

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

RESOLUTION NO. 2021-012

***RESOLUTION APPROVING THE REVISED PUD CONCEPT PLAN AS PREPARED BY
THE EXCELSIOR GROUP FOR THE SCHILTGEN FARM PROPERTY LOCATED 10880
STILLWATER BOULEVARD***

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

WHEREAS, Mr. Ben Schmidt, representing the Excelsior Group, submitted an application to the City of Lake Elmo (City) for a revised PUD concept plan for a 293-unit, residential planned unit development on a 123 acre site known as the Schiltgen Farm property located at 10880 Stillwater Boulevard (located generally near the intersection of Stillwater Boulevard and Lake Elmo Avenue), a copy of which is on file in the City of Lake Elmo Planning Department; and

WHEREAS, notice was 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 December 14, 2020 to review and consider the revised PUD concept plan for the property; and

WHEREAS, the Lake Elmo Planning Commission recommended denial of the revised PUD concept plan to the City Council with a vote of 4-3; and

WHEREAS, the Lake Elmo Planning Director submitted a report and recommendation to the City Council for the January 19, 2021 City Council Meeting regarding the revised PUD concept plan and recommended approval of the revised PUD concept plan; and

WHEREAS, the City Council reviewed the revised PUD concept plan at its meeting on January 19, 2021 and made the following findings of fact:

1. That the PUD concept plan is consistent with the goals, objectives and policies of the Lake Elmo Comprehensive Plan and the proposed Future Land Use Map for this area.
2. That the PUD concept plan generally complies with the general intent of the V-LDR (Village Urban Low Density Residential) land use designation and the V-LDR zoning district with PUD modifications.
3. That the PUD concept plan generally complies with the City's subdivision regulations.
4. 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 November 18, 2020.
5. The PUD concept plan meets the minimum requirement for a PUD including minimum lot area, open space and street layout.

6. The PUD concept plan meets more than one of the required PUD objectives identified in Section 154.751 of the City Code including providing: 1) innovation in land development techniques that may be more suitable for a given parcel than conventional approaches; 2) promotion of integrated land uses, allowing for a mixture of residential, commercial and public facilities; 3) more adequate, usable, and suitably located open space and recreational amenities and other public facilities than would otherwise be provided under conventional development techniques; 4) accommodation of housing of all types with convenient access to employment opportunities and/or commercial facilities; and especially to create additional opportunities for senior and affordable housing; 5) preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities; 6) preservation of historic buildings, structures or landscape features; 7) coordination or architectural styles and building forms to achieve greater compatibility within the development and surrounding land uses; 8) creation of more efficient provision of public utilities and services, lessened demand on transportation and the promotion of energy resource conservation; and 9) allowing the development to operate in concert with a redevelopment plan in certain areas of the City and to ensure the redevelopment goals and objectives will be achieved.
7. That the PUD concept plan will preserve important environmental features through careful and sensitive placement of buildings and facilities.


NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the revised PUD concept plan (dated January 7, 2021) as submitted by the Excelsior Group for the residential development proposed for the Schiltgen Farm property located at 10880 Stillwater Boulevard, subject to the following conditions:

1. That the future preliminary plat and preliminary PUD Plans includes parcels with the PID#s 1402921140001, 1402921410003, 1402921410001 and 1402921410002.
2. That the developer submit a PUD plan as part of any future preliminary development plans and that the preliminary plat and preliminary PUD Plans submittal shall include a detailed listing of all requested departures or modifications from City ordinances and development standards including the requirements of the V-LDR zoning district.
3. That before submitting an application to the City for preliminary PUD plan/plat approval, the developer revise the PUD concept plan to address the recommended changes from City and County staff and to allow for additional City and County review.
4. That all comments of the City Engineer's Memorandum dated November 18, 2020 be addressed with the developer's future preliminary plat and preliminary PUD plans submittal. In particular, the preliminary development plans shall address the provision of public sanitary sewer and water to the subdivision, storm water management, public street right-of-way requirements and street and trail design.
5. That all storm water retention and infiltration areas must be dedicated to the City and platted as outlots on the preliminary plat unless otherwise directed by the City Engineer.
6. That a shoreland tier analysis be provided with the developer's future preliminary plat and preliminary PUD plans submittal with the required 50% protected open space.
7. That any approval be contingent on complying with Washington County's requirements and requests pertaining to right-of-way, right-of-way dedication, Stillwater Boulevard/Lake Elmo Avenue intersection realignment and design, turn lanes, stormwater ponding and trail construction needs.

