



REQUEST FOR PLANNING COMMISSION ACTION

Agenda Date: 01/09/19

Agenda Item: 6A

Prepared By

Agenda Section

Public Hearing

Item Description: Consider a request by Pinecone-Fairview, LLC and 2720 Fairview DCE, LLC for an Interim Use in support of outdoor semi-trailer storage at 2720 Fairview Avenue (PF18-028).

1 APPLICATION INFORMATION

2 Applicant: Roseville Properties Management Company
3 Location: 2720 Fairview Avenue
4 Property Owner: Pinecone-Fairview, LLC and 2720 Fairview
5 DCE, LLC
6 Application Submission: November 26, 2018
7 City Action Deadline: January 25, 2019
8 Planning File History: PF15-016 – Interim Use

9 Level of Discretion in Decision Making:

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

12 REQUEST

13 Roseville Properties has applied for an Interim Use (IU) in support of Pinecone-Fairview,
14 LLC and 2720 Fairview DCE, LLC to continue the temporary outdoor storage of semi-trailers
15 for an additional three years.

16 An applicant seeking approval for an INTERIM USE is required to hold an Open House meeting
17 to inform the surrounding property owners and other interested individuals of the proposal, to
18 answer questions, and to solicit feedback. The Open House for this application was held on
19 November 19, 2018, and was attended by one citizen, former Planning Commissioner Groff.

20 This application request seeks a three year extension to the original IU while the property is
21 actively being marketed for redevelopment. The proposal does not propose any site
22 improvements or maintenance. A detailed narrative of the proposed use is included with this
23 report as Attachment C.

24 BACKGROUND

25 The subject property is located in City Planning District 10, has a Comprehensive Plan
26 designation of Community Mixed-Use (CMU), and has a zoning classification of Community
27 Mixed-Use-3 (CMU-3) District.

28 The site was initially the home of H & W Motor Express and Central Transport, both motor
29 freight terminal uses. In September 2015, the City Council approved the original IU for
30 outdoor storage by Big Blue Box of semi-trailers (some filled with clothing, furniture, and
31 other items) on the premises, subject to for following conditions:

- 32 1. *A trailer storage and staging plan shall be submitted to the City that addresses the*
33 *following conditions:*
- 34 a. *No parking of trailers in the first 70 feet of the lot.*
- 35 b. *No parking of trailers behind the building.*
- 36 c. *The south and middle access from/to Fairview Avenue and the interior lot drive lanes*
37 *shall be free of obstructions and be a minimum of 30 feet wide.*
- 38 d. *Trailers parked/stored in the south lot area shall be parked either next to the building*
39 *or south of the building and must be set back a minimum of 10 feet from the property*
40 *line with a minimum of 30 feet between trailer and building for a clear drive lane to the*
41 *rear and around the building.*
- 42 e. *Trailers parked in the north parking lot can be parked back-to-back.*
- 43 f. *All trailers must have a minimum 5-foot separation between each trailer.*
- 44 g. *All trailers shall be on a paved surface and set back a minimum of 10 feet from the*
45 *north, east, and south property line.*
- 46 h. *Fire lanes shall be provided a minimum of 30 feet in width and approved (final*
47 *width and number) by the Fire Marshal to provide adequate access in case of a fire.*
- 48 i. *There shall be no outdoor storage of anything except trailers.*
- 49 j. *Shipping containers, cabs, or other storage is not permitted.*
- 50 k. *No hazardous or dangerous materials shall be stored in the trailers. No materials*
51 *that are likely to attract vermin or other pests shall be stored in the trailers.*
- 52 2. *Grass, weeds, and shrubs shall be cut or removed from the lot, especially those in the*
53 *front of the building.*
- 54 3. *If it is to remain, the former cross-dock facility shall be brought up to*
55 *current property maintenance standards including, but not limited to the*
56 *following:*
- 57 a. *All garage doors (west and north) shall be repaired.*
- 58 b. *All cross-dock trailer covers shall be repaired or removed.*
- 59 4. *This approval shall expire at 11:59 p.m. on September 30, 2018, at which time all*
60 *trailers at 2720 Fairview Avenue must be removed.*
- 61 5. *Prior to the building being razed, the property owner must submit a site access,*
62 *vehicle maneuverability, and trailer storage plan to the Planning Division for*
63 *approval. This plan must also include the restoration of the building area and any*
64 *subsequent disturbance with an approved surface such as asphalt.*

65 **REVIEW OF INTERIM USE APPLICATION**

66 To arrive at its recommendation, the Planning Division considers the City code regulations, input
67 gathered at the Open House Meeting, and comments from DRC members. In this case the
68 relevant code section is 1009.03:

69 The purpose statement for this section indicates the following: *Certain land uses might*
70 *not be consistent with the land uses designated in the Comprehensive Land Use Plan, and*
71 *they might also fail to meet all of the zoning standards established for the district within*
72 *which they are proposed; some such land uses may, however, be acceptable or even*
73 *beneficial if reviewed and provisionally approved for a limited period of time. The*
74 *purpose of the interim use review process is to allow the approval of interim uses on a*
75 *case-by-case basis; approved interim uses shall have a definite end date and may be*
76 *subject to specific conditions considered reasonable and/or necessary for the protection*
77 *of the public health, safety, and general welfare.*

78 Additionally, Section 1009.03D.1-3 of the City Code specifies the three specific criteria that
79 must be satisfied in order to approve a proposed INTERIM USE (IU).

80 **Criteria #1:** *The proposed use will not impose additional costs on the public if it is necessary for*
81 *the public to take the property in the future.*

82 Criteria #1 Staff Analysis: This is generally intended to ensure that a particular interim use will
83 not make the site costly to clean up if the City were to acquire the property for some purpose in
84 the future. In this case, the Planning Division understands that many of the semi-trailers are
85 currently loaded with clothes, furniture, and other non-combustible items that are the property of
86 Goodwill Industries. These trailers would pose limited environmental risk to the City if it were to
87 acquire the site; therefore the Planning Division staff believes that the IU would not have
88 significant negative effects on the land. While the property is being actively marketed, there is a
89 financial burden tied to the removal of the semi-trailers currently stored on the premises, should
90 the City be required to remove them. If the applicant began to store trailers that contained other
91 types of cargo, there could be additional environmental risks.

92 **Criteria #2:** *The proposed use will not create an excessive burden on parks, streets, and other*
93 *public facilities.*

94 Criteria #2 Staff Analysis: Storage and staging of semi-trailers is viewed by the Planning
95 Division to be a similar use to that which was historically conducted on the premises. As such,
96 the Division believes that the proposed IU would not constitute an excessive burden on streets,
97 parks, or other facilities, especially given the former use as a motor freight terminal. As it is
98 currently operating, few trailers come and go on a daily basis – most sit unmoved for long
99 periods of time.

100 **Criteria #3:** *The proposed use will not be injurious to the surrounding neighborhood or*
101 *otherwise harm the public health, safety, and general welfare.*

102 Criteria #3 Staff Analysis: The Planning Division staff believes that, in the short term, the
103 proposed trailer storage would not be injurious to the surrounding neighborhood, especially since
104 the proposed use would generate limited noise, does not deal with chemicals, and would have
105 limited vehicle movements on Fairview Avenue. That said, the proposal continues to have two
106 issues that could potentially harm public health: 1) If the trailers were to contain items that had
107 the potential to leak hazardous materials that could become an environmental concern; 2) the
108 Fire Chief's concerns in the past regarding trailer storage configuration that could become a fire
109 hazard and would be very difficult for the fire department to extinguish if a fire were to occur in
110 the interior.

111

112 Although the IU will not likely impose costs, create an excessive burden, or be injurious to
113 the neighborhood, the Planning Division does have concerns with the subject proposal as it
114 is currently operating. Specifically, Twin Lakes has spent decades shedding its image as a
115 center for trucking and is beginning to transition to retail, office, and hotel uses. In
116 addition, the City has made a great investment in the area with the completion of Twin
117 Lakes Parkway and the assistance with the McGough redevelopment at 2785 Fairview
118 Avenue. The City is also working with Colder Products to redevelop the Dorso property
119 into 150,000 sq. ft. world headquarter site as well. That said, allowing mass storage of
120 semi-trailers could be viewed as taking a step backwards towards the previous trucking
121 character. Historically the use of the cross-dock motor freight terminal on this site was
122 low intensity when compared to other motor freight terminals and uses in the area. Aerial
123 photography from 1974 to 2011 indicates trailers at the cross dock and some trucks and
124 trailers parked or stored on the premises. Trucks parked or stored were usually in the north
125 lot adjacent the middle Fairview access on the two concrete strips north of the building.

126 In support of the initial IU, the applicant provided staff with a trailer plan that includes proper
127 setbacks from property lines, proper drive lane width, and no trailers parked behind (east side)
128 the building. One thing the illustration does not include is the required five foot separation
129 between trailers. The illustration also indicates a five foot distance between trailer rows, but the
130 City is in support of trailers being parked back-to-back. The Planning staff can confirm through
131 inspection or to the best of our knowledge that the other conditions of approval comply or have
132 been achieved.

133 **PUBLIC COMMENT**

134 As of the time this report was prepared, Planning Division staff has not received any
135 comments or questions from the public.

136

137 **STAFF RECOMMENDATION**

138 Based on the comments and findings of this report, the Planning Division recommends
139 approval of a three year INTERIM USE for outdoor storage of semi-trailers at 2720 Fairview
140 Avenue, subject to the following:

- 141 1. A trailer storage and staging plan shall be submitted to the City that addresses the
142 following conditions:
 - 143 a. No parking of trailers in the first 70 feet of the lot.
 - 144 b. No parking of trailers behind the building.
 - 145 c. The south and middle access from/to Fairview Avenue and the interior lot drive lanes
146 shall be free of obstructions and be a minimum of 30 feet wide.
 - 147 d. Trailers parked/stored in the south lot area shall be parked either next to the building or
148 south of the building and must be set back a minimum of 10 feet from the property line
149 with a minimum of 30 feet between trailer and building for a clear drive lane to the rear
150 and around the building.
 - 151 e. Trailers parked in the north parking lot can be parked back-to-back.
 - 152 f. All trailers must have a minimum 5-foot separation between each trailer.

- 153 g. All trailers shall be on a paved surface and set back a minimum of 10 feet from the
154 north, east, and south property line.
- 155 h. Fire lanes shall be provided a minimum of 30 feet in width and approved (final
156 width and number) by the Fire Marshal to provide adequate access in case of a fire.
- 157 i. There shall be no outdoor storage of anything except trailers.
- 158 j. Shipping containers, cabs, or other storage is not permitted.
- 159 k. No hazardous or dangerous materials shall be stored in the trailers. No materials
160 that are likely to attract vermin or other pests shall be stored in the trailers.
- 161 2. Grass, weeds, and shrubs shall be cut or removed from the lot, especially those in the
162 front of the building.
- 163 3. If it is to remain, the former cross-dock facility shall be brought up to current
164 property maintenance standards including, but not limited to the following:
- 165 a. All garage doors (west and north) shall be repaired.
- 166 b. All cross-dock trailer covers shall be repaired or removed.

167 **SUGGESTED PLANNING COMMISSION ACTION**

168 By motion, recommend approval of a 3-year INTERIM USE for Pinecone-Fairview, LLC and 2720
169 Fairview DCE, LLC for an Interim Use in support of outdoor semi-trailer storage at 2720
170 Fairview Avenue, based on the information contained in this report, community and
171 neighborhood comments, and Planning Commissioner input.

172 **ALTERNATIVE ACTIONS**

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

Report prepared by:

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

Attachments: A. Base map B. Aerial map
C. Project narrative