

**SHOREVIEW PLANNING COMMISSION
MEETING MINUTES
March 25, 2014**

CALL TO ORDER

Chair Solomonson called the March 25, 2014 Shoreview Planning Commission meeting to order at 7:00 p.m.

ROLL CALL

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

Commissioner Proud was absent.

APPROVAL OF AGENDA

MOTION: by Commissioner Schumer, seconded by Commissioner Ferrington to approve the March 25, 2014 Planning Commission meeting agenda as submitted.

VOTE: Ayes - 6 Nays - 0

APPROVAL OF MINUTES

MOTION: by Commissioner Schumer, seconded by Commissioner Ferrington to approve the February 25, 2013 Planning Commission meeting minutes, as submitted.

VOTE: Ayes - 4 Nays - 0 Abstain - 2 (McCool, Thompson)

REPORT ON CITY COUNCIL ACTIONS:

Presentation by City Planner Kathleen Castle

The final PUD for Hummingbird Floral was approved at the March 17th City Council meeting. The Development Agreement identifies allowed and prohibited uses for the site. Also, a letter has been received from the Metropolitan Council approving the Comprehensive Plan amendment for the site.

OLD BUSINESS

RESIDENTIAL DESIGN REVIEW/VARIANCE

FILE NO.: 2516-14-06
APPLICANT: JAY HOPPE
LOCATION: 707 SCHIFSKY ROAD

Presentation by Senior Planner Rob Warwick

At its last meeting the Planning Commission tabled this application to allow the applicant the opportunity to address concerns regarding increased impervious surface and foundation area. At that meeting the review period for this application was extended to 120 days. The property is zoned R1 and is in the Shoreland Overlay District.

The applicant has revised the plan to reduce impervious surface and the size of increase to the foundation area. This property is substandard since it does not conform to the minimum lot requirements for a riparian lot, and so subject to residential design review. The lot area is 6,150 square feet. It is developed with a one-story house consisting of 1,232 square feet and an attached garage of 528 square feet. Three variances are requested:

1. Increase permitted foundation area to 1,953 square feet (31.7%) from the existing 1,759 square feet (28.6%); the existing 1,759 square feet already exceeds the permitted area of 1,600 square feet.
2. Reduce the front setback from the south lot line from the minimum of 25 feet to 12 feet; and
3. Reduce the rear setback from the north lot line from the minimum of 30 feet to 3.1 feet.

The existing northeast corner garage is setback 1.1 feet, and is the nearest point to the north property line, the rear lot line. The proposed setback at this location is 3.1 feet for the garage addition. The existing shed and patio will be removed. The proposed house of 1,953 square feet includes an attached garage of 616 square feet. The additions to the house include a partial second story of 457 square feet. An addition to the living area on the ground level is proposed of 4 feet by 14 feet. The front entry will be redone and measure 5 feet by 7 feet with a 12-foot setback from the front lot line. Storm water management will be addressed with downspouts and pipe.

The proposal, compared to the original proposal, reduces impervious surface by 50 sq. ft., which brings it into compliance with City Code. Concerns about drainage will be addressed with downspouts and underground pipes. With this revision, the roof pitch has been increased to 8/12 pitch to allow attic space above the garage and house.

The applicant states that practical difficulty exists with the lack of storage space in the house and the challenge of storing lake recreation equipment. The house has no basement.

Staff finds the proposed improvements are consistent with the Land Use and Housing sections of the City's Comprehensive Plan. The proposed improvements represent a reasonable use of this property. The expansion is reasonable as the existing home has only one bedroom and no basement. The main floor addition is modest. Both the main floor and second floor additions maintain the existing setback from the rear lot line of 5 feet. The garage replaces a non-conforming shed that will be removed. The garage extends to within 3.1 feet from the rear lot line and will be 25 feet from the front lot line. The existing garage is 1.1 feet from the rear lot line.

Unique circumstances are the small lot with a 50-foot lot depth. When the required setbacks are applied, there is no buildable area. Any expansion requires a variance for structure setbacks. The foundation area increase is modest from 29% to 31.7% and resolves design issues with the home. It is noted that two adjoining parcels to the south are undeveloped and not buildable.

Characteristics of the neighborhood include poor soil with a high water table. Lake lots consist of a mix of one and two-story houses constructed on slabs or crawl spaces. The lake lots are small with a high percentage of impervious surface coverage and small side setbacks. Lake lots typically have two-car garages.

Notices were mailed to property owners within 150 feet. Two responses have been received. One raises the concern with parking and storage during construction. The second expressed concern that the house is built over the property line. An aerial view looks like the house crosses the property line but, in fact, is not the case, as shown on the site plan.

Staff finds that variance criteria are met with the size, configuration of the lot and the location, size and design of the existing house. Small setbacks are a common feature on lake lots in the neighborhood. Staff is recommending approval of the variances and approval of the residential design review application.

Commission Discussion

Commissioner McCool asked if the applicant would be able to put up an accessory structure in the future. Mr. Warwick stated that the addition of impervious surface would preclude an accessory structure. Any application for a shed would need to show a reduction of impervious surface to allow the shed.

Chair Solomonson suggested that the table of Design Standards that shows the current standard, what would be allowed under the current standard, and what is proposed should also include a column that shows what is existing. This application is better than the first application and he supports it. He noted an energy dissipation clause in the motion and asked for an example of energy dissipation that would be used. Mr. Warwick stated that rip-rap is used to reduce the velocity of water for erosion protection. Current runoff conditions should be reduced with this method.

Commissioner Ferrington asked the mitigation practices that will be used. Mr. Warwick stated that removal of the non-conforming shed and architectural mass with natural colors and materials are the practices identified. Commissioner Ferrington asked about catch basins or landscaping that would reduce flow.

Commissioner Peterson asked if poor soil means it does not infiltrate well and in a heavy rain it would easily wash into the lake. Mr. Warwick answered that there is little infiltration. Conditions vary in the neighborhood. At the time of excavation for construction, the soil conditions will be revealed for better evaluation.

Mr. Jay Hoppe, 1010 Sherwood Road, thanked staff for the hard work that has been done.

Commissioner Peterson asked about the reason for increasing the living room addition from 2 feet to 4 feet. **Mr. Hoppe** stated that the living room is so small and will be small after the addition. The intent is to make the room comfortable. In regard to a shed, he has no intent of putting up a shed in the future.

Commissioner McCool asked the height of the deck and its material. **Mr. Hoppe** stated that the height would be the same as the dining room door, approximately 1 foot. The materials used on the deck will be maintenance free.

Commissioner Ferrington asked if Mr. Hoppe would be willing to adding a rain garden. He responded that there is not much beach and he does not want to cover it too much. He is willing to put in underground piping. He will work with staff.

Commissioner McCool would like to see a condition to prohibit any future accessory structure without Planning Commission approval. Secondly, he would also support further mitigation measures and that staff work with the applicant on that.

Chair Solomonson noted that water runoff will be less. The energy dissipation clause addresses runoff, and there will be a reduction in volume.

Commissioner Ferrington suggested that additional landscaping as approved by the City Manager would be used to mitigate water flowing into the lake. In addition to or in place of the rip rap, vegetation would slow erosion to the lake. Mr. Warwick stated that the advantage of using underground pipes is that the runoff does not pickup nutrients or sediment to deposit in the lake. Roof runoff is considered clean.

Ms. Castle noted that condition No. 4 should be amended to state energy dissipation shall be installed as approved by the City Engineer. Also the Applicant shall explore options including landscape vegetation.

City Attorney Kelly stated that there are a number of options and circumstances regarding a shed. To restrict any shed in the future would be strong. He would not recommend adding such a condition.

Commissioner McCool stated that in looking at the lot as a whole he would not want to permit an accessory structure without review by the Planning Commission.

MOTION: by Commissioner McCool, seconded by Commissioner Ferrington to adopt Resolution No. 14-15 approving the requested variances, and approve the Residential Design Review application submitted by Jay Hoppe for the property located at 707 Schifsky Road and to reduce the front and rear setbacks, and increase the permitted foundation area. This motion is based upon the six conditions listed under the motion, including the following amendments:

1. The project must be completed in accordance with the plans submitted as part of the Variance application.
2. This approval will expire after one year if a building permit has not been issued and construction commenced.
3. The deck shall be located a minimum of 51.85 feet from the OHW of Turtle Lake.
4. Gutters shall be installed and maintained on the north and south sides of the house. The downspouts shall direct stormwater to the lakeshore through an underground pipe.

