REQUEST FOR CITY COUNCIL ACTION

Agenda Date: **9/28/2015**
Agenda Item: 14.a

Department Approval | City Manager Approval

Item Description: Approval of an Interim Use of Outdoor Semi-Trailer Storage at 2720 Fairview Avenue

APPLICATION INFORMATION

Applicant:	Roseville Properties
Location:	2720 Fairview Avenue
Property Owner:	Pinecone-Fairview, LLC and 2720 Fairview DCE, LLC
Open House:	June 30, 2015
Application Submission:	Received August 7, 2015; considered complete August 10, 2015
City Action Deadline:	October 7, 2015

GENERAL SITE INFORMATION

Land Use Context

	Existing Land Use	Guiding	Zoning
Site	Former H & W Motor Express and Central Transport	CMU	CMU
North	Auto Service and Mixed Retail	CMU	CMU
West	Office – McGough	CMU	CMU
East	Transit and Trucking	CMU	CMU
South	Retail and Warehousing – Fireside Corner and The Tile Shop	CMU	CMU

NATURAL CHARACTERISTICS: The site is mainly a parking lot with a cross-dock freight terminal. It has little landscaping and gently slopes from northeast to southwest. The eastern edge of the property is County Ditch No. 4, which drains to Oasis Pond.

HISTORY: The site and broader area lies within the Twin Lakes Redevelopment Area created in 1982.

LEVEL OF CITY DISCRETION IN DECISION-MAKING: Action taken on an interim use proposal is **legislative** in nature; the City has broad discretion in making land use decisions based on advancing the health, safety, and general welfare of the community.

PLANNING COMMISSION ACTION: At the duly noticed public hearing on September 2, 2015, the Roseville Planning Commission voted (3-2) to recommend approval of the IU to allow outdoor storage of semi-trailers at 2720 Fairview Avenue.

1

REQUEST

The Planning Commission memo, which is attached as Attachment A, provides a broader explanation of the proposal.

The subject property is located in City Planning District 10, has a Comprehensive Plan designation of Community Mixed-Use (CMU), and has a zoning classification of Community Mixed-Use (CMU) District. It should be noted that, as a component of the Twin Lakes Re-envisioning process, the property's land use designation and zoning classification is under review and may be changed to CMU-3 District.

Roseville Properties has applied for an Interim Use (IU) to utilize the former motor freight terminal for storing semi-trailers. The proposal seeks to store and stage trailers (some are currently full of clothing, furniture, and other items) throughout the site, maximizing the parking field with trailers. The proposal does not propose any site improvements or maintenance. The applicant has indicated they're actively trying to redevelop this site and do not intend to use it for trailer storage for a long period of time.

An applicant seeking approval for an INTERIM USE is required to hold an open house meeting to inform the surrounding property owners and other interested individuals of the proposal, to answer questions, and to solicit feedback. The open house for this application was held on June 30, 2015; the brief summary of the open house meeting provided by the applicant is included with this staff report as Attachment D.

PUBLIC COMMENT

The public hearing for this application was held by the Planning Commission on September 2, 2015; draft minutes of the public hearing are included with this report as RCA Exhibit B.

One member of the public spoke to this issue at the public hearing, indicating general support for the applicant and the proposed temporary outdoor storage use on the site.

Several Commissioners did have questions regarding the proposal and some indicated concerns for such a use. Specifically, Chair Boguszewski asked for clarification about where the use, outdoor storage of trailers, is currently permitted in the City. Commissioner Cunningham questioned why a fence was not being required as it has in the case of other IU of a similar nature. Commissioner Murphy asked about the existing antenna and the use of the electrical outlets, as well as whether the building would be razed. Member Bull asked for clarification on the number of trailers that could be parked on the premises and asked for clarification of the 70-foot setback. Chair Boguszewski recommended changes to condition 1.d - location at least 30 feet from building, and that the 70 foot setback be an extension of the front of building north/south. Member Bull asked if the City had a definition of hazardous or dangerous material. Member Stellmach asked for clarification of Big Blue Box. Commissioner Stellmach requested clarification on whether an IU could be terminated if site/use was not in compliance with any condition.

City Planner Paschke and property owner representative Chad Commers did provide answers to the questions made by the Planning Commission.

After discussing the application and staff recommendation, the Planning Commission voted (3-2) to approve the requested temporary outdoor semi-truck trailer storage for 2120 Fairview Avenue, subject to the conditions of the staff report dated September 2, 2015, as revised by the Commission.

IU REQUEST RECOMMENDATION

The Planning Division concurs with the Roseville Planning Commission and its revised recommendation to support the IU for 2720 Fairview Avenue. On September 2, 2015, the following action was taken: based on the comments and findings of this report, the Planning Commission voted 3-2 to recommend approval of the proposed INTERIM USE subject to the conditions (as revised by the Commission) listed on Attachment C the Draft Resolution.

SUGGESTED CITY COUNCIL ACTION

Adopt a Resolution approving the INTERIM USE allowing outdoor storage of semi-truck trailers at 2720 Fairview Avenue, based on the comments and findings, and the recommendation of the Planning Commission.

ALTERNATIVE ACTIONS

Pass a motion to table the item for future action. Tabling beyond October 7, 2015, will require extension of the 60-day action deadline established in Minn. Stat. §15.99

By motion, recommend denial of the proposed Interim Use. A recommendation to deny should be supported by specific findings of fact based on the City Council's review of the application, applicable zoning or subdivision regulations, and the public record.

Prepared by: City Planner Thomas Paschke 651-792-7074 | Thomas.paschke@cityofroseville.com

Attachments: A: RPCA of 090215
B: Draft PC minutes
C: Draft resolution

REQUEST FOR PLANNING COMMISSION ACTION

DATE: **9/2/2015**
ITEM NO: **5d**

Department Approval

Agenda Section
PUBLIC HEARINGS

Item Description: Request by for approval of outdoor semi-trailer storage as an interim use at 2720 Fairview Avenue **(PF15-016)**

APPLICATION INFORMATION

Applicant:	Roseville Properties
Location:	2720 Fairview Avenue
Property Owner:	Pinecone-Fairview, LLC and 2720 Fairview DCE, LLC
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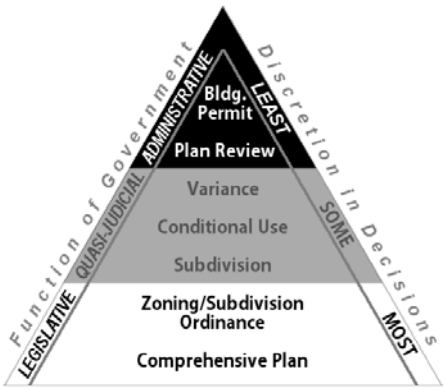
East	Transit and Trucking	CMU	CMU
South	Retail and Warehousing – Fireside Corner and The Tile Shop	CMU	CMU

Natural Characteristics: The site is mainly a parking lot with a cross-dock freight terminal. It has little landscaping and gently slopes from northeast to southwest. The eastern edge of the property is County Ditch No. 4, which drains to Oasis Pond.

History: The site and broader area lies within the Twin Lakes Redevelopment Area created in 1982.

Action taken on an interim use proposal is **legislative** in nature; the City has broad discretion in making land use decisions based on advancing the health, safety, and general welfare of the community.



REQUEST

Roseville Properties has applied for an Interim Use (IU) to utilize the former motor freight terminal for storing semi-trailers. The proposal seeks to store and stage trailers (some are currently full of clothing, furniture, and other items) throughout the site, maximizing the parking field with trailers. The proposal does not propose any site improvements or maintenance. The applicant has indicated they're actively trying to redevelop this site and do not intend to use it for trailer storage for a long period of time. A detailed narrative of the proposed use is included with this report as Attachment C.

An applicant seeking approval for an INTERIM USE is required to hold an open house meeting to inform the surrounding property owners and other interested individuals of the proposal, to answer questions, and to solicit feedback. The open house for this application was held on June 30, 2015; the brief summary of the open house meeting provided by the applicant is included with this staff report as Attachment D.

BACKGROUND

The subject property is located in City Planning District 10, has a Comprehensive Plan designation of Community Mixed-Use (CMU), and has a zoning classification of Community Mixed-Use (CMU) District. It should be noted that, as a component of the Twin Lakes Re-envisioning process, the property's land use designation and zoning classification is under review and may be changed to CMU-3 District.

