

Proposal to Provide Professional Services

Planning and Zoning Services for the City of Ramsey



8 April 2011





Tim Gladhill, Senior Planner
City of Ramsey
7550 Sunwood Drive NW
Ramsey, Minnesota 55303

Dear Mr. Gladhill:

I am enthused to present this proposal to provide planning and zoning services to the City of Ramsey.

I offer the benefit of my 30+ years of planning and zoning experience, my 18 years of service as a municipal planning director for two suburban cities and an affordable hourly rate.

In addition, I can provide related services such as landscape architecture, urban design, traffic engineering, ecology, law and others. My team member Suzanne Rhees, AICP, previously prepared form-based zoning regulations for Ramsey Town Center.

I urge you to contact my references as they will attest to the quality of my work.

Thank you for this opportunity.

Sincerely,
Weber Community Planning

William Weber, AICP, PTP
Principal

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Summary

For the following reasons, we believe that Weber Community Planning is ideally suited to assist the City of Ramsey with its needs in development application review and zoning code amendments.

Development Application Reviews

Bill Weber has a combined 18 years experience reviewing development applications for the Cities of Vadnais Heights and Oakdale. For those Cities, he has served as the sole city planner on a consulting basis.

Zoning Ordinance Amendments

Bill has drafted numerous amendments to zoning ordinances and written entirely new and complete zoning or subdivision ordinances. Having administered some of the ordinances he has written gives Bill an added insight to the importance of careful wording.

Approach to Zoning Administration and Economic Development

Bill approaches each review with the belief that land development can benefit current and future residents if consistent with the comprehensive plan and properly designed. He offers judgment honed by many years of experience to help build lasting value.

Availability

Services will be provided by Bill Weber unless specialized subconsultant services are requested by the City. Bill's committed workload will allow him to provide the timely service sought by Ramsey.

Support Services

Support services can be provided as needed by subconsultants in form-based zoning, landscape architecture, traffic engineering, natural resources, cultural resources, graphics, Website design or geographic information systems.

Fees

Weber Community Planning offers an affordable and very competitive hourly charge rate.

Organization

This proposal is presented by:

Weber Community Planning

William C. Weber, AICP, PTP
3824 Huntington Avenue
St. Louis Park, Minnesota 55416

952-451-4818 bill@weberplanning.com www.weberplanning.com

Weber Community Planning is the professional practice of William Weber, AICP, PTP, and his network of allied professionals engaged in helping to create great communities.

The firm emphasizes a highly participatory approach leading to realistic solutions that are embraced, adopted and implemented.

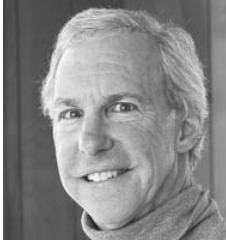
Weber Community Planning, established in 2010, provides services in community and economic development, land use planning and land development

Every client benefits from the 35 years of experience and the direct involvement of Mr. Weber.

Support services are provided as needed by subconsultants in law, geographic information systems, graphics, landscape architecture, traffic engineering, natural resources, cultural resources or Website design. Working relationships have already been established with specific, trusted professionals in each of these disciplines. See page 2-3 for a specific list of technical resources.

Organization

William Weber, AICP, PTP **Primary Planning Consultant**



Bill Weber has more than 18 years experience in municipal development review and zoning administration plus other specialized city planning experience.

He served for three years as the consulting planner to the City of **Oakdale** and for 16 years as the planner for the City of **Vadnais Heights**. With both Cities, he provided the **same services sought by the Ramsey** – review land development applications of all kinds, amend the zoning and subdivision ordinances, prepare design guidelines, create district plans, and participate in Planning Commission and Council meetings as requested.

Bill has a wealth of **other city planning experience** that may be valuable to Ramsey. He has prepared zoning ordinance amendments, design guidelines, comprehensive plans, redevelopment plans, economic development plans, transit-oriented development plans, bicycle network and corridor plans, park system plans, housing assistance plans, capital improvement plans, environmental impact statements and grant applications.

Nearly all of Bill's clients have been Cities and other public agencies although he has worked for **private land development** companies both as a consultant and as an employee. He also has studied real estate development and finance at the University of Minnesota and with the National Development Council. This dual perspective has helped him become a more effective and wiser public sector planner.

As a result of his extensive background, Bill has knowledge in the many areas necessary for sound review of **site plans and plats**: urban design, grading, drainage, surface water protection and regulation, plantings, lighting, traffic engineering, surveying, utilities, land use law, real estate finance, the land development process and public communication.

He has drafted **amendments to zoning ordinances** and written entirely new and complete zoning or subdivision ordinances. Having administered some of the ordinances he has written gives Bill an added insight to the importance of careful wording.

Bill has a Master's Degree in Urban Planning from Michigan State University and a Bachelor's Degree in Sociology from the University of Notre Dame. He was previously employed with BRW, Inc., URS Corporation, Toll Brothers Housing and McCombs Frank Roos Associates.

Professional Team Resources

Bill Weber could call on any of these sub-consultants for assistance if necessary and approved by the City.

Form-Based Zoning

Suzanne Rhees, AICP

Suzanne Rhees has more than 20 years experience in community and neighborhood planning and zoning with a particular emphasis on community character and traditional urbanism. She has taken a lead role in bringing form-based zoning concepts to Minnesota through projects such as the Capitol Area Zoning Rules and the City of Roseville Zoning Ordinance Update. Suzanne has also led or played a key role in a variety of large code updates, including zoning ordinance rewrites for the Cities of Madison and Green Bay, Wisconsin; for Rice and Washington Counties, Minnesota; and the Linn County, Iowa, Unified Development Code. Suzanne has contributed as a writer and reviewer to publications such as the American Planning Association’s *Planning and Urban Design Standards* and *Codifying New Urbanism* (PAS Report No. 526), and has made numerous presentations at national and regional conferences on zoning and design topics.

Traffic Engineering

Mike Spack, PE Spack Consulting
Ed Terhaar, PE, PTOE Wenck Associates

Landscape Architecture

Kathleen O’Connell, RLA O’Connell Design
Todd Wichman, RLA Todd Wichman Landscape Architecture

Natural Resources

Brett Emmons, PE Emmons & Olivier Resources
Jason Husveth Critical Connections Ecological Services

Cultural Resources

Anne Ketz The 106 Group

Geographic Information Systems

Josh Suess Suess Custom Maps
Blaine Hackett GIS Rangers

Law

Matthew Seltzer, JD Leonard Street Dienard

The Services of Weber Community Planning

Approximately **90 percent** of the work of Weber Community Planning is related to community planning and zoning. The balance is service to the private sector in matters related to land development or expert witness testimony.

Of the municipal work, approximately **30 percent** consists of development reviews and zoning ordinance amendments.

Weber Community Planning has the time available to serve the City of Ramsey very well. That commitment of time to Ramsey will be protected. Mr. Weber has an excellent record of providing services on time and within budget.

Approach to Zoning Administration

The first obligation of a planner in the review of a land development application is to faithfully and fairly apply the letter of the ordinance. The opinion of the planner should not be substituted for the ordinance when the ordinance is clear, and each applicant should be treated in the same manner.

However, there are often gray areas in an ordinance or a plan. Some provisions of a Code, such as variances, special use permits or planned-unit developments, allow for and encourage interpretation with the aim of creating an outcome that is more beneficial for the community as well as the applicant.

Mr. Weber has proven that he has the experience and knowledge to understand how to balance protecting existing, neighboring land uses against promoting growth. With Bill, it is never all one way or the other. He tends to approach each review with the assumption that the overall goal is to build a city according to the comprehensive plan and that each development can benefit past and future residents or businesses if designed properly. The challenge is to understand the aims of the comprehensive plan, the letter of the City Code, prevailing Council opinion and the art of site design.

Bill takes each review through a series of steps or screens to arrive at a final recommendation to the City Council. Typically, these include considering

Experience

whether the land use is consistent with the comprehensive plan then the zoning map; what is the relationship between the initial design and the characteristics of the site (nature, topography, access, utilities, etc.) and the nearby land use, both existing and planned; whether any exceptions are requested; and whether design improvements are warranted.

The review process ideally involves working with the developer before a formal application has been submitted to talk about consistency with the plan and Code, major concerns, and submittal requirements. There are many opportunities for improvement at that point, and later problems may be avoided. Even after a design has been committed to paper and an application submitted, Bill continues to work with the applicant to improve the design from the City's point of view. One objective is to minimize difficulties for the Planning Commission and City Council.

If there are unresolved differences of opinion or if the application conflicts with the letter of the Code, the review memos presented by Bill to the Planning Commission and, subsequently to the Council, aim to recommend approval with conditions. Such conditions, if adopted, are incorporated into the development agreement.

By the time an application reaches the Planning Commission or City Council, a recommendation of outright denial is not unheard of but is viewed as the last alternative. Bill has not been afraid to recommend denial when he feels it is in the best interest of the community. A recent example was an application in Vadnais Heights for a variance to the height of a billboard. (A copy of that review memo has been included in Section 10.)

Representatives of the City of Ramsey are encouraged to speak with the Vadnais Heights City Administrator, Gerry Urban, for his assessment of Bill's judgment in these matters and Bill's ability to work among the applicant, City staff and the City Planning Commission or Council. Bill has worked with Mr. Urban for 15 years. During that time, Vadnais Heights added 3,700 housing units, 8,000 residents, 7,000 jobs and 332 acres of commercial or industrial growth.

Fostering Economic and Residential Growth

Weber Community Planning believes that economic and residential growth can be promoted and enhanced through comprehensive planning and zoning. Guidance and regulation should improve the quality and quantity of private investment by providing confidence to developers, minimizing conflicts, attracting better participants and reducing costs. Properly administered, zoning should help build lasting value.

There are two major elements in wise land development regulation: attitude and design.

Each review ought to begin with a positive attitude, the expectation that each increment of development will enhance prior neighborhood growth. Although some proposals simply are not suited to achieve that objective, it is a good place to begin. The reviewer should understand that he or she is working for both the current residents (or businesses) as well as the future citizens. To play that role well requires dexterity and skill because the interests of the current and future citizens are sometimes in conflict. The regulations often make the decisions easy, but the best outcomes occasionally require compromise. Beginning the discussion with the expectation that a mutually beneficial outcome is possible will usually bring to the City Council a proposal that can be approved with minimal headache.

Design is the other major element in zoning administration as there is usually more than one way to arrange a site. The elements of design that are typically regulated through suburban zoning include transitions, plantings, traffic access, density, clustering, orientation, signage, lighting, loading and trash handling. Massaging the site plan or plat with the developer or consultant will often lead to improved results.

Building some flexibility into the zoning ordinance will open the door to creative design that protects existing conditions while fostering high-quality growth. Although it is often more work, increased reliance on the PUD, MU-PUD and Town Center districts will avoid many of the problems associated with conventional “Euclidian” zoning. It is important that these districts be used within the framework of a plan and provide a benefit to the community not otherwise possible; they should not simply be used to circumvent the limitations of the zoning ordinance.

Experience

Recent Clients with Similar Projects

In the past **three years**, Mr. Weber has provided to these municipal clients services involving zoning administration or zoning ordinance amendments:

City	Service
Vadnais Heights	Zoning administration / application review Comprehensive Plan update
Wyoming	Zoning ordinance amendment (comprehensive) Comprehensive Plan
Breezy Point	Direction for zoning ordinance amendments as part of the Comprehensive Plan update
Waconia	Direction for zoning ordinance amendments as part of the Comprehensive Plan update
Hastings	Direction for zoning ordinance amendments as part of the Comprehensive Plan update
St. Anthony	Direction for zoning ordinance amendments as part of the Comprehensive Plan update

Client References

Mr. Weber has worked with the following clients in the past **three years** on projects similar to those requested by the City of Ramsey:

Gerald Urban

City Administrator

City of Vadnais Heights

651-204-6010

Services: Zoning administration
Comprehensive planning

Craig Mattson

City Administrator

City of Wyoming; previously also a client in the City of Oakdale

651-462-0575

Services: Comprehensive revisions to the zoning ordinance in Wyoming
Zoning administration in Oakdale
Comprehensive planning in Wyoming

Cindy Sherman

Director of Planning

City of Brooklyn Park

763-493-8051

Services: Plan, Design Guidelines and EIS for Astra Village
Northern Area Master Plan

Representative Projects Completed by Mr. Weber

Application Review, Zoning Administration and Municipal Planning

Served as the consulting city planner to the City of Vadnais Heights from 1978 to 1993 and from early 2010 to the present time. Reviewed all applications for land development, negotiated design improvements, coordinated closely with City staff, presented recommendations to the Planning Commission, Parks Commission and Council, maintained the zoning and subdivision ordinances and the comprehensive plan, and conducted special plans and studies.

Served as the consulting city planner to the City of Oakdale from 1979 through 1983 and performed the same duties as in Vadnais Heights.

Zoning and Subdivision Ordinances

Directed the complete revision of zoning ordinances in Green Bay, Wisconsin, and in Vadnais Heights, Oakdale and Wyoming, Minnesota. Wrote zoning ordinance amendments for the cities of Richfield, Brooklyn Center, Hutchinson and Lilydale, Minnesota; Rock Springs, Wyoming; Roswell, New Mexico; and Thornton, Colorado. Prepared amendments to subdivision ordinances in Green Bay, Wisconsin, and Roswell, New Mexico.

Led the complete redrafting of the Sherburne County Zoning Ordinance. Rewrote portions of the zoning ordinances for McLeod and Renville Counties. Drafted a rural clustered housing ordinance in Greene County, Missouri.

Urban Design Guidelines and Form-Based Regulations

Wrote and illustrated urban design guidelines for commercial, residential and multi-use districts. Guidelines have been prepared for municipal district plans such as the *Arden Hills County Road C District Plan*, the *Eau Claire West Riverside District Plan*, the *Vadnais Heights City Center District Plan*, and the *Brooklyn Park Northern Area Plan*. Similar work for the private sector includes the *Astra Village Development Guidelines*. Samples from these documents are available for review.

Planning Projects

Mr. Weber uses his edited digital catalog of 8,000+ photos to illustrate and complement the text of design guidelines. This rich resource is very effective at explaining planning and design ideas to citizens and officials.

Urban design guidelines have been be melded with conventional zoning approaches to create a hybrid of form-based zoning.

Transit-Oriented Development

Prepared station neighborhood plans and design guidelines for the Northstar commuter rail system, the Raleigh-Durham regional rail system, the Chapel Hill to Durham LRT system, the Cincinnati LRT system, the Southeast Wisconsin LRT system. Wrote the Land Use Element of the FTA New Starts application for the Northstar Corridor. Managed the Lincoln, Nebraska, Transit and Land Use Plan.

Land Development

Directed the design, environmental review and approvals process for a 150-acre multiple-use project in Brooklyn Park consisting of 1.9 million square feet of office space, 100,000 square feet of retail space and 950 housing units.

Facilitated the entitlements process for a 250-acre residential PUD in Maple Grove for Town & Country Homes, a 200-acre residential PUD in Maple Grove for D.R. Horton, a 225 acre residential PUD in Buffalo for Edina Development Corporation.

Environmental Documents

Managed or assisted in the preparation of environmental impact statements for I-494, TH 610-252, Minneapolis West River Parkway, TH 14-52 in Rochester, 79th-80th Street in Bloomington, the Savage Fen and Eagle Creek in Savage, Minnesota, a Hennepin County sanitary landfill search, and a 150-acre office park. Managed numerous EAWs for residential and multiple-use developments.

River Corridor Plans

Prepared *Mississippi River Critical Area Plans* for Minneapolis and Brooklyn Center, and played a key role in *Above the Falls: The Upper Mississippi River Corridor Master Plan*.

District Revitalization Plans

Managed revitalization plans for downtowns in Springfield, Missouri; Champaign, Illinois; Stillwater, Northfield and Rosemount, Minnesota and Eau Claire, Wisconsin; the *Minneapolis Upper Mississippi River Corridor Master Plan*; the *Crystal Bass Lake Road Redevelopment Plan*; the *St. Paul Central Riverfront Plan*, Arden Hills County Road E Corridor, Westgate

Business Park; the Eau Claire Medical and Educational District, the Eau Claire West Riverside District, and the Highway 7, Highway 61 and Brooklyn Boulevard Corridor Plans.

Comprehensive Plans

Prepared more than two dozen comprehensive plans for cities up to 200,000 population in eight states. Created an innovative, effective and award-winning method for public involvement and decision-making that combines strategic and comprehensive planning; and led community leaders to consensus in complex and controversial situations.

Client have included Brooklyn Park, Maple Grove, Minnetonka, Shakopee, Hopkins, Savage, Maplewood, St. Anthony (1979, 1987, 2008), Brooklyn Center, Hutchinson, New Ulm, Oakdale, Milaca, Hastings, Vadnais Heights, Waconia, Wyoming and Breezy Point, Minnesota; Green Bay, La Crosse, Eau Claire (1992, 2005) and Fond du Lac, Wisconsin.

Created district plans for the final growth area of Brooklyn Park (4,000 acres) and southeastern Springfield, Missouri (six square miles).

Rural and Semi-Rural Land Use Plans

Drafted land use plans for ten counties including Anoka, McLeod, Renville, Sherburne, Washington and Stearns Counties, Minnesota; Pierce County, Wisconsin; Sweetwater County, Wyoming; and Chaves County, New Mexico. Prepared the initial draft of the Rural Area policies for the Metropolitan Council 2030 Regional Development Framework.

Bicycle Networks and Corridors

Designed a route linking downtown Milwaukee to the Bay View Neighborhood through the Port of Milwaukee; the 5.6-mile East River Bikeway in Manhattan, New York; a greenways system plan for the St. Louis metropolitan area; the eight-mile Mississippi River Heritage Trail through Dubuque, Iowa; and system plans for Oakdale and Vadnais Heights, Minnesota, and Eau Claire and Superior, Wisconsin.

Park System Plans

Managed citywide park system plans in Eau Claire, Fond du Lac, Green Bay and Superior, Wisconsin, Springfield, Missouri, and Vadnais Heights and Oakdale, Minnesota. Helped prepare plans for Lake Minnetonka Regional Park, the Upper Mississippi River parkway extension and the 1200 square mile bi-state open space and greenways network in the St. Louis metropolitan area.

Descriptions of Three Recent Planning Projects

The following are three recent projects conducted by Mr. Weber that are relevant to issues experienced by a suburban developing community.

Vadnais Heights Zoning Administration and Application Review

Bill has served as the consulting city planner to the City of Vadnais Heights for fifteen years. During that time, he conferred with prospective land developers, reviewed all land development, subdivision or rezoning applications and presented recommendations to the Planning Commission and Council, prepared the *Comprehensive Plan* three times, wrote the entirety of the zoning and subdivision ordinances, amended the zoning ordinance and provided marketing information to the Economic Development Corporation.



Walmart Store

Three application reviews written by Mr. Weber in the past six months are appended to this proposal:

- An application to expand an existing **Walmart store** by 30,000 square feet to accommodate grocery sales
- An application to build **housing for the elderly** including independent and assisted living as well as memory care.
- An application for a **variance** to the height of a nonconforming billboard.
- An amendment to the **nonconforming use** section of the zoning ordinance.

These application reviews are included in this proposal under sections 8, 9, 10 and 11.

These reviews were written in close coordination with the City staff including the Administrator, Engineer, Building Official, Fire Chief and Attorney. Staff meetings are held most Tuesday afternoons to review applications and draft memos; representatives of the applicants are sometimes invited to participate. Other meetings or communications are also held with the applicants.



Richfield Zoning Ordinance Amendments, 2006

Bill drafted a comprehensive set of amendments to the Richfield, Minnesota, zoning ordinance in 2006. These amendments affected parts of nearly every district, the administrative rules, the general site development standards, conditional use specifics and the definitions. Bill met frequently with the city planning staff to conceive and refine the amendments then assisted as the staff reviewed the wording with the City Planning Commission over several months.

Astra Village Development Design, Approvals and Environmental Review, 2008

Astra Village is a 150-acre multiple-use development in Brooklyn Park consisting of 2.0 million square feet of office, 1,000 housing units, 92,000 square feet of retail space and a 15 acre park.

Mr. Weber led a team of landscape architects and civil and traffic engineers from McCombs Frank Roos Associates to prepare a master plan and 67-page set of design guidelines.

Photos and sketches were used to describe the desired components and explain the architectural and site planning guidelines for residential, office and commercial development along with public space design and landscaping. These design guidelines were intended to become the basis of zoning for this property.

Offices and housing were proposed to front onto the generously landscaped Astra Parkway to help create inward focus and a sense of place. A ravine park was proposed to address the need for storm water management and recreational open space near the middle of the site.

The team negotiated extensively with Hennepin County and performed multiple traffic simulations to arrive at a mutually acceptable solution for site access along Zane Avenue, County Road 14.

Reference: Cindy Sherman, Director of Planning, City of Brooklyn Park.



Astra Village Master Plan for Office, Residential, Retail and Park Development



A page from the Astra Village Design Guidelines

Planning Process for Land Use Applications

Mr. Weber would serve like an extension of the City staff when asked to review a land use application. This process would be directed by the Senior Planner and could involve any or all of these elements as requested:

- 1. Meet with the prospective applicant** at City Hall or another location, typically with City staff, to discuss the review process, the submittal requirements, the site conditions, the *Comprehensive Plan* or *Town Center Master Plan*, City Code requirements, and, possibly, a sketch plan. Suggest revisions to the sketch plan to improve the formal application. Optionally, the sketch plan, or preliminary site plan, may also be reviewed with the Planning Commission and the Council at this point. Sketch plans are mandatory in the Town Center District.
- 2. Inspect the development site** either with the applicant, with City staff or alone; photograph the site.
- 3. Receive a completed application** from the Senior Planner either at City Hall, through the US Mail or through the Internet. Ensure that all the required materials have been included if the City staff have not already done so. Notify the applicant of any missing materials. Establish the date for compliance with Minnesota Statute 15.99 (the 60-day rule) or Minnesota Statute 462.358, Subd. 3b (the review process for plats). Begin the review clock when all required materials have been received.
- 4. Discuss the application** and any preceding information with the Senior Planner or his designee.
- 5. Prepare a draft review memo** including graphics such as reduced scans of the submittal documents, site photos and other information helpful to the Planning Commission and Council. Prepare the memo according to the template or outline typically used by the City.
- 6. Review the draft memo** with the Senior Planner, other members of City staff and the applicant either at City Hall or over the telephone. Negotiate design changes with the applicant as needed. Amend the memo as discussed then resubmit it via the Internet to the Senior Planner in the format of Word, WordPerfect or PDF.
- 7. Request a time extension** if necessary to meet the statutory time deadline. This would be done by City staff.

8. **Attend as requested public review meetings** conducted by the Planning Commission, Town Center Review Board, Parks Commission, Economic Development Authority or Council.
9. **Attend as requested** City staff meetings at which development applications are reviewed.

Planning Process for Amendments to the City's Zoning Code

Mr. Weber would follow this process when asked to amend the wording of a portion of the Zoning or Subdivision Codes:

1. **Meet with members of the City staff** to review and understand the shortcomings of the section of the Code under consideration. Discuss examples of how this portion of the Code has not served the interests of the City in the past, how circumstances have changed or how the *Comprehensive Plan* dictates a revision.
2. **Prepare draft amendment language** and submit it to the Senior Planner for initial review. Prepare and include explanatory graphics that would be embedded in the text.
3. **Meet with City staff** to discuss the draft language, or receive comments via the Internet. Use of the Track Changes and Comments feature in Microsoft Word is sometimes useful in this process but it is not expected that the City staff would have to write revisions in detail.
4. **Meet with potentially affected landowners** and citizens if requested by City staff to hear their comments on the amendments. City staff would, of course, be involved in such meetings. This element is described in more detail below.
5. **Continue to refine the wording** of the amendment until the Senior Planner is satisfied the draft is ready for public review.
6. **Attend public hearings at the Planning Commission** and City Council as requested to explain the draft amendment and hear comments.

Staffing for Application Reviews and Zoning Ordinance Amendments

All services would be performed by Mr. Weber. If necessary and requested by the Senior Planner, Bill could enlist additional subconsultant help in any of these disciplines: law, landscape architecture, traffic engineering, graphics, geographic information systems, cultural resources or natural resources.

Participation by City Staff and Officials

City staff would be expected to provide background information, prior plans and similar information that may not be otherwise accessible; to review drafts of his work; to meet with applicants, members of the public or City officials; and to meet in person for discussions as needed. It is assumed that the staff would provide prompt responses to inquiries via telephone or the Internet

Public Participation in Zoning Code Amendments

Public participation in the review of draft amendments to the text of the City Code may take several forms depending on the nature of the amendment and the desire of the City. These include:

- Simply process the amendment through the normal course of the Planning Commission and the City Council with notification as required for a public hearing.
- Provide a copy of the draft amendment on the City's Website.
- Mail copies of the draft amendment to landowners who the City anticipates may be directly affected or who have expressed an interest in the matter.
- Conduct an informal meeting of interested landowners, developers, business owners or other citizens to learn about and comment on the draft amendment.
- Televis the review of the draft amendment by the Planning Commission and City Council on the community cable television channel, QCTV.

Anticipated Product of the Zoning Code Amendments

It is anticipated that Weber Community Planning would provide the precise language of the draft City Code amendment in the numbering and format used by the City. Along with the wording could be explanatory graphics that the City could chose to include in the City Code or not, and explanatory text. A sidebar format is often helpful for presenting explanatory text.

Proposed Starting Date

Mr. Weber would be available to begin work immediately on either land development application reviews and/or amendments to the Zoning Code.

Time Line for Zoning Code Amendments

Amendments to the Zoning Code could be undertaken either one at a time in sequence or several simultaneously with overlapping time frames. Some amendments are likely to take longer than others. It is expected that all of these amendments could be initiated and completed within a six month window:

- Items to comply with the 2030 *Comprehensive Plan*
- Residential architectural standards
- Addition of the Office Park zoning district
- Addition of a Public Park zoning district.

Other amendments could take longer, such as the addition of a form-based regulatory element or revisions to the sign ordinance.

Bill Weber fully expects to have the time available to proceed quickly on any or all Code amendments. The greatest schedule factor will probably be the length of time allotted for public review.

A time line for a single ordinance amendment might look like this:

Process Step	Week Number
Meet with City staff	1
Prepare draft amendment wording	1 – 3
Meet with City staff	4 - 5
Meet with affected stakeholders (optional)	5 – 7
Continue to refine the wording	5 – 8
Conduct public hearings	9 - 14

Timing

Standard Schedule for Reviewing Land Use Applications

A typical time line for reviewing a land development application is presented below. Such review schedules are sometimes adjusted by mutual agreement between the City and the applicant.

Process Step	Week Number
Meet with prospective applicant	1
Inspect the development site	1
Receive a fully completed application	2 (varies)
Determine that the application is complete.	2
Notify the applicant of the 60-day deadline (zoning applications) or the 120-day deadline (plat applications)	2
Discuss the application with City staff and the applicant	2 – 4
Prepare a draft review memo	3 – 4
Review the draft memo with City staff and the applicant	3 – 4
Request a time extension if necessary	5 – 8
Attend public review meetings with the Planning Commission, Parks Commission and City Council	5 – 9
Help prepare a written agreement with the applicant	9+

Cost

Fee for Application Reviews

Weber Community Planning requests an **hourly rate of \$80.00** for the services of Mr. Weber. Alternative arrangements are possible, such as differing rates for ordinance revisions versus application reviews that may be charged back to the applicant.

There would be no charge for miscellaneous photocopying, driving mileage or meals in conjunction with evening meetings. Time spent driving between the office in St. Louis Park and Ramsey would be charged. The minimum increment of time charged would be 0.25 hour.

Weber Community Planning would provide a monthly invoice that lists the date of each service, the service provided that day, the time spent for each service, the hourly charge rate, the dollar amount and any direct costs. An example of a detailed monthly invoice is shown on the next page.

Estimated Cost for Zoning Ordinance Amendments

Shown below is our preliminary estimate for the cost of amending these parts of the Ramsey zoning ordinance:

- Office District (new)
- Public Park District (new)
- Residential architectural standards (new).

We would expect to refine this work program and cost estimate to suit the needs of the City.

Task	Hours
Discuss needs with City staff	4
Prepare first draft of three amendments	16
Review with City staff	4
Prepare second draft	4
Optional reviews with affected stakeholders	8
Review with Planning Commission	4
Amend as necessary	4
Review with City Council	4
Amend as necessary	2
Total Hours	50
Hourly Charge Rate	\$ 80
Estimated Charges	\$ 4,000

Cost

Sample Invoice

Weber Community Planning
3824 Huntington Avenue
St. Louis Park, MN. 55416
952-451-4818
bill@weberplanning.com



Mr. Timothy Gladhill
Senior Planner
City of Ramsey
7550 Sunwood Drive
Ramsey, Minnesota 55303

1 April 2011

Municipal Services and
Application Reviews for the
Month of March 2011

Municipal Services		Hours	Rate	Charges	Totals
Development Review Committee					
22 March	Prepare for and participate in DRC meeting	3.50	\$ 85	\$ 297.50	
Planning Commission or City Council Meetings					
3 March	Participate in the Planning Commission meeting	3.00	85	255.00	
Zoning Ordinance Amendments					
1 March	Prepare memo on Office Park zoning district	3.00	85	255.00	
7 March	Prepare memo on residential architectural standards	4.00	85	340.00	
14 March	Meet with staff to review memos	3.00	85	255.00	
15 March	Refine prior memos	2.00	85	170.00	
Subtotal for Municipal Services		18.50		\$	1,572.50
Development Application Reviews					
Golden Years Seniors Housing					
1 March	Draft review memo	4.00	\$ 85	\$ 340.00	
9 March	Refine review memo	0.50	85	42.50	
22 March	Prepare memo to developer re: DRC outcome	0.50	85	42.50	
23 March	Telephone call with developer	0.25	85	21.25	
				\$	446.25
TOTAL CHARGES THIS MONTH					\$ 2,018.75

8 – Retail Expansion

The following section presents a review by Mr. Weber of a proposed expansion of a major retail store.



Date: 15 October 2010
To: Vadnais Heights City Council
From: William Weber, AICP, Planning Consultant
Subject: Walmart Building Addition

Recommended Action

That the City Council approve the Revision F site plan, preliminary plat, easement vacations and special use permit for the 29,840 square foot expansion of the Walmart store contingent on these measures:

1. **Preliminary Plat:** That the small triangle of land west of Arcade Street (Outlot A) be dedicated to the City.
2. **Hours of Truck Traffic:** That the Development Agreement state that no semi-trailer trucks will enter or leave the site between 10 PM and 5 AM.
3. **Building Façade and Signs:** That the building architect present for City staff approval the final design of the building façade and all signs to be used on the site including wall, freestanding and traffic signs.
4. **Pedestrian Lighting along County Road E:** That the question of which pedestrian lights should be installed along County Road E, when and by whom is resolved through discussions between the City and Walmart representatives. (See page 15 of my memo).
5. **Photogrammetric Plan:** That an updated photogrammetric plan showing lighting levels across the site be submitted for staff review.
6. **Security Cameras:** That security cameras be installed in the parking lot.
7. **Other Staff Recommendations:** Any other requirements of the City staff.
8. **Development Agreement:** That the applicant enter into a Development Agreement with the City that specifies these and other requirements.

Recent Amendments

Since the Council review of September 21st, the applicant has made these changes to the plan:

- Added seven landscaped island to the western side of the parking lot, all of which have shrubs and wooded mulch, and five of which have trees.
- Added three landscaped islands to the center of the parking lot that include over story trees plus shrubs and perennials.
- Created a continuous driving aisle along the southern and eastern sides of the site that may serve development along the freeway and south of this site. Moved the Arcade Street access point south. (See page 12.)
- Adjusted access to the pharmacy drive-through and the truck dock.
- Relocated the infiltration pond. The detailed design of the pond should be reviewed by the City Engineer and VLAWMO.

Applications Submitted

Wal-Mart Realty Company has submitted these applications:

- Site Plan
- Preliminary Plat
- Vacation of easements
- Special Use Permit (amendment to the 1993 permit)

Public Notices and Comments

A public notice of these applications was posted and mailed to landowners within 350 feet of the site. The City Planning Commission heard public comments on these applications at a meeting on August 23rd.

Conformance with the Recommendations of the Planning Commission

The applicant has revised the plans to meet all of the recommendations of the City Planning Commission, which reviewed these applications on August 23.

Zoning

The site is zoned City Center. All development in the City Center zoning district requires a Special Use Permit.

The properties to the immediate south and northeast of the site are zoned City Center.

Current Site Conditions

The site is presently occupied by a 125,510 square foot Walmart building and parking lot that were constructed in 1993.

Proposed Improvements

Walmart wishes to expand its current store by 29,840 square feet on its southern end to a total of 155,350 square feet for the purpose of providing additional grocery and pharmacy sales. There may also be another, small retailer inside the Walmart store. Additional improvements would include:

- Renovating the building façade
- Expanding the store's vestibule eastward
- Adding a second entrance on the east side
- Relocating the southwest access point (near the truck dock)
- Closing the northwest access (near the garden center)
- Repaving the parking lot
- Adding landscaped islands in the parking lot
- Improving the entrances and drive aisles
- Adding two truck docks and reconfiguring the truck dock area
- Adding a drive-through for the in-store pharmacy; That feature would be located near the southeast corner of the building expansion
- Adding screened, at-grade cooling condensers along the south side of the building
- Replacing and improving some of the landscaping
- Adding pedestrian seating areas and one sidewalk
- Changing the drainage and adding an infiltration pond
- Changing the signs on the front of the building and on the pylon along the freeway.

Construction is proposed to begin in Spring of 2011.

Preliminary Plat

Most drainage and utility easements on the site will be vacated and replaced with new easements in favor of the City. All facilities and utilities that have been constructed in the vacated easements will be relocated and restored.

Outlot A, 1,892 square feet in size, will be created west of Arcade Street and dedicated to the City.

Lot 2: Lot 2, one acre in size, will be created on the eastern side of the site. A portion of Lot 1 (which includes the Walmart store) will continue to abut the freeway. The pylon sign stands on that eastern extension of Lot 1.

Arcade Street Easement: The portion of Arcade Street that is now on an easement will be platted as public right-of-way.

Additional Right-of-Way for Arcade Street: As requested by the City Engineer, the preliminary plat shows additional right-of-way along the eastern side of Arcade Street near County Road E to accommodate the future widening of Arcade Street. That land is 8 feet wide and 100 feet long, extending south from the right-of-way of County Road E.

It is anticipated that northbound Arcade Street will be modified to include a left-turn lane, a through lane and a right-turn lane. Presently, there is a left-turn lane and a combination through and right-turn lane.

Land that would be dedicated is presently used as a landscaped building setback space and sidewalk. (Further description of this need is presented under the Traffic section, below.)

Landscaping

All of the plantings along County Road E will be completely redesigned and replaced except for a few junipers that are still in good condition. Trees and shrubs will be added south of the parking lot.

Islands: Seven landscaped islands will be installed along the western side of the parking lot, all of which will have under story shrubs and perennials and five of which will also have trees. Three landscaped islands with overstory trees, shrubs and perennials will also be added in the center of the parking lot.

Tree Species: The trees used will be a combination of overstory and ornamental deciduous and coniferous species. The perimeter of the site and the islands in the middle of the parking lot will have hackberrys, sugar maples, northwoods maples, honey locusts, swamp white oaks and Valley Forge American Elms. Closer to the store, there will be crabapples, serviceberrys and river birches. Spruce will be used in the northwest and southwest corners. The hackberrys, which will be used in and near the parking lot, are a tall-growing, drought-tolerant deciduous trees related to the elm.

Shrubs and Perennials: Nine types of shrubs and seven species of perennials will be used as under story plantings along County Road E, in the parking lot islands and in the planters near the store front. Prominent among these will be junipers (a low, spreading conifer), spirea (a brilliant flowering deciduous shrub) and reed grass (a tall and graceful perennial).

Planters: There would be three large planters installed in the sidewalk along the eastern side of the building. Species used in the planters will be Spring Snow crabapples, spirea, wild garlic, day lilies and junipers. The height of the planters should be suitable for seating.

Truck Dock Wing Wall: The truck dock will continue to be screened from Arcade Street by a wing wall constructed of materials that match the building wall. The planting scheme along that wall that will be consistent with the current pattern on the western side of the building.



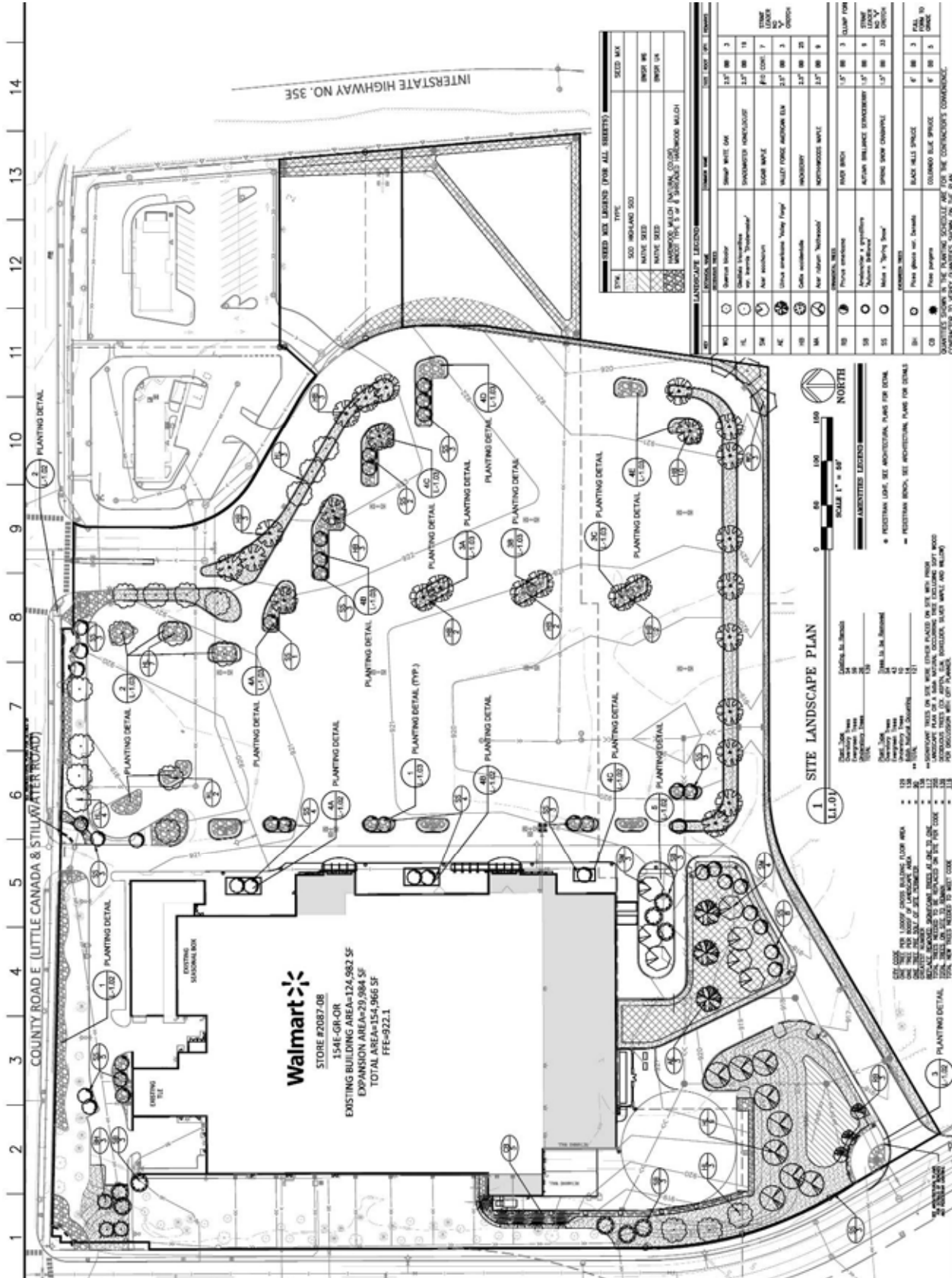
Proposed materials for the truck dock screening wall

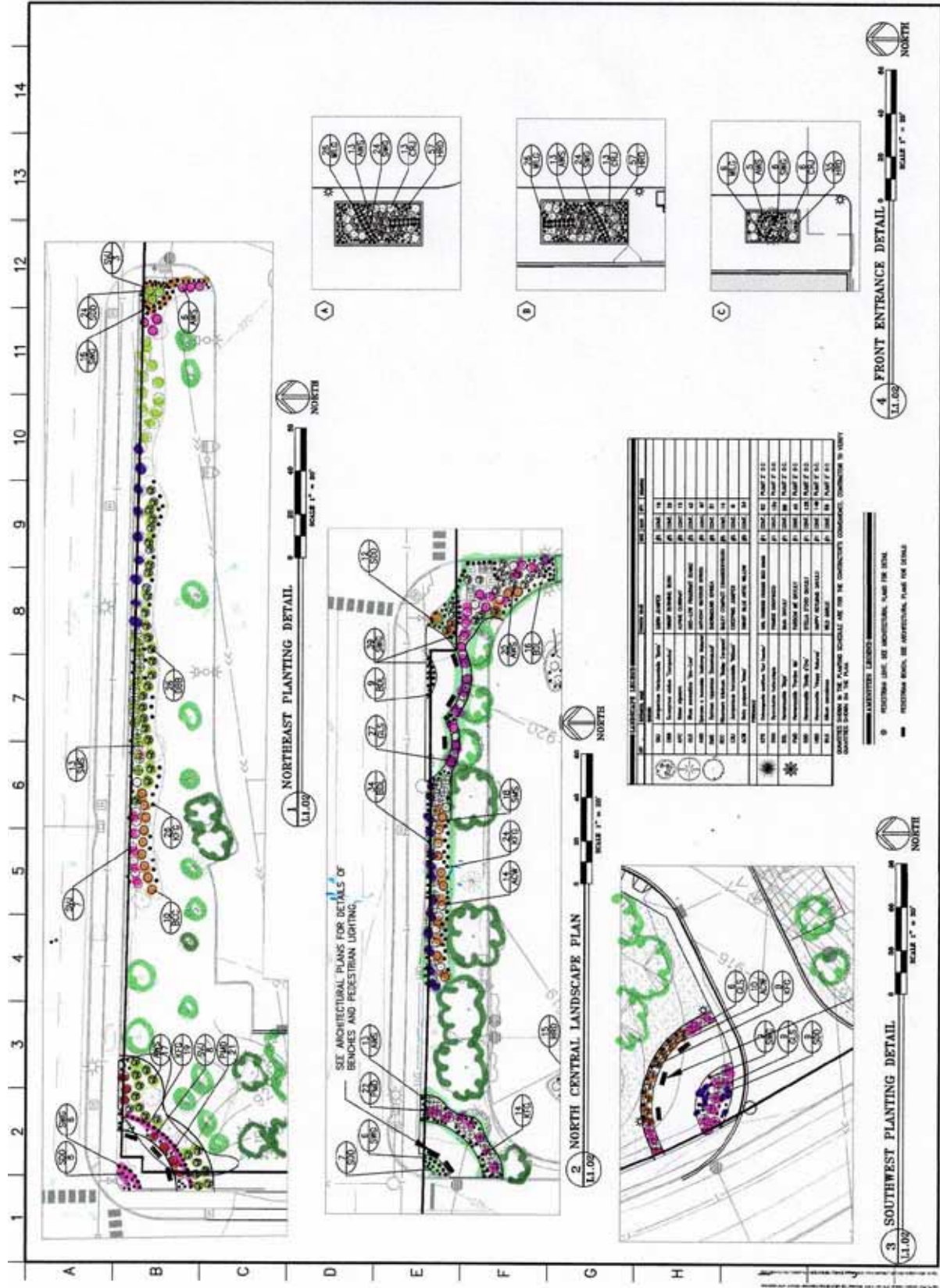


Plantings along the western perimeter

Pedestrian Features

Four seating areas will be created: three along County Road E and one at the southwest entrance along Arcade Street. Each will be augmented with over story trees, shrubs and perennials including maples, spruce, spirea, reed grass, prairie dropseed and dwarf artic willows. Permanent metal architectural benches will be included. There will not be any advertising on the benches.

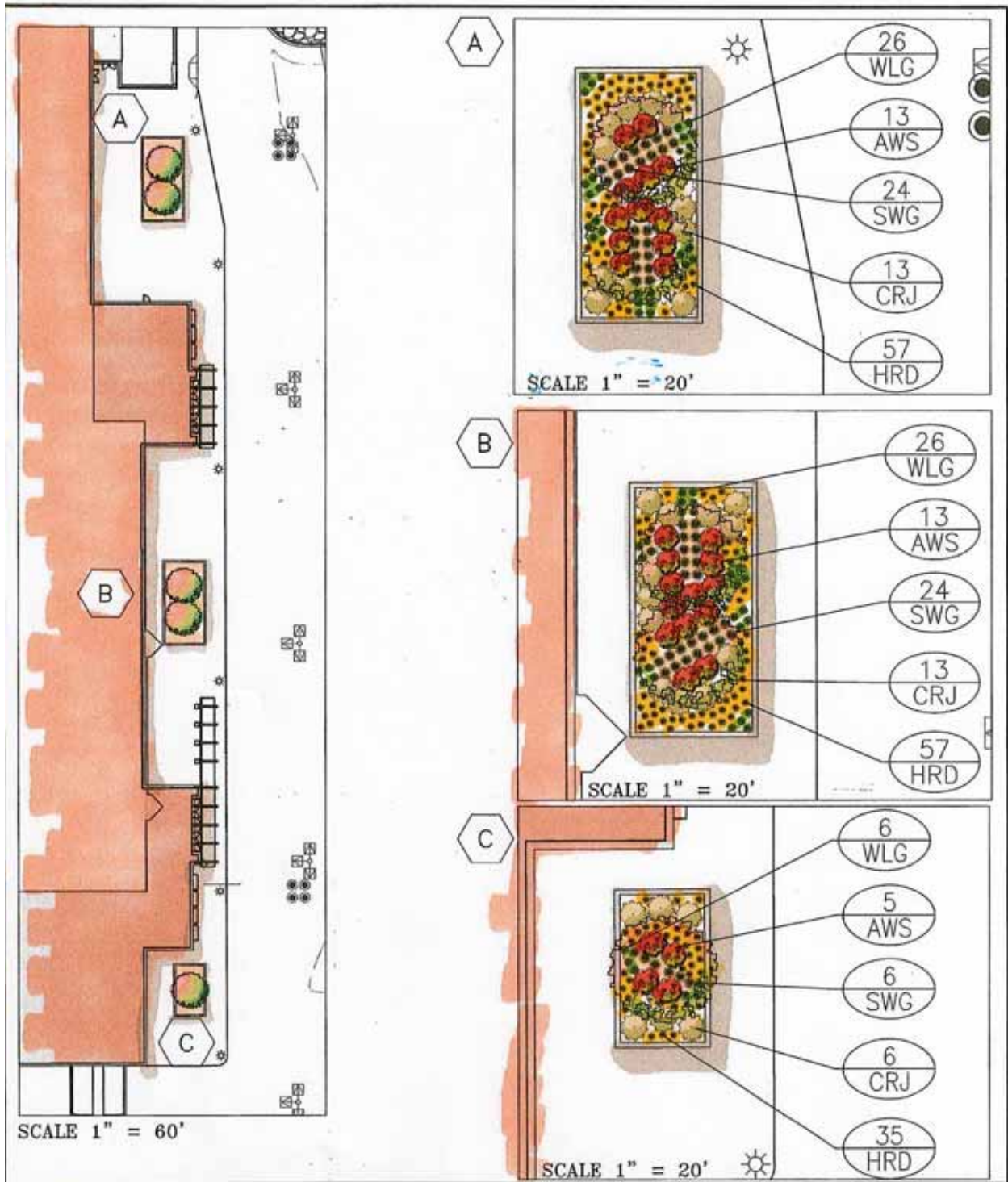




Landscaping Detail



Landscaping Detail



Planter Detail

Building Façade

The building façade will receive a new color scheme as shown below. I believe that the proposed building façade is consistent with the intentions of the City Center zoning district.



Traffic

According to a traffic impact study prepared by MFRA, Inc., the applicant’s engineer, dated 13 June 2010, the building addition will generate an additional 71 trips during the AM peak hour and 53 additional trips during the PM peak hour. These additional trips will not have an adverse impact on the current levels of service at the site entrances. The Level of Service at each of the four site entrances is forecast to be the same in the first year after the store is expanded as it was before it was expanded, as shown by the following table. Therefore, no mitigation actions are needed. Traffic engineer Thomas Sohrweide, PE, PTOE, of SEH, Inc., has reviewed the applicant’s traffic study and agrees with its conclusions.

Existing and Forecast Traffic Level of Service

	AM Peak Hour		PM Peak Hour		Saturday Peak Hour	
	Existing	2011 Build	Existing	2011 Build	Existing	2011 Build
County Road E / Northeast	B	B	C	C	C	C
County Road E / Center	A	A	A	A	A	A
County Road E at Arcade Street	B	B	C	C	C	C
Arcade Street / Southwest	A	A	A	A	A	A

Source: Traffic Impact Study for the Vadnais Heights Walmart Store Expansion, MFRA, Inc., June 13, 2010.

Nonetheless, Walmart is proposing minor site plan modifications to improve traffic flow and to address concerns raised by City staff in previous meetings with Walmart representatives.

These modifications include:

- **Southwest Entrance (Arcade Street):** Traffic exiting the Walmart site presently has limited visibility onto Arcade Street. In addition, there are conflicts at this location between delivery vehicles and customer traffic.

By shifting the entrance to the south, visibility will be improved and customer traffic will be separated from delivery traffic.

- **Northwest Entrance (Arcade Street):** The current northwest entrance is located less than 100 feet south of the intersection of County Road E and Arcade Street. This creates multiple traffic conflicts including causing southbound traffic to back up into the intersection because of vehicles attempting to turn left across northbound traffic.

In order to address the City's concern, Walmart has agreed to close the northwest entrance drive.

- **Northeast Entrance (County Road E):** The current entrance design does not clearly define how the dual southbound lanes of entering traffic are expected to sort themselves into the site.

In order to improve the situation, Walmart proposes to reconfigure and reconstruct the east entrance from County Road E to provide a clear separation of the entering lanes.

Also, a striped southbound left-turn lane will be created to separate traffic bound for the restaurants from other traffic, which will improve traffic flow and safety. These entrance modifications will lead to a continuous perimeter drive aisle that links around the parking lot to the Arcade Street entrance. (See the following paragraph.)

Access to Properties to East and South: Site Plan Revision F (October 13) now shows a continuous private drive aisle along the eastern and southern sides of the site running between the main entrance on County Road E to the Arcade Street entrance. This 30-foot-wide lane will be built with greater load bearing capacity than the rest of the parking lot and is intended to also serve future development along the freeway (Outlot 2) and south and southeast of this site. A previous agreement between Walmart and the adjacent property owners will allow access to and shared use of this private road. (See the graphic on the next page.)

This revision includes moving the Arcade Street access point further south along Arcade Street, which will improve visibility and safety there.

Additional Street Right-of-way Needed for Arcade Street: The Vadnais Heights Fire Department requests that intersection of northbound Arcade Street at County Road E be modified to include left- and right-turn lanes as well as a through lane. The intent of the recommendation is to reduce traffic queues at that location so as to make it easier for emergency vehicles from the adjacent station to access Arcade Street and County Road E. Additional street right-of-way will be dedicated to the City by the applicant to accommodate this widening. The City Engineer has recommended that the additional right-of-way be 8 feet wide and 100 feet long, extending south from the right-of-way of County Road E. The preliminary plat shows this additional right-of-way.



Access to the Drive-Up Pharmacy: The drive-up pharmacy is designed for one-way traffic that moves from west to east. After the Planning Commission review, the pharmacy access drive was separated from the driveway serving the refrigeration compressors.

Truck Traffic Restrictions: The number of trucks serving the store is expected to increase to 88 per day from the current 60 per day; 16 of those would be smaller, vendor trucks. Those providing fresh foods and baked goods are expected to arrive between 4 and 6 AM. I recommend that truck traffic not be allowed to or from the site between 10 PM and 4 AM. The Planning Commission advised that the truck service hours should be revisited after housing develops on adjacent property.

Parking

The parking ratio will be 4.9 spaces per 1,000 feet of gross leasable area or 5.1 spaces per 1,000 square feet of net usable area (which is the formula allowed by the zoning ordinance). The ordinance requires 5.0 spaces per 1,000 square feet of net floor area. An additional “proof of parking” area is shown on the plan to satisfy an agreement that Walmart has with the adjacent land owner. The number of parking spaces was reduced slightly when additional landscaped islands were added this week.

Second Building Entrance

A second building entrance, located north of the original entrance, has been added to the plan since the review by the City Planning Commission. I think this feature will benefit the store by adding more visual interest to the eastern wall and spreading the parking demand. I think that the second entrance will function adequately in terms of the pedestrian crossing and traffic movement. There is no evidence that the second entrance will increase traffic generation or parking demand more than already estimated.

Bicycling and Walking Access

The existing sidewalks along County Road E, Arcade Street and the storefront will remain. A new sidewalk will be added along the southwest entrance drive. There will be two striped pedestrian crossings from the parking lot to the front sidewalk. Landscaped seating areas will be constructed. A bicycle parking rack will be installed on the front sidewalk near the front entrance.

Interior Retailer

Another, smaller retailer such as a hair salon, restaurant or a bank may be located inside the building in the future.

Pharmacy Drive-Through

Access to the pharmacy drive-through would be from a dedicated entrance off of the new Arcade Street access drive. Signs will help direct customers to the drive-through. The pharmacy entrance drive has been clarified since the review by the Planning Commission.

Bale and Pallet Storage Area

The bale and pallet storage area has been moved to the southern side of the truck turnaround area since the Planning Commission review. It will still be screened by a solid wing wall in that location.

Pedestrian-Scale Lighting

There would be decorative pedestrian-scale lights (16+/- feet tall) installed in the sidewalk along the front (eastern side) of the store E, along the southwestern access drive and potentially along County Road E. The fixture is the Sternberg Gallery model shown here.

I and City staff are concerned that there may be an aesthetic conflict between the Walmart pedestrian lights and the present or future public lights (whether overhead or pedestrian) along County Road E. Therefore, the City will determine by January 20, 2011, which street light is preferred and then Walmart can install those lights next summer with their project.



Drainage

An infiltration basin will be installed in the southwestern corner of the site to reduce and filter some of the runoff. The City Engineer has additional comments on drainage.

Signs

The freeway pylon sign would have its panels replaced but there would be no other changes in the dimensions of the sign.

There may be a small wall sign on the eastern façade for a potential future tenant such as a bank, hair stylist or restaurant.

The building architect should show us all signs proposed for the site including freestanding, wall and traffic signs. (In particular, the signage over the pharmacy drive-through should be more subdued than what was used on the Bloomington Walmart (see the photo on page 4).

Security Cameras

Security cameras shall be installed to view the parking lot and other exterior portions of the site. If desired, the Ramsey County Crime Prevention Officer can provide further advice on this subject.

9 – Retail Expansion

The following section presents a review by Mr. Weber of a proposal to build housing for the elderly.



Date: 28 March 2011
To: Vadnais Heights City Council
From: William Weber, AICP, City Planning Consultant
Subject: Gable Pines Seniors Housing

Application

Gable Pines, LLC, requests approval of a 124-unit senior housing development on the southeast corner of County Road E and Judson Road plus an additional parking lot for the adjacent Reell Precision Manufacturing site. The applications under consideration are:

- Special Use Permit for a Planned Unit Development on a site smaller than five acres (this is not a change in zoning)
- Site plan
- Preliminary plat.

This is a revival of an application made in 2008. This time there would be fewer independent living units and more assisted living and memory care units.

Types of housing units:

	<u>Revised Plan</u>	<u>Original Plan</u>
Independent living	27	58
Assisted living	57	37
Memory care	40	20
Total	124 units	115 units

Housing units by number of bedrooms:

Studio	44
1 bedroom	56
1 bedroom + den	6
<u>2 bedrooms</u>	<u>18</u>
Total	124

The forecast number of residents remains unchanged at 143.

In simplest terms, the building would be L-shaped with the base of the L parallel to County Road E. Two wings would extend from the “top” of the L to the southwest and southeast. The main part of the building would have four levels -- a below-grade parking garage and three stories of housing.

The two southern wings would be arranged as:

Western wing:

Third level	Assisted living	9 units
Second level	Assisted living	9 units
First level	Memory care	10 units
Garage level	Memory care	10 units

Eastern wing:

First level	Memory care	10 units
Garage level	Memory care	10 units

Please refer to the sketch on page 4.

Because there is a ten-foot drop in elevation from the northern to the southern end of the site, each of the two wings would have memory care apartments at the same elevation as the parking garage. Thus, the eastern wing would only be as tall as the first floor of the main part of the building plus a pitched roof.

In addition to apartment units, Gable Pines would include these features and amenities:

- Theater
- Fitness center
- Beauty parlor
- General store
- Screened porch and patio
- Chapel
- Library
- Community room
- Crafts room
- Dining room with private dining
- Private club room
- Café with extended hours and food services
- Front lobby (common living room and receiving area for visitors)
- Reception area and administrative offices.

Gable Pines, LLC, seeks endorsement from the City Council for its application for Minnesota senior housing revenue bonds. It also requests direct support in the form of a tax increment financing package.

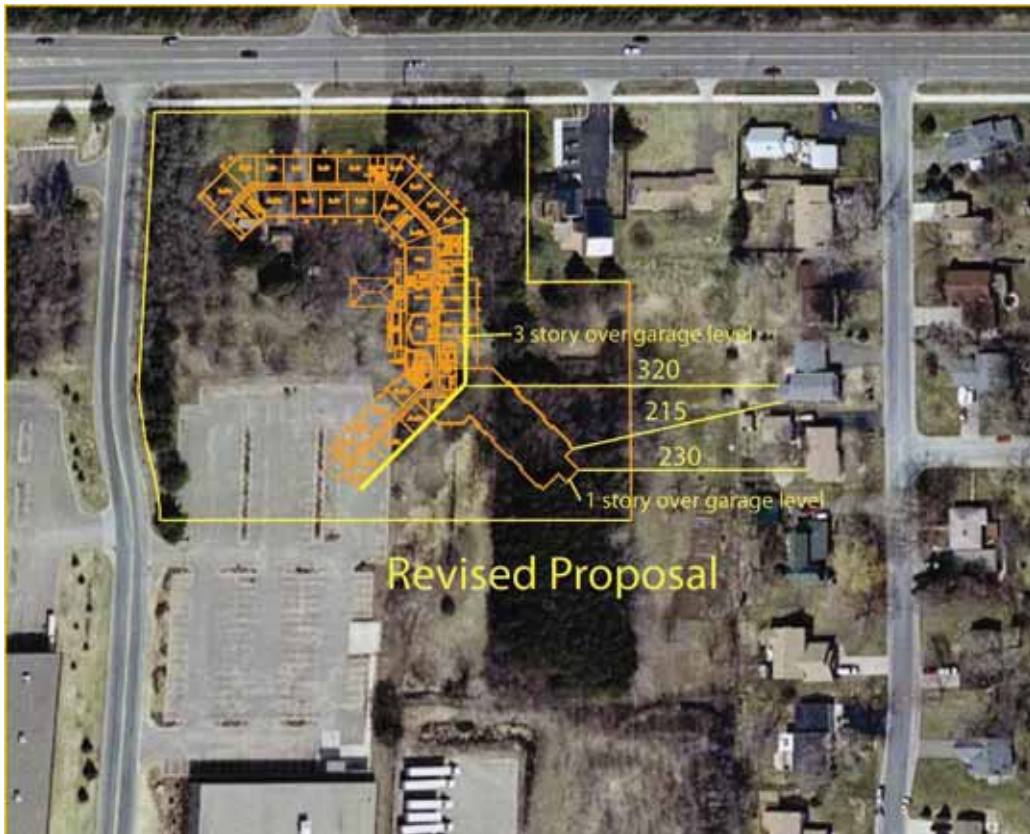
To maintain affordability for these residents that require a nursing home level of medical care, a minimum of 20 percent of the units would be allocated to qualified medical assistance households.

The building and its services would be managed by Ebenezer (<http://www.fairviewebenezer.org/>), an arm of the Fairview Health Services.

Public notice of the Planning Commission and City Council public hearings were posted, published, and mailed to nearby addresses beyond code requirements.



Site Location



Building Configuration and the Immediate Vicinity



South Elevation for revised proposal with 40 Memory Care units on Garage Level and 1st Floor.
 Change to southeast wing is due to replicating the Garage Level Memory Care plan on the 1st Floor above the Garage Level.
 Design based on 10 unit staffing modules.

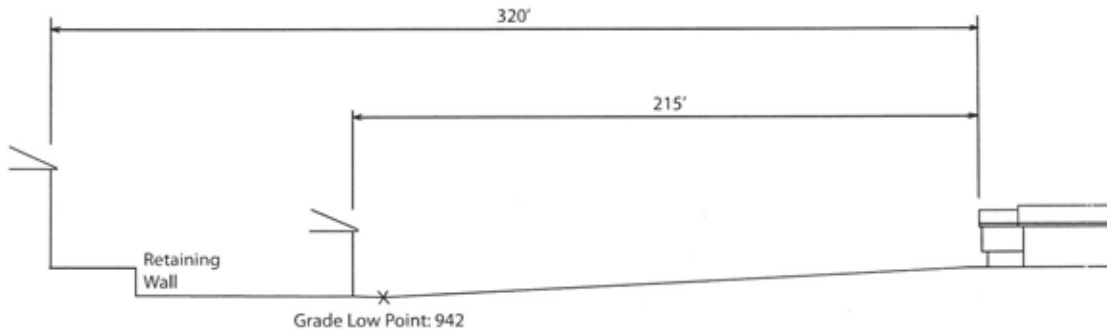


VIEW FROM EAST

VIEW FROM NORTHEAST



The southeastern wing would have two complete levels, not one complete level and one partial level, as shown in this 2009 sketch.



Main Building Approximate Elevations:	
Facia	988
1st Floor	958
Grade	956

Memory Care Wing Approximate Elevations:	
Facia	967
1st Floor	958
Ground Floor	946
Grade	945

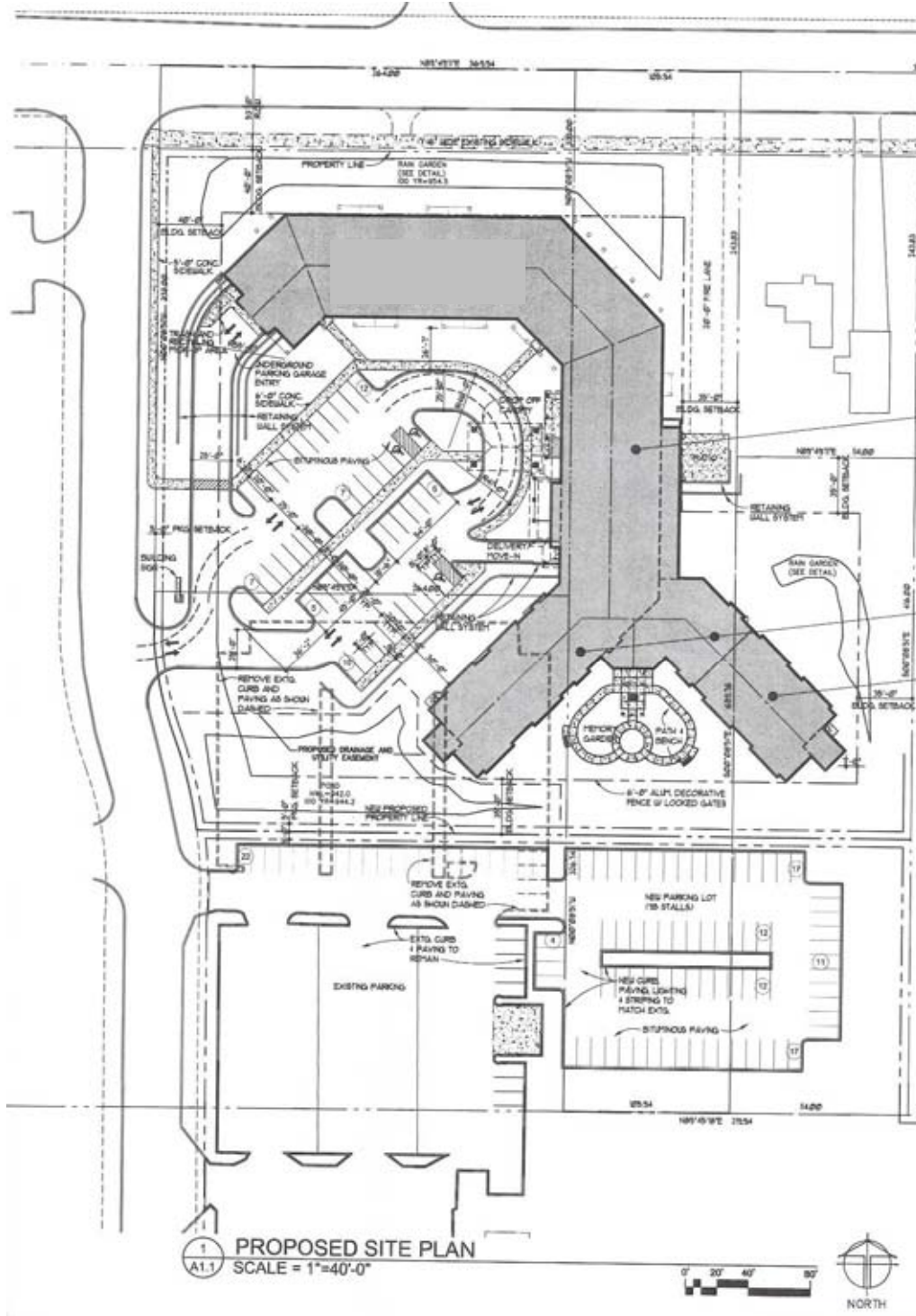
Approximate Elevations:	
Facia	968
1st Floor	960
Grade:	954

Land Ownership and Site Configuration

To assemble a site for this project that is properly shaped, Gable Pines, LLC, will acquire an 0.88-acre parcel from its southerly neighbor, Reell Precision Manufacturing. In exchange, RPM will receive a 0.88-acre parcel from Gable Pines. This will make the southern property edge for the project a straight east-west line.

RPM would move its parking lot to the parcel that would be acquired from Gable Pines. Gable Pines will remove the parking lot that it acquires from RPM and use it as part of the proposed seniors housing development. The size of the development site after the swap would be approximately 4.7 acres. Please refer to the parcel plan below.





Land Use on the Site and Vicinity

The site is presently occupied by a house as well as a parking lot that serves Reell Precision Manufacturing (RPM), which is located to the south of the development site. Two other parcels in this project are undeveloped.

The house site (Parcel C) is partially wooded. Parcels A and B, to the east, are more heavily wooded, particularly the most easterly parcel, which includes a grove of mature conifers. All of the trees would be removed from the 4.7 acre seniors housing site during grading for development.

Immediately northeast of the site are two houses, both served by County Road E; the westerly of the two is occupied by a tax preparation / appraisal business. East of the site is a neighborhood of single-family houses that are served by English Street.

South of the seniors housing development site is a parking lot serving Reell Precision Manufacturing and an undeveloped parcel covered with mature conifers.

County Road E is to the north of the site and Judson Road is to the west. North of County Road E there are three rows of mature conifers then houses on large lots in the City of Gem Lake. West of Judson Road is a dental office and a parking lot for an industrial building.

Zoning and Comprehensive Plan Designations

The Comprehensive Plan designates this site as Office-Business. The western half of the site is zoned Office-Business District and the eastern half is zoned Office District.

Proposed Site Development for Gable Pines Seniors Housing

Zoning Ordinance Standards:

The Vadnais Heights zoning ordinance does not provide standards for seniors housing that can be used to assess this application for a Special Use Permit. Housing for the elderly, especially apartments for assisted living and memory care, should not be reviewed under the same standards applied to typical apartment buildings because of the vastly different traffic generation, parking needs and apartment sizes.

Density:

Housing Units: 124
Site size: 4.71 acres
Net density: 26 units per acre

Site Coverage:

Building: 21 percent
Total impervious: 40 percent
Green space: 60 percent

Setbacks and Building Height:

The building would be set back a minimum of 40 feet from all property lines. The average setback of the southeast wing from the eastern property line would be 85 feet.

The building height would be three stories of housing above grade plus a pitched roof. The two southern wings would be one story of housing above the first floor elevation of the main part of the building plus a pitched roof.

Parking for Gable Pines:

I believe that the parking supply is adequate to satisfy the demand.

Under building:	27 spaces
Surface:	47 (including three for handicapped)
Total	74 spaces

Only the residents of the 27 independent living apartments will be driving. Staff from Ebenezer estimate that only 20 of the 27 garage spaces will be rented, and I agree. Thus, there are enough garage parking spaces for the residents.

There would be 20 staff on the maximum shift. Seven additional parking spaces should be allocated to staff to accommodate overlap during shift changes. Not counting the handicapped spaces, that leaves 17 surface spaces for visitors. A representative of Ebenezer believes that number will be sufficient. Staff would also be allowed to park in any unrented garage spaces if necessary. As a final resort, on-street parking is permitted on Judson Road.

A representative of Ebenezer has estimated parking demand as follows:

Independent living @ 1 per unit	27
Assisted living @ 0.5 per unit	29
Memory care @ 0.25 per bed	10
Staff change @ 1 per 3 staff	7
Total demand	73
Total supply	74

Landscaping:

A landscaping plan was prepared by Brauer & Associates, landscape architects. The planting plan for overstory trees slightly exceeds the minimum requirement, which is one tree for each 1,000 square feet of building floor area.

Building floor area:	153 (1,000 square feet)
Overstory trees:	159 (36 % deciduous, 43 % coniferous)

Deciduous trees would be at least 2.5 inches diameter and coniferous trees would be at least six feet tall.

The perimeter plantings are most closely spaced along the eastern boundary of the site to screen the view from the nearby single-family houses.

The parking lot would include planted islands.

The landscaping plan also includes ornamental trees, shrubs and annual flowers. At the southern end of the building, there would be a fenced garden accessible by residents of the memory care apartments. All open areas will be sodded.

There would be a patio on the eastern side of the building near the house / office. The patio would be screened with a hedge of Techny Arborvitae and Black Hills Spruce.

All exterior lighting would be limited to the western side of the building, around the parking area. Thus, there would be no light glare directed toward the housing to the east.

Sidewalks and Paved Paths:

There would be sidewalks around the perimeter of the parking lot and down the middle of the island in the parking lot. A large canopy would protect the drop-off area at the front entrance from rain and snow. Five-foot concrete sidewalks are proposed to be built by the developer from (a) the parking lot to the sidewalk that exists along County Road E, (b) the parking lot entrance to County Road E along Judson Road and (c) the emergency exit of the southwestern wing to the sidewalk along the parking lot (this may require a culvert). The sidewalk along Judson Road should be six feet wide to conform to City standards.

A six-foot asphalt walking path would be built around the southern end of the building from the parking lot to the eastern patio. The Fire Department requests that a six-foot asphalt branch path be added from that path to the southern property line at the northeastern corner of the existing RPM parking lot. Once again, a culvert or similar City-approved solution may be necessary.

Traffic:

I believe that the road system can easily accommodate the additional traffic generated by this project while maintaining a good level of service. The expected traffic generation by the development would be low -- on the order of 200 to 300 trips per day. The traffic signal planned at the intersection of County Road E and International Drive will help create more gaps in the traffic on E, which will aid westbound left turns from Judson Road. Also, some of the traffic may choose to use Willow Lake Boulevard.

Façade Architecture:

The architectural design of the proposed seniors housing is entirely residential in character. The façade would consist primarily of brick, the roof would be pitched and covered with asphalt shingles, and the windows would be recessed and include muntins (dividers) and stone lintels. The façade would be broken into smaller sections by use of alternative brick glazing, alternative materials, gables and stone accents.

Other Visual Considerations:

The proposed seniors housing would be visually screened from view from the housing to the east by three features:

- The existing mature trees on the rear of the single-family lots
- The proposed landscaping on the development site
- The change in elevation.

A site landscaping plan has been prepared by a professional landscape architect. The eastern edge of the development site would be planted with Red Pines, Black Hills Spruce, Austrian Pines, Balsam Firs, Northern Red Oaks, Sumacs and Aspen. Along the building would be Swamp White Oaks and Bur Oaks plus foundation plantings consisting of Serviceberries, Alpine Currants and Techny Arborvitae.

Because of the slope, the edge (fascia) of the pitched roof of the wing of the seniors housing closest to the single-family houses is only about seven feet higher in elevation than the ground level at the nearest single-family house (3575 English Street). The distance from that wing to the nearest house is approximately 230 feet. Thus, the combination of existing and proposed plantings, elevation change and distance minimize the visual effect of the seniors housing.



Relationship of the Roof Edge to the Surrounding Grade



Simulated View of Gable Pines from the Rear of 3575 English Street

Also, as noted above, the residential character of the proposed building would help it coexist with the housing to the east. This building would make a much better neighbor, in my opinion, than type of building possible under the Office zoning district, which could be a four-story building with a commercial architectural façade.

Grading, Ponding, Drainage and Utilities:

Please refer to the memo prepared by the City Engineer.

Lighting:

Lighting and photometric plans have been submitted. The proposed McGraw-Edison Generation Series luminaire is shown here. The color was not specified. All of the overhead lights would be around the parking lot. The photometric model shows that there would be no light escaping the site to the east.



Fire Code and Building Code:

Please refer to the review provided by the Fire official. In a supplemental e-mail message, Fire Technician Christopher Hearden stated that the Department does not object to the plantings south of the Memory Garden, an issue raised by the City Planning Commission.

Fire truck access is shown from the parking lot and the underground garage. There would also be a fire lane from County Road E to the eastern patio built with a system that would support trucks but could be overlaid with gravel or grass. I would prefer the grass option for the sake of appearance if that is acceptable to the Fire Department.

Fire truck access to the southern end of the building would be provided via the northwesterly RPM parking lot. A fire hydrant should be located near the northeastern corner of the existing RPM parking lot on the Gable Pines property.

Fire Chief Leier requests that if the northwesterly RPM parking lot (south of Gable Pines) should ever be removed by redevelopment a fire lane should be built by the Gable Pines owner along the southern edge of their site from Judson Road to the middle of the building, possibly centered on the southern property line. Chief Leier concurs that the Development Agreement should indicate that the City and the owner of Gable Pines will work to arrive at a mutually satisfactory solution if that event ever transpires.

Development Proposal for the Reell Precision Manufacturing Site

Proposal:

A parking lot with 95 stalls and concrete curb would be built on the southern end of Parcels A and B and connected to the existing RPM parking lot. The parking lot would be set 55 feet from the eastern property line (which abuts the residential neighborhood).

Site Conditions:

The eastern half of the site is mostly covered with mature conifers, most of which would be removed.

The parcel for the new parking lot will be almost exactly the same size as the parcel being transferred to Gable Pines, LLC, which is 0.88 acre.

Zoning:

The site is zoned Office District, and parking lots are an Accessory Use in that zone.

Nearby Land Use:

Single-family houses are located to the east of the parking lot site. The nearest house would be 230 feet away.

Landscaping:

Overstory trees would be added on the eastern and southern sides of the parking lot and in a central island. I recommend that the builder attempt to retain any of the existing conifers along the eastern edge of the site. I also recommend that the landscaping along the eastern property line be increased if trees in the setback area are removed. .

Parking Supply for RPM:

The 95 spaces being created are just two fewer than the number of spaces being removed.

Grading, Ponding and Drainage:

Refer to the review prepared by the City Engineer.

PLANNING COMMISSION REVIEW

At the City Planning Commission review on February 22, two citizens commented. One citizen commented that it is unfair to allow housing on a site zoned Office and Office-Business. Another objected to the size of the building, the resulting traffic and the loss of wildlife habitat.

The Planning Commission voted unanimously to approve the PUD application, Site Plan application and Preliminary Plat application with these conditions:

1. That additional landscaping be planned along the eastern property line.
2. That the landscaping south of the Memory Garden be deleted so that it does not hinder access by fire fighters.

RECOMMENDATION

I recommend approval of the Special Use Permit, preliminary plat and site plan for Gable Pines Seniors Housing with these conditions:

- That the planting plan in the setback along the eastern side of the future RPM parking lot be supplemented with additional confers if existing trees are lost there. The Development Agreement should state that the Planner should have the right to inspect the conditions during the landscaping process and determine whether additional plantings are warranted.
- That the public sidewalk along Judson Road be six feet wide rather than five.
- That an asphalt branch be added from the perimeter walking path to the southern property line at the northeastern corner of the existing RPM parking lot.
- That the developer agrees that if the northwesterly parking lot on the RPM property (south of Gable Pines) should ever be removed by redevelopment a fire lane would be built by the Gable Pines owner along the southern edge of the site from Judson Road to the middle of the building, possibly centered on the southern property line.
- That the requirements of the City Engineer and Fire Technician be adhered to except as amended in this memo or by the City Council.

- That the park dedication requirement be in cash as recommended by the Parks, Recreation and Trails Commission.
- That an updated plan set be submitted that coincides with the final approved plans if this application is approved.
- That a Development Agreement be executed that binds the applicant to the submitted plans, any additional requirements approved by the Council, and regular City fees.

10 – Variance

The following section presents a review by Mr. Weber of a proposal for a variance to a nonconforming use.



Date: 2 March 2011
To: Vadnais Heights City Planning Commission
From: William Weber, AICP, Planning Consultant
Subject: Amendments to the Nonconforming Use Section of the Zoning Ordinance

The City staff, the City Attorney and I feel that amendments to the portion of the City Code that addresses nonconforming uses ought to be considered.

The City Code should be updated to come into compliance with Minnesota Statute 462.357, Subd. 1e(a), which provides: “Except as otherwise provided by law, any nonconformity, including the lawful use of occupation of land or premises existing at the time of the adoption of an additional control under this chapter, may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion ...”

Vadnais Heights City Code currently reads:

6.110 (2): “Except where specifically limited elsewhere in this Code or modified below, any nonconforming use may be continued, but may not be extended, expanded, intensified or changed unless to a conforming use.”

6.110 (3): “Normal maintenance of a structure containing or which is a nonconforming use is permitted, including necessary non-structural repairs and incidental alternations which do not extend, expand, or intensity the nonconforming use.”

We recommend that the Code be amended as follows:

6.110 (2): Rights. Pursuant to Minnesota Statutes, Section 462.357, Subd. 1e:

- (a) Any nonconformity, including the lawful use or occupation of land or premises existing at the time a City Code amendments created the nonconformity, may be continued with any necessary approvals, including through repair, replacement, restoration, maintenance or improvement but not including expansion unless authorized by this Section.
- (b) Normal maintenance of a structure containing a nonconforming use or which is a nonconforming use is permitted including repair, replacement, restoration or improvement, which does not extend, expand or intensity the nonconforming use.
- (c) A legal nonconforming industrial or commercial use may be expanded once by no more than 10 percent of its floor area or 1,200 square feet, whichever is greater, with a Special Use Permit and with a specific finding by the City Council that the

proposed expansion will reduce the impact of the legal nonconforming industrial or commercial use on the surrounding properties in terms of activity, noise, traffic, light, appearance, outside storage of vehicles, equipment of materials, or other issues pertinent to the specific property and use involved.

In addition to the new wording shown above about maintaining a nonconforming use, we recommend the following clauses that allow expansion by Special Use Permit or variance and which limit rights.

6.110 (3): Expansion Prohibited. Nonconformities may not be expanded unless expressly permitted as described below.

- (a) Nonconforming uses may expand upon issuance of a Special Use Permit only when such expansion is expressly listed as a Special Use within the applicable zoning district. [Note: the zoning ordinance presently does not list any such Special Uses.]
- (b) Nonconforming lots may expand only upon approval of a variance or planned unit development zoning that allows the proposed level of nonconformity.
- (c) Nonconforming structures may expand only upon approval of a variance or planned unit development zoning that allows the proposed level of nonconformity.
- (d) Nonconforming site characteristics may expand only upon approval of a variance or planned unit development zoning that allows the proposed level of nonconformity.

6.110 (4): Termination of Rights.

- (a) A legal nonconforming use must not resume when:
 - (i) The use is discontinued for a period of more than one year, or
 - (ii) The use is destroyed by fire or other peril to the extent of greater than 50 percent of its market value and no building permit has been applied for within 180 days of when the property was damaged. The assessed market value (including buildings and land) must be determined by the most recent valuation of the City Assessor.

6.110 (5): Conformance Triggers: Nonconformities must be brought into conformance upon the following events:

- (a) Nonconforming uses. Nonconforming uses must be brought into conformance with current requirements of the City Code upon:
 - (i) Change of the use.
 - (ii) Discontinuance of the use
 - (iii) Destruction of the use, provided that no building permit has been applied for within 180 days of the date of destruction. The City may impose reasonable conditions on the building permit to mitigate newly created impacts on adjacent properties.
- (b) Nonconforming lots. Nonconforming lots must be brought into conformance with current lot requirements of the City Code upon:
 - (i) Subdivision or replatting of the lot.
- (c) Nonconforming structures. Nonconforming structures must be brought into conformance with current structure requirements of the City Code upon:
 - (i) Destruction or removal of the structure, or
 - (ii) Relocating the structure.

- (d) Nonconforming Site Characteristics. Nonconforming site characteristics must be brought into conformance with current site characteristic requirements of the City Code upon:
 - (i) Redevelopment of the site or expansion of total floor area on the site by 25 percent or greater
 - (ii) Destruction or removal of the site characteristic
 - (iii) Issuance of a permit for a related site characteristic if conformance is stipulated as a condition of permit approval
 - (iv) Change of use of the site (only for use-generated requirements including but not limited to the number of parking spaces and trash storage requirements)
 - (v) A determination by the City that the site characteristic must be brought into conformance to protect the public health, safety and welfare.

6.110 (6): Unsafe Structures. Nothing in this Section shall be construed to permit the continued use of a structure or site found to be in violation of building, basic life safety or health codes of the City.

Definitions

These definitions should be added to the City Code if the amendments described above are adopted.

- 5.490 Nonconforming Use: A use that was legally conforming at the time it was established but which does not comply with the current City Code. .
- 5.491 Nonconforming Lot: A lot lawfully established prior to the effective date of the City Code or subsequent amendments to it that fails to meet requirements for lot area, and/or width, depth, lot frontage or other requirements of the existing City Code.
- 5.492 Nonconforming Site Characteristic: A site characteristic lawfully established prior to the effective date of the Code or subsequent amendments to it that fails to meet requirements of the existing City Code. For the purpose of nonconformities, “site characteristics” are physical improvements to the site beyond structures and may include but are not limited to impervious surface coverage, storm water facilities, parking and parking lots, driveway surfaces, screening fences, landscaping, sidewalks, patios, man-made water features such as ponds or swimming pools, and similar features.
- 5.493 Nonconforming Structure: A structure that was legally conforming at the time it was constructed but which does not comply with the current City Code.
- 5.494 Nonconforming Site: A site lawfully established prior to the effective date of the City Code or subsequent amendments to it that fails to meet requirements of the existing City Code.
- 5.495 Operational Characteristics: “Operational characteristics” include but are not limited to hours of operation, where a vehicle may park, electronic sign operating characteristics, use of outdoor loud speakers, auto dealer test drive routes, unloading of auto dealer vehicles, noise, traffic generation, exterior storage, odors, lighting operation and similar activities.

- 5.496 Repair: For the purpose of nonconformities, “repair” means to restore to good condition by replacing or reassembling broken, worn out or malfunctioning components. Repair does not include expansion.
- 5.497 Replacement: For the purpose of nonconformities, “replacement” means construction that provides a substitute substantially equivalent to the pre-existing conditions that preceded damage or destruction.
- 5.498 Restoration: For the purposes of nonconformities, “restoration” means to restore or repair to good condition by replacing ore reassembling broken, worn out or malfunctioning components. Restoration does not include expansion.

11 – Zoning Amendment

The following section presents a recommendation by Mr. Weber for an amendment to a Zoning Ordinance.



Date: 2 March 2011
To: Vadnais Heights City Planning Commission
From: William Weber, AICP, Planning Consultant
Subject: Amendments to the Nonconforming Use Section of the Zoning Ordinance

The City staff, the City Attorney and I feel that amendments to the portion of the City Code that addresses nonconforming uses ought to be considered.

The City Code should be updated to come into compliance with Minnesota Statute 462.357, Subd. 1e(a), which provides: “Except as otherwise provided by law, any nonconformity, including the lawful use of occupation of land or premises existing at the time of the adoption of an additional control under this chapter, may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion ...”

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We recommend that the Code be amended as follows:

6.110 (2): Rights. Pursuant to Minnesota Statutes, Section 462.357, Subd. 1e:

- (a) Any nonconformity, including the lawful use or occupation of land or premises existing at the time a City Code amendments created the nonconformity, may be continued with any necessary approvals, including through repair, replacement, restoration, maintenance or improvement but not including expansion unless authorized by this Section.
- (b) Normal maintenance of a structure containing a nonconforming use or which is a nonconforming use is permitted including repair, replacement, restoration or improvement, which does not extend, expand or intensify the nonconforming use.
- (c) A legal nonconforming industrial or commercial use may be expanded once by no more than 10 percent of its floor area or 1,200 square feet, whichever is greater, with a Special Use Permit and with a specific finding by the City Council that the

proposed expansion will reduce the impact of the legal nonconforming industrial or commercial use on the surrounding properties in terms of activity, noise, traffic, light, appearance, outside storage of vehicles, equipment of materials, or other issues pertinent to the specific property and use involved.

In addition to the new wording shown above about maintaining a nonconforming use, we recommend the following clauses that allow expansion by Special Use Permit or variance and which limit rights.

6.110 (3): Expansion Prohibited. Nonconformities may not be expanded unless expressly permitted as described below.

- (a) Nonconforming uses may expand upon issuance of a Special Use Permit only when such expansion is expressly listed as a Special Use within the applicable zoning district. [Note: the zoning ordinance presently does not list any such Special Uses.]
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12 – Form-Based Zoning

The following section presents a partial example of hybrid form-based zoning for a suburban municipality prepared by team member Suzanne Rhees. The regulating plan that accompanies this text is a separate document.

Chapter 1005. Commercial and Mixed-Use Districts

1005.01 Statement of Purpose

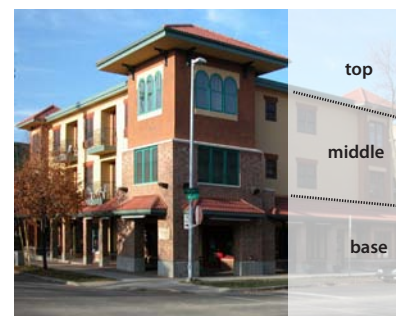
The commercial and mixed-use districts are designed to:

- A. Promote an appropriate mix of commercial development types within the community;
- B. Provide attractive, inviting, high-quality retail shopping and service areas that are conveniently and safely accessible by multiple travel modes including transit, walking, and bicycling;
- C. Improve the community's mix of land uses by encouraging mixed medium- and high-density residential uses with high-quality commercial and employment uses in designated areas;
- D. Encourage appropriate transitions between higher-intensity uses within commercial and mixed use centers and adjacent lower-density residential districts; and
- E. Encourage sustainable design practices that apply to buildings, private development sites, and the public realm in order to enhance the natural environment.

1005.02 Design Standards

The following standards apply to new buildings and major expansions of existing buildings (i.e., expansions that constitute 50% or more of building floor area) in all commercial and mixed-use districts. Design standards apply only to the portion of the building or site that is undergoing alteration.

- A. **Corner Building Placement:** At intersections, buildings shall have front and side facades aligned at or near the front property line.
- B. **Entrance Orientation:** Primary building entrances shall be oriented to the primary abutting public street. The entrance must have a functional door. Additional entrances may be oriented to a secondary street or parking area. Entrances shall be clearly visible and identifiable from the street and delineated with elements such as roof overhangs, recessed entries, landscaping, or similar design features.
- C. **Vertical Facade Articulation:** Buildings shall be designed with a base, a middle, and a top, created by variations in detailing, color, and materials. A single-story building need not included a middle.
 - 1. The base of the building should include elements that relate to the human scale, including doors and windows, texture, projections, awnings, and canopies.



Corner building placement, entrance orientation, base, middle, and top

2. Articulated building tops may include varied rooflines, cornice detailing, dormers, gable ends, stepbacks of upper stories, and similar methods.

D. Horizontal Facade Articulation: Facades greater than 40 feet in length shall be visually articulated into smaller intervals of 20 to 40 feet by one or a combination of the following techniques:

1. Stepping back or extending forward a portion of the facade;
2. Variations in texture, materials or details;
3. Division into storefronts;
4. Stepbacks of upper stories; or
5. Placement of doors, windows and balconies.



Horizontal facade articulation

E. Window and Door Openings:

1. For nonresidential uses, windows, doors, or other openings shall comprise at least 60% of the length and at least 40% of the area of any ground floor facade fronting a public street. At least 50% of the windows shall have the lower sill within three feet of grade.
2. For nonresidential uses, windows, doors, or other openings shall comprise at least 20% of side and rear ground floor facades not fronting a public street. On upper stories, windows or balconies shall comprise at least 20% of the facade area.
3. On residential facades, windows, doors, balconies, or other openings shall comprise at least 20% of the facade area.
4. Glass on windows and doors shall be clear or slightly tinted to allow views in and out of the interior. Spandrel (translucent) glass may be used on service areas.
5. Window shape, size, and patterns shall emphasize the intended organization and articulation of the building facade.
6. Displays may be placed within windows. Equipment within buildings shall be placed at least 5 feet behind windows.



Window and door openings

F. Materials: All exterior wall finishes on any building must be one or a combination of the following materials: face brick, natural or cultured stone, textured pre-cast concrete panels, textured concrete block, stucco, glass, pre-finished metal, fiberglass or similar materials, or cor-ten steel (other than unpainted galvanized metal or corrugated materials). Other new materials of equal quality to those listed may be approved by the Community Development Department.

G. **Four-sided Design:** Building design shall provide consistent architectural treatment on all building walls. All sides of a building must display compatible materials, although decorative elements and materials may be concentrated on street-facing facades. All facades shall contain window openings. This standard may be waived by the Community Development Department for uses that include elements such as service bays on one or more facades.



Four-sided building design

H. **Maximum Building Length:** Building length parallel to the primary abutting street shall not exceed 200 feet without a visual break such as a courtyard or recessed entry, except where a more restrictive standard is specified for a specific district.

I. **Garages Doors and Loading Docks:** Loading docks shall be located on rear or side facades and, to the extent feasible, garage doors should be similarly located. Garage doors of attached garages on a building front shall not exceed 50% of the total length of the building front.



Garage door placement

J. **Rooftop Equipment:** Rooftop equipment, including rooftop structures related to elevators, shall be completely screened from eye level view from contiguous properties and adjacent streets. Such equipment shall be screened with parapets or other materials similar to and compatible with exterior materials and architectural treatment on the structure being served. Horizontal or vertical slats of wood material shall not be utilized for this purpose. Solar and wind energy equipment is exempt from this provision if screening would interfere with system operations.

1005.03 Table of Allowed Uses

Table 1005-1 lists all permitted and conditional uses in the commercial and mixed use districts.

- A. Uses marked as “P” are permitted in the districts where designated.
- B. Uses marked with a “C” are allowed as conditional uses in the districts where designated, in compliance with all applicable standards.
- C. Uses marked as “NP” are not permitted in the districts where designated.
- D. A “Y” in the “Standards” column indicates that specific standards must be complied with, whether the use is permitted or conditional. Standards for permitted uses are included in Chapter 1011 of this Title; standards for conditional uses are included in Section 1009.02 of this Title.

E. **Combined Uses:** Allowed uses may be combined within a single building, meeting the following standards:

1. Residential units in mixed-use buildings shall be located above the ground floor or on the ground floor to the rear of nonresidential uses;
2. Retail and service uses in mixed-use buildings shall be located at ground floor or lower levels of the building; and
3. Nonresidential uses are not permitted above residential uses.

***General retail, such as:**

Antiques and collectibles store

Art gallery

Auto parts store

Bicycle sales and repair

Book store, music store

Clothing and accessories sales

Convenience store

Drugstore, pharmacy

Electronics sales and repair

Florist

Jewelry store

Hardware store

News stand, magazine sales

Office supplies

Pet store

Photographic equipment, studio, printing

Picture framing

Second-hand goods store

Tobacco store

Video store

Uses determined by the Community Development Department to be of a similar scale and character

Personal services, such as:

Barber and beauty shops

Dry-cleaning pick-up station

Interior decorating/upholstery

Locksmith

Mailing and packaging services

Photocopying, document reproduction services

Consumer electronics repair

Shoe repair

Tailor shop

Tutoring

Watch repair, other small goods repair

Uses determined by the Community Development Department to be of a similar scale and character

Table 1005-1	NB	CB	RB	CMU	Standards
Office Uses					
Office	P	P	P	P	
Clinic, medical, dental or optical	P	P	P	P	
Office showroom	NP	P	P	P	
Commercial Uses					
Retail, general and personal service*	P	P	P	P	
Animal boarding, kennel/day care (indoor)	P	P	P	P	Y
Animal boarding, kennel/day care (outdoor)	NP	C	C	NP	Y
Animal hospital, veterinary clinic	P	P	P	P	Y
Bank, financial institution	P	P	P	P	
Club or lodge, private	P	P	P	P	
Day care center	P	P	P	P	Y
Grocery store	C	P	P	P	
Health club, fitness center	C	P	P	P	
Learning studio (martial arts, visual/performing arts)	C	P	P	P	
Liquor store	C	P	P	P	
Lodging: hotel, motel	NP	P	P	P	
Mini-storage	NP	P	P	NP	
Mortuary, funeral home	P	P	P	P	
Motor fuel sales (gas station)	C	P	P	C	Y
Motor vehicle repair, auto body shop	NP	C	P	C	Y
Motor vehicle rental/leasing	NP	P	P	NP	Y
Motor vehicle dealer (new vehicles)	NP	NP	P	NP	
Movie theater, cinema	NP	P	P	P	
Pawn shop	NP	C	C	NP	
Parking	C	C	C	C	
Restaurant, Fast Food	NP	P	P	P	
Restaurant, Traditional	P	P	P	P	

Table 1005-1	NB	CB	RB	CMU	Standards
Residential - Family Living					
Dwelling, one-family attached (townhome, rowhouse)	NP	NP	NP	P	
Dwelling, multi-family (3-8 units per building)	NP	NP	NP	P	
Dwelling, multi-family (upper stories in mixed-use building)	P	P	NP	P	
Dwelling, multi-family (8 or more units per building)	C	NP	NP	P	
Dwelling unit, accessory	NP	NP	NP	C	Y
Live-work unit	C	NP	NP	P	Y
Residential - Group Living					
Community residential facility, state licensed, serving 7-16 persons	C	NP	NP	C	Y
Dormitory	NP	NP	NP	C	
Nursing home, assisted living facility	NP	NP	NP	C	Y
Civic and Institutional Uses					
College, post-secondary school	NP	NP	P	P	Y
Community center, library, municipal building	NP	NP	P	P	
Place of assembly	P	P	P	P	Y
School, elementary or secondary	NP	NP	P	P	Y
Theater, performing arts center	NP	NP	P	P	Y
Utilities and Transportation					
Essential services	P	P	P	P	
Park-and-ride facility	NP	P	P	P	
Transit center	NP	P	P	P	
Accessory Uses, Buildings, and Structures					
Accessory buildings for storage of domestic or business supplies and equipment	P	P	P	P	Y
Accessibility ramp and other accommodations	P	P	P	P	
Detached garage and off-street parking spaces	P	P	P	P	Y
Drive-through facility	NP	C	C	NP	Y
Gazebo, arbor, patio, play equipment	P	P	P	P	Y
Home occupation	P	NP	NP	P	Y
Renewable energy system	P	P	P	P	Y
Swimming pool, hot tub, spa	P	P	P	P	Y
Telecommunications tower	C	C	C	C	Y
Tennis and other recreational courts	C	C	P	P	Y
Temporary Uses					
Temporary building for construction purposes	P	P	P	P	Y
Sidewalk sales, boutique sales	P	P	P	P	Y
Portable storage container	P	P	P	P	Y

1005.04 Neighborhood Business (NB) District

- A. **Statement of Purpose:** The Neighborhood Business District is designed to provide a limited range of neighborhood-scale retail, service, and office uses in proximity to residential neighborhoods or integrated with residential uses. The NB district is also intended to:
 1. Encourage mixed use at underutilized retail and commercial intersections;
 2. Encourage development that creates attractive gateways to City neighborhoods;
 3. Encourage pedestrian connections between Neighborhood Business areas and adjacent residential neighborhoods;
 4. Ensure that buildings and land uses are scaled appropriately to the surrounding neighborhood; and
 5. Provide adequate buffering of surrounding neighborhoods.

- B. **Design Standards:** The standards in Section 1005.02 shall apply except building length parallel to the primary abutting street shall not exceed 160 feet without a visual break such as a courtyard or recessed entry.

C. Dimensional Standards:

Table 1005-2	
Minimum lot area	No requirement
Maximum building height	35 feet
Minimum front yard building setback	No requirement
Minimum side yard building setback	6 feet where windows are located on a side wall or on an adjacent wall of an abutting property 10 feet from residential lot boundary Otherwise not required
Minimum rear yard building setback	25 feet from residential lot boundary 10 feet from nonresidential boundary
Minimum surface parking setback	5 feet

- D. **Residential Density:** Residential densities shall not exceed 12 units per acre.

- E. **Improvement Area:** The total improved area, including paved surfaces and the footprints of principal and accessory buildings and structures, shall not exceed 85% of the total parcel area.

- F. **Frontage Requirement:** Buildings at corner locations shall be placed within five feet of the lot line on either street for a distance of at least 20 feet from the corner.
- G. **Parking Placement:** Surface parking shall not be located between the front facade of a building and the abutting street. Parking shall be located to the rear or side of the principal building. Parking abutting the primary street frontage is limited to 50% of that lot frontage.
- H. **Screening from Residential Property:** Screening along side and rear lot lines abutting residential properties is required, consistent with Chapter 1011 of this Title.

Primary street: The street where the highest level of pedestrian activity is anticipated. This is generally, but not exclusively, the street of higher classification. The Community Development Department shall determine the primary street.

1005.05 Community Business (CB) District

- A. **Statement of Purpose:** The Community Business District is designed for shopping areas with moderately scaled retail and service uses, including shopping centers, freestanding businesses, and mixed-use buildings with upper-story residential uses. CB Districts are intended to be located in areas with visibility and access to the arterial street system. The district is also intended to:
 1. Encourage and facilitate pedestrian, bicycle and transit access; and
 2. Provide adequate buffering of surrounding neighborhoods.

B. Dimensional Standards:

Table 1005-3	
Minimum lot area	No requirement
Maximum building height	40 Feet
Front yard building setback (min. - max.)	0 To 25 feet*
Minimum side yard building setback	6 feet where windows are located on a side wall or on an adjacent wall of an abutting property 10 Feet from residential lot boundary ^b Otherwise not required
Minimum rear yard building setback	25 feet from residential lot boundary 10 feet from nonresidential boundary
Minimum surface parking setback	5 feet

- a Unless it is determined by the Community Development Department that a certain setback minimum distance is necessary for the building or to accommodate public infrastructure.
- b Unless greater setbacks are required under Section 1011.12 E.1. of this Title.

C. Residential Density: Residential densities shall not exceed 24 units per acre.

D. Improvement Area: The total improved area, including paved surfaces and footprints of principal and accessory buildings and structures, shall not exceed 85% of the total parcel area.

E. Frontage Requirement: A minimum of 30% of building facades abutting a primary street shall be placed within 25 feet of the front lot line along that street.

Primary street: The street where the highest level of pedestrian activity is anticipated. This is generally, but not exclusively, the street of higher classification. The Community Development Department shall determine the primary street.

F. Surface Parking: Surface parking on large development sites shall be divided into smaller parking areas with a maximum of 100 spaces in each area, separated by landscaped areas at least 10 feet in width. Landscaped areas shall include pedestrian walkways leading to building entrances.

G. Parking Placement: When parking is placed between a building and the abutting street, the building shall not exceed a maximum setback of 85 feet, sufficient to provide a single drive aisle and two rows of perpendicular parking along with building entrance access and required landscaping. This setback may be extended to a maximum of 100 feet if traffic circulation, drainage, and/or other site design issues are shown to require additional space. Screening along side and rear lot lines abutting residential properties is required, consistent with Chapter 1011 of this Title.

1005.06 Regional Business (RB) District

A. **Statement of Purpose:** The RB District is designed for businesses that provide goods and services to a regional market area, including regional-scale malls, shopping centers, large-format stores, multi-story office buildings and automobile dealerships. RB Districts are intended for locations with visibility and access from the regional highway system. The district is also intended to:

1. Encourage a “park once” environment within districts by enhancing pedestrian movement and a pedestrian-friendly environment;
2. Encourage high quality building and site design to increase the visual appeal and continuing viability of development in the RB District; and
3. Provide adequate buffering of surrounding neighborhoods.

B. **Design Standards:** The standards in Section 1005.02 shall apply except that ground floor facades that face or abut public streets shall incorporate one or more of the following features along at least 60% of their horizontal length:

- a. Windows and doors with clear or slightly tinted glass to allow views in and out of the interior. Spandrel (translucent) glass may be used on service areas;
- b. Customer entrances;
- c. Awnings, canopies, or porticoes; and
- d. Outdoor patios or eating areas.

C. **Dimensional Standards:**

Table 1005-4	
Minimum lot area	No requirement
Maximum building height	65 feet; taller buildings may be allowed as conditional use
Minimum front yard building setback	No requirement (see frontage requirement below)
Minimum side yard building setback	6 feet where windows are located on a side wall or on an adjacent wall of an abutting property 10 feet from residential lot boundary Otherwise not required
Minimum rear yard building setback	25 feet from residential lot boundary 10 feet from nonresidential boundary ^a
Minimum surface parking setback	5 feet

- a Unless greater setbacks are required under Section 1011.12 E.1. of this Title.

- D. **Improvement Area:** The total improved area, including paved surfaces and footprints of principal and accessory buildings or structures, shall not exceed 85% of the total parcel area.
- E. **Frontage Requirement:** A development must utilize one or more of the three options below for placement of buildings and parking relative to the primary street:
1. At least 50% of the street frontage shall be occupied by building facades placed within 20 feet of the front lot line. No off-street parking shall be located between the facades meeting this requirement and the street.
 2. At least 60% of the street frontage shall be occupied by building facades placed within 65 feet of the front lot line. Only 1 row of parking and a drive aisle may be placed within this setback area.
 3. At least 70% of the street frontage shall be occupied by building facades placed within 85 feet of the front lot line. Only 2 rows of parking and a drive aisle may be placed within this setback area.
- F. **Access and Circulation:** Within shopping centers or other large development sites, vehicular circulation shall be designed to minimize conflicts with pedestrians.
- G. **Surface Parking:** Surface parking on large development sites shall be divided into smaller parking areas with a maximum of 100 spaces in each area, separated by landscaped areas at least 10 feet in width. Landscaped areas shall include pedestrian walkways leading to building entrances.
- H. **Standards for Nighttime Activities:** Uses that involve deliveries or other activities between the hours of 10:00 P.M. and 7:00 A.M. (referred to as “nighttime hours”) shall meet the following standards:
1. Off-street loading and unloading during nighttime hours shall take place within a completely enclosed and roofed structure with the exterior doors shut at all times.
 2. Movement of sweeping vehicles, garbage trucks, maintenance trucks, shopping carts, and other service vehicles and equipment is prohibited during nighttime hours within 300 feet of a residential district, except for emergency vehicles and emergency utility or maintenance activities.
 3. Snow removal within 300 feet of a residential district shall be minimized during nighttime hours, consistent with the required snow management plan.

Under E, for example, primary drive aisles in parking lots may be located away from building entrances or designed as internal streets with curb and sidewalk.



1005.07 Community Mixed-Use (CMU) District

- A. **Statement of Purpose:** The Community Mixed-Use District is designed to encourage the development or redevelopment of mixed-use centers that may include housing, office, commercial, park, civic, institutional, and open space uses. Complementary uses should be organized into cohesive districts in which mixed- or single-use buildings are connected by streets, sidewalks and trails, and open space to create a pedestrian-oriented environment. The CMU District is intended to be applied to areas of the City guided for redevelopment or intensification.
- B. **Regulating Map:** The CMU District must be guided by a Regulating Map for each location where it is applied. The Regulating Map establishes the following parameters:
1. **Street and Block Layout:** The regulating map defines blocks and streets based on existing and proposed street alignments. New street alignments, where indicated, are intended to identify general locations and required connections but not to constitute preliminary or final engineering.
 2. **Parking Locations:** Locations where surface parking may be located are specified by block or block face. Structured parking is treated as a building type.
 3. **Building and Frontage Types:** Building and frontage types are designated by block or block face. Some blocks are coded for several potential building types; others for one building type on one or more block faces. Permitted and conditional uses may occur within each building type as specified in Table 1005-1.
 4. **Building Lines:** Building lines indicate the placement of buildings in relation to the street.
 5. **Street Types:** The regulating map may include specific street design standards to illustrate typical configurations for streets within the district, or it may use existing City street standards. Private streets may be utilized within the CMU District where defined as an element of a regulating map.
- C. **Regulating Map Approval Process:** The Regulating Map may be developed by the City as part of a zoning map amendment following the procedures of Section 1009.06 of this Title and thus approved by City Council.
- D. **Amendments to Regulating Map:** Minor extensions, alterations or modifications of proposed or existing buildings or structures, and changes in street alignment may be authorized pursuant to Section 1009.05 of this Title.

E. Dimensional Standards:

Table 1005-5	
Minimum lot area	None
Maximum building height	None
Minimum front yard setback	See frontage map
Minimum side yard setback	6 feet where windows are planned in a side wall or present in an adjacent wall 10 feet from residential lot boundary ^a Otherwise not required
Minimum rear yard setback	25 from residential lot boundary
Maximum building height	Within 50 feet of residential district boundary, equal to maximum height in that district

a Unless greater setbacks are required under Section 1011.12 E.1. of this Title.

F. Improvement Area: The total improved area, including paved areas and footprints of principal and accessory buildings or structures, shall not exceed 85% of the total parcel area.

G. Shared Parking or District Parking: A district-wide approach to off-street parking for nonresidential or mixed uses is preferred within the CMU district. Off-street surface parking for these uses may be located up to 300 feet away from the use. Off-street structured parking may be located up to 500 feet away from the use.

H. Parking Reduction and Cap: Minimum off-street parking requirements for uses within the CMU district may be reduced to 75% of the parking requirements in Chapter 1019 of this Title. Maximum off-street parking shall not exceed the minimum requirement unless the additional parking above the cap is structured parking.