

Section 15: Planned Unit Developments (PUD)

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15.01 Purpose. The purpose of this Section is to provide for the grouping of lots or buildings for development as an integrated, coordinated unit as opposed to traditional parcel by parcel, piecemeal, or sporadic 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 lots, buildings, and activities, which promote the goals outlined in the Comprehensive Plan or serve another public purpose. It is further intended that Planned Unit Developments are to be characterized by central management, integrated planning and architecture, joint or common use and maintenance of parking, open space and other similar facilities, and harmonious selection and efficient distribution of uses. The PUD process, by allowing flexibility from the strict provisions of this Ordinance related to setbacks, heights, lot area, width and depth, yards, etc., by either Conditional Use Permit or rezoning to a PUD District, is intended to:

- i. Provide a development pattern in harmony with the objectives of the Comprehensive Plan. (The PUD process is not intended only as a means to vary applicable planning and zoning principles).
- ii. Allow for the mixing of land uses within a development when such mixing of land uses could not otherwise be accomplished under this Ordinance.
- iii. Preserve and enhance desirable site characteristics such as natural topography, wetlands, woodlands, scenic views, natural habitat, and geologic features and prevent soil erosion.

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- iv. Preserve and enhance open spaces and the City greenway system to provide contiguous common open spaces for scenic enjoyment, recreational use, natural habitat protection and community identity.
- v. Provide for flexibility to the strict application of the land use regulations in this Ordinance in order to improve site design and operation while at the same time incorporating design elements (e.g., construction materials, landscaping, lighting, etc.) that exceed the City's standards to offset the effect of any deviations.
- vi. Promote a more creative and efficient approach to land use within the City while at the same time protecting and promoting health, safety, comfort, aesthetics, economic viability, and general welfare of the City.
- vii. Encourage innovations in development to the extent that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and placement of structures and by the conservation and more efficient use of land in such developments.
- viii. Promote a desirable and creative environment that might be prevented through the strict application of zoning and subdivision regulations of the City.
- ix. Result in an efficient use of land resulting in smaller networks of utilities and streets thereby lowering development costs and public investments.
- x. Ensure the establishment of appropriate transitions between differing land uses.
- xi. Promote the creative use of the land and related physical development which allows a phased and orderly transition of varying land uses in close proximity to each other.
- xii. Allow the development to operate in concert with a Redevelopment Plan in certain areas of the City and to ensure the redevelopment goals and objectives within the Redevelopment District will be achieved.
- xiii. Encourage developers/land owners to convey property to the public, over and above required dedications, by allowing a portion of the density to be transferred to other parts of the site.

15.02 Benefit. The proposed PUD shall accomplish a majority of the purposes and the design criteria set forth herein and shall not simply be for the enhanced economic gain of the applicant. It shall be the applicant's responsibility to demonstrate

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compliance with this requirement and provide specific written documentation addressing this matter as part of the PUD zoning application. Based on this documentation, the City shall determine that the benefit realized by the City will be commensurate with the tradeoffs allowed if the PUD is permitted.

15.03 PUD General Requirements.

- Subd. 1.** Application. All permitted, accessory, conditional, or interim uses and uses by administrative permit contained in Sections #22 (R-1 District) through #30 (I-1 District) of this Ordinance which are consistent with the Comprehensive Plan shall be treated as potentially allowable uses within a PUD District.
- Subd. 2.** Comprehensive Plan Consistency. The proposed PUD shall be consistent with the Comprehensive Plan.
- Subd. 3.** Common Open Space. Common open space at least sufficient to meet the minimum requirements established by this Ordinance 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.
- A. 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 or more of the following:
1. Landlord-Tenant. Landlord control, where only use by tenants is anticipated.
 2. Owners. Property Owners Association, provided all of the following conditions are met.
 - a. Declaration of Covenants and Conditions. Prior to the use or occupancy or sale of an individual building unit, parcel, tracts, townhouse, apartment, or common area, a declaration of covenants, conditions, and restrictions or an equivalent document or a document specified by the Minnesota Common Interest Ownership Act set out in Minnesota Statutes, Chapter 515B, as amended, and a set of floor plans, specified by Minnesota Statutes,

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Chapter 515B, as amended, shall be filed with the City of Maple Lake, said filing with the City to be made prior to the filing of said declaration or document or floor plans with Wright County.

