MEMORANDUM

TO: Melinda Coleman, City Manager

FROM: Michael Martin, AICP, Economic Development Coordinator

DATE: November 18, 2016

SUBJECT: Consider Approval of a Building Expansion for Metro Heating and Cooling, 2303 Atlantic Street North

A. Conditional Use Permit Resolution

B. Design Review

Introduction

Project Description

Metro Heating and Cooling has purchased the existing 3,669 square foot building at 2303 Atlantic Street North. This business is a permitted use at this location. The applicant is proposing a 2,580 square foot addition which requires approval of a conditional use permit (CUP). This property is located within 350 feet of residential property which city code then requires a CUP for any new commercial building projects. The original building on this site was approved by the city council in 1974 – with a small expansion approved in 1980 – which predates the CUP requirement. This is why a CUP has not previously been approved for this site but the new expansion does trigger the requirement.

Request

The applicant is requesting city approval for a CUP and design review.

Background

July 11, 1974: The city council approved plans for the Handy Hitch building.

March 7, 1980: The city approved a 1,575 square foot addition to the existing building.

Discussion

Conditional Use Permit

As mentioned already, a CUP is required because the proposed expansion will occur within 350 feet of property the city has guided and zoned for residential use. This site has been used as a commercial site for more than 40 years and the applicant's use of the site is permitted by the

zoning code. The existing building will be used for storage of the company's equipment and small repairs related to their work will be conducted on site. The proposed addition will be used as office space for the company. The proposed expansion will meet all setback requirements and the site plan meets the city's parking requirements. There have been no negative comments submitted to the city regarding this proposal.

A unique aspect of this site is there is a legal, nonconforming house on site. This house is currently occupied. City code allows the continued use of the home but the applicant has been informed if the house were to sit vacant for one year or more it would lose its nonconforming status and would not be allowed to be used as a residence anymore. The applicant intends to continue to use the home as a rental property.

Design Review

Architectural

The exterior of the proposed addition will be sided with a combination of Smart Lap siding, and Board and Baton siding. The roof will be asphalt shingles, with subtle highlight color strips integrated into the shingle patterns. The existing building is proposed to be either painted to match the new colors of the addition, or a random lap siding matching the office portion will be applied over the concrete block. Colors for the siding will be will be dark grey and dark red, with a black and grey roof.

Site Plan

The proposed building addition is well beyond the required setback of 30 feet from the front property line. The majority of the site currently is paved and the applicant is proposing to remove about 20 percent of the existing asphalt to create green areas around the existing house structure and to the north of the proposed addition. The city ordinance states the following regarding parking lots:

> *All parking lots shall have continuous concrete curbing surrounding the exterior perimeter of the parking lot and drives…The community design review board may waive the curbing requirement when the city engineer has determined that sheet drainage over ground would improve stormwater quality.*

The applicant has requested the city consider waiving the requirement for concrete curbing. The city engineer has reviewed this request and determined that a waiver should be granted. The city engineer considered the site's existing conditions and stormwater management and determined the applicant's plans of removing existing asphalt will greatly improve the overall site. The parking requirements for this site are 17 spaces – four spaces for the warehouse area of the building and 13 spaces for the office space. The applicant's site plan is proposing 21 spaces – exceeding the city's requirement. The applicant has stated most of its service vans are kept at the homes of their employees who travel directly to customers and only occasionally will need to visit the company's office.

Trash Enclosure

The city ordinance states the following regarding the screening of trash enclosure:

> *Trash container enclosures shall be provided around all trash containers and shall be 100 percent opaque. They shall be protected by concrete-filled steel posts or the equivalent, anchored in the ground at the front corners of the structure. If the enclosure is masonry, the protective posts may be omitted. In all instances, the enclosure must be of a design, material and color compatible with the building and be kept in good repair. A gate that provides 100-percent opaqueness shall be provided. The community design review board may waive any part of this requirement if it finds that the trash container would be hidden from adjacent properties and streets.*

The applicant has requested the CDRB waive this requirement. Schmelz Countryside, neighboring property to the north, submitted comments to the city stating they were concerned about the waiving of this requirement as they believe the trash containers can be viewed from their property. Staff would recommend the applicant install a screening fence between the trash enclosures and the Schmelz property.

Landscaping

The applicant is not proposing to remove any trees on site. The landscape plan indicates three new trees will be planted as well as several shrubs and other ground level plantings throughout the site. These elements combined with the conversion of asphalt to green space will work to greatly improve the overall aesthetic of this property.

Department Comments

Engineering

Please see Jon Jarosch's engineering report, dated November 8, 2016, attached to this report.

Building Official, Jason Brash

Applicant must meet all Minnesota State Building Code requirements.

Parks Department, Jim Taylor

This property has never paid a parks accessibility charge and will be subject to said charge at the time of building permit.

Land value - $306,300 X 9% = $27,567.00

Commission Review

Community Design Review Board

November 15, 2016: The community design review board reviewed this project and recommended approval to the city council.

Planning Commission

November 15, 2016: The planning commission held a public hearing and reviewed this project and recommended approval to the city council.

Budget Impact

None.

Recommendations

A. Approve the attached conditional use permit resolution. This conditional use permit allows a 2,580 square foot building expansion within the M-1 (light manufacturing) zoning district that is within 350 feet of a residential zoning district for the property located 2303 Atlantic Street North. This approval shall be subject to the following conditions:

1. All construction shall follow the project plans as approved by the city. The director of environmental and economic development may approve minor changes.

2. The proposed construction must be substantially started within one year of council approval or the permit shall end. The council may extend this deadline for one year.

3. The city council shall review this permit in one year.

4. The applicant shall provide a screening fence between its trash containers and the neighboring property to the west. All trash enclosures must be kept on the south end of the building, as indicated by the applicant's plans, and out of the view from the public right-of-ways.

5. The existing residential structure on this site is a legal, non-conforming use. If the home is vacant for one year or more its legal, non-conforming status ceases and cannot be used for residential purposes.

B. Approve the plans date-stamped November 7, 2016, for Metro Heating and Cooling's proposed building expansion. Approval is subject to the developer complying with the following conditions:

1. This approval is good for two years. After two years, the design-review process shall be repeated if the developer has not begun construction.

2. All requirements of the fire marshal and building official must be met.

3. The applicants shall comply with all requirements of the Maplewood Engineering Report from Jon Jarosch dated November 8, 2016.

4. The applicants shall provide the city with cash escrow or an irrevocable letter of credit for 150 percent of the proposed exterior landscaping and site improvements prior to getting a building permit for the development.

5. The applicant shall provide a screening fence between its trash containers and the neighboring property to the west. All trash enclosures must be kept on the south end of the building, as indicated by the applicant's plans, and out of the view from the public right-of-ways.

6. The removal of the existing asphalt for the parking lot will not require the applicant to install concrete curbing as determined by the city engineer.

7. All work shall follow the approved plans. The director of environmental and economic development may approve minor changes.

Citizen Comments

Staff surveyed the 31 surrounding property owners within 500 feet of the proposed site for their opinion about this proposal. Staff received four responses – all in favor generally for the proposal.

1. Metro Heating and Cooling is a reputable company – a company that we have been a repeat customer of. Very happy to see them come into the neighborhood and to occupy the space. We have no objections with this plan moving forward. (David and Theresa Goetzke, 1209 Lark Avenue East)

2. We are absolutely in favor of this improvement! Happy it's another family business going in there after Handy Hitch was there for 40 years serving the community. Good addition to the neighborhood. (Tracy and Joseph Mincher, 2303 Atlantic Street North)

3. Schmelz Family LLC and Schmelz Countryside VW does not object to the general scope of the project. Our only concern is that the dumpsters be enclosed since it would be visible from our property. (Schmelz Family LLC, 1180 Highway 36 East)

4. It looks good to me. We are in favor of this proposal. (Stephen Linn, 1789 Woodland Drive, Woodbury)

Reference Information

Site Description

Site Size:	1 Acre
Existing Land Use:	Vacant commercial building and occupied house

Surrounding Land Uses

North:	Highway 36
South:	Residential properties
East:	Veterinarian clinic
West:	Auto dealership

Planning

Existing Land Use: Commercial (C)
Existing Zoning: Light Manufacturing (m1)

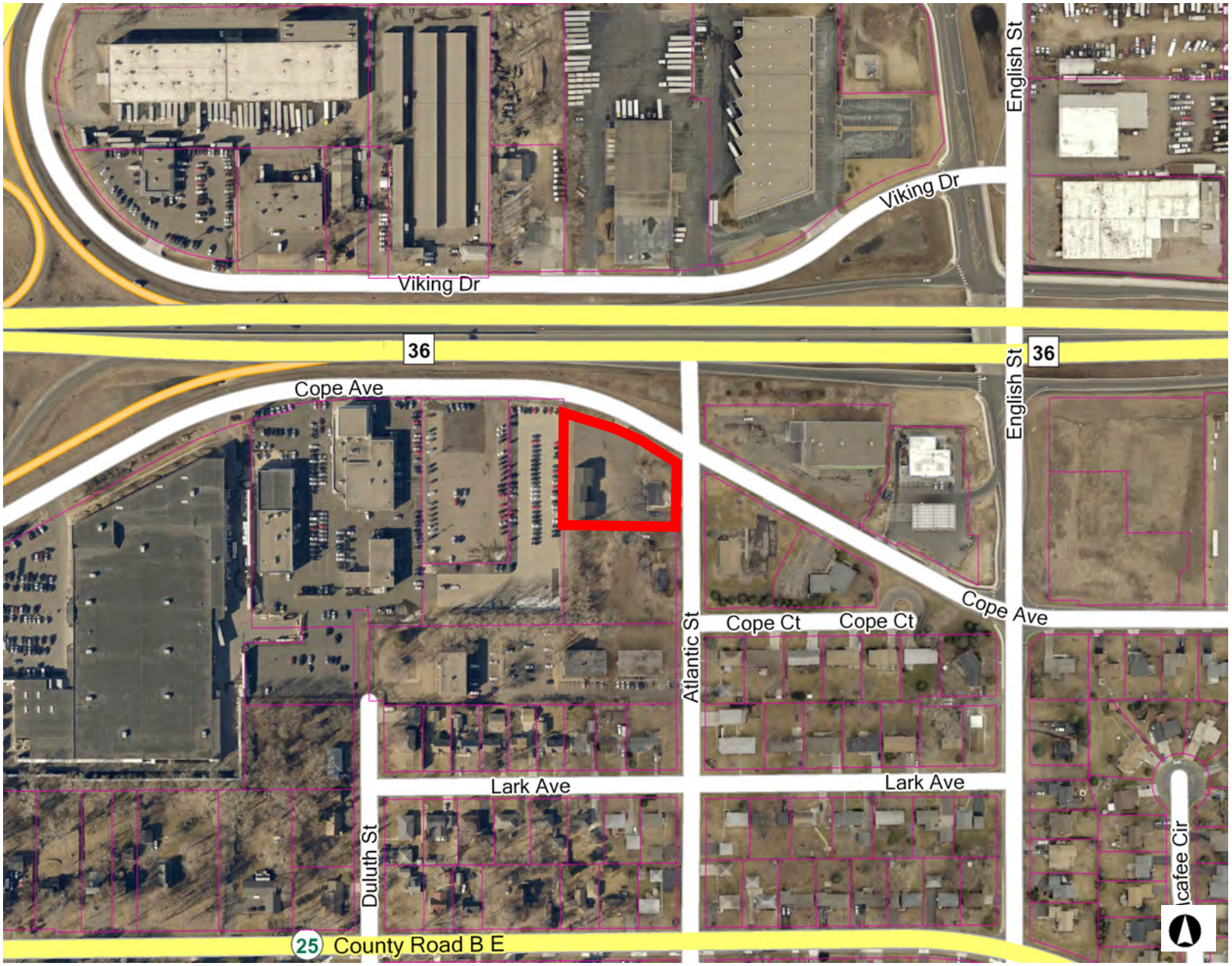
Application Date

The city deemed the applicant's applications complete on November 7, 2016. The initial 60-day review deadline for a decision was January 6, 2017. As stated in Minnesota State Statute 15.99, the city is allowed to take an additional 60 days if necessary in order to complete the review of the application.

Attachments

1. Overview Map
2. Land Use Map
3. Zoning Map
4. Applicant's Letter
5. Applicant's Plans
6. Jon Jarosch, Engineering comments, dated November 8, 2016
7. Conditional Use Permit Resolution
8. Applicant's Plan Set (separate attachment)

Metro Heating and Cooling - Conditional Use Permit and Design Review Requests



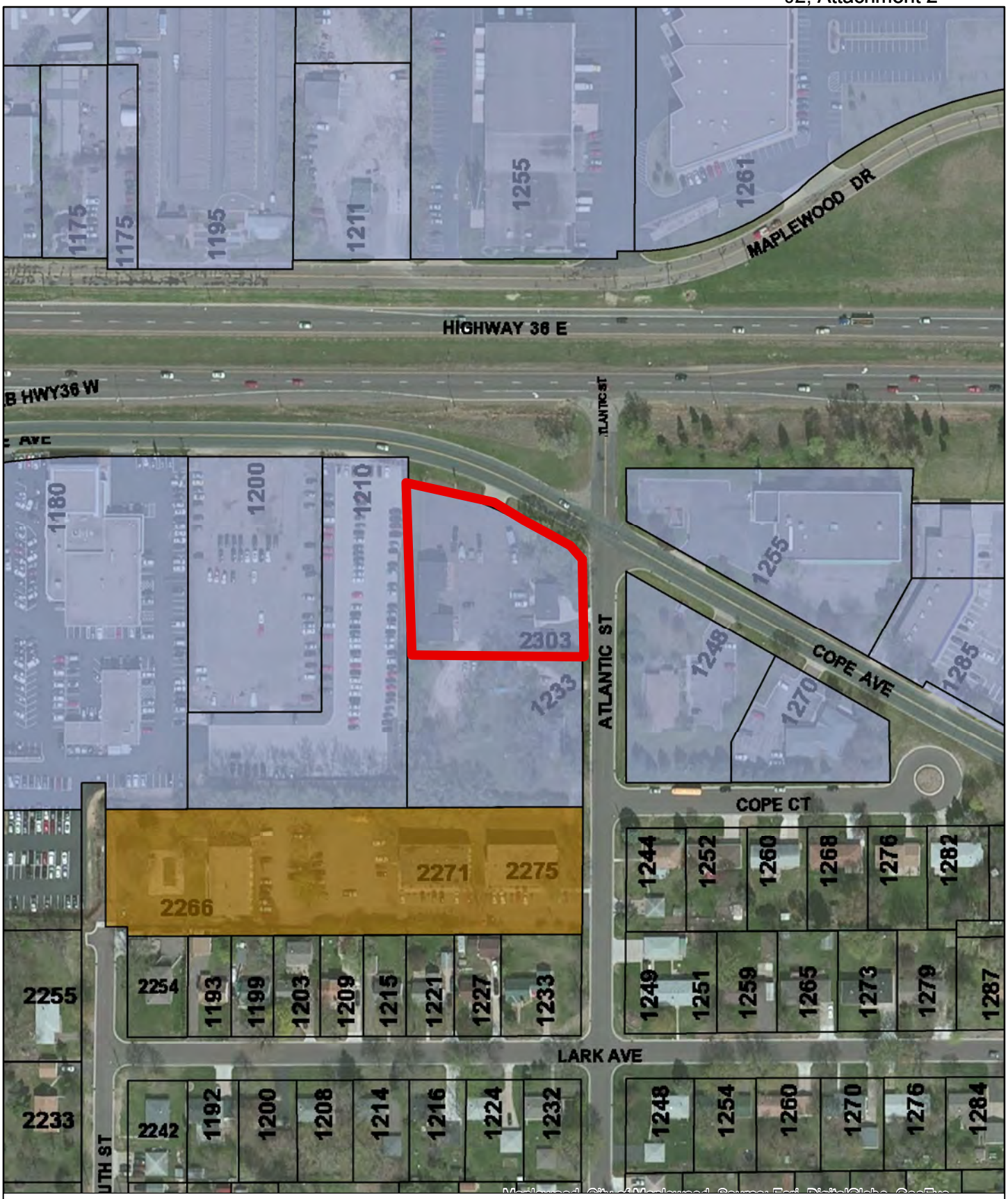
600.0 0 300.00 600.0 Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Maplewood

