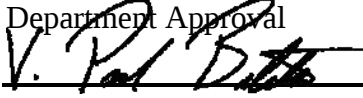


ROSEVILLE
REQUEST FOR COUNCIL ACTION

Agenda Date: 6/8/2015

Agenda Item: 15.b

Department Approval



City Manager Approval



Item Description: Twin Lakes Next Steps: Land Use Definitions and Building Height

BACKGROUND

At the May 4, 2015 City Council meeting, the City Council discussed the public input about land use preferences in Twin Lakes gathered in January and February 2015. The discussion focused on two main topics: how to reorganize subareas that ought to have similar regulations and to differentiate between subarea groups that ought to be regulated differently; and whether the land uses discussed in the public input process should be permitted, prohibited, or possibly allowed through some kind of application process affording greater public review (e.g., conditional use or planned unit development). The City Council discussion resulted in tentative agreements about how to reorganize the seven subareas identified in the public input process into three subareas and whether the land uses identified in the public input process ought to be permitted, prohibited, or possibly allowed through an application process; the tentatively revised subarea map and land use table are included with this RCA as Exhibit A.

One question that arises when reviewing the outcomes from the May 4, 2015 meeting pertains to the land use involving 24-hour operations. Planning Division staff intended for the item in the table to apply specifically to retail uses, but most of the discussion of 24-hour activities centered on medical services and back-office commercial businesses. For this reason it is unclear whether the Council's intent was to prohibit 24-retail in all locations and potentially allow only non-retail 24-hour uses in subareas B and C. The existing CMU district does not prohibit 24-hour uses, but performance standards elsewhere in the zoning code apply to all commercial uses as follows:

Extended Hours of Operation adjacent to all Residential Districts: Fence or screening height in the following requirements supersede the limitations established elsewhere in this Title.

- a. Buffer Area: Where a Community Business, Regional Business, or Community Mixed Use District abuts a residential district, all existing buffers shall remain in effect, and any new site improvement shall include an increased buffer area of a minimum of 20 to 40 feet as determined by the Community Development Department. This protective buffer shall contain no structures, shall not be used for parking, off-street loading or storage, and shall include screening. The screening treatment shall include the seeding of grass or sodding of the whole of the buffer area, the planting of shrubbery and trees and maintaining of same, a compact screen wall, fence, berm, landscaping, or combination thereof, which shall be not less than 75% opaque year-round to a minimum height of 6 feet above the parking lot curb. The screening treatment must be approved by the Community Development Department and shall be in harmony with a residential neighborhood and provide sufficient screening of the Community and Regional Business uses. The fence or landscape screening shall be no less than 6 feet at the time of installation. Where a berm, wall, fence, or combination thereof is required for screening purposes for a commercial use adjacent to a residential use, such berm, wall, fence, or combination thereof shall be set back from the residential district boundary at least 3 times its height, and landscaped with trees, shrubs,

perennials and sod or seed to screen 50% of the surface of the wall or fence at maturity of the plant materials year-round.

- b. Traffic: The site plan shall provide vehicular circulation routes away from residential areas and avoid commercial vehicle ingress and egress from local residential streets to commercial property sites. In the site plan review and approval process, every reasonable effort must be made to design the site circulation so that service vehicles over 1 ton capacity do not use routes which bring vehicles between a building and a residential district boundary. The site plan shall also provide pedestrian access routes using walks or paths, including where practical, connections to adjacent residential areas. Service vehicles over 1 ton capacity which enter or exit the site between the hours of 10:00 P.M. and 7:00 A.M. shall use a designated route approved by the City. Deliveries and/or delivery truck access, in and on the site during the hours of 10:00 P.M. to 7:00 A.M., shall be limited to single unit, 2 axle vehicles not in excess of 26,000 pounds gross weight. The designated route shall keep vehicles at least 300 feet away from any residential district boundary, or be completely screened by a building, wall, landscaped berm, fence, or combination thereof to a point 14 feet above the ground at the outside edge of the truck route lane and to a point 5 feet above the first floor (main level) of the adjacent residences.
- c. Off -Street Parking: Where a 24 hour use is within 300 feet of a residential district, that portion of the site within 300 feet shall provide screening of parking and driving areas adjacent to residential areas. The screening shall have a minimum opacity of 90% year-round and a minimum height of 6 feet, and shall be comprised of landscaping, walls, fences, berms, or combinations thereof.
- d. Service delivery or non-customer vehicles shall not be parked or staged within 300 feet of a residential district, except when actively loading or unloading.
- e. In no case shall vehicle staging for unloading occur for more than 24 hours on a site within any Community Business, Regional Business, or Community Mixed Use District.
- f. Off -Street Loading: Off -street loading shall be as listed in Chapter 1019 of this Title and servicing space shall be designated for each store unit in the shopping district. Such loading space shall be designed so as not to conflict with movement of vehicular traffic to and from parking areas.
 - i. Any commercial loading dock within 300 feet of a residential district shall be completely screened by a wall, landscaped berm, fence, or combination thereof from an adjacent residential area, to a point 14 feet above the ground at the loading area and to a point 5 feet above the first floor (main level) of adjacent residences.
 - ii. Any commercial loading dock within 300 feet of a residential district which is to be used for any reason by vehicles or equipment between the hours of 10:00 P.M. and 7:00 A.M. shall be within a completely enclosed and roofed structure. All loading and unloading operations shall occur with the exterior doors shut at all times.

LAND USE DEFINITIONS

While the May 4 City Council discussion did not yield any formal action on the subarea boundaries or land use table, nor has the Council yet specifically addressed how each of the subareas might be regulated, whether by application of existing zoning districts, revised versions of existing zoning districts, new zoning districts, regulating plans, overlay districts, or something else, the discussion did shed light on the fact that certain land uses (e.g., big box, limited production and processing, etc.) need to be defined and height limitations need to be drafted if uses and structures are to be regulated differently in the different subareas. These questions will be the subject of this RCA and the City Council discussion regarding Twin Lakes on June 8, 2015.

- 83 • Fast Food Restaurants: While the discussion initially identified the need to differentiate

84 “fast food” restaurants from the likes of “fast casual” and other types of restaurants,

85 Planning Division staff believes that the conclusion of the conversation obviates the need

86 for a specific definition of fast food. The source of concern about fast food restaurants

87 was not how quickly food was made ready or whether patrons received their food at a

88 counter instead of being served at tables, but the propensity of fast food restaurants to

89 have drive-through facilities; if fast food restaurants were not permitted to have drive-

90 throughs, such restaurants were generally found to be acceptable in any location.
- 91 • Drive-throughs: This didn’t necessarily need defining, but because drive-throughs are not

92 currently permitted in the CMU district and Councilmembers were interested in allowing

93 drive-through facilities in some locations for low-intensity uses (like banks and

94 pharmacies), a brief summary of how drive-through facilities are currently regulated

95 might be useful.

 - 96 ○ Drive-through is currently defined as: “*Consisting of a driveway and window,*

97 *opening, canopy, or other facilities used for serving patrons seated in an*

98 *automobile including the stacking spaces in which vehicles wait. Drive-throughs*

99 *may be associated with principal uses such as restaurants, banks, or drugstores,*

100 *or may be free-standing, such as coffee kiosks, ATMs, etc.”*
 - 101 ○ Where drive-through facilities are allowed, they are conditional uses, and subject

102 to the following standard conditions:

 - 103 a. Drive-through lanes and service windows shall be located to the side or rear of

104 buildings and shall not be located between the principal structure and a public street.
 - 105 b. Points of vehicular ingress and egress shall be located at least 60 feet from the street

106 right-of-way lines of the nearest intersection.
 - 107 c. The applicant shall submit a circulation plan that demonstrates that the use will not

108 interfere with or reduce the safety of pedestrian and bicyclist movements. Site design

109 shall accommodate a logical and safe vehicle and pedestrian circulation pattern.

110 Adequate queuing lane space shall be provided without interfering with on site

111 parking/circulation.
 - 112 d. Speaker box sounds from the drive-through lane shall not be loud enough to constitute a

113 nuisance on an abutting residentially zoned property or property in residential use.
 - 114 e. Drive-through canopies and other structures, where present, shall be constructed from

115 the same materials as the primary building and with a similar level of architectural

116 quality and detailing.
 - 117 f. A 10-foot buffer area with screen planting and an opaque wall or fence between 6 and 8

118 feet in height shall be required between the drive-through lane and any property line

119 adjoining a residentially zoned property or property in residential use.
- 120 • Limited Production/Processing: Councilmembers appeared to be supportive of this kind

121 of productive, low-intensity industrial, provided its impacts to surrounding uses and

122 properties were negligible or effectively mitigated. The current definition in the zoning

123 code is:

124 Light manufacturing, fabrication, assembly, processing, packaging, research, development,

125 or similar principal or primary uses which are predominately conducted indoors and which

126 would not be disruptive of or incompatible with other office, retail, or service uses that may

127 be in the same building or complex. Limited production/processing as a principal/primary

128 use generally does not include industrial processing from raw materials.

Specific issues of concern raised by Councilmembers which are not explicitly addressed in this definition included noise and odors from these activities. Generally-applicable performance standards in the zoning code do address noise, odor, vibration, and other impacts, but reference to these things could be added to the definition if the Council wishes to establish specific, more restrictive constraints.

Another concern was the potential for the adverse impacts of headlights and automobile noise from workers departing and arriving during a late night shift change. Current screening and buffering regulations require opaque 6-foot tall fences or walls at the perimeter of parking areas adjacent to residential uses, along with other landscaping. These requirements can be refined as necessary for the various subareas through the ongoing process of amending Twin Lakes zoning, and/or for specific locations within subareas through conditional use/PUD requirements, regulating plans, overlay districts, or whichever zoning tools are ultimately utilized.

- Limited Warehousing/Distribution: Councilmembers seemed willing to consider this use on a case by case basis. The current definition of this use is “*an establishment providing storage and distribution of merchandise and bulk goods, including those associated with a limited production and processing use, and which use shall involve pick-up, cargo, and/or cube variety trucks to distribute goods,*” and when such vehicles exceed 8 trips in a day, the activity must be reviewed and approved as a conditional use with whatever conditions are deemed necessary to mitigate potential adverse impacts.
- Big Box Retail: Because zoning regulations cannot permit or prohibit stores based on their names, a definition that differentiates one thing from another by its physical attributes and/or impacts is necessary. To begin quantifying what is “big box” and what is not, Planning Division staff used Ramsey County GIS data to create a list of large, single-tenant retail structures along with their approximate sizes. This list, arranged in order of decreasing square footage, is included with this RCA as Exhibit B. The list is not exhaustive, but staff believes that it is representative and presumes that if other buildings were added, they would not dramatically change the characteristics of the list. The mean of the overall data range, 91,845 square feet, corresponds to the one obvious breakpoint in the size data, which is the approximately 40,000 square-foot gap between items 12 (121,460 square feet) and 13 (81,017 square feet).

Based on this simple analysis, defining “big box” as anything at or above 100,000 square feet in area, for example, would utilize a simple, round figure that conforms to the observed data. Such a defining threshold would also regulate retailers commonly identified as “big box” even if they build stores that are somewhat smaller than their conventional formats, but it would not regulate grocers, furniture and appliance stores, and other retailers even if they build stores that are somewhat larger than their conventional formats.

BUILDING HEIGHT

Planning Division staff began considering ways of regulating building height, but is seeking additional information about the goals of limiting height in order to better direct our efforts. Building height can be regulated for several reasons, from shadow mitigation and aesthetic considerations, to protecting the public health, safety, and general welfare; each of these purposes can lead to different kinds of regulations. To begin the discussion of how height limits

might be changed, the following table contains the standard height limits for various structures in each zoning district.

District	Structure Type	Max. Height (ft)
LDR-1	One-family, detached	30
	Accessory	15
LDR-2	One- and Two-family, attached or detached	30
	Townhome/row house	35
MDR	One- and Two-family, attached or detached	30
	Townhome/row house	35
	Multi-family	40
HDR-1	Townhome/row house	35
	Multi-family	65
HDR-2	Multi-family	95
NB	All	35
CB	All	40
RB-1,2	All	65 (taller with CU)
CMU	All	None (see below)
O/BP	All	60 (taller with CU)
I	All	60
INST	All	60
PR	All	None

The CMU district does not currently limit total building height, but for buildings in specified locations, all floors above the second story are required to be stepped back a minimum of 8 feet from the ground floor façade. This same kind of location-specific detail can be employed instead of or in addition to absolute height limits.

POLICY OBJECTIVE

Redevelopment of the Twin Lakes area has been a top City policy objective for more than two decades.

BUDGET IMPLICATIONS

Depending on the direction provided by the City Council, there could be budget implications either due to additional costs or revenues. As these action steps are clarified, they will be brought back to the City Council with more explanation of any budget impact.

186 **STAFF RECOMMENDATION**

187 The primary goal of the June 8th discussion is to provide direction about how definitions and
188 height regulations might be improved. To the extent that the Council is comfortable with the
189 definitions and reasons for regulating height, the discussion can return to the table of land uses
190 and the revised subarea map to determine whether the continued discussion changes
191 Councilmembers' initial feelings on the subarea boundaries and how or whether certain land
192 uses are to be allowed in those locations.

193 **REQUESTED COUNCIL ACTION**

194 This is information as part of the broad discussion of a wide range of Twin Lakes topics. Staff is
195 seeking Council consensus with respect to subarea groupings and, perhaps, with respect to the
196 handful of land uses about which public input reveals strong, unified support or opposition.

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RCA Exhibits: A: Partial table of Twin Lakes land uses & B: Analysis of retail box sizes
revised Twin Lakes subareas map

RCA Exhibit A

Land Use	Existing CMU Zoning	2014 Proposed CMU Amendment	Tentative Subarea A	Tentative Subarea C	Tentative Subarea B
Accessory: drive-throughs	NP	NP	NP	C*	C*
Civic/Institutional: hospital	NP	NP	NP	NP	NP
Commercial: daycare center	P	P	P	P	P
Commercial: lodging (hotel)	P	P	NP	NP	P
Commercial: restaurants, fast food	P	P	P	P	P
Commercial: restaurants, fast food WITH DRIVE THROUGH	NP	NP	NP	NP	NP
Commercial: restaurants, traditional	P	P	P	P	P
Commercial: retail (24-hour operation)	P	P	NP	C*	C*
Commercial: retail (big box)	P	C	NP	NP	C*
Commercial: retail (smaller scale)	P	P	P	P	P
Commercial: vertical mixed use	P	P	NP	P	P
Industrial: light industrial	NP	NP	NP	NP	NP
Industrial: limited production/processing	NP	P	P	P	P
Industrial: limited warehousing/distribution	NP	C	C*	C*	C*
Industrial: manufacturing	NP	NP	NP	NP	NP
Industrial: Warehouse	NP	NP	NP	NP	NP
Office: clinic, medical, dental, or optical	P	P	P	P	P
Office: corporate headquarters	P	P	P	P	P
Office: general	P	P	P	P	P
Office: office showroom	P	NP	P	P	P
Residential/Family: multi-family	P	P	C*	C*	C*
Residential/Family: one-family attached (duplex)	NP	NP	NP	NP	NP
Residential/Family: one-family attached (townhome/row house)	P	P	P	P	P
Residential/Family: one-family detached	NP	NP	C*	NP	NP
Residential/Group: assisted living	C	C	C*	C*	C*

Legend

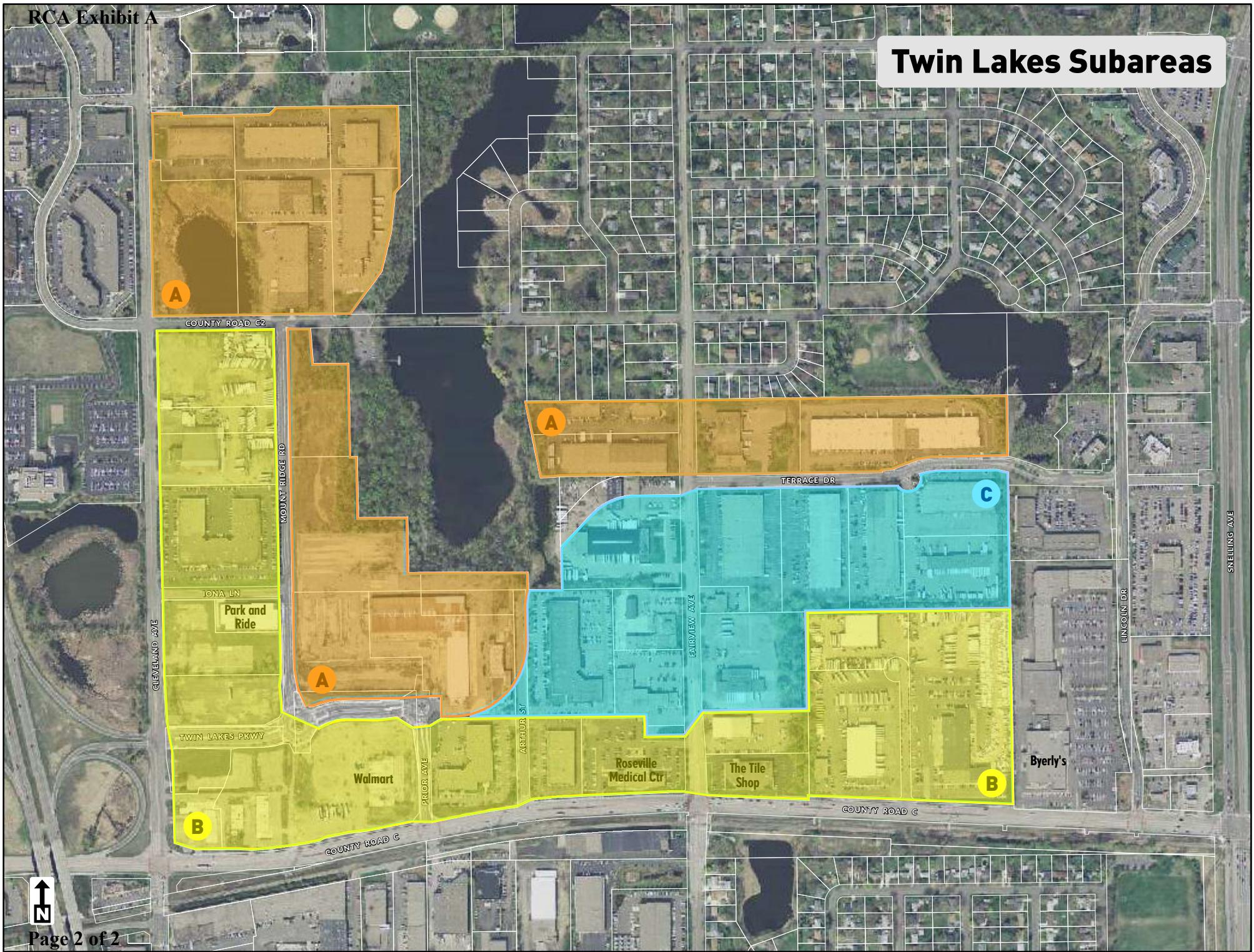
P = Permitted

C = Conditional

NP = Not Permitted

C* = For further consideration as
conditional use or Planned
Unit Development

Twin Lakes Subareas



RCA Exhibit B

Building	Location	Size (sq. ft.)
1 Super Target	St Paul	190,565
2 Menard's	Maplewood	190,297
3 Super Target	Shoreview	185,976
4 Super Target	Roseville	184,830
5 Dock 86	Little Canada	166,892
6 Walmart	Roseville	159,162
7 Costco	Maplewood	155,666
8 Sam's Club	Maplewood	146,640
9 Target	North St Paul	141,029
10 Menard's	St Paul	132,056
11 Home Depot	Maplewood	127,282
12 Walmart	St Paul	121,460
13 Cub Foods	Maplewood (County Rd. B)	81,017
14 Cub Foods	Maplewood (White Bear Av.)	77,439
15 Cub Foods	Roseville (Larpenteur Av.)	63,936
16 LA Fitness	Roseville	52,628
17 Byerlys	St Paul	50,752
18 Ashley Furniture	Maplewood	46,655
19 Best Buy	Maplewood	44,533
20 HOM Furniture	Roseville	42,588
21 Slumberland	Maplewood	35,134
22 Pawn America	St Paul	23,609
23 Slumberland	St Paul	21,133
24 Golfsmith	Roseville	19,439
25 Aldi	Little Canada	18,358
26 Aldi	St Paul	17,021
27 Walgreens	Vadnais Heights	16,089
28 Walgreens	Roseville	14,677
29 CVS	Little Canada	13,281
30 AutoZone	Roseville	7,354
31 O'Reilly Auto Parts	Roseville	6,875

