



STAFF REPORT

DATE: 07/16/19

REGULAR

TO: City Council
FROM: Ken Roberts, Planning Director
AGENDA ITEM: **Planned Unit Development Concept Plan Review for Frisbee Properties Senior Housing – 39th Street North**
REVIEWED BY: Ben Prchal, City Planner

BACKGROUND:

The City has received a request from Frisbee Properties LLC (c/o Mathew Frisbee) for a review of a Planned Unit Development (PUD) Concept Plan for a 60 unit rental senior (for those ages 55 plus) housing development on a 5 acre parcel on 39th Street North.

The Planning Commission held a public hearing and reviewed the concept PUD plans for the proposal on July 8, 2019. After discussion and reviewing public comments (received via e-mail), the Planning Commission made a recommendation of approval of the Concept PUD plan with the staff-proposed conditions based on findings. No one from the public (other than the applicant) spoke at this meeting.

ISSUE BEFORE THE CITY COUNCIL:

The Council is being asked to review the concept PUD plans, provide feedback and adopt Resolution 2019 - ___ approving the concept PUD plans for the 39th Street Senior Housing proposal, subject to conditions.

PROPOSAL DETAILS/ANALYSIS:

General Information.

- *Property Owner:* Lake Elmo Business Park Co., Stillwater Minnesota
- *Applicant:* Frisbee Properties (c/o Mathew Frisbee)
- *Location:* North side of 39th Street N, east of Arbor Glen Senior Housing and Lake Elmo Avenue
- *Site Area:* 5 acres
- *Land Use Guidance:* 2040 Comprehensive Plan – Village Mixed Use
- *Zoning:* VMX – Village Center Mixed Use
- *Surrounding Land Use Guidance:* Vacant Commercial (VMX) to the East, Urban Low Density Residential to the North (Village Preserve), Arbor Glen Senior Housing to the West and vacant commercial and institutionally planned land across 39th Street to the South.
- *History:* The property has been used as vacant land.
- *Deadline for Action:* Application Complete: June 7, 2019
60-day timeline: August 7, 2019
- *Applicable Code:* Article VII – Specific Development Standards
Article XI – Village Mixed Use District

City of Lake Elmo Design Guidelines and Standards Manual

CONCEPT PUD PLAN REVIEW

PUD Review Process. The City Code for PUD's requires several steps in the project review and approval process. Section 154.758 of the City Code (below) provides all the details about the review process and steps. As noted subsection in E2, the Planning Commission is to hold a public hearing about the concept plan and report its findings and recommendations to the City Council.

§ 154.758 PROCEDURES FOR PROCESSING A PLANNED UNIT DEVELOPMENT.

There are four stages to the PUD process: application conference, general concept plan, preliminary plan and final plan, as described below.

- A. *Application Conference.* Upon filing of an application for PUD, the applicant of the proposed PUD shall arrange for and attend a conference with the Planning Director. The primary purpose of the conference shall be to provide the applicant with an opportunity to gather information and obtain guidance as to the general suitability of his or her proposal for the area for which it is proposed and its conformity to the provisions of this subchapter before incurring substantial expense in the preparation of plans, surveys and other data.
- B. *General Concept Plan.* The general concept plan provides an opportunity for the applicant to submit a plan to the city showing his or her basic intent and the general nature of the entire development without incurring substantial cost. The plan should include the following: overall density ranges, general location of residential and nonresidential land uses, their types and intensities, general location of streets, paths and open space, and approximate phasing of the development.
- C. *Preliminary Plan.* Following approval of the general concept plan, the applicant shall submit a preliminary plan application and preliminary plat, in accordance with the requirements described in § 153.07. The application shall proceed and be acted upon in accordance with the procedures in this subchapter for zoning changes.
- D. *Final Plan.* Following approval of the preliminary plan, the applicant shall submit a final plan application and final plat, in accordance with the requirements described in § 153.08. The application shall proceed and be acted upon in accordance with the procedures in this ordinance for zoning changes. If appropriate because of the limited scale of the proposal, the preliminary plan and final plan may proceed simultaneously.
- E. *Schedule for Plan Approval*
 1. Developer presents the general concept plan to the Planning Commission for their review and comment.
 2. After verification by the Planning Director that the required plan and supporting data are adequate, the Planning Commission shall hold a public hearing, with public notice.
 3. The Planning Commission shall conduct the hearing and report its findings and make recommendations to the City Council.
 4. The City may request additional information from the applicant concerning operational factors or retain expert testimony at the expense of the applicant concerning operational factors.
 5. The Council may hold a public hearing after the receipt of the report and recommendations from the Planning Commission. If the Planning Commission fails to make a report within 60 days after receipt of the application, then the City Council may proceed without the report. The Council may approve the general concept plan and attach such conditions as it deems reasonable.

6. Following approval of the General Concept Plan, the application may proceed to the preliminary plan phase.

Concept Plan Review: The Staff review comments that follow are all based on conducting a high level review of the Concept Plan since the City does not require a lot of detailed information at this stage in the PUD review process. Staff has focused on the bigger picture items for general compliance with the Comprehensive Plan and the City Code and on those things that could be a concern or would otherwise not allow the development to move forward as proposed.

Ownership and Management: The applicant noted that Ebenezer will assist with the marketing and sales (rentals) of the units with the expectation of filling the facility within 2 years. Ebenezer also will be providing the on-site management (with 3 employees) and consulting services for the facility.

Site Plan. The proposed site plan includes 10 buildings – 42 units in a 3-story building near the north property line and 9 patio home buildings with 2 units in each for a total of 60 units. The apartment building would include amenities such as community room, multi-purpose rooms, fitness room, management office and a food serving kitchen for serving community room. This building also would have indoor parking for 42 motor vehicles.

The detached patio homes would surround the center garden/green area that is shown with gardens, gazebos, bocce ball and pickle ball courts. The patio homes would each have an attached, direct-access garage.

Site Character. The site is vacant and relatively flat. There is a row of large spruce trees and Amur Maples along the northern property line.

Vehicular Access. The proposed concept plan shows two access driveways into the site from 39th Street. The spacing of the western proposed driveway in relation the existing driveway for Arbor Glen to the west may not meet City standards. In addition, the City standards/expectations for driveways for each property on 39th Street was that each property would have one driveway. The two proposed driveways do not meet City access spacing guidelines. The developer should revise the plans to have one primary driveway into the site that meets the spacing requirement of at least 300 feet from the existing Arbor Glen driveway. The City Engineer's review memo (attached) provides more details about streets and access for this site.

Trails and Pedestrian Access. There is an existing trail along 39th Street North. The proposed project plans show sidewalks on both sides of the two entrance driveways going into the site that would connect to the trail along 39th Street. These sidewalks would provide pedestrian access to the one-level patio homes, to the gardens and recreation area in the center of the site and to the dog park proposed for the southwest corner of the property.

The plans also show a sidewalk going from the dog park proceeding west onto the Arbor Glen site. The applicant should revise the location of this proposed sidewalk as it would put pedestrians in a poor location to cross the Arbor Glen driveway. This potential crossing location does not appear safe as the pedestrians would have a long distance to travel to get to another sidewalk or safe location.

Setbacks. The proposed site plan shows a variety of building and parking lot setbacks on the site. These include a front setback for the buildings of 20 feet (from 39th Street), a setback of 35 feet for the patio buildings from the west property line and a 25 foot setback from the west property line for the apartment building, a 25 foot rear yard building setback (from the north property line) for the apartment building and a 50 foot interior side yard setback for the patio buildings from the eastern property line. All these setbacks meet or exceed the minimum required by code and as proposed (unless additional public street right-of-way is needed for 39th Street). (Please see the City Engineer's comments for additional information about the streets and access).

According to the applicant, the proposed concept plan has 49.6 percent of the site as impervious surface (buildings and hardscape) and 50.4 percent of the site with pervious surfaces (green space and landscape areas). The City Code for residential development in the VMX Zoning district requires that at least 25 percent of the site have pervious surfaces (a maximum of 75 percent impervious) so, as proposed, the PUD meets this requirement.

Proposed Design. The proposed design of the development is a mix of buildings including the 42-unit senior living, 3-story building (with a mix of one, two and three bedroom units) with internal parking and the 9 buildings with 2 units in each to create the 18 patio homes. These units will have a mix of 2 and 3 bedrooms and each will have an attached garage space.

According the applicant, the exterior of the buildings will complement the adjacent Arbor Glen facility and will have exteriors with brick, stone, cementitious siding (Hardi-plank) with a sloping asphalt shingle roof. All building designs will need to meet the Lake Elmo Design Guidelines and Standards for materials and colors.

Proposed Unit Breakdown. The proposed number of units totals 60. The following provides a breakdown of the proposed unit types and the number of units of each:

Unit Type	Number of Units	Number of Units	Total Number of Units
	Apartment Building	Detached Buildings	
Studios	0	0	0
1-Bedroom	5	0	5
2-Bedroom	32 (16 2-bedroom units and 16 1 bedroom plus den units)	15	47
3-Bedroom	5	3	8
Total	42	18	60

Parking. The City’s Zoning Code requires one off-street parking space per senior housing unit (regardless of size or number of bedrooms) and at least one visitor parking space per every four units. With 60 proposed senior housing units, the Code requires at 75 parking spaces for this development. In this case, the developer is proposing a total of 117 parking spaces – including 42 parking spaces in the proposed apartment building, 29 surface parking spaces near the front entrance of the apartment building and 10 parking stalls along the entrance driveways (next to the center garden/court area). The proposed plans show that each of the 18 patio homes would have an attached garage parking space and a parking space on their driveway (for a total of 36 parking spaces) for these units.

The proposed width and length of parking stalls appear compliant with code, and the proposed width (shown to be 24’) is adequate for a 2-way vehicle movement on the two main driveways on the site, according to the Zoning Code. The plans also show two parking spaces proposed to be Americans with Disabilities Act (ADA)-accessible.

Engineering Comments. The City Engineer has provided a detailed review memo (dated July 1, 2019) regarding the proposed General Concept PUD. This memo is attached for reference. Staff would like to highlight the following comments in summary:

- *Streets and Transportation*
 - The site plan must be revised to show only one driveway access to this property that should be at least 300 feet from the Arbor Glen Driveway.

- No parking and construction staging, including the loading and unloading of materials and equipment will be allowed at any time on 39th Street during the construction of the site improvements and buildings.
- A traffic impact study should be completed and submitted as part of the preliminary PUD and site plan application to determine if turn lanes will be required at the driveway access or at 39th Street North and Lake Elmo Avenue.
- *Municipal Sanitary Sewer*
 - Sanitary sewer is readily available to the site. The applicant or developer will be responsible for connecting to the City sanitary sewer system and extending sanitary sewer in to the property at the applicant's sole cost with private sewer service stubs installed for connection to each individual building.
- *Municipal Water Supply*
 - The existing City water system is readily available to this site. The applicant will be required to connect, at its sole cost, to the existing 8-inch DIP stub that was installed to serve this property.
 - The applicant will be responsible to place fire hydrants throughout the property at the direction of the Fire Department. All fire hydrants shall be owned and maintained by the City.
 - Any watermain lines and fire hydrants placed within the development will require 30-foot-wide utility easements centered over the pipe. These easements must be dedicated to the City and provided in the City's standard form of easement agreement.
- *Stormwater Management*
 - The concept plan does not address storm water management. The proposed development is subject the construction of a storm water management plan and system that meets State, Valley Branch Watershed District (VBWD) and City rules. All stormwater facilities need to be designed and installed in accordance with City and Valley Branch Watershed District (VBWD) requirements.
 - All stormwater facilities constructed for this development are to remain privately owned and maintained. The city will require the applicant or developer to execute and record of a Stormwater Maintenance and Easement Agreement with the City in its standard form.
 - Even as privately owned and maintained facilities, the City requires the developer to provide maintenance access roads or drives that meet City engineering design standards for all storm water facilities.
 - The existing downstream drainage basins for the 39th Street storm sewer system do not have available treatment or storage capacity to accommodate new development. Therefore, any storm sewer connections to the 39th Street system must be at both reduced runoff rates and volumes.

Valley Branch Watershed District Comments: I have not received comments from John Hanson from the Valley Branch Watershed District about this proposal. However, he provided the City with the following comments about another recent development proposal that should be applicable to this site:

1. The project will require a Valley Branch Watershed District (VBWD) permit. Once the applicant submits a complete VBWD permit application, they will review it for conformance to the VBWD rules and regulations.
2. I understand the applicant is proposing underground facilities to control stormwater runoff rates and to provide the required stormwater runoff volume treatment. The VBWD will need to see soil borings and/or other infiltration testing results, computations and design details to determine whether the proposed underground facility will conform to the VBWD rules and regulations.

Tree Removal and Preservation. The applicant has not yet submitted a proposed tree and landscaping plan for this site. The City will require the applicant to provide a complete tree inventory and tree preservation/replanting and landscaping plans as part of any site development applications going forward.

The City's tree preservation ordinance allows for 30% removal of significant trees on a site and the City requires a tree mitigation plan showing how the developer will replace any removed trees.

Landscaping/Screening: There is a row of significant large trees along the north property line of the site. These trees provide screening between the existing single-family homes to the north and this development site. The developer/architect should design the project to preserve as many of the existing trees as possible. The City Code requires a screening/landscape barrier between a less intense land use and a more intense land use that is at least 90 percent opaque. This standard will apply for the northern property line of this site.

The applicant has not yet provided the City with any details about landscaping for the site (nor are they required to at this point of the review). The City will require the applicant to submit detailed landscape plans with their preliminary PUD application and those plans will need to meet or exceed the City's Landscape Requirements for the replanting of trees and for screening.

The landscape ordinance requirements are as follows:

1 tree per 50 lineal feet of street frontage, plus
5 trees for every 1 acre of development.
The required trees must be 25% deciduous, and 25% coniferous.

Landscape requirements for the site are as follows:

$$450 \text{ lin. Ft. of frontage} / 50 = 9 \text{ trees} + 5 \text{ acres} \times 5 = 25 \text{ trees} = \text{for a total of } 34 \text{ trees}$$

All tree removal, screening and landscape plans will subject to review by the City's Landscape Architect.

Building Official and Fire Chief Review. The Building Official and Fire Chief have reviewed the proposed concept plan and have provided several comments. Specifically, the Fire Chief noted:

- Ensure compliance with all applicable codes in the 2015 MN State Fire Code.
- Also, ensure compliance with MN State Fire Code Appendix D, with particular attention to address Section 105 if applicable based on current proposed building height. The applicant has made a change from the original concept drawing to address this. They have proposed a 22' wide Fire Access Lane on the East end of the building. If the building height meets the criteria of Section D105 AERIAL FIRE APPARATUS ACCESS ROADS, this road will need to be increased to 26' in width to accommodate Aerial Apparatus.

It appears that access to the rear of the building, (using the proposed Fire Access Lane to the East and the Arbor Glen Drive to the West) does not meet the 150' requirement as stated in Section 503.1.1 of the 2015 MN State Fire Code. I would like to discuss this further with the Building Official and the applicant to determine if there are any possible exceptions in the Code to address this.

Moving forward, some of the items we'll need to address are as follows:

- FDC (Fire Department Connection) locations.
- Fire hydrant locations, will review Utility Plan w/Engineer.
- Ensure proper access and turning radius's throughout the site, meet Engineering Standards
- Lockboxes
- Road widths
- No Parking areas, will review w/Engineer

The City Building Official (Kevin Murphy) also provided me with comments about the concept plan. He noted the following:

- Plans shall be prepared an Architect, Structural Engineer and Mechanical Engineer.
- The plumbing plans shall be submitted to the State for review.
- The elevator requires a permit issued by DOLI (Minnesota Department of Labor and Industry).
- All fire suppression plans shall be submitted to the State Fire Marshall’s Division for review.

2040 Comprehensive Plan. The 2040 Comprehensive Plan has designated this site Village Mixed Use (VMX) in the land use plan. The Comprehensive Plan identifies VMX as “an area where a mix of vertically integrated commercial/business and residential uses provide development types that benefit from proximity to each other. Land with this designation is assumed to redevelop or develop with a minimum of 50 percent residential use with a density ranging from 5 to 10 dwelling units per acre.”

The proposal is to have 60 units on a 5 acre site – 12 units per acre. The developer will be asking the City for amenity points to allow for an increase density to 60 units – 10 more than the 50 units allowed by the Comprehensive Plan. The proposed density and amenity points are discussed in more detail later on this report.

Consistency with Village Mixed Use Zoning District. As mentioned, the zoning of the site of the proposed development is VMX (village mixed use). Section 154.500 of the Zoning Code includes the purpose and description of the VMX zoning district. It states in part “the purpose of the VMX district is to provide an area for compact, mixed-use development made mutually compatible through a combination of careful planning and urban design and coordinated public and private investment. Development within areas zoned VMX will occur at a density of 6-10 units per acre. The placement of building edges and treatment of building, parking, landscaping and pedestrian spaces is essential to creating the pedestrian friendly environment envisioned for the VMX district.”

For comparison, staff reviewed the proposed General PUD Concept Plan against the standards including setbacks, impervious coverage, etc. of the Village Mixed Use zoning district, as shown below.

Standard	Required	Proposed
Impervious Surface Maximum	75%	49.6%
Minimum Lot Width	75 feet	450 feet on 39 th Street North
Front Yard Setback	20 feet	20 feet
Interior Side Yard	10 feet	35 feet
Corner Side Yard	10 feet	N.A.
Rear Yard Setback	10 feet	25 feet
Maximum Building Height	45 feet (by PUD)	35 feet
Parking	Not to be located in the front yard or between the front façade and public street.	Parking is located in front of the proposed apartment building, though this proposed parking lot would setback about 300 feet from 39 th Street and would be screened from the street by buildings and the proposed garden areas.
Open space	200 square feet of common open space provided per unit. In this case, at least 12,000 square feet of common open space for the 60 proposed units.	It appears there is at least 60,000 square feet of open space provided on site with the garden areas, bocce ball and pickle ball

		courts and the dog park in the southwest corner of the site.
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Adherence to Lake Elmo Design Guidelines and Standards.

The proposed development will need to meet the standards of the Lake Elmo design guidelines. It appears that the project will meet the Lake Elmo Design Guidelines and Standards in that:

- The proposed structures are located and oriented in a manner that allows for pedestrian accessibility and provides visual interest from the public right-of-way.
- The buildings are located as close to the public street as possible, easily accessible from the street; setbacks are varied slightly; recreational and common spaces are located at the interior or rear of the site.
- The parking areas do not account for more than 50% of street frontage.
- Examples of past developments adhere to building design requirements. It is a recommended condition of approval that the applicant include a detailed architectural plan proposal for the development.

