

Planning Commission
DRAFT Meeting Minutes Excerpt from
July 21, 2016

Terrace Mall Redevelopment

#4: PUBLIC HEARING:

4. Consideration of **Subdivision Preliminary Plat Subd16-4** to reconfigure property lines and combine the north half of the parking lot currently owned by North Memorial with the redevelopment site;
AND

Consideration of **Conditional Use Permit C16-1** to allow a convenience store with fuel pumps, pharmacy, coffee drive-through and off-site and shared parking with North Memorial, outdoor seasonal garden center, fenced patio, grocery convenience store and outdoor product display area;
AND

Consideration of **Variance Request V16-1** to allow commercial driveway curb cuts to exceed 35 feet at 3501 France Ave N as requested by Inland Development, LLC.

5. Mr. Pearson addressed the audience by explaining that there is a Public Statement sheet available that can be filled out for additional comments related to this redevelopment. The public statement sheet will be read into the record tonight and then forwarded to the city council.
6. Mr. Pearson also addressed the demolition portion of the redevelopment by clarifying that the decision to demolish a property is made by the city council and not the Planning Commission.
7. Mr. Pearson provided an overview of the Comprehensive Plan stating that this redevelopment meets the “guiding policy” of mixed use. It is zoned B-4 community business, which allows supermarkets as a permitted use. He also reviewed the preliminary plat land use, parking, and the site plan including sidewalk locations (pedestrian access), possible bike paths and access from various entries. He presented revised a site plan with architectural renderings of proposed elevations.
8. Mr. Pearson noted that there have been 8 comments received from residents: Teri & Carter McNamara are *opposed* to the redevelopment. In *support* of the redevelopment are: Jill Tyree, Matt Hernick, Arlene Frie, Kevin & Jill Byrnes, Andrea & Ben Ranstrom, Ted Novak, Barb Miller, and Ben Lastnameunknown.
9. **MOTION** by Chair Harper, seconded by Commissioner Bontrager to put into records letters/emails received from residents regarding the redevelopment at Terrace mall.
The vote was unanimous and the motion carried.

10. **MOTION** by Chair Harper, seconded by Commissioner Ulbrich to open the public hearing. **The vote was unanimous and the motion carried.**
11. Chair Harper opened the floor to the public inviting those in attendance to have the opportunity to make Comments regarding this redevelopment project:
- Mary George, 3543 France. Thinks loss of the theater is heartbreaking but supports the grocery store. The “feel” of the theater should be kept in the design.
 - Paul Crandall, 3713 Regent. Opposed, remembers “TV room,” the grocery will have a negative impact on local businesses. Hy-Vee is not right for Robbinsdale.
 - Diane Stoneking, 3605 France. Opposed. Why is the supermarket not using the existing Rainbow building? Questions the need for the convenience store with gas. Everything is “car oriented.”
 - Jen Jamar, 4251 Zenith. Supports new access to County Road 81. Has safety concerns with retaining wall and concerns about drainage.
 - Catherine Sundland, 3320 46th. Opposed, disputes the findings of fact, an advisory committee should be formed to reshape the plan.
 - Dave Leonhardt, 4006 Lake Rd. Opposed, The Theater should be saved. Concerned about the 12 ft. “drop-off.” He feels that children will climb on the roof, and there will be glare from the lights. Lack of pedestrian access. Comp plan vision supports redeveloped or repurposed theater.
 - Wally Langfellow, 3958 Orchard. Opposed, It took 31 years to shape downtown Robbinsdale. Hy-Vee will compete with the downtown businesses.
 - Rosemary Williams, 3543 France. In support, We need a grocery store. Is concerned about the 20 ft. high retaining wall.
 - Rachelle Selvog, 3518 Beard. In support, the existing buildings are an eye-sore. She will still go to Hackenmueller’s, Woullett’s and other downtown businesses.
 - Lilly Johnson, 4051 York. Opposed, In favor of renovating the theatre. Concerned about the impact of the gas station across the street on Crystal Lake and the park. Questions the need for the development, underground tanks and the liquor store across from the play equipment.
 - George McNulty, 4509 Quail. In support. Curb-cut seems minor. Has no emotional attachment to theatre.
 - Claudia Fuglie, 4556 Lake Dr. In support. “Thank you” (for the grocery), can take the 14 busline to the Hy-Vee. Please make it safe and accessible.
 - Paula Mazzacano, 3800 Noble. Opposed. Wants to know how the stormwater is going to be managed, what happens when there are spills at the gas pumps? Also questioned why it took so long for the public to hear about the development.
 - Deb Gillis, 4201 40th. In support. The theater was great, but its time has past. “Put up a plaque.” It was a beautiful memory. In 1998-99, people used to drop off their kids and run. We need a grocery store.
 - Emily Bevelacque, 3928 Orchard. In support. Hy-Vee is employee owned and supports the community. They do sponsor teams and the New Hope store created over 700 jobs.

- Karen Frederich, 4146 Abbott. In support. Her father worked on the construction of the theater, it's a thing of the past and is now an eye-sore.
- Joe McKenna, 1592 Stanford, St Paul. Opposed. There should be a market study. The theatre should be repurposed for a music venue or a micro brewery like the cinema draft house.
- Todd Fairbanks, 961 Delaware, Mendota Heights, Opposed. Tearing down the theater is a travesty. The population in the 1960's and 70's was greater than it is today. The theater could be re-used as a draft house.
- Stephanie Bromander, 4255 Grimes. Opposed, Wants to know why the property owner was not accountable for condition of theater.
- Bob Rausche, 4201 40th. In support. He did maintenance in the theater in the late 1990's. The mechanicals are a disaster. "The "big culture in that building is called mold."
- Bonnie Boufford, 3712 Oakdale. In support. The grocery store is needed. The theater could be replicated in scale in the architecture. The development should be scaled back and could include music venues.
- Bobby Muehl, 3633 Halifax. Opposed. Why not recycle the buildings? Hy-Vee is all over the twin cities. They are going to be just like Wal-Mart.
- Kim Gustafson, 4019 Jordan, New Hope. Skeptical of the development. Not sure how to make it safe. Welcomes Hy-Vee.
- Mike Johnson, 3431 York. In support. Ten years from now, the theater will still be vacant. Opposes Vacation Request. The land for the frontage road should be leased.
- Abby Skookraj, 2900 France. In support of the development.
- Kelly Schwieger, 4010 Zane. Very much in support of the development.
- Erik Hillman, 3459 Halifax. Supports the plan.
- Brian Lease, 5205 Scott Court. In support.
- Allison Nguyen, 2901 Yosemite, St. Louis Park. Opposed. Feels the theater should be saved.
- Todd Grover, 1807 Sanders, St. Paul. Opposed. The Terrace is a very significant site and an example of "Mid Century Architecture that should be saved. The condition of the building is not as bad as it seems in the pictures. It is structurally sound. He feels there are opportunities for re-use like other sites.
- Jay Paska, 1485 Sargent Ave, St. Paul. Opposed. The theater presents an opportunity for adaptive re-use. Why not have a parking deck like Fresh Tyme in Bloomington at American Boulevard and Penn Ave. where there are also apartments and a hotel? Recommends a 180 day "hold" or moratorium on the project.
- Brad Nyberg, 4512 Chowen. Opposed. If the developer has been looking at the property for a year and a half, why are we just seeing it now?
- John Perkins, 4221 Beard. Opposed. Loss of the municipal liquor store will be a loss of revenue for the parks. Environmental review of the gas tanks is needed. The loss of the Terrace Theater would be another episode of "Lost Twin Cities."

