

CITY COUNCIL STAFF REPORT

Meeting Date March 9, 2020

REPORT TO: Melinda Coleman, City Manager

REPORT FROM: Michael Martin, AICP, Assistant Community Development Director

PRESENTER: Jeff Thomson, Community Development Director

AGENDA ITEM: Menard Inc., 2280 Maplewood Drive

- a. Public Hearing 7 p.m.
- b. Comprehensive Plan Amendment Resolution (Requires 4 Council Votes)
- c. Zoning Map Amendment Ordinance (Requires 4 Council Votes)
- d. Conditional Use Permit Amendment, Setback Variances and Shoreland Overlay Impervious Surface Variance Resolution
- e. Design Review and Lot Division Resolution
- f. Public Utility Easements Vacation Resolution

Action Requested: Motion Discussion Public Hearing

Form of Action: Resolution Ordinance Contract/Agreement Proclamation

Policy Issue:

Menard Inc., is seeking to replace its existing store at 2280 Maplewood Drive with a new building and storage yard. In addition, the applicant has secured purchase agreements with six residential properties to the south with the intent to incorporate these properties into the new building site.

Recommended Action:

- a. Hold a public hearing.
- b. Motion to approve a resolution for a comprehensive plan amendment regarding the residential properties from Low Density Residential to Mixed-Use – Community.
- c. Motion to approve an ordinance amending the City's zoning map to rezone the residential properties from R-1, single dwelling to M-1, light manufacturing.
- d. Motion to approve a resolution for a conditional use permit amendment, setback variances and shoreland overlay impervious surface variance.
- e. Motion to approve a resolution for the design review plans and a lot division to combine six residential parcels with the commercial parcel located at 2280 Maplewood Drive.
- f. Motion to approve a resolution vacating public utility easements.

Fiscal Impact:

Is There a Fiscal Impact? No Yes, the true or estimated cost is \$0.

Financing source(s): Adopted Budget Budget Modification New Revenue Source
 Use of Reserves Other: N/A

Strategic Plan Relevance:

Financial Sustainability Integrated Communication Targeted Redevelopment
 Operational Effectiveness Community Inclusiveness Infrastructure & Asset Mgmt.

The city deemed the applicant’s application complete on January 9, 2020. The initial 60-day review deadline for a decision was March 9, 2020. As stated in Minnesota State Statute 15.99, the city is allowed to take an additional 60 days if necessary to complete the review. City staff formally extended the review period on February 27, 2020. The new review deadline for a decision is now May 8, 2020.

Background:

Menard Inc., is requesting approval to tear down its existing building and build a new 207,170-square-foot store in its place. As part of this project, Menards is proposing to purchase six residential properties to the south of its existing store, remove the houses, and incorporate the land into its new store site. Menard Inc.’s existing site is located at 2280 Maplewood Drive. The six residential properties are located at 1115, 1127, 1133, 1137, 1143 and 1155 County Road B East.

To move forward with this project, Menard Inc. needs city council approval of the following applications: comprehensive plan amendment, zoning map amendment, conditional use permit amendment, setback and shoreland overlay impervious surface variances, vacation of public utility easements, design review and a lot division to combine the lots.

The layout of the site is largely dictated by a pipeline that runs through the site. The new building will be on the east side of the site, angling towards the northwest. The storage yard will then be located to the east and south of the building. Parking for the building will be located west of the building.

Comprehensive Plan Amendment

Menard Inc.’s existing site is guided for Mixed-Use – Community. The City’s 2040 Comprehensive Plan states that “*The City intends the mixed use - community classification to be for community and regional serving commercial retail or service businesses, offices, and high-density housing.*” The six residential properties located on County Road B East are currently guided for Low Density Residential. The applicant is requesting the six residential properties be reguided to Mixed-Use – Community to be consistent with its store site and allow for the redevelopment of the homes as part of a new Menards store. To approve this request, at least four council members must vote in the affirmative.

The city's 2040 Comprehensive Plan has established several goals, many which are applicable to this request. Those goals include:

1. Promote the revitalization of neighborhood retail shopping centers and corridors and surrounding areas as mixed-use nodes that enhance the vitality of particular neighborhoods in Maplewood from the perspectives of economic development and community character.
2. Promote the efficient retention and redevelopment of commercial and industrial areas in the city as high quality and attractive developments and land uses.
3. Encourage attractive commercial and industrial developments.

Zoning Map Amendment

Menard Inc.'s existing site is zoned M-1, light manufacturing. The six residential properties located on County Road B East are currently zoned single dwelling. The applicant is requesting the six residential properties be rezoned to M-1, light manufacturing to be consistent with its store site and allow for the redevelopment of the homes as part of a new Menards store. To approve this request, at least four council members must vote in the affirmative.

Conditional Use Permit Amendment

A conditional use permit (CUP) is required for the exterior storage of goods or materials and any building or exterior use within 350 feet of a residential district. Menard Inc. last amended its CUP on January 26, 2009 in order to build a new warehouse. Now, Menard Inc. is requesting approval to amend its CUP to build a new store building, new warehouse and for fencing surrounding its storage yard area.

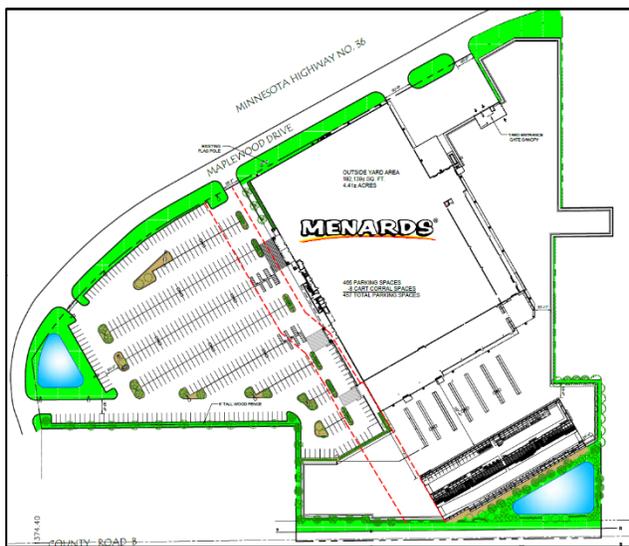
The existing CUP prohibits the use of an exterior public address system, requires snow to be stored away from the south and east shared residential property lines, limits hours of operation in the storage yard, garden center and warehouse to between 7 a.m. and 10 p.m. and requires all lighting in the storage yard and warehouse not needed for site security be turned off after business hours. These requirements will remain in place.

In addition, City staff is recommending the CUP be amended to include the following:

- All site lighting that is to remain on overnight must be dimmed to 50 percent intensity after the store closes. All lights within 100 feet of a residential property line must be shielded.
- All fences must be maintained and kept in good order. Menard Inc. will repair any fence issues within 15 business days of receiving notice from the City.
- Any fencing within 65 feet of the Maplewood Drive East right-of-way line may not exceed 8 feet in height.
- The existing 8-foot-tall fence between Menard Inc.'s property and the properties at 1071, 1081 and 1101 County Road B East must remain in place. This fence must be extended along the north property line of 1101 County Road B East after the existing warehouse is demolished. Any needed repairs to this existing fence must be completed before the City will issue a certificate of occupancy for the new store.
- All existing trees south of the existing 8-foot-tall fence and the properties at 1071, 1081 and 1101 County Road B must remain in place.

- The 14-foot-tall fence between Menard Inc.'s property and east property line of 1101 County Road B East must be setback at least 20 feet from the property line.
- All portions of the 14-foot-tall fence and the new warehouse building shall be setback at least 30 feet from the County Road B East right-of-way line.
- All existing trees between the County Road B East right-of-way line and the 30-foot building and fence setback line must be maintained and are not permitted to be removed.
- All portions of the 14-foot-tall fence between Menard Inc.'s property and the west property lines of 2223 Duluth Street North and 2233 Duluth Street North shall be setback at least 20 feet from the shared property line.
- All portions of the 14-foot-tall fence between Menard Inc.'s property and the south property line of 2255 Duluth Street North shall be setback at least 20 feet from the shared property line.
- The warehouse building shall be setback at least 50 feet from all residential property lines to the east and west of Menard Inc.'s property.
- The storage of snow is not allowed to block any drive lanes within the site or cover any of the required 420 parking spaces. Snow is also not allowed to be stored between the parking lot and any residential properties to the south of the lot.
- Any temporary or seasonal outdoor sales occurring in the parking lot must meet all City ordinance requirements, plus are required to be setback at least 100 feet from any residential property line.

The applicant has agreed to meet at the setback requirements that staff has laid out in this section and report. Below is a comparison of the site plan originally submitted and the applicant's revised site plan.



**Applicant's initial site plan,
submitted December 24, 2019**



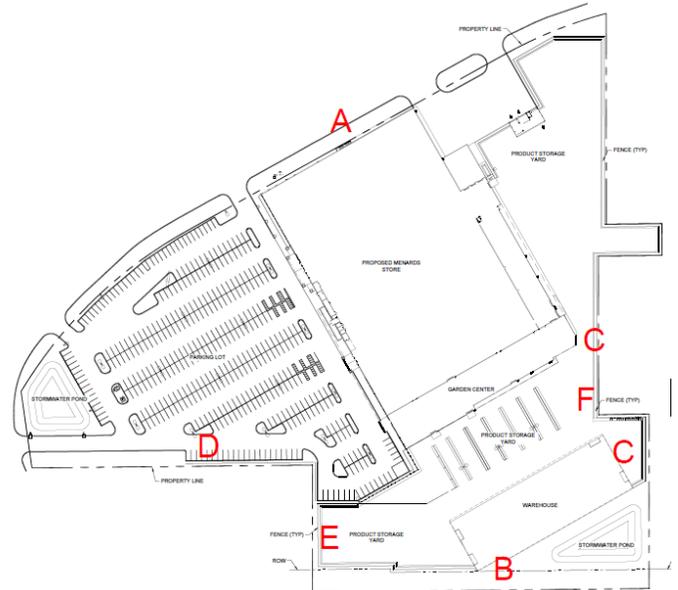
**Applicant's revised site plan,
submitted February 6, 2020 –
incorporating staff's
recommended setbacks**

Setback Variance

This site has historically been used for retail purposes since its original development in the 1960s. Menards purchased the site and building in 1989 and have completed several building additions since then. Menard Inc.'s proposal to redevelop the site has resulted in six setback variance requests. When determining approval of a variance the City must consider the practical difficulties of developing the site and meeting setback requirements. Based on state statute, to constitute practical difficulties a three-factor test must be satisfied. The first factor is that the property owner proposes to use the property in a reasonable manner. The second factor is that the landowner's problem is due to circumstances unique to the property not caused by the landowner. The third factor is that the variance, if granted, will not alter the essential character of the locality.

Menard Inc.'s original application package requested the following setback variances – see site plan below for locations:

- A. 0-setback from Maplewood Drive (main building).
- B. 0-foot setback from County Road B (corner of warehouse building)
- C. 30-foot setback from eastern property line (main building and warehouse building).
- D. 10-foot setback for the parking lot along south property line which borders residential.
- E. 10-foot setback for the parking lot along west property line which borders residential.
- F. 5-foot setback for the parking lot/storage yard along east property line which borders residential.



Menard Inc.'s proposal to redevelop the site into a new store is a reasonable request. Staff believes there are unique circumstances affecting this property that are not caused by the landowner which include the parcel shape and the pipeline running through the property. Lastly, staff believes a new building can be built that will not alter the essential character of the locality. This last test is the most important aspect of this request. Removing six homes and expanding the footprint of the store will require mitigating factors to minimize the impact on the remaining neighbors.

Staff has reviewed the applicant's original setback variance requests and believes the variance requests meet the standard above wholly in one case – location A – and partially in two of the cases – locations C and F.

- A. Staff recommends approval of a 0-setback from Maplewood Drive for the main building. This variance is justified and works to push the entire site plan north, away from existing residential properties.

- C. The new main building is proposed to be setback 33 feet and 11 inches from the east property line. Ordinance would typically require a 100 feet setback for a building on this site. However, this building is being built in an area that is already being used as either the existing building or storage yard. Building the new main building will have minimal change as compared to existing conditions. The applicant is also proposing to build the warehouse with a setback 30 feet from the residential lot line to the east. Ordinance would typically require this warehouse be setback 100 feet. Staff finds that the proposed setback of 30 feet for the warehouse would adversely impact the character of the neighborhood and therefore does not meet the variance standards. Given the unique aspects to this site and project staff feels a 50-foot setback for the proposed warehouse is reasonable and is consistent with the character of the neighborhood. A 50-foot setback is the minimal setback ordinance requires for all new commercial buildings. The applicant has agreed to this finding and has submitted a reviewed site plan now showing the warehouse building setback 61 feet and four inches.

- F. The storage yard area along the applicant's east property line would require a 20-foot setback when adjacent to residential property. Existing conditions do not meet this requirement. Staff believes a variance is justified in the areas that already are non-compliant. For any new storage yard areas adjacent to 2223 Duluth Street North, 2233 Duluth Street North and 2255 Duluth Street North the applicant shall be required to meet the code requirement of a 20 feet setback between commercial uses or parking lots and residential properties. A 5-foot parking lot setback in these new storage yard areas will alter the essential character of the locality and the applicant will still have reasonable use of the property after meeting ordinance minimums. The applicant has agreed to this finding and has submitted a reviewed site plan showing the minimum setback requirements for the new areas of the storage yard.

Staff believes the three remaining variance requests do not meet the standard outlined in this report. Staff's response to each of these variance requests is detailed below:

- B. As mentioned in the CUP section of this report, staff is recommending the warehouse building be setback 30 feet from the County Road B East right-of-way line. City ordinance requires commercial buildings be setback at least 30 feet from right-of-way lines. The closest home on the north side of County Road B East is currently approximately 37 feet with other homes set farther back. Increasing this setback of County Road B East will work to maintain the neighborhood's existing character. With a 30-foot setback, the warehouse building will be setback approximately 150 feet from the homes across the street. A 0-foot setback will alter the essential character of the locality and the applicant will still have reasonable use of the property after meeting ordinance minimums. The applicant has agreed to this finding and has submitted a reviewed site plan showing the warehouse building setback 30 feet from County Road B East.

- D. The applicant's request for a 10-foot parking lot setback to the south property line becomes unneeded after the CUP requirement that the parking spaces near 1101 County Road B East be eliminated from the site plan dated January 9, 2020. Ordinance requires a 20 feet setback between commercial uses or parking lots and residential properties. A 10-foot parking lot setback will alter the essential character of the locality and the applicant will still have reasonable use of the property after meeting ordinance minimums. The applicant has agreed to this finding and has submitted a reviewed site plan showing the minimum setbacks being met and have eliminated parking along the south property line.

- E. The applicant's request for a 10-foot setback for the parking lot along west property line becomes unneeded after the CUP requirement that the fence near 1101 County Road B East be setback at least 20 feet. Ordinance requires a 20 feet setback between commercial uses or parking lots and residential properties. A 10-foot parking lot setback will alter the essential character of the locality and the applicant will still have reasonable use of the property after meeting ordinance minimums. The applicant has agreed to this finding and has submitted a reviewed site plan showing the minimum setbacks being met.

Shoreland Overlay Impervious Surface Variance

The applicant is requesting approval of a variance from the city's shoreland overlay impervious surface coverage ordinance. The site is within the shoreland boundary of Keller Lake. The shoreland code requires a maximum coverage of 40 percent. A 60 percent impervious surface can be permitted with approval from the city engineer if the applicant is proposing additional stormwater management practices.

The current Menard Inc. property has a 95 percent impervious surface coverage. This redevelopment project will reduce the amount of impervious surface coverage due to a stormwater pond and additional green space being added to the southwest corner of the applicant's existing site. Because of existing conditions, Menard Inc. is not required to seek a variance for impervious surface coverage as long as its existing site is less than 95 percent impervious.

Of the residential properties Menard Inc. is proposing to buy, 1115 County Road B East is wholly within the shoreland boundary of Keller Lake; 1127 County Road B East is mostly within the boundary; and a small portion of 1133 County Road B East is within the boundary. This equates to 58,781 square feet within the shoreland boundary. The applicant's initial application had requested a 40 percent variance to allow 100 percent impervious surface within the shoreland boundary of these residential areas. Given the discussions in the CUP and setback variances section of this report and the applicant's revised site plan, the project has increased its proposed setbacks thus allowing additional greenspace to remain within the shoreland boundary – equating to approximately 15,000 square feet or 26 percent of the area within the shoreland boundary.

Given the information detailed above and the applicant's original plans, staff has been supportive of a shoreland overlay impervious surface coverage maximum of up to 80 percent – requiring a 20 percent variance above the ordinance's 60 percent impervious surface limit which requires the developer to meet the city engineer's conditions for additional stormwater management practices. Before any permits are issued, the city engineer will be required to approve plans confirming all requirements discussed here are being met.

Design Review

Site Plan

The layout of the site is largely dictated by a pipeline that runs through the site. The new building will be on the east side of the site, angling towards the northwest. The storage yard will then be located to the east and south of the building. Parking for the building will be located west of the building. Entrance to the storage yard also shifts to the east of the building. After incorporating staff's recommended changes, the applicant's most recent site plan is proposing two access drives to the main parking lot from Maplewood Drive. The site plan also incorporates all ordinance-required landscaped buffers adjacent to residential properties.

Building Elevations

The height of the main building is 30 feet and 1.5 inches. The peak of the main entrance canopy rises approximately another 8 feet. When the community design review board (CDRB) first reviewed this project at its January 21, 2020 meeting it adopted the following motion:

The board requested the applicant make substantial architectural improvements to the building, the board prefers the building materials be made of brick and not concrete masonry, show the building variation in all facades, the building should have some articulation to break up the large expanses and long runs of the walls, show more architectural detailing in the base and cornice, board members prefer the green metal panels be improved with a different material, show revised elevations along County Road B and Maplewood Drive.

As a response to this motion, the applicant's submitted revised building elevations that now consist of a "mountain red" brick accent wall for the bottom approximately 14 feet of the front, left and rear elevations. Above the brick is an almost three foot "emerald green" metal accent panel that remains on the front elevation but has now also been added to the left and rear elevations. Above the green band remains the tan split face block for another approximate 13 feet.

To address the left elevation, which prominently faces Highway 36, the applicant is now proposing brick columns that frame building articulations. There is a discrepancy between the elevations submitted electronically and the hard copies sent in by the applicant. The hard copies show the columns with "sienna" Belgian edgers while the electronic plan shows brick. Staff is making its recommendations based on the plans using the brick material. Also, the proposed placement of the sign helps improve the left elevation.

The rear warehouse elevation that faces County Road B East has been reduced in length and for the first six feet of the elevation a "sienna" colored Belgian edger will be utilized. This same material would be used for four columns. The remaining back of the elevation remained concrete block.

As a reminder, city ordinance states that new buildings shall be:

- "in keeping with the character of the surrounding neighborhood and is not detrimental to the harmonious, orderly and attractive development contemplated by this article and the city's comprehensive municipal plan;" and,
- "the proposed development would provide a desirable environment for its occupants, as well as for its neighbors, and that it is aesthetically of good composition, materials, textures and colors."

Staff appreciates the architectural additions that have been made to the elevations especially on the left elevation facing Highway 36. Staff also finds the color variations proposed for the main building to be attractive. However, the main sticking point will remain with the use of concrete block on the outward facing elevations of the main and warehouse buildings. This is a significant redevelopment project with the new buildings being very visible from three sides. Staff maintains, and concurs with the CDRB, that the proposed use of concrete block is not appropriate as proposed. Staff will maintain that the applicant be required to replace all concrete block with a brick façade. Staff is also incorporating the CDRB's direction to have the green metal banding and metal panels from the entrances be replaced with a superior building material. The entrances on the front elevation will also be required to replace the proposed block on the piers with a stone, wood or brick material.

Landscaping

As discussed earlier in this report, the applicant's revised site plan now displays the elimination of a drive and parking on the south property line and increased buffer areas around the proposed warehouse in the southeast corner. Because of this the number of existing trees to remain on site has increased from eight to 81. Also additional trees have been added to the south and east of the proposed warehouse. The number of overall plantings has increased. The most significant aspect of this increase are the addition of 16 Colorado Blue Spruce trees along the south boundary line facing County Road B East. The applicant has submitted landscape renderings for the areas along County Road B East – these have been attached to the report. Staff is recommending the Colorado Blue Spruce trees be replaced with Black Hills Spruce.

Parking

Since Menard Inc. opened a store at its existing site, the City has granted multiple parking waivers. The existing store is 187,922 square feet in size – meaning ordinance would require 940 parking spaces. With the City-approved parking waivers the current store actually provides 401 spaces – meaning that the City has waived 539 spaces. The new building will be 207,170 square feet in size – requiring 1,036 parking spaces. Staff acknowledges the ordinance requirement of providing one parking space per every 200 square feet of store area overburdens a store like Menards. The City must account for the type of products and users Menards caters to. The applicant is requesting a waiver to be allowed to provide fewer parking spaces. Staff is comfortable with allowing a parking waiver to allow a minimum of 420 parking spaces on this site. The applicant's most recent site plan shows 421 parking spaces being provided.

Signage

The applicant will be applying for a comprehensive sign plan to govern signage on this site. No signage will be permitted along County Road B East.

Lighting

The applicant shall be required to submit a revised photometric plan meeting the City's 0.4 footcandle requirements. The current photometric plan shows this requirement being exceeded near the south and east property lines. All light poles must meet the 25-foot height limit. The applicant is requesting City approval for taller light poles but staff does not feel taller poles are warranted nor appropriate with this site's proximity to residential properties. As mentioned earlier in this report, all lights not needed for site security shall be turned off at store closing. Lights that are to remain on overnight shall automatically be dimmed to 50 percent intensity upon store closing.

Pipeline

City ordinance requires all buildings be setback at least 100 feet from a pipeline. The ordinance also allows the council to approve a waiver to this setback requirement. The existing southwest corner of the building has a 0-foot setback from the site's pipeline easement. The new proposed building will also be near a 0-foot setback and will at all time be outside of the easement itself. Staff see no concerns with the building placement in relation to the pipeline easement.

Lot Division to Combine Residential Lots

As mentioned in this report, the applicant has purchase agreements in place with six residential properties south of its existing store site. It is proposing to combine its existing site with the six residential properties. If the applicant's other requests are approved, staff has no issues or concerns with combing all seven lots into a single parcel of property.

Vacation of Public Utility Easements

The applicant is requesting the city vacate portions of two public utility easements. Both easements are wholly within property Menard Inc. would own if this project proceeds. The city engineer has reviewed this request and determined that there is no anticipated public need for the easement any longer and the requested vacation is not counter to the public interest.

Department Comments

Engineering

Please see Jon Jarosch's engineering report, dated January 13, 2020, attached to this report.

Environmental

Please see Shann Finwall's environmental report, dated January 13, 2020, attached to this report.

Building

From Dave Peterson – Building Official: Build per 2012 IBC, 2012 IMC, 2012 IFGC, 2014 NEC, 2012 Minnesota State Plumbing Code, 2015 Minnesota State Fire Code, MN 2015 Accessibility code, MN1306, and 2015 Minnesota Building Code.

Demonstrate compliance with all the requirements of the 2012 Minnesota Energy Code Chapter 1323 Section C401.2. Mixing 2012 IECC provisions and ASHRAE Standard 90.1 to obtain compliance is not an option. The following forms must be completed as submittals.

- a. ASHRAE 90.1-2010 Building Envelope Compliance Documentation
- b. ASHRAE 90.1-2010 HVAC Compliance Documentation
- c. ASHRAE 90.1-2010 Service Water Heating Compliance Documentation
- d. ASHRAE 90.1-2010 Lighting Compliance Documentation
- e. Or COMCHECK

Special inspections required as per 2012 IBC Chapter 17. Complete supporting special inspection schedule document and submit with plans.

Plumbing plans shall be submitted to the State Plumbing Department for approval prior to the issuance of a plumbing permit. St Paul water requires permits for water piping. Maplewood requires permit for drain waste and vent.

Permits are required for building, plumbing, mechanical, electrical, fire alarm, and sprinklers. Provide two sets of stamped and signed plans and one digital set.

Board and Commission Review

January 21, 2020: The community design review board reviewed and tabled this project asking the developer to make revisions to the building elevations.

February 24, 2020: The community design review board reviewed and recommended approval of this project subject to the conditions of approval included with this report. The community design review board's main concern with this project involved the proposed building materials to be used on the building elevations. The community design review board did not want to see any concrete block used as a primary building material.

January 21, 2020: The planning commission held a public hearing and unanimously recommended approval of the project.

Citizen Comments

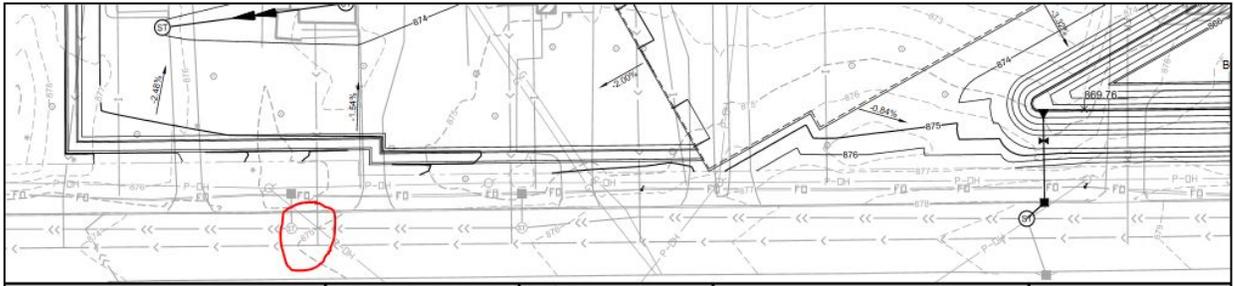
Staff surveyed the 68 surrounding property owners within 500 feet of the proposed site for their opinion about this proposal. Staff received 18 responses – all shown below.

1. Letter attached to this report. (Samantha Crosby, 1133 County Road B East)
2. Letter attached to this report. (Jean Anderson and Judy Zielinski, 2255 Duluth Street)
3. We'd like to go on record in support and have no concerns to share about any of the proposed requests being made in regards to the project. We look forward to the updated store and amenities that will be provided. (Joan and Erin Phillips, 1172 Leland Road East)
4. I'm writing in regards to the Menard plans we received in the mail this past week. The portion I am most concerned with is the Product Storage Yard and the plan to screen this from County Road B and the residential dwellings across the street.

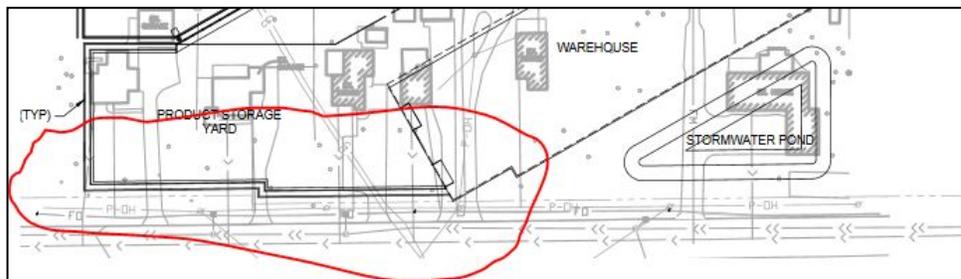
I am attaching a couple of pictures to help, if you don't receive them please let me know. According to the picture titled Elevation, the elevation on the roadbed in front of our house is 875 ft., I believe that standing on my front step my sight line is 14-16 feet above the roadbed.

My concern is whether the proposed wall will be high enough to contain the sights and sounds of the product storage yard and that the proposed trees along the wall are ornamental Sugar Maples. It would seem a much better choice would be some type of evergreen, which would provide year round screening provided they planted something in the 14 - 18 foot range. Additionally we can't tell from the specs how far back the wall is from the road. We know from experience that nothing will grow close to the road due to the plowed snow and salt during the winter.

Elevation



Area of concern



1112 Co Rd B East



(Bill Skadden and Gretchen Hagen, 1112 County Road B East)

5. I have no objection to the overall project and encourage redevelopment of the area. However, I have one concern of the setback of the "yard" fence to the west of our property such that our FIAT/ALFA building is still visible from Highway 36. They are requesting 0' from the road. This would obstruct our investment. I would not object to a 75' minimum setback to the proposed "yard entrance." I do not object to the 0' setback of the building as proposed. (Jonathan Schmelz, 1180 Highway 36 East)
6. I would say that Menard's has been a good neighbor since it bought and redeveloped the old "GEM" (come grocery store) property. Yet there is a limit to good growth certainly. One of our neighbors sent us an email expressing their concern about whether the project would have any effects on our own properties (valuation) since they are close by, but not contiguous. I can only speculate on this subject at this point. Nevertheless, I do want to offer an opinion about public safety (traffic control) relating to the project. I would also offer an opinion on the aesthetics of the project as well.

That Menard's generates quite a bit of vehicular traffic cannot be denied... particularly at certain times of the day. I would speculate though that a certain amount of traffic is generated

by contractors and clients who need to obtain commodities quickly and be on their way. What is bothersome to me is the traffic control at the junction of County Road B and Maplewood Drive E. There is also a sight distance problem at that intersection for those desiring to turn left when exiting Maplewood Drive on to CR B.

My observation with regard to traffic control is based on my almost daily passing of that junction as I travel west to access TH 61. I have nearly been "T Boned" on several occasions by vehicles not stopping as they turn right on to CR B to get to TH 61. [Drivers among the cohort of contractors and people with time constraints, likely.] Similarly traffic exiting TH 61 (whether from the south or the north) fills the turn lane to Maplewood Drive and often impedes east to west traffic on to TH 61 as the west to east traffic fills the lane and drivers turn left on to Maplewood Drive.

Therefore I would encourage the City of Maplewood to conduct an ongoing traffic engineering study of the intersection. Secondly, with regard to aesthetics, I would offer the opinion that high mast lighting and signage facing residential properties in the area should be controlled as well. On premise advertising and lighting can be harsh and destroy the visual environment for surrounding residents. (Kenneth H. Bjork, 1140 Lealand Road East)

7. Not in favor of the Menard's project . . . The last 2 sentences in paragraph 1 of your letter are confusing. No access is being proposed or will be permitted from County Road B East to the new store. (It is dangerous enough turning to go to Menard's on the service road let alone coming out of there. People just don't observe the stop sign coming out on to County Road B after they have visited Menards.) Access drives to a new store building would be located generally in the same area as today. (Or will customers be coming from Highway 36 and English Street. If customers are coming from the east on Highway 36, turning left to get to the service road is nearly impossible.)

If Menard's is permitted to tear down 5 or 6 homes will they then be permitted to tear down the homes on Duluth Street north of County Road B on the west side of the street when they need to "grow more"? Is big business the only thought in Maplewood's eye? Not the residents? Think of the residents who have lived in those homes for several years. Also, what happens to the property values in the area around a new Menard's? (Clifford and Sharon McGinnis, 1134 Leland Road East)

8. Both my wife and I are opposed to the proposal put forth by Menards. The drawings sent do not give enough information to see what is really being proposed. In particular, the set-back next to County Road B. The drawing shows the property line extending beyond the center of County Road B. I do not understand how this is possible or could have been approved by the city. Asking for a 0-foot set-back on County Road B is not right. It will put the yard within a few feet of the street. The noise pollution along with the lighting (despite what Menards says) will create a disturbance to the surrounding neighbors next to and across Country Road B.

We believe the set-back should be the same as the current home set-back along County Road B. It should not be within a few feet of the road. To block the noise and lights taller trees are needed. Pine trees to create a block year-round. This is not possible with the current proposal set-back. We are opposed to the taking down of mature trees that add so much to the character of the neighborhood. We do not believe that a 14-foot fence will block the light or noise created especially with the lights on all night.

When we bought into this community, it was the neighborhood that attracted us to Maplewood. Now we are seeing that neighborhood turning into a commercial sight. With this change we believe our property value will decrease with the current plan encroaching on the residential area along County Road B. Has the city consulted with real estate companies find out what the real impact will be on the homes affected by this proposal?

We are disappointed that the city has waited until the 11th hour to notify the citizens that are directly affected by the encroaching commercial business. It leaves us with very little time to study and respond appropriately. We are looking forward to the meetings to learn more on how this will impact our neighborhood and voice our concerns with all our neighbors. (Jay and Cheryl Stutsman, 1108 County Road B East)

9. Many of the neighbors in the surrounding area walk to Menards. At this time there is not a safe walking option. Please consider a pedestrian path to the store. As of now, we have to cross busy County Road B and walk in the street or the side of the boulevard which is dangerous and inconvenient. Providing a walking/biking path will reduce car traffic and allow people to get to Menards via other methods. Thank you for your time and consideration. (William and Shari Adams, 1126 Leland Road East)
10. No extra entrance to parking lot between us and the holding pond. GREEN SPACE Holding pond is a major concern due to past flooding of our property. We have had to endure severely flooded property 3 times in the past due to inadequate drainage. Do not move fence. Keep existing fence and trees. (Catherine and Debra Dupre, 1071 County Road B East)
11. Our main concern is that the Menards property lines are misrepresented on the plan. The draft indicates there will be green space after the fence, however, the fence will actually come all the way up to County Road B. This is will greatly reduce our property value, which is extremely disappointing because we just purchased our house in June of 2019. We want a setback to where the six residential properties currently stand. Menards needs to follow the same property setback standards as residential properties. The current properties have a 60ft. setback and this needs to apply to the new plan as well. In addition to a setback of at least 60 ft., we would like the boulevard to be heavily landscaped with mature lush trees (e.g., Pines Trees and Evergreens). We do not want to look out our window and see a fence.

We are also concerned about how this project will change the character of the neighborhood. There will be trucks, lights, and lots of loud noise right next to our house. We have a baby and the Menards will bring more traffic, which is dangerous if our child is near the street.

- In addition, we would like the following questions to be addressed:
- How long will the six homes be vacant until they are demolished?
- What will be done to deter crime at these six vacant houses?
- Who will watch these houses?
- What hours will Menards be tearing down the houses?
- What will the hours of construction be?
- What hours will trucks be traveling on County Road B during the construction?
- How often will we be updated about the construction?
- What kinds of chemicals and debris will we be exposed to during the demolition and construction?
- What will the fence look like?
- Will vehicles park at Menards overnight?

- How often will the trees and grass in the setback be maintained?
- Will trucks/Menards vehicles be left idling?
- Where will the garbage from Menards be kept?
- What will be done to prevent chemicals in the air?
- Will the trucks make noise when they go in reverse?
- When will the pond be maintained?
- Who will maintain the pond?
- What will be done to prevent odor from the pond?

(Mary Onchiri and Aniel Ducat, 1136 County Road B E)

12. I am writing to you in regards to the Menards rebuild project. I am a resident of one of the homes that Menards would be purchasing and tearing down. I have personally lived at this residence for the last five years and have never had an issue with Menards as a neighbor. Their lights are not obnoxiously bright, noise levels are minimal, and the newer turn lane off of County Road B has helped with the traffic entering the frontage road. I had actually reached out to the utility company to survey my yard back in September of 2018 because I was interested in adding on to my garage and remodeling my home (feel free to look in to this). I would never have considered an addition if I was unhappy with the business in my backyard.

Although the neighbors around the area seem to be unhappy with the idea of Menards being so close to them and the road, they have never lived with them as a neighbor and I don't believe they understand that they aren't bad neighbors. They are very respectful when it comes to concerns. I know one of my neighbors called about the flagpole making a slight clanking noise (not something I could even hear) and it was taken care of immediately.

From different things I have read on social media, certain neighbors believe these houses that we live in are perfectly good houses, in great condition, and would be tragic to lose them. Unfortunately mine is NOT in great condition and needs a lot of very expensive work, something that some of the neighboring residents might not be taking in to account. I have a tree in my front yard that has some roots grown into the sewer line, along with an entire house that needs to be rewired. The list goes on. I know at least two of the other property owners of the six of us are in the same situation. Their houses need work and they're not inexpensive projects that need to be tackled.

Before Menards contacted us about selling, my wife and I were going to start tackling some of the problems that we could afford to begin with. But with the chance that our house might be sold/demolished we did not want to invest the time and money. This project will give us an opportunity to purchase a home without problems that we wouldn't be able to afford otherwise.

As I stated before, I was interested in adding an addition onto my existing garage and stay because Menards has been a great neighbor. I don't foresee their project detrimentally effecting the existing neighbors or neighborhood. A new building will bring in business, increase tax revenue for the city of Maplewood, and be a visual improvement to a building that is looking rather outdated and rundown. I see it as a win win for everyone involved. Thank you for your time. (Timothy Skiffington, 1127 County Rd B East)

13. We received your information letter dated 23-Dec asking for input on the Menards proposal for the replacement of their store at the corner of Hwy 61 and Hwy 36. We do feel the need to qualify our comments below as we are one of the properties (we are the owners of 1115

County Road B East) that Menards approached about buying in order to accomplish their store replacement so have a bias in if the project proceeds or not. Also, we are sending our reply via email so that we can get our comments in to you prior to your deadline of Jan 10, 2020. We will also send a printed copy to you so you have that for the city records.

That being said we are pleased with the proposal Menards has made. When we were originally approached by them they were only talking about expanding their lumber yard but the proposal now is for a whole new store which we think is a much better solution. We'd be the first to admit that, although they have tried to keep the store in good condition, it is starting to show it's age vs the new stores they have and the competition in the area.

It appears from the plan you sent to keep the existing traffic flow so there should not be any additional traffic on County Road B vs today and it does not change significantly the work that was recently done on the Hwy 61/County Road B intersection. I do think long term some additional work needs to be done at that intersection though such as retiming the left turn light off Hwy 61SB onto County Road B (or changing it to a flashing yellow) so traffic does not stack up so bad in that turn lane but that is probably a bit off topic. The proposal also has some nice green space along the privacy fence they are running along County Road B so it does appear they have put some thought into the appearance of the property for the neighbors.

