

REQUEST FOR COUNCIL WORK

DATE 4/20/2009

ITEM NO: 13.a

Department Approval:



City Manager Approval:



Item Description: Request by Wellington Management for collaboration in the preliminary design of a proposed multi-tenant commercial office property (PF09-003)

1.0 REQUEST BACKGROUND

Wellington Management proposes a 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 a commercial office building and parking area.

Project Review History

- Duly noticed public hearing and Planning Commission recommendation (7-0) to approve the proposed REZONING and GENERAL CONCEPT PLANNED UNIT DEVELOPMENT: March 4, 2009
- City Council (2-3) failure to approve the proposed REZONING and GENERAL CONCEPT PLANNED UNIT DEVELOPMENT: March 23, 2009; failure to approve an application constitutes denial, but does not preclude the immediate submission of a conceptually similar request.
- City Council extended the 60-day action timeline to June 5, 2009

2.0 STAFF COMMENT

2.1 Despite its official refusal of the initial GENERAL CONCEPT plan, the City Council requested the opportunity to continue working with the applicant to arrive at a plan that best balances the needs of the City and the developer; to enable this collaboration, the City Council extended the time allotted for final action on the request by an additional 60 days. Planning Division staff believes that as long a plan is derived that is consistent with the recommendation made by the Planning Commission following the public hearing, the proposal may continue through the GENERAL CONCEPT approval process without returning to the Planning Commission as a new application.

2.2 The applicant has revised the plan in an attempt to address the Council's initial feedback and is seeking additional comment and collaboration on the general site design. Wellington Management is not seeking formal approval at this time, but intends to submit for Council action in May a package that is consistent with the plans developed with the Council's assistance.

Prepared by: Associate Planner Bryan Lloyd

Attachments: A: 3/4/09 public hearing minutes

B: 3/23/09 City Council minutes

C: Applicant narrative

D: Revised site plan

PLANNING FILE 09-003

Request by Wellington Management for approval of a REZONING of 1126 Sandhurst and 1267 Lexington Avenue to Planned Unit Development (PUD) from Single-Family Residence District and General Business District, respectively; and GENERAL CONCEPT PLANNED UNIT DEVELOPMENT (PUD) to allow the construction of a multi-tenant commercial office property.

Chair Bakeman opened the Public Hearing for Planning File 09-003 (6:44 p.m.).

Associate Planner Bryan Lloyd reviewed staff's analysis of the request of Wellington Management for approval of a REZONING of 1126 Sandhurst and 1267 Lexington Avenue to Planned Unit Development (PUD) from Single-Family Residence District and General Business District, respectively; and GENERAL CONCEPT PLANNED UNIT DEVELOPMENT (PUD), which would replace the existing TCF bank structures at 2167 Lexington Avenue and the adjacent single-family residence at 1126 Sandhurst Drive to allow the construction of a multi-tenant commercial office property and redevelopment of the northwest quadrant of the intersection of County Road B and Lexington Avenue with an 11,250 square-foot commercial office building and parking area.

Mr. Lloyd reviewed detailed information from the staff report dated March 4, 2009, and specifically addressed Section 5.3 related to deviations from standard setback requirements due to the proposed location of the building near the corner of County Road B and Lexington Avenue, noted in the flexibility of PUD applications. Mr. Lloyd noted that such flexibility would ultimately need approval by the City Council and must be demonstrably consistent with the Comprehensive Plan.

Staff recommended approval of the REZONING, based on the comments and findings outlined in Sections 4 – 5; and approval of the GENERAL CONCEPT PUD, based on the comments and findings outlined in Sections 4 – 7 of the staff report, and conditions detailed in Section 8.0 of the staff report dated March 4, 2009.

Mr. Lloyd noted that the applicant remained willing to work with staff on the height and design of the screening fence between residential properties and this proposed commercial land use, in addition to working with those residents.

Discussion between Commissioners and staff included clarifying where the existing zoning standards and proposed conditions were inconsistent; subject parcels remaining two (2) separate parcels and not subdivided or replatted, since the structure would not be built over an existing property line; proposed ten foot (10') setback from the side parking lot line to the residential properties; and no concerns in not adhering to the forty foot (40') traffic visibility triangle for the building.

City Engineer Debra Bloom

Ms. Bloom reviewed staff's rationale in approving the proposed building location and setbacks, based on vehicle visibility and approaches, area speeds and posted speeds, with design consistent with a 35 mph street; and availability of the EVP signal at that intersection.

Further discussion included accident potential at that intersection for vehicles not adhering to the traffic light; and concerns addressed by the Fire and Police Departments, with ongoing discussions to minimize potential accident issues.

Additional discussion included standard versus proposed setbacks; consistent setback of the proposed building from adjacent business property line; rationale for building locations closer to the street to encourage more pedestrian-friendly access; and consistency with "Complete Streets" concepts, in addition to consistency with the City's Cornerstone Plan developed in the mid- to late-1990's for development and redevelopment at significant intersections such as this, primarily to make them more transit, pedestrian and bicycle friendly, and to frame public space in a way not accomplished with a parking lot, and allowing a more urban feel.

Further discussion included the location of the main entrance to the building and the privacy concerns of the anticipated dental use, while allowing for future redesign of the entrance location; intent of the Neighborhood Business designation in the draft Comprehensive Plan in accommodating walkability, making pedestrian access from the street preferred; and removal of one (1) driveway onto County Road B from the current TCF property, with this land use.

Additional discussion included main and emergency accesses into the building; building height of eighteen feet (18'), with decorative entry cap features facing the parking lot at twenty-one feet (21'); screening of rooftop mechanicals; considerations for this land use in conjunction with the SuperAmerica

ingress/egress points and entrances along Lexington, with the proposed access for this application moving north slightly, as approved by Ramsey County; and potential for limiting left turns out of that driveway onto Lexington, and advantages and disadvantages of doing so.

Mr. Lloyd advised that staff had fielded only one (1) phone call related to the project, and that staff had addressed the misinformation they'd been given indicating that the City was intending to take property for the project by Eminent Domain. Mr. Lloyd noted the one (1) written comment, attached to the record, from Dr. Wilson, referenced later in the meeting.

Mr. Lloyd noted that staff and the applicant were continuing to discuss fence height and addressed parking requirements for this size of building at forty-one (41) spaces, with the applicant showing forty-nine (49) spaces.

Applicant Representative, Sonja Simonsen, Director of Finance for Wellington Management

Ms. Simonsen provided a brief history of the intended project over the last year, and conversations with neighboring property owners and staff. Ms. Simonsen advised that Wellington Management had ninety (90) buildings in the metropolitan area, with five (5) located in Roseville, and reviewed Wellington's business model focus since their establishment in 1984, and their real estate ownership and community involvement over that twenty-five (25) year history in over 199 communities.

Ms. Simonsen provided an architectural rendering of the building and site; comments received from residents at the neighborhood meeting; rationale for the north end entrance based on the initial tenant for privacy issues; and only three (3) suites to be located in the entire building.

Discussion among Commissioners and Ms. Simonsen included rationale for location of the building closer to the corner; urban features of the building; research from police departments in positioning buildings and decreased traffic accidents, indicating traffic calming effects; addressed the traffic visibility triangle and consistencies, based on traffic engineer data, in stopping distances and times; and other site plan and traffic flow issues that were discussed at the neighborhood meeting.

Ms. Simonsen noted that sixty-three (63) property owners had been invited to the neighborhood meeting, and that those attending seemed most concerned with security and lighting, which had prompted the applicant to increase lighting to facilitate those concerns, since there were not street lights at that location.

Ms. Simonsen reviewed conversations with Dennis Hagel of Ramsey County related to the County Road B access and their preference for closure of that access point; different use with this application, rather than the previous drive-thru use at the TCF Bank; landscaping and islands on site to control the site; and operations of the dental office from 8:00 a.m. – 3:00 p.m., and anticipated reduced traffic.

Chair Bakeman noted the configuration and length of Sandhurst and existing traffic problems from Lexington on to Sandhurst.

Commissioner Wozniak addressed whether the applicant could give some consideration the fact that the existing signal light was located in the middle of the sidewalk on the north side of County Road B and work with the City to widen that sidewalk along that area to allow better access for bicycles and/or pedestrians.

Commissioner Gottfried, speaking in support of bringing buildings closer to streets, expressed concern that sometimes they were located too close, allowing no room for pedestrian and/or bicycle amenities, and suggested the Commission consider a condition stipulating that allowance.

Chair Bakeman addressed her concerns with building height, questioning the height of the Cheetah building at its peak, in addition to the height of the smaller residences, and how the applicant could provide extra footage to make the building look less like a box and be more fitting with neighborhood's character.

Ms. Simonsen noted that this was part of the design rationale in accentuating the entrance to avoid a boxier look. Ms. Simonsen opined that the landscape plan, on paper, appeared overwhelming, but would show the applicant's efforts to make the building part of the neighborhood, and expressed willingness to work with staff on facilitating pedestrian circulation around the signal post in the middle of the sidewalk. Ms. Simonsen noted that it was not the intent of the design to overshadow anyone, and that exterior materials of cultured stone were added to soften the building's exterior.

Discussion included whether the parking spaces were all required, or if they could be reduced to provide a softer transition to the neighborhood line, with the applicant noting that, from a leasing perspective, the

more parking on site, the better; and also noted the need to accommodate snow storage on site, while expressing willingness to work with staff on potential parking design to accommodate more green space.

Further discussion included adjustable lighting heights for less impact to adjoining properties; typical accessibility points above and beyond code requirements; and location of bicycle parking amenities near the north entrance to the building.

Eric Beazley, Loucks & Associates, Civil Engineer for the Project

Mr. Beazley addressed traffic considerations, based on discussions with Ramsey County and the critical nature of the County Road B and Lexington Avenue intersection for Ramsey County, and addressing traffic flow at that intersection. Mr. Beazley addressed City standards for Sandhurst as related to access points.

City Engineer Debra Bloom

Ms. Bloom addressed staff's considerations when reviewing circulation on the site and access points, and anticipated enhancements in traffic flow by moving the access point further away from the intersection. Ms. Bloom opined that the Sandhurst traffic situation should also improve with the new use and site access points.

Gonsalo Villares, Pope Architects

Mr. Villares addressed the traffic light pole location, and willingness to address landscaping to make access easier for pedestrians and bicycles; location of bike racks by the entrance; and pedestrian connections between the building entrance and sidewalk.

Mr. Villares addressed the building height in relationship to the neighboring buildings, with standard heights at sixteen feet (16') for the building, along with an additional two feet (2') amenity on the corner for emphasis, and offered to review heights of neighboring buildings in more detail.

Chair Bakeman opened the meeting for public comment at approximately 7:55 p.m.

Public Comment

Andrejs Vape, Owner of Lexington Court Apartments, 2192 – 2206 Lexington

Mr. Vape expressed concern about losing the residential nature of the neighborhood; in addition to traffic concerns and the number of accidents currently at the corner of County Road B and Lexington Avenue. Mr. Vape further opined that making a left-hand turn from either of the two (2) accesses to his apartment buildings was very difficult; and noted the huge traffic issue at Sandhurst and Lexington. Mr. Vape opined that it would irresponsible to compromise on the forty foot (40') visibility triangle, and that it would only create more problems and accidents. Mr. Vape further opined that the code shouldn't be changed for setback requirements; and that additional green space and landscaping should be added. Mr. Vape further opined that, while this will be an improvement over the current drive-thru bank, it should be done right and that the building should not be located directly up to the sidewalk.

Tom Arnold, representing his daughter, Heidi Arnold, resident at 1133 Sandhurst

Mr. Arnold provided his observations from frequent visits to his daughter's home; and opined about the need to remember that the quality of life in Roseville was based on it being a suburb, and that urban features were not called for. Mr. Arnold opined that there were vacant buildings all over the City, and with the current economy, no more office buildings were indicated.

Mr. Arnold further opined that the existing well-established and stable neighborhood should be preserved, and that the addition of an office building in the neighborhood would reduce residential property values. Mr. Arnold suggested that the applicant only go one (1) lot deep, not two (2) to avoid infringing upon the residential neighborhood. Mr. Arnold suggested that the City not encourage further chaotic planning with past patterns of mixing business and residential properties. Mr. Arnold recommended that the City do more planning to avoid further chaos; and agreed that traffic was atrocious.

Daniel Peterson, 1166 Sandhurst

Mr. Peterson expressed concern in the notification of property owners; opining that he had not heard about the neighborhood open house, and had heard about tonight's public hearing only through another neighbor.

Mr. Peterson opined that, as a resident in the neighborhood for over ten (10) years, he liked the older, well-established nature of the neighborhood, and the community connectivity of that neighborhood. Mr. Peterson, however, expressed concern with the traffic along Sandhurst, use of Merrill by people seeking a thoroughfare from Lexington to Hamline; and ramifications with this proposed use. Mr. Peterson further

addressed the exterior building materials, opining that it looked like the back of a warehouse, without a front door. Mr. Peterson opined that there were many vacancies currently in Roseville, and that another office building was not necessary. Mr. Peterson addressed his observations of bicycle accidents at County Road B and Lexington; excess speeds over the posted 35 mph; and expressed concerns with the triangle of safety for cars and pedestrians. Mr. Peterson expressed concern that residential property values would decrease further; and again addressed his apparent lack of notice and communication regarding this application.

At the request of Chair Bakeman, City Planner Thomas Paschke addressed the notification process used, and reviewed the actual list of property owners notified, 500' from the property line of the development site, in addition to posted and published notice.

Cindy Wilson, 1172 Sandhurst Drive

As part of the record, written comments were received from Dr. Douglas Wilson, attached hereto and made a part thereof.

Ms. Wilson advised that she was located eight (8) houses from this home, and had not received a notice either. Ms. Wilson opined that the property should remain residential to avoid decreasing home values; noted current lighting pollution from the SuperAmerica property to her home; and addressed major traffic concerns at that intersection and impacts to pedestrian and bicycle traffic. Ms. Wilson noted that there were no sidewalks along Sandhurst; and that Lexington was a huge trunk for emergency vehicles, which were not traveling at 35 mph, creating more potential for accidents. While supporting a use other than the existing TCF Bank building, Ms. Wilson expressed concern with removing a residence to put in a parking lot, and opined that the parking lot should be reduced to avoid taking that home.

Andrejs Vape

Mr. Vape opined that, if more residential on that site was not possible, he would suggest more appealing architectural amenities, with entrance on County Road B, and parking on the side to avoid additional traffic congestion on Sandhurst.

Mr. Vape also noted the lack of notice he had received about the proposal.

Chair Bakeman requested that staff review the notification process, and verify those property owners on the list for future notices.

Paul Mergens, 1126 Sandhurst

Mr. Mergens, in listening to public comments tonight, noted the negativity; however, he opined that Roseville, as an inner ring suburb, could do worse than the proposed use on that corner; and suggested that citizens focus more on positives of the proposal. Mr. Mergens opined that this may be a wonderful asset to the community; and noted that some of the city's homes needed repair, replacement or removal; and suggested that there were positives to this proposal.

Chair Bakeman recessed the meeting at approximately 8:34 p.m. and reconvened at approximately 8:40 p.m.

Applicant Response, Sonja Simonsen

Ms. Simonsen addressed some of the comments from tonight's public testimony, noting that the building use was currently retail, and that this use should generate less traffic and vehicular traffic, with 740 vehicles per day for a retail use, and only 350 vehicles per day for office use. Ms. Simonsen further noted that Wellington was the current owners of the commercial TCF Bank building and property; and had no intention of continuing down the block with commercial development; and recognized appropriate concerns of residents related to that potential. Ms. Simonson further addressed the applicant's willingness, at the direction of the Planning Commission, to hold an additional open house, and noted staff's cooperation in assisting with notifying applicable property owners; and stressed that opinions of the residents were of value to Wellington.

Chair Bakeman closed the Public Hearing at approximately 8:43 p.m.

Mr. Paschke, for the record, verified that Mr. Vape had been on the mailing list for notices, listed at a post office box, for both the open house and public hearing process notices.

Discussion among Commissioners and staff included Chair Bakeman's request prior to tonight's Public Hearing, for individual commissioners to review the Comprehensive Plan for future development and redefining various business types, of which Neighborhood Business designation was one of three; and types of businesses to be considered in that land use designation, as defined.

Further discussion included height of the proposed building in relationship to surrounding buildings, both commercial and/or residential; allowances of current zoning allowing parking lots to occupy single-family residential lots as a permitted accessory use; and potential mitigation to soften perceptions of the building to the adjacent residences, in addition to screening or landscaping.

Commissioner Doherty opined that he was not bothered by the building's height; and that it was an attractive building, not to be mistaken for a warehouse; and further opined that landscaping would mitigate screening issues from Sandhurst and adjoining properties.

Discussion included lack of sidewalk along Sandhurst, and no proposed addition of one in the City's overall sidewalk plan, due to it's lack of connectivity with other sidewalks;

Commissioner Gottfried expressed concern related to berming or screening and potentially reducing parking on site to accommodate those amenities.

Commissioner Wozniak noted existing trees in the proposed sidewalk location and suggested that, if possible, they be preserved.

Mr. Paschke suggested that Commissioners provide specific conditions, as staff was not suggesting a sidewalk; noting the need to balance landscape requirements with purposes and benefit to the property and neighborhood as a whole, and based on managing and enforcing winter maintenance of sidewalks.

Commissioner Martinson opined that, unless the sidewalk were carried over along the entire street (Sandhurst), sidewalk only along this parcel would make it look even more commercial and not in line with the remaining neighborhood.

MOTION

Member Boerigter moved, seconded by Member Doherty to RECOMMEND APPROVAL of the REZONING of the parcels at 1126 Sandhurst Drive and 2167 Lexington Avenue to PUD from R-1 and B-3, respectively; based on the comments and findings of Sections 4 and 5 of the project report dated March 4, 2009.

Ayes: 7

Nays: 0

Motion carried.

MOTION

Member Boerigter moved, seconded by Member Bakeman Doherty to RECOMMEND APPROVAL of a GENERAL CONCEPT PLANNED UNIT DEVELOPMENT (PUD) for Wellington Management to allow the proposed redevelopment of 1126 Sandhurst Drive and 2167 Lexington Avenue; based on the comments and findings of Sections 4 – 7 and the conditions of Section 8 of the project report dated March 4, 2009; amended as follows:

- ***Amend Condition C to include language for buffer and screening of the parking lot from Sandhurst;***
- ***Add a condition that the applicant and staff work to improve or widen the sidewalk at the northwest corner of County Road B and Lexington to mitigate the location of the existing light pole;***
- ***Add a condition that the applicant will include bicycle parking facilities on site and near the building entrance; and***
- ***Parking Spaces***
Add a condition that staff will work with the applicant for potential removal of seven (7) parking spaces on the west side of the parking lot and convert them to “proof of parking” to allow for greater green space in the interim, with that assurance that sufficient parking will be provided on site, and not encouraging any street parking on Sandhurst.

Commissioner Best opined that he had no problem with the proposed location of the building entrance; and further opined that the tenant's concerns for privacy were valid.

Commissioner Gottfried opined that he had no problem with the proposed building entrance, given that the building's design capacities included potential relocation with a different tenant.

Commissioner Boerigter opined that, while wanting to provide a more urban feel and making the site more pedestrian friendly, the City also needed to be realistic based on human nature and their driving to the site and accessing the building adjacent to the parking lot. Commissioner Boerigter cautioned that the Commission didn't want to encourage any parking on Sandhurst, which may be an unintended

265 consequence of reducing the parking lot, and therefore supported Mr. Paschke's suggestion for "proof of
266 parking" for future reference.

267 Commissioner Doherty concurred with that concern, that if adequate parking were not available on site,
268 people would park on Sandhurst, creating extremely adverse outcomes.

269 Commissioner Gottfried supported the parking being built as required for the building's tenants.

270 Commissioner Martinson expressed concern regarding the traffic visibility triangle and customary speeds
271 of traffic.

272 Mr. Paschke noted Condition A and ongoing discussions between the applicant and staff on final
273 placement of the building.

274 Commissioner Boerigter noted the competing uses at that signalized intersection and nature of the
275 generic safety triangle without looking at the specific location in question; and spoke in support of the
276 proposed location, noting expressed concerns.

277 Commissioner Doherty concurred with Commissioner Boerigter.

278 Mr. Paschke noted similar examples in the community related to encroaching on the safety triangle; noted
279 that the code was created in the 1980's, and that the community had grown considerably since the 1930's
280 and 1940's when parcels were originally platted. Mr. Paschke advised that the concerns brought forward
281 tonight would be included in ongoing discussions and addressed prior to development and presentation of
282 final plans.

283 Commissioner Gottfried noted the need for consistency as this land use designation was initiated.

284 Commissioner Boerigter opined that, in looking at the overall picture and listening to testimony, this land
285 use should provide a more positive aspect to the neighborhood in the long run, as this area was
286 redeveloped into a business node; and opined that there should be nominal impact to the neighborhood
287 while fitting into what the City was trying to accomplish in redevelop those nodes.

288 Chair Bakeman, while originally sharing neighborhood concerns, opined that those concerns had now
289 been somewhat alleviated; and further opined that this proposed use fit with the neighborhood with
290 appropriate screening. Chair Bakeman expressed some concerns with pedestrian and bicycle traffic that
291 staff and the applicant needed to further address; but overall, she opined that it was a pretty good project.

292 **Ayes: 7**
293 **Nays: 0**
294 **Motion carried.**

Rezone Parcels at 1126 Sandhurst and 2167 Lexington Avenue to PUD and Approve the General Concept PUD for Wellington Management

Associate Planner Bryan Lloyd briefly reviewed the request as detailed in the staff report dated March 23, 2009. Mr. Lloyd noted that the primary outstanding issue remained the location of the building in relationship to the traffic safety triangle; and summarized ongoing discussions and revisions since the Planning Commission meeting.

Discussion included the procedure requested in this instance for rezoning compared to past rezoning and General Concept PUD requests, and staff's clarification of a more accurately defined approach.

Further discussion included rezoning without indication of underlying zoning, particularly rezoning from residential to commercial; and development potential for adjacent and surrounding properties, including those across the street.

Steve Wellington, President of Wellington Management

Mr. Wellington expressed appreciation for the City Council's attention to this request; and reviewed other developments of their firm in the metropolitan area, in addition to those in Roseville. Mr. Wellington advised that his firm was interested in doing the best job to reflect the desires of the community; and opined that the proposed project was reflective of this intent, while redeveloping this challenging site and corner location. Mr. Wellington expressed willingness to further consider additional comments and suggestions to improve upon the proposed project.

Further discussion included issues with the zero setback on County Road B and Lexington Avenue; main thoroughfare for students to access the Roseville Area High School by foot or bicycle; sight line concerns; need for additional green space; limitations on the use of that particular parcel, and challenges to increase green space and make it financially viable; potential minor adjustments to facilitate the safety triangle; and potential shifting of the building further north to increase that visibility.

Additional discussion included the need to create an environment friendly for pedestrians and bicycles, not just cars and parking; further revisions prior to final development plan presentation; whether a smaller footprint and an additional story would be feasible and more appealing to the neighborhood; and need to reduce impervious coverage.

Further discussion included potential acquisition of the adjoining commercial property on County Road B, and their lack of interest in relocating at this time based on approaches by the developer.

Mr. Wellington advised that discussion was underway for rounding the corner of the building to increase visibility and making it more aesthetically pleasing.

Sonja Simonsen, Wellington Project Manager

Ms. Simonsen reviewed comments received at the neighborhood Open House, and general support of the neighborhood to see the current bank/retail site and drive-thru eliminated. Ms. Simonsen addressed the use of the parking lot as a buffer to residential neighbors; and potential reduction of traffic with this office use. Ms. Simonsen noted that the sidewalk would not be reduced in size with location of the building at the proposed location; and that comments and concern of the neighbors had been addressed following that meeting. Ms. Simonsen advised that, in terms of height and density, the neighbors supported a single-story structure to keep consistent with the neighborhood feel, without blocking their view or trees.

Public Comment**Paul Mergens, 1126 Sandhurst Drive**

Mr. Mergens opined that the general comments at the meeting were positive; with some questions raised and adequately answered by the developer; and opined that he was satisfied that this would be a benefit to the community and infringing neighborhood. Mr. Mergens noted the plans for landscaping to shelter the residential properties, lighting addressed to not reflect in residential windows, and other provisions made by the developer in consideration of comments received.

Dick Houck, 1131 Roselawn

Mr. Houck expressed appreciation that Wellington was interested in this property; however, he opined that zero setback was the biggest mistake ever made, speaking specifically to its use on his corner. Mr. Houck opined that this situation would be just as bad; and spoke in support of a 10-15' green space; and some required setback.

Mayor Klausing spoke in support of the project, particularly in this economic climate. Mayor Klausing expressed concern with the zero setback for both safety and aesthetics; and suggested approval with the understanding that before receipt of the final PUD, staff and the property owner would address and rectify those concerns.

Councilmember Roe concurred with the need to resolve the corner issue; and noted that there was currently a strip of green between the sidewalk and the building, even though the sidewalk was in the right-of-way. Councilmember Roe concurred there was also a need to address the public safety issue on that corner; and shared comments expressed at the Planning Commission meeting by Commissioner Gottfried related to relocating the main entrance to the building, while addressing tenant concerns.

Councilmember Ihlan noted the comments of neighbors related to the proposed parking lot, specifically those comments and concerns of the most immediate adjacent neighbor.

Councilmember Ihlan opined that she would prefer to have the collaborative process resolved prior to approval; and questioned the need for that large of a parking lot, suggesting that the building be relocated further north, with additional green space and/or buffering between the development parcel and the residential neighborhood.

Klausing moved, Johnson seconded, approval of the request for REZONING 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; noting that the PUD Agreement, if approved in the FINAL phase of the PUD review process, will become the development contract on which the rezoning is based; and approval of the GENERAL CONCEPT PUD for Wellington Management to allow the proposed redevelopment of 1126 Sandhurst Drive and 2167 Lexington Avenue, based on the comments and findings of Sections 4-8 and the conditions of Section 9 of the project report dated March 23, 2009.

Mayor Klausing spoke in support of the project; agreeing that the setback and visibility triangle still needed work; and encouraged as much buffering and green space as possible to make the transition from the neighborhood to business.

Councilmember Johnson spoke in support of the rounded concept, and sought additional setback on the Lexington side with as many aesthetics as possible.

Councilmember Ihlan spoke in support of detailed conditions as discussed to facilitate a collaborative process; opining that approval at this point was premature.

Councilmember Pust expressed appreciation to the developer for their willingness to work on the plan; and opined that the City Council should await those revisions, based on the concerns and needed solutions.

Pust moved, Ihlan seconded, tabling consideration of this request.

Roll Call

Ayes: Pust and Ihlan.

Nays: Johnson; Roe and Klausing.

Motion failed.

City Attorney Scott Anderson suggested that the City Council consider other options, such as requesting that the developer return with a second General Concept Plan, addressing expressed concerns.

Mayor Klausing opined his support for this plan, with some minor tweaking.

Roe moved, Klausing seconded, a motion to add a condition to the approval that the applicant and staff work to address the safety triangle related to the corner of the building on Lexington and County Road B; and to reduce the parking spaces as much as possible.

Roll Call

Ayes: Pust; Roe; and Klausing.

Nays: Johnson and Ihlan.

Motion carried.

Roll Call (original motion as amended)

Ayes: Roe, Klausing

Nays: Pust, Ihlan, Johnson

Motion Failed

City Attorney Anderson noted that the City Council had not approved the General Concept Plan as presented; and that the City Council wished further revisions; and suggested extension of the review deadline.

Klausing moved, Pust seconded, motion to authorize staff to send written notice to the applicant, extending the sixty-day review deadline.

Roll Call

Ayes: Pust; Ihlan; Johnson; Roe; and Klausing.

Nays: None.

Councilmember Pust noted that the record clearly indicates her support for this project, with proposed and minor revisions.

Mr. Wellington assured Councilmembers that this process and discussion had been productive, and that they would continue their collaborative venture with staff and the neighborhood. Mr. Wellington encouraged a workshop discussion with Councilmembers that could facilitate improved designs and allow for broad community input reflecting those wishes.

Councilmember Johnson opined that this was a great project; and he looked forward to resolution of remaining issues.

Councilmember Ihlan spoke in support of allowing time on a future agenda and non-voting session for public input and Councilmember feedback on the project.



Our proposed development plan includes removing the existing 4,000SF TCF Bank building and drive-thru in order to complete the redevelopment of the site as a new approximately 11,877SF single story, commercial building. The adjacent residence at 1126 Sandhurst is being acquired in order to provide sufficient parking for the project.

The location of the building is primarily driven by the surrounding residential community. We are keen to support a complete suburban community. In order to do this, the building rests farthest from the neighboring houses on Sandhurst, at the SE lot line. This was requested by the neighbors attending the Community Open House. Parking remains behind the building. Our intent is to promote safe and pleasant conditions for all in the neighborhood, including: motorists, bicyclists, pedestrians, and residents.

We presented our initial Site Plan for consideration on March 23rd to the City Council. We are now requesting additional comment and insight from council members. We attach an updated Site Plan for your consideration and note the following updates:

- First, we propose a curved wall for the SE corner of the building. This revision allows us to keep the building structure away from the 40'visibility triangle while also enhancing the attractiveness of the building at the intersection of County Road B and Lexington Ave.
- Further, we slid the building to the north in order to provide a wider setback along Co. Rd. B. This setback is now 7'-1" (compared to 0' in our original plan). By sliding the building north to provide a wider setback along Co. Rd. B, the setback between some of the parking spaces and the property line along Sandhurst is now 0' (compared to 7'-6 1/2" in the last plan we presented to the City). Landscaping will still be provided and maintained by us, we note however that it is now within the right-of-way. Finally, by sliding the building north to provide a wider setback along Co. Rd B., the building setback along Lexington Ave. is now 4'-0" (compared to 10'-0" in the last plan we presented to the City).
- We updated the Site Plan to reflect landscaping for the entire site, rather than noting this as an additional attachment to our submittal. We added trees and shrubs specifically located between the parking lot and the privacy fence that runs north-south. The intent of this landscaping is to provide an even more effective buffer between our site and the house immediately to west. Snow storage will now take place in the landscape area adjacent to the south side of the parking lot.
- The row of parking spaces located to the east of the trash enclosure went from 12 spaces to 13 spaces.
- Bike racks were relocated to the northwest corner of the building to provide additional protection for users rather than directly in the path of the curb cut.