Consistency with Planned Unit Development Regulations. The applicant has requested City approval of a PUD for this development because it will have multiple buildings on one property and to allow for an increase in density through the use of amenity points. Staff has reviewed the proposed plan for its consistency with requirements of Article XVII: Planned Unit Development (PUD) Regulations and has found the following:

- **Intent.** The intent of a PUD is to provide for flexibility in the use of land and the placement and size of buildings in order to better utilize site features and obtain a higher quality of development. A PUD is required for the proposed development, as more than one principal building is proposed to be placed on a platted lot and the proposed residential density would be greater than the 10 units per net acre as allowed by the Comprehensive Plan.
- **Identified Objectives.** When reviewing requests for PUDs, the City is to consider whether one or more objectives as outlined in Section 154.751: Identified Objectives of the Zoning Code will be served or is achieved. Staff has found that the proposed development would meet the following objectives:
 - A. *Innovation in land development techniques that may be more suitable for a given parcel than conventional approaches.*
 - The proposed development is in part not a typical, multi-story apartment building and instead proposes some of the units with a one-level townhouse design with private, ground-level entrances and attached garages for each unit.
 - B. *Promotion of integrated land use, allowing a mixture of residential, commercial and public facilities.*
 - The proposed development is a mixture of housing types in an area with a variety of land uses including a building for seniors to the west, single-family homes to the north and vacant properties to the east and across 39th Street.
 - C. *Provision of a more adequate, usable, and suitably located open space, recreational amenities and other public facilities than would otherwise be provided under conventional land development techniques.*

- The proposed development is proposing a number of recreational amenities to residents within the PUD including pet playground, gardens, gazebos, bocce ball and pickle ball courts.
- D. *Accommodation of housing of all types with convenient access to employment opportunities and/or commercial facilities; and especially to create additional opportunities for senior and affordable housing.*
- The proposed development will provide additional housing opportunities within the City, as there are currently very few multi-family buildings within the City.
- G. *Coordination of architectural styles and building forms to achieve greater compatibility within the development and surrounding land uses.*
- The design of the buildings should be compatible with those of the adjacent Arbor Glen and the single-family homes to the north.
- J. *Higher standards of site and building design than would otherwise be provided under conventional land development technique.*
- The City may impose design guidelines and standards on high density residential development such as this proposal.
- a. **Minimum Requirements.** PUDs must meet the following minimum requirements:
- A. *Lot Area. A PUD must include a minimum of 5 acres for undeveloped land or 2 acres for developed land within the approved development.*
- The proposed development meets this requirement as it is a 5-acre development.
- B. *Open Space: For all PUDs, at least 20% of the project area not within street rights-of-way to be preserved as protected open space. Other public or site amenities may be approved as an alternative to this requirement. Any required open space must be available to the residents, tenants, or customers of the PUD for recreational purposes or similar benefit. Land reserved for storm water detention facilities and other required site improvements may be applied to this requirement. Open space shall be designed to meet the needs of residents of the PUD and the surrounding neighborhoods, to the extent practicable, for parks, playgrounds, playing fields and other recreational facilities.*
- The applicant indicated in the application materials that about 29 % of the proposed development would be open space (including pet areas, green spaces, ball courts and landscaped areas).
- C. *Street Layout... In newly developing areas, streets shall be designed to maximize connectivity in each cardinal direction, except where environmental or physical constraints make this infeasible. All streets shall terminate at other streets, at public land, or at a park or other community facility, except that local streets may terminate in stub streets when those will be connected to other streets in future phases of the development or adjacent developments.*
- The proposed development site has about 450 feet of frontage on 39th Street North. The applicant is not proposing any new public streets but rather two private driveways from 39th Street to serve the development. The City Engineer, however, is recommending that the City only allow one driveway for this site because of spacing and access management concerns. It is a recommended condition of approval that the developer address all the comments outlined in the Engineering memo dated July 1, 2019 before submitting plans for a preliminary plat and preliminary PUD plans for this site.

Density. The proposed density for this development is 12 residential units per acre – 60 proposed units on a 5 acre site. The VMX land use designation allow up to 10 residential units per acre. For this site, the maximum allowed density, without amenity points, would be 50 residential units. The developer will be requesting City approval of amenity points to allow for an increased density of 10 additional units.

Proposed Amenities. The City’s PUD ordinance provides that developers may provide amenities with their projects for increased density. In this case, because the applicant is proposing a housing density of 12 units per gross acre (or 12 units per net acre), the developer will need to provide amenities with the project to justify the increased housing density above the expected allowed density range 6-10 units per acre of the VMX land use designation. In addition, a PUD should offer the City (and future residents) amenities in exchange for the flexibility of allowing more than one building on a parcel. In this case, the developer is proposing several amenities that he believes are worthy of points for increased residential density. They include:

- *Underground or structure parking.* The 18 patio-style units each have an attached, direct-access garage space. The proposed apartment building has 42 indoor parking spaces. It has not been indicated that these designs will reduce the surface parking area outside the footprint of the principal structure by 25%, however, as required by the PUD Code.
- *Additional Open Space.*
- *Contained Parking.* By proposing 50 garage spaces for its residents, the proposed development limits the amount of visible surface parking.
- *Pedestrian Improvements.*
- *Plaza.*
- *Enhanced Landscaping.*
- *Theming.*
- *Additional Amenities?* Additionally, the City may also consider the allotment of amenity “points” for site amenities that are not otherwise specified within the ordinance.

I have attached a narrative from the applicant explaining site density, each of the proposed amenities and the points the applicant believes the City should award for each of these project elements for your consideration. The City will review and consider the possible amenity points and increased density in more detail during the review and consideration of the preliminary PUD plans.

Parkland Dedication. The proposed development does not propose a public park but does provide recreation for its residents through the gardens, play areas and open space. Staff would not recommend a park land dedication with this proposal. The current City Code standard for park dedication for developments in the VMX zoning district is a fee of \$4,500 per acre. At \$4,500 an acre, the park dedication fee for this 5 acre site will be \$22,500. The City will require the developer to pay this fee before issuing a grading or building permit for the site.

Recommended Findings. Staff recommends approval of the Concept PUD Plan for the proposed 39th Street Senior Living development as proposed by Ayers Associates based on the following findings:

1. That the PUD Concept Plan meets the general intent of the Village Mixed Use Land Use designation in the Comprehensive Plan and the Village Mixed Use zoning district with PUD modifications.
2. That the PUD Concept Plan generally complies with the City’s Subdivision regulations.

3. That the PUD Concept Plan is generally consistent with the City's engineering standards with exceptions as noted in the City Engineer's memorandum dated July 1, 2019.
4. The PUD Concept Plan meets the minimum requirement for a PUD including minimum lot area, open space and street layout.
5. The PUD Concept Plan meets more than one of the required PUD objectives identified in Section 154.751 including providing: innovation in land development techniques that may be more suitable for a given parcel than conventional approaches; provision of a more adequate, usable, and suitably located open space, recreational amenities and other public facilities than would otherwise be provided under conventional land development techniques; accommodation of housing of all types with convenient access to employment opportunities and/or commercial facilities; and especially to create additional opportunities for senior and affordable housing; coordination of architectural styles and building forms to achieve greater compatibility within the development and surrounding land uses; and higher standards of site and building design than would otherwise be provided under conventional land development technique.

Recommended Conditions of Approval. Staff recommends the Planning Commission recommend to the City Council approval of the Concept PUD for the 39th Street Senior Living Development as proposed by Ayers Associates with the following conditions:

1. That the applicant prepare any future preliminary plat and preliminary PUD plans showing all of the site perimeter property lines - including any revisions for any additional right-of-way or easements that may be needed for 39th Street.
2. That the future preliminary plat and preliminary PUD Plans submittal identify all requests for flexibility from the Zoning Code.
3. That the applicant address all comments in the City Engineer's Memorandum dated July 1, 2019 with the future preliminary plat and preliminary PUD Plans submittal. These include having only one driveway for the site and managing all storm water on the site.
4. That the Preliminary Plat and PUD Plans submittal include a complete tree inventory and tree preservation/replanting and landscape and screening plans to be reviewed and approved by the City's Landscape Architect.
5. That the Preliminary Plat and PUD Plans submittal include accurate open space and impervious surface calculations.
6. That the developer provide fees in lieu of park land dedication as required by the City Code.
7. That the preliminary plat and preliminary PUD Plans submittal include detailed architectural plans for all the proposed buildings.
8. The applicant receive a permit from the Valley Branch Watershed District for the construction of the proposed development.
9. That all comments of the Fire Chief be addressed with any future preliminary plat plans and preliminary PUD plan submittal.
10. That all comments of the Building Official be addressed with any future preliminary plat plans and preliminary PUD plan submittal.
11. That the proposed sidewalk to Arbor Glen be revised to minimize the potential pedestrian conflicts for those attempting to cross the existing driveways on that site.

FISCAL IMPACT:

There would be no fiscal impact to the City at this time. Concept Plan approval does not afford the applicant development rights. When the property develops, it will have urban services and will pay sewer and water connection charges, building permit fees and the like that the developer and/or contractors will pay.

RECOMMENDATION:

Staff and the Planning Commission recommend City Council approval of the proposed PUD Concept Plan for the 39th Street Senior Living development as proposed by Ayers Associates to be located on 39th Street North with the following motion and recommended conditions of approval.

“Motion to adopt Resolution 2019 -052 approving the PUD Concept Plan as requested by Matt Frisbee (Ayers Associates) for PID# 13.029.21.22.0013 for the project to be known as the 39th Street Senior Living located on the north side of 39th Street North, east of Arbor Glen, subject to recommended conditions of approval.”