The site was initially the home of H & W Motor Express, and most recently Central Transport, both motor freight terminal uses. Aerial photography from 1974, 1985, 1991, 2003, 2006, 2008, 2009, and 2011 (Attachment E) provides a historical review of the previous motor freight terminal and its cross-dock activity with limited trailer storage. Google Maps ground-level photos from 2011 and 2013 show the site was used for employee parking, limited motor freight terminal activity, and storage for a few trailers. The trucking uses ceased operation for more than a year, thereby ending the legal nonconformity status.

In winter 2015, the Community Development Department was contacted by Big Blue Box about using the site for storage of semi-trailers and containers. The Department's reply was that such a use, outdoor storage of trailers and containers, was not permitted. In May 2015, the Planning Division discussed with Roseville Properties that the outdoor storage of trailers and containers was prohibited. These discussions were in response to increased activity on the premises and an inspection of the site that showed more than 75 trailers stored throughout. Enforcement of these violations has been put on hold pending the City Council action on the IU. If the IU is not approved, the applicant will be required to immediately remove the stored trailers.

REVIEW OF INTERIM USE APPLICATION

To arrive at its recommendation, Planning staff considers the relevant code section, input gathered at the open house, and comments from DRC members. In this case the Code Section is 1009.03:

The purpose statement for this section indicates that: *Certain land uses might not be consistent with the land uses designated in the Comprehensive Land Use Plan, and they might also fail to meet all of the zoning standards established for the district within which they are proposed; some such land uses may, however, be acceptable or even beneficial if reviewed and provisionally approved for a limited period of time. The purpose of the interim use review process is to allow the approval of*

interim uses on a case-by-case basis; approved interim uses shall have a definite end date and may be subject to specific conditions considered reasonable and/or necessary for the protection of the public health, safety, and general welfare.

Section 1009.03D of the City Code specifies that three specific findings must be made in order to approve a proposed INTERIM USE (IU):

a. *The proposed use will not impose additional costs on the public if it is necessary for the public to take the property in the future*. This is generally intended to ensure that a particular interim use will not make the site costly to clean up if the City were to acquire the property for some purpose in the future. In this case, the Planning Division understands that many of the semi-trailers are currently loaded with clothes, furniture, and other non-combustible items that are the property of Goodwill Industries. These trailers would pose limited environmental risk to the City if it were to acquire the site; therefore the Planning Division staff believes that the IU would not have significant negative effects on the land. That said, there is a financial burden tied to the removal of nearly 100 semi-trailers, should the City be required to remove them. If the applicant began to store trailers that contained other types of cargo, there could be additional environmental risks.

b. *The proposed use will not create an excessive burden on parks, streets, and other public facilities.* Storage and staging of semi-trailers is viewed by the Planning Division to be a similar use to that which was historically conducted on the premises. As such, the Division believes that the proposed IU would not constitute an excessive burden on streets, parks, or other facilities, especially given the former use as a motor freight terminal. As it is currently operating, few trailers come and go on a daily basis – most sit unmoved for long periods of time. However, the Planning Commission could set a limitation on weekly or daily trips to minimize future traffic impact.

c. *The proposed use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety, and general welfare.* There were no concerns raised at the June 30, 2015, open house regarding the IU for this property. The Planning Division staff believes that, in the short term, the proposed trailer storage would not be injurious to the surrounding neighborhood, especially since the proposed use would generate limited noise, does not deal with chemicals, and would have limited vehicle movements on Fairview Avenue. Similarly, the Division has concluded that the short-term storage of trailers (3 years or less) would not harm the public health, safety, or general welfare of the area.

The proposal does have two issues that could potentially harm public health: 1) If the trailers were to contain items that had the potential to leak hazardous materials that could become an environmental concern; 2) the Fire Marshal has indicated that the current trailer storage configuration is a fire hazard and would be very difficult for the fire department to extinguish if a fire were to occur in the interior. The Fire Marshal has indicated that in order to reduce the fire danger, the IU should include the requirement of a trailer parking plan that provides for stacking of no more than 2 trailers back-to-back, minimum separation between trailers of 5 feet, and fire access lanes. It is also important that the trailers remain locked and secured so that they do not become a magnet for crime.

Although the IU will not likely impose costs, create an excessive burden, or be injurious to the neighborhood, the Planning Division does have concerns with the subject proposal as it is currently operating. Specifically, Twin Lakes has spent decades shedding its image as a center for trucking and is beginning to transition to retail, office, and hotel uses. In addition, in 2016, the City will be extending Twin Lakes Parkway to Fairview Avenue, bringing a higher level of aesthetics to the Fairview area. Allowing mass storage of semi-trailers could be viewed as taking a step backwards towards the previous trucking character. Historically the use of the cross-dock motor freight terminal on this site was low intensity when compared to other motor freight terminals and uses in the area. Aerial photography from 1974 to 2011 indicates trailers at the cross dock and some trucks and trailers parked or stored on the premises. Trucks parked or stored were usually in the north lot adjacent the middle Fairview access on the two concrete strips north of the building. The few vehicles that appear in the front yard seem to be employee vehicles, not semi-trucks or trailers.

The property currently contains more than 100 semi-trailers (Attachment F) parked/stored throughout the premises. This includes approximately 26 trailers in the front yard (the imaginary line extending the width of the lot at the front of the building), 70 parked four deep in the northern lot (includes front yard trailers), 20 at the rear of property and adjacent to the back of the building, and approximately 20 trailers parked along the south of the property. While storage of semi-trailers is not generally a problem, storage of trailers in the front yard has a visual impact on Fairview and the surrounding properties. Such storage also blocks site access and when parked four-deep, eliminates proper vehicle circulation and is considered a fire hazard.

Based on staff discussion and inspection and analysis of the current operation on the premises to ensure that the property does not become an outdoor storage facility, the Planning Division recommends that a storage/staging plan, addressing the following items, must be submitted to the City for review and approval:

- No trailers will be allowed in the front yard or the first 70 feet of the lot from Fairview Avenue.
- No trailers will be allowed to be parked behind the building. This area must be free of trailers to allow for clear vehicle circulation around the building, especially in case of emergency.
- Access to the site shall use the south and middle Fairview access points, and these drive lanes shall be amply sized.
- Trailers parked/stored in the south lot area shall be parked either next to the building or south of the building and must be set back 10 feet from the property line with a minimum of 30 feet between trailer and building for a clear drive lane to the rear and around the building.
- Trailers can be parked back-to-back, but must have a minimum 5-foot separation between trailers.
- All trailers shall be on a paved surface and set back a minimum of 10 feet from the north, east, and south property line.
- Fire lanes shall be provided throughout the site so that emergency apparatus can access the property in case of fire or accident. These access lanes (final width and number) shall be approved the Fire Marshall.

Additionally, the building and site are showing signs of disrepair and will require maintenance and/or improvement, including grass cutting, weed removal, and or shrub care throughout the site. Also, all dock doors need repair as do the trailer coverings along the south docks.

Furthermore, the Planning Division supports the removal of the building and the proper repair and restoration of the site to support additional trailer storage. Should this occur, the Planning Division would require a new plan indicating site access and vehicle maneuverability, as well as a new trailer storage plan.

PUBLIC COMMENT

As of the time this report was prepared, Planning Division staff has not received any comments or questions from the public. The open house, held on June 30, 2015, and attended by two residents and two Planning Commissioners, did not produce any questions, concern, or issues regarding the proposed use.

STAFF RECOMMENDATION

Based on the comments and findings of this report, the Planning Division recommends approval of the proposed INTERIM USE, subject to the following:

1. A trailer storage and staging plan shall be submitted to the City that addresses the following conditions:
    a. No parking of trailers in the first 70 feet of the lot.
    b. No parking of trailers behind the building.
    c. The south and middle access from/to Fairview Avenue and the interior lot drive lanes shall be free of obstructions and be a minimum of 30 feet wide.
    d. Trailers parked/stored in the south lot area shall be parked either next to the building or south of the building and must be set back a minimum of 10 feet from the property line with a minimum of 30 feet between trailer and building for a clear drive lane to the rear and around the building.
    e. Trailers parked in the north parking lot can be parked back-to-back.
    f. All trailers must have a minimum 5-foot separation between each trailer.
    g. All trailers shall be on a paved surface and set back a minimum of 10 feet from the north, east, and south property line.
    h. Fire lanes shall be provided a minimum of 30 feet in width and approved (final width and number) by the Fire Marshal to provide adequate access in case of a fire.
    i. There shall be no outdoor storage of anything except trailers.
    j. Shipping containers, cabs, or other storage is not permitted.
    k. No hazardous or dangerous materials shall be stored in the trailers. No materials that are likely to attract vermin or other pests shall be stored in the trailers.
    l. All trailers shall be locked and secured.

2. Grass, weeds, and shrubs shall be cut or removed from the lot, especially those in the front of the building.
3. If it is to remain, the former cross-dock facility shall be brought up to current property maintenance standards including, but not limited to the following:
   a. All garage doors (west and north) shall be repaired.
   b. All cross-dock trailer covers shall be repaired or removed.
4. This approval shall expire at 11:59 p.m. on September 30, 2018, at which time all trailers at 2720 Fairview Avenue must be removed.
5. Prior to the building being razed, the property owner must submit a site access, vehicle maneuverability, and trailer storage plan to the Planning Division for approval. This plan must also include the restoration of the building area and any subsequent disturbance with an approved surface such as asphalt.

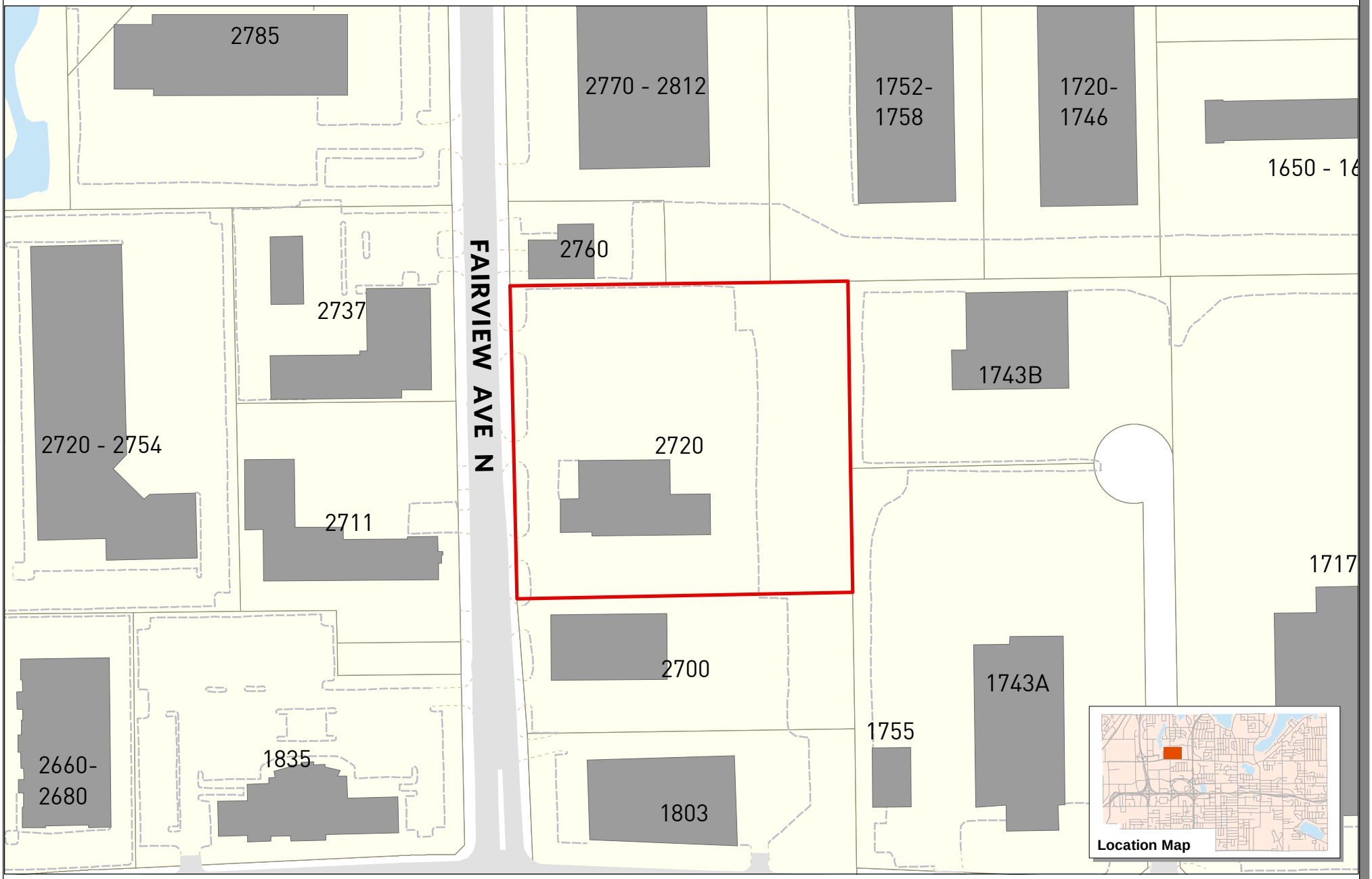
SUGGESTED PLANNING COMMISSION ACTION

By motion, recommend approval of the INTERIM USE allowing outdoor storage of semi-truck trailers at 2720 Fairview Avenue, based on the comments and findings and the recommendation of this staff report.

Prepared by: City Planner Thomas Paschke 651-792-7074 | Thomas.paschke@cityofroseville.com

Attachments:
- A: Area map
- B: Aerial photo
- C: Written narrative
- D: Open house summary
- E: Historical aerial photos
- F: Site photos

Attachment A for Planning File 15-016



ROSEVILLE

Prepared by:
Community Development Department
Printed: August 17, 2015

Site Location

LR / LDR-1 Comp Plan / Zoning Designations

Data Sources

* Ramsey County GIS Base Map (8/2/2015)

For further information regarding the contents of this map contact:
City of Roseville, Community Development Department,
2660 Civic Center Drive, Roseville MN

Disclaimer

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Attachment B for Planning File 15-016

ROSEVILLE

Prepared by:
Community Development Department
Printed: August 18, 2015

Site Location

Data Sources
* Ramsey County GIS Base Map (8/2/2015)
* Aerial Data: MnGeo (4/2012)

For further information regarding the contents of this map contact:
City of Roseville, Community Development Department,
2660 Civic Center Drive, Roseville MN

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RPMC
Roseville Properties Management Company

Request for Interim Use Permit

Address: 2720 Fairview Ave N, Roseville, MN

Owner's Representative: Chad Commers

History:

This property housed a trucking cross dock, repair, and storage facility for decades. Current ownership purchased it and continued to use it as such while the surrounding Twin Lakes area continued to find its identity. However, now the structure is becoming more and more need of expensive capital repairs to extend its life. Given that the surrounding community is moving forward with a number of proposals, ownership feels it would not benefit anyone to extend the life when everyone would prefer redevelopment to occur.

Interim Use Request:

Until the greater Twin Lakes area, including the 20 acre parcel adjacent to the east has defined its long term zoning, pedestrian and vehicle access points, and users, it is premature to redevelop this property in a way that could hinder the larger vision. Due to this, ownership and the applicant are requesting an interim use permit that would allow for the continued storage and staging of trailers and vehicles at this site until a tenant is identified for whom a building can be constructed.

Kindest Regards,

Chad Commers

Roseville Properties Management Co.

651-633-6312

RPMC
Roseville Properties Management Company

RE: 2720 Fairview Ave. N & 2211 County Road C2 W Open House for Interim Use Permit

On Tuesday June 30th, 2015, as required by Roseville City Code, RPMC held an open house in the Fireside Room at the John Rose Oval. This open house was publicized as required to the appropriate individuals and businesses on the list developed by Roseville City Staff.

Carol Erickson, Lisa McCormick, Jim Bull and Jim Daire were present at the open house. RPMC presented some of the projects which have been competed over the last fifteen years in Roseville and explained the history of RPMC back to 1978 when the first investments in Roseville were made. Next, everyone discussed the two sites that were the impetus for the open house, historical uses as trucking related sites, current uses as trailer storage, and how these sites were simply being "warehoused" as Mr. Daire categorized it, until market conditions and surrounding development provide the opportunity for a viable redevelopment plan that could be acted on. Furthermore, and specific to 2720 Fairview, it was discussed that RPMC is exploring the option of tearing down the existing structure to prepare the site for future redevelopment as well as to allow for increased trailer storage in the interim to offset some of the costs involved with ongoing expenses and the demolition. In addition, RPMC's current 2015-2016 capital improvement projects of 2575 Fairview (2015) and 2579 Fairview (2016) were described to those in attendance in an effort to properly convey that RPMC feels it is best practice to focus on developing great results through detailed attention to fewer projects, versus opening the door to mediocre results by spreading ourselves to thin. My impression was that everyone understood and agreed with this approach, and because of that, as well as in light of a fifteen year capital improvement history within the City of Roseville, all were in favor of an granting our requests for Interim Use Permits for both sites. That sentiment is also in line with numerous phone calls I received from recipients of the mailer giving notice of the open house, so the conclusion I have reached is that the community is supportive of granting an Interim Use Permit for both sites.

Sincerely,

Chad Commers

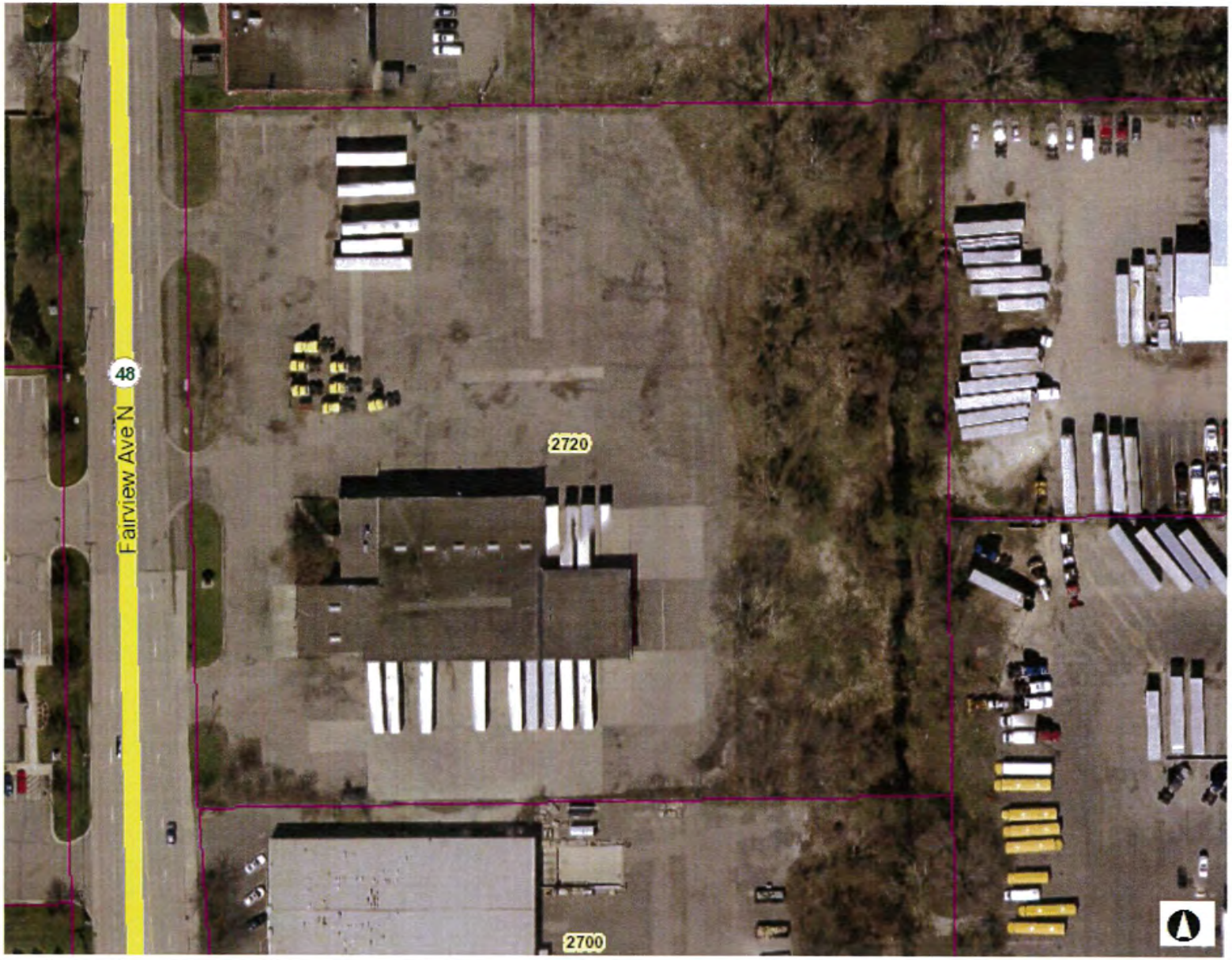
Chad Commers

Vice President

Roseville Properties Management Co.

MapRamsey

2011 Aerial



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- 2 Recreational Centers
- Parcel Points
- Parcel Boundaries
- County Borders

Notes

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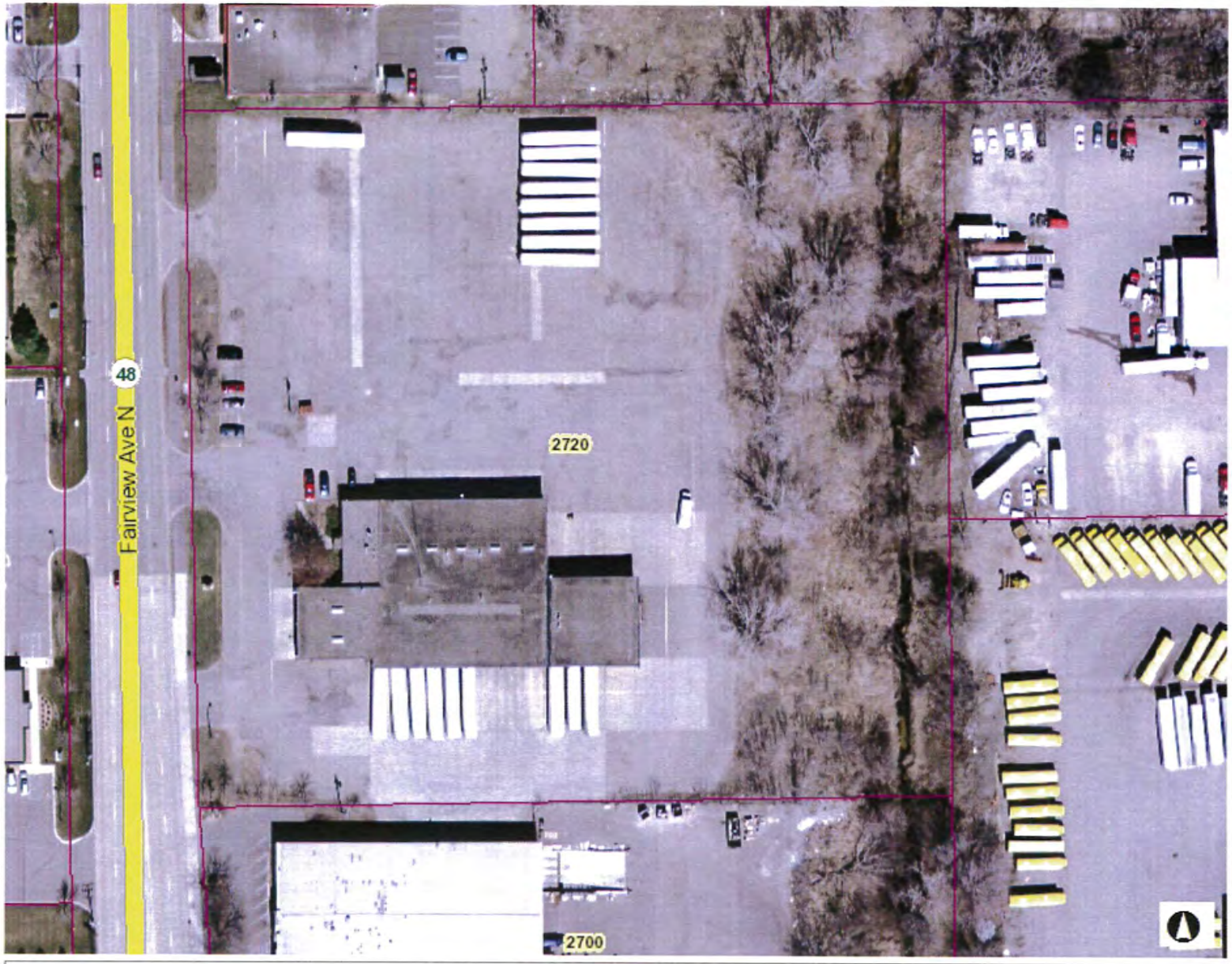
MapRamsey

2009 Aerial



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MapRamsey

2008 Aerial

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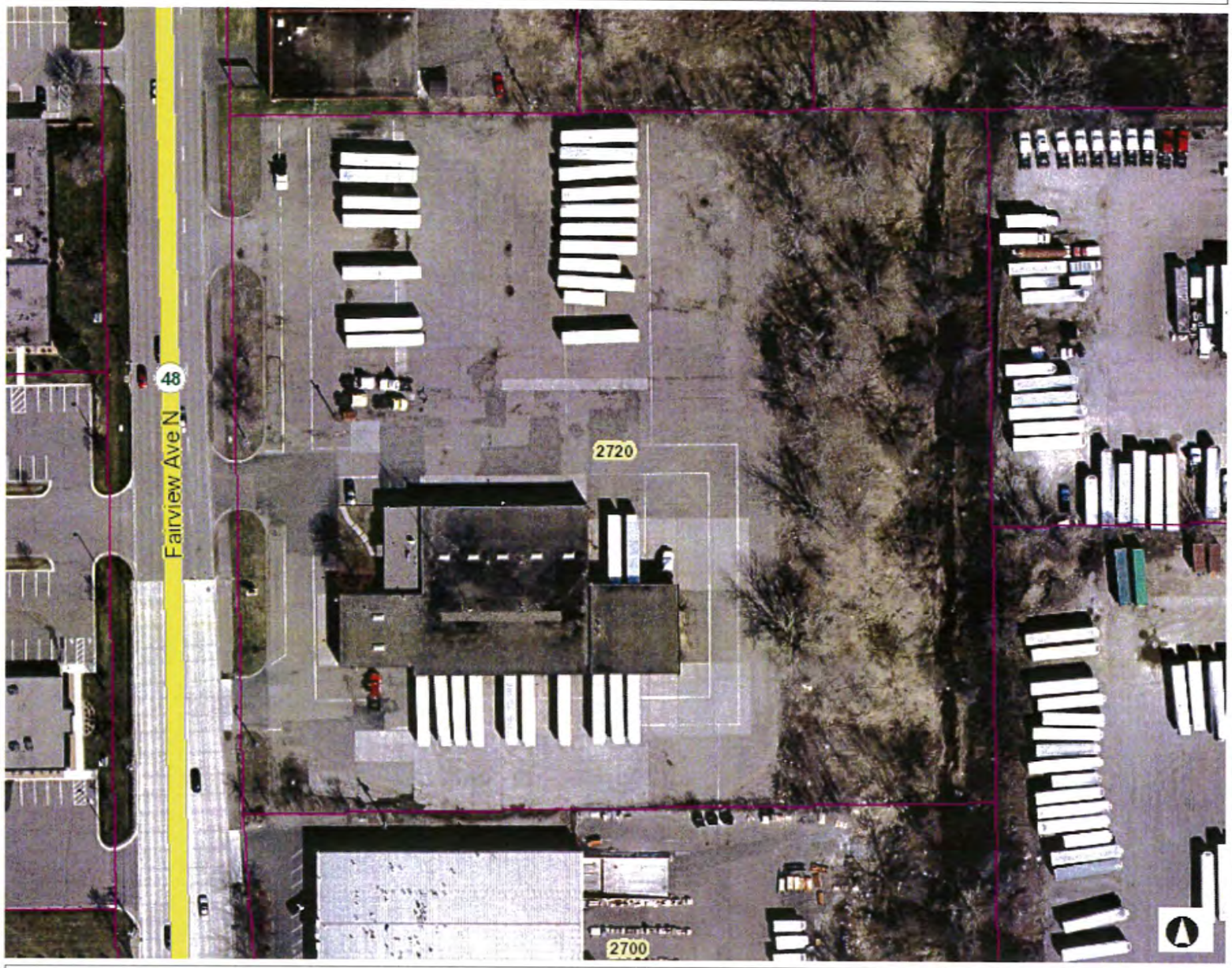
MapRamsey

2006 Aerial



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MapRamsey

2003 Aerial

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1991 Aerial

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MapRamsey

1985 Aerial

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- 2 Recreational Centers
- Parcel Points
- Parcel Boundaries
- Airports

Notes

Enter Map Description

MapRamsey

1974 Aerial

400.0 0 200.00 400.0 Feet

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Legend

- City Halls
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- GISRASTER.GISPUB.IMAGE
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  - Low : 0
- Airports

Notes

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Village
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AVAILABLE
CROSS DOCK FACILITY

Village
UTO & TRANSMISSION
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AttachmentFA

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Attachment B

Planning Commission Regular Meeting
City Council Chambers, 2660 Civic Center Drive
EXCERPT OF DRAFT Minutes – Wednesday, September 2, 2015

a. PLANNING FILE 15-016

Request by Roseville Properties, with property owners Pinecone-Fairview, LLC and 2720 Fairview DCE, LLC, for approval of outdoor semi-trailer storage at 2720 Fairview Avenue as an INTERIM USE

Chair Boguszewski opened the public hearing for Planning File 15-016 at approximately 7:57 p.m.

City Planner Thomas Paschke briefly reviewed the history of this parcel and request of Roseville Properties for an Interim Use (IU) to use the former cross-dock freight terminal, mainly a parking lot, for the storage of semi-trailers throughout the site to, as detailed in the staff report dated September 2, 2015. Mr. Paschke displayed the site plan and aerial maps showing cross-dock freight terminals from past uses; with this IU proposed at three years until the property becomes more marketable, at which time the existing structure will be razed, as detailed in the narrative found in Attachment C. Mr. Paschke advised that specific requirements in staff's analysis for an IU were addressed in the staff report; with key issues related to public health addressed on page 3, and Item C containing recommendations of the City's Fire Marshal.

Mr. Paschke concluded that staff recommended approval of the three-year IU as conditioned extensively on pages 5 – 6 of the staff report.

At the request of Member Murphy, the applicant provided an aerial view of the site today at 2720 Fairview Avenue.

Chair Boguszewski clarified that, as it now stands under current City Code and Zoning Ordinance, this use is prohibited with the City having notified the applicant of that prohibition and giving notice to remove the current use; at which time the applicant filed this IU application for Planning Commission recommendation and ultimate resolution by the City Council.

Mr. Paschke affirmed that summary.

Unlike so many applications coming before the Commission, Chair Boguszewski noted that among the numerous conditions recommended by staff, none of them included a screening or fence.

Mr. Paschke responded that the lot was too large for any fence to adequately screen the trailer storage use; and therefore was not included as a condition of approval.

Noting the condition that trailers be moved back 70', Member Cunningham questioned if a fence wouldn't help to some degree, since now they're stored really close to the street, but if moved back with a fence installed, it provided much better aesthetics.

Mr. Paschke stated that a fence would need to be extremely high to screen the trailers, since they were higher than a typical fence height under City Code requirements. Mr. Paschke further noted that the purpose of a fence is to hide or screen something, which would not be achieved visually and prove futile, nor would it make financial sense for the applicant for a short-term use. Using the example cited by Member Cunningham for the Boaters Outlet property fencing, Mr. Paschke noted that that the fence screened a majority of boats stored on that site, but there were not as high as these trailers.

At the request of Member Cunningham, Mr. Paschke clarified that there was nothing in current City Code requiring screening of this type of use with a fence. Mr. Paschke stated that he was also not sure code would require an 8' screen all around the parcel even if a requirement; especially since this is a unique use, the storage of trailers, and not actually a motor freight terminal use.

At the request of Member Murphy, Mr. Paschke confirmed that this property is currently zoned and at the time of its last sale approximately 24 months ago was zoned as Community Mixed Use (CMU) and proposed for future zoning as CMU-3.

Member Murphy therefore noted that, at the time of sale, the purchaser knew that this was a nonconforming use under CMU zoning designation or under proposed zoning to be considered later this evening under Project File 0026.

Mr. Paschke advised that whether or not the use was conforming or legally nonconforming at the time of sale, since there may have still been a motor freight use actively using the site, that use had ceased to exist as the property had been vacant or not been used for that particular use for over one year, and in accordance with State Statute was therefore no longer a considered a legal nonconforming use that had been previously grandfathered in. Therefore, Mr. Paschke advised that the applicant had filed this IU request to address that use until the property was marketed for a higher and better use.

At the request of Member Murphy, Mr. Paschke clarified that proper term for this requested use was "outdoor storage of trailers;" and confirmed that such a use was not allowed elsewhere in the City as a separate and distinct use. Other than a specific truck terminal use, Mr. Paschke advised that the City no longer allowed the outright outdoor storage of trailers and had been prohibited as a separate use during his entire tenure with the City of Roseville.

