

**AGENDA
PLANNING COMMISSION MEETING
CITY OF SHOREVIEW**

**DATE: SEPTEMBER 27, 2016
TIME: 7:00 PM
PLACE: SHOREVIEW CITY HALL
LOCATION: 4600 NORTH VICTORIA**

**1. CALL TO ORDER
ROLL CALL
APPROVAL OF AGENDA**

Brief Description of Meeting Process – Chair John Doan

2. APPROVAL OF MINUTES

August 23, 2016

August 30, 2016

3. OLD BUSINESS

A. VARIANCE/RESIDENTIAL DESIGN REVIEW - EXTENSION

FILE NO: 2590-15-33

APPLICANT: Jonathan Gusdal & Sonja Hagander

LOCATION: 3194 West Owasso Blvd.

B. PRELIMINARY PLAT*, REZONING*, VARIANCE

FILE NO: 2630-16-29

APPLICANT: Golden Valley Land Company

LOCATION: 0 Gramsie Rd; PINS- 26-30-23-13-0027;26-30-23-13-0028

4. NEW BUSINESS

A. VARIANCE

FILE NO: 2632-16-31

APPLICANT: Steven and Debra Valley

LOCATION: 5891 Hamline Ave.

5. MISCELLANEOUS

A. TEXT AMENDMENTS:

Building Height and Parking

**B. City Council Meeting Assignments for October 3rd , 2016 and October 17th ,2016
Planning Commissioners Ferrington and Solomonson.**

6. ADJOURNMENT

**These agenda items require City Council action. The Planning Commission will hold a hearing, obtain public comment, discuss the application and forward a recommendation to the City Council. The City Council will consider these items at their regular meetings which are held on the 1st or 3rd Monday of each month. For confirmation when an item is scheduled at City Council, please check the City's website at www.shoreviewmn.gov or contact the Planning Department at 651-490-4682 or 651-490-4680*

OLD BUSINESS

RESIDENTIAL DESIGN REVIEW - VARIANCE

FILE NO.: 2624-16-23
APPLICANT: ZAWADSKI HOMES, INC.
LOCATION: 951 OAKRIDGE AVENUE

Presentation by Senior Planner Rob Warwick

At the July 26, 2016 Planning Commission meeting this application was tabled and the review period extended because of concerns that the proposed accessory floor area was too large a variance from recently adopted standards. The applicants have revised their plans.

The lot is a substandard riparian lot on Turtle Lake with a width of 68 feet, less than the standard of 100 feet. The proposal is to tear down an existing home, detached garage and shed. A water-oriented structure of 331 square feet will remain. A new house will be constructed with a one-story design and walkout lower level with an attached 987 square foot garage. The house has a foundation area of 2090 square feet. A variance is requested to increase total floor area for accessory structures and to reduce the front setback to 139.5 feet.

The application has changed in that the detached garage of 788 square feet will be removed. The new attached garage, which was 600 square feet, is now proposed at 987 square feet, which complies with the 1000 square foot maximum or 80% of the dwelling unit foundation area. The total accessory floor area proposed is 1,318 square feet or 63.7% of the dwelling unit foundation area. This amount exceeds the 1200 square foot maximum permitted. Currently, there is 1,299 square feet of accessory structures on the property.

The calculated range of front setback is between 155.15 to 175.15 feet as based on the setbacks of houses on adjacent lots; the proposed front setback is 139.61 feet. Also, the west side of the house is 7.3 feet from the lot line; the required permitted minimum setback is 10 feet. All other residential design review standards are in compliance.

Two shore land mitigation practices are required. The practices chosen by the applicants are: 1) vegetation protection area that extends 50 feet upland from the OHW; and 2) architectural mass with use of natural colors.

Retention of the water oriented structure limits a three-car attached garage. Staff believes the dwelling will be the dominant feature on the property. Total accessory floor area is approximately 64% of the 2090 square feet of dwelling foundation area. The attached garage will be less noticeable than the detached garages in the neighborhood. The house and water oriented structure are well screened and difficult to see. Staff does not believe the character of the neighborhood will change.

Notice of the revised proposal was mailed a second time to property owners within 150 feet. In July, three comments of support were received. No comments were received in August. Staff is recommending approval with the conditions in the staff report.

Commissioner McCool stated that it was his recollection that it was his recollection that with a 3-car garage and removal of the detached garage, accessory structure area would be in compliance.

Ms. Christine Wahlin, Applicant, stated that a 3-car garage is being removed, and a 3-car garage is being attached to the house but not at the end of the house. It is a side entry to the garage. The reason a few extra feet were added to the garage is because the stairs must be ADA accessible due to health issues. Neighbors requested the lakeside setback be increased so as not to obstruct views, which is why it is at 139.61 feet.

Chair Doan opened comment to the public. There were no comments or questions.

Commissioners expressed their support and appreciation that the feedback from the Planning Commission at the last meeting was taken seriously.

MOTION: by Commissioner Thompson, seconded by Commissioner Ferrington to adopt Resolution 16-67, approving the variance requests, and to approve the residential design review application.

Approval is subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the application. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. This approval will expire after one year if a building permit has not been issued and work has not begun on the project.
3. This approval is subject to a 5-day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity begins.
4. A Mitigation Affidavit shall be executed prior to the issuance of a building permit for the addition.
5. The applicants shall submit a landscape plan the shows the existing and proposed landscaping. The landscape plan is subject to the approval of the City Planner.
6. Use of the accessory structure shall be for personal use only and no commercial use is permitted.

Discussion:

Commissioner Solomonson asked if removal of the shed and detached garage should be stipulated in the motion.

City Attorney Beck recommended this condition be added.

Commissioner Solomonson offered an amendment to the motion as condition No. 7, that the applicant shall remove the 788 square foot detached garage and 180 square foot shed. Commissioner Peterson seconded the amendment.

VOTE ON THE AMENDMENT: Ayes - 7 Nays - 0

VOTE ON MOTION AS AMENDED: Ayes - 7

Nays - 0

NEW BUSINESS

VARIANCE

FILE NO.: 2629-16-28
APPLICANT: JOHN & VALERIE KELLY
LOCATION: 650 HIGHWAY 96 WEST

Presentation by Economic Development and Planning Associate Niki Hill

The applicants seek a variance to reduce the minimum 40-foot setback from the front property line, which is on the street side, to 3.8 feet for a front porch addition; 19.8 feet from the front property line for the garage addition; and 10.8 feet from the front lot line for additional living space. A 40-foot setback is required on an arterial road, such as Highway 96. The road right-of-way extends into their 40-foot setback.

Also, a variance is requested to reduce the minimum 10-foot setback from the west side lot line to 7.3 feet to convert the existing attached garage into living space.

The property is zoned R1, Detached Residential and is a standard riparian lot so not subject to the Residential Design Review standards.

The applicant states that reduction of the front setback variances are a result of the design of the existing home, placement of the home on the property, and the topography of the site. Conversion of the existing garage into living space will not impact the adjacent home because the homes are not aligned. The setback for the garage cannot be increased due to the topography of the property. The front porch addition is to provide sheltered space for visitors.

Staff finds the justification for setback variances reasonable. The property is zoned R1, which allows single-family homes as a permitted use. The foundation of this home is approximately 989 square feet and smaller than other nearby homes on Snail Lake. The existing setback of the home on the west lot line is 7.3 feet. Conversion of the garage to living area adds living space to the house. Staff finds this request reasonable, as no further encroachment into the setback will be made. Replacing the garage with a 3-car garage is also reasonable for lakeshore property. The 19.6-foot setback of the garage will provide off-street parking on the applicant's property. The porch is designed to enhance the appearance of the home, and the 3.8-foot setback will not interfere with improvements in the Highway 96 right-of-way.

There are unique circumstances to this property with the presence of Highway 96, which is under the jurisdiction of Ramsey County. It is an improved roadway with four lanes and medians. No further improvements are planned to Highway 96. The characteristics of Highway 96 and placement of the home on this property are unique circumstances. Since the home at 600 Highway 96 is set back further, the addition will not be adjacent to the neighboring home. Landscaping will be used to provide separation and buffering. The topography of the property is also unique. It is

flat on the north adjacent to Highway 96, then slopes to Snail Lake. Placement of the garage at a further setback would mean additional grading.

The character of the neighborhood will not be changed because lots on the north side of Snail Lake vary in size and depth. The applicant's parcel and the adjacent property at 640 are smaller and have been developed with homes close to the highway. There is no change to the building footprint on the west side.

Two practices of shoreland mitigation are required. The applicants have chosen neutral earth tone colors for the home as one practice. A second practice is yet to be identified but must be stipulated prior to the issuance of a building permit.

Property owners within 150 feet were notified of the proposal. No comments have been received.

Ramsey County Public Works reviewed the proposal and had some concern about the 3.8-foot setback from the front lot line but did not object to the variance. The concern is that the porch may impact use of the driveway, but the porch abuts the driveway without extending into it. Also, the County may require a turn lane east of the property, but there is adequate right-of-way should a turn lane be needed.

Ramsey-Washington Metro Watershed District reviewed the plan and indicated a watershed permit is not required. Staff is recommending approval of the requested variances.

Commissioner Solomonson stated that the variance of 3.8 feet is still 50 feet from the roadway. He questioned whether the garage has footings for conversion to living space. Mr. Warwick responded that the garage is attached with footings.

Chair Doan asked if an egress window is required. Ms. Hill explained that unless the living space is converted into a bedroom, window egress would not be required.

Commissioner Peterson asked if the driveway will be usable with the porch abutting the edge. Is there space for usable driveway particularly in the winter?

Ms. Val Kelly, Applicant, stated the porch was added after the addition was designed. The driveway is a drive through to a parking area by the garage. Snow is stored in the side yard. More than a porch, she would prefer an extended eave attached to columns to provide shelter for visitors. The porch would be for looks. Ms. Hill stated that an extended roof structure instead of a porch would still need a variance.

Commissioner Ferrington asked if the steps from the house go down to the driveway. **Ms. Kelly** answered, yes. She added that along the horseshoe drive closest to the house are seven sturdy posts to prevent cars from skidding into the house. The porch would be behind the posts.

Commissioners expressed their appreciation for this nice remodeling of the home. The porch will add a nice feature. Improvements to aging properties are in line with City goals.

MOTION: by Commissioner Peterson, seconded by Commissioner Ferrington to adopt Resolution No. 16-76 approving the variance submitted by John and Valerie Kelly for their

PLANNED UNIT DEVELOPMENT-CONCEPT REVIEW

FILE NO.: 2606-16-05
APPLICANT: WOOLPERT, INC.
LOCATION: 4188 LEXINGTON AVENUE (SHOREVIEW BUSINESS CAMPUS)

Presentation by Senior Planner Rob Warwick

The property consists of 15 acres. The proposal would amend an existing PUD that was approved in 1987 for three single-story office buildings of 50,000 square feet each. One building was constructed on the south portion of the site. Mass grading was completed for the entire site, and storm water infrastructure was installed, but the other two buildings were not built.

In 1993, property owners applied to amend the PUD to expand uses to include light industrial, manufacturing, assembly, processing and warehousing. The request was not approved by the City.

In 1994, a concept PUD Amendment was approved to allow a 136,000 square foot office, warehouse and manufacturing on the north side of the property. The Concept PUD was approved with a reduced floor area of 110,000 square feet. No further approvals were requested, and the amendment expired. No further applications or amendments have been received. Therefore, the 1987 amendment is in effect for site condominium.

In the mid-1990s conservation easements were conveyed to the Minnesota Forestry Association. Public use was prohibited, and limited uses were given to forestry. These easements were extinguished in 2009. Permitted uses include office, light industrial and supporting commercial services.

Woolpert/Waterwalk are considering purchase of the northwest portion of the property to develop the site with two four-story buildings that would accommodate approximately 150 extended stay hotel/apartments, with parking and access drives. Landscaped islands and landscaping within and around the parking and drive areas are required. Shade trees at a rate of 1 per 10 parking stalls are required to screen from adjacent residential uses. The plan includes a pocket park in the vacant City right-of-way immediately north of the site.

Two four-story buildings are proposed on the site plan with 153 hotel rooms each. The height of the buildings is approximately 55 feet. Parking surrounds the buildings with 162 stalls. The existing driveway access would be used off Lexington Avenue. Ramsey County will require the 1984 traffic study to be updated.

Business Park standards for structure setbacks are:

- 75 feet from a street or residential use
- 30 feet from side and rear lot lines
- An additional foot of setback is required for each foot of height that exceeds 35 feet.
- Parking from a street or residential property is 20 feet with a landscaped buffer
- Parking from other lot lines is 5 feet.

This site is identified in the Comprehensive Plan as a Policy Development Area 11 (PDA), which calls for development of office or medium density residential uses. Surrounding land uses are to the

north is low density residential. To the south and east is medium density residential. Immediately south is high density residential.

The 1987 storm water drainage management plan that was installed will need revision to comply with current regulations. Impervious surface is limited to 70%, which can be increased to 75% with the use of Best Management Practices. Deviation to stormwater regulations is not allowed through the PUD process.

Parking is required at a rate of 1 stall per unit plus one stall per employee. The proposed 162 stalls appear to deviate from Code standards, which will be examined at the Development Stage Review.

Notices of the proposal were sent to property owners within 350 feet of the subject property. Approximately 50 comments were received. All expressed concerns about building height, noise, glare, crime, property values, storm water management, loss of privacy, and loss of undeveloped views.

Under the Concept PUD, the Commission is asked to take public testimony. No formal action is required. Commission comments need to identify issues for detailed review at the Development Stage Review.

Commissioner Ferrington asked if a site condominium is allowed on this site. Mr. Warwick explained that the City has no role in the site condominium. There is no City signature on the CIC plat that was done, and the City had nothing to do with drafting the declarations. He explained that a condominium is a method of ownership. The agreement is among the private owners who own the condominium sites. The PUD amendment is to gain approval for two 4-story buildings. The original PUD allowed three single-story buildings. He noted that usually a PUD is for a single site. This application is somewhat confusing because there are two privately owned vacant properties.

Commissioner Solomonson asked if the original PUD of three buildings can be pursued. Mr. Warwick stated that can be done with a Site and Building Review by the City. The prior approval in 1987 runs with the land. Commissioner Solomonson asked the definition of a pocket park. Mr. Warwick showed right-of-way that was dedicated with Weston Woods. The developer is proposing a pocket park for nearby residents on this parcel. The City no longer supports development of pocket parks. If recreation opportunities are needed, the developer needs to provide such facilities on his own property being developed.

Commissioner Solomonson noted that the proposed hotel buildings would not be permitted under the Comprehensive Plan. Mr. Warwick stated that there would have to be a Comprehensive Plan amendment. The developer refers to the buildings as corporate lodging for long-term stay for people attending training or waiting to move here. In City Code the only district that allows hotels is a C2 District. Staff does not believe on this site that a portion should be used as commercial and a portion used for office. The C2 district is not appropriate adjacent to residential.

Chair Doan asked the additional setback to the standard 75 feet that would be required for the building height proposed. Mr. Warwick stated that the minimum setback from Lexington Avenue and north lot line is 75 feet for a building less than 35 feet in height. If the building is 55 feet in height, the setback would increase to 95 feet. The parking setback is 20 feet. He added that the

topography of the site does not appear to have changed. Contours show elevations range from 1020 to 1000.

Chair Doan opened discussion to public comment.

Mr. Bill Chaffee, Vice President of Waterwalk, Wichita, Kansas, stated that what is proposed is a corporate living facility. The extended stay averages 77 days. Other occupants stay 4 or 5 months. People traveling for their company prefer corporate living facilities over residence inns. The average stay in a residence inn is 3 days. Their facilities have over 96% occupancy year-round. It is a gated community that is safe and secure. Average rent is approximately \$4,000 a month. There is no restaurant, bar, pool, or other amenities. Management is 24/7 onsite. He emphasized that he welcomes input from the neighbors and that they want to be a good neighbor and fit in.

Mr. Chaffee introduced **Mr. Tim Reber**, Senior Engineer, who is present to answer questions.

Commissioner Ferrington asked in what other cities Waterwalk has these types of facilities. **Mr. Chaffee** answered that only facility up and running is in Wichita, Kansas. Approval has been granted for Centennial, Colorado; Denver, Colorado; San Antonio, Texas; Dallas, Texas; two in Charlotte, North Carolina; Albany, New York. These communities have been targeted across the nation as having a need for their product. He anticipates 10 facilities by the end of 2017.

Commissioner Ferrington asked the proximity to the downtown areas in other cities. **Mr. Chaffee** stated that they do not seek downtown property because of the expense. Customers are in office parks, such as Land O'Lakes. It is a suburban concept for office parks.

Commissioner Ferrington stated that one major issue is the size being proposed. She asked if a one- or two-story building would work. **Mr. Chaffee** answered, no. The concept presented here is among the smallest. The number of units in other buildings range in the 170s.

Commissioner Solomonson asked if other facilities are near residential areas. **Mr. Chaffee** answered that the plan in Charlotte, North Carolina is next to residential use. When approval was granted, it was not only from the Planning Commission and Council but also from the neighbors.

Chair Doan asked the number of units proposed. **Mr. Chaffee** stated 153 units in the two buildings. Chair Doan asked for a summary of concerns from neighbors. **Mr. Chaffee** stated that there are concerns about the height of the building, drainage, retention, buffer, why no restaurant and bar, traffic, noise from Lexington, economic feasibility, any underground parking which is not possible, snow removal, landscaping buffer, retaining wall pressure, Weston Woods resident comments. He added that two full traffic studies are done--one for their facility and a full study for the area and how the development will impact the area. In comparison to offices, residents leave during a narrow window in the morning and return during a fairly set window of time in the evening. The number of cars is less than for a building full of office employees.

Commissioner McCool asked if it would be possible to have parking in front of the buildings and not adjacent to residential property. **Mr. Chaffee** answered that is under consideration, but he does not yet have approval from his company.

Commissioner McCool asked the status of an amendment to the CIC with the owners. **Mr. Steve Chirhart**, Tetonka Real Estate Advisors, stated that he represents the seller who has the property in a family trust. There are three condominium units. Approval must be obtained from all three as well as the family trust. There would be limited common elements, such as parking, gateway drive and storm water retention ponds. He noted this is one of the lowest density uses in parking and traffic. It will emit less light than an office building. It is a high end project that will be an amenity to attract and retain businesses in Shoreview. The reason Land 'O Lakes would not develop such an amenity is because it is a \$24 million project.

Commissioner Ferrington asked what is planned for the third parcel of this property. **Mr. Chirhart** responded that it is being actively marketed. He believes low density office, such as a medical office, would complement the corporate lodge development. Commissioner Ferrington asked the reason a one- or two-story building could not be spread out over the two parcels to address the concerns about building height. **Mr. Chaffee** stated that the reason is a cost factor. He would like to make such a plan work, but the cost would double.

Mr. Jim Costello, 1098 West Cliff Curve, the house closest to this development. The neighborhood is organized around this issue and would request that the City not allow an amendment for two four-story hotels. It is not a good fit. The height is the most important consideration because a tall building is proposed for one of the tallest sites in Shoreview. The site is not zoned for hotel use. His house is 15 feet lower than the proposed facility and he will be looking at a 70-foot building outside his door. Reasons why previous proposals were rejected are negative visual impact from one or two story buildings. There is a retaining wall. As it is compacted with more building will present problems. There are hotels on Lexington and executive hotels along I-35. This is an albatross to solve a problem that does not exist. Neighbors are looking for a single-story building, not a tall building.

Ms. Marybeth Shima, 1090 West Cliff Curve, stated that traffic will become heavier. Lexington Avenue is a County road. Business traffic is from 6:00 a.m. to 6:00 p.m. With this development, there will be nighttime traffic. Business neighbors, Land 'O Lakes and Boston Scientific are nearly imperceptible on the sight line of residents. This proposal will tower over residents. Lexington is a preferred route for emergency vehicles. Added traffic by those who do not know the area will jeopardize response by first responders and the police. A hotel will bring crime and security issues. Shoreview residents deserve better and more thoughtful decisions.

Mr. John Bridgman, 1074 West Cliff Curve, stated that residents are concerned about the amount of impervious surface that will be put on this site. From the sketches presented, he estimates over 80% lot coverage with impervious surface. Although one of the highest elevations in Shoreview, this area has had a history of problems with ground water and springs. At least eight homes and Allina have had to have foundation repairs because of cracked floors and heaving caused by springs. Two huge structures above homes will create a hydrologic pump on these springs and water that will cause problems. A detailed ground water study is needed. Drainage runs along the retaining wall into holding ponds. Heavy storms have caused water to back up to his neighbor's home. More water could cause water to enter homes. He suggested that there are 400 acres and an empty building in Arden Hills that would be more appropriate than trying to squeeze it into this neighborhood.

Ms. Liz Gelbmann Tibbetts, 1080 West Cliff Curve, stated that she has traveled in Wichita. The claim that the people who will use this facility is for long term is not correct. Bookings can be made on Ttravelocity as with any other hotel. Her question is why long-term planning guides the land use. Development around an area takes place in accordance with those guide plans, but then consideration is given to amending the guide plans.

Mr. Ken Skok, 4200 Oxford Street, asked Commissioners to go to Waterwalk's website to see their locations. Then go to Google Earth and zoom in on those locations. This is the only complex he can find that is close to residential housing. Also, they list monthly rates. It is similar to an apartment complex. His property is 10 feet lower than surrounding houses. His concern is what a 4-story building will look like from his house.

Ms. Joanne Pastorius, 4277 Weston Way, stated that she works at Allina. Allina is not in favor of this development. Allina rents their building. The clinic has grown.

Mr. Richard Shulman, 4221 Bristol Run, stated that he just went online and looked at the Planning Commission's mission statement, which is to assist with long-range planning in the community and foster high quality development. Weston Woods is a high quality development. This proposal will impact the quality of Weston Woods. He would prefer to see townhouses rather than what is proposed.

Mr. Edward Neis, 1097 West Cliff Curve, stated that the values of properties abutting the development will decrease significantly. Property owners should be compensated, or the development should move elsewhere.

Chair Doan closed the public comment period.

Commissioner Solomonson stated that it is not recommended to put C2 development adjacent to residential use. Another big concern about the height. The plans are too intense to be next to residential property.

Commissioner Ferrington stated that there may be a good market for this in the northern suburbs, but this may not be the right site. The height is too tall adjacent to residential. Shoreview is developed and some residents have lived a long time in the community. It is always difficult for infill development to occur. The issues of height, intensity and drainage have to be addressed for this proposal to move forward.

Commissioner Peterson stated that he recognizes the need for this type of product but does not believe this is the right location. This property is one of the highest locations in Ramsey County. The height of the buildings would intensify the impact. The use is not compatible with surrounding residential uses.

Commissioner McCool stated that he likes the product, and a developer willing to invest \$20 million shows there is a need. However, this site is challenging. The height would require extraordinary landscaping for mitigation. There may be ways to design the building with varied heights that lessens impact. He believes a two-story office building would create more traffic than what is proposed. He does not worry about compatibility of uses, but the height is a big issue. Also, there are ground water issues that need to be addressed. He would like to know crime

incidents on other sites that have been built. Security lights would have to be shielded to reduce impact on nearby properties.

Commissioner Wolfe stated that the site is unique, nature based. A development on the site needs to be balanced and high quality. If a restaurant were brought in, that is something that everyone wants.

Commissioner Thompson stated that the Planning Commission has recently struggled with height of buildings, but the other issue is it would be possible for a development that would have a worse impact. Applewood brought this same discussion. The developer came up with a design to vary the height of the building. This proposal is close to residential use and the height would be disturbing to neighbors. She would like to see other design options explored.

Chair Doan agreed with the statements of Commissioners. The biggest issue for him is height and its proximity to adjacent residents. The issues of water and traffic are technical problems that he believes professional technical people can address. He would not be comfortable moving forward with this proposal as presented. He asked for further explanation of what could be developed on the third parcel.

Mr. Chirhart responded that his company has been actively marketing the third parcel for two years, seeking some type of office use. The demand has not been there. There was interest by a daycare, a luxury apartment building. He appreciated the comments on Applewood which turned out to be a good development for its site, even though close to residents. The challenges were worked out. A senior building was built adjacent to North Oaks. With changes to the design, addition of berms and landscaping, the building does fit. He would hope residents would listen with an open mind.

Mr. Warwick noted an application was submitted for an office/warehouse building on the third parcel. However, that development proposal was withdrawn and will no longer move forward. A number of people identify the retaining wall on the property that runs along the north lot line. The wall was built before Weston Woods was developed and appears to be owned by the owner of the subject property. He has requested the current survey to include the location of the wall.

MISCELLANEOUS

City Council Meetings

Chair Doan and Commissioner Thompson are respectively scheduled to attend the City Council meetings of September 6, 2016 and September 19, 2016.

ADJOURNMENT

MOTION: by Commissioner Thompson, seconded by Commissioner Wolfe, to adjourn the meeting at 10:01 p.m.

VOTE: **Ayes - 7** **Nays - 0**

ATTEST:

Rob Warwick, Senior Planner

Presentation by City Planner Kathleen Castle

The application is for a Comprehensive Sign Plan Amendment at Gramsie Square to add advertisement for a new tenant, Minnoco Fuel Station, to the existing free-standing sign. The proposed sign will use the same pole as the existing sign.

The approved Comprehensive Sign Plan for this site includes:

- Wall signs for the shopping center
- Pylon Sign:
 - Maximum height of 25 feet
 - Maximum sign area of 80 square feet
 - Price display area of 6 square feet
 - Advertisement of Gramsie Square with address
 - Tenant panels that are uniform in color and lettering

The pylon sign exceeds Code standards for height and area, but complies with the current approved Comprehensive Sign Plan. No deviations are proposed. The maximum additional area for the gas price display is 6 square feet.

The name and address of the center will remain dominant. The proposed color change and fonts are reasonable for this multi-tenant building and are consistent with the wall signs. Staff is recommending approval with the conditions listed in the staff report.

Commissioner Ferrington referred to page 3 and noted the expectation of a second amendment. She asked for further explanation. Ms. Castle explained that there is a sign on the canopy that was not approved which will require a Comprehensive Sign Plan Amendment. That change was not included with this application because there are two different sign companies working on the signage, and it is important to the tenant that gas prices be posted as soon as possible.

Commissioner Ferrington asked the number of gas prices that will be posted. Ms. Castle stated that although more fuel types are offered than what the sign will show, two gas prices will be posted.

Chair Solomonson asked if the City prefers monument signs over pylon signs and whether a monument sign was discussed. Ms. Castle answered that both types of signs are permitted. A monument sign was not discussed.

Mr. Matt Duffy stated that he represents the applicant, Tom Schuette. He stated that the main request is for different colors and fonts.

Commissioner Solomonson asked the hours of operation of the gas station and the hours when the sign is lit. **Mr. Duffy** answered that the gas prices will be displayed 24 hours a day. When it is dark, there is a light that will come on to illuminate the tenant signs.

Commissioner McCool asked if the colors will be what is shown in the plan. **Mr. Duffy** stated that he put the colors in to show what it might look like. The tenants will choose the colors. He is unaware of any limitations the owner would put on tenants regarding sign colors. He believes each tenant will be able to choose. Commissioner McCool requested a condition that would link the sign colors with the building signage.

Chair Doan opened the discussion to public comment.

Mr. Tom Fishlove, 845 Gramsie Road, asked the strength of the illumination at night and the distance the light will be broadcast, whether it will impact any neighboring residents. **Mr. Duffy** stated he does not have exact numbers, but the LED lighting has dimming capabilities. The sign will comply with City limitations.

Commissioner Ferrington asked if there is a time restriction on the current illuminated sign. Ms. Castle stated that the City does not have time restrictions in the Code.

Commissioner Peterson stated that he, too, has a concern that the sign be dimmed consistent with other signs recently approved. Ms. Castle responded that restrictions have been placed on reader board message signs but not pylon signs. She asked if the gas station is open 24 hours and whether a time limit on the sign would have an impact. **Mr. Duffy** stated that his company has had to comply with reader board message sign restrictions, but has never had a request for lighting in and interior cabinet to be shut off. Ms. Castle clarified that the City has no restrictions for this type of sign but noted that there are residents across Rice Street in Vadnais Heights.

Commissioner Solomonson agreed with Commissioner McCool regarding color. He would like to see one color unless if there is a logo.

Commissioner Ferrington responded that colors and fonts are important for business identification. If this is a quality center, the landlord will not allow signage that does not fit with the development.

MOTION: by Commissioner McCool, seconded by Commissioner Ferrington to recommend the City Council approve the Comprehensive Sign Plan Amendment of Tyme Properties, subject to the two conditions listed and the addition of condition No. 3:

1. The sign shall comply with the plans submitted for the Comprehensive Sign Plan application. Any significant change will require review by the Planning Commission and City Council.
2. The applicant shall obtain a sign permit prior to the installation of any sign on the property.
3. The colors and fonts used within the individual tenant panels on the pylon sign must be consistent with the colors and fonts used in such tenants' building signs.

Findings of Fact:

1. The Comprehensive Sign Plan is consistent with prior City approvals for the project.

The drainage pattern flows to a wetland area and to Gramsie Pond to the southwest. The storm water management plan complies with Shoreview and Rice Creek Watershed standards for water quality, quantity, best management and erosion control practices. An infiltration basin in the undeveloped Gramsie Road right-of-way will be used to treat storm water. Staff prefers the location of the infiltration basin in the right-of-way west of the Gramsie Road terminus because Gramsie Road right-of-way is not being developed for the foreseeable future. The location west of the terminus will allow better maintenance by the City. The storm water plan complies with City standards.

