



## **MAYOR & COUNCIL COMMUNICATION**

**DATE: September 1, 2015**  
**REGULAR**  
**ITEM # 13**  
**RESOLUTION 2015-069**

**AGENDA ITEM:** Inwood 2<sup>nd</sup> Addition Residential Subdivision – Final Plat

**SUBMITTED BY:** Kyle Klatt, Community Development Director

**THROUGH:** Clark Schroeder, Interim City Administrator

**REVIEWED BY:** Planning Commission  
Jack Griffin, City Engineer

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### **SUGGESTED ORDER OF BUSINESS:**

- Introduction of Item .....Community Development Director
- Report/Presentation.....Community Development Director
- Questions from Council to Staff ..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion ..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

**POLICY RECCOMENDER:** The Planning Commission is recommending that the City Council approve a final plat request from Hans Hagen Homes for the second addition of a planned unit development to be located east of Inwood Avenue and south of 10<sup>th</sup> Street within the City's I-94 corridor planning area. The final plat will include 21 single-family lots.

The Planning Commission considered the final plat at its August 24, 2015 meeting and a summary of the Commission's report and recommendation is included below.

**FISCAL IMPACT:** None – the lots to be platted with the 2<sup>nd</sup> Addition will be served by improvements presently under construction as part of the 1<sup>st</sup> Addition. No development agreement is needed with the developer because there are no additional improvements needed to serve the proposed lots.

**SUMMARY AND ACTION REQUESTED:** The City Council is being asked to consider a request from Hans Hagen Homes for approval of a final plat associated with the second phase of the InWood Planned Unit Development (PUD). The final plat consists of 21 single family lots

that will re-subdivide a larger outlot (Outlot E) within the Inwood development. Because there are no public improvements that need to be installed with this subdivision, Staff will not be conducting a lengthy review of the plat or restating the conditions of approval attached to the first addition. All required improvements are being installed as part of the first addition, and any plat restrictions or modifications would have been addressed as part of the City's first addition review.

The Planning Commission considered this matter at its August 24<sup>th</sup> meeting and recommended approval of the final plat as presented.

*The suggested motion to adopt the Planning Commission recommendation is as follows:*

***“Move to adopt Resolution No. 2015-069 approving the final plat for Inwood 2<sup>nd</sup> Addition”***

**LEGISLATIVE HISTORY/PLANNING COMMISSION REPORT:** The Planning Commission considered the final plat at its August 25<sup>th</sup> meeting, and recommended approval of the request as presented. The Planning Commission adopted a motion to recommend approval of the final plat consistent with the findings as noted in the attached resolution. The motion passed unanimously (7 ayes and 0 nays).

**BACKGROUND INFORMATION (SWOT):**

<b>Strengths</b>	<ul style="list-style-type: none"><li>• The proposed plat is consistent with preliminary plat and creates new buildable lots from a larger outlot that was set aside for future replatting.</li></ul>
<b>Weaknesses</b>	<ul style="list-style-type: none"><li>• None</li></ul>
<b>Opportunities</b>	<ul style="list-style-type: none"><li>• The request for second addition is based on strong demand for the lots within the initial project phase.</li></ul>
<b>Threats</b>	<ul style="list-style-type: none"><li>• None</li></ul>

**RECOMMENDATION:** The Planning Commission and Staff are recommending that the City Council approve the final plat for Inwood 2<sup>nd</sup> Addition. The suggested motion to adopt the Planning Commission recommendation is as follows:

***“Move to adopt Resolution No. 2014-069 approving the final plat for Inwood 2<sup>nd</sup> Addition”***

**ATTACHMENTS:**

1. Resolution No. 2014-069
2. Planning Commission Staff Report – 8/24/15
3. Application Forms
4. Inwood 2<sup>nd</sup> Addition Final Plat

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

**RESOLUTION NO. 2015-069**

*A RESOLUTION APPROVING A FINAL PLAT FOR INWOOD 2<sup>ND</sup> ADDITION*

**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 (Applicant) has submitted an application to the City of Lake Elmo (City) for a Final Plat for Inwood 2<sup>nd</sup> Addition, a copy of which is on file in the City of Lake Elmo Community Development Department; and

**WHEREAS**, the Lake Elmo Planning Commission held a public hearing on November 24, 2014 to consider the Inwood Preliminary Plat; and

**WHEREAS**, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Preliminary Plat as part of a memorandum to the City Council for the December 2, 2014 City Council Meeting; and

**WHEREAS**, the Lake Elmo Planning Commission adopted a motion recommending approval of the Preliminary Plat; and

**WHEREAS**, the City Council reviewed the Preliminary Plat request at its December 2, 2014 meeting and adopted Resolution No. 2014-094 approving the Preliminary Plat; and

**WHEREAS**, the Lake Elmo Planning Commission met on August 24, 2015 to review the Final Plat for Inwood 2<sup>nd</sup> Addition consisting of 21 single-family detached residential lots; and

**WHEREAS**, on August 24, 2015 the Lake Elmo Planning Commission adopted a motion to recommend that the City Council approve the Final Plat for Inwood 2<sup>nd</sup> Addition; and

**WHEREAS**, the City Council reviewed the recommendation of the Planning Commission and the Final Plat for Inwood 2<sup>nd</sup> Addition at a meeting held on September 1, 2015; and

**NOW, THEREFORE**, based upon the testimony elicited and information received, the City Council makes the following:

## **FINDINGS**

- 1) That all the requirements of City Code Section 153.08 related to the Final Plat have been met by the Applicant.
- 2) That the proposed Final Plat for Inwood 2nd Addition consists of the creation of 21 single-family detached residential structures.
- 3) That the Inwood 2nd Addition Final Plat is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on December 2, 2014.
- 4) That the Inwood 2nd Addition Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 5) That the Inwood 2nd 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.
- 6) That the Inwood 2nd Addition 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 previously approved as part of the Inwood PUD.
- 7) That the Inwood 2nd Addition Final Plat complies with the City's subdivision ordinance.

## **CONCLUSIONS AND DECISION**

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council does hereby approve the Final Plat for Inwood 2<sup>nd</sup> Addition.

Passed and duly adopted this 1<sup>st</sup> day of September 2015 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



PLANNING COMMISSION  
DATE: 8/24/15  
AGENDA ITEM: 5A – BUSINESS ITEM  
CASE # 2015-26

ITEM: Inwood 2<sup>nd</sup> Addition Final Plat  
SUBMITTED BY: Kyle Klatt, Planning Director *klk*  
REVIEWED BY: Jack Griffin, City Engineer

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#### **SUMMARY AND ACTION REQUESTED:**

The Planning Commission is being asked to consider a request to approve a final plat for Inwood 2<sup>nd</sup> Addition. The final plat does not include any specific development plans or separate PUD plans, and only re-subdivides a larger outlot that was platted with the first addition. All required streets and utilities necessary to serve the second addition were included in the first addition construction plans and covered under the development contract for 1<sup>st</sup> Addition. The proposed final plat includes 21 single-family detached lots covering Outlot E of Inwood 1<sup>st</sup> Addition. Staff is recommending approval of the request subject to compliance with the conditions listed in this report.

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#### **GENERAL INFORMATION**

*Applicant:* Hans Hagen Homes (John Rask), 941 NE Hillwind Rd. Suite 300, Fridley, MN  
*Property Owners:* Hans Hagen Homes (John Rask), 941 NE Hillwind Rd. Suite 300, Fridley, MN  
*Location:* Outlot E of Inwood. General location as part of Section 33 in Lake Elmo, south of 10th Street (CSAH 10), north of Eagle Point Business Park, east of Inwood Avenue (CSAH 13) and west of Stonegate residential subdivision.  
*Request:* Application for final plat approval of a 21 unit residential subdivision to be named Inwood 2nd Addition.  
*Existing Land Use and Zoning:* Vacant land – outlot within Inwood Final Plat area. Current Zoning: LDR – Low Density Residential  
*Surrounding Land Use and Zoning:* Completely surrounded by residential lots or outlots within Inwood. Adjacent to storm water pond and future single family residential lots. All surrounding land zoned LDR.  
*Comprehensive Plan:* Urban Low Density Residential (2.5 - 4 units per acre)  
*History:* The site has historically been used for agricultural purposes; there is no specific site information on file with the City (the property was subject to development speculation at various times in the past). The applicants have submitted a mandatory Environmental Assessment Worksheet (EAW) for the development and the comment period for the EAW ended on October 29, 2014. The City Council adopted a resolution declaring no need for an EIS (Environmental Impact Statement) at its December 2, 2014 meeting. The City Council approved the general concept plan for



the development at its September 16, 2014 meeting and approved the preliminary development plans at its December 2, 2014 meeting. The Inwood Final Plat was approved on May 19, 2015.

*Deadline for Action:* Application Complete – 7/24/15  
60 Day Deadline – 9/23/15  
Extension Letter Mailed – No  
120 Day Deadline – N/A

*Applicable Regulations:* Chapter 153 – Subdivision Regulations  
Article 10 – Urban Residential Districts (LDR)  
Article 16 – Planned Unit Development Regulations  
§150.270 Storm Water, Erosion, and Sediment Control

## REQUEST DETAILS

The City of Lake Elmo has received a request from Hans Hagen Homes for approval of a final plat associated with the second phase of the InWood Planned Unit Development (PUD). The final plat consists of 21 single family lots that will re-subdivide a larger outlot (Outlot E) within the Inwood development. Because there are no public improvements that need to be installed with this subdivision, Staff will not be conducting a lengthy review of the plat or restating the conditions of approval attached to the first addition. All required improvements are being installed as part of the first addition, and any plat restrictions or modifications would have been addressed as part of the City's first addition review.

Staff will provide a copy of the first addition Staff report for any members of the Planning Commission that would like to review the earlier final plat approval. All lots match the approved development plans for the PUD, and include all previous easements as requested by the City Engineer.

The City's subdivision ordinance establishes the procedure for obtaining final subdivision approval, in which case a final plat may only be reviewed after the City takes action on a preliminary plat. As long as the final plat is consistent with the preliminary approval, it must be approved by the City. Please note that the City's approval of the Inwood Preliminary Plat and Plans did include a series of conditions that must be met by the applicant, and these conditions were reviewed as part of the City's 1<sup>st</sup> Addition review. Staff does not see any conditions or restrictions from this review that will apply to the proposed subdivision other than a few of the general conditions previously adopted by the City.

Staff has reviewed the final plat and found that it is consistent with the preliminary plat that was approved by the City. The developer will need to follow all approved development and construction plans for this area.

## REVIEW AND ANALYSIS

The preliminary plat and plans for InWood were approved with several conditions, which were addressed as part of the first addition final plat review. Any conditions that would still apply to the second addition are included as part of the Staff recommendation below. Since most of these conditions were applicable to Outlot E (the lot being replatted with second addition) or generally to

the first addition, they were either addressed prior to the start of construction or will apply to future building permit reviews and approvals.

Based on the above Staff report and analysis, Staff is recommending approval of the final plat for Inwood 2<sup>nd</sup> Addition with any conditions from the resolution of approval for the first addition final plat that are still relevant for the proposed subdivision.

The recommended conditions are as follows:

***Recommended Conditions of Approval:***

- 1) All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat prior to the execution of the final plat by City Officials.
- 2) A Common Interest Agreement concerning management of the common areas of InWood 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. 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.
- 3) 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).
- 4) 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.

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**DRAFT FINDINGS**

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Inwood 2<sup>nd</sup> Addition Final Plat:

- That all the requirements of City Code Section 153.08 related to the Final Plat have been met by the Applicant.
- That the proposed Final Plat for Inwood 2<sup>nd</sup> Addition consists of the creation of 21 single-family detached residential structures.
- That the Inwood 2<sup>nd</sup> Addition Final Plat is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on December 2, 2014.
- That the Inwood 2<sup>nd</sup> Addition Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.

- That the Inwood 2<sup>nd</sup> 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.
- That the Inwood 2<sup>nd</sup> Addition 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 previously approved as part of the Inwood PUD.
- That the Inwood 2<sup>nd</sup> Addition Final Plat complies with the City's subdivision ordinance.

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#### **RECCOMENDATION:**

Staff recommends that the Planning Commission recommend approval of the Inwood 2<sup>nd</sup> Addition Final Plat with the 4 conditions of approval as listed in the Staff report.

Suggested motion:

***"Move to recommend approval of the Inwood 2<sup>nd</sup> Addition Final Plat with the 4 conditions of approval as drafted by Staff based on the findings of fact listed in the Staff Report."***

#### **ATTACHMENTS:**

1. Application Forms
2. Inwood 2<sup>nd</sup> Addition Final Plat

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#### **SUGGESTED ORDER OF BUSINESS:**

- Introduction ..... Planning Staff
- Report by Staff ..... Planning Staff
- Questions from the Commission ..... Chair & Commission Members
- Public Comments ..... Chair
- Discussion by the Commission ..... Chair & Commission Members
- Action by the Commission ..... Chair & Commission Members



Date Received: \_\_\_\_\_  
Received By: \_\_\_\_\_  
LU File #: \_\_\_\_\_



651-747-3900  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

## FINAL PLAT APPLICATION

Applicant: Hans Hagen Homes, Inc  
Address: 941 Hillwind Road NE, Ste 300, Fridley, MN 55432  
Phone #: 763-586-7200  
Email Address: jaskahanshagenhomes.com

Fee Owner: Same as above  
Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Property Location (Address and Complete (long) Legal Description: Outlot E and J,  
Inwood, Washington County, MN

General information of proposed subdivision: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning Ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: [Signature] Date: 7/21/15

Fee Owner Signature: [Signature] Date: 7/21/15



Lake Elmo City Hall  
651-747-3900  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

## **AFFIRMATION OF SUFFICIENT INTEREST**

I hereby affirm that **I am the fee title owner** of the below described property or that I have written authorization from the owner to pursue the described action.

Name of applicant Hans Hagen Homes, Inc.  
(Please Print)

Street address/legal description of subject property Outlot E and J, Inwood,  
Washington County, MN

[Signature]  
Signature

7/21/15  
Date

**If you are not the fee owner**, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

**If a corporation is fee title holder**, attach a copy of the resolution of the Board of Directors authorizing this action.

**If a joint venture or partnership is the fee owner**, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.



Lake Elmo City Hall  
651-747-3900  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

## **ACKNOWLEDGEMENT OF RESPONSIBILITY**

This is to certify that I am making application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am the party whom the City should contact regarding any matter pertaining to this application.

I have read and understand the instructions supplied for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I will keep myself informed of the deadlines for submission of material and of the progress of this application.

I understand that this application may be reviewed by City staff and consultants. I further understand that additional information, including, but not limited to, traffic analysis and expert testimony may be required for review of this application. I agree to pay to the City upon demand, expenses, determined by the City, that the City incurs in reviewing this application and shall provide an escrow deposit to the City in an amount to be determined by the City. Said expenses shall include, but are not limited to, staff time, engineering, legal expenses and other consultant expenses.

I agree to allow access by City personnel to the property for purposes of review of my application.

Signature of applicant  Date 7/21/15

Name of applicant Hans Hagen Homes, Inc. Phone 763-586-7200  
(Please Print) (John Rask)

Name and address of Contact (if other than applicant) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# INWOOD SECOND ADDITION

KNOW ALL PERSONS BY THESE PRESENTS: That Hans Hagen Homes, Inc., a Minnesota corporation, fee owner of the following described property situated in the County of Washington, State of Minnesota, to wit:

Outlot E and J, INWOOD, Washington County, Minnesota.

Has caused the same to be surveyed and platted as INWOOD SECOND ADDITION and does hereby dedicate to the public the drainage and utility easements created by this plat.

In witness whereof said Hans Hagen Homes, Inc., a Minnesota corporation, has caused these presents to be signed by its proper officer this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

HANS HAGEN HOMES, INC.

John P. Rask, Vice President

STATE OF MINNESOTA

COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by John P. Rask, Vice President of Hans Hagen Homes, Inc., a Minnesota corporation, on behalf of the corporation.

Notary Public, \_\_\_\_\_ County, Minnesota  
My Commission Expires \_\_\_\_\_

I, Daniel W. Obermiller do hereby certify that I have surveyed and platted or directly supervised the survey and platting of the property described on this plat as INWOOD SECOND ADDITION; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on the plat; that all monuments depicted on the plat have been or will be correctly set within one year as indicated on the plat; that all water boundaries and wet lands as defined in MS Section 505.01, Subd. 3 existing as of the date of this certification are shown and labeled on the plat; and that all public ways are shown and labeled on the plat.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Daniel W. Obermiller, Licensed Land Surveyor  
Minnesota License No. 25341

STATE OF MINNESOTA

COUNTY OF \_\_\_\_\_

The foregoing Surveyor's Certificate was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by Daniel W. Obermiller, Licensed Land Surveyor, Minnesota License No. 25431.

Notary Public, \_\_\_\_\_ County, Minnesota  
My Commission Expires \_\_\_\_\_

LAKE ELMO PLANNING COMMISSION

Approved by the Planning Commission of the City of Lake Elmo, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

PLANNING COMMISSION, CITY OF LAKE ELMO, MINNESOTA

By \_\_\_\_\_  
Chairman

By \_\_\_\_\_  
Secretary

CITY OF LAKE ELMO, MINNESOTA

The foregoing plat of INWOOD SECOND ADDITION was approved by the City Council of Lake Elmo, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and hereby certifies compliance with all requirements as set forth in Minnesota Statutes, Section 505.03, Subdivision 2.

CITY OF LAKE ELMO, MINNESOTA

By \_\_\_\_\_  
Mayor

By \_\_\_\_\_  
Clerk

COUNTY SURVEYOR

Pursuant to Chapter 820, Laws of Minnesota, 1971, and in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By \_\_\_\_\_  
Washington County Surveyor

By \_\_\_\_\_

COUNTY AUDITOR/TREASURER

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20\_\_\_\_ on the land hereinbefore described have been paid. Also pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer has been entered on this day of \_\_\_\_\_, 20\_\_\_\_.

By \_\_\_\_\_  
Washington County Auditor/Treasurer

By \_\_\_\_\_  
Deputy

COUNTY RECORDER

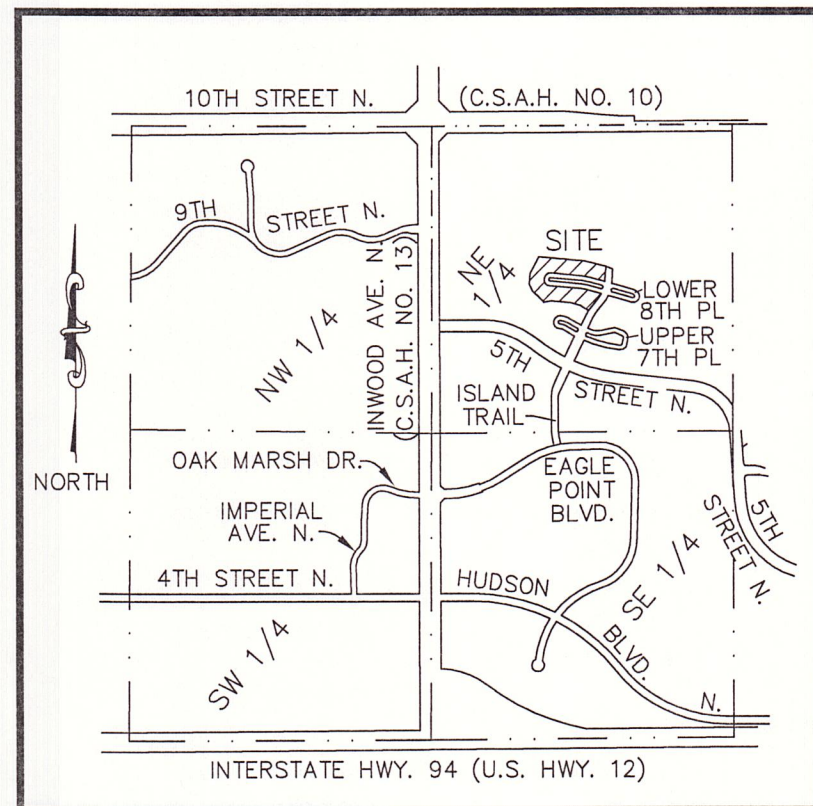
Document Number \_\_\_\_\_  
I hereby certify that this instrument was recorded in the Office of the County Recorder for record on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and was duly recorded in Washington County Records.

By \_\_\_\_\_  
Washington County Recorder

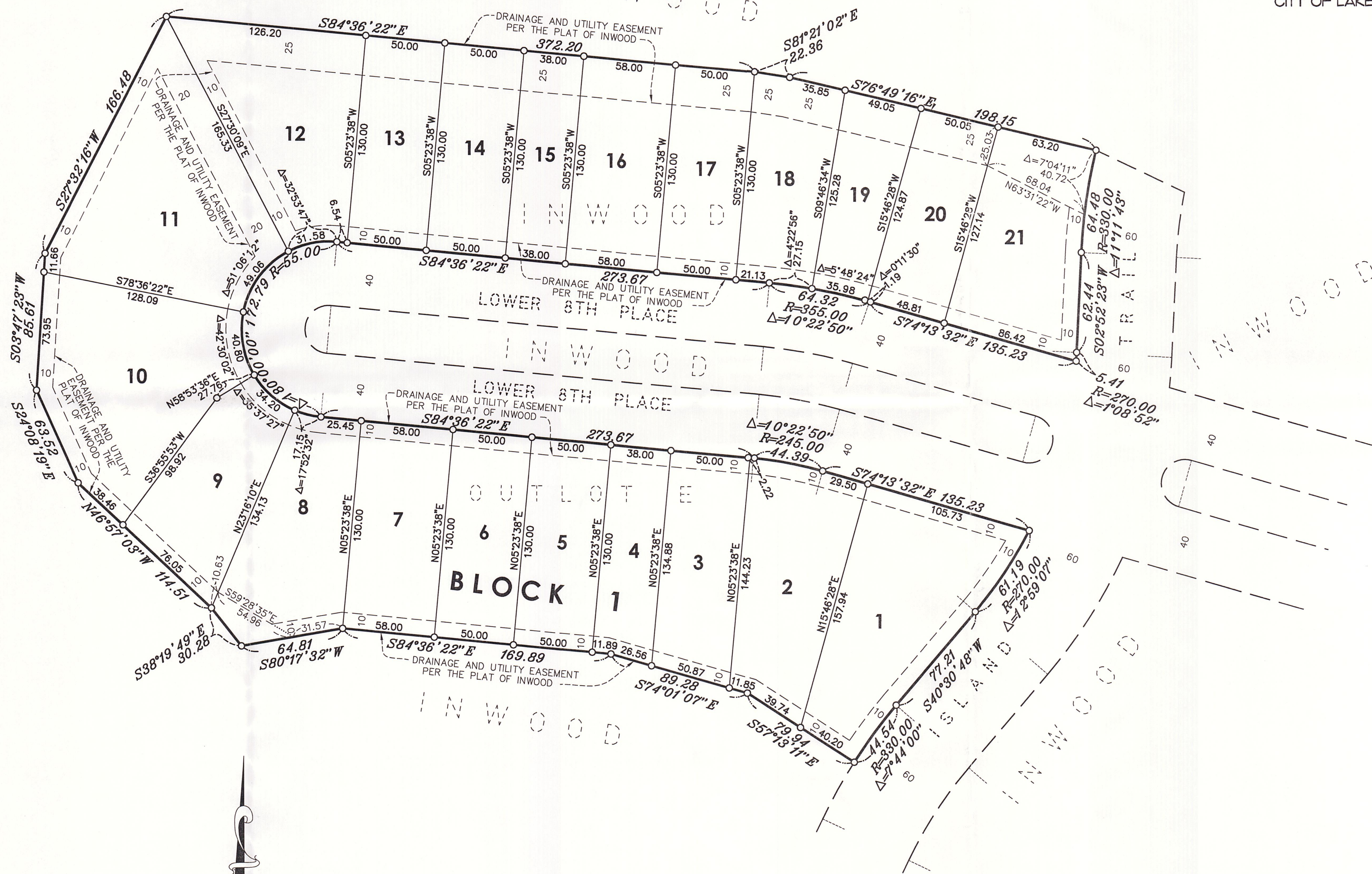
By \_\_\_\_\_  
Deputy

## VICINITY MAP

NOT TO SCALE

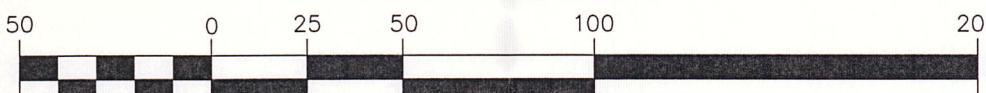


SECTION 33, TOWNSHIP 29 NORTH, RANGE 21 WEST  
CITY OF LAKE ELMO



NORTH

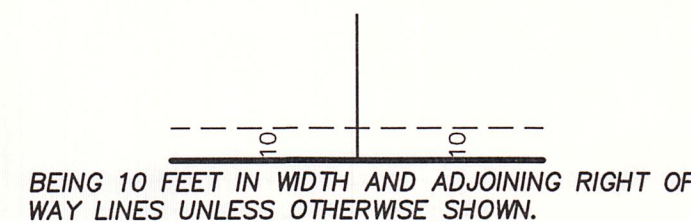
SCALE IN FEET



1 Inch = 50 Feet

## EASEMENT DETAIL

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



(NOT TO SCALE)

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE WASHINGTON COUNTY COORDINATE SYSTEM (NAD 83).

○ DENOTES A 1/2 INCH BY 14 INCH IRON PIPE, WITH PLASTIC CAP INSCRIBED R.L.S. NO. 25431, WHICH HAS BEEN SET OR WILL BE SET IN ACCORDANCE WITH MS 505.021, SUBD 10.

**E. G. RUD & SONS, INC.**  
EST. 1977 Professional Land Surveyors



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

**RESOLUTION NO. 2015-069**

*A RESOLUTION APPROVING A FINAL PLAT FOR INWOOD 2<sup>ND</sup> ADDITION*

**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 (Applicant) has submitted an application to the City of Lake Elmo (City) for a Final Plat for Inwood 2<sup>nd</sup> Addition, a copy of which is on file in the City of Lake Elmo Community Development Department; and

**WHEREAS**, the Lake Elmo Planning Commission held a public hearing on November 24, 2014 to consider the Inwood Preliminary Plat; and

**WHEREAS**, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Preliminary Plat as part of a memorandum to the City Council for the December 2, 2014 City Council Meeting; and

**WHEREAS**, the Lake Elmo Planning Commission adopted a motion recommending approval of the Preliminary Plat; and

**WHEREAS**, the City Council reviewed the Preliminary Plat request at its December 2, 2014 meeting and adopted Resolution No. 2014-094 approving the Preliminary Plat; and

**WHEREAS**, the Lake Elmo Planning Commission met on August 24, 2015 to review the Final Plat for Inwood 2<sup>nd</sup> Addition consisting of 21 single-family detached residential lots; and

**WHEREAS**, on August 24, 2015 the Lake Elmo Planning Commission adopted a motion to recommend that the City Council approve the Final Plat for Inwood 2<sup>nd</sup> Addition; and

**WHEREAS**, the City Council reviewed the recommendation of the Planning Commission and the Final Plat for Inwood 2<sup>nd</sup> Addition at a meeting held on September 1, 2015; and

**NOW, THEREFORE**, based upon the testimony elicited and information received, the City Council makes the following:



## **FINDINGS**

- 1) That all the requirements of City Code Section 153.08 related to the Final Plat have been met by the Applicant.
- 2) That the proposed Final Plat for Inwood 2nd Addition consists of the creation of 21 single-family detached residential structures.
- 3) That the Inwood 2nd Addition Final Plat is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on December 2, 2014.
- 4) That the Inwood 2nd Addition Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 5) That the Inwood 2nd 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.
- 6) That the Inwood 2nd Addition 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 previously approved as part of the Inwood PUD.
- 7) That the Inwood 2nd Addition Final Plat complies with the City's subdivision ordinance.

## **CONCLUSIONS AND DECISION**

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council does hereby approve the Final Plat for Inwood 2<sup>nd</sup> Addition.

Passed and duly adopted this 1<sup>st</sup> day of September 2015 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



PLANNING COMMISSION  
DATE: 8/24/15  
AGENDA ITEM: 5A – BUSINESS ITEM  
CASE # 2015-26

ITEM: Inwood 2<sup>nd</sup> Addition Final Plat  
SUBMITTED BY: Kyle Klatt, Planning Director *klk*  
REVIEWED BY: Jack Griffin, City Engineer

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#### **SUMMARY AND ACTION REQUESTED:**

The Planning Commission is being asked to consider a request to approve a final plat for Inwood 2<sup>nd</sup> Addition. The final plat does not include any specific development plans or separate PUD plans, and only re-subdivides a larger outlot that was platted with the first addition. All required streets and utilities necessary to serve the second addition were included in the first addition construction plans and covered under the development contract for 1<sup>st</sup> Addition. The proposed final plat includes 21 single-family detached lots covering Outlot E of Inwood 1<sup>st</sup> Addition. Staff is recommending approval of the request subject to compliance with the conditions listed in this report.

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#### **GENERAL INFORMATION**

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*Property Owners:* Hans Hagen Homes (John Rask), 941 NE Hillwind Rd. Suite 300, Fridley, MN  
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*Request:* Application for final plat approval of a 21 unit residential subdivision to be named Inwood 2nd Addition.  
*Existing Land Use and Zoning:* Vacant land – outlot within Inwood Final Plat area. Current Zoning: LDR – Low Density Residential  
*Surrounding Land Use and Zoning:* Completely surrounded by residential lots or outlots within Inwood. Adjacent to storm water pond and future single family residential lots. All surrounding land zoned LDR.  
*Comprehensive Plan:* Urban Low Density Residential (2.5 - 4 units per acre)  
*History:* The site has historically been used for agricultural purposes; there is no specific site information on file with the City (the property was subject to development speculation at various times in the past). The applicants have submitted a mandatory Environmental Assessment Worksheet (EAW) for the development and the comment period for the EAW ended on October 29, 2014. The City Council adopted a resolution declaring no need for an EIS (Environmental Impact Statement) at its December 2, 2014 meeting. The City Council approved the general concept plan for

the development at its September 16, 2014 meeting and approved the preliminary development plans at its December 2, 2014 meeting. The Inwood Final Plat was approved on May 19, 2015.

*Deadline for Action:* Application Complete – 7/24/15  
60 Day Deadline – 9/23/15  
Extension Letter Mailed – No  
120 Day Deadline – N/A

*Applicable Regulations:* Chapter 153 – Subdivision Regulations  
Article 10 – Urban Residential Districts (LDR)  
Article 16 – Planned Unit Development Regulations  
§150.270 Storm Water, Erosion, and Sediment Control

## REQUEST DETAILS

The City of Lake Elmo has received a request from Hans Hagen Homes for approval of a final plat associated with the second phase of the InWood Planned Unit Development (PUD). The final plat consists of 21 single family lots that will re-subdivide a larger outlot (Outlot E) within the Inwood development. Because there are no public improvements that need to be installed with this subdivision, Staff will not be conducting a lengthy review of the plat or restating the conditions of approval attached to the first addition. All required improvements are being installed as part of the first addition, and any plat restrictions or modifications would have been addressed as part of the City's first addition review.

Staff will provide a copy of the first addition Staff report for any members of the Planning Commission that would like to review the earlier final plat approval. All lots match the approved development plans for the PUD, and include all previous easements as requested by the City Engineer.

The City's subdivision ordinance establishes the procedure for obtaining final subdivision approval, in which case a final plat may only be reviewed after the City takes action on a preliminary plat. As long as the final plat is consistent with the preliminary approval, it must be approved by the City. Please note that the City's approval of the Inwood Preliminary Plat and Plans did include a series of conditions that must be met by the applicant, and these conditions were reviewed as part of the City's 1<sup>st</sup> Addition review. Staff does not see any conditions or restrictions from this review that will apply to the proposed subdivision other than a few of the general conditions previously adopted by the City.

Staff has reviewed the final plat and found that it is consistent with the preliminary plat that was approved by the City. The developer will need to follow all approved development and construction plans for this area.

## REVIEW AND ANALYSIS

The preliminary plat and plans for InWood were approved with several conditions, which were addressed as part of the first addition final plat review. Any conditions that would still apply to the second addition are included as part of the Staff recommendation below. Since most of these conditions were applicable to Outlot E (the lot being replatted with second addition) or generally to

the first addition, they were either addressed prior to the start of construction or will apply to future building permit reviews and approvals.

Based on the above Staff report and analysis, Staff is recommending approval of the final plat for Inwood 2<sup>nd</sup> Addition with any conditions from the resolution of approval for the first addition final plat that are still relevant for the proposed subdivision.

The recommended conditions are as follows:

***Recommended Conditions of Approval:***

- 1) All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat prior to the execution of the final plat by City Officials.
- 2) A Common Interest Agreement concerning management of the common areas of InWood 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. 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.
- 3) 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).
- 4) 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.

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**DRAFT FINDINGS**

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Inwood 2<sup>nd</sup> Addition Final Plat:

- That all the requirements of City Code Section 153.08 related to the Final Plat have been met by the Applicant.
- That the proposed Final Plat for Inwood 2<sup>nd</sup> Addition consists of the creation of 21 single-family detached residential structures.
- That the Inwood 2<sup>nd</sup> Addition Final Plat is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on December 2, 2014.
- That the Inwood 2<sup>nd</sup> Addition Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.



- That the Inwood 2<sup>nd</sup> 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.
- That the Inwood 2<sup>nd</sup> Addition 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 previously approved as part of the Inwood PUD.
- That the Inwood 2<sup>nd</sup> Addition Final Plat complies with the City's subdivision ordinance.

#### **RECCOMENDATION:**

Staff recommends that the Planning Commission recommend approval of the Inwood 2<sup>nd</sup> Addition Final Plat with the 4 conditions of approval as listed in the Staff report.

Suggested motion:

***"Move to recommend approval of the Inwood 2<sup>nd</sup> Addition Final Plat with the 4 conditions of approval as drafted by Staff based on the findings of fact listed in the Staff Report."***

#### **ATTACHMENTS:**

1. Application Forms
2. Inwood 2<sup>nd</sup> Addition Final Plat

#### **SUGGESTED ORDER OF BUSINESS:**

- Introduction ..... Planning Staff
- Report by Staff ..... Planning Staff
- Questions from the Commission ..... Chair & Commission Members
- Public Comments ..... Chair
- Discussion by the Commission ..... Chair & Commission Members
- Action by the Commission ..... Chair & Commission Members



Date Received: \_\_\_\_\_  
Received By: \_\_\_\_\_  
LU File #: \_\_\_\_\_



651-747-3900  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

## FINAL PLAT APPLICATION

Applicant: Hans Hagen Homes, Inc  
Address: 941 Hillwind Road NE, Ste 300, Fridley, MN 55432  
Phone #: 763-586-7200  
Email Address: jaskahanshagenhomes.com

Fee Owner: Same as above  
Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Property Location (Address and Complete (long) Legal Description: Outlot E and J,  
Inwood, Washington County, MN

General information of proposed subdivision: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning Ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: [Signature] Date: 7/21/15

Fee Owner Signature: [Signature] Date: 7/21/15



Lake Elmo City Hall  
651-747-3900  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

## **AFFIRMATION OF SUFFICIENT INTEREST**

I hereby affirm that **I am the fee title owner** of the below described property or that I have written authorization from the owner to pursue the described action.

Name of applicant Hans Hagen Homes, Inc.  
(Please Print)

Street address/legal description of subject property Outlot E and J, Inwood,  
Washington County, MN

  
Signature

7/21/15  
Date

**If you are not the fee owner**, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

**If a corporation is fee title holder**, attach a copy of the resolution of the Board of Directors authorizing this action.

**If a joint venture or partnership is the fee owner**, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.



Lake Elmo City Hall  
651-747-3900  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

## ACKNOWLEDGEMENT OF RESPONSIBILITY

This is to certify that I am making application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am the party whom the City should contact regarding any matter pertaining to this application.

I have read and understand the instructions supplied for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I will keep myself informed of the deadlines for submission of material and of the progress of this application.

I understand that this application may be reviewed by City staff and consultants. I further understand that additional information, including, but not limited to, traffic analysis and expert testimony may be required for review of this application. I agree to pay to the City upon demand, expenses, determined by the City, that the City incurs in reviewing this application and shall provide an escrow deposit to the City in an amount to be determined by the City. Said expenses shall include, but are not limited to, staff time, engineering, legal expenses and other consultant expenses.

I agree to allow access by City personnel to the property for purposes of review of my application.

Signature of applicant  Date 7/21/15

Name of applicant Hans Hagen Homes, Inc. Phone 763-586-7200  
(Please Print) (John Rask)

Name and address of Contact (if other than applicant) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# INWOOD SECOND ADDITION

KNOW ALL PERSONS BY THESE PRESENTS: That Hans Hagen Homes, Inc., a Minnesota corporation, fee owner of the following described property situated in the County of Washington, State of Minnesota, to wit:

Outlot E and J, INWOOD, Washington County, Minnesota.

Has caused the same to be surveyed and platted as INWOOD SECOND ADDITION and does hereby dedicate to the public the drainage and utility easements created by this plat.

In witness whereof said Hans Hagen Homes, Inc., a Minnesota corporation, has caused these presents to be signed by its proper officer this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

HANS HAGEN HOMES, INC.

John P. Rask, Vice President

STATE OF MINNESOTA

COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by John P. Rask, Vice President of Hans Hagen Homes, Inc., a Minnesota corporation, on behalf of the corporation.

Notary Public, \_\_\_\_\_ County, Minnesota  
My Commission Expires \_\_\_\_\_

I, Daniel W. Obermiller do hereby certify that I have surveyed and platted or directly supervised the survey and platting of the property described on this plat as INWOOD SECOND ADDITION; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on the plat; that all monuments depicted on the plat have been or will be correctly set within one year as indicated on the plat; that all water boundaries and wet lands as defined in MS Section 505.01, Subd. 3 existing as of the date of this certification are shown and labeled on the plat; and that all public ways are shown and labeled on the plat.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Daniel W. Obermiller, Licensed Land Surveyor  
Minnesota License No. 25341

STATE OF MINNESOTA

COUNTY OF \_\_\_\_\_

The foregoing Surveyor's Certificate was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by Daniel W. Obermiller, Licensed Land Surveyor, Minnesota License No. 25431.

Notary Public, \_\_\_\_\_ County, Minnesota  
My Commission Expires \_\_\_\_\_

LAKE ELMO PLANNING COMMISSION

Approved by the Planning Commission of the City of Lake Elmo, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

PLANNING COMMISSION, CITY OF LAKE ELMO, MINNESOTA

By \_\_\_\_\_  
Chairman

By \_\_\_\_\_  
Secretary

CITY OF LAKE ELMO, MINNESOTA

The foregoing plat of INWOOD SECOND ADDITION was approved by the City Council of Lake Elmo, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and hereby certifies compliance with all requirements as set forth in Minnesota Statutes, Section 505.03, Subdivision 2.

CITY OF LAKE ELMO, MINNESOTA

By \_\_\_\_\_  
Mayor

By \_\_\_\_\_  
Clerk

COUNTY SURVEYOR

Pursuant to Chapter 820, Laws of Minnesota, 1971, and in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By \_\_\_\_\_  
Washington County Surveyor

By \_\_\_\_\_

COUNTY AUDITOR/TREASURER

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20\_\_\_\_ on the land hereinbefore described have been paid. Also pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer has been entered on this day of \_\_\_\_\_, 20\_\_\_\_.

By \_\_\_\_\_  
Washington County Auditor/Treasurer

By \_\_\_\_\_  
Deputy

COUNTY RECORDER

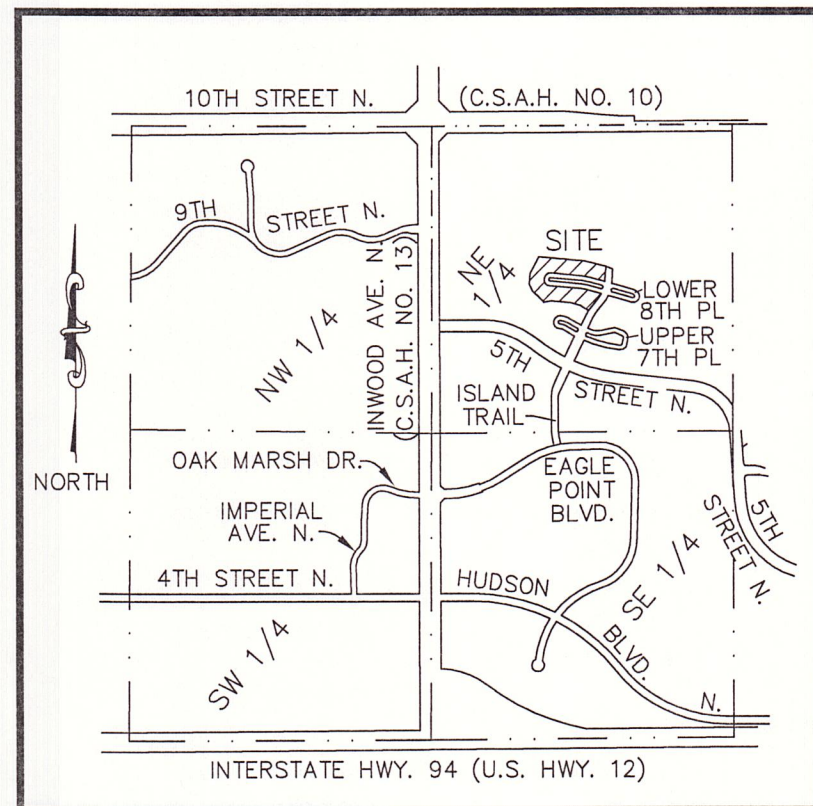
Document Number \_\_\_\_\_  
I hereby certify that this instrument was recorded in the Office of the County Recorder for record on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and was duly recorded in Washington County Records.

By \_\_\_\_\_  
Washington County Recorder

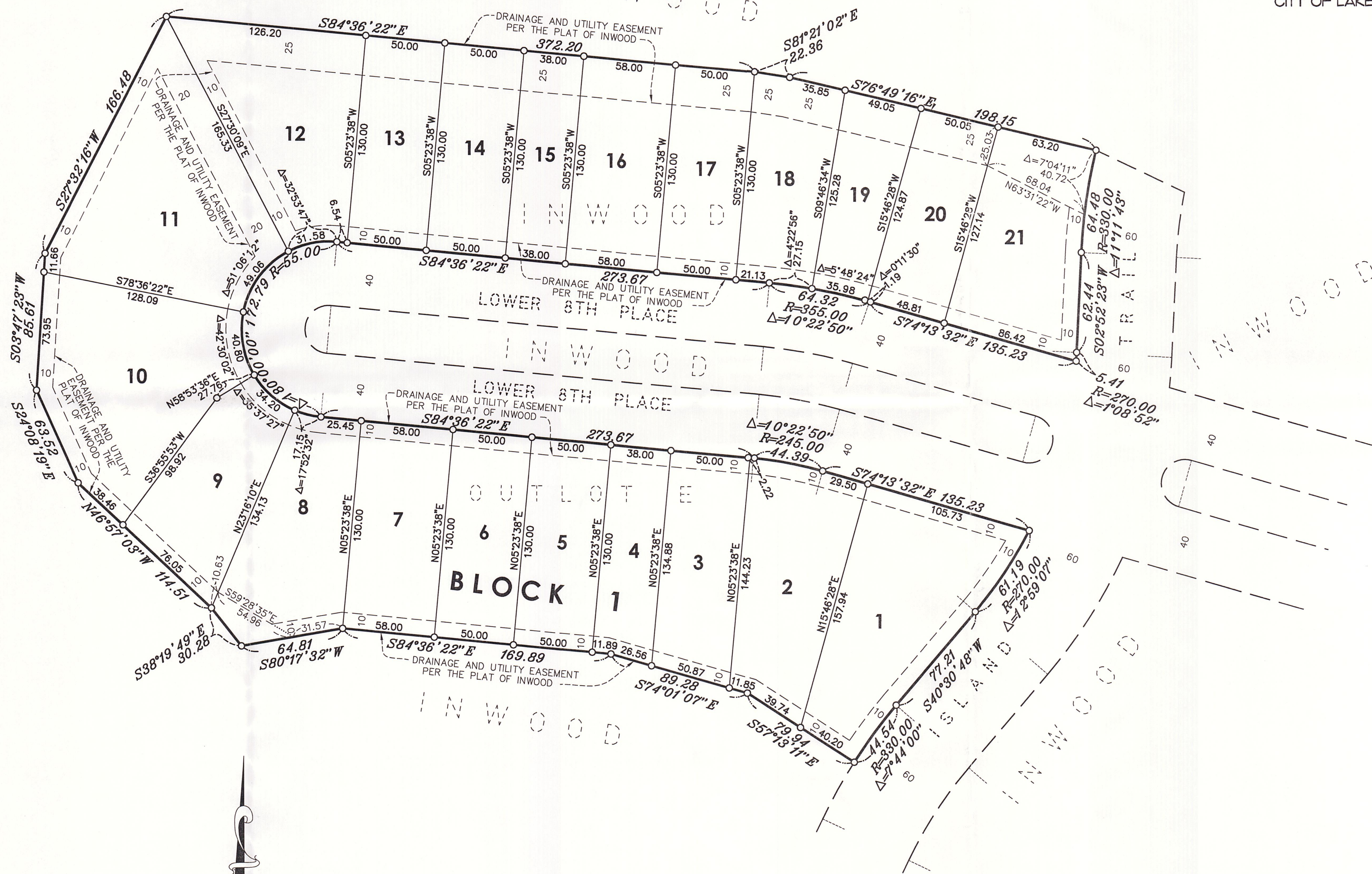
By \_\_\_\_\_  
Deputy

## VICINITY MAP

NOT TO SCALE



SECTION 33, TOWNSHIP 29 NORTH, RANGE 21 WEST  
CITY OF LAKE ELMO



## EASEMENT DETAIL

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

BEING 10 FEET IN WIDTH AND ADJOINING RIGHT OF WAY LINES UNLESS OTHERWISE SHOWN.

(NOT TO SCALE)

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE WASHINGTON COUNTY COORDINATE SYSTEM (NAD 83).

○ DENOTES A 1/2 INCH BY 14 INCH IRON PIPE, WITH PLASTIC CAP INSCRIBED R.L.S. NO. 25431, WHICH HAS BEEN SET OR WILL BE SET IN ACCORDANCE WITH MS 505.021, SUBD 10.

**E. G. RUD & SONS, INC.**  
EST. 1977 Professional Land Surveyors