

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

RESOLUTION NO. 2018-080

RESOLUTION APPROVING THE CONCEPT PLANNED UNIT DEVELOPMENT PLAN AS PROPOSED BY TERRY EMERSON FOR A PORTION OF 11530 HUDSON BOULEVARD N

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

WHEREAS, Terry Emerson, 2204 Legion Lane Circle N, Lake Elmo, MN 55042 (the "Applicant") has submitted an application to the City of Lake Elmo (City) for a Concept PUD Plan for a mixed use commercial development including commercial uses and a park and ride on a 15.77 acre portion of 11530 Hudson Boulevard N, a copy of which is on file in the City of Lake Elmo Planning and Zoning Department; and

WHEREAS, notice has been published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.102; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on June 18, 2018 to consider the Concept PUD approval request; and

WHEREAS, the Lake Elmo Planning Commission adopted a motion recommending approval of the Concept PUD Plan; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Concept PUD as part of a memorandum to the City Council from the Planning Director for the July 17, 2018 Council Meeting; and

WHEREAS, the City Council reviewed the application at its meeting held on July 17, 2018 and made the following findings:

1. That the Applicant has submitted all application requirements outlined in Section 154.759: Application Requirements for General PUD Concept Plan.
2. That the PUD Concept Plan is consistent with the intent of the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
3. That the PUD Concept Plan complies with the general intent of the Commercial zoning districts with PUD modifications.
4. That the PUD Concept Plan generally complies with the City's Subdivision regulations.
5. That the PUD Concept Plan is generally consistent with the City's engineering standards with exceptions as noted in the City Engineer's memorandum dated June 14, 2018.
6. The PUD Concept Plan meets the minimum requirement for a PUD including minimum lot area and street layout. It is not known whether the minimum requirement for open space is met.

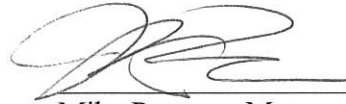
7. The PUD Concept Plan meets at least one of the required PUD objectives identified in Section 154.751.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the Concept PUD Plans as proposed by Terry Emerson subject to the following conditions:

1. The future Preliminary Plat and PUD Plans include a portion of PID# 34.029.21.43.0003.
2. The future Preliminary Plat and PUD Plans shall identify proposed land uses, and those land uses shall accompany a detailed site plan to be approved by the City. Any use that is not designated on the Preliminary Plat and PUD Plans and is not designated as a permitted use within the Commercial zoning district shall require a conditional use permit.
3. The future Preliminary Plat and PUD Plans shall provide the required 20% open space within the development or specify what the proposed public or site amenity the development will provide that the City may consider as an alternative to the open space requirement.
4. The future Preliminary Plat and PUD Plans should detail proposed amenities in exchange for flexibility from standards of the Zoning Code.
5. The future Preliminary Plat and PUD Plans shall comply with comments outlined in the City Engineer Review Memo named Four Corners 2nd Addition Concept Plan dated June 14, 2018.
6. The future Preliminary Plat and PUD Plans shall include provisions for City sanitary sewer and municipal water as well as sanitary sewer and water capacity demands. The Applicant shall be responsible to extend City sanitary sewer and municipal water to the site at the applicant's cost. Sanitary sewer and water main stubs will be required to all adjacent properties.
7. The future Preliminary Plat and PUD Plans shall include right-of-way and easement from the adjacent property to the north to allow for the Hudson Boulevard realignment at Manning Avenue.
8. The future Preliminary Plat and PUD Plans shall include a stormwater management plan including a summary report describing the overall management plan and performance criteria for all required storm events.
9. 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.
10. Stormwater facilities shall be privately owned and maintained. A maintenance agreement in a form acceptable to the City should be executed and recorded.
11. The future Preliminary Plat and PUD Plans shall include tree preservation and landscape plans to be approved by the City's Landscape Architect.
12. The future Preliminary Plant and PUD Plans shall include architectural renderings.
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. That fees in lieu of park land dedication be provided as required by 153.15 of the City Code with future final plat.

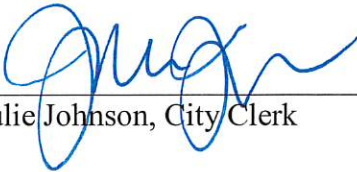
15. The Applicant shall adhere to all requirements as outlined in the Washington County review memo dated June 13, 2018.

Passed and duly adopted this 17th day of July, 2018 by the City Council of the City of Lake Elmo, Minnesota.



Mike Pearson, Mayor

ATTEST:



Julie Johnson, City Clerk