Proposed grading of the site shows that one of 17 landmark trees will be removed. Tree removal, tree protection and replacements plans are required with the final grading plan. Replacement trees are required at a rate of 3 replacement trees for each landmark tree removed.

The ghost plat shows Outlot A for future development, but it is not binding and does not mean that the neighboring properties are in agreement with the plan. There are concerns about future development of Outlot A due to limited access because of wetland areas. Staff's recommendation is that the applicant study the feasibility of access from the north or west. Staff also recommends consideration of preservation of this property due to limited access.

Staff finds that the proposal is reasonable. The subdivision complies with R1 zoning regulations in lot size and width requirements. Staff agrees that the 80-foot right-of-way is larger than a City street. Approval of the variance will not alter the character of the neighborhood.

Notices were mailed to property owners within 350 feet of the subject property. Eight comments were received expressing concerns about reduced lot width, impact on wetland and wildlife, increased traffic on Gramsie Road. The increased traffic and noise will alter the character of the neighborhood.

The DNR has expressed concern about the development of the ghost plat with a road crossing wetland where Gramsie Pond flows into Island Lake. Such a road would be almost entirely within the 50 feet OHW setback for Island Lake and adjacent to the shoreline of Island Lake. Wetland Conservation Act regulations would have to be followed. There is also concern about removing trees in the shoreland district. Rice Creek Watershed District (RCWD) is currently considering the application.

Staff from Ramsey County Parks are not interested in creating a park on Outlot A because it would be landlocked with few options for recreational activity or access. If the tower property were to become available, there would be access and there may be interest in putting in a park.

Staff finds that the proposed preliminary plat complies with the R1 Detached Residential zoning and subdivision standards. Rezoning is consistent with criteria for rezoning. Approval of the variance is recommended, and staff recommends the application be forwarded to the City Council with a recommendation for approval subject to the listed conditions.

Commissioner Solomonson suggested the proposed homes could be pushed further toward the front lot line to increase the back yard. He asked what access is possible to Outlot A so as not to create a landlocked parcel. Ms. Hill responded that there is access to Outlot A from the west and possibly from the north. City standards allow a front setback range of 25 to 40 feet.

Commissioner McCool asked if there has been any discussion of vacating 10 feet of right-of-way to achieve another 10 feet of lot depth. Ms. Hill answered that no formal request has been submitted.

Commissioner Peterson asked for clarification of the grading on Lot 7. Ms. Hill explained that although there is steep topography, Lot 7 is not in a bluff impact zone. City Code allows grading in the area. Ms. Castle added that a bluff impact zone refers to the grade and height of the slope. Commissioner Peterson noted the building pad is two feet from the buffer zone and asked how construction could occur without encroachment into the buffer zone. Ms. Hill explained that the building pad is where building can occur on the site but is not necessarily the footprint of the home. It is the responsibility of the developer to work within buffer zone regulations.

Chair Doan asked the definition of a ghost plat. He also asked about the soil on Lot 7 and whether the steep grade allows for a buildable lot. Ms. Hill explained that when a large parcel is being developed, the City requires demonstration of probable development patterns in the future from the developer. That is the purpose of the ghost plat, but it is not binding. Lot 7 is outside the 16.5-foot buffer to Gramsie Pond and is buildable.

Commissioner Ferrington asked if the boundaries of the seven lots could be extended 10 feet into the ghost plat so the lots would comply with key lot requirements. Ms. Hill stated that the property shown on the ghost plat is owned by a different party.

City Attorney Beck stated that proper notice has been given for the public hearing.

Chair Doan opened the public hearing.

Mr. Peter Kinaeble, Golden Valley Land Company, introduced his co-worker, Matt Pavek. Both are registered civil engineers and have been doing infill development projects for the last 10 years. They are working with Hanson Builders for construction of the new homes. He stated that the homes will be placed at 25 feet from the front lot line. If the variance is not approved, consideration would be given to applying for the 10-foot right-of-way vacation. It has been confirmed with the DNR that Lot 7 is not a riparian lot. It abuts the Gramsie Pond wetland, not Island Lake. There are no bluff impacts. The definition of a bluff meets a certain slope and reaches a height of 25 feet. The height of the slope on Lot 7 is 19 to 20 feet. There has been a soil engineer testing soils and has confirmed that all the lots are buildable and will meet City standards. The houses across Gramsie Road to the north are close to the 25-foot setback except for the one furthest west which has a deeper setback. It is expected that the outlot to the south will eventually be developed which is the reason for the ghost plat.

Mr. Dean Hanson, owner of Hanson Builders, stated he has been in business since 1979. His company is rated 6th in the State of Minnesota. The houses will be green friendly using the following:

- Water saving faucets and toilets
- Maximize natural lighting with windows
- Use local products when possible for a smaller carbon footprint
- Use sustainable materials, such as renewable wood products, stone, natural granites
- Highly energy efficient with high R-Value insulation, high efficiency HAVC systems, energy star windows, energy efficient appliances, heat recovery ventilator, low energy lighting, programmable thermostats

Each house is a custom home, move-up home. The houses are 52 to 54 feet wide. The price range might be \$500,000 to \$800,000.

Commissioner Ferrington asked the type of house that would be built on Lot 7 given the yard restrictions. **Mr. Hanson** stated that the yard would be small, and the back area abutting the wetland would be natural. The attraction will be the view of the pond.

Commissioner McCool asked how the lot width of 75 feet compares to what Mr. Hanson has built in other communities. **Mr. Hanson** responded that he is finding that lots are becoming smaller. He noted a popular development, Copper Creek in Plymouth, has lots that are 52 feet wide.

Chair Doan asked if the property south of Lots 6 and 7 to the peninsula is owned by Hanson Builders. **Mr. Kinable** answered that property is approximately 10 acres and is under purchase agreement to be owned by Golden Valley Land Co. The intention is to retain ownership of Outlot A for possible future development. He added that Lots 6 and 7 are platted at an angle because Gramsie Pond and Island Lake are not considered meandered water and the lot line is platted under water, not the shoreline.

Mr. Tom Fishlove, 845 Gramsie, stated that his biggest concern is the lot widths and setbacks for the houses. They will be much closer to Gramsie Road than the houses across the road that have lot widths of 100 feet. He would like to see each lot at 100 feet in width with a setback further than what is being shown due to the housing density of the neighborhood. That will change the character of the neighborhood. He asked if the additional electrical service will mean taking poles down and putting in underground wire. He noted that TJB Homes is marketing Gramsie Woods. He asked the relationship between TJB, and Hanson Builders. At the open house for residents, the prices were estimated between \$450,000 and \$550,000. He asked for clarification from what was stated earlier.

Mr. Joe Lux, 770 Gramsie, expressed concern about the ghost plan noting that at this time it is not possible to access Outlot A without crossing wetland. The City's Comprehensive Plan specifically states that access cannot cross protected wetland. The ghost plat should be modified to meet standards in the City's Comprehensive Plan. Also, current zoning of the outlot is as a natural area. The four homes on the point are non-conforming for the land use. Without a Comprehensive Plan Amendment, this plan cannot be approved.

Ms. Mary O’Neil, 815 Gramsie Road, noted a letter from Jennifer Sorenson from the DNR. She has been trying to reach Erica Hoglund at the DNR to request an Environmental Assessment Worksheet because of the wildlife that lives in this area. There are endangered bats that live along I-694. Bigger homes than exist in the area are being proposed on smaller lots. In the past, there has been discussion about connecting Gramsie Road to Lexington. She asked if this is again being considered. The neighborhood had previously asked for a sound barrier and were told that the trees provide a natural sound barrier. Trees will be removed with this development and she would like to know how this will be addressed. A final question is the square footage of the finished homes.

Ms. Heidi Tan, daughter of Mr. Tan at 808 Randy, stated that the ghost plat is not part of the development application. They are appalled to see the layout with a street cutting through their property. No agreement has been reached on what is shown in the ghost plat. She does not understand the justification for a variance. Rather than 7 homes, 6 homes could be built that are in compliance. The need for 7 lots has not been proven. Although Hanson builds beautiful homes, they do not reflect the styles that exist in the neighborhood. They are overly sized for the lot size. The homes need to be designed with sensitivity to the style that exists in the neighborhood.

Mr. Mike Tunnel, 800 Gramsie, stated that character of the neighborhood is subjective. He does not agree with crossing the wetland. Character is a certain type of house, certain size house, certain size of lot. The variance is only requested because Outlot A is not being developed. Should development occur, the lots will no longer be key lots and the variance not necessary. If the development of Outlot A is unlikely, he does not understand why a variance would be granted.

MOTION: by Commissioner McCool, seconded by Commissioner Wolfe to close the public hearing.

VOTE:

Ayes - 6

Nays - 0

Commissioner Ferrington asked for clarification of the ownership of the property. Ms. Hill explained that the entire property is owned by the Reiling family and the two lots will be subdivided into 8 parcels--the development of 7 lots, Parcel A and Outlot A, Parcel B, which includes the peninsula into the lake.

Commissioner Peterson quoted from the Surface Water Management Plan that, “wetland buffers may be required by the City to meet the intent of the Surface Water Management Plan, a 16.5 foot buffer is the minimum necessary to protect surface water from adverse developmental impacts. Deviation from this requirement may be approved during the applicable land use approval, including but not limited to Site and Building Plan Review, Subdivision and Planned Unit Development (PUD).” He asked if this application is an opportunity for the City to require an increase to the wetland buffer. Ms. Castle agreed that this process could allow requiring additional buffer.

Commissioner Solomonson stated that one of the reasons given to justify the variance for the key lots is the potential development that would eliminate the key lots. He is not sure that can be assumed. He would like to see the lot widths increased.

Commissioner Ferrington stated that reducing the development to six lots would allow for the added 15 feet of width needed, 90 feet. This would address one of the concerns of neighbors that the lots come closer to approximating the size of other lots in the area. By developing 6 lots with 90-foot widths, there would be no need for a variance.

Commissioner McCool stated that the proposed lots meet Code for width. What is driving the issue of the key lots is depth. There is extra depth with the added 20 feet of right-of-way of Gramsie Road. The setback of 40 feet can be achieved. Increasing lot width to better match the neighborhood is not answering the key lot issue of depth. The width of Gramsie Road right-of-way is a unique circumstance to this application. The ghost plat has no meaning because at this time the developer is choosing to not develop that parcel. If the variance is not granted, the developer could apply for vacation of the right-of-way.

Chair Doan responded to questions from residents. **Mr. Knaeble** stated that TJB Homes was asked to help with marketing studies. That work has been completed and TJB Homes is no longer working on the project. He agreed that at the neighborhood meeting he stated the starting prices would be \$450,000 to \$550,000. The upper range is not known. It is recognized that at this time it would be difficult to develop the property shown on the ghost plat, but it was required as part of the application. Xcel Energy will be installing electrical service. The electrical design cannot be completed until the project is approved. It is not known whether the lines will be buried. He noted that if a 10-foot vacation were requested, the homes would actually be 10 feet closer to the street. It was felt that the variance request would be more appropriate than moving the homes closer to the street.

Mr. Hanson, builder, stated that the main floor footprint will range from 1400 to 1600 square feet. The homes will be two stories. The second story is a little larger as it extends over the garage.

Chair Doan asked the Planning Commission's jurisdiction regarding an EAW or sound barrier from I-694. Ms. Castle responded that the City's jurisdiction is specifically to land use of the subject site. The EAW process is under the jurisdiction of the Minnesota Pollution Control Agency (MPCA). This project of 15 acres with 7 new single-family homes does not meet the threshold to require an EAW. The sound barrier is an issue for the Department of Transportation. There are spaces in the community designated as urban, natural or park. Those areas are intended to preserve wildlife corridors. This property is held in private. It is not within the City's Comprehensive Plan or the County plan to make this property into a park. Although there are impacts, staff looks at what has been designated as appropriate zoning in the Comprehensive Plan, which is R1, Detached Residential.

Chair Doan asked the City's position regarding connecting Gramsie Road to Lexington through the tower site. Ms. Castle stated that an extension of Gramsie Road is not in the City's

Comprehensive Plan. When the tower property is eventually developed is when the issue of extending Gramsie will be considered.

Commissioner Solomonson stated that as he reads Section 205.80(D)(1)(f) in the Code, the added setback required to key lots applies to the depth. Ms. Hill referred to subdivision Section 204 which states that 15 feet more depth or width shall be required for key lots. Commissioner Solomonson asked for clarification as to which is required.

City Attorney Beck stated that the 40-foot rear setback is required when the key lot abuts a side lot line. The regulation Ms. Hill refers to is a matter of amount of width or depth. In this case, depth is the issue.

Commissioner Peterson stated that Gramsie Pond is a sensitive area with the water flowing back and forth between it and Island Lake when water is high as it is now. A 16.5-foot buffer does not adequately address the runoff from the 20-foot hill on Lot 7. He would recommend using the state standards of a 25-foot buffer. That would mean developing six lots, not seven. There is inconsistency between the DNR concern about the steep slope and the recommendation that more information be obtained from RCWD.

Commissioner Ferrington agreed with a 25-foot buffer because the vegetation on Lot 7 will be bulldozed and no longer offer Gramsie Pond protection from the hill. Ms. Hill responded by referencing page 4 of the RCWD application which acknowledges the boundary of the existing buffer to the wetland and states that there is no impact of this development to the wetland. Specifically RCWD states that, "A WCA notice of application was given on 7-20-2016, review file 16-028R, and the boundary was noticed and approved on 8-16-2016. There is no proposed impact to the wetland." RCWD is the local government unit governing this wetland. The DNR agrees with the RCWD requirement.

Commissioner McCool asked if impact to the wetland means actual encroachment into the wetland for construction or runoff from the development site. Ms. Castle responded that clarification can be obtained from RCWD.

Chair Doan asked for an explanation of Best Management Practices (BMPs) in regard to runoff. **Mr. Matt Pavik**, stated that he is the engineer who has worked on the runoff issues with RCWD. The wetland buffer will be whatever is recommended by RCWD. The BMP is a way to capture and treat storm water running off from a developed area prior to its discharge downstream. On this project a 16.5 buffer is proposed. It is his experience that is plenty of width for water treatment. Designs are being finalized with RCWD and he is confident everything will be approved to RCWD standards. The DNR has reviewed the plans and approves the 16.5 foot buffer. RCWD is in the process of review. No comments have been made about the buffer, but whatever is recommended will be done.

Commissioner Peterson asked how the water is prevented from draining downhill. **Mr. Pavik** explained that the 16.5-foot buffer is proposed in place of flow through a grassy area or rain garden. The off-site system treats runoff from existing homes and is oversized. There is an

infiltration area that will be added before runoff drains into the pond. This infiltration system is being added to make sure runoff from the development is addressed.

Commissioner Solomonson stated that he would like to table this matter in order to obtain more information from RCWD regarding Lots 6 and 7 because of the conflicting statements from the DNR and RCWD. He would prefer to see six lots developed rather than seven.

Commissioner McCool stated that he is prepared to vote in favor of this application at this meeting. The developer has to get a permit from RCWD before proceeding. It is not up to the Planning Commission to engineer water runoff. He trusts RCWD to address the issue.

Chair Doan referred to Section 209.065 of the Code that refers to the minimum requirement of the City's Surface Water Management Plan that requires a 16.5 foot buffer to address impact from development. He asked if deviation means a reduction as well as an increased buffer. City Attorney Beck stated that typically deviation means a reduction, but he does not know the intent of the Code as he was not with the City when this portion was adopted. Deviation can mean change which would mean either an increase or decrease.

Ms. Hill added that staff did consult with the City Engineer on this issue who stated that a 16.5-foot buffer would be consistent with similarly classified water bodies. No additional buffer was recommended.

MOTION: by Commissioner Solomonson, seconded by Commissioner Wolfe to table this matter for an extended review period of 180 days for additional information from RCWD as to whether an increased buffer is recommended.

Discussion:

Commissioner Ferrington stated that she would like more information. This is a good plan, but there are issues with the number of houses and the topography.

Commissioner Peterson supported the motion because the regulation is a minimum of 16.5 feet. An increased buffer would allow better flow of water to the intended source for treatment. Additional technical information is needed to make this decision.

Commissioner McCool opposed the motion because he does not believe it is usual for the Planning Commission to design a buffer system.

Chair Doan stated that the plan complies with City Code. While he understands the concerns, it is difficult as a Planning Commissioner to have codes in place and then arbitrarily reduce the number of lots. He is not sure vacating 10 feet of right-of-way to achieve compliance would mitigate impacts. It may push houses closer to the street and have more negative impacts for neighbors. Tabling will allow the process to resolve the issues discussed. He is in favor of the motion.

Commissioner McCool offered an amendment to the motion, seconded by Commissioner Peterson to extend the review period an additional 60 days. Commissioners Solomonson and Wolfe accepted the amendment.

VOTE ON THE AMENDMENT

Ayes - 6

Nays - 0

VOTE ON THE MOTION AS AMENDED

Ayes - 5

Nays - 1 (McCool)

Chair Doan called a break at 9:55 p.m. and reconvened the meeting at 10:00 p.m.

PUBLIC HEARING - COMPREHENSIVE PLAN AMENDMENT, REZONING, PRELIMINARY PLAT, PUD-DEVELOPMENT STAGE

FILE NO.: 2630-16-30
APPLICANT: ELEVAGE DEVELOPMENT GROUP LLC
LOCATION: 3527 RICE STREET

Presentation by City Planner Kathleen Castle

On April 18, 2016, the City Council approved a 5-story mixed use building with 134 apartments and 6,800 square feet of commercial space and 14 townhome units on this property. A total of 274 off-street parking stalls were provided.

The applicant seeks to incorporate the property at 3527 Rice Street (recently acquired) into the approved development. The parking plan is modified to increase surface parking and reduce the amount of underground parking originally proposed. Access shown off Rice Street would not be a full access drive but would be for emergency vehicles only. Access is off County Road E.

The preliminary plat would combine 3527 Rice Street as Lot 2 of the mixed use building site. The plat is consistent with the City's subdivision standards.

The Comprehensive Plan Amendment includes a change of land use for the property from low density residential to mixed use. Adjacent land uses are low density residential, commercial, mixed use and office/commercial. The mixed use designation is appropriate because of the proximity of this property to the approved development. PUD zoning is consistent with the approved zoning for the mixed use development. Using the property at 3527 for additional surface parking will not have an adverse impact on adjacent land owners. The parking setbacks exceed the City's minimum 20 feet from residential property. The setback at the north lot line is 24 feet; the setback at the west lot line is 34 feet.

When the plan was approved, a deviation in parking was allowed to reduce the required parking. The revised parking plan increases the number of surface stalls and reduces the number of

underground stalls. The underground parking complies with City standards for 134 stalls. The added surface parking will better address parking for commercial businesses and resident visitors.

A portion of storm water will drain toward Rice Street. Catch basins will be installed in the parking lot to direct storm water into the City's storm water infrastructure. A Ramsey Washington Metro Watershed District permit is required. Impervious surface coverage is limited to 70%. The proposal is 61.8%.

A legal notice was published for this public hearing and notices were sent to Rustic Place neighborhood residents and the City of Vadnais Heights. Comments received focused on questioning the need for additional parking, the impact to single-family homes, landscaping and screening, snow storage and not allowing on-street parking on Rustic Place. MN/DOT commented on the plat and permit requirements. The Lake Johanna Fire Department commented on the need for emergency vehicle access off Rice Street. Ramsey County requires that the Rice Street access is only for emergency vehicles and not a full access drive.

Staff believes the additional parking addresses parking concerns previously expressed for the mixed use development. The proposal is consistent with policies and criteria for the Comprehensive Plan Amendment, rezoning and PUD. Staff recommends that the Commission send a recommendation to the City Council for approval with the conditions listed in the staff report.

Commissioner Solomonson asked if underground parking is being reduced whether the original space planned for underground parking is going to be repurposed. Ms. Castle referred this question to the developer. Commissioner Solomonson asked how the emergency access off Rice Street would function. Ms. Castle responded that the design will look like a trail but would allow emergency access. Knockdown bollards will be in place to discourage vehicles.

Commissioner McCool asked if fencing is included. Ms. Castle stated that the fencing along the boundary with Rustic Place would be extended.

City Attorney Beck stated that proper notice has been provided for the public hearing.

Chair Doan opened the public hearing.

Mr. Michael Mergens, Elevage Development Group (EDG), stated that the former owners of this property, the Johnsons, were especially concerned about the impacts of the mixed use development to their property. Elevage then sought to purchase the Johnson property and seeks to incorporate it into the mixed use development. Building underground is very expensive. Every parking stall is \$25,000. Adding surface parking will save on construction costs and provide surface parking for customers and visitors. Surface parking is less impact to neighbors than new buildings. The property would be incorporated into the Development Agreement with the same terms and conditions as approved previously.

Ms. Marsha Figus, 3538 Rustic Place, stated she is speaking on behalf of neighbors. The neighbors would like the property at 3527 to remain residential. The plan presented was approved with enough parking. Neighbors would like to see this property remain as green space. Neighbors are pleased. The home at 3520 Rustic Place has to have a new retaining wall, and once that work is completed, residents would like the 6-foot perimeter fence installed immediately. The earlier plan showed snow to be stored on the north side of the town homes. Drainage from that could encroach on 3520. Water percolation into the soil is going to become impermeable with townshomes and asphalt. That goes into the drainage pond on Rustic Place. When Ramsey County widened County Road E and Rice Street, it was required to increase the surface area of the drainage pond. Does the increase of impermeable surface of 60,000 square feet from this development mean that the pond will be enlarged again? It is a concern as to where drainage will flow. A tree management plan was requested. When trees are cut on Rice Street, she wants to be sure they are handled properly so oak wilt does not spread. Minnesota Statute 16B.328 addresses light pollution. Light trespass is defined as light being where it is not needed or wanted. Light diffuses in spite of cones placed on the towers. The light towers need to be lowered, or there will be issues with light. She asked if the townhomes are only 713 square feet, even though they are two stories.

Ms. Susan O'Neil, 3530 Rustic Place, stated that she wants to be sure that loss of underground parking now does not mean that in the future there will be attempts to redevelop the property at 3527. There are concerns about lighting. She has concerns about how the retaining wall will be rebuilt. The Johnson property that was sold was her sister, and it was not sold at a premium price. It was at a competitive price. There is a rumor that Cory Burstad's uncle was on the Planning Commission. It is a rumor that is icky, if true. The neighborhood is anxious for the development and she thanked the Commission for its hard work. She corrected the rumor. Mr. Dave Kroona was on the Economic Development Commission, not the Planning Commission.

Ms. Jane Calvin, 3565 Rustic Place, stated that in regard to the apartments, they are not premium and upscale. She requested acknowledgement of the current blighted properties of Elevage. She called into question the experience, professionalism and integrity of this developer.

Ms. Anna Shaberg, 3775 Rustic Place, stated that the house on 3527 is beautiful with a beautiful yard and beautiful view. It will be lost for a gain of six parking stalls to save the developer money. The Planning Commission stated that the parking provided was adequate when the project was approved. The home should be sold to someone else.

Mr. Nathan Anderson, 3565 Rustic Place, asked the ability of the City to continue to convert properties to mixed use. It is his understanding that for the City to convert residential property to mixed use, there must be a benefit received. The original reason given was that the two properties were blighted. That was largely due to the fact that they are located in a targeted PUD area. By design, the properties were allowed to fall into disrepair for this development to come in with 100 units, which was said to be too many. Yet it was approved with 154 units. He does not believe the property at 3527 can be incorporated into mixed use without seeing a benefit returned to the City. Residents would like to see green space. He requested the Planning Commission to ask the developer to do something professionally. In Mr. Mergens' presentation

he repeated five times the amount of money to be saved with the expectation that this will be approved.

MOTION: by Commissioner Solomonson, seconded by Commissioner McCool to close the public hearing at 10:45 p.m.

VOTE: **Ayes - 6** **Nays - 0**

Commissioner Solomonson stated that he is concerned about reducing underground parking stalls to put them on the surface. One issue previously raised about the project is lack of green space. The trail now cuts through a parking lot rather than going around the perimeter. He does not see a parking lot as a good transition to residential use. The mixed use building was pushed to the south to keep it away from residents. Now there is a parking lot as far north as possible. There needs to be a 50- to 60-foot setback and 26 parking stalls eliminated. The trail should go around the perimeter. The underground stalls were at 195 and now reduced to 143. He would like to see them increased to about 171. The surface parking should be 109, not 137 proposed. The City is losing underground parking, losing green space and losing the trail.

Commissioner Ferrington agreed that green space was discussed over and over. She was disappointed to find out that the added property did not add green space. If underground parking is lost now, it will never be added in the future. The loss of 52 parking stalls at \$25,000 a stall is \$1.3 million. That is a lot of money, but it does not equal what the community is giving up. To be able to pave an area in the future if parking is needed is better than giving up underground parking now.

Commissioner McCool asked if the emergency access has to be as far north as it is, and would it be possible to move some of the parking by moving the access further south and create more green space to the north. **Mr. Mergens** stated that part of the reason for the emergency access is to meet the turn radius requirement. As for green space, the development is well below the limit for impervious surface coverage. Commissioner McCool stated that he prefers surface parking because it can be used by residents or customers while underground parking is only for residents. He does not want to see parking pushed onto neighborhood streets. In the first plan he was concerned about the setback to the Johnson property. The new setback to the closest house with this plan is much further. He agreed that the City would not want to give up underground spaces and then in the future have a request for redevelopment with a new building. The PUD does not allow the developer to put up another building without coming to the City for approval.

Commissioner Peterson stated that this proposal is not imaginative and does not provide any significant benefit to the City. Green space is not increased and lighting is closer to the property line. The only benefit is the increased distance to the nearest home.

Commissioner Wolfe stated that he liked the plan that was approved because it worked for everyone. More tar for surface parking will not look good in the future. Underground parking should remain at its current level because this is an investment in the future.

Commissioner Solomonson agreed with Commissioner Wolfe and added that he believes that better buffering and transition to the residential neighborhood can be done with this added property.

Chair Doan called a break for the tape to be changed. The meeting was immediately reconvened at 11:02 p.m.

Chair Doan asked if there is a lighting plan. Ms. Castle stated that a lighting plan is required with the final PUD submittal. The plan will show the foot candle patterns and information on the light fixtures. Lighting must be shielded, directed downward and cannot exceed .4 foot candles at a residential property line.

Mr. Mergens responded to the question of building a fence immediately. He stated that terms of construction are stipulated in the Development Agreement. There is a construction fence during construction. The privacy fence would be done at the end of the project. He requested a straight up vote and would not agree to table this matter.

Chair Doan also stated that there is not imagination and creativity with the addition of this lot. Additional surface parking as a buffer is not what he would have wanted to see. He would prefer to table the matter to see how more green space can be accommodated and have more information on lighting.

MOTION: by Commissioner Solomonson, seconded by Commissioner Wolfe to deny the requests submitted by Elevage Development Group, LLC/Elevage Shoreview Holdings, LLC (EDG) to redevelop the 3527 Rice Street and incorporate the parcel into the approved mixed use development on the adjacent properties at 157 County Road E, 185 County Road E, 3521 Rice Street and 3500 Rustic Place.

Discussion:

Commissioner McCool stated that his preference would be to table.

Commissioner Peterson asked if findings of fact are needed. Ms. Castle stated that findings are helpful to the City Council. Commissioner Peterson suggested the following:

1. The proposed redevelopment plan will not have a significant improvement in the planned land use of the property.
2. The amended parking plan reduces underground parking and increases surface parking for the mixed use development.

Commissioner Solomonson suggested the motion to deny without findings and Commissioners provide discussion on the reasons for denial.

Chair Doan expressed his preference to table the application to see an improved plan. If denied, the plan goes to the City Council as is. He will vote against denial.

TO: Planning Commission
FROM: Kathleen Castle, City Planner
DATE: September 22, 2016
SUBJECT: File No. 2590-15-33, Variance/Residential Design Review: Gusdal/Hagander, 3194 West Owasso Boulevard – Extension Request

INTRODUCTION

At the September 22, 2015 meeting, the Planning Commission approved a variance and residential design review request submitted by Jonathan Gusdal and Sonja Hagander for their property at 3194 West Owasso Boulevard. The applicant's are planning on demolishing the existing home and detached garage on the property and constructing a new home. The proposal required Residential Design Review since the lot is substandard to the minimum 100-foot lot width requirement for lakeshore lots. The proposal also required the following variances:

- 1) To reduce the minimum required setback from the Ordinary High Water (OHW) of Lake Owasso from 162.5' to approximately 105.4 feet for the proposed home and 97.6 feet for the proposed terrace/patio.
- 2) To increase the structure setback from West Owasso Boulevard right-of-way from 134.5' to approximately 175.5'.

EXTENSION REQUEST

The applications were approved with several conditions attached. Condition No. 2 stated the approval will expire after one year if a building permit has not been issued and work has not begun on the project. A building permit has not been issued nor has work begun on the construction project, therefore, the applicants are requesting these approvals be extended.

The applicants have indicated that they are in the process of preparing plans for the submittal of a building permit application. It is their expectation to apply for a permit within the next two weeks and begin construction within the next couple of months.

STAFF RECOMMENDATION

Staff is recommending the Planning Commission extend the approval 9 months to June 22, 2017. While the applicants intend to commence construction shortly, Staff is recommending a 9 month extension be granted to provide the applicant additional time in the event construction does not begin before the winter season. Resolution 15-86 has been revised to reflect this extension.

