

**SHOREVIEW PLANNING COMMISSION
MEETING MINUTES
February 23, 2016**

CALL TO ORDER

Chair Doan called the February 23, 2016 Shoreview Planning Commission meeting to order at 7:00 p.m.

Chair Doan thanked Commissioner Solomonson for his leadership as Chair the last four years.

Chair Doan also thanked former Commissioner Pat Schumer for his 12 years of service on the Planning Commission.

Chair Doan recognized and welcomed incoming new Commissioner Abraham Wolfe.

Chair Doan recognized former Commissioner Larry Feldsien, who recently passed away. He served on the Planning Commission from 1988 to 2012, and as Chair from 2008 to 2012.

Commissioner Solomonson noted that Commissioner Feldsien helped shape the City from a population of over 14,000 to a population of over 25,000 in his 24 years of service. He acknowledged former Commissioner Feldsien's many contributions and offered his condolences.

ROLL CALL

The following Commissioners were present: Chair Doan; Commissioners Ferrington, McCool, Solomonson and Wolfe.

Commissioners Peterson and Thompson were absent.

APPROVAL OF AGENDA

MOTION: by Commissioner McCool, seconded by Commissioner Solomonson to approve the February 23, 2016 Planning Commission meeting agenda as presented.

VOTE: Ayes - 5 Nays - 0

APPROVAL OF MINUTES

MOTION: by Commissioner Ferrington, seconded by Commissioner Solomonson to approve the January 26, 2016 Planning Commission meeting minutes, as presented.

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

Commissioner Wolfe abstained, as he did not attend the January 26, 2016 meeting.

REPORT ON CITY COUNCIL ACTIONS

City Planner Kathleen Castle reported that the City Council did approve the Comprehensive Plan Amendment, rezoning, preliminary plat and Planned Unit Development (PUD) - Development Stage for Kowalski Companies, Inc. to redevelop the former Rainbow site at the corner of Highways 49 and 96. The Development Agreement will address truck idling that was discussed by the Planning Commission.

OLD BUSINESS

COMPREHENSIVE PLAN AMENDMENT, REZONING, PRELIMINARY PLAT, PLANNED UNIT DEVELOPMENT-DEVELOPMENT STAGE *

FILE NO.: 2602-16-01
APPLICANT: ELEVAGE DEVELOPMENT GROUP, LLC/ELEVAGE SHOREVIEW HOLDINGS, LLC
LOCATION: 3500 RUSTIC PLACE, 185 COUNTY ROAD E, 157 COUNTY ROAD E, AND 3521 RICE STREET.

Presentation by City Planner Kathleen Castle

At the last Planning Commission meeting a public hearing was held and closed. After discussion and review by the Planning Commission, the matter was tabled. The review period for the application was extended from 60 to 120 days. Elevage Development Group was asked to further address parking, building height, visual impact and development intensity and density.

The property consists of approximately 4.2 acres with frontage on Rice Street, Rustic Place and County Road E. There are 3 existing single-family homes and a commercial shopping center. Adjacent land uses are low density residential to the north, commercial to the south and west, and the City of Vadnais Heights immediately to the east.

The proposal is a mixed use building with 134 market rate apartments and 6,800 square feet of commercial space. Both surface and underground parking is provided. Also, 14 townhouses in two buildings will be built west of the mixed use building. Access to the site will be off County Road E and Rustic Place.

The applicant is proposing the following changes:

- Parking for the mixed use building has been increased from 235 stalls to 274 stalls.
- An emergency vehicle lane is provided to address concerns of the Fire Department.
- Additional landscaping is proposed along the north lot line to mitigate impact to the single family homes to the north.
- The townhouse structures have been reduced in size, which increases the setback from the north property line.
- An access driveway is shown off Rustic Place to respond to concerns of access by the Fire Department.

- The grade elevation of the garage floor has been reduced by one foot to address concerns regarding the grade elevation of this development compared to the grade elevation of the single-family homes to the north.

The 274 off-street parking stalls for the mixed use building on Lot 2 include 79 surface parking stalls and 195 underground stalls. There are 233 parking stalls allocated to the residential apartments, and 41 stalls for commercial development. Proof of parking for 8 additional stalls is provided on the north end of the property. The City's Development Code requires 373 stalls, but deviation can occur under the PUD with parking management strategies in place. The site is on a transit line. There is shared parking between the residential and commercial uses. This plan shows 1.7 stalls per unit rather than the required 2.5 stalls per unit. The developer has demonstrated that the ratio of 1.7 is sufficient based on industry trends, the unit mix and the demographic market. Parking was broken down by the number of bedrooms in a unit rather than 2.5 stalls per unit. The one-bedroom units have 1.2 parking stalls; the two-bedroom and three-bedroom units have 2 stalls per unit. Staff surveyed other communities (White Bear Lake, New Brighton, Arden Hills and Eden Prairie) regarding parking ratio requirements and found that Shoreview's requirement of 2.5 stalls is at the high end.

The building is five stories with a height of 55 feet. Code allows this deviation if it does not exceed firefighting capabilities. The Fire Department has indicated no concerns. An additional foot of setback is required for each additional foot of height over 35 feet. The range of other apartment building heights in the City is 42 feet at Lexington Shores to 78.5 feet at Lakeview Terrace.

The setback is in compliance from the north lot line with 78.2 feet, when 50 feet is required. Deviations requested include setbacks from Rice Street and from the townhouses on Lot 1. Deviations include a 32-foot setback from County Road E, when 50 feet are required; 41 feet from the front property line at Rice Street, when 60 feet are required; and 14 feet from the rear property line, when 50 feet are required. A reduction of setbacks along roadways does not impact the adjacent land uses. The orientation and placement of the building towards the intersection will enhance this gateway into Shoreview.

Townhome setbacks are as follows:

- The required setback from County Road E is 30 feet; 33.4 feet is proposed.
- The required setback from Rustic Place is 30 feet; 25.4 feet is proposed. This is the deviation requested.
- The required setback from the east property line is 10 feet; 33 feet is proposed.
- The rear property line which is adjacent to the residential properties to the north has a setback of 73.5 feet.

Staff believes that the reduction of setbacks is mitigated by the increased setback of the townhomes from the north property line and the landscape buffer.

Visual impact is mitigated with the placement of the mixed use structure in the southeast corner of the property. It has a flat roof design. Also, green space and landscaping buffer the northern property line, which is adjacent to existing single-family homes.

A shadow-cast study was done and shows that in late December, shadow will transcend the northern property line but will not cast a shadow on the adjoining home for the majority of daylight hours. There is also a landscaped buffer proposed. The City regulations do not protect properties from shadow cast when development occurs.

In regard to intensity, the land capacity will accommodate the physical improvements, and municipal infrastructure is available to the site. Residential and commercial uses are integrated throughout the site. The traffic study concluded that the proposal will not impact the local/regional transportation system. The problems that exist are due to the need for the Rice Street/I-694 interchange to be reconstructed with a new bridge. Ramsey County agrees with this conclusion. The proposed lot coverage is 61.8%, which is less than the 70% permitted. Intensity of development has been addressed with the mixed use building placement in the southeast corner, compliance with required setbacks from the north property line, underground parking and provision of green/open space.

Allowed density is up to 45 units per acre; the proposal is 33.6 units per acre. Although the site is adjacent to low density residential to the north, it is also adjacent to the interstate arterial roadway and commercial land uses to the south and east. The development pattern in the city generally has higher density land uses adjacent to low density and located on the edge of neighborhoods on arterial roadways. Compared to other high density developments in the City, this proposal would be the highest with 33.6 units per acre. Density in other developments ranges from 13 to 30 units per acre.

The proposal includes a Comprehensive Plan Amendment to change the property to a Mixed Use site. The site is in PDA #18, Rice Street Crossings with a land use designation of C, Commercial and O, Office. This includes office, service, restaurants and retail uses. A Plan Amendment to change the land use designation to Mixed Use, MU.

The City's Highway Corridor Transition Study does look at this site as potential for Mixed Use development rather than office and retail. The Shoreview Housing Action Plan identifies the need for additional rental housing opportunities through redevelopment.

The existing shopping center is zoned C2, General Commercial at 157 County Road E. The properties at 185 County Road E, 3521 Rice Street and 3500 Rustic Place are zoned R1, Detached Residential. The rezoning application seeks to change the district to a PUD, Planned Unit Development.

The public hearing was held and closed at the Planning Commission's January meeting. Notice was again mailed to the Rustic Place neighborhood and Vadnais Heights for this meeting. There are continued concerns regarding land use compatibility, density, public safety, traffic, visual impact, market for this type of product, architectural design and scale, and environmental impacts.

Staff finds that this proposed redevelopment is consistent with the City's planning studies and will provide needed housing opportunities. The mix of uses will provide a transition between the arterial road network, commercial uses and the single-family residential neighborhood to the north. The site design mitigates impacts through building placement, green/open space and landscaping. Staff is recommending the Planning Commission forward a recommendation for approval to the City Council for the March 7, 2016 Council meeting.

Commissioner Ferrington noted that the market study information on occupancy rates for surrounding apartment buildings was not included with the Planning Commission materials for this application. Ms. Castle explained that information was not included because that information should not influence the Planning Commission decision, which should be based on the criteria in the City's Comprehensive Plan and Development Code.

Commissioner Solomonson asked if there is any issue with emergency vehicle access to the site. Ms. Castle stated that there is a 21-foot clearance. The Fire Marshal has expressed no concerns.

Commissioner Solomonson asked where parking would occur if the parking on-site were full.

Commissioner McCool asked the location of the proof of parking stalls and how they would be accessed. Ms. Castle showed the location in the northeast corner of the site with access off Rice Street.

Chair Doan asked for the updated information of the traffic study. Ms. Castle explained that the original study did not include the data for the build scenario. The applicant was notified. The results turned out to be the same as what was reported previously, that there is no significant impact from traffic generated from this development.

Chair Doan opened the meeting to public comment.

Ms. Marcia Figus, 3538 Rustic Place, stated that she is 200 feet from the proposed development. Her house will have a shadow cast as a result of this development. She stated that she speaks on behalf of the residents on Rice Street, Rustic Place, St. Marie and neighbors to the north, south and Vadenais Heights. It is requested that the height of the apartment building be lowered and that the density be reduced. Previous such requests have been made by the City Council once and by the Planning Commission twice. It is requested that there be no balconies on the north and west facing sides. Privacy is a big issue. In view of the incorrect data used in the traffic study, it is a concern that other data may be incorrect and is being used to make this decision. From the beginning, there has been heavy opposition to this development. In the Mayor's State of the City Address, a commitment to certain core values was stated--to build and maintain quality residential neighborhoods. Residents to the north of this site have a quality neighborhood but are lacking confidence in City government.

Mr. Mark Kaspazak, 3628 Rustic Place, referred to Commissioner Ferrington's question regarding the comparables used in the rental housing study. The comparables used were two-, three- and four-story buildings that are 90% full. Boatworks Commons is at 75% occupancy and

Lakeview Terrace (six stories) is at 55% occupancy. This goes against what has been said about needing this housing opportunity in Shoreview. Lakeview Terrace is not full. The density was described as 33.6 units per acre but with the parking stalls, it would be 55 units per acre.

Mr. Pat Foley, 295 Cottage Place, stated that the market data was dismissed. The Comprehensive Plan calls for housing opportunities for young families. There is plenty in Shoreview and more is not needed. He asked where children will play. The site is 200 to 300 yards from a railroad. The railroad yard will be an attractive nuisance for those children. It is also necessary to go walk next to a sharp bend in the railroad bed to get to Grass Lake Park. He believes that sharp bend is vulnerable for a possible derailment.

Mr. Keith Johnson, 3695 Rustic Place, stated that the traffic study performed three simulations. The first was of existing traffic to duplicate the conditions existing today. The study failed to do that because the line of traffic going south in the morning rush hour is described as a length of 236 feet or less. St. Marie Street is over 1000 feet north of the Rice Street/I-694 interchange. It is his experience that traffic backs up well beyond St. Marie in the morning. If there is inclement weather, traffic will back up to the railroad bridge north of I-694. It is difficult to accept that the simulations for the future are valid because the first simulation for existing traffic is inaccurate.

Ms. Kate O'Neal, 3530 Rustic Place, stated that she is working on setting up a meeting with County Commissioners McGuire and Huffman to discuss the traffic study issue. Looking at the Rice Street/County Road E intersection, there is the Elevage proposal for the northwest corner in Shoreview; a future development is planned on the north east corner in Vadnais Heights; and there is a senior building on the southeast corner in Little Canada. There are three buildings of unknown height in three cities on three corners of the same intersection on one road. It is important for the traffic study to address the impacts to the area from all of these developments in the same area.

Mr. Jonathan Weinhagen, Vice President - St. Paul Area Chamber of Commerce, 401 Robert Street, St. Paul, MN. He stated that he also serves on the Economic Development Commission in Shoreview. The Chamber supports this development. The next generation of employment will be based on talent. Shoreview's ability to attract talent to this market will drive the City's ability to attract employers. One of the top three things heard from the business community for the next generation of talent is housing. The next generation of workers are renters by choice. High amenity housing are critical to attract employers. There are 20,000 jobs between I-35W and I-35E. He has shared this development with a number of Human Resource departments in companies in the area. There is great interest in seeing an amenity rich housing opportunity for employees, employees that they compete for with center cities. A letter has been provided that speaks to the Comprehensive Plan. The housing portion of the Comprehensive Plan is a critical in the City's ability to create an economic engine for the community. He strongly urged the Commission to support this project and move it forward.

Mr. David Guard, 3646 Rustic Place, referred to a newspaper article dated February 9, 2016, that applauds the natural amenities so carefully developed in Shoreview. The City cannot allow development to ruin the natural resources. The height of buildings cannot be allowed to rise

above tree canopy and destroy habitat. If the economics of people take over the natural resources, the command of what Shoreview is about will be lost.

Mr. Mike Mergens, Applicant, introduced the Traffic Engineer, Steve Manhart. He stated that work errors were made on the traffic study which have been corrected. The project does not result in any unacceptable operations. The level of service does drop from level C if the project is not built to level D when the project is built. As was noted by the City and members of Ramsey County Public Works, the conflict is between Rice Street and Vadnais Boulevard traffic. The traffic issues are a result of the interchange. When the interchange is reconstructed, it will provide relief.

Mr. Mergens introduced Aaron Roseth and Lucas Mansistine, ESG Architects, to explain the shadow cast impact. **Mr. Roseth** stated that in response to concerns for parking, 10 additional parking stalls have been added for town house visitors since the last meeting. An additional three surface parking stalls were added to the Mixed Use building and eight proof of parking stalls. The underground parking has an additional 31 parking stalls. In looking at trends for this type of market in second tier communities, parking ratios are 1.2 to 1.5 stalls per unit. The goal is one stall per bed. Including the proof of parking, this development is now at 1.8 stalls per unit and 1.3 stalls per bed. Excluding proof of parking, the ratio is 1.74 stalls per unit and 1.26 stalls per bed. These ratios exceed the national and area averages. One of the goals of the City is to increase population. The maximum density permitted by the City for this development is 45 units per acre. This development proposal is 33.6 units per acre.

Mr. Roseth stated that the concern about building height has been addressed by placing the building in the right location of the southeast corner. The density along County Road E and Rice Street is well buffered with coniferous trees. In 1956, I-694 was authorized. From that time it has been clear that development would occur. There is a reason for this amount of density which is to provide housing for the employment opportunities in the area. A four-story U-shape building was considered, but it became bulky on the site that the impact of shadow casting was more significant. The concern regarding the setback of the town houses from Rustic Place has been addressed by increasing the setback to 41.8 feet. The elevation of the town homes was lowered by one foot, which lessens any impact of headlights to the north. The town homes were pulled south by changing their width. Originally, they were 26 feet wide; the width has been reduced to 23 feet. The average rents will range between \$1100 and \$2400 per month. People who live here rent by choice and will respect and take care of their homes.

Mr. Mansistine explained that the main impact of shadow cast to homes to the north is that the majority of the year there is no impact. At the end of December and beginning of January, the shadows will cross the property line for a few hours. The worst shadow impact is for two hours in the morning. **Mr. Roseth** noted that the shadow study does not take into account the trees for screening.

Commission Questions to the Developer

Commissioner Solomonson noted that with 79 surface stalls, 41 are allocated for commercial use and 38 for residential guest use. His concern is how parking will work with commercial entities

that are not integrated. Ms. Castle explained that the ratio of 1.7 stalls is per residential unit. Commissioner Solomonson stated that the only place guests can park would be in those 38 surface stalls. **Mr. Roseth** responded that the property will be managed. Through the management, guests will have to check in and obtain a parking pass. Visitors will also be able to use underground parking stalls. **Mr. Mergens** added that the site will not be posted for commercial or residential parking only.

Commissioner Solomonson emphasized his concern that there is no provision for overflow parking. Without knowing what type of commercial will be on the site, he would prefer to see 2 stalls per unit. This would mean adding 35 stalls and eliminating 17 units to achieve a ratio of 2 stalls per unit. If 17 units were removed, the north side could be tiered to lessen the building height impact to the residential homes to the north.

Commissioner McCool asked the method of allocation for underground parking stalls to units. **Mr. Mergens** stated that stalls will be allocated as 1.25 for one-bedroom units and 2 stalls for two- and three-bedroom units. People who live in the building will have parking underground.

Commissioner McCool asked where the light standards will be placed and whether they will impact the residential properties to the north. **Mr. Roseth** explained that the lights will be kept as low as possible. The intent is for using low light bollards that are part of the City's trail system. The fixtures on the surface lot will be shielded in a way to follow standards of the City. It is also important that the lights provide safety for the residents in the building.

Commissioner McCool asked how close any light standard will be to the residential properties to the north. **Mr. Roseth** stated that lights will be shielded so as not to cast any light behind the pole. That is a standard of the City that will be followed. The photometric analysis shows the light levels. The perimeter of the site shows a light level of 0 foot candles.

Commissioner McCool asked the size of the coniferous trees that will be planted on the north side. **Mr. Mergens** stated that they will be at least two inches in diameter. There are from 36 to 38 trees that will be added to provide additional screening in response to the comments of the last meeting.

Commissioner McCool asked if the balconies facing north toward the residential homes can be moved to face west and eliminate any impact from the higher floors where balconies may be above the tree canopy and loom over the neighborhood. **Mr. Roseth** agreed that moving the balconies can be considered. He noted the massive setback from the building to the property line on that side.

Commissioner McCool asked where families and children go to find recreation. There is the pool, but there a lot of concrete around it. There is not a good sidewalk system for biking and walking. **Mr. Roseth** noted that the apartments in Shoreview do not have the amenities that this project offers. The pool area will be a very social area. There will be barbecue areas, picnic areas, benches, batchi ball courts. There will be a network of sidewalks established. The green space will be park like.

Commissioner McCool asked the location of the nearest park. **Mr. Mergens** answered that it would be on Vadnais Boulevard. He believes there is a trail along that road.

Commissioner Ferrington stated that parking is a concern because this development is landlocked. The reason the Planning Commission agreed to 1.7 parking stalls per unit at Lakeview Terrace is because there is shared parking with the adjacent apartment area that is scheduled to be redeveloped. She commended the work done to provide amenities with this development, but there is no flexibility for parking. She does not believe that Shoreview is well known for access to public transportation that would eliminate the need for two cars in a household. **Mr. Mergens** stated that he believes the parking works is because it is anticipated that the commercial use is likely to be office with little or no parking needs after work hours. There will be shared parking within the site. This allows more than 2 parking stalls per unit. **Mr. Roseth** added that the town homes and apartments will be one homeowners association. There are 10 additional parking stalls added to the townhomes, which brings their ratio to 4.7 stalls per unit. The eight stalls that are proof of parking can easily be added if necessary. All totaled and looking at national trends, parking on this site is adequate.

Chair Doan asked the consequence if there is a shortage of parking with the additional eight spaces built. Would cars have to park on Rustic Place? Ms. Castle stated if there is deficiency in parking, the overflow would occur on Rustic Place. It is approximately 400 feet from the intersection of Rustic Place and County Road E to the building entrance. Chair Doan asked how much parking would be available on Rustic Place and what options would be available to the City to mitigate that problem. **Mr. Roseth** stated that there would be space for 10 parallel parking stalls on Rustic Place in front of the townhomes. **Mr. Mergens** stated that parking is critical. If the retail services are under parked, they will struggle. Other option will be shared cars, car-to-go and zip cars. If there is enough density and the owner is willing to commit to a guaranteed minimum, cars will be available on-site. It is important for tenants to survive, and these options are a potential component of providing adequate parking.

Commissioner Solomonson asked if 9 units were removed on the north side, could the building be tiered? **Mr. Mergens** stated that would remove the most sought after units. The bank will be concerned with debt service ratios and loan to value ratios. The project has to work economically. The project would be difficult to finance if 9 units were removed. **Mr. Roseth** added that although the developer's preference is to maintain as much a park like setting as possible, green space can be taken away for more parking.

Chair Doan asked if there would be a way to tier the building to the north and adding lost units on the southern side. **Mr. Roseth** stated that because of code requirements for stairwell exits, a third stairwell would have to be added for that type of design. It is possible, but he is not sure if it is economically feasible for the development team because rentable square footage would be used to add a stairwell.

Chair Doan noted that the dog park and playground have been removed from the current plan. He asked at what cost those elements were removed. **Mr. Roseth** stated those elements continue to be part of the conversation. He noted that a dog park is one of the most sought after amenities. It is hoped that a small dog park and playground can be incorporated with the trail design.

Chair Doan noted the lack of affordable housing in Shoreview and asked how the decision was made to develop luxury units and whether affordable units could be considered. **Mr. Mergens** stated that a driving factor is comments from the neighborhood and identifying this area as a gateway to the community. It is fortunate that all four properties were secured to design a special development that is above and beyond. That creates a construction cost. Then income is needed to meet those costs. In this case, the cost does not allow for an affordable housing component.

Commissioner McCool noted an area along the trail where there is a 90-degree turn in the northeast corner. He asked if the trail could diagonally cross that corner and create more green space for perhaps a small ball field. **Mr. Roseth** stated that there has been an effort to preserve mature trees that are in that area, but that idea is a possibility and could open up more green space. He noted that the additional proof of parking is in that area. Parking is the most important component for the developer. It has to be done right.. He noted that more green space could be made into as much as 15 more parking spaces if needed.

Commissioner Ferrington asked if the area along Rustic Place directly adjacent to the townhomes could be bumped out to create overflow parking. Ms. Castle responded that the developer proposed that feature, but after review, the Public Works Director was not supportive. There are concerns about how such a bump out would interfere with existing infrastructure along Rustic Place.

Commission Discussion

Commissioner Solomonson stated that he continues to prefer fewer units but is more comfortable with the additional parking now provided and shown for the future if needed. He would support the project as presented. The traffic study shows no impact. The density is allowed by code. The height of the building will fit in this area with this property as a transition from I-694. He is concerned about the type of commercial business that will be located on the site and any overflow traffic. It would be better if the City had plans for the new bridge on Rice Street over I-694 and consideration of a new pedestrian bridge. That would provide pedestrian access to the Lake Owasso area which would go around the railroad and not be on Rice Street. It is his hope that pedestrian bridge continue to be considered with the Rice Street bridge plans.

Commissioner Ferrington stated that the concerns expressed by the Commission at the last meeting were about parking, building height, density and overall site design. She is reasonably satisfied that there is potential for sufficient parking should it be necessary to take away green space. The design has many amenities that are not present in other Shoreview developments. She is concerned about height, but this is a transitional property. There was the same concern with Lakeview Terrace, but now that building is completed and is not unsightly. It is her hope the same will happen with this building. She also would prefer fewer units, but Mixed Use development is the right use for this property in Shoreview.

Commissioner McCool stated that the Comprehensive Plan Amendment and rezoning are not issues for him. Parking is a product of project size. He applauded the developer for the additional parking presented and options for the future. Both retail and residential tenants will sign leases. There may be short-term instances when parking is an issue. However, if parking is insufficient, there will not be tenants. The other issue is whether too much is being crammed onto the site, but that is the developer's call. It is the developer who must target the market and sell the space. The height is not an issue because this is a gateway property. It will not dramatically change the neighborhood and is a good introduction to the community. The consequence of whether the project is too big will be the kind of people who live there and not the project itself. He expressed his support for the project.

Commissioner Wolfe stated that it is important to maintain the values of Shoreview. He has spent time driving the area. He stated that newly married, this is the type of place he would want to live. With three young children, it might be more difficult. A privacy fence has been discussed on the north side but has not been decided. A key issue is safety that Ramsey County will address. He sees this as a benefit for the Mounds View School District. A possible coffee shop or bistro as part of the commercial development will be a huge benefit to multi-generational residents and will bring others in. This is a good plan, but the biggest concern is the neighborhood.

Chair Doan stated that he is sympathetic to the neighbors to the north and is concerned about the time of shadow impact, although not regulated by the City. Generally, he believes this is the type of development he wants to see in the City. The level of amenities and overall aesthetic is positive. Only a handful of places could accommodate such a development in Shoreview. This is one of the locations because of the highway network. With soundproof windows, the proximity of the railroad will not be a detraction. The question is how to make the best of what is presented and how to do good to the neighbors that will be impacted. He expressed his support for the amenities presented and his hope that the developer will be a good partner to the City through the process. The Planning Commission only makes a recommendation. Change is very difficult. The neighborhood is very tightly knit. He appreciates the activism and concerns brought by the neighborhood and would hope that there be an openness to new residents to the community.

MOTION: by Commissioner Solomonson, seconded by Commissioner Wolfe to recommend the City Council approve the following requests submitted by Elevage Development Group, LLC/Elevage Shoreview Holdings, LLC (EDG) to redevelop the following properties: 157 County Road E, 185 County Road E, 3521 Rice Street and 3500 Rustic Place with a mixed use residential and commercial development.

Comprehensive Plan Amendment

1. The amendment changes the land use designation from C, Commercial/O, Office and RL, Low Density Residential to MU, Mixed Use.
2. Review and approval of the amendment by the Metropolitan Council.
3. The amendment will not be effective until the City grants approval of the Final Plat and PUD - Final Stage requests and the development agreements are executed.

Rezoning

1. This approval rezones the property from C2, General Commercial and R1, Detached Residential to PUD, Planned Unit Development.
2. The underlying zoning district for this PUD is: Lot 2 – R2, Attached Residential, Lot 3- R3, Multi-Dwelling Residential for the apartment units and C1, Retail Service for the commercial
3. Rezoning is not effective until approvals are received for the Final Plat, PUD - Final Stage and development agreements executed.

Preliminary Plat

1. A public use dedication fee shall be submitted as required by ordinance prior to release of the final plat by the City.
2. The final plat shall include drainage and utility easements along the property lines. Drainage and utility easements along the roadways shall be 10' wide and along the side lot lines these easements shall be 5' wide. Other easements shall be dedicated as required by the Public Works Director.
3. Private agreements shall be secured between the parcels in the subdivision regarding the maintenance of shared facilities. Said agreements shall be submitted to the City Attorney for review and approval prior to the City's release of the Final Plat.
4. Comments received from the State of Minnesota and Ramsey County shall be addressed in the Final Plat submittal.
5. The Final Plat shall be submitted to the City for approval with the Final Stage PUD application.

Planned Unit Development – Development Stage

1. This approval permits the redevelopment of 157 County Road E, 185 County Road E, 3521 Rice Street and 3500 Rustic Place with a mixed use development consisting of a 5-story building that has 134 market rate apartment units and 6,800 square feet of commercial space on the first floor. Fourteen townhomes are also planned.
2. Access to the site shall be provided via the driveways off County Road E and Rustic Place as indicated in the approved plans. Access from Rustic Place may be modified provided the requirements of the Fire Department are met.
3. The items identified in the City Engineer's memo dated January 20th shall be addressed in the Final PUD submittal.
4. The items identified by the Fire Marshall in his letter dated January 11th shall be addressed in the Final PUD submittal.
5. Approval of the final grading, drainage, utility, and erosion control plans by the Public Works Director is required, prior to submittal to the City of applications for Final Plat and PUD – Final Stage. Final plans shall identify site construction limits and the treatment of work (i.e. driveways, parking areas, grading, etc.) at the periphery of these construction limits.
6. The developer shall secure a permit from the Ramsey Washington Metro Watershed District prior to commencing any grading on the property.
7. The proposed apartment housing structure shall be of a 5-story design as depicted on the plans submitted with this application. Said building shall include the architectural

enhancements and high-quality building materials as identified. The structure shall not exceed the 55-foot height as identified in this report and on the submitted plans.

8. A financial contribution to the City's Forestry fund is required since the number of required tree replacements cannot be accommodated on the development site.
9. 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. The Development Agreement shall address:
 - a. Construction management and nuisances that may occur during the construction process, including parking for contractors. No parking is permitted on Rustic Place, County Road E and Rice Street.
 - b. Best Management Practices for Water Quality improvement
 - c. Landscape maintenance
 - d. Maintenance of stormwater management facilities
10. This approval shall expire after two months if the Planned Unit Development - Final Stage application has not been submitted for City review and approval, as per Section 203.060 (C)(6).

This approval is based on the following findings:

1. The proposed redevelopment plan supports the policies stated in the Comprehensive Plan related to land use, housing and redevelopment.
2. The proposed redevelopment plan carries out the recommendations as set forth in the Housing Action Plan
3. The proposed redevelopment plan will not have a significant adverse impact the planned land use of the surrounding property.
4. The proposed deviations permit this site to be redeveloped with a use that expands life-cycle and affordable housing, including housing choice in the city.

Discussion:

Commissioner Solomonson asked for an explanation of the next steps in the process. Ms. Castle explained that after Planning Commission action, the proposal will be presented at the March 7, 2016 City Council meeting. If approved, the developer will have 60 days to submit the Final Stage PUD and Final Plat for approval by the City Council. There is no public notice for the Final Stage PUD or Final Plat.

Commissioner Ferrington asked if the public would have an opportunity to speak at the City Council meeting. Ms. Castle responded that the City Council will review the application similar to this meeting and take public comment.

Commissioner McCool requested the developer to continue to look at the trail design issues discussed and possibility for moving balconies and looking to minimize impacts to the neighbors to the north.

Chair Doan thanked Commissioner Solomonson for his guidance through this process. This has been one of the most heated items for the Planning Commission in the last several months.

VOTE: Ayes - 5 Nays - 0

Chair Doan called a break and then reconvened the meeting.

NEW BUSINESS

PUBLIC HEARING - TEXT AMENDMENT - ACCESSORY STRUCTURES

FILE NO.: **2605-16-04**
APPLICANT: **CITY OF SHOREVIEW**
LOCATION: **CITY WIDE**

The City Attorney stated that proper notice was given for this public hearing.

Presentation by Economic Development and Planning Associate Niki Hill

A text amendment relating to accessory structures is proposed to Section 205 of the City Code, *Development Districts*. The purpose of the amendment is to provide more flexibility to residential property owners for accessory structure size based on property size. Area and setbacks are based on a tiered system to make sure the accessory structure remains subordinate to the principal structure on the property and does not have an adverse impact to adjoining properties.

Current Code for properties under one acre allow a maximum size of 150 square feet, but can increase in size up to 288 square feet with a Conditional Use Permit. There is a cap on accessory structures. They are not allowed to exceed 90% of the dwelling unit foundation area or 1200 square feet, whichever is less.

Properties that are greater than one acre, a Conditional Use Permit is required for accessory structures to exceed what is defined for parcels less than one acre. There is no cap to the maximum area.

The proposed changes define four tiers:
- Properties under 1/2 acre
- Properties from 1/2 acre to under 1 acre
- Properties from 1 acre to under 2 acres
- Properties of 2 acres and above

The changes proposed would increase the maximum permitted sizes to 200 square feet and increase permitted sizes with a Conditional Use Permit for properties that are 1/2 acre or larger. There would be a cap for the total amount of accessory structure square footage in all tiers. The proposed changes would minimally impact the majority of properties.

Regulations for properties less than 1/2 acre:

The changes allow a detached accessory structure when there is no attached accessory or an attached accessory structure that is less than 2-car size would be up to 200 square feet or up to 288 square feet with a Conditional Use Permit. Nothing over 288 square feet would be allowed.

Changes for properties of 1/2 acre to under 1 acre:

- A detached accessory structure, where there is no attached accessory structure or less than a 2-car attached accessory structure, could be 1000 square feet or 80% of the dwelling unit foundation area, whichever is the more restrictive.
- When there is a 2-car attached garage, a detached accessory structure can be up to 288 square feet outright. Up to 440 square feet could be allowed with a Conditional Use Permit.

Changes for properties of 1 acre to less than 2 acres:

- When there is less than a 2-car attached accessory structure, a detached accessory can be built up to 1000 square feet or 80% of the dwelling unit, whichever is more restrictive.
- If there is a 2-car attached accessory structure, a detached accessory structure of up to 440 square feet. A larger accessory structure is possible with a Conditional Use Permit. However, the total accessory structure area cannot exceed 1500 square feet or 100% of the dwelling unit foundation area.

Changes for properties of 2 acres or more:

- A detached accessory structure, where there is no attached accessory structure or less than a 2-car attached accessory structure, could be 1000 square feet or 80% of the dwelling unit foundation area, whichever is more restrictive.
- If there is a 2-car attached accessory structure, a detached accessory structure of up to 440 square feet. A Conditional Use Permit is required for larger than 440 square feet. The cap for the combined attached and detached accessory structure square footage is 125% of the dwelling unit foundation area.

Notice of this public hearing was published in the City's legal newspaper. No comments have been received from the public.

Staff recommends the proposed changes because they provide greater flexibility and better clarify the requirements. Also, a cap of total allowable accessory structure square footage is defined for all property sizes.

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

MOTION: by Commissioner McCool, seconded by Commissioner Solomonson to close the public hearing at 9:46 p.m.

VOTE: Ayes - 5 Nays - 0

Commissioner Solomonson suggested that the the bigger lots that are allowed larger accessory structures also be required to have larger setbacks. Ms. Hill noted a provision that will be

included that indicates greater setbacks may be required to mitigate impacts to adjoining properties. He would recommend a 15-foot side and rear setback for properties of 1 acre or more.

Commissioner Ferrington stated that she would not strictly define greater setbacks because there are long narrow lake lots that often come before the Commission. She stated she appreciates this presentation which is easy to follow and should decrease the number of variances.

Commissioner McCool agreed with Commissioner Ferrington and stated that he likes the idea of potentially increasing the setback based on site conditions. He would like the ordinance to include, "Setbacks may be increased to mitigate impacts to adjoining properties." Regardless of size, people will want an accessory structure closer to a property line, not in the middle of the property and it is hard to define the appropriate setback. Also, he would add the language, "whichever is more restrictive" to each table entry for properties of under 1/2 acre; properties of 1/2 acre to under 1 acre; and properties of 1 acre to under 2 acres. What is presented is an improvement.

MOTION: by Commissioner Ferrington, seconded by Commissioner McCool to recommend the City Council approve the amendment to Section 205.082, Development Code pertaining to accessory structures in the R1 Detached Residential District with the modifications indicated in the Commission's discussion.

Discussion:

Chair Doan clarified that the language, "whichever is more restrictive," would be added to Section 205-40 and 205-41. Further, language will be added to the text indicating that greater setbacks may be required to mitigate impacts to adjoining properties.

MISCELLANEOUS

City Council Meetings

Commissioners Solomonson and Ferrington will respectively attend the March 7, 2016 and March 21, 2016 City Council meetings.

Workshop

The Planning Commission was scheduled to meet in a workshop session immediately after the regular meeting on March 22, 2016. Upon learning that five applications are scheduled for the March meeting, there was discussion about possibly holding two short meetings.

Chair Doan stated that if the meeting can finish by 10:30 p.m. or 11:00 p.m., he would prefer one meeting. Otherwise, two meetings should be scheduled. He will leave it to staff to inform the Commission. At this time the workshop will be postponed to before or after the April meeting.

Chair Doan again thanked Commissioner Solomonson for his leadership and all Commissioners for their efforts.

ADJOURNMENT

MOTION: by Commissioner Solomonson, seconded by Commissioner Ferrington to adjourn the meeting at 10:07 p.m.

VOTE: Ayes - 5 Nays - 0

ATTEST:

Kathleen Castle
City Planner