

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

RESOLUTION NO. 2021-086

***RESOLUTION APPROVING THE LAUNCH PROPERTIES AND CROSSROADS
PROPERTIES CROSSROADS EAST PRELIMINARY PLAT AND PRELIMINARY PUD
PLANS***

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

WHEREAS, Dan Regan, representing Launch Properties and David Johnson representing Crossroads properties, submitted an application to the City of Lake Elmo (City) for a Preliminary Plat and Preliminary PUD Plan to allow the construction of two light industrial (office-warehouse) buildings with a net building area of 297,570 square feet in a planned unit development on a 30.2 acre site on the corner of Hudson Boulevard and Lake Elmo Avenue to be known as Crossroads East of Lake Elmo, 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 public hearing on May 10, 2021 to review and consider the Preliminary Plat and Preliminary PUD approval request; and

WHEREAS, the consensus of the Lake Elmo Planning Commission was to recommend to the City Council approval of the Preliminary Plat and Preliminary PUD subject to 35 conditions of approval; and

WHEREAS, the Lake Elmo Planning Director submitted a report and recommendation about the Preliminary Plat and Preliminary PUD as part of a memorandum to the City Council for the June 1, 2021 and August 4, 2021 City Council Meetings; and

WHEREAS, the City Council reviewed the Preliminary Plat and Preliminary PUD application for the proposed Crossroads East office-warehouse development at its meetings held on June 1, 2021 and on August 4, 2021 and made the following findings of fact:

1. That the preliminary PUD Plan will meet the general intent of the Business Park Land Use designation in the Comprehensive Plan and the Business Park (BP) zoning district with PUD modifications.
2. That the preliminary PUD Plan generally complies with the City's Subdivision regulations.
3. That the preliminary PUD Plan is generally consistent with the City's engineering standards with exceptions as noted in the City Engineer's memorandum dated May 5, 2021.
4. That the preliminary PUD Plan meets the minimum requirement for a PUD including minimum lot area, open space and street layout.

5. The preliminary PUD Plan meets more than one of the required PUD objectives identified in Section 154.751 including providing: innovation in land development techniques that may be more suitable for a given parcel than conventional approaches; provision of a more adequate, usable, and suitably located open space, recreational amenities and other public facilities than would otherwise be provided under conventional land development techniques; 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; coordination of architectural styles and building forms to achieve greater compatibility within the development and surrounding land uses; and higher standards of site and building design than would otherwise be provided under conventional land development technique.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the Preliminary Plan and Preliminary PUD Plans for the proposed Crossroads East office-warehouse development as submitted by Launch Properties and Crossroads (to be located on the northeast corner of Hudson Boulevard and Lake Elmo Avenue) subject to the following conditions:

1. That the future final plat and final PUD plans would be for the parcel with the PID 36.029.21.33.0001.
2. That the applicant prepare any future final plat and final PUD plans showing all of the site perimeter property lines - including any revisions for any additional right-of-way or easements that may be needed for Hudson Boulevard or for Lake Elmo Avenue or around the perimeter of the property.
3. That the future final plat and final PUD Plans submittal identify all requests for flexibility from the Zoning Code.
4. That the final PUD development plans shall include a specific land use plan for the property clarifying the uses, types of businesses and activities allowed and not allowed under the PUD, the dimensional requirements for the site, including any deviations from the underlying zoning code standards, and other information deemed appropriate by the City.
5. That the applicant provide the City with an updated list of desired permitted, conditional, and prohibited land uses and activities for the PUD for the City's review and approval with its application for final PUD and final plat approval.
6. That the applicant address all comments in the City Engineer's Memorandum dated May 5, 2021 with the future final plat and final PUD Plans submittal. The changes shall include the removal of the eastern driveway on Hudson Boulevard unless a consolidated access is negotiated with the neighbor to the east.
7. That the final Plat and final PUD Plans submittal include an updated tree inventory and tree preservation/replanting plan and landscape and screening plans that address all comments in the City's Landscape Architect's memo dated April 6, 2021. The screening along the north property line shall be at least 90 percent opaque and shall be at least six feet tall. This may be accomplished with solid fencing, vegetation or a combination of these methods. All revised and final landscape plans shall be reviewed and approved by the City's Landscape Architect. All tree planting must outside of all drainage and utility easements.

8. That the applicant's final Plat and final PUD Plans submittal include accurate open space and impervious surface calculations.

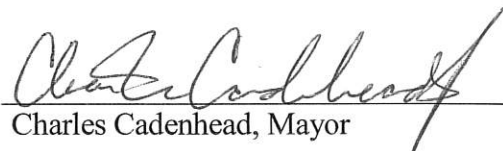
That the applicant provide the City fees in lieu of park land dedication as required by the City Code before the City releases the final plat for recording.

9. That the applicant's final plat and final PUD Plans submittal include detailed architectural plans for all the proposed buildings. The applicant shall submit detailed architectural plans at the time of the final development plan review by the City. These plans shall conform to the City's Design Guidelines and Standards Manual.
10. That if City approves the preliminary PUD plans, the applicant must provide the City with a detailed breakdown of the types of uses and their floor spaces with a detailed parking calculation for each building in the development.
11. That the applicant shall secure all necessary permits and approvals from the City and other governmental entities including but not limited to all applicable City permits (building, grading, sign, etc.), NPDES/SWPPP permits, and Valley Branch Watershed District approvals/permits before starting any grading or construction activities.
12. That the Final Plat/Final PUD application include Valley Branch Watershed District's preliminary review comments and that the applicant provide the City evidence that all conditions attached to a Valley Branch Watershed District permit will be met before the starting any grading activity on the site.
13. That all storm water facilities internal to the site shall be privately owned and maintained. A storm water maintenance and easement agreement in the City's standard form shall be executed and recorded with the final plat for all 100-year high water level areas and to protect all overland emergency flow paths.
14. That the applicant must meet all City standards and design requirements unless specifically addressed otherwise in these conditions.
15. That the Final Plat/Final PUD shall include all necessary public right-of-way and easements for Hudson Boulevard North and Lake Elmo Avenue North. The final plat shall include all right-of-way dedications, easements for drainage and utility and other purposes as required by the City Engineer.
16. That the applicant install all the required improvements in and adjacent to Hudson Boulevard including an 8-foot-wide trail along Hudson Boulevard as a part of the improvement of the site, and meeting the Hudson Boulevard Design Standards.
17. That the Final Plat/Final PUD submittal must include a complete storm water management plan and construction plans that provide all design details for the proposed underground storage systems including details regarding building roof drainage connections.
18. If necessary, the applicant shall provide the City with a copy of written permission for any off-site grading or utility work on adjacent properties before starting any site work, grading and as part of any final plat or final PUD application.
19. That the applicant address all the comments of the Fire Chief and the Building Official with the final PUD, site and building plans including the placement of buildings and fire hydrants, street and driveway design, parking, and emergency vehicle access within the site.

20. That the applicant provide the City with domestic and fire suppression demand information for the development with the updated preliminary plans.
21. That the applicant provide the City sanitary sewer use flow projections for the development with the updated preliminary plans.
22. That the applicant shall be responsible to place fire hydrants and water valves throughout the property at the direction of the Lake Elmo Public Works Director and the Fire Department. All fire hydrants shall be owned and maintained by the City.
23. That the applicant revise the project plans to show watermain easements and effective maintenance areas with a minimum width of 30 feet with a minimum of 15 feet of clearance from the pipe centerline and easement agreements are included with the final plat and PUD application and plans. All required easements shall be shown on the final plat.
24. That there shall be no encroachments into drainage and utility easements and corridors other than those approved by the City Engineer and upon execution of an easement encroachment agreement. Prohibited encroachments include, but are not limited to trees, landscaping, fences, retaining walls, buildings, and grading near existing City utilities.
25. That the applicant prepare exhibits for City staff approval that clearly identify the property lines, easements, proposed locations of retaining walls and fences and the required and proposed setbacks for each building site within the development.
26. That the applicant shall submit a photometric plan for the development for staff review and approval. All lighting must meet the requirements of Sections 150.035-150.038 of the City Code.
27. Before to the installation or construction of any subdivision identification signs or directional markers within the development, the applicant shall submit sign plans to the City for review and obtain a sign permit from the City. The final development plans shall include a signage plan for the entire development including size and location of monument signs, wall signs and signage for tenant spaces.
28. That the applicant provide the City a detailed construction and staging plan with the construction plans and final plat for the development. These plans are to clearly indicate the phasing of the site grading, the phasing of the construction of each public infrastructure component (utilities, streets, trails and sidewalks) and shall address access to that phase of the development for construction purposes.
29. Before the execution and recording of a final plat for the development, the applicant shall enter into a development agreement with the City. Such an agreement must be approved by the City Attorney and by the City Council. The agreement shall delineate who is responsible for the design, construction, and payment for the required improvements with financial guarantees therefore.
30. That the City and the County do not allow any parking or any construction staging, including the loading and unloading of materials and equipment at any time on Hudson Boulevard or on Lake Elmo Avenue during the construction of the site improvements and buildings. All street, curb and boulevard damage caused by the construction activities must be repaired or replaced by the applicant at no cost to the City and must meet City standards and specifications.

31. That the applicant update the traffic impact analysis for the development to include all the missing information as noted by Washington County and submit the updated traffic report to the City for review and comments. The applicant shall complete this update before submitting final PUD plans and a final plat application to the City.
32. That the applicant shall submit revised preliminary plat and project plans meeting all conditions of approval for City review and approval. The revised project plans shall meet all of the above conditions before the City will accept a final plat or final PUD plan application for the development.
33. That the applicant notify any purchasers or tenants of the buildings on the site that the City may impose restrictions or limits on outdoor water use that may include no vehicle washing and no watering of grass, sod, or landscaping.
34. That the applicant provide the Fire Department and the Sheriff's Department with keys, key cards, or other acceptable methods of entry for quick access into the buildings for emergency service calls.
35. That if the City Council approves the PUD Preliminary Plan and the Preliminary Plat, the City's approval is good for one year from the date of City Council action and the final plat must be recorded within that timeframe, unless the applicant requests and the City Council approves an extension.

Passed and duly adopted this 4th day of August, 2021 by the Lake Elmo Minnesota City Council.


Charles Cadenhead, Mayor

ATTEST:


Julie Johnson, City Clerk