

**SECTION 5:            PLANNED UNIT DEVELOPMENT (PUD) DISTRICT.**

Subd. 1. Purpose. The purpose of this district is to encourage:

- A. The development and redevelopment of the downtown area of the Long Lake in a manner consistent with the *Downtown Master Plan and Design Guidelines*, as adopted by the City Council on July 17, 2001, as may be amended from time to time, including the following:
  - 1. Promote high quality building and site development of a “village-like” character and scale as described in the *Downtown Master Plan and Design Guidelines*.
  - 2. Promote the opportunity to live, work and shop within the downtown core.
  - 3. Provide a pedestrian environment designed with safe and convenient connections to shopping, employment opportunities, parks, trails, and transit facilities.
  - 4. Promote and preserve traditional “village” subdivision patterns with interconnected and broadly rectilinear pattern of streets, alleys, and blocks.
  - 5. Preserve public and private views of Long Lake along public street corridors and buildings.
  - 6. Provide locations for a broad range of housing types, including detached and attached single family, and multiple family units.
  - 7. Promote a variety of residential living opportunities by offering a diversity of housing choice.
  - 8. Promote the preservation and siting of business establishments in a compact configuration and a scale that accommodates pedestrian travel within the downtown area and surrounding neighborhoods.
- B. Creative and efficient use of land by providing flexibility that would not be possible through the strict application of the zoning and subdivision regulations of the City.
- C. Preservation and enhancement of desirable environmental features on property such as mature trees, vegetative buffer areas, significant slopes and water-related features.
- D. Long or short term phased development that will establish the orderly arrangement and site planning of specific complementary uses on property within the City.
- E. Sensitive development in transitional areas located between different land uses.

Subd. 2. Procedure.

- A. Concept Plan Review: Prior to submission of a formal application for a Master Development Plan and to receive guidance in the design of the development, the applicant may submit a Concept Plan for review and comment by the Planning Commission and City Council. However, comments made by the Planning Commission and City Council shall not bind the City to approve subsequent

applications for development of the property. No public hearing shall be required for review of the Concept Plan by the Planning Commission and City Council.

1. The Planning Commission shall review the Concept Plan after a complete application has been submitted to the Zoning Administrator. The application shall be deemed complete when accompanied by the following information submitted by the applicant and found to be complete for review by the Zoning Administrator:
  - a. The name and address of the owner and applicant (if different) of the property.
  - b. Evidence (satisfactory to the City Attorney) that the applicant has a development interest in the property.
  - c. A map depicting the existing physical condition of the property (ies) including but not limited to all improvements, existing development, mature tree locations, and location of wetlands and any water feature.
  - d. Existing land uses and zoning of properties within 1500 feet of the property.
  - e. A drawing describing the preliminary exterior elevations of the proposed buildings (principal and accessory) including the type and color of building materials, floor plans, and overall lighting and signage scheme.
  - f. General schematic drawings of the proposed and ultimate development of the entire site including approximate building, parking area and road/driveway locations; use, height, bulk, and area of buildings; the number of dwelling units; and location of open space.
2. The Planning Commission shall forward its comments regarding the Concept Plan to the City Council within 30 days of the Planning Commission meeting.
3. The City Council shall review the Concept Plan and Planning Commission comments and provide advisory direction to the applicant regarding the Concept Plan and application for a Master Development Plan and PUD zoning amendment.

**B. Master Development Plan and PUD Zoning Amendment Application and Review**

1. No building or grading permit shall be issued by the City for a property that is zoned PUD unless a Master Development Plan has been approved for development of the property.
2. The applicant shall submit an application for the review of a Master Development Plan to the Zoning Administrator. The application shall be accompanied by the following documents that collectively represent the Master Development Plan:
  - a. A map depicting the location and characteristics of existing physical conditions of the property(ies) including but not limited to all improvements and development, mature tree (greater than 8" in diameter), topography at two foot contours, the delineation of wetlands, and any water features;
  - b. Existing land uses and zoning of properties within 1,500 feet of the property;