Attachments:

- 1) Resolution 15-86
- 2) Emails - Extension Request
- 3) Aerial Location Map
- 4) Motion

**EXTRACT OF MINUTES OF MEETING OF THE
PLANNING COMMISSION OF SHOREVIEW, MINNESOTA
HELD SEPTEMBER 27, 2016**

* * * * *

Pursuant to due call and notice thereof, a meeting of the Planning Commission of the City of Shoreview, Minnesota was duly called and held at the Shoreview City Hall in said City at 7:00 PM.

The following members were present:
And the following members were absent:

Member introduced the following resolution and moved its adoption.

**RESOLUTION NO. 15-86 FOR VARIANCES TO REDUCE THE SETBACK FROM
THE ORDINARY HIGH WATER OF LAKE OWASSO, AND TO INCREASE THE
FRONT SETBACK FOR A NEW HOUSE.**

WHEREAS, Jonathan Gusdal and Sonja Hagander, submitted a variance application for the following described property:

Lot 58, LAKE OWASSO HEIGHTS, RAMSEY COUNTY, MINNESOTA
(commonly known as 3194 West Owasso Boulevard)

WHEREAS, the Development Regulations establish a building setback range of 162.5 feet to 182.5 feet from the Ordinary High Water line (OHW) of Lake Owasso that is based on the setback of the homes on the adjacent lots; and

WHEREAS, the Gusdal/Hagander have requested a variance to place the home 105.4 feet from the OHW and the patio 97.6 feet from the OHW; and

WHEREAS, the Development Regulations establish a building setback range of 114.5 to 134.5 foot from the front property line that is based on the setback of the homes on the adjacent lots; and

WHEREAS, Gusdal/Hagander have requested a variance to place the proposed home 175.5 feet from the front property line; and

WHEREAS, the Shoreview Planning Commission is authorized by state law and the City of Shoreview Development Regulations to make final decisions on variance requests.

WHEREAS, on September 22, 2015, the Shoreview Planning Commission approved the variances upon the finding that practical difficulty is present and adopted the following findings of fact:

1. *Reasonable Manner.* *The property owner proposes to use the property in a reasonable manner not permitted by the Shoreview Development Regulations.* The proposal is consistent with the City's housing policies regarding housing and neighborhood reinvestment and life-cycle housing. The proposed location of the home is reasonable as it is aligned with the majority of homes along this portion of the lake, is placed in the same area of as the existing home, utilizing the level portion of the lot.
2. *Unique Circumstances.* *The plight of the property owner is due to circumstances unique to the property not created by the property owner.* Unique circumstances present include the topography of the lot and location of the adjoining homes. The property contains steep slopes which impact the potential location for a home. The proposed location of the home is on that part of the lot which is the least amount of grade change. The location of the house to the south, close to the street, affects the permitted setbacks for this lot. When the permitted setback range is applied, the buildable area encompasses steep slopes causing difficulties for the home construction. These are unique circumstances related to the property and not created by the property owner.
3. *Character of Neighborhood.* *The variance, if granted, will not alter the essential character of the neighborhood.* The proposed setback meets the spirit and intent of the ordinance and will not alter the character of the neighborhood, since other nearby dwellings on lakeshore are at similar setbacks from Lake Owasso.

WHEREAS, this approval expired on September 22, 2016 and Gusdal/Hagander have requested an extension to the expiration date; and

NOW, THEREFORE, BE IT RESOLVED BY THE SHOREVIEW PLANNING COMMISSION, granted a 9-month extension for the variance request for property described above, 3194 West Owasso Boulevard, 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 on June 22, 2017 if a building permit has not been issued and work has not begun on the project.
3. Impervious surface coverage shall not exceed 25% of the total lot area as a result of this project. Foundation area shall not exceed 18%.
4. Seven landmark trees will be removed as a result of the development, and eight replacement trees are required. A cash surety to guarantee the replacement trees 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. A final site grading, stormwater management and erosion control plan shall be submitted prior to the issuance of a building permit for the project. This plan shall include a phased, or sequenced, erosion control and stormwater management plan that details the methods that will be used during the phases of the project, and is subject to the approval of the City Engineer.
7. A permit from the Ramsey Washington Metro Watershed District shall be obtained, if required, prior to the issuance of a building permit.
8. A Mitigation Affidavit shall be executed prior to the issuance of a building permit for the new residence.
9. A building permit must be obtained before any construction activity begins.
10. This approval is subject to a 5-day appeal period.

The motion was duly seconded by Member and upon a vote being taken thereon, the following voted in favor thereof:

And the following voted against the same:

Adopted this 27th day of September, 2016

John Doan, Chair
Shoreview Planning Commission

ATTEST:

Kathleen Castle

ACCEPTANCE OF CONDITIONS:

Sonja Hagander, 3194 West Owasso Boulevard

Jonathan Gusdal, 3194 West Owasso Boulevard

STATE OF MINNESOTA)
)
COUNTY OF RAMSEY)
)
CITY OF SHOREVIEW)

I, the undersigned, being the duly qualified and acting Manager of the City of Shoreview of Ramsey County, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a meeting of said City of Shoreview Planning Commission held on the 22nd day of September, 2015 and 27th day of September, 2016 with the original thereof on file in my office and the same is a full, true and complete transcript therefrom insofar as the same relates to adopting Resolution 15-86.

WITNESS MY HAND officially as such Manager and the corporate seal of the City of Shoreview, Minnesota, this 27th day of September, 2016.

Terry C. Schwerm
City Manager

SEAL

Drafted by:
Kathleen Castle
City Planner – City of Shoreview
4600 N. Victoria Street
Shoreview, MN 55126
kcastle@shoreviewmn.gov
651-490-4682



Kathleen Castle <kcastle@shoreviewmn.gov>

RE: Building permit application - Gusdal

Jonathan Gusdal <jgusdal@usa.net>

Tue, Sep 20, 2016 at 8:47 PM

To: Kathleen Castle <kcastle@shoreviewmn.gov>

Cc: T A Alt <taalt@altusarch.com>, Roger Cummelin <rcummelin@altusarch.com>, Verus Builders <verusbuilters@gmail.com>

Hello, Kathleen;

I haven't received a response from you. We are still working on finalizing our application for a building permit, but would like to have a little more time while we work out some details, update the survey, etc. I believe our original deadline is Thursday, 9/22. Is it possible to have a short extension?

Warm regards,

Jonathan

[612-246-4930](tel:612-246-4930)

From: Jonathan Gusdal [mailto:jgusdal@usa.net]**Sent:** Tuesday, September 13, 2016 2:23 PM**To:** 'Kathleen Castle' <kcastle@shoreviewmn.gov>**Cc:** 'T A Alt' <taalt@altusarch.com>; 'Roger Cummelin' <rcummelin@altusarch.com>**Subject:** Building permit application - Gusdal

Hello, Kathleen;

We are finalizing our construction plans paperwork needed to submit our application for the building permit for 3194 W Owasso Blvd. Can you provide me details on the process and deadlines? Would it be possible to get a short extension of the deadline it becomes necessary?

Warm regards,

Jonathan

Jonathan Gusdal

[612-246-4930](tel:612-246-4930)



Kathleen Castle <kcastle@shoreviewmn.gov>

Gusdal house building permit application 3194 West Owasso Blvd

T A Alt <taalt@altusarch.com>

Wed, Sep 21, 2016 at 11:34 AM

To: Kathleen Castle <kcastle@shoreviewmn.gov>

Cc: Jonathan Gusdal <jgusdal@usa.net>, Roger Cummelin <rcummelin@altusarch.com>, Clayton Howatt <verusblders@gmail.com>

Dear Kathleen,

Regarding the requests from our client, Jonathan Gusdal for an extension of time to apply for their building permit - is that possible?

We are in the process of compiling our drawings today, and our contractor Verus Builders will be seeking an application as soon as possible.

We are awaiting the survey documents from our surveyor.

We recognize the urgency to provide all of the pertinent documents for the application relative to the approved variance. May we have a slight extension to complete this application? We greatly appreciate your understanding in this matter.

Please let us know if there is someone else we need to contact on this matter.

Best wishes,

T. A.

Timothy A. Alt, AIA, CID
Principal
ALTUS Architecture + Design
945 Broadway Street NE, Suite 240
Minneapolis, MN 55413
T 612-333-8095
www.altusarch.com



Kathleen Castle <kcastle@shoreviewmn.gov>

Gusdal house building permit application 3194 West Owasso Blvd

T A Alt <taalt@altusarch.com>

Wed, Sep 21, 2016 at 4:27 PM

To: Kathleen Castle <kcastle@shoreviewmn.gov>

Cc: Jonathan Gusdal <jgusdal@usa.net>, Roger Cummelin <rcummelin@altusarch.com>, Clayton Howatt <verusbuiders@gmail.com>

Thank you Kathleen,

Our expectation is to apply for the building permit within the next week to two weeks. The commencement of the construction will begin as soon as possible on the issuance of the building permit. Therefore, we hope and expect construction to begin within the next month to two months (as soon as we can).

Clayton, please clarify any of this information that yo may see fit.

Thank you for your consideration.

Best wishes,

T. A.

Timothy A. Alt, AIA, CID
Principal
ALTUS Architedture + Design
945 Broadway Street NE, Suite 240
Minneapolis, MN 55413
T 612-333-8095
www.altusarch.com

[Quoted text hidden]



Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries
- County Borders
- Airports

Notes

Residential Design Review/Variance

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
 THIS MAP IS NOT TO BE USED FOR NAVIGATION

PROPOSED MOTION

MOVED BY COMMISSION MEMBER: _____

SECONDED BY COMMISSION MEMBER: _____

To adopt amended Resolution 15-86 and approve a 9-month extension for the Residential Design Review and Variance approvals received by Jonathan Gusdal and Sonja Hagander for their property at 3194 West Owasso Boulevard. Conditions attached to the previous approval will remain in effect, with the exception of Condition No. 2 which has been modified to state:

2. This approval will expire on June 22, 2017 if a building permit has not been issued and work has not begun on the project.

VOTE:

AYES:

NAYS:

Regular Planning Commission Meeting
September 27, 2016

TO: Planning Commission
FROM: Niki Hill, AICP, Economic Development and Planning Associate
DATE: September 22, 2016
SUBJECT: Preliminary Plat (Major Subdivision), Rezoning and Variances, 0 Gramsie Rd, Golden Valley Land Co., File No. 2630-16-29

PREVIOUS PLANNING COMMISSION ACTIONS

The Planning Commission tabled the preliminary plat, rezoning and variance applications that were submitted by Golden Valley Land Co. so that they could further investigate the wetland buffer area. Planning Commissioners expressed concern about the buffer area and tabled the proposed plans so that Rice Creek Watershed District and the Minnesota Department of Natural Resources could have a chance to further review the site and see if any additional buffer area was warranted. This memo serves as a follow-up to the buffer discussion as well as an update on Outlot A of the development. The original application analysis and findings are in the memo to the Planning Commission on August 25th and will be included as an attachment.

PUBLIC/AGENCY COMMENT

City of Shoreview

The City Engineer, Tom Wesolowski, submitted comments regarding the wetland buffer area. He stated that based on the City's Surface Water Management Plan (SWMP), Gramsie Pond is a combination of a Type 3 - Shallow Marsh, Type 4 - Deep Marsh, and Type 5 - Shallow Open Water, depending on the location. The wetland classification is not protected, but high management, which means it is moderate to high quality basin that receives some direct stormwater runoff. It also has a water body classification as a Category IV and V, which is a storm pond classification and meant for nutrient and sediment removal.

Gramsie pond is natural body of water and not a man made storm pond, which is typical of most storm ponds in the City. During development of the City, stormwater was directed to low areas and wetlands and used as storm ponds.

As per the Storm Water Management Plan, buffers are encouraged for wetland and storm ponds and the proposed buffer width of 16.5' feet would be consistent with buffers around similarly classified water bodies.

Department of Natural Resources

Staff at the Department of Natural Resources (DNR) submitted comments regarding the proposed development in an initial memo. They recommend signs along the 16.5 ft wetland buffer area, have concerns about the removal of trees in the shoreland district,

and requested that the final plat be able to meet the shoreland standards for percent impervious and for development on steep slopes.

The DNR did submit a follow-up e-mail to their original letter. The follow-up clarified that as a condition of this preliminary plat, MNDNR recommends that the approval be made on the condition that the final plat will be able to meet the City's shoreland standards for percent impervious. Staff did not realize that there are different standards for riparian and non-riparian lots within the City's shoreland ordinance.

When reviewing the preliminary plat, it was unclear to her which areas have steep slopes and which have bluffs. Staff made a recommendation that areas of steep slope and areas of bluff be shown on the development submittal so it is clear where these areas are within the proposed plat.

Lastly, regarding the width of the wetland buffer. Under the state shoreland rules, there are no standards for buffer widths from wetlands that do not have a DNR shoreland classification. MNDNR appreciates the City is applying their 16.5 required buffer width to Gramsie Pond. Buffers of vegetation around water bodies provide wildlife habitat, protect water quality, help to stabilize shorelines, and provide vegetation screening.

Rice Creek

Rice Creek Watershed District followed up to the request for information on whether or not they require a buffer with an e-mail. The e-mail stated that Rice Creek Watershed District does not have any wetland/buffer setback requirements for wetlands. Buffers only come into play with a proposal of on-site mitigation.

OUTLOT A

With the amount of concern that residents have had regarding the ghost plat and the future development of Outlot A, the applicants have inquired as to whether or not the City of Shoreview would be interested in taking ownership over that area. The City staff has had preliminary discussions with the property owners and may be open to accepting the land. It has yet to be determined whether it would be in lieu of the park dedication fee or if it would be a land donation. This would be finalized at the Final Plat stage.

If the City takes ownership, the land would remain in its current state. Further research is needed to analyze any potential use of the property due to the challenging access problems. The City would not change the Comprehensive Plan guidelines nor impose any restrictions on the lot at this time.

RECOMMENDATION

Staff has reviewed the proposal in accordance with the preliminary plat requirements and rezoning requirements. The preliminary plat generally complies with the City's R1,

Detached Residential zoning district and subdivision standards. The Rezoning is consistent with the rezoning criteria. Staff is able to make affirmative findings for the requested variances to reduce the extra key lot requirement of the five Key Lots (Lots 1-5), and so recommend the Commission adopt Resolution 16-79 approving the variance waiving the key lot requirement and recommend approval of the preliminary plat and rezoning to the City Council, subject to the following conditions.

Rezoning

1. A Development Agreement must be executed prior to the City's issuance of any permits for rezoning.
2. Rezoning is not effective until approvals are received for the Final Plat, the development agreements executed.
3. This approval rezones the property from UND, Urban Underdeveloped to R1, Detached Residential.

Preliminary Plat

1. The approval permits the development of a detached residential subdivision providing 7 lots for single family residential development and 1 outlot for future development.
2. Final grading, drainage and erosion control plans are subject to the review and approval by the Public Works Director prior to approval of any permits or the Final Plat. Concerns identified by the City Engineer shall be addressed with the Final Plat submittal.
3. Final utility plans are subject to review and approval by the Public Works Director.
4. Comments identified in the memo dated August 23, 2016 from the City Engineer shall be addressed with the Final Plat submittal.
5. A Development Agreement, Erosion Control Agreement shall be executed and related securities submitted prior to any work commencing on the site. A Grading Permit is required prior to commencing work on the site.
6. A Public Recreation Use Dedication fee and/or Land Dedication shall be submitted as required by ordinance prior to release of the Final Plat.
7. The landscape/tree-replanting plan shall be provided in accordance with the City's Tree Protection Ordinance. Trees on the property, which are to remain, shall be protected with construction fencing placed at the tree driplines prior to grading

and excavating. Said plan shall be submitted for review and approval by the City Planner prior to submittal of the final plat application.

8. The Final Plat shall include drainage and utility easements along all property lines. Drainage and utility easements along the roadways shall be 10 feet wide and 5 feet wide along the side and rear lot lines. Other drainage and utility easements shall be provided over the proposed bio-filtration area, future public infrastructure and as required by the Public Works Director.
9. The developer shall secure a permit from the Rice Creek Watershed District prior to commencing any grading on the property.
10. The plan submittal for the Final Plat shall identify areas that are classified as steep slopes and bluffs on Lots 1-7.

VariANCES

1. This approval is subject to approval of the Preliminary Plat application by the City Council.
2. A minimum setback of 40-feet from the South (rear) lot line is required for the principal and accessory structures developed on Lots 1-5.
3. This approval will expire after one year if the subdivision has not been recorded with Ramsey County.
4. This approval is subject to a 5-day appeal period.

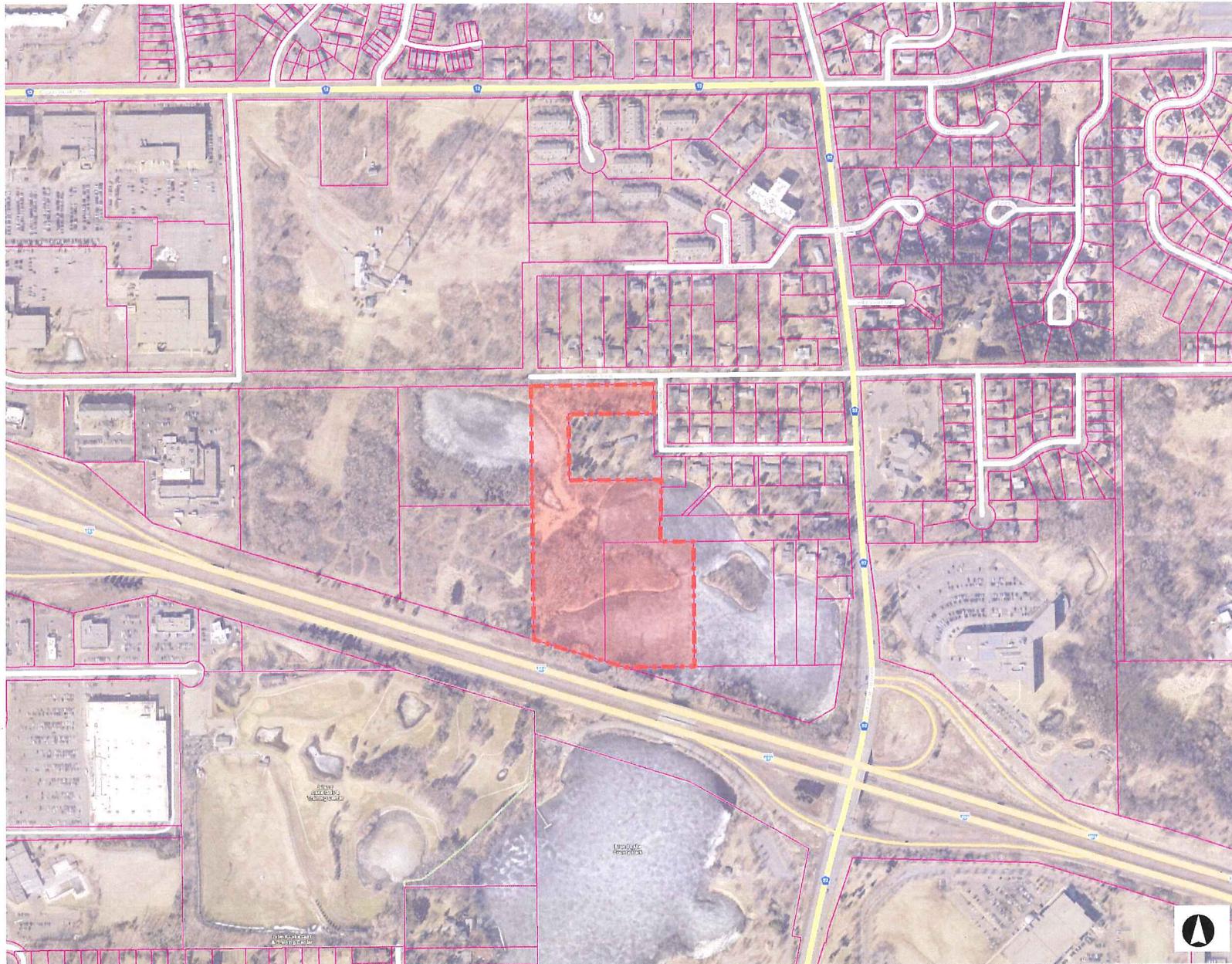
Attachments:

1. Location map
2. Comments
 - a. Tom Wesolowski, City Engineer
 - b. Jenifer Sorensen, Minnesota Department of Natural Resources
 - c. Nick Tomczik, Rice Creek Watershed District
3. Planning Commission Memo 8-25-2016
4. Comprehensive Plan – Policy Development Area 13
5. Submitted plans and applicant's statements
6. Comments
 - a. Tom Wesolowski, City Engineer
 - b. Jenifer Sorensen, Minnesota Department of Natural Resources
 - c. Samantha Berger, Rice Creek Watershed District
 - d. Resident comments
7. Resolution 16-79
8. Motion

Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries



Notes

Enter Map Description

1,333.3 0 666.67 1,333.3 Feet



Nicole Hill <nhill@shoreviewmn.gov>

Gramsie Road proposal

Tom Wesolowski <twesolowski@shoreviewmn.gov>

Tue, Aug 30, 2016 at 2:53 PM

To: Kathleen Castle <kcastle@shoreviewmn.gov>, Nicole Hill <NHill@shoreviewmn.gov>

In response to Kent's comments and questions.

Based on the City's Surface Water Management Plan (SWMP), Gramsie Pond is a combination of a Type 3 - Shallow Marsh, Type 4 - Deep Marsh, and Type 5 - Shallow Open Water, depending on the location. The wetland classification is not a protected wetland, but a high management, which means it is moderate to high quality basin that receives some direct stormwater runoff. It also has a water body classification as a Category IV and V, which is a storm pond classification and meant for nutrient and sediment removal.

Gramsie pond is natural body of water and not a man made storm pond, which is typical of most storm ponds in the City. During development of the City, stormwater was directed to low areas and wetlands and the areas were converted to storm ponds. Do not know why it is not considered as part of Island Lake. Most likely it is because at a normal water level it is a separate water body and only connects to the lake when the level is high.

As per the SWMP, buffers are encouraged for wetland and storm ponds and the proposed buffer width of 16.5' feet would be consistent with buffers around similarly classified water bodies.

Let me know if you have any questions.

Thank you, Tom

Tom Wesolowski, P.E. | City Engineer

City of Shoreview

4600 Victoria St. N.

Shoreview, MN 55126

twesolowski@shoreviewmn.gov

Direct Tel: 651-490-4652

Fax: 651-490-4696

On Mon, Aug 29, 2016 at 4:43 PM, Kathleen Castle <kcastle@shoreviewmn.gov> wrote:

Lets talk tomorrow with Niki.

Kathleen Castle

City Planner

City of Shoreview

651-490-4682

kcastle@shoreviewmn.gov

[Quoted text hidden]



Nicole Hill <nhill@shoreviewmn.gov>

City of Shoreview - Proposed Subdivision

Sorensen, Jenifer (DNR) <jenifer.sorensen@state.mn.us>
To: Niki Hill <nhill@shoreviewmn.gov>

Tue, Sep 20, 2016 at 1:54 PM

Niki –

As a follow up to MNDNR's 8/25/16 comment letter sent regarding the Gramsie Woods Preliminary Plat, please include the following notes with the letter:

- As a condition of this preliminary plat, MNDNR recommends that the approval be made on the condition that the final plat will be able to meet the City's shoreland standards for percent impervious. (I had included 30% as the standard for all lots in the shoreland district, but I now realize that there are different standards for riparian and non-riparian lots within the City's shoreland ordinance).
- When reviewing the preliminary plat, it was unclear to me which areas have steep slopes and which have bluffs. MNDNR recommends that areas of steep slope and areas of bluff be shown on the plat so it is clear where these areas are within the proposed plat.
- Regarding the width of the wetland buffer:
 - Under the state shoreland rules, there are no standards for buffer widths from wetlands that do not have a DNR shoreland classification. This City standard is under section 209.065 of the City's code (under surface water management). This code states that a wetland buffer may be required by the City to meet the intent of the SWMP and that a 16.5 foot buffer width is the minimum necessary to protect surface water wetlands from adverse development impacts.
 - MNDNR appreciates that the City is applying this buffer requirement to Gramsie Pond (public water wetland 62021800). Buffers of vegetation around water bodies (lakes, streams, and wetlands) provide wildlife habitat, protect water quality, help to stabilize shorelines, and provide vegetation screening.
 - MNDNR won't comment directly on whether this specific buffer width (16.5 feet) is adequate since the requirement doesn't fall under state shoreland rules. As a comparison, though, under state shoreland rules, the shore impact zone (SIZ), where activities adjacent to the lake are restricted from development, is one-half the structure setback, and varies from 37.5 to 75 feet (depending on a lake or wetland's shoreland classification).

Please let me know if you would like to discuss these comments further –

Jen



Nicole Hill <nhill@shoreviewmn.gov>

FW: RCWD - Gramise Woods

3 messages

Matt Pavek <Mpavek@civilsitegroup.com>

Tue, Sep 6, 2016 at 9:26 AM

To: Niki Hill <nhill@shoreviewmn.gov>, Peter Knaeble <peterknaeble@gmail.com>, Tom Wesolowski <twesolowski@shoreviewmn.gov>

Niki,

Please see email below from watershed regarding wetland buffers.

Thanks!

MATT PAVEK | Civil Engineer/Partner | mpavek@civilsitegroup.com

Civil Site Group Inc | o. 612.615.0060 | m. 763.213.3944

4931 W. 35th St, Suite 200 | St. Louis Park, MN 55416

Visit us at: www.civilsitegroup.com

From: Nicholas Tomczik [mailto:ntomczik@ricecreek.org]

Sent: Tuesday, September 6, 2016 9:08 AM

To: Matt Pavek <Mpavek@civilsitegroup.com>

Cc: Emmy Baskerville <ebaskerville@houstoneng.com>; Kathleen Castle <kcastle@shoreviewmn.gov>

Subject: RCWD - Gramise Woods

Matt,

You inquired on RCWD "wetland buffer requirements". In response, in the City of Shoreview, the RCWD does not have any wetland buffer / setback requirements for wetlands. (Buffers would only come into play with a proposal of on-site mitigation.)

Nick Tomczik

Permit Coordinator/Wetland Specialist

Rice Creek Watershed District

4325 Pheasant Ridge Dr. NE, #611

Blaine, MN 55449-4539

Jenifer Sorensen, PE, PhD – East Metro Area Hydrologist (Ramsey and Washington Counties)

MN DNR, Division of Ecological and Water Resources | 1200 Warner Rd | St Paul, MN 55106

(651) 259-5754 | jenifer.sorensen@state.mn.us

From: Niki Hill [<mailto:nhill@shoreviewmn.gov>]

Sent: Thursday, September 15, 2016 11:36 AM

[Quoted text hidden]

[Quoted text hidden]

TO: Planning Commission
FROM: Niki Hill, AICP, Economic Development and Planning Associate
DATE: August 25, 2016
SUBJECT: Preliminary Plat (Major Subdivision), Rezoning and Variances, 0 Gramsie Rd, Golden Valley Land Co., File No. 2630-16-29

INTRODUCTION AND SITE CHARACTERISTICS

Golden Valley Land Co. submitted a preliminary plat (Major Subdivision), rezoning and variance applications to develop 15.57 acres of vacant land for single-family residential lots. The property is located north of Interstate – 694, west of Victoria Street, south of Gramsie Rd., and to the east of the tower properties and currently zoned UND – Urban-Undeveloped. Access to the property is currently from Gramsie Rd.

Golden Valley Land Co. proposes to subdivide and develop the property at 0 Gramsie Rd into 7 lots for single-family detached homes and 1 outlot for future subdivision. This proposal requires the following approvals:

- 1) Rezoning – Rezone the seven single family lots proposed along Gramsie Road from UND, Urban Underdeveloped to R1-Detached Residential. The proposed outlot will remain UND..
- 2) Preliminary Plat – to divide the property for single-family residential use
- 3) Variance – To waive the key lot standards for the key lot standards for the 5 of the proposed lots

The application was complete August 3, 2016.

PREVIOUS CITY ACTIONS

The property had a proposed 20 lot subdivision application submitted in 1975 as part of Planning Commission Case number 484-75-36. The proposed Plat included a public roadway along the east side of Gramsie Pond, abutting the west side of the Tan property at 808 Gramsie Road. After failing to receive permits for filling in a significant portion of the, pond, and Island Lake area, the applicant proposed to plat only the northern 5 lots located on the south side of Gramsie Road. Based on the Development Code at the time and the inclusion of a proposed road right of way permitting future access to the southern portion of the property, the lots were denied. The minimum lot size requirements at the time were larger than what our current development code requires.

PROJECT DESCRIPTION

The applicant proposes to plat the two properties into 8 lots. The proposal requires rezoning the 7 single-family residential lots along Gramsie Rd to R1- Detached Residential and the larger outlot to the south would remain zoned UND – Urban

Undeveloped as no development is being proposed at this time. Five of the proposed lots – Lots 1-5 – are classified as Key Lots because their rear line abuts the side lot line of 808 Randy Avenue to the south.

Access to the proposed residential lots would come off of Gramsie Road. Stormwater for this project will be treated with an infiltration/filtration basin in the undeveloped Gramsie Road right of way to the north and west of the development. The seven new homes will utilize the existing sanitary sewer and watermain on Gramsie Road.

STAFF REVIEW

REZONING

The property is currently zoned UND, Urban Underdeveloped which serves as a temporary holding zone for underdeveloped or undeveloped properties, and existing uses are allowed to continue. When a change in use is proposed, a rezoning to the appropriate district is required. In this case, the applicant is seeking approval to rezone a portion of the property from UND, Urban Underdeveloped to R1, Detached Residential. In Staff's opinion, the proposal is consistent with the rezoning criteria:

- 1) That the proposed rezoning is consistent with the policies of the Comprehensive Guide Plan and with the general purpose and intent of the development regulations*

As part of Chapter 4 of the Comprehensive Guide Plan - Land Use; Policy Development Area 13 is specifically addresses the Tan (808 Randy Avenue)/Reiling Properties. It states all of the Tan property and the northern 500 feet of the Reiling property (adjoining the Tan property on three sides) make up an area that is planned for RL, Low-Density Residential use because this area is a continuation of the single-family dwelling neighborhood to the north and east.

The RL designation identifies those areas designated for continued or future use as residential, with a density range of up to four units per acre. In undeveloped or underdeveloped areas, a development density and lot pattern similar to that found in existing neighborhoods is expected.

The submitted development plan is consistent with the RL land use designation with respect to the proposed density of 3.8 units per acre. Staff calculated this density using only the 1.85 acre area to be rezoned. The low density does reduce impacts on the natural environment, but there will be wetland impacts as discussed below. Further, the development pattern is similar to the adjoining residential development on Gramsie Road.

- 2) That the development facilitated by the rezoning will not significantly and adversely impact the planned use of the surrounding property. When the property being considered for rezoning from UND, the most restrictive zoning district option*

permitted by the Planned Land Use designation is considered the baseline for determining significant adverse impact.

The proposed development is low-density single family as are the lots to the north and the east. The R-1 zoning district designation is consistent with the designated RL land use. The proposed zoning is also consistent with the R-1 zoning of the nearby single-family residential neighborhood. The development of this property will not have a significant or adverse impact on the established residential use.

The property immediately to the west is zoned T, Tower and developed with the television broadcast towers. It is the City's understanding that the tower facilities will remain on this property for the foreseeable future. The proposed development does not have an impact on these properties.

3) *The developer is willing to enter into a rezoning/development agreement with the City.*

As a condition of approval, the developer will be required to enter into a development agreement with the City.

PRELIMINARY PLAT

The preliminary plat was reviewed in accordance with the City's standards for subdivisions (Section 204), and the R1(Section 205.080). The following outlines some of the features of the proposed subdivision.

Street Network/Traffic. Access to the parcels will be from Gramsie Road. Gramsie Road is an existing improved local road which conveys traffic to Victoria Street – a B Minor Street. These roads have the capacity to accommodate the approximate 70 trips per day traffic from this proposed development.

Lot Layout. The proposed parcels comply with the minimum lot standards of the R-1 zoning district. The non-riparian lots are required to have a minimum width of 75-feet, a minimum depth of 125-feet, and a minimum area of 10,000 square feet (Section 205.082 D.1.f).

Five of the proposed parcels (Lots 1-5) are Key Lots. A Key Lot is any lot, the rear of which abuts the side lot line of an adjoining lot, or any lot, the side lot line of which abuts the rear lot line. These types of parcels are discouraged, however, when they are developed, additional setback restrictions are imposed to minimize the development impacts on the adjacent property (Section 204.030 C.9). Further, these are required to have an additional lot depth or width required (Section 205.080 D.1.f) which they do not. The building pads shown for these parcels would comply with the 40-foot structure setback requirement for Key Lots. The applicant has requested a variance to reduce the depth for these lots to the proposed 130.00 -foot depth shown.

Stormwater Management. The existing drainage pattern generally flows to the wetland area and Gramsie Pond off site to the south west. The proposed stormwater management plan has been designed to comply with Shoreview and Ramsey Washington Metro Watershed standards for stormwater quality, quantity, best management, and erosion control practices. Stormwater for this project will be treated with an infiltration/filtration basin (rain-garden) designed to exceed the standards of both the City of Shoreview and the Rice Creek Watershed District. The location in the right of way area, west of the terminus of Gramsie Road is the preferred location by City Staff. Staff prefers this location due to the Gramsie Road right of way not being developed for the foreseeable future and it will allow the City to better maintain the basin.

The proposed stormwater plan does comply with the City's standards. Comments from the City Engineer are attached.

Density. The Comprehensive Plan designates this property as Low-Density Residential (RL), where a development density of zero to four units per acre is allowed. The proposed 3.81 units per acre density on the 1.85 acres proposed for development complies with the Comprehensive Plan.

Tree Preservation and Landscaping. The property contains both open and wooded areas. Of the 55 trees surveyed, 17 were designated as landmark trees on the site. The preliminary grading plan identifies that 1 of these will be removed and 16 landmarks retained.

Tree removal, tree protection, and replacement plans are required with the final grading plan. Replacement trees are required at a rate of 6 replacement trees for each landmark tree removed (Section 209.050 B.2.C.i.bb). (Since no public road is proposed, I believe the ratio is 3 to 1.)

Outlot A. The City has concerns regarding the future development of Outlot A. Staff recognizes that the proposed ghost plat access from the north may be limited due to the need to cross to protected wetland areas. Any crossing at this location would need to meet Wetland Conservation Act rules, public water rules and would require a public waters permit. Staff would recommend that the applicant study the feasibility of accessing the peninsula property from the north. In addition, staff would encourage the applicant to look at the possibility of future access to the property from the west or a preservation of the area due the limited access.

VARIANCE

When considering a variance request, the Commission must determine whether the ordinance causes the property owner practical difficulty and find that granting the variance is in keeping with the spirit and intent of the Development Code and in harmony

with the policies of the Comprehensive Plan. Practical difficulty is defined (Section 203.070 C.2) 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.

Affirmative findings for all of the review criteria are required in order to approve a variance.

Request to Waive Key Lot Requirements

Applicant Statement

The applicant is requesting that the City waive the Key Lot requirement of 15' wider or deeper than the zoning district standards. The applicant states that when the property to the south develops, per the submitted future Ghost Plat, these five lots will abut the future rear lot lines, and will therefore not be classified as "key lots." Additionally the 80' right of way area of Gramsie Road is 20 feet wider than a standard 60 foot right of way seen on local streets in Shoreview. If they were to request a vacation of the 10 feet abutting the proposed subdivision, the lots would comply with the key lot requirement. Those two combined make this a unique circumstance.

Staff Review

The applicant states that the proposed lots comply with all of the City requirements for R1-Detached Residential Lots, with the exception of the key lot requirements.

Reasonable Manner – Staff finds that the proposed use is in a reasonable manner not permitted by Shoreview Development Regulations. The proposed construction of a seven lot single family home subdivision meets the standard R1 Single Family Detached zoning regulations lot size and width requirements and is a reasonable use of the property.

Unique Circumstances –Staff is receptive to the larger, developable lot to the south and can see a need for the variance. The intent of the Key Lot Requirements is to mitigate the impact on those lots who abut the side/rear lot lines of a key lot. In this case the existing home is greater than 150' feet from the existing rear lot line. In addition, any future development would change the lots from key lots to standard lots as the rear lot lines would be abutting. Requiring additional width or depth would not serve a purpose to mitigate as there would be little to no impact on the Tan property.

Additionally, City Staff does agree that the right of way area is larger than a standard City lot. Gramsie Road was originally a County road which was given back to the City of Shoreview – which is why the width is 80 feet. Staff concurs that the right of way is larger than a standard city street.

Character of the Neighborhood – Staff believes that approving the variance would not alter the essential character of the neighborhood. The proposed subdivision would meet the required subdivision standards of an R1- Detached Residential District. This is the same zoning as the surrounding neighborhood so the character of the neighborhood would not be altered.

PUBLIC/AGENCY COMMENT

Notice of the Public Hearing was published in the City’s legal newspapers. Notice was mailed to property owners within 350 feet of the property boundary for both meetings. Eight comments have submitted in response to the notice preceding the meeting and are attached. The comments express concerns that include reduced lot width, environmental impact on nearby wetland and wildlife, increased traffic on Gramsie Road, interstate traffic noise, utilities, stormwater and altering the character of the neighborhood.

Staff at the Department of Natural Resources (DNR) submitted comments regarding the proposed development. They recommend signs along the 16.5 ft wetland buffer area, have concerns about the removal of trees in the shoreland district, and that the final plat be able to meet the shoreland standards for percent impervious and for development on steep slopes.

The DNR also had comments on the ghost plat for development of the south part of the parcel. They are concerned about the road crossing where Gramsie Pond flows into Island Lake. They cite that the road is almost entirely within the 50 ft OHW setback from Island Lake, is adjacent to the shoreline of Island Lake and would be located within the boundary of Gramsie Pond. In addition to two public waters at this location, the floodplain boundary within Island Lake extends into where the road would be located and there are likely Wetland Conservation Act (WCA) regulated wetlands at this location. See attached statement.

Rice Creek Watershed District did not fully review the plans at this time but stated the applicant has applied for a permit. The applicant will be responsible for complying with all Watershed District Rules.

Staff at Ramsey County Parks commented that they would not have interest in the outlot for a future park at this time. It would be essentially landlocked with little options for recreational activity. If the tower property to the west were to be available, then it may make sense for a County Park as long as there were options for access.

RECOMMENDATION

Staff has reviewed the proposal in accordance with the preliminary plat requirements and rezoning requirements. The preliminary plat generally complies with the City's R1, Detached Residential zoning district and subdivision standards. The Rezoning is consistent with the rezoning criteria. Staff is able to make affirmative findings for the requested variances to reduce the extra key lot requirement of the five Key Lots (Lots 1-5), and so recommend the Commission adopt Resolution 16-79 approving the variance waiving the key lot requirement and recommend approval of the preliminary plat and rezoning to the City Council, subject to the following conditions.

Rezoning

1. A Development Agreement must be executed prior to the City's issuance of any permits for rezoning.
2. Rezoning is not effective until approvals are received for the Final Plat, the development agreements executed.
3. This approval rezones the property from UND, Urban Underdeveloped to R1, Detached Residential.

Preliminary Plat

1. The approval permits the development of a detached residential subdivision providing 7 lots for single family residential development and 1 outlot for future development.
2. Final grading, drainage and erosion control plans are subject to the review and approval by the Public Works Director prior to approval of any permits or the Final Plat. Concerns identified by the City Engineer shall be addressed with the Final Plat submittal.
3. Final utility plans are subject to review and approval by the Public Works Director.
4. Comments identified in the memo dated August 23, 2016 from the City Engineer shall be addressed with the Final Plat submittal.
5. A Development Agreement, Erosion Control Agreement shall be executed and related securities submitted prior to any work commencing on the site. A Grading Permit is required prior to commencing work on the site.

6. A Public Recreation Use Dedication fee shall be submitted as required by ordinance prior to release of the Final Plat.
7. The landscape/tree-replanting plan shall be provided in accordance with the City's Tree Protection Ordinance. Trees on the property, which are to remain, shall be protected with construction fencing placed at the tree driplines prior to grading and excavating. Said plan shall be submitted for review and approval by the City Planner prior to submittal of the final plat application.
8. The Final Plat shall include drainage and utility easements along all property lines. Drainage and utility easements along the roadways shall be 10 feet wide and 5 feet wide along the side and rear lot lines. Other drainage and utility easements shall be provided over the proposed bio-filtration area, future public infrastructure and as required by the Public Works Director.
9. The developer shall secure a permit from the Rice Creek Watershed District prior to commencing any grading on the property.

Variances

1. This approval is subject to approval of the Preliminary Plat application by the City Council.
2. A minimum setback of 40-feet from the South (rear) lot line is required for the principal and accessory structures developed on Lots 1-5.
3. This approval will expire after one year if the subdivision has not been recorded with Ramsey County.
4. This approval is subject to a 5-day appeal period.

Attachments:

1. Location map
2. Comprehensive Plan – Policy Development Area 13
3. Submitted plans and applicant's statements
4. Comments
 - a. Tom Wesolowski, City Engineer
 - b. Jenifer Sorensen, Minnesota Department of Natural Resources
 - c. Samantha Berger, Rice Creek Watershed District
 - d. Resident comments
5. Resolution 16-79
6. Motion

compatible with nearby residential areas is desired. Traffic concerns must be addressed to ensure compatibility with the adjoining residential land uses.

The multi-designations T, Tower, BPK, Business Park, RM, Medium Density Residential and RL, Low-Density Residential is established for the 170-foot by 597-foot Telefarm property located north of Crystal Avenue. Low-density residential is the desired use if the tower use ceases, however, medium density residential may also be suitable due the property's location adjacent to medium and high-density residential developments. The redevelopment of this area should take into consideration the impact on existing residential neighborhoods, the site's natural features and the road network. The guy wires must be removed before any portion of the property is used for residential purposes.

13. Tan (808 Randy Avenue)/Reiling Properties

This site includes the property at 808 Randy Avenue and the Reiling property located east of the Telefarm property (960 County Road F) and west of Island Lake.

Tan Property/North Reiling Property. All of the Tan property and the northern 500 feet of the Reiling property (adjoining the Tan property on three sides) make up an area that is planned for RL, Low-density residential use because this area is a continuation of the single-family dwelling neighborhood to the north and east.

Reiling Property West Of Island Lake. The City believes that the highest and best use of this property consists of high-amenity O, Office and/or BPK, Business Park uses.

Policies

Tan Property/North Reiling Property. A conventional single-family dwelling lot pattern is desired south of Gramsie Road compatible with the existing dwellings north of that street. A unified development scheme is desired for the remainder of these properties. Cluster development, via a planned unit development, may be considered to maximize setbacks from wetland areas and from the non-residential uses planned to the south and southwest, provided the proposal is compatible in building mass and style with the nearby single-family dwellings. Such development assumes that the existing dwelling at 808 Randy Avenue would be removed.

Reiling Property West Of Island Lake. The City's planned use is for this area to be developed as part of a unified business park development scheme with the tower property. It would be preferable for this property to be accessed from the west to avoid the need to disturb the wetlands in this area and intrude upon a residential neighborhood.

However, the City acknowledges that this property may be effectively landlocked, as presently designated, if the tower property does not redevelop or if access cannot be otherwise gained through the tower property. Therefore, when a development plan is submitted for the properties to the north, the City may consider changing the land use designation to residential for this property, if the owner wishes to gain access from the north.

If access is proposed from the north, the owner must demonstrate that: 1) the access route will not cross protected wetlands; 2) any required wetland mitigation can be accomplished; and 3) this property will be included in the development plans for the abutting property to the north of Gramsie Road.

14. United Tower Property

This 51-acre property overlooks the Grass Lake open space. Although the United Television Tower is likely to remain for some years, there is an opportunity for a corporate headquarters and comparable facilities on this site.

Policies

The designation of this parcel is O/BPK/T/ROS/RL, Office/Business Park/Tower/Recreation Open Space/Low Density Residential. The northern portion of the site is suitable for low-density residential development because it is adjacent to existing single-family residential neighborhoods. Although residential development is near the site and is a potential land use for this PDA, a job-intensive headquarters environment may be the highest and best use for the buildable areas of the site and would take advantage of its amenities. The portion of the site adjacent to Grass Lake is considered as Recreation Open Space and planned for incorporation into the adjacent regional park when the area is developed. Any development should be properly buffered from surrounding residential uses and preserve existing wetlands and significant natural features. Traffic problems represents a major consideration.

15. Ambassador Baptist Church Property.

This PDA includes three properties owned by Ambassador Baptist Church and two adjoining single-family residences. The property at 3620 Lexington Avenue is developed with the Church facility and other associated improvements. The Church also owns the properties at 1084 and 1090 Island Lake Avenue, which are established with single-family residential homes but used for church related activities. This PDA also includes the two single-family homes immediately east of these properties, 1076 and 1072 Island Lake Avenue. A "dead end" section of Island Lake Avenue separates the single-family uses from the church use. The Island Lake Avenue/Lexington Avenue intersection was closed when a new intersection alignment was

Golden Valley Land Company

6001 Glenwood Ave.
Golden Valley, MN 55422
(612-309-9215; Peter Knaeble)
(peterknaeble@gmail.com)

GRAMSIE WOODS, SHOREVIEW NARRATIVE FOR PRELIMINARY PLAT, REZONING AND VARIANCE APPLICATIONS 8/22/16

Golden Valley Land Company is proposing a seven lot residential land development project for the 15.57 ac. vacant land site that is located at the southwest corner of Gramsie Road and Randy Ave. in Shoreview. The site is currently zoned UND-Urban Undeveloped and is privately owned.

The proposed project would be for seven single family lots along Gramsie Road to be rezoned to R1-Detached Residential from the current UND-Urban Undeveloped. All seven lots will meet or exceed all of the dimensional R1 standards, except for the “key lot” standards which will require a variance (see below). The southern outlot will remain zoned UND-Urban Undeveloped. This proposed rezoning is consistent with the policies of the Comprehensive Guide Plan, and with the general purpose and intent of the development regulations. The proposed rezoning will not significantly or adversely impact the planned use of the surrounding property.

The City’s Comprehensive Guide Plan (PDA #13) currently shows the north 500’ of this site guided for RL-Low Density Residential, and the south portion of the site guided for O-Office or BPK-Business Park. We are not proposing to change the Comprehensive Plan at this time.

This site is also located in the Shoreland Management area because it is within 1000’ of the OHW of Island Lake (General Development Waters). The proposed seven lots meet or exceed all of the requirements for nonriparian lots.

Stormwater for this project will be treated with an infiltration/filtration basin (raingarden) designed to exceed the standards of the both the City of Shoreview and the Rice Creek Watershed District. These standards account for both infiltration and rates of runoff from the site. According to the City Code (206.010J7), raingardens are “strongly encouraged” to increase infiltration of stormwater. The seven new homes will utilize the existing sanitary sewer and watermain on Gramsie Road.

The additional traffic from these seven new homes will be approximately 70 trips/day. These additional trips will not exceed the capacity of Gramsie Road. We would expect the majority of these trips will go west on Gramsie Road, and then south on Victoria St. to Hwy. 694
We had our surveyor and our certified tree inspector prepare a tree survey of this property. Of

the 55 trees surveyed, only 17 were designated “landmark” trees. According to our preliminary Tree Preservation Plan, we will be removing and replacing four “landmark” trees.

Variance Request

According to the City’s subdivision standards (204.030C9&10) “key lots” are to be discouraged, and if used shall be 15’ deeper or wider than the zoning district requires. A “key lot” is defined as “any lot, the rear lot line of which abuts the side lot line of one or more adjoining lots or parcels, or any lot, the side lot line of which abuts the rear lot line of one or more adjoining lots or parcels.”

Our proposed seven lot residential development abuts the undeveloped 2.7 acre estate property to the south owned by Mr. Oranuj Tan. Per the City’s definition of “key lots,” the rear lot lines of our proposed Lots 1-5, abut the side lot line of the undeveloped Tan estate property, are therefore technically “key lots.”

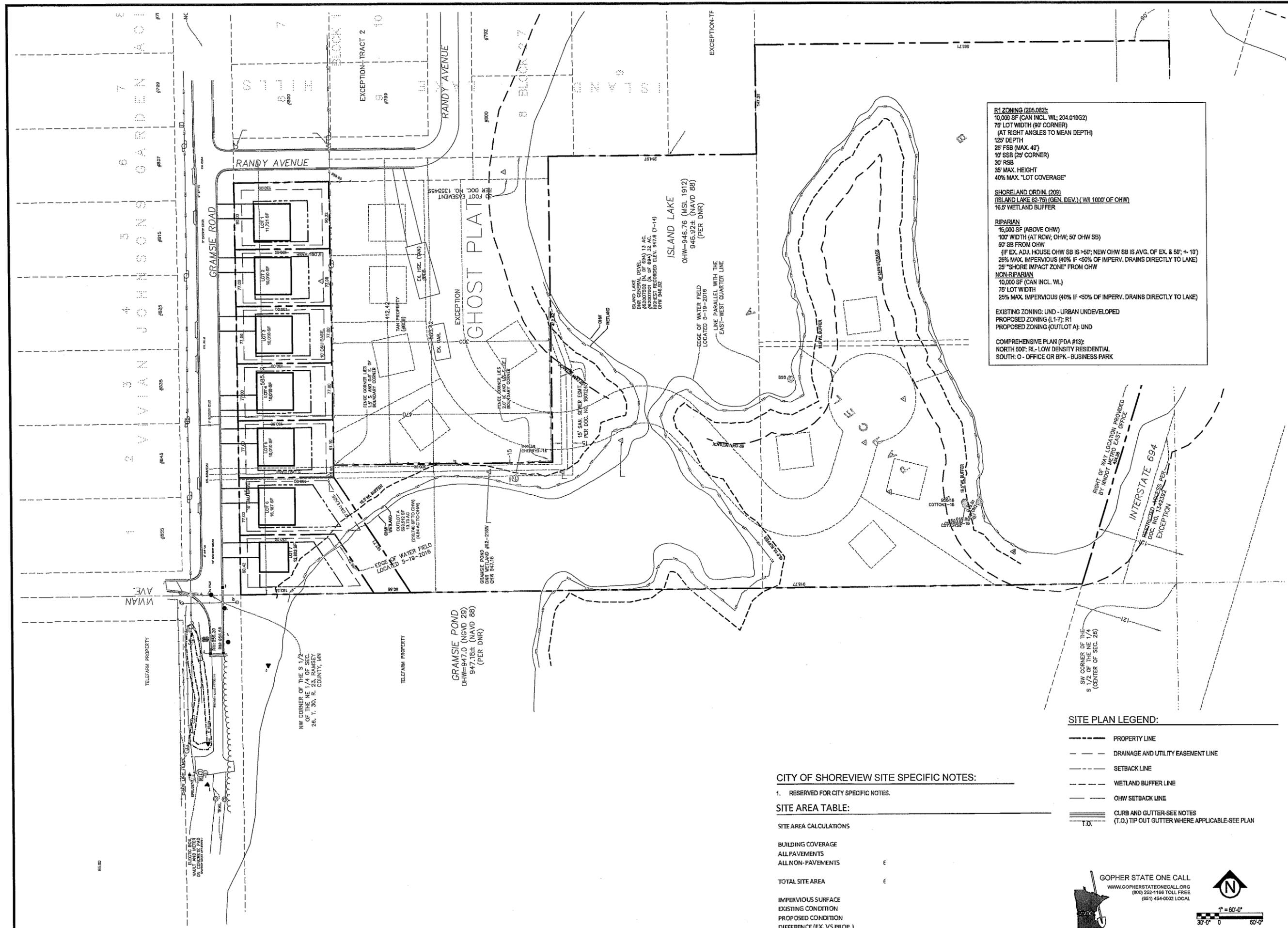
According to the City’s subdivision standards, these five “key lots” would need to be 15’ wider or deeper than the zoning district standards. We are requesting a variance for these five lots from the “key lot” requirements. When the Tan estate property develops, per our submitted future Ghost Plat, these five lots will abut the future rear lot lines, and will therefore technically not be defined as “key lots.”

We believe that this variance request complies with the purpose and intent of the provisions of City Code 201.010, and with the policies of the City’s Comprehensive Guide Plan. We also believe that there are practical difficulties in complying with the “key lot” provisions of the Shoreview Development Regulations.

We are proposing to develop this property in a reasonable manner that is consistent with the intent of the City’s zoning district standards. We believe it is unreasonable to apply the “key lot” standards to a large undeveloped abutting estate property. The intent of the “key lot” ordinance is to maintain an adequate distance between the homes that are on “key lots.” Our proposed homes will be over 150’ from the existing Tan property home. When the Tan property develops in the future (per the proposed Ghost Plat), our lots will not longer be classified as “key lots.”

Our variance request is due to the unique circumstance that we are subdividing our property adjacent to a large undivided estate property that is technically (and only temporarily) a “key lot.” If the Tan property were developed per the Ghost Plat shown, we would not need any variances since we would not have any “key lots.” The other unique circumstance for this property is that the current Gramsie Road right-of-way is 80 feet, instead of the City standard 60 feet for a residential street (Randy Ave. has a 60 foot right-of-way). If the typical 60 foot road right-of-way was used for Gramsie Road, our lot depths would all be at 140’ instead of 130’, thus not required a variance from the “key lot” requirements.

If this variance is granted, it would not alter the essential character of the neighborhood. The neighborhood is currently residential single family homes and is zoned R1. Our proposed seven lots on Gramsie Road will also be for single family residential homes. Due to the temporary nature of this variance, the essential character of the neighborhood will not be changed.



R1 ZONING (205.082):
 10,000 SF (CAN INCL. WL: 204.01DG2)
 75' LOT WIDTH (80' CORNER)
 (AT RIGHT ANGLES TO MEAN DEPTH)
 125' DEPTH
 25' FSB (MAX. 40')
 10' SSB (25' CORNER)
 30' RSB
 35' MAX. HEIGHT
 40% MAX. "LOT COVERAGE"

SHORELAND ORDIN. (209):
 (ISLAND LAKE 82-75) (GEN. DEV.) (WL 1000' OF OHW)
 16.5' WETLAND BUFFER

RIPARIAN:
 15,000 SF (ABOVE OHW)
 100' WIDTH (AT ROW, OHW; 50' OHW SB)
 50' SB FROM OHW
 (IF EX. ADJ. HOUSE OHW SB IS >50'; NEW OHW SB IS AVG. OF EX. & 50'; + 10')
 25% MAX. IMPERVIOUS (40% IF <50% OF IMPERV. DRAINS DIRECTLY TO LAKE)
 25' "SHORE IMPACT ZONE" FROM OHW

NON-RIPARIAN:
 10,000 SF (CAN INCL. WL)
 75' LOT WIDTH
 25% MAX. IMPERVIOUS (40% IF <50% OF IMPERV. DRAINS DIRECTLY TO LAKE)

EXISTING ZONING: UND - URBAN UNDEVELOPED
PROPOSED ZONING (L1-7): R1
PROPOSED ZONING (OUTLOT A): UND

COMPREHENSIVE PLAN (PDA #13):
 NORTH 500': RL - LOW DENSITY RESIDENTIAL
 SOUTH: O - OFFICE OR BPK - BUSINESS PARK

GRAMSIE WOODS

GRAMSIE ROAD & RANDY AVENUE, SHOREVIEW, MN 55126
GOLDEN VALLEY LAND COMPANY
 6001 GLENWOOD AVENUE, GOLDEN VALLEY, MN 55422

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Matthew R. Pavak
 Matthew R. Pavak
 DATE 7/25/16 LICENSE NO. 44263

ISSUE/SUBMITTAL SUMMARY	
DATE	DESCRIPTION
7/25/16	PRELIMINARY PLAT SUBMITTAL

REVISION SUMMARY	
DATE	DESCRIPTION

PROJECT NUMBER: 16102

PRELIMINARY PLAT

C1.0

CITY OF SHOREVIEW SITE SPECIFIC NOTES:

- RESERVED FOR CITY SPECIFIC NOTES.

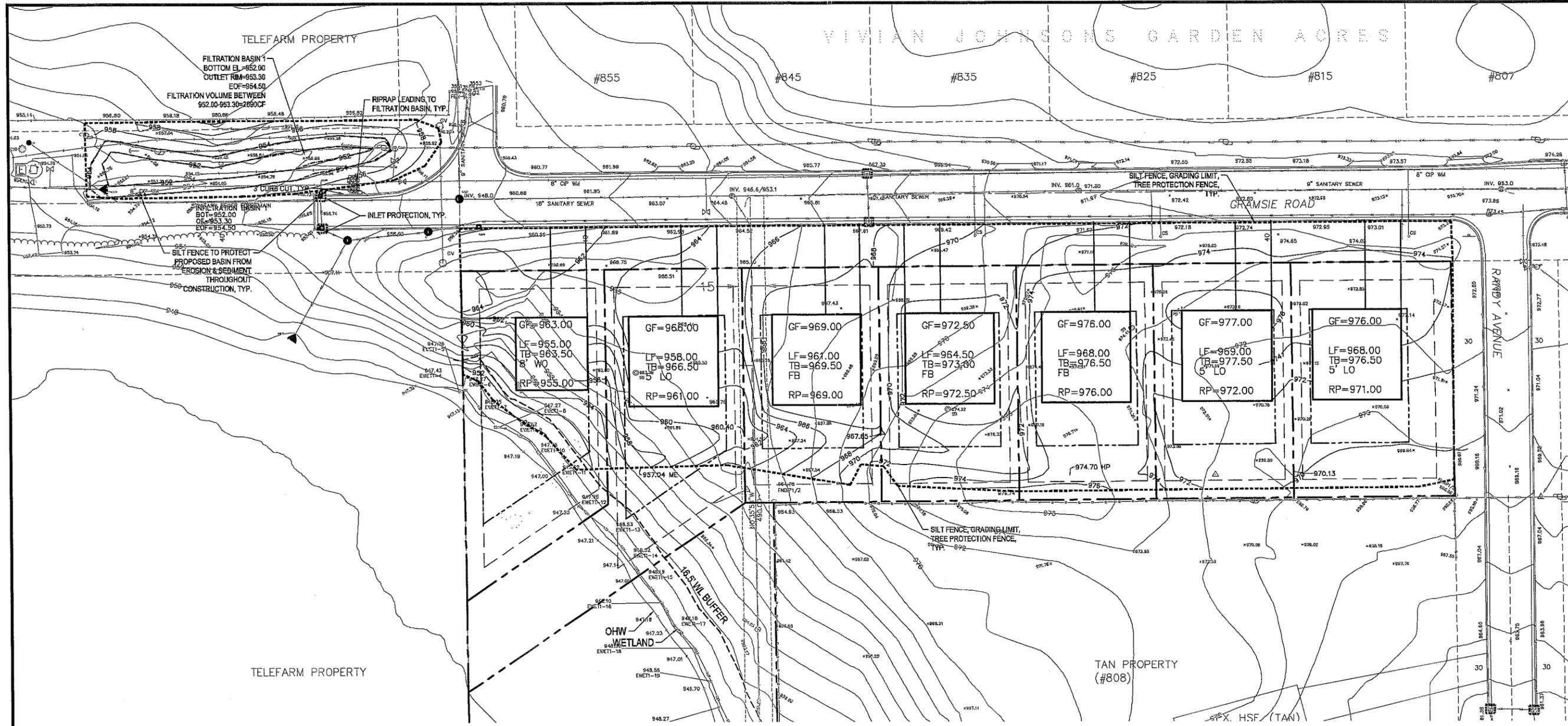
SITE AREA TABLE:

SITE AREA CALCULATIONS	
BUILDING COVERAGE	
ALL PAVEMENTS	
ALL NON-PAVEMENTS	
TOTAL SITE AREA	
IMPERVIOUS SURFACE	
EXISTING CONDITION	
PROPOSED CONDITION	
DIFFERENCE (EX. VS PROP.)	

