

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

RESOLUTION NO. 2017-063

*A RESOLUTION APPROVING LAKEWOOD CROSSING 2ND ADDITION PRELIMINARY AND
FINAL PLAT AND PLANNED UNIT DEVELOPMENT PLANS*

WHEREAS, CM Properties 94 LP, c/o MFC Properties, 3460 Washington Drive, Suite 100, Eagan, MN 55112 (“Applicant”) has submitted an application to the City of Lake Elmo (“City”) for approval of Preliminary and Final Plat and Planned Unit Development (PUD) Plans for Lakewood Crossing 2nd Addition; and

WHEREAS, the Lake Elmo Planning Commission held a Public Hearing on March 13, 2017 to consider the PUD Concept Plan for Lakewood Crossing 2nd Addition; and

WHEREAS, the Lake Elmo City Council approved the Lakewood Crossing 2nd Addition Concept Plan on March 21, 2017, and

WHEREAS, The Planning Commission held a public hearing and considered the Lakewood Crossing 2nd Addition Preliminary and Final Plat and PUD Plans on June 12, 2017 and recommended approval subject to a number of conditions; and

WHEREAS, the City Council reviewed the recommendation of the Planning Commission and the proposed Lakewood Crossing 2nd Addition Preliminary and Final Plat and PUD Plans at a meeting on June 20, 2017; and

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

FINDINGS

1. That the Applicant has submitted all application requirements outlined in Sections 153.07; 153.08; and 154.759 for Preliminary and Final Plat and PUD Plans.
2. That the Lakewood Crossing 2nd Addition Preliminary Plat and PUD Plans meets at least one or more of the objectives outlined in Section 154.751 of the Zoning Code.
3. That the Lakewood Crossing 2nd Addition Preliminary and Final Plat and PUD Plans propose to enhance the site and retail shopping and dining experience with enhanced architectural materials and site furnishings.

4. That the Lakewood Crossing 2nd Addition Preliminary and Final Plat and PUD Plans is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
5. That the Lakewood Crossing 2nd Addition Preliminary and Final Plat and PUD Plans generally comply with the City's Commercial zoning district.
6. That the Lakewood Crossing 2nd Addition Preliminary and Final Plat and PUD Plans complies with the City's Subdivision Ordinance.
7. That the Lakewood Crossing 2nd Addition Preliminary and Final Plat meets other City zoning ordinances, such as landscaping, tree preservation, erosion and sediment control, and other ordinances, except where noted in the conditions of approval, Staff report to the Planning Commission dated June 12, 2017 or attachments thereto.
8. That the Applicant has requested the following PUD flexibility from the City's Zoning Code:
 - a. Allowing medical facilities, drive-throughs, and outdoor dining as a permitted, rather than conditional, use.
 - b. Allowing a minimum lot width of 18 feet for Lot 2.
 - c. Allowing a maximum impervious surface of 80% for Lot 2, with a total of 75% impervious surface.
 - d. Allowing flexibility from the minimum parking lot setbacks from property lines, allowing a zero foot setback between three lots and an 8.7 foot setback from the lot to the east.
 - e. Allowing flexibility from certain Lake Elmo Design Guidelines and Standards Manual as detailed in the Staff Report to the Planning Commission dated June 12, 2017.
 - f. To waive off-street loading requirements.
 - g. To waive requirement PUD requirement for 20% protected open space, as other site amenities are provided within the development.
 - h. Approval of a Comprehensive Sign Plan which allows 2.5 square feet of wall signage per one (1) lineal foot of store front on the front and rear elevations; 1.5 square feet of wall signage per one (1) lineal foot on building on the west and east elevations; a 10' X 12' multi-tenant ground sign near the northeastern corner of the site; and a 14' X 30' multi-tenant monument sign located in the southwest corner of the site.
9. That the Lakewood Crossing 2nd Addition Preliminary and Final Plat and PUD Plans is consistent with the City's engineering standards provided the plans are updated to address the City Engineer's comments documented in a letter dated May 31, 2017. The Landscape Plan shall include additional landscaping along the Keats Ave N to WB I-94 ramp.
10. That the Lakewood Crossing 2nd Addition Preliminary and Final Plat and PUD Plans will require a relatively minor amount of city services and will not create a significant burden on the City.
11. That the Lakewood Crossing 2nd Addition Preliminary and Final Plat and PUD Plans will not conflict with nearby land uses.

