

CHAPTER 1119

PUD, PLANNED UNIT DEVELOPMENT DISTRICT

SECTION:

- : Purpose
- : Permitted Uses
- : Special Procedures

: **PURPOSE:** The purpose of the PUD, Planned Unit Development District is to provide for the integration and coordination of land parcels as well as the combination of varying types of residential, commercial and industrial uses. (1988 Code §40.23)

: **PERMITTED USES:** All permitted accessory or conditional uses contained in Chapters 1106 through 1118 of this Title shall be treated as permitted uses to eliminate the overlapping procedural requirements of individual conditional use provisions. (1988 Code §40.23)

: **SPECIAL PROCEDURES:** The establishment of a PUD, Planned Unit Development District shall be subject to the amendment requirements as outlined in Section 1125.01 of this Title plus the procedures and conditions imposed by Chapter 1120 of this Chapter. (1988 Code §40.23)

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CHAPTER 1120

PLANNED UNIT DEVELOPMENTS

SECTION:

- : Purpose and Intent
- : General Requirements and Standards
- 1120.03: Special Requirements and Standards
- 1120.04: Procedure
- 1120.05: Submittals

1120.01: **PURPOSE AND INTENT:** The purpose of this Chapter of the Zoning Code is to provide for the grouping of land parcels for development as an integrated, coordinated unit as opposed to traditional parcel by parcel, piecemeal, sporadic and unplanned approach to development. This Section is intended to introduce flexibility of site design and architecture for the conservation of land and open space through clustering of buildings and activities through conditional use provisions. It is further intended that planned unit developments are to be characterized by central management, integrated planning and architecture, joint or common use of parking, maintenance of open space and other similar facilities and a harmonious selection and efficient distribution of uses. Specifically, it is intended to encourage:

Subd. 1. Innovations in residential development to the end that the growing demands for housing of all economic levels may be met by greater variety in tenure, type, design and siting of dwellings and by the conservation and more efficient use of land in such developments.

Subd. 2. Higher standards of site and building design through the use of trained and experienced land planners, architects and landscape architects.

- Subd. 3. More convenience in location of accessory commercial and service area.
- Subd. 4. The preservation and enhancement of desirable site characteristics, such as natural topography and geologic features and the prevention of soil erosion.
- Subd. 5. A creative use of land and related physical development which allows a phased and orderly transition of land from rural to urban uses.

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- Subd. 6. An efficient use of land resulting in smaller networks of utilities and streets, thereby lowering housing costs and public investments.
- Subd. 7. A development pattern in harmony with the objectives of the Mounds View Comprehensive Plan.
- Subd. 8. A more desirable environment than would be possible through the strict application of zoning and subdivision regulations of the City¹.
- Subd. 9. To give the landowner and developer reasonable assurance of ultimate approval before expending complete design monies while providing City officials with assurances that the project will retain the character envisioned at the time of concurrence.
- Subd. 10. To allow variation from the provisions of this Title, including setbacks, height, lot area, width and depth, yards, etc. (1988 Code §40.24)

: **GENERAL REQUIREMENTS AND STANDARDS:**

- Subd. 1. Ownership: An application for PUD approval must be filed by the landowner or jointly by all landowners of the property included in a project. The application and all submissions must be directed to the development of the property as a unified whole. In the case of multiple ownership, the approval of the final plat shall be binding on all owners.
- Subd. 2. Comprehensive Plan Consistency: The proposed PUD shall be consistent with the adopted City Comprehensive Plan.
- Subd. 3. Common Open Space: Common open space at least sufficient to meet the minimum requirements established in this Chapter and such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of the residents of the PUD shall be provided within the area of the PUD.
- Subd. 4. Operating and Maintenance Requirements for PUD Common Open Space/Facilities: Whenever common open space or service facilities are provided within the PUD, the PUD plan shall contain provisions to assure the continued operation and maintenance of such open space and service facilities to a predetermined reasonable standard. Common open space and service facilities within a PUD may be placed under the ownership of one (1) or more of the following as approved by the Council:
 - a. Landlord control, where only use by tenants is anticipated.

