

**AGENDA  
PLANNING COMMISSION MEETING  
CITY OF SHOREVIEW**

**DATE: JUNE 25, 2013  
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**

*Brief Description of Meeting Process – Chair Steve Solomonson  
May 28, 2013*

**3. REPORT ON CITY COUNCIL ACTIONS**

*Meeting Date: June 3, 2013 and June 17, 2013*

**4. NEW BUSINESS**

**A. VARIANCE**

*FILE NO: 2487-13-14  
APPLICANT: Tim & Theresa Gedig  
ADDRESS: 4305 Brigadoon Drive*

**B. VARIANCE**

*FILE NO: 2488-13-15  
APPLICANT: Kevin Stoss / Montserrat Torremorell  
ADDRESS: 226 Owasso Lane East*

**C. PLANNED UNT DEVELOPMENT – CONCEPT STAGE**

*FILE NO: 2489-13-16  
APPLICANT: 4785 Hodgson Road, 506 Tanglewood Drive  
ADDRESS: Ruth Kozlack /United Properties Residential, LLC/Zerr*

**5. OLD BUSINESS**

**A. COMPREHENSIVE SIGN PLAN**

*FILE NO: 2479-13-06  
APPLICANT: Lawrence Signs / Northern Tier Retail  
ADDRESS: 3592 Lexington Avenue*

Planning Commission Meeting  
June 25, 2013

## **6. MISCELLANEOUS**

- A. City Council Meeting Assignments for *July 1, 2013 and July 15, 2013*  
Planning Commissioners *Proud and \_\_\_\_\_*
- B. Planning Commission July 23<sup>rd</sup> meeting - *changed to Tuesday, August 6, 2013*
- C. Scheduled Planning Commission Workshops
  - *July 16<sup>th</sup>, Stormwater Management with the Environmental Quality Committee*
  - *August 27<sup>th</sup> – after the regular meeting.*

## **7. ADJOURNMENT**

**SHOREVIEW PLANNING COMMISSION  
MEETING MINUTES  
May 28, 2013**

**CALL TO ORDER**

Chair Solomonson called the May 28, 2013 Shoreview Planning Commission meeting to order at 7:00 p.m.

**ROLL CALL**

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

Commissioner Wenner was absent.

**APPROVAL OF AGENDA**

MOTION: by Commissioner Ferrington, seconded by Commissioner Schumer to approve the May 28, 2013 Planning Commission meeting agenda as submitted.

VOTE:                   Ayes - 6                   Nays - 0

**APPROVAL OF MINUTES**

MOTION: by Commissioner Schumer, seconded by Commissioner Ferrington to approve the April 23, 2013 Planning Commission workshop meeting minutes, as submitted.

VOTE:                   Ayes - 6                   Nays - 0

MOTION: by Commissioner Schumer, seconded by Commissioner Ferrington to approve the April 30, 2013 Planning Commission workshop meeting minutes, as submitted.

VOTE:                   Ayes - 6                   Nays - 0

**REPORT ON CITY COUNCIL ACTIONS:**

City Planner Kathleen Nordine reported that the City Council has approved the following, as recommended by the Planning Commission:

- Site and Building Plan Review for St. Odilia Church for a Cemetery/Columbarium
- Text Amendment for Residential Setback Regulations
- Conditional Use Permit for Thomas and Linda Ritchie, 5186 Lexington Avenue
- Conditional Use Permit for Michael Keane, 5345 Hodgson Road

**NEW BUSINESS**

**PUBLIC HEARING - PRELIMINARY PLAT/PLANNED UNIT DEVELOPMENT  
DEVELOPMENT STAGE**

**FILE NO.:** 2485-13-12  
**APPLICANT:** TARGET CORPORATION  
**LOCATION:** 3800 LEXINGTON AVENUE

Commissioner McCool stated that due to his current business association with Target, he would recuse himself from this discussion and will not vote on this matter.

**Presentation by City Planner Kathleen Nordine**

The application is for a preliminary plat to divide the parcel from two parcels into three parcels. As a result of the changes to the plat, an amendment to the PUD is required. Lot 1 would be SuperTarget and parking; Lot 2 would be parking for future retail development; Outlot A is a storm water pond. The application complies with C1 District standards and the Subdivision Code. Easements will be required for storm water infrastructure. Additional easements will be required for Lexington, Red Fox Road and the South Access Road. Other existing easements will be vacated with the Final Plat. Outlot A would be conveyed to the City to use for the Red Fox Road improvements. There is shared access between Lots 1 and 2. Should future development occur on Lot 2, an easement agreement would be needed for shared access.

With subdivision of Lot 2, Target parking spaces are reduced from 855 to 765. Parking required is 806 stalls based on the square footage of the building. Target has done a parking analysis and indicated that at peak use, 544 stalls are needed. An exception to parking standards is allowed by Code. Staff believes Target's parking analysis is sufficient to allow flexibility from the requirement.

There is a freestanding sign on Lot 2. Once the subdivision takes place, the sign becomes an off-site sign, which is not allowed. Target has requested the sign remain, which would require a sign easement agreement between Lots 1 and 2. The sign could be shared with another user of Lot 2.

There is no change to impervious surface coverage. However, with the new plat, impervious surface is redistributed. The current PUD requires Target to remove snow from Red Fox Road. As Red Fox Road is maintained by the City, Target seeks release from snow removal.

The hours of operation are limited to 7:00 a.m. and 12:00 a.m. Target seeks release from that restriction to meet current market demand. Truck deliveries are prohibited from 12:00 a.m. to 5:00 a.m. Target also seeks flexibility with this restriction. The time restrictions for operations and truck deliveries were included in the PUD in response to Island Lake residents' concerns about noise. In 2000, the truck delivery bays were moved from the south side of the building to the north side. Comments from Island Lake residents to this proposal state that they do hear truck delivery noise. Staff recommends easing of hours of operations but retaining truck delivery restrictions.

Property owners were notified beyond 350 feet to include the Island Lake neighborhood. Aside from noise, concerns were also expressed about traffic at the intersection of the South Access Road and Lexington and the future use of Lot 2. There is a Ramsey County Park site to the east of the site. Ramsey County expressed no concerns with this application.

Staff is recommending that the Planning Commission forward a recommendation of approval to the City Council. Modifications to the PUD are reasonable regarding lifting restrictions on hours of operation and snow removal.

Commissioner Ferrington stated that for the flexibility and modifications requested, she would like to see use of pervious surface on Lot 1, which will become 90% impervious surface. Further, she would like to see added landscaping that is required to be maintained. She would also like to see bike racks provided.

Chair Solomonson expressed concern about the reduction of parking stalls for Target and the fact that what is developed on Lot 2 is an unknown and how it would impact parking. Ms. Nordine stated that there is shared access with Lot 2, and potentially there could be a parking agreement between the two parcels.

City Attorney Kelly stated that proper notification has been given for the public hearing at this meeting.

Chair Solomonson opened the public hearing.

**Mr. John Dietrich**, Senior Development, Target Corporation, stated that Target supports and accepts the recommendations of staff on this proposal. Delivery restrictions were requested to be lifted, as the development across Red Fox Road has no restrictions. However, due to the comments expressed, Target is willing to continue complying with the restrictions. There is no plan to change hours of operation, but restrictions are requested to be lifted, so that hours can be expanded during holidays. There is no plan to change the impervious surface. The landscaping around the pond is owned by Target. In order to use the pond for runoff from other properties than Target, it was decided that the best option would be to make it a public storm water pond. When Lot 2 develops, he anticipates added green aisles. Target's nationwide standard for parking is four stalls per 1000 square feet of building area. Rather than a ratio of parking, Target has analyzed the number of customers per car to make the site efficient. He is confident that the 765 parking stalls are sufficient for the site. Bicycle racks are available on the site. A new sidewalk will be put in with the Red Fox Road improvements. Landscaping will be done according to staff requirements. Trucks are encouraged to access the site from Red Fox Road, although it is a sharp turn. Access is easier from the South Access Road.

There were no further comments or questions from the public.

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

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

MOTION: by Commissioner Schumer, seconded by Commissioner Proud to recommend the City Council approve the preliminary plat and amendment to the planned unit development stage applications submitted by Target Corporation, 3800 Lexington Avenue. Said approval is subject to the following:

***Preliminary Plat***

1. The Final Plat shall include a sidewalk easement along Red Fox Road and public drainage and utility easements as required by the Public Works Director.
2. The applicant shall apply for a Vacation, to vacate the existing easements that are no longer required as part of the development site. The Vacation Application shall be submitted concurrently with the Final Plat.
3. The applicant shall execute an agreement between the Lots 1 and 2 addressing the shared driveway, access, signage and maintenance. Said agreements shall be submitted to the City Attorney for review and approval prior to the City's release of the Final Plat.
4. Executed and recorded copies of the required agreements shall be submitted to the City prior to the issuance of a building permit on Lot 2.
5. Outlot A shall be conveyed to the City.
6. A sign easement that encumbers the existing Target Sign on Lot 2 shall be conveyed and benefit Lot 1. This easement shall be submitted to the City Attorney for review and approval prior to the release of the Final Plat for recording.
7. The Final Plat shall be submitted to the City for approval with the Final Stage PUD application.

***Planned Unit Development – Amendment***

1. This PUD amendment replaces the previous PUD approvals from 1989, 1990 and 2000.
2. A Development Agreement shall be executed and shall include applicable provisions from the previous PUD approvals referenced in Condition No. 1 above as well as any requirements associated with this PUD amendment.
3. The applicant shall execute an agreement between the Lots 1 and 2 addressing the shared driveway, access, signage and maintenance. Said agreements shall be submitted to the City Attorney for review and approval prior to the City's review of the Final Stage PUD plans and Final Plat.
4. Development on Lot 2 shall require an amendment to this Planned Unit Development.
5. Target agrees to work with the City on developing a landscape plan that addresses landscaping within the landscape islands where trees have died and have been removed. Said plan shall be submitted with the Final PUD application.
6. Truck traffic to Lot 1 shall be prohibited between the hours of 12:00 am and 5:00 am with the exception of trailer drop-offs.
7. An exception to the City's minimum parking requirements is approved as part of this PUD. As indicated in the submittal, 765 stalls shall be provided on Lot 1 for the SuperTarget Retail store.
8. The existing freestanding sign on Lexington Avenue identifying the SuperTarget store may remain provided a sign easement is conveyed to and benefits Lot 1. It is the City's preference that this sign be shared with the future use of Lot 2.

9. The existing condition limiting the retail hours of the SuperTarget Store from 7:00 am to 12:00 am shall be lifted with this approval.
10. Target is released from the responsibility imposed with the 1989 PUD requiring snow removal on Red Fox Road as this road is plowed and maintained by the City of Shoreview. Target shall continue to be responsible for the removal of snow on the South Access Road until such time the City takes over snow plowing on said road.

This approval is based on the following findings of fact:

1. The proposed land use is consistent with the designated commercial land use in the Comprehensive Plan.
2. The proposed subdivision complies with the subdivision standards identified in the City's Development Code.
3. The subdivision of the property benefits the City, as the Outlot A will be conveyed to the City for stormwater ponding associated with the Red Fox Road construction project.

VOTE:        Ayes - 5        Nays - 0        Recusal - 1 (McCool)

## **WIRELESS TELECOMMUNICATION PERMIT**

**FILE NO.:** 2484-13-11  
**APPLICANT:** VERIZON WIRELESS, LLC/BUELL CONSULTING, INC.  
**LOCATION:** 4344 HODGSON ROAD (SITZER PARK)

### **Presentation by Senior Planner Rob Warwick**

A permit application has been submitted for a 75-foot monopole at the northwest corner of the hockey rink in Sitzer Park. An equipment shelter of 12 feet by 20 feet is also proposed with an exterior to match the park pavilion. The hockey rink lights will be mounted on the monopole, which will replace a light standard. The proposed monopole will have a 36-inch base that tapers to approximately 28 inches at the top. Antennas will be inside and not visible.

In 2008, the park was rezoned from TOD-1, which allows a 60-foot tower, to TOD-2, which allows a 75-foot tower. T-Mobile then built a tower at the southeast corner of the hockey rink. In 2010, approval was granted to Clearwire Legacy to replace the light standard at the northwest corner of the hockey rink with a 75-foot monopole, but it was not built.

Sitzer Park is in the R1 Detached Residential zoning district with Telecommunications Overlay District (TOD-2). Surrounding land uses are detached single family residential with the exception of a church to the south. The setback of the monopole would be 120 feet from the west property line, 150 feet from the north property line and over 240 feet from the nearest residence. All setbacks exceed the height of the monopole as required. The monopole is not designed for collocation of a second carrier due to RF interference. The Acting Park and Recreation Director suggests the shelter be located on the west side of the rink with the monopole and shelter surrounded by turf. Verizon is revising its plan to comply. Black Hills Spruce trees are also suggested to extend an existing line of conifers along Hodgson Road to help screen the new monopole. Verizon is developing a landscape plan. The City's consultant, OWL Engineering, has reviewed the proposal and finds it complies with FCC requirements and RF emissions. FAA requires no lighting.

Notice was sent to property owners within 350 feet. Two comments were received expressing concern about landscaping as the park has just been renovated. Two comments were received approving the increased and improved Verizon coverage. Staff is recommending approval.

Chair Solomonson asked if another tower would be allowed on this site, if collocation is not possible. Mr. Warwick explained that the antenna arrays have to be stacked and cannot be located at the same height. Because of tree interference, collocation would not be possible. Code states that only one tower can be located on a site with the exception that the City reserves the right to allow more towers on a site on a case-by-case basis.

Chair Solomonson asked if another design would allow collocation to prevent a request for a third pole. Mr. Warwick stated that height is the limiting factor. The design could allow expansion on the top for future capacity. Code allows a 20% increase in height when there is interference.



Commissioner Ferrington stated that she would hesitate to approve a pole that would reach 90 feet for another carrier, as neighbors have not had an opportunity to comment on such a plan.

**Mr. Paul Harrington**, Buell Consulting, Representative for Verizon, stated that Verizon has no problem accommodating the conditions in the staff report. He explained that for collocation to take place antennas would be attached to the pole as extended arms rather than shrouded within the tower. A larger circumference tower would be needed for collocation to function. Collocation was discussed with the 2008 application, when it was decided to use a stealth design that makes the tower less obtrusive.

Commissioner Solomonson asked for further information on the equipment building. **Mr. Harrington** stated that the building is approximately 7 feet in height. It will contain a HVAC system and batteries and a connector for a generator. A generator will not be located on the site.

Commissioner Schumer noted that photos in the report do not accurately show the height of the equipment building. **Mr. Harrington** agreed to provide them.

**Mr. Garrett Lysiak**, OWL Engineering, 5448 Hamline Avenue, stated that there is no RF interference. There is a signal coverage problem. This proposal solves the problem. More sites are needed because of the need for increased capacity. The City has to make a decision between collocation and stealth.

Stealth requires COAX cables in the center of the pole. To allow collocation, a bigger pole design would be required. Cities have to decide on larger stealth towers or more towers. If collocation is going to be required, the design must be amended at this point. Expansion cannot be added once a stealth pole is built for one provider. No technology interference from the other tower is anticipated. There is no RF emission problem for the hockey rink from the proposed antennas.

Commissioner Proud asked if COAX cable can be replaced with fiber or more expensive technology. **Mr. Lysiak** stated that he has only seen one system using fiber. There is not a more expensive technology that will more easily provide collocation accommodation. The next technical issue will be capacity, which will require more towers. Proving a need because of capacity is very subjective, and ordinances need to be in place to address this issue.

Chair Solomonson requested that the Shoreview Code be reviewed to address provider capacity. This is a small park, and he has concerns that more applications will be made for this site.

**MOTION:** by Commissioner Ferrington, seconded by Commissioner Thompson to recommend the City Council approve the wireless Telecommunications Facility Permit application submitted by Buell Consulting on behalf of Verizon Wireless LLC for property located at 4344 Hodgson Road. Said approval is subject to the following:

1. The project must be completed in accordance with the plans submitted as part of the Wireless Telecommunications Facility Permit application. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. This approval will expire after one year if a building permit has not been issued and work has not begun on the project.
3. This approval is contingent upon the City Council authorizing the lease with Verizon Wireless LLC, including the 20 by 40 foot monopole and equipment lease area, and easements for access and utilities. These easements shall be non-exclusive.
4. The plan shall be revised so that the lease area and shelter are located at the NW corner of the hockey rink. The monopole location shall approximate the location of the existing light standard, and the shelter shall be south of the monopole oriented along a north-south axis.
5. The monopole height, including antennae, shall not exceed 75-feet above existing ground level.
6. The conduit from the equipment cabinet to the monopole shall be routed underground.
7. The site is subject to confirmation that RF emissions conform to FCC requirements. Verizon shall notify the City when the system is installed, prior to operation. A City selected RF engineer shall be provided access to the site to test RF emissions.
8. A landscape plan shall be submitted that includes conifers along the west park boundary and screening for the shelter when viewed from the north, subject to approval of the Building and Ground Superintendent. A landscape surety shall be submitted to insure the installation of the landscape materials.
9. Upon completion of construction of the WTF, vehicle access for normal maintenance shall be limited to the parking area, unless otherwise approved by the Building and Grounds Superintendent.
10. A permanent emergency power generator shall not be installed on the site. Temporary emergency power generation shall occur on-site only after power outages of 4 or more hours. Verizon shall notify the City if emergency power is needed to operate the Wireless Telecommunications Facility.
11. The applicant shall enter into a Wireless Telecommunications Facility Agreement with the City.

This approval is based on the following findings of fact:

1. The proposed WTF with a height of 75-feet is consistent with the goals and policies of the Comprehensive Plan, and the requirements of the Development Code for a WTF.
2. The 'stealth' monopole design, separation from residential uses and equipment shelter design aid to reduce the visual impact of the monopole and wireless equipment.
3. The redevelopment will not have a significant adverse impact on the City park or surrounding residential property.

Discussion:

Commissioner McCool offered an amendment to condition No. 4 at the end of the first sentence to add, "and the ground lease area features turf surface, as recommended by the Acting Park and Recreation Director."

Commissioners Ferrington and Thompson accepted the amendment.

Chair Solomonson requested staff to schedule a discussion of stealth v. collocation and capacity in a workshop session.

VOTE:                   Ayes - 5                   Nays - 1 (Solomonson)

## **SITE AND BUILDING PLAN REVIEW**

**FILE NO.:** 2486-13-13  
**APPLICANT:** RJ MARCO CONSTRUCTION, INC./NEWVESCO, LLC  
**LOCATION:** 577 SHOREVIEW PARK ROAD

### **Presentation by City Planner Kathleen Nordine**

The application is to construct a 5,500 square foot addition onto the south side of the existing structure at 577 Shoreview Park Road. The property is vacant. Allied Electric would be the new occupant. Currently, the property is developed with a 9,240 square foot office/warehouse building. The parking area would be expanded; the storage area will be reconfigured, and storm water facilities will be added with infiltration basin and holding pond. The property consists of approximately 2 acres. It is located in the I, Industrial zone and surrounded by other industry and the PUD of Deluxe Campus.

The storage area was allowed south of the building under a Conditional Use Permit in 1998. The configuration will change with the building addition, but the storage area size will not change. The Conditional Use Permit will remain in effect with approval of this application with the exception that the temporary storage containers must be removed immediately. Parking for 16 stalls is planned. Code requires 25 stalls. Proof of parking for 29 stalls will be provided. Impervious surface coverage is 50%, less than the allowed 75%. Black Hill Spruces are recommended in landscape screening. Wall finishes will match the existing building.

Notices were sent to property owners within 350 feet. One comment was received in support of the proposal. The Building Official has noted that a fire suppression system is required. Staff recommends approval, as the plan is consistent with the City's Development Code.

Commissioner McCool clarified that the new plan will cover requirements of maintained landscaping under the Conditional Use Permit. He asked the number of employees, as the required parking is not being provided. Ms. Nordine stated that there are nine employees, and four work off-site. Commissioner McCool requested that parking be revisited automatically if there is a change in use.

Commissioner Ferrington stated that suggested adding a specific requirement that landscaping be maintained.

**Mr. Paul Noland**, RJ Marco Construction, stated that the storage containers will be removed.

**MOTION:** by Commissioner McCool, seconded by Commissioner Proud to recommend the City Council approve the Site and Building Plan review application submitted by RJ Marco Construction, Inc. on behalf of Newvessco, LLC for a building addition at 577 Shoreview Park Road. Said approval is subject to the following with the addition to condition No. 3 that, "The Site Development Agreement shall address construction of additional parking spaces and proof of parking area upon change of the use of the parcel.

1. This approval permits the construction of a 5,500 square foot addition onto the existing building at 577 Shoreview Park Road. The addition shall be used as warehouse.
2. Approval of the final grading, drainage, utility, and erosion control plans by the Public Works Director, prior to the issuance of a building permit for this project.
3. The applicant is required to enter into a Site Development Agreement and Erosion Control Agreement with the City. Said agreements shall be executed prior to the issuance of any permits for this project.
4. The items identified in the memo from the City Engineer must be addressed prior to the issuance of a building permit.
5. The landscape plan shall be revised by replacing the proposed Colorado Spruce with Black Hills Spruce.
6. The location and area of the outside storage area may be revised pursuant to the approved plans. Conditions identified in Resolution 98-49, the conditional use permit for this storage area, with the exception of Condition No. 1, shall remain in effect.
7. The existing semi-trailers and temporary storage shelter shall be removed immediately.
8. The Building Official is authorized to issue a building permit for the project, upon satisfaction of the conditions above.

This approval is based on the following findings of fact:

1. The proposed land use is consistent with the designated industrial land use in the Comprehensive Plan.
2. The proposed development complies with the standards identified in the City's Development Code.
3. The proposed improvements will not conflict with or impede the planned use of adjoining property.

Discussion:

Commissioner Ferrington offered an amendment to condition No. 5 that, "Plants shall be maintained or replaced if they die or become unhealthy." Commissioner McCool accepted this language as part of the motion.

Commissioner Schumer stated that with occupancy, he believes the landscaping will be maintained and questioned adding an amendment about plants becoming unhealthy.

Commissioner Ferrington agreed and removed "or become unhealthy" from her amendment. Commissioners McCool and Proud accepted the changed amendment.

VOTE:                      Ayes - 6                      Nays - 0

Chair Solomonson called a five-minute break and then reconvened the meeting.

## **MISCELLANEOUS**

### **City Council Meetings**

Commissioner Thompson and Chair Solomonson will respectively attend the June 3rd and June 17th City Council meetings.

### **Discussion, Text Amendment Message Center Signs**

#### **File No. 2420-11-13**

The four-month moratorium on message center signs means that the City Council is expecting review of a text amendment by their August 24th meeting. She suggested an open workshop for expert consultants to talk to the Planning Commission, Economic Development Commission and City Council Members. The dates that work would be the weeks of June 10th or June 17th. A draft amendment would be presented at the Planning Commission meeting on June 25, 2013. There will be further review by the Economic Development Commission and then the Planning Commission would hold a public hearing at the July meeting with the amendment going to the City Council on August 19, 2013.

Commissioner Proud requested that an illumination standard be established that is understood and then how to enforce it. Ms. Nordine stated that would be addressed at the workshop.

Chair Solomonson emphasized the need to address public safety because of the variable times used in other cities.

Ms. Nordine outlined the topics to be covered in this amendment:

- Message center signs are allowed for quasi-public uses and standards need to be defined for the zoning district
- Businesses have to go through a Comprehensive Sign Plan process. Additional criteria would be added to this process.
- Establish additional standards for message center signs on commercial properties that are near residential areas
- Address public safety issues
- Amend the purpose and findings section in the sign code
- Address the brightness and lighting issue.

### **Planning Commission Workshop**

The Planning Commission held a workshop meeting at 6:00 p.m. immediately preceding this regular meeting.

## **ADJOURNMENT**

**MOTION:** by Commissioner Schumer, seconded by Commissioner Thompson to adjourn the meeting at 9:33 p.m.

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

ATTEST:

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Kathleen Nordine  
City Planner

## MOTION

MOVED BY COMMISSION MEMBER: \_\_\_\_\_

SECONDED BY COMMISSION MEMBER: \_\_\_\_\_

To approve the variance request submitted by Tim and Teresa Gedig, 4305 Brigadoon Drive, reducing the minimum 30-foot setback from a rear property line to 27.5 feet to construct an addition onto the home, subject to the following conditions:

1. This approval will expire after one year if a building permit has not been issued and work has not begun on the project. The project shall be completed as identified in the plan submittal. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. To mitigate the visual impact of the addition, landscaping is required along the southern property line. A landscape plan shall be submitted prior to the issuance of a building permit.
3. The approval is subject to a 5-day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity or site work begins.

This approval is based on the following findings of fact:

1. Reasonable Manner. The applicant's proposal to construct an addition onto the rear building wall is reasonable. The addition has been designed to minimize the encroachment into the rear yard with only a small corner of the building located in the setback area. The angle of the addition will minimize impacts on the adjoining property.
2. Unique Circumstances. The property is a corner lot and subject to more restrictive setback standards than interior lots. The angle of the home is unique and when combined with the interior floor layout of the home, difficulty is created regarding the placement of an addition onto the rear of the home.
3. Character of Neighborhood. The proposed setback of the addition will not alter the character of the neighborhood. A reduction of the required rear yard setback to the 27.5 feet proposed would have minimal impact on the character of surrounding neighborhood. Due to the angle of the addition, the majority of the required rear yard will remain open.

**VOTE:**

**AYES:**

**NAYS:**

**Regular Planning Commission Meeting  
June 25, 2013**



**TO:** Planning Commission  
**FROM:** Kathleen Nordine, City Planner  
**DATE:** June 19, 2013  
**SUBJECT:** File No. 2487-13-14, Variance – Gedig, 4305 Brigadoon Drive

**REQUEST**

Tim and Teresa Gedig submitted a variance application for their property at 4305 Brigadoon Drive. The Gedigs are proposing to construct an addition onto their home. The proposed two-story addition will be located on the rear of the home and provide additional living space. The addition is proposed to be setback 27.5 feet from the rear (south) property line, less than the minimum 30-feet required, therefore, a variance is needed.

The application was complete June 7, 2013.

**PROJECT DESCRIPTION**

The subject property is located on the southwest corner of Brigadoon Drive and Highland Drive. The lot has an area is about 14,374 square feet and a width of about 99 feet along the front property line adjacent to Brigadoon Drive. This lot line is considered the front since it is shorter in width than the lot line adjacent to Highland Drive.

The property is currently developed with a two-story single-family home that has an attached garage and is angled facing the intersection of Highland Drive and Brigadoon Drive. The home is setback 29.7 feet from Brigadoon Drive right-of-way, 30.5-feet from Highland Drive right-of-way, 15.3 feet from the interior side line and 48.1 feet from the rear property line.

The existing home has a foundation area of 1,848 square feet, including the attached two car garage. The Gedig's are proposing to expand their home by constructing a 548 square addition on the rear of the home. An existing porch will need to be removed for this addition. The addition is designed as two stories with a full basement. The first floor of the addition will be used for dining and living space. The second floor is designed with a loft area. The overall height of the structure is 22 feet as measured from the ground grade to the peak of the roof. The exterior will be finished with cedar siding and panels and interlocking roof shingles.

**DEVELOPMENT CODE REQUIREMENTS**

The property is located in the R1, Detached Residential District. From the street right-of-way, structures must be setback a minimum of 30 feet; however, if the existing setbacks for the two adjacent dwellings exceed this requirement, the setback for any new dwelling or new addition shall be equal to the average setbacks for the two adjacent dwellings, plus or minus 10 feet A minimum

10-foot structure setback is required for living area from a side property line. For garages, a minimum 5-foot setback from a side lot line is required.

### **Variance Criteria**

When considering a variance request, the Commission must determine whether the ordinance causes the property owner practical difficulty and find that granting the variance is in keeping with the spirit and intent of the Comprehensive Plan and Development Ordinance. Practical difficulty is defined as:

1. *Reasonable Manner.* The property owner proposes to use the property in a reasonable manner not permitted by the Shoreview Development Regulations.
2. *Unique Circumstances.* The plight of the property owner is due to circumstances unique to the property not created by the property owner.
3. *Character of Neighborhood.* The variance, if granted, will not alter the essential character of the neighborhood.

The applicants state that the proposed addition will improve their quality of life by providing additional living, entertaining and office space. The structure has been designed to minimize intrusion into the setback area and will not detract from the aesthetics of the property. Other options were considered, however, these options were not feasible for a variety of reasons. The property is a corner lot and the angle of the home impacts the size of any addition located on the rear of the building. The character of the neighborhood will not be impacted since only a corner encroaches into the setback and there would be ample space between the addition and the neighboring home to the south. Please see the attached statement

### **STAFF REVIEW**

The staff has reviewed the proposal in terms of the Comprehensive Plan, Development Ordinance requirements and variance criteria.

The continued use of the property as single family residential complies with the policies of the Comprehensive Plan Land Use Chapter, which guides use of this area for low density (0 to 4 units/acre) residential development. The proposed project will not result in a change in land use density or alteration of existing development patterns. Staff finds the project in keeping with the policies outlined in the Comprehensive Plan.

The proposed addition has been designed to meet the needs of the property owners while minimizing the intrusion into the required 30-foot rear yard setback. In staff's opinion, there is justification for the variance based on site characteristics. The following summarizes staff's conclusion in relation to the variance criteria.

1. *Reasonable Manner.* The property owner proposes to use the property in a reasonable manner not permitted by the Shoreview Development Regulations. The intent of the proposed expansion is to provide additional living, dining, entertaining and office space to improve the functionality of

the home for the property owners. Proposing an addition onto the rear of the home is reasonable. The angle of the home and interior floor layout presents some difficulty with the placement of an addition onto the rear of the home.

2. *Unique Circumstances.* *The plight of the property owner is due to circumstances unique to the property not created by the property owner.* The angle of the home on the property is a unique circumstance that was not created by the property owner. The addition could be constructed without the need for a variance if the home was placed parallel to the front property line at the minimum building setback. This angle results in a small 2.5-foot encroachment into the rear yard setback and only the corner of the addition encroaches. Shifting the addition to the west is problematic because of the existing floor plan.
3. *Character of Neighborhood.* *The variance, if granted, will not alter the essential character of the neighborhood.* The proposed setback of the addition will not alter the character of the neighborhood. The encroachment into the rear yard setback is minimal at 2.5' and only includes a corner of the building; therefore, the majority of the required rear yard will remain open.

#### **PUBLIC COMMENT**

Property owners within 150 feet of the parcel were notified of this request. Written comments in support have been received. One phone call from a resident was also received who expressed some concern about the proposal due to the proximity to the rear property line.

#### **STAFF RECOMMENDATION**

The application has been reviewed in accordance with the Development Code standards and variance criteria. The angle of the home on the property, when combined with the required setbacks for a corner lot presents some difficulty for the property owner to expand the house towards the rear of the property. Staff does believe practical difficulty is present and is recommending the Commission adopt Resolution 13-57 approving the variance subject to the following conditions:

1. This approval will expire after one year if a building permit has not been issued and work has not begun on the project. The project shall be completed as identified in the plan submittal. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. To mitigate the visual impact of the addition, landscaping is required along the southern property line. A landscape plan shall be submitted prior to the issuance of a building permit.
3. The approval is subject to a 5-day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity or site work begins.

#### Attachments

- 1) Aerial Location Map
- 2) Resolution No. 13-57

File 2487-13-14  
Gedig, 4305 Brigadoon Drive  
Variance Application  
Page 5

- 3) Written Statement of Justification and Submitted plans
- 4) Request for Comment
- 5) Proposed Motion

t:/pcf2013/2487-13-14gedig/pcreport

**EXTRACT OF MINUTES OF MEETING OF THE  
PLANNING COMMISSION OF SHOREVIEW, MINNESOTA  
HELD JUNE 25, 2013**

\* \* \* \* \*

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

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

Member introduced the following resolution and moved its adoption.

**RESOLUTION NO. 13-57 FOR A VARIANCE TO REDUCE THE REAR YARD  
SETBACK FOR AN ADDITION**

WHEREAS, Tim and Teresa Gedig, submitted a variance application for the following described property:

Lot 3, Block 4, Brigadoon Plat Three  
*(commonly known as 4305 Brigadoon Drive)*

WHEREAS, the Development Regulations establish a minimum building setback of 30 feet from a rear property line for a residential dwelling unit; and

WHEREAS, the applicants are proposing to remove an existing porch and construct a 548 square foot addition onto the rear of the existing home; and

WHEREAS, the proposed addition will be setback 27.5 feet from the rear property line encroaching into the minimum 30-foot setback required; and

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

WHEREAS, on June 25, 2013 the Shoreview Planning Commission made the following findings of fact:

1. *Reasonable Manner. The property owner proposes to use the property in a reasonable manner not permitted by the Shoreview Development Regulations.*

The applicant's proposal to construct an addition onto the rear building wall is reasonable. The addition has been designed to minimize the encroachment into the rear yard with only a small corner of the building located in the setback area. The angle of the addition will minimize impacts on the adjoining property.

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

The property is a corner lot and subject to more restrictive setback standards than interior lots. The angle of the home is unique and when combined with the interior floor layout of the home, difficulty is created regarding the placement of an addition onto the rear of the home.

3. *Character of Neighborhood. The variance, if granted, will not alter the essential character of the neighborhood.*

A reduction of the required rear yard setback to the 27.5 feet proposed will have minimal impact on the character of surrounding neighborhood. The parcel does exceed the minimum lot area required for the R1 district. Due to the angle of the addition, the majority of the required rear yard will remain open.

NOW, THEREFORE, BE IT RESOLVED BY THE SHOREVIEW PLANNING COMMISSION, that the variance request for property described above, 5186 Lexington Avenue, be approved, subject to the following conditions:

1. This approval will expire after one year if a building permit has not been issued and work has not begun on the project. The project shall be completed as identified in the plan submittal. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. To mitigate the visual impact of the addition, landscaping is required along the southern property line. A landscape plan shall be submitted prior to the issuance of a building permit.

3. The approval is subject to a 5-day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity or site work begins.

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

And the following voted against the same:

Adopted this 25th day of June, 2013

---

Steve Solomonson, Chair  
Shoreview Planning Commission

ATTEST:

---

Kathleen Nordine, City Planner

ACCEPTANCE OF CONDITIONS:

---

Tim Gedig, 4305 Brigadoon Drive

---

Teresa Gedig, 4305 Brigadoon Drive

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 25<sup>th</sup> day of June, 2013 with the original thereof on file in my office and the same is a full, true and complete transcript therefrom insofar as the same relates to adopting Resolution 13-57.

WITNESS MY HAND officially as such Manager and the corporate seal of the City of Shoreview, Minnesota, this 25th day of June 25, 2013.

\_\_\_\_\_  
 Terry C. Schwerm  
 City Manager

SEAL





# Gedig - Variance - 4305 Brigadoon Dr



68.5 0 34.25 68.5 Feet

NAD\_1983\_HARN\_Adj\_MIN\_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

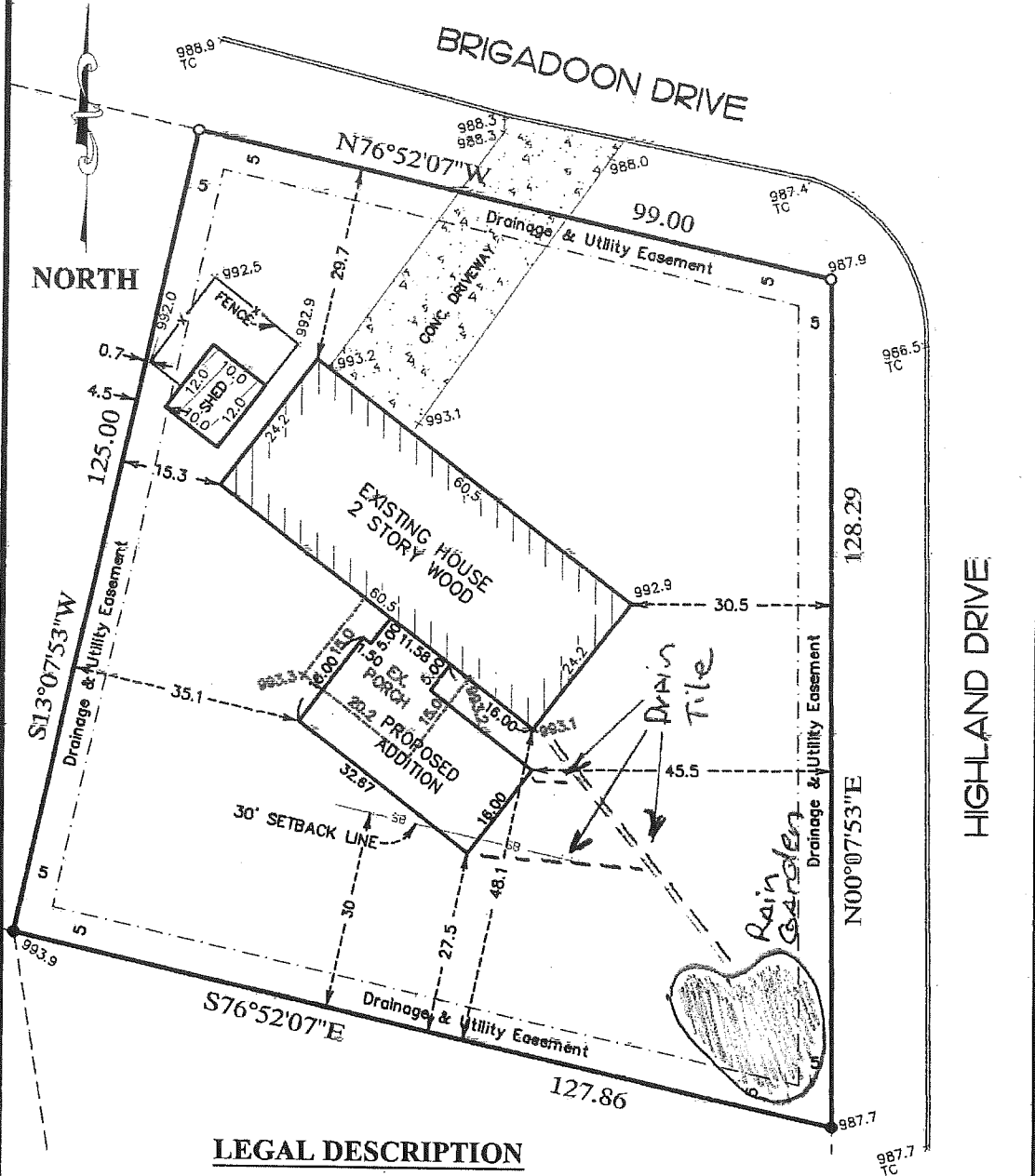
# CERTIFICATE OF SURVEY

FOR: Gedig Residence

PROPERTY ADDRESS: 4305 Brigadoon Drive, Shoreview, MN



( IN FEET )  
1 inch = 20 ft.



## LEGAL DESCRIPTION

Lot 3, Block 4, BRIGADOON PLAT THREE, Ramsey County, Minnesota.

## NOTES

- BEARING'S SHOWN ARE ON ASSUMED DATUM.
- FIELD SURVEY COMPLETED 01/11/13.
- ELEVATIONS ON ASSUMED DATUM.
- CONTRACTOR TO VERIFY HOUSE DIMENSIONS, AND SEWER AND BASEMENT DEPTHS.

## LEGEND

- DENOTES 1/2" IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET
- x1011.2 DENOTES EXISTING ELEVATION.

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

*Eric R. Vickaryous*  
ERIC R. VICKARYOUS

Rev. May 31st, 13', revised add.  
Rev. May 30th, 13', revised add.  
Rev. Jan. 29th, 13', add addition

Date: Jan. 15th, 2013 Reg. No. 44125

Job #13015

**ACRE LAND SURVEYING**  
Serving Twin Cities Metro  
area and beyond  
763-458-2987 acrelandsurvey@gmail.com

# Variance Request– 4305 Brigadoon Drive, Shoreview, MN 55126

## Statement of Justification

### Filing Requirements – Item 3

The variance request shall comply with the purpose and intent provisions of City Code Section 201.010 and with the policies of the City’s Comprehensive Plan.

#### **(a) Section 201.010 Compliance**

**(A) To maintain the high quality of life within the community by promoting investment and re-investment in the community.**

*The addition obviously constitutes a major reinvestment in our property and the community. The addition improves our quality of life by adding living and entertaining space as well as adding an office space to enhance my working conditions when working from home.*

**(B) To provide opportunities for reuse, reinvestment and redevelopment that increases the City’s employment and service base.**

*My wife works exclusively from home as a graphic designer, and I work from home when not travelling on business as well as managing 2 rental properties and the financials for the graphic design business. The added office will make it easier to generate income in the community and may provide for added jobs as my rental business expands.*

**(C) To preserve and protect the City’s natural resources through standards that promote sustainable land use and development.**

*The runoff from the hard surface added by the roof will be captured in a rain garden on the Southeast corner of the lot (see rough layout and images).*

**(D) To stabilize and improve existing land uses, commercial and business centers, neighborhoods, and property values by minimizing conflicts, harmonious influences and harmful intrusion.**

*We feel that the minimal intrusion into the setback will not detract from the aesthetics of our lot, and in fact is required for the addition to look natural. The window locations are designed to provide lots of light while maximizing privacy for us and our immediate neighbors. Any addition runoff will be directed to the planned rain garden. We have discussed our plans with most of our immediate neighbors, including the Kellers who are adjacent to the lot line in question, and all are fine with the location of the addition.*

**(E) To ensure that public and private lands ultimately are used for the purposes which are most appropriate and most beneficial for the City as a whole.**

*Other than the loft office, the addition is purely residential as is fitting with the location.*

**(F) To balance the demand for support services with the ability of the City to efficiently utilize and/or expand the existing utilities, streets, etc.**

*The addition will generate no additional need for services and does not infringe on any utility easements.*

**(G) To establish development patterns which encourage suitable density transitions from the less intense areas to those of higher intensity and prevent undue concentrations of population.**

*The addition will not change population density other than freeing up a spare bedroom that is currently used for office.*

**(H) To protect all districts from excessive noise, illumination, unsightliness, odors, dust, dirt, smoke, vibration, heat, glare and other objectionable influences.**

*As stated, the windows are designed to maximize privacy. The only added exterior lighting will be muted can lights that shine directly on the patio area on the West side. They will not be visible by neighbors.*

**(I) To provide a mechanism to safeguard a property owner's desire for and investment in, alternative energy sources, be they active or passive.**

*While the single angle roof would probably be ideal for solar panels, none are planned until costs come down.*

**(J) To stage development and redevelopment in a manner that coincides with the availability of public services.**

*No additional public services will be required*

**(K) To provide housing choice by permitting a variety of housing types, costs and ownership options.**

*Our current property is based on a modern A-frame design. We have spent a lot of effort and time to come up with a design that complements the structure without looking like an afterthought.*

**(L) To provide for adequate light, pure air, safety, from fire and other danger.**

*See window design. There are multiple egress points in the structure and we plan on non-flammable siding.*

## Shoreview Comprehensive Plan Compliance - applicable sections

### **Land Use**

*The property is and will remain single family residential*

### **Transportation**

*The addition will have no effect on transportation other than making one of the bedroom offices available for guests*

### **Economic Development**

*The addition and/or variance should have no effect on this category*

### **Housing**

*We feel that this addition will increase the usability, value, and attractiveness of our property, thus increasing the values of all homes in the neighborhood. The added space keeps our total square footage well within the norm for the neighborhood, and the design complements the "modern" look of our existing structure. **Community Facilities and***

### **Services**

*We expect to require no additional services from the city*

### **Technology**

*The addition and/or variance should have no effect on this category*

### **Sanitary Sewer Plan**

*No plumbing is planned for the addition.*

### **Water Supply Plan**

*No plumbing is planned for the addition.*

### **Surface Water Management**

*Any additional runoff, as well as approximately 25% of current roof runoff, will be captured in the planned rain garden. The rain garden implementation is already in progress (see photos attached).*

### **Waste Management**

*The addition and/or variance should have no effect on this category*

### **Natural Resources**

*The rain garden planned in conjunction with the addition will enhance the natural resources for the area by introducing indigenous plants favored by pollinating insects and birds. Plants favored by deer will be avoided...*

### **Resource Conservation**

*The shape of the space, 2x6 wall construction, and SIPS roof panels are all designed to minimize resources need to heat and cool the structure. Much of the materials in the existing 3-season porch will be reused in this and other projects.*

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

**(c) “Practical Difficulties” means:**

**(i) Reasonable Manner.** The property owner proposes to use the property in a reasonable manner not permitted by the Shoreview Development Regulations.

*We feel that the design is the best and most attractive way to accomplish our functional objectives. Even with the additional square footage the property will be well within the normal size for the neighborhood.*

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

*In addition to being located on a corner lot that requires 30’ setbacks on 3 sides instead of the normal 2, our property was built on an angle on the lot that limited the size of any rear addition. We have looked at any number of options to avoid needing a variance. We even had a model made to see the options in 3D. Options considered:*

***Shift the addition forward** – If we shifted forward enough to avoid the variance the addition would have obscured our kitchen window. It also would reduce the size of our patio that we greatly value.*

***Shorten the addition** - We looked at options where the East wall was even with the east wall of the existing property. That would only work if we reduced the space between the buildings to 3 feet. That would not be enough space for proper ventilation for the HVAC equipment planned for that space. Also, while it is hard to explain, any option where those walls were even did not look natural or appealing. The best our architect could say about one option was “Well, I guess it doesn’t look horrible...”*

***Cut the corner of the building at an angle** – This would change the roof drainage so that part of the water would pour off the angle. It also would ruin the effect of the high triangular windows. Those were designed to bring in light while maintaining privacy for both us and the immediate neighbor on the rear. Finally, it would just look kind of dumb.*

***Build the addition directly to the South wall of the existing house** – The original reason for the separate structure design was to complement the existing angles on the house and allow us to keep both bathroom windows facing that direction. Because of the A-frame design there are multiple angles including a widening of the soffits to the peak. After years of considering different roof lines this was the first that seemed to complement the property rather than look like something that was just stuck on the house. The space between the structures is also design as a screened location for air conditioners and other utilities (water spigot, cable service, etc.). Besides screening sound and visibility of the AC units, it provides a shaded area to increase the energy efficiency. Sun reduces the effectiveness of the cooling coils.*

***Make the addition narrower** – To make the addition narrow enough to fit within the setback we would have had to reduce it by approximately 3’ at the current length. That would make it both less attractive from the exterior and less usable for our intended purposes.*

*We strongly feel that the current plan is the minimum size and optimum design that would make the investment worthwhile.*

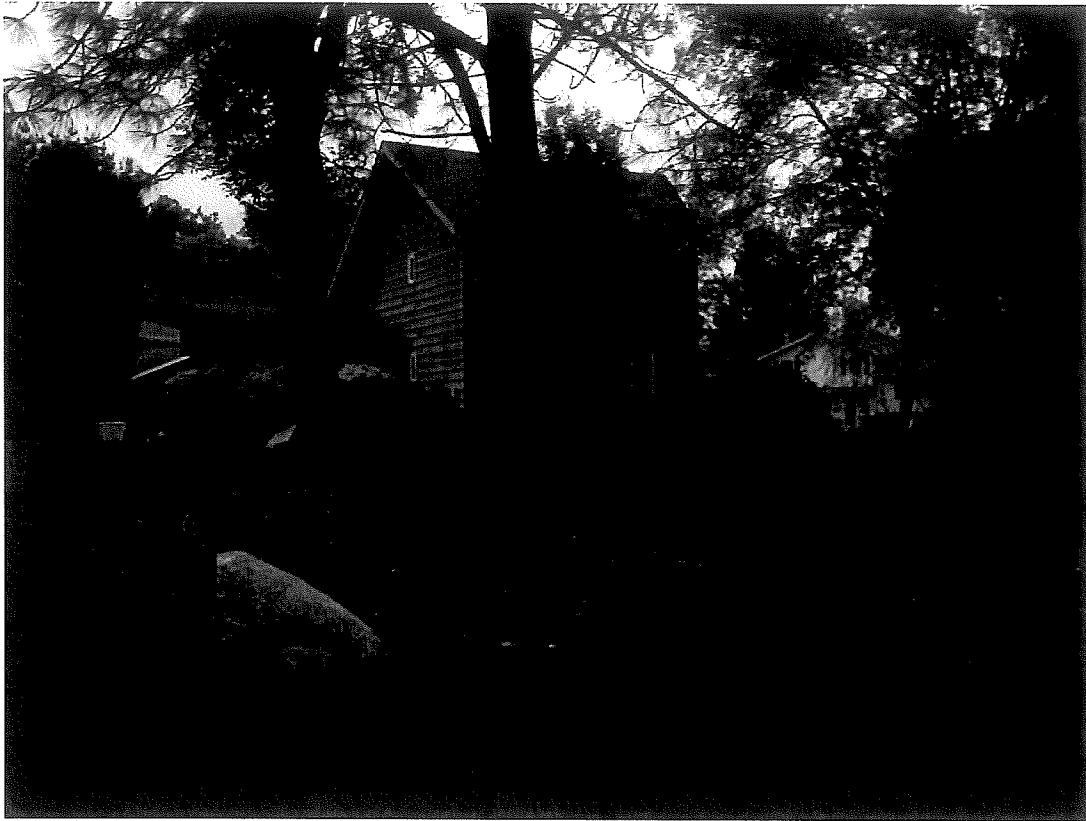
**(iii) Character of Neighborhood.** The variance, if granted, will not alter the essential character of the neighborhood.

*As we have a prominent position on a corner lot we have always considered the “curb appeal” of any planned addition. We believe this addition will be an enhancement for the neighborhood. Also, because our immediate neighbor to the rear is well back of their lot line, and that only a corner of the addition will protrude into the setback, that ample visual space will be maintained between the properties.*

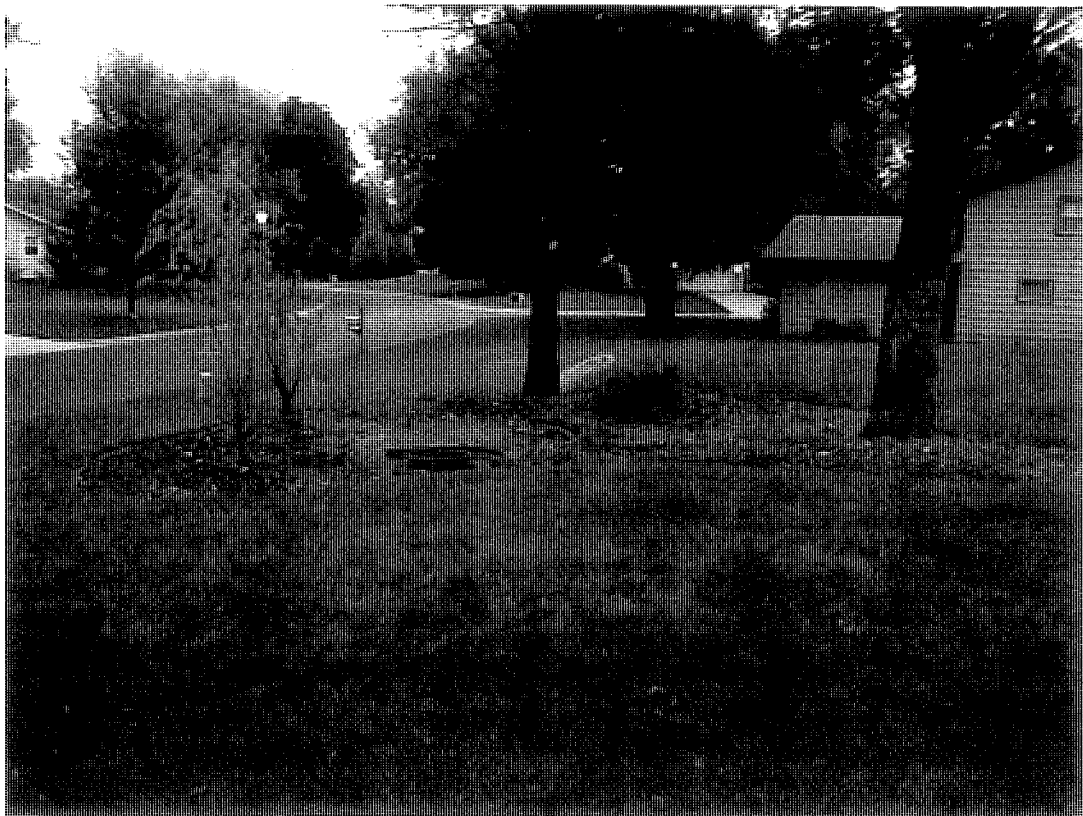
**(d) Economic Consideration.** Economic considerations alone shall not constitute Practical Difficulties

*Other than a small increase in cost for the cut corner option, economics were not part of the variance considerations.*

Rain Garden-In Progress-1



Rain Garden-In Progress-2



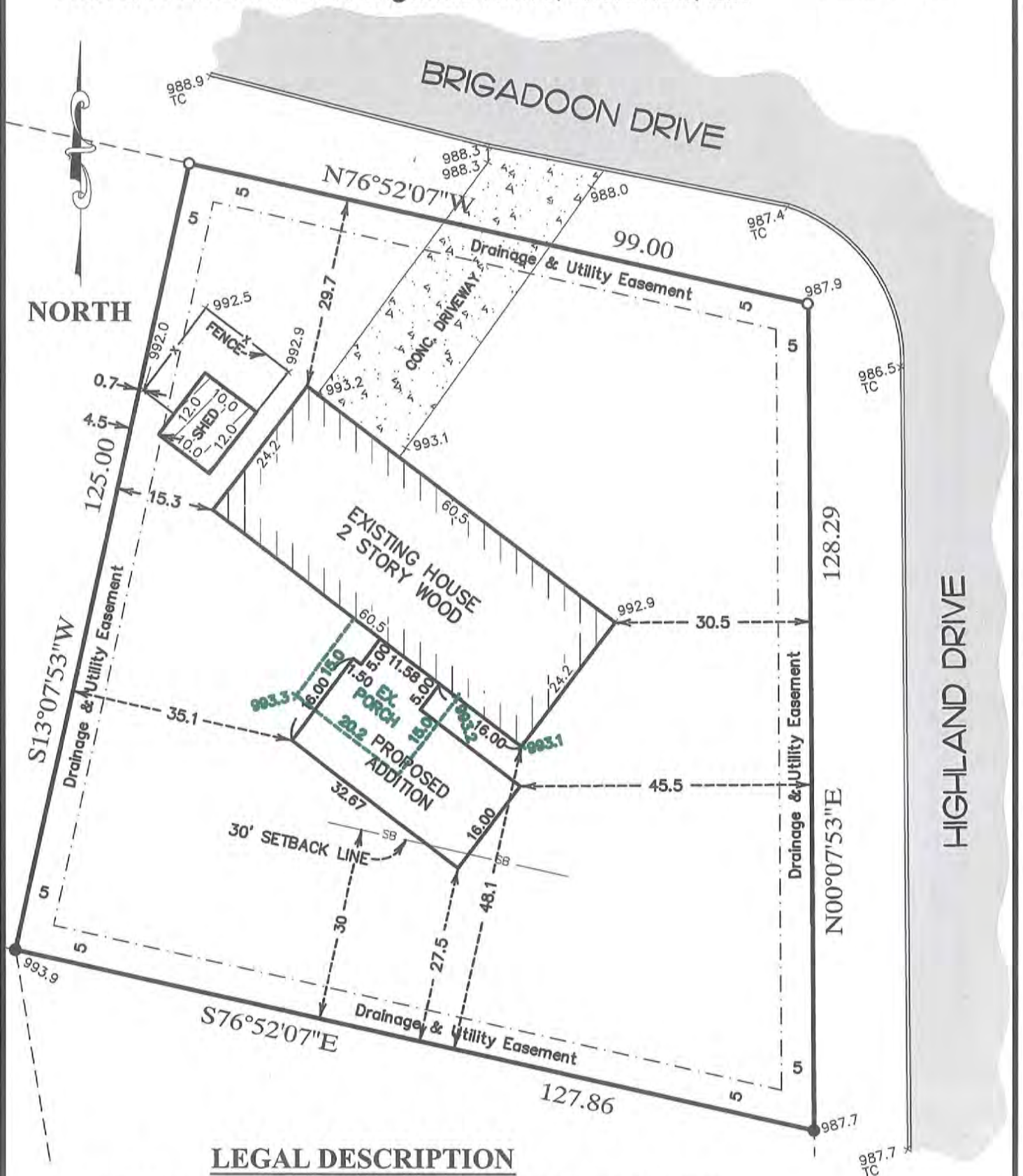
# CERTIFICATE OF SURVEY

FOR: Gedig Residence

PROPERTY ADDRESS: 4305 Brigadoon Drive, Shoreview, MN



( IN FEET )  
1 inch = 20 ft.



## LEGAL DESCRIPTION

Lot 3, Block 4, BRIGADOON PLAT THREE, Ramsey County, Minnesota.

NOTES

LEGEND

# Variance Request Statement – 4305 Brigadoon Drive, Shoreview, MN 55126

We are requesting a variance from the 30 foot setback requirement on our Southern lot line at 4305 Brigadoon Drive in Shoreview, MN. We are planning an addition to the rear of the current residence, and due to design and functionality requirements we are requesting that the corner of the new structure be allowed to project approximately 3.5 feet into the setback.

- Building plans submitted via email to Rob Warwick
- Written Statement of Justification to follow.
- Below image approximate. Survey to follow via email.

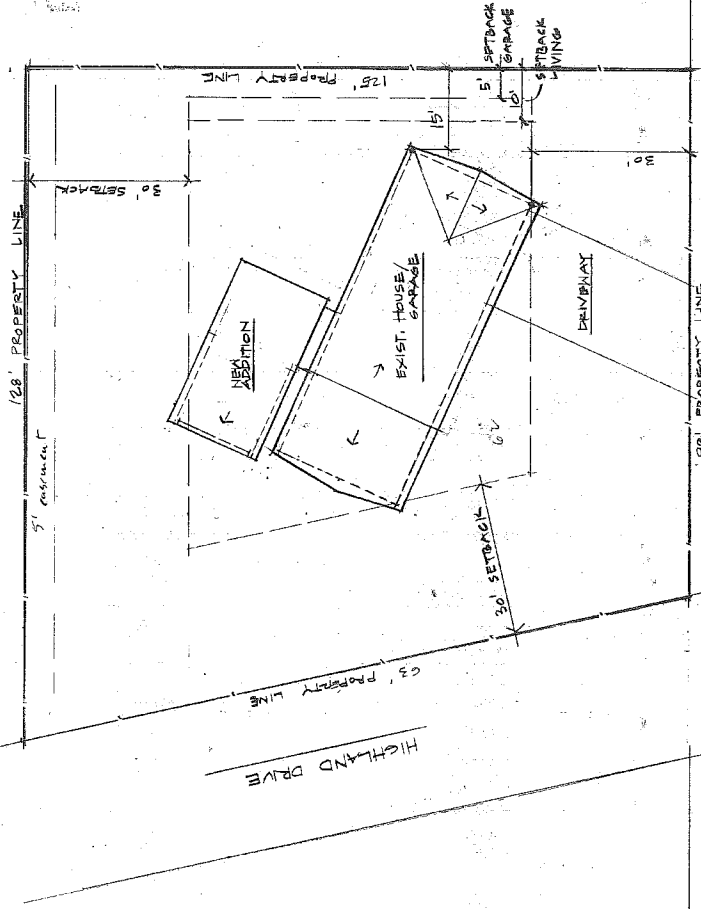




SHEET INDEX

- A1 SITE PLAN
- A2 BASEMENT/  
FOUNDATION/  
FRAMING PLAN
- A3 MAIN FLOOR/  
ELECTRICAL PLAN
- A4 UPPER FLOOR/  
ELECTRICAL PLAN
- A5 SOUTH ELEVATION
- A6 ~~NORTHELEVATION~~
- A7 EAST/WEST ELEVATIONS
- A8 BUILDING SECTION

GENERAL STRUCTURAL NOTES



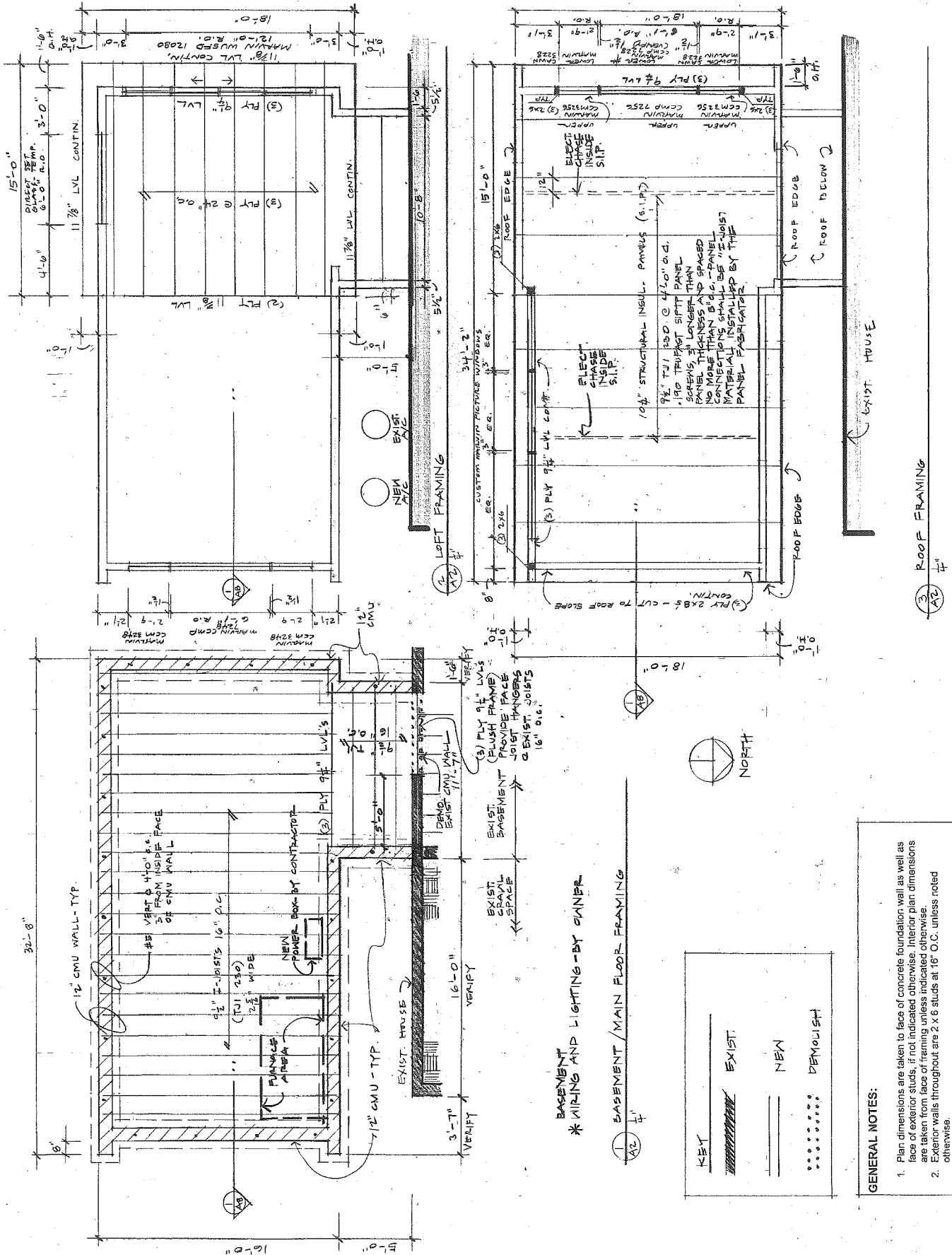
1" SITE PLAN  
1" 16

BRIGADDOON DRIVE

HIGHLAND DRIVE

4305 BRIGADON DRIVE  
SHOREVIEW, MINNESOTA

MAY 1, 2013



**GENERAL NOTES:**

1. Plan dimensions are taken to face of concrete foundation wall as well as face of exterior studs, if not indicated otherwise. Interior plan dimensions are taken from face of framing unless indicated otherwise.
2. Exterior walls throughout are 2 x 6 studs at 16" O.C. unless noted otherwise.
3. Interior partitions are 2 x 4 studs at 16" O.C. unless noted otherwise.
4. Floor to floor dimensions given on drawings are noted "T.O. SFL" are to top of 3/4" plywood over framing.

KEY	EXIST.	NEW	DEMOLISH

**BASIMENT AND LIGHTING-BY OWNER**

\* WIRING AND LIGHTING-BY OWNER

BASEMENT / MAIN FLOOR FRAMING

ROOF FRAMING

EXIST. HOUSE

ROOF EDGE

ROOF BELOW



KEY

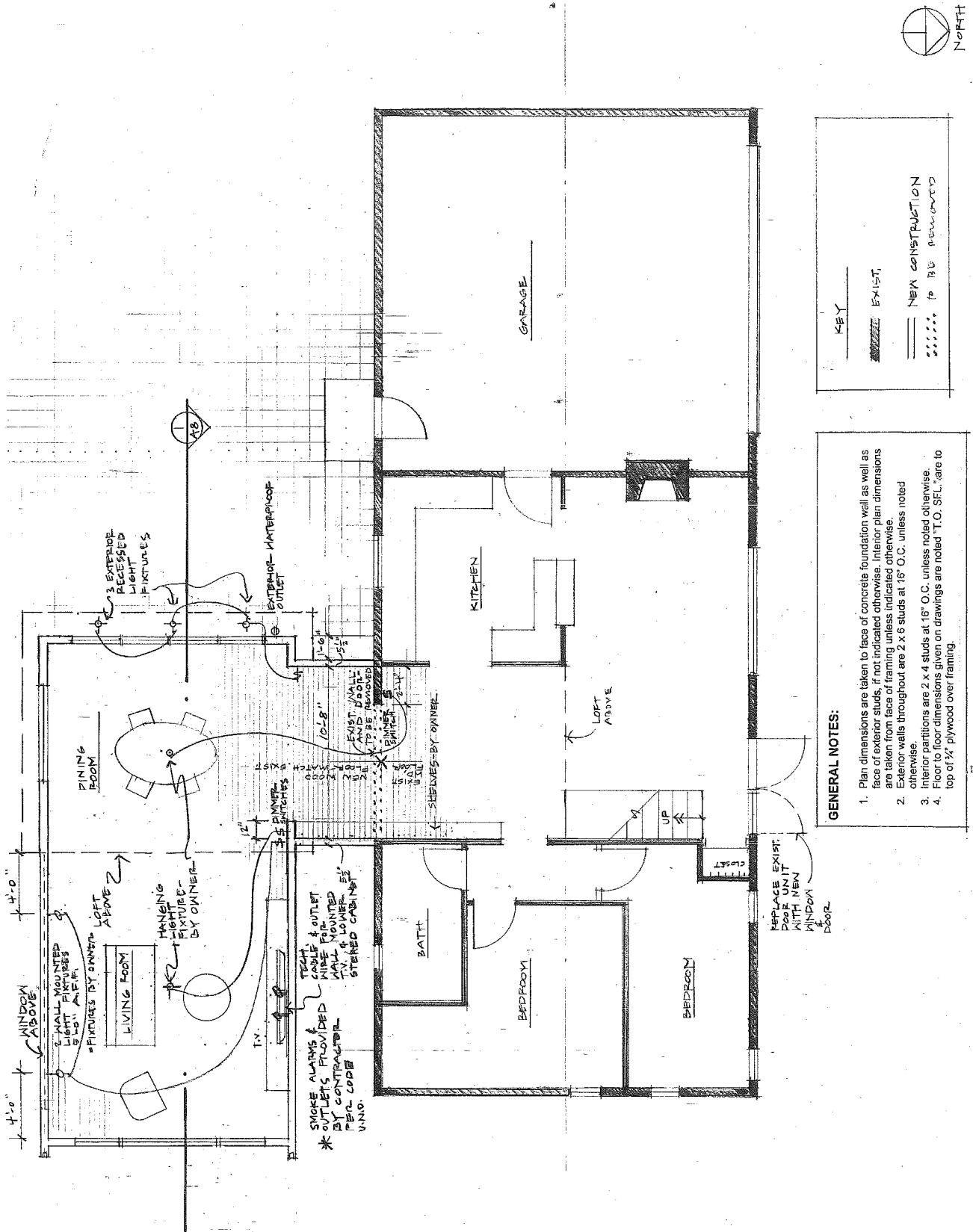
EXIST.

NEW

DEMOLISH

GENERAL NOTES:

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**KEY**

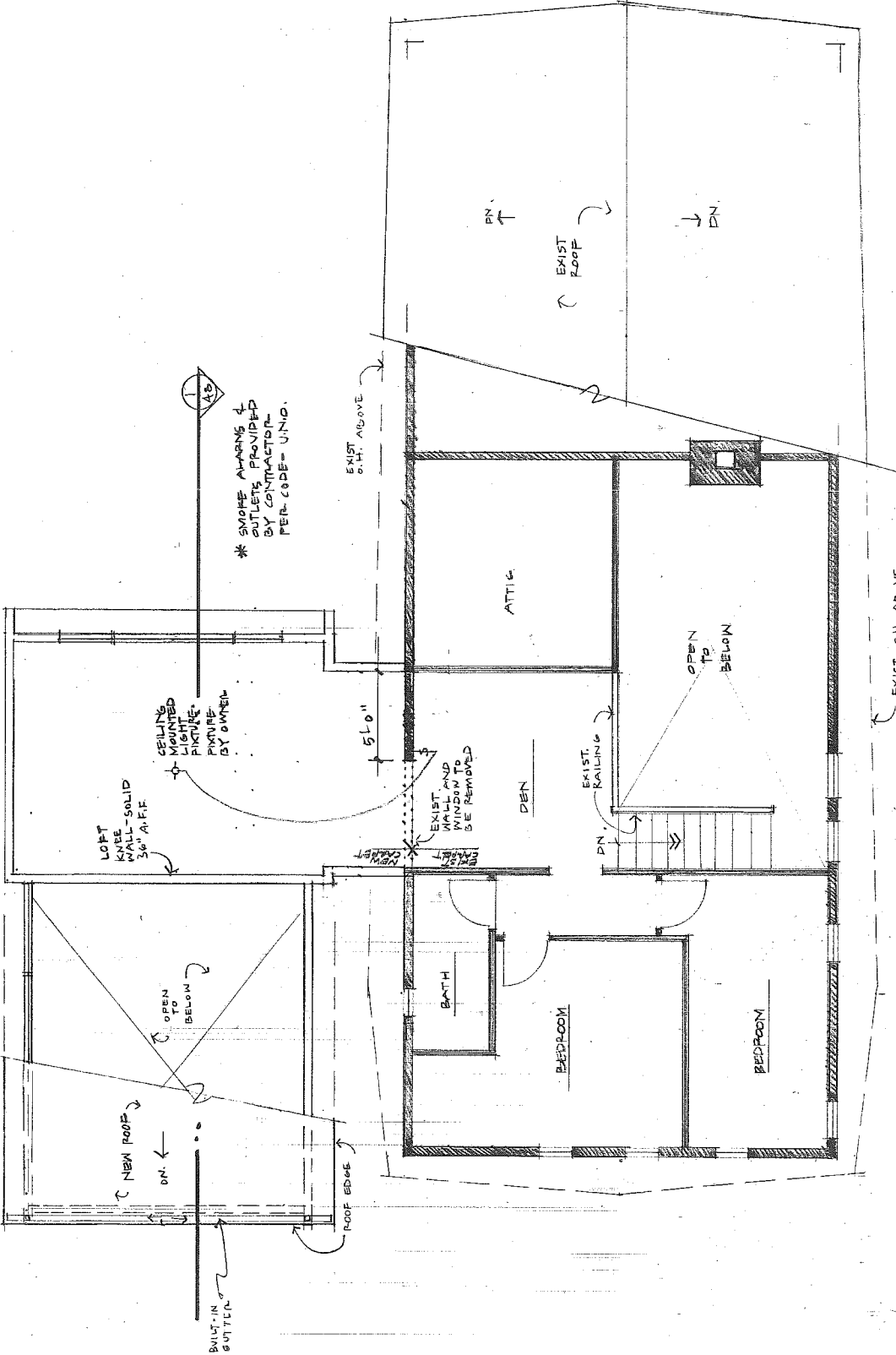
- EXIST.
- NEW CONSTRUCTION
- ..... TO BE REMOVED

**GENERAL NOTES:**

1. Plan dimensions are taken to face of concrete foundation wall as well as face of exterior studs, if not indicated otherwise. Interior plan dimensions are taken from face of framing unless indicated otherwise.
2. Exterior walls throughout are 2 x 6 studs at 16" O.C. unless noted otherwise.
3. Interior partitions are 2 x 4 studs at 16" O.C. unless noted otherwise.
4. Floor-to-floor dimensions given on drawings are noted "T.O. SEL." are to top of 3/4" plywood over framing.

ELECTRICAL &  
MAIN FLOOR

1/8"



**GENERAL NOTES:**

1. Plan dimensions are taken to face of concrete foundation wall as well as face of exterior studs, if not indicated otherwise. Interior plan dimensions are taken from face of framing unless indicated otherwise.
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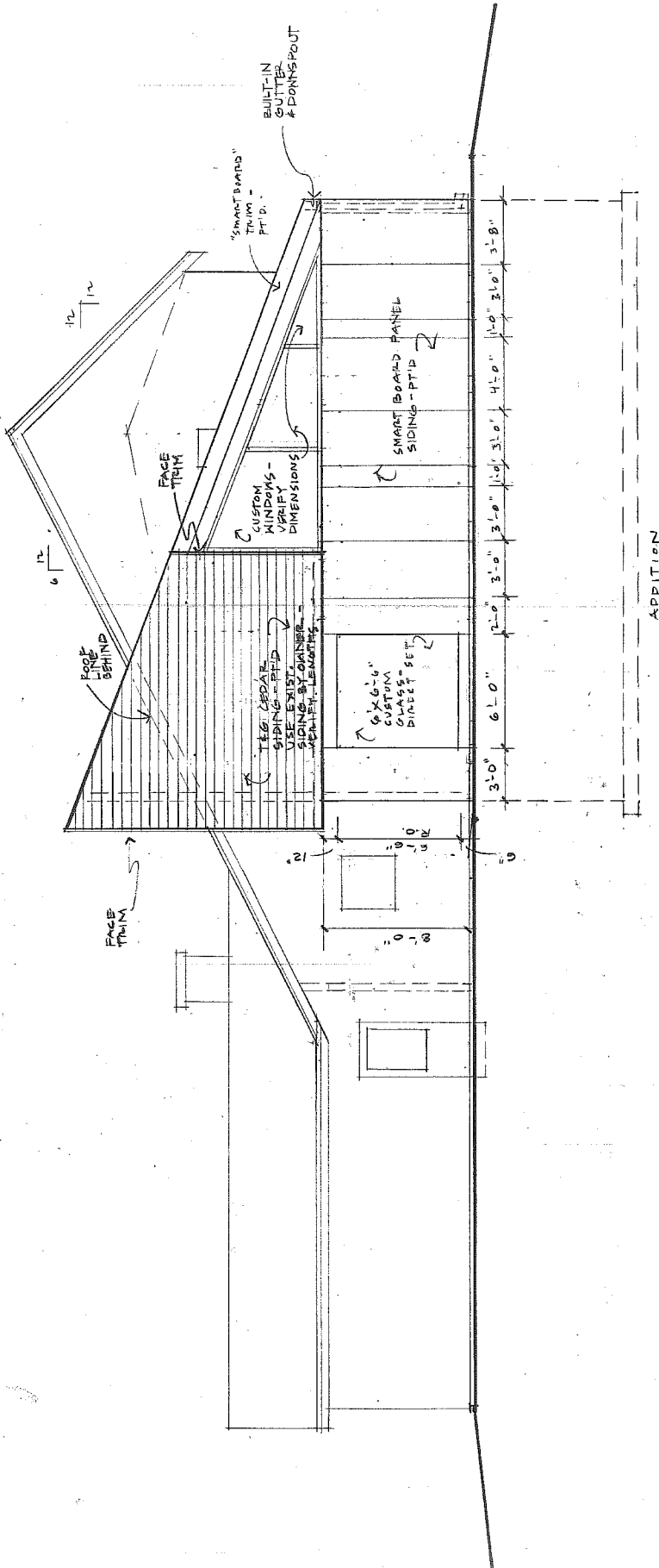
**KEY**

— EXIST.

— NEW CONSTRUCTION

..... TO BE REMOVED

UPPER FLOOR  
1/4

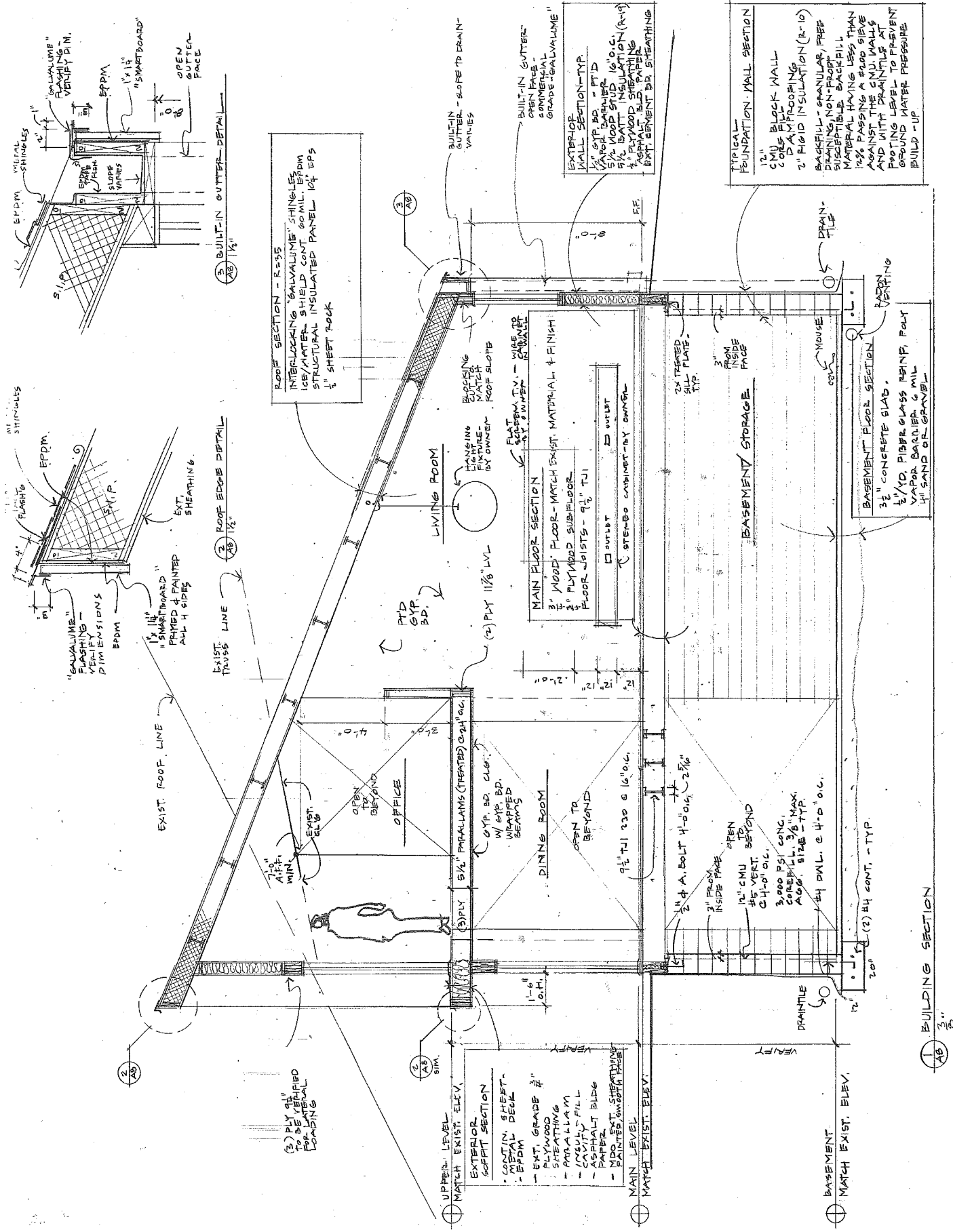


1 SOUTH ELEVATION  
A5 1/4"



4305 BRIGADOON DRIVE  
SHOREVIEW, MINNESOTA

MAY 1, 2013



(3) PLY 9/16" TO BE VERIFIED FOR LANDING

(1) BUILDING SECTION  
3/8"

City Council:  
Sandy Martin, Mayor  
Amy Johnson  
Terry Quigley  
Ady Wickstrom  
Ben Withhart



City of Shoreview  
4600 Victoria Street North  
Shoreview, MN 55126  
651-490-4600 phone  
651-490-4699 fax  
www.shoreviewmn.gov

June 10, 2013

REQUEST FOR COMMENT

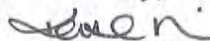
Dear Shoreview Property Owner:

Please be advised that on **Tuesday, June 25<sup>th</sup>**, the Shoreview Planning Commission will consider a Variance request submitted **Tim and Teresa Gedig** to construct an addition onto their existing home at **4305 Brigadoon Drive**. The proposed two-story addition will be located on the rear of the home and provide additional living space. The addition is proposed to be setback 27.5 feet from the rear (south) property line, less than the minimum 30-feet required, therefore, a variance is needed. Please see the attached plans.

