by the City, that all documents required to be recorded pursuant to this Resolution and by the City Attorney are recorded and all conditions for release of the Final Plat have been met prior to the City issuing any certificates of occupancy.
- j. Construction on the Property shall comply with the Plans, this Resolution, previous and subsequent approvals, and local, state, and federal rules and regulations.
- k. Maintenance of the Property shall, at all times, comply with the Plans, this Resolution, previous and subsequent approvals, and local, state, and federal rules and regulations.
- l. The Final Plat must be filed and recorded with Carver County within one-year of the date of this Resolution and the City must be provided with the information required under City Code Chapter 160B, Section B, Subd. 5.E.3. If the Final Plat is not timely filed or recorded and the required information provided, this Resolution and all approvals herein shall be void with no further action required by the City Council.



I CERTIFY THAT the above resolution was adopted by the City Council of Hamburg, Carver County, Minnesota this 28th day of April, 2020.



Chris Lund, Mayor

ATTEST:



Jeremy Gruenhagen, City Clerk/Treasurer



“The City of Hamburg is an Equal Opportunity Employer and Provider.”