

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

**RESOLUTION NO. 2023-024**

***RESOLUTION APPROVING THE WILDFLOWER TWINHOMES PRELIMINARY PLAT AND  
PLANNED UNIT DEVELOPMENT (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**, Landucci Construction, Inc., 13230 20<sup>th</sup> St. Ct. N., Stillwater, MN 55082 submitted application to the City of Lake Elmo (“City”) for a Preliminary Plat and Planned Unit Development (PUD) for Wildflower Twinhomes, a copy of which is on file in the City of Lake Elmo Community Development Department; and

**WHEREAS**, the Lake Elmo Planning Commission held a public hearing on February 27, 2023 to review and consider a Preliminary Plat and Preliminary PUD approval request; and

**WHEREAS**, the Lake Elmo Planning Commission, with lack of majority on a split 2-2 vote, failed to pass a motion recommending approval of the development request to the City Council due to concerns regarding tree removals and suitability of the deviations requested; and

**WHEREAS**, the City Council reviewed and approved the Preliminary Plat and PUD Plan at its March 21, 2023 subject to conditions of approval.

**WHEREAS**, the City Council reviewed the Wildflower Twinhomes Preliminary Plat and PUD Plan at its meeting held on March 21, 2023 and made the following findings of fact:

1. That the PUD Plan is consistent with the intent of the 2040 Lake Elmo Comprehensive Plan and the 2040 Land Use Map for this area.
2. That the PUD Plan complies with the general intent of the Village-Mixed Use zoning district with PUD modifications.
3. That the PUD Plan generally complies with the Lake Elmo Design Guidelines and Standards Manual.
4. That the preliminary plat generally complies with the City’s Subdivision regulations.
5. That the preliminary plat generally complies with the City’s design standards.
6. That the preliminary plat generally complies with the City’s Zoning Code (including Shoreland Zoning) with the exceptions provided for in the PUD.

7. That the PUD Plan meets the minimum requirements for a PUD identified in Section 105.12.1150 and items c, e, g and h from the Identified Objectives for PUDs in Section 105.12.1130 as follows:
  - c. Establishment of appropriate transitions between differing land uses.
  - e. Accommodation of housing of all types with convenient access to employment opportunities and/or commercial facilities; and especially to create additional opportunities for lifecycle housing to all income and age groups.
  - g. Coordination of architectural styles and building forms to achieve greater compatibility within the development and surrounding land uses.
  - h. Creation of more efficient provision of public utilities and services, lessened demand on transportation, and the promotion of energy resource conservation.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council does hereby approve the Wildflower Twinhomes Preliminary Plat and PUD Plan subject to the following conditions:

1. Prior to the City finding any application for a final plat and final PUD complete, the applicant shall fully address all comments in the following review memos to the satisfaction of the requisite author:
  - a. City Engineer's memo dated February 15, 2023.
  - b. City Landscape Architect's revised memo dated March 10, 2023.
  - c. City Fire Chief's memo dated February 7, 2023.
2. That prior to the City finding any application for final plat and final PUD complete, the applicant shall demonstrate that the plans reflect compliance with Valley Branch Watershed (VBWD) review requirements and that the applicant provide the City evidence that all conditions attached to a VBWD permit will be met before the starting any grading activity on the site.
3. That 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 before starting any grading or construction activities.
4. Additional size, height, and area regarding the proposed monument sign shall be submitted with final PUD application.
5. The applicant/developer is responsible, at their own expense, for installing all required right of way improvements. Any improvements in Stillwater Boulevard shall be consistent with Washington County standards.
6. A storm water maintenance and easement agreement in a form acceptable to the City shall be executed and recorded with the final plat.
7. No stormwater impacts shall be created on CSAH 14 (Stillwater Boulevard).
8. The applicant/developer shall provide the City a fee in lieu of park land dedication as required by Section 103.00.150 to be paid prior to recording of the final plat.
9. The applicant/developer shall pay the City the required AUAR fee prior to recording of the final plat.

10. A landscape and irrigation license agreement in a form acceptable to the City shall be executed and recorded with the final plat.
11. Existing drainage and utility easements shall be vacated prior to recording final plat.
12. Finalization, adoption, and publication of an overlay PUD district ordinance shall occur before the recording of any future final plat.
13. If necessary, the applicant shall provide the City with a copy of written permission for any off-site grading work and storm sewer discharges to adjacent properties before starting any site work, grading and as part of any final plat or final PUD application.
14. Before the execution and recording of a final plat for the development, the developer or applicant shall enter into a Developer's Agreement or a Site Work 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. The Agreement shall outline any approved phasing plan.
15. The applicant or developer shall enter into a separate grading agreement with the City before starting any grading activity in advance of final plat/ PUD approval. The City Engineer shall review any grading plan that is submitted in advance of a final plat or final PUD, and said plan shall document the extent of any proposed grading on the site.
16. The applicant or developer shall detail why existing trees along the northerly lot line can or cannot be preserved in future submittals.
17. The applicant or developer shall detail whether additional visitor parking stalls can be added into the site plan in future submittals.

Passed and duly adopted this 21<sup>st</sup> day of March, 2023 by the City Council of the City of Lake Elmo, Minnesota.

  
Mayor Charles Cadenhead

ATTEST:

  
Julie Johnson, City Clerk

