Ryan Real Estate Redevelopment

PROJECT REVIEW

Existing Conditions

Property Location:	14750 Cedar Ave		
Legal Description:	Lot 1 Block 2, APPLE VALLEY COMMERCIAL ADD, SUBJ TO PAR 5 DAKOTA CO R/W MAP 180 & SUBJ TO PARCEL 114 DAKOTA CO R/W MAP 324		
Comprehensive Plan Designation	C-Commercial		
Zoning Classification	PD-290, Zone 1		
Existing Platting	Platted lot of record subject to Dakota County Right-of-way Acquisitions		
Current Land Use	Multiple-tenant office building		
Size:	2.0 acres		
Topography:	Flat		
Existing Vegetation	Urban landscape.		
Other Significant Natural Features	N/A		
	NORTH	**Across 147th Street – Applebee's Restaurant**	
		Comprehensive Plan	C-Commercial
		Zoning/Land Use	PD-290, Zone 4 (Neighborhood-oriented retail)
	SOUTH	**Metro Dental/Merchant's Bank**	
		Comprehensive Plan	C-Commercial
		Zoning/Land Use	PD-290, Zone 1
	EAST	**Across Glazier Ave – Wings Federal Credit Union**	
		Comprehensive Plan	C-Commercial
		Zoning/Land Use	PD-290, Zone 3
	WEST	**Across Cedar Ave – Bank of America**	
		Comprehensive Plan	C-Commercial
		Zoning/Land Use	RB-Retail Business

Development Project Review

Comprehensive Plan: The Comprehensive Plan guides the development of the site for "C" (Commercial) uses. The vision for northeast quadrant of Cedar Avenue and County Road 42 has historically been professional office uses with limited retail uses to serve the office buildings. A restaurant is consistent with the C designation.

Zoning: The property is zoned PD-290, Zone 1, which allows limited business uses including professional offices, banks, civic centers, nursing homes and limited retail. A Class I (full service) restaurant is a permitted use in Zone 1. The property owners wish to amend the PD zoning to address the following:

- Allow two drive-thru lanes in connection with a Class I restaurant as a conditional use when the restaurant is a minimum of 7,500 sq. ft. and additional performance criteria are met.
- Allow outdoor storage of 8' x 20' refrigerated storage box limited to no more than 60 days, when certain conditions are met.
- Building setbacks from Cedar Ave reduced from 40' to 20'
- Parking setbacks from Cedar Ave reduced from 10' to 0'

- Parking setbacks from 147th Street reduced from 20' to 4'.
- Parking setbacks from Glazier Ave reduced from 20' to 6'.
- Allow signs and murals to be painted directly on the building.
- Allow a water tower feature with lettering above the roofline.
- Allow increased height of a building from 30' to 35' to ensure the water tower feature does not exceed the maximum height requirement.

Staff recommends that a new subzone be established so that the setback provisions and other performance requirements will not extend to or impact all of the properties in Zone 1. Zone 5 would be established to address the specific issues related to this site and its unique constraints.

The petitioner also requests consideration of amendment to the PD ordinance that would allow a pre-order board in addition to a menu board. Staff recommends not approving this request at this time and instead has encouraged the petitioner to request a sign variance. This will allow additional time to study the impacts of allowing this change. See Signs for more discussion.

Preliminary Plat: The property is currently platted. No platting of the property is proposed in connection with this project.

Site Plan: The existing access on the northwest corner of the site abutting 147th Street will be removed. On Glazier Ave on the east side of the site, two access points are proposed: a right-in enter-only access and a seconfull access with two painted exiting arrows to encourage exiting to the south. The 9,000 sq. ft. building is proposed to be located on the northwest corner of the site, close to Cedar Avenue, and will be served with double drive-thru lanes wrapping around the north and west sides of the building. A total of 97 parking spaces are provided on the site. At 212 indoor seats and 28 outdoor seats, a total of 89 parking spaces would be required.

The garbage enclosure is shown directly east of the building. The petitioner proposes to make the north wall of the enclosure a feature rather than trying to make it invisible. A special graphic was created that highlights the City's "Plant, Grow, Prosper" economic development theme. Staff supports the idea.

The petitioner modified the north elevation adding false bricked windows and other architectural features to ensure that all four sides of the building will have equally attractive design.

Adjacent intersection impacts: See Street Classification/Circulation.

Easement encroachments: The plans have been revised by shifting the parking lot to the east so that the parking lot curbline no longer encroaches into the County's trail drainage and utility (TDU) easement. Currently, only the double drive-thru lane encroaches. The County staff state that the drive-thru lanes would be permitted subject to obtaining a County Right-of-Way permit and replacing the removed plantings at a ratio of 1:1.

Grading Plan: The grading plan was reviewed by the City Engineer and his memo is attached to the staff report. The site is proposed to be scraped, but no significant changes to the site elevations are proposed. The building elevation was raised by one foot (1') to improve site drainage and the sewer elevation. The final grading plan is subject to review and approval of the City Engineer at the time of issuance of the building permit.

Elevation Drawings: The exterior building materials are proposed to be precast panels with thin brick inserts, and hardi-plank lap siding. The building is 30' tall which meets the maximum height requirement of 30'. A water tower feature appears to be taller than the building. Staff proposes to modify the PD zoning to increase the allowable height to 35'. The north elevation of the building was revised to address staff's concern about the north elevation appearing to be the "back of the building".

The screening wall screening the north side of the dumpster enclosure will be extended to provide screening of a requested temporary outdoor storage of an 8' x 20' refrigerated storage container that is requested for the holiday season.

Landscape Plan: The value of the landscape planting must meet or exceed 2-1/2% of the value of the construction of the building based on Means Construction Data. A nursery bid list will be required at the time of application of the building permit that confirms that the value of the landscape plantings meet or exceed the 2-1/2% requirement. Hardscape, such as edging and rock, and sod do not count towards the landscape budget. Irrigation, statuary, and other architectural and artful treatments may qualify toward the landscape budget.

Additional trees and small plantings were added to the landscape plan to enhance the overall site appearance. The landscape plan shows that the existing trees along Cedar Ave will be preserved and new trees will not be planted in between the existing trees.

Municipal Utilities: Utilities are available at the site. No extension of utilities is needed to serve this development; only connections to existing service lines will be needed. Domestic and fire water service lines will be required to be split outside the building.

Street Classifications/Accesses/Circulation:

- Cedar Avenue (Principal Arterial Street) – 90' half right-of-way with additional right-of-way easements obtained for community entry monuments at Cedar and 147th Street. No access permitted or proposed.
- 147th Street West (Minor Community Collector) – 40' half right-of-way. The existing drive access onto 147th Street will be closed in connection with this development.
- Glazier Avenue (Local) – 30' half right-of-way.

The petitioner conducted a traffic study which has been reviewed by the City Engineer. The restaurant is expected to generate 412 driveway trips during the mid-day peak and 198 driveway trips in the evening PM peak. The redevelopment's potential impact on adjacent intersections including Cedar Ave/147th Street intersection, and the 147th Street/Glazier Ave intersection is a significant issue that is being analyzed in connection with this project. Levels of Service (LOS) ratings are used by traffic engineers to analyze intersection operations and wait times and range from A (the best) to F (the worst) level of operation. Today, traffic levels operate at a level C at Cedar Ave/147th and C at 147th/Glazier during the PM peak. Adjacent property owners have stated that they are not happy with how the intersection functions today and that changes are needed.

The traffic study reviewed conditions after redeveloping the site and then examined future conditions in 2030. After the redevelopment is completed, the LOS in 2018 is expected to be C in both the PM peak and mid-day peak for Cedar/147th Street. Northbound lefts at 147th Street and Glazier decline to a LOS D in both the mid-day and PM peak. By 2030 the Cedar Ave/147th

Street intersection is operating at a C in the mid-day peak and E in the PM peak, while the left turns northbound on 147th/Glazier are operating at a C in the mid-day and D in the PM peak.

The following traffic improvements are proposed to address and improve traffic circulation in the area:

1. Eliminate site driveway access onto 147th Street.
2. Extend the median from the Cedar/147th Street intersection to the east, through Glazier Ave, to convert 147th Street/Glazier intersection to right-in/right-out access only.
3. Construct a roundabout or an extended roundabout to allow for a safe u-turn maneuver to turn right and then loop to the west to access Cedar Ave.

The traffic study finds that these improvements will address the expected 2030 traffic levels.

Pedestrian Access: A pedestrian connection is provided through the site from Cedar Avenue to the front of the building (south side) and continues east out to Glazier Ave. The plans were revised to provide a landscape island for a pedestrian refuge in the center of the site as requested by the City Engineer.

Public Safety Issues: None identified.

Recreation Issues: None identified.

Signs: No sign approvals are given at this time. No signs may be installed prior to the issuance of a permit. A separate sign permit must be obtained prior to the installation of any signs on the site or the building. The preliminary sign plans show the use of a pre-order board. No pre-order boards are permitted.

Restaurant sites that have two drive-thru lanes are allowed two menu boards not to exceed 36 sq. ft.; otherwise one menu board at 50 sq. ft. is allowed. The petitioner would like to install a 15.3 sq. ft. pre-menu board in addition to a 37 sq. ft. main menu board.

The Planning Commission discussed menu boards in detail when the sign code was amended to allow two menu board signs on sites with two drive-thru lanes. The City is very strict with sign code regulations to ensure all businesses are treated equally. The sign code does not allow pre-menu board signs at this time. Staff suggests that this item not be included in the PD ordinance amendment, but that the petitioner be directed to make a sign variance request for the second sign. Under that process, the petitioner could explain the unique hardship on the site that makes the pre-menu board necessary. As with any sign variance, staff is concerned that other fast food operators would also like to install pre-menu boards. Staff is not ready to address this issue until further review is conducted.

Public Hearing Comments:

1. Resident who lives on Dunbar Lane states that he is a resident of Apple Valley and was excited to hear that Portillo's might locate in Apple Valley. Expressed support for the restaurant. ***Staff response***: Comment noted.

2. How will overflow parking be handled? If there are 35 to 45 employees working at one time, only roughly 60 parking spaces are available for customers. ***Staff response***: The petitioners have arranged a shared parking agreement with the owners of the Commons I property east of the proposed Portillo's site.

3. Concern that traffic would cut through Wings parking lot to reach the roundabout. ***Staff response:*** In the case of a significant delay, some Portillo's customers may try to find an alternate route to bypass the backup at 147th St and Glazier Ave. While it seems unlikely, a frustrated impatient driver might try to find an alternate route. However, significant delays are not expected once the proposed 147th Street traffic improvements are made. If traffic is flowing smoothly, significant delays at 147th St and Glazier Ave are not expected.

4. Concern that the proposed development will generate high volumes of traffic. Believes additional analysis is needed to ensure this development will not negatively impact adjacent properties. ***Staff response***: Extensive review and analysis has been conducted of projected increases in traffic levels and intersection impacts resulting from the proposed development. The petitioners' traffic engineer prepared a traffic study which was thoroughly analyzed by the City's traffic engineer. City staff is confident that the information provided is sufficient to address this development proposal.