



## **STAFF REPORT**

DATE: 02/20/19

**REGULAR**

ITEM #: 4a

**TO:** Parks Commission  
**FROM:** Ben Prchal, City Planner  
**AGENDA ITEM:** **Planned Unit Development Concept Plan Review for Continental Properties**  
**REVIEWED BY:** Ken Roberts, Planner Director  
Kristina Handt, City Administrator

### **BACKGROUND:**

The City has received a request from Continental 483 Fund LLC (c/o Gwyn Wheeler) for a review of a Planned Unit Development (PUD) Concept Plan for a 300 unit multi-family residential development on a 17.01-acre parcel to be called Springs Apartments.

### **ISSUE BEFORE COMMISSION:**

The Parks Commission is being asked provide comment on the concept (sketch) plan for the development as it pertains to park land.

### **PROPOSAL DETAILS/ANALYSIS:**

#### **General Information.**

- *Property Owner:* DPS-Lake Elmo, LLC of 6007 Culligan Way, Minnetonka, MN 55345
- *Applicant:* Continental 483 Fund LLC (c/o Gwyn Wheeler)
- *Location:* North of Hudson Blvd. N, west of Keats Avenue
- *Site Area:* 20.36 gross acres, 17.01 net acres
- *Land Use Guidance:* 2030 Comprehensive Plan – Commercial, 2040 Comprehensive Plan – Mixed Use Commercial
- *Zoning:* Rural Development Transitional
- *Surrounding Land Use Guidance:* Commercial to the East, Urban Medium Density Residential to the North, Commercial to the West, and Hudson Boulevard and I-94 to South.
- *History:* The property has been used as rural vacant land and possibly as a homestead. There is a wetland on the site that staff is estimating is about 0.3 acres in size. It is located along the north side of Hudson Blvd about 240 feet west of the east property line of the site (in about the location of proposed Building 15). A large portion of the eastern part of the site is covered in trees.
- *Deadline for Action:* Application Complete: 1-11-2019  
60-day timeline: 3-11-2019

#### **CONCEPT PUD PLAN REVIEW**

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

**About the Applicant.** Continental 483 Fund LLC. (Applicant) desires to develop a Class A, market-rate apartment community within the City. The company, started in 1979, is based out of Menomonee Falls, WI, and as of 2016 has broken ground on 3,175 apartment homes in 7 states. 65 Springs Apartment communities, similar to this proposed development, have been developed, including three in Minnesota (Apple Valley, Rochester, and Savage). The applicant has indicated in pre-application meetings with Staff that Continental owns and operates all Springs developments and they do not have third party management of their properties.

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

**Site Plan.** The proposed site plan includes 15 buildings with 20 units each, eight detached garage buildings (with a total of 42 spaces), 309 surface parking spaces, an approximately 4,300 square foot club house (including a large gathering room, fitness center, kitchen area, coffee bar and office space), pool with sun deck, trash enclosure, mail kiosk, and two pet playgrounds all within a fenced, controlled access community. Many units provide attached, direct-access garages for a total of 120 attached garage spaces for the 300 units.

**Access.** The proposed concept plan shows a primary access driveway into the site from Hudson Boulevard. The applicant will need to provide an additional access (at least for emergency vehicles) from the planned north/south street on the west side of the site. This north/south street is a planned public street connection between 5<sup>th</sup> Street North and Hudson Boulevard North. The developer should either construct the portion of the north/south street adjacent to the development with a temporary turnaround on the north end or work with the proposed development to the north to construct the entire planned north/south street to make a continuous street connection from 5<sup>th</sup> Street North to Hudson Boulevard North.

The proposed site plan shows a variety of building and parking lot setbacks on the site. These include a front setback for the buildings of 20 feet (from Hudson Blvd), a parking setback of 20 feet for the entire site, a setback of 15 feet for the buildings from the west property line (as a corner setback), a 20 foot rear yard building setback (from the north property line) and a 10 foot interior side yard setback of at least 10 feet from the eastern property line. All these setbacks meet or exceed the minimum required by code and as proposed (unless additional public street right-of-way is needed for Hudson Boulevard or for the future north/south street on the west side of the site). (Please see the City Engineer's comments for additional information about the streets and access).

According to the applicant, the proposed concept plan has 5.58 acres (32.8 percent) of the site as pervious surface and 11.43 acres (67.2 percent) of the site with impervious surfaces. The City Code requires that at least 25 percent of the site have pervious surfaces so, as proposed, the PUD meets this requirement.

