

CITY OF MAHTOMEDI  
WASHINGTON COUNTY, MINNESOTA

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE CREATING THE PUD 2003-3 OVERLAY ZONING DISTRICT AND  
AN ORDINANCE AMENDING CHAPTER 11, SECTION 11.01, 5., B., OF THE  
ZONING CODE RELATING TO ZONING MAPS**

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THE CITY COUNCIL OF THE CITY OF MAHTOMEDI ORDAINS AS FOLLOWS:

Section One. Creation of the PUD 2003-3 Overlay Zoning District. The PUD 2003-3 Overlay Zoning District is hereby created which provides as follows:

**PUD 2003-2 OVERLAY ZONING DISTRICT**

A. Intent: The intent of the PUD 2003-3 Overlay Zoning District is to create a new PUD zoning district for the Wildwood Station development by St. Croix Real Estate, Inc. The development will include three commercial condominium buildings, parking, circulation, and landscaping improvements. This PUD development will be characterized by integrated planning and architecture. The development and the public will benefit from efficient distribution of uses, common use of parking, open space, even building density distribution, coordinated building architecture, and improved landscaping.

B. Underlying Zoning District: The underlying zoning district of the PUD 2003-3 Overlay Zoning District for the property generally described as Lot 1, Block 1, Briarcliff 2<sup>nd</sup> Addition shall be the B3, Downtown Business District, except as modified herein.

C. Permitted Uses: Permitted uses in the PUD 2003-3 Overlay Zoning District shall be as follows:

1. Offices of a general nature such as attorneys, accountants, and investments. Finance, insurance, and real estate services, including banking (if the banking does not have a drive through window).
2. Personal services such as barber, shoe repair, photography, and tailor.
3. Business services such as printing and computer services.
4. Repair services such as jewelry, radio, and television.
5. Medical and dental clinics only if the required parking for the clinic (based on the City of Mahtomedi Legislative Code, Chapter 11, Section 11.01, 10) is less than the net square footage of the clinic divided by 250.
6. Residential if located above street level.

D. Conditional Uses: The City Council may approve a conditional use permit for any of the following uses:

1. Retail merchandise business such as clothing, household goods, florist, antiques, and bookstore.
2. Artist's studios provided that 10 percent or more of the total floor space on the street level is used for sales and display purposes.
3. Dental and medical clinics if the required parking for the clinic (based on the City of Mahtomedi Legislative Code, Chapter 11, Section 11.01, 10) is more than the net square footage of the clinic divided by 250.
4. Restaurants including both "sit down" and "take out" establishments, but excluding fast food establishments which feature "drive through" window pick-up service.

Conditions to be considered when reviewing a conditional use include, but are not limited to, the following:

- The use is not detrimental to public health and welfare.
- The use does not impair the integrity of the District.
- The use provides organized vehicular access and sufficient parking to minimize traffic congestion in the District.
- The use conforms to the District and conditional use provisions and all general regulations of this Ordinance.

E. Building Density, Building Location, Building Height, Building Architecture, Parking, Setbacks, Drainage, Utilities, Easements, Traffic Access, Traffic Circulation, Landscaping, Grading, Lighting, Signage, Screening, Trash Enclosures, Equipment Enclosures, Sidewalks, Storm Water Facilities, and other Performance Characteristics: The building density, building location, building height, building architecture, parking, setbacks, drainage, utilities, easements, traffic access, traffic circulation, landscaping, grading, lighting, signage, screening, trash enclosures, equipment enclosures, sidewalks, storm water facilities, and other performance characteristics of the PUD 2003-3 Overlay Zoning District ("Performance Characteristics") shall conform to the performance characteristics of the underlying zoning districts, except as modified and authorized by the PUD Development Agreement for the project, and except as modified and authorized by the Final Development Plans on file with the City Administrator pursuant to City of Mahtomedi Legislative Code, Chapter 11, Section 11.01, 12., H ("Final Development Plans").

D. Preliminary and Final PUD Plan Approval: This PUD 2003-3 Overlay District is created upon the City Council's approval of the Final Development Plans for the Wildwood Station Planned Unit Development. In the future event that the PUD 2003-3 Overlay Zoning District is repealed with respect to any part of the Wildwood Station Planned Unit Development, any existing use and structure permitted by the PUD 2003-3 Overlay Zoning District shall be treated as a pre-existing legal non-conforming use and structure provided that the underlying Zoning District does not permit the existing use and structure.

Section Two. Rezoning Amendment. The Mahtomedi Zoning Code is hereby amended to rezone to PUD 2003-3 Overlay Zoning District, that property generally described below:

Lot 1, Block 1, Briarcliff Second Addition, Washington County, Minnesota.

Section Three. Zoning Maps. The Zoning Maps of the City of Mahtomedi referred to and described in the Mahtomedi Zoning Code are incorporated by reference in Chapter 11, Section 11.01, 5., B., are so changed and shall not be republished to show the aforesaid rezoning, but the Clerk shall appropriately mark the said Zoning Maps on file in the Clerk's Office for the purpose of indicating the rezoning hereinabove provided for in this Ordinance and all of the notations, references, and other information shown thereon are hereby incorporated by reference and made a part of this Ordinance.

Section Four. Findings. In rezoning the above referenced property to PUD 2003-3 Overlay Zoning District, the City Council has found the following:

- A. That the proposed PUD 2003-3 Overlay Zoning District is consistent with the City's 1999 – 2020 Comprehensive Plan.
- B. That the proposed development has been designed as a complete and unified development within its own boundaries in terms of relationship of structures, patterns of circulation, visual character, interrelationship of utilities and drainage infrastructure, and overall architectural theme.
- C. That the proposed layout of land use within the development will result in compatible land uses with present and planned uses in the surrounding area.
- D. That the development is sufficient unto itself on the basis of size, composition, arrangement and the provision of municipal utilities.
- E. That the impacts of the proposed development on municipal services and facilities have been reviewed and that mitigative measures have been identified where needed.
- F. That the impacts of the proposed development on environmental quality and the reasonable enjoyment of surrounding property have been identified, analyzed and mitigative measures identified where needed.
- G. That drive-through business operations would not be appropriate for the PUD 2003-3 Overlay Zoning District due to parking limitations and traffic circulation characteristics of the District.
- H. That the City Council's approval of the above-described Preliminary and Final Development Plans is in the public interest based upon the findings stated above and based upon the findings enumerated in the City of Mahtomedi Legislative Code, Chapter 11, Section 11.01, 12., I., which shall accomplish public purposes and public benefit described as the Intent of this PUD 2003-3 Overlay Zoning District.

Section Five. Effective Date. This Ordinance shall be in full force and effect upon its

publication as provided by law.

Passed in regular session of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2003.

**CITY OF MAHTOMEDI**

By: \_\_\_\_\_  
Yale Norwick  
Its Mayor

Attest:

By: \_\_\_\_\_  
Mary Solie  
Its City Clerk

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