Member Murphy noted then, that in consideration of the general welfare of the City, such a use was not allowed anywhere in the City today; and questioned if another type of use (e.g. pawn shop) could be potentially allowed as an IU when not actually allowed going forward, noting several other properties west on Fairview Avenue requesting similar IU approval.

Member Murphy asked who monitored or enforced the storage within those trailers (e.g. hazardous waste, combustibles, etc.).

Mr. Paschke responded that staff did not track it and it was a trust factor; and that the contents in these particular trailers and on this property indicated that until or unless betrayed that trust was inherent in allowing the use.

Noting the location of the communication antennae on this site, which Mr. Paschke advised he would need to research further since it was on private versus public property, and whether or not the City could require its removal within a certain time frame. Mr. Paschke suggested the Commission could add an additional condition for staff to work with the applicant on removal of that antenna within the next three years, depending on whether rit fell within the commercial tower provisions of City Code without further staff review.
Given the City's revised site maintenance standards for commercial occupancy, Member Murphy asked if the current state of the property met today's standards.

Mr. Paschke responded that it did not do so 100%; and staff might seek to remedy them in certain areas, thus the recommended conditions for approval (e.g. dock doors and coverings or protection of trucks backing up since some seemed to be falling off the

building or in slight disrepair; minor repairs needed of garage doors on the north side; and overgrown weeds and grass). Mr. Paschke opined that overall the building looked fairly good with some minor repairs; and noted that other City Departments may have other infractions to address over time for things that had yet to be included or acknowledged to-date.

Member Murphy noted the advertisement of electrical hook-ups, not currently in use; and opined that from his perspective, this was not a good site for refer connections, suggesting that an additional condition be applied that no electricity shall be supplied to trailers under this IU.

Mr. Paschke concurred that would be a valid additional condition.

At the request of Member Murphy, Mr. Paschke reviewed the potential timeframe to determine if the building remained or was razed, advising that at some point the owner would determine if the upkeep was costing more than the building was worth, but suggested leaving that decision up to the property owner versus conditioning it as part of this IU.

At the request of Member Murphy, Mr. Paschke advised that the conditions of approval would initiate upon approval of the IU for completion within a reasonable time depending on the weather and approval process yet this fall.

Member Bull sought clarification of where the trailers will actually be parked, as some are stored in the south lot next to the building, but it was also conditioned that IU approval required a property line setback of a minimum of 30' between the trailers and building.

Mr. Paschke clarified that this condition was looking at those trailers parked next to the building; similar to the aerial map and was intended to address traffic flow on the site by relocating the drive lane running along the building. Mr. Paschke opined that whether or not the trailers could still be positioned there remained an unknown at this time.

Chair Boguszewski suggested minor tweaking of recommended condition 1.d to clarify their location of at least 30' from the building.

At the request of Member Bull, Mr. Paschke clarified staff's interpretation of the front yard requiring 70' setback; and clarified that it wasn't an arbitrary location for the front yard given the history of that site and what the City desired and did not desire in a commercial front yard.

Chair Boguszewski suggested further tweaking of conditions stating "no trailer parked further west of the line drawn in front of the building requiring a 70' setback" that would prevent theoretically extending the face of the building.

Member Bull asked if there was available definition of hazardous or dangerous materials with the intent to eliminate any vagueness of that requirement.

While unsure of the actual definition, Mr. Paschke advised that it would address anything potentially combustible or erodible.

Member Murphy noted that the Fire Marshal would be well versed in that definition and all it entailed.

Regarding the "Big Blue Box" reference in the packet, Member Stellmach sought clarification of what that meant.

Mr. Paschke advised that this was the owner of the current trailers located on the site.

At the request of Member Stellmach, Mr. Paschke confirmed that the IU and conditions for approval could be terminated if not complied with at any time during the three year term.

At the request of Chair Boguszewski, Mr. Paschke reviewed the process for such a termination, including an initial written notice to the applicant of the violation of noncompliance with one or more conditions seeking their immediate remedy; and if not done, seeking formal termination of the IU itself in accordance with the legal due process followed by the City Attorney's office, and similar to other applications requiring approval of the Commission through a public hearing process and subsequent City Council action, followed by legal recourse. Mr. Paschke advised that during his tenure, he had never had such a situation occur due to noncompliance.

Applicant Representatives

Chad Commers, Vice President, Roseville Properties Management Co. (RPMC)

For those unfamiliar with Roseville Properties, Mr. Commers provided a brief history of their firm, with their acquisition portfolio including properties in Roseville since 1978. Over that time, Mr. Commers noted the decades-long process of improving and reinvesting in the community through upgrades of those properties, advising that their company was here for the long-term.

Mr. Commers advised that this particular property was acquired over a decade ago and had been used as a motor freight terminal until that tenant left to acquire a larger facility, at which time Roseville Properties continued to lease the property for a variety of uses. Mr. Commers admitted it had been his oversight that caused the current situation in losing the grandfathered or legal nonconforming use, thus the request currently before the Commission.

Mr. Commers advised that this site was not achieving its maximum potential for their firm or for the City for the long0term, and therefore the IU request was simply to bring in some cash flow while their firm finished improvements and renovations to two of their other properties (Play It Again Sports and Petco), at which time they intended to begin marketing this parcel and the property immediately adjacent for potential renovation in the spring and summer of 2016. Depending on market conditions, Mr. Commers advised that the company's intent was to get something going within the next 2-3 years. Mr. Commers verified that his firm's intent was to raze the building if the IU is granted; and continue to use the property for trailer storage, and simply backfill that former building footprint once raised for additional trailer storage during the term of the IU.

According to the attachments to the staff report, Member Cunningham noted that it appeared approximately 100 trailers were currently being stored on the property, and questiond how many were anticipated if and when the building was razed.

Mr. Commers responded that, once the building was razed, it would depend on the amount of the site required for setbacks and drive lanes as conditioned by staff, and currently being revised and drawn up by the architect for Roseville Properties.

With Member Cunningham noted that the lot appeared to be packed in tight on the site now, Mr. Commers admitted the lot was fairly full, but if the IU is approved, there will probably be room for fewer trailers, depending on the results once the actual schematics are finalized.

Chair Boguszewski noted that razing the building should accommodate some of the room lost through setback and drive lane requirements.

At the request of Member Murphy, Mr. Commers addressed the contents of trailers currently on the lot advising that they were excess storage for Goodwill Industries, and therefore should be no reason for any concern about hazardous substances.

However, Member Murphy clarified that the Fire Marshal may have valid concerns with combustibles stored in the trailers on the subject property and potential fire issues with adjacent buildings with arson potentials of those combustible materials.

Mr. Commers responded that no igniter was evident within a significant distance with the subject property surrounded by vacant parcels.

Public Comment

Carole Erickson, 1996 Langton Lake Drive – Applewood Point

Ms. Erickson stated that she had been a big supporter of Roseville Properties for years, but was concerned in granting this use given the substantial number of years the City of Roseville had been trying to shed the image in the Twin Lakes Redevelopment Area from a trucking center and transitioning to office and hotel uses. Ms. Erickson noted that the City had worked hard to redevelop that entire area to make it more aesthetically pleasing for residents and those travelling through the community. Therefore, since this is not a permitted use, Ms. Erickson opined that a one year IU term versus a 3 year term for the owner to get the property cleaned up and get rid of truck storage would be much more acceptable. Ms. Erickson further opined that the trailers currently parked there continued to be an eyesore.

Chair Boguszewski closed the public hearing at approximately 8:37 p.m.; with no one appearing for or against.

Commissioner Position Statements

At the request of Member Cunningham, Mr. Paschke advised that the proposed 3 year IU term was based on past practice with IU's not typically being granted beyond 5 years unless through the renewal process. Over the last few years, Mr. Paschke advised that the typical IU term was for three years, but noted it could be less if the Planning Commission chose to do so. However, Mr. Paschke opined that he thought a 3 year term was viable for both the property owner, their tenant(s), and the City if the result was eventually achieving a higher and better use for the site, which at one time was motor freight terminal and similar uses.

At the request of Member Cunningham, Mr. Paschke confirmed that any IU application had the option of seeking an extension.

Chair Boguszewski stated that he had some concerns with this particular IU, opining that he found the sheer number of conditions to make it palatable to be staggering. In addition, Chair Boguszewski noted suggestions by his colleagues to add even more conditions (e.g. fencing, no electrical power for refer trailer storage, etc.), and also concerns with the vagueness of the City's ability to monitor or enforce what is stored in those trailers depending on the particular tenant going forward. Even though these current trailers are Goodwill Industries-affiliated trailers, Chair Boguszewski noted there was no satisfactory response to the concerns raised by Member Murphy regarding monitoring storage or how that would be realistically accomplished. While agreeing that additional conditions were indicated as previously discussed, and his support for an IU term less than 3 years, Chair Boguszewski agreed with the comments of Ms. Erickson regarding this being a step backwards for the Twin Lakes Redevelopment Area, especially with upcoming completion of Twin Lakes Parkway, and serving as a step in reverse for improving the character of this particular sub-neighborhood that was looking for an aesthetic upgrade. If this IU request was for a different part of town, Chair Boguszewski opined that he might find it easier to consider, but not here when there was

a direct attempt to upgrade the aesthetics. Chair Boguszewski opined that he, and probably numerous other Roseville residents, would concur with the comments expressed by Ms. Erickson, but also shared her appreciation for all Roseville Properties had done in the community to-date. However, Chair Boguszewski opined that this use was not the best fit on this site, and therefore, he was not leaning toward recommending its approval at this point.

Member Bull advised that he had attended and spoken to Mr. Commers and his father at their open house for this project; and recognized their other work currently being finished on other acquisitions before addressing this site, and trying to make it income-producing until it could be marketed for a better and higher use. Member Bull noted that the proposed use under the IU request had been historically compatible with this property, and given the proposed 3 year term and commitment by the owner to raze the building seemed to move forward with a better use of the site. Member Bull noted that by razing the building and restoring the surface area within that three year timeframe would allow Roseville Properties to recoup some of their costs. However, if the property owner found a viable tenant within 6-12 months, he felt confident they would accelerate plans accordingly. Member Bull opined that the number of conditions recommended by staff seemed sufficient, without getting even more excessive with additional conditions, including the requirement to park trailers back to back.

Member Murphy clarified that this requirement for parking was a state requirement for a 5' separation for security purposes when trailers were parked parallel to each other.

Member Bull stated he would support the IU request with a few wording changes.

Member Stellmach stated that he was leaning toward supporting the 3-year IU request, opining that safety issues would improve with the staff-recommended conditions to the IU, and in consideration of the property owners' apparent interest in the goal of transitioning the property sooner than later, and which he would then support them in those efforts.

Member Cunningham admitted she struggled in approving a 3 year IU when so much remained up in the air with this area, and the Twin Lakes parkway, opining that it may prove discouraging for residents to see this unsightly storage in an area focused on redevelopment. While appreciating the 70' front yard setback condition, Member Cunningham stated that she could not support a 3 year IU, but would be more amenable to a 1 or 2 year IU.

Chair Boguszewski noted that the Commission could choose to amend the IU term at their discretion.

Based on the plans outlined by Mr. Commers, Member Cunningham suggested that a 2 year IU term seemed reasonable based on current market conditions, while still allowing them to return to the Planning Commission for an extension of the IU if market conditions dictated it.

Chair Boguszewski stated that he was not convinced that a fence or visual barrier screening of the site wouldn't also improve the application from his perspective.

Member Cunningham noted that it may just be the uniqueness of this site since the next IU request proposed fencing.

Mr. Paschke responded that there was a difference in the IU requests based on their specific use, with the other request consisting of a contractor yard that functioned much differently than this and requiring screening at a lower level than could be achieved with

the trailer storage use. Mr. Paschke opined that a massive wall that would need to be created to screen this IU use would be more unsightly than the trailers, and would not serve to address the functioning of the site required by the Fire Marshal to address his concerns. Mr. Paschke advised that this was part of the rationale in staff recommending the 3-year term and no fence requirements on this parcel based on uses on the east side of Fairview Avenue also having a lot of outdoor storage on those sites and similar to how this site functioned in the past. Given the intent of the owner to raze the existing building and redevelop the sit in the short-term, Mr. Paschke opined a term of 2-3 years was better from his perspective, and without knowing how those properties on the east side of Fairview Avenue would eventually develop.

Community Development Director Paul Bilotta addressed the fencing specific to this IU application, noting that most IU terms were for a full 5 years, with potential extension if remaining compliant. However, Mr. Bilotta noted that neither the applicant nor the City was interested in extending this particular use for 10-15 years. Mr. Bilotta advised that one reason a fence was included in this IU approval and conditions was to not place an additional performance requirement on the site or asking the property owner to invest significantly on the site's value under this IU use. While it was at the discretion of the Planning Commission and subsequently the City Council, Mr. Bilotta advised that staff's rationale was that it would be better to simply get the trailers further back on the lot and not require a fence that may imply that the property owner had long-term rights for these IU activities, and thereby encouraging redevelopment of the site for a higher and better use.

In looking at Fairview Avenue based on its past and where it appear to be moving and general welfare concerns for the neighborhood in allowing this IU, Member Murphy stated that he didn't feel he could support the request. In looking back to 2006 or even 2011, Member Murphy noted there was much more empty space and less trailer storage on this sit than current; and opined that the door had therefore officially been closed on that legal, nonconforming use and it would set a bad precedent to reopen that door. Recognizing other enforcement actions going on throughout the City through the Neighborhood and Business Enhancement Programs (NEP and BEP), Member Murphy noted this use was no longer allowed anywhere within the City today under any CMU subcategory, making it difficult to consider approval at his location on Fairview Avenue.

Chair Boguszewski asked Mr. Commers the average length of time any one trailer was stored on the property or their transition in and out.

Mr. Commers advised that these trailers were not typically moved in our out, making this tenant and use less onerous on streets and the neighborhood that previously found and that could ease some of the concerns expressed by Commissioners. Mr. Commers expressed his firms' desire to move this forward, and noted their ownership of other properties elsewhere in Roseville, including some parcels directly across the street from this subject site, allowing them better control of the area. However, Mr. Commers also noted that Roseville Properties continued to be caught in a position of uncertainty about the Twin Lakes Redevelopment Area, which had been the case for some time now, with this twenty-acre site serving as a lynchpin that he saw setting off redevelopment of this broader area. In an effort to further ease some of the concerns of the Commission, Mr. Commers offered to sign this parcel that future development is coming and a potential timeframe for that redevelopment for the benefit of residents driving down the street to assure them the City was not taking a step backward and hopefully send a clear message that redevelopment was coming. Mr. Commers reiterated that the goal was to assure the community that property owners and the City were taking positive steps forward to redevelop these properties.

Regarding the timeframe, Member Bull noted that if a 2 year IU term was provided, the property owner would need to make a decision within eighteen months whether or not to extend the IU or the City Council would need to start making plans for vacating it. Therefore, Member Bull suggested a 3 year IU seemed more appropriate for decision-making for all parties.

Member Cunningham asked Mr. Commers if a 2 year IU term was worth their time.

Mr. Commers responded that staff had agreed to a 3 year maximum term and would not budge on a longer term. Therefore, Mr. Commers noted that it only provided more incentive for them to get this site redeveloped as soon as possible, since it isn't a profitable site in its current use or condition, and not even covering taxes with current revenues under current zoning restrictions. Mr. Commers reiterated the intent of Roseville Properties in even pursuing this IU was an attempt to offset expenses and get out of that situation as soon as possible, allowing a certain amount of time to come up with ideas and start that process. Mr. Commers advised that a 3 year IU term would be preferable, but even if a 2 or 2.5 year term, they would take what they could get, since they were at the mercy of the Commission and City Council, but reiterated that Roseville Properties was in it for the long haul.

Chair Boguszewski noted that it still didn't preclude Roseville Properties from coming back for an extension if things didn't work out, with Mr. Commers responding that he remained optimistic that the next great deal was forthcoming.

Chair Boguszewski stated that this additional discussion had not served to move him from his previous position, opining that something determined to be an undesirable use on this 40,000 square foot property continued to be undesirable even if intended for the short term until something better could be found. Considering the long-term plan for this area and from a process perspective, Chair Boguszewski stated that he was not amenable to making a motion to support this IU request.

Before considering revising the proposed conditions for approval of this IU, Member Murphy suggested another solution seeking a proposal everyone could support, suggesting a motion to DENY approval of the IU rather than attempting to approve it with yet more conditions to make it more palatable.

