



Variance Board Agenda

Wednesday, January 3, 2024

5:30 PM

City Council Chambers

(Any times listed are approximate – please note that items may be earlier or later than listed on the agenda)

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Agenda**
- 4. Review of Minutes**
 - a. Review October 4, 2023 Minutes.
- 5. Public Hearing**
 - a. Request by PPF RTL Rosedale Shopping Center LLC, in cooperation with Kimley Horn, for VARIANCES to Table 1019-2 and 1019.04.D.2.d.i to allow reductions in required EV charging equipment in connection with Dick's Sporting Goods at Rosedale Center
- 6. Adjourn**


REQUEST FOR BOARD ACTION

Date: **1/3/2024**

Item No.: **4.a.**

Department Approval

Agenda Section

Review of Minutes

Item Description: Review October 4, 2023 Minutes.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

Application Information

N/A

Background

N/A

Staff Recommendation

N/A

Requested Planning Commission Action

Review October 4, 2023 minutes and make a motion to approve subject to requested corrections.

Alternative Actions

N/A

Prepared by:

Attachments: 1. October 4, 2023 Variance Board Minutes



**Variance Board Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Draft Minutes – Wednesday, October 4, 2023 – 5:30 p.m.**

- 1 **1. Call to Order**
2 Chair Schaffhausen called to order the regular meeting of the Variance Board meeting at
3 approximately 5:30 p.m. and reviewed the role and purpose of the Variance Board.
4
- 5 **2. Roll Call & Introductions**
6 At the request of Chair Schaffhausen, City Planner Thomas Paschke called the Roll.
7
8 **Members Present:** Chair Schaffhausen, Vice Chair Bjorum; and Member Aspnes.
9
10 **Members Absent:** None
11
12 **Staff Present:** City Planner Thomas Paschke, Community Development Director
13 Janice Gundlach and Senior Planner Bryan Lloyd.
14
- 15 **3. Approval of Agenda**
16
17 **MOTION**
18 **Member Bjorum moved, seconded by Member Aspnes to approve the agenda as**
19 **presented.**
20
21 **Ayes: 3**
22 **Nays: 0**
23 **Motion carried.**
24
- 25 **4. Review of Minutes: June 7, 2023**
26 **MOTION**
27 **Member Bjorum moved, seconded by Member Aspnes to approve the June 7, 2023**
28 **meeting minutes.**
29
30 **Ayes: 3**
31 **Nays: 0**
32 **Motion carried.**
33
- 34 **5. Organizational Business**
35 City Planner Paschke indicated the Variance Board needed to appoint a Chair and Vice
36 Chair.
37
38 Member Bjorum nominated Member Schaffhausen for Chair.
39

40 **MOTION**
41 **Member Bjorum moved, seconded by Member Aspnes to appoint Member**
42 **Schaffhausen as Chair of the Variance Board.**

43
44 **Ayes: 3**
45 **Nays: 0**
46 **Motion carried.**

47
48 Member Aspnes nominated Member Bjorum for Vice-Chair.

49
50 **MOTION**
51 **Member Aspnes moved, seconded by Member Schaffhausen to appoint Member**
52 **Bjorum as Vice-Chair of the Variance Board.**

53
54 **Ayes: 3**
55 **Nays: 0**
56 **Motion carried.**

57
58 **6. Public Hearing**

59 Chair Schaffhausen reviewed protocol for Public Hearings and public comment and
60 opened the Public Hearing at approximately 5:39 p.m.

61
62 **a. PLANNING FILE 23-011**

63 **Request by Smash Park Minneapolis LLC for a variance to City Code**
64 **§1010.03.C, Prohibited Signs, in support of permitting 4 painted signs on the**
65 **north façade of Smash Park facility at 1721 County Road C.**

66 City Planner Thomas Paschke reviewed the variance request for this property, as
67 detailed in the staff report dated October 4, 2023.

68
69 The applicant was at the meeting but did not have a presentation and no one wished to
70 address the Board on this matter.

71
72 Chair Schaffhausen closed the public hearing at 5:49 p.m.

73
74 Member Aspnes indicated she did not know what a concrete tip up panel was.

75
76 Mr. Paschke described what the concrete tip up panel was.

77
78 Member Aspnes asked based on the packet, the applicant has already done this.

79
80 Mr. Paschke indicated there is one painted sign on the premises at this time.

81
82 **MOTION**
83 **Member Aspnes moved, seconded by Member Bjorum, adoption of Variance**
84 **Board Resolution No. 161 (Attachment 5), entitled “A Resolution Approving a**
85 **Variance to Section 1010.03.C Prohibited Signs of the Roseville City Code, at**
86 **1721 County Road C (PF23-011).”**

87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133

Ayes: 3
Nays: 0
Motion carried.

b. PLANNING FILE 23-009
Request for a variance to §1009.04.C.2 (impervious coverage) for the expansion of a driveway.

Senior Planner Bryan Lloyd reviewed the variance request for this property, as detailed in the staff report dated October 4, 2023.

Member Aspnes asked if the design of the rain garden was in keeping with any requirements the City has. She wondered if there are any comments about the design or actual size of the rain garden.

Ms. Lloyd explained staff does not. He noted staff talked about it with public works staff and from what he recalled of the conversation the plans are well on the way to meeting the pertinent requirements but their recommendation for them was to phrase the approval as the applicant has to satisfy the residential stormwater permit process.

Chair Schaffhausen when the City and Planning Commission went through the Comprehensive change and with the water ways, they looked at a lot of different variances. She was trying to remember back but could not because the Planning Commission had talked about how this can be done in a way that is thoughtful but does not create additional steps. She thought it seemed like there is an extra step that was added in, and she asked if this was the intent or do they need to go back and revisit from a procedural perspective with regard to something like this.

Ms. Gundlach explained staff tried to not have to deal with these situations but the DNR in moving to the updated model ordinance basically eliminated the City’s options to continue to use the stormwater permit that the City had previously been using for these instances so they would not have to go through the variance process but this was not the City’s choice with the changes made to the Shoreland Ordinance, the DNR basically said anything over twenty-five percent is going to have to go through the variance process. She noted staff has sent this variance request to the DNR and they have not commented.

The applicant was at the meeting but did not wish to address the Commission.

Chair Schaffhausen closed the public hearing at 6:05 p.m.

MOTION
Member Bjorum moved, seconded by Member Aspnes, adoption of Variance Board Resolution No. 162 (Attachment 4), entitled “A Resolution Approving a Variance to Roseville City Code Section §1004.09.C.2, Impervious Coverage, at 195 County Road B2 (PF23-009).”

134 **Ayes: 3**
135 **Nays: 0**
136 **Motion carried.**

137
138 **7. Adjourn**

139
140 **MOTION**
141 **Member Aspnes, seconded by Member Bjorum, to adjourn the meeting at 6:07**
142 **p.m.**

143
144 **Ayes: 3**
145 **Nays: 0**
146 **Motion carried.**


REQUEST FOR BOARD ACTION

Date: **1/3/2024**
Item No.: **5.a.**

Department Approval

Janice Gundlach

Agenda Section

Public Hearing

Item Description: Request by PPF RTL Rosedale Shopping Center LLC, in cooperation with Kimley Horn, for VARIANCES to Table 1019-2 and 1019.04.D.2.d.i to allow reductions in required EV charging equipment in connection with Dick's Sporting Goods at Rosedale Center

1
2 **Application Information**

3 **Applicant:** Kimley-Horn on behalf of Jones Lang LaSalle (JLL)

4 **Location:** 1595 Highway 36

5 **Application Submission:** November 30, 2023

6 **City Action Deadline:** January 29, 2024

7 **Zoning:** Core Mixed-Use (MU-4) district

8
9 **Background**

10 On March 20, 2023, the Roseville City Council adopted an ordinance approving the Phase 2
11 amendments to the Zoning Code. One component of this approval was the establishment of
12 regulations concerning electric vehicle service equipment (1019.04.D and Table 1019-2). These
13 standards, while new to Roseville, are similar to standards used or adopted by other municipalities in
14 the Metropolitan Area (St. Louis Park, Minneapolis, Richfield, Bloomington, Lakeville, Golden
15 Valley, and St. Paul). The following applicable standards were adopted by the City (also see
16 highlighted text within below):

17
18 *D. Electric Vehicle Charging Standards*

- 19 1. *The intent of this section is to facilitate and encourage the use of electric vehicles, to expedite*
20 *the establishment of a convenient, cost-effective electric vehicle charging infrastructure, and*
21 *establish minimum requirements for electric vehicle parking spaces and charging*
22 *infrastructure to serve both short and long-term parking needs.*
- 23 2. *Minimum Number of Required Electric Vehicle Charging Stations (EVCS)*
- 24 a. *All new parking areas, existing parking areas expanding by more than 25% additional*
25 *parking spaces, and existing parking areas improving more than 25% of the parking area*
26 *are subject to the standards of Table 1019-2.*
- 27 b. *For all calculations of required parking spaces based on percentages, any result less*
28 *than one shall be rounded up to one and, above that, fractional results of at least one half*
29 *shall be rounded up to the nearest whole number.*

Table 1019-2: Minimum Number of Required Electric Vehicle Charging Stations (EVCS)

Number of spaces	EVCS by required parking spaces and charging levels (Level 1, Level 2, DC) for new parking areas	EVCS by required parking spaces and charging levels (Level 1, Level 2, DC) for expansion or improvement of existing parking areas
29 or fewer	Optional	Optional
30- 49	<p>Multiple-family residential (5 or more units): 5% of required parking spaces, of which at least one shall be accessible, as Level 1 or greater</p> <p>Non-residential land uses</p> <ul style="list-style-type: none"> Two parking spaces, of which at least one shall be accessible, as Level 2 or greater 	<p>For parking areas that are expanded or improved (per Section 1019.03) by more than 25%, EVCS shall be provided at the minimum quantities required for new parking areas, prorated to the number of parking spaces in the area of expansion or improvement.</p>

32

Table 1019-2: Minimum Number of Required Electric Vehicle Charging Stations (EVCS)

50+	<p>Multiple-family residential (5 or more units):</p> <ul style="list-style-type: none"> 10% of required parking spaces, of which at least one shall be accessible, as Level 1 or greater One guest parking space as Level 2 or greater <p>Non-residential land uses</p> <ul style="list-style-type: none"> 5% of required parking spaces, of which at least one shall be accessible, as Level 2 or greater 	<p>For parking areas that are expanded or improved (per Section 1019.03) by more than 25%, EVCS shall be provided at the minimum quantities required for new parking areas, prorated to the number of parking spaces in the area of expansion or improvement.</p>
-----	--	---

33

34

35

36

37

38

39

40

d. In addition to the number of required EVCS, the following accommodations shall be required for the anticipated future growth in market demand for electric vehicles:

- i. New Non-Residential and Multiple-Family Residential Land Uses (5 or more units per building): all new parking areas shall provide electric vehicle supply equipment (EVSE) with the electrical capacity necessary to accommodate the future hardware installation of EVCS as Level 2 or greater for a minimum of 10% of required parking spaces.

41 ii. *Existing Non-Residential and Multiple-Family Residential Land Uses (5 or more*
42 *units per building): all existing parking areas that are expanded or improved (per*
43 *Section 1019.03) by more than 25%, EVSE shall be provided according to the*
44 *preceding standards required for new parking areas, prorated to the number of*
45 *parking spaces in the area of expansion or improvement.*

46 e. *These requirements may be revised upward or downward by the City Council as part of*
47 *an application for a conditional use permit or planned unit development based on*
48 *verifiable information pertaining to parking.*

49 3. *Reductions to EVSE and EVCS requirements. When the cost of meeting the requirements of*
50 *this section would exceed five percent of the total project cost, the property owner or*
51 *applicant may request a reduction in the requirements and submit cost estimates for city*
52 *consideration. When City Council approval of the project is not required, the Community*
53 *Development Department may administratively approve a reduction to the requirements in*
54 *order to limit the installation costs to not more than five percent of the total project cost.*

55 In the months after adoption of EV standards, Planning Division staff required three projects to
56 install EV charging stations and conduit for future stations. These projects included Ramsey County
57 Environmental Service Center, Parallel Apartments, and Dicks Sporting Goods (DSG).

58 In June 2023, the Planning Division apprised Jones Lang LaSalle (JLL) that the DSG project would
59 be subject to EV requirements, which included 15 Electric Vehicle Charging Stations (EVCS) and
60 Electric Vehicle Supply Equipment (EVSE) for 30 stalls based on the proposed 298 stall parking
61 lot. EVSE is the electrical conduit or hardwiring for future charging stations (also known as EV-
62 ready stalls).

63 On October 25, 2023, the Planning Division met with representative of JLL and Kimley-Horn to
64 review the electric vehicle requirements for the DSG project and to discuss JLL's and DSG's options
65 in order for staff to approve the building permit. It was determined JLL/DSG would seek relief
66 through the variance process from the required standards for EVCS and EVSE on the DSG
67 project. At this meeting, staff also discussed a willingness to review and provide comments on the
68 variance proposal in advance of a formal submittal.

69 **Review of Request**

70 On October 27, 2023, Kimley-Horn, on behalf of JLL, submitted the proposal for DSG's required
71 EVCS and EVSE for staff review and comment prior to submission of a formal variance
72 application. The specifics of the proposal included the relocation of the charging units and future
73 wiring for charging units from the DSG site to the area south of the ring-road and mall entry near
74 Baldamar and DSW Shoes; a proposed reduction in the number of required EVCS from fifteen (15)
75 Level 2 or greater units to three (3) Level 3 charging units; and a reduction of EVSE from thirty (30)
76 Level 2 or greater to six (6) Level 3. The applicant's narrative indicates these reductions are
77 predicated on similar EV requirements from the Denver, Colorado Building Code, which supports
78 one (1) Level 3 for every ten (10) Level 2 chargers.

79 To better understand the difference between Level 2 and Level 3 charging units, staff has provided
80 the following information from *Car and Driver*:

81 "Level 2 charging operates at 240 volts and typically at three to four times the amperage of a
82 lesser Level 1 unit. As such, the majority of Level 2 units add electricity to your EV's battery
83 pack at a rate that's roughly six to eight times faster than Level 1 setups, equating to 12–32 miles
84 of driving range for each hour of charging.

85 Level 3 chargers are the quickest of the bunch. Alternatively, known as DC fast-chargers, Level
86 3 chargers are especially useful during long trips that necessitate charges between destinations,
87 as this sort of charging can add around 100–250 miles of range in 30–45 minutes. Unlike Level 1
88 and Level 2 charging, Level 3 setups connect to the vehicle by way of a socket with additional
89 pins for handling the higher voltage (typically 400 or 800 volts).”

90 On November 6, 2023, City staff, including the City Planner, Environmental Manager, Sustainability
91 Specialist, and Community Development Director met to review the proposal submitted by Kimley-
92 Horn. Although staff’s preference was to include some EVCS and EVSE adjacent to DSG, staff
93 concluded relocating the EV charging stations and EV ready equipment was not in conflict with the
94 Code given shared parking easements exist across the entire Rosedale property and where shoppers
95 shop does not necessarily correlate to where they choose to park. Further, the intent of the code is to
96 provide access to electric vehicle charging and recognizing the shared parking arrangement at the
97 mall, the actual location of the stalls would not impact access. In essence, staff concluded the
98 equipment would not be required to be at or near the DSG project site in order to comply with the
99 Code. Staff further concluded the proposed relocation provided good visual exposure and the
100 potential for use, whether by shoppers at the mall or non-shoppers, would be a positive outcome.

101 Regarding the desired reductions in EVCS and EVSE, staff were not supportive of the reductions as
102 proposed. While staff understands there are numerous codes nationwide regarding electric vehicle
103 charging stations and the installation of future equipment (EV-ready), it was the consensus of staff
104 that the reductions proposed based on the Denver code were too extreme. Roseville’s standards were
105 drafted in recognition of attempting to meet a demand for charging stations and that need outweighs
106 full support for JLL’s proposed reductions, even when upgrading from Level 2 to the Level 3
107 charging units.

108 Staff provided an email response to Kimley-Horn and JLL on November 6, 2023, indicating staff
109 would not support a 1 for 5 reduction in the required number of EVCS and EVSE. That said, staff
110 did provide an alternative it could support. The staff proposal included the upfront installation of
111 three (3) Level 3 stations and three (3) Level 2 stations in the relocated site adjacent to DSW. Staff
112 felt this revised proposal balanced the goals of the EV code and offered EV customers charging
113 options, yet also offered support on the request to reduce the number of required EVCS stalls. This
114 would be a reduction from fifteen (15) to six (6) Level 2 or greater charging stations. Staff has
115 indicated support for this reduction, finding it meets the practical difficulty test required for
116 variances given the following two reasons: 1) the mall already has EVCS-equipped stalls and
117 because of the shared parking arrangement at the mall, some “credit” could be given for those
118 existing EVCS stalls, and 2) installation of Level 3 chargers, as proposed, offers faster charging
119 suggesting more users could benefit from the stalls than if the stalls were equipped only with the
120 slower, Level 2 chargers.

121 As for the EV-ready spaces, staff indicated they would not support any reduction in the required
122 number of EV-ready spaces. Staff contends the premise behind requiring the EVSE, especially for
123 new construction or reconstruction of a large parking lot, is that installation of the necessary power
124 infrastructure is most cost-effective and least disruptive at this time. City staff contend the future
125 installation of EVSE at the required amount is appropriate since demand will only increase over the
126 years. Further, with no timetable or requirement for installing the actual charging equipment at these
127 stalls, the practical difficulty test, justifying the need for a variance, has not been met.

128 On November 30, 2023, the Planning Division received the formal variance application from
129 Kimley-Horn on behalf of JLL, which requested a reduction of twelve (12) Level 2 or greater

130 charging stations for the installation of three (3) Level 3 charging stations, and a reduction of
131 twenty-four (24) EV-ready spaces of Level 2 or greater for the installation for six (6) Level 3 EVSE
132 for future stations (See Attachment 3).

133
134

135 **Staff Recommendation**

136 **Variance Analysis**

137 Section 1009.04 (Variances) of the City Code explains the purpose of a variance is “to permit
138 adjustment to the zoning regulations where there are practical difficulties applying to a parcel of land
139 or building that prevent the property from being used to the extent intended by the zoning.” State
140 statute further clarifies that “economic considerations alone do not constitute practical difficulties.”

141 The variance submitted by Kimley Horn and JLL seeks relief from the installation of the required
142 fifteen (15) EVCS of Level 2 or greater to three (3) Level 3 EVCS and relief from the required thirty
143 (30) EVSE (EV-ready) to six (6) EVSE or respective variances of twelve (12) EVCS and twenty-
144 four (24) EVSE.

145 The Planning Division is aware of the concerns and challenges of implementing the new EV
146 requirements, especially when few municipalities have such standards and the infrastructure can
147 result in an unanticipated cost. These standards become even more challenging when applied to a
148 large development project like DSG, which requires a 298-stall parking lot. However, the
149 Minnesota State legislature, during its last session, recognized the need to address EV charging by
150 passing a law that requires the State Building Code “include a minimum number of electric vehicle
151 ready spaces, electric vehicle capable spaces, and electric vehicle charging stations either within or
152 adjacent to new commercial and multifamily structures that provide onsite parking facilities.” At
153 this time, a working group is convening to determine what the actual standard should
154 be. Roseville’s adoption of EV standards in early 2023 reflects that our City is a leader in the need
155 for this infrastructure and consideration of variance requests needs to be thoughtful and rational
156 given such standards will be enacted State-wide soon.

157 As discussed above, City staff has determined it would not support the variance request as proposed.
158 However, staff are supportive of the granting of a variance to the number of EVCS and submitted an
159 optional proposal more consistent with the purpose and intent of the EV standards adopted by the
160 City Council. The following analysis discusses this in further detail and validates the staff position
161 and recommendation.

162 Section 1009.04C of the City Code establishes a mandate that the Variance Board make five specific
163 findings about a variance request as a prerequisite for approving the variance. Planning Division
164 staff have reviewed the application and offer the following draft findings:

- 165 1. *The proposal is consistent with the Comprehensive Plan.* Planning Division staff has
166 determined the proposal is generally consistent with the Comprehensive Plan because it
167 represents a sustainable investment promoted by the Comprehensive Plan’s goals and
168 policies, specifically the Resilience and Environment chapter and the goals addressing a
169 reduction in greenhouse gas emissions.
- 170 2. *The proposal is in harmony with the purposes and intent of the zoning ordinance.* With
171 respect to this requested variance, the Planning Division finds the proposal is not wholly in
172 harmony with the purpose and intent of the EV standards. Specifically, the purpose and intent

173 of the newly adopted requirements are to “facilitate and encourage the use of electric
174 vehicles, to expedite the establishment of a convenient, cost-effective electric vehicle
175 charging infrastructure, and establish minimum requirements for electric vehicle parking
176 spaces and charging infrastructure to serve both short and long-term parking needs.” To this
177 point, staff believes implementation requires every site subject to the EV ordinance to install
178 a share of EV charging equipment and, if possible, offer choices for said charging as there is
179 not a one-size-fits-all type of product. Although staff could strictly interpret the code and not
180 support any level of variance, there is merit in supporting a reduction in overall charging
181 units initially installed as discussed earlier in this report. Staff recognizes the balance
182 necessary in managing expectations of both a private entity and of the City, which is why
183 staff supports three (3) Level 3 and three (3) Level 2 charging stations, as opposed to the
184 code-required 15 equipped stalls, as such a proposal meets the intent of the Code.

185 3. *The proposal puts the subject property to use in a reasonable manner.* This finding seeks to
186 determine whether the requested deviation will put the property to use in a manner
187 reasonably consistent with the standards set forth in the Code. In this case the question, in
188 essence, is whether the requirement of 15 EVCS and 30 EVSE for a 298-space parking lot
189 are too great given the specific characteristics of the DSG project and/or the overall
190 property. Although the City’s requirements for electric vehicle charging stations and future
191 equipment installation are new, there is no sufficient information to conclude Roseville’s
192 standards are extraordinary or inconsistent given the specific characteristics of the DSG
193 project or warranting approval of the level of code deviation proposed by the
194 applicant. Further, even though the City of Denver, Colorado supports a reduction when
195 installing the more rapid charging Level 3 units (one Level 3 for every ten Level 2), and the
196 proposal seeks half that in its request (one Level 3 for every five Level 2), staff is of the
197 opinion a greater number of charging units are necessary to comply with the purpose and
198 intent of the Code. Concerning installation for future EVSE, staff believe it is reasonable to
199 seek full compliance with the Code and not grant a reduction. Specifically, this requirement
200 is prompted by the reconstruction of the former Herberger’s site with the DSG project and its
201 298-stall parking lot. With the development site under construction, the ability to install the
202 EVSE future infrastructure is simplified, cost effective, and not impactful to parking areas
203 currently in use. Therefore, staff believes the required installation of three (3) Level 3 and
204 three (3) Level 2 EVCS and all thirty (30) of the required EVSE are necessary to acceptably
205 comply with this finding.

206 4. *There are unique circumstances to the property which were not created by the*
207 *landowner.* Staff has reworked this criterion to ask – is it plausible to support the position
208 that fifteen (15) EVCS and thirty (30) EVSE for 298 stall DSG parking lot is a unique
209 circumstance requiring some relief. Possibly, but only if one concludes larger parking lots
210 should not be held to the same or similar standards to those of small or medium-sized parking
211 lots. Since adoption of the EV standards, Planning Division staff has not had to apply said
212 requirements to a parking lot the size of the DSG project. The largest to date has been the
213 Ramsey County ESC project, which required three (3) EVCS and six (6) EVSE for the 58-
214 stall parking lot. However, Planning Division staff were aware there would come a time
215 when a large parking lot was submitted that required a larger number of charging stations and
216 equipped future stalls. Although a 298-stall parking lot is not a typical commercial parking
217 lot in Roseville, City staff supports all the past work of the Planning Commission and City
218 Council to approve specific standards and requirements regarding EV charging. After review
219 and consideration of the information provided by the applicant, staff concluded the number

220 of required EVCS for the DSG project could be “reasonably” reduced and still comply with
221 the purpose and intent of the Code. This is because requiring some flexibility in charger type
222 and charging time duration aligned with the goals of these standards. However, the applicant
223 has not provided any information suggesting the reduction to the amount of EVSE (EV-
224 ready) is reasonable or based on anything other than economics, which is why staff finds this
225 criterion is not met as it relates to the applicant’s request to reduce the number of EVSE
226 stalls.

