

AGENDA
PLANNING COMMISSION MEETING
CITY OF SHOREVIEW

DATE: AUGUST 28, 2012
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

July 24, 2012

Brief Description of Meeting Process – Chair Steve Solomonson

3. REPORT ON CITY COUNCIL ACTIONS

Meeting Date: August 6th, 2012 and August 20th, 2012

4. OLD BUSINESS

A. VARIANCE /MINOR SUBDIVISION – EXTENSION

File No: 2425-11-18

Applicant: Alys B. DeLange

Location: 5790 Fairview

5. NEW BUSINESS

A. SITE AND BUILDING PLAN REVIEW

File No: 2453-12-16

Applicant: TSI Incorporated / Loucks Associated

Location: 500 Cardigan Road

B. FINDING OF CONFORMANCE TO GENERAL PLANS OF CITY FOR PROPOSED TIF DISTRICT NO. 9-TSI, INCORPORATED EXPANSION PROJECT

C. COMPREHENSIVE SIGN PLAN

File No: 2456-12-19

Applicant: TCF Bank

Location: 3836 Lexington Ave North

PLANNING COMMISSION MEETING

August 28, 2012

Page 2

D. VARIANCE/SITE AND BUILDING PLAN REVIEW

File No: 2457-12-20

Applicant: PAR/Mission Construction

Location: 655 County Road E.

E. PUBLIC HEARING – TEXT AMENDMENT – VEHICLE SALES

File No: 2454-12-17

Applicant: City of Shoreview

Location: City Wide

6. MISCELLANEOUS

A. City Council Meeting Assignments for *September 4th, 2012 and September 17th, 2012*
Planning Commissioners *Thompson and McCool.*

B. Planning Commission workshop scheduled at 6:00 pm. before the regular meeting.

7. ADJOURNMENT

**SHOREVIEW PLANNING COMMISSION MEETING
July 24, 2012**

CALL TO ORDER

Chair Solomonson called the meeting of the July 24, 2012 Shoreview Planning Commission meeting to order at 7:00 p.m.

ROLL CALL

The following members were present: Chair Solomonson; Commissioners, McCool, Proud, and Thompson.

Commissioner Wenner arrived late.
Commissioners Ferrington and Schumer were absent.

APPROVAL OF AGENDA

MOTION: by Commissioner Proud, seconded by Commissioner McCool to approve the July 24, 2012 agenda as submitted.

VOTE: Ayes - 4 Nays - 0

APPROVAL OF MINUTES

MOTION: by Commissioner McCool, seconded by Commissioner Proud to approve the May 22, 2012 Planning Commission minutes as submitted.

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

Commissioner Wenner arrived at this time.
Commissioner Wenner abstained, as he was not present at the May 22nd meeting.

REPORT ON COUNCIL ACTIONS

Presentation by City Planner Kathleen Nordine

The City Council approved the following items as recommended by the Planning Commission at the June 4th Council meeting,

- Amended Comprehensive Sign Plan for Target, as recommended by the Planning Commission;
- The site and building plan review for St. Odilia's preschool playground improvement; and
- The PUD for TCF to redevelop the Sinclair site on Lexington Avenue. Approval was granted pending resolution of access issues with Ramsey County off Lexington. The issues were resolved, and TCF will dedicate additional right-of-way for Lexington and Red Fox Road. The site plan was shifted south and east, which resulted in an 11.4 foot setback from Red Fox Road and an 11.2 foot setback from Lexington Avenue.

At the City Council's June 18th meeting, the Final Stage PUD was approved for TCF.

NEW BUSINESS

FINDING: TAX INCREMENT FINANCING PLAN FOR PROPOSED DISTRICT NO. 8 IS IN COMPLIANCE WITH CITY'S COMPREHENSIVE PLAN

Presentation by City Planner Kathleen Nordine

State law requires that the Planning Commission issue a finding that any tax increment financing district created is consistent and conforms to the general development plans of the City. A TIF plan has been submitted for the proposed Lakeview Terrace redevelopment project, 3588 Owasso Street. The Planning Commission reviewed the redevelopment plans at its April 24, 2012 meeting and recommended approval to the City Council on the following:

- Change the designated land use from Commercial (C) to High Density Residential (RH);
- Rezone the site from Retail Service (C1) and Multi-Family Residential (R3) to a Planned Unit Development (PUD);
- Create a major subdivision preliminary plat of the property for redevelopment;
- Approve PUD Development Stage for redevelopment of Midland Plaza and construction of a new 104-unit apartment building.

The City Council will consider these requests and the TIF plan at its August 20, 2012 meeting.

TIF District No. 8 includes the all public improvement areas related to the realignment of North Owasso Street, and the site of redevelopment with a six-story, 104 unit apartment building. TIF District No. 8 will be a primary funding source for the public improvements estimated to cost in the range of \$2.9 million. TIF funding will also help with developer infrastructure costs related to underground parking for the new apartment building. The project qualifies as a Redevelopment District with a maximum life of 25 years. Without the TIF assistance, the project will not move forward. Without the new apartment building development, the public road improvements will not be done.

This redevelopment plan is part of the Shoreview Housing Action Plan for participation in the Metropolitan Council's Livable Communities Program. The Metropolitan Council awarded the City \$655,000 to assist with the redevelopment.

Commissioner Solomonson asked if the Planning Commission can make a finding of conformance with the Comprehensive Plan, when the City Council has not yet approved the proposed Comprehensive Plan Amendment. City Attorney Filla stated that the Planning Commission is being asked to agree that the proposed plan is consistent with the Comprehensive Plan.

Chair Solomonson stated that he agrees with staff that this project fits with the City's Comprehensive Plan. This redevelopment will provide housing opportunities not currently available. It is a reinvestment in a blighted area, Midland Plaza.

MOTION: by Commissioner Proud, seconded by Commissioner Wenner to adopt Resolution No. 12-61 finding that the Draft Tax Increment Financing Plan for the Proposed Creation of a New Tax Increment Financing District No. 8 for Midland Plaza Redevelopment (Lakeview Terrace) conforms to the general development and redevelopment plans of the City as described in the [proposed] Comprehensive Plan.

Commissioner Proud indicated that he added the word, "proposed" Comprehensive Plan due to the advice of Counsel.

Commissioner Wenner indicated that his seconded included the added word, "proposed."

VOTE: Ayes - 5 Nays - 2

MISCELLANEOUS

City Council Meetings

No planning items are on the August 6th City Council agenda. Chair Solomonson stated that he would fill in for August 20th, if needed.

Workshop

The Planning Commission held a workshop meeting immediately following this regular meeting. There will also be a workshop meeting immediately before the Planning Commission meeting on August 28, 2012, at 6:00 p.m.

Commissioner Schumer arrived at this time.

ADJOURNMENT

MOTION: by Commissioner Wenner, seconded by Commissioner Thompson to adjourn the regular Planning Commission Meeting of July 24, 2012, at 7:28 p.m.

VOTE: Ayes - 6 Nays - 0

TO: Planning Commission

FROM: Kathleen Nordine, City Planner

DATE: August 23, 2012

SUBJECT: File No. 2425-11-18; Extension Request for Variance, Alyssa Delange – 5790 Fairview Avenue

INTRODUCTION

In September 2011, the City Council approved a request submitted by Alyssa Delange and Jessica Jimenez to adjust the common side property line at 5790 and 5784 Fairview Avenue. This lot line adjustment is intended to remedy existing encroachments.

An application was also submitted for a variance to reduce the setback for the existing driveway from 5-feet to 1-foot from the proposed side lot line. The Planning Commission approved the variance, contingent upon the Council's approval of the minor subdivision, at the August 23, 2011 meeting. A condition attached states that the variance will expire after one year if the minor subdivision has not been recorded. An extension is being requested for the variance approval because the minor subdivision has not yet been recorded.

BACKGROUND

Attached is a statement from the applicant requesting the extension. The minor subdivision has not yet been recorded because approval is needed by the lender for the Ms. Jimenez. The survey depicting the subdivision and the approved Resolution for the variance are also attached. The variance resolution has been filed with Ramsey County.







STAFF RECOMMENDATION

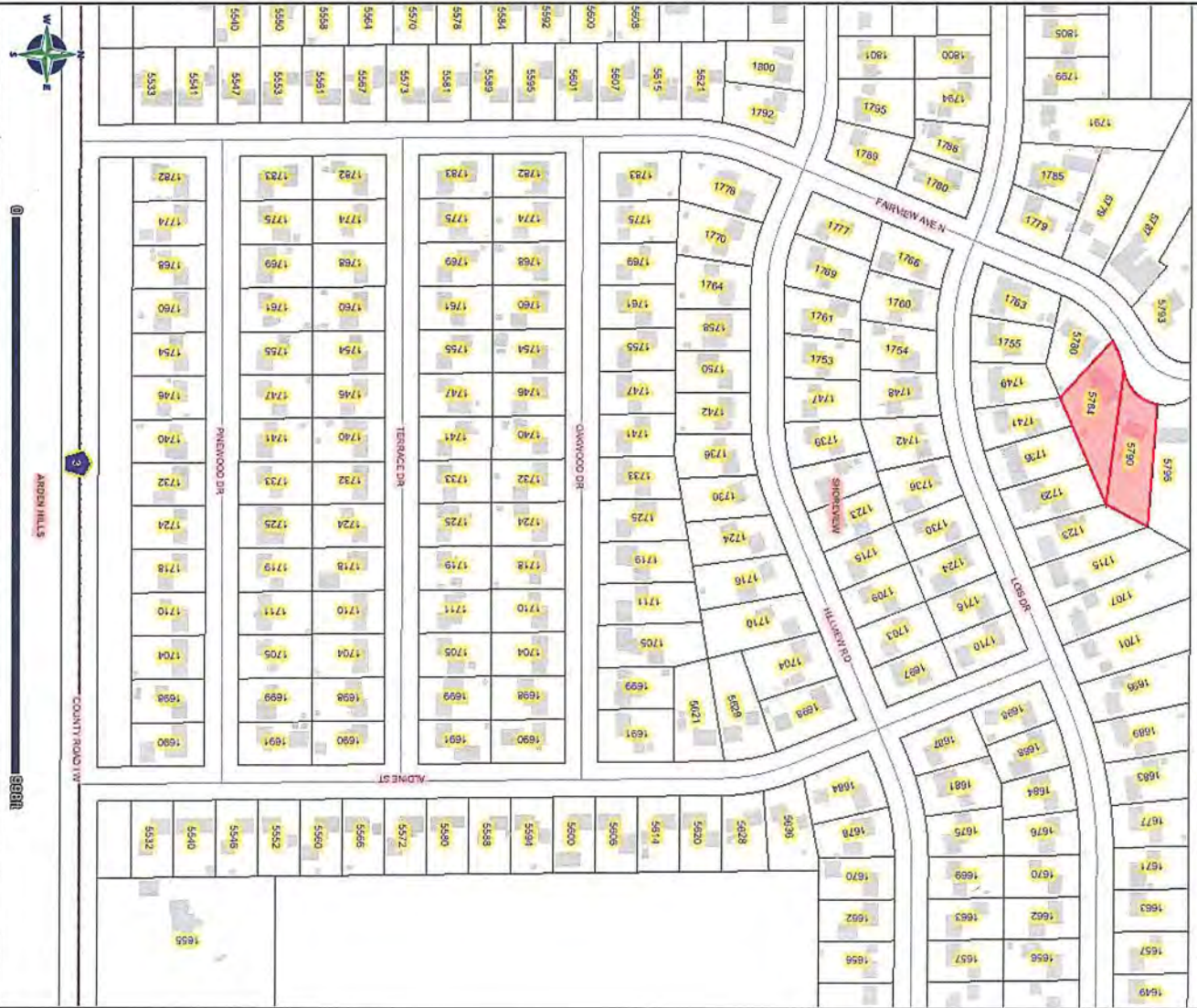
Extending the variance for a one year period will not have any adverse impact on the adjoining properties and provide ample time for Ms Jimenez to obtain approval from her lender. There have been no changes to the R1 district standards that affect the variance or subdivision. Staff is recommending the Planning Commission approve the request to extend the variance approval for a one year period, to August 28, 2013. All other conditions as identified in the Resolution will remain in effect.

The Council will consider the extension request for the minor subdivision at their September 4th meeting.

Attachments

- 1) Location Map
 - 2) Applicant's Statement
 - 3) Approved Subdivision – Survey
 - 4) Res 11-52
 - 5) Motion
- t:\2011pc\2425-11-18delange\8-28-12preport

-  Selected Features
-  Municipalities
-  Road Centerlines (County)
-  County Road
-  Interstate Hwy
-  State Hwy
-  Roads
-  Water
-  Structures
-  Parcel Polygons
-  Highway Shields
-  Street Name Labels



DISCLAIMER: This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only.

SOURCES: Ramsey County (July 5, 2011), The Lawrence Group (July 5, 2011 for County parcel and property records data; July 2011 for commercial and residential



Robert Warwick <rwarwick@shoreviewmn.gov>

FW: Update - Variance and Minor Subdivision

10 messages

Alysa DeLange <Alysa.DeLange@chrobinson.com>
To: "rwarwick@SHOREVIEWMN.GOV" <rwarwick@shoreviewmn.gov>
Cc: "alyk235@comcast.net" <alyk235@comcast.net>

Tue, Aug 14, 2012 at 7:43 AM

Good Morning, Rob.

Hope all is well with you. I wanted to touch base and ask if there is a possibility for us to get an extension on the deadline to exchange deeds. Things with Jessica's (Ms. Jimenez) lender are taking a bit longer to be approved so we have been at a standstill for a few months.

Please let me know what options are out there in regards to an extension for having the deeds endorsed by the City and then recorded with Ramsey County.

Please also let me know if you need any other info to look up our file.

Thanks so much for your help!

Regards,

Alysa DeLange

651-238-2843

MINOR SUBDIVISION

~for~ ALYSA DELANGE

~of~ 5790 FAIRVIEW AVENUE NORTH

LEGAL DESCRIPTION

Lot 30, Block 1, EDGETOWN ACRES, Ramsey County, Minnesota

PROPOSED PARCEL A:

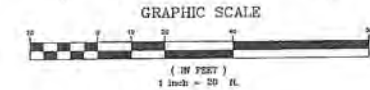
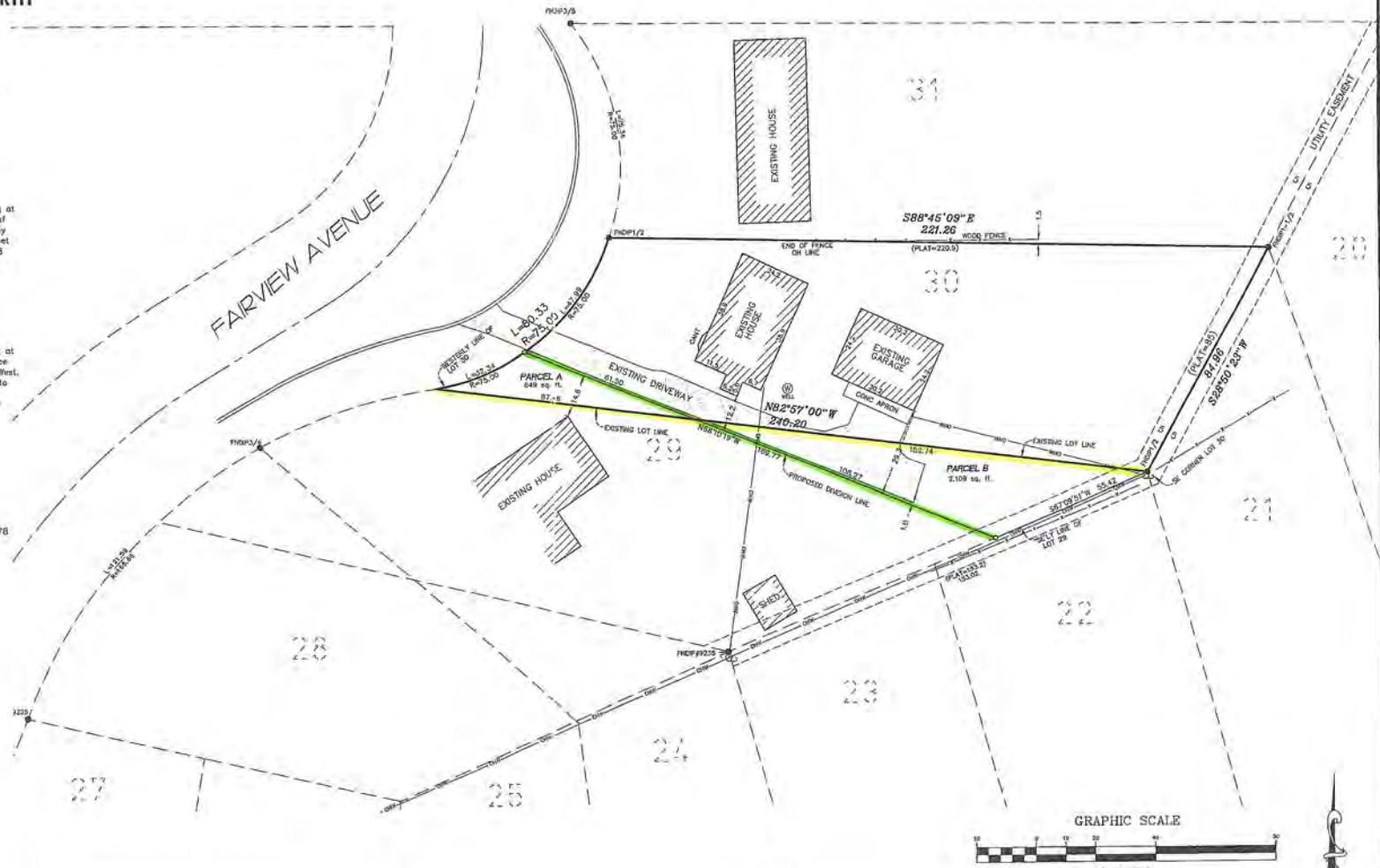
That part of Lot 30, Block 1, EDGETOWN ACRES, Ramsey County, Minnesota, lying southerly of the following described line: Commencing at the southeast corner of said Lot 30; thence on an assumed bearing of South 67 degrees 09 minutes 51 seconds West, along the southeasterly line of Lot 29, Block 1, said EDGETOWN ACRES, a distance of 35.42 feet to the point of beginning of the line to be described; thence North 68 degrees 10 minutes 19 seconds West a distance of 169.77 feet to the westerly line of said Lot 30 and side line there terminating.

PROPOSED PARCEL B:

That part of Lot 29, Block 1, EDGETOWN ACRES, Ramsey County, Minnesota, lying northerly of the following described line: Commencing at the southeast corner of Lot 30, Block 1, said EDGETOWN ACRES; thence on an assumed bearing of South 67 degrees 09 minutes 51 seconds West, along the southeasterly line of said Lot 29, a distance of 35.42 feet to the point of beginning of the line to be described; thence North 68 degrees 10 minutes 19 seconds West a distance of 169.77 feet to the westerly line of said Lot 30 and side line there terminating.

LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 41578
- DENOTES FENCE LINE
- DENOTES OVERHEAD WIRE
- ▭ DENOTES BITUMINOUS SURFACE



NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 07/22/10.
- Bearings shown are on an assumed datum.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.

DRAWN BY: JER	JOB NO: 10281LS	DATE: 07/22/10	
CHECK BY: JER	SCANNED		
1			
2			
3			
NO.	DATE	DESCRIPTION	BY

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

Jason E. Rud
 JASON E. RUD
 Date: 8/30/10 License No. 41578



E.G. RUD & SONS, INC.
 EST. 1917
 Professional Land Surveyors
 6776 Lake Drive NE, Suite 110
 Lino Lakes, MN 55014
 Tel. (651) 361-8200 Fax (651) 361-8701
 www.egrud.com



Existing side property line
 Proposed side property line

**EXTRACT OF MINUTES OF MEETING OF THE
PLANNING COMMISSION OF SHOREVIEW, MINNESOTA
HELD AUGUST 23, 2011**

* * * * *

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: Chair Feldsien, Commissioners Mons, Schumer, Solomonson, Wenner

And the following members were absent: Commissioners Ferrington, Proud

Member Schumer introduced the following resolution and moved its adoption.

**RESOLUTION NO. 11-52 FOR A VARIANCE TO REDUCE THE SIDE SETBACK FOR
A DRIVEWAY**

WHEREAS, Alysa DeLange submitted a variance application for the following described property:

Lot 30, Block 1, EDGETOWN ACRES, Ramsey County, Minnesota
(commonly known as 5790 Fairview Avenue)

WHEREAS, the Development Regulations states driveways on single-family residential properties must maintain a 5-foot setback from a side property line; and

2425-11-18

1-3

WHEREAS, the applicant has requested a variance to reduce this requirement to less than 1-foot; 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 August 23, 2011 the Shoreview Planning Commission made the following findings of fact:

1. *The property owner proposes to use the property in a reasonable manner not permitted by the Shoreview Development Regulations.* The existing drive varies in width. The width is 10 feet next to the house. This is a narrow width and reasonable. This variance request is not prompted by a proposed improvement but instead a side lot line adjustment that will remedy non-conformities and encroachments and this is also reasonable.
2. *The plight of the property owner is due to circumstances unique to the property not created by the property owner.* Unique circumstances warrant the variance. The existing encroachments and dwelling non-conformities are unique problems confronting the homeowner.
3. *The variance, if granted, will not alter the essential character of the neighborhood.* No site alterations are proposed with the minor subdivision and variance, and there will be no outward signs of any change to the property. Since the driveway has existed for more than 30 years, the character of the neighbor will not be altered by granting the variance.

NOW, THEREFORE, BE IT RESOLVED BY THE SHOREVIEW PLANNING COMMISSION, that the variance request for property described above, 5790 Fairview Avenue, be approved, subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the Minor Subdivision/Variance applications.
2. This approval will expire after one year if the minor subdivision has not been recorded.
3. This approval is subject to a 5-day appeal period.

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

And the following voted against the same: None

Adopted this 23rd day of August, 2011


Larry Feldsien, Chair
Shoreview Planning Commission

ATTEST:


Rob Warwick, Senior Planner

SEAL



ACCEPTANCE OF CONDITIONS:


Alysia DeLange, 5790 Fairview Avenue

**PROPOSED MOTION
TO EXTEND THE VARIANCE APPROVED FOR ALYSA DELANGE
5790 FAIRVIEW AVENUE**

MOVED BY COMMISSION MEMBER _____

SECONDED BY COMMISSION MEMBER _____

To extend the variance approved for Alysa DeLange, 5790 Fairview Avenue reducing the required 5-foot side yard setback for an existing driveway to 1-foot from the new property line. The Resolution has been recorded at Ramsey County. Said extension is for a one-year period to August 28, 2013. Conditions attached to the variance approval shall remain in effect.

VOTE:

AYES:

NAYS:

TO: Planning Commission

FROM: Kathleen Nordine, City Planner

DATE: August 23, 2012

SUBJECT: File No. 2453-12-16; Site and Building Plan Review, TSI, Inc. 500 Cardigan Road

INTRODUCTION

The City received a Site and Building Plan Review application for phased improvements at TSI, Incorporated, 500 Cardigan Road. This application submittal addresses the first phase of this project which consists of a parking lot expansion and associated improvements. Plans for the second phase, a building expansion, will be submitted at a later date and considered by the Planning Commission at a subsequent meeting.

DEVELOPMENT CODE REQUIREMENTS

The property is located on Cardigan Road, south of County Road E and is zoned I, Industrial. The property is developed with TSI's research/development and scientific equipment manufacturing facility, which is a permitted use. TSI Inc. designs and manufactures precision instruments used to measure flow, particulate and other key parameters in the environment. Property to the west is also located in the Industrial zoning district. The property immediately to the south is zoned R3, Multi-Family Residential and is developed with the Lakeshore Oaks apartment complex. Property to the east is zoned R1, Detached Residential and is developed with single-family homes.

Parking areas must be setback a minimum of 20 feet from a right-of-way line and property planned for residential use. In addition, a minimum setback of 5 feet is required from lot lines adjacent to similar zoned uses. The minimum parking requirements for Industrial zoned properties are:

1. 1 space per 2,000 square feet of gross floor area for warehousing
2. 5 spaces per 1,000 square feet of gross floor area for office areas
3. 3 spaces per 1,000 square feet of gross floor area of manufacturing, research, testing and laboratories.

PROJECT DESCRIPTION

Plans previously reviewed and approved in the 1990's by the City identified a "future" parking area located west of the existing parking lot. TSI did receive approval in 2006 to improve this area with a 117-stall off-street parking lot, however, the improvements were never made and the approvals expired. TSI is now seeking approval through the Site and Building Plan review process to modify and expand the existing parking lot providing an additional 204 parking stalls on the property. Stormwater will be managed through an underground infiltration system for rate and volume control prior to discharging into an existing stormwater pond located in the southeast corner of the property.

This is phase one of a two-phased project. The second phase consists of a 29,050 square foot building addition. Staff anticipates that the plans for the building addition will be submitted for consideration by the Planning Commission at the September 25th meeting.

STAFF REVIEW

Staff has reviewed the submitted plans in accordance with the previous approvals for this project as well as the zoning requirements and criteria for Site and Building Plan review. The following discusses the proposed parking lot design/layout, landscaping and grading and stormwater management.

Parking Lot Design

Access to the parking area would be gained from two curb cuts off of Cardigan Road. The eastern curb cut currently exists but will be modified by increasing the width to accommodate truck trailer traffic movements. These entry and exit points are consistent with the plans previously approved by the City; however, the parking lot layout has changed. The Public Works Director has reviewed these entry/exit points and has no safety concerns regarding the proposal. Access to the parking area will also be gained internally from an existing parking drive aisle that is immediately to the east and south of the building.

The existing off-street parking lot provides 347 stalls, slightly less than the 353 spaces required. With the future two-story building addition, 533 parking stalls are required to be provided on-site. With the proposed parking area, 551 stalls would be provided on-site. TSI, Inc. has indicated that this level of parking is needed to meet the growing needs of their company.

The design of the proposed parking area complies with the required setbacks from all property lines. In addition, the aisle width and spacing size meets the City's minimum requirements.

Tree Replacement and Landscaping

Parking and driveway areas that accommodate more than 5 vehicles are required to be landscaped along the perimeter and interior of the lot. In addition, when parking areas are adjacent to residential uses, a 20-foot landscaped buffer area is required along the common boundary. The Development Code also requires that at least 20% of the parking surface area be landscaped with landscape islands. This area can be reduced to 10% provided certain design criteria are met.

The City also requires tree replacement when trees, including landmark trees are removed for site development. One landmark tree is present on the property and will be removed for the parking lot expansion as well as the other small trees on the property.

The submitted tree preservation and landscaping plans have been reviewed by staff and found to be consistent with the City's ordinances, with the exception of the landscape island requirement. A vegetative buffer along the southern lot line, adjacent to the multi-family residential land use (Lakeshore Oaks Apartments) will be established to screen the parking area from this use. The Commission should note that this portion of the Lakeshore Oaks complex includes common

space and parking area and the parking addition should have minimal impact on apartment residents.

Seven percent of the parking area is designed with landscape islands. These islands will also be designed for stormwater infiltration. In cases where islands also are designed for infiltration, the area dedicated for landscape islands can be reduced to 10%. In staff's opinion, the proposed parking lot design is acceptable. Redesigning the site to comply with the minimum 10% required would result in a reduction of 16 parking stalls. This is of concern due to the parking needs of TSI. The design does include a main landscape island that runs through the center of the lot that will visually break-up the asphalt surface and provides environmental benefits. The proposed landscaping along the southern lot line will also provide a visual screen for the adjoining multi-family residential use. Given the circumstances, staff believes that the proposal is reasonable.

Grading, Drainage and Stormwater Management

The developed portions of the TSI property drain to the southeast while the vacant portion of the site sheet flows to the north and south. The proposed parking lot area will be regraded and is designed to tie into the topographical elevations for the existing parking and loading dock areas. Catch basins are proposed within the parking lot area which will convey stormwater through pipes to an underground infiltration system. This infiltration system will manage the rate and volume of the run-off prior to discharging the stormwater to an existing basin located at the southeast corner of the property.

The proposed management plan has been reviewed by the City in accordance with the policies and standards established for the Grass Lake Watershed and found to be in compliance. The existing impervious surface coverage of 66% will increase to 78% with phase 1 of this project. A maximum impervious surface coverage of 80% is permitted if best management practices are used. This phase of the project does comply with the City's standards. Impervious surface coverage for phase 2 (the building addition) will increase to 84%, exceeding the maximum 80% permitted. The City will continue to work with TSI and explore options to reduce the proposed coverage for phase 2, however, a variance to this standard may be needed.

The Commission should note that the pond located in the southeast corner of the property is adjacent to a single-family residential neighborhood and has created some drainage issues in the past. To resolve these issues, TSI did enhance the pond which staff believes resolved these issues. The stormwater management plan submitted for this site has been submitted and it has been found that the pond can manage additional runoff from the proposed site improvements.

PUBLIC COMMENT

Property owners within 350 feet of the property were notified of the application. One comment was received expressing concerns regarding the impacts (noise, lighting, alarm system, snowplowing, drainage) the proposed expansion will have on their property. Other comments submitted expressed concern regarding the proposed drainage plan and potential flooding of their property as a result of the improvements.

TSI did hold a neighborhood meeting on August 22, 2012 to discuss the proposed development plans and address concerns that nearby residents may have.

RECOMMENDATION

The first phase of the proposed improvements have been reviewed by Staff in accordance with the past approvals for this site and the Development Code standards. While staff recognizes the plan is substandard to the landscape island requirement, landscaping has been integrated into the site design for visual screening and environmental benefits. The parking as proposed is needed to meet the growing demands of TSI – a landmark business in the community. Staff is asking the Commission to recommend the City Council approve the Site and Building Review plans for TSI Inc., subject to the following conditions:

1. The site shall be developed in accordance with the plans submitted. Minor modifications may be made to the plans, subject to approval by the City Planner. Significant changes to the plans require review and approval through the Site and Building Plan review process.
2. Approval of the final grading, drainage, utility, and erosion control plans by the Public Works Director. Items identified in the attached memo from the Assistant City Engineer shall be satisfied prior to the issuance of a building permit for the parking lot expansion.
3. Revisions to the tree preservation and landscape plans shall be made in accordance with the attached memo from the Environmental Officer prior to the issuance of a building permit for this project.
4. Lighting on site shall comply with Section 204.030, Glare, of the Development Code. Details of the proposed pole, pole height and light fixture shall be submitted to the staff prior to the issuance of a building permit.
5. The applicant shall enter into a Site Development Agreement prior to the issuance of any building permits for this project.
6. The Building Official is authorized to issue a building permit for the project.

Attachments

1. Memo from Public Works Director
2. Memo from City Engineer
3. Memo from Environmental Officer
4. Location Map
5. Submitted Plans
6. Request for Comment

City Council:
Sandy Martin, *Mayor*
Blake Huffman
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

TO: KATHLEEN NORDINE, CITY PLANNER

FROM: MARK J. MALONEY, PE, PUBLIC WORKS DIRECTOR *mjm*

DATE: AUGUST 23, 2012

SUBJ: TSI SITE AND GRADING PLAN – DRAINAGE COMMENTS

There is an extensive history of City review and approvals of activities on what is now known as the “TSI Property”. My review of planning files 801-79-49 and 1477-93-46 indicate that the City has since 1979 (at least) required proper handling of storm water runoff generated by development activities on the TSI property. Those prior City approvals resulted in private, on-site storm water management and infrastructure. For quite some time TSI has utilized a private drainage pond located at the southeast corner of the property as the endpoint for their on-site storage and treatment of storm water; from there it discharges into the public storm sewer system that eventually discharges into a storm pond northeast of Lake Wabasso.

In 1997 and reportedly again in 2000, after heavy rainfalls the private TSI pond overflowed and caused private property damage on at least one adjacent residential property. This was determined to have been caused primarily by some combination of improper construction and/or maintenance of TSI’s private pond. I am aware that TSI hired a private contractor at some point to remedy the situation. I reviewed the details of the work planned at that time and approved of their approach to bring their pond into compliance with the intent of the original design. None of this work involved the public portion of the downstream storm water conveyance system that the TSI site eventually overflows to.

With regard to observations regarding the July 2011 flooding, it is difficult to establish what part the TSI drainage system (incl. pond) may have played in damages to adjacent property. In mid-July, 2011, we had city-wide flooding resulting from a rainfall event that dropped 4.5 inches of rainfall in a ninety minute period, with a total 5.4 inches in a 24 hour period. The intensity of the early part of that storm was off-the-charts with regard to storm sewer design, and most of the private and public storm water management systems in the City were in failure mode. We received reports of private property flooding and damage throughout Shoreview.

My staff has reviewed the plans and drainage calculations submitted/dated August 3, 2012 and have found them to be acceptable per City standards - see City Engineer Memo dated August 13, 2012. The city’s approval is dependent on the submittal of a long term maintenance plan and agreement for the private storm water infrastructure on TSI’s site; I believe this to be adequate. As is typical for private, on-site drainage infrastructure, it’s really up to TSI to build and maintain their facilities per the plans approved by City and to avoid impacts on adjacent properties.

Date: August 13, 2012
To: Kathleen Nordine, City Planner
From: Tom Wesolowski, City Engineer
Subject: Site and Building Plan Review

The City of Shoreview Engineering Department has reviewed the plans dated August 3, 2012 and has the following comments regarding the plans:

1. The developer has submitted storm water management calculations for existing and proposed drainage. The calculations are signed by a licensed engineer from the State of Minnesota and meet the requirements of the City's Surface Water Management Plan (SWMP).
2. The proposed storm water management system will infiltrate a portion of the run-off from the development and reduce the volume of flow to a level less than what currently leaves the site, which exceeds the requirements of the City's SWMP.
3. The property owner should provide a long term maintenance plan and maintenance agreement to the City for the storm water BMP's constructed on the site.
4. Asphalt that is removed or damaged on Cardigan Road due to the installation of the driveways or concrete curb and gutter shall be repaired as per City standards.

If you have any questions or would like to discuss the comments please contact Tom Wesolowski at 651-490-4652










Date: August 13, 2012
To: Kathleen Nordine, City Planner
From: Jessica Schaum, Environmental Officer
Subject: Site and Building Plan Review

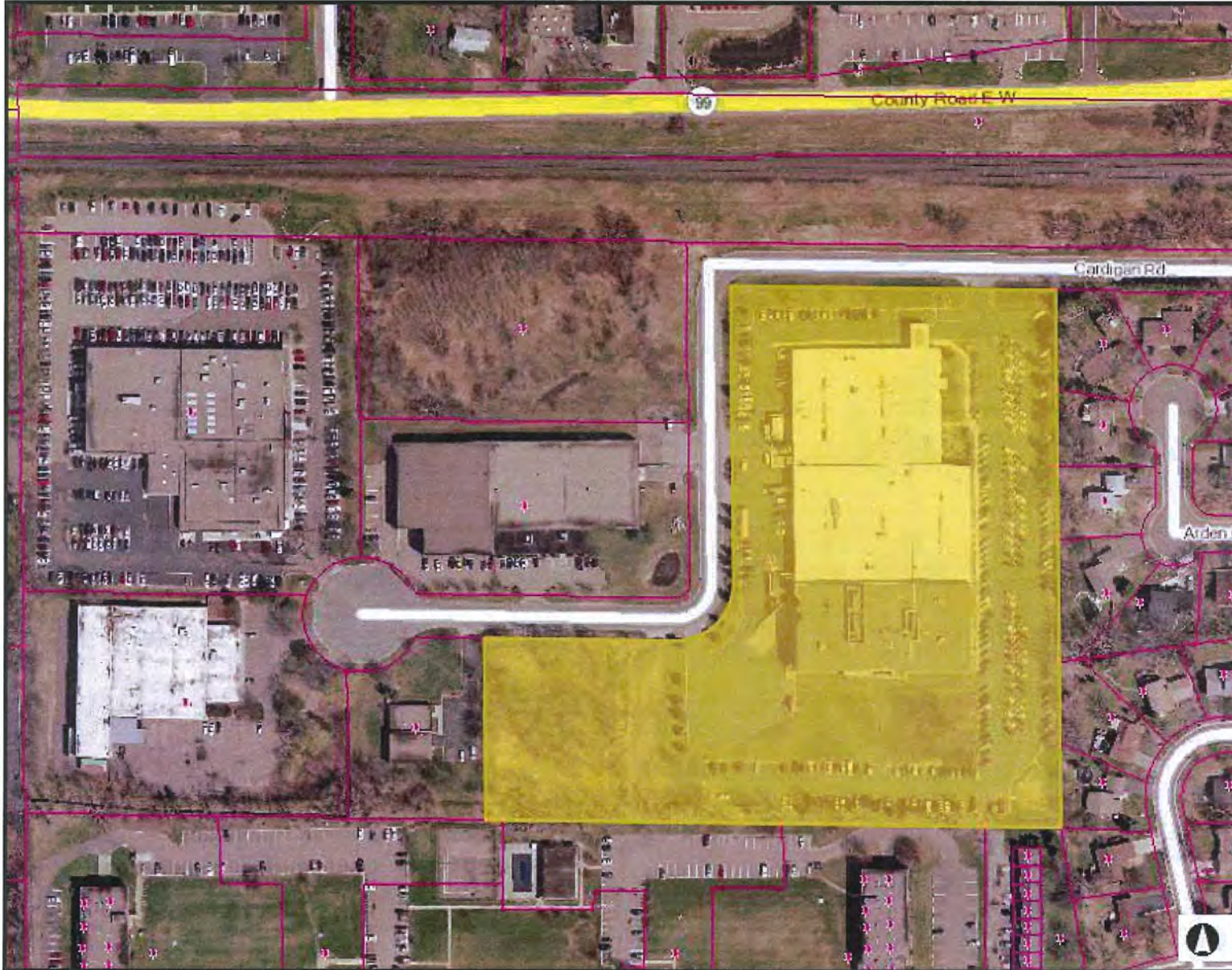
The City of Shoreview Engineering Department has reviewed the plans dated August 3, 2012 and has the following comments regarding the plans:

1. The submitted tree plan does not indicate quantities for deciduous species. The plan should show quantity, type, and location on the landscape plan. Diversity of species is encouraged.
2. Tree protection areas for existing trees are also not shown.
3. Due to the presence of Emerald Ash Borer in Shoreview and Ramsey County, the one ash tree being removed shall be chipped on site and not hauled outside of the State and Federal quarantine.

If you have any questions or would like to discuss the comments please contact Jessica Schaum at (651)490-4665.

Legend

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



Notes

Site and Building Plan Review

407.5 0 203.73 407.5 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



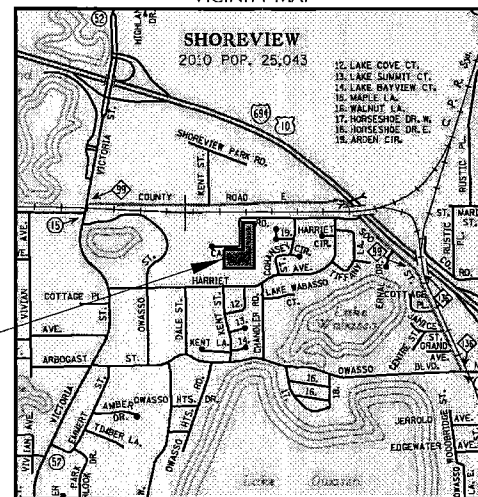
CALL BEFORE YOU DIG!
Gopher State One Call
 TWIN CITY AREA: 651-454-0002
 TOLL FREE: 1-800-252-1666

TSI INCORPORATED BUILDING & PARKING EXPANSION

500 CARDIGAN ROAD
 SHOREVIEW, MINNESOTA

PRELIMINARY PLANS

VICINITY MAP



PROJECT LOCATION

CIVIL SHEET INDEX

SHEET	TITLE
CO-1	COVER SHEET
C1-2	SITE DEMOLITION PLAN
C2-1	SITE PLAN
C3-1	GRADING & EROSION CONTROL PLAN
C4-1	UTILITY PLAN
C8-1	CIVIL DETAILS
L1-1	LANDSCAPE PLAN
L2-1	TREE PRESERVATION PLAN
E-1	SITE LIGHTING PLAN

WARNING:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND / OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

BENCHMARK
 FINISHED FLOOR LEVEL AT SOUTH
 ENTRANCE TO BUILDING
 ELEV.=933.77 FT (NGVD 1929 DATUM)

Printed: 05/03/12 2:26 PM W:\2012\12191\050312\DWG\12191_050312.dwg Sheet: 001

Loecks Associates Project No. 12191.00

Comm. No. XXXX
 Date: 05/03/12 CITY SUBMITTAL

INTERIOR DESIGNER	STRUCTURAL	MECHANICAL AND ELECTRICAL	CIVIL ENGINEER

LOCKES ASSOCIATES
 Planning • Civil Engineering • Civil Inspection
 Landscape Architecture • Environmental
 7700 Hamlet Lane, Suite 300
 Minneapolis, MN 55425
 Telephone: (612) 431-5555
 www.lockesassociates.com

OWNER REPRESENTATIVE
CUSHMAN & WAKEFIELD NORTHMARG

TSI TRENDS. SCIENCE. INNOVATION.

Owner
TSI INCORPORATED
 Project
BUILDING & PARKING EXPANSION
 Title
COVER SHEET

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
 Chad H. Lindholm, P.E.
 License No. 42785
 Date

Drawing No.
CO-1

HAGEN, CHRISTENSEN & MCILWAIN
 ARCHITECTS

DESCRIPTION OF PROPERTY SURVEYED

That part of the Northwest Quarter of Section 36, Township 30, Range 23 described as follows:

Commencing at a point on the west line and 102.86 feet south of the northwest corner of said Northwest Quarter; thence east, along the south line of the Soo Line Railway Right-of-way, 1420.00 feet to the point of beginning; thence south, parallel with the west line of said Northwest Quarter, 800.00 feet; thence west, parallel to the south line of the Soo Line Railway, 445.00 feet; thence north, parallel with said west line of the Northwest Quarter, 800.00 feet to said south line of the Soo Line Railway; thence east, along said south line, to the point of beginning and there terminating.

Together with:

Lot 1, Block 1, KROISS INDUSTRIAL PARK NO. 3

Together with:

That part of Lot 1, Block 1, KROISS INDUSTRIAL PARK that lies east of the west 174.25 feet thereof.

NOTES

- This survey was performed without the benefit of a Title Commitment. There may or may not be easements of record encumbering this property.
- The legal description, shown hereon, was obtained in part from a previous survey prepared by Carley - Torgersen, Inc. dated May 6, 1994.
- We have shown buried structures and utilities on and/or serving the site to the best of our ability, subject to the following restrictions:
 - Utility operators do not consistently respond to locate requests through the Gopher State One Call service for boundary purposes such as this.
 - Those utility operators that do respond often will not locate services from their main line to the customer's structure or facility - they consider those segments private installations that are outside their jurisdiction. If a private service to an adjoining site crosses this site or a service to this site crosses an adjoining, it may not be located since most operators will not mark such "private" services.
 - Snow and ice conditions during winter months may obscure otherwise visible evidence of a buried structure or utility.
 - Maps provided by operators, either along with a field location or in lieu of such a location, are very often inaccurate or inconclusive.
 - EXTREME CAUTION MUST BE EXERCISED BEFORE AN EXCAVATION TAKES PLACE ON OR NEAR THIS SITE. BEFORE DIGGING, YOU ARE REQUIRED BY LAW TO NOTIFY GOPHER STATE ONE CALL AT LEAST 48 HOURS IN ADVANCE AT 651/454-0002.
 - Per Gopher State One-Call Ticket No. 121890938, the following utilities and municipalities were notified:

AT&T LOCAL SVCS/TRANSMISSION	(803) 753-3145
COMCAST	(612) 522-8141
CITY OF SHOREVIEW	(651) 490-4661
METRO WASTE COMMISSION	(651) 802-4511
DEPARTMENT OF TRANSPORTATION	(651) 366-5750
QWEST	(800) 283-4237
SPRINT/LONG DISTANCE	(800) 521-0579
XCEL ENERGY	(651) 229-2427

SURVEY LEGEND

AS ASH	● CATCH BASIN	— STORM SEWER
CA CATALPA	○ STORM MANHOLE	— SANITARY SEWER
CO COTTONWOOD	○ SANITARY MANHOLE	— WATERMAIN
EL ELM	○ HYDRANT	— SANITARY SEWER SERVICE
PI PINE	⊕ GATE VALVE	— WATER SERVICE
SP SPRUCE	— LIGHT POLE	— CULVERT
— CONIFEROUS TREE	— SIGN	— UNDERGROUND ELECTRIC
— DECIDUOUS TREE	— SPOT ELEVATION	— UNDERGROUND GAS
	○ ELECTRIC METER	— UNDERGROUND TELEPHONE
	○ GAS METER	— OVERHEAD UTILITY
	⊕ HAND HOLE	— CHAIN LINK FENCE
	— GUARDPOST	— CONCRETE CURB
		— CONTOUR



○ DENOTES 1/2 INCH X 14 INCH IRON MONUMENT SET, MARKED "RLS 26724"

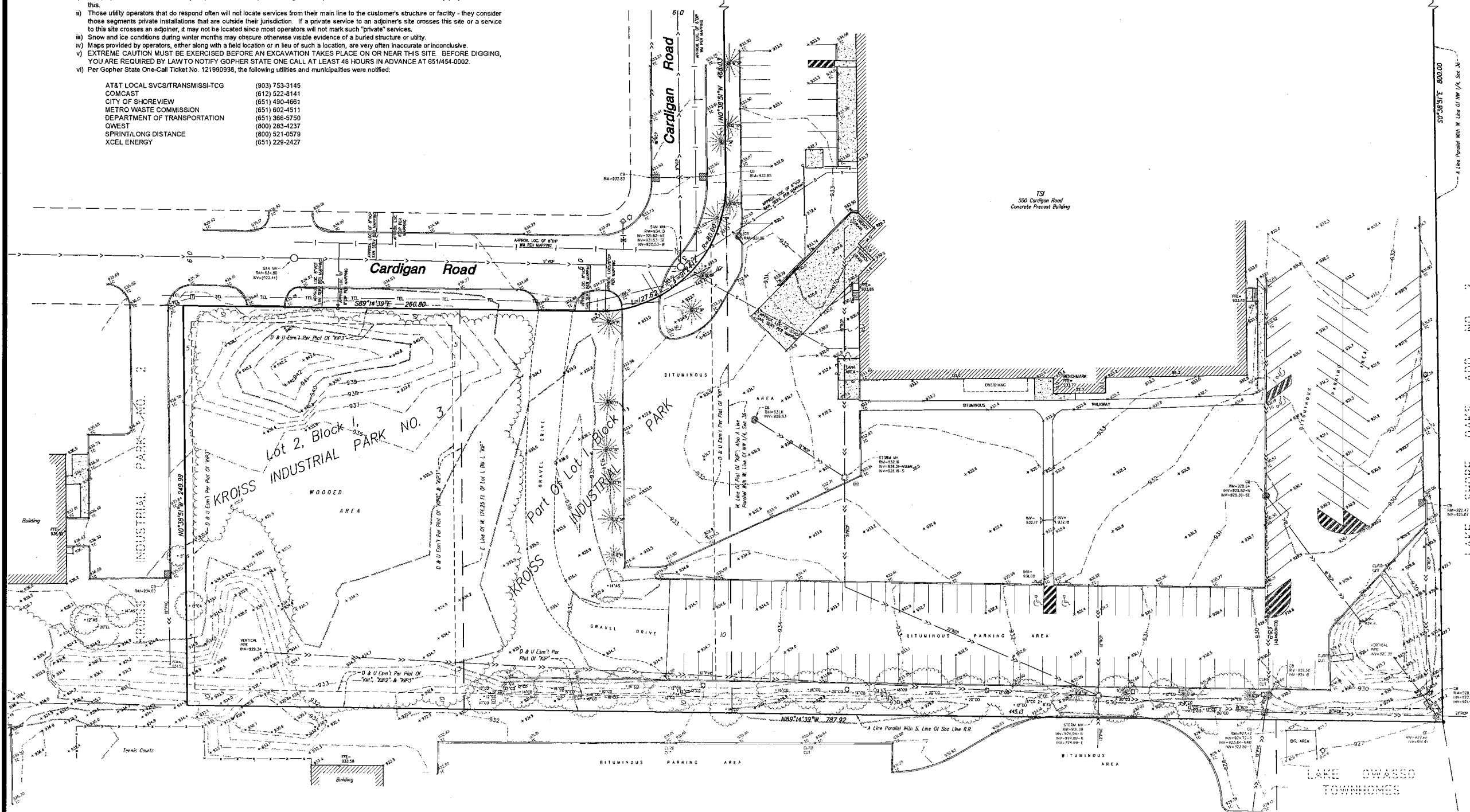
● DENOTES IRON MONUMENT FOUND

"KIP" DENOTES PLAT OF KROISS IND. PARK

"KIP2" DENOTES PLAT OF KROISS IND. PARK NO. 2

"KIP3" DENOTES PLAT OF KROISS IND. PARK NO. 3

BENCHMARK:
FINISHED FLOOR LEVEL AT SOUTH ENTRANCE TO BUILDING AS SHOWN
ELEV=933.77 FT. (NGVD 1929 DATUM)



Project Name: **TSI Expansion**

Shoreview, Minnesota

Owner/Developer:

HAGEN, CHRISTENSEN & MÖLWAIN
ARCHITECTS
4201 Cedar Avenue South
Minneapolis, MN 55407

Professional Services:

LOUCKS ASSOCIATES
Planning • Civil Engineering • Land Surveying
Landscape Architecture • Environmental

7200 Hennepin Lane - Suite 300
Maple Grove, MN 55369
Telephone: 763-424-5505
www.LoucksAssociates.com

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CADD Qualification:

CADD files prepared by the Consultant for this project are instruments of the Consultant's professional services. They shall not be used for any other project, for additional to the project, or for completion of this project by others without written approval by the Consultant. With the Consultant's approval, others may be permitted to obtain copies of the CADD drawings for information and reference only. All electrical and mechanical notations, additions, or deletions to these CADD files shall be made at the site of the field by the field engineer, surveyor, or estimator and shall be signed and dated by the field engineer, surveyor, or estimator. Consultant shall not be responsible for any errors or omissions on any CADD files.

512191-MASTER.DWG/TOPO

Revisions:

Professional Signature:

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

Richard L. Lide - PLS
License No. 26724 Date 7/19/12

Quality Control:

N/A SFM

Project Lead: RLL
Checked By: RLL

Vicinity Map:

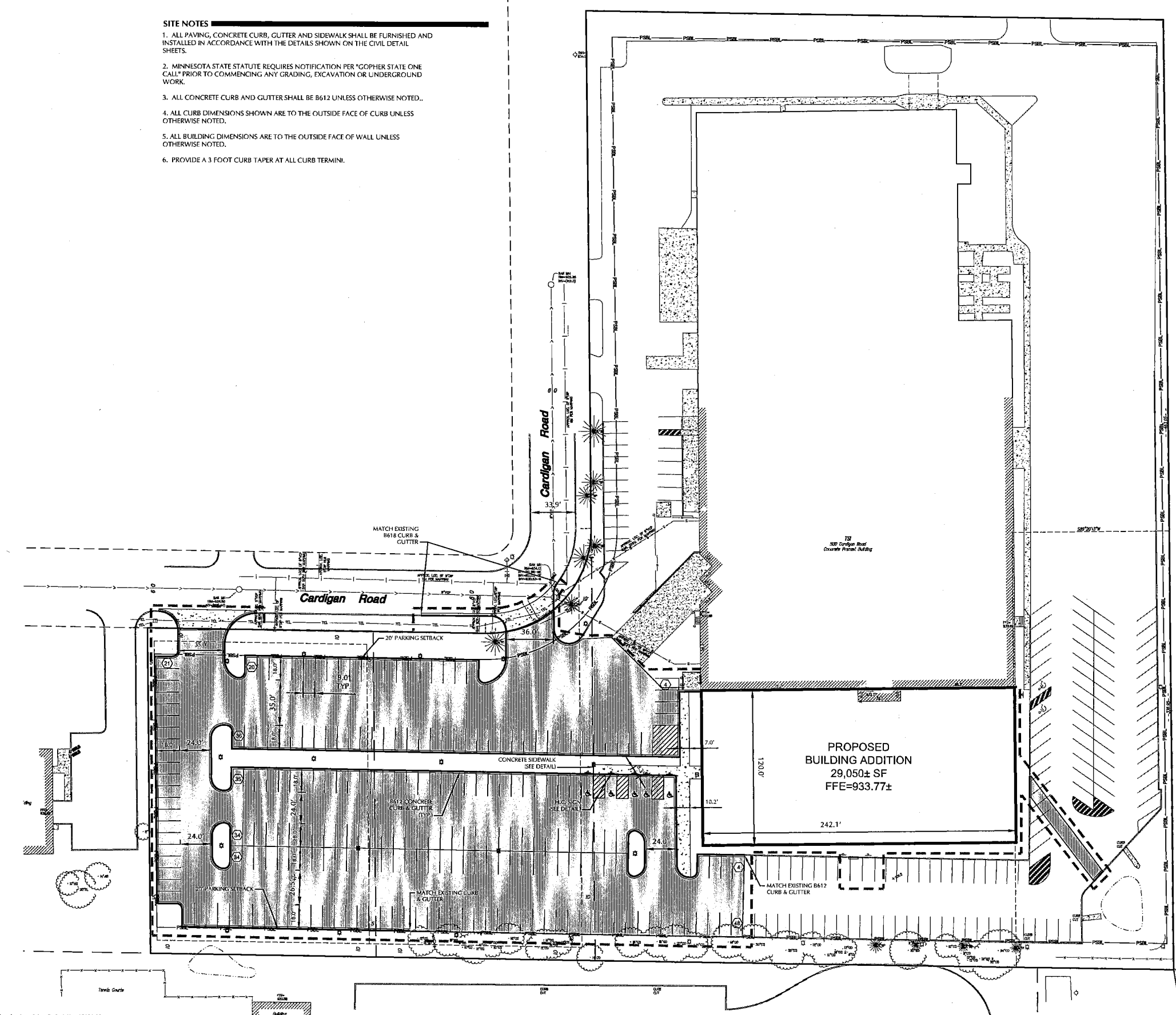
Sheet Title: **Partial Boundary & Topographic Survey**

Project No. 12-191

Sheet No. **Sheet 1 of 1**

Plotfile: 08_03_12012_267.Plot W:\2012\12191\CADD\DATA\SURVEY

- SITE NOTES**
1. ALL PAVING, CONCRETE CURB, GUTTER AND SIDEWALK SHALL BE FURNISHED AND INSTALLED IN ACCORDANCE WITH THE DETAILS SHOWN ON THE CIVIL DETAIL SHEETS.
 2. MINNESOTA STATE STATUTE REQUIRES NOTIFICATION PER "GOPHER STATE ONE CALL" PRIOR TO COMMENCING ANY GRADING, EXCAVATION OR UNDERGROUND WORK.
 3. ALL CONCRETE CURB AND GUTTER SHALL BE B612 UNLESS OTHERWISE NOTED.
 4. ALL CURB DIMENSIONS SHOWN ARE TO THE OUTSIDE FACE OF CURB UNLESS OTHERWISE NOTED.
 5. ALL BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF WALL UNLESS OTHERWISE NOTED.
 6. PROVIDE A 3 FOOT CURB TAPER AT ALL CURB TERMINI.



SITE DATA

CURRENT ZONING:	INDUSTRIAL DISTRICT (I)
PROPERTY AREA:	9.46 AC
EXISTING IMPERVIOUS AREA:	6.20 AC (66%)
PROPOSED IMPERVIOUS AREA (PHASE 1 (PARKING)):	7.35 AC (78%)
PROPOSED IMPERVIOUS AREA (PHASE 2 (BUILDING)):	7.94 AC (84%)
DISTURBED AREA:	3.21 AC
PARKING & DRIVEWAY SURFACE AREA:	2.03 AC
PARKING LANDSCAPING AREA:	0.15 AC (7%)

SITE DEVELOPMENT AND DESIGN STANDARDS
 *PER CITY OF SHOREVIEW MUNICIPAL CODE

LOT COVERAGE:	75% MAXIMUM (MAY BE INCREASED TO 80%)
OPEN SPACE:	15% MINIMUM
BUILDING HEIGHT:	35 FT (MAY BE EXCEEDED IF ADDITIONAL FOOT OF SETBACK PROVIDED FOR EVERY ADDITIONAL FOOT OF HEIGHT)
BUILDING SETBACKS:	
FRONT	50 FT
REAR	20 FT
SIDE	10 FT (30 FT ON CORNER LOT)
PARKING SETBACKS:	
FRONT	20 FT
REAR	5 FT (20 FT ADJACENT TO RESIDENTIAL)
SIDE	5 FT
MINIMUM PARKING LAYOUT DIMENSIONS (90 DEGREE PATTERN):	
PARKING SPACE WIDTH	= 9 FT
PARKING SPACE LENGTH	= 18 FT
AISLE WIDTH	= 24 FT

PARKING SPACE REQUIREMENTS:

WAREHOUSE USE	1 SPACE PER 2,000 SF GFA
PRODUCTION USE	3 SPACES PER 1,000 SF GFA
OFFICE USE	5 SPACES PER 1,000 SF NFA

LANDSCAPING: 20% OF PARKING SURFACE SHALL BE DESIGNED WITH LANDSCAPING ISLANDS (ISLANDS TO BE 324 SF MINIMUM)

OFF-STREET PARKING CALCULATIONS

EXISTING WAREHOUSE:	27,516 SF	
PROPOSED WAREHOUSE:	0 SF	
TOTAL:	27,516 SF @ 1 STALL PER 2,000 SF	= 13.76 STALLS
EXISTING MANUFACTURING:	45,412 SF	
PROPOSED MANUFACTURING:	38,200 SF	
TOTAL:	83,612 SF @ 3 STALLS PER 1,000 SF	= 250.84 STALLS
EXISTING OFFICE:	40,564 SF	
PROPOSED OFFICE:	13,000 SF	
TOTAL:	53,564 SF @ 5 STALLS PER 1,000 SF	= 267.82 STALLS
TOTAL PARKING REQUIRED		= 533 STALLS
EXISTING PARKING		= 347 STALLS
PARKING REMOVED		= -32 STALLS
PROPOSED PARKING		= 236 STALLS
TOTAL PARKING PROVIDED		= 551 STALLS

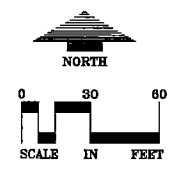
ACCESSIBLE PARKING

EXISTING ACCESSIBLE PARKING:	9 STALLS
REMOVED ACCESSIBLE PARKING:	-2 STALLS
PROPOSED ACCESSIBLE PARKING:	5 STALLS
TOTAL:	12 STALLS

REQUIRED ACCESSIBLE PARKING: 12 STALLS**
 **REQUIRED MINIMUM NUMBER OF ACCESSIBLE SPACES FOR 501 TO 1000 STALLS IS 2 PERCENT OF TOTAL; 1 VAN SPACE FOR EVERY SIX OR FRACTION OF SIX

LEGEND

	CONCRETE PAVEMENT
	BITUMINOUS PAVEMENT
	CONSTRUCTION LIMIT



BENCHMARK
 FINISHED FLOOR LEVEL AT SOUTH ENTRANCE TO BUILDING
 ELEV.=933.77 FT (NGVD 1929 DATUM)

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Locks Associates Project No. 12191.00
 Comm. No. XXXX
 DATE 08/03/12 CITY SUBMITTAL
 DATE 08/22/12 CITY COMMENTS

<p>MECHANICAL AND ELECTRICAL</p> <p>LOCKES ASSOCIATES Planning • Civil Engineering • Land Surveying Landscape Architecture • Environmental</p> <p>7200 Hennepin Lane, Suite 300 Minneapolis, MN 55425 Telephone: (763) 424-2026 www.LockesAssociates.com</p>	<p>OWNER REPRESENTATIVE</p> <p>CUSHMAN & WAKEFIELD NORTHSTAR</p> <p>TSI TRUST. SCIENCE. INNOVATION.</p>	<p>OWNER</p> <p>TSJ INCORPORATED Project: BUILDING & PARKING EXPANSION Title: SITE PLAN</p>
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I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

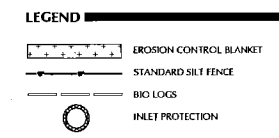
4496
 License No. Date

Drawing No. **C2-1**

HAGEN, CHRISTENSEN & MOILWAIN
 ARCHITECTS

4000 CROSS WISCONSIN ST. - MINNEAPOLIS, MN 55425
 TEL: 612-338-1817 - FAX: 612-338-7368

- GRADING, DRAINAGE & EROSION CONTROL NOTES**
1. THE CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF BUILDINGS, VESTIBULES, SLOPED PAVING, EXIT PORCHES, RAMPS, TRUCK DOCKS, ENTRY LOCATIONS AND LOCATIONS OF DOWNSPOUTS.
 2. ALL DISTURBED UNPAVED AREAS ARE TO RECEIVE MINIMUM OF 4 INCHES OF TOP SOIL AND SEED/MULCH. THESE AREAS SHALL BE WATERED/MAINTAINED BY THE CONTRACTOR UNTIL VEGETATION IS ESTABLISHED (SEE LANDSCAPE PLAN FOR MORE DETAILS).
 3. THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASE OF THIS PROJECT. THE CONTRACTOR WILL BE HELD RESPONSIBLE FOR ANY DAMAGES TO ADJACENT PROPERTIES OCCURRING DURING THE CONSTRUCTION PHASE OF THIS PROJECT.
 4. THE CONTRACTOR WILL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGMEN AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE ENGINEER PRIOR TO PLACEMENT. TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE APPROPRIATE MINNESOTA DEPARTMENT OF TRANSPORTATION STANDARDS.
 5. IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS ON THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING THE PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
 6. THE DUTY OF THE ENGINEER OR THE DEVELOPER TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTORS PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTORS SAFETY MEASURES IN, OR NEAR THE CONSTRUCTION SITE.
 7. BEFORE BEGINNING CONSTRUCTION THE CONTRACTOR SHALL INSTALL A TEMPORARY ROCK ENTRANCE PAD AT ALL POINTS OF VEHICLE EXIT FROM THE PROJECT SITE. SAID ROCK ENTRANCE PAD SHALL BE MAINTAINED BY THE CONTRACTOR FOR THE DURATION OF THE PROJECT. SEE DETAILS SHOWN ON SHEET C8-1 OF THE PROJECT PLANS.
 8. EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE ESTABLISHED AROUND THE ENTIRE SITE PERIMETER AND IN ACCORDANCE WITH NPDES PERMIT REQUIREMENTS, BEST MANAGEMENT PRACTICES, CITY REQUIREMENTS AND THE DETAILS SHOWN ON SHEET C8-1 OF THE PROJECT PLANS.
 9. ALL ENTRANCES AND CONNECTIONS TO CITY STREETS SHALL BE CONSTRUCTED PER THE REQUIREMENTS OF THE CITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PERMITS AND NOTIFICATIONS AS REQUIRED BY THE CITY.
 10. EXISTING TOPOGRAPHY PROVIDED BY LOUCKS ASSOCIATES SURVEY DATED, 07/19/2012.
 11. SPOT ELEVATIONS REPRESENT FINISHED SURFACE GRADES AT GUTTER LINE, OR EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.



LEGEND

APPROXIMATE QUANTITY OF SOIL TO BE GRADED, EXCAVATED OR FILLED: 8964 CY - CUT

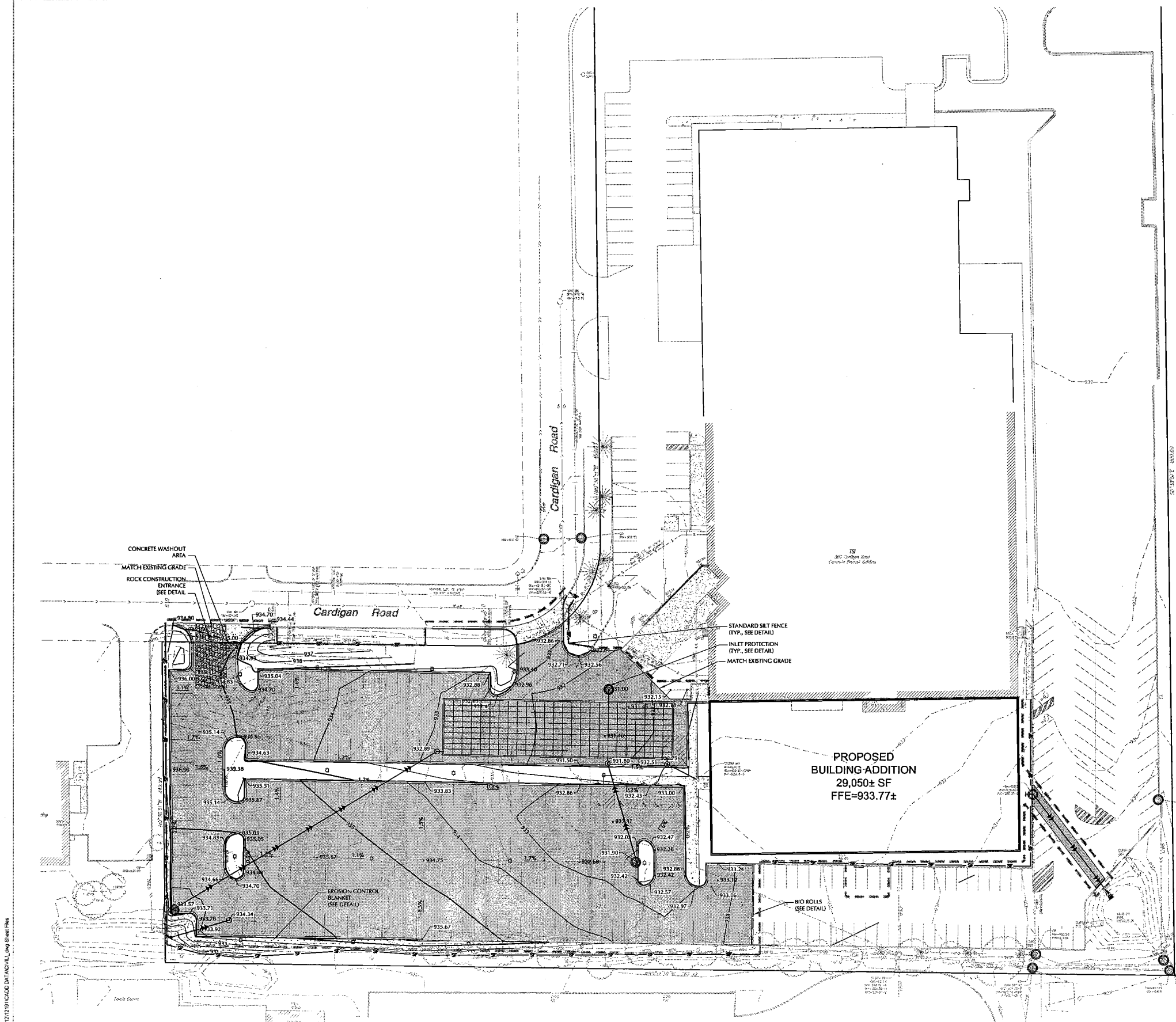
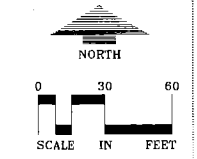
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BENCHMARK

FINISHED FLOOR LEVEL AT SOUTH ENTRANCE TO BUILDING
 ELEV.=933.77 FT (NGVD 1929 DAUM)



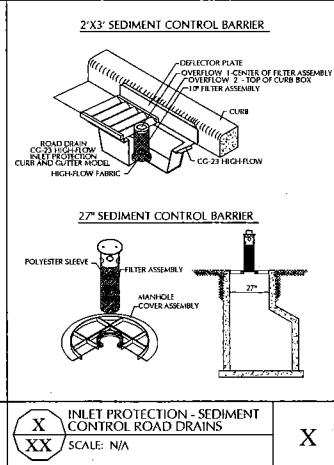
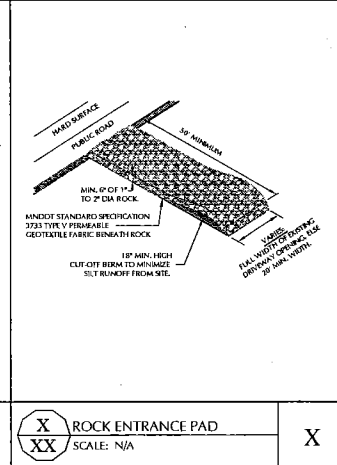
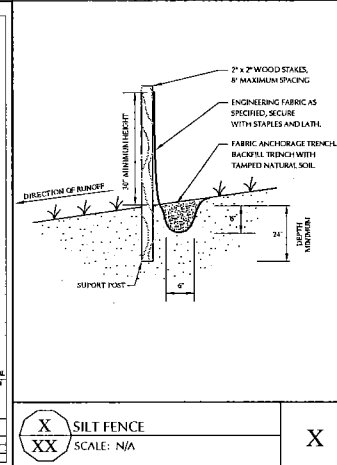
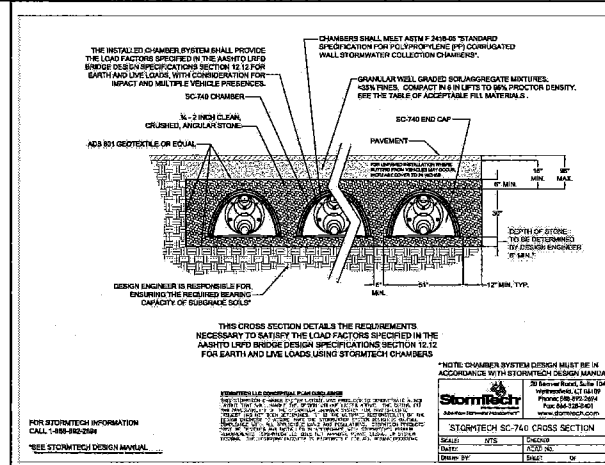
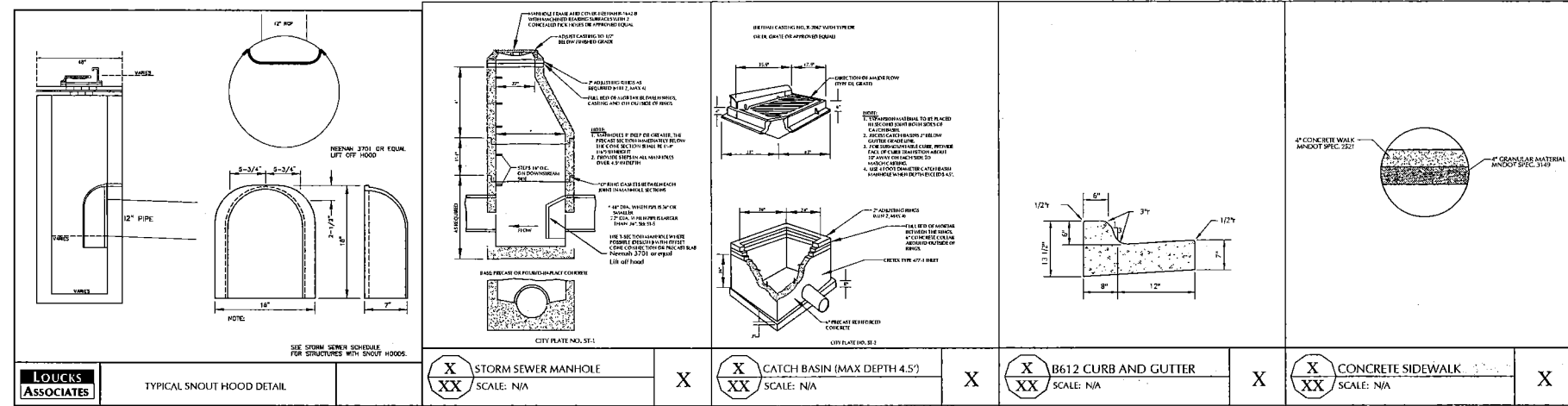


Gopher State One Call
 TWIN CITY AREA: 651-454-0002
 TOLL FREE: 1-800-252-1166

UTILITY PLAN NOTES

1. ALL SANITARY SEWER, STORM SEWER AND WATERMAIN UTILITIES SHALL BE FURNISHED AND INSTALLED PER THE REQUIREMENTS OF THE SPECIFICATIONS, THE CITY AND THE STANDARD UTILITIES SPECIFICATION OF THE CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM), 1999 EDITION.
2. ALL UTILITY PIPE BEDDING SHALL BE COMPACTED SAND OR FINE GRANULAR MATERIAL PER THE REQUIREMENTS OF THE CITY. ALL COMPACTION SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CEAM SPECIFICATION.
3. ALL CONNECTIONS TO EXISTING UTILITIES SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CITY. THE CITY DEPARTMENT OF ENGINEERING AND BUILDING INSPECTIONS DEPARTMENT AND THE CONSTRUCTION ENGINEER MUST BE NOTIFIED AT LEAST 48 HOURS PRIOR TO ANY WORK WITHIN THE PUBLIC RIGHT OF WAY, OR WORK IMPACTING PUBLIC UTILITIES.
4. THE CONTRACTOR SHALL NOTIFY GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS PRIOR TO PERFORMING ANY EXCAVATION OR UNDERGROUND WORK.
5. THE CONTRACTOR SHALL FIELD ADJUST WATERMAIN TO AVOID CONFLICTS WITH SANITARY SEWER, STORM SEWER, AND SERVICES AS REQUIRED. INSULATION OF WATER AND SANITARY SEWER LINES SHALL BE PROVIDED WHERE 7.5 FEET MINIMUM DEPTH CAN NOT BE ATTAINED.
6. ALL STREET REPAIRS AND PATCHING SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CITY. ALL TRAFFIC CONTROL SHALL BE PROVIDED BY THE CONTRACTOR AND SHALL BE ESTABLISHED PER THE REQUIREMENTS OF THE MINNESOTA MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND THE CITY. THIS SHALL INCLUDE ALL SCORING, BARRICADES, FLASHERS AND FLAGGERS AS NEEDED. ALL PUBLIC STREETS SHALL BE OPEN TO TRAFFIC AT ALL TIMES. NO ROAD CLOSURES SHALL BE PERMITTED WITHOUT THE EXPRESSED AUTHORITY OF THE CITY.
7. ADJUST ALL EXISTING STRUCTURES, BOTH PUBLIC AND PRIVATE TO THE PROPOSED GRADES WHERE DISTURBED AND COMPLY WITH ALL REQUIREMENTS OF THE UTILITY OWNERS. STRUCTURES BEING RESET TO PAVED AREAS MUST MEET OWNERS REQUIREMENTS FOR TRAFFIC LOADING.

