

**CITY OF LAKE ELMO**

**RESOLUTION NO. 2013-103**

*A RESOLUTION APPROVING AN AMENDMENT TO THE PLANNED UNIT DEVELOPMENT FOR THE EAGLE POINT BUSINESS PARK TO ALLOW PUBLIC SCHOOLS AS A CONDITIONAL USE*

**WHEREAS**, BWBR Architects, acting on behalf of Northeast Metro 916 Intermediate School District, 2540 County Road F East, White Bear Lake, MN and United Properties, 3600 American Boulevard, Suite 750, Minneapolis, MN (“Applicant”) has submitted an application to the City of Lake Elmo (“City”) to amend the Planned Unit Development (PUD) for Eagle Point Business Park, a copy of which is on file in the Lake Elmo Planning Department; and

**WHEREAS**, the proposed PUD Amendment is to revise the development standards for the Eagle Point Business Park to allow public schools as a conditional use within the Eagle Point Business Park PUD; and

**WHEREAS**, the Lake Elmo Planning Commission held a public hearing on November 25, 2013 to consider the PUD Amendment; and

**WHEREAS**, on November 25, 2013 the Lake Elmo Planning Commission adopted a motion to recommend that the City Council deny the PUD Amendment; and

**WHEREAS**, the Lake Elmo Planning Commission submitted its report and recommendation to the City Council as part of a memorandum from the Planning Department dated December 3, 2013; and

**WHEREAS**, the City Council reviewed the recommendation of the Planning Commission and the PUD Amendment at its December 3, 2013 meeting.

**NOW, THEREFORE**, based upon the testimony elicited and information received, the City Council makes the following:

**FINDINGS**

- 1) That the procedure for processing a PUD Amendment is found in the Lake Elmo City Code, Section 150.800 et seq.
- 2) That all the requirements of said City Code Section 154.800 et seq. related to the PUD Amendment have been met by the Applicant.
- 3) That the proposed PUD Amendment would revise the development standards for the Eagle Point Business Park by revising the list of permitted and conditional uses as follows:

***Permitted Uses:*** Banks, medical clinics, offices, ~~schools (business, professional and private trade)~~, office showrooms.

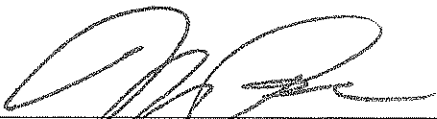
***Conditional Uses:*** Business services, conference centers, health clubs, hotels and motels, day care centers, limited retail, medical, dental and research labs, recording studios, restaurants and cafeterias, theaters, teleconferencing transmission facilities, veterinary clinics, and hotel, public and private schools.

- 4) That the legal description of the property to which the PUD Amendment will apply is as follows:  
Outlot A of Eagle Point Business Park 7<sup>th</sup> Addition according to the plat thereof filed of record in the office of the Register or Titles in and for Washington County, Minnesota.
- 5) That the proposed PUD Amendment:
  - a) Is consistent with the goals, objectives, and policies of the Comprehensive Plan.
  - b) Is consistent with the purpose of Section 154.800 et seq. of the City Code.
  - c) Complies with the development standards of Section 154.800 et seq. of the City Code.
- 6) That any economic impacts associated with allowing a public school within the Eagle Point Business Park will be offset by a services agreement with the Applicant, which will be considered as part of the Applicant's concurrent request for a Conditional Use Permit.
- 7) That the proposed PUD Amendment and proposed school development is compatible with the existing and proposed future uses within the Eagle Point Business Park.

#### CONCLUSIONS AND DECISION

1. Based on the foregoing, the Applicant's request for a PUD Amendment is hereby approved.

Passed and duly adopted this 3<sup>rd</sup> day of December 2013 by the City Council of the City of Lake Elmo, Minnesota.

  
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Mike Pearson, Mayor

ATTEST:

  
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Adam Bell, City Clerk