

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

RESOLUTION NO. 2013-109

RESOLUTION APPROVING THE BOULDER PONDS PUD GENERAL CONCEPT PLAN

WHEREAS, Amaris Company, LLC, P.O. Box 10811, White Bear Lake, MN, (“Applicant”) has submitted an application to the City of Lake Elmo (“City”) for a Planned Unit Development (PUD) Concept Plan for a proposed planned development to be called Boulder Ponds of Lake Elmo, copies of which are on file in the City Planning Department; and

WHEREAS, the proposed Concept Plan is for a planned development that includes 93 single family lots and a 64-unit multi-family dwelling on three parcels of land (PIDs: 34.029.21.33.0001, 34.029.21.32.0001 and 34.029.21.33.0002) totaling approximately 58 acres in the Stage 1 of the I-94 Corridor Planning Area; and

WHEREAS, the Lake Elmo Planning Commission held a Public Hearing on December 9, 2013 to consider the request; and

WHEREAS, on December 9, 2013 the Lake Elmo Planning Commission unanimously adopted a motion to recommend that the City Council approve the Boulder Ponds PUD Concept Plan; and

WHEREAS, the Lake Elmo Planning Commission submitted its report and recommendation to the City Council as part of a memorandum from the Planning Department dated December 17, 2013; and

WHEREAS, the City Council reviewed the recommendation of the Planning Commission and the proposed Boulder Ponds PUD Concept Plan at a meeting on December 17, 2013; and

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

FINDINGS

- 1) That the Boulder Ponds PUD Concept Plan is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 2) That the Boulder Ponds PUD Concept Plan complies with the general intent of the City’s Urban Low Density Residential and Urban Medium Density Residential zoning districts.
- 3) That the Boulder Ponds PUD Concept Plan complies with the City’s Subdivision Ordinance.

- 4) That the Boulder Ponds PUD Concept Plan complies with the City's PUD Ordinance.

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 must obtain permission and consent from the adjoining property owner, Bremer Bank, related to the 100' right-of-way and alignment of the 5th Street minor collector road in the northwest corner of the site. The final alignment must be determined prior to the submittal of the PUD Preliminary Plan and Preliminary Plat applications.
- 2) The applicant must resolve the alignment of the 5th Street minor collector road in the southeast portion of the site with adjoining property owners, specifically Lennar and Dale Properties. The final alignment must be determined prior to the submittal of the PUD Preliminary Plan and Preliminary Plat applications.
- 3) The applicants must work with Staff to provide access to adjacent parcels where feasible in a manner that is acceptable to the City. Access locations must meet the approval of the City Engineer.
- 4) The applicant must acquire additional land in the eastern portion of the site to plat single family residential Lots 14-18 as part of the Preliminary Plat application, or revise their plan accordingly.
- 5) Request for flexibilities related to lot size, width, setbacks and all other requirements per the City's Zoning Ordinance or Design Standards must be clarified and documented as part of the PUD Preliminary Plan and Preliminary Plat submission. All requests for flexibility must be approved by the City at PUD Preliminary Plan approval.
- 6) The applicant must revise the Phasing Plan to accommodate the construction of all public infrastructure adjacent to any proposed areas to be platted within said phase per the City Engineer's report dated November 20, 2013.
- 7) All street and median geometrics must accommodate emergency vehicle access and maintenance. Applicants must demonstrate acceptable turning radii for all uniquely shaped landscape medians and cul-de-sacs.
- 8) The applicant shall come to an agreement acceptable to City Staff to accommodate meandering walkways within acceptable easements or public right-of-way. All trails must be located within dedicated right-of-way, City parkland, or a 30-foot wide dedicated easement at a minimum.
- 9) The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and shall acquire the needed permits from the appropriate watershed district prior to the commencement of any grading or development activity on the site.
- 10) Any land under which public trails are located will be accepted as park land provided the developer constructs said trails as part of the public improvements for the subdivision, and the land is located outside of any restrictive easements.

11) The applicant shall observe all comments and recommendations from the City Engineer documented on the Engineer's report dated November 20, 2013.

Passed and duly adopted this 17th day of December, 2013 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk