



STAFF REPORT

DATE: 3/21/2017

REGULAR

ITEM #: 23

MOTION

TO: City Council
FROM: Emily Becker, City Planner
AGENDA ITEM: Lakewood Crossing 2nd Addition General Planned Unit Development Concept Plan
REVIEWED BY: Stephen Wensman, Planning Director

BACKGROUND:

CM Properties 94, LP has submitted an application to the City for a Planned Unit Development (PUD) Concept Plan for Outlot A of Lakewood Crossing 1st Addition. The proposal is being submitted for conceptual review before the applicant submits a Preliminary Plat and PUD Preliminary Plan application to subdivide the existing 3.82 acre parcel in to three separate parcels. These parcels will include a full service restaurant with outdoor patio; quick service restaurants with drive-thrus; and other retail activities. Approval of the PUD Concept Plan alone does not afford the developer/applicant any rights.

ISSUE BEFORE COUNCIL:

The Council is being asked to consider a request for a Planned Unit Development (PUD) Concept Plan for Lakewood Crossing 2nd Addition.

PROPOSAL DETAILS/ANALYSIS:

The Planning Commission held a public hearing, reviewed, and provided recommendation on the proposed PUD Concept Plan at its meeting on March 13, 2017. No public testimony was given during the public hearing, nor was any submitted to Staff prior to the meeting. The following provides a summary of comments received during that meeting upon review of the subject PUD Concept Plan.

PUD Flexibility Requests. The Applicant will need to more clearly outline what sort of PUD flexibility is being requested. The Applicant had communicated during the meeting that the subdivision of the parcels would allow the Applicant to bring in up to 15-18 different businesses to the parcel as opposed to one big-box retailer. The application indicates that the Applicant is only requesting flexibility from wall sign requirements and zero lot lines. Upon review of the application of its adherence to the Zoning Code, Staff and the Planning Commission have determined that flexibility from the following City standards will be required. Comments from the Planning Commission regarding these flexibilities are also outlined:

- *Lot width.* Because of the irregular size of the parcel to be subdivided, lot width of one lot of the proposed plan does not meet City standards.
- *Impervious surface requirements of one lot.* The average impervious surface percentage of the three lots combined meet City standards (maximum of 75% impervious surface), but one of the lots does not meet this requirement.
- *Signs.* The Applicant has stated in the Concept PUD application that wall signage flexibility is being requested but has not provided further detail. The Applicant indicated during the meeting that perhaps they will request 1.5 feet of wall sign square footage per lineal foot measurement of the building as opposed to the permitted 1 square foot per lineal foot of the building. The Applicant

will need to submit a Comprehensive Sign Plan to be approved. The Commission requested marketing data on why the increased square footage was necessary.

- *Drive-thru as a permitted, rather than conditional use.* The Applicant has requested that through the PUD process, drive-ways be a permitted, rather than conditional use as designated in the Zoning Code. The Commission does not recommend this be allowed as a permitted use in order for the City to have more control over the placement, number and screening of the drive-thrus.
 - *Drive-thru placement.* The Commission also had concern about traffic control with proposed placements of drive-thrus. Specifically, the northerly-most drive-thru exits in to the parking lot rather than providing egress. There was also concern about the number of drive-thrus, turning radiuses, and traffic control with the number of drive-thrus being proposed.
- *Outdoor Dining as a permitted, rather than conditional use.* The Applicant clarified during the meeting that the outdoor seating was being proposed on Lot 3 and that it will be enhanced by plantings, etc. The Commission did not specifically state that there was issue with allowing outdoor dining as a permitted use, but there was concern about where it would be located and if parking lot traffic would interfere.
- *20% Open Space Requirement for PUDs.* The City's PUD Ordinance requires that PUD submittals provide at least 20% preserved and protected open space. Other public or site amenities may be approved as an alternative to this requirement. The Planning Commission recommends that the Applicant more clearly outline what public or site amenity is being proposed as an alternative to the open space requirement. The Applicant stated during the public hearing that upgraded architectural features are being proposed and that the development will provide additional tax base and also that 20% open space may not make sense for such a development, as the open space would be taking away tax base.
- *Access Management.* City standards require that access on Hudson Blvd be limited to spacing of 660 feet. The proposed plan has an access only 250 feet from the Kwik Trip's existing access (which the proposed development will share). Staff and the Planning Commission recommend that the Applicant work with the property to the west of the proposed development (PID# 34.292.144.0004 – Ebertz property) to provide shared access. They also wanted to possibly see a better explanation of how site circulation could possibly work with one access.
- *Parking requirements.* More information is needed as to whether or not the applicant will need to provide additional parking or if it will be a requested PUD flexibility. The use of each of the buildings has not yet been defined, and so Staff cannot determine if these requirements have been met. Currently, the plan proposes 6.6 spaces per 1000 square feet. The Applicant does not yet know who will be the tenants within the proposed development but will try and have a more definite plan to provide for the Preliminary PUD Plans and is confident that there will be adequate parking provided. He also asserted that adequate parking was in the best interest of himself as the developer and the tenants of the proposed development.

Other Comments. The Planning Commission provided the following additional comments on the proposed PUD:

- *Drainage.* There was also concern about drainage, but at this point, the proposal has not been reviewed in detail, as the plan is at a concept phase.
- *Landscaping.* The proposed PUD Concept Plan does not meet a number of City Landscape Requirements including landscaping of setback areas and perimeter parking lot landscaping. The landscape plans will need to be amended to comply with City standards and approved by the City's Landscape Architect. Additionally, the Commission had requested that there be more landscape islands within the parking lot.

Recommended Conditions of Approval. The attached Resolution 2017-020 outlines the recommended conditions of approval by Staff as amended by the Planning Commission. The Planning Commission recommended the following changes to Staff-recommended conditions:

- 9. The Applicant shall ~~provide open space calculations and shall meet the 20% open space calculation requirement.~~ clearly propose what public or site amenity is being proposed as an alternative to the City's 20% open space requirement for a PUD and obtain approval from Council that the proposed public or site amenity is an acceptable alternative.
- 17. ~~Upon the sale or transfer of ownership of any of the parcels, a~~ A deed restriction that guarantees access to the parking for all ~~both~~ uses must be submitted.
- 19. The Applicant shall provide an analysis of the drive-thru traffic volume, including any impact on parking areas, overall development, and secondary access for review and approval by Council.

Recommendation. The Planning Commission voted to recommend approval of the Lakewood Crossing 2nd Addition PUD Concept Plan with the 19 conditions of approval as drafted by Staff and amended by the Planning Commission, based on findings of fact listed in the Staff Report, with an affirmative votes if 7-0.

FISCAL IMPACT:

The development of this currently vacant site will create three commercial parcels.

RECOMMENDATION:

Staff and the Planning Commission recommend that the Council approve the Lakewood Crossing 2nd Addition PUD Concept Plan with the recommended 19 conditions of approval as listed in Resolution 2017-020:

“Move to adopt Resolution 2017-020, approving the Lakewood Crossing 2nd Addition PUD Concept Plan with 19 conditions of approval.”

ATTACHMENTS:

1. Planning Commission Report dated 3/13/2017.
2. Resolution 2017-020
3. Planning Commission meeting minutes 3/13/2017.

CITY OF LAKE ELMO

RESOLUTION NO. 2017-020

A RESOLUTION APPROVING A PLANNED UNIT DEVELOPMENT CONCEPT PLAN FOR LAKEWOOD CROSSING 2ND ADDITION

WHEREAS, CM Properties 94, LP c/o MFL Properties Corp., 3460 Washington Dr., Ste 100, Eagan, MN 55112, (“Applicant”) has submitted an application to the City of Lake Elmo (“City”) for a General Planned Unit Development (PUD) Concept Plan, a copy of which is on file in the Lake Elmo Planning Department; and

WHEREAS, the proposed PUD Concept Plan is to allow the commercial development of a 3.82 parcel to be called Lakewood Crossing 2nd Addition that will be located within the area north of I-94 and south of 10th Street N, and will incorporate exceptions from the City’s Zoning Regulations as noted below; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on March 13, 2017 to consider the PUD Concept Plan; and

WHEREAS, on March 13, 2017 the Lake Elmo Planning Commission adopted a motion to recommend that the City Council approve the PUD Concept Plan with conditions; and

WHEREAS, the Lake Elmo Planning Commission submitted its report and recommendation to the City Council as part of a memorandum from the Planning Department dated March 13, 2017; and

WHEREAS, the City Council reviewed the recommendation of the Planning Commission concerning the PUD Concept Plan at its regular meeting on March 21, 2017.

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

FINDINGS

- 1) That the procedure for obtaining approval of said PUD Concept Plan is found in the Lake Elmo City Code, Article XVIII.
- 2) That all the requirements of said City Code Article XVIII related to the PUD Concept Plan have been met by the Applicant.
- 3) That the proposed PUD Concept Plan would allow the development of three commercial parcels of 3.82 acres and would allow for platting of Outlot A of Lakewood Crossing 1st Addition.

