

**AGENDA
PLANNING COMMISSION MEETING
CITY OF SHOREVIEW**

**DATE: OCTOBER 25, 2016
TIME: 7:00 PM
PLACE: SHOREVIEW CITY HALL
LOCATION: 4600 NORTH VICTORIA**

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

2. APPROVAL OF MINUTES
September 27, 2016

3. REPORT ON CITY COUNCIL ACTIONS
*MEETING DATE: October 3, 2016 and October 17, 2016
Brief Description of Meeting process- Chair John Doan*

4. NEW BUSINESS

A. SPECIAL PURPOSE FENCE*
*FILE NO: 2636-16-35
APPLICANT: Sarah McGuiness
LOCATION: 224 Janice Street*

B. VARIANCE
*FILE NO: 2638-16-37
APPLICANT: Willet Remodeling/ Brisch
LOCATION: 3275 Owasso Heights Road*

C. COMPREHENSIVE SIGN PLAN*
*FILE NO: 2635-16-34
APPLICANT: Topline Advertising/ Target Corporation
LOCATION: 3800 Lexington Ave*

D. COMPREHANSIVE SIGN PLAN *
*FILE:2639-16-38
APPLICANT: Tyme Properties LLC
LOCATION: 3999 Rice Street*

E. PUD CONCEPT STAGE *

FILE NO: 2637-16-36

APPLICANT: Greco LLC & Eagle Ridge Partners LLC

LOCATION: 1005 Gramsie Road

5. MISCELLANEOUS

A. City Council Meeting Assignments for November 7 , 2016 and November 21 ,2016
Planning Commissioners Wolfe and Peterson.

B. Planning Commission Meeting- *November 15, 2016.*

C. Planning Commission Workshop- *November 15, 2016 before regular meeting.*

6. ADJOURNMENT

**These agenda items require City Council review or action. The Planning Commission will hold a hearing, obtain public comment, discuss the application and forward the application to 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*

**SHOREVIEW PLANNING COMMISSION
MEETING MINUTES
September 27, 2016**

CALL TO ORDER

Chair Doan called the September 27, 2016 Shoreview Planning Commission meeting to order at 7:01 p.m.

ROLL CALL

The following Commissioners were present: Chair Doan; Commissioners Peterson, Solomonson, Thompson and Wolfe.

Commissioners Ferrington and McCool were absent.

APPROVAL OF AGENDA

MOTION: by Commissioner Peterson, seconded by Commissioner Thompson to approve the September 27, 2016 Planning Commission meeting agenda as presented.

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

APPROVAL OF MINUTES

MOTION: by Commissioner Peterson, seconded by Commissioner Thompson to approve the August 23, 2016 Planning Commission meeting minutes as submitted.

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

MOTION: by Commissioner Peterson, seconded by Commissioner Solomonson to approve the August 30, 2016 Planning Commission meeting minutes as submitted.

Ayes - 4 Nays - 0 Abstain - 1 (Thompson)

Commissioner Thompson abstained as she did not attend the August 30th meeting

REPORT ON CITY COUNCIL ACTIONS

Presentation by City Planner Kathleen Castle

The following items were approved by the City Council as recommended by the Planning Commission:

- Site and Building Plan Review for River of Life Church Addition

- Comprehensive Sign Plan for Thomas Schuette of Tyme Properties, Gramsie Square
- Comprehensive Plan Amendment, Rezoning, Preliminary Plat, PUD Development Stage for Elevage Development Group LLC: The applicant did provide additional information about how the added parking lot will benefit commercial development. The parking is now located 33 feet from the north lot line. The result is a loss of 4 surface stalls but an overall, a gain of 2 stalls. The trail now follows the perimeter of the property, and there is a sidewalk that extends to the north property line.
- Planned Unit Development Concept Review for Woolpert, Inc. The City Council expressed concern about that type of use on the subject site and impact on adjacent residential properties.

OLD BUSINESS

VARIANCE/RESIDENTIAL DESIGN REVIEW - EXTENSION

FILE NO.: 2590-15-33
APPLICANT: JONATHAN GUSDAL & SONJA HAGANDER
LOCATION: 3194 WEST OWASSO BOULEVARD

Presentation by City Planner Kathleen Castle

The applicants received approval from the Planning Commission for a residential design review and variance on September 22, 2015. The proposal is to demolish the existing home and build a new home. Two variances were approved with the application: 1) reduce the minimum required structure setback from the OHW of Lake Owasso; and 2) increase the structure setback from West Owasso Boulevard. Approval expires within one year if a building permit has not been issued and work not begun on the project.

The applicants are preparing plans to submit for a building permit to begin construction within the next couple of months. An extension of approval has been requested. Staff recommends an extension for 9 months to June 22, 2017. Condition No. 2 will be changed to reflect the new expiration date.

MOTION: by Commissioner Solomonson, seconded by Commissioner Thompson to adopt Resolution 15-86 approving variance requests submitted by Jonathan Gusdahl and Sonja Hagander to construct a new home at 3194 West Owasso Boulevard. The variances approved are: 1) To reduce the minimum 162.5-foot structure setback from the Ordinary High Water (OHW) of Lake Owasso to 105.4 feet for the home and 97.6 feet for the patio , and 2) to increase the maximum 134.5-foot structure setback from the front property line to 175.5 feet. These approvals are subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the Residential Design Review application. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.

2. This approval will expire after one year if a building permit has not been issued and work has not begun on the project.
3. Impervious surface coverage shall not exceed 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.

This approval is based on the following findings:

1. The proposed improvement is consistent with the policies of the Comprehensive Plan, including the Land Use and Housing Chapters.
2. The proposal is consistent with the City's housing policies regarding housing, neighborhood reinvestment, and life-cycle housing.
3. Practical difficulty is present as stated in Resolution 15-86.

VOTE: Ayes - 5 Nays - 0

PRELIMINARY PLAT, REZONING, VARIANCE

FILE NO.: 2630-16-29
APPLICANT: GOLDEN VALLEY LAND COMPANY
LOCATION: 0 GRAMSIE ROAD; PINS 26-30-23-13-0027; 26-30-23-13-0028

Presentation by Economic Development and Planning Associate Niki Hill

A preliminary plat, rezoning and variance applications have been submitted to develop 15.57 acres of vacant land for single-family residential lots. The property is north of I-694, west of Victoria Street, south of Gramsie Road and east of the tower properties.

The property would be subdivided into 7 lots for single-family detached homes with one outlet for future subdivision. Rezoning would be for R1, Detached Residential. The outlet would

remain zoned UND (Undeveloped). The variance would waive depth standards for five of the lots which are key lots and do not meet the required lot depth for a key lot.

This application was reviewed at the August 30, 2016 Planning Commission meeting. The matter was tabled for further investigation of the wetland buffer area.

The City Engineer's review states that the wetland classification is not protected but classified as a high management wetland. This means that Gramsie Pond is a moderate to high quality basin that receives some direct storm water runoff. Gramsie Pond is a natural body of water that is used for storm water runoff in the area. The Storm Water Management Plan encourages buffers from wetland and storm water ponds. The proposed buffer of 16.5 feet is consistent with buffers around similarly classified water bodies.

Jenifer Sorenson from the MN DNR submitted a letter and follow-up email on this issue. She states that approval should be on condition that the final plat will meet the City's shoreland standards for the percentage of impervious surface. She recommends that any steep slope or bluff areas be shown on the development submittal so it is clear where these are located within the proposed plat. She further stated that state shoreland rules do not have standards for buffer widths from wetlands if there is no DNR shoreland classification.

The Rice Creek Watershed District (RCWD) states that there are no requirements for wetland buffer setbacks. Buffers are only considered with a proposal that has on-site mitigation. The applicants received a permit from RCWD on September 14, 2016.

Noting the amount of concern regarding future development of Outlot A, the applicants have approached the City about donating the land to the City. There have been preliminary discussions about accepting the land either in lieu of the park dedication fee or as a land donation. This would be finalized with the Final Plat. Should the City take ownership, the land would remain undeveloped. Research would be needed to determine potential use given the challenging access problems. The Comprehensive Plan would not change its guidelines and would not impose any restrictions on the outlot at this time.

Staff is able to make affirmative findings for the preliminary plat and rezoning as well as the variances to waive lot depth requirements for the five key lots. Staff recommends the Planning Commission forward a recommendation for approval to the City Council with the conditions listed in the staff report.

Commissioner Solomonson asked if above the ordinary high water (OHW) mark of the pond would be taken out of the calculation for the buffer and whether there is a natural divide between Gramsie Pond and Island Lake. Ms. Castle answered that the OHW is in the calculation. Mr. Warwick added that the survey indicates that the OHW for Island Lake and Gramsie Pond are different and two distinct bodies of water.

Commissioner Peterson noted signage for the buffer recommended by the DNR. His concern is that at some time in the future the property owner may remove the trees and ground cover for the buffer and plant turf to the edge of the pond. Ms. Hill stated that the DNR does not have

regulations over the buffer. Signage has been suggested to help define the buffer so it is not disturbed. Ms. Castle added that the signage will specifically identify the buffer and require that it be maintained in its natural state. It would be an enforcement action on the part of the City if the buffer were disturbed in the future.

Mr. Matt Pavek, Project Engineer, stated that the work done since the last meeting is to clarify the wetland areas and buffer. Since that meeting the RCWD permit has been received. Lot 7 will work well with a walkout design. The slope is 3:1. The grading will make it look less dramatic, and the house will fit well. He noted that the outlot would be difficult to develop and serious consideration is being given to donate it to the City.

Commissioner Solomonson asked if the current high water is above the buffer area. **Mr. Pavek** answered that the low floor elevations are established at 2 feet above the 100-year elevation of Gramsie Pond. Any home will be well protected from flood issues.

Chair Doan opened the discussion to public comment.

Mr. Dave O'Neill, 815 Gramsie Road, asked if the grading will push dirt into the pond. Gramsie Road east of Victoria has flooded 3 of the last 4 years. It is difficult to judge a 100-year flood. There has always been a direct water connection between the pond and Island Lake. The neighborhood has spacious lots with moderate houses. The proposed lots will look squeezed in with 3-story homes that tower above surrounding houses. Big development on small lots is not what Shoreview wants. Neighbors have known that property would be developed, but what has previously been discussed is five lots at 100 feet in width. He would like the Planning Commission to recommend five lots with current setbacks and 100-foot lot widths with no variations.

Ms. Mary Hanson, 799 Randy Avenue, agreed with Mr. O'Neill. The lot sizes are too small. The lots should be 10 feet wider with no seventh lot. A variance would not be necessary if the lots were wider. There would also be more protection for the wetland. When trees are removed from Lot 7, water will flow onto the Tan property which will be flooded. Mr. Reiling requested the City to allow 75-foot lots 25 years ago and was turned down with a requirement for 85-foot lots.

Mr. Brian Hanson, 799 Gramsie, supported the comments of the previous two speakers. It makes sense to take width from Lot 7 to make 5 or 6 lots wider, or donate a portion of Lot 7 that would provide access to the outlot peninsula.

Mr. Joe Lux, 770 Randy Avenue, stated that the pond and lake are connected by wetland that is wet almost all the time, even in times of drought. He is encouraged that the outlot may be a donation.

Ms. Heidi Tan, 808 Randy Avenue, stated that the layout of the key lots is justification for the variance and based on the ghost plat. However, the ghost plat is only a concept sketch. A variance would not be necessary if the lots were widened. Chair Doan responded that his understanding is that the lots for development are key lots because the rear lot lines will abut the

side property line of the Tan property. Ms. Hill added that if the ghost plat were developed, the lots would no longer be key lots because the rear property lines would abut rear lot lines. The other justification for the variance is the 80-foot right-of-way on Gramsie Road. If that right-of-way were a standard width of 60 to 65 feet, the lots would meet depth requirements. The key lots will maintain 40-foot rear setbacks.

Ms. Tan requested that the comments from the DNR and City Engineer become requirements for the project.

Mr. Dean Hanson, Builder, clarified that City regulations for lot width is 75 feet. He agreed with residents that the 3-story homes he was originally proposing are too big. The homes he proposes to build will be smaller with a foundation area that ranges from 1100 square feet to 1450 square feet. It is important to be good neighbors and for the new development to fit in. No wetlands, including the buffer, will be touched during development. To help prevent interference with the buffer in the future, there will be signage with sprinkling systems that clearly mark the buffer line. There will be no water runoff onto neighboring properties. Runoff will be contained on each lot with rain gardens and other measures.

Commissioner Thompson asked what guarantee there will be for the houses to be smaller and whether a condition should be added to the motion. Ms. Castle responded that the City does not have maximum square footage requirements or authority to regulate the size of homes to be built. The controlling factors are lot width, buildable area and maximum impervious surface coverage. The developer could apply private covenants to the land. City Attorney Beck agreed that the City has no authority over the size home built. The size home would have to be determined between the purchaser and the builder.

Commissioner Solomonson referred to Section 209.065, Surface Water Management and asked whether the 16.5 foot buffer is a minimum or if the City could make it larger. Ms. Castle explained that a 16.5 foot buffer is a minimum. In order to require a larger buffer, a direct impact would have to be shown that creates a need for the larger buffer.

Commissioner Peterson stated that the delicate nature of the pond is different from other drainage areas. The steep slope may be grounds for making the buffer larger. If only six lots were developed, the buffer would be wider and the increased lot width would make the variance unnecessary. Ms. Castle further explained that there would have to be a direct connection to water quality to justify a greater buffer.

City Attorney Beck stated that the issue with the key lots is that the rear lot lines abut the adjacent side lot line. That is why depth is the issue, not width. Also, Code states that the required buffer width is 16.5 feet. If the Commission does consider increasing the buffer, he would strongly recommend a finding of fact to justify the reason for the increase.

Chair Doan requested staff to state the specific variance and deviations requested. Ms. Hill stated that the applicant has requested the City to waive the key lot requirement that depth be 15 feet deeper than the zoning district standards for the five eastern lots. The reasons for the request is that Gramsie Road has 80 feet of right-of-way, wider than the standard 60 feet, and when the

lot to the south develops, the rear lot lines will abut rear lot lines. The lots will no longer be key lots.

Commissioner Solomonson noted that if a right-of-way vacation request were made, the lots would meet the required depth. Also, as long as the Tan property remains in its current configuration, the new lots will be key lots. It is difficult to give rationale to increase the buffer, even though it is a shallow area to a steep slope, but his big concern is building on the seventh lot. It is difficult to see where a house would be built. Larger lots are needed. For this reason, he cannot support the proposal.

Commissioner Peterson stated that his concern is that justification for a wider buffer is not to be found in the information presented from expert resources. He would recommend adopting all DNR recommendations but would also suggest the City ordinance be reviewed for possible change. The application should be approved with the DNR condition.

Commissioner Thompson asked the reason six lots were not considered instead of seven since no variance would then be required. Ms. Hill stated that with six lots, there would still be the depth deviation. A lot width of 75 feet meets City Code. A decision cannot be arbitrarily made to require wider lots. Mr. Warwick added that the key lot width and depth requirements were adopted in tandem with increased setback requirements. The increased setback is the main priority. The area of lot is secondary to insure buildable area.

Chair Doan stated that the challenge with a 10-foot vacation to the right-of-way in order to not have a variance is that the houses would be shifted north, closer to the houses across the street, which is already a concern for neighbors. By not allowing the variance, a negative impact would result for the neighborhood.

Commissioner Peterson agreed. He also echoed the concern for building on the seventh lot, but without information from experts to provide a rationale for a wider buffer, the proposal should be approved.

Commissioner Wolfe stated that he agrees with Commissioner Solomonson's statements. He also has a big concern about building on the seventh lot.

Chair Doan stated that while he has concerns about the seventh lot, it does meet code requirements. It would be arbitrary to vote against something without justification. Ms. Castle clarified that the variance is only for lot Nos. 1 through 5. Lots 6 and 7 comply with the Code.

Commissioner Solomonson asked if the variance needs to be decided if there is not agreement on the preliminary plat. Ms. Castle explained that the Commission's discretion is with the variance and whether it meets the criteria to be approved. To request that lot Nos. 6 and 7 be combined when the lots meet Code requirements would exceed the Commission's authority.

City Attorney Beck agreed with staff and stated that the Commission's task regarding Lot Nos. 6 and 7 is to determine whether they meet Code requirements without a variance.

MOTION: by Commissioner Peterson, seconded by Commissioner Wolfe 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. Said recommendation for approval is subject to the following conditions, with an additional condition No. 11 for the Preliminary Plat that the developer shall erect signs at the edge of the 16.5 wetland buffer area.

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.
11. The developer shall erect signs at the edge of the 16.5' wetland buffer area.

This variance application is to reduce the minimum 10-foot setback for a 6-foot fence on a side yard along an arterial road. The proposal is for the fence to be set back 3 feet from the property line. Fences are permitted in residential districts at 4 feet in height. One exception is a corner lot with a side yard abutting an arterial roadway. Then the fence may be 6 feet as long as the setback is 10 feet from the property line that abuts the right-of-way or any pedestrian or road easement. Plantings (shrubs or trees) as approved by the City must be established and maintained between the fence and the right-of-way easement.

The applicants state that the 6-foot fence would serve as a sound, safety and privacy barrier for the home. The property has a unique circumstance in that there are a group of mature conifer trees in the back yard approximately 10 feet from the south property line. A 10-foot setback, as required, would mean removal of those trees. A setback of 3 to 5 feet would locate the fence between the conifers and existing deciduous trees. Other properties to the east with back yards on Lexington have 6-foot fences with setbacks from the nearest edge of the trail that range from less than 2 feet to approximately 8 feet. The 3- to 5-foot setback requested would be greater than most of the setbacks relative to the edge of the trail.

Staff finds that the proposal is consistent with the City's land use and housing policies and that practical difficulty is present. The 6-foot fence would address the concerns of the applicant in regard to sound, safety and privacy. Staff believes the reduced setback is reasonable. Unique circumstances exist with the proximity of the property to Lexington Avenue, development patterns of the neighborhood, topography and the location of the existing mature trees. There is a commercial use directly across Lexington, and this fence would buffer the single-family residence from that commercial use. The character of the neighborhood will not change because of the existing fences to the east and because this is the only residential lot with a side lot line abutting Lexington.

Notices were sent to property owners within 150 feet. No comments have been received. Staff is recommending approval with the conditions listed.

Commissioner Solomonson asked if the fence were connected to the garage, it could only be 4 feet in height. Ms. Castle responded that if the fence is in line with the garage, 6 feet in height is permitted. If the fence were in front of the garage, the height would be limited to 4 feet. Commissioner Solomonson asked if the fence is located outside the safety triangle for traffic visibility. Ms. Castle answered, yes.

Mr. Valley, Applicant, stated that he has no plans to extend the fence to the garage. This request is driven by noise from traffic. The setback range is 3 to 5 feet because he is not sure if the deciduous trees align along the property line.

MOTION: by Commissioner Thompson, seconded by Commissioner Solomonson 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 for a 6-foot 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 - 5** **Nays - 0**

MISCELLANEOUS

Text Amendment for Building Height and Parking

City Planner Castle referred Commissioners to earlier discussion in April on building height and parking. This issue is a result of a number of multi-family developments requesting to exceed the City's height limit of 35 feet. The first change would increase the maximum building height permitted except in the R1 and R2 zoning districts. With the proposed changes, the additional foot of setback for each additional foot of height would be eliminated, and a height transition area would be implemented.

Commissioner Peterson asked how the proposed regulation could be broadened to not only be applied along the freeways (I-694 and I-35W) but also for areas like Shoreview Hills. Ms. Castle explained that the R3 District would be allowed a height of 40 feet across the board. If R3 property is adjacent to I-694 or I-35W, 50 feet would be allowed. Other arterial roads such as Highway 96, Lexington Avenue and Hodgson Road are not included.

Chair Doan asked about allowing increased height on arterial roads where flexibility may be needed, such as the Town Center area.

Commissioner Peterson stated that there are many issues besides just an arterial road, such as topography and adjacent land uses. He asked if certain conditions can be stipulated for all arterial roads. Ms. Castle stated that she would recommend using the variance process rather than trying to define conditions for arterial roads.

Chair Doan agreed the variance process would better serve circumstances on arterial roads.

Commissioner Solomonson asked how height is measured. Ms. Castle showed the measurement to be from the mean grade to the mean point of the roof. Commissioner Solomonson asked if a greater setback would be required for shed and flat roofs that would have a greater impact to adjacent property. Ms. Castle showed a chart that identifies transition areas adjacent to residential areas and where buildings could be placed.

Commissioner Thompson stated that the proposal reflects the previous discussions and will go a long way to reduce the number of people seeking variances for height.

Minimum Structure Setback

Ms. Castle defined minimum setbacks within transition areas adjacent to low and medium density residential areas. A minimum setback from R1 or R2 with an adjacent R3 zone is 30 feet with a transition zone of another 10 feet. At the minimum setback, the maximum height permitted is 35 feet. Within the transition zone, the height can increase one foot for every two feet of setback which is up to 40 feet. Transition zones vary in width from R1 and R2 zones depending on the land use.

Commissioner Solomonson expressed concern about reducing the front setback to the street. He would not want to encourage development closer to the street but would prefer to use the variance process for individual circumstances. There is a difference when there is residential across the street. Potentially there could be a very tall building only separated by a street.

Commissioner Peterson agreed but stated that developers will use the PUD process and variances considered case by case. Residents will expect the City to hold setbacks to regulations when possible.

Chair Doan clarified that transition areas only apply to development adjacent to R1 and R2 districts. A development next to a street or office would not have a transition area.

Ms. Castle stated that using the corner of Tanglewood and Hodgson as an example, there is an office on the corner. The right-of-way of Tanglewood is at least 60 feet. With a required 50-foot setback, a building could be 55 feet in height with 110 feet between the building and the property line across the street on Tanglewood. There is residential use to the west which means a transition zone would have to be established to the west between the residential and hypothetical office development.

Commissioner Solomonson stated that he sees this as the worst case scenario. He would like to see the transition zone increased to 2 feet for every additional 1 foot of height.

Ms. Castle referred Commissioners to the zoning map to see where the R3, commercial and office districts are in the community. Generally, they are along arterial roads.

Commissioner Peterson stated that this change needs to be in the Code as soon as possible in order to address applications that come in for taller buildings.

Ms. Castle suggested taking some site plan reviews and applying them to the proposed regulations to get a feel of how it would work. Commissioner Thompson specifically suggested Lakeview Terrace, Applewood Point, Shoreview Senior Living, and Elevage.

Chair Doan stated the Commission also needs to review parking. Ms. Castle agreed as that is the other element that brings applications for deviation.

City Council Meetings

Commissioner Solomonson will attend the October 17, 2016 City Council meeting. No planning items will be reviewed at the October 3rd City Council meeting.

ADJOURNMENT

MOTION: by Commissioner Thompson, seconded by Commissioner Solomonson to adjourn the meeting at 9:41 p.m.

VOTE: Ayes - 5 Nays - 0

ATTEST:

Kathleen Castle
City Planner

TO: Planning Commission
FROM: Kathleen Castle, City Planner
DATE: October 21, 2016
SUBJECT: Case File 2636-16-35, Special Purpose Fence – McGuiness – 224 Janice Street

Introduction

Sarah McGuiness submitted a Special Purpose Fence application to install a 6-foot tall chain link fence on her property at 224 Janice Street. A special purpose fence is a fence that is installed for a special purpose and differs from the City's fence requirements due to the construction, height or length. This application was considered complete on October 13, 2016.

Project Description

Ms. McGuiness is proposing to replace the existing chain link fence located on the perimeter of her property with a 6-foot tall chain link fence. The purpose of the fence is to provide a safety barrier for her son who has a medical diagnosis of Autism, Developmental Delay, Severe Cognitive Delay and Apraxia. A Special Purpose Fence Permit is needed because the proposed fence exceeds the maximum 4-foot height permitted in the front yard and side yard abutting a street. Please see the attached plan.

Site Characteristics

The property is located on the southwest corner of Soo Street and Janice Street. It has an area of about 16,944 square feet, a width of 96.6' along Janice Street and approximately 142' of frontage along Soo Street. The alleyway along the rear of the property has been vacated. Single family residential land uses are located to the north, west and south. To the east, across Soo Street, is the rail line and the former Ramsey County Maintenance property.

There is a single family home on the property that is oriented towards Janice Street. There is also a detached garage which is oriented towards and has access off of Soo Street. The yard adjacent to Janice Street is considered the front yard while the yard adjacent to Soo Street is a side yard adjacent to a street.

There is a fence along the perimeter of the property that is about 3-feet tall. A fence permit is on file for a fence constructed in 1964. The records are not clear as to whether this is the fence that was permitted at that time.

Development Code

Section 203.042 establishes a permitting process for fences that differ in construction, height, or length. These types of fences are permitted in any district provided a Special Purpose Fence Permit is approved by the City Council. Before issuing a permit, the City Council may require the applicant to secure in writing the consent of the adjoining property owners. The City Council may also submit the matter to the Planning Commission for its recommendation.

The City Staff notified property owners who have property adjacent to the subject parcel, including across the street, of the proposed fence and review by the Planning Commission.

The property is located in the R1, Detached Residential Zoning District. 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.

Soo Street is classified as a B Minor Arterial.

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.

Applicant's Statement

The applicant's statement is attached. The intent of this fence is to provide a containment barrier for her son who has a medical diagnosis of Autism, Developmental Delay, Sever Cognitive Delay and Apraxia. Her son has a history of elopement or wandering away and a taller fence is needed since he can easily scale the existing fence. The height of the fence preferred is 6 feet, however, a 5-foot tall fence would be acceptable. The proposed fence will be in the same location as the existing fence. No changes are planned to the landscaping or vegetation.

A letter from her son's Occupational Therapist is also attached.

Staff Review

Ms. McGuinness is proposing to install a 6-foot tall chain link fence along the perimeter of her property, including the property lines adjacent to Janice Street and Soo Street. A 6-foot tall fence could be constructed in the side yard along Soo Street provided it is setback 10-feet from the property line. The proposed fence would replace an existing fence that is approximately 3 feet tall.

The intent of the fence height limits in the front yard and side yard adjoining a street is to minimize the visual impact these structures have on the neighborhood, preserve a sense of open space typical of the suburban development pattern, traffic visibility and allow air and light flow. Fences also intended to provide personal security. The height limitations in yards adjacent to streets balance the personal security needs with the other concerns related to fences.

In staff's opinion, the applicant's request is reasonable and a Special Purpose Fence Permit justified. Staff does have some concerns regarding the proposed placement of the fence near the street rights-of-ways and the aesthetic character.

The street pavement for Janice Street is about 19' from the front property line. The pavement for Soo Street is closer and is about 5' from the front property line. There is a stop sign at this intersection. Staff is recommending the fence be placed outside of the traffic visibility triangles (Section 206.010 (B)) to alleviate any issues related to traffic visibility. This triangle extends 15-feet from the intersection of the property lines adjacent to Janice Street and Soo Street.

Staff does have some concern about the aesthetic character of the fence with respect to the neighborhood. While a 6-foot tall fence could be constructed in the side and rear yard without the need for the Special Purpose Fence Permit, it would not fully address the safety needs for the applicant's son. Placement of a taller fence in the front yard provides the extra security measures needed. Further, it is staff's opinion that increasing the fence setback farther from the front and side property lines will not alter the aesthetic impact of the fence. The proposed chain link material will provide some transparency and have a lesser visual impact than a wooden privacy fence.

Along Soo Street, there is existing vegetation that may need to be removed if the fence were setback 10-feet from the property line. It is staff's preference that the vegetation be retained. While there will be a visual impact of the fence from Soo Street, the property immediately to the east is the rail line. The fence will not have an impact on the rail property.

Public Comment

Adjoining property owners, including Ramsey County were notified of this request. Ramsey County Public Works staff stated that they do not have any objections to the proposed fence. The County staff notes a sight distance restriction to the east but a taller fence would not create visibility problems due to the posted speed limit.

One other written comment was received in support of the proposal.

Recommendation

The applicant has demonstrated that the proposed fence will serve a special purpose and is vital to her son's personal safety. Further, staff believes the fence will not create a traffic visibility issue or have a negative aesthetic impact. Staff is recommending the Planning Commission forward a recommendation of approval to the City Council with the following conditions attached:

1. The approval permits a 6-tall chain link fence along the perimeter of the property at 224 Janice Street. The fence height exceeds the maximum 4-foot height permitted in the front yard and side yard adjacent to a street.
2. The fence shall not be placed within the traffic visibility triangle which extends 15 feet from the intersecting street right-of-way lines for Janice Street and Soo Street.
3. The fence serves a special purpose which is to provide personal safety and security for the applicant's son. Upon sale of the property or vacation of the property by the

applicant and/or her son, the fence shall be brought into compliance with the City's Development Code. The applicant shall notify the City a minimum of 30-days prior to said sale or vacation of the property.

4. The fence shall be maintained in accordance with the standards of the Development Code.
5. The fence shall be constructed in accordance with the submitted plans. The fence material is restricted to chain link (open mesh). No portion of the structure can be constructed with wood or include privacy screening slats.
6. The applicant shall obtain a building permit for the structure.

Attachments

1. Aerial Location Map
2. Submitted Statements and Plans
3. Fence Code Requirements – Drawing
4. Request for Comment



Legend



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

Notes

224 Janice Street

200.0 0 100.00 200.0 Feet

NAD_1983_HARN_Adj_MN_Ramsey_Feet
© Ramsey County Enterprise GIS Division

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

October 4, 2016

City of Shoreview
Attn: Kathleen Castle
City Planner
4600 Victoria Street
Shoreview MN 55126

Re: 224 Janice Street – request for Special Purpose Fence

I am requesting a special purpose fence for my property at 224 Janice Street. The property is and will continue to be residential, but in this special case will be occupied by an individual, my son Matthew, who has a medical diagnosis of Autism, Developmental Delay, Severe Cognitive Delay and Apraxia (see attached letter from his Occupational Therapist). The current property has a chain-link fence that is inadequate (too short – only 3 feet in locations) to contain Matthew who has a history of “elopement” (wandering away). As Matthew continues to grow taller his therapist has prescribe a taller fence since he can easily scale the existing fence.

The property has an existing fence and some neighboring properties have taller fences. Therefore, the taller chain link fence proposed (minimum of 5 feet; preferably 6 feet) will not alter the essential character of the neighborhood. There are no changes planned or anticipated to the existing vegetation or landscape.

Attached are drawings that represent the existing locations for the structures and fence, as well as the anticipated location of the new taller chain-link fence (placed in the path of the existing fence). Also attached is an aerial photo of the property from the Ramsey County files.

I have also enclosed the \$100 application fee and for your information copies of the bids from the potential installers.

Please process this special purpose fence request at your earliest opportunity; the security of Matthew may depend on the ability to keep him from easily wandering on to very busy streets. If you have any questions or need additional information please call me so that we can avoid further delays.

Sincerely,



Sarah McGuinness
224 Janice St.
Shoreview MN 55126
(651) 756-9112

copy fire city



490 W Hwy 96, Suite 300
Shoreview, MN 55126
Phone: 651-451-3016
3777
Fax: 651-481-7040

14663 Mercantile Dr N
Hugo, MN 55038
Phone: 651-407-
Fax: 651-407-7064

9/21/16

To Whom It May Concern:

Matthew McGuinness (DOB: 12/6/03) is currently seen at Kids Abilities for occupational and speech therapy. Matthew has a medical diagnosis of Autism, Developmental Delay, Severe Cognitive Delay and Apraxia. Matthew does not have physical limitations and is quiet agile and strong. Matthew is currently 5 feet tall and still growing.

Due to Matthew's cognitive delays, Matthew requires 24 hour adult supervision. Matthew has a history of elopement and is currently a participant in the Project Lifesaver program through Ramsey County. As part of the Project Lifesaver program, Matthew wears a GPS locator at all times that can be activated if he goes missing.

Despite Matthew's significant cognitive delays, Matthew loves spending time outdoors. Matthew is a true child of nature. Matthew and his mother enjoy spending time outdoors and for them to do this safely and freely at their home, Matthew requires a fence that is at least 5 feet tall.

Due to Matthew's height, strength and agility a fence would need to be at least 5 feet tall to be safe and contain Matthew.

With a fence 5 feet or taller, Matthew will have the freedom like other children his age to play outside in his own yard safely while still under the supervision of an adult.

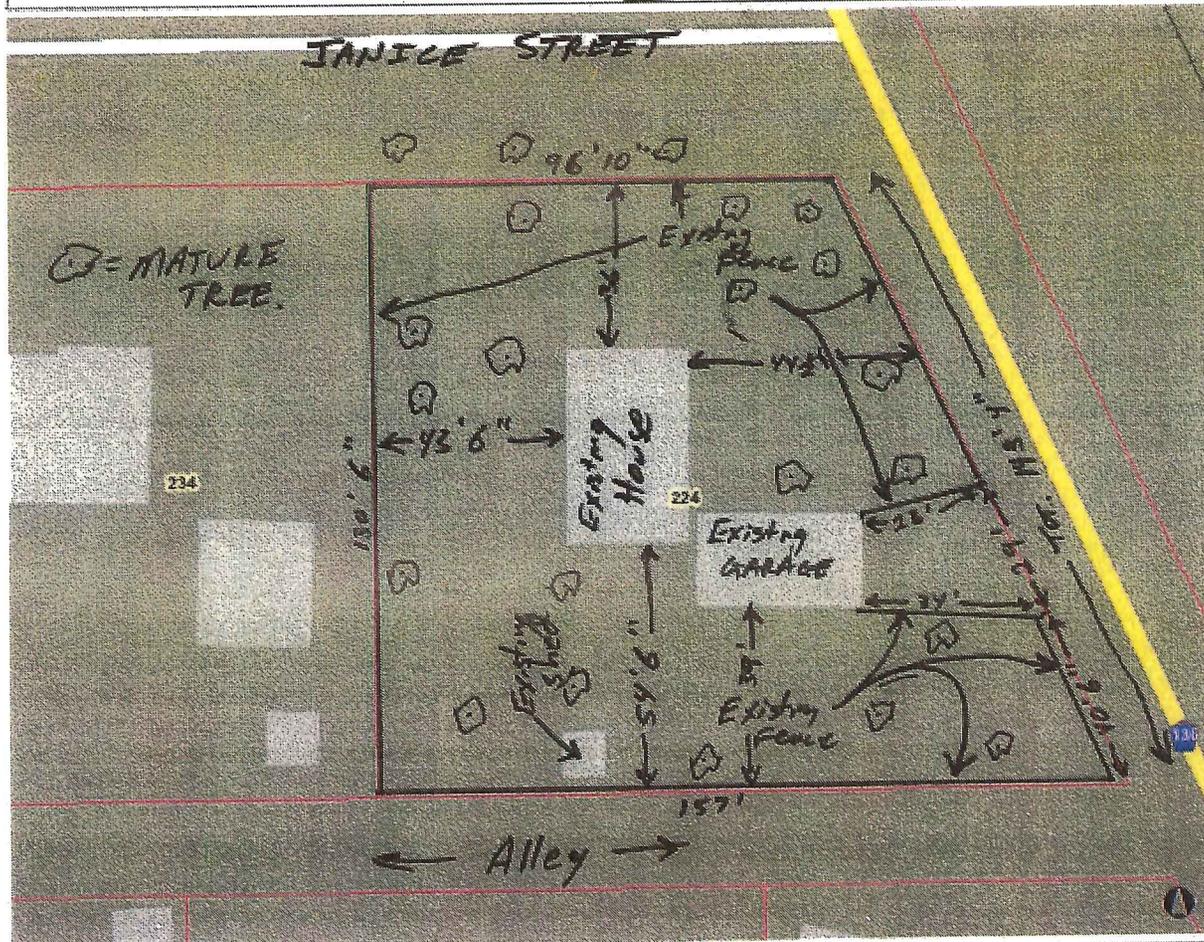
Thank you for considering this families request to keep their child safe along with a high quality of life.

Please do not hesitate to contact this therapist with any additional questions or concerns.

Sincerely,

Heather Haider, OTR/L
Lead Occupational Therapist
Kids Abilities
651-407-3777

EXISTING LOCATION



⊙ = MATURE TREE.

234

224



NAD_1983_HARN_Ad_MN_Ramsey_Feet
 © Ramsey County Enterprise GIS Division

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Legend



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

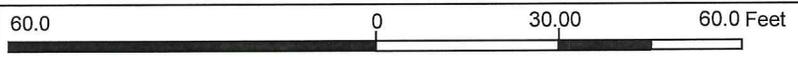
Notes

Enter Map Description

Legend



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



NAD_1983_HARN_Adj_MN_Ramsey_Feet
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Notes

Fence Requirements



Kathleen Castle <kcastle@shoreviewmn.gov>

Proposed Fence at 224 Janice Avenue.

1 message

Lux, Joseph <Joseph.Lux@co.ramsey.mn.us>
To: Kathleen Castle <kcastle@shoreviewmn.gov>

Mon, Oct 17, 2016 at 1:56 PM

Hi, Kathleen:

We received the notice of the request for a special purpose fence at 224 Janice avenue, adjacent to Soo Street and have no objections. There is some sight distance restriction to the east, but it is not a problem at the posted speed limit and would not be affected by installing a higher fence.

Joe Lux

Joseph Lux

Senior Planner

Ramsey County Public Works

1425 Paul Kirkwold Drive

Arden Hills, MN 55112-3933

651-266-7114

<http://www.ramseycounty.us/>





Kathleen Castle <kcastle@shoreviewmn.gov>

Special Purpose Fence

1 message

Teresa Hansen <othermothert@yahoo.com>
Reply-To: Teresa Hansen <othermothert@yahoo.com>
To: "kcastle@shoreviewmn.gov" <kcastle@shoreviewmn.gov>

Wed, Oct 19, 2016 at 9:46 AM

Hello Kathleen,

This is in response to the notice on File No. 2636-16-35, Special Purpose Fence, at 224 Janice Avenue.

We are the neighbors to the south of Sarah McGuiness. We have seen Sarah to be a wonderful mom! She consistently shows patience, kindness, and understanding to her son, Matthew. We trust her to make decisions that are best for her family.

We support Sarah and Matthew in whatever it takes to help them be safe and happy.

We are unable to attend the Planning Commission meeting on October 25th, but wanted to comment in favor of this request.

Thank you,

Dan and Teresa Hansen
227 Grand Avenue

PROPOSED MOTION

MOVED BY COMMISSION MEMBER _____

SECONDED BY COMMISSION MEMBER _____

To recommend the City Council approve the Special Purpose Fence Permit for Sarah McGuiness to install a 6-foot tall fence on her property at 224 Janice Street. The fence will serve as a safety barrier for her son. Approval is subject to the following conditions;

1. The approval permits a 6-tall chain link fence along the perimeter of the property at 224 Janice Street, with the exclusion of the traffic visibility triangle. The fence height exceeds the maximum 4-foot height permitted in the front yard and side yard adjacent to a street.
2. The fence shall not be placed within the traffic visibility triangle which extends 15 feet from the intersecting street right-of-way lines for Janice Street and Soo Street.
3. The fence serves a special purpose which is to provide personal safety and security for the applicant's son. Upon sale of the property or vacation of the property by the applicant and/or her son, the fence shall be brought into compliance with the City's Development Code. The applicant shall notify the City a minimum of 30-days prior to said sale or vacation of the property.
4. The fence shall be maintained in accordance with the standards of the Development Code.
5. The fence shall be constructed in accordance with the submitted plans. The fence material is restricted to chain link (open mesh). No portion of the structure can be constructed with wood or include privacy screening slats.
6. The applicant shall obtain a building permit for the structure.

This approval is based on the following findings:

1. The proposed fence is consistent with the purpose and intent of a Special Purpose Fence.
2. Fences are permitted in the R1, Detached Residential Zoning District.

VOTE: AYES: NAYES:

Regular Planning Commission Meeting
October 25, 2016

TO: Planning Commission

FROM: Rob Warwick, Senior Planner

DATE: October 20, 2016

SUBJECT: File No. 2638-16-37, Jayme Brisch, 3275 Owasso Heights Road, Variance

INTRODUCTION AND BACKGROUND

Jayme Brisch submitted a variance application associated with the reconstruction of the house at 3275 Owasso Heights Road. The applicant is requesting variance from the required 10-foot side setback.

In July, the Planning Commission approved a setback variance allowing construction of a second-story addition on the existing house, a legal non-conforming structure. The approved plan included an addition to the rear of the existing house that was designed to conform to the minimum 10-foot side setback. The additions were part of remodeling the entire residence. The Commission also approved the Residential Design Review application and a building permit issued for the improvements.

The construction work commenced. During the interior demolition the contractor identified the existing exterior walls were not capable of carrying the weight of the second story and roof structure due to what they term a 'hinged wall'. At that point, the applicant removed the walls and floor of the existing house, in addition to the planned removal of the roof.

Staff identified that the work exceeded the scope of the prior approvals, and that for the reconstruction of the house, a variance to reduce the side setback was needed.

Copies of minutes of the June 28, and July 26, 2016 meetings are attached.

DEVELOPMENT CODE REQUIREMENTS

Reconstruction on a substandard lot is treated more strictly than remodeling. Reconstruction is defined as the removal of three or more of the six structural components (roof, floor and four walls) of a dwelling. Remodeling the existing house within the required setback is allowed without a variance, however reconstruction cannot occur within a required yard without approval of a variance. The variance approved in July, 2016 applied to a second story expansion of the non-conforming dwelling.

The minimum required side setback is 10 feet. In this case, the proposed side setback is 5 feet and a variance is necessary to allow reconstruction at this setback.

Variance Criteria

When considering a variance request, the Commission must determine whether practical difficulty is present and find that granting the variance 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.

APPLICANTS STATEMENT

The applicant states that practical difficulty is due to the location of the foundation on the property and the discovery of the structural problems after construction commenced on the project. The statement relies on the prior findings made by the City in July as the basis for reconstruction of the house utilizing the 5-foot side setback of the dwelling that previously existed on the property. The applicants plan to use the foundation that remains with a 5-foot setback from the north property line for the reconstruction. They believe that since the house design has not changed the findings made for the approval are still valid, and that economic considerations should be taken into account. Please see the attached statement, and several pictures submitted to show the condition of the exterior wall.

STAFF REVIEW

The design of the proposed home has not been revised since the July approval, and staff believes that the design remains in accordance with the residential design review standards, and approval except for the side-yard setback. The Planning Commission does not need to again approve the design review, provided that either the variance application is approved for the setback requested, or the plans are revised to have the required minimum 10-foot side setback.

Staff has reviewed the proposal in terms of the Development Ordinance requirements for a variance. The proposed 5 foot side setback retains the setback of the existing foundation and prior house. Relocating the footings and foundation wall 5-feet south will result in increased land disturbance and increased construction impacts, while reducing potential impacts on the adjoining residential use that result from the reduced setback for the proposed two-story house.

Staff is able to make affirmative findings for two of the variance criteria. First, the proposal represents a reasonable use of the property located in the R-1, Detached Residential District. The proposed two-story single family home is the expected use for property located in this District.

Second, staff notes that dwellings that do not conform to the minimum side setback are a common feature in this neighborhood, and so the character of the neighborhood should not be altered with a variance allowing reconstruction of the house at the requested 5-foot setback.

The third criteria for practical difficulty is that unique circumstances exist. When the applications were previously reviewed, a principal consideration was that the existing house was a legal non-conforming structure. Legal non-conforming structures can be structurally altered, repaired, and expanded, provided the expansion, of and by itself, complied with the standards of the Development Code (Section 207.050(F)). The prior variance was not to alter the non-conforming house, but to enlarge that house in a manner that did not comply with the minimum required 10-foot setback. The legal non-conforming status of the prior house was lost when the structure was removed, not by peril or fire, but by action of the applicants (Section 207.050(F)(3)). As such, staff cannot make an affirmative finding regarding unique circumstances, since the non-conforming structure has been

removed. The applicants obtained a building permit that allowed interior demolish work on May 4, 2016. There was time and opportunity to expose structural framing and evaluate conditions necessary for the proposed improvement, including the second story addition. The applicants have not provided a report from a structural engineer that identifies the structure's condition, and did not request any inspection, or provide any notification to the City or other responsible agency prior to demolition.

Staff also notes that although not a riparian lot, the property is located within the Shoreland District of Lake Owasso, and so the City can require increased setback to mitigate impact on adjacent properties (Section 207.050(F)(3)). In this case, staff believes it is prudent to rely on this provision and require that the reconstructed dwelling comply with the 10-foot minimum side setback required by Code. Reconstruction at the required setback will mitigate potential impact on the adjacent property, and utilize the south area of the subject property.

PUBLIC COMMENT

Property owners within 150 feet of the parcel were notified of this request. Three comments have been submitted, one expressing support for the requested variance, and the other two objecting to the proposed 5-foot side setback. The comments are attached.

STAFF RECOMMENDATION

Staff believes the requested variance to reduce the side-yard setback from 10 feet to 5 feet does not meet the spirit and intent of the Development Regulations, and recommends the requested variance be denied since Practical Difficulty is not present.

Resolution 16-99 reflects this, and is recommended for adoption by the Planning Commission, denying the variance, subject to the following conditions:

1. This action is subject to a 5-day appeal period.
2. The denial rescinds Resolution 16-60, adopted by the Planning Commission at the July 26, 2016 meeting.

Attachments:

- 1) Location Map
- 2) Staff Report and Planning Commission Meeting Minutes, July 26, 2016
- 3) Applicant's statement/submitted plans
- 4) Comments
- 5) Resolution No. 16-99
- 6) Proposed Motion

Certificate of Survey for: Jayme Brisch

Job # 9071.10-101 Book/Page: 267/23
 Scale: 1"=20' Date: 6/09/16
 Drawing: 9071-10-101rev.dwg

RECEIVED
 JUL 14 2016



- Denotes iron pipe set with a plastic plug stamped RLS 13057
- Denotes iron pipe found.
- x 932.8 Denotes Existing Elevation
- Denotes Surface Drainage

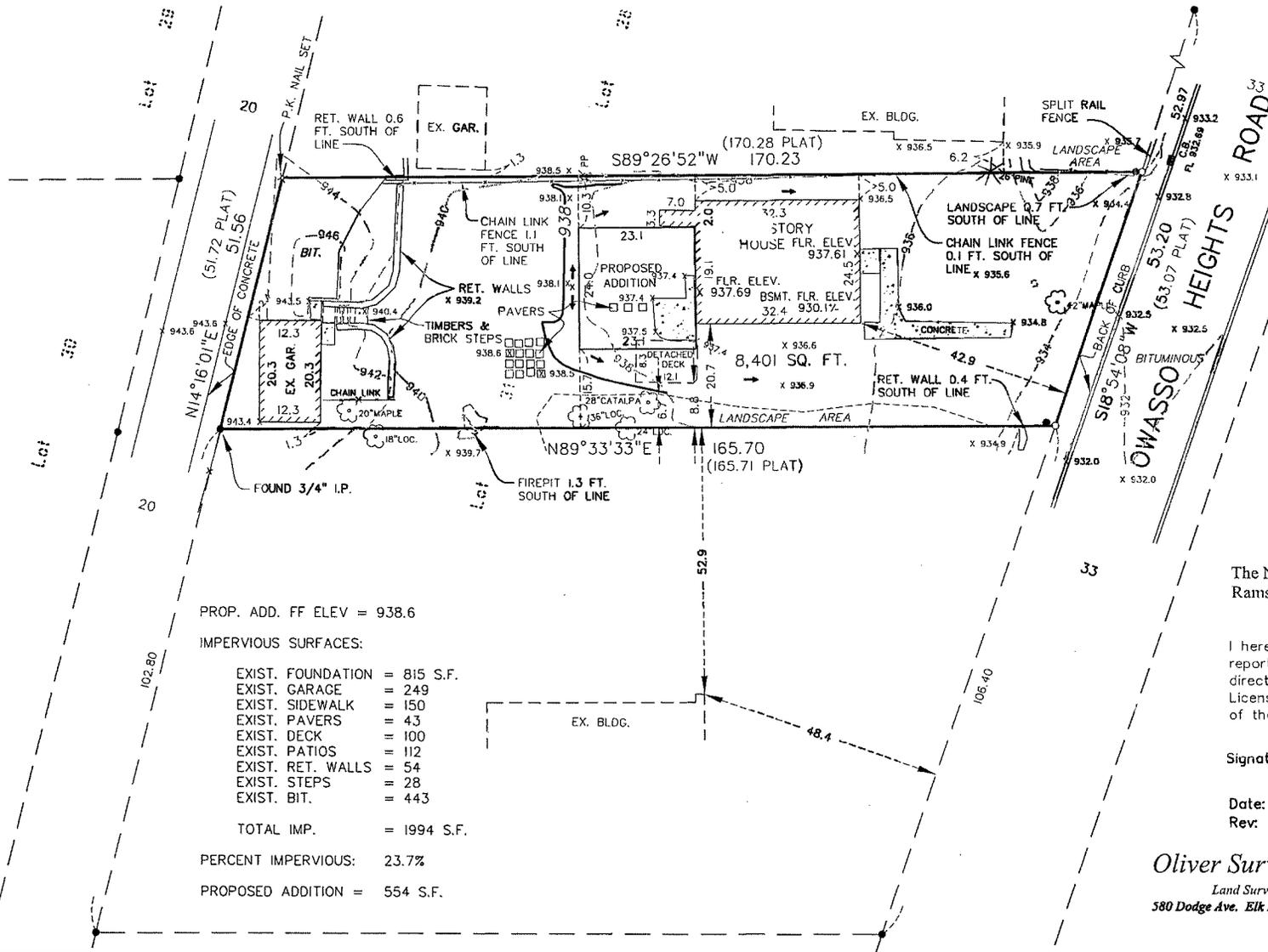
The North 1/2 of Lot 31, OWASSO HEIGHTS,
 Ramsey County, Minnesota

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

Signature: *Lynn P. Caswell*
 Lynn P. Caswell, LS

Date: 6/08/2016 Lic. No. 13057
 Rev: 7/13/2016 (New Addition Plan)

Oliver Surveying & Engineering, Inc.
 Land Surveying • Civil Engineering • Land Planning
 580 Dodge Ave. Elk River, MN 55330 • 763.441.2072 • fax. 763.441.5665
 www.oliver-se.com



PROP. ADD. FF ELEV = 938.6

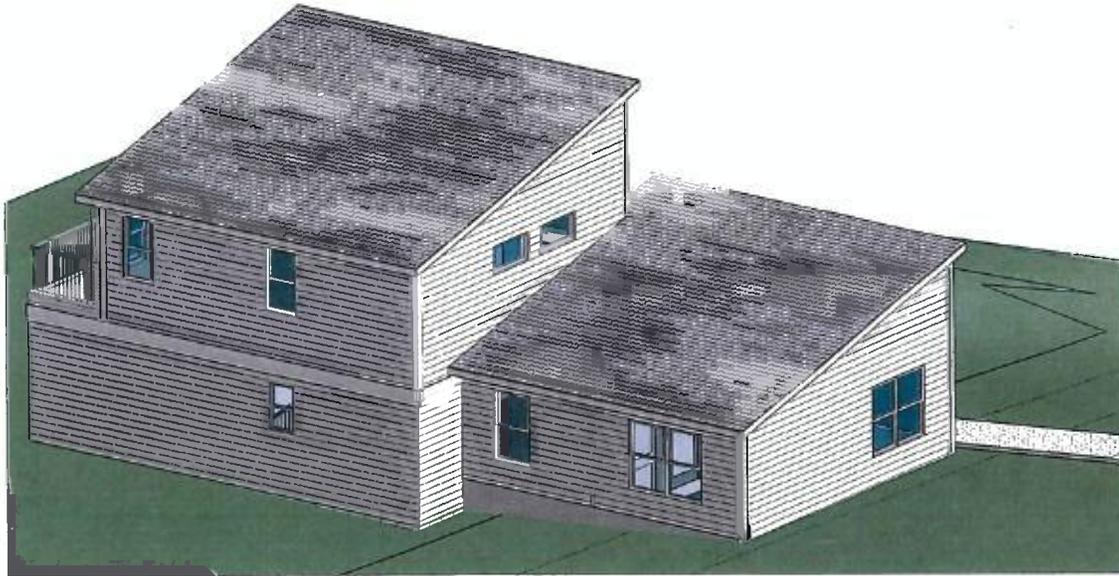
IMPERVIOUS SURFACES:

EXIST. FOUNDATION	=	815 S.F.
EXIST. GARAGE	=	249
EXIST. SIDEWALK	=	150
EXIST. PAVERS	=	43
EXIST. DECK	=	100
EXIST. PATIOS	=	112
EXIST. RET. WALLS	=	54
EXIST. STEPS	=	28
EXIST. BIT.	=	443
TOTAL IMP.	=	1994 S.F.

PERCENT IMPERVIOUS: 23.7%

PROPOSED ADDITION = 554 S.F.

C:\Land Projects\9071-10-101.dwg\9071-10-101rev.dwg, 101rev, 7/13/2016 8:51:47 AM, DMcLean



2
D-1 3-D REAR PERSPECTIVE



1
D-1 3-D FRONT PERSPECTIVE

RECEIVED
OCT 12 2016
BY:

PROJECT:
REMODEL AND ADDITION
TO EXISTING HOUSE

OWNER: JAYME BRISCH
ADDRESS:
3275 OWASSO HEIGHTS RD.
SHOREVIEW, MN.

CONTRACTOR:
WILLET REMODELING & CONST. INC.
CONTACT: SCOTT RICKS
PHONE: (612) 203-4929
E-MAIL: sr@wrcincmn.com

REVISIONS			
NO.	DATE	DESCRIPTION	BY

FINAL CONSTRUCTION PLANS
2ND CHANGES (NEW FLOOR)

OCTOBER 07, 2016

PLANS PROVIDED BY:

SCHWIETERS HOME DESIGN
1628 COUNTY HIGHWAY 10 N.E.
SPRING LAKE PARK, MN 55432

TEL: (763) 785-2105
SchHomDsgn@aol.com

DATE: 02/28/16

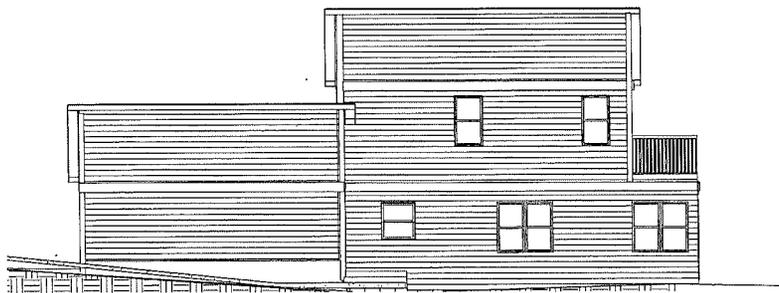
DATE: OCT. 02, 2016 DRAWN: DICK S.
JOB NO: 2639 CHECKED: R.J.S.

3-D PERSPECTIVES

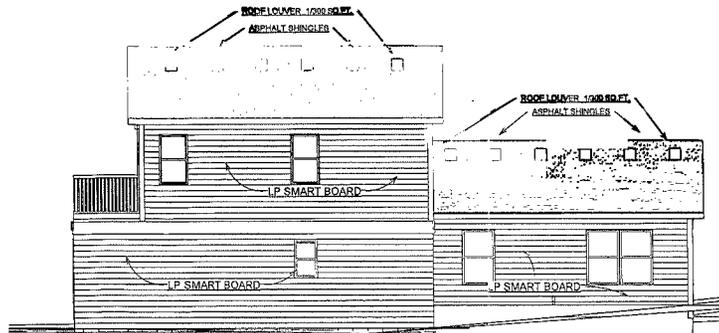
SCALE:

PAGE NO:

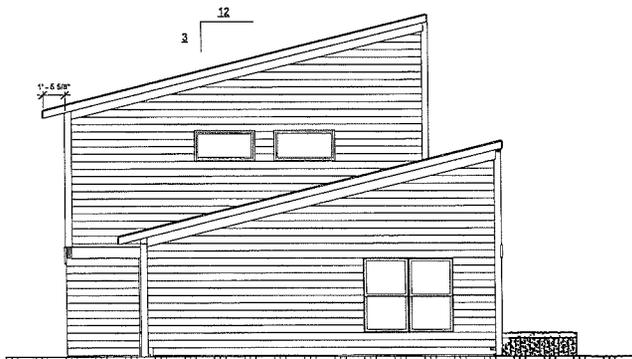
D-1



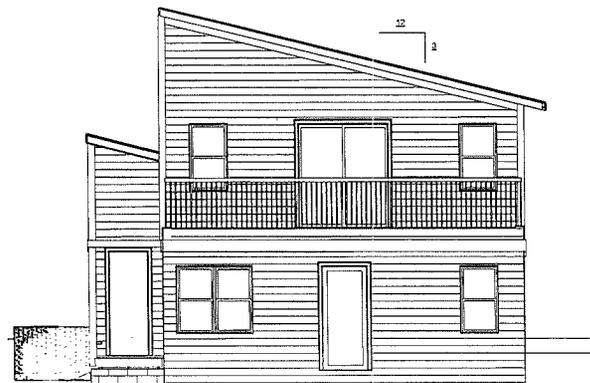
4 LEFT SIDE ELEVATION
3/16" = 1'-0"



3 RIGHT SIDE ELEVATION
3/16" = 1'-0"



2 REAR ELEVATION
1/4" = 1'-0"



1 FRONT ELEVATION
1/4" = 1'-0"

PROJECT:
REMODEL AND ADDITION
TO EXISTING HOUSE

OWNER: JAYME BRISCH
ADDRESS:
3275 OWASSO HEIGHTS RD.
SHOREVIEW, MN.

CONTRACTOR:
WILLET REMODELING & CONST. INC.
CONTACT: SCOTT RICKS
PHONE: (612) 203-4929
E-MAIL: sr@wrcincmn.com

REVISIONS			
NO.	DATE	DESCRIPTION	BY

FINAL CONSTRUCTION PLANS
2ND CHANGES (NEW FLOOR)

OCTOBER 07, 2016

PLANS PROVIDED BY:

SCHWIETERS HOME DESIGN
1628 COUNTY HIGHWAY 10 N.E.
SPRING LAKE PARK, MN 55432

TEL: (763) 785-2105
SchHomDsgn@aol.com

DATE: 02/29/16

DATE: OCT. 02, 2016 DRAWN: DICK S.
JOB NO: 2639 CHECKED: R.J.S.

ELEVATIONS

SCALE: As Indicated

PAGE NO:

A-1

Planning dept,

10-3-16

We would and or need to remove the walls of existing home due to these Reasons that were hidden

1. Wall has a hinge point that was from a previous address

2. The floor to be redone to accomodate new walls

3. Replace stucco siding with LP per plan.

4. Plan for house to be exact point on property as approved with better structure and different appearance.

5. Request rebuild new walls on existing foundation which has S's set back per plan and survey.

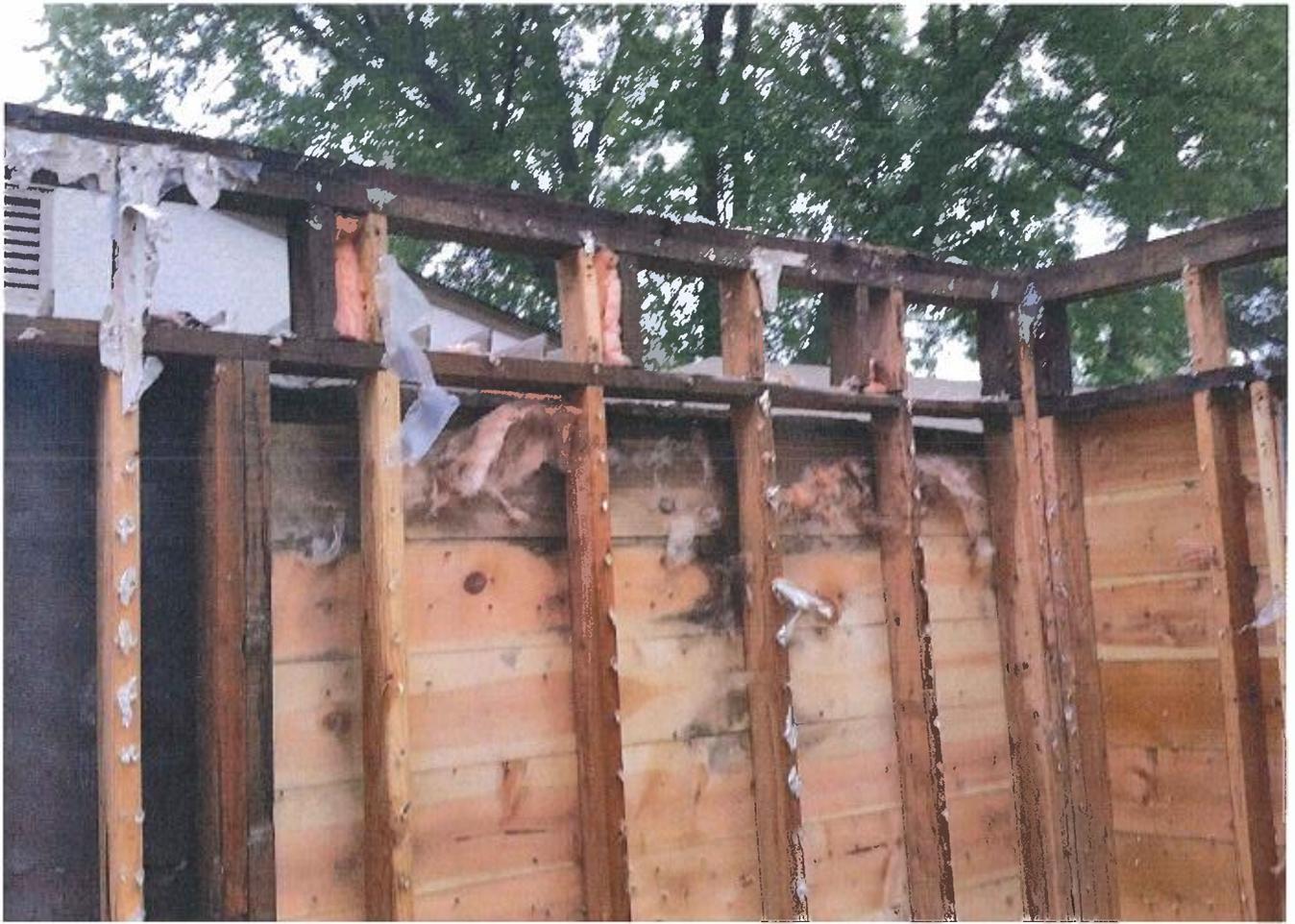
Thank you

Scott

612-203-4929







Bolt Hoffer Boyd

l a w f i r m

October 12, 2016



Via Hand Delivery

Planning Commission
City of Shoreview
4600 Victoria Street North
Shoreview, MN 55126

RE: 3275 Owasso Heights Road, City of Shoreview
File: 2638-16-18

Dear Members of the Planning Commission:

I have been retained to assist Jayme Brisch ("Ms. Brisch") and Willet Remodeling & Construction, Inc. ("Willet") in preparing this written response to the City of Shoreview's notice of incomplete application for variance dated October 6, 2016. This letter will address and serve as Ms. Brisch and Willet's response to the request for supplemental information.

Variance Request

Ms. Brisch is requesting the following based on the discovery of a hidden or concealed condition after construction had commenced on her property:

- A reaffirmation of the previously approved second story addition above the existing foundation, which is at only a 5-foot setback. As with the previously approved variance, the existing 5-foot setback makes it difficult to enlarge in a compliant manner.

As you will see in the supplemental information provided, allowing Willet complete the project, **will not** alter the fundamental nature or character of the work that has already been approved for a variance by the Planning Commission.

Ms. Brisch's reason for the addition has not changed. She needs the space to raise her family. She is remodeling the home, because she intends to live in it. She is not remodeling the home for a quick resale and is not in the business of "flipping" houses.