¹ See Title 1200 of this Code for subdivision regulations.

b. Property Owners' Association; provided, all of the following conditions are met:

(1) Prior to the use, occupancy, sale or the execution of contracts for sale of an individual building unit, parcel, tract, townhouse, apartment or common area, a declaration of covenants, conditions and restrictions or an equivalent document and a set of floor plans, such as specified by Minnesota Statutes, Chapters 515 and 515A, shall be filed with the City Administrator, said filing to be made prior to the filings of said declaration of documents or floor plans with the recording officers of Ramsey County, Minnesota. (Amended, Ord. 844, 5-20-10)

(2) The declaration of covenants, conditions and restrictions or equivalent document shall specify that deeds, leases or documents of conveyance affecting buildings, units, parcels, tracts, townhouses or apartments shall subject said properties to the terms of said declaration.

(3) The declaration of covenants, conditions and restrictions shall provide that an owners' association or corporation shall be formed and that all owners shall be members of said association or corporation which shall maintain all properties and common areas in good repair and which shall assess individual property owners proportionate shares of joint or common costs. This declaration shall be subject to the review and approval of the City Attorney. The intent of this requirement is to protect the property values of the individual owner through establishing effective private control.

(4) The declaration shall, additionally, amongst other things, provide that in the event the association or corporation fails to maintain properties in accordance with the applicable rules and regulations of the City or fails to pay taxes or assessments on properties as they become due and in the event the said City incurs any expenses not immediately reimbursed by the association or corporation, then the City shall have the right to assess each property its pro rata share of said expenses. Such assessments, together with interest thereon and costs of collection, shall be a lien on each property against which such assessment is made.

(5) Membership must be mandatory for each owner and any successive buyer.

(6) The open space restrictions must be permanent and not for a given period of years.

(7) The association must be responsible for liability insurance, local taxes and the maintenance of the open space facilities to be deeded to it.

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(8) Property owners must pay their pro rata share of the cost of the association by means of an assessment to be levied by the association which meets the requirements for becoming a lien on the property in accordance with Minnesota Statutes.

(9) The association must be able to adjust the assessment to meet changed needs.

(10) The bylaws and rules of the association and all covenants and restrictions to be recorded must be approved by the Council prior to the approval of the final PUD plan.

Subd. 5. Staging of Common Open Space: When a PUD provides for common open space, the total area of common open space or land escrow security in any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD as the stages or units completed or under development bear to the entire PUD.

Subd. 6. Density: The exact density allowable shall be determined by standards agreed upon between the applicant and the City.

Subd. 7. Utilities: In any PUD, all utilities, including telephone, electricity, gas and telecable, shall be installed underground.

Subd. 8. Utility Connections:

a. Water Connections: Where more than one (1) property is served from the same service line, a shut-off valve must be located in such a way that each unit's service may be shut off by the City, in addition to the normally supplied shut off at the street.

b. Sewer Connections: Where more than one (1) unit is served by a sanitary sewer lateral, the requirements of the Building Code¹ shall apply for lengths between ninety feet (90') and three hundred feet (300'). If the length exceeds three hundred feet (300'), provision must be made for a manhole to allow adequate cleaning and maintenance of the lateral. All maintenance and cleaning shall be the responsibility of the property owners' association or owner.

¹ See Chapter 1001 of this Code.

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Subd. 9. Roadways:

a. Private roadways within the project shall have an improved surface of twenty five feet (25') or more in width and shall be so designed as to permit fire trucks to provide protection to each building. Parking shall be prohibited within this twenty five foot (25') roadway.

b. No portion of the required private road system may be used in calculating required off-street parking space.

Subd. 10. Landscaping: In any PUD, landscaping shall be provided according to a plan approved by the City Council, which shall include a detailed planting list with sizes and species indicated as part of the final plat. In assessing the landscaping plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structures and the overall scheme of the PUD plan.

Subd. 11. Public Services: The proposed project shall be served by the City water and sewer system¹, and fire hydrants shall be installed at such locations as required by the Fire Chief to provide fire protection.