Before taking that step, Member Cunningham sought consensus on the potential of changing the term, reiterating her hesitancy in allow this IU on this parcel and in agreement with Chair Boguszewski. However, Member Cunningham admitted she would be much more amenable with a 2 year IU term to assure neighbors that there was a light at the end of the tunnel rather than voting to DENY the IU request entirely.

Member Cunningham moved, seconded by Member Bull to recommend to the City Council approval of the INTERIM USE allowing outdoor storage of semi-truck trailers at 2720 Fairview Avenue; based on the comments, findings, and conditions contained the project report dated September 2, 2015; ***amended as follows:***

- ***Condition 1.d is amended to read: "Trailers parked/stored in the south lot area shall be parked either next to the building or sough of the building [, OR] [~~and~~] must be set back a minimum of 10 feet from the property line with a minimum of 30 feet between trailer and building for a clear drive lane to the rear and around the building."***
- ***Condition 2 amended to read: "… and the site shall be maintained through the duration of this IU."***
- ***Condition 4 amended to read: "This approval shall expire at 11:59 p.m. on September 30, [~~2018~~] [2017], reducing the proposed approval term of this IU from 3 years to 2 years; and expiring on September 30, 2017."***

- ***Condition Additional Condition: "No electricity will be supplied for use with this trailer storage (e.g. no refer trailers)."***

FRIENDLY AMENDMENT
Member Murphy moved, seconded by Member Cunningham a friendly amendment to add a condition (#3.c) that the existing building antennae shall be brought into conformance with City Code or removed.

The maker and seconder of the original motion were in agreement with this friendly amendment.

MOTION (as amended)
Aye: 3 (Bull, Cunningham, Stellmach)
Nay: 2 (Murphy and Boguszewski)
Motion carried.

This case is tentatively scheduled to come before the City Council at their September 28, 2015 meeting.

EXTRACT OF MINUTES OF MEETING OF THE CITY COUNCIL OF THE CITY OF ROSEVILLE

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota, was held on the 28th day of September 2015 at 6:00 p.m.

The following Members were present: _____;
and the following Members were absent: _____.

Council Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____
A RESOLUTION APPROVING A TEMPORARY OUTDOOR STORAGE OF SEMI-TRUCK TRAILERS AS AN INTERIM USE AT 2720 FAIRVIEW AVENUE (PF15-016)

WHEREAS, Pinecone-Fairview, LLC and 2720 Fairview DCE, LLC (Roseville Properties) has applied for approval of the proposed temporary outdoor storage of semi-truck trailers as an INTERIM USE of the property at 2720 Fairview Avenue; and

WHEREAS, the property at 2720 Fairview Avenue is legally described as:

PIN: 04-29-23-43-0002

Requires Legal Description

WHEREAS, the Roseville Planning Commission held the public hearing regarding the proposed INTERIM USE on September 2, 2015, voting 3 – 2 to recommend approval of the use based on testimony offered at the public hearing as well as the information and analysis provided with the staff report prepared for said public hearing; and

WHEREAS, the Roseville City Council has determined that approval of the proposed INTERIM USE will not result in adverse impacts to the surrounding properties based on the following findings:

a. The proposed INTERIM USE for temporary outdoor storage of semi-truck trailers would not be expected to have significant negative effects on the land because the trailers, whether empty or including non-hazardous content (City understands that many of the semi-trailers are currently loaded with clothes, furniture, and other items, which are the property of Goodwill Industries) can easily be removed from the premises, and the use is anticipated to have minimal vehicular activity as the site will be used mainly for storage, can easily be removed from the premises, and the use is anticipated to have minimal vehicular activity as the site will be used mainly for storage. There is, however, a financial burden tied to the removal of approximately 100 semi-trailers, should the City be required to remove them. If the applicant began to store trailers that contained other types of cargo, there could be additional environmental risks.

b. The proposed INTERIM USE for temporary outdoor storage of semi-truck trailers does not constitute an excessive burden on streets, parks, or other facilities because the proposed use is very similar to the former and historic use of the premises as a motor freight terminal. Although in its former life the site was occupied with fewer trailers and included daily movements to and from the cross-dock facility, the proposed use will be predominately trailer storage where trailers are anticipated to sit unmoved for long periods of time; and

c. The proposed INTERIM USE for temporary outdoor storage of semi-truck trailers, in the short term, would not be injurious to the surrounding neighborhood, especially since the proposed use would generate limited noise, does not deal with chemicals, and would have limited vehicle movements on Fairview Avenue. Short-term storage of trailers (3 years or less) would not harm the public health, safety, or general welfare of the area, but the proposal does have two issues that could potentially harm public health: 1) if the trailers were to contain items that had the potential to leak hazardous materials that could become an environmental concern; 2) the Fire Marshal has indicated that the current trailer storage configuration is a fire hazard and that it would be very difficult for the fire department to extinguish a fire if one occurred in the interior. The Fire Marshal has indicated that in order to reduce the fire danger, the IU should include the requirement of a trailer parking plan that provides for the stacking of no more than 2 trailers back-to-back, requires a minimum separation between trailers of 5 feet, and has fire access lanes. It is also important that the trailers remain locked and secured so that they do not become a magnet for crime.

NOW THEREFORE BE IT RESOLVED, by the Roseville City Council, to APPROVE the proposed INTERIM USE for temporary outdoor storage of semi-truck in accordance with Section §1009.03 of the Roseville City Code, subject to the following conditions:

1. A trailer storage and staging plan shall be submitted to the City that addresses the following conditions:
    a. No parking of trailers in the first 70 feet of the lot.
    b. No parking of trailers behind the building.
    c. The south and middle access from/to Fairview Avenue and the interior lot drive lanes shall be free of obstructions and be a minimum of 30 feet wide.
    d. Trailers parked/stored in the south lot area shall be parked either next to the building or south of the building or must be set back a minimum of 10 feet from the property line with a minimum of 30 feet between trailer and building for a clear drive lane to the rear and around the building.
    e. Trailers parked in the north parking lot can be parked back-to-back.
    f. All trailers must have a minimum 5-foot separation between each trailer.
    g. All trailers shall be on an approved all-weather surface and set back a minimum of 10 feet from the north, east, and south property line.
    h. Fire lanes shall be provided a minimum of 30 feet in width and approved [final width and number] by the Fire Marshal to provide adequate access in case of a fire.
    i. There shall be no outdoor storage of anything except trailers.

j. Shipping containers, cabs, or other storage is not permitted.

k. No hazardous or dangerous materials shall be stored in the trailers. No materials that are likely to attract vermin or other pests shall be stored in the trailers.

l. All trailers shall be locked and secured.

2. Grass, weeds, and shrubs shall be cut or removed from the lot, especially those in the front of the building and the site shall be maintained through the duration of this IU.

3. If it is to remain, the former cross-dock facility shall be brought up to current property maintenance standards including, but not limited to the following:

   a. All garage doors (west and north) shall be repaired.

   b. All cross-dock trailer covers shall be repaired or removed.

4. This approval shall expire at 11:59 p.m. on September 30, 2017, reducing the proposed approval term of this IU from 3 years to 2 years; and expiring on September 30, 2017.

5. Prior to the building being razed, the property owner must submit a site access, vehicle maneuverability, and trailer storage plan to the Planning Division for approval. This plan must also include the restoration of the building area and any subsequent disturbance with an approved surface such as asphalt.

6. Condition Additional Condition: "No electricity will be supplied for use with this trailer storage (e.g. no refer trailers).

AND BE IT FURTHER RESOLVED, by the Roseville City Council that representatives of the property owner and the applicant shall sign the form attached to this resolution to acknowledge that each has received, reviewed, and understood the terms and conditions of the approval and agrees to abide by said terms and conditions prior to commencement of the drive-through activity.

The motion for the adoption of the foregoing resolution was duly seconded by Council Member _____ and upon vote being taken thereon, the following voted in favor: _____; and _____ voted against.

WHEREUPON said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said City Council held on the 28th day of September 2015 with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 28th day of September 2015.

_____
Patrick Trudgeon, City Manager

(SEAL)

I, the undersigned, do hereby acknowledge that I have received, reviewed, and understand the attached and foregoing extract of minutes of a regular meeting of the Roseville City Council held on the 28th day of September 2015 and that I agree to abide by the terms and conditions of the approval as they apply to the temporary outdoor storage of semi-truck trailers at 2720 Fairview Avenue.

Representative of Pinecone-Fairview, LLC and 2720 Fairview DCE, LLC (Roseville Properties)

_____

printed name and title

_____ _____

signature *date*