



STAFF REPORT

DATE: February 7, 2018

REGULAR

ITEM #: 16

MOTION

TO: City Council
FROM: Ben Prchal, City Planner
AGENDA ITEM: Fairfield Inn Final Planned Unit Development (PUD) Plans, and Conditional Use Permit
REVIEWED BY: Emily Becker, Planning Director

BACKGROUND:

Central Design Group LLC has submitted applications to the City for both Final Planned Unit Development (PUD), and a Conditional Use Permit (CUP) application on December 20, 2017 for the construction and operation of a Fairfield Inn (Hotel). The location of the proposed project would be located on Lot 1, Block 1, HOA 2nd Addition of the Eagle Point Business Park.

Applicant and Property Owner: Central Design Group, LLC. 200 Old 63 South Suite 305, Columbia MO 65201
Eagle Point Group, LLC. 205 6th Avenue SE, Suite 300. Aberdeen, SD 57401

Location: North of Rasmussen College, (8585 Eagle Point Circle), PID# 33.029.21.43.0007

Existing Land Use and Zoning: Vacant land, Business Park – BP-PUD

Comprehensive Plan: Business Park

History: The preliminary development plans for the Eagle Point Business Park was approved in 1999 by the City of Lake Elmo. The HOA 2nd Addition was platted in June, 2006 which allowed for the development of two lots on Eagle Point Circle, near Hudson Boulevard and a larger outlot which was recently platted as HOA 3rd Addition for the Auto Owners office building. The subject parcel is one of two buildable lots platted as part of the 2nd Addition. Homes 2 Suite had submitted a similar proposal but had rescinded their application.

Deadline for Action: Application Complete: 12/20/2017
60 Day Deadline: 2/16/2018
Extension Letter Mailed: N/A
120 Day Deadline: N/A

Applicable Regulations: 154.051 – BP Business Park Zoning District
154.800 – Planned Unit Development (PUD) Regulations
Eagle Point Business Park PUD Agreement

PROPOSAL DETAILS/ANALYSIS:

The City of Lake Elmo has received a request from Central Design Group, LLC for approval of final Planned Unit Development plans and a Conditional Use Permit associated with a 90 unit hotel to be located on 2.496 acres on Lot 1, Block 1, HOA 2nd Addition, which is part of the Eagle Point Business Park. When this lot was platted, United Properties did not provide any specific building plans for Lot 1.

Eagle Point Business Park was approved as a Planned Unit Development (PUD) in the early 2000's, with a concept plan and preliminary development plan for the entire site. The City also approved PUD development standards and regulations for the entire park. For each new development within the business park, updated final plans are required for approval. In addition, hotels are a conditional use in the Eagle Point Business Park. Because the site under consideration has previously been platted as a buildable lot, Staff is recommending that the City process its review of the final development plans simultaneously with the conditional use permit.

The attached plans provided by the applicant include an architectural site plan, floor plans, site details, survey, demolition plan, paving & dimension plan, grading and erosion control plan, utility plan, landscape plan, and photometric (lighting) plan in addition to architectural drawings. Because the public and private infrastructure necessary to serve the proposed building is already in place, the project will not include the construction of any new public utilities on or off of the site. All required utilities are already stubbed to the site, and all utilities shown on the plan, including the proposed storm water management facilities, which will be privately owned.

PLANNING AND ZONING ISSUES

Although the lots within the HOA 2nd Addition were platted in conformance with existing regulations, the City has since adopted updated ordinances or other requirements under which the proposed project will need to demonstrate compliance. These updated requirements include the following:

- ***Eagle Point Business Park Development Standards.*** The standards were negotiated with the approval of the Planned Unit Development for the Eagle Park Business Park.
- ***BP – Business Park Zoning District.*** The City revised the BP zoning district in conjunction with other zoning updates related to the planned sewered service areas. The updated ordinance does not include any substantial revisions to the previous standards.
- ***Design Guidelines and Standards Manual.*** This document was approved by the City Council in late 2013 and applies to all new commercial, Business Park, and multi-family residential construction in the City. Many of the provisions in the manual are guidelines (non-mandatory), but are never-the-less applicable to the hotel building.
- ***Storm Water and Erosion and Sediment Control Ordinance.*** Section 150.270 to 150.257 will apply to new development sites, even those that were planned as part of a larger development like the Eagle Point Business Park.

City Staff has reviewed the proposed PUD development plans, and has forwarded the plans to appropriate reviewing agencies in advance of the Planning Commission meeting (1/22/18), such as the Department of Natural Resources. In general, the plans will meet all applicable City requirements for approval, and any deficiencies or additional work that is needed is noted as part of the review record. The City has received a comment letter from the City Engineer the Fire Chief and Building Official with their concerns which are incorporated into the comments listed below.

In addition to the general comments that have been provided in the preceding sections of this report, Staff would like the City Council to consider the issues and comments related to the following discussion areas as well:

Setbacks. Per plan updates 12/21/2017 the building has been situated in a manner that complies with the minimum setbacks required by the Eagle Point Business Park and Lake Elmo Zoning Ordinance. Sheet A12.1 must be updated to show that no encroachment of the building footing and sidewalk goes into the southern utility easement and that the retaining wall does not encroach into the Hudson Blvd and Eagle Point Circle right of way. This plan sheet must be consistent with the Civil Site plans, sheet C2 as revised 12/21/2017.

- **Building Height.** The proposed building is 4 stories and 56' height. The parapet wall fluctuates in height, but no section is over 3'8". No portion of the building is higher than 60' above the ground which is the maximum height allowed per the Eagle Point Development standards.
- **Other Dimensional Standards.** The proposed building and site will conform to the minimum lot area, frontage, building size and impervious requirements for the business park. The approved development standards for the Eagle Point Business Park are included as an attachment to this report.
- **Easement Encroachment.** The building, building footing and sidewalk must not encroach the southern utility easement. The full width of the easement is necessary to operate and maintain the existing 36-inch storm sewer pipe. The retaining wall must not encroach the utility easements along Hudson Boulevard and Eagle Point Circle right-of-way. Plan Sheet A12.1 must be updated to show no encroachment consistent with the Civil Site plans, sheet C2 as revised 12/21/2017. For the stormwater pond the applicant must enter into the City's standard Storm Water Easement and Maintenance agreement. This allows the City to perform maintenance at the owner's cost should it be required.
- **Storm Water and Erosion Control.** The stormwater for the site flows to a large privately owned and maintained storm pond located on the rear of the lot. These grading, drainage, and erosion control plans will need to conform to City of Lake Elmo and South Washington Watershed District (SWWD) requirements. A SWWD district permit has been obtained. They must also apply for and receive a Storm water Construction Permit from the MPCA once a contractor has been obtained for the project, as noted in the engineering report.
- **Utilities.** The site and utility plans must be revised and submitted for City review, showing the proposed hydrants and connection to watermain. Utility easements must be dedicated to the City, minimum width of 30-feet centered over the pipe and hydrants, and all easements must be shown on the site Plan, Utility and Grading Plan. The Fire Chief and Building Official both agree that the existing hydrants as shown will not be adequate coverage for the site.
- **Sidewalks.** There are no sidewalks/paths existing or proposed along the right-of-ways and no walk connecting the building to the cul-de-sac. The City's Design Guidelines and Standards Manual recommends sidewalks along public rights-of-way. Eagle Point Circle has a slope of around 10%, and there are no existing sidewalks on Hudson Boulevard. Since there is no sidewalks along Hudson or Eagle Point Circle staff does not feel they would need to install a sidewalk.
 - The Fire Chief also feels the assemble area in the rear of the building will need a wider walk way to accommodate deployable ladders for emergency situations.
- **Access.** The proposed access driveway to the site will connect to the existing Eagle Park Circle cul-de-sac.

- **Parking.** The Eagle Point Development standards do not have established parking requirements for Hotel facilities. The Lake Elmo Zoning Ordinance require one parking space per guest unit. There are 90 units proposed and 95 parking stalls proposed of which 4 are handicap accessible. The development meets the parking requirements.
- **Off-Street Loading.** Off street loading is required for any nonresidential use which will involve the receipt or distribution of materials or merchandise by truck or similar vehicles and has a gross floor area of 5,000' or more, in accordance with the following standards.
The plans do not specify an off street loading zone. It is probable that they will receive deliveries by truck but staff does not feel that they will need to provide a loading zone since they are not selling or distributing merchandise and are not a retail type facility.
- **Lighting.** A photometric plan is required to demonstrate compliance the City's requirements for on and off-site lighting intensity as well as compliance with the maximum fixture height. The Eagle Point development standards allows a 30ft maximum height, they are proposing a 27.5ft lighting structure. Lighting cast light on a public street, shall not exceed 1 foot-candle, and cannot cast light on residential property, exceed 4/10 foot-candles – their plans comply with the code.
- **Landscape wall.** Zoning code requires that the perimeter of parking lots be screened with masonry wall, fence, berm, or hedge or combination that forms a screen a minimum of 3.5 ft. and a maximum of 4 ft. in height...
A block retaining wall is proposed to the north which runs along Hudson Boulevard, it is constructed of stone with a 42" railing atop of it, and this will meet the screening requirements. The parking lot which abuts Eagle Point Circle will be screened with vegetative hedging, which will also meet the screening requirements.
- **Signs.** The applicant has not yet submitted any formal sign dimensions or illumination figures for the site.
- **Landscaping.** The attached landscape plan plant materials needed to comply with the City's landscaping requirements. There are 3 Spruce (6") and 2 (3-6") Cottonwood trees on the site which will be removed for construction, none of them meet the requirements to be considered significant. Because of this no tree preservation plan is needed. The tree landscape requirements are consistent with what is required by City code.

Site Calculations	Standards	Needed Amount	Proposed
515 lineal ft. of frontage (Along Hudson)	1 tree/50'	10	11 trees proposed
1.75 acres of land disturbed	5 trees/acre	9	14 trees proposed
95 parking stalls	1 tree per ten stalls 10	10	6 interior parking trees

The code would require 29 trees, they are proposing to plant 25 trees. They meet the minimum required tree count because our code reads as follows – a minimum of 5 trees shall be planted for every 1 acre of land that is developed or disturbed by development activity. Such trees may be used for parking lot landscaping or screening as specified in subsections D and E below.

- **Design Review.** The proposed plans are subject to the City's adopted Design Guidelines and Standards Manual in addition to the architectural design guidelines for the Eagle Point Business Park. Staff believes the project is in conformance with the manual for nearly all business park items.
 - This is done by minimizing the amount of blank façade space. They also use materials which are mentioned in the business park development standards such as stone and Exterior Insulation Finish Systems (EFIS).

- **Shoreland District.** Part of the development area is within the Shoreland district. The Minnesota Department of Natural Resources (MNDNR) recommends that impervious surface not exceed 25% for commercial PUDS. This, however, is a recommendation and not a requirement per ordinance. The Eagle point PUD was established without MNDNR review. The MNDNR recommends modifying construction to remove impervious surface from the area within the shoreland, use permeable pavement systems, or direct rain gutter discharges into infiltration basins. Staff believes that proper stormwater management is being accomplished, as the stormwater collection pond connected to the parcel is intended to act as a holding pond for the surrounding lots. The shoreland district requires that sewered properties be held to 30% impervious surface. The proposed development is requesting 49.6% impervious surface, exceeding the impervious amount by 19.6%.
- **PUD Objectives.** PUD development regulations require that developments meet at least one objective which has been outlined in section 154.751. Staff has identified that they meet objectives A and G.
 - **A.** Innovation in land development techniques that may be more suitable for a given parcel than conventional approaches.
 - The parcel is located within the Business Park and is in close proximity to I-94. Given the current and projected zoning this use will serve as a good buffer.
 - **G.** Coordination of architectural styles and building forms to achieve greater compatibility within the development and surrounding land uses.
 - The building design is compatible to those in the area. It also offers many layers both physically and visually.

This development is not seeking a density increase but the building still offers architectural interest. Additionally, the PUD was established before the City's adoption of the current shoreland standards, which was also before the establishment of impervious surface coverage for sewered lots. Because of this flexibility for impervious surface coverage with the preliminary PUD was never asked for. The property's stormwater pond is suitable and can appropriately manage the site. The design of the hotel and site still allow the development to exceed 20% open space.

Section 154.752 Allowed Development. The applicant for PUD developments must provide a response for the items listed below. The Fairfield Inn development is unique in that they must submit a PUD application but they are not requesting to establish a new PUD.

- A. **Permitted Uses.** The PUD application shall identify all proposed land uses and those uses shall become permitted uses upon the approval of the planned unit development.
 - *The allowable uses have been previously established when the Eagle Point Business Park PUD was reviewed in 1999. Hotel operations were selected as a conditional use for the PUD.*
- B. **Placement of Structures.** More than one principal building may be placed on a platted lot within a planned unit development. The appearance and compatibility of buildings in relation to one another, other site elements, and surrounding development shall be considered in the review process.
 - *There is only one building proposed to be built on the lot.*
- C. **Development Intensity.** The PUD may provide for an increase in the maximum gross floor area or floor area ratio by up to 20% of that allowed in the base zoning district, for the purpose of promoting project integration and additional site amenities.

- *They have not proposed an increase in the maximum gross floor area.*
- D. *Density.* The PUD may provide for an increase in density of residential development by up to 20% of that allowed in the base zoning district, for the purpose of promoting diversity of housing types and additional site amenities. Increased residential densities of varying levels will be awarded based upon the provision of a combination of various site amenities outlined in § 154.209. In addition, the city retains the right to evaluate all proposals for bonus density in accordance with the overall goals of the city’s Land Use Element of the Comprehensive Plan.
- *They are not asking for an increase in density, the property is not intended for residential use.*
- E. *Building Setbacks.* The PUD may provide for a reduction in or elimination of required setbacks in the base zoning district, provided that a landscaped setback area of the minimum width established for the base zoning district is maintained along the periphery of the adjacent zoning district(s).
- *The development is allowed to comply with what has been previously established by the Eagle Point Business Park PUD.*
- F. *Lot Requirements.* The Council may authorize reductions in the area and width of individual lots within a PUD from that required for the base zoning district, provided that such reductions are compensated for by an equivalent amount of open space or other public amenities elsewhere in the planned unit development. Any open space shall not include areas designated as public or private streets. The plan may increase the maximum density beyond that permitted in the base zoning district for the purpose of promoting an integrated project with a variety of housing types and additional site amenities.
- *They do not wish to have a reduction in area and width of their lot.*
- G. *Other Exceptions.* As part of PUD approval, the Council is authorized to approve other exceptions to the zoning controls applicable to the base zoning district, such as the maximum height of structures or the minimum off-street parking requirements. Such exceptions shall only be granted when they are clearly warranted to achieve the objectives identified in § 154.801.
- *The development does not meet all of what is required by our current code. However, it is not necessarily required to because the PUD and standards which the proposed hotel will be constructed in was established before the current code requirements*

Planning Commission Review. The Planning Commission held a public hearing and considered the request for Final Planned Unit Development Plans and Conditional Use Permit at its January 22, 2018 meeting. No one from the public spoke during the public hearing and no comments were received by Staff prior to the meeting. The Commission recommended approval, recommending that conditions of approval explicitly outline the Fire Chief and Building Officials comments, as they felt these comments were pertinent to the layout of the site and public safety. There was concern that their comments (specifically the need for a wider access/walkway) would increase the impervious surface of the site, which already exceeds the maximum requirements within a shoreland district.

RECOMMENDATION:

Recommended Findings for Final PUD Plans. Based on the above staff report and background information, Staff is recommending that the City Council recommend approval of the request for approval

of final Planned Unit Development plans associated with a 90 unit hotel to be located at Lot 1, Block 1, HOA 2nd Addition based on positive findings that the project:

- 1) That the Applicant has submitted all application requirements outlined in Sections 154.759 for Final PUD Plans.
- 2) That the Final PUD Plans for Lot 1, Block 1, HOA 2nd Addition is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 3) That the proposed Final PUD Plans generally comply with the Lake Elmo Zoning District regulations for the BP – Business Park Zoning District.
- 4) That the proposed Final Plat for Lot 1, Block 1, HOA 2nd Addition meets other City zoning ordinances, such as landscaping, tree preservation, erosion and sediment control, and other ordinances, except as noted below. Requested PUD flexibility is being requested for:
 - a) Off-Street Loading: Allowing development with no off-street loading area as required by the Off-Street Loading Area Code 154.211.
 - b) Impervious Surface: Allowing 49.6% impervious surface when 30% is required by the Shoreland Ordinance 154.800.
- 5) That the Fairfield Inn Final Plat and PUD Plans will not conflict with nearby land uses.
- 6) The proposed Final PUD Plans generally adhere to the City’s engineering standards provided all the comments outlined in the City engineers report dated 1/2/2018 are addressed.
- 7) Complies with the development and design standards for the Eagle Point Business Park.
- 8) Is consistent with the Lake Elmo Design Guidelines and Standards Manual, and specifically, the guidelines for business park development.
- 9) Meets the identified objectives associated with a Planned Unit Development project as listed in Section 154.751 of the Lake Elmo Zoning Ordinance.
- 10) The development meets at least one of the identified objectives outlined in section 154.751 of the PUD development regulations Chapter.

Recommended Findings for Conditional Use Permit. Based on the above staff report and background information, Staff is recommending that the City Council approve the request for approval of a conditional use permit associated with a 90 unit hotel to be located at Lot 1, Block 1, HOA 2nd Addition based on positive findings that the project:

- 1) The proposed use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or the city.**
 - The development of the hotel will not be detrimental to the surrounding businesses/residents.
- 2) The use or development conforms to the City of Lake Elmo Comprehensive Plan.**
 - The site is guided as a Business Park, hotels are an allowed use within business parks.
- 3) The use or development is compatible with the existing neighborhood.**

- The use is not unique to the area and will not be detrimental to the items listed above.
- 4) The proposed use meets all specific development standards for such use listed in Article 9 of this Chapter. (Ord. 08-152)**
- There are not specific standards for hotels in article 9. However, they must adhere to the design standards which have been established by the City.
- 5) If the proposed use is in a flood plain management or shoreland area, the proposed use meets all the specific standards for such use listed in Chapter 150, §154.800 (Shoreland Regulations) and Chapter 152 (Flood Plain Management).**
- Part of the development area is within the Shoreland district. The DNR recommends that impervious surface not exceed 25% for commercial PUDS. However, this is a recommendation and not a requirement. However, it exceeds the 30% impervious surface allowance for sewer areas in the shoreland district within our code.
 - The Eagle point approved standards from 1999 states the tributary setback will be 25' from the OHM, the building 30' from the tributary setback, and parking shall be 10' from the tributary setback. The development meets this requirement.
- 6) The proposed use will be designed, constructed, operated and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity and will not change the essential character of that area.**
- There are other hotels in the area as well as professional services.
- 7) The proposed use will not be hazardous or create a nuisance as defined under this Chapter to existing or future neighboring structures.**
- The structure is designed in a way that adheres to city code as not to cause a nuisance, specifically the design standards guidelines.
- 8) The proposed use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use.**
- The site has access to public utilities and will be connecting to them. See item number 9 for more comment on fire protection.
- 9) The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.**
- The site/use is not expected incur costs beyond what is expected for the development of property. However, in the event of an emergency costs may be increased as the Fire and Building Official feel the fire hydrants are not placed appropriately. Also the rear assembly area may need to be wider to deploy hand ladders.
- 10) The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors.**
- It is not expected that a hotel will generate or produce any of the items/activates listed above.

11) Vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares.

- The City engineer has reviewed all roadways and entrances, and has determined that they meet what is required.

12) The proposed use will not result in the destruction, loss or damage of a natural or scenic feature of major importance.

- The site has not been identified as sensitive or scenic. The property is not within a portion of the City that needs a park or within the Greenway project area.

Recommended Conditions of Approval for the Final Planned Unit Development Plans. Staff and the Planning Commission recommend that Council approve the final Planned Unit Development plans associated with a 90 unit hotel to be located on Lot 1, Block 1 the HOA 2nd Addition with the following conditions of approval:

1. That the parking lot screening and landscaping shall be established and maintained per the landscape screening requirements in 154.258, be free of refuse, and be guaranteed for two years and the planting shall be replaced if the material dies before the second year.
2. All required conditions and modifications to the plans as requested by the City Engineer in a review letter dated 1/2/2018 shall be incorporated into the plans prior to approval of a building permit. Including the dedication of easements
3. That the Fire Chief's and Building Official's comments outlined below from their letter dated 12/21/17 be incorporated into the plans prior to final approval:
 1. The existing fire hydrants as shown will not be adequate for coverage on the site. The proposed location for the Fire Department Connection will ultimately dictate a final location for one of the needed hydrants and there will need to be a hydrant located on the north end of the site for sure. There will also need to be a hydrant located on the property side of the round-a-bout, the hydrant currently located across the drive lane does not provide a viable use as hose laid from this hydrant will then block the drive lane entry from further emergency vehicle access.
 2. The rear of the site has very limited access, there is an assemble area proposed on the back with a fire pit and access is very limited. With a 4 story residential building like this, there is a need for wider access/walkway. There is a proposed hard surface around the back of the building but the hard surface will need to be wider, without emergency vehicle access ability, the hard surface will need to be wide enough to accommodate the ability for emergency personnel to deploy hand ladders for emergency rescue operations.
 3. The ability for apparatus to access and maneuver in and around the site is another issue that needs review, typically the engineering review will verify adequate access including turn radius for emergency vehicle access.
 4. There are other architectural/code review items that will arise once the project reaches the plan review stage.
4. The applicant comply with all conditions of the South Washington Watershed District permit 17-003 issued on December 12, 2017.
5. The applicant shall enter into a maintenance agreement with the City concerning the storm water infiltration areas prior to the issuance of a building permit.