ATTACHMENTS:

- Zoning Map
- Address Map
- Aerial Photo
- Concept Site Plan
- Apartment Bldg – Proposed First Floor Plan
- Apartment Bldg – Proposed Second Floor Plan
- Apartment Bldg – Proposed Third Floor Plan
- Patio Home Plan
- Patio Home Plan
- Applicant’s Project Summary dated June 7, 2019 (2 pages)
- Applicant’s Site Calculation Information Sheet dated 6-10-19
- Applicant’s PUD Density and Amenity Points Narrative
- City Engineer review memo dated July 1, 2019 (2 pages)
- July 8, 2019 e-mail from Chris Goodman
- July 8, 2019 e-mail from Nick Haag
- Resolution 2019-052

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

RESOLUTION NO. 2019-052

***RESOLUTION APPROVING THE FRISBEE PROPERTIES 39TH STREET SENIOR
HOUSING CONCEPT PUD PLANS***

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

WHEREAS, Mathew Frisbee, representing Ayers and Associates, submitted an application to the City of Lake Elmo (City) for a Concept PUD Plan for a 60 unit, senior rental housing residential planned unit development on a 5 acre site on the north side of 39th Street North to be known as the 39th Street Senior Housing, a copy of which is on file in the City of Lake Elmo Planning Department; and

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

WHEREAS, the Lake Elmo Planning Commission held public hearing on July 8, 2019 to review and consider the Concept PUD approval request; and

WHEREAS, the Lake Elmo Planning Commission adopted a motion recommending to the City Council approval of the Concept PUD subject to 11 conditions of approval; and

WHEREAS, the Lake Elmo Planning Director submitted a report and recommendation about the Concept PUD as part of a memorandum to the City Council for the July 16, 2019 City Council Meeting; and

WHEREAS, the City Council reviewed the Concept PUD application for the 39th Street Senior Housing at its meeting held on July 16, 2019 and made the following findings of fact:

1. That the PUD Concept Plan meets the general intent of the Village Mixed Use Land Use designation in the Comprehensive Plan and the Village Mixed Use zoning district with PUD modifications.
2. That the PUD Concept Plan generally complies with the City's Subdivision regulations.
3. That the PUD Concept Plan is generally consistent with the City's engineering standards with exceptions as noted in the City Engineer's memorandum dated July 1, 2019.
4. The PUD Concept Plan meets the minimum requirement for a PUD including minimum lot area, open space and street layout.
5. The PUD Concept Plan meets more than one of the required PUD objectives identified in Section 154.751 including providing: innovation in land development techniques that may be more suitable for a given parcel than conventional approaches; provision of a more adequate,

usable, and suitably located open space, recreational amenities and other public facilities than would otherwise be provided under conventional land development techniques; accommodation of housing of all types with convenient access to employment opportunities and/or commercial facilities; and especially to create additional opportunities for senior and affordable housing; coordination of architectural styles and building forms to achieve greater compatibility within the development and surrounding land uses; and higher standards of site and building design than would otherwise be provided under conventional land development.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the Concept PUD Plans for the 39th Street Senior Housing development as prepared by Mathew Frisbee for Ayers and Associates subject to the following conditions:

1. That the applicant prepare any future preliminary plat and preliminary PUD plans showing all of the site perimeter property lines - including any revisions for any additional right-of-way or easements that may be needed for 39th Street.
2. That the future preliminary plat and preliminary PUD Plans submittal identify all requests for flexibility from the Zoning Code.
3. That the applicant address all comments in the City Engineer's Memorandum dated July 1, 2019 with the future preliminary plat and preliminary PUD Plans submittal. These include having only one driveway for the site and managing all storm water on the site.
4. That the Preliminary Plat and PUD Plans submittal include a complete tree inventory and tree preservation/replanting and landscape and screening plans to be reviewed and approved by the City's Landscape Architect.
5. That the Preliminary Plat and PUD Plans submittal include accurate open space and impervious surface calculations.
6. That the developer provide fees in lieu of park land dedication as required by the City Code.
7. That the preliminary plat and preliminary PUD Plans submittal include detailed architectural plans for all the proposed buildings.
8. The applicant receive a permit from the Valley Branch Watershed District for the construction of the proposed development.
9. That all comments of the Fire Chief be addressed with any future preliminary plat plans and preliminary PUD plan submittal.
10. That all comments of the Building Official be addressed with any future preliminary plat plans and preliminary PUD plan submittal.
11. That the proposed sidewalk to Arbor Glen be revised to minimize the potential pedestrian conflicts for those attempting to cross the existing driveways on that site.

Passed and duly adopted this 16th day of July, 2019 by the Lake Elmo Minnesota City Council.

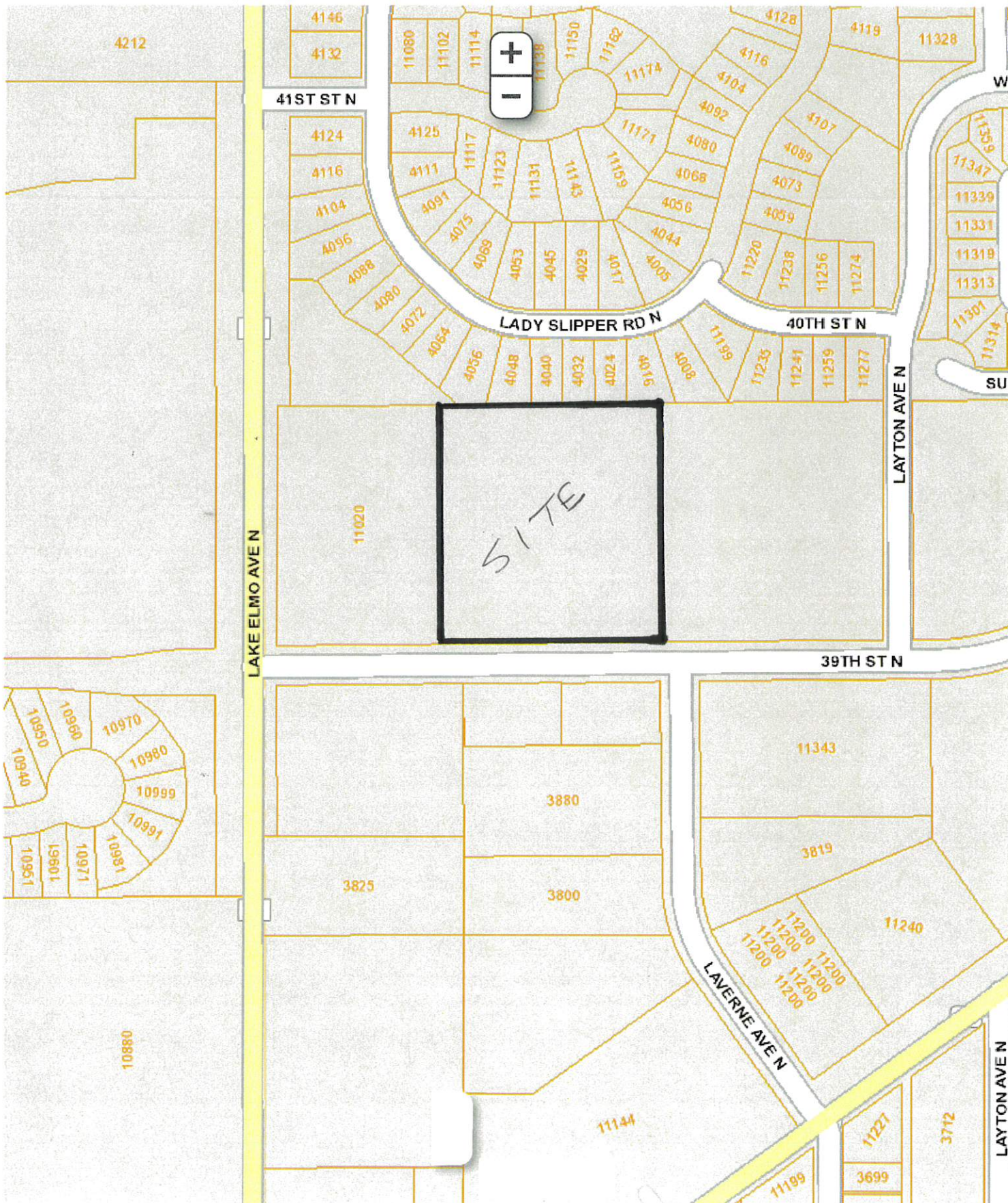
Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk



Property Viewer





Property Viewer



EXISTING SENIOR ASSISTED LIVING

PROPOSED INDEPENDENT SENIOR LIVING

5-ACRE SITE



SCALE: 1" = 60' - 0"

LAKE ELMO SENIOR DEVELOPMENT



JUNE 7, 2019

Lake Elmo Senior Living Project Summary

To: City of Lake Elmo, MN

7 June 2019

From: Mathew Frisbie – Ayres Associates Inc

The following describes the overall project summary.

Lake Elmo Senior Living Project with Ebenezer Management

Lake Elmo, MN

The Location and Demand

This proposed independent senior living project is the 5-acre parcel adjacent to Arbor Glen Senior Living (11020 39th Street) in Lake Elmo.

Lake Elmo is a suburban community of 9,916 people (2018 estimate) in Washington County. While lower-density, Lake Elmo is surrounded by larger neighbors. To the northeast is Stillwater (population 19,750) and Oak Park Heights (4,740). On the southwest is Woodbury (69,500) and on the west is Oakdale (28,100).

Lake Elmo is an appealing residential location as it combines a picturesque rural character with excellent access to shopping and services in the surrounding area. Based on the resident draw pattern of the existing Arbor Glen Senior Living, community orientation, proximity to other senior housing properties in the surrounding area, geographic barriers, and our knowledge of senior housing draw areas, we estimate that a new senior rental housing development on the Site in Lake Elmo would attract approximately 65% of its residents from a draw area (Primary Market Area, or "PMA") that includes Lake Elmo, West Lakeland Township, and Baytown Township. The remaining portion of the senior housing demand (35%) would come from outside the PMA, particularly parents of adult children living in the PMA.

The preliminary senior housing study was completed by Viewpoint Consulting Group, Inc. Based on pent-up demand and the growth in senior households, the Market Study identified an unmet demand for independent senior living units, assisted living units and memory care units. These numbers conservatively reflect a capture rate of 45% of the market area excess demand. The senior population is projected to continue to see an increase for the next five years. This provides for a very healthy and growing senior population.

The Project

The site development for this project, managed by Ebenezer, is a total 60 units designed around a common park-like green space and site amenities for senior independent living. This would consist of a 42-unit senior living three-story apartment building with larger one-bedroom units and two-bedroom units with internal parking. The site plan layout will also include 18 patio homes (9 buildings with either twinned two-bedroom or three-bedroom units). The rent structure is comparable to neighboring facilities and other new campuses that are currently being constructed across the region.

The apartment building will incorporate typical senior building amenities such as a community room, multi-purpose rooms, fitness room, management office and a food serving kitchen for serving community room.

The exterior of the buildings will complement the adjacent Arbor Glen facility and will incorporate brick, stone and Hardi-type siding (cementitious siding) with a sloping asphalt shingle roof. The building will be set back off the adjacent streets with extensive patios, landscaping, gardens, walks and courtyards.

The Management Team – Ebenezer Senior Services:

Founded in 1917 by Minneapolis Lutherans to provide community-centered care for homeless older adults and others in need, Ebenezer Society programs and services today include:

- Independent Living (including condominiums, cooperatives and senior apartments)
- Assisted Living
- Memory Care
- Transitional and Long-term Care
- Adult and Intergenerational Day Programs
- Community-based Services
- Management and Consulting Services
- The Ebenezer Foundation

Part of Fairview Health Services since 1995, their combined resources and expertise offer access to a full range of choices for vibrant senior living. In partnership with the University of Minnesota, they are also part of an academic health system improving the patient's clinical experience, conducting nation-leading research and achieving academic prominence.

Ebenezer will assist in analyzing the market, establishing a strategic marketing plan, producing sales collateral, coordinating a public relations plan, and training sales staff. Through Ebenezer's system for managing leads, maximizing sales, and monitoring programs to reach occupancy projections, this new senior living facility hopes to fill this facility within two years of opening.

Ebenezer will provide effective on-site management as well as consulting services in all areas of management. Ebenezer has proven that quality patient care and a positive bottom line can go hand-in-hand. Ebenezer will evaluate the facilities' strengths and weaknesses and they will assess current programs, any service gaps, as well as opportunities and threats in the external market environment. From this, recommendations for new service options tailored to the needs of seniors will be developed and include an individualized implementation plan.

The anticipated number of employees for this independent senior living facility project will be approximately 3 employees. This will include a director, staff for activities, and maintenance.

Please contact me if you have any questions or comments.

Sincerely,



Mathew J. Frisbie, AIA
Vice President – Ayres Associates Inc

Lake Elmo Senior Living - Site Calculations Printed 6-10-19

Ayres Associates Inc

	Acres:	Square Feet:	Percent:
Total Site	5	217,800	100.00%
Total Buildings and Hardscape (impervious)		108,000	49.59%
Smaller twin home = 4,600 s.f. with driveway (each)			
Larger twin home = 5,300 s.f. with driveway (each)			
All Sidewalks			
All roads, drives, and parking			
Total Green space (pervious)		109,800	50.41%
Landscape and grass areas (includes Bocce Ball and Pickle Ball courts)			

Other misc. Calculations:

	Acres:	Square Feet:	Percent:
Common Space		63,028	28.94%
Common Road and Parking			
Center area in the "Village" site layout			
Landscape gardens and paths			
Bocce Ball courts			
Pickle Ball Courts			
Southwest corner in site layout			
Dog park and walking paths with benches			

	Acres:	Square Feet:	Percent:
Common Road and Common Parking		30,328	13.92%
(not counting the twinhome driveways)			

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PUD Density Calculations Information
Site for Proposed Lake Elmo Senior Living Project

Parcel Number: 13.029.21.22.0013

Legal Description: BROOKMAN 3RD ADD LOT 2 BLOCK 2 SUBDIVISIONCD 37102

Summary:

The Concept Site Plan shows 60 total units – 42 in the three-story apartment building and 18 in the one-level patio home buildings. The existing zoning of the site, VMX, shows the density for development at 6-10 units per acre. So, the summary of the density of the proposed concept site plan starts with the 10 units/acre = 50 units and then we meet several of the PUD “density increases” to meet the 20% increase which adds another 10 unit for a total of 60 units.

Please see our density increase calculations below from the City Zoning Code

From the City of Lake Elmo Zoning Code:

§ 154.754 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. Applicants seeking increased residential density through a Planned Unit Development are required to provide at least 1 or a combination of site amenities that equal the required amount of amenity points to achieve the desired density bonus.

A. *Amenity Points and Equivalent Density Increases.* Increases in density will be awarded through a 1:1 ratio with amenity points. For every increase in amenity points for a

Planned Unit Development, the applicant will be allowed an equivalent amount of

density increase, up to a maximum increase of 20%. Table 16-1 outlines the required amount of amenity points to achieve various density increases.

Table 16-1: Amenity Points and Equivalent Density Increases

<i>Amenity Points</i>	<i>Density Increase</i>
5	5%
10	10%
15	15%
20	20%

B. *Site Amenities.* Site amenities that are eligible for amenity points are listed in Table 16-2, including the associated standards of implementation. Some of the amenities may be awarded a range of amenity point based upon the quality and magnitude of the amenity. Where the amenity does not meet all of the standards required in Table 16-2, no points shall be awarded. Partial points for site amenities shall not be awarded, except as otherwise allowed in Table 16-2.

C. *Site Amenities Not Listed.* The city may also consider the allotment of amenity points for site amenities that are not otherwise specified within this ordinance as part of the preliminary plan phase of the planned development.

Table 16-2: Site Amenities

<i>Points</i>	<i>Amenity</i>	<i>Standards</i>
5-10	Underground or Structure Parking	Proposed underground or structured parking must be integrated into the primary structure. The purpose of this amenity is to better integrate parking into the site, reduce the amount of surface parking stalls, and reduce the amount of impervious surface. Proposed underground or structured parking must reduce the amount of surface parking stalls located outside of the footprint of the principal structure by a minimum of 25%. Amenity points will be awarded based upon the amount of surface parking stalls reduced (between 25-50%). For every additional 5% of surface parking stalls reduced above 25%, the applicant will be awarded 1 additional amenity point, up to a maximum of 10 amenity points. The facade of any underground or structure parking areas must match the architectural design of the principal structure.
10	Historic Preservation	Preservation, rehabilitation or restoration of designated historic landmarks in a manner that is consistent with the standards for rehabilitation of the Secretary of the Interior as part of the development.
<i>Points</i>	<i>Amenity</i>	<i>Standards</i>

+10
points

+0
points

+10
points

+0
points

+0
points

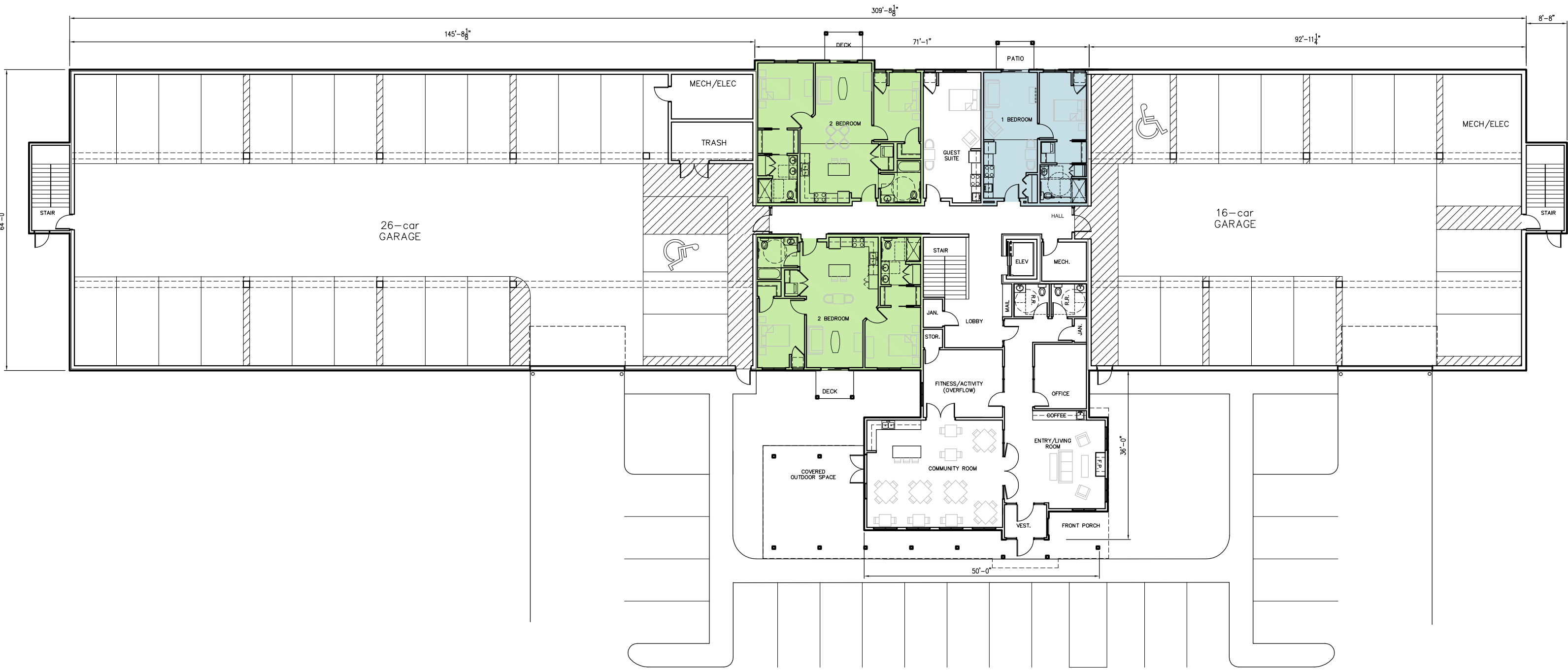
+5
points

+0
points

10	Additional Open Space	A minimum of 50% of the site not occupied by buildings shall be landscaped outdoor open space. A minimum of 50% of the provided open space shall be contiguous. Open space classifications that qualify may include natural habitat, neighborhood recreation, trail corridors or open space buffers.
10	Public Right-of-Way Dedication	Dedication of land and construction of a public road, trail, pathway, or greenway that is part of an approved city plan, but outside the scope of the immediate project area. Right-of-way improvements should be designed per the specification of the City Engineer.
5	Fire Sprinkler Systems	The installation of fire sprinkler systems, per NFPA 13, 13D or 13R, in structures that are not currently required to install these systems under state code. Amenity points will only be awarded in situations where there are a significant proportion of structures in the development that are not required to be sprinkled under State Building Code. In addition, the density bonus calculation shall only be applied to the number of structures that do not require fire sprinkler systems.
5	Contained Parking	The purpose of this amenity is to better integrate surface parking into the site and reduce the amount of visible surface parking from the public right-of-way. Parking should be rear-loaded and hidden by the building facade, or integrated into the site in some other fashion that is acceptable to the city. This amenity is separate from underground or structure parking.
5	Leadership in Energy and Environmental Design	The proposed development shall meet the minimum standards for LEED Silver certification. The project does not have to achieve actual LEED certification; however, the developer must submit the LEED checklist and documentation to the city, approved by a LEED Accredited Professional (LEED-AP), which shows that the project will comply with LEED Silver requirements.

<i>Points</i>	<i>Amenity</i>	<i>Standards</i>
+5 points	5	Pedestrian Improvements A site and building design that allows for exceptional and accessible pedestrian and/or bicycle access through and/or around a site. The improvements shall use a combination of trails, landscaping, decorative materials, access control and lighting to create safe, clear and aesthetically pleasing pedestrian facilities through and /or around the site that comply with the Americans with Disabilities Act accessibility requirements.
+0 points	5	Adaptive Reuse Significant renovation, rehabilitation and adaptive reuse of an existing building(s), rather than demolition.
+5 points	5	Plaza The development shall include some form of plaza or public square that is wholly or partly enclosed by a building or buildings. Plazas are landscaped or paved open areas that shall have a minimum area not less than 1,000 square feet. Plazas for commercial or mixed-use development shall be open to the public during daylight hours.
<i>Points</i>	<i>Amenity</i>	<i>Standards</i>
+5 points	1-5	Enhanced Landscaping A Landscaping Plan of exceptional design that has a variety of native tree, shrub and plan types that provide seasonal interest and that exceeds the requirements of the Lake Elmo Design Standards Manual. The landscaped areas should have a resource efficient irrigation system. The Landscaping Plan shall be prepared by a licensed landscape architect. Amenity points shall be awarded based upon the quality and magnitude of the Landscaping Plan.
+3 points	3	Enhanced Storm Water Management Provide capacity for infiltrating stormwater generated onsite with artful rain garden design that serves as a visible amenity. Rain garden designs shall be visually compatible with the form and function of the space and shall include long-term maintenance of the design. The design shall conform to the requirements per the Minnesota Stormwater Manual and shall meet the approval of the City Engineer.
+3 points	1-3	Theming Significant utilization of various elements of Theming consistent with the 2013 Lake Elmo Theming Project, including but not limited to signage, fencing, landscaping, lighting and site furnishings. Amenity points will be awarded based upon the quality and magnitude of Theming elements integrated into the project.
+0 points	3	Natural Features Site planning that preserves significant natural features or restores ecological functions of a previously damaged natural environment.

**Estimated total of +/-46 potential points awarded
Max points allowed is 20 points for 20% density increase**

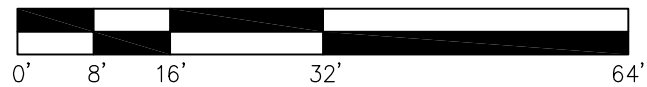


FIRST FLOOR: 21,964 SF.

3 UNITS:

- 2 TWO-BEDROOM
- 1 ONE-BEDROOM

SCALE:



7 June 2019

LAKE ELMO SENIOR DEVELOPMENT





SECOND FLOOR: 21,732 SF.

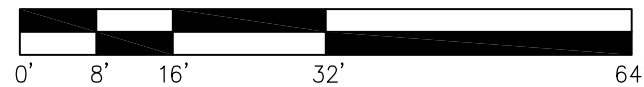
19 UNITS:

- 2 TWO-BEDROOM+DEN
- 7 TWO-BEDROOM
- 8 ONE-BEDROOM+DEN
- 2 ONE-BEDROOM

LAKE ELMO SENIOR DEVELOPMENT



SCALE:



7 June 2019



THIRD FLOOR: 21,732 SF.

20 UNITS:

- 3 TWO-BEDROOM+DEN
- 7 TWO-BEDROOM
- 8 ONE-BEDROOM+DEN
- 2 ONE-BEDROOM

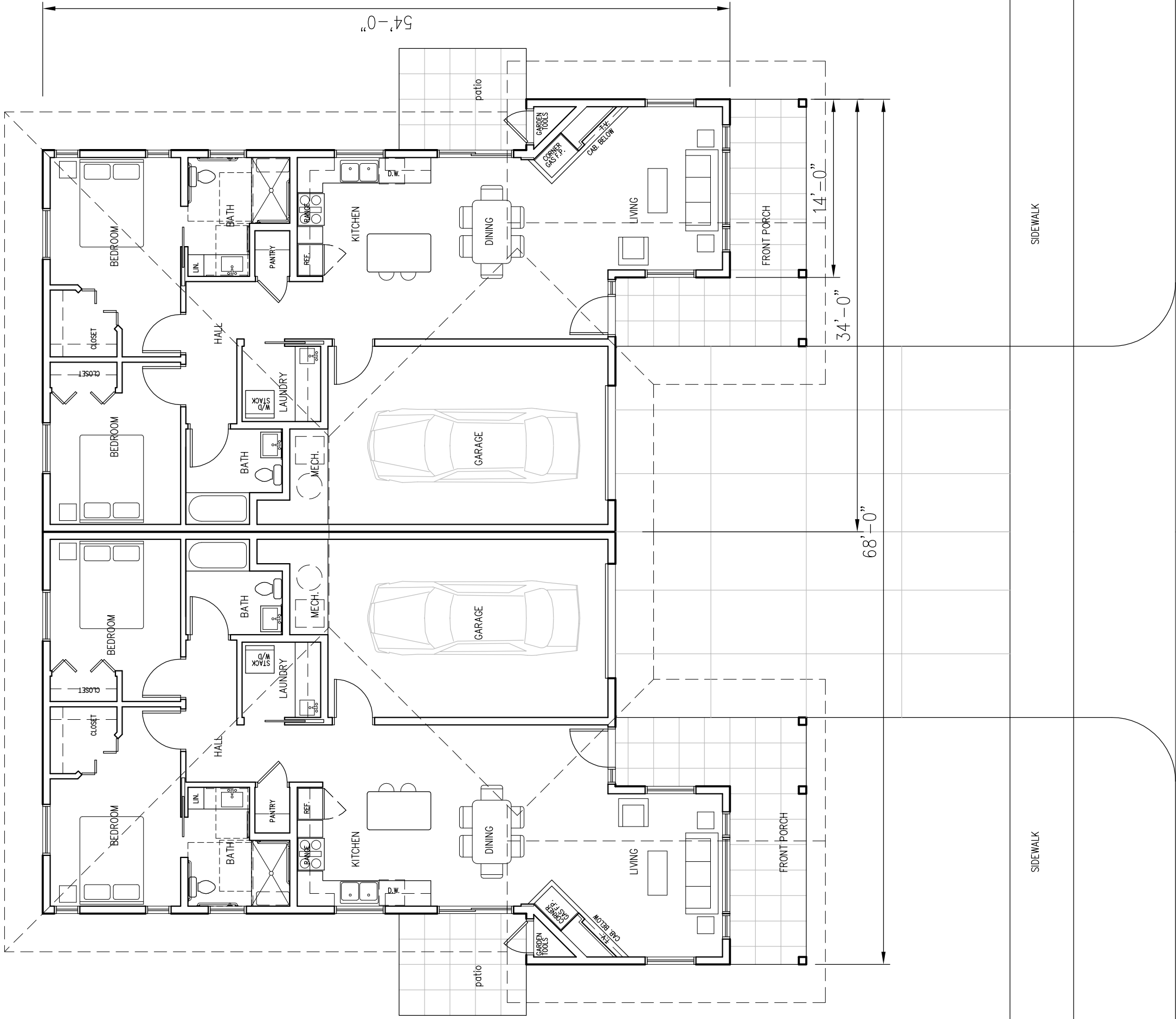
SCALE:



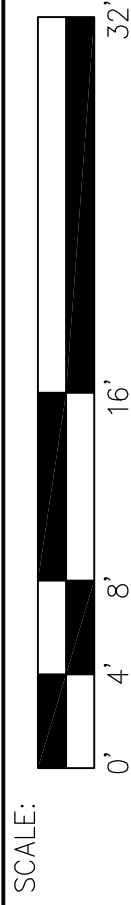
7 June 2019

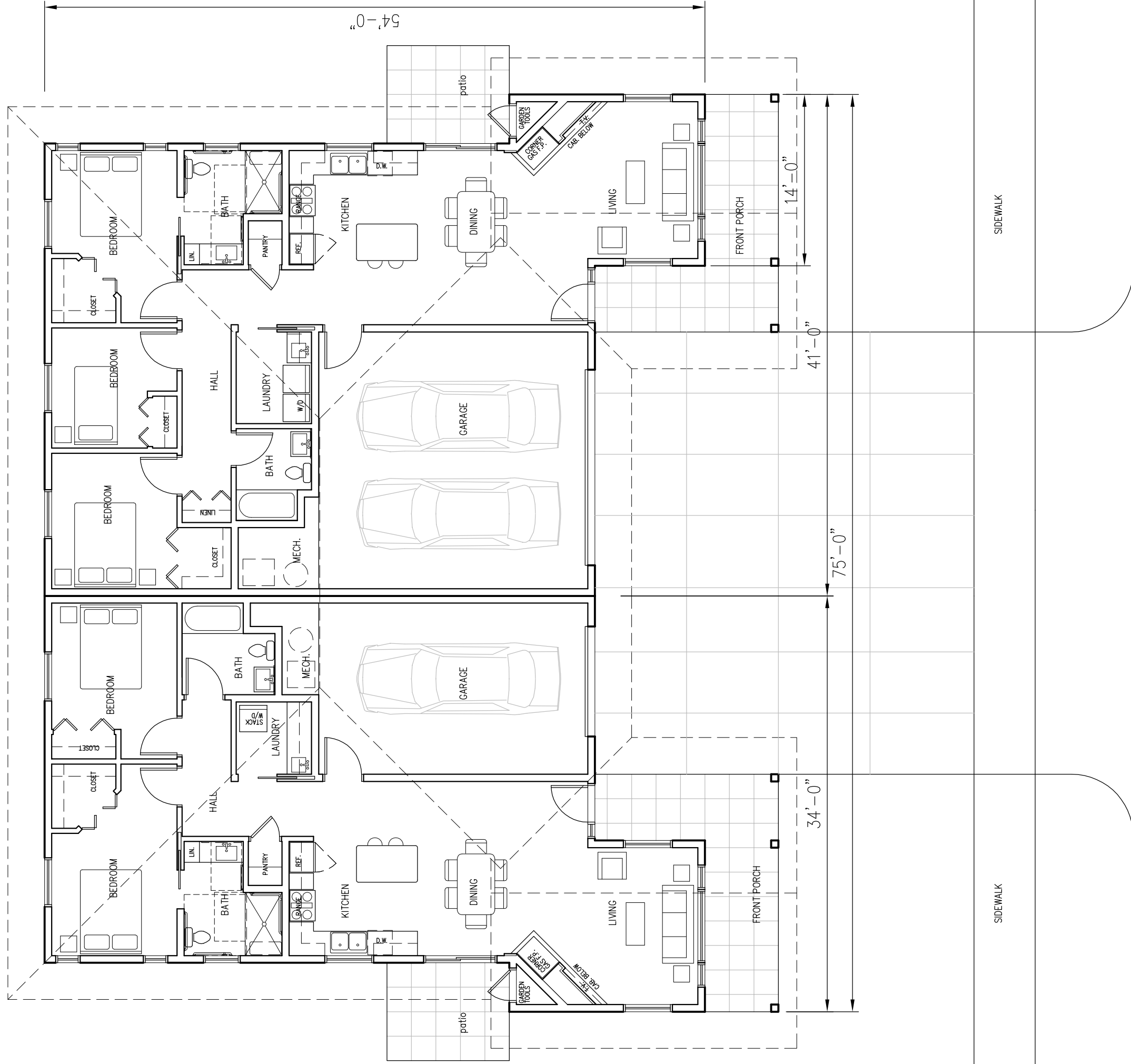
LAKE ELMO SENIOR DEVELOPMENT





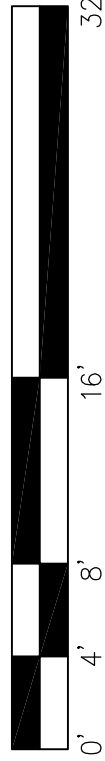
PATIO HOME PROTOTYPE
 1,504 S.F. INCLUDING GARAGE – EACH SIDE
 1,150 S.F. NOT INCLUDING GARAGE – EACH SIDE





3-BEDROOM
PATIO HOME PROTOTYPE
1,820 S.F. INCLUDING GARAGE – EACH SIDE
1,332 S.F. NOT INCLUDING GARAGE – EACH SIDE

SCALE:



Lake Elmo Senior Living Project Summary

To: City of Lake Elmo, MN

7 June 2019

From: Mathew Frisbie – Ayres Associates Inc

The following describes the overall project summary.

Lake Elmo Senior Living Project with Ebenezer Management

Lake Elmo, MN

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Sincerely,



Mathew J. Frisbie, AIA
Vice President – Ayres Associates Inc

Lake Elmo Senior Living - Site Calculations			Printed 6-10-19	
Ayres Associates Inc				
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Total Site	5	217,800	100.00%	
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Larger twin home = 5,300 s.f. with driveway (each)				
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Landscape and grass areas (includes Bocce Ball and Pickle Ball courts)				
<u>Other misc. Calculations:</u>				
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Common Road and Parking				
Center area in the "Village" site layout				
Landscape gardens and paths				
Bocce Ball courts				
Pickle Ball Courts				
Southwest corner in site layout				
Dog park and walking paths with benches				
	Acres:	Square Feet:	Percent:	
Common Road and Common Parking		30,328	13.92%	
(not counting the twinhome driveways)				

PUD Density Calculations Information
Site for Proposed Lake Elmo Senior Living Project

Parcel Number: 13.029.21.22.0013

Legal Description: BROOKMAN 3RD ADD LOT 2 BLOCK 2 SUBDIVISIONCD 37102

Summary:

The Concept Site Plan shows 60 total units – 42 in the three-story apartment building and 18 in the one-level patio home buildings. The existing zoning of the site, VMX, shows the density for development at 6-10 units per acre. So, the summary of the density of the proposed concept site plan starts with the 10 units/acre = 50 units and then we meet several of the PUD “density increases” to meet the 20% increase which adds another 10 unit for a total of 60 units.

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From the City of Lake Elmo Zoning Code:

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C. *Site Amenities Not Listed.* The city may also consider the allotment of amenity points for site amenities that are not otherwise specified within this ordinance as part of the preliminary plan phase of the planned development.

Table 16-2: Site Amenities

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<i>Points</i>	<i>Amenity</i>	<i>Standards</i>

+10
points

+0
points

+10
points

+0
points

+0
points

+5
points

+0
points

10	Additional Open Space	A minimum of 50% of the site not occupied by buildings shall be landscaped outdoor open space. A minimum of 50% of the provided open space shall be contiguous. Open space classifications that qualify may include natural habitat, neighborhood recreation, trail corridors or open space buffers.
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+5 points	5	Pedestrian Improvements A site and building design that allows for exceptional and accessible pedestrian and/or bicycle access through and/or around a site. The improvements shall use a combination of trails, landscaping, decorative materials, access control and lighting to create safe, clear and aesthetically pleasing pedestrian facilities through and /or around the site that comply with the Americans with Disabilities Act accessibility requirements.
+0 points	5	Adaptive Reuse Significant renovation, rehabilitation and adaptive reuse of an existing building(s), rather than demolition.
+5 points	5	Plaza The development shall include some form of plaza or public square that is wholly or partly enclosed by a building or buildings. Plazas are landscaped or paved open areas that shall have a minimum area not less than 1,000 square feet. Plazas for commercial or mixed-use development shall be open to the public during daylight hours.
<i>Points</i>	<i>Amenity</i>	<i>Standards</i>
+5 points	1-5	Enhanced Landscaping A Landscaping Plan of exceptional design that has a variety of native tree, shrub and plan types that provide seasonal interest and that exceeds the requirements of the Lake Elmo Design Standards Manual. The landscaped areas should have a resource efficient irrigation system. The Landscaping Plan shall be prepared by a licensed landscape architect. Amenity points shall be awarded based upon the quality and magnitude of the Landscaping Plan.
+3 points	3	Enhanced Storm Water Management Provide capacity for infiltrating stormwater generated onsite with artful rain garden design that serves as a visible amenity. Rain garden designs shall be visually compatible with the form and function of the space and shall include long-term maintenance of the design. The design shall conform to the requirements per the Minnesota Stormwater Manual and shall meet the approval of the City Engineer.
+3 points	1-3	Theming Significant utilization of various elements of Theming consistent with the 2013 Lake Elmo Theming Project, including but not limited to signage, fencing, landscaping, lighting and site furnishings. Amenity points will be awarded based upon the quality and magnitude of Theming elements integrated into the project.
+0 points	3	Natural Features Site planning that preserves significant natural features or restores ecological functions of a previously damaged natural environment.

