

**AGENDA  
PLANNING COMMISSION MEETING  
CITY OF SHOREVIEW**

**DATE: December 18, 2018  
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**  
*November 27, 2018*

**3. REPORT ON CITY COUNCIL ACTIONS**  
*Meeting Dates: December 3, 2018 and December 17, 2018  
Brief Description of Meeting process- Chair John Doan*

**4. NEW BUSINESS**

**A. EXTENSION OF VARIANCE**  
*FILE NO: 2677-17-30  
APPLICANT: Zawadski Homes  
LOCATION: 675 Sunset Court*

**B. PUBLIC HEARING - CONDITIONAL USE PERMIT\***  
*FILE NO: 2711-18-31  
APPLICANT: Granite Tech Imports, LLC  
LOCATION: 4623/33/43 Chatsworth Street*

**5. MISCELLANEOUS**

**A. City Council Meeting Assignments**

- *January 7, 2019 - Commissioner Peterson*
- *January 22, 2019- Commissioner Yarusso*

**B. Fair Housing Policy**

**C. Chair/Vice Chair Appointments**

**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 1<sup>st</sup> or 3<sup>rd</sup> Monday of each month. For confirmation when an item is scheduled at City Council, please check the City's website at [www.shoreviewmn.gov](http://www.shoreviewmn.gov) or contact the Planning Department at 651-490-4682 or 651-490-4680*

**SHOREVIEW PLANNING COMMISSION  
MEETING MINUTES  
November 27, 2018**

**CALL TO ORDER**

Vice Chair Peterson called the November 27, 2018 Shoreview Planning Commission meeting to order at 7:00 p.m.

**ROLL CALL**

The following Commissioners were present: Vice Chair Peterson; Commissioners Anderson, Riechers, Solomonson, Wolfe and Yarusso.

Chair Doan arrived a few minutes late.

**APPROVAL OF AGENDA**

**MOTION:** by Commissioner Solomonson, seconded by Commissioner Anderson to approve the November 27, 2018 Planning Commission meeting agenda as submitted.

**VOTE:**      **AYES:**    **Anderson, Peterson, Riechers, Solomonson, Wolfe, Yarusso, Doan**  
                  **NAYS:**     **None**

**APPROVAL OF MINUTES**

**Minutes of October 23, 2018 Commission Meeting Minutes**

The following changes were made:

Pages 4 and 14: Correct spelling of Charlie Oltman

Page 15: Under PDA 11, line 4, strike the word "to."

**MOTION:** by Commissioner Solomonson, seconded by Commissioner Yarusso to approve the October 23, 2018 Planning Commission meeting minutes as amended.

**VOTE:**      **AYES:**    **Anderson, Peterson, Riechers, Solomonson, Wolfe, Yarusso, Doan**  
                  **NAYS:**     **None**

**REPORT ON CITY COUNCIL ACTIONS**

City Planner Castle reported that the City Council approved the Site and Building Plan for the growing dome at Oak Hill Montessori School, as recommended by the Planning Commission at the November 5, 2018 City Council meeting.

## **NEW BUSINESS**

### **STANDARD VARIANCE**

**FILE NO:** 2710-18-30  
**APPLICANT:** SANDRA MORGAN  
**LOCATION:** 4895 CHURCHILL STREET

#### **Presentation by Niki Hill, Economic and Development Planning Associate**

The property is a corner lot on Churchill Street and Robinhood Place. The application is to locate a shed 10' x 16' in the side yard adjacent to the street. If the shed had to be moved to the rear yard, landscaping in the rear yard would have to be moved. The size of the shed totals 160 square feet. The applicant has already placed the shed north of the residence, which has triggered the variance application.

The property and surrounding properties are zoned R1, Detached Residential. Sheds of 200 square feet or less are permitted in a rear or side yard with a setback of 10 feet from the rear lot line and 5 feet from the side lot line.

The applicant states that the shed is placed in its current location due to the fact that there is no other space for it. There is landscaping on the north side that screens the shed.

Staff finds that practical difficulty is not present. The location is reasonable, but there are other locations in the yard which would comply with City Code. The existing landscaping is not a unique circumstance to prevent the shed from being located in the rear yard. Also, the landscaping does not sufficiently screen view of the shed. Granting this variance would change the character of the neighborhood. Other residents have expressed interest in locating sheds in similar locations. Staff is recommending denial of the application.

Notices were sent to property owners within 150 feet of the subject property. Three responses were received in support and two received against the application.

Commissioner Riechers asked to see where the shed could be located. Ms. Hill explained that on corner lots there are two front yards, that portion of yard that is on the two streets. There is room behind the garage for the shed.

Chair Doan asked other circumstances when the Commission has approved a structure in a front yard. City Attorney Kelly cautioned that each variance must be judged on its own set of circumstances. Prior decisions cannot be used to justify approval or denial of a variance. Ms. Hill added that she can think of only one instance when a structure was allowed in a front yard.

Commissioner Solomonson asked if the property owner could extend the garage from a two-car size to three cars. Ms. Hill responded that there would be enough room for such an expansion.

**Mrs. Sandra Morgan**, Applicant, stated that when the house was built, an error was made with the property line. The house is 10 feet further south, which allows sufficient setback for the shed from the street. The shed is for storage and is in a convenient location. The colors and shingles

of the shed match the home. If the shed has to be moved, plantings on the north side of the garage would have to be moved for lack of sunlight. If additional landscaping is needed for screening, that can be done.

**Mr. Robert Morgan** stated that the house should have been positioned in alignment with the neighboring home. He noted that the back yard has a slope approximately 15 feet from the house. From the house to the curb is approximately 45 feet. If the shed were moved to the back yard, it would take one-third of it, and there are plans to expand the back yard patio. The purpose of the shed is for storage of yard equipment to make room for a second vehicle in the garage.

Chair Doan opened the discussion to public comments. There were none.

Commissioner Solomonson stated that if the garage were expanded, it would be a different view from the street than an accessory structure. A third stall to the garage would be in compliance. It is difficult to find hardship when the shed could be placed in the back yard.

Commissioner Yarusso asked if the shed is in conformance with City standards other than the location. Ms. Hill answered, yes. Commissioner Yarusso stated that even though the shed was in its current location when the Morgans purchased the property, no one is allowed to place a shed next to a garage on the street side.

Commissioner Peterson stated the shed is attractive and well maintained and fits where a third stall for a garage would fit. However, since there is adequate space in the back yard for the shed, he believes the code should be enforced.

Commissioner Anderson stated that as a property owner of a corner lot, he sympathizes with the applicant. However, he agrees with staff to enforce code.

Commissioner Riechers asked if there is a time line to move the shed if required. Ms. Castle stated that a permit would be required with a permit review process. Commissioner Riechers noted the desire to keep plantings from Mrs. Morgan's parents who planted them. Ms. Castle stated she believes an alternate location could be found.

Mrs. Morgan stated that they did not know the shed was in a location that was not allowed. She was informed that the variance application had to be done before a building permit and asked if a building permit needs to be done at this time. Chair Doan explained that staff will help them through the process.

Commissioner Yarusso stated that the reason for a building permit is to find out that a project will meet Code and will not have to be changed or moved.

**MOTION:** by Commissioner Peterson, seconded by Commissioner Solomonson to deny the variance request, submitted by Sandra Morgan, 4895 Churchill Street, to locate a shed in the front yard of a corner lot

**VOTE: AYES: Anderson, Peterson, Riechers, Solomonson, Wolfe, Yarusso, Doan**  
**NAYS: None**

**OLD BUSINESS**

**COMPREHENSIVE SIGN PLAN\***

**FILE NO: 2706-18-26**  
**APPLICANT: SHEPHERD OF THE HILLS LUTHERAN CHURCH**  
**LOCATION: 3920 VICTORIA STREET NORTH**

**Presentation by Associate Planner Aaron Sedey**

The property is developed with a church and zoned R1, Detached Residential. The existing monument sign has a manual message center. At the last meeting, the Commission was divided on the proposed size and proportion of the digital reader board with full color display. The applicant states that the amber color will be used until the City ordinance is reviewed and changed. The proportions of the sign have not changed. The deviations requested are: 1) sign area of 41.76 square feet; Code requires 40 square feet; and 2) reader board area of 29.6 square feet or 70.97%, which is above the 14.5 square feet or 35% allowed. Staff continues to be concerned about the proportion of the message center to the overall sign.

New notices were sent to property owners within 350 feet. No responses were received.

Commissioner Anderson clarified that the sign would have the capacity to be full color display, but only the amber color would be used until there is a change in Code.

Commissioner Solomonson asked if there would be an enforcement issue with the color amber as opposed to similar shades that may be brighter and if pixelation makes a sign brighter. Mr. Sedey answered that the Code has regulations for brightness but does not distinguish between amber and yellow and whether the pixelation will add to the brightness.

Commissioner Solomonson asked the City Attorney if, by allowing a full color display sign, it is an indication to the applicant that the Code will be changed. City Attorney Kelly responded that any change to the Code is possible, but there is well established law that the City cannot held liable by indicating there may be a change to Code if it does not happen. Although the Commission has discussed a change, it is not a promise or a foregone conclusion.

**Ms. Miranda Oliver**, Director of Operations, Shepherd of the Hills Lutheran Church, stated that technology allows selection of the print color on the sign display. A color as close to amber as possible will be chosen. The sign proposed has a clear viewing area from 15 feet. This means that 15 feet from the sign the dots will not be seen.

Commissioner Peterson asked how the sign would be impacted if the size were reduced to 40 square feet. **Ms. Oliver** stated that LED panel signs are made in 24-inch widths. A reduction would mean almost half the current size for the message portion.

Chair Doan opened the discussion to public comments. There were none.

Commissioner Anderson stated that he would prefer to see a larger message sign as proposed rather than an addition to the structure to make the whole sign more proportionate.

Commissioner Solomonson stated that his concern is light pollution and he would like to make sure the impact to the neighborhood is minimized. He would prefer to see the message display sign area at 20 square feet.

Commissioner Riechers asked if the background to the amber message would be black or white and if that would impact brightness. Ms. Hill responded that Code allows 0.3 foot-candles above ambient light as measured from a certain distance. Whether black or white, brightness would have to comply with the Code standard.

Commissioner Peterson supported the deviations because the existing sign base is being used that is consistent with the building. The deviation is less than 5%, and being located on busy Victoria Street gives justification for the deviation.

**MOTION:** by Commissioner Peterson, seconded by Commissioner Wolfe to recommend the City Council approve the Comprehensive Sign Plan Amendment submitted by Shepherd of the Hills Lutheran Church, with an amendment to No. 3., Condition f. changing the end of the first sentence to “services of the church,” and subject to the following conditions:

1. The sign shall comply with the plans submitted for the Comprehensive Sign Plan application. Any significant change will require review by the Planning Commission and City Council.
2. The applicant shall obtain a sign permit prior to the installation of any signs on the property.
3. The message center sign shall:
  - a. Display text shall be use a minimum 6-inch character height to be readable by passing motorists without distraction.
  - b. Messages shall be displayed in their entirety to allow passing motorists to read the entire copy.
  - c. Messages shall not include telephone numbers, email addresses or internet urls.
  - d. Messages shall be displayed for a minimum of 8 seconds, and shall change instantaneously.
  - e. Messages be presented in a static display, and shall not scroll, flash, blink or fade.
  - f. Advertisement is limited to the goods and services offered at the church. Text shall be the dominant feature of the display.
  - g. The message center sign shall not be operated between the hours of 11:00 pm and 6:00 am.
  - h. Said sign shall comply with the City’s standards regarding brightness and dimmer control.
  - i. The sign message or display shall be amber in color as to reflect code.

Approval is based on the following findings:

1. *The plan proposes signs consistent in color, size and materials throughout the site. The retained brick of the sign compliments the natural colors of the church building. The sign design is intended to provide a modernized look while simplifying the sign graphic so the message is easily read.*
2. *Approving the deviation is necessary to relieve a practical difficulty existing on the property. The deviation is to exceed the maximum 40-square foot sign area permitted since the proposed sign has an area of 41.76 square feet. In Staff's opinion, the practical difficulty relates to the character of Victoria Street an arterial roadway, the sign location, and separation from adjoining residential land uses.*
3. *The proposed deviations from the standards of Section 208 result in a more unified sign package and greater aesthetic appeal between signs on the site. The existing brick base will be retained and the color complements the church building. The replacement of the readerboard with an electronic message center sign is intended to visually improve the look of the monument sign and improve advertising for church events and services.*
4. *Approving the deviation will not confer a special privilege on the applicant that would normally be denied under the Ordinance. The type of sign proposed is permitted on public/quasi public properties located in residential zoning districts. Staff does not believe the proposed deviation of overall sign size will provide the applicant with a special privilege.*
5. *The resulting sign plan is effective, functional, attractive and compatible with community standards. The proposed sign package is effective, functional and compatible with the quasi-public use. The intent of the sign is to provide a more efficient method of communicating special events and services offered by the church.*

Discussion: Commissioner Solomonson offered an amendment to add item j. under No. 3 that the message center portion sign size would not exceed 20 square feet. There was no second to the amendment. The motion was not so amended

**VOTE:       AYES:     Anderson, Peterson, Riechers, Wolfe, Yarusso, Riechers, Doan**  
**NAYS:     Solomonson**

**STANDARD VARIANCE/SITE AND BUILDING PLAN REVIEW\***

**FILE NO:           2707-18-27**  
**APPLICANT:       WOLD ARCHITECTS**  
**LOCATION:           1141 LEPAK COURT (TURTLE LAKE ELEMENTARY SCHOOL)**

**Presentation by City Planner Kathleen Castle**

The property consists of 12.94 acres and is developed with an elementary school. Access is from Lepak Court. The property is zoned R1, Single-Family Residential. Surrounding land uses

include INST, Institutional and R1. As residential standards are not applicable to the school which is a permitted use in the R1 District, office standards are used in considering this application.

The application includes:

1. Expand the school building with 4 small additions for 3 classrooms and a custodial room
2. Construct a new parking area north of the school with 55 stalls
3. Expand the storm water pond which would eliminate on recreational ball field

A variance request is to reduce the required 40-foot structure setback from the Lexington Avenue right-of-way to 7.9 feet for Addition C, which is a classroom building Addition D will maintain the existing setback from Lexington of 35.9 feet. All additions will be one story and compliment the existing building with brick, metal and glass.

Buses access the site from Lepak Court and exit onto Lexington Avenue. The parking lot to the south will be divided with the east portion modified with drive lanes for picking up and dropping off students. The west side of the parking area will have 28 stalls for parking. The parking required is 65 stalls; proposed is 126 stalls. The 10-foot setback from Lepak Court will remain.

Expansion of the storm water pond will be north of the proposed new parking area. It will capture runoff from the northern part of the building, including Addition C and the north parking areas. Storm water from the southern part of the building flows to the sewer system on Lepak Court. The storm water plan complies with Rice Creek Watershed District requirements. A permit is required. The City Engineer has reviewed the plans and finds them consistent with required standards.

The applicant states that the variance is due to the existing site improvements and lot configuration. The classroom additions will distribute students evenly among grades and work with internal circulation, as well as with existing parking and driveway areas.

Property owners within 350 feet were notified. One phone call was received requesting clarification about the setback from Lexington. One written response opposes the proposal because of the reduced setback to Lexington, added noise, and that storm water ponding that will mean loss of recreation space.

Staff finds that the proposal is a reasonable use of property to address school needs. The expansion classrooms are near existing classrooms and designed to meet student needs. The Lexington Avenue right-of-way is extensive on the west side with a large boulevard next to the school. The character of the neighborhood will not be impacted because of the large boulevard and retention of vegetation in the right-of-way. Although the building would be 7.9 feet from the right-of-way, the distance from the building to the paved road surface is over 100 feet. The proposed improvements are consistent with the INST land use and development standards, except the requested variance setback from Lexington Avenue. Staff is recommending approval of the variance and forwarding the application to the City Council for approval.



Commissioner Solomonson asked if the County has considered vacating right-of-way. Ms. Castle stated that typically the County would not vacate right-of-way.

Commissioner Anderson asked if the school could put plantings in the boulevard. Ms. Castle answered that would have to be with permission of the County. It would be reasonable to ask the applicant to work with Ramsey County on additional plantings.

Commissioner Peterson asked if, because of the wetland and Lake Marsden, Lexington could ever be expanded. Ms. Castle stated the soil is poor, which is the reason for the expanded storm water pond. Infiltration is not an option. Whether Lexington could be expanded is a question for the County.

Commissioner Riechers asked if there are safety requirements with a pond on the school property. Ms. Castle responded the applicant is planning an 8-foot fence around the pond.

**Mr. Paul Evakowsky**, Wold Architects and Engineers, confirmed that the pond will be fenced and offered to answer any questions.

Commissioner Peterson noted the impact to outdoor recreational because of the pond and asked how that would be replaced in the community. **Mr. Evakowsky** responded that the school district believes that space is not critical to the education provided and is pleased to trade the recreational area for a safer environment in front of the school. He noted the softball field is not a regulation field, and there is another field.

Commissioner Yarusso asked about runoff that will drain into the pond. **Mr. Evakowsky** stated that the pond will bring the site up to current standards of Rice Creek Watershed District. Consideration was given to putting the pond in the right-of-way area, but Ramsey County did not show any interest. He added that he would contact the County about adding additional screening on the boulevard.

Commissioner Solomonson asked the depth of the pond. **Mr. Evakowsky** answered, 8 feet.

Chair Doan opens the discussion to public comment.

**Mr. Ken Gaylor**, 5560 Lexington, stated his house is directly across from Addition C of the application. He stated the play ground area must be on Ramsey County right-of-way because the fence extends to the bike trail. If Ramsey County took the right-of-way, there would be a big loss of playground space. This is a big school trying to expand in an area where there is not room to expand. An addition closer to the street does change the character of the neighborhood.

**Mrs. Gaylor** stated that as neighbors, they have concern about the school. They have to take extreme care in backing out of their driveway, not just because of cars but because of children and pedestrians. It is one of the largest schools in the state. The playground is usually crowded. It may appear as a small expansion, but it definitely changes the neighborhood.

Commissioner Solomonson stated that the expansion is reasonable, but he would like to see the school petition Ramsey County to vacate some right-of-way. If the setback is 7 feet, the County would be able to build up to that 7-foot setback line.

Commissioner Yarusso stated that she most favors the parking changes and believes it will help alleviate the bus traffic issue.

Commissioner Peterson stated he supports the application but would request that additional vegetation be added to the motion. The safety and size improvements are very much needed.

**MOTION:** by Commissioner Solomonson, seconded by Commissioner Yarusso to adopt Resolution No. 18-80 approving the setback variance for Building Additions “C” and “D” and recommend the City Council approve the Site and Building Plan Review for the proposed improvements at Turtle Lake Elementary, 1141 Lepak Court. The approvals are subject to the following three conditions under variance and the addition of a fourth condition:

**Variance**

1. The structure setback from the Lexington Avenue right-of-way for Building Addition “C” is approved at 7.9 feet and for Building Addition “D” is approved at the current building setback of 35.9’.
2. Existing vegetation within the Lexington Avenue right-of-way shall be retained and not disturbed by these improvements.
3. The approval is subject to a 5 day appeal period.
4. The applicant is encouraged to work with Ramsey County to provide additional landscaping in the Lexington Avenue right-of-way on the east side of the school.

**Site and Building Plan Review**

1. The project must be completed in accordance with the submitted site and building plans. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission and the City Council.
2. The approval will expire after one year a building permit has not been issued.
3. Obtain a Rice Creek Watershed District Permit and submit a copy to the City prior to the City prior to the issuance of a building or grading permit.
4. Any work in the Lexington Avenue right-of-way will require a permit from Ramsey County.
5. Approval of the final grading, drainage, utility, and erosion control plans by the Public Works Director, prior to the issuance of a building or grading permit for this project.
6. The applicant is required to enter into a Development and Erosion Control Agreement with the City. Said agreement shall be executed prior to the issuance of any permits for this project.
7. The Building Official is authorized to issue a building permit for the project, upon satisfaction of the conditions above.

**VOTE: AYES: Anderson, Peterson, Riechers, Solomonson, Wolfe, Yarusso, Doan**  
**NAYS: None**

**PUBLIC HEARING CONTINUATION – 2040 DESTINATION SHOREVIEW  
COMPREHENSIVE PLAN**

**FILE NO: 2709-18-29**  
**APPLICANT: CITY OF SHOREVIEW**  
**LOCATION: CITY WIDE**

**Presentation by City Planner Kathleen Castle**

Based on comments received at the last public hearing on October 23rd, revisions have been made to three of the Policy Development Areas (PDAs):

**PDA 6** is located east of the Commons along Highway 96 and Dale Street. One change was made in policy B1 where the word “eastern” was changed to “western.”

**PDA 11** is Gramsie/Hodgson and Rice Street. Three options are presented. In Options 1 and 2, the reference should be Virginia Street, not Vivian. Policy A confirms that a church is an appropriate use. Policy D addresses the change in grade elevation, the impact development would have on drainage and utilities due to topography and that significant changes to topography may not be supported.

On the west side of Hodgson Road, the RL (low density residential) designation was added to RM (medium density residential), RH (high density residential) and O (Office). Policy B was added to require a landscaped buffer from medium or high density residential or office uses for the low density residential. Policies J and K address access for low density residential use with the requirement of interior residential streets and that access not be from Gramsie or Hodgson.

Option 2 replaces RH with RL. Land uses allowed under Option 2 would be RM, RL and O. Policies B and F address site and building design and buffering to reduce impacts on low density uses. Policies J and K address access to low density through an interior public street system.

Option 3 is the original language with RM, RH and O uses.

**PDA 16** has an added Option 2. Option 1, Policy F addresses low and medium density residential uses. There was consensus among Commissioners to only allow low density residential adjacent to single-family homes.

Option 2, Policy A excludes industrial use from mixed use. Policy G adds language to address the area immediately north of the existing low density residential. RLand RM would be permitted. Should the YMCA ever move or change, a mixture of uses would be permitted on that site, including RM, RH, Commercial and Office.

Policy H addresses uses adjacent to low density residential. If medium density would be appropriate, structures would not be permitted to exceed two stories in height with no more than 4 units per building. A buffer would have to be provided.

Policy I refers to the expanded width of the trail along County Road I and changes “should be replaced” with shall be replaced.”

Chair Doan opened the continuation of the public hearing for general comments not related to any specific PDA. There were no comments.

**The public hearing was opened to further comments on PDA No. 6.** There were no comments.

**The public hearing was opened to further comments on PDA No. 11.**

**Ms. Allison Rykken**, 4025 Virginia, referred to a letter from her neighborhood. Thank you to the Planning Commission and Staff for the many opportunities for input. The options provided show that they have been heard. The neighborhood would prefer Option 2, adding RL and retaining RM and O. She highlighted neighborhood concerns for a use other than low density residential that include: 1) frequent traffic accidents at the intersection of Rice Street, Hodgson and Gramsie; 2) lack of turn lanes from Hodgson to Demar Avenue; 3) lack of sidewalks and trails along Rice Street and Hodgson Road; 4) congestion on Rice Street and Hodgson; 5) continuous flooding at the corner of Virginia and Hodgson; 6) morning and afternoon bus stops that coincide with rush hour; 7) potential of non-residential traffic along Virginia Avenue and Hanska Court; 8) lack sidewalks along Demar Avenue, Virginia and Hanska Court; 9) recurrent flooding on Snail Lake Park trails. The rebuilding of Gramsie Road has not been tested in a rainy season and may still need modification. Any development would need to wait until Ramsey County rebuilds Hodgson Road, which is not now scheduled until 2022.

**Mr. Perry Hackett**, 4071 Virginia, stated that when County Road F was made into a cul-de-sac, it transformed the neighborhood into a cohesive close neighborhood with young families that Shoreview values. However, when County Road F was closed off, only two egress points remain to Virginia. There are traffic concerns for anything other than low density. The neighborhood was created with the cul-de-sac on County Road F and now meets all City goals. After just a few years, higher density development would upset the remarkable outcome that was approved. The City has signatures from almost everyone in the neighborhood. He strongly urged staff and the Commission to listen to these concerns.

**Mr. Tom Schutte**, Tyme Properties, LLC, stated that his company manages the undeveloped property in this neighborhood for the family that has owned since the neighborhood was platted. The vacant parcel was retained for possible future commercial or office development. He would favor the high density recommendation based on the staff report that redevelopment is supported by the intensity of adjoining land uses. High density is recommended because the cost of a viable project and proposed rents do not work with medium density. He would recommend a senior building of approximately 72 units.

**Mr. Luke Bonawitz**, 4053 Virginia, stated that he concurs with his neighbors' earlier statements. When he bikes, he does not go through the intersection at Gramsie because it is not safe. If high density were developed, pedestrians will want to go to the parks. The added number of people will take cars instead of walking because there are so few sidewalks. There is limited development potential because of the configuration of the roadways, which speaks to lesser density in the area.

### **The public hearing was opened to further comments on PDA 16:**

#### **Option 1**

**Mr. Rolph Oliver and Mrs. Oliver**, 1024 Island Lake Avenue, stated that PDA 16 is very complicated. There is Arden Hills activity on the west side of Lexington. The congestion of Lexington is an issue with a railroad line on the south side with approximately 6 trains per day. There is a complicated intersection with I-694. This process is proceeding too fast and needs more conversation with Arden Hills. Ramsey County is planning a study on Lexington in June, which has now been extended to January 2020, and so will not be in time for this document. The intersection at Red Fox Road far exceeds its capacity and needs to be corrected. The YMCA is a revered institution and cannot easily be recycled. These are troubling factors because a vision is projected for people yet unborn.

A planning project needs to first focus on context. It is important to understand all the contextual opportunities. There is a new population emerging with the development at TCAAP and Rice Creek Commons. Shoreview has three main arteries with I-35W and I-35E on the west and east border and I-694 to the south. Highway 96 is a good commute connection from White Bear Lake to I-35W. Lexington is a key north/south access that will only become more congested. The land and traffic need to be integrated. The undeveloped area in the neighborhood is in a box with I-694 to the south, Highway 51 north, the railroad tracks to the west and Island Lake Avenue to the east. Lexington is the only egress. Arden Hills is adding 419 cars with their Lexington Station strip mall and big parking lot. Marriott is building a new hotel further down Red Fox Road and near the Arden Hills Clinic. That will be another 100 cars. They all have to come off Red Fox Road which is already over capacity. Another stop light is proposed at Target. That will mean between I-694 and County Road E there will be five stop lights, making a difficult situation. There is no way to easily access the golf course property. The hope is to maintain the existing land uses of INST Institutional and parkland.

PDA 16 is a circle of itself with a lake. It feels private. The golf course is very successful. Ramsey County does not want to sell land to Shoreview. He would like to see existing zoning maintained and no mixed use, commercial or warehousing. Mixed use would bring unintended consequences. He requested a continuation of consideration of PDA 16 and meetings with representatives from Arden Hills and Ramsey County. What will be decided will be forever, and it needs to be done right.

**Ms. Mary Lou Klinkhammer**, 1015 Island Lake Avenue, stated she has lived on Island Avenue for 63 years. Of the 51 families on the street, 12 have parents who grew up in the neighborhood and 4 have lived in other homes on the street. It is unique, supportive neighborhood that does not want to be overrun by development. The neighborhood has been involved with this process

since April 2018, and has met with officials from the YMCA, Ramsey County and the City. Appendix 4 shows that 100 people support the YMCA and parkland and requesting that mixed use be dropped from PDA 16. The only changes have been small tweaks in language. If this document is accepted and forwarded to the City Council, it is important that the neighborhood be protected. It is requested that the document clearly state intentions for future Shoreview leaders, developers and governmental agencies. She submitted copies of the PDA policy statements from the November 14, 2018 document with revised language and her highlighted comments.

**Ms. Klinkhammer** requested the following policies be clarified:

Policy A, the east part of County golf course property to be preserved needs to be identified specifically, whether it includes the existing trail, fishing pier, boat launch and parking lot. The language needs to be less ambiguous and open to interpretation.

Policy C and D refer to the access off Red Fox Road and the south access Target Road. Both Milton and Island Lake are dead end streets that provide a place for pedestrians and bikers. It would make sense for the south access Target Road and Red Fox Road be the access point for the development area. Milton Street should not be opened to any development, although it is stated it would only open to low density residential. The question is how long would that last?

Policy E conflicts with Policy F. Will the existing residential land uses be screened by landscape and buffering, or will low density housing be developed adjacent to the existing residential use. It cannot be both.

Policy F refers to the land use adjoining the existing homes on Island Lake. The desired land use is low density residential. However, the next leaders may think otherwise and be able to change the development to mixed use because the mixed use designation is allowed. She does not understand the reference to medium density, when a number of Commissioners expressed support for low density at the October 23, 2018 public hearing. She asked how the YMCA property came to be designated for Office or Commercial. The golf course has been built up far above the existing elevation. In order to have a flat driving range, the course was built up two stories above existing homes. If medium density three-story town homes were allowed, such as in the McMillan development, the new units could be 4 to 5 levels above the existing homes. She believes the only option for development that adjoins existing back yards is low density.

Policy G refers to a trail that continues from Victoria to the north end of Island Lake, the parking lot, the boat launch, fishing pier, through the woods and to Milton Street. There is a conflict between the words “shall address” and “should be explored.” In Appendix 4, 31 people supported the trail. Stronger language is needed.

Policy H is supported regarding wetlands and Island Lake. There are nine wetlands on the golf course property and two on the YMCA property. She is pleased to see the language that supports maintaining these wetlands.

The neighborhood supports Institutional and Park use. The focus on this PDA is residential use. While not a first choice, but with restrictions, low, medium and high density may be doable.

Mixed use is unacceptable because of traffic, limited access, negative impact on wetlands and Island Lake, and survey results.

**Ms. Kari Connick**, 996 Island Lake Avenue, stated that PDA 16 champions business development without adequately protecting existing neighborhoods. The quiet street and trail around the lake provide safe exercise for children and adults. The woods provide an appreciation for nature and wildlife. Altering the land use to mixed use for the YMCA property and golf course would irreparably harm the Island Lake area. The vision of Destination Shoreview Plan indicates the City strives to be an environmental steward and quoted, “Shoreview takes great pride in the lakes, woods and wetlands that provide healthy wildlife habitat, recreational locations, scenic retreats and long-term community resiliency. The community is a leader in improving water and air quality, ecosystem, biodiversity and open space preservation.” Why is the City opening parkland to development by changing the land use to mixed use? The Destination 2040 draft chapter states, “parks and open space are a key asset to the community and contribute to the quality of life residents experience.” The parks and open space system is a result of proactive planning by the City, County and Metropolitan Council. Both the 2015 Shoreview quality of life and the subsequent destination Shoreview surveys reveal that the park recreation system is a favorite of community enjoyment. Residents express a strong preference to maintain the parks and open spaces. There is a desire to minimize development on the local natural environment. Residents identify neighborhood preservation as optimums rather than overdevelopment. The recommendations in PDA 16 are problematic and in direct conflict with the stated desires of the residents of Shoreview. The City received over 100 responses, including letters from Ramsey County expressing alarm for mixed use. No counter arguments have been provided to justify placing PDA 16 in mixed use.

The Commission is strongly urged to listen to constituents and demonstrate the value of neighborhood opinion. Only by removing mixed use can quality of life be maintained for future generations.

Chair Doan opened the public hearing for comments on either Options 1 or 2 for PDA 16.

**Ms. Mary Lou Klinkhammer** stated that in Option 2, Policy A, mixed use would be allowed industrial use would not.

Policy G allows low or medium density with not much change to protect the neighborhood.

Policy H is written as though development will be medium density rather than stating it as an option and no mention of low density. Under No. 1 the specifications of a 4-plex building would mean that because of the elevation, residents would be looking at a 4-story building adjoining back yards. To stated that increased setbacks for parking, reduced height and enhanced landscaping will constitute a buffer means residents could be looking at parking lots. Stronger language was added that the trail “shall be...” is the only stronger language that she sees for the neighborhood.

Chair Doan thanked everyone for their comments that the Commission will take seriously.

City Attorney Kelly stated that if the Commission deems that it has received all public comment, it would be appropriate to close the public hearing. Ms. Castle stated that all comments have been received. An extension of the public hearing has not been requested.

**MOTION:** by Commissioner Peterson, seconded by Commissioner Solomonson to close the public hearing at 9:09 p.m.

**VOTE:**

**AYES:** Anderson, Peterson, Riechers, Solomonson, Wolfe, Yarusso, Doan

**NAYS:** None

### **Commission Discussion**

#### **PDA 6:**

It was the consensus of the Commission to accept PDA 6 with the word change from “eastern” to “western” in item B1.

#### **PDA 11:**

Commissioner Solomonson stated that he favors Option 2. He noted that a prominent request on the Community Survey is the opportunity for affordable housing. The property is unique with an uncertain design of roadway. Removal of RH makes sense which is why he would favor Option 2.

Commissioner Peterson noted that the first six items listed by neighbors in their comments relate to the long-term delay for improvements on Hodgson Road. High density should not occur until Hodgson Road is improved. The Comprehensive Plan is reviewed every 10 years and can be reviewed more frequently. He would like to wait for Hodgson Road to be improved before high density is allowed and would support Option 2.

Commissioner Anderson stated that the because of the access issues and not knowing what an improved Hodgson Road might entail, he would support Option 2.

Commissioner Riechers stated that she has concerns about Virginia Avenue and the traffic flow and would favor capping development at medium density. Although she would like to find options for affordable housing, the road limitations leads her to believe Option 2 would be the best choice.

Commissioner Yarusso clarified that affordable housing is not the federal definition of subsidized housing. It means that units are offered at more affordable rates than are typically found in Shoreview. Medium density provides more options to direct the traffic flow than the need to put streets in for single family homes. There would be more leverage to address traffic. She does not share the aversion of single-family homes bordering medium density homes. There is a medium density development between her neighborhood and Highway 96 which provides a transition from the highway to single family homes. It is not possible for every single family home to have only single family homes next to it, unless there is a lot of vacant land. Housing options are desirable. She would not be averse to high density but could support Options 1 or 2.



She very much prefers Option 2 over Option 3 because this is a good place for a little higher density because it would be close to transit and some commercial development.

Commissioner Wolfe agreed that Option 2 is the best.

Chair Doan stated that it is a question of where are the locations that can be used for different housing options? He would like to see more options for seniors as well as for younger families who cannot afford the single family starter home at \$300,000 to \$400,000 in Shoreview. This PDA has good access to Hodgson which has transit. It makes sense to have higher density. The developments to the north and south of this area have 17 units per acre. It is important to not shy away from density to gain diversity of housing options. There is an acreage owned by one owner that could be developed. Some level of high density is warranted.

Commissioner Peterson stated that he would be more supportive of higher density if Ramsey County would accept access from Gramsie Road.

Ms. Castle noted that under Options 1 and 2, Policy A states that primary access from Gramsie Road is preferred, and Virginia Avenue is not the desired access. Policy C states that traffic impacts have to be determined and not have an adverse impact to adjoining single family residential neighborhood.

Commissioner Solomonson stated it is concerning to try to design development without knowing what will happen to Hodgson and without a development to review. The wording should give guidance without trying to design specifics.

Ms. Castle noted that if Option 2 is the favored option, it does not preclude a developer from applying to the City to rezone to high density through the Comprehensive Plan review process.

Chair Doan called for a straw poll of preferred options for PDA 11:

*Anderson:* Option 2

*Peterson:* Option 2

*Yarusso:* Options 1 or 2

*Doan:* Option 1

*Wolfe:* Option 2

*Riechers:* Option 2

*Solomonson:* Option 2

The overall consensus is to adopt Option 2.

### **PDA 16**

Chair Doan stated that the main issues are opposition to mixed use and buffer areas to single family homes.

Commissioner Solomonson stated that throughout the City an effort is made to have good transitions. In this area, there is a golf course, commercial with Target, Institutional with the YMCA. His goal has always been to protect the neighborhood to the south and maintain the trail next to the lake. Option 2 excludes industrial. It could be tweaked to address medium density and residential along the south side. He believes medium density is a transition to Target to the north. Industrial and mixed use should not be allowed. He would favor Option 2 with low density and medium density adjacent to the south. In reference to Policy H, low density should clarify that low or medium density would be allowed.

Commissioner Yarusso noted a comment about the height of the golf course. The language to restrict development to 2 stories in height is sufficient because if it were restricted to low density, those buildings could be 2 stories. A home of \$600,000 or \$700,000 is as big as small townhome structures. It is important to realize that that 2-story townhomes are not necessarily more imposing than a single family home in the same space.

Commissioner Peterson stated that putting something in the Comprehensive Plan does not mean there will be change anytime soon. He noted the PDA for the tower property that has been in the Comprehensive Plan for 30 years. The manufactured home community has been in the Comprehensive Plan for close to 30 years. It looks like the County does not want to change the use of the golf course, nor does the YMCA anticipate a change. Putting in other uses in the Comprehensive Plan recognizes potential, but it may be 10 or 20 years before there is a change. He would support Option 2 with the trail being preserved. It will be the County who decides what will be sold and what parkland will be kept, and there are many years before that happens.

Commissioner Yarusso noted that development that would bring in hundreds of cars per day might not be too scary since the YMCA daily brings in many cars.

Commissioner Anderson stated that the YMCA is currently zoned Commercial, which could be developed as such tomorrow. The park is zoned R1, which could be developed with single-family homes. His concern is a buffer of protection for the neighborhood. Milton Street should not be opened. He would favor Option 2.

Chair Doan stated that he would add low or medium density residential at the end of the first line in Policy H to capture the possibility for both.

Commissioner Yarusso stated that the language could be added in the opening statement and not in No. 1. Chair Doan agreed.

Commissioner Riechers stated that she understands the fear residents are feeling not knowing what might come from Comp Plan changes. It is a balance of identifying uses without putting too many restrictions on options for a developer. She is not ready to support one option or another. She is happy to see industrial uses not allowed but is still concerned about what mixed use does allow. If mixed use is allowed, there should be further limitations.

Commissioner Yarusso stated that the City is limited in saying what can happen. Everything is subject to change and possible future amendment. One thing is that the Plan need to be fair for

existing landowners, an important charge for the Planning Commission. It is a tight rope. It is not possible to say the property will sit vacant if the YMCA is taken down because the City would be taking value away from the property owner.

Chair Doan called a 5-minute break for the tape to be changed at 10:00 p.m.

Chair Doan reconvened the meeting at 10:05 p.m.

Commissioner Wolfe asked the reason for mixed use and suggested medium density or low density. He has seen residential adjacent to Target in other communities. He asked if mixed use opens up possibilities or if it helps the future potential for protecting neighbors.

Commissioner Yarusso responded that with frontage on Lexington, it would not be compatible to put single family homes along Lexington with driveways and more streets. Without mixed use, the City would have to decide how to divide the land for separate zoning classifications.

Allowing mixed use allows the City to consider different types of development brought forward through the planning and review process.

Chair Doan added that there is also frontage to I-694. Mixed use would provide a buffer on the back side of Target which is loading docks. He stated that he does not want to see the YMCA or golf course go, but the Planning Commission would be shirking its responsibility to not include this PDA in the Comprehensive Plan. He requested a straw poll of Commissioners on options for PDA 16.

*Solomonson:* Option 2 because it excludes industrial, and he would like to see Policy H strengthened. Mixed use makes sense to protect property to the south. It is all about transition from residential to a non-residential use.

*Riechers:* Appreciates low or medium density included in Policy H but still has concerns about mixed use near residential properties.

*Wolfe:* Also concerned about mixed use and would prefer not to have it. If he has to choose an option, it would be Option 2.

*Doan:* Option 2 with added low density and prohibition of industrial use.

*Yarusso:* Option 2

*Peterson:* Option 2

*Anderson:* Option 2

Commissioner Peterson stated that there is so much in the Comprehensive Plan other than the three PDAs discussed. He expressed his appreciation to staff for all the work that has been done to put it together.

Commissioner Yarusso acknowledged all the citizen input and participation through public hearings, focus groups. It is part of what makes Shoreview great.

Chair Doan thanked everyone who has participated through the whole process. The involvement is why everyone loves Shoreview. It is not just the schools and amenities but our neighbors. Even with heated issues, the process has been carried out in a very civil manner. He thanked staff for clarifying, modifying, listening and making every effort to have the Plan respond to the issues brought forward.

**MOTION:** by Commissioner Solomonson, seconded by Commissioner Anderson to recommend the City Council approve Shoreview’s Comprehensive Plan, Destination Shoreview 2040 - Comprehensive Plan subject to the following changes: PDA # 11- Option 2 removing RH and adding RL; and PDA #16 – Option 2 amending Policy H to add low density residential use.

Discussion:

Commissioner Anderson noted the word change in PDA #6 from eastern to western in B1. Commissioner Solomonson accepted that as an amendment.

**VOTE: AYES: Anderson, Peterson, Riechers, Solomonson, Wolfe, Yarusso, Doan**  
**NAYS: None**

## **MISCELLANEOUS**

### **City Council Meeting Assignments**

Commissioners Anderson and Riechers will respectively attend the December 3rd and December 17th City council meetings.

### **Planning Commission Chair/Vice Chair Appointments for 2019**

Anyone interested in serving as Chair or Vice Chair should notify staff. Appointments will be made by the City Council.

### **2019 City Council Assignments**

A calendar of dates and assignments for Commissioners was provided. Ms. Castle asked Commissioners to check the dates.

Commissioner Peterson noted the Planning Commission meets the 5th Tuesday in January, when he plans to be out of town.

## **ADJOURNMENT**

**MOTION:** by Commissioner Solomonson, seconded by Commissioner Wolfe to adjourn the meeting at 10:33 p.m.**ATTEST:**

---

Kathleen Castle  
City Planner

**TO:** Planning Commission

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

**DATE:** December 13, 2018

**SUBJECT:** **Extension Request** - File 2677-17-30; Variance, Chris and Tara Drews/Zawadski Builders, 675 Sunset Court

### **INTRODUCTION**

Chris and Tara Drews/Zawadski Homes, 675 Sunset Court, received approval from the Planning Commission on December 19, 2017 for a Variance, allowing the maximum front setback for a new home to be 217.5 feet from the front property line. This approval also includes conditions regarding tree removal and a Residential Design Review application was also approved.

A permit or approval that has been granted but not used becomes null and void one year after its effective date. The applicants have requested an extension of the approval for an additional year until December 19, 2019.

### **EXTENSION REQUEST**

The Development Code requirements for this substandard riparian parcel state that they must comply with certain design standards in order to be approved. A variance deviating from the required front setback range of 136.95-156.95 feet was approved. This variance allowed a maximum 217.5 foot front setback. The residential design review was also approved. Provisions of the Development Code related to this request have not been amended since the Planning Commission adopted Resolution 17-105, approving the Variance. Resolution 17-105 has been recorded with Ramsey County.

### **RECOMMENDATION**

The submitted request has been reviewed by Staff. Extending the variance for a one year period will not have any adverse impact on the adjoining properties. Staff recommends the Planning Commission approve a one-year extension request for the front setback Variance for the property at 675 Sunset Road, for a one year period, to December 19, 2019. All other conditions as identified in the Resolution will remain in effect.

#### Attachments

- 1) Location Map
- 2) Letter from Zawadski Homes
- 3) Site Plan
- 4) Resolution 18-94
- 5) Motion

# 675 Sunset Court



600.0 0 300.00 600.0 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

## Legend



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

## Notes

Enter Map Description



License # 20345856

4614 Churchill St  
Shoreview, MN 55126  
Phone: 651-483-0518  
Fax: 651-483-9057

Date: December 5, 2018

To: Niki Hill, Shoreview Staff, Planning Commission, City Council

Re: 675 Sunset Court  
Extension of Variance

Dear Ms. Hill,

In December of 2017, due to lot irregularities, a variance was granted on various setbacks. This setback is due to expire on or about 12/19/18, if construction and permit have not commenced.

Technically, we did start the protect. We have filed and paid for a demolition permit, paid an erosion control fee, and commenced with removing asbestos and moving utilities. However, we have not filed for the larger construction permit.

At this point, it makes sense for us to request for an extension of the variance. Our construction time frame has been slowed due to additional design and planning changes, electrical utility issues, and other unexpected challenges. The project is expected to progress in 2019, with the support of Shoreview granting the extension.

Please advise if you require additional information to process this request.

The Drews and Zawadski Homes appreciate your thoughtful consideration.

Sincerely,

Steve Zawadski  
Jay Johnson  
Zawadski Homes  
651-483-0518

Cc: Chris and Tara Drews

# CERTIFICATE OF SURVEY

~for~ DR. CHRIS DREWS  
~of~ 675 SUNSET COURT  
SHOREVIEW, MN

## PROPERTY DESCRIPTION:

Lot 12, Block 1, LAKE AND PINE, Ramsey County, Minnesota.

## NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 6/2/17.
- Bearings shown are on Ramsey County datum.
- Boundary area of the surveyed premises: 43,221± sq. ft. (above CHW)
- Curb shots are taken at the top and back of curb.
- This survey was prepared without the benefit of title work. Additional encumbrances, restrictions and/or encumbrances may exist other than those shown herein. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Builder to verify house dimensions, sewer depth and foundation depth.
- Driveways are shown for graphic purposes only. Final driveway design and location to be determined by contractor.
- Finished grade adjacent to home shall be 0.5 feet below top of block except at driveway and patio.

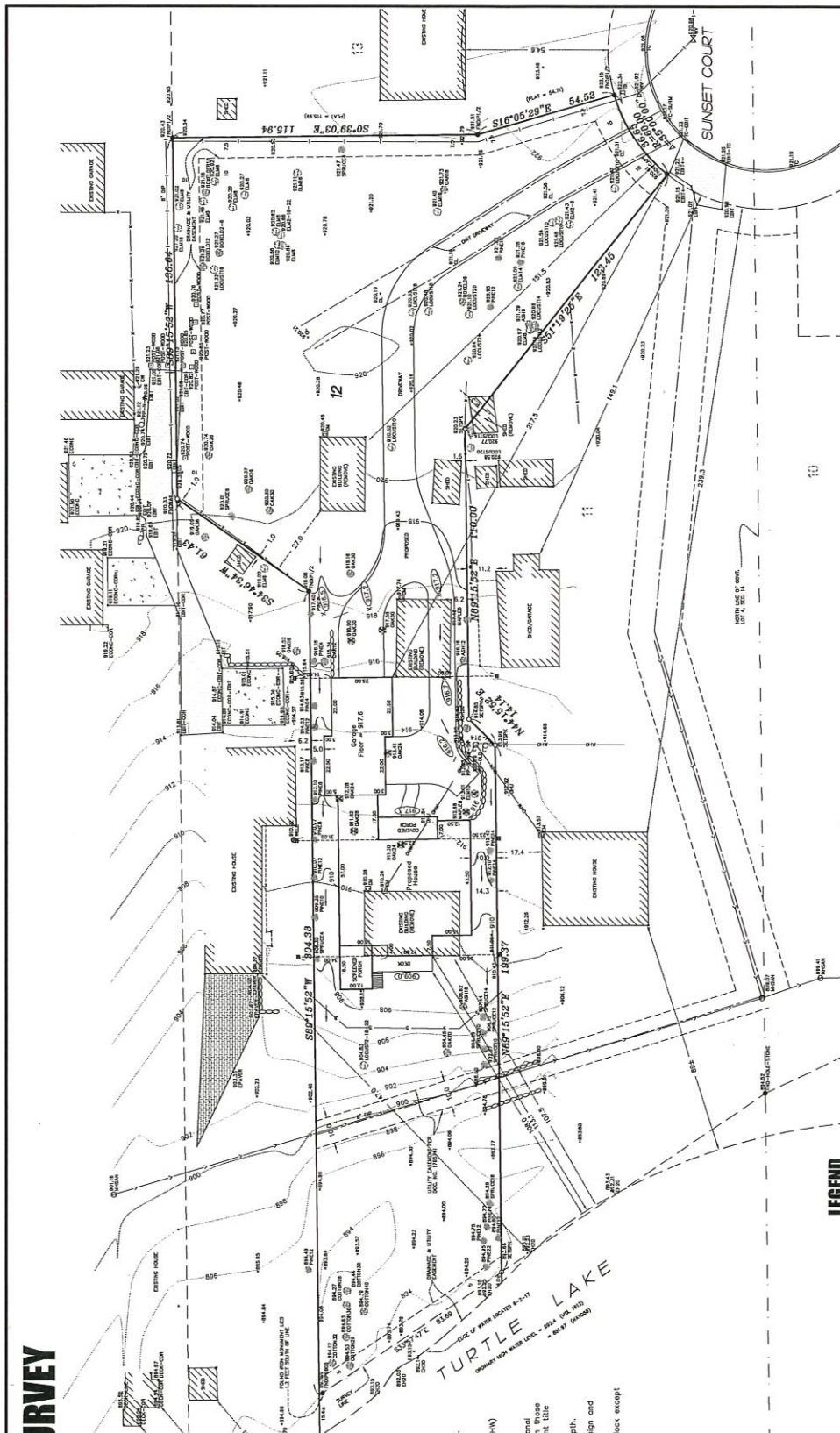
## BENCHMARK

RAMSEY COUNTY BENCHMARK 9000  
ELEVATION = 320.71 (NAD83)

## TREE DETAIL

- DENOTES ELEVATION ONLY
- DENOTES TREE SIZE IN INCHES
- DENOTES TREE TYPE

**E.G. RUD & SONS, INC.**  
Professional Land Surveyors  
6776 Lake Drive NE, Suite 110  
Lino Lakes, MN 55014  
Tel. (651) 361-9200 Fax (651) 361-8701  
www.egrud.com



## PROPOSED ELEVATIONS

(9 FT. POURED WALL WALKOUT BASEMENT)  
 1ST FT. WALK = 915.0  
 GARAGE FLOOR = 917.6  
 LOWEST FLOOR = 909.3  
 TOP OF FOOTING = 909.0  
 DIAGONAL: 71.00 X 105.50 = 130.61

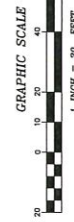
## EXISTING IMPERVIOUS COVERAGE

Total parcel area = 43,221 SF (above CHW)  
 Existing building = 850 SF  
 Existing building = 600 SF  
 Existing building = 477 SF  
 Existing shed (partially on parcel) = 37 SF  
 Total existing impervious area = 2,166 SF (5.0%)

## PROPOSED IMPERVIOUS COVERAGE

Total parcel area = 43,221 SF (above CHW)  
 Proposed house (includes front porch and screen porch) = 3,772 SF  
 Proposed driveway = 4,878 SF  
 Proposed sidewalk = 6,685 SF  
 Total proposed impervious area = 8,682 SF (20.1%)

NORTH

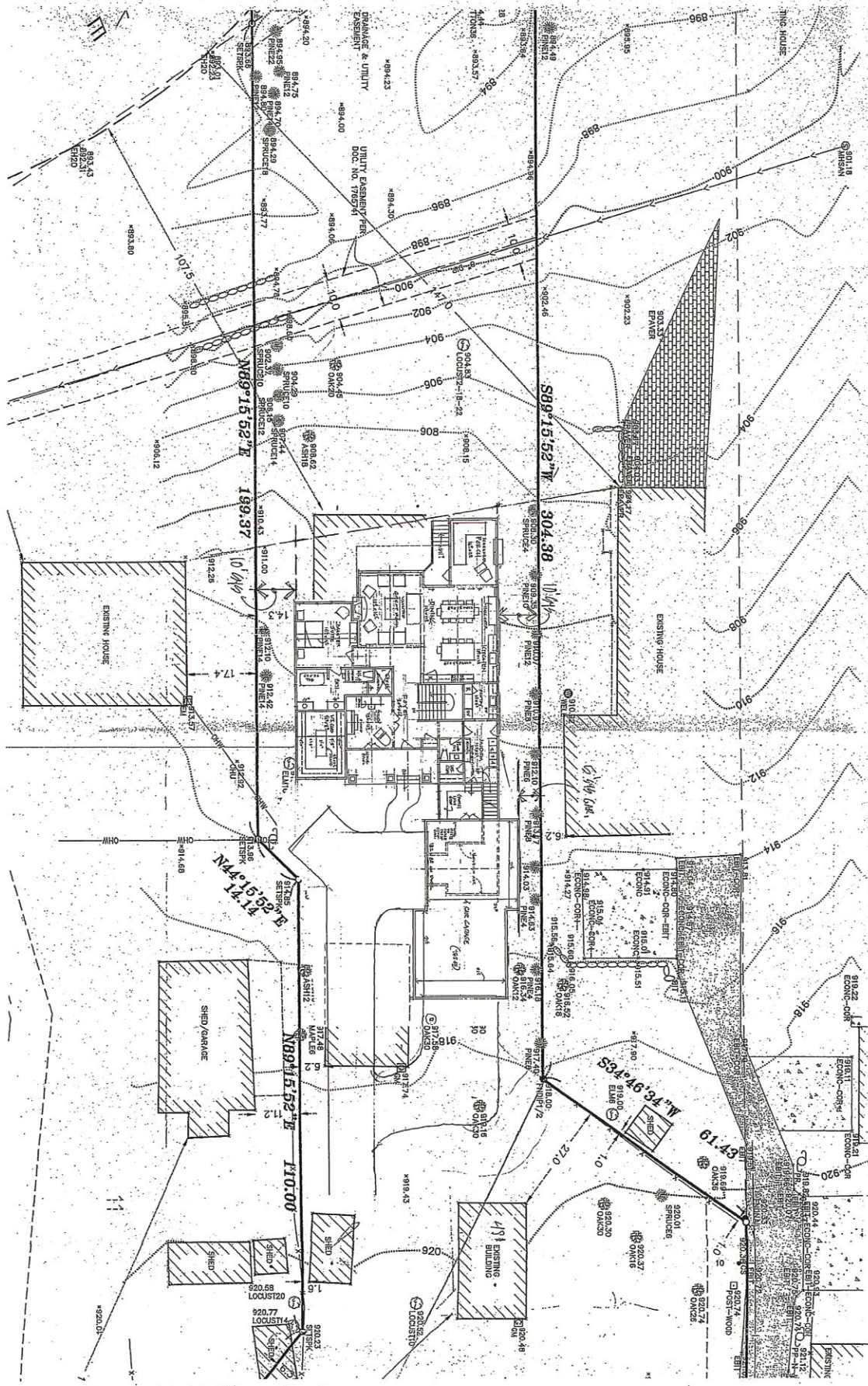


I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Land Surveyor under the laws of the State of Minnesota.

EG RUD  
 License No. 41578  
 Date: 12/13/2017

NO.	DATE	DESCRIPTION	BY
1	10/29/17	CERTIFICATE OF SURVEY	EG RUD
2	12/13/17	PROPOSED IMPERVIOUS COVERAGE	EG RUD
3	12/13/17	CITY COMMENTS	BY





PARTIAL SITE PLAN  
 1/16" = 1'-0"

DREWS RESIDENCE  
 1675 SUNSET COURT SHOREVIEW, MN.

ZAWADSKI  
 HOMES

10.18.17  
 NRDZ

**EXTRACT OF MINUTES OF MEETING OF THE  
PLANNING COMMISSION OF SHOREVIEW, MINNESOTA  
HELD DECEMBER 18, 2018**

\* \* \* \* \*

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 P.M.

The following members were present:

And the following members were absent:

Member \_\_\_\_\_ introduced the following resolution and moved its adoption.

**RESOLUTION NO. 18-94 - AMENDING RESOLUTION 17-105**

WHEREAS, Zawadski Homes submitted a variance application for the following described property:

Lot 12, Block 1, Lake and Pine, Ramsey County, Minnesota

*(This property is commonly known as 675 Sunset Court)*

WHEREAS, on December 19, 2017, the Shoreview Planning Commission approved the variance and adopted Resolution 17-105;

WHEREAS, Zawadski Homes requested that the Planning Commission amend Condition Number 8, extending the approval period until December 18, 2019;

NOW, THEREFORE, BE IT RESOLVED BY THE SHOREVIEW PLANNING COMMISSION, that recorded Resolution 17-105, is subject to the following amended conditions:

1. The maximum setback for the proposed home is 217.5 feet from the front property line.

2. The project must be completed in accordance with the plans submitted as part of the Variance and Residential Design Review applications. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
3. A Tree Protection and Replacement Plan shall be submitted with the Building Permit application. Tree removal requires replacement trees per City Code. City requirements for the tree removal are a 3:1 ratio for the removal of any landmark trees.
4. 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.
5. 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.
6. Mitigation Affidavit shall be executed prior to the issuance of a building permit for the new residence.
7. A building permit must be obtained before any construction activity begins.
8. This approval has been extended by one year on December 18, 2018.
9. This approval is subject to a 5-day appeal period.

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

And the following voted against the same:

Adopted this 18<sup>th</sup> day of December, 2018

\_\_\_\_\_  
John Doan, Chair  
Shoreview Planning Commission

ATTEST:

\_\_\_\_\_  
Niki Hill, AICP  
Economic Development and Planning Associate

ACCEPTANCE OF CONDITIONS:

\_\_\_\_\_  
Christopher Drews

\_\_\_\_\_  
Tara Drews

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

I, the undersigned, being the duly qualified and acting Manager of the City of Shoreview of Ramsey County, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a meeting of said City of Shoreview Planning Commission held on the 18<sup>th</sup> day of December, 2018 with the original thereof on file in my office and the same is a full, true and complete transcript there from insofar as the same relates to adopting Resolution No. 18-94.

WITNESS MY HAND officially as such Manager and the corporate seal of the City of Shoreview, Minnesota, this 18<sup>th</sup> day of December, 2018.

---

Terry C. Schwerm  
City Manager

SEAL

Drafted By: Niki Hill, AICP  
Economic Development and Planning Associate  
4600 Victoria Street  
Shoreview, MN 55126

**MOTION  
TO APPROVE VARIANCE EXTENSION  
ZAWADSKI HOMES  
675 SUNSET COURT**

**MOVED BY COMMISSION MEMBER** \_\_\_\_\_

**SECONDED BY COMMISSION MEMBER** \_\_\_\_\_

To approve a one-year extension request for the front setback Variance for the property at 675 Sunset Road, for a one year period, to December 19, 2019. All other conditions as identified in the Resolution will remain in effect.

**VOTE:            AYES:                    NAYES:**

Regular Planning Commission Meeting – December 18, 2018

**TO:** Planning Commission  
**FROM:** Kathleen Castle, City Planner  
**DATE:** December 12, 2018  
**SUBJECT:** File No. 2711-18-31, Conditional Use Permit, 4623/33/43 Chatsworth Street – Granite Tech Imports, LLC

### **INTRODUCTION**

The City received a Conditional Use Permit application from Aparecido Padovan (Granite Tech Imports, LLC) to establish an outside storage area at 4643 Chatsworth Street. Mr. Padovan owns and operates Granite Tech Imports, LLC which processes raw granite for the production of granite countertops used in residential projects.

The business currently operates out of the 4623 building, however, Mr. Padovan also owns the attached building at 4633 and currently leases it out to another business. Since the acquisition of this property, the business has grown and additional space is needed. Mr. Padovan has entered into a purchase agreement with S and A HED Design to acquire the vacant building at 4643 Chatsworth and use the property for outside storage and warehouse space.

The application was complete as of November 29, 2018.

### **SITE CHARACTERISTICS**

The property is located on Chatsworth Street, north of Highway 96 in the industrial park. The 4643 property has a lot area of .7 acres and a width of 125 feet. Adjoining land uses include industrial to the north, south, east and west. Some of the other businesses in this area have outdoor storage areas. There are also some business park uses in the vicinity.

The property is developed with is a single-story 6,200 square foot office/warehouse industrial building that was constructed in 1971. Site improvements include an off-street parking area which has parking for approximately 24 vehicles. The grade elevation of this property is approximately 4 to 6 feet lower than the adjoining industrial properties to the west.

### **PROJECT DESCRIPTION**

Granite Tech Imports currently operates out of the building at 4623 Chatsworth Street. Based on older aerials, it appears that a portion of the property has been used for outside storage dating back to 2011. This outside storage area is used to store raw granite and has expanded over time resulting in less area available for parking. The City became aware of this use after phone calls were received from individuals who indicated that parking was occurring on the street and truck deliveries were impacting traffic flow. Chatsworth Street is posted "No Parking".

Mr. Padovan was notified of the City's requirements and immediately took action to resolve the issues related to truck deliveries and parking. He currently has an arrangement with a nearby business owner for parking. Six full time employees work out of the building but there are also field workers that may park on-site.

He also explored options for outside storage and concluded that the acquisition of the property at 4643 Chatsworth would be beneficial for his business and provide area needed for outside storage. He has submitted the Conditional Use Permit application for this site and if it is approved will remove the outside storage area at the 4623 property and convert that area back to parking.

The proposed outside storage area is 7,300 square feet in size and would be enclosed with a 6-foot tall opaque fence. The interior of the building would solely be used for warehousing purposes. With the outdoor storage area, the number of parking stalls on site would be reduced to 12.

Although the activities at 4623 and 4633 relate to Mr. Padovan, the Commission should focus the discussion on the proposal at the 4643 site per the Conditional Use Permit application.

### **COMPREHENSIVE PLAN**

Per the 2008 Comprehensive Plan, the existing land use is I, Industrial and the planned land use is MU, Mixed Use. The property is in Policy Development Area #6, Town Center. The Shoreview Town Center Plan anticipates the redevelopment of this older light industrial area into a mix of residential, commercial and civic uses. While this is identified as a top redevelopment area, the City has not taken any actions to achieve the vision for this area. Improvements to existing properties that do not involve a change in land use are permitted.

The 2018 Comprehensive Plan policies are consistent with those adopted in 2008.

### **DEVELOPMENT CODE**

In the Industrial Zoning District, outside storage areas are permitted with a Conditional Use Permit. Section 203.032 Conditional Use Permit (Non-Floodplain) states that certain land uses are designated as a conditional use because they may not be suitable in a particular zoning district unless conditions are attached. In those circumstances, conditions may be imposed to protect the health, safety and welfare and to insure harmony with the Comprehensive Plan.

The approval of a conditional use permit requires the City Council to find that the use complies with the following criteria.

1. The use is in harmony with the general purposes and intent of the Development Ordinance.
2. The use is in harmony with the policies of the Comprehensive Guide Plan.
3. Certain conditions as detailed in the Development Ordinance exist.
4. The structure and/or land use conform to the Land Use Chapter of the Comprehensive Guide Plan and are compatible with the existing neighborhood.

Outside storage areas must also comply with standards outlined in Section 205.050 (D)(7) which is attached.

### **STAFF REVIEW**

Staff has reviewed the Conditional Use Permit application in accordance with the Comprehensive Plan policies and the Code Standards. The following summarizes the Staff's findings related to the Conditional Use Permit criteria.

- 1. The use is in harmony with the general purposes and intent of the Development Ordinance.*

Granite Tech Import's use of the property for outdoor storage and warehousing is consistent with the purpose and the intent of the Industrial District. This district has been established to provide areas in the community where industrial uses including the storage of raw materials and the subsequent fabrication of these materials into a product are permitted.

- 2. The use is in harmony with the policies of the Comprehensive Guide Plan.*

The proposed use of the property for warehousing and outside storage is consistent with the Comprehensive Plan policies. While this property is located within an older industrial area that is targeted for redevelopment, this property has been used for industrial purposes in the past. In accordance with the adopted Policies for PDA #6, Town Center, the continued use of the property as industrial is permissible. The addition of an outside storage area is also in harmony with these policies because outside storage areas are allowed with a Conditional Use Permit.

- 3. Certain conditions as detailed in the Development Ordinance exist.*

In the I, Industrial zoning district, outdoor storage areas are allowed with a Conditional Use Permit. Outdoor storage areas must be screened to minimize the visual impact on the adjoining area. The screening materials can include landscaping, fencing or a combination thereof and if adjacent to a road right-of-way, the outside storage area must be completely screened from view.



The proposed storage area is located on the south and west sides of the building in the side and rear yard and will enclose a hard surfaced area that was previously used for parking and truck loading/unloading. The proposed 6' tall fence will be setback approximately 130' from the front property line, 3' from the south side lot line, 40' from the rear property line and 10' from the north line. While the applicant has not specified a fence material, Staff is requesting that the fence be constructed of a wood, vinyl or other similar material to create an opaque screen. Chain link fencing with slats is not acceptable due to aesthetics and maintenance with the slat material.

Staff is not requesting additional landscaping since the proposed fence location exceeds the building setback from Chatsworth Street and the adjoining properties are zoned Industrial.

The establishment of the outdoor storage area will result in a loss of parking on this property. Based on City records, it appears that the existing building has about 3,000 square feet of warehousing space with the remaining 3,200 square feet being office, mechanical, bathroom and hallway space. Using this information, 16 parking stalls are required on the property which is more than the 12 proposed.

Additional information is needed from the applicant verifying the interior use of the building. Although the applicant may not have plans for staff to work fully from this building, the parking standards still need to be met.

4. *The structure and/or land use conform to the Land Use Chapter of the Comprehensive Guide Plan and are compatible with the existing neighborhood.*

The industrial use of the property, including the proposed outside storage area, is consistent with the Land Use Chapter of the Comprehensive Plan. In addition, the proposed outside storage area is compatible with the adjoining land uses, some of which have outdoor storage areas.

While the Commission does need to focus discussion on the proposed outside storage area at the 4643 building, discussion regarding the interaction of this use with the existing operations at the 4623 building is warranted. It is Staff understands that the raw material will need to be transferred to the 4623 building for processing. Additional information is needed from the applicant addressing how this will occur. Although the applicant also owns the 4633 building, it is not known if the material could be transferred through this building to the production area in the 4623 building or if the public street needs to be used. The material could be transferred via the public street provided it is placed on a licensed vehicle that is permitted to operate on a public street.

#### **REQUEST FOR COMMENT**

Property owners within 350 feet were notified of the applicant's request. Two nearby property owners have asked for information on how the material will be moved between the 4643 and 4623 buildings.

## RECOMMENDATION

The proposed outside storage area at 4643 Chatsworth Street is permitted in the Industrial Zoning District provided a Conditional Use Permit is granted. The outside storage area has been designed to comply with the City's standards for the Conditional Use Permit. Staff, however, is seeking more information from the applicant regarding the use of the building, parking requirements and how the outside storage use will be coordinated with the business activities at 4623 Chatsworth Street. For this reason, Staff is recommending this matter be tabled and review period extended from 60 to 120 days. This will provide additional time needed to address these and any other concerns raised by the Planning Commission and members of the public.

If the Commission supports the request, a motion to recommend the City Council approve the Conditional Use Permit is also attached. Staff is recommending the following conditions be attached:

1. The outside storage area must be installed in accordance with the plans submitted with this application and approved by the City Council.
2. The outside storage area shall be enclosed with a 6-foot tall opaque screening fence constructed of wood, vinyl or composite materials. Chain link fencing with plastic slats is not permitted. A fence permit is required prior to the installation of the fence.
3. The use of the outdoor storage area is limited to the materials and equipment associated with business operating on the property.
4. The truck trailers that are being stored on the property must be removed within 60 days of the execution of the Conditional Use Permit. Trucks and/or trailers used for storage purposes are not permitted.
5. Trucks and/or trailers used to transport materials and supplies to and from the premises are permitted to be parked in the outside storage area for a period not to exceed three (3) days.
6. The outside storage area containing equipment shall be secured to prevent unauthorized entry.
7. There shall be no storage of hazardous materials within the outside storage area.
8. The applicant agrees to work with the City Staff on developing a reasonable time-frame to remove the existing outside storage at the 4623 building.
9. Prior to the City Council's consideration of this Conditional Use Permit, the applicant shall provide the following information:
  - a. A floor plan of the 4643 building depicting how the building is used and the square footage of each use.
  - b. How material will be transported from the 4643 building to the 4623 building.

### Attachments:

1. Aerial Map
2. Applicant's Statement and Submitted Plans
3. Section 205.050(D)
4. Motion Sheet

## Legend



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



400.0 0 200.0 400.0 Feet

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

## Notes

Conditional Use Permit -4643  
Chatsworth St. N

**NARRATIVE AND SUPPORTING DOCUMENTS FOR**  
**CONDITIONAL USE PERMIT**  
**IN INDUSTRIAL DISTRICT**

This narrative is offered in support of the conditional use permit application (the “Application”) submitted by Granite Tech Imports, LLC (the “Applicant”, “Granite Tech” or the “Company”), and joined by Padovan Properties I, LLC (“Padovan”) and S & A Hed Design, LLC (“S&A”) as the current owners of the properties impacted by the Application.

Applicants are requesting a conditional use permit to approve outdoor storage on: (i) the real property owned by Padovan and occupied by Granite Tech located at 4623/4633 Chatsworth St N, Shoreview, MN 55126 (the “Padovan Parcels”), and (ii) additional neighboring real property at 4643 Chatsworth St N, Shoreview, MN 55126 (the “S&A Parcel”) which is being purchased for the purposes of increasing Granite Tech’s storage capacity. Collectively, the Padovan Parcels and the S&A Parcel are referred to herein as the “Property.”

Attached to this narrative are the following exhibits:

- Exhibit A: Site plan of the Property showing the proposed outdoor storage use
- Exhibit B: Purchase agreement for the S&A Parcel

**INTRODUCTION**

Since 2011, Granite Tech has been offering high-quality, imported granite products and services to building projects in the Twin Cities metro. The Company employs an on-site staff of six (6) full-time W-2 employees, but the impact of the Granite Tech business extends much further into the community at large. In addition to the staff on-site, where the Company processes the raw granite, the installation of Granite Tech’s processed countertops leads to many other well-paying construction jobs in and around Shoreview for granite installation. As just one example, Granite Tech countertops were used in the recently completed McMillan Apartments project at the intersection of I-694 and US-10. A sampling of recent projects throughout the Twin Cities where the impact of Granite Tech’s business is felt can be found on the Company’s website.

As with many service providers in the local real estate industry, Granite Tech’s business has done well as the real estate market continued to expand, generating advance orders in excess of its early predictions. Along the way, the Company has also become vibrant member of the Shoreview business community. In some senses, though, the Company is a victim of its own success. While the Company’s initial focus was on single-family residential installations, the explosion in market-rate multifamily housing (where the higher-end finishes like granite are increasingly popular, if not a requirement) has provided a great business opportunity for the Company. More units means more countertops, but the sourcing of enough raw material to meet demand comes with its own problems. As described more below, unpredictable industry-wide shipping and delivery dynamics make for exponentially larger challenges when importing granite in the amount needed to service the Company’s multifamily projects.

In its business and in its interactions with local government, Granite Tech has always been committed to doing things the right way. However, as a small business moving into its first physical home, the Company assumed, perhaps naively, that it had an existing right to use certain areas of the

Property for outdoor storage. This Application arises from concerns raised in a letter from the City of Shoreview (the “City”) to Padovan (as landlord), notifying Padovan that certain current uses by the Granite Tech business were in violation of the current zoning and related approvals. Those violations included unpermitted outdoor storage of granite, lack of sufficient on-site parking, and truck parking by delivery trucks in improper locations and at improper times. The parking issue is directly related to the use of a portion of the Padovan Parcels’ parking lot for outdoor storage of raw granite.

Even before the City’s notice, Granite Tech had been working to resolve these issues. For example, since the time of the notice Granite Tech has received no further notices of improper delivery truck parking.<sup>1</sup> Further, in the interim time between the initial City notice and this application, Granite Tech has secured temporary off-site parking at a neighboring property for personnel and guests. While admittedly not a permanent solution within the current zoning/variance framework for the Property,<sup>2</sup> Applicant hopes this stop-gap solution highlights its desire to comply fully and expeditiously with the City’s Code requirements. As with all the issues identified in the City’s letter, Granite Tech remains committed to taking the required actions to remedy the current issues and prevent further ones.

The next section of this Application outlines the causes of the outdoor storage violation, and how a conditional use permit is available to solve the issue.

### **CAUSES OF—AND SOLUTIONS TO—THE OUTDOOR STORAGE ISSUE**

The outdoor storage issue stems from an industry-wide challenge that Granite Tech has been battling now for years. Raw granite of the quality used in Granite Tech’s business is typically imported in large shipments, but without any predictability as to delivery timing. Over the years the Company has formed relationships with sources of raw granite around the world (e.g., in Europe, Asia, and South America). These suppliers work independently from one another. While the Company occasionally takes a delivery after its standard 8am to 4pm hours, and almost never past 6pm, overlapping shipping timetables from the various international suppliers can become compressed so that the Company receives several projects-worth of materials in a short window.

After it arrives on-site, there are typically delays between delivery and the time each slab is ready for processing and final use in construction. These delays can be exacerbated by the seasonality of the construction industry, as well. As the Company’s business has continued to expand and grow over time, this pipeline issue has grown in tandem—that is, more frequent and larger orders that require a larger materials supply buffer. This Application requests a conditional use permit pursuant to the City’s Development Code (the “Code”), Section 203.032, to allow for the outdoor storage of the raw granite as it awaits processing and final use in construction projects around the Twin Cities metro.

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<sup>1</sup> A further solution under consideration for alleviated delivery vehicle issues involves changing the truck access lanes. However, such an undertaking requires a site plan amendment involving more sophisticated architectural drawings. This current application is submitted first in an effort to speed resolution of the outdoor storage issue by separating it from the more complicated truck access issue.

<sup>2</sup> Note that the architectural drawings included with this Application show parking sufficient to meet the 27 spaces required for the Property under the current zoning/variance.

To solve for the tension between limited parking and limited storage space on the Padovan Parcels, Padovan has entered into an agreement to purchase the S&A Parcel to increase the footprint available to the Company for each use. Padovan envisions that the purchased S&A Parcel will be used only for storage and warehousing activity, without any increased intensity (and likely decreased) as compared to its current use.

Granite Tech seeks this permit as a strategic long-term alternative to relocation of the business to a larger facility. No one can deny that the real estate and construction markets have been booming lately, but every cycle has a downturn. History shows that the companies that overextend during the good times are the same companies that have no flexibility when the tides inevitably shift. Instead of over-investing now and risking the business's long-term viability, Granite Tech seeks this conditional use permit as one of a set of small strategic adjustments it is making to prudently continue to grow the business in the meantime.

The remaining sections of this narrative address the required criteria established in the Code for review and ultimate approval of a conditional use permit.

### **REQUIRED REVIEW CRITERIA**

This Application covers all 3 parcels within the Property. Currently, each of the parcels within the Property, as well every other parcel on Chatsworth St N., are zoned Industrial (I). "Outdoor storage" is a listed conditional use under Section 205.050.

#### **1. The use is in harmony with the general purposes and intent of the Development Ordinance.**

The Code is established generally to promote the public health, safety, and welfare of the residents of Shoreview. In addition, the Code promotes harmonious co-location of beneficial uses of property (*see generally* Code Section 201.010(A)-(L)), including efficient improvement of existing uses that supports the continued prosperity of the community.

As discussed in the introduction to this narrative, the storage needs of a granite importer vary widely depending on the delivery date of a granite shipment. In order for a business such as Granite Tech to remain competitive in the industry, allowance for outdoor storage of the raw material is appropriate. An alternative requirement of indoor storage is unnecessary due to the nature of the raw stone. As a hard, natural material, outdoor storage of raw granite further creates no unique or additional health concerns. Moreover, allowing for flexibility of outdoor storage provides assurances that indoor processing areas can remain sufficiently clear and safe for employees of the business.

The zoning map shows the intent of the City that this area of Shoreview continue as a concentrated area for certain industrial uses. Outdoor storage is compatible with all the parcels on the street.

#### **2. The use is in harmony with the policies of the Comprehensive Plan.**

The City Comprehensive Plan's policies seek to minimize the adverse impacts of industrial activities through "a combination of building design, site design, landscape, screening and

operations” (Shoreview Comp. Plan, pg. 4-14). The Comp Plan’s goals further express a desire that the City create vital commercial areas” that attract businesses and ensure opportunities are available for expansion and growth for existing businesses.

Permitting outdoor storage of granite will allow Granite Tech to continue driving economic benefits to the City of Shoreview. In and of itself, outdoor storage of granite on-site will not require additional construction of buildings or design of the site. The Applicants of course recognize that certain visual and aesthetic impacts accompany outdoor storage; as detailed in the discussion for application review criterion #3 below, Applicants understand that certain screening requirements exist to minimize these visual and aesthetic impacts.

3. Certain conditions as detailed in the Development Ordinance exist.

In addition to the existing zoning requirements, allowance for outdoor storage triggers the requirements under Section 205.050(D)(7)(b). As depicted on Exhibit A, and outlined below, the conditions are met:

- (i) The screening materials are fencing typical of these needs, and do not exceed the maximum permitted height. Applicants do not anticipate any dust or other wind blown materials to be created due to outdoor storage, as the granite is heavy and solid, unlikely to create anything light enough to be considered dust.
- (ii) Granite Tech is happy to work with City staff to determine the appropriate needs for screening and to ensure that any additional landscape materials to be selected will comply with Code Section 206.010 (Landscape and Screening).
- (iii) Although none of the applied-for storage permit would locate outdoor storage immediately adjacent to a right-of-way, the screening is designed in such a way as to shield the outdoor storage materials from view from rights-of-way.
- (iv) The only adjacent property or right of way zoned other than Industrial is immediately to the west of the Padovan Parcels and zoned Business Park (BPK). As depicted on Exhibit A, the outdoor storage is shielded from the BPK parcel.
- (v) [not applicable to this Application; raw granite is not “hazardous materials”]
- (vi) [not applicable to this Application; trucks and trailers are not currently and will not in the future be used for outdoor storage in any time frame approaching three (3) days]

Note that in a previous draft of this Narrative shared with City staff, there was some confusion caused by the inclusion in certain drawings of trucks parked in the lots. To clarify, these trucks were included to show scale only. It is not current practice or future intent of Applicant to store raw granite in trucks parked on the Property for any longer than it takes to unload the trucks.

4. The structure and/or land use conform to the Land Use Chapter of the Comprehensive Plan and are compatible with the existing neighborhood.

The Land Use Chapter of the Shoreview Comprehensive Plan currently identifies the area surrounding the Property and Additional Property for planned land use as “Mixed Use – Town Center” (MU-TC). *See* Comp. Plan Map 4.3 (Planned Land Use 2008) (unified MU-TC designation with property to the west along Hwy 96); *see also* Comp. Plan Map 4.4 (Planned Land Use 1999) (standalone MU designation alongside Commercial and Business Park Uses).

The policy intention for Mixed Use zoning acknowledges that intelligent and efficient redevelopment of properties within these areas will require “flexibility from the strict guidelines of the development code.” *See* Comp. Plan at 4-6. These outdoor areas of these parcels are ideal locations for outdoor storage for a business that runs out of the Property. Allowing on-site outdoor storage promotes efficiencies in local business and prevents (in the alternative) any under-use of nearby warehouse space for those intermittent times when raw granite deliveries outpace indoor storage capacity. Outdoor storage near to the processing will also avoid the need for increased large-vehicle traffic on Chatsworth St N. (which could further alleviate the potential for truck parking violations identified in the City’s letter).

Further, particularly for the MU-TC area, which specifically contemplates such mixed uses near the town center redevelopment area, avoiding the need for additional construction of *indoor* storage will preserve flexibility for future redevelopment of the Property. And as neighboring parcels are redeveloped, the current Code outdoor storage screening requirements for adjacent non-Industrial parcels will continue to prevent unwanted visual and aesthetic negative impacts.

As mentioned earlier in this narrative, all the surrounding parcels on Chatsworth St N. are zoned Industrial. The existing businesses in the neighborhood along Chatsworth St N. are involved in light manufacturing and design services. The existing buildings also share an aesthetic typical of light industrial buildings: concrete block structure, typically one-story and with small/limited windows. The large lots either adjacent to or behind many of the other buildings on the street add to this “light industrial” feel due to the absence of formal impervious paving. The addition of outdoor storage of raw construction materials like granite supports rather than diminishes this general “light industrial” feel. The “essential character” of the Property (and the neighborhood as a whole) will thus remain largely unchanged by the addition of outdoor storage – Granite Tech will continue to receive, process, sell, and manage installation processes from its facility, the same as it has been doing for several years. It will simply now be able to do so in full compliance with the Code.

## CONCLUSION

Granite Tech is proud to have become a member of the thriving Shoreview business community, and wants to stay that way. Although its error was unintentional, the Company recognizes the need to work quickly to resolve this matter. Once the Applicants received the City’s notice of violations, they took immediate action. Outdoor storage is both a reasonable and permitted use for the Property, both because of zoning and the current neighborhood demographics.

In addition to resolving the outstanding employee parking issues by negotiating short-term and long-term solutions with neighboring property owners, Granite Tech is aware of no further truck parking violations since the date of the notice. The Applicants wish to emphasize that they are taking the City’s notice seriously and working as quickly as possible. Applicant immediately began discussions with City personnel as to the appropriate resolution to the final issue of unpermitted outdoor storage, and have worked diligently and cooperatively with staff ever since.

Applicant welcomes any comments from the City on the plans depicted in Exhibit A, and looks forward to working with the City to rapidly resolve this and all the issues raised in its letter.



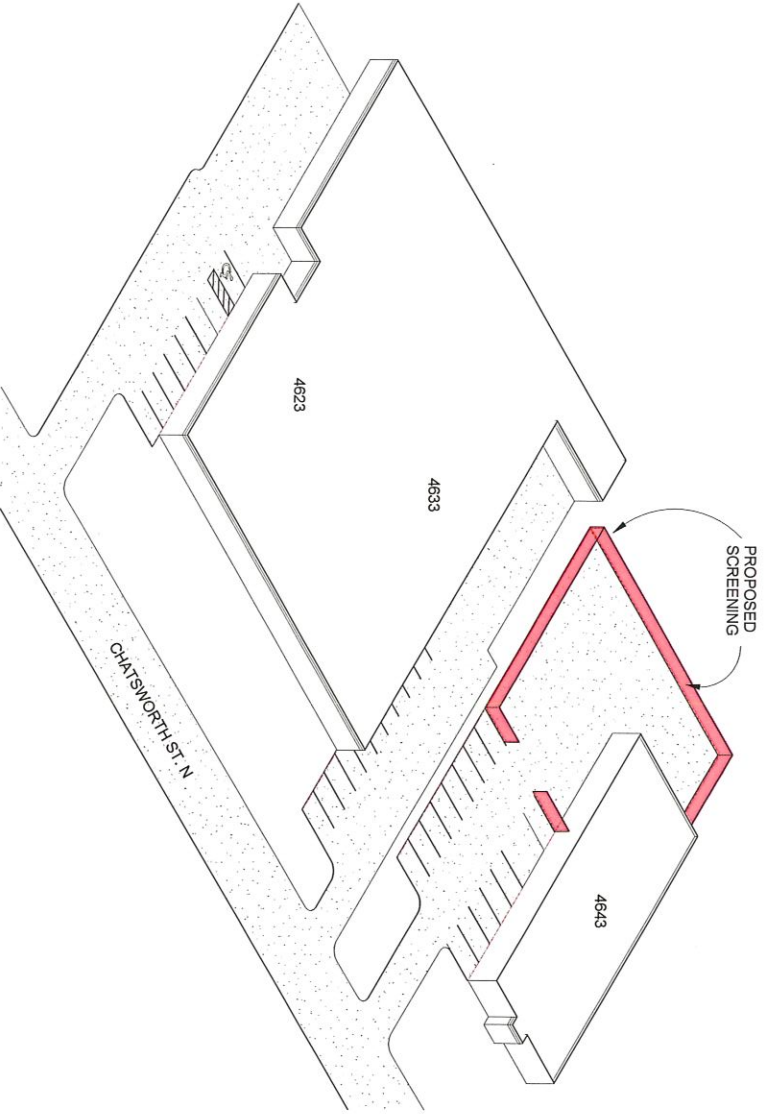
**Exhibit A**

**Site Plan Illustrations**

[Paper copies to be followed by electronic submissions of PDF files]



2 PARCEL IMAGE  
SCALE: N.T.S.



1 PROPOSED OUTDOOR STORAGE

PROJECT #: 1819.06  
DATE: 10/22/18  
DRAWN BY: HLL  
CHECKED BY: XXX

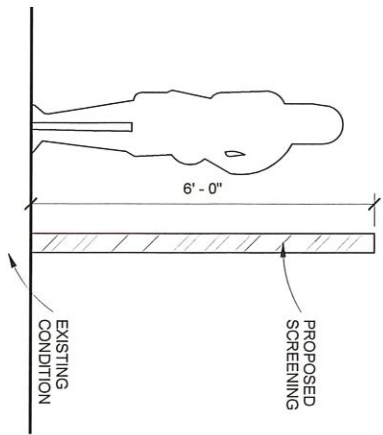
0  
DATE: 10/22/18

DIAGRAMS

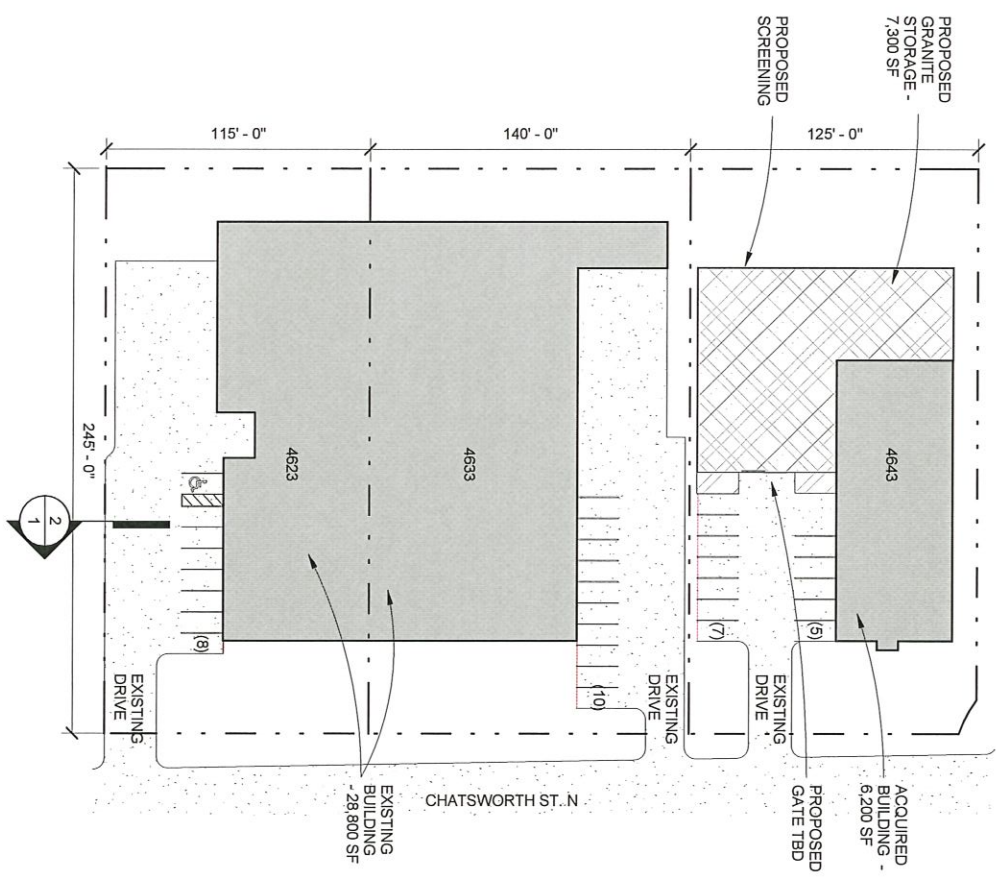
CONDITIONAL USE PERMIT EXHIBITS  
SHOREVIEW, MINNESOTA

**ARTEKTA**  
ARCHITECTS  
26 ROBERTS ST. N. STE. A109  
FARGO, ND 58102 | (701) 526-3663  
WWW.ARTEKTA.COM

**2 SECTION DIAGRAM**  
1/2" = 1'-0"



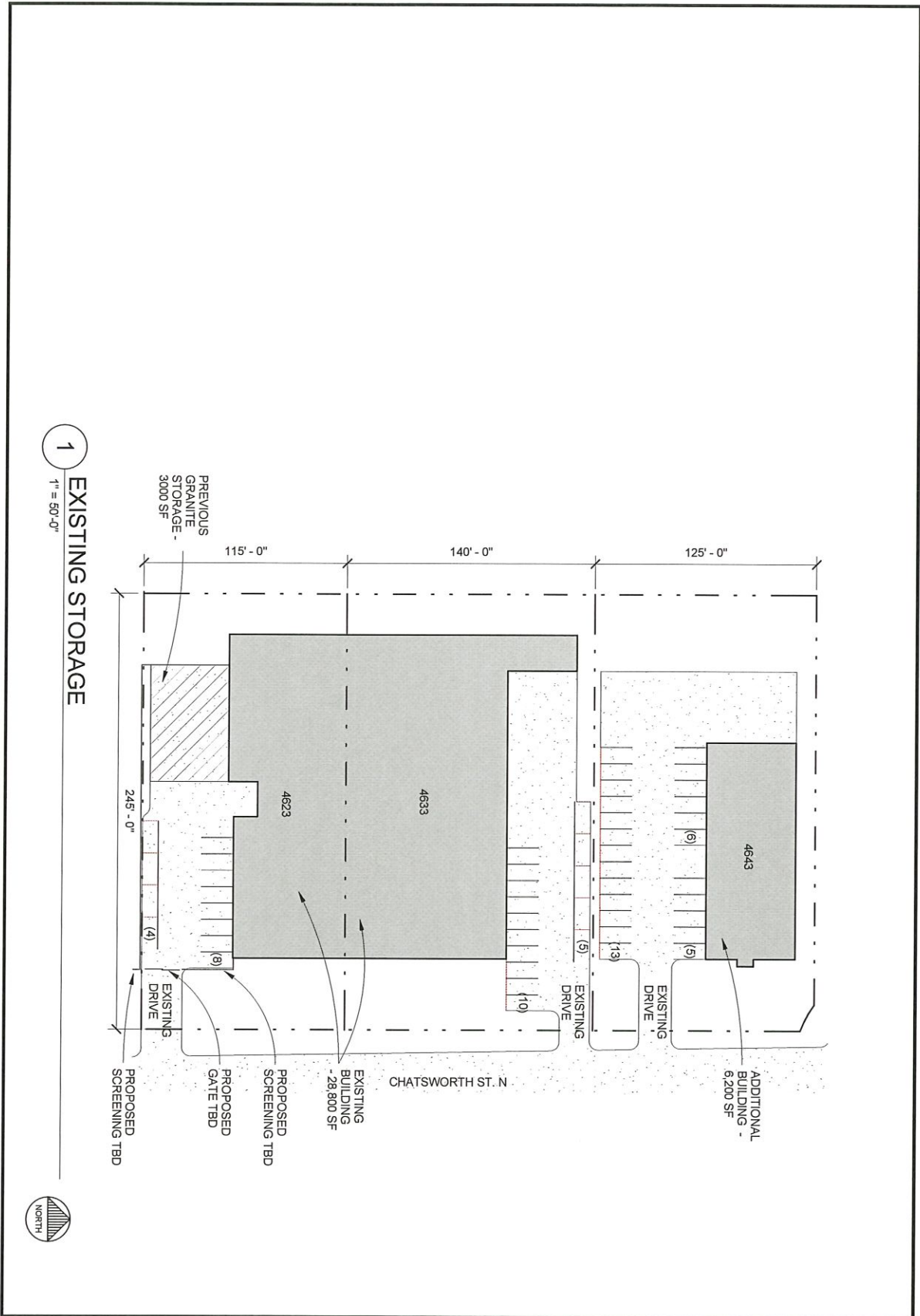
**1 PLAN FOR STORAGE**  
1" = 50'-0"



**CONDITIONAL USE PERMIT EXHIBITS**  
**SHOREVIEW, MINNESOTA**



PROPOSED PLAN  
PROJECT #: 1813.05  
DATE: 10/22/2018  
DRAWN BY: HLL  
CHECKED BY: XXX  
1



**1**  
EXISTING STORAGE  
1" = 50'-0"



PROJECT #: 1813.05  
DATE: 10/22/18  
DRAWN BY: HLL  
CHECKED BY: Chandler

**CONDITIONAL USE PERMIT EXHIBITS  
SHOREVIEW, MINNESOTA**



- (c) Encroachments. The following shall be considered as permitted encroachments on setback requirements:
- (i) In any yard: eaves, gutters, awnings, chimneys, landings, sidewalks and fences.
  - (ii) In side and rear yards: decks, open terraces, balconies and porches provided they are no closer than five feet to any property line. (These rules do not apply to side yards that adjoin a street.)
- (3) Height. 35 feet; this may be exceeded if for every additional foot of height there is an additional foot of setback on all sides.
- (4) Lot Coverage. Not to exceed 75%. Maximum lot coverage may be increased to 80% if best management practice measures are taken to minimize negative effects on the environment as documented in the current editions of Minnesota Construction Site Erosion and Sediment Control Planning Handbook (MBWSR) and Protecting Water Quality in Urban Areas (MPCA).
- (5) Parking. Parking space requirements shall be as required by Section 206.020 (Parking).
- (6) Signs. As regulated by Section 208 (Signs).
- (7) Storage.
- (a) All materials, supplies, finished or semi-finished products and equipment shall be stored within a completely enclosed building in the Industrial District unless a Conditional Use Permit for an outside storage area has been obtained.
  - (b) Outdoor storage areas shall be screened to minimize the visual impact of the area in accordance with the following requirements:
    - (i) The screening materials shall consist of both deciduous and coniferous vegetation species, attractive low or no maintenance fencing with an opaquing material, landscaped berm, brick or masonry wall, or any combination of these items. Fencing and walls shall not exceed eight feet in height. All screening materials shall be maintained so that dust and other wind blown materials that originate on the site remain on the site as far as practical.
    - (ii) All landscape materials shall comply with the minimum standards set forth in Section 206.010 (Landscape and Screening). The City

Forester shall approve the species mix, height, and density of plantings on the basis of year-around screening needs.

- (iii) The materials and equipment within outdoor storage facilities and truck terminals that are located adjacent to street or highway right-of-way shall be completely screened from view from the right-of-way. If a fence or wall is use for screening along a right-of-way or private road that serves more than one property, shrubbery and trees shall be planted to enhance the aesthetics of the fence as viewed from the roadway.
  - (iv) The materials and equipment within an outdoor storage area and truck terminals that are located adjacent to property that is not zoned for Industrial uses shall be completely screened from view from the adjoining non-industrial property.
  - (v) Industrial uses requiring bulk exterior storage of hazardous materials will not be allowed on wet or very wet soils, very shallow soils or soils with very high or high permeability areas.
  - (vi) Trucks and/or trailers used to transport materials and supplies to and from the premises are permitted for a period not to exceed three (3) days. Trucks and/or trailers used for storage purposes are not permitted.
- (8) Refuse. All waste material, debris, refuse and garbage shall be properly contained in a closed container designed for such purposes. Said containers shall be stored within a fully enclosed building or in a screened area upon review through the site and building plan review process.
- (9) Accessory Structures. Accessory structures shall be permitted in the Industrial District through the site and building plan review process.
- (10) Fences.
- (a) Location. All boundary line fences shall be located entirely upon the private property of the person, firm or corporation constructing, or causing the construction of such fence, unless the owner of the adjoining property agrees, in writing that such fence may be erected on the division line of the respective properties. The City Council may require the owner of property upon which a fence now exists, or is to be located, to establish lot lines upon said property by the placement of permanent stakes located by a licensed surveyor or engineer.
  - (b) Height. Property line fences shall not exceed eight (8) feet in height except as follows:

**MOTION TO TABLE  
CONDITIONAL USE PERMIT  
APARECIDO PADOVAN/GRANITE TECH IMPORTS, LLC**

**MOVED BY COMMISSION MEMBER:**

**SECONDED BY COMMISSION MEMBER:**

To table the Conditional Use Permit application submitted by Aparecido Padovan, Granite Tech Imports, LLC to establish an outside storage area 4643 Chatsworth Street. Additional information is needed on the following:

- 1) A floor plan depicting how the building will be used so the required parking can be calculated.
- 2) Information on how material will be transported between the 4623 and 4643 properties.

The review period is extended from 60 to 120 days.

**VOTE:**

**AYES:**

**NAYS:**

---

**MOTION TO APPROVE  
CONDITIONAL USE PERMIT  
APARECIDO PADOVAN/GRANITE TECH IMPORTS, LLC**

**MOVED BY COMMISSION MEMBER:**

**SECONDED BY COMMISSION MEMBER:**

To recommend the City Council approve the Conditional Use Permit application submitted by Aparecido Padovan, Granite Tech Imports, LLC to establish an outside storage area 4643 Chatsworth Street. The following conditions are attached:

1. The outside storage area must be installed in accordance with the plans submitted with this application and approved by the City Council.
2. The outside storage area shall be enclosed with a 6-foot tall opaque screening fence constructed of wood, vinyl or composite materials. Chain link fencing with plastic slats is not permitted. A fence permit is required prior to the installation of the fence.
3. The use of the outdoor storage area is limited to the materials and equipment associated with business operating on the property.

4. The truck trailers that are being stored on the property must be removed within 60 days of the execution of the Conditional Use Permit. Trucks and/or trailers used for storage purposes are not permitted.
5. Trucks and/or trailers used to transport materials and supplies to and from the premises are permitted to be parked in the outside storage area for a period not to exceed three (3) days.
6. The outside storage area containing equipment shall be secured to prevent unauthorized entry.
7. There shall be no storage of hazardous materials within the outside storage area.
8. The applicant agrees to work with the City Staff on developing a reasonable time-frame to remove the existing outside storage at the 4623 building.
9. Prior to the City Council's consideration of this Conditional Use Permit, the applicant shall provide the following information:
  - a. A floor plan of the 4643 building depicting how the building is used and the square footage of each use.
  - b. How material will be transported from the 4643 building to the 4623 building.

This recommendation is based on the following findings of fact:

1. The use is permitted in the I, Industrial Zoning District with a Conditional Use Permit.
2. The Conditional Use Permit criteria as stated in Section 203.032 (D) are satisfied.
3. The outside storage area complies with the performance standards stated in Section 205.050 (D)(7).

**VOTE:**

**AYES:**

**NAYS:**



## City of Shoreview, Minnesota

### Fair Housing Policy – November 19, 2018

#### 1. Purpose/Vision

The purpose of this policy is to ensure all people feel welcomed, treated fairly, and provided resources for fair housing when looking to reside in the City of Shoreview.

Our vision is that Shoreview maintains a high caliber of respect and fairness while maintaining a positive representation of equity for all people aspiring to be residents of Shoreview.

#### 2. Fair Housing Policy Statement

It is the policy and commitment of the City of Shoreview to ensure that fair and equal housing opportunities are granted to all persons in all housing opportunities and development activities funded by the city regardless of race, color, religion, gender, sexual orientation, marital status, and status with regard to public assistances, familial status, national origin, or disability. This shall be done through strong external policies that provide meaningful access to all constituents and fair housing informational and referral services; and internal practices and procedures do not discriminate and that affirmatively further fair housing.

#### 3. External Practices

##### a) Reference Organizations

The City does not claim to have all the resources needed to solve diverse fair housing issues therefore the City believes utilizing external organizations along with City resources will provide significant assistance to individuals' housing needs. If contacted by current or potential residents of Shoreview, the City we will request the individual to complete the Concern Report, the City will access the report, then determine if they could be assisted by the City or by reference organizations. The list below of organizations is not an exhausted list but a starting place for assistance. Reference organizations below:

U.S. Department of Housing and Urban Development- Minnesota  
Minnesota Department of Human Rights  
Mid-Minnesota Legal Aid  
Housing Justice Center  
Home Line Minnesota  
Southern Minnesota Regional Legal Services

##### b) Meaningful Access

1. Online Information. The City of Shoreview will have information about fair housing displayed on its website under the category "Housing". The website will also have links to fair housing resources such as the Mid-Minnesota Legal Aid, Southern Minnesota Regional Legal Services, and others. Information on the website will also include the

City Staff contact for fair housing concerns. In addition, the City will post the following policies:

- i. Shoreview Fair Housing Policy
- ii. Link to the State of Minnesota's Olmstead Plan

2. In-Person Information

Upon inquiries about fair housing policies, that individual will be directed to the City Planner that will then provide them information about our list of reference organizations and inform them of City practices to ensure fair housing.

c) Languages

The City of Shoreview is committed to providing information in diverse languages for its residents. Therefore, if requested, the City of Shoreview will connect the individual to an organization that can assist with translation of fair housing policies.

d) Rental Licensing Program.

The City administers a rental licensing program which requires the property owners of rental dwelling units to obtain an annual license from the City. The City will provide information on this fair housing policy to licensees. The City will also consider hosting a training session for landlords that provides information on fair housing and other relevant landlord/tenant issues.

**4. Internal Practices**

The City of Shoreview commits to the following steps to promote awareness and sensitivity to fair housing issues in all of its government functions. The City will address issues related to Fair Housing for these practices.

a) Reporting.

If an individual calls or comes to City Hall to voice a fair housing concern, a Concern Report Form that includes the name, contact information, description of the concern and desired outcome will need to be completed. Once the report is completed City staff will connect the individual to organizations that can assist the individual. The Concern Report Form would then be on file at City Hall. Staff will follow-up as needed to ensure the individual has received assistance.

b) Home Loan Programs.

The City of Shoreview offers Home Loan Programs available to residents and first-time homebuyers. These programs are in partnership with NeighborWorks Home Partners and are intended to make purchasing or improving homes in Shoreview more affordable. These loans will be administered in accordance with the City's Fair Housing Policy.

c) Financial Assistance.

Developers who seek financial assistance through the City for housing projects must adhere to the City's Fair Housing Policy. Information on this policy will be provided to Developers at the

onset of conversations regarding financial assistance. Developers will be required to execute a financial development agreement that includes language regarding fair housing and their commitment to uphold fair housing practices.

d) Housing Analysis.

The City will review its housing inventory to examine the affordability of both rental and owner-occupied housing and whether all reasonable actions have been taken to remove barriers to ensure adequate housing choice for all city residents.

e) Code Analysis.

The City will review its municipal code , with specific focus on ordinances related to zoning, building and occupancy standards, to identify any potential for disparate impact or disparate treatment. New ordinances will also be evaluated in the context of fair housing.

f) Project Planning and Analysis.

When reviewing proposed housing developments, the City will consider fair housing issues, including whether potential projects may perpetuate segregation or lead to displacement of protected classes. The City is committed to working with other agencies to remedy any displacement or segregation that may occur.

g) Community Engagement.

The City commits to ongoing community engagement. Specifically, the City commits to robust conversations with community regarding potential housing projects, zoning changes, and other land use planning decisions.

The City of Shoreview Economic Development Authority will review and revise, if necessary, the Fair Housing Policy on an annual basis.