6. The applicant shall secure a sign permit for all signage associated with the medical building. Staff shall review all such signs for conformance with the Eagle Point Business Park Design and Development Standards and the City sign code.
7. That the Applicant enter in to a site work agreement with the City for all work within the public right-of-way.
8. That a permit be secured for demolition of the existing Eagle Park Business Park development sign if it is lit or electrified.
9. That the exterior materials and colors are consistent with what is outlined in the Business Park Design Standards

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT

Staff and the Planning Commission recommend that the City council approve the request for a Conditional Use Permit for a 90 unit hotel to be located on Lot 1, Block 1 the HOA 2nd Addition with the following conditions of approval:

1. That the City approve the Final Planned Unit Development Plans submitted by the Applicant, subject to required conditions of approval.

Suggested motion for Final PUD:

“Move to adopt Resolution 2018-008 approving the request by Central Design Group, LLC for approval of Final Planned Unit Development plans associated with a 90 unit hotel to be located on Lot 1, Block 1, HOA 2nd Addition, subject to the conditions of approval as recommended by Staff”

Suggested motion for Conditional Use Permit:

“Move to adopt Resolution 2018-009 approving the request by Central Design Group, LLC for approval of Conditional Use Permit associated with a 90 unit hotel to be located on Lot 1, Block 1, HOA 2nd Addition, subject to the approval of Final Planned Unit Development Plans”

ATTACHMENTS:

1. Project Narrative Letter
2. Review Comments
 - a. City Engineer memo
 - b. Fire Chief/Building Official
3. South Washington Watershed District Permit
4. Project Architectural Plans, dated 11/29/17
5. Project Landscape Plans, dated 12/8/17
6. Resolution 2018-008 approving Final Planned Unit Development Plans
7. Resolution 2018-009 approving a Conditional Use Permit

MEMORANDUM

Cara Geheren, P.E. 651.300.4261
Jack Griffin, P.E. 651.300.4264
Ryan Stempski, P.E. 651.300.4267
Chad Isakson, P.E. 651.300.4283

Date: January 2, 2018

To: Ben Prchal, City Planner
Cc: Emily Becker, Planning Director
From: Jack Griffin, P.E., City Engineer
Re: Fairfield PUD-CUP Site Plan
Engineering Site Plan Review

A Site Plan engineering review has been completed for the Fairfield Inn PUD located on Eagle Point Circle. The submittal consisted of the following documentation prepared by Larson Engineering, Inc. received on December 21, 2017:

- Sheet CO: ALTA Survey prepared by Sunde Land Surveying, dated 07.29.2015.
- Sheets C1-C7: Civil Site Plans prepared by Larson Engineering, Inc., dated 12.20.2017.
- Sheets L1-1, L1-2, L2-1: Landscape/Tree Preservation Plans prepared by Loucks, dated 11.21.2017.
- Stormwater Management Drainage Report, dated 12.20.2017.
- Stormsewer calculations, dated 12.21.2017.

Engineering review comments are as follows:

General Comments:

1. Engineering did not review zoning requirements, setbacks, impervious surface requirements or parking requirements. No parking lot lighting plan was received.
2. Specifications must be submitted for City review prior to construction. The City of Lake Elmo standard specifications must be used for all public infrastructure.
3. A plan note must be added to the landscape plan as follows: "All trees must be field located and reviewed by the City prior to installation to ensure minimum 5-foot separation from public utilities". Public utilities should be shown.

Stormwater Management:

1. Private Storm Sewer System onsite. The Storm Water Management Plan proposes to construct a privately owned and maintained storm sewer system on site to collect and control storm water runoff from approximately 1.3 acres of new impervious surface. The storm water runoff will be discharged to an existing regional infiltration basin.
2. With a privately owned and maintained Storm Water Management System, the applicant must execute and record the City's standard Storm Water Easement and Maintenance agreement which allows the City to perform maintenance at the owner's cost should the maintenance not be performed as required. The agreement also provides a minimum maintenance plan defining the maintenance responsibilities for the private owner, the type of maintenance, and the maintenance intervals.
3. Regional Pond. The existing regional pond facility is located within dedicated easement adjacent to the property and has sufficient rate control and volume control capacity to serve the Fairfield Inn PUD project.
4. SWWD Permit. The applicant must obtain a storm water permit from the SWWD for the project. A copy of the SWWD permit must be provided to the City prior to the start of construction.
5. MPCA Stormwater Construction Permit. The applicant is required to apply for and receive a Stormwater Construction Permit from the MPCA once a contractor has been obtained for the project.

6. Storm sewer calculations to verify pipe sizing for minimum 10-year storm event under gravity/manning's flow capacity must be submitted prior to the start of construction.

Site Plan:

1. The parking lot is designed to access Eagle Point Circle using a single concrete commercial driveway approximately 26-29 feet in width. The access location appears adequate.
2. The building, building footing and sidewalk must not encroach the southern utility easement. The full width of the easement is necessary to operate and maintain the existing 36-inch storm sewer pipe. Plan Sheet A12.1 must be updated to show no encroachment consistent with the Civil Site plans, sheet C2 as revised 12/21/2017.
3. The retaining wall must not encroach the utility easements along the Hudson Boulevard and Eagle Point Circle right-of-way. Plan Sheet A12.1 must be updated to show no encroachment consistent with the Civil Site plans, sheet C2 as revised 12/21/2017.

Grading and Erosion Control Plan:

1. The plan shows extensive retaining wall use along the length of the north property line. The retaining wall along the Hudson Boulevard right-of-way varies from 8-feet in height at Eagle Point Circle to 16-feet in height at the northeast corner of the site.
2. Retaining walls, or staged retaining walls, 4-feet in height or greater, as measured at the bottom of the footing, must be designed by a Professional Registered Engineer licensed in Minnesota. Engineering plans must be submitted to the City for review and approval prior to construction. The design engineer of record will be required to certify that the walls were constructed in the field in strict accordance with the approved plans and specifications. A plan note should be placed on the grading plan to communicate this procedure.
3. Add plan note to have retaining wall locations field staked to ensure no easement encroachments.
4. The City standard erosion control notes, drawings 600A, 600B, 600C and 600D must be moved from the details sheet and placed on the grading and erosion control plan sheet.

Utilities Plan:

1. Connection to existing sanitary sewer stub. The project proposes to connect to the existing 6-inch sanitary sewer stub located along the south side of the Hudson Boulevard right-of-way as required.
2. Connection to existing watermain stub. The project proposes to connect to an existing 8-inch watermain located along the south side of the Hudson Boulevard right-of-way as required. A 6-inch fire suppression and 3-inch water service line are proposed.
3. Two water meter vaults are proposed. The meter vaults must be located outside of the City right-of-way and utility easement areas.
4. Fire Hydrant locations. No new fire hydrants have been proposed. There are two existing fire hydrants located along Eagle Point Circle; one located approximately 190 feet from the proposed building and one located approximately 185 feet from the proposed building. Engineering understands that additional fire hydrants will be required interior to the Site per Building Official and Fire Chief review comments. All hydrants and connection watermain will be City owned and maintained.
 - o The site and utility plans must be revised and submitted for City review, showing the proposed hydrants and connection watermain. Utility easements must be dedicated to the City, minimum width of 30-feet centered over the pipe and hydrants, and all easements must be shown on the Site Plan, Utility Plan and Grading Plan.
5. All water lines must be installed to a minimum of 7.5 feet of ground cover. Any locations not meeting this requirement must be specifically identified on the plans and approved by the City prior to installation. Revise plan notes 8 and 9 accordingly.
6. A storm sewer sump manhole is proposed for storm water treatment prior to discharging the parking lot runoff to the regional drainage basin. The plans must add the City standard sump manhole Detail 405 to the plans.

From: [Michael Bent](#)
To: [Ben Prchal](#)
Subject: Fairfield Inn Preliminary Site Review Comments
Date: Thursday, December 21, 2017 8:35:06 AM
Attachments: [image001.jpg](#)

Chief Malmquist and I had an opportunity earlier this morning to lay out the plans and take a more thorough look at the Fairfield Inn plans. Several items of concern came up as follows:

1. The existing fire hydrants as shown will not be adequate for coverage on the site. The proposed location for the Fire Department Connection will ultimately dictate a final location for one of the needed hydrants and there will need to be a hydrant located on the north end of the site for sure. There will also need to be a hydrant located on the property side of the round-a-bout, the hydrant currently located across the drive lane does not provide a viable use as hose laid from this hydrant will then block the drive lane entry from further emergency vehicle access.
2. The rear of the site has very limited access, there is an assemble area proposed on the back with a fire pit and access is very limited. With a 4 story residential building like this, there is a need for wider access/walkway. There is a proposed hard surface around the back of the building but the hard surface will need to be wider, without emergency vehicle access ability, the hard surface will need to be wide enough to accommodate the ability for emergency personnel to deploy hand ladders for emergency rescue operations.
3. The ability for apparatus to access and maneuver in and around the site is another issue that needs review, typically the engineering review will verify adequate access including turn radius for emergency vehicle access.
4. There are other architectural/code review items that will arise once the project reaches the plan review stage.

Michael Bent
Building Official
City of Lake Elmo
651-747-3910
mbent@lakeelmo.org



South Washington Watershed District

2302 Tower Dr
Woodbury, MN 55125
651-714-3714
www.swwdmn.org

Permit #17-003

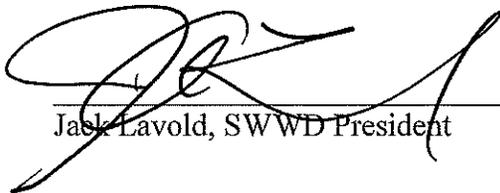
Expires on 12/12/2020

Pursuant to the Rules of the South Washington Watershed District and the District's standards and policies, and based upon statements and information contained in the permit application, letters, maps, and plans submitted by the applicant and other supporting data, all of which are made a part hereof by reference, permission is hereby granted to the permittee named below to conduct the activity described below. If an extension to the permit is needed, the permittee should submit a written request to the District at least 2 weeks prior to the expiration date.

<i>Name of Project</i> Fairfield Inn & Suites		
<i>Project Description</i> Commercial, 1.6 acres disturbance		
<i>Project Location</i> Eagle Point Circle & Hudson Blvd		<i>Municipality</i> Lake Elmo
<i>Permittee Name</i> Jerry Campbell	<i>Permittee Company</i> Central Design Group	
<i>Permittee Address</i> 200 Old 63 South, Suite 305, Columbia, MO 65201		
<i>Permittee Phone #s</i> 573-441-9391	<i>Permittee Fax</i>	<i>Permittee Email</i> jcampbell@centraldesigngroup.com , cc: mwoodruff@larsonengr.com
<i>In accordance with the plan received at the District on (date received):</i> November 21, 2017		

Authorized Signature:

Date of Issuance:



Jask Lavold, SWWD President

December 12, 2017

Special Stipulations

1. An as-built survey of all stormwater BMPs (ponds, rain gardens, trenches, swales, etc.) is to be submitted to the District for verification of compliance with the approved plans.

Erosion and Sediment Control Stipulations

1. Permittee must provide documentation that an NPDES permit has been approved by the Minnesota Pollution Control Agency.
2. Erosion control measures shall be in place prior to grading activities and maintained through project completion.
3. All exposed soils shall be stabilized within 14 days if not being actively worked and after the completion of grading. Slopes steeper than 3:1 shall be stabilized within 7 days.
4. The District Inspector may require additional erosion control features, dependent upon site condition.
5. Refer to the MPCA "Protecting Water Quality in Urban Areas" manual at <http://www.pca.state.mn.us/water/pubs/sw-bmpmanual.html> for BMPs.
6. Contact the District Inspector at 651/714-3714 if you have any questions or to discuss site stabilization practices.

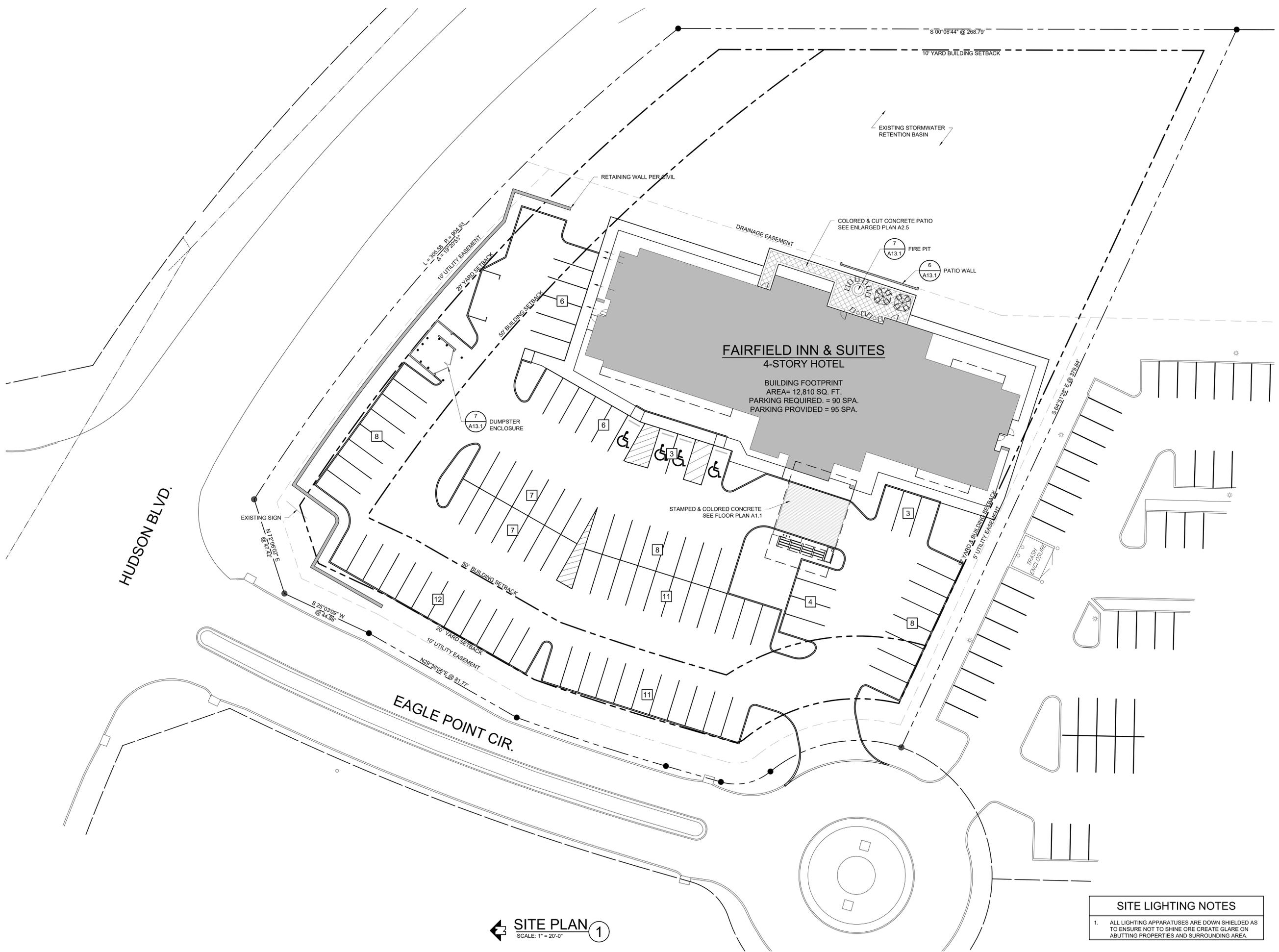
General Provisions

1. This permit expires when:
 - a. Work is not initiated within one year of issuance,
 - b. Work is idle for 12 consecutive months,
 - c. Work is not completed within 3 years of issue date.
2. The project shall be in accordance with the plans most recently submitted and approved by the District as part of the record of this project.
3. This permit is not assignable by the Permittee, except with the written consent of the SWWD.
4. The Permittee shall grant access to the site at all reasonable times during and after construction to authorized representatives of the SWWD for inspection of the work authorized hereunder.
5. In all cases where the Permittee, by performing the work authorized by this permit, shall involve the taking, using, or damaging of any property rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the Permittee, before proceeding shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights and interests needed for the work.
6. This permit is permissive only. No liability shall be imposed on the SWWD or any of its officers, agents, or employees officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the Permittee or any of its agents, employees, or contractors. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person against the Permittee, its agents, employees or contractors, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the SWWD against the Permittee, its agents, employees, or contractors for violation of or failure to comply with the permit or applicable provisions of law. If during the work conditions are encountered indicating that soil or groundwater contaminants may be present, work must cease until the SWWD has been informed. The SWWD may require additional information and may require that stormwater management plan be amended in order to properly manage site stormwater in the presence of contaminants.
7. Any stormwater management facilities approved as part of this permit shall be properly maintained in perpetuity to assure that they continue to function as originally designed.
8. Failure to comply with the provisions of this permit is a violation of the law and may result in issuance of a stop work order by the District.

JOB NUMBER	17005
ISSUE DATE	09-29-17
REVISIONS	

CDG II, L.L.C. © 2017

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws or the state of Minnesota.
 Signature: *Christopher Howard Bennett*
 Typed or Printer Name: CHRISTOPHER HOWARD BENNETT
 Date: 09/29/17
 License Number: 54831



FAIRFIELD INN & SUITES
 4-STORY HOTEL
 BUILDING FOOTPRINT
 AREA= 12,810 SQ. FT.
 PARKING REQUIRED. = 90 SPA.
 PARKING PROVIDED = 95 SPA.

HUDSON BLVD.

EAGLE POINT CIR.

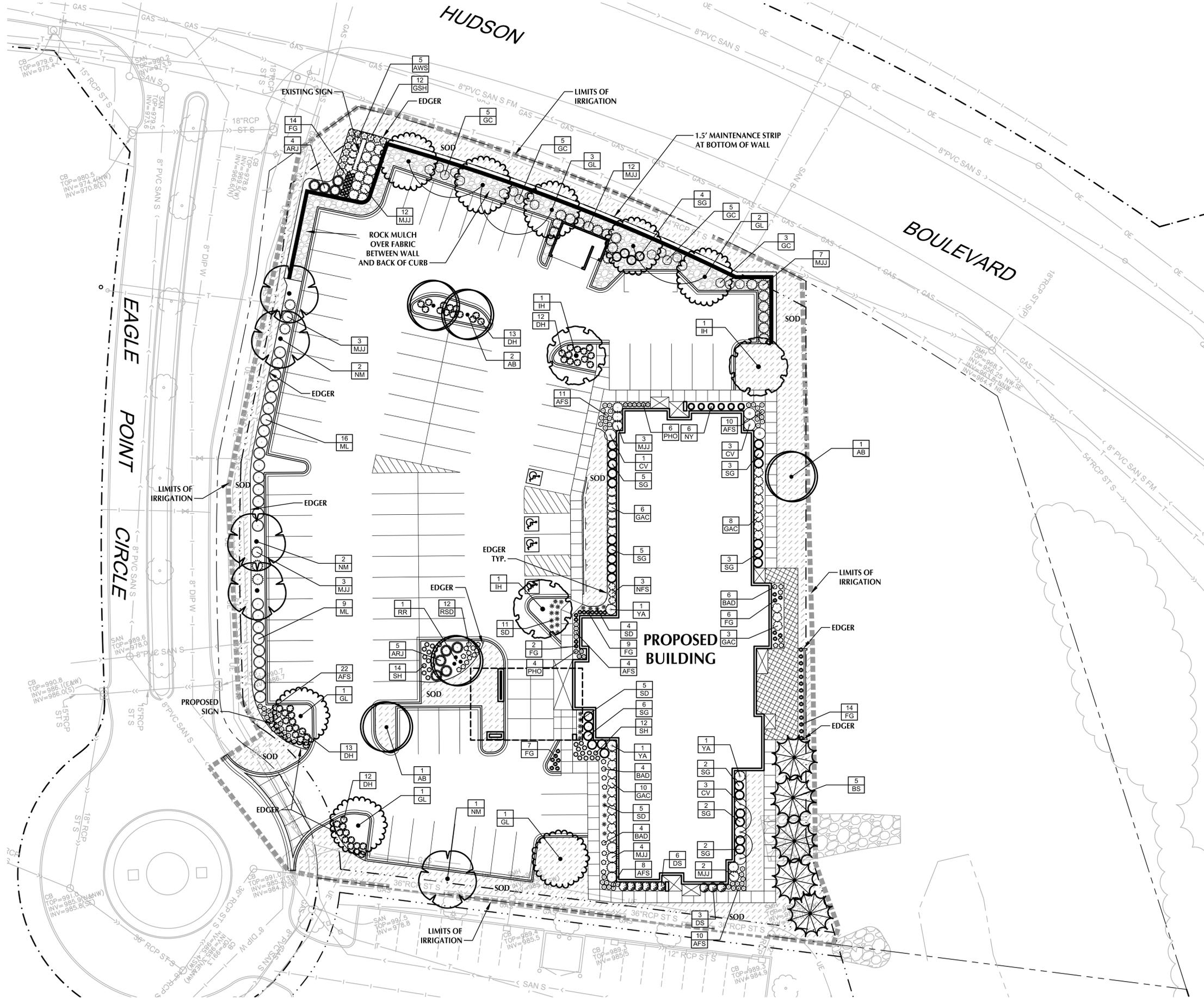
SITE PLAN 1
 SCALE: 1" = 20'-0"

SITE LIGHTING NOTES
 1. ALL LIGHTING APPARATUS ARE DOWN SHIELDED AS TO ENSURE NOT TO SHINE OR CREATE GLARE ON ABUTTING PROPERTIES AND SURROUNDING AREA.

FAIRFIELD INN & SUITES
 LAKE ELMO, MN
 ARCHITECTURE | PLANNING | INTERIOR DESIGN | PROCUREMENT
 CENTRAL DESIGN GROUP II • 200 OLD 63 SOUTH, SUITE 305 • COLUMBIA, MISSOURI, 65201 • TEL: 573.441.9391



SITE PLAN
A12.1



FAIRFIELD INN
LAKE ELMO, MN

CENTRAL DESIGN GROUP

LOUCKS
PLANNING
CIVIL ENGINEERING
LAND SURVEYING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL
7200 Hemlock Lane, Suite 300
Maple Grove, MN 55369
763.424.5505
www.loucksin.com

LANDSCAPE REQUIREMENTS

- (1) TREE EVERY 50' OF STREET FRONTAGE
-APPROX. 515' ALONG HUDSON AND EAGLE POINT.
-515/50 = 10 TREES REQUIRED
11 TREES PROPOSED
- (5) TREE EVERY 1 ACRE OF DEVELOPED LAND
-APPROX. 1.75 ACRES BEING DEVELOPED
- 9 TREES REQUIRED
14 TREES PROPOSED

CADD QUALIFICATION
CADD files prepared by the Consultant for this project are instruments of the Consultant's professional services for use solely with respect to this project. These CADD files shall not be used on other projects, for additions to this project, or for completion of this project by others without written approval by the Consultant. With the Consultant's approval, others may be permitted to obtain copies of the CADD drawing files for information and reference only. All intentional or unintentional revisions, additions, or deletions to these CADD files shall be made at the full risk of that party making such revisions, additions or deletions and that party shall hold harmless and indemnify the Consultant from any & all responsibilities, claims, and liabilities.

SUBMITTAL/REVISIONS

GENERAL NOTES

CONTRACTOR SHALL VISIT SITE PRIOR TO SUBMITTING BID. HE SHALL INSPECT SITE AND BECOME FAMILIAR WITH EXISTING CONDITIONS RELATING TO THE NATURE AND SCOPE OF WORK.

VERIFY LAYOUT AND ANY DIMENSIONS SHOWN AND BRING TO THE ATTENTION OF THE LANDSCAPE ARCHITECT ANY DISCREPANCIES WHICH MAY COMPROMISE THE DESIGN AND/OR INTENT OF THE PROJECT'S LAYOUT.

ASSURE COMPLIANCE WITH ALL APPLICABLE CODES AND REGULATIONS GOVERNING THE WORK OR MATERIALS SUPPLIED.

CONTRACTOR SHALL PROTECT ALL EXISTING ROADS, CURBS/GUTTERS, TRAILS, TREES, LAWNS AND SITE ELEMENTS DURING PLANTING OPERATIONS. ANY DAMAGE TO SAME SHALL BE REPAIRED AT NO COST TO THE OWNER.

CONTRACTOR SHALL VERIFY ALIGNMENT AND LOCATION OF ALL UNDERGROUND AND ABOVE GRADE UTILITIES AND PROVIDE THE NECESSARY PROTECTION FOR SAME BEFORE CONSTRUCTION / MATERIAL INSTALLATION BEGINS (MINIMUM 10' - 0" CLEARANCE).

ALL UNDERGROUND UTILITIES SHALL BE LAID SO THAT TRENCHES DO NOT CUT THROUGH ROOT SYSTEMS OF ANY EXISTING TREES TO REMAIN.

EXISTING CONTOURS, TRAILS, VEGETATION, CURB/GUTTER AND OTHER EXISTING ELEMENTS BASED UPON INFORMATION SUPPLIED TO LANDSCAPE ARCHITECT BY OTHERS. CONTRACTOR SHALL VERIFY ANY AND ALL DISCREPANCIES PRIOR TO CONSTRUCTION AND NOTIFY LANDSCAPE ARCHITECT OF SAME.

THE ALIGNMENT AND GRADES OF THE PROPOSED WALKS, TRAILS AND/OR ROADWAYS ARE SUBJECT TO FIELD ADJUSTMENT REQUIRED TO CONFORM TO LOCALIZED TOPOGRAPHIC CONDITIONS AND TO MINIMIZE TREE REMOVAL AND GRADING. ANY CHANGE IN ALIGNMENT MUST BE APPROVED BY LANDSCAPE ARCHITECT.

PROFESSIONAL SIGNATURE

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Landscape Architect under the laws of the State of Minnesota.

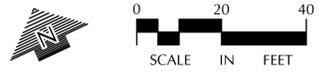
Larry L. Wacker - LA
License No. 20383
Date

QUALITY CONTROL

Loucks Project No. 15439.0A
Project Lead LW
Drawn By DDL
Checked By LW
Review Date 12/07/17

SHEET INDEX

LANDSCAPE PLAN
L1-1



Plotted: 12/07/2017 10:59 AM W:\2015\15439\ACADD DATA\LANDSCAPE\Draw Sheet Files\L1-1 Landscape Plan

**CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA**

RESOLUTION NO. 2018-008

*A RESOLUTION APPROVING FAIRFIELD INN FINAL PLANNED UNIT DEVELOPMENT
PLANS*

WHEREAS, Central Design Group LLC, 200 Old 63 South Suite 305, Columbia, MO 65201 (“Applicant”) has submitted an application to the City of Lake Elmo (“City”) for approval of Final Planned Unit Development (PUD) Plans for a Fairfield Inn; and

WHEREAS, the Lake Elmo Planning Commission held a Public Hearing on January 22, 2018 to consider the Final PUD Plans for the Fairfield Inn Hotel; and

WHEREAS, the City Council reviewed the recommendation of the Planning Commission and the proposed Fairfield Inn Final PUD Plans at a meeting on February 7, 2018; and

NOW, THEREFORE, based upon the testimony elicited and information received, the City Council makes the following:

FINDINGS

- 1) That the Applicant has submitted all application requirements outlined in Sections 154.759 for Final PUD Plans.
- 2) That the Final PUD Plans for Lot 1, Block 1, HOA 2nd Addition is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 3) That the proposed Final PUD Plans generally comply with the Lake Elmo Zoning District regulations for the BP – Business Park Zoning District.
- 4) That the proposed Final Plat for Lot 1, Block 1, HOA 2nd Addition meets other City zoning ordinances, such as landscaping, tree preservation, erosion and sediment control, and other ordinances, except as noted below. Requested PUD flexibility is being requested for:
 - a) Off-Street Loading: Allowing development with no off-street loading area as required by the Off-Street Loading Area Code 154.211.
 - b) Impervious Surface: Allowing 49.6% impervious surface when 30% is required by the Shoreland Ordinance 154.800.
- 5) That the Fairfield Inn Final Plat and PUD Plans will not conflict with nearby land uses.

