

**SHOREVIEW PLANNING COMMISSION  
MEETING MINUTES  
JUNE 25, 2013**

**CALL TO ORDER**

Chair Solomonson called the June 25, 2013 Shoreview Planning Commission meeting to order at 7:00 p.m.

**ROLL CALL**

The following Commissioners were present: Chair Solomonson, Commissioners McCool, Schumer, Thompson and Wenner.

Commissioners Ferrington and Proud were absent.

**APPROVAL OF AGENDA**

MOTION: by Commissioner Schumer, seconded by Commissioner Wenner to approve the June 25, 2013 Planning Commission meeting agenda as submitted.

VOTE:                   Ayes - 5                   Nays - 0

**APPROVAL OF MINUTES**

MOTION: by Commissioner Schumer, seconded by Commissioner Thompson to approve the May 28, 2013 Planning Commission meeting minutes, as submitted.

VOTE:                   Ayes - 4                   Nays - 0                   Abstain - 1 (Wenner)

**REPORT ON CITY COUNCIL ACTIONS:**

City Planner Kathleen Nordine reported that the following matters were reviewed and approved by the City Council:

- RJ Marco Building Addition, 577 Shoreview Park Road
- Preliminary Plat and Planned Unit Development Amendment for Target, 3800 North Lexington

**NEW BUSINESS**

**PLANNED UNIT DEVELOPMENT - CONCEPT STAGE**

**FILE NO.:** 2489-13-16  
**APPLICANT:** RUTH KOZLAK, UNITED PROPERTIES RESIDENTIAL,  
LLC/ZERR  
**ADDRESS:** 4785 HODGSON ROAD, 506 TANGLEWOOD DRIVE

**Presentation by City Planner Kathleen Nordine**

United Properties is proposing to redevelop the Kozlak's Restaurant site and the adjacent property that has a single family home. Combined, the site would consist of approximately just over 4 acres. This proposal would demolish existing site improvements in order to construct a three-story senior residential cooperative building with 87 units. The Senior housing land use designation allows 45 units per acre. The building would be three stories with a central core and four building wings. Two accesses are proposed, one off Hodgson Road and one off Tanglewood Drive. Surface and underground parking would provide a total of 122 stalls. Varied setbacks are proposed, but the developer plans to comply with City setback requirements. Adjacent uses of the property are single-family residential and some office development to the north. Landscaping and a storm water pond would be included in the site design.

The Concept Stage is the time to identify potential concerns to be addressed by the developer. A number of applications will be required, including a Comprehensive Plan Amendment to change the land use from Office and Low Density Residential to Senior Residential, rezoning from Office and R1, Detached Residential to PUD; a preliminary and final plat; the Development Stage and Final Stage applications of the PUD; and a vacation on Hodgson Road.

Immediately to the south of the site is Policy Development Area (PDA) No. 9, which addresses potential redevelopment of the east and west sides of Hodgson Road. The east side has been developed with single-family detached town homes and senior housing. The west side continues to have single-family residential. Future land use within this PDA are designated for office and low density residential.

The proposed site is not included in PDA No. 9. As Hodgson Road is an arterial road, this proposed use could provide a transition from Hodgson to lower density residential neighborhood immediately west of the development site. Otherwise, uses permitted in the Office zoning district include , restaurants, medical/dental facilities, offices and daycare facilities which could be developed on this property with Site and Building Plan Review.

The building design results in varied setbacks. The underlying zone would be multi-family residential. The required setback for the proposed building would be 30 feet, if the building is 35 feet in height or less. Should the height exceed 35 feet, then the setback must be increased for every foot of added height beyond 35 feet. As proposed, only the corners of the building would be setback 30 feet.

The proposed 122 parking stalls is less than the required 217.5 stalls required in an R3 District. This ratio is based on general occupancy buildings. Experience has shown that senior living facilities require less parking. The proposal is within range of other senior living facilities in the City that have 1.4 stalls per unit.

Senior housing generally has a lower traffic impact since traffic generated occurs off-peak and does not elevate the number of cars at peak hours. The average daily number of trips expected is 303 with 48 trips during peak hours on the weekend and 25 peak hour trips during weekdays. Based on the design of the roads, staff believes there would be minimal impact. A traffic study will be required with any future application.

Property owners within 350 feet were notified. Concerns expressed relate to the loss of the restaurant, compatibility of this use, traffic and visual impact and whether there is a need for more senior housing in the City.

The Lake Johanna Fire Department has reviewed the proposal as has Ramsey County Public Works Department. Ramsey County appears to be willing to vacate the excess right-of-way but will do so with the requirement of added road-right-of-way along Hodgson Road.

Commissioner Thompson asked if consideration has been given to the fact that this facility is expected to attract a younger population and that it can be expected that there will be more than one vehicle per unit. Her concern is whether the proposed parking is sufficient. Ms. Nordine responded that staff reviewed parking in comparison to other senior living in the City. There are a number of types of senior living in the community. Those that are general occupancy fall into the 1.4 to 1.7 stalls per unit ratio.

Commissioner Wenner asked what plans the City has with regard to reconstruction of Highway 49. Ms. Nordine answered that Highway 49 is a County Road and falls under the County's Jurisdiction. There are plans for the reconstruction of this roadway south of Highway 96. She is not aware of plans to the north.

**Mr. Brian Carey**, United Properties, stated that it is a company in the Twin Cities since 1916. The company is active in all areas of residential and commercial real estate. The State Demographer chart shows a significant demand for senior housing. It is estimated that the population will grow in the next 10 years by 237,000 people, over 200,000 of whom will be over age 55. Between 2010 and 2030, a population growth of over one-half million is expected with some 400,000 being over age 55. That is why his company is focusing on senior living. There is a shortage of senior housing in the Twin Cities and a shortage of good sites. With some 2500 cars per day on Tanglewood and 14,000 per day on Hodgson, this site is not good for single-family residential but is worthy of consideration for higher density senior housing.

Parking is planned in front so as to not be seen by neighbors. The configuration of the building with a central core and four wings means that less than half of the building is seen from any one view. It is not a long wall building. Neighbors' concerns focus on loss of trees, proximity to residential homes, how access would work, exterior lighting that will shine into yards and windows, loss of sunlight during the day and drainage issues. The land to the west is lower in

grade, and residents do not want flooded yards. The closest point to residences is a corner that is heavily landscaped. A strong landscape plan will be developed with feedback from neighbors. No large down exterior lights will be used. Ground level bollard style lighting will be used that does not shine into any yards of residents. Building shadows into yards will not occur after 9:00 a.m. in summer. In winter, the one home where there is a shadow after 9:00 a.m. is gone by 10:00 a.m.

The main concern of neighbors is height of the building and proximity to houses. City regulations allow 35 feet in height, which is what is proposed. A minimum setback from homes would be 100 feet and some as much as 200 feet. Typical side setbacks in this neighborhood are 10 to 20 feet. The plan is meant to be a good neighbor in the community.

Chair Solomonson asked about the slope of the roof and whether it is 35 feet to the midpoint. Mr. Carey stated that will be explored. It would be his preference to have a steeper slope with 39 feet at the midpoint. Chair Solomonson asked if two stories were considered. Mr. Carey responded that two stories is not economically viable. The topography on the south would make the southern wings look like two stories.

Mr. Carey explained that the senior housing proposed is for those in their late sixties and early seventies and are very active. The building across the street is assisted living and very different.

Commissioner McCool asked if the grade of the site requires lifting the building. The drop in grade appears to be three feet from 927 to 924.

Commissioner McCool asked about discussions with the County regarding access. **Mr. Mark Nelson**, United Properties, stated that specific discussions have not taken place about access from the excess right-of-way. It is planned to be south of the median and north of the existing Kozlak's access.

Commissioner McCool requested that the data from the traffic study, the photometric and shadow studies be made available to the Commission at the Development Stage application presentation. He would also like to see the parking study

Commissioner Thompson asked the price of the units. Mr. Carey answered, approximately \$300,000. He noted that 20% of buyers in the Roseville facility are from Shoreview, which speaks to the need of this type of facility in Shoreview.

Commissioner Wenner asked what measures would be provided for people to move around without vehicles. Mr. Carey stated that there is a trail convenient to the site and a trail around the site. The site is close to retail services that residents can walk to. Designated areas in the building are provided for bicycle storage.

Chair Solomonson opened the meeting to public comment.

**Ms. Adrienne Sampson**, 581 Kent Court, stated that the age group this building is supposed to appeal to is not moving to senior living places. They are moving to patio homes or

condominiums. She questioned that parking would be sufficient. When she visits her mother, who is in a large facility, there is never enough parking. She would like to know the cost of the underground parking proposed. Where her mother lives underground parking costs thousands of dollars. The wing design is common, and seniors who live in these facilities complain about the long walk just to get to the dining room. She believes Shoreview has quite a few senior living developments already.

**Ms. Mary Austin**, 525 Chandler Court, stated that a petition was circulated to neighbors and obtained 110 signatures from neighbors south and north of Tanglewood. The building proposed is too massive. Most of what was discussed at the neighborhood meetings was downsizing. Residents are worried about privacy and the character of the neighborhood. This development would be in the middle of the neighborhood. She would hope that any trees planted would be pines and firs, not deciduous trees that do not provide screening in winter.

**Ms. Maureen Iten**, 4815 Kent Drive, stated that she did not receive a letter for residents within 350 feet. She stated that the center turning lane on Hodgson Road is a problem. The turning signals are confusing and should be fixed. She suggested the community areas on second and third floor to preserve privacy of adjacent homes. She took issue with the notification process, that it include all of Shoreview, as this development will impact all of Shoreview.

**Ms. Lisa Fuechtmann**, 495 Chandler Court, stated that she has pine trees that are on the property line and she wants to know if the trees will be cut down and whose responsibility it would be if they have to be removed. There is also a fence and will it be replaced? She is concerned about flooding in the back yard and would like more information about that.

**Mr. Bill Sazenski**, 525 Chandler Court, stated that there were immediate neighbors who attended the neighborhood meeting. Approximately 20 to 30 attended. Overwhelmingly, the immediate neighborhood is against the size of this project. It needs to be downsized. There has been discussion of downsizing to two stories for the portion of the building closest to residences. Although he does not want to move, he does feel threatened by the size of the project. It is his hope that a middle ground solution can be found. He suggested more open space in the back that will benefit senior residents as well as neighbors.

**Mr. Jason Louie**, 4760 Chandler Road, stated that he attended both neighborhood meetings. His strongest concern is the size of the proposal, and that is the one thing they have not addressed indicating it is not economically viable to reduce the size. The size of this project will greatly reduce his amount of privacy. He moved to Shoreview for the small town atmosphere. If this is developed, he and his family will have to consider moving. The question is if this is what Shoreview should be moving toward. Looking out his back windows he will only see that that huge building.

**Mr. Michael McGuire**, 515 Chandler Court, stated that the neighborhood could do worse. Something will happen to this property. If the project is not economically viable, it cannot be built and no one knows what will come next.

**Ms. Barbara Evans**, 514 Tanglewood, stated that the 3-story building with balconies will mean people looking right over her property. She has a porch she is fond of using that will become a fishbowl. She suggested that the people living there would mostly interact with themselves and questioned whether they would interact with the community. There are a lot of water areas in this project. There are neighbors with small children and United Properties was asked if the ponds would be fenced. The response was that it is the parents' responsibility to watch the children. She would much prefer an office building. An office building would be vested in the community and likely not open on weekends.

**Ms. Diane Close**, 4511 Kent Street, stated that a number of neighbors on her street and Laura Lane are impacted by the traffic. She and her neighbors thought the development was going to be an extended patio for Kozlak's or a new parking lot. No one had any idea that a senior living complex was proposed. There is another just down the road within walking distance. This takes away opportunity to spend money in Shoreview. An office or mixed use office complex would be better. There is no public transportation for these people who will have to depend on cars and will be a burden on the amenities in Shoreview.

**Mr. Bret Campbell**, 485 Chandler Court, stated that he attended one neighborhood meeting. There is no opposition to United Properties and their quality buildings. This is the only one surrounded by single-family housing. To the northeast, west and south within blocks is some type of senior housing and services. He questioned what will happen to these buildings in 30 years, when the baby boomer generation is gone. There is a web page on United Properties website that advertises the project as if it is a done deal. He lost a lot of trust in what has been said after he found the web page.

**Mr. Chuck Anderson**, 522 Tanglewood Drive, stated that one of the constants in the process is change. He believes there could be a lot worse use for the space. He would favor continuing to work with United Properties to see what modifications can be made.

**Ms. Deb Craigmile**, 545 Tanglewood Drive, stated that she likes the aesthetics of the proposed plan, which is a bonus. Her concern is for residents closest to the site, and their comments need to be strongly considered and be involved in the discussion process. Her concern is also for the traffic pattern and parking. There is no parking on Tanglewood on either side. Where would overflow parking be? For her own personal gatherings, people park on Chandler and Kent. She is concerned about staff and how many will support the site and their parking. She does not support a 3-story structure, which means high density. The closest residents need to think about what they will accept. She recalled that a library was proposed on the Rainbow site. Residents opposed the library, and Rainbow came in.

**Mr. Jake Monge**, 538 Tanglewood Drive, there are rules and policies in Shoreview about land uses--the Comprehensive Plan, zoning. It is a legislative process to change those policies and rules. He urged the Commission to take the rules into consideration. Residents are being asked to comment on a project with little information--no measurements of setbacks, no traffic study, no elevations. This information needs to be presented.

**Ms. Laura Stans**, 477 Old Chandler Road, echoed everything that has been said. Her concern is about safety and adding even more senior living in this area. It makes the community older rather than development that offers activities to attract younger people.

In response to concern about notification of residents, **Mr. Carey** stated that the neighborhood meetings and notices sent out by United Properties is in addition to what the City requires. Notices will continue in accordance with City requirements. Further, he stated that there is a misperception about the responsibility of parents to children in regard to the ponds. That is not an accurate reflection of his statement. Also, the building is not being secretly marketed on the website. There have been two marketing meetings where it was made clear that local approvals have not yet been secured. It takes over a year to market this type of community. The next step is a concept review at the City Council meeting on July 15, 2013.

Ms. Nordine noted that notices will not be sent out again before the Council meeting. Future notices will be in accordance with City regulations within 350 feet. Anyone who wishes to receive a notice can contact the City to be put on the mailing list.

#### **Commission Comments:**

Chair Solomonson agreed that there is a lot of senior housing in Shoreview. His biggest concern is the proximity to residential properties. There needs to be sensitivity and more of a transition to make it compatible. He would like to see the southwest and northwest corners dropped to two stories.

Commissioner Schumer stated that this is the beginning of a long process. The developer is here to listen and to build something that will be accepted in the neighborhood. He believes the notification process is adequate at 350 feet. Residents would be upset if taxes went up because of citywide notification of all development. For those interested and concerned, be sure to attend neighborhood meetings and get the word out. He also has concerns about the size and proximity to the neighborhood. It is a process and the Commission will be reviewing it again with further changes.

Commissioner Wenner stated the development proposed is to a market that he does not believe is being reached currently in Shoreview. His concern is the size of the building where it is closest to neighboring residences. Many of these issues were raised with the senior living facility that abuts North Oaks. Concerns were raised early in the process and addressed. He appreciates that this discussion can take place early in the process with this project so that concerns can be taken into consideration.

Commissioner Thompson stated that she would prefer a development that would be more retail and restaurant oriented. Residents do not want to see Kozlak's leave but want to see something brought in where people can go. She also realizes that the data presented supports the need for this type of senior housing. However, she has some concerns about the proximity to the residential neighborhood and sufficient parking. She thanked residents for coming forward.

Commissioner McCool stated that he questions the appropriateness of this use. This site is underdeveloped and will be redeveloped more densely, which will impact neighbors. He questions whether there is too much senior housing. However, United Properties is one of the most respected developers in the Twin Cities, and they believe the project is viable. Reducing the number of units means fewer amenities, such as landscaping. If senior housing is developed, he, too, would like to see the impact to neighbors reduced either through landscaping or site design. There are rental apartments that abut residential neighborhoods, and he believes this is a high end product that is better.

**VARIANCE**

**FILE NO.: 2487-13-14**  
**APPLICANT: TIM AND THERESA GEDIG**  
**ADDRESS: 4305 BRIGADOON DRIVE**

**Presentation by City Planner Kathleen Nordine**

This application is for a home addition that reduces the rear yard setback from 30 feet to 27.5 feet. The addition will be two stories on the rear of the home to provide 548 square feet of living space. The main floor will be dining and living space; the second floor will be a loft. An existing porch would be removed and the addition constructed in place of the porch. A small corner of the addition would encroach into the setback by 2.5 feet.

The applicant states that the addition will provide needed living space. The addition is a minimum intrusion into the minimum setback. The angle of the home impacts the proposed addition and setback from the rear lot line.

Staff believes that the proposal is reasonable. There are constraints on the existing home placement which dictate where an addition can be constructed. Landscaping can minimize any impact to the property to the south.

Property owners within 350 feet were notified. One written response was received in support. One phone call was received with concern about the encroachment and loss of open space between yards.

Staff believes practical difficulty is present and recommends approval of the variance with the conditions attached.

Chair Solomonson questioned the space between the home and addition that causes the variance.

**Mr. Tim Gedig** stated that the space will be used for utilities, such as air conditioning. It also preserves the windows in the bathroom adjacent to that space. The house is an A frame, and to place the addition abutting the house would look dumb. There are many angles on the house and many designs were tried. This is the only aesthetically pleasing design. He stated that he is adding a rain garden to the existing landscaping.

MOTION: by Commissioner Schumer, seconded by Commissioner Thompson to approve the variance request submitted by Tim and Teresa Gedig, 4305 Brigadoon Drive, reducing the minimum 30-foot setback from a rear property line to 27.5 feet to construct an addition onto the home, subject to the following conditions:

1. This approval will expire after one year if a building permit has not been issued and work has not begun on the project. The project shall be completed as identified in the plan submittal. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. To mitigate the visual impact of the addition, landscaping is required along the southern property line. A landscape plan shall be submitted prior to the issuance of a building permit.
3. The approval is subject to a 5-day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity or site work begins.

This approval is based on the following findings of fact:

1. Reasonable Manner. The applicant's proposal to construct an addition onto the rear building wall is reasonable. The addition has been designed to minimize the encroachment into the rear yard with only a small corner of the building located in the setback area. The angle of the addition will minimize impacts on the adjoining property.
2. Unique Circumstances. The property is a corner lot and subject to more restrictive setback standards than interior lots. The angle of the home is unique and when combined with the interior floor layout of the home, difficulty is created regarding the placement of an addition onto the rear of the home.
3. Character of the Neighborhood. The proposed setback of the addition will not alter the character of the neighborhood. A reduction of the required rear yard setback to the 27.5 feet proposed would have minimal impact on the character of the surrounding neighborhood. Due to the angle of the addition, the majority of the required rear yard will remain open.

VOTE:                      Ayes - 5                      Nays - 0

**VARIANCE**

**FILE NO.:                      2488-13-15**  
**APPLICANT:                      KEVIN STOSS/MONTSERRAT TORREMORELL**  
**ADDRESS:                      226 OWASSO LANE EAST**

**Presentation by City Planner Kathleen Nordine**

The application is to demolish a legal nonconforming accessory structure and reconstruct a new detached garage that will be slightly larger and taller. An existing nonconforming structure may be maintained, if the size is not increased. The variances requested are to maintain the existing

4.5 foot side setback from the property line and to increase the maximum square footage permitted from 1200 square feet to 1,292 square feet.

The property is .78 acre in size and zoned R1, Detached Residential and is also in the Shoreline Overlay District of Lake Owasso. The existing slab will be retained and a new slab poured over it with an increase in size from 480 square feet to 520 square feet. The height will also be increased from 12 feet to 17 feet. Other existing accessory structures will remain and include an attached garage of 672 square feet and storage shed of 100 square feet.

Staff finds that the request is reasonable in light of the location of the garage and driveway storage needs for the applicant. Unique circumstances are present due to the lot configuration, location of the garage, legal nonconforming garage at a 4.5 foot setback. A new garage that is consistent with the character of the home will not alter the character of the neighborhood.

Property owners within 350 feet were notified. Two responses were received in support and one comment with no concerns. Staff is recommending approval with the conditions listed in the staff report.