- c. Proposed land uses and building location(s) along with the height, bulk and gross square footage of the uses including the number and size of dwelling units, as appropriate;
  - d. The location and design of proposed parking areas, roadways, access drives, trails and walkways;
  - e. Type and square footage of required open space and recreational areas;
  - f. Preliminary grading and drainage plan, including water storage areas, drainage calculations and erosion control measures;
  - g. Preliminary landscape plan indicating the species, size and planting specifications;
  - h. Preliminary tree preservation plan depicting all mature trees that will be saved or removed, and a narrative or drawing of the preliminary tree preservation plan;
  - i. A narrative and drawing describing the preliminary exterior elevations of the proposed buildings (principal and accessory) including the type and color of building materials, floor plans, and overall lighting and signage scheme;
  - j. An environmental assessment worksheet or environmental impact statement, if required by law;
  - k. A preliminary plat of the property, as required;
  - l. A narrative describing the development objectives of the project, anticipated development timing or phases, a description of covenants or other restrictions proposed for the development; and
  - m. A traffic impact analysis, if determined to be necessary by the City.
  - n. Developer identifies all parties involved in the development, including their previous experience and the nature and extent of their participation.
  - o. Financing of Project. Identify the source and type of financing of the project, including financing such as: Municipal Industrial Development Revenue Bonds, Housing Revenue Bonds, or otherwise.
  - p. Development Method. Describe what will be done with the project, if approved, and who will do it. Will the property be marketed undeveloped; rough graded; developed; or will the developer carry the project through actual construction of structures? Will structures be retained, sold, or leased?
3. The application shall be deemed complete when all information listed in subsection 2 above has been submitted and found to be complete by the Zoning Administrator.
  4. The procedures to review on the Master Development Plan shall occur concurrently with the review of a rezoning to PUD and shall follow the same procedures as a zoning amendment established in Section 29 of this ordinance, including the requirements for a public hearing by the Planning Commission.
  5. The Planning Commission shall base their comments and the City Council shall base their actions regarding the application for a Master Development Plan on

consideration of :

- a. the City of Long Lake *Comprehensive Plan* and *Downtown Master Plan and Design Guidelines*, as may be amended from time to time,
  - b. the effect of the development on the neighborhood and surrounding area of the City,
  - c. the impacts of the development on community facilities including but not limited to adjacent roadways and parks,
  - d. the quality of design of the project and its relationship to adjacent planned uses,
  - e. the compliance of the application with the purpose and requirements of the PUD District, and
  - f. other such factors as the City finds relevant to the evaluation of the application.
6. The Planning Commission shall recommend and the City Council shall vote to approve, approve with modifications, deny, or continue action, if agreed to by the applicant, the application.
  7. The City Council shall state its reasons for approval, approval with modifications or denial of the application with written notice of the action and reasons provided to the applicant. If approval or approval with modifications of the application is granted, the Planning Commission may recommend and City Council may attach reasonable conditions to ensure that implementation of the Master Development Plan is consistent with the representations made by the applicant to the City for the project and other conditions deemed necessary and convenient to accomplish the purposes of this zoning district.
  8. Approval of a Final Site and Building Plan review by the City is required for each phase of the Master Development Plan.
    - a. The review of the Final Site and Building Plan shall follow the requirements of Section 25.22 – 25.27 of this ordinance. However, the Zoning Administrator may require the submission of additional information necessary to evaluate the Final Site and Building Plans.
    - b. The approval of the Final Site and Building Plan shall allow the applicant to proceed with the submittal of applications for City permits subject to conformance with any conditions on the approval of the Master Development Plan, Final Site and Building Plan review and subject to other required approvals by governmental agencies.
  9. The applicant may request review and consideration of a combined Master Development Plan and Final Site and Building Plan review by the Planning Commission and City Council by submitting all information required for both reviews simultaneously to the City. The same procedure as established in this subdivision shall be followed.

Subd. 3. Compliance and Amendments.

- A. The Final Site and Building Plan Review shall substantially comply with the Master Development Plan approved by the City Council. Substantial compliance shall mean that the:
    - 1. location and design of all site elements (including landscaping and exterior architecture) are in a similar location or design as that shown on the Master Development Plan,
    - 2. there is no increase in the number of residential units or an increase of more than five percent of the gross floor area of any non-residential building,
    - 3. there is no decrease in the amount of open space, and
    - 4. all conditions of approval and required modifications imposed by the City Council have been incorporated into the Final Site and Building Plan.
  - B. After approval of a zoning amendment to PUD, the adoption of a Master Development Plan, and approval of the Final Site and Building Plan by the City, all uses and construction of buildings and other improvements on the property shall be in continual compliance with the Master Development Plan.
  - C. An amendment to the Master Development Plan shall be required for any proposed development that does not substantially comply with the Master Development Plan approved by the City. The application and review of an amendment to the Master development Plan shall follow the same procedures established in Subd. 3 above.
  - D. Financial security shall be submitted to the City in a form acceptable to the City Attorney prior to the issuance of any permits by the City to assure that all improvements are constructed consistent with the Master Development Plan and any conditions placed on the approval of the Master Development Plan by the City Council. The City may reduce the financial security after completion of specific segments of the improvements on the property provided that such improvements are installed in a satisfactory manner as determined by the City.
- Subd. 4. Term of Approval. If the applicant fails to obtain Final Site and Building Plan review for all or a part of the property within one year from the date of Master Development Plan and PUD rezoning approval, the City Council may rezone the property to the original zoning classification at the time of the PUD application or to a zoning classification consistent with the Comprehensive Plan designation for the property. In the absence of a rezoning, the approved Master Development Plan shall remain the legal control governing development of the property.

