

ROSEVILLE
REQUEST FOR PLANNING COMMISSION ACTION

Agenda Date: **02/01/23**
Agenda Item: **6a**

Department Approval

Janice Gundlach

Agenda Section

Continued Business

Item Description: Continuation to consider a Request by AUNI Holdings in coordination with FedEx for a Conditional Use to allow a parking lot as a principal use at 2373 and 2395 County Road C2 (PF22-015)

APPLICATION INFORMATION

Applicant: AUNI Holdings
Location: 2373 & 2395 County Road C2
Application Submission: 11/28/22; deemed complete 12/08/22
City Action Deadline: January 26, 2023
Extended to March 27, 2023
Zoning: Corridor Mixed-Use (MU-3) District

LEVEL OF DISCRETION IN DECISION MAKING: Action taken on a conditional use proposal is **quasi-judicial**; the City's role is to determine the facts associated with the request, and apply those facts to the legal standards contained in State Statute and City Code.

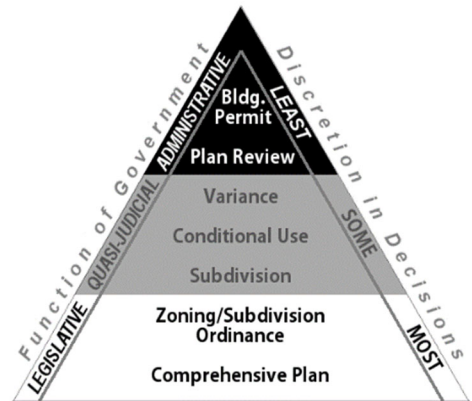
BACKGROUND

This item was continued at the January 4, 2023, Planning Commission meeting due to an incorrect site plan; meeting minutes can be found as Attachment C.

Since the January meeting, the Planning Division received a revised site plan, which has been reviewed by the City staff whose comments are included in the following review.

AUNI Holdings, owner of 2929 Long Lake Road, recently executed a lease with FedEx to occupy and make substantial improvements to the existing building located at 2929 Long Lake Road. This lease also includes a commitment to improve the parcels immediately west of 2929 Long Lake Road along County Road C2 with a surface parking facility. FedEx's proposed use and employment needs at 2929 Long Lake Road necessitates the need to create additional employee parking at 2373 and 2395 County Road C2. The proposed site plan depicts 243 parking spaces. The parking lot is intended for employee-only parking, unlike the proposal reviewed in January that included van parking.

Table 1005-1 for the Mixed-Use Districts includes parking as a principal use and requires an approved Conditional Use (CU) that complies with City Code requirements, including §1009.02.C. The applicant has entered into a purchase agreement with Robert Beugen, owner of the two adjacent residentially-used properties at 2373 and 2395 County Road C2, and seeks approval of a CU to facilitate construction of the necessary surface parking lot on these two parcels.



The revised parking lot plan illustrates a single parking lot accommodating 243 stalls. The proposed lot contains two access points: one at the west and one at the east boundaries of the parking lot. The lot is currently set back 40 feet from the west property line, 40 feet from the north property line, with the proposed storm water management facility located in the northeast corner of the site (see Attachment D).

The proposed parking lot includes the parking lot islands required by §1011.03C of the Zoning Code and the required pathway along County Road C2. The proposal also includes connections from the parking lot to the County Road C2 pathway and to the warehouse building to the east that FedEx is occupying.

The City Engineer has determined there will be no significant traffic issues associated with the parking lot. A formal traffic study is not required. Existing traffic on County Road C2 is 3,300 vehicles per day and has adequate capacity for any increase in traffic. A conservative estimate of new traffic generated from the parking lot is 752 new trips per day. The existing three-lane design of County Road C2 accommodates the increased vehicle use.

In order to maintain this design, the property owner must combine 2373 and 2395 County Road C2 into a single property as the MU-3 zoning district requires a minimum 15-foot side yard parking setback. Alternatively, the property owner may elect to revise the proposed site plan to meet the minimum setback requirement, although that option would result in two distinct parking lots, as opposed to one.

While the Zoning Code provides little guidance for a parking lot as a principal use, aside from the general criteria found in §1009.02.C, Planning Division staff relies on other specific sections of the Zoning Code to determine overall compliance with other Zoning Code standards. These sections include §1011.03.B, *Buffer Area Screening*, §1011.03.C, *Parking Lot Landscaping*, and §1011.12.E.9, *Outdoor storage, fleet vehicles*. This report, and the associated site plan, only reviews the conditional use for the parking lot and otherwise assumes the project can or will comply with required City and Zoning Code standards prior to release of any necessary building permits, including rectifying the side yard parking lot setback issue. It's also worth noting the site could be developed with a conforming office or commercial use, and associated surface parking, without the need for a CU, a public hearing, or Commission or Council consideration.

CONDITIONAL USE ANALYSIS

REVIEW OF GENERAL CONDITIONAL USE CRITERIA: Section 1009.02.C of the Zoning Code establishes general standards and criteria for all conditional uses. When deciding on whether to approve or deny a conditional use, the Planning Commission (and City Council) must review the proposal and determine if compliance can be achieved with the stated findings.

The general code standards of §1009.02.C are as follows:

- a. *The proposed use is not in conflict with the Comprehensive Plan.* While a parking lot doesn't appreciably advance the goals of the Comprehensive Plan aside from facilitating continued investment in a property, Planning Division staff believes it does not conflict with the Comprehensive Plan either. More specifically, the General and Commercial Area Goals and Policies sections of the Comprehensive Plan include a number of policies related to reinvestment, redevelopment, quality development, and scale. The proposed parking lot is one component of a larger investment, which would align with the related goals and policies of the Comprehensive Plan.

- 77 *b. The proposed use is not in conflict with a Regulating Map or other adopted plan. The*
78 *proposed use is not in conflict with such plans because none apply to the property.*
- 79 *c. The proposed use is not in conflict with any City Code requirements. Planning Division staff*
80 *finds the proposed parking can and will meet all applicable City Code requirements;*
81 *moreover, a CONDITIONAL USE approval can be rescinded if the approved use fails to comply*
82 *with all applicable Code requirements or any conditions of the approval.*
- 83 *d. The proposed use will not create an excessive burden on parks, streets, and other public*
84 *facilities. City staff has determined the proposed parking lot improvement will not create an*
85 *excessive burden on parks, streets, or other public facilities. Specifically, this parking lot is*
86 *associated with a major package delivery service (FedEx), whereby many employees do not*
87 *work on-site as they are delivering packages. For those that do work on-site, it is not*
88 *anticipated their use of the park and/or trail system would result in a burden, nor have City*
89 *Parks Department staff expressed concerns to Planning Division staff. In fact,*
90 *implementation of a condition of approval requiring installation of a trail will only improve*
91 *upon the City's trail amenities.*
- 92 The City Engineer has also determined there will be no significant traffic issues associated
93 with the parking lot. A formal traffic study is not required. Existing traffic on County Road
94 C2 is 3,300 vehicles per day and has adequate capacity for any increase in traffic. A
95 conservative estimate of new traffic generated from the parking lot is 752 new trips per day.
96 The existing three-lane design of County Road C2 can accommodate the increased vehicle
97 use.
- 98 *e. The proposed use will not be injurious to the surrounding neighborhood, will not negatively*
99 *impact traffic or property values, and will not otherwise harm the public health, safety, and*
100 *general welfare. Planning Division staff have determined the proposed parking lot will not be*
101 *injurious to the surrounding neighborhood; negatively impact traffic or property values; and*
102 *will not otherwise harm the public health, safety, and general welfare given the existing*
103 *impact of commercial uses already present and utilizing this corridor of County Road C2.*
104 *Specifically, the 2040 Roseville Comprehensive Plan guides these parcels and those in direct*
105 *proximity for Mixed-Use, and a rezoning to Corridor Mixed-Use was accomplished in*
106 *November of 2021 to ensure consistency between the City's official Zoning Map and*
107 *Comprehensive Plan. Prior to this change, the 2030 Comprehensive Plan and official City*
108 *Zoning Map designated these parcels for High Density Residential. This change was made in*
109 *anticipation of the residential parcels along County Road C2 to someday be redeveloped*
110 *under more flexible zoning standards than the high-density residential designation offered.*
111 *County Road C2, with existing traffic of 3,300 vehicles per day and a conservative increase*
112 *of roughly 752 new vehicle trips, is adequately designed to accommodate this increase in*
113 *traffic given the three-lane roadway design. Further, County Road C2 is already utilized by*
114 *numerous industrial uses in the area with no issues. Lastly, although this parking lot will*
115 *generate new trips within the general area, this use is less impactful than a number of*
116 *permitted uses that could be redeveloped on the subject parcels.*

PLANNING COMMISSION CONSIDERATION

On January 4, 2023, the Planning Commission held the duly noticed public hearing. At the meeting the Planning Commission received the staff report and recommendation; listened to the applicant's presentation and comments; and accepted public comments.