- 4) That the PUD Concept Plan would be located on property legally described as Outlot A of Lakewood Crossing 1st Addition.
- 5) That the Applicant shall specifically outline which exceptions from the underlying C-Commercial Zoning District requirements are being proposed in the PUD Concept Plan. The following have been preliminarily identified:
 - a) The smallest street frontage of 23.4 feet.
 - b) Maximum impervious surface of 80% for Lot 2.
 - c) Comprehensive Sign Plan allowing additional wall signage if justified by the Applicant and approved by Council.
 - d) Drive-thru number and placement, if further analyzed and approved by Council.
 - e) Outdoor dining as a permitted use, if further analyzed and approved by Council.
 - f) Waiver of 20% open space requirement, if Council determines that an alternative public or site amenity is being proposed.
 - g) Alternative to access spacing requirement of 660 feet on Hudson Blvd., provided the Applicant works with the westerly property to provide shared access.
 - h) Minimum parking requirements, if further analyzed and approved by Council.
- 6) That the proposed General Concept Plan for a PUD:
 - a) Is consistent with the goals, objectives, and policies of the Comprehensive Plan and that the uses proposed are consistent with the C-Commercial land use designation shown for the area on the official Comprehensive Land Use Plan.
 - b) Is generally consistent with the purpose of Article XVIII of the City Code.
 - c) Generally complies with the development standards of Article XVIII of the City Code.
- 7) That the proposed PUD will allow a more flexible, creative, and efficient approach to the use of the land than if the applicant was required to conform to the standards of the existing zoning districts on this property.
- 8) That the uses proposed in the PUD will not have an adverse impact on the reasonable enjoyment of neighboring property and will not be detrimental to potential surrounding uses.
- 9) That the PUD is of sufficient size, composition, and arrangement that construction, marketing, and operation are feasible as a complete unit, and that provision and construction of dwelling units and open space are balanced and coordinated.
- 10) That the PUD will not create an excessive burden on parks, schools, streets, and other public facilities and utilities, which serve or are proposed to serve the development.

- 11) That the PUD is designed in such a manner as to form a desirable and unified environment within its own boundaries.

CONCLUSIONS AND DECISION

1. Based on the foregoing, the Applicant's PUD Concept Plan for the development of a 3 parcel commercial subdivision to be called Lakewood Crossing 2nd Addition is hereby approved, subject to the following:
 1. The Applicant shall address all of the comments outlined in the City Engineer memorandum dated March 8, 2017.
 2. The Applicant shall obtain all necessary permits including but not limited to all applicable city permits (building, grading, sign, etc.), NPDES/SWPPP permits, Valley Branch Watershed District approval, and review by the MPCA if infiltration practices will be allowed.
 3. The Applicant shall be required to extend sanitary sewer and municipal water service to the westerly adjacent property.
 4. Stormwater facilities shall be privately owned and maintained. A maintenance agreement in a form acceptable to the City should be executed and recorded.
 5. The Applicant shall amend the proposed Landscape Plan to comply with City standards and obtain approval by the City's Landscape Architect.
 6. The Applicant shall provide financial security for 125% of landscaping materials.
 7. The Applicant shall submit a Comprehensive Sign Plan and narrative detailing what sort of flexibility is being proposed and for what reason and obtain approval from the Planning Director.
 8. The Applicant shall detail the uses of each building and provide necessary information for the Planning Director to review and approve that the City's Off-Street Parking requirements have been met.
 9. The Applicant shall clearly propose what public or site amenity is being proposed as an alternative to the City's 20% open space requirement for a PUD and obtain approval from Council that the proposed public or site amenity is an acceptable alternative.
 10. The Applicant shall detail the location of the drive-thru elements and outdoor dining facility to ensure standards for such uses have been met.
 11. The Applicant shall submit a photometric plan, and all lighting must meet requirements of Sections 150.035-150.038 of the City Code.
 12. The Applicant shall submit a plan and obtain approval from the Building Official and Fire Chief for the location of hydrants and No Parking and Fire Lane signs.
 13. The Applicant shall work to include PID# 34.292.1440004 (Ebertz property) as part of the Preliminary Plat and PUD Plans or work with the owner of this property to provide shared access.

14. Full left and right turn lanes should be constructed for any new permitted access to the development.
15. The City shall further evaluate shoulder widening/improvements as part of the development.
16. The Applicant shall include in the application narrative why an off-street loading area is not required, to be reviewed by the Planning Commission and approved by Council.
17. A deed restriction that guarantees access to the parking for all uses shall be submitted.
18. Mechanical rooftop equipment must be screened.
19. The Applicant shall provide an analysis of the drive-thru traffic volume, including any impact on parking areas, overall development, and secondary access for review and approval by Council.

Passed and duly adopted this 21st day of March 2017 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk



**City of Lake Elmo
Planning Commission Meeting
Minutes of March 13, 2017**

Chairman Kreimer called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m.

COMMISSIONERS PRESENT: Kreimer, Dodson, Dorschner, Emerson, Larson, Williams, Lundquist and Hartley

COMMISSIONERS ABSENT: Fields

STAFF PRESENT: Planning Director Wensman and City Administrator Handt

Approve Agenda:

M/S/P: Dodson/Williams, move to approve the agenda as presented, ***Vote: 7-0, motion carried, unanimously.***

Approve Minutes: January 23, 2017

M/S/P: Dodson/Larson, move to approve the January 23, 2017 minutes as presented, ***Vote: 7-0, motion carried unanimously.***

Approve Minutes: February 27, 2017

M/S/P: Williams/Lundquist, move to approve the February 27, 2017 minutes as amended, ***Vote: 7-0, motion carried unanimously.***

Public Hearing – PUD Concept Plan – Lakewood Crossing 2nd

Wensman started his presentation regarding the Lakewood Crossing 2nd Addition PUD Concept Plan. This will be a 3 lot subdivision on 3.82 acres. The proposal is for a full service restaurant, chiropractic and other retail activities. This property is currently vacant but is zoned for commercial. This PUD Concept Plan is intended to provide the applicant guidance so that they can adjust the proposal if necessary. The PUD will give flexibility to maximize the use of the property when straight zoning does not work. There is a requirement that 20% of the project area be open space. There are no open space calculations which must be provided. Lot dimensions and Bulk requirements are largely met, but flexibility is being requested for the following 1) lot width minimum 2) Impervious surface 3) Parking setbacks.

There are some deviations from the commercial design standards. Some of the standards do not apply to this site and the unique shape of the lot make some of them a challenge. There is not much landscaping proposed, especially on the exterior streets. The main comments come from engineering and have to do with traffic and access management. Hudson Blvd is a main collector and there is spacing limitations to 660 feet spacing for full access intersections. That would put the next access at the Ebertz property. The City is suggesting working with the Ebertz to develop together.

There are 18 recommended conditions of approval including meeting all engineering comments, a comprehensive sign plan, open space calculations, amended landscape plan to meet city standards, financial security, obtain necessary permits, etc.

Kreimer asked if this could be done with one entrance or if there would need to be two for safety. Wensman stated that to his knowledge there would not need to be two, but should be run by the fire chief and city engineer.

Williams asked why there would be no deed restriction on the shared parking as part of this as it states it is at the time of sale. Wensman stated that there should be a cross access agreement now, not at time of sale.

Hartley asked if the city engineer reviewed this for drainage. Wensman stated that at the concept plan, they are looking at bigger picture and the bigger issue is the access management.

Kreimer asked why this property would need to provide the sewer and water. Is it not in Hudson Road? Wensman stated that the sewer access does not extend all the way down.

Bruce Miller, CM Properties, they are building on speculation and hope that the businesses will come. They are asking for some flexibility from the code so that they can bring a much more quality development forward. The drive through component would be a CUP through the PUD process and they would like to get those approvals now so that they can market to those types of businesses with confidence. He feels that the signage requirements are very small and would be difficult to see. They have been working on some signage proposals for a comprehensive sign plan. Miller stated that rather than the 20% open space required with a PUD, he is proposing upgraded architectural features. He is confident that there will be enough parking. It is to their benefit to make sure there is adequate parking to meet the needs of their tenants.

Hartley asked about a shared driveway on the West side with the Ebertz. Miller stated that the first phase would not need the second access point unless the fire chief requires it. He stated that he does not control the Ebertz property, but he is willing to give them an easement for access.

Public Hearing opened at 7:52 pm

No one spoke and there were no written comments

Public Hearing closed at 7:52 pm

Williams feels that this is a good development and good for this spot. He does have concerns about the access spacing, traffic flow for all the drive thrus and parking needs to be more detailed. The offsets to open space he is willing to discuss, but needs to be convinced with more details of landscaping and architectural design. Dodson agrees with Williams and would like to see an agreement worked out with the property owner to the West. There was discussion regarding concern with the traffic flow of the drive thrus. Kreimer would like to see a couple of islands in the center of parking lot to break it up a little bit. He is also concerned about the turn radius for the multiple drive-thrus and is concerned about the access spacing.

Lundquist thinks this will be a great addition to the community and she is not concerned about the drive-thru radius. Hartley is uncomfortable permitting some of these activities without knowing what the actual use or scale will be. He would like to see them as Conditional Use Permits as the use comes in. Kreimer would like to add condition #19 that the applicant shall be limited to 4 drive thru accesses and 2 of these must be low intensity uses. Miller stated that the approval or denial for a drive thru would impact how you lay out the site and construct the building. Dodson is wondering if the design of the buildings limits what types of businesses would go in there. Miller stated that the design would dictate what types of businesses would go in there.

Williams is wondering if with the next phase the developer could give them information regarding the drive thru traffic. Hartley stated that the drive thru traffic could be part of the parking space analysis.

M/S/P: Dodson/Williams, move to add condition of approval #19 that an analysis be done on the drive thru traffic volume, including any impact on the parking areas as well as the secondary access and overall development, ***Vote: 7-0, motion carried unanimously.***

Dorschner feels that this would be self managing as businesses will pick a location that will accommodate their needs. He doesn't see the concern with the parking as this development doesn't seem any more dense than in other communities. Lundquist agrees. She sees the traffic going around with a flow.

M/S/P: Dorschner/Lundquist, move to recommend approval of the Lakewood Crossing 2nd addition PUD Concept Plan with the 19 conditions of approval as drafted by staff and amended by the Planning Commission, based on the findings of fact listed in the staff report, ***Vote: 7-0, motion carried unanimously.***



STAFF REPORT

DATE: 3/13/2017

REGULAR

ITEM #: 4a

MOTION

TO: Planning Commission
FROM: Emily Becker, City Planner
AGENDA ITEM: Lakewood Crossing 2nd Addition General Planned Unit Development
Concept Plan
REVIEWED BY: Stephen Wensman, Planning Director

BACKGROUND:

CM Properties 94, LP has submitted an application to the City for a Planned Unit Development (PUD) Concept Plan for Outlot A of Lakewood Crossing 1st Addition. The proposal is being submitted for conceptual review before the applicant submits a Preliminary Plat and PUD Preliminary Plan application to subdivide the existing 3.82 acre parcel in to three separate parcels. These parcels will include a full service restaurant with outdoor patio; quick service restaurants with drive-thrus; and other retail activities.

Applicant and Property Owner: CM Properties 94, LP c/o MFL Properties Corp., 3460 Washington Dr., Ste 100 Eagan, MN 55122
Location: Southwest of Kwik Trip Gas Station (9955 Hudson Blvd N), PID# 3402921440015

Existing Land Use and Zoning: Vacant land, Commercial (C)

Comprehensive Plan: Commercial

History: The property has been under the ownership of CM Properties 94, LP for over 45 years, and it is the intent that this company will continue to own the property for years to come.

Deadline for Action: Application Complete: 2/21/2017
60 Day Deadline: 4/22/2017
Extension Letter Mailed: N/A
120 Day Deadline: N/A

Applicable Regulations: Article XVI – Planned Unit Developments
Article XII – Commercial Districts
Chapter 153: Subdivision Regulations

ISSUE BEFORE COMMISSION:

The Commission should review the proposed PUD Concept Plan, provide feedback, and make a recommendation to Council.

PROPOSAL DETAILS/ANALYSIS:

PUD Process. The applicant has submitted an application for PUD Concept Plan. A PUD Concept Plan is intended to provide the applicant with an opportunity to gather information and obtain guidance as to the general suitability of the proposal before incurring substantial expenses in the preparation of plans, surveys

and other data. Approval of the PUD Concept Plan alone does not afford the developer/applicant any rights. The plan should include the following: overall density ranges, general location of residential and nonresidential uses, their types and intensities, general location of streets, paths, and open space, and approximate phasing of the development.

Identified PUD Objectives. The PUD process is appropriate for the proposed development to allow flexibility in the location, design, and mix of commercial uses on a single large site. The City should consider whether one or more of the objectives listed in Section 154.751 are met when reviewing requests for approval of planned unit developments. It is Staff's beliefs that the following objectives listed in the aforementioned Section are met:

- A. Innovation in land development techniques that may be more suitable for a given parcel than conventional approaches.

Staff Comment: The parcel is an irregularly-shaped parcel and so meeting all of the lot dimension requirements of the Commercial zoning district could be interpreted as a hardship. Therefore, the proposed approach would be more suitable for this parcel than the conventional approach.

- F. Coordination of architectural styles and building forms to achieve greater compatibility within the development and surrounding land uses.

Staff Comment: The development will include additional retail and service businesses which will supplement the gas station.

Minimum Requirements. The City's PUD ordinance sets forth the following minimum requirements for a PUD:

- *Lot Area.* The City's current Planned Unit Development ordinance sets forth minimum requirements for lot area in which a PUD is proposed of 5 acres for undeveloped land or 2 acres for developed land within the approved development.
 - The proposed PUD is 3.82 acres.
 - The proposed PUD is an outlot of an approved Preliminary Plat.
- *Open Space.* For all PUDs, at least 20% of the project area not within the street rights-of-way shall be preserved as protected open space. Other public or site amenities may be approved as an alternative to this requirement. Land reserved for storm water detention facilities and other required site improvements may be applied to this requirement.
 - The applicant has not provided open space calculations, and so it is a condition of approval that the applicant provide this. The Commission shall consider if the proposal provides other public or site amenities that may be approved as an alternative to this requirement.
- *Street Layout.* The Applicant is not proposing additional public streets, and so this requirement does not apply.

Permitted and Conditional Uses. The proposed development will include a full service restaurant with outdoor patio; quick service restaurants with drive-thrus; chiropractic care, and other retail activities. Medical facilities (chiropractic care) and drive-thru facilities are conditional uses within the Commercial zoning district. The following table shows permitted and conditional uses within the Commercial zoning district as well as the standards to which these uses must adhere.

- *Conditional Use to Permitted Use.* Because the applicant is proposing a Planned Unit Development, the applicant is requesting that these uses become permitted uses within this development, and so separate applications for Conditional Use Permits would not be required.
- *Standards.* Standards for a medical facility are met. Because the applicant has not provided the locations of the drive-thru elements or outdoor dining area at this time, it is difficult to determine if standards for these accessory uses have been met. Staff recommends that a condition of approval be that the applicant provide these details, and that they comply with these standards.

| Standard | Required | Proposed |
|---|--|---|
| Sec. 154.551: Permitted and Conditional Uses | | |
| <i>Medical facilities</i> | Conditional | Permitted (Chiropractic care) |
| <i>Drive-thru facility</i> | Conditional accessory use | Permitted accessory use |
| <i>Outdoor Dining Area</i> | Conditional accessory use | Permitted accessory use |
| <i>Financial Institution</i> | Permitted | Permitted |
| <i>Standard restaurant</i> | Permitted | Permitted |
| <i>Fast-food restaurant</i> | Permitted | Permitted |
| <i>Personal Services</i> | Permitted | Permitted |
| <i>General retail sales</i> | Permitted | Permitted |
| Sec. 154.304: Standards for Food Services | | |
| <i>Restaurant with Drive-Thru</i> | <p>1. Drive-through elements shall not be located between the front façade of the principal building and the street. No service shall be rendered, deliveries made or sales conducted within the required front yard, although tables may be provided for customer use.</p> <p>2. Site design shall accommodate a logical and safe vehicle and pedestrian circulation pattern. Adequate queuing lane space shall be provided, without interfering with on-site parking/circulation.</p> <p>3. Drive-through canopies and other structures, where present, shall be constructed from the same materials as the primary building, and with a similar level of architectural quality and detailing.</p> | <p>1. The drive-through elements are not outlined. One of the elements appears to be in front yard of Lot 3.</p> <p>2. This is hard to determine without knowing exact locations of speakers and service windows.</p> <p>3. Canopy detail and other structure detail not provided.</p> <p>4. Unable to determine.</p> <p>5. Information not provided.</p> |

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|--|--|---|
| | <p>4. Sound from any speakers used on the premises shall not be audible above a level of normal conversation at the boundary of any surrounding residential district or on any residential property.</p> <p>5. Each food or beverage drive-through business shall place refuse receptacles at all exits.</p> | |
| Sec. 154.303: Standards for Services | | |
| <i>Medical Facilities</i> | Access to arterial or collector street of sufficient capacity to accommodate the traffic that the use will generate. Two access points shall be provided. | Two access points are provided off of Hudson Blvd. |
| Sec. 154.554: Development Standards for Specific Uses | | |
| <i>Outdoor Dining Accessory to Food Services</i> | Tables cannot block a public sidewalk or other walkway needed for pedestrian circulation. Minimum of 5 ft. of sidewalk must remain open. | The applicant has not indicated on the site plan where the outdoor dining area will be located. It is a condition of approval that the applicant supply the City with this information and that it adhere to this standard. |

Lot Dimensions and Bulk Requirements. Largely, the proposed development meets lot dimension and bulk requirement standards. Flexibility is being requested on:

- *Lot width minimum.* The parcel that is being developed is a uniquely-shaped parcel, and so the manner in which the parcel is being subdivided is unique.
- *Impervious surface for Lot 2.* The overall impervious surface of the three parcels averages 75%, which meets the Commercial zoning district's maximum impervious surface requirement. Lot 2 individually, however, exceeds this maximum requirement.
- *Parking setback on Lot 1.* The parking lot will cover all three lots, so there is a 0 ft. setback between the three newly-created parcels. Also, the parking lot is connected to a through lane on the east side of the property with an 8.7 ft. setback. Setbacks from the south and west of the parcel are met.