227 5. *The variance, if granted, will not alter the essential character of the locality.* The Planning
228 Division has determined the granting of the requested variance could alter the essential
229 character by establishing a trend by which reduced numbers of EV charging and ready stalls
230 are allowed without thought or reason in terms of addressing current and perceived future
231 needs. Staff has outlined support of a lesser number of charging stations being installed
232 initially, but remains firm on the required number of future equipped stalls. These reasons
233 are outlined herein and represent a thoughtful application of the practical difficulty test as it
234 relates to the purpose and intent of the EV standards – which again are to “facilitate and
235 encourage the use of electric vehicles, to expedite the establishment of a convenient, cost-
236 effective electric vehicle charging infrastructure, and establish minimum requirements for
237 electric vehicle parking spaces and charging infrastructure to serve both short and long-term
238 parking needs.”

239 **Public Comment**

240 At the time this report was prepared, Planning Division staff has not received any comments or
241 questions about the proposed variance.

243 **Requested Planning Commission Action**

244 Planning Division finds the applicant’s request partially demonstrates practical difficulties to the
245 extent intended by the zoning and would recommend the following:

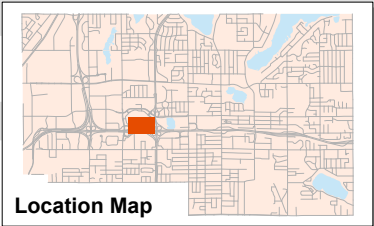
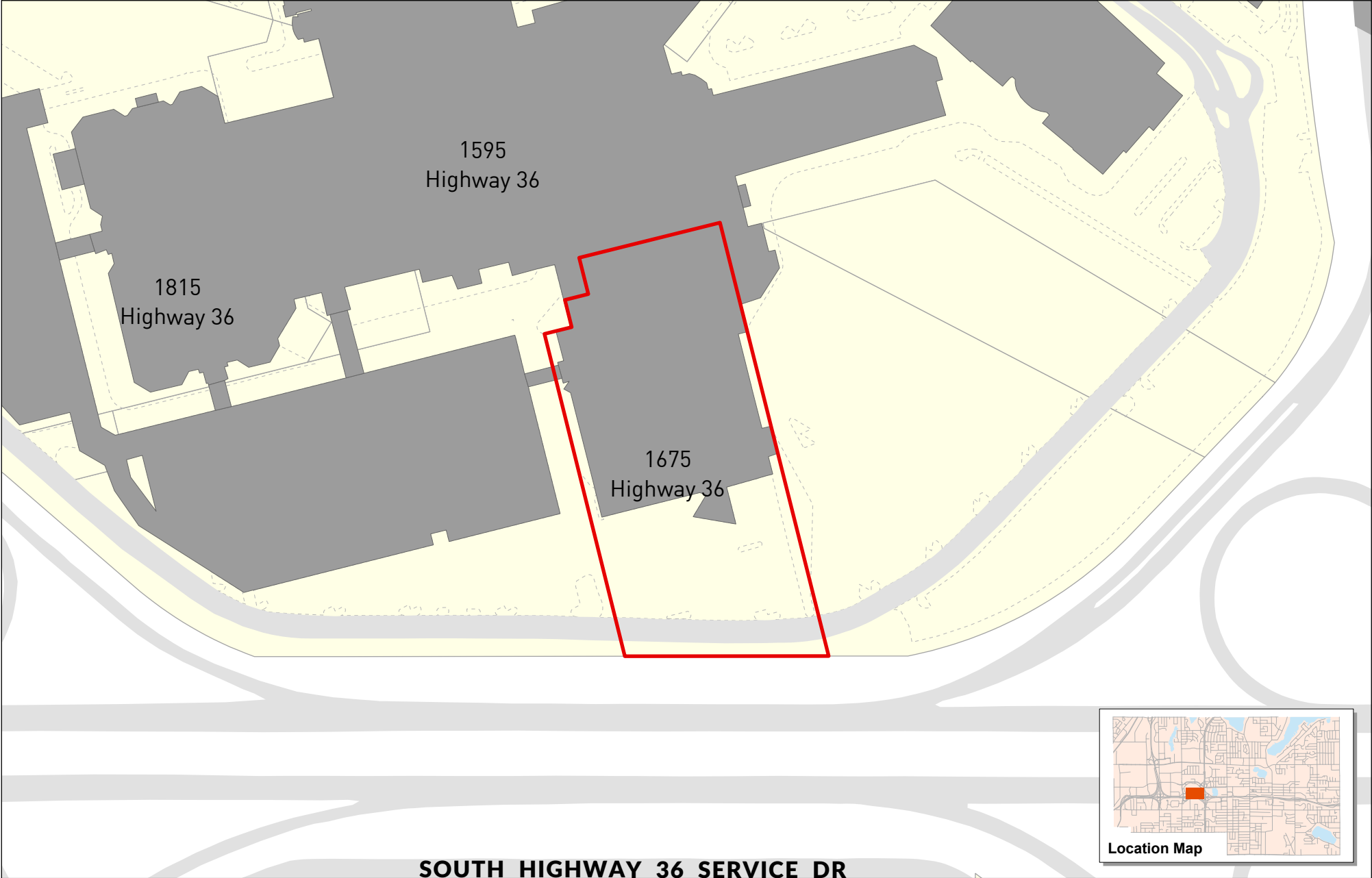
- 246 1. **The Variance Board adopts a resolution approving a variance to Table 1019-2 of the**
247 **City Code in support of a reduction in the number of EVCS stalls subject to the**
248 **condition that three (3) Level 3 and three (3) Level 2 EVCS stalls are implemented**
249 **when fifteen (15) EVCS would normally be required** based on the content of this report
250 and associated plans provided as attachments, public input, and Variance Board deliberation.
- 251 2. **The Variance Board adopts a resolution denying the requested variance to**
252 **1019.04.D.2.d.i regarding reductions in EVSE (EV-ready) stalls**, requiring the applicant
253 to install EVSE for 30 stalls based on the content of this report and associated plans provided
254 as attachments, public input, and Variance Board deliberation.

255 256 257 **Alternative Actions**

258 **Alternative Actions**

- 259 1. **Pass a motion to table the item for future action.** An action to table consideration of the
260 variance request must be based on the need for additional information or further analysis to
261 reach a decision on one or both requests. Tabling may require extension of the 60-day action
262 deadline established in Minn. Stat. 15.99 to avoid statutory approval.

Attachment 1: Planning File 23-014



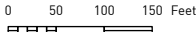
SOUTH HIGHWAY 36 SERVICE DR

ROSEVILLE
 Prepared by:
 Community Development Department
 Printed: December 28, 2023



Data Sources
 * Ramsey County GIS Base Map (12/5/2023)
 For further information regarding the contents of this map contact:
 City of Roseville, Community Development Department,
 2660 Civic Center Drive, Roseville MN

Disclaimer
 This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7085. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.



Attachment 2: Planning File 23-014





MEMORANDUM – EV CHARGING VARIANCE REQUEST

To: Janice Gundlach, City of Roseville – Community Development Director
Thomas Paschke, City of Roseville – City Planner

From: Brian Wurdeman, PE, Kimley-Horn
Bryce Christensen, Kimley-Horn

Copy: Gar Herring, Poag Development Group
Mary Vining, JLL
Lisa Crain, JLL

Date: November 30, 2023

Subject: Rosedale Center – Dick’s Sporting Goods | Roseville, MN
EV Charging Variance Request

PROJECT OVERVIEW & UNDERSTANDING

JLL has recently worked to obtain a building permit to construct a new Dick’s Sporting Goods (“DSG”) on the south side of the Rosedale Center. As part of the City of Roseville Ordinance No. 1629, Kimley-Horn understands that as a condition of building permit approval, the City will require additional EV Charging to be installed on the property (four existing level 2 charging stations were installed adjacent to Von Maur in 2017). The current DSG project schedule is targeting a certificate of occupancy (“CO”) from the City in August of 2024. The development team has been working to identify a plan to implement an EV charging solution that will satisfy the requirements of the building permit and eventual release of the CO.

Under section 3 (Environmental Regulations) of the ordinance, subsection 1019.04 identifies the minimum parking spaces and electric vehicle charging requirements for non-residential land uses with 50 or more parking spaces. Herein, it states that all new parking areas or existing parking areas improving by more than 25% of the parking area are subject to provide EV charging stations (“EVCS”) at the minimum quantities required for new parking areas, prorated to the number of parking spaces in the area of expansion or improvement. This includes the following:

- Five percent (5%) of required parking spaces, of which at least one shall be accessible, as Level 2 or greater. Based on coordination with the City of Roseville, the DSG project would be required to install a minimum of 15 Level 2 charging stations.
- In addition to the number of required EVCS, the all-new non-residential parking areas shall provide electric vehicle supply equipment (EVSE) with the electrical capacity necessary to accommodate the future hardwire installation of EVCS as Level 2 or greater for a minimum of 10% of required parking spaces. Based on coordination with the City of Roseville, the DSG would be required to install a minimum of 30 EVCS charging stalls.

JLL engaged Kimley-Horn to evaluate the approach to implementing EV Charging at Rosedale Center. The master planning efforts focused on identifying the appropriate location, number, and type of EV

chargers that will conform to the current and future EV charging market. JLL's goal is to propose an EV plan which not only benefits the mall, but the greater Roseville community. As a result of this effort and use of the existing Level 2 charging stations adjacent to Von Maur, JLL would like to pursue a variance application to allow for flexibility to install Level 3 charging stations in lieu of installing additional Level 2 charging stations on the property.

This memorandum will provide a brief overview of each of the following topics to justify JLL's proposed variance request.

- Benefits of Level 3 vs. Level 2 for high turnover retail/restaurant.
- Cost of Level 3 vs. Level 2 chargers
- Summary of third-party interest to date
- Summary of current EV charging infrastructure nearby (Roseville, MN)
- Comparable zoning ordinances for other municipalities
- EV Charging Variance Request

BENEFITS OF LEVEL 3 (DCFC) VS. LEVEL 2 CHARGING

Generally, there are three levels of EV charging; Level 1, level 2, and level 3 (DCFC). Each level provides a solution for different applications. In the case of Rosedale Center, Roseville City Code requires a charging implementation of level 2 or greater. That said, level 3 charging (DCFC) is the most appropriate application for public-facing charging in a retail setting. There are many reasons for this that we'll summarize below.

- Level 3 charging allows EV drivers the ability to get a quick charge in under 30 minutes (depending on the current level of the vehicle's battery)
- Level 3 EV fast charging lures customers back. Industry surveys show that the majority of EV drivers like to shop while charging (average spend is ~\$50).
- Level 3 chargers can attract new visits to the mall and City, which would not occur without them. EV drivers in need of a charge can locate Level 3 charging options via Google Maps, Plugshare, etc.
- Level 3 charging provides more customer turnover with shorter dwell times. DCFC charging solutions allow for customer turnover approximately every 30-min. This allows more customers to charge on-site and visit the mall.
- Level 2 charging is typically best implemented in multi-family (where users plug-in overnight) or office (where employees plug-in for most of the day) developments which have longer dwell times. In these applications, EV drivers can plug in for several hours at a time.

Below is a table that shows a comparison of few of the key characteristics of each charging level.

Charge Level	Power Similar to A	Approximate Travel Distance Gained in a 15-Minute Charge Duration	Power	Approximate Time to Fully Charge a Typical EV
Level 1 Charger	Toaster	1 mile	1.0–1.2 kW	1–2 days
Level 2 Charger	Clothes dryer	3–15 miles	3.6–19.2 kW	8–13 hours
DC Fast Charger	5–10 central air conditioners	25–300 miles	50–320 kW	30–45 minutes

HIGH-LEVEL COST ESTIMATES FOR CHARGING OPTIONS

The costs associated with EV charging can vary widely from site to site, with a large portion of the investment coming from electrical upgrades and power source improvements that might be required. That said, the average cost to install a level 2 charger can range from \$3,500 to \$10,000. The average cost for a level 3 (DCFC) charger can be \$35,000 to \$75,000 or more depending on the location and supporting electrical equipment that might be required. There also becomes an ‘economy of scale’ at some point, where the capital costs required to procure and install the support equipment can support a certain number of chargers.

Our team has prepared an opinion of probable cost for the implementation of a code minimum required scenario for EV charging. That scenario was for 15 level 2 charging ports and 30 additional EV-ready stalls. When factoring in electrical upgrades, it is anticipated that the associated costs would be over \$500k. It is anticipated that the installation of three level 3 charging ports could be accommodated with a comparable budget.

SUMMARY OF NEARBY EV CHARGING OFFERINGS (ROSEVILLE)

In order to assess the market for additional EV chargers in the Roseville area, we evaluated the current EV charging options available to the public in the area. Below is a list of available EV charging within 1-mile of Rosedale Center.

- Rosedale Center (10 Rosedale Shopping Center, Roseville, MN 55113) – 2 dual port Level 2 charging ports (4 J-1772)
- MnDOT Metro (1510 County Road B2 W, Roseville, MN 55113) – 2 Level 2 charging ports (2 J-1772)
- Hiway Credit Union Roseville Branch (2465 Fairview Ave N, Roseville, MN 55113) - 2 Level 2 charging ports (2 J-1772)
- Target Roseville (1515 County Road B W, Roseville, MN 55113) – 8 Level 3 charging ports (6 CCS/SAE and 2 CHAdeMO)
- Goodwill Roseville (1627 County B Rd W, Roseville, MN 55113) – 2 Level 2 charging ports (2 J-1772)
- Goodwill Roseville (2500 Cleveland Ave N, Roseville, MN 55113) – 2 Level 2 charging ports (2 J-1772)
- Luther Cadillac (2325 Prior Avenue N, Roseville, MN 5514) - 2 Level 1 charging port (J-1772)
- Roseville Midway Ford (2777 Snelling Ave, Roseville, MN 55113, USA) - 2 Level 2 charging ports (2 J-1772)

Kimley-Horn was retained to perform EV Charging Requirements Analysis Memo, and we performed only those tasks specifically stated in our scope of services. This report may be relied upon only by my Kimley-Horn's Client. It is not intended for use by any other party. The Client may use this report as part of its due diligence, but this report should not be used as the sole basis for the Client's decision making. We endeavored to research site development issues and constraints for the extent practical given the scope, budget, and schedule agreed to by the Client. Our assessment is based on information provided to us by others and, therefore, is only as accurate and complete as the information provided to us. This report is based on our knowledge as of October 13, 2023 and is based on the desires of the Client, which have been specifically disclosed to us. New issues may arise during development because of changes in governmental rules and policy, changed circumstances, or unforeseen conditions.



- Home2 Suites by Hilton (2020 Iona Ln, Roseville, MN 55113, USA) – 4 Level 3 charging ports (16kW) (4 Tesla/NACS) & 2 Level 2 charging ports (2 J-1772)
- Holiday Inn Express (2715 Long Lake Rd, Roseville, MN 55113, USA) – 3 Level 3 charging ports (16 kW) (3 Tesla/NACS)
- Xcel Energy (3115 Centre Pointe Dr, Roseville, MN 55113, USA) - 2 Level 2 charging ports (2 J-1772)

COMPARABLE ZONING ORDINANCES FROM ANOTHER MUNICIPALITY

EV charging is a new concept that many municipalities across the country are doing their best to navigate. Over the past several years, many jurisdictions have worked to implement EV charging requirements into land use and development codes, while other municipalities choose to keep this as a ‘developer option’. We’ve observed that it can be challenging to create an ordinance that is mutually beneficial to the Community and Property Owner for each development type and location. Each City across the country has different metrics when analyzing the appropriate number of EV charging ports to implement. Some of these include EV registration data, demographics, site proximity to a highway or other heavily trafficked EV corridor, and others. That said, there are several key elements that factor into whether a particular site is a good candidate for EV charging and how many are appropriate for immediate implementation and future phasing. Below is a local sampling of municipalities and how they have or have not implemented EV Charging into their municipal code:

- Minneapolis – Minimum 5% of Parking Stalls are to be EV Charging Stalls Level 2 or Greater.
- St. Paul – No Minimum EV Requirements in Code
- Bloomington – No Minimum EV Requirements in Code
- Edina – No Minimum EV Requirements in Code
- Minnetonka – City Encourages Appropriate Planning of Future EV Installation, but No Minimum EV Requirements in Code.
- Blaine – No Minimum EV Requirements in Code
- Medina – Code requires that 2% of Parking Stalls are to be EV Charging Stalls Level 2 or Greater, with an additional 18% of spaces being EV Ready.

As can be seen above, there is not a consistent approach being implemented across the Twin Cities metropolitan area. With our experience working nationally, we feel that the City of Denver has implemented an EV ordinance which allows flexibility, in turn yielding the best application for the Community and Property Owner. Below is an example of a comparable zoning ordinance from the City of Denver, Colorado.

The Denver Building Code (DBC) has a requirement for EV charging for non-residential uses similar to the City of Roseville. The table below show the requirements for EV charging infrastructure of a commercial property with a certain occupancy group, including 10% of the total number of spaces (5% EV Ready and 10% EV Capable).

Table C405.13.1 REQUIRED EV CHARGING INFRASTRUCTURE

OCCUPANCY	EVSE INSTALLED SPACES	EV READY SPACES	EV CAPABLE SPACES
GROUP A, B, E, M	10%	5%	10%

Kimley-Horn was retained to perform EV Charging Requirements Analysis Memo, and we performed only those tasks specifically stated in our scope of services. This report may be relied upon only by my Kimley-Horn’s Client. It is not intended for use by any other party. The Client may use this report as part of its due diligence, but this report should not be used as the sole basis for the Client’s decision making. We endeavored to research site development issues and constraints for the extent practical given the scope, budget, and schedule agreed to by the Client. Our assessment is based on information provided to us by others and, therefore, is only as accurate and complete as the information provided to us. This report is based on our knowledge as of October 13, 2023 and is based on the desires of the Client, which have been specifically disclosed to us. New issues may arise during development because of changes in governmental rules and policy, changed circumstances, or unforeseen conditions.

This is all for a minimum of Level 2 charging. The City of Denver has provided an option for developers and property owners to implement Level 3 charging at a reduction of the required percentages above, even to a ratio of (1) Level 3/DCFC for every (10) Level 2 chargers. See code section below:

- *Section C405.13.1 (6) - The number of EVSE Installed Spaces for Groups A, B, E, I, M and S-2 Occupancies may be reduced by up to ten per DCFC EVSE provided that the building includes not less than one parking space equipped with a DCFC EVSE and not less than one EV Ready space. A maximum of fifty spaces may be reduced from the total number of EVSE Installed spaces.*

This type of flexibility allows for the appropriate charging solution to be implemented, especially in the retail setting. It also allows for an appropriate number of chargers to be installed.

3RD PARTY EV CHARGING NETWORK INTEREST

As part of the process to explore different options for the implementation of EV charging at the Rosedale Center we reached out to four (4) 3rd party Charge Point Operators (“CPO”) to gauge outside interest in owning and operating the EV charging at the mall. The CPOs we connected with included the following:

- Electrify America
- EVgo
- Go-Station
- Tesla

Below is a brief summary of our coordination efforts and the responses from each third party company.

- Electrify America was not interested in this location for their own investment and would only recommend supplying Level 3 DCFC to the mall.
- EVgo has expressed interest in owning and operating Level 3 DCFC at the Rosedale Center. Their preference would be to locate adjacent to a utility point of connection and clustered together to minimize construction costs.
- Go-Station completed a preliminary assessment but expressed limited interest in installing Level 3 chargers, and had no interest to install Level 2 chargers.
- Tesla is still evaluating the site for Level 3 DCFC and has yet to communicate whether they are or are not interested in the site.

As can be seen, the primary interest of third party charging vendors in the marketplace has been concentrated on Level 3 charging due to the retail use of the site.

EV CHARGING VARIANCE REQUEST

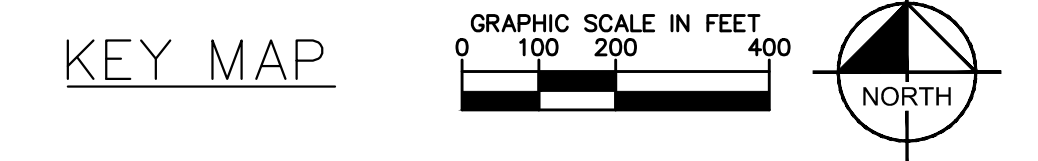
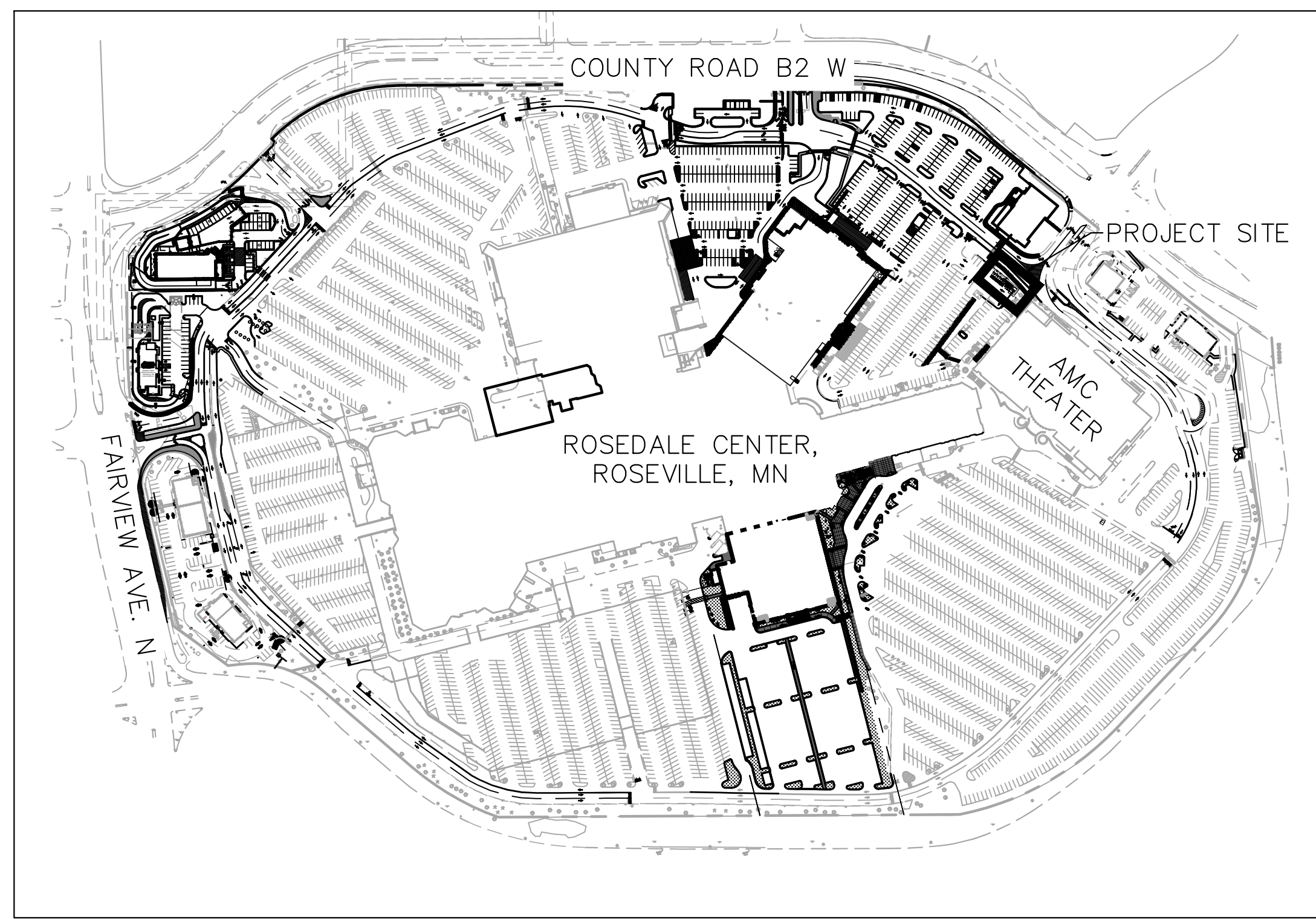
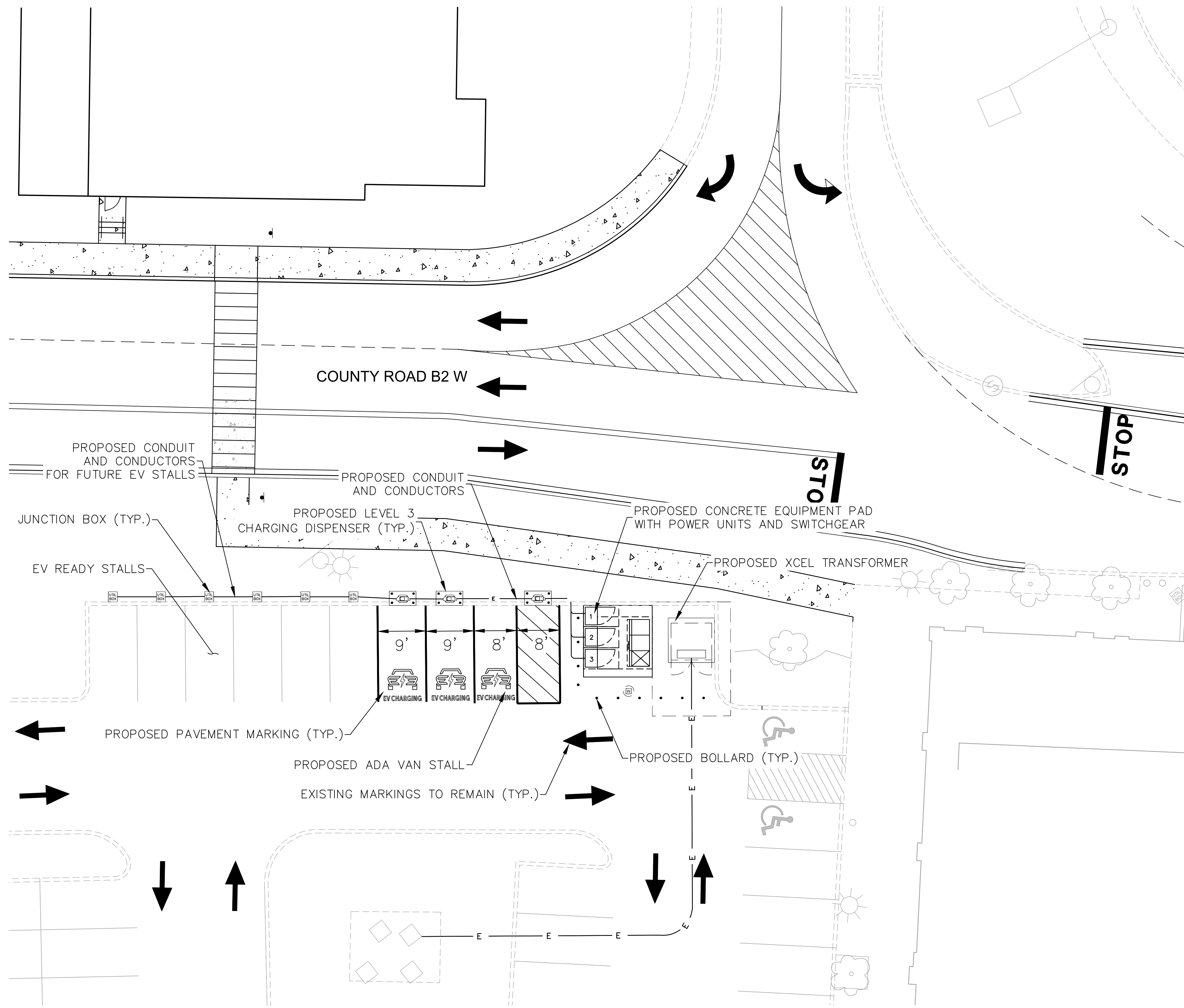
EV charging infrastructure is expensive and can impact the viability of some projects. It's critically important that each site and project be analyzed to verify what charging solution provides the most beneficial use to the community and property owner. While it's recognized that the City's effort to implement an ordinance for EV charging is beneficial, it is challenging to create an ordinance that is viable for all properties within the City. As such, JLL and Rosedale Center would like to propose the following variance request, as detailed in the attached EV Charging Concept Exhibit dated 10/25/2023:

- Install Three Level 3 DCFC adjacent to the plaza retail shops, north of AMC. (In lieu of fifteen Level 2 Chargers)
- Provide Six Level 3 EV Ready Stalls adjacent to the three proposed Level 3 chargers (In lieu of thirty Level 2 EV Ready Stalls)

The proposed location of the three Level 3 DCFCs was selected due to its visibility/ease of access from County Road B2 / Snelling, proximity to the retail tenants, proximity to a main mall entrance, and proximity to an Xcel Energy power source.

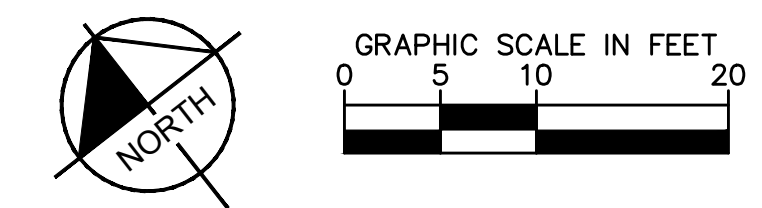


Kimley-Horn was retained to perform EV Charging Requirements Analysis Memo, and we performed only those tasks specifically stated in our scope of services. This report may be relied upon only by my Kimley-Horn's Client. It is not intended for use by any other party. The Client may use this report as part of its due diligence, but this report should not be used as the sole basis for the Client's decision making. We endeavored to research site development issues and constraints for the extent practical given the scope, budget, and schedule agreed to by the Client. Our assessment is based on information provided to us by others and, therefore, is only as accurate and complete as the information provided to us. This report is based on our knowledge as of October 13, 2023 and is based on the desires of the Client, which have been specifically disclosed to us. New issues may arise during development because of changes in governmental rules and policy, changed circumstances, or unforeseen conditions.



PROJECT AREA STALL COUNT	
EXISTING STALL COUNT	7
PROPOSED STALL COUNT	3 (1 ADA)
NET PARKING LOSS	4

ROSEDALE CENTER, ROSEVILLE MN - EV CHARGING CONCEPT
 DCFC INITIAL IMPLEMENTATION PLAN - NEAR AMC MOVIE THEATER
 10/25/2023



**EXTRACT OF MINUTES OF MEETING OF THE
VARIANCE BOARD OF THE CITY OF ROSEVILLE**

Pursuant to due call and notice thereof, a regular meeting of the Variance Board of the City of Roseville, County of Ramsey, Minnesota, was held on the 3rd day of January 2024, at 5:30 p.m.

The following Members were present: Member _____;
and _____ was absent.

Variance Board Member _____ introduced the following resolution and moved its adoption:

VARIANCE BOARD RESOLUTION NO. _____

A RESOLUTION APPROVING A VARIANCE TO TABLE 1019-2, REQUIRED ELECTRIC VEHICLE CHARGING STATIONS (EVCS) AND DENYING A VARIANCE TO §1019.04.D.2.d.i, ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE), OF THE ROSEVILLE CITY CODE, FOR ROSEDALE CENTER, 1595 HIGHWAY 36 (PF23-014)

WHEREAS, the subject property is assigned Ramsey County Property Identification Number 092923410007 and is legally described as:

Lot 1, Block 1, Rosedale Center Eighth Addition

WHEREAS, City Code Table 1019-2 (number of required electric vehicle charging stations) requires the following:

*Non-residential land uses
5% of required parking spaces, of which at least one shall be accessible, as Level 2 or greater*

WHEREAS, City Code §1019.04.D.2.d.i requires the following:

*New Non-Residential and Multiple-Family Residential Land Uses (5 or more units per building):
all new parking areas shall provide electric vehicle supply equipment (EVSE) with the electrical capacity necessary to accommodate the future hardwire installation of EVCS as Level 2 or greater for a minimum of 10% of required parking spaces.*

WHEREAS, Kimley Horn and JLL seeks relief from the installation of the required fifteen (15) EVCS of Level 2 or greater to three (3) Level 3 EVCS and relief from the installation of the required thirty (30) EVSE to six (6) EVSE, all associated with the 298-stall Dicks Sporting Goods (DSG) parking lot; and

WHEREAS, City Code §1009.04 (Variances) establishes the purpose of a variance is "to permit adjustment to the zoning regulations where there are practical difficulties applying to a parcel of land or building that prevent the property from being used to the extent intended by the zoning;" and

WHEREAS, the Variance Board has made the following findings:

- a. *The proposal is consistent with the Comprehensive Plan.* The Roseville Variance Board has determined the proposal is generally consistent with the Comprehensive Plan because it represents a sustainable investment promoted by the Comprehensive Plan's goals and policies, specifically the Resilience and Environment chapter and the goals addressing a reduction in greenhouse gas emissions.