The applicant may request in writing and the City Council may approve an extension of time for the applicant to obtain Final Site and Building Plan review for all or a part of the property. The request for extension must be considered by the City Council before one year has elapsed from the date of Master Development Plan and PUD rezoning approval.

- Subd. 5. Exceptions. This section shall not apply to any PUD which has received preliminary

or final development plan approval by the City Council prior to the effective date of this ordinance amendment unless it is requested by the property owner and approved by the City Council.

Subd. 6. Application.

- A. The PUD district requirements shall be applied to all new development and redevelopment within the Downtown Village Area as designated in the Comprehensive Plan, except as provided below.
  - 1. Developments existing on the date of adoption of this section may continue under the existing zoning requirements of the property provided that any improvements to the property do not increase the size of the building by more than 25 %, the site area by more than 10 %, or require a variance from the provisions of the existing zoning district of the property.
  - 2. Redevelopment of the property is defined for the Downtown Village Area and the purpose of this Section of the ordinance as:
    - c. improvements that increase the size of an existing building by more than 25 %, the existing site area by more than 10 %, or require a variance from the provisions of the existing zoning district of the property except those variances pertaining to signage,
    - d. a change of use on the property,
    - e. a new development is proposed for the property.
- B. Any property (ies) outside of the Downtown Village Area may be eligible for a zoning amendment to PUD provided that the applicant adheres to the procedures of this section.

Subd. 7. Uses. All uses within the PUD district shall be consistent with the land use designation for the property as established in the Comprehensive Plan and as regulated by this subdivision.

A. Within the Downtown Village Area of the Comprehensive Plan:

- 1. The following table establishes uses are permitted, accessory, or permitted by conditional use permit for properties that are designated Multiple Family, Commercial or Commercial/Multiple Family

P – Permitted, C – Conditional Use Permit required, A – Accessory, NP – Not Permitted

Use	Multiple Family	Commercial	Commercial/Multiple Family	Infrastructure/ Institutional
Multiple family dwellings	P	C	P	NP
Public/private parks,	P	P	P	P

Use	Multiple Family	Commercial	Commercial/Multiple Family	Infrastructure/Institutional
plazas and trails				
Live/work uses	C	P	P	NP
Bed and breakfasts	C	C	C	NP
Public utility facilities	C	C	C	C
Religious institutions	C	NP	C	C
Retail establishments	NP	P	P	NP
Service establishments, including restaurants	NP	P	P	NP
Establishments with outdoor seating	NP	C	C	C
Medical, dental or veterinary clinics	NP	P	P	NP
Offices	NP	P	P	C
Public and semi-public buildings	NP	P	P	P
Establishments serving or selling liquor	NP	P	C	NP
Automotive fuel sales, repair or washing facilities	NP	C	C	NP
Commercial or service uses w/drive up windows	NP	C	C	NP
Funeral homes and mortuaries	NP	C	C	NP
Hotels and motels	NP	C	C	NP
Essential Services	A	A	A	A
Off street parking facilities	A	A	A	A
Building mounted antennae	A	A	A	A
Garbage/recycling receptacles	A	A	A	A
Private recreational facilities	A	A	A	A