- Subd. 12. Building Height: Height limitations shall be the same as imposed in the respective districts, unless the City Council determines additional height or stories would serve a better purpose consistent with the stated intent of this Chapter. (Amended, Ord. 755, 2-14-05)
- Subd. 13. Refuse: Provision for trash pick-up shall be made according to a plan approved by the Planning Commission and City Council².
- Subd. 14. Site Improvement Agreement: Prior to the issuance of a building permit as part of the planned unit development, the permit applicant, builder or developer shall execute and deliver to the City Council a site improvement agreement providing for the installation within one (1) year of all of the off-site and on-site improvements as approved by the City Council, secured by a cash escrow or surety bond in an amount and with surety and conditions satisfactory to the City, to insure the City that such improvements will be actually constructed and installed according to specifications and plans approved by the City as expressed in such agreement. The amount of the bond shall be one and one-half (1-1/2) times the estimated cost of the improvements as determined by the Director of Public Works/City Engineer. (1988 Code §40.24)

¹ See Chapters 906 and 907 of this Code.

² See Chapter 603 of this Code for garbage and rubbish regulations.

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: **SPECIAL REQUIREMENTS AND STANDARDS:**

Subd. 1. Residential Planned Unit Development:

- a. Purpose: It is the intent of this subdivision to establish special requirements for the granting of a conditional use permit for residential PUD projects which are in compliance with the permitted and conditional uses allowed in a specific district, including dwellings, offices and institutional uses of one (1) or more buildings in relation to an overall design and integrated physical plan and in accordance with the provisions and procedures as prescribed in this Title.
- b. Minimum Project Size: The tract of land for which a planned unit development, general residential project is proposed and permit requested shall contain not less than three (3) acres of land.
- c. Required Frontage: The tract of land for which a project is proposed and permit requested shall have a width of not less than two hundred feet (200') perpendicular to the side lot line or have two hundred feet (200') of frontage on the public right of way, whichever is most restrictive.
- d. Yards:
 - (1) The front, side and rear yard restrictions at the periphery of the planned unit development site, at a minimum, shall be the same as imposed in the respective districts.
 - (2) No building shall be nearer than its building height to the rear or side property line when such line abuts an R-1 or R-2 use district.
 - (3) No building shall be located less than twenty feet (20') from the back of the curb line along those roadways which are part of the internal street pattern.

(4) No building within the project shall be nearer to another building than one-half (1/2) the sum of the building heights of the two (2) buildings.

e. Density Bonus: As a consequence of a planned unit development's planned and integrated character, the number of dwelling units allowed within the respective zoning district may be increased by ten percent (10%). The building, parking and similar requirements for these extra units shall be observed in compliance with this Title.

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f. Townhouses and Condominiums:

(1) Minimum unit lot frontage for townhouses shall be not less than twenty feet (20').

(2) Dwelling unit and accessory use requirements are in compliance with the district provisions in which the development is planned.

(3) A townhouse shall have not more than two (2) stories.

(4) No single townhouse shall contain more than eight (8) dwelling units.

(5) No townhouse shall have a single exterior wall longer than eighty feet (80') nor an offset between walls of more than ten feet (10').

(6) Townhouse projects shall have a usable open space area equal to four hundred (400) square feet per dwelling.

(7) Condominium buildings containing eight (8) units or less and not more than two (2) stories may entail zero (0) lot line construction; provided, that the association covenant provides for it accordingly.

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g. Senior Housing: (Added, Ord. 814, 10-1-08)

(1) The building must have at least sixty percent (60%) of its units designated for assisted living or memory or Alzheimer's care for the City to consider the project or building as a planned unit development. (Added, Ord. 814, 10-1-08)

(2) The tract of land for which a planned unit development, senior housing project is proposed and permit requested shall contain not less than two (2) acres of land. (Added, Ord. 814, 10-1-08)

(3) The front, side and rear yard building setbacks of the planned unit development site, at a minimum, shall be:

(a) Front = 30 feet

(b) Side = 20 feet

(c) Rear = 30 feet, or 50 feet if abutting residential

(Added, Ord. 814, 10-1-08)

(4) The parking recommendations are as follows, unless the City Council determines more or less parking stalls would serve a better purpose: Parking spaces recommended are:

- (a) Independent living = 1 space per unit with half of the spaces enclosed
- (b) Assisted living = 0.5 spaces per unit
- (c) Nursing homes and memory care = 1 space for every 4 beds
- (d) Facility staff = 1 space for every employee on the largest shift

(Added, Ord. 814, 10-1-08)

(5) The permanent residents residing in independent living units shall be limited to persons who are fifty five (55) years of age or over except that one (1) other family member or designated caregiver may reside with the permanent senior resident in accordance with any pertinent lease provision. (Added, Ord. 814, 10-1-08)

(6) The City may require the developer or builder of senior housing to install screening and buffering, such as landscaping, berming or fencing (or a combination of these methods), to help protect neighboring properties. (Added, Ord. 814, 10-1-08)

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Subd. 2. Commercial or Industrial Planned Unit Development:

a. Purpose: The intent of this subdivision is to establish special requirements for the granting of a conditional use permit to allow commercial or industrial PUD projects which are in compliance with the permitted and conditional uses allowed in a specific district in one or more buildings in relation to an overall design and an integrated physical plan.

b. Minimum Project Size: The tract of land for which a planned unit development, commercial or industrial project is proposed and permit is requested shall contain not less than five (5) acres for commercial and industrial projects.

c. Frontage: The tract of land for which a project is proposed and a permit requested shall have a width of not less than two hundred feet (200') perpendicular to the side lot line or have two hundred feet (200') of frontage on the public right of way, whichever is most restrictive.

d. Yard: No building shall be nearer than fifty feet (50') to the side or rear property line when such line abuts an R-1, R-2 or R-3 use district.

e. Landscaping, Screening and Surfacing:

(1) The entire site, other than that taken up by structures or landscaping, shall be surfaced with a material to control dust, drainage and erosion.

(2) A drainage system conforming to the comprehensive storm drainage plan¹ and subject to approval of the Director of Public Works/City Engineer shall be installed.

(3) Development abutting an R-1, R-2 or R-3 District shall be screened and landscaped in compliance with subdivisions 1103.08(1) through (5) of this Title.

¹ See Chapter 1302 of this Code.

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Subd. 3. Mixed Use Planned Unit Development:

- a. Purpose: The intent of this subdivision is to establish special requirements for the granting of a zoning district amendment to allow mixed use PUD projects which are in compliance with the permitted and conditional uses allowed within the PUD District and in accordance with the provisions and procedures as prescribed in this subdivision.
- b. Minimum Project Size: The tract of land for which a mixed use PUD is proposed shall not contain less than five (5) acres.
- c. Frontage: The tract of land for which the project is proposed shall have a width of not less than two hundred feet (200') perpendicular to the side lot line or have two hundred feet (200') of frontage on the public right of way, whichever is most restrictive.
- d. Yards: Minimum setbacks shall be the same as imposed in the respective PUD use districts.
- e. Landscaping, Screening and Surfacing: All site treatment shall be consistent with the requirements of subdivisions 1103.08(1) through (5) of this Title.
- f. Staging of Residential Development: Whenever any mixed PUD is to be developed in stages, the proportion of residential development completed at any stage, when averaged with all previously completed stages, shall not exceed the proportion of residential development planned for the entire mixed PUD. (1988 Code §40.24)

1120.04: **PROCEDURE:**

- Subd. 1. Application Conference: Upon filing of an application for PUD, the applicant of the proposed PUD shall arrange for and attend a conference with the City staff. At such conference, the applicant shall be prepared to generally describe applicant's proposal for a PUD. The primary purpose of the conference shall be to provide the applicant with an opportunity to gather information and obtain guidance as to the general suitability of and conformity to the provisions of this Title before incurring substantial expense in the preparation of plans, surveys and other data.