SITE PLAN LEGEND:

- PROPERTY LINE
- DRAINAGE AND UTILITY EASEMENT LINE
- SETBACK LINE
- WETLAND BUFFER LINE
- OHW SETBACK LINE
- ==== CURB AND GUTTER-SEE NOTES (T.O.) TIP OUT GUTTER WHERE APPLICABLE-SEE PLAN

GOPHER STATE ONE CALL
 WWW.GOPHERSTATEONECALL.ORG
 (800) 252-1168 TOLL FREE
 (651) 454-0002 LOCAL



GRAMSIE WOODS
 PROJECT
 GRAMSIE ROAD & RANDY AVENUE, SHOREVIEW, MN 55126
GOLDEN VALLEY LAND COMPANY
 6001 GLENWOOD AVENUE, GOLDEN VALLEY, MN 55422

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ISSUE/SUBMITTAL SUMMARY	
DATE	DESCRIPTION
7/25/16	PRELIMINARY PLAN SUBMITTAL

REVISION SUMMARY	
DATE	DESCRIPTION

PROJECT NUMBER: 16102
 PRELIMINARY GRADING/EROSION CONTROL PLAN
C2.0
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GENERAL GRADING NOTES:

- SEE SITE PLAN FOR HORIZONTAL LAYOUT & GENERAL GRADING NOTES.
- THE CONTRACTOR SHALL COMPLETE THE SITE GRADING CONSTRUCTION (INCLUDING BUT NOT LIMITED TO SITE PREPARATION, SOIL CORRECTION, EXCAVATION, EMBANKMENT, ETC.) IN ACCORDANCE WITH THE REQUIREMENTS OF THE OWNER'S SOILS ENGINEER. ALL SOIL TESTING SHALL BE COMPLETED BY THE OWNER'S SOILS ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL REQUIRED SOIL TESTS AND INSPECTIONS WITH THE SOILS ENGINEER.
- GRADING AND EXCAVATION ACTIVITIES SHALL BE PERFORMED IN ACCORDANCE WITH THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS & PERMIT REQUIREMENTS OF THE CITY.
- PROPOSED SPOT GRADES ARE FLOW-LINE FINISHED GRADE ELEVATIONS, UNLESS OTHERWISE NOTED.
- GRADES OF WALKS SHALL BE INSTALLED WITH 5% MAX. LONGITUDINAL SLOPE AND 1% MIN. AND 2% MAX. CROSS SLOPE, UNLESS OTHERWISE NOTED.
- PROPOSED SLOPES SHALL NOT EXCEED 3:1 UNLESS INDICATED OTHERWISE ON THE DRAWINGS. MAXIMUM SLOPES IN MAINTAINED AREAS IS 4:1.
- PROPOSED RETAINING WALLS, FREESTANDING WALLS, OR COMBINATION OF WALL TYPES GREATER THAN 4' IN HEIGHT SHALL BE DESIGNED AND ENGINEERED BY A REGISTERED RETAINING WALL ENGINEER. DESIGN DRAWINGS SHALL BE SUBMITTED FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF GRADE STAKES THROUGHOUT THE DURATION OF CONSTRUCTION TO ESTABLISH PROPER GRADES. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR A FINAL FIELD CHECK OF FINISHED GRADES ACCEPTABLE TO THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO TOPSOIL AND SEEDING ACTIVITIES.
- IF EXCESS OR SHORTAGE OF SOIL MATERIAL EXISTS, THE CONTRACTOR SHALL TRANSPORT ALL EXCESS SOIL MATERIAL OFF THE SITE TO AN AREA SELECTED BY THE CONTRACTOR, OR IMPORT SUITABLE MATERIAL TO THE SITE.
- EXCAVATE TOPSOIL FROM AREAS TO BE FURTHER EXCAVATED OR REGRADED AND STOCKPILE IN AREAS DESIGNATED ON THE SITE. THE CONTRACTOR SHALL SALVAGE ENOUGH TOPSOIL FOR RESPREADING ON THE SITE AS SPECIFIED. EXCESS TOPSOIL SHALL BE PLACED IN EMBANKMENT AREAS, OUTSIDE OF BUILDING PADS, ROADWAYS AND PARKING AREAS. THE

- CONTRACTOR SHALL SUBCUT CUT AREAS, WHERE TURF IS TO BE ESTABLISHED, TO A DEPTH OF 8 INCHES. RESPREAD TOPSOIL IN AREAS WHERE TURF IS TO BE ESTABLISHED TO A MINIMUM DEPTH OF 8 INCHES.
- FINISHED GRADING SHALL BE COMPLETED. THE CONTRACTOR SHALL UNIFORMLY GRADE AREAS WITHIN LIMITS OF GRADING, INCLUDING ADJACENT TRANSITION AREAS. PROVIDE A SMOOTH FINISHED SURFACE WITHIN SPECIFIED TOLERANCES, WITH UNIFORM LEVELS OR SLOPES BETWEEN POINTS WHERE ELEVATIONS ARE SHOWN, OR BETWEEN SUCH POINTS AND EXISTING GRADES. AREAS THAT HAVE BEEN FINISH GRADED SHALL BE PROTECTED FROM SUBSEQUENT CONSTRUCTION OPERATIONS, TRAFFIC AND EROSION. REPAIR ALL AREAS THAT HAVE BECOME RUTTED BY TRAFFIC OR ERODED BY WATER OR HAS SETTLED BELOW THE CORRECT GRADE. ALL AREAS DISTURBED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED TO EQUAL OR BETTER THAN ORIGINAL CONDITION OR TO THE REQUIREMENTS OF THE NEW WORK.
- PRIOR TO PLACEMENT OF THE AGGREGATE BASE, A TEST ROLL WILL BE REQUIRED ON THE STREET AND/OR PARKING AREA SUBGRADE. THE CONTRACTOR SHALL PROVIDE A LOADED TANDEM AXLE TRUCK WITH A GROSS WEIGHT OF 25 TONS. THE TEST ROLLING SHALL BE AT THE DIRECTION OF THE SOILS ENGINEER AND SHALL BE COMPLETED IN AREAS AS DIRECTED BY THE SOILS ENGINEER. THE SOILS ENGINEER SHALL DETERMINE WHICH SECTIONS OF THE STREET OR PARKING AREA ARE UNSUITABLE. CORRECTION OF THE SUBGRADE SOILS SHALL BE COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE SOILS ENGINEER.
- TOLERANCES
 - THE BUILDING SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.30 FOOT ABOVE, OR 0.30 FOOT BELOW, THE PRESCRIBED ELEVATION AT ANY POINT WHERE MEASUREMENT IS MADE.
 - THE STREET OR PARKING AREA SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.05 FOOT ABOVE, OR 0.10 FOOT BELOW, THE PRESCRIBED ELEVATION OF ANY POINT WHERE MEASUREMENT IS MADE.
 - AREAS WHICH ARE TO RECEIVE TOPSOIL SHALL BE GRADED TO WITHIN 0.30 FOOT ABOVE OR BELOW THE REQUIRED ELEVATION, UNLESS DIRECTED OTHERWISE BY THE ENGINEER.
 - TOPSOIL SHALL BE GRADED TO PLUS OR MINUS 1/2 INCH OF THE SPECIFIED THICKNESS.
- MAINTENANCE

- THE CONTRACTOR SHALL PROTECT NEWLY GRADED AREAS FROM TRAFFIC AND EROSION, AND KEEP AREA FREE OF TRASH AND DEBRIS.
- CONTRACTOR SHALL REPAIR AND REESTABLISH GRADES IN SETTLED, ERODED AND RUTTED AREAS TO SPECIFIED TOLERANCES. DURING THE CONSTRUCTION, IF REQUIRED, AND DURING THE WARRANTY PERIOD, ERODED AREAS WHERE TURF IS TO BE ESTABLISHED SHALL BE RESEED AND MULCHED.
- WHERE COMPLETED COMPACTED AREAS ARE DISTURBED BY SUBSEQUENT CONSTRUCTION OPERATIONS OR ADVERSE WEATHER, CONTRACTOR SHALL SCARP, SURFACE, REGRADE, AND COMPACT TO REQUIRED DENSITY PRIOR TO FURTHER CONSTRUCTION.

CITY OF SHOREVIEW GRADING NOTES:

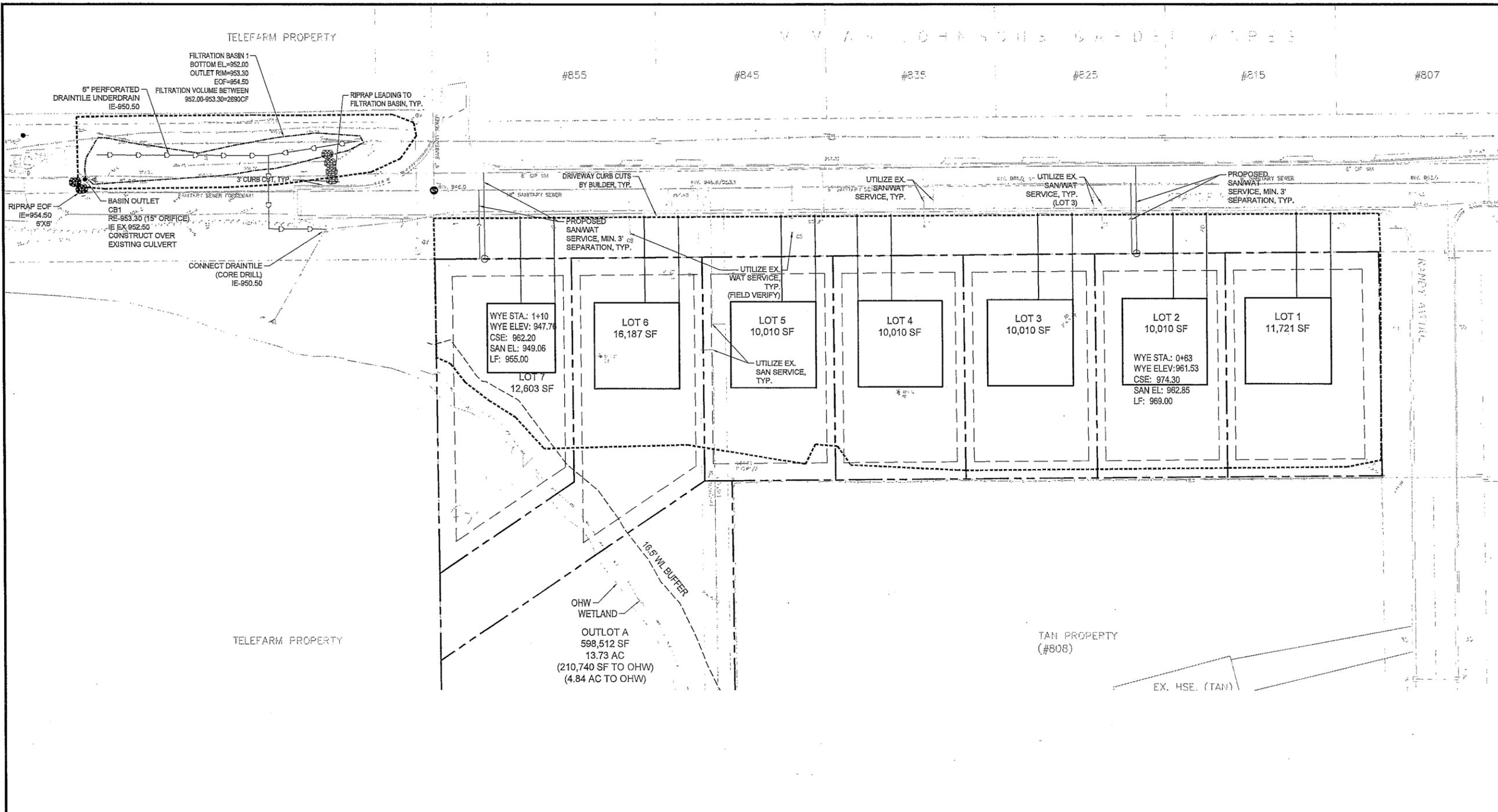
- RESERVED FOR CITY SPECIFIC GRADING NOTES.

EROSION CONTROL NOTES:
 SEE SWPPP ON SHEETS SW1.0-SW1.4

GRADING PLAN LEGEND:

- 891 EX. 1' CONTOUR ELEVATION INTERVAL
- 819 1.0' CONTOUR ELEVATION INTERVAL
- 891.0 SPOT GRADE ELEVATION (FLOW LINE UNLESS OTHERWISE NOTED)
- 891.0 G SPOT GRADE ELEVATION GUTTER
- 891.0 BC SPOT GRADE ELEVATION BACK OF CURB (TOP OF CURB)
- 891.0 BS/TS SPOT GRADE ELEVATION BOTTOM OF STAIRS/TOP OF STAIRS
- T.O. TIP OUT (T.O.) CURB AND GUTTER WHERE APPLICABLE - TAPER GUTTERS TO DRAIN AS SHOWN
- EXISTING AND PROPOSED DRAINAGE ARROWS

GOPHER STATE ONE CALL
 WWW.GOPHERSTATEONECALL.ORG
 (800) 252-1168 TOLL FREE
 (651) 454-0032 LOCAL



GRAMSIE WOODS
GRAMSIE ROAD & RANDY AVENUE, SHOREVIEW, MN 55126
GOLDEN VALLEY LAND COMPANY
6001 GLENWOOD AVENUE, GOLDEN VALLEY, MN 55422

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
Matthew R. Pavak
Matthew R. Pavak
DATE 7/25/16 LICENSE NO. 44283

ISSUE/SUBMITTAL SUMMARY	
DATE	DESCRIPTION
7/25/16	PRELIMINARY PLAT SUBMITTAL
REVISION SUMMARY	
DATE	DESCRIPTION

GENERAL UTILITY NOTES:

- SEE SITE PLAN FOR HORIZONTAL DIMENSIONS AND LAYOUT.
- CONTRACTOR SHALL FIELD VERIFY LOCATION AND ELEVATION OF EXISTING UTILITIES AND TOPOGRAPHIC FEATURES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF DISCREPANCIES OR VARIATIONS FROM THE PLANS.
- ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (851-454-0002 OR 800-250-1168) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
- UTILITY INSTALLATION SHALL CONFORM TO THE CURRENT EDITION OF "STANDARD SPECIFICATIONS FOR WATER MAIN AND SERVICE LINE INSTALLATION" AND "SANITARY SEWER AND STORM SEWER INSTALLATION" AS PREPARED BY THE CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM), AND SHALL CONFORM WITH THE REQUIREMENTS OF THE CITY AND THE PROJECT SPECIFICATIONS.
- CASTINGS SHALL BE SALVAGED FROM STRUCTURE REMOVALS AND RE-USED OR PLACED AT THE DIRECTION OF THE OWNER.
- ALL WATER PIPE SHALL BE CLASS S2 DUCTILE IRON PIPE (DIP) UNLESS OTHERWISE NOTED.
- ALL SANITARY SEWER SHALL BE SDR 26 POLYVINYL CHLORIDE (PVC) UNLESS OTHERWISE NOTED.
- ALL STORM SEWER PIPE SHALL BE HDPE UNLESS OTHERWISE NOTED.
- PIPE LENGTHS SHOWN ARE FROM CENTER TO CENTER OF STRUCTURE OR TO END OF FLARED END SECTION.
- UTILITIES ON THE PLAN ARE SHOWN TO WITHIN 9' OF THE BUILDING FOOTPRINT. THE CONTRACTOR IS ULTIMATELY RESPONSIBLE FOR THE FINAL CONNECTION TO BUILDING LINES. COORDINATE WITH ARCHITECTURAL AND MECHANICAL PLANS.
- CATCH BASINS AND MANHOLES IN PAVED AREAS SHALL BE SUMPED 0.04 FEET. ALL CATCH BASINS IN GUTTERS SHALL BE SUMPED 0.15 FEET PER DETAILS. RIM ELEVATIONS SHOWN ON THIS PLAN DO NOT REFLECT SUMPED ELEVATIONS.
- ALL FIRE HYDRANTS SHALL BE LOCATED 5 FEET BEHIND BACK OF CURB UNLESS OTHERWISE NOTED.
- HYDRANT TYPE, VALVE, AND CONNECTION SHALL BE IN ACCORDANCE WITH CITY REQUIREMENTS. HYDRANT EXTENSIONS

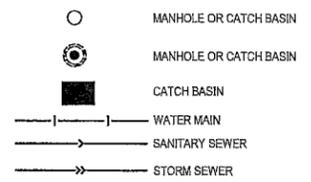
- ARE INCIDENTAL.
- A MINIMUM OF 8 FEET OF COVER IS REQUIRED OVER ALL WATERMAIN, UNLESS OTHERWISE NOTED. EXTRA DEPTH MAY BE REQUIRED TO MAINTAIN A MINIMUM OF 18" VERTICAL SEPARATION TO SANITARY OR STORM SEWER LINES. EXTRA DEPTH WATERMAIN IS INCIDENTAL.
- A MINIMUM OF 18 INCHES OF VERTICAL SEPARATION AND 10 FEET OF HORIZONTAL SEPARATION IS REQUIRED FOR ALL UTILITIES, UNLESS OTHERWISE NOTED.
- ALL CONNECTIONS TO EXISTING UTILITIES SHALL BE IN ACCORDANCE WITH CITY STANDARDS AND COORDINATED WITH THE CITY PRIOR TO CONSTRUCTION.
- CONNECTIONS TO EXISTING STRUCTURES SHALL BE CORE-DRILLED.
- COORDINATE LOCATIONS AND SIZES OF SERVICE CONNECTIONS WITH THE MECHANICAL DRAWINGS.
- COORDINATE INSTALLATION AND SCHEDULING OF THE INSTALLATION OF UTILITIES WITH ADJACENT CONTRACTORS AND CITY STAFF.
- ALL STREET REPAIRS AND PATCHING SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CITY. ALL PAVEMENT CONNECTIONS SHALL BE SAWCUT. ALL TRAFFIC CONTROLS SHALL BE PROVIDED BY THE CONTRACTOR AND SHALL BE ESTABLISHED PER THE REQUIREMENTS OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MMUTCD) AND THE CITY. THIS SHALL INCLUDE BUT NOT BE LIMITED TO SIGNS, BARRICADES, FLASHERS, AND FLAGGERS AS NEEDED. ALL PUBLIC STREETS SHALL BE OPEN TO TRAFFIC AT ALL TIMES. NO ROAD CLOSURES SHALL BE PERMITTED WITHOUT APPROVAL BY THE CITY.
- ALL STRUCTURES, PUBLIC AND PRIVATE, SHALL BE ADJUSTED TO PROPOSED GRADES WHERE REQUIRED. THE REQUIREMENTS OF ALL OWNERS MUST BE COMPLIED WITH. STRUCTURES BEING RESET TO PAVED AREAS MUST MEET OWNERS REQUIREMENTS FOR TRAFFIC LOADING.
- CONTRACTOR SHALL COORDINATE ALL WORK WITH PRIVATE UTILITY COMPANIES.
- CONTRACTOR SHALL COORDINATE CONNECTION OF IRRIGATION SERVICE TO UTILITIES. COORDINATE THE INSTALLATION OF IRRIGATION SLEEVES NECESSARY AS TO NOT IMPACT INSTALLATION OF UTILITIES.

- CONTRACTOR SHALL MAINTAIN AS-BUILT PLANS THROUGHOUT CONSTRUCTION AND SUBMIT THESE PLANS TO ENGINEER UPON COMPLETION OF WORK.
- ALL JOINTS AND CONNECTIONS IN STORM SEWER SYSTEM SHALL BE GASTIGHT OR WATERTIGHT. APPROVED RESILIENT RUBBER JOINTS MUST BE USED TO MAKE WATERTIGHT CONNECTIONS TO MANHOLES, CATCHBASINS, OR OTHER STRUCTURES.

CITY OF SHOREVIEW UTILITY NOTES:

- RESERVED FOR CITY SPECIFIC UTILITY NOTES.

UTILITY LEGEND:

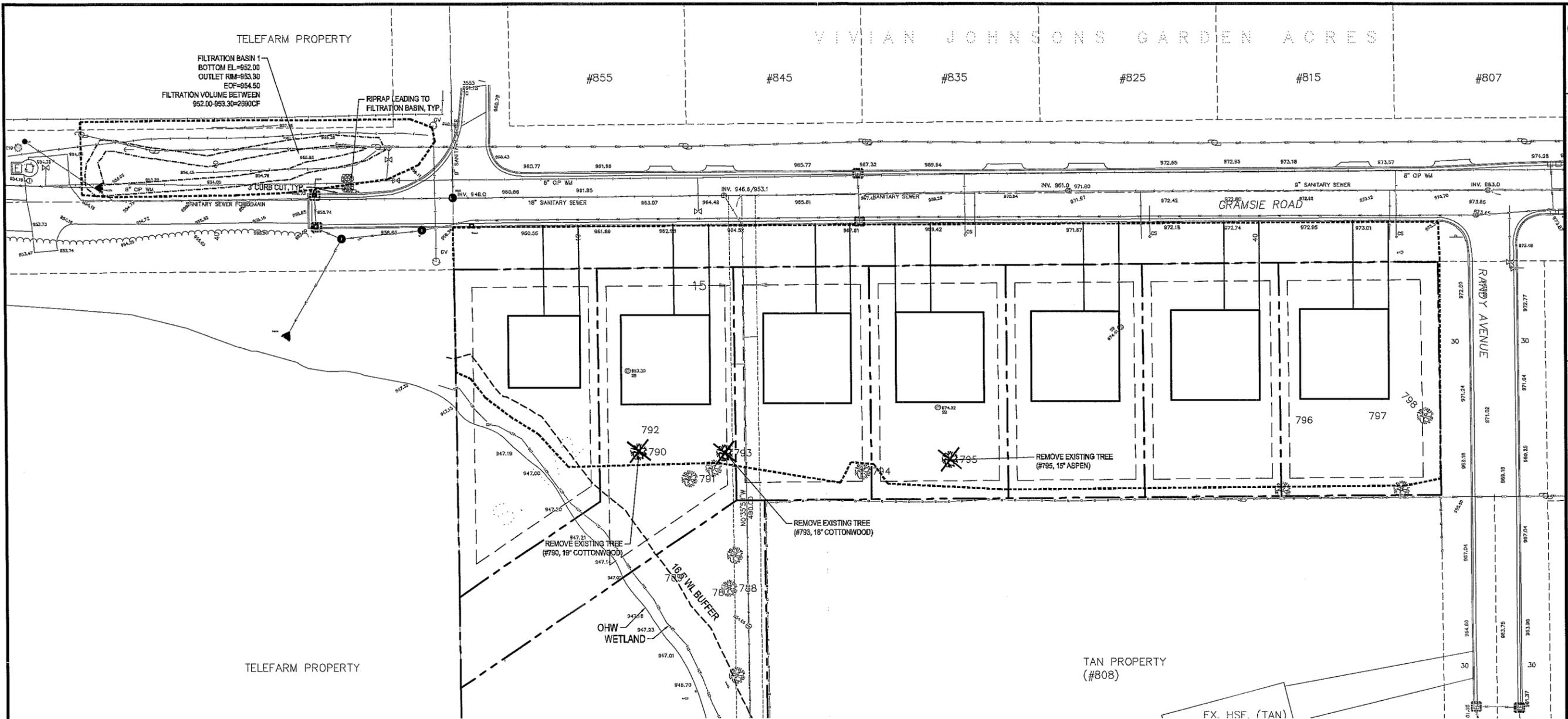


GOPHER STATE ONE CALL
WWW.GOPHERSTATEONECALL.ORG
(800) 252-1168 TOLL FREE
(651) 454-0002 LOCAL



PROJECT NUMBER: 16102
PRELIMINARY UTILITY PLAN

C3.0



GRAMSIE WOODS

GRAMSIE ROAD & RANDY AVENUE, SHOREVIEW, MN 55126
GOLDEN VALLEY LAND COMPANY
 6001 GLENWOOD AVENUE, GOLDEN VALLEY, MN 55422

PROJECT

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Matthew R. Pavak
 Matthew R. Pavak
 DATE 7/25/16 LICENSE NO. 44263

DATE	DESCRIPTION
7/25/16	PRELIMINARY PLAT SUBMITTAL

REVISION SUMMARY	
DATE	DESCRIPTION

DATE	DESCRIPTION

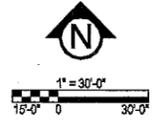
PROJECT NUMBER: 16102

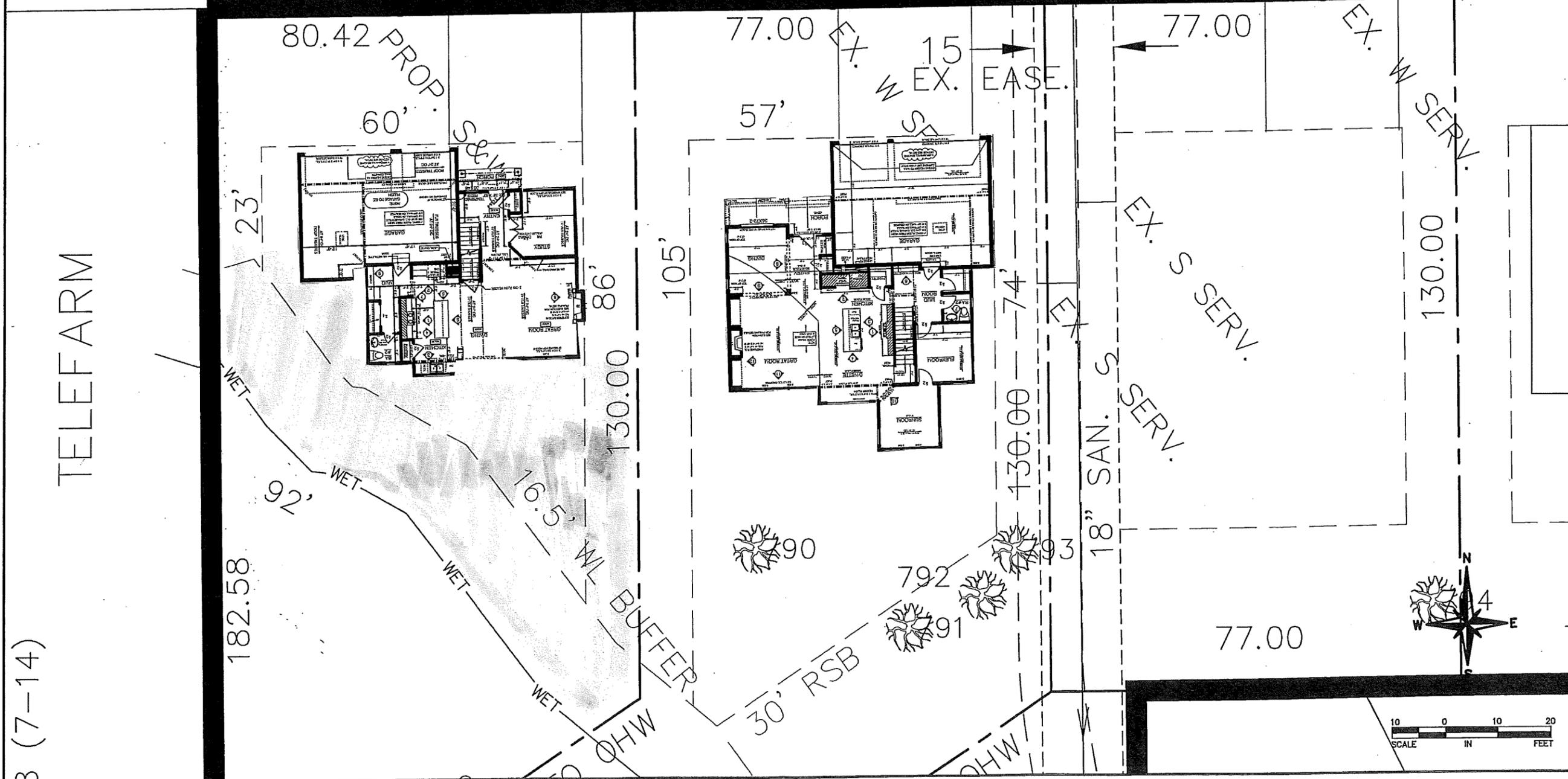
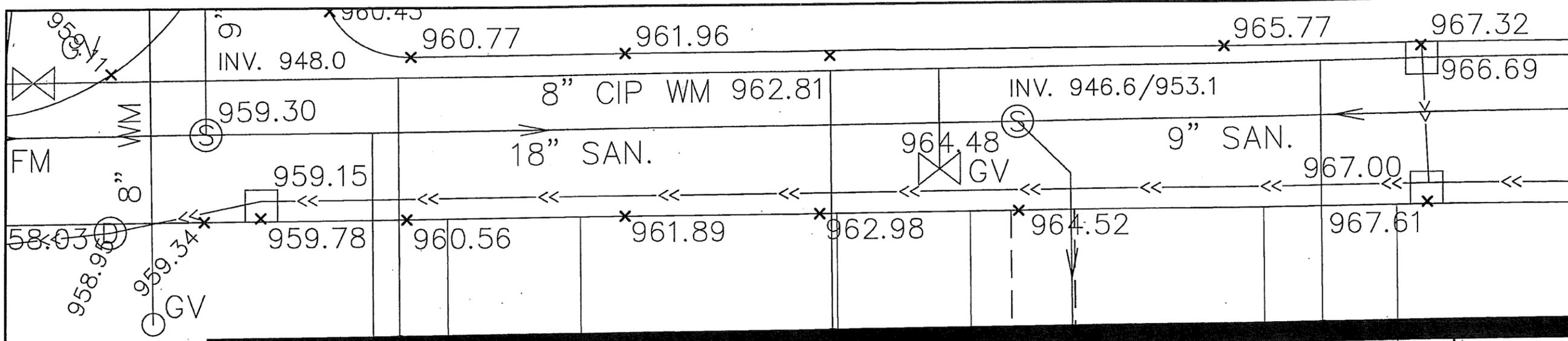
PRELIMINARY TREE PRESERVATION PLAN

C4.0

CITY OF SHOREVIEW TREE NOTES:

- RESERVED FOR CITY SPECIFIC UTILITY NOTES.





B (7-14)

TELEFARM

6001 Glenwood Avenue
 Minneapolis, Minnesota 55422
 612-309-9215

Terra
 Engineering, Inc.
 Civil Engineering
 Land Planning & Consulting

DESIGNED P.J.K.
 DRAWN HAL
 CHECKED P.J.K.

I hereby certify that this plan or report was prepared by me, or under my direct supervision, and that I am a duly Licensed Professional Engineer in the State of Minnesota.
 Peter J. Kneib P.E.
 Date: _____ Reg. No. 14844

PROJECT LOTS 6 & 7
 GRAMSIE WOODS SHOREVIEW, MN

DATE 9/1/16

PROJECT NO. 16-001

SHEET NO. 6

Date: August 23, 2016

To: Niki Hill, Economic Development and Planning Associate

From: Tom Wesolowski, City Engineer

Subject: Gramsie Road - Preliminary Plat, Rezoning, and Variance for Proposed Subdivision – Golden Valley Land Co.

The City of Shoreview Engineering staff has reviewed the preliminary plat, drainage and grading plan, and stormwater management report for the proposed subdivision and has the following comments:

1. The proposed project is located within the jurisdiction of the Rice Creek Watershed District (RCWD). The entire development will disturb more than 1-acre and a permit from the RCWD will be required. The City requires that all information that is submitted to Rice Creek, as it relates to the proposed development, also be sent to the City of Shoreview.
2. Engineering staff has met with the developer and discussed stormwater management for the proposed development. It was agreed the developer would construct a regional bio-filtration treatment pond on City property that is adjacent to the subdivision. Due to the location of the pond, portions of the run-off from the new development and also runoff from the area located to the north of the development would be treated. The developer has met with the RCWD and they support the proposed stormwater management plan.
3. Water main and sanitary sewer main are located within the Gramsie Road right of way and available to provide service to the proposed lots. Existing water and sewer service lines are installed to the property lines of 5 of the 7 proposed lots. For the 2 remaining lots water and sanitary sewer services will need to be installed.
4. The sanitary sewer easement between Lots 5 and 6 has to be shown on the new plat.
5. The proposed development was presented to the Environmental Quality Committee at their August 22nd meeting. The Committee requests the developer consider the use of solar panels for the new homes and also the use of geothermal heating and cooler for the west most property.



MINNESOTA DEPARTMENT OF NATURAL RESOURCES
CENTRAL REGION
1200 WARNER ROAD
SAINT PAUL, MN 55106
651-259-5800

Date: 08/25/2016

City of Shoreview
Niki Hill, Economic Development and Planning Associate
4600 Victoria Street North
Shoreview, MN 55126

Re: MNDNR Comments on Gramsie Woods Preliminary Plat, Shoreview

Niki:

Thank you for the opportunity to review the Gramsie Woods preliminary plat, which subdivides the north end of PID 263023130027 into seven lots located just south and west of the intersection of Randy Avenue and Gramsie Road, Shoreview. Below are MNDNR's comments:

- DNR recommends that the City install signs along the edge of the 16.5 foot wetland buffer on Gramsie Pond to designate the location of the start of the buffer and discourage encroachment of activities into the buffer. DNR recommends that Shoreview require a City drainage easement over the buffer that restricts activities in the buffer area.
- Plan sheet C4 shows that three mature trees will be removed. What is the reason that these trees are planned for removal? If trees must be removed within the shoreland district, MNDNR recommends that justification for tree removal be provided and that a tree replacement plan be a condition of their removal.
- As a condition of approval of this preliminary plat, MNDNR recommends that the approval be made on the condition that the final plat will be able to meet the shoreland standards for percent impervious (30% in Shoreview shoreland district) and for development on steep slopes and bluffs. From a desktop review of the preliminary plat rectified to existing parcel lines and displayed with two foot contours (see attached map), it appears that the building footprint on Lot 7 is within a bluff impact zone or at least within an area of steep slopes. The layout of this lot and the other lots should be reconfigured as needed to ensure that they meet shoreland standards for bluffs and steep slopes.

Shown with the preliminary plat is a ghost plat for development of the south part of the parcel. Of primary concern to MNDNR on the ghost plat is the road crossing located where Gramsie Pond (public water wetland 62021800) flows into Island Lake (public water 62007502). The proposed road where the two water bodies meet is almost entirely within the 50 foot OHW setback from Island Lake, adjacent to the shoreline of Island Lake, and would be located within the boundary of Gramsie Pond. In addition to two public waters at this location, the floodplain boundary within Island Lake extends into where the road would be located and there are likely Wetland Conservation Act (WCA) regulated wetlands at this

mndnr.gov



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AN EQUAL OPPORTUNITY EMPLOYER.



MINNESOTA DEPARTMENT OF NATURAL RESOURCES
CENTRAL REGION
1200 WARNER ROAD
SAINT PAUL, MN 55106
651-259-5800

location as well. Any crossing at this location would need to meet WCA rules and public water rules and would require a public waters permit. MNDNR recommends that the feasibility of a crossing at this location be reexamined to determine if it can be built to meet shoreland, floodplain, WCA, and public waters regulations.

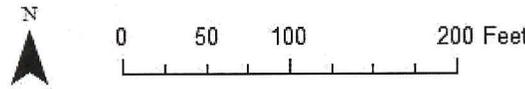
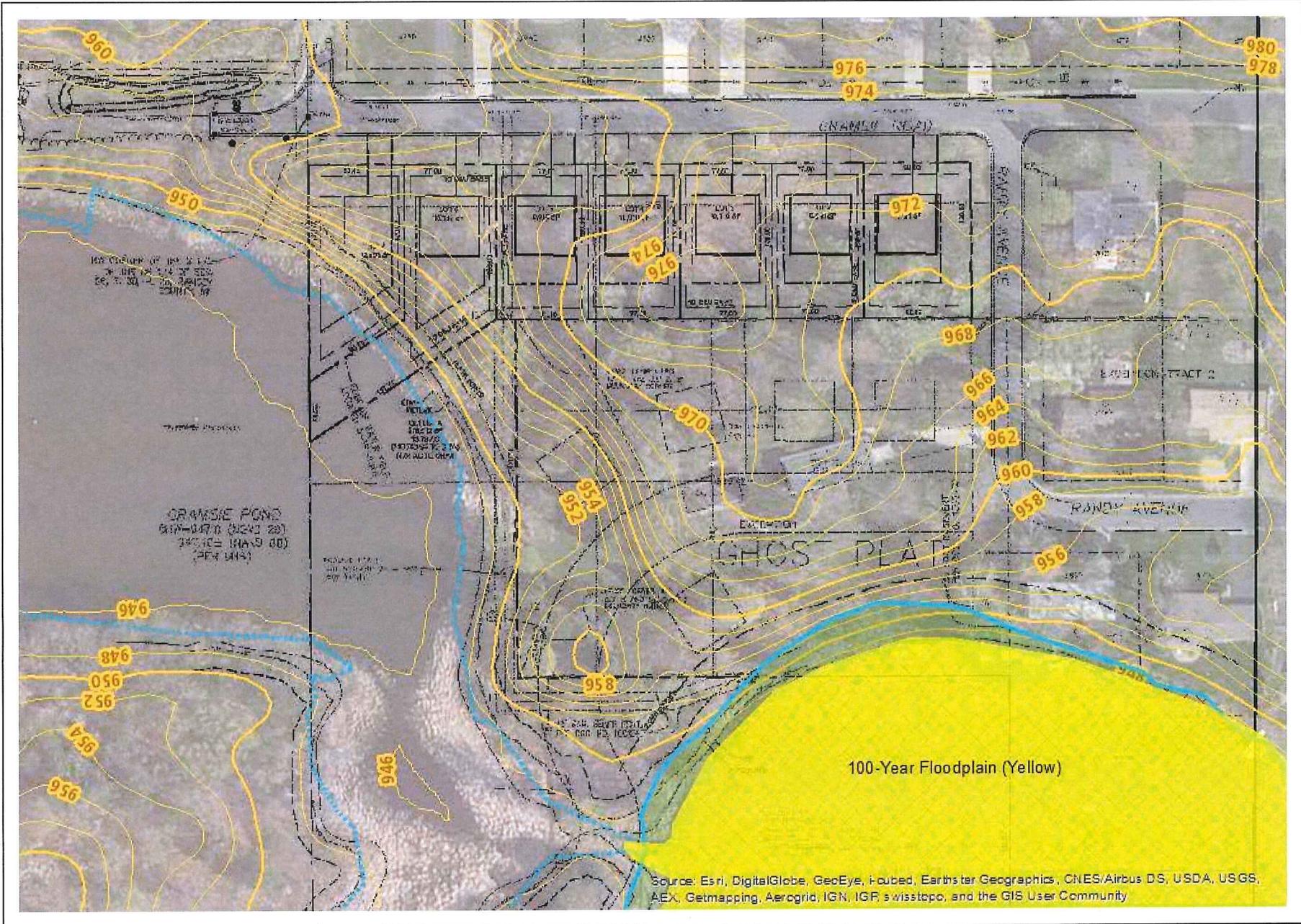
Sincerely,

Jenifer Sorensen
DNR East Metro Area Hydrologist
1200 Warner Road
St. Paul, MN 55106
651-259-5754
jenifer.sorensen@state.mn.us

mndnr.gov



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**Gramsie Woods Preliminary Plat Displayed
With Two Foot LIDAR Contours**



Source: Esri, DigitalGlobe, GeoEye, Fobed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



Nicole Hill <nhill@shoreviewmn.gov>

City of Shoreview - Proposed Subdivision

2 messages

Niki Hill <nhill@shoreviewmn.gov>
To: SKreibich@ricecreek.org

Wed, Aug 17, 2016 at 12:52 PM

Hi Sam!

I have attached a proposed 7 lot single family + 1 outlot to the south in the area of Island Lake just north of 694. It is my understanding that they have already been in contact with your agency (or so I hope!). I am hoping to get comments (if any) from you regarding the plans by August 24th.

Please let me know if you have any questions or need further information.

Thanks!

- Niki

--
Niki Hill, AICP
Economic Development and Planning Associate
City of Shoreview | Community Development Department
651.490.4658 | nhill@shoreviewmn.gov

 **Comment Form.pdf**
4656K

Samantha Berger <SBerger@ricecreek.org>
To: Niki Hill <nhill@shoreviewmn.gov>
Cc: Kate MacDonald <kmacdonald@houstoneng.com>

Thu, Aug 25, 2016 at 1:35 PM

Hi Niki,

I just received your voicemail, and unfortunately I had not had a chance to review this. We do have a permit application that we received and it looks like we got the prelim plans yesterday. The intent would be to complete the review per our typical process, where our engineers will be reviewing the plans per our Rules. I will actually be out of office from Friday to Tuesday so if you have specific questions regarding the project, you can work with Kate MacDonald, she is part of the reviewing team.

kmacdonald@houstoneng.com

Thanks kindly,

Sam

Samantha Berger,

Sberger@ricecreek.org

District Technician
Rice Creek Watershed District

4325 Pheasant Ridge Drive NE #611
Blaine, MN 55449-4539
Direct: (763) 398-3084

Cell: (612) 360-5043
www.ricecreek.org



Please consider following the RCWD on Facebook.

From: Niki Hill [mailto:nhill@shoreviewmn.gov]
Sent: Wednesday, August 17, 2016 12:52 PM
To: Samantha Berger <S Berger@ricecreek.org>
Subject: City of Shoreview - Proposed Subdivision

[Quoted text hidden]

Niki Hill
Economic Development and Planning Associate
City of Shoreview
4600 Victoria Street North
Shoreview, MN 55126

PRELIMINARY PLAT OF GRAMSIE WOODS

Dear Ms. Hill:

We live at 770 Randy Avenue, in the neighborhood adjacent to the proposed Gramsie Woods development and have the following comments on the proposal:

- We have no objection to the seven-home development shown on the preliminary plat, though the smaller lot sizes are slightly out of character with the rest of our fully-developed neighborhood.
- The "ghost plat" included in the packet is inconsistent with the City's Comprehensive Plan. In Chapter 4 of the plan, on Page 4-40, in the section titled "Reiling Property West Of Island Lake", it states: "If access is proposed from the north, the owner must demonstrate that: 1) the access route will not cross protected wetlands; 2) any required wetland mitigation can be accomplished; and 3) this property will be included in the development plans for the abutting property to the north of Gramsie Road." The language of this section clearly requires all three conditions to be met. I have included the U.S. Fish and Wildlife Service National Wetlands Inventory Map, dated June 10, 2016, as "**Attachment 1**" to this letter. The wetlands inventory map clearly shows that the proposed road would cross protected wetlands and, therefore, that the road would not meet condition 1 of that section of the Comprehensive Plan. Thus, the "ghost plat" does not conform to the City's Comprehensive Plan and should be rejected by the Planning Commission and the City Council. We request that it be modified to preclude any development south of the wetlands identified near the Island Lake outlet.
- The City's 2008 Planned Zoning Map, Map 4.3 in the Comprehensive Plan, shows the area of the "ghost plat" that is south of the wetlands as being zoned "Natural". A proposal to build three homes on this site conflicts with its zoning and should not be allowed. We see this as another reason to reject the "ghost plat" and restrict it to the area north of the wetlands.

To summarize, we have no objection to the preliminary plat of Gramsie Woods, but serious objections to the "ghost plat" and request that the Planning Commission and City Council reject that portion of the proposal and require that any proposals conform to the City's Comprehensive Plan and Development Code. While the Gramsie Woods preliminary plat is slightly out of character with the rest of the neighborhood, the "ghost plat" does not conform to the City's planning framework and must be rejected unless the Comprehensive Plan is amended to accommodate that proposal. We would strongly oppose any efforts to amend the plan to do this.

If you would like to discuss these comments, I can be reached at 651-266-7114.

Sincerely,



Joseph Lux

Attachment

C: Sandy Martin, Mayor, City of Shoreview
Terry Schwerm, Shoreview City Manager
Kathleen Castle, Shoreview City Planner

John Doan, Chair, Shoreview Planning Commission
Tom Simonson, Shoreview Community Development Director
Shoreview City Council



Nicole Hill <nhill@shoreviewmn.gov>

Request for Comments Attached - 0 Gramsie Road Proposed Development (Enclosures - two attachments)

Tom Fishlove <tfishlove@gmail.com>

Sun, Aug 21, 2016 at 8:38 AM

To: nhill@shoreviewmn.gov

Cc: schwalmtom@yahoo.com, kbn22273@yahoo.com, Kelly Loken <jaymormic@aol.com>, Marc Loken <loken36499@aol.com>, Ann & William Waugh <annandwilliam@comcast.net>, Ann Waugh <annmwaugh@gmail.com>

Dear Ms. Hill,

Attached are my comments and concerns **RE: REQUEST FOR COMMENT** for the Tuesday, August 30th, 2016 Shoreview Planning Commission review of the preliminary plat application submitted by the Golden Valley Land company for the development of a property located at 0 Gramsie Road with PIN numbers: 26.30.23.13.0027 and 26.30.23.13.0028.

The **first attachment** is a list of questions I prepared and asked at the developer's open house on August 17th. The developer answered all questions which were able to be answered at this preliminary juncture. Most of these questions are regulated by municipal, county, state and/or federal code. I include them to give the Planning Commission and City Council a high level view of my initial concerns.

The **second attachment** includes six (6) specific concerns that fall into a "grey area" as they are largely subjective and taken from the first attachment. I would like these questions to be acknowledged and addressed at the upcoming meeting. **Please acknowledge receipt of this e-mail and inform me if you need to be sent a hard copy or if this electronic communication is adequate.**

Thanks!

Respectfully Submitted,
Tom Fishlove
845 Gramsie Road
Shoreview, MN 55126
[\(651\) 253-6086](tel:(651)253-6086)

CC: Electronic Copies to Residents at 825, 835, 845 & 855 Gramsie Road

2 attachments

 **0 Gramsie Road Open House 8.17.2016 list of questions for developer.docx**
24K

 **Questions to Council & Planning Commission.docx**
19K

August 17th, 2016

0 Gramsie Road Open House Questions – August 17th, 2016
(Questions based on letter from City and Drawings dated August 15, 2016)

Submitted by:

Thomas Fishlove
845 Gramsie Road
Shoreview, MN 55126
tfishlove@gmail.com
(651) 253-6086

1. Lot width lengths are inconsistent with the rest of the street. Proposed lot widths are approximately (with the corner at 90') where the existing homes on the north side of the street are all 100 foot widths, at least for the last four (4) houses. This smaller proposed lot width would change the character of the neighborhood with this increased housing density making it look more crowded than Vivian Gardens was originally designed. I would prefer minimum 100' lot widths to match current.
2. SWPPP? Highest elevation of new news versus current on north side.
3. Will there be a new storm water holding pond built or is existing basins adequate?
4. Contact with Army Corp. of Engineers RE: Island Lake wetland setbacks?
5. Utilities – electrical – will new substation be required? If so, where? Will new lines be buried underground or tapped into existing overhead poles? Underground would be more palatable including the existing poles on the north side.
6. Does existing infrastructure exist including water, wastewater, stormwater, electric and gas? Will street need to be dug up? Will existing utilities be interrupted and if so how and when. What is the notification requirement of existing residents for the future potential disruptions.
7. Trees – what to preserve and what to cut down?
8. Design of new manhole covers so infants and animals don't get their feet or paws caught?
9. Sq. footage of new homes? Sprinkler system required? New fire hydrant location?
10. Lot 7 plat looks irregular and smaller for the house.
11. Has the actual land been sold? I don't see any county record of this.
12. Expected value range of all 7 new homes? \$0.50 MM +? Exterior? Brick or siding? New revenue generated vs. expected city/county expenditures?
13. Timing of project? Do you have buyers signed up already for new homes?
14. Future proposed ghost plat? Timing? What about the resident on 808 Randy Avenue? Is he part of this?
15. General Contractor and subs?
16. City bonding and licensing requirements.
17. PE stamp & signature missing on preliminary plat and grading/erosion drawing. I realize this is a preliminary drawing. Final needs seal of a licensed MN PE.
18. Existing insurance limits of builder and GC?
19. If this progresses, so will my list of questions based on available information.

August 21, 2016

Submitted by:

Thomas Fishlove

845 Gramsie Road

Shoreview, MN 55126

tfishlove@gmail.com

(651) 253-6086

0 Gramsie Road Proposed Development Request for Comments

(Questions based on letter from City and Drawings dated August 15, 2016 and from open house meeting with developer on August 17, 2016)

Summary of Requests and concerns

1. HOUSING/LOT DENSITY

The seven (7) lot width proposals of the new home sites are inconsistent with existing lot widths of 732-855 Gramsie Road – specifically 815, 825, 835, 845 & 855 Gramsie Road where existing lot widths are at one hundred (100) feet. The proposed plan, in my view, will change the character of the neighborhood for two reasons.

First, smaller lot widths in this location, regardless of what existing code allows, will increase the housing density on this part of Gramsie road and provide a “more crowded feel” than what Vivian Gardens was originally designed and what the neighborhood desires. **I would prefer a minimum 100’ lot width requirement to match the current lot widths on Gramsie Road, specifically the existing lots north of this proposed tract.**

Second, the diversity of the proposed lot styles and setbacks will alter the character of the existing neighborhood as it is inconsistent with the existing homes lot sizes. Again, **I would prefer and propose a minimum 100’ lot width requirement.**

2. ELEVATION OF PROPOSED HOMES

The highest elevation of the proposed housing tract shall not interfere with the existing views of the homes on the north side of the tract. 825, 835, 845 & 855 Gramsie Road all have 1 acre lots (0.97 acres to be exact) and have enjoyed the naturalistic views of trees and wildlife for more than 40 years. For example, my house has a front railed deck where my family has enjoyed, unobstructed, the view of trees, wildlife and nature since moving here. **I propose that the highest elevation of the seven new proposed lots not interfere with the southern views of 825-855 Gramsie Road (which are on the north side of this proposed tract.)**

3. PRESERVATION OF CHARACTER OF EXISTING NEIGHBORHOOD

All of the homes on Gramsie Road (west of Victoria) are unique in that there are no “cookie-cutter” style homes typical of many newer developments. Homes consist of one newer home (teardown and rebuilt), one home with an enlarged footprint, a brick Rambler, etc. **I propose and request that each of the seven (7) new homes have unique and individual characteristics which differentiate themselves from one another in a manner consistent with the existing neighborhood.**

4. ELECTRICAL SERVICE

The developer stated at the open house on August 17th, 2016 that the existing electrical service is adequate and that no new sub-station or switchgear boxes will be required. If this is incorrect, where will new a new switch gear box or substation be located?

For the proposed homes, will new electrical lines be buried underground or tapped into existing overhead poles? Underground is preferred as the existing poles on the north side of the street are unsightly. I propose that this project include funds to remove the existing utility poles and replace them with buried lines. For example, 845 Gramsie Road has a pole in front of the house while 855 Gramsie Road had a pole removed and lines buried. This occurred before both current owners occupied their respective residences and I do not know its history. **I propose that this new project remove overhead lines on Gramsie Road west of Randy and replace them with buried lines to be consistent with modern housing developments as well as 855 Gramsie Road .**

5. SWPPP (Storm Water Pollution Prevention Plan) during and post construction

The proposed tract is currently 3.5 acres of "forest" which absorbs water during rain events. Seven (7) new houses will decrease or eliminate the ability of this tract to absorb stormwater, with the water being directed to the path of least resistance. The developer proposed a raingarden at the end of Gramsie where a current fire hydrant exists. The cumulative effects from each proposed housing pad should be calculated with a 50, 100, 250 and 500 year storm event to ensure that the existing residences as well as the proposed homes have adequate topography to handle these "atypical" events. What is the highest elevation of new land news versus current lots on the north side? This is regulated by municipal, county, state and/or federal laws though I did want to call it to the board's attention.

6. Manhole Covers for Stormwater

I propose that if any new stormwater drain inserts are required that they be designed to prevent small children and animals from having their limbs "caught" or injured. The existing drains, in my view, are a smidgen too wide and deep.



Nicole Hill <nhill@shoreviewmn.gov>

Gramsie Road Project - one additional item

1 message

Tom Fishlove <tfishlove@gmail.com>
To: nhill@shoreviewmn.gov

Mon, Aug 22, 2016 at 11:10 PM

Hi Niki,

I have one additional item for the Planning Committee and City Council for the August 30th agenda which was brought to my attention from a neighbor. It is similar to the I-694 Road Construction currently ongoing. The **issue has to do with the trees and brush that need to be removed during the winter months to avoid disturbing long eared bats**. Tree removal during the winter prevents later habitat issues for the bats which are plagued by white-nose syndrome. **Long eared bats are listed as a threatened species under the Endangered Species Act**. I copied and pasted the MN DOT brief as well as the link for your convenience.

Thanks!
Tom



Metro - I-694 between Arden Hills and Little Canada: 2016-2017 construction

Preliminary work begins today on Enhance 694 project

If you're driving on I-694 this month between Rice Street in Little Canada and Lexington Avenue in Arden Hills, you'll notice construction crews busy clearing trees and brush along the interstate.

Crews will begin cutting and piling up trees along both sides of the roadway in preparation for the start of construction this spring. Clearing activities will be carried out from 7 a.m. to 5 p.m. Monday through Friday, and the work will not affect I-694 traffic.

In case you're wondering, the trees and brush need to be removed during the winter months to avoid disturbing long eared bats. Tree removal during the winter prevents later habitat issues for the bats which are plagued by white-nose syndrome. Long eared bats are listed as a threatened species under the Endangered Species Act.

Construction of a third general purpose lane on I-694 between Rice Street and Lexington Avenue will begin early this spring and will be complete by the fall of 2017.

For more information, visit the [project website](#).

August 22, 2016

To: Niki Hill, AICP

FR: Peaki and Orañuj Tan

Subj: Golden Valley Land Co. Proposal

Dear Mrs. Hill,

Our concerns and comments for the Planning Commission to consider on the subject matter are:

1. Varince to omit 15' wider or 15' deeper requirement to increase the number of lots for houses should not be approved.
2. Who is financially responsible for the infrastructure improvements required to support the new houses?
3. What is the targeted price of each lot? and what is the targeted price of the house and the lot?
4. Are the houses custom design? what is the approximated construction time? Image of proposed houses should fit the context of surrounding houses.
5. How does it affect the property tax of the existing houses around Gramsie Woods?
6. What are the wetland regulations, preservation, tree replacements etc. of Gramsie Woods?
7. What is the surface water drainage routed, retained? and managed?
8. What will be the impact on the wild animals of Gramsie Woods?

sincerely,

Peaki and Orañuj

August 21, 2016

To: Shoreview Planning Commission

From: Marianne Lapadat, 799 Randy Ave, Shoreview, Mn. 55126

I Wish to voice my disapproval of the projected development presented to us for the development of the residential lots facing Gramsie Road in the number of 7 building lots from the normal of 5 buildable lots. All of the homes in our area are 85 ft in frontage and I believe this request conforms to the existing neighborhood.

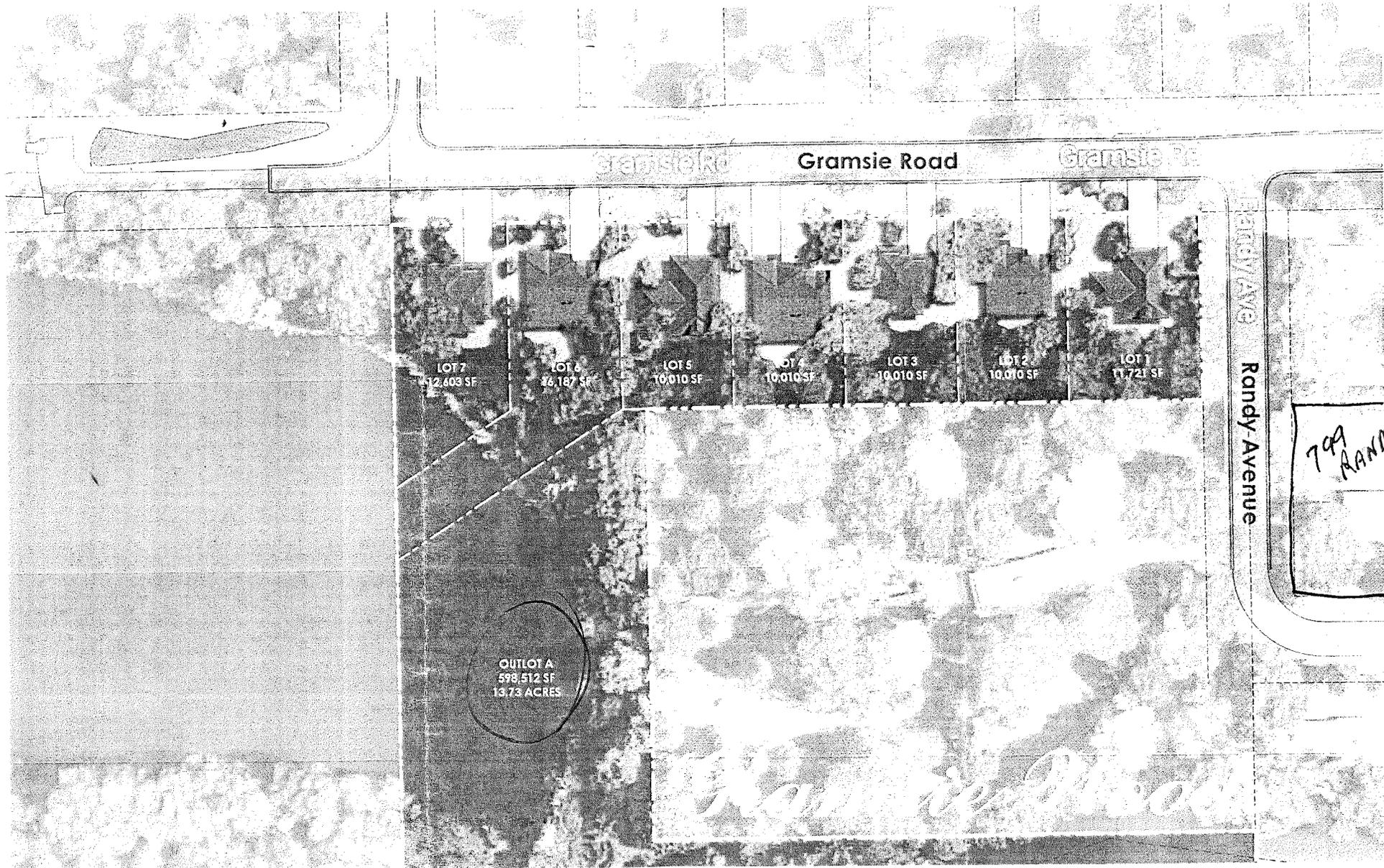
Because I have lived in this home for 47 years, I remember a similar request by the senior George Reiling many years ago (I don't remember exact date) but it was completely rejected at that time for the reasons I stated in my first paragraph, even though Mr. Reiling had already put in infrastucture without approvals necessary. Therefore I object completely to the variance requested by the developer. I do believe 5 lots of a larger size would probably attract homes of a greater value and bring the developer more money for the lots, and would be in accordance with the existing homes and lots in the area.