2. Outdoor Storage and Display. Outdoor storage and display of goods and material sold or used on the property is prohibited including vending machines and goods for sale except as specifically allowed by the City Council.
- B. Outside the Downtown Village Area:
1. Permitted and accessory uses may consist of one or a mixture of land uses, in accordance with the Comprehensive Plan, clearly designated by type on the Master Development Plan as approved by the City Council.
  2. Any use allowed by Conditional Use Permit within any other zoning district requires a Conditional Use Permit.
  3. Mixed uses may occur among or within buildings as long as the uses are compatible with each other and with the existing and planned uses surrounding the PUD property (ies) as determined by the City Council.
- C. Within any PUD, the City Council may allow up to 25 % of the gross floor area of all buildings in a PUD to be used for land uses for which the site is not designated in the Comprehensive Plan provided the City Council finds:
1. The use to be in the best interests of the City,
  2. Consistent with the standards and requirements of this Ordinance, including Section 28 – Conditional Use Permits, and
  3. The characteristics of the use does not conflict with other uses, characteristics and conditions of the approved Master Development Plan.
- Subd. 8. Development Standards. The following development standards shall apply to developments within the PUD District:
- A. Unified Ownership. All property to be included within a PUD shall be under unified ownership or control or subject to such legal restrictions or covenants as may be necessary to ensure compliance with the approved Master Development Plan and Final Site and Building Plan.
- B. Lot Requirements.
1. The minimum lot area for each PUD site within Downtown Village Area shall be based upon the land use designation of the Comprehensive Plan, excluding right of way and any wetland or floodplain area, as follows:
    - a. Multiple Family and Infrastructure/Institutional: 10,000 sq. ft.
    - b. Commercial/Multiple Family or Commercial: 6,000 sq. ft.
  2. The minimum area for all PUD developments outside the Downtown Village Area shall be two acres in single ownership or control unless the City Council finds that:
    - a. The PUD and Master Development Plan includes two distinct land uses,

- b. There are existing natural features on the property that would be impacted if development occurred according to the existing zoning of the property.
  - c. The PUD and Master Development Plan requirements and process provides for development that is compatible with the planned land uses of the surrounding area.
- C. Residential Density. The maximum density for each PUD site shall be based upon the ability of the development to meet:
  - 1. The requirements of this Section of the Ordinance,
  - 2. Standards negotiated and agreed upon between the applicant and the City that are consistent with the policies and implementation section of the Comprehensive Plan, the *Downtown Master Plan and Design Guidelines* and the purposes of the PUD District, and
  - 3. General compatibility of the development with the surrounding area in which it is located.
- D. Hardsurface Coverage. The storm water plan for the PUD site must be consistent with the City *Water Resource Management Plan* and the requirements of the Minnehaha Creek Watershed District.
- E. Building Setbacks: The following standards shall apply for each PUD:
  - 1. Downtown Village Area setbacks are established according to the land use designation of the Comprehensive Plan as follows:
    - a. Multiple Family and Institutional/Infrastructure:
      - 1.) Street right of way: Buildings shall be setback a minimum of 10 feet and a maximum of 15 feet from any street right of way. No more than 40' may be in one single plane and the building may stagger no more than 10' back from the proposed setback. An encroachment up to 0' setback is permitted for stairs and porches.
      - 2.) Side yards: 10 foot setback
      - 3.) Rear yard setback: 20 foot setback
      - 4.) Ordinary high water level: 75 feet
    - b. Commercial and Commercial/Multiple Family:
      - 1.) Street right of way: Buildings shall extend to the right of way line of Long Lake Boulevard and Lake Street, except that 30 % of the front building façade may be set back no more than 8 feet from the public street right of way when courtyards or plazas open to the public are incorporated into the front yard of the site.
      - 2.) Side yards: 0 foot setback
      - 3.) Rear yard setback: 10 foot setback
      - 4.) Ordinary high water level: 75 feet
  - 2. Outside Downtown Village Area: The following setbacks shall apply to all exterior lot lines and lot lines that abut public right of way and other PUD

districts based on the proposed use of the property (ies):

Use	Front yard and right of way	External PUD		Internal lot line	Ordinary high water level
		Side yard	Rear yard		
Single family	35'	10'	25'	5'	75'
Multiple family	35'	25'	25'	5'	75'
Commercial	0'-80'	25'	25'	5'	75'
Industrial	50'	25'	25'	5'	75'
Infrastructure / Institutional	50'	25'	25'	5'	75'