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Subd. 2. General Concept Plan:

- a. Purpose: The general concept plan provides an opportunity for the applicant to submit a plan to the City showing applicant's basic intent and the general nature of the entire development without incurring substantial cost. This concept plan serves as the basis for the public hearing so that the proposal may be publicly considered at an early stage. The following elements of the proposed general concept plan represent the

immediately significant elements which the City shall review and for which a decision shall be rendered:

- (1) Overall maximum PUD density range.
- (2) General location of major streets and pedestrianways.
- (3) General location and extent of public and common open space.
- (4) General location of residential and nonresidential land uses with approximate type and intensities of development.
- (5) Staging and time schedule of development.
- (6) Other special criteria for development.

b. Process:

- (1) Developer attends application conference.
- (2) File application for a conditional use permit or rezoning concurrently with the submission of the general concept plan (at least twenty one (21) days prior to Planning Commission meeting) consisting of the information and submissions required under subdivision 1120.05(1) of this Chapter, General Concept Stage.
- (3) City staff reviews application, prepares report and recommendations.
- (4) Planning Commission receives application and report of City staff.
- (5) Planning Commission makes a recommendation to the City Council on the general concept plan.
- (6) City Council holds a public hearing.
- (7) City Council reviews all recommendations and approves/denies application(s).

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c. Optional Submission of Development Stage Plan: In cases of single stage PUDs or where the applicant wishes to begin the first stage of a multiple stage PUD immediately, applicant may, at applicant's option, submit development stage plans for the proposed PUD simultaneously with the submission of the general concept plan. In such case, the applicant shall comply with all the provisions of this Chapter applicable to submission of the development stage plan.

d. Limitation of General Concept Plan Approval: Unless a development stage plan has been filed within nine (9) months from the date City Council grants general concept plan approval, or in any case where applicant fails to file development stage and final plans and to proceed with development in accordance with the provisions of this Title and of an approved general concept plan, the approval may be revoked by City Council action. The City Council, at its discretion, may extend the filing deadline for a development stage plan when, for good cause shown, such extension is necessary.

Subd. 3. Development Stage:

a. Purpose: The purpose of the development stage plan is to provide a specific and particular plan upon which the Planning Commission will base its recommendation to the City Council and with which substantial compliance is necessary for the preparation of the final plan.

b. Submission of Development Stage: Upon approval of the general concept plan, the applicant shall file with the City Administrator a development stage plan consisting of the information and submissions required under subdivision 1120.05(2) of this Chapter for the entire PUD or for one (1) or more stages thereof in accordance with a staging plan approved as part of the general concept plan. The development stage plan shall refine, implement and be in substantial conformity with the approved general concept plan. (Amended, Ord. 844, 5-20-10)

c. Review and Action by City Staff and Planning Commission: Upon a receipt of a completed development stage plan, the City Administrator shall refer such plan to the appropriate City staff, Planning Commission and other review agencies. (Amended, Ord. 844, 5-20-10)

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d. Process:

(1) Developer makes application for subdivision (first phase of PUD) at least twenty one (21) days prior to Planning Commission meeting.

(2) Within sixty (60) days of the submission, or such further time as may be agreed to by the applicant, the Planning Commission shall review the development stage and submit a written report and recommendations to the City Council. Such report shall contain the findings and recommendations of the Planning Commission with respect to the conformity of the development stage plan to the approved general concept plan, with respect to the merit or lack of merit of any departure of the development stage plan from substantial conformity with the concept plan, and with respect to the compliance of the development stage plan with the provisions of this Title and all other applicable Federal, State and local codes and ordinances.

(3) Within thirty (30) days of receipt of the report and recommendations of the Planning Commission, the City Council shall conduct a public hearing on the plans. Thereafter, the City Council may grant approval, resubmit the plan to the Planning Commission for further consideration or deny approval of the plan.

(4) Upon City Council approval, the City Attorney shall draw up a PUD agreement which stipulates the specific terms and conditions established and approved by the City Council and accepted by the applicant. This agreement shall be signed by the Mayor, the City Administrator and the applicant. (Amended, Ord. 844, 5-20-10)

(5) Where the development stage plan is denied approval, City Council action shall be by resolution setting forth the reasons for its action. A certified copy of the document evidencing City Council action shall be delivered to the applicant.

e. Limitation on Detailed Plan Approval: Unless a final plan covering the area designated in the first stage of the development stage plan has been filed within six (6) months from the date City Council grants development stage plan approval or in any case where the applicant fails to file final plans and to proceed with development in

accordance with the provisions of this Title and/or an approved development stage plan, the approval shall expire. The City Council may, at its discretion, extend for not more than one additional period of six (6) months the filing deadline for any final plan when, for good cause shown, such extension is necessary. In any case, where development plan approval expires, the City Council shall forthwith adopt a resolution repealing the general concept plan approval and the development stage plan approval for that portion of the PUD that has not received final plan approval and re-establishing the zoning and other ordinance provisions that would otherwise be applicable.

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- f. Review and Evaluation Criteria: The evaluation of the proposed development stage plan shall include, but not be limited to, the following criteria:
- (1) Adequate property control is provided to protect the individual owner's rights and property values and the public responsibility for own maintenance and upkeep.
 - (2) The interior circulation plan plus access from and onto public rights of way does not create congestion or dangers and is adequate for the safety of the project residents and the general public.
 - (3) A sufficient amount of usable open space is provided.
 - (4) The arrangement of buildings, structures and accessory uses does not unreasonably disturb the privacy or property values of the surrounding residential uses.
 - (5) The architectural design of the project is compatible with the surrounding area.
 - (6) The drainage and utility system plans are submitted to and subject to the approval of the Director of Public Works/City Engineer.
 - (7) The development schedule insures a logical development of the site which will protect the public interest and conserve land.
 - (8) The development is in compliance with the requirements of Chapter 1010 and Titles 1200 and 1300 of this Code.
 - (9) Dwelling unit and accessory use requirements are in compliance with the district provisions in which the development is planned.

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Subd. 4. Final Plan:

- a. Purpose: The final plan is to serve as a complete, thorough and permanent public record of the PUD and the manner in which it is to be developed. It shall incorporate all prior approved plans and all approved modifications thereof resulting from the PUD process. It shall serve in conjunction with other City ordinances as the land use regulation applicable to the PUD.

b. Submission of the Final Plan: Upon approval of the development stage plan, the applicant shall file with the City Administrator a final plan consisting of the information and submissions required by subdivision 1120.05(3), Final Plan Stage, of this Chapter for the entire PUD or for one (1) or more stages. The final plan is intended only to add detail to and to put in final form the information contained in the general concept plan and the development stage plan and shall conform to the development stage plan in all respects. (Amended, Ord. 844, 5-20-10)

c. Review of Final Plan: The Director of Public Works/City Engineer shall review the final plans to assure their compliance with the general concept and development stage plans and shall require appropriate revisions by the applicant wherever they do not so comply. The Director of Public Works/City Engineer shall report the findings to the City Administrator who shall notify the applicant, in writing, of approval of the final plan. (Amended, Ord. 844, 5-20-10)

d. Recording of Final Plan: Within ten (10) days of the City Administrator's notice of approval, the applicant shall cause the final plan, or such portions thereof as are appropriate, to be recorded with the County Register of Deeds or Register of Titles. (Amended, Ord. 844, 5-20-10)

e. Building and Other Permits: Upon receiving notice from the City Administrator that the approved final plan has been recorded and upon appropriate application of the applicant, building and other permits may be issued to the applicant for development, construction and other work in the area encompassed by the approved final plan; provided, however, that no such permit shall be issued unless the requirements of all applicable codes and ordinances have been satisfied. (Amended, Ord. 844, 5-20-10)

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f. Limitation of Final Plan Approval: Within one year after the approval of a final plan for PUD, or such shorter time as may be established by the approved development schedule, construction shall commence in accordance with such approved plan. Failure to commence construction within such period shall, unless an extension shall have been granted as hereinafter provided, automatically render void the PUD permit and all approvals of the PUD plan. The area encompassed within the PUD shall thereafter be subject to those provisions of the zoning ordinances and other ordinances applicable in the district in which it is located. In such case, the City Council shall forthwith adopt a resolution repealing the PUD permit and PUD approvals and re-establishing the zoning and other ordinance provisions that would otherwise be applicable.

g. Annual Review: The Zoning Administrator shall review each planned unit development at least once each year and shall make a report through the Commission to the City Council on the status of the development in each PUD district. If development is not progressing reasonably well, according to schedule, the owner shall be required to submit a statement to the Zoning Administrator setting forth the reasons for the lack of progress. If the City Council finds that the development has not occurred according to the established development schedule or is not otherwise reasonable in the view of the City Council, the City Council may initiate rezoning(s) to remove the planned unit development district. In any event, it shall not be necessary for the City Council to find the rezoning to a PUD district was in error. (1988 Code §40.24)