| Standard | Required | Proposed |
|--|--|---|
| Sec. 154.552: Lot Dimensions and Building Bulk Requirements | | |
| <i>Lot Width Minimum</i> | 100 ft, | Generally these are met, however, Lot 2 forms a sort of flag lot (not significant) that is 22.3 ft. wide along Hudson Blvd. There will be shared access with Lot 3. Flag lots are not prohibited in the Zoning Code in the Commercial District. |
| <i>Impervious Surface Maximum</i> | 75% | Lot 1: 74% Lot 2: 80% Lot 3: 67% |
| <i>Parking Setback</i> | Front yard: 15 Interior side yard: 10 Corner side yard: 15 | 8.7 ft. |

| | | |
|------------------------------------|--|--|
| | Rear yard: 10 Residential zones: 35 | |
| <i>Lot Area Minimum</i> | 0.459 acres | Lot 1: 1.83 acres Lot 2: 1.23 acres Lot 3: 0.76 acres |
| <i>Lot Depth Minimum</i> | None | Lot 1: Approx. 255 ft. Lot 2: 286.06 ft. Lot 3: 179.78 ft. |
| <i>Building Setback Minimum</i> | Front yard: 30 Interior side yard: 10 Corner side yard: 25 Rear yard: 30 Residential zones | All building setback requirements are met. |
| <i>Building Height</i> | 45 ft. | The applicant will need to detail all proposed building heights in order to ensure this standard is met. |
| <i>Maximum Building Floor Size</i> | None | Lot 1: 14,300 sf Lot 2: 10,120 sf Lot 3: 3,192 sf |

Driveway Standards. Flexibility is being requested for the following on driveway standards:

- *Distance from driveway to side lot line.* Lot 3 will share a driveway access with Kwik Trip, to the east of the property, and so will not meet this standard with a 0 ft. setback.
- *Curb cut.* The curb cut has a much wider approach (50 ft.) than the width of the driveway.

| Standard | Required | Proposed |
|--|--|--|
| Sec. 93.26: Driveway Standards | | |
| <i>Distance from driveways to side lot line.</i> | A driveway must be at least 5 ft. from any side lot line. | <u>0 ft.</u> setback. |
| <i>Curb cut.</i> | A curb cut must not exceed the width of the driveway approach at the property line by more than 10 feet. | Driveway: 24' Curb Cut: Looks to be 74' |

Commercial District Design Standards. Because the proposed development is located within the I-94 corridor and is a commercial development, the City of Lake Elmo Design Guidelines and Standards Manual apply. The following table details significant design standards set forth by this Manual and whether or not the proposal meets these standards. Much of the language within this Manual is advisory rather than mandatory. The Commission should consider whether or not flexibility should be allowed from the following standards:

- *Orientation of buildings.* The unique shape of the parcel that is being developed resulted in a unique shape of Lot 3. As a result, the building is oriented according to the shape of the parcel and to accommodate better traffic circulation and proximity to the parking lot.
- *Landscaped open or gathering spaces.* Being that this a small commercial development located in close proximity to the highway that will likely serve quick visits, Staff does not feel it necessary to provide this open space. An outdoor dining area is being proposed, and the restaurants will likely provide adequate seating for guests.

- *Sidewalks.* No sidewalk is provided along Hudson Blvd. However, there are no other sidewalks along Hudson Blvd. to which it could connect. There is an on-road bike lane on Hudson Blvd that will accommodate bikers.
- *Streetscape Lighting.* No lighting is provided along Hudson Blvd. Lighting is provided within the interior of the parking lot.
- *Fencing of Outdoor Dining Areas.* The applicant has not indicated on the site plan where the outdoor dining plan will be located.
- *Site furnishings.* The Commission may wish to recommend that the applicant include these in the site plan.
- *Parking.* The plan provides minimal exterior parking lot landscaping and screening. Additionally, the parking lot is located in the front of two of the buildings and exceeds 60% of the street frontage.

| Standard | Required | Proposed |
|---|---|--|
| Sec. 154.555 Commercial District Design Standards Subject to design review for conformance with the Lake Elmo Design Guidelines and Standards Manual. | | |
| <i>Orientation of buildings</i> | Buildings should be oriented front or parallel to the street they front, promoting continuity of design. | The building on Lot 3 is oriented at an angle to Hudson Blvd. |
| <i>Landscaped Open or Gathering Spaces</i> | Encouraged within commercial developments. | No open space or gathering areas. |
| <i>Sidewalks</i> | Sidewalks are required along primary street frontages, unless a suitable alternative that promotes pedestrian access to the building from the public street shall be provided. | There is no sidewalk provided along Hudson Blvd. |
| <i>Lighting</i> | Ornamental or bollard lighting is encouraged to increase safety, as well as add visual interest | Lighting is not proposed along Hudson Blvd. |
| <i>Street Trees</i> | Shall be installed at regular intervals along the public right-of-way. | As indicated in the landscape comments, this is not provided. |
| <i>Site Furnishings</i> | Such as decorative fencing, trash receptacles, planters, bicycle racks, and benches are recommended – design elements from Branding & Theming Study encouraged. | The applicant has not included these items in the site plan. |
| <i>Parking</i> | Linear measurement of surface parking areas parallel to the public street are encouraged to not exceed more than 60% of primary street frontages. If this cannot be met, berms and/or additional landscaping along areas of surface | Surface parking exceeds 60% of the primary street frontage, and there is minimal landscaping proposed. |

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| | parking adjacent primary street frontage are encouraged. | |
| <i>Parking Lot Landscaping</i> | Parking areas should be screened from view of public streets by means of grading and/or landscaping. Parking areas should be screened from adjacent structures with landscaping strips not exceeding 4 ft in height in order to ensure pedestrian safety. Landscaped islands should be installed within surface parking areas to break up continuous hardscape and reduce concentration of impervious surface. | There is minimal landscaping provided along streets and between adjacent structure. Landscaped islands are provided. |
| <i>Structure Parking</i> | Structure parking is encouraged and should be located behind or beneath primary buildings when possible. | No structure parking is proposed. |
| <i>Service, Storage and Utility Areas</i> | Should located out of view of ROW or screened. Not allowed in setback areas. Location should be clearly marked. | The applicant has indicated the location of the trash room/enclosure and it is not located in the setback area. |
| <i>Building Form and Façade</i> | Blank façades discouraged. Significant amount of transparent glass. Minimize continuous expanses of walls. | The proposal includes canvas awnings, cornices, and a significant amount of windows. |
| <i>Building Materials</i> | High quality, durable materials. Brick, finished wood, stone, cast stone, pre-cast concrete panels. High quality synthetic materials, if approved by the City, are allowed. Colors of subtle earth tones. | The building materials consist of standing seam metal roof, metal canopy, cultured stone, face brick, and canvas awning. Colors not indicated. |
| <i>Scale and Mass</i> | Builds broken down into smaller parts to avoid monotony and continuity. Multiple roof and ridgelines. | Proposal employs varying roof heights and is broken down in to different building materials. |
| <i>Roof Design</i> | Roof design consistent with overall architecture or design. Parapets of varying heights required. Rooftop equipment screened. | Varying parapet roofs. It is a recommended condition of approval that rooftop equipment be screened. |
| <i>Entries</i> | Accessible for pedestrians. Architectural features incorporated. Canopies, awnings, other sheltering encouraged. | Accessible from the parking lot. Canopies proposed. |

General Site Design Considerations. The following table indicates how the proposed PUD meets the general site design considerations of Commercial Districts of the Zoning Code.

| Standard | Required | Proposed |
|---|---|---|
| Sec. 154.553: General Site Design Considerations | | |
| <i>Circulation</i> | Internal connections shall be provided between parking areas on adjacent properties whenever feasible | Driveway access is shared between Lot 2 and Lot 3. It is a recommended condition of approval that the applicant either include the property to the west of the subject property |

| | | |
|------------------------------|--|--|
| | | in the PUD plans and plat or that shared access be provided. |
| <i>Fencing and Screening</i> | Fencing and screening walls visible from the public ROW shall be constructed of materials compatible with the principal structure. | No fencing or screening walls proposed. |
| <i>Lighting Design</i> | Lighting shall be integrated into the exterior design of new or renovated structures to create a greater sense of activity, security and interest to the pedestrian. All lighting shall be installed in conformance to 150.035-150.038 | A utility plan provided light pole locations has been provided, but no photometric plan. It is a condition of approval that the applicant shall submit a photometric plan and comply with Sections 150.035-150.038 of the City Code. |
| <i>Exterior Storage</i> | Must be screened from view. | None proposed. |

Landscape Requirements. The following table outlines how the proposed Landscape Plan does not meet the certain standards of the Zoning Code. It is a recommended condition of approval that these requirements be met.