- b. *The proposal is in harmony with the purposes and intent of the zoning ordinance.* With respect to this requested variance, the Roseville Variance Board finds the proposal is not wholly in harmony with the purpose and intent of the EV standards. Specifically, the purpose and intent of the newly adopted requirements are to “facilitate and encourage the use of electric vehicles, to expedite the establishment of a convenient, cost-effective electric vehicle charging infrastructure, and establish minimum requirements for electric vehicle parking spaces and charging infrastructure to serve both short and long-term parking needs.” The Variance Board believes implementation requires every site subject to EV standards to install a share of EV charging and EV ready equipment and, if possible, offer choices for said charging as there is not a one-size-fits-all type of product. Although the Variance Board could strictly interpret the code and not support any level of variance, there is merit in supporting a reduction in overall charging units initially installed as discussed in the Variance Board report dated January 3, 2024. The Variance Board recognizes the balance necessary in managing expectations of both a private property owner and of the City, which is why the Variance Board supports deviating from the required fifteen (15) equipped stalls, and instead to allow three (3) Level 3 and three (3) Level 2 charging stations, as the benefits of Level 3 stalls, coupled with Level 2 stalls meet the intent of the Code. With regard to the requested variance to deviate from the required 30 ready stalls, the Variance Board finds such request is not in harmony with the intent of the code given the EV-ready stall requirement seeks to address future needs and the applicant’s request for a 24 stall deviation is too extreme to be interpreted as harmonious with the code.
- c. *The proposal puts the subject property to use in a reasonable manner.* This finding seeks to determine whether the requested deviation will put the property to use in a manner reasonably consistent with the standards set forth in the Code. In this case the question is whether the requirement of 15 EVCS and 30 EVSE for a 298-space parking lot are too great given the specific characteristics of the DSG project and/or the overall Rosedale Center property. Although the City’s requirements for electric vehicle charging stations and future equipment installation are new, there is not sufficient information to conclude Roseville’s standards are extraordinary or inconsistent given the specific characteristics of the DSG project or warranting approval of the level of code deviation proposed by the applicant.

Concerning the installation of six EVCS (3-Level 3 & 3-Level 2), the Roseville Variance Board finds the benefits offered from Level 3 stalls, coupled with Level 2 stalls, puts the property to use in a manner that is reasonably consistent with the purpose and intent to the code, justifying the nine (9) stall deviation.

Concerning installation for future EVSE, the Roseville Variance Board believes it is reasonable to seek full compliance with the Code and not grant a reduction. Specifically, this requirement is prompted by the reconstruction of the former Herberger’s site with the DSG project and its 298-stall parking lot. With the development site under construction, the ability to install the EVSE future infrastructure is simplified, cost effective, and not impactful to parking areas currently in use.

Therefore, the Variance Board believes the required installation of three (3) Level 3 and three (3) Level 2 EVCS and all thirty (30) of the required EVSE are necessary to acceptably comply with this finding.

- d. *There are unique circumstances to the property which were not created by the landowner.* The analysis for this element of the variance analysis turns on the question: is it plausible to support the position that fifteen (15) EVCS and thirty (30) EVSE for 298 stall DSG parking lot is a unique circumstance requiring some relief?

Since adoption of the EV standards, Planning Division staff has not had to apply these

requirements to a parking lot the size of the DSG project. The largest to date has been the Ramsey County ESC project, which required three (3) EVCS and six (6) EVSE for the 58-stall parking lot. However, Planning Division staff has been aware there would come a time when a large parking lot was submitted that required a larger number of charging stations and equipped future stalls.

Although a 298-stall parking lot is not a typical commercial parking lot in Roseville, the Variance Board supports all the past work of the Planning Commission and City Council to approve specific standards and requirements regarding EV charging. After review and consideration of the information provided by the applicant, the Variance Board concluded the number of required EVCS for the DSG project could be “reasonably” reduced and still comply with the purpose and intent of the Code. This is because requiring some flexibility in charger type and charging time duration aligned with the goals of these standards.

However, the applicant has not provided any information suggesting the reduction to the amount of EVSE (EV-ready stalls) is reasonable or based on anything other than economics, which is why the Variance Board finds this criterion is not met as it relates to the applicant’s request to reduce the amount of EVSE stalls.

- e. *The variance, if granted, will not alter the essential character of the locality.* The Roseville Variance Board has determined that the wholesale granting of the requested variance could alter the essential character by establishing a trend by which reduced numbers of EV charging and ready stalls are allowed without thought or reason in terms of addressing current and perceived future needs. The Variance Board has outlined support of a lesser number of charging stations being installed initially, but remains firm on the required number of future equipped stalls. These reasons are outlined within the Request for Variance Board Action report dated January 3, 2024 and represent a thoughtful application of the practical difficulty test as it relates to the purpose and intent of the EV standards – which again are to “facilitate and encourage the use of electric vehicles, to expedite the establishment of a convenient, cost-effective electric vehicle charging infrastructure, and establish minimum requirements for electric vehicle parking spaces and charging infrastructure to serve both short and long-term parking needs.”

WHEREAS, Section 1009.04 (Variances) of the City Code also explains that the purpose of a VARIANCE is “to permit adjustment to the zoning regulations where there are practical difficulties applying to a parcel of land or building that prevent the property from being used to the extent intended by the zoning”; and

WHEREAS, the Variance Board finds the proposed relief recommended by the Planning Division, **consisting of installation of three (3) Level 3 AND three (3) Level 2 EVCS**, as opposed to the applicant’s proposal to install three (3) Level 3 EVCS, would satisfy the purpose and intent of the requirements outlined in Table 1019-2 and justify partial approval of the requested variance. The Variance Board further finds, based on the content outlined in the Request for Variance Board Action report dated January 3, 2024, the applicant has demonstrated practical difficulties preventing compliance with the requirements for installing electric vehicle charging stations at Rosedale Center associated with the Dicks Sporting Goods project; and

WHEREAS, Variance Board finds the proposed relief for installing **six (6) EVSE versus the required thirty (30) EVSE, a reduction of twenty-four (24) EVSE** does not satisfy the purpose and intent of the requirements outlined in Table 1019-2. The Variance Board further finds, based on the content outlined in the Request for Variance Board Action report dated January 3, 2024, the applicant has not demonstrated practical difficulties preventing compliance with the requirements for installing electric supply equipment at Rosedale Center associated with the Dicks Sporting Goods project as the 24 stall deviation is too extreme to be interpreted as harmonious with the code;

NOW THEREFORE BE IT RESOLVED, by the Roseville Variance Board to take the following actions:

- 1) **Approve a variance to Table 1019-2 of the City Code in support of a reduction in the amount of EVCS stalls subject to the condition that three (3) Level 3 and three (3) Level 2 EVCS stalls are implemented when fifteen (15) EVCS would normally be required** based on the content of the Variance Board report and associated plans provided as attachments to the report, public input, and Variance Board deliberation.
- 2) **Deny a variance to 1019.04.D.2.d.i regarding reductions in EVSE (EV-ready) stalls,** requiring the applicant to install EVSE for 30 stalls based on the content of the Variance Board report and associated plans provided as attachments to the report, public input, and Variance Board deliberation.

The motion for the adoption of the foregoing resolution was duly seconded by Variance Board Member _____ and upon vote being taken thereon, the following voted in favor: Members _____;
and _____ voted against;

WHEREUPON said resolution was declared duly passed and adopted.

Variance Board Resolution No. _____ – 1595 Highway 36 (PF23-014)

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said Roseville Variance Board held on the 3rd day of January, 2024.

WITNESS MY HAND officially as such Manager this 3rd of January, 2024.

Patrick Trudgeon, City Manager

SEAL