

**CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA
ORDINANCE 80-73**

**AN ORDINANCE ADDING SECTION 301.070 D. 15. "BUSINESS PARK"
TO THE 1979 LAKE ELMO MUNICIPAL CODE**

The City Council of the City of Lake Elmo ordains:

SECTION 1. AMENDMENT: Section 301.070 D. 15. "Business Park" of the 1979 Municipal Code of the City of Lake Elmo is hereby adopted: to wit:

301.070 D. 15. BP - BUSINESS PARK

301.070 D. 15. A. PURPOSE:

The purpose of the Business Park District is to establish a comprehensive planned framework for development along I-94. The City has determined that it is in the best interest of the City and the region to responsibly manage growth in this district. It is the intent of this district to promote a high quality of business design and development that produces a positive visual image and minimizes adverse impacts from traffic congestion, noise, odor, glare, and similar problems. Specific development goals within the district include the following:

- 1) To protect the natural environment, in accordance with City Ordinances.
- 2) To provide adequate space for off-street parking of automobiles and, where appropriate, off-street loading of trucks.
- 3) To allow development that is consistent with the capacity of regional and local road systems.
- 4) To stimulate local economic development within the Business Park district area, while minimizing the demands of additional City Services.
- 5) To permit occupancies of a more intense use than are possible outside the MUSA.
- 6) To provide users with an attractive working environment that is unique in the eastern Metropolitan Area with immediate access to I-94.

301.070 D. 15. B. PERMITTED USES:

- 1) Offices for administrative, executive, professional, and management functions.
- 2) Clinics, medical offices.
- 3) Financial institutions such as banks
- 4) Business and professional schools, private trade schools.

301.070 D. 15. C. CONDITIONAL USES:

- 1) Medical, dental, and research Laboratories.
- 2) Business service uses normally associated with office developments (photocopy and printing shops, travel agencies, etc.) and containing limited retail activity.
- 3) Health clubs, such as, tennis, racquetball, aerobics, weight lifting, swimming, weight loss clinics.
- 4) Conference centers.
- 5) Veterinary clinics with no crematorium, outdoor kennels or storage.
- 6) Restaurants and cafeterias incorporated within a principal structure and oriented predominantly towards serving the needs of employees of the surrounding area, but excluding drive-up and exterior walk-up facilities.
- 7) Limited retail sales clearly accessory to the permitted principal use of the land, for example: the compounding, dispensing or sale of drugs, prescription items, patient or proprietary medicine, sick room supplies, prosthetic devices or items relating to any of the foregoing when conducted in the building occupied primarily by medical, dental, osteopathic, chiropractic or optometric offices.
- 8) Recording Studios.
- 9) Licensed dependent care centers and preschool facilities.
- 10) Theaters (excluding drive-ins).
- 11) Full service restaurants where food is served to a customer and consumed while seated at a counter or table.
- 12) Hotels and motels incorporating a full service restaurant and with rooms accessible only through interior corridors to be subordinate to a main business complex.
- 13) Transmission facilities for tele-conferencing, which are not free-standing and which do not extend more than 20 feet above the building to which they are attached.
- 14) Other uses similar to those permitted by this section, as determined by the City Council.

301.070 D. 15. D. ACCESSORY USES:

Within the Business Park district, the following are allowed provided they are subordinate to and associated with a permitted use:

- 1) Satellite dish antennas to permit tele-conferencing.
- 2) Landscaped buffers, wildlife areas, internal picnicking areas, and walking-jogging trails.

(301.070 D. 15. D.)

- 3) Internal privately owned and maintained roads for off street parking and loading areas, between buildings within a single platted lot.
- 4) Other uses customarily associated with, and clearly incidental to a permitted use, as determined by the City Council.

NOTE: Facilities for the operation of helicopters and STOL aircraft are expressly forbidden.

301.070 D. 15. E. MINIMUM DISTRICT REQUIREMENTS:

1. **Plat size.** A subdivision within the Business Park district (other than existing plats) cannot be platted if less than 20 acres in size.
2. **Minimum Lot Requirements:**
 - a. Lot Area: 3.0 Acres
 - b. Minimum Lot Width: 200 feet
 - c. Width/Depth ratio: 1/3.5 This assumes rectangular lots. Other shapes would generally conform to this ratio.
 - d. Minimum Building Setback from Property Lines:
 1. Front 50 feet, plus 25 feet for each storey above the first.
 2. Side, Side (street) and Rear 30 feet, plus 20 feet for each storey above the first.
 3. Any line adjacent to a residential zone 150 feet (This area is to be reserved for landscaping)
 - f. Minimum Parking Setback from property lines:
 1. Front 30 feet
 2. Side 15 feet
 3. Side (street) 30 feet
 4. Rear 15 feet
 - g. Maximum Building Height: 60 feet
Proposals for buildings higher than 60 feet would be subject to separate technical and planning evaluation by C.U.P.
 - h. Maximum area to be covered by buildings, parking lots, driveways, sidewalks and other impervious surfaces: 75%
 - i. Minimum Building Foundation Size: 10,000 sf

(301.070 D. 15. E.)

- j. No use may exceed a sanitary sewer usage rate of 335 gallons per day per gross acre of land. The city will require the installation of water meters and may require other documentation and testing in order to ensure compliance with this standard.

301.070 D. 15. F. PERFORMANCE STANDARDS:

301.070 D. 15. F. 1. Minimum Architectural Standards:

It is in the best interest of the City to promote high standards of architectural design. New building proposals shall include architectural and site plans prepared by registered architect and shall show the following as a minimum: 1) elevations of all sides of the buildings, 2) type and color of exterior building materials, 3) typical general floor plans, 4) dimensions of all structures, 5) location of trash containers, heating, cooling and ventilation equipment and systems, 6) description of unique architectural features specific to the particular request.

The exterior surfaces of all buildings shall be faced with brick, stone, glass or equivalent. The City may allow architecturally enhanced and integrally colored block, in all cases examples of the proposed finish are to be submitted for review by the Planning Commission. No building shall be constructed with a main exterior surface of sheet aluminum, steel, corrugated aluminum, or similar products, these materials are acceptable only as trim. Non-structural metal standing seam roofing is permitted. No accessory building shall exceed the height of a principal building. All exterior equipment and trash and recycling storage areas and dock areas shall be screened with materials used in the principal structure. Low profile, self-contained HVAC units which blend in with the building architecture are exempt from the screening requirement. Underground utilities shall be provided for all structures.

301.070 D. 15. F. 2. PARKING:

Each building site shall be provided with such off street automobile parking as may be approved by the City. No parking shall be permitted on any street, driveway, or any place other than in approved parking spaces.

Construction - all drives and parking lots shall be constructed with concrete or blacktop, and with concrete curb and gutters. Where appropriate, sidewalks may be required. Parking lot landscape areas, including landscape islands shall be reasonably distributed throughout the parking lot area so as to break up expanses of paved areas.

Ratio - Unless otherwise approved by the City, parking shall be provided as follows: a) The minimum ratio of one permanently-paved off-street automobile parking space for each 250 square feet of office building area, or b) the minimum ratio of one permanently-paved off-street automobile parking space for every two employees, whichever ratio shall result in the greater number of parking spaces.

Screening - All parking area shall be screened from the public view in a manner approved by the City prior to the construction or alteration of any building or building site.

Location - Unless otherwise approved by the City prior to construction or alteration, parking will not be permitted within 30 feet of the front property lines (those facing any dedicated street) of the building site, nor within 10 feet of its side property lines, nor within 10 feet of its rear property line.

301.070 D. 15. F. 3. LANDSCAPING:

All yard area shall either be landscaped green areas or open and left in a natural state. Yards to be landscaped shall be landscaped attractively with lawn, trees and shrubs in accordance with a plan prepared by a landscape architect. Areas left in a natural state shall be kept free of litter, debris and noxious weeds. Yards adjoining any residential zone shall contain a buffer area consisting of berming, landscaping and/or fencing for the purpose of screening noise, sight, sound and glare. A reasonable attempt shall be made to preserve as many existing trees as is practical and to incorporate them into the site plan. Where areas abut residential districts, a buffer area of a minimum depth of 150 feet will be required. Such a buffer area shall be completely defined and designed, and approved by the City prior to all final City inspections for construction on site. Prior to the issuance of a building permit or commencement of any improvements on site, the owner shall provide the City with a financial security for a minimum of 24 months, approved by the City Attorney, to assure construction of the buffer area. All landscaping shall comply with Section 504.040 of the Lake Elmo Municipal Code.

301.070 D. 15. F. 4. SIGNAGE:

All signs shall be of a design and material approved by the City. Unless otherwise approved by the City, all signs must be attached to a building, parallel to and contiguous with, its walls, and not projecting above its roof line. All signs shall comply with Chapter 505 of the Lake Elmo Municipal Code.

301.070 D. 15. F. 5. CITY FACILITY EXPANSION IMPACT FEE:

The City may assess a Public Facilities Impact Fee on a proposed development within the Business Park District in those cases where it can demonstrate that:

- a. The expansion of public facilities is reasonably required as a result of the approval of the development; and
- b. The Impact Fee does not exceed the development's pro-rata share of the reasonably anticipated public facilities expansion cost.

Impact Fees shall be placed in a restrictive fund and may only be used to finance the cost of the public facilities expansion required by the development approval.

301.070 D. 15. F. 6. LIGHTING:


Plans for new developments shall include a lighting plan denoting the location, type and height of lighting fixtures and the illumination patterns shown on a site plan. Glare whether direct or reflected, such as from floodlights or high temperature processes, and as differentiated from general illumination, shall not be visible at any property line. The source of lights shall be hooded and controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. All lighting shall comply with Chapter 1508 of the Lake Elmo Municipal Code.

301.070 D. 15. F. 7. TRAFFIC:

No use shall be allowed unless the property owner provides a road plan acceptable to the City, which shall demonstrate, at a minimum, that the proposed use and resulting traffic will not adversely affect the then existing traffic of the City. All private roads must comply with existing City regulations, with construction and maintenance being the sole responsibility of the property owner.

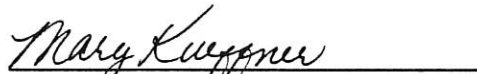
SECTION 2. EFFECTIVE DATE: This ordinance shall become effective the day following its publication.

Adopted by the City Council of the City of Lake Elmo this 6th day of October, 1992.



David Johnson, Mayor

Attest:



Mary Kueffner, City Administrator

Published in the St. Croix Valley Press on the 21st day of October, 1992.

CITY OF LAKE ELMO
WASHINGTON COUNTY
SUMMARY OF ORDINANCE 8073 RELATING TO
SECTION 301.070 D. 15. "BUSINESS PARK"

On October 6, 1992, the Lake Elmo City Council adopted Ordinance 80-73 adopting the "Business Park" Zoning Ordinance.

On October 6, 1992, the Lake Elmo City Council received a summary of Ordinance 80-73 and by four (4) affirmative votes, approved the publication of a summary of this ordinance, to wit:

THE LAKE ELMO CITY COUNCIL ORDAINS THAT THE FOLLOWING SECTION OF THE LAKE ELMO MUNICIPAL CODE IS HEREBY ADOPTED, TO WIT:

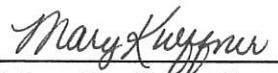
Section 301.050 D. 15	Business Park District
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Section 301.050 D. 15B	Permitted Uses
Section 301.050 D. 15C	Conditional Uses
Section 301.050 D. 15D	Accessory Uses
Section 301.050 D. 15E	Minimum District Requirements
Section 301.050 D. 15F	Performance Standards
Section 301.050 D. 15F1	Minimum Architectural Standards
Section 301.050 D. 15F2	Parking
Section 301.050 D. 15F3	Landscaping
Section 301.050 D. 15F4	Signage
Section 301.050 D. 15F5	City Facility Expansion Impact Fee
Section 301.050 D. 15F6	Lighting
Section 301.050 D. 15F7	Traffic

A complete copy of Ordinance 80-73 "Business Park District" is on file in the office of the City Clerk/Administrator and can be viewed by the public during normal business hours.

Signed:


David Johnson, Mayor

Attest:


Mary Kueffner, City Administrator

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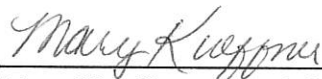
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