

CITY OF APPLE VALLEY
RESOLUTION NO. 2025-

PRELIMINARY PLAT APPROVAL
ORCHARD PLACE 5TH ADDITION

WHEREAS, pursuant to Minnesota Statutes 462.358, the City of Apple Valley adopted, as Chapter 153 of the City Code, regulations to control the subdivision of land within its borders; and

WHEREAS, pursuant to Chapter 153 of the City Code, the City Planning Commission held a public hearing on an application for subdivision of land by plat on DATE; and

WHEREAS, the City Planning Commission reviewed the preliminary plat for conformance with the standards of Chapter 153 of the City Code and made a recommendation regarding its approval on DATE, subject to conditions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Apple Valley, Dakota County, Minnesota, that the preliminary plat for the following described plat of land is hereby approved for a one-year period, to wit:

ORCHARD PLACE 5TH ADDITION

BE IT FURTHER RESOLVED, pursuant to Chapter 153 of the City Code, that said preliminary plat approval is subject to the following conditions, which shall be incorporated into a subdivision agreement to be considered for approval at the time of submission of the request for final plat approval:

1. The plat shall be configured to have two (2) lots and two (2) outlots.
2. Park dedication requirements shall be satisfied in accordance with Section 153.29 of the City Code.
3. Dedication on the final plat of a ten-foot (10') wide easement for drainage, utility, street, sidewalk, street lights, and tree plantings along the entire perimeter of lots within the plat wherever abutting public road right-of-ways.
4. Dedication on the final plat of a five-foot (5') wide drainage and utility easement along all common lot lines.
5. Dedication of a thirty-foot (30') wide drainage and utility easement along the east property line of the properties.
6. All lots and outlots shall be required to have access for ingress and egress to a public street. Easement(s) necessary to provide access shall be required to be submitted and approved by the City Attorney prior to City Council approval of the final plat.

7. A cross access and cross parking agreement between Lot 1, Block 1 and Outlot A, Orchard Place 5th Addition, shall be executed in a form acceptable to the City Attorney and a copy provided to the City. The Agreement shall be recorded, along with the final plat, with Dakota County Recorder's Office. Recorded documents shall be provided to the City of Apple Valley prior to issuance of a building permit.
8. Installation of municipal sanitary sewer, water, storm sewer, and street improvements as necessary to serve the plat, constructed in accordance with adopted City standards, including the acquisition of any necessary easements outside the boundaries of the plat which are needed to install connections to said necessary improvements. The Developer shall enter into an agreement with the City for payment of the design of said municipal improvements.
9. Installation of pedestrian improvements in accordance with the City's adopted Trail and Sidewalk Policies, subject to final approval by the City Engineer. Pedestrian improvements shall consist of six-foot (6) wide concrete sidewalk along the west side of English Avenue.
10. Submission of a final grading plan and lot elevations with erosion control procedures, to be reviewed and approved by the City Engineer. If the site is one (1) or more acres in size, the applicant shall also submit a copy of the of the General Storm Water Permit approval from the Minnesota Pollution Control Agency pursuant to Minnesota Rules 7100.1000 - 7100.1100 regarding the State NPDES Permit prior to commencement of grading activity.
11. Construction and earthmoving activities shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday. Weekend construction hours shall be limited to Saturdays from 8:00 a.m. to 5:00 p.m.
12. The City receives a hold harmless agreement in favor of the City as drafted by the City Attorney and incorporated into the subdivision agreement.
13. An encroachment agreement for Lot, Block 1, Orchard Place 5th Addition and the Magellan Pipeline easement shall be provided in a form acceptable to the City Attorney. The agreement shall be executed and recorded prior to issuance of a building permit.
14. The final plat shall be recorded with the County prior to the issuance of a building permit.
15. Subject to all conditions noted in the City Engineer's memo dated **DATE**.

ADOPTED this ____ day of _____, 20__.

Clint Hooppaw, Mayor

ATTEST:

Christina M. Scipioni, City Clerk