Ms. Brisch also plans on planting multiple water gardens to help protect the lake and will be installing gutters on the home with rain barrels for her water gardens to help with drainage from the addition.

Prior Variance Approval and Background

By way of background, Ms. Brisch and Willet have been working diligently with the City of Shoreview (“City”), the Planning Commission, and Senior Planner Rob Warwick (“Mr. Warwick”) since early June 2016. After initially voting to table Ms. Brisch’s request for a variance on June 28, 2016, the Planning Commission voted to approve Ms. Brisch’s request on July 26, 2016 by a vote of 6-0 (the “Approval”).

Following the Approval, Willet’s commenced work on the property and continued until the receipt of a Stop Work Order from Mr. Warwick. Until Mr. Warwick’s notification, Willet was unaware of any legal issue that would prevent the completion of the approved project.

Discovery of the Hinged Wall

As Willet began performing the work, it discovered a previously hidden or concealed condition in **one** of the walls. The condition was a “hinged wall”, which was not known or contemplated prior to beginning of the reconstruction (the “Hinged Wall”). As you likely know, it is not advisable or acceptable to use a hinged wall to support the second story of a structure. Upon discovery of the Hinged Wall, Ms. Brisch and Willet’s only sound construction choice was to replace it. The replacement of the Hinged Wall also necessitated redoing the floor underneath to accommodate the replacement wall.

Willet removed the Hinged Wall. Willet did not believe that this removal would cause any issue as the layout, roof height, design, foundation, and footprint were going to remain the same. The replacement wall would occupy exactly the same space as the Hinged Wall.

Stop Work Order and Project Status

Willet was surprised by Mr. Warwick’s Stop Work Order on the basis of the replacement wall and floor to accommodate it. Nonetheless, Ms. Brisch and Willet immediately stopped work.

Subsequent requests by Willet to tarp the work, protect open electrical and exposed water lines, and put up a safety fence around the existing foundation were denied. As such, Ms. Brisch’s property remains unprotected from inclement weather and freezing. Likewise, Ms. Brisch and Willet have been unable to take reasonable steps secure potentially hazardous conditions on the property due to the denial.

In order to prevent injury or harm to a third-party, both Ms. Brisch and Willet hereby put the City on notice of the potential hazards and reassert their request to put up a safety fence around the existing foundation and protect the open electrical and water lines until such time as the Stop Work Order and variance issues can be resolved.

Written Statement of Justification

- a. The Variance Request shall comply with the purpose and intent provisions of City Code Section 201.010 and with the policies of the City's Comprehensive Plan.*

Ms. Brisch's variance request is essentially identical to the previously approved variance, but for the replacement of the Hinged Wall and flooring to accommodate the replacement wall. Thus, it follows that the variance request complies with the purpose and intent of the City Code Section 201.010. Ms. Brisch has already begun the process of investing in the community and it is her desire to raise her family in the City.

Ms. Brisch's investment is very likely to raise her property value as well as that of her neighbors. The increase in those property values will result in a larger tax base for the City, which in turn will result in more resources for the City to spend on and invest in essential services and improvements to the benefit of its citizens.

Further, the Planning Commissions' findings in the initial Approval are still valid and informative. Specifically, the City found that:

1. The proposed improvements are consistent with the Housing and Land Use Chapters of the Comprehensive Plan.

Likewise, the Staff supported the prior proposal and found that the variance requested was consistent with the City's Comprehensive Plan regarding Land Use and Housing. The replacement of the Hinged Wall and accompanying flooring falls within the scope, nature, and character of the approved variance. As such, the Planning Commissions' prior findings should inform the present decision with respect to this element.

- b. Practical Difficulties. The application for a variance shall establish that there are practical difficulties in complying with the provisions of the Shoreview Development Regulations.*

The replacement of the Hinged Wall and accompanying flooring falls the scope, nature, and character of the approved variance. As such, the Planning Commissions' prior findings should inform the present decision with respect to the "Practical Difficulty" element.

Previously, the Planning Commission found that:

2. The proposed second story addition to the detached single-family resident represents a reasonable use of the property which is located in the R-1 Detached Residential District.
3. Unique circumstances stem from the age of the existing house, constructed in 1924 as a seasonable cabin, with a side setback that does not conform to the current 10-foot minimum requirement. The existing 5-foot setback makes it difficult to enlarge in a compliant manner.
4. The diversity of housing styles and setbacks nearby indicate that the improvements will not alter the character of the existing neighborhood.

Even with the replacement of the Hinged Wall and accompanying flooring, each of the above findings remain true.

Moreover, though “[e]conomic considerations alone shall not constitute ‘Practical Difficulties’ ”, the relevant code provision does not preclude the Planning Commission from taking those considerations into account. City Code Section 203.070. In this case, the Planning Commission should take note that this project is already under way and that Ms. Brisch has already made a substantial investment. Ms. Brisch made the investment in reliance upon the Approval of the prior variance. Neither Ms. Brisch nor Willet, were aware of the Hinged Wall until the work commenced. Ms. Brisch and Willet acted in good faith and were not aware that the replacement wall would result in a Stop Work Order or that the City believed that an additional variance issue needed to be resolved.

If the project is not allowed to continue, Ms. Brisch will likely incur substantial cost overruns and the prospect of taking a loss on the property as the existing structure is no longer livable. These losses will have lasting consequences on Ms. Brisch and her family in terms of the immediate financial hardship and long term with respect to her timeline for starting a family and retirement savings.

Conclusion

Ms. Brisch and Willet respectfully request that the Planning Commission grant the variance and allow the reconstruction of Ms. Brisch’s home to be completed.

This process has been extremely stressful for Ms. Brisch and she hopes that it can be satisfactorily resolved for all involved. If you need further documents or information, please contact me. Thank you for your time and consideration.

Sincerely,

BOLT HOFFER BOYD LAW FIRM

/s/William K. Forbes

William K. Forbes
Attorney
william.forbes@bolthoffer.com

cc: Rob Warwick, Senior Planner (via e-mail)

Commissioners expressed their support of this application of straight forward improvements.

MOTION: by Commissioner Peterson, seconded by Commissioner Solomonson to recommend the City Council approve the preliminary plat submitted by Eagle Ridge Partners for the Shoreview Corporate Center, (4000 Lexington Avenue, 1005 Gramsie Road and 1020/1050/1080 County Road F). Said approval is subject to the following:

Preliminary Plat

1. The approval permits minor adjustments to the lots within the plat to better align the parking needs for the development and adjust impervious surface coverage for each lot.
2. The Declaration of Easements, Restrictions, Covenants and Conditions shall be amended to reflect the changes in the parking provided for each lot within the Plat. This Declaration shall be submitted to the City Attorney for review and approval prior to the release of the Final Plat. Executed and recorded copies of the Declaration shall be submitted to the City.
3. Drainage and Utility Easements shall be dedicated over the stormwater ponding areas and as required by the Public Works Director.
4. Prior to submittal of the Final Plat application, an analysis by a licensed Architect shall be completed for the 1005 Gramsie Road building to determine compliance to the Building Code. This analysis shall be submitted to the Building Official for review and approval.

This approval is based on the following findings of fact:

1. The proposed land use is consistent with the designated business park land use in the Comprehensive Plan.
2. The proposed subdivision complies with the subdivision standards identified in the City's Development Code and is consistent with the approved PUD.

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

RESIDENTIAL DESIGN REVIEW / VARIANCE

FILE: **2619-16-18**
APPLICANT: **JAYME BRISCH/WILLET REMODELING**
LOCATION: **3275 OWASSO HEIGHTS ROAD**

Presentation by Senior Planner Rob Warwick

This application is for the purpose of constructing improvements to the existing one-story home on the subject property. The proposal seeks to add a 624 square foot second story on the existing house and add 576 square feet to the rear of this single story house. The property is a non-riparian lot zoned R-1, Detached Residential. The lot is substandard with 8,401 square feet of area, which is less than the minimum required of 10,000 square feet; and the 50-foot lot width is less than the required 75 feet. Therefore, the property is subject to the design standards adopted by the City.

Two variances are requested. The proposed expansion exceeds the existing 1600 square foot foundation area by 17 feet, which requires a variance. The proposal results in approximately 1345 square feet of living space on the main floor and a total of approximately 2000 square feet with the second floor addition. The proposal complies with all setback requirements except the north lot line. The additions would have a 5-foot setback from the north lot line, the existing setback of the house. This is less than the 10-foot minimum and requires a variance. The house to the north is just over 6 feet from the lot line which makes the distance between the two houses approximately 12 feet. There is a detached garage of 240 square feet, which the applicant wishes to retain.

The applicant states that practical difficulty exists with the location and dimensions of the existing house. The improvements are intended to enlarge and modernize the existing small house. To use the same width for the addition requires using the existing setback.

Staff supports reinvestment in the property and finds the proposal to be consistent with the Land Use and Housing Chapters of the Comprehensive Plan. Practical difficulty does exist with the substandard lot size and small house built in the 1920s. A setback of 5 feet was common when this neighborhood was developed. The neighborhood has a mix of housing styles and ages. It is unlikely that the character of the neighborhood would be impacted.

However, staff has concerns about the design and potential impacts. There are a number of issues that support denying the variance requests. On substandard riparian lots an existing side setback of 5 feet can be reused if the expansion is a single story. Staff believes a single story addition would be more in line with the intent of the Code and would have less impact. A larger building mass should comply with code, a 10-foot minimum setback. The design of a shed roof keeps the height low but places the roof peak 5 feet from the lot line. A large wall effect will result on the north elevation. The applicant states larger costs for an addition that does not use a 'nominal' dimension, but staff believes that economic circumstances alone do not show practical difficulty.

Property owners within 350 feet were notified of the proposal. Two comments were received in support of the project. Three comments were received expressing concern about visual impact. Staff recommends tabling the application for revisions.

Commissioner McCool noted a discrepancy between staff's impervious surface calculation and what is shown on the survey. Mr. Warwick explained that code does not require the retaining wall and deck to be included in the calculation which is the difference.

Commissioner Ferrington asked for a review of the intent of code in regard to foundation area and lot coverage of the total lot size. Mr. Warwick stated that lot coverage on a standard lot allows 40% impervious surface coverage. In order to retain sufficient green area on substandard lots, the amount of impervious surface coverage is reduced. Building height and foundation area describe architectural mass. Code requirements are an effort to keep structures proportional to the lot size. The setback requirements are generally applied throughout the R1 Detached Residential District. On non-riparian lots, architectural mass is defined in terms of what is compatible with the neighborhood. There is no defined housing style in this neighborhood.

There is a large deviation in lot sizes and house sizes. The north wall of the house is approximately 1000 square feet with three windows. It is recommended that large wall effects not be allowed.

Commissioner Ferrington recalled another application when a second story addition was allowed to jog in 5 feet, so that the addition setback would be in compliance with the 10-foot minimum. She suggested that could be a potential solution.

Commissioner Solomonson asked if the addition to the back of the house could be shifted 5 feet to comply with the 10-foot setback. Mr. Warwick stated that this has not been discussed with the applicant, but shifting that portion and making it the two-story addition may be a better solution.

Mr. Mike Lyden, 3262 Owasso Heights Road, referred to the letter he submitted to the Commission. His question is in regard to practical difficulty. The difficulty with the application is one of economics. The structure will last a long time. The wall effect on the north side will definitely impact the neighbors to the north and decrease their property value. The homes along that side of the road will all see the two-story wall. At what point is practical difficulty equated to cost. This is the time to move the foundation and do it right for the next hundred years.

Mr. Scott Ricks, Willet Remodeling, Applicant, stated that the reason the second story is designed off the existing house is to gain maximum square footage. The rear addition can be moved over to comply with the 10-foot setback, but the foundation area will still be over 1600 square feet. A second plan has been designed that would have the second story off the new addition at the rear of the house, but that is not the preferred aesthetic. The roof was not split in order to keep the water flowing away from the north lot line where it can be managed on the property. Rain gardens are planned, and the applicant has applied for grants to help with those costs. It is possible to put more windows on the north wall, but again adds to the cost. The applicant is staying off-site during this process. Construction is already two months behind. If the original design cannot be approved, he would request the Commission review the second option.

Commissioner Solomonson asked the condition of the existing home and whether a new foundation could be laid. **Mr. Ricks** stated that the existing foundation has been repaired and appears to be sound. If a new foundation were done, it would add \$40,000 to \$60,000 to the cost. If the second story is put on the back addition, the dimensions would be 23 x 24, and a variance would not be needed. The nominal cost would be lost, as that would add \$2,000 to \$3,000 to the project. Commissioner Solomonson asked if the new roof would be a shed roof. **Mr. Ricks** explained that the current roof is a hip roof and not designed for a new addition. The new roof would be a shed roof to alleviate any water problems.

Commissioner McCool asked if the two stories were considered on the east side. **Mr. Ricks** stated that approach was considered, but there would be a loss of square footage. The preferred option is approval of the additional 17 feet to put the addition on the existing house proposed with a 5-foot setback; the back addition could be shifted to comply with the 10-foot setback.

Commissioner Solomonson stated that the big concern is the 5-foot setback to the north. He would like to see other options presented. It is difficult to argue against a house that has been on the property since the 1920s, but the addition should comply with the 10-foot setback requirement.

Commissioner Peterson stated that this house is in need of reinvestment, as other houses have been remodeled in the neighborhood. Other two-story houses, however, do not have the setback issue. This application has been with the City only two weeks. He would support tabling the application to take time to review design revisions to the proposal.

Commissioner McCool stated that he does not support the 5-foot setback for the addition because of the wall view to the north. He does not want the Commission to enter into design work, but he would like to see any revised plans for discussion. A decision cannot be made at this meeting.

Chair Doan agreed the Commission should have the revised plans to consider. **Mr. Ricks** distributed copies of a revised plan that would be in full compliance by moving the expansion over to the 10-foot setback with two stories to avoid a wall on the north side.

Chair Doan asked if the foundation area would still be an issue. **Mr. Ricks** stated that if the dimensions were 24 x 23, the foundation area would be within code.

Ms. Castle stated that although a revised plan is in compliance with no requested variances, a Residential Design Review would still be required. The plan would have to be brought back to the Planning Commission.

Commissioner McCool stated that he likes the two story design on the older portion of the house because it will look better. The revised design will create a wall effect in the back yard. Any way that the north wall can be broken up with more windows or other features is what he wants to see.

Chair Doan stated that he favors tabling the application. There are a number of different ways the design could be presented. The Commission cannot design the plan. The applicant needs to work with staff.

A representative from Willet Remodeling asked if there is agreement on a specific design. Chair Doan responded that although he appreciates the concern the developer is showing for his client, he cannot commit his support until a new plan is presented. The Commission has offered comments and feedback.

MOTION: by Commissioner Solomonson, seconded by Commissioner Ferrington to table the variance request to increase the allowed foundation area from 1,600 sq. ft. to 1,617 sq. ft., to reduce the side setback to 5-feet for the second floor and rear additions, and the residential design review application submitted by Jayme Brisch and Willet Remodeling for the property located at 3275 Owasso Heights Road to provide the applicants the opportunity to revise their plans to better

RESIDENTIAL DESIGN REVIEW / VARIANCE

FILE NO: 2619-16-18
APPLICANT: JAYME BRISCH/WILLET REMODELING
LOCATION: 3275 OWASSO HEIGHTS ROAD

Presentation by Senior Planner Rob Warwick

The property is a substandard, non-riparian lot with 8,401 square feet in area, less than the 10,000 square feet standard and a 50-foot width which is less than the 75-foot standard in the R1 District.

This item was tabled at the Planning Commission's June 28, 2016 meeting. Applicants have revised the plan. The second floor addition remains at 624 square feet with a 5-foot setback from the north lot line. The rear addition has been moved south 5 feet and reduced in area to 554 square feet, which complies with the 10-foot setback code requirement. An eyebrow architectural feature and windows have been added to visually break up the wall effect of the addition on the north side. The revisions add interest to the north elevation with the use of a jog in the wall, an eyebrow and windows. The expansion complies with all design standards, including the 1600 square foot maximum foundation area allowed. A variance is requested for the 5-foot setback for the second story addition because the existing house is located at a 5-foot setback from the north lot line.

The applicant states that practical difficulty exists with the location and dimensions of the existing house. A second story addition with usable space needs to use the existing setback. The improvements will enlarge and modernize the existing small house.

Property owners within 150 feet were notified of the revised request. Two comments were received in support. Three comments were received expressing concern about the roof peak of the shed style roof 5 feet from the lot line.

Staff supports the proposal and finds it is consistent with the City's Comprehensive Plan regarding Land Use and Housing. The City encourages reinvestment in older properties. The 5-foot setback is common in this neighborhood and was the minimum required when the house was built. Practical difficulty is a result of a small, narrow lot with the location of the existing house 5 feet from the north lot line. The area is developed with a mix of housing styles, and staff does not believe the essential character of the neighborhood will be altered.

Commissioner McCool asked if consideration was given to flipping the roof line of the second story so it would not be at the 5-foot setback. Mr. Warwick stated there was a brief discussion about that option, but it makes storm water runoff more difficult to manage.

Commissioner Solomonson asked if there are other two-story houses in the neighborhood. Mr. Warwick stated that many houses are one story; some are 1 1/2 stories. Many lakeside homes are two stories, as are newer homes on Owasso Heights Drive.

Chair Doan opened the meeting to public comment.

Mr. Jeffrey Budd, 3270 Owasso Heights Road, stated that he lives across the street and believes this will be a great improvement to the neighborhood.

Ms. Sue Kramer, 3279 Owasso Heights Road, stated that she lives south of this property. There is a deck on their house that will face the north wall of the proposed improvement. There is more space to the south side of the existing house and she and her husband would like to see the second story addition flipped or the roof gabled so there is not a solid wall. Or, would it be possible to move the second story 10 feet over and cantilever it on the south side to prevent a solid wall? She believes drainage could be handled with gutters and downspouts. She is not aware of other homes that are as close with a 5-foot setback. It is important to consider the character of the neighborhood and property values with this proposal that does not quite fit.

Ms. Kelly Lyden, 3262 Owasso Heights Road, stated she was disappointed with the new revised plan. The biggest issue is a second story at a 5-foot setback. There is 20 feet on the other side of the house that should be considered as another option. The house design emphasizes the narrow setback when looking at it from the road. The character of the neighborhood will be changed, and the addition, as proposed, will not look like it fits.

Mr. Mike Lyden, 3262 Owasso Heights Road, stated that he is not satisfied that practical difficulty has been demonstrated. Practical difficulty would be an odd shape or a pond to address or poor soil. There should not be an injurious impact to neighboring properties which there will be to the Kramers. It is not right to put an addition on at a 5-foot setback that will be permanent when today's standards are 10 feet. A variance should not be granted based on cost.

Mr. Scott Willett, Willett Remodeling, explained that the current design is to keep the roof as low as possible. Flipping the roof or making a gable would approach the limit of 28 feet and would mean that runoff water would flow between the two houses. Costs to demolish the home and start over are prohibitive.

Commissioner McCool asked if flipping the roof would mean changes internally. **Mr. Willet** stated that a vaulted ceiling would be lost because of the layout of the bedroom, the staircase would end up in the kitchen, and the roof would impact how the deck extends from the house.

Ms. Brisch, Applicant, stated that most of the interior of the home will remain the same. She is adding up and out because the house is very small at 600 square feet. She did take into consideration comments from neighbors. This design that she created with her architect is her dream home. The north wall closest to her neighbor has windows added and is in line with the rest of the home. The Kramers' house has a pergola on that side so they do not see straight up the wall. An addition to the back would block more of their view.

Chair Doan asked the impact of flipping the slope of the shed roof so it would drain on the north side instead of the south side. **Mr. Willet** explained that besides the fact that water will run onto the Kramer property, the neighbors on the other side had expressed objection to having the

highest portion of the roof facing their house because it would block the view through the back yards.

Chair Doan asked if there would be practical difficulty to a gabled roof. **Mr. Willet** stated that the reason to not use a gabled roof is to keep the height down. Also, the applicant likes and seeks to build the style that is presented. The height would not go over the limit of 28 feet.

Commissioner Solomonson asked the height of a garage that might be built on this lot, if it were vacant. Mr. Warwick responded that living area is required to be set back 10 feet; a garage setback is 5 feet. If the garage were attached, the type of roof proposed could be built without a variance. If the garage were detached, the peak height is 18 feet.

Commissioner Solomonson stated that the existing home is a legal non-conforming use. There are a number of 5-foot setbacks in the neighborhood, which is an older part of town. In considering that a structure could be built that is just as high without a variance. Flipping the roof for drainage to the north would create another type of problem. He would support the expansion as presented.

Commissioner McCool stated that he supports the addition above the existing structure rather than adding onto the back. The applicant has done what was asked by the Planning Commission at the last meeting. He understands that flipping the roof would create interior issues. Although the neighbors are objecting to the wall effect, they also might not like the water runoff onto their property.

Commissioner Peterson stated that after seeing the pros and cons of flipping the roof, he would support the proposal. The reasoning and findings are adequate to support the proposal.

Commissioner Wolfe asked about a plan that was discussed at the last meeting that would not require a variance. **Mr. Willet** explained that would be a one level on the existing house with a two-story addition to the back, which would not require a variance. However, there was objection to how that plan would obstruct neighbors' views. No formal plans were presented with that design. Commissioner Wolfe expressed his conflict with wanting neighborhoods to improve with reinvestment, but he also to stay true to who they are.

Commissioner Ferrington stated that infill is always difficult because there are neighbors who have lived in the area for a long time. She stated that the house is interesting, and she likes the design. The only issue seems to be the wall effect. The lot is not being overbuilt at 2000 square feet. She appreciates the fact that instead of three variances, only one variance is needed. She asked if there is enough room to plant arbor vitae along the north side. She does not see an easy solution for the neighbors. Mr. Warwick stated that 5 feet is not much space, and it is shady.

Chair Doan expressed his appreciation that the homeowner is making a major investment. Separate from visual impacts, a major issue is water flow. If the roof were flipped, he would have a big concern about water management. He would not want to see a water trough between the two neighbors. There is not enough room to create a slope. While the wall is difficult, he

would ask the applicant to try to think of other features that could be added to break up the wall effect.

MOTION: by Commissioner Peterson, seconded by Commissioner Solomonson to adopt Resolution No. 16-60, approving the variance request to reduce the side setback to 5-feet for the second floor addition, and to approve the residential design review application submitted by Jayme Brisch and Willet Remodeling for the property located at 3275 Owasso Heights Road. This approval is subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the application.
2. This approval will expire after one year if a building permit has not been issued and construction commenced.
3. Material storage and construction vehicle parking shall be limited to the subject property. No construction parking or storage is permitted within the public right-of-way or on nearby private property without the written consent of the affected property owner.
4. Erosion control will be installed in accordance with City Code requirements prior to any site disturbance. Vegetation shall be restored in accordance with City Code standards.
5. This approval is subject to a 5-day appeal period.
6. A grading and drainage plan shall be submitted for review and approval by the City Engineer.

This approval is based on the following findings:

1. The proposed improvements are consistent with the Housing and Land Use Chapters of the Comprehensive Plan.
2. The proposed second story addition to the detached single-family residence represents a reasonable use of the property which is located in the R-1 Detached Residential District.
3. Unique circumstances stem from the age of the existing house, constructed in 1924 as a seasonal cabin, with a side setback that does not conform to the current 10-foot minimum requirement. The existing 5-foot setback makes it difficult to enlarge in a compliant manner.
4. The diversity of housing styles and setbacks nearby indicate that the improvements will not alter the character of the existing neighborhood.

Discussion:

Commissioner McCool stated that he will not support this proposal because he does not find unique circumstances. The applicant's desire for this design and economic constraints have led to this proposal, which are not unique.

VOTE: Ayes - 3 (Peterson, Solomonson, Doan) Nays - 3 (Ferrington, McCool, Wolfe)

City Attorney Beck stated that a tie vote means that the motion fails.

Commissioner McCool suggested the matter be continued until there is a full Commission that would not result in a tie.

Ms. Brisch stated that the Commission was fairer at the last meeting in telling her what they wanted to see. She reduced the number of variances from 3 to 1. She is now unclear at all what the Commission is looking for. She would like to move forward.

Commissioner Solomonson explained that the Commission can only act on the plan that is presented. He acknowledged that she did bring in a new plan based on what she heard at the last meeting, but it was only accepted on a 3 to 3 vote. This leaves her in the position of either bringing the same plan back to a full Commission or bringing a new plan.

Commissioner McCool stated that he would support the proposal if the roof were flipped.

Commissioner Ferrington stated that reducing the height of the wall by 5 feet would help the neighbors and agreed with Commissioner McCool.

Commissioner Wolfe stated he would support the plan if the roof were flipped.

Mr. Willet stated that if flipping the roof gains support of the Commission and meets with the approval of the applicant, the roof can be flipped, and they will try to deal with water runoff through gutters and downspouts.

MOTION: by Commissioner McCool, seconded by Commissioner Solomonson that the Planning Commission adopt Resolution No. 16-60, approving the variance request to reduce the side setback to 5-feet for the second floor addition, and to approve the residential design review application submitted by Jayme Brisch and Willet Remodeling for the property located at 3275 Owasso Heights Road. This approval is subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the application, except that the roofline shall be flipped on the front portion of the house as discussed at this Planning Commission meeting, so that the peak is located on the south.
2. This approval will expire after one year if a building permit has not been issued and construction commenced.
3. Material storage and construction vehicle parking shall be limited to the subject property. No construction parking or storage is permitted within the public right-of-way or on nearby private property without the written consent of the affected property owner.
4. Erosion control will be installed in accordance with City Code requirements prior to any site disturbance. Vegetation shall be restored in accordance with City Code standards.
5. This approval is subject to a 5-day appeal period.
6. A grading and drainage plan shall be submitted for review and approval by the City Engineer.

This approval is based on the following findings:



Robert Warwick <rwarwick@shoreviewmn.gov>

3275 Owasso Heights Road

Jeff Budd <jeff@drbudd.net>
To: rwarwick@shoreviewmn.gov

Thu, Oct 20, 2016 at 6:22 AM

Dear Mr. Warwick,

I am extremely disappointed that this controversy has arisen again. At the last Planning Commission meeting the Commission carefully considered the options and came up with a compromise that gave neither party everything they wanted. To me, this is the definition of a just outcome. Now, due to the letter of the law, one group wants to throw this decision out and start over. I realize that compromise may have fallen out of favor in Washington but I had hoped it was still a useful concept in Shoreview. Nothing has changed since last meeting; it's still impractical to move a basement. I see no responsible reason to change the outcome of the last meeting.

Sincerely,

Drs. Jeff and Linda Budd
3270 Owasso Heights Road

Sent from my iPad

We are opposed to granting the variance and encourage the planning commission to act in the best interest of the applicant and the Shoreview community. The application for variance fails to establish that there are practical difficulties in complying with the 10' set-back ordinance. We are fully supportive of the improvement when constructed compliant with the 10' set-back.

1. It is not reasonable (use) to expand a nonconforming structure 5' from the property line with the neighbors' house so nearby. Granting the variance will limit sunlight, encourage water run-off to 3279 Owasso and limit access for repairs and maintenance.

Allowing the new two story home be built 5' from the line will limit present and future potential real estate value of the new investment at 3275 as well as diminish the desirability and real estate value of 3279.

(note: Minnesota statute H-0052 defines access to direct sunlight for solar panels as a practical difficulty. Granting the variance would block sunlight from reaching the windows and yard at 3279 in essence creating a practical difficulty.)

2. The lot at 3275 does not present a unique circumstance. Nothing about the lot prevents the home from being built to comply with the ordinance. There is no driveway, vegetation, rock, natural spring, body of water, or soil condition preventing placement of the expansion so that it conforms to the 10' minimum setback ordinance.

There is not a unique situation for this substandard lot compared to the adjacent 50' lots to its north that compels a variance be granted. On the contrary, what is unique is that neither the house at 3275 or 3279 conforms to the minimum set-back. This represents a unique concern amongst the neighboring 50' lots requiring unique consideration and adherence to the ordinance.

3. Granting a variance allowing the 2 story 26' house to be placed 5' from the property line is not consistent with the essential character of the neighboring properties or neighborhood.

The neighborhood does not contain any 1 or 2 story homes or structures built at a 5' setback adjacent to a home which also does not comply with the 10' setback. While these situations may be found on the north side of Lake Owasso along the Horseshoe Drive neighborhood, this is not the character nor do we wish this to be character of the Owasso Heights Road neighborhood.

4. The city of Shoreview variance ordinance, mirrors that of the 2011 MN statute H0052-2 which states, "Economic considerations alone do not constitute a practical difficulty". But it is obvious to an objective observer that economic considerations alone are what drove approval of the variance July 26th 2016. During the meeting the builder was asked what it would cost to rebuild the structure so that it would comply with the 10' setback ordinance. At that time I think the builder estimated between 50 and 60 thousand dollars. September 30th the builder destroyed the original house erasing most if not all of the perceived cost differential to comply with the

setback ordinance. The cost of rebuilding the existing structure will now be realized, so there is not a significant cost savings or economic hardship to consider.

The applicant's application for variance to reuse the foundation is based on personal financial situation, which does not constitute a practical difficulty.

Aside from the north wall, the city and planning commission are encouraged to review the integrity of all portions of the foundation, walls and slab to assess its suitability and its perceived value by the applicant and builder.

The proposed reuse of the foundation at the 5' setback is in our judgment unreasonable and irresponsible use of the property. By ignoring economical alternatives to rebuild a portion or all the foundation and instead continuing to pursue a variance to build without the proper foundation setback after destroyed the existing home is an argument based on a circumstance created by the homeowner.

Sincerely,

Michael and Kelly Lyden



Comments:

Since the house has been removed to the foundation, we see no reason to build the house 5 ft from our property. Ms. Brisch should not be given a variance, and the house should be built 10 ft from our property, which is what the City of Shoreview requires.

In Addition, the foundation appears to be crumbling, and it would be irresponsible of the city to allow Ms. Brisch to build on the existing foundation. (many years of water in the basement).

Again, we do not approve of the City giving Ms. Brisch a variance. Remove the foundation, and build the house correctly.

RECEIVED
OCT 20 2016
BY: _____

Name: Eric + Jan Kramer
Address: 3279 Owasso Hgts Rd
Shoreview, MN 55126

**EXTRACT OF MINUTES OF MEETING OF THE
PLANNING COMMISSION OF SHOREVIEW, MINNESOTA
HELD OCTOBER 25, 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. 16-99 FOR A VARIANCE TO REDUCE THE SIDE SETBACK

WHEREAS, Jayme Brisch submitted a variance application for the following described property:

The North ½ of Lot 31, OWASSO HEIGHTS, RAMSEY COUNTY, MINNESOTA

(This property is more commonly known as 3275 Owasso Heights Road)

WHEREAS, the Development Regulations establish that on substandard lots a minimum 10-foot setback from a side property line is required; and

WHEREAS, the applicant proposes reconstruct the house recently removed from the property, and expand that prior house with a second floor addition using the foundation that remains; and

WHEREAS, the applicant has requested to reduce the side setback to 5-feet; 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; and

WHEREAS, on October 25, 2016 the Shoreview Planning Commission made the following findings of fact:

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

The plight of the owner is due to their removal of the legal non-conforming structure from the property, without notice to, or inspection by, any agency with authority to regulate demolition activity. The demolition exceeded the scope of the prior Planning Commission review and approval, and the scope of the building permit.

NOW, THEREFORE, BE IT RESOLVED BY THE SHOREVIEW PLANNING COMMISSION, that the variance request for property described above, 3275 Owasso Heights Road, be denied, subject to the following conditions:

1. This action is subject to a 5-day appeal period.
2. This denial rescinds Resolution 16-60, adopted by the Planning Commission July 26, 2016.

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 25th day of October, 2016

John Doan, Chair
Shoreview Planning Commission

ATTEST:

Kathleen Castle, City Planner

**PROPOSED MOTION
TO DENY**

MOVED BY COMMISSION MEMBER _____

SECONDED BY COMMISSION MEMBER _____

To adopt Resolution No. 16-99, denying the variance request to reduce the side setback to 5-feet for the reconstruction of the dwelling with an added second story submitted by Jayme Brisch and Willet Remodeling for the property located at 3275 Owasso Heights Road, subject to the following findings, and to rescind Resolution 16-60, approved by the Planning Commission at the July 26, 2016 meeting.

This action is based on the following findings:

1. The plight of the owner is due to their action to demolish the dwelling from the property, removing a non-conforming structure. Reconstruction of the dwelling with a second floor addition can be performed in compliance with the required setbacks and design standards for a sub-standard lot located in the R-1 and Shoreland Overlay Districts.

VOTE: AYES: NAYES:

Regular Planning Commission Meeting
October 26, 2016

TO: Planning Commission

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

DATE: October 20, 2016

SUBJECT: File No.2635-16-24, Comprehensive Sign Plan Amendment, Topline Advertising/Target Corporation, 3800 Lexington Avenue

Introduction

Target Corporation is adding a new liquor store in their existing SuperCenter. They have submitted an application to amend the existing Comprehensive Sign Plan. The proposal includes adding a new “Wine and Spirits” sign advertising the new liquor store on the west elevation, to the right of the grocery entrance.

Site History

In 1989, Target Corporation approached the City with plans to develop a retail center that included a Target retail facility and a grocery store. These plans were approved via the Planned Unit Development (PUD) process. The PUD was approved using the regulations of the C-1, Retail Service district as a base. In addition, other performance standards requiring interior dumpster locations, no outside storage, and screened cart storage were conditions of approval. Target Corporation submitted revised plans in 1990 that included an expanded area for the Target retail store and set aside the area north of the building for future development. The site was developed in accordance with these plans and consists of a Target Greatland Store that has a gross floor area of 144,000 square feet.

An expansion of their facility which changed the operations from a Target Greatland to a SuperTarget, with a grocery component, was approved in 2000. Target reinvested in this store with a remodeling project that upgraded the interior of the facility to their current standards. They came back in 2012 with updated signage in accordance with their new brand logo.

Comprehensive Sign Plan

Target Corporation is seeking approval of a comprehensive sign plan to add a new wall sign. The applicant is proposing to add a “Wine and Spirits” sign on the west building elevation. The area for this sign is 28 square feet.

The amount of wall signage on both building walls exceeds the maximum area permitted. In accordance with the Sign Code, the sign area on a building wall is limited to 5% of the total building elevation but not less than 40 square feet and no greater than 500 square feet. The following table summarizes the code requirements, the proposed sign area and deviation.

	Maximum Area Permitted (5%)	Existing Sign Area (% of Building Wall)	Proposed Sign Area (% of Building Wall)
West	809.6 square feet	1,141 square feet (7%)	1,169 square feet (7.2%)
North	486 square feet	902 square feet (9.3%)	902 square feet (9.3%)

Deviations from the Sign Code requirements can be obtained through the comprehensive sign plan process. The total proposed signage is smaller than what was existing prior to the replacement of the Pharmacy Sign (55 square feet) with the CVS Pharmacy Sign (24 square feet) earlier this year. While the number of wall signs displayed on the west building elevation will increase from four to five, it does not appear to be excessive due to the mass of the building and setback from Lexington Avenue and Red Fox Road. For these reasons, staff is supportive of the change.

Public Comment

Property owners within 350' were notified of this request. No comments were received.

Recommendation

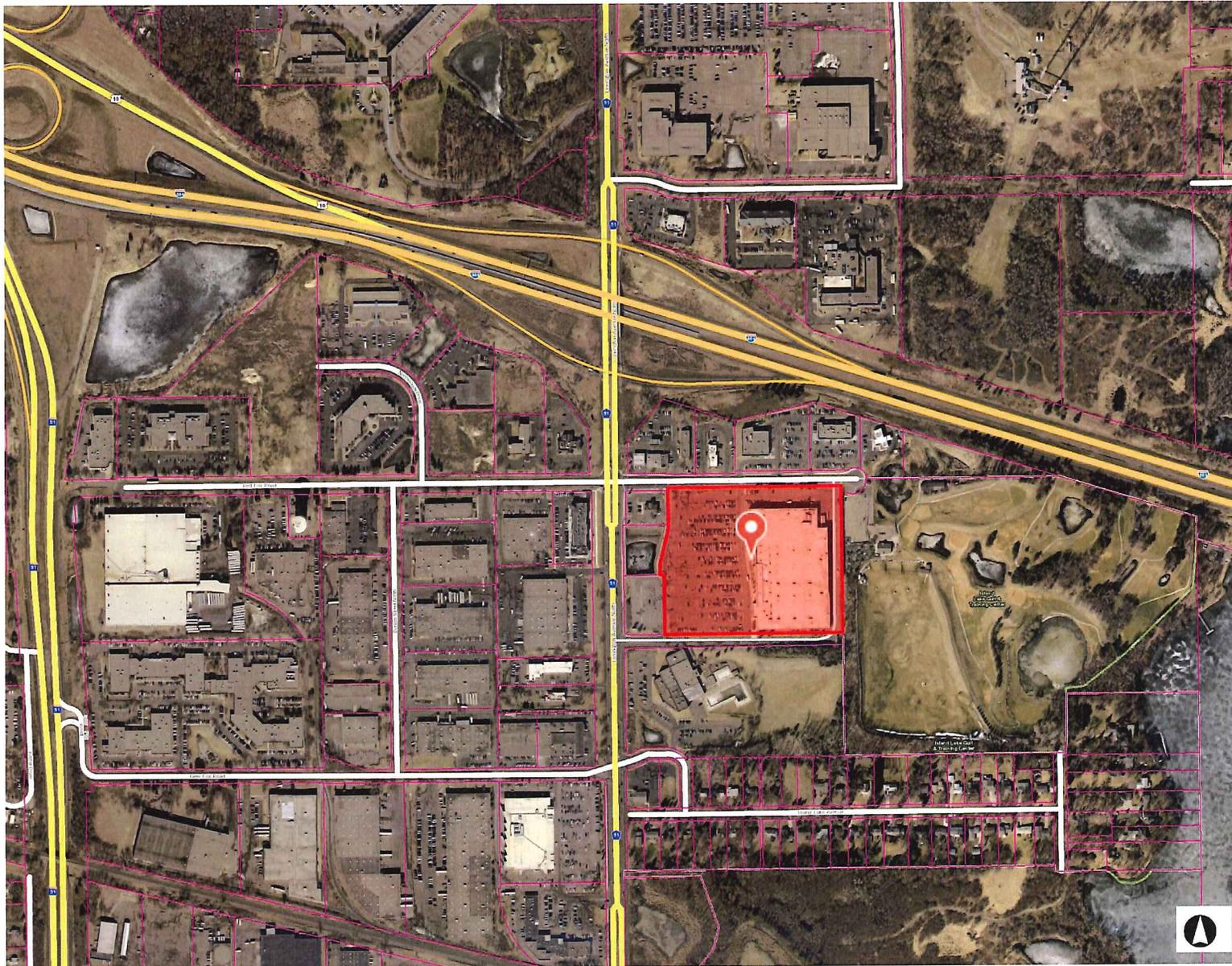
The proposed sign change is due to the addition of a liquor store in the Super Target. While the proposed signage exceeds the maximum area permitted per building elevation, the mass of the building necessitates signage larger than permitted. The proposed signage will not appear to be out of scale for the building. Staff is recommending approval of the proposed signage to the Planning Commission, subject to the following:

Comprehensive Sign Plan

1. The addition of the "Wine and Spirits" wall sign on the west building elevation will be as identified in the submittal.
2. Sign permits shall be obtained before the installation of any new signage on the property.

Attachments

1. Location Map
2. Applicants Description and submitted plans
3. Request for Comment
4. Proposed Motion



Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries
- Airports
- Parks (8-64K)**
 - State Park
 - Regional Parks, Preserves, and Open Space
 - County Park
 - Local Parks
 - Golf Course
 - Special Use Facility
 - Rec Center



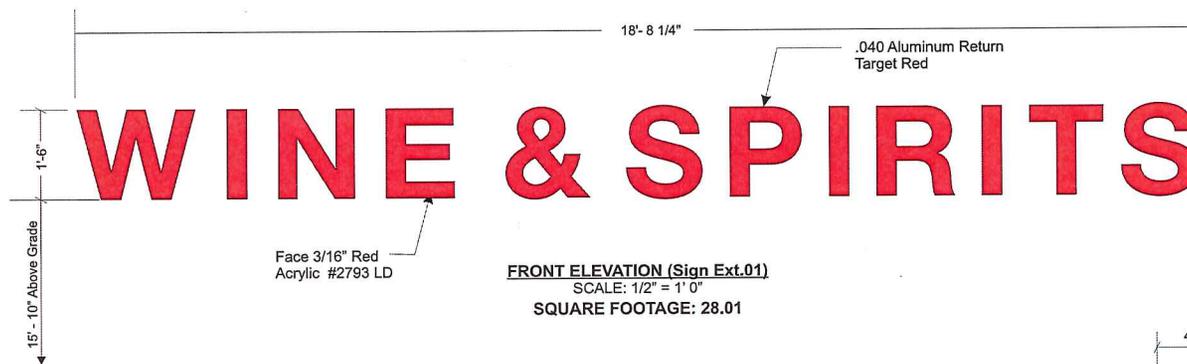
Notes

Enter Map Description

1,333.3 0 666.67 1,333.3 Feet

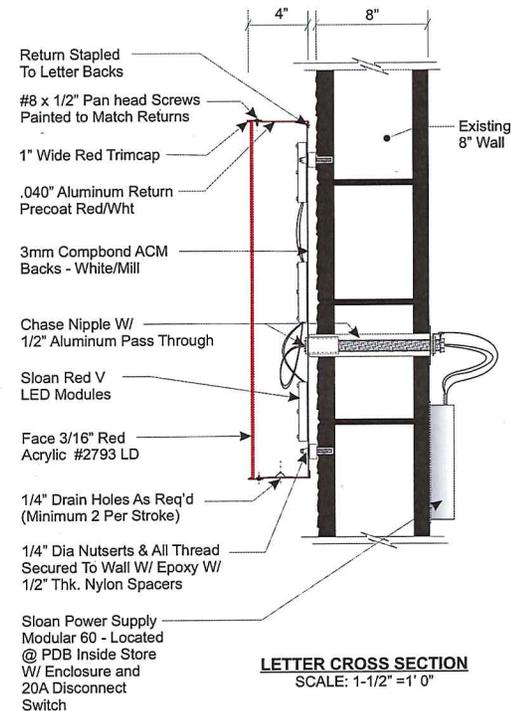
ENGINEERING
SHOP
VINYL / LAYOUT
ROUTING / KNIFE

**PERMITS
ONLY**



Proposed Elevation
Scale: NTS

Wall Painting And Reconditioning Prior To Sign Install Done By Others - VIF



TARGET RED
PMS 186 C
MP 82074 LVG
VER 1.0 GLOSS

ELECTRICAL LOAD
18" WINE & SPIRITS LTRS
(3.0) Amps @ 120 Volts
ELECTRICAL REQ'MTS
(1) 20 Amp/120 Volt Circuits

STANDARD LETTER NOTES:

1. Sufficient Primary Circuit In Vicinity Of Sign By Others.
2. Final Primary Hook-Up To The Power Distribution Board By Others
3. Letter To Letter Wiring & Connection To The Power Distribution Board To Be Done By Sign Installer.
4. Sign Shall Be U.L. Listed.
5. Mounting Hardware By Sign Installer.
6. Full Size Drilling Template Furnished With Sign.