Also, as I am directly across the street from the Tan property which is showing a ghost plat for additional housing, I am cautiously considering what the future plans are for this parcel. The Peninsula parcel will definitely affect our lake enjoyment and I am afraid will only destroy the wild life and beauty of the area. We are already assaulted by freeway noise in this neighborhood and removing more trees and natural elements would adversely add to this problem. Our wish for Shoreview to address this problem with some sort of sound barrier or stand of trees still exists. The "ugly" freeway sign continues to blight our enjoyment of our neighborhood at this time. Would caution the city of Shoreview to think carefully before they allow this variance and any additional variances for these parcels of land.

I am very happy to be a resident of this wonderful community, and hope you continue to plan carefully for its future.



Marianne Lapadat



To: Niki Hill, AICP, Economic Development and Planning Associate

The concerns of Mary W. Turner at 792 Randy Ave.

Development of property located at 0 Gramsie Rd: Pin 26.30.23.13.0027 and 26.30.23.13.0028

The proposed property to be subdivided into seven lots on Gramsie Avenue does not match the existing lots in the neighborhood. It would look as if they crammed as many homes into this property for profit, not to enhance the look of the neighborhood. Reducing the property to five lots, would blend with the neighborhood and add more value to the settings of the higher end homes the builders have planned.

The future proposed outlot property :

The only problem that concerns me is the peninsula outlot area south of the Tan property.

Right now the noise from the 694 highway is a problem for Randy and Gramsie avenues. We dearly need a sound barrier wall and/or added trees to help with this problem. With any development to this peninsula area will reduce trees and increase the noise level.

Also with this development, the digital billboard located next to the golf course that looms over the trees would be more visible. I can drive down Randy Avenue and the sign is right over my house. Like a UFO. Not cool.

Finally, there is an abundance of wildlife and wetlands in this area. We need to preserve our open space and save this for not only the animals but for ourselves.

Thank you for listening and to consider my suggestions.

Mary Turner
8/22/16

Comments:

1. Large houses on small lots does not fit with the existing nature of the neighborhood. The houses will look cramped in. Lot width should match existing lots at 100'
2. Development is too close to wetlands without proper buffer zone.
3. Proposed road over wetlands is probably illegal.
4. Sound wall was not built along north side of 694 because of natural sand barrier. That will be gone with development.
5. Has the DNR been contacted to check for protected bat species that were found along 694?

Name: DAVE + MARY O'NEILL

Address: 815 GRAMSIE ROAD

Tina and Jeff Moore 782 Randy Ave Shoreview, MN 55126

Niki Hill
Economic Development and Planning Associate
City of Shoreview
4600 Victoria Street North
Shoreview, MN 55126

PRELIMINARY PLAT OF GRAMSIE WOODS

Dear Ms. Hill:

Thank you for requesting feedback on the proposed Gramsie Hill Development. We live at 782 Randy Avenue, in the neighborhood adjacent to the proposed Gramsie Woods development and have the following comments on the proposal:

- In general we have no objection to the seven-home development shown on the preliminary plat. However lot 6 and 7 appear very close to the water. I am assuming standard water setbacks will be enforced for this development.
- We have a number of concerns with the ghost plat.
 - If all of the plans come to fruition, the peninsula that extends into the lake which is directly across from our house would be developed. Right now the peninsula is covered with trees and foliage which is a natural block the freeway noise and some of the light from the ClearChannel sign. The removal of this vegetation and building of houses, we feel would further diminish the desirability of our property, already diminished by the ever present ClearChannel sign's light pollution.
 - The disturbance of the wetlands called out in a letter written to you by Joe Lux are also a concern of ours.

To summarize, we have no objection to the preliminary plat of Gramsie Woods, but serious objections to the ghost plat and request that the Planning Commission and City Council reject the ghost portion of the portion of the plan

If you would like to discuss these comments, I can be reached at 612-747-5980.

Sincerely,



Tina Moore

C: Tom Simonson, Shoreview Community Development Director



Nicole Hill <nhill@shoreviewmn.gov>

Gramsie Woods –Planning Commission meeting 8/30

H Tan <keikirocki@gmail.com>
To: nhill@shoreviewmn.gov

Wed, Aug 24, 2016 at 10:43 PM

Good evening Ms. Hill,

Attached below are a few questions and comments I have in regards to the proposed development of Gramsie Woods by Golden Valley Land Co.

1. Please note that the proposed Gramsie Rd site is designated as Wetlands and Protected Waters by the Shoreview Comprehensive Plan Surface Water Management Plan of 2008. Please verify if/how the Federal, State, and County classifies Island Lake and the Gramsie site Wetland.
2. How will runoff be addressed with increased hard surfaces? The prepared Site Plan notes that if impervious surfaces are less than 40%, it will be drained into Island Lake. Is this permitted per City's Water Surface Management guidelines, Minnesota Wetland Conservation Plan, MN Department of Natural Resources, MN Board of Water and Soils Resources, Grass Lake Watershed Management, Shoreland Management Ordinance, and other Federal/State/County agencies since the property is adjacent to designated Wetlands and Protected Waters? If permitted, has the Developer contacted each of these agencies for confirmation?
3. What is considered impervious other than built structures—does it include sidewalks, driveways, patios, decks, tool sheds? Are these other impervious surfaces accounted for in the site plan and calculations? It appears only the building footprints are shown.
4. If determined that drainage into the lake is acceptable (if less than 50%) how will the Developer control the extent of impervious surface so it never exceeds 50%. What if the new homeowner requests additions such as decks, patios, garden shed, green house, 3-car garage, longer driveway,... and then exceeds 50%?
5. What drainage system is required if impervious surfaces exceeds 50%?
6. Why is the future development of the ghost plat indicated if not part of this proposal? Will it impact future access, infrastructure, drainage, erosion control, etc, when considering the new lots?
7. Would the City allow development on the peninsula and wetland area when the City has designated it as a Wetland/Protected Water/Sensitive area in the Shoreview Comprehensive Plan?
8. A smaller single family housing development (5 lots) was proposed to Shoreview Planning Commission on the same site years ago, but denied. Please forward the date of the previous submittal and reason for denial. Is the public able to access the file for additional information? Were there other proposals?
9. Can the Developer provide conceptual exterior elevations of the new homes?
10. Will all the homes be constructed simultaneously or only after the closing of each individual home?
11. If infrastructure upgrade is required, what segment of streets and utility easements will it affect and for how long until completed?
12. What are the tree replacement or landscape requirements?
13. Are there future plans to connect Gramsie Road to the west?

The existing wetlands, shorelines, and wildlife habitat must be protected from contamination and erosion. Once the area is developed, it can never be brought back to its natural state. Please assure that the Developer heeds all City, County, State and Federal requirements for protection of the wetlands. They are very precious commodities for Shoreview.

Thank you for your time and consideration,
H. Tan daughter of Mr. and Mrs. Tan
808 Randy Ave. Shoreview



Nicole Hill <nhill@shoreviewmn.gov>

Gramsie Woods –Planning Commission meeting 8/30

H Tan <keikirocki@gmail.com>
To: nhill@shoreviewmn.gov

Thu, Aug 25, 2016 at 8:07 AM

Good morning Ms. Hill,

Can you add one last question to my list for the Planning Commission meeting?

If the intent is to drain the properties to the Lake, how will it be collected from all the new lots and routed to the Lake? If its surface drainage to the Lake, how will the properties be contoured/swaled to prevent water from draining into the Tan property or ponding in place?

Thank you,

H. Tan

[Quoted text hidden]

Future development of Gramsie and
Randy Ave. Meeting on Aug. 30th.

Comments: Will the development and the run off
holding area cause Island Lake to drain off
through the Rice Creek watershed slower, which
in turn would raise the maximum height of Lake
(higher than the maximum height the lake has been ^{through the years} since
1985)?

How will it affect the wild life like the bats
and the Ospreys?

The future development of Out Lot A doesn't
affect the Island Lake run off to the wet lands
which goes into the Rice Creek watershed.

Name: Greg Morey
Address: 800 Randy Ave.

**EXTRACT OF MEETING MINUTES FOR THE SHOREVIEW, MINNESOTA
PLANNING COMMISSION HELD AUGUST 30, 2016**

* * * * *

Pursuant to due call and notice thereof, a meeting of the Planning Commission for the City of Shoreview, Minnesota was duly called and held at the Shoreview City Hall in said City at 7:00 p.m.

The following members were present:

And the following members were absent:

Member _____ introduced the following resolution and moved its adoption.

**RESOLUTION NO. 16-79 TO WAIVE THE KEY LOT REQUIREMENTS FOR
FIVE NEW KEY LOTS**

WHEREAS, Peter Knaeble, Golden Valley Land Company has submitted a variance application for the following described property:

That part of the South Half of the Northeast Quarter of Section 26, Township 30, Range 23, Ramsey County, Minnesota, described as follows:

Commencing at the Northwest corner of the South Half of the Northeast Quarter of Section 26, Township 30, Range 23, running thence South to the Southwest corner of said South Half of the Northeast Quarter being the center of Section 26, thence East 20 rods to the Southwest corner of a certain 30 acre tract conveyed by Simon and Anna Marleski to Paulina Hamerick by deed dated October 15, 1881 in "101" of Deeds, page 321; thence North on the West line of said last mentioned tract 34 2/7 rods to the Northwest corner of the tract so deeded to Paulina Hamerick, thence East on the North line of land so deeded to Paulina Hamerick to the center line of public

highway running North and South through middle of said South Half of the Northeast Quarter of said Section 26, thence North along middle of said highway to the North line of said South Half of the Northeast Quarter, thence West along the North line of said South Half of the Northeast Quarter to the Northwest corner thereof, and the point of beginning, intending to convey land described in "247" of Deeds, page 62.

Except the following three tracts of land:

Tract One:

e-016,13; Commencing on the North and South Quarter Section line of Section 26 distant 565.71 feet North of the center of said Section, thence Easterly parallel with the East and West Quarter Section line to the center line of Victoria Street being the point of beginning of land to be described; thence Northerly along the center line of Victoria Street 120 feet, thence Westerly and parallel with the East and West Quarter Section line 888.24 feet; thence Southerly and parallel with the North and South Quarter section line 120 feet, thence Easterly 890.33 feet to the point of beginning, subject to Victoria Street, which was conveyed to Clifford Ingwell by a Warranty Deed dated July 19, 1954, and recorded in "1454" of Deeds, page 115.

Tract Two:

All that part of the South 1/2 of the Northeast Quarter Section 26, Township 30, Range 23, lying Westerly of the center line of Victoria Street, except the West 585.42 feet and except the South 685.71 feet thereof, subject to Victoria Street, entitled: "Island Lake Hills".

Tract Three:

The South 300 feet of the North 470 feet of the East 412.42 feet of the West 585.42 feet of the Southwest Quarter of the Northeast Quarter of Section 26, Township 30, Range 23, subject to an easement for road purposes over the East 30 feet thereof, which was conveyed by Warranty Deed to Leland A. Holm and Barbara L. Holm, husband and wife, dated May 12, 1955 and recorded in "1498" of Deeds, page 47.

And

That part of the South 565.71 feet of the East 2310 feet of the Northeast Quarter (NE 1/4) of Section 26, Township 30 North, Range 23 West, lying West of a line described as follows: Commencing at the East Quarter (1/4) corner of said Section, thence West along the South line of said Northeast Quarter (NE 1/4) of said Section a distance of 1902.45 feet; thence deflecting 90° right for a distance of 565.71 feet and there terminating; subject to trunk highway 694-393, and except Parcel 251B of trunk highway 694-393, according to the U.S. Government survey thereof on file and of record in the office of the Register of Deeds in and for Ramsey County, Minnesota.

Abstract Property

(Property PID numbers: 26-30-23-13-0027; 26-30-23-13-0028;
Future lots: Lot 1-5, GRAMSIE WOODS, Ramsey County, Minnesota)

WHEREAS, the Development Regulations require a key lot additional 15 feet of depth or 15 feet of width to a property; and

WHEREAS, the applicants have requested a variance to this requirement; and

WHEREAS, the Shoreview Planning Commission is authorized by state law and the City of Shoreview Development Regulations to make final decisions on variance requests.

NOW, THEREFORE, BE IT RESOLVED BY THE SHOREVIEW PLANNING COMMISSION, that the variance request submitted by Peter Knaeble, Golden Valley Development be approved on the basis of the following findings of fact:

1. *Reasonable Manner.* The property owner proposes to use the property in a reasonable manner not permitted by the Shoreview Development Regulations. The proposed construction of a seven lot single family home subdivision meets the standard R1 Single Family Detached zoning regulations lot size and width requirements and is a reasonable use of the property.
2. *Unique Circumstances.* The plight of the property owner is due to circumstances unique to the property not created by the property owner. Unique circumstances stem from the intent of the Key Lot Requirements to mitigate the impact on those lots who abut the side/rear lot lines of a key lot. In this case the existing home on the adjoining parcel at 808 Randy Ave is greater than 150' feet from the existing rear lot line. In addition, any future development would change the lots from key lots to standard lots as the rear lot lines would be abutting. Requiring additional width or depth would not serve a purpose to mitigate as there would be little to no impact on the adjoining property.

Additionally, the right of way area is larger than a standard City lot. Gramsie Road was originally a County road which was given back to the City of Shoreview – which is why the width is 80 feet.

3. *Character of Neighborhood.* The variance, if granted, will not alter the essential character of the neighborhood. The proposed subdivision would meet the required subdivision standards of an R1- Detached Residential District. This is the same zoning as the surrounding neighborhood so the character of the neighborhood would not be altered.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE SHOREVIEW PLANNING COMMISSION that the variance requested by Golden Valley Land, Co. be approved subject to the following conditions:

1. This approval is subject to approval of the Preliminary Plat application by the City Council.
2. A minimum setback of 40-feet from the South (rear) lot line is required for the principal and accessory structures developed on Lots 1-5.
3. This approval will expire after one year if the subdivision has not been recorded with Ramsey County.
4. The approval is subject to a 5-day appeal period.

The motion was duly seconded by Member _____ and upon a vote being taken thereon, the following voted in favor thereof:

And the following voted against the same:

Adopted this 30th day of August 2016.

John Doan, Chair
Shoreview Planning Commission

ATTEST:

SEAL

Niki Hill, AICP
Economic Development and Planning Associate

ACCEPTANCE OF CONDITIONS:

Peter Knaeble, Golden Valley Land Co.

STATE OF MINNESOTA)
)
COUNTY OF RAMSEY)
)
CITY OF SHOREVIEW)

I, the undersigned, being the duly qualified and acting Manager of the City of Shoreview of Ramsey County, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a meeting of said City of Shoreview Planning Commission held on the 30th day of August, 2016 with the original thereof on file in my office and the same is a full, true and complete transcript there from insofar as the same relates to adopting Resolution No. 16-79.

WITNESS MY HAND officially as such Manager and the corporate seal of the City of Shoreview, Minnesota, this 30th day of August, 2016.

Terry C. Schwerm
City Manager

SEAL

PROPOSED MOTION

MOVED BY COMMISSION MEMBER _____

SECONDED BY COMMISSION MEMBER _____

To adopt Resolution 16-79 approving the variances to waive the Key Lot requirements for Lots 1-5 and to recommend the City Council approve preliminary plat and rezoning submitted by Peter Knaeble, Golden Valley Land Co. to subdivide and develop the property at 0 Gramsie Road into 7 lots for single-family detached homes and 1 outlot for future development in the south. Said recommendation for approval is subject to the following conditions.

Rezoning

1. A Development Agreement must be executed prior to the City's issuance of any permits for rezoning.
2. Rezoning is not effective until approvals are received for the Final Plat, the development agreements executed.
3. This approval rezones the property from UND, Urban Underdeveloped to R1, Detached Residential.

Preliminary Plat

1. The approval permits the development of a detached residential subdivision providing 7 lots for single family residential development and 1 outlot for future development.
2. Final grading, drainage and erosion control plans are subject to the review and approval by the Public Works Director prior to approval of any permits or the Final Plat. Concerns identified by the City Engineer shall be addressed with the Final Plat submittal.
3. Final utility plans are subject to review and approval by the Public Works Director.
4. Comments identified in the memo dated August 23, 2016 from the City Engineer shall be addressed with the Final Plat submittal.
5. A Development Agreement, Erosion Control Agreement shall be executed and related securities submitted prior to any work commencing on the site. A Grading Permit is required prior to commencing work on the site.

6. A Public Recreation Use Dedication fee and/or Land Dedication shall be submitted as required by ordinance prior to release of the Final Plat.
7. The landscape/tree-replanting plan shall be provided in accordance with the City's Tree Protection Ordinance. Trees on the property, which are to remain, shall be protected with construction fencing placed at the tree driplines prior to grading and excavating. Said plan shall be submitted for review and approval by the City Planner prior to submittal of the final plat application.
8. The Final Plat shall include drainage and utility easements along all property lines. Drainage and utility easements along the roadways shall be 10 feet wide and 5 feet wide along the side and rear lot lines. Other drainage and utility easements shall be provided over the proposed bio-filtration area, future public infrastructure and as required by the Public Works Director.
9. The developer shall secure a permit from the Rice Creek Watershed District prior to commencing any grading on the property.
10. The plan submittal for the Final Plat shall identify areas that are classified as steep slopes and bluffs on Lots 1-7.

VariANCES

1. This approval is subject to approval of the Preliminary Plat application by the City Council.
2. A minimum setback of 40-feet from the South (rear) lot line is required for the principal and accessory structures developed on Lots 1-5.
3. This approval will expire after one year if the subdivision has not been recorded with Ramsey County.
4. This approval is subject to a 5-day appeal period.

VOTE:

AYES:

NAYS:

Regular Planning Commission Meeting
August 30, 2016

TO: Planning Commission

FROM: Niki Hill

DATE: September 22, 2016

SUBJECT: File No. 2632-16-31; Variance - Fence Setback –Steven and Debra Valley, 5891 Hamline Ave.

INTRODUCTION

Steven and Debra Valley have submitted a variance application for their property at 5891 Hamline Avenue. The Valleys are requesting a variance to reduce the 10 foot minimum setback for a 6 foot fence in a side-yard along an arterial road. The Valleys are proposing a fence that is set back approximately 3 feet from the property line. A variance from the development code standards can be granted provided practical difficulty is present. The application was complete September 7, 2016.

BACKGROUND AND PROJECT DESCRIPTION

The property is located on north west side of the intersection of Lexington Avenue and Hamline Avenue in Northern Shoreview. Access to the property is gained from a driveway off of Hamline Avenue. The parcel is .47 acres in size (20,473.2 square feet), has a lot width of 110.00 feet along Hamline Avenue and a lot depth of about 185.00 feet. Site improvements include the existing home, an attached two-car garage, driveway, and sidewalk areas. The topography of the property slopes to the west, with a loss of 6 feet in elevation. Adjacent land uses include low density single-family residential to the north and east, wetland to the west and commercial to the south.

The applicant is proposing to build a 6 foot tall privacy fence along the south side of his property, abutting Lexington Avenue, in the side yard, reducing the required 10 foot required setback to 3 feet.

DEVELOPMENT CODE

Per Development Code Section 205.080(D)(7), fences are permitted in Residential Districts provided the following standards are met:

(b) Height. Fences in front yards or any yard adjacent to a public road right-of-way or road easement shall not exceed 4 feet in height except:

(i) Fences in a rear yard of a double fronted lot, adjacent to an arterial or collector roadway, may be up to 6 feet in height.

(ii) On corner lots whose side yard abuts an arterial roadway, fences in that side yard may be up to 6 feet in height provided that the fence is setback at least 10 feet from the property line abutting the right-of-way or any pedestrian or road easement and plantings (shrubs or trees) as approved by the City are established and maintained between the fence and the right-of-way or easement.

Fences in other side or rear yards shall not exceed 6 feet in height. In no case shall the combined height of any fence and berm exceed the maximum height permitted by more than one (1) foot.

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.

For a variance to be granted, all three of the criteria need to be met.

APPLICANT’S JUSTIFICATION OF PRACTICAL DIFFICULTY

The applicant states that practical difficulty is present. The installation of a 6-foot tall fence in the required setback area would serve as a sound, safety and privacy barrier for the home. The property has a unique circumstance in that there is a grouping of existing, mature conifer trees in the backyard and five that are all located approximately 10 feet from the south property line. Installing the fence with a setback of 10 feet would require removal of the existing conifer trees. To avoid removal of the existing trees, the fence would be set back approximately 3 to 5 feet from the south property line to locate it between the existing confer trees and deciduous trees.

Other properties to the east with backyards along Lexington Ave. have 6 foot tall fences with setbacks from the nearest edge of the trail ranging from less than 2 feet to approximately 8 feet. A setback of 3 to 5 feet at 5891 Hamline Ave. would be greater than most of the setbacks relative to the edge of the trail.

See applicant’s statement.

STAFF REVIEW

The following table summarizes the proposal in accordance with the City’s Development Code for 6-foot tall fences.

	Existing	Proposed	Development Code Standard
Height	0 sf	6 ft	4 ft
Setback – Side yard	N/A	3-5 ft	Side yard adjacent to an arterial – 10’

Exterior Design	N/A	Wood Privacy Fence	Fencing material shall be dimensional, solid sawn, decay resistant lumber. Chain link fencing material with corrosion protection shall be permitted. Other materials may be permitted subject to the approval of the City Planner.
Screening	Fence will be behind existing row of deciduous trees on property line.		For a 6-tall fence in the Side Yard abutting an arterial - landscaping required to screen fence from view

The Staff has reviewed the proposal and believes practical difficulty is present since all three criteria are not met.

Reasonable Manner. The 6-foot tall fence addresses the concerns of the property owner in regards to sound, safety and a privacy barrier. In Staff’s opinion, the reduced setback reasonable due to the property and neighborhood characteristics and proximity to Lexington Avenue, an arterial road. The location of a fence between the deciduous and conifer trees is a reasonable use of the property.

Unique Circumstances. In staff’s opinion, unique circumstances are present due to the proximity to Lexington Avenue, neighborhood development patterns, the topography of the land, and the location of the existing mature trees.

Lexington Avenue is an arterial roadway under the jurisdiction of Ramsey County. The most recent MnDOT data for Lexington Avenue has a 2011 average daily traffic volume is 10,800 vehicles. The fence would help to alleviate some of the noise that is created from the volume of vehicles that pass through the intersection.

Locating the fence at the require 10 foot setback would impact the existing mature coniferous trees. The proposed location between the existing deciduous and coniferous vegetation should sufficiently screen the fence and soften its appearance while having no impact on the existing coniferous trees.

The neighborhood development pattern is such that this house is the only one in the neighborhood near the Lexington Avenue and Hamline Avenue intersection that has a side-yard adjacent to Lexington Avenue. The homes to the east have a rear yard adjacent to Lexington Avenue and are allowed to have a 6 foot fence at the property line without a 10 foot setback or landscape screening.

There is also a commercial center across Lexington Avenue. Said fence would enhance and buffer the single-family use from the commercial uses.

Character of Neighborhood. Staff does not believe the variance will not alter the character of the neighborhood because of the existing fences to the east along Lexington, adjoining land uses and proposed screening with the existing deciduous trees. Since this property is the only residential lot whose side lot line abuts Lexington Avenue in this area, the character of the neighborhood will not be altered.

Further, the fence will not post a traffic visibility problem since it will be placed behind the existing trees.

PUBLIC COMMENT

Property owners within 150 feet were notified of the applicant's request. No comments have been received.

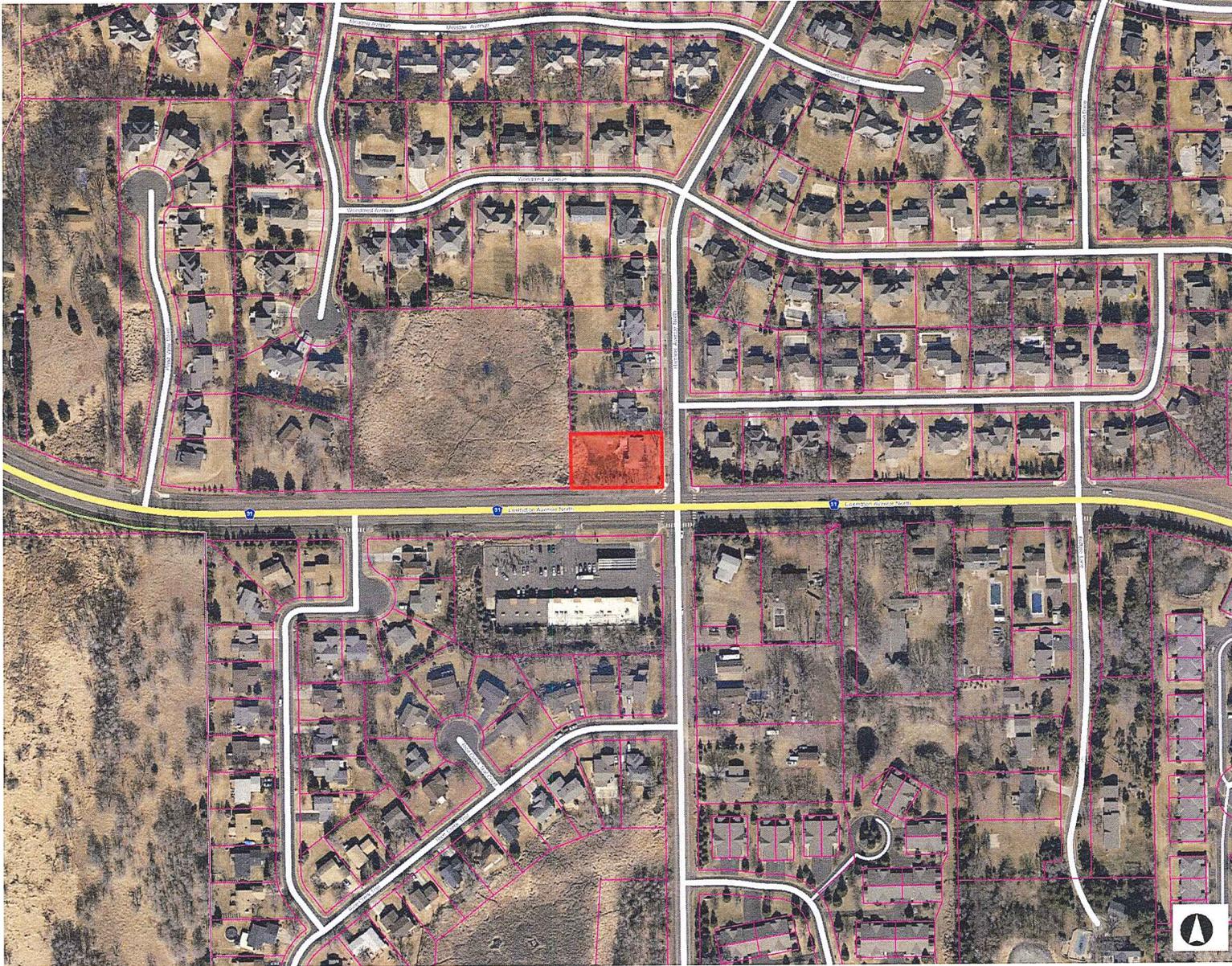
STAFF RECOMMENDATION

In Staff's opinion, practical difficulty is present for the variance since all three criteria are met. While a fence in the required setback could be constructed in accordance with the code requirements, the proposal is reasonable due to the unique circumstances that are present regarding the existing trees, development and traffic along the Lexington Avenue corridor. In addition, the character of the neighborhood will not be impacted since this is the only home near the intersection of Lexington Avenue and Hamline Avenue that has a side yard abutting Lexington Avenue. Staff is recommending the Planning Commission support the variance and adopt Resolution 16-90 subject to the following conditions:

1. The approval permits a reduced setback 6-tall privacy fence in the side yard of the property.
2. Said fence shall be setback a minimum of 3 feet from the side property line.
3. The fence shall be maintained in accordance with the standards of the Development Code.
4. Landscape screening shall be maintained between the fence and the side property line.
5. The applicant shall obtain a building permit for the structure.

