

**AGENDA
PLANNING COMMISSION MEETING
CITY OF SHOREVIEW**

DATE: JULY 26, 2011

TIME: 7:00 PM

PLACE: SHOREVIEW CITY HALL

LOCATION: 4600 NORTH VICTORIA

1. CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

2. APPROVAL OF MINUTES

June 28, 2011

Brief Description of Meeting Process – Chair Larry Feldsien

3. REPORT ON CITY COUNCIL ACTIONS

Meeting Date: July 5th and July 18th, 2011

4. OLD BUSINESS

A. VARIANCE

File No: 2416-11-09

Applicant: Anthony & Kalli Yost / Kurt & Michelle Virnig

Location: 4110 Victoria Street N. / 4100 Victoria Street N

5. NEW BUSINESS

A. RESIDENTIAL DESIGN REVIEW

File No. 2422-11-15

Applicant: Joseph & Tamara Douglas / Marlene F. Vincent Trust

Location: 4368 Reiland Lane

B. VARIANCE

File No. 2424-11-17

Applicant: Michael Morse

Location: 1648 Lois Drive

Planning Commission Meeting

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C. SITE & BUILDING PLAN REVIEW

File No. 2423-11-16

Applicant: Ramsey County Park & Recreation

Location: 4979 Hodgson Road / Turtle Lake County Park

D. PUBLIC HEARING TEXT AMENDMENT – DYNAMIC DISPLAY BILLBOARDS

File No. 2420-11-13

Applicant: City of Shoreview

Location: City Wide

6. MISCELLANEOUS

A. City Council Meeting Assignments for *August 1st and August 15th*
Planning Commissioners *Wenner and Solomonson*

B. Planning Commission Workshop – August 23th – before the regular meeting.

7. ADJOURNMENT

**SHOREVIEW PLANNING COMMISSION
MEETING MINUTES**

June 28, 2011

CALL TO ORDER

Chair Feldsien called the meeting of the June 28, 2011 SHOREVIEW Planning Commission meeting to order at 7:00 p.m.

ROLL CALL

The following members were present: Chair Feldsien; Commissioners Mons, Proud, Schumer, Solomonson, and Wenner.

Commissioner Ferrington was absent.

APPROVAL OF AGENDA

Chair Feldsien noted that item No. B. on the agenda under New Business is withdrawn.

MOTION: by Commissioner Schumer, seconded by Commissioner Solomonson to approve the agenda as amended.

VOTE: Ayes - 6 Nays - 0

APPROVAL OF MINUTES

MOTION: by Commissioner Schumer, seconded Commissioner Proud to approve the April 26, 2011 Planning Commission minutes as submitted.

VOTE: Ayes - 5 Nays - 0 Abstain - 1 (Wenner)

Commissioner Wenner abstained as he was not at the April 26th meeting.

REPORT ON CITY COUNCIL ACTIONS

There were no actions to report on.

SHOREVIEW PLANNING COMMISSION - JUNE 28, 2011

VARIANCE

FILE NO.: 2416-11-09
APPLICANTS: ANTHONY & KALII YOST
KURT & MICHELLE VIRNIG
LOCATION: 4110 & 4100 VICTORIA ST. N.

Presentation by City Planner Kathleen Nordine

City Attorney Filla has advised staff that this variance should be reviewed under the new state law that stipulates “practical difficulty,” not “undue hardship.”

The applicants request a variance to reduce a required 5-foot side yard setback for a shared driveway to 0 feet. The lot widths are approximately 76 feet with depths of approximately 400 feet. The garages for both properties are detached and set behind the front of each home at a depth of 145 to 150 feet from the front property lines. Two driveways are accessed off Victoria Street. At Victoria, the driveways are 10 feet wide but become wider closer to the garages. There is dirt and gravel between the two driveways, and it is this area that would widen the driveways to be used as a turn around and parking area.

The properties are zoned R1, Detached Residential. Under a 5-foot setback is not allowed in front of the dwelling, unless it leads to a garage. Front driveways cannot exceed 40% of lot coverage.

The applicants state that practical difficulties do exist with the long, narrow lots. The location of the garages in relation to the homes creates difficulties in maneuvering vehicles with narrow driveway widths. Because of traffic, it is not desirable to back out onto Victoria.

Staff does not believe practical difficulties are present. The current configuration of the properties makes them usable in a reasonable manner. There is concern about visual impact, the paving of a large driveway that could become storage for vehicles. Other options could alleviate the current situation, which include constructing a shared turn around only, construct a turn around on each property, or widen the existing driveway at 4110. Staff does not believe that unique circumstances are present. The lots are configured similarly to others in the neighborhood. The visual impact of increased parking or stored vehicles would change the character of the neighborhood.

Notices were sent to property owners within 150 feet. Three written comments were received in support of the variance.

Commissioner Wenner asked if a variance would be needed if a turnaround were constructed on each property. Ms. Nordine answered that a variance would be needed only if there is encroachment into the 5-foot setback.

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Chair Feldsien stated that he noticed a trailer and asked if there is a home business located on either of the properties. Ms. Nordine responded that Mr. Yost does operate a landscaping business out of his home.

Mr. Anthony Yost, 4110 Victoria, stated that if one car is parked in the driveway, the garage cannot be accessed. Where a turnaround would be feasible would mean 80 feet from the door, which is too far to carry groceries in inclement weather. His question is that if a turnaround is allowed, would it be possible to park there?

Chair Feldsien asked how many employees bring cars to the home. Mr. Yost answered that he is the only employee of the business.

Commissioner Solomonson stated parking is not possible on the street. The driveways are narrow, and he cannot envision backing out of it onto Victoria. He believes there is a difficulty with this property, but he does agree with staff. He suggested a single access with a wider driveway at the street.

Commissioner Proud stated he cannot support this request but would consider an alternative plan.

Chair Feldsien stated that he supports staff's recommendations. Although the driveways are very close together, he believes an alternative could be proposed with widening the driveway or putting in a turn around.

Commissioner Schumer stated that he also could not support the current proposal. The driveway at 4110 could be widened. The size area requested to be paved is too much.

MOTION: by Commissioner Mons, seconded by Commissioner Proud to table this application for a variance request for one month to the next Planning Commission meeting, July 26, 2011.

VOTE: Ayes - 6 Nays - 0

TEXT AMENDMENT - WIRELESS TELECOMMUNICATIONS FACILITIES

FILE NO.: 2418-11-11
APPLICANT: CITY OF SHOREVIEW
LOCATION: CITYWIDE

Presentation by Senior Planner Rob Warwick

The Planning Commission has discussed in several workshops the need to amend the City ordinance regarding building mounted wireless facilities. The proposed map and text amendment would allow providers to locate wireless facilities on business buildings to increase locations available to provide service.

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The Code currently has two districts where freestanding telecommunications towers are permitted, TOD-1 and TOD-2. District TOD-3 would allow mounting wireless facilities but not towers. Definitions in the Code have been revised to differentiate between tower and building mounted facilities. Section 205.180 provides for the TOD-3 overlay district map and regulations.

The current City standards for architectural design will apply to roof and building mounted equipment. Equipment must be integrated into the architecture of the building to which it is mounted. Antennas and equipment should be fully screened using scale, color and materials, such as parapet extension, chimney, steeple or penthouse. A setback from the roof edge shall be 2 feet for each foot of antenna. Height shall be a maximum of 10 feet above the existing building with the recognition that there are a variety of roof features that may exceed the 10 feet with the equipment fully integrated into the architecture. This will allow the City some discretion in consideration of different plans.

Collocation requires a structure of 55 feet in height or taller and located within one-half mile of the site being considered. Revisions include prioritized locations: 1) existing towers located on public property within one-half mile; 2) other City property in TOD-1 and TOD-2; 3) rooftop and building facade mounted facilities in TOD-3; and 4) other property in the TOD-1 and TOD-2 districts.

Legal notice of the public hearing was published. A mailed notice of this hearing was sent to affected property owners. No comments have been received. Staff recommends the public hearing be held and the Commission forward a recommendation for approval to the City Council.

Commissioner Mons asked about the inclusion of the business buildings at Rice Creek Park. Mr. Warwick explained that those buildings are of a lower height and not expected to be a desired location. If a provider would like to use one of those buildings, rezoning can be requested.

City Attorney Filla stated that proper notice has been given for the public hearing. Chair Feldsien opened the public hearing. There were no comments or questions.

MOTION: by Commissioner Mons, seconded by Commissioner Schumer to close the public hearing.

VOTE: Ayes - 6 Nays - 0

MOTION: by Commissioner Mons, seconded by Commissioner Schumer to recommend the City Council approve the text amendment to Chapter 200 of the Municipal Code pertaining to the Wireless Telecommunications Facilities.

The recommendation is based on findings that the proposed amendments strengthen City regulations for wireless telecommunication facilities in order to provide locations for wireless telecommunications facilities and maintain

SHOREVIEW PLANNING COMMISSION - JUNE 28, 2011

established community aesthetic standards.

VOTE: Ayes - 6 Nays - 0

TEXT AMENDMENT - VARIANCES

FILE NO.:

APPLICANT: CITY OF SHOREVIEW

LOCATION: CITYWIDE

Presentation by City Planner, Kathleen Nordine

The proposed amendment reflects the new state standards regarding variances. This does not include land or building use. The criteria for review has changed from a basis of "undue hardship" to "practical difficulties." The definition of "practical difficulties" is that the property owner proposes to use the property in a reasonable manner; the variance is not a result of unique circumstances caused by the property owner; and the variance will not alter the character of the neighborhood. Chapters in which a variance may be granted would appropriately be revised. Staff recommends the amendment be forwarded to the City Council for approval.

Chair Feldsien stated that the term "proportionality" has a vague definition.

Commissioner Proud stated that the term allows discretion in judgment.

City Attorney Filla explained that a park dedication could not be required, but conditions regarding setbacks or reasonable requirements related to the variance can be required.

Commissioner Mons asked the difference between "undue hardship" and "practical difficulty." City Attorney Filla stated that the only difference is that formerly a determination had to be made that the property could not be put to a reasonable use. The new provision is to determine that the property owner is requesting a reasonable use. It is still a determination of reasonable use but less harsh.

City Attorney Filla stated that proper notice has been given for the public hearing. Chair Feldsien opened the public hearing. There were no comments or questions.

MOTION: by Commissioner Mons, seconded by Commissioner Schumer to close the public hearing.

VOTE: Ayes - 6 Nays - 0

MOTION: by Commissioner Mons, seconded by Commissioner Wenner to recommend the City Council approve the text amendment to Chapter 200 of the Municipal Code pertaining to variances.

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This recommendation is based on the finding that the proposed changes are consistent with the recent changes in state law.

Discussion:

Commissioner Solomonson asked if Chapter 207, pertaining to use standards, such as home occupations, is addressed. Mr. Warwick stated that nonconforming uses are covered in Chapter 207, which includes substandard riparian lots. There are a number of variance requests for those types of lots which is why it was included with this text amendment. City Attorney Filla stated that he would not want to see procedures or definitions changed.

Chair Feldsien asked if including Chapter 207 changes notification requirements.

Commissioner Mons offered an amendment to the motion that staff resolve the questions regarding Chapter 207. Commissioner Wenner accepted the amendment.

VOTE ON MOTION AS AMENDED: Ayes - 6 Nays - 0

MISCELLANEOUS ITEMS

Council Meetings

Commissioners Schumer and Proud are scheduled to respectively attend the July 5th and July 18th City Council meetings. If Commissioner Schumer is unable to attend July 5th, Commissioner Solomonson will attend.

Text Amendment Discussion - Digital Billboards

City Planner Nordine stated that this is a follow up to an earlier workshop discussion of a potential change in the Code to allow digital billboards. The Planning Commission has expressed concerns regarding safety and visual impact. Staff has prepared a draft for review. A definition has been added for dynamic display billboards. Current regulations regarding static billboards will continue to apply. The amendment will include regulations only for dynamic display billboards. Spacing locations are designated only along I-694 for safety and to not allow a proliferation of dynamic display billboards. Spacing guidelines specify distance from intersections. The spacing requirement is 1500 feet from any intersection, 300 feet from any merge lane and 5000 feet between such signs on one side of the freeway. Other restrictions cover a minimum distance between billboards. There may be topography issues, especially in the Grass Lakes open space that would require special conditions. There are also restrictions on messaging. Messages must be static with no special effects. A minimum of 8 seconds between messages is required. Brightness is regulated to prevent glare. Installation of these signs require an agreement with the City.

A copy of the ordinance was sent to Clear Channel for review. Their comments are included with the draft to the Commission.

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Commissioner Solomonson asked how 300 feet was arrived at. He would like to see this number increased. If dynamic billboards are allowed, Commissioner Proud asked if there is provision for bi-direction billboards. Ms. Nordine stated that the regulations are for one-sided billboards. Commissioner Proud thanked staff for the provision regulating brightness and suggested further detail in this definition.

Commissioner Mons asked if public service announcements would be possible that would financially benefit the City. He further asked about future intent by industry for these billboards.

Mr. Richard Sonterre, Clear Channel, 3225 Spring Street, Minneapolis, stated that many advertisers have different messaging depending on the time of day. Public service messaging is provided at the City's discretion. City messaging would also be on an 8-second cycle. The impact to provide information in the community is substantial. He agreed with foot candle standards for brightness because it is based on ambient light and works to everyone's advantage.

Commissioner Solomonson asked for Mr. Sonterres's response to the 300 feet from a merging lane. Mr. Sonterre agreed with this restriction and added that there are setback requirements.

Mr. Sonterre stated that in the next 15 years it is anticipated that there will be color changes. The signs are very expensive to build and networks are being created for their use.

It was the consensus of the Commission to have staff request a joint workshop meeting with the City Council at the July 13th City Council workshop meeting to further discuss the amendment related to dynamic billboards.

ADJOURNMENT

MOTION: by Commissioner Schumer, seconded by Commissioner Solomonson to adjourn the June 28, 2011, Planning Commission meeting at 8:35 p.m.

VOTE: Ayes - 6 Nays - 0

ATTEST:

Kathleen Nordine
City Planner

TO: Planning Commission
FROM: Kathleen Nordine, City Planner
DATE: July 18, 2011
SUBJECT: Variance Requests –Yost/Virrig, 4110 and 4100 Victoria Street North, File No. 2416-11-09

INTRODUCTION

At the June 28th meeting, the Planning Commission reviewed a variance application submitted by Tony and Kalli Yost, 4110 Victoria Street North, and Kurt and Michelle Virrig, 4100 Victoria Street North. The applicants' are proposing to pave the area between the existing driveways on their property to provide additional room for parking and vehicle turnaround. This area would then be shared by the two property owners. The applicants' are requesting a variance to reduce the minimum 5-foot setback to 0 feet for the driveway/parking area.

The Commission tabled the request to the July 26th meeting to provide the applicants with additional time to address concerns raised during the meeting. Commissioners questioned whether or not the proposal met the variance criteria and directed the applicants to look at other options to eliminate the need for the variance or reduce the extent of the variance needed.

The applicants are currently considering options and have not submitted a revised plan, therefore, they are asking the application's review be continued.

RECOMMENDATION

Staff is recommending the Commission table the application and extend the review period from 60 to 120 days. The application was complete on June 14, 2011.

Attachments

- 1) Request for continuation
- 2) Motion

KATHLEEN NORDINE - Re: Re: Re: Re:

From: Tony <ytkyost@gmail.com>
To: KATHLEEN NORDINE <knordine@SHOREVIEWWMN.GOV>
Date: 7/14/2011 9:34 AM
Subject: Re: Re: Re: Re:

I would not have time right now to make changes to the original request so later would be better.

On Jul 14, 2011, at 9:01 AM, "KATHLEEN NORDINE" <knordine@SHOREVIEWWMN.GOV> wrote:

Tony -

Do you want to remain on the Planning commission's agenda for July 26th or would like to continue the request to the next meeting, August 23rd? If you do want to remain on the agenda, I need to mail out notices no later than tomorrow. Let me know if you have decided on any changes to the proposal.

Thanks

Kathleen

KATHLEEN NORDINE - Variance Request

From: KATHLEEN NORDINE
To: khpvirrig54@hotmail.com
Date: 7/18/2011 2:07 PM
Subject: Variance Request
CC: ytkyost@gmail.com

The variance application submitted will be continued to the August 23rd meeting to provide you and Mr. Yost additional time to respond to the Planning Commission's concerns. I know Mr. Yost has explored some options but has not come up with a revised proposal yet.

The item will remain on the agenda since the request was specifically continued to the July 26th meeting. Staff will have the Commission continue it to the August 23rd meeting. You are welcome to attend the meeting but I do not anticipate any discussion. I will email a report and agenda to you later this week. Please contact me if you have any questions.

Kathleen

Kathleen Nordine
City Planner
City of Shoreview
4600 N. Victoria Street
Shoreview, MN 55126
knordine@shoreviewmn.gov

651-490-4682

PROPOSED MOTION

MOVED BY COMMISSIONMEMBER _____

SECONDED BY COMMISSIONMEMBER _____

In response to the applicant's request, the Variance application submitted by Tony and Kalli Yost, 4110 Victoria Street, and Kurt and Michelle Virnig, 4100 Victoria Street is tabled to the August 23, 2011 Planning Commission meeting. The 60-day review period is hereby extended to 120 days.

VOTE: **AYE** _____

NAY _____

T:2011pca/2416-11-09/motiontable

TO: Planning Commission

FROM: Rob Warwick, Senior Planner

DATE: July 21, 2011

SUBJECT: Residential Design Review: Joseph and Tamara Douglas, 4368 Reiland Lane, File No. 2422-11-15

INTRODUCTION

Joseph and Tamara Douglas have submitted a Residential Design Review application for property located at 4368 Reiland Lane. The property is a substandard riparian lot located on Snail Lake. Mr. and Mrs. Douglas have entered into a purchase agreement with the property owner, the Marlene F. Vincent Trust.

The plans propose removal of the existing house, shed and detached garage and construction of a new 1½-story house, with a lower level walk-out, and a two car attached garage. The application was complete July 13, 2011.

PROJECT DESCRIPTION

The subject property is a substandard riparian lot located in the R1 - Detached Residential District on the west side of Snail Lake. The lot is 16,980 square feet in area. The lot has a width of about 14 feet at the front lot line and about 175 feet at the Ordinary High Water (OHW). The property is developed with a 1 ½ -story house, detached garage, driveway, and a shed in the shore impact zone. The lot elevation drops about 25 feet from the street to the lake.

Most of the existing improvements will be removed – the house, shed, detached garage and driveway. The applicants propose construction of a 1½-story house, with a lower level walk-out at the same low-floor elevation as the existing house. A 620 sq. ft. attached garage is proposed, with a total foundation area for the project of 2,928 square feet. Two rain gardens will be installed as part of the landscaping. These will capture runoff from the developed portion of the lot. See the attached plans.

DEVELOPMENT CODE REQUIREMENTS

The Development Ordinance requires residential construction on substandard riparian lots to comply with certain design standards.

The minimum front and OHW setbacks are calculated based on the setbacks of the houses on the adjoining parcels. The proposed setbacks from both the street and the OHW comply with Code requirements.

The proposed house and garage also comply with the minimum side setbacks, being located about 10 feet from both of the side lot lines.

The proposed project also complies with the adopted design standards, as shown in the table below.

Standard	Allowed	Proposed
Lot Coverage	5,094 square feet (30%) Existing: 2,597 square feet (15.3%)	4,174 square feet (24.6%)
Building Height	35 feet	34 feet, 11 inches
Foundation Area	3,056 square feet (18% of lot area)	2,928 square feet (17.2 %)
Setbacks Front OHW (Lake) Side	47.55 – 67.55 feet 57.65 – 77.65 feet 10 feet – Living Area	48.8 feet 58.1 feet 10.2 feet west; 10.1 feet east
Architectural Mass	Encourage use of natural colors/materials, landscaping.	Lap siding (vinyl or hardie), and stone. Green earth tone (“heather moss”), with tan trim.

Four trees will be removed and one of these is a landmark tree. On lots with an area of less than 20,000 square feet, one replacement trees is required for each landmark tree removed. In this case, one replacement tree is required. Protective fencing and wood chips are necessary to minimize impact on retained trees. A tree protection plan shall be submitted for approval prior to issuance of a demolition permit, and installed and maintained on the site during the period of construction.

