



## **STAFF REPORT**

DATE: 05/05/20

**TO:** City Council  
**FROM:** Ken Roberts, Planning Director  
**AGENDA ITEM:** **Applewood Pointe of Lake Elmo (Hudson Boulevard and Eagle Point Boulevard) – Resolution Correction**  
**REVIEWED BY:** Sarah Sonsalla, City Attorney

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### **BACKGROUND:**

On April 7, 2020, the City Council approved several land use requests from United Properties for the development of a new 103 unit senior housing cooperative to be called Applewood Point of Lake Elmo. United Properties is proposing this project for a vacant 11.7-acre parcel on the northeast corner of Hudson Boulevard and Eagle Point Boulevard in the Eagle Pointe Business Park. The land use approvals included:

1. A Comprehensive Plan Amendment (land use plan change) for the project site from BP (business park) to MU-BP (mixed use – business park);
2. A Zoning Map Amendment (rezoning) for the project site from BP (business park) to MU-BP (mixed use – business park);
3. A PUD Amendment for the Eagle Pointe Park PUD to allow a residential use on the proposed development site; and
4. A Preliminary Plat and the Preliminary Planned Unit Development (PUD) Plans for the denior housing cooperative.

Unfortunately, City staff did not include the language in the resolution approving the Comprehensive Plan amendment (Resolution No. 2020-013) authorizing City staff to submit the amendment to the Metropolitan Council for Metropolitan Council’s review and approval.

### **ISSUE BEFORE CITY COUNCIL:**

City staff is requesting the City Council approve a resolution that ratifies the City Council’s approval of the amendment to the Comprehensive Plan and authorizes submittal of the amendment to the Metropolitan Council. The resolution also states that the City Council’s approval of the amendment to the Comprehensive Plan is contingent upon the Metropolitan Council’s approval of the amendment.

### **PROPOSAL DETAILS/ANALYSIS:**

As I noted above, the Resolution approving the Comprehensive Plan amendment for Applewood Pointe did not have language authorizing City staff to submit the Comprehensive Plan amendment to the Metropolitan Council. Such an authorization is a requirement of the Metropolitan Council and state statute.

**RECOMMENDATION:**

City staff is recommending the City Council approve, *as part of the Consent Agenda*, the attached Resolution No. 2020-048 that ratifies the City Council’s approval of the amendment to the Comprehensive Plan for Applewood Pointe and includes language authorizing City staff to submit the Comprehensive Plan Amendment to the Metropolitan Council for its review and approval.

If removed from the Consent agenda, City staff is recommending the following motion for action:

***“Move to approve Resolution No. 2020-048, a Resolution Ratifying City Council Approval of an Amendment to the City of Lake Elmo Comprehensive Plan Land Use Map for the Site of the Applewood Pointe of Lake Elmo Senior Housing Development and Authorizing Submittal of the Comprehensive Plan Amendment to the Metropolitan Council”.***

- Resolution 2020 - 048

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

**RESOLUTION NO. 2020-048**

*A RESOLUTION RATIFYING CITY COUNCIL APPROVAL OF AN AMENDMENT TO THE CITY OF LAKE ELMO COMPREHENSIVE PLAN LAND USE MAP FOR THE SITE OF THE APPLEWOOD POINTE OF LAKE ELMO SENIOR HOUSING DEVELOPMENT AND AUTHORIZING SUBMITTAL OF THE COMPREHENSIVE PLAN AMENDMENT TO THE METROPOLITAN COUNCIL*

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

**WHEREAS**, the City of Lake Elmo has established a Comprehensive Plan that includes background data, policy statements, standards, and maps that help to guide the future physical, social, and economic development of the City; and

**WHEREAS**, United Properties (the “Applicant”) submitted a request to the City to amend the Comprehensive Plan along with a preliminary Planned Unit Development plan for a proposed senior housing development to be known as Applewood Pointe of Lake Elmo to be located on the 11.7 acre vacant property located on the northeast corner of Hudson Boulevard and Eagle Point Boulevard (the “Property”); and

**WHEREAS**, the request for a Comprehensive Plan amendment was to re-guide the Property from BP (business park) to MU-BP (mixed use business park); and

**WHEREAS**, the notice of a public hearing on the Comprehensive Plan amendment was published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.109, and Minnesota Statutes Section 473.858; and

**WHEREAS**, the Lake Elmo Planning Commission held a public hearing on the proposed Comprehensive Plan amendment on January 13, 2020; and

**WHEREAS**, the Lake Elmo Planning Commission submitted its recommendation of approval of the proposed Comprehensive Plan Amendment to the City Council; and

**WHEREAS**, the City Council considered the said matter at its February 4, 2020 and April 7, 2020 meetings; and

**WHEREAS**, on April 7, 2020, the City Council adopted Resolution No. 2020-013, a Resolution Approving an Amendment to the City of Lake Elmo Comprehensive Land Use Map for the Site of Applewood Point of Lake Elmo Senior Housing Development (the “Resolution”); and

**WHEREAS**, the language in the Resolution that authorizes City staff to submit the Comprehensive Plan amendment to the Metropolitan Council for approval which is required by Minnesota Statutes Section 473.858 was unintentionally omitted from the Resolution; and

**NOW, THEREFORE, BE IT RESOLVED** that based on the foregoing, the Lake Elmo City Council does hereby ratify its approval of the amendment to the Comprehensive Plan land use map for the site of Applewood Pointe of Lake Elmo senior housing development and authorize City staff to submit the proposed Comprehensive Plan amendment to the Metropolitan Council for review and approval; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the City Council's approval of the Comprehensive Plan Amendment is contingent upon the Metropolitan Council's approval of said amendment.

This amended resolution was adopted by the City Council of the City of Lake Elmo on this 5<sup>th</sup> day of May, 2020.

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Mike Pearson, Mayor

ATTEST:

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Julie Johnson, City Clerk