

To: **Planning Commission**  
From: **Melissa Sonnek, City Planner**  
Date: **July 21, 2020**

**CUP, Site Plan, Rezoning, and Plat for 1201 Robert St #50 and 100 Signal Hills Ave**

**REQUEST:**

Dominium Development and Acquisitions is requesting the review of multiple applications for the redevelopment of the K-Mart and Signal Bank on the northern portion of the Signal Hills mall campus. The proposed redevelopment includes two apartment buildings, one senior (55+ age restriction) building and one family (non-age restricted) building totaling to 393 units.

Applications for Review:

- Conditional Use Permit – Structures above 35ft in height & Structures with 16+ dwelling units
- Site Plan – Construction of two apartment buildings (senior – 247 units and family 146 units)
- Rezoning from B4 – Shopping Center to PMD – Planned Mixed-Use Development, with R4- Multi-Family Residential and B4 – Shopping Center underlying zoning
- Preliminary and Final Plat – creation of three lots, dedicated right of way and easements

***Attachments:***

*Applications/narrative/notice*

*Memos from Environmental Comm., WSP and WSB Engineering, Dakota Co, Plat Commission, and MnDot Traffic study and submitted plans*



**CURRENT USES AND ZONING:**

	<b>Use</b>	<b>Zoning</b>
<b>Subject Property</b>	Big Box Retail & Bank	B4 – Shopping Center
<b>Properties to North</b>	Single Family Homes	R1 Single Family
<b>Properties to East</b>	Condos & Retail/Auto	R4 – Multi Family & B3- Gen. Business
<b>Properties to South</b>	Signal Hills Shopping Mall	B4 – Shopping Center
<b>Properties to West</b>	Single Family Homes	R1 - Single Family

**Proposal**

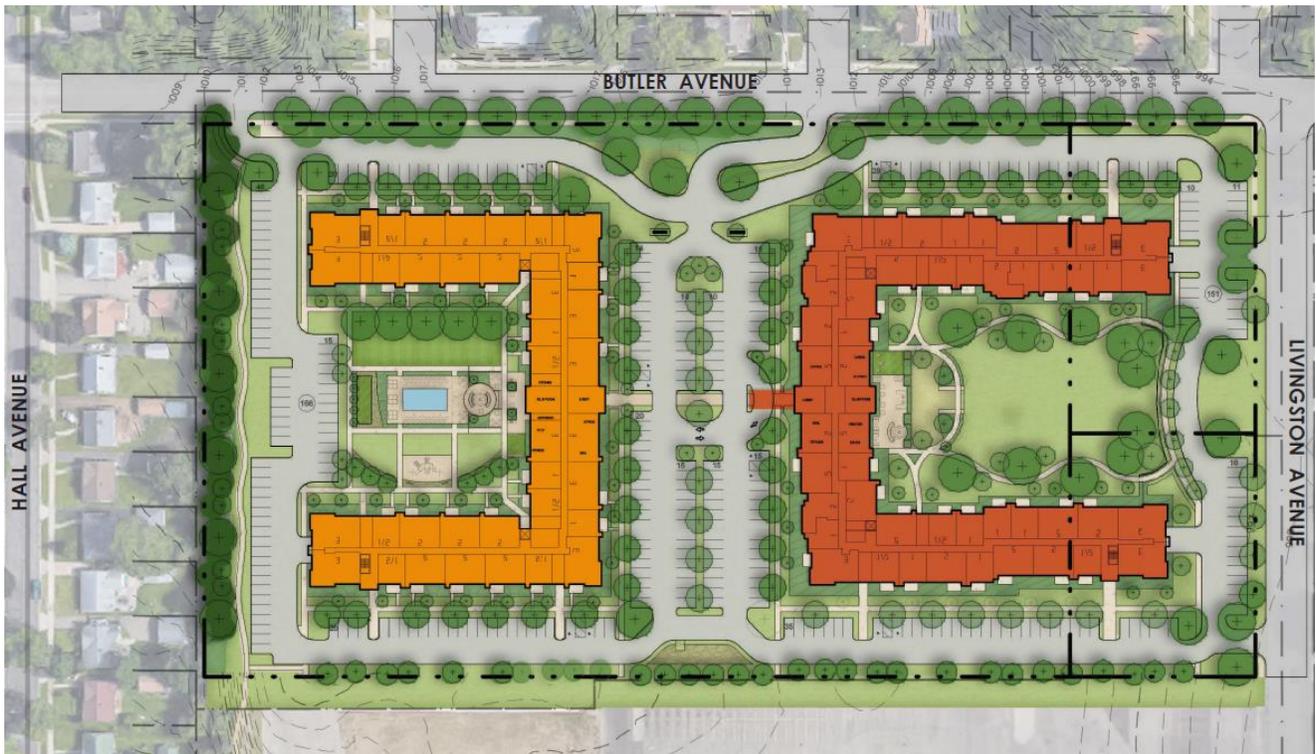
The proposal includes the demolition of the existing K-Mart and Signal Bank buildings, for two apartment buildings totaling to 393 units.

*Family Building*

The western four-story building will contain 146 units that would be non-age restricted. This building would be a mix of one, two, and three bedroom units, offering 293 (166 surface & 127 underground) parking stalls (2:1 parking ratio). The western building will contain amenities such as a community/party room with a kitchen, an indoor children play room, a fitness center, an outdoor patio with seating, a pool, a bocce ball/bags court, shared dog park, and outdoor playground.

*Senior Building*

The eastern five-story building will contain 247 units that will be restricted to ages 55+. This building will also be a mix of one, two, and three bedroom units with a total of 301 (151 surface stalls & 150 underground) parking stalls (1.22:1 parking ratio). The senior building will contain similar indoor amenities such as the communal party room and fitness center, but instead of a child play area, it will have a salon, card playing/craft room, movie theater, and salon. The outdoor area will have a smaller court yard area more suitable for walking and bench seating as well as a shared dog park.

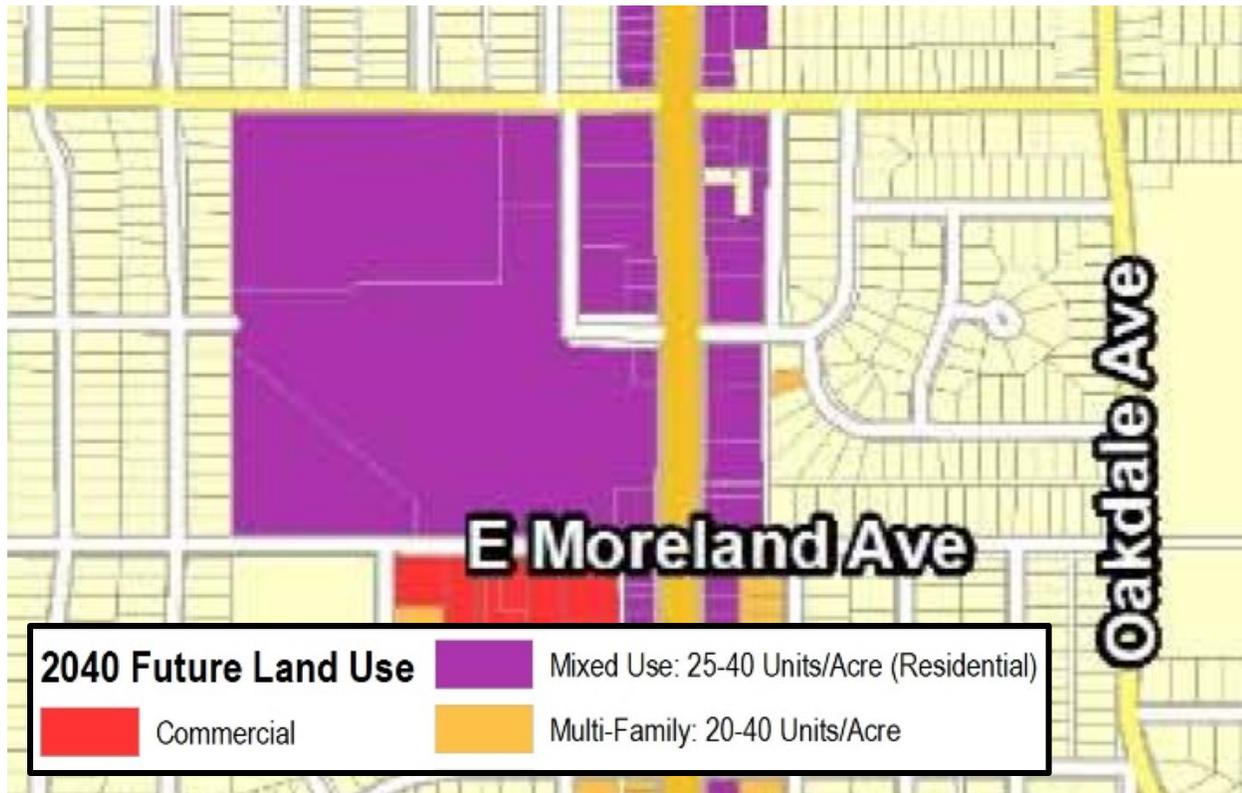


## 1) CONDITIONAL USE PERMIT ANALYSIS:

Within the R4 – Multi-family Residential district, both buildings measuring higher than 35 ft. and containing 16+ units are conditional uses.

### Long Term Planning Document Review

The 2040 Comprehensive plan designated the Signal Hills area to likely redevelop by 2030 as mixed use with 20-40 units per acre (see image below – Pg. 13 of 2040 Comp Plan). As this project proposes roughly 35 units per acre, both density and use align with the 2040 Comprehensive Plan.



### Multi-Family Demand

According to the recently completed (March 2020) Housing Study for Dakota County, affordable housing remains increasingly difficult to find. Despite the development of 3,900 new rental units throughout the County between 2014 and 2018, the waitlist for affordable housing units in 2019 contained over 1,400 names and vacancy rates remain around 1.8% (5% is considered a healthy market).

### Proximity to Amenities

This site offers close proximity to several retail and restaurant options within walking distance, as well as multiple bus routes along Butler, Livingston, and Robert St.

## 2) SITE PLAN ANALYSIS:

### Setbacks

#### Building

The proposed site plan complies with all building setbacks as detailed by the code.

	Code Setbacks	Proposed Setbacks Family (west) Building	Proposed Setbacks Senior (east) Building
<b>Front</b> <i>(Butler Ave)</i>	50/53 ft. 50 +1 ft./each ft. over 50ft.	75 ft.	75 ft.
<b>Rear</b>	40/41.5 ft. 40 +1/2 ft./each ft. over 50ft.	50 ft.	70 ft.
<b>Side</b> <i>Abutting Corner</i>	40/41.5 ft. 40 +1/2 ft./each ft. over 50ft.	N/A	85 ft.
<b>Side (West)</b> <i>Abutting Residential</i>	40/41.5 ft. 40 +1/2 ft./each ft. over 50ft.	50 ft.	N/A

#### Parking

The proposed site plan complies with parking setbacks as detailed by the code, unless noted by the \*.

	Code Setbacks	Proposed Setbacks Family (west) Building	Proposed Setbacks Senior (east) Building
<b>Front</b> <i>(Butler Ave)</i>	20 ft.	12 ft.*	10 ft.*
<b>Rear</b>	10 ft.	12 ft.	10 ft.
<b>Side</b> <i>Abutting Corner</i>	20 ft.	N/A	2.3 ft.*
<b>Side (West)</b> <i>Abutting Residential</i>	20 ft.	50 ft.	N/A

\*Note – parking setbacks were increased to allow for full drive aisle width and parking stall depths.

### Parking Counts

#### Family Building

Both buildings will offer both surface and underground parking options. The family building (west) will offer a total of 293 parking stalls, 127 underground and 166 surface stalls. Code requires a 2:1 parking ratio, meaning two parking stalls for each unit. This site is actually exceeding the code requirements, calculating to just over 2 stalls per unit.

#### Senior Building

The senior building (east) will offer a total of 301 stalls, 150 underground and 151 surface stalls. This site falls below the 2:1 parking requirement; however, it is typical to see lower parking counts for senior apartments. This in combination with the fact that there are several public transit options close to this site, allows the site to function appropriately with a lower parking count.

For example, the Dakota (900 Robert St.) has roughly the same parking ratio 1.20:1. The Winslow (Darts – 1631 Marthaler Ln) has a ratio of 1.4:1. Both of these are affordable independent senior projects that have been approved.

### Drive Aisle and Parking Stall Dimensions

Drive aisles and parking stall widths are consistent with code requirements throughout the site. Similarly, the majority of the site's parking stall depths comply with the code minimum of 20 ft. With the exception of the two parking rows in the center of the site, these two rows measure 18ft in depth.

The City has previously approved parking stalls with a 18ft depth as the average car today compared to when the code was written has become much smaller.

**Curbing**

The existing parking lot includes B612 curbing as required by code.

**Traffic Study**

Due to the change in use and to ensure the success of the project, the applicant conducted a traffic study in the fall of 2019. In short, the traffic study concluded that for this setting, the multi-family residential use would create less traffic than a big box retail store (K-Mart) would (see table below for data specifics for this site).

	Daily Trips (Entering)	Daily Trips (Exiting)	Total Trips
<b>Existing Use</b> (Big Box Retail)	2,358	2,358	4,716
<b>Proposed Use</b> (Multi-Family Res.)	695	695	1,390
<b>Change in Trips Generated</b>	-1,663	-1,663	-3,326

As a relevant and recent example, the approved HyVee store is expected to average 9,600 trips on a daily basis (as detailed in the Town-Center-Two traffic study).

**Site Access – Butler Avenue**

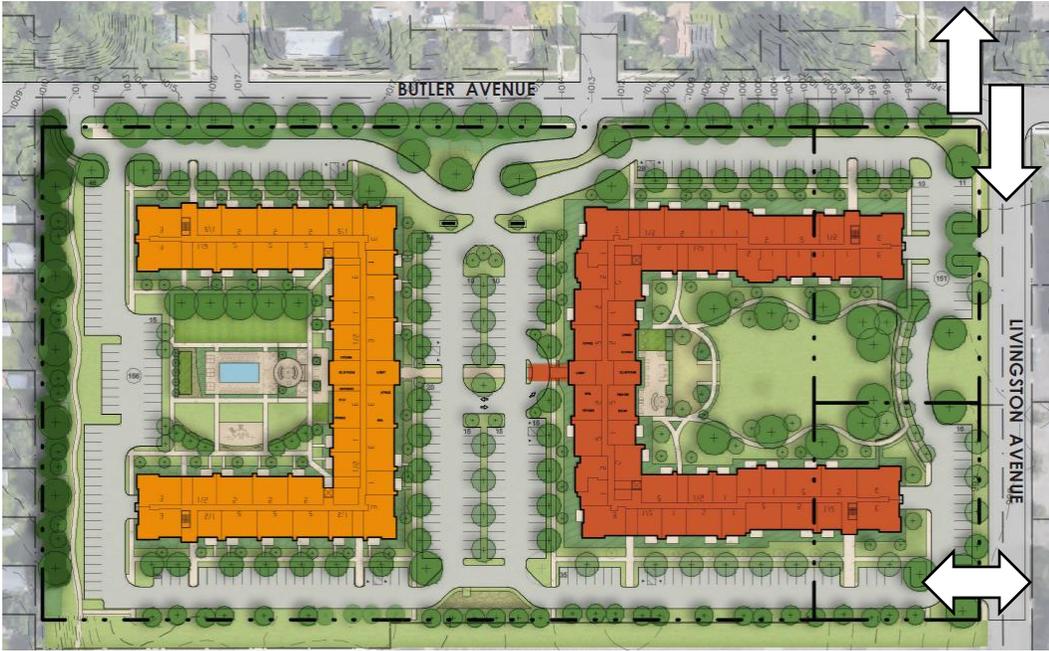
The existing site west access behind the K-Mart building was requested by Dakota County to be closed, to decrease the number of curb cuts and the amount of potential intersection conflict. The primary access to the site from Butler Avenue will be just south of where Gorman Avenue intersects with Butler.



### Site Access – Livingston Avenue

An additional access for the site will be on the southeastern portion of the site off Livingston Ave.

As a part of the site plan review, both Dakota County and the City would like to recommend that the applicant alter the site to allow for a re-alignment of the Livingston intersection to a proper “t” rather than an off-set intersection.



### Pedestrian/Sidewalk Connectivity

As can be seen in the image below (*in blue*), there are several existing sidewalk and public transit options around the site. However, with Butler Ave. being a county road, both the county and the city request that the applicant expand the existing 4ft sidewalk to an 8ft wide trail (see WSP Engineering memo).



## Internal Site Connectivity

As can be seen in the image below (*in purple*), there are a lot of connections throughout the site to offer both recreational and transportation options.



## Lighting

The submitted lighting plans do show a minimal amount of lighting at varying property lines. As this is not permitted by code, City Staff is requiring as a condition of approval that all lighting levels must not exceed zero foot-candles at all abutting property lines, and no direct glare may extend into the public street, public open space, or neighboring properties.

## Landscaping and Screening

Setback areas, in part, are to be used as a buffer. Landscaping is a large factor in screening. The code outlines that there is to be one tree per every 40 lineal feet of property line. For this site as a whole, this roughly calculates to 99 trees; the applicant is proposing a total of 151 deciduous trees as well as 35 coniferous trees, 136 ornamental trees, 1,293 shrubs, and 935 perennials/annuals.

Additionally, when redevelopment and tree removal occurs the code requires a minimum of 30% replacement of the quality trees removed. The applicant is proposing to remove approximately 229 caliper inches of quality trees, which with the 30% replacement requirement, the applicant is required to replant 69 caliper inches (roughly 28 trees if measuring at 2.5 caliper inches). As detailed above, the proposed landscaping exceeds the minimum code requirements.

### *Screening for Residential Property*

The code requires screening for all property lines adjacent to single-family properties. The subject property directly abuts single-family homes to the west. The west property line currently contains mature trees that are detailed on the submitted plans to be maintained, the property line also contains various sections of retaining wall. Therefore, City Staff is recommending as a condition of approval that any/all screening must comply with section 153.032 (E)4.

During the neighborhood meeting, it was voiced by the adjacent neighbors there were in attendance would prefer a fence to assist in the screening between properties. The code allows for either fencing or

landscaping. If a fence is determined to be the preferred option, the code details that all fencing north of the front building façade shall be no higher than 4 ft., all fencing south of the front building façade shall be 6 ft. in height.

### **Irrigation**

The landscape plan states that an irrigation will be provided as required by code by the contractor. Staff is recommending a condition of approval requiring an irrigation plan upon application of a building permit.

### **Environmental Committee Review**

The Environmental Committee held an informal review of the proposed landscape plan as they were unable to hold a regular meeting due to a lack of quorum. Detailed comments can be found in the attached memo.

The committee members were generally pleased with the proposal and are recommending approval of the plans with following additions:

- Strongly encourage the developer to use “pollinator friendly” native plants that are not treated with “neonicotinoids”,
- Consider the addition of a green roof to treat stormwater onsite, and
- Encourage that all exterior lighting is Dark Sky compliant.

Staff is recommending as a condition of approval that the applicant consider to the additions and recommendations of the Environmental Committee per the memo dated July 15, 2020.

### **Construction Materials/Design**

Section 153.031 of the zoning code, which outlines residential site plan requirements, does not detail specific building materials or design standards as is outlined for commercial buildings. However, the code does require that exterior building materials be comprised of siding, stucco, brick, glass, or other comparable material. The applicant is proposing a combination of brick, decorative concrete masonry units, glass, lap and panel siding. The submitted plans state that all lap and panel siding are to be field painted. Since the code does not allow the application of color post production, City staff is recommending as a condition of approval that all siding be factory painted rather than field painted.



Rendering of Senior Building as presented to EDA Board on 07/13/2020

## **Signage**

The proposed plans do not include signage at this time. Staff is recommending a condition of approval requiring that all signage meet the requirements of Section 153 of the Zoning Ordinance.

## **Engineering/Storm water Review**

The site plan was reviewed by an engineering consultant to specifically review storm water run-off and the proposed underground stormwater retention system.

The engineering consultant listed a number of recommendations regarding obtaining proper permits as well as items to address prior to permitting. City Staff is requiring as a condition of approval, that the applicant adhere to/address all items outlined in the WSB Engineering Memo dated July 14, 2020.

## **3) REZONING:**

The subject property is currently zoned B4 – Shopping Center. The applicant is requesting to rezone the property from B4 – Shopping Center to PMD – Planned Mixed-Use Development, with R4 – Multi-family Residential (apartment portion of site) and B4 – Shopping Center (Signal Hills Mall portion of site) as underlying uses. Note that the Signal Hills mall portion of the property is not presently being redeveloped, but is included in the plat and rezoning applications.

The recently adopted 2040 Comprehensive Plan Update designates the subject property as “Mixed-use” which allows for both commercial and multi-family residential development. In addition, the Comprehensive Plan specifically calls out the Signal Hills property as a “Likely Redevelopment Area” by 2030 and suggests denser residential development (20-40 units per acre) for the property to meet Met Council 2040 housing unit growth projections. Therefore, the request to rezone the property to PMD complies with the Comprehensive Plan.

## **4) PLAT ANALYSIS:**

Since the subject property is currently unplatted, the City is requiring that the applicant plat the entire property as a part of the redevelopment project. As stated in the rezoning section, the Signal Hills mall portion of the property is not presently being redeveloped, but is included in the plat and rezoning applications.

The entire Signal Hills property, including the mall, the K-Mart building, and the Signal Bank building totals to roughly 29 acres and contains several different lots. The platting process will clean up the site’s legal description and formally designate three separate lots, one for each apartment building and one for the mall site. City Staff is recommending as a condition of approval that the plat be recorded at the County within one year of approval and prior to the submittal of a building permit.

## **WSP Engineering Review**

The West St. Paul Engineering Department reviewed the submitted plats and requested the following (see memo dated July 9, 2020):

1. Request that the applicant realign Livingston Avenue along the northeast NE corner of the property, to square up the Livingston and Butler intersection,
2. Request an 8ft wide trail along Butler Avenue as well as a 5ft wide sidewalk along Livingston, as is outlined in the West St. Paul Pedestrian & Bicycle Plan, and
3. Request a minimum of 10ft wide utility and drainage easements along property lines that abut public streets and 5ft easements for interior property lines.

City Staff is recommending as a condition of approval that the applicant adhere to the items outlined in the West St. Paul Engineering memo, dated July 9, 2020.

### **Dakota County Plat Commission**

The Dakota County Plat Commission reviewed the proposed preliminary plat at their meeting on July 8<sup>th</sup>, 2020 and recommended approval of the preliminary plat subject to the following (see memo dated July 9, 2020):

1. Due to inadequate access spacing, the Commission will only allow for one access on Butler Ave. as detailed in the meeting as the Gorman Ave. access,
2. Require 40ft of right-of-way dedication, proposed plans detail 30ft,
3. Highly recommend an 8ft wide trail along Butler Ave. as outline in the Dakota County Pedestrian and Bike Trail Plan,
4. Recommend the realignment of the southern portion of Livingston Ave. with the northern portion to increase the overall safety of traffic movements at the intersections.

### **MNDOT Review**

Since Robert St. is a state road, MnDot reviewed the proposed plat. The review makes note of several items such as noise along state highways, multimodal and transit connections, water and drainage requirements and permitting process. City Staff is recommending as a condition of approval that the applicant address the items outlined in the MnDot memo dated July 15, 2020.

### **STAFF RECOMMENDATION:**

**Staff recommends APPROVAL of the CONDITIONAL USE PERMIT to allow structures above 35 ft. in height and structures with 16+ dwelling units in a R4 – Multiple Family Residential District subject to the following condition:**

1. Council approval of the corresponding site plan, rezoning, and plat applications.

**Staff recommends APPROVAL of the SITE PLAN to allow for the construction of two apartment buildings at 1201 Robert St. #50 and 100 Signal Hills Ave. subject to the submitted plans and the following conditions:**

1. Council approval of the corresponding conditional use permit, rezoning and plat applications,
2. The applicant shall apply for and obtain all applicable building and sign permits,
3. The applicant shall ensure that all lighting levels will not exceed zero foot candles at all abutting property lines, and no direct glare shall extend into the public street, public open space, or neighboring properties,
4. The applicant shall ensure that any/all screening complies with section 153.032 (E)4 of the zoning ordinance,
5. The applicant shall ensure that an irrigation plan is submitted upon application of a building permit,
6. The applicant shall ensure that all siding be factory painted rather than field painted,
7. All signage must comply with section 153 of the zoning ordinance,

8. The applicant shall consider the recommendations of the Environmental Committee per the attached memo dated July 15, 2020,
9. The applicant shall consider the recommendations outlined in the West St. Paul Engineering memo dated July 9, 2020,
10. The applicant shall adhere to/address all items outlined in the WSB Engineering memo dated July 14, 2020,
11. The applicant shall adhere to the items outlined in the Dakota County Plat Commission memo dated July 9, 2020, and
12. The applicant shall address the items outlined in the MnDot memo dated July 15, 2020.

**Staff recommends APPROVAL of the REZONING of 1201 Robert St. and 100 Signal Hills Ave. from B4 – Shopping Center to PMD, Planned Mixed-Use Development with R4 – Multi-Family and B4 – Shopping Center underlying zoning subject to the following condition:**

1. Council approval of the corresponding Conditional Use Permit, Site Plan, and Plat applications.

**Staff recommends APPROVAL of the PRELIMINARY/FINAL PLAT for 1201 Robert St. and 100 Signal Hills Ave. subject to the submitted plat drawings and the following conditions:**

1. Council approval of the corresponding conditional use permit, site plan, and rezoning applications,
2. The applicant shall revise the final plat per the recommendations outlined in the attached memos from the West St. Paul Engineering, Dakota County Plat Commission and MnDot,
3. Upon submittal of the final plat, the applicant shall include 10 foot drainage/utility easements along the property lines that abut a roadway, and a 5 foot drainage/utility easement along property lines that abut another lot, and
4. The final plat shall be recorded within one year of approval and prior to application of a building permit.