



STAFF REPORT

DATE: 09/09/19

PUBLIC HEARING

ITEM #: 4B

TO: Planning Commission
FROM: Ken Roberts, Planning Director
AGENDA ITEM: **Planned Unit Development Concept Plan Review for Applewood Senior Housing – Eagle Pointe Business Park**
REVIEWED BY: Ben Prchal, City Planner

BACKGROUND:

The City has received a request from United Properties for a review of a Planned Unit Development (PUD) Concept Plan for a 100-unit senior housing development on an 11.7-acre parcel on the corner of Hudson Boulevard and Eagle Pointe Boulevard. This request also would involve amending an existing PUD and a Comprehensive Plan amendment from BP (business park) to HDR (high density residential) for the site.

ISSUE BEFORE COMMISSION:

The Planning Commission is being asked to hold a public hearing, review the concept plan, provide feedback and make a recommendation to the City Council on the above-mentioned requests.

PROPOSAL DETAILS/ANALYSIS:

General Information.

- *Property Owner:* United Properties, Minneapolis, Minnesota
- *Applicant:* United Properties (Jennifer Mason)
- *Location:* Outlot C, Eagle Point Business Park Second Addition PID Number 33.029.21.44.0009
- *Requests:* Planned Unit Development Revision and Concept Plan Review
- *Existing Land Use:* Platted but vacant parcel within Eagle Point Business Park
- *Site Area:* 11.7 acres
- *Existing Zoning:* BP – Business Park
- *Surrounding Land Use:* Business Park Office Buildings, High Pointe Medical Center
- *Surrounding Zoning:* BP – Business Park
- *Comprehensive Plan:* Existing: Business Park Proposed: High Density Residential (HDR)
- *Proposed Zoning:* HDR (Urban High Density Residential)
- *History:* The preliminary development plans for the Eagle Point Business Park were approved in 1999 by the City of Lake Elmo. The 7th Addition was platted in 2006 which allowed for the development of two lots near the intersection of Eagle Point Boulevard and Inwood Avenue and created a larger outlot on which Intermediate School District 916 had proposed to build a new school facility.

- *Deadline for Action:* Application Complete – 8/05/2019
- 60 Day Deadline – 10/04/2019
- Extension Letter Mailed – No
- 120 Day Deadline – 10/5/14
- *Applicable Regulations:* 154.051 – BP Business Park Zoning District
- 154.800 – Planned Unit Development (PUD) Regulations
- City of Lake Elmo Design Standards Manual

BACKGROUND

The Eagle Point Business Park was initially conceived as part of the City's 1992 Comprehensive Plan update in 1992, and the official Business Park zoning for this area was adopted in 1997. Over the next three years, United Properties submitted applications for a general concept plan for a business park, a general development stage plan, and a final plat and final plans for what is now called the Eagle Point Business Park. Overall, the business park occupies approximately 120 acres in the extreme southwestern portion of Lake Elmo both north and south of Hudson Boulevard. Since approving the overall plans for the park, the City has been reviewing final development plans for each of the buildings/phases that have been constructed since then.

Reason for PUD Amendment/PUD History

Eagle Point Business Park was approved as a Planned Unit Development (PUD) in the early 2000's, and the City approved a concept plan and preliminary development plan for the entire site at that time. This approval included the adoption of development standards and regulations for the entire park, and all subsequent building is expected to conform to these standards. In terms of new building requests, the City has been requiring applicants to submit an updated preliminary plat and preliminary plans for each site, which is then followed by consideration of a final plat and plans. Since this lot is now platted as an outlot it will need City approval of a preliminary and final plat before construction may start. All the public roads, easements, utilities, and other infrastructure necessary to serve the site have been installed.

In this case, however, the applicant is asking for City approval of a land use that the City has not approved the Eagle Point PUD – senior housing. This requires city-approval of a PUD amendment and to start the process, the applicant has submitted a request for concept approval before proceeding with the development of more detailed project plans or with a Comprehensive Plan amendment application.

