

## **SECTION 300.31. PLANNED I-394 DISTRICT.**

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### **1. Purpose.**

The purpose of the planned I-394 district is to establish a comprehensive, planned framework for development within the I-394 corridor. The city has determined that it is in the best interest of the city and the region to responsibly manage corridor growth. Specific development goals within the I-394 corridor include the following:

- a) limitation of development to ensure reasonable traffic operations because population and employment distribution and traffic generation resulting from existing and future corridor development has the potential to overload the capacity of regional and local road systems. Development will be limited to ensure reasonable traffic operations on corridor road systems including I-394 interchanges;
- b) encouragement of a high quality development standard for structures within the corridor because properties fronting I-394 are among the most visible in the city. It is in the best interest of the city and individual properties within the corridor to encourage a high-quality development standard for structures within the corridor;
- c) protection of the natural environment, including areas of steep slopes, mature trees, floodplain/wetlands, open space and drainage;
- d) promotion of neighborhood stability and protection of property values through the use of buffers between land uses of different intensity;
- e) promotion of flexibility in land development and redevelopment in order to utilize new techniques of building design, construction and land development. Also, flexibility in locating specific land uses will allow development options which do not overburden the capacity of the planned road system;
- f) more efficient and effective use of land, open space and public facilities through mixes of land use and assembly and development of land in larger parcels;
- g) provision of alternative housing types in a range of affordability;
- h) energy conservation through the use of more efficient building designs and sitings, and the clustering of buildings and land uses; and
- i) development which is consistent with the comprehensive guide plan (1981), as amended by the I-394 corridor study (1987).

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### 2. Definitions.

For the purpose of this section and section 300.32, I-394 redevelopment overlay districts, definitions contained in section 300.02 and the following shall apply.

a) All references to types of parcels or areas by use, such as “residential areas” means the type and intensity of use as designated on the comprehensive guide plan. These references do not mean the existing use or zoned use of the property.

b) “Gross floor area” - for trip generation calculation purposes means the sum of the area at all floor levels of a building, including cellars, basements, mezzanines, penthouses, corridors, lobbies, stores, and offices, that are included within the principal outside faces of exterior walls, not including architectural setbacks or projections. Included are all stories or areas that have floor surfaces with clear standing head room (6 feet, 6 inches minimum) regardless of their use. Where a ground level area, or part thereof, within the principal outside faces of the exterior walls is left unenclosed, the gross area of the unenclosed portion is to be considered as a part of the overall square footage of the building. All unroofed areas and unenclosed roofed-over spaces, except as defined above, are to be excluded from the area calculations.

For purposes of trip generation calculation, the gross area of any parking garages within the building shall not be included within the gross area of the entire building.

c) “Gross leasable area” - for trip generation calculation purposes means the total building floor area designed for tenant occupancy and exclusive use, including any basements, mezzanines, or upper floors, expressed in square feet and measured from the centerline of joint partitions and from outside wall faces.

d) “p.m. peak hour trips” - means the total number of inbound and outbound motor vehicle trips generated during a continuous 60 minute period of the highest volume of traffic between 4:00 and 6:00 p.m.

e) “Substantial compliance” - means that the limits shall be an absolute maximum, except that a greater number of trips or larger building square footage will be allowed if the adverse impact on the road system caused by the particular use would be less than expected as determined by a traffic impact study approved by the city. A lower adverse impact could result from a category of use which generates more favorable turning movements than assumed in the traffic projections or from a lower actual p.m. peak rate.

f) “Comprehensive plan” or “comprehensive guide plan” or “guide plan” - means the comprehensive guide plan (1981) as amended by the I-394 corridor study (1987) and other amendments.

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### **3. Master Development Plan Required.**

a) A master development plan which complies with the standards of this section and which has been approved by the city shall be required for all property in the planned I-394 district for which development is proposed. Property which is the subject of a master development plan shall be under unified ownership or control and be made subject to such legal restrictions or covenants as may be necessary to ensure compliance with the approved master development plan and final site and building plans.

b) Exceptions for existing developments: for developments existing on the effective date of this section, no master development plan is required until any development is proposed which needs a variance from the provisions of this section, a conditional use permit as specified in subdivision 4(b), or which is an expansion exceeding 10 percent of gross floor area, 10 percent of site area or 10 percent of I-394 right-of-way frontage.

### **4. Uses.**

a) Permitted uses:

1) Within the planned I-394 district, permitted uses shall be only those uses at the permitted densities and intensities specified for each property in the comprehensive guide plan. Uses which may be available depending upon the specific guide plan map designations include the following:

a. office: office used for administrative, executive, professional and like activity;

b. service commercial: business uses primarily engaged in commercial activities other than the sale of goods or merchandise;

c. retail commercial: uses which primarily involve the sale of goods or merchandise to the general public for personal or household consumption. Office and service commercial uses as noted above are also permitted;

d. mid-density residential: residential development at densities ranging from 4 to 12 units per acre; and

e. high-density residential: residential development at densities exceeding 12 units per acre.

2) A use which is generally referenced as a conditionally permitted use but which does not meet the definition or criteria for the conditionally permitted use is not a permitted use. For example, any restaurant which does not meet the requirements for the various categories of

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restaurants under conditionally permitted uses is not permitted.

3) Exterior display, sales or storage: within the planned I-394 district, exterior display, sales or storage of merchandise, consumer goods or business related items is not permitted. Exceptions to this requirement are limited to the following:

a. development existing on May 18, 1988: properties which contain exterior display, sales or storage of merchandise, consumer goods or business related items may continue this activity. Except as provided below in section 300.31, subd. 4(a)(3)(b) and (c), the entire property is subject to all applicable performance requirements of this ordinance when site changes, exterior improvements or expansions to the property are proposed;

b. expansion of development existing on May 18, 1988: properties which contain exterior display, sales or storage of merchandise, consumer goods or business related items may expand the exterior display, sales or storage in existence on May 18, 1988 by no more than 20 percent of the entire property area. In no case, however, can the expansion extend along I-394 by more than an additional 10 percent of the property's I-394 right-of-way frontage existing on the effective date of this section. This 10 percent limitation is measured as follows:

1. the existing display area means any display in the area between the property line generally parallel to I-394 and the front faces of the principal structure, with the front face of the structure at each side extended to the side property lines;

2. the length of the front property line (generally parallel to I-394) of the property is multiplied by 10 percent; and

3. the limits of the existing display area may be extended in one or both directions parallel with I-394 no greater than a total of the number of feet determined in subparagraph 2.

Variances to permit expansion of exterior display, sales or storage greater than 10 percent of the property frontage will be considered, but not necessarily granted, only upon evidence that appropriate screening such as landscaping, berming, structure location, or other amenities not otherwise required by this ordinance compensates for the visual impact of the additional expansion.

This expansion may extend to adjacent property not being used for that use on the effective date of this section. Property area shall include all contiguous property under common ownership which is being used for one principal use, including exterior display, sales or storage, on the effective date of this section, regardless of political boundaries, but shall not include area within wetlands or floodplain districts. Expansion will be approved only upon the entire development being subject to compliance with all applicable landscape, lighting, noise, buffering and setback requirements of this ordinance.

c. exterior display, sales, or storage of motor vehicles on property within the

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I-394 redevelopment overlay districts No. 6 and No. 7: properties may be developed consistent with a conditional use permit issued pursuant to section 300.31, Subd. 4(b)(2)(i).

4) Also permitted in the planned I-394 district are cabinets no larger than 150 cubic feet that hold utility equipment and for which a landscape plan has been approved by the director; overhead utility poles and lines for a distribution line up to a maximum height of 60 feet as measured from the ground upon which it is located, except that utility poles and lines for a distribution line may be taller than 60 feet, but not taller than 80 feet, when needed to cross a major roadway such as a freeway.

b) Conditionally permitted uses:

1) Notwithstanding the above, the city may issue a conditional use permit to allow a maximum of 25 percent of the gross floor area of all buildings within one development to be used for land uses not designated by the comprehensive guide plan. Review standards for this conditional use permit shall include the following:

a. shall be in compliance with standards applicable to similar uses as specified in paragraph (2) below;

b. shall be permitted only when it is demonstrated that the use will meet traffic requirements contained in subdivision 6 and that the use will not significantly lower the level of service as defined by the institute of traffic engineers on the roadway system;

c. shall be permitted only as part of a unified development project;

d. shall be permitted only upon a determination by the city that the use is compatible with a unified development project and is consistent with the policies specified in the comprehensive plan; and

e. shall be further limited in size if needed to ensure compliance with the intent of this ordinance and the comprehensive plan.

2) Because of impacts associated with certain specific uses, the city has determined that a conditional use permit is required for the following uses. A permit will be issued only if the city finds that the standards specified below for each use are met, that the use is in the best interest of the city, that the use is compatible with other nearby uses, and that the use is consistent with other requirements of this ordinance.

a. Business service uses normally associated with office developments on properties designated for office use and containing limited retail activity:

1. shall not result in any exterior building modifications, including truck docks, separate entrances, freestanding signs or overnight truck parking; and

2. shall not exceed more than 25 percent of the gross floor area of the

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building(s) in which it is located.

b. Storage, assembly or servicing incidental to the principal use on properties designated for office, retail, or service commercial uses:

1. shall not have outside storage of materials or trucks;
2. shall not require any exterior modifications to the structure; and
3. shall not occupy more than 25 percent of the building.

c. Minor manufacturing or assembly incidental to the principal use on property designated for office, retail or service commercial uses:

1. shall not have outside storage of materials or trucks;
2. shall not have truck deliveries unless it is demonstrated by the applicant that the deliveries will not cause adverse impacts to the site or adjoining residential areas; and
3. shall not exceed 25 percent of the gross floor area of the building in which it is located.

d. Hospitals and medical clinics on property designated for office, retail or service commercial uses:

1. shall not be adjacent to low density residential areas;
2. shall have direct access from the site to a collector or arterial street as defined in the comprehensive plan;
3. shall not have emergency vehicle access adjacent to or located across a street from any residential use; and
4. may be required to submit a detailed parking analysis for uses exceeding 10,000 square feet. Additional parking may be required based on this analysis.

e. Heliports on property designated for office use:

1. shall conform to all applicable federal aviation administration and Minnesota department of transportation regulations;
2. shall establish and utilize approach and departure routes over non-residential areas to the maximum extent possible;
3. shall have hours of operation limited to 7:00 a.m. to 9:00 p.m., inclusive, excluding emergencies;

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4. shall not be located within 500 feet of residential areas;
5. shall be provided with a dust free landing pad; and
6. shall be fenced or otherwise secured to prevent unauthorized access.

f. Hotels and motels including accessory uses within the building such as restaurants, convention facilities and limited retail areas on property designated for service commercial use:

1. shall not be located adjacent to residential parcels unless the following criteria are met:

a) parking and loading facilities are screened from residential views; and

b) lighting and sign plans are unobtrusive to residential uses.

2. shall only be permitted when it can be demonstrated that operation will not significantly lower the existing level of service as defined by the institute of traffic engineers on the roadway system; and

3. are required to submit a detailed parking demand analysis. Additional parking may be required based on this analysis.

g. Licensed day care facilities on property designated for office, retail or service commercial use:

1. shall have loading and drop-off points designed to avoid interfering with traffic and pedestrian movements;

2. shall have outdoor play areas located and designed in a manner which mitigates visual and noise impacts on adjoining residential areas;

3. shall have one parking space for each six children based on the licensed capacity of the center; and

4. shall obtain all applicable state, county and city licenses.

h. Public buildings or facilities, and cabinets larger than 150 cubic feet that hold utility equipment, on property designated for any use:

1. are subject to site and building plan review pursuant to section 300.27 of this ordinance.

i. service stations and other automobile related uses having service bays on

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property designated for retail use:

1. must have no unlicensed and inoperable vehicles stored on premises except in storage areas where the contents are completely screened from the view from nearby properties;

2. must conduct all repair, assembly, disassembly and maintenance of vehicles within closed buildings except minor maintenance, such as inflating tires, adding oil and replacing wipers;

3. must have no public address system audible from any residential parcel;

4. must provide stacking for gas pumps for at least one car beyond the pump island in each direction in which access can be gained to the pump. The required stacking shall not interfere with internal circulation patterns or with designated parking areas and shall not be permitted in any public right-of-way, private access easement or within the required parking setback;

5. must have no sales, storage or display of motor vehicles, unless the following criteria are met:

a) the parcel is located within the I-394 redevelopment overlay district No. 6 or No. 7;

b) all inventory and display vehicles located outside of a building or structure, must be at finish grade level. No jack stands, risers, or other mechanisms may be used to elevate any vehicle for display purpose;

c) class II motor vehicle sales (used car sales) are allowed only as an accessory part of the new car sales;

d) the sale of vehicles may occur during the times and days allowed by state law;

e) vehicles must not be displayed in any yard area, drive aisle, or fire lane;

f) the overall hardsurface coverages must not exceed 70% and floor area ratios must not exceed 0.6 except that the hardsurface coverage may extend to 80% with innovative stormwater management methods and treatment measures subject to approval by the city engineer;

g) the architectural and site standards must comply with section 300.31(7)(a);

h) the landscaping must comply with Section 300.31(7)(b)



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and must contain a wall, berm or other feature that is constructed for long term durability when adjacent to residentially zoned property to minimize to the greatest extent reasonably possible, noise and visual impacts;

i) parking lot and site security lighting must comply with section 300.31(7)(c) and in addition, the following requirements:

- 1) Maximum of 450 watts per fixture.
- 2) Maximum height of light standards is 30 feet in outdoor display areas as defined in 300.31 Subd. (4)(a)(3)(b) and 25 feet in all other outdoor areas.
- 3) Maximum of 1 watt per square foot surface parking area.
- 4) The lighting plan shall be designed to have 0.0 foot-candles at residential property lines with the understanding that ambient light from other sources may spill on the property and influence actual on site measurements.

j) Parking requirements must comply with one of the following:

- 1) fifty percent of the total on-site parking spaces must be in a structured parking ramp, or
- 2) if the city deems appropriate, surface parking without a ramp under the following conditions:
  - (a) total on-site parking must not exceed one parking space for every 200 square feet of building area, and
  - (b) submittal of a plan that adequately screens 50% of the total parking spaces from public view.

k) vehicles parked within a parking structure must be screened from view from surrounding residential uses;

l) the customer parking spaces must be clearly signed and may not be used at any time for inventory vehicle parking;

m) all pickups and drop offs of vehicles must occur on site and off public streets;

n) all loading and unloading of vehicles must occur on site and off public streets;

o) customer testing of vehicles may occur only on

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non-residential streets and only with a store employee;

- p) no loudspeaker paging system may be used;
- q) all rooftop equipment must be fully screened from ground level view of adjacent properties;
- r) all signs must be consistent with this code;
- s) poured-in-place concrete curbs must be constructed and maintained on the perimeter of parking lots and traffic islands; and
- t) all trash and recyclable materials must be screened from public view.

6. must not be located within 100 feet of any low density residential parcel or adjacent to medium or high density residential parcels. The city may reduce separation requirements if the following are provided:

- a) landscaping and berming to shield the auto service use;
- b) parking lots not located in proximity to residential uses;
- c) lighting plans which are unobtrusive to surrounding residential uses;

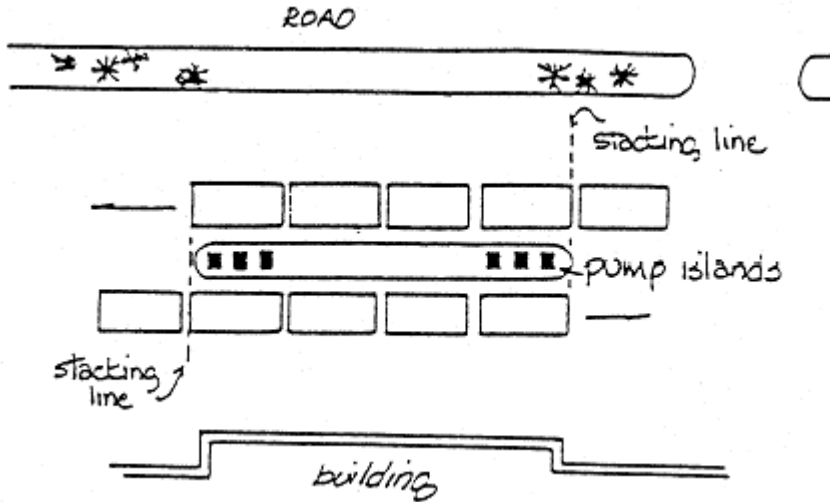
j. Retail facilities having gasoline pumps on property designated for retail use:

- 1. shall have no vehicles which are unlicensed and inoperable stored on premises;
- 2. shall conduct no repair, assembly or disassembly of vehicles;
- 3. shall not locate gasoline pumps, stacking lanes or access pumps adjacent to low density residential properties unless separated from the low density property by the principal structure or from mid or high density residential parcels by screening sufficient to block the view of those items from those parcels;
- 4. shall have no public address system audible from any residential parcel;
- 5. shall provide stacking for gas pumps at least one car beyond the pump island in each direction in which access can be gained to the pump. The required stacking shall not interfere with internal circulation patterns or with designated parking areas and shall not be permitted in any public right-of-way, private access easement or within the required

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parking setback; (Figure 31-1)

Figure 31-1



6. shall have no sales, storage or display of automobiles; and
7. shall be screened from adjacent residential areas.

k. Uses having a drive-up window on property designated for office, service commercial or retail use:

1. shall not have drive-up windows and stacking areas located adjacent to any residential parcel;
2. shall be provided with a suitable visual screen from adjacent properties;
3. shall provide stacking areas with a minimum of six cars per aisle on the property in areas not within applicable setback requirements; and
4. shall not have public address system audible from any residential parcel.

1. Theaters on property designated for service commercial or retail use:

1. theaters located within shopping centers or otherwise utilizing joint parking arrangement shall submit an analysis of parking demand versus availability for review and approval by the city. Additional parking may be required based on this analysis if available parking does not meeting the expected demand;

2. theaters located within existing structures may be required to

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install appropriate building modifications to provide adequate pedestrian and vehicle access; and

3. interior and free standing theaters shall only be permitted when it can be demonstrated that vehicular ingress and egress may be accomplished without inducing undue traffic problems on area roadways.

m. Restaurants and cafeterias on property designated for office, retail or service commercial use incorporated within a portion of 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:

1. shall be permitted only wall mounted signs, subject to the limitations of section 300.30 of this code;

2. shall not exceed 15 percent of the gross floor area of the building in which it is located;

3. shall have parking and vehicular circulation in compliance with the requirements of section 300.28 of this code and which items must be adequate to accommodate the restaurant; and

4. shall only be permitted when it can be demonstrated that operation will not significantly lower the existing level of service as defined by the Institute of traffic engineers on the roadway system.

n. Freestanding restaurants on property designated for retail or service commercial use:

1. shall have minimum seating capacity of 150;

2. shall be part of an overall master development plan consisting of more than one structure;

3. shall be architecturally consistent and compatible with other structures in the master development plan;

4. shall have parking in compliance with the requirements of section 300.28 of this code;

5. shall be permitted only when it can be demonstrated that operation will not lower significantly the existing level of service as defined by the institute of traffic engineers on the roadway system;

6. shall not include a drive-up window; and

7. shall not be located within 100 feet of any low density residential parcel or adjacent to medium or high density residential parcels. The city may reduce separation

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requirements if the following are provided:

- a) landscaping and berming to shield the restaurant use;
  - b) parking lots not located in proximity to residential uses;
- and
- c) lighting plans which are unobtrusive to surrounding uses.

o. Restaurants other than those included in paragraph m. and n. and fast food restaurants on property designated for retail use:

1. must be in retail multiple tenant centers only and conform to the architecture of a specific center;

2. will not be permitted when traffic studies indicate significant impacts on the levels of service as defined by the Institute of Traffic Engineers on the roadway system;

3. outdoor seating areas will be approved only subject to the following:

a) must be located in a controlled or cordoned area with at least one opening to an acceptable pedestrian walk. When a liquor license is involved, an enclosure is required and the enclosure shall not be interrupted; access must be only through the principal building;

b) must be set back at least 200 feet and screened from any adjacent property designated in the comprehensive plan for residential use;

c) must be located and designed so as not to interfere with pedestrian and vehicular circulation;

d) must be located next to an entrance to the main use;

e) must be equipped with refuse containers and periodically patrolled for litter pick-up;

f) must not have speakers or audio equipment that is audible from adjacent residential parcels; and

g) must meet building setback requirements.

4. drive-up windows and related stacking spaces will be approved only subject to the following:

a) public address systems must not be audible from any

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residential parcel; and

b) stacking for a minimum of six cars per aisle must be provided subject to applicable parking lot setbacks.

c) must be set back at least 100 feet and screened from any adjacent property designated in the comprehensive plan for residential use.

5. restaurants or fast-food restaurants with less than 1,200 square feet gross floor area, designed seating capacity not exceeding 25, having no drive-up window and located in retail multiple tenant centers are exempt from the requirements of this section and are considered to be a standard retail use. For tenants with accessory fast-food restaurants, the 1,200-square-foot calculation will include the total gross area of all restaurants and fast-food restaurants within the tenant space.

p. Health clubs and accessory uses within the building on property designated for service commercial use:

1. shall have any active outdoor use areas screened from residential views;

2. shall submit a detailed parking demand analysis. Additional parking may be required based on this analysis; and

3. shall not be permitted when traffic studies indicate significant impacts on the levels of service as defined by the institute of traffic engineers on the roadway system.

q. Exterior display, sales or storage consistent with the provisions of section 300.31, subd. 4(a)(3):

1. all merchandise, consumer goods and business related items shall be kept in a neat and orderly fashion at locations indicated on approved plans;

2. a combination of landscaping and berming to screen views of the exterior sales, display or storage area from adjacent properties shall be provided;

3. all service or maintenance activity shall occur within the principal building;

4. all applicable provisions of section 300 shall be met;

5. public address systems shall not be audible on residential property. If continued complaints regarding audible public address systems are received, the city retains the right to require removal of the system; and

6. detailed lighting plans shall be provided which show that there will

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be no direct residential views of the light source. Decorative light fixtures shall be provided. Stringer type lighting is not permitted.

r. Telecommunication facilities, subject to the provisions of Section 300.34.

(Amended by Ord. 2012-07, adopted June 25, 2012; Ord. 2008-21, adopted July 28, 2008)

**5. Development Standards.**

Within the planned I-394 district all development shall be in compliance with the following.

a) Minimum lot area: except for parcels included in designated I-394 redevelopment overlay districts, parcels for which any development including expansion of existing development is proposed shall have a minimum area of three acres. Designated wetlands, floodplains, shorelands or public right-of-way shall not be included when calculating the minimum area. The minimum lot area shall not apply to the following:

1) a property directly adjacent to or across a right-of-way from property which has been developed previously as a planned unit development; where land uses and architecture similar to the earlier planned unit development are proposed and the development will be perceived as and will function as an extension of that previously approved development;

2) situations where it is demonstrated to the satisfaction of the city that there is no reasonable future possibility of assembling land parcels into an aggregate of three acres; or

3) minor architectural improvements, building additions not exceeding 10 percent of gross floor area and minor site improvements if determined by the city to comply with the provisions of this ordinance.

b) Where the site of a proposed development is designated for more than one land use in the comprehensive plan, the city may require that the development include a combination of the designated uses in order to achieve traffic management objectives contained in subdivision 6 of this section.

c) Developments approved under the planned unit development district in effect prior to the effective date of this section shall remain subject to all requirements of the approved planned unit development and associated P.U.D. agreement.

d) Overall hardsurface coverages and floor area ratios for a planned I-394 district project shall be limited as follows:

<b>comprehensive plan designation</b>	<b>hardsurface coverage (%)</b>	<b>floor area ratio</b>
mid-density residential	50	0.50

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high-density residential	60	0.75
office	70	0.75
service commercial	70	0.60
retail commercial	80	0.30

Individual parcels within a proposed development may exceed these standards as long as the total average does not.

- e) Internal lot lines may be located to allow individual ownership of specific buildings.
- f) Each residential development shall provide a minimum of 10 percent of the gross project area in private recreational uses for project residents. This area shall be for active or passive recreational uses suited to the needs of the residents of the project including, but not limited to, swimming pools, trails, nature areas, picnic areas, tot lots and saunas.
- g) Except for internal project lot lines to allow individual ownership of specific buildings, no subdivision of land shall be approved unless accompanied by a master development plan in conformance with the provisions of this section.
- h) The city may utilize incentives to encourage the construction of projects which are consistent with the city's housing goals. Incentives may include modification of development standards for developments providing low and moderate cost housing. Incentives may be approved by the city only after the developer and city have entered into an agreement to ensure that the low and moderate cost units remain available to persons of low and moderate income for a specific period of time.

(Amended by Ord. 2011-04, adopted April 18, 2011)

**6. Traffic.**

The city has determined that future growth within the planned I-394 district must be responsibly managed under a planned framework of development parameters. A crucial element of planned growth management involves the maintenance of acceptable levels of traffic operation on regional and local road systems. In order to maintain the functional capacity of area road systems, a development limitation based on p.m. peak hour trip generation is established for new development. Further, the I-394 system design is based on a commitment to transit alternatives including high occupancy vehicle lanes, park and ride lots and timed transfer transit stations. A commitment from development projects within the I-394 corridor to manage traffic and to utilize transit alternatives is necessary to maintain the design capacity of the road system. All parcels within the planned I-394 district are subject to the following traffic requirements.

- a) Traffic impact studies: a traffic impact study prepared by a registered traffic engineer to



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assess potential traffic impacts on local and regional road systems is required for any of the following:

- 1) any development which exceeds 25,000 square feet of gross floor area;
- 2) expansion of existing development which exceeds 10 percent of gross floor area and the total gross floor area is 25,000 square feet or greater; or
- 3) any development for which the p.m. peak hour trip generation rate, as defined by the institute of traffic engineers, is expected to exceed two p.m. peak hour trips per 1,000 square feet of gross floor area.

b) Trip generation: to avoid exceeding acceptable levels of service at area intersections and thus overburdening the capacity of the road system, development limitations based on p.m. peak hour trip generation are established in subdivision 13 for each parcel of land in the I-394 corridor. These have been developed using recognized methods of traffic forecasting. All property in the I-394 corridor was divided into traffic analysis zones. Traffic generation and distribution were analyzed based upon reasonable development on all parcels. A maximum number of p.m. peak hour trips per traffic analysis zone were calculated based upon the approved traffic levels at interchanges as specified in the I-394 corridor plan. The total number of trips were allocated on the basis of square footage of buildable property in each zone, regardless of present or future use.

The trip generation number specified in subdivision 13 is the maximum number of p.m. peak hour trips that may be generated by any permitted use of property. To determine the maximum square footage of building space which is allowed for each parcel, the trip limitation number is divided by the p.m. peak hour rate for that use. The applicable rates are defined by the traffic analysis included with the I-394 corridor study. Substantial compliance with the trip generation number and resultant maximum square footage of buildable space is required. In determining trip generation and building square footage allowable, gross floor area of a building shall be used. In cases where there is a substantial amount of common area within a building and when institute of traffic engineers data is based on gross leasable area, gross leasable area may be used.

Uses existing on the effective date of this section which generate p.m. peak hour trips or which have a building area greater than the number assigned may continue to exist as non-conforming developments. These uses shall be subject to the restrictions contained in section 300.29; however, each of these uses shall be allowed to expand by no more than 10 percent of existing building area if measures are taken to keep the traffic generation at the rate existing on the effective date of this section. An expansion beyond that amount or a change of use shall be permitted only if there is substantial compliance with the trip generation limit.

Unused trips allocated to a parcel are not a property right which may be transferred at will to another property. Unused trips may be transferred, but only to another parcel in the same zone and only after city council approval. The council may decline to permit a transfer if it

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would threaten to overload the capacity of the roadway system or would otherwise not be in the public interest.

c) Appeal of p.m. peak hour trips: appeals to the p.m. peak hour trips and rates may be made by any person to the planning commission and city council. Appeals shall be written and accompanied by a report prepared by a registered traffic engineer and deemed adequate by the director of planning which shall provide evidence indicating potential errors in a p.m. peak trip limitation in subdivision 13, reasons why the property or development is presently or will in the future generate less p.m. peak hour trips, or both.

The appeal shall be reviewed by the planning commission. Notices of a public meeting before the planning commission regarding the appeal shall be mailed to owners of property located wholly or partially within 400 feet of the subject property, as reflected in the certified records of the Hennepin county auditor. The planning commission shall make a decision within 60 days following the date of submission of a completed application for appeal unless a continuance is not objected to by the applicant.

After receipt of the recommendation of the planning commission, the city council shall consider the matter and may hold whatever hearing it deems advisable. The city council shall act upon the appeal within 120 days of submission to the city of a completed application or such longer period not objected to by the applicant and, shall serve a copy of its decision upon the applicant by mail. If the council fails to make a timely decision, the appeal shall be deemed to have been denied. The city council may approve an appeal to Subdivision 13 only upon an affirmative vote of at least two-thirds of its full membership.

d) Road system improvements: development that would exceed trip generation guidelines in subdivision 13 below may only be constructed if concurrent road system improvements to accommodate additional trip generation are installed and paid for by the developer. The road system improvements must achieve a level of service operation at area intersections consistent with level of service that would have existed without the excess trip generation. Further, the comprehensive plan has identified a series of geometric road system and traffic control improvements which are needed to accommodate trip levels specified in subdivision 13. Nothing in this chapter shall be construed to eliminate developer responsibility for stated improvements if improvements are found to be needed by a traffic impact study as a result of development. If a traffic impact study finds that road system improvements are required as a result of the proposed development, no construction of the development shall commence until arrangements, including financing, for permanent improvements are made and approved by the city. If qualifying warrants are not met for such improvements, interim improvements shall be installed by the developer.

e) Access and traffic orientation: access to public road systems shall be limited and spaced to promote effective and safe access as determined by the city and other appropriate review jurisdictions. Public or private streets within redevelopment areas shall be designed to channel

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traffic to the regional road system and not to nearby single family neighborhood road systems.

f) Phased occupancy: the city may require phased construction or occupancy of a building or portions of a development/redevelopment project. Such phasing may be tied to completion of I-394 construction segments or other road system improvement found to be needed by the traffic impact study.

g) Traffic management: all approved development projects of 25,000 square feet or greater shall submit and operate under a traffic management plan approved by the city. Specific plan elements will vary depending on the scale, location and type of a project. Traffic management items which may be required include, but are not limited to, the following:

- 1) staggered work hours or flextime;
- 2) use of mass transit and car pools along with preferential location of car pool and van pool parking spaces within parking lots and ramps;
- 3) use of alternative traffic routes away from intersections operating in excess of targeted service levels;
- 4) possible restrictions on certain turn movements during peak traffic periods;
- 5) a program for the use of the timed transfer station located at the Plymouth Road/I-394 interchange;
- 6) partial funding of a Minnesota rideshare position or designation of an employee to work with Minnesota rideshare to arrange and assist in providing rideshare services and transit information;
- 7) project design to accommodate bus service when routes allow and the provision of climate controlled bus shelters;
- 8) private van shuttle services between a development and transit locations or other appropriate destinations within the corridor;
- 9) provision of a cab stand and information about available taxicab services; or
- 10) provision of visible and convenient areas for marketing rideshare and transit services.

h) Pedestrian circulation: all development/redevelopment projects shall install pedestrian improvements in accordance with the Ridgedale sidewalk/trail plan approved by the city. Other pedestrian sidewalks and trails may be required if deemed appropriate by the city.

(Amended by Ord. 2012-07, adopted June 25, 2012)

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### 7. Design Standards.

The city has determined that development located in the planned I-394 district requires a high degree of design quality. The high visibility of properties from the interstate frontage and the proximity of development sites to single family residential neighborhoods dictate sensitive design considerations. This section is intended to serve the public interest, maintain and enhance property values and mitigate the impacts between adjacent land uses of different intensity through appropriate design standards.

a) Architectural and site standards:

1) Building setbacks: the setback for all buildings within the planned I-394 district from any bordering or abutting street shall be 35 feet for local and neighborhood collector streets and 50 feet from all other street classifications except that in no case shall the setback be less than the height of a building up to a maximum of 100 feet. Building setbacks from internal public or private streets shall be determined by the city based on the characteristics of a specific planned I-394 district master development plan.

Building setbacks from lot lines on the exterior of a proposed development and not abutting a public street or low density residential property shall be the height of a building up to a maximum of 100 feet, but not less than 50 feet. Building setbacks from lot lines on the exterior of a proposed development and abutting lands designated for low density residential development in the comprehensive plan shall be a minimum of two times the building height unless unique circumstances are found which may allow the city to reduce the setback requirement. Unique circumstances include substantial differences in site elevation, separation by natural features such as wetlands or large stands of mature trees, or substantial visual screening of a development by berms with landscaping. In no case shall the setback be less than 50 feet.

2) Building height: building height within the planned I-394 district is regulated by the combination of building setback, floor area ratio and hardsurface coverage requirements established in paragraph 1 above and in subdivision 4 of this section. Additionally, the city may establish stricter height restrictions based on the characteristics of a specific planned I-394 district project. Stricter height restrictions may be established if the following criteria are not met:

- a. use of compact building footprints to de-emphasize height;
- b. use of stepped building heights to provide a visual transition towards areas dominated by low buildings. This applies to both multiple building projects and individual buildings;
- c. clustering of taller buildings at areas in proximity to interchanges; or

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d. location of taller buildings on natural lower base elevations.

3) Building height studies: for all structures exceeding three stories in height, the city may require the following:

a. view-shed analysis: site sections and building views from all sides of a project and from the directions most likely to impact nearby properties. This includes elevational representation of building heights and topographic elevations within 1,000 feet of a development; and

b. sun-shadow studies: shadow cast studies which project hourly shadows of a proposed structure between the hours of 9:00 a.m. and 5:00 p.m. on December 21st. Buildings which adversely impact light availability to nearby properties will not be permitted.

4) Building materials: The Interstate-394 corridor is a highly visible regional corridor with high levels of property investments and evolving redevelopment opportunities. Building materials in the planned I-394 district must reflect this property investment and be generally consistent and compatible with the architectural character of the district, which is defined by structures which incorporate façade materials of brick, dimension natural or man-made stone, glass, and architectural-grade metal panels and a limited use of stucco and exterior insulated finishing systems.

5) Parking: parking requirements contained in section 300.28, subd. 12, shall apply to all development within the planned I-394 district. Additionally, the following shall apply:

a. structured parking required: all office or service commercial projects exceeding 100,000 square feet gross floor area shall include deck or ramp parking. The percentage of required parking spaces to be included in structured parking shall be determined by the city based on specific characteristics of the master development plan. The city may require structured parking for retail development exceeding 200,000 square feet based on specific characteristics of a master development plan;

b. surface parking lot setbacks: 20 feet from public streets and exterior project lot lines, 50 feet from exterior lot lines abutting an area designated as low density residential in the comprehensive plan unless unique circumstances are found which may allow the city to reduce the setback requirement. Unique circumstances include substantial differences in site elevation, separation by natural features such as wetlands or large stands of mature trees, or substantial visual screening the parking by berms and landscaping. In no case shall the setback be less than 20 feet;

c. parking structure setbacks: the setback for parking structures including decks and ramps shall be 35 feet from local streets and 50 feet from all other street classifications except that in no case shall the setback be less than the height of the structure. Parking structure setbacks from external lot lines shall be 50 feet or the height of the structure, whichever is greater when adjacent to residential properties; 35 feet when adjacent to

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non-residential properties. Parking structure setbacks from internal public or private streets shall be determined by the city based on specific characteristics of a planned I-394 district master development plan;

d. location of parking facilities: surface parking lots and parking structures shall be located so that views from residential neighborhoods are screened. Parking structures shall be located away from service road frontages unless they are given architectural treatment equal to the building served by the parking structure and are buffered from public views; and

e. parking structure exterior materials: exterior facades of parking structures shall be of materials compatible with exterior materials of the principal building served by the parking structure.

6) Signs: for development with approved master development plans, signs shall be restricted to those which are permitted in a sign plan approved by the city, shall be regulated by permanent covenants which can be enforced by the city, and shall be subject to city review and permit. For existing properties without approved master development plans, signs shall be regulated according to section 300.30 of this code by using the zoning designation of the property in effect on the day prior to the effective date of this section.

7) Accessory equipment: all mechanical and heating, ventilation, air conditioning equipment shall be incorporated into the architecture of a building so as not to be visible from public views or audible from residential neighborhoods.

8) Refuse storage and recycling: all master development plans shall designate refuse storage sites. Exterior refuse locations shall be screened with a masonry enclosure of materials compatible with the principal building. All buildings shall be designed to accommodate a refuse recycling program and operated under a refuse recycling program as approved by the city.

b) Landscaping: in addition to the landscape plan requirements contained in section 300.27, subd. 14, the following requirements shall be met:

1) Master development plans shall undertake all efforts to preserve existing natural features including wetlands/floodplain, trees and areas of steep slope conditions.

2) All development other than single family residential development shall be buffered from nearby single family neighborhoods. Buffering may be accomplished through the preservation of existing slopes and trees. In cases where natural buffers are absent, earthen berms with new landscape materials shall be installed.

3) Landscape berms and buffers intended to screen development projects from single family residential areas shall be installed with the commencement of construction activity if determined appropriate by the city.

4) A minimum landscape plan investment of 2 percent of total project value is

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required.

5) All new landscape trees and shrubs must meet the American Standard for Nursery Stock and American National Standard relating to planting guidelines, quality of stock and appropriate sizing of the root ball. Landscape trees must be balled and burlapped or moved from the growing site by tree spade. Deciduous trees will be not less than two inches but not more than four inches caliper for balled and burlapped trees, and not less than four inches but not more than eight inches caliper for spade-moved trees. Coniferous trees will not be less than six feet in height but no more than eight feet for balled and burlapped trees, and not less than eight feet in height but not more than fourteen feet for spade-moved coniferous trees.

The city may allow larger balled and burlapped or spade moved trees if these trees are accompanied with a three year guarantee.

6) Surface parking lots shall be buffered with surrounding berms and coniferous tree plantings.

7) Enhancement of the I-394 frontage shall be achieved by a mixture of a variety of species and sizes of boulevard plantings.

c) Environmental protection: protection and enhancement of environmental elements is determined to have a direct benefit on the quality of life and image of the I-394 corridor. All master development plans shall include the following:

1) Lighting plans: in addition to the requirements contained in section 300.28, subd. 2 of this code, lighting plans shall include the following:

a. Building lighting plans. Accent lighting of buildings may be permitted subject to lighting plan review by the city. Floodlighting of buildings shall be limited to building facades which are not in direct view from residential areas.

b. Site lighting plans. Luminaires are to be located in recessed or boxed fixtures to eliminate off-site direct views of the luminaire.

2) Wetlands/floodplain: wetlands and floodplain areas as identified on official city maps shall be protected by the dedication of permanent conservation easements. Alternatively, the protected lands may be dedicated to the city.

3) Drainage: drainage studies and calculations shall be required for review and approval by the city and other appropriate review jurisdictions. Drainage plans shall comply with the city water resources management plan.

4) Utility lines: master development plans shall include provisions for underground utility lines wherever physically and economically feasible.

5) Noise: noise levels originating in the I-394 system require design sensitivity and

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mitigative measures. Master development plans shall be designed with attention to the following:

- a. preservation of natural sound buffers;
- b. installation of new sound buffers created by berming and landscaping, particularly when residential development is included;
- c. siting of non-residential buildings to function as sound barriers; and
- d. exterior public address or speaker systems are not permitted, unless specifically allowed for certain uses by this section.

(Amended by Ord. 2009-04; adopted April 6, 2009)

### **8. Review of Application.**

a) In order to receive guidance in the design of a planned I-394 district project prior to submission of a formal application, an applicant may submit a concept plan for review and comment by the planning commission and city council. Submission of a concept plan is optional but is highly recommended for large projects. In order for the review to be of most help to the applicant, the concept plan should contain such specific information as is suggested by the city. Generally, this information should include the following:

- 1) approximate building and road locations;
- 2) height, bulk and square footage of buildings;
- 3) type and square footage of specific land uses;
- 4) number of dwelling units;
- 5) generalized grading plan showing areas to be cut, filled and preserved;
- 6) staging and timing of the development.
- 7) traffic impact study; and
- 8) other information determined to be appropriate by the city.

The comments of the planning commission and city council shall address the consistency of the concept plan with this section. The comments of the planning commission and city council shall be for guidance only and, if positive, shall not be considered binding upon the planning commission or city council regarding approval of the formal application when submitted. If a development is of a scale where an environmental assessment worksheet (EAW) is to be prepared, final approval of a master development plan shall not be granted until the



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EAW receives approval from the city and other appropriate agencies.

b) Approval of a rezoning to planned I-394 district and required master development plan shall be subject to the procedures outlined in section 300.09 of this code for a zoning map amendment. The master development plan shall comply with the standards in this section and other applicable sections of the zoning ordinance. It shall contain the following:

- 1) building location, height, bulk and square footage;
- 2) type and square footage of specific land uses;
- 3) number of dwelling units;
- 4) detailed street and utility locations and sizes;
- 5) drainage plan, including location and size of pipes and water storage areas;
- 6) grading plan;
- 7) generalized landscape plan;
- 8) generalized plan for uniform signs and lighting;
- 9) plan for timing and phasing of the development;
- 10) covenants or other restrictions proposed for the regulation of the development;
- 11) renderings or elevations of the entrance side of buildings to be constructed in the first phase of the development.
- 12) traffic impact study when required; and
- 13) other appropriate information as required by the city.

Approval of the master development plan shall indicate approval of the previously listed items and for properties not then zoned as planned I-394 district shall occur in conjunction with any proposed rezoning of the property to planned I-394 district. After approval, nothing shall be constructed on the site except in conformance with the approved plans and this section. The procedure for notification of and public hearing on the master development plan shall be the same as required for a zoning map amendment by section 300.09 of this code.

c) Approval of a final site and building plan shall be subject to the procedures outlined in section 300.27 of this code. The final site and building plan shall contain information as required by the city, including the following:

- 1) detailed utility, street, grading and drainage plans;
- 2) detailed building elevations, architectural renderings and floor plans; and

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- 3) detailed landscaping, sign and lighting plans.
- d) The final site and building plan shall be in substantial compliance with the approved master development plan. Substantial compliance shall mean:
- 1) buildings, parking areas and roads are in substantially the same location as previously approved;
  - 2) the number of residential living units has not increased or decreased by more than five percent from that approved in the master development plan;
  - 3) the floor area of non-residential uses has not been increased by more than five percent nor has the gross floor area of any individual building been increased by more than 10 percent from that approved in the master development plan;
  - 4) there has been no increase in the number of stories in any building;
  - 5) open space has not been decreased or altered to change its original design or intended use; and
  - 6) all special conditions required on the master development plan by the city have been incorporated into the final site and building plan.

Approval of a final site and building plan shall signify approval of all plans necessary prior to application for a building permit, subject to compliance with any conditions on the approval and subject to other necessary approvals by the city.

- e) Applicants may combine the final site and building plan review with the master development plan review by submitting all information required for both stages simultaneously.
- f) The planning commission and city council shall base their recommendations and actions regarding approval of a master development plan on a consideration of the following:
- 1) compatibility of the proposed plan with this section and the goals, policies and proposals of the comprehensive plan;
  - 2) effect of the proposed plan on the neighborhood in which it is to be located;
  - 3) internal organization and adequacy of various uses or densities, circulation and parking facilities, public facilities, recreation areas, open spaces, screening and landscaping;
  - 4) consistency with the standards of section 300.27 pertaining to site and building plan review;
  - 5) accommodation of the traffic associated with a proposed development on the public road system within service level goals as stated in this section and in the comprehensive guide plan; and

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- 6) such other factors as the planning commission or city council deem relevant.

The planning commission and city council may attach such conditions to their actions as they shall determine necessary or convenient to better accomplish the purposes of this section.

(Amended by Ord. 2012-07, adopted June 25, 2012)

### **9. Term of Approval.**

Application for a final site and building plan approval must be made by December 31 of the year following the date on which the city approved an application for a rezoning to P.I.D., a master development plan, or a major amendment to a master development plan, whichever was latest. If no application has been made nor extension of time been granted during that time period, the city council may rezone the property to the original zoning classification at the time of the application or to a zoning classification consistent with the comprehensive plan designation for the property. In the absence of a rezoning, the approved master development plan shall remain the legal control governing development of the property.

If construction on the property included within an approved final site and building plan has not started by December 31 of the year following the date on which the final site and building plan was approved, if building construction in a phase of a planned I-394 district approved to be built in phases has not started within that same period, or if within that period no extension of the time has been granted, the city council may rezone the property to the original zoning classification at the time of the application or to a zoning classification consistent with the comprehensive plan designation for the property. In the absence of rezoning, the approved master development plan and final site and building plan shall remain the legal control governing development of the property.

### **10. Amendments.**

A major amendment to an approved master development plan may be approved by the city council after review by the planning commission. The notification and public hearing procedure for the amendment shall be the same as for approval of the original master development plan. A major amendment is any amendment which:

- a) substantially alters the location of buildings, parking areas or roads;
- b) increases or decreases the number of residential dwelling units by more than 5 percent;
- c) increases the gross floor area of non-residential buildings by more than 5 percent or increases the gross floor area of any individual building by more than 10 percent;
- d) increases the number of stories of any building;

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- e) decreases the amount of open space by more than 5 percent or alters it in such a way as to change its original design or intended use;
- f) creates non-compliance with any special condition attached to the approval of the master development plan; or
- g) increases traffic generation beyond either the limit specified in subdivision 13 of this section or that associated with an approved master development plan.

Any other amendment may be made through review and approval by a simple majority vote of the planning commission.

**11. Applicability.**

- a) This section shall not apply to any P.U.D. or planned unit residential development which has received preliminary or final approval by the city council prior to the effective date of this section unless applicability is requested by the property owner and approved by the city council or unless there is a major amendment to the approved master development plan.
- b) The planned I-394 district has been uniquely developed for properties located in the I-394 corridor. This section has been developed to regulate corridor growth within the capacity of public facilities. No property in the traffic analysis districts identified in Subdivision 13 which is designated for a use other than low density residential in the guide plan may be rezoned to a zoning classification other than planned I-394 district. A contrary rezoning will be permitted only if it is demonstrated that the planned I-394 district incorrectly applies to a specific property.

**12. Separate Districts.**

There shall be separate planned I-394 districts for each traffic analysis district identified in subdivision 13. All property which is zoned planned I-394 district shall be included within the separate zoning district associated with a particular traffic analysis district. All property in a traffic analysis district area which is not yet zoned planned I-394 district shall become part of the associated separate zoning district upon rezoning.

**13. P.M. Peak Hour Trip Generation Limits.**

**Traffic Analysis District No. 1 (Figure 31-2)**

<b>Parcel Number</b>	<b>Existing P.M. Peak Hour Trips</b>	<b>P.M. Peak Hour Trips</b>
P.I.D. District No. 1		
1	202	251

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2	98	190
3	0	783
4	0	69
5	47	110
6a	45	285
6b	152	218
6c	13	99
7	20	56
8	13	35
9	11	33
10	13	35
other:		
multi family parcels (total)	80	
mid density		
single family parcels (total)	<u>84</u>	
total:		2328

**Traffic Analysis District No. 2 (Figure 31-2)**

<b>Parcel Number</b>	<b>Existing P.M. Peak Hour Trips</b>	<b>P.M. Peak Hour Trips</b>
P.I.D. District No. 2		
1	0	226
2	0	27
3 multi family parcels		
mid density (total)	67	
high density (total)	<u>187</u>	
total:		507

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**Traffic Analysis District No. 3 (Figure 31-2)**

<b>Parcel Number</b>	<b>Existing P.M. Peak Hour Trips</b>	<b>P.M. Peak Hour Trips</b>
P.I.D. District No. 3		
1	0	1997

**Traffic Analysis District No. 4 (Figure 31-2)**

<b>Parcel Number</b>	<b>Existing P.M. Peak Hour Trips</b>	<b>P.M. Peak Hour Trips</b>
P.I.D. District No. 4		
1	0	562
2	118	80
3	8	114
4	65	121
5	305	170
6	199	191
7	197	332
8	0	855
other:		
single family parcels (total)	<u>141</u>	
total:		2566

**Traffic Analysis District No. 5 (Figure 31-3)**

<b>Parcel Number</b>	<b>Existing P.M. Peak Hour Trips</b>	<b>P.M. Peak Hour Trips</b>
P.I.D. District No. 5		
1	96	113
2	75	99
3	49	32
4	40	32
5	0	40
6	1	30
7	0	615
other:		
8 (high density residential)	21	92
Single family parcels (total)	<u>65</u>	
total:		1138

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**Traffic Analysis District No. 6 (Figure 31-3)**

<b>Parcel Number</b>	<b>Existing P.M. Peak Hour Trips</b>	<b>P.M. Peak Hour Trips</b>
P.I.D. District No. 6		
1	20	185
2	12	94
3	19	136
4	179	370
5	129	177
6	121	194
7	90	731
8 (high density residential 815 units)	489	489
other: single family parcels (total)	<u>71</u>	
	total:	2447

**Traffic Analysis District No. 7 (Figure 31-3)**

<b>Parcel Number</b>	<b>Existing P.M. Peak Hour Trips</b>	<b>P.M. Peak Hour Trips</b>
P.I.D. District No. 7		
1	98	328
2	0	168
other: 3	36	1156
single family parcels (total)	<u>63</u>	
	total:	1715

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**Traffic Analysis District No. 8 (Figure 31-3)**

<b>Parcel Number</b>	<b>Existing P.M. Peak Hour Trips</b>	<b>P.M. Peak Hour Trips</b>
P.I.D. District No. 8		
1a	44	702
2	85	212
3	43	69
4	15	19
other:		
1b	64	246
5	7	128
single family parcels (total)	<u>51</u>	
	total:	1427

**Traffic Analysis District No. 10 (Figure 31-4)**

<b>Parcel Number</b>	<b>Existing P.M. Peak Hour Trips</b>	<b>P.M. Peak Hour Trips</b>
P.I.D. District No. 10		
1	0	2
other:		
2	6	7
single family parcels (total)	147	
multi family parcels (total)	<u>3</u>	
	total:	159

**Traffic Analysis District No. 11 (Figure 31-4)**

<b>Parcel Number</b>	<b>Existing P.M. Peak Hour Trips</b>	<b>P.M. Peak Hour Trips</b>
P.I.D. District No. 11		
1	183	133
2	148	101
3	59	60
4	77	92
5	182	205
6	59	119
other:		
single family parcels (total)	<u>85</u>	
	total:	795



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**Traffic Analysis District No. 12 (Figure 31-4)**

<b>Parcel Number</b>	<b>Existing P.M. Peak Hour Trips</b>	<b>P.M. Peak Hour Trips</b>
P.I.D. District No. 12		
1	224	143
2	887	783
3	27	43
4	57	68
5	59	48
6	305	338
7	157	173
8	72	192
other:		
9 (high density residential)	1	25
multi family parcels (total)	226	
single family parcels (total)	<u>58</u>	
total:		2097

**Traffic Analysis District No. 14 (Figure 31-5)**

<b>Parcel Number</b>	<b>Existing P.M. Peak Hour Trips</b>	<b>P.M. Peak Hour Trips</b>
P.I.D. District No. 14		
1	2760	2770
2	212	213
3	28	41
4	92	69
5	22	<u>34</u>
total:		3127

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**Traffic Analysis District No. 15 (Figure 31-5)**

<b>Parcel Number</b>	<b>Existing P.M. Peak Hour Trips</b>	<b>P.M. Peak Hour Trips</b>
P.I.D. District No. 15		
1	74	27
2	15	106
other:		
3	472	210
4	74	250
5 (high density residential 179 units)	107	
6 (mid density residential 69 units)	55	
7 (mid density residential 48 units)	38	
single family parcels (total)	<u>22</u>	
total:		815

**Traffic Analysis District No. 16 (Figure 31-5)**

<b>Parcel Number</b>	<b>Existing P.M. Peak Hour Trips</b>	<b>P.M. Peak Hour Trips</b>
P.I.D. District No. 16		
1	27	27
2	230	230
3	0	102
other:		
4	0	212
single family parcels (total)	<u>26</u>	
total:		597

**Traffic Analysis District No. 19 (Figure 31-5)**

<b>Parcel Number</b>	<b>Existing P.M. Peak Hour Trips</b>	<b>P.M. Peak Hour Trips</b>
P.I.D. District No. 19		
1	90	63
2	9	20
3a	27	24
3b	24	34
4	40	48
5	81	81

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6	62	68
7	20	20
8	40	24
9	78	88
10	64	84
11	83	63
12 (medium density residential 45 units)	36	
other:		
13	20	246
single family parcels (total)	209	
total:		1108

**Figure 31-2**

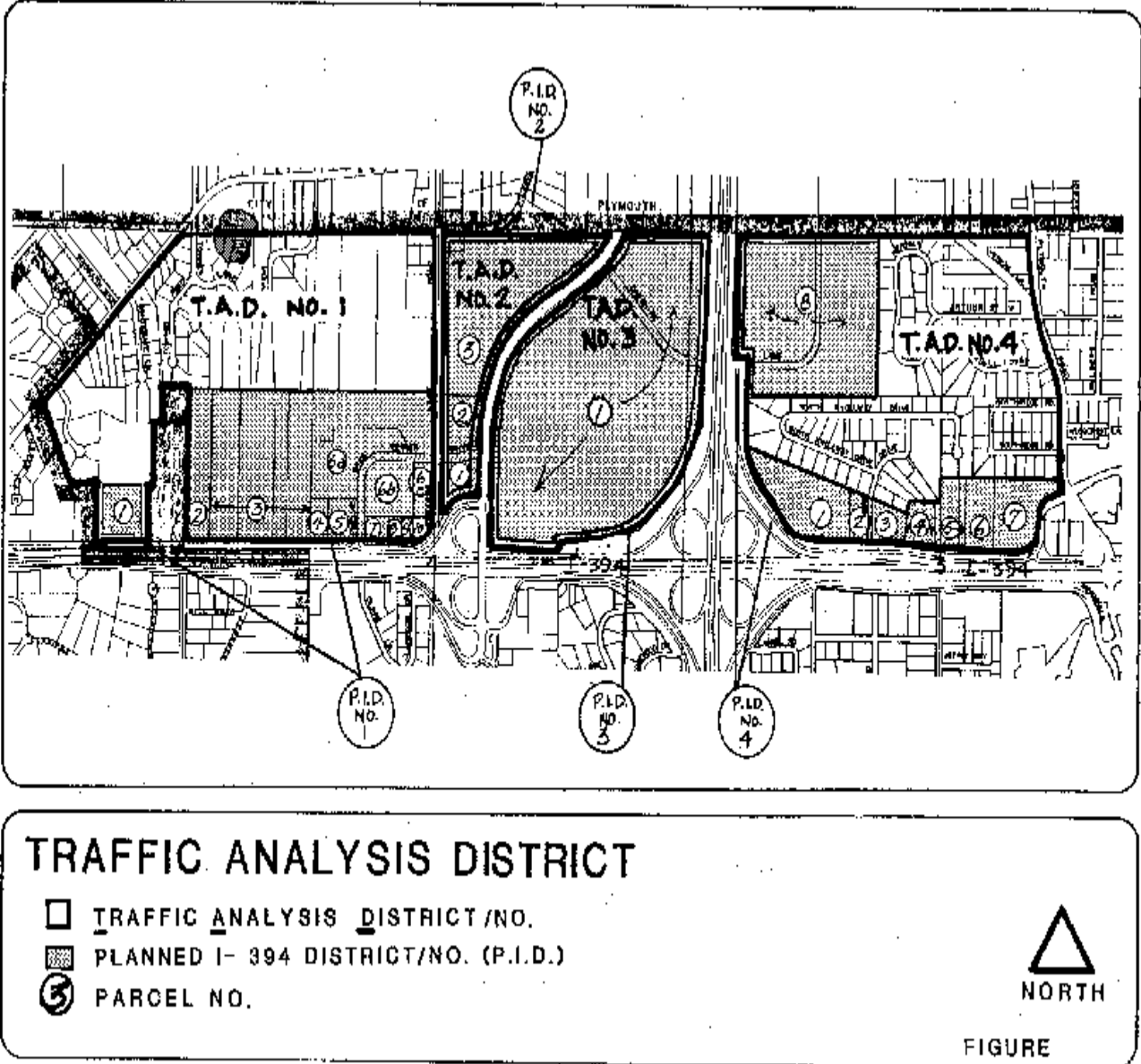


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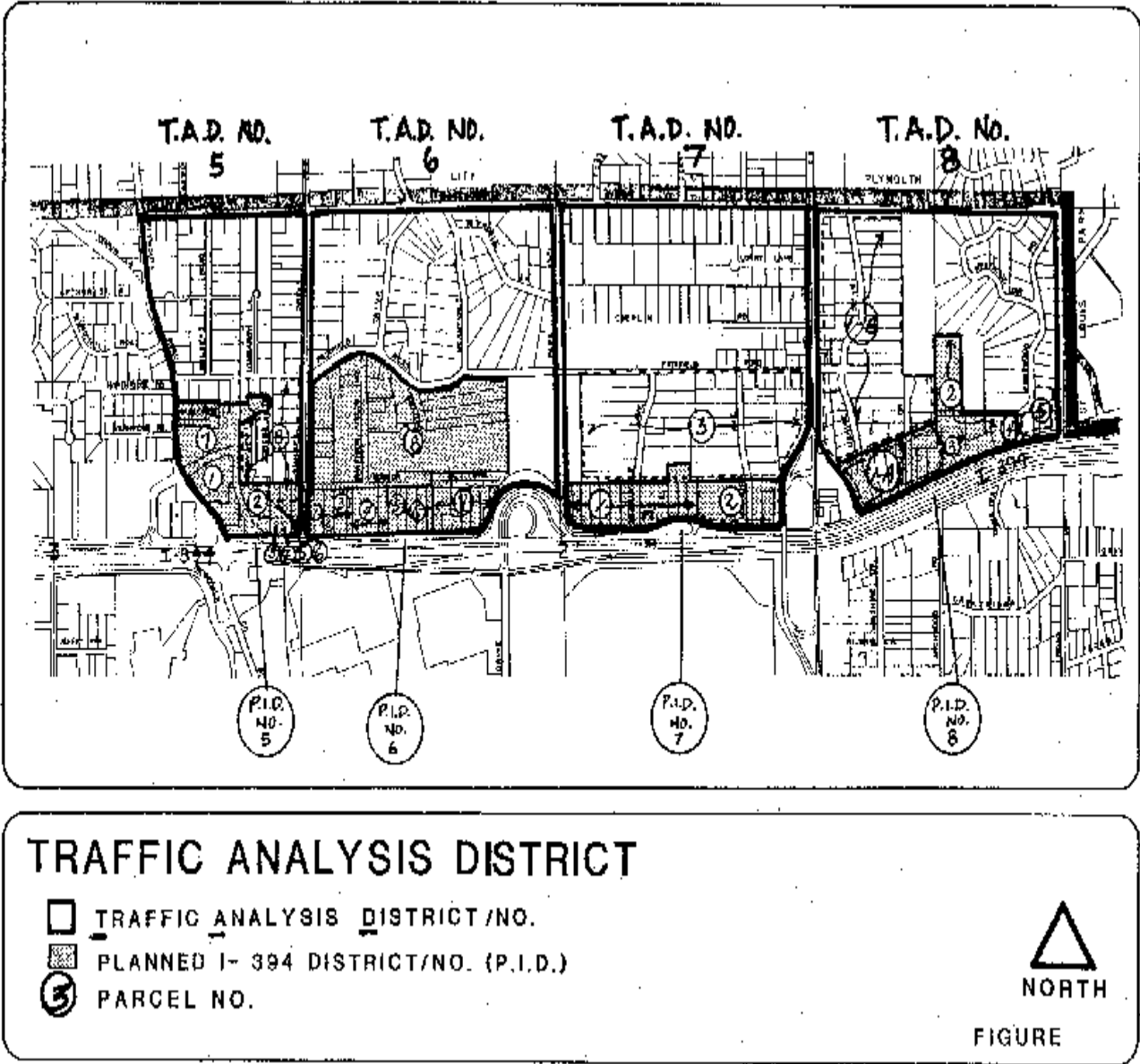


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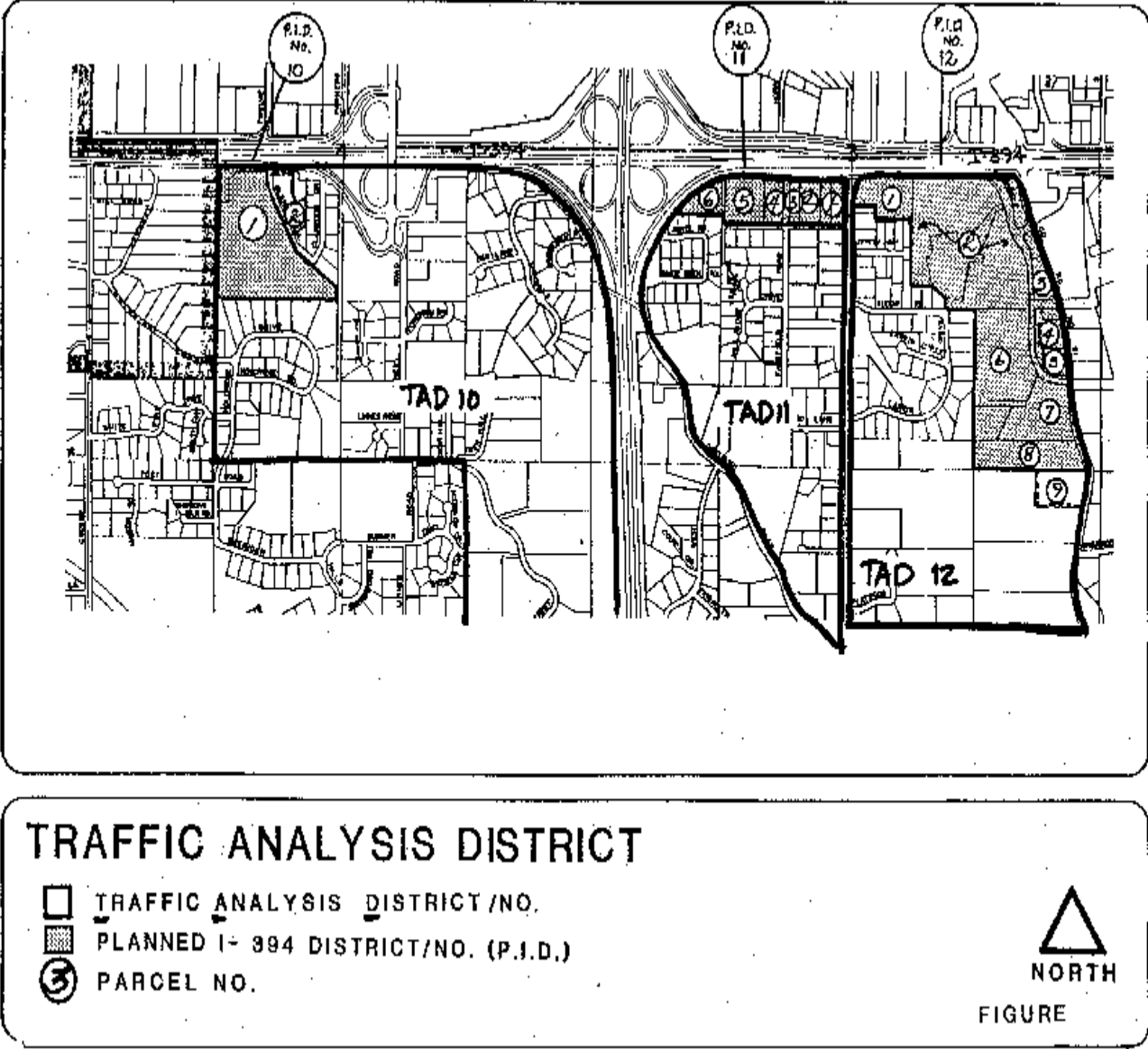
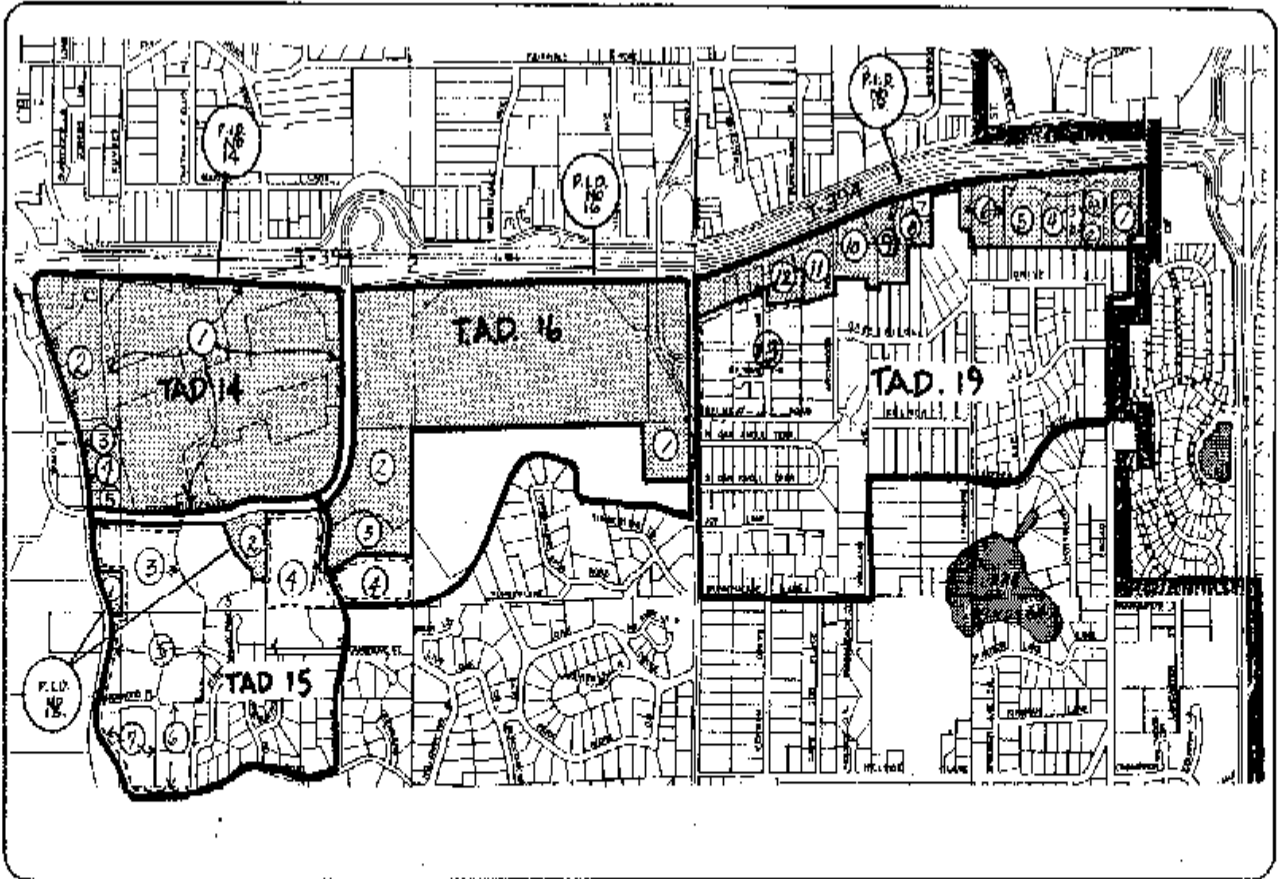



Figure 31-5



**TRAFFIC ANALYSIS DISTRICT**

- TRAFFIC ANALYSIS DISTRICT/NO.
- ▨ PLANNED I- 394 DISTRICT/NO. (P.I.D.)
- ③ PARCEL NO.

  
 NORTH  
 FIGURE

(Amended by Ord. 2008-25, adopted August 25, 2008; amended by Ord. #2004-07, adopted March 15, 2004; amended by Ord. #2004-02, adopted January 5, 2004; amended by Ord. #2002-04, adopted February 11, 2002; amended by Ord. #2002-03, adopted January 7, 2002; amended by Ord. #2000-19, adopted October 16, 2000; amended by Ord. #99-25, adopted October 11, 1999)

**SECTION 300.32. I-394 REDEVELOPMENT OVERLAY DISTRICTS.**

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### **1. Purpose.**

The city has determined that certain lands lying adjacent and in proximity to I-394 may be desirable for redevelopment. These lands shall be subject to I-394 redevelopment overlay districts. The boundaries of these districts are shown on Figures 32-1 through 32-4, which shall be a part of the official zoning map established by section 300.01, subd. 5.

### **2. Definitions.**

Definitions of terms applicable to this section are contained in section 300.31, subd. 2.

### **3. Interim Development.**

Properties zoned R-1, low density residential district on and after the effective date of this ordinance will remain R-1 for development and subdivision purposes. Section 300.10 (R-1, low density residential district) shall apply until parcels are rezoned to planned I-394 district.

### **4. Redevelopment Requirements.**

In order to promote planned, responsible growth in accordance with the comprehensive plan, lands within I-394 redevelopment overlay districts will be considered for development, redevelopment or master development plan approval only upon compliance with all provisions of the zoning ordinance, the comprehensive guide plan and the following specific items:

a) I-394 redevelopment overlay district #1, northeast quadrant of County Road 73/I-394.

1) Lands lying within I-394 redevelopment overlay district #1 as shown on Figure 32-1 and located east of Westwood Road must be assembled into one unified redevelopment area.

2) In order to maintain acceptable levels of service on the public road system, a development cap for new development/redevelopment is established for redevelopment overlay district #1. No additional development will be approved unless it is shown that vehicle trip generation is in substantial compliance with limitations established for traffic analysis district no. 8 as stated in section 300.31, subd. 13.

b) I-394 redevelopment overlay district #2, northeast quadrant of County Road 73/I-394.

1) Lands lying within I-394 redevelopment overlay district #2 as shown on Figure 32-1 and located east of County Road 73 and west of the wetlands/woodside planned unit development are eligible for redevelopment only in any of the following circumstances:



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a. All parcels south of Fairfield Road are assembled into one unified redevelopment site, but no redevelopment is proposed for all parcels north of Fairfield Road. Redevelopment and rezoning of this area under these circumstances will be considered only if a buffer area is provided between the development south of Fairfield Road and the homes that will remain north of Fairfield Road. The size and type of buffer area shall be at the discretion of the city council.

b. All parcels south of Fairfield Road are assembled into one unified redevelopment site and all parcels north of Fairfield Road are concurrently assembled to form a second unified redevelopment site.

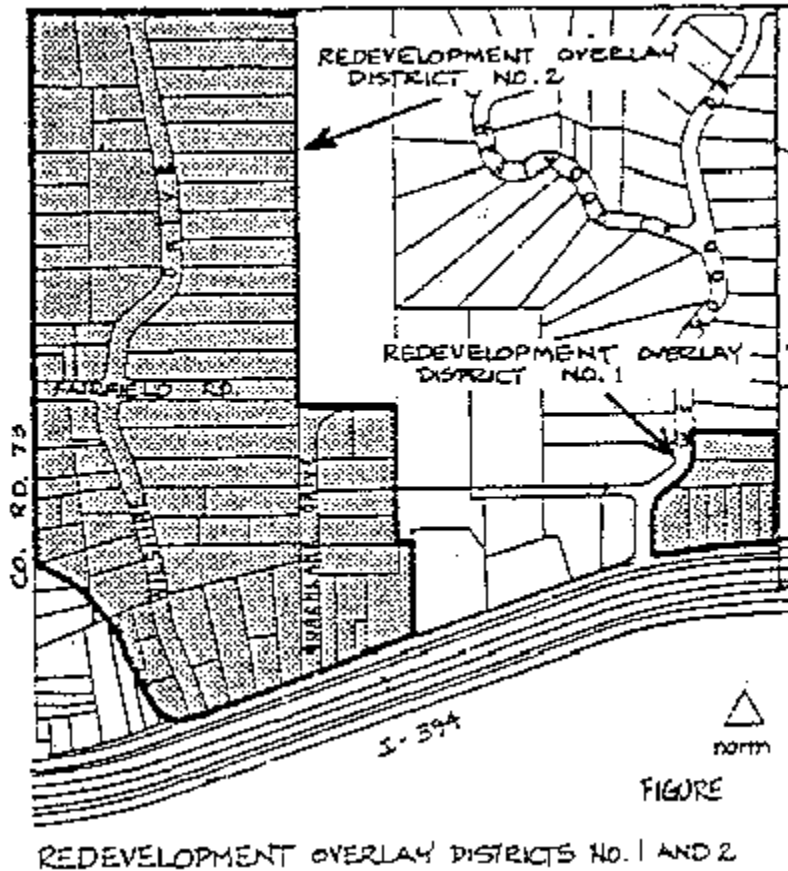
c. All parcels south and north of Fairfield Road are assembled into one unified redevelopment site.

2) No additional development/redevelopment will be approved unless it is shown that vehicle trip generation is in substantial compliance with limitations established for traffic analysis district no. 8 as stated in section 300.31, subd. 13.

### **Figure 32-1**

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Sec. 300.32  
Sub. 4 b) 2)

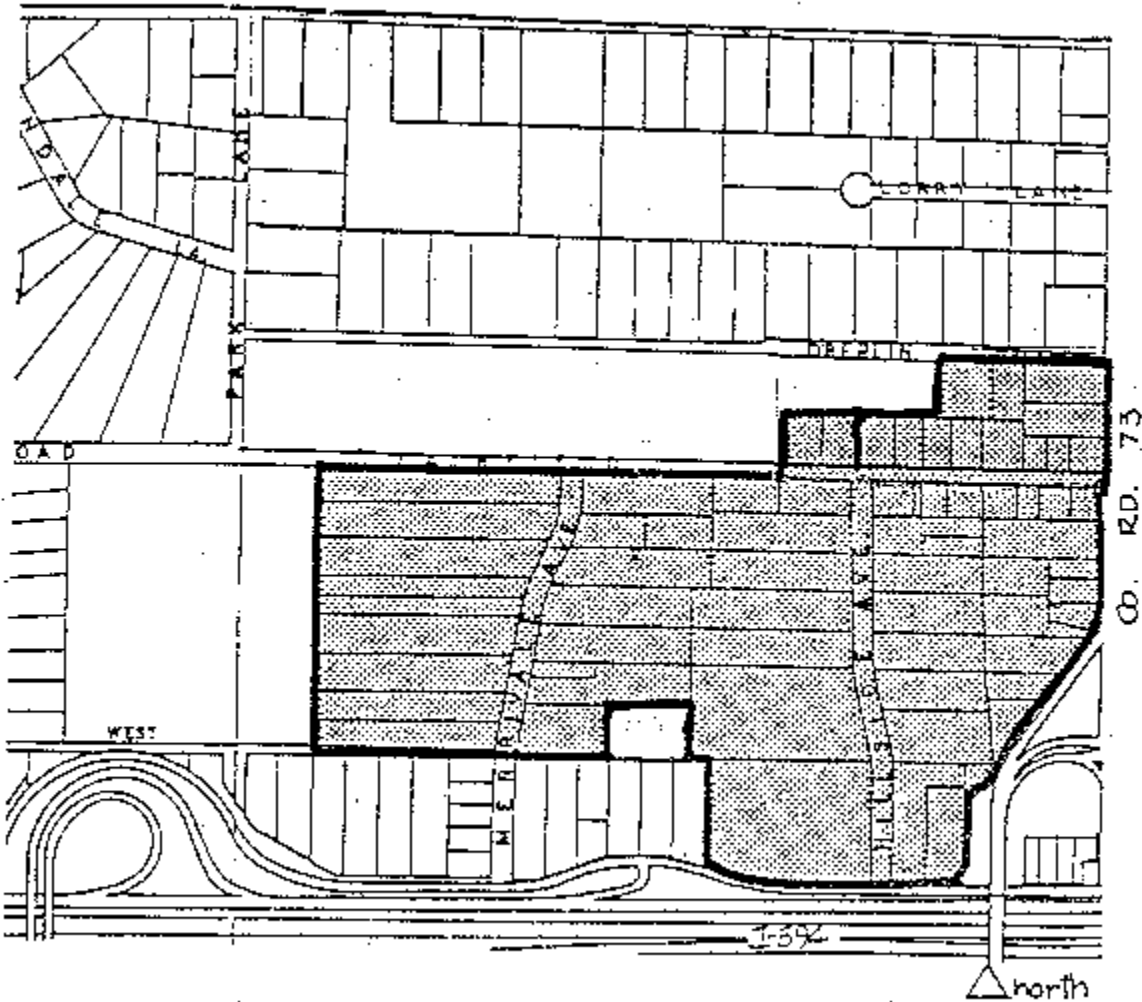


- c) I-394 redevelopment overlay district #3, northwest quadrant of County Road 73/I-394.
  - 1) All properties south of Oberlin Park, as shown on Figure 32-2, must be assembled into one unified development site.
  - 2) No additional development/redevelopment will be approved unless it is shown that vehicle trip generation is in substantial compliance with limitations established for traffic analysis district no. 7 as stated in section 300.31, subd. 13.

**Figure 32-2**

Minnetonka Code of Ordinances

Sec. 300.32  
Sub. 4.c) 3)



REDEVELOPMENT OVERLAY DISTRICT NO. 3

FIGURE.

d) I-394 redevelopment overlay district #4, east of Plymouth Road.

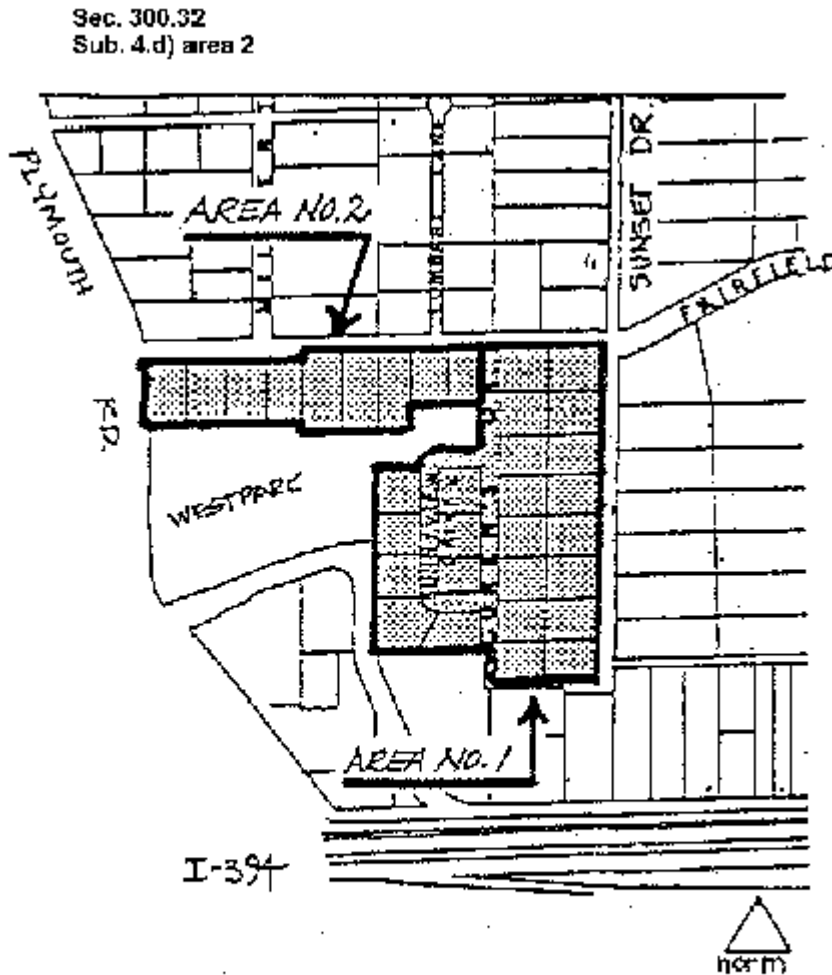
Area 1: lands lying between the North Highway 12 redevelopment district to the east and the Westpark planned unit development district to the west as shown on Figure 32-3 are eligible for redevelopment only if all parcels are assembled into one unified development site. No development/redevelopment for this portion of I-394 redevelopment overlay district #4 will be approved unless it is shown that vehicle trip generation is in substantial compliance with limitations established for traffic analysis district no. 5 as stated in section 300.31, subd. 13.

Area 2: lands lying between Fairfield Road and the westpark planned unit development district as shown on Figure 32-3 are eligible for redevelopment only as part of an enlarged westpark planned unit development district and all residential parcels are included in the

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enlarged district. No additional development/redevelopment for this portion of I-394 redevelopment overlay district #4 will be approved unless it is shown that vehicle trip generation is in substantial compliance with limitations established for traffic analysis district no. 5 as stated in section 300.31, subd. 13.

Figure 32-3



FIGURE

REDEVELOPMENT OVERLAY DISTRICT NO. 4

- e) I-394 redevelopment overlay district #5, southeast quadrant of County Road 73/I-394:
  - 1) All parcels as shown on Figure 32-4 must be assembled into one unified development site.
  - 2) No building heights greater than three stories will be permitted in order to

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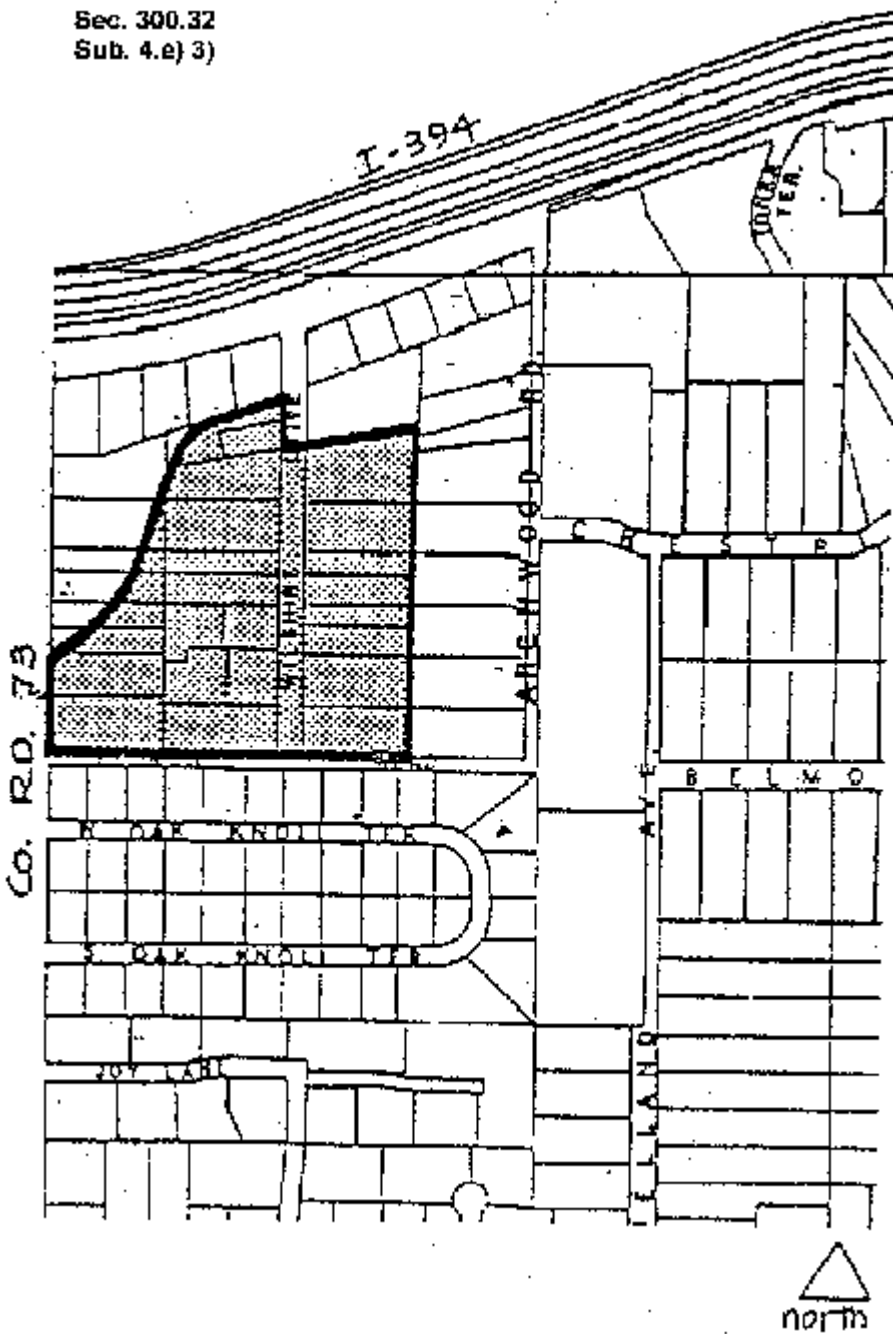
minimize the impact on nearby residential property.

3) No additional development/redevelopment will be approved unless it is shown that vehicle trip generation is in substantial compliance with limitations established for traffic analysis district no. 19 as stated in section 300.31, subd. 13.

**Figure 32-4**

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Sec. 300.32  
Sub. 4.e) 3)



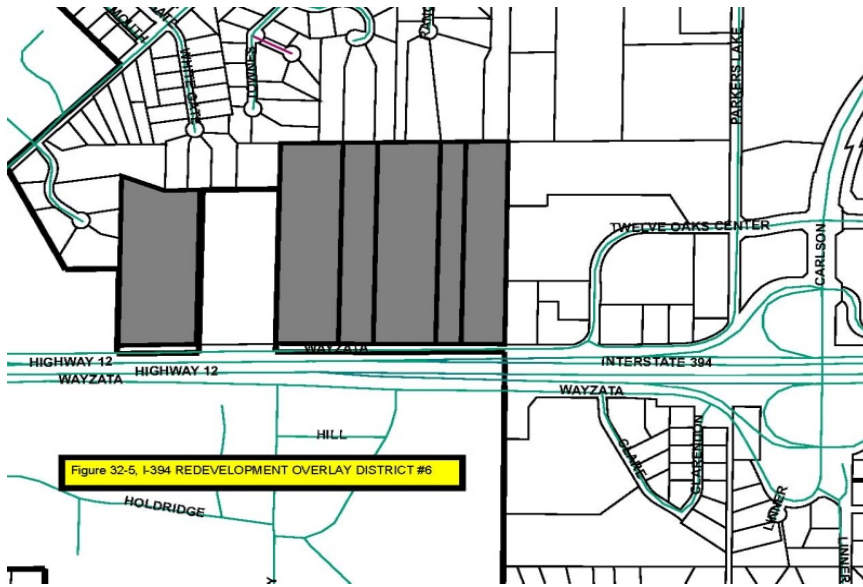
FIGURE

REDEVELOPMENT OVERLAY DISTRICT NO. 5

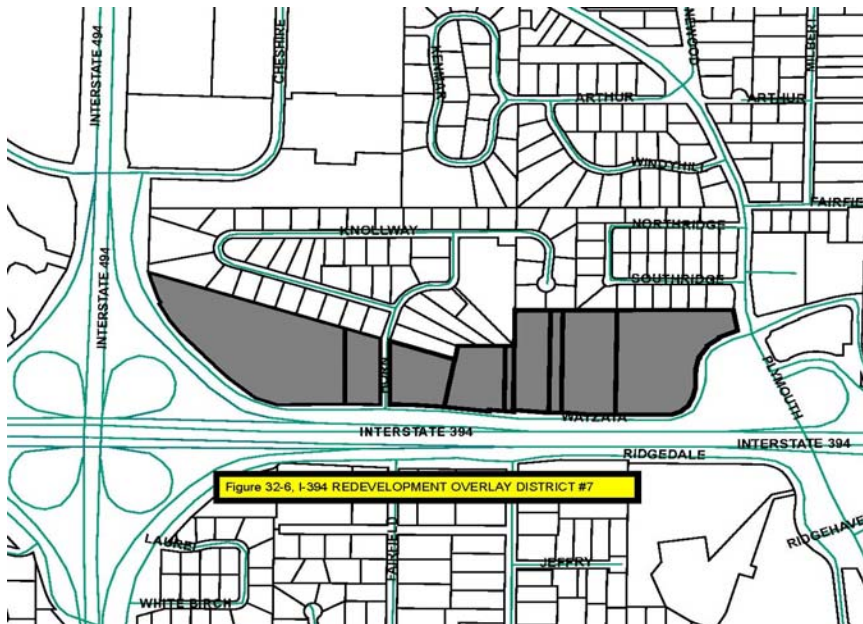
f. I-394 redevelopment overlay district no. 6, including lands lying to the north of I-394,

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west of Carlson Parkway and south and east of Gleason Lake Road as shown on Figure 32-5.



g. I-394 redevelopment overlay district no. 7, including lands lying to the north of I-394, east of I-494 and west of Plymouth Road as shown in Figure 32-6.



(Amended by Ord. 2012-07, adopted June 25, 2012; Ord. 2008-21, adopted July 28, 2008)