

ROSEVILLE
REQUEST FOR CITY COUNCIL ACTION

DATE: **06/09/2104**
ITEM NO: 13.a

Department Approval



City Manager Approval

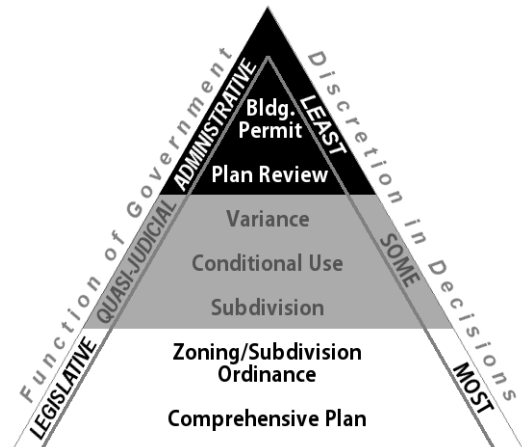


Item Description: Request by University of Northwestern for a Text Amendment to the Zoning Ordinance to allow student housing as a permitted use in the Community Business District. The Roseville Community Development Department is also seeking an amendment to the definition of dormitory, changing the title to “student housing,” replacing dormitory in the definition of College or post-secondary school, campus with “student housing,” and permitting “student housing” in Regional Business and Community Mixed-Use Districts. **(PF14-006).**

Application Review Details

- RPCA prepared: May 1, 2014
- Public hearing: May 7, 2014
- City Council action: June 9, 2014
- Statutory action deadline: June 19, 2014

Action taken on proposed zoning amendments is **legislative** in nature; the City has broad discretion in making zoning use decisions based on advancing the health, safety, and general welfare of the community.



1.0 REQUESTED ACTION

University of Northwestern and the Roseville Planning Division seek approval of **Text Amendments to the Zoning Ordinance:** specifically to section 1001.10 Definitions, Table 1005.1, and Section 1011.12.E to permit student housing in the select districts within Commercial and Mixed Use Districts to facilitate plans to purchase and convert the County Inn and Suites into student housing.

2.0 SUMMARY OF RECOMMENDATION

The Planning Division recommends approval of the proposed changes; see Section 7 of this report for the detailed recommendation. Planning Division staff concurs with the recommendation of the Planning Commission (5-0 vote) to approve the proposed **Zoning Text Amendments** to Section 1001, Definitions, Table 1005-1, and Section 1011.12.E of the Roseville Zoning Ordinance; see Section 7 of this report for the detailed recommendation

3.0 SUMMARY OF SUGGESTED ACTION

Adopt an Ordinance approving text amendments to the Roseville Zoning Ordinance; see Section 8 of this report for the detailed action.

4.0 BACKGROUND

4.1 The subject property, located in Planning District 2, has a Comprehensive Plan Land Use Designation of Community Business (CB) and Zoning classification of Community Business (CB) District.

4.2 The following are excerpts from Planning District 2 of the Comprehensive Plan as it pertains to the subject area:

***Land-Use Issues** – The primary land-use issues in District 2 occur on the edges. This district’s southern edge borders the Twin Lakes Redevelopment Area, currently a mix of industrial and vacant land. The Comprehensive Plan guides the Twin Lakes area for a mix of residential and nonresidential land uses. Attention should be given to establishing appropriate transition/buffer land uses between future land uses in the Twin Lakes area and the existing low-density residential uses in Planning District 2.*

Similar transition issues exist with the more intensive land uses along Snelling Avenue adjacent to Northwestern College and along Cleveland Avenue. Northwestern College has continued to grow in size, which creates pressures to expand its campus. In particular, there is a growing presence of student housing, some owned by the college, east of Snelling Avenue and south of County Road C2. The Comprehensive Plan seeks to balance maintaining the integrity of the existing neighborhoods with sustaining this more intense adjacent land use.

***Future Land Use** – The 2030 Land Use plan for District 2 focuses on maintaining existing land uses. Planned uses are consistent with current development.*

The Comprehensive Plan continues to guide land uses near the Northwestern College campus for appropriate land uses rather than expanding the designation of institutional land uses east of Snelling Avenue and south of County Road C2.

4.3 When the topic of Northwestern purchasing the Country Inn and Suites and converting it to student housing initially came up, staff had a number of concerns, including loss of tax base, potential use impacts, conversion of lodging rooms to dormitories, and southward expansion of campus. The City Planner also discussed whether student housing was a more appropriate term to be used, rather than dormitory, since the latter was more closely aligned with a type of *building* versus a housing *use*.

4.4 Over the past few months, the City Attorney, Planning Division staff, and University of Northwestern representatives have been discussing the appropriate remedy to support the purchase, conversion, and reuse of the Country Inn and Suites and have most recently determined that text amendments within the Zoning Code are the most appropriate approach.

4.5 Although the initial application submitted by Northwestern was for a Comprehensive Plan Land Use designation and Zoning classification amendments for the subject property, Planning Division staff and the City Attorney concluded that such changes were not in the City’s or Northwestern’s best interest. We believe that it is better to clarify the difference between a dormitory and student housing and address necessary mitigations or heightened standards to support student housing in the CB district.

5.0 PROPOSAL TEXT AMENDMENTS

5.1 The joint request for text amendments to the Zoning Ordinance by University of Northwestern and the Community Development Department include the following items:

- A definition change from “dormitory” to “student housing”;
- The permitting of “student housing” in select zoning districts within the Community, Regional Business-1 and 2 Districts;
- Standards or requirements pertaining to reuse of a building or new construction;
- And proposed changes to existing housing types in the Neighborhood Business and Community Mixed Use Districts.

5.2 Student Housing Definition Proposal

The Zoning Code defines a dormitory this way: **Dormitory:** *A building designed for or used as group living quarters for students of a high school, college, university, or seminary, organized and owned by a high school, college, university, or seminary.* After much discussion and debate, Planning staff and the City Attorney concluded that this definition describes a building rather than a type of use. Therefore amending the title to be broader, such as in “student housing” would be better suited for the definition and its relationship to a use – proposed amendments below.

~~**Dormitory**~~ **Student housing:** ~~*A building designed for or used as a*~~ **Group** *living quarters designed for students of an elementary, middle, junior, or high school, college, university, or seminary, organized and owned by such institution* ~~*a high school, college, university, or seminary.*~~

5.3 Similarly, if the definition of dormitory is amended to read “student housing” the definition of college or post-secondary school, campus must be amended as well. This definition currently reads: **College or post-secondary school, campus:** *An institution for postsecondary education, public or private, offering courses in general, technical, or religious education, which incorporates administrative and faculty offices, classrooms, laboratories, chapels, auditoriums, lecture halls, libraries, student and faculty centers, athletic facilities, dormitories, fraternities, sororities, and/or other related facilities in a campus environment. (Ord. 1427, 7-9-2012)*

College or post-secondary school, campus: *An institution for postsecondary education, public or private, offering courses in general, technical, or religious education, which incorporates administrative and faculty offices, classrooms, laboratories, chapels, auditoriums, lecture halls, libraries, student and faculty centers, athletic facilities, dormitories student housing, fraternities, sororities, and/or other related facilities in a campus environment.*

5.4 Permitting of Student Housing as use in CB, RB-1 and 2 Districts

Currently a dormitory is permitted in the Community Mixed Use District but not permitted in any other of the Commercial and Mixed-Use Districts. To gain a better understanding of the similarities, the Planning Division reviewed Table 1005-1 and concluded that lodging and residential uses supported in a few districts are very similar to student housing; after all, student housing is a form of residential use.

100 5.5 Although these uses are similar, there may be some impacts that need to be mitigated
101 with specific standards; density is one such item. A hotel can be developed on property
102 zoned CB, RB-1, RB-2, and CMU, and is restricted only by height and the development
103 standards provided in each district. Housing uses, however, appear to be misplaced
104 and/or not appropriately allowed, and limited by density. Specifically, less dense, more
105 neighborhood like, apartments could be supported on small business nodes versus on
106 more commercialized nodes where they may be out of place and the property geared for
107 something that generates greater taxes; currently the less dense residential uses are not
108 permitted in the NB District. On the other hand, an apartment with 8 or more units is a
109 conditional use in the NB district, but not allowed in any other commercial districts,
110 which seems odd since as one moves up the commercial designation scale traditionally
111 the impacts of the use become greater and their location is better suited for greater
112 density and traffic volumes and the Comprehensive Plan and the Zoning districts
113 themselves advocate mix of use.

114 5.6 The Planning Division concludes that there is a very slight difference between a hotel and
115 a market rate apartment complex; an occupant may stay longer and there is a defacto
116 ownership component in the apartment that typically does not get associated with a hotel.
117 In the end, however, both are a form of living quarters and tend to have similar traffic
118 volumes. Nursing home/assisted living also falls into this category, but such uses
119 typically have a care component that adds to the complexity of the use, generally
120 identifying the use as more commercial business type than true residential type.
121 Nevertheless, the impact of such uses may lie more with the potential transportation
122 issues than it does with the type of structure or whether the renters are students or market
123 rate professionals.

124 5.7 **Student Housing Standards**

125 The Planning Division has developed specific standards for student housing to address
126 potential impacts of reuse or newly constructed use; these would be contained Section
127 1010.12.E, Property Performance Standards, of the Zoning Ordinance under the Business
128 and Commercial Uses subsection.

129 5.8 The proposed standards would address reuse differently than new construction, since
130 reuse will occur in a building with an existing impact on a neighborhood, whereas new
131 construction would add a potential impact not yet realized by a neighborhood. The
132 standards would be as follows:

- 133 a. Student housing seeking to reuse an existing hotel, apartment building/complex, or
134 nursing care/assisted living facility shall be a permitted use.
- 135 b. Reuse sites that are currently adjacent to residentially zoned or used property shall be
136 reviewed by the Community Development Department for screening/fencing needs to
137 mitigate parking and/or drive lane impacts.
- 138 c. New construction of student housing shall be limited to a maximum height of 35 feet
139 and a minimum setback of 30 feet when adjacent to LDR-1 or LDR-2 district; a
140 maximum height of 45 feet and a minimum setback of 20 feet when adjacent to MDR
141 district; a maximum height of 65 feet and minimum setback of 15 feet when adjacent
142 High Density Residential-1 district; and a maximum height of 95 feet and minimum
143 setback of 15 feet when adjacent to High Density Residential-2 district.

- d. Buildings may be stepped with lower heights placed nearer lower density residential use/district and greater heights being placed near roadways.
- e. Minimum parking lot and/or garage setbacks for student housing uses in all allowed districts shall be 10 feet, which area shall consist of landscaping, an opaque screen fence, or a combination thereof.

5.9 Additional Residential Use Amendments

During the student housing review for University of Northwestern the Planning Division determined that a few changes to the Neighborhood Business (NB) District regarding housing should also accompany its portion of the proposed text amendments.

Specifically, the Planning Division views single family attached units as an appropriate housing type in the NB district as well as multi-family; 3-8 units. These are proposed as conditional so as to mitigate any issues or concerns that could occur when adjacent low density residential. The Division also felt that a mixed use project (multi-family upper floors) was not an appropriate use type in the NB district given the assumed density needed to support such a project; therefore are change is from permitted to not permitted.

Lastly, the Planning Division determined that an accessory dwelling unit, college or post-secondary school, campus, and school, elementary or secondary were inappropriate for the CMU and thus we are recommending them to be not permitted.

5.10 Use Table; brining it all together

In review of Table 1005-1, the Planning Division would suggest the following changes: black strikeout to be eliminated and red bold, underline, to be added.

Table 1005-1	NB	CB	RB-1	RB-2	CMU	Standards
Commercial Uses						
Liquor store	C	P	P	P	P	
Lodging: hotel, motel	NP	P	P	P	P	
Mini-storage	NP	P	P	P	NP	
Residential – Family Living						
Dwelling, one-family attached (townhome, rowhouse)	NP <u>C</u>	NP	NP	NP	P	
Dwelling, multi-family (3-8 units per building)	NP <u>C</u>	NP	NP	NP	P	
Dwelling, multi-family (upper stories in mixed-use building)	P <u>NP</u>	P	NP <u>P</u>	NP <u>P</u>	P	
Dwelling, multi-family (8 or more units per building)	C	NP <u>P</u>	NP <u>P</u>	NP <u>P</u>	P	
Dwelling unit, accessory	NP	NP	NP	NP	C <u>NP</u>	Y
Live-work unit	C	NP	NP	NP	P	Y

Table 1005-1	NB	CB	RB-1	RB-2	CMU	Standards
Residential – Group Living						
Community residential facility, state licensed, serving 7-16 persons	C	NP	NP	NP	C	Y
Dormitory Student housing	NP	NP P	NP P	NP P	C NP	Y
Nursing home, assisted living facility	C	C	C	C	C	Y
Civic and Institutional Uses						
College or post-secondary school, campus	NP	NP	P	P	P NP	Y
College or post-secondary school, office-based	P	P	P	P	P	Y
Community center, library, municipal building	NP	NP	P	P	P	
Place of assembly	P	P	P	P	P	Y
School, elementary or secondary	NP	NP	P	P	P NP	Y
Theater, performing arts center	NP	NP	P	P	P	Y
(Ord. 1427, 7-9-2012; Ord. 1445, 7-8-2013; Ord. 1446, 7-8-2013; Ord. 1447, 7-8-2013; Ord. 1451, 8-12-2013)						

6.0 STAFF RECOMMENDATION

Based on the comments and findings outlined in Sections 4 – 6 of this report, the Planning Division recommends approval of the proposed **TEXT AMENDMENTS** to Section 1001 Definitions, Table 1005-1, and Section 1011.12.E Property Performance Standards of the Zoning Ordinance.

7.0 PLANNING COMMISSION ACTION

At their meeting of May 5, 2014, the Planning Commission held the duly noticed public hearing regarding the text amendment request by University of Northwestern and the Community Development Department, where the Commissioners did have questions of staff the questions regarding the proposal. Specifically, they were interested in clarity on in the definition of “student housing” and whether it needed to be broadened to support boarding school; clarity on how setbacks would be applied for new construction; and a better understanding on why “college or post-secondary school, campus” in the CMU district was being changed from permitted to not permitted. The City and Senior Planner’s provided responses to commissioners regarding these items (see Attachment A).

The Planning Commission voted 5-0 to recommend approval of the proposed text amendments, with the Planning staff to review and possibly modify the definition of student housing.

185 **8.0 SUGGESTED CITY COUNCIL ACTION**

186 **Adopt an Ordinance** amending the text within Section 1001.10, Definitions, Table
187 1005-1, and Section 1011.12.E Additional Standards for Specific Uses in All Districts;
188 Business and Commercial Uses, to be consistent with Section 5 of this report (see
189 Attachment B, draft ordinance);

190 All based on the comments and findings of Section 4 and recommendation of Section 5
191 and 6 of this report.

192 **9.0 POSSIBLE ALTERNATIVE ACTIONS**

193 **Pass a motion to table the item for future action.** Tabling beyond June 19, 2014 will
194 require extension of the 60-day action deadline established in Minn. Stat. §15.99.

195 **Pass a motion, to deny the requested approval.** Denial should be supported by specific
196 findings of fact based on the City Council's review of the application, applicable zoning,
197 and the public record.

Prepared by: City Planner Thomas Paschke
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Attachments: A: Draft May PC minutes B: Draft ordinance
C: Summary ordinance

**Extract of the Meeting Minutes of the Roseville Planning Commission,
May 5, 2014**

b. PLANNING FILE 14-006

Request by the University of Northwestern for a Text Amendment to the Zoning Ordinance to allow student housing as a permitted use in the Community Business District. The Roseville Community Development Department is also seeking a TEXT AMENDMENT to the definition of dormitory, changing the title to “student housing,” replacing dormitory in the definition of college or post-secondary school, campus with “student housing,” and permitting “student housing” in Regional Business and Community Mixed-Use Districts

Chair Gisselquist opened the Public Hearing for Planning File 14-006 at approximately 7:14 p.m.

City Planner Paschke reviewed the joint request by the University of Northwestern and the Roseville Planning Division for approval of a TEXT AMENDMENT to the Zoning Ordinance, specifically to Section 1001.10 (Definitions, Table 1005.1) and Section 1011.12.E to permit student housing in the select districts within Commercial and Mixed Use Districts to facilitate plans to purchase and convert the Country Inn and Suites into student housing.

Mr. Paschke reviewed the background of staff’s analysis, and rationale for the proposed request to support this use, as detailed in Section 4 of the staff report dated May 7, 2014; and differences in student housing/dormitories versus lodging rooms and potential use impacts for the expansion of the College campus. Further analysis was detailed in Section 5.0 of the staff report, specific to definitions of dormitory, student housing, and other applicable text amendments and permitted uses listed on Table 1005-1. Mr. Paschke also reviewed proposed changes to the “Standards” portion specific to student housing for re-use or newly-constructed use, as outlined in Sections 5.7 and 5.8.

In Section 5.2, Member Daire questioned if it was staff’s intent to eliminate “dormitories;” and if so, there was another section that still referenced “dormitories” versus “student housing.”

Mr. Paschke clarified that the first instance was the existing language, and the second instance was proposed language, immediately ahead of Section 5.3 of the report, similar to Section 5.1, specifically calling out “dormitories” and highlighted in red.

In Section 5.1, Member Murphy noted the proposed “student housing” language seemed to start at high school age; and questioned if language should also consider boarding schools for students under high school age for potential future use if someone put in a residential academy for re-use of an existing building (e.g. middle school). Member Murphy noted that the proposed language did not accommodate such a use; and questioned if there was rationale by staff in excluding student housing for younger than high school age.

Mr. Paschke expressed appreciation for Member Murphy’s point; and suggested it be included in proposed language, as staff had not given it any thought and had no position on excluding it. Mr. Paschke noted that staff would look at inserting language to address those situations, such as boarding schools, private elementary schools with campus housing for students, noting that there were many in the State of Minnesota as well as in other areas of the metro.

Member Murphy spoke in support of allowing those uses.

Member Boguszewski suggested revising language in Section 5.1 (second paragraph) to replace “High School” with “Boarding School” to accomplish that aim versus adding further verbiage to the language.

Member Murphy suggested that the Planning Commission not wordsmith the document tonight, but now that it had been brought to staff's attention, they could resolve that omission if there was no reason not to do so.

Mr. Paschke suggested that staff consult with the City Attorney for wordsmithing as appropriate and make the change as recommended by Member Murphy; with that clarification occurring before the request went before the City Council for action.

In Item 5.8.C and listed conditions, Member Murphy questioned how that would be interpreted if a subject property was surrounded by multiple zoning designations.

Mr. Paschke responded that setback requirements for the structure(s) would apply according to each use, or require a variance or other tool to accomplish that application; but clarified that not just one setback provision would apply if the property had varying zoning designations surrounding it.

At the request of Member Murphy, Mr. Paschke reviewed the instances when the City would work with other and/or adjacent jurisdictions when an entity, such as the University of Northwestern, was located in both Roseville and Arden Hills. Mr. Paschke advised that agreements would be put in place as applicable to address those joint efforts (e.g. parking garage and student center constructed in the past).

Since this campus was located in both communities, Member Daire asked staff if they had consulted with the City of Arden Hills regarding joint adoption of this kind of language in both City Codes.

Mr. Paschke responded negatively, since this is an off-campus site only located in the City of Roseville, and not on the campus proper that would impact the City of Arden Hills.

Since the impact of this new use would be the same or less than the current use, Member Keynan clarified that staff's review involved the re-use itself and determination that there would indeed be no additional impact from this proposed use.

Mr. Paschke concurred with Member Keynan's assumptions; advising that, if these revisions are approved for adoption, and the University of Northwestern completes their purchase of the existing building, the time frame would proceed for finalization of their plans to modify the building to convert it from a hotel design to a design consistent with student housing. Once those plans are submitted to staff by Northwestern's architects and engineers, they would go through the regular permit review by various staff and departments, and include a review of student numbers, occupancy restrictions, whether ample parking was available on site, and other necessary modifications required by City Code. Mr. Paschke noted that the permit process and review would be no different than any other building permit for re-use of a structure; but clarified that the review would not occur until those plans and a review of potential impacts from the conversion had been thoroughly vetted, based on current codes and ordinances in effect at the time of the review and specifically addressing the proposed use.

At the request of Member Daire, Mr. Paschke advised that he was not aware of any limitations on the proximity of educational facilities and/or properties to establishments serving liquor.

In Section 5.8.D, Member Murphy questioned if the intent for locating the roadway if LDR designation was on one side and another classification on another side, and how residences would be potentially impacted.

Mr. Paschke advised that access to a public street was more likely unless part of the interior development; with the intent to place taller buildings near streets, and consistent with code for lower portions to be placed adjacent to lower density areas to avoid negative height impacts. Mr. Paschke clarified that general design standards would apply and need to be incorporated into any plans, but how it may play out was difficult to determine at this time for various areas in the City depending on where those potential sites for student housing may occur in the future and adjacent uses to those side, even with a roadway between them.

However, Mr. Paschke reiterated that the intent was for the taller components to be adjacent to the street as they were typically busier than the rear or sides adjacent to LDR or single-family uses.

Discussion ensued between Member Murphy and Mr. Paschke as to how a new structure on this site may be located or stepped if surrounded by roads and various uses. From his perspective under current code and his interpretation if the structure was rebuilt on this site, Mr. Paschke opined that the building would be placed on the corner and stepped to the west and north, with parking centered around the interior or along Lincoln Drive. Mr. Paschke noted that this would push the taller component toward the busier intersection of Snelling Avenue and County Road C-2, and other component toward Lincoln Drive and/or single-family residential areas on the west and north sides closer to the Eagle Crest building.

Member Boguszewski pursued expressed his two concerns on Table 1005-1, but not pursuant to this particular issue at hand. Member Boguszewski advised that those concerns were related to the "Civic and Institutional Uses" portion of the table, (last line of Page 4 involving CMU designation) moving "college or post-secondary school, campus" use from "permitted" to "not permitted." Also, Member Boguszewski noted his other concern was with a similar proposed change (page 5 of 6 on the Table under the same CMU designation) for "school, elementary or secondary" moving from "permitted" to "not permitted." Member Boguszewski questioned staff's rationale for that recommended change, even though he was aware that such uses were permitted in CMU designated neighborhoods in St. Louis Park and other metropolitan communities. Member Boguszewski also questioned if the "not permitted" designation would exclude daycares, dancing or art studios, or training academies or schools as "not permitted" in CMU neighborhoods as well; and if so, why those were being singled out from "permitted" uses.

Under Roseville City Code, Mr. Paschke advised that these were intentional as they related to school and/or campuses, with those differences addressed in business-related designations. Mr. Paschke suggested that, from his perspective, a business school (e.g. Rasmussen College) would fall under a business designation; and a performing arts studio would fall under the performing arts designation, whether educational in nature or not, it would have some of those specifics for use. Mr. Paschke noted that City Code speaks to those, and unfortunately was unable to recall staff rationale overall in intentionally addressed those specific items, as the suggested modification was made at the staff level during discussions several months ago.

Member Boguszewski sought comment from Mr. Lloyd as to his recollection of those discussions; to which Mr. Lloyd responded that he couldn't be specific in addressing those proposed changes for elementary and/or secondary schools in CMU districts, other than as suggested by Chair Gisselquist, that it may be based on whether or not those uses would remove the property from the tax rolls if permitted institutional uses.

Mr. Paschke opined that the intent in changing campus uses to "not permitted" was based on not allowing that much land to be used for such a use in the City's only current CMU District, the Twin Lakes Redevelopment Area specifically. Since that area was intended for a redevelopment area, Mr. Paschke opined that the discussion held by Planning Staff and City Manager and former Community Development Director Patrick Trudgeon involved eliminating such a potential large use in that area, to reserve it for business redevelopment versus institutional use. Mr. Paschke noted that this was part of a broader language revision as further review of the code was being performed over a number of months since its adoption in 2010, and after those months of practical and realistic application.

Member Boguszewski asked that Mr. Paschke carry the question back to City Manager Trudgeon and report on that rationale for the Planning Commission at the next meeting. Member Boguszewski sought to understand the broader discussion and staff rationale in making the recommendation to he could better make his own determination.

Mr. Paschke duly noted that request; while maintaining that staff did not think either of those uses should be "permitted" in a CMU District.

If the intent of staff was to retain the Twin Lakes CMU District as a catalyst for growth and economic development, Chair Gisselquist opined that he could understand the rationale; however, he suggested other uses may need to be considered based on various scenarios.

Member Murphy stated that he wasn't sure if he shared that opinion, and in reviewing the table if the cell in Table 1005-1 remained blank, it may create a challenge for the City to address in the future. At this point, Member Murphy stated that he supported designating "not permitted" in CMU areas, as proposed by staff in their report.

Mr. Paschke advised that he would look into the background and report back to the Planning Commission at a future meeting.

Member Boguszewski expressed appreciation to staff; noting his desire to incorporate small schools into neighborhood designs, not necessarily a 14-acre school, but reiterated that those concerns would not impact his decision on this request tonight, but opined that it needed to be addressed in case a change was indicated in the future.

Chair Gisselquist opined that he could envision a small charter school or start up school in a CMU District.

From his personal perspective, Member Daire suggested that in staff's follow-through on Member Boguszewski's requested information, it would serve to get everyone on the same page versus challenging staff's wisdom in suggesting the proposed changes, to which Member Boguszewski concurred.

Chair Gisselquist noted that the meeting minutes and video tape would duly reflect the concerns expressed by the Planning Commission about this particular designation; and as noted previously by the City Council, they did follow the meeting discussion of the Commission that served to inform their discussions.

Applicant Representatives: Land Use Attorney Jay Lindgren with the law firm of Dorsey and Whitney, 50 S Sixth Street, Mpls., MN AND CFO and Director of Business Affairs with the University of Northwestern Doug Schroeder

Mr. Lindgren advised that he was present tonight to support the application and staff recommendations. Mr. Lindgren advised that their objective was to finalize the purchase and conversion of the hotel into student housing. Mr. Lindgren expressed appreciation to staff for their productive discussions over the last few months in processing this issue.

Mr. Lindgren noted that, it was staff's determination that the neither the comprehensive plan nor zoning code for this particular parcel in Roseville provided a good designation to utilize the existing college designation in a CMU District. Therefore, Mr. Lindgren noted that several options were considered: amendment to the comprehensive plan and zoning code, or re-designation of the zoning to Regional Business to allow college use and related facilities in that area. Mr. Lindgren advised that it was Mr. Paschke and Planning staff that came up with the idea that they wanted in particular to deal with what a "dormitory" was and assure the building was put to its true use, with the eventual proposal for "student housing" designation as a permitted use.

Mr. Lindgren advised that the applicant was supportive of staff's recommendation and had resubmitted their application accordingly. Mr. Lindgren respectfully asked for approval by the Planning Commission, thus moving the process to the City Council at their June 9, 2014 meeting; allowing completion of the application and permitting process to have student housing available for the next school year.

Chair Gisselquist asked the applicant if this expansion was due to increased enrollment or because it was hard for students to find nearby housing.

Mr. Schroeder responded that, during his 14-year tenure with the college and continued growth, there had been an inconsistency between housing and academic space, never truly aligned. Mr. Schroeder advised that this would accomplish that alignment. Mr. Schroeder advised that as a residential college, one of their strategic goals had been to keep residential housing at approximately 67%, with the remaining students in the “commuter” category; but that currently those numbers had dipped to below 60% available for residential housing.

Mr. Schroeder noted that the college had gone through this process once before, collaborating with the City of Arden Hills, when the college entered into a three-year lease for the former Holiday Inn on County Road E, retrofitting it into student housing. However, Mr. Schroeder advised that the facility was found to be too large in accommodating 360 – 370 beds, and too remote to the campus; as well as being affected by the economic challenges during that time period. Now that the economy and enrollment has stabilized, Mr. Schroeder advised that they were also finding that families wanted students to have campus living experiences for a sense of community, personal safety, and the cost of gas prices for commuting students. Therefore, when this opportunity came along, Mr. Schroeder stated that this property could be turned into a successful housing facility immediately adjacent to the campus. With the University’s long-standing relationship with Presbyterian Homes, Mr. Schroeder advised that the plan was explored, and came together at a price point that was favorable to the relationship; they had approached City staff to see if it could be accommodated in the zoning code.

Member Daire asked if the current “Pippins Restaurant” was part of the acquisition.

Mr. Schroeder advised that Pippins had a lease agreement with Eagle Crest/Presbyterian Homes, owner of the hotel, and that legal, binding contract put Pippins in control of that decision as long as the property remained a hotel. If that use no longer existed, Mr. Schroeder advised that the lease contract provided the right for Pippins 30 days to make a decision to stay or vacate the lease arrangement. At this time, Mr. Schroeder advised that the owner of Pippins had indicated that they intended to stay, and that the University would honor that and continue their lease as an inside facility not owned or operated by Northwestern.

Mr. Lindgren opined that the Pippins ownership seemed somewhat excited by the prospects of this as well.

Member Daire asked if the remote housing location from the campus may be a consideration of increasing the restaurant business, and whether or not that had been a consideration.

Mr. Schroeder advised that they had tried that business model in Arden Hills, and while the perception is that it will work, they had found it not feasible for a “grab and go” or luncheon type of facility. Mr. Schroeder affirmed that it was a nice “hang out” place for students, but from an economic standpoint, there wasn’t enough revenue generated to pay staff and cover food costs.

Therefore, Mr. Schroeder advised that Northwestern didn’t see their involvement short- or long-term in a restaurant; and if Pippins decides not to remain on site, Northwestern would most likely consider another independent restaurant option (e.g. Pizza Ranch). Mr. Schroeder stated that most students ate their significant meal mid-day; and the student housing would accommodate their ability to make breakfasts or evening snacks in their units; but big meals would continue in the middle of the campus for the most successful social community and economic reasons.

Chair Gisselquist closed Public Hearing at approximately 7:50 p.m.; with no one appearing for or against.

Member Boguszewski opined that changing the use from “dormitory” to “student housing” seemed to align with the type of use; and that to him it seemed a wise decision, and he would support it, as well as the remainder of the request. Since other aspects of the University of Northwestern’s plans were presented to the Commission several months ago, and approved, Member Boguszewski continued his support for that

previous vote, opining that there was no reason to stand in their way if the City Attorney and Planning Department had determined that this method was the best way to achieve it through a text amendment. Member Boguszewski stated that he was confident in their rationale and opinion; and spoke in support of the request.

Member Keynan spoke in support of the request as well, and for the proposed route taken; opining that it was good thinking and a good plan overall.

Chair Gisselquist echoed the comments of Member Boguszewski, expressing his support in defining “student housing” as a use versus “dormitory” in the code language. Chair Gisselquist opined that he would support this as it created an opportunity for the college in meeting their needs; and he had no issues with the request.

MOTION

Member Keynan moved, seconded by Member Daire to recommend to the City Council APPROVAL of the TEXT AMENDMENTS to Section 1001 Definitions, Table 1005-1, and Section 1011.12E Property Performance Standards of the Zoning Ordinance; based on the comments and findings of Sections 4-6 and the recommendation of Section 7 of the staff report dated May 7, 2014.

With concurrence by Mr. Paschke, Member Murphy spoke in support of the motion as stated; noting that further consideration of revising boarding school language as discussed relative to Section 5.1 of the staff report could be revised in the future following staff’s research. If appropriate, Mr. Paschke noted that further language revisions, if consistent with tonight’s Planning Commission discussion, could be added to staff’s recommendations before this request was heard by the City Council; and the chart changed accordingly and if still appropriate, and at the discretion of the Commission.

By consensus, the Commission agreed to this process as described by Mr. Paschke, asking that the Planning Commission be copied with the report resulting from that research and the revised recommendations to the City Council.

Mr. Paschke duly noted that request.

Ayes: 5

Nays: 0

Motion carried.

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 modify/clarify specific requirements within Table 1004-5 pertaining to the Medium Density Residential Districts.

SECTION 2. Section 1001, Definitions is hereby amended as follows:

~~**Dormitory**~~ **Student housing**: ~~A building designed for or used as a~~ **Group** living quarters **designed** for students of an **elementary, middle, junior, or** high school, college, university, or seminary, organized and owned by **such institution** ~~a high school, college, university, or seminary.~~

SECTION 3. Section 1001, Definitions is hereby amended as follows:

College or post-secondary school, campus: An institution for postsecondary education, public or private, offering courses in general, technical, or religious education, which incorporates administrative and faculty offices, classrooms, laboratories, chapels, auditoriums, lecture halls, libraries, student and faculty centers, athletic facilities, ~~dormitories~~ **student housing**, fraternities, sororities, and/or other related facilities in a campus environment.

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

Table 1005-1	NB	CB	RB-1	RB-2	CMU	Standards
Commercial Uses						
Liquor store	C	P	P	P	P	
Lodging: hotel, motel	NP	P	P	P	P	
Mini-storage	NP	P	P	P	NP	
Residential – Family Living						
Dwelling, one-family attached (townhome, rowhouse)	NP <u>C</u>	NP	NP	NP	P	
Dwelling, multi-family (3-8 units per building)	NP <u>C</u>	NP	NP	NP	P	
Dwelling, multi-family (upper stories in mixed-use building)	P <u>NP</u>	P	NP <u>P</u>	NP <u>P</u>	P	
Dwelling, multi-family (8 or more units per building)	C	NP <u>P</u>	NP <u>P</u>	NP <u>P</u>	P	

Table 1005-1	NB	CB	RB-1	RB-2	CMU	Standards
Dwelling unit, accessory	NP	NP	NP	NP	C NP	Y
Live-work unit	C	NP	NP	NP	P	Y
Residential – Group Living						
Community residential facility, state licensed, serving 7-16 persons	C	NP	NP	NP	C	Y
Dormitory Student housing	NP	NP P	NP P	NP P	C NP	Y
Nursing home, assisted living facility	C	C	C	C	C	Y
Civic and Institutional Uses						
College or post-secondary school, campus	NP	NP	P	P	P NP	Y
College or post-secondary school, office-based	P	P	P	P	P	Y
Community center, library, municipal building	NP	NP	P	P	P	
Place of assembly	P	P	P	P	P	Y
School, elementary or secondary	NP	NP	P	P	P NP	Y
Theater, performing arts center	NP	NP	P	P	P	Y
(Ord. 1427, 7-9-2012; Ord. 1445, 7-8-2013; Ord. 1446, 7-8-2013; Ord. 1447, 7-8-2013; Ord. 1451, 8-12-2013)						

SECTION 4. Section 1011.12.E is hereby amended as follows:

11. Student housing, existing building:

- a. Student housing seeking to reuse an existing hotel, apartment building/complex, or nursing care/assisted living facility shall be a permitted use.**
- b. Reuse sites that are currently adjacent to residentially zoned or used property shall be reviewed by the Community Development Department for screening/fencing needs to mitigate parking and/or drive lane impacts.**

12. Student housing, new construction:

- a. New construction of student housing shall be limited to a maximum height of 35 feet and a minimum setback of 30 feet when adjacent to LDR-1 or LDR-2 district; a maximum height of 45 feet and a minimum setback of 20 feet when adjacent to MDR district; a maximum height of 65 feet and minimum setback of 15 feet when adjacent High Density Residential-1 district; and a maximum height of 95 feet and minimum setback of 15 feet when adjacent to High Density Residential-2 district.**

- 34 **b. Buildings may be stepped with lower heights placed nearer lower density residential**
35 **use/district and greater heights being placed near roadways.**
- 36 **c. Minimum parking lot and/or garage setbacks for student housing uses in all allowed**
37 **districts shall be 10 feet, which area shall consist of landscaping, an opaque screen**
38 **fence, or a combination thereof.**

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

41 Passed this 9th day of June, 2014

City of Roseville

ORDINANCE SUMMARY NO. ____

**AN ORDINANCE AMENDING SECTION 1001, DEFINITIONS AND 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 June 9, 2014:

The Roseville City Code, Title 10, Zoning Ordinance, specifically Section 1001, Definitions and Table 1005-1, has been amended to clarify and support student housing.

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: _____
Patrick Trudgeon, City Manager