

REQUEST FOR COUNCIL ACTION

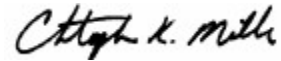
DATE: 5/11/2009

ITEM NO: 12.a

Department Approval



Acting City Manager Approval



Item Description: Request by Art Mueller for a **COMPREHENSIVE LAND USE MAP AMENDMENT, REZONING, AND GENERAL CONCEPT PLANNED UNIT DEVELOPMENT** to redevelop the property at 2025 County Road B into a senior living community (**PF09-002**).

1.0 REQUESTED ACTION

Art Mueller (in cooperation with Sue and Andrew Weyer - property owners) seeks approval of a **COMPREHENSIVE LAND USE MAP AMENDMENT, REZONING, AND GENERAL CONCEPT PLANNED UNIT DEVELOPMENT** to redevelop the property at 2025 County Road B into a 3-story, 55-unit senior living community.

PROJECT REVIEW HISTORY

- Public Open House held: February 19, 2009
- Applications Submitted and Determined Complete: February 24, 2009
- 60-Day Review Deadline: April 25, 2009
- 60-Day Extension: June 24, 2009
- Project Report Recommendation: February 26, 2009
- Planning Commission Action: March 4, 2009
- Anticipated City Council Action: April 20, 2009

2.0 SUMMARY OF RECOMMENDATION

The Roseville Planning Commission held the duly noticed public hearing and made the following recommendations (see attached minutes):

- RECOMMENDED APPROVAL (4-3) of a **COMPREHENSIVE LAND USE MAP AMENDMENT** from **LOW DENSITY RESIDENTIAL (LR)** to **HIGH DENSITY RESIDENTIAL (HR)**
- RECOMMENDED APPROVAL (7-0) of a **REZONING** from **SINGLE FAMILY RESIDENCE DISTRICT (R-1)** to **PLANNED UNIT DEVELOPMENT (PUD)**
- Action on the **GENERAL CONCEPT PLANNED UNIT DEVELOPMENT** as proposed failed (1-6)

3.0 SUGGESTED CITY COUNCIL ACTION

BY MOTION, RECOMMEND APPROVAL of the request for a COMPREHENSIVE LAND USE MAP AMENDMENT, REZONING, and GENERAL CONCEPT PLANNED UNIT DEVELOPMENT for 2025 County Road B, for Art Mueller, with conditions (see Section 10 for detailed recommendation).

29 **4.0 PROJECT UPDATE**

30 4.1 Since the Planning Commission Meeting of March 4, 2009, the applicant has been
31 working with his consultants to revise the proposed building and site to further address
32 resident concerns and Planning Commissioner comments.

33 4.2 At the urging of the applicant, the Planning Division postponed Council action until after
34 the applicant met with Council members to review the revised development proposal.

35 4.3 The applicant also met with Planning Division staff to discuss the revisions and to
36 provide a status of the revised proposal. On April 24, 2009, the Planning Division
37 received the revised site plan and elevation drawings and on April 29, 2009, it received
38 the revised narrative.

39 **5.0 SITE CHARACTERISTICS/DEVELOPMENT PROPOSAL**

40 5.1 Since the Planning Commission meeting, the applicant has met with representatives of
41 the Minnesota Department of Transportation (MNDOT) regarding the ownership of the
42 land area west of Midland Grove Road. The conclusion is that Mr. Mueller owns the
43 underlying land area, an approximately 70 by 238-foot parcel that will be conveyed back
44 to him from MNDOT. With this additional land, the Orchard parcel size has now
45 increased from 2.23 acres to 2.61 acres.

46 5.2 The site is located to the east of Cleveland Avenue, directly adjacent to County Road B,
47 and south of the Midland Grove Condominiums. A single-family property and
48 Ferriswood Townhome community is located to the east, and single-family homes are
49 located south across County Road B.

50 5.3 The subject property has an existing Comprehensive Land Use designation of Low
51 Density Residential; Midland Grove Condominiums has a designation of High Density
52 Residential; and Ferriswood Townhomes along with the adjacent single-family parcel has
53 a designation of Medium Density Residential.

54 5.4 Zoning in the area includes a mix of R3A (Multi-Family Residence District, Three to
55 Twenty-Four Units) and Midland Grove Condominiums, PUD (Planned Unit
56 Development) at Ferriswood Townhomes, and R-1 (Single Family Residence District) on
57 the adjacent property and properties south across County Road B.

58 5.5 Previously, the applicant submitted a proposal to construct a 4-story, 77-unit senior
59 housing complex on this site. After a negative recommendation at the February 4, 2009
60 Planning Commission meeting, the applicant withdrew the original proposal and
61 submitted the current proposal, which lowered the height and reduced the number of
62 units.

63 5.6 The General Concept proposal seeks to develop a 3-story, 55-unit active senior living
64 community with an underground parking garage. The facility would include a variety of
65 1, 2, and 3-bedroom units, as well amenities such as community, game, craft, and
66 exercise rooms, kitchen, library, private dining, office, mailroom, and sitting areas.

67 **6.0 REVIEW OF COMPREHENSIVE PLAN**

68 6.1 The Roseville Comprehensive Land Use Plan (the future development guide for property
69 in Roseville) designates the subject parcel as LR, Low Density Residential. During the
70 2008 Comprehensive Plan Update process there was no mention or discussion on this
71 property. The Planning Division considers this parcel to be a land use anomaly that is
72 better suited by a residential Land Use designation other than Low Density.

- 73 6.2 The applicant's proposal seeks to change the Comprehensive Land Use designation of the
74 subject parcel from Low Density Residential to High Density Residential, similar to
75 Midland Grove Condominiums.
- 76 6.3 The Planning Division recommends that the requested actions be considered,
77 concentrating first on the Comprehensive Land Use Map Amendment request before
78 discussing zoning and the proposed planned unit development.
- 79 6.4 For purposes of clarity, residential land use designations are categorized in the following
80 density ranges: Low Density is 0-to-4 units per acre, Medium Density is 5-to-12 units
81 per acre, and High Density is greater than 13 units per acre.
- 82 6.5 On February 4, 2009, the Commission heard many concerns/objections due to the
83 anticipated/perceived increase in traffic and potential intersection conflicts. As a result
84 of these concerns, the Development Review Committee (DRC) has reviewed and
85 considered the multi-family access and increase in traffic, concluding once again that the
86 subject parcel is best accessed from Midland Grove Road versus County Road B, due to
87 topographic challenges and for vehicle safety. The DRC further concluded that if the
88 parcel remained single-family, it could possibly be split into 4 single-family lots. The
89 DRC also determined that the location of the subject parcel is not a desirable location for
90 new single-family housing given the location relative to Cleveland Avenue, Highway 36,
91 and necessary access to County Road B, as well as the higher density residential
92 developments located to the north and east of the subject parcel.
- 93 6.6 Using the Institute of Transportation Engineers manual to analyze traffic impacts for a
94 senior housing facility, City Staff analyzed the impacts this project would have on the
95 existing transportation network and concluded there will be a minimal increase in traffic
96 that can be accommodated by the current roadway network. The accesses and
97 intersections are designed to accommodate traffic volumes far greater than currently
98 generated for existing uses and, therefore, will not be negatively impacted by this
99 development proposal.
- 100 6.7 The DRC, and especially the Planning Division, has considered the impacts of changing
101 the land use designation of the subject 2.61-acre parcel. This parcel is located adjacent to
102 or near three major thoroughfares (Highway 36, Cleveland Avenue, and County Road B)
103 for which the DRC and Planning Division have concluded that low density residential
104 (single family homes or town homes) is not an appropriate future use. While such a
105 future use would be consistent with the use across County Road B (a natural dividing line
106 for land use designations), it is not consistent with or complementary to the land use it
107 lies directly adjacent to, Midland Grove Condominiums.
- 108 6.8 Another factor taken into consideration by the Planning Division is that of fundamental
109 planning principles. It is clear from the Planning Division's review of the record that
110 future use of this remnant parcel did not receive proper consideration in the 1960's. The
111 most recent Comprehensive Plan update process did not address this property. Had a
112 planning process occurred during the original discussions regarding development on the
113 former farmstead, it is the Planning Division's opinion that the existing parcel should
114 have been guided to either medium or high density.
- 115 6.9 Basic planning principles would provide for increased residential density to buffer the
116 lower densities lying east, especially when adjacent to or at the intersection of two major
117 roadways. The Metropolitan Council through its System Statement is expecting
118 Roseville to add 1,432 new households by 2030. With very little land available for

single-family or town home developments, multiple-family residential developments of varying densities will need to be supported by the City to meet this requirement. The City also recently completed an update to the Comprehensive Plan, which supports increased density on infill lots in order to maintain the stock of non-residential areas and to better utilize land not at its highest and best use.

6.10 While it could be debated whether medium or high density is the best designation for the parcel, the proposal in front of the City falls into the high-density category. Since the request is asking for a change to high density residential, staff review has been limited to whether or not the high-density designation is appropriate and whether the change will lead to excessive negative effects. To do any detailed analysis on the suitability of medium density on this parcel would be difficult and too speculative without a specific proposal. From staff review, while the proposal changes the land use and thus will result in a more intense use than what is there today, the high density use is appropriate given the location of the parcel, the density of the surrounding area and limited access for the property.

6.11 Based on our analysis above, the DRC and Planning Division recommend guiding of the subject 2.61-acre parcel from Low Density Residential to High Density Residential.

7.0 REVIEW OF ZONING/PLANNED UNIT DEVELOPMENT

7.1 To gain a better understanding of historical actions, the Planning Division completed additional archival review of the subject area. We have concluded that in 1967 the Village Council rezoned the property to R-3A, but the minutes do not reflect a discussion of land use or a subsequent designation. The Village Council also supported an apartment/townhome project on the 10+ acre parcel to the north. However, that project never came to fruition and instead the existing Midland Grove Condominium project was issued permits by the Village staff.

7.2 The Planning Division has concluded the City had a “Comprehensive Development Plan” in 1969 that identified the Midland Grove property as “Mixed Development” and Ferriswood and the two residential parcels adjacent to County Road B as “Single Family”.

7.3 Further research by the Planning Division concludes that the Village had three original residential zoning districts (R-1, R-2 and R-3). However in 1966 the Village added a number of new districts including the R-3A residential district (3-to-24 units per building). Our analysis of Midland Grove Condominiums concludes that the number of units per building does not conform to the requirements of the R-3A District. Instead the development would better be served by the R-3 designation.

7.4 Research into Ferriswood Townhomes approval concludes that the retaining wall was installed prior to the construction of Ferris Lane. The record further concludes that the property received approval of a special use permit for a planned unit development, effectively rezoning the land to planned unit development, which included the home at 1995 County Road B. The Planning Division also concluded that no formal discussion or action regarding land use guiding occurred. Unfortunately, the microfiche file does not exist so our research is limited. Since the early 1990’s the Ferriswood property and 1995 County Road B have been guided Medium Density Residential in the City’s Comprehensive Plan.

- 163 7.5 The GENERAL CONCEPT PLANNED UNIT DEVELOPMENT is a process by which a
164 development/redevelopment proposal is formally presented in a public hearing to the
165 Planning Commission for consideration. A PLANNED UNIT DEVELOPMENT (PUD) is a
166 zoning district, which may include a single or mix of uses on one or more lots or parcels,
167 and is intended to be used in unique situations to create more flexibility, creativity, and
168 efficient approach to the use of the land subject to procedures, standards, and regulations
169 contained in the City Code. If the City Council ultimately approves the GENERAL
170 CONCEPT, the applicant then prepares fully detailed development plans for final approval
171 by the City Council.
- 172 7.6 Concept PUD: Art Mueller seeks consideration of a General Concept PUD to pursue
173 finalization of a senior living community at 2025 County Road B. The 2.61-acre parcel
174 would consist of a 3-story, 55-unit structure primarily oriented along the north and east
175 sides of the parcel and the property would be rezoned from Single Family Residence
176 District (R-1) to Planned Unit Development (PUD) using the General Residence District
177 (R-3) as a guide for the site development.
- 178 7.7 Building Height: The proposed Orchard development will be 3-stories of senior housing
179 over a level of parking and storage. The overall height of the building is anticipated to be
180 approximately 46-feet; however the height when measured to the midpoint of the roof
181 truss (Code required height measurement) will be 38 feet. The Roseville City Code has a
182 height limitation of three stories and a maximum of 30 feet for buildings within the R-3
183 district. The Planning Division has concluded that these two requirements are in conflict
184 with one another and difficult to rationally apply to development proposals. By
185 comparison, Midland Grove Condominiums (a flat roof building) is approximately 34
186 feet in height to the top of roof parapet. The Planning Division has also reviewed multi-
187 story senior or other housing projects dating back to 2000 and concluded most of these
188 buildings meet the 3-story limitation, but exceed the 30-foot height limitation. These
189 include Greenhouse Village, Midland Villas, Applewood Pointe, and Sunrise Assisted
190 Living.
- 191 7.8 Building to Lot Size: The City Code also requires 2,000 sq. ft. of lot area for one-
192 bedroom units and 2,800 sq. ft. of lot area for 2 to 4 bedroom units. A calculation of the
193 proposed/anticipated unit mix (10-1 bedroom, 30-2 bedroom, and 15-3 bedroom units)
194 would require lot area totaling 146,000 sq. ft. or lot 3.35 acres in size. Similarly, the City
195 Code requires a floor area ratio of .5 or 50%. A calculation of floor area for the proposed
196 Orchard concludes 92,571 sq. ft. of floor area or 2.13 acres and a floor area ratio of .95.
197 The Planning Division has reviewed the similar projects approved by the City since 2000
198 (Green House Village, Midland Villas, Applewood Pointe, and Sunrise Assisted Living)
199 and determined all have been allowed to deviate from this standard requirement as part of
200 a PUD. Given the limitations of land conducive for multi-story housing and the number
201 of units and types necessary to market and be a successful project, it is very difficult to
202 achieve compliance with these two requirements. The Planning Division believes that
203 the nature of a Planned Unit Development intended to be used in unique situations to
204 create more flexibility, creativity, and efficient approach to the use of the land gives the
205 ability for this project to deviate from certain standards.
- 206 7.9 Building Design: Since the Planning Commission's consideration of the project the
207 applicant has completed a number of modifications to the building footprint to address
208 massing and setback concerns.

- 209 7.10 The northeast corner of the building is now proposed at a 45-degree angle versus the
210 previous 90-degree. This modification softens the view and breaks-up the wall expanse
211 and lessens the visual impact from properties to the east and northeast.
- 212 7.11 The building now includes various jogs to assist in breaking-up the long expanse for the
213 north and south sides.
- 214 7.12 The southeast “L” wing of the building now jogs at an angle when it approaches County
215 Road B. This design element will soften the impact of the building and give it added
216 character, privacy, and curb appeal. The third floor now steps back 10 feet further from
217 the property line than the lower floors. At the northwest corner of the building the third
218 floor steps back a full unit.
- 219 7.13 The angled “L” wing also features a small end capped roof to soften the perceived height
220 of the structure. The roofline has been lowered and additional design features added to
221 give the appearance of a single family structure at the south elevation.
- 222 7.14 The setbacks of the building adjacent the north and east property lines have been
223 increased; the north varies from 21 feet to 36.9 feet and the east varies from 30.5 feet to
224 51.7 feet.
- 225 7.15 Exterior material would be maintenance-free, likely to include asphalt shingles,
226 metal/aluminum soffit and fascia, vinyl or concrete (Hardiboard) siding, brick and/or
227 rock-face block.
- 228 7.16 Setbacks: The Orchard has a minimum 10 foot front yard setback from Midland Grove
229 Road, a varying corner side yard setback adjacent to County Road B of 28.4 to 39.8 feet,
230 a varying side yard setback from the north property line of 21 to 36.9 feet (the proposed
231 structure would lie approximately 180 feet from the Midland Grove Condominium
232 building), and a varying rear yard setback from the east property line of 30.5 to 51.7 feet.
233 Decks and patios would encroach 6 feet closer to the north and east property lines. The
234 Roseville City Code (R-3 District) requires a 30-foot front-yard setback (west), a 30-foot
235 corner side yard setback (south), a 10-foot interior side yard setback (north), and a 30-
236 foot rear-yard setback (east). As shown on the Site Plan, the Orchard meets most of these
237 setback requirements. The DRC has discussed the possibility of vacating a portion of the
238 underutilized right-of-way for Midland Grove Road, which, if vacated, could increase the
239 official front yard setback, but would not change its proximity to the road.
- 240 7.17 Access/Traffic: The applicant proposes to access the site and building via Midland Grove
241 Road (a public road). Trip Generation engineering data (Institute of Transportation
242 Engineers’ Trip Generation Report, 8th Edition (2008)) provided by the applicant’s
243 consultant indicates that a 55-unit senior development could generate approximately 193
244 trips/day overall or approximately 3.5 trips/day per household. Assuming the same trip
245 generation from the Midland Grove Condominium, the existing 174 units would create
246 609 trips per day or a total of 802 trips per day for the two developments.
- 247 7.18 Parking: Section 1019.10(A) of the City Code sets minimum parking standards by use.
248 This section does not specifically identify a parking requirement for assisted-living units
249 as a use and, per to Section 1019.10(B), “where land uses are proposed that are not
250 specifically listed above [within 1019.10(A)], the City Council shall establish a
251 reasonable number of off-street parking space for such use.” The City Code has
252 established parking requirements for nursing homes and senior housing at one space per
253 four beds and one enclosed space plus 0.3 spaces of visitor parking, respectively. The
254 Planning Division has determined that on-site parking shall be 55 enclosed and 16

- 255 surface spaces, or 71 total spaces. Based on the proposal, resident and employee parking
256 will be accommodated through enclosed parking located under the building at
257 approximately 83 underground stalls and 19 visitor surface parking lot spaces.
- 258 7.19 Landscaping: The applicant has indicated a strong desire to preserve as many trees as
259 feasibly possible, especially those near the intersection of County Road B and Midland
260 Grove Road and north along Midland Grove Road. The applicant will also attempt to
261 preserve and/or transplant some of the apple trees that dot the property. As for proposed
262 landscaping, the plan indicates boulevard trees, interior trees and shrubs throughout the
263 site. Shrubs would act as a natural screen for the main level patios and all storm water
264 management areas will require some from of heightened landscape.
- 265 7.20 Pathways and Sidewalks: Section 1013.07 of the City's Code requires that new non-
266 motorized pathways be constructed as part of new development on properties that are
267 designated through the official pathway system plan. However, the plan does not
268 indicate sidewalk or path requirement along the north side of County Road B. The DRC
269 is recommending a sidewalk from Midland Grove Condominium parcel to County Road
270 B adjacent Midland Grove Road and looking into a way in which sidewalk can be
271 provided from Midland Grove Road to Cleveland Avenue, where the identified crossing
272 lies.
- 273 7.21 Storm Water: Storm water will be collected and treated on site. The conceptual storm
274 water management plan indicates three infiltration areas, one at the rear of the building to
275 assist with adjacent property drainage, and the other two in the southwest corner of the
276 property.
- 277 7.22 Sanitary Sewer and Water: Sanitary sewer and water will be provided by a water main
278 and sanitary sewer connection located within County Road B.
- 279 7.23 Private Utilities: The private utilities, such as electricity, cable, telephone, and natural
280 gas, will be designed and coordinated through the Public Works Department to be
281 underground and utilize a joint trenching system, where applicable.
- 282 **8.0 STAFF COMMENTS:**
- 283 8.1 On February 19, 2009, the applicant and Station 19 Architects held the required open
284 house for the proposed (revised) Orchard development. There were between 20 to 25
285 property owners/residents in attendance. Informal discussions centered on
286 questions/concerns regarding treatment of east side with special features to mitigate
287 visual impacts; color and types of building materials; blending more into the adjacent
288 neighborhood; request for additional signs for speed; traffic increase along Midland
289 Grove Road; increased landscaping; transplanting of evergreen trees; discussion about
290 keeping second drive on Midland Grove Road; access to County Road B; fire/safety
291 aspects of building; and balcony usage (see attached narrative).
- 292 8.2 On February 26, 2009, the Roseville Development Review Committee (DRC) met to
293 review the revised plans for the Orchard. The DRC supported the change in
294 Comprehensive Land Use Map designation to High Density Residential; the zoning to
295 Planned Unit Development; and the proposal as proposed prior to the Planning
296 Commission meeting.
- 297 8.3 Since the March 4, 2009 Planning Commission meeting, the Planning Division has
298 received and reviewed a revised site plan and building elevation. This proposal though
299 similar to the design reviewed by the Commission, includes a number of enhancement

that further reduce scale and massing of the structure, and increase setbacks to be more consistent with the R-3 District.

9.0 STAFF RECOMMENDATION:

9.1 The Planning Division recommends APPROVAL OF THE COMPREHENSIVE LAND USE MAP AMENDMENT, the REZONING, and the GENERAL CONCEPT PLANNED UNIT DEVELOPMENT for the property at 2025 County Road B for a 55-unit active senior living community by Art Mueller, with the following conditions:

- a. Final plans (grading, drainage, utility, and landscape) being developed that are consistent with the site plan dated May 11, 2009.
- b. The final landscape plan shall include additional screening along the north, south and east sides of the building. This screening may include a decorative fence and/or berm as well as landscaping.
- c. The final grading and drainage plan shall meet the requirements of the Rice Creek Watershed and the City of Roseville.
- d. The Roseville Fire Marshall shall approve all fire hydrant locations.
- e. The final site plan shall be modified to include a sidewalk along the east side of Midland Grove Road from County Road B to the Southern property line of Midland Grove Condominiums.
- f. The final site plan shall also be modified to include a sidewalk within the County B right-of-way from Midland Grove Road to Cleveland Avenue.

10.0 SUGGESTED CITY COUNCIL ACTION:

The Planning Division recommends that the Roseville City Council take the following action regarding Art Mueller's request to redevelop 2025 County Road B with a 55-unit active senior living community:

- 10.1 Adopt a Resolution approving a COMPREHENSIVE LAND USE MAP AMENDMENT** of 2025 County Road B from Low Density Residential (LR) to High Density Residential (HR). The land use map designation change will not become final until the City receives support from the Metropolitan Council.
- 10.2 By motion, support the requested REZONING** of 2025 County Road B from Single Family Residential (R-1) to Planned Unit Development (PUD). 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.
- 10.3 By motion, approval of the GENERAL CONCEPT PLANNED UNIT DEVELOPMENT** as prepared for the May 11, 2009 City Council meeting, subject to the conditions of Section 9 of this report. Final approval by the City Council will be considered after all conditions and required documents and permits have been submitted for final approval. Final approvals are considered a separate application process.

Prepared by: City Planner, Thomas Paschke

Attachments: A: Area map

B: Aerial photo

C: Comp Plan designations map

D: Narrative

E: Open house summary

F: Email responses/letter

G: Planning Commission minutes

H: Project Plans

I: Draft resolution