F. Building Requirements

1. Height: Building height shall be limited to a maximum of 35 feet high except that the height maximum may be increased to 50' for all properties located along the south side of W. Wayzata Blvd. west from and including the Town Center property to the Long Lake city limits provided that the City Council finds that the increased height is justifiable based upon the following:
  - a. The site is designated as Commercial/Multiple Family within the Downtown Village Area of the Comprehensive Plan.
  - b. The site is separated from single family neighborhoods by TH 12, other uses or sufficient topography and year round vegetation to buffer the building.
  - c. The design of the development in scale to the planned surrounding development and land uses.
  - d. The building and site design provides articulation in building walls, pitched roof lines, and sufficient landscaping and size of plant material to provide a compatible transition to adjacent land uses.
  - e. If the building is designed for office and/or residential purposes, the top floor of the building is recessed a distance of 8 feet from the front façade of the building.
2. Design and Architectural Compatibility
  - a. Building Materials.
    - 1.) The following are acceptable exterior building materials: brick, stone, wood clapboard, stucco or split-faced aggregate block.
    - 2.) Synthetic materials such as vinyl and external finish insulation systems (EIFS) are permitted accent building materials but shall not exceed 20 % of the wall area on each elevation.
  - b. Windows: All windows on walls facing public streets or areas shall be of a transparent glass.
  - c. Awnings: Awnings of a canvas like material are permitted and shall not be equipped with any internal illumination. Polyvinyl, vinyl, or plastic awnings

are prohibited.

G. Landscaping

1. The requirements of Section 33 of this ordinance shall apply to all Master Development Plans except as modified by this subsection.
2. The perimeter of parking areas shall be planted with deciduous shade trees at least 3" in diameter at a number equal to 1 tree per 4 parking spaces, and spaced to provide maximum shading of the parking area.

H. Screening

1. Mechanical equipment, satellite dishes, and exterior building utility equipment shall be screened from public view by:
  - a. a structure constructed or faced with identical or compatible materials as the principal building or strongly similar to materials, provided that wooden fencing may not be used as a rooftop, or
  - b. landscaping comprised of plant materials that provide a year round screen of the equipment,
  - c. a location that is not visible from any public way.
2. Dumpsters, trash bins, and recycling receptacles shall be located within a building and the entrance shall be equipped with a doorway or gate designed with similar character and materials as the primary building.

I. Signage. Signage shall comply with the provisions of Chapter 8, Article V, Sign Regulations of the City Code of Ordinances, as may be amended from time to time.

1. One monument sign per street frontage is permitted to identify a development provided that the design of the sign is consistent and compatible with the building and site design of the development. The monument structure shall not exceed 6 feet in height limit and 45 square feet of vertical surface area. The sign copy area shall not extend outside the vertical surface area.
2. All other signs shall be restricted to one wall sign or projecting sign per business as regulated by the City Code of Ordinances.

J. Residential Homeowners Association. A homeowners association shall be established for all residential PUD developments and membership within the associations shall be mandatory for all property owners within the PUD. The homeowners association shall own and maintain all common open space including any interior drives.

K. Compliance with Other Ordinance Provisions. All developments within a PUD shall comply with all other provisions of this Ordinance unless modified by this Section.

L. Application of Section 475.041 Design Standards (Subdivision Ordinance). The City Council may approve subdivisions, streets, utilities and public facilities that are not in the compliance with the City subdivision requirements for property zoned PUD if it finds that strict adherence to such requirements is not required to meet the intent of

this Section or to protect the health, safety or welfare of the residents of the PUD, the surrounding area, or the City as a whole.

Subd. 9. Specific Requirements for the Downtown Village Area:

- A. Building Dimensions. To encourage the design of varied building styles.
  - 1. Width
    - a. The maximum building width along a public right of way shall not exceed 150 feet.
    - b. No more than 40 feet of a building width along public right of way shall be in a single facade.
    - c. Multiple facades shall be provided for a building width greater than 40 feet that may include articulation such as varied setbacks, different yet compatible building materials, entry ways and entryway treatments, bay windows or any other treatment as approved by the City.
  - 2. Depth: No building shall extend more than 80 feet rearward from a public street.
  - 3. Entrances. Building entrances shall be located at the same level as the adjacent sidewalk, parking area or street and shall not exceed more than 4 feet above street level.
- B. Parking Facilities.
  - 1. No above-grade parking areas or facilities shall be allowed in any front yard.
  - 2. No more than 50 % of the above grade or surface parking required for a property shall be located within a side yard.
  - 3. All multiple family residential buildings shall contain attached garages and/or underground parking of a size to accommodate two parking spaces per dwelling unit within the building, of which one space shall be completely enclosed. Additional spaces for visitor parking shall be provided based on the specific type of multiple family residential use and the anticipated demand for visitor spaces as determined by the City.
- C. Plazas, Opens Spaces and Recreation Areas. Pedestrian amenities such as benches, tables, seating and passive areas, areas for art display, gardens and fountains shall be provided in all plazas intended for public use.
- D. Lighting. Shall be provided at building entries and may range from 1 to 5 foot-candles from the entry to the public sidewalk.