Project Site

J2, Attachment 1

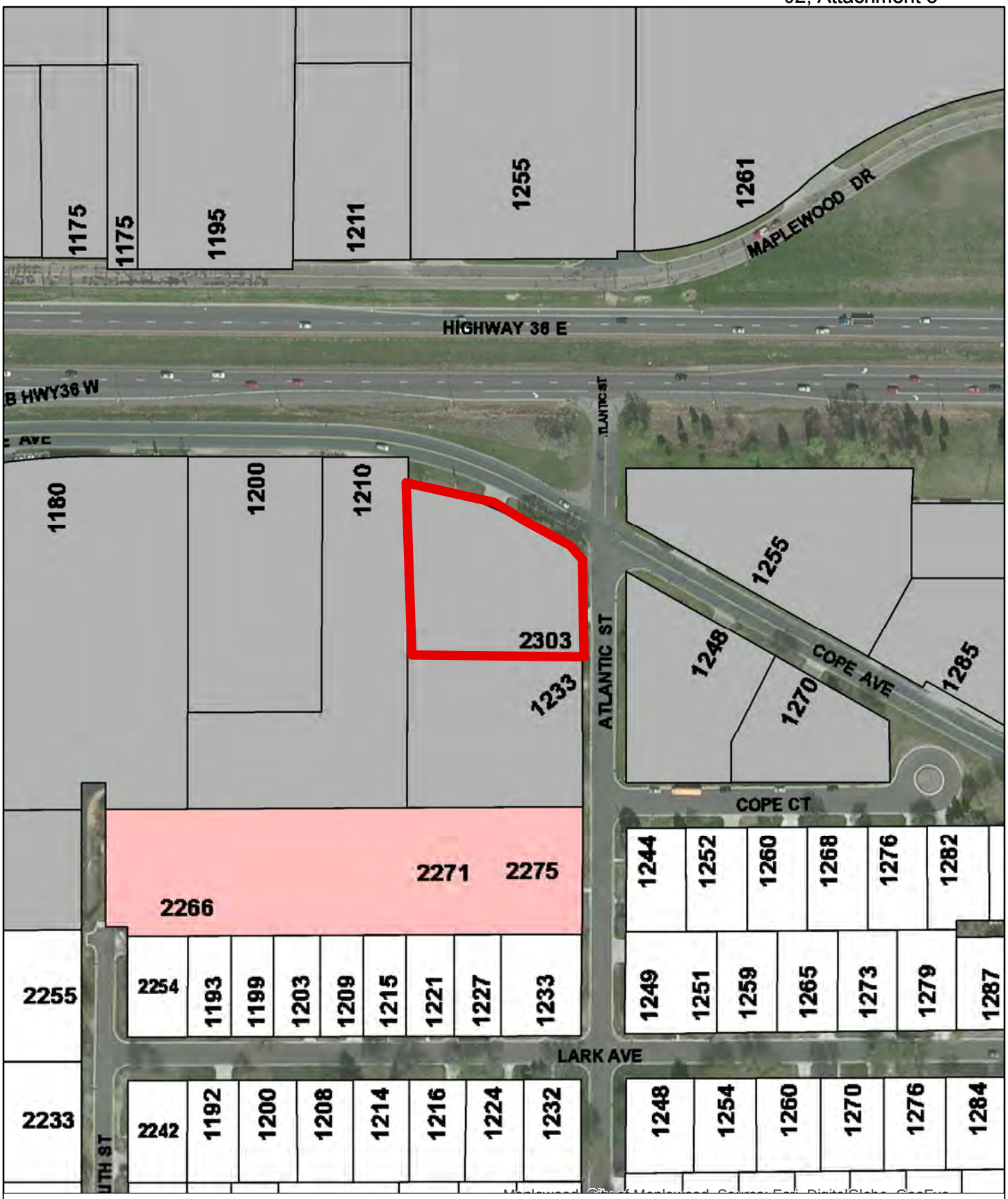


2303 Atlantic St N - Metro Heating and Cooling

Land Use Map

Legend

- Low Density Residential
- High Density Residential
- Commercial



2303 Atlantic St N - Metro Heating and Cooling

Zoning Map

Legend

- Light Manufacturing (m1)
- Multiple Dwelling (r3)
- Single Dwelling (r1)

PROGRESSIVE Architecture
4920 Otter Lake Road
White Bear Lake, MN 55110

Metro Heating and Cooling
2303 Atlantic Street North
Maplewood MN

Metro Heating and Cooling, a HVAC , or mechanical contractor, recently purchased the site located at 2303 Atlantic Street. The site is just west of Schmelz VW, and is located on the south frontage road of HY 36. The site contains both, a single family residence and a commercial building. The residence is a single story stucco building and the commercial building is a single story concrete block building with sloped asphalt shingle roofs.

It is the intent of the owner to do only minor repair, and maintenance for the residential part of the site.

The existing commercial building is 3669 square feet in size and will be mostly used for storage of the companies, mechanical equipment, before it is brought out to the jobsites. A small part of the existing building will be used as a shop to do minor manufacturing of specific mechanical equipment. A new addition of 2580 square feet, will be added on to the North side of the building. The addition will be used as office space for the company.

The new office will be wood walls with a trussed roof system. The exterior of the office building will be sided with a combination of Smart Lap siding, and Board and Baton siding, also made by Smart Siding. The roof will be asphalt shingles, with subtle highlight color strips integrated into the shingle patterns. The existing building will be either painted to match the new colors, or a random lap siding matching the office portion will be applied over the concrete block. Colors for the siding will be will be dark grey and dark red, with a black and grey roof.

The existing parking lot is fairly large in size. It is the intent of the owner to greatly reduce the size of the paving. The existing parking does not have any curb and gutter. Due to the existing grades a new curb and gutter is not possible or practical. The total hard surface will be reduced by 20% upon construction competition.

The plan allows parking for 20 oversized parking spaces, and one oversized accessible parking space. The total amount of 21 spaces slightly exceeds the spaces required by city code. The company has several service vans. They are parked at home by the employees overnight. The vans are then driven, from home, directly to the job site. It is not uncommon for an employee to go a week or two before visiting the main office. The parking will be used primarily for the office staff, and the occasional customer.

The site has an existing pylon sign. The will be repainted and have the signage board replaced. The North Facing Gable, of the office addition, will also have building signage added. All signage will be done separately and signage permits will be applied for.

Metro Heating and Cooling - cont.

A new trash pad will be located behind the building on the south side of the building. The location of the dumpsters will not be visible from public view. The owner is asking to not enclose the dumpsters as they will not be visible from the public view. The owner owns the land just to the south of this parcel, as well.

It is the intent of the owner to start construction this fall upon planning, council approval and obtaining building permits.

Thank You
Scott Mower

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J2, Attachment 5

SITE PLAN
1/16" = 1'-0"
NORTH

SITE INFO		
BUIDINGS		
EXIST BLDG	3669	
ADDITION	2580	
HOME	1500	
PAVING / HARD SURF		
EXISTING PAVING	30,352	
PROPOSED PAVING	16,366	
TOTAL LOT	57,600	
TOTAL HARD SURF		
EXIST	35,521	61%
PROPOSED	24,085	41%

SITE PHOTO
1/32" = 1'-0"
NORTH

PROGRESSIVE ARCHITECTS

4225 OTTER LAKE PARKWAY BLAINE, MN 55014
WWW.PROGRESSIVEARCHITECTS.COM 651.952.1000

REVISIONS:

Date	Description

12

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

07.01.04 / 18020
SCOTT C. MOWER DATE LICENSE #

Project Number	2000.01
Date	10.29.16
Drawn By	PA

METRO HEATING & COOLING

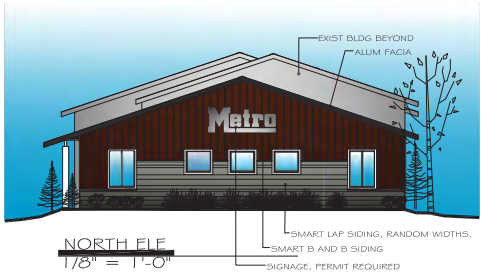
2303 ATLANTIC STREET N

SC 4.1

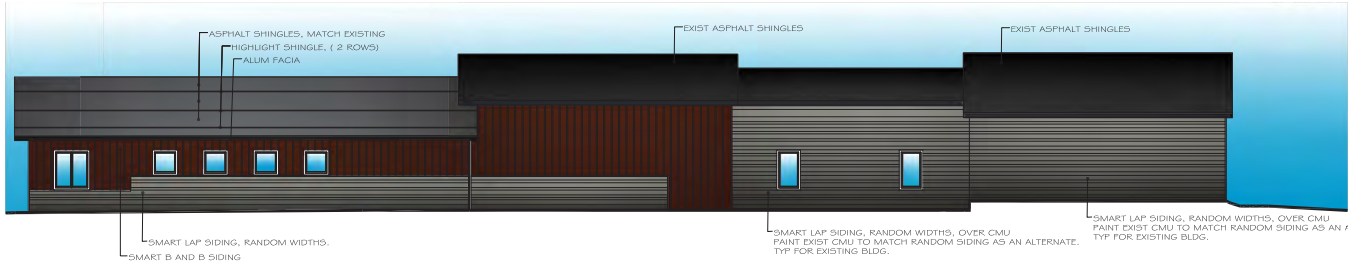
SITE PLAN

J2, Attachment 5

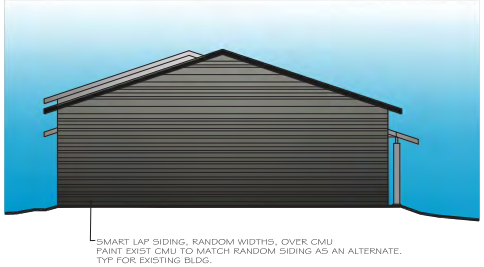
EAST ELE
1/8" = 1'-0"



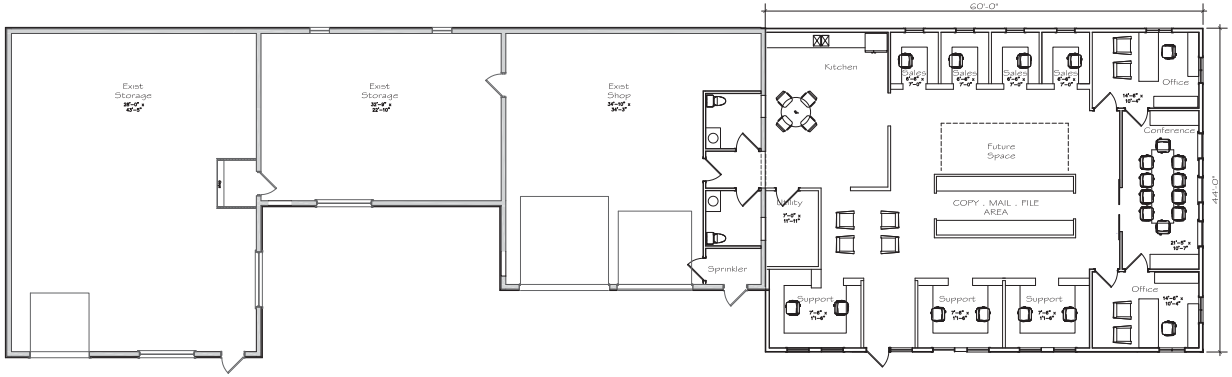
NORTH ELE
1/8" = 1'-0"



WEST ELE
1/8" = 1'-0"



SOUTH ELE
1/8" = 1'-0"



FLR PLAN
1/8" = 1'-0"

PROGRESSIVE Architecture

4920 OTTER LAKE ROAD, WHITE BEAR LAKE, MN 55116
MAIN PROGRESSIVE ARCH.COM 651.292.1041

REVISIONS:

No.	Description	Date

THEREIN CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME, OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

01-01-01 18876
SCOTT C. MOWER DATE LICENSE #

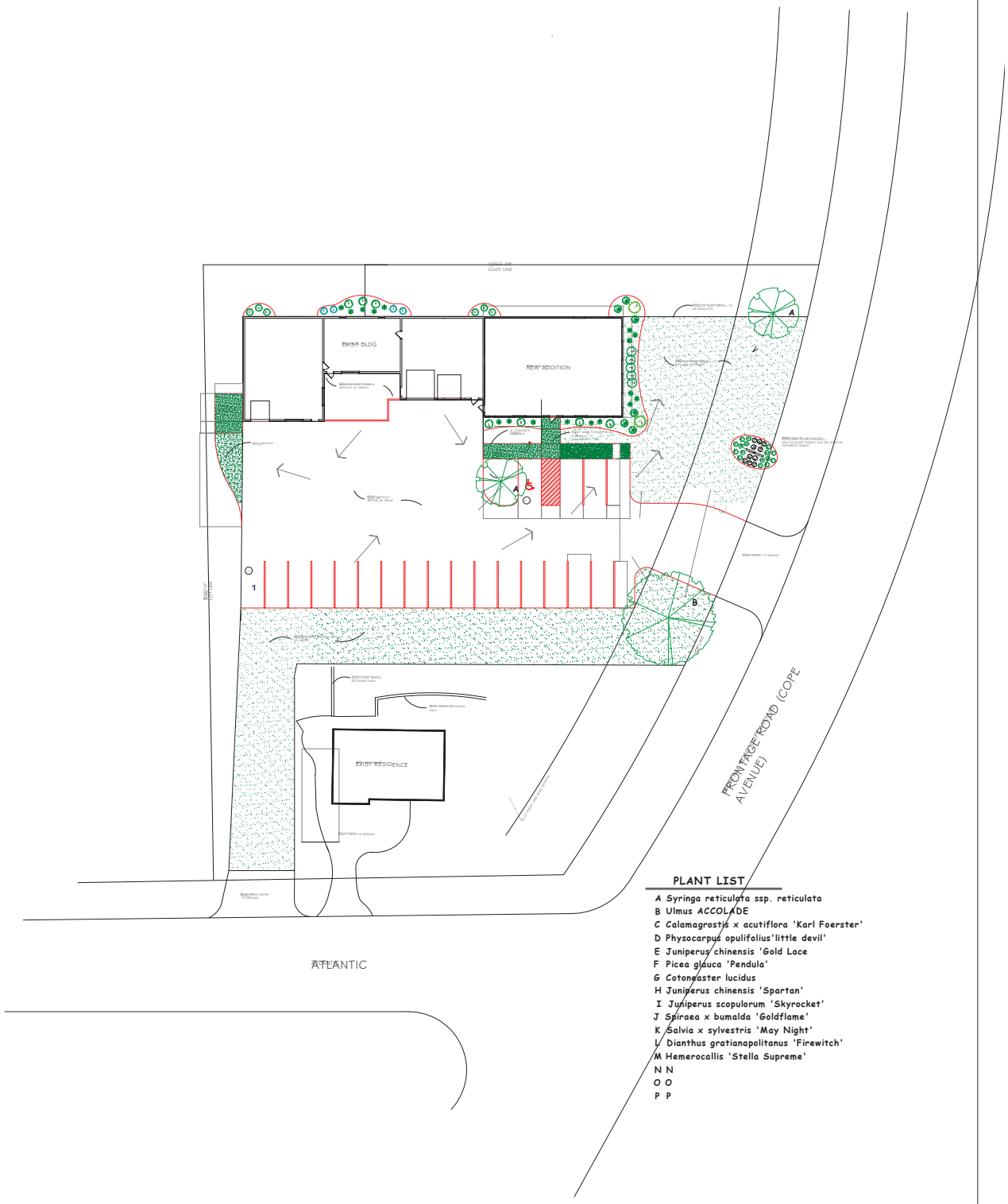
Project Number	2000.01
Date	10.25.16
Drawn By	PA

METRO HEATING & COOLING

2303 ATLANTIC STREET N

SC 4.2

PLAN & ELE



PLANT LIST

A Syringa reticulata ssp. reticulata
B Ulmus ACCOLADE
C Calamagrostis x acutiflora 'Karl Foerster'
D Physocarpus opulifolius'little devil'
E Juniperus chinensis 'Gold Lace
F Picea glauca 'Pendula'
G Cotoneaster lucidus
H Juniperus chinensis 'Spartan'
I Juniperus scopulorum 'Skyrocket'
J Spiraea x bumalda 'Goldflame'
K Salvia x sylvestris 'May Night'
L Dianthus gratianapolitanus 'Firewitch'
M Hemerocallis 'Stella Supreme'
N N
O O
P P

McAlpine Landscapes
TRANSFORMING OUTDOOR SPACES

DESIGNED FOR: METRO HEATING & COOLING
LANDSACPE PLAN

DESIGNED BY: RYAN P. McALPINE	PLAN NO: 2016-	DATE: OCTOBER 2016
DESIGNER'S PHONE: 765-486-9157	SCALE: 1"=20'-0"	CLIENT'S PHONE:

Engineering Plan Review

PROJECT: **Metro Heating and Cooling – 2303 Atlantic Street North**
PROJECT NO: **16-34**

COMMENTS BY: **Jon Jarosch, P.E. – Staff Engineer**

DATE: **11-8-2016**

PLAN SET: **Conceptual plans dated October 2016**

The applicant is proposing to construct an addition to the existing facility at 2303 Atlantic Street, along with accompanying site improvements. The applicant is requesting a review of the current design.

As the amount of necessary disturbance on this site is less than 0.5 acre, the applicant is not required to meet the City's stormwater quality, rate control, and other stormwater management requirements. The applicant is proposing to remove over 11,000 square feet of existing parking lot and driveway areas, which will reduce site runoff and promote infiltration. Staff has determined that allowing the runoff to sheet flow off of the remaining parking lot surfaces into the proposed green areas will provide for improved stormwater quality and is therefore not requiring concrete curb and gutter to be installed.

This review does not constitute a final review of the plans, as the applicant will need to submit construction documents for final review. The following are engineering review comments on the design and act as conditions prior to issuing permits.

Grading and Erosion Control

1) The applicant shall provide a grading and erosion control plan.

2) The existing entrance off of Atlantic Street is proposed to remain and be used for temporary parking. The applicant shall note that parking within the right-of-way is not allowed per code.

3) Perimeter control devices (Silt fence, Bio-roll, etc.) shall be installed around the proposed disturbed areas prior to construction.

4) All slopes shall be 3H:1V or flatter.

5) Inlet protection devices shall be installed on all existing storm sewer until all exposed soils onsite are stabilized. This includes storm sewer on adjacent streets that could potentially receive construction related sediment or debris.

6) Adjacent streets and parking areas shall be swept as needed to keep the pavement clear of sediment and construction debris.

7) All pedestrian facilities shall be ADA compliant.

8) The total grading volume (cut/fill) shall be noted on the plans.

Sanitary Sewer and Water Service

9) The applicant shall be responsible for paying any SAC, WAC, or PAC charges related to the improvements proposed with this project. A SAC determination is required prior to the issuance of permits.

10) The applicant shall provide plans detailing how water and sewer service will be extended to service the proposed addition.

11) The applicant shall meet all requirements of Saint Paul Regional Water Services for any water service modifications or additions.

Public Works Permits

The following permits are required by the Maplewood Public Works Department for this project. The applicant should verify the need for other City permits with the Building Department.

12) Grading and erosion control permit

13) Sanitary Sewer Service Permit (If sewer service is to be added or modified)

- END COMMENTS -

CONDITIONAL USE PERMIT RESOLUTION

WHEREAS, Metro Heating and Cooling has applied for a conditional use permit to expand the existing building at 2303 Atlantic Street North.

WHEREAS, conditional use permits are required for commercial buildings in the light manufacturing (m1) zoning district that are within 350 feet of properties that have been guided and zoned as residential.

WHEREAS, this permit applies to the 1 acre site at 2303 Atlantic Street North. The legal description and property identification number are:

Subject To Road & Except South 200 Feet; The East 260 Feet Of Block 14 Also; Except West 400 Feet & Except East 30 Feet; Part Lying Southerly Of Highway 36 Of Block 17

09-29-22-41-0023

WHEREAS, the history of this conditional use permit is as follows:

1. On November 15, 2016, the planning commission held a public hearing. The city staff published a hearing notice in the Maplewood Review and sent notices to the surrounding property owners. The planning commission gave everyone at the hearing a chance to speak and present written statements. The planning commission recommended that the city council approve the conditional use permit

2. On November 28, 2016 the city council discussed the conditional use permit. They considered reports and recommendations from the planning commission and city staff.

NOW, THEREFORE, BE IT RESOLVED that the city council _____ the above-described conditional use permit because:

1. The use would be located, designed, maintained, constructed and operated to be in conformity with the City's Comprehensive Plan and Code of Ordinances.

2. The use would not change the existing or planned character of the surrounding area.

3. The use would not depreciate property values.

4. The use would not involve any activity, process, materials, equipment or methods of operation that would be dangerous, hazardous, detrimental, disturbing or cause a nuisance to any person or property, because of excessive noise, glare, smoke, dust, odor, fumes, water or air pollution, drainage, water run-off, vibration, general unsightliness, electrical interference or other nuisances.

5. The use would not exceed the design standards of any affected street.

6. The use would be served by adequate public facilities and services, including streets, police and fire protection, drainage structures, water and sewer systems, schools and parks.

7. The use would not create excessive additional costs for public facilities or services.

8. The use would maximize the preservation of and incorporate the site's natural and scenic features into the development design.

9. The use would cause minimal adverse environmental effects.

Approval is subject to the following conditions**:**

1. All construction shall follow the project plans as approved by the city. The director of environmental and economic development may approve minor changes.

2. The proposed construction must be substantially started within one year of council approval or the permit shall end. The council may extend this deadline for one year.

3. The city council shall review this permit in one year.

4. The applicant shall provide a screening fence between its trash containers and the neighboring property to the west. All trash enclosures must be kept on the south end of the building, as indicated by the applicant's plans, and out of the view from the public right-of-ways.

5. The existing residential structure on this site is a legal, non-conforming use. If the home is vacant for one year or more its legal, non-conforming status ceases and cannot be used for residential purposes.

The Maplewood City Council _____ this resolution on November 28, 2016.