**Proposed Unit Breakdown.** The proposed number of units totals 300. The following provides a breakdown of the proposed unit types and the number of units of each:

Unit Type	Number of Units
Studios	30
1-Bedroom	120
2-Bedroom	120
3-Bedroom	30

**Proposed Design.** The proposed design of the development is a townhouse design two stories in height with private, ground-level entrances to each unit. The building elevations provide architectural interest with use of exterior accents, a large percentage of windows, and high quality materials including fiber cement board siding and stone masonry. The buildings create additional high architectural value with use of varied roof lines, and vertical and horizontal articulation. The typical interiors of the units include dark wood colored cabinets, stainless steel appliances, granite countertops in all kitchens and wood laminate flooring. Select units will be upgraded to include enhanced finishes, painted access walls, granite countertops throughout, among other features.

**Parking.** The City’s Zoning Code requires one parking space per studio and 1 bedroom unit, two parking spaces per 2 and 3 bedroom unit and at least one visitor space per four units. With the proposed mix of 300 units, the City Zoning Code requires the developer to provide at least 525 parking spaces on site. In this case, the developer is proposing a total of 562 parking spaces – including attached garage and detached garage spaces and surface parking spaces. The proposed plans include 17 parking spaces to the west of the main entrance drive aisle for the clubhouse. The proposed width and length of parking stalls is compliant with code, and the proposed width (estimated to be 24’) is adequate for a 2-way drive aisle width according to the Zoning Code. Of these parking spaces, a total of 22 spaces are proposed to be Americans with Disabilities Act (ADA)-accessible. The ADA requires 2% of parking spaces totaling over 501 to be ADA-accessible, and so the proposed number of ADA parking spaces is compliant, provided they are built with adequate width and access aisle spacing.

**Consistency with Planned Unit Development Regulations.** Staff has reviewed the proposed plan for its consistency with requirements of Article XVII: Planned Unit Development (PUD) Regulations and has found the following:

- **Intent.** The intent of a PUD is to provide for flexibility in the use of land and the placement and size of buildings in order to better utilize site features and obtain a higher quality of development. A PUD is required for the proposed development, as more than one principal building is proposed to be placed on a platted lot and the proposed garages are larger than the maximum-allowed 1,000 square feet in size.
- **Minimum Requirements.** There are multiple requirements that the applicant will need to meet. However, the requirement listed below is specific towards open space.

A. *Open Space: For all PUDs, at least 20% of the project area not within street rights-of-way to be preserved as protected open space. Other public or site amenities may be approved as an alternative to this requirement. Any required open space must be available to the residents, tenants, or customers of the PUD for recreational purposes or similar benefit. Land reserved for storm water detention facilities and other required site improvements may be applied to this requirement. Open space shall be designed to meet the needs of residents of the PUD and the surrounding neighborhoods, to the extent practicable, for parks, playgrounds, playing fields and other recreational facilities.*

- Being that this is a concept review the applicant is not fully required to submit the level of detail that is needed for preliminary and final review. Because of this applicant has not indicated the amount of open space with the proposed plan. However, staff estimates about 20 % of the proposed development would be open space. This includes pet areas, green spaces, and landscaped areas.

**Proposed Amenities.** The City’s PUD ordinance provides that developers may provide amenities with their projects for increased density. In this case, because the applicant is proposing a housing density of 14.7 units per gross acre (or 17.6 units per net acre), the developer will need to provide amenities with the project to justify the increased housing density above the expected allowed density range 10-15 units per acre of the future MU-C land use designation. In addition, a PUD should offer the City (and future residents) amenities in exchange for the flexibility of allowing more than one building on a parcel as well as allowing garages larger than 1,000 square feet. In this case, the developer is proposing the following:

- *Underground or structure parking.* The narrative of the application indicates that many units provide attached, direct-access garages. It has not been indicated that this will reduce the surface parking area outside the footprint of the principal structure by 25%, however, as required by the PUD Code.
- *Contained Parking.* By proposing 162 garage spaces for its residents, the proposed development limits the amount of visible surface parking.
- *Additional Amenities?* Additionally, the City may also consider the allotment of amenity “points” for site amenities that are not otherwise specified within the ordinance. The applicant notes the development will offer the following amenities:
  1. An approximately 4,300 square foot club house (including a large gathering room, fitness center, kitchen area, coffee bar and office space)
  2. **A pool with sun deck**
  3. **Two pet playgrounds.**

Though the intent is to provide amenities to achieve a higher density, staff believes that the pet playgrounds would constitute open space/park land. Also, they are providing open space that is intended to occupy the residents of that property.

**Parkland Dedication.** The proposed development does not propose a public park but does provide recreation for its residents through the club house, pool and open space. This area is already served by Savona Park.



The proposed development consists of 20.36 acres, and the required parkland dedication for the Urban High Density Residential zoning district is 10%. Staff believes that if the applicant can achieve at least 10% of the land within the development as acceptable park land they will meet this requirement. However, if they cannot then it is recommended that the City request fees in lieu of land dedication.

**Land Acceptable by the City for Park Dedication.**

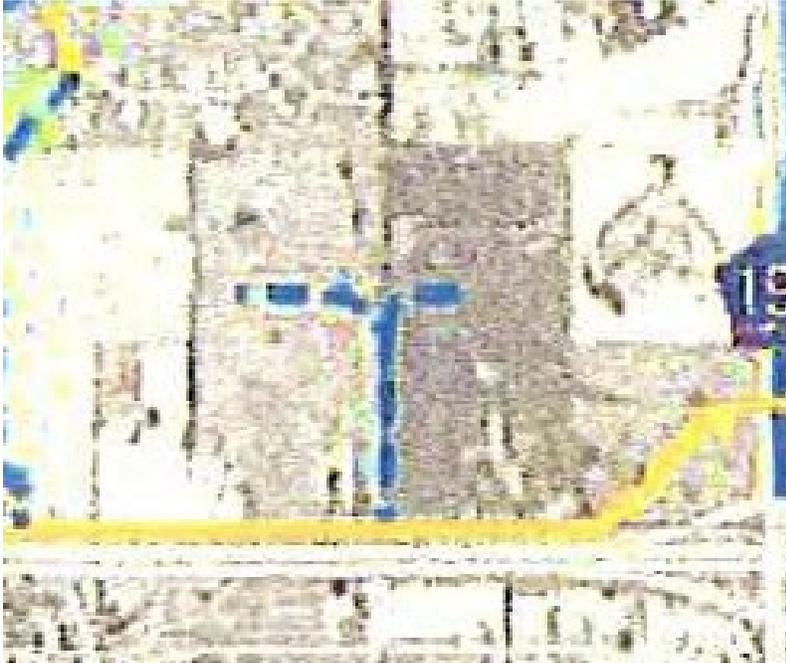
The City must approve the location and configuration of any park land which is proposed for dedication and shall take into consideration the suitability of the land and for its intended purpose; the future needs of the City for parks, playgrounds, trails, or open space; and the recommendations of the City's Parks Commission.

The following properties shall not be accepted for park land dedications:

- (1) Land dedicated or obtained as easements for street, sewer, electrical, gas, storm water drainage and retention areas, or other similar utilities and improvements;
- (2) Land which is unusable or of limited use; and/or
- (3) Land within a protected wetland or within a flood plain area unless the Council determines that all of the following criteria are satisfied:
  - (a) Would be in the best interests of the general public;
  - (b) Would be valuable resource for environmental preservation, educational, or habitat preservation purposes;
  - (c) Has an exceptional aesthetic value; and
  - (d) Would not become financially burdensome to the City as a result of maintenance or preservation requirements.

The overlap between the requested 20% open space through the PUD and 10% park land dedication requirement is limited but still achievable. However, staff cannot give a comprehensive review at this time due to the nature of a concept review.

**Trails.** The Comprehensive Plan's Trail Plan shows a planned trail down the proposed north/south street along the west side of the development. The proposed site plan does not show the future road or a trail or a sidewalk along the future road. Trail connection requirements at and along Hudson Blvd will need to be reviewed. The City should require the developer to install the planned trail(s) and a crosswalk with pedestrian ramps where needed as part of this development.



The applicant does have the opportunity to apply trail credit towards the park dedication requirement. Though there are not any proposed trails internal to the site.

**Recommended Conditions of Approval.** Staff recommends the Parks Commission recommend to the City Council approval of the Concept PUD for the Springs Apartments on Hudson Boulevard with the following conditions: *(know that there are more conditions that will apply to the site, this however, is applicable to the parks portion of the review)*

1. That fees in lieu of public park land dedication be provided as required by 153.14 with future final plat.

**FISCAL IMPACT:**

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

**RECOMMENDATION:**

Staff recommends that the Planning Commission recommend to the City Council approval of the proposed PUD Concept Plan for the Springs Apartments to be located on Hudson Boulevard with the recommended conditions of approval.

***“Motion to recommend approval of the PUD Concept Plan as requested by Continental 483 Fund LLC for PID# 34.029.21.43.0003 for the project to be known as the Springs Apartments located on the north side of Hudson Boulevard, east of the future north-south street, subject to recommended conditions of approval.”***

**ATTACHMENTS:**

- Application materials and maps (six pages)
- City maps (five pages)
- Engineer review memo dated January 28, 2019 (three pages)
- Building Official comments dated January 29, 2019 (one page)