

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

**RESOLUTION NO. 2014-94**

*A RESOLUTION APPROVING THE INWOOD PRELIMINARY PLAT AND  
PRELIMINARY PUD PLAN*

**WHEREAS**, Hans Hagen Homes, 941 NE Hillwind Road, Suite 300, Fridley, MN and Inwood 10, LCC, 95 South Owasso Boulevard West, St. Paul, MN (“Applicants”) have submitted an application to the City of Lake Elmo (“City”) for a Preliminary Plat and a Planned Unit Development (PUD) Preliminary Plan for a planned development to be called InWood, copies of which are on file in the City Planning Department; and

**WHEREAS**, the proposed Planned Unit Development is for a mixed-use Planned Unit Development on 157 acres of land located at the southeast corner of Inwood Avenue and 10<sup>th</sup> Street in Lake Elmo and will include 275 single-family residential lots, 264 multi-family residential units, and approximately 90,000 square feet of commercial/office uses; and

**WHEREAS**, the Preliminary Plat and Preliminary Plans include the single family portions of the overall PUD development; and

**WHEREAS**, the Lake Elmo City Council approved the InWood PUD Concept Plan on September 16, 2014, and

**WHEREAS**, the Lake Elmo Planning Commission held a Public Hearing on November 24, 2014 to consider the Preliminary Plat and Preliminary Plans for the PUD; and

**WHEREAS**, on November 24, 2014 the Lake Elmo Planning Commission adopted a motion to recommend that the City Council approve the Inwood PUD Preliminary Plat and Preliminary Plans; and

**WHEREAS**, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Inwood PUD Preliminary Plat and Preliminary Plans to the City Council as part of a memorandum from the Planning Department dated December 2, 2014; and

**WHEREAS**, the City Council reviewed the recommendation of the Planning Commission and the proposed Inwood PUD Preliminary Plat and Preliminary Plans at a meeting on December 2, 2014.

**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 PUD Preliminary Plan is found in the Lake Elmo City Code, Section 154.800.
- 2) That all the requirements of said City Code Section 154.800 related to the PUD Preliminary Plan have been met by the Applicant.
- 3) That the InWood preliminary plat complies with the City's subdivision ordinance and is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 4) That the proposed PUD Preliminary Plan is for a mixed-use Planned Unit Development on 157 acres of land located at the southeast corner of Inwood Avenue and 10<sup>th</sup> Street in Lake Elmo and that the Preliminary Plan includes 275 single-family residential lots.
- 5) That the PUD Preliminary Plan will be located on property legally described on the attached Exhibit "A".
- 6) That the proposed PUD will allow a more flexible, creative, and efficient approach to the use of the land, and will specifically relate to existing zoning district standards in the following manner (with exceptions as noted):

| <u>Setback</u>     | <u>LDR Zoning District (Min.)</u>                     | <u>Inwood PUD (Min.)</u> |
|--------------------|---|--------------------------|
| Front Yard         | 25 feet   | 20 feet                  |
| Interior Side Yard | 10 Feet Principal Structure Side / 5 Feet Garage Side | 4 Feet                   |
| Rear Yard          | 20 feet   | 20 feet                  |
| Lot Area           | 8,000 square feet                                     | 4,250 square feet        |
| Lot Depth          | N/A   | 110 feet                 |
| Lot Width          | 60 feet   | 38 feet                  |

- a) The InWood PUD shall be exempt from Section 154.457 of the Lake Elmo Zoning Ordinance concerning the width of attached garages
  - b) All other requirements for the City's LDR zoning district will apply, including the allowed uses and other site and development standards
- 7) That the InWood PUD General Concept Plan was approved by the City on September 16, 2014, and that the submitted Preliminary Plat and Preliminary PUD Plan is consistent with the approved General Concept Plan.

- 8) That the InWood preliminary plat and preliminary PUD plan are consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area, with the exception of the narrowing and extending of the commercial area further south of 10<sup>th</sup> Street along Inwood Avenue as approved in the General Concept Plan.
- 9) That the InWood preliminary plat and preliminary PUD plan generally complies with the City's LDR - Urban Low Density Residential and HDR – High Medium Density Residential zoning districts with the exceptions to lot size, lot width, setbacks, and garage width requirements as specified above.
- 10) That the InWood preliminary plat and preliminary PUD plan comply with the City's subdivision ordinance.
- 11) That the InWood preliminary plat and preliminary PUD plan comply with the City's Planned Unit Development Regulations.
- 12) That the InWood preliminary plat and preliminary PUD plan comply with City's Engineering Standards, except where noted in the review memorandum from the City Engineer dated 11/16/14 and 11/24/14.
- 13) That the InWood preliminary plat and preliminary PUD plan comply with other City ordinances, such as landscaping, tree preservation, and erosion and sediment control.
- 14) That the InWood preliminary plat and preliminary PUD plan achieve multiple identified objectives for planned developments within Lake Elmo.

### **CONCLUSIONS AND DECISION**

Based on the foregoing, the Applicants' application for a PUD Concept Plan is granted, provided the following conditions are met:

- 1) The applicant shall work with Community Development Director to name all streets in the subdivision in a manner acceptable to the City prior to the submission of final plat.
- 2) The City and the applicant shall reach an agreement concerning the location and dedication of land associated with the proposed water necessary to provide adequate water service to the InWood project area prior to the acceptance of a final plat for any portion of the PUD area.
- 3) The preliminary landscape plan shall be updated to address the review comments from the City's landscape architecture consultant as noted in a review letter dated November 18, 2014.
- 4) Prior to the submission of a final plat for any portion of the InWood PUD, the developer shall reach agreement with the City to determine the appropriate park dedication calculations for the entire development area.
- 5) As part of any development agreement that includes improvements to one of the adjacent County State Aid Highways (CSAH 13 and 10<sup>th</sup> Street), the City and the developer shall determine the appropriate responsibility for the cost of these improvements.

- 6) The applicant must enter into a separate grading agreement with the City prior to the commencement of any grading activity in advance of final plat and plan approval. The City Engineer shall review any grading plan that is submitted in advance of a final plat, and said plan shall document extent of any proposed grading on the site.
- 7) The applicant shall continue to work with the City on the final design of 5<sup>th</sup> Street, and in particular, the transition from the InWood PUD to properties located further to the east (including the Boulder Ponds development and land owned by Bremer Financial Services).
- 8) The utility construction plans shall be updated to incorporate the recommendations of the City Engineer concerning the appropriate location and size of sewer services through the PUD planning area, including any requested oversizing of these facilities to service adjacent properties.
- 9) The proposed public street access to 5<sup>th</sup> Street from Streets D2 and the southeast park area (Park 1) shall be eliminated from the preliminary development plans in order to bring the proposed spacing into conformance with the City's access spacing guidelines. The developer shall provide access into the park to the satisfaction of the City Engineer.
- 10) All center median planting areas as depicted on the preliminary plat and plans shall be owned by the City of Lake Elmo and maintained by the Home Owners Association. The applicant shall 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, trails, or open space on the final plat.
- 11) The applicant must either move the planned north/south trail through Park 1 further to the west around an existing wetland area located approximately 400 feet south of 10<sup>th</sup> Street or will need to work with the South Washington Watershed District to design a multi-purpose trail through the buffer area that complies with all applicable watershed district's requirements.
- 12) The Final Plat and Plans must address the requested modifications outlined in the City Engineer's review memoranda dated November 16, 2014 and November 24, 2014.
- 13) The applicant shall be responsible for updating the final construction plans to include the construction of all improvements within County rights-of-way as required by Washington County and further described in the review letter received from the County dated November 17, 2014.
- 14) Prior to recording the Final Plat for any portion of the area shown in the Preliminary Plat, the Developer shall enter into a Developers Agreement acceptable to the City Attorney that delineates who is responsible for the design, construction, and payment of public improvements.
- 15) The developer must follow all the rules and regulations of the Wetland Conservation Act, and adhere to the conditions of approval for the South Washington Watershed District Permit.
- 16) The developer shall provide landscape material along the west side of Pond #200 to the satisfaction of the City's landscape consultant.
- 17) The developer shall incorporate elements from the Lake Elmo Theming Study at the intersection of "Street B" and 10th Street and at the intersection of 5th Street and Inwood Avenue.
- 18) The developer shall install a multi-purpose trail along 10th Street between "Street B" and Inwood Avenue.

- 19) The multi-purpose trail through the eastern buffer area shall be kept as far west on the applicant's property as possible, and the final alignment of this trail shall be subject to review by the City's landscape consultant.

Passed and duly adopted this 2<sup>nd</sup> day of December 2014 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