The staff has reviewed the proposal and found that the proposed home has been designed in accordance with the design standards.

SHORELAND MITIGATION

In accordance with the Development Code, shoreland mitigation is required of property owners who are seeking certain land use approvals through the City. The applicants have identified two practices, Architectural Mass and Removal of a Non-Conforming Structure. The existing shed located in the Shore Impact Zone will be removed. The applicants are required to enter into a Mitigation Agreement with the City after they complete the purchase of the property.

PUBLIC COMMENT

Property owners within 150 feet of the parcel were notified of this request. No comments have been submitted comments.

STAFF RECOMMENDATION

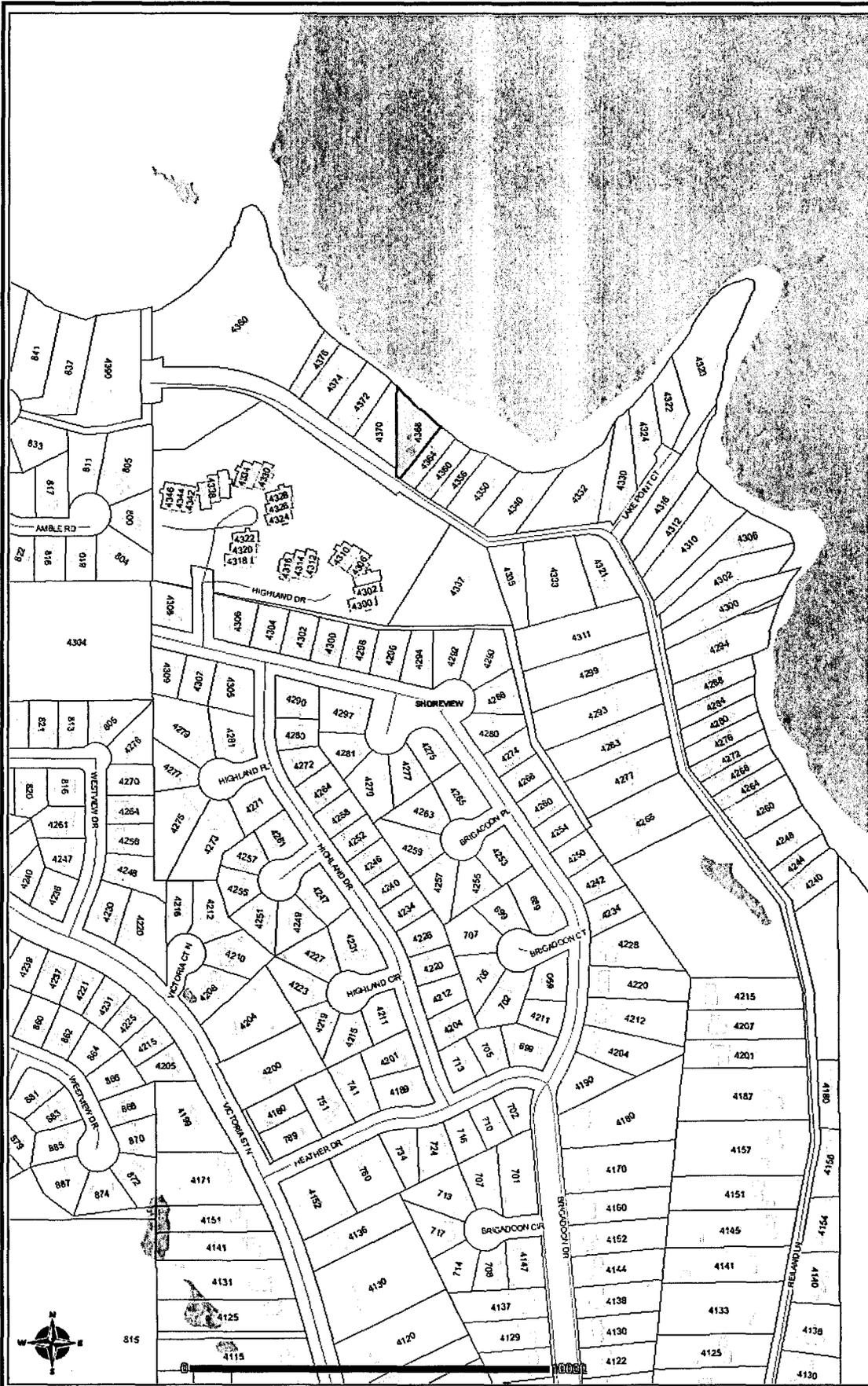
Staff recommends approval of the Residential Design Review for the project, as the proposal complies with the adopted standards, subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the Residential Design Review 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. Impervious surface coverage shall not exceed 30% of the total lot area as a result of this project. Foundation area shall not exceed 18%.
4. One landmark trees will be removed as a result of the development, and one replacement tree is required. A cash surety to guarantee the replacement tree shall be submitted prior to issuance of a building permit.
5. A tree protection plan shall be submitted prior to issuance of a demolition permit. The approved plan shall be implemented prior to the commencement of work on the property and maintained during the period of construction. The protection plan shall include wood chips and protective fencing at the drip line of the retained trees.
6. An erosion control plan shall be submitted with the demolition permit application and implemented during demolition and construction of the new residence.
7. A Mitigation Affidavit shall be executed prior to the issuance of a building permit for the new residence.
8. A building permit must be obtained before any demolition or construction activity begins.
9. This approval is subject to a 5-day appeal period.

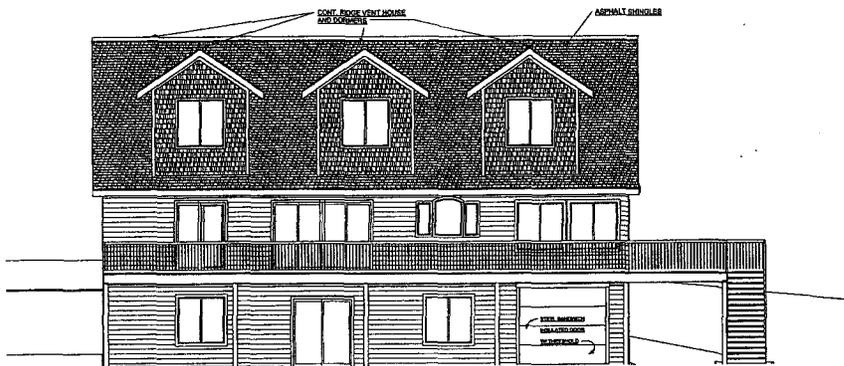
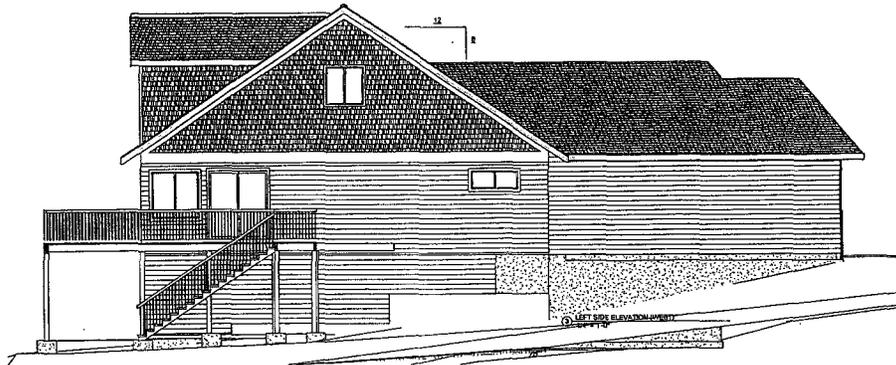
Attachments

- 1) Location Map
- 2) Submitted plans
- 3) Comments
- 4) Mitigation Affidavit

- Selected Features
- Municipalities
- Road Centerlines (County)
- County Road
- Interstate Hwy
- State Hwy
- Roads
- Water
- Structures
- Parcel Polygons
- Highway Shields
- Street Name Labels



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.
 SOURCES: Ramsey County (May 31, 2011), The Lawrence Group; May 31, 2011 for County parcel and property records data; May 2011 for commercial and



PROJECT:
DOUGLAS "ROCKIN' RAMBLER"

OWNER:
JOE AND TAMMY DOUGLAS
4368 REILAND LANE
SHOREVIEW, MINN. 55128
PHONE: (612) 710-8202 (TAMMY)
(651) 308-5368 (JOE)
E-MAIL:
JOETAMMY@COMCAST.NET

CONTRACTOR:

**BID PLANS
NOT FOR CONSTRUCTION**

REVISIONS			
NO.	DATE	DESCRIPTION	BY

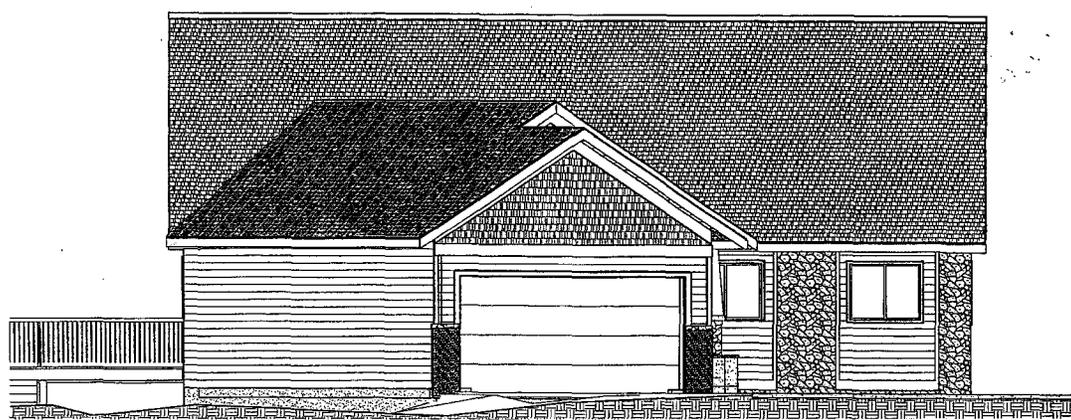
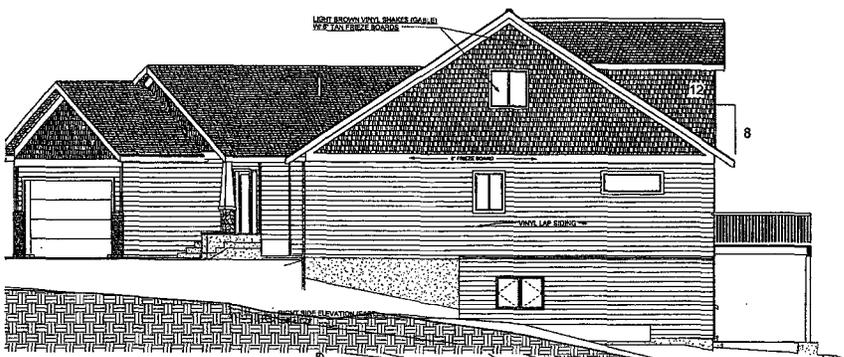
PLANS PROVIDED BY:
SCHWIETERS HOME DESIGN
1628 COUNTY HIGHWAY 10 N.E.
SPRING LAKE PARK, MN 55432
TEL: (763) 785-2105
SchHmDsgn@aol.com

DATE: 09/20/11

DATE: JULY 4TH, 2011 DRAWN: DICK S.
JOB NO: 2142 CHECKED: R.J.S.

**NORTH AND WEST
ELEVATIONS**

SCALE: 1/4" = 1'-0"



PROJECT:
DOUGLAS "ROCKIN' RAMBLER"

OWNER:
JOE AND TAMMY DOUGLAS
4368 REILAND LANE
SHOREVIEW, MINN. 55128
PHONE: (612) 710-8202 (TAMMY)
(651) 308-5368 (JOE)
E-MAIL:
JOETAMMY@COMCAST.NET

CONTRACTOR:

**BID PLANS
NOT FOR CONSTRUCTION**

REVISIONS			
NO.	DATE	DESCRIPTION	BY

PLANS PROVIDED BY:
SCHWIETERS HOME DESIGN
1628 COUNTY HIGHWAY 10 N.E.
SPRING LAKE PARK, MN 55432
TEL: (763) 785-2105
SchHmDsgn@aol.com

DATE: 06/28/11

DATE: JULY 4TH, 2011 DRAWN: DICK S.
JOB NO: 2142 CHECKED: R.J.S.

**SOUTH AND EAST
ELEVATIONS**

SCALE: As Indicated

CERTIFICATE OF SURVEY

~for~ JOE AND TAMMY DOUGLAS
 ~of~ 4368 REILAND LANE
 SHOREVIEW, MN

GRAPHIC SCALE



NOTES:

- Field survey was completed by E.G. Rud and Sons, Inc. on 5/23/2011.
- Bearings shown are on an assumed datum.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encroachments may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Builder/Contractor to verify all proposed building dimensions.

PROPERTY DESCRIPTION:

Lot 1, REILAND'S LAKE SHORE, Ramsey County, Minnesota.

PROPOSED ELEVATIONS:

(10 FT. POURED WALL WALKOUT BASEMENT)
 TOP OF WALL = 807.2
 GARAGE FLOOR = 806.8
 LOWEST FLOOR = 805.5
 TOP OF FOOTING = 807.2

EXISTING IMPERVIOUS SURFACE

LOT AREA (ABOVE ORDINARY HIGH WATER LEVEL) = 16,980 SF
 EXISTING HOUSE = 680 SF
 EXISTING GARAGE = 540 SF
 EXISTING SHED = 160 SF
 TOTAL EXISTING IMPERVIOUS SURFACE AREA = 2597 SF
 EXISTING IMPERVIOUS COVERAGE = 15.3%

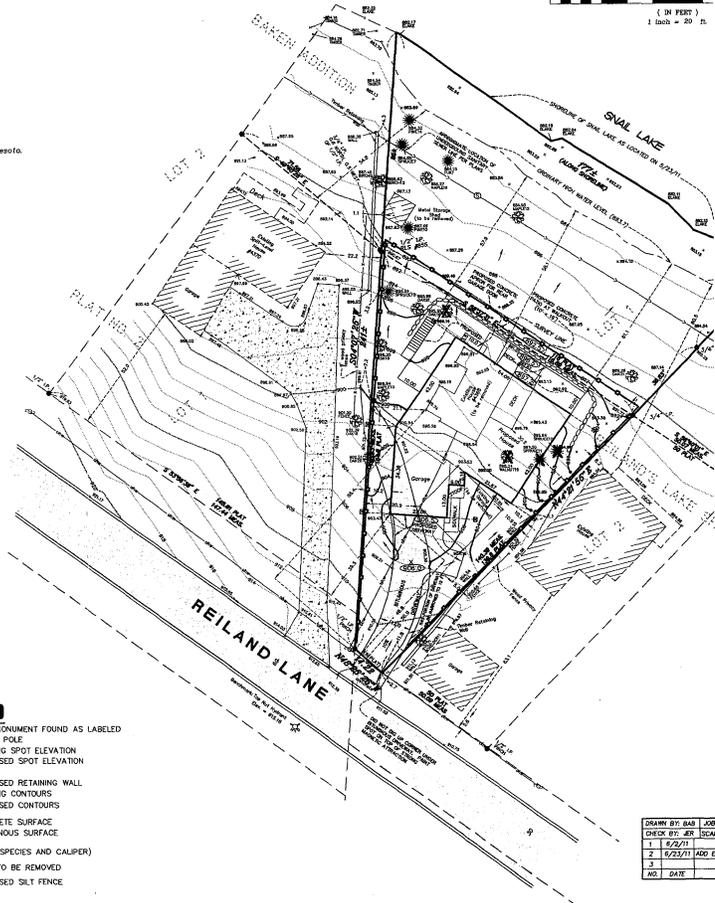
PROPOSED IMPERVIOUS SURFACE

LOT AREA (ABOVE ORDINARY HIGH WATER LEVEL) = 16,980 SF
 PROPOSED HOUSE AND ATTACHED GARAGE = 2928 SF
 PROPOSED DRIVEWAY = 956 SF
 PROPOSED STUMP AND SIDEWALK = 85 SF
 PROPOSED APRON FOR REAR GARAGE DOOR = 35 SF
 PROPOSED PATIO AT WALKOUT = 160 SF
 TOTAL PROPOSED IMPERVIOUS SURFACE AREA = 4174 SF
 EXISTING IMPERVIOUS COVERAGE = 24.6%

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.


 JASON E. RUD

Date: 8/23/2011 License No. 41578



LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES POWER POLE
- DENOTES EXISTING SPOT ELEVATION
- DENOTES PROPOSED SPOT ELEVATION
- DENOTES FENCE
- DENOTES PROPOSED RETAINING WALL
- DENOTES EXISTING CONTOURS
- DENOTES PROPOSED CONTOURS
- DENOTES CONCRETE SURFACE
- DENOTES BITUMINOUS SURFACE
- DENOTES TREE (SPECIES AND CALIPER)
- DENOTES TREE TO BE REMOVED
- DENOTES PROPOSED SILT FENCE

DRAWN BY:	DAE	JOB
CHECK BY:	JER	1044
	1	8/23/11
	2	8/23/11
	3	
	NO	DATE

 **E. G. RUD & SONS, INC.**
 Professional Land Surveyors
 6776 Lake Drive NE, Suite 110
 Lino Lakes, MN 55014
 Tel. (651) 361-8200 Fax (651) 361-8701

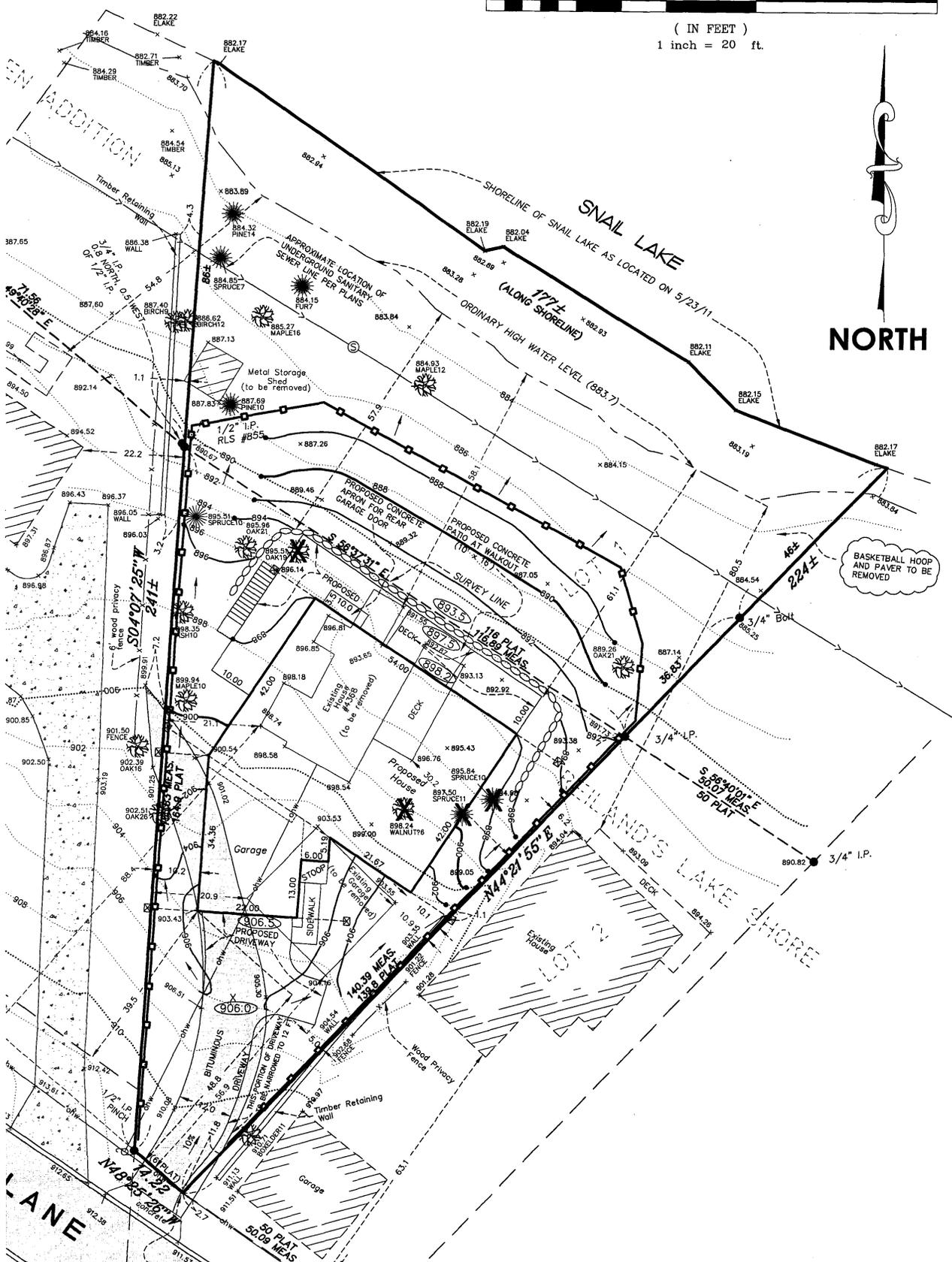
GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.



NORTH

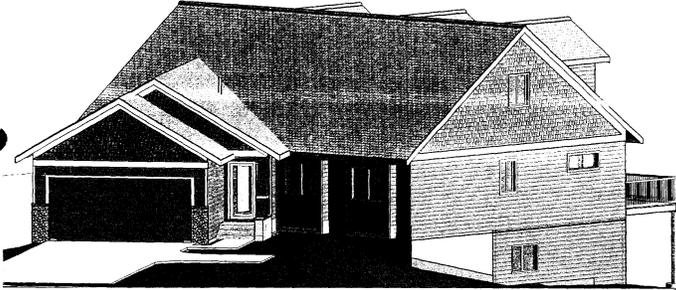


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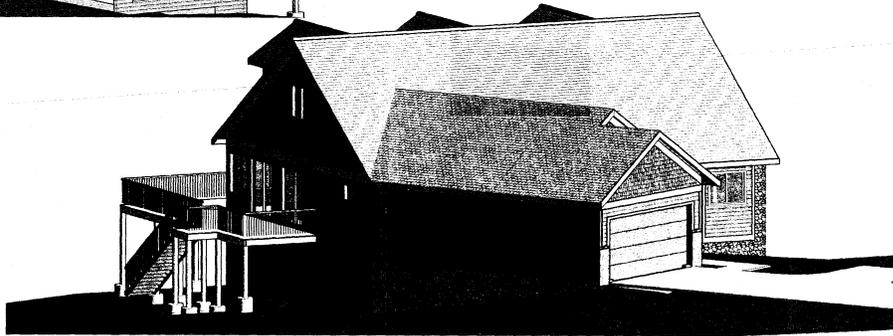
BY:



3-D LAKESIDE



3-D STREET VIEW



3-D LEFT SIDE

PROJECT:
DOUGLAS 'ROCKIN' RAMBLER

OWNER:
JOE AND TAMMY DOUGLAS
4388 REILAND LANE
SHOREVIEW, MINN. 55126
PHONE: (612) 710-9202 (TAMMY)
(651) 308-3389 (JOE)
E-MAIL:
JOETAMMY@COMCAST.NET

CONTRACTOR:

REVISIONS		
NO.	DATE	DESCRIPTION

PLANS PROVIDED BY:

SCHWIETERS HOME DESIGN
1628 COUNTY HIGHWAY 10 N.E.
SPRING LAKE PARK, MN 55432
TEL: (763) 785-2105
SchHomDsgn@aol.com

DATE: 052211

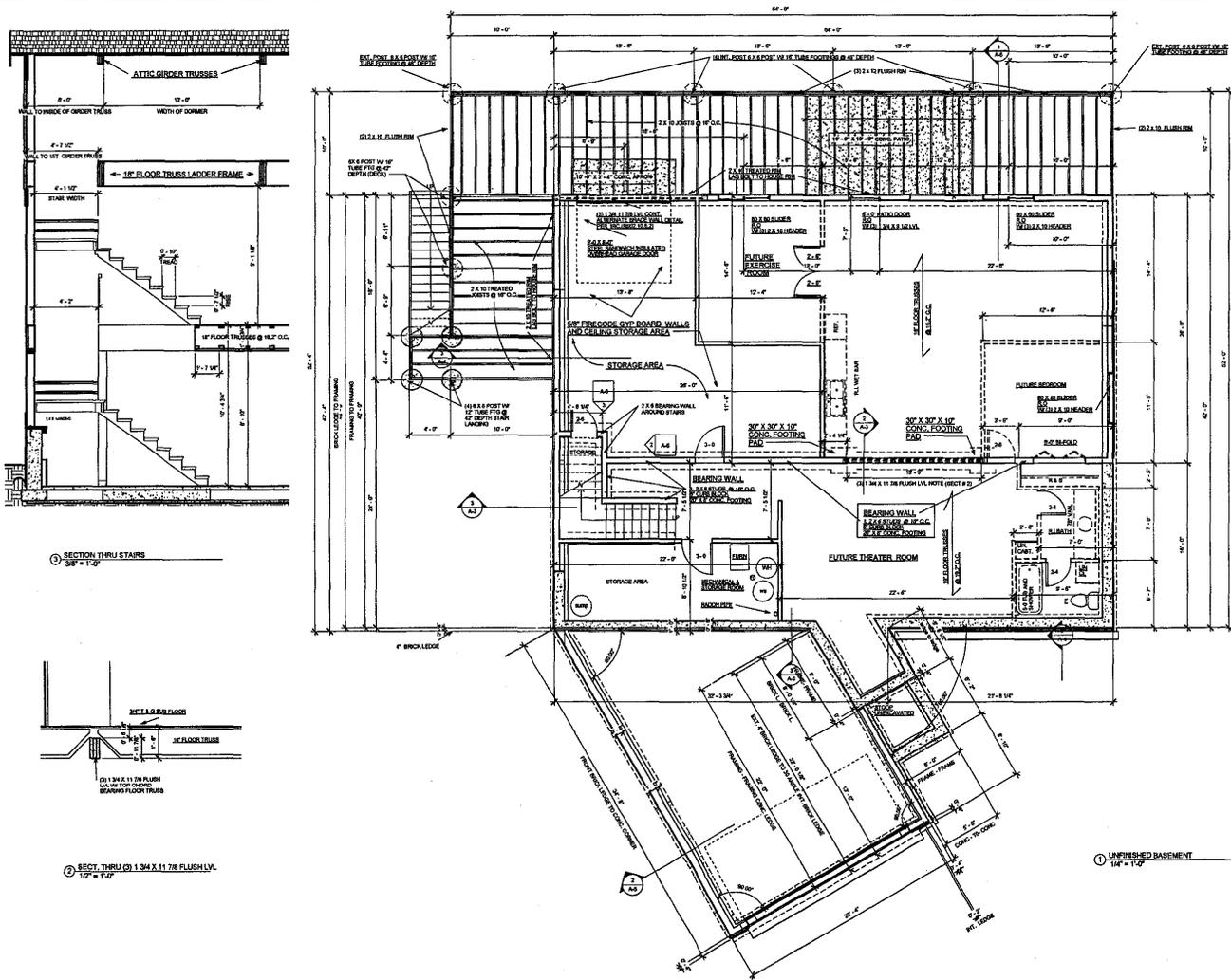
DATE: JULY 4TH, 2011 DRAWN: DICK S.
JOB NO: 2134 & 2142 CHECKED: R.J.S.

**LAKE VIEW 3-D AND
STREET VIEW 3-D**

SCALE:

PAGE NO:

D-1



PROJECT:
DOUGLAS "ROCKIN" RAMBLER

OWNER:
JOE AND TAMMY DOUGLAS
4388 REILAND LANE
SHOREVIEW, MINN. 55128
PHONE: (612) 710-9202 (TAMMY)
(851) 308-5389 (JOE)
E-MAIL:
JOETAMMY@COMCAST.NET

CONTRACTOR:

**BID PLANS
NOT FOR CONSTRUCTION**

REVISIONS			
NO.	DATE	DESCRIPTION	BY

PLANS PROVIDED BY:
SCHWIETERS HOME DESIGN
1628 COUNTY HIGHWAY 10 N.E.
SPRING LAKE PARK, MN 55432
TEL: (763) 785-2105
SchHomDsgn@aol.com

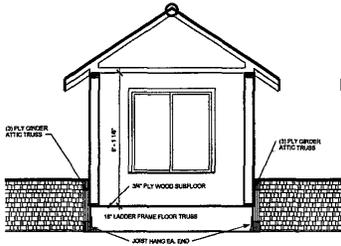
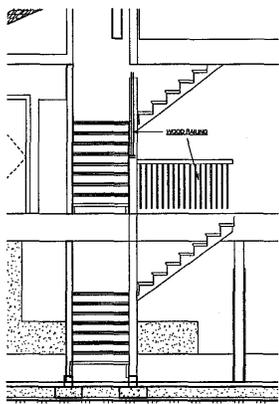
DATE: 05/22/11

DATE: JULY 4TH, 2011 **DRAWN:** DICK S.
JOB NO: 2142 **CHECKED:** R.J.S.

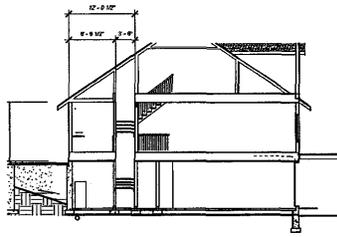
FOOTING AND FOUNDATION PLAN

SCALE: As Indicated

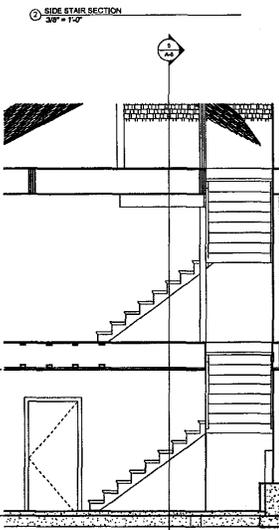
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A-3



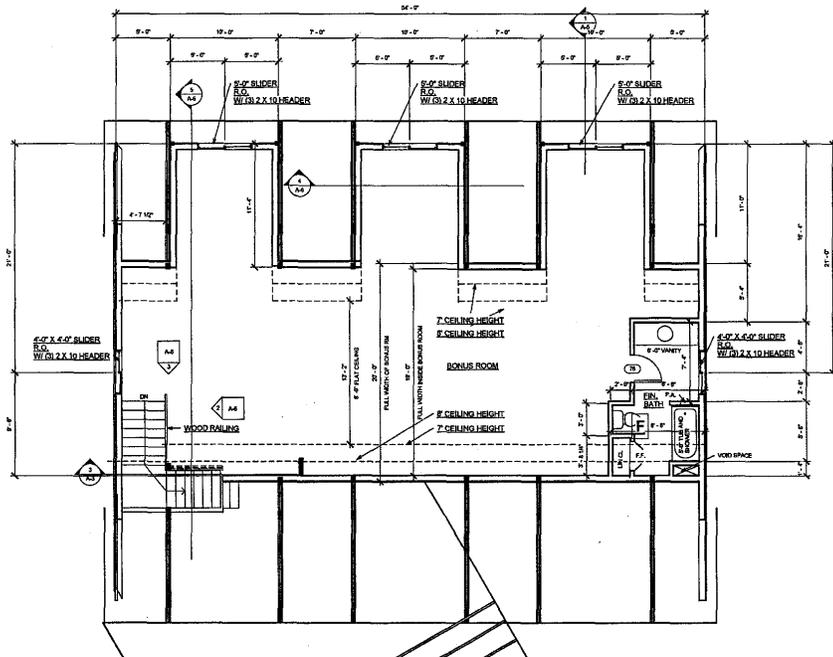
① TYP. DORMER LADDER FRAME
3/8" = 1'-0"



② SECTION THRU STAIR HEADROOM
1/8" = 1'-0"



③ SIDE STAIR SECTION
3/8" = 1'-0"



④ BONUS ROOM FLOOR
1/4" = 1'-0"

PROJECT:
DOUGLAS "ROCKIN" RAMBLER

OWNER:
JOE AND TAMMY DOUGLAS
4388 REILAND LANE
SHOREVIEW, MINN. 55126
PHONE: (612) 710-9202 (TAMMY)
(851) 308-5389 (JOE)
E-MAIL:
JOETAMMY@COMCAST.NET

CONTRACTOR:

**BID PLANS
NOT FOR CONSTRUCTION**

REVISIONS

NO.	DATE	DESCRIPTION	BY

PLANS PROVIDED BY:
SCHWIETERS HOME DESIGN
1628 COUNTY HIGHWAY 10 N.E.
SPRING LAKE PARK, MN 55432
TEL: (763) 785-2105
SchHomeDsgn@aol.com

DATE: 06/27/11

DATE: JULY 4TH 2011 DRAWN: DICK S.
JOB NO: 2142 CHECKED: R.J.S.

BONUS ROOM PLANS

SCALE: As Indicated

PAGE NO:
A-6

MITIGATION AFFIDAVIT AND AGREEMENT

STATE OF MINNESOTA)
)SS
COUNTY OF RAMSEY)

The undersigned Affiants, for themselves, their heirs, successors and assigns hereby states, affirms and agrees:

1. Joseph and Tamara Douglas, hereafter referred to as the Affiants, are the record fee owners of the following described property:

Lot 1, Reiland’s Lake Shore, Ramsey County, Minnesota
(commonly known as 4368 Reiland Lane)

2. That as a condition of approval for a Residential Design Review/Variance approved by the Shoreview Planning Commission on July 26, 2011, the Affiants will use the following practices to mitigate the adverse effects land development (mitigation practices) has on water quality and the lake environment:
 - a. Removal of Non-Conforming Structure: Pursuant to Section 209.080 (M1d) of the Municipal Code, the mitigation plan may include the removal of structures that do not comply with the required structure setbacks from the ordinary high water line or are located within a shore impact zone or bluff impact zone. The Affiants will be removing an existing water oriented shed that encroaches within the required side setback. The shed is located within the Shore Impact Zone.
 - b. Architectural Mass. Pursuant to Section 209.080 (M1c), the use of natural color(s) and/or materials on the exterior surface of the addition on the Affiants dwelling shall be used to reduce the visual impact. Natural colors are shades of brown, gray, and green. Natural materials include wood or

stone that complement the setting of the structure. The exterior surface of the home shall be finished materials using natural shades of green.

3. The mitigation practices identified in item #2 above shall be completed by July 26, 2012 unless an extension is administratively approved by the City of Shoreview. The mitigation practices shall be maintained unless said requirement is rescinded by the City of Shoreview.
4. As security for completion of the mitigation practices, Affiants posted a cash escrow with the City and hereby agrees that the City may utilize security to complete the mitigation practices if Affiants do not complete them by the required date.

Dated this _____ day of _____, 2011.

Joseph Douglas

Tamara Douglas

STATE OF MINNESOTA)
)SS
COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this _____ day of _____, 2011.

Notary Public

Drafted by: Robert Warwick
City of Shoreview
4600 N. Victoria Street
Shoreview MN 55126

T:/2011 pcf/2422-11-15 4368 reiland/douglas mitigation.doc

PROPOSED MOTION

MOVED BY COMMISSION MEMBER _____

SECONDED BY COMMISSION MEMBER _____

To approve residential design review application submitted by Joseph and Tamara Douglas for 4368 Reiland Land, subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the Residential Design Review 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. Impervious surface coverage shall not exceed 30% of the total lot area as a result of this project. Foundation area shall not exceed 18%.
4. One landmark trees will be removed as a result of the development, and one replacement tree is required. A cash surety to guarantee the replacement tree shall be submitted prior to issuance of a building permit.
5. A tree protection plan shall be submitted prior to issuance of a demolition permit. The approved plan shall be implemented prior to the commencement of work on the property and maintained during the period of construction. The protection plan shall include wood chips and protective fencing at the drip line of the retained trees.
6. An erosion control plan shall be submitted with the demolition permit application and implemented during demolition and construction of the new residence.
7. A Mitigation Affidavit shall be executed prior to the issuance of a building permit for the new residence.
8. A building permit must be obtained before any demolition or construction activity begins.
9. This approval is subject to a 5-day appeal period.

The approval is based on the following finding:

1. The proposal complies with the adopted standards for construction on a substandard riparian lot.

VOTE:

AYES:

NAYS:

Regular Planning Commission Meeting – July 26, 2011

t:\pcf 2011\2422-11-15 4368 reiland lane/pc motion.doc



TO: Planning Commission

FROM: Kathleen Nordine, City Planner

DATE: July 21, 2011

SUBJECT: Variance Requests –Michael Morse, 1648 Lois Drive, File No. 2416-11-09

INTRODUCTION

Michael Morse, 1648 Lois Drive, submitted a variance application for a detached garage currently under construction on his property. This application was submitted in response to a stop work order that was issued for the project. At that time, Mr. Morse became aware that a building permit is required for the garage and that the structure does not comply with the City's standards. Mr. Morse would like to retain the garage and is requesting the following variances.

1. To exceed the maximum area permitted (75% of the dwelling unit foundation area or 750 square feet whichever is more restrictive) – The area of the structure is 1,100 square feet exceeding the maximum of 576 square feet permitted.
2. To exceed the combined area of all accessory structures on the property (90% of the dwelling unit foundation area or 1,200 square feet whichever is more restrictive) – The combined area of all accessory structures is 1,100 square feet exceeding the 691 square feet permitted.
3. The maximum height shall not exceed 18 feet as measured from the highest roof peak to the lowest finished grade. In no case shall the height of the accessory structure exceed the height of the dwelling unit. The structure has a height of 20'4" and exceeds the height of the dwelling unit.
4. Storage areas above the main floor shall not exceed an interior height of 6 feet. The interior storage area has a height of 8'1".

Please see the attached site plans.

PROJECT DESCRIPTION

The property is located on Lois Drive, east of Snelling Avenue. It has a width of 75 feet, a depth of 135 feet and an area of 10,125 square feet. Along the eastern boundary is a 5-foot drainage easement that is developed with a drainage ditch. There is a one-story single family home on the property that has a foundation area of 768 square feet. The home has a height of 15 feet as measured from ground grade to peak. A detached garage approximately 360 square feet in size was also located on the property but demolished in June. Other improvements include a driveway and deck.

The detached garage is being constructed in the same location as the previous garage. The garage has an overall area of 1,100 square feet, a width of 22 feet and a depth of 50 feet. In accordance with the submittal, it is setback 6 feet from the side property line and 12 feet from the

rear property line. The applicant is required to expose and locate the property irons to verify that the structure complies with the required setbacks.

The garage is designed with a gambrel style roof and includes a second floor storage area extending the full length of the garage and accessed by an interior stairway. This storage area has an interior height of 8'1". The overall height of the structure is proposed at 20'4".

DEVELOPMENT ORDINANCE REQUIREMENTS

The property is located in the R1, Detached Residential District. In this District, the principal structure must be setback a minimum of 30 feet from the front lot line. A minimum side yard setback of 10-feet is required for living area and 5-feet for accessory structures and driveways/parking areas. Accessory structures must also maintain a minimum 10-foot setback from a rear property line. Impervious surface coverage cannot exceed 40%

On parcels less than 1 acre, the maximum area permitted for a detached garage is 75% of the dwelling unit foundation area or 750 square feet whichever is more restrictive. The combined area of all accessory structures cannot exceed 90% of the dwelling unit foundation area or 1,200 square feet, whichever is more restrictive. The maximum height permitted for detached accessory structures is 18 feet as measured from the roof peak to the lowest finished grade; however in no case shall the height of the structure exceed the height of the dwelling unit. In addition, sidewalls cannot exceed 10 feet and interior storage areas above the main floor cannot exceed an interior height of 6 feet.

The exterior design of the structure must be compatible with the dwelling and be similar in appearance from an aesthetic, building material and architectural standpoint. The proposed design, scale, height and other aspects related to the accessory structure are evaluated to determine the impact on the surrounding area. Building permits may be issued upon the finding that the appearance of the structure is compatible with the structures and properties in the surrounding area and does not detract from the area. The intent of these regulations and the City's Comprehensive Plan's policies is to ensure that the residential character of the property and neighborhood is maintained and that dwelling unit remains the primary feature and use of the property.

Variance Criteria

When considering a variance request, the Commission must determine whether the ordinance causes the property owner practical difficulty and find that granting the variances is in keeping with the spirit and intent of the ordinance. Practical difficulty is defined as:

- 1. Reasonable Manner. The property owner proposes to use the property in a reasonable manner not permitted by the Shoreview Development Regulations.*
- 2. Unique Circumstances. The plight of the property owner is due to circumstances unique to the property not created by the property owner.*
- 3. Character of Neighborhood. The variance, if granted, will not alter the essential character of the neighborhood*

Applicant's Statement

The applicant identifies that practical difficulty is present. He does plan on using the structure in a reasonable manner to house vehicles and other personal property and access the backyard area. Unique circumstances include the small size of the home (768 square feet) which lacks storage area. The house also has limited expansion potential due to the interior floor layout. The proposed garage will not alter the character of the neighborhood because there are other large garages.

Mr. Morse also states that there are economic considerations which should be taken into account. Removal or alteration of the garage will create some economic difficulties because of the investment already expended for the structure.

Please refer to the attached statement.

STAFF REVIEW

While staff is sympathetic to the property owner because of the circumstances surrounding this application, staff believes practical difficulties are not present.

Reasonable Manner. The property owner proposes to use the property in a reasonable manner not permitted by the Shoreview Development Regulations.

The City's Development Code permits accessory structures on residential properties provided certain requirements are met. The Development Code places limitations on the height and size of these structures to allow property owners to use their property in a reasonable manner. In this case, the Development Code permits a 576 square foot accessory structure (24' x 24') on the property, which is large enough for two vehicles and other personal property. A second accessory structure up to 115 square feet may also be allowed for additional storage.

These standards were adopted by the City so accessory structures remain secondary to the principal use (the dwelling) on the property. Regulating the size, height and location ensures that accessory structures remain a secondary use to the main residential use of the property and are not the dominant feature of the property. The standards that have been developed do allow the applicant to use the property in a reasonable manner since a detached garage and small storage shed could be built without a variance.

Unique Circumstances. The plight of the property owner is due to circumstances unique to the property not created by the property owner.

While staff agrees that the 768 square foot home is small for today's living standards, this is not a unique circumstance that warrants the variances requested. There are other homes in the neighborhood that are of a similar size. The Development Code does permit a 576 square foot garage on the property which is reasonable for a home of this size. Again, the spirit and intent of the ordinance is to maintain the residential character of the property by limiting the size of accessory structures so the dwelling unit remains the principal use and dominant feature of the property.

The applicant did review some options that may allow a larger garage, such as adding onto the home, but determined that they are not feasible due to the existing floor plan and location of an easement along the east property line. The garage was also not constructed with frost footings and cannot be attached to the home. Even if these options were feasible, the garage, as constructed is too large and would have to be altered to comply with the City's height and size standards.

In staff's opinion, the request stems from the applicant's personal needs. It appears that the larger garage is needed to store vehicles and personal property.

Character of Neighborhood. The variance, if granted, will not alter the essential character of the neighborhood.

The neighborhood is characterized with smaller one and one and one-half story homes that are developed with detached garages. Some of the homes remain the original size as when constructed while others have been expanded. In some instances, there are properties that do have detached accessory structures that exceed the current area and/or height standards. These structures are considered non-conforming.

While staff understands that there are other large detached garages in the area, there is concern regarding the mass of the structure and the impact it does have on the neighborhood and adjoining properties. The proposed accessory structure would be the dominant feature of the property. Because of the height, area and design of the structure, staff also believes that this structure dominates adjoining properties and the neighborhood altering the residential character of the area. Again, the intent of the regulations is to maintain the residential character of the property and neighborhood. While the staff appreciates the applicant's investment in the property, it is staff's opinion that the structure detracts from the residential character of the property and neighborhood.

PUBLIC COMMENT

Property owners within 150 feet were notified of the applicant's request. A petition in support of the request was submitted and contains signatures from the owners of 6 nearby properties. One phone call was received from a resident who voiced concern and opposition to the proposal.

STAFF RECOMMENDATION

While staff understands the applicant's rationale for the request and is sympathetic to their needs, the variance is not supported. In staff's opinion, the applicant can use the property in a reasonable manner under the current regulations for accessory structures. Although the home is small and has limited expansion potential, the unique circumstances relate to the applicant's personal storage needs. Further, staff is concerned about the impact this structure has on the property and neighborhood. Staff is recommending the Commission deny the request based on the following findings:

1. The request does not comply with the spirit and intent of the City's Development Code and Comprehensive Plan. The residential dwelling unit is no longer the dominant use or feature of the property because of the proposed size and height of the accessory structure.

2. Reasonable Manner. The property can be used in a reasonable manner as permitted by the development code. A one-story detached accessory structure with a maximum area of 576 square feet and a small storage shed could be constructed on the property.
3. Unique Circumstances. The unique circumstances are due to the applicant's personal storage needs and not a unique characteristic of the property. While the home is small and has limited expansion potential, a detached garage 576 square feet in size and small storage shed can be constructed on the property.
4. Character of Neighborhood. The structure dominates the property and detracts from the residential character of the property and neighborhood.

Attachments:

- 1) Location Map
- 2) Aerial and Site Photos
- 3) Applicant's Statement and Submitted Plans
- 4) Comments
- 5) Motion

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Morse - 1648 Lois Drive



- Municipalities
- Road Centerlines (County)
- County Road
- Interstate Hwy
- State Hwy
- Roads
- Water
- Structures
- Parcel Polygons
- 2008 Color Aerials
- Highway Shields
- Street Name Labels

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.

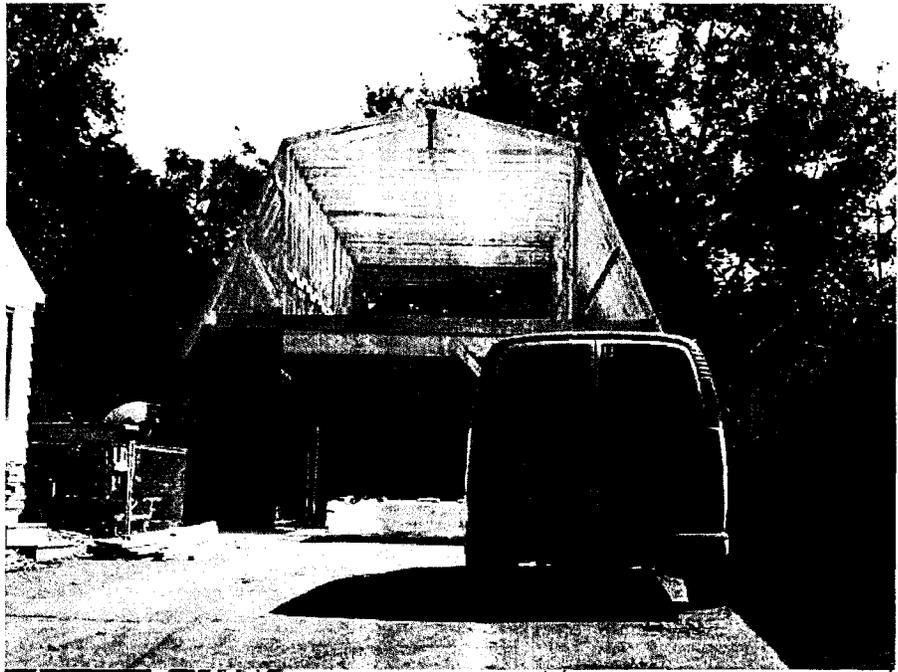
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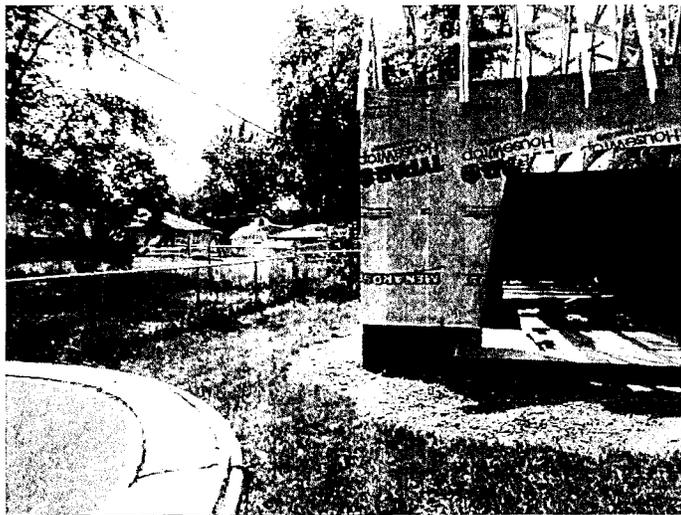


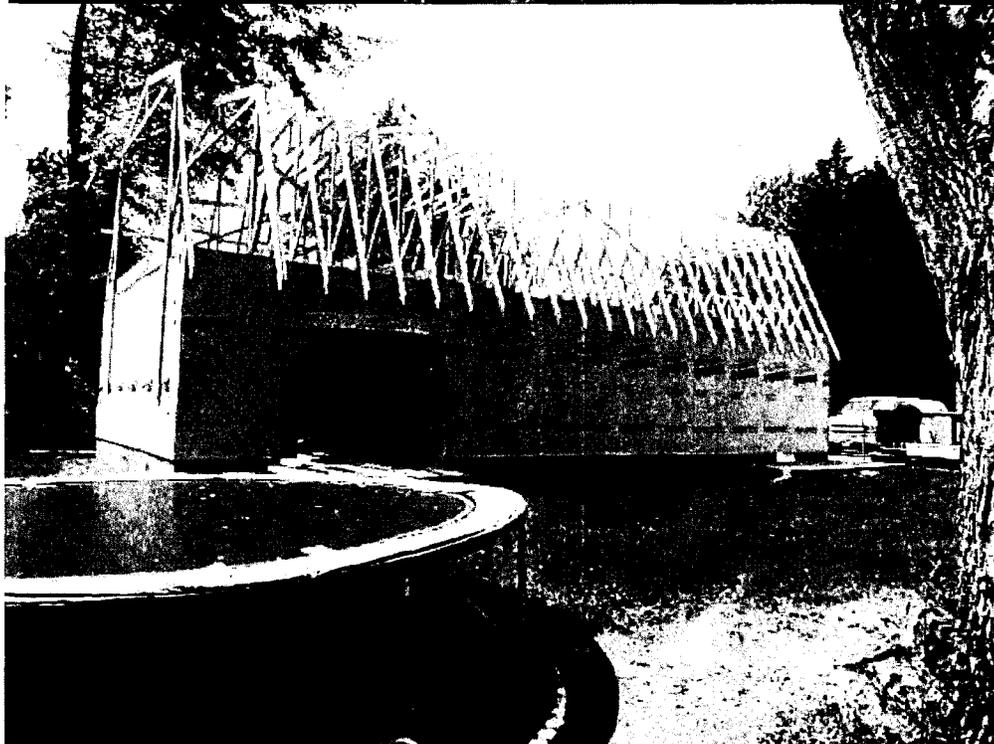
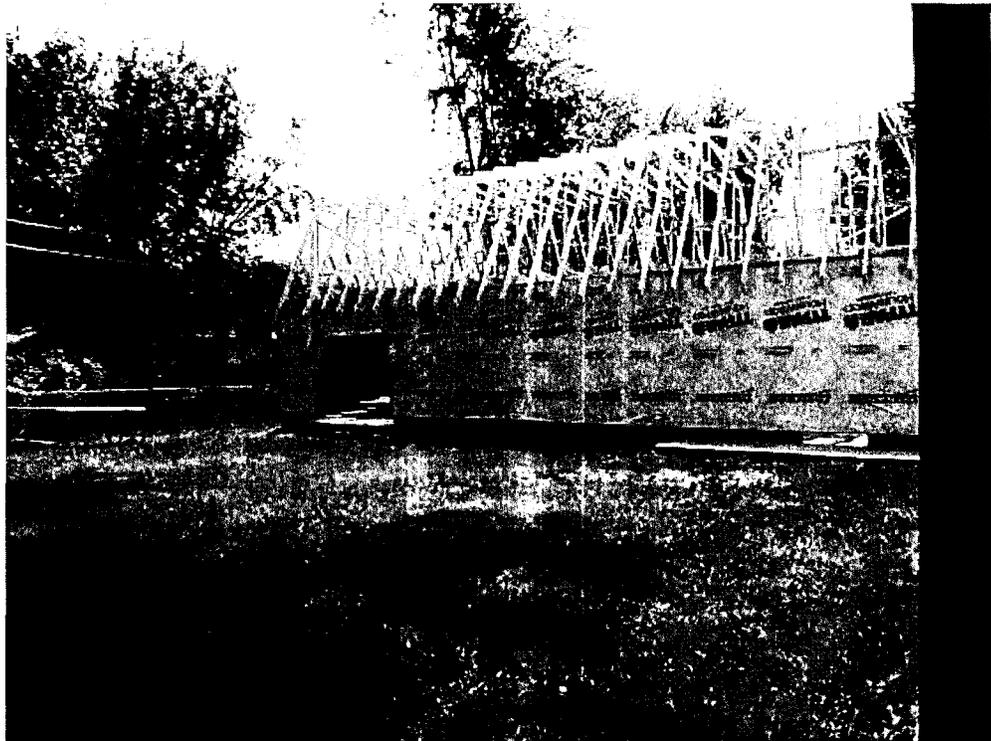
- Municipalities
- Road Centerlines (County)
- County Road
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SOURCES: Ramsey County (July 5, 2011), The Lawrence Group; July 5, 2011 for County parcel and property records data; July 2011 for commercial and residential data; April 2009 for color aerial imagery; All other







Kallemeyn & Kallemeyn, PLLC

3200 Main St. NW, Ste 370

Coon Rapids, MN 55448

(763) 427-5131

FAX (763) 576-1910

ATTORNEYS

Charles C. Kallemeyn*†

Lisa J. Kallemeyn**†

PARALEGAL

Sara A. Folz

July 20, 2011

Kathleen Nordine
City of Shoreview
4600 N. Victoria Street
Shoreview, MN 55126

Via Email and U.S. Mail
knordine@shoreviewmn.gov

RE: Detached Accessory Structure at 1648 Lois Drive

Dear Ms. Nordine:

I represent Michael Morse and Janelle Ziniel in connection with the above property. Ms. Ziniel has explained the situation to me, and it is my understanding that they did not obtain approval or building permit for a garage that is presently partially completed on their property.

The size restriction for garages is in the City of Shoreview ordinance 203.82(d)(5)(A)(ii)(a) and through that section, a lot that is one acre or less is allowed a maximum garage size of 750 square feet, or 75% of the foundation area of the dwelling, whichever is more restrictive. Since the house is 768 square feet, under the ordinance, the maximum garage size would be 576 square feet. Many, if not most, accessory structures in the neighborhood exceed this size.

My client is seeking a variance to allow the partially built garage to remain at its present size, approximately 1,100 square feet, and at its present elevation of 20 feet 4 inches. I am not aware of any other variances which are required for the garage.

PRACTICAL DIFFICULTIES

The City of Shoreview requires a showing of "practical difficulties" in order to obtain a variance. "Practical difficulties" means:

*Certified as a Real Property Specialist by the Minnesota State Bar Association

**Fellow, American Academy of Matrimonial Lawyers

†Qualified Neutral Under Rule 114 of Minnesota Rules of Practice

- i. Reasonable Manner. The property owner proposes to use the property in a reasonable manner not permitted by the Shoreview Development Regulations;
- ii. Unique Circumstances. The plight of the property owner is due to circumstances unique to the property not created by the property owner.
- iii. Character of Neighborhood. The variance, if granted, will not alter the essential character of the neighborhood.
- iv. Economic Consideration. Economic considerations alone shall not constitute practical difficulties.

i. Reasonable Manner. My clients intend to use the garage for storage of vehicles and their other belongings. This is a reasonable manner in which to use the property and is consistent with ordinances and the uses allowed under present zoning. They will put the garage to the same use that is customary in the neighborhood.

ii. Unique Circumstances. While the lot itself limits remodeling of the house, the real unique circumstance which is hindering my clients is the small size of the existing house. They did not build the house, and the present more restrictive ordinance was enacted after Mr. Morse purchased the home. The size of the house is certainly unique to the property, and my clients did not create that issue. The house lacks storage area, and it is my clients' intention to live in the home with Ms. Ziniel's two children. They badly need space not provided by the home. My clients understand it is the policy of the City of Shoreview that in an area zoned residential, the City must ensure that a single family home on the property remains the primary use of the property, and that the size regulations help to achieve that goal. But the City also has zoning, conditional use and business licenses at its disposal to regulate any commercial use of properties that arise, which achieve the same purpose. In a situation like this, with a small home that cannot easily be added to, my clients have unique circumstances which require the granting of the requested variances.

iii. Character of Neighborhood. There are many garages in the neighborhood which are replacement garages larger than the original garage. My clients will provide pictures of some of them, including some of which are very similar in appearance to the garage presently partially built on their property. From my own brief viewing of other neighborhood properties, it appears some garages in the neighborhood may even exceed the size of my client's garage. Although these larger garages may have been built before the more restrictive ordinance, they are consistent in general appearance with my clients' partially built garage, and therefore my clients' garage would not alter the essential character of the neighborhood.

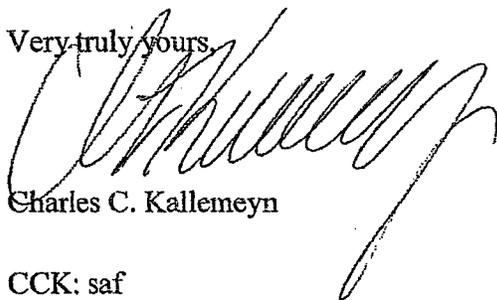
iv. Economic Consideration. While economic considerations alone will not constitute practical difficulties, to the extent economic considerations are given any weight at all, my clients will have very significant economic difficulties if they are required to remove or rebuild the garage.

The garage utilizes custom made trusses which will be thrown away if they are required to comply with the height ordinance, and if they are required to reduce the square footage of the garage, it will also result in a great waste of money they have already spent.

I believe my clients have met each of the practical difficulty requirements, and should be granted the variances that they are seeking. I understand the more restrictive ordinances enacted in 2006 were in response to a huge pole building built on a residential lot. My clients' garage is not a pole building, but an attractive building which fits into the neighborhood very well. I ask that you grant the variances, which will prevent a very serious and real life hardship for Mr. Morse and Ms. Ziniel.

Please feel free to contact me with any questions you may have.

Very truly yours,



Charles C. Kallemeyn

CCK: saf

cc: Michael Morse and Janelle Ziniel

July 12, 2011

We are neighbors of Mike Morse at 1648 Lois Drive, Shoreview, Minnesota.

Mike is definitely not your average young man. He is a hard working young man that purchased a home at the age of 19 and he doesn't drink, smoke or do drugs. The entire time he's lived in this neighborhood, he's been considerate, responsible, cares about the community and is always willing to lend a helping hand. He's very ambitious, talented and has the ability and desire to achieve goals he sets for himself. We're happy to have him in the neighborhood.

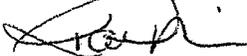
In regards to the construction of his new garage, the size of his garage does not infringe, obscure or change the look of our neighborhood. We know his intent is to always improve the look of his home and his surroundings. We are happy he is providing himself with a new garage to secure his personal property. It is always a concern to everyone in the neighborhood about vandalism and theft. It's not a matter of IF it will happen; it's a matter of WHEN. It is better to keep personal property sight unseen.

The following are signatures of Mikes surrounding neighbors:

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>
Robert + Darlene Lund	1643 Lois Drive	651-780-1318
Carol Klucic	1642 Lois Dr	651-786-8273
Jennifer Mitchen	1649 Hillview Road	612-240-7562
Jen + Nate Parun	1657 Hillview Rd.	651-784-5769
Phy + Katy Gibbs	1649 Lois Dr	612-968-5502
J. M. Morse	1656 Lois Dr	651-786-3068

If you would like more information or have any questions, please call me at 651-490-4682 between 8:00 a.m. and 4:30 p.m., Monday through Friday. You may leave a voice mail message at any time. Comments or questions can also be submitted via e-mail to me at knordine@shoreviewmn.gov.

Sincerely,



Kathleen Nordine
City Planner

Comments:

See attached.

Extra copies attached

Name:

Darlene Lund

Address:

1043 Lois Drive

I would like to address some things about our neighborhood before commenting on the "Variance" request letter for Mike Morse. We aren't just a picture on a map, a house with a number on it or a name on a piece of paper. We don't know you, just like you don't know us. We are individuals that love and care about our community. Each and every resident, neighborhood and community is different. We know the city has regulations but it only makes sense that the city council members become familiar with neighborhood and not just the fact that an address of a home has a garage that doesn't meet the City's standards.

The subdivision "Edgetown Acres" covers an area bordering County Road I north to Lois Drive and Schutta Rd. east to Snelling Ave. We have many homeowners that have lived here most of their adult lives. Many of these long timers are now retired. In fact, just within the block of Mike Morse's home on Lois Drive, we have 9 residences (that I am aware of) that are retired. Two homes on the block have been listed as "Foreclosures" for over 6 months. Someone finally bought one of the houses and just moved in. That house (1670 Lois Drive) is the same style as Mike's house. It's small and looks very cute but also has a small garage. To give you a little idea about this home, according to the Real Estate Transactions report, the 1670 Lois Drive foreclosed home sold for \$85,000.00. Now that's scary!!!!

We bicycle around our neighborhood often and see continuous changes and some of these changes concern us. We are very happy to see residences staying and improving their property with additions either to their home and/or garage. It worries us to see the empty (foreclosed homes) in the neighborhood. Within the last 6 months in our Edgetown Acres neighborhood I have recognized 9 EMPTY homes that are either "Foreclosures" or "Short Sales" of which 2 are now occupied, and 8 homes that are "For Sale" of which 2 have just sold. Retirees in this neighborhood are slowly moving out to alternatives places that require very little or no maintenance. We need to encourage our existing homeowners to stay in the neighborhood and invite new home buyers by allowing them to update and make new home improvements to keep up with the times. The city council brought up a good point in their "Comprehensive Plan". They mentioned that young people don't want small old houses; they want newer homes that will meet their needs and life styles. We don't want homeowners entertaining the option of walking away from their homes due to the fact that the value of their home is less than what they owe. It's very disheartening and discouraging to read our property tax statements that remind us our property values have decreased immensely. People moved to this location because they love the area and they should be given the opportunity to make improvements to suite their needs. Economics has everything to do with the way we live these days and it forces us to make changes. Not everyone is lucky enough to be able to financially afford a home let alone home improvements. Home improvements not only provide self-esteem and accomplishment, it also provides more tax dollars for the county.

This is an old neighborhood with little houses and garages too small for your vehicles let alone any recreational items and equipment to maintain your property. Society is continuously changing and we are constantly trying to find ways to protect ourselves and our property that we work so hard to acquire. No matter who you are, we all worry about theft and we want to detour and discourage thieves from taking or destroying our property. Keeping items out of sight not only keeps the area nice and clean, it keeps it out of reach of thieves. The worse the economy gets, the more crimes are committed. THAT'S DISTURBING!!

The garage that Mike Morse wishes to build does NOT have any negative bearing on us what so ever. It's not often we meet individuals that purchased a home at the age of 19, has no interest in drinking, smoking or ever done drugs. Now after living here for 9 years, this young man has made a commitment to stay in the neighborhood and spend money to improve his home. His garage will increase the value and appearance of his home and our neighborhood. The design is very simple and fits in with our eclectic neighborhood. It will give his home a nice clean polished look which we all try to attain. You want the neighborhood design to be "visually compatible" and while other area's of Shoreview are getting brand new streets and curbs, and we're still waiting for our curbs and ditches to be repaired. That's what I call visually unappealing!!

We all know a garage can never be big enough. A garage acts as a safe haven to store our belongings. I am not against anyone that wants to improve their home/garage. We all should be optimistic and supportive about change even if it's a little different from everyone else. If there's a concern about the size of the garage, place a restriction on adding additional storage sheds to his property. Apparently he's planning a long future in his home if he's spending this kind of money on a garage. He's young, ambitious, independent and maybe a little too eager. We can't punish him for that. There are always situations where an "Exception to the Rule" is being made; why not here.

Darlene Sund
1043 Lois Drive

If you would like more information or have any questions, please call me at 651-490-4682 between 8:00 a.m. and 4:30 p.m., Monday through Friday. You may leave a voice mail message at any time. Comments or questions can also be submitted via e-mail to me at knordine@shoreviewmn.gov.

Sincerely,



Kathleen Nordine
City Planner

Comments:

This is Mr Mach 1628 Lois Dr regarding Mr Morse 1648 Lois Dr Variance request for a detached accessory structure on his property.

I personally dont see anything wrong with it.

I myself wish I could of build one that size as I also need room for storage. Mr Morse is NOT in Arden Hills and he IS NOT trying to build The Viking Stadium.

Name: Mr Mach

Address: 1628 Lois Dr

If you would like more information or have any questions, please call me at 651-490-4682 between 8:00 a.m. and 4:30 p.m., Monday through Friday. You may leave a voice mail message at any time. Comments or questions can also be submitted via e-mail to me at knordine@shoreviewmn.gov.

Sincerely,



Kathleen Nordine
City Planner

Comments:

Mike has my approval to build
the garage described in the attached
letter.

If you need to contact me regarding
this matter you can contact me at
work at _____

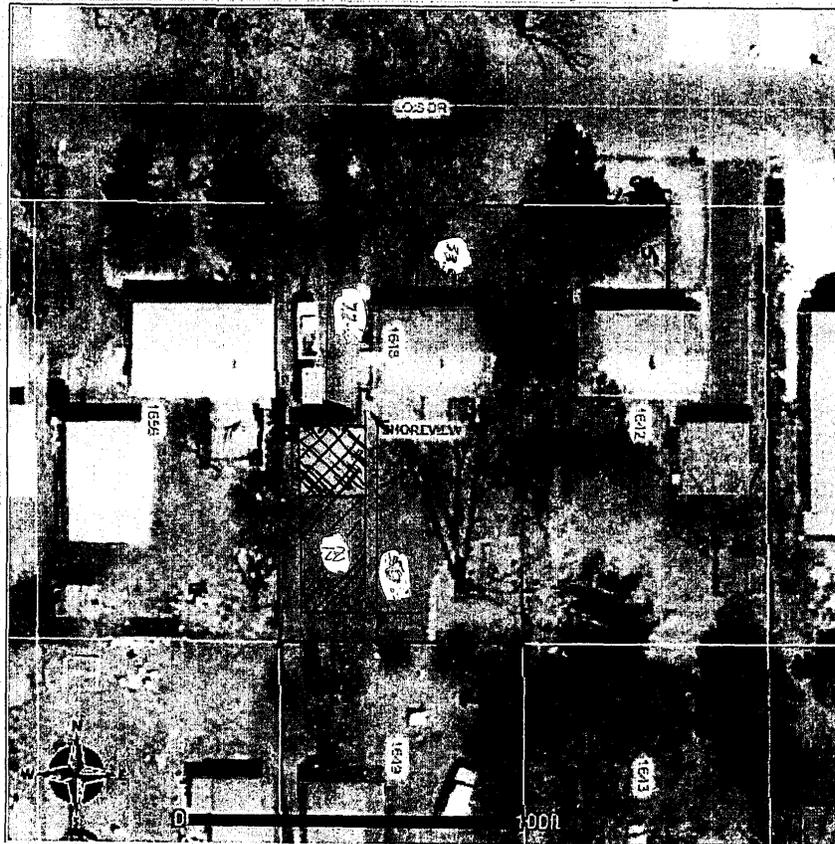
Name: Celma J Bruck

Address: 1637 Lois Dr.
Shoreview, MN

Ramsey County

 ORIGINAL GARAGE.

 NEW GARAGE

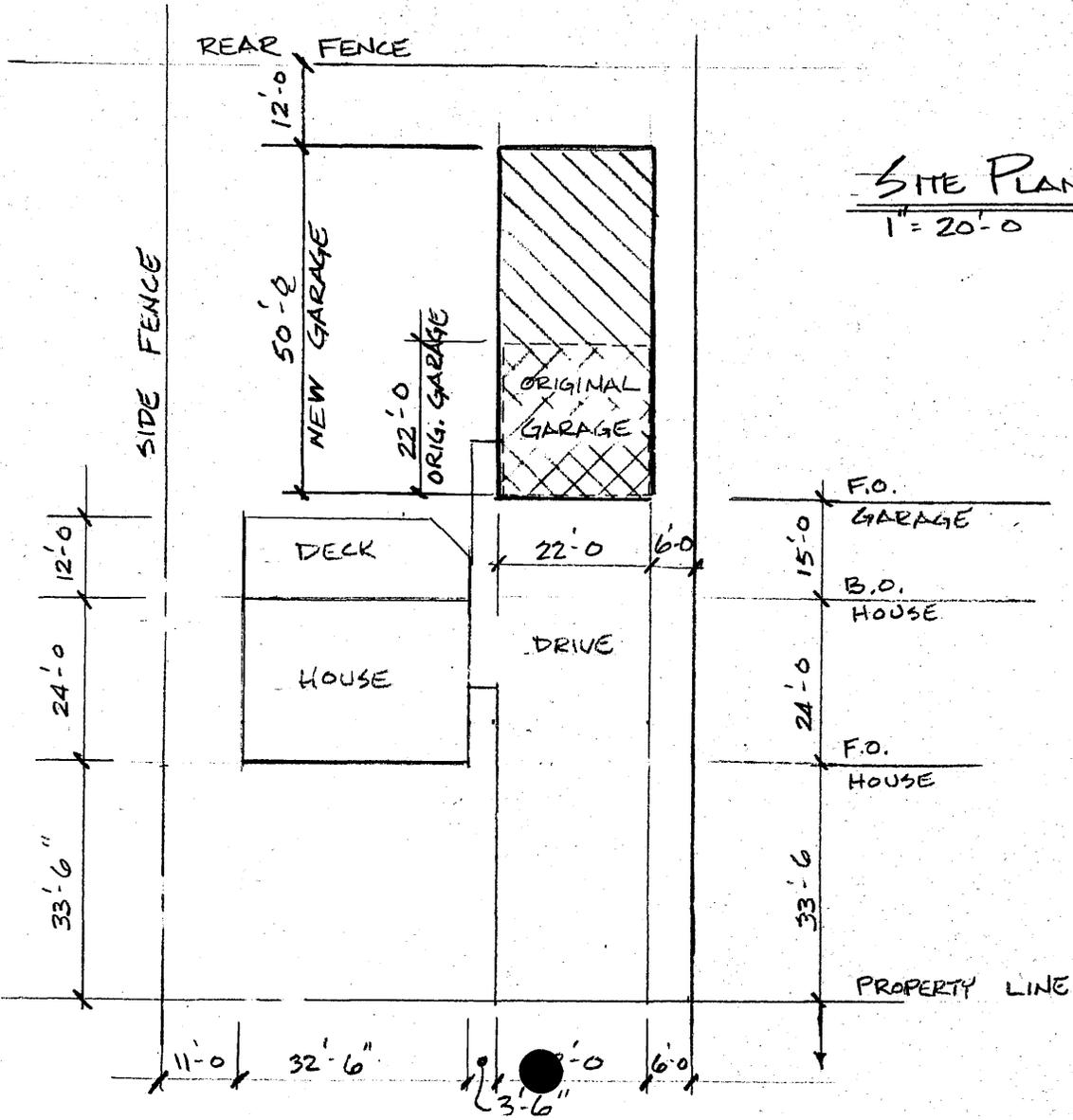


-  Selected Features
-  Municipalities
-  Road Centerlines (County)
-  County Road
-  Interstate Hwy
-  State Hwy
-  Roads
-  Water
-  Structures
-  Parcel Polygons
-  2009 Color Aerials
-  Highway Shields
-  Street Name Labels

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.

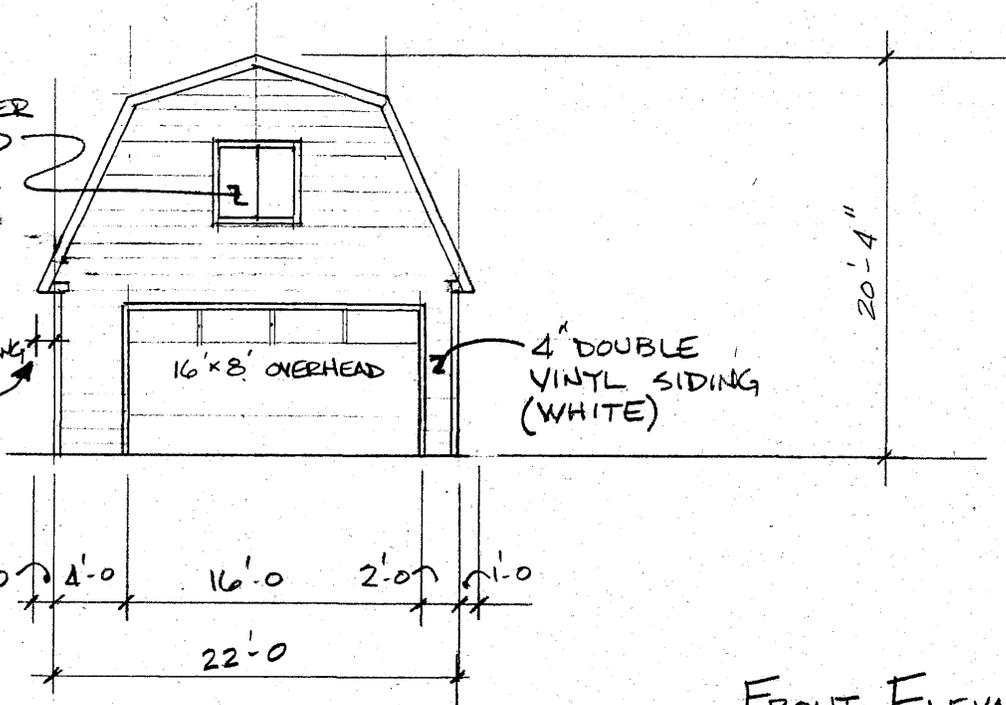
SOURCES: Ramsey County (May 31, 2011), The Lawrence Group

SITE PLAN
1" = 20'-0"



4'-0" x 4'-0"
VINYL SLIDER
(1) EACH END

1'-0"
OVERHANG



16' x 8' OVERHEAD

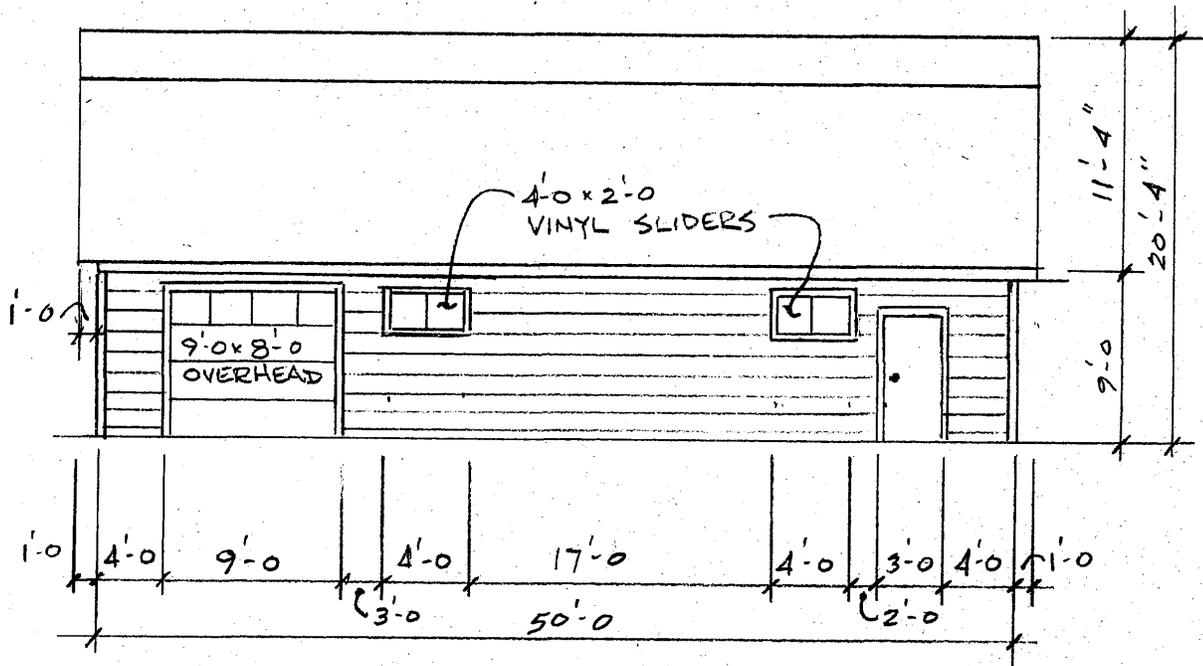
4" DOUBLE
VINYL SIDING
(WHITE)

20'-4"

1'-0" 4'-0" 16'-0" 2'-0" 1'-0"
22'-0"

FRONT ELEVATION

$\frac{1}{8}'' = 1'-0''$

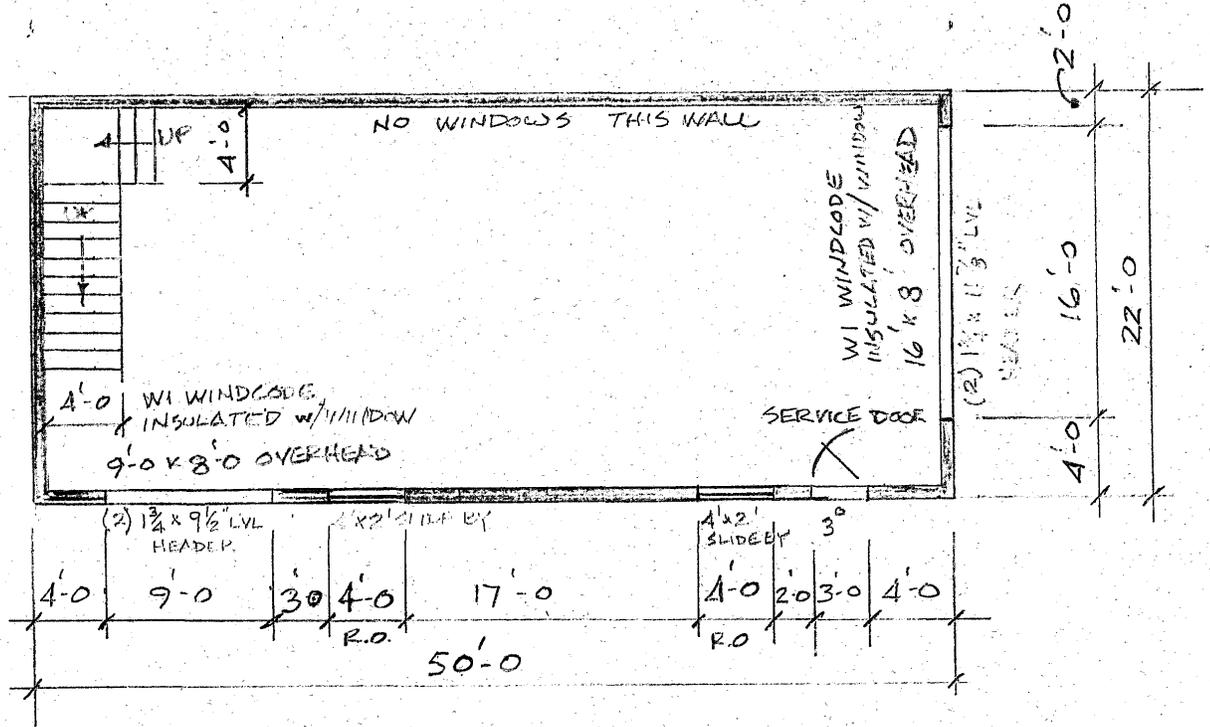


SIDE ELEVATION

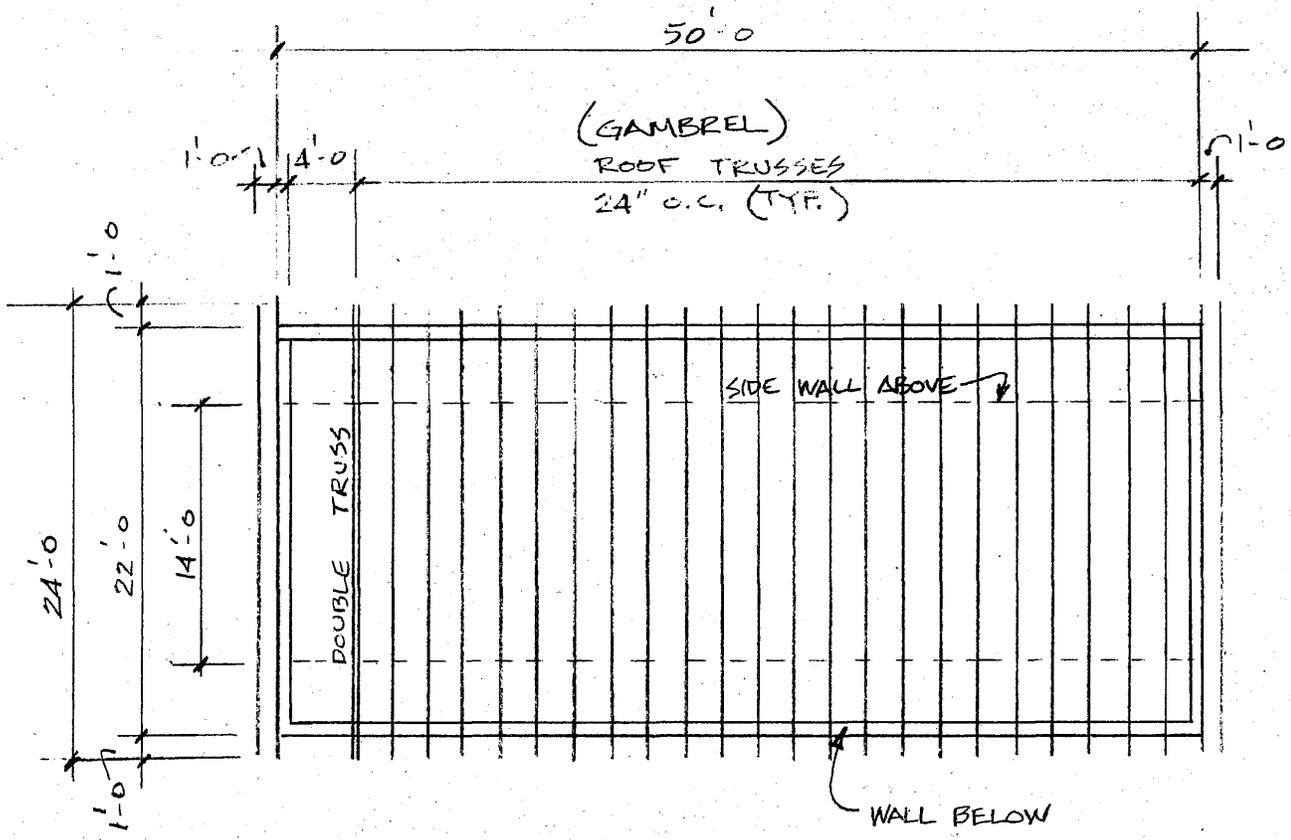
1/8" = 1'-0"

JOB: MIKE MORSE

148 LOS
SUNSHINE, MD. 21156



PLAN 1/8" = 1'-0"



ROOF FRAMING

$\frac{1}{8}'' = 1'-0''$

T.O. ROOF

STORAGE AREA ABOVE

30YR. SHINGLES ON 15# FELTS ON 1/2" OSB ROOF SHEATHING

3/4" T & G OSB FLOOR SHEATHING

2x6 TOP CORD

ICE & WATER SEAL

2x10 BOTTOM CORD

GAMBREL TRUSSES (2'-0" O.C. TYP.)

ALUM. SOFFIT & FASCIA

SEE TRUSS DRAWINGS.

MECHANICAL CONNECTOR @ ALL TRUSS TO WALL LOCATION

2x6 WALL (16" O.C. TYP.)

7/16" OSB WALL SHEATHING W/ 4" DOUBLE VINYL SIDING (WHITE)

22' x 50' x 4000 LB/SQ. IN. CONCRETE SLAB TO BE MIN. 4" THICK W/ 6x6 #10 WIRE MESH & (2) #4 REBARS AT PERIMETER

TYPAR HOUSE WRAP

TREATED PLATE

STRAP ANCHORS REQ. 6' O.C. WITH MAX. OF 12" FROM CORNERS AND SPLICES.

SAND FILL

4" MIN.

8" MIN.

12" MIN.

20'-4"

9'-0"

GRADE

SECTION
1/2" = 1'-0"

Job	Truss	Truss Type	Qty	Qty	JACK THE CARPENTER
OTREC0186587	GM1	GAMBREL ATTIC	11	1	Job Reference (optional)

Midwest Manufacturing, HOLIDAY CITY, OH
 7.240 s Jun 18 2010 MiTek Industries, Inc. Wed Sep 08 12:48:24 2010 Page 1
 ID:P?Zz_djEXi6Xz2rikzigeGvYrhbw-CZq5WCh20YVO1RwBdsSPd3DXTFeH7In0DgczkyhQl
 -1-0-0 0-0-0 1-10-4 3-8-8 7-4-4 14-7-12 18-3-8 20-1-12 22-0-0 23-0-0
 1-0-0 1-10-4 1-10-4 3-7-12 7-3-8 3-7-12 1-10-4 1-10-4 1-0-0
 3.00 | 12 6x6 = Scale = 1:91.4

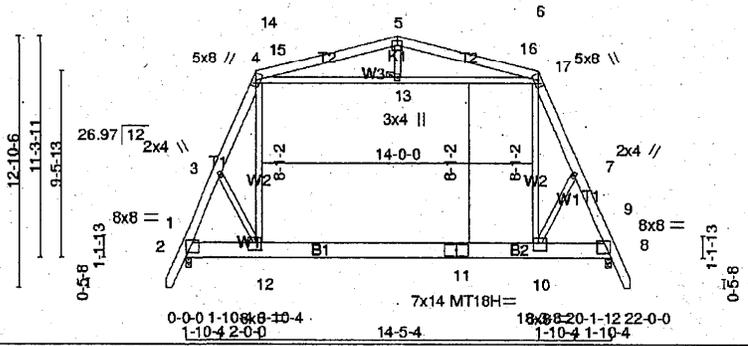


Plate Offsets (X,Y): [2-0-8-3-0-2-11], [8-0-8-3-0-2-11], [10-0-3-0-0-4-12], [12-0-3-0-0-4-12]					
LOADING (psf)	SPACING	CSI	DEFL	PLATES	GRIP
TCLL (roof) 35.0	Plates Increase 1.15	TC 0.42	in (loc) L/defl L/d	MT20	197/144
Snow (Ps/Pg) 4.3/50.0**	Lumber Increase 1.15	BC 0.38	Vert(LL) -0.17 10-12 >999 240	MT18H	244/190
TCDL 7.0	Rep Stress Incr YES	WB 0.35	Vert(TL) -0.27 10-12 >967 180		
BCLL 0.0	Code IRC2006/TP12002	(Matrix)	Horz(TL) 0.01 8 n/a n/a		
BCDL 10.0			Attic -0.15 10-12 1169 360		Weight: 203 lb FT = t

LUMBER
 TOP CHORD 2 X 6 SPF No.2
 BOT CHORD 2 X 10 SYP 2400F 2.0E
 WEBS 2 X 4 SPF No.2 *Except*
 W1: 2 X 4 SPF Stud
 OTHERS 2 X 4 SPF Stud

BRACING
 TOP CHORD Structural wood sheathing directly applied or 4-5-12 oc purlins.
 BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.
 JOINTS 1 Brace at J(s): 13

REACTIONS (lb/size) 2=1737/0-3-8 (min. 0-1-11), 8=1737/0-3-8 (min. 0-1-11)
 Max Horz 2=241(LC 8)
 Max Grav 2=2018(LC 2), 8=2018(LC 2)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
 TOP CHORD 2-3=2452/0, 3-4=2206/0, 6-7=2206/0, 7-8=2452/0, 4-14=1484/254,
 14-15=1468/254, 5-15=1410/268, 5-16=1410/268, 16-17=-1468/254,
 6-17=-1484/254
 BOT CHORD 2-12=-74795, 11-12=0/911, 10-11=0/911, 8-10=0/795
 WEBS 4-13=237/491, 6-13=237/491, 4-12=0/1389, 6-10=0/1389

JOINT STRESS INDEX
 2 = 0.50, 3 = 0.38, 4 = 0.78, 5 = 0.72, 6 = 0.78, 7 = 0.38, 8 = 0.50, 10 = 0.41, 11 = 0.32, 12 = 0.41 and 13 = 0.26

NOTES (14)
 1) Unbalanced roof live loads have been considered for this design.
 2) Wind: ASCE 7-05; 90mph; TCCL=4.2psf; BCCL=6.0psf; h=25ft; Cal. II; Exp B; enclosed; MWFRS (low-rise) gable end zone and C-C Exterior(2) zone; cantilever left and right exposed; end vertical left and right exposed; C-C for members and forces & MWFRS for reactions shown; Lumber DOL=1.60 plate grip DOL=1.60

Continued on page 2

Job	Truss	Truss Type	Qty	Qty	JACK THE CARPENTER
OTREC0186587	GM1	GAMBREL ATTIC	11	1	

Job Reference (optional)

Midwest Manufacturing, HOLIDAY CITY, OH

7:240 s Jun 18 2010 MITek Industries, Inc. Wed Sep 08 12:48:24 2010 Page 2
 ID:P?Zz_cjEXl8XdZmkjzeGVyfbw-CZq5WCh20YVO1Rw8d5SPd3DXTFeH7ln0DgczkyhQl

NOTES (14)

- 3) ** TCELL: ASCE 7-05; Pr=35.0 psf (roof live load; Lumber DOL=1.15 Plate DOL=1.15); Pg=50.0 psf (ground snow); Ps= varies (min. roof snow=4.3 psf Lumber DOL=1.15 Plate DOL=1.15) see load cases; Category II; Exp B; Fully Exp.; Ct=1.1
- 4) Roof design snow load has been reduced to account for slope.
- 5) Unbalanced snow loads have been considered for this design.
- 6) This truss has been designed for greater of min roof live load of 12.0 psf or 1.00 times flat roof load of 34.6 psf on overhangs non-concurrent with other live loads.
- 7) All plates are MT20 plates unless otherwise indicated.
- 8) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
- 9) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 2-0-0 wide will fit between the bottom chord and any other members.
- 10) Ceiling dead load (5.0 psf) on member(s). 4-13, 6-13; Wall dead load (5.0psf) on member(s).4-12, 6-10
- 11) Bottom chord live load (40.0 psf) and additional bottom chord dead load (5.0 psf) applied only to room. 10-12
- 12) This truss is designed in accordance with the 2006 International Residential Code sections R502.11.1 and R802.10.2 and referenced standard ANSI/TPI 1.
- 13) Attic room checked for L/360 deflection.

LOAD CASE(S) Standard

- 1) Snow: Lumber Increase=1.15, Plate Increase=1.15
- Uniform Loads (plf)
- Vert: 2-12=20, 10-12=110, 8-10=20, 1-4=23, 6-9=23, 4-6=10, 4-5=83, 5-6=83
 Drag: 4-12=10, 6-10=10



**PROPOSED MOTION
TO DENY**

MOVED BY COMMISSION MEMBER: _____

SECONDED BY COMMISSION MEMBER : _____

To deny the variance requests submitted by Michael Morse, 1648 Lois Drive, to exceed the area and height requirements for a detached accessory structure on his property. This denial is based on the following findings:

1. The request does not comply with the spirit and intent of the City's Development Code and Comprehensive Plan. The residential dwelling unit is no longer the dominant use or feature of the property because of the proposed size and height of the accessory structure.
2. Reasonable Manner. The property can be used in a reasonable manner as permitted by the development code. A one-story detached accessory structure with a maximum area of 576 square feet and a small storage shed could be constructed on the property.
3. Unique Circumstances. The unique circumstances are due to the applicant's personal storage needs and not a unique characteristic of the property. While the home is small and has limited expansion potential, a detached garage 576 square feet in size and small storage shed can be constructed on the property.
4. Character of Neighborhood. The structure dominates the property and detracts from the residential character of the property and neighborhood.

VOTE:

AYES:

NAYS:

Regular Planning Commission Meeting
July 26, 2011



TO: Planning Commission
FROM: Rob Warwick, Senior Planner
DATE: July 21, 2011
SUBJECT: File No.2423-11-16, Site and Building Plan Review, Ramsey County Parks and Recreation Department, Turtle Lake Park, 4979 Hodgson Road

INTRODUCTION AND BACKGROUND

Ramsey County Parks and Recreation Department has submitted a Site and Building Plan Review application to redevelop the Turtle Lake Park located at 4979 Hodgson Road. The Park has an area of about 10.5 acres, and is developed with a beach, bath house, several picnic shelters, a boat launch ramp, a tot play area, internal drive and three parking areas.

The Park is one of the oldest in the County Park system. It was last redeveloped in 1973 when the existing bath house, picnic shelters, tot play area and parking areas were constructed. City Well No. 6 was installed in the southeast corner of the park in 1983 and is located in an easement granted by the County. After the State of Minnesota acquired additional land on the north side of the Park, the City in 1990 approved the addition of a public access to the Park in its current location and configuration. The boat ramp is owned by the State and operated by Ramsey County.

The application was complete on July 19, 2011.

PROJECT DESCRIPTION

The project is intended to modernize and update the Park, and so the scope touches most all of the existing improvements. The applicant anticipates to commence work on the project in September 2011. Proposed site alterations include:

- Removal of the existing 1,000 square foot bathhouse and two approximately 25-by 25-foot picnic shelters.
- Construction of a new 750 square foot restroom building.
- Construction of a new 54- by 37-foot picnic shelter.
- Expansion and improvement to the tot playground area.
- Resurface the entry road and two upper parking areas, including new concrete curb and gutter. The uppermost parking area will be reconfigured to provide an additional 14 parking stalls.
- Remove existing street lights. Replace with building mounted security lights.
- Construct internal bituminous trails, including a connection to the City trail along Hodgson Road.
- Construct infiltration basins for management of storm water runoff.
- Restore the swimming beach.

- In the boat launch parking area, the only work will be to construct a dumpster enclosure and to install two new street lights. These will be motion activated lights.

Please see the attached plans.

COMPREHENSIVE PLAN

The Planned Land Use of property is designated *Park* in the Land Use Chapter of the Comprehensive Plan. Adjoining properties on the north and south are designated *Low Density Residential* (0-4 units/acre). *Institutional* designated land uses are located to the southeast and also east in the City of North Oaks.

The discussion of this park facility in Chapter 10, Parks, identified that parking is insufficient for heavy-use periods and that the adequacy of the picnic shelters should be evaluated.

DEVELOPMENT CODE REQUIREMENTS

The property is located in the R-1 Detached Residential District where public uses are permitted through the Site and Building Plan review process and upon finding that the use will not conflict with planned land use of adjoining property.

SITE AND BUILDING PLAN REVIEW

The Site and Building Plan Review may be approved provided the proposed use is a permitted use, compliance with the standards and criteria of the Development Ordinance, and that the use is in harmony with the general purposes and intent of the Development Ordinance and the Comprehensive Plan.

Applicable standards of the Development Code include, structure setback, storm water management, parking area landscaping, and architectural and site design standards. These are discussed below.

Ordinary High Water (OHW) Setback

Improvements at the Park are required to conform to the 50-foot minimum OHW setback. The existing bathhouse is located about 85 feet from the Ordinary High Water of Turtle Lake, and the proposed restroom building will have a 95-foot OHW setback. The existing parking areas are developed with a minimum 50-foot setback from the OHW, and the existing vegetation screens the view of the parking areas when viewed from the lake.

Storm Water Management

The existing park does not have any storm water treatment facilities. With the redevelopment, infiltration areas will be installed to provide infiltration and bio-filtration of run-off generated by the two upper parking areas. Between those two parking areas, a series of four infiltration basins will be linked so that runoff drains by gravity. The basin locations correspond with the existing flow pattern, and so site grading is minimized.

The applicant has applied for a permit from the RCWD, which must be obtained prior to site disturbance.

Parking Improvements and Pedestrian Trail

The Park is developed with three parking areas providing a total of 129 parking stalls, and 147 stalls are proposed, distributed as shown below.

	EXISTING	PROPOSED
Boat Ramp Lot	27 stalls	27 stalls
Upper Lot (East)	48 stalls	60 stalls
Upper Lot (West)	54 stalls	60 stalls
TOTAL	129 stalls	147 stalls

There is no change proposed to the parking capacity or configuration of the boat ramp parking area.

The configuration east upper lot will be altered to eliminate one of the two existing entry drives. This lot will be expanded about 18 feet to the south and 35 feet to the north for internal circulation and addition of 12 parking stalls, including 3 accessible parking spaces. The expanded lot will be setback about 130 feet from the south side lot line and 80 feet from the north side lot line. The existing central landscape island will be retained. Landscape islands are about 11.5% of the parking area.

The west upper lot will be reconfigured to 90 degree parking, replacing the less efficient diagonal parking pattern that now exists. Six additional stalls result from the new parking pattern within the same lot perimeter. There will be 4 accessible parking stalls provided in this lot. The two established landscape island will be retained with minor changes. Landscape islands are about 13.5% of the parking area.

City Code calls for landscape islands that total 20% of the parking area, but that area can be reduced to a minimum of 10% if site features employ storm water infiltration and site landscaping to screen developed portions of the site (among other things). In staff's

opinion, the redevelopment plan qualifies for this reduction and so complies with Code requirements for parking area landscape islands.

Bituminous trails will be installed to provide a connection to the Hodgson Road City trail, and to connect internal site features (boat ramp, restroom building, picnic shelter and the tot play area). Similar trails have been developed in City Parks, and staff believes this connectivity makes the County park more accessible and user friendly. The trails will be constructed to ADA accessibility standards.

Architectural and Site Design Standards

The City has adopted Architectural and Site Design standards requiring reasonable standards for aesthetically designed buildings and grounds, and these standards include criteria for review (see Attachment A), and the Planning Commission must consider these during this review.

The existing bathhouse and two picnic shelters will be removed. The proposed restroom building will have exterior rock- and smooth-faced concrete block walls. The windowless building will be fully accessible. The hip-roof will be finished with brown or gray standing seam metal. Enhanced concrete block exteriors are permitted. No windows are proposed for this restroom building. The restroom facilities will be constructed to ADA accessibility standards.

The 54- by 37-foot picnic shelter is proposed about 140 feet north of the south side lot line. The building is designed with a hip-roof, matching the restroom building. The color of the metal roof will also match that used on the restroom building. The shelter will house eight 6- by 6-foot tables, four 8- by 6- foot tables (accessible for wheelchairs) and a serving counter. Large cut limestone blocks will be arranged along the north and west edges of the shelter for both aesthetics and seating.

Staff finds the proposal meets the requirements of the City's Architectural and Site Design standards. The use of similar roof styles and materials for the two structures as well as the limestone block theme are appropriate methods to unify the design. The addition of bituminous trails provides separation from vehicular traffic and a dedicated connection to the City trail system. The improvements on this lakeshore property are buffered from the street and use landscaping to screen view of the developed site improvements from the lake.

COMMENT

Property owners within 350 feet were notified of the request including property owners in the adjacent community of North Oaks. The Turtle Lake Homeowners Association was also notified of the request. Four comments have been submitted. One comment supports

the proposed improvements. The other three comments oppose the application, principally based on financial/taxation reasons, and the issues raised are not within the scope of the City land use review. The comments have been forwarded to the Ramsey County Park and Recreation Department. The comments are attached.

RECOMMENDATION

Staff has reviewed the proposal based on City's land use and development requirements, and finds the redevelopment consistent with the Comprehensive Plan and Development Code. Staff recommends the Planning Commission forward the application to the City with a recommendation for approval, subject to the following conditions:

- 1) This approval permits the redevelopment of the Turtle Lake Park in accordance with the submitted plans. The City Planner may approve minor changes to the submitted plans.
- 2) Final grading, drainage, erosion control and utility plans are subject to approval by the Public Works Director.
- 3) A City water permit is required prior to installing the new water tap and associated service line.
- 4) Lighting on site shall comply with Section 206.030 of the Development Code.
- 5) City permits shall not be issued prior to Rice Creek Watershed District issuing a permit for the project.
- 6) The Staff is authorized to issue grading and building permits for this project.

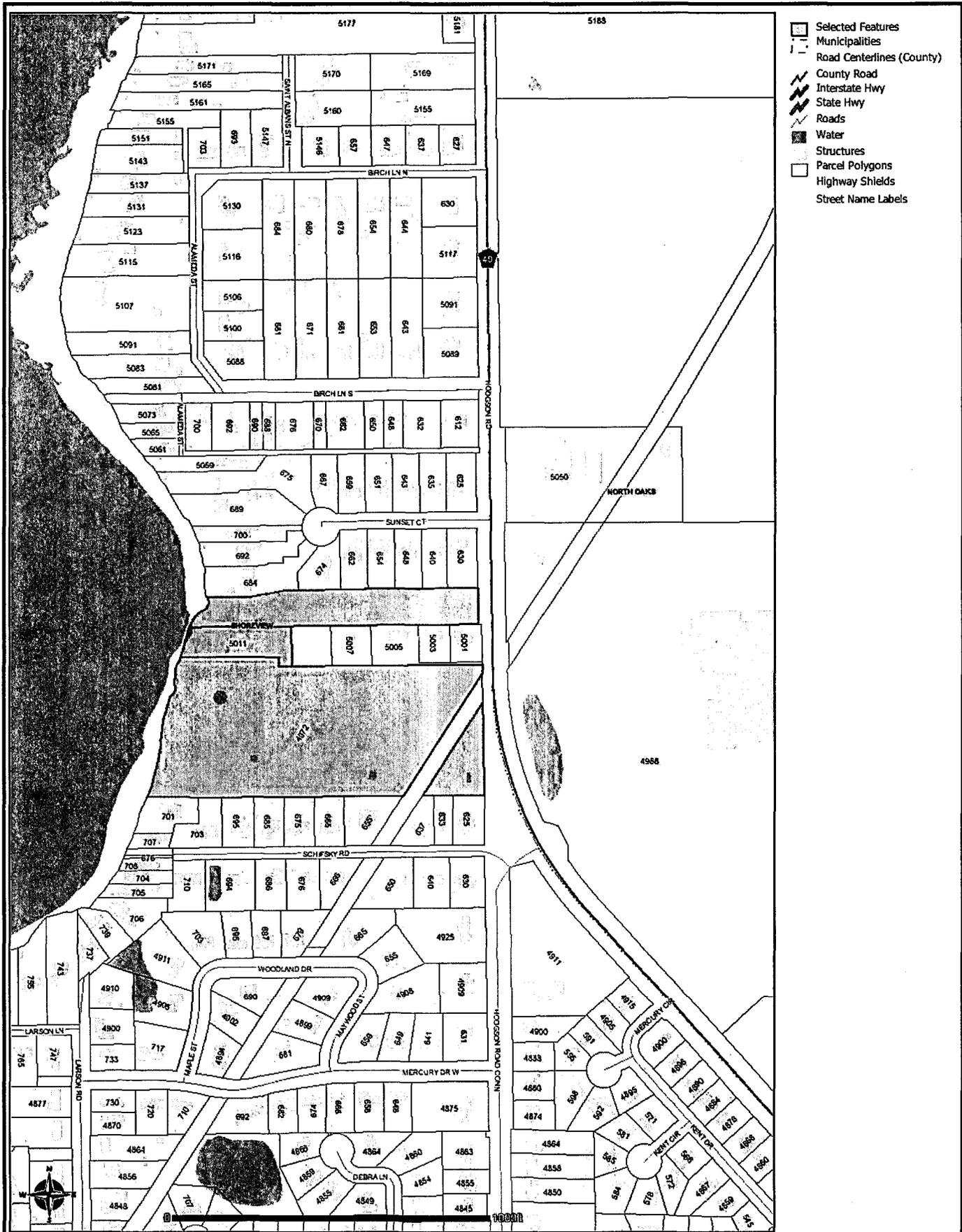
Attachments:

- 1) Location map
- 2) Aerial Photo
- 3) Submitted Plans
- 4) Request for Comment
- 5) Proposed Motion

ATTACHMENT A – Architectural and Site Design Review Criteria

206.050 Architectural and Site Design Standards. The intent of these regulations is to promote community values by requiring reasonable standards for aesthetically appealing buildings and grounds that complements surrounding land uses and contributes to the viability of the overall community, and promotes sustainability.

- (A) Architectural and site design elements of development proposals will be reviewed based on the following criteria:
- (1) Consistency with the Comprehensive Plan; the Surface Water Management Plan; and the Municipal Code.
 - (2) Use of appropriate exterior materials, lighting, textures, colors, and architectural and landscape forms to create a unified, high-quality design concept for the site that is compatible with adjacent and neighboring structures and functions.
 - (3) A unified sign design that provides a desirable environment for site users and the community as a whole. A unified site design considers all site elements including: the relationship of buildings to surrounding natural features; day light and solar access; grading; architectural design; building, parking and loading dock orientation; building height, use of manmade materials, including paving; site furnishings (lighting, outdoor seating, signage, etc.); landscaping (retention of natural vegetation, plant selection and placement, retention and incorporation of water features, etc.); and other visible outdoor site elements.
- (1) Creation of a suitable balance between the amount and arrangement of open space, landscaping, and view protection with the design and function of man-made features. Achieving this balance shall take into account screening, buffering, size and orientation of open spaces.
 - (2) Provision of safe and adequate access to and from sites giving ample consideration to the location and number of access points from public streets, the safety and convenience of merging and turning movements, and traffic management and mitigation.
 - (3) Provision of on-site vehicular, bicycling, and pedestrian circulation by way of interior drives, parking areas, bicycle parking racks, pathways, and walkways adequate to handle anticipated needs and to safely buffer pedestrian and cyclists from motor vehicles.

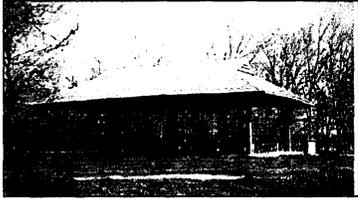


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 SOURCES: Ramsey County (May 31, 2011), The Lawrence Group; May 31, 2011 for County parcel and property records data; May 2011 for commercial and

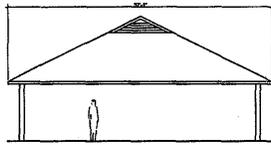
ILLUSTRATION OF 2x2x3-5 LIMSTONE BLOCK RETAINING AND SEAT WALLS - SINGLE STACK ONLY



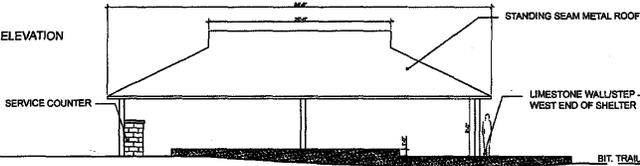
SHELTER ROOF FORM EXAMPLE *PLANNED WITH STANDING SEAM METAL ROOF



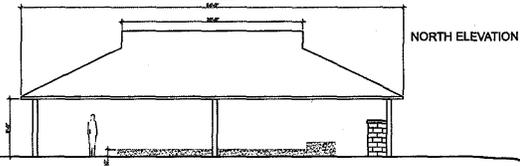
EAST-WEAST ELEVATION



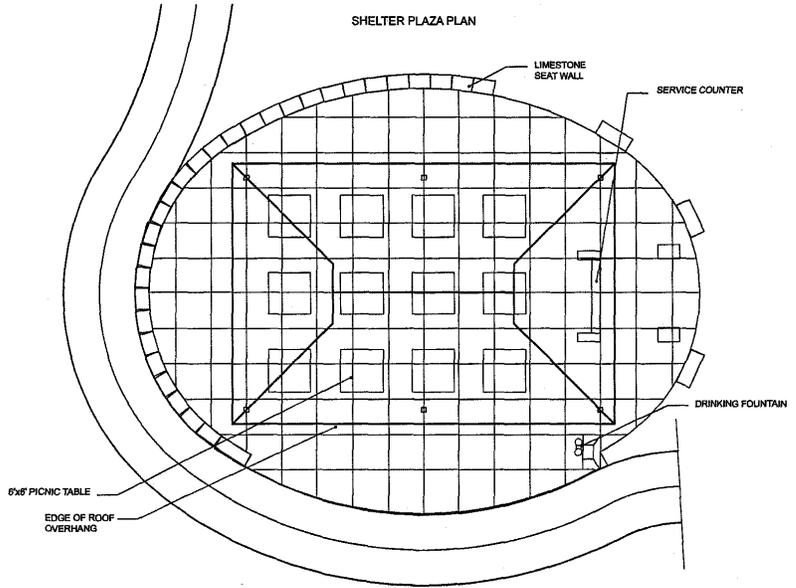
SOUTH ELEVATION



NORTH ELEVATION



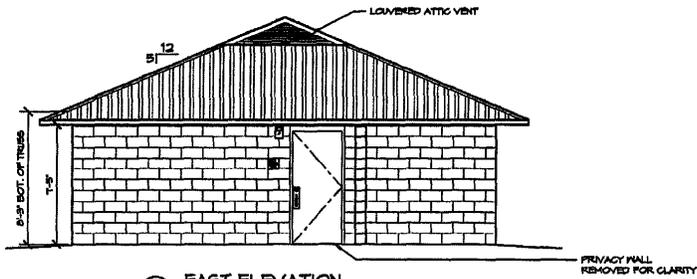
SHELTER PLAZA PLAN



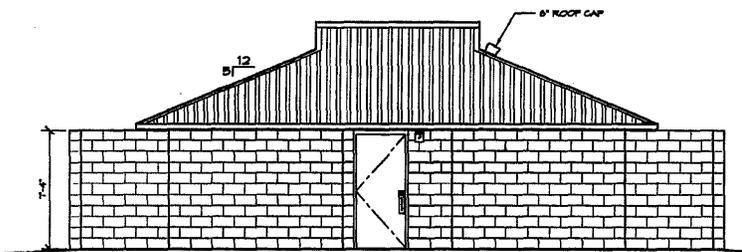
RAMSEY COUNTY
Parks & Recreation
Green Spaces • Fun Places • Safe Lives

TURTLE LAKE REDEVELOPMENT PLAN - SHELTER CONCEPT

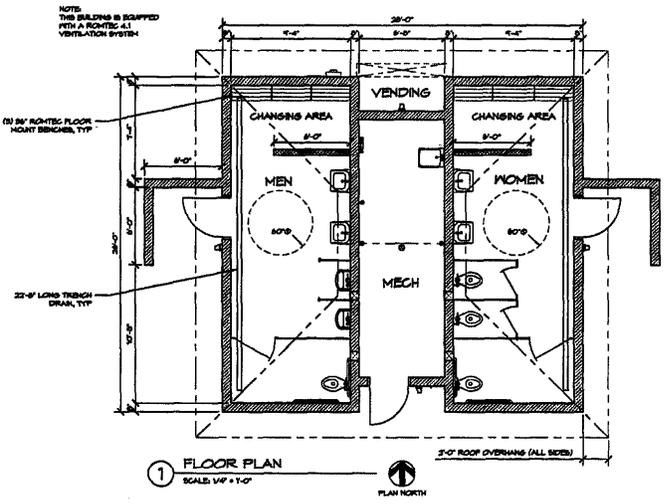
RAMSEY COUNTY PARKS & RECREATION DEPARTMENT
DATE: 02/12/01



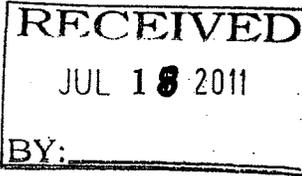
② EAST ELEVATION
SCALE: 1/4" = 1'-0"



① SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



① FLOOR PLAN
SCALE: 1/4" = 1'-0"
PLAN NORTH



Rob Warwick
Shoreview Planning Commission
City of Shoreview

July 16, 2011

Re: Proposed Site Alterations to Turtle Lake Park - Request for comments

We live immediately north of the boat landing on the lake; our property adjoins the boat parking lot. We are in a good position to see (and hear) what goes on in the park.

My comments are prioritized and categorized by A) Taxes/Expenditures/Priorities, B) Process, C) Suggestions

A) Taxes/Expenditures/Priorities:

- 1) At a time when there are so many relevant issues, e.g. important but unfunded needs given the poor economy, our already high property taxes, reduced revenues, etc., I do not understand (or support) how making park improvements can be a priority.
- 2) I examined all proposed items by walking the park; most are in adequate or fine shape.
- 3) With the exception of certain holidays, the park is not utilized enough to warrant these changes given 1) and 2). This is only benefitting the few and I would venture to say that given the choice, many park-goers would opt for their tax dollars to be spent elsewhere.

B) Process

- 4) What drove this initiative? Demand from park-goers? (see above – I doubt it) Local residents? (see above – I doubt it) The City? (I certainly hope not – see above).
- 5) There is no indication of what this is going to cost. Also, who decided and who is accountable? Which elected official signs off? Why is the City asking residents? Why isn't the County asking? It's the County's park but thank you, Shoreview, for asking.

C) Suggestions

- 6) If you want better security and decreased vandalism (BTW - some of the new items will be the new targets), you would do better to increase the Sheriff's patrols, particularly at night. We hear lots of activity well after the park is closed. The people involved are not and would not be using the new playground, shelters, bathhouse, etc.
- 7) I and my fellow lake property owners have been continually frustrated by the County's indifference to the milfoil problem in the lake. The park-goers contribute to this problem. Now the County wants to spend money on the land-based "problems" and ignore the lake-based problems? I do not understand this at all. My suggestion - charge fees for using the launch. It provides the opportunity to inspect boats coming in and out and it could be a revenue source for the improvements that are being proposed. If you use it, you help pay for it.

I could go on but my letter would be too lengthy to be read. Bottom line: I am outraged that this is even being considered. I have talked to many of my neighbors. I'm confident they feel the same even if you don't hear from them.

Thank you.

A handwritten signature in cursive script that reads "Larry & Sandi Dole".

Larry & Sandi Dole
684 Sunset Court
Shoreview, Minnesota 55126-1235
651-484-0151 (H)
763-505-2864 (W)
612-961-8871 (Cell)
Email ldole1256@comcast.net

Ramsey County Parks and Recreation Dept.
Turtle Lake Park Redevelopment Project
File No. 2423-11-16

RECEIVED
JUL 19 2011
BY: _____

Comments:

- Fix the Beach FIRST including the swimming AREA - MUCKY
- I thought this was a county park - is Shoreview paying for these upgrades? ?
- where is the money coming - why NOT stop the property tax increases - we don't "NEED" this
- HAVE NO MORE MONEY - PROPERTY TAXES ARE ^{RESERVE} OUT OF SIGHT FOR LAKE OWNERS - MOVE ANY ^{FUNDS} TO CUT TAXES
- Delay any ^{UNNECESSARY} REPAIRS UNTIL THE ECONOMY IMPROVES (WE'RE IN A RECESSION)

Name: Daniel E Reid
Address: 705 Schuyler Rd

RECEIVED
JUL 19 2011
BY: _____

Comments:

We are very excited to hear of this
plan and heartily support it. If there
was room for a fishing dock it would
be wonderful. Thank-you and good
luck with your project. We will daily
to the park so we'll be watching it all.

Name: Nancy + Quentin

Address: 630 Sunset Ct.

RECEIVED
JUL 20 2011
BY: _____

Comments:

Stop spending my
money!

None of this is truly
essential. My sense tells me
that many Shoreview tax payers
will send you similar comments.

Name:

David V. Olson

Address:

689 - Sunset Ct.

PROPOSED MOTION

MOVED BY COMMISSION MEMBER _____

SECONDED BY COMMISSION MEMBER _____

To recommend that the City Council approve the Site and Building Plan application to redevelop Turtle Lake Park at 4979 Hodgson Road, subject to the following conditions:

- 1) This approval permits the redevelopment of the Turtle Lake Park in accordance with the submitted plans. The City Planner may approve minor changes to the submitted plans.
- 2) Final grading, drainage, erosion control and utility plans are subject to approval by the Public Works Director.
- 3) A City water permit is required prior to installing the new water tap and associated service line.
- 4) Lighting on site shall comply with Section 206.030 of the Development Code.
- 5) City permits shall not be issued prior to Rice Creek Watershed District issuing a permit for the project.
- 6) The Staff is authorized to issue grading and building permits for this project.

This approval is based on the following findings:

1. The proposed use is a permitted use in the R1 Detached Residential District.
2. The use and proposed alterations are consistent with the Planned Land Use, goals and policies of the Comprehensive Plan, Chapter 4, Land Use and Chapter 10, Parks.
3. The storm water management plan is consistent with the City Surface Water Management Plan.
4. The redevelopment is consistent with the Architectural and Site Design criteria and other standards specified in the Municipal Code.

VOTE:

AYES:

NAYS:

TO: Planning Commission
FROM: Kathleen Nordine, City Planner
DATE: July 21, 2011
RE: File No. 2420-11-13, City of Shoreview, Text Amendment – Off-Premise Advertising Signs

REQUEST

Within the past several months, the staff has discussed amending the Sign Code to allow dynamic display billboards with the Planning Commission and City Council. Currently, these types of signs are prohibited since they are classified as off-premise advertising signs. Recently, the City Council expressed support for revising the ordinance to permit these types of signs provided such change results in a public benefit. Both the Planning Commission and Council members have stressed that control is still needed and public safety needs to be preserved. With that direction, the staff has drafted an ordinance amending the City's Sign Code to permit off-premise advertising signs.

SIGN CODE

The existing sign code prohibits "off-premise" advertising signs or billboards. These signs are defined as, "A freestanding sign with a commercial message which directs attention to a business, commodity, service or entertainment not exclusively related to the premises where such a sign is located (i.e. outdoor advertising)". There are two static billboards located along Interstate 694 that are considered legal nonconforming. In addition, the Hampton Inn has an off-premise advertising sign located at the Lexington Avenue/Interstate 694 intersection, west of their property. Signs lose their legal non-conforming status if they are expanded in any way. Expansion would include size area, height, width and conversion from static to digital.

PROPOSED TEXT AMENDMENT

The text amendment being reviewed by the Planning Commission is similar to the previous draft brought before the Commission, however, the regulation have been changed to better address current conditions along Interstate 694, potential sign locations and concerns previously addressed by the Commission and Council. There is also a significant change due to equal protection and the City Attorney's recommendation. The previous draft only permitted dynamic digital billboards while keeping off-premise advertising signs as prohibited. Since dynamic digital billboards are a type of off-premise advertising signs, these signs need to be regulated in a similar manner and would be allowed as proposed in this ordinance.

The following summarizes the key issues and changes since the Commission's last review to the proposed ordinance:

required if it was determined that the proposed sign would have a visual impact on residential uses or obstruct the views of City and/or County Open Space. There is some concern as to how this would be applied and how the level of impact would be determined and considered acceptable.

3. Use. A section has been added that permits off-premise advertising signs only on parcels that are considered vacant and not occupied by another building or structure.
4. Size and Height. The proposed ordinance establishes the same maximum area or height standards for off-premise advertising signs and dynamic display billboards. In addition, the proposed ordinance was changed to permit two sided signs.
5. Dynamic display billboards are subject to additional message restrictions, brightness or illumination standards. The Commission should note that these signs and static off-premise advertising signs would be required to comply with the general standards of the Sign Code. These standards address construction, lighting, maintenance and repair.

The standard regarding brightness has been further defined stating that the light level cannot exceed .3 foot candles above ambient light conditions as measured at a distance 250 feet from the sign face.

RECOMMENDATION

Staff believes the proposed amendment will provide locations suitable for off-premise advertising signs but also prevents proliferation and impact due to the proposed location standards. These standards also consider public safety and the visual impact of said signs on nearby residential areas and open space. By permitting off-site premise advertising signs, a public benefit is achieved through public service announcements and required participation in the State's safety alert system. The Planning Commission should review, discuss the proposed text amendment, and forward these as drafted or amended to the City Council with a recommendation for action.

Attachments:

1. Existing Sign Code, Section 208 – General Standards
2. Proposed Text Amendment
3. Zoning Map
4. I-694 Corridor – Spacing, Separation and Setbacks
5. Motion

- (3) Traffic directional signs are permitted, provided: 1) all such signs have a uniform design on a site, 2) if located within a right-of-way, the sign shall comply with all applicable roadway authority rules for height, location, and size; 3) the sign(s) is as small and low to the ground as practical to convey the intended information; 4) the minimum number of such signs necessary for the purposes intended are utilized.

(B) Construction and Lighting:

- (1) All signs shall be constructed and maintained in accordance with applicable provisions of the Minnesota State Building and Electrical Codes. Permanent freestanding signs shall have self-supporting structures erected on and permanently attached to concrete foundations. Walls that are meant to support wall signs shall be designed and constructed with sufficient strength to support the proposed sign.
- (2) Lettering on permanent wall and freestanding signs shall be a minimum of four inches tall or at least one inch tall for every fifty feet of distance from which the lettering is intended to be read, whichever is greater. Larger lettering may be required when the sign is intended to be read by motorists traveling at speeds greater than 30 miles per hour. Lettering for a center name shall not be smaller than tenant names listed on the same sign or on the same building elevation.
- (3) The light cast by any illuminated sign located within fifty feet of a street right-of-way or property planned for residential, park, or open space use shall illuminate only the sign and not the adjoining property or air space above the property.
- (4) Holiday lights and decorations shall be permitted provided no commercial message is displayed.
- (5) Where multiple tenant names are displayed on the same building elevation or same face of a freestanding sign, all must be lighted if one is lighted, and the lighting type (internal or external) shall be uniform.
- (6) Signs may be internally or externally lighted or be unlighted, unless otherwise stated herein. Signs which are not internally illuminated shall have their light fixtures and light sources screened from view.
- (7) No sign may be brighter than is necessary for clear and adequate visibility.
- (8) No sign may be of such intensity or brilliance as to impair the vision of motor vehicle driver with average eyesight or to otherwise interfere with the driver's operation of a motor vehicle.

Rev. Date
2/4/08
Ord. #824

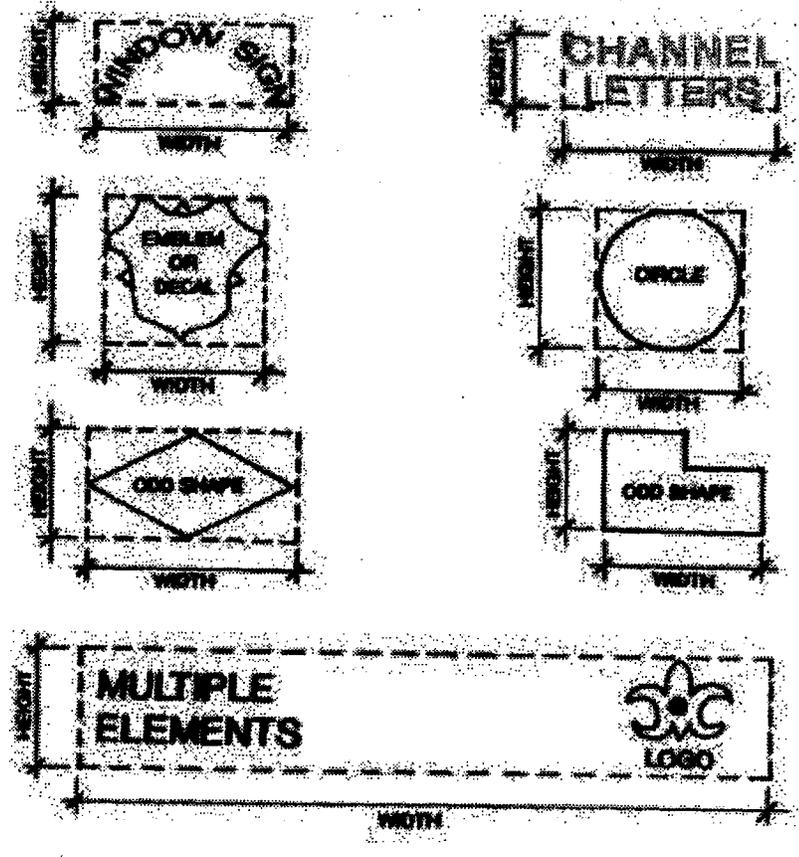


Table 1

- (1) For a single wall on a single-occupant building, all copy and graphics on that wall shall be measured as though part of one sign, encompassed within one rectangle, which may not exceed the maximum permitted sign area.
 - (2) Where the faces of a double-faced sign are parallel or the interior angle formed by the faces is 45 degrees or less, only one display face shall be measured in computing sign area. If the two sides of a double-faced sign are of unequal size, the area of the sign shall be the area of the larger face.
 - (3) In all other cases, the areas of all faces of a multi-faced sign shall be added together to compute the area of the sign.
- (E) Sign Height - Freestanding Signs. The vertical distance between the highest part of the sign structure and the average ground level adjacent to and within ten feet of the sign base or the grade of the adjoining street, whichever is less.

other objects but do not include Message Center Signs or Dynamic Display Billboards.

(2) Off-Premise Advertising Signs. Off-premise advertising signs are permitted along high volume interstate corridors where the City has land use control on each side of the road right-of-way. As such, said signs may only be placed along the Interstate 694 Highway Corridor. The intent is to minimize the impact said signs may have on adjoining communities.

(a) General Standards.

(1) Zoning. Off-premise advertising signs may be permitted on property zoned PUD, Planned Unit Development with an underlying zone of C2, General Commercial, or I, Industrial provided the standards identified in this ordinance are met.

(2) Location.

- a. Off-premise advertising signs are permitted within one-hundred fifty (150) feet of Interstate 694 right-of-way and must be oriented to be read from the Interstate Highway.
- b. The minimum lineal distance between Off-premise advertising signs located on the same side of the Interstate Highway shall be five-thousand five-hundred (5,500) feet.
- c. The sign structure shall maintain a minimum setback of ten (10) feet from any property line.
- d. The minimum lineal distance for the sign structure from any road intersection with the Interstate Highway shall be one-thousand three -hundred (1,300) feet as measured from the centerline of the road right-of-way.
- e. The minimum setback for the sign structure from any residential use is five-hundred (500) feet.
- f. Prior to the issuance of a sign permit, a visual impact analysis may be required if the City Manger determines the proposed dynamic display billboard could have a visual impact on a residence, residential neighborhood or obstruct the views of City Park or County Open Space.

(3) Use. Off-premise advertising signs are permitted on properties that are vacant and not occupied by another building or structure.

(4) Size

- a. The maximum gross surface area for each face of an Off-premise advertising sign shall be seven-hundred (700) square feet. Two sided signs are permitted provided they are back to back or V-shaped.
- b. The maximum height of the Off-premise advertising sign structure shall not exceed fifty (50) feet above the grade elevation of the Interstate Highway Road surface from which

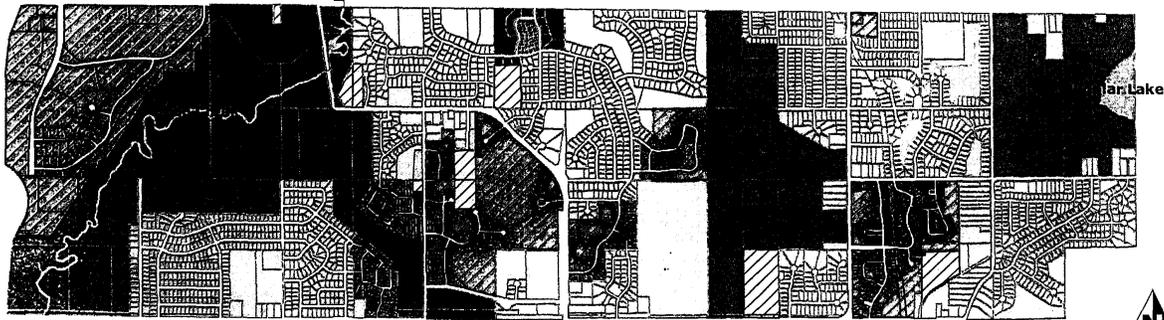
- ii. Said sign shall be part of the State of Minnesota's public safety alert system.

208.50 Prohibited Signs.

~~(H) Off-premise advertising signs, except for residential home sales and seasonal residential sales events, as provided in Sections 208.040(B)(13)(b) and 208.040(B)(14), are not permitted in any zoning district.~~

208.080 Alteration and/or Removal of Legal Nonconforming Permanent Signs. Signs shall lose their legal nonconforming status if moved, replaced or altered in any way, except toward compliance with the ordinance. Signs that are in good repair, were legally in existence before this Section was adopted, and which are not obsolete but which do not otherwise comply with the standards set forth in this Section, shall be removed or brought into conformance if damaged beyond 50 percent of its value prior to being damaged, as determined by an independent appraisal. Damaged, nonconforming signs shall be completely removed within 90 days of written notification from the City. If compliance is not obtained within 90 days of property owner notification, the City may cause the sign to be removed in accordance with Subsection 208.070(D).

1. A legally nonconforming billboard may be converted to a billboard with a dynamic display provided the conditions identified in Section 208.040 (B)(2) are met.

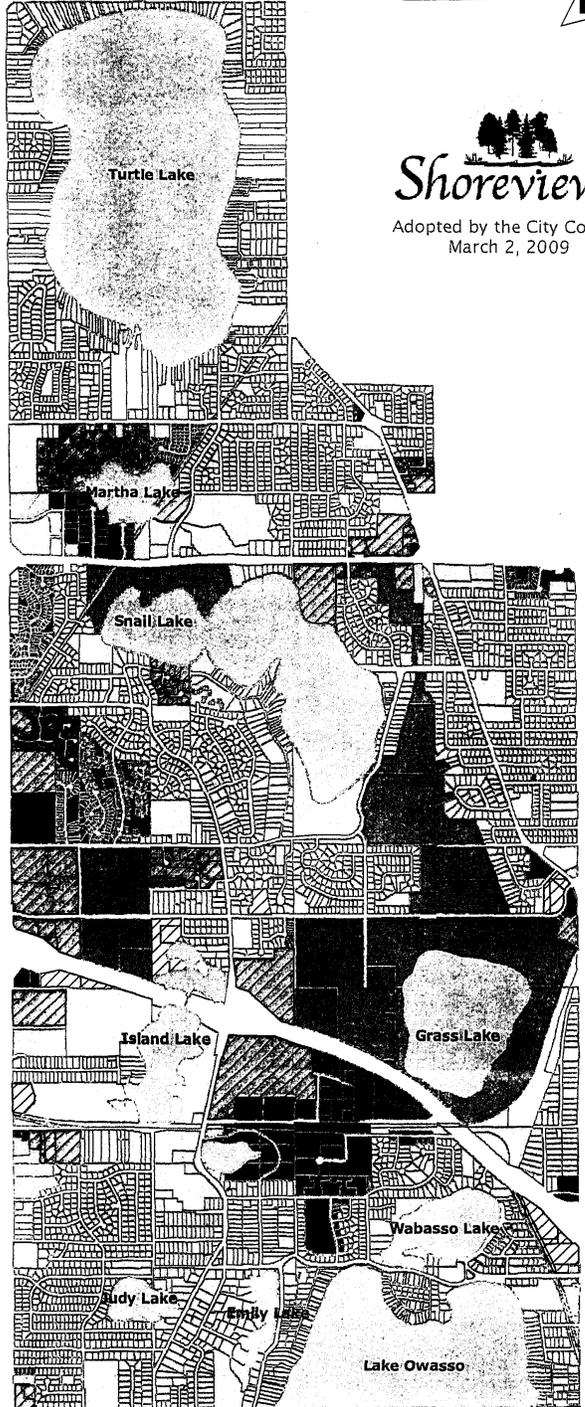


Zoning Classifications

-  RE - Residential Estate
-  R1 - Detached Residential
-  R2 - Attached Residential
-  R3 - Multi-Dwelling Residential
-  R4 - Mobile Home Residential
-  C1 - Retail Service
-  C2 - General Commercial
-  OFC - Office
-  I - Industrial
-  T - Tower
-  OS - Open Space
-  PUD - Planned Urban Development
-  UND - Urban Under Developed
-  BPK - Business Park
-  Water



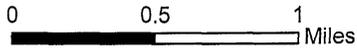

Shoreview
 Adopted by the City Council
 March 2, 2009



Disclaimer: Every effort has been made to ensure the completeness and accuracy of this map. However, data used to create this map was compiled from a number of sources and may contain errors. This map should be used for reference only. Data should be verified independently if used for any other purpose. This document is not a legally recorded map or survey and should not be used as such.

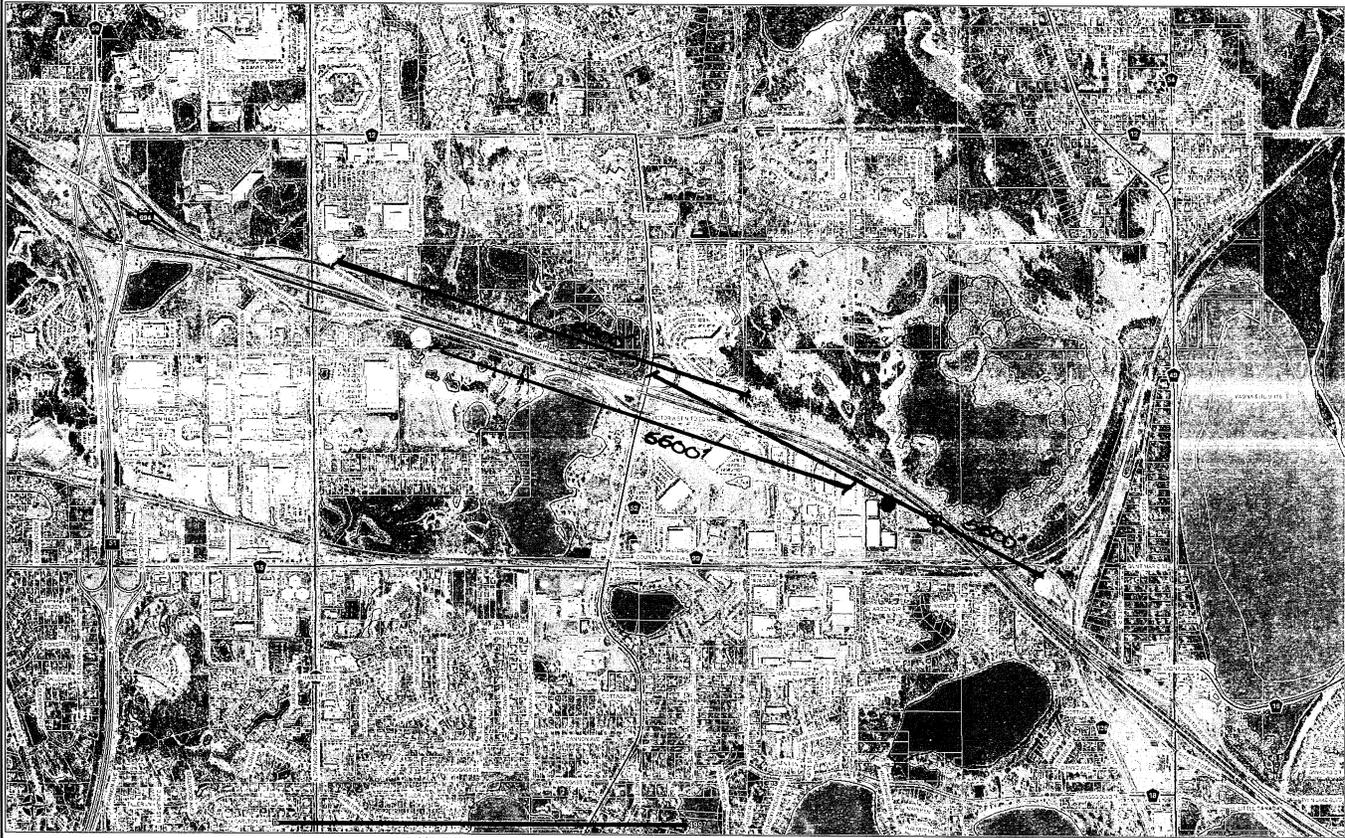
Zoning Map

City of Shoreview Community Development Department



OFF-PREMISE ADVERTISING SIGNS

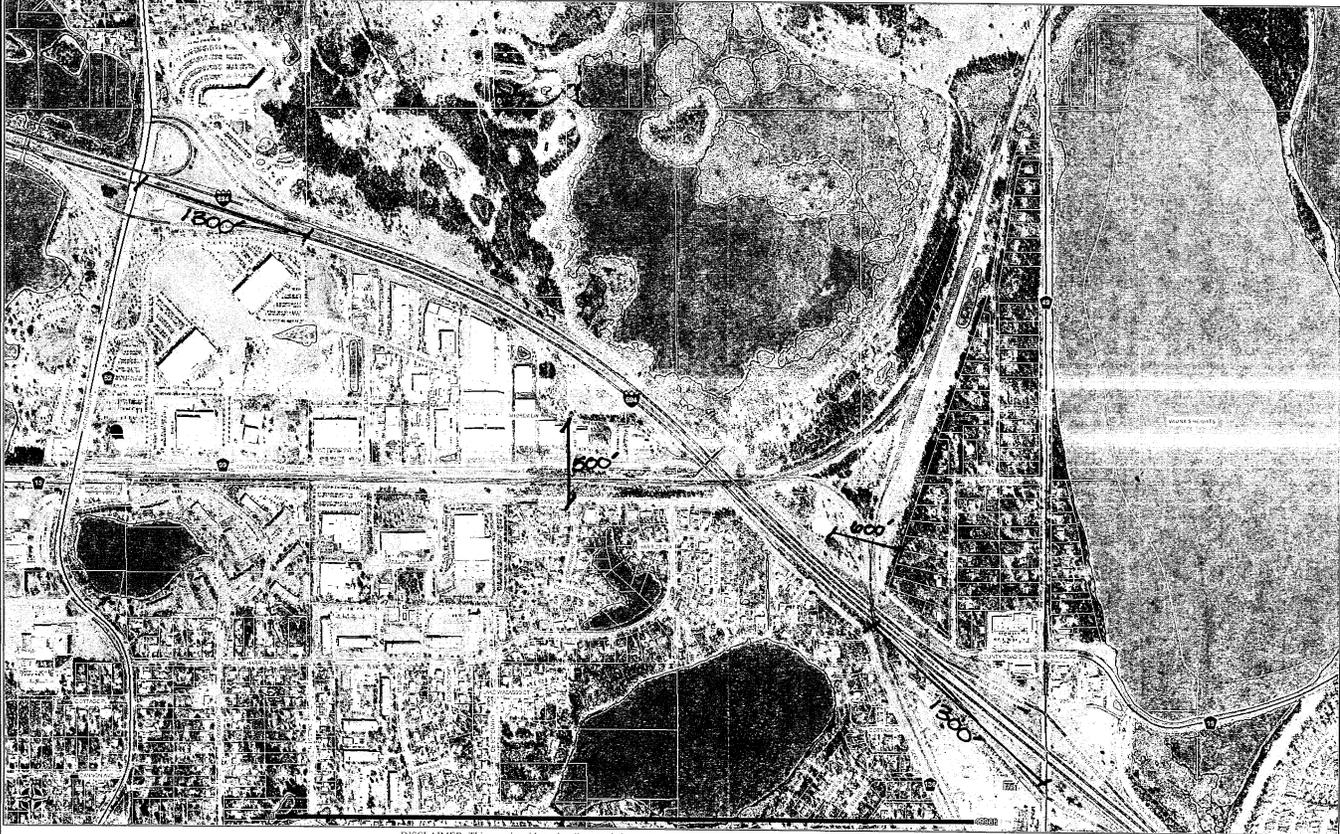
I-694 CORRIDOR



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.
SOURCES: Ramsey County (July 5, 2011), The Lawrence Group (July 5, 2011 for County parcel and property records data, July 2011 for commercial and residential data, April 2009 for color aerial imagery). All other sources click on Data Information button.

VICTORIA-RICE

I-694 CORRIDOR



- Municipalities
- Road Centerlines (County)
- County Road
- Interstate Hwy
- State Hwy
- Roads
- Water
- Structures
- Parcel Polygons
- 2009 Color Aerials
- Highway Shields
- Street Name Labels
- EXISTING
- PROPOSED

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LEXINGTON-VICTORIA

I-694 CORRIDOR



- ▭ Municipalities
 - ▭ Road Centerlines (County)
 - ▭ County Road
 - ▭ Interstate Hwy
 - ▭ State Hwy
 - ▭ Roads
 - ▭ Water
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