EXISTING	CIVIL LEGEND	PROPOSED
	SANITARY MANHOLE	
	STORM MANHOLE	
	CATCH BASIN	
	CULVERT	
	INFLOW	
	CAST VALVE	
	POST INDICATOR VALVE	
	LIGHT POLE	
	POWER POLE	
	SIGN	
	BENCHMARK	
	30" WATER MAIN	
	18" WATER MAIN	
	12" WATER MAIN	
	8" WATER MAIN	
	6" WATER MAIN	
	4" WATER MAIN	
	3" WATER MAIN	
	2" WATER MAIN	
	1.5" WATER MAIN	
	1" WATER MAIN	
	0.75" WATER MAIN	
	0.5" WATER MAIN	
	0.375" WATER MAIN	
	0.25" WATER MAIN	
	0.1875" WATER MAIN	
	0.125" WATER MAIN	
	0.0625" WATER MAIN	
	0.03125" WATER MAIN	
	0.015625" WATER MAIN	
	0.0078125" WATER MAIN	
	0.00390625" WATER MAIN	
	0.001953125" WATER MAIN	
	0.0009765625" WATER MAIN	
	0.00048828125" WATER MAIN	
	0.000244140625" WATER MAIN	
	0.0001220703125" WATER MAIN	
	0.00006103515625" WATER MAIN	
	0.000030517578125" WATER MAIN	
	0.0000152587890625" WATER MAIN	
	0.00000762939453125" WATER MAIN	
	0.000003814697265625" WATER MAIN	
	0.0000019073486328125" WATER MAIN	
	0.00000095367431640625" WATER MAIN	
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	0.000000007450580596923828125" WATER MAIN	
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	0.00000000023283064365386962890625" WATER MAIN	
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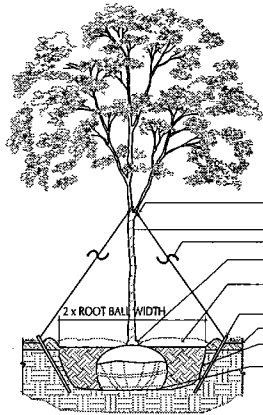
PLANT PALETTE:

SYMBOL	PLANT TYPE / POTENTIAL SPECIES LIST	SYMBOL	PLANT TYPE / POTENTIAL SPECIES LIST
	DECIDUOUS SHADE TREES - 2.5" CAL. NORTHWOOD RED MAPLE <i>Acer rubrum</i> 'Northwood' AMERICAN LINDEN <i>Tilia americana</i> LITTLELEAF LINDEN <i>Tilia cordata</i> BICOLOUR OAK <i>Quercus bicolor</i> KENTUCKY COFFEE TREE <i>Gymnocladia dioica</i> RIVER BIRCH <i>Betula nigra</i> SKYLINE HONEYLOCUST <i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Skyloce'		CONIFEROUS SHRUBS SEA GREEN JUNIPER <i>Juniperus chinensis</i> 'Sea Green'
	DECIDUOUS SHRUBS SPIREA <i>Spiraea</i> spp.		PERENNIALS DAYLILY <i>Heimerocallis</i> sp.
	CONIFEROUS TREES - 6' HT. SCOTCH PINE <i>Pinus sylvestris</i> BLACK HILLS SPRUCE <i>Picea densata</i> AUSTRIAN PINE <i>Pinus nigra</i>		SOD

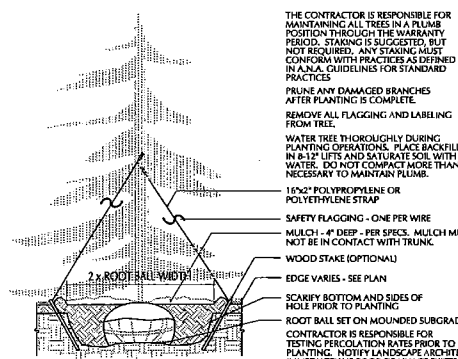
LANDSCAPE REQUIREMENTS:

ONE TREE IS REQUIRED FOR EVERY 10 PARKING STALLS
232 PARKING STALLS = 23 REQUIRED TREES
MITIGATION REQUIRED = 22 TREES (SEE SHEET L2-1)
TOTAL TREES REQUIRED = 45
TOTAL TREES PROPOSED = 45

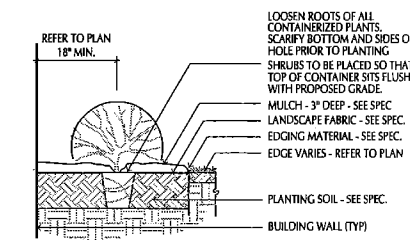
LANDSCAPE DETAILS:



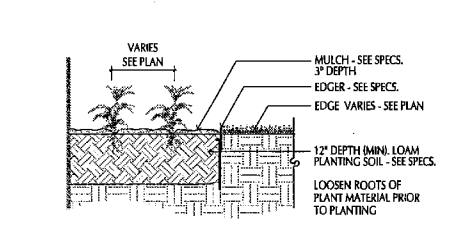
1 DECIDUOUS TREE PLANTING DETAIL
SCALE: 1/2" = 1'-0"



2 CONIFEROUS TREE PLANTING DETAIL
SCALE: 1/2" = 1'-0"

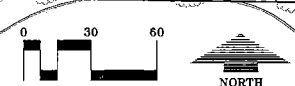
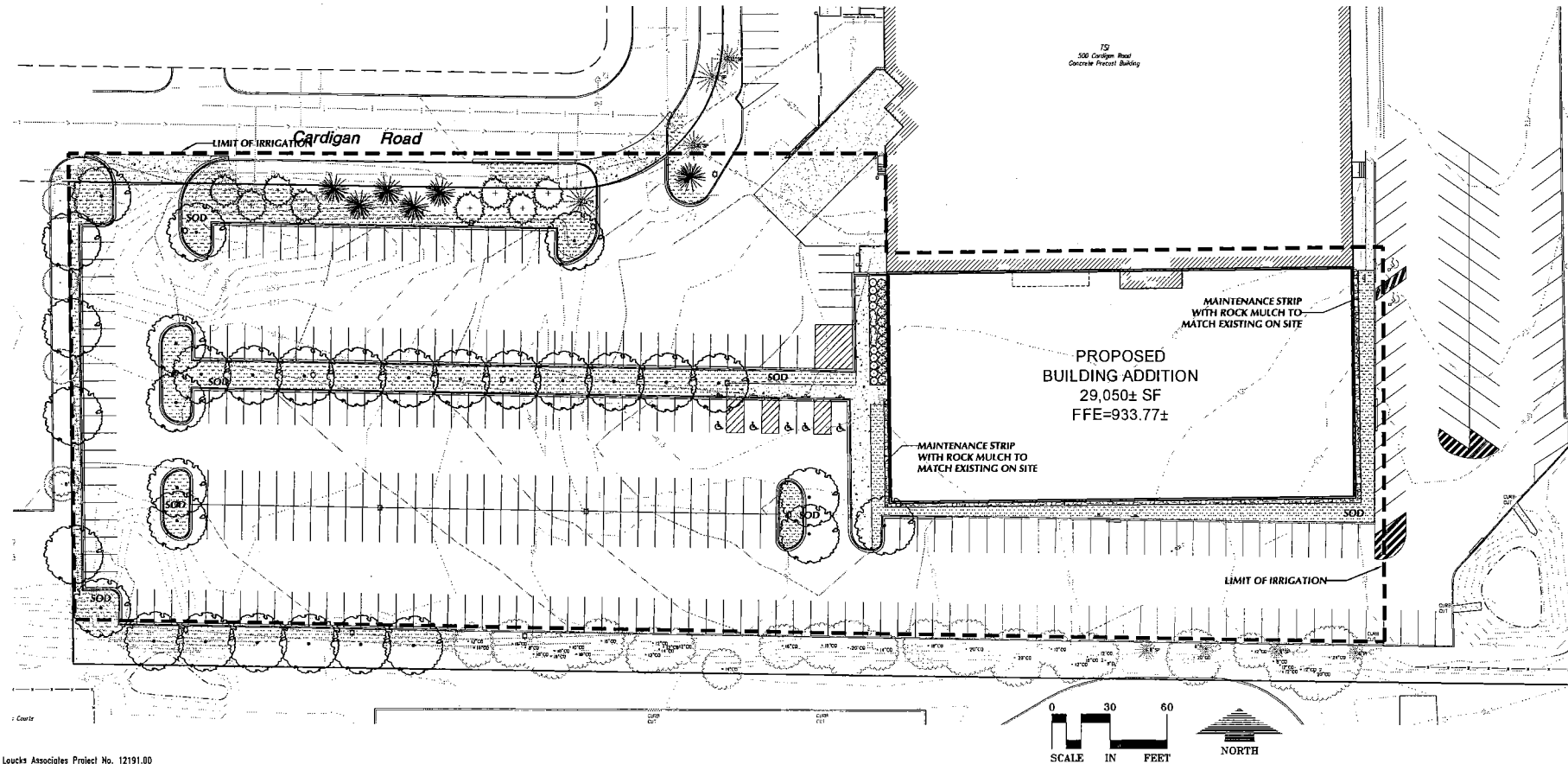


3 SHRUB PLANTING DETAIL
SCALE: 3/4" = 1'-0"



4 PERENNIAL PLANTING
SCALE: 3/4" = 1'-0"

LANDSCAPE PLAN:



GENERAL NOTES:

CONTRACTOR SHALL VISIT SITE PRIOR TO SUBMITTING BID. HE SHALL INSPECT SITE AND BECOME FAMILIAR WITH EXISTING CONDITIONS RELATING TO THE NATURE AND SCOPE OF WORK.

VERIFY LAYOUT AND ANY DIMENSIONS SHOWN AND BRING TO THE ATTENTION OF THE LANDSCAPE ARCHITECT ANY DISCREPANCIES WHICH MAY COMPROMISE THE DESIGN AND/OR INTENT OF THE PROJECT'S LAYOUT.

ASSURE COMPLIANCE WITH ALL APPLICABLE CODES AND REGULATIONS GOVERNING THE WORK OR MATERIALS SUPPLIED.

CONTRACTOR SHALL PROTECT ALL EXISTING ROADS, CURBS/GUTTERS, TRAILS, TREES, LAWNS AND SITE ELEMENTS DURING PLANTING OPERATIONS. ANY DAMAGE TO SAME SHALL BE REPAIRED AT NO COST TO THE OWNER.

CONTRACTOR SHALL VERIFY ALIGNMENT AND LOCATION OF ALL UNDERGROUND AND ABOVE GRADE UTILITIES AND PROVIDE THE NECESSARY PROTECTION FOR SAME BEFORE CONSTRUCTION MATERIAL INSTALLATION BEGINS (MINIMUM 10' - 0" CLEARANCE).

ALL UNDERGROUND UTILITIES SHALL BE LAID SO THAT TRENCHES DO NOT CUT THROUGH ROOT SYSTEMS OF ANY EXISTING TREES TO REMAIN.

EXISTING CONTOURS, TRAILS, VEGETATION, CURB/GUTTER AND OTHER EXISTING ELEMENTS BASED UPON INFORMATION SUPPLIED TO LANDSCAPE ARCHITECT BY OTHERS. CONTRACTOR SHALL VERIFY ANY AND ALL DISCREPANCIES PRIOR TO CONSTRUCTION AND NOTIFY LANDSCAPE ARCHITECT OF SAME.

THE ALIGNMENT AND GRADES OF THE PROPOSED WALKS, TRAILS AND/OR ROADWAYS ARE SUBJECT TO FIELD ADJUSTMENT REQUIRED TO CONFORM TO LOCALIZED TOPOGRAPHIC CONDITIONS AND TO MINIMIZE TREE REMOVAL AND GRADING. ANY CHANGE IN ALIGNMENT MUST BE APPROVED BY LANDSCAPE ARCHITECT.

LANDSCAPE INSTALLATION:

COORDINATE THE PHASES OF CONSTRUCTION AND PLANTING INSTALLATION WITH OTHER CONTRACTORS WORKING ON SITE.

NO PLANTING WILL BE INSTALLED UNTIL COMPLETE GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.

WHERE SOD/SEED ABUTS PAVED SURFACES, FINISHED GRADE OF SOD/SEED SHALL BE HELD 1" BELOW SURFACE ELEVATION OF TRAIL, SLAB, CURB, ETC.

SEED ALL AREAS DISTURBED DUE TO GRADING OTHER THAN THOSE AREAS NOTED TO RECEIVE SOD. SEED SHALL BE INSTALLED AND MULCHED AS PER MNDOT SPECS.

SOD ALL DESIGNATED AREAS DISTURBED DUE TO GRADING. SOD SHALL BE LAID PARALLEL TO THE CONTOURS AND SHALL HAVE STAGGERED JOINTS, ON SLOPES STEEPER THAN 3:1 OR IN DRAINAGE SWALES, THE SOD SHALL BE STAKED TO THE GROUND.

ALL PLANT MATERIAL SHALL COMPLY WITH THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, AMERICAN ASSOCIATION OF NURSERYMEN. UNLESS NOTED OTHERWISE, DECIDUOUS SHRUBS SHALL HAVE AT LEAST 5 CANES AT THE SPECIFIED SHRUB HEIGHT. ORNAMENTAL TREES SHALL HAVE NO V CROTCHES AND SHALL BEGIN BRANCHING NO LOWER THAN 3' ABOVE ROOT BALL. STREET AND BOULEVARD TREES SHALL BEGIN BRANCHING NO LOWER THAN 6' ABOVE FINISHED GRADE.

ANY CONIFEROUS TREE PREVIOUSLY PRUNED FOR CHRISTMAS TREE SALES SHALL NOT BE USED. ALL CONIFEROUS TREES SHALL BE FULL FORM, NATURAL TO THE SPECIES, WITHOUT PRUNING.

PLAN TAKES PRECEDENCE OVER PLANT SCHEDULE IF DISCREPANCIES IN QUANTITIES EXIST. SPECIFICATIONS TAKE PRECEDENCE OVER NOTES.

ALL PROPOSED PLANTS SHALL BE LOCATED AND STAKED AS SHOWN ON PLAN. LANDSCAPE ARCHITECT MUST APPROVE ALL STAKING OF PLANT MATERIAL PRIOR TO ANY AND ALL DIGGING.

NO PLANT MATERIAL SUBSTITUTIONS WILL BE ACCEPTED UNLESS APPROVAL IS REQUESTED OF THE LANDSCAPE ARCHITECT BY THE LANDSCAPE CONTRACTOR PRIOR TO THE SUBMISSION OF A BID AND/OR QUOTATION.

ADJUSTMENTS IN LOCATION OF PROPOSED PLANT MATERIALS MAY BE NEEDED IN FIELD. SHOULD AN ADJUSTMENT BE ADVISED, THE LANDSCAPE ARCHITECT MUST BE NOTIFIED.

ALL PLANT MATERIALS SHALL BE FERTILIZED UPON INSTALLATION WITH DRIED BONE MEAL, OTHER APPROVED FERTILIZER MIXED IN WITH THE PLANTING SOIL PER THE MANUFACTURER'S INSTRUCTIONS OR MAY BE TREATED FOR SUMMER AND FALL INSTALLATION WITH AN APPLICATION OF GRANULAR 0-20-20 OF 12 OZ PER 2.5" CALIBER PER TREE AND 5 OZ PER 10" CALIBER WITH AN ADDITIONAL APPLICATION OF 10-10-10 THE FOLLOWING SPRING IN THE TREE SAUCER.

ALL PLANTING AREAS RECEIVING GROUND COVER, PERENNIALS, ANNUALS, AND/OR VINES SHALL RECEIVE A MINIMUM OF 1" DEPTH OF PLANTING SOIL CONSISTING OF AT LEAST 45 PARTS TOPSOIL, 45 PARTS PEAT OR MANURE AND 10 PARTS SAND.

ALL PLANTS TO BE INSTALLED AS PER PLANTING DETAILS.

WRAPPING MATERIAL SHALL BE CORRUGATED PVC PIPING 1" GREATER IN CALIPER THAN THE TREE BEING PROTECTED OR QUALITY, HEAVY, WATERPROOF CREPE PAPER MANUFACTURED FOR THIS PURPOSE. WRAP ALL DECIDUOUS TREES PLANTED IN THE FALL PRIOR TO 12-1 AND REMOVE ALL WRAPPING AFTER 5-1.

BLACK POLY EDGER TO BE USED TO CONTAIN SHRUBS, PERENNIALS, AND ANNUALS WHERE BED MEETS SOD/SEED UNLESS NOTED OTHERWISE.

ALL SHRUB BED MASSINGS TO RECEIVE 3" DEEP SHREDDED HARDWOOD MULCH AND FIBER MAT WEED BARRIER.

ALL TREES TO RECEIVE 4" DEEP SHREDDED HARDWOOD MULCH WITH NO MULCH IN DIRECT CONTACT WITH TREE TRUNK.

ALL ANNUAL AND PERENNIAL PLANTING BEDS TO RECEIVE 3" DEEP SHREDDED HARDWOOD MULCH WITH NO WEED BARRIER.

SPREAD GRANULAR PRE EMERGENT HERBICIDE (PREP OR EQUAL) PER MANUFACTURER'S RECOMMENDATIONS UNDER ALL MULCHED AREAS.

MAINTENANCE STRIPS TO HAVE EDGER AND MULCH AS SPECIFIED/INDICATED ON DRAWING OR IN SPECIFICATION.

VERIFY EXISTING/PROPOSED IRRIGATION SYSTEM LAYOUT AND CONFIRM COMPLETE LIMITS OF IRRIGATION PRIOR TO SUPPLYING SHOP DRAWINGS.

LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AN IRRIGATION LAYOUT PLAN AND SPECIFICATION AS A PART OF THE SCOPE OF WORK WHEN BIDDING. THESE SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO ORDER AND/OR INSTALLATION. IT SHALL BE THE LANDSCAPE CONTRACTOR'S RESPONSIBILITY TO INSURE THAT ALL SODDED/SEED AND PLANTED AREAS ARE IRRIGATED PROPERLY, INCLUDING THOSE AREAS DIRECTLY AROUND AND ABUTTING BUILDING FOUNDATION.

THE LANDSCAPE CONTRACTOR SHALL PROVIDE THE OWNER WITH A WATERING/LAWN IRRIGATION SCHEDULE APPROPRIATE TO THE PROJECT SITE CONDITIONS AND TO PLANT MATERIAL GROWTH REQUIREMENTS.

IF THE LANDSCAPE CONTRACTOR IS CONCERNED OR PERCEIVES ANY DEFICIENCIES IN THE PLANT SELECTIONS, SOIL CONDITIONS OR ANY OTHER SITE CONDITION WHICH MIGHT NEGATIVELY AFFECT PLANT ESTABLISHMENT, SURVIVAL OR GUARANTEE, HE MUST BRING THESE DEFICIENCIES TO THE ATTENTION OF THE LANDSCAPE ARCHITECT PRIOR TO PROCUREMENT AND/OR INSTALLATION.

CONTRACTOR SHALL SUBMIT A WRITTEN REQUEST FOR THE OWNER ACCEPTANCE INSPECTION OF ALL LANDSCAPE AND SITE IMPROVEMENTS.

CONTRACTOR IS RESPONSIBLE FOR ON-GOING MAINTENANCE OF ALL NEWLY INSTALLED MATERIALS UNTIL TIME OF OWNER ACCEPTANCE. ANY ACTS OF VANDALISM OR DAMAGE WHICH MAY OCCUR PRIOR TO OWNER ACCEPTANCE SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. CONTRACTOR SHALL PROVIDE THE OWNER WITH A MAINTENANCE PROGRAM INCLUDING, BUT NOT NECESSARILY LIMITED TO, PRUNING, FERTILIZATION AND DISEASE/PEST CONTROL.

CONTRACTOR SHALL GUARANTEE NEW PLANT MATERIAL THROUGH ONE CALENDAR YEAR FROM THE DATE OF OWNER ACCEPTANCE.

WARRANTY (ONE FULL GROWING SEASON) FOR LANDSCAPE MATERIALS SHALL BEGIN ON THE DATE OF ACCEPTANCE BY THE LANDSCAPE ARCHITECT AFTER THE COMPLETION OF PLANTING OF ALL LANDSCAPE MATERIALS. NO PARTIAL ACCEPTANCE WILL BE CONSIDERED.

REPRODUCIBLE AS-BUILT DRAWING(S) OF ALL LANDSCAPE INSTALLATION AND SITE IMPROVEMENTS UPON COMPLETION OF CONSTRUCTION INSTALLATION AND PRIOR TO PROJECT ACCEPTANCE.

UNLESS NOTED OTHERWISE THE APPROPRIATE DATES FOR SPRING PLANT MATERIAL INSTALLATION AND SEED/SOD PLACEMENT IS FROM THE TIME GROUND HAS THAWED TO JUNE 15.

FALL SODDING IS GENERALLY ACCEPTABLE FROM AUGUST 15 - NOVEMBER 1. FALL SEEDING FROM AUGUST 15 - SEPTEMBER 15; DORMANT SEEDING IN THE FALL SHALL NOT OCCUR PRIOR TO NOVEMBER 1. PLANTING OUTSIDE THESE DATES IS NOT RECOMMENDED. ANY ADJUSTMENT MUST BE APPROVED IN WRITING BY THE LANDSCAPE ARCHITECT.

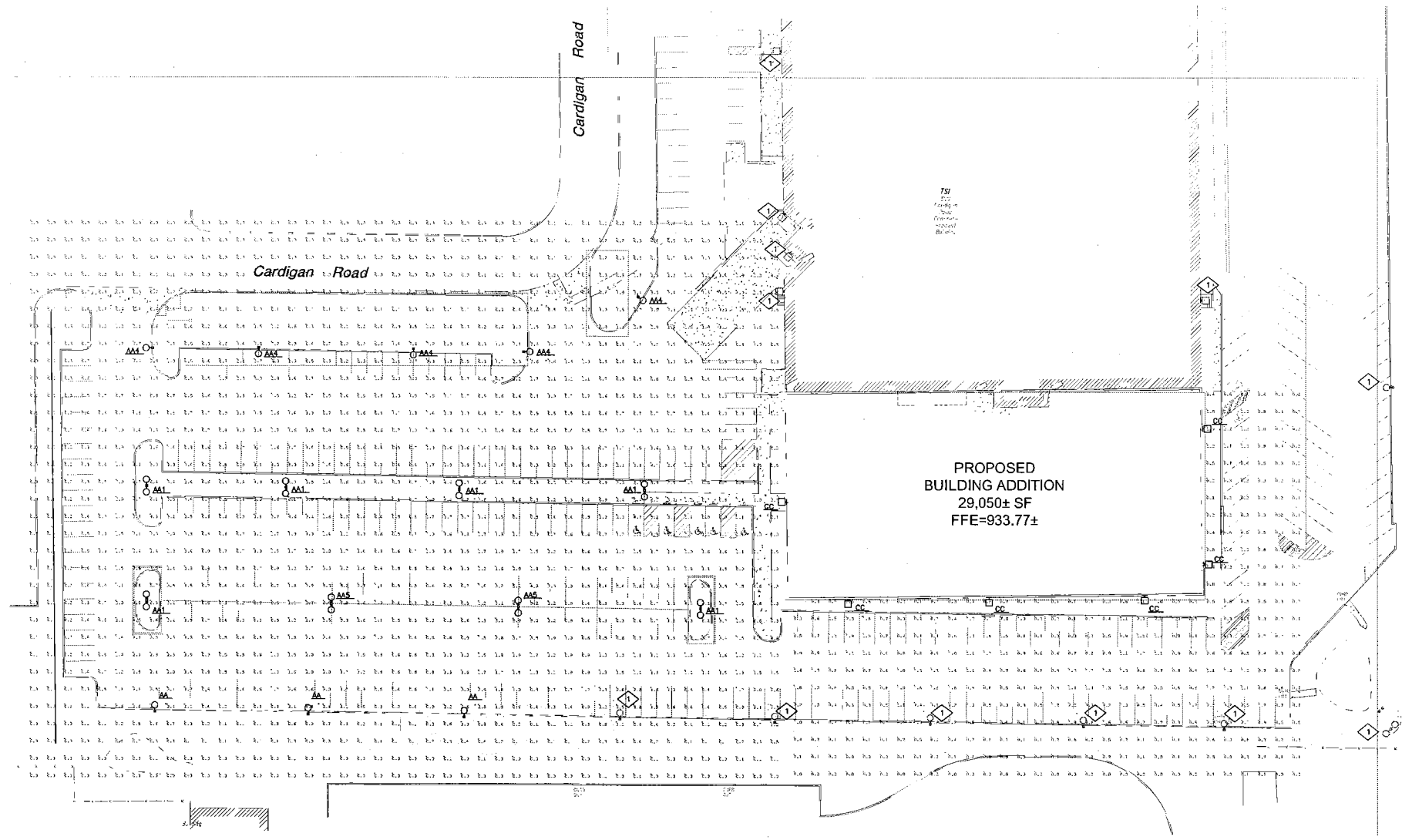
CONIFEROUS PLANTING MAY OCCUR FROM AUGUST 15 - OCTOBER 1 AND FALL DECIDUOUS PLANTING FROM THE FIRST FROST UNTIL NOVEMBER 15. PLANTING OUTSIDE THESE DATES IS NOT RECOMMENDED. ANY ADJUSTMENT MUST BE APPROVED IN WRITING BY THE LANDSCAPE ARCHITECT.

PROTECT ALL EXISTING OAKS ON SITE SCHEDULED TO REMAIN. IF EXISTING OAKS ARE DAMAGED IN ANY MANNER, ABOVE OR BELOW GROUND IN THE ROOT SYSTEM, AN ASPHALTIC TREE PRUNING PAINT SHOULD BE APPLIED IMMEDIATELY AFTER WOUNDING. OAKS ARE NOT TO BE PRUNED, REMOVED OR TRANSPLANTED BETWEEN APRIL 15 AND JULY 1. NOTIFY LANDSCAPE ARCHITECT IF THESE DATES ARE UNAVOIDABLE.

LANDSCAPE CONTRACTOR SHALL ESTABLISH TO HIS SATISFACTION THAT SOIL AND COMPACTION CONDITIONS ARE ADEQUATE TO ALLOW FOR PROPER DRAINAGE AT AND AROUND THE BUILDING SITE.

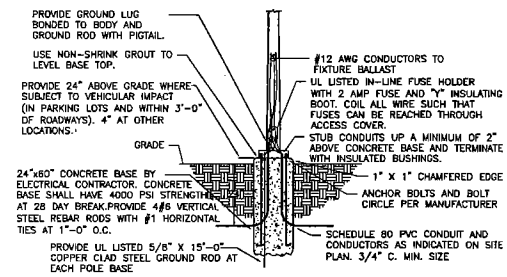
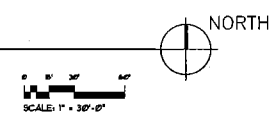
Project: 09/03/2012 2:31 PM
 Location: 09/03/2012 2:31 PM
 Drawing: 09/03/2012 2:31 PM
 Title: 09/03/2012 2:31 PM

Comm. No. XXXX Date: 09/03/12 CITY SUBMITTAL	INTERIOR DESIGNER STRUCTURAL MECHANICAL AND ELECTRICAL CIVIL DESIGNER	MICHAEL TROTT MICHAEL TROTT	LOUCKS ASSOCIATES Planning + Engineering + Architecture 2700 Northpark Lane, Suite 300 Atlanta, Georgia 30328 404.252.1100 www.loucks.com	OWNER REPRESENTATIVE CUSHMAN & WAKEFIELD NORTHWARD TSJ TRUSTEES, SCIENTISTS, FARMERS, GARDENERS	Owner TSJ INCORPORATED Project BUILDING & PARKING EXPANSION Title LANDSCAPE PLAN	Drawing No. L1-1 HAGEN, CHRISTENSEN & MCLWAIN 414 W. PINE ST. #100 CHICAGO, IL 60661 312.467.1100
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KEY NOTES
 1 EXISTING POLE MOUNTED FIXTURES OR WALL MOUNTED FIXTURES TO REMAIN.

1 SITE LIGHTING PLAN
 1" = 30'-0"



2 LIGHT POLE BASE DETAIL
 NOT TO SCALE

LIGHT FIXTURE SCHEDULE

LTR TYPE	FIXTURE TYPE	SOURCE	MOUNTING	LAMPS	FEATURES	VOLTAGE & BALLAST	MANUFACTURER & CATALOG SERIES	NOTES
AA	20' PARKING LOT AREA LIGHT	MH	20' ST. SD. ALUM POLE	(1) 175W MH	DARK BRONZE POLYESTER PAINT FINISH, SQUARE SHELDON SHAPE, TYPE IV DISTRIBUTION, SEGMENTED OPTICAL ASSEMBLY, HOUSESIDE SHIELD.	277V MAGNETIC	LITHONIA KAD SERIES	1
AA1	20' PARKING LOT AREA LIGHT - DOUBLE	MH	20' ST. SD. ALUM POLE	(2) 175W MH	DARK BRONZE POLYESTER PAINT FINISH, SQUARE SHELDON SHAPE, TYPE IV DISTRIBUTION, SEGMENTED OPTICAL ASSEMBLY.	277V MAGNETIC	LITHONIA KAD SERIES	1
AA4	20' PARKING LOT AREA LIGHT	MH	20' ST. SD. ALUM POLE	(1) 175W MH	DARK BRONZE POLYESTER PAINT FINISH, SQUARE SHELDON SHAPE, TYPE IV DISTRIBUTION, SEGMENTED OPTICAL ASSEMBLY.	277V MAGNETIC	LITHONIA KAD SERIES	1
AA5	17' PARKING LOT AREA LIGHT	MH	17' ST. SD. ALUM POLE	(1) 175W MH	DARK BRONZE POLYESTER PAINT FINISH, SQUARE SHELDON SHAPE, TYPE IV DISTRIBUTION, SEGMENTED OPTICAL ASSEMBLY.	277V MAGNETIC	LITHONIA KAD SERIES	2
CC	EXTERIOR WALL MOUNTED AREA LIGHT	HPS	SURFACE WALL 20' HFT	(1) 100W HPS	DARK BRONZE POLYESTER PAINT FINISH, SQUARE SHELDON SHAPE, TYPE IV DISTRIBUTION, SEGMENTED OPTICAL ASSEMBLY, HOUSESIDE SHIELD.	277V MAGNETIC	LITHONIA KAD SERIES	

NOTES:
 1. PROVIDE BREAKAWAY FUSE HOLDERS AND FUSES IN BASE OF POLE. WHERE POSSIBLE, PROVIDE FACTORY ASSEMBLED WIRING HARNESS FOR POLES. PROVIDE CONCRETE BASE FOR POLES (24" DIAMETER - VERIFY), NOT LESS THAN 42" DEEP AND EQUAL TO 1/3 THE HEIGHT OF THE POLE. CONDUIT SHALL BE A MINIMUM OF 24" BELOW GRADE. SEE POLEBASE OR SOLLARD BASE DETAIL ON DRAWINGS. SIZE POLE FOR 100 MPH WIND LOADING, UNLESS OTHERWISE NOTED.
 2. PROVIDE BREAKAWAY FUSE HOLDERS AND FUSES IN BASE OF POLE. WHERE POSSIBLE, PROVIDE FACTORY ASSEMBLED WIRING HARNESS FOR POLES. PROVIDE CONCRETE BASE FOR POLES (24" DIAMETER - VERIFY), NOT LESS THAN 42" DEEP AND EQUAL TO 1/3 THE HEIGHT OF THE POLE. EXTEND BASE 3" ABOVE GRADE OF PARKING LOT TO PROVIDE SOME PROTECTION FROM SNOW PLOWING. CONDUIT SHALL BE A MINIMUM OF 24" BELOW GRADE. SEE POLEBASE OR SOLLARD BASE DETAIL ON DRAWINGS. SIZE POLE FOR 100 MPH WIND LOADING, UNLESS OTHERWISE NOTED.

Project: 06/02/2012 9:44 AM CHANGING/HCAD2300
 Comm. No. HCA02300
 Date Plt 06/02/2012

Loucks Associates Project No. 12191.00 Comm. No. HCA02300 Date Plt 06/02/2012	MECHANICAL DESIGNER 	STRUCTURAL 	MECHANICAL AND ELECTRICAL 	CIVIL ENGINEER 	OWNER REPRESENTATIVE 	OWNER 	Owner TSI INCORPORATED Project BUILDING & PARKING EXPANSION Title SITE LIGHTING PLAN WITH PHOTOMETRICS	I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota. Drawing No. E-L-S Date	
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~~Kathleen Nordine <knordine@shoreviewmn.gov>~~

TSI parking lot expansion

2 messages

Wendell and Faith Friest <wffriest@hotmail.com>

Wed, Aug 22, 2012 at 7:42 PM

To: knordine@shoreviewmn.gov

Dear Ms. Nordine,

Thank you for your letter concerning the proposed TSI parking lot expansion and other improvements.

Our major concern is that whatever they do to the parking lot, they take careful measures to insure that it does not cause flooding of our home and yard in heavy rains.

Wendell and Faith Friest
3525 Cohansey Street
Shoreview, MN 55126

Kathleen Nordine <knordine@shoreviewmn.gov>

Thu, Aug 23, 2012 at 8:55 AM

To: Wendell and Faith Friest <wffriest@hotmail.com>

I did receive your email and will pass this on to the Planning Commission. I will talk with our City Engineer regarding your concerns.

Thanks.

Kathleen

[Quoted text hidden]

—

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

651-490-4682
knordine@shoreviewmn.gov



Kathleen Nordine <knordine@shoreviewmn.gov>

Request for comment for meeting on Aug 28th

1 message

jh61201@comcast.net <jh61201@comcast.net>

Thu, Aug 23, 2012 at 1:18 AM

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

My name is Joan Hendrickson and I live at 3519 Cohansey st. behind TSI. Over the yrs I have had problems with flooding that has occurred on my property that has flooded my yard and basement. My husband and I are greatly concerned what is going to happen when TSI revamps the parking lot and add onto there building. I was at there meeting on Wed to find out what the plan was along with several neighbor's. It sounds like to me there will be more water coming into the holding pond from all directions but part of it will be regulated into a underground holding system. In July of 2011 I was flooded once again after the holding pond was expanded and after that happened I talked to Mr Wesolowski two different times and told him what had happened. He informed me that we had alot of rain and it was unfortunate but it was not the city's problem but was TSI's problem. He also said that the drainage pipe that runs on the south side of my house backs up and water comes down my hill into my yard. There are 3 drains above my hill in the backyard that are outside of the holding pond that the water comes out of when it backs up. Shouldn't those drains be inside of the pond just wondering?? I also get water like a river along side of my garage on the north side. We have lived here 24 yrs and never have had a problem with water until that holding pond was put there and hooked into your city pipe. So what are we to do, our basement which was finished is ruined and the last flood put water into our new furnace. Are we just suppose to forget it even happened. I took pictures of the water of the last event which I have and showed the people at TSI and even though they sound concerned I know they are not going to admit that is there fault and the city also has done the same after talking to them in 2011. We would like the city and TSI to resolve this together to see what can be done. I suggested to have drain-tile maybe put all across the length of my back hill but I am not sure if that would even work because the flow of water is so great. We should not have to solve this ourselves. If and when we have another big rain in the future and there is more water coming down the hill it could do some heavy damage not only to my house but my next door neighbor's on either side of us. I want the planning commission to see this and also have this brought up at the meeting. I plan on being at the Aug 28th meeting. Thank-you Joan and Michael Hendrickson



TSI INCORPORATED

500 Cardigan Road, Shoreview, MN 55126 USA
tel 651 490 2811 + toll free 800 874 2811 + fax 651 490 3824 + web www.tsi.com

August 10, 2012

Dear

TSI Incorporated is in the process of expanding our building and parking area to accommodate our growing work force and business. We cordially invite you to an open house to view the plans, ask any questions, and take a tour of the facility if you choose.

Where: TSI Incorporated, 500 Cardigan Road - Front Lobby

When: Wednesday August 22nd, 2012

Time: 6:00 to 7:30pm

6:00pm – Information and Questions

6:45pm – Tour

Representatives from TSI and our architectural firm will be available for questions.

Please RSVP if you will be attending to: laurie.johnson@tsi.com or 651.490.2865 by Monday, August 20th.

If you are unable to attend and have questions or comments, please direct them to Paul Girard, TSI Facilities Manager, at 651.765.3747, or email: paul.girard@tsi.com

Sincerely,

Paul V. Girard
Facilities Manager
TSI Incorporated

City Council:
Sandy Martin, Mayor
Blake Huffman
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

August 16, 2012

RECEIVED 8/18/12

REQUEST FOR COMMENT

SORRY,
INADEQUATE NOTICE
FOR MEETING
ATTENDANCE

Dear Property Owner:

The City received a Site and Building Plan Review application for phased improvements at TSI, Incorporated, 500 Cardigan Road. The application submittal addresses the first phase of this project which consists of a parking lot expansion and associated improvements. Plans for the second phase, a building expansion, will be submitted at a later date and considered by the Planning Commission at a subsequent meeting.

The existing parking and loading dock area will be modified and the parking lot will be expanded on the western portion of the property. Stormwater will be managed through an underground infiltration system for rate and volume control prior to discharging into an existing stormwater pond located in the southeast corner of the property. Please see the attached plans.

The first phase of this request is scheduled for review by the Planning Commission at their August 28, 2012 meeting. You are encouraged to fill out the bottom portion of this form and return it if you have any comments or concerns. Your comments should be submitted by **Thursday, August 23rd** to be included in the Planning Commission agenda packet. Comments received after that date but before the meeting date will be distributed at the Planning Commission meeting. You are also welcome to attend the meeting. The meeting is held at 7:00 pm, City Hall, 4600 N. Victoria Street in the City Council Chambers.

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. I can also be reached via e-mail at knordine@shoreviewmn.gov.

Sincerely,

Kathleen Nordine
City Planner

Comments: WE ARE CONCERNED WITH FURTHER DEGRADATION OF OUR PROPERTY.
WE HAVE HAD ISSUES WITH NOISE FROM SNOW-PLOWING AT INAPPROPRIATE HOURS, GENERAL LIGHT POLLUTION, PERSISTANT SECURITY ALARMS (INCLUDING SEVERAL HOURS ON XMAS EVE) AND MOST RECENTLY A DEFECTIVE SECURITY LIGHT FLASHING AT 1 MINUTE

t:\2012\planning\casefile\2453-12-16\tsi500cardigan\neighborhoodsurvey

Name: DEB & JOHN FREDERICK
Address: 476 ARDEN CIRCLE

INTERVALS ALL NIGHT, WE HAVE CONCERNS ABOUT WORSENING/PERSISTANCE OF THESE ISSUES AND POTENTIAL FLOODING IF EXISTING DRAINAGE IS OVERLOADED

August 23, 2012

Ms. Kathleen Nordine
City Planner
City of Shoreview
4600 Victoria Street North
Shoreview, MN 55126

Re: TSI, Incorporated – 500 Cardigan Road, Shoreview, Minnesota

Dear Ms. Nordine:

Reference is made to the Site and Building Plan Review application submitted by the above-referenced applicant ("TSI"). The undersigned are homeowners residing adjacent to TSI's property for over 10 years.

As many officials at the City of Shoreview undoubtedly know, there have been significant ongoing problems with stormwater discharge from TSI's property onto neighboring residential properties for at least 15 years. This has resulted in major damage to certain neighboring homes and, in at least one instance, led to expensive litigation for the Hendricksons, the City of Shoreview and TSI. Attached is a copy of an opinion issued by the Minnesota Court of Appeals dated April 29, 2003 captioned Michael Hendrickson, et. al. v. City of Shoreview and TSI, Inc. The Court of Appeals ruling is relevant for at least two reasons. First, it briefly describes the nature and severity of the ongoing stormwater drainage problem at TSI's facility. More importantly, it proves that, while TSI claims to 'be a good neighbor' and that 'it will do anything in its power to rectify any problems that the neighbors have,' it hid behind a legal procedural defense (in this case, TSI successfully asserted that the Hendrickson claim was barred by the statute of limitations) instead of stepping up to the table, admitting liability for the damage caused to the Hendrickson residence and resolving the problem.

In approximately 2008, TSI expanded the holding pond located in the southeast corner of TSI's property. TSI was told, in a meeting held at TSI's facility last night (August 22, 2012), that the Hendricksons continue to have problems (admittedly, slightly less severe than before the holding pond was expanded) after heavy rains. Various TSI employees were shown pictures of the damage directly attributable to TSI's continued inability and unwillingness to adequately handle the stormwater discharge from its property.

TSI is now proposing to expand its building and parking facilities. According to your August 16, 2012 letter, "[s]tormwater will be managed through an underground infiltration system for rate and volume control prior to discharging into an existing

stormwater pond located in the southeast corner of the property.” We do not dispute that this is what is intended by both TSI and the City of Shoreview. Given the history outlined above, however, TSI must be held accountable if the stormwater discharge plan outlined in your August 16, 2012 letter is insufficient and stormwater continues to flow into neighboring properties from time to time.

There are numerous risk mitigation steps that the Planning Commission and the City of Shoreview should impose. The undersigned propose that the City and TSI establish an escrow account with a neutral escrow agent in which TSI would place a sum established by the City in escrow to reimburse neighboring homeowners for any future damage caused by any stormwater discharge. We suggest that the escrow account hold at least \$30,000, which sum could be held in an interest bearing account. Under this proposal, TSI would be entitled to the interest on a monthly basis as long as there have not been any claims made against the escrowed funds. This escrow arrangement should remain in place for a minimum of 10 years and should continue for an additional period of time if any claims are made against the escrowed funds during the initial 10 year period. If TSI does not wish to tie up its cash for that length of time, additional options (such as an irrevocable letter of credit) could be considered.

We also suggest that TSI provide the City of Shoreview and neighboring property owners with a biannual written report outlining, at a minimum, the status of construction of both the building and parking lot expansion, any material design changes to the building and parking facility, any stormwater discharge problems or complaints voiced by neighbors, as well as any other problems or complaints expressed to TSI and/or the City by area homeowners. We welcome any further ideas that the Planning Commission has.

The ongoing stormwater drainage problems are not something that ‘may arise after a 100 year rainfall’ or that the neighboring property owners are ‘dreaming up.’ This is a real, ongoing problem that has existed for at least 15 years. For this reason, we ask that the Planning Commission and the City Council take an extremely close look at TSI’s proposed expansion and establish some or all of the controls outlined above, as well as others that the Planning Commission and the City Council deem appropriate.

Thank you for your attention to our concerns and to those continuously expressed by other adjacent property owners.

Scott and Mary Fenske
3515 Cohansey Street
Shoreview, Minnesota 55126
651-310-0684

Attachment

Michael Hendrickson, et al., Appellants, vs. City of Shoreview, Defendant, TSI, Inc., Respondent.

Michael Hendrickson, et al., Appellants, vs. City of Shoreview, Defendant, TSI, Inc., Respondent. C3-02-1734, Court of Appeals Unpublished, April 29, 2003.

This opinion will be unpublished and may not be cited except as provided by Minn. Stat. § 480A.08, subd. 3 (2002).

**STATE OF MINNESOTA
IN COURT OF APPEALS
C3-02-1734**

Michael Hendrickson, et al.,
Appellants,

vs.

City of Shoreview,
Defendant,

TSI, Inc.,
Respondent.

Filed April 29, 2003

Affirmed

Gordon W. Shumaker, Judge

Ramsey County District Court
File No. C00111817

Jonathan D. Miller, Boynton Law Offices, P.A., 12201 Champlin Drive, Champlin, MN 55316 (for appellants)

John E. Hennen, League of Minnesota Cities, 145 University Avenue West, St. Paul, MN 55103 (for defendant City of Shoreview)

Dale M. Wagner, Bassford, Lockhart, Truesdell & Briggs, P.A., 33 South Sixth Street, Suite 3550, Minneapolis, MN 55402 (for respondent TSI, Inc.)

Considered and decided by Shumaker, Presiding Judge, Randall, Judge, and Wright, Judge.

UNPUBLISHED OPINION

GORDON W. SHUMAKER, Judge

Applying the two-year statute of limitations in Minn. Stat. § 541.051, subd. 1(a) (2002), the district court granted summary judgment dismissing claims against a commercial-property owner whose holding pond caused water to overflow and damage appellants' property, and against the city that issued a building permit for the construction of the pond. Contending that the two-year statute does not apply to their trespass claim, appellants challenge the summary judgment. Because appellants failed to raise the issue of the applicability of a six-year statute of limitations in the district court and because the district court correctly applied the two-year statute, we affirm.

FACTS

After obtaining a building permit from the City of Shoreview, respondent TSI, Inc. expanded its commercial parking lot and built a holding pond to collect excess runoff water from the lot.

Extremely heavy rain on June 28, 1997, caused TSI's holding pond to overflow. The water overflowed onto abutting residential property owned by appellants Michael and Joan Hendrickson, flooded their basement, and caused property damage. The pond overflowed a second time during a heavy rainstorm on September 2, 2000, and again flooded the Hendricksons' basement and damaged property.

On April 30, 2001, the Hendricksons sued TSI and the City of Shoreview for damages resulting from the two flooding incidents. As to both defendants, the Hendricksons alleged that TSI's "stormwater drainage system, including the holding pond" did not prevent the water overflow and that the Hendricksons' losses were "due to the inadequacy of Defendant TSI's stormwater drainage system, including the inadequacy of the holding pond."

In Count One of their complaint, the Hendricksons alleged that TSI committed a trespass on their property because of the water overflow; in Count Two that TSI was negligent in failing to prevent the overflow because of "the design of its parking lot and the design of its holding pond"; and in Count Three that the city was negligent in issuing a building permit to TSI "notwithstanding the fact that defendant TSI's stormwater drainage system was inadequate" to prevent the overflow onto the Hendricksons' land.

Both TSI and the city pleaded affirmatively that the Hendricksons' claims were barred by the statute of limitations, and both moved for summary judgment on that ground. The city also urged other grounds for summary judgment.

In its moving papers, TSI asserted that the two-year statute of limitations in Minn. Stat. § 541.051, subd. 1(a) (2002), barred both the trespass and negligent-design claims

and moved to "dismiss plaintiffs' claims in their entirety." The city in its motion relied on the same statute in urging the dismissal of the negligence claim against it.

In response to the summary judgment motions, the Hendricksons argued that the drainage to their property resulted from "the inadequacy of * * * TSI's stormwater drainage system, including the inadequacy of the holding pond on * * * TSI's property." They argued that, because the damage was intermittent, the two-year statute, if applicable, did not begin to run upon the first discovery of the water damage and that there existed a fact issue as to whether TSI fraudulently concealed the cause of the damage. Although they had not pleaded a claim of negligent maintenance of the pond against TSI, they argued that in any event the two-year statute of limitations would not apply to such a claim.

On July 26, 2002, the district court granted the summary judgment motions, ruling that the negligent-design claim against TSI is barred by the two-year statute of limitations; that there was no evidence to create a genuine issue of material fact as to negligent maintenance; and that the negligence claim against the city is directly related to the design of the pond.

The Hendricksons appealed and for the first time raised the issue of whether the two-year statute of limitations on which the district court based its decision applies to trespass claims. They argue that the six-year statute of limitations in Minn. Stat. § 541.05 (2002) controls that claim and that the district court erred in dismissing the trespass cause of action.

DECISION

On appeal from a summary judgment, this court's review is limited to determining "(1) whether there are any genuine issues of material fact and (2) whether the trial court erred in its application of the law." *Patton v. Yarrington*, 472 N.W.2d 157, 159 (Minn. App. 1991) (quotation omitted), review denied (Minn. Aug. 29, 1991).

The Hendricksons do not now argue that any issues of material fact exist for trial but rather that the district court erred as a matter of law by dismissing their trespass claim, a claim they contend "does not arise out of a defective and unsafe condition of an improvement to real property." They concede that they never raised in the district court the applicability of the six-year statute to their trespass claim, but they contend they failed to do so because TSI did not address the trespass claim in its motion for summary judgment. This contention is unfounded. In its Memorandum of Law in Support of Summary Judgment, TSI discussed legal authorities relating to the negligent maintenance of property and stated in a footnote:

Significantly, plaintiffs have not alleged claims of negligent maintenance against TSI in this case, only claims of trespass and negligent design, to which the two year statute of limitations contained in Minn. Stat. § 541.051 applies.

Thus, at the summary judgment stage, the Hendricksons had clear and express notice that TSI was moving for the dismissal of the "claims in their entirety" and that TSI was arguing that the trespass claim was also barred by the two-year statute of limitations. It is the rule that an appellate court will not consider an issue not raised and ruled upon in the district court. *Thiele v. Stich*, 425 N.W.2d 580, 582 (Minn. 1988). In *Thiele*, the supreme court held it was error for the court of appeals to consider the applicability of a

statute of limitations when that issue had not been raised in the district court. *Id.* In *Minnesota Mutual Fire & Casualty Co. v. Retrum*, 456 N.W.2d 719, 722 (Minn. App. 1990), we not only held that a new theory cannot be raised for the first time on appeal but also that the two-year statute of limitations in Minn. Stat. § 541.051 can apply to trespass claims.

Thus, the sole issue properly before us is whether the district court erred in ruling that the Hendricksons' negligent-design claim is barred by the statute of limitations. When the district court grants summary judgment based on the application of a statute to undisputed facts, the result is a legal conclusion, which this court reviews *de novo*. *Lefto v. Hoggsbreath Enters., Inc.*, 581 N.W.2d 855, 856 (Minn. 1998).

Minn. Stat. § 541.051, subd. 1(a), provides:

Except where fraud is involved, no action by any person in contract, tort, or otherwise to recover damages for any injury to property, real or personal * * * arising out of the defective and unsafe condition of an improvement to real property * * * shall be brought against any person performing or furnishing the design, planning, supervision, materials, or observation of construction or construction of the improvement to real property or against the owner of the real property more than two years after discovery of the injury.

Minn. Stat. § 541.051, subd. 1(a) (2002) (emphasis added).

There is no dispute that the parking lot and the holding pond were improvements to real property or that it allegedly was the defective design of the improvements that created an unsafe condition in that it jeopardized and in fact damaged property on

adjoining land. There is no dispute that the Hendricksons first discovered the water damage on June 28, 1997, and learned on or about that date that the damage resulted from the failure of TSI's drainage system and holding pond adequately to contain water runoff and overflow.

An improvement to real property is defective if it is incomplete or faulty. *Fiveland v. Bollig & Sons, Inc.*, 436 N.W.2d 478, 480 (Minn. App. 1989), review denied (Minn. Apr. 24, 1989). Allegedly, the design of TSI's drainage system and pond was faulty and that faulty design allowed water to escape onto the Hendricksons' property and cause damage.

The Hendricksons have failed to raise any genuine issue of material fact that would make the two-year statute of limitations inapplicable, that would delay its commencement beyond the damage discovery date, or that would toll its running. The district court did not err in granting summary judgment and dismissing all claims.

Affirmed.



LAKE JOHANNA FIRE DEPARTMENT

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

August 10, 2012

Department of Community Development
Attn: Kathleen Nordine, City Planner
4600 N Victoria Street
Shoreview, MN 55126

Site and Building Plan Review
TSI
500 Cardigan Road
Shoreview, MN 55126

File No. 2453-12-16

- No further comments on the plan review.
- Will have comments once sprinkler plans are received.

Sincerely,

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

Rick Current
Fire Marshal
Lake Johanna Fire Department

**MOTION
TO APPROVE SITE AND BUILDING PLAN REVIEW
TSI, INCORPORATED – 500 CARDIGAN ROAD**

MOVED BY COMMISSION MEMBER: _____

SECONDED BY COMMISSION MEMBER: _____

To recommend the City Council approve the Site and Building Plan request submitted for TSI, Incorporated, 500 Cardigan Road for the first phase of a two-phased project. Approval is granted for the expansion of the parking lot and associated improvements. Said approval is subject to the following:

1. The site shall be developed in accordance with the plans submitted. Minor modifications may be made to the plans, subject to approval by the City Planner. Significant changes to the plans require review and approval through the Site and Building Plan review process.
2. Approval of the final grading, drainage, utility, and erosion control plans by the Public Works Director. Items identified in the attached memo from the Assistant City Engineer shall be satisfied prior to the issuance of a building permit for the parking lot expansion.
3. Revisions to the tree preservation and landscape plans shall be made in accordance with the attached memo from the Environmental Officer prior to the issuance of a building permit for this project.
4. Lighting on site shall comply with Section 204.030, Glare, of the Development Code. Details of the proposed pole, pole height and light fixture shall be submitted to the staff prior to the issuance of a building permit. .
5. The applicant shall enter into a Site Development Agreement prior to the issuance of any building permits for this project.
6. The Building Official is authorized to issue a building permit for the project.

VOTE:

AYES:

NAYS:

Memorandum

To: Planning Commission Members

From: Tom Simonson
Assistant City Manager and Community Development Director

Date: August 21, 2012

Re: Planning Commission Finding that Modification to Development District No. 2 and Tax Increment Financing Plan for Proposed Tax Increment Financing District No. 9 (an Economic Development District) for the TSI, Incorporated Expansion Project Conform to the General Development and Redevelopment Plans of the City

Introduction

The City Council will be considering a request for tax increment financing (TIF) from TSI, Incorporated to assist with their planned expansion to their facility at 500 Cardigan Road. The Council will hold a public hearing on the actions relating to the tax increment financing for the project at their meeting on September 17th. Both the development and financing plans are being expedited by the City in order to facilitate goal of TSI to “fast-track” the project due to company growth needs.

A requirement of the State laws governing tax increment financing calls for the Planning Commission to find that the draft Tax Increment Financing Plan for the proposed creation of a new Tax Increment Financing District No. 9 (Economic Development District) is in conformance to the general development and redevelopment plans of the City, as described in the Comprehensive Plan and other related policies. A resolution has been prepared for Planning Commission consideration.



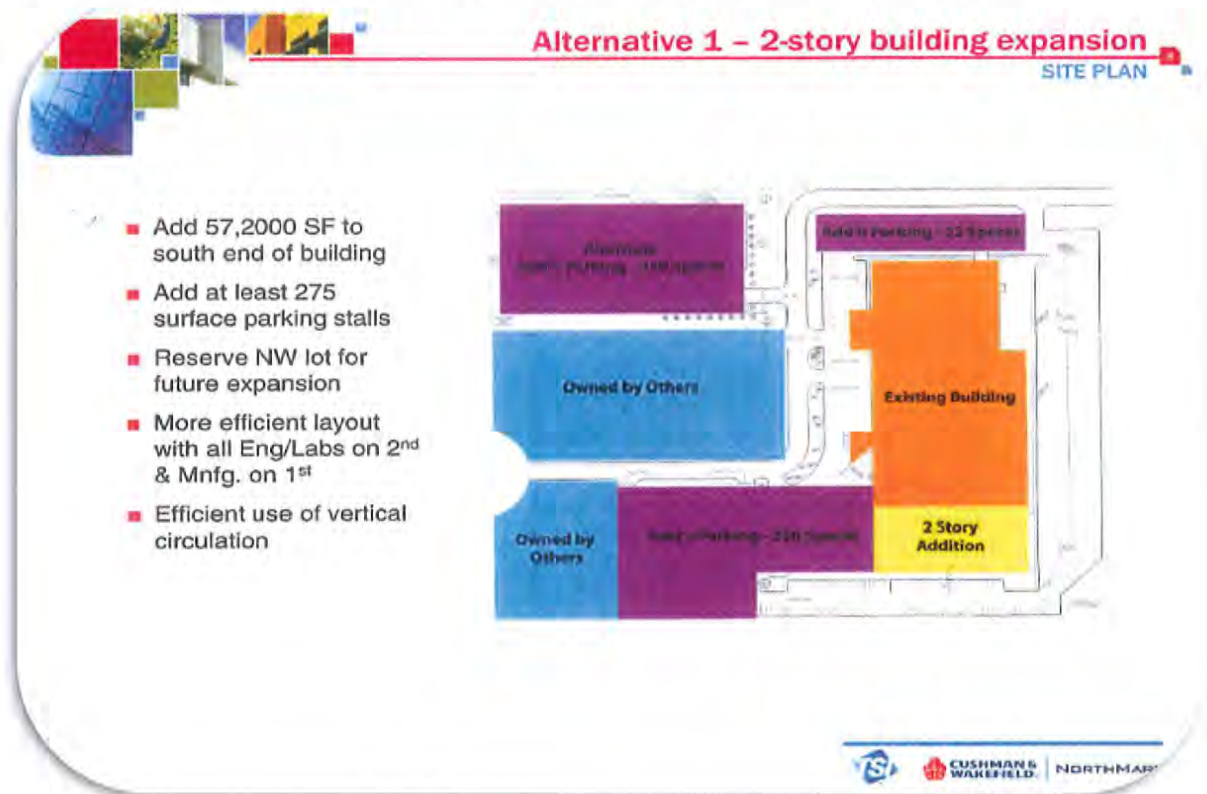
Project Overview

TSI, Incorporated has their corporate headquarters and main research/manufacturing facility in Shoreview, and desires to expand at their current location. TSI currently has 440 employees at Shoreview (560 total workers worldwide), and is expected to increase to 464 employees by the

end of this year. The company projects a workforce of at least 550 at the Shoreview location within the next several years.

Based on this projected growth, TSI is hoping move rapidly on improvements to their facility, including both additional parking and building expansion. TSI undertook a major phased expansion back in the mid-1990s and the City provided assistance through a Renewal and Renovation TIF District, which just recently expired. The current facility is 142,000 square feet and the plan is to build approximately 57,000 square foot two-story expansion to building at the south end and add at least 275 new surface parking stalls with majority created on the vacant land to the southwest of building along Cardigan Road.

TSI will be seeking approval for a major parking lot expansion in advance of the building addition to accommodate and shift employee parking that will be impacted by the addition. The Planning Commission will be presented the parking lot improvements at the August meeting, with the building expansion plans following at your September meeting. TSI has a goal of having all City required approvals by September in order to break ground by October in order to complete the building shell prior to winter, with occupancy by May 2013.



Requested Planning Commission Action

TSI has formally applied for tax increment financing assistance for the expansion project. A qualifying review of the project has indicated the expansion is only eligible for a 9-year Economic Development TIF District. The Economic Development Authority will begin their preliminary review of the public financing request at their August meeting, with formal EDA

consideration of the TIF Development Agreement next month prior to the City Council public hearing on September 17th.

The City's development consultant Kirstin Barsness and development attorney Robert Deike have prepared a draft Tax Increment Plan for proposed creation of TIF District No. 9 in support of the expansion project (included with this report). Also attached is a separate memorandum from the City's tax increment development consultant providing background on the State laws governing economic development assistance requiring the Planning Commission to make a determination that tax increment plans conform to the general land use and development plans of the Comprehensive Plan.

TSI, Incorporated is one of the largest employers in Shoreview and has been included in the City's adopted Business Retention and Expansion Plan (BRE) as a "landmark" business and identified as a key company to retain and support.

Staff is recommending that the Planning Commission adopt the attached proposed Resolution No. 12-74, finding that the modification to Development District No. 2 and Tax Increment Financing Plan for the proposed Tax Increment Financing District No. 9 (an Economic Development District) for the expansion project by TSI, Incorporated conform to the general development and redevelopment plans of the City. This action is a necessary step in the consideration of providing financial assistance for the proposed market business expansion.

**PLANNING COMMISSION
CITY OF SHOREVIEW, MINNESOTA**

RESOLUTION NO. 12-74

RESOLUTION OF THE PLANNING COMMISSION, FINDING THE MODIFICATION OF MUNICIPAL DEVELOPMENT DISTRICT NO. 2 AND THE TAX INCREMENT FINANCING PLAN FOR TAX INCREMENT FINANCING DISTRICT NO. 9 CONFORM TO THE GENERAL PLANS FOR THE DEVELOPMENT AND REDEVELOPMENT OF THE CITY.

WHEREAS, the City Council for the City of Shoreview, Minnesota, (the "City") has proposed a modification to Municipal Development District No. 2 and the adoption of a Tax Increment Financing Plan for Tax Increment Financing District #9 (collectively, the "Plans") and has submitted the Plans to the Shoreview Planning Commission (the "Commission") pursuant to *Minnesota Statutes, Section 469.175, Subdivision 3*, and

WHEREAS, the Commission has reviewed the Plans to determine their conformity with the general plans for the development and redevelopment of the City as described in the comprehensive plan for the City.

NOW, THEREFORE, BE IT RESOLVED by the Commission that the Plans conform to the general plans for the development and redevelopment of the City as a whole.

Adopted this 28th day of August, 2012.

Chair

ATTEST:

MEMORANDUM

DATE: August 20, 2012
TO: Tom Simonson, Assistant City Manager/Comm. Dev. Director
FROM: Kirstin Barsness, Economic Development Consultant
RE: TSI, Inc. Tax Increment Financing Resolution

The Planning Commission is requested to determine whether the redevelopment plan for TSI, Inc. conforms to the general plans for the development and redevelopment of the City as described in the *Comprehensive Plan* for the City.

On September 17, 2012, the City Council will consider granting tax increment financing (TIF) assistance for the expansion of TSI, Inc. a local Shoreview company which has been a part of the City's Business Retention and Expansion Program. TSI plans to add a 57,200 square foot addition onto the south end of their building. The space will be two stories (28,600 sq. ft. footprint) and used predominately for Engineering and Operations staff. TSI anticipates adding approximately 180 new employees with a large percentage being high paying mechanical, electrical and software engineering positions.

As part of the TIF process, the Planning Commission is required to review the TIF plan for conformance with the *Comprehensive Plan*. Minnesota Statutes, Section 469.175, subdivision 3 states "Before or at time of approval of the tax increment financing plan, the municipality shall make the following findings, and shall set forth in writing the reasons and supporting facts for each determination:...that the tax increment financing plan conforms to the general plans conform to the general plan for development or redevelopment of the municipality as a whole."

Chapter Six is the Economic Development component of the City of Shoreview's *Comprehensive Plan*. The TS expansion clearly fits with the strategies outline within Chapter. The *Comprehensive plan* states:

One of the key issues for the City is to retain and provide expansion opportunities for our existing business, which is especially challenging given the limited supply of vacant land available. Critical to facilitating successful business retention and growth is building strong relationships with the business community.

Retention and expansion of key business is an important strategy in promoting continued growth....

A BRE program targets specific businesses and direct limited municipal resources toward retaining and encouraging growth of these existing companies. Retention of key companies is the focal point of the City's economic growth strategy based on criteria that provide for the greatest return of tax revenue and employment to the community.

The importance of business retention can generally be summarized in three categories:

- *Livable wage jobs that allow residents to support local businesses and participate in community activities*
- *Maintenance of tax base to generate revenues*
- *Economic vitality of the City*

The Planning Commission will review the Site and Building Plan review applications for both the parking and building expansion in August and September. However, TIF statutes require the Commission to approve a separate resolution finding the redevelopment plans conform to the City's *Comprehensive Plan*. The Shoreview City Council will make the determination on the approval of the tax increment request and corresponding TIF plan at the September 17, 2012 regular meeting.

Attachments

- A. Tax Increment Financing Plan – District #9
- B. Resolution

**Development Program
for Municipal Development District No. 2**

and the

**Tax Increment Financing Plan
for the establishment of**

**Tax Increment Financing District No. 9
TSI, Inc.
(an economic development district)**

within

Municipal Development District No. 2



**City of Shoreview
Ramsey County
State of Minnesota**

Draft: July 24, 2012

Public Hearing: September 17, 2012

Adopted:

DRAFT

Table of Contents

Section 1 - Development Program for Municipal Development District No. 2

Foreword	4
Definitions	4
Subsection 1-1. Statement of Public Purpose	5
Subsection 1-2. Statutory Authority.....	6
Subsection 1-3. Statement of Objectives	6
Subsection 1-4. Estimated Public Costs and Supportive Data.....	8
Subsection 1-5. Environmental Controls	8
Subsection 1.6. Proposed Reuse of Property.....	8
Subsection 1-7. Administration and Maintenance of Development District.....	8
Subsection 1-8. Rehabilitation	9
Subsection 1-9. Relocation	9
Subsection 1-10. Boundary of Development.....	9
Map of Municipal Development District No. 2.....	10

Section 2 - Tax Increment Financing Plan for Tax Increment Financing District No. 9

Subsection 2-1. Foreword	11
Subsection 2-2. Statutory Authority.....	11
Subsection 2-3. Statement of Objectives	11
Subsection 2-4. Development Program Overview	11
Subsection 2-5. Description of Property in the District and Property To Be Acquired	12
Subsection 2-6. Classification of the District	12
Subsection 2-7. Duration and First Year of Tax Increment of the District	13
Subsection 2-8. Original Tax Capacity, Tax Rate and Estimated Captured Net Tax Capacity Value/Increment and Notification of Prior Planned Improvements	13
Subsection 2-9. Sources of Revenue/Bonds to be Issued	14
Subsection 2-10. Uses of Funds	15
Subsection 2-11. Business Subsidies	16
Subsection 2-12. County Road Costs	17
Subsection 2-13. Estimated Impact on Other Taxing Jurisdictions.....	17
Subsection 2-14. Supporting Documentation	19
Subsection 2-9. Definition of Tax Increment Revenues	19
Subsection 2-16. Modifications to the District	19
Subsection 2-17. Administrative Expenses.....	20
Subsection 2-18. Limitation of Increment	21
Subsection 2-19. Use of Tax Increment	21
Subsection 2-20. Excess Increments	22
Subsection 2-21. Requirements for Agreements with the Developer	22
Subsection 2-22. Assessment Agreements	22
Subsection 2-23. Administration of the District	23
Subsection 2-24. Annual Disclosure Requirements	23
Subsection 2-25. Reasonable Expectations	23
Subsection 2-26. Other Limitations on the Use of Tax Increment.....	23
Subsection 2-27. Summary.....	24

Appendix A
Project Description 25

Appendix B
Map of Tax Increment District #9..... 27

Appendix C
Description of Property to be Included in the District 28

Appendix D
Estimated Cash Flow for the District 29

Appendix E
Findings Including But/For Qualifications 31

Section 1 - Development Program for Municipal Development District No. 2

Foreword

The following text represents a Modification to the Development Program for Municipal Development District No. 2. This modification represents a continuation of the goals and objectives set forth in the Development Program for Municipal Development District No. 2. Generally, the substantive changes include the establishment of Tax Increment Financing District No. 9. (As Modified September 17, 2012)

Tax Increment District No. 9 was created to assist with the expansion of TSI, Inc., an existing Shoreview business. TSI is adding a 57,200 square foot addition onto the south end of their building. The space will be two stories (28,600 sq. ft. footprint) and used predominately for Engineering and Operations staff. TSI anticipates adding approximately 180 new employees with a large percentage being high paying mechanical, electrical and software engineering positions.

In order to accommodate business growth, TSI has identified key areas in their current facility that need renovation:

- 1) Improvements to existing land for expanded parking (200 additional stalls) including construction of underground storm water storage to maximize parking on an already constricted site.
- 2) Improvements to the building for freight/loading dock access.
- 3) Relocation of the current machine shop and repurpose/renovate that space into conference and office space.
- 4) Support Lean manufacturing processes by moving the inventory storage mezzanine to the lower level. Potentially renovate or remove mezzanine in order to provide better flow and movement throughout the building.

Tax Increment will be used to assist with the expansion of site preparation, on-site parking, storm water management systems and other TIF eligible activities.

Definitions

The terms defined below shall, for purposes of the Development Program, have the meanings herein specified, unless the context otherwise specifically required:

"City" means the City of Shoreview, a municipal corporation and political subdivision of the State of Minnesota.

"Comprehensive Plan" means the documents which contain the objectives, policies, standards and programs to guide public and private land use, development, redevelopment and preservation for all lands and water within the City.

"Council" means the City Council of the City of Shoreview, also referred to as the governing body. (See "Governing Body" below).

"County" means the County of Ramsey, Minnesota.

"County Board" means the Board of Commissioners for Ramsey County.

"Development District Act" means the statutory provisions of Minnesota Statutes, Sections 469.124 to 469.134 as amended and supplemented.

"Development District" means Municipal Development District No. 2 in the City, which was created and established pursuant to and in accordance with the Development District Act, and is geographically described in Section 1, Subsection 10 of the Development Program.

"Development Program" means this Development Program for Municipal Development District No. 2, initially adopted by the Council on February 14, 1984, and as it shall be modified. As defined in Minnesota Statutes, Section 469.125, Subdivision 5, a development program is a statement of objectives of the City for improvement of a development district which contains a complete statement as to the public facilities to be constructed within the district, the open space to be created, the environmental controls to be applied, the proposed reuse of private property and the proposed operations of the district after the capital improvements within the district have been completed.

"Governing Body" means the duly elected Council.

"Municipal Industrial Development Act" means the statutory provisions of Minnesota Statutes, Sections 469.92 to 469.165, as amended.

"Municipality" means any city, however organized as defined in Minnesota Statutes, Section 469.125, Subdivision 2.

"Project Area" means the Development District as geographically described in Subsection 1, Subsection 10 of the Development Program.

"State" means the State of Minnesota.

"Tax Increment Bonds" means any general obligation or revenue tax increment bonds issued and to be issued by the City to finance the public costs associated with Municipal Development District No. 2, as stated in the Development Program and in the Tax Increment Financing Plans for the Tax Increment Financing Districts within Municipal Development District No. 2. The term "Tax Increment Bonds" shall also include any obligations issued to refund the Tax Increment Bonds.

"Tax Increment Financing District" means any tax increment financing district presently established or to be established in the future in Municipal Development District No. 2.

"Tax Increment Financing Act" means the statutory provisions of Minnesota Statutes, Sections 469.174 to 469.1799, inclusive, as amended.

SUBSECTION 1.1.

STATEMENT AND FINDING OF PUBLIC PURPOSE

The City Council (the "Council") of the City of Shoreview (the "City") determines that there is a need for development and redevelopment within the corporate limits of the City in the Development District to provide employment opportunities, to improve the tax base, maintain and renovate housing stock and to improve the general economy of the State. It is found that the area within the Development District is potentially more useful and valuable than is being realized under existing development, is less productive than is possible under this program and, therefore, is not contributing to the tax base to its full potential.

Therefore, the City has determined to exercise its authority to develop a modified program for improving Development District No. 2 of the City to provide impetus for private development, to maintain and increase employment, maintain and renovate housing stock, to utilize existing potential and to provide other facilities as are outlined in the Development Program adopted by the City.

The Council finds that the welfare of the City as well as the State of Minnesota requires active promotion, attraction, encouragement and development of economically sound industry, commerce and housing activities to carry out its stated public purpose objectives.

SUBSECTION 1.2.

STATUTORY AUTHORITY

The Council determines that it is desirable and in the public interest to modify, develop and administer a Development Program for Development District No. 2 (the "Development District") in the City to implement its Development District Plan, pursuant to the provisions of Sections 469.124 to 469.134, as amended, of Minnesota Statutes (the "Development District Act").

Funding of the necessary activities and improvements in the Development District shall be accomplished through tax increment financing in accordance with Minnesota Statutes, Sections 469.174 through 469.179, inclusive (the "Tax Increment Act") and through the use of industrial revenue bonds pursuant to the provisions of Chapter 469.9 2 to 469.165, as amended, of Minnesota Statutes (the "Municipal Industrial Development Act").

The City has designated the corporate limits (Modification No.4, 4/19/2010) of the City as Development District No. 2 as authorized by Minnesota Statutes, Section 469.126 of the Development District Act. Within the Development District, the City plans to undertake tax increment financing pursuant to Minnesota Statutes, Section 469.174, Subd. 10, 10(A), 11 and 12 of the Tax Increment Financing Act.

SUBSECTION 1.3.

STATEMENT OF OBJECTIVES

The Council determines that the modification of the Development District will provide the City with the ability to achieve certain public purpose goals not otherwise obtainable in the foreseeable future without City intervention in the normal development process. The public purpose goals include: restore and improve the tax base and tax revenue generating capacity of the Development District; increase employment opportunities; realize comprehensive planning goals; remove blighted conditions; revitalize the property within the Development District to create an attractive, comfortable, convenient, and efficient area for industrial, residential, commercial, governmental, convention, and related uses.

The City and Council seek to achieve the following Development District program objectives:

1. Promote and secure the prompt development of certain property in the Development District, which property is not now in productive use or in its highest and best use, in a manner consistent with the City's Comprehensive Plan and with a minimum adverse impact on the environment, and thereby promote and secure the development of other land in the City.

2. Promote and secure additional employment opportunities within the Development District and the City for residents of the City and the surrounding area, thereby improving living standards, reducing unemployment and the loss of skilled and unskilled labor and other human resources in the City.
3. Secure the increase of commercial property subject to taxation by the City, Independent School Districts, Ramsey County, and other taxing jurisdictions in order to better enable such entities to pay for governmental services and programs required to be provided by them.
4. Provide for the financing and construction of public improvements in and adjacent to the Development District, necessary for the orderly and beneficial development of the Development District and adjacent areas of the City.
5. Promote the concentration of commercial, office, and other appropriate development in the Development District so as to maintain the area in a manner compatible with its accessibility and prominence in the City.
6. Encourage local business expansion, improvement, and development, whenever possible.
7. Create a desirable and unique character within the Development District through quality land use alternatives and design quality in new and redeveloped buildings.
8. Encourage and provide maximum opportunity for private redevelopment of existing areas and structures which are compatible with the Development Program.
9. Specific objectives include:
 - a. Acquire land or space which is vacant, unused, underused or inappropriately used for new or expanding uses as well as supportive parking.
 - b. Encourage the renovation and expansion of existing businesses.
 - c. Acquire property containing structurally substandard buildings and remove structurally substandard buildings for which rehabilitation is not feasible.
 - d. Provide park improvements to compliment private development.
 - e. Eliminate blighting influences which impede potential development.
 - f. Acquisition of property to support park improvements and proposed development.
 - g. Provide opportunities for market rate and affordable housing development.
 - h. Fund and operate loan programs for housing improvement activities.

(Modification No.4, 4/19/2010)

SUBSECTION 1.4.

ESTIMATED PUBLIC COSTS AND SUPPORTIVE DATA

The estimated costs of the public improvements to be made within the Development District and financed by tax increments will be derived from the tax increment financing districts within Development District No. 2. (See Appendix "D" of Tax Increment Plan)

SUBSECTION 1.5.

ENVIRONMENTAL CONTROLS

The proposed development activities in the Development District do not present significant environmental concerns. All municipal actions, public improvements and private development shall be carried out in a manner consistent with existing environmental standards.

SUBSECTION 1.6.

PROPOSED REUSE OF PROPERTY

The public improvements needed to bring about the redevelopment of property may include acquisition of buildings, demolition and removal, site improvements, and general improvements. The estimated public improvement costs will be summarized in each of the applicable tax increment financing plans.

The Development Program does contemplate the acquisition of private property at such time as a private developer presents an economically feasible program for the reuse of that property. Proposals, in order to be considered, must be within the framework of the above cited goals and objectives, and must clearly demonstrate feasibility as a public program. Prior to formal consideration of the acquisition of any property, the City Council will require a binding contract, performance bond, and/or other evidence or guarantees that a supporting tax increment or other funds will be available to repay the public cost associated with the proposed acquisition. It shall be the intent of the City to negotiate the acquisition of property whenever necessary. Appropriate restrictions regarding the reuse and redevelopment of property shall be incorporated into any land sale contract or development agreement to which the City is a part.

SUBSECTION 1.7.

ADMINISTRATION AND MAINTENANCE OF DEVELOPMENT DISTRICT

Maintenance and operation of the public improvements will be the responsibility of the Manager of the City who shall serve as Administrator of the Development District. Each year the Administrator will submit to the Council the maintenance and operation budget for the following year.

The Administrator will administer the Development District pursuant to the provisions of Minnesota Statutes, Section 469.131 of the Development District Act; provided, however, that such powers may only be exercised at the direction of the Council. No action taken by the Administrator pursuant to the above mentioned powers shall be effective without authorization by the Council.

SUBSECTION 1.8.

REHABILITATION

Owners of properties within the Development District will be encouraged to rehabilitate their properties to conform with the applicable state and local codes and ordinances, as well as any design standards. Owners of properties who purchase property or receive assistance within the Development District from the City may be required to rehabilitate their properties as a condition of sale of land. The City will provide such rehabilitation assistance as may be available from federal, state or local sources.

SUBSECTION 1.9.

RELOCATION

The City accepts its responsibility for providing for relocation pursuant to Minnesota Statutes, Section 469.133 of the Development District Act, if applicable.

SUBSECTION 1.10.

BOUNDARY OF DEVELOPMENT DISTRICT

(Modification No. 4, 4/19/2010)

MDD #1 (Removed 5/9 /95)

MDD#2 (Modification No.4, 4/19/2010)

The boundary of MDD #2 will include **all** of the following **Sections**:

Sections 2, 3, 4, 11, 14, 23, 24, 25, 26, 35, 36

The boundary of MDD#2 will include **partial** of the following **Sections**:

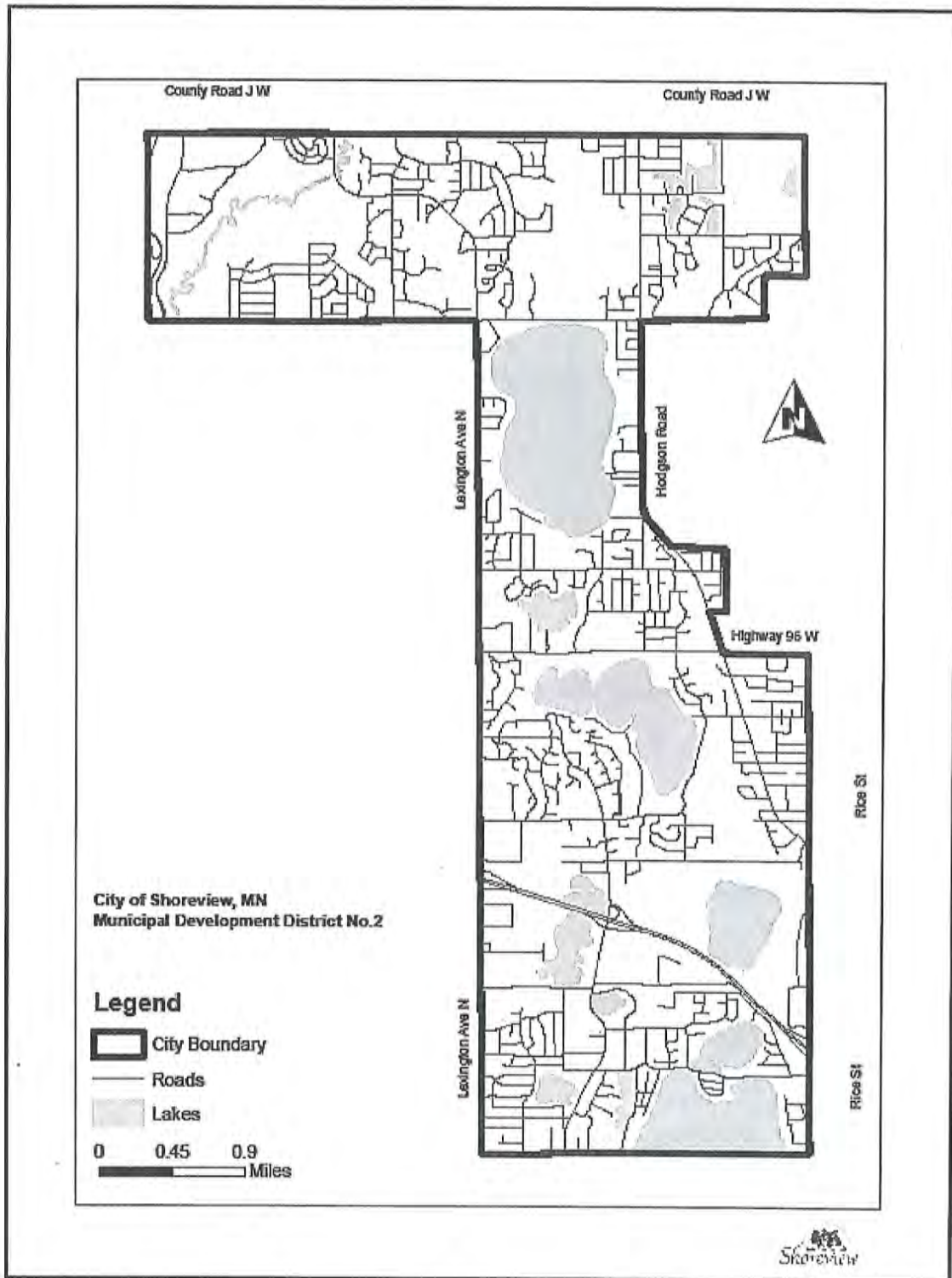
- Section 1: Includes the portion containing the corporate limits of the City of Shoreview and excluding the portion of the Section residing in the corporate limits of the City of North Oaks.

- Section 13: Includes the portion containing the corporate limits of the City of Shoreview and excluding the portion of the Section residing in the corporate limits of the City of North Oaks.

(AS MODIFIED SEPTEMBER 17, 2012)

The boundaries of Municipal Development District No. 2 are not being changed as part of the modification to Municipal Development District No. 2

SEE MAP ON FOLLOWING PAGE



**Section 2 - Tax Increment Financing Plan
for Tax Increment Financing District No. 9**

Subsection 2-1. Foreword

The City of Shoreview (the "City"), staff and consultants have prepared the following information to expedite the establishment of Tax Increment Financing District No. 9 (the "District"), an economic development tax increment financing district, located in Municipal Development District No. 2.

Subsection 2-2. Statutory Authority

Within the City, there exist areas where public involvement is necessary to cause development or redevelopment to occur. To this end, the City has certain statutory powers pursuant to *Minnesota Statutes ("M.S."), Sections 469.124 to 469.134*, inclusive, as amended, and *M.S., Sections 469.174 to 469.1799*, inclusive, as amended (the "Tax Increment Financing Act" or "TIF Act"), to assist in financing public costs related to this project.

This plan constitutes the Tax Increment Financing Plan (the "TIF Plan") for the District. Other relevant information is contained in the Modification to the Development Program for Municipal Development District No. 2.

Subsection 2-3. Statement of Objectives

The District currently consists of one parcel of land and adjacent and internal rights-of-way. The District is being created to assist the developer with site preparation, storm water management and other TIF eligible improvements to expand their current manufacturing operation by 57,200 square feet. Please see Appendix A for further District information. The City has not entered into an agreement at the time of preparation of this TIF Plan, but development is likely to begin by September 19, 2012. This TIF Plan is expected to achieve many of the objectives outlined in the Development Program for Municipal Development District No. 2.

The activities, contemplated in the Modification to the Development Program and the TIF Plan, do not preclude the undertaking of other qualified development or redevelopment activities. These activities are anticipated to occur over the life of Municipal Development District No. 2 and the District.

Subsection 2-4. Development Program Overview

1. Property to be Acquired - Selected property located within the District may be acquired by the City and is further described in this TIF Plan.
2. Relocation - Relocation services, to the extent required by law, are available pursuant to *M.S., Chapter 117* and other relevant state and federal laws.
3. Upon approval of a developer's plan relating to the project and completion of the necessary legal requirements, the City may sell to a developer selected properties that it may acquire within the District or may lease land or facilities to a developer.
4. The City may perform or provide for some or all necessary acquisition, construction, relocation, demolition, and required utilities and public street work within the District.

5. The City proposes private infrastructure within the District. The proposed reuse of private property within the District will be for the 57,200 square foot expansion to the existing TSI building plus the corresponding parking and utility improvements. There will be continued operation of Municipal Development District No. 2 after the capital improvements within Development District No. 2 have been completed.

Subsection 2-5. Description of Property in the District and Property To Be Acquired

The District encompasses all property and adjacent and internal rights-of-way identified by the parcel listed in Appendix C of this TIF Plan. Please also see the map in Appendix B for further information on the location of the District.

The City may acquire any parcel within the District including interior and adjacent street rights of way. Any properties identified for acquisition will be acquired by the City only in order to accomplish one or more of the following: storm sewer improvements; provide land for needed public streets, utilities and facilities; carry out land acquisition, site improvements, clearance and/or development to accomplish the uses and objectives set forth in this plan. The City may acquire property by gift, dedication, condemnation or direct purchase from willing sellers in order to achieve the objectives of this TIF Plan. Such acquisitions will be undertaken only when there is assurance of funding to finance the acquisition and related costs.

Subsection 2-6. Classification of the District

The City, in determining the need to create a tax increment financing district in accordance with *M.S., Sections 469.174 to 469.1799*, as amended, inclusive, finds that the District, to be established, is an economic development district pursuant to *M.S., Section 469.174, Subd. 12* as defined below:

"Economic development district" means a type of tax increment financing district which consists of any project, or portions of a project, which the authority finds to be in the public interest because:

(1) it will discourage commerce, industry, or manufacturing from moving their operations to another state or municipality; or

(2) it will result in increased employment in the state; or

(3) it will result in preservation and enhancement of the tax base of the state.

The District is in the public interest because it will meet the statutory requirement from clause 1, 2, and 3.

Pursuant to *M.S., Section 469.176, Subd. 4c*, revenue derived from tax increment from an economic development district may not be used to provide improvements, loans, subsidies, grants, interest rate subsidies, or assistance in any form to developments consisting of buildings and ancillary facilities, if more than 15 percent of the buildings and facilities (determined on the basis of square footage) are used for a purpose other than:

(1) The manufacturing or production of tangible personal property, including processing resulting in the change in condition of the property;

(2) Warehousing, storage, and distribution of tangible personal property, excluding retail sales;

(3) Research and development related to the activities listed in items (1) or (2);

- (4) Telemarketing if that activity is the exclusive use of the property;
- (5) Tourism facilities; or
- (6) Qualified border retail facilities;
- (7) Space necessary for and related to the activities listed in items (1) to (6)

Pursuant to *M.S., Section 469.176, Subd. 7*, the District does not contain any parcel or part of a parcel that qualified under the provisions of *M.S., Sections 273.111 or 273.112 or Chapter 473H* for taxes payable in any of the five calendar years before the filing of the request for certification of the District.

Subsection 2-7. Duration and First Year of Tax Increment of the District

Pursuant to *M.S., Section 469.175, Subd. 1, and M.S., Section 469.176, Subd. 1*, the duration of the District must be indicated within the TIF Plan. Pursuant to *M.S., Section 469.176, Subd. 1b.*, the duration of the District will be 9 years after receipt of the first increment by the City. The date of receipt by the City of the first tax increment is expected to be 2014. Thus, it is estimated that the District, including any modifications of the TIF Plan for subsequent phases or other changes, would terminate after 2022, or when the TIF Plan is satisfied. If the first increment is received in 2015, the term of the District will be 2023. The City reserves the right to decertify the District prior to the legally required date.

Subsection 2-8. Original Tax Capacity, Tax Rate and Estimated Captured Net Tax Capacity Value/Increment and Notification of Prior Planned Improvements

Pursuant to *M.S., Section 469.174, Subd. 7 and M.S., Section 469.177, Subd. 1*, the Original Net Tax Capacity (ONTC) as certified for the District will be based on the market values placed on the property by the assessor in 2012 for taxes payable 2013.

Pursuant to *M.S., Section 469.177, Subds. 1 and 2*, the County Auditor shall certify in each year (beginning in the payment year 2014) the amount by which the original value has increased or decreased as a result of:

- 1. Change in tax exempt status of property;
- 2. Reduction or enlargement of the geographic boundaries of the district;
- 3. Change due to adjustments, negotiated or court-ordered abatements;
- 4. Change in the use of the property and classification;
- 5. Change in state law governing class rates; or
- 6. Change in previously issued building permits.

In any year in which the current Net Tax Capacity (NTC) value of the District declines below the ONTC, no value will be captured and no tax increment will be payable to the City.

The original local tax rate for the District will be the local tax rate for taxes payable 2013. The ONTC and the Original Local Tax Rate for the District appear in the table below.

Pursuant to *M.S., Section 469.174 Subd. , and M.S., Section 469.177, Subd. 1, 2, and 4*, the estimated Captured Net Tax Capacity (CTC) of the District, within Municipal Development District No. 2, upon completion of the projects within the District, will annually approximate tax increment revenues as shown in the table below. The City requests 100 percent of the available increase in tax capacity for repayment of its obligations and current expenditures,

beginning in the tax year payable 2014. The Project Tax Capacity (PTC) listed is an estimate of values when the projects within the District are completed.

Project Estimated Tax Capacity upon Completion (PTC)	\$249,250
Original Estimated Net Tax Capacity (ONTC)	\$160,708
Estimated Captured Tax Capacity (CTC)	\$88,542
Fiscal Disparities Rate	37.221%
Fiscal Disparities Reduction	\$32,957
Original Local Tax Rate	133.8220% Pay 2012
Estimated Annual Tax Increment (CTC x Local Tax Rate)	\$66,410
Percent Retained by the City	100%

Pursuant to *M.S., Section 469.177, Subd. 4*, the City shall, after a due and diligent search, accompany its request for certification to the County Auditor or its notice of the District enlargement pursuant to *M.S., Section 469.175, Subd. 4*, with a listing of all properties within the District or area of enlargement for which building permits have been issued during the eighteen (18) months immediately preceding approval of the TIF Plan by the municipality pursuant to *M.S., Section 469.175, Subd. 3*. The County Auditor shall increase the original net tax capacity of the District by the net tax capacity of improvements for which a building permit was issued.

The City has reviewed the area to be included in the District and has determined that no building permits have been issued during the 18 months immediately preceding approval of the TIF Plan by the City

Subsection 2-9. Sources of Revenue/Bonds to be Issued

Public Improvement costs, acquisition, relocation, utilities, street and sidewalks, and site preparation costs and other costs outline in the Use of Funds will be financed primarily through the annual collection of tax increments. The City reserves the right to use other sources of revenue legally applicable to the City and the Plan, including but not limited to, special assessments, general property taxes, state aid for road maintenance and construction, proceeds from the sale of land, other contributions from the developer and investment income, to pay for the estimated public costs.

The City reserves the right to incur bonded indebtedness or other indebtedness as a result of the Plan. As presently proposed, the project will be financed by a pay-as-you-go note. Additional indebtedness may be required to finance other authorized activities. The total amount of bonded indebtedness or other indebtedness related to the use of tax increment financing will not exceed \$555,000 without a modification to the Plan Pursuant to applicable statutory requirements.

This provision does not obligate the City to incur debt. The City will issue bonds or incur other debt only upon the determination that such action is in the best interest of the City. The City may also finance the activities to be undertaken pursuant to the TIF Plan through loans from funds of the City or to reimburse the developer on a "pay-as-you-go" basis for eligible costs paid for by a developer.

The total estimated tax increment revenues for the District are expected to be approximately \$598,000 as shown in the table below:

SOURCES OF FUNDS	TOTAL
Tax Increment	\$739,000

The City may issue bonds (as defined in the TIF Act) secured in whole or in part with tax increments from the District in a maximum principal amount of \$555,000. Such bonds may be in the form of pay-as-you-go notes, revenue bonds or notes, general obligation bonds, or inter fund loans. This estimate of total bonded indebtedness is a cumulative statement of authority under this TIF Plan as of the date of approval.

Subsection 2-10. Uses of Funds

Currently under consideration for the District is a proposal to facilitate the 57,200 square foot building and parking expansion, in addition to the corresponding site improvement for TSI. The City has determined that it will be necessary to provide assistance to the project(s) for certain District costs, as described. The City has studied the feasibility of the development or redevelopment of property in and around the District. To facilitate the establishment and development or redevelopment of the District, this TIF Plan authorizes the use of tax increment financing to pay for the cost of certain eligible expenses. The estimate of public costs and uses of funds associated with the District is outlined in the following table.

<u>USES OF TAX INCREMENT FUNDS</u>	<u>TOTAL</u>
Site Improvements/Storm Water	\$500,000
<u>Administrative Costs (up to 10%)</u>	<u>\$ 55,000</u>
PROJECT COST TOTAL	\$555,000
Interest	\$ 184,000
PROJECT AND INTEREST COSTS TOTAL	\$739,000

For purposes of OSA reporting forms, uses of funds include inter fund loans, bond principal, TIF Note principal, and transfers, all in the principal amount of up to \$555,000. These amounts are not cumulative, but represent the various forms of "bonds" included within the concept of bonded indebtedness under the TIF Act.

The total project cost, including financing costs (interest) listed in the table on the previous page does not exceed the total projected tax increments for the District as shown in Appendix D.

Estimated capital and administrative costs listed above are subject to change among categories by modification of the TIF Plan without hearings and notices as required for approval of the initial TIF Plan, so long as the total capital and administrative costs combined do not exceed the total listed on the previous page.

Further, the City may spend up to 20 percent of the tax increments from the District for activities (described in the table on the previous page) located outside the boundaries of the District but within the boundaries of the Project (including administrative costs, which are considered to be spend outside the District), subject to all other terms and conditions of this TIF Plan.

Subsection 2-11. Business Subsidies

Pursuant to M.S., *Section 116J.993, Subd. 3*, the following forms of financial assistance are not considered a business subsidy:

- (1) A business subsidy of less than \$150,000;
- (2) Assistance that is generally available to all businesses or to a general class of similar businesses, such as a line of business, size, location, or similar general criteria;
- (3) Public improvements to buildings or lands owned by the state or local government that serve a public purpose and do not principally benefit a single business or defined group of businesses at the time the improvements are made;
- (4) Redevelopment property polluted by contaminants as defined in *M.S., Section 116J.552, Subd. 3*;
- (5) Assistance provided for the sole purpose of renovating old or decaying building stock or bringing it up to code and assistance provided for designated historic preservation districts, provided that the assistance is equal to or less than 50% of the total cost;
- (6) Assistance to provide job readiness and training services if the sole purpose of the assistance is to provide those services;
- (7) Assistance for housing;
- (8) Assistance for pollution control or abatement, including assistance for a tax increment financing hazardous substance sub-district as defined under *M.S., Section 469.174, Subd. 23*;
- (9) Assistance for energy conservation;
- (10) Tax reductions resulting from conformity with federal tax law;
- (11) Workers' compensation and unemployment compensation;
- (12) Benefits derived from regulation;
- (13) Indirect benefits derived from assistance to educational institutions;
- (14) Funds from bonds allocated under chapter 474A, bonds issued to refund outstanding bonds, and bonds issued for the benefit of an organization described in section 501 (c) (3) of the Internal Revenue Code of 1986, as amended through December 31, 1999;
- (15) Assistance for a collaboration between a Minnesota higher education institution and a business;
- (16) Assistance for a tax increment financing soils condition district as defined under *M.S., Section 469.174, Subd. 19*;
- (17) Redevelopment when the recipient's investment in the purchase of the site and in site preparation is 70 percent or more of the assessor's current year's estimated market value;
- (18) General changes in tax increment financing law and other general tax law changes of a principally technical nature.
- (19) Federal assistance until the assistance has been repaid to, and reinvested by, the state or local government agency;
- (20) Funds from dock and wharf bonds issued by a seaway port authority;
- (21) Business loans and loan guarantees of \$150,000 or less; and
- (22) Federal loan funds provided through the United States Department of Commerce, Economic Development Administration.

The City will comply with *M.S., Sections 116J.993 to 116J.995* to the extent the tax increment assistance under this TIF Plan does not qualify for exemption for activities listed above and on the previous page.

Subsection 2-12. County Road Costs

Pursuant to *M.S., Section 469.175, Subd. 1a*, the county board may require the City to pay for all or part of the cost of county road improvements if the proposed development to be assisted by tax increment will, in the judgment of the county, substantially increase the use of county roads requiring construction of road improvements or other road costs and if the road improvements are not scheduled within the next five years under a capital improvement plan or within five years under another county plan.

If the county elects to use increments to improve county roads, it must notify the City within forty-five days of receipt of this TIF Plan. In the opinion of the City and consultants, the proposed development outlined in this TIF Plan will have little or no impact upon county roads, therefore the TIF Plan was not forwarded to the county 45 days prior to the public hearing. The City is aware that the county could claim that tax increment should be used for county roads, even after the public hearing.

Subsection 2-13. Estimated Impact on Other Taxing Jurisdictions

The estimated impact on other taxing jurisdictions assumes that the redevelopment contemplated by the TIF Plan would occur without the creation of the District. However, the City has determined that such development or redevelopment would not occur "but for" tax increment financing and that, therefore, the fiscal impact on other taxing jurisdictions is \$0. The estimated fiscal impact of the District would be as follows if the "but for" test was not met:

IMPACT ON TAX BASE

	<u>Pay 2012 Total Net Tax Capacity</u>	<u>Estimated Captured Tax Capacity (CTC) Upon Completion</u>	<u>Percent of CTC to Entity Total</u>
Ramsey County	480,575,818	88,542*	0.000184%
City of Shoreview	29,471,145	88,542*	0.003004%
Mounds View ISD No.621	94,727,714	88,542*	0.000935%

*prior to Fiscal Disparities Contribution

IMPACT ON TAX RATES

	<u>Pay 2012 Extension Rates</u>	<u>Percent of Total</u>	<u>CTC</u>	<u>Potential Taxes</u>
Ramsey County	.61316	45.82%	88,542*	54,290
City of Shoreview	.33252	24.85%	88,542*	29,442
Moundsvie ISD No.621	.29044	21.70%	88,542*	25,716
Other (HRA, EDA,et.al)	<u>.10210</u>	<u>7.63%</u>	88,542*	<u>9,040</u>
Total	1.33822	100%		\$118,488

The estimates listed display the captured tax capacity when all construction is completed. The tax rate used for calculations is the actual Pay 2012 rate. The total net capacity for the entities listed is based on actual Pay 2012 figures.

Pursuant to *M.S. Section 469.175 Subd. 2(b)*:

- (1) Estimate of total tax increment. It is estimated that the total amount of tax increment that will be generated over the life of the District is \$739,000;
- (2) Probable impact of the District on city provided services and ability to issue debt. An impact of the District on police protection is not expected. The City does not expect that the proposed development, in and of itself, will necessitate new capital investment in vehicles or require that the City expand its police force.

The probable impact of the District on fire protection is not expected to be significant. Typically new buildings generate few calls, if any, and are of superior construction and include fire protection equipment.

The impact of the District on public infrastructure is expected to be minimal. The development is not expected to significantly impact traffic movements in the area. The current infrastructure for sanitary sewer, storm sewer and water will be able to handle the additional volume generated from the proposed development. Based on the development plans, there are no additional costs associated with street maintenance, sweeping, plowing, lighting and sidewalks. The development in the District is expected to contribute an estimated XXXXX in sanitary sewer (SAC) and water (WAC) connection fees. This does not include water meter fees or fees charged by the Metropolitan Council.

The probable impact of any District general obligation tax increment bonds on the ability to issue debt for general fund purposes is expected to be minimal. There may be some general obligation debt issued in relation to this project, however, the amount will be such that there will be no impact on the City's ability to issue future debt or on the City's debt limit.

- (3) Estimated amount of tax increment attributable to school district levies. It is estimated that the amount of tax increments over the life of the District that would be attributable to school district levies, assuming the school district's share of the total local tax rate for all taxing jurisdictions remained the same, is \$231,444;
- (4) Estimated amount of tax increment attributable to county levies. It is estimated that the amount of tax increments over the life of the District that would be attributable to county levies, assuming the county's share of the total local tax rate for all taxing jurisdictions remained the same, is \$488,610;
- (5) Additional information requested by the county or school district. The City is not aware of any standard questions in a county or school district written policy regarding tax increment districts and impact on county or school district services. The county or school district must request additional information pursuant to *M.S. Section 469.175 Subd. 2(b)* within 9 days after receipt of the TIF Plan.

No requests for additional information from the county or school district regarding the proposed development for the District have been received.

Subsection 2-14. Supporting Documentation

Pursuant to *M.S. Section 469.175, Subd. 1 (a), clause 7* the TIF Plan must contain identification and description of studies and analyses used to make the determination set forth in *M.S. Section 469.175, Subd. 3, clause (b)(2)* and the findings are required in the resolution approving the District. Following is a list of reports and studies on file at the City that support the City's findings:

- **Planning Commission reports/workshops:** 8/28/2012
- **EDA Staff Reports:** 9/10/2012; 8/13/2012; 7/09/2012
- **City Council Reports:** 9/04/2012

Subsection 2-15. Definition of Tax Increment Revenues

Pursuant to *M.S., Section 469.174, Subd. 25*, tax increment revenues derived from a tax increment financing district include all of the following potential revenue sources:

1. Taxes paid by the captured net tax capacity, but excluding any excess taxes, as computed under *M.S., Section 469.177*;
2. The proceeds from the sale or lease of property, tangible or intangible, to the extent the property was purchased by the Authority with tax increments;
3. Principal and interest received on loans or other advances made by the Authority with tax increments;
4. Interest or other investment earnings on or from tax increments;
5. Repayments or return of tax increments made to the Authority under agreements for districts for which the request for certification was made after August 1, 1993; and
6. The market value homestead credit paid to the Authority under *M.S., Section 273.1384*.

Subsection 2-16. Modifications to the District

In accordance with *M.S., Section 469.175, Subd. 4*, any:

1. Reduction or enlargement of the geographic area of the District, if the reduction does not meet the requirements of *M.S., Section 469.175, Subd. 4(e)*;
2. Increase in amount of bonded indebtedness to be incurred;
3. A determination to capitalize interest on debt if that determination was not a part of the original TIF Plan;
4. Increase in the portion of the captured net tax capacity to be retained by the City;
5. Increase in the estimate of the cost of the District, including administrative expenses, that will be paid or financed with tax increment from the District; or
6. Designation of additional property to be acquired by the City, shall be approved upon the notice and after the discussion, public hearing and findings required for approval of the original TIF Plan.

Pursuant to *M.S., Section 469.175 Subd. 4(f)*, the geographic area of the District may be reduced following the date of certification of the original net tax capacity by the county auditor, but shall not be enlarged after five years following the date of certification of the original net tax capacity by the county auditor. If an economic development district is enlarged, the reasons and supporting facts for the determination that the addition to the District meets the criteria of *M.S., Section 469.174, Subd. 12*, must be documented in writing and retained. The requirements of this paragraph do not apply if (1) the only modification is elimination of parcel(s) from the District and (2) (A) the current net tax capacity of the parcel(s) eliminated from the District equals or exceeds the net tax capacity of those

parcel(s) in the District's original net tax capacity or (B) the City agrees that, notwithstanding *M.S., Section 469.177, Subd. 1*, the original net tax capacity will be reduced by no more than the current net tax capacity of the parcel(s) eliminated from the District. Economic Development districts, for which the request for certification date was made after June 30, 2009, may be enlarged provided the request for certification date of the enlargement is made prior to June 30, 2012.

The City must notify the County Auditor of any modification to the District. Modifications to the District in the form of a budget modification or an expansion of the boundaries will be recorded in the TIF Plan.

Subsection 2-17. Administrative Expenses

In accordance with *M.S., Section 469.174, Subd. 14*, administrative expenses means all expenditures of the City, other than:

1. Amounts paid for the purchase of land;
2. Amounts paid to contractors or others providing materials and services, including architectural and engineering services, directly connected with the physical development of the real property in the District;
3. Relocation benefits paid to or services provided for persons residing or businesses located in the District;
or
4. Amounts used to pay principal or interest on, fund a reserve for, or sell at a discount bonds issued pursuant to *M.S., Section 469.178*; or
5. Amounts used to pay other financial obligations to the extent those obligations were used to finance costs described in clauses (1) to (3).

For districts for which the request for certification were made before August 1, 1979, or after June 30, 1982, and before August 1, 2001, administrative expenses also include amounts paid for services provided by bond counsel, fiscal consultants, and planning or economic development consultants. Pursuant to *M.S., Section 469.176, Subd. 3*, tax increment may be used to pay any authorized and documented administrative expenses for the District up to but not to exceed 10 percent of the total estimated tax increment expenditures authorized by the TIF Plan or the total tax increments, as defined by *M.S., Section 469.174, Subd. 25, clause (1)*, from the District, whichever is less.

For districts for which certification was requested after July 31, 2001, no tax increment may be used to pay any administrative expenses for District costs which exceed ten percent of total estimated tax increment expenditures authorized by the TIF Plan or the total tax increments, as defined in *M.S., Section 469.174, Subd. 25, clause (1)*, from the District, whichever is less.

Pursuant to *M.S., Section 469.176, Subd. 4h*, tax increments may be used to pay for the County's actual administrative expenses incurred in connection with the District and are not subject to the percentage limits of *M.S., Section 469.176, Subd. 3*. The county may require payment of those expenses by February 9 of the year following the year the expenses were incurred.

Pursuant to *M.S., Section 469.177, Subd. 11*, the County Treasurer shall deduct an amount (currently .36 percent) of any increment distributed to the City and the County Treasurer shall pay the amount deducted to the State Treasurer for deposit in the state general fund to be appropriated to the State Auditor for the cost of financial reporting of tax increment financing information and the cost of examining and auditing authorities' use of tax increment financing. This amount may be adjusted annually by the Commissioner of Revenue.

Subsection 2-18. Limitation of Increment

The tax increment pledged to the payment of bonds and interest thereon may be discharged and the District may be terminated if sufficient funds have been irrevocably deposited in the debt service fund or other escrow account held in trust for all outstanding bonds to provide for the payment of the bonds at maturity or redemption date.

