



PLANNING COMMISSION MEETING AGENDA

May 19, 2014

7:00 p.m.

Call to Order.

Pledge of Allegiance.

Roll Call.

Consideration, Discussion, and Possible Action on All of the following items:

- I. **Approval of the, May 19, 2014, Planning Commission Meeting Agenda.** *(action requested.)*
- II. **Approval of the April 28, 2014 Regular Planning Commission Meeting Minutes.** *(action requested.)*
- III. **Public Hearing.** *(action requested.)*
 - A. REQUEST – Request from Silver Lake 1996 L.L.C. on behalf of Inland Silver Lake Village, L.L.C., a Delaware Limited Liability Company for a Conditional Use Permit (CUP) to allow a drive-through window on the south side of the existing Cub Foods Store to serve the in-house pharmacy on the property located at 3930 Silver Lake Road
- IV. **Staff Reports.** *None.*
- V. **Other Business.** *None.*
- VI. **Community Forum.**

Individuals may address the Planning Commission about any item not included on the regular agenda. Speakers are requested to come to the podium, sign their name and address on the form at the podium, state their name and address for the Clerk's record, and limit their remarks to five minutes. The Planning Commission may refer the matter to staff for a future report or direct the matter to be scheduled on an upcoming agenda.
- VII. **Communication with City Council and Other Commission Activities and Informative Items.**
- VIII. **Adjournment.**

To: St. Anthony Village Planning Commission
From: Kelsey Johnson, ACIP, City Planner
Date: May 9, 2014
Subject: Planning Commission Meeting for May 19, 2014

AGENDA ITEM: I. APPROVAL OF THE MEETING AGENDA

The agenda, as presented or modified, is in order for adoption by the Commission. [Motion Required].

Template Approval Motion: "I move to approve the agenda as presented." **OR** "I move to approve the agenda as modified."

AGENDA ITEM: II. APPROVAL OF THE MEETING MINUTES

The minutes of the April 28, 2014 Regular Planning Commission meeting are enclosed for your review. These minutes, as presented or modified, are in order for adoption by the Commission. [Motion Required].

Template Approval Motion: "I move to approve the meeting minutes from April 28, 2014 as presented." **OR** "I move to approve the meeting minutes from April 28, 2014 as modified."

1
2 CITY OF ST. ANTHONY
3 PLANNING COMMISSION MEETING

4 APRIL 28, 2014
5 7:00 p.m.
6

7 **CALL TO ORDER.**

8
9 Chair Crone called the meeting to order at 7:00 p.m.
10

11 **PLEDGE OF ALLEGIANCE.**

12
13 Chair Crone invited the Commission and the audience to join her in the Pledge of Allegiance.
14

15 **ROLL CALL.**

16
17 Commissioners Present: Chair Crone; Commissioners Bartel, Heinis, Niccum, Papatola, and
18 Poucher.
19 Absent: Commissioner Grahek.
20 Also Present: City Planner Kelsey Johnson.
21
22

23 **I. APPROVAL OF APRIL 28, 2014, PLANNING COMMISSION MEETING AGENDA.**
24

25 Motion by Commissioner Papatola second by Commissioner Poucher, to approve the April
26 28, 2014, Planning Commission agenda as presented.
27

28 **Motion carried 6-0.**
29

30 **II. APPROVAL OF THE MARCH 24, 2014, REGULAR PLANNING COMMISSION**
31 **MEETING MINUTES.**
32

33 Motion by Commissioner Bartel second by Commissioner Heinis, to approve the March 24,
34 2014, Planning Commission Meeting Minutes.
35

36 **Motion carried 5-0-1 (Niccum abstain).**
37

38 **III. PUBLIC HEARINGS.**
39

40 A. REQUEST – Request from John and Laura Frigstad for a Variance from the Required
41 Corner Side Yard (Front Yard) Setback in order to Construct a Partial Second Story
42 Addition and Front Stoop on the Property Located at 3111 Wilson Street.
43

44 City Planner Johnson presented a request for a variance at 3111 Wilson Street and explained
45 that the existing land use is low density residential with all surrounding properties zoned R1.
46 She presented an aerial map of the property situated on the corner of Wilson Street and
47 Townview Avenue depicting the home's location on the northern portion of the lot and also
48 presented pictures of the subject property. She advised the home is situated 15' from the side
49 property line and pointed out that when this property was platted, all the homes to the east of

1 the lot have an additional 5' or 6' and this home is unique because the property line is further
2 to the south so the right of way immediately adjacent to Townview is much larger than the
3 homes to the east creating a unique circumstance to this lot. She stated the applicant is
4 proposing to construct a partial second story addition consisting of a master bedroom and
5 master bathroom on the northern portion of the home and stated the floor plan ties in well to
6 the existing staircase. She pointed out that the shaded area on the site plan represents the
7 proposed addition and the lighter shaded area represents the area where the addition could be
8 placed if the addition were to meet all required setbacks in the Zoning Code, however,
9 because this house is already situated closer to the side yard or front yard setback, it is
10 considered a nonconforming structure and under State law and the Zoning Code, a
11 nonconforming structure cannot be enlarged without going through the variance process so
12 any addition to this home would need a variance. She presented pictures of a similar project
13 on a similar style home and indicated the applicants are also proposing to add a front stoop to
14 tie in the second story that will bring architectural character and soften the elevation. She
15 reviewed the variance criteria and advised the subject matter for which the applicant is
16 seeking a variance meets the scope of the City's variance process and staff feels the property
17 owners are proposing to use the property in a reasonable manner and the proposed addition
18 will minimize impacts to the immediate adjacent neighbors. She advised that economics are
19 not the sole factor as to why a variance is needed, there are a number of unique circumstances
20 and practical difficulties that exist on the property, the variance is consistent with the
21 Comprehensive Plan, the variance is in harmony with the intent of the Zoning Code, the
22 proposal seeks to improve the property, will not have a negative impact on light or air, will
23 not impact congestion on public streets, the proposal will not result in overcrowding, and will
24 not conflict with adjacent land uses.

25
26 Commissioner Heinis noted there is a long distance between the lot line and the street and
27 asked if that was common.

28
29 City Planner Johnson stated that the distance from the back of the curb to the property line is
30 typically 10-15' and this property is unique because when it was platted, they did not keep
31 that standard right of way distance and it was platted 5-6' shy of the norm.

32
33 Commissioner Bartel asked how far the front stoop protrudes from the house.

34
35 City Planner Johnson stated the front stoop will be located around 25' and is an allowable
36 encroachment, adding that open porches are allowed to be 25' from the front yard setback and
37 do not require a variance.

38
39 Mr. Jeremiah Battles, Acacia Architects, approached the Planning Commission and stated the
40 front stoop will be more of a covered entry and would be placed over the existing front stoop
41 and would extend 4-6'. He added the stoop will be more ornamental in nature to dress up the
42 area to make it more inviting and less intrusive.

43
44 Chair Crone opened the public hearing at 7:15 p.m.
45

1 Mr. Jeremiah Battles stated the easiest way to add a bedroom to the house is to add a second
2 story and the ideal placement is to stack the stair in terms of efficiency and structural
3 simplicity resulting in a natural spot for a second story. He added that having the second story
4 over the main front entry door and living room will look more balanced.

5
6 Chair Crone closed the public hearing at 7:18 p.m.

7
8 Motion by Commissioner Papatola, second by Commissioner Poucher, to recommend that the
9 City Council approve a variance from the required corner side yard (front yard) setback in
10 order to construct a partial second story addition and front stoop on the property located at
11 3111 Wilson Street, subject to the findings and conditions outlined in the resolution.

12
13 **Motion carried 6-0.**

14
15 **IV. STAFF REPORTS – None.**

16
17 **V. OTHER BUSINESS – None.**

18
19 **VI. COMMUNITY FORUM – None.**

20
21 **VII. COMMUNICATION WITH CITY COUNCIL AND OTHER COMMISSION**
22 **ACTIVITIES AND INFORMATIVE ITEMS.**

23
24 Commissioner Niccum agreed to attend the City Council meeting on May 13, 2014.

25
26 **XI. ADJOURNMENT.**

27
28 Chair Crone adjourned the meeting at 7:21 p.m.

29
30 Respectfully submitted,
31 Barbara Hughes (*TimeSaver Off Site Secretarial, Inc.*)

AGENDA ITEM: III. A. REQUEST – Request from Silver Lake 1996 L.L.C. on behalf of Inland Silver Lake Village, L.L.C., a Delaware Limited Liability Company for a Conditional Use Permit (CUP) to allow a drive-through window on the south side of the existing Cub Foods Store to serve the in-house pharmacy on the property located at 3930 Silver Lake Road

ACTION TO BE CONSIDERED: To recommend the City Council approve or deny a conditional use permit (CUP) to allow a drive-through window on the south side of the existing Cub Foods Store to serve the in-house pharmacy on the property located at 3930 Silver Lake Road. [Motion Required].

FACTS:

- The City is in receipt of an application from Silver Lake 1996 L.L.C. on behalf of Inland Silver Lake Village, L.L.C., a Delaware Limited Liability Company for the request outlined above.
- The application has been reviewed by City staff and is in order for consideration at this time.

BACKGROUND:

- Copy of Mailed Notice of Public Hearing
- City Planner's report enclosed
- Location Map enclosed
- Draft Resolution approving the requested Conditional Use Permit (CUP) enclosed
- Planner's Presentation Slides enclosed

RECOMMENDATION: Staff recommends approval of the requested conditional use permit (CUP) to allow a drive-through window on the south side of the existing Cub Foods Store to serve the in-house pharmacy on the property located at 3930 Silver Lake Road based on the findings detailed in the report and as outlined in the draft resolution provided herein.

Template Approval Motion: "I move to recommend the City Council approve the requested conditional use permit as requested by Silver Lake 1996 L.L.C. on behalf of Inland Silver Lake Village, L.L.C., a Delaware Limited Liability Company to allow a drive-through window on the south side of the existing Cub Foods Store to serve the in-house pharmacy on the property located at 3930 Silver Lake Road based upon the findings as outlined within Exhibit C and as may have been amended here tonight."

Template Denial Motion: "I move to direct staff to prepare a resolution of denial for the conditional use permit as requested by Silver Lake 1996 L.L.C. on behalf of Inland Silver Lake Village, L.L.C., a Delaware Limited Liability Company to allow a drive-through window on the south side of the existing Cub Foods Store to serve the in-house pharmacy on the property located at 3930 Silver Lake Road based upon the following findings of fact:"

- (Provide findings to support conclusion)



NOTICE OF A PUBLIC HEARING

Notice is hereby given that on May 19, 2014, 7:00 p.m. at City Hall, 3301 Silver Lake Road, the Saint Anthony Village Planning Commission will hold a public hearing to solicit public response to a request from Silver Lake 1996 L.L.C. on behalf of Inland Silver Lake Village L.L.C., a Delaware limited liability company, for a Conditional Use Permit (CUP) to allow a drive-up window for the pharmacy business in its Cub Foods store at 3930 Silver Lake Road. The Planning Commission will make a recommendation regarding the proposed request to the City Council for their meeting to be held on May 27, 2014, 7:00 p.m. at City Hall.

Those persons having an interest in said meetings are encouraged to attend. Oral testimony will be accepted on the above subject at this meeting. Written comments may be taken at the St. Anthony Village City Hall, 3301 Silver Lake Road, St. Anthony Village, Minnesota 55418 until the date of the hearing. Questions may be directed to the City Planner at 763-287-8521.

The application, related to this public hearing, can be viewed online at www.saint-anthony.mn.us as part of the current Planning Commission agenda.

Kelsey Johnson, AICP
City Planner



MEMORANDUM

To: St. Anthony Village Planning Commission
From: Kelsey Johnson, AICP, City Planner
Date: May 12, 2014
Planning Commission Regular Meeting for May 19, 2014
WSB Project No. 02170-050
Request: Request for a Conditional Use Permit (CUP) to Allow a Drive-Through Window on the South Side of the Existing Cub Foods Store to Serve the In-House Pharmacy on the Property Located at 3930 Silver Lake Road

RECOMMENDATION

The Applicant's request for a Conditional Use Permit (CUP) to allow for a drive-through window on the south side of the existing Cub Foods Store to serve the in-house pharmacy is reasonable and consistent with the intent of the Zoning Ordinance and the City's Comprehensive Plan. Based on the review, staff recommends approval of the requested CUP for the property located at 3930 Silver Lake Road subject to the conditions as outlined in Exhibit C.

GENERAL INFORMATION

Applicant: Silver Lake 1996 L.L.C.
Owner: Inland Silver Lake Village, L.L.C., a Delaware Limited Liability Company
Location: 3930 Silver Lake Road
Existing Land Use / Zoning: Commercial/zoned: PUD – Planned Unit Development
Surrounding Land Use / Zoning: North: High Density Residential / zoned R4 – Multiple Dwellings
East: Commercial / zoned PUD – Planned Unit Development
South: Commercial / zoned PUD – Planned Unit Development
West: High Density Residential / zoned R4 – Multiple Dwellings
Deadline for Agency Action: Application Date: 04-30-14
60 Days: 06-29-14
Letter Sent: N/A
120 Days: 08-28-14

CONSIDERATIONS RELATING TO THE PROPOSED CONDITIONAL USE PERMIT (CUP)

1. Background

The Applicant wishes to construct an 8'x4' drive-through window along the south side of the existing Cub Foods Store to serve the existing in-house pharmacy on the property located at 3930 Silver Lake Road. A new EIFS canopy and cornice to match the existing building is also proposed.

Parking

There are currently 563 stalls striped as part of the Cub Foods development. 23 spaces are currently located along the south side of the existing store. Additionally, there are an additional 25 partial spaces located on along the property boundary of the site that are shared with the retail businesses in the building further to the south. With the construction of the proposed drive-through lane, 16 of these 23 parking spaces will be eliminated, which results in 7 parking spaces along the south side of the building for a total of 548 full parking spaces available on-site. Staff has calculated the partial parking spaces along the property boundary at a rate of .5 per space that adds an additional 12 spaces (for a grand total of 560 spaces).

It is acknowledged that the parking spaces along the south side of Cub Foods are currently used by staff and patrons of the retail shops and businesses located in the buildings immediately to the south of Cub Foods. There are 47 parking spaces available adjacent to these retail businesses to the east, 23 spaces to the north, with an additional 18 spaces along the west side of the buildings. Furthermore, the Property Owner (Inland) has indicated that the space along the south side of the Cub Foods Store, that currently is used for employee parking by the business owners in the building to the south, will need to be allocated to the southwest corner of the main parking lot along the east side of the building. Staff is comfortable with this proposal.

Vehicular Circulation

The traffic pattern proposed is set up to have the cars heading west through the existing parking lot on the south side of the Cub Foods Store turn into the drive-through (heading north, then east) from the parking lot. The Applicant has provided turning radius sketch information showing a car making the turning movement through the drive-through. This illustrates that the location and design is adequate for the turning movements required, as well as enough space for at least four (4) cars to be waiting without impacting the drive-aisle or parking areas. The cars would exit the drive-through area and enter the main drive-aisle along the front of the Cub Foods Store. Staff does not expect this additional entry point to cause any conflicts with pedestrian and vehicle traffic.

Pedestrian Circulation

The Applicant is proposing to remove the sidewalk bump out location along the southeastern portion of the Cub Foods Store to make room for the proposed drive-through lane. Though it is not indicated on the site plans provided, a truncated dome will be required at the terminus of the sidewalk in this location. Furthermore, with the construction of the island adjacent to the drive-through lane, a sidewalk connection will be required to tie into the existing pedestrian crossings and sidewalks to the building to the south. Pavement markings will also need to be completed to complete the pedestrian path in this location.

Landscaping

Currently the south side of the Cub Foods Store building is designated to front-end parking adjacent to a landscaped greenspace area. With the reconfigured area with a drive-through window for the pharmacy, the landscaped greenspace area adjacent to the seven (7) parking spaces along the southwestern portion of the building will remain. Six (6) trees adjacent to the building will be removed and a drive-through lane will be paved in its place. A landscaped island will be constructed adjacent to the drive-through lane.

Hours of Operation

The Applicant has indicated that the drive-through window will be open from 9am to 9pm Monday through Friday and from 9am to 6pm on Saturday and Sunday. An intercom system will be utilized in association with the drive-through window and will comply with the Board of Pharmacy requirements associated with privacy compliance.

Lighting

3-4 recessed flat lenses under the overhanging canopy above the drive-through window will be installed. These light fixtures will be downward casting consistent with City Code.

Signage

Signage is proposed to be placed on the new drive-through window canopy. The total proposed sign area as part of this proposal is 115.69 square feet and will read "Cub Pharmacy Drive-Thru". Additional signage will be added to the east wall of the Cub Foods building to read "Cub Pharmacy" and "Pharmacy Drive-Thru" totaling 109.77 square feet and 41.75 square feet respectively.

Canopy

A new canopy would be constructed to cover the drive-through window. Overall dimensions would be approximately 10 feet tall by 30 feet long and would protrude from the building by approximately 5 feet. The canopy will be 10 feet above the driveway surface.

2. Applicable Codes.

Title XV Land Usage, Chapter 152 Zoning Code, Section §152.122 PERMITTED CONDITIONAL USES (WITHIN THE C DISTRICT) (B) states that "a use permitted under 152.121 except for the fact that it has a drive-through facility" is permitted in the C District only by conditional use permit issued by the City Council. A "grocery store" is considered a "permitted use" in the C District (§152.121)

Criteria for and Consistency with Criteria for Conditional Use Permit (CUP) Approval. Title XV Land Usage, Chapter 152 Zoning Code, Section §152.243 CONDITIONAL USE PERMITS (C) Application states that "a conditional use permit may be granted only by a majority vote of all members of the City Council after determining that:

1. *The use is one of the conditional uses specifically listed for the district in which the property is located;*

Cub Foods is located within the "Commercial Element" of the Silver Lake Village Planned Unit Development (PUD). The PUD Agreement states that "Permitted uses shall be limited to those specifically allowed as either a permitted use or as a conditional use permit in the General Commercial District (as defined in the City Code) unless an amendment to the PUD is approved by the City. The "General Commercial District" is the C- Commercial District, which allows all drive-through facility as a permitted conditional use, to a grocery store as a permitted use, in the C District. **Criteria met.**

2. *The City Council has specified all conditions which the City Council deems necessary to make the use compatible with other uses in the area:*

Conditions have been described in this report and are included in the draft resolution for consideration. **Criteria met.**

Conditions include:

1. The Applicant shall obtain all necessary permits and approvals prior to beginning construction, including a building permit and sign permit.
2. The Applicant/Property Owner shall ensure continuance of the sidewalk connection between the Cub Foods Store and the neighboring retail businesses to the south. This shall include pavement markings, sidewalk connections through the island, truncated domes, and other provisions as required and approved by the City Engineer.
3. A landscaping plan for the new island adjacent to the drive-through facility must be submitted and approved by the City Planner prior to issuance of a building permit.

4. This conditional use permit (CUP) shall expire one (1) year from the date of the resolution if the construction of the drive-through facility does not commence. City Council approval shall be required for an extension.
3. *The use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or to the values of property in the vicinity; and*

Surrounding land uses in the immediate vicinity include other commercial/retail uses to the east and south, open space/park land to the west with high density residential even further to the west, and high density residential to the north (row of garages). It does not appear that the proposed drive-through window associated with the Cub Foods Pharmacy will be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity. While employee and patron parking will be eliminated along the south side of the building, there is ample parking available elsewhere on site to accommodate these needs. Furthermore, the location of the drive-through window and associated intercom system will be constructed in a location that provides ample distance and buffering from adjacent residential properties.

Criteria met.

4. *The use will provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare.*

Drive-through windows are a convenience for customers of Cub Foods, which is also an amenity to the community and will contribute to the general welfare by providing this amenity. **Criteria met.**

CONCLUSIONS

Drive-through facilities are a permitted conditional use within the C-Commercial Zoning District. The addition of a drive-through facility associated with the existing in-house pharmacy is an added amenity to the community and is a convenience to customers of Cub Foods. Given the proposed location of the drive-through window along the south side of the building, staff anticipates little if any noise disturbance to surrounding residential areas. Traffic patterns will remain very similar to existing conditions and the Applicant has provided adequate sight lines and signage to maintain pedestrian and vehicular circulation on site. Enhancements as outlined in the "conditions" portion of this report and the proposed resolution will also ensure pedestrian safety is maintained through sidewalk connections and pavement markings.

RECOMMENDED ACTION

1. **Request Additional Information and Continue the Public Hearing.** The Applicant appears to have provided enough information for the Planning Commission to make a recommendation to approve or deny the request. Should the Planning Commission request additional information from the Applicant, the Planning Commission should continue the public hearing until a later time.
2. **Recommend Approval (with or without conditions) of the Conditional Use Permit (CUP).** In the event of a recommendation for approval (with or without conditions), the Planning Commission may refer to Exhibit C and may modify the draft resolution for approval to include any conditions that it deems necessary.
3. **Recommend Denial of the Conditional Use Permit (CUP).** In the event the Planning Commission chooses denial of the requested conditional use permit, it should clearly state its reasons for the denial recommendation and direct staff to prepare a resolution to be brought back at the next meeting.

May 12, 2014

Page 5

ATTACHMENTS

- Exhibit A: Location map
- Exhibit B: Application and Supporting Material
- Exhibit C: Draft Resolution of Approval

Exhibit A: Location Map



1 in = 800 ft



May 9, 2014

Map by: WSB & Associates



3301 Silver Lake Road
 St. Anthony Village, Minnesota 55418
 Office: (612) 782-3301
 Fax: (612) 782-3302
 www.ci.saint-anthony.mn.us

-For Office Use Only-	
Planning File Number	2014-02
Project Number	
Application Submittal Date	4-30-14
Application Completed Date	
Fee Paid	\$1050.00
Receipt Number	
Planning Commission Meeting Date	5-19-14
Council Decision	
Council Decision Date	

LAND USE APPLICATION

Address of Property Involved: ³⁹³⁰~~3230~~ Silver Lake Road
 Property ID Number: 31.30.23.31.0029
 Legal Description: Lot 1, Block 1, Silver Lake Center

Applicant Information

Applicant Name: Silver Lake 1996 L.L.C.
 Applicant Address: c/o SUPERVALU INC., 7075 Flying Cloud Drive, Eden Prairie, MN 55344
 Applicant Telephone Number: 952-828-8931 Other: 952-914-5837
 Applicant Fax Number: 952-914-5860
 Applicant Email Address: ann.c.thies@supervalu.com

Property Information

Property Owner (if different from above): Inland Silver Lake Village, L.L.C., a Delaware limited liability company
 Owner Address: c/o Inland Silver Lake Village, LLC, Dept. CH16616, Palatine, IL 60055
 Owner Telephone Number: 651-738-7777
 Owner Email Address: plessner@inlandrealestate.com

Type of Request (Check All that Apply)

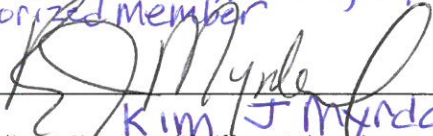
- | | |
|--|--|
| <input type="checkbox"/> Appeal (\$100 fee) | <input type="checkbox"/> Minor Subdivision/Lot Split (\$250 fee + \$1,250 escrow) |
| <input type="checkbox"/> Comprehensive Plan Amendment (\$750 fee + \$1,500 escrow if residential; \$3,500 escrow if commercial/industrial) | <input type="checkbox"/> Planned Unit Development (PUD) (\$750 fee + \$2,500 escrow) |
| <input checked="" type="checkbox"/> Conditional Use Permit (CUP) (\$200 fee+ \$450 escrow if residential; \$850 escrow if commercial/industrial) | <input type="checkbox"/> Rezoning (\$500 fee + \$750 escrow) |
| <input type="checkbox"/> Easement Vacation (\$200 fee + \$500 escrow) | <input type="checkbox"/> Zoning Text Amendment (\$500 fee + \$750 escrow) |
| <input type="checkbox"/> Preliminary Plat (\$500 fee + \$500 escrow) | <input type="checkbox"/> Site Plan (\$250 fee + \$450 escrow) |
| <input type="checkbox"/> Final Plat (\$500 fee + \$500 escrow) | <input type="checkbox"/> Variance (\$200 fee + \$450 escrow if residential; \$850 escrow if commercial/industrial) |

Acknowledgement and Signature

I acknowledge that I have read all of the information listed in the City of St. Anthony Village Land Use Application and fully understand that I am responsible for all costs incurred by the City related to the processing of this application. If additional fees are required to cover costs incurred from processing of the application, the City has the right to require additional payment from one or more of the undersigned, who shall be jointly liable for such fees. Such expenses may include (but are not limited to) direct city payroll and overhead costs, fees paid to consultants and other professionals, and the cost of printing, mailing, and supplies. Applicants are advised that an escrow deposit is required at the time of the submittal of the land use application to offset costs associated with the proposed project. Unused portions of an escrow are returned to the applicant upon successful implementation of an approved plan. I understand that approval from other agencies may be required before commencement with the stated project.

Property Owner Signature (Required)

Silver Lake 1996, L.L.C., by SUPERVALU INC.,
Authorized Member


Kim J. Myrdahl, Vice Pres. JK
Tenant

Applicant Signature (If different than the property owner)

Date

4-30-14

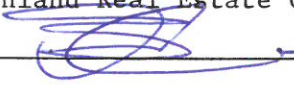
Date

Please contact the City Planner at 763-287-8521 or
planner@ci.saint-anthony.mn.us if you have any questions regarding this application.

Acknowledgement and Signature

I acknowledge that I have read all of the information listed in the City of St. Anthony Village Land Use Application and fully understand that I am responsible for all costs incurred by the City related to the processing of this application. If additional fees are required to cover costs incurred from processing of the application, the City has the right to require additional payment from one or more of the undersigned, who shall be jointly liable for such fees. Such expenses may include (but are not limited to) direct city payroll and overhead costs, fees paid to consultants and other professionals, and the cost of printing, mailing, and supplies. Applicants are advised that an escrow deposit is required at the time of the submittal of the land use application to offset costs associated with the proposed project. Unused portions of an escrow are returned to the applicant upon successful implementation of an approved plan. I understand that approval from other agencies may be required before commencement with the stated project.

Inland Silver Lake Village, L.L.C., a Delaware limited liability company
By: Inland Real Estate Corporation, a Maryland corporation, its manager



Property Owner Signature (Required) **D. Scott Carr** 4.28.14
Executive Vice President Date

Applicant Signature (If different than the property owner) Date

Please contact the City Planner at 763-287-8521 or
planner@ci.saint-anthony.mn.us if you have any questions regarding this application.

NARRATIVE

LAND USE APPLICATION TO CITY OF ST. ANTHONY VILLAGE FOR CONDITIONAL USE PERMIT (CUP)

Silver Lake 1996 L.L.C., c/o SUPERVALU INC (SUPERVALU) is applying for a Conditional Use Permit to allow a Drive-Up Window for the pharmacy business in its Cub Foods store at 3930 Silver Lake Road, St. Anthony Village, Minnesota.

If the application is approved, SUPERVALU will construct a drive-up pharmacy window on the south side of its Cub Foods store. This location is connected to the in-store pharmacy department. SUPERVALU has analyzed the amount of stacking expected to be generated by this addition, and has concluded that: (1) The proposed drive-up lane is adequate; (2) the magnitude of additional traffic is small in comparison to the existing traffic on site; and (3) on-site circulation patterns can be developed to ensure safety and convenient traffic flow. Additionally, as you will note on the attached concept site plan, that stop signs and "Do Not Enter" sign have been added at the exit of the drive-up lane.

The existing parking stalls total 563 stalls. SUPERVALU has designed the drive-up lane so that only 15 parking stalls have been eliminated to allow for the drive-up window lane. The remaining 548 parking stalls are only fractionally different than what presently exists, going from 7.4 to 7.2 CMA. C [cars] M [Roman numeral for 1,000] A [area of building] which means the number of cars per 1,000 square feet of building area. Those who may park in the 15 removed stalls would have the option of parking in the larger Cub parking lot.

SUPERVALU will typically staff the drive-up window from 9AM to 9PM Monday through Friday and from 9AM to 6PM Saturday and Sunday. While there will be an intercom

system, it is of a privacy nature to comply with the Board of Pharmacy requirements. The drive-up window is 4'x 8'.

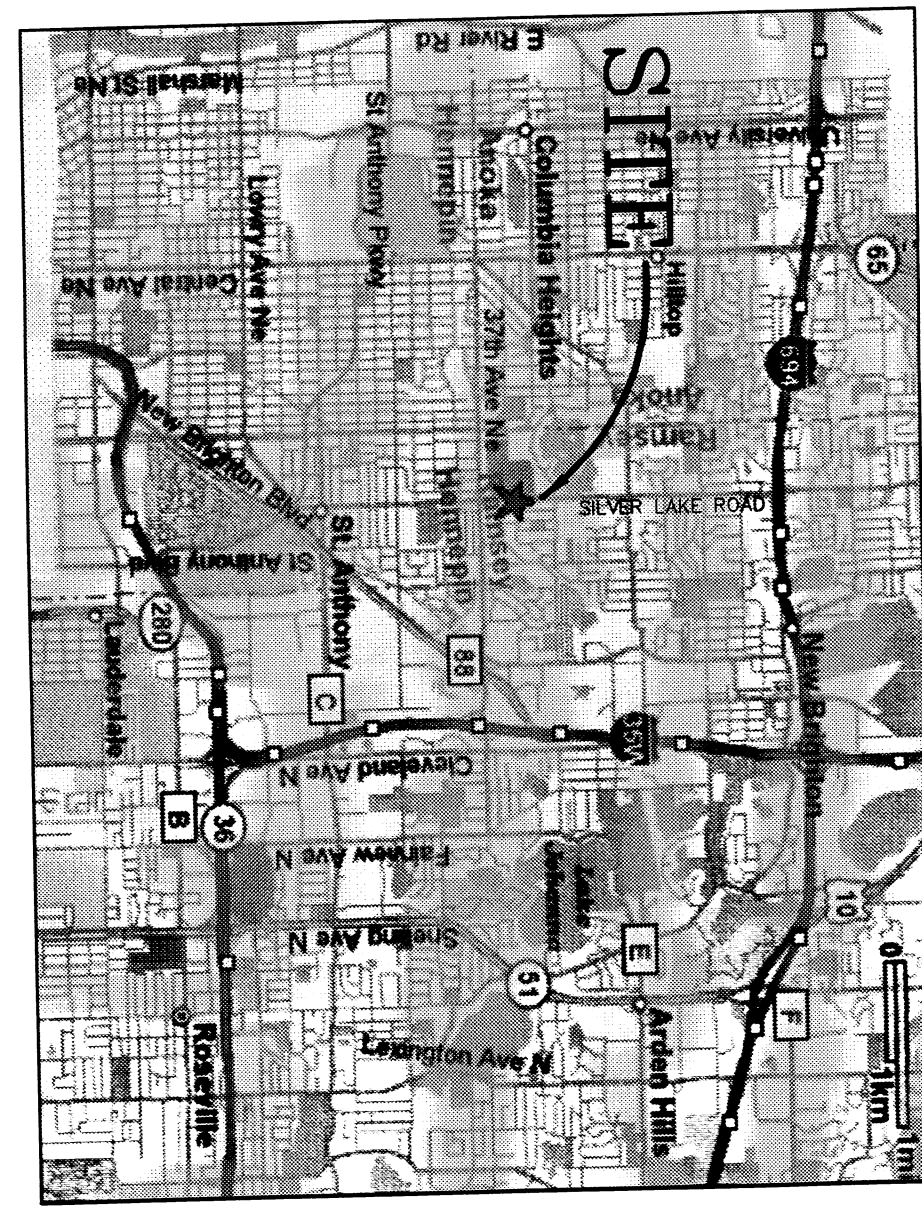
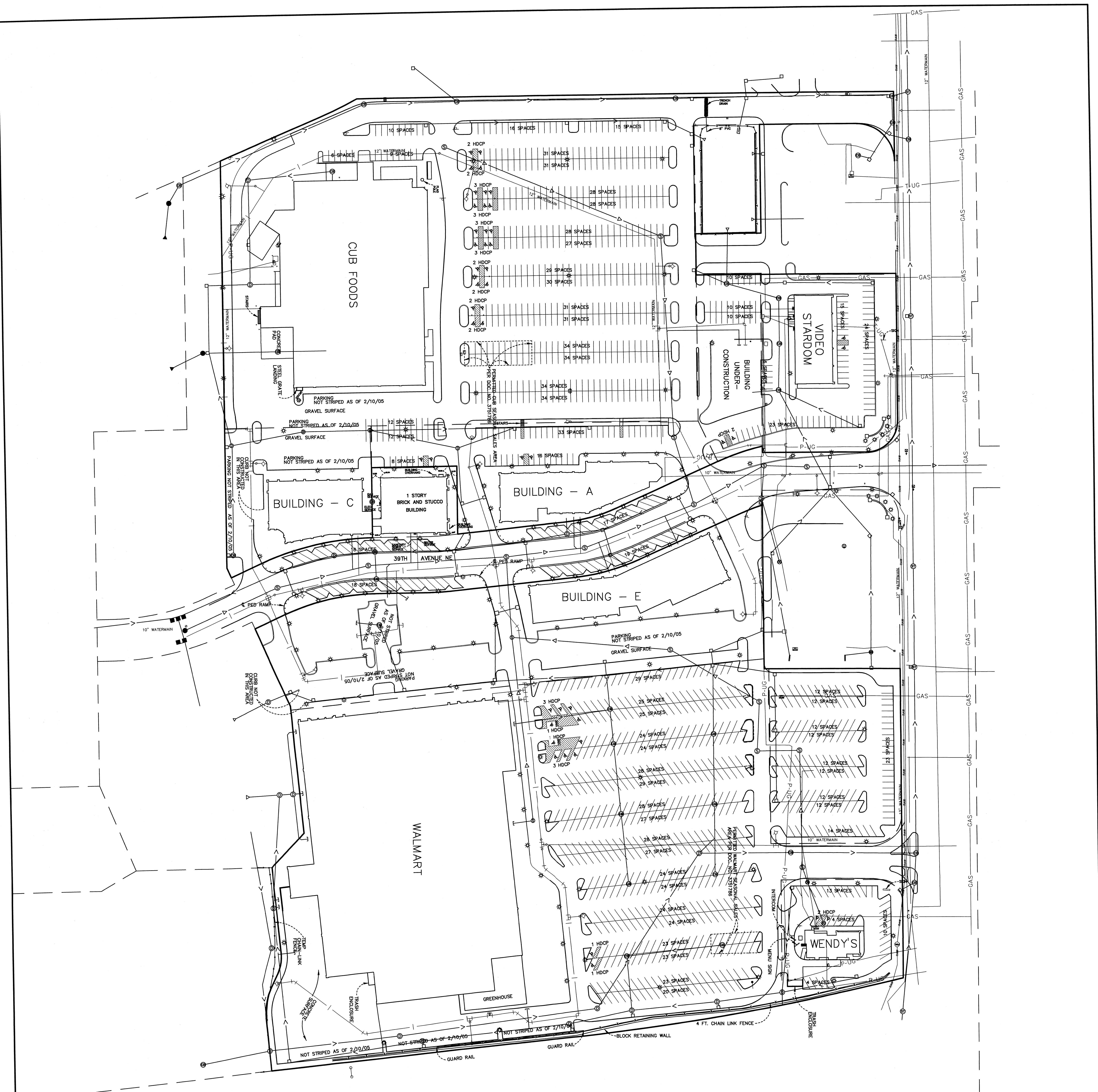
SUPERVALU will provide lighting consistent with the City guidelines. The only lighting added for the drive-up window will be 3-4 recessed flat lenses under the overhanging canopy that shine downward.

SUPERVALU will be placing signage on the drive-up canopy. Current signage is as follows: a) Cub Foods; b) 24 hour savings; c) TCF Bank; d) Cub Pharmacy. The signage package attached depicts: (1) the proposed signage on the south elevation on the new drive-up canopy, which totals 115.69 square feet; and (2) the proposed changes to the existing pharmacy and Cub signage on the east elevation, 41.75 square feet and 109.77 square feet respectively.

SUPERVALU is seeking to provide this drive-up window as a convenience for its customers and the community. Drive-Up windows are increasingly common as an added benefit to its customers, who are continually expecting more conveniences for their needs. At this location, SUPERVALU also provides a TCF Bank facility. This drive-up service allows customers an additional option.

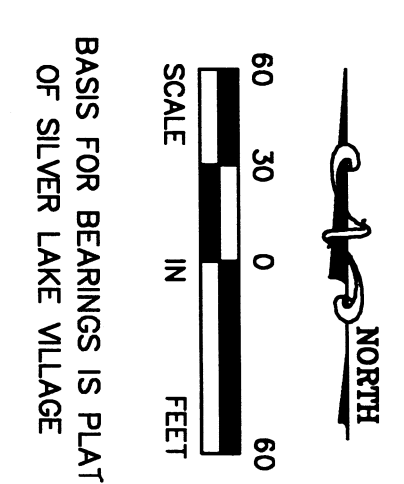
Attachments:

1. Survey
2. Existing Site Conditions
3. Concept Site Plan
4. Signage Package



VICINITY MAP

- DENOTES IRON MONUMENT SET WITH YELLOW PLASTIC CAP
 ● INSCRIBED LAND CORNER (S 1/4 1/8, UNLESS OTHERWISE NOTED).
 ● DENOTES FOUND MONUMENT
- UNKNOWN MANHOLE
 PER DOC. NO. 5072474
- TELEPHONE BOX
 ○ BUSH
 ○ DECIDUOUS TREE
 ○ CONTIGUOUS TREE
 ○ POWER POLE
 ○ HANDHOLE
 ○ LIGHT POLE
 ○ GATE VALVE
 ○ FIRE HYDRANT
 ○ CATCH BASINS
 ○ SANITARY SEWER MANHOLE
 ○ STORM SEWER MANHOLE
- SANITARY SEWER LINE
 —○— STORM SEWER LINE
 —○— WATERMAIN
 —○— OVERHEAD POWER LINE
 —○— UNDERGROUND POWER LINE
 —○— UNDERGROUND TELEPHONE LINE
 —○— UNDERGROUND GAS LINE
 —○— FENCE LINE
 —○— HANDICAP PARKING SPACE
 —○— SIGN
 —○— BOLLARD
 —○— AREA OF ACCESS DRIVEWAY
 PER DOC. NO. 5072474
- LEGEND



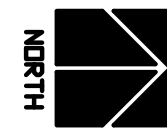
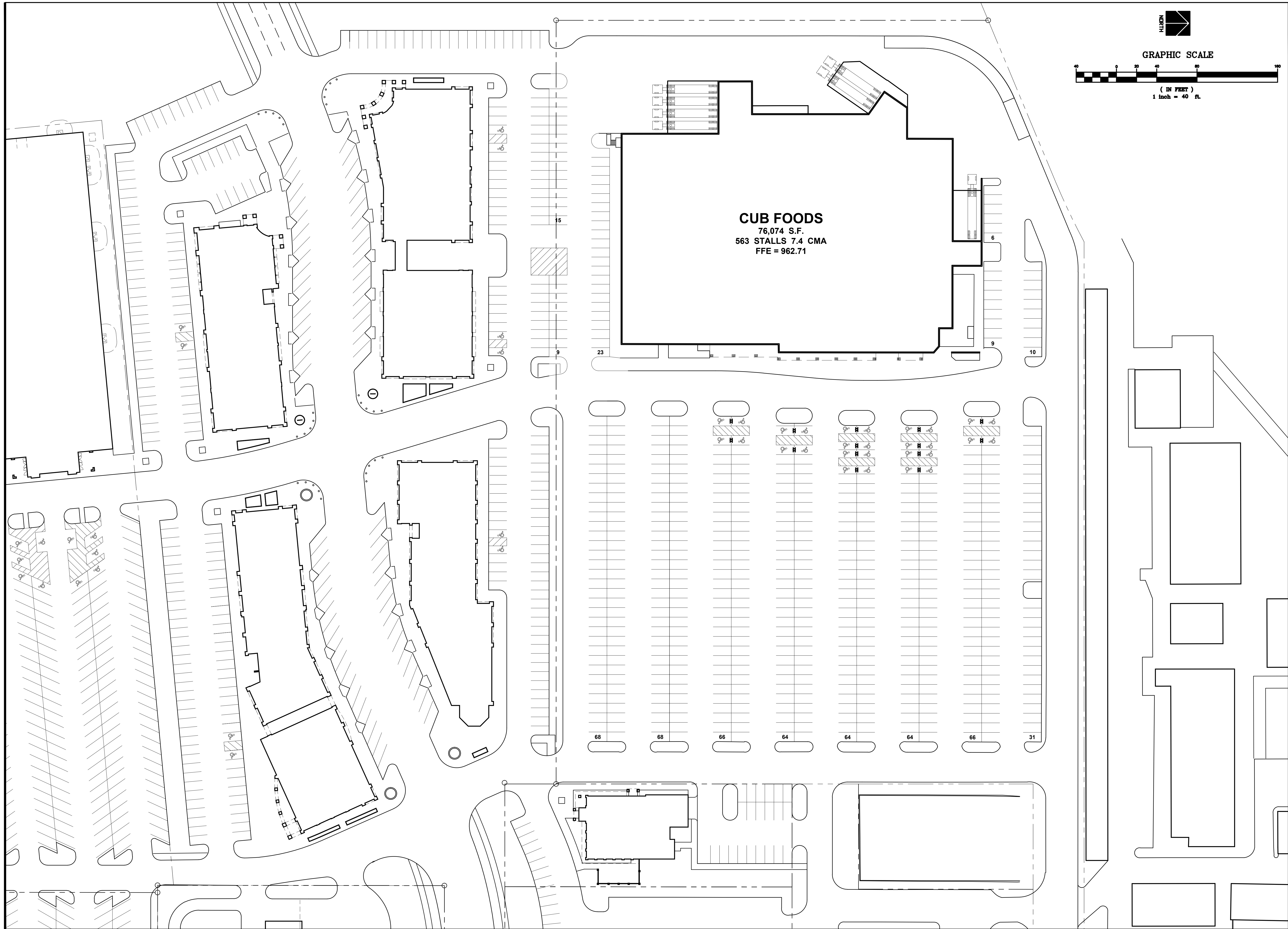
SHEET NO.
3

ALTA/ASCM LAND TITLE SURVEY
ST. ANTHONY RETAIL DEVELOPMENT, LLC



Treacher Square
700 Third Street South
Minneapolis, MN 55415
612.370.0700 Tel
612.370.1376 Fax

JOB NO.: 31809293	REVISION DATE:	DESCRIPTION
DRAWN BY: BJY		
DWG. NAME: APCH-ALT-SH3		
S.T.R.: 31-30-23		
COUNTY: RAMSEY		
DWG. NO.:		



GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.

CUB FOODS
76,074 S.F.
563 STALLS 7.4 CMA
FFE = 962.71

BY: _____
DATE: _____
REV. NUMBER: _____
DESCRIPTION: _____

CERTIFICATION: _____

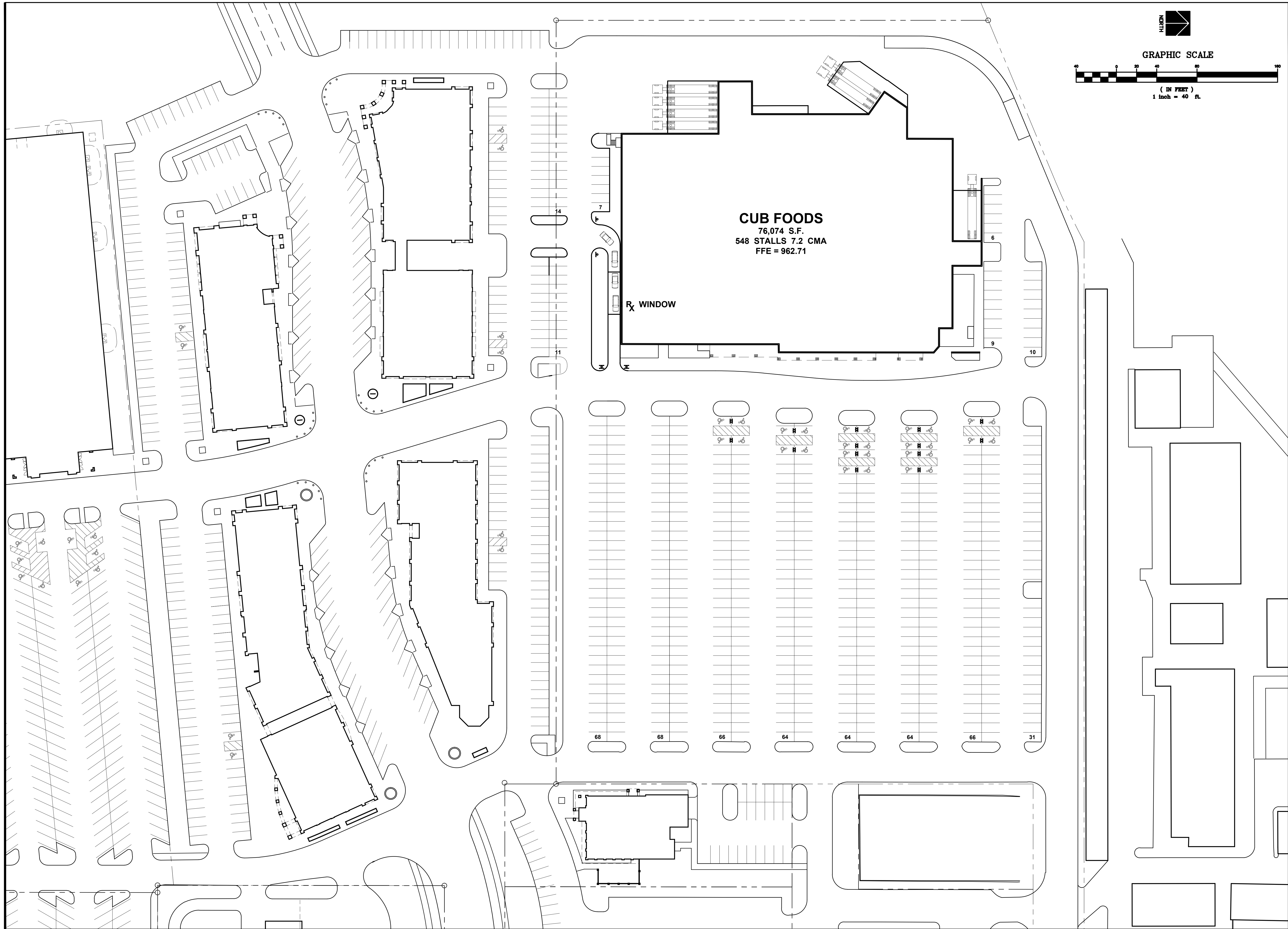
DRAWN: BH
CHECKED: BH
DATE: 03 20 14
SCALE: 1"=40'

CUB FOODS
SILVER LAKE ROAD & 39th AVE NE
ST. ANTHONY, MN,

STORE NUMBER
NORTHERN
PROJECT NUMBER
0000-0
SHEET TITLE
EXISTING SITE CONDITIONS

SHEET NUMBER
CSP-0

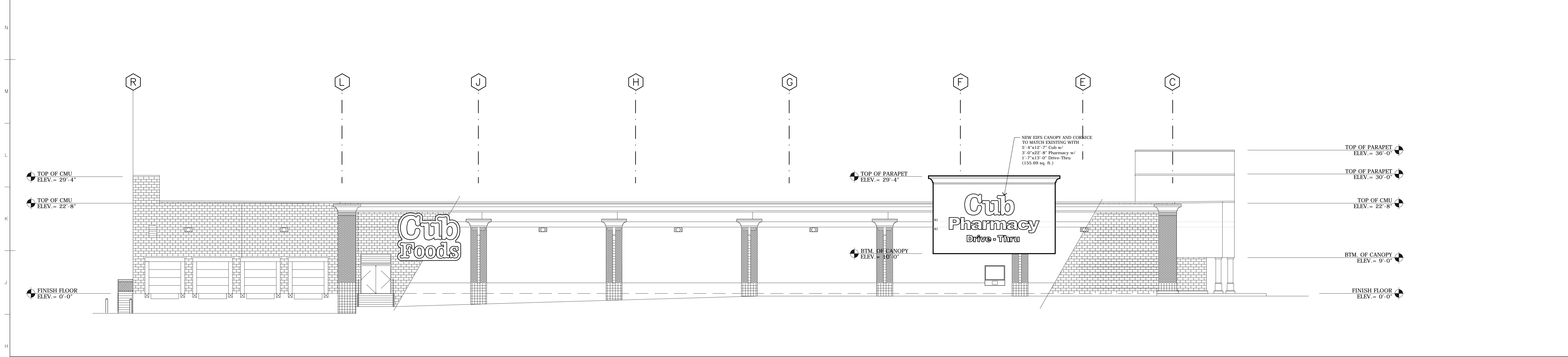
© 2014 ALL RIGHTS RESERVED



BY:		DATE:	
REV. NUMBER:		DESCRIPTION:	
CERTIFICATION:			
STORE NUMBER NORTHERN	PROJECT NUMBER 0000-0	SHEET TITLE CONCEPT SITE PLAN	SHEET NUMBER CSP-2.1
DRAWN: BH	CHECKED: BH	DATE: 03 20 14	SCALE: 1"=40'
CUB FOODS SILVER LAKE ROAD & 39th AVE NE ST. ANTHONY, MN,			
© 2014 ALL RIGHTS RESERVED			



1P PROPOSED EAST ELEVATION SCALE: 3/32" = 1'-0"



1H PROPOSED SOUTH ELEVATION SCALE: 3/32" = 1'-0"



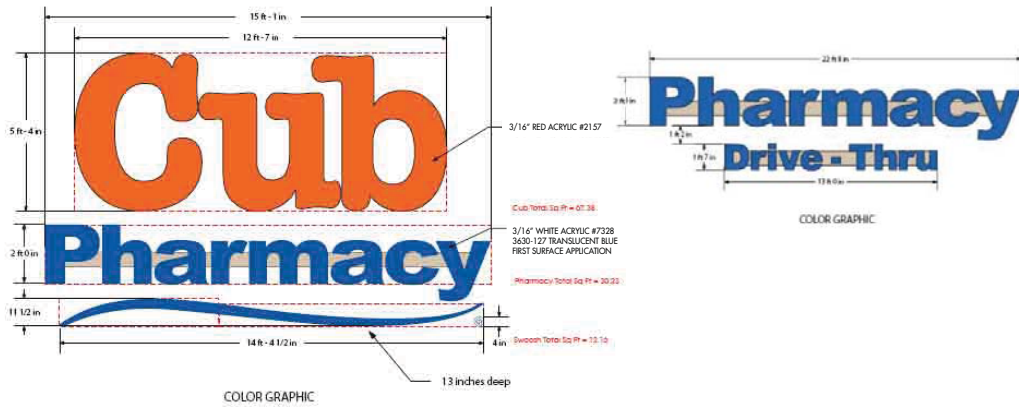
Short Elliott Hendrickson Inc.
 3635 Business Center Drive
 St. Paul, MN 55119-0188
 651-480-2000 main | 651-480-2150 fax
 800.325.2655 toll free | www.sehinc.com

MARK	DATE	DESCRIPTION
01	4/23/14	PRELIMINARY ELEVATIONS

CUB FOODS
 3930 SILVER LAKE ROAD
 ST. ANTHONY, MN 55421

SEH FILE NO. 127977
 ISSUE DATE 04/23/2014
 DESIGNED BY DBS
 DRAWN BY DU
 PROJECT MGR DU
 ©2014 Short Elliott Hendrickson, Inc.

