

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

**RESOLUTION NO. 2016-34**

*A RESOLUTION APPROVING A FINAL PLAT AND FINAL PLANNED UNIT DEVELOPMENT  
(PUD) PLAN FOR INWOOD 3<sup>RD</sup> ADDITION PLANNED UNIT DEVELOPMENT*

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

**WHEREAS**, Hans Hagen Homes, 941 NE Hillwind Road, Suite 300, Fridley, MN has submitted an application to the City of Lake Elmo (“City”) for a Final Plat and Final PUD Plan for InWood Third Addition Planned Unit Development, a copy of which is on file in the City of Lake Elmo Planning Department; and

**WHEREAS**, the City approved the InWood PUD General Concept Plan on September 16, 2014; and

**WHEREAS**, the City approved the InWood Preliminary Plat and Preliminary PUD Plan on December 2, 2014; and

**WHEREAS**, the proposed InWood 3<sup>rd</sup> Addition Final Plat and Final PUD Plan includes 68 single family residential lots within the single family residential portion of the 157.2-acre InWood planned unit development located in Stage 1 of the I-94 Corridor Planning Area; and

**WHEREAS**, the Lake Elmo Planning Commission held public hearing on March 14, 2016 to consider the Final Plat and Preliminary PUD Plan request; and

**WHEREAS**, the Lake Elmo Planning Commission adopted a motion recommending approval of the Final Plat and Final PUD Plan subject to 10 conditions of approval; and

**WHEREAS**, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Final Plat and Final PUD Plan as part of a memorandum to the City Council for the April 19, 2016 Council Meeting; and

**WHEREAS**, the City Council reviewed the InWood Final Plat and Final PUD Plan at its meeting held on April 19, 2016 and made the following findings of fact:

- 1) That the procedure for obtaining approval of said Final Plat and Final PUD plans is found in the Lake Elmo City Code, Sections 153.08 and 154.750.
- 2) That all the requirements of said City Code Sections 153.08 and 154.750 related to the Final Plat and Final PUD plans have been met by the Applicant.

- 3) That the proposed Final Plat for InWood 3rd Addition consists of the creation of 68 single-family detached residential structures.
- 4) That the InWood 3rd Addition Final Plat and Final PUD Plan is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on December 2, 2014.
- 5) That the InWood 3rd Addition Final Plat and Final PUD Plan is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 6) That the InWood 3rd Addition Final Plat generally complies with the City's Urban Low Density Residential zoning district, with the exceptions as noted in the approved Preliminary PUD Plans and as further specified in Resolution No. 2014-094.
- 7) That the InWood Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances, except as noted in this report or attachment thereof.
- 8) That the InWood 3rd Addition Final Plat complies with the City's subdivision ordinance.
- 9) That the InWood 3rd Addition Final Plat and Final PUD Plan complies with the City's Planned Unit Development Ordinance.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council does hereby approve the InWood 3rd Addition Final Plat and Final PUD Plan subject to the following conditions:

- 1) All easements as requested by the City Engineer shall be documented on the Final Plat prior to the execution of the final plat by City Officials.
- 2) All conditions/comments from the City Engineer's review memorandum dated 3/10/16 be complied with prior to the execution of the final plat by City Officials.
- 3) That the Landscape Plans and Irrigation Plans be reviewed and approved by the City's Landscape Architect before a building permit may be issued for any structure within this subdivision.
- 4) A Common Interest Agreement concerning management of the common areas of InWood 3<sup>rd</sup> Addition and establishing a homeowner's association shall be submitted in final form to the Community Development Director before a building permit may be issued for any structure within this subdivision.
- 5) The applicant shall also 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 and open space on the final plat.
- 6) The final plat and final development plans shall include provisions satisfactory to the City that no structure be located within 15 feet of any storm water improvement (include pipes and catch basins).

- 7) Retaining walls within rear yard utility easements shall be clearly documented and shall be owned and maintained by the InWood homeowners' association. All costs associated with protection, replacement, or maintenance of retaining walls due to any work in easements by the City shall be the full responsibility of the HOA.
- 8) That the trail in the east buffer area be constructed to 10th Street with the 3rd Addition development, before a building permit may be issued for any structure within this subdivision.
- 9) All trails within and adjacent to the 3<sup>rd</sup> Addition development be constructed before any building permits are issued for any structure within this subdivision.
- 10) That the infiltration basin design be revised to comply with the South Washington Watershed District's recommended changes as specified in the email dated 3/30/16.

Passed and duly adopted this 19<sup>th</sup> day of April, 2016 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