

AGENDA

1. ROLL CALL: Harris, Ralston Aoki, Allen, Montemayor, Carlson Weinberg
2. CONSIDERATION OF MINUTES
 - A. October 24, 2024 Planning Commission Meeting Minutes
3. PUBLIC HEARINGS
 - A. Zoning Text Amendment to Section 515.07 Subd. 4
 - B. 3819 West Broadway Rezone
4. OLD BUSINESS
 - A. None
5. NEW BUSINESS
6. OTHER BUSINESS
7. INFORMATION ONLY
8. ADJOURNMENT

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ROLL CALL

Present: Allen, Weinberg, Chair Harris
Absent: Aoki, Montemayor
Staff: Heather Rand, Community Development Director; Will Bucheger, Assistant Planner

CONSIDERATION OF MINUTES

A. September 19, 2024 Planning Commission Minutes

Commissioner Weinberg MOVED, seconded by Commissioner Allen to approve the September 19, 2024, Planning Commission meeting minutes. The vote was unanimous and the motion carried.

NEW BUSINESS

A. 3505 Bottineau Boulevard Preliminary Plat Lot Subdivision and Public Hearing

Assistant Planner Bucheger made a staff presentation on a Preliminary Plat Subdivision application for the property of 3505 Bottineau Boulevard. The application is proposed by the applicant, Westwood, on behalf of the property owner Hy-Vee Inc. He shared background information on the property and noted that the reasoning for the lot split was to allow Hy-Vee the ability to sell the convenience store/gas station in the future. He said that Hy-Vee has no immediate plans to sell the property, but they would like to give themselves the ability to. He stated the concerns brought forth by the Engineering Department and how the applicant was able to meet every demand by incorporating into their updated prelim plat plan submittal. He said that since the applicant made their city requested alterations, city staff are supportive of the prelim plat and lot split.

Jay Malenke with Westwood came forward and thanked staff for the presentation and stated that they feel that this lot split will help clean up the plats within 3505 Bottineau Boulevard.

Commissioner Weinberg MOVED, seconded by Commissioner Allen, to open the public hearing at 7:07 PM. The vote was unanimous and the motion carried.

No one came forward.

Commissioner Weinberg MOVED, seconded by Commissioner Allen to close the public hearing at 7:08PM. The vote was unanimous and the motion carried.

Weinberg asked if the parking standards for both stores would be affected by the lot split.

Bucheger said that parking standards will not be affected since the property owner will acquire a parking easement agreement between the two parcels that will allow for shared parking access between the proposed lots.

Commissioner Weinberg MOVED, seconded by Commissioner Allen to recommend approval of the preliminary plat lot split subdivision for 3505 Bottineau Boulevard. The vote was unanimous and the motion carried.

OLD BUSINESS

A. 4227 40th Ave N Violation Appeal

Bucheger gave a staff presentation on the tabled City Code violation appeal for the address at 4227 40th Ave N. He spoke on the background of the original banner sign in a residential zoned neighborhood violation and the appeal that the homeowner, Aaron McMenamy, took to contest. This appeal was originally discussed at the September 19th, 2024 Planning Commission meeting but was tabled on Commissioner's recommendation that additional information on sign ordinances be gathered by staff and disseminated to Commissioners. He explained that staff still interpret the sign ordinance as at the last Planning Commission meeting and recommended that the Planning Commission vote against the appeal.

Commissioner Allen MOVED, seconded by Commissioner Weinberg to remove this item off the table. The vote was unanimous and the motion carried.

Weinberg asked if there was information pertaining to real estate signs in residential neighborhoods.

Bucheger stated that while the Robbinsdale sign ordinance does not specifically reference real estate signs, staff did discuss the matter with the city attorney, and they concurred with staff's interpretation that banner signs are not permitted in residential neighborhoods in Robbinsdale. They further advised that upon conclusion by city council on the appeal, city staff could work with them to draft updates to the city's sign ordinance for planning commission and city council consideration.

Weinberg asked if the banner is being displayed currently and if the violation is still continuing at this moment as well.

Bucheger said that since the applicant went through the proper channels to appeal the violation, staff felt that pausing the violation and citation fines was the correct action to take until the City Council determines their final decision on the citation appeal.

Harris said that he would agree with the staff's interpretation of the code regarding banner signs within a residential district not being permitted.

Allen said that the code feels contradictory with regard to the verbiage in the banner sign ordinance concerning the public right of way and did lack clarity. Additional discussion was held by commissioners on the need for code updates and clarity.

Commissioner Allen MOVED, seconded by Commissioner Weinberg to recommend approval of the appeal with the condition of receiving an administrative permit for a banner sign allowed within the right of way like what is required for banner signs in commercial districts. They further recommended that the banner sign be removed until it has been fully approved through the administrative permit process. The vote was unanimous and the motion carried.

OTHER BUSINESS

ADJOURNMENT

Commissioner Weinberg MOVED, seconded by Commissioner Allen, to adjourn the meeting at 7:32 PM. The vote was unanimous and the motion carried.

TO: Planning Commission
PREPARED BY: Will Bucheger, Assistant Planner
DATE: November 21, 2024
RE: Zoning Text Amendment to Section 515.07 Subd. 4

Background:

This zoning text amendment proposes to create a new conditional use within the Residential-Business (R-B) zoning district of the city that would allow for a “Private Utility Building”. The applicant US Internet, a fiber optic internet service provider, has interest in locating a private utility building at 3819 West Broadway, the current location of the Robbinsdale Clinic and its customer/employee parking lot. There is currently split zoning on the parcel (R-1 and B-1), though the 2040 Comprehensive Land Use plan does guide for a rezone to R-B so with this development opportunity, staff is recommending a rezone of the parcel. Presently, the definition of R-B does not include private utility building likely because this is a more contemporary type of commercial building. As such, US Internet has submitted a zoning text amendment application to include this use within the Residential-Business zoning district so that they may operate their business in the city. A map of the city’s zoning districts can be found in

Attachment A.

Analysis:

The overarching goal of the Conditional use standards are to protect the residential character of the Residential-Business zoning district. Since a public utility building is not an intensely active commercial building generating high volumes of customer, vendor or employee traffic, staff feel it is a good fit for the R-B zone with a conditional use permit.

The following is the current city code language with the proposed new language or zoning code text amendment, shown in bold and underlined.

Robbinsdale’s Residential-Business Conditional use standards:

Section 515.07, Subd. 4 Conditional uses

(a) All those conditional uses, subject to the same conditions as allowed in an R-3 district, except as hereinafter modified.

(b) One and two-family dwellings and townhouses provided that:

- (1) development is compatible with existing and planned use of the area and does not create conflicts with higher uses or endanger or impair, or both, the residents and their use of one and two-family dwellings and townhouses;
- (2) the grades, topography, drainage or character of the developed lot shall not unreasonably restrict the amount of usable open space or create a hazard;
- (3) a safe and direct access is available to parks and public open space;
- (4) the lot requirements and setbacks outlined in subsection 515.05, subdivision 5 of this code and building requirements outlined in subsection 515.05, subdivision 6 of this code are

satisfactorily met;

(c) Hospitals, medical offices and clinics, dental offices and clinics, professional offices, commercial leased offices, counseling or training services, real estate agencies, and funeral homes and mortuaries provided that: (Amended, Ord. No. 07-06)

- (1) the site and related parking and service entrances are served by an arterial or collector street of sufficient capacity to accommodate the traffic which will be generated;
- (2) an off-street rider drop-off and pick-up drive and entrance is provided;
- (3) adequate off-street parking is provided in compliance with subsection 510.17 of this code;
- (4) adequate off-street loading is provided in compliance with subsection 510.19 of this code;
- (5) vehicular entrances to parking or service areas shall create a minimum of conflict with through traffic movement;
- (6) when abutting an R-1 or R-2 district a buffer area with screening and landscaping in compliance with subsection 510.25, subdivision 2 of this code shall be provided; and (Amended, Ord. No. 07-06)
- (7) all signing and information or visual communication devices shall be in compliance with section 410 of the city code and shall not impact surrounding or abutting residential uses;

(d) Retail commercial activity provided that:

- (1) merchandise is sold at retail and is directly related to the principal use or is provided for the comfort and convenience of those using the principal use or activity;
- (2) the retail activity is located within a structure whose principal use is not commercial sales;
- (3) the retail activity shall not occupy more than 15% of the gross floor area of the building;
- (4) no directly or indirectly illuminated sign or sign in excess of ten square feet identifying the name of the business shall be visible from the outside of the building;
- (5) no signs or posters of any type advertising products for sale shall be visible from the outside of the building;

(e) Privately owned parking ramps as a principal or accessory use and privately owned open parking lots as a principal use, provided that:

- (1) access is from and onto a collector or arterial street;
- (2) entrances and exists create a minimum of conflict with through traffic movement;
- (3) sufficient magazine space is provided in the structure or on the site to minimize or eliminate the blocking of traffic in the public right-of-way;
- (4) parking spaces and aisle and driveways shall be developed in compliance with subsection 510.17 of this code and are subject to the review and approval of the city engineer or city planner, or both.
- (5) the location is at least 60 feet from the boundary of an R-1 or R-2 residential district;
- (6) the lot area is double the minimum established for this district;
- (7) when abutting an R-2 or R-2 district a buffer area with screening and landscaping in compliance with subsection 510.25, subdivision 2 of this code shall be provided;
- (8) when abutting a residential use which is not related to the parking ramp or open parking lot, a setback of at least 30 feet shall be provided from the property line and this area shall be maintained as open space and screening and landscaping shall be provided in compliance with subsection 510.25, subdivision 2 of this code;
- (9) all signing and informational or visual communication devices shall be in compliance with subsection 410 of the city code and shall not impact surrounding or abutting residential uses;

(f) Buildings combining R-B conditional uses and residential uses provided that:

- (1) the residential and non-residential uses shall not conflict in any manner;
- (2) the residential building standards as outlined in subsection 515.07 of this code are met;

(g) Buildings in excess of three stories or 40 feet provided that:

- (1) the site is capable of accommodating the increased intensity of use;
- (2) the increased intensity of use does not cause an increase in traffic volumes beyond the capacity of the surrounding streets;
- (3) public utilities and services are adequate;
- (4) except for senior public housing for each additional story over three stories or for each additional ten feet above 40 feet, front and side yard setback requirements shall be increased by five feet; (Amended, Ord. No. 08-02)

(h) Senior housing provided that:

- (1) parking areas are screened and landscaped from view of surrounding and abutting residential uses in compliance with subsection 510.25, subdivision 2 of this code;
- (2) the site of the principal use and its related parking is served by an arterial or collector street;
- (3) usable open space as defined in subsection 505.09, subdivision 110 of this code at a minimum is equal to 20% of the gross lot area;
- (4) the site of the principal use is served or is located within 400 feet of regular transit service;
- (5) the site of the principal use is within 400 feet of commercial shopping development or adequate provision for access to such facilities is provided.

(i) Handicap housing provided that:

- (1) parking areas are screened and landscaped from view of surrounding and abutting residential uses in compliance with subsection 510.25, subdivision 2 of this code;
- (2) the site of the principal use and its related parking is served by an arterial or collector street;
- (3) usable open space as defined in subsection 505.09, subdivision 110 of this code at a minimum is equal to 20% of the gross lot area;
- (4) the site of the principal use is served or is located within 400 feet of regular transit service;
- (5) the site of the principal use is within 400 feet of commercial shopping development or adequate provision for access to such facilities is provided;
- (6) the housing development is operated in compliance with subsection 510.09, subdivision 58.

(j) Residential/business planned unit development. (Added, Ord. No. 93-02; Deleted, Ord. No. 20-11)

(k) Hospitality houses accessory to and adjacent to a Level-One Trauma Center hospital provided that:

- (1) Off-street parking shall be provided to serve the guest rooms with a minimum of one space per room in accordance with the standards of section 510.17 (parking).

(2) Parking areas shall be screened and landscaped from view of surrounding and abutting residential uses in compliance with subsection 510.25, subdivision 2 of this code.

(3) When abutting an R-1 or R-2 district, a buffer area with screening and landscaping in compliance with subsection 510.25, subdivision 2 of this code shall be provided. (Added, Ord. No. 07-15)

(l) Private educational institutions limited to elementary, junior high and senior high schools; colleges or universities; museums; religious institutions such as churches, chapels, temples, and synagogues; and seminaries or monasteries provided that: (Added, Ord. No. 10-18)

(1) any such principal building shall be located 30 feet or more from any other lot in residential district; (Added, Ord. No. 10-18)

(2) adequate screening from abutting residential uses and landscaping is provided in compliance with subsection 510.25, subdivision 2 of this code; (Added, Ord. No. 10-18)

(3) adequate off-street parking and access is provided on the site or on lots directly abutting or directly across a public street or alley from the principal use in compliance with subsection 510.17 of this code and that such parking is adequately screened and landscaped from surrounding and abutting residential uses in compliance with subsection 510.25, subdivision 2 of this code; (Added, Ord. No. 10-18)

(4) an off-street rider drop-off and pick-up drive is provided; (Added, Ord. No. 10-18)

(5) adequate off-street loading and service entrances are provided and regulated where applicable by subsection 510.19 of this code; (Added, Ord. No. 10-18)

(6) the site of the principal use and related parking is served by an arterial or collector street of sufficient capacity to accommodate the traffic which will be generated. (Added, Ord. No. 10-18)

(m) Art studios where art is produced and displayed provided that:

(1) The site faces or fronts on an arterial or collector street with access approved by the City Engineer if vehicular access is to an alley;

(2) The site shall have adequate off-street parking based upon one space per 200 gross square feet and shall be screened in accordance with Section 510.25;

(3) Events or showings shall be concluded by 10 p.m. on weeknights.

(4) Limited display of artwork such as statues may be permitted provided that:

(a) retail sales of artwork is prohibited in front yards;

(b) a plan for exterior display is approved by the Community Development Coordinator to ensure appropriateness for the character of the neighborhood;

(5) The Site shall be reviewed after one year for compliance with the conditions.

(Added, Ord. No. 13-05)

(n) Supportive housing with services offering a range of options from independent living, assisted living and residential hospice provided that:

(1) The site and related parking and service entrances are serviced by an arterial or collector street of sufficient capacity to accommodate the traffic which will be generated;

(2) An off-street rider drop-off and pick-up drive and entrances is provided which may be combined with required parking

(3) Adequate off-street parking is provided at a minimum of one half space per dwelling unit;

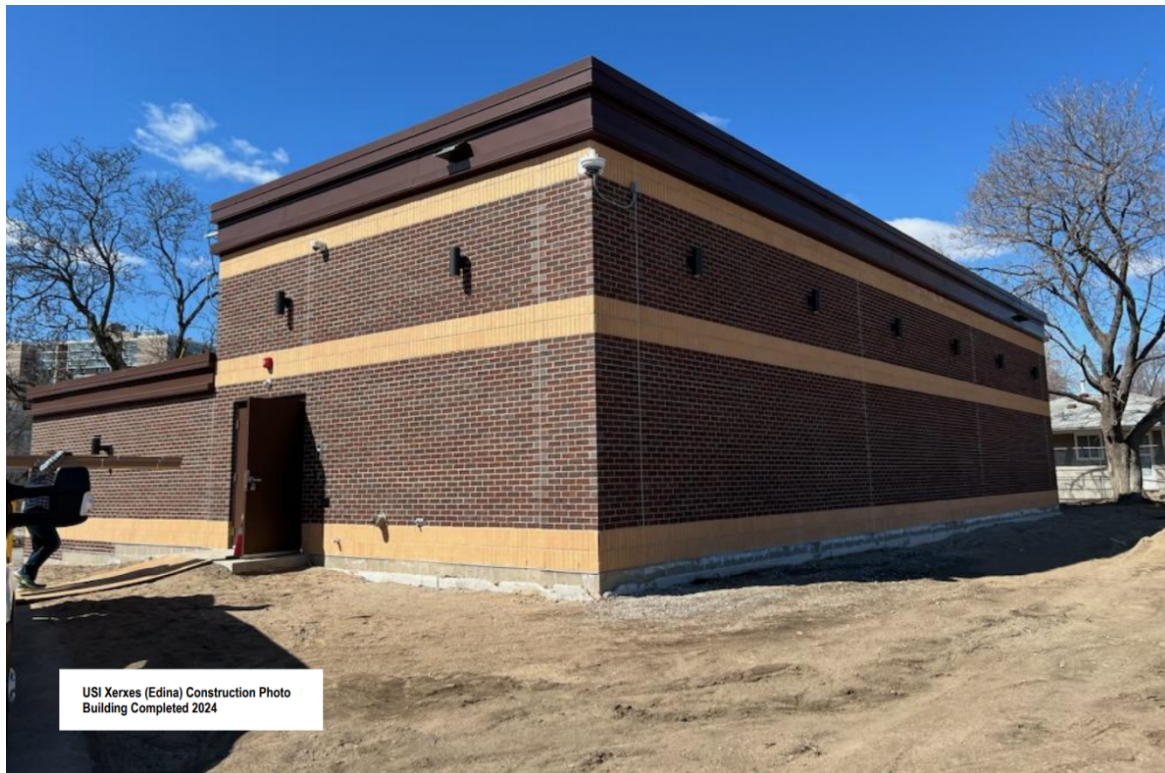
(4) When abutting an R-1 or R-2 district a buffer area with screening and landscaping in compliance with subsection 510.25, Subd. 2 of this code shall be provided;

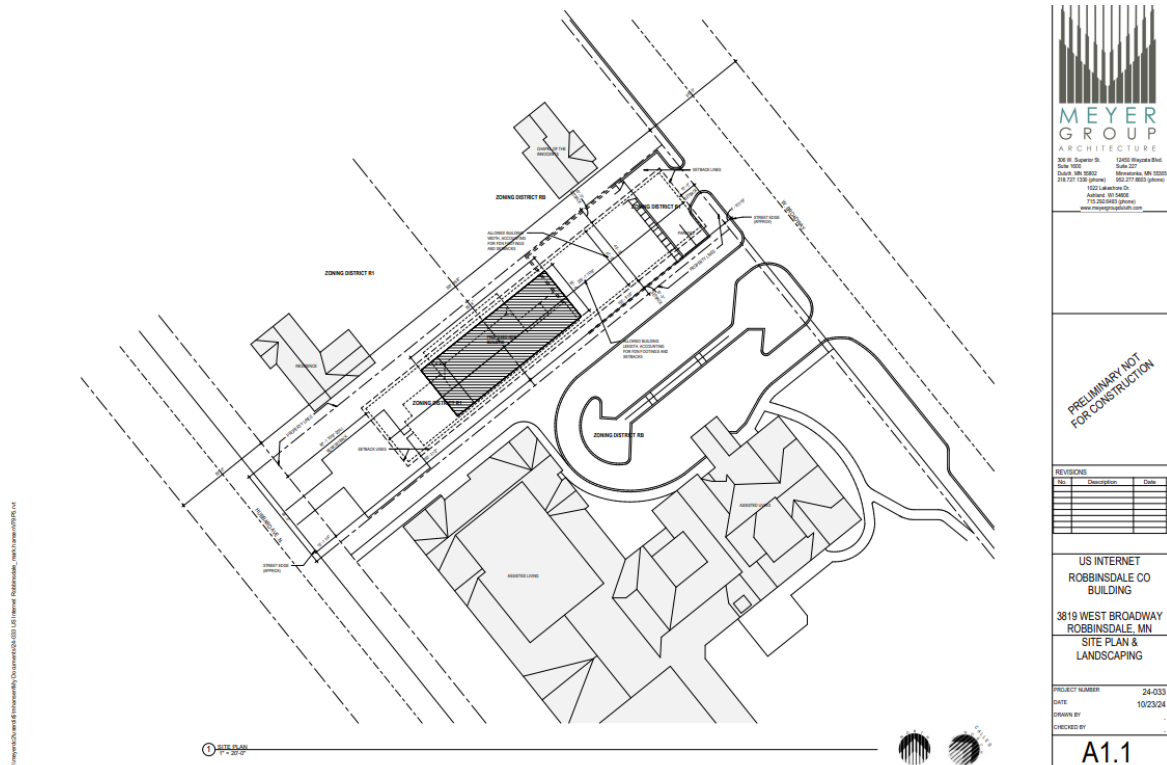
(5) Rooms dedicated for community, meetings, recreation and/or social activities for the residents may substitute for required useable open space.

(o) **Private Utility Building.**

This proposed zoning text amendment would allow the use of a private utility building in R-B zoning districts citywide if the city grants a conditional use permit on a case-by-case basis. US Internet will still need to apply for a conditional use permit to move forward with their desired business in an R-B zoning district and at the time of that application review by city staff, the planning commission and city council, conditions specific to their business operation and site would be developed and required.

For informational purposes of what a public utility building looks like, photo of the type of private utility building they are proposing along with a proposed survey of their designed building at the 3819 West Broadway site has been incorporated into this staff report. The building is similar to “Ma Bell” telephone switching center buildings of the past. If the city council approves the zoning code text amendment, then US Internet intends to apply for a Conditional Use Permit (CUP) to develop their public utility building in Robbinsdale.





Public Hearing

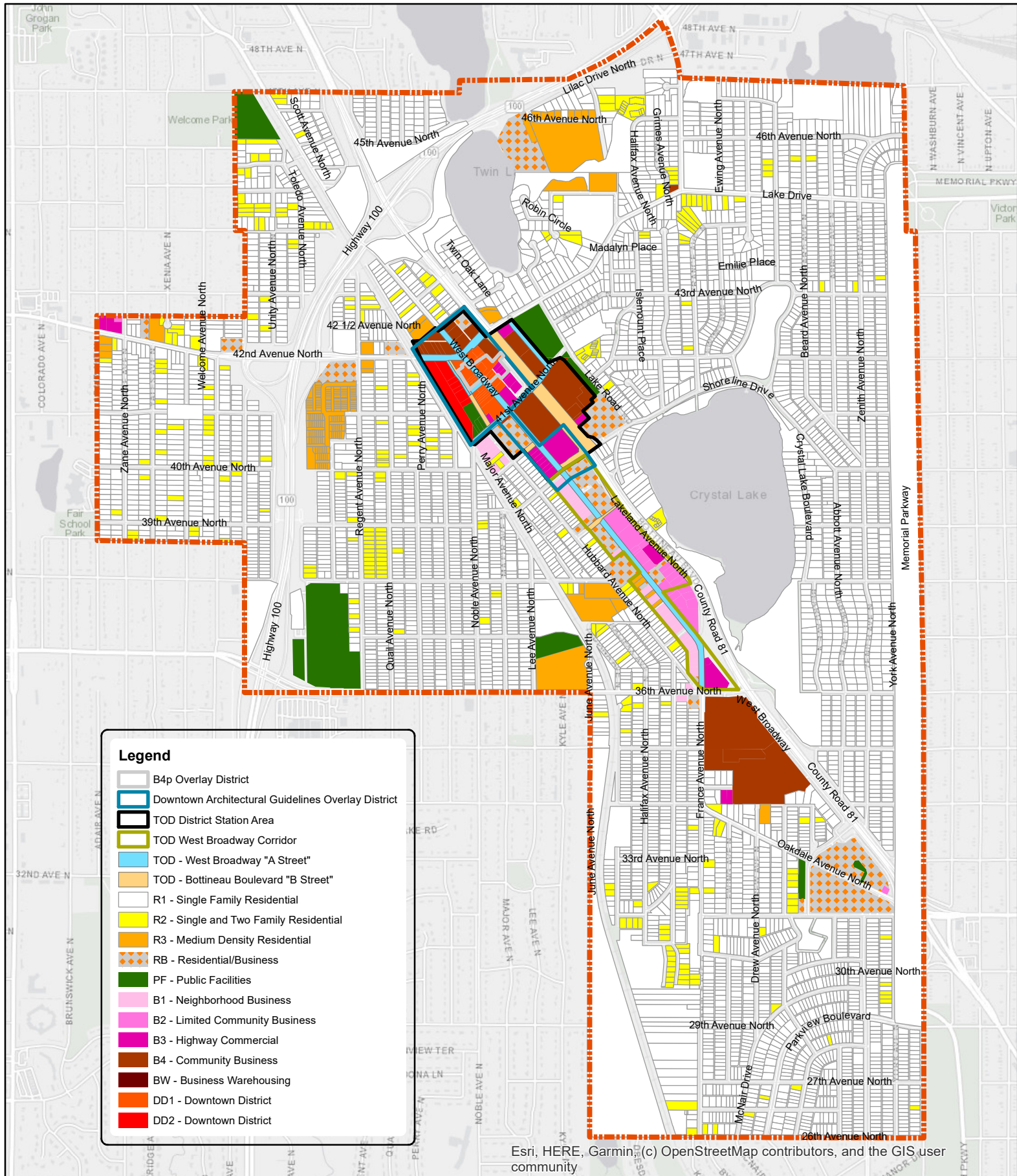
Notice of this public hearing was published in the city's official newspaper and posted on the city's bulletin board 10 days prior to this meeting. City staff have received no inquiries from residents at the time of this report.

Recommendation:

1. Hold the public hearing.
2. Motion to recommend that the City Council amend Section 515.07, Subd. 4 Conditional uses to allow the conditional use of a private utility building in the Residential-Business district.

Attachments:

1. Zoning Aerial Map



TO: Planning Commission
PREPARED BY: Will Bucheger, Assistant Planner
DATE: November 21, 2024
RE: 3819 West Broadway Rezone

Background:

The applicant US Internet on behalf of the property owner Rbbnsdl Clnc Hldng Co Llc has requested that the property located at 3819 West Broadway be rezoned from R-1 Single family residential and B-1 Neighborhood commercial to R-B, Residential-business. The location is shown in **Attachments A & B**.

Analysis:

US Internet is requesting this zoning change since they wish to purchase the property from Rbbnsdl Clnc Hldng Co Llc with the intentions to demolish the existing building and construct a private utility building for operation within the city. US Internet has submitted a zoning text amendment to allow the use of a private utility building within our Residential-Business districts to be a conditional use.

This application being submitted is specifically looking to rezone the property from the current split zoning to Residential-Business to match adjacent properties and to coincide with the 2040 Comprehensive Plan. Our Comprehensive Plan views this property as “Mixed Use Commercial”, a Residential-Business zoning district would be compatible for this long term envision. Our comprehensive plan also anticipates multi-family housing in the future for this area West of West Broadway. The comprehensive plan guides this area with redevelopment potential for high density residential. Specifically with a minimum density of 50 units per acre. You can view this information in **Attachment C & D**.

The property was constructed as a single-family home in 1925. In 1959, it was then utilized as a dental office for open practice. The home was utilized for both commercial and residential use since the house itself was still being lived in while the dental office also operated under the same roof. In 1961, the property applied for a parking lot on the rear side of the home adjacent to West Broadway for customers. This parking lot was approved though it was rezoned to allow such a parking use to B-1. This is the reasoning this property has split or dual zoning.



Zoning map excerpt

White = R-1. Single family residential

Yellow = R-2, Single and two family residential

Orange = R-3, Medium Density Residential

Checkerboard = RB Residential business

Pink = B-1 Neighborhood business

Violet = B-2 Limited Community Business

Public Hearing

Notice of this public hearing has been published in the city's official newspaper and posted on the city's bulletin board 10 days prior to this meeting. Mailed notices have also went out to all properties 350 feet away from this address. City staff has received no inquiries from residents at the time of this report.

Recommendation:

1. Hold the public hearing.
2. Motion to recommend that the City Council rezone the property at 3819 West Broadway to Residential-Business.

Attachments:

1. Hennepin County Aerial Map
2. Zoning Aerial Map
3. 2040 Comprehensive Plan Land Use Map
4. 2040 Comprehensive Plan Redevelopment Map



PARCEL ID: 0602924410017

OWNER NAME: Rbbnsdl Clnc Hldng Co Llc

PARCEL ADDRESS: 3819 West Broadway, Robbinsdale MN 55422

PARCEL AREA: 0.45 acres, 19,527 sq ft

A-T-B: Abstract

SALE PRICE: \$245,000

SALE DATE: 09/1998

SALE CODE: Excluded From Ratio Studies

ASSESSED 2023, PAYABLE 2024

PROPERTY TYPE: Commercial-Preferred

HOMESTEAD: Non-Homestead

MARKET VALUE: \$655,000

TAX TOTAL: \$18,973.48

ASSESSED 2024, PAYABLE 2025

PROPERTY TYPE: Commercial

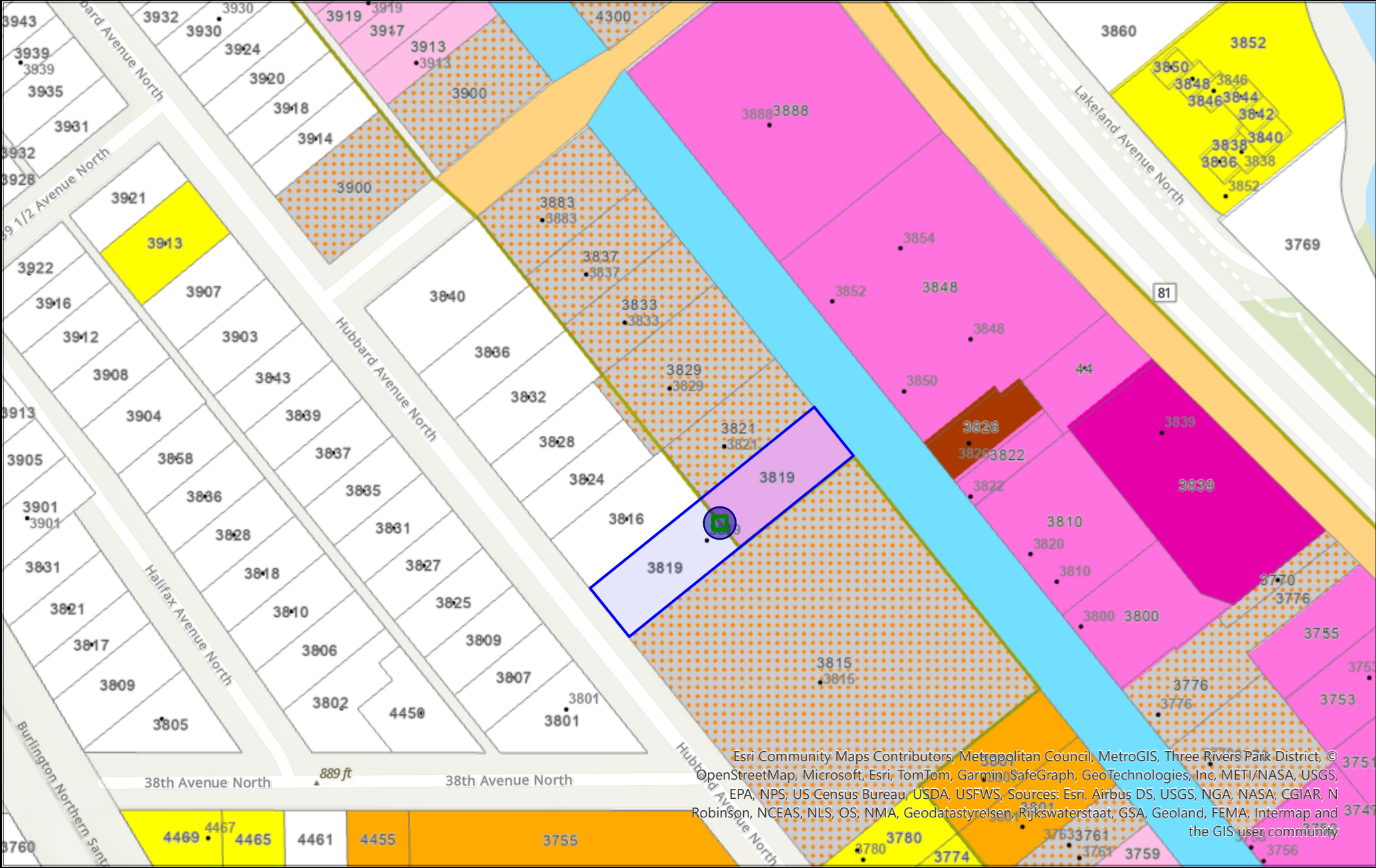
HOMESTEAD: Non-Homestead

MARKET VALUE: \$590,000

Comments:

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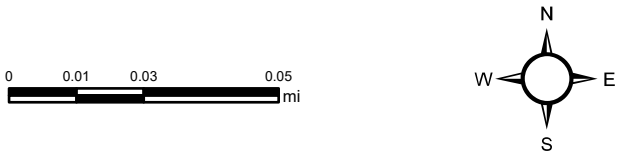
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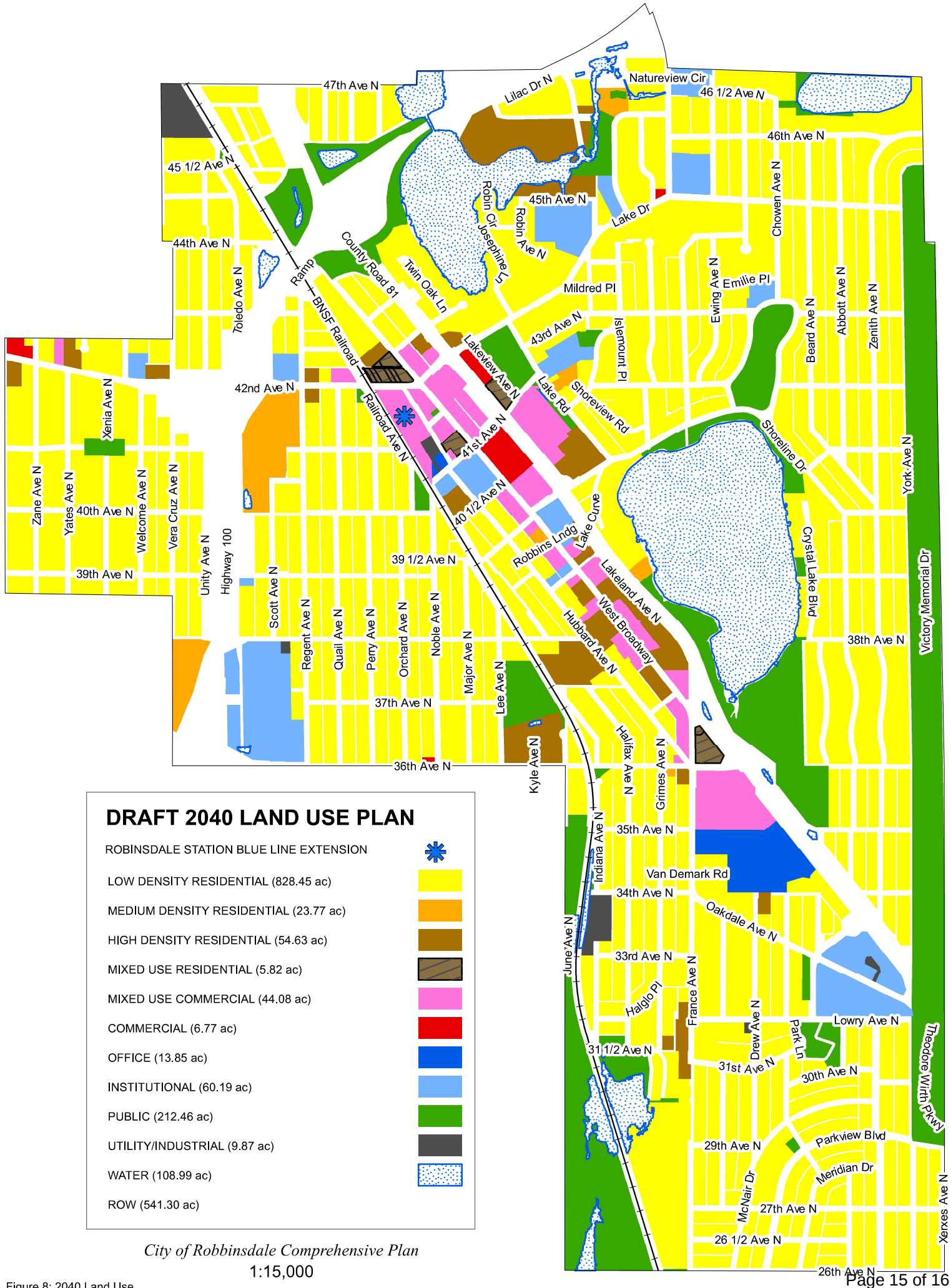


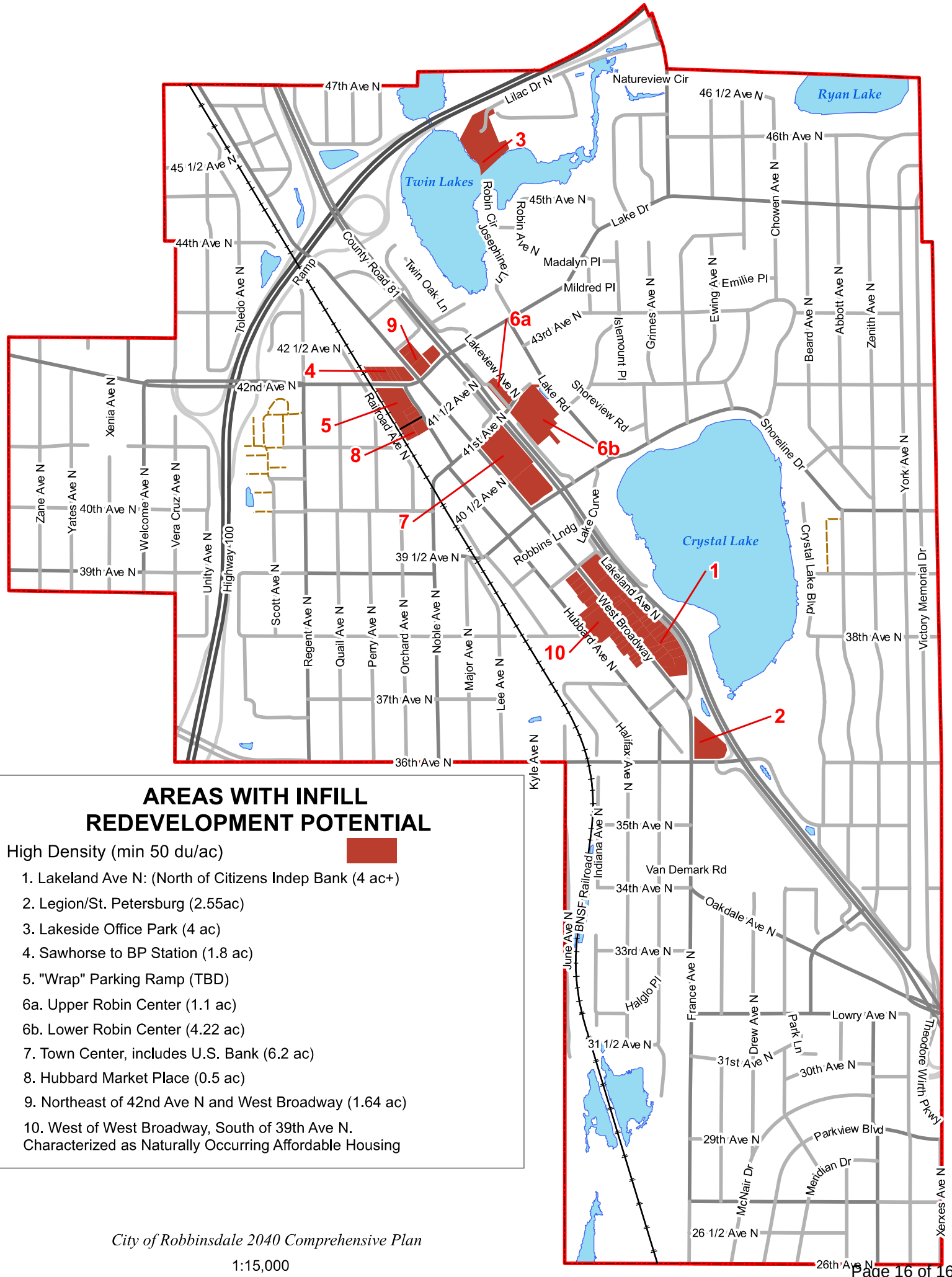
November 14, 2024

LM3-A3 Landscape

DISCLAIMER:
This drawing is not a legally recorded plat or an accurate survey.
It is intended to be only an approximate representation of information from various government offices and other sources.
It should not be used for a purpose that requires exact measurement or precision.
People who use this drawing do so at their own risk.
The City of Robbinsdale is not responsible for any inaccuracies contained in the drawing.
The City of Robbinsdale provides no warranty, express or implied, about the correctness of the information.







AREAS WITH INFILL REDEVELOPMENT POTENTIAL

- High Density (min 50 du/ac)
- 1. Lakeland Ave N: (North of Citizens Indep Bank (4 ac+)
 - 2. Legion/St. Petersburg (2.55ac)
 - 3. Lakeside Office Park (4 ac)
 - 4. Sawhorse to BP Station (1.8 ac)
 - 5. "Wrap" Parking Ramp (TBD)
 - 6a. Upper Robin Center (1.1 ac)
 - 6b. Lower Robin Center (4.22 ac)
 - 7. Town Center, includes U.S. Bank (6.2 ac)
 - 8. Hubbard Market Place (0.5 ac)
 - 9. Northeast of 42nd Ave N and West Broadway (1.64 ac)
 - 10. West of West Broadway, South of 39th Ave N.
Characterized as Naturally Occurring Affordable Housing