Pursuant to *M.S., Section 469.176, Subd. 6:*

if, after four years from the date of certification of the original net tax capacity of the tax increment financing district pursuant to M.S., Section 469.177, no demolition, rehabilitation or renovation of property or other site preparation, including qualified improvement of a street adjacent to a parcel but not installation of utility service including sewer or water systems, has been commenced on a parcel located within a tax increment financing district by the authority or by the owner of the parcel in accordance with the tax increment financing plan, no additional tax increment may be taken from that parcel and the original net tax capacity of that parcel shall be excluded from the original net tax capacity of the tax increment financing district. If the authority or the owner of the parcel subsequently commences demolition, rehabilitation or renovation or other site preparation on that parcel including qualified improvement of a street adjacent to that parcel, in accordance with the tax increment financing plan, the authority shall certify to the county auditor that the activity has commenced and the county auditor shall certify the net tax capacity thereof as most recently certified by the commissioner of revenue and add it to the original net tax capacity of the tax increment financing district. The county auditor must enforce the provisions of this subdivision. The authority must submit to the county auditor evidence that the required activity has taken place for each parcel in the district. The evidence for a parcel must be submitted by February 1 of the fifth year following the year in which the parcel was certified as included in the district. For purposes of this subdivision, qualified improvements of a street are limited to (1) construction or opening of a new street, (2) relocation of a street, and (3) substantial reconstruction or rebuilding of an existing street.

The City or a property owner must improve parcels within the District by approximately July 2017 and report such actions to the County Auditor.

Subsection 2-19. Use of Tax Increment

The City hereby determines that it will use 100 percent of the captured net tax capacity of taxable property located in the District for the following purposes:

1. To pay the principal of and interest on bonds issued to finance a project;
2. To finance, or otherwise pay the capital and administration costs of Municipal Development District No. 2 pursuant to *M.S., Sections 469.124 to 469.134;*
3. To pay for project costs as identified in the budget set forth in the TIF Plan;
4. To finance, or otherwise pay for other purposes as provided in *M.S., Section 469.176, Subd. 4;*
5. To pay principal and interest on any loans, advances or other payments made to or on behalf of the City or for the benefit of Municipal Development District No. 2 by a developer;
6. To finance or otherwise pay premiums and other costs for insurance or other security guaranteeing the payment when due of principal of and interest on bonds pursuant to the TIF Plan or pursuant to *M.S., Chapter 462C. M.S., Sections 469.152 through 469.165, and/or M.S., Sections 469.178;* and

7. To accumulate or maintain a reserve securing the payment when due of the principal and interest on the tax increment bonds or bonds issued pursuant to *M.S., Chapter 462C, M.S., Sections 469.152 through 469.165, and/or M.S., Sections 469.178.*

These revenues shall not be used to circumvent any levy limitations applicable to the City nor for other purposes prohibited by *M.S., Section 469.176, Subd. 4.*

Tax increments generated in the District will be paid by Ramsey County to the City for the Tax Increment Fund of said District. The City will pay to the developer(s) annually an amount not to exceed an amount as specified in a developer's agreement to reimburse the costs of land acquisition, public improvements, demolition and relocation, site preparation, and administration. Remaining increment funds will be used for City administration (up to 10 percent) and the costs of public improvement activities outside the District.

Subsection 2-20. Excess Increments

Excess increments, as defined in *M.S., Section 469.176, Subd. 2,* shall be used only to do one or more of the following:

1. Prepay any outstanding bonds;
2. Discharge the pledge of tax increment for any outstanding bonds;
3. Pay into an escrow account dedicated to the payment of any outstanding bonds; or
4. Return the excess to the County Auditor for redistribution to the respective taxing jurisdictions in proportion to their local tax rates. The City must spend or return the excess increments under paragraph (c) within nine months after the end of the year. In addition, the City may, subject to the limitations set forth herein, choose to modify the TIF Plan in order to finance additional public costs in Municipal Development District No. 2 or the District.

Subsection 2-21. Requirements for Agreements with the Developer

The City will review any proposal for private development to determine its conformance with the Development Program and with applicable municipal ordinances and codes. To facilitate this effort, the following documents may be requested for review and approval: site plan, construction, mechanical, and electrical system drawings, landscaping plan, grading and storm drainage plan, signage system plan, and any other drawings or narrative deemed necessary by the City to demonstrate the conformance of the development with City plans and ordinances. The City may also use the Agreements to address other issues related to the development.

Pursuant to *M.S., Section 469.176, Subd. 5,* no more than 25 percent, by acreage, of the property to be acquired in the District as set forth in the TIF Plan shall at any time be owned by the City as a result of acquisition with the proceeds of bonds issued pursuant to *M.S., Section 469.178* to which tax increments from property acquired is pledged, unless prior to acquisition in excess of 25 percent of the acreage, the City concluded an agreement for the development of the property acquired and which provides recourse for the City should the development not be completed.

Subsection 2-22. Assessment Agreements

Pursuant to *M.S., Section 469.177, Subd. 8,* the City may enter into a written assessment agreement in recordable form with the developer of property within the District which establishes a minimum market value of the land and

completed improvements for the duration of the District. The assessment agreement shall be presented to the County Assessor who shall review the plans and specifications for the improvements to be constructed, review the market value previously assigned to the land upon which the improvements are to be constructed and, so long as the minimum market value contained in the assessment agreement appears, in the judgment of the assessor, to be a reasonable estimate, the County Assessor shall also certify the minimum market value agreement.

Subsection 2-23. Administration of the District

Administration of the District will be handled by the City Manager.

Subsection 2-24. Annual Disclosure Requirements

Pursuant to *M.S., Section 469.175, Subds. 5, 6, and 6b* the City must undertake financial reporting for all tax increment financing districts to the Office of the State Auditor, County Board and County Auditor on or before August 1 of each year. *M.S., Section 469.175, Subd. 5* also provides that an annual statement shall be published in a newspaper of general circulation in the City on or before August 15 .

If the City fails to make a disclosure or submit a report containing the information required by *M.S., Section 469.175 Subd. 5 and Subd. 6*, the OSA will direct the County Auditor to withhold the distribution of tax increment from the District.

Subsection 2-25. Reasonable Expectations

As required by the TIF Act, in establishing the District, the determination has been made that the anticipated development would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future and that the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the District permitted by the TIF Plan. In making said determination, reliance has been placed upon written representation made by the developer to such effects and upon City staff awareness of the feasibility of developing the project site(s) within the District. A comparative analysis of estimated market values both with and without establishment of the District and the use of tax increments has been performed as described above. Such analysis is included with the cash flow in Appendix D, and indicates that the increase in estimated market value of the proposed development (less the indicated subtractions) exceeds the estimated market value of the site absent the establishment of the District and the use of tax increments.

Subsection 2-26. Other Limitations on the Use of Tax Increment

1. General Limitations. All revenue derived from tax increment shall be used in accordance with the TIF Plan. The revenues shall be used to finance, or otherwise pay the capital and administration costs of Municipal Development District No. 2 pursuant to *M.S., Sections 469.124 to 469.134*. Tax increments may not be used to circumvent existing levy limit law. No tax increment may be used for the acquisition, construction, renovation, operation, or maintenance of a building to be used primarily and regularly for conducting the business of a municipality, county, school district, or any other local unit of government or the state or federal government. This provision does not prohibit the use of revenues derived from tax increments for the construction or renovation of a parking structure.

2. Pooling Limitations. At least 80 percent of tax increments from the District must be expended on activities in the District or to pay bonds, to the extent that the proceeds of the bonds were used to finance activities within said district or to pay, or secure payment of, debt service on credit enhanced bonds. Not more than 20 percent of said tax increments may be expended, through a development fund or otherwise, on activities outside of the District except to pay, or secure payment of, debt service on credit enhanced bonds. For purposes of applying this restriction, all administrative expenses must be treated as if they were solely for activities outside of the District.
3. Five Year Limitation on Commitment of Tax Increments. Tax increments derived from the District shall be deemed to have satisfied the 80 percent test set forth in paragraph (2) above only if the five year rule set forth in *M.S., Section 469.1763, Subd. 3*, has been satisfied; and beginning with the sixth year following certification of the District, 80 percent of said tax increments that remain after expenditures permitted under said five year rule must be used only to pay previously committed expenditures or credit enhanced bonds as more fully set forth in *M.S., Section 469.1763, Subd. 5*.

Subsection 2-27. Summary

The City of Shoreview is establishing the District to preserve and enhance the tax base; to facilitate the creation of 180 new employment positions; to enable the construction of a 57,200 square foot building expansion and corresponding parking and site improvement for TSI, Inc. The TIF Plan for the District was prepared by Kirstin Barsness, Development Consultant, 24438 Imperial Court, Forest Lake, Minnesota 55025, telephone 651-408-1032. Reviewed by Robert Deike, attorney, Bradley & Deike, 4018 West 65th Street Suite 100, Edina, Minnesota 55435, telephone 952-926-5337.

Appendix A

Project Description

The proposed Tax Increment District No. 9 (the "District") is to facilitate to preserve and enhance the tax base; to facilitate the creation of 180 new employment positions; to enable the construction of a 57,200 square foot building expansion and corresponding parking and site improvement for TSI, Inc. within the City of Shoreview.

Company Background

TSI, Inc. serves a global market by investigating, identifying and solving measurement problems. The company is an industry leader in the design and production of precision measurement instruments. They partner with research institutions and customers around the world to set the standard for measurements relating to aerosol science, air flow, indoor air quality, fluid dynamics, biohazard detection, and chemical speciation. TSI, Inc. serves industry, government, and research institutions from their US locations in Shoreview, Minnesota and Seattle, Washington, and their overseas offices in High Wycombe, United Kingdom; Aachen, Germany; Marseille, France; Bangalore, India; Singapore; Shanghai, China, and Beijing, China.

The Shoreview expansion will not only create employment opportunities, but retain a long-term Shoreview company. TSI's owner has shown no reluctance to move jobs and locations when economics or other business or tax considerations favor such action. In the past, TSI has relocated acquired businesses and attendant jobs. Additionally, employment positions have moved within the number of companies owned by this individual, including additions to the Shoreview location's employee complement. Conversely, it should also be noted that at the owner's direction, a Tennessee located company has moved to Austin, TX, and a Plymouth, MN based company will be moving next year to Sioux Falls.

Project Information

TSI is proposing to construct a 2 story, 28,600 square foot (per floor) addition on the south end of the current building. The building style and look will match the current building addition of 1995. A parking lot will be constructed adjacent to the west end of the addition and will include approximately 200 parking stalls. Storm water management will be underground in order to maximize parking on the site.

The majority of the expansion space will be for Engineering and Operations staff. TSI anticipates adding approximately 180 new jobs with a large percentage being high paying engineering positions: Mechanical, electrical and software engineering. The remainder of the positions will be a mix of professional: Sales, marketing, HR, IT positions as well as some manufacturing positions.

In order to accommodate business growth TSI has identified 4 key areas in the current facility that need renovation:

- 1) Improvements to existing land for expanded parking (including underground storm water storage)
- 2) Improvements to the building for freight/loading dock access
- 3) Move the current machine shop and repurpose / renovate that space into conference and office space
- 4) Move inventory storage from mezzanine (building 2) to lower level in order to support Lean manufacturing processes. Potentially renovate or remove mezzanine in order to provide better flow and movement throughout the building.

The developer has provided a list of TIF eligible activities in excess of \$1,980,000 including, but not limited to, site improvements, utilities, and parking facilities.

The Total Project cost is estimated to be approximately \$ 7,090,000. The proposed Source and Use is depicted below and is subject to change until the project is constructed. The table does not represent the interest accrued on the inter-fund loan:

USE		SOURCE	
Site Development	500,000	Primary Lender*	6,090,000
Building Cost	4,715,000	Equity*	500,000
Architectural/Engineering	396,000	TIF Request*	500,000
Parking/Storm water	650,000		
Interest During Construction	184,000		
Contingencies	645,000		
TOTAL	\$ 7,090,000		\$7,090,000

Note: All funding sources depicted with a * are subject to change until project is constructed.

Appendix B

Map of Tax Increment District No. 9 TSI, Inc.



Appendix C

Description of Property to be Included in the District

The District encompasses the following portions of property and adjacent rights-of-way and abutting roadways identified by the parcel listed below.

PARCEL NUMBERS	PERCENT IN TO BE IN DISTRICT	OWNER
36.30.23.22.0019	100%	TSI, Inc.

Appendix D

TSI, Inc.
City of Shoreview
 Economic Development District

T.I.F. CASH FLOW ASSUMPTIONS			
District	Economic Development		
Inflation Rate - Every _ Years			1.00%
Pay-As-You-Go Interest Rate:			5.00%
Note Issued Date (Present Value Date):		01-Aug-13	
Local Tax Rate - Frozen		133.8220%	Pay 2012
Fiscal Disparities Election (A - inside or B outside)		N/A	
Year District was certified		Pay 2012	
Assumes First Tax Increment For District		2014	
Years of Tax Increment		9	
Assumes Last Year of Tax Increment		2022	
Fiscal Disparities Ratio		37.2221%	
Fiscal Disparities Metro Wide Tax Rate		N/A	
Local Tax Rate - Current		133.8220%	
State Wide Property Tax Rate (Used for total taxes)		N/A	
Market Value Tax Rate (used for total taxes)		N/A	
Commercial Industrial Class Rate		1.5%-2.0%	
First 150,000		1.50%	
Over 150,000		2.00%	
Rental Class Rate		1.25%	Pay 2012
Residential Class Rate - Under \$500,000		1.00%	
Over \$500,000		1.25%	

BASE VALUE INFORMATION (Original Tax Capacity)							
PID	Land Market Value	Building Market Value	Total Original Market Value	Tax Year Original Market Value	Property Tax Class Rate	Original Tax Capacity	Original Tax Capacity
36.30.23.22.0019	2,472,500	5,600,400	8,072,900	2013	Comm/Ind	160,708	160,708
Totals			8,072,900				160,708

PROJECT INFORMATION						
Use	Total Sq. Ft.	Est. Market Value Per Sq. Ft.	Total Estimated Market Value	Property Tax Class Rate	Project Tax Capacity	Percentage Completed 2013
TSI	198,413	63	12,500,000	Comm/Ind	249,250	100%
TOTAL						

Note:

1. Market Value is on a preliminary estimate provided by the Ramsey County Assessor's Office. The value will be finalized after construction.

TAX CALCULATIONS				
Use	Total Tax Capacity	Captured Tax Capacity	Fiscal Disparities Reduction	Revised Captured Tax Capacity
TSI	249,250	88,542	32,957	55,585

Note:

1. Taxes and tax increment will vary significantly from year to year depending upon value, rates, state laws and other factors.

2. Development Program is located in School District #621

Appendix D

TSI, INC.
CITY OF SHOREVIEW
ECONOMIC DEVELOPMENT DISTRICT

TAX INCREMENT CASH FLOW												
Project Tax Capacity	Original Tax Capacity	Revised Captured Tax Capacity	Local Tax Rate	Annual Gross Tax Increment	Semi-Annual Gross Tax Increment	State Auditor 0.36%	Admin. at 10.00%	Semi-Annual Net Tax Increment	Semi-Annual Present Value	PERIOD ENDI Yrs.	Tax Year	Payment Date
-	160,708	0	1.338220%	0	0	0	0	0	0			8/1/2013
249,250	160,708	55,585	1.338220%	66,410	33,205	120	3,309	29,777	0	0.5	2014	2/1/2014
251,743	160,708	57,150	1.338220%	76,479	38,239	138	3,810	34,292	\$54,827	1.0	2014	8/1/2014
254,280	160,708	58,730	1.338220%	78,594	39,297	141	3,816	35,240	\$84,936	1.5	2015	2/1/2015
256,803	160,708	60,326	1.338220%	80,730	40,365	145	4,022	36,198	\$114,505	2.0	2015	8/1/2015
259,371	160,708	61,938	1.338220%	82,887	41,444	149	4,129	37,165	\$144,151	2.5	2016	2/1/2016
261,964	160,708	63,567	1.338220%	85,066	42,533	153	4,238	38,142	\$173,074	3.0	2016	8/1/2016
264,584	160,708	65,211	1.338220%	87,267	43,633	157	4,348	39,129	\$202,201	3.5	2017	2/1/2017
267,230	160,708	66,872	1.338220%	89,490	44,745	161	4,458	40,125	\$230,326	4.0	2017	8/1/2017
269,902	160,708	68,550	1.338220%	91,735	45,867	165	4,570	41,132	\$258,661	4.5	2018	2/1/2018
						165	4,570	41,132	\$286,295	5.0	2018	8/1/2018
						165	4,570	41,132	\$313,964	5.5	2019	2/1/2019
						165	4,570	41,132	\$340,959	6.0	2019	8/1/2019
						165	4,570	41,132	\$367,975	6.5	2020	2/1/2020
						165	4,570	41,132	\$394,333	7.0	2020	8/1/2020
						165	4,570	41,132	\$420,704	7.5	2021	2/1/2021
						165	4,570	41,132	\$446,431	8.0	2021	8/1/2021
						165	4,570	41,132	\$472,180	8.5	2022	2/1/2022
						165	4,570	41,132	\$497,281	9.0	2022	8/1/2022
Totals					738,656	2,659	73,600	662,397				
Present Value Date 8-1-13					564,509	1,996	65,251	497,261				

NOTES:

1. State Auditor payment is based upon 1st half, pay 2012 actual and may increase over term of district
2. Assumes development in constructed in 2012/2013, assessed in 2013 and first increment is paid in 2014.
3. Amount of increment will vary depending upon market value, tax rates, class rates, construction schedule and inflation on Market Value.
4. Inflation on tax rates cannot be captured.
5. TIF does not capture state wide property taxes or market value property taxes

Appendix E

Findings Including But/For Qualifications

The reasons and facts supporting the findings for the adoption of the Tax Increment Financing Plan for Tax Increment Financing District No. 9 as required pursuant to *M.S., Section 469.175, Subd. 3* are as follows:

1. Finding that the Tax Increment Financing District No. 9 is an economic development district as defined in *M.S., Section 469.174, Subd. 12*. Tax Increment Financing District No. 9 is a contiguous geographic area within the City's Municipal Development District No. 2, delineated in the TIF Plan, for the purpose of financing redevelopment in the City through the use of tax increment. The District is in the public interest because it will assist the developer with site preparation, storm water management and other TIF eligible improvements to expand their current manufacturing operation by 57,200 square feet and create 180 new employment opportunities within the City of Shoreview. Additionally, it will increase construction employment in the state, and preserve and enhance the tax base of the state.
2. *Finding that the proposed development, in the opinion of the City Council, would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future and that the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of Tax Increment Financing District No. 9 permitted by the TIF Plan.*

The proposed development, in the opinion of the City, would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future: It is the City's finding that the site configuration and limited geographic area create an expansion site for TSI that is only successful through modifications and repurposing of the existing building, stacking of the expansion space, and incorporation of the underground storm water management system. These elements add additional expense to the project that it would not encounter is building on a undeveloped site.

The increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the TIF District permitted by the TIF Plan: The City supported this finding on the grounds that the cost of renovating the existing space, the increase in footing size for the two-story expansion space and the need to install an underground storm water management system in order to accommodate the parking need for the additional 180 employees add to the total development costs if solely paid by the developer. The City reasonably determines that no other development of similar scope is anticipated on this site without substantially similar assistance being provided to the development given the site configuration, limited buildable area and parking considerations.

Therefore, the City concludes as follows:

- a. The City's estimate of the amount by which the market value of the entire District will increase without the use of tax increment financing is \$0.

- b. If the proposed development occurs, the total increase in market value will be \$4,427,100 (see Appendix D and E of the TIF Plan)
- c. The present value of tax increments from the District for the maximum duration of the district permitted by the TIF Plan is estimated to be \$554,509 (see Appendix D of the TIF Plan).
- d. Even if some development other than the proposed development were to occur, the Council finds that no alternative would occur that would produce a market value increase greater than \$3,872,591 (the amount in clause b less the amount in clause c) without tax increment assistance.

But-For Analysis	
Current Market Value	8,072,900
New Market Value - Estimate	12,500,000
Difference	4,427,100
Present Value of Tax Increment	554,509
Difference	3,872,591
Value Likely to Occur without TIF is less than	\$3,872,591

- 3. *Finding that the TIF Plan for Tax Increment Financing District No. 9 conforms to the general plan for the development or redevelopment of the municipality as a whole.*

The Planning Commission reviewed the TIF Plan and found that the TIF Plan conforms to the general development plan of the City.

- 4. *Finding that the Tax Increment Financing Plan for Tax Increment Financing District No. 9 will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the development of Municipal Development District No. 2 by private enterprise.*

The project to be assisted by the District will result in increased employment in the City and the State of Minnesota, increased tax base of the State, retain an existing Minnesota business, and add a high quality development to the City.

PROPOSED MOTION

MOVED BY COMMISSION MEMBER: _____

SECONDED BY COMMISSION MEMBER: _____

To adopt Resolution No. 12-74, finding that the modification to Development District No. 2 and Tax Increment Financing Plan for the proposed creation of Tax Increment Financing District No. 9 (an Economic Development District) for the expansion project by TSI, Incorporated conform to the general development and redevelopment plans of the City.

VOTE:

AYES: _____

NAYS: _____

Regular Planning Commission Meeting
August 28, 2012

TO: Planning Commission
FROM: Rob Warwick, Senior Planner
DATE: August 23, 2012
SUBJECT: Comprehensive Sign Plan Review, TCF Bank, 3836 Lexington Avenue, File 2456-12-19

INTRODUCTION AND BACKGROUND

TCF Bank has submitted an application for Comprehensive Sign Plan for the property at 3836 Lexington Avenue. The applicant proposes a sign plan for the new retail bank that has been approved for the property. The plans include three wall signs, a pylon sign with an integrated message center, two illuminated window signs, and traffic directional signs. The multiple wall signs, message center sign and illuminated window signs represent deviations from the Sign Code.

Deviations can be permitted with approval of a Comprehensive Sign Plan. The application was complete August 17, 2012.

PROJECT DESCRIPTION AND DEVELOPMENT CODE REQUIREMENTS

The property is located at the southeast corner of the intersection of Lexington Avenue and Red Fox Road. Access to the property is from both public streets via right-in-only, and a private driveway on the Target property immediately to the east. The property is located in the commercial area occupied by Target, the Exxon fuel station, Wendy's, and the Red Fox Road retail area the will be opened later this fall. TCF has conveyed an easement for a future gateway sign for this retail area. The 10- by 20-foot easement for this future monument sign is located on the northwest corner of the TCF property at the corner of Lexington and Red Fox Road.

The zoning designation is PUD, Planned Unit Development. The underlying zoning designation is C-2, General Commercial. The property is currently developed with a fuel station and vehicle service center and all of the existing improvements will be removed for the new TCF Bank.

A comprehensive sign plan is required when two or more signs of any single type are proposed for a project, and an approved plan may vary from the design and dimensional standards of the Sign Code. In this case, the total number of wall signs exceeds the one wall sign permitted by the Code. Three wall sign are proposed, one each on the north, east and west building elevations. A message center sign is proposed to be integrated into the freestanding pylon sign. The Sign Code specifies that message center signs are permitted only on sites developed with public/quasi-public land uses, and so here is permitted only as an approved deviation. Finally, two illuminated window signs are proposed for the bank, and such illuminated signs are otherwise not permitted. See the attached plans.

WALL SIGNS

One wall sign is permitted per principal structure, except when the structure faces two arterial roads in which case one sign facing each arterial is permitted. Wall signs are limited to a maximum size of 10% of the area of the building elevation to which they are affixed. This property has frontage on two streets but only one is an arterial, and so one wall sign is permitted by the Sign Code.

The three proposed wall signs all show the TCF logo and the signs are less than 10% of the area of the elevation to which the signs are affixed, as summarized in the table below.

Wall Signs	Dimensions	Sign Area	Wall Elevation Area	Percent
East Elevation	5'3" by 3'2"	16.6 sq ft.	537 sq ft.	3 %
West Elevation	5'3" by 3'2"	16.6 sq ft.	532 sq ft.	3 %
North Elevation	4'5" by 7'4"	32.4 sq ft.	812 sq ft.	3.9 %

FREESTANDING SIGN

A freestanding sign is proposed for the southwest corner of the property, setback 5-feet from the new Lexington Avenue right-of-way. The pylon sign is a cabinet style and internally illuminated. The pylon sign has an area of 30 square feet, including a message center sign that is about 10 square feet. The message center sign will principally be used to display the time and temperature and status of the drive up window, but is intended to provide the bank flexibility in advertising the full range of services provided by this TCF branch bank. The Sign Code permits pylon signs with a maximum height of 30-feet and a maximum area of 30 square feet, and so the proposed sign complies with height and size criteria. The pylon sign will be located approximately 150 feet from the retail area gateway sign, and so complies with the required 75-feet of sign separation required by the Sign Code.

Freestanding Sign	Dimensions	Sign Area	Height
Pylon	6.66 ft. by 4.5 ft.	30 sq ft.	20 ft.

Message Center signs are permitted only when on the site of a public/quasi-public land use per the Sign Code, and so this sign type is permitted for commercial use only with the approval of a Comprehensive Sign Plan. Message center signs in the C-2 District may not exceed 30 square feet of area. TCF plans to display the time and temperature on the message center sign and also identify services provided by the bank. Conditions are recommended to minimize the distraction the sign might present to drivers viewing the sign from Lexington Avenue.

A 30-foot high flag pole is proposed next to the entry on the north. The height complies with the 30-foot maximum specified in the Sign Code.

DIRECTIONAL AND OTHER SIGNAGE

There are also three signs on the canopy to identify the drive-up banking lanes. Each of these signs are less than 2 square feet in area and are permitted since the area of the signs does not exceed 10% of the canopy fascia area.

Traffic directional signs are allowed, provided they are as small and low to the ground as necessary to convey the message. There are nine traffic directional signs proposed for the site. Five of these are double faced signs. The number of directional signs is due to the traffic flow that results having three vehicular access points but only one of which allows vehicular egress from the site. The Director of Public Works has reviewed the proposed sign plan, noting the sizes and locations are acceptable, except for several signs located within the new Red Fox Road right-of-way. The applicant has agreed to locate those signs within the new property lines. See the attached comments.

The sign package also includes two illuminated window signs identifying that the bank is open and offers Western Union services. The window signs are approximately 10 inches by 5 feet (about 4 sq. ft. each) less than the maximum 33% of the window area and so comply with size requirements of the Sign Code. However illuminated window signs are not permitted and so require represent a deviation that must be approved with a Sign Plan.

STAFF REVIEW

Comprehensive Sign Plan review considers five elements governing sign design within the site: location, materials, size, color and illumination. When a deviation is proposed approval shall be based on findings. These findings are reviewed below:

1. *The plan proposes signs consistent in color, size and materials throughout the site for each type of proposed sign.* Each type of sign (Wall, Traffic Directional, etc.) uses uniform color and materials, and with colors generally based on the TCF logo.
2. *Approving the deviation is necessary to relieve a practical difficulty existing on the property.* The business needs visibility from each elevation facing an access point and that the proposed signs provide that needed visibility. Staff believes that lot access presents a practical difficulty that warrants additional business identification. The corner location at the intersection of Lexington (an arterial) and Red Fox Road (a local street) also contributes to the practical difficulty since Red Fox is the main road for this retail area, but is classified as a local road.
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 signs proposed give a uniform appearance to each building elevation facing a vehicular access point. Message center signs are not uncommon at bank facilities. Use of the message center is reasonable and consistent with previous City decisions regarding message center signs.

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 access to the lot and building is unique for this property with two points of ingress that are right turn only, and only one point of egress. The three wall signs have a total area of approximately 64 sq. ft. with each wall sign comprising about 3% of the wall elevation area to which the signs are affixed, less than the 10% permitted by Code.
5. *The resulting sign plan is effective, functional, attractive and compatible with community standards.* The sign plan proposes signs with design and sign areas that generally conform to the provisions of Code.

REQUEST FOR COMMENT

Property owners within 350 feet of the site were notified of the requests. No public comments have been submitted in response to the notice.

RECOMMENDATION

Staff reviewed the proposal in accordance with the sign criteria and has no concerns regarding the proposed signage.

If the Planning Commission concurs with the Staff and is able to make affirmative findings for the proposal, the application should be forwarded to the City Council with a recommendation for approval, with the following conditions:

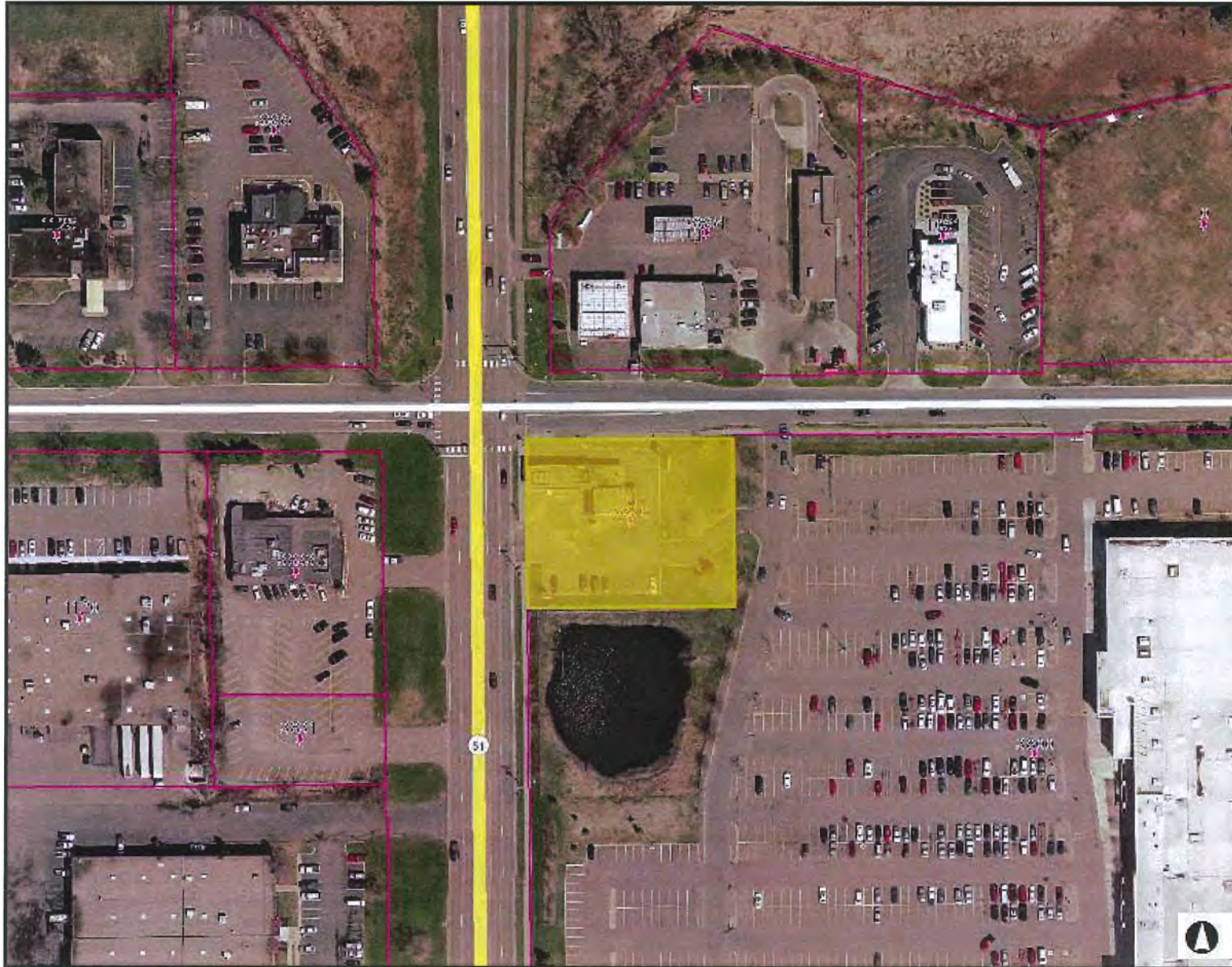
- A. The signs shall comply with the plans submitted for the Comprehensive Sign Plan application. Any significant change will require review by the Planning Commission and City Council.
- B. The applicant shall obtain a sign permit prior to the installation of any signs on the property.
- C. The message center sign shall:
 1. Display text using a single color font, and letter height sufficient to be readable by passing motorists without distraction.
 2. Messages shall be limited to allow passing motorists to read the entire copy.
 3. No graphics shall be displayed on the message center.
 4. Messages shall be displayed for a minimum of 10 seconds, and shall change instantaneously.
 5. Messages be presented in a static display, and shall not scroll, flash, blink or fade.

- D. Traffic Directional signs shall not be located in the public street right-of-way without the authorization of the appropriate jurisdictional agency.

Attachments:

1. Location Map
2. Submitted Plans
3. Comment from Mark Maloney, Director of Public Works
4. Proposed Motion

T:/2012 pcf/2456-12-19 3836 lexington TCF sign plan.doc



Legend

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

Notes

3836 Lexington Avenue

293.3 0 146.64 293.3 Feet

NAD_1983_HARN_Adj_MN_Ramsey_Feet
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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



Robert Warwick <rwarwick@shoreviewmn.gov>

Shoreview TCF Bank Sign

Mike Kraft <MKraft@htg-architects.com>

Wed, Aug 22, 2012 at 1:18 PM

To: Robert Warwick <rwarwick@shoreviewmn.gov>, "dnelson2@tcfbank.com" <dnelson2@tcfbank.com>

Cc: Kathleen Nordine <knordine@shoreviewmn.gov>, John Zum <JZum@htg-architects.com>

Rob,

1. We agree that the directional signs are to be within the 'new' property lines.
2. The message center is intended to provide information beyond just time/temp and drive-up status. TCF would like to maximize use of the message center in terms of messages. We understand that the Shoreview Community Center sign has messages that change about every 10 seconds. TCF would like similar capabilities.

MikeK

From: Robert Warwick [mailto:rwarwick@shoreviewmn.gov]

Sent: Wednesday, August 22, 2012 12:15 PM

To: dnelson2@tcfbank.com

Cc: Mike Kraft

Subject: Shoreview TCF Bank Sign

[Quoted text hidden]

8/22/12

Shoreviewmn.gov Mail - TCF Traffic Control and Directional Signage



Robert Warwick <rwarwick@shoreviewmn.gov>

TCF Traffic Control and Directional Signage

1 message

Mark Maloney <mmaloney@shoreviewmn.gov>

Wed, Aug 22, 2012 at 10:26 AM

To: "WARWICK, ROBERT" <rwarwick@shoreviewmn.gov>, "NORDINE, KATHLEEN" <knordine@shoreviewmn.gov>

Cc: "WESOLOWSKI, TOM" <twesolowski@shoreviewmn.gov>

Rob/Kathleen:

With regard to the Signage Review Package drawing dated August 3, 2012, the designs, sizes, heights and locations of the proposed on-site traffic and directional signage are acceptable with the exception of the signs shown within the proposed public right of way expansion along Red Fox Road. Those signs should be relocated outside of the area marked on the drawing as "New 10'-0" Right of Way" to avoid conflict with the road reconstruction project scheduled for Spring 2013.

Mark

—
Mark Maloney, Director of Public Works
City of Shoreview
4600 Victoria Street North
Shoreview, MN 55126
(651) 490-4651

MOTION

MOVED BY COMMISSION MEMBER: _____

SECONDED BY COMMISSION MEMBER: _____

To recommend the City Council approve the Comprehensive Sign Plan submitted by TCF Bank for 3836 Lexington Avenue, subject to the following conditions:

- A. 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.
- B. The applicant shall obtain a sign permit prior to the installation of any signs on the property.
- C. The message center sign shall:
 1. Display text using a single color font, and letter height sufficient to be readable by passing motorists without distraction.
 2. Messages shall be limited to allow passing motorists to read the entire copy.
 3. No graphics shall be displayed on the message center.
 4. Messages shall be displayed for a minimum of 10 seconds, and shall change instantaneously.
 5. Messages be presented in a static display, and shall not scroll, flash, blink or fade.
- D. Traffic Directional signs shall not be located in the public street right-of-way without the authorization of the appropriate jurisdictional agency.

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 (Wall, Traffic Directional, etc.) uses uniform color and materials, and with colors generally based on the TCF logo.*
2. *Approving the deviation is necessary to relieve a practical difficulty existing on the property. The business needs visibility from each elevation facing an access point and that the proposed signs provide that needed visibility. Staff believes that lot access presents a practical difficulty that warrants additional business identification. The corner location at the intersection of Lexington (an arterial) and Red Fox Road (a local street) also contributes to the practical difficulty since Red Fox is the main road for this retail area, but is classified as a local road.*
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 signs proposed give a uniform appearance to each building elevation facing a vehicular access point. Message center signs are not uncommon at bank facilities. Use of the message center is reasonable and consistent with previous City decisions regarding message center signs.*
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 access to the lot and building is unique for this property with two points of ingress that are right turn only, and only one point of egress. The three wall signs have a total area of approximately 64 sq. ft. with each wall sign comprising*

about 3% of the wall elevation area to which the signs are affixed, less than the 10% permitted by Code.

5. *The resulting sign plan is effective, functional, attractive and compatible with community standards.* The sign plan proposes signs with design and sign areas that generally conform to the provisions of Code.

VOTE:

AYES:

NAYS:

Regular Planning Commission Meeting
August 28, 2012

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

TO: Planning Commission
FROM: Kathleen Nordine, City Planner
DATE: August 23, 2012
SUBJECT: File No. 2457-12-20 – Site Plan Review/Variance, PAR Systems/Mission Construction, 655 West County Road E

Background

In 2008, PAR Systems acquired the former Ramsey County Sheriff's patrol station, 655 W. County Road E from the City of Shoreview and relocated their business operations to this property. PAR also owns the property immediately to the west, 707 County Road E, which is used for manufacturing and warehouse. The City conveyed the subject property to PaR Systems, as part of an economic development and business retention project. PaR Systems is a longstanding Shoreview based high tech robotics firm that was previously located in the Highway 96 corridor. For PaR, the acquisition of this property provided the land area needed for the future expansion of their business facilities and operations.

At the time of acquisition, land use approvals were granted to change the land use designation to BPK, Business Park; and the zoning of the property to BP, Business Park. PaR's business includes office, warehouse and production uses which are consistent with other land uses in the area and permitted with the Business Park land use and zoning designations.

Under the terms of a financial development agreement between PaR Systems and the City of Shoreview, PaR Systems agreed to obtain Planned Unit Development zoning and prepare a master development plan for both this property and the 707 County Road E property when major improvements were being proposed. PaR Systems also agreed that at the time of redevelopment of this property, the City could require improvements to the 707 property in order to comply with current standards. (primarily stormwater management and parking lot areas).

PaR recently approached the City with their imminent need to expand their facility to accommodate their production commitments. While PaR understands the terms of the previous agreement, initiating the PUD process for the proposed improvements would delay their project and affect their ability to meet their commitments. As such, the proposed improvements are being processed through the Site and Building Plan Review and Variance process in order to expedite the project. To fulfill the terms of the previous agreement, a condition will be placed upon any approvals requiring PaR to submit the needed PUD applications within a specified time period or upon the proposal of other major improvements, whichever comes first.

Request

Mission Construction, on behalf of PaR Systems, has submitted the following applications:

1. Site and Building Plan Review – for the construction of a manufacturing/warehouse/office building

2. Variance – to the City’s standards pertaining the minimum setback for a parking area from the front property line.

Project Description

PaR Systems, Inc. has established their corporate campus in the County Road E corridor at 707 and 655 County Road E. The two-story 18,000 square foot building at 655 is currently used as office. The lower level of the building is also sublet to another business.

PaR is proposing to retain this structure since they have recently reinvested in it by remodeling it to serve their needs. A new 45,760 square foot manufacturing/warehouse and office building is proposed to the east of the existing structure. The existing parking area will be expanded to the east. A new driveway entry is proposed off of County Road E, leading to a new parking area along the eastern property line. Stormwater generated by the new improvements will be directed to a proposed ponding area located along the north property line. Two existing wetlands on the property will remain.

Development Code

The property is located in the BP, Business Park zoning district which has been established to provide areas for low intensity office, light industrial and supporting commercial uses located in appropriate areas. Permitted uses include but are not limited to light manufacturing, high-tech research and development, office, office/showroom and research laboratories. The proposed use of the new building is consistent with this designation. PAR Systems designs and builds automated and robotic material handling equipment and is classified as industrial use.

Standards are established for development in this district. The proposed development plan requires the following variances:

- 1) To reduce the required 20-foot setback of a parking area from the front property line to 6.2 feet

Staff Review

The submitted plans have been reviewed in accordance with the standards for the BPK, Business Park District. The following discussion addresses the key issues associated with this proposal.

Architectural Design

The exterior of the building is designed with a variety of materials including: precast white metal panels and precast concrete panels for the warehouse and manufacturing portions of the building and EIFS (synthetic stucco) and glass for the office area. The materials are similar to those used in the building at 707 County Road E. While these materials are acceptable, staff is asking the applicant to enhance the building by adding a brick material similar to that which is used on the existing office building to provide some architectural interest in the structure and tie it into the existing site improvements.

Building Height

The proposed building has a height of 66' as measured from the lowest ground grade to the parapet of the roof. Structures in the Business Park District are limited to a maximum height of 35'. The 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'.

Lake Johanna Fire Department has reviewed the proposed plans and indicated that the proposed height is not of concern because the Department has trained staff and the equipment needed to respond to a fire in a taller building. The building is also required to have a fire suppression system.

The proposed building setbacks do comply with the additional setback requirements:

	Code Requirement	Proposed Setback
Front	106 feet	114 feet
Side	61 feet	125 feet
Rear	61 feet	125 feet

Parking

The site is currently developed with an off-street parking area that has two access driveways off of County Road E and provides 90 stalls. This parking lot is located within a few feet of the County Road E right-of-way, encroaching upon the required 20' setback, This parking area will be expanded to the east, providing another 27 stalls.

A separate off-street parking lot designed with 40 stalls is proposed east of the new building along the eastern lot line. The eastern corner of this proposed parking lot is setback 6.2' from the County Road E right-of-way, encroaching upon the required 20-foot setback. The right-of-way width for County Road E is larger adjacent to the eastern portion of the building thereby impacting the setback. The applicant is seeking a variance to this requirement.

In accordance with the Development Code, 230 off-street parking stalls are required for the development site (including the existing office building). One hundred fifty-seven stalls are provided. PaR has indicated that the proposed parking is adequate for the existing and proposed use of the property. A deviation from the parking standards is permitted in certain circumstances; however, proof of parking does need to be identified on the plan. The plans and written statements submitted do not provide the needed information to permit a deviation through the site and building plan review, therefore, a variance is being processed.

Environmental Impacts (wetlands, trees and landscaping)

The property does contain two wetlands. One wetland is located in the northwestern corner of the property while the other one is located near the southeast corner of the property and is partially located in the County Road E right-of-way. These wetlands have not yet been delineated.

The submitted plans do identify a 16.5' buffer around both wetland areas. The proposed driveway off of County Road E partially encroaches upon this buffer. Grading within the buffer area is also needed for this driveway.

A tree inventory/replacement and landscape plan were also submitted and considered incomplete. The plan does not identify existing vegetation and landscaping for the entire site. Furthermore, there is some question regarding the counts provided for the number of landmark trees being removed.

The Development Code also requires a minimum area equal to 20% of the parking and driveway surface areas to be designed with landscape islands. This percentage may be reduced to 10% in certain circumstances. Landscape islands are not proposed in the new parking areas. Further discussion is needed with the applicant regarding this matter.

Grading, Drainage and Stormwater Management

The eastern and northern portions of the property will be regraded for the site development. Existing drainage generally flows to the east and north. Stormwater runoff from the proposed parking areas will be directed to a series of catch basins that route the water to a stormwater pond along the north side of the property. This pond is designed with an outlet that ties into a public stormwater pipe along the north property line. A stormwater management plan with stormwater calculations has not yet been submitted to the City for review. Impervious surface coverage calculations are also not yet available.

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 variances is in keeping with the spirit and intent of the ordinance. Practical difficulty is defined as:

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

The applicant's statements regarding the proposed variances are attached. The existing right-of-way for County Road E varies in width along this section of the roadway. At the eastern corner of the property, the width of the right-of-way increases and creates practical difficulty when setbacks are applied. The staff concurs that hardship is present regarding the proposed 6.2' setback for the new parking area. The proposed setback exceeds the setback of the setback of an existing parking area on the property and also the parking area for the building immediately to the east (605 County Road E). If granted the variance will not alter the character of the neighborhood. Establishing the parking at the proposed setback is reasonable due to the existing site characteristics and parking needs for the property owner.

Public Comment

Notice of the submitted applications were mailed to property owners within 350' of the parcel. No comments have been received.

Comments were received from the Fire Marshal and are attached.

Recommendation

As stated earlier, PaR Systems is under some time constraints due to their production commitments and needs to start construction on this building in mid-September. Staff is anticipates this request will be heard by the City Council at their September 17th meeting. While the submitted application is considered incomplete, this item was scheduled for the Planning Commission's review to move this project forward. There are two options available to the Planning Commission. The first is to table this item, providing the applicant with the additional time needed to address issues that have been raised through the review process. If the Commission tables the request, a special meeting will need to be held the week of September 4th or September 10th. The second is to recommend approval of the application conditioned upon the applicant's submittal of additional information prior to the City Council review. Resolution 12-77 approving the requested variance is attached for the Commission's adoption. The staff is recommending the following conditions be attached to an approval:

Variance

1. Said approval is contingent upon City Council approval of the Site and Building Plan review.
2. The project must be completed in accordance with the plans submitted as part of the Variance application.
3. This approval will expire after one year if a building permit has not been issued for this project.
4. This approval is subject to a 5-day appeal period.

Site and Building Plan Reviews

1. Prior to review of said applications by the City Council, the following items shall be addressed:
 - A. A parking management plan shall be submitted to the City addressing: the existing and future parking needs for the property (655 County Road E), including but not limited to: the maximum number of employees working on site, hours of operation, employee shifts, the potential for shared parking with 707 County Road E, proof of parking.
 - B. Shared parking may be permitted provided information regarding the existing and future parking needs for the 707 building is provided to the City for review. A shared parking and maintenance agreement will be required between the two sites.
 - C. Submittal of a stormwater management plan, including stormwater calculations, that complies with the City's Surface Water Management Plan and stormwater regulations and policies.
 - D. Submittal of a wetland delineation by a qualified wetland specialist.

- E. County review and approval for the proposed new entry drive onto County Road E.
 - F. Submittal of a tree preservation and replacement plan for the entire property identifying vegetation/trees to be removed and replaced in accordance with Section 209.050, Vegetation and Woodlands
 - G. Submittal of a landscape plan for the entire property showing existing landscaping and proposed plant materials including specific plant and tree species, sizes, number and locations. Said plan shall address the City's requirements for landscape islands.
 - H. Calculation of impervious surface coverage for the existing and proposed site conditions.
2. Lighting on site shall comply with Section 204.030, Glare of the Development Code. The applicant shall provide details on the exterior light fixtures and pole heights with the building permit submittal.
 3. Prior to the issuance of a building permit, a site development agreement and erosion control agreement shall be executed, including the submittal of all required fees and escrows.
 4. The applicant shall enhance the exterior of the building by adding brick accents to architecturally tie the proposed building with the existing building on the property.
 5. Comments identified by the Fire Marshal in his memo dated August 22, 2012 shall be addressed prior to the issuance of a building permit.
 6. PaR Systems is required to submit a Planned Unit Development application prior to the proposed construction of the building addition as identified on the submitted plans or within one-year of this approval, whichever comes first.
 7. Said approval does not include the proposed addition as shown on the submitted plans.
 8. The Building Official is authorized to issue a building permit if approved by the City Council and the above conditions satisfied.

Attachments

1. Resolution 12-77
2. Memo from Fire Marshal
3. Location Map
4. Submitted Statements
5. Submitted plan set
6. Motion

t:\2012pcf\2457-12-20par\pcreport

**EXTRACT OF MINUTES OF MEETING OF THE
PLANNING COMMISSION OF SHOREVIEW, MINNESOTA
HELD AUGUST 28, 2012**

* * * * *

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. 12-77 FOR A VARIANCE TO REDUCE THE FRONT YARD
SETBACK FOR A PARKING LOT**

WHEREAS, Mission Construction, on behalf of PaR Systems, submitted a variance application for the following described property:

See Exhibit A
(commonly known as 655 County Road E)

WHEREAS, the Development Regulations states parking areas for properties located in the BP, Business Park zone, must maintain a 20-foot setback from a front property line; and

WHEREAS, the applicant has requested a variance to reduce this requirement to 6.2'; 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 August 28, 2012 the Shoreview Planning Commission made the following findings of fact:

1. *The property owner proposes to use the property in a reasonable manner not permitted by the Shoreview Development Regulations.* The proposed parking lot will provide the off-street parking area needed for the business park use of the property. The proposed setback is reasonable due to the configuration of the County Road E right-of-way and current parking lot setback encroachments that exist on the property.
2. *The plight of the property owner is due to circumstances unique to the property not created by the property owner.* Unique circumstances warrant the variance. The County Road E right-of-way varies in width and has a larger width adjacent to the eastern portion of the property. This circumstance warrants the variance.
3. *The variance, if granted, will not alter the essential character of the neighborhood.* The proposed 6.2' setback exceeds the setback of an existing parking lot on the property. The parking lot on the adjoin property to the east is closer to the County Road E road surface than the proposed parking lot. Adequate green space will remain between the proposed parking surface and the road surface for County Road E. The character of the neighbor will not be altered by granting the variance.

NOW, THEREFORE, BE IT RESOLVED BY THE SHOREVIEW PLANNING COMMISSION, that the variance request for property described above, 655 County Road E, be approved, subject to the following conditions:

1. Said approval is contingent upon City Council approval of the Site and Building Plan review.
2. The project must be completed in accordance with the plans submitted as part of the Variance application.
3. This approval will expire after one year if a building permit has not been issued for this project.
4. This approval is subject to a 5-day appeal period.

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

And the following voted against the same:

Adopted this 28th day of August, 2012

Steve Solomonson, Chair
Shoreview Planning Commission

ATTEST:

Kathleen Nordine, City Planner

SEAL

ACCEPTANCE OF CONDITIONS:

Mission Construction

PaR Systems



LAKE JOHANNA FIRE DEPARTMENT

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

August 22, 2012

Department of Community Development
Attn: Kathleen Nordine, City Planner
4600 N Victoria Street
Shoreview, MN 55126

Site and Building Plan Review
Par Systems
655 County Road E
Shoreview, MN 55126

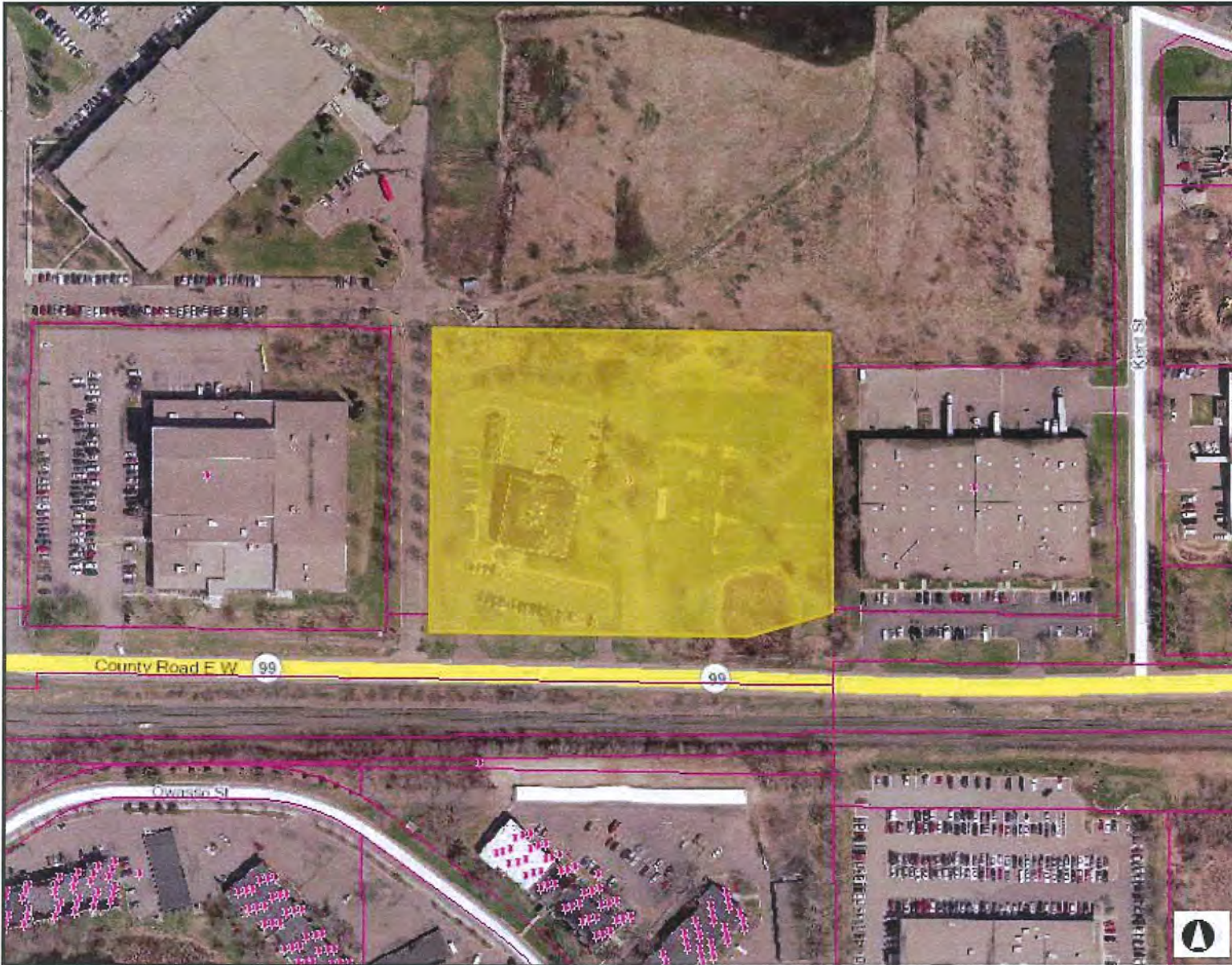
File No. ????

- Verify location of F.D.C.
 - Should be on address side of building.
- Fire Hydrant within 150' of F.D.C.
- Fire Department lock box is required.

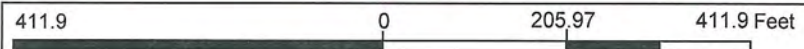
Sincerely,

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

Rick Current
Fire Marshal
Lake Johanna Fire Department



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



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

Notes
 Site and Building Plan Review and Variance



August 22, 2012

Department of Community Development
City of Shoreview
4600 North Victoria Street
Shoreview, MN 55126

**RE: Par Systems
655 county Road E, West
Standard Variance Application
"Practical Difficulties"**

To Whom it May Concern:

Par Systems is proposing to construct a 36,000 to 48,000 sq. ft. Office / Production facility next to the existing Office building at 655 County Road E West, Shoreview, MN.

The 655 site is approximately 5 acres. The existing corporate office building foundation is approximately 10,000 sq. ft. The building and site had been purchased by PaR to be used as their Corporate office.

Due to new opportunities PaR is in need of expansion for both production and office. The existing corporate office is sufficient for the current office requirements but does not provide for the needs of the company's overall projected expansion. The current structure does not site squarely on the site and does not allow for a way to expand the current structure in a usable layout. There are other non-compliant existing conditions on both the 655 site and the adjacent 605 site to the East.

- The right away on the South East of the 655 site is an odd configuration. The line angles into the site rather than running straight along the road as it does elsewhere.
- The 605 site parking area appears to be encroaching over the required setbacks.
- The 655 existing parking area has encroached the setbacks.
- The new parking area for the new building will be set back further than the existing parking areas at the 655 and 605 sites.
- The 655 site will have adequate greenspace that meets or exceeds the requirements.

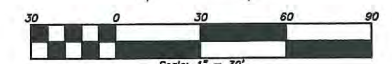
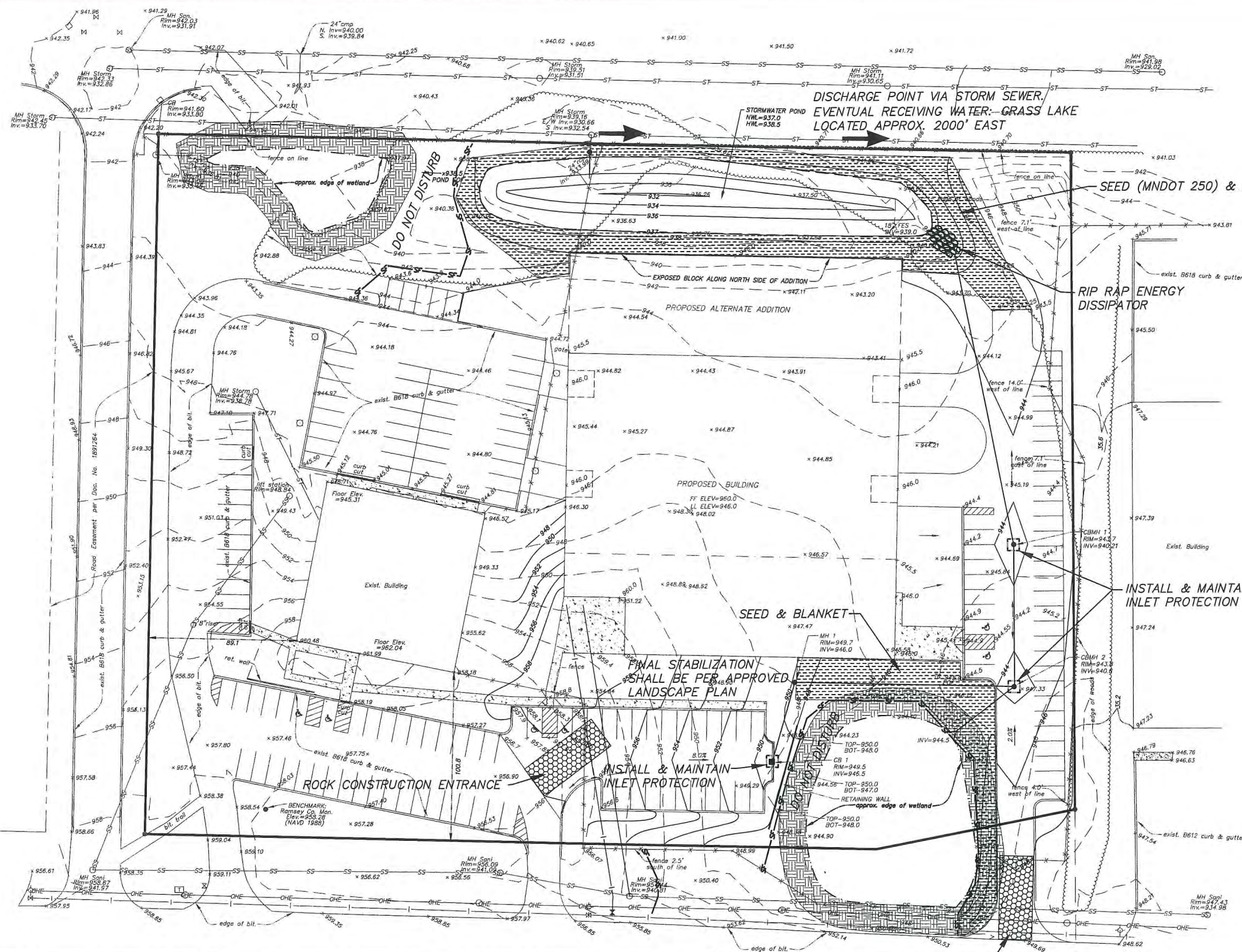
The proposed new building would enhance and fit in with the character of the neighborhood by providing for a positive curb appeal.

We ask that a Standard variance be provided to allow PaR to continue to expand their presence in Shoreview, MN.

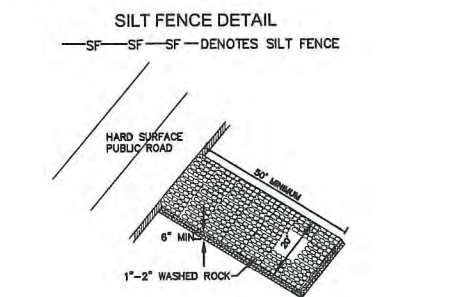
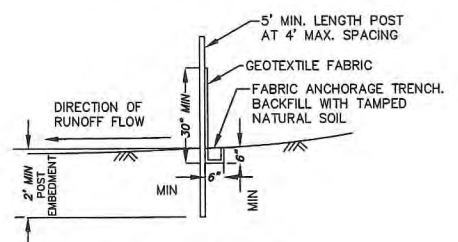
If you have any questions please call me at 763-951-8901 or email me at Garrym@missionconstruction.com

Sincerely:

Garry R. Mannor
Mission Construction, Inc.



- DENOTES CAT. 3 EROSION CONTROL BLANKET
- DENOTES WETLAND BUFFER (16.5 FEET)
- DENOTES INLET PROTECTION DEVICE



- SEQUENCE FOR CONSTRUCTION**
- INSTALL ALL PERIMETER SEDIMENT CONTROL DEVICES AND CONSTRUCTION ENTRANCES.
 - CONSTRUCT STORMWATER POND AND INSTALL OUTLET CONTROL STRUCTURE.
 - ROUGH GRADE SITE AND PROVIDE TEMPORARY STABILIZATION BMP'S.
 - INSTALL UTILITIES.
 - COMPLETE BUILDING AND PARKING LOT CONSTRUCTION.
 - RESTORE SITE WITH PERMANENT RESTORATION.
 - ONCE ALL DISTURBED AREAS HAVE 70% VEGETATIVE DENSITY, REMOVE SEDIMENT CONTROL DEVICES.
- SEDIMENT AND EROSION CONTROL NOTES**
- CONTRACTOR SHALL BE FAMILIAR WITH AND FOLLOW ALL REQUIREMENTS OF THE MPCA NPDES PHASE II PERMIT FOR CONSTRUCTION ACTIVITIES. THE CONTRACTOR SHALL CONDUCT WEEKLY EROSION CONTROL INSPECTIONS, INSPECTIONS AFTER 24 HOUR RAINFALL EVENTS OF 0.1" OR MORE AND MAINTAIN INSPECTION LOGS THAT INCLUDE CORRECTIVE MEASURES TAKEN, BY BEGINNING CONSTRUCTION, THE CONTRACTOR ACKNOWLEDGES THE TERMS OF THIS PERMIT AND AGREES TO ABIDE BY THEM.
 - ALL SILT FENCE SHALL BE INSTALLED PRIOR TO ANY GRADING ACTIVITY UNLESS OTHERWISE NOTED.
 - ALL DISTURBED AREAS SHALL BE RESTORED WITH A MINIMUM OF 4 INCHES TOPSOIL, MNDOT TEMPORARY SEED MIX 150 (40 LBS./ACRE) AND MULCH (MNDOT TYPE 1, 2 TON/ACRE & DISC ANCHORED). ALL EXPOSED SOIL AREAS MUST BE STABILIZED AS SOON AS POSSIBLE BUT IN NO CASE LATER THAN 14 DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORARILY OR PERMANENTLY CEASED.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR TEMPORARY DITCHES, PIPING, OR OTHER MEANS REQUIRED TO INSURE PROPER DRAINAGE DURING CONSTRUCTION.
 - ANY DEWATERING SHALL BE DISCHARGED TO A TEMPORARY SEDIMENT BASIN.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL EROSION CONTROL DEVICES UNTIL THE SITE HAS A UNIFORM VEGETATIVE COVER WITH A DENSITY OF 70% OVER THE ENTIRE PERVIOUS AREA. MAINTENANCE SHALL INCLUDE BUT NOT BE LIMITED TO THE FOLLOWING:
 - REMOVE SEDIMENT FROM PONDS AND DITCHES WHEN HALF FULL AND UPON COMPLETION OF CONSTRUCTION (WITHIN 72 HOURS)
 - REMOVE SILT WHEN ACCUMULATION REACHES ONE-THIRD THE HEIGHT OF THE SILT FENCE (WITHIN 24 HOURS)
 - MAINTAIN ROCK CONSTRUCTION ENTRANCE. REPLACEMENT DURING CONSTRUCTION MAY BE NECESSARY.
 - ANY DEPOSITING OF SILT OR MUD ON NEW OR EXISTING STORM SEWERS OR SWALES SHALL BE REMOVED AFTER EACH RAIN AND AFFECTED AREAS CLEANED.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR KEEPING EXISTING PAVED SURFACES CLEAN OF SEDIMENT AND MUD. SEDIMENT & MUD SHALL BE REMOVED WITHIN 24 HOURS OF DISCOVERY.
 - COLLECTED SEDIMENT, ASPHALT AND CONCRETE MILLINGS, FLOATING DEBRIS, PAPER, PLASTIC, FABRIC, CONSTRUCTION AND DEMOLITION DEBRIS AND OTHER WASTES MUST BE DISPOSED OF PROPERLY AND MUST COMPLY WITH MPCA DISPOSAL REQUIREMENTS.
 - STORAGE AND DISPOSAL OF OIL, GASOLINE, PAINT AND ANY HAZARDOUS SUBSTANCES MUST BE IN COMPLIANCE WITH MPCA REGULATIONS.
 - EXTERNAL WASHING OF TRUCKS AND OTHER CONSTRUCTION VEHICLES MUST BE LIMITED TO A DEFINED AREA OF THE SITE & CLEARLY LABELED AS SUCH. RUNOFF MUST BE CONTAINED AND WASTE PROPERLY DISPOSED OF. NO ENGINE DEGREASING IS ALLOWED ON SITE.
 - CONCRETE WASHOUT SHALL BE DONE BY CONCRETE CONTRACTOR VIA MOBILE WASHOUT ON EACH TRUCK.

COUNTY ROAD E

REV. NO.	DATE	BY	DESCRIPTION

DESIGNED DRAWN
C.S.O. C.S.O.

CHECKED
P.E.O.

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Paul E. Otto
LICENSE # 40062 DATE: 8-23-12

OTTO
ASSOCIATES
Engineers & Land Surveyors, Inc.

www.ottoassociates.com
9 West Division Street
Buffalo, MN 55313
(763)682-4727
Fax: (763)682-3522

PAR SYSTEMS
MISSION CONSTRUCTION
SHOREVIEW, MN

STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

SHEET NO. 5 OF 5 SHEETS

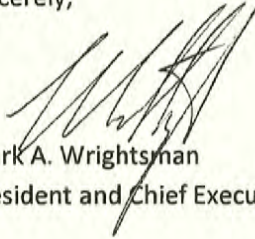
PROJECT NO: 1-12-0273
DATE: 8/22/12

City of Shoreview
Page 2
August 24, 2012

in people, technology, and products as we grow our Minnesota-based business. Your support for the TIF funding will help us to justify this important investment in Shoreview, to remain competitive, and to continue our desired growth in local workforce to support our business.

PaR appreciates the support that the City of Shoreview has provided over the years and we look forward to continuing that strong relationship as we both make long-term investments for our mutual benefit.

Sincerely,



Mark A. Wrightsman
President and Chief Executive Officer



Trusted Partner – Since 1961

Mark A. Wrightsman
President and Chief Executive Officer

August 23, 2012

City of Shoreview
4600 North Victoria Street
Shoreview, MN 55126

To Whom It May Concern:

Our plans are progressing for construction of a new PaR Systems facility east of our existing buildings on County Road E West. I have just been informed that, per code, the new site requires 230 parking spaces. I am writing to let you know that 157 parking spaces between the existing 655 building and the new building will be more than adequate for PaR's parking requirements.

If you have any questions or concerns or if anything further is required relating to this matter, please feel free to contact me.

Thank you for your continuing support of PaR Systems' growth in Shoreview.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark A. Wrightsman', written over a printed name.

Mark A. Wrightsman

Creating Solutions that Dramatically Enhance Real Value for *your* Customers.

PaR Systems, Inc. | 707 County Road E West | Shoreview, Minnesota 55126-7007 USA
Toll Free: 1.800.464.1320 | T: 1.651.484.7261 | F: 1.651.528.5295 | E: mwrightsman@par.com | www.par.com

PAR Systems New Manufacturing/ Warehouse Building 650 County Rd. E Shoreview, MN 55126

NELSON
Nelson Upper Midwest Operating Company, LLC
a licensed affiliate
1201 Marquette Avenue South, Suite 200
Minneapolis, MN, 55403
612-822-1211
612-822-1066



Seal: Seal:



Consultant:

PAR SYSTEMS
707 W. County Rd. E
Shoreview MN 55126

Client:

TINTED INSULATED
GLASS/ ALUMINUM
CURTAIN WALL

PRECAST CONC. PANELS

PROJECT CODE ANALYSIS						
CODES REFERENCED:	IBC 2006 - AS ADOPTED STATE OF MN 2007					
CONSTRUCTION TYPE:	II B					
FIRE SPRINKLER SYSTEM:	YES					
SPRINKLER SYSTEM APPLICATION:	FOR 3-HR CONSTRUCTION FOR AREA INCREASE					
PROJECT AREA (U.S.F.):	34,880 SF (FOOTPRINT)					
FLOOR AREA (U.S.F.):	34,880 SF 1ST LEVEL + 30,880 SF 2ND LEVEL					
NUMBER OF FLOORS:	2					

MAIN LEVEL						
OCCUPANCY AREAS	TYPE	AREA	#FLOOR	NET OCCUP.	ACCESS. USE	% FLOOR AREA
OFFICE:	B	1,424	100	14	NO	4%
MANUFACTURING:	F1	25,056	200	125	NO	72%
WAREHOUSE:	S1	8,400	500	17	NO	24%
TOTAL:		34,880		156		100%

EXITING: MAIN LEVEL		PROVIDED	REQUIRED
NUMBER REQUIRED:	5	2	
EXIT SEPARATION:	YES	GREATER THAN 1/2 OF DIAGONAL	
EXIT WIDTH:	34"x5=170"	32"	
DOOR SWING DIRECTION:	OUT	OUT	
EXIT ACCESS TRAVEL DISTANCES:	YES	≤300'	
COMMON PATH OF EGRESS DISTANCE:	YES	≤100'	
MAXIMUM DEAD-END CORRIDORS:	YES	≤50'	

SUITE ACCESSIBILITY		MEETS MIN ACCESSIBILITY CODE
SUITE CIRCULATION:	YES	
SUITE DOOR CLEARANCES:	YES	
SUITE COAT CLOSETS:	YES	
SUITE RESTROOMS:	N/A	
SUITE ACCESSIBLE WORKSTATION/WORK:	N/A	
SUITE SINKS:	YES	

SECOND LEVEL						
OCCUPANCY AREAS	TYPE	AREA	#FLOOR	NET OCCUP.	ACCESS. USE	% FLOOR AREA
OFFICE:	B	10,880	100	109	NO	100%

EXITING: SECOND LEVEL		PROVIDED	REQUIRED
NUMBER REQUIRED:	2	2	
EXIT SEPARATION:	YES	GREATER THAN 1/2 OF DIAGONAL	
EXIT WIDTH:	34"x2=68"	32"	
DOOR SWING DIRECTION:	OUT	OUT	
EXIT ACCESS TRAVEL DISTANCES:	YES	≤300'	
COMMON PATH OF EGRESS DISTANCE:	YES	≤100'	
MAXIMUM DEAD-END CORRIDORS:	YES	≤50'	

MAXIMUM ALLOWABLE AREAS BY OCCUPANCY GROUPS						
OCCUPANCY GROUPS	TYPE	AREA	ALLOWED AREA:	SPRINKLER INCREASE:	INCREASE IN CREASE:	ALLOWED W/INCREASE:
OFFICE:	B	12,394	23,000	46,000	31,717	100,717
	F1	25,056	15,500	31,000	21,375	67,875
	S1	8,400	16,000	32,000	22,064	70,064

OCCUPANCY SEPARATIONS WITHIN BUILDING:						
OCCUPANCY SEPARATIONS WITHIN BUILDING:	TYPE	TO TYPE:	REQUIRED SEPARATION:	NOTES:		
OFFICE:	B	F1, S1	0	SEE NOTE #2		
MANUFACTURING:	F1	B, S1	0	SEE NOTE #2		
WAREHOUSE:	S1	B, F1	0	SEE NOTE #2		

- NOTES:**
- NON-SEPARATED USES - OCCUPANCIES - SEC. 508.3.2
 - FIRE RATING DETERMINED BY 1 HOUR FOR SPRINKLER SYSTEMS (TABLE 508.3.3)
 - STORAGE AREAS IN FULLY SPRINKLERED BUILDING LESS THAN 3000 SQUARE FEET NEED NOT BE SEPARATED (TABLE 508.3.3)
 - EXCEPT WHEN REQUIRED BY TABLE 508.2, ACCESSORY AREAS OCCUPYING 10% OR LESS OF THE AREA OF ANY FLOOR AND NOT MORE THAN THE AREA OR HEIGHT LISTED IN TABLE 503 ARE NOT REQUIRED TO BE SEPARATED (SEC. 508.1.3)
 - SQUARE FEET PER OCCUPANT DETERMINED BY TABLE 1004.1.1
 - EXIT WIDTH DETERMINED BY TABLE 1005.1
 - TABLE 1007.1 CORRIDOR FIRE-RESISTANCE RATING

INDEX OF DRAWINGS

Sheet Number	Sheet Name	ISSUE FOR CITY REVIEW 08.20.2012	ISSUE FOR CITY REVIEW 08.23.2012
AD-1	LEVEL 1 WAREHOUSE FLOOR PLAN	X	X
AD-2	LEVEL 2 FLOOR PLAN	X	X
AD-3	EXTERIOR ELEVATIONS	X	X
AD-4	EXTERIOR ELEVATIONS	X	X
AD-5	COVER SHEET	X	X
AD-6	CONCEPTUAL SITE PLAN	X	X

ISSUE FOR CITY REVIEW	No:	By:	Date:
ISSUE FOR CITY REVIEW	2		08.23.2012
ISSUE FOR CITY REVIEW	1		08.20.2012

PAR Systems
650 W. County Rd. E
Shoreview MN
55126
Project Title & Address:

COVER SHEET

Sheet Title:
Proj. No.:
Drawn By: 09.00273.02
Checked By: BC
T.J.C.: RDS
RDS

.AN-0

ALL DIMENSIONS AND CONDITIONS MUST BE CHECKED AND VERIFIED ON SITE BY THE CONTRACTOR AND SUB-CONTRACTORS. THE PROJECT MANAGER SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH THE WORK.
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MISSION
CONSTRUCTION, INC.

Consultant:

PAR SYSTEMS
707 W. County Rd.E
Shoreview MN 55126

Client:

ISSUE FOR CITY REVIEW	2	08.23.2012
ISSUE FOR CITY REVIEW	1	08.20.2012
Description:	No. By:	Date:

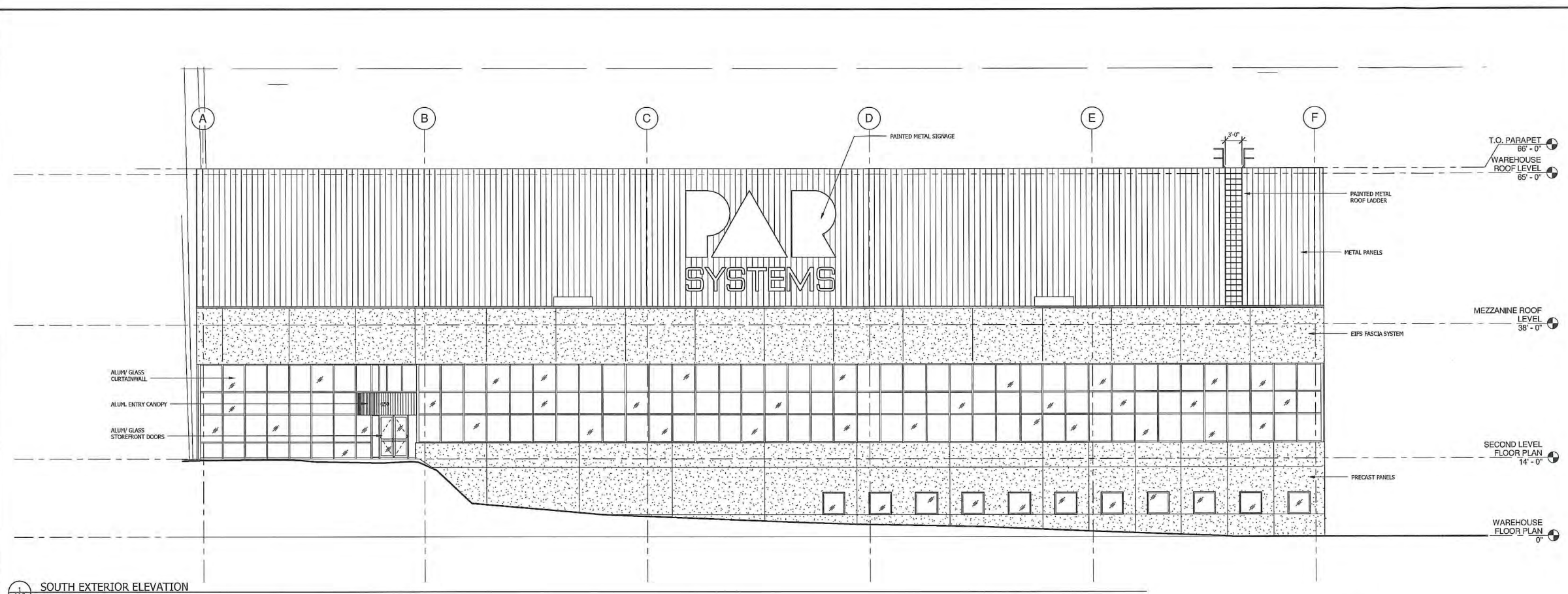
PAR Systems
650 W. County Rd. E
Shoreview MN
55126
Project Title & Address:

EXTERIOR ELEVATIONS

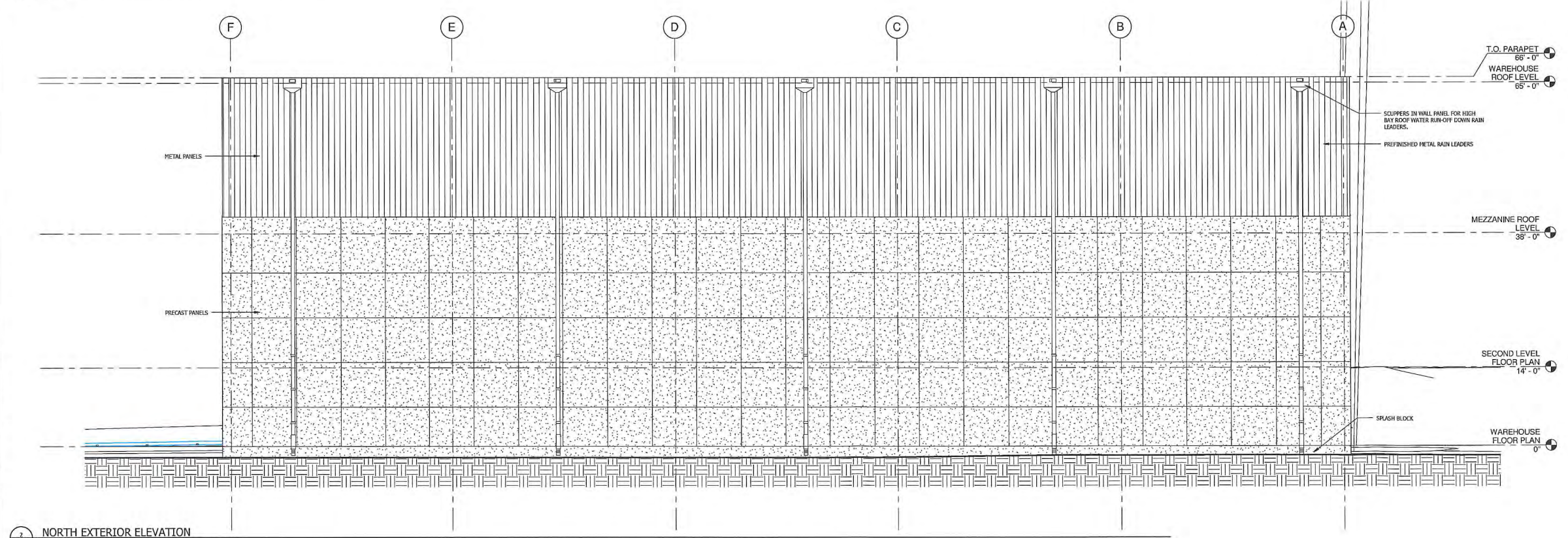
Sheet Title:	
Proj. No.:	09.00273.02
Drawn By:	BC
Checked By:	RDS
T.P.L.:	RDS

A4.2

ALL DIMENSIONS AND CONDITIONS MUST BE CHECKED AND VERIFIED ON SITE BY THE CONTRACTOR AND SUB-CONTRACTORS. THE PROJECT MANAGER SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH THE WORK.
© NELSON ALL RIGHTS RESERVED



1 SOUTH EXTERIOR ELEVATION
1/8" = 1'-0"



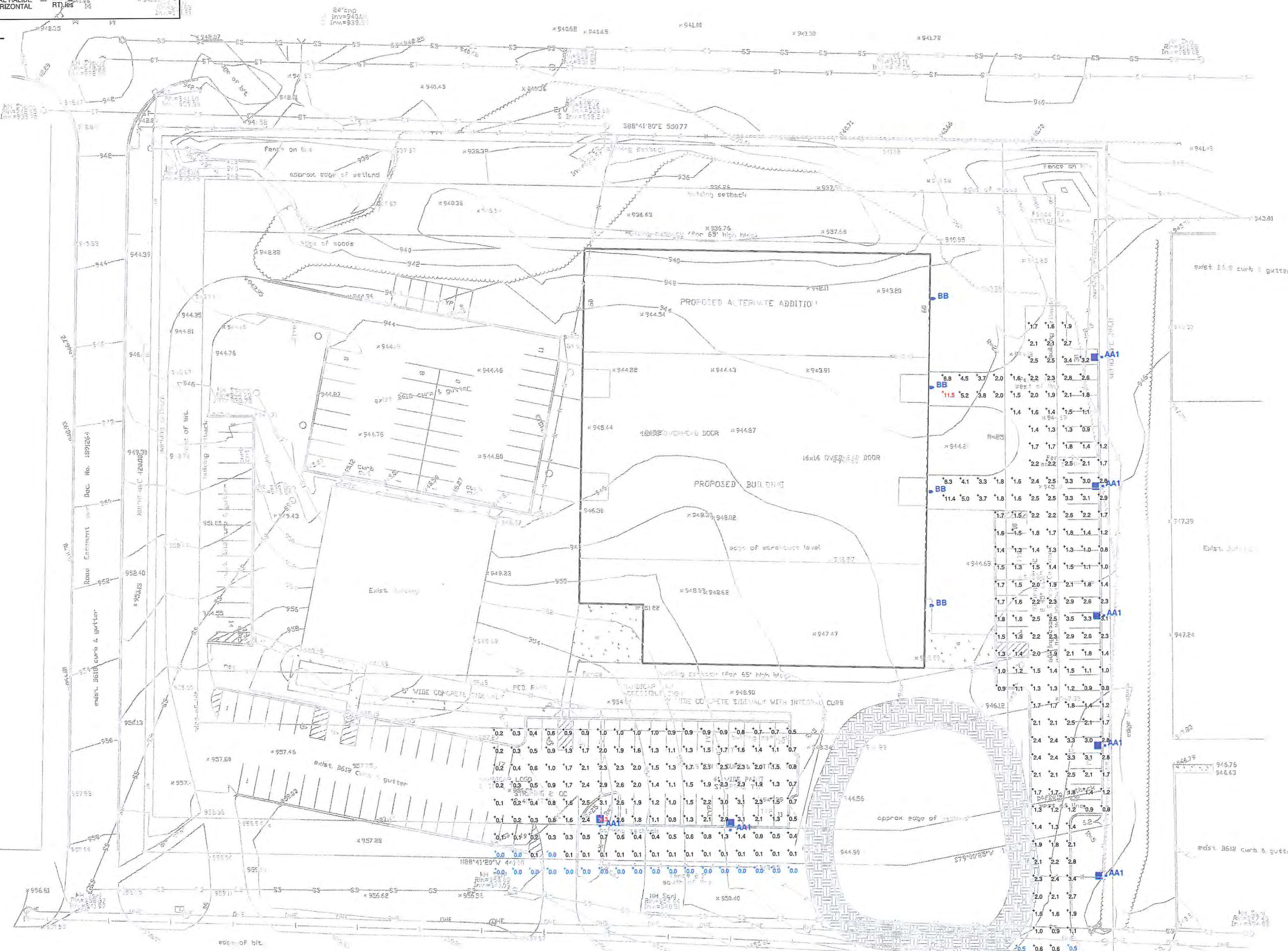
2 NORTH EXTERIOR ELEVATION
1/8" = 1'-0"

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Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens	LLF	Watts
■	AA1	7	KAD 400M SR4SC (PULSE START)	Area Luminaire, 400W MH, High Performance SR4SC Sharp Cutoff, Reflector, Full Cutoff MEETS THE NIGHTTIME FRIENDLY CRITERIA	ONE 400 WATT CLEAR ED28 PULSE START METAL HALIDE IN HORIZONTAL POSITION	KAD_400M_S_R4SC_(PULSE_START).ies	38000	0.72	456
■	BB	4	KAD 250M R4 (PULSE START) WALL MOUNTED	Area Luminaire, 250W MH, R4 Reflector, Full Cutoff MEETS THE NIGHTTIME FRIENDLY CRITERIA	ONE (1) 250 WATT CLEAR BT28 PULSE START METAL HALIDE LAMP IN HORIZONTAL POSITION	KAD_250M_R4_(PULSE_START).ies	22500	0.72	288

STATISTICS						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Parking Area @ Grade	+	2.1 fc	11.5 fc	0.5 fc	23.0:1	4.2:1
South Area @ Grade	+	1.0 fc	3.3 fc	0.0 fc	N/A	N/A

- NOTES**
- Davis and Associates, Inc does not assume responsibility for the interpretation of this calculation, or compliance to local or state lighting codes and ordinances.
 - Lighting layout provided is not intended for construction documents but only to illustrate the performance of the product.
 - All readings/calculations are shown @ grade.
 - All pole mounted fixtures are on a 25' pole and building mounted fixtures are 15' 0" A.F.G.



D&A
 DAVIS & ASSOCIATES, INC.
 QUALITY LIGHTING SOLUTIONS
 6446 Flying Cloud Dr.
 Eden Prairie, MN
 952-941-0410

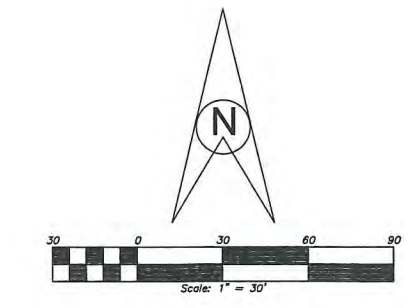
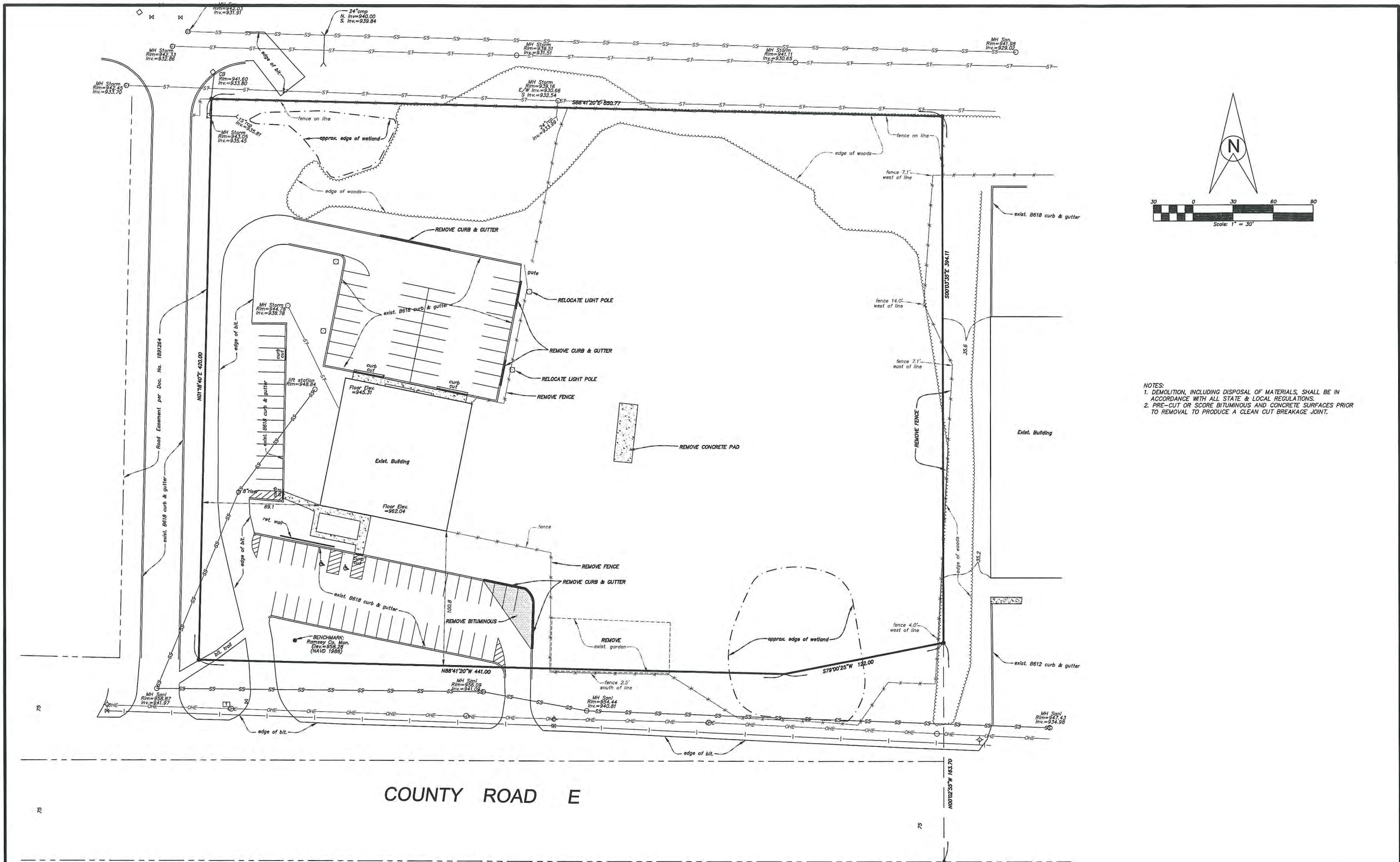
PAR SYSTEMS
 Exterior Lighting Study
 Shoreview, MN

Designer
 AM

Date
 Aug 22 2012

Scale
 As Noted

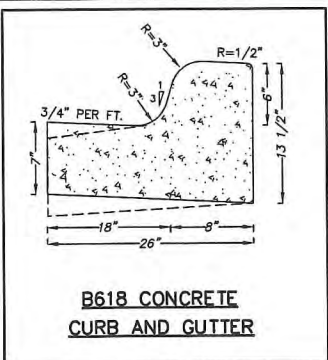
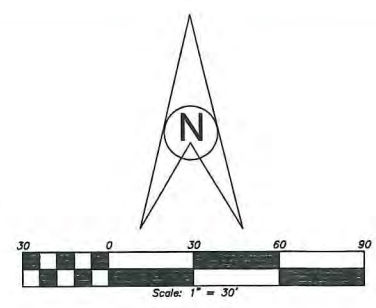
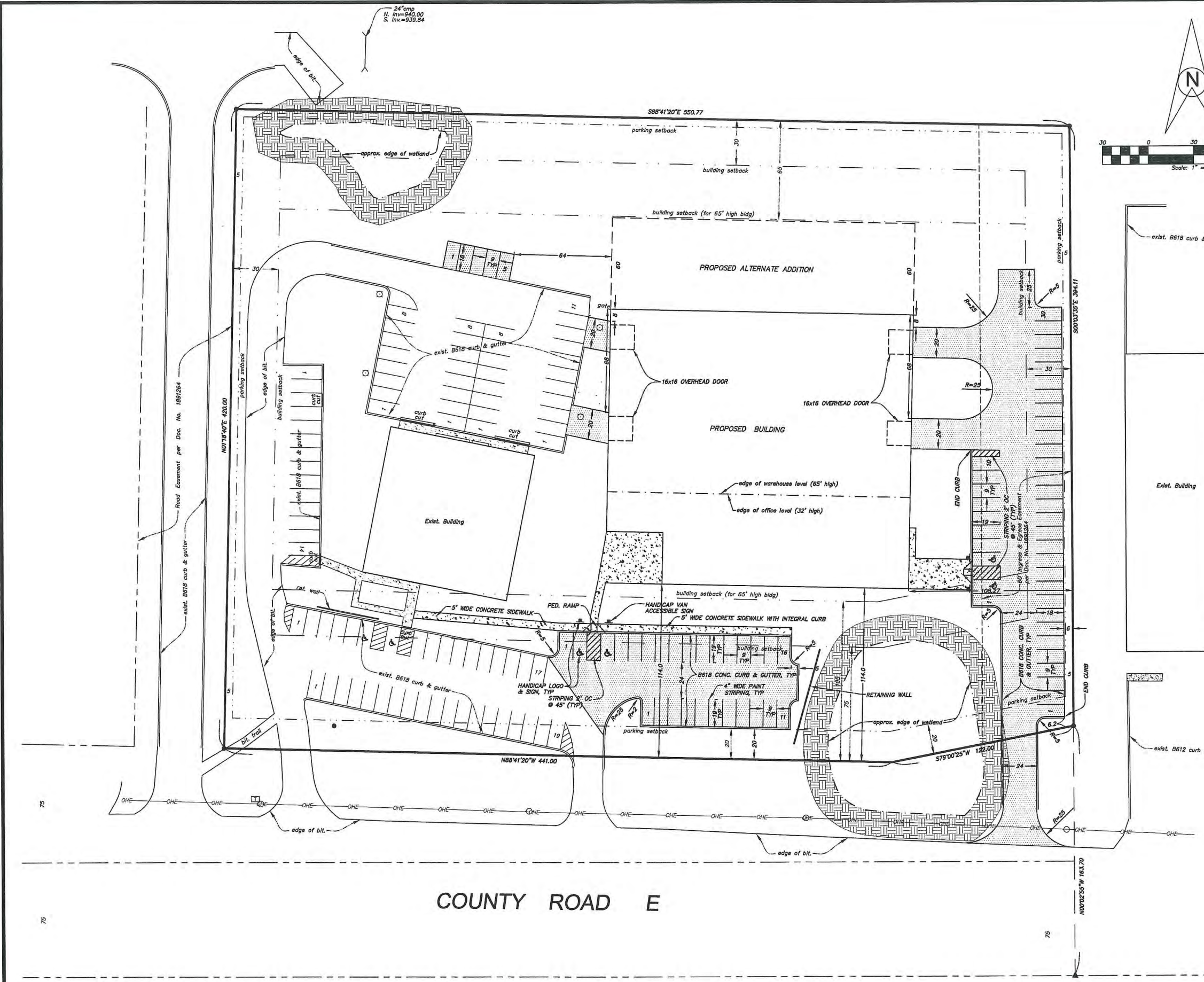
Drawing No.



NOTES:
 1. DEMOLITION, INCLUDING DISPOSAL OF MATERIALS, SHALL BE IN ACCORDANCE WITH ALL STATE & LOCAL REGULATIONS.
 2. PRE-CUT OR SCORE BITUMINOUS AND CONCRETE SURFACES PRIOR TO REMOVAL TO PRODUCE A CLEAN CUT BREAKAGE JOINT.

COUNTY ROAD E

REV. NO.	DATE	BY	DESCRIPTION	DESIGNED	DRAWN	I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.			PAR SYSTEMS MISSION CONSTRUCTION SHOREVIEW, MN	PROJECT NO:
SHEET NO. 1 OF 5 SHEETS										DATE: 8/22/12

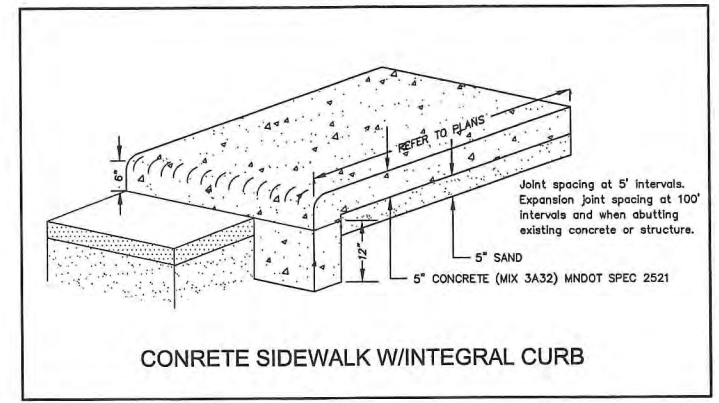


B618 CONCRETE CURB AND GUTTER

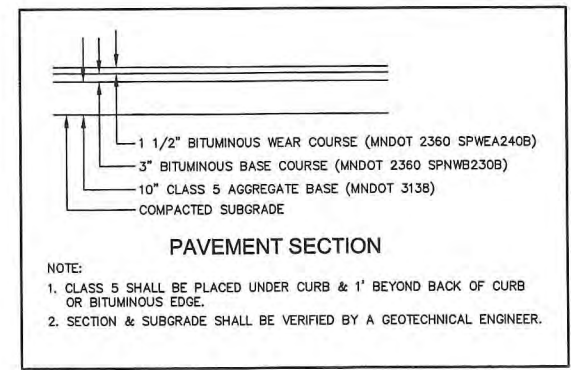
- DENOTES NEWLY PAVED AREA
- DENOTES NEWLY CONCRETED AREA
- DENOTES WETLAND BUFFER (16.5 FEET)

TOTAL PARKING STALLS PROPOSED = 157 (6 HC)

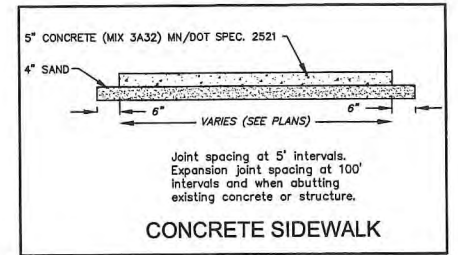
- NOTES:
1. DIMENSIONS ARE FROM BACK OF CURB.
 2. DIMENSIONS MEASURED OFF THE PROPERTY LINES ARE PERPENDICULAR TO THEM.
 3. ALL PEDESTRIAN FACILITIES SHALL BE IN ACCORDANCE WITH CHAPTER 1341 OF THE MN STATE BUILDING CODE AND ADA STANDARDS.
 4. REFER TO ARCHITECTURAL PLANS PREPARED BY NELSON UPPER MIDWEST OPERATING COMPANY, LLC, FOR BUILDING INFORMATION & DIMENSIONS.
 5. REFER TO CERTIFICATE OF SURVEY, JOB NUMBER 1-12-0273 PREPARED BY OTTO ASSOCIATES ENGINEERS & LAND SURVEYORS, INC. FOR ADDITIONAL BOUNDARY INFORMATION.



CONCRETE SIDEWALK W/INTEGRAL CURB



- NOTE:
1. CLASS 5 SHALL BE PLACED UNDER CURB & 1' BEYOND BACK OF CURB OR BITUMINOUS EDGE.
 2. SECTION & SUBGRADE SHALL BE VERIFIED BY A GEOTECHNICAL ENGINEER.



CONCRETE SIDEWALK

REV. NO.	DATE	BY	DESCRIPTION

DESIGNED DRAWN
C.S.O. C.S.O.

CHECKED
P.E.O.

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Paul E. Otto
Paul E. Otto
LICENSE # 40082 DATE: 8-23-12

OTTO ASSOCIATES
Engineers & Land Surveyors, Inc.

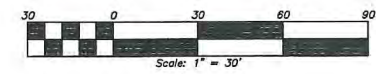
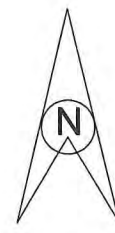
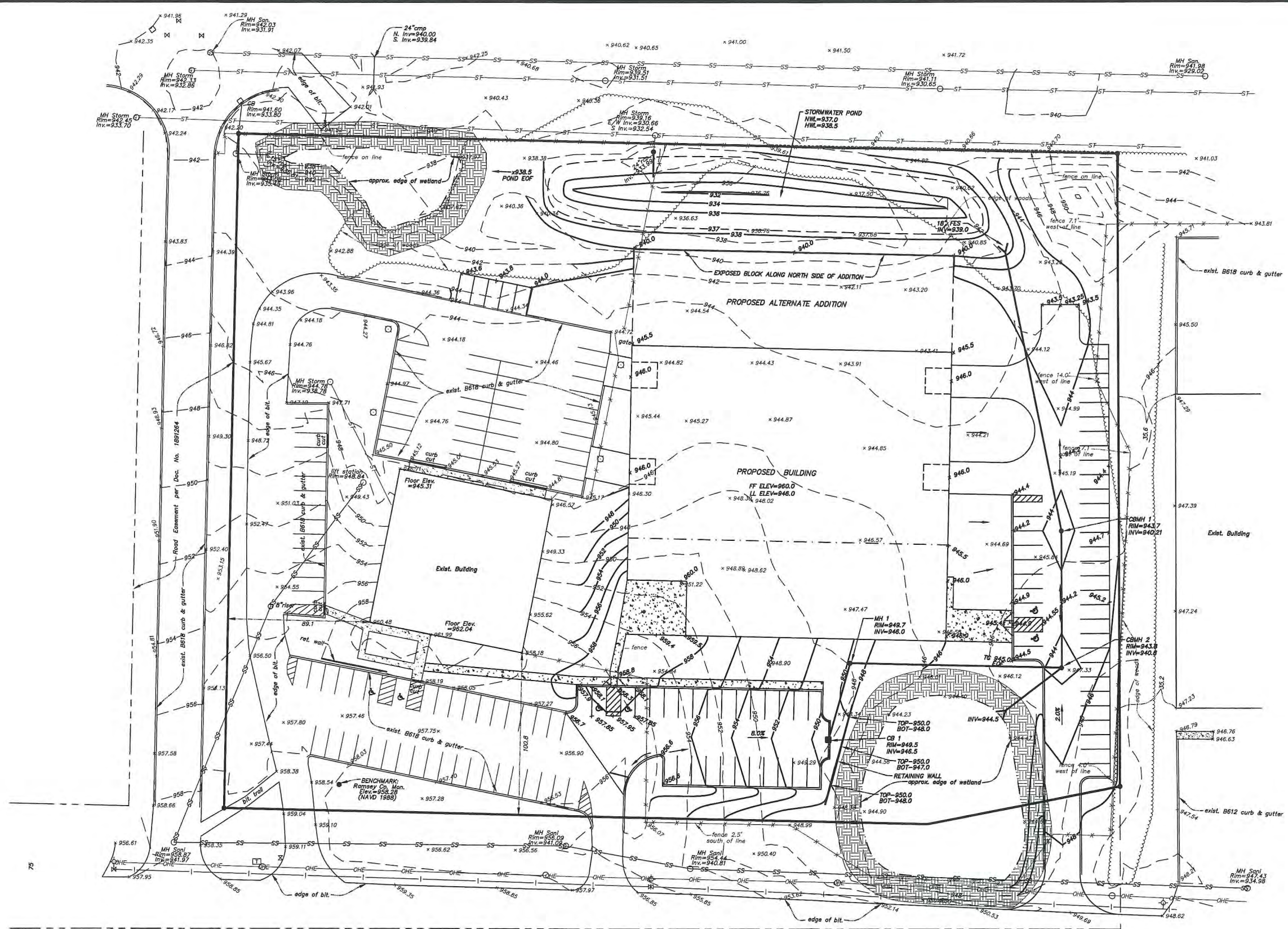
www.ottoassociates.com
9 West Division Street
Buffalo, MN 55313
(763)682-4727
Fax: (763)682-3522

PAR SYSTEMS
MISSION CONSTRUCTION
SHOREVIEW, MN

PROJECT NO:
1-12-0273

SITE PLAN

SHEET NO. 2 OF 5 SHEETS DATE: 8/22/12



- GRADING NOTES**
1. WETLANDS DELINEATION BY KJOLHAUG ENVIRONMENTAL SERVICES COMPANY IS PENDING.
 2. THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

COUNTY ROAD E

REV. NO.	DATE	BY	DESCRIPTION	DESIGNED	DRAWN	CHECKED	P.E.O.	DATE	PROJECT NO.
									1-12-0273
<p> OTTO ASSOCIATES Engineers & Land Surveyors, Inc. www.ottoassociates.com 9 West Division Street Buffalo, MN 55313 (763)682-4727 Fax: (763)682-3522 </p>									<p> PAR SYSTEMS MISSION CONSTRUCTION SHOREVIEW, MN </p>
<p> SHEET NO. 3 OF 5 SHEETS </p>									<p> DATE: 8/22/12 </p>

MOTION
TO TABLE THE VARIANCE AND SITE AND BUILDING PLAN REVIEW
PAR SYSTEMS, 655 COUNTY ROAD E

MOVED BY COMMISSION MEMBER: _____

SECONDED BY COMMISSION MEMBER: _____

To table the variance and site and building plan applications, submitted by Mission Construction on behalf of PaR Systems, to the September __, 2012 Planning Commission meeting. Tabling the applications will allow the applicant the additional time needed to provide the following information:

- A. A parking management plan shall be submitted to the City addressing: the existing and future parking needs for the property (655 County Road E), including but not limited to: the maximum number of employees working on site, hours of operation, employee shifts, the potential for shared parking with 707 County Road E, proof of parking.
- B. Shared parking may be permitted provided information regarding the existing and future parking needs for the 707 building is provided to the City for review. A shared parking and maintenance agreement will be required between the two sites.
- C. Submittal of a stormwater management plan, including stormwater calculations, that complies with the City's Surface Water Management Plan and stormwater regulations and policies.
- D. Submittal of a wetland delineation by a qualified wetland specialist.
- E. County review and approval for the proposed new entry drive onto County Road E.
- F. Submittal of a tree preservation and replacement plan for the entire property identifying vegetation/trees to be removed and replaced in accordance with Section 209.050, Vegetation and Woodlands
- G. Submittal of a landscape plan for the entire property showing existing landscaping and proposed plant materials including specific plant and tree species, sizes, number and locations. Said plan shall address the City's requirements for landscape islands.
- H. Calculation of impervious surface coverage for the existing and proposed site conditions.

VOTE:

AYES:

NAYS:

MOTION
TO APPROVE VARIANCE AND SITE AND BUILDING PLAN REVIEW
PAR SYSTEMS, 655 COUNTY ROAD E

MOVED BY COMMISSION MEMBER: _____

SECONDED BY COMMISSION MEMBER: _____

To adopt Resolution 12-77 approving the requested variance to reduce the required 20-foot parking lot setback from a front property line to 6.2' and to recommend the City Council approve the Site and Building Plan request submitted by Mission Construction on behalf of PaR Systems. Said approval is subject to the following:

Variance

1. Said approval is contingent upon City Council approval of the Site and Building Plan review.
2. The project must be completed in accordance with the plans submitted as part of the Variance application.
3. This approval will expire after one year if a building permit has not been issued for this project.
4. This approval is subject to a 5-day appeal period.

This approval is based on the following findings of fact:

1. The proposed improvement is consistent with the policies of the Comprehensive Plan, including the Land Use and Housing Chapters.
2. *The property owner proposes to use the property in a reasonable manner not permitted by the Shoreview Development Regulations.* The proposed parking lot will provide the off-street parking area needed for the business park use of the property. The proposed setback is reasonable due to the configuration of the County Road E right-of-way and current parking lot setback encroachments that exist on the property.
3. *The plight of the property owner is due to circumstances unique to the property not created by the property owner.* Unique circumstances warrant the variance. The County Road E right-of-way varies in width and has a larger width adjacent to the eastern portion of the property. This circumstance warrants the variance.
4. *The variance, if granted, will not alter the essential character of the neighborhood.* The proposed 6.2' setback exceeds the setback of an existing parking lot on the property. The parking lot on the adjoin property to the east is closer to the County Road E road surface than the proposed parking lot. Adequate green space will remain between the proposed parking surface and the road surface for County Road E. The character of the neighbor will not be altered by granting the variance.

Site and Building Plan Reviews

1. Prior to review of said applications by the City Council, the following items shall be addressed:
 - A. A parking management plan shall be submitted to the City addressing: the existing and future parking needs for the property (655 County Road E), including but not limited to: the maximum number of employees working on site, hours of operation, employee shifts, the potential for shared parking with 707 County Road E, proof of parking.
 - B. Shared parking may be permitted provided information regarