

AGENDA

1. ROLL CALL: Harris, Ralston Aoki, Allen, Montemayor, Carlson Weinberg
2. CONSIDERATION OF MINUTES
 - A. November 21, 2024 Meeting Minutes
3. 2025 MEETING DATES
 - A. 2025 Planning Commission Meeting Dates
4. PUBLIC HEARINGS
 - A. 3883 West Broadway Rezone
 - B. 3819 West Broadway Conditional Use Permit (Rescheduled)
5. OLD BUSINESS
 - A. None
6. NEW BUSINESS
7. OTHER BUSINESS
8. INFORMATION ONLY
 - A. 2024 Planning Commission Annual Report
9. ADJOURNMENT

MINUTES

ROLL CALL

Present: Allen, Weinberg, Montemayor, Aoki, Chair Harris
Absent: None
Staff: Heather Rand, Community Development Director; Will Bucheger, Assistant Planner

CONSIDERATION OF MINUTES

A. October 24, 2024 Planning Commission Meeting Minutes

Commissioner Weinberg MOVED, seconded by Commissioner Montemayor to approve the October 24th, 2024, Planning Commission Meeting Minutes. The vote was unanimous and the motion carried.

PUBLIC HEARINGS

A. Zoning Text Amendment to Section 515.07 Subd. 4

Assistant Planner Bucheger gave a staff presentation for a zoning text amendment that 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”. He explained that the applicant US Internet (USI), a fiber optic internet service provider, has interest in locating a private utility building at 3819 West Broadway. He explained that the property is attempting to be rezoned to fit inside the comprehensive plan but unfortunately the R-B zoning district does not include the use of private utility buildings.

Applicant Travis Carter stepped forward and explained USI's goal within the city and their desired fiber optic cable expansion. He spoke that residents within the city have a strong desire for their services and he imagines that this use will thrive within the community.

Commissioner Weinberg MOVED, seconded by Commissioner Allen to open the public hearing at 7:09 PM. The vote was unanimous and the motion carried. The public hearing is now open.

Brian Walker the Program Director for Pro Life Action Ministries stepped forward and spoke that after listening to the staff report, he has no issues with the zoning text amendment to the code or with the rezone for 3819 West Broadway. Pro Life Action Ministries own the property at 3821 West Broadway.

Resident Fran Liles of 4401 Robin Ave N stepped forward and expressed her approval of this project and stated that this use would be a great benefit to the city.

Commissioner Weinberg MOVED, seconded by Commissioner Aoki to close the public hearing at 7:11 PM. The vote was unanimous and the motion carried. The public hearing is now closed.

Commissioner Allen MOVED, seconded by Commissioner Weinberg to recommend approval of the Zoning Text Amendment to Section 515.07 Subd 4. to create the conditional use of private utility buildings within the Residential-business district. The vote was unanimous and the motion carried.

B. 3819 West Broadway Rezone

Bucheger gave a staff presentation and explained that US Internet is requesting a 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. He spoke that the current split zoning makes construction on this property difficult, and that city staff recommend this rezone to be compatible with the city's comprehensive plan.

Commissioner Montemayor MOVED, seconded by Commissioner Aoki to open the public hearing at 7:17 PM. The vote was unanimous and the motion carried. The public hearing is now open.

Brian Walker with Pro Life Action Ministries stepped forward and spoke that he did not receive a physical notice.

Bucheger stated that public hearing notices to residents are sent to the actual taxpayer for the property and that the failure to receive a notice does not invalidate the public hearing at tonight's meeting.

Commissioner Weinberg MOVED, seconded by Commissioner Montemayor to close the public hearing at 7:19 PM. The vote was unanimous and the motion carried. The public hearing is now closed.

Harris asked if the Conditional Use Permit will require the applicants to come back to the Planning Commission with site plans for their review.

Bucheger responded that any Conditional Use Permit will require review from the Planning Commission and that it will require another public hearing.

Commissioner Weinberg MOVED, seconded by Commissioner Allen to recommend approval for the request to rezone the property at 3819 West Broadway to the Residential-business zoning district. The vote was unanimous and the motion carried.

OLD BUSINESS

A. None

NEW BUSINESS

OTHER BUSINESS

INFORMATION ONLY

ADJOURNMENT

Commissioner Allen MOVED, seconded by Commissioner Weinberg to adjourn the meeting. The vote was unanimous and the motion carried. The meeting was adjourned at 7:27 PM.

January 16, 2025

2025 PLANNING COMMISSION MEETING DATES

The Planning Commission meets the 3rd Thursday of each month.

January 16

February 20

March 20

April 17

May 15

June 26

4th Thursday due to Juneteenth.

July 17

August 21

September 18

October 16

November 21

December 18

PLANNING COMMISSION OFFICERS FOR 2025

Chair – Commissioner _____

Vice-Chair – Commissioner _____

TO: Planning Commission
PREPARED BY: Will Bucheger, Assistant Planner
DATE: January 16, 2025
RE: 3883 West Broadway Rezone

Background:

The applicant Jeff Wachner has requested that the property located at 3883 West Broadway be rezoned from the current R-B Residential-business to B-2 Limited commercial so a UPS store can operate. The location is shown in **Attachments A & B**.

Analysis:

Mr. Wachner is requesting this zoning change since he wishes to utilize his property as a UPS store. This property along with the adjacent three properties to the Southeast were rezoned in 2020 to Residential-business to convert office space into residential apartments. At that time this property was utilized as the Bark & Bathe dog grooming. This business was not converted into an apartment or residential housing after the 2020 rezone. Bark & Bathe has since closed at this time and Mr. Wachner would like to use this property as a commercial use again. Unfortunately, this property still has the Residential-business zoning classification after the rezone in 2020. Because of this the intended use of the UPS store would be prohibited due to the Residential-business zoning standards.

Per the zoning standards within the Residential-business district, retail commercial activity is allowed through a Conditional Use Permit and is approved if it is meeting all listed conditions specified in code. The conditions for retail commercial activity inside the Residential-business district are listed below.

(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.

Looking over these conditions listed with the Residential-business district, Mr. Wachner would have difficulties meeting the standards to allow his business to operate. Conditions 2 & 3 provide the most difficulty for the operation of the UPS store since the building is standalone and holds no other use than retail/commercial activity. This condition is in place to allow for commercial activity located within a residential structure like an apartment complex. Condition 3 further demonstrates this view since limiting the commercial activity to 15% gross floor area is not

viable for the UPS store. Mr. Wachner needs to be able to use all the space inside the building for the operation of the store.

With these listed conditions inside of the Residential-business zoning district, the UPS store would not be able to qualify for a Conditional Use Permit and would need to submit variances instead, which may not even be approved. As such, staff has recommended rezoning the property to B-2 Limited commercial since that district allows for “*postal or telegraph substations*” as a permitted use already and the UPS store is comparable to this style of operation. This property also received a variance in 2020 to allow for shared parking with 3829, 3833, and 3837 West Broadway. The UPS store per code requires 10 parking spaces, which the property currently has already, so staff does not see any issues with off-street parking. You can view this variance within the resolution numbered 7843, this can be found in **Attachment C**. The parking layout can be viewed on the properties survey in **Attachment D**.

Our Comprehensive Plan views this property as “Mixed Use Commercial”, a Limited Commercial zoning district would be compatible for the long term envision. You can view this information in **Attachment E**.

Recommendation:

Staff believe this use will not be detrimental to the city and that the rezone of this property will be compliant with the long-term zoning envisions for the neighborhood.

1. Hold the public hearing.
2. Motion to recommend that the City Council rezone the property at 3883 West Broadway from Residential-business to B-2 Limited commercial.

Attachments:

1. Attachment A - Hennepin County Aerial Map
2. Attachment B - Robbinsdale Zoning Aerial Map
3. Attachment C - Resolution No. 7843
4. Attachment D - 3883 West Broadway Survey
5. Attachment E - Comprehensive Plan Map
6. Attachment F - Public Hearing Notice