- 6) The proposed Final PUD Plans generally adhere to the City's engineering standards provided all the comments outlined in the City engineers report dated 1/2/2018 are addressed.
- 7) Complies with the development and design standards for the Eagle Point Business Park.
- 8) Is consistent with the Lake Elmo Design Guidelines and Standards Manual, and specifically, the guidelines for business park development.
- 9) Meets the identified objectives associated with a Planned Unit Development project as listed in Section 154.751 of the Lake Elmo Zoning Ordinance.
- 10) The development meets at least one of the identified objectives outlined in section 154.751 of the PUD development regulations Chapter.

CONCLUSIONS AND DECISION

Based on the foregoing, the Applicants' application for Final and PUD Plans, subject to the following conditions of approval:

- 1) That the parking lot screening and landscaping shall be established and maintained per the landscape screening requirements in 154.258, be free of refuse, and be guaranteed for two years and the planting shall be replaced if the material dies before the second year.
- 2) All required conditions and modifications to the plans as requested by the City Engineer in a review letter dated 1/2/2018 shall be incorporated into the plans prior to approval of a building permit. Including the dedication of easements
- 3) That the Fire Chief's and Building Official's comments outlined below from their letter dated 12/21/17 be incorporated into the plans prior to final approval:
 - a. The existing fire hydrants as shown will not be adequate for coverage on the site. The proposed location for the Fire Department Connection will ultimately dictate a final location for one of the needed hydrants and there will need to be a hydrant located on the north end of the site for sure. There will also need to be a hydrant located on the property side of the round-a-bout, the hydrant currently located across the drive lane does not provide a viable use as hose laid from this hydrant will then block the drive lane entry from further emergency vehicle access.
 - b. The rear of the site has very limited access, there is an assemble area proposed on the back with a fire pit and access is very limited. With a 4 story residential building like this, there is a need for wider access/walkway. There is a proposed hard surface around the back of the building but the hard surface will need to be wider, without emergency vehicle access ability, the hard surface will need to be wide enough to accommodate the ability for emergency personnel to deploy hand ladders for emergency rescue operations.

- c. The ability for apparatus to access and maneuver in and around the site is another issue that needs review, typically the engineering review will verify adequate access including turn radius for emergency vehicle access.
 - d. There are other architectural/code review items that will arise once the project reaches the plan review stage.
- 4) The applicant comply with all conditions of the South Washington Watershed District permit 17-003 issued on December 12, 2017.
 - 5) The applicant shall enter into a maintenance agreement with the City concerning the storm water infiltration areas prior to the issuance of a building permit.
 - 6) The applicant shall secure a sign permit for all signage associated with the medical building. Staff shall review all such signs for conformance with the Eagle Point Business Park Design and Development Standards and the City sign code.
 - 7) That the Applicant enter in to a site work agreement with the City for all work within the public right-of-way.
 - 8) That a permit be secured for demolition of the existing Eagle Park Business Park development sign if it is lit or electrified.
 - 9) That the exterior materials and colors are consistent with what is outlined in the Business Park Design Standards

Passed and duly adopted this 7th day of February, 2018 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION 2018-009

*A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR FARIFIELD INN A
HOTEL FOR THE PROPERTY LOCATED AT 8585 EAGLE POINTE CIRCLE*

WHEREAS, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, Central Design Group LLC, 200 Old 63 South Suite 305, Columbia, MO 65201 (the “Applicant”) has submitted an application to the City of Lake Elmo (the “City”) for a Conditional Use Permit for a Hotel for the property located at 8585 Eagle Pointe Circle (the “Property”); and

WHEREAS, notice has been published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.102; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on said matter on January 22, 2018; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation to the City Council as part of a Staff Memorandum dated February 7, 2018; and

WHEREAS, the City Council considered said matter at its February 7, 2018 meeting.

NOW, THEREFORE, based on the testimony elicited and information received, the City Council makes the following:

FINDINGS

- 1) That the procedures for obtaining said Conditional Use Permit are found in the Lake Elmo Zoning Ordinance, Section 154.106.
- 2) That all the submission requirements of said Section 154.106 have been met by the Applicant.
- 3) That the proposed Conditional Use Permit includes the following components:

- a. A Conditional Use Permit for the operation of a hotel located at 8585 Eagle Pointe Circle.
- 4) That the Conditional Use Permit for a hotel which will be for the Property legally described as follows: SUBJ TO EASE SUBDIVISIONNAME HOA 2ND ADD LOT 1 BLOCK 1 SUBDIVISIONCD 02141 PID# 33.029.21.43.0007.
- 5) The proposed use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or the city.
 - **The development of the hotel will not be detrimental to the surrounding businesses/residents.**
- 6) The use or development conforms to the City of Lake Elmo Comprehensive Plan.
 - **The site is guided as a Business Park, hotels are an allowed use within business parks.**
- 7) The use or development is compatible with the existing neighborhood.
 - **The use is not unique to the area and will not be detrimental to the items listed above.**
- 8) The proposed use meets all specific development standards for such use listed in Article 9 of this Chapter. (Ord. 08-152)
 - **There are not specific standards for hotels in article 9. However, they must adhere to the design standards which have been established by the City.**
- 9) If the proposed use is in a flood plain management or shoreland area, the proposed use meets all the specific standards for such use listed in Chapter 150, §154.800 (Shoreland Regulations) and Chapter 152 (Flood Plain Management).
 - **Part of the development area is within the Shoreland district. The DNR recommends that impervious surface not exceed 25% for commercial PUDS. However, this is a recommendation and not a requirement. However, it exceeds the 30% impervious surface allowance for sewerred areas in the shoreland district within our code.**
 - **The Eagle point approved standards from 1999 states the tributary setback will be 25' from the OHM, the building 30' from the tributary setback, and parking shall be 10' from the tributary setback. The development meets this requirement.**
- 10) The proposed use will be designed, constructed, operated and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity and will not change the essential character of that area.
 - **There are other hotels in the area as well as professional services.**
- 11) The proposed use will not be hazardous or create a nuisance as defined under this Chapter to existing or future neighboring structures.

- **The structure is designed in a way that adheres to city code as not to cause a nuisance, specifically the design standards guidelines.**
- 12) The proposed use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use.
- **The site has access to public utilities and will be connecting to them. See item number 9 for more comment on fire protection.**
- 13) The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- **The site/use is not expected incur costs beyond what is expected for the development of property. However, in the event of an emergency costs may be increased as the Fire and Building Official feel the fire hydrants are not placed appropriately. Also the rear assembly area may need to be wider to deploy hand ladders.**
- 14) The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors.
- **It is not expected that a hotel will generate or produce any of the items/activates listed above.**
- 15) Vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares.
- **The City engineer has reviewed all roadways and entrances, and has determined that they meet what is required.**
- 16) The proposed use will not result in the destruction, loss or damage of a natural or scenic feature of major importance.
- **The site has not been identified as sensitive or scenic. The property is not within a portion of the City that needs a park or within the Greenway project area.**

CONCLUSIONS AND DECISION

Based on the foregoing, the Applicant's application for a Conditional Use Permit for a Hotel, subject to the following conditions:

- 1) That the City approve the Conditional Use Permit submitted by the Applicant, subject to the approval of the Planned Unit Development Plans and conditions associated with the project.

Passed and duly adopted this 7th day of February, 2018 by the City Council of the City of Lake Elmo, Minnesota.

Michael Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk