



PLANNED UNIT DEVELOPMENT - CONDITIONAL USE PERMIT APPLICATION CHECKLIST

Applications will be scheduled for consideration by the Planning Commission and/or City Council only after all required materials have been submitted. Application submittal deadlines are available on the City's website or by contacting the Community Development Manager.

Late or incomplete applications will not be accepted.

Office Use Only:

Case #: _____

Applicant: _____

Address: _____

PURPOSE: Title 12-1K-1 Planned Unit Developments establishes provisions for the granting of a conditional use permit to provide for a planned unit development project. The purpose of the planned unit development is to encourage a flexibility in the design and development of land; and in connection therewith, and by way of illustration and not limitation, to preserve the natural and scenic quality of open areas, to encourage a diversity of housing types within a given development, to permit a mixture of several zoning district uses within a development project, and to permit modification and variance of zoning district requirements, but nevertheless and at the same time limiting development to a scale appropriate to the existing terrain and surrounding land uses.

A planned unit development (PUD) may be created as a base zoning district. The purpose of the planned unit development district is to encourage a flexibility in the design and development of land in order to promote its appropriate use; to facilitate adequate and economical provision of streets and utilities; to preserve the natural and scenic qualities for open areas; to encourage a diversity of housing types within a given development and within the community as a whole; and to limit development to a scale appropriate to the existing terrain and surrounding land uses. For such PUD districts, the ten (10) acre minimum area requirement may be waived at the discretion of the city.

The full provisions, standards and requirements are set forth under City Code Article K. Planned Unit Developments, which are noted and attached to this checklist document.

PROCEDURE FOR PLANNED UNIT DEVELOPMENT:

A. Pre-Application Conference. Before submitting an application for a new planned unit development, the applicant shall confer with the planning commission (and with the city council at its next regular meeting following planning commission review) to obtain information and guidance before entering into binding commitments or incurring substantial expense in the preparation of plans, surveys, and other data. **[Note: The pre-application conference and information related to the submittal of a concept plan are noted under City Code Section 12-1K-6, Subpart B. which requires a separate planning application, fee and review process].**

B. Preliminary Development Plan:

1. If a preliminary development plan has not been submitted to the planning commission within six (6) months following the date of the council meeting at which the applicant completed the pre-application conference with the council, then the applicant shall repeat the pre-application process specified by this article. In its discretion and for good cause, the city council may extend for three (3) months the period for the filing of the preliminary development plan and waive the resubmission to the pre-application conference process.

2. The preliminary development plan must include all of the following information:
 - a. A map showing street systems, plot lines and plot designs.
 - b. Areas proposed to be conveyed, dedicated, or reserved for parks, playgrounds, playways, school sites, public buildings, and similar public and semipublic uses.
 - c. A plot plan for each building site and common open area, showing the proposed location of all buildings, structures and improvements and indicating the open spaces around buildings and structures. The plan shall include an analysis and report of the area devoted to each proposed parcel, building, and use.
 - d. Elevation and perspective drawings of all proposed structures and improvements and any accessory structures. The drawings need not be the result of final architectural decisions and need not be in detail but should indicate the general design character and materials.
 - e. A development schedule indicating: (1) the approximate date when construction of the project can be expected to begin; (2) the stages in which the project will be built and the approximate date when construction of each stage can be expected to begin; (3) the anticipated rate of development; (4) the approximate dates when the development of each of the stages in the development will be completed; and (5) the area and location of common open space that will be provided at each stage.
 - f. Copies of proposed agreements, provisions or covenants which will govern the use, maintenance and continued protection of the planned unit development and any of its common open areas, for information purposes only.
 - g. The following plans and diagrams:
 - (1) All information required under the provisions of City Section 12-1L-6.B, and listed under **Application Requirements** – below.
 - (2) An off street parking and loading plan.
 - (3) A circulation diagram indicating the proposed movement of vehicles, goods, and pedestrians within the planned unit development and to and from existing thoroughfares. Any special engineering features and traffic regulation devices needed to facilitate or ensure the safety of this circulation pattern must be shown.
 - (4) A landscaping and tree planting plan.
 - (5) An economic feasibility report or market analysis.
 - h. The applicant may, instead of filing a preliminary development plan, file a final development plan at the time specified in this subsection, and such final development plan shall contain all of the information required in this subsection and all information required for the final development plan as specified in this article.

C. Approval of Preliminary Development Plan or Final Development Plan Submitted in Lieu Thereof:

1. Time for Filing; Hearing and Notice: The applicant shall file the preliminary development plan (or in lieu thereof a final development plan) with the city council and the planning commission not later than twenty-one (21) days before the planning commission meeting at which the application will be considered. The planning commission shall give notice of a public hearing in conformance with City Code Section 12-1L-6.
2. Recommendation of Planning Commission: The planning commission shall review the preliminary or final development plan (as the case may be) and, after the hearing, forward the plan to the council with a written report recommending that the plan be disapproved, approved, or approved with modifications, and give the reasons for these recommendations.
3. Action by City Council:
 - a. Within thirty (30) days after receipt of the report and recommendations of the planning commission, the council shall consider the plan and the report transmitted to them by the planning commission. At the time of consideration, the council may take action to approve or disapprove the plan or approve the plan with modifications, or it may continue the discussion from time to time for further information and report from the planning commission as it may direct.
 - b. Upon approval of the plan by an affirmative vote of the majority of all members thereof, the council shall grant the conditional use permit with appropriate findings consistent with this article. If the approval is of the preliminary development plan, such approval shall be subject to the filing of a final development plan and the approval of the final development plan by the affirmative vote of the majority of all council members.

D. Final Development Plan:

1. Time for Filing: Within six (6) weeks following the approval of the preliminary development plan by the council, the applicant shall file with the council a final development plan containing in final form the information required in the preliminary plan. In its discretion and for good cause, the council may extend for six (6) weeks the period for the filing of the final development plan.
2. Development Agreement: All agreements, covenants and conditions relating to the planned unit development, including, without limitation: a) those which relate to the use, maintenance and continued protection of any common open areas; b) all variances; and c) all conditional uses which are inconsistent with the requirements and uses otherwise permitted in the zoning district or the districts which comprise the planned unit development as approved by the city council shall be set forth in a development agreement mutually agreed to and entered into between the applicant and the city. Approval of the development agreement by the council and the applicant shall be a condition to approval of the final development plan.
3. Action by City Council:
 - a. The council will review the final development plan and so long as all conditions to the approval of the preliminary development plan have been satisfied and so long as standards set forth in Section 12-1K-5A of this article continue to be met, the city council shall approve the final development plan.

- b. No building permits will be issued until the developer provides to the city evidence of the recording of the final development plan and, if appropriate, the development agreement.
- c. If the final development plan is not in substantial conformity with the preliminary development plan and the applicant wishes to proceed with the final development plan, the final development plan shall be considered pursuant to the procedures provided for by this chapter for approval of a conditional use permit, and the applicant shall be referred back to the planning commission to begin that process.

E. Amendments to Final Development Plan: No changes may be made in the approved final development plan after its approval by the council, except upon application to the council under the procedures provided below:

1. Minor changes in the location, siting, and height of buildings and structures may be authorized by the council if required by engineering or other circumstances not foreseen at the time the final plan was approved. Such approval shall require the affirmative vote of a majority of all members of the council.
2. All other changes in use, or rearrangements of lots, blocks and building tracts, any changes in the provision of common open spaces, and all other changes in the approved final plan must be made by the council under the procedures authorized by this chapter for the approval of a conditional use permit. No amendments may be required by the council because of changes in conditions that have occurred since the final plan was approved or by changes in the development policy of the community.

APPLICATION REQUIREMENTS:

- Electronic and hard copies of all the required materials must be submitted according to the Planning Application submittal schedule.
- Submit one (1) electronic copy via email, flash-drive or similar, plus two (2) full-sized hard copy sets with measurable scale of all required plans.

The following materials must be submitted for the application to be considered complete:

- Completed Planning Application, with signatures from the Applicant and/or Property Owner, if different from the Applicant. The application must also include the attached "Statement Explaining Escrow Fee Payment" form, to be signed by the Applicant.
- Letter of Intent.

The Applicant's letter must include a brief narrative describing and justifying the need of the conditional use; and provide a response statement to the following standards (*as they apply to the proposed project or use*):

- a) *The proposed use will not be detrimental to the health, safety or general welfare of the community;*
- b) *the proposed use will not cause serious traffic congestion nor hazards;*
- c) *the proposed use will not seriously depreciate surrounding property value; and*

d) the proposed use is in harmony with the general purpose and intent of the City Code and the comprehensive plan.

Fee (including escrow) as noted in the attached Fee Schedule with Planning Application. Checks made payable to **City of Mendota Heights**.

NOTE: Planning Application fees and escrow fees do not cover building permit fees, utilities, or other fees which may be required after application approval or to complete the proposed project.

Development Schedule, indicating:

- Approximate start date of construction of the project.
- Proposed project staging and anticipated construction timelines.
- Anticipated rate of development.
- Area and location of common open space provided at each stage.

Copies of proposed agreements, provisions or covenants which will govern use, maintenance and continued protection of the PUD and any of its common open spaces, *for information purposes only*.

Required Plans.

APPLICANT MUST CHECK ALL APPLICABLE ITEMS INCLUDED IN THE PLAN SUBMITTAL

Site Development Plan:

- Location of all buildings, including existing and proposed.
- Location of all adjacent buildings located within 350' of the exterior boundaries of the property.
- Floor area ratio.
- Location and number of existing and proposed parking spaces.
- Vehicular circulation.
- Architectural elevations (type and materials used on all external surfaces).
- Sewer and water alignment, existing and proposed.
- Location and candle power of all luminaries.
- Location of all existing easements.

Dimension Plan:

- Lot dimensions and area.
- Dimensions of proposed and existing structures.

- "Typical" floor plan and "typical" room plan.
- Setbacks on all structures existing or proposed on property in question.
- Proposed setbacks.

Grading Plan:

- Existing contour.
- Proposed grading elevations.
- Drainage configuration.
- Storm sewer catch basins and invert elevations.
- Spot elevations.
- Proposed road profile.

Landscape Plan:

- Location of all existing trees, type, diameter and which trees will be removed.
- Location, type and diameter of all proposed plantings.
- Location and material used of all screening devices.