Overall we think the proposal for Menards is a good compromise in keeping the neighborhood we lived in, and still have friends in, in good appearances yet achieves the added room they would like for an updated store. We also would like to see Menards stay in this area of Maplewood as they have been a good neighbor and we believe they will continue to be so we are in favor of the Menards proposal. (Jim Tryon, 1115 County Road B East)

14. We have serious concerns about our property value. Looking out the front of my house to the back of Menards yard is not pleasing. Add to that listening to trucks and lifts backing up day and night with bright lights shining in our bedroom windows. Our houses were not designed to face an industrial yard, our bedrooms face the front of the yard that will be impacted by the noise and lights that from this yard. We recently refinanced; there is no way we can get that value out of it once Menards builds. Suddenly the city has rezoned the property across the street. Are there quiet hours that Menards must abide by? I know Menards had plans that did not include building up to the road - they should not be allowed to build that close to residential property.

If I or any of my neighbors were to build along the road we would need to build a certain distance (?? Feet from the road or path) Yet Menards is allowed build so close to the road that there isn't room to plant trees to cover up their ugly fence. How close is this fence to County Road B? (I am referring to the ones next to and around 1128 County Road B). How tall is the fence in this area (in some areas I have read 14 ft but in some plans I have seen 6ft)? This fence should be tall enough to block some of the noise and light from the yard. Will this be a soundproof fence? (Peter and Denise Fuglestad, 1128 County Road B East)

15. Application response A from question one is a farce. "Improve traffic congestion?" Six homes on County Road B generate how much traffic?? The congestion that has occurred and increased is the stop sign coming off of Maplewood Drive. While traveling west on County Road B you have to make certain people actually stop there. That intersection needs some attention. "The detention pond" is an eye sore at best. Mosquito breeding area for sure. Who

is responsible for taking care of it? The other pond on Menards property had volunteer trees and vegetation that eventually had to be removed.

We don't agree that the property values will not be impacted by this change. Especially the folks on the south side of County Road B with their neighbors to the north gone and wall to look at. We find it curious that Menards can have a parking lot over the pipeline. Our neighbor was forced to have nine trees (mature trees) cut down on his property so trucks could get in if something went wrong with the pipeline. They wanted to have total access to the pipeline. Why is it different for a business?? We are not in favor of this proposal to change Menards and the existing land around it. (Dick and Jane Fosse, 1161 Leland Road East)

16. This proposal will mean a lot more noise from maintaining the parking lots, my solution is to buy the remaining three houses. Otherwise we will living with a lot more noise and living conditions will be worse. (George and Nancy Valento, 1081 County Road B East)
17. I have personally lived with Menards in my backyard for over 10 years and never once had a noise, light or traffic issue in the ten plus years. I do not foresee the renovation that Menards is proposing will cause any of these issues for the existing neighbors either. As long as the fence and landscaping is properly done, I think the project is a great one for the city, and existing neighbors. (Taryn Fischbach, 1127 County Road B East)
18. My partner and I live at 1194 Lealand Rd. We have significant concerns regarding the plan to drastically change the neighborhood we live in. We already have concerns related to the storage facility located on Cope & English Street - the plan that Menards has to force out residents to increase its landmass and house lumber is not a plan we can get behind. County Rd B is already a dangerous enough street given that people who don't live here think it's their personal speedway, we feel as though the addition of this storage for Menards - even though it wouldn't have an access road on the street - would further congest the area and create more danger for our children and neighbors. (Karen and Christina Thompson, 1194 Lealand Road East)

Reference Information

Site Description

Site Size: Menard Inc. site – 12.89 acres; Six residential properties – 4.3 acres; Total 17.19 acres
Existing Land Use: Menards store with outdoor sales and parking lot and single dwellings

Surrounding Land Uses

North:	Highway 36
East:	Countryside VW/FIAT and Single Dwellings
South:	Single dwellings
West:	Highway 61

Planning

Existing Land Use:	Mixed-Use – Community and Low Density Residential
Existing Zoning:	Light Manufacturing (M-1) and Single-Dwelling Residential (R1)

Previous Actions

March 28, 1988: The city council approved Menards' CUP and granted a parking reduction authorization.

January 23, February 13, March 27 and April 6, 1989: The city council changed the CUP conditions. The changes were to clarify the screening fence and storage-rack height requirements.

April 8, 1996: The city council amended the CUP conditions because of a request for a seasonal outdoor greenhouse and plant sale operation.

October 25, 1999: The city council approved a CUP revision for the building expansion and site plan changes. Council also approved the architectural, site and landscape plans.

April 9, 2001: The city council approved revised plans for the exterior of the new addition and required additional landscaping on the Highway 36 side of the building.

January 30, 2004: The city council approved plans for expansion of the exterior storage area and relocation of the fire gate.

March 27, 2006: The city council approved a CUP revision to enlarge the building and a parking-reduction authorization for 50 spaces. This allowed Menards to have 401 parking stalls.

January 26, 2009: The city council approved a CUP revision to build a new warehouse building.

Attachments:

1. Comprehensive Plan Amendment Resolution
2. Zoning Map Amendment Ordinance
3. Conditional Use Permit Amendment, Setback Variances and Shoreland Overlay Impervious Surface Variance Resolution
4. Resolution Approving Site And Design Plans And A Lot Division To Combine Seven Properties
5. Public Easements Vacation Resolution
6. Overview Map
7. 2040 Future Land Use Map
8. Zoning Map
9. Shoreland Overlay Map
10. Easement Map
11. Proposed Land Use Map
12. Applicant's Narrative
13. Parking examples of other Menards stores
14. Site Plan and Landscape Plan, dated February 6, 2020
15. Building Elevations, dated February 6, 2020
16. Building Renderings, dated February 6, 2020
17. Public Utility Easements, Ramsey County Recorded Document No. 1526919
18. Jon Jarosch's Engineering Report, dated January 13, 2020
19. Shann Finwall's Environmental Report, dated January 13, 2020
20. Samantha Crosby Letter
21. Jean Anderson and Judy Zielinsk Letter
22. Community Design Review Board Minutes, dated January 21, 2020
23. Community Design Review Board Minutes, dated February 24, 2020

24. Planning Commission Minutes, dated January 21, 2020
25. Applicant's Plans (separate attachment)

COMPREHENSIVE PLAN AMENDMENT RESOLUTION

Resolution approving the comprehensive plan amendment regarding the properties at 1115, 1127, 1133, 1137, 1143 and 1155 County Road B East from Low Density Residential, to Mixed-Use – Community.

Be it resolved by the City Council of the City of Maplewood, Minnesota, as follows:

Section 1. Background.

1.01 Nicholas Brenner of Menard, Inc. has requested approval of a comprehensive plan amendment.

1.02 The properties are is located at 1115, 1127, 1133, 1137, 1143 and 1155 County Road B East and are legally described as:

PIN: 092922430011 – Block 9, except the Easterly 594 feet and Westerly 104 feet thereof, Clifton Addition, Ramsey County, Minnesota

AND

PIN: 092922430010 – Block 9, except the Easterly 594 feet and Westerly 104 feet thereof, Clifton Addition, Ramsey County, Minnesota

AND

PIN: 092922430009 – The West 62 ft. of the East 594 ft. of Block 9, Clifton Addition, Ramsey County, Minnesota

AND

PIN: 092922430008 – The West 52 ft. of the East 532 ft. of Block 9, Clifton Addition, Ramsey County, Minnesota

AND

PIN: 092922430007 – The West 171 ft. of the East 480 ft. of Block 9, Clifton Addition, Ramsey County, Minnesota

AND

PIN: 092922430006 – The West 147 ft. of the East 309 ft. of Block 9, Clifton Addition, Ramsey, County, Minnesota.

Section 2. Criteria.

2.01 The 2040 Comprehensive Plan states the document may require amending due to a property owner request to change land use designation to allow a proposed development or redevelopment.

2.02 The 2040 Comprehensive Plan amendment process follows the same City identified public hearing process as the major update process used to develop the 2040 Comprehensive Plan. Amendments are required to submit and gain approval from the Metropolitan Council.

Section 3. Findings

3.01 The requested amendment would meet various amendment criteria outlined in the 2040 Comprehensive Guide Plan.

1. Promote the revitalization of neighborhood retail shopping centers and corridors and surrounding areas as mixed-use nodes that enhance the vitality of particular neighborhoods in Maplewood from the perspectives of economic development and community character.
2. Promote the efficient retention and redevelopment of commercial and industrial areas in the city as high quality and attractive developments and land uses.
3. Encourage attractive commercial and industrial developments.

Section 4. City Review Process

4.01 The City conducted the following review when considering this amendment request.

1. On January 21, 2020, the planning commission held a public hearing. The city staff published a hearing notice in the Pioneer Press 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 comprehensive plan amendment.
2. On March 9, 2020, the city council discussed the comprehensive plan amendment. They considered reports and recommendations from the planning commission and city staff.

Section 5. City Council

5.01 The above described comprehensive plan amendment is _____ based on the findings outlined in section 3 of this resolution. Approval is subject to, and only effective upon, the following conditions:

1. Review and approval of the Metropolitan Council as provided by state statute.
2. The site must be developed and maintained in substantial conformance with the following plans:
 - a. Site plan, date-stamped February 6, 2020.
 - b. Design plans, date-stamped December 24, 2019.

3. The development must further comply with all conditions outlined in City Council Resolution No. _____ for a conditional use permit amendment, setback variances and shoreland overlay variance _____ by the Maplewood City Council on March 9, 2020.

_____ by the City Council of the City of Maplewood, Minnesota, on March 9, 2020.

AN ORDINANCE REZONING THE PROPERTIES AT 1115, 1127, 1133, 1137, 1143 AND 1155 COUNTY ROAD B EAST FROM R-1, SINGLE DWELLING RESIDENTIAL DISTRICT, TO M-1, LIGHT MANUFACTURING

The City Of Maplewood, Minnesota Ordains:

Section 1.

1.01 The properties at 1115, 1127, 1133, 1137, 1143 and 1155 County Road B East are hereby rezoned from R-1, single dwelling residential district, to M-1, light manufacturing.

1.02 The properties are legally described as:

PIN: 092922430011 – Block 9, except the Easterly 594 feet and Westerly 104 feet thereof, Clifton Addition, Ramsey County, Minnesota

AND

PIN: 092922430010 – Block 9, except the Easterly 594 feet and Westerly 104 feet thereof, Clifton Addition, Ramsey County, Minnesota

AND

PIN: 092922430009 – The West 62 ft. of the East 594 ft. of Block 9, Clifton Addition, Ramsey County, Minnesota

AND

PIN: 092922430008 – The West 52 ft. of the East 532 ft. of Block 9, Clifton Addition, Ramsey County, Minnesota

AND

PIN: 092922430007 – The West 171 ft. of the East 480 ft. of Block 9, Clifton Addition, Ramsey County, Minnesota

AND

PIN: 092922430006 – The West 147 ft. of the East 309 ft. of Block 9, Clifton Addition, Ramsey, County, Minnesota.

Section 2.

2.01 This ordinance is based on the following findings:

1. The rezoning to M-1, light manufacturing would result in a development compatible with the existing surrounding development type and intensity.
2. The rezoning would be consistent with the intent of the zoning ordinance and the comprehensive guide plan.

3. The rezoning would be consistent with the public health, safety, and welfare.

2.02

This ordinance is subject to the following conditions:

1. The site must be developed and maintained in substantial conformance with the following plans:
 - a. Site plan, date-stamped February 6, 2020.
 - b. Design plans, date-stamped December 24, 2019.
2. Metropolitan Council approval of Resolution No. _____ for a comprehensive plan amendment _____ by the Maplewood City Council on March 9, 2020.
3. The development must further comply with all conditions outlined in City Council Resolution No. _____ for a conditional use permit amendment, setback variances and shoreland overlay variance _____ by the Maplewood City Council on March 9, 2020.

Section 3. This ordinance is effective upon publication in the city's official newspaper.

_____ by the city council of the City of Maplewood, Minnesota, on March 9, 2020.

CONDITIONAL USE PERMIT AMENDMENT, SETBACK VARIANCES AND SHORELAND OVERLAY VARIANCE RESOLUTION

BE IT RESOLVED by the City Council of the City of Maplewood, Minnesota, as follows:

Section 1. Background.

1.01 Nicholas Brenner of Menard, Inc. has requested approval of a condition use permit amendment.

1.02 The applicant has requested approval of multiple setback variances.

1.03 The application has requested approval of a shoreland overlay impervious surface variance.

1.04 The property located at 2280 Maplewood Drive is legally described as:

That certain triangle of land situated in the Southwest quarter of Section 9, Township 29, Range 22, described as follows to wit:

Commencing at a point on the East line of the Southwest quarter of said Section 9 at its intersection with the easterly line of United States Highway No. 61, as widened; thence South on the East line of said Southwest quarter to a point 100 feet North of the North line of County Road "B" thence West and parallel with the North line of said County Road "B" to the Easterly line of United States Highway No. 61, as widened; thence Northeasterly along the Easterly line of said United States Highway No. 61, as widened, to the point of beginning. Less and except that part of the Southwest Quarter of Section 9, Township 29, Range 22, described as follows: Commencing at the intersection of the east line of said Southwest Quarter and a line parallel with, distant 100.00 feet north of the north right of way line of County Road B; thence North 00 degrees 09 minutes 33 seconds West, along said east line 105.40 feet to the intersection with the westerly extension of the north line of Block 2 of Heinemann's Belleview Addition to Gladstone; thence North 08 degrees 02 minutes,44 seconds West 140.00 feet more or less to the southeasterly right of way line of United States Highway No. 61, as widened; thence southwesterly 268 feet more or less along said southeasterly right of way line to the intersection with a line parallel with, distant 100 feet north of the north right of way line of County Road B; thence North 89 degrees 18 minutes 48 seconds East, along said parallel line 125 feet more or less to the point of beginning.

And:

The South 107 feet of that part of the North 5 acres of the South 50 rods of the North 105 rods of the West 32 rods of the Southeast quarter of Section 9, Township 29, Range 22, which lies Southeasterly of the following described line: Commencing at a point on the South line of said 5 acre tract which line is the South line of the Northwest quarter of the Southeast quarter, distant 60 feet East of the Southwest corner thereof; thence running Northeasterly to the Northeast corner of said tract and there terminating.

And

All that part of the West 32 rods of the Southwest quarter of the Southeast quarter of Section 9, Township 29, Range 22, lying North of County Road "B", except Heinemann's Belleview addition to Gladstone, and except highway.

The properties located at 1115, 1127, 1133, 1137, 1143 and 1155 County Road B East are legally described as:

PIN: 092922430011 – Block 9, except the Easterly 594 feet and Westerly 104 feet thereof, Clifton Addition, Ramsey County, Minnesota

AND

PIN: 092922430010 – Block 9, except the Easterly 594 feet and Westerly 104 feet thereof, Clifton Addition, Ramsey County, Minnesota

AND

PIN: 092922430009 – The West 62 ft. of the East 594 ft. of Block 9, Clifton Addition, Ramsey County, Minnesota

AND

PIN: 092922430008 – The West 52 ft. of the East 532 ft. of Block 9, Clifton Addition, Ramsey County, Minnesota

AND

PIN: 092922430007 – The West 171 ft. of the East 480 ft. of Block 9, Clifton Addition, Ramsey County, Minnesota

AND

PIN: 092922430006 – The West 147 ft. of the East 309 ft. of Block 9, Clifton Addition, Ramsey County, Minnesota

Section 2. Standards.

2.01 City Ordinance Section 44-512(4) requires a Conditional Use Permit for the exterior storage of goods or materials.

2.02 Section 44-637(b) requires a Conditional Use Permit for any building or exterior use within 350 feet of a residential district.

2.03 General Conditional Use Permit Standards. City Ordinance Section 44-1097(a) states that the City Council must base approval of a Conditional Use Permit on the following nine standards for approval.

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.

2.04 Variance Standard. City Ordinance Section 44-13 refers to state statute which states a variance may be granted from the requirements of the zoning ordinance when: (1) the variance is in harmony with the general purposes and intent of this ordinance; (2) when the variance is consistent with the comprehensive plan; and (3) when the applicant establishes that there are practical difficulties in complying with the ordinance. Practical difficulties mean: (1) The proposed use is reasonable; (2) the need for a variance is caused by circumstances unique to the property, not created by the property owner, and not solely based on economic conditions.

Section 3. Findings.

3.01 The proposal meets the specific conditional use permit standards.

3.02 The following setback variances would meet the required standards for a variance:

1. A 0-setback from Maplewood Drive for the main building. This variance is justified and works to push the entire site plan north, away from existing residential properties.
2. The new main building is proposed to be setback 33 feet and 11 inches. Ordinance would typically require a 100 feet setback for a building of this site. However, this building is being built in an area that is already being used as either the existing building or storage yard. Building the new main building will have minimal change as compared to existing conditions.

3. The warehouse is proposed to be setback 30 feet from the residential lot line to the east. Ordinance would typically require this warehouse be setback 100 feet. Given the unique aspects to this site and project a 50-foot setback is reasonable. A 50-foot setback is the minimal setback ordinance requires for all new commercial buildings.
4. The storage yard area along the applicant's east property line would normally require a 20-foot setback when adjacent to residential property. Existing conditions do not meet this requirement. Therefore, a variance is justified in the areas that already are non-compliant.

3.03

The following setback variances do not meet the required standards and are denied:

1. For the new storage yard areas adjacent to 2223 Duluth Street North, 2233 Duluth Street North and 2255 Duluth Street North, the applicant shall be required to meet the code requirement of a 20 feet setback between commercial uses or parking lots and residential properties. The requested 5-foot parking lot setback in these new storage yard areas would alter the essential character of the locality and the applicant will still have reasonable use of the property after meeting ordinance minimums.
2. The applicant requested a 0-foot setback for its proposed warehouse building from County Road B East. City ordinance requires commercial buildings be setback at least 30 feet from right-of-way lines. The closest home on the north side of County Road B East is currently approximately 37 feet with other homes set farther back. Increasing this setback of County Road B East will work to maintain the neighborhood's existing character. A 0-foot setback will alter the essential character of the locality and the applicant will still have reasonable use of the property after meeting ordinance minimums.
3. The applicant requested a 10-foot parking lot setback to the south property line. Ordinance requires a 20 feet setback between commercial uses or parking lots and residential properties. A 10-foot parking lot setback will alter the essential character of the locality and the applicant will still have reasonable use of the property after meeting ordinance minimums.
4. The applicant requested a 10-foot setback for the parking lot along west property line. Ordinance requires a 20 feet setback between commercial uses or parking lots and residential properties. A 10-foot parking lot setback will alter the essential character of the locality and the applicant will still have reasonable use of the property after meeting ordinance minimums.

3.04

The following shoreland overlay impervious surface variance would meet the required standards for a variance:

1. The applicant's request of a 40 percent variance to the shoreland overlay impervious surface coverage maximum does not meet the standards for a variance. But a 20 percent variance above the ordinance's 60 percent impervious surface bonus limit, which requires meeting the city engineer's conditions for additional stormwater management practices, would meet these standards. The

applicant will be allowed to have 80 percent impervious surface coverage within the shoreland overlay within the existing properties of 1115, 1127 and 1133 County Road B East.

Section 4. City Review Process

4.01 The City conducted the following review when considering these conditional use permit amendment, setback variances and shoreland overlay impervious surface variance requests.

1. On January 21, 2020, the planning commission held a public hearing. The city staff published a hearing notice in the Pioneer Press 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 this resolution.
2. On March 9, 2020, the city council discussed this resolution. They considered reports and recommendations from the planning commission and city staff.

Section 5. City Council

5.01 The city council hereby _____ the resolution. Approval is based on the findings outlined in section 3 of this resolution. Approval is subject to the following conditions: (additions are underlined and deletions are crossed out):

1. Adherence to the site plan date-stamped February 6, 2020 ~~October 1, 2008~~ and design plans date-stamped December 24, 2019. The director of community development may approve minor changes.
2. Compliance with the following screening-fence requirements:
 - a. The property owner shall continue to have and keep, in a maintained condition, wooden screening fences as follows:
 - a. ~~The eight-foot-tall screening fence west of 1071 County Road B and running east-west behind 1071, 1081 and part of 1101 County Road B between the parking lot and the residential lots shall remain.~~
 - b. The existing eight-foot-tall fence between Menard Inc.'s property and the properties at 1071, 1081 and 1101 County Road B East must remain in place. This fence must be extended along the north property line of 1101 County Road B East after the existing warehouse is demolished. Any needed repairs to this existing fence must be completed before the City will issue a certificate of occupancy for the new store.
 - c. Any fencing within 65 feet of the Maplewood Drive East right-of-way line may not exceed 8 feet in height.
 - d. All existing trees south of the existing 8-foot-tall fence and the properties at 1071, 1081 and 1101 County Road B must remain in place.

- e. The 14-foot-tall fence between Menard Inc.'s property and east property line of 1101 County Road B East must be setback at least 20 feet from the property line.
 - f. All portions of the 14-foot-tall fence and the new warehouse building shall be setback at least 30 feet from the County Road B East right-of-way line.
 - g. All fences must be maintained and kept in good order. Menard Inc. will repair any fence issues within 15 business days of receiving notice from the City.
 - h. All portions of the 14-foot-tall fence between Menard Inc.'s property and the west property lines of 2223 Duluth Street North and 2233 Duluth Street North shall be setback at least 20 feet from the shared property line.
 - i. All portions of the 14-foot-tall fence between Menard Inc.'s property and the south property line of 2255 Duluth Street North shall be setback at least 20 feet from the shared property line.
 - ~~j. All other screening fences that abut the residential lots and the new fences on the east and south sides of the property as shown on the site plan date stamped October 1, 2008 shall be 14 feet tall.~~
 - j. All screening fences shall be constructed of vertical boards of the same dimension, color and material, except for the fence on the south side of the warehouse where horizontal boards may be used.
 - k. No material on the storage racks, adjacent to the fence ~~behind~~ adjacent to 1101 ~~and 1115~~ County Road B, shall extend above the 14-foot-tall fence.
 - ~~l. No more than 2½ feet of the 17½-foot-tall interior storage racks shall be visible from the homes to the south that are at street level along County Road B. This excludes those houses that sit higher on a hill.~~
 - l. Menards shall be responsible for the safety of the neighbors in regard to the materials stored over the height of the fence.
3. Hours of operation in the storage yard, garden center and warehouse shall be limited to 7 a.m. to 10 p.m.
 4. An exterior public address system shall not be allowed.
 5. All lighting in the storage yard and warehouse that is not needed for site security shall be turned off after business hours. All site lighting that is to remain on overnight, must be dimmed to 50 percent intensity after the store closes. All lights within 100 feet of a residential property line must be shielded away from homes.
 6. The city council shall review this permit revision in one year.
 7. Plowed snow shall be stored away from the southern and eastern property lines to avoid runoff problems on residential property.

8. Menards shall store all their materials within the fenced storage area.
9. Sanitation facilities shall be provided by Menards for the employees.
10. The proposed ~~building addition~~ building construction and site work must be substantially started within one year of council approval or the permit shall become null and void. The council may extend this deadline for one year.
11. The perimeter of the building must be kept accessible for fire emergencies. The applicant shall arrange with the fire marshal for access through the gate behind the building in the case of emergencies.
12. All existing vegetation that is required to be preserved and proposed vegetation must be properly maintained and cared for. Any dead planting materials must be replaced in a timely manner.
13. All existing trees between the County Road B East right-of-way line and the 30-foot building and fence setback line must be maintained and are not permitted to be removed.
14. The warehouse building shall be setback at least 50 feet from all residential property lines to the east and west of Menard Inc.'s property.
15. Any temporary, seasonal, outdoor sales occurring in the parking lot must meet all City ordinance requirements, plus are required to be setback at least 100 feet from any residential property line.
16. A parking waiver is approved for this site. The applicant shall provide a minimum of 420 parking spaces.
17. The storage of snow is not allowed to block any drive lanes within the site or cover any of the required 420 parking spaces. Snow is also not allowed to be stored between the parking lot and any residential properties to the south of the lot.
18. A setback waiver from Magellan Pipelines' pipeline is approved. No permanent structures may be built within the easement (Ramsey County Recorded Document No. 1594242) but there is no additional setback outside out of the easement area required.
19. Before any permits are issued, the applicant shall be required to implement additional stormwater management practices – above what is minimally required by ordinance for this site – as approved by the city engineer. Before any permits are issued, the city engineer will be required to approve plans confirming all requirements related to the shoreland overlay impervious surface ordinance are met.
20. No store signage of any kind may be placed along, adjacent to, or directed towards, County Road B East.
21. Metropolitan Council approval of Resolution No. _____ for a comprehensive plan amendment _____ by the Maplewood City Council on March 9, 2020.

_____ by the City Council of the City of Maplewood, Minnesota, on March 9, 2020.

RESOLUTION APPROVING SITE AND DESIGN PLANS AND A LOT DIVISION TO COMBINE SEVEN PROPERTIES FOR MENARD INC. AT 2280 MAPLEWOOD DRIVE; AND, 1115, 1127, 1133, 1137, 1143 AND 1155 COUNTY ROAD B EAST

Be it resolved by the City Council of the City of Maplewood, Minnesota, as follows:

Section 1. Background.

1.01 Nicholas Brenner of Menard, Inc. has requested approval of site and design plans and a lot division to combine seven properties.

1.02 The property located at 2280 Maplewood Drive is legally described as:

That certain triangle of land situated in the Southwest quarter of Section 9, Township 29, Range 22, described as follows to wit:

Commencing at a point on the East line of the Southwest quarter of said Section 9 at its intersection with the easterly line of United States Highway No. 61, as widened; thence South on the East line of said Southwest quarter to a point 100 feet North of the North line of County Road "B" thence West and parallel with the North line of said County Road "B" to the Easterly line of United States Highway No. 61, as widened; thence Northeasterly along the Easterly line of said United States Highway No. 61, as widened, to the point of beginning. Less and except that part of the Southwest Quarter of Section 9, Township 29, Range 22, described as follows: Commencing at the intersection of the east line of said Southwest Quarter and a line parallel with, distant 100.00 feet north of the north right of way line of County Road B; thence North 00 degrees 09 minutes 33 seconds West, along said east line 105.40 feet to the intersection with the westerly extension of the north line of Block 2 of Heinemann's Belleview Addition to Gladstone; thence North 08 degrees 02 minutes,44 seconds West 140.00 feet more or less to the southeasterly right of way line of United States Highway No. 61, as widened; thence southwesterly 268 feet more or less along said southeasterly right of way line to the intersection with a line parallel with, distant 100 feet north of the north right of way line of County Road B; thence North 89 degrees 18 minutes 48 seconds East, along said parallel line 125 feet more or less to the point of beginning.

And:

The South 107 feet of that part of the North 5 acres of the South 50 rods of the North 105 rods of the West 32 rods of the Southeast quarter of Section 9, Township 29, Range 22, which lies Southeasterly of the following described line: Commencing at a point on the South line of said 5 acre tract which line is the South line of the Northwest quarter of the Southeast quarter, distant 60 feet East of the Southwest corner thereof; thence running Northeasterly to the Northeast corner of said tract and there terminating.

And

All that part of the West 32 rods of the Southwest quarter of the Southeast quarter of Section 9, Township 29, Range 22, lying North of County Road "B", except Heinemann's Belleview addition to Gladstone, and except highway.

The properties located at 1115, 1127, 1133, 1137, 1143 and 1155 County Road B East are legally described as:

PIN: 092922430011 – Block 9, except the Easterly 594 feet and Westerly 104 feet thereof, Clifton Addition, Ramsey County, Minnesota

AND

PIN: 092922430010 – Block 9, except the Easterly 594 feet and Westerly 104 feet thereof, Clifton Addition, Ramsey County, Minnesota

AND

PIN: 092922430009 – The West 62 ft. of the East 594 ft. of Block 9, Clifton Addition, Ramsey County, Minnesota

AND

PIN: 092922430008 – The West 52 ft. of the East 532 ft. of Block 9, Clifton Addition, Ramsey County, Minnesota

AND

PIN: 092922430007 – The West 171 ft. of the East 480 ft. of Block 9, Clifton Addition, Ramsey County, Minnesota

AND

PIN: 092922430006 – The West 147 ft. of the East 309 ft. of Block 9, Clifton Addition, Ramsey, County, Minnesota.

1.03 On January 21, 2020, the community design review board reviewed this request. The applicant was provided the opportunity to present information to the community design review board. The community design review board considered all of the comments received and the staff report, which are incorporated by reference into this resolution.

Section 2. Site and Building Plan Standards and Findings.

2.01 City ordinance Section 2-290(b) requires that the community design review board make the following findings to approve plans:

1. That the design and location of the proposed development and its relationship to neighboring, existing or proposed developments and traffic is such that it will not impair the desirability of investment or occupation in the neighborhood; that it will not unreasonably interfere with the use and enjoyment of neighboring, existing or proposed developments; and that it will not create traffic hazards or congestion.
2. That the design and location of the proposed development is in keeping with the character of the surrounding neighborhood and is not detrimental to the

harmonious, orderly and attractive development contemplated by this article and the city's comprehensive municipal plan.

3. That the design and location of the proposed development would provide a desirable environment for its occupants, as well as for its neighbors, and that it is aesthetically of good composition, materials, textures and colors.

2.02 City ordinance Section 34-14(a) states a lot division shall not result in the creation of more than three lots.

Section 3. City Council Action.

3.01.1 The above-described site and designs plans and lot division to combine seven properties are hereby approved based on the findings outlined in Section 3 of this resolution. Subject to staff approval, the site must be developed and maintained in substantial conformance with the site plan and building elevations date-stamped February 6, 2020 and the remaining design plans date-stamped December 24, 2019. Approval is subject to the applicant doing the following:

1. Repeat this review in two years if the city has not issued a building permit for this project.
2. All requirements of the fire marshal and building official must be met.
3. Meet all requirements in the engineering report, dated January 13, 2020.
4. Meet all requirements in the environmental report, dated January 13, 2020.
5. The applicant shall obtain all required permits from the Ramsey-Washington Metro Watershed District.
6. All rooftop equipment shall be screened.
7. Signage for this site is not approved. All signs require permits.
8. Prior to the issuance of a building permit, the applicant shall submit for staff approval the following items:
 - a. A photometric plan that meets all city requirements which include limiting light intensity to 0.4 footcandles at all property lines and limits light pole height to 25 feet in height.
 - b. Payment to the city's tree fund to meet the requirements of the city's tree replacement code.
 - c. The applicant shall provide the city with a cash escrow or an irrevocable letter of credit for all required exterior improvements. The amount shall be 150 percent of the cost of the work.
 - d. A revised landscaping plan detailing any trees needing to be removed due to grading within the Maplewood Drive right-of-way being replaced by the

requirements of the Maplewood City Engineer. Plan also shall replace all Colorado Blue Spruce trees with Black Hills Spruce trees.

- e. Revised building elevations with the following revisions:
 1. All concrete block proposed on the main building and warehouse is required to be replaced with a brick façade. The brick faced must contain two complimentary colors.
 2. All green metal accent panels and green metal panels used on the main entrance must be replaced with a stone, brick or wood material.
 3. The columns supporting the main buildings main entrance canopy shall be built with stone, brick or wood materials.
 4. The storage warehouse brick façade should match building materials and colors with those found on the main building.
9. The applicant shall complete the following before occupying the building:
 - a. Replace any property irons removed because of this construction.
 - b. Provide continuous concrete curb and gutter around the parking lot and driveways.
 - c. Install all required landscaping and an in-ground lawn irrigation system for all landscaped areas.
 - d. Install all required outdoor lighting.
 - e. Restore all former curb cuts on Maplewood Drive to a continuous concrete curb per City of Maplewood requirements.
10. If any required work is not done, the city may allow temporary occupancy if:
 - a. The city determines that the work is not essential to the public health, safety or welfare.
 - b. The above-required letter of credit or cash escrow is held by the City of Maplewood for all required exterior improvements. The owner or contractor shall complete any unfinished exterior improvements by June 1 of the following year if occupancy of the building is in the fall or winter or within six weeks of occupancy of the building if occupancy is in the spring or summer.
11. The lot division approval is subject to the following conditions:
 - a. A survey shall be submitted to staff with a legal description for a new single parcel reflecting the seven properties being combined.

- b. Prior to issuance of a certificate of occupancy for the new commercial building, proof that Ramsey County has recorded the lot division must be submitted to city staff.

12. All work shall follow the approved plans. The director of community development may approve minor changes.

13. Metropolitan Council approval of Resolution No. _____ for a comprehensive plan amendment _____ by the Maplewood City Council on March 9, 2020.

_____ by the City Council of the City of Maplewood, Minnesota, on March 9, 2020.

VACATION OF PUBLIC UTILITY EASEMENTS WITHIN THE PROPERTIES LOCATED AT 2280 MAPLEWOOD DRIVE AND 1155 COUNTY ROAD B EAST RESOLUTION

Be it resolved by the City Council of the City of Maplewood, Minnesota, as follows:

Section 1. Background.

1.01 Nicholas Brenner of Menard, Inc. has petitioned the Maplewood City Council to vacate public utility easements located within the properties located at 2280 Maplewood Drive and 1155 County Road B East.

1.02 The easement areas are legally described as follows, to wit:

The South fifty feet of the East fifty-three feet of the West five hundred thirty-eight feet (S.50 of E.53 of W.538); and also, the South twenty feet of the West four hundred eighty-five feet (S.20 of W.485); of Block Ten (10), Clifton Addition, according to the plat thereof on file and of record in the office of the Register of Deeds in and for Ramsey County;

Also,

The West thirty feet of the West one hundred forty-seven feet of the East three hundred nine feet (W.30 of W.147 of E.309) of Block Nine (9), Clifton Addition, according to the plat thereof on file and of record in the office of the Register of Deeds in and for Ramsey County, subject to streets.

1.03 A hearing notice on said petition was published in the City of Maplewood's official newspaper and written notice was mailed to the property owners within 500 feet of subject properties.

1.03 On March 9, 2020 the City Council held a hearing on such petition, at which time all persons for and against the granting of said petition were heard.

Section 2. Standards

2.01 Minnesota state statutes requires that no vacation shall be made unless it appears in the interest of the public to do so.

Section 3. Findings.

3.01 The Maplewood City Council makes the following findings:

1. There is no anticipated public need for the utility easements.
2. The vacation is not counter to the public interest.

4.01 The city council vacates the above-described public utility easements, subject to the following conditions:

1. Metropolitan Council approval of Resolution No. _____ for a comprehensive plan amendment _____ by the Maplewood City Council on March 9, 2020.
2. This vacation is only valid upon the properties being developed and maintained in substantial conformance with the following plans:
 - a. Site plan, date-stamped February 6, 2020.
 - b. Design plans, date-stamped December 24, 2019.

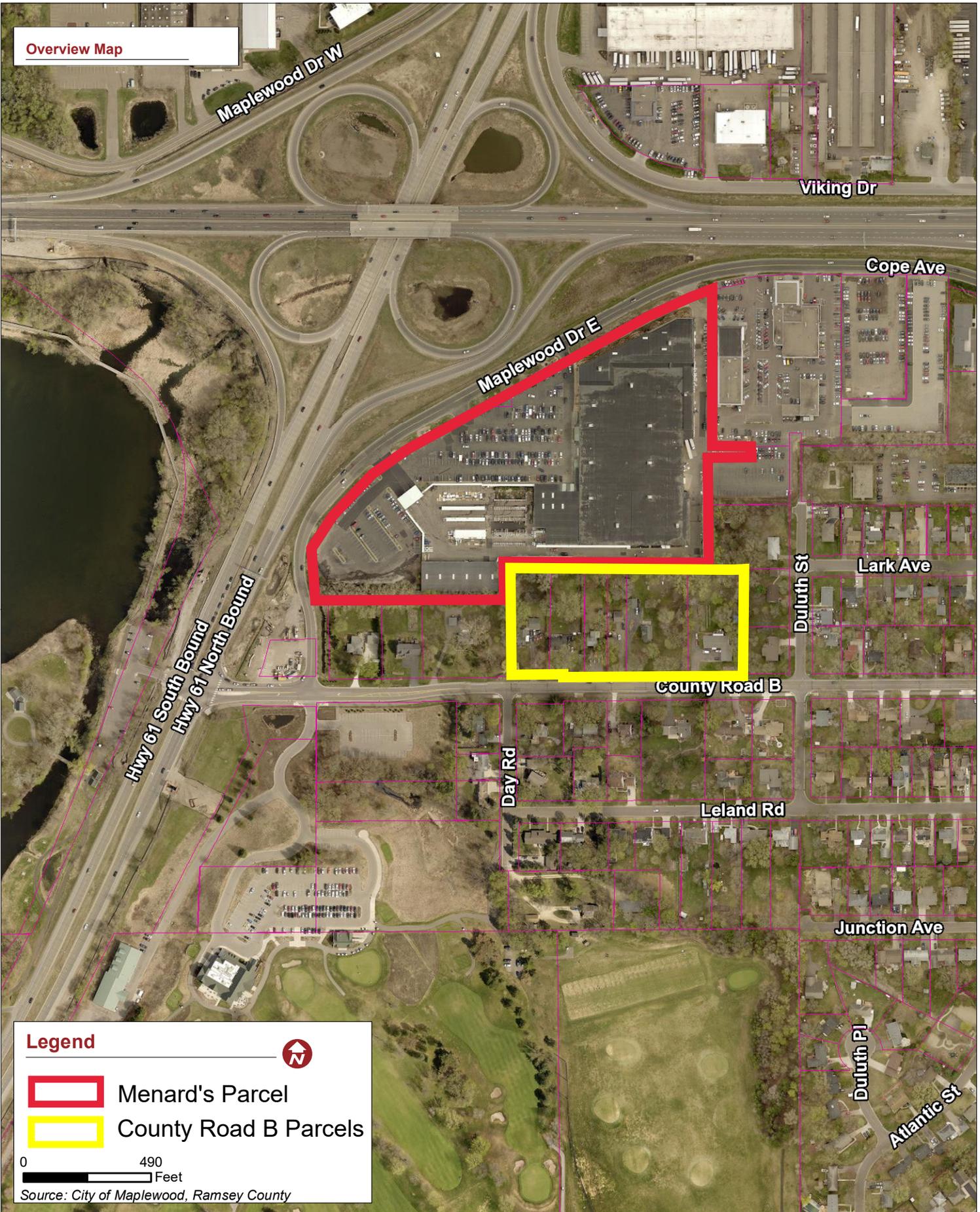
_____ by the City Council of the City of Maplewood, Minnesota, on March 9, 2020.



1115, 1127, 1133, 1137, 1143, 1155 County Road B East and 2280 Maplewood Drive E

City of Maplewood

November 20, 2019



Legend



Menard's Parcel



County Road B Parcels



Source: City of Maplewood, Ramsey County



1115, 1127, 1133, 1137, 1143, 1155 County Road B East and 2280 Maplewood Drive E

City of Maplewood

November 20, 2019

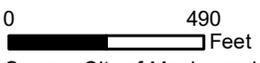


2040 Future Land Use Map

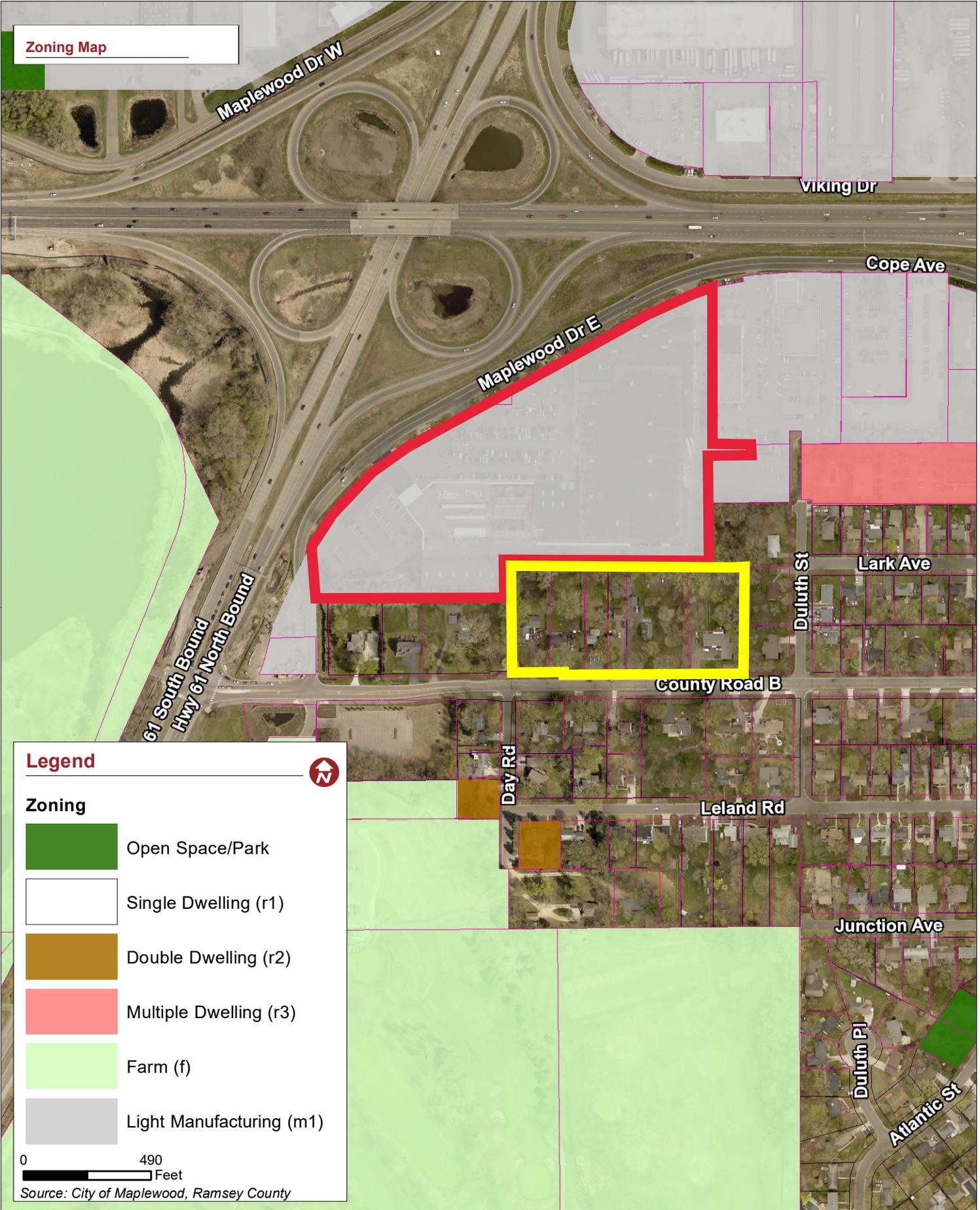
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Future Land Use - 2040

-  Low Density Residential
-  High Density Residential
-  Mixed-Use - Community
-  Commercial
-  Open Space
-  Park



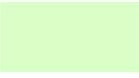
Source: City of Maplewood, Ramsey County



Zoning Map

Legend

Zoning

-  Open Space/Park
-  Single Dwelling (r1)
-  Double Dwelling (r2)
-  Multiple Dwelling (r3)
-  Farm (f)
-  Light Manufacturing (m1)

0 490 Feet

Source: City of Maplewood, Ramsey County

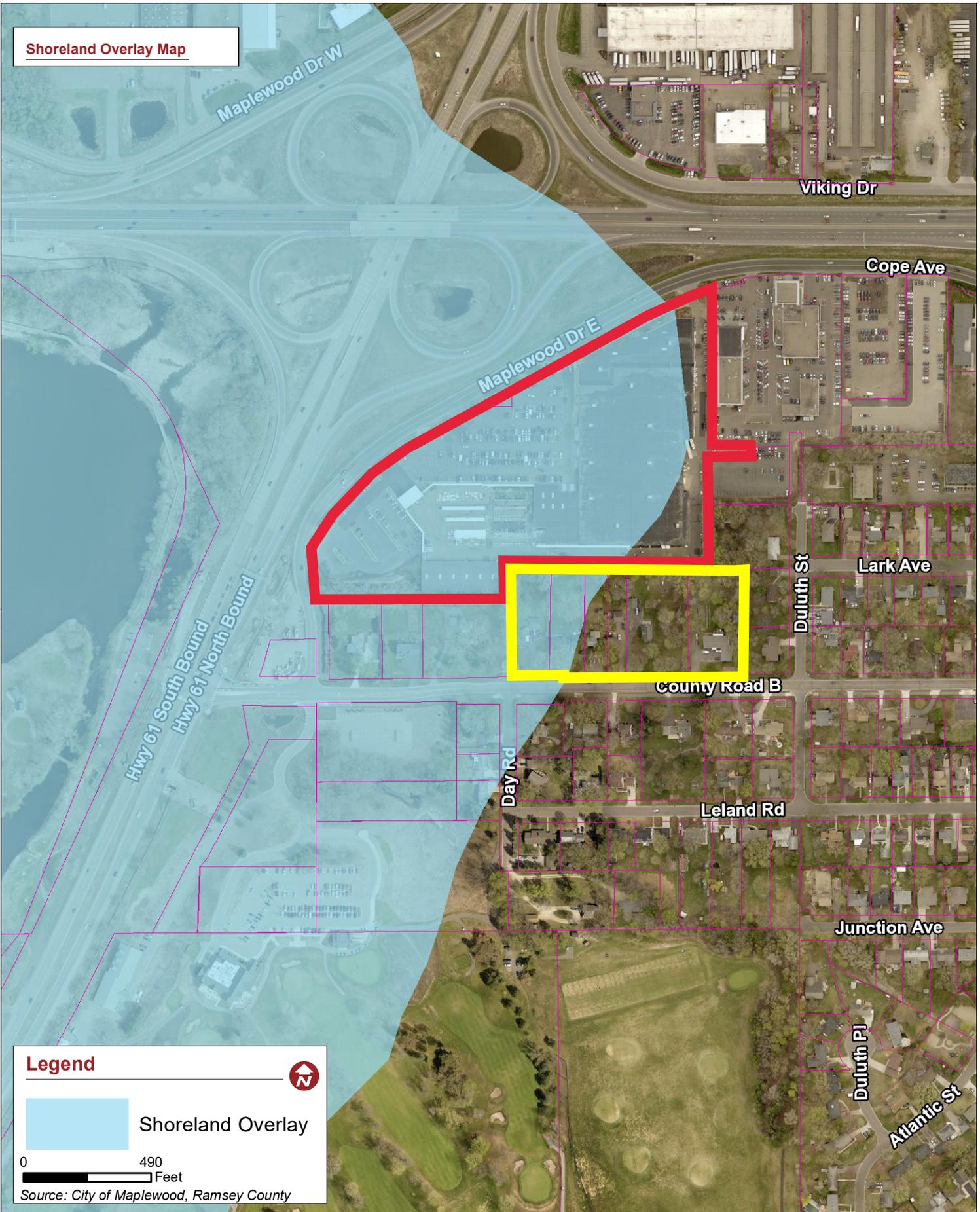




1115, 1127, 1133, 1137, 1143, 1155 County Road B East and 2280 Maplewood Drive E

City of Maplewood

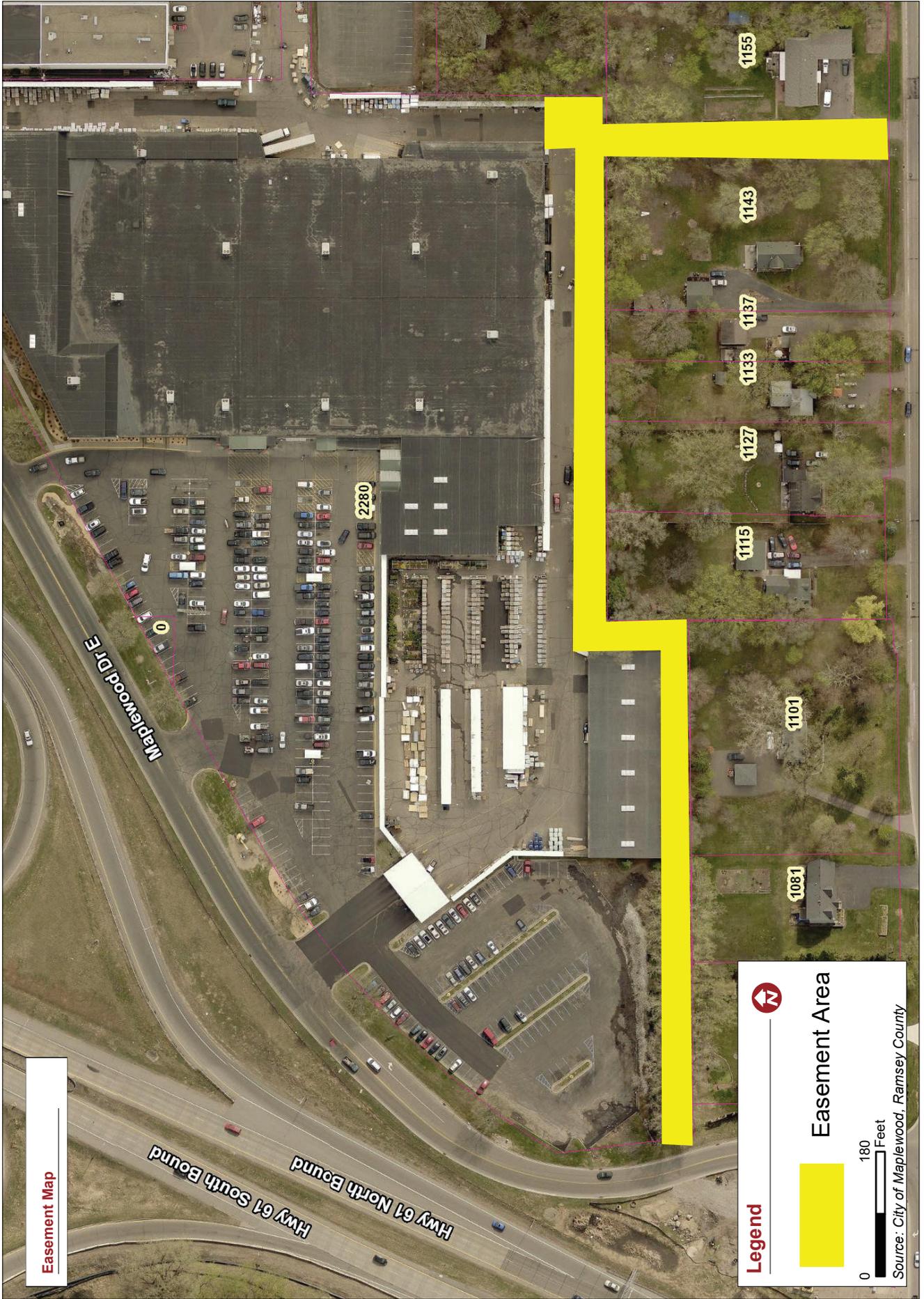
November 21, 2019



1155 County Road B East and 2280 Maplewood Drive E

City of Maplewood

February 26, 2020



Easement Map

Legend

 Easement Area

0 180 Feet

Source: City of Maplewood, Ramsey County



1115, 1127, 1133, 1137, 1143, 1155 County Road B East and 2280 Maplewood Drive E

City of Maplewood

November 20, 2019



Proposed FLU Map

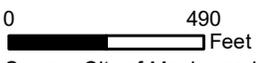
Legend



Future Land Use - 2040



Area proposed to be reclassified as Mixed-Use - Community



Source: City of Maplewood, Ramsey County

Comprehensive Plan Amendment Application – Menard, Inc.

1115-1155 County Road B East

Narrative:

Menard, Inc. (“Menards”) is requesting that the comprehensive plan be amended to change the land use for the residential lots with the following addresses: 1115, 1127, 1133, 1137, 1143 and 1155 County Road B East, Maplewood, MN from Low Density Residential to Mixed-Use Commercial. This request is to accommodate a new Menards store, which store layout will be consistent with other twin city locations.

Menards has been operating at this location since 1989. Since that time, the standard Menards store has changed dramatically. As a result, over the years a number of remodels and expansions to the Maplewood store has occurred; all in an attempt to continue to provide the best possible service to those who shop at the store. Since the last expansion in 2009, a company-wide expansion was rolled out to the stores. Almost 300 Menard stores have been or are in the process of being remodeled with the Maplewood store being one of the last remaining. This latest remodel is the company’s attempt to compete against online retailers and provides the stores with a new express lane at the gate canopy and a new special order/online order pickup area. Unfortunately, due to property size constraints, this latest expansion is not possible as the store currently lays out. Therefore a more aggressive avenue must occur.

Menards is proposing replace the existing store with its current single story prototype. Due to the odd configuration of the lot, plus a gas pipeline that runs through the middle of the lot, additional property is required in order to fit the store, outdoor yard, accessory building and parking. Therefore, six residential properties to the south of the existing lot are required to be introduced into the Menards existing lot. This new store would contain all the services that other Menards store have including the express lane and order pickup area mentioned above. Even with the additional property, the site is extremely tight and barely fits these facilities. Essentially there is only one plan that works for this site. Since the new store operation would not be significantly different than what is there today, there should be no negative impacts to the utilities in the area.

Overall, it is Menards desire to remain at this location. The citizens that shop this store deserve to have the same experience as any other person at any other store. In order to make this happen, the proposed project will need to move forward which means the requested comprehensive plan amendment will need to be approved. At the end of the day the city should approve this request because it will allow Menards to build a brand new store thereby cementing Menards presence in the community.

Rezoning Application – Menard, Inc.**1115-1155 County Road B East & 2280 Maplewood Drive North****Narrative:**

Menard, Inc. (“Menards”) is requesting: (i) that the residential lots with the following addresses: 1115, 1127, 1133, 1137, 1143 and 1155 County Road B East, Maplewood, MN be rezoned from Single Dwelling (r1) to Business Commercial (BC); and (ii) that the Menards store lot located at 2280 Maplewood Drive, Maplewood, MN be rezoned from Light Industrial (M1) to Business Commercial (BC). This request is to accommodate a new Menards store, which store layout will be consistent with other twin city locations.

Menards has been operating at this location since 1989. Since that time, the standard Menards store has changed dramatically. As a result, over the years a number of remodels and expansions to the Maplewood store has occurred; all in an attempt to continue to provide the best possible service to those who shop at the store. Since the last expansion in 2009, a company-wide expansion was rolled out to the stores. Almost 300 Menard stores have been or are in the process of being remodeled with the Maplewood store being one of the last remaining. This latest remodel is the company’s attempt to compete against online retailers and provides the stores with a new express lane at the gate canopy and a new special order/online order pickup area. Unfortunately, due to property size constraints, this latest expansion is not possible as the store currently lays out. Therefore a more aggressive avenue must occur.

Menards is proposing replace the existing store with its current single story prototype. Due to the odd configuration of the lot, plus a gas pipeline that runs through the middle of the lot, additional property is required in order to fit the store, outdoor yard, accessory building and parking. Therefore, six residential properties to the south of the existing lot are required to be introduced into the Menards existing lot. This new store would contain all the services that other Menards store have including the express lane and order pickup area mentioned above. Even with the additional property, the site is extremely tight and barely fits these facilities. Essentially there is only one plan that works for this site.

Due to the fact that six residential properties are being used for the expansion, some neighboring properties will be closer to the store than what they are today. A fourteen foot tall fence along with the accessory building will do wonders in terms of keeping any noise and light contained inside the yard. It is Menards goal to maintain good relationships with not only the neighbors but the community as well and in order to reach that goal the accessory building façade has been upgraded which will result in a very attractive appearance. The accessory building has also been pivoted to allow room for a detention pond on the backside which will create a more open feel to this area. New trees and additional landscaping will supplement the fence and accessory building to ensure that this area of the property will blend in with the surrounding properties.

Overall, it is Menards desire to remain at this location. The citizens that shop this store deserve to have the same experience as any other person at any other store. In order to make this happen, the proposed project will need to move forward which means the requested rezone will need to be approved. Menards is excited for this opportunity and hopes that the city and community is as equally excited.

Application Questions:

1. How would this zoning change promote the public welfare by:**A. Reducing Traffic Congestion**

This request will actually improve traffic congestion on County Road B East, because six houses that have driveways directly onto County Road B East will be removed eliminating turn movements. There are no entrances being proposed that would give access directly to the store from County Road B East. All entrances would remain on Maplewood Drive North as they are today. Therefore, the residences located on County Road B East should not see an increase in traffic due to this project. Even with the new store, traffic is anticipated to be similar to what exists today on Maplewood Drive North.

B. Improving Safety from Fire and other Dangers

From a store perspective everything will be new. From fire lines to parking lots to light fixtures everything will be designed and installed to meet current codes and present a safer operation for employees and guests. By eliminating the driveways off County Road B East, there will be less turning movements on this road allowing vehicles to pass through this corridor safer.

C. Providing Adequate Lighting and Open Space

Light installed onsite will meet city code and will ensure that accessible areas will be lighted to ensure safety for both employees and guests. The accessory building has been pivoted (which does result in a loss of outdoor yard) in order to create more open space behind the store. With the additional landscape around the perimeter, it all adds up in creating an open feel for the property.

D. Avoid Overcrowding

The site plan lays out extremely well within the existing lot and the new properties being added. A more open parking lot and outdoor yard creates a better and safer shopping experience. Although the site is tight when it comes to fitting all the facilities, it will be much improved than what exists today. With the right-of-way and setback off that right-of-way and the pivoting of the accessory building allowing for the pond, there will be quite a bit of open space, eliminating any sense of overcrowding.

E. Conserving Property Values

Property values in the immediate vicinity should not change with this request. Menards has been in operation at this location for over 30 years. The operations of the store are not changing but the appearance is, for the better. New fencing and landscaping will be introduced throughout the areas adjacent to residential lots. The outside yard may be getting closer to some residential properties, but the accessory building, fence and landscaping will do wonderings in terms of keeping noise and light from spilling out of the site onto adjacent lands. Overall, the appearance of this area will be better than it is today.

2. Why would this zoning change not injure or detract from the use of the neighboring property or from the character of the neighborhood?

I believe a lot of the reasons set forth in 1.E. above apply to this standard as well. From a neighborhood perspective, not a lot is changing with this request. Menards operates a retail store

today and they will operate a retail store when the project concludes. A new accessory building will be constructed however that is a positive as it will help contain any noise and light within the yard. The exterior of the accessory building has been upgraded and new trees and landscaping are being added around the perimeter which will be well maintained. All of these items will ease the transition between commercial and residential meaning that neighboring property owners will be able to utilize their properties as they do today with very little, if any, change.

3. Are there adequate public facilities, such as streets, sewers, water lines, schools and parks?

There are adequate public facilities in the area. Menards operates a store and already utilizes city streets, sewers and water lines for its operation. Those same facilities will be required for the new store with little change in usage.

Conditional Use Application – Menard, Inc.

1115-1155 County Road B East & 2280 Maplewood Drive North

Narrative:

Menard, Inc. (“Menards”) is requesting approval of a conditional use in order to allow exterior storage at the new Menards store located at 2280 Maplewood Drive. This is an existing use at the current Menards store and this request is to continue that use at the 2280 Maplewood Drive North property as well as extend it to the 1115-1155 County Road B East properties.

Menards has been operating at this location since 1989. Since that time, the standard Menards store has changed dramatically. As a result, over the years a number of remodels and expansions to the Maplewood store has occurred; all in an attempt to continue to provide the best possible service to those who shop at the store. Since the last expansion in 2009, a company-wide expansion was rolled out to the stores. Almost 300 Menard stores have been or are in the process of being remodeled with the Maplewood store being one of the last remaining. This latest remodel is the company’s attempt to compete against online retailers and provides the stores with a new express lane at the gate canopy and a new special order/online order pickup area. Unfortunately, due to property size constraints, this latest expansion is not possible as the store currently lays out. Therefore a more aggressive avenue must occur.

Menards is proposing replace the existing store with its current single story prototype. Due to the odd configuration of the lot, plus a gas pipeline that runs through the middle of the lot, additional property is required in order to fit the store, outdoor yard, accessory building and parking. Therefore, six residential properties to the south of the existing lot are required to be introduced into the Menards existing lot. This new store would contain all the services that other Menards store have including the express lane and order pickup area mentioned above. Even with the additional property, the site is extremely tight and barely fits these facilities. Essentially there is only one plan that works for this site.

Due to the fact that six residential properties are being used for the expansion, some neighboring properties will be closer to the store than what they are today. A fourteen foot tall fence along with the accessory building will do wonders in terms of keeping any noise and light contained inside the yard. It is Menards goal to maintain good relationships with not only the neighbors but the community as well and in order to reach that goal the accessory building façade has been upgraded which will result in a very attractive appearance. The accessory building has also been pivoted to allow room for a detention pond on the backside which will create a more open feel to this area. New trees and additional landscaping will supplement the fence and accessory building to ensure that this area of the property will blend in with the surrounding properties.

Overall, it is Menards desire to remain at this location. The citizens that shop this store deserve to have the same experience as any other person at any other store. In order to make this happen, the proposed project will need to move forward which means the requested conditional use will need to be approved. Menards is excited for this opportunity and hopes that the city and community is as equally excited.

Variance Application – Menard, Inc.**1115-1155 County Road B East & 2280 Maplewood Drive North****Narrative:**

Menard, Inc. (“Menards”) is requesting approval of the following variances to the city zoning code: i) Section 44-20(6) – reduce building setbacks to: a) 0’ setback from County Road B (corner of accessory building); b) 0’ setback from Maplewood Drive (main building); c) 30’ setback from eastern property line (main building and accessory building); ii) Section 44-17 – reduce required parking to 430 stalls; iii) Section 44-19 parking lot setback to decrease distance from residential to: a) 10’ along south property line which borders residential; b) 10’ to west property line which borders residential; c) 5’ to east property line which borders residential; and iv) Section 44-1242 shoreland development standards to increase allowable overlay impervious area to 100% for parcels 092922430011 (1115 County Road B East), 092922430010 (1127 County Road B East), and 092922430009 (1133 County Road B East).

Menards has been operating at this location since 1989. Since that time, the standard Menards store has changed dramatically. As a result, over the years a number of remodels and expansions to the Maplewood store has occurred; all in an attempt to continue to provide the best possible service to those who shop at the store. Since the last expansion in 2009, a company-wide expansion was rolled out to the stores. Almost 300 Menard stores have been or are in the process of being remodeled with the Maplewood store being one of the last remaining. This latest remodel is the company’s attempt to compete against online retailers and provides the stores with a new express lane at the gate canopy and a new special order/online order pickup area. Unfortunately, due to property size constraints, this latest expansion is not possible as the store currently lays out. Therefore a more aggressive avenue must occur.

Menards is proposing replace the existing store with its current single story prototype. Due to the odd configuration of the lot, plus a gas pipeline that runs through the middle of the lot, additional property is required in order to fit the store, outdoor yard, accessory building and parking. Therefore, six residential properties to the south of the existing lot are required to be introduced into the Menards existing lot. This new store would contain all the services that other Menards store have including the express lane and order pickup area mentioned above. Even with the additional property, the site is extremely tight and barely fits these facilities. Essentially there is only one plan that works for this site.

Due to the fact that six residential properties are being used for the expansion, some neighboring properties will be closer to the store than what they are today. A fourteen foot tall fence along with the accessory building will do wonders in terms of keeping any noise and light contained inside the yard. It is Menards goal to maintain good relationships with not only the neighbors but the community as well and in order to reach that goal the accessory building façade has been upgraded which will result in a very attractive appearance. The accessory building has also been pivoted to allow room for a detention pond on the backside which will create a more open feel to this area. New trees and additional landscaping will supplement the fence and accessory building to ensure that this area of the property will blend in with the surrounding properties.

Overall, it is Menards desire to remain at this location. The citizens that shop this store deserve to have the same experience as any other person at any other store. In order to make this happen, the proposed project will need to move forward which means the requested variances will need to be approved. Menards is excited for this opportunity and hopes that the city and community is as equally excited.

Variance Standards

Consistent with the comprehensive plan.

These requests are to allow for a new Menards retail store. This use is consistent with the current use set forth in the comprehensive plan for the current Menards lot. In tandem with this request, a request to amend the comprehensive plan for the six residential houses is being filed. Once approved, this request will be consistent with the comprehensive plan for those residential properties.

Landowner proposes to use the property in a reasonable manner not permitted by an official control:

The proposed use is a new Menards retail store. This is a reasonable manner for all properties (rezone and comprehensive plan amendments for residential properties have been filed in tandem with this request). Due to the size, shape and utility restrictions existing on the property, a new Menards store is not possible without the requested variances.

The plight of the landowner is due to circumstances unique to the property:

The plight for this request is due to a few different items that are unique to the property. First there is a 60' gas main easement that runs through the middle of the property. This divides the property in half restricting any movement of structures. ROW exists to the north of the site and a successful business operates to the east, both impeding any shift those directions. The only options was to move south which is also restricting by another ROW.

The Plight is not created by the landowner:

Menards has operated at this site for over 30 years. The size of the building and overall operation of the store has changed dramatically since then. Although the property worked initially for the store, it does not anymore. Therefore additional property plus variances to the zoning code are required in order to accommodate the new store. The gas easement and ROWs were in place prior to Menards wanting to construct a current prototype.

The variance, if granted, will not alter the essential character of the locality:

Menards operates a retail store today and they will operate a retail store when the project concludes. A new accessory building will be constructed however that is a positive as it will help contain any noise and light within the yard. Although setbacks to the property lines are being reduced as part of this request there is roughly fifteen feet of green space in the ROW that will help ease the transition. The exterior of the accessory building has been upgraded and new trees and landscaping are being added around the perimeter which will be well maintained. All of these items will ease the transition between commercial and residential meaning that neighboring property owners will be able to utilize their properties as they do today with very little, if any, change therefore not altering the essential character of the locality.

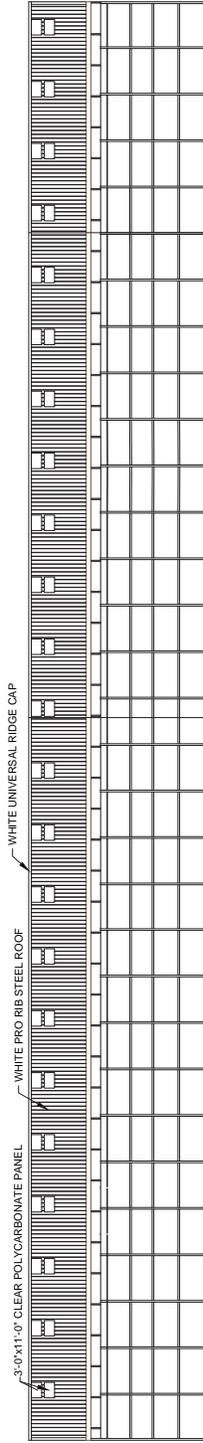
P5 Last 5 Years (Excluding Accessory Building SF)

Store	Parking Count	Approx. SF	Ratio (per 1,000 SF)
Kansas City West, KS	419	252,304	1.66
Lawrence, KS	411	244,623	1.68
Olathe, KS	423	244,623	1.73
Bowling Green, KY	427	248,971	1.72
Elizabethtown, KY	412	248,971	1.65
Florence, KY	408	248,971	1.64
Louisville, KY	455	252,304	1.80
Paducah, KY	415	252,304	1.64
Richmond, KY	429	252,304	1.70
Ann Arbor, MI	425	224,623	1.89
Belleville, MI	421	248,971	1.69
Gaylord, MI	405	248,971	1.63
Lake Orion, MI	420	248,971	1.69
Pontiac, MI (2-Story)	437	244,025	1.79
Taylor, MI	416	248,971	1.67
Wixom, MI	453	224,623	2.02
Belton, MO	430	224,623	1.91
Farmington, MO	426	224,623	1.90
Hollister, MO	420	224,623	1.87
Independence, MO	354	224,623	1.58
Kansas City North, MO	428	224,623	1.91
Kirksville, MO	380	252,304	1.51
Rolla, MO	421	248,971	1.69
Springfield West, MO	412	244,244	1.69
Springfield East, MO	412	244,244	1.69
Jamestown, ND	437	224,623	1.95
Dickinson, ND	443	224,623	1.97
Williston, ND	420	224,623	1.87
Athens, OH	436	252,304	1.73
Cleveland, OH	438	248,971	1.76
Columbus West, OH	424	252,304	1.68
Cortland, OH	426	224,623	1.90
Cuyahoga Falls, OH	413	248,971	1.66
Fairborn, OH	414	248,971	1.66
Kent, OH	427	248,971	1.72
Loveland, OH	470	224,623	2.09
Mentor, OH	416	252,304	1.65
New Philadelphia, OH	414	244,244	1.70
Pierre, SD	414	224,623	1.84
Gillette, WY	420	224,623	1.87
Maplewood	457	252,304	1.81
Apple Valley	453	248,971	1.82
Eden Prairie, MN (2-Story)	406	244,025	1.66
St. Paul, MN (2-Story)	394	244,025	1.61
Golden Valley, MN (2-Story)	362	244,025	1.48
Richfield, MN (2-Story)	326	244,025	1.34

TO ROOF
ELEV=133'-10 1/2"

TRUSS BEARING
ELEV=129'-0"

TO SLAB
ELEV=109'-0"

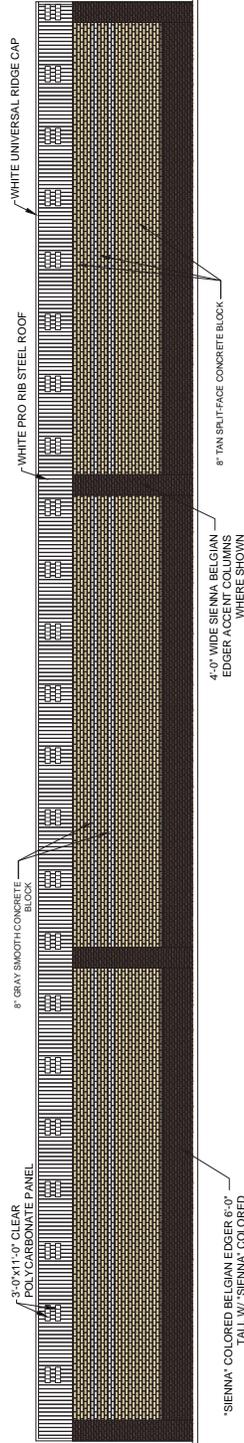


1 FRONT ELEVATION
SCALE: 3/32" = 1'-0"

TO ROOF
ELEV=133'-10 1/2"

TO ROOF
ELEV=122'-2"

TO SLAB
ELEV=109'-0"



2 REAR ELEVATION
SCALE: 3/32" = 1'-0"



3 RIGHTSIDE ELEVATION
SCALE: 1/16" = 1'-0"

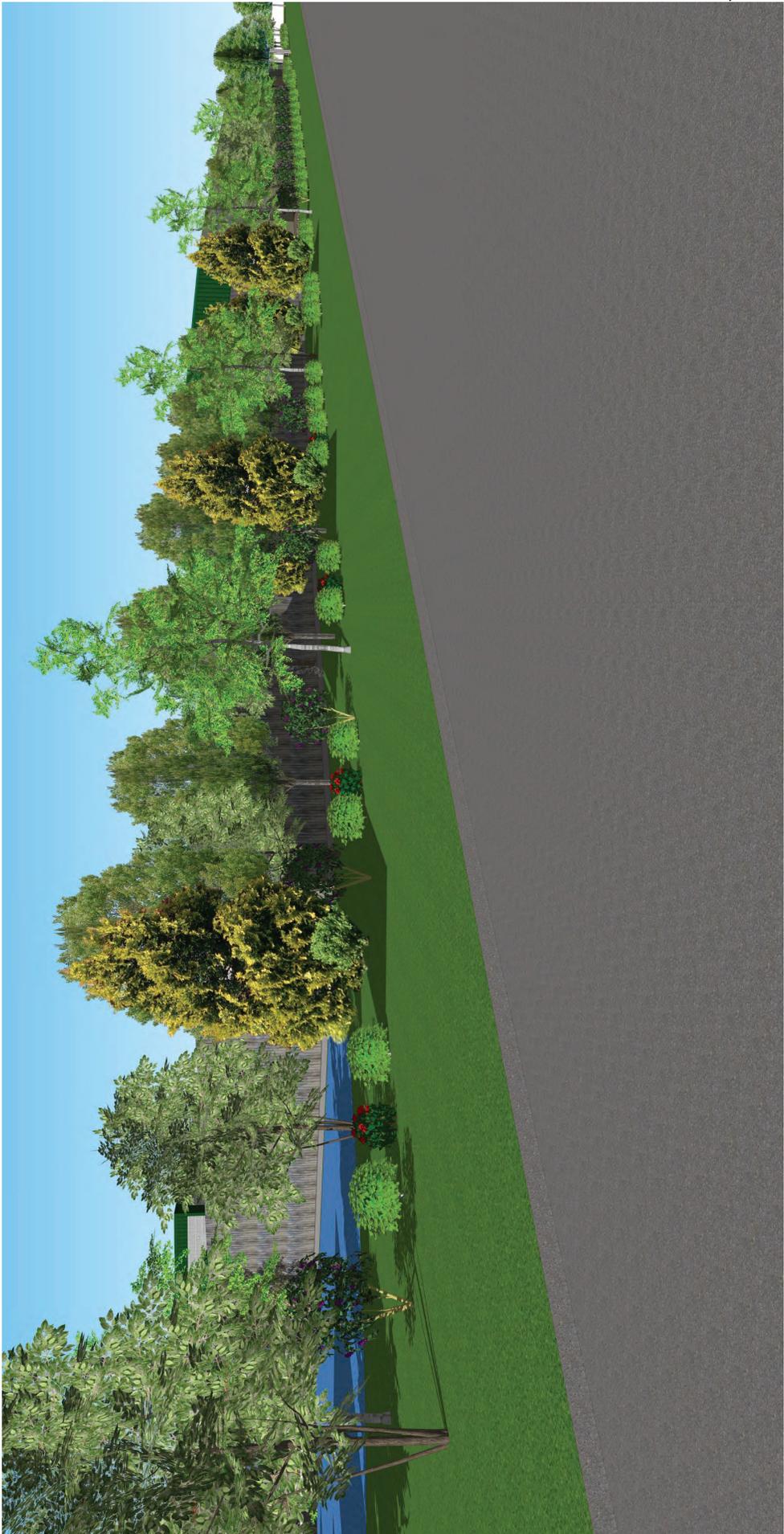
4 LEFTSIDE ELEVATION
SCALE: 1/16" = 1'-0"



Maplewood, MN
Warehouse Elevations
January 20, 2020
Scale: as noted CT3

Received
by City of Maplewood
on February 6, 2020







NOTED TO RECORD

12-21-60

BY T. C. Rhoda
County

EASEMENT

THIS INDENTURE, Made this 5th day of December, 1960, by and between DAVID REALTY CO., INC. of the County of Hennepin, State of Minnesota, party of the first part, and the Village of Maplewood, Ramsey County, Minnesota, a municipal corporation, party of the second part.

WITNESSETH: That in consideration for the sum of One Dollar (\$1.00)----- Dollars (\$ 1.00); in hand paid by the said party of the second part, said party of the first part does hereby give and grant unto party of the second part, its successors and assigns, perpetual easement for underground sewer mains, pipes and appurtenances to an approximate depth of 20 feet over and across a strip of land in the Village of Maplewood Ramsey County, Minnesota, as follows:

The South fifty feet of the East fifty-three feet of the West five hundred thirty-eight feet (S.50 of E.53 of W.538); and, also, the South twenty feet of the West four hundred eighty-five feet (S.20 of W.485); of Blk Ten (10), Clifton Addition, according to the plat thereof on file and of record in the office of the Register of Deeds in and for Ramsey County;

also

The West thirty feet of the West one hundred forty-seven feet of the East three hundred nine feet (W.30 of W.147 of E.309) of Block Nine (9), Clifton Addition, according to the plat thereof on file and of record in the office of the Register of Deeds in and for Ramsey County, subject to streets,

which easement shall include the perpetual right of said Village of Maplewood, its successors or assigns, to construct, maintain, operate and repair underground sewer mains, pipes and appurtenances over and across the strip of land hereinbefore described, together with perpetual easement for ingress and egress, all without additional compensation.