SHEET CONTENTS
 EXTERIOR ELEVATIONS



Cub Foods Exterior Signage

"Cub Pharmacy" and "Pharmacy Drive-Thru"

"Cub" Sign faces to be "Cub Orange" or white; "Pharmacy" and "Drive-Thru" sign faces to be white plexiglass with "Intense Blue" translucent vinyl applied first surface to match color specification or PMS 300 Blue; in various sizes. Size selection to be appropriate to Exterior Banner Brand Design and local jurisdictional requirements – Intent is to maximize signage visibility.

2. Spec guidelines

- One 20-amp 120V circuit
- 3/16" acrylic sign faces #2157 red / 3/16" acrylic sign faces #7328 white
- "Cub" Exclusive US LED Right light 3up Red LED illumination *No Exceptions* with remote power supplies
- "Pharmacy Drive – Thru" Exclusive US LED White Point LED illumination *No Exceptions*

**CITY OF ST. ANTHONY VILLAGE
HENNEPIN COUNTY, MINNESOTA
RESOLUTION NO. _____**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT (CUP) TO
ALLOW A DRIVE-THROUGH WINDOW ON THE SOUTH SIDE OF THE
EXISTING CUB FOODS STORE TO SERVE THE IN-HOUSE PHARMACY ON
THE PROPERTY LOCATED AT 3930 SILVER LAKE ROAD**

WHEREAS, the City of St. Anthony Village received a request from the Applicant Silver Lake 1996 L.L.C. on behalf of the Owners Inland Silver Lake Village, L.L.C., a Delaware Limited Liability Company for a conditional use permit (CUP) to allow a drive-through window on the south side of the existing Cub Foods Store to serve the in-house pharmacy on the property located at 3930 Silver Lake Road (PID 313023310029) on April 30, 2014, legally described as follows:

Lot 1, Block 1 Silver Lake Center

WHEREAS, the property located at 3930 Silver Lake Road is located within the City's PUD - Planned Unit Development Zoning District; and

WHEREAS, the Planned Unit Development and Subdivision Agreement states that permitted uses shall be limited to those specifically allowed as either a permitted use or as a conditional use permit in the general commercial district (as defined in the City Code) unless an amendment to the PUD is approved by the City; and

WHEREAS, the "general commercial district" as defined by the City Code is the C- Commercial Zoning District; and

WHEREAS, a "grocery store" is a permitted use in section 152.121(C- Commercial Zoning District) of the City Code; and

WHEREAS, a permitted conditional use within the C- Commercial District allows for "a use permitted under 152.121 except for the fact that it has a drive-through facility"; and

WHEREAS, staff issued a report dated May 9, 2014 on the application made by the Applicants (Planning Report), analyzing the request made in relation to the City Ordinance criteria and made recommendations if the requests were approved by the City Council; and

WHEREAS, the Planning Commission acting as the Board of Adjustments and Appeals, reviewed and considered the request based on the related documents shown in the Applicant's application in a public hearing at their meeting on May 19, 2014; and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of St. Anthony Village approves the Applicant's conditional use permit (CUP) request based on the following findings:

1. The requested conditional use permit (CUP) is consistent with all the standards for granting a CUP as described in Section §152.243 of the St. Anthony Village Zoning Code. More specifically, the City Council finds that the requested CUP is justified for the following reasons:
 - a. The use is one of the conditional uses specifically listed for the district in which the property is located.
 - b. The City Council has specified all conditions which the City Council deems necessary to make the use compatible with other uses in the area as outlined in this Resolution.
 - c. The surrounding land uses in the immediate vicinity include other commercial/retail uses, park and open space, and high density residential and it does not appear that the proposed drive-through facility will be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity.
 - d. The drive-through window associated with the pharmacy is a convenience for customers of Cub Foods, which is also an amenity to the community and will contribute to the general welfare by providing this amenity.
 - e. The property owner proposes to use the property in a reasonable manner.
 - f. The proposal is consistent with the City's Comprehensive Land Use Plan, which guides this property for commercial land use.

NOW THEREFORE BE IT FURTHER RESOLVED, that the City Council's approval of the requested conditional use permit (CUP) is contingent on the following:

1. The Applicant shall obtain all necessary permits and approvals prior to beginning construction, including a building permit and sign permit.
2. The Applicant/Property Owner shall ensure continuance of the sidewalk connection between the Cub Foods Store and the neighboring retail businesses to the south. This shall include pavement markings, sidewalk connections through the island, truncated domes, and other provisions as required and approved by the City Engineer.
3. A landscaping plan for the new island adjacent to the drive-through facility must be submitted and approved by the City Planner prior to issuance of a building permit.
4. This conditional use permit (CUP) shall expire one (1) year from the date of the resolution if the construction of the drive-through facility does not commence. City Council approval shall be required for an extension.

APPROVED in the regular session of the City Council on _____, 2014.

Jerome O. Faust, Mayor

Attested:

Barb Suci, City Clerk

3930 Silver Lake Road CUP Request

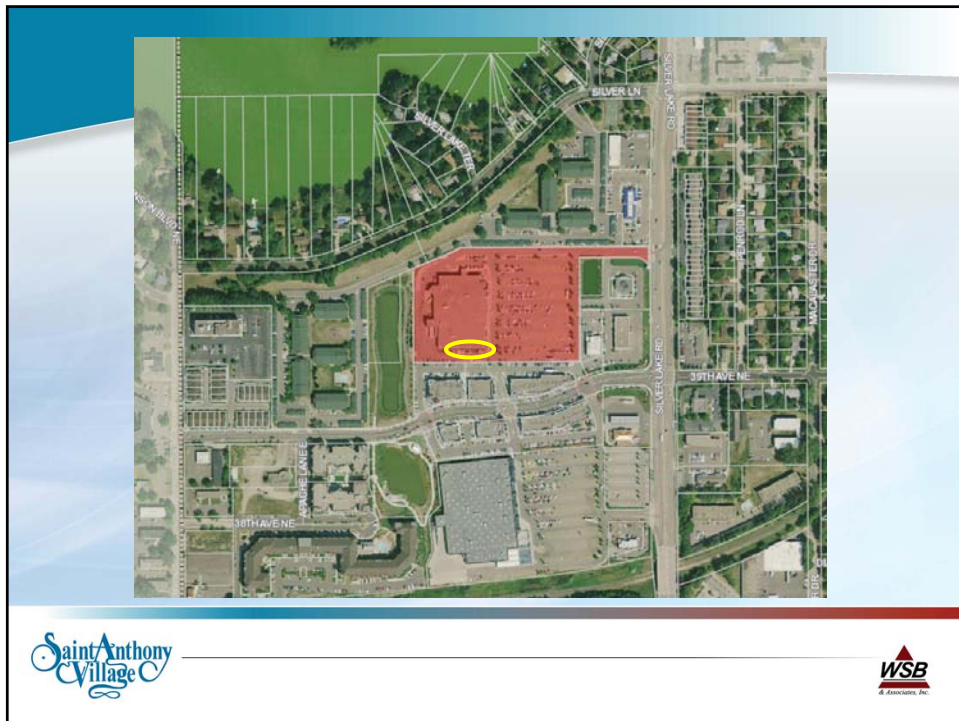
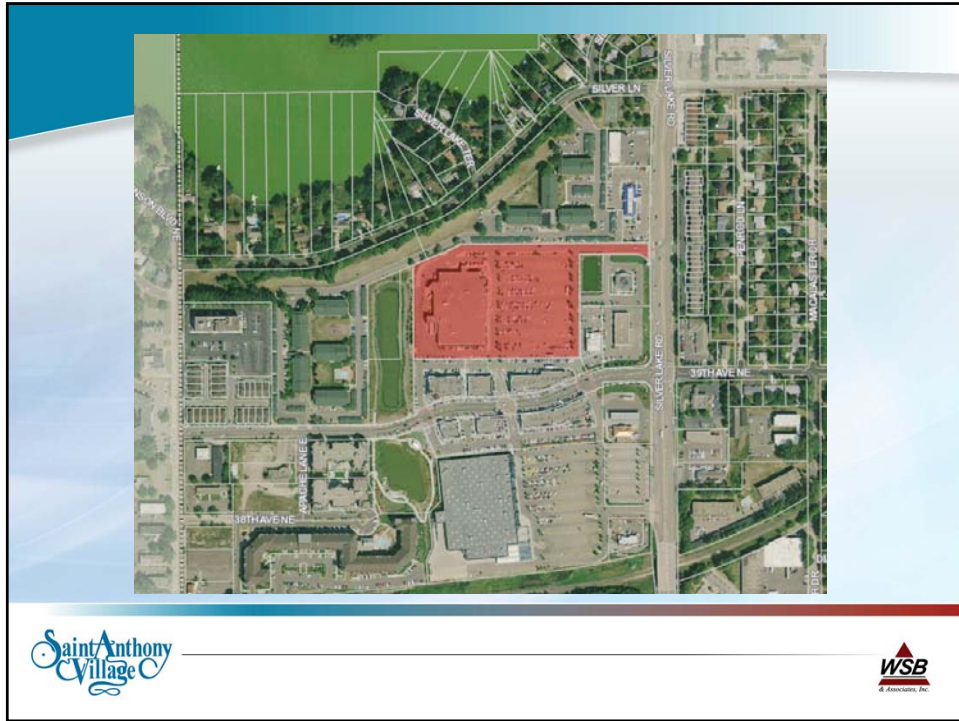
Planning Commission Meeting
May 19, 2014



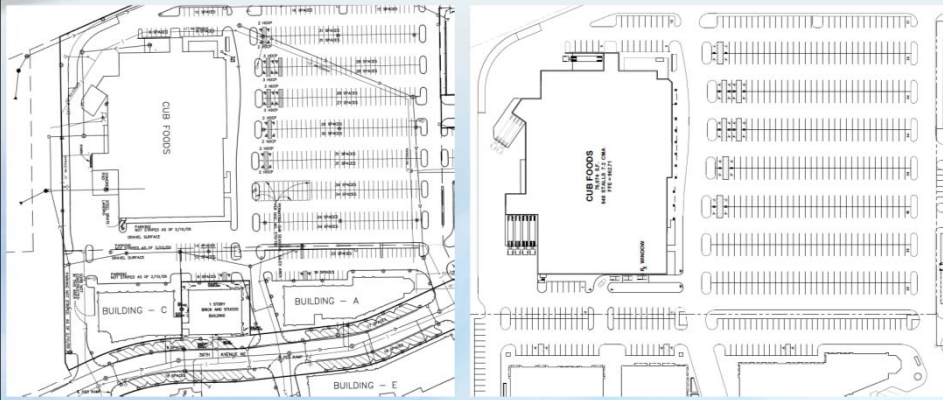
3930 Silver Lake Road

- **General Information**
 - Applicants:** Silver Lake 1996 L.L.C.
 - Owners:** Inland Silver Lake Village, L.L.C., a Delaware Limited Liability Company
 - Location:** 3930 Silver Lake Road
 - Existing Land Use / Zoning:** Commercial/ Zoned PUD – Planned Unit Development
 - Surrounding Land Use / Zoning:**
 - North:** High-density residential / Zoned R4
 - East:** Commercial/ Zoned PUD
 - South:** Commercial/ Zoned PUD
 - West:** High-density residential / Zoned R4

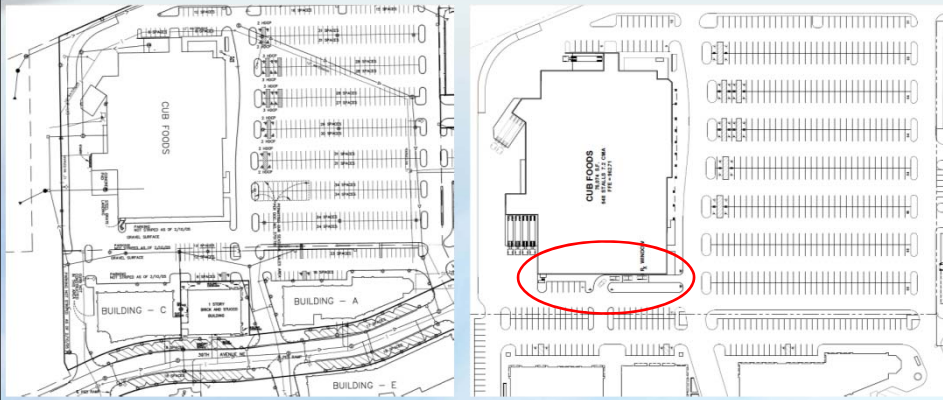




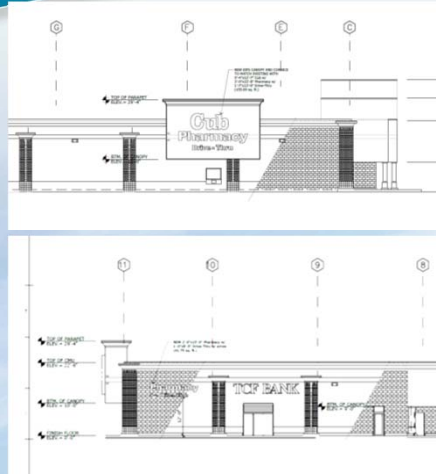
3930 Silver Lake Road



3930 Silver Lake Road



3930 Silver Lake Road

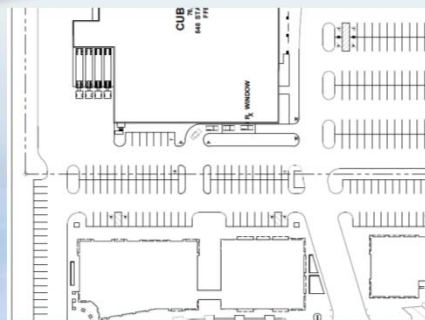


- 8' x 4' drive-through window
- 10' x 30' canopy
- 10' above driveway
- Signage along south and east walls
- 3-4 flat lenses light fixtures under overhang
- Hours 9am-9pm



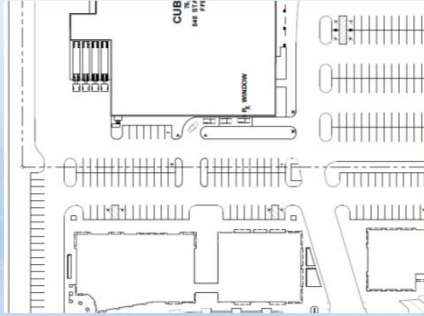
3930 Silver Lake Road

Parking



3930 Silver Lake Road

Parking



3930 Silver Lake Road

Parking

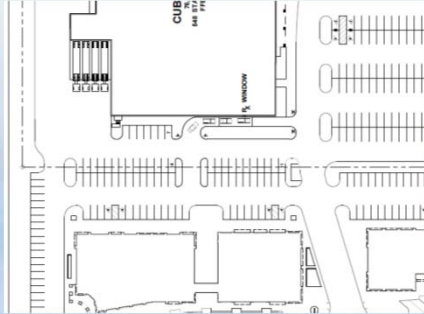


- Currently 563 parking spaces
- 23 spaces along the south side of the building
- 25 partial spaces along the property boundary (calculated at .5 per space)
- 16 spaces to be eliminated (7 to remain)
- **TOTAL – 560 spaces**



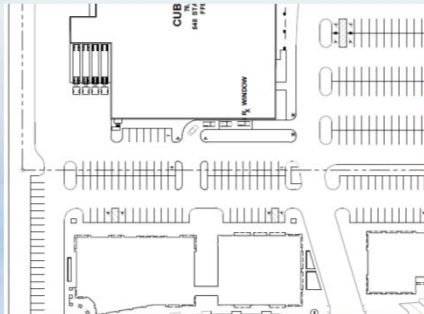
3930 Silver Lake Road

Sidewalks and Pedestrian Circulation



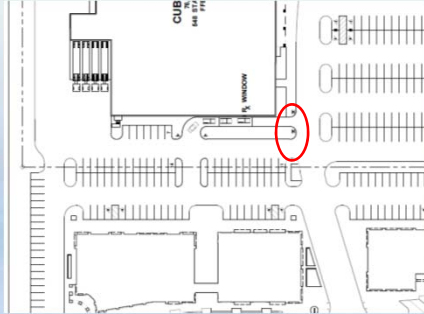
3930 Silver Lake Road

Sidewalks and Pedestrian Circulation



3930 Silver Lake Road

Sidewalks and Pedestrian Circulation



3930 Silver Lake Road

Sidewalks and Pedestrian Circulation



- Pavement markings
- Sidewalk connection
- Truncated domes



3930 Silver Lake Road

- CUP Criteria Review
 - Use is one of the conditional uses specifically listed in the district;
 - City Council has specified all conditions;
 - Use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity;
 - Use will provide a service or facility which is in the interest of public convenience and will contribute to the general welfare



3930 Silver Lake Road

- Recommendation

Staff recommends approval of the conditional use permit (CUP) to allow a drive-through window on the south side of the existing Cub Foods Store to serve the in-house pharmacy located at 3930 Silver Lake Road subject to the findings and conditions outlined in Exhibit C.



3930 Silver Lake Road

Questions?