Attachments

- 1) Location Map
- 2) Submitted Statement and Plans
- 3) Resolution 16-90
- 4) Motion



Legend



-  City Halls
-  Schools
-  Hospitals
-  Fire Stations
-  Police Stations
-  Recreational Centers
-  Parcel Points
-  Parcel Boundaries
-  Airports

Notes

Enter Map Description

600.0 0 300.00 600.0 Feet

Justification for a fence variance at 5891 Hamline Ave. North Shoreview, MN 55126

Variance Request

Variance to build a 6 foot tall fence with less than a 10 foot setback from the south property line of 5891 Hamline Ave. N. (along Lexington Ave.). See marked up survey (Attachment 1) for approximate location of fence.

Practical Difficulties

- 1) The use of the fence would serve as a sound, safety and privacy barrier for the backyard of 5891 Hamline Ave, N.
- 2) The property has a unique circumstance in that there is a grouping of existing, mature conifer trees in the backyard and five that are all located approximately 10 feet from the south property line. Therefore, installing the fence with a setback of 10 feet would require the removal of the five existing conifer trees. To avoid removal of the existing trees, the fence would be set back approximately 3 to 5 feet from the south property line to locate it between the existing conifer trees and deciduous trees (photos 1 & 2).
- 3) Other properties to the east with backyards along Lexington Ave. have 6 foot tall fences with setbacks from the nearest edge of the sidewalk ranging from less than 2 feet to approximately 8 feet (photos 3 & 4). A setback of 3 of 5 feet from the property line (5-7 feet from sidewalk) at 5891 Hamline Ave. would be greater than most of the setbacks relative to the edge of the sidewalk compared to the properties located to the east on Lexington Ave.
- 4) The property has a unique circumstance in that it has a side yard along Lexington Ave. and the west (back) lot line adjoins a marshland.
- 5) Locating the fence between the existing conifer and deciduous trees will be consistent with the varying amount of vegetation between the sidewalk and fence of properties located to the east, which range from no vegetation, uncontrolled natural vegetation to various trees (photos 3 & 4).
- 6) The proposed fence setback from the sidewalk and vegetation will be consistent with the style and character of the fences on the properties to the east along Lexington Ave.
- 7) The proposed fence construction and materials will be consistent with the style and character of the fences on the properties to the east along Lexington Ave. (photo 5).

Justification for a fence variance at 5891 Hamline Ave. North Shoreview, MN 55126

Photos 1: Existing conifer and deciduous trees



Photos 2: Existing conifer and deciduous trees



Justification for a fence variance at 5891 Hamline Ave. North Shoreview, MN 55126

Photo 3: Fence at property to the east setback less than 2 feet from sidewalk.

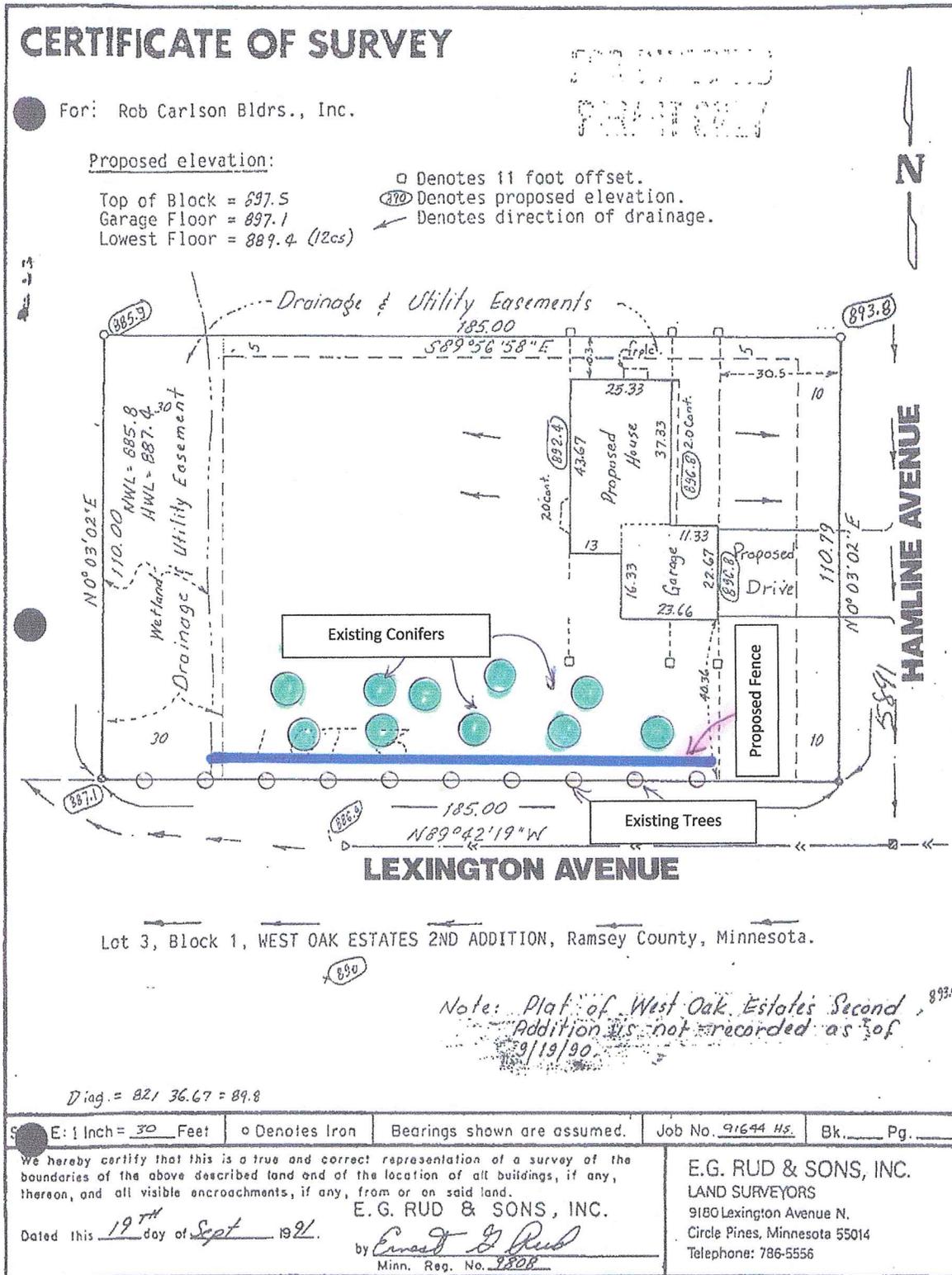


Photo 4: Fence at property to the east



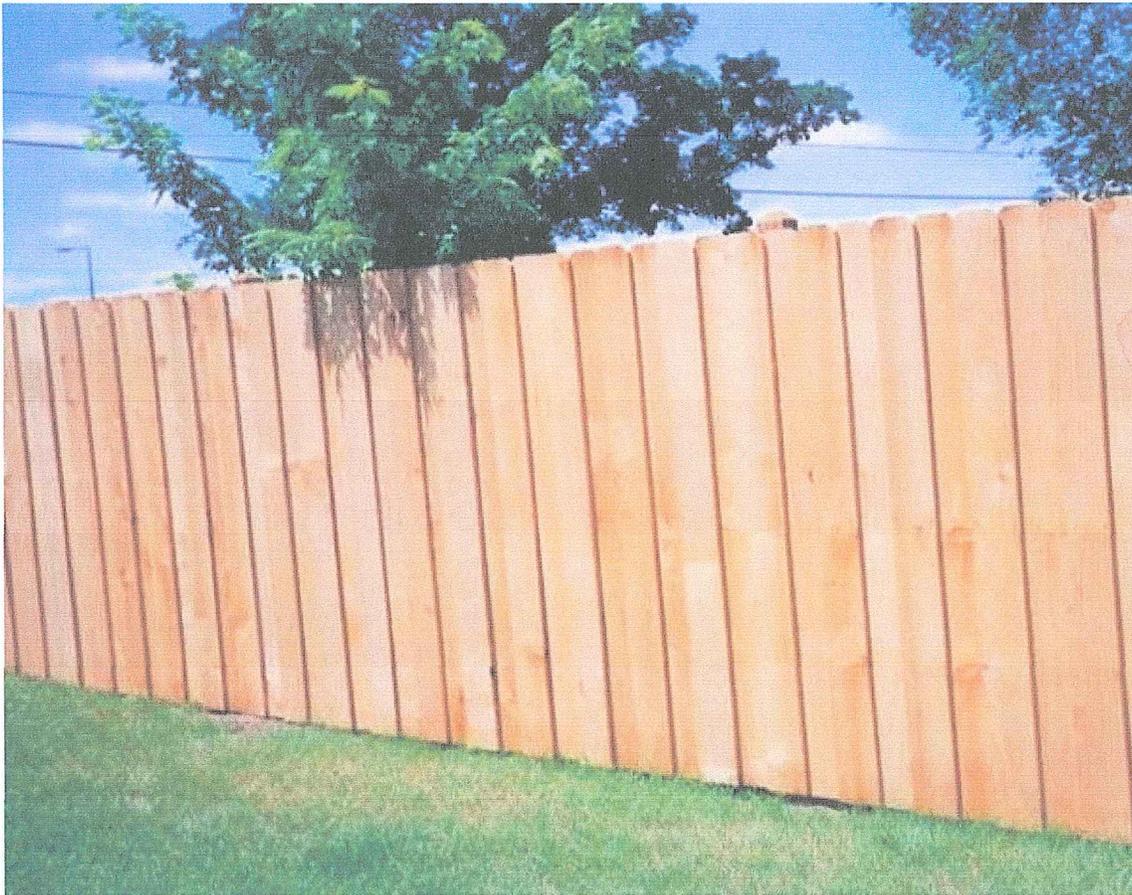
Justification for a fence variance at 5891 Hamline Ave. North Shoreview, MN 55126

Attachment 1: Marked up survey showing proposed fence location, existing deciduous trees and conifer trees.



Justification for a fence variance at 5891 Hamline Ave. North Shoreview, MN 55126

Photo 5: Example of proposed fence



**EXTRACT OF MINUTES OF MEETING OF THE
PLANNING COMMISSION OF SHOREVIEW, MINNESOTA
HELD SEPTEMBER 27, 2016**

* * * * *

Pursuant to due call and notice thereof, a meeting of the Planning Commission of the City of Shoreview, Minnesota was duly called and held at the Shoreview City Hall in said City at 7:00 PM.

The following members were present:

And the following members were absent:

Member _____ introduced the following resolution and moved its adoption.

**RESOLUTION NO. 16-90 FOR A VARIANCE TO REDUCE THE 10 FOOT REQUIRED
SETBACK OF A FENCE IN THE SIDE YARD**

WHEREAS, Steven and Debra Valley, married to each other, submitted a variance application for the following described property:

Lot 3, Block 1, WEST OAK ESTATES SECOND ADDITION

Property Identification Number 03.30.23.21.0083

(This property is more commonly known as 5891 Hamline Avenue)

WHEREAS, the Development Regulations minimum setback of a 6 foot fence in a side-yard adjacent to an arterial on a residential property to 10-feet; and

WHEREAS, the applicants are proposing to build a 6-foot tall privacy fence in the side yard of their property with a three-foot setback; and

WHEREAS, the applicant has requested a variance to reduce the minimum 10-foot fence setback permitted; and

WHEREAS, the Shoreview Planning Commission is authorized by State Law and the City of Shoreview Development Regulations to make final decisions on variance requests.

WHEREAS, on September 27, 2016 the Shoreview Planning Commission made the following findings of fact:

1. *Reasonable Manner.* The 6-foot tall fence addresses the concerns of the property owner in regards to sound, safety and a privacy barrier. In Staff's opinion, the reduced setback reasonable due to the property and neighborhood characteristics and proximity to Lexington Avenue, an arterial road. The location of a fence between the deciduous and conifer trees is a reasonable use of the property.
2. *Unique Circumstances.* In staff's opinion, unique circumstances are present due to the proximity to Lexington Avenue, an arterial road, neighborhood development patterns, the topography of the land, and the location of the existing mature trees.
3. *Character of Neighborhood.* Staff does not believe the variance will not alter the character of the neighborhood because of the existing fences to the east along Lexington, adjoining land uses and proposed screening with the existing deciduous trees. Since this property is the only residential lot whose side lot line abuts Lexington Avenue in this area, the character of the neighborhood will not be altered.

NOW, THEREFORE, BE IT RESOLVED BY THE SHOREVIEW PLANNING COMMISSION, that the variance request for property described above, 5891 Hamline Avenue, be approved, subject to the following conditions:

1. The approval permits a reduced setback 6-tall privacy fence in the side yard of the property.
2. Said fence shall be setback a minimum of 3 feet from the side property line.
3. The fence shall be maintained in accordance with the standards of the Development Code.
4. Landscape screening shall be maintained between the fence and the side property line.
5. The applicant shall obtain a building permit for the structure.

The motion was duly seconded by Member _____ and upon a vote being taken thereon, the following voted in favor thereof

And the following voted against the same:

Adopted this 27th day of September, 2016

John Doan, Chair

Shoreview Planning Commission

ATTEST:

Niki Hill, AICP
Economic Development and Planning Associate

ACCEPTANCE OF CONDITIONS:

Steven Valley, 5891 Hamline Ave

Debra Valley, 5891 Hamline Ave

STATE OF MINNESOTA)
)
COUNTY OF RAMSEY)
)
CITY OF SHOREVIEW)

I, the undersigned, being the duly qualified and acting Manager of the City of Shoreview of Ramsey County, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a meeting of said City of Shoreview Planning Commission held on the 27th day of September, 2016 with the original thereof on file in my office and the same is a full, true and complete transcript therefrom insofar as the same relates to adopting Resolution 16-90.

WITNESS MY HAND officially as such Manager and the corporate seal of the City of Shoreview, Minnesota, this 27th day of September, 2016.

Terry C. Schwerm
City Manager

SEAL

MOTION TO APPROVE

MOVED BY COMMISSION MEMBER: _____

SECONDED BY COMMISSION MEMBER: _____

To adopt the attached Resolution 16-90, including findings of fact, permitting the construction of 6-foot tall privacy fence with a reduced setback of 3 feet at 5891 Hamline Avenue, subject to the following conditions:

1. The approval permits a reduced setback 6-tall privacy fence in the side yard of the property.
2. Said fence shall be setback a minimum of 3 feet from the side property line.
3. The fence shall be maintained in accordance with the standards of the Development Code.
4. Landscape screening shall be maintained between the fence and the side property line.
5. The applicant shall obtain a building permit for the structure.

Said approval is based on the following findings of fact:

1. *Reasonable Manner.* The 6-foot tall fence addresses the concerns of the property owner in regards to sound, safety and a privacy barrier. In Staff's opinion, the reduced setback reasonable due to the property and neighborhood characteristics and proximity to Lexington Avenue, an arterial road. The location of a fence between the deciduous and conifer trees is a reasonable use of the property.
2. *Unique Circumstances.* In staff's opinion, unique circumstances are present due to the proximity to Lexington Avenue, an arterial road, neighborhood development patterns, the topography of the land, and the location of the existing mature trees.
3. *Character of Neighborhood.* Staff does not believe the variance will not alter the character of the neighborhood because of the existing fences to the east along Lexington, adjoining land uses and proposed screening with the existing deciduous trees. Since this property is the only residential lot whose side lot line abuts Lexington Avenue in this area, the character of the neighborhood will not be altered.

VOTE:

AYES:

NAYS:

Regular Planning Commission Meeting
September 27, 2016

TO: Planning Commission
FROM: Kathleen Castle, City Planner
DATE: September 22, 2016
SUBJECT: Text Amendments – Building Height

Introduction

In April, the Planning Commission discussed potential revisions to the maximum building heights permitted for multi-family residential, commercial, business and industrial properties. Commission members generally have supported height increases but have expressed concern regarding the impact taller buildings may have on adjoining low-density residential land uses. Visual impact from the public right-of-way has also been identified as a concern.

The following memo summarizes the proposed revisions discussed at the April meeting and offers some other changes to better address the impacts on lower density residential land uses. Information from the April meeting can be found at <http://shoreviewmn.gov/Home/ShowDocument?id=7472>.

Proposed Revisions

The staff is proposing several changes to the Development Code that would permit taller building heights and better address the visual impact on adjoining low-density residential land uses. These changes include a combination of practices that increase building heights by right, restrict building height when adjacent to low density residential land uses and enhance landscape/screening requirements. The following summarizes the proposed revisions:

- 1) Increase maximum building heights permitted in each Zoning District with the exception of the R1, Detached Residential and R2, Attached Residential Zoning Districts.**

It seems that there is general consensus from the Planning Commission to increase building heights provided impacts on lower density residential uses are mitigated. Mitigation techniques include establishing a transition zone and enhancing the buffer requirements.

Commissioners questioned the need for greater front yard setbacks for non-residential land uses. The larger setbacks stem from the desire to retain the suburban form of the City by maintaining open space adjacent to the public realm or street environment. The larger setbacks also provide greater separation between the transportation activity on the street and the private property use. If there is interest in reducing setbacks for these non-residential uses, a minimum setback can be established. This setback could be linked to the proposed building height if there are concerns about the visual impact of a taller building from the public street view. A reduction in front yard setback could also result in a larger setback when adjacent to residential land uses.

The following table was previously reviewed in April and summarizes the existing height limits, minimum structure setbacks and the proposed building heights. The existing provisions

identified as “*” would also be removed as part of this change. The intent of the “*” is to provide flexibility and allow buildings taller than the 35’.

	Existing - Maximum Building Height	Proposed – Maximum Building Height Permitted	Existing – Minimum Structure Setback – Front/Side Adjacent to Street	Existing -Minimum Structure Setback Adjacent to Residential Uses
R3 – Multi-Family Residential	35’*	40’ 50’ adjacent to I694 or I35W	30’/30’	
C1A, Limited Retail Service	35’*	35’	50’/30’	50’
C1, Retail Service	35’*	45’ 50’ – adjacent to I694 or I35W	50’/30’	50’
C2, General Commercial	35’*	45’ 50’ – adjacent to I694 or I35W	50’/30’	50’
OFC, Office	35’*	55’ 65’ adjacent to I694 or I35W	50’/30’	50’
BPK. Business Park	35’*	55’ 65’ adjacent to I694 or I35W	75’/30’	75’
I, Industrial	35’*	55’ 65’ adjacent to I694 or I35W	50’/30’	75’
PUD, Planned Unit Development	35’*		Underlying Zoning District	Underlying Zoning District

*Maximum building height may be exceeded if for every additional foot of height there is an additional foot of setback on all sides and does not exceed the firefighting capabilities of the Fire Department.

The staff is proposing that the existing criteria permitting taller building heights be removed since the proposed text would increase heights in all zoning districts. This includes eliminating the standard requiring an additional foot of setback for every additional foot of height and reference to the firefighting capabilities of the City.

2) Establish minimum structure setback and a height transition area when a multi-family residential development site and non-residential land use adjoins property zoned for low-density residential uses.

The Development Code does not require a minimum setback between a high density residential use and low or medium density residential land uses. Residential land uses, regardless of density or type, are considered compatible with one another.

Setback standards have been implemented when non-residential uses are adjacent to any residential use. A tiering system can also be developed when commercial/office/industrial are adjacent to residential land uses. This, in addition to the minimum structure setback required, can aid mitigating the visual impact and activity of the structure on the adjoining residential land uses.

The height transition area is an area that extends beyond the minimum structure setback. The width of the transition area is defined and within this area, the height of the structure is permitted to increase incrementally until the maximum building height is reached. The following is proposed.

	Minimum Structure Setback Adjacent to Low or Medium Density Residential Uses	Width of Transition Area	Maximum Height Permitted in Transition Area	Proposed – Maximum Building Height Permitted
R3 – Multi-Family Residential*	30'	10'	35' at the minimum structure setback then a 1' increase in height for every 2' in additional structure setback	40' 50' adjacent to I694 or I35W
C1A, Limited Retail Service	50'	-	35'	35'
C1, Retail Service	50'	20'	35' at the minimum structure setback then a 1' increase in height for every 2' in additional structure setback	45' 50' – adjacent to I694 or I35W
C2, General Commercial	50'	20'	35' at the minimum structure setback then a 1' increase in height for every 2' in additional structure setback	45' 50' – adjacent to I694 or I35W
OFC, Office	75' (existing setback is 50')	40'	35' at the minimum structure setback then a 1' increase in height for every 2' in additional structure setback	55' 65' adjacent to I694 or I35W
BPK. Business Park	75'	40'	35' at the minimum structure setback then a 1' increase in height for every 2' in additional structure setback	55' 65' adjacent to I694 or I35W

I, Industrial	75'	40'	35' at the minimum structure setback then a 1' increase in height for every 2' in additional structure setback	55' 65' adjacent to I694 or I35W
PUD, Planned Unit Development	Underlying Zoning District	Underlying Zoning District	Underlying Zoning District	Underlying Zoning District

Based on discussion in April, transition zones are being proposed for the other zoning districts although these districts require structures to have a greater setback from adjoining residential land uses. Staff is also recommending an increased setback for structures in the Office District when adjacent to residential due to the proposed increase in height. While staff does have some concern about the impact a transition zone may have on the building capacity of the site, this may be off-set by permitting a reduced structure setback from the front property.

Discussion in April also addressed the increase in building heights along arterial roadways. Staff has eliminated the reference to arterial roadways and has identified greater heights adjacent to the freeway. This is a matter that should be further discussed. There may be some areas along arterial roadways that have the capacity for taller heights with limited impact on low density residential uses.

Architectural style within the transition zone is also a concern. In the past, the City has desired non-residential developments adjacent to lower density residential uses to be designed with a residential character. While this may be reasonable for multi-family residential, it might be challenging for office or business park uses to meet this standard.

3) Improve landscape and screening requirements when higher density residential and non-residential uses abut low and medium density residential land uses.

When a non-residential district is adjacent to a residential district, a 20-foot landscaped buffer is required along the common lot line. No provisions are in place when a higher density or multi-family residential district is adjacent to a low density residential neighborhood. Staff is proposing to add language requiring a similar 20-foot landscaped buffer in these situations. Larger setbacks from the residential uses may also provide the opportunity for a wider buffer. Parking or driveways could not encroach within these landscaped buffers.

Recommendation

Staff is seeking feedback from the Planning Commission regarding the proposed options and identify other concerns Commissioners may have regarding building height. Revisions to the current height standards are needed to better address redevelopment, life-cycle housing and economic development. The Staff would then prepare a formal text amendment within the next few months.

Enc. April 26th PC Minutes

MISCELLANEOUS

Council Meetings

Commissioners Peterson and McCool will respectively attend the May 2, 2016 and May 16, 2016 City Council meetings.

Discussion Items Presented by City Planner Kathleen Castle

Beekeeping Ordinance: Ms. Castle stated that many questions were raised at the recent beekeeping workshop. Mr. Gary Reuters, University of Minnesota Bee Lab, was unable to attend. Ms. Castle will follow up with him on the questions asked. The group would like to go to the bee lab and talk more about beekeeping in the back yard and see an actual hive.

Building Height: Consideration is being given to modifying City regulations regarding height restrictions. Many development proposals exceed the maximum height now allowed at 35 feet across all zones. Height can be increased only if the minimum setback is increased by the same number of feet. Currently, City Code restricts height to the capability of the Fire Department, which is no longer a concern because of staff training and because taller buildings have fire suppression system.

There are three recommended provisions:

1. Increase maximum height in all districts except the R1, Single-Family Residential and R2, Attached Residential Districts:
 - The height for the R3 District is proposed to be 40 feet or 50 feet if the site is adjacent to I-694 or I-35W. The 40 feet is based on what has been permitted in newer residential complexes. The height of 40 feet would permit three stories with a hip roof.
 - The C1, Limited Retail and C2, General Commercial would be changed to a maximum of 45 feet to permit four stories.
 - Office, Business Park and Industrial zones would be allowed 55 feet or a 5-story building, or 65 feet (six-story building) adjacent to I-694 and I-35W.

In all instances there would be more flexibility for a site that is adjacent to I-694 or I-35W.

Commissioner McCool asked the rationale for the larger setbacks required for increased heights. Business Park, Industrial and Office often build buildings that are attractive and would look nice closer to the street. Ms. Castle stated that the current setback for Business Park is 75 feet. Staff will look further into this question.

Commissioner Solomonson stated that he would like to see a tiered system for buildings that are located closer to low density residential areas.

2. Establish minimum structure setback and height transition area when multi-family residential development adjoins property zoned for low density residential. Because multi-

family and single-family are both residential, the Code does not have a specified setback. Propose minimum structure setback of 30 feet. The transition area is where a tiered height could be implemented with a maximum of 40 feet in height.

One question is whether height can be increased along arterial roads, such as Highway 96 and Lexington. Staff proposes that once a development is out of a transition area, the maximum height can be used. The required setback for R3 in the Code is 75 feet and already creates a buffer to residential.

Commissioner Solomonson suggested that “adjacent to the freeway” needs to be specifically defined. His concern is the transition area adjacent to low density residential.

Chair McCool stated that a 40 foot of setback is required for a commercial building with a 50 foot in height; he would like to see the same setback applied from residential. Ms. Castle responded that the minimum structure setback can be increased, or the transition area can be increased.

Commissioner Ferrington agreed that adjusted requirements are to protect single-family homes. One of the main issues is for the transition from R3 to R1 not be too abrupt. She asked why there is a 50-foot setback from arterial roads. Ms. Castle stated that there are greater setbacks required on arterial roads already for Office and Industrial. Whether a side or rear setback, the greater restriction would apply.

Commissioner Peterson stated that it is assumed businesses and industrial will be unattractive, but the water treatment facility would not look out of place in a residential area. A tiered system in transition areas makes sense. Building construction standards make all buildings more acceptable than in the past.

Commissioner Solomonson noted that other cities allow higher residential buildings. Ms. Castle stated that generally on residential sites, the 35-foot height requirement is adequate. Multi-family residential varies, and many other communities allow taller structures than in Shoreview.

3. Improve landscape and screening requirements when higher density residential and non-residential uses abut low and medium density residential land uses. When non-residential is adjacent to residential, a 20-foot buffer is currently required. Landscaping, fencing or berming could be used. A minimum height of 6 feet for trees and fences. Plantings must be 6 feet for evergreens; deciduous trees are 2.5 inch caliper; ornamental trees are 1.5 inch caliper.

Commissioner McCool stated that he would like the Commission and City Council to have flexibility with landscaping requirements in order to address specific circumstances to maintain privacy.

Commissioner Solomonson stated that the intent of screening needs to be defined. Residents seem to expect landscaping to block new construction from view. The ordinance needs to be clear that the purpose of landscaping is to mitigate the impact but not necessarily block the view.

Parking: Ms. Castle stated that this issue comes up with all multi-family developments. Parking ratios are defined by the zoning district and by specified uses in those districts. The City can change regulations to reduce the parking required under certain criteria. One chart shows a range of 1 stall per dwelling unit at Scandia Shores to 2 stalls per dwelling unit at Applewood Point. In surveying multi-family developments in the City, it was found that most believe they have adequate parking with the exception of Meadowlands. Developers were also surveyed and it was found that in general, they believe adequate parking is less than what is required by the City. Developers are careful to not over develop or under develop parking. Too much parking does not add value to a development.

In comparison to other communities, Shoreview's requirements are at the high end. Many communities regulate parking according to the number of bedrooms in dwelling units. Ms. Hill noted that the data presented for commercial is general retail. However, many cities have pages of regulations that define parking requirements in terms of specific retail use.

Ms. Castle referred to a national parking study that was done by the Institute of Transportation Engineers. Sites are studied to determine parking needs according to land uses. Their data show that the range of parking provided for multi-family developments is 0.59 stalls per unit to 1.4 stalls. Ratios include guest parking.

Commissioner Solomonson stated that he would like to know if the data presented meets the parking needs most of the time.

Commissioner Ferrington noted that most regulations are based on the number of bedrooms while Shoreview's requirements are based on units. Regulation per unit may underestimate the need based on the number of bedrooms.

Commissioner McCool stated that he would like to see the City further define in Code parking needs for specific uses. He would prefer using bedrooms as a basis for determining parking rather than units. He referred to the regulations of Fridley and Woodbury that he likes. He would prefer to err on the high side so that multi-family developments do not push parking into neighborhoods. Commercial needs are vastly different depending on the use, and there needs to be flexibility for parking requirements. He also would like a review of size of parking stalls and drive aisles between rows of stalls.

Commissioner Peterson stated that all circumstances are different and each application will have to be looked at in terms of specific needs.

Commissioner Solomonson stated that he believes Shoreview's requirement of 2.5 spaces per unit is too high.

Addressing parking regulations will be divided into two areas--residential and commercial. Ms. Castle would like to address residential first and have new regulations in place within a few months.

ADJOURNMENT

MOTION: by Commissioner Ferrington, seconded by Commissioner Peterson, to adjourn the meeting at 8:55 p.m.

VOTE: Ayes - 6 Nays - 0

ATTEST:

Kathleen Castle
City Planner