Note: This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.



PHILADELPHIASIGN

BRINGING THE WORLD'S BRANDS TO LIFE

707 West Spring Garden Street
Palmyra, New Jersey 08065

Phone: 856.829.1460
Fax: 856.829.8549
www.philadelphiasign.com

CUSTOMER:

TARGET

JOB NUMBER:

T0619

SIGN TYPE:

Channel Letters

LOCATION:

**619 Lexington Ave.
Shoreview, MN**

DATE:

10/13/16

DRAWN BY:

DCH

REVISION:

Number:	Date:	By:
X	X	X

SHEET:

2 of 3

DWG NUMBER:

B70608

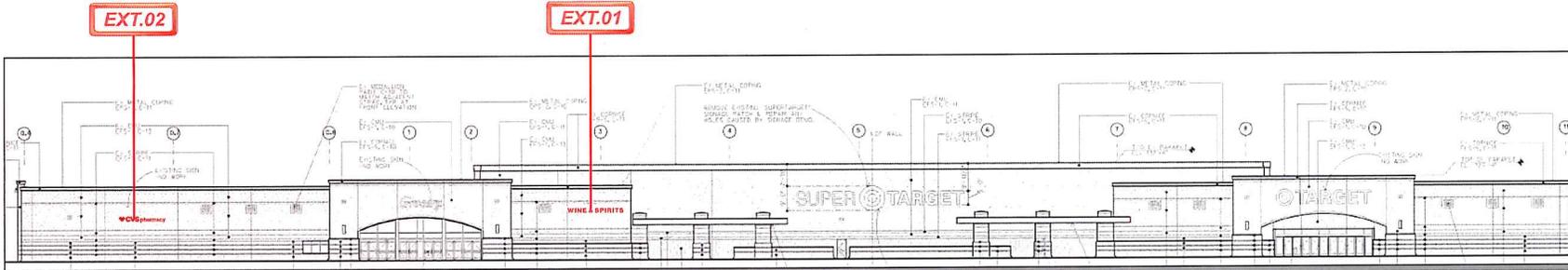
ENGINEER SEAL:

MAX DESIGN WIND SPEED 90 MPH
EXPOSURE C

THIS IS AN ORIGINAL UNPUBLISHED DRAWING CREATED BY PSCO. IT IS SUBMITTED FOR YOUR PERSONAL USE IN CONJUNCTION WITH A PROJECT BEING PLANNED FOR YOU BY PSCO. IT IS NOT TO BE SHOWN TO ANYONE OUTSIDE YOUR ORGANIZATION NOR IS IT TO BE USED, COPIED, REPRODUCED, OR EXHIBITED IN ANY FASHION.

ENGINEERING
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**PERMITS
ONLY**



FRONT ELEVATION
SCALE: NTS



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Shoreview, MN**

DATE:

10/13/16

DRAWN BY:

DCH

REVISION:

Number:	Date:	By:
X	X	X

SHEET:

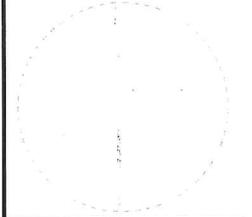
1 of 3

ENG DEPT

DWG NUMBER:

B70608

ENGINEER SEAL:



**MAX DESIGN WIND SPEED 90 MPH
EXPOSURE C**

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BE SHOWN TO ANYONE OUTSIDE YOUR
ORGANIZATION NOR IS IT TO BE USED, COPIED,
REPRODUCED, OR EXHIBITED IN ANY FASHION.**

Comments:

RAISING CANES RESTAURANTS L.L.C.
Supports this additional signage request
by the applicant.

RAISING CANES

Name:

Robert F. Montgomery

Address:

6800 Bishop Rd
Plano, TX 75024.



Robert Montgomery
Director of Property
Development
Fry Cook & Cashier

Phone: 972.769.3348
Fax: 972.769.3101
Cell: 469.585.4690
RMontgomery@raisingcanes.com
www.raisingcanes.com

6800 Bishop Rd,
Plano, TX 75024

MOTION

MOVED BY COMMISSION MEMBER: _____

SECONDED BY COMMISSION MEMBER: _____

To recommend the City Council approve the Comprehensive Sign Plan amendment for Topline Advertising/Target Corporation to install change one existing wall signs and add one addition wall sign the existing monument sign. The proposed signage will not appear to be out of scale for the building. The proposed wall signs are acceptable due to the mass and scale of the building and building setback from the adjacent roadways. Said approval is subject to the following:

Comprehensive Sign Plan

1. The addition of the "Wine and Spirits" wall sign on the west building elevation will be as identified in the submittal.
2. Sign permits shall be obtained before the installation of any new signage on the property.

VOTE:

AYES:

NAYS:

Regular Planning Commission Meeting
October 20, 2016

TO: Planning Commission
FROM: Rob Warwick, Senior Planner
DATE: October 20, 2016
SUBJECT: File No. 2639-16-38, Tyme Properties, Gramsie Square, 3999 Rice Street -
Comprehensive Sign Plan Amendment

INTRODUCTION

Tyme Properties has submitted an application to amend the Comprehensive Sign Plan for Gramsie Square, a multi-tenant retail center located at Rice St. and Gramsie Road. The north tenant is a fuel station/convenience store, and the fuel brand available at the station is changing. Alteration of the freestanding sign on the property was recently reviewed and approved by the City. Minnoco fuel is offered at the station, and canopy signs for that brand are proposed on three of the canopy fascia, along with LED lighting.

The existing Comprehensive Sign Plan for the property, first approved by the City in 1985, exempted the fuel station/convenience store. Two wall signs have been permitted for the convenience store, since the property is located on two arterial streets, and signs have also been allowed on the canopy fascia. Currently, the C-store wall signs announce 'CornerMart' and each have an area of 38 sq. ft.

The fuel brand sold by the station has changed to Minnoco, and renewable fuels (E85, E30, E15) are offered as well as traditional diesel and gasoline fuels. The application was complete October 3, 2016.

BACKGROUND

The property is in the C-2, General Commercial Zoning District, and the existing use conforms to the zoning regulations and previous approvals. The retail center was approved and constructed in 1985. The Center has about 12,000 sq. ft. of floor area. Footings and foundation were also constructed at that time to allow a future expansion on the south end of the building, and those remain in place underground. At the same time, the City approved a Comprehensive Sign Plan for the Center. The Sign Plan addresses both wall signs (on both the east and west building fascia), and the freestanding sign. The Sign Plan has been amended in 1991, 1998, 2007, and 2016.

The Sign Plan addresses:

- Wall Signs:
 - East Fascia (Rice Street)
 - Individual letter style mounted within the sign band
 - Maximum 24-inch height
 - No color or font restriction

- Logos are permitted
- Not to exceed 80% of the tenant space
 - Centered over tenant space with minimum 18-inch clearance on each end of space (to provide separation between fascia signs)
- West Fascia (Gramsie Road)
 - Individual letter style mounted within the sign band
 - Maximum 18-inch height
 - White letters using a block style font
 - Minimum 18-inch clearance from the border of the tenant space
- Awnings (“Canopy”) are allowed if uniform.
- Pylon Sign
 - Maximum 25-foot height and 80-sq. ft. size
 - Advertise Gramsie Square, incl. the street address
 - Tenant panels font and color to consistent with the respective tenant’s wall sign
- The convenience store and gas facility are not subject to the sign plan.

DEVELOPMENT CODE REQUIREMENTS

Signs are regulated according to the provisions of Section 208 of the Development Code. Multi-tenant retail centers, such as the Gramsie Square, are required to have a comprehensive sign plan since more than one wall sign is displayed.

Two wall signs are permitted, one facing each of the arterial roads (Rice St. and Hodgson Road). Signs are permitted on the fuel island canopy, provided the sign area does not exceed 10% of the canopy fascia area, and that their area together with any other wall or incidental signage does not exceed the area permitted for a single wall sign (Section 208.040(B)(18)(f)). Illuminated areas of the fascia are included in the area of the sign.

Comprehensive Sign Plan Review

The Comprehensive Sign Plan considers five elements that govern all signs within the development: location, materials, size, color, and illumination.

The convenience store has two existing 39-sq.ft. wall signs, one on the ‘North’ and the other on the ‘East’ wall of the store. The two existing wall signs are uniform and no change to either 39-sq.ft. wall sign is proposed.

Three canopy fascia signs are proposed, each oriented to be viewed from an adjacent street. The three signs use the same Minnoco design and each has an area of 22.5 sq. ft. The applicants also propose LED lighting at the upper edge of the canopy fascia, and it is difficult to determine the fascia area illuminated by the LED, but that area increases the defined sign area on each elevation of the fascia.

STAFF REVIEW

The proposed sign plan amendment was reviewed in accordance with the City’s sign standards. The existing signage for the Center includes wall signs for the tenants, the freestanding pylon sign, including a gas price display for the fuel station.

Note that the Center has a general north/south axis that is not shared by the canopy, which is offset about 45 degrees from the axis of the Center. This situation means that there is not an exact correspondence between the orientation of the building wall elevations and the canopy fascia. Staff applied the fascia to the building walls as shown in the plan view sketch (see attached).

Comprehensive Sign Plan Review

The combined area of the canopy signs and the existing wall signs is less than 10% of the corresponding building wall elevation of the convenience store, except for the ‘East’ elevation where the total sign area is 2 sq. ft. larger than the permitted sign area, and, together with the wall sign displayed on that wall elevation is about 10.3% of the building wall elevation. Please note that the illuminated area of the canopy fascia is not included in the sign areas identified in the table below.

Sign Location	Sign Area			Wall/Canopy Area	Total Wall Coverage	
	Existing	Proposed	Allowed		Existing	Proposed
‘North’ Elevation C-Store wall Fuel Canopy	(39 sf) 39 sf None	(61.5 sf) 39 sf 22.5 sf	(71.4 sf)	714 sf 126 sf	5.5 %	8.6 %
‘Southeast’ Elev. C-Store Fuel Canopy 1	None None	(22.5 sf) None 22.5 sf	(39.1 sf)	391 sf 96 sf	No Sign	5.8 %
‘East’ Elevation C-Store wall Fuel Canopy	(39 sf) 39 sf None	(61.5 sf)* 39 sf 22.5 sf	(59.5 sf)	595 sf 126 sf	6.55 %	10.3 %

(Parentheticals) are the total area of wall plus canopy signage

***Deviation requested**

The applicant suggests that the LED lighting illuminates an area of only 1.5-inches along the length of each canopy fascia. Several other fuel stations in the City use narrow LED lights to illuminate a portion of the canopy fascia, including the two BP stations (Hodgson Road and Hwy. 96; and Hodgson Road and County Road J), and the Shell station (Rice Creek Parkway). For each of these existing installations, the entire fascia was determined to be illuminated, and the deviation approved by the City. Staff suggests that the LED band is best considered a

deviation that increases the sign area, with a condition of approval identifying the style of LED illumination as part of the sign plan.

REQUEST FOR COMMENT

Property owners within 350 feet were notified of this request. No comments have been received.

RECOMMENDATION

The Staff reviewed the proposal in accordance with the requirements for a Comprehensive Sign Plan. Staff recommends that Commissioners take public comments, review the application, and forward the Comprehensive Sign Plan application to the City Council with a recommendation for approval, subject to the following:

1. The signs 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 canopy fascia may be illuminated with a green, continuous 1.5-inch LED accent light.
3. Any temporary signs shall be affixed to the principal building and shall not be attached to the free-standing sign or to the fuel island canopy. Temporary signs shall not be displayed until a sign permit is approved by the City.
4. Window signs shall not exceed 33% of the total glass area of the window or door to which the sign is affixed. No permit is required for a non-illuminated window sign.
5. The applicant shall obtain a sign permit prior to the installation of any signs on the property.

Attachments

1. Location Map
2. Submitted Plans and Statement
3. Comments
4. Proposed Motion

T:/2016pcf/2639-16-38 3999 rice st/compsign plan /pcreport.docx

FASCIA / WALL ELEVATION PLAN VIEW SKETCH

ERIOR
L

SHEET INDEX	
A2.1	- TITLE / FLOOR PLAN
A3.1	- EXTERIOR ELEVATIONS
A4.1	- TYP. WALL SECTIONS
A4.2	- TYP. WALL SECTIONS
A4.3	- TYP. WALL SECTIONS

- GENERAL NOTES**
1. GENERAL CONTRACTOR SHALL BE RESPONSIBLE TO FIELD VERIFY ALL EXISTING CONDITIONS & DIMENSIONS PRIOR TO COMMENCING WITH WORK AND TO NOTIFY ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES.
 2. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE COORDINATION OF ALL MECHANICAL, ELECTRICAL, AND STRUCTURAL CONSTRUCTION AND SHALL COMPLY WITH ALL APPLICABLE CODES.
 3. GENERAL CONTRACTOR SHALL COORDINATE & INSTALL ALL NECESSARY BLOCKING, SHIMS & BACKING FOR FIXTURES, EQUIPMENT, AND ACCESSORIES.
 4. GAGE, SPACING, CONNECTIONS AND BRACING OF ALL LIGHT GAGE FRAMING MEMBERS SHALL BE PROVIDED BY SUPPLIER VIA THIRD PARTY ENGINEERING AND SUBMITTED TO ARCHITECT FOR REVIEW PRIOR TO PROCEEDING WITH WORK.
 5. COORDINATE STAGING LOCATION WITH LANDLORD.
 6. PROVIDE PROTECTIVE ENTRANCES FOR EACH TENANT TO INSURE SAFE AND UNINTERRUPTED ACCESS DURING CONSTRUCTION.
 7. PROVIDE TEMPORARY TENANT SIGNAGE - COORDINATE W/ LANDLORD AND RESPECTIVE TENANTS AS NECESSARY.
 8. DOCUMENT CONDITION OF SIGNAGE PRIOR TO REMOVING AND STORING IN EVENT SIGNS ARE TO BE REUSED.

ARCHITECTURAL CONSORTIUM L.L.C.
 901 North Third Street, Suite 220 Minneapolis, MN 55401
 612-436-4030 Fax 612-692-9960

Mark	Revision / Issue	Date
	PERMIT / BID	07/30/08

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 Architect under the laws of the State of Minnesota.
 Printed Name: Kathy L. Anderson
 Signature: [Signature]
 Date: 07/30/08 License #: 22285

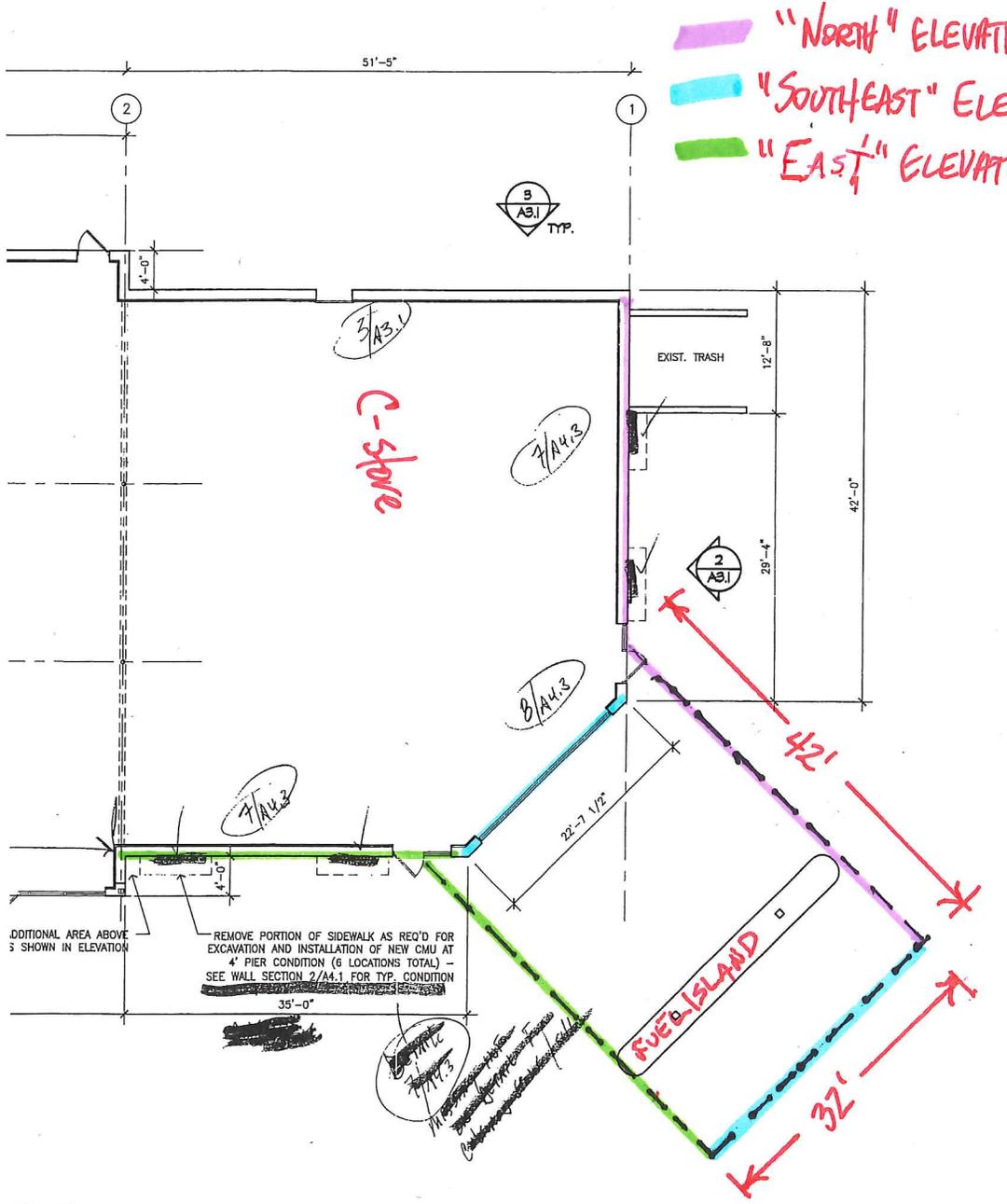
GRAMSIE EXTERIOR FACADE REMODEL
 GRAMSIE RD & RICE STREET
 SHOREVIEW, MN 55126

TITLE / FLOOR PLAN
 SCALE: AS NOTED

PROJECT NUMBER: 07-1066-01
 ISSUED DATE: 07/30/08
 DRAWN BY: ES
 CHECKED BY: KA

RECEIVED
 BY: [Signature] PER 1 2 2008

A2.1





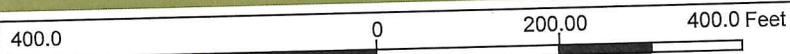
Legend



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

Notes

Gramsie Square Center



NAD_1983_HARN_Adj_MN_Ramsey_Feet
© Ramsey County Enterprise GIS Division

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



Robert Warwick <rwarwick@shoreviewmn.gov>

FW: Test for SHoreview, MN

Tammy <tammy@rosecityinc.com>
To: rwarwick@shoreviewmn.gov
Cc: Corey <Corey@rosecityinc.com>

Thu, Sep 15, 2016 at 2:04 PM

Minnoco, 3999 Rice St, Shoreview, MN- Comprehensive Sign Plan

Good Morning Rob,

Please see the attached canopy and sign plans.

In regards to the application for a Comprehensive Sign Plan we are proposing the following deviations for approval.

The plan we are proposing is the standard non-illuminating Minnoco brand spec which is consistent in color, size, and materials throughout the site. We are within the sq ft allowed by using the 10% of area of the building elevation rule per side on 2 sides and 1 sq ft over on the remaining side. (This is counting the Minnoco letters only and considering the striping a non signage item)

This brand like other national brands such as Exxon, Mobil, and Shell have made their specifications of colors, sizes, & lighting to make their sites look unified.

The Green LED is only 1 1/2" height and it has no shadows and only illuminates itself. Please see the attached photo as this product gives a nice warm glow and is pleasing to the eye.

We feel that the sites upgrades will make this site effective, functional, and attractive and will be a great addition to the city of Shoreview.

With all of that being said is there something that we have forgotten and or is still needed? I am working on the owners signature for the Comprehensive Sign Plan Application form.

Thank you,

Tammy

**TAMMY WESTERBERG | OFFICE ASSISTANT**

ROSE CITY INCORPORATED CANOPY. ELECTRIC. SIGN. VINYL GRAPHICS. BBQ. LED.

