

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

**RESOLUTION NO. 2021-098**

*A RESOLUTION APPROVING A FINAL PLAT AND PUD FOR ENTERPRISE HOLDINGS*

**WHEREAS**, Joshua Calderon from Enterprise Holdings (the “Applicant”) and Ray Pruban from Lakeview Investments Inc. (the “Owner”; Owner and Applicant known together as “Development Team”) are developing the parcel identified as PID 34.029.21.33.0027 and also known as Outlot F in Boulder Ponds (the “Property”). The Development Team has submitted an application to the City of Lake Elmo (the “City”) for an Enterprise facility that would include the sale and rental of vehicles; and

**WHEREAS**, notice has been published, mailed, and posted pursuant to the Lake Elmo Zoning Code, Section 154.109; and

**WHEREAS**, the Lake Elmo Planning Commission held a public hearing on said Final Plat and PUD on August 9, 2021; and

**WHEREAS**, the Lake Elmo Planning Commission has submitted its report and recommendations with respect to the requested variance to the City Council as part of the City Staff Memorandum dated September 7, 2021; and

**WHEREAS**, the City Council considered the variance request at its September 7, 2021 meeting; and

**NOW, THEREFORE**, based on the testimony elicited and information received, the City Council makes the following findings, conditions, and conclusions:

**FINDINGS**

1. That the proposed Pingree (Enterprise) Final Plat and Final PUD Plan is generally consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on September 16, 2014.
2. That the proposed Pingree (Enterprise) Final Plat and Final PUD Plan is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
3. That the proposed Pingree (Enterprise) Final Plat generally complies with the standards of the City’s Commercial zoning district.

4. That the proposed Pingree (Enterprise) Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances, except as noted in this report or attachment thereof.
5. That the proposed Pingree (Enterprise) Final Plat complies with the City's subdivision ordinance.
6. That the proposed Pingree (Enterprise) Final Plat and Final PUD Plan complies with the City's Planned Unit Development Ordinance.
7. That the proposed Pingree (Enterprise) Final Plat is generally consistent with the City's engineering standards with the exceptions noted by the City Engineer in his review comments to the City dated August 2, 2021.

#### **CONDITIONS OF APPROVAL**

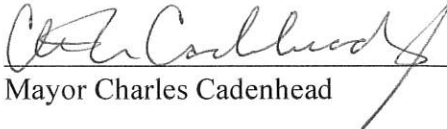
1. Final grading, drainage, and erosion control plans, utility plans, sanitary and storm water management plans, and utility construction plans shall be reviewed and approved by the City Engineer prior to the recording of the Final Plat. All changes and modifications to the plat and plans requested by the City Engineer in the review memos dated August 2, 2021 shall be incorporated into these documents (including the addition of a fire hydrant near the northwest corner of the building) before the City signs the Final Plat for recording.
2. Prior to the release of the Final Plat for recording, the Developer shall enter into a Developer's Agreement or a Site Improvement Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements with financial guarantees therefore.
3. All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat prior to recording. Easements may need to be revised or added to the final plat pending review by the City of a detailed right-of-way boulevard plan and updated utility plans (including any on-site fire hydrants and watermains).
4. The Final Landscape and Irrigation Plans shall be submitted for review and approval by the City Landscape Architect before the City releases building permits for construction.
5. The applicant must obtain all other necessary City, State, and other governing body permits before starting any construction activity on the parcel including but not limited to building permits, conditional use permits, South Washington Watershed District permit, etc.

6. Any plans for construction on the newly created parcel must comply with the Lake Elmo Design Standards Manual and specific general site considerations and development standards for specific uses within the Commercial zoning district.
7. The site plan is subject to a storm water management plan meeting State, South Washington Watershed District and City rules and regulations. The applicant must obtain all applicable permits before the City releases the final plat for recording.
8. A Stormwater Maintenance and Easement Agreement in the City's Standard form is required for the privately-owned system.
9. The applicant shall pay the City a parkland dedication fee in the amount of \$25,740 before the City releases to the final plat for recording.

### CONCLUSIONS

1. Based on the above findings, the City Council hereby approves the requested Final Plat and PUD. The conditions of approval are set forth above.

Passed and duly adopted this 7<sup>th</sup> day of September, 2021 by the City Council of the City of Lake Elmo, Minnesota.

  
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Mayor Charles Cadenhead

ATTEST:

  
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Julie Johnson, City Clerk