- b. **Owner's Association.** The declaration of covenants, conditions, and restrictions shall provide that an owner's 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.
 - c. **Open Space Permanent.** The open space restrictions must be permanent and not for a given period of years.
 - d. **Liability for Costs.** The association must be responsible for liability insurance, local taxes, and the maintenance of the open space facilities to be deeded to it.
- B. **Staging of Public and Common Open Space Dedication.** When a PUD provides for common or public open space, the total area of common or public 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. 4.** Conveyance of Property Within a PUD. In the event that any real property within an approved PUD is conveyed in total or in part, the buyer(s) thereof shall be bound by all provisions of the PUD and the general plan for that project. However, nothing in this Section shall be construed as to make such conveyed property non-conforming with regard to normal zoning standards as long as the conveyed property conforms with the approved PUD and the development plan for a project.
- Subd. 5.** Density Credit for Public Land. This subsection allows a developer to transfer permitted development density from one portion of the development to another portion of the development upon City Council approval, when a portion of the development site is conveyed to a public agency or unit, above and beyond any dedications required by the Subdivision Ordinance. The intent is to

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provide an incentive to the developer to transfer the property to the public agency at a price below market value, thereby reducing the costs of the site to the public.

- A. Application of Density Credit. When a portion of the proposed development site is required by a public agency for a public purpose, a developer may be allowed to transfer a portion of the allowable density on the area required to another location on the development site.
1. Property required to be conveyed to the City under dedication provisions of the Subdivision Ordinance, including but not limited to parks and open space, street right-of-way and drainage and utility easement, is not eligible for density transfer provisions.

Subd. 6. Development Agreement. Following the approval of the development plan but prior to final plan approval, the applicant shall enter into an agreement with the City relating to the terms of the PUD, and shall also provide such financial guarantees as the City requires or deems necessary. The agreement shall detail all use restrictions and required on and off-site improvements conditional to the PUD rezoning or CUP approval. The agreement shall provide for the installation within 1 year 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 times the estimated cost of the improvements as determined by the City Engineer or Building Official.

Subd. 7. Platting of a PUD. A PUD shall be platted under the platting procedures of the Maple Lake Subdivision Ordinance and the related requirements of Wright County. The preliminary plat shall be processed in conjunction with the development stage plan. A separate action on the final plat shall be processed before the Planning Commission and City Council prior to or in conjunction with the final stage of the PUD.

Subd. 8. Land Use/Housing Type. A PUD which involves only 1 land use or housing type may be allowed, provided that it is otherwise consistent

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with the stated purposes and objectives of this Ordinance and the Comprehensive Plan.

- Subd. 9.** Landscaping. In any PUD, landscaping and screening shall conform to the applicable provision of Section #44 (Landscaping and Woodland Preservation Provisions) of this Ordinance and 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 Plan. 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. 10.** Modifications. Modifications of the underlying zoning district regulations may be approved by the City Council as part of the overall approval of the PUD if the following conditions are satisfied:
- A. The modifications bear a demonstrable relationship to, and are consistent with, the goals and policies of the Comprehensive Plan.
 - B. The modifications result in eliminating the adverse impact and effect of such uses by utilizing screening, landscaping, superior site and building design, and other features related to planning, design, and construction.
 - C. Any modification of Ordinance requirements approved as part of a PUD shall be approved only upon a showing that the modification does not adversely affect the surrounding properties because the PUD plan has provided screening, buffering, fencing, walls or other site improvements which have eliminated the adverse effects of the modification. Such modifications shall be approved as part of the overall PUD approval and any modification granted shall be written into the PUD development agreement.
- Subd. 11.** Ownership. An application for PUD approval must be filed by all landowners of property included in a project. The application and all submittals must be directed to the development of the property as a unified whole. In the case of multiple ownership, the approved PUD shall be binding on all owners.
- Subd. 12.** Property Owners Association. The development contract for a PUD shall contain provisions to assure the continued maintenance of open space outlots and other commonly owned facilities within the project to a pre-determined reasonable standard, subject to the approval of

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the City Council in conformance with the standards outlined in this Ordinance.

- Subd. 13.** Public Services. The proposed project shall be served by the City water and sewer system and fire hydrants shall be installed at such locations as necessary to provide fire protection.
- Subd. 14.** Refuse. All refuse containers shall be enclosed within a principal or accessory building or adequately screened.
- Subd. 15.** Storm Water Management. Storm water management techniques shall be consistent with the City's Subdivision Ordinance, with the following additions:
- A. All retention basins shall resemble natural ponds to the maximum extent possible.
 - B. Retention basin landscaping shall include indigenous plants and landscaping materials.
- Subd. 16.** Streets. The placement and construction of all streets within PUD's shall be consistent with the provisions of the City Subdivision Ordinance with the following additions:
- A. Local streets should be so planned as to discourage their use for regional traffic. Streets shall connect with one another or be terminated by other streets.
- Subd. 17.** Underground Utilities. In any PUD, all utilities, including, but not limited to telephone, electricity, gas, and cable television shall be installed underground.
- Subd. 18.** Utility Connections.
- A. Water Connections. Where more than 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 and secured by the City, in addition to the normally supplied shut off at the street.
 - B. Sewer Connections. Where more than one unit is served by a sanitary sewer lateral which exceeds 300 feet in length, provision must be made for a manhole to allow adequate cleaning and maintenance of the lateral. If located on private property, all

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maintenance and cleaning shall be the responsibility of the property owners association or owner.

15.04 Density Bonus. As a consequence of a PUD's planned and integrated character, the number of dwelling units allowed within the respective base zoning district may be increased based upon a finding by the City Council that such an increase is consistent with the goals of the Comprehensive Plan and that the PUD provides for the stated objectives of this Section and commensurate with public benefit. The building, parking, and similar requirements for these extra units shall be observed in compliance with this Ordinance.

15.05 PUD Design Standards. Before a PUD plan may be approved, the City Council shall find the quality of building and site design proposed by the PUD will enhance the aesthetics of the site and implement relevant goals and policies of the Comprehensive Plan. In addition, the following criteria shall be satisfied:

- Subd. 1.** Buildings should address the street with varied and articulated facades, frequent entries, and windows. Porches and balconies should be encouraged, and facades consisting of long blank walls or series of garage doors are prohibited.
- Subd. 2.** A range of densities, housing types, and building configurations is encouraged while large housing projects that consist of a single building type are discouraged.
- Subd. 3.** The front and back facades shall be designed with appropriate levels of architectural standards. The front, as the more public side of the house, should receive the more formal treatment, with trash/recycling areas enclosed within principal structures and play equipment or other outdoor facilities located in the back. The main entry should face the street unless a different orientation is approved by the City as part of the PUD.
- Subd. 4.** Outdoor spaces should be located to allow for such surveillance from inside homes. Outdoor spaces shall be defined and distinguished from those reserved for residents and those open to the public via gateways, plant materials, signs, fences, or other means. The shared outdoor space shall be enclosed with buildings, low fences or hedges, and paths. The boundaries and transitions between shared and private outdoor space shall be clearly defined.
- Subd. 5.** A clear trail system shall be provided that connects each housing unit to designations within the site and the surrounding neighborhood.

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- Subd. 6.** On large sites, the network of surrounding public streets shall be extended through the site to improve circulation, visibility, security, and integrating into the surrounding neighborhood.
- Subd. 7.** Vegetation shall be used in and around parking lots to provide shade and visual relief.
- Subd. 8.** Buffer areas shall be provided between varying residential densities to provide a transition from one type of housing to another.
- Subd. 9.** General Building and Site Design.
- A. The design shall consider the whole of the project and shall create a unified environment within the boundaries of the project by ensuring architectural compatibility of all structures, efficient vehicular and pedestrian circulation, aesthetically pleasing landscape and site features, and efficient use and design of utilities.
 - B. The design of a PUD shall optimize compatibility between the project and surrounding land uses, both existing and proposed, and shall minimize the potential adverse impacts of the PUD on surrounding land uses and the potential adverse effects of the surrounding land uses on the PUD.
 - C. If a project for which a PUD treatment has been requested involves construction over a period of time in two or more phases, the applicant shall demonstrate that each phase is capable of addressing and meeting each of the criteria independent of the other phases.
 - D. Approval of a PUD may permit the placement of more than one building per lot.
- Subd. 10.** Yards.
- A. Setbacks, Periphery. The front and side yard restrictions at the periphery of the PUD site at a minimum shall be the same as imposed in the respective zoning districts.
 - B. Setback, Front. No building shall be located less than 20 feet from the back of the curb line along roadways which are part of an internal street pattern provided that any front yard parking meets the stall size requirements in Section #46 (Off-Street Parking) and no garage is located closer than 25 feet from the sidewalk or curb if there is no sidewalk.

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- C. The side yard setback and/or separation between buildings is dependant on the overall plan and characteristics of the PUD provided that in no case shall the separation between like buildings be less than 10 feet. The minimum separation between buildings of different density shall be at least one-half the sum of the building heights of the 2 buildings. Buildings may be built without reference to the property lines of the individual lots on which they are built. Buildings shall be spaced to allow emergency vehicles freedom to maneuver between buildings.

15.06 Residential PUD Special Requirements. A PUD in a Residential District shall conform to the requirements of the District unless modified by the following or other provisions of this Ordinance.

- Subd. 1.** Attached and multiple family housing should be built in small groupings so that it fits into the overall residential context rather than being sequestered into large project sites.
- Subd. 2.** Attached and multiple housing buildings should emulate single-family housing in its basic architectural elements: pitched roofs, articulated facade, identifiable front door and orientation to the local public street. Balconies overlooking the public street are highly encouraged. When detached garages cannot be located to the rear or on the interior of the block, they should be set back similar to the requirements for single-family housing. Buildings are to reflect residential character through the use of compatible scale, roof pitch, building massing and materials.
- Subd. 3.** If a multiple family building or attached housing is developed near single-family detached housing, the width of the building facade facing the street shall be similar to that of a single-family house. Attached units should be grouped in rows of no more than 4 units to avoid a monolithic appearance.
- Subd. 4.** Locate residential parking near each multiple family housing unit, with a direct sidewalk to front or back door, while locating visitor parking near both the housing and public spaces and public trails. Parking spaces shall be visible from within the resident's home and shall provide sufficient lighting. If parking must be located near the street frontage, it should be screened by a low hedge, fence, gate, or similar visual buffer.
- Subd. 5.** Each housing unit shall be provided with clearly defined private or semi-private outdoor space such as a yard, patio, porch or balcony,

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with direct access from inside the unit. The boundaries of private outdoor space shall be clearly defined with elements such as fencing, sidewalks, and vegetation.

- Subd. 6.** All parking must meet minimum stall size requirements per Section #46 (Off-Street Parking).
- Subd. 7.** PUD process is discouraged for parcels less than 5 acres of size.
- Subd. 8.** Streets shall be constructed to the same width and specifications as streets in the R-2 district unless modified by the City Council.

