

CITY OF LAKE ELMO

RESOLUTION NO. 2014-023

A RESOLUTION APPROVING A PLANNED UNIT DEVELOPMENT CONCEPT PLAN RELATED TO A BUSINESS PARK DEVELOPMENT

WHEREAS, Launch Properties (c/o Dan Regan), 1875 Highway 36 West, Suite 200, Roseville, MN (“Applicant”) has submitted an application to the City of Lake Elmo (“City”) for a Planned Unit Development (PUD) Concept Plan, a copy of which is on file in the Lake Elmo Planning Department; and

WHEREAS, the proposed PUD Concept Plan is to allow the construction of two light industrial buildings with a combined net area of 385,000 square feet that will be constructed in two phases and that will be located at the intersection of Lake Elmo Avenue North and Hudson Boulevard North. The PUD will incorporate exceptions from the City’s Zoning Regulations as noted below; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on March 24, 2014 to consider the PUD Concept Plan; and

WHEREAS, on March 24, 2014 the Lake Elmo Planning Commission adopted a motion to recommend that the City Council approve the PUD Concept Plan with conditions; 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 April 1, 2014; and

WHEREAS, the City Council reviewed the recommendation of the Planning Commission PUD Concept Plan at its regular meeting on April 1, 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 Concept 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 Concept Plan have been met by the Applicant.
- 3) That the proposed PUD Concept Plan would allow the construction of two light industrial buildings with a combined net area of 385,000 square feet that will be constructed in two

phases and that will be located at the intersection of Lake Elmo Avenue North and Hudson Boulevard North on property legally described as follows:

That part of the Southwest Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota lying northerly and easterly of Minnesota Department of Transportation Right-of-Way Plat 82-52, on file and of record in the office of the County Recorder, Washington County, Minnesota. Except small parcels of record. PID No. 36.029.21.33.0001.

- 4) That the proposed PUD Concept Plan includes the following exceptions from the underlying BP – Business Park Zoning District requirements:
 - a) A reduction in the required setbacks between buildings and parking areas within a BP district and adjacent residential districts. The site plan identifies a building setback of 96 feet and parking area setback of 56 feet.
 - b) The establishment of a zero lot line setback between the two proposed buildings and lots. The PUD will allow the creation of a common parking and truck loading area, all of which will be internal to the development.
- 5) That the proposed General Concept Plan for a PUD:
 - a) Is consistent with the goals, objectives, and policies of the Comprehensive Plan and that the uses proposed are consistent with the BP – Business Park land use designation shown for the area on the official Comprehensive Land Use Plan.
 - b) Is consistent with the purpose of Section 150.800 et seq. of the City Code.
 - c) Complies with the development standards of Section 150.800 et seq. of the City Code.
- 6) That the proposed PUD will allow a more flexible, creative, and efficient approach to the use of the land than if the applicant was required to conform to the standards of the existing zoning districts on this property.
- 7) That the uses proposed in the PUD will not have an adverse impact on the reasonable enjoyment of neighboring property and will not be detrimental to potential surrounding uses.
- 8) That the PUD is of sufficient size, composition, and arrangement that construction, marketing, and operation are feasible as a complete unit, and that provision and construction of dwelling units and open space are balanced and coordinated.
- 9) That the PUD will not create an excessive burden on parks, schools, streets, and other public facilities and utilities, which serve or are proposed to serve the development.

- 10) That the PUD is designed in such a manner as to form a desirable and unified environment within its own boundaries.

CONCLUSIONS AND DECISION

1. Based on the foregoing, the Applicant's PUD Concept Plan for the construction of two light industrial buildings with a combined net area of 385,000 square feet is hereby approved, subject to the following:
 - a. The preliminary and final development plans shall address all comments from the City Engineer in his review letter dated March 18, 2014.
 - b. The applicant shall prepare a traffic impact study prior to the submission of preliminary and final plans that addresses the concerns and comments included as part of the review letter from Washington County dated March 19, 2014. This study shall clarify the intended use of the secondary access driveways providing access to the automobile parking areas.
 - c. The applicant shall secure any required permits from the Valley Branch Watershed District prior to commencing any grading or construction activity on the site.
 - d. The final development plans shall include detailed landscape plans that conform to the Lake Elmo Zoning Ordinance and that conforms to the City's Tree Protection and Replacement Ordinance. The applicant shall provide a cross section view of the proposed berm and landscaping along the northern property line as part of these plans.
 - e. The applicant shall submit detailed architectural plans at the time of the preliminary and final development plan review by the City. These plans shall conform to the City's Design Guidelines and Standards Manual and must include elements to break up the continuous flat roof line.
 - f. The final preliminary and final development plans shall include a signage plan.
 - g. The applicant shall pay a fee in lieu of park land dedication as determined by the City prior to the final plat being released for recording.
 - h. The final plat shall include all easements for drainage and utility and other purposes as required by the City Engineer.
 - i. The storm water plans shall differentiate between storm water retention and storm water infiltration areas.
 - j. The preliminary and final development plans shall include a specific land use plan for the property clarifying the uses allowed under the PUD, the dimensional requirements for the

site, including any deviations from the underlying zoning, and other information deemed appropriate by the City.

- k. The exception as requested from the required setbacks from the northern (residential) property line will not be permitted unless a letter of support is provided from the affected property owners or an augmented landscape plan as deemed appropriate by the City, including an increased berm, is provided to off-set the reduced setback.

Passed and duly adopted this 1st day of April 2014 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk