

ROSEVILLE
REQUEST FOR CITY COUNCIL ACTION

DATE: 10/22/2012
ITEM NO: 9.a

Department Approval:
Approval:

P. Trudgerson

City Manager •

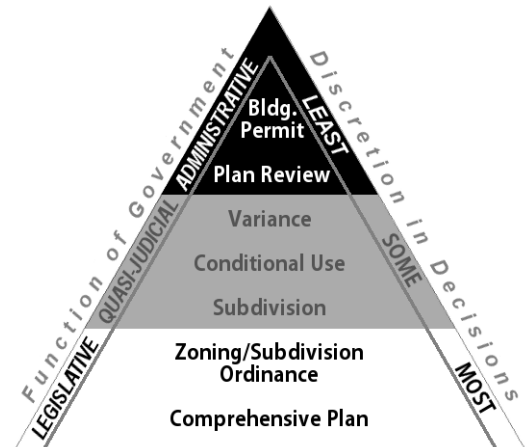
W. Mahinen

Item Description: Adoption of Zoning Text Amendment adding Limited Processing and Production to the Regional Business District's permitted uses (PROJ-0017)

Application Review Details

- RCA prepared: October 22, 2012
- Public hearing: October 3, 2012
- City Council action: October 22, 2012
- Statutory action deadline: not applicable

Action taken on a zoning ordinance (text) request is **legislative** in nature; the City's role is to determine, through testimony and information provided by staff, whether such a change is appropriate.



REQUESTED ACTION

The Roseville Planning Division seeks a text amendment to the Zoning Ordinance allowing Limited Production and Processing within the Regional Business District as a permitted use.

SUMMARY OF RECOMMENDATION

Planning Division staff concur with the Planning Commission's recommendation (6-0) to approve the proposed text amendment; see Suggested Council Action of this report for the detailed recommendation.

SUMMARY OF SUGGESTED ACTION

Adopt an ordinance approving the zoning text amendment to add Limited Production and Processing to Table 1005-1 (use chart) as a permitted use in the Regional Business District.

BACKGROUND

The updated Zoning Ordinance went into effect on December 21, 2010, and since that date the Planning Division has been monitoring all the different nuances of this broad document.

One area that has come to the forefront is the Regional Business District established north and west of Rosedale Mall. Since the adoption of the zoning ordinance, the Planning Division has been challenged in this area regarding non-conforming use. Such changes are creating limitation on use and reinvestment within certain structures.

I have identified four parcels (1901 (Caterpillar), 1975 (multi-tenant), 1995 (multi-tenant) County Road B2, and 2452 (UV Color) Prior Avenue) which have operated in a light industrial manner for many years. Prior to the changes of 2009 (Comp Plan) and 2010 (Zoning Ordinance), these parcels were zoned I-1, Light Industrial and most of the buildings have had varying degrees of light manufacturing or limited production and processing.

However, the 2009 and 2010 changes to Regional Business has created a number of non-conforming use issues/concerns – specifically the eliminated one of the predominant and critical uses within these buildings and has/is hampering or restricting reinvestment.

From a Planning Division perspective, the Comprehensive Plan Update Process did not delve into the finite details of each use within the above noted structures. Instead, the process looked at what was at that time occurring in the area and what it deemed to be in the best interest of the community, and sought the land use and subsequent zoning changes from light industrial to regional business.

STAFF ANALYSIS/RECOMMENDATION

For the past couple of months, the City Planner has monitored the County Road B2, Prior Avenue and area Oakcrest Avenue sites, reviewed historical information, and discussed the previous land use and zoning change with a few property owners to better understand the effects and impacts the changes have made.

Since the uses that the Planning Division foresees in this area are mostly not new, the proposed amendment did require some analysis for the purpose of potential impact comfort. The Planning Division has concluded that such a use, limited production and processing, being added into the mix of permitted uses in the Regional Business District would not dramatically change that which could currently be placed within the district.

As currently defined in the Code, Limited Production and Processing is as follows:

Limited production/processing: Light manufacturing, fabrication, assembly, processing, packaging, research, development, or similar uses which are predominately conducted indoors and which would not be disruptive of, or incompatible with, other office, retail, or service uses that may be in the same

55 *building or complex. Limited production/processing generally does not include*
56 *industrial processing from raw materials.*

57 The types of existing and proposed uses that we envision are not large factories,
58 but rather small or modest sized facilities that utilize 3,000 to 6,000 sq. ft. of a
59 multi-tenant building and include a warehousing and distribution component, as
60 well and the typical manufacturing and office use. These businesses have little
61 impact on a given area and have been a mainstay in the three areas described
62 above.

63 The Planning Division recommends that the use chart, Table 1005-1, be amended
64 to include Limited Production and Processing as a permitted use in the Regional
65 Business District.

66 **PLANNING COMMISSION ACTION**

67 At the duly noticed public hearing, one property owner spoke in favor of the
68 subject text amendment. Mr. Mark Rancone, Roseville Properties, indicated to
69 the Planning Commission that they have had such uses within the subject area
70 buildings for many years, and that having the cloud of non-conformity hanging
71 over is site/use makes investment/reinvestment difficult, especially in a tight
72 credit market. He added that these uses are low impact and very clean.

73 The Planning Commission voted (6-0) to recommend approval of the suggested
74 text amendment adding Limited Processing and Production as a permitted use
75 within the Regional Business District.

76 **SUGGESTED CITY COUNCIL ACTION**

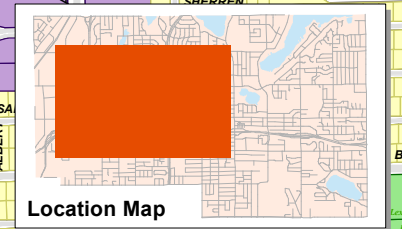
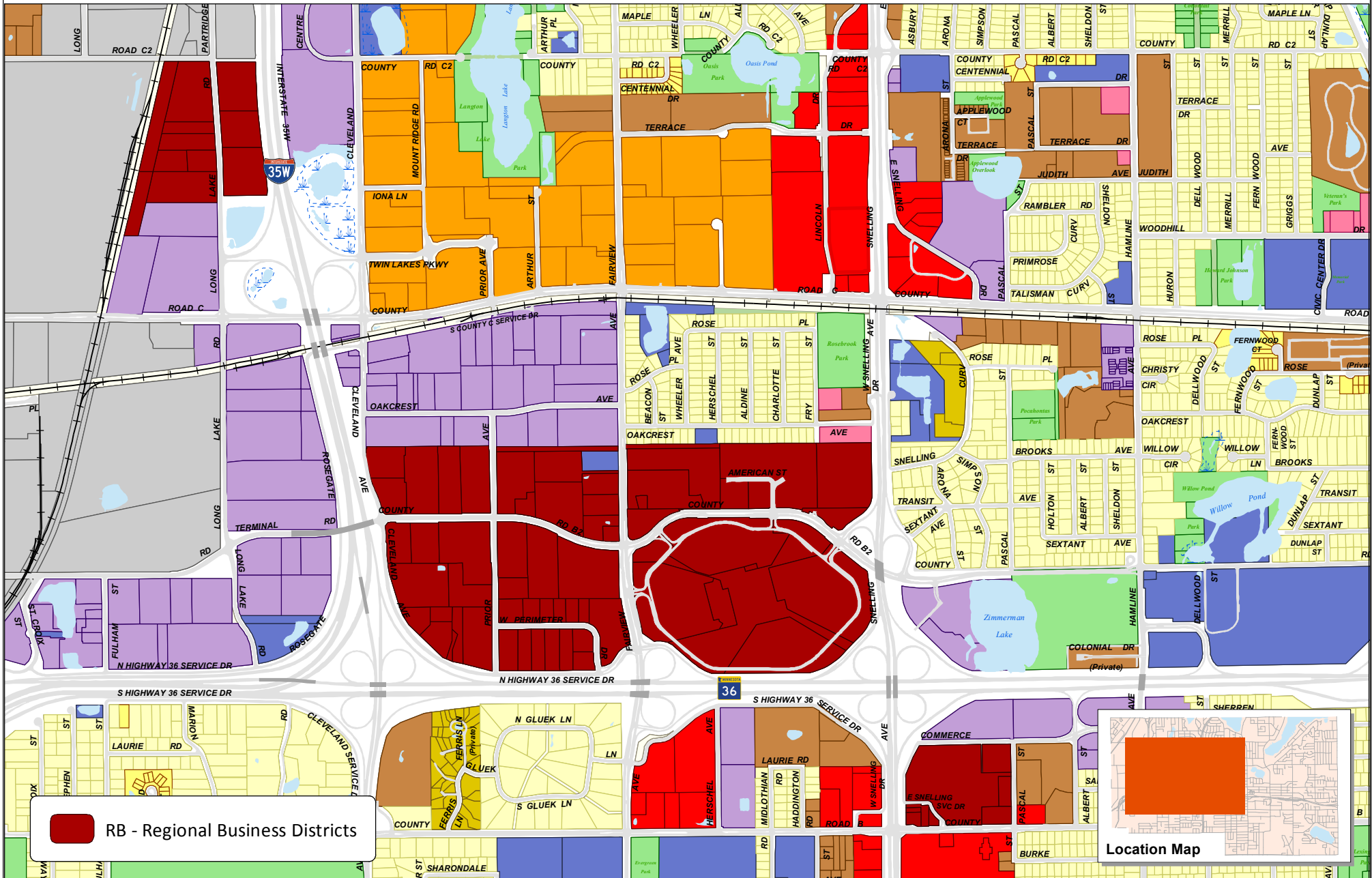
77 Adopt an Ordinance amending Table 1005-1 of the Commercial and Mixed Use
78 District to allow as a permitted use Limited Production and Processing.

Prepared by: City Planner Thomas Paschke (651-792-7072)

Attachments: A. Zoning Map
B. Draft PC Minutes
C. Draft Ordinance
D. Summary Ordinance

PROJ 0017: Zoning Text Amendment

Attachment A



Location Map



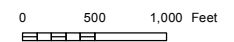
Prepared by:
Community Development Department
Printed: October 10, 2012



Site Location
Comp Plan / Zoning
Designations
LR / LDR-1

Data Sources
* Ramsey County GIS Base Map (10/1/2012)
For further information regarding the contents of this map contact:
City of Roseville, Community Development Department,
2660 Civic Center Drive, Roseville MN

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



mapdoc: planning_commission_location.mxd

EXTRACTION OF THE OCTOBER 3, 2012

ROSEVILLE PLANNING COMMISSION MEETING MINUTES

b. **PLANNING FILE 0017**

Request by the Planning Division to amend the permitted uses chart of Table 1005-1 to include Limited Production/Processing

Vice Chair Gisselquist opened the Public Hearing for File 0017 at approximately 6:44 p.m.

City Planner Thomas Paschke summarized the request for amendments to the Zoning Ordinance, based on actual use of the updated Zoning Ordinance, and issues during its actual application related to non-conforming uses that are being found to create limitations on use and reinvestment for existing structures and their potential re-use. Two specific areas addressed by Mr. Paschke included areas north and west of Rosedale Mall and County Road B-2. Staff's analysis was detailed in the Request for Planning Commission Action dated October 3, 2012.

At the request of Vice Chair Gisselquist, Mr. Paschke confirmed that the requested text amendments were all based on actual usage after the Comprehensive Plan had been updated followed by the updated Zoning Code, and not prompted by any specific citizen and/or business request. Mr. Paschke advised that, even during updating of the various documents, several areas had been identified for monitoring based on their historical use and operations; and noted that those areas had continued under review. Mr. Paschke clarified that staff had fielded calls from area realtors on potential tenants in some buildings that they found problematic based on limited uses or uses that could be deemed on-conforming. Therefore, Mr. Paschke advised that it made sense to expand permitted uses as recommended by staff when those uses were found not to be that impactful to a Zoning District.

At the request of Member Lester, Mr. Paschke advised that, based on operations, staff determined limited uses versus unlimited use or limited production versus normal/heavy production, as defined in City Code as it related to other definitions and higher levels of manufacturing/production.

At the request of Member Lester, Mr. Paschke advised that, concerns of those permitted uses growing into larger uses that would negatively impact a specific Zoning District were negligible since these areas typically involved smaller areas within multi-tenant buildings, averaging 5,000 square feet or less. Mr. Paschke noted that this would further dictate if a use remained appropriate or if a new location was needed for that use.

At the request of Member Lester, Mr. Paschke reviewed the definition and distinctions of industrial processing of raw materials, usually larger operations, rather than this application.

Mr. Lloyd provided several examples; clarifying permitted uses could include a small brewery with limited production versus a prohibited use such as smelting iron or producing heavy kinds of products from those raw materials.

Mr. Paschke concurred, noting that high end manufacturing would not be a permitted use (e.g. potato chip production); with the cost per outfit used as part of the determination for permitted versus unpermitted uses.

At the request of Member Strohmeier, staff provided additional types of operations that would become permitted uses with these text amendments, including but not limited to: small tool and die facility; receiving products for repackaging and distribution (e.g. Fastenal); and the distinction between production, processing and assembly. Mr.

Paschke advised that most of the uses would be small in scale, within the 3,500 to 4,000 square foot limitation; and would not accommodate uses for major production and/or processing.

Public Comments

Mark Rancone, Roseville Properties

As a representative of several multi-tenant and single-tenant buildings in Roseville within Regional Business District zoning designations, Mr. Rancone spoke in support of staff's recommendation for text amendments as outlined; and expressed appreciation for staff being pro-active in understanding the realities of leasing to tenants under current limited uses.

As an example, Mr. Rancone noted the CPI Card Group, formerly UV Color, a tenant of Roseville Properties using that entire building that had been modestly upgraded several years ago. Other examples included two other Roseville Properties buildings located at 1975 and 1995 County Road B-2 across from the U.S. Post Office (e.g. Schneidermann's) that had been constructed in the mid-1970's, and formerly office/warehouse uses. Mr. Rancone noted that the use had now been converted by Roseville Properties to retail formats, with HOM Furniture built on the rear of that property and having frontage road and freeway access and/or visibility versus their properties running east/west to the freeway and having limited exposure that provided limited opportunities for those parcels.

Mr. Rancone advised that the objective of their firm was that the buildings be allowed uses for their highest and best uses. Mr. Rancone advised that Roseville Properties was considering upgrading their two (2) buildings, including rain gardens and parking lot improvements for better storm water control, as well as façade rehabilitation to entice future tenants, some of whom requested the ability to have light manufacturing uses. Before committing to making significant investments on those upgrades for those buildings, Mr. Rancone asked that the Planning Commission support staff's recommendations and approve the requests.

Mr. Rancone advised that the buildings themselves had structural obsolescence that would prevent any use for heavy semi traffic; but this action would allow for more flexibility in City Code for practical application and uses over the next twenty (20) years. Mr. Rancone opined that they are not currently good sites for high retail uses in their present locations/conditions.

Vice Chair Gisselquist closed the Public Hearing for File 0017 at approximately 7:00 p.m.; with no one appearing for or against.

MOTION

Member Gisselquist moved, seconded by Member Strohmeier to recommend to the City Council APPROVAL of the text amendment adding Limited Production/Processing into the Permitted Uses Table 1005.01 and specifically for the Regional Business District, as detailed in the staff report dated October 3, 2012.

Ayes: 6

Nays: 0

Motion carried.

Staff advised that anticipated City Council action is anticipated for October 22, 2012.

City of Roseville

ORDINANCE NO. _____

AN ORDINANCE AMENDING SELECTED TEXT OF TITLE 10 ZONING ORDINANCE
OF THE ROSEVILLE CITY CODE

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1. Purpose: The Roseville City Code is hereby amended as follows to add limited production and processing as a permitted use within the Regional Business District.

SECTION 2. Table 1005-1 is hereby amended as follows:

Table 1005-1	NB	CB	RB	CMU	Standards
Commercial Uses					
Learning studio (martial arts, visual/preforming arts)	C	P	P	P	
<u>Limited production and processing</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>NP</u>	
Liquor store	C	P	P	P	

SECTION 3. Effective Date. This ordinance amendment to the Roseville City Code shall take effect upon passage and publication.

Passed this 22nd day of October, 2012

City of Roseville

ORDINANCE SUMMARY NO. ____

**AN ORDINANCE AMENDING TABLE 1005-1 OF TITLE 10, ZONING ORDINANCE
OF THE ROSEVILLE CITY CODE**

The following is the official summary of Ordinance No. ____ approved by the City Council of Roseville on October 22, 2012:

The Roseville City Code, Title 10, Zoning Ordinance, has been amended to include limited production and processing as a permitted use in the Regional Business District; which amendment add the use to Table 1005-1..

A printed copy of the ordinance is available for inspection by any person during regular office hours in the office of the City Manager at the Roseville City Hall, 2660 Civic Center Drive, Roseville, Minnesota 55113. A copy of the ordinance and summary shall also be posted at the Reference Desk of the Roseville Branch of the Ramsey County Library, 2180 Hamline Avenue North, and on the Internet web page of the City of Roseville (www.ci.roseville.mn.us).

Attest: _____
William J. Malinen, City Manager