During the applicant's presentation it became clear the parking lot plan before the Planning Commission no longer represented the applicant's intended use of the properties. As such, the Planning Commission voted (5-0) to table action on the Conditional Use request to the February 1, 2023 Planning Commission meeting to allow the applicant time to submit revised plans to Planning Division staff.

PLANNING DIVISION RECOMMENDATION

On December 8 the Roseville Development Review Committee (DRC) met to review and consider the submitted parking lot proposal for 2373 & 2395 County Road C2. Although noting specific permit processes are required prior to receiving final approval, the DRC did not have any concerns with the application.

On January 20, 2023, the City Planner submitted the revised parking lot plan to the Public Works Director for review and comment, which comments and recommendations were the same as previously stated.

The Planning Division recommends approval of the CU request to allow a 243 stall surface parking lot as a principle use at 2373 & 2395 County Road C2, subject to the following conditions:

1. The installation of an 8-foot wide trail with 5-foot boulevard being installed along County Road C2 the length of the three parcels, per the Roseville Pathway Master Plan.
2. The property owner dedicates a pathway easement to the City for the 8-foot wide pathway prior to release of any permits.
3. Storm water management will be required per watershed and City requirements.
4. The wetland present at 2395 County Road C2 is delineated and the property owner/applicant meet RCWD's requirements to replace any permissible wetland loss either onsite or offsite through credits.
5. The improvements meet all applicable requirements of § 1011.03.B, *Buffer Area Screening*, §1011.03.C, *Parking Lot Landscaping*, and §1011.12.E.9, *Outdoor storage, fleet vehicles*, to the satisfaction of the City Planner, prior to submittal of a building permit.
6. The site plan is modified such that the employee parking includes a minimum 15-foot setback from the property line between 2395 and 2373 County Road C2, or the property owner shall legally combine into a single lot negating the need to meet the side yard setback requirement.

SUGGESTED PLANNING COMMISSION ACTION

By motion, recommend approval of a CONDITIONAL USE for 2373 & 2395 County Road C2, allowing surface parking as a principle use on the subject properties based on the comments, findings, and six conditions stated in this report.

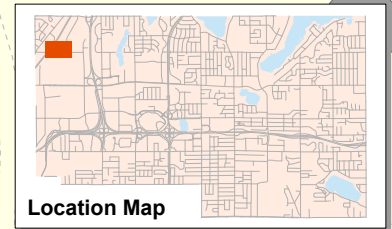
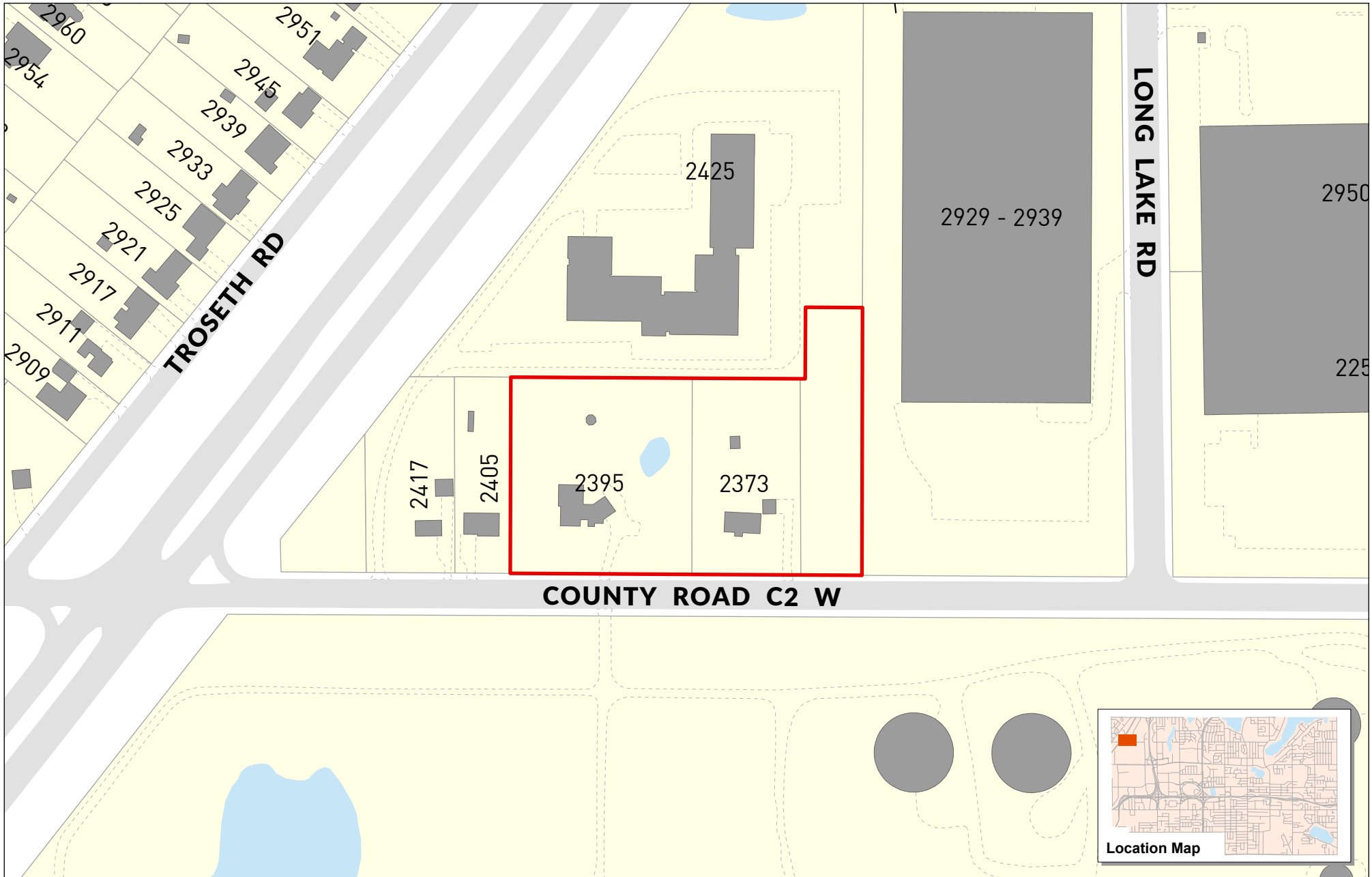
ALTERNATIVE ACTIONS

- a.** Pass a motion to table the item for future action. An action to table must be tied to the need for clarity, analysis, and/or information necessary to make a recommendation on the request.
- b.** Pass a motion recommending denial of the proposal. A motion to deny must include findings of fact germane to the request.

Report prepared by: Thomas Paschke, City Planner, 651-792-7074 | thomas.paschke@cityofroseville.com

Attachments: A. Location Map B. Aerial photo
 C. January 4, 2023 PC minutes D. Revised parking lot plan and narrative

Attachment A: Planning File 22-015



Prepared by:
Community Development Department
Printed: January 25, 2023



Data Sources

* Ramsey County GIS Base Map [1/4/2023]
For further information regarding the contents of this map contact:
City of Roseville, Community Development Department,
2660 Civic Center Drive, Roseville MN

Disclaimer

This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7085. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.

0 50 100 150 Feet



Attachment B: Planning File 22-015



Prepared by:
Community Development Department
Printed: January 25, 2023

Data Sources

* Ramsey County GIS Base Map (1/4/2023)
* Aerial Data: EagleView (4/2022)
For further information regarding the contents of this map contact:
City of Roseville, Community Development Department,
2660 Civic Center Drive, Roseville MN

Disclaimer

This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7085. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.

0 50 100 Feet



EXCERPT OF THE JANUARY 4, 2023 REGULARLY MEETING OF THE
ROSEVILLE PLANNING COMMISSION

1. Public Hearing

a. Consider a Request by AUNI Holdings in Coordination with FedEx for a
Conditional Use to Allow a Parking Lot as a Principal Use at 2373 and 2395 County
Road C2 (PF22-015)

Vice Chair Pribyl opened the public hearing for PF22-015 at approximately 6:33 p.m. and reported on the purpose and process of a public hearing. She advised this item will be before the City Council on January 30, 2023.

City Planner Paschke summarized the request as detailed in the staff report dated January 4, 2023.

Member McGehee asked for additional information on some of the parking lot things that would be required.

Mr. Paschke indicated all of the current park lot requirements would be enforced for this parking lot. He believed the difference is in the way the parking lot is designed for parking vehicles. He indicated he has not had any discussion with the applicant regarding parking of vans and the potential requirement of islands. Islands are required every fifteen stalls and, in some cases, separate on the end of drive aisles in some cases but in most cases. That discussion has not occurred as it relates to this parking lot. He indicated the coverage is going to be eighty-five percent hard cover, fifteen percent green space.

Member McGehee asked if there was anything for EV charging.

Mr. Paschke indicated there was not anything like that and is not currently in the Zoning Code.

Member McGehee thought this could be a condition placed on the approval of this project.

Mr. Paschke was not sure it could be a condition.

Member Schaffhausen explained she went through staff recommendations and they kind of matched many of the requests from people that live around this as far as some of their concerns. She asked Mr. Paschke to provide a one-to-one match regarding the provisions recommended that was provided in the bench hand out provided to the Commission.

Mr. Paschke explained that based on this proposal, the parking lot is set back currently from that north property line and twenty-eight feet from the west property line. He reviewed with the Commission the provisions in the bench hand out. He noted the goal is to be to have a greater setback on the two property lines and also the attempt to try to save some trees along the property lines, if possible. That is all going to depend on how the site is engineered and how much earth that needs to be moved and those types of things.

Member Schaffhausen thought it looked like staff was recommending both fence and some semblance of landscaping as well.

Mr. Paschke indicated that was correct because landscaping would be required to be planted as well.

Member Schaffhausen asked if the fence would help with lighting as well.

Mr. Paschke indicated it will because this parking lot will have some sort of lighting for the parking lot. Staff will collaborate with the applicant on the lighting, and he thought the goal is to make certain that the light that overflows and spills off of the property is far less than what the Code requires.

Member McGehee indicated in the plan, the stormwater pond has been moved over to the extra piece of land and she wondered if there was a reason to not actually move that one parking lot over, closer to their property and leaving the wetland alone, since that is where their employees are going to park.

Mr. Paschke thought the applicant would need to answer that question.

Vice Chair Pribyl asked if the reason why this was coming before the Commission as a conditional use was primarily because it is just a parking lot.

Mr. Paschke indicated that was correct.

Mr. Kevin Anderson, representing AUNI Holdings addressed the Commission.

Mr. Scott Pieper, owner of 2929 Long Lake building addressed the Commission regarding the building design and how it currently works with vans arriving and leaving. He noted the bottleneck is going to become parking for employees. He reviewed the available and projected parking lot spaces for employee vehicles with the Commission.

Member Schaffhausen asked how the employees will travel from the parking lot to the facility.

Mr. Pieper explained the way he would see it is a covered stairwell would be constructed to go from the parking lot down to the base. It would have to come in on the southwest corner.

Member Bjorum asked if that will need to be handicap accessible if accessible parking stalls are being provided.

Mr. Paschke thought the way around that will be the City path this being required. There will be a path that connects to the existing one and there is an assumption that the City sidewalk might be ADA compliant to take a person all the way down and around to get them into the building.

Mr. Pieper explained there is ADA compliancy on the north end. The sidewalk is compliant with two stalls outside and handicap accessibility inside the building.

Member Bjorum asked with the requirement in the packet of the City's eight-foot path, essentially it is not shown on this site plan so in reality this whole thing would be pushed further north to accommodate that.

Mr. Paschke explained that is incorrect, it will work with what is there, he believed. It is just an extension of the existing path.

Vice Chair Pribyl asked regarding the stormwater pond, she assumed that is potentially located where it is shown because of the natural grade of the site.

80 Mr. Pieper agreed that is what it appeared to be, but he thought if he received the City
81 blessings it could be pursued in a little deeper context. He explained they would get the
82 elevations exactly the way they should be and make sure it is correct.

83 Member Pribyl wondered if the existing wetland could be utilized in lieu of building a
84 new pond or expand the existing wetland and potentially in that way provide an amenity
85 for some of the residential uses that are nearby and also make the parking closer to the
86 destination.

87 Mr. Pieper indicated they can work on that. He noted this is just a preliminary plan and
88 nothing is etched in stone in terms of the architectural where it has to be exactly as
89 shown.

90 Member Aspnes asked regarding the van parking. It appears to be a secure parking lot
91 with controlled access. There was mention that there is already parking within the
92 building for vans. She wondered how many vans Mr. Pieper saw being outside in this lot.

93 Mr. Pieper indicated there is van parking in the building and there will be no vans in this
94 parking lot. This is strictly personal vehicle parking. Right now, there are fifty-one
95 delivery vans.

96 Member Aspnes understood and indicated the parking closest to the building is
97 considered employee parking, on the east end and then there is a second parking lot on
98 the west side that shows van parking of fifty-three spaces with controlled access. If the
99 vans are all parked within the building, then what is the purpose of the van parking lot.

100 Mr. Pieper explained the controlled parking is on the south end of the building. That is
101 where the semi/vans come in and that is fenced and gated. It is secure and no one can get
102 into that area without going through the security. He did not think that is the correct plan
103 if it has fifty-three parking spots for vans. He indicated there was two sketches on this.
104 The first one had vans but that is not what is going to be there, it was all for employee
105 parking.

106 Mr. Anderson explained the plan he has had the van parking and employee parking with
107 those two sites. He noted Mr. Pieper has talked to the controllers at Fed Ex more recently
108 than he has so maybe this is just for employee parking now.

109 Mr. Pieper explained there will not be van parking there, that is Fed Ex's latest proposal
110 per say. The reason being is the van parking, semi's that are coming in, has to be a
111 secured location and nobody can get access to it because there could be packages in the
112 van that are left overnight so it would have to be in a secured location. He reviewed Fed
113 Ex business model.

114 Vice Chair Pribyl asked if the wrong plan was included in the packet how would that
115 affect the Commission's discussion.

116 Mr. Paschke thought the Commission would want the appropriate plan in order to make a
117 recommendation. He recommended tabling this item until the February meeting and in
118 that timeframe, staff can get the correct appropriate plan and probably some additional
119 details.

Public Comment

Mr. Don Broman, explained he has been involved with Aquarius Apartments for forty-one years. He explained the building is beautiful with a wooded area surrounding it. He explained it is a hundred-unit building. He brought photos of the backline of the parcel for the Commission to review. He thought for them, having a buffer there with a berm would be ideal.

Mr. Frank Yaquinto, 2405 County Road C2, explained the main thing for him is he is worried about the property values of his and surrounding properties. He would like to be assured that his property values will not drop because of this. He thought it was kind of a drastic change to the area with traffic and the lighting from the parking lot.

MOTION

Member McGehee moved, seconded by Member Schaffhausen, to table the Request by AUNI Holdings in Coordination with FedEx for a Conditional Use to Allow a Parking Lot as a Principal Use at 2373 and 2395 County Road C2 until the February 1, 2023 Planning Commission meeting. (PF22-015).

Ayes: 5

Nays: 0

Motion carried.

January 25th, 2023

City of Roseville
2660 Civic Center Drive
Roseville, MN 55113

RE: Written Response to City Questions

I/we understand it is not possible to have a wetland delineation completed, however a site survey would be beneficial along with contours and possibly a tree inventory.

- We have a civil engineer standing by and plan to start spending substantial money on a site survey, delineation, and other plans when the general scope is approved by the city.

I suggest the parking lot be designed with the greatest setback from the north and west property lines. Although the property owner to the north desires a berm, such an improvement would require many trees to be removed in favor of the earthen berm. Designing the parking lot to take advantage of preserving the mature trees along the periphery (specifically the west and north) is advantageous for approval.

- The new plan calls for a 40' setback to the north and a 40' setback from the west. This preserves a great number of trees and provides ample space between parcels.

The plans should include some additional thought regarding storm water management and where on the property it is best suited. I suggest having an engineer discuss this item with Jesse Freihammer, Public Works Director, to get a better handle on City and Rice Creek Watershed requirements. Having a more refined or even preliminary storm water management plan will go a long way in the approval process, especially with the City Council.

- Our architect seemed to think the best place for the stormwater management retention would be the northeast corner of the new parcel. This provides an even greater setback from the north parcel and should take care of this issue.

The proposal plan should give some thought to the required screening (found below). I/we would suggest an opaque screen fence of 7 to 8 feet in height that could be broken into large sections with small gaps and the gaps augmented with evergreen trees. Having the existing trees included on the survey can assist in where some of the small gaps could be placed the evergreen trees for natural screening.

- We will work with our architect and engineer to ensure the required screening is part of the construction. We are generally agreeable to your recommendations and will work with the city to find a suitable solution for screening and tree conservation.