

REQUEST FOR COUNCIL ACTION

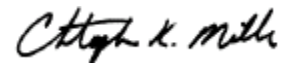
DATE: 3/23/2009

ITEM NO: 12.d

Department Approval:



Acting City Manager Approval:



Item Description: Request by Wellington Management for support of a **Rezoning** of 1126 Sandhurst Drive and 2167 Lexington Avenue to Planned Unit Development from Single Family Residence District and General Business District, respectively, and approval of a **General Concept Planned Unit Development** to allow the construction of a multi-tenant commercial office property (PF09-003)

1.0 REQUESTED ACTION

Wellington Management seeks support of a REZONING and approval of a GENERAL CONCEPT PLANNED UNIT DEVELOPMENT for a proposed redevelopment of the northwest quadrant of the intersection of County Road B and Lexington Avenue which would replace the existing TCF bank structures at 2167 Lexington Avenue and the adjacent single-family residence at 1126 Sandhurst Drive with an 11,250-square-foot commercial office building and parking area.

Project Review History

- Application submitted: February 10, 2009; determined complete: February 11, 2009
- Sixty-day review deadline: April 7, 2009
- Planning Commission recommendation (7-0 to approve): March 4, 2009
- Project report recommendation: March 23, 2009
- Anticipated City Council action: March 23, 2009

2.0 SUMMARY OF RECOMMENDATION

2.1 Planning Division staff concurs with the unanimous recommendation of the Planning Commission to support the requested REZONING of the parcels at 1126 Sandhurst Drive and 2167 Lexington Avenue to PUD from R-1 and B-3, respectively, as discussed in Sections 4-5 of the project report dated March 23, 2009.

2.2 Planning Division staff concurs with the unanimous recommendation of the Planning Commission to approve the requested GENERAL CONCEPT PLANNED UNIT DEVELOPMENT, subject to certain conditions; see Section 9 of this report for the detailed recommendation.

3.0 SUMMARY OF SUGGESTED ACTION

3.1 By motion, support the requested REZONING of the properties at 1126 Sandhurst Drive and 2167 Lexington Avenue; see Section 10 of this report for the detailed action.

3.2 By motion, approve the requested GENERAL CONCEPT PLANNED UNIT DEVELOPMENT subject to conditions, pursuant to §1008 (Planned Unit Developments) of the City Code; see Section 10 of this report for the detailed action.

4.0 REVIEW OF COMPREHENSIVE PLAN

4.1 Although the proposed development appears to be consistent with Roseville’s 2030 *Comprehensive Plan*, which would apply a land use designation of Neighborhood Business to both of the subject parcels, that document has yet to be approved by the Metropolitan Council and ratified by the City Council. This proposal, therefore, must be evaluated within the context of the existing Comprehensive Plan.

4.2 The proposed business use is to be located on the parcel at 2167 Lexington Avenue, which has a Comprehensive Plan designation of Business (B); this allows for a wide variety of residential, retail, restaurant, office, and other commercial uses consistent with the parcel’s existing General Business zoning – Roseville’s most intense business district.

4.3 The property at 1126 Sandhurst Drive has a Comprehensive Plan designation of Low Density Residential (LR), which corresponds to the kinds of uses allowed in R-1 and R-2 zoning districts. Given that the proposal only puts parking and an accessory structure (for the trash handling equipment) on this parcel and that storage buildings and off-street parking and loading areas are allowed in the zoning districts associated with the LR land use designation, no change to the Comprehensive Plan Land Use Map is necessary for this proposal.

4.4 The Cornerstone Neighborhood Mixed-Use Project, adopted into the Comprehensive Plan in 1998 as a conceptual master plan of sorts to redesign key, under-utilized retail and commercial intersections, determined that a redesigned Lexington Avenue/County Road B intersection would have great potential for positive community impact. The document indicates that “careful attention to the concerns of the neighborhood could make this corner fulfill the wishes of its adjacent residents [and] it could become the touchstone for establishing an appealing balance of structure, open space, design and use.”

The Cornerstone report stresses the importance of locating at least modest buildings at the corners of the intersection to frame the public space and “create a sense of place and closure,” and it expresses optimism for a successful redevelopment of this intersection as a whole despite the challenges presented by the lack of structures in the corners of the park and gas station properties. And although Cornerstone explicitly makes no recommendation of a preferred density or scale of development, the report frequently advocates a mix of office and retail uses on a “ground floor” with residential or office uses “above.” The report also touts this specific intersection as being: “located in a prime spot to provide community linkage. The attraction of the open space, the convenience to neighborhood retail, and access to transit are part of its potential. As a centrally-located intersection of major arterials, the intersection could serve as the hub for the spread of new resident friendly design ideas throughout the community.”

5.0 REVIEW OF ZONING/PLANNED UNIT DEVELOPMENT

5.1 A PLANNED UNIT DEVELOPMENT (PUD) is a zoning district which may include single or mixed uses on one or more lots or parcels, and is intended to be used in unique situations to create a more flexible, creative, and efficient approach to the use of the land subject to the PUD procedures, standards, and regulations contained in the City Code.

5.2 The end result of REZONING a property to PUD is the creation of a customized zoning district (i.e., a PUD Agreement) that regulates the use and development of a specific subject property in the same way that standard zoning districts regulate other properties. Aspects of such a development may deviate from the requirements of a standard zoning district, but they must be approved by the City Council and specified in the PUD Agreement in order to ensure that the overall development is in keeping with general guidance of the Comprehensive Land Use Plan. The PUD Agreement, if approved in the FINAL phase of the PUD review process, will comprise the development parameters on which the REZONING is based.

5.3 In the GENERAL CONCEPT phase, a preliminary development proposal is formally presented in a public hearing to the Planning Commission for consideration. As the name indicates, the GENERAL CONCEPT of a development is considered in this first phase; a proposal may lack significant detail, but the Planning Commission and City Council have the opportunity to help guide the development to ensure that it advances the land use goals and policies expressed in the Comprehensive Plan. If a development is approved *in concept*, the applicant then refines all of the technical plans to verify that the approved concept is feasible in reality and then submits those plans for final approval by the City Council.

5.4 Because a PUD is intended to provide flexibility with respect to standard zoning requirements on a property, it's useful to identify where the proposed PUD district would differ from the standards of established zoning districts; the following table illustrates the proposed differences:

Existing Zoning Standards	Proposed Conditions
R-1 zoning on 1126 Sandhurst Drive	
Parking setback from side property line: 5 ft.	0 ft. from <i>internal</i> lot line
Maximum impervious coverage: 30%	64% (storm water runoff equivalent to 0%)
B-3 zoning on 2167 Lexington Avenue	
Parking setback from Sandhurst Drive ROW: 15 ft.	7 ft.
Parking setback from Lexington Avenue ROW: 15 ft.	10 ft.
Parking setback from internal side property line: 5 ft.	0 ft. from internal lot line
Parking setback from side property line: 5 ft.	10 ft. from auto parts property
Building setback from County Road B ROW: 30 ft.	0 ft.
Building setback from Lexington Avenue ROW: 30 ft.	10 ft.
Traffic Visibility Triangle	
40 ft. isosceles triangle at ROW intersections	12 ft. triangle for building

The most significant of the above deviations from the standard zoning requirements are related to the proposed location of the building near the corner of County Road B and Lexington Avenue. All other typical zoning requirements (e.g., setbacks, number and size of parking spaces, building height, etc.) not identified in the preceding table are met by the proposed redevelopment.

- 99 5.5 Non-zoning requirements (e.g., for Building Codes, storm water management, etc.) have
100 been part of PUD approvals in the past, but they should be removed from the PUD
101 process, relying instead on the established approval processes.
- 102 5.6 Because the Comprehensive Plan allows (perhaps even encourages) buildings up to 3
103 stories tall in this location and others like it, Planning Division staff recommends
104 establishing a specific building envelope but does not recommend further restricting the
105 size of building that could be developed on this site in the future as long as parking
106 requirements continue to be satisfied.
- 107 5.7 While not addressed among the standard parking regulations, the Planning Commission
108 recommended a requirement to incorporate bicycle parking facilities as well as to
109 improve pedestrian circulation around the traffic light pole in the sidewalk adjacent to the
110 site. The revised site plan includes the requested bicycle parking and indicates an
111 expansion of the sidewalk facility within the County Road B right-of-way.
- 112 5.8 Although the anticipated dental office user in the southern end of the proposed building
113 has patient privacy concerns with an entrance directly from the County Road B sidewalk,
114 the building is being designed in such a way that windows in that part of the structure can
115 be replaced by an entrance as tenants change in the future. Planning Division staff
116 continues to believe that a public entrance on the eastern side of the building for
117 pedestrian access from Lexington Avenue deserves consideration, especially in light of
118 the initial absence of an entrance at the south end of the building.
- 119 5.9 Signage for the development should not be considered with the PUD application; signs
120 should instead be consistent with Code standards, which require a Master Sign Plan for
121 multi-tenant properties like the proposal.
- 122 **6.0 OTHER DEVELOPMENT REVIEW COMMITTEE COMMENTS**
123 The DRC was generally supportive of the proposal and had the following comments:
- 124 6.1 The storm water management plan for the project may need further development; this
125 need not be finalized in the GENERAL CONCEPT phase of the PUD process.
- 126 6.2 In the interest of ensuring traffic safety, some DRC members have expressed the
127 preference that the standard Traffic Visibility Triangle be maintained. This concern is
128 complicated somewhat by the fact that locating buildings near street rights-of-way is
129 encouraged in this specific location by the Comprehensive Plan and widely regarded as
130 good planning practice; while Planning Division staff is confident that this would not be
131 the case if buildings near streets created more dangerous intersections, empirical
132 evidence of the effect on traffic has been elusive. Without intending to undervalue the
133 concerns over the proposed encroachment into the Traffic Visibility Triangle, it should
134 be noted that the building would be about 18 feet from the back of the curb on County
135 Road B and about 26 feet from the curb on Lexington Avenue. Planning Division staff
136 believes that the proposed development contributes to the pedestrian-friendly
137 development called for in the Comprehensive Plan and the applicant has continued to
138 work with staff to find the balance between good planning and traffic safety.
- 139 6.3 Part of the proposal includes a 6-foot-tall, wooden privacy fence on the western end of
140 the parking area to buffer the adjacent residence from the parking lot activity. Planning
141 Division staff has been in contact with the residential property owner on the other side of

this fence to seek her opinion on whether she'd prefer the more "neighborly" feel of the proposed fence or something a little taller. This property owner is opposed to the removal of the neighboring residence and the proposed parking area and consequently rejects the discussion regarding the height of a fence to screen a parking area that, in her opinion, should not be considered.

7.0 COMMUNITY OPEN HOUSE

The applicant held the required open house meeting on January 20, 2009 at the home that would be demolished as a part of the proposal. A summary of the open house is included with this staff report as Attachment F; the attendees did not seem to have any concerns about the proposed GENERAL CONCEPT PUD which have not been addressed.

8.0 PUBLIC COMMENT

The duly noticed public hearing was held by the Planning Commission on March 4, 2009; draft meeting minutes were not available at the time this report was written.

8.1 Several members of the public offered comments on the proposal, many of which focused on the potential for the proposed development to create or exacerbate traffic problems. Although nearby residents may find the existing traffic conditions to be unacceptable, Sandhurst Drive and Lexington Avenue are both properly-functioning public streets with capacity for traffic loads beyond current volumes, and the proposed redevelopment of a drive-in bank into a medical/professional office stands to reduce the existing traffic at that location by about half. The proposed redevelopment would also distribute the reduced traffic throughout business hours better than a drive-in bank, which sees much of its traffic over the lunch hour and at the end of the business day when Lexington Avenue is at its busiest. Even if future tenants of the property included a combination of office and retail and service uses, which would be consistent with the Comprehensive in both its current and anticipated forms, the traffic generated by those uses would be unlikely to exceed that of a drive-in bank. While the site's Lexington Avenue access is signed as "Exit Only", some neighbors have misunderstood the "Drive-In Entrance" sign at the Sandhurst Avenue apron to prohibit exiting the site onto Sandhurst Avenue; this sign does not mean "enter only" but simply points to the main access of the drive-up facility. Finally, regardless of the signage at these site accesses, they are both designed such that they exceed the City Code's minimum requirements for two-way traffic.

8.2 Another common concern was that of developing new offices in the proposed location when the applicant and anticipated tenants might instead occupy existing, vacant office space elsewhere in the community. Aside from the question of whether redeveloping or renovating an existing office facility to meet the development goals is feasible, TCF plans to move operations from this site to its new location at Pascal Street when it is completed in July 2009, at which point the subject property could become yet another vacant commercial property.

8.3 Aside from perceived impacts on traffic, other concerns of various sorts were also raised about locating a building so close to the public right-of-way (ROW). Some were worried about pedestrian safety: because existing sidewalks are within the public ROW they would not be obstructed or otherwise altered by development on the adjacent property, and the proposed building would not obscure any existing crosswalks from the view of any motorists in existing driving lanes on Lexington Avenue or County Road B. Other