



DATE: November 3, 2021

TO: Planning Commission Chair and Commissioners

FROM: Jessica Jagoe, City Planner

SUBJECT: Planning Case #21-025 – No Public Hearing Required
Applicant: Scannell Properties, LLC
Property Location: 4200 Round Lake Road
Request: Site Plan Review

Requested Action

Dan Salzer, Scannell Properties, LLC (“The Applicant”) has submitted a land use application for Site Plan Review for a project located at 4200 Road Lake Road (“Subject Property”). In October 2020, the City approved a Conditional Use Permit and Master Planned Unit Development to the subject property that allowed for construction of a 250,000 square foot office and warehouse facility. The Applicant is seeking approval for expansion of the parking lot in order to construct a parking area that was previously identified as proof of parking. The Subject Property is zoned GB, Gateway Business District and is guided as Light Industrial & Office on the Land Use Plan.

Background

1. Overview of Request

Scannell Properties was approved Resolution 2020-045 (Attachment D) for a Conditional Use Permit (CUP) subject to 35 conditions on October 12, 2020 that was part of a Planned Unit Development (PUD) for the subject property in order to operate a warehouse use in the facility to be constructed. The approximate 21 acre site is located south of the cul-de-sac on Gateway Boulevard and north of Interstate 694 and east of 35W. The Subject Property had been vacant since 2006 with wetlands located adjacent to Interstates (“35W and 694”).

The site is highly visible from 694 and 35W. Separate access points to the site are provided via Gateway Boulevard for employee parking and deliveries. The site development will include office space, warehousing, ground level unloading access with 38 dock doors located on the north side of the building, and at-grade office parking lots located on the south side of the building.

One of the conditions from Resolution 2020-045 stated “Site Plan approval shall be required for the construction of the proof of parking area”. The Applicant has a prospective tenant that will occupy 2/3rds of the building which also necessitates the need for construction of this future parking area. Therefore, the Applicant is pursuing the Site Plan Review for expansion of the parking area.

Plan Evaluation

Chapter 13, Zoning Regulations Review

1. Land Use Chart (GB Gateway Business District) – Section 1320.05

Under the 2040 Comprehensive Plan, the property is guided as Light Industrial and Office use. Light Industrial and Office (I/O) uses are areas designated for a broad range of light industrial uses such as warehousing with manufacturing. This land use may also include offices. According to the 2040 Comprehensive Plan, the expected share of uses within this area are 50 percent to 100 percent Light Industrial or up to 100 percent Office. The subject property is located in the GB, Gateway Business District. Warehouse is a conditional use in this district.

2. General Requirements - Sections 1325.05 and 1325.06

A. Parking and Site Operations – Meets Requirements

The proposed Site Plan Review is not modifying any portion of the previously approved parking lot layout. The proof of parking area was identified on these earlier plans as a supplemental parking area. It was stated that this was conceptual in the event additional parking is required to meet the demands of a future tenant. The original approval for parking spaces, drive aisles, and layout with the building construction all remain unchanged as part of this review.

Under the new site plan with the additional parking area, the Applicant is proposing to establish a fourth access onto Gateway Boulevard. This new access would be classified as an employee driveway access. The Zoning Code has access/driveway width standards for streets classified as minor and collector streets. However, Gateway Boulevard is classified as neither a minor or collector roadway and instead it is identified as a municipal state aid street. The Public Works Director/City Engineer is reviewing the proposed new access with regards to number of accesses requested, spacing, and sizing of driveway width.

Based on the PUD approvals, the building would be a maximum of 85 percent warehouse and a minimum of 15 percent office. Per City Code, Business & Professional Office uses must provide one (1) parking space for each 250 sq. ft. of gross floor area. The approved plans for the building identified the office floor area as 37,500 square feet and that would require 150 parking stalls. Other Business and Industry uses would need to provide one (1) for each employee on shift plus one (1) for each vehicle used in conducting the business or one (1) for each 1,000 sq. ft. of floor area, whichever is greater. The Applicant had shown a floor area of 212,500 square feet and that would require 212 parking stalls. In October 2020, the approved plans depicted 363 parking spaces and the proposed uses required 362 stalls. As part of the October review, the

Applicant had noted the possibility of constructing the expanded parking area which would add 198 stalls. In total, the site would have 561 parking stalls.

B. Parking Setbacks – Flexibility Shown

The GB district requires a 50 foot setback for parking areas from public streets and ROW. The Applicant has shown a 49.4 foot setback from the west property line facing 35W and a 28.2 foot setback from the north property line facing Gateway Boulevard ROW. Under the PUD, flexibility was approved for a 20 foot setback from Gateway Boulevard for the main parking area reviewed along with the building design. The proposed parking lot expansion aligns with the placement of the previously approved parking areas along Gateway Boulevard. It was noted during the last review that the proposed parking areas are located approximately 50 feet from the back of curb of Gateway Boulevard. Additionally, that several properties along Round Lake Road and Gateway Boulevard have similar or greater reduction in parking lot setbacks.

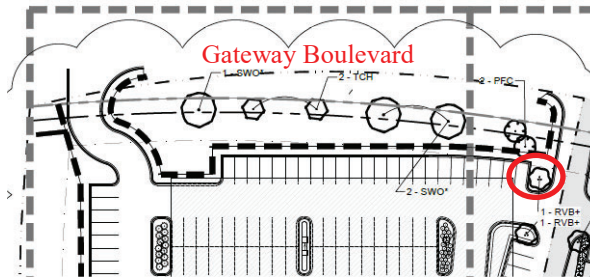
If the Planning Commission feedback is generally supportive of site plans as submitted, the Applicant would be required to submit for a Planned Unit Development Amendment in order to seek approval of flexibility for parking setbacks. Site Plan Review authority is limited in approval to plans prepared in accordance with city codes. The Applicant would be required to amend the site plans to adhere to a 50 foot setback for the expanded parking area under the Site Plan Review. Planning Staff has included a recommended condition of approval that an amended site plan that complies with parking setbacks would be required for Zoning Department approval prior to issuance of permits.

C. Lighting – Meets Requirements

The Applicant has submitted a lighting plan that identifies pole heights and lumen levels at the property lines. Other than wash or architectural lighting, attached security lighting shall be shoebox style and downward directed with flush lenses. The Applicant is proposing to use the same LED lighting to illuminate the parking areas as previously approved. Consistent with the previous approval, Staff recommends reiteration of the condition that all lighting shall be downward directed shoebox style with flush lenses.

D. Trees along Street Frontage – Meets Requirements

A minimum of one tree shall be provided along the right of way for every 50 feet of public street frontage. The proposed frontage on Gateway Boulevard is 1,484 feet and requires 30 trees. The Applicant is not proposing a reduction to the previously approved landscape plan which included the planting of 71 trees along the right of way adjacent to Gateway Boulevard area. In fact, the updated landscape plan shows the addition of one tree with the redesigned curbing.



E. Minimum Caliper Inches – Flexibility Granted

Tree mitigation was not required as the current site had no trees deemed significant per City Code. The Zoning Code requires that a minimum number of caliper inches of trees be provided based on the gross square footage of the building on the property. A single story building in excess of thirty (30) feet in height shall be considered a two-story building for the purposes of determining gross square footage. The proposed building would be considered a two-stories, and includes 499,552 gross square feet. This requires a minimum of 1,561 caliper inches or 624 two (2) caliper trees.

Flexibility was granted from this requirement as part of the previous approvals for the building construction. It was noted that the proposed site is limited to where trees can be planted onsite due the wetlands and overhead power lines. The Applicant was approved for the planting of 310 caliper inches or 110 trees. As part of this Site Plan Review for the parking lot expansion, the Applicant has included an additional planting of eight (8) trees.

F. Tree Selection – Meets Requirements

The proposed updated landscape plan includes a variety of tree species, including maples, oaks and evergreens, ranging in size from two and half (2.5) to six (6) caliper inches. This is consistent with ordinance requirements. The Applicant is proposing to plant six (6) to twelve (12) foot tall evergreens.

G. Landscaped Area and Perennials and Shrubberies – Flexibility Granted

Zoning Code requires 35 percent of the site to be landscaped or 339,674 square feet. The landscaping plan shows that the total landscaped area provided on the site is 652,668 square feet. The Zoning Code requires a minimum of 10 percent of the total landscaped area to be covered with perennials and/or shrubbery. The total landscaped area on the site is 652,668 square feet, resulting in the need for a minimum of 65,266 square feet of perennial and shrubbery cover. The Applicant has been approved for 2,888 square feet of perennial and shrub planting beds. In addition, the Applicant was approved for the use of over 170,000 square feet of Mesic Prairie seed mix onsite. Mesic Prairie is a prairie plant community dominated by native grasses such as big bluestem, switchgrasses and including abundant wildflowers.

The updated landscaping plan shows the perimeter of the proposed parking lot expansion would still be planted with the Mesic Prairie seed mix. However, the updated plan includes an additional 108 shrubs and 151 perennials planted within the parking islands. The types of plantings are a variety of species consistent with the previously approved landscape plan.

H. Drainage Wetlands and Flood Plain – Section 1325.05 Subd. 2 – Meets Requirements

The City Code requires stormwater management be provided to meet water quantity, infiltration, and water quality requirements. The project was previously approved for construction of three (3) stormwater ponds. The first pond is located in the middle of the loading area. The other two (2) ponds were to be located adjacent to 694 and 35W. The proposed parking lot expansion would be constructed in the general area of the previously identified pond adjacent to 35W.

It was noted in the October 2020 Staff Report that when the proof of parking stalls are needed that the Applicant would need to construct an underground retention area in the same area to replace the existing stormwater pond located adjacent to 35W. The Applicant as part of this Site Plan Review is proposing to construct an underground retention system. City code requires that off-street parking areas and drives shall be improved with a paved surface and that such areas shall be so graded and drained so as to dispose of all surface water accumulation within the area as required by the City and the Rice Creek Watershed District. The Public Works Director/City Engineer is reviewing the underground retention system design and infiltration rates with regards to potential impacts of existing wetlands, public versus private runoff, and access to nearby utilities and easements. The parking lot expansion from a zoning review may seem simplistic, but that far be the case from a Public Works/Engineering standpoint. Planning Staff has included the Public Works Director/City Engineer preliminary comments under Additional Review. However given the complexity of this design and parking lot location with the logistics of easements, wetlands, and stormwater maintenance a full review will not be complete for inclusion with this report. Staff will work to have an update on the PW/Engineering review for the Commission at the meeting.

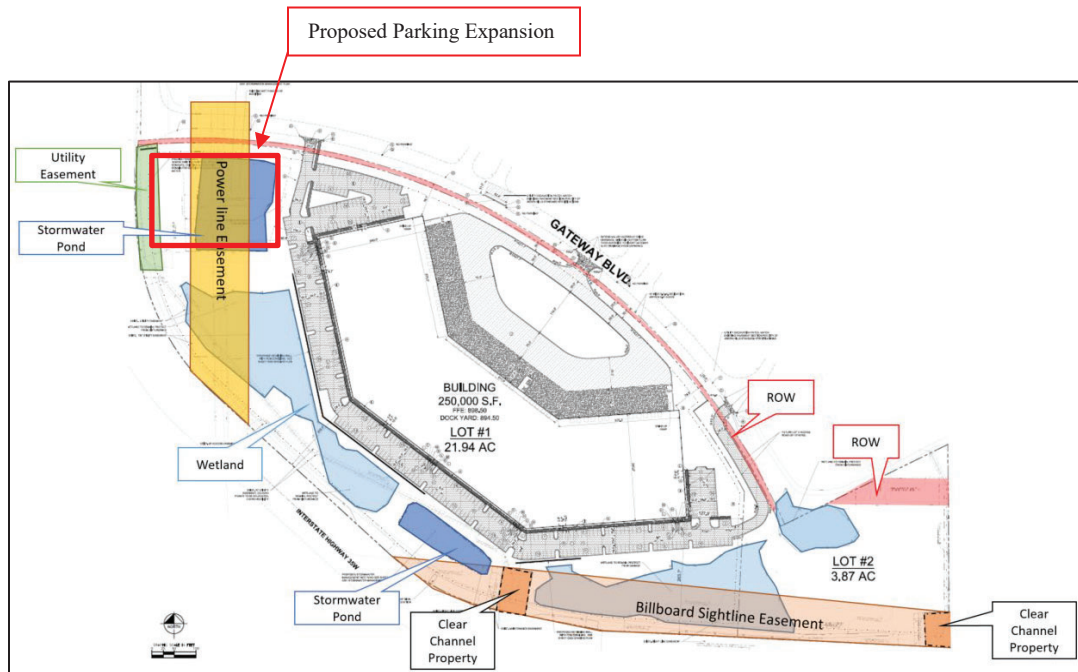
In addition, the Applicant has indicated that the updated site plans and underground retention systems plans have been submitted to the Rice Creek Watershed District, but they have not received a comment review letter or approval from the Watershed. Therefore, Planning Staff recommends Planning Commission consideration of a condition of Site Plan Review would be subject to approval of the Rice Creek Watershed District.

Lastly, it should be noted that upon the determination of the Public Works Director/City Engineer that the proposed plans would be compliant then the Applicant would be required to apply for a separate land disturbance permit for construction of the parking expansion area. This work may not be completed under any of the previously issued permits for this project. Prior to the issuance of a land disturbance permit for the parking lot expansion area, the Applicant shall submit an amended operation and maintenance plan for the long-term care of all onsite stormwater facilities subject to the satisfaction of the City Engineer. The stormwater maintenance plan shall also require review of the City Attorney prior to approval of the City Council. This agreement needs to be fully executed prior to issuance of the land disturbance permit.

3. Easements

The Subject Parcel was required to dedicate several easements as part of the platting process with the subdivision of land that occurred as part of the approvals for construction of the new building. The City required dedication of drainage and utility easements over the existing

wetlands on the property. In addition, the Subject Parcel has a Utility Easement and Power Line Easement in the general area of where the proposed parking lot expansion is to be located. The Applicant has indicated that following approval of the Site Plan that they would subsequently apply for an easement vacation and/or dedicate any new easements as deemed necessary by the Public Works Director/City Engineer for utility purposes. Planning Staff has included as a recommended condition the requirement for vacation and/or dedication of easement(s) as determined by the Public Works Director/City Engineer prior to the issuance of any land disturbance permits.



1355.04 Procedural Requirements for Specific Applications

Section 1355.04, Subd. 5 of the Arden Hills Zoning Code states that a public hearing is not required for Site Plan Review, but neighboring property owners shall be notified. Notification was prepared in accordance with City policy.

Additional Review

Building Inspector

The Building Inspector has reviewed the plans and has no additional comments at this time. City code states that a building permit shall be required in such case where a commercial, industrial, public or semi-public land use is intending to construct on-site parking containing a site aggregate of more than four (4) spaces or a loading facility that is not a part of, or has prior approval as part of a site plan for which a building permit has been issued. Construction is underway for the office/warehouse building. Therefore, a building permit will be required prior to any construction taking place of the expanded parking lot area.

Public Works Director/City Engineer

The Public Works Director/City Engineer is currently finalizing the review of plans submitted for the parking lot expansion and underground retention system. The following is not intended to be a complete list of reviews, but rather a brief overview to provide the Planning Commission with preliminary list of items under review:

1. Stormwater Management and Maintenance
2. Underground Retention System
3. Easements
4. Access to Utilities
5. Driveway Accesses and Widths along Gateway Boulevard
6. Pond and Wetland Impacts

Findings of Fact

The Planning Commission must make a finding as to whether or not the proposed application would adversely affect the surrounding neighborhood or the community as a whole based on the aforementioned factors. Staff offers the following findings for consideration:

General Findings:

1. The Applicant has submitted an application for Site Plan Review to construct additional parking previously identified as “proof of parking” at the subject property 4200 Round Lake Road.
2. The Subject Property is located with the Gateway Business (“GB”) District and is guided as Light Industrial & Office on the 2040 Land Use Plan.
3. The Applicant operates under a Master Planned Unit Development and has been approved for construction of a 250,000 square foot office and warehouse facility on the Subject Property.
4. Flexibility through the PUD process was granted in the following areas: parking setbacks, minimum caliper inches, and perennials and shrubberies.
5. The proposed plan does not conflict with the general purpose and intent of the Zoning Code or the Comprehensive Development Plan for the City.
6. The application is not anticipated to create a negative impact on the immediate area or the community as a whole.
7. The proposed plan will not produce any permanent noise, odors, vibration, smoke, dust, air pollution, heat, liquid, or solid waste, and other nuisance characteristics.
8. The proposed plan is not anticipated to have any impact on traffic or parking conditions.
9. The accessory off-street parking would be in compliance with all provisions of the Zoning Code.
10. A public hearing is not required for Site Plan Review.

Proposed Motion Language

Staff has provided the following options and motion language for this case.

1. Recommend Approval with Conditions: Motion to recommend *approval* of Planning Case 21-025 for Site Plan Review at 4200 Round Lake Road, based on the findings of fact and the

submitted plans, as amended by the conditions in the November 3, 2021, Report to the Planning Commission:

- 1) All conditions of the original Conditional Use Permit and Planned Unit Development shall remain in full force and effect.
- 2) That the project shall be completed in accordance with the plans submitted as amended by the conditions of approval. Any significant changes to these plans, as determined by the City Planner, shall require review and approval by the Planning Commission and City Council.
- 3) The proposed parking area shall conform to all other regulations in the City Code.
- 4) A building permit shall be obtained for the proposed parking lot expansion.
- 5) Prior to the issuance of a land disturbance permit, engineering staff shall approve in writing the final design of parking lot expansion and underground retention system.
- 6) All light poles, including base, shall be a maximum of 25 feet in height and shall be shoebox style, downward directed, with high-pressure sodium lamps or LED and flush lenses. Other than wash or architectural lighting, attached security lighting shall be shoebox style, downward directed with flush lenses. If complaints are received the lighting adjacent to residential uses shall utilize house shields as directed by the City. In addition, any lighting under canopies (building entries) shall be recessed and use a flush lens.
- 7) A right of way permit shall be required for work performed within the City right of way.
- 8) A grading as-built and utility as-built plan shall be provided to the City upon completion of grading and utility work.
- 9) All fencing and retaining wall materials shall be complementary to the building materials and shall be approved in writing by the Planning Division prior to issuance of a building permit. Retaining walls greater than four (4) feet in height shall be engineered and detailed calculations shall be submitted to the City.
- 10) A Grading and Erosion permit shall be obtained from the City's Engineering Department prior to commencing any grading, land disturbance or utility activities. The Developer shall be responsible for obtaining any permits necessary from other agencies, including but not limited to, MPCA, Rice Creek Watershed District, and Ramsey County, MNDOT prior to the start of any site activities.
- 11) The Applicant shall be responsible for protecting the proposed on-site storm sewer infrastructure and components and any existing storm sewer from exposure to any and all stormwater runoff, sediments and debris during all construction activities. Temporary stormwater facilities shall be installed to protect the quality aspect of the proposed and existing stormwater facilities prior to and during construction activities. Maintenance of any and all temporary stormwater facilities shall be the responsibility of the Applicant.
- 12) Prior to the issuance of a land disturbance permit, the Applicant shall submit an amended stormwater facilities operation and maintenance plan for the long-term care of all on-site and off-site stormwater facilities to the City for review and approval. The Applicant will be responsible to carry out these operation and maintenance activities and to submit the appropriate documentation to the City as specified.
- 13) An amended Stormwater Facilities Operation and Maintenance Agreement shall be presented to the City Engineer for review by the City Attorney and subject to City

Council approval. The Stormwater Facilities Operation and Maintenance Agreement shall be fully executed prior to release of a land disturbance permit and building permit.

- 14) Prior to the issuance of a land disturbance permit, all items identified in the Engineering Division memo shall be addressed. All comments shall be adopted herein by reference.
 - 15) Prior to issuance of land disturbance permit, the Applicant shall be required to fully execute the vacation and/or dedication of easement(s) as determined by the Public Works Director/City Engineer prior to commencement of any site activities associated with the expanded “proof of parking” area.
 - 16) The Applicant shall be required to submit revised site plans prepared in accordance with city code to the Zoning Department for approval prior to issuance of the building and/or land disturbance permits. Site Plan Review does not include approval of setback flexibility as shown.
2. Recommend Approval as Submitted: Motion to recommend *approval* of Planning Case 21-025 for a Site Plan Review at 4200 Round Lake Road, based on the findings of fact and the submitted plans in the November 3, 2021 Report to the Planning Commission.
 3. Recommend Denial: Motion to recommend *denial* of Planning Case 21-025 Site Plan Review at 4200 Round Lake Road, based on the following findings of fact: *findings to deny should specifically reference the reasons for denial*.
 4. Table: Motion to *table* Planning Case 21-025 for Site Plan Review at 4200 Round Lake Road: *a specific reason and/or information request should be included with a motion to table*.

Public Notice and Comments

Staff published a notice in the *Pioneer Press* as per City procedure. Public notices were mailed out on October 21, 2021. The mailing was sent to neighbors within 500 feet of the subject parcel. No comments have been received regarding this application as of October 27, 2021.

Deadline for Agency Actions

The City of Arden Hills received the completed application for this request on October 6, 2021. Pursuant to Minnesota State Statute, the City must act on this request by December 4, 2021 (60 days), unless the City provides the petitioner with written reasons for an additional 60-day review period. With consent of the applicant, the City may extend the review period beyond the initial 120 days.

Attachments

- A. Land Use Application
- B. Location Map
- C. Site Plans
- D. Resolution 2020-045