12. The Applicant will be extending municipal sewer and water to the westerly property (PID# 34.029.21.44.0004), providing benefit to the City.

CONCLUSIONS AND DECISION

Based on the foregoing, the Applicants' application for Preliminary and Final Plat and PUD Plans, subject to the following conditions of approval:

1. The Applicant shall address all of the comments outlined in the City Engineer memorandum dated May 31, 2017.
2. The Final Plat shall not be recorded until final construction plan approval is granted and all easements as requested by the City Engineer and Public Works department are recorded on the Final Plat.
3. The Applicant shall obtain all necessary permits including but not limited to all applicable city permits (building, grading, sign, etc.), NPDES/SWPPP permits, and Valley Branch Watershed District approval.
4. The Applicant should review with the MPCA if infiltration practices will be allowed, in particular the planned conversion of the existing storm water pond to a storm water infiltration basin directly east and adjacent to the service station.
5. The Applicant shall address all comments outlined in the Minnesota Department of Transportation memorandum dated June 1, 2017.
6. The Applicant shall be required to extend sanitary sewer and municipal water service to the westerly adjacent property.
7. Stormwater facilities shall be privately owned and maintained. A Stormwater Maintenance and Easement Agreement in the City's standard form must be executed and recorded.
8. A right turn lane on Hudson Boulevard shall be constructed at the Applicant to handle increased traffic volumes.
9. The Applicant shall amend the proposed Landscape Plan to comply with City standards and obtain approval by the City.
10. The Applicant shall provide financial security for 125% of landscaping materials with a Site Work Agreement.
11. The Applicant shall provide further information on the proposed drive-through locations including but not limited to exact location of speakers, windows, and refuse receptacles as well as drive-through canopy detail.
12. The Applicant shall address all of the recommendations to improve the drive-through operations as outlined in the Technical Memorandum prepared by Spack Consulting dated April 12, 2017.
13. The Applicant shall submit a photometric plan, and all lighting must meet requirements of Sections 150.035-150.038 of the City Code.
14. The Applicant shall pay a park dedication fee of \$4500 per acre, totaling \$17,190, in lieu of required parkland.

15. The Applicant shall address all comments outlined in the Fire Chief and Building Official email memos dated May 10, 2017 and May 11, 2017. Specifically, the building on Lot 3 shall be sprinklered; fire hydrant locations shall be added according to comments; and the drive aisle width to the west of the drive-through lane on Lot 2 shall be widened to 20 feet. The Applicant shall submit a plan and obtain approval from the Building Official and Fire Chief for the location of hydrants and No Parking and Fire Lane signs.
16. A Reciprocal Easement and Operating Agreement provided shared parking access across all lots shall be provided, approved by the City, and recorded.
17. Tables cannot block a public sidewalk or other walkway needed for pedestrian circulation. Minimum of 5 ft. of sidewalk must remain open
18. Mechanical rooftop equipment must be screened.
19. The Site Plan shall be updated to include lines that clearly delineate two aisles on the lanes to the south of Lots 1 and 2 and the east side of Lot 1.
20. The Applicant shall provide additional striping and/or a stop sign to facilitate traffic circulation in the area where access is shared with Kwik Trip.
21. Permitted medical facilities shall be limited to non-urgent facilities not requiring ambulance services, including but not limited to clinics, eye doctors, and dental facilities.
22. The Applicant shall add site amenities such as benches, trash receptacles, decorative lighting, and signage compliant with the Lake Elmo Design Guidelines and Standards Manual to the site plan.
23. Fencing shall be provided enclosing all outdoor dining areas adjacent to drive-through lanes.

Passed and duly adopted this 20th day of June, 2017 by the City Council of the City of Lake Elmo, Minnesota.



Mike Pearson, Mayor

ATTEST:



Julie Johnson, City Clerk