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: **SUBMITTALS:** The applicant shall submit a sufficient number of copies, as required by the City Administrator, of the following exhibits, analyses and plans during the PUD review process: (Amended, Ord. 844, 5-20-10)

Subd. 1. General Concept Stage:

a. General Information:

- (1) The landowner's name and address and landowner's interest in the subject property.
- (2) The applicant's name and address if different from the landowner.
- (3) The names and addresses of all professional consultants who have contributed to the development of the PUD plan being submitted, including attorney, land planner, engineer and surveyor.
- (4) Evidence that the applicant has sufficient control over the subject property to effectuate the proposed PUD, including a statement of all legal, beneficial, tenancy and contractual interest held in or affecting the subject property and including an up-to-date certified abstract of title or registered property report and such other evidence as the City Attorney may require to show the status of title or control of the subject property.

b. Present Status:

- (1) The address and legal description of the subject property.
- (2) The existing zoning classification and present use of the subject property and all lands within five hundred feet (500') of the subject property.
- (3) A map depicting the existing development of the subject property and all lands within five hundred feet (500') thereof and showing the precise location of existing streets, property lines, easements, water mains and storm and sanitary sewers, with invert elevations on and within one hundred feet (100') of the subject property.

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c. Statement: A written statement generally describing the proposed PUD and the market which it is intended to serve, showing its relationship to the City's Comprehensive Plan and how the proposed PUD is to be designed, arranged and operated in order to permit the development and use of neighboring property in accordance with the applicable regulations of the City.

d. Site Conditions:

- (1) Where deemed necessary by the City, graphic reproductions of the existing site conditions at a scale of one hundred feet (100') shall be submitted and shall contain the following:
 - (a) Contours, minimum two foot (2') intervals.
 - (b) Location, type and extent of tree cover.

- (c) Slope analysis.
- (d) Location and extent of water bodies, wetlands and streams and flood plains within three hundred feet (300') of the subject property.
- (e) Significant rock outcropping.
- (f) Existing drainage patterns.
- (g) Vistas and significant views.
- (h) Soil conditions as they affect development.

(2) All of the graphics should be the same scale as the final plan to allow easy cross-reference. The use of overlays is recommended for clear reference.

e. Schematic Drawing: Schematic drawing of the proposed development concept, including but not limited to the general location of major circulation elements, public and common open space, residential and other land uses.

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f. A statement of the estimated total number of dwelling units proposed for the PUD and a tabulation of the proposed approximate allocations of land use expressed in acres and as a percent of the total project area which shall include at least the following:

- (1) Area devoted to residential uses.
- (2) Area devoted to residential use by building type.
- (3) Area devoted to common open space.
- (4) Area devoted to public open space.
- (5) Approximate area devoted to streets.
- (6) Approximate area, and potential floor area, devoted to commercial uses.
- (7) Approximate area, and potential floor area, devoted to industrial or office uses.

g. Stages: When the PUD is to be constructed in stages during a period of time extending beyond a single construction season, a schedule for the development of such stages or units shall be submitted stating the approximate beginning and completion date for each such stage or unit and the proportion of the total PUD public or common open space and dwelling units to be provided or constructed during each such stage and the overall chronology of development to be followed from stage to stage.

h. Open Space: When the proposed PUD includes provisions for public or common open space or service facilities, a statement describing the provision that is to be made for the care and maintenance of such open space or service facilities shall be submitted. If it is proposed that such open space be owned and/or maintained by any entity other than a governmental authority, copies of the proposed articles of incorporation and bylaws of such entity shall be submitted during the development stage.

i. Restrictive Covenants: General intents of any restrictive covenants that are to be recorded with respect to property included in the proposed PUD.

j. Feasibility Study: Where deemed necessary, a market feasibility study, including an analysis of the proposal's economic impact on the City shall be submitted.

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Subd. 2. Development Stage: Development stage submissions should depict and outline the proposed implementation of the general concept stage for the PUD. Information from the general concept stage may be included for background and to provide a basis for the submitted plan. The development stage submissions shall include, but not be limited to:

a. Zoning classification required for development stage submission and any other public decision necessary for implementation of the proposed plan.

b. Preliminary plans, drawn to a scale of not less than one inch equals one hundred feet (1" = 100') (or scale requested by the Director of Public Works/City Engineer) containing at least the following information:

(1) Proposed name of the development (which shall not duplicate nor be similar in pronunciation to the name of any plat theretofore recorded in the County wherein the subject property is situated).

(2) Property boundary lines and dimensions of the property and any significant topographical or physical features of the property.

(3) The location, size, use and arrangement including height in stones and feet and total square feet of ground area coverage and floor area, or proposed building, and existing buildings which will remain, if any.

(4) The location, dimensions and number of all driveways, entrances, curb cuts, parking stalls, loading spaces and access aisles and all other circulation elements, including bike and pedestrian and the total site coverage of all circulation elements.

(5) Location, designation and total area of all common open space.

(6) Proposed lots and blocks, if any, and numbering system.

(7) The location, use and size of structures and other land uses on adjacent properties.

(8) Preliminary sketches of proposed landscaping.

(9) General grading and drainage plans for the developed PUD.

(10) Any other information that may have been required by the Planning Commission or City Council in conjunction with the approval of the general concept plan.

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- c. An accurate legal description of the entire area within the PUD for which final development plan approval is sought.
 - d. A tabulation indicating the approximate gross square footage, if any, of commercial and industrial floor space by type of activity (e.g., drugstore, dry cleaning, supermarket).
 - e. Preliminary architectural plans indicating use, floor plan, elevations and exterior wall finishes of proposed buildings, including mobile homes.
 - f. A detailed site plan, suitable for recording, showing the physical layout, design and purpose of all streets, easements, rights of way, utility lines and facilities, lots, block, public and common open space, general landscaping plan, structures, including mobile homes, and uses.
 - g. Preliminary grading and site alteration plan illustrating changes to existing topography and natural site vegetation. The plan should clearly reflect the site treatment and its conformance with the approved concept plan.
 - h. A preliminary and final plat prepared by a land surveyor, duly registered in the State in accordance with Minnesota Statutes, Chapter 505, which shall contain a notarized certification by such surveyor that the plat represents a survey made by the surveyor and that the monuments shown herein exist as located and that all dimensions are correct, as required by Section 505.03, subdivision 1, Minnesota Statutes Annotated, and a notarized certification by owner or owners of the adoption of the plat and the dedication of streets and other public areas as required by Section 505.03, subdivision 1, Minnesota Statutes Annotated.
 - i. A soil erosion control plan approved by the appropriate watershed districts, Department of Natural Resources or any other agency with review authority clearly illustrating erosion measures to be used during construction and as permanent measures.
 - j. A statement summarizing all changes which have been made in any document, plan data or information previously submitted, together with revised copies of any such document, plan or data.
 - k. Such other and further information as the Planning Commission, Director of Public Works/City Engineer or City Council shall find necessary to a full consideration of the entire proposed PUD or any stage thereof.
1. The Planning Commission may, by a written order, excuse any applicant from submitting any specific item of information or document required herein which it finds to be unnecessary to the consideration of the specific proposal for PUD approval.

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Subd. 3. Final Plat Stage: After approval of a general concept plan for the PUD and approval of a development stage plan for a Section of the proposed PUD, the applicant will submit the following material for review by City staff prior to issuance of a building or other permits:

- a. A detailed landscaping plan.
- b. Proof of recording any easements and restrictive covenants prior to the sale of any land or dwelling unit within the PUD and of the establishment and activation of any

entity that is to be responsible for the management and maintenance of any public or common open space or service facility.

c. All certificates, seals and signatures required for the dedication of land and recordation of documents.

d. Final architectural working drawings of all structures.

e. Final engineering plans and specifications for streets, utilities and other public improvements, together with a community/developer agreement for the installation of such improvements and financial guarantees for the completion of such improvements.

f. Any other plan, agreements or specifications necessary for the City staff to review the proposed construction. (1988 Code §40.24)

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