You are encouraged to fill out the bottom portion of this form and return it if you have any comments or concerns. Comments received by **Thursday, June 20<sup>th</sup>** will be distributed to the Planning Commission with their agenda packet. Comments received after that date but before the meeting will be distributed to the Commission that night. You are also welcome to attend the meeting. The meeting is held at **7:00 pm in the City Council Chambers at Shoreview City Hall, 4600 North Victoria Street**.

If you would like more information or have any questions, please call me at 651-490-4682 between 8:00 a.m. and 4:30 p.m., Monday through Friday. You may leave a voice mail message at any time. Comments or questions can also be submitted via e-mail to me at [knordine@shoreviewmn.gov](mailto:knordine@shoreviewmn.gov).

Sincerely,

  
Kathleen Nordine  
City Planner

Enc.

Comments:

Thank you for your fine presentation. The Gedig addition appears to be a splendid addition to our Brigadoon neighborhood and a fitting showcase for our outstanding book designer.

Name:

Marlin Bree

Address:

4304 Brigadoon Dr.



**PROPOSED MOTION  
TO APPROVE THE VARIANCE  
KEVIN STOSS AND MONTSERRAT TORREMORELL  
226 OWASSO LANE EAST**

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

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

To adopt Resolution 13-58 approving the variance permitting and extension of two feet along the current legal non-conforming setback and the increased total accessory square footage to 1292. Hardship is present and the proposed project supports the City's housing goals regarding reinvestment and neighborhood preservation. Said approval is subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the Variance application. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. This approval will expire after one year if a building permit has not been issued and work has not begun on the project.
3. This approval is subject to a 5-day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity begins.

This approval is based on the following findings:

1. The proposed improvement is consistent with the policies of the Comprehensive Plan, including the Land Use and Housing Chapters.
2. **Reasonable Manner.** In Staff's opinion, the variance request to rebuild the garage in the proposed location represents a reasonable use of the property. City Code permits detached garages as an accessory use. By establishing these provisions, the City deems that a detached garage represents a reasonable use of the property provided Code standards are met. Garages, especially in Minnesota, are needed for vehicle parking and storage of normal household equipment and supplies. Throughout Shoreview, they are a standard feature of detached single family residences. The existing garage can be reconstructed in the same location, provided the square footage remains the same. Since the applicant is proposing to expand the length 2-feet and raise the height of the building, the variances are needed.

The need for the variance request is due to the encroachment on the 10-foot setback from the lot line and the added square footage. Rebuilding the current garage in conformance to the existing setback would result in the garage length being too short to park the boat trailer, thus not alleviating the outdoor storage and parking of the boat/trailer. The current garage is also aligned with the asphalt from the existing driveway so relocating it within the setback would require repaving that portion of the driveway.

The City has discretion in determining 'reasonable use', and in this particular case, staff believes the area of the existing garage does not provide for the parking and storage needs of the homeowner, and that reasonable use is limited by the requirements of the Development Code.

3. **Hardship.** Hardship stems from the uniqueness of the parcel. It is a riparian parcel with a shared driveway and no front lot line. The garage was constructed in 1960 in conformance with City setback regulations at the time. The variance requested will maintain the existing setback, extending it by two feet to the south, and is reasonable due to the location of the existing garage and driveway. The additional two feet expands the accessory square footage total to 1292 square feet. Construction of a detached garage conforming to the 10-foot setback from the lot line would result in a garage that is misaligned to the current shared driveway.
4. **Character of the Neighborhood.** Staff believes that since the existing detached garage does not meet or enhance the character of the neighborhood the tear down and rebuild would be an improvement. The proposed garage would match the architectural style of the current home and would be similar in style and setback to the neighboring garage at 224 Owasso Lane E.

**VOTE:**

**AYES:**

**NAYS:**

**TO:** Planning Commission  
**FROM:** Niki Hill, Planning and Economic Development Specialist  
**DATE:** June 18, 2013  
**SUBJECT:** Variance Request – Kevin Stoss and Montserrat Torremorell, 166 Owasso Lane E, File No. 2488-13-15

### **INTRODUCTION**

Kevin Stoss and Montserrat Torremorell have submitted an application requesting a variance to the setback and the floor area for the reconstruction of a detached accessory structure on their riparian lot. On properties with an existing non-conforming structure, code states that the structure may remain at its current size and/or may be structurally altered, including an area expansion, provided that the alternation complies with the City's current development regulations and procedures.

### **PROJECT DESCRIPTION**

The property is a standard riparian lot on the east shoreline of Lake Owasso. The property is zoned R1, Detached Residential District, as are the adjacent properties. The property is also located in the Shoreland Management District of Owasso Lake as are the adjoining riparian parcels.

The property is .78 acres and has a width of over 100 feet, and so is a standard riparian lot. The unique circumstances regarding the lot is that it was subdivided along eastern side of the property between the lake and the road, resulting in a shared driveway and no front lot-line as defined by city code. The applicants propose tearing down and rebuilding an existing non-conforming detached accessory structure on the property in the north east corner, increasing the footprint by 2 feet and the overall size from 482 to 520 square feet. The existing attached garage (672 square feet) and an existing shed (100 square feet) will remain on the property. The total floor area proposed for all of the accessory buildings is 1,292 square feet. The variance is needed because the structure is setback less than the 10 feet required and the total square footage of all the accessory structures permitted exceeds the maximum 1200 square feet allowed. Please see the attached plans.

### **DEVELOPMENT ORDINANCE REQUIREMENTS**

The accessory structure regulations were revised in 2006 and stricter standards were created to ensure the compatibility of these structures with surrounding residential uses. The combined area of all accessory structures cannot exceed 90% of the dwelling unit foundation area or 1,200 square feet, whichever is more restrictive. The original detached garage was built when the total accessory square footage permitted was 1,500 and as such it is a legal nonconforming structure. Section 207.050 (D)(5)(F)(1) specifies that a structure which is nonconforming due to

dimensions or setbacks from property lines may remain at its current size and/or may be structurally altered, including an area expansion, provided that the alternation complies with the City's current development regulations and procedures. The current garage is located less than the required setback of 10 feet from the lot line. The proposed garage is to maintain the current setback along the lot line with the two additional feet which results in an increase in the total floor area of the detached garage to 520 square feet. That increases the total square footage of all accessory structures from 1254 to 1292. As such, a variance to reduce the setback in regards to the two feet and to exceed the maximum allowable accessory structure square footage has been requested. The project complies with the height and lot coverage requirements of the Development Code.

### **Variance Criteria**

When considering a variance request, the Commission must determine whether the ordinance causes the property owner undue hardship and find that granting the variances is in keeping with the spirit and intent of the ordinance. Hardship is defined as:

1. *The property in question cannot be put to a reasonable use if used under the conditions allowed by the City's Development Code.*
2. *The hardship is due to circumstances unique to the property in question and was not created by the property owner.*
3. *The variance will not alter the essential character of existing neighborhoods.*

### **Applicant's Statement**

The applicant identifies that the existing garage was built in approximately 1960 and is in poor condition. It is an eyesore in the neighborhood and is not consistent with architectural style of their home which was built in the mid 1990's. The existing detached garage currently exceeds the allowable detached structure square footage (20' x 24') and does not meet the 10 foot setback requirement.

The applicants are requesting a slightly taller and slightly longer garage for a couple reasons. First, the grading of the soil on the east side of the existing detached garage is causing rain water to penetrate the garage during heavy rains. They would like to add two rows of concrete block to the base of the walls to help alleviate some of the water issues. This will in turn increase the height of the structure. Second, the existing garage is too short to park their boat/trailer. Right now this sits in the driveway for a portion of the year. Adding two feet to the length of the garage as proposed would allow them to store the boat/trailer indoors year-round and thus improve the overall look of the neighborhood. Please see the attached statement.

### **STAFF REVIEW**

Staff reviewed the proposal in accordance with the variance criteria, which are discussed below.

*The property in question cannot be put to a reasonable use if used under the conditions allowed by the City's Development Code.*

In Staff's opinion, the variance request to rebuild the garage in the proposed location represents a reasonable use of the property. City Code permits detached garages as an accessory use. By

establishing these provisions, the City deems that a detached garage represents a reasonable use of the property provided Code standards are met. Garages, especially in Minnesota, are needed for vehicle parking and storage of normal household equipment and supplies. Throughout Shoreview, they are a standard feature of detached single family residences.

The need for the variance request is due to the encroachment on the 10-foot setback from the lot line and the added square footage. Rebuilding the current garage in conformance to the existing setback would result in the garage length being too short to park the boat trailer, thus not alleviating the outdoor storage and parking of the boat/trailer. The current garage is also aligned with the asphalt from the existing driveway so relocating it within the setback would require repaving that portion of the driveway.

The City has discretion in determining 'reasonable use', and in this particular case, staff believes the area of the existing garage does not provide for the parking and storage needs of the homeowner, and that reasonable use is limited by the requirements of the Development Code.

*The hardship is due to circumstances unique to the property in question and was not created by the property owner.*

Hardship stems from the uniqueness of the parcel. It is a riparian parcel with a shared driveway and no front lot line. The garage was constructed in 1960 in conformance with City setback regulations at the time. The variance requested will maintain the existing setback, extending it by two feet to the south, and is reasonable due to the location of the existing garage and driveway. The additional two feet expands the accessory square footage total to 1292 square feet. Construction of a detached garage conforming to the 10-foot setback from the lot line would result in a garage that is misaligned to the current shared driveway.

*The variance will not alter the essential character of existing neighborhoods*

Staff believes that since the existing detached garage does not meet or enhance the character of the neighborhood the tear down and rebuild would be an improvement. The proposed garage would match the architectural style of the current home and would be similar in style and setback to the neighboring garage at 224 Owasso Lane E.

### **PUBLIC COMMENT**

Property owners within 150 feet were notified of the applicant's request. Two written comments were received, one that has no comments on the proposal and the second stating that the project is ok with them. The written comments are attached.

### **STAFF RECOMMENDATION**

Staff finds that reasonable use of the property is not present due to the size of the existing garage and limited area for expansion, that hardship is due to the parcel location and design of the existing garage. The variance will have a minimal impact on adjoining properties since the setback of the garage rebuild will be consistent with that of the existing garage. Staff recommends the Planning Commission adopt Resolution 13-58 approving the variance request, subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the Variance application. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. This approval will expire after one year if a building permit has not been issued and work has not begun on the project.
3. This approval is subject to a 5-day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity begins.

Attachments:

- 1) Location Map
- 2) Aerial and Site Photos
- 3) Applicant's Statement and Submitted Plans
- 4) Comments
- 5) Resolution 13-58
- 6) Motion

# 226 Owasso Lane E



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

Location Map



# 226 Owasso Lane E



346.5 0 173.26 346.5 Feet

NAD\_1983\_HARN\_Acjt\_MIN\_Ramsey\_Feet  
© Ramsey County Enterprise GIS Division

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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



**Existing detached garage (right) with neighbor's garage (left)**



## Variance Request

We are requesting approval to rebuild (tear down existing and build new) a detached garage on our property. The existing detached garage was built in approximately 1960 and is in poor condition (e.g., roof leaks, rotten siding, etc.). It is an eye sore in the neighborhood (see attached photo) and is not consistent with architectural style of our home which was built in the early 1990's.

The existing detached garage currently exceeds the allowable detached structure square footage (20' x 24') and does not meet the 10 foot setback requirement. That said we believe a new garage would be a significant improvement to the neighborhood. We are requesting approval to rebuild a structure that is 20' x 26' (2 foot longer/deeper than existing structure).

As noted above we intend to build the new garage in an architectural style that is consistent with our home. For example, the garage will have similarly colored metal siding (beige) and window/door trim (white). Like the house, there will be some stone "siding" on the front facade (both sides of the garage door). We would also like to incorporate the same roof pitch as that of the current attached garage structure.

The roof on the existing detached garage faces north/south. The south facing roof is above a driveway which creates erosion issues during heavy rain storms (no gutters on existing garage). This runoff ultimately ends up in Lake Owasso. The roof on the proposed garage would face east/west so that rain would fall on grass (east side) and an existing fern garden (west side).

In addition to the existing fern garden on the west side of the garage, we would add new landscaping on the north side of the proposed garage (once completed). While no specific plants have been identified to-date, we have a landscape designer from Linder's scheduled to visit in early June to start working on an overall property landscape plan.



Nicole Hill <nhill@shoreviewmn.gov>

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## Variance - Incomplete Notice

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Stoss, Kevin <KSTOSS@trane.com>

Mon, Jun 10, 2013 at 8:03 AM

To: "nhill@shoreviewmn.gov" <nhill@shoreviewmn.gov>

Niki,

Please consider this email my response to your letter regarding the incomplete variance application for the proposed garage at 226 East Owasso Lane. My response to the three items identified as missing from the original application is below.

1) We are requesting a slightly taller and slightly longer garage for a couple reasons. First, the grading of the soil on the east side of the existing detached garage is causing rain water to penetrate the garage during heavy rains. We would like to add two rows of concrete block to the base of the walls to help alleviate some of the water issues. This in turn will also increase the height of the structure. Second, the existing garage is too short to park our boat/trailer. Right now this sits in the driveway for a portion of the year. Adding two feet to the length of the garage (as proposed) would allow us to store the boat/ trailer indoors year-round and thus improve the overall look of the neighborhood.

2) The proposed height of the garage would be approximately 17 feet (or slightly shorter).

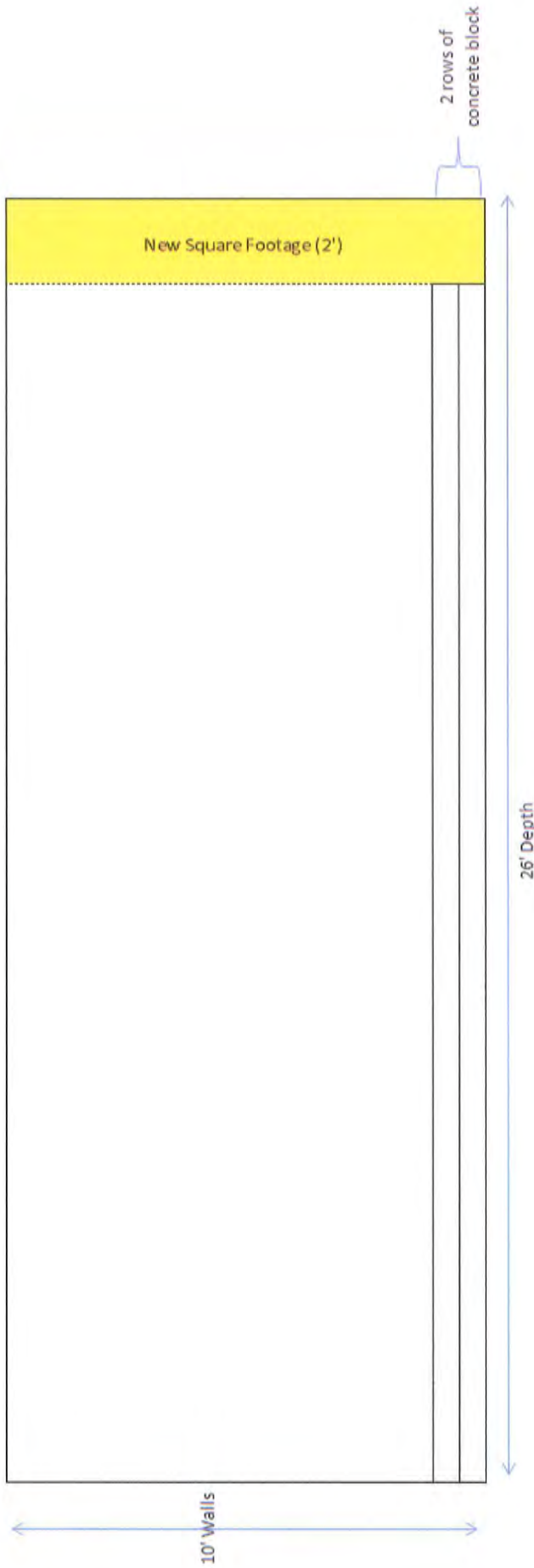
3) Total square footage of accessory structures:

- Existing attached garage – 672 square feet
- Detached shed – 100 square feet
- Detached garage (proposed dimension) – 520 square feet
- Total Square footage – 1,292

Regarding your question below on accessory structures, the boat house down by the lake was removed last summer (2012).

Let me know if you have any further questions.

Proposed Garage - Side View

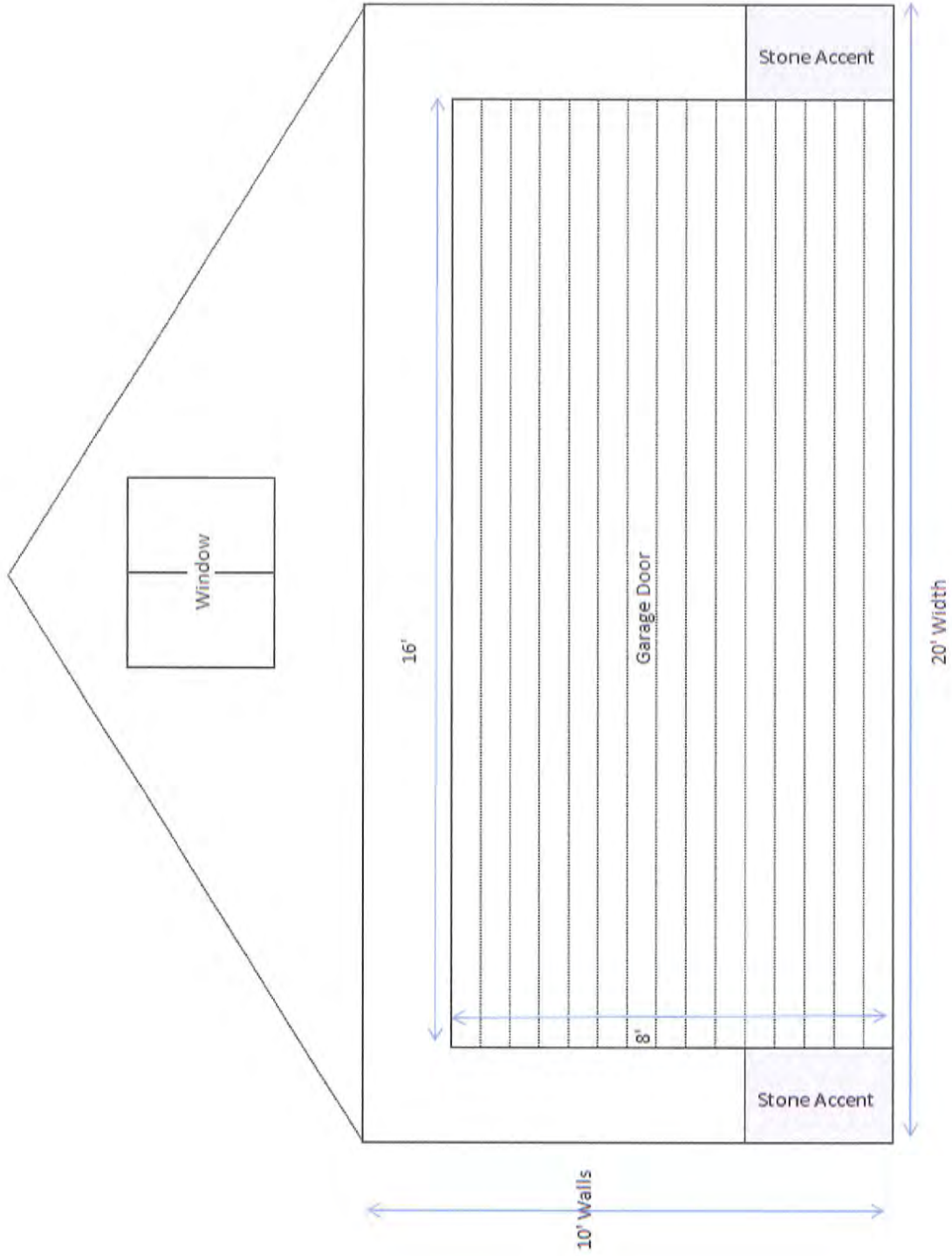


\*Exterior material will be consistent with existing house (e.g., beige colored metal siding with white window/door trim)

\*Service door to be included on West side of garage

\*West side also has existing landscaping (mainly ferns) that will absorb water runoff from garage

Proposed Garage - Front View (South Facing)



\*Stone accents similar to house will be on both sides of the white metal insulated garage door

\*Architectural asphalt shingles will be used

Top View

North

New Landscaping

Fern Garden

West

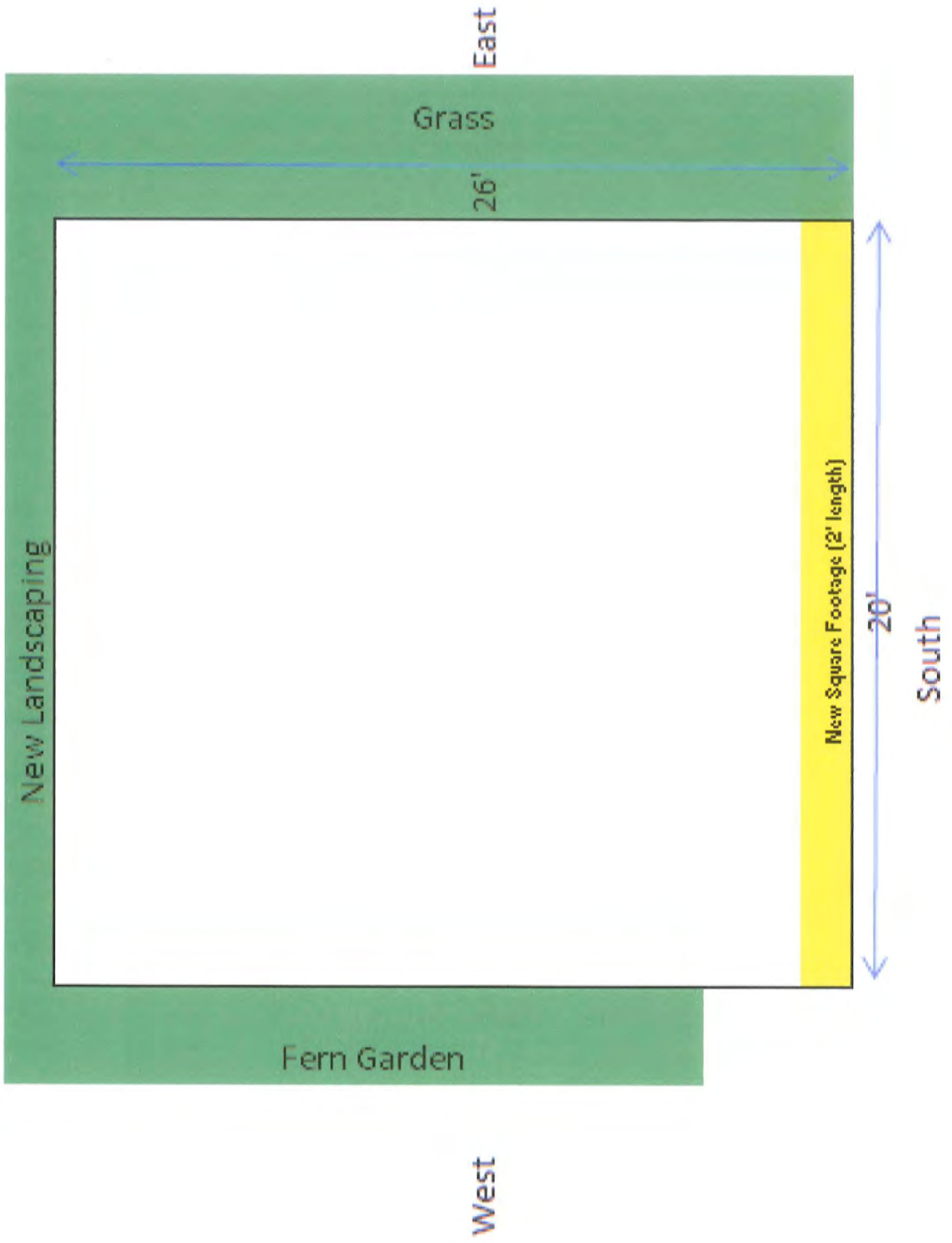
Grass  
26'

East

New Square Footage (2' length)

20'

South



Planning Case file: 2488-13-15 – Variance Application  
226 Owasso Lane E – K. Stoss

Comments:

IT IS OK WITH ME.

Name: HERB BIGELBACH

Address: 223 E. OWASSO LANE



Nicole Hill <nhill@shoreviewmn.gov>

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## Request for Comment on Variance request for 226 Owasso Lane East

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**Bob Yach** <RSYach@comcast.net>

Mon, Jun 17, 2013 at 9:02 AM

To: nhill@shoreviewmn.gov

Regarding the subject variance request -

Catherine and I have no comment.

Sincerely,  
Robert (and Catherine) Yach  
3205 Woodbridge Street  
Shoreview, MN 55126



**EXTRACT OF MINUTES OF MEETING OF THE  
PLANNING COMISSION OF SHOREVIEW, MINNESOTA  
HELD JUNE 25, 2013**

\* \* \* \* \*

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

The following members were present:

And the following members were absent:

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

**RESOLUTION NO. 13-58 FOR A VARIANCE TO REDUCE THE SETBACK FOR A  
LEGALLY NON-CONFORMING STRUCTURE AND INCREASE THE TOTAL  
ACCESSORY SQUARE FOOTAGE**

WHEREAS, Kevin Stoss and Montserrat Torremorell, have submitted a variance application for the following described property:

All that part of Government Lot 5, Section 36, Township 30, Range 23, described as follows: Beginning at an iron monument which is 639.6 feet North and 555.14 feet West of the Southeast corner of said Government Lot 5; thence North a distance of 100.7 feet to a point; thence Northwesterly 342 feet more or less to a point which is 749.6 feet North of the South line of said Government Lot 5; then continue on in same direction 100 feet, more or less, to shore of Lake Owasso, 755.04 feet North of said South line of Government Lot 5; thence Southerly 113 feet, more or less, along shore of said Lake to an iron monument set on shore of said Lake, 642.04 feet North of South line of said Government Lot 5; thence Easterly 440 feet, more or less to point of beginning, except the East 115 feet (measured at right angles to East line), Ramsey County,

Minnesota.

*(This property is commonly known as 226 Owasso Ln E, Shoreview, Minnesota.)*

WHEREAS, the current garage has legal non-conforming setbacks of 4.5 on the east and 5 feet on the north; and,

WHEREAS, the applicant has requested a variance to maintain the setbacks and expand the garage 2 feet to the south; and

WHEREAS, the Development Regulations establish the combined area of all accessory structures cannot exceed 90% of the dwelling unit foundation area or 1,200 square feet, whichever is more restrictive; and,

WHEREAS, the applicant has requested a variance to increase this to 1,292 square feet; and

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

WHEREAS, on June, 25, 2013 the Shoreview Planning Commission made the following findings of fact:

1. *The property in question cannot be put to a reasonable use if used under the conditions allowed by the City's Development Code.*

In Staff's opinion, the variance request to rebuild the garage in the proposed location represents a reasonable use of the property. City Code permits detached garages as an accessory use. By establishing these provisions, the City deems that a detached garage represents a reasonable use of the property provided Code standards are met. Garages, especially in Minnesota, are needed for vehicle parking and storage of normal household equipment and supplies. Throughout Shoreview, they are a standard feature of detached single family residences. The existing garage can be reconstructed in the same location, provided the square footage remains the same. Since the applicant is proposing to expand the length 2-feet and raise the height of the building, the variances are needed.

The need for the variance request is due to the encroachment on the 10-foot setback from the lot line and the added square footage. Rebuilding the current garage in conformance to the existing setback would result in the garage length being too short to park the boat trailer, thus not alleviating the outdoor storage and parking of the boat/trailer. The current garage is also aligned with the asphalt from the existing driveway so relocating it within the setback would require repaving that portion of the driveway.

The City has discretion in determining 'reasonable use', and in this particular case, staff believes the area of the existing garage does not provide for the parking and storage needs of the homeowner, and that reasonable use is limited by the requirements of the Development Code.

2. *The hardship is due to circumstances unique to the property in question and was not*

*created by the property owner.*

Hardship stems from the uniqueness of the parcel. It is a riparian parcel with a shared driveway and no front lot line. The garage was constructed in 1960 in conformance with City setback regulations at the time. The variance requested will maintain the existing setback, extending it by two feet to the south, and is reasonable due to the location of the existing garage and driveway. The additional two feet expands the accessory square footage total to 1292 square feet. Construction of a detached garage conforming to the 10-foot setback from the lot line would result in a garage that is misaligned to the current shared driveway.

3. *The variance will not alter the essential character of existing neighborhoods*

The existing detached garage does not meet or enhance the character of the neighborhood the tear down and rebuild would be an improvement. The proposed garage would match the architectural style of the current home and would be similar in style and setback to the neighboring garage at 224 Owasso Lane E.

**NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE SHOREVIEW**

**PLANNING COMMISSION** that a variance allowing an additional two feet to the south along the existing non-conforming setback and the total accessory square footage to 1,292 feet is hereby approved, subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the Variance application. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. This approval will expire after one year if a building permit has not been issued and work has not begun on the project.
3. This approval is subject to a 5-day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity begins.

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

And the following voted against the same:

Adopted this 25<sup>th</sup> day of June, 2013

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Steve Solomonson, Chair  
Shoreview Planning Commission

ATTEST:

---

Kathleen Nordine, City Planner

ACCEPTANCE OF CONDITIONS:

---

Kevin Stoss

---

Montserrat Torremorell

SEAL

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 City Council held on the 25<sup>th</sup> day of June, 2013 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 13-58.

WITNESS MY HAND officially as such Manager and the corporate seal of the City of Shoreview, Minnesota, this 25<sup>th</sup> day of June, 2013.

\_\_\_\_\_  
Terry C. Schwerm  
City Manager

SEAL

**AGENDA  
PLANNING COMMISSION MEETING  
CITY OF SHOREVIEW**

**DATE: JUNE 25, 2013  
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**

*Brief Description of Meeting Process – Chair Steve Solomonson  
May 28, 2013*

**3. REPORT ON CITY COUNCIL ACTIONS**

*Meeting Date: June 3, 2013 and June 17, 2013*

**4. NEW BUSINESS**

**A. VARIANCE**

*FILE NO: 2487-13-14  
APPLICANT: Tim & Theresa Gedig  
ADDRESS: 4305 Brigadoon Drive*

**B. VARIANCE**

*FILE NO: 2488-13-15  
APPLICANT: Kevin Stoss / Montserrat Torremorell  
ADDRESS: 226 Owasso Lane East*

**C. PLANNED UNT DEVELOPMENT – CONCEPT STAGE**

*FILE NO: 2489-13-16  
APPLICANT: 4785 Hodgson Road, 506 Tanglewood Drive  
ADDRESS: Ruth Kozlack /United Properties Residential, LLC/Zerr*

**5. OLD BUSINESS**

**A. COMPREHENSIVE SIGN PLAN**

*FILE NO: 2479-13-06  
APPLICANT: Lawrence Signs / Northern Tier Retail  
ADDRESS: 3592 Lexington Avenue*

Planning Commission Meeting  
June 25, 2013

## **6. MISCELLANEOUS**

- A. City Council Meeting Assignments for *July 1, 2013 and July 15, 2013*  
Planning Commissioners *Proud and \_\_\_\_\_*
- B. Planning Commission July 23<sup>rd</sup> meeting - *changed to Tuesday, August 6, 2013*
- C. Scheduled Planning Commission Workshops
  - *July 16<sup>th</sup>, Stormwater Management with the Environmental Quality Committee*
  - *August 27<sup>th</sup> – after the regular meeting.*

## **7. ADJOURNMENT**

**TO:** Planning Commission  
**FROM:** Kathleen Nordine, City Planner  
**DATE:** June 19, 2013  
**SUBJECT:** Case File 2489-13-16, Planned Unit Development – Concept Stage  
United Properties; 4785 Hodgson Road and 506 Tanglewood Drive

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### **Introduction**

United Properties Residential, LLC has submitted a Planned Unit Development – Concept Stage application for the redevelopment of the Kozlak’s restaurant property at 4785 Hodgson Road and the adjoining single-family residence at 506 Tanglewood Drive. The restaurant and existing single-family home would be removed for the redevelopment of the property with a high-density multi-story senior housing cooperative building based on the Applewood Pointe product developed by United Properties in other metro area locations.

### **Site Characteristics**

Kozlak’s Royal Oak Restaurant, 4785 Hodgson Road, was established on this property in 1977, when the Kozlak’s purchased an existing restaurant/bar use on the site that was constructed in 1967. The property is developed with the restaurant building approximately 16,000 square feet in size and a detached accessory structure. The restaurant is located in the northeastern portion of the property and is considered a non-conforming structure due to the proximity of the building to the Hodgson Road right-of-way. Access to the site is gained from one driveway off of Tanglewood Drive and one driveway off of Hodgson Road. The improved parking areas are located primarily to the south, west and north of the restaurant building. A portion of the parking lot also encroaches upon right-of-way dedicated for Hodgson Road. The western portion of the property is undeveloped. The site is relatively level with some mature trees located throughout.

The property at 506 Tanglewood Drive is developed with a single-family house built in 1956 and is accessed by a driveway off of Tanglewood Drive. This home is directly west of the Kozlak’s property.

When combined, the development site is approximately 4.14 acres in size with about 162 feet of frontage on Tanglewood Drive and 279 feet of frontage on Hodgson Road. The property is truncated by the right-of-way for the Hodgson Road/Tanglewood Drive intersection. A portion of this right-of-way is developed with parking for the restaurant facility.

### **Project Summary**

United Properties has entered into a purchase agreement on the two properties and is proposing to demolish the existing site improvements and redevelop the site with an 87-unit senior housing



cooperative building. The residential units in the building will range in size from approximately 1,175 square feet for a two bedroom unit to 1,828 square feet for a two bedroom with den.

The applicant has submitted a narrative along with the concept site plan that further describes the Applewood Pointe product, indicating that the higher end cooperative type units tend to attract a younger senior population than more standard market rental senior apartments.

The structure will be designed as a three-story building with a central core and four wings. The developer has indicated that this proposed layout is intended to minimize the visual impact on adjoining single-family residences by having varied setbacks from the common lot lines and smaller exterior building plane/wall facing these homes. The exterior will be designed with brick, stucco, and maintenance-free shakes and lap siding. Asphalt shingles will be used as the roofing material.

The conceptual site plan identifies two full access driveways with the first off Tanglewood Drive and the second off Hodgson Road. A surface parking area is located on the east side of the building and is designed with 35 parking stalls. In addition, parking will be provided below the structure at a ratio of one stall per unit for a total of 87 stalls.

It should be noted that the conceptual site plan includes property that is currently part of the County right-of-way for Hodgson Road. United Properties has contacted Ramsey County and is working to have this property vacated. It is our understanding that the oversized right-of-way was originally secured by the public when Highway 49 was considered a State trunk highway.

Due to the conceptual nature of the plans submitted, specific dimensions have not been presented to determine variations or flexibility from the City's development standards. The developer has indicated that it is their intent to design the site consistent with the City's regulations.

### **Planned Unit Development**

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

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

## **Staff Review**

The conceptual plans have been reviewed by staff in accordance with the PUD review criteria, Shoreview's land use and housing goals and general land use compatibility of the Comprehensive Plan. Staff has also identified key issues associated with this concept plan.

### ***Planned Unit Development Review Criteria***

The proposed development needs to satisfy certain objectives in order to be approved through the PUD process. Proposals that do not comply with the minimum standards of this ordinance need to provide a benefit to the city by meeting certain objectives including but not limited to life-cycle housing, sustainable and high quality building design, innovative stormwater management and transportation demand management. This will need to be addressed further with the Development Stage application, if deviations are proposed.

### ***Comprehensive Plan Consistency***

The Comprehensive Plan designates this property as RL, Low-density Residential and O, Office; therefore, an amendment is needed to change the designation to SR, Senior Residential, which permits a density of up to 45 units per acre. This category identifies areas for future development with apartment-style buildings designed for occupancy by senior citizens (defined as individuals 62 years of age or older). In some cases, the City may consider housing projects designed for occupancy by individuals 55 years of age or older, subject to compliance with federal and state laws. The proposed development is intended for individuals who are 55 years or older.

The corresponding zoning district for the SR land use designation is PUD, Planned Unit Development. Criteria considered during the review process may include: proximity to retail uses, provision of underground parking, high quality material and design, accessibility to available public transportation, provision of site amenities and interior/exterior common areas for residents, proximity to arterial roadway corridors and the extent to which the project meets other City goals and objectives. PUD zoning would also be consistent with other senior housing developments throughout the community.

Land Use (Chapter 4) and Housing (Chapter 7) sections of the Comprehensive Plan include goals that address redevelopment and housing. Due to the acreage of this site, and single use with the restaurant, the property can be considered underdeveloped and suitable for redevelopment. The property immediately to the south is located in a policy development area, PDA #9 – Hodgson Road Residential Area.

The west side of this PDA is designated RL, Low-Density Residential, and RM, Medium Density Residential. The RL designation recognizes the existing single-family residences in this area as an appropriate use. The existing pattern of development is, however, not conducive to the changes that have occurred in this area or are expected to occur with the recent highway improvements. The City recognizes that there is additional development potential in these areas, especially if lots are consolidated. Therefore, these single-family uses may transition to other low- or medium-density residential development. Further study of this area may occur later this year as part of the Highway Corridor Transition Study.

Chapter 7, Housing of the Comprehensive Plan touches on three themes: housing maintenance and preservation, life-cycle and affordable housing and residential infill and development. Redevelopment with high density residential development may be appropriate in certain areas based on urban services, environmental conditions and surrounding land uses. In addition, housing should respond to demographic changes in the community and expand housing choice.

The key issue relates to whether or not the site is appropriate for senior housing and if additional senior housing in the area is needed to meet a community need. The proposed development would expand housing choice for seniors by providing a housing type (cooperative) that is not currently available in the community. This may also result in additional housing choice for other individuals, including young families as seniors move out of their homes. There is, however, some question as to whether or not additional senior housing is needed at this time and if this is the appropriate location for a high density development.

### ***General Land Use Compatibility***

The property to north is developed with an office use that is residential in size and scale and zoned, O, Office. The surrounding uses are low-density single family residential and are zoned R1, Detached Residential. The proposed high density residential use can be compatible with the adjoining land uses and could provide a transition between the Hodgson Road Corridor and the single-family neighborhood to the west. Site and architectural measures such as access, building height/mass, building location, landscaping could be required to mitigate these impacts. Some of the other senior housing residential developments in the City are found on the edge of residential neighborhoods and are somewhat comparable to their proximity to low-density residential uses.

The property is currently zoned O, Office and could be redeveloped with uses permitted in the O district via the Site and Building Plan Review process. Examples of these uses include offices, day care facilities, restaurants and medical, dental and veterinary clinics. A rezoning to PUD is required for this development.

### **Land Use and Development Issues**

United Properties submitted the conceptual site development plans for review and comment by the Planning Commission, City Council and public. While it is difficult at the concept level to determine the extent of flexibility that will be needed from the development code standards, code flexibility may be needed for this project to move forward. The project has been reviewed in accordance with the R-3 Multiple Dwelling Residential District which will be the underlying zoning district for the PUD.

### ***Building Placement***

The structure is designed with a central core that has four building wings and is centrally located on the property. The minimum structure setbacks required are 30 feet from Tanglewood Drive and the adjoining single-family residential uses and 40 feet from Hodgson Road. The applicant has indicated that the proposed site layout is intended to comply with these setback standards and minimize the impact on the adjoining residential uses. Due to the building design, those portions of the building that will be located at the minimum setback are the building ends with the main

portion of the building exceeding the minimum setback. This design limits the wall expanses facing the low density residential uses and creates pockets of open space that will aid in buffering the proposed building. These open areas will be landscaped to further enhance the site. Stormwater ponding will also be located between the building and the adjoining single-family residential land uses.

### ***Building Height/Visual Impact***

In the R3 district, the maximum building height permitted is 35 feet. This height, however, can be exceeded provided: 1) It does not exceed the firefighting capabilities of the Fire Department and 2) An additional 1-foot of setback is provided for every additional foot in height over 35'.

The structure is being designed as a three-story building which is intended to be approximately 35 feet in height. Building height is measured from the ground grade to the mid-point of the roof. Other senior housing complexes in the community have exceeded the height requirement even though they are designed as three-story buildings. Most recently with the Shoreview Senior Living (Southview) development located at 4710 Cumberland Street, a portion of the building was reduced in height from three stories to two stories to mitigate the visual impact of the structure on the adjoining single-family residential uses. Also, in cases where the height has been exceeded, additional building setbacks and landscaping have been required.

### ***Density***

In the SR land use designation, a density of 45 units per acre is permitted. Using the current site area, 4.14 acres, the density proposed is slightly over 21 units per acre. This density will be reduced with the vacation of the excess right-of-way for Hodgson Road. This density is consistent with the Comprehensive Plan.

### ***Parking***

Access to the development is proposed off of Tanglewood Drive and Hodgson Road. Off-street parking is planned in a surface parking lot as well as a below grade parking structure. Approximately 35 parking stalls will be located in the surface parking lot and about 87 stalls will be in the below grade parking structure for a total of 122 stalls. This is less than the minimum 2.5 stalls per unit as required in the R3 zoning district (217.5 stalls).

The Development Code does provide some flexibility with respect to parking standards. The number of parking stalls constructed may be reduced to a number less than the minimum provided parking management techniques are used. Implementing these techniques, including the proof of parking, would be difficult due to the proposed use and site design.

The City has permitted some flexibility to the parking standards with other senior housing projects due to the nature of this use. Parking ratio's for the other senior housing complexes in the City range from 1 stall per unit to 1.7 stalls per unit. As proposed, the ratio for this complex is 1.4 stalls per unit.

### ***Traffic***

The conceptual site plan identifies access points on Tanglewood Drive and Hodgson Road. Tanglewood Drive is a local road that is classified as a major collector street which is designed

to serve shorter trips in the City and collect/distribute traffic from neighborhoods to the arterial roadway system. Hodgson Road has a functional classification of a “minor arterial” roadway and is under the jurisdiction of Ramsey County. Minor arterials are intended to handle large volumes of traffic and provide regional links between cities and to the interstate freeway system.

While a traffic study has not been completed, traffic from senior housing projects tend to be lower than other types of multi-family residential uses and tends to occur during off-peak hours. The development would be expected to generate 48 trips in the AM peak hour on a weekend, less during a weekday (typical for senior/retired facilities). The development would be expected to generate 303 trips on an average weekday, with about 25 being in either AM or PM peak hour period. This would have a negligible impact given the function of the adjoining roadways and the traffic volumes that exist. If needed, traffic can be further studied with a Development Stage – PUD application.

### **Public Comment**

Property owners within 350 feet the development site were notified of the request. Development notification signs were posted on the property. Additionally, it is our understanding the developer has held two informational meetings with area residents to present and discuss the development plan. The City has received a number of written and verbal comments regarding this development. Concern has been expressed regarding the compatibility of this high density residential use with the nearby low-density land uses, impacts on traffic, visual impact and the need for another senior housing development in the City. Written comments are attached.

The Lake Johanna Fire Marshal has also provided some comments regarding the proposed development. The primary concern relates to the site design and accessibility with their ladder truck. This will need to be addressed with the submittal of a Development Stage application.

The City has also notified Ramsey County of the proposal due to the project’s adjacency to Hodgson Road and need for the excess right-of-way. Comments from the County have not been received.

### **Recommendation**

The Concept Stage PUD application for the redevelopment of the Kozlak’s site and adjoining single-family property with a high-density senior cooperative building is being presented by United Properties to the Planning Commission for review. This is the first step in the City’s review process. If the applicant chooses to move forward with this proposal, several other approvals are needed from the City, including a Comprehensive Plan Amendment, Rezoning, Plat and PUD.

At this time, the Commission is being asked to review the concept plans and identify any issues or concerns regarding the use and the site and building design that may require further attention as the developer considers plans for the subsequent Development Stage PUD application. Comments from the public should also be taken during the review, although an official public

hearing would be held at the next review stage. No formal action is taken on this PUD Concept application.

**Attachments**

1. Location Map
2. Aerial
3. Zoning Map
4. Planned Land Use Map
5. Applicant's Statement and Submitted Plans
6. Memo from Rick Current, Fire Marshal, LJFD
7. Public Comment



# United Properties - 4785 Hodgson Road, 506 Tanglewood Dr



228.4 114.18 228.4 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**

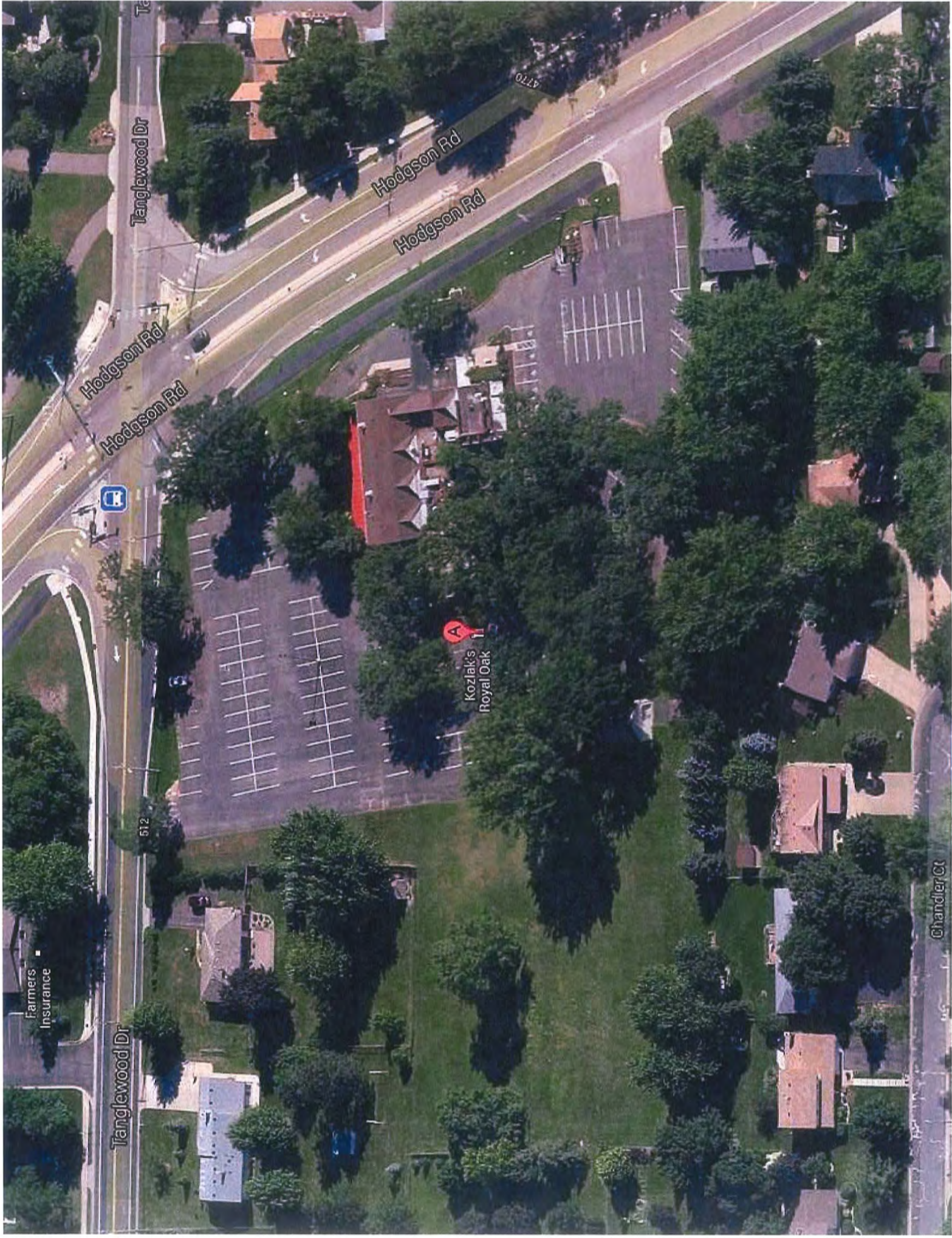
## Legend



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

## Notes

Planned Unit Development - Concept Stage



Tanglewood Dr

Hodgson Rd

Hodgson Rd

Hodgson Rd

Hodgson Rd

A  
Kozlak's  
Royal Oak

512

Farmers  
Insurance

Tanglewood Dr

Chandler Ct



# ZONING MAP



## Legend

### Residential

- Single Family Detached
- Single Family Attached
- Manufactured Housing Park
- Multi-family Residential
- Mixed Use Residential/Commercial

### Commercial/Industrial

- Commercial
- Office
- Industrial
- Utility
- Railway

### Public/Quasi-Public

- Institutional
- Parks/Recreational
- Open Space
- Right of Way


















### Undeveloped

- Vacant
- Wetlands
- Open Water

# PLANNED LAND USE MAP



## Legend

-  PDA Boundaries
- Planned Land Use**
-  Residential (up to 4 units/acre)
-  Residential (4 - 8 units/acre)
-  Residential (8 - 20 units/acre)
-  High Density Senior Residential
-  Office
-  Commercial
-  Mixed Use
-  Business Park
-  Tower
-  Light Industrial
-  Institutional
-  Park
-  Recreational Open Space
-  Natural
-  Railroad
-  Open Water

# APPLEWOOD POINTE OF SHOREVIEW

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## PROJECT SUMMARY

United Properties proposes redeveloping the current Kozlak's Restaurant site at the corner of Hodgson Road and Tanglewood Drive for the creation of an Applewood Pointe Cooperative. Applewood Pointe is an age restricted, for sale community offering a maintenance-free lifestyle to area residents. The project as proposed would include 87 units ranging in size from a 1,175 square foot two bedroom to a 1,828 square foot two bedroom with a den. In addition to the Kozlak's site, United Properties proposes adding the property at 506 Tanglewood Drive to the redevelopment. Total site area is approximately 4.1 acres.

The cooperative building will be a 3-story building. The overall building layout is somewhat "organic", but generally follows an "X" shape with a main entrance area facing Hodgson Road. Access to the site is proposed from both Hodgson Road and Tanglewood Drive. Many of the existing mature trees on the site will be saved.

The building will have underground parking for the owners providing a minimum of one stall per unit. Surface parking includes 29 spaces near the main entry area and an additional 6 stalls on the north side of the building near the Tanglewood Drive access. The cooperative will include the following community amenities: a Great Room with small serving kitchen, a 2-story entrance lobby with multiple seating areas, a library, a sunroom, game and craft rooms, an office for the on-site manager, 2 guest suites, an exercise room with sauna, a carwash area, and a woodworking shop. On-site amenities will include walking paths and gardening plots among other site features. Residents will enjoy a social, interactive, and healthy lifestyle.

The homes in the cooperative are single level homes. All of the units will have washers and dryers, and an exterior deck (or patio). Multiple finish selections and upgrades are available, so the residents can create an individual look for their new home. The building is comprised of 15 different unit plans providing a wide range of styles and pricing appealing to a broad segment of the market. In addition to the underground parking stall, each unit will have a separate storage area within the building.

The exterior of the cooperative building will consist of brick, stucco, and maintenance-free shake and lap siding. The roof will be asphalt shingled. Residents will have no individual exterior building maintenance obligations. The cooperative design promotes a maintenance-free lifestyle. The cooperative grounds will be professionally landscaped. The site design effort has promoted the saving of significant trees on the site providing enhanced buffering for the existing single family homes surrounding the site.

## COMPREHENSIVE PLAN

The current guiding for the site is Office for the Kozlak's Restaurant property and Single Family Housing for the 506 Tanglewood Drive property. The proposed redevelopment plan asks for a guide plan change to a Senior Residential Designation. As noted in the Comprehensive Guide Plan on page 4-5, this redevelopment site does meet the SR, Senior Residential Criteria:

- The site is in proximity to retail uses

- The site will provide underground parking
- The building will be built of high quality materials and have professionally designed architecture and landscaping
- The site is accessible to public transportation
- On-site amenities are broad and varied for future residents of the development
- The site is located on an arterial roadway
- The project does meet the City's residential goals of providing a diverse mix of housing types and occupancy options for the community, along with meeting demands for current and future residents.

We believe the change in the Guide Plan is justified. The current guiding simply reflects the current commercial nature of the restaurant use and the home at 506 Tanglewood Drive. The site does provide an excellent transition between the single family home areas to the west and south and the arterial roadways of Hodgson Road and Tanglewood Drive. The site has good connection to major transportation and transit opportunities. The site's proximity to commercial service areas at Hodgson Road and Highway 96 provide a significant amenity to the site while the proposed new residential homes provide support for these existing retail and service businesses.

The land use goals found in the Comprehensive Plan (page 4-11) are satisfied with this redevelopment:

1. It is an efficient use of land that supports the in-place urban services and encourages active living while sustaining the City's residential neighborhoods, business community and environment.
2. The proposed cooperative use does facilitate a desirable transition between existing development and this infill redevelopment opportunity.
3. This new cooperative community will provide a high value to the community and will mitigate any impacts to surrounding land uses, better utilizing the scarce land resource in the City.

This redevelopment proposal is consistent with the Comprehensive Land Use Policies for residential uses (page 4-13):

- A. higher density residential uses are located near commercial services and employment opportunities;
- B. higher density residential is located in an area convenient to regional transportation;
- C. this proposed development provides a variety of housing choice and form for the community;
- D. the residential development will provide an excellent buffer to the single family homes surrounding the site.

Finally, it is noted in the Hodgson Road residential area PDA that senior housing can be an appropriate land use for this area. Since this site is immediately adjacent to this PDA study area, we believe it is a natural use that warrants consideration.

## Why Senior Housing?

I appreciate your desire for Shoreview to remain attractive to younger families. You asked why a senior cooperative development is being considered as opposed to a condominium development or market rate apartments that would be attractive to younger families. An Applewood Pointe in your community will do a lot to promote in-migration of younger families to Shoreview. In our opinion, maybe more so than a new condominium or apartment development.

The reality of the senior market we serve, roughly 65 to 85 years old, is these are people that have all of their ties to Shoreview, have lived in Shoreview a majority of their lives, and do not want to leave. Friends, family, doctors, church, business relationships, etc. are all established in the Shoreview area. Thus, if an attractive housing option is not available within the City, these seniors will not move out of their single family homes until a health or life change forces them to move. This could mean a couple at age 70 may not leave their single family home for the next two decades. "Market" condominium or apartments are not as attractive as age restricted senior communities like Applewood Pointe.

If, on the other hand, the seniors in Shoreview are able to consider a move to Applewood Pointe, then the ability to put home maintenance behind them and live a more social and flexible lifestyle is a very attractive option. Moving into an Applewood Pointe community can be viewed as a "discretionary" move – one our seniors *want* to make rather than one they have to make. Our experience has been this discretionary move is a major life event causing immense inertia that is not overcome by "market" projects. Age restricted communities are what is in demand. A move to Applewood Pointe opens up a single family home for a younger family to move into Shoreview.

This new family moving into Shoreview likely will reinvest in their new home, have children for the schools, and be involved in community activities and programs. Other typical benefits to this younger family in buying an established home include 1) the homes many times are more architecturally attractive and/or diverse than newer town home or apartment developments, 2) the home is located in established neighborhoods with mature trees and yards, and 3) many times existing single family homes are nearer schools and other community attractions. Often newer town home or apartment developments cannot match the appeal of the existing neighborhoods from which our Applewood Pointe seniors are moving. Thus, if a young family is looking to make a move into the area, they will likely choose a mature single family home neighborhood in Shoreview over a newer development either within the City or a neighboring (competing) city.

The cycle of seniors moving into Applewood Pointe communities and younger families moving into their homes will help keep Shoreview vibrant. It is important to remember that seniors opting to move into our communities are independent, active seniors that benefit from the great socialization opportunities within the community and they value the ability to live a more maintenance-free lifestyle; however, they will stay in their current single family home without an attractive alternative like Applewood Pointe.

**What Senior Housing and How Much?**

Hopefully I was able to articulate the differences between Applewood Pointe and the existing senior communities within Shoreview. As I stated, our average age upon move-in is about 72 years old compared with about 85 years old for properties like Southview Senior Living. We know we are serving a need within the community because of the reasons stated above, but mostly because of the success of our Applewood Pointe communities. An example is the second phase of our Applewood Pointe at Langton Lake in Roseville. We currently have just two homes available out of 41 homes currently under construction and due to open in late September. The 48 homes in the first phase at Langton Lake are sold out, so it is highly likely all 89 homes will be sold when we complete construction this September.

All of our Applewood Pointe communities have experienced 100% initial sell-out and our residents have seen an active resale market for our homes, even during the housing depression we have experienced these past number of years.

Overall senior housing demand is obviously being driven by the demographics of our population. As I shared during our meeting, we will experience unprecedented growth in people aged 65+ over the next 30 years. Specifically in Ramsey County, it is projected we will see the addition of more than 21,000 seniors age 70 – 79 through 2030. We will be sure to provide you and the Council ample information on the demographic projections for the next 30 years or so. We are simply responding to what the market is asking for in housing options and not trying to market a product in hope of creating demand. Attached are excerpts from the State Demographer report showing this expected “grey tsunami”.

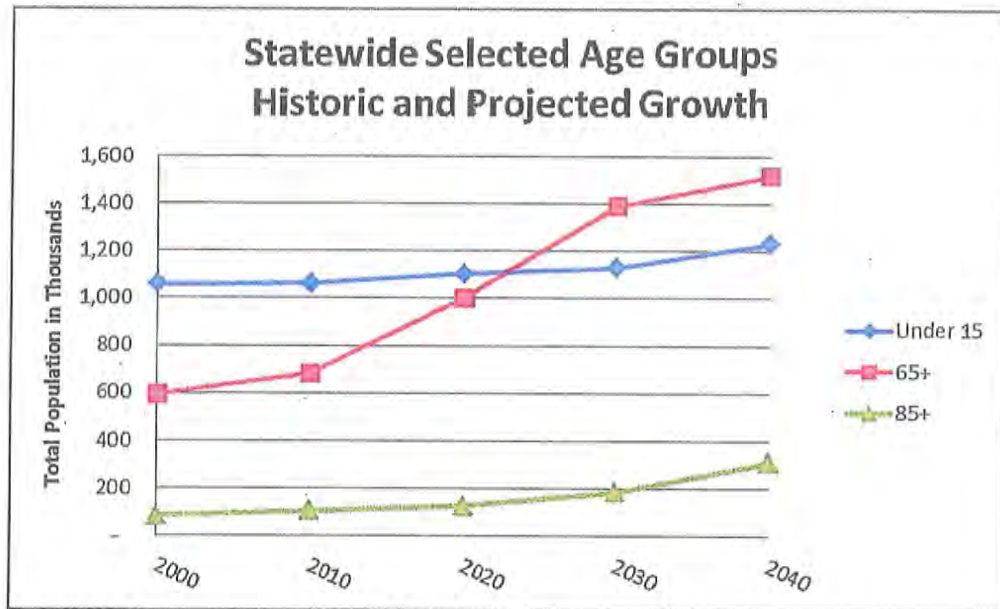
Geographic variation is projected to be substantial for children over the next 30 years. While the number of children in most suburban and exurban counties will continue to grow, many other counties will show substantial declines in their child population. Between 2000 and 2010, Ramsey County lost over 10,000 children. Ramsey County is projected to slowly regain children under age 15 but will not reach year 2000 levels, even by 2040.

### ***Soar in Population, Age 65+***

The continued aging of the baby boom will produce an explosion in the number of people age 65 and over during the coming decade, through 2025. Over the longer term, the population **age 65 and over will more than double, from 683,121 in 2010 to 1,519,192 in 2040.** By contrast, the population under age 65 will grow only 6.34 percent.

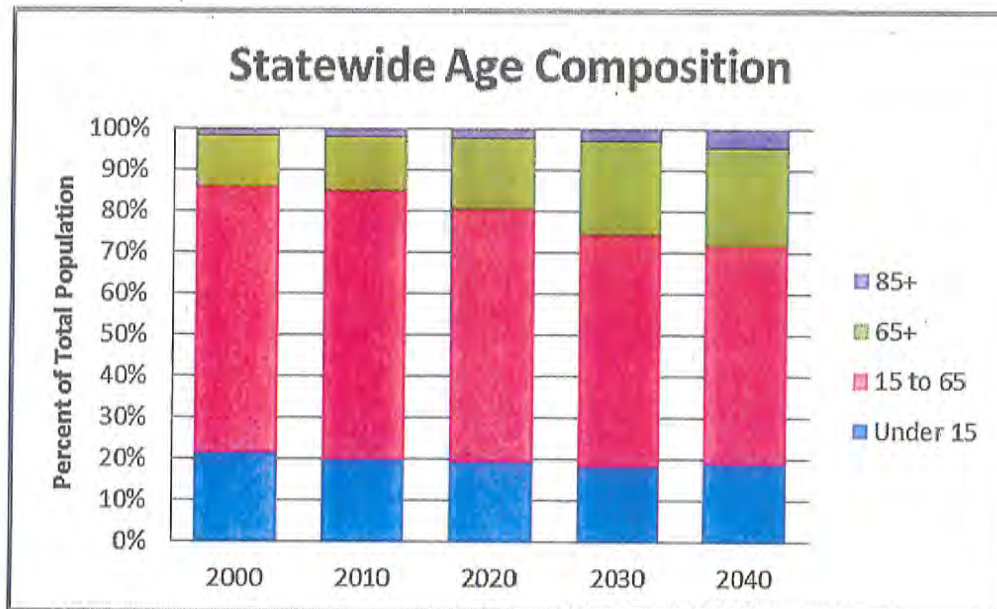
*Appleswood  
Pointe  
Residents*

The number of older Minnesotans (65+) will grow by almost 47 percent, or 319,297 between 2010 and 2020. **Between 2010 and 2040, the population of older Minnesotans will increase by more than 122 percent, or almost 850,000.** Because the older age groups will grow so much faster than the younger age groups, the age composition will change. In 2010, about 13 percent of the population was age 65 or older. This will grow to 20 percent by 2025. **By 2040, more than 22 percent of the population – or 1 in 5 residents – will be age 65 or older.**



During the coming decade, the largest numerical gains in the elderly population will occur in Hennepin, Dakota, Anoka, and Washington counties. The highest rates of growth will occur in suburban and metropolitan counties such as Scott (101.5 percent), Dakota (92.0 percent), and Washington (91.2 percent). Despite the surge in the statewide older population, some rural counties will see a decline in the number of elderly people, reflecting out-migration of working-age adults in the past.



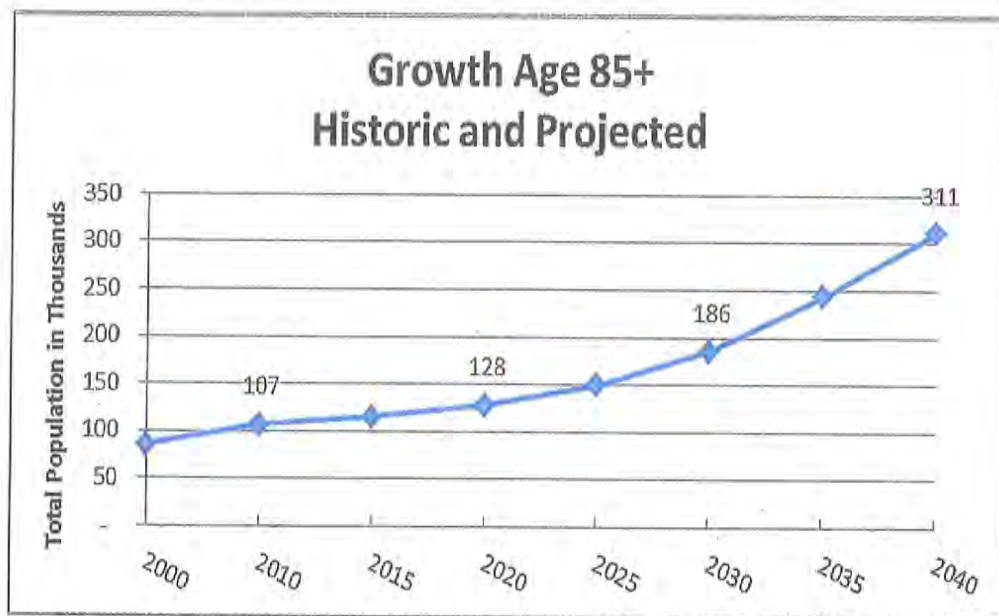


All parts of the state will be much older in 2040 than in 2010. In 2005, the elderly population made up 20 percent or more of the population in 16 counties and in just two years that count had grown to 22 counties. By 2040, 81 counties – almost the entire state – will have at least one in five residents who are age 65 or older, and in 20 counties at least 30 percent of the residents will be age 65 or older.

### ***Suburban Population Surge, Age 85+***

The 85 and older population is projected to grow by nearly 20 percent between 2010 and 2020 and nearly 200 percent between 2010 and 2040. **The number of elderly Minnesotans will surge after 2030** as people born during World War II and the baby boomer era begin to pass their 85th birthdays. Greater longevity also plays a part in explaining the gains in this age group.

*focusing  
with services* →



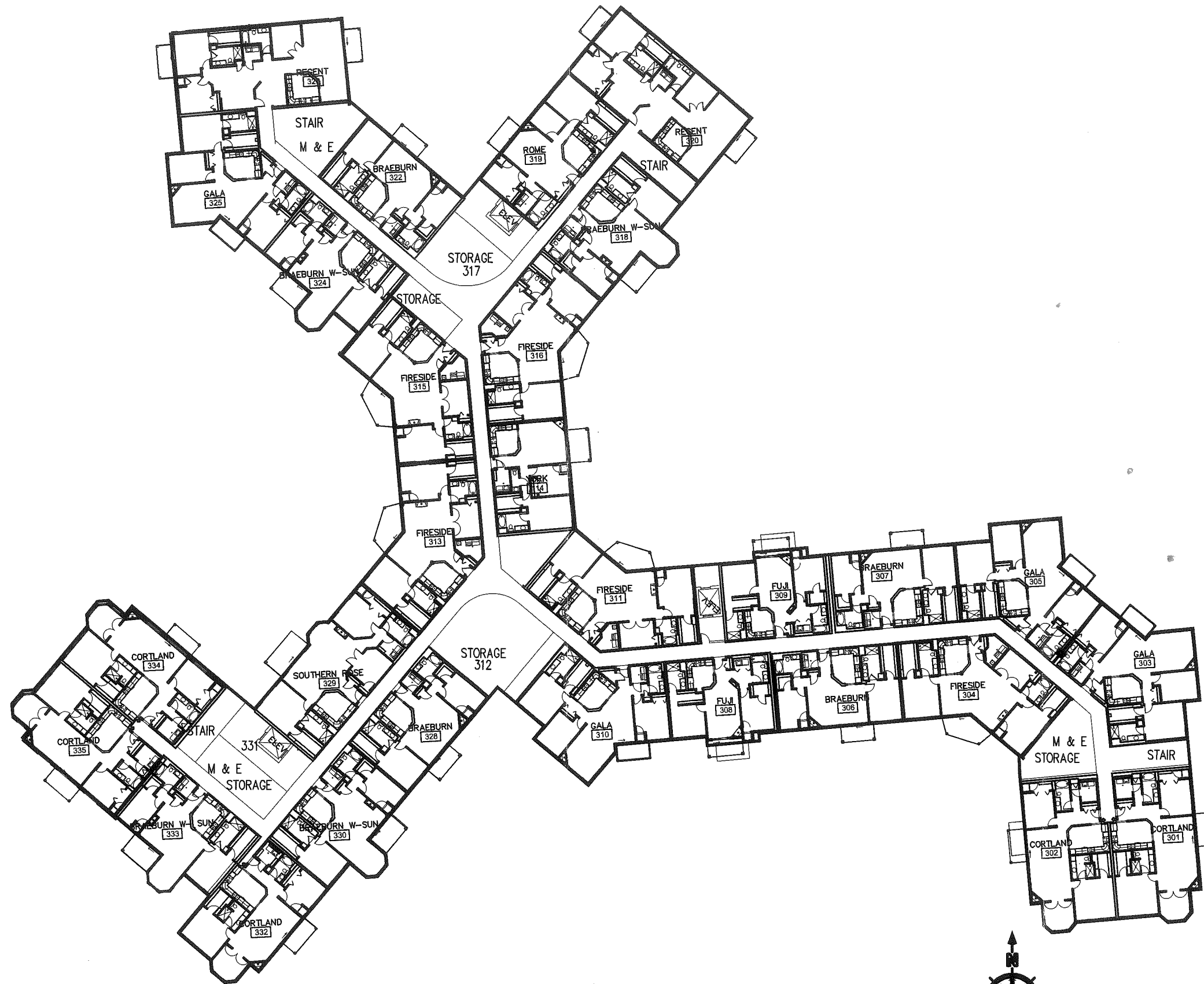
Populous suburban and exurban counties will see the most rapid expansion in the number of people age 85 years and over. Between 2005 and 2035, the number is expected to more than quadruple in Scott, Washington, Dakota, Chisago, Sherburne, Isanti, and Anoka counties. Less populated western Minnesota counties will see much smaller gains in their very old populations in numbers, although in percentage terms, the increase will be sizeable.

## ***Conclusions***

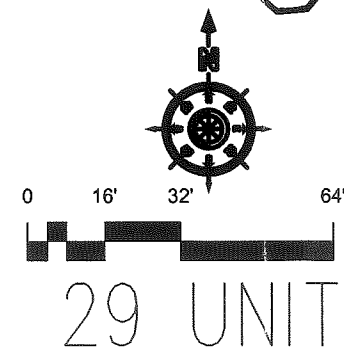
Some counties are growing rapidly while other counties are losing population. Growth for the state as a whole is likely to be more drastic from 2010 to 2020 and then taper off slightly from 2020-2040. Modest gains are expected for children under age 15 while the population age 65+ is expected to soar. The Baby-Boom Generation is expected to have drastic impacts on Minnesota's future population. No matter which way our state is examined, Minnesota's population is changing.







APPLEWOOD POINTE OF SHOREVIEW  
 53, 830 THIRD FLOOR PLAN FLOOR PLAN



29 UNIT



JSSH ARCHITECTS, inc.  
 14525 highway 7 suite 375  
 minnetonka, mn. 55345  
 ph. 952-935-6337 fax. 952-935-0870

DATE	BY	CHKD
	FA	
	PHD	

PROJECT: APPLEWOOD POINTE OF SHOREVIEW  
 SHOREVIEW, MN.

CONTENTS: SITE PLAN  
 JOB NO. 12-34

OF SHEETS



## LAKE JOHANNA FIRE DEPARTMENT

5545 LEXINGTON AVENUE NORTH • SHOREVIEW, MN 55126  
OFFICE (651) 481-7024 • FAX (651) 486-8826

June 14, 2013

File No. 2489-13-16

Kathleen,

See comments below.

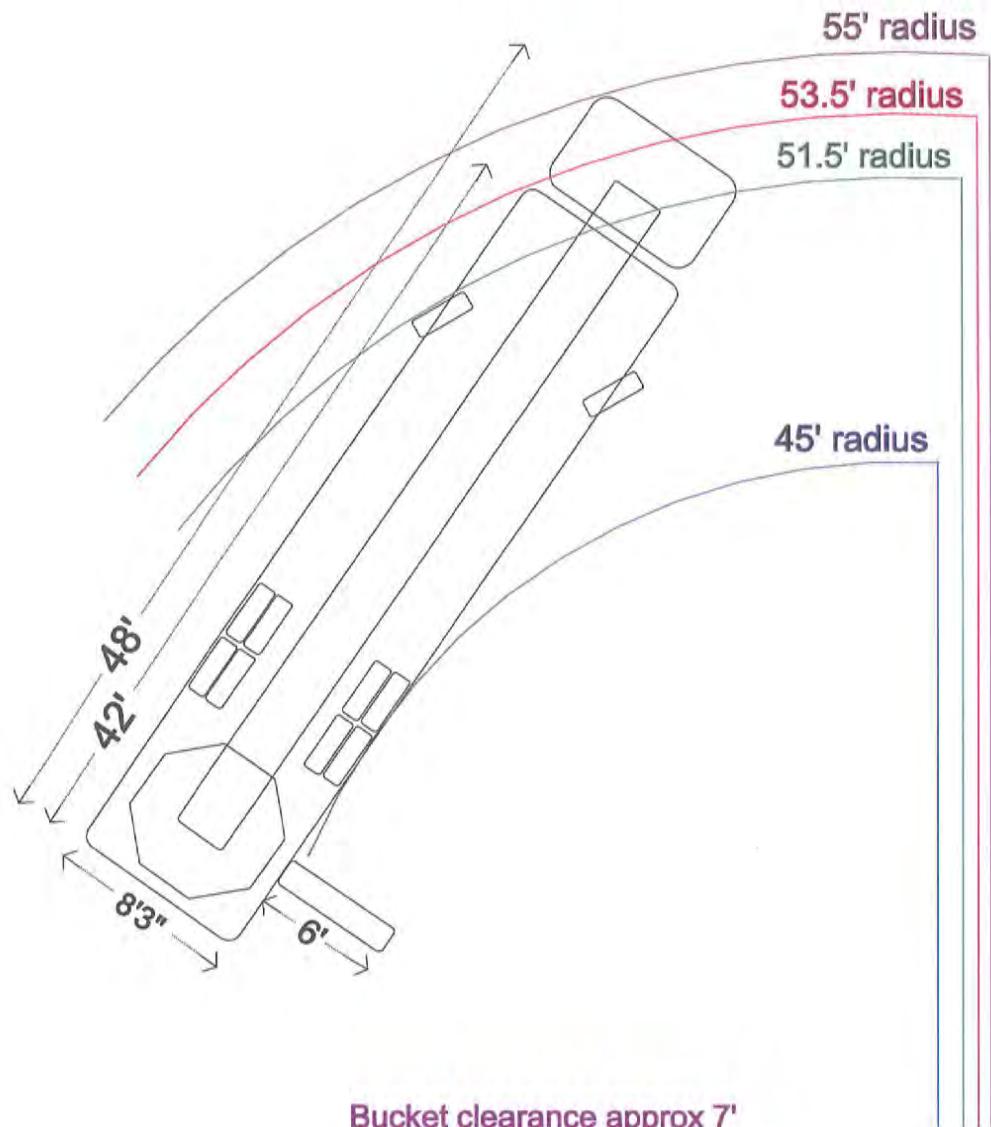
- Verify location of FDC
- FDC is required within 150' of Hydrant
- Verify location of riser room
- Fire Department Lock Box is required on building
- Access concerns:
  - Ensure both entrances to site can accommodate ladder truck
  - Ensure main building entrance can accommodate ladder truck. It would be nice not having to back a truck out.
  - Ladder truck turn radius information attached

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Current".

Rick Current  
Fire Marshal  
Lake Johanna Fire Department

# 843 Statistics



Bucket clearance approx 7'

Bumper clearance approx 1.5'

Overall vehicle height approx 12' 1"

Overall vehicle weight approx 69,000 lbs

Comments:

- 1) Why such a concentration of senior housing in a one mile radius?
- 2) This type of development would add to an ever increasing volume of traffic at Hwy 49 and Tanglewood.
- 3) Concern over possible negative impact on home values in the immediate area.
- 4) Constructing a three story building in the middle of a residential area changes the aesthetics.
- 5) Losing a well known restaurant.

Name: Jim Zewers  
Address: 4830 Cumberland Street



United Properties  
Planned Unit Development-Concept Stage  
File No. 2489-13-16

Comments:

WE ARE NOT IN FAVOR OF THIS PROPERTY BECOMING  
A THREE LEVEL SENIOR HIGH RISE.

THERE IS A HUGE SENIOR HOUSING FACILITY  
TWO BLOCKS AWAY AND EVEN MORE  
CLOSE TO THE COMMUNITY CENTER. WE HAVE  
NO NEED FOR MORE SENIOR HOUSING IN THIS  
SPECIFIC AREA.

WE ARE CONCERNED ABOUT MORE TRAFFIC  
IN THIS AREA IF THIS IS APPROVED AS WELL AS  
NOT A GOOD "FIT" FOR THIS LOCATION.

WOULD PREFER SINGLE HOMES OR IF IT MUST  
BE COMMERCIAL ANOTHER SMALL RESTAURANT.

Name: DAN & KAREN HERMAN

Address: 4144 TANGLEWOOD

PS DID NOT RECEIVE ANY EARLIER NOTICES OF  
THIS PROPERTY PLANS.

COMMENTS AND QUESTIONS ON PROPOSED DEVELOPMENT  
AT HODGSON ROAD AND TANGLEWOOD DRIVE  
June 19, 2013

Has anyone considered the additional traffic especially on Tanglewood Drive?

This is a community, which includes many children, which utilize our sidewalks and road ways for taking walks, jogging and riding bikes.

I understand the importance of "holding ponds," but I have concerns for the safety of younger children in the neighborhood.

What will be done to secure their safety?

Unfortunately I've learned the wrong way or perhaps the underhanded way about what is being called a Proposed Development at Hodgson Road and Tanglewood Drive.

If something as important as this Development is necessary, it should also be necessary to notify more than a chosen few regarding this Proposed Development.

I had to rely on two big signs simply referring to a Proposed Development and listing a telephone number. If there is nothing to hide, why not get it out in the open? I've always been told that anything worth doing is worth doing right. Apparently someone didn't learn that lesson at that their mother's knee.

At the same time I feel that if a Proposed Development is necessary and considered something of value for our community, the City of Shoreview and United Properties could and should notify more residents than the law requires.

Not doing so gives the appearance of a hidden agenda, which perhaps is what big business is counting on.

I have been a home owner in Shoreview for 35 years this August.

As a home owner and one that pays property taxes I feel that I as well as others are owed written notification of this Proposed Development.

Any homeowner close to Hodgson Road and Tanglewood Drive will be impacted by this Proposed Development.

My home (on the west side of Kent Drive) sits just 3 houses North of Tanglewood Drive.

From what I've been told, my neighbors just across the street, sitting just one, two and three houses North of Tanglewood Drive, but on the East side of Kent Drive were sent information on the Proposed Development.

Also my immediate neighbors to the south of me were notified.

-PAGE 2-

I understand that one home sitting on Tanglewood Drive, just west of Kozlak's parking lot will likely reap a sizable sale price from United Properties.

What will this do for the home owners of 514 and 522 Tanglewood Drive?

After years of working and maintaining a property for your future retirement, how would you feel if all of sudden there was a 3-story structure **looking into your home and yard?**

The answer, you won't be living there, so it is of no consequence to you.

Do the residents of Shoreview no longer have a "face" in Shoreview, it certainly doesn't sound like it to me.

I'm not entirely against big business or progress, but this Proposed Development isn't something I would classify as progress, so it must just be in favor of big business, known as United Properties.

In being forced to research the Proposed Development I learned that United Properties was bought by the Pohlada family from the Hamm Family in 1996.

Is this Proposed Development detrimental to the success of United Properties, in other words will it make it or break it, I doubt it ?

It won't cost United Properties their last dime to work with those most impacted, so why not do it?

Maureen Iten  
Resident of Shoreview  
4815 Kent Drive



Kathleen Nordine &lt;knordine@shoreviewmn.gov&gt;

---

## Comments on Proposed Redevelopment of Kozlak's

1 message

Barbara Evans &lt;BEVANS83@msn.com&gt;

Wed, Jun 19, 2013 at 12:14 PM

To: Knordine@shoreviewmn.gov

United Properties  
Planned Unit Development-Concept Stage  
File No. 2489-13-16

### Comments:

I have lived in Shoreview since 1976 in the Fox Glen town homes, for 17 years, and at 514 Tanglewood Drive from 1994 to the present, for 19 years. I am retired and have been able to pay for my home and no longer have a mortgage. It was my goal for retirement that I live in a comfortable, safe community when I retired, mortgage free. I felt I had reached that goal!

I wanted to be in a community that was not high density but a neighborhood I and my two daughters could feel comfortable in and know our neighbors. I felt I had achieved that! Kozlak's are good neighbors and I will miss them.

I chose Shoreview to get away from high density neighborhoods. I had lived in apartments in Minneapolis and New Brighton, and found them to be closed communities within the larger neighborhood. I knew my fellow apartment dwellers, but did not interact with the homeowners in our area and I did not observe other renters interacting with them either. I feel this will occur with the proposed Development. Having lived in apartments, prior to purchasing my first home in Shoreview, I too did not find any good reason for interacting with or getting to know the owners and occupants of the homes around these apartments. In the proposed complex, the owner of the complex will not be living here and not be directly impacted concerning issues for Shoreview or the neighborhood. There will be high density occupancy, not the comfortable neighborhood that exists now.

In addition, the latest diagram of the proposed building shows I will be one of two homes whose house will be closest to the property line **and** the building. For me, this is due to the inclusion of the property at **506 Tanglewood Drive**. Most of the homes bordering on the development have back yards between their houses and the development's building and property line. I will have three stories with balconies looking into or down on the side of my house where a 3 season porch is located. I do not believe that the proposed trees and shrubs will give me the privacy I currently have and enjoy in my back yard or porch. I lived in an apartment where the second floor (one level above the basement apartments) faced a parking lot and the home across that lot. Every time I looked out my window I could see all of the windows on that side of that home. The owners kept their curtains closed at all times. I was glad they did, because I did not want to see into their home. The occupants of the proposed building would be looking into my enclosed porch, which is where I like to spend my leisure hours in the summer. I will not feel comfortable spending a lot of time there when I too will be visible to multiple occupants on the 3 levels of the building next to me. My lot will be bordered by the development on two sides--the east side and the south end. Most of the other properties are bordered at the end of their yards, not on the sides. That is why my house will be significantly more visible and closer to the building of this development and I feel more highly and significantly impacted.

6/19/13

Shoreviewmn.gov Mail - Comments on Proposed Redevelopment of Kozlak's

I strongly feel that an office complex, as I have understood is the current zoning for the area, would be much more appropriate for the area--far less intrusive to the homes bordering it and more responsive to the welfare and safety of all citizens of Shoreview.

Barbara

K. Evans

514

Tanglewood Drive

t:2013pcf/2489--13-16 4785 Hodgson Kozlaks/neighborhood survey



Kathleen Nordine <knordine@shoreviewmn.gov>

## Comments about the proposed development at Tanglewood and Hodgson Roads.

2 messages

**Diane Close** <dclose@alumni.uwaterloo.ca>  
To: knordine@shoreviewmn.gov

Mon, Jun 17, 2013 at 9:46 AM

I wanted to comment about the proposed development of the properties at Tanglewood and Hodgson Roads, enveloping Kozlak's restaurant and a single family home next door. I understand that a multi-story senior housing development is slated to go in there, and I strenuously object to that proposal.

We have plenty of senior housing nearby already. There is the new senior housing development directly across the street, on Hodgson Road. There is the senior housing development in the North Oaks mall, again on Hodgson Road. There is the senior housing facility directly across Hwy 96, near the corner of Hodgson Road. And finally there is the senior housing development directly across from the library on Victoria Street. That means there are four large senior housing developments within four miles of each other, and most of them within a mile of each other! To add a fifth is too much.

There is no infrastructure locally to support even more seniors. There is no urgent care facility near any of Shoreview's senior housing. There is no hospital nearby. There is no appropriate public transportation for those seniors to use. There is no bus that goes to Roseville from the Community Center any longer. There is no bus that will take them to Target. There are not enough small cafes and moderately-priced restaurants within walking distance of any of these communities. The closest, the mall in North Oaks at Hodgson Road and Hwy 96, is already overcrowded with patrons.

What we could use in this community is more good restaurants and similar business/shopping opportunities for everyone, including seniors. Cramming yet another senior housing facility onto the small Kozlak's lot simply puts excess pressure on facilities used by local residents without providing a benefit for anyone but the developers of the property. As was pointed out when the senior housing development was proposed across the street from Kozlak's, senior housing in this community, even memory care facilities, are not filled to capacity. There is plenty of excess built in to the existing system to absorb additional seniors from this community without having to bus them in from somewhere else.

The road capacity on Hodgson at Tanglewood is already strained by excess cars. To add 87+ seniors would overburden the traffic and make getting in and out of my Tanglewood neighborhood excessively difficult. It's already gotten worse with the addition of the senior development across the street!

This is an area of single family homes. To add an apartment complex, even one that offers owner-optioned condominiums, would degrade local property values as will the addition of too many seniors. Quite frankly, I'd rather see low income housing that would encourage more families with children to come to this area.

If Shoreview must add more senior housing, then please do so in an area that currently has none and could use it. Put up a senior condominium complex near Country Road J, or in southern Shoreview, but not another one here! There are too many! And there is not enough infrastructure left locally to support more!

Bring us restaurants. Bring us shopping opportunities. Bring us families with children. Bring us public transportation. Bring us anything but more seniors! And I say that as a person who is within a few years of being a senior herself.

Diane Close  
4711 Kent Street



Kathleen Nordine &lt;knordine@shoreviewmn.gov&gt;

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**proposed development at 4785 Hodgson Road**

1 message

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**gabrielle lawrence** <gabriellelawrence@gmail.com>

Tue, Jun 18, 2013 at 10:04 PM

To: knordine@shoreviewmn.gov

Cc: Don Postema &lt;postema@comcast.net&gt;

Dear Ms. Nordine,

We received the notice and request for comment on the proposed development referenced above. We live at 4760 Kent Way, not far from the proposed development and we do have some concerns about the project, as follows.

1. The concentration of high-density senior housing projects

With the addition of this project our Shoreview neighborhood will be surrounded by fairly high-density senior citizen housing developments. Within a mile there are already three large senior housing complexes. We think we have enough options for seniors in this immediate area. Neighborhoods and communities thrive with a variety of housing options which attract a diverse demographic - including young families and young adults.

2. The intrusion into the residential neighborhood

From the site plan, it looks like the building will extend to the west, into a well-established residential neighborhood. It will also tower over the single family homes in the area, most of which are one-story. This would certainly have a negative impact on the homes which border the building.

3. Additional traffic and parking

We're concerned about the additional traffic at the intersection of Tanglewood and Hodgson. Hodgson is already very congested during the morning and evening rush hours. At times, visitors may swell vehicular traffic and parking could spill over into the neighborhood.

We respectfully request that this use of prime City land be reviewed in the light of our concerns. At a minimum, if you still determine this to be an appropriate use of the land, we request that the height of the project be no more than two stories and that there be no more than 50 units so that it better fits into the surrounding neighborhood.

Sincerely,  
Gabrielle Lawrence  
Don Postema  
4760 Kent Way  
Shoreview, MN 55126  
651 483 3062



Kathleen Nordine &lt;knordine@shoreviewmn.gov&gt;

## Question about the Kozlak's redevelopment proposal.

2 messages

Diane Close &lt;dclose@alumni.uwaterloo.ca&gt;

Mon, Jun 17, 2013 at 4:23 PM

To: knordine@shoreviewmn.gov

Would the city consider imposing a temporary moratorium on senior housing developments, at least until the one across the street from Kozlak's is completed and its traffic impact is known? Would the city also consider studying how many senior housing developments a particular area can or should support, especially so close together, so we don't turn neighborhoods into senior ghettos, with seniors trapped in their homes due to no public transportation or acceptable walkable areas nearby? Would the city consider studying whether it is more appropriate to put money into helping seniors stay in their own housing (usually a better, cheaper alternative) rather than developing luxury or other senior condos or apartments?

If the city does decide to go ahead with the senior housing development, would they consider changing the proposal to reserve a certain number of units for low income families instead of just making it all exclusively seniors? Seniors who have access to the younger generation do better, mentally and physically, than seniors who live at the edge of a community, circulating only amongst their own.

And yes, I do plan to attend the meeting on June 25th. I was uncertain whether you allowed public comments there or not, so figured I'd best write down my opinions and questions and send them to you ahead of time.

My own personal view, as one who qualifies for AARP and will soon be considered a senior herself, everywhere, is that I would not choose to move into any of Shoreview's proposed or existing senior housing options myself. I would seriously consider moving to Roseville or St. Paul or similar cities that have good public transportation options (transit centers! Buses for seniors! Flexible bus schedules! Light rail!) and good eating and shopping opportunities. Shoreview is more like a commuter city with senior housing crammed on top. There appears to be no master plan to make this a more liveable city, with good public transportation and good restaurant opportunities. The Target shopping area is a nice start, but good luck getting there if you're a senior without a car!

Thanks,  
Diane Close

Kathleen Nordine &lt;knordine@shoreviewmn.gov&gt;

Mon, Jun 17, 2013 at 8:26 PM

To: Diane Close &lt;dclose@alumni.uwaterloo.ca&gt;

Thanks Diane. The Council does have the authority to enact a moratorium. Some of the items you identify could be studied during the interim such as the need or suitable locations and access to transit. Regarding the low income units, this is outside of the City's authority. If the City was financially contributing to the project through Tax Increment Financing, this may be reviewed as a requirement, but since no local financial assistance is being sought by the developer, the City will not require a percentage of units to be reserved for low income families.

I will forward these comments onto the Commission and Council. Note the the staff report and agenda will be posted on the City's website Friday.

Kathleen

[Quoted text hidden]

—

Kathleen Nordine  
City Planner  
City of Shoreview



6/20/13

Shoreviewmn.gov Mail - Question about the Kozlak's redevelopment proposal.

4600 N. Victoria Street  
Shoreview, MN 55126

651-490-4682  
[knordine@shoreviewmn.gov](mailto:knordine@shoreviewmn.gov)



Kathleen Nordine &lt;knordine@shoreviewmn.gov&gt;

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## One last comment on the proposed redevelopment of Kozlak's

3 messages

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**Diane Close** <dclose@alumni.uwaterloo.ca>

Mon, Jun 17, 2013 at 10:33 AM

To: knordine@shoreviewmn.gov

By cramming in so many senior housing projects within so short a distance, you are in effect creating a senior ghetto. That's a huge disservice both to the community in general and to the seniors that you are attempting to serve. Seniors deserve mixed company, especially mixed in ages. If you want to keep your seniors spry, active and engaged, then spread them around the community and open up their choices. Don't close them off and shutter them away in one corner of Shoreview, and especially a corner that lacks good nearby senior support services.

Diane Close

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**Kathleen Nordine** <knordine@shoreviewmn.gov>

Mon, Jun 17, 2013 at 6:34 PM

To: Diane Close &lt;dclose@alumni.uwaterloo.ca&gt;

I did receive your email. Is this a comment you want me to forward to the Planning Commission and City Council.

I can include you on future mailings if you want to give me your address.

Kathleen

On Mon, Jun 17, 2013 at 10:33 AM, Diane Close <dclose@alumni.uwaterloo.ca> wrote:

By cramming in so many senior housing projects within so short a distance, you are in effect creating a senior ghetto. That's a huge disservice both to the community in general and to the seniors that you are attempting to serve. Seniors deserve mixed company, especially mixed in ages. If you want to keep your seniors spry, active and engaged, then spread them around the community and open up their choices. Don't close them off and shutter them away in one corner of Shoreview, and especially a corner that lacks good nearby senior support services.

Diane Close

—  
 Kathleen Nordine  
 City Planner  
 City of Shoreview  
 4600 N. Victoria Street  
 Shoreview, MN 55126

651-490-4682  
[knordine@shoreviewmn.gov](mailto:knordine@shoreviewmn.gov)

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**Diane Close** <dclose@alumni.uwaterloo.ca>

Mon, Jun 17, 2013 at 6:37 PM

To: Kathleen Nordine &lt;knordine@shoreviewmn.gov&gt;

6/20/13

Shoreviewmn.gov Mail - One last comment on the proposed redevelopment of Kozlak's

Yes, please do forward that message as well, and my later one of suggestions to consider too. I did include my address on the first email, but I'll add it to my signature here too.

Thanks!

Diane Close

4711 Kent Street

Shoreview, MN 55126

[Quoted text hidden]

[Quoted text hidden]



Kathleen Nordine &lt;knordine@shoreviewmn.gov&gt;

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**Re: Kozlak's property concern**

1 message

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**Sandra Martin** <sandymartin444@gmail.com>  
To: Robert Stanz <RStanz@slwip.com>  
Cc: Kathleen Nordine <KNORDINE@shoreviewmn.gov>

Wed, Jun 19, 2013 at 6:41 AM

Good morning, Rob.

Thank you for your email. You raise many important issues and I urge you to make your concerns known at the Planning Commission meeting next Tuesday, June 25. If you are unable to be there, your comments can be sent to the Planning Commissioners or to the City Planner, Kathleen Nordine.

This development is still at the Concept stage and input from the residents will be very important. At this time, the City Council has not reviewed the plans and will not do so until after the Planning Commission has reviewed and made comment.

At the Concept Stage, votes are not taken, but suggestions or recommendations are made regarding the development. It is the best time to have an impact on what is being proposed.

I can understand your concerns and can assure you that the project will receive a fair review. Please stay in touch as the process moves forward.

Best regards,

Sandy Martin  
Mayor  
City of Shoreview  
651-490-4618 (office)  
651-484-8631 (home)  
sandymartin444@comcast.net

"Shoreview: One of the 10 Best Towns in America to Raise a Family" - Family Circle 2008

On Jun 17, 2013, at 12:17 PM, Robert Stanz <RStanz@slwip.com> wrote:

Dear Shoreview Council Members,

Hope you are doing well on this beautiful Monday morning. My name is Rob Stanz and I am writing to express my concern for the development plan of the Retirement Building on the current Kozlak's property.

My wife and I moved to Shoreview, address 4770 Chandler Rd., just over one year ago and we are enjoying the neighborhood like feel of the area. Our property touches, the Kozlak's property, and with the current plan intact we will now have a 3 story building about 30-35 feet from our backyard. Our concerns are, not only we will lose sunlight to our property, which is already a rarity for us Minnesotans, we will also be losing all privacy to our backyard. At any point in the day, someone will now have the ability to look down from

their 3<sup>rd</sup> story home/balcony into our home. There is simply not a fence high enough to establish/maintain privacy.

Now we understand, this is a business opportunity for the city, but we would also like to think that the city has its current residents best interests in mind. The currently proposed plan simply does not fit into the property or neighborhood. I have attended both meetings United Properties has held. They have stated that they would like to be a great neighbor, however not one neighbor in the most recent meeting was happy or even okay with the size of the building. Please do not let this project move forward without a considerable size reduction to the height/size of the building.

We are a young couple, 27 and 28, and are happy to contribute to the effort of keeping Shoreview young. We have been looking forward to raising a family in our 1<sup>st</sup> home. However, if this current plan goes through, we will have a tough time believing this city cares about its residents and that this is the best place for us to raise a family.

Thank you for your time and willingness to hear from your residents.

Best Regards,  
Rob Stanz

651.303.2416  
[rstanz@slwip.com](mailto:rstanz@slwip.com)

United Properties  
Planned Unit Development-Concept Stage  
File No. 2489-13-16

Comments:

RESPONSE

— SEE ATTACHMENT —

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

*United Properties  
Planned Unit Development-Concept Stage  
File No. 2489-13-16*

Shoreview Planning Commission,

I am confident you will consider the overwhelming voice of the people in the neighborhoods affected and require United Properties to reconsider their plan for the Kozlak's property.

As a show of solidarity against this massive project literally being built in our backyards, a petition has been initiated which has received enthusiastic support from both the immediate and surrounding neighborhoods.

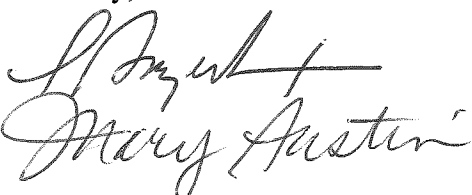
This will be the 4<sup>th</sup> senior planned unit development within a 10 minute walk from our home. More importantly, as you can see from the enclosed maps, this project is uniquely different from the three other Shoreview senior co-operatives as well as the other United Properties sites since this project is overwhelmingly surrounded by single family homes. The other United Properties projects either abut huge commercial and industrial development and large multi family apartment complexes or, in the case of their two most recent projects in New Brighton and Woodbury, there are essentially no single family homes at all.

The previous two meetings between the immediate neighbors and United Properties yielded very little compromise in addressing our primary concern- the project is too massive, both in size and height, for this site.

It is our hope that the Shoreview planning commission will consider the detrimental quality of life impact this massive structure will have on our neighborhood. Our elected officials should demand that United Properties present a revised plan that, at the very least, maintains both the integrity and character of our single family neighborhood.

Thank you for your time and consideration for our concerns.

Cordially,

The image shows two handwritten signatures in cursive. The first signature is for Philip Sazenski and the second is for Mary Austin. The signatures are written in dark ink and are positioned above the printed names of the signatories.

Philip Sazenski  
Mary Austin  
525 Chandler Court  
Shoreview, MN. 55126

N

Bird's eye



© 2013 Microsoft Corporation Pictometry Bird's Eye © 2012 MDA Geospatial Services Inc.

Kozlak neighborhood





To see all the details that are visible on the screen, use the "Print" link next to the map.



SCANDIA STORES of SHOREVIEW



To see all the details that are visible on the screen, use the "Print" link next to the map.



*Summer House of Shoreview*

N

Bird's eye



100 feet 25 m

© 2013 Microsoft Corporation Pictometry Bird's Eye © 2012 MDA Geospatial Services Inc.

SHOREVIEW SENIOR APPTS (UNDER CONSTRUCTION)



To see all the details that are visible on the screen, use the "Print" link next to the map.



U.P. - MAPLE GROVE



To see all the details that are visible on the screen, use the "Print" link next to the map.



AP, - Bloomington



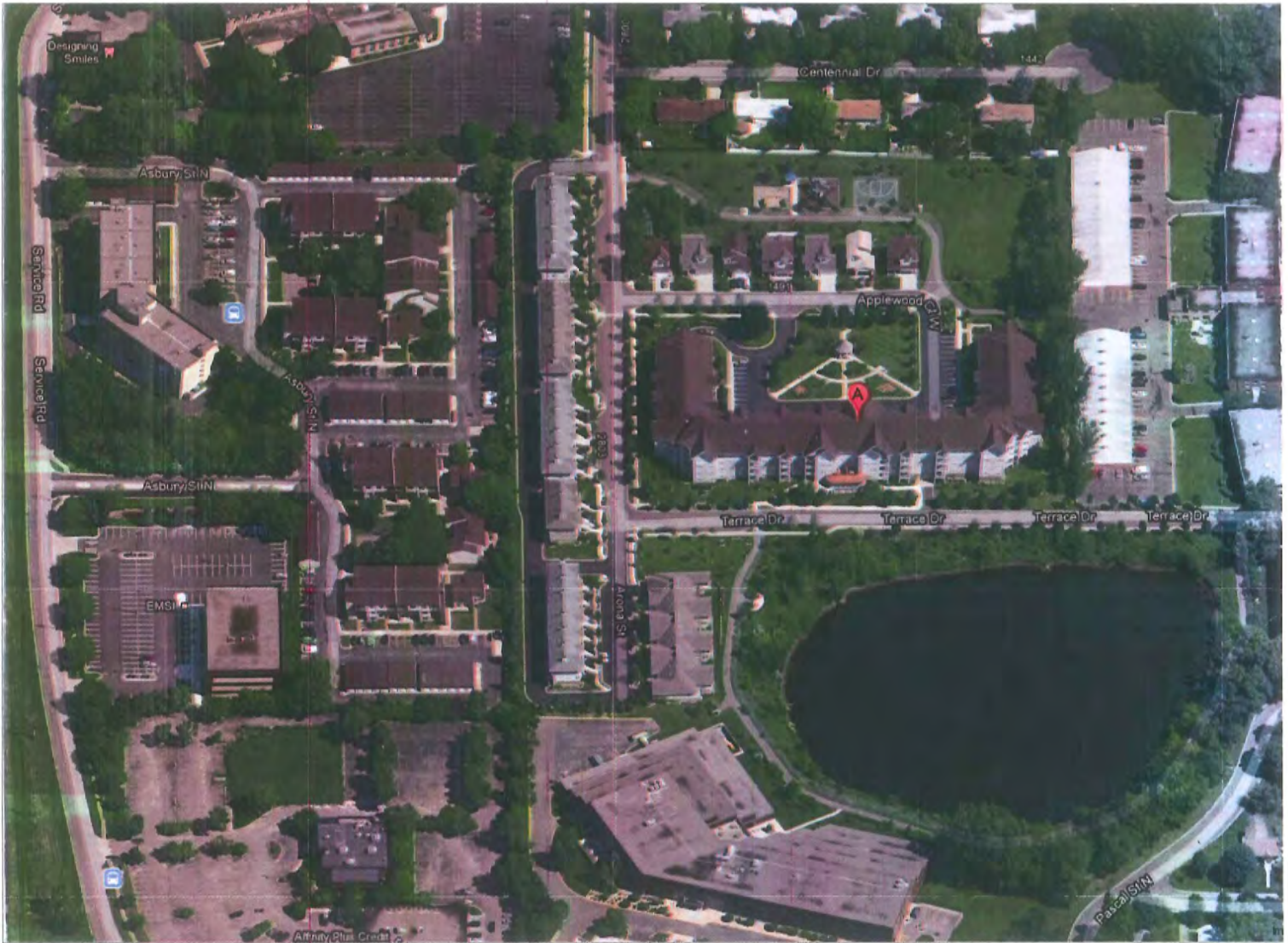
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*U.P. - Bloomington*



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U.P. - ROSEVILLE



To see all the details that are visible on the screen, use the "Print" link next to the map.



U.P. - Roseville





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U.P. - Woodbury



To see all the details that are visible on the screen, use the "Print" link next to the map.



U.P. — New Brighton



## MOTION

MOVED BY COMMISSION MEMBER: \_\_\_\_\_

SECONDED BY COMMISSION MEMBER: \_\_\_\_\_

To recommend the City Council approve the Comprehensive Sign Plan submitted by Lawrence Signs, for the SuperAmerica fuel station at 3592 Lexington Avenue, subject to the following conditions:

1. The signs shall comply with the plans submitted for the Comprehensive Sign Plan application. Any significant change will require review by the Planning Commission and City Council.
2. The applicant shall obtain a sign permit prior to the installation of any signs on the property.

This approval is based on the following findings of fact:

1. *The plan proposes signs consistent in color, size and materials throughout the site for each type of proposed sign.* Each type of sign (freestanding, wall, canopy and incidental) uses uniform color and materials, and with colors generally based on the SuperAmerica theme.
2. *Approving the deviation is necessary to relieve a practical difficulty existing on the property.* The angled-orientation of the building provides some difficulty in the identification of the business. The proposed sign plan relieves this difficulty by placing copy signage on the fascia of the canopy and on the building wall in a manner that effectively identifies itself.
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 wall and canopy signs proposed, including the graphics band, give a uniform appearance to the building and canopy. Use of the graphics provides a greater aesthetic appeal for the site.
4. *Approving the deviation will not confer a special privilege on the applicant that would normally be denied under the Ordinance.* The configuration of the structure on the property is unique due to the building orientation. The proposed signage is reasonable for this type of uses and uses the facades which are most visible or of importance to identify SuperAmerica.
5. *The resulting sign plan is effective, functional, attractive and compatible with community standards.* The sign plan proposes signs, including graphics that are effectively displayed, improve the appearance of the site/structures and are compatible with community standards applied to similar uses.

Page 2 of 6  
3592 Lexington Avenue  
Comprehensive Sign Plan

**VOTE:**

**AYES:**

**NAYS:**

***Regular Planning Commission Meeting  
June 25, 2013***

t:\2012pcf\2456-12-19\pemotion TCF Sign Plan

**TO:** Planning Commission

**FROM:** Kathleen Nordine, City Planner  
Rob Warwick, Senior Planner

**DATE:** June 20, 2013

**SUBJECT:** File No. 2479-13-06, Comprehensive Sign Plan, Lawrence Signs/Northern Tier Retail, 3592 Lexington Avenue

### **INTRODUCTION**

At the March Planning Commission meeting, the Commission tabled a comprehensive sign plan application submitted by Lawrence Signs, on behalf of Northern Tier Retail, for the SuperAmerica fuel station at 3592 Lexington Avenue. The application was tabled due to the extent of graphics being used on the canopy and building. A revised sign plan is being presented to the Commission for review.

### **SIGN CODE**

When multiple signs are proposed, a comprehensive sign plan is required. The following summarizes the applicable Code requirements.

#### **Sign Definition**

Signs are defined as any letter, word or symbol, device, poster, picture, statue, reading matter or representation in the nature of an advertisement, announcement, message or visual communication, whether painted, posted, printed, affixed or constructed, which is displayed for informational or communicative purposes and is visible to the general public.

#### **Wall Signs**

One wall sign is permitted per principal structure unless the structure faces two or more arterial roadways, as is here the case. The length of the wall sign cannot exceed 20% of the length of the building elevation to which it is affixed. The wall sign area cannot exceed 10% of wall area to which it is affixed, with a minimum area of 20 square feet.

#### **Canopy Signs**

Signs are permitted to be affixed to fuel island canopies, provided the copy and graphics area, together with other wall and incidental signs, does not exceed the area permitted for a single wall sign. Further, the canopy sign area cannot exceed 10% of the canopy fascia area.

#### **Freestanding Signs**

One freestanding sign is permitted per site unless the site abuts two or more arterial roadways. Structures less than 20,000 square feet may have a pylon sign provided it does

not exceed 20' in height and have a copy/graphic area greater than 40 square feet. A readerboard may be attached provided it does not have a copy/graphic area greater than 40 square feet.

### **Comprehensive Sign Plan**

When a deviation to the regulations is proposed, the Comprehensive Sign Plan requires review by both the Planning Commission and City Council with the City Council taking final action. Approval of the plan is based on the following findings:

1. The plan proposes signs consistent in color, size and materials throughout the site.
2. Approving the deviation is necessary to relieve a practical difficulty existing on the property.
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.
4. Approving the deviation will not confer a special privilege on the applicant that would normally be denied under the Ordinance.
5. The resulting sign plan is effective, functional, attractive and compatible with community standards.

### **COMPREHENSIVE SIGN PLAN**

The plans have been revised by eliminating the pin-stripe graphics proposed on a portion of the building. Regarding this graphic display, there was discussion at the March Planning Commission meeting regarding whether or not this is considered signage and how it compares to other signage, graphics or elements used on other fuel station canopies in the City. Staff's interpretation of the ordinance is that any graphic affixed to a building or free standing sign is considered a sign and not an architectural element. Similar facilities use other methods to convey their 'brand' such as color (with no graphics) or architectural elements (raised striping) which are not considered signage.

The sign plan has been revised to eliminate the graphic striping on the top tier (rooftop enclosure) and the south and east sides of the building. The following signs are being proposed:

#### **Free-standing pylon sign** (*complies with ordinance standards*)

1. Copy/Graphic Area: 41.8 square feet, including the 4.5 sq. ft. gas price display, and excluding the 15 sq. ft. changeable copy readerboard
2. Height: 18.8 feet
3. Advertises car wash, fuel and convenience store

#### **Wall Signs**

1. Northwest Building Elevation - "SuperAmerica" sign
  - a. Copy Area: 59.6 square feet

- b. Length: 22.7 feet (*exceeds the maximum length permitted of 10 feet or 20% of the wall length*)
2. Northwest building elevation - Graphics Pinstripe band
  - a. Copy area: 63.25 square feet (*combined with the "SuperAmerica" wall sign exceeds the total area permitted – 10% of the wall elevation area of 60 square feet*)
  - b. Length: 25.3 feet (*exceeds the maximum length permitted - 10 feet or 20% of the wall length*)
3. Northeast and Southeast building elevations – Graphics Pinstripe band
  - a. Copy area: 68.75 square feet (*exceeds the maximum area permitted – 10% of the wall elevation area or 33 square feet*)
  - b. Length: 27.5 feet (*exceeds maximum length permitted – 20% of wall length or 5.5 feet*)

### **Canopy Signage**

1. Northwest fascia - "SuperAmerica" sign
  - a. Copy area: 27.71 square feet (*exceeds the maximum area permitted – 10% of the fascia area or 2.77 square feet*)
  - b. Length: 15.5 feet
2. All fascia
  - a. Copy area: 327.6 square feet (*exceeds the maximum area permitted – 10% of the fascia area or 32.7 square feet*)
  - b. Length: 182 feet

### **Incidental Signage**

1. Gas Pumps: "SuperAmerica"
  - a. Copy area: 2.5 square feet
  - b. Number proposed: 8
2. Posts: Warning signage and logo
  - a. Copy area: 3 square feet
  - b. Number proposed: 4

### **STAFF REVIEW**

The primary issue regarding the sign plan relates to the proposed use of graphics on the building and canopy fascia. As stated earlier, it has been Staff's interpretation of the code that graphics are considered signage and need to comply with the City's sign area and length standards. In accordance with the Planning Commission's previous direction, the applicant has modified the sign plan by eliminating some of the graphic area proposed on the building. Graphics are proposed on the fascia of the station canopy and on a portion of the building.

Staff has reviewed the proposal and believes the sign plan is reasonable and in keeping with the spirit and intent of the sign ordinance and comprehensive sign plan criteria.



While the proposed graphic area exceeds the area and length permitted, this design does add visual interest to the structures. The use of graphics is similar to those graphics, architectural elements and use of color on other fuel stations in the community which have been previously approved by the City. The proposed deviations result in a more unified sign package that is compatible with community standards. The deviations will not confer a special privilege to the applicant.

### **RECOMMENDATION**

The applicant has revised the sign plan in response to comments received from the Planning Commission at the March 26<sup>th</sup> meeting. The proposed changes reduce the deviations needed for the sign plan, specifically relating to the use of graphics on the building and canopy. The plan proposed is reasonable based on the orientation of the building, use of the facility as a fuel station and other sign packages approved by the City for similar uses. Staff is recommending the Commission forward a recommendation of approval to the City Council for the sign plan. Approval is subject to the following conditions:

1. The signs shall comply with the plans submitted for the Comprehensive Sign Plan application. Any significant change will require review by the Planning Commission and City Council.
2. The applicant shall obtain a sign permit prior to the installation of any signs on the property.

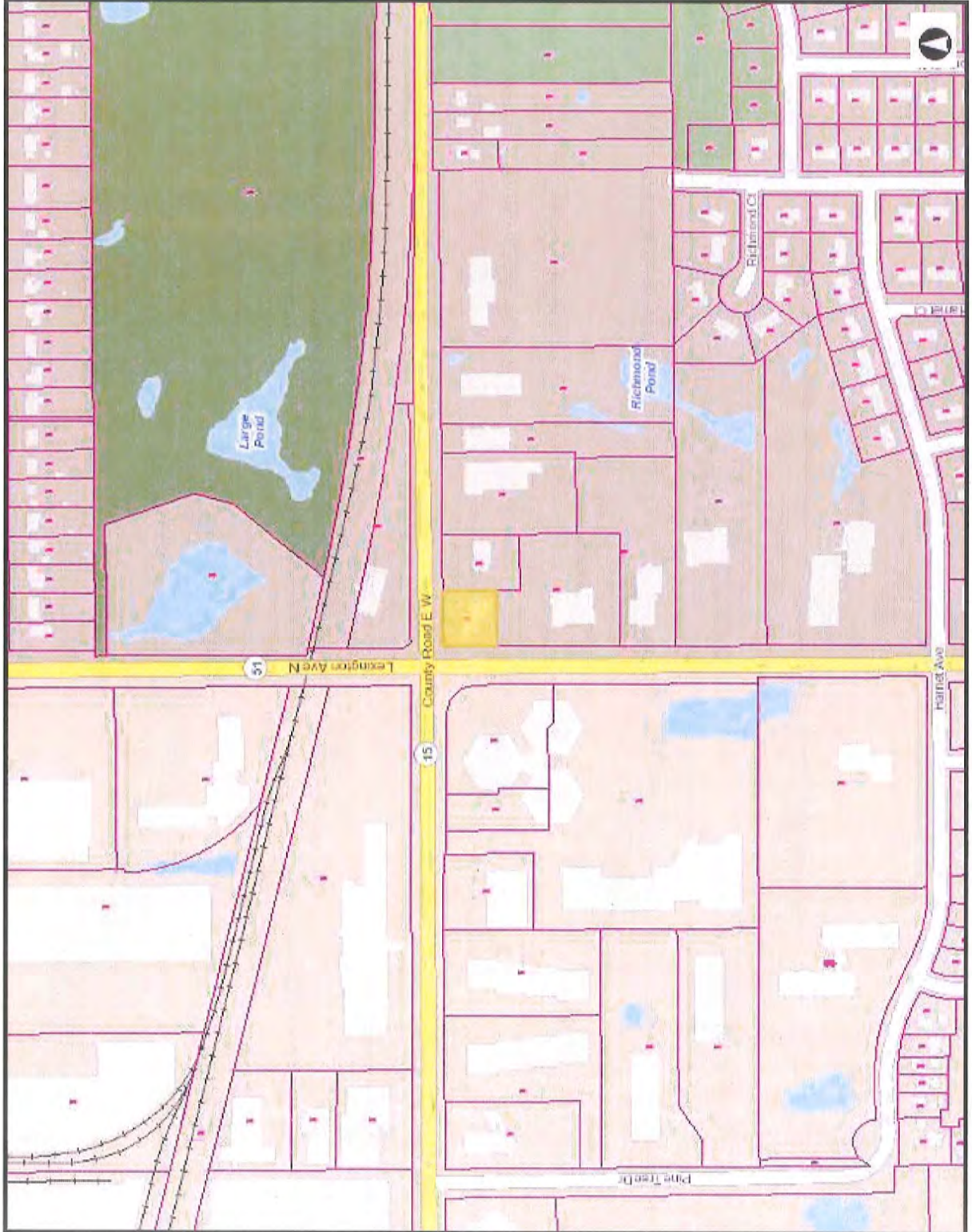
#### Attachments

- 1) March 26 Planning Commission Minutes
- 2) Location Map
- 3) Aerial
- 4) Photograph – Existing Site
- 5) Submitted Plans
  1. March canopy and wall signage
  2. Revised canopy and wall signage
  3. Freestanding sign
  4. Incidental signs
- 6) Proposed Motion

t:/2013pcf/2479-13-06/06-25-13pcreport



# Location Map 3592 Lexington Avenue



## Legend

- County Offices
- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcels

## Notes

Enter Map Description

773.1

386.57

0

773.1 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**



# 3592 Lexington Ave. - Superamerica



95.2

0

47.61

95.2 Feet

NAD\_1983\_HARN\_Adj\_MN\_Ramsey\_Feet  
© Ramsey County Enterprise GIS Division

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**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

## Legend

- County Offices
- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcels

## Notes

Enter Map Description



EXISTING SITE CONDITIONS



CLIENT	3592 N LEXINGTON AVE SHOREVIEW, MN
LOCATION	
MAKE/WATCH	
SALES	
RICH RETTNER	
DESIGNER	
S4 SHOREVIEW MN 4749	
DRAWING	
DATE	12.06.12
REVISION	03.05.13 RR (ADDED STRIPES)

**CUSTOMER APPROVAL**

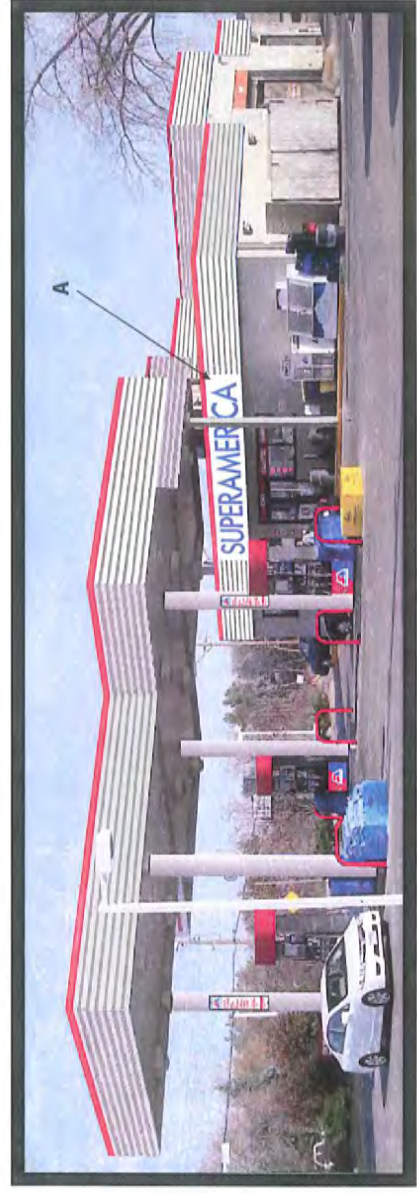
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SQ. FT COPY: 59.5



SQ. FT COPY: 27.71



**BLUE VINYL GRAPHIC APPLIED TO CANOPY AND BUILDING**



TRANSLUCENT ORACAL BLUE (8500-006)

*MARCH SUBMITTAL.  
WALL ? CANOPY SIGNS*



CLIENT  
3592 W LEXINGTON AVE  
SHOREVIEW, MN  
LOCATION

MIKE WACH  
SALES

RICH RETTNER  
DESIGNER

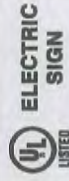
SA SHOREVIEW MN 4749  
DRAWING

12.06.12  
DATE

03.27.13 RR  
REVISION

CUSTOMER APPROVAL

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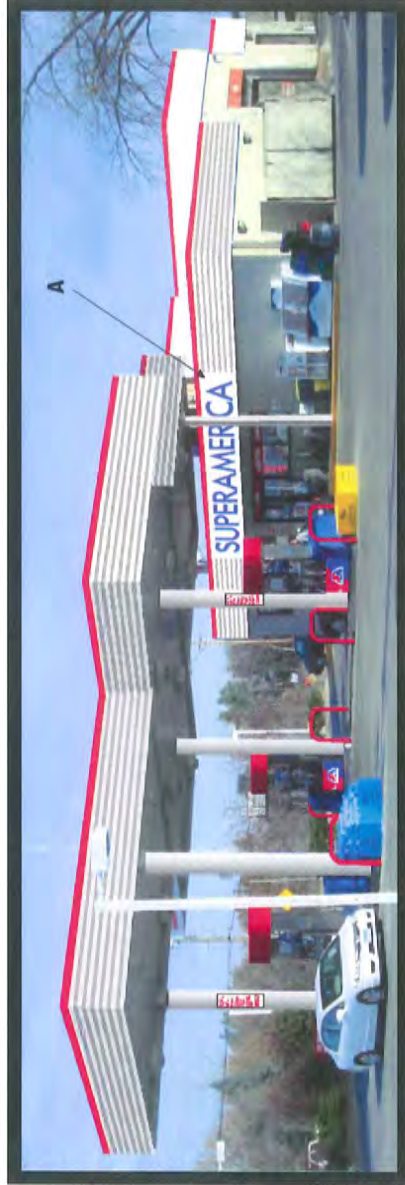


**OPTION C**  
**CANOPY STRIPES**  
**& FRONT HALF OF**  
**BUILDING STRIPED**

BLUE VINYL GRAPHIC APPLIED TO CANOPY AND BUILDING



TRANSLUCENT ORACAL BLUE (8500-006)



SCALE: 1/4" = 1' - 0" PRINTED COLORS & GRADIENTS AS SHOWN MAY VARY FROM ACTUAL FINISHED COLOR

BLUE VINYL LOGO GRAPHIC

REVISED: SUBMITTAL WALL: CANOPY SIGNS

CLIENT	3592 N LEXINGTON AVE SHOREVIEW, MN
LOCATION	
SALES	MIKE WAICH
DESIGNER	RICH RETTERER
DRAWING	SA SHOREVIEW MN 4749
DATE	12.06.12
REVISION	

**CUSTOMER APPROVAL**

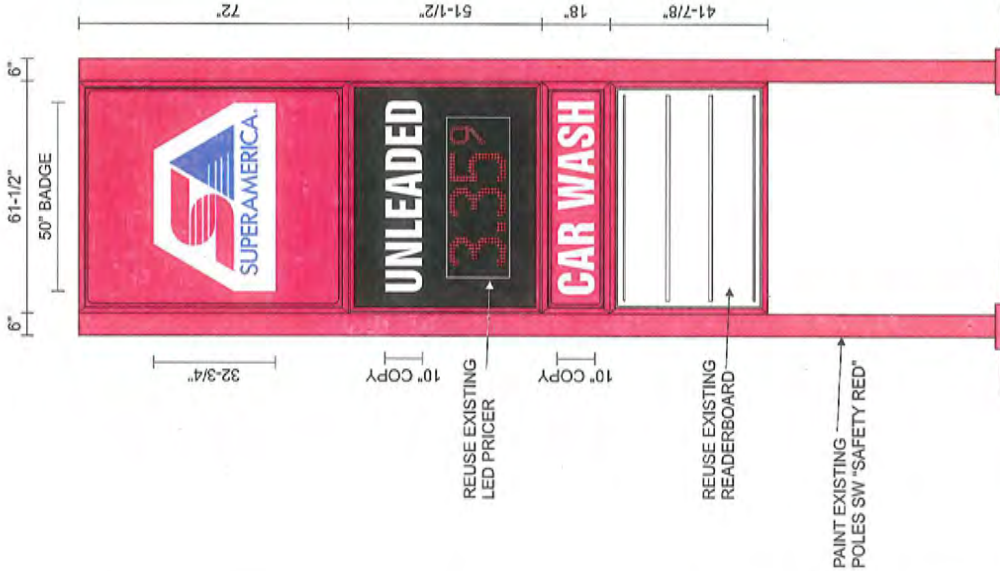
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PROPOSED



EXISTING



**PYLON RE-FACE** ALL DIMENSIONS BASED ON PROVIDED SURVEY  
VERIFICATION REQUIRED BEFORE PRODUCTION

COLOR PALETTE

TRANSLUCENT 3M "REGAL RED" (230-93)
TRANSLUCENT ORACAL BLUE (8500-006)

- (2) NEW 72" X 61.5" PAN FORMED SUPERAMERICA FACES
- (2) NEW 18" X 61.5" PAN FORMED CAR WASH FACES
- (2) NEW 51.5" X 61.5" FLAT UNLEADED PANELS WITH CLEAR PANEL OPENING FOR REUSING LED PRICERS.

SCALE: 3/8" = 1'-0" PRINTED COLORS & GRADIENTS AS SHOWN MAY VARY FROM ACTUAL FINISHED COLOR



CLIENT	3392 N LEXINGTON AVE SHOREVIEW, MN
LOCATION	
MIKE WAICH SALES	
RICH RETTERER DESIGNER	
SA SHOREVIEW MN 4749	
DRAWING	
DATE	12.06.12
REVISION	
CUSTOMER APPROVAL	

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PAINT EXISTING CANOPY POLES LIGHT GRAY SW2128



NEW SA GRAPHICS

PAINT TOP OF BASE DARK GREY  
PMS 430C WITH SILICA SAND

EXISTING STAINLESS STEEL  
LEAVE AS IS

PAINT EXISTING BOLLARDS SW "SAFETY RED"

PRINTED COLORS & GRADIENTS AS SHOWN MAY VARY FROM ACTUAL FINISHED COLOR

SCALE: NTS

PAINT LAYOUT





CLIENT	3592 N LEXINGTON AVE SHOREVIEW, MN
LOCATION	
SALES	MIKE WAICH
DESIGNER	RICH RETTERER
DRAWING	SA SHOREVIEW MN 4749
DATE	12.06.12
REVISION	

**CUSTOMER APPROVAL**

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HEREIN ARE THE RESULT OF THE ORIGINAL  
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REPRODUCE THE INFORMATION PROVIDED.  
THEY ARE SUBMITTED TO YOU FOR YOUR  
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PURCHASE THESE PLANS OR TO  
CONSTRUCT A SIGN SIMILAR TO  
THAT SHOWN HEREIN. THE MANUFACTURE  
AND INSTALLATION OF THESE PLANS TO ANYONE  
OTHER THAN EMPLOYEES OF YOUR  
COMPANY IS EXPRESSLY PROHIBITED AND WILL  
RENDER THE USER LIABLE FOR DAMAGES.  
ALL RIGHTS RESERVED.



**FUEL PANEL SIGN**  
ALUMINUM PANEL SIGNS WILL BE PAINTED WHITE.  
FACES WILL BE DECORATED WITH BLUE & RED  
DIGITALLY PRINTED GRAPHICS

**QTY: 4**

**ARTISTIC DEPICTION - NOT TO EXACT SCALE**



10"
44"

**SELF  
SERVE**

**STOP  
ENGINE**

**NO  
SMOKING**

**WARNING-  
IT IS UNLAWFUL  
AND DANGEROUS  
TO DISPENSE  
GASOLINE INTO  
UNAPPROVED  
CONTAINERS**

**PERSONS UNDER  
16 PROHIBITED  
FROM DISPENSING  
FLAMMABLE  
LIQUIDS**

**WARNING - FIRE HAZARD**  
WHEN FILLING PORTABLE CONTAINERS

1. Place the nozzle on the ground before filling.  
2. Keep the nozzle against the top of the  
container during filling.

Commissioner Schumer stated that he supports the staff recommendation. He would also support lengthening the time between message changes, not five minutes but 1 or 2 minutes.

Chair Solomonson asked if the applicant would be willing to wait until the ordinance changes are completed. Mr. Hamilton stated that the applicant may be willing to wait until ordinance changes are made because this is a significant investment.

City Attorney Filla stated that if the ordinance is going to be more restrictive, then what is passed here should also be restrictive. He cautioned the Commission to give themselves time for consideration before taking action. He suggested possible adoption of a sign moratorium until the ordinance is completed.

MOTION: by Commissioner Ferrington, seconded by Commissioner Proud to table this matter and extend the review period from 60 to 120 days.

VOTE: Ayes - 5 Nays - 1 (McCool)

MOTION: by Commissioner Schumer to recommend the City Council establish a city wide moratorium on new signage until the Comprehensive Plan is amended.

Ms. Nordine suggested not putting a moratorium on all comprehensive sign plans but only on message center signs and not reference the Comprehensive Plan.

The motion died for lack of a second.

AMENDED MOTION: by Commissioner Schumer, seconded by Commissioner Wenner to recommend the City Council establish a city wide moratorium on message center signs for a period of one year.

Discussion:

Commissioner McCool stated that he will vote against the motion. A moratorium is a blunt instrument, and he believes the Commission has a good idea of what the ordinance will be. He would prefer to take action on the applications put forward.

VOTE: Ayes - 5 Nays - 1 (McCool)

**COMPREHENSIVE SIGN PLAN**

FILE NO.: 2479-13-06  
APPLICANT: LAWRENCE SIGN  
LOCATION: 3592 LEXINGTON AVENUE

Presentation by Senior Planner Rob Warwick

A Comprehensive Sign Plan has been submitted by Lawrence Sign on behalf of Northern Tier Retail to rebrand the existing fuel station, car wash and convenience store to a SuperAmerica. The free standing sign has been refaced. Permits were administratively reviewed and approved. Two wall signs are proposed, one on the building to be visible from County Road E and Lexington; and one on the fuel island canopy that would only be visible from County Road E. Also, a variety of incidental signs are proposed. The building and canopy are oriented perpendicular to the intersection of Lexington and County Road E. The property is zoned C2, General Commercial. The building and canopy were built in 1991. There have been a number of ownership changes.

A Comprehensive Sign Plan is required when two or more of one sign type is proposed, or when there is a deviation from the code. Code requires that no more than 10% of wall elevation area may be used and 20% of the length of the wall.

The application shows that the northeast building wall elevation area is 600 square feet with a length of 50 feet. The sign copy is 59.6 square feet or 10% of the wall area and 22.7 feet long, or 45.4% of the wall length. The graphics and copy is 33% of the wall area and 100% of the length. On the canopy fascia, the elevation area is 528 square feet. The sign copy is 27.6 square feet and 15.4 feet in length. The copy and graphics area is 100% of the fascia area on all elevations except the south southeast.

The freestanding sign complies with code. There are 12 incidental signs with area of 32 square feet. Striping counts toward the permitted sign area. Illuminated canopy bands include the rooftop equipment enclosure. The wall, canopy and incidental signs total 119.2 square feet or 19.9% of the wall elevation area, which is double what is permitted.

Staff is not able to make affirmative findings for a practical difficulty that justify the deviations. The extensive use of the pin stripe graphics exceeds the permitted areas, and the graphics is the dominant feature of the site. Staff is recommending the application be forwarded to the City Council with a recommendation for denial.

Mr. Warwick stated that the graphics are the most difficult to reconcile. It comprises 33 % of wall area and 100% of the canopy. The copy, although larger than allowed, makes the business visible from County Road E and Lexington. The sign code does allow for signature architecture.

Commissioner Ferrington asked if there would be any way to salvage this application. Mr. Warwick stated that discussions have extended over several months. He believes the recommendation to deny is appropriate.

Chair Solomonson asked if siding were used as a band, there would be no deviation. Mr. Warwick stated that there is a fine line between unique architecture features and graphics. The definition is not clear in the code. He agreed there may be options to integrate the look into the building rather than using graphics.

Mr. Mike Waich, 8620 Elliott Avenue, Bloomington, from Lawrence Sign, stated that this site is not a normal SuperAmerica site. The gray striping could be taken out. Ms. Nordine suggested tabling and bring it back next month.

Commissioner Proud stated that the graphic is more appealing than the plain wall.

Commissioner McCool agreed, although there may be too much. He suggested eliminating the second tier on the building. Code allows deviation. The code is arbitrary because a molding stripe would not comply, but a vinyl one would. He would like to see some branding remain to identify the site. One alternative would be to remove the banding from the building but leave it on the canopy. Some logos can be dropped to save space.

MOTION: by Commissioner McCool, seconded by Commissioner Proud to table this application to allow the applicant to revise plans to show alternatives and to extend the review period to 120 days.

VOTE: Ayes - 6 Nays - 0

**PUBLIC HEARING - TEXT AMENDMENT - RESIDENTIAL SETBACK REGULATIONS**

**FILE NO.: 2433-11-26**  
**APPLICANT: CITY OF SHOREVIEW**  
**LOCATION: CITY WIDE**

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

In lieu of a presentation and the fact that there was no further taping capacity for this meeting, Chair Solomonson opened the public hearing because it was noticed.

MOTION: by Commissioner Schumer, seconded by Wenner to table the public hearing.

VOTE: Ayes - 6 Nays - 0

**MISCELLANEOUS**

**City Council Assignments**

Commissioners Ferrington and Schumer will respectively attend the April 1st and April 15th City Council meetings.

**ADJOURNMENT**

MOTION: by Commissioner Schumer, seconded by Commissioner Ferrington to adjourn the meeting at 11:02 p.m.