| Standard | Required | Proposed |
|--|---|---|
| Sec 154.258: Landscape Requirements | | |
| <i>Landscape of Setback Areas</i> | <p>1. Minimum of 1 tree shall be planted every 50' of street frontage.</p> <p>a. Trees adjacent to streets shall be planted in the front yard and may be arranged in a cluster or placed at regular intervals to best complement existing landscape design patterns in the area.</p> <p>2. Additionally, a minimum of 5 trees shall be planted for every one acre of land developed. Such trees may be used for parking lot landscaping or screening.</p> | <p>1. No trees are proposed along the east side of the property abutting Keats Ave N to WB I-94 W ramp.</p> <p>2. Additionally, the trees are not planted every 50 ft. There is only one Autumn Blaze Maple along Hudson Blvd.</p> <p>3. 3.82 acres of land is being disturbed, and therefore 19.1 trees are to be planted. 19 trees are provided for this purpose.</p> |
| <i>Design Considerations</i> | No more than 50% of the required number of trees and shrubs may consist of any one species. Minimum of 25% shall be deciduous shade trees and minimum of 25% coniferous trees. | <p>There are 93 sumac proposed of the 159 trees and shrubs, which is over 50% of the total number of trees and shrubs.</p> <p>7 of 25 required trees (though more may be required if additional trees along the ramp are required) are coniferous (Greenspire Linden). Provided the required number of trees have been provided, this requirement would be met.</p> <p>There are 2 'D's on the landscape plan. This will be need to be corrected. Unable to determine where the Greenspire Linden and Thornless Hawthorn will go.</p> |
| <i>Minimum Size Standards for</i> | <p>Evergreen: 6' in height</p> <p>Deciduous 2.5 inches caliper</p> | <p>Evergreen (Greenspire Linden) 2.5" caliper (should be 6' in ht.)</p> |

| | | |
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| <i>Landscape Materials</i> | Deciduous ornamental: 3 inches caliper | Deciduous shade trees (Autumn Blaze Maple, Quaking Aspen, Swamp White Oak) meet 2.5" caliper Deciduous ornamental (Thornless Hawthorn) 1.5" caliper (should be 2" caliper) |
| <i>Interior Parking Lot Landscaping</i> | <ol style="list-style-type: none"> At least 5% of the interior area of parking lots with more than 30 spaces shall be devoted to landscape planting areas. Shade trees shall be provided within the interior of parking lots (in islands or corner planting beds) - 1 tree per 15 spaces or fraction thereof. | <ol style="list-style-type: none"> There are no calculations for this to know exactly, but there are corner planting beds and some islands provided. Shade trees are provided within corner planting beds. |
| <i>Perimeter Parking Lot Landscaping</i> | <ol style="list-style-type: none"> A landscape strip at least 8' wide shall be provided between parking areas and public streets, sidewalks or paths. <ol style="list-style-type: none"> The frontage strip shall contain screening consisting of either a masonry wall, fence, berm or hedge or combination that forms a screen of 3.5-4' in height and not less than 50% opaque. Trees shall be planted at a minimum of one deciduous tree per 50 lf within the frontage strip. | There is no masonry wall, fence, berm, or hedge provided along Hudson Blvd that provides such screening. Additionally, trees are not planted at a minimum of one deciduous tree per 50 lf. |

Tree Preservation Requirements. There are no trees currently on the site, and so a tree preservation plan is not required.

Off-Street Parking. The applicant meets general parking space size and aisle width standards. However, more information is needed to determine whether the following standards have been met in regards to off-street parking requirements.

| Standard | Required | Proposed |
|---|--|--|
| Sec. 154.210: Off-Street Parking | | |
| <i>Shared Parking</i> | Joint use of required parking spaces is encouraged where two or more uses on the same or adjacent sites are able to share the same parking spaces because their demands occur at different times. The applicant must submit analysis showing that peak parking times of the uses will occur at different times and the parking area will be adequate for both uses. A legal instrument of deed restriction that guarantee access to the parking for both uses shall be submitted | The applicant is proposing that the parking lot be across all three parcels, indicating that shared parking will likely be provided. It is a condition of approval that if the applicant wishes to provide shared parking between the three parcels that this analysis be provided to the City. The applicant has stated in the application narrative that the three parcels will be under the same ownership. However, because this may change with time, it is a condition of approval that upon the sale or transfer of ownership of any of the parcels that a deed |

| | | |
|--|---|--|
| | | restriction that guarantees access to the parking for both uses be submitted. |
| <i>Minimum Number of Parking Stalls Required</i> | Financial Institution: 1 space per 100 sf of usable floor area Personal services: 1 space per 300 sf of gross floor area Drive-in, fast food, and standard restaurant: 1 space per 3 customer seats or each 100 sf of interior space (the greater), plus 1 space per 200 sf exterior seating area. Drive-throughs shall provide queuing space for at least 3 vehicles in advance of the menu board and 3 vehicles between the menu board and pickup window Medical facilities: 5 spaces per medical professional, or 1 space per 200 square feet of gross floor area | 175 standard stalls 6 handicap stalls (pedestrian ramp provided) It is difficult to determine if these standards are met without knowing what the exact use of each building will be. It is a condition of approval that the applicant provide this information along with relevant information to determine whether or not these standards are met. |
| <i>Parking Requirements</i> | Parking spaces for uses with multiple components shall be the sum of the parking requirements of the separate components. | As mentioned above, more information is needed to determine whether or not the parking requirements have been met. |

Off-Street Loading Areas. The applicant has not provided in the site plan an off-street loading area nor an explanation in the narrative as to why this was not included on the site plan. The restaurants will likely require the receipt of materials or merchandise trucks or similar vehicles, and the buildings all have a gross floor area that is larger than 5,000 square feet. It is a recommended condition of approval that the applicant provide explanation as to why an off-street loading area is not required within this development.

| Standard | Required | Proposed |
|---|--|----------|
| Sec. 154.211: Off-Street Loading Areas | | |
| <i>Off-Street Loading</i> | Shall be provided in all districts for any nonresidential use which involve the receipt or distribution of materials or merchandise by trucks or similar vehicles and has a gross floor area of 5,000 sf or more. A. Facilities less than 20,000 sf may have a designated loading zone rather than a loading berth. | None. |

Sign Regulations.

- *Wall signs.* The applicant has indicated in the submittal letter of the application that additional wall signage is being requested as a PUD flexibility but has not proposed in detail what sort of flexibility is being proposed or the reasoning for the request. It is a recommended condition of approval that the applicant submit a narrative and Comprehensive Sign Plan that details what sort of flexibility is being proposed and for what reason.
- *Pylon sign.* Additionally, the applicant has indicated on the site plan that a pylon sign is being proposed. While pylon signs are not permitted under the City's Sign Regulations, the Commission may wish to recommend that this be allowed as a PUD flexibility, given that the three proposed

parcels will have a significant number of tenants within a small area, a pylon sign may be appropriate in this case in order to list all occupants. The exact dimensions of this sign have not been proposed, and so it is a recommended condition of approval that the applicant provide this information for review.

- *Directional Signage.* Directional signage for the drive-thru is shown on the site plan.
- *Stop Sign.* A stop sign is shown on the site plan for the driveway entrance on to Hudson Blvd.
- *No Parking and Fire Lane Signs.* The applicant has not shown on the site plans where no parking and fire lane signs are being proposed. It is a recommended condition of approval that the applicant provide this information and obtain approval from the Building Official and Fire Chief.

Phasing. Three phases: 1st: 14,700 sf building on Lot 1 2nd: 10,120 sf building on Lot 2 3rd: 3,192 sf building on Lot 3.

Engineering Comments. The following provides a summary of comments from the City Engineer. Detailed comments are attached in the Engineering Memo dated March 8, 2017.

Traffic and Access Management.

- Hudson Blvd is planned as a major collector road. The Comprehensive Plan's access management guidelines limit full commercial driveway access to 660 ft spacing for full access intersections and commercial driveways. The proposed site plan shows approximately 250 ft. spacing between the two driveway access points off Hudson Blvd. The owner of the property to the west of the development has expressed interest in developing. It is a recommended condition of approval that the applicant include this parcel, PID# 34.292.1440004 (Ebertz property), as part of the Preliminary Plat and PUD Plans or work with the owner of this property to provide shared access.
- Additionally, because Hudson Blvd is a major collector road, and because the City wishes to maintain the road as a two-lane road, it is necessary to implement left and right turn lanes for access. Construction of these turn lanes should be done at time of development.
- Shoulder widening/improvements should also be considered as the development process progresses.

Grading, Drainage, and Erosion Control Plans.

- Need to meet City of Lake Elmo standard specifications and other applicable standards.

Utility Plans.

- The proposed site is located within the Stage 1 Regional Sewer area. The property is currently served with municipal sewer and water, and no phasing is required for infrastructure improvements.
- The developer should be required to extend the sanitary sewer and 8-inch watermain stub to the westerly plat limits to make sewer and municipal water service available to that property.
- Additional fire hydrant locations may be required.
- Drainage and utility easements are required over all public sanitary sewer and watermain not in ROW or City Outlots.

Stormwater Management.

- Subject to review by State, VBWD and City rules and regulations, and possibly MPCA (to see if infiltration practices will be allowed).
- Stormwater maintenance agreement is needed, as storm water facilities are from privately owned and maintained storm sewer system that may not be constructed to City Engineering design standards, and therefore should be privately owned and maintained.
- Written landowner permission may be required for off-site storm water discharges to adjacent property owners to avoid negative impacts to downstream properties.
- An infiltration basin is provided on the east side of the property.

Traffic. The applications have been sent to Minnesota Department of Transportation (MNDOT), as the development abuts the Keats Ave N to WB I-94 ramp, and Washington County, as the County has indicated a study will be done on the Keats Ave N and Hudson Blvd N intersection, to which this project is near. No comment has yet been received by either of these entities.

Comprehensive Plan. The property is guided for and zoned Commercial. The proposed development is commercial in nature. Commercial development is guided for 4.5-7 residential equivalency units (REU) per acre. Because the development is within the beginning stages, the Met Council has not yet made a determination for WAC/SAC Charges. However, the following outlines REU information for the proposed uses within the development:

Restaurant

| | | |
|--|-------------------|---|
| Fixed Seating (actual number of seats) | 10 seats | 1 |
| Non-Fixed Seating (the greater of the square feet of dining area @ 15 square feet/seat or number of seats shown on the plan) | 10 seats | 1 |
| <u>Outdoor patios and sidewalk seating are counted same as inside seating.</u> (See Section 5.2.1.7.1 for discount) | | |
| Drive-in (See Section 5.2.1.7 for discount) | 9 parking | 1 |
| Take-out (no seating) | 3,000 square feet | 1 |
| Outpatient clinic | *17 fixture units | 1 |
| Sterilizer (4 hours x gallons per minute x 60 minutes) | 274 gallons | 1 |
| X-ray film processor (4 hours x gallons per minute x 60 minutes) | 274 gallons | 1 |
| Retail Store (deduct mechanical rooms, elevator shafts, stairwells, escalators, restrooms and unfinished storage areas) (for remainder use other criteria) (i.e. Gas Pumping) | 3,000 square feet | 1 |
| Shower (if lockers are included use <i>Locker Room</i> criteria) | *17 fixture units | 1 |

PUD Density Flexibility. The City's PUD flexibility allows for an increased density of up to 20%. Density increase may be allowed according to Table 16-2 of Section 154.754: Density of the Planned Unit Development Article. The applicant has not requested increased density.

Park Dedication/Parks and Trails. The parkland dedication requirement for the proposed commercial development is presently \$4,500 per acre in lieu of dedicated land. The proposed development area is 3.82 acres in size, and so the required parkland dedication based on the present fee schedule would total \$17,190. The Parks Commission will review the proposed development at the March 20, 2017 meeting.

PUD Agreement. A PUD agreement that clearly articulates permitted and conditional uses, placement of structures, development intensity, density, setbacks, building requirements, lot requirements, signage, or other elements of the plan that deviate from the Commercial Zoning District standards will be executed if the PUD is approved. The PUD Agreement will provide the development regulations that prevail for the site. Those items not addressed by the PUD Agreement will default to the underlying Commercial Zoning standards.

RECOMMENDED FINDINGS:

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Lakewood Crossing 2nd Addition Concept PUD Plan:

1. That the Applicant has submitted all application requirements outlined in Section 154.759: Application Requirements for General PUD Concept Plan.
2. That the Lakewood Crossing 2nd Addition Concept PUD Plan is generally consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
3. That the Lakewood Crossing 2nd Addition Concept PUD Plan meets at least one or more of the objectives outlined in Section 154.751 of the Zoning Code.
4. That the Lakewood Crossing 2nd Addition Concept PUD Plan will not conflict with nearby land uses.

RECOMMENDED CONDITIONS OF APPROVAL:

Staff recommends that the Planning Commission recommend approval of the Preliminary Plat and Concept PUD Plans with the following conditions:

1. The Applicant shall address all of the comments outlined in the City Engineer memorandum dated March 8, 2017.
2. The Applicant shall obtain all necessary permits including but not limited to all applicable city permits (building, grading, sign, etc.), NPDES/SWPPP permits, Valley Branch Watershed District approval, and review by the MPCA if infiltration practices will be allowed.
3. The Applicant shall be required to extend sanitary sewer and municipal water service to the westerly adjacent property.
4. Stormwater facilities shall be privately owned and maintained. A maintenance agreement in a form acceptable to the City should be executed and recorded.
5. The Applicant shall amend the proposed Landscape Plan to comply with City standards and obtain approval by the City's Landscape Architect.
6. The Applicant shall provide financial security for 125% of landscaping materials.
7. The Applicant shall submit a Comprehensive Sign Plan and narrative detailing what sort of flexibility is being proposed and for what reason and obtain approval from the Planning Director.
8. The Applicant shall detail the uses of each building and provide necessary information for the Planning Director to review and approve that the City's Off-Street Parking requirements have been met.
9. The Applicant shall provide open space calculations and shall meet the 20% open space calculation requirement.

- a. Note: Alternatively, the Planning Commission may wish to recommend that this requirement be waived, as they may see that another amenity has been provided.
10. The Applicant shall detail the location of the drive-thru elements and outdoor dining facility to ensure standards for such uses have been met.
11. The Applicant shall submit a photometric plan, and all lighting must meet requirements of Sections 150.035-150.038 of the City Code.
12. The Applicant shall submit a plan and obtain approval from the Building Official and Fire Chief for the location of hydrants and No Parking and Fire Lane signs.
13. The Applicant shall work to include PID# 34.292.1440004 (Ebertz property) as part of the Preliminary Plat and PUD Plans or work with the owner of this property to provide shared access.
14. Any new permitted access to the development, full left and right turn lanes should be constructed.
15. The City shall further evaluate shoulder widening/improvements as part of the development.
16. The Applicant shall include in the application narrative why an off-street loading area is not required, to be reviewed by the Planning Commission and approved by Council.
17. Upon the sale or transfer of ownership of any of the parcels, a deed restriction that guarantees access to the parking for both uses must be submitted.
18. Mechanical rooftop equipment must be screened.

FISCAL IMPACT:

The development of this currently vacant site will create three thriving, taxable parcels.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the Lakewood Crossing 2nd Addition PUD Concept Plan with the 18 conditions of approval as listed in the Staff report. Suggested motion:

“Move to recommend approval of the Lakewood Crossing 2nd Addition PUD Concept Plan with the 18 conditions of approval as drafted by Staff based on the findings of fact listed in the Staff Report.”

ATTACHMENTS:

1. Concept PUD and Preliminary Plat application.
2. Engineering Review Memo dated March 8, 2017.

Date Received: _____
Received By: _____
Permit #: _____

THE CITY OF
LAKE ELMO

651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

LAND USE APPLICATION

- ☐ Comprehensive Plan ☐ Zoning District Amend ☐ Zoning Text Amend ☐ Variance*(see below) ☐ Zoning Appeal
- ☐ Conditional Use Permit (C.U.P.) ☐ Flood Plain C.U.P. ☐ Interim Use Permit (I.U.P.) ☐ Excavating/Grading
- ☐ Lot Line Adjustment ☐ Minor Subdivision ☐ Residential Subdivision Sketch/Concept Plan
- ☒ PUD Concept Plan ☐ PUD Preliminary Plan ☐ PUD Final Plan ☐ Wireless Communications

Applicant: CM PROPERTIES 94, LP c/o MFC PROPERTIES CORPORATION
Address: 3460 WASHINGTON DRIVE, SUITE 100, Eagan, MN 55122
Phone # 651-452-3303
Email Address: BMiller@MFCProperties.com

Fee Owner: SAME AS ABOVE
Address: _____
Phone # _____
Email Address: _____

Property Location (Address): _____
(Complete (long) Legal Description: OUTLOT A, LAKEWOOD CROSSING, ACCORDING TO
RECORDED PLAT THEREOF, WASHINGTON COUNTY, MINNESOTA
PID#: 34.029.21.44.0015

Detailed Reason for Request: PUD APPROVAL TO ALLOW FOR ZERO LOT LINE,
(4) DRIVE THROUS AND ADDITIONAL WALL SIGNS.

*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: [Signature] Date: 2-17-17

Signature of fee owner: _____ Date: _____

| |
|----------------------------|
| Written Statements: |
|----------------------------|

The following are answers to Questions 2a thru 2m on the Preliminary Plat Application form:

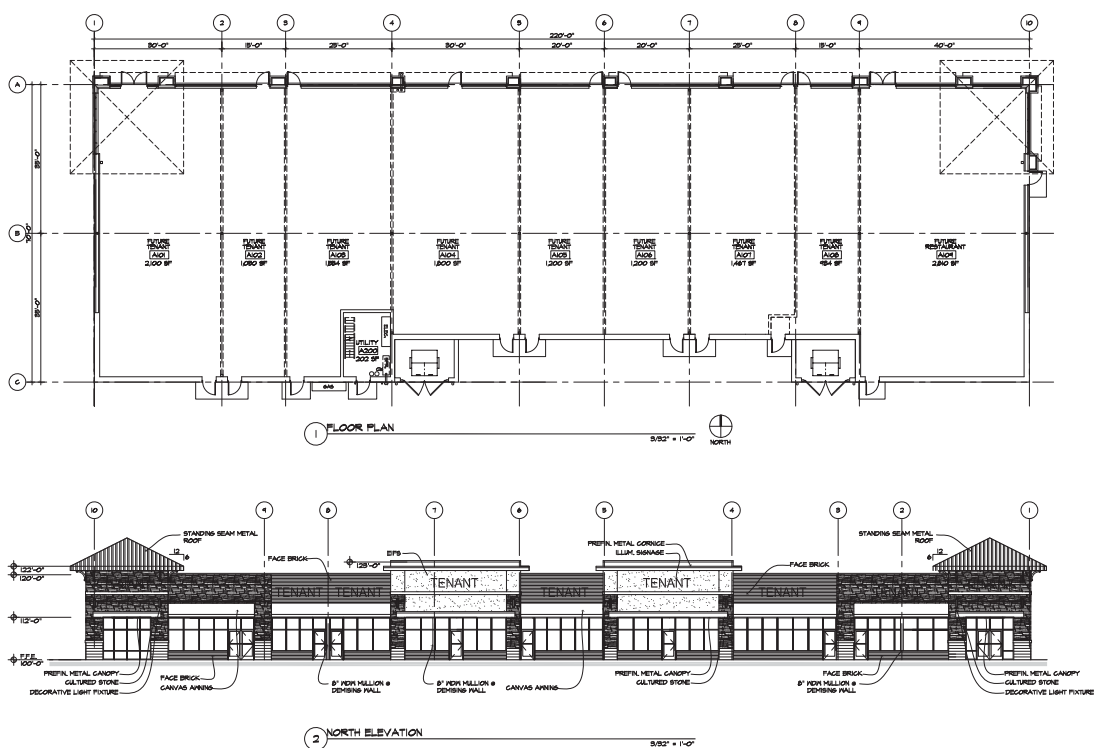
- | | |
|---|---|
| <p>a. <u>Record Owner</u> CM Properties 94, L.P. 3460 Washington Drive, Suite 100 Eagan, MN 55122 Attn: Bruce Miller (651) 452-3303</p> <p><u>Architect</u> Architectural Consortium, LLC 901 No. Third Street, Suite 220 Minneapolis, MN 55401 Attn: Kathy Anderson (612) 436-4030</p> | <p><u>Engineer / Surveyor</u> Carlson McCain, Inc. 3890 Pheasant Ridge Drive NE, Suite 100 Blaine, MN 55449 Attn: Joe Radach, PE (763) 489-7912</p> |
|---|---|
- b. The property has an unassigned address but is currently legally described as Outlot A, Lakewood Crossing, according to the recorded plat thereof, Washington County, MN.
PID #34.029.21.44.0015
Zoning – Commercial
Parcel Size – 3.82 Acres / 166,449 Sq.Ft.
- c. Subdivision Name: Lakewood Crossing
Number of Lots: Three (3)
- d. N/A
- e. The intent of this 3 lot, 3 building project is to create a successful retail project providing a warm and inviting place for residents in the area to shop and dine. Our goal is to have a quality, sit down, full service restaurant on the east side of the project including a large patio to accommodate outside seating for restaurant patrons. In addition to a sit down restaurant, we are targeting fast casual restaurants with drive thru, coffee with drive thru, a hair salon, dry cleaner, chiropractor, bank or credit union with drive thru and other similar services and retail businesses. Our intention is to build the project in three (3) phases with the initial plan to construct at 14,700 square foot retail building and follow up with a 10,120 square foot and 3,192 square foot building as the market dictates. Our firm has owned this property for over 45 years and we intend to continue to own it for years to come. Our intention is to build something both we and the City can be proud of and that meets what the market is looking for and stands the test of time architecturally.
- f. N/A