TO HAVE AND TO HOLD THE SAME, Together with all the hereditaments and appurtenances thereto belonging, or in anywise appertaining, to the said party of the second part, its successors and assigns, forever.

IN TESTIMONY WHEREOF, The said party of the first part has hereunto set its hand, the day and year first above written.

In the presence of:

Alexandra P. Newman
Raymond C. Hecox

By: [Signature]
By: _____
By: _____



STATE DEED TAX PAID \$ 1.10
Received 33503 Date 12/21
WILLIAM W. KILLEEN, Co. Treas.
By [Signature]

Dec 21 11 23 AM '60 1526919
90041716 PAGE 447

BOOK 1716 PAGE 448

STATE OF MINNESOTA } SS
COUNTY OF RAMSEY }

On this ___ day of _____, 19___, before me, a Notary Public, within and for said County, personally appeared

to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as free act and deed.

STATE OF MINNESOTA } SS
COUNTY OF RAMSEY }

On this 5th day of DECEMBER, 1969 before me, a Notary Public within and for said County, personally appeared

AL. M. HERMAN to me personally known, who, being ~~asked~~ by me duly sworn, did say that ~~he is~~ he is the ~~President~~ SECRETARY of the corporation named in the foregoing instrument, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and said AL. M. HERMAN acknowledged said instrument to be the free act and deed of said corporation.

Lorraine O'Hearon



LORRAINE O'HEARON
Notary Public, Ramsey County, Minn.
My Commission Expires Sept. 2, 1965.

Engineering Plan Review

PROJECT: Menard Inc.
PROJECT NO: 20-02

COMMENTS BY: Jon Jarosch, P.E. – Assistant City Engineer

DATE: 1-13-2020

PLAN SET: Engineering plans dated 12-12-2019

REPORTS: Stormwater Calculations – Dated 12-19-2019

The applicant is proposing to demolish the existing building and construct a new Menards store, outdoor yard, and accompanying site improvements. The applicant is also proposing to purchase six residential lots and incorporate them into the site. The applicant is requesting review of the current design and vacation of two utility easements.

The amount of disturbance on this site is greater than ½ acre. As such, the applicant is required to meet the City's stormwater quality, rate control, and other stormwater management requirements. Additionally, a portion of this project lies within the Shoreland Overlay District, which requires water quality improvements above and beyond those set forth in the City's standard stormwater management requirements. The applicant is proposing to meet the City stormwater management requirements via the use of an infiltration basin, a pond, and an underground stormwater storage system. From the information submitted, it appears that the proposed design meets the City's stormwater management requirements as it pertains to rate control. Further information is needed to ensure the project meets the City's volume reduction and additional Shoreland Overlay requirements as is further discussed in this report.

As this property is being utilized in a similar means in the proposed condition, it is not anticipated that traffic will change greatly from the existing conditions. Negative impacts to the surrounding roadway network are not anticipated.

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

Drainage and Stormwater Management

This site lies within the Keller Lake subwatershed. A majority of the site lies within the Shoreland Overlay District for Keller Lake as well. The existing site area (excluding the six residential lots) is 95% covered with impervious surfaces. This existing portion of the site is proposed to have a slight reduction in impervious surfaces due to additional greenspace and ponding areas. As such, no variance from the impervious surface coverage allowance is needed for this portion of the site.

Staff is supportive of a shoreland overlay impervious surface coverage maximum of 80 percent for the newly incorporated residential lots portion of the site, requiring a 40% variance above ordinance limits. This bonus would require the inclusion of additional facilities for the treatment of runoff. To achieve the bonus, the applicant is required to infiltrate 1.65-inches of runoff (a 50% increase over the standard volume reduction requirement) for all impervious surfaces above the 40% maximum allowed in the newly acquired residential lot portion of the site. The applicant is still required to meet the standard volume reduction requirements for the first 40% impervious.

- 1) A stormwater management report, and accompanying calculations shall be submitted detailing how the project is meeting the City's stormwater management requirements, as well as the additional requirements required to achieve impervious surface coverage bonuses required by the Shoreland Overlay Ordinance.
- 2) The project shall be submitted to the Ramsey-Washington Metro Watershed District (RWMWD) for review. All conditions of RWMWD shall be met.
- 3) A joint storm water maintenance agreement shall be prepared and signed by the owner for the proposed infiltration systems and storm sewer. The Owner shall submit a signed copy of the joint storm-water maintenance agreement with the Ramsey-Washington Metro Watershed District to the City.
- 4) Soil boring information shall be submitted to support the infiltration rates utilized in the stormwater calculations.
- 5) The underground stormwater storage systems shall contain adequate access points or cleanouts to ensure the system can be properly inspected and maintained.
- 6) Emergency overland overflows shall be identified for the basins and underground storage system. These overflow areas shall be stabilized to prevent scour and erosion. Emergency overflows shall be routed such that they do not negatively impact neighboring properties.
- 7) Pre-treatment devices (sump manhole, etc.) shall be provided upstream of all discharge points into infiltration basins, ponds, underground stormwater systems, or offsite locations.
- 8) Additional storm sewer detail is needed on the plan sheets. The applicant shall provide pipe size, slopes, and material types on the plan view. Likewise, invert elevations shall be shown on the plan view of the site.
- 9) Minimum storm sewer pipe slope is 0.50%.
- 10) Scour protection (Rip-Rap, etc.) shall be provided at all storm sewer outlets.

Grading and Erosion Control

- 11) A significant amount of fill is proposed in the southern portion of the site. The applicant shall ensure that the placement of this fill does not negatively impact the drainage on adjacent properties. Runoff from adjacent properties shall be accommodated by the proposed site design. This is particularly noteworthy in the southeast portion of the project.
- 12) An erosion control plan shall be provided prior to the issuance of any permits.
- 13) All slopes shall be 3H:1V or flatter.
- 14) Inlet protection devices shall be installed on all existing and proposed onsite 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.
- 15) Perimeter control devices (Silt fence, Bio-rolls, etc.) are required and shall be shown on the erosion control plan.
- 16) A stabilized site entrance is required to minimize sediment tracking onto adjacent streets. The stabilized entrance shall be noted on the plans.
- 17) The proposed perimeter wall shall not block the flow of drainage from adjacent properties onto the site. This is particularly important along the southeast portion of the site.
- 18) Adjacent streets and parking areas shall be swept as needed to keep the pavement clear of sediment and construction debris.
- 19) All pedestrian facilities shall be ADA compliant.
- 20) The total grading volume (cut/fill) shall be noted on the plans.
- 21) A copy of the project SWPPP and NDPEs Permit shall be submitted prior to the issuance of a grading permit.
- 22) Infiltration basins shall be planted with plant types that thrive in areas subject to inundation by stormwater. A planting plan shall be submitted detailing plant species within the proposed infiltration areas. These plans are subject to review by the City's Natural Resources Coordinator.

Sanitary Sewer and Water Service

- 23) The proposed sanitary sewer service is shown tying into the Metropolitan Council Interceptor Line along Maplewood Drive. This proposed connection shall be reviewed by the Metropolitan Council. All requirements of the Metropolitan Council shall be met prior to the issuance of permits from the City.
- 24) It is unclear from the plans which portions of the existing onsite sanitary sewer system are to remain, be removed, or be abandoned in place. The applicant shall provide additional details on changes to the sanitary sewer system.
- 25) The applicant shall be responsible for paying any SAC, WAC, or PAC charges related to the improvements proposed with this project.
- 26) All modifications to the water system shall be reviewed by Saint Paul regional Water Services. All requirements of SPRWS shall be met.
- 27) All new sanitary sewer service piping shall be schedule 40 PVC or SDR35.

Other

- 28) An existing right-turn lane currently accesses one of the existing entrances. Alterations to the existing site entrance locations off of Maplewood Drive are proposed, which make this turn lane obsolete. The applicant shall detail what alterations are proposed along Maplewood Drive. These modifications are subject to further review and requirements through the City's right-of-way ordinance.
- 29) The most southerly proposed site access is located within a long-bend in Maplewood Drive. The location of this entrance would require motorists seeking to head southbound on Maplewood Drive to look beyond 90-degrees to view oncoming traffic. The applicant shall review the proposed entrance locations to ensure adequate sight distance is available.
- 30) A right-of-way permit and drainage permit shall be obtained from MnDot for any work done within the State right-of-way along Highway 61.
- 31) A right-of-way permit shall be obtained from Ramsey County for any work done within the County right-of-way along County Road B.
- 32) The Magellan Pipelines lie within an easement that crosses the middle of the property. The applicant shall have the project reviewed by Magellan Pipelines and meet any requirements they may have.
- 33) The applicant has requested the vacation of two existing utility easements on the property, described in easement document #1526919. These utility easements were

initially obtained to cover sanitary sewer mainlines in the easement areas. These sanitary sewer mainlines have since been abandoned. Thus, these easements are no longer needed and staff agrees with their vacation.

- 34) The applicant shall ensure that no trees are planted over the existing sanitary sewer mainline along the southwest portion of the parking lot.
- 35) Access to public utilities within the site shall be maintained. The applicant shall ensure that adequate space is maintained from the proposed perimeter wall to these utilities.

Public Works Permits

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

- 36) City Right-Of-Way Permit
- 37) Demolition Permit
- 38) Grading and erosion control permit
- 39) Storm Sewer Permit
- 40) Sanitary Sewer Permit

- END COMMENTS -

Environmental Review

Project:	Menards
Location:	2280 Maplewood Drive East
Date of Plans:	Tree Removals and Mitigation - December 20, 2019 Overall Landscape Plan – November 15, 2019
Date of Review:	January 13, 2020
Reviewer:	Shann Finwall, AICP, Environmental Planner Emily Dunlap, Natural Resources Coordinator

Project Background

Menards is proposing to redevelop their site at 2280 Maplewood Drive East with a new store. Six residential lots located along County Road B East will also be redeveloped as part of the store and storage yards. There are hundreds of significant trees located on the properties, much of the land to be redeveloped is located within the Shoreland Overlay District for Keller Lake, and there are infiltration basins proposed to help manage stormwater on the site. The applicant must comply with the City's tree preservation ordinance, Shoreland Overlay District, and infiltration basin plantings and overall landscape policies.

1. Trees

- a. Tree Preservation Ordinance: Maplewood's tree preservation ordinance describes a significant tree as a hardwood tree with a minimum of 6 inches in diameter, an evergreen tree with a minimum of 8 inches in diameter, and a softwood tree with a minimum of 12 inches in diameter. A specimen tree is defined as a healthy tree of any species which is 28 inches in diameter or greater. The ordinance requires any significant tree removed to be replaced based on a tree mitigation calculation. The calculation takes into account the size of a tree and bases replacement on that size. The calculation also allows credits to the final tree replacement when preserving specimen trees (defined as a healthy tree that is 28 inches in diameter or greater).
- b. Tree Impacts: There are 193 significant trees, equaling 3,293 diameter inches, of significant trees located on all properties included in the redevelopment. The applicant is proposing to remove all 193 significant trees. Not shown on the tree plan is grading work within the Maplewood Drive right-of-way, which will likely require the removal of additional trees.

Based on the significant trees shown on the plan (not including right-of-way trees), the City's tree replacement calculation requires the replacement of 3,951.6 caliper inches of trees. The applicant's overall landscape plan includes 88 new trees, for a total of 181 caliper inches of replacement trees. This is 3,734.6 caliper inches (or 1,867 – 2-caliper inch trees) less than City code

requires. The applicant must modify the tree removal and planting plan to meet City code, or pay into the City's tree fund at a rate of \$60 per caliper inch of tree that cannot be replaced on site. The current plan would require the applicant to pay \$226,236 into the City's tree fund.

c. Tree Preservation Recommendations:

- 1) Submit a revised tree plan with the following changes:
 - a) Location, size, and species of all trees located in the Maplewood Drive right-of-way where grading will take place, and identify which of those trees will be removed.
 - b) Preservation of the following trees:
 - a) All existing trees south of the existing 8-foot-tall fence and the properties at 1071, 1081 and 1101 County Road B.
 - b) All existing trees between the County Road B East right-of-way line and the 30-foot building and fence setback line.
 - c) New tree removal calculations based on changes outlined above.
 - d) Tree protection plan showing how trees scheduled to be preserved will be protected during development per the City's tree standards.
- 2) Submit a tree replacement plan with the following changes:
 - a) Addition of trees around the green space and infiltration basin located on the west side of the lot, adjacent Maplewood Drive.
 - b) Addition of trees within the Maplewood Drive right-of-way, adjacent the parking lot and building.
- 3) Submit a cash escrow or letter of credit to cover 150% of the tree replacement requirements.

2. Shoreland Overlay District

- a. Shoreland Ordinance: The property is located in the Shoreland Overlay District for Keller Lake. Keller Lake is classified as a Class III Public Water. City code allows up to 40 percent impervious surface coverage, or 60 percent with stormwater best management practice bonuses.
- b. Existing Conditions: The current Menard's property has 95 percent impervious surface coverage. Redevelopment of this portion of the property is proposed to have a slight reduction in impervious surfaces due to additional greenspace and ponding areas. Because of existing conditions, no variance is required for this

portion of the development as long as there is less than 95 percent impervious surface.

- c. Shoreland District Impervious Surface Impacts: Three of the residential properties are located within the Shoreland Overlay District (58,781 square feet). The applicant is proposing 100 percent impervious surface coverage with the redevelopment of these sites. A 60 percent impervious surface coverage variance (or 40 percent impervious surface coverage variance if stormwater management best practice bonuses are applied) is required for this development.
- d. Shoreland Overlay District Recommendations: The applicant can reduce the amount of impervious surface by shifting the warehouse building away from the County Road B East right-of-way line by 30 feet as outlined in the staff report. Additionally, the applicant should work with the city engineer to implement stormwater best management practice bonuses such as the use of porous concrete to further reduce the amount of impervious surface.

3. Overall Landscaping

Due to the likelihood of these species becoming invasive, the following plants listed in the Landscape Plan need to be substituted:

- a. *Berberis thunbergii* 'Rose Glow', Rose Glow Japanese Barberry
- b. Japanese barberry (*Berberis thunbergii*) is not allowed to be planted, due to its potential to become an invasive species in woodlands. Japanese barberry is spread by birds eating the fruit and dispersing seed to new locations. Even if a barberry shrub is not planted near a natural area, there is potential for the plant to spread unless it's a completely sterile cultivar. Twenty-six cultivars of Japanese barberry are listed under the Minnesota Noxious Weed Law in the Restricted category. These cultivars are being phased out of sale in Minnesota because they produce 600 seeds or greater per plant. The cultivar 'Rose Glow' is included on that list. A recommended substitution for Japanese barberry is red osier dogwood.
- c. *Euonymus alatus* 'Compactus', Compact Burning bush. Due to its potential to become an invasive species, burning bush (*Euonymus alatus*) is not recommended. The shrubs can be prolific seeders and are spread to natural areas by birds eating the seeds. A longtime invasive species in the eastern US, burning bush is now starting to invade Minnesota woodlands. Suggested substitutes include serviceberry, chokeberry, or red osier dogwood.

4. Infiltration Basins

All infiltration basins are required to be planted, ideally with deep-rooted native plants. The city requires a portion of the basin to be *planted* rather than *seeded*; typically a minimum of 5,000 square feet of plantings are required on large basins. Using plants rather than seeds hastens establishment and provides a better chance of successful establishment. Basin bottoms and lower elevations almost never establish successfully

from seed since the seed is washed away when stormwater flows into the basin. Please provide the following:

- a. A landscape drawing for each infiltration basin, including list of species, container size, spacing, and quantities.
- b. If proposing seeding the bottom of the basins, provide explanation of measures that will be taken to ensure seed does not wash away.
- c. For any area using a native seed mix (ex: pond slopes), provide information on maintenance for planting year, Year 2 and Year 3, addressing what maintenance activities will be required and what entity (developer, owner, etc.) will take on this responsibility.

COMMENTS ON MENARDS PROPOSAL FOR EXPANSION

I searched the metro area and was unable to find an example of a big box protruding into a single-family residential neighborhood, where there was SRF directly adjacent on both sides *and* facing it across a street.

Along County Road B - How tall is the fence? What is it made of? How far setback is it? What is the style? It is very difficult to provide comment when so little information has been provided. Since they've pretty much left it open to our imaginations, this is what I advocate would be appropriate given the very sensitive context:

This design of wood wall (not fence, wall) with brick column accents, from the back side of their Brooklyn Park store:



Notice none of the interior lighting is taller than the wall is. The outdoor storage building is behind this; notice you cannot see any of that either.

With a very wide setback, like this one from the back side of their Blaine store:



And this style of tall year-round landscape buffer, from their Oak Park Heights store:



Except the tall evergreen landscaping should be thicker, and more diverse (resilient), so it looks more like this:



If this is not agreeable, perhaps the applicant could provide detailed renderings that show exactly what they are proposing, so that they residents of the community can have a true opportunity to comment on the proposal.

There is a prevailing setback established by the existing homes (approximate yellow line). In order not to impact the character the neighborhood, this prevailing setback should be honored and maintained. This would also help to:

- decrease the amount of impervious area variance needed,
- reduce the amount of stormwater management needed,
- reduce the amount of tree replacement needed, and - most importantly –
- provide a huge jump-start in buffering the neighbors from the proposed expansion by maintaining the very mature existing trees in the front yards. This setback is approximately 60 to 70 feet from the property line. Maintaining the existing articulation of frontage with mature trees, supplemented by additional evergreen trees, would go a long way to preserving the established residential neighborhood character.



It is fairly standard practice for chain development such as this, in urban areas such as this, to maximize the site layout and efficiency by providing stormwater management underground. Unless there is some water-table, soils, or other engineering reason for not doing so, this project should bury

the stormwater in order to re-configure the parking so that they can preserve the existing buffer (red oval) that currently protects the soon-to-be “couched” residential properties (1071, 1081 & 1101). If the stormwater cannot be handled underground then the building could be converted to two stories or the outdoor storage areas could be reduced in size accordingly to accommodate the preservation of this important sound and noise buffer. It is also important that the existing (14 foot tall?) fence in this area be preserved. If the project cannot make the buffers and screening better, then at least don’t make them any worse.

There is an existing row of mature trees between 1101 and 1115 (blue oval). There are also some trees between 1155 & 2223 (orange oval). These already established buffers should also be preserved, again to protect the character of and reduce the impacts to 1101 & 2223.



Looking north along property line between 1101 and 1115.



Looking south along property line between 1101 and 1115.



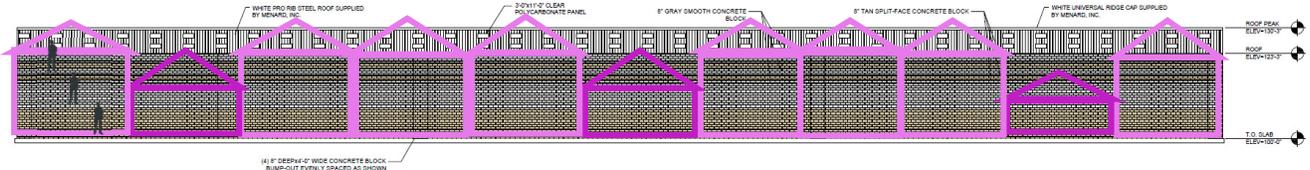
Looking north along property line between 1155 and 2223.

Example of existing mature front yard trees that could be maintained for screening purposes:



Regarding the exterior storage building: Why is there a strip of 4”-8” rip rap stone in front of the warehouse? That type of foundation treatment is not compatible with a residential neighborhood. Foundation plantings (of the same width and 3 feet on center) should be provided along the full length of the building to soften the appearance. And if those foundation plantings require mulch, a

regular wood mulch would be sufficient. Climbing ivy would also be a great addition to the landscape plan to help provide some interest to this VERY plain 23 foot tall, over 315-foot long wall.



This building is at least as massive as putting *eleven* 3-story houses shoulder to shoulder in the area where three 1 to 1.5-story houses were previously. [Assuming an average house width of 32 feet.] Over-sized evergreen trees installed in front of this façade would help break up and hide the mass of this wall. Spacing tighter than the average recommendation with some stagger to provide overlap would be prudent. While the above-described landscaping will help, the building should also be relocated to meet the established prevailing setback.

Regarding the look of the retail store: most of the recently constructed Menards have a front façade of brick or a material that looks like brick and “wooden” piers with stone bases:

Eden Prairie:



West St. Paul:



Richfield (a two-story store):



The Maplewood store is proposed to be tan split face block with concrete piers with tan block bases. ☹️ What happened to “the citizens that shop this store deserve to have the same experience as any other person at any other store”?

There are multiple factors that make this proposal very invasive. First, the type of activity – the beeping of forklifts, the dropping of pallets, etc. is not just a commercial use, but is very warehouse/industrial-like in nature. Second, a large portion of it will be unenclosed, versus SFR which is almost completely enclosed. Third is the amount of activity. The use will consume the entire width and surface of the lots – not just a 1,000 sq. ft. footprint of a residence on a half-acre parcel, but a half acre of paved activity on a half-acre parcel. Light and noise bounces off pavement much greater than non-hard-surfaced areas. If granted as proposed, it very much will alter the essential character of the locality.

When Menards originally approached the residential property owners, they offered to purchase only a portion of our rear yards. See attached letter dated September 14, 2018. What this means is that there was at least a concept of a redevelopment plan that utilized only the area they were offering to purchase. It was the homeowners who responded and expressed interest in selling, but only if they purchase the entire property - none of us wanted to live any closer to them than we already do. The idea was that they would carve off (subdivide) what they need and resell the remaining (now smaller) residential lot to some new homeowner. In fact, to the best of my knowledge, all the sellers were required to keep the houses in 'functional' order due to the probability that the houses were not going to be demolished.

I believe that any two uses can abut each other so long as there is respectful design. Menards may claim that such measures are unrepresented - never have they had to provide ALL of the design elements outlined in this letter. In response, please invite them to share an example where single family residential is directly adjacent to the brickyard on both sides *and* facing it across a street. Rare circumstances call for rare solutions. Even if they are able to manifest a local example, please insist upon a more compatible design. We need more affordable housing, but reducing the desirability of our existing housing stock is not the way to achieve it.

Menards may claim that the project does not work if substantial (or any) setbacks and buffers are required. In response, please invite them to share their proforma with your financial advisor. They are pushing to maximize the project (and therefore their profits) at the expense of the surrounding properties. They have the right to try this. It is the elected and appointed official's responsibility to protect against it. Please include the above-listed items as conditions of approval, first and foremost honoring the established prevailing setback.

Respectfully submitted,



Samantha Crosby
1133 County Road B, East

September 14, 2018

U.S. Mail

Samantha Crosby
1133 County Road BE
Maplewood, MN 55109

RE: Menards Property Purchase

Ms. Crosby;

My name is Nick Brenner and I work in the real estate department at Menards. I am contacting you to see if you would have any interest in selling a portion of your property (portion of interest is outlined in red on the attached aerial). I would like to talk to you more about the project, your willingness to sell and your asking price. Whether or not you are interested in selling, if you could give me a call at 715-876-2177, I would greatly appreciate hearing from you.

Sincerely,
Menard, Inc.



Nick Brenner
Real Estate Representative
Menard, Inc. – Properties
5101 Menard Drive
Eau Claire, WI 54703
P: 715-876-2177
C: 715-577-0363
nbrenner@menard-inc.com



$$\approx 85 \times 62 = 5,270 \text{ ft}^2$$

The following notes are from Jean Anderson and Judy Zielinski at 2255 Duluth Street, Maplewood, which is directly behind the Menards store. We have quoted from the MENARDS document first and then followed by discussion that basically opposes what they wrote. At the end of this are some additional comments from both of us.

MENARDS: “This request will actually improve traffic congestion on County Road B East, because six houses that have driveways directly onto County Road B East will be removed eliminating turn movements.”

REALLY???? We have noticed that for a couple years now the traffic has been very light on Co. Rd. B. One thing that probably helped is the English exit from Highway 36 which helps those coming to Menards and other homes in the area from avoiding Co. Rd. B. Six driveways will NOT impact this at all. They are long and those coming out of them can be facing the road and not backing up. This is a very poor argument from Menards. REALLY????

MENARDS: Conserving Property Values - “Property values in the immediate vicinity should not change with this request. Overall the appearance of this area will be better than it is today?”

We found the following statement from this online resource: <https://www.maxpropertiesllc.com/how-does-commercial-development-impact-your-property-value/>

“Any conscious, concerned homeowner is definitely going to want to know the impact of new or existing commercial property nearby on their property values. And much of the impact depends on the proximity to your property, according to a Homebase/The Center for Common Concerns report. Those larger commercial developments and projects as tend to have a much greater impact – a negative one – on your home values.”

There is no way that Menards is able to guarantee that our property value will not go down. Added to this the property taxes for the properties that will remain, [on Co. Rd. B and Duluth Street] WILL increase. There is nothing stated in this entire document regarding how this will affect our property taxes. If any remaining neighbor wants to sell their home in the future, this development will surely negatively impact their sale.

MENARDS: “The outside yard may be getting closer to some residential properties.”

Because of this proximity to our properties, this will negatively impact our properties here on Duluth Street regarding our houses directly in back of Menards, with VERY limited space between our properties. We are sure this impact will be felt with the homes left on the north side of Co. Rd. B. also.

MENARDS: They have indicated that the outside yard may be getting closer to some residential properties but the accessory building, fence and landscaping will do wonders in keeping the noise and light from spilling out of the site onto adjacent lands.

Perhaps you should ask those that live across Co. Rd. B., and also right behind the store [on Duluth St.], and how the light and noise will go over the fence when they are in their homes? When Menards mentions that the appearance of this area will be better – REALLY???? Basically they are changing an existing neighborhood and NOT improving it at all. There is a discrepancy as to the height of the fence and is it the same type of fence and size all around.

Question: How is the noise and light not going to “spill out” to adjacent lands?

MENARDS: “From a neighborhood perspective, not a lot is changing with this request.”

Are they serious? They are changing the whole face of this neighborhood. This is an old established neighborhood with well made, affordable, middle class houses, that have been well kept up with nice yards. The trees have been here for a very long time and it takes YEARS to get to where they are now. We know that an EIS is not necessary for this type of development, but we wish one would be done or at least looked at how this will affect the environment.

Question: There is an old “sewer lift road” that runs from Co. Rd. B. adjacent to 1143 and 1155. Is this still active and how will it affect those homes around it?

MENARDS: “Although the site is tight when it comes to fitting all the facilities, it will be much improved than what exists today.” “Even with the additional property, the site is extremely tight and barely fits these facilities. Essentially there is only one plan that works for this site.”

In all of the comments from Menards it was mentioned at least twice [above], if not three times, that this property is an unusual shaped piece of land along with the problem of a gas line, and it is VERY TIGHT. They why are they even thinking of putting it here? Isn't there another location that can fit their needs better.

MENARDS: “All of these items [Menards is proposing] will ease the transition between commercial and residential, meaning that neighboring property owners will be able to utilize their properties as they do today with very little, if any, change.”

However, this is really untrue. The changes will affect those that live next to the proposed development, behind the proposed development [Duluth Street], and across the street [on Co. Rd. B]. It will literally change the entire environment of our nice existing neighborhood. Is that what Menards means? To us, and this may also be a bit of emotion, Menards has ONLY ONE thing in mind and it is NOT the neighborhood that is being affected, NOT AT ALL!!!!

QUESTION: How tall will the fence along Co. Rd. B. be? We were informed it would be 6 ft. Have you asked those that live on the opposite side of Co. Rd. B how they will be affected? We doubt it. We have heard that noise AND light will be shining into their front yard from Menards. Also homes on Day Road near Co. Rd. B. may be affected.

MENARDS: “Menards desires to remain at this location. In order to make this happen the proposed project will need to move forward which means the requested rezone will need to be approved.”

From this paragraph Menards is indicating they need THIS PROPOSAL and not willing to compromise. Are they even willing to work with the city and especially the existing neighborhood at all?

NOTE: We have spent a lot of thought and time on this and hope that our comments will mean something to the City of Maplewood when they make a decision. We have heard from others that are not even taking the time to put their thoughts/comments down on paper as they figure, “what Menards wants to do is what will happen.”

That is so wrong as we as neighbors should count way more than any sized business who wants to make major changes in the landscape of a neighborhood, should count. After all, it is OUR neighborhood, NOT Menards.

We also hope that everyone who is involved with making the decision, which will impact several lives, will read this and other comments that are sent in opposing this development.

If you have ANY questions on this, please call either Judy Zielinski [651-774-3161] or Jean Anderson [651-779-9274].

OUR ADDITIONAL COMMENTS:

Environmentally there is a drastic change with the old trees on these properties. Large trees that have been there for years. This new change will drastically affect the look of our neighborhood and the homes of wildlife. Added to this the homes are older, well built structures that are affordable to middle class families. The ambiance of the neighborhood feel will be gone and with what – a fence that will be at the edge of Co. Rd. B.

If the City Council decides to approve this construction, [which we are extremely against], there will be a LOT of noise pollution and poor air quality. In fact even now, every night at 10:00 p.m. Menard's has a "street cleaner" cleaning the south side where the lumbar yard is. They do this to avoid the dust from going down the sewer. During the construction, this will be multiplied many fold to keep it under control. Again, air pollution!

Why doesn't Menards think about a 2 story store instead. There is one on University Avenue and it is a nice building for a smaller sized property. Perhaps Menards should think this through and change their plans. They mentioned at least twice that this location will be tight even with the homes being removed. Again, why go through all of this and not find another better "fit."

We really wanted to be more "on task" and to give facts, which I believe we have done. But yes, there are emotions in this with many who live in the neighborhood. Our parents purchased the property on Duluth Street in the mid-50's, and built our home which was a part of farmland owned by one of the owners on Co. Rd. B. This was done BEFORE Maplewood was a city and called New Canada Township. This neighborhood is a quiet safe neighborhood. The neighbors know each other and look out for each other.

We saw this comment on the Nextdoor website from someone who lives in this neighborhood: "There are over 10,000 caliper inches of trees keeping light and noise contained and directed towards the highway. The plan to replace those trees is a joke, and needs to be improved." Can these trees actually be removed????

We have concerns on what will be rezoned. Will this all be commercial or will it be a combined commercial/residential? And if commercial will this then open the door for more commercial ventures to come into our existing neighborhood and to lose additional homes. We need honesty here, please. If it is rezoned, is this a slippery slope to more developments invading our neighborhood? Thus more homes being torn down, more trees taken down, more families displaced, etc.?

We wish our parents were still with us as they have a lot more knowledge of some issues they had with Menards. It has not always been a great relationship. We think our late father, Gordon Anderson, came to the Maplewood City Council on at least one occasion regarding Menards, though we could be wrong. It may have been regarding the height of the fence in the back of their building which abuts our back yard. One time Gordon and Judy spoke in front of the City Council when they noticed an error on the zoning of our property – 2255 Duluth. It was zoned commercial. The City Council agreed with Judy's take on this that it appears "someone" did make a "typo" on only our property and they voted to change it back to where it should have been – residential.

Menards has also contacted our parents and us on selling our two lots so their trucks can have more room in the back of the store. They never really understood the word, NO, as we had to say this several times. They would have built a huge fence just a few feet from the back of our home and my parents could have stayed, for free, in the home. This would have really ruined the entire Duluth Street neighborhood.

Menards makes the comments, "all of these items will ease the transition between commercial and residential." We find this reprehensible at the least. Are they living right in back of the building? No. Or on Co. Rd. B.? No. It certainly is amazing how Menards is able to make these and other statements they have made in this document with a straight face. We have read this document several times and going through various points, and it is almost humorous how the writers of this document is making this all sound so sweet, beautiful, and lovely – and to us it is nauseous. We apologize if we have offended anyone, but from their words, it is clear that they are trying to paint a picture that, "everything will be great, just let us do what we want to do with your neighborhood." Well, the two words, "your neighborhood," is very meaningful – this is OUR NEIGHBORHOOD and we want it to stay as beautiful as it is now.

Thank you very much!

DRAFT
MINUTES OF THE MAPLEWOOD COMMUNITY DESIGN REVIEW BOARD
1830 COUNTY ROAD B EAST, MAPLEWOOD, MINNESOTA
TUESDAY, JANUARY 21, 2020
6:00 P.M.

E. NEW BUSINESS

1. Menard Inc., 2280 Maplewood Drive

a. Design Review and Lot Division Resolution

- i. Assistant Community Development Director, Michael Martin gave the report on the Design Review and Lot Division Resolution and answered questions of the board.
- ii. Applicant, Nicholas Brenner, Menard Inc., 5101 Menard Drive, Eau Claire, Wisconsin, addressed and answered questions of the board.

The board had several concerns regarding the presentation of the applicant regarding building elevations, changes in the plans and building products being proposed.

The board requested the applicant make substantial architectural improvements to the building, the board prefers the building materials be made of brick and not concrete masonry, show the building variation in all facades, the building should have some articulation to break up the large expanses and long runs of the walls, show more architectural detailing in the base and cornice, board members prefer the green metal panels be improved with a different material, show revised elevations along County Road B and Maplewood Drive.

Boardmember Ledvina moved to table the proposal for Menard Inc. for the Design Review and Lot Division Resolution until the next CDRB meeting.

Seconded by Boardmember Thompson.

Ayes – All

The motion to **table** passed.

DRAFT
MINUTES OF THE MAPLEWOOD COMMUNITY DESIGN REVIEW BOARD
1830 COUNTY ROAD B EAST, MAPLEWOOD, MINNESOTA
MONDAY, FEBRUARY 24, 2020
4:30 P.M.

F. UNFINISHED BUSINESS

- 2. Menard Inc., 2280 Maplewood Drive**
 - a. Design Review and Lot Division Resolution**
 - i. Assistant Community Development Director, Michael Martin gave the Menard Inc., 2280 Maplewood Drive Design Review and Lot Division Resolution report and answered questions of the board.
 - ii. Applicant, Nicholas Brenner, Menard Inc., 5101 Menard Drive, Eau Claire, Wisconsin addressed and answered questions of the board.
 - iii. Samantha Crosby, 1133 County Road B East, Maplewood addressed the board regarding the warehouse building and the minimum commercial setback to the residential properties across the street and the fence along County Road B.

Boardmember Lamers recommended amending 8. e. revising the building elevations that the storage warehouse brick façade should match building materials on the primary building.

Boardmember Lamers moved to approve a resolution as stated in the staff report for the design review plans **amending 8. e. that the storage warehouse brick façade should match building materials on the primary building.** Also recommending approval of the lot division to combine six residential parcels with the commercial parcel located at 2280 Maplewood Drive. (Changes to the staff conditions are in bold and underlined).

Seconded by Boardmember Ledvina.

Ayes – All

The motion passed.

This item goes to the city council on March 9, 2020.

DRAFT
MINUTES OF THE MAPLEWOOD PLANNING COMMISSION
1830 COUNTY ROAD B EAST, MAPLEWOOD, MINNESOTA
TUESDAY, JANUARY 21, 2020
7:00 P.M.

E. PUBLIC HEARING

- 3. Menard Inc., 2280 Maplewood Drive**
 - a. Comprehensive Plan Amendment Resolution (requires 4 Council votes)**
 - b. Zoning Map Amendment Ordinance (requires 4 Council votes)**
 - c. Conditional Use Permit Amendment, Setback Variances and Shoreland Overlay Variance Resolution**
 - i. Assistant Community Development Director, Michael Martin gave the report on Menard Inc., 2280 Maplewood Drive and answered questions of the commission.
 - ii. Assistant Maplewood City Engineer, Jon Jarosch, addressed and answered questions of the commission.
 - iii. Applicant, Nicholas Brenner, Menard Inc., 5101 Menard Drive, Eau Claire, Wisconsin, addressed and answered questions of the commission.

Chairperson Arbuckle opened the public hearing. The following people spoke at the public hearing:

1. Jean Anderson, 2255 Duluth Street, Maplewood, spoke against the proposal.
2. Judy Zielinski, 2255 Duluth Street, Maplewood, spoke against the proposal.
3. Bill Skadde, 1112 County Road B East, Maplewood, spoke against the proposal.
4. Gretchen Hagen, 1112 County Road B East, Maplewood, spoke against the proposal.
5. Kevin Ristine, 1174 County Road B East, Maplewood, spoke in approval.
6. Debra Dupre, 1071 County Road B East, Maplewood, spoke against the proposal.
7. Catherine Dupre, 1071 County Road B East, Maplewood, spoke against the proposal.
8. Samantha Crosby, 1133 County Road B East, Maplewood, spoke against the proposal.
9. Taryn Fischbach, 1127 County Road B East, Maplewood, spoke in approval.
10. Timothy Skiffington, 1127 County Road B East, Maplewood, spoke in approval.

Chairperson Arbuckle closed the public hearing.

- A. Commissioner Yang moved to approve the resolution approving the comprehensive plan amendment regarding the residential properties at 1115, 1127, 1133, 1137, 1143 and 1155 County Road B East from Low Density Residential to Mixed-Use – Community for Menard Inc. at 2280 Maplewood Drive as shown in the staff report.

Seconded by Chairperson Arbuckle.

Ayes - All

The motion passed.

- B. Commissioner Yang moved to approve an ordinance rezoning the properties at 1115, 1127, 1133, 1137, 1143 and 1155 County Road B East From R-1, single dwelling residential district to M-1, light manufacturing for Menard Inc. at 2280 Maplewood Drive as shown in the staff report.

Seconded by Chairperson Arbuckle.

Ayes – All

The motion passed.

- C. Commissioner Yang moved to approve the conditional use permit amendment, setback variances and shoreland overlay variance resolution for Menard Inc. at 2280 Maplewood Drive as shown in the staff report.

Seconded by Chairperson Arbuckle.

Ayes – All

The motion passed.