15.07 Neighborhood Design Requirements. The purpose of this Section is to set forth design standards for residential PUD development to implement for housing, neighborhood, environmental, and greenway goals and policies of the Comprehensive Plan. Residential developments shall be designed in patterns which incorporate the following elements:

- Subd. 1.** Neighborhood Amenities. All new residential developments must incorporate the following neighborhood amenities into the project design, subject to review and approval of the City Council.
 - A. Natural habitat, neighborhood recreation, greenway and/or pedestrian corridor open space, conforming to the type of use, location criteria, and deed restrictions of that classification.
 - 1. The City Council, at its discretion may allow a density increase for dedication of additional open space areas designated for natural habitat, neighborhood recreation, and/or pedestrian corridors above the required dedication defined by the Subdivision Ordinance.
 - 2. The amenities shall not be considered as park dedication required by the City Subdivision Ordinance, unless specifically approved by the City Council.
 - 3. All amenity areas designated as open space shall be platted as outlots except as otherwise approved by the City and held as open space in perpetuity.
 - 4. The development shall be designed to preserve the maximum quantity of natural habitat open spaces in a contiguous, connected configuration. Natural habitat open space may include, but is not limited to, fields, pastures, wetlands,

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slopes, bluffs, dense woods, lakes, ponds, streams, shorelands, and other environmentally sensitive areas or desirable view sheds.

5. View Sheds. The development shall be designed where possible to take advantage of or to provide view sheds of natural features for the enjoyment of the neighborhood.
- B. Pedestrian Corridors. The development shall be designed to locate pedestrian corridors in strategic places such that larger open space outlots and designated places of destination both on the development tract and adjacent tracts are connected with one another. Pedestrian corridors may include, but are not limited to, established regional trails, paved walkways, sidewalks, and shorelines. Pedestrian corridors shall be a minimum of 30 feet in width.
- C. Neighborhood Recreation. The development shall be designed to locate neighborhood recreation open spaces such that they are an integral part of the neighborhood of surrounding home sites, at an elevation appropriate to their intended recreational use, defined by coherent boundaries, and accessible to all neighborhood residents. Neighborhood recreation open spaces may include, but are not limited to, greens, commons, playgrounds, tot lots, gardens, ball fields, skating rinks, tennis courts, or other recreational areas.
- D. Accessibility. Open spaces shall be accessible to pedestrians at not less than 1,200 foot intervals along public streets. Where necessary, pedestrian access corridors between private lots shall be at least 30 feet in width.
- E. Deed Restrictions. Each open space outlot shall conform to the deed restrictions associated with its open space classification.
1. Natural habitat open spaces shall be protected by conservation easements and are for the responsible use and enjoyment of adults and children. Construction in these areas shall be limited to trails (paved or unpaved), open-air shelters, bridges, benches, birdhouses, and wood fencing.
 2. Neighborhood recreation open spaces shall be used for active or passive recreational purposes, including gardening. Construction in these areas shall be limited to walkways, open air shelters, bird houses, bridges, garden storage sheds no larger than 120 square feet, wood fencing, landscape planting,

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play equipment, outdoor furniture, and facilities for active recreation.

3. Pedestrian corridors shall be used for pedestrian and bicycle travel. Motorized vehicles shall be prohibited. Construction in these areas shall be limited to paved trailways, wood fencing, benches, and landscape planting.
4. Habitable structures shall not be permitted in any open space outlot.

F. Ownership and Management. Each designated open space outlot shall be owned and managed as set forth below, subject to City Council approval.

1. Open space may be owned in common by the property owners of the subdivision. In the case where at least 1 outlot of open space is held in common ownership, a homeowner association shall be established for that subdivision and membership in the association by all property owners in the subdivision shall be mandatory. Management shall be the responsibility of that subdivision's homeowner association.
2. Open space may be deeded to an established land trust. Management shall be the responsibility of the land trust. Maintenance may be performed by the neighborhood homeowner association through written agreement between the association and the land trust.
3. At the approval or discretion of the City, open space may be deeded to the City. Management shall be the responsibility of the City.
4. Open space may be protected by establishing conservation restrictions in perpetuity in favor of the City as provided in Minnesota Statutes Sections 84.64-84.65, as amended. Unless the document establishing the restrictions specifically provides to the contrary, the City shall have no responsibility for the maintenance or management of the area subject to the restrictions. The form and content of the deed or other instrument establishing the restrictions must be approved by the City prior to the execution and delivery thereof. Notwithstanding any provision of this Ordinance to the contrary, the City may, in cases where conservation

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restrictions are utilized to meet open space dedication requirements of this Ordinance, waive the requirement that the area subject to the restrictions be platted as a separate outlot.

Subd. 2. Neighborhood Configuration. The standards identified herein are intended to result in neighborhoods that offer a variety of lot sizes, configurations, and amenities. Review and approval of standard subdivisions and Planned Unit Developments by the City Council shall be based upon an evaluation that the proposed development plan provides a cohesive neighborhood(s) in a site design appropriate to the location of common open spaces consistent with the following provisions:

- A. To establish a cohesive neighborhood unit, residential lots and units should be located in neighborhood clusters to accomplish efficiency of land utilization while adhering to the underlying density and open space requirements of the Zoning District. The objective is to design the project in a manner that minimizes the visual impact of the development on the landscape to the greatest extent reasonably possible.
- B. The neighborhood cluster should be oriented toward an identifiable feature which all residential units share in common. Neighborhood identity may be established by one or more of the following features:
 - 1. View Shed. The lots of a neighborhood may be arranged such that a majority of the principle structures will take visual advantage of a field, wetland, woods, lake, stream, or other open space, which could be described as a view shed.
 - 2. Physical Amenity. The lots of a neighborhood may be arranged such that a majority of the principle structures will face a green, playground, ball field, rock out cropping, stand of trees, waterbodies, church, school, or other physical feature unique to that particular neighborhood.
 - 3. Streetscape. The lots may be arranged such that the principle structures will face a street space enhanced with landscaping, street trees, boulevards, medians, or other landscaping techniques appropriate to the City's street design standards.

15.08 Commercial/Industrial PUD Requirements. It is the intent of this Section to establish special requirements for the granting of a CUP to allow commercial or

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industrial PUD projects which are in compliance with the permitted and conditional uses allowed in a specific base district in one or more buildings in relation to an overall design, and integrated physical plan and in accordance with the provisions and procedures as prescribed by this Ordinance.

Subd. 1. A PUD in a non-residential district shall conform to the requirements of the underlying zoning district unless modified by the following or other provisions of this Ordinance.

- A. Off-Street loading facilities contained within a building are encouraged.
- B. The setback between commercial and residential property shall be as set forth in the zoning districts unless the Council makes a specific finding that a different setback is appropriate.

Subd. 2. All performance standards, landscape, screening, fencing, parking, loading, and other requirements of this Ordinance shall be required for commercial and industrial PUD's.

15.09 Preliminary PUD Plan Procedure. The general processing steps for a PUD are intended to provide for an orderly development and progression of the project with the greatest expenditure of developmental funds being made only after the City has had ample opportunity for informed decisions as to the acceptability of the various segments of the whole as the plan affects the public interest. The Preliminary PUD Plan provides an opportunity for the applicant to submit a plan to the City showing the basic intent and the general nature of the entire development. The Preliminary PUD Plan serves as the basis for the public hearing so that the proposal may be publicly considered at an early stage.

A Preliminary Plat application conforming to the requirements of the Maple Lake Subdivision Ordinance is required along with the requirements in this section. The Preliminary PUD Plan procedure shall run parallel with and overlay the Preliminary Plat procedure outlined in the Maple Lake Subdivision Ordinance.

The process for filing a Planned Unit Development (PUD) is outlined below:

Subd. 1. Pre-Application Conference. Before filing an application for PUD, the applicant for the proposed PUD shall arrange for and attend a conference with the Zoning Administrator and/or Consultants. At such conference, the applicant shall be prepared to generally describe the 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 the proposal for

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the area for which it is proposed and its conformity to the provisions of this Ordinance before incurring substantial expense in the preparation of plans, surveys, and other data.

- Subd. 2.** Preliminary PUD Plan Application. The applicant shall submit a Preliminary PUD Plan of the project to the Zoning Administrator.
- Subd. 3.** Review Procedure. The Preliminary PUD Plan shall be reviewed by the Planning Commission and acted upon by the City Council before formal review of the Final PUD Plan. A Preliminary PUD Plan shall not be considered by the City simultaneously with the Final PUD Plan.
- Subd. 4.** Review Considerations. The following elements of the proposed Preliminary PUD Plan represent the immediately significant elements which the City shall review and for which a decision shall be rendered:
- i. Overall maximum PUD density range.
 - ii. General location of major streets and pedestrian ways.
 - iii. General location and extent of public and common open space.
 - iv. General location of residential and non-residential land uses with approximate type and intensities of development.
 - v. Staging and time schedule of development.
 - vi. Other special criteria for development.

15.10 Information Required for Preliminary PUD Plan.

- Subd. 1.** Required Information and Plans. The following information shall be required to process a Preliminary PUD Plan.
- A. General Information.
1. Owner. The landowner's name, address, and telephone number and his interest in the subject property.
 2. Applicant. The applicant's name, address, and telephone number if different from the landowner. The applicant shall

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designate an agent to be contacted by the City who may speak for the applicant.

3. Authority of Applicant. 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 interests 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.
4. Consultants. 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.

B. Present Status of Premises and Adjacent Properties.

1. Description. The address and legal description of the subject property.
2. Zoning. The existing zoning classification, comprehensive plan designation, and the present use of subject property and all lands within 500 feet of the subject property.
3. Map. A reproducible map or aerial photograph at a scale of not less than one inch equals 100 feet, depicting the existing development of the subject property and all land within 500 feet thereof and showing the precise location of existing streets.
4. Narrative Description. A written statement generally describing the proposed PUD, the variations desired, the commensurate benefits received by the City, 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.
5. Site Conditions. Graphic reproductions of the existing site conditions at a scale of 100 feet shall be submitted and shall contain the following:

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- a. Survey showing lot dimensions and existing easements and utilities.
 - b. Contours - minimum one foot intervals.
 - c. Location, type, and extent of tree cover.
 - d. Slope analysis.
 - e. Location and extent of water bodies, wetlands, and streams, and floodplains within 300 feet of the subject property.
 - f. Existing drainage patterns.
 - g. Vistas and significant views.
 - h. Soil conditions as they affect development.
6. **Concept 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.
7. **Number of Units.** A statement of the estimated total number of dwelling and/or other units proposed for the PUD and a tabulation of the proposed approximate allocations of land expressed in acres and as a percent of the total project area, which shall include at least the following:
- a. Area devoted to residential uses.
 - b. Area devoted to residential use by building or structure or use type.
 - c. Area devoted to common open space.
 - d. Area devoted to public open space.
 - e. Approximate area devoted to streets.
 - f. Approximate area, and potential floor area, devoted to commercial uses.

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- g. Approximate area, and potential floor area, devoted to industrial or office, or other uses.
- 8. Phasing Plan. 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.
- 9. Common Areas. When the proposed PUD includes provisions for public or common open space or service facilities, a statement describing the provisions that is to be made for the care and maintenance of such open space or service facilities. 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 by-laws of such entity shall be submitted during the development stage.
- 9. Covenants. General intents of any restrictive covenants that are to be recorded with respect to property included in the proposed PUD.
- 10. Market Feasibility. Where deemed necessary, a market feasibility study including an analysis of the proposals economic impact on the City.

Subd. 5. Plans and Written text narrative describing the following:

- A. Buildings. The location, size, use, and arrangement including height in stories and feet and total square feet of ground area coverage and floor area, or proposed building and existing buildings which will remain, if any.
- B. Architectural Plans. Preliminary architectural plans indicating use, floor plan, elevations, and exterior wall finishes of proposed buildings.

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- C. Areas of Use. A tabulation indicating the approximate gross square footage, if any, of commercial and industrial floor space by type of activity (e.g. drug store, dry cleaning, supermarket.)
- D. Traffic Circulation. 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.
- E. Common Areas. Location, designation, and total area of all common open space.
- F. Public or Private Open Space. Location, designation, and total area proposed to be conveyed or dedicated for public open space, including parks, playgrounds, school sites, and recreational facilities.
- G. Existing Structures. The location, use, and size of structures and other land uses on adjacent properties.
- H. Landscaping Plan. A detailed landscaping plan including the type, size, and quality of all existing and proposed plantings.
- I. Grading Plan. 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 General Concept Plan.
- J. Erosion Control. A Soil Erosion Control Plan acceptable to the City Engineer and any other agency with review authority clearly illustrating erosion control measures to be used during construction and as permanent measures.
- K. Document Changes. A statement summarizing all changes that have been made in any document, plan data, or information previously submitted, together with revised copies of any such document, plan, or data.
- L. Other Data. Such other and further information as the Planning Commission, Zoning Administrator, or City Council shall find necessary to conduct a full review of the entire proposed PUD or any stage thereof.

15.11 Preliminary PUD Plan Review Criteria.

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Subd. 1. Review Criteria. The evaluation of the proposed Preliminary PUD Plan shall include but not be limited to the following criteria:

1. Benefit. The benefit realized by the City is commensurate with the tradeoffs allowed if the PUD is permitted.
2. Individual Rights. Adequate property control is provided to protect the individual owner's rights and property values and the public responsibility for maintenance and upkeep.
3. Traffic Plan. 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.
4. Open Space. A sufficient amount of useable open space is provided.
5. Privacy and Property Values. The arrangement of buildings, structures, and accessory uses does not unreasonably disturb the privacy or property values of the surrounding residential uses.
6. Compatibility. The architectural design of the project is compatible with the surrounding area.
7. Drainage. The drainage and utility system plans are submitted to the City Engineer and the final drainage and utility plans shall be subject to his approval.
8. Logical Development. The development schedule ensures a sound and logical development of the site which will protect the public interest and conserve land.
9. Subdivision Ordinance. The development is in compliance with the requirements of the Maple Lake Subdivision Ordinance.
10. District Requirements. Dwelling unit and accessory use requirements are in compliance with the district provisions in which the development is planned.

15.12 Final PUD Plan Procedure. A Final Plat application conforming to the requirements of the Maple Lake Subdivision Ordinance is required along with the

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requirements of this Section. The Final PUD Plan procedure shall run parallel with and overlay the Final Plat procedure outlined in the Maple Lake Subdivision Ordinance.

Subd. 1. Final PUD Plan Application. The applicant shall submit a Final PUD Plan of the project to the Zoning Administrator.

Subd. 2. Review Procedure. The Final PUD Plan shall be reviewed by the Planning Commission and acted upon by the City Council. A Final PUD Plan shall not be considered by the City simultaneously with the Preliminary PUD Plan.

15.13 Information Required for Final PUD Plan.

Subd. 1. The required information should depict and outline the proposed implementation of all or prescribed phases of the PUD. The Final PUD Plan submittals shall include but not be limited to:

- A. Final Plat. A final plat prepared for recording purposes shall be prepared in accordance with the provisions of Minnesota Statutes and County regulations.
- B. Recording Proof. Certified copies establishing the recording of any easement or other documents required by the City prior to the sale of any land or dwelling unit included in 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. Final Plans, Structures. Final architectural working drawings of all structures.
- D. Phasing Plan. If a phasing plan was approved in the Preliminary PUD plan process, the applicant shall submit a phasing plan for construction.

15.14 Final PUD Review Criteria.

Subd. 1. Review Criteria. The evaluation of the Final PUD plan shall include but not be limited to the following criteria:

- A. The conditions in the Preliminary PUD Plan approval process have been met.

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- B. The Final PUD Plan documentation is consistent with the Maple Lake Subdivision Ordinance and the Preliminary PUD Plan recommendation.
- C. All required information is complete.