PARCEL ID: 0602924410020

OWNER NAME: Jhp 3883 Broadway Llc

PARCEL ADDRESS: 3883 West Broadway, Robbinsdale MN 55422

PARCEL AREA: 0.28 acres, 12,000 sq ft

A-T-B: Abstract

SALE PRICE: \$160,000

SALE DATE: 03/2000

SALE CODE: Excluded From Ratio Studies

ASSESSED 2023, PAYABLE 2024

PROPERTY TYPE: Commercial-Preferred

HOMESTEAD: Non-Homestead

MARKET VALUE: \$285,000

TAX TOTAL: \$9,613.60

ASSESSED 2024, PAYABLE 2025

PROPERTY TYPE: Apartment

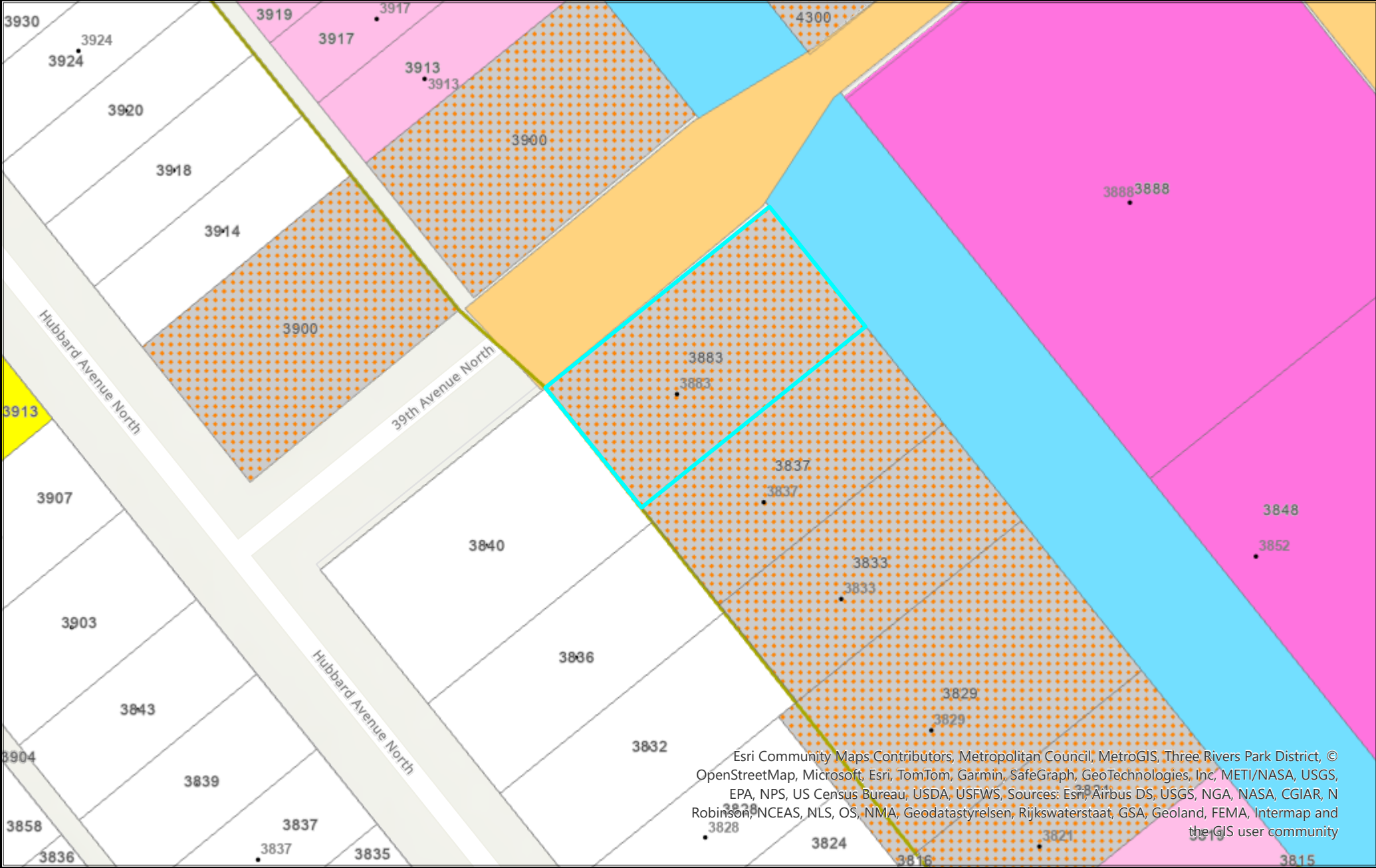
HOMESTEAD: Non-Homestead

MARKET VALUE: \$175,000

Comments:

This data (i) is furnished 'AS IS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.

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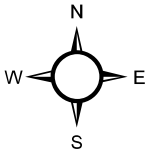
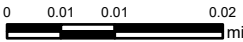


January 9, 2025

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.



Member Rogan moved and Member Blonigan seconded a motion that the following resolution be read and adopted this 1st day of September 2020.

RESOLUTION NO. 7843

**A RESOLUTION APPROVING AN AMENDMENT TO CONDITIONAL USE PERMIT REQUEST C00-09 TO ADD 4 APARTMENTS AT 3829 WEST BROADWAY; CONDITIONAL USE PERMIT REQUEST C20-3 FOR SHARED PARKING BETWEEN 3829, 3833, 3837 AND 3883 WEST BROADWAY AND VARIANCE REQUEST V20-3 TO DIMENSIONAL PARKING STANDARDS.
(Wachner)**

WHEREAS, the property owner of 3829 West Broadway intends to convert office space to four multiple family units in a mixed use building; and

WHEREAS, the property is one of four properties under single ownership that benefits from shared access, circulation and parking that was originally approved by a conditional use permit request C00-09 and variance request V00-07 by resolutions 5927 and 5943A; and

WHEREAS, the conditional use permit C00-09 should be amended to include additional parking that can enhance the usability of the properties; and

WHEREAS, the Planning Commission conducted a public hearing as required on July 16, 2020 and adopted motions recommending approval of the conditional use permit amendment and variance request based upon the following findings of fact:

- A. That high density multiple family housing in this location is consistent with the Comprehensive Plan; and
- B. That the West Broadway corridor from 36th Ave. N. to the downtown has a variety of high density housing; and
- C. That compliance with applicable zoning and property maintenance standards will safeguard against deterioration; and
- D. That many of the residents utilize available transit services in-lieu of owning cars; and
- E. That the properties are within the Blue Line Extension Station Area; and
- F. That the intent of the code is to ensure there is adequate off-street parking and to minimize conflicts; and
- G. That, if granted, the variance process will be used to minimize conflicts in support of the multiple family land use which is consistent with the comprehensive plan; and
- H. That a previous variance was granted for the properties facilitating the availability of off-street parking as a solution for those properties that previously had no off-street parking, and the current variance can be seen as a fine tuning of the solution; and
- I. That the variance process is being used to leverage improvements to the parking and circulation design among existing buildings of which the newest is 61 years old;

WHEREAS, the Council accepts these findings;

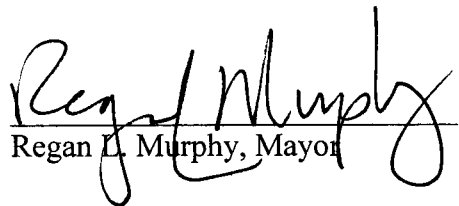
NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Robbinsdale that Conditional Use Permit amendment request C00-09, Conditional Use Permit request C20-3 and Variance request V20-3, that would allow four additional apartment units at 3829 West Broadway and shared parking with 3833, 3837 and 3883 West Broadway as shown and legally described in the plan included as “**Attachment A**,” are hereby approved pursuant to Section 510.17, Section 515.07, Section 535.01 and Section 535.03 of the Robbinsdale City Code with the following conditions:

1. That the combined site circulation plan should be one way entering from the driveway at 39th Ave. N. and exiting only at the two West Broadway driveways, with appropriate signage. Both driveways at West Broadway would be signed as “Exit Only” or an alternative design prepared for review and approval by city staff;
2. That the parking plan shown as **Attachment A** and as approved by staff, provides a good example of how the angled parking should be coordinated across the four properties;
3. That compliance with the Americans with Disabilities Act is required, including signing and stripping handicapped parking spaces;
4. That a shared parking easement shall be recorded with the property records for all parcels so it runs with the land; and
5. That Compliance with building and fire codes and accessibility will be required for the remodeling where the use is changing.

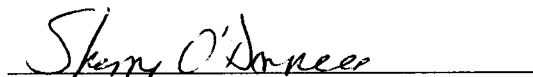
The question was on the adoption of the resolution and upon a vote being taken thereon, the following voted in favor thereof: Rogan, Backen, Blonigan, Mayor Murphy

and the following voted against the same: None. Abstain: Selman

WHEREUPON SAID RESOLUTION WAS DECLARED DULY PASSED AND ADOPTED THIS 1ST DAY OF SEPTEMBER 2020.


Regan D. Murphy, Mayor

ATTEST:


Sherry O'Donnell, City Clerk
(Seal)

Res. No. 7843

ALTA/ACSM LAND TITLE SURVEY FOR:
JUST HOME PROPERTY
1525 Aviation Blvd., Suite 112
Redondo Beach, CA 90278

Legal Description

Parcel A:
The Northwestly 100 feet of the Southeastly 165 feet of Lot 24, Auditor's Subdivision No. 180, except the Southwestly 138 feet thereof.

Parcel B:
That part of Lot 24, Auditor's Subdivision No. 180, described as follows: Commencing on a point on the Northeastly line of said lot a distance of 30 feet from the most Northerly corner of said Lot; thence Southeastly along said Northeastly line of said Lot 80 feet; thence Southwestly parallel to the Northwestly line of said Lot 150 feet; thence Northwestly parallel to the Northeastly line of said Lot 80 feet; thence Northeastly parallel to said Northwestly line of said Lot 150 feet to point of beginning.

Parcel C:
The Southeastly half of the following described property; The Northeastly 150 feet of Lot 24, Auditor's Subdivision Number 180, except the Southeastly 165 feet and except the Northwestly 110 feet thereof.

Parcel D:
The Northeastly 150 feet, except the Southeastly 229.6 feet and except the Northwestly 110 feet thereof, Lot 24, Auditor's Subdivision Number 180, Hennepin County, Minnesota.

Note Corresponding to Schedule B, Part II

- ① Item 1 - Is not a survey issue or not to our knowledge.
- ② Item 2 - Is not a survey issue or not to our knowledge.
- ③ Item 3 - No evidence of gaps or overlaps, encroachments as shown hereon.
- ④ Item 4 - Is not a survey issue.
- ⑤ Item 5 - Is not a survey issue.
- ⑥ Item 6 - Easement per doc. no. 3636652 affect property as shown hereon.
- ⑦ Item 7 - Is not a survey issue.
- ⑧ Item 8 - Is not a survey issue.

MISCELLANEOUS NOTES

- MN 1 Legal description and easements per title commitment from Stewart Title Guaranty Company, File No. 62269, dated January 4, 2016.
- MN 2 Property Address: 3883, 3837, 3833 and 3829 West Broadway, Robbinsdale, MN 55422
- MN 3 Area of Parcel = 47708 sq.ft
- MN 4 Property is in Flood Zone "X" (area of minimal flooding) per FEMA panel map number 27053C0214E, dated September 2, 2004.

ALTA/ACSM Land Title Survey

The undersigned, being a registered surveyor of the State of Minnesota, certifies to JHP 3883 Broadway L.L.C., a Minnesota limited liability company and Stewart Title Guaranty Company as follows:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA, and NSPS in 2011, and includes Items 1, 2, 3, 4, 6(b), 7(a), 8, 9 and 11(a) of Table A thereof.

Dated this 18th day of February, 2016.

Prepared by:
The Gregory Group, Inc. d.b.a.
Lot Surveys Company
7601 73rd Avenue N.
Brooklyn Park, MN 55428
phone 763-560-3093
fax 763-560-3522

Signed: 
Gregory R. Drasch Registration No. 24992

File No.
F:\survey\auditors subdivision - hennepin\150-24\As-150-24b\102940.mxd\4518.dwg

F.B. No. 1029-40 inv. 84818
DTE

Zoning Information

Source of information: City of Robbinsdale Zoning web site			
Address: 4100 Lakeview Ave. N., Robbinsdale, MN 55422			
Phone: 763-531-1269			
Zoning District(s): B-1			
Zoning Definition: Neighborhood Business			
Building Setback Requirements			
	Observed	Required	Notes
Front Yard Setback	see survey	*10 feet	* Refer to City Code for additional requirements
Side Yard Setback	see survey	*5 feet	
Rear Yard Setback	see survey	20% lot depth	
Parking Tabulation			
	Observed	Required	Notes
Regular Spaces	41 spaces	see note	Parking requirements dependent on use of property.
Handicapped Spaces	not marked	see note	
Total Parking Spaces	41 spaces	see note	
Height Restrictions			
	Observed	Max. Allowed	Notes
Maximum Height	see survey	25 feet	
Bulk Restrictions			
	Observed	Required	Notes
Lot Area	47708 sq.ft	6000 sq.ft	Refer to City Code for other Dev. requirements
Coverage Ratio	0%	0%	
Other:	N/A	N/A	

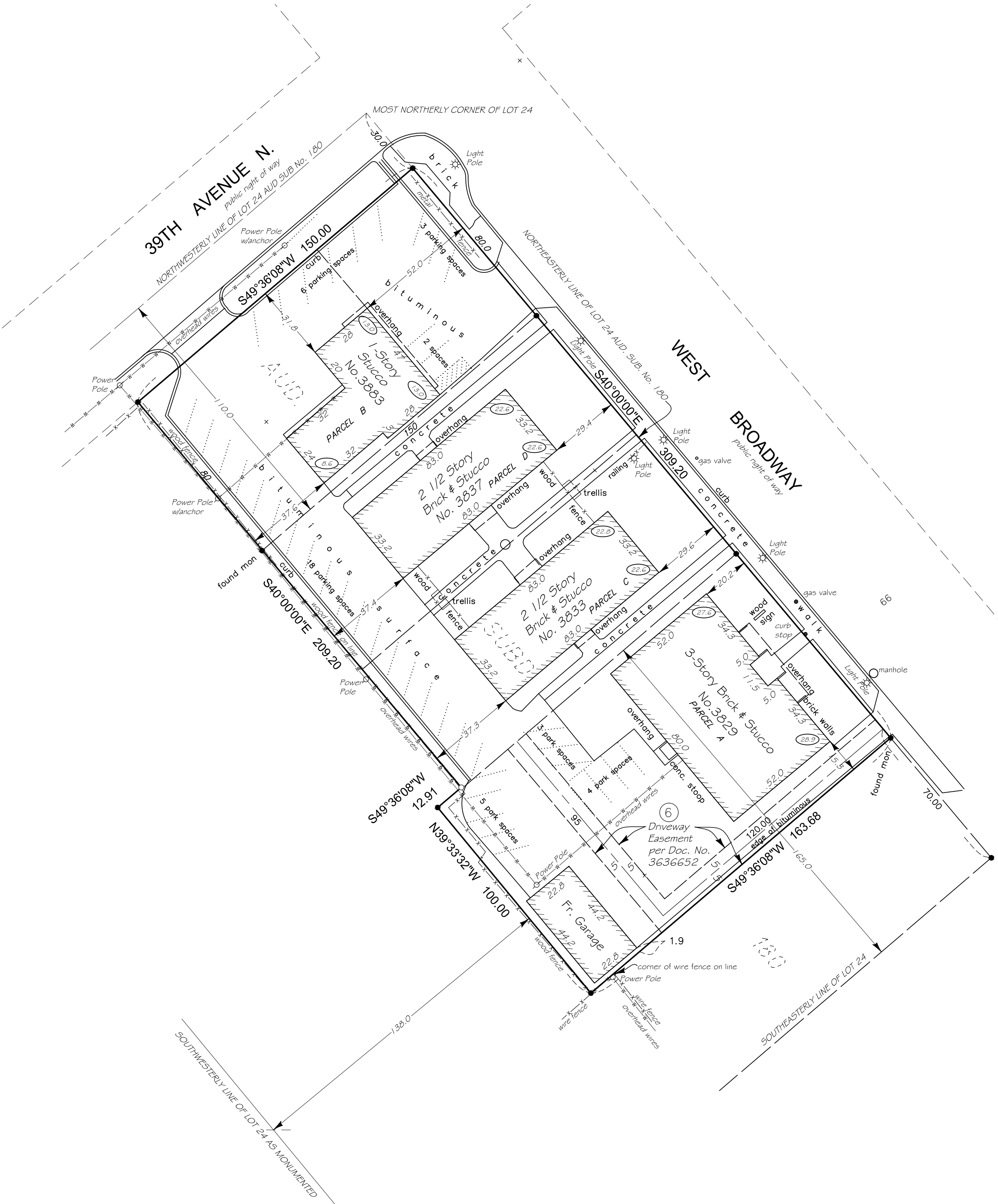
NOTE: Because there may be a need for further interpretation of the applicable zoning codes, we refer you to the above referenced municipality and the applicable zoning codes.

Legend of Symbols & Abbreviations

LEGEND

- ⊗ Steel Post
● Denotes Iron Monument Set
● Denotes Iron Monument Found
⚡ Light
⊕ Hydrant
⊙ Power Pole
⊕ Catch Basins
⊙ Manhole
— X — X — Fence
— S — S — Overhead Wires
— S — S — Sanitary Sewer
— ST — ST — Storm Sewer
— W — W — Watermain
— GAS — GAS — Gas Main
— E — E — Easement Line
— B — B — Building Line
①②③ Denotes height of building to adjacent ground

SCALE IN FEET
0 30 60 90



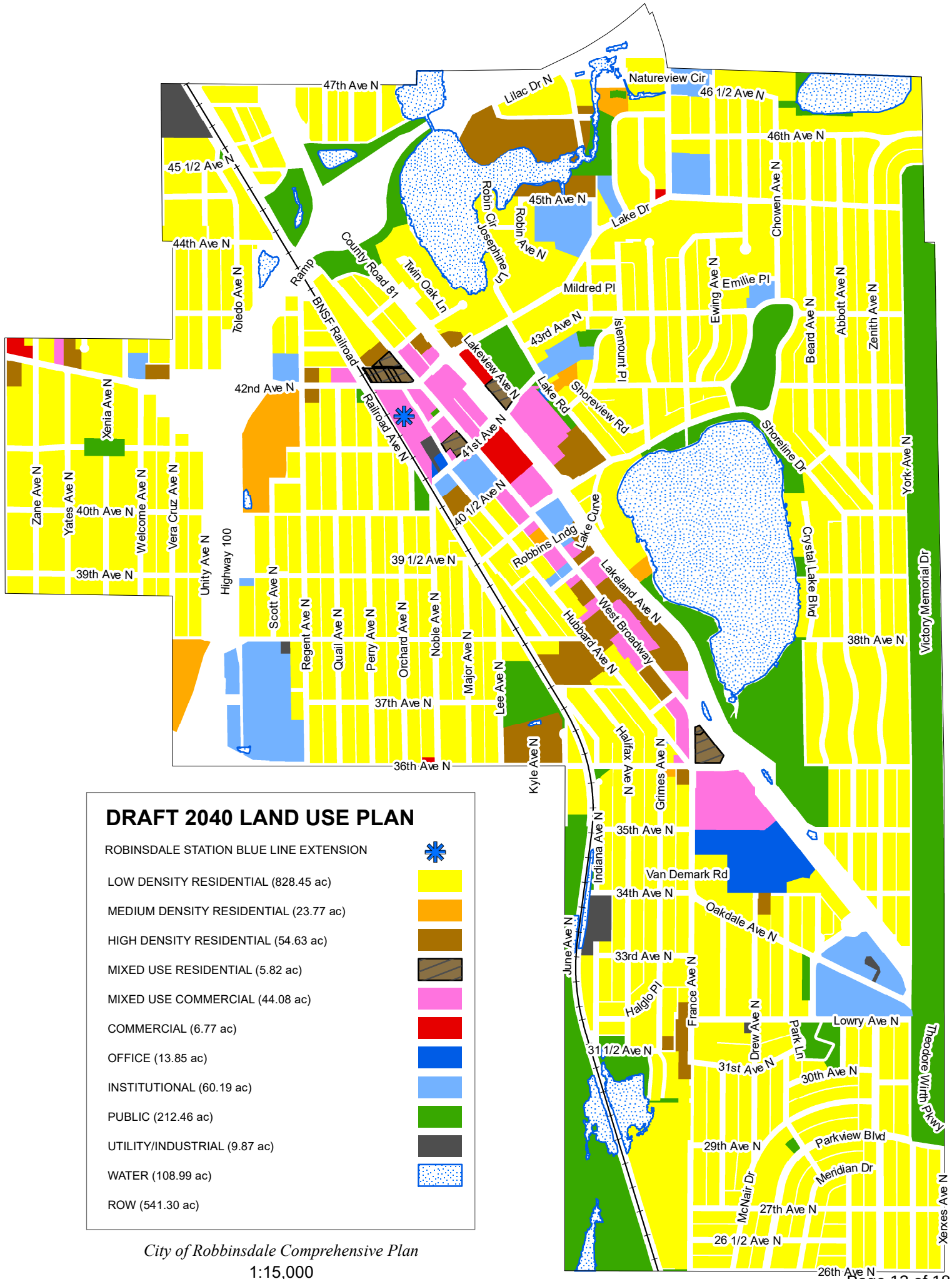


Figure 8: 2040 Land Use

City of Robbinsdale

Public Hearing Notice

NOTICE IS HEREBY GIVEN that there will be a meeting of the Planning Commission of the City of Robbinsdale, Minnesota on **Thursday, January 16th, 2025, at 7:00 p.m.** for consideration of rezoning the property at 3883 West Broadway from the current Residential-Business Zoning District to a proposed Limited Commercial Zoning District. The meeting will be held in the City Council Chambers at Robbinsdale City Hall, 4100 Lakeview Ave. N, Robbinsdale MN 55422.

Any and all persons desiring to be heard shall be given an opportunity at the above stated time. Residents seeking further information on the public hearing should contact Assistant Planner Will Bucheger at 763-531-1269 or wbucheger@robbinsdalemn.gov.

By: Will Bucheger, Assistant Planner

Publish dates: January 2nd, 2025

TO: Planning Commission

PREPARED BY:

DATE: January 16, 2025

RE: 3819 West Broadway Conditional Use Permit (Rescheduled)

Background:

This public hearing has been rescheduled to February 20th, 2025. The applicants have requested a rescheduling since their project will require a variance to meet zoning code requirements and State public hearing requirements prevent them from presenting at this meeting.

Analysis:

Recommendation:

Attachments:

None

2024 PLANNING COMMISSION ANNUAL REPORT

The Planning Commission held 5 regularly scheduled meetings during 2024. There were 7 cancelled meetings this year, largely due to a lack of agendas.

The table below reflects commissioner's attendance.

Planning Commissioners		Meetings Present	Meetings Absent	Yearly Attendance
Harris	Ward 1	5	0	100%
Ralston-Aoki	Ward 2	2	3	40%
Allen	Ward 3	4	1	80%
Montemayor	Ward 4	3	2	60%
Weinberg	At Large	5	0	100%

In 2024, the Planning Commission continued to address development and land use issues on behalf of Robbinsdale residents seeking to improve their properties and reviewed development applications affecting neighborhoods and the community.

The following summarizes their activities:

Zoning Text Amendments

- Amendments to the Crystal Airport Zoning Ordinance.
- Inclusion of a Private Utility Building use into the RB districts.
- Increased Setback Requirements for New Metal Roofed Accessory Structures

Rezone property

- Split Single family zoning and Commercial zoning property on West Broadway from R-1 & B-1 to R-B

Major Projects

- Hy-Vee Preliminary Plat Lot Subdivision.

Miscellaneous

- City Code Violation Appeal for 4227 40th Ave N.

Discussions

- Energy Action Plan.

SUMMARY / COMPARISON OF ACTIVITIES

2012-2024

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Zoning Actions (Text Amendments, Rezoning)	6	3	4	7	2	1	5	2	1	2	9	3
Variances	4	5	8	4	3	7	8	8	6	7	5	0
Conditional Use Permit	5	3	4	4	2	7	4	5	2	6	4	0
Subdivision Actions (Plats, Lot Splits, Text Amendments)	1	2	2	3	1	2	1	0	0	1	0	1
Sign Ordinance Variances	0	1	1	0	1	0	1	1	0	0	0	0
Comprehensive Plan Amendments	2	0	0	1	1	0	0	0	1	0	0	0
Vacation Reviews	0	0	0	1*	0	0	0	0	0	0	0	0
Miscellaneous Items (signs, combine lots)	1*	2	0*	0	1	0	5	1	3	2	1	1

* Some items go directly to the City Council without Planning Commission review.

STATISTICS FOR RENTAL HOUSING

716 Total Rental Properties

418 – Single Family Homes

185 – Duplex Fully Rented (284 units)

68 – Owner Occupied Duplex (70 units)

4 – Triplex Fully Rented (15 units)

2 – Owner Occupied Triplex (2 units)

44 – Apartment Buildings

1,684 Actual individual apartments

2,200 Total individual rental units

2024 STATISTICS FOR RENTAL HOUSING

333 2024/2025 Rental Renewal Applications mailed out

New rental licenses (homes converted to rental).

Change of ownership of rentals

Properties have been removed from rental (homestead)

Individuals attended - 4 Rental Orientation Classes Offered

Total inspections conducted by Housing / Code Enforcement Inspector

(Does not include Knock & Talks that were completed after 1st check)

___ *were Rental inspections* & ___ *were Code Enforcement inspections*

2024 STATISTICS FOR GRASS & SNOW/LAWN ABATEMENTS

Long grass complaints/notices – 11 Properties, city contractor mowed

Alley vegetation notices - 15 Properties, city contractor trimmed

Snow notices – 0 Properties, city contractor shoveled