A more detailed description of the proposed use, including a site development summary, has been provided by the applicant and is included as an attachment to this report. The primary use of the site (on the corner of Hudson Boulevard and Eagle Point Boulevard) would be a 4-story, 100-unit senior cooperative building (with underground parking for 100 vehicles). The units would range in size from about 1,300 to 1,800 square feet and would for sale as part of the cooperative. The building would be located in the center of the site wrapping around the existing wetland and on the northern portion of the site near Eagle Point Boulevard. The plans show two driveways connecting to Eagle Point Boulevard with 72 surface parking spaces and access driveways wrapping around 3 sides of the building. The concept plan includes a total of 172 parking spaces.

The attached plans provided by the applicant include a site map/aerial photo, a site survey, an existing conditions/wetlands map, a site survey analysis and a concept site plan. Because the public and private infrastructure necessary to serve the proposed building is already in place, the project will not include the

construction of any new public utilities on or off of the site. All required utilities are already stubbed to the site, and all utilities, including the proposed storm water management facilities, will be private.

CONCEPT PUD PLAN REVIEW

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

§ 154.758 PROCEDURES FOR PROCESSING A PLANNED UNIT DEVELOPMENT.

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

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

proceed without the report. The Council may approve the general concept plan and attach such conditions as it deems reasonable.

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

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

Site Plan. The concept site plan includes one 4-story building with 100 residential units, 100 below grade parking spaces and 72 on-grade (surface) parking spaces. This plan also shows areas for community gardens, bocce ball, a deck over-looking the wetland and a gazebo for the residents of the building.

Site Character. The site is rolling with an elevation change of about 36 feet across the site – from an elevation of 962 near the sanitary sewer lift station along Hudson Boulevard to a high point of 998 in the north center of the site. There is a small wetland (0.15 acre) near Eagle Pointe Boulevard and a larger wetland (1.36 acres) that the eastern property line of the site runs through. There are areas of trees on the slope facing Hudson Boulevard and around the edges of the larger wetland.

Vehicular Access. The proposed concept plan shows two access driveways into the site from Eagle Pointe Boulevard. The spacing of the proposed driveways in relation to the existing driveway to the north of site do not meet City standards. The City Engineer's review memo (attached) provides more details about streets, driveways and access for this site.

Trails and Pedestrian Access. There are currently no trails or sidewalks adjacent to this site. The City's long-term plan for Hudson Boulevard is to have an 8-foot-wide trail along the north side of street from Inwood Avenue to Manning Avenue. It has been the practice of the City to have developers install the segments of this trail along their respective project sites as part of the development of their projects. In this case, that would be about 1000 feet of trail along Hudson Boulevard running from Eagle Pointe Boulevard past the City's sanitary sewer lift station to the existing driveway serving the High Pointe Health Campus.

There also may be a need to have the developer install a 6-foot-wide sidewalk along Eagle Pointe Blvd to provide an off-street pedestrian access to the trail along Hudson Boulevard serve the new senior housing.

Setbacks. The concept site plan shows a site setback line around the perimeter of the property. The proposed location of the building should meet or exceed all City-required setbacks from the street rights-of-ways and the wetlands. The City will need to verify that the proposed parking spaces near Eagle Pointe Boulevard will meet the required setback of 10 feet from the street right-of-way.

Building Height. The concept plans submitted by the applicant do not show the building exterior or height. However, a four-story building typically is no taller than 50 feet. In this location, with no other residential buildings nearby, the 4 story building would fit the character of the area and should not cause any negative affects to adjacent properties.

Storm Water and Erosion Control. The grading, drainage, and erosion control plans will need to conform to City of Lake Elmo and South Washington Watershed District (SWWD) requirements. A SWWD district permit also will be required. In order to comply with the City's standards, the developer may need to include storm water infiltration area on the site plan that will be connected to the larger storm water system previously installed within the business park. These infiltration facilities are intended to be privately owned and managed, and therefore will not need to meet the same level of requirements for public systems. The City Engineer is recommending that the applicant enter into a maintenance

agreement for these facilities to ensure that future property owners keep these infiltration areas functioning properly.

Park Land Dedication. The City established an overall fee in lieu of land dedication for the business park at the time of general concept plan approval and in conjunction with the final plat for the initial construction phase within the park. It appears that a portion of this fee is being paid with each building permit that is issued within the Eagle Point Business Park, and that this fee is proportional to the area being platted/developed.