- Peter Richie, 3511 17th Ave S, Minneapolis. Opposed. Works for the Metropolitan Mosquito Control District. Research shows that mosquitoes breed in those underground stormwater storage chambers. There are existing trees on the site. Why not preserve them? Move and re-use the sign.
- Melissa Kaercher, 3921 Regent. Robbinsdale does not have an entertainment venue. Supports sharing theatre & grocery.
- Marcia Anderson, 130 Edgewood N, Golden Valley. Opposed. Single use commercial is not in compliance with PUD standards including the setback from nearest residential which is supposed to be 70 feet. The city made an application for a TBRA grant months earlier. Why was there no public input then?
- Zack Koranda, 3422 Grimes. In support. If the frontage road is removed, can the space be used for a bike path or sidewalk?

12. **MOTION** by Chair Harper, seconded by Commissioner Bontrager to close the public hearing. **The vote was unanimous and the motion carried.**

13. Mr. Pearson and the developer answered questions that were asked during the Comments portion of the meeting.

15. **MOTION** by Chair Harper, seconded by Commissioner Ulbrich to accept into the public record all public statements received during and after the meeting. **The vote was unanimous and the motion carried.**

16. **THE PLANNING COMMISSION RECESSED AT 10:30 PM.
RECONVENED AT 10:45 PM.**

17. **Phil Hoey, Hy-Vee, Director of Real Estate.** Answered questions regarding fencing, landscaping, lighting, drainage, access, recycling plan, safety issues, coffee shop and outdoor seating. He stated that the reasons that the Rainbow building could not be reused:

- The building does not support the lay-out of the Hy-Vee floor plan.
- The building is on a concrete slab which is on deep pilings. There are voids under the concrete where the soils have settled.
- Getting services into the store where they are needed means crawling into the void.
- The ceiling heights in the existing store are inadequate. It's not possible to reliably rebuild the store using the existing slab and pier system.

Hopes to design the rear of the building so that a retaining wall is not necessary. Creates engineering challenges being worked through. Will be working with staff/police department, lighting, and cameras to make sure the rear area is safe, if a retaining wall is necessary. Safety is a major concern for Hy-Vee.

Pedestrian access will be from Bottineau Blvd/81 to France to front of the building then connecting to 36th Ave. Staff is requesting more ROW for trail connections. Bus Stop connections at 36th & France can enter the front of the building via walkway. There could be pedestrian access from Bottineau. The correct path to take will be determined by the city.

He also explained the safeguards for the gas tanks. They are now constructed of fiber glass with double wall construction. Monitoring systems are in place between the walls watching for moisture. Oil and water separators are located at the gas station to contain and treat the water before it combines with the parking lot storm water.

Safety is important to Hy-Vee. The current area is blighted which causes problems. New construction and lighting help to make the area safe. The store manager has discretion to add security measures necessary to make an environment which makes customers feel safe.

18. **Steve Schwanke, Inland Development, 3400 Richard Lane, St. Louis Park.** Explained that the redevelopment has been in discussion for a year and a half doing due diligence work. Lots of time working with architect, civil engineers, city and Hennepin County staff before application was submitted to the city. Began with a multi-family project but could not obtain the density required, the market was not receptive to medical or industrial use and the retail use worked well for this site. Concurred with findings of fact for CUP and variance. Answered the questions regarding the drainage system that will be used on the site.
19. **Dave Parks, Consulting Engineer, Westwood Services 7699 Anagram Drive, Eden Prairie.** Explained in detail how the storm water storage system works. Stormwater from the parking lot drains into vaults that are under the lowest elevations of the parking lot. The water is treated as it filters through the vaults and it then is discharged at an acceptable rate to the city stormwater management system across County Road 81. The existing system pipes the storm water directly to the park without any treatment.
20. Discussion by the Commission: community involvement, the 60-day law limits the amount of time for review of applications, TBRA grants previously used for the Terrace Theater and other properties for clean-up, the use of lighting as a security measure, access to site by bike & pedestrians, off-site and shared parking, dumpster location, roof top screening and drive-through use. Concerns about the gas station and its proximity to the park, and the soil conditions.
21. **MOTION** by Commissioner Greenberg, seconded by Commissioner Ulbrich to **Approve the Preliminary Plat Request Subd16-4** for Robbinsdale Mall Second Addition based upon the following findings of fact:
 - i. That the plat is consistent with Section 500.17 of the City Code, and
 - ii. That the redevelopment is consistent with the Comprehensive Plan.

And with the following conditions:

1. That the plat and access to County Road 81 be approved by Hennepin County, and
2. That the drainage, grading, paving, storm water management and utilities shall be approved by the City Engineer, and
3. That the landscaping shall be approved by the Community Development Coordinator, and
4. That a development agreement be executed with securities to ensure the installation of public infrastructure subject to the approval of the City Attorney, and
5. That a final plat be prepared consistent with Section 500.19 of the City Code for recording at Hennepin County.

The vote was unanimous and the motion carried.

21. **MOTION** by Commissioner Ulbrich, seconded by Commissioner Bontrager to **Approve the Conditional Use Permit C16-1** for:

- Convenience store with motor fuel pumps;
- Pharmacy and coffee drive-through service;
- Open and outdoor service and sales for the patio, grocery, convenience store and seasonal garden center;
- Off-site parking for North Memorial;
- Planned Unit Development

based upon the following findings of fact:

- i. That the conditional uses supporting the commercial redevelopment are consistent with the comprehensive plan, and
- ii. That the redevelopment revitalizes commercial property that has been underutilized for many years, and
- iii. That the deterioration of the underutilized site will be halted by the redevelopment, and
- iv. That the redevelopment of the site will preserve the commercial character of the site; and
- v. That restoration of a grocery store to the Terrace Mall area has been a stated desire of many residents in various forms including surveys and social media; and
- vi. That compliance with development standards will ensure that the redevelopment will not cause nuisance effects or hazards to surrounding property, and
- vii. That revitalization of the Terrace Mall area will most likely reduce or eliminate disturbing influences in the neighborhood, and
- viii. That all exterior display of materials will be screened by landscaping and buildings from surrounding residential uses.

And with the following conditions:

1. That the six pump islands shall have concrete curb & gutter to separate them from the vehicle fueling space, and
2. That a lighting plan consistent with Section 510.25 Subd. 5 be provided, and
3. That a site plan showing the Seasonal Outdoor Garden Center shall be prepared for review and approval by staff, and

4. That a shared cross-access and parking agreement to secure the 87 parking spaces for North Memorial be executed and recorded with Hennepin County Property Records.
5. That evidence of this approval is recorded with Hennepin County Property Records.
6. That speed control or traffic calming methods be employed in the driveway crossing the southern edge of the development next to North Memorial. **(added condition)**
7. That Pedestrian access to the development and across the site be enhanced. **(added condition)**

ROLL CALL:

YEAS: Stoneberg, Bontrager, Ulbrich, Chair Harper.

NAYS: Greenberg.

The vote was 4 to 1 and the motion carried.

22. **MOTION** by Commissioner Bontrager, seconded by Commissioner Greenberg to **Approve Variance Request V16-1** for commercial driveway curb cuts to exceed 35 feet based upon the following findings of fact:

- i. That the existing access from 36th Ave. N. is not changing other than it would become a commercial driveway instead of a public street as proposed, and
- ii. That the requested access to County Road 81 creates an opportunity to incorporate the West Broadway frontage road and enhance the accessibility to both North Memorial Outpatient Clinic (and employee parking) and the redevelopment site; and
- iii. That the variance would facilitate the development of reasonable access to commercial properties with multiple turning lanes where traffic volumes require them.

And with the condition that evidence of this approval is recorded with Hennepin County Property Records.

The vote was unanimous and the motion carried.