8. That the developer shall secure all necessary permits from Washington County for any construction or reconstruction in a County road right-of-way including for the proposed access and turn lanes off of Lake Elmo Avenue and off of Stillwater Boulevard.
9. That the developer provide trails as recommended by the Parks Commission and Washington County. All trails must be for public use and shall be located outside of storm water ponding areas where possible and wetland buffer zones. The developer installed trails shall include a trail on the north side of the east/west street between Lake Elmo Avenue and the trails shown on the Concept Plan.
10. That the future preliminary plat and preliminary PUD Plans submittal show possible trail connections near Lots 47 and 48 in the northwest corner of the Concept Plan to the City-owned property around the storm water ponding area to the north or to the existing trails in the Hamlet of Sunfish Lake neighborhood to the northwest of the site. The City will require the developer to provide a trail on its own parcel that must either be dedicated to the City in the plat or by separate easement instrument.
11. That the developer's future Preliminary Plat and PUD plans submittal include accurate open space and impervious surface calculations.
12. That the developer's Preliminary Plat and PUD plans submittal include a complete tree inventory and tree preservation/replanting and landscape plans to be reviewed and approved by the City's Landscape Architect.
13. That the developer provide 6-foot-wide sidewalks on one side of all City streets.
14. That wetlands and wetland buffer areas be contained on outlots outside of lot areas.
15. That all storm water retention and infiltration areas must be dedicated to the City and platted as outlots on the preliminary and final plats unless otherwise directed by the City Engineer.
16. That the Applicant/developer shall prepare a plan for the ownership and management of the open space and conservation areas as part of preliminary plat and preliminary PUD plans. All open space and conservation areas shall be platted in separate outlots to be commonly owned and managed by a homeowners' association.
17. That the developer provide the City with a parkland dedication (in fees and/or land dedication or a combination thereof) as may be recommended by the Parks Commission and as required by Section 153.14 of the City Code with the future final plat.
18. That the developer's future preliminary plat and preliminary PUD plans submittal include a detailed subdivision phasing plan that includes a timeline for providing sanitary sewer and municipal water to and within the site.
19. That the developer's future preliminary plat and preliminary PUD plans submittal shall include a detailed plan for the preservation and/or reuse of the historic barn facing Stillwater Boulevard and any off-street parking associated with the barn.
20. That the developer's future preliminary plat and preliminary PUD plans submittal include a detailed architectural plan that clearly identifies the various architecture styles for all the proposed buildings. This should include details about how the proposed detached townhouses will meet building standards for setbacks, separation and fire-resistant construction between units.

21. That the developer receives a permit from the Valley Branch Watershed District for the construction of the proposed development.
22. That the developer complies with any comments or requirements provided by the Minnesota DNR.
23. That the developer address all comments of the Fire Chief with any future preliminary plat plans and preliminary PUD plan submittal.
24. That the developer address all comments of the Building Official with any future preliminary plat plans and preliminary PUD plan submittal.
25. That street names comply with the City's Street Naming Policy.
26. That if applicable, the Applicant provide the City specific examples of proposed amenities and proposed amenity points with any future preliminary plat plans and preliminary PUD Plans submittal.
27. That the Applicant provide the City specific examples of proposed development signage, fencing, landscaping, lighting and site furnishings that will adhere to the Lake Elmo Branding and Theming Study with the future preliminary Plat and preliminary PUD Plans submittal.
28. That the Applicant/developer agrees and understands that the City will not accept an application for preliminary plat/PUD approval for this site until after the City has awarded a construction contract for the proposed public sanitary sewer improvements to the south that includes the scope of improvements necessary to make sanitary sewer available to the site. This is to ensure the final design and timing of those sanitary sewer improvements are known to the City and to the Applicant/developer before the City proceeds with any further land use or development review for this site.

Passed and duly adopted this 19th day of January, 2021 by the Lake Elmo Minnesota City Council.


Charles Cadenhead, Mayor

ATTEST:


Julie Johnson, City Clerk