The Parks Commission will need to review the proposed development to make a recommendation about park dedication requirements. The proposed development does not propose a public park but does provide recreation for its residents through the gardens, play areas and open space. The proposed development consists of 11.7 acres, and the required parkland dedication for the Business Park zoning district is 10%. The required amount of fees would be 10% of the purchase price or current market value of the property, which has yet to be determined.

Proposed Design. The proposed design of the development is a 4-story, 100-unit senior cooperative building with a mix of two bedroom units with sunrooms or dens with below grade parking for 100 vehicles. The applicant has not yet provided the City elevations of the building, but staff expects it to have an exterior with a mix of brick, stone, cementitious siding (Hardi-plank) and stucco with a sloping asphalt shingle roof. The building design will need to meet the Lake Elmo Design Guidelines and Standards for materials and colors.

Proposed Uses. The applicant's project information dated July 31, 2019 indicates they would be including several elements and features in the common spaces of the building for use by the residents. These include a club room, community gardens, craft studio, conference room, fitness center, library and a great room. Staff is not aware if the building will have an office for management.

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 100 units, the City Zoning Code requires the developer to provide at least 225 parking spaces on site (2 per unit (200 total) and 25 visitor parking spaces). In this case, the developer is proposing a total of 172 parking spaces – including 100 parking spaces in the proposed building and 72 surface parking spaces spread throughout the site.

If the applicant wants to move forward with development plans that have fewer parking spaces on site than the code requires, they should request City approval of a parking reduction as part of their preliminary PUD application. With such a request, the applicant would need to demonstrate to the City the amount of proposed parking would be adequate for the number of residents, staff and visitors.

The proposed width and length of parking stalls appear compliant with code, and the proposed width (shown to be 24') is adequate for a 2-way vehicle movement on the driveways on the site, according to the Zoning Code.

Engineering Comments. The City Engineer has provided a detailed review memo (dated September 3, 2019) regarding the proposed General Concept PUD. This memo is attached for reference. Staff would like to highlight the following comments in summary:

- *Streets and Transportation*
 - The applicant should complete a traffic impact study and submit it with the preliminary PUD/preliminary plat application to review the traffic impacts that this development would place on the local roadways (including the possible needs for turn lanes and additional right-of-way) and to determine the better and safer access to this site. (See next note).
 - The site plan must be revised to show revised driveway access to this property that meets City spacing guidelines. This usually means that new driveways are at least 300 feet from existing driveways. If the applicant could share the existing driveway to the

- business condominiums, that would be preferable than having 2 new driveways onto Eagle Pointe Boulevard.
 - No parking and construction staging, including the loading and unloading of materials and equipment will be allowed at any time on Hudson Boulevard or on Eagle Pointe Boulevard during the construction of the site improvements and building.
 - The City should require the applicant/developer to make improvements to Hudson Boulevard in accordance with the Hudson Boulevard design Standards. This includes having an Urban section (with curb and gutter and storm sewer) and installing an 8-foot-wide bituminous trail along the length of the property.
- *Municipal Sanitary Sewer*
 - Sanitary sewer is available to the site. The applicant or developer will be responsible for connecting to the City sanitary sewer system and extending sanitary sewer in to the property at the applicant's sole cost.
 - The applicant will be required to connect to the existing sanitary sewer along Hudson Boulevard, connecting to an existing 8-inch sanitary sewer pipe extending northwest from the existing I-94 lift station.
 - Any sanitary sewer main lines placed in the development will require minimum 30-foot-wide easements centered over the pipe (or wider depending on the depth of the pipe) that are dedicated to the City and in the form of the City's Utility Easement Agreement.
- *Municipal Water Supply*
 - The existing City water system is available to this site. The applicant will be required to extend municipal water into the development at its sole cost and will be required to construct a looped watermain network internal to the site with, at least a second connection point to the City watermain system.
 - The existing water system will need to be reviewed to determine if there is sufficient capacity for the proposed high-density residential development without additional improvements to the water system. During this planning the applicant must provide the City domestic and fire suppression demand information for the facility so staff may verify the capacity and needs of the water system.
 - The applicant will be responsible to place fire hydrants throughout the property at the direction of the Fire Department. All fire hydrants shall be owned and maintained by the City.
 - Any watermain lines and fire hydrants placed within the development will require 30-foot-wide utility easements centered over the pipe. These easements must be dedicated to the City and provided in the City's standard form of easement agreement.
- *Stormwater Management*
 - The concept plan does not address storm water management. The proposed development is subject the construction of a storm water management plan and system that meets State, South Washington Watershed District (SWWD) and City rules. All stormwater facilities need to be designed and installed in accordance with City and South Washington Watershed District (VBWD) requirements.
 - Permitting requirement will require rate control from all points of discharge from the site and will require volume control (or infiltration. Overland emergency overflows or outlets are required as part of the site plan for flood protection. The site plan will likely require the installation of additional storm water ponding or infiltration to satisfy all storm water regulations.
 - All stormwater facilities constructed for this development are to remain privately owned and maintained. The city will require the applicant or developer to execute and record of a Stormwater Maintenance and Easement Agreement with the City in its standard form.
 - Even as privately owned and maintained facilities, the City requires the developer to provide maintenance access roads or drives that meet City engineering design standards for all storm water facilities.

Tree Removal and Preservation. The applicant has not yet submitted a proposed tree and landscaping plan for this site. As shown on the aerial photos and on site map, there are two areas on the property that may have significant large trees – on the slope along Hudson Boulevard and around the larger wetland. The City will require the applicant to provide a complete tree inventory and tree preservation/replanting and landscaping plans as part of any site development applications going forward. The City’s tree preservation ordinance allows for 30% removal of significant trees on a site and the City requires a tree mitigation plan showing how the developer will replace any removed trees.

Landscaping/Screening: As noted above, there appears to be two areas on the property with possibly significant large trees on the site. As shown on the Concept site plan, the developer/architect has designed the project to preserve as many of the existing trees on the property as possible. The City Code requires a screening/landscape barrier between a less intense land use and a more intense land use that is at least 90 percent opaque. This standard does not apply for the proposal as the surrounding land uses are commercial and not residential.

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

The landscape ordinance requirements are as follows:

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

Landscape requirements for the site are as follows:

1,640 lin. Ft. of street frontage/50 = 33 trees + 11.7 acres x 5 = 59 trees = for a total of 92 trees plus those required for tree replacement

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

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

The following comments are very high level at this time as this is a concept review. More specific, detailed comments will be provided as necessary as this project progresses.

- Ensure proper access to building, and second apparatus access road, per 2015 MN State Fire Code, more specifically, Section 503, FIRE APPARATUS ACCESS ROADS, Section 504 ACCESS TO BUILDING OPENINGS NAD ROOFS. The City of Lake Elmo has adopted Appendix D, FIRE APPARATUS ACCESS ROADS. With the proposed 4 story building height, Section D105 may be applicable.
- Ensure proper access throughout site and turning radius’s per review of City Engineer.
- FIRE LANES and NO PARKING areas to be reviewed and determined by the Fire Chief and City Engineer.
- Fire hydrant placement will be reviewed by the Fire Chief, City Engineer and Public Works Director.
- FDC location to be approved by Fire Chief.

- Lockbox location to be approved by Fire Chief
- Provide final layout drawing of building to fire department for the purpose of Pre-Planning.
- Project will be subject to all additional applicable fire codes in the 2015 MN State Fire Code.

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

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

Consistency with the Comprehensive Plan. The 2040 Comprehensive Plan has designated this site Business Park (BP) in the land use plan. The Comprehensive Plan identifies BP as “providing for a wide variety of professional businesses such as medical and research facilities, offices and corporate headquarters. Retail sales of goods and services are allowable uses by conditional use permit provided such uses are goods and services for employees of the permitted business use. This land use designation excludes any residential use.”

For this development to proceed, the City would need to approve a Comprehensive Plan amendment for the site to change the land use designation from BP to HDR (high density residential). The HDR land use is for higher density residential development ranging from 8 to 15 units per acre. As an 11 acre property, this site could have up to 165 units – they are proposing 100 units (about 9 units per acre).

The City's 2040 Comprehensive Plan is now under review at the Metropolitan Council. City staff is expecting the Met Council to complete their review and approval process by the end of October. Staff would not recommend proposing an amendment to the 2040 Comprehensive Plan until after the Met Council has given it final approval later this year.

Before submitting a Comprehensive Plan Amendment request to the Met Council for approval, a City must first submit the amendment for review by the Planning Commission, obtain local governing body (City Council) authorization for the amendment to be submitted to the Met Council for review, and give adjacent governmental units, affected special districts and affected school districts an opportunity to review the proposed amendment. Once they receive a Comprehensive Plan Amendment request, the Met Council has 15 days to determine if a Comprehensive Plan Amendment is complete for review and 60 days to approve or deny the request. They also may extend the review period for an additional 60 days if needed and beyond 120 days if agreed to by the local government. The City will require the applicant to wait to submit a Comprehensive Plan Amendment request and the final plat and PUD plans for this project until after the City has given the 2040 Comprehensive Plan final approval.

The decision to change or amend the Comprehensive Plan is a policy matter for the Planning Commission to make a recommendation on to the City Council. Any change to the Comprehensive Plan should be based on findings and criteria to show that the change would be consistent with the goals and policies of the City. Such criteria may include that proposed Comprehensive Plan amendment would be consistent with the spirit and intent of the Comprehensive Plan and would be beneficial by providing a location for a housing option not currently available in the City.

As a condition of approval of the proposed Comprehensive Plan Amendment, the City should require the submission of the necessary Comprehensive Plan Amendment to the Metropolitan Council and the City receiving formal notification from the Metropolitan Council that they have completed their review and that they have approved the proposed plan amendment.

Consistency with High Density Residential (HDR) Zoning District.

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

Standard	Required	Proposed
Impervious Surface Maximum	75%	40% (estimated)
Minimum Lot Width	60 feet	638 feet on Eagle Pointe Blvd.
Front Yard Setback	20 feet	50 feet (estimated)
Interior Side Yard	15 feet	100 feet (estimated)
Corner Side Yard	10 feet	100 feet (estimated)
Rear Yard Setback	20 feet	100 feet (estimated)
Maximum Building Height	45 feet (by PUD)	40-45 feet (estimated)
Parking	Not to be located in the front yard or between the front façade and public street.	Parking is located in front of and around the proposed building, though much of the parking lot would be screened from the street by grades and landscaping
Open space	200 square feet of common open space provided per unit. In this case, at least 20,000 square feet of common open space for the 100 proposed units.	It appears there is at least 300,000 square feet of open space provided on site with the community garden areas, bocce ball and the open spaces along Hudson Boulevard and around the existing wetlands.

Adherence to Lake Elmo Design Guidelines and Standards.

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

- The proposed structure are located and oriented in a manner that allows for pedestrian accessibility and provides visual interest from the public right-of-way.
- The building is located as close to the public street as possible, easily accessible from the street; setbacks are varied slightly; recreational and common spaces are located at the interior or rear of the site.
- Streetscapes provide for pedestrian accessibility and safety while offering aesthetically pleasing environments. With this proposed development, the City may want to require the developer to install a trail along Hudson Boulevard and a sidewalk along Eagle Pointe Boulevard to meet this City design standard.
- The parking areas do not account for more than 50% of street frontage.
- Examples of past developments adhere to building design requirements. It is a recommended condition of approval that the applicant include a detailed architectural plan proposal for the development.

Consistency with Planned Unit Development Regulations. The applicant has requested City approval of a PUD amendment for this development because it would be a residential land use in previously approved business park PUD. Since this would be a new land use in an established PUD, 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 amendment is required because the senior housing would be a land use not approved by the City for the original PUD.
- **Identified Objectives.** When reviewing requests for PUDs, the City is to consider whether one or more objectives as outlined in Section 154.751: Identified Objectives of the Zoning Code will be served or is achieved. Staff has found that the proposed development would meet the following objectives:
 - A. *Innovation in land development techniques that may be more suitable for a given parcel than conventional approaches.*
 - The proposed development is not a typical, multi-story apartment building and instead proposes a design that fits the site while preserving the important natural features including slopes, trees and wetlands.
 - B. *Promotion of integrated land use, allowing a mixture of residential, commercial and public facilities.*
 - The proposed senior housing development would add a residential land use to an area with offices, clinics and other commercial land uses.
 - C. *Provision of a more adequate, usable, and suitably located open space, recreational amenities and other public facilities than would otherwise be provided under conventional land development techniques.*
 - The proposed development is proposing a number of recreational amenities to residents within the PUD including gardens, gazebos and bocce ball.
 - D. *Accommodation of housing of all types with convenient access to employment opportunities and/or commercial facilities; and especially to create additional opportunities for senior and affordable housing.*
 - The proposed senior housing development would provide additional housing opportunities within the City that would have convenient access to employment and commercial facilities. In addition there are currently very few multi-family residential buildings within the City.
 - E. *Preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities.*
 - The proposed site plan for the senior housing building shows careful placement of the proposed building in that it will preserve many of the existing trees on the site and would keep the proposed building well away from the existing wetlands on the site
 - G. *Coordination of architectural styles and building forms to achieve greater compatibility within the development and surrounding land uses.*
 - The design of the building should be compatible with those of the adjacent commercial properties to the north and east of the site.
 - J. *Higher standards of site and building design than would otherwise be provided under conventional land development technique.*
 - The City may impose design guidelines and standards on high density residential development such as this proposal.

a. **Minimum Requirements.** PUDs must meet the following minimum requirements:

- A. *Lot Area. A PUD must include a minimum of 5 acres for undeveloped land or 2 acres for developed land within the approved development.*
- The proposed development meets this requirement as it is an 11.7-acre development.
- B. *Open Space: For all PUDs, at least 20% of the project area not within street rights-of-way to be preserved as protected open space. Other public or site amenities may be approved as an alternative to this requirement. Any required open space must be available to the residents, tenants, or customers of the PUD for recreational purposes or similar benefit. Land reserved for storm water detention facilities and other required site improvements may be applied to this requirement. Open space shall be designed to meet the needs of residents of the PUD and the surrounding neighborhoods, to the extent practicable, for parks, playgrounds, playing fields and other recreational facilities.*
- The applicant indicated in the application letter that about 75 % of the proposed development area would be devoted to common open space (including the garden areas, green spaces, wetlands, bocce ball courts and landscaped areas).
- C. *Street Layout... In newly developing areas, streets shall be designed to maximize connectivity in each cardinal direction, except where environmental or physical constraints make this infeasible. All streets shall terminate at other streets, at public land, or at a park or other community facility, except that local streets may terminate in stub streets when those will be connected to other streets in future phases of the development or adjacent developments.*
- The proposed development site is an existing lot of record with about 638 feet of frontage on Eagle Pointe Boulevard and about 1000 feet of frontage on Hudson Boulevard. The applicant is not proposing any new public streets but rather two private driveways from Eagle Pointe Boulevard to serve the development. The City Engineer, however, is recommending that the City only allow one driveway onto Eagle Pointe Boulevard for this site because of spacing and access management concerns. It is a recommended condition of approval that the developer address all the comments outlined in the Engineering memo dated September 3, 2019 before submitting plans for a preliminary plat and preliminary PUD plans for this site.

Density. The proposed density for this development is 9 residential units per acre – 100 proposed units on a 11.7 acre site. The proposed HDR land use designation allow up to 15 residential units per acre. For this site, the maximum allowed density, without amenity points, would be 165 residential units.

Zoning Map Amendment. If the City approves the proposed Concept Plan and the applicant applies for City approval of Preliminary Plat and PUD plans, the City also will require a Zoning Map Amendment (along with the Comprehensive Plan Amendment) for this site. This rezoning would be from BP (business park) to HDR (Urban High Density Residential).

Recommended Findings. Staff recommends approval of the Concept PUD Plan for the proposed Applewood Pointe Senior Living development as proposed by United Properties based on the following findings:

1. That if the Lake Elmo Comprehensive Plan and Land Use Map is amended to re-guide the site of this PUD from BP (business park) to HDR (urban high density residential), the PUD concept plan would be consistent with the intent of the Lake Elmo Comprehensive Plan and Future Land Use Map for the area.

2. That the PUD Concept Plan will meet the general intent of the High Density Residential Land Use designation in the Comprehensive Plan (with a Comprehensive Plan amendment) and the High Density Residential zoning district with PUD modifications.
3. That the PUD Concept Plan generally complies with the City's Subdivision regulations.
4. That the PUD Concept Plan is generally consistent with the City's engineering standards with exceptions as noted in the City Engineer's memorandum dated September 3, 2019.
5. The PUD Concept Plan meets the minimum requirement for a PUD including minimum lot area, open space and street layout.
6. The PUD Concept Plan meets the allowed density requirement provided the Comprehensive Plan's Land Use Map is amended to re-guide this site from Business Park to Urban High Density Residential.
7. The PUD Concept Plan meets more than one of the required PUD objectives identified in Section 154.751 including providing: innovation in land development techniques that may be more suitable for a given parcel than conventional approaches; provision of a more adequate, usable, and suitably located open space, recreational amenities and other public facilities than would otherwise be provided under conventional land development techniques; accommodation of housing of all types with convenient access to employment opportunities and/or commercial facilities; and especially to create additional opportunities for senior and affordable housing; coordination of architectural styles and building forms to achieve greater compatibility within the development and surrounding land uses; and higher standards of site and building design than would otherwise be provided under conventional land development technique.

Recommended Conditions of Approval. Staff recommends the Planning Commission recommend to the City Council approval of the Concept PUD for the Applewood Pointe Senior Living Development as proposed by United Properties with the following conditions:

1. That the applicant request and the City approve a Comprehensive Plan Amendment to amend the City's Land Use Plan to re-guide the property from BP (business park) to HDR (high density residential).
2. That the future preliminary plat and preliminary PUD plans would be for the parcel with the PID #33.029.21.44.0009.
3. That the applicant prepare any future preliminary plat and preliminary PUD plans showing all of the site perimeter property lines - including any revisions for any additional right-of-way or easements that may be needed for Hudson Boulevard.
4. That the future preliminary plat and preliminary PUD Plans submittal identify all requests for flexibility from the Zoning Code including having fewer off-street parking spaces on the site than required by the City Code.
5. That the applicant address all comments in the City Engineer's Memorandum dated September 3, 2019 with the future preliminary plat and preliminary PUD Plans submittal. These include completing a traffic impact study, having only one driveway for the site, installing a public trail along Hudson Boulevard and managing all storm water on the site.
6. That the Preliminary Plat and PUD Plans submittal include a complete tree inventory and tree preservation/replanting and landscape plans to be reviewed and approved by the City's Landscape Architect.
7. That the Preliminary Plat and PUD Plans submittal include accurate open space and impervious surface calculations.
8. That the applicant/developer provide the City fees in lieu of park land dedication as required by 153.14 with future final plat.
9. That the preliminary plat and preliminary PUD Plans submittal include detailed architectural plans for all the proposed buildings.

10. The applicant receive a permit from the South Washington Watershed District for the construction of the proposed development.
11. That all comments of the Fire Chief be addressed with any future preliminary plat plans and preliminary PUD plan submittal.
12. That all comments of the Building Official be addressed with any future preliminary plat plans and preliminary PUD plan submittal.
13. That the applicant/developer install a 8-foot-wide trail along Hudson Boulevard and a 6-foot-wide concrete sidewalk along Eagle Pointe Boulevard as a part of the improvement of the site.

FISCAL IMPACT:

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

RECOMMENDATION:

Staff recommends that the Planning Commission recommend to the City Council approval of the proposed PUD Concept Plan for the proposed Applewood Pointe Senior Living development as proposed by United Properties to be located on the southeast corner of Eagle Pointe Boulevard and Hudson Boulevard with the recommended conditions of approval as outlined in the staff report.

“Motion to recommend approval of the PUD Concept Plan as requested by Jennifer Mason (of United Properties) for PID# 33.029.21.44.0009 for the project to be known as Applewood Pointe Senior Living located on the southeast corner of Eagle Pointe Boulevard and Hudson Boulevard subject to recommended conditions of approval as outlined in the staff report.”

ATTACHMENTS:

- Applicant’s Letter dated August 19, 2019
- Project Information dated July 31, 2019 (12 pages)
- 2040 Land Use Plan Map
- Location Map
- Address Map
- Aerial Photo
- Applicant’s Site Map/Aerial Photo
- Site Survey
- Site Survey – Existing Conditions
- Site Survey Analysis
- Concept Site Plan
- City Engineer review memo dated September 3, 2019 (3 pages)