NEW BUSINESS

SITE AND BUILDING PLAN REVIEW / COMPREHENSIVE SIGN PLAN

FILE NO: 2518-14-08
APPLICANT: CITIES EDGE ARCHITECTS, LLC
FORSTROM & TORGERSON, LLP
LOCATION: 1000 Gramsie Road

Presentation by Senior Planner Rob Warwick

Applications have been received for interior and exterior improvements to the existing Hampton Inn. A new sign plan for a hotel, meeting center, and restaurant is proposed to reflect a change in the franchise to a Best Western Plus. Exterior improvements include changing the roofline from a gable style to horizontal with cornices, altering exterior siding with EFIS and stone accents, and adding new landscaping in the courtyard. The existing berm will be replaced with a low retaining wall. A new pergola and fireplace will be installed at the existing Green Mill patio. Six parking stalls will be removed for a new sidewalk and turf and landscaping. The entryway will be remodeled with a new canopy. These improvements are architectural features that comply with the City's design standards.

Interior improvements include the following:

- Removal of five guest rooms for two new elevators and a new south exit;
- Reduce floor area of Green Mill to create added meeting and banquet areas;
- Put in a new deck for the pool area;
- Add restrooms for the meeting/banquet area;
- Upgrade lighting, HVAC and fire alarm systems throughout the building; and
- Redecorate guest rooms and furnishings.

The property is zoned PUD with underlying C-2 designation. Hotels and restaurants are permitted in this zoning district. The existing use of the property is consistent with the Commercial Planned Land Use designation in the Comprehensive Plan. Staff believes the proposal will enhance the property and promote the wider community.

The reduction of five guest rooms reduces the required parking stalls by five for a total of 353 required parking stalls. 342 parking stalls are provided. The Hampton Inn is adjacent to Hilton Garden Inn, and the two facilities have a shared parking agreement.

The current sign plan includes wall signs on two elevations, and two freestanding signs. The proposed signs use consistent colors, materials and illumination, as required. The existing cabinet style freestanding signs have been in place since Hampton Inn was built. Three wall signs are proposed on the north and south building elevations. Three free-standing signs are proposed on Lexington, I-694 and Gramsie Road. The signs on I-694 and Gramsie are cabinet style. The existing Green Mill pylon sign will be removed and the new monument sign relocated to the west. The off-site sign is visible from Lexington and I-694. Individual letter style sign area and height maximums are 100 square feet and 20 feet. The sign on Gramsie complies with that standard.

The proposed sign on I-694 exceeds the standards. The applicant states that a larger sign is needed to address visibility. Other nearby freeway signs are typically 30 feet in height and at a higher elevation on the south side of the freeway. The off-site sign will be increased in height to add the Green Mill sign to the Best Western sign.

Staff has no concerns about the freestanding signs, which clearly identify the facilities and provide direction to guests.

The improvements to the property do not require a permit from the Rice Creek Watershed District. The Fire Marshall requires that the fireplace be installed in accordance with manufacturer guidelines.

Property owners within 350 feet were notified of the proposal. No comments have been received. Staff is recommends the proposal be forwarded to the City Council for approval.

Commission Discussion

Commissioner Ferrington asked if the expanded banquet facility will negatively impact parking. Mr. Warwick explained that the expanded banquet room reduces the same area from the restaurant. The seating count and required parking will be the same.

Chair Solomonson noted that the ramp at I-694 and Lexington will have four pylon signs and a monument sign. He expressed concern that there is no directional sign at the Gramsie intersection. Mr. Warwick noted that the Gramsie intersection is not signalized, which makes left turns difficult. Improvements to Lexington are planned by Ramsey County next year.

Commissioner McCool referred to the parking agreement between Hilton Garden Inn and Hampton Inn. He asked about the parking ratio for the Hilton Garden Inn. Mr. Warwick stated that it is slightly under parked as well, but staff believes parking is sufficient.

Commissioner McCool asked the reason for the added height to the pylon sign on the I-694. Mr. Warwick answered that clear visibility is desired for eastbound traffic. The existing sign is 40 feet from the top of the sign to grade. The pole is 26.5 feet in height.

Mr. Del Sheets, Architect, Cities Edge Architects, stated that the off-site pylon sign is needed to know the hotel location because the hotel site sits lower than the freeway. The existing pylon sign on the property is blocked trees and will be removed. The Hilton Garden Inn is a taller structure; Best Western is only two stories. The new monument sign will alert guests to the new south side entry.

Chair Solomonson asked if a 30-foot height for the pylon sign would be adequate. **Mr. Sheets** stated that adding the Green Mill sign added to the height. Regarding the Gramsie intersection, the experience of the current owner has been that there is no problem finding the hotel for those traveling south on Lexington. The intent is for visibility from I-694 for guests.

Chair Solomonson asked about removal of the off-site sign, which exists nowhere else in the City. City Attorney Kelly stated that he expects there to be an easement that guarantees the use of a sign, but he has not seen the document.

Mr. Sheets stated that the owner does not want the height to be a problem. The height can be lowered, but it is important to maintain the off-site sign for visibility from the west. The same pole will be used. It is possible the sign can be attached over the pole. He offered to work with staff to the Commission's satisfaction. He added that there is an easement for the sign as suggested by the City Attorney.

Commissioner Peterson stated that this plan is a nice upgrade to the hotel. He also is concerned about the sign height and is pleased the applicant is willing to work out this issue.

Commissioner Ferrington expressed concern that there may be an issue of visibility if the sign is lowered on the pole to lower height.

Chair Solomonson asked if this matter could be held over. **Mr. Sheets** explained that it would be a hardship for the owner to be delayed. If the franchise turnover does not take place, the facility would have to shut down.

Commissioner McCool stated that if the same pole is used and the sign placed on top, the height would be approximately 47 feet. He would support that and does not want to put undue hardship on the owner. He does not want the sign to be less visible. This is a good plan for the area.

Chair Solomonson stated that if Red Robin were to request a pylon sign, it would be 30 feet. This is an advantage for an off-site sign. It is a non-conforming use that is being increased, which is his concern. He would like to see staff work to reduce the height prior to review by the City Council and to provide understanding the impact of varying heights, 30 feet, 40 feet, 50 feet. Mr. Warwick stated that the motion could be based on building area and square footage. The larger hotel and meeting facility justifies the larger sign because of the increased floor area. Mr. Warwick suggested that prior to review by the City Council, the applicant shall work with staff to evaluate reductions in the proposed sign height.

MOTION: by Commissioner Ferrington, seconded by Commissioner Peterson to recommend the City Council approve the Site and Building Plan Review and Comprehensive Sign Plan applications submitted by Cities Edge Architects for the Hampton Inn/Green Mill at 1000 Gramsie Road, and adding condition No. 5 to the Site and Building Plan Review.

This approval is subject to the following:

Site and Building Plan Review:

1. This approval permits exterior modification of the existing building, in accordance with the preliminary plans dated 2014. Significant changes, as determined by the City Planner, shall require review by the Planning Commission and approval of the City Council.

This application is for a proposed bank branch building. The area north of Red Fox Rod was zoned PUD in 2011, with underlying zoning as C2, General Business District. Agreements have been executed for shared site improvements. Phase 1 consisted of site improvements for development with a retail center; Phase 2 was construction of a specialty market. Phase 3 is the proposed branch bank facility.

The proposal includes construction of a credit union branch facility of one story consisting of 3,386 square feet with two drive-through lanes. The PUD included code deviations for parking, driveway and structure setbacks from I-694. Access to the site would be shared. Parking provides 25 stalls (23 are required). The north driveway access is 5 feet from I-694. The two drive-through lanes provide adequate stacking room for six vehicles. The building has a setback of 26.47 feet from I-694. This location is consistent with the master plan. There is wetland in the southeastern portion of the property.

The building is one story with an exterior of EIFS, aluminum composite panel and glass. Three wall signs are proposed, which comply with the size limits of the Comprehensive Sign Plan and Code. The PUD provides for two wall signs. The third wall sign can be approved administratively. Signage is on the east, west and north. No freestanding sign is proposed; if one were proposed, it would require an amendment to the Comprehensive Sign Plan.

Property owners within 350 feet were notified. No comments were received. The applicant is working with the Fire Marshal regarding requirements of the Lake Johanna Fire Department. The plans are consistent with the approved PUD, and staff recommends the application be forwarded to the City Council for approval with the conditions listed in the staff report.

Commission Discussion

Commissioner Peterson asked if the Rice Creek Watershed would be reviewing the proposal and comments from the Environmental Quality Committee (EQC). Ms. Castle stated that the Rice Creek Watershed has issued a permit for the PUD and so will not review this individual proposal. The property owner will be subject to the conditions of the RCWD permit that has been issued. The recommendations from the EQC go beyond the scope of the permit requirements.

Commissioner Ferrington asked if there is provision for snow storage. Ms. Castle stated that snow removal is addressed in the easement agreement and there is an area south of the parking lot that may be suitable for storage.

Commissioner McCool asked if cars backing out of nearby parking spaces will conflict with the drive-through lanes. Ms. Castle stated that staff does not believe there will be a traffic flow issue. There is sufficient stacking space for the drive-through lanes.

Mr. Tom Hour, Architect, Newground, stated that he is present to answer questions. He indicated two locations that would be accessible for snow storage. If additional snow storage is needed, some parking spaces would be compromised, but it is anticipated that there are plenty of parking spaces. He agreed that there could be some conflict with the cars backing out of parking spaces into the lane where other cars are approaching the drive-through lanes. However, he anticipates that the main parking areas will be away from those lanes. If there is a conflict cars

will be going slow to approach the drive-through lanes. He further indicated where landscaping is planned.

Commissioner Peterson noted the recommendations by the EQC regarding infiltration improvements for drainage. He asked if a sunken island or pervious pavers were considered to reduce runoff into the wetland. **Mr. Hour** stated that they have only received those recommendations this evening.

Mr. Chad Ayers, Civil Engineer, MFRA Company, Plymouth, responded to Commissioner Peterson and stated that there is no direct drainage into the wetland. The drainage flows east to two large filtration basins, before flowing west and being released into the I-694 right-of-way. The site storm water is managed on Outlot A to the east of the property. This is part of the overall drainage for the PUD and approved by the Rice Creek Watershed District. As to the EQC comments, having just received them, the team will have to discuss them to see how they might be addressed.

MOTION: by Commissioner McCool, seconded by Commissioner Thompson to recommend the City Council approve the Site and Building Plan Review for the City County Credit Union branch facility located at 1001 Red Fox Road, subject to the following conditions:

1. This approval permits the development of this parcel with a branch bank/credit unit facility approximately 3,386 square feet in size.
2. Approval of the final grading, drainage, utility, and erosion control plans by the Public Works Director, prior to the issuance of a building permit for this project.
3. The applicant is required to enter into a Site Development Agreement and Erosion Control Agreement with the City. Said agreements shall be executed prior to the issuance of any permits for this project.
4. The master development agreement for the plat and PUD for this development shall remain in effect and said terms which apply to Lot 3 shall be adhered to.
5. The items identified in the email from the Assistant City Engineer must be addressed prior to the issuance of a building permit.
6. The items identified in the memo from the Fire Marshal shall be addressed prior to the issuance of a building permit.
7. Specifications on the Emergency Generator shall be submitted prior to the issuance of a building permit. Use of the generator is for emergency purposes only. Said generator may be used only when the primary source of electricity is disrupted, except for required maintenance activity. Said Generator shall comply with the City's Noise Standards.
8. The Building Official is authorized to issue a building permit for the project, upon satisfaction of the conditions above.

This recommendation is based on the following findings of fact:

1. The proposed land use is consistent with the City's Comprehensive Plan.
2. The proposed land use and development plans are consistent with the approved PUD and the Development Code standards.

MOTION: by Commissioner Ferrington, seconded by Commissioner Thompson to close the public hearing.

VOTE: Ayes - 5 Nays - 0

Commission Discussion:

Commissioner Ferrington asked if the language proposed is similar to other communities. Ms. Castle stated the escape/access space was adopted previously, working with the Lake Johanna Fire Department. What is added now includes the dimension of the cleared space.

Most other communities do not have regulations regarding interior storage or room functions. The intent is for residents to understand expectations.

Commissioner McCool referred to the provision for unobstructed cleared space. Under Interior Storage (3) and (4), the same term, “cleared space” should be used. He questioned the provision under kitchen to require a refrigerator/freezer. There may be people who do not cook and eat out. Ms. Castle stated that if there is no health of life safety issue, the home would not be posted uninhabitable. This provision could be enforced with rental properties if a refrigerator/freezer A unit may malfunction and a tenant has no place for cold food storage.

Chair Solomonson expressed concern about accessing a window for escape if there is a table in front of it or a large shrub on the other side of it. He asked the definition of “cleared space”. Ms. Castle explained that the size table or obstruction would be left to the discretion of the Enforcement Officer. The addition of stipulating a 3-foot clearance is to better define the requirement. Outside vegetation is not addressed.

Chair Solomonson stated that Commissioner Proud’s comments are clarifying and he would like to see them included.

Commissioner McCool offered the following changes:

- (8) Heating Facilities - a period was added, and the next sentence starts with “Said.” A word needs to be added to the sentence.
- Under F. Interior Storage (1), he would add wood stoves to the list.

MOTION: by Commissioner McCool, seconded by Commissioner Ferrington, to recommend the City Council approve the text amendments to Chapter 202, Definitions and Chapter 211.0170, Housing Code, of the Municipal Code to better define standards related to safety, storage, and room function. City staff shall incorporate the comments of the Planning Commissions, including the comments from Commissioner Proud, into revised text before it is presented to the City Council.

The recommendation is based on the following finding:

