



**Variance Board Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Minutes – Wednesday, October 3, 2018 – 5:30 p.m.**

1. Call to Order

Chair Daire called to order the regular meeting of the Variance Board meeting at approximately 5:30 p.m. and reviewed the role and purpose of the Variance Board.

2. Roll Call & Introductions

At the request of Chair Daire, City Planner Thomas Paschke called the Roll.

Members Present: Chair James Daire, Member Julie Kimble, and Alternate Member Peter Sparby

Members Absent: Vice Chair Chuck Gitzen

Staff Present: City Planner Thomas Paschke and Senior Planner Bryan Lloyd

3. Review of Minutes: June 6, 2018

Chair Daire called attention to the first sentence on line 2, Chair Murphy should be Chair Daire.

MOTION

Member Kimble moved, seconded by Member Sparby, to approve the June 6, 2018 meeting minutes.

Ayes: 3

Nays: 0

Motion carried.

4. Approval of Agenda

MOTION

Member Sparby moved, seconded by Member Kimble to approve the agenda as presented.

Ayes: 3

Nays: 0

Motion carried.

5. Public Hearing

Chair Daire reviewed protocol for Public Hearings and public comment and opened the Public Hearing at approximately 5:34 p.m.

a. PLANNING FILE 18-0020

Consider a Variance pursuant to §1004.06H, Surface Parking, of the City Code to allow standard parking spaces in the front of the Cherrywood Development at 2680 Lexington Ave.

City Planner Thomas Paschke reviewed the variance request for this property, as detailed in the staff report dated October 3, 2018.

Member Kimble asked what the main entry to the building was off of Woodhill.

Mr. Paschke stated there are two main entries to the building because that is what the code speaks to. The code requires the applicant to have an entry on the primary abutting street, which is Lexington Avenue. If that is the primary entry there can be a secondary entry at the rear of the building. If there is an entry at the front of the building that parking is limited both in size as well as usability.

Member Kimble asked if the Lexington entry was considered the front yard.

Mr. Paschke indicated that was correct.

Member Kimble asked what is in the location now.

Mr. Paschke showed on a map the configuration with six handicap stalls in the center. What the proposal is for is to expand this to eliminate two of those stalls and add ten traditional stalls.

Member Kimble asked if someone were to come off of Lexington, the vehicle would either go right into the proposed new building or left into the front yard of the existing building.

Mr. Paschke stated that was correct. He noted there are two functions for this. One for allowing people who are going to Cherrywood that need to park their car and do not require a handicap stall and also the potential for overflow or shared parking for the other facility.

Member Kimble asked if the Engineering Staff has reviewed this plan.

Mr. Paschke stated the Engineering Staff has and do not have any issues with the proposed plan and have already approved numerous plan specifics related to the proposed project.

Member Sparby asked in terms of the multi-family design standards why is the City trying to limit the parking to just the ADA Compliant and drive lanes in the front.

Mr. Paschke stated he was sure there was a good reason for that in 2010 when the City came up with it and he thought the goal was to limit the amount of parking in a direct front yard between a building and the street and try to push it off to the side so there would be side yard parking lot with any form of parking but if there needed to be parking in the front yard then it had to be very small with only handicap stalls but

obviously the City have run into challenges with most all of the multi-family projects the City is dealing with, specifically senior housing project where the goal is to have them near the front door versus well off to the side or rear yard so that is why the applicant has come forward seeking variances. There is some logic behind it but in practice this does not work. The first is because of lot design, the second is because of configuration of the senior housing projects the City has and how the City addresses the public streets so there really is a need to go in and modify that somehow to address that but for now the only opportunity is through a variance which, in his mind, does make sense for these projects.

Member Sparby stated he saw this area as a drop off/handicap area. He asked how many parking spots are on the backside of the building.

Mr. Paschke stated he did not.

The developer indicated it was approximately 53 spots.

Member Sparby asked if there were any concerns with an additional left turn onto Lexington from this lot.

Mr. Paschke indicated he did not and has already been discussed with the Engineering Department as it relates to the next phase project to the south. The addition of ten stalls is not going to dramatically change how that impacts left and right turns out of this particular site. There is no concern and has already been reviewed and is supported.

Member Sparby stated the particular stalls, the ten that are proposed to be added, will those be for resident parking or for some kind of emergency vehicle snow parking.

Mr. Paschke thought it would be for customers or visitors to Cherrywood and perhaps residents or visitors for the proposed building. More visitor parking than anything.

Member Sparby stated in terms of the two separate projects, does the variance run with one project or the other or is it a shared variance between the properties.

Mr. Paschke indicated the variance would be attached to the Cherrywood property because it is their lot that is being modified to expand the parking on.

Member Sparby asked if the variance would all be on the one parcel.

Mr. Paschke stated that was correct. Between the two parcel there would be a shared agreement to utilize all of the stalls if necessary.

Member Kimble thought the curb cut is equal distance between the two stoplights, one on Woodhill and one on C. She wondered if the curb cut will serve both properties.

Variance Board Meeting

Minutes – Wednesday, October 3, 2018

Page 4

Mr. Paschke indicated that was correct.

Member Kimble asked if the City required an easement between the two properties for a shared us.

Mr. Paschke stated the City would probably require a shared parking agreement.

Chair Daire stated there is not a typical front yard and the building extends out beyond the parking area.

Mr. Paschke stated he was not sure what a typical front yard was based on the current City Code.

Chair Daire thought the parking would line up in front of the building and the building faces out almost onto Lexington Avenue.

Mr. Paschke stated that was correct but because of the City's Design Standards as it supports buildings being close to property lines or adjacent to, at thirty feet. He believed this configuration is atypical as it relates to the configuration of the building and the parking still being in the front yard which is well back of any setback. It is not within the setback area but still considered the front yard area. He noted it is unique.

Chair Daire stated there is also some underground parking or in structure parking spaces in addition to the fifty-eight sitting outside so as far as this Cherrywood project, as a standalone, when approved met all of the parking requirements.

Mr. Paschke stated that was correct.

Chair Daire asked if the proposed project to the south meets all of its parking requirements as it is going through staff review without these extra stalls.

Mr. Paschke believed it was correct. Without the ten additional stalls, it does satisfy the parking requirements.

Chair Daire stated as two stand alone projects, each one would satisfy the parking requirements code.

Mr. Paschke thought that was correct.

Chair Daire stated what the City is dealing with is an expansion, an establishment of a shared parking area. He noticed that the sole driveway for the southern project, yet to be started, shares an entrance onto Lexington Avenue. He asked if there are any other connections with the rear parking area of the Cherrywood project.

Mr. Paschke indicated it did not.

Chair Daire stated ingress and egress to the total southern structure is off Lexington Avenue.

Mr. Paschke stated that was correct.

Chair Daire asked if the Public Works Staff examined that in terms of the need for some type of control or yield signs or has staff estimated what the increased volume is likely to be on that particular drive.

Mr. Paschke stated the Public Works Department has reviewed this and approved it and there will be traffic control within the site to direct people the way to be directed. There will be stop signs at the intersection with Lexington and there might be other signs directing them to slow down at the curve but other than that his recollection from numerous discussions was this site isn't any different than any other site, so the City would not necessarily put any other traffic controls or require other onsite driving traffic controls on those sites.

Chair Daire stated in the Public Works Department review it was indicated there was likely to be time periods during the day in which there might be some conflicts between entering and exiting the southern project site.

Mr. Paschke thought it was safe to say that there will be at certain times, perhaps a time period where people have to wait longer than off peak times but that is not a cause for the Engineering Department to require any certain type of traffic control or other, specifically because these are County roads and the County is in charge of them and supports this access point down to Lexington Avenue as a full access point, which is what it is today and the County will not allow any other access.

Chair Daire asked if staff is not going to ask for a stop sign at the egress point of this driveway.

Mr. Paschke stated there will not be a stop sign on Lexington Avenue. There will be a stop sign in the development but there is no traffic control on Lexington Avenue. He noted there is a stop sign already at the access point because it is not a new access, it is already there.

Mr. Dave Young, United Properties, was at the meeting to answer questions.

Member Sparby stated he was curious about the number of stalls for both the proposed and existing facilities as presented.

Mr. Young stated the proposed facility is still under design and do not have a final count on that project yet. It was their intention to be in compliance with City Code. He believed at this time the parking count is at 161 stalls. The existing Cherrywood Point he did not recall what the underground parking stalls were, but when that was developed and approved it was in compliance.

Variance Board Meeting

Minutes – Wednesday, October 3, 2018

Page 6

Member Sparby wondered what the rationale was to add parking to the front and not to the rear area.

Mr. Young stated one reason is the residents are of the senior age and tend to want to be closer to the building. As close to the front entry of the building would be beneficial to the residents. Secondly, there is not a lot of room in the back of the building to expand parking. There is storm water ponding in the back along with some building amenities and with the utilization of a shared drive and with the eighteen parking stalls already along the side of the proposed southern building, it seemed to make more sense to incorporate that in this area. Those stalls are currently heavily underutilized. There is maybe one vehicle parked in the front at one time, there are rarely multiple cars parked in the front.

Member Sparby asked if the additional stalls in the front needed or is it more for a look, feel and function.

Mr. Young stated for the Cherrywood site he was not sure the parking stalls were needed but there are events where people park on the street, Oxford, which has been an area that has served overflow parking for the seldom events that take place. He thought it would be more beneficial to get those cars off the street and closer to the door. The parking stalls will be utilized more than the six handicap stalls there now.

Member Sparby thought the parking would serve the new building but would run with the Cherrywood property with a parking agreement but he wondered if it would make more sense to apply for the variance with the new facility.

Mr. Paschke stated it is not on their property or for the new project.

Mr. Young stated there is not any room on the southern half of the building. The rear portion of the building has been redesigned to accommodate as much parking as possible in the rear but also respect the wetland buffers that are required by the City which reduce some initial parking counts planned on in the rear which is why the design is still a little under designed. The southern site has been maxed out and the best use is the under-utilized stalls at Cherrywood.

Member Kimble stated it is a possibility in the future that United Properties could sell one of the two properties, so some sort of agreement would be needed.

Mr. Young stated that is the intention.

Chair Daire stated he has a friend that lives at Cherrywood and one day when visiting he and his wife arrived at the site and the parking lot was full. The curbside parking on Woodhill was full and he had to park on the street west of Oxford, between Oxford and Larpenteur and he and his wife were not the only ones who were parked there. He did have a sense that there is a need for more parking than what was required. He was not going to say the City parking standards are inadequate but to note that people like himself do visit people there and cannot find a parking spot in

the parking lot or in the front yard or on Woodhill and he wondered if there has been any sort of complaints to staff about people parking on the street in order to visit residents in Cherrywood.

Mr. Paschke stated he has not received or heard of any complaints.

Mr. Young stated as the new buildings open the busiest time is the first few weeks that residents move in. During the first year there is a surge of parking that may not be a result of inadequate parking counts by design, but the initial surge and the Cherrywood building is heavily weighted towards the independent resident that still drives and as time moves on that changes. The parking counts for the assisted living facilities tend to be right in line with the standards.

Chair Daire asked what the opening date was for Cherrywood.

Mr. Young stated it was a year ago. He stated the facility is still new and most of the residents are still independent with vehicles.

Chair Daire closed the public hearing at 6:01 p.m.

Member Kimble stated in the staff report line 103 should note Attachment E, not Attachment D.

MOTION

Member Kimble moved, seconded by Member Sparby, adoption of a Variance Board Resolution (Attachment E), entitled “A Resolution Approving a Variance To Roseville City Code §1004.06H, Surface Parking, to Allow United Properties to redesign the existing front parking lot to include 4 ADA stalls and 10 traditional stalls in the Cherrywood Point site At 2680 Lexington Avenue.”, subject to the following condition:

- a. The final parking lot design adjacent to Lexington Avenue be substantially similar to the plan included in this variance request dated October 3, 2018.**

Member Sparby asked for an opportunity for discussion.

Chair Daire allowed it.

Member Sparby stated he seconded the motion to get it to the floor. He thought it was interesting it was noted the parking was not needed but it seemed like more of a look, feel and function. Additionally, he thought it was concerning there are not any unique circumstances here that were not created by the landowner. He did have some concerns on that front. He thought outside of anything additional, it is what it is.

Chair Daire stated he would like elaboration on that statement.

Variance Board Meeting

Minutes – Wednesday, October 3, 2018

Page 8

Member Sparby stated he asked the question to the applicant whether this was needed or whether it is just look, feel and function and when the City is talking about a variance, he wants to make sure that it is actually needed.

Chair Daire asked what Member Sparby's opinion was regarding this variance.

Member Sparby stated that was what he wanted to discuss before approval.

Chair Daire stated this could be discussed.

Member Kimble stated the word function in and of itself points to a need and she thought there was discussion about why it was important for this particular residential group. To her, hearing function, points to a need. It maybe is not a Code required parking need, but it does seem that there is a need. She thought there was a little bit of confusion because of the other project coming up and there is obviously some relationship. She thought the other for her is just the fact that the parking is already there with a change to the existing and not an enormously big change. The fact that this is not abutting or across from any single-family homes or anything that says the City could not accommodate this.

Member Sparby stated the Board is potentially passing a variance to add parking to the front when there is nothing prohibiting adding parking to the back side.

Member Kimble thought she heard there was amenity space and wetland easements and she was not sure if the parking would be for visitors or residents, but it is a much longer walk from the back to the front entry. She thought it was difficult to add parking to the back versus the front.

Chair Daire stated it seems to him that without the new project to the south that these spaces probably would not be needed because the primary entrance to the southern project is on the north end of the building approximate to the turn around space in the Cherrywood project and it appeared it was convenient for rearrangement of the parking spaces based on the experience of the last year. If what the Board is told is correct, that the first year there is a lot of traffic and then it tappers off after that, he was not altogether sure what the synergy is between the two projects but it occurred to him that Cherrywood would be able to stand on its own with the parking spaces as initially approved with the project and that the inclusion of the larger, luxury senior project to the south alters the game a little bit and it is being managed as a single project with two stages rather than as two separate projects.

Chair Daire stated Member Kimble's question was if the two developments could be sold separately and the answer was yes but then the shared parking agreement would carry with the sale.

Mr. Paschke stated that was correct, the agreement would run in perpetuity.

Member Kimble stated any buyer would require that because the site would need to be used the way it was designed.

Chair Daire stated because this is the same developer, he was viewing this as a single project with two stages and because of the addition of the second project, the first project undergoes some modification based on experience because it was the first of the two. That was his personal view of how these couple of projects are being treated.

Member Kimble thought Member Sparby's issue was where it states the purpose of the variance.

Member Sparby stated he wanted to make sure that this was not creating the unique circumstances via another development coming in and using up more space and then alleviating that through a variance into the front yard when there were other options in the east parking lot.

Member Kimble thought she heard that the new project, even though not fully designed, will be able to be compliant with required code parking. She thought what this does is a practical design that helps the properties work better together and is beneficial to the residents.

Member Sparby thought since the new project can purportedly stand on its own, he wanted to make sure the Board discussed the ramifications of that since there is more coming down the pipe potentially in this same situation.

Chair Daire stated there is a question he thought to ask the developer since this is a simple project with two stages. He wondered if it would be permitted under the rules of the Variance Board.

Mr. Paschke thought it would be permitted to ask the developer a question even with the public hearing closed.

Chair Daire stated Roseville will ultimately run out of seniors so looking to the future with these two facilities in place and many others, what would be a reuse strategy.

Mr. Young stated United Properties, as a senior living developer, have looked at that. The reality is the population is increasing and will not run out of seniors. There are more thirty and forty-year-old today than in the past. The baby boomer spike was just the start of a mass increase in population in general. Once the population went up it has remained more of a steady growth than it has of a surge of a growth.

Chair Daire stated that was not what he was implying. He asked what United Properties seen as a reuse for the facilities because there are a lot of senior projects in the ground and the market for that may, at some point, need adjustment and what kind of adjustments or plan B is there if the demand for senior units drops off.

Variance Board Meeting

Minutes – Wednesday, October 3, 2018

Page 10

Mr. Young stated United Properties did not see a need for a strategic plan of existing out of the senior market and felt the population will remain there. There is always an opportunity to convert to market rate, non-age restricted apartment rentals and always an opportunity to pursue but as a strategic thinking United Properties did not see a need for that.

Chair Daire appreciated that comment but his thought, as a former planner, was if these units would appeal to only the seniors or to younger groups of people. He asked if this was something United Properties had considered and are those units adaptable in that direction.

Mr. Young asked which property Chair Daire was referring to.

Chair Daire stated he was referring to the southern property.

Mr. Young stated all of the homes in the southern property are full kitchen, full multi-bedroom type homes and could easily change by removing the age restriction.

Ayes: 3

Nays: 0

Motion carried.

6. Adjourn

MOTION

Member Kimble, seconded by Member Sparby, to adjourn the meeting at 6:16 p.m.

Ayes: 3

Nays: 0

Motion carried.