

ROSEVILLE
REQUEST FOR CITY COUNCIL ACTION

DATE: **06/17/2013**
ITEM NO: 9.a

Department Approval:



City Manager Approval:

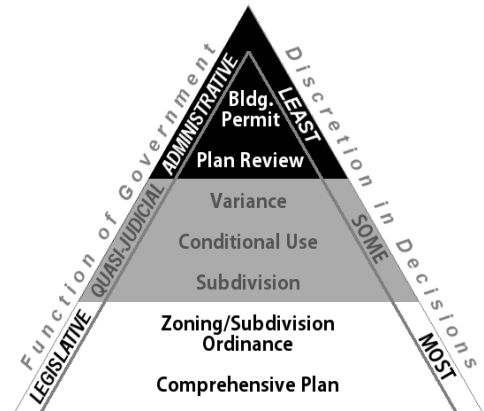


Item Description: **Adopt an Ordinance** amending Sections 1005.02.I: Design Standards and 1009.02.D.12: Specific Standards and Criteria regarding drive-through and refuse locations (**PROJ-0017**)

Application Review Details

- RPCA prepared: April 25, 2013
- Public Haring: June 5, 2013
- City Council Action: June 17, 2013
- 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.



1 **1.0 REQUESTED ACTION**

2 The Roseville Planning Division seeks amendments to Section 1005.02.I: Design
3 Standards and Section 1009.02.D.12: Conditional Use, Specific Standards and
4 Criteria - Drive-through Facilities to include flexible language regarding
5 placement of such uses when adjacent to a public street.

6 **2.0 SUMMARY OF RECOMMENDATION**

7 Planning Division staff concurs with the recommendation of the Planning
8 Commission (6-0) to approve the proposed ZONING TEXT AMENDMENT; see
9 Section 7 of this report for a detailed recommendation.

10 **3.0 SUMMARY OF SUGGESTED ACTION**

11 **Adopt an Ordinance** amending Section 1005.02.I: Design Standards and
12 Section 1009.02.D.12: Conditional Use pertaining to drive-through and refuse
13 locations; see Section 8 of this report for detailed action.
14

4.0 BACKGROUND

When the Planning Division and its consultant developed the design standards for the Commercial and Mixed-Use Districts during the Zoning Ordinance update, there was discussion and debate of certain sub-uses and whether greater flexibility should be offered. One area (in two separate code sections) proving to be a challenge is the treatment of drive-through facilities and refuse enclosures, specifically their proximity to an adjacent street and the fact that the current requirements do not always lead to aesthetically pleasing designs.

Below are the specific standards:

Section **1005.02.I: Design Standards** reads as follows:

- I. **Garages Doors and Loading Docks:** Loading docks, refuse, recyclables, and/or compactors shall be located on rear or side facades and, to the extent feasible, garage doors should be similarly located. Garage doors of attached garages on a building front shall not exceed 50% of the total length of the building front. Where loading docks, refuse, recyclables, and/or compactors abut a public street frontage, a masonry screen wall comprised of materials similar to the building, or as approved by the Community Development Department, shall be installed to a minimum height to screen all activities.

1009.02.D.12: Conditional Uses; Specific Standards and Criteria

12. Drive-through Facilities:

- a. Drive-through lanes and service windows shall be located to the side or rear of buildings and shall not be located between the principal structure and a public street.
- b. Points of vehicular ingress and egress shall be located at least 60 feet from the street right-of-way lines of the nearest intersection.
- c. The applicant shall submit a circulation plan that demonstrates that the use will not interfere with or reduce the safety of pedestrian and bicyclist movements. Site design shall accommodate a logical and safe vehicle and pedestrian circulation pattern. Adequate queuing lane space shall be provided without interfering with on-site parking/circulation.
- d. Speaker box sounds from the drive-through lane shall not be loud enough to constitute a nuisance on an abutting residentially zoned property or property in residential use.
- e. Drive-through canopies and other structures, where present, shall be constructed from the same materials as the primary building and with a similar level of architectural quality and detailing.
- f. A 10-foot buffer area with screen planting and an opaque wall or fence between 6 and 8 feet in height shall be required between the drive-through lane and any property line adjoining a residentially zoned property or property in residential use.

In the case of Section 1005.02: Design Standards, refuse and recyclables are to be located on the rear and/or side of the building, however, there is no mention of the public street. The City Planner finds this to be shortsighted since the rear of a through lot is a public street, and for most of the Planner's tenure such accessory items have not been allowed to be visible to the public.

In the case of Section 1009.02: Conditional Use, Specific Standards and Criteria, a drive-through, on the other hand, can be only on the side of a building not adjacent a public street, which means there are no options or flexibility when a building lies adjacent to two or more public streets. The City Planner has determined that this, too, is shortsighted and difficult/challenging to achieve, and if/when achieved, it does not always provide the best design.

These particular standards were brought into question by the Planning Division when reviewing the Walgreens redevelopment proposal, prior to the plans being brought forward through the Conditional Use process. The existing Code requirements forced (since no flexibility exists) the drive-through to the north side of the building and the trash/recycling enclosure area to the east (Snelling Avenue), which, the City Planner would argue, is unattractive, uninviting, and places a nontraditional refuse area/item in plain view of the public.

Concerns and issues with these two requirements have come into play in recent months as the building market heats up in Roseville and more vacant or redevelopment sites are being looked at for development; some of the sites have more than one adjacent public street.

5.0 PROPOSED ZONING TEXT CHANGES

The City Planner is seeking a few minor adjustments to each of the Zoning Ordinance sections to create a flexible design and location approach to the drive-through and/or refuse area.

Section **1005.02.I: Design Standards** to read as follows:

- I. **Garages Doors and Loading Docks:** Loading docks, refuse, recyclables, and/or compactors shall be located, to the extent feasible, on rear or side facades that do not front a public street and, to the extent feasible, garage doors should be similarly located. Garage doors of attached garages on a building front shall not exceed 50% of the total length of the building front. Where loading docks, refuse, recyclables, and/or compactors abut a public street frontage, a masonry screen wall comprised of materials similar to the building, or as approved by the Community Development Department, shall be installed to a minimum height to screen all activities.

1009.02.D.12: Conditional Uses, Specific Standards and Criteria to read as follows:

12. Drive-through Facilities:

- a. Drive-through lanes and service windows shall be located to the side or rear of buildings and shall not be located between the principal structure and a public street, except when the parcel and/or structure lies

adjacent to more than one public street, and the placement is approved by the Community Development Department.

- b. Points of vehicular ingress and egress shall be located at least 60 feet from the street right-of-way lines of the nearest intersection.
- c. The applicant shall submit a circulation plan that demonstrates that the use will not interfere with or reduce the safety of pedestrian and bicyclist movements. Site design shall accommodate a logical and safe vehicle and pedestrian circulation pattern. Adequate queuing lane space shall be provided without interfering with on-site parking/circulation.
- d. Speaker box sounds from the drive-through lane shall not be loud enough to constitute a nuisance on an abutting residentially zoned property or property in residential use.
- e. Drive-through canopies and other structures, where present, shall be constructed from the same materials as the primary building and with a similar level of architectural quality and detailing.
- f. A 10-foot buffer area with screen planting and/or an opaque wall or fence between 6 and 8 feet in height shall be required between the drive-through lane and any property line adjoining a public street or residentially zoned property or property in residential use and approved by the Community Development Department.

6.0 PUBLIC COMMENT

As of the time this report was prepared, Planning Division staff has not received any communications from the public.

7.0 RECOMMENDATION

Based on the comments and findings outlined in Sections 4 and 5 of this report, the Planning Division recommends approval of the ZONING TEXT CHANGE.

The duly-noticed public hearing for this application was held by the Planning Commission on June 5, 2013; draft minutes of the public hearing were unavailable at the printing of the report. No citizens addressed the Planning Commission and Commissioners had no significant questions or concerns regarding the proposed text amendment. The Planning Commission voted (6-0) to approve the request as presented by the City Planner.

8.0 SUGGESTED ACTION

Adopt an ordinance amending Section 1005.02.I: Design Standards and 1009.02.D.12: Conditional Uses, Specific Standards and Criteria - Drive-through Facilities based on the comments of Section 4 and recommendation of Section 5 of this report.

Prepared by: City Planner, Thomas Paschke (651-792-7074) thomas.paschke@ci.roseville.mn.us
Attachments A. Draft Ordinance

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 to clarify the location of drive-through facilities and refuse uses (Commercial and Mixed-Use Districts – 1005) and to modify the specific standards and/or criteria related to drive-through facilities (Process -1009), of the Roseville Zoning Ordinance..

SECTION 2. Section 1005.02.I: Garage Doors and Loading Docks is hereby amended as follows:

Garages Doors and Loading Docks: Loading docks, refuse, recyclables, and/or compactors shall be located, to the extent feasible, on rear or side facades that do not front a public street and, to the extent feasible, garage doors should be similarly located. Garage doors of attached garages on a building front shall not exceed 50% of the total length of the building front. Where loading docks, refuse, recyclables, and/or compactors abut a public street frontage, a masonry screen wall comprised of materials similar to the building, or as approved by the Community Development Department, shall be installed to a minimum height to screen all activities.

SECTION 3. Section 1005.02.D.12: Conditional Uses, Specific Standards and Criteria for drive-through facilities is hereby amended as follows:

- a. Drive-through lanes and service windows shall be located to the side or rear of buildings and shall not be located between the principal structure and a public street, except when the parcel and/or structure lies adjacent to more than one public street and the placement is approved by the Community Development Department.
- b. Points of vehicular ingress and egress shall be located at least 60 feet from the street right-of-way lines of the nearest intersection.
- c. The applicant shall submit a circulation plan that demonstrates that the use will not interfere with or reduce the safety of pedestrian and bicyclist movements. Site design shall accommodate a logical and safe vehicle and pedestrian circulation pattern. Adequate queuing lane space shall be provided without interfering with on-site parking/circulation.
- d. Speaker box sounds from the drive-through lane shall not be loud enough to constitute a nuisance on an abutting residentially zoned property or property in residential use.
- e. Drive-through canopies and other structures, where present, shall be constructed from the same materials as the primary building and with a similar level of architectural quality and detailing.
- f. A 10-foot buffer area with screen planting and/or an opaque wall or fence between 6 and 8 feet in height shall be required between the drive-through lane and any property line adjoining a public street or residentially zoned property or property in residential use and approved by the Community Development Department.

41 **SECTION 5. Effective Date.** This ordinance amendment to the Roseville City Code shall take
42 effect upon passage and publication.

43 Passed this 17th day of June, 2013