**Mr. Stoss**, applicant stated that the increase in size is to be able to store a boat and trailer.

Commissioner McCool agreed that the request is reasonable, but he is struggling with the need to increase the size of the garage in light of the City's ordinance. However, as a riparian lot, he understands the need to store a boat.

Chair Solomonson stated that two feet is a nominal and small increase that seems reasonable. Without the increase a variance would not be needed.

**MOTION:** by Commissioner Schumer, seconded by Commissioner Wenner to adopt Resolution 13-58 approving the variance permitting and extension of two feet along the current legal non-conforming setback and the increased total accessory square footage to 1292. Unique circumstances are present and the proposed project supports the City's housing goals regarding reinvestment and neighborhood preservation. Said approval is subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the Variance application. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. This approval will expire after one year if a building permit has not been issued and work has not begun on the project.
3. This approval is subject to a 5-day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity begins.

This approval is based on the following findings:

1. The proposed improvement is consistent with the policies of the Comprehensive Plan, including the Land Use and Housing Chapters.
2. Reasonable Manner. In Staff's opinion, the variance request to rebuild the garage in the proposed location represents a reasonable use of the property. City Code permits detached garages as an accessory use. By establishing these provisions, the City deems that a detached garage represents a reasonable use of the property provided Code standards are met. Garages, especially in Minnesota, are needed for vehicle parking and storage of normal household equipment and supplies. Throughout Shoreview, they are a standard feature of detached single family residences. The existing garage can be reconstructed in the same location, provided the square footage remains the same. Since the applicant is proposing to expand the length 2-feet and raise the height of the building, the variances are needed.

The need for the variance request is due to the encroachment on the 10-foot setback from the lot line and the added square footage. Rebuilding the current garage in conformance to the existing setback would result in the garage length being too short to park the boat trailer, thus not alleviating the outdoor storage and parking of the boat/trailer. The current garage is also aligned with the asphalt from the existing driveway so relocating it within the setback would require repaving that portion of the driveway.

The City has discretion in determining 'reasonable use', and in this particular case, staff believes the area of the existing garage does not provide for the parking and storage needs of the homeowner, and that reasonable use is limited by the requirements of the Development Code.

3. Unique Circumstances. The circumstances warranting a variance stems from the uniqueness of the parcel. It is a riparian parcel with a shared driveway and no front lot line. The garage was constructed in 1960 in conformance with City setback regulations at the time. The variance requested will maintain the existing setback, extending it by two feet to the south, and is reasonable due to the location of the existing garage and driveway. The additional two feet expands the accessory square footage total to 1292 square feet. Construction of a detached garage conforming to the 10-foot setback from the lot line would result in a garage that is misaligned to the current shared driveway.
4. Character of Neighborhood. The existing detached garage does not meet or enhance the character of the neighborhood and tear down and rebuild would be an improvement. The proposed garage would match the architectural style of the current home and would be similar in style and setback to the neighboring garage at 224 Owasso Lane E.

VOTE:           Ayes - 5                           Nays - 0

## **OLD BUSINESS**

### **COMPREHENSIVE SIGN PLAN**

**FILE NO.:** 2479-13-06  
**APPLICANT:** LAWRENCE SIGNS/NORTHERN TIER RETAIL  
**ADDRESS:** 3592 LEXINGTON AVENUE

#### **Presentation by City Planner Kathleen Nordine**

This application was reviewed by the Commission in March and tabled because of the extensive use of graphics proposed. The plan has been revised. SuperAmerica is on the corner of County Road E and Lexington Avenue. The graphic is intended as communication and identification of SuperAmerica. Staff does define the graphic as a sign.

The graphics on the top tier and rear of the building have been removed. Graphics are proposed on the main portion of the building and on the canopy. The deviations needed are for the SuperAmerica sign length and graphic pin stripe length on the building and canopy. Staff believes the signage provides a good balance of communication by SuperAmerica on their identification and theme without overdoing it. What is proposed is similar to other signage approved by the City. Staff is recommending approval subject to the conditions listed in the staff report.

The applicant stated that the site is now owned by SuperAmerica; it is owned by Kath Oil Company which has another station in Shoreview. The canopy needs graphics to display what is being sold. It is not unreasonable or gaudy. The business plans to be there for at least the next 10 years.

Chair Solomonson agreed that the proposed signage is reduced and it is much clearer the way it is now designed.

Commissioner McCool stated that he did not disapprove of the first proposal and would support this proposal which is less intense.

The applicant asked if SuperAmerica can be located on both sides of the canopy, as it is at an angle toward both County Road E and Lexington. Ms. Nordine stated that staff reviewed the revision and calculated the signage area showing Option C, which is SuperAmerica stated on only one side of the canopy.

Commissioner McCool stated that in the March submittal there was no signage on the southwest corner. By removing the striping but having words on both sides does not increase what is proposed. He believes the signage on both sides makes sense.

**Mr. Michael Waich**, Applicant, stated that initially the proposal was larger but with signage on both sides of the canopy.

Ms. Nordine stated that if it is the same type of sign, the area calculation on northern side is 27.1 square feet. The main difference is the graphics on the building.

**MOTION:** by Commissioner Schumer, seconded by Commissioner Thompson to recommend the City Council approve the Comprehensive Sign Plan submitted by Lawrence Signs, for the SuperAmerica fuel station at 3592 Lexington Avenue, subject to the following conditions:

1. The signs shall comply with the plans submitted for the Comprehensive Sign Plan application, including the revision of the southwest canopy replacing a portion of the pin stripes with SuperAmerica text. Any significant change will require review by the Planning Commission and City Council.
2. The applicant shall obtain a sign permit prior to the installation of any signs on the property.

This approval is based on the following findings of fact:

1. The plan proposes signs consistent in color, size and materials throughout the site for each type of proposed sign. Each type of sign (freestanding, wall, canopy and incidental) uses uniform color and materials, and with colors generally based on the SuperAmerica theme.
2. Approving the deviation is necessary to relieve a practical difficulty existing on the property. The angle-orientation of the building provides some difficulty in the identification of the business. The proposed sign plan relieves this difficulty by placing copy signage on the fascia of the canopy and on the building wall in a manner that effectively identifies itself.
3. The proposed deviations from the standards of Section 208 result in a more unified sign package and greater aesthetic appeal between signs on the site. The wall and canopy signs proposed, including the graphics band, give a uniform appearance to the building and canopy. Use of the graphics provides a greater aesthetic appeal for the site.
4. Approving the deviation will not confer a special privilege on the applicant that would normally be denied under the Ordinance. The configuration of the structure on the property is unique due to the building orientation. The proposed signage is reasonable for this type of use and uses the facades which are most visible or of importance to identify SuperAmerica.
5. The resulting sign plan is effective, functional, attractive and compatible with community standards. The sign plan proposes signs, including graphics that are effectively displayed, improve the appearance of the site/structures and are compatible with community standards applied to similar uses.

Discussion:

Commissioner McCool offered an amendment that the text on the southwest canopy would match that on the northeast canopy. Commissioners Schumer and Thompson accepted the amendment.

**VOTE:**                      Ayes - 5                      Nays - 0

**MISCELLANEOUS**

**City Council Meetings**

Commissioner Proud and Chair Solomonson will respectively attend the July 1, 2013 and July 15, 2013 City Council meetings.

**Schedule Change**

The next regularly scheduled Planning Commission of July 23, 2013 is changed to August 6, 2013. Commissioner Thompson stated that she would be absent from that meeting.

**Planning Commission Workshops**

The Planning Commission will meet in a workshop on July 16, 2013, at 6:30 p.m. to discuss storm water management in a joint session with the Environmental Quality Committee (EQC). In addition, the Commission will also discuss message center signage, which will be considered at the August 6th meeting.

A workshop is scheduled on August 27, 2013, at 6:00 p.m. immediately prior to the regularly scheduled Planning Commission meeting.

Commissioner Wenner stated that it is not possible for him to get to a 6:00 p.m. workshop meeting and would prefer that workshops be scheduled after the regular meeting. It was the consensus of the Commission to schedule the workshop after the regular meeting.

**ADJOURNMENT**

MOTION: by Commissioner Schumer, seconded by Commissioner Wenner to adjourn the meeting at 9:58 p.m.

VOTE:                   Ayes - 6                   Nays - 0

ATTEST:

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Kathleen Nordine  
City Planner