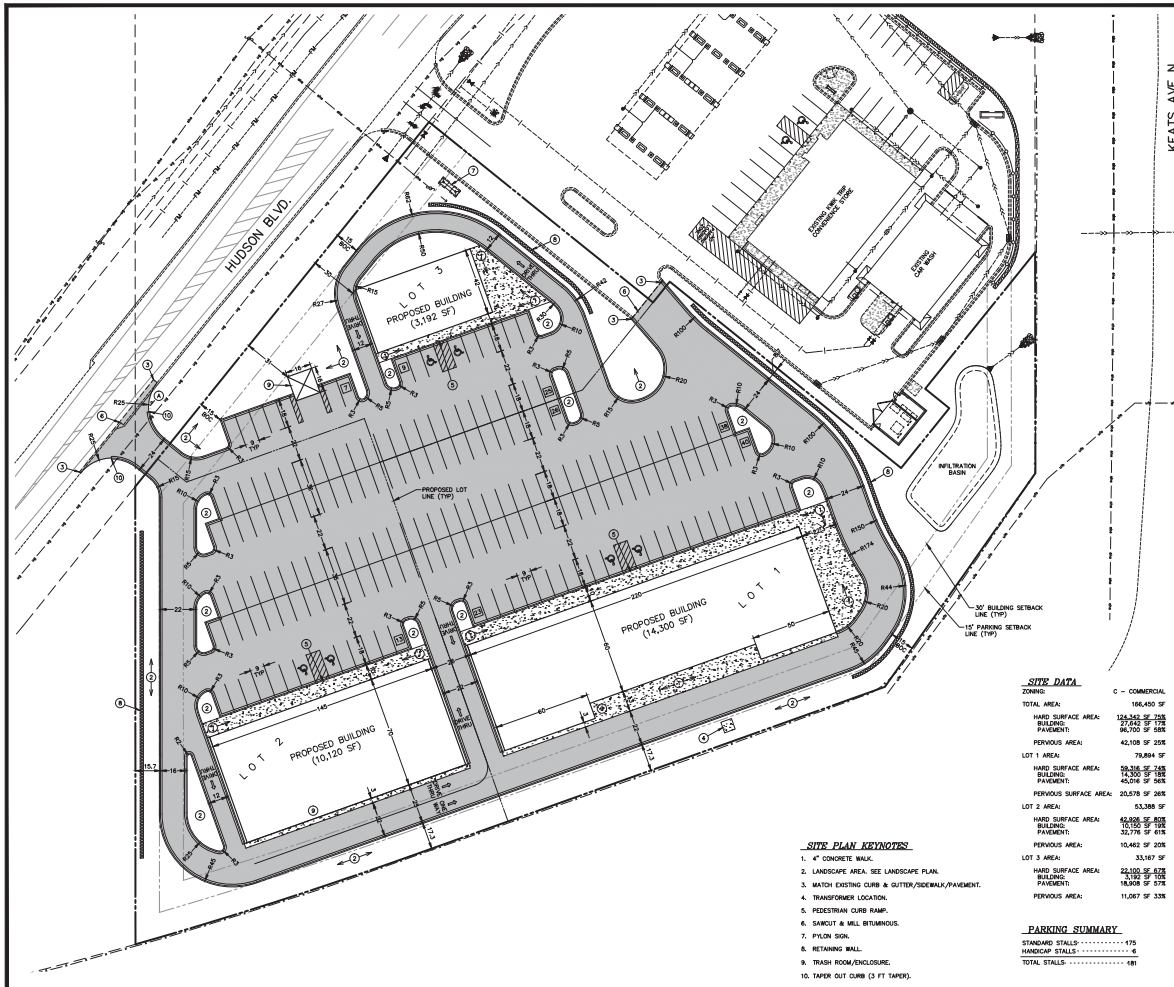
- g. The property is currently served with municipal sewer and water. No phasing is required for infrastructure improvements.
- h. There are only 3 non-related, non-public property owners within 350' and they are also excited about the prospect of additional development occurring on this corner. This development will have positive impact on property values in this area by providing much needed retail and service businesses.
- i. This development should not conflict with nearby land uses. As a matter of fact, it is our intent to get tenants who enhance our neighbors property values and provide goods and services to the residential areas in and around this intersection.
- j. In the grand scheme of development occurring in Lake Elmo, this project is relatively minor in terms of city services required and will not create a burden on the City. As a matter of fact, commercial tax rates are significantly higher than residential and therefore this project will only help the budgets of the City, County and School District.
- k. N/A
- l. As this is a small commercial development, we are intending on providing a park dedication fee in lieu of dedication which the City will be able to utilize to enhance its overall parks / open space plan.
- m. Our intention is to commence construction in May or June with the first phase 14,300 square foot building to be complete in later October / early November. The Phase II and Phase III building will be constructed as the market dictates.

LAKE ELMO, MN

| | |
|-----------------|------------|
| PROJECT NUMBER: | 17-1001-01 |
| ISSUED DATE: | 02-08-17 |
| DRAWN BY: | MR |
| CHECKED BY: | KA |

Architectoral Consortium, L.L.C. 2017





LEGEND

| EXISTING | PROPOSED |
|-----------------------|-----------------------|
| PROPERTY LINE | PROPERTY LINE |
| EASEMENT LINE | EASEMENT LINE |
| CURB LINE | CURB LINE |
| BITUMINOUS PAVEMENT | BITUMINOUS PAVEMENT |
| CONCRETE WALK | CONCRETE WALK |
| STORM SEWER | STORM SEWER |
| WATER MAIN | WATER MAIN |
| UNDERGROUND GAS | UNDERGROUND GAS |
| UNDERGROUND ELECTRIC | UNDERGROUND ELECTRIC |
| UNDERGROUND TELEPHONE | UNDERGROUND TELEPHONE |
| MANHOLE | MANHOLE |
| HYDRANT | HYDRANT |
| LIGHT POLE | LIGHT POLE |
| FENCE LINE | FENCE LINE |

SITE PLAN NOTES

- ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
- ALL BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF THE BUILDING UNLESS OTHERWISE NOTED.
- ALL CURB AND GUTTER SHALL BE 18" UNLESS OTHERWISE NOTED.
- TYPICAL PARKING STALLS ARE 9' X 18'.
- ALL PEDESTRIAN RAMPS SHALL MEET CURRENT ADA STANDARDS AND BE INSTALLED WITH COST NON-TRUNCATED DOMES.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO FIELD VERIFY THE LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES PRIOR TO THE START OF SITE CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY OF DISCREPANCIES AND/OR VARIATIONS FROM THE PLAN.
- UNLESS OTHERWISE SHOWN ON THIS DRAWING, CONTRACTOR SHALL PROVIDE CONTROL JOINTS, CONSTRUCTION JOINTS AND EXPANSION JOINTS IN SLAB ON GRADE, SIDEWALKS AND DRIVES FOR THE FOLLOWING REQUIREMENTS:
CONTROL JOINT MAX. SPACING: WALKS-8' O.C.
ALL OTHERS-12' O.C.
SAW CUT CONTROL JOINTS MINIMUM 1" CONCRETE THICKNESS.
EXPANSION JOINTS MAX. SPACING: WALKS-24' O.C.
ALL OTHERS-40' O.C.
*AT ALL POINTS WHERE A CHANGE IN PAVEMENT THICKNESS OCCURS AND/OR WHERE NEW PAVEMENT WILL MATCH EXISTING PAVEMENT, AN EXPANSION JOINT SHALL BE PROVIDED.
DOWEL ALL EXPANSION JOINTS: 24" O.C. MAX.

SIGNING AND STRIPING NOTES

- ALL SIGNS SHALL BE PLACED 15' MINIMUM BEHIND CURB UNLESS OTHERWISE NOTED.
- SIGNAGE SHALL INCLUDE SIGN, POST, HARDWARE, CONCRETE FOOTING AND STEEL CHAINING (IF REQUIRED).
- PARKING LOT STRIPING SHALL BE 4" SOLID WHITE PAINT.
- ALL HANDICAP STRIPING, MARKINGS AND CROSS-HATCH SHALL BE 4" SOLID BLUE PAINT.
- ALL SIGNS SHALL MEET THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) FOR FIELD SELECTIVITY AND INSTALLATION.

SIGN SCHEDULE (PER MUTCD)

① STOP SIGN: 40" X 48" (24" X 36")

SITE DATA

| ZONE | C - COMMERCIAL |
|--------------------|----------------|
| TOTAL AREA: | 106,400 SF |
| HARD SURFACE AREA: | 129,342 SF 75% |
| BUILDING: | 27,632 SF 17% |
| PAVEMENT: | 94,700 SF 58% |
| PERVIOUS AREA: | 42,108 SF 20% |

LOT 1 AREA: 79,884 SF

| | |
|------------------------|---------------|
| HARD SURFACE AREA: | 19,300 SF 24% |
| BUILDING: | 14,300 SF 18% |
| PAVEMENT: | 43,000 SF 54% |
| PERVIOUS SURFACE AREA: | 35,578 SF 26% |

LOT 2 AREA: 53,388 SF

| | |
|------------------------|---------------|
| HARD SURFACE AREA: | 45,800 SF 86% |
| BUILDING: | 10,120 SF 19% |
| PAVEMENT: | 32,770 SF 61% |
| PERVIOUS SURFACE AREA: | 10,462 SF 20% |

LOT 3 AREA: 33,167 SF

| | |
|--------------------|---------------|
| HARD SURFACE AREA: | 22,100 SF 67% |
| BUILDING: | 3,192 SF 10% |
| PAVEMENT: | 18,908 SF 57% |
| PERVIOUS AREA: | 11,067 SF 33% |

PARKING SUMMARY:

| | |
|------------------|-----|
| STANDARD STALLS: | 175 |
| HANDICAP STALLS: | 6 |
| TOTAL STALLS: | 181 |

SITE PLAN KEYNOTES

- 4" CONCRETE WALK.
- LANDSCAPE AREA, SEE LANDSCAPE PLAN.
- MATCH EXISTING CURB & GUTTER/SIDEWALK/PAVEMENT.
- TRANSFORMED LOCATION.
- PEDESTRIAN CURB RAMP.
- SAW CUT & MILL BITUMINOUS.
- PILOX SIGN.
- RETAINING WALL.
- TRASH ROOM/ENCLOSURE.
- TAPER OUT CURB (3 FT TAPER).

BENCHMARKS

- MIN/DOT GSD STATION NO. 33428
TOP OF BENCHMARK DISC
ELEVATION = 874.45' (NAVD 88)
- MIN/DOT GSD STATION NO. 33429
TOP OF BENCHMARK DISC
ELEVATION = 863.86' (NAVD 88)

REVISIONS

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |

DESIGN BY: JTL
DESIGNED BY: JTL
ISSUE DATE: 10/03/17

Signature: *[Signature]*
Date: 10/03/17 License # 45885

811
Know what's below.
Call before you dig.

Carlson McCain
ENVIRONMENTAL ENGINEERING SURVEYING
3800 WASHINGTON DRIVE, SUITE 100
LAKE ELMO, MINNESOTA 55049
PHONE: 763-489-7900 FAX: 763-489-7959

SITE & SIGN PLAN

LAKE ELMO SHOPPES
Lake Elmo, Minnesota

MFC PROPERTIES CORP.
3460 Washington Drive, Suite 100
Eden Prairie, MN 55324

REVISIONS

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |

DESIGN BY: JTL
DESIGNED BY: JTL
ISSUE DATE: 10/03/17

Signature: *[Signature]*
Date: 10/03/17 License # 45885

811
Know what's below.
Call before you dig.

C3 OF 11

MEMORANDUM

FOCUS ENGINEERING, inc.

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: March 8, 2017

To: Emily Becker, City Planner
Cc: Stephen Wensman, Planning Director
From: Jack Griffin, P.E., City Engineer

Re: Lakewood Crossing 2nd Addition
Concept Plan Review

An engineering review has been completed for the Lakewood Crossing 2nd Addition Concept Plans. The submittal consisted of the following documentation prepared by Carlson McCain:

- Lake Elmo Shoppes Site Improvement Plans dated February 3, 2017.
- Lakewood Crossing 2nd Addition Plat dated February 3, 2017.

Engineering review comments are as follows:

Traffic and Access Management Requirements:

1. The Access Management Guidelines per the City's Comprehensive Transportation Plan requires access spacing of 1/8 mile (660 feet) for full access intersections and commercial driveways along Hudson Boulevard. A shared access driveway was planned as part of the Lakewood Crossing 1st Addition to allow access to the proposed development area while maintaining the required access spacing guidelines. The shared access location has been approved for this site.
2. A secondary access is being shown as part of the Lakewood Crossing 2nd Addition to be located approximately 250 feet to the west of the shared access. This access location is well below the allowed access spacing requirements and therefore should not be allowed, in particular, because there remains an additional parcel west of and adjacent to the Lakewood 2nd Addition that will then request yet a third noncompliant access to Hudson Boulevard.
3. Access management should be carefully planned and coordinated along this corridor to minimize future roadway improvements to mitigate traffic issues. A secondary access location to the south side of Hudson Boulevard could be considered only at the westerly end of this third parcel (PID No. 3402921440004). This access could also be coordinated and shared with Lakewood 2nd Addition.
4. Right-in/Right-out access locations can be allowed at shorter intervals, spaced at 330 feet. However, RI/RO intersections are only viable if the roadway has a center raised median to prohibit left turning movements from the site. There currently are no plans for a center raised median along Hudson Boulevard.
5. Hudson Boulevard is a local collector roadway and Municipal State Aid route. Hudson Boulevard is expected to receive significant growth in traffic volume as the I94 corridor develops. The road is considered to be a major collector for serving the area but it is the goal of the City to maintain the road as 2-lanes. In order to achieve that goal left and right turn lanes will need to be implemented throughout the corridor to facilitate the turning movements for the developing areas while maintaining the mobility of the through traffic.
6. For any new permitted access location full left turn and right turn lanes should be constructed at the time of the development.
7. The shared access location (Kwik Trip entrance) already includes a westbound left turn lane into Kwik Trip. As more traffic occurs at this intersection full left turn and right turn lanes will need to be constructed.

8. Shoulder widening/improvements may be necessary as part of the development. Shoulder improvements should be further evaluated as the development moves through the process.

Grading, Drainage & Erosion Control Plan:

1. Governing Specifications and Plan Details for grading and erosion control must be in accordance with the City of Lake Elmo standard specifications.
2. Retaining walls that exceed 4 feet in height must have a design submitted and certified by an engineer licensed in the state of Minnesota.

Utility Plans:

1. Connection to existing sanitary sewer stub. The project proposes to connect to the existing sanitary sewer stub located in the northeast corner of the property. A lateral extension to the south of the development is also proposed for the connection of two additional buildings.
 - o The developer should be required to extend the sanitary sewer to the westerly plat limits to make sewer service available for the westerly adjacent property.
2. Connection to existing watermain stub. The project proposes to connect to an existing 8-inch watermain located in the northeast corner of the property. A lateral 6-inch watermain to the south of the development is also proposed for the placement of a fire hydrant and the connection of two additional buildings.
 - o The developer should be required to extend the 8-inch watermain to the westerly plat limits to make municipal water service available for the westerly adjacent property.
3. The 6-inch lateral main within the development should be evaluated to determine if an 8-inch watermain should be installed.
4. Fire Hydrant locations. Additional fire hydrants may be required based on future review by the Fire Chief.
5. Drainage and utility easements are required over all public sanitary sewer and watermain not located on City Outlots and right-of-way, minimum 30-feet in width, 15 feet from centerline on each side of pipe (including 15 feet from all sides of a fire hydrant). Drainage and utility easements must be provided in the City's standard form of easement agreement. The underground storm sewer chamber should be moved further west to avoid encroachment on the require City utility easement.

Stormwater Management:

1. The site plan is subject to a storm water management plan meeting State, VBWD and City rules and regulations. Due to the proximity of the site to the Kwik Trip Service Station the applicant should review with MPCA if infiltration practices will be allowed.
2. The proposed storm water facilities will receive storm water from a privately owned and maintained storm sewer system that may not be constructed to City engineering design standards. It is therefore recommended that the storm water facilities be privately owned and maintained. A maintenance agreement in a form acceptable to the City should be executed and recorded with the County for all permanent storm water facilities to be located on private property. The agreement shall provide a maintenance plan defining the maintenance responsibilities for the private owner, the type of maintenance and the maintenance intervals.
3. Written landowner permission may be required for any off-site storm water discharges to adjacent properties to avoid negative impacts to downstream properties.