

Chapter 75

O-P, OFFICE PARK DISTRICT

11-75-1: PURPOSE:

The purpose of the O-P district is to provide for the establishment of business offices, wholesale showrooms, and related uses in an environment which provides a high level of amenities, including landscaping, preservation of natural features, architectural controls, pedestrian trails, and other features. (Ord. 867, sec. 112, 5-17-2010)

11-75-3: PERMITTED USES:

In addition to other uses specifically identified elsewhere in this title, the following uses are permitted uses in an O-P district:

A. Commercial printing establishments.

B. Conference centers.

C. Governmental and public utility buildings and structures; city of Lakeville only.

D. Hotels. (Ord. 867, sec. 112, 5-17-2010)

E. Reserved. (Ord. 924, 7-7-2014)

F. Laboratories, research and development facilities.

G. Office businesses.

H. Radio and television stations.

I. Trade and postsecondary schools.

J. Wholesale showrooms. (Ord. 867, sec. 112, 5-17-2010)

K. Light manufacturing that does not generate exterior smoke, dust, odor, fumes or noise emissions and is less than fifty percent (50%) of the principal building floor area. (Ord. 897, 12-3-2012)

L. Data centers. (Ord. 917, 2-18-2014)

M. Microdistilleries with or without tasting rooms.

N. Small breweries with or without taprooms. (Ord. 924, 7-7-2014)

11-75-5: PERMITTED ACCESSORY USES:

In addition to other uses specifically identified elsewhere in this title, the following are permitted accessory uses in the O-P district:

A. Commercial or business buildings and structures for a use accessory to the principal use but such use shall not exceed thirty percent (30%) of the gross floor space of the principal use.

B. Fences as regulated by chapter 21 of this title.

C. Ground source heat pump systems as regulated by chapter 29 of this title.

- D. Off street loading as regulated by chapter 20 of this title.
- E. Off street parking as regulated by [chapter 19](#) of this title, but not including semitrailer trucks, except in designated loading areas not to exceed four (4) hours.
- F. Satellite TVROs as regulated by chapter 30 of this title.
- G. Secondary or accessory use antennas or satellites as regulated by chapter 30 of this title.
- H. Sexually oriented uses, accessory.
- I. Signs as regulated by chapter 23 of this title.
- J. Solar energy systems as regulated by chapter 29 of this title. (Ord. 867, sec. 112, 5-17-2010)

11-75-7: CONDITIONAL USES:

In addition to other uses specifically identified elsewhere in this title, the following are conditional uses in an O-P district and require a conditional use permit based upon procedures set forth in and regulated by [chapter 4](#) of this title. Additionally, besides the specific standards and criteria which may be cited below for respective conditional uses, each request for a conditional use permit shall be evaluated based upon the standards and criteria set forth in subsection [11-4-3E](#) and section [11-4-7](#) of this title.

A. Commercial recreation facilities, provided that:

1. The architectural appearance and function plan of the building and the site shall be designed with a high standard of architectural and aesthetic compatibility with surrounding properties. Building materials, orientation, colors, height, roof design, lighting, signage and site landscaping shall be designed to complement the surrounding properties and demonstrate potential reuse as allowed in this district. All

sides of the principal and accessory structures are to have essentially the same or a coordinated, harmonious exterior finish treatment.

2. A commercial recreational use shall not be located within a shared tenancy building containing a use classified as an "H" occupancy as defined by Minnesota state building code, as may be amended.
3. In multiple-occupancy buildings, a material safety data sheet (MSDS) shall be required identifying all materials stored or used in the operation of the tenant businesses. Any change in building tenants shall require that the MSDS be updated and provided to all other tenants in the multi-tenant building.
4. A commercial recreational use in a shared tenancy building shall have its own exterior entrance and exit.
5. The site must be accessed via a collector street. Vehicular access points shall create a minimum of conflict with through traffic movement, shall comply with [chapter 19](#) of this title and shall be subject to the approval of the city engineer.

B. Compounding, assembly, or packaging of products and materials, provided that:

1. The proposed use is not a waste facility. (Ord. 867, sec. 112, 5-17-2010)

C. Daycare facilities as a principal use provided that the use complies with the provisions of chapter 31 of this title. (Ord. 897, 12-3-2012)

D. Essential services involving transmission pipelines and transmission or substation lines in excess of thirty three (33) kV and up to one hundred (100) kV, as regulated by chapter 26 of this title.

E. Fitness centers and health clubs provided that:

1. Adequate off street parking and off street loading shall be provided in compliance with chapters 19 and 20 of this title.
2. The total number of stations shall not exceed one per one hundred (100) square feet of gross floor area.
3. The use is located and developed so as not to create an incompatible operation problem with adjoining and neighboring commercial and/or residential uses.
4. Hours of operation shall be limited to five o'clock (5:00) A.M. to eleven o'clock (11:00) P.M. unless otherwise allowed by the city council.

F. Governmental and public utility buildings and structures, other than city of Lakeville.

G. Hospitals.

H. Indoor limited retail sales and service accessory to office/manufacturing uses, provided that:

1. Location:

a. All sales are conducted in a clearly defined area of the principal building reserved exclusively for retail sales. Said sales area must be physically segregated from other principal activities in the building.

b. The retail sales area must be located on the ground floor of the principal building.

2. Sales Area: The retail sales and service activity shall not occupy more than fifteen percent (15%) of the gross floor area of the building.

3. Access: The building where such use is located has access without the necessity of using residential streets.

4. Hours: Hours of operation are limited to six o'clock (6:00) A.M. to ten o'clock (10:00) P.M.

I. Multiple principal buildings on one lot of record, provided that:

1. Lot Requirements: The lot shall conform to the minimum lot area, lot width, and setback requirements of section [11-75-13](#) of this chapter.

2. Setbacks: Setbacks between multiple principal buildings within the same base lot shall be a minimum of twenty feet (20').

3. Common Areas: All common areas including, but not limited to, open space, wetlands, greenways, stormwater basins, driveways, parking areas, sidewalks, etc., shall be maintained in one of the following ways:

a. All of the property including buildings and common areas shall be owned by a single entity.

b. Condominium ownership pursuant to Minnesota statutes 515A.1-106.

c. The property shall be divided into a base lot and unit lots to allow for individual ownership of the principal buildings or individual tenant spaces within the principal

building, with each owner of a unit lot having an equal and undivided interest in the common area, subject to the following requirements:

- (1) The tenant space related to each unit lot shall have an exclusive exterior entrance.
- (2) A management association shall be established for all commercial developments with multiple principal buildings subdivided in a base lot/unit lot configuration that is to be responsible for all exterior building maintenance, approval of any exterior architectural modifications, landscaping, snow clearing and regular maintenance of driveways and parking areas, subject to review and approval of the city attorney.

4. Utilities:

- a. Underground Or Exterior Service: All utilities including telephone, electricity, gas, and telecable shall be installed underground. Exterior utility meters and fixtures shall be located in interior side or rear yards when possible and shall be screened from view of adjacent properties and the public right of way.
- b. Public Utility Service: Separate public utility services shall be provided to each unit unless exempted by the city engineer.
 - (1) Water connection: A shutoff valve for each individual unit shall be provided.
 - (2) Sewer connection: Where more than one unit is served by a sanitary sewer service, all maintenance and cleaning shall be the responsibility of the maintenance association or owners.

J. Personal wireless service antennas not located on an existing structure or tower as regulated by chapter 30 of this title.

K. Warehousing and self-storage facilities, provided that:

1. The proposed use is not a waste facility. (Ord. 867, sec. 112, 5-17-2010)

L. Light manufacturing that is fifty percent (50%) of the principal building floor area or greater, provided that:

1. The use does not generate exterior smoke, dust, odor, fumes or noise emissions.
2. The use shall comply with all applicable exterior building materials and landscaping requirements of the O-P district.
3. There shall be no outdoor storage allowed as a principal or accessory use.

4. The proposed use is not a waste facility as regulated by this code. (Ord. 897, 12-3-2012)

M. Breweries and small breweries with or without taprooms.

N. Distilleries and microdistilleries with or without tasting rooms. (Ord. 924, 7-7-2014)

11-75-9: INTERIM USES:

In addition to other uses specifically identified elsewhere in this title, and subject to applicable provisions of this title, the following are interim uses in the O-P district and are governed by [chapter 5](#) of this title:

- A. Accessory, enclosed temporary (exceeding 30 days) retail, rental, or service activity other than that allowed as a permitted use or conditional use within this section, provided that:
 1. Such use is allowed as a permitted use in a commercial district.
 2. Such use does not constitute more than twenty five percent (25%) of the gross floor area of the principal building.
- B. Temporary commercial structures, as regulated by chapter 28 of this title.
- C. Uses as allowed in the I-1 district existing as of May 17, 2010.
 1. The interim use shall terminate upon redevelopment or subdivision of the property for a use allowed within the O-P district or as provided for by section [11-5-7](#) of this title.
- D. WECS that exceed the height limit of this district, as regulated by chapter 29 of this title. (Ord. 867, sec. 112, 5-17-2010)

11-75-11: USES BY ADMINISTRATIVE PERMIT:

In addition to other uses specifically identified elsewhere in this title, and subject to applicable provisions of this section, performance standards established by this chapter, and processing requirements of [chapter 8](#) of this title, the following are uses allowed in an O-P district by administrative permit:

A. Essential services, except transmission pipelines and transmission or substation lines in excess of thirty three (33) kV and up to one hundred (100) kV, as regulated by chapter 26 of this title.

B. Personal wireless service antennas located upon an existing structure or tower or temporary mobile tower as regulated by chapter 30 of this title.

C. Temporary, outdoor promotional events, not including sales, provided that:

1. Promotional Events:

- a. Such activity is directed toward the general public and includes grand openings, carnivals, craft shows, flea markets, mechanical and animal rides and displays of materials that are typically not sold or serviced on the site.
- b. The event shall not exceed the period specified in the administrative permit and in no case shall the event exceed three (3) consecutive calendar days per event; two (2) of the days shall be a Saturday and a Sunday.
- c. There shall be no more than two (2) promotional events per calendar year per property.
- d. A certificate of insurance shall be provided.

2. General Standards:

- a. The event shall be clearly accessory to or promoting the permitted or conditional use approved for the site. Only merchandise which is normally manufactured, sold, or stocked by the occupant on the subject premises shall be promoted.
- b. Tents, stands, and other similar temporary structures may be utilized, provided they are clearly identified on the submitted plan and provided that it is determined by the zoning administrator that they will not impair the parking capacity, emergency access, or the safe and efficient movement of pedestrian and vehicular traffic on or off the site.
- c. The submitted plan shall clearly demonstrate that adequate off street parking for the proposed event can and will be provided for the duration of the event. Determination of compliance with this requirement shall be made by the zoning administrator who

shall consider the nature of the event and the applicable parking requirements of [chapter 19](#) of this title. Consideration shall be given to the parking needs and requirements of other occupants in the case of multi-tenant buildings. Parking on public right of way and streets is prohibited; except that parking on local streets may be allowed on Saturday and Sunday only, provided that the petitioner arranges for traffic control by authorized enforcement officers, as approved in writing by the chief of police, at the petitioner's expense.

- d. Signage related to the event shall be in compliance with the temporary sign standards of chapter 23 of this title and shall be allowed for the duration of the event. Special signage for purposes of traffic direction and control may be authorized by the zoning administrator; the erection and removal of such signage shall be the responsibility of the applicant.
- e. The approved permit shall be displayed on the premises for the duration of the event.

D. Temporary structures as regulated by chapter 28 of this title.

E. WECS that comply with the height limit of this district, as regulated by chapter 29 of this title. (Ord. 867, sec. 112, 5-17-2010)

F. Daycare facilities as an accessory use provided that the use complies with the provisions of chapter 31 of this title. (Ord. 897, 12-3-2012)

11-75-13: DESIGN AND PERFORMANCE STANDARDS:

The following minimum requirements shall be observed in the O-P district subject to additional requirements, exceptions and modifications set forth in this title:

A. Site Plan Requirements: In addition to the requirements as specified in [chapter 9](#) of this title, the following information shall be provided unless an exception is granted by the zoning administrator:

1. Detailed description of maintenance procedures and grounds supervision.
2. Detailed phasing plan showing future additions, if area will be developed a portion at a time.

B. Lot Requirements And Setbacks:

Lot area		30,000 square feet
Lot coverage		30 percent of the lot, parcel or tract of land shall remain as a grass plot including shrubbery, plantings, or fencing and shall be landscaped
Setbacks:		
Front yards		50 feet
Rear yards		30 feet or 40 feet abutting a residential zoning district
Side yards		10 feet on any one side, or 30 feet on the side yard abutting a street. 40 feet on the side yard abutting a residential zoning district
Lot width		100 feet

C. Building Height: Except as provided for by section [11-17-7](#) of this title or other requirements, exceptions and modifications set forth in this title, no structure within the O-P district shall exceed the following height:

1. Principal buildings: Six (6) stories or sixty five feet (65'), whichever is less.
2. Accessory buildings: As regulated by subsection [11-18-9C](#) of this title.

D. Building Type And Construction: All building materials and construction must be in conformance with section [11-17-9](#) of this title. (Ord. 867, sec. 112, 5-17-2010)

E. Parking:

1. The parking area shall be set back a minimum of ten feet (10') from any property line except as required by subsection [11-21-9A1](#) of this title. (Ord. 886, 1-3-2012)
2. The parking lot in front of the building shall be screened from the street and from adjoining property in conformance with the provisions of sections [11-21-5](#) and [11-21-9](#) of this title.

- F. Loading: Any structure erected or altered for a use which requires the receipt or distribution of materials or merchandise by trucks or similar vehicles, shall provide off street loading space in conformance with the provisions of chapter 20 of this title and the following additional requirements:
1. A detailed off street loading plan including berths, area, and access shall be submitted to the zoning administrator for review and approval prior to issuance of a building permit.
 2. The location of the loading area shall not be in the front of the building.
 3. All areas intended to be used for loading including access shall be surfaced with bituminous materials or concrete.
- G. Waste And Recycling Receptacles: All waste and recycling receptacles shall be stored within the principal structure or within an accessory enclosure area, totally screened from eye level view. Screening shall be at least six feet (6') in height and provide a minimum opacity of eighty percent (80%). All enclosures and receptacles shall be kept in a good state of repair and waste receptacles shall include secure lids or covers to properly contain the waste. All waste and recycling receptacles not contained within principal structures shall be enclosed in conformance with the following:
1. Exterior wall treatment shall be similar and/or complement the principal building.
 2. The enclosure shall be located in the rear or side yard and comply with setback requirements.
 3. The enclosure must be accessible to waste and recycling collection vehicles.
- H. Landscaping: A detailed landscaping plan in conformance with chapter 21 of this title shall be submitted to the zoning administrator and approved before a building permit may be obtained.
- I. Usable Open Space: Every effort shall be made to preserve natural stormwater basins and features of the land to create passive open spaces.
- J. Outdoor Storage: Outdoor storage is a permitted accessory use under the following conditions:
1. The storage area is in compliance with chapter 22 of this title.

2. The area is fully fenced, screened and landscaped from adjacent properties according to a plan approved by the zoning administrator and a landscape security as determined by the zoning administrator is provided.
 3. Storage area shall be limited to a maximum of twenty percent (20%) of the gross lot area.
 4. Storage area shall be in the rear yard only and set back thirty feet (30') from all property lines.
 5. The storage area is surfaced with bituminous materials to control dust.
 6. The storage does not include any waste, except as provided in section [11-18-11](#) of this title.
- K. Signage: A comprehensive sign plan must be submitted in conformance with chapter 23 of this title. (Ord. 867, sec. 112, 5-17-2010)