Estimated total of +/-46 potential points awarded
Max points allowed is 20 points for 20% density increase

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. 651.300.4285

Date: July 1, 2019

To: Ken Roberts, Planning Director
Cc: Chad Isakson, Assistant City Engineer
From: Jack Griffin, P.E., City Engineer

Re: Lake Elmo Senior Development
Concept Plan Review

Engineering has reviewed the Concept Site Plan for the Lake Elmo Senior Development to be located along 39th Street North, just east of Arbor Glenn Senior Living. The submittal consisted of a Concept Site Plan dated June 7, 2019 prepared by Ayres Associates.

STREETS AND TRANSPORTATION

- Site Access/Access Management. With the potential for many new commercial buildings along 39th Street North, access management will need to be carefully implemented to ensure that 39th Street continues to function as intended. As parcels develop and subdivide, the access points to 39th Street will need to be coordinated and minimized. The Concept Site Plan shows two commercial driveway accesses to 39th Street North that do not meet appropriate access spacing guidelines. The site plan must be revised to show only one driveway access to this property that should be at least 300 feet (preferably 330 feet) from the existing driveway at Arbor Glen.
- Alternative second access. A second driveway access could be considered by combining the west access and the Arbor Glen driveway together as one access located on the westly property line and creating a new second access located 300 feet to the east.
- 39th Street North Right-of-Way Dedication. No additional right-of-way dedication appears to be required along 39th Street North. However, the application should demonstrate that the existing right-of-way provides a minimum of 40 feet from street centerline along the entire length of the property.
- 39th Street North Utility Easement Dedication. A 10-foot utility easement for small utilities must be dedicated to the City along the entire north boulevard of 39th Street North. The site plans must be prepared in a manner to preserves the full 10-feet for small utility installation with no obstructions (e.g. signs, trees, structures, etc.). The utility easement must be graded as boulevard with maximum 4% slope.
- Construction parking and staging (preservation of 39th Street North). As part of any development or site improvement agreement the developer will be required to manage all construction parking, construction staging and material deliveries internal to the site. No parking and construction staging, including loading and unloading materials and equipment will be allowed along 39th Street North at any time during the construction of the site improvements and buildings. All street and boulevard damage caused by the construction activities must be repaired or replaced at no cost to the City.
- Site easements/landscaping. The site plans must be revised to maintain all tree plantings outside of the front, side and rear drainage and utility easements.
- Traffic Impact Study. A traffic impact study should be completed and submitted as part of the site plan application to determine whether turn lanes will be required at the driveway access(s) or at 39th Street North and Lake Elmo Avenue.

STORMWATER MANAGEMENT

- A State and Valley Branch Watershed District (VBWD) permit will be required. The site plan is subject to a storm water management plan meeting State, VBWD and City rules and regulations.
- Storm water facilities proposed for meeting permitting requirements must be designed and constructed in accordance with the City Engineering Design Standards Manual available on the City website.
- The storm water facilities constructed for this development should remain privately owned and maintained. The applicant will be required to execute and record a Stormwater Maintenance and Easement Agreement in the City's standard form of agreement.
- The Concept Site Plan shows an elongated storm water facility along the east side of the property which encroaches the east side yard drainage and utility easement. It is likely that this stormwater area will not provide sufficient stormwater management for the site and additional land will be needed to meet both storm water permitting and management requirements.
- The storm water facility 100-year HWL must be fully contained within the subject property and must be a minimum of 2-feet below all adjacent low floor building elevations.
- The existing downstream drainage basins for the 39th Street storm sewer system do not have available treatment or storage capacity to accommodate new development. Therefore, any storm sewer connections to the 39th Street system must be at both reduced runoff rates and volumes.
- Connection to 39th Street storm sewer requires verification of existing capacity within all downstream storm sewer systems and availability of downstream storm sewer ponding at the discharge location(s). Detailed storm sewer calculations must be submitted demonstrating sufficient capacity and meeting all current City Engineering Design Standards.

MUNICIPAL WATER SUPPLY

- The proposed property is located in the Old Village MUSA and intermediate water system pressure zone.
- Connection to the municipal water supply is readily available to serve this property. The applicant will be required to connect, at its sole cost, to the existing 8-inch DIP stub that was installed to serve this property. A minimum 8-inch diameter watermain will be required to be extended internal to the site with private water services stubbed for connection to each individual building.
- The applicant may be required to construct a looped watermain with a second connection point, depending upon site layout, and may be required to install a watermain stub to the adjacent property.
- The applicant will be responsible to place hydrants throughout the property at the direction of the Fire Department. All fire hydrants and connecting watermains shall be owned and maintained by the City.
- Any watermain lines and hydrants placed internal to the site will require minimum 30-foot easements centered over the hydrant or pipe. Easements must be dedicated to the City and be provided in the City's standard form of easement agreement.
- Water availability charges and connection charges will apply to the service connections. A Met Council SAC determination will be required to determine the WAC/Connection charges for each building.

MUNICIPAL SANITARY SEWER

- The proposed property is located in the Old Village MUSA current Regional Sewer Staging Plan and would discharge to the MCES Cottage Grove Ravine Interceptor.
- Connection to the municipal sanitary sewer system is readily available to serve this property. The applicant will be required to connect, at its sole cost, to the existing 8-inch PVC stub that was installed to serve this property. An 8-inch diameter sanitary sewer main will be required to be extended internal to the site with private sewer service stubs installed for connection to each individual building.
- All public sanitary sewer mains internal to the site require minimum 30-foot easements centered over the pipe (or wider dependent upon the sewer depths). Easements must be dedicated to the City and be provided in the City's standard form of easement agreement.
- The applicant may be required to install a sanitary sewer stub to the adjacent property.
- Sewer availability charges and connection charges will apply to the service connections. A Met Council SAC determination will be required to determine the SAC/Connection charges for each building.

From: [Chris Goodman](#)
To: [Ken Roberts](#)
Subject: 39th Street Sr. Housing - Lake Elmo
Date: Monday, July 8, 2019 10:29:39 AM

Caution: This email originated outside our organization; please use caution.

Dear Mr. Roberts:

Thank you for taking my call this morning. I live in the Village Preserve development and my back yard faces 39th Street. I understand the Planning Commission will be meeting this evening to discuss a proposal to allow a developer to park a three story, senior living building next to the Arbor Glen building. I will not be able to attend the meeting this evening and ask that you please share this message with the Planning Commission.

The information packet provided by the Commission indicates the building would be three stories tall, making it the tallest building in Lake Elmo. That raises several concerns for my family and neighbors on my street in terms of the use and enjoyment of our back yards but also for our property values.

First, while I understand the space is zoned for a senior-living type structure, the height and size of the building are problematic, as the building would likely be visible year round. In the winter, the loss of leaves on our treeline would provide zero buffer between our homes and the new structure. And a three story building would likely be visible during the warmer months as the top of the building would reach if not exceed the tree line. By comparison, the height of the Arbor Glen building raises no such concerns.

Second, you indicated the developer would be encouraged to preserve the trees at the end of the Village Preserve property lines but that there is nothing preventing the developer from removing the trees. While I understand the Village Preserve residents do not own the trees the loss of them would seem a poor outcome here as it would diminish property values as well as leave the residents of the senior living building and our homes with less privacy. That would diminish the desirability and value of the Village Preserve homes. And I can't imagine seniors living in the building would want their new neighbors to have an unobstructed view into their residences.

Third, a three story building would likely have far more residents than Arbor Glen, which would increase the traffic flow on 39th street. Traffic flow is already a concern on 39th due to the construction on both ends of the road and while I acknowledge that is a temporary situation, the Legacy housing development will add 200+ homes to the other side of Lake Elmo Avenue. Add a large senior living center next to Arbor Glen, on top of the local business, City Hall, bank, and Legacy development and you have created a greatly congested area. Village Preserve has many families with young children (including my own) and turning 39th into a busy street is unsafe and not desirable for existing residents.

We understand when we purchased our home that the space behind our tree line could be developed. But parking a three story building on that lot would be bad for property values in my development as well as increase traffic flow and related safety concerns. If the City intends to allow a residential structure to occupy that space then it would seem a smaller, or at least

shorter building, would be the more prudent outcome.

Thank you for your time and consideration.

Chris L. Goodman

4008 Lady Slipper Rd

Lake Elmo, MN 55042

(651) 955-9120

From: nhaag@pga.com
To: [Ken Roberts](#)
Cc: "[Jenny Haag](#)"; natalie.lund@cwk-law.com; clgoodman01@gmail.com
Subject: 39th Street Sr. Housing - Lake Elmo
Date: Monday, July 8, 2019 11:16:04 AM
Attachments: [image001.jpg](#)

Caution: This email originated outside our organization; please use caution.

Mr. Roberts,

My wife Jenny and I also back up to the proposed development and we vehemently agree with the below letter written by our neighbor, Chris Goodman.

We cannot express enough how allowing a 3rd story to be built would be a huge mistake to our neighborhood and also the city itself.

Lastly, we agree that the developer must keep the trees that buffer the 2 properties.

Please take all points into consideration. Village Preserve is a lively development with a majority of the houses occupied by young families.

Please preserve our "Preserve".

Thank you,

Nick

Nick Haag, PGA

Head Golf Professional

Stillwater Country Club

Mobile - 218.330.6642

Golf Shop - 651.439.7979

nhaag@pga.com



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