31208 Cty. Rd. 71, Eagle Bend MN 56446 | www.rosecityinc.com | 800-594-9451

EMAIL tammy@rosecityinc.com



Gramsie Corner Mart
3999 Rice St. #1
Shoreview, MN 55126
Brian Larson
612-366-7935 (cell)
612-331-8550
Minnoco Re-Imaging

ID Sign

Canopy

Gramsie Corner Mart

3999 Rice Street

Bravo Fitness

Mansetti's Pizza & Pasta

Suzanne Ave

Gramsie Rd

Rice St

Rice St

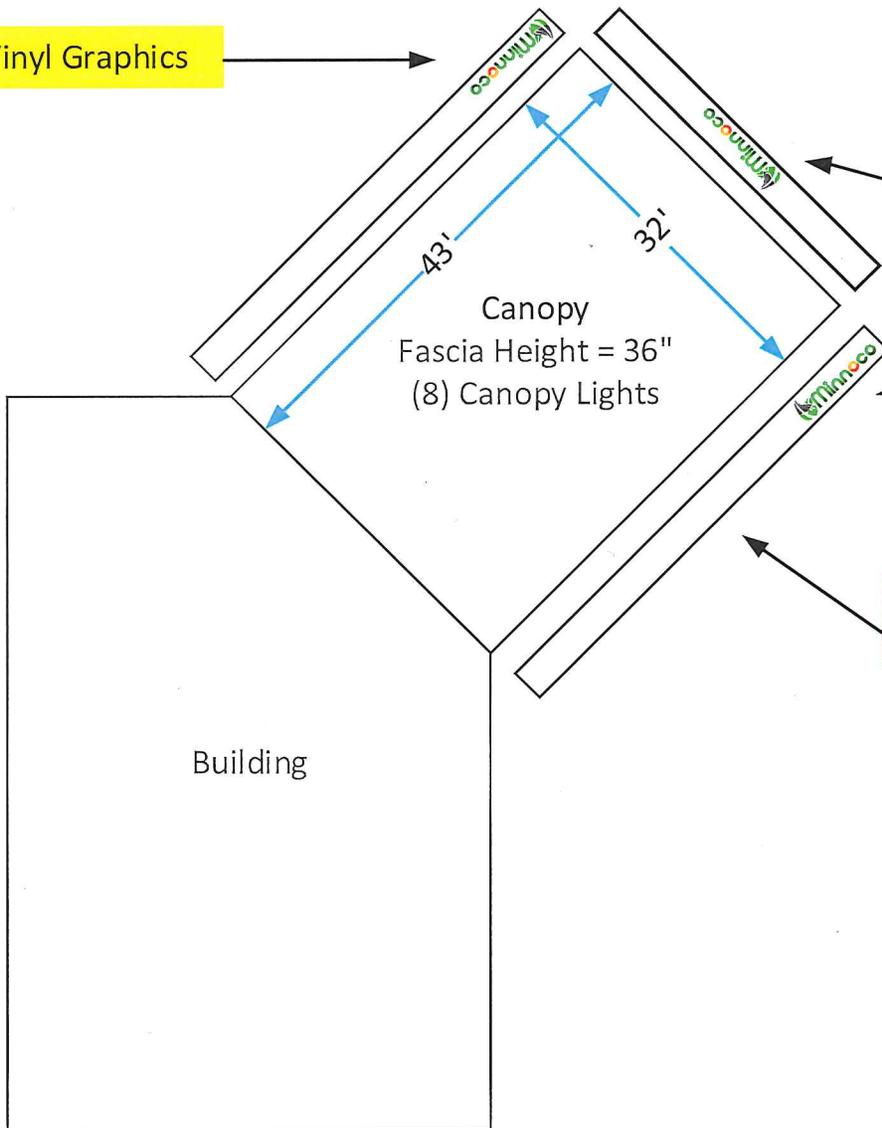
Rice St

Rice St

Rice St

Rice St

2D Flat Vinyl Graphics



2D Flat Vinyl Graphics

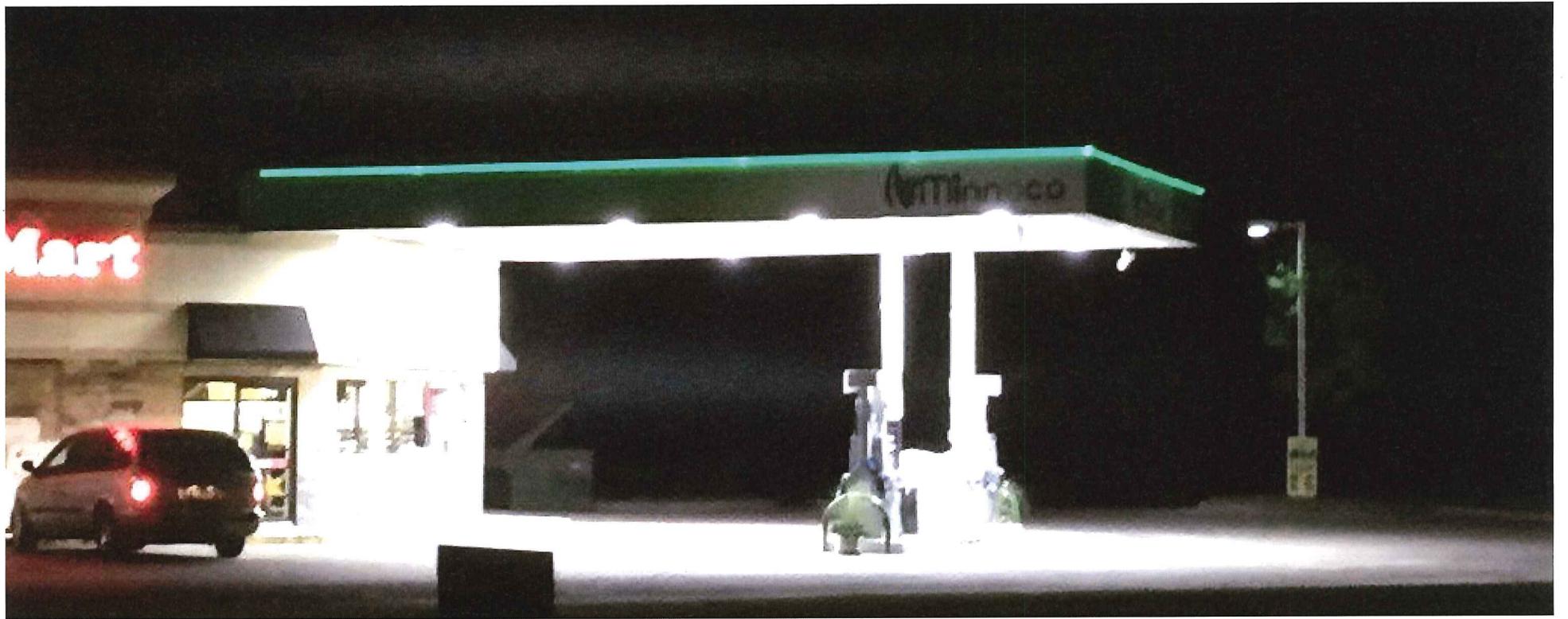
118" Green LED Tubing
Top of Canopy Face

Side – Southeast Facing Canopy



Side – Northwest Facing Canopy





Front – Northeast Facing Canopy



Front View – North Facing



MOTION
TO APPROVE AN AMENDMENT TO THE COMPREHENSIVE SIGN PLAN
GRAMSIE SQUARE CENTER
3999 RICE STREET

MOVED BY COMMISSION MEMBER: _____

SECONDED BY COMMISSION MEMBER: _____

To recommend the City Council approve the Comprehensive Sign Plan Amendment submitted by Tyme Properties for the Corner Mart/Minnoco fuel station located at 3999 Rice Street, subject to the following conditions:

1. The signs 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 canopy fascia may be illuminated with a green, continuous 1.5-inch LED accent light.
3. Any temporary signs shall be affixed to the principal building and shall not be attached to the free-standing sign or to the fuel island canopy. Temporary signs shall not be displayed until a sign permit is approved by the City.
4. Window signs shall not exceed 33% of the total glass area of the window or door to which the sign is affixed. No permit is required for a non-illuminated window sign.
5. The applicant shall obtain a sign permit prior to the installation of any signs on the property.

Approval is based on a finding that the Comprehensive Sign Plan is consistent with prior City approvals for this property.

VOTE:

AYES:

NAYS:

Regular Planning Commission Meeting – October 25, 2016

TO: Planning Commission
FROM: Kathleen Castle, City Planner
DATE: October 21, 2016
SUBJECT: Case File 2637-15-26, Planned Unit Development – Concept Stage, Greco, LLC/Eagle Ridge Partners, LLC

Introduction

The City received a Planned Unit Development (PUD) – Concept Stage application from Greco, LLC/Eagle Ridge Partners, LLC for the redevelopment of **1005 Gramsie Road**. The property is currently developed with a two-story industrial building that is vacant. The applicants are proposing to demolish the existing building and redevelop the property with a multi-family residential apartment complex. The project would be developed in two phases and provide approximately 400 apartment units. The proposed buildings would be designed as 5-story structures with underground parking. See the attached plan.

Background

The Shoreview Corporate Center consists of 5 separate buildings totaling 553,000 square feet of space. The campus includes Land O’ Lakes Corporation operating out of the 1050 and 1080 County Road F buildings, and Hill-Rom Corporation in the 1020 County Road F property. Ally Financial Services, a national financial services company primarily serving the areas of auto financing, online banking, and corporate finance businesses now occupies two-thirds of the 4000 Lexington Avenue building, which is fully leased.

Since the reacquisition of the campus, Eagle Ridge Partners has already undertaken a number of site improvements to better position the business park to retain and attract quality tenants including new corporate signage and additional parking spaces. A preliminary plat was recently approved that adjust lot boundaries to better align parking on the property with the needs of each building. The required Final Plat application has not been submitted as Eagle Ridge is continuing to explore options for the property, specifically related to the 1005 Gramsie Road building.



1005 Gramsie Building/Property

The 1005 Gramsie Road building is 160,000 square feet in size and was constructed in 1982 by Deluxe Check for their check printing operations. Once Deluxe vacated the property in 2004, Medtronic leased the property and reconfigured the two-story building as short-term office space until they completed their new Cardiac Rhythm campus in Mounds View. Medtronic vacated the site in 2007 and the building has been essentially vacant for the past decade with the exception of several short-term lease arrangements.

Eagle Ridge and the City have been discussing various options for the 1005 Gramsie property including major renovations to attract a new single business and conversion of the building to a multi-tenant facility. Eagle Ridge indicates they have not had success in attracting much interest in the property primarily due to the condition and limiting layout of the building structure. Most recently, Eagle Ridge has explored a complete tear-down and redevelopment of the property. A recent study concluded that the building is structurally substandard and will require substantial renovation or clearance



Redevelopment Concept

Greco, LLC has reached a tentative agreement with Eagle Ridge Partners to acquire the 1005 Gramsie property, subject to City approvals, for a multi-family redevelopment that of approximately 400 market rate apartments with high end amenities constructed in two phases. The apartments will be located in 4 separate structures each with about 100 units. Approximately 400 underground parking stalls would be provided in addition to 200 surface parking stalls. The structures are also anticipated to be 5 stories in height. The redevelopment will result in a significant increase in pervious surface or green space on this property.



Greco believes the Shoreview area is underserved by apartments, especially in the higher end market, and the subject property is an ideal location given the proximity to major employers, retail and restaurants, freeway access, and separation from lower density residential neighborhoods.

Both Greco and Eagle Ridge feel this proposal would provide a new housing choice for the community, considerably higher property value than a commercial/industrial alternative use, and would not only stabilize but be beneficial to sustaining and enhancing the remaining business park.

A detailed site plan has not been submitted due to the conceptual nature of this first step in the review process.

Planned Unit Development

The property is located in a PUD zone that has an underlying zoning district of BPK, Business Park. Redevelopment of this site will require an amendment to the PUD.

The Planned Unit Development (PUD) process is used to encourage or provide flexibility, creativity, and innovation in the planning and design of development to achieve a variety of objectives related to the Development Code and the City's land use and housing goals.

The PUD Concept Stage application is designed to address the appropriateness of a development proposal from the perspective of general land use compatibility and provides the applicant with an opportunity to submit a general plan showing the basic intent and nature of the development. This process incorporates public review; thereby allowing the applicant to receive comments regarding the proposed development from the City and nearby property owners. It also provides a forum in which more specific development issues and potential concerns can be identified requiring further information and additional analysis during the subsequent Planned Unit Development - Development Stage application review. No formal action is taken on the concept stage application by the City Council or Planning Commission.

Staff Review

The conceptual plans have been reviewed by staff in accordance with the PUD review criteria, Shoreview's land use and housing goals (Comprehensive Plan) and general land use compatibility. In addition, the key issues associated with this plan are also addressed.

Comprehensive Plan Consistency

The Comprehensive Plan (weblink - <http://www.shoreviewmn.gov/government/comprehensive-plan-test>) designates this property and the remaining Shoreview Corporate Center as BPK, Business Park. The BPK designation is intended for uses such as office, research and development, light manufacturing and office warehousing.

The proposal does require an amendment to the Comprehensive Plan changing the existing land use designation. While the redevelopment proposal includes only the 1005 Gramsie Building, the land use designation for the entire campus will need to be amended to MU, Mixed Use. This is the most appropriate land use designation due to the proposed density, mixed use nature of the business campus, and the relationship of the proposed use with the adjoining business park uses. The MU designation permits a variety of land uses, including horizontally mixed residential, office and business park land uses.

Chapter 7, Housing, include goals that address redevelopment and housing. Since there are limited opportunities for development, the plan recognizes that redevelopment is vital to meet the life-cycle housing needs of the community and diversify the housing supply. The Plan also recognizes that existing conditions and neighborhood character need to be considered when reviewing infill and redevelopment proposals.

Other Planning Efforts

The Economic Development Authority has also included the Shoreview Corporate Center in their 2016/2017 work plan. This plan calls for continued efforts to address the needed

reinvestment and upgrades to the campus in order to retain existing companies and attract new quality business tenants. The work plan also identifies the 1005 Gramsie building as a priority for reuse or redevelopment.

Shoreview's Housing Action Plan also recognizes that new rental housing opportunities are needed to expand housing choice and attract younger households (weblink - <http://www.shoreviewmn.gov/home/showdocument?id=1294>).

General Land Use Compatibility

To the east of the redevelopment site and campus is the Telefarm property which has a T, Tower land use designation. Other land uses near the business campus include medium and high density residential to the north and commercial land uses to the south. West across Lexington Avenue is the City of Arden Hills which is developed for office and business park uses.

In staff's opinion, the proposed use of the redevelopment site as high density residential may be compatible with the adjoining land uses and should not have an adverse impact on the adjoining land uses. The primary concern relates to the relationship or interaction of the proposed apartment complex with the adjoining business park uses. Site and building design techniques will need to be incorporated to connect this site to the adjoining land uses but also buffer the residential use from the adjoining business park uses. The applicant will need to address long-term vision for Shoreview Corporate Center, future improvements, and how the redevelopment for multi-family residential fits into the long-range plan for campus.

Land Use and Development Issues

The applicants have a conceptual site development plan for review and comment by the Planning Commission, City Council and public. While it is difficult at the concept level to determine the extent of flexibility that will be needed from the development code standards, code flexibility will be essential for this project to move forward. The redevelopment site would have an underlying zoning of R3, Multiple Dwelling Residential District while the remainder of the Corporate Center will retain the BPK, Business Park District as the underlying zone.

Building Height and Setbacks

The proposed apartment building is designed as 5 stories with a height of 55 to 60'. In the R3 district, the maximum building height permitted is 35 feet (Section 205.084 (C3)). This height, however, can be exceeded provided: 1) It does not exceed the firefighting capabilities of the Fire Department (Section 206.040 (A)) and 2) An additional 1-foot of setback is provided for every additional foot in height over 35' (Section 205.084 (C3)).

Buildings heights in excess of the City's Code requirements have not been a concern for the Lake Johanna Fire Department as the Department has trained staff and the equipment needed to respond to a fire in a taller building. The building is also required to have a fire suppression system. The heights of other multi-family apartment complexes in the City range from 41.5' to 78.5' as measured at the peak. As a point of reference, the Hilton Garden Inn that is south of this property has a peak height of 59'.

It appears that flexibility will be needed from the minimum building setbacks required. The primary issue pertaining to height relates to the visual impact, specifically when viewed from the street. A minimum structure setback of 30 feet is required from the front, sides and rear property lines. If the building height exceeds 35 feet, an additional foot of setback is required on all sides for every additional foot in height. Due to the nature of the adjoining land uses, and large right-of-way width for Gramsie Avenue (80-feet), reduced building setbacks may be appropriate for this site.

Residential Density

Density is calculated by using the gross site area of the property. Using the existing platted lot of record, the property has an area of about 7.14 acres. Using this lot area, the proposed density is 56 units per acre. When the area of the entire Corporate Center is included (34.6 acres) the density drops to 11.56 units per acre.

The maximum density permitted in the MU land use category is 45 units per acre. For the proposed redevelopment plan to be consistent with this designation, the land area of the entire Corporate Center needs to be included. Due to the proposed density and the interaction of uses within the Corporate Center, the MU land use designation is most appropriate for the site.

While the proposed location is on the interior edge of the Corporate Center, it is in close proximity to an arterial roadway (Lexington Avenue), Interstate 694, employment areas and commercial land uses. These site characteristics are similar to that of other higher density residential developments found in the community.

Traffic Impacts

Currently, access to the development site is gained by driveways that serve the Corporate Center off both Gramsie Road and Chatsworth Street. The conceptual plan submitted eliminates the access driveway onto Gramsie Road and retains a driveway on Chatsworth Street. Access to the site will also be gained from a common driveway that serves the Corporate Center.

The nearby Lexington Avenue corridor and Lexington Avenue/County Road F intersection is under construction. This project includes the addition of a multi-use trail between I-694 and Cummings Park Dr, dedicated right and left turn lanes (including dual left turn lanes northbound and southbound on Lexington Ave.) and a new traffic signal at County Road F. Right turn lanes will be added at the ramps to both eastbound and westbound I-694. The Lexington Avenue intersection with Gramsie Road is redesigned and westbound Gramsie Road is restricted to a right-turn only channeling traffic north on Lexington Avenue. With this redesign, it is expected that motorists will be utilizing Chatsworth Street north to County Road F and west towards the new traffic signal to go southbound on Lexington Avenue.

Traffic generated from this project is expected to peak during the morning and afternoon rush hours. Traffic patterns, however, will be reversed from traffic generated by the Corporate Center. Additional information on traffic generation will be required with the PUD - Development Stage application that shows trip generation as well as trip distribution. There should also be a comparison to the existing land use.

Parking

The development plan includes surface parking for the commercial land uses with surface and underground parking for the apartment building. Approximately 200 underground parking stalls will be provide per phase along with 100 surface parking stalls per phase for a total of 500 parking stalls. The proposed ratio of 1.25 stalls per unit is less than the ratio required by the City Code.

The City's Development Code requires a minimum 2.5 stalls per unit in the R3 zoning district with one stall fully enclosed (Section 206.020 (B1g)). Using this ratio, 1000 parking stalls are required for this use. The Development Code does provide some flexibility with respect to parking standards. The number of parking stalls constructed may be reduced to a number less than the minimum provided parking management techniques are used. Techniques that may be considered include proximity to transit, shared parking and proof of parking (Section 206.020 (C)). Shared parking is expected with the Corporate Center use. Peak parking times for the residential use will occur in the evenings and weekends when parking is not in demand for the Corporate Center.

Public Comment

Property owners within 350-feet of the developments were notified of the request. A development notification sign was also placed on the property.

Ramsey County Public Works staff is reviewing the proposal and will be providing comments prior to the meeting.

The City has received inquiries from nearby businesses. No formal comments were submitted.

Recommendation

Greco/Eagle Ridge is seeking comments regarding the proposed concept plan and redevelopment of this property. The Commission is being asked to facilitate the review of the proposed redevelopment, obtain public comment and identify any issues or concerns regarding that may require further attention as the developer prepares plans for the subsequent Development Stage PUD application. No formal action is taken on this application.

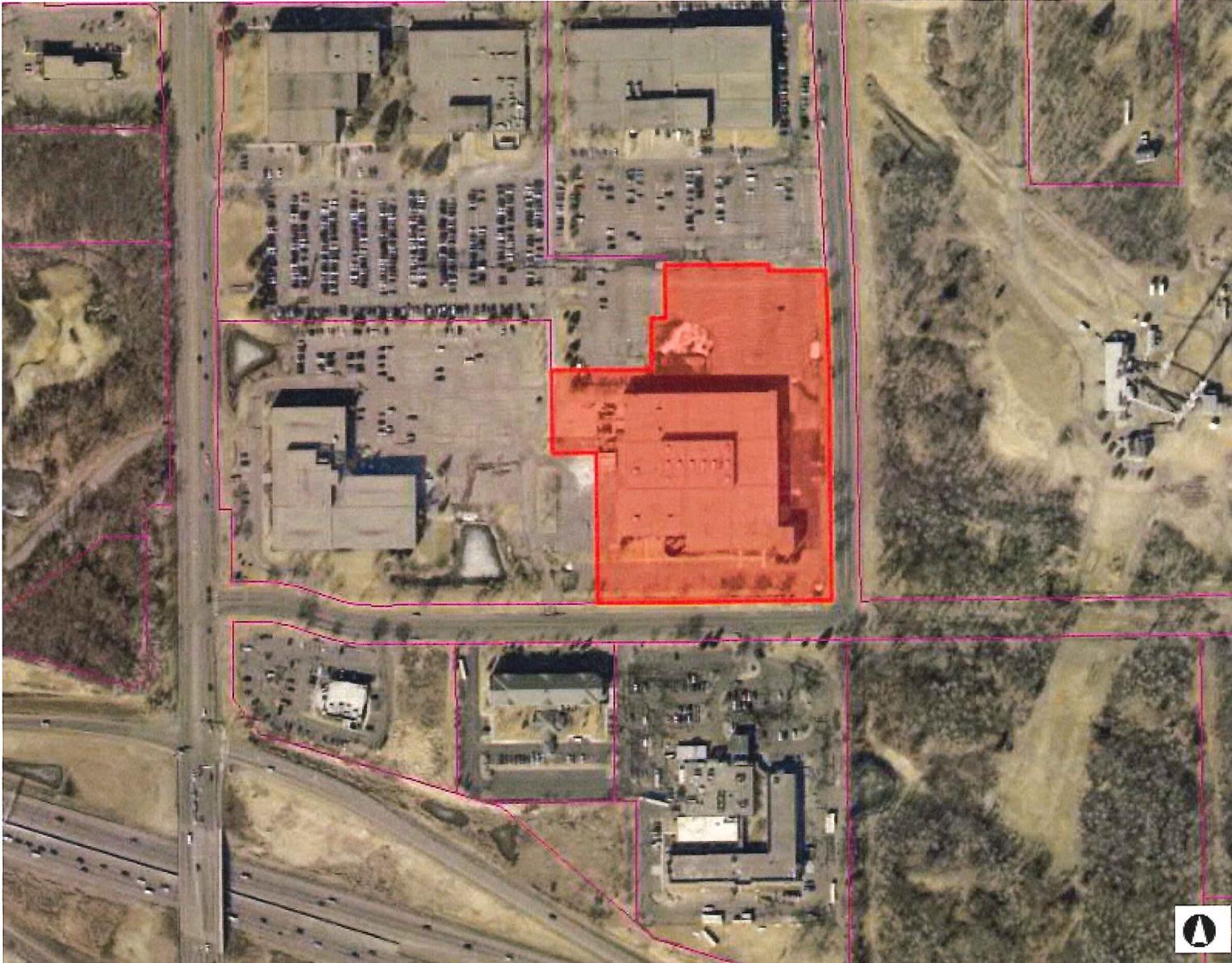
Attachments

1. Aerial Location Map
2. Planned Land Use Map/Zoning Map
3. Applicant's Statement and Submitted Plans

Legend



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



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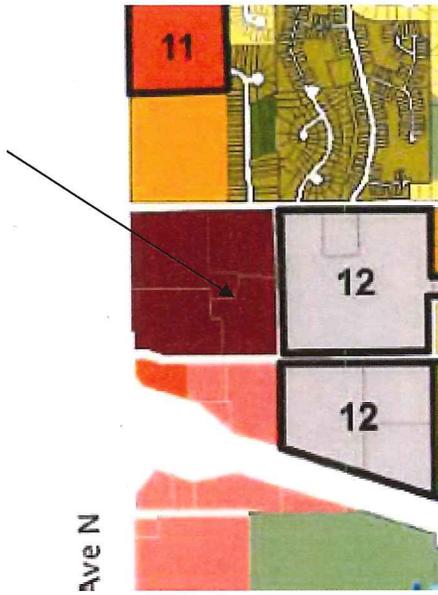
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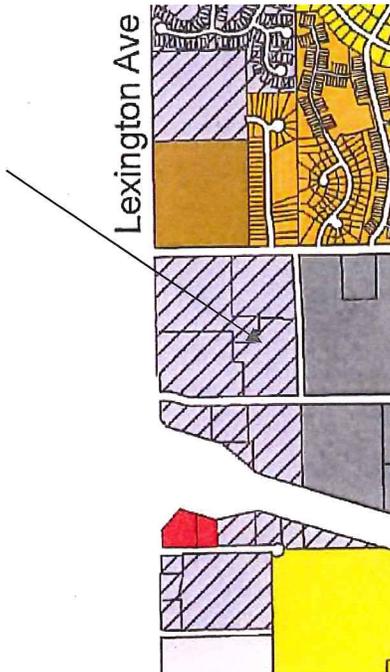
Notes

1005 Gramsie Road
Planned Unit Development - Concept Stage

COMPREHENSIVE PLAN – LAND USE MAP



ZONING MAP



1005 Gramsie Road Project Description

Site Description and Present Use

1005 Gramsie Road is a 160,000 SF 2-story industrial building that was designed to house specialized check printing equipment. It contains 35,000 SF of 28' clear warehouse space and 125,000 sf of office space. Built in 1982, as a check printing facility, Deluxe Checks occupied the building through September 2004. From there the building was utilized as a Class C office by Medtronic on a short term basis while their new Cardiac Rhythm Management HQ was constructed. 1005 Gramsie was selected due to its proximity to Medtronic's other operations at 4000 Lexington. Medtronic vacated in the summer of 2007 and the building was been entirely vacant for over 9-years with the exception of short term leases for a storage user and a test examination firm.

As an office building the space is substandard due to the sheer size of the floors and lack of a window line. A large part of the interior space is over 100 feet from a window views.

As an Industrial building the space is substandard due to the odd 24' X 32' column spacing, limited loading docks and the in-place structural requirement that requires a large portion of the 2nd floor office space stay in place.

Surrounding Properties

The subject property shares the block with three neighboring office buildings and is located on the north side of Gramsie Road facing two hotels, The Hilton Garden Inn and Best Western Plus.

Project Description

Greco, LLC and Eagle Ridge Partners, LLC are proposing a multi-phase redevelopment that would raze the current building and make way for a Class A Market Rate multi-family redevelopment. Once complete the project would host approximately 400 apartment units with a wide range of options including studio, one bedroom, two bedroom, and three bedroom apartment homes. The to-be completed apartments will deliver an opportunity to answer the call for life-cycle housing options within the City of Shoreview. The proposed development will include approximately 400 underground parking stalls and 200 surface stalls directly adjacent to the project. Exterior and interior materials will incorporate the latest in design and construction technologies.

The proposed development will take place in two phases. The first phase will begin in the summer of 2017 and take approximately 17 months to complete and will deliver 200 of the 400 units. Approximately 16-18 months after the first phase is completed the development team will begin construction on phase two which will take approximately 16 months to complete; delivering the final 200 units. Each building will have one level of underground parking and five stories of wood framed housing above. The anticipated building height will be 55'- 60' tall. Once complete the redevelopment will deliver a significant increase in impervious surfaces,

enhanced and expanded green spaces, corrections to the sites storm water runoff, enhanced connection from Lexington Avenue to County Road F, and an increased pedestrian friendly experience. The design team will incorporate landscaping and lighting methods to appropriately incorporate the residential use with the surrounding commercial uses. This method of integration has been successfully completed at One Southdale Place in Edina, City View Apartments in Eagan, The Covington in Bloomington, as well as other similar locations throughout the Twin Cities.

As a residential redevelopment the project will seek to adopt an R-3 zoning designation through the Planned Unit Development process. Without the PUD process the site would likely remain a substandard commercial use with an undefined future tenant and capital investment plan. The PUD process will allow for a thoughtful high design and high impact redevelopment that will benefit adjacent businesses and the local market place as a whole. The project is in the early design phases but at this time the design team has identified two design components that will need variation from the current R3 building code. The first is for overall building height, current limit of 35', to achieve the appropriate level of density and maximize impervious soils and outdoor greenspace for the project. Additionally, the development team will be seeking to accommodate a 1 parking stall per bedroom ratio through underground and surface stalls. Current requirements call for 2.5 stalls per bedroom. Additional considerations may be identified as the project team furthers the design process. At this time the design team sees no conflicts with meeting the Development Stage approval criteria.



Office

Office

Office

Data Tower

Redevelopment Site

1005 Gramsie Rd

Office

Red Robin

Hotel

Hotel/
Restaurant

I-694

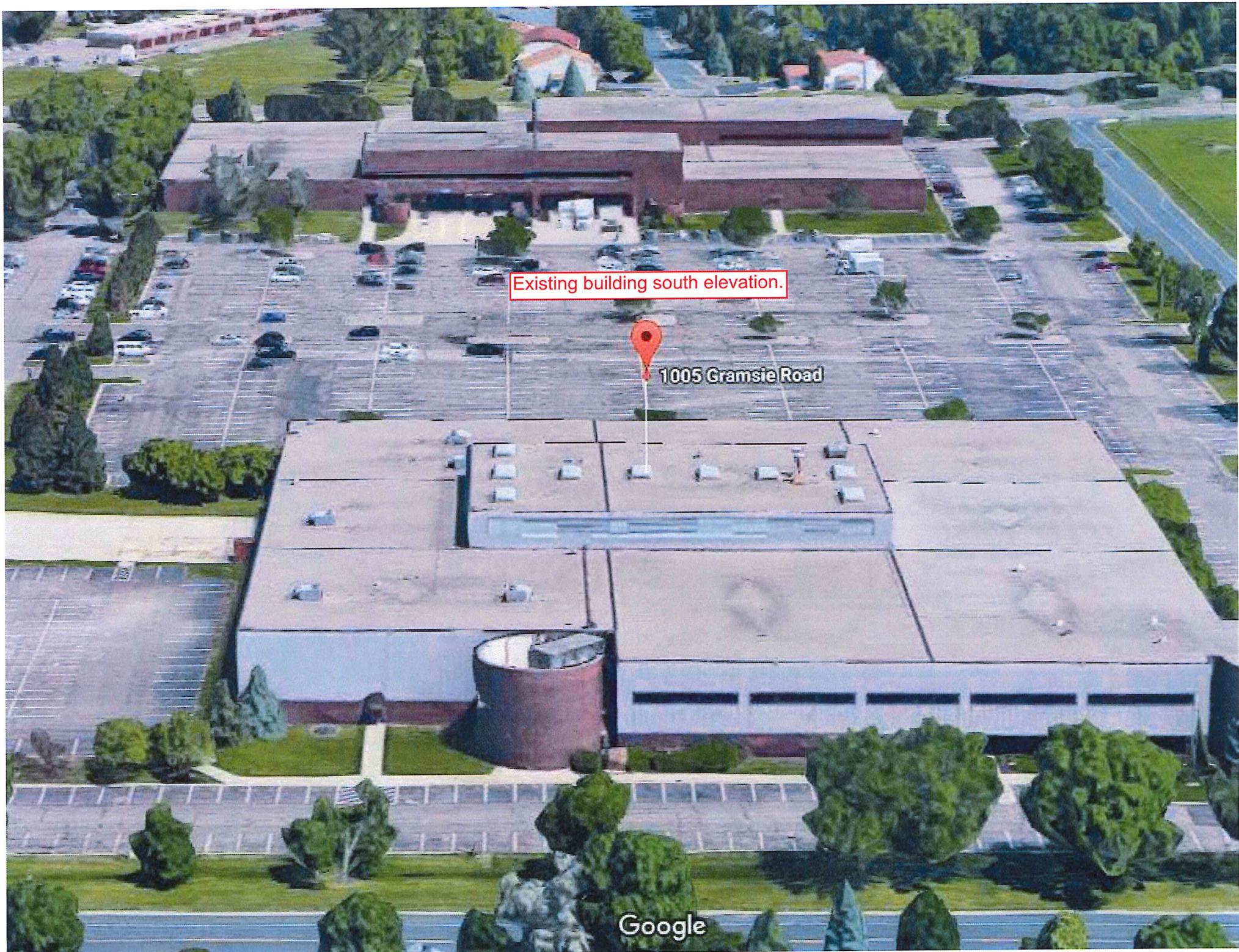
553 ft

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1991

45°03'41.88" N 93°08'37.58" W elev 985 ft



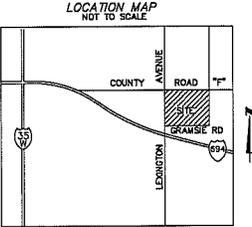
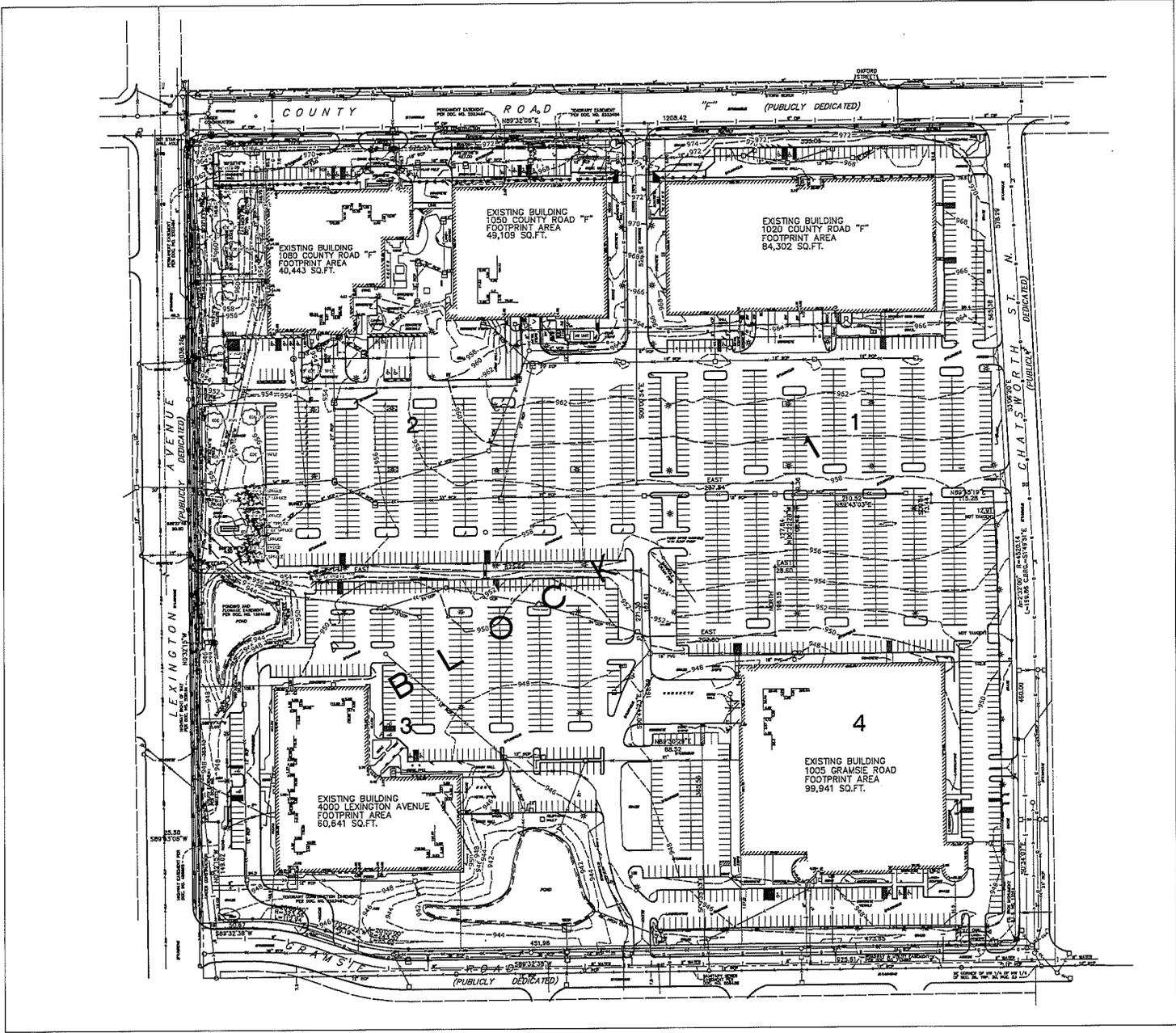
Existing building south elevation.



1005 Gramsie Road

Google

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 SCALE: AS SHOWN
 DATE: 08/24/15
 USER: jthorpe



LEGEND

▲	NAIL	DR	DRAIN GRATE
●	5/8" IRON MONUMENT	BW	BRICK WALL
○	IRON MONUMENT	MC	METAL COVER
⋈	HYDRANT	≡	BENCH
⋈	WATER VALVE	CONC	CONCRETE
⋈	GAS VALVE	ULW	UTILITY BOX
⋈	LIGHT POLE	□	TELEPHONE BOX
⋈	POWER POLE	○	GASMAIN
⋈	ELECTRIC MANHOLE	—	FENCELINE
⋈	MANHOLE	—	OVERHEAD ELECTRIC
⋈	TELEPHONE MANHOLE	—	SANITARY SEWER
⋈	WATER MANHOLE	—	STORM SEWER
⋈	WELL	—	TELEPHONE LINE
⋈	WELL	—	WATERMAIN
⋈	CATCH BASIN	—	UNDERGROUND ELECTRIC
⋈	ELECTRIC BOX	○	REGULAR PARKING SPACES
⋈	GAS METER		



TOPOGRAPHIC SURVEY
SHOREVIEW CORPORATE CENT
SHOREVIEW, MN

	Engineering-Surveying	Project No. 05-
	Landscape Architecture	Drawn by JCE
	HANSEN THORP PELLINEN OLSON, Inc.	Checked by
	7910 Midway Drive - Eden Prairie, MN 55424 952.426.7001 • 952.426.7001 fax	Date: 8/24/15

Existing building west view.

Aerotek

1005 Gramsie Road

Google



Existing building east view.



1005 Gramsle Road



Existing Building and site conditions.

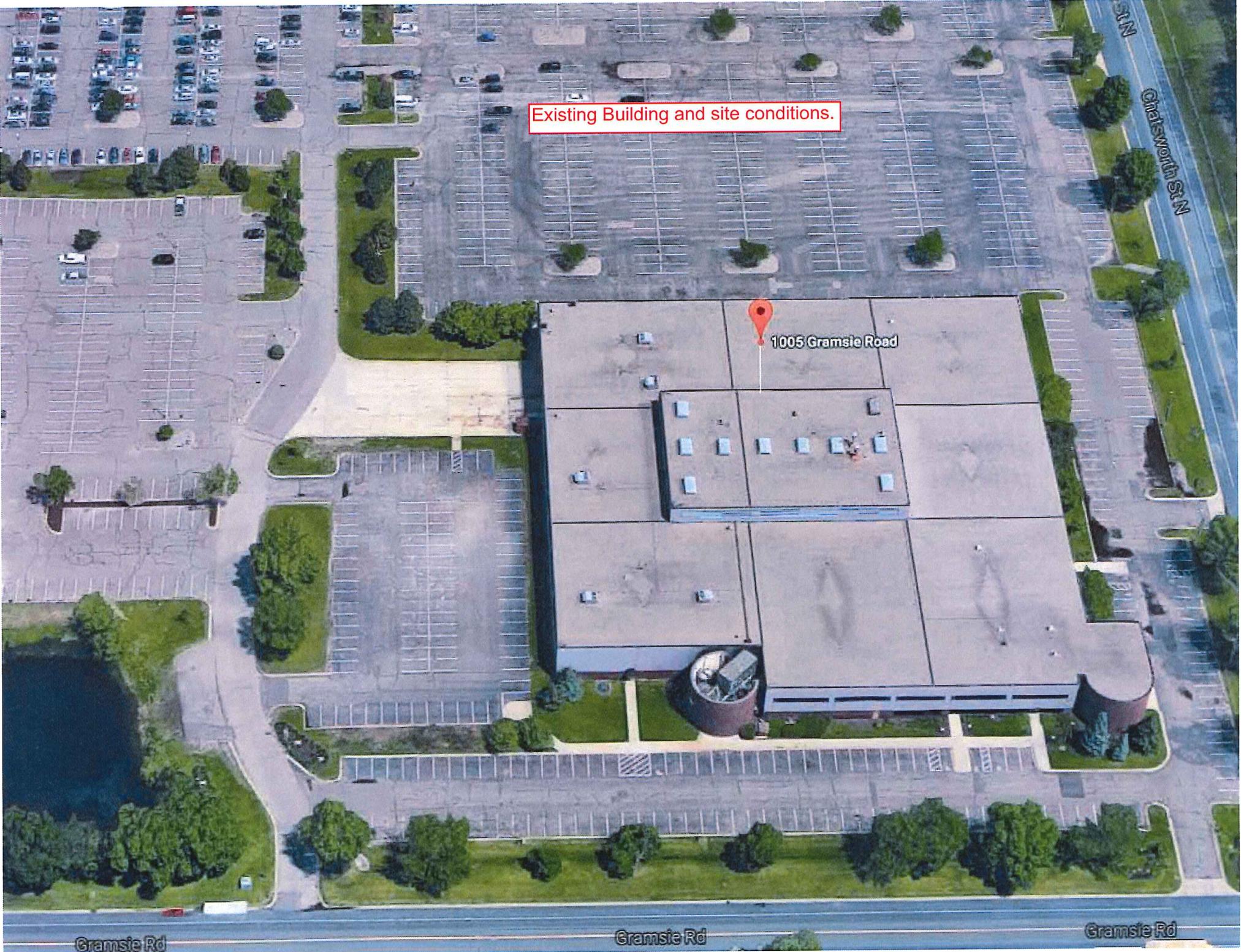
1005 Gramsie Road

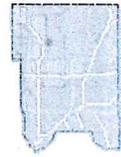
Gramsie Rd

Gramsie Rd

Gramsie Rd

Chatsworth St N



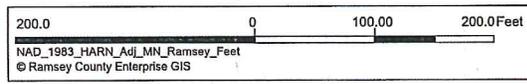


- Legend**
- City Halls
 - Schools
 - Hospitals
 - Fire Stations
 - Police Stations
 - Recreational Centers
 - Parcel Points
 - Parcel Boundaries
 - Primary Owner
 - Airports

2 Phases:
 -Approx. 200 units/phase
 -200 underground stalls/phase
 -100 surface stalls/phase
 -5 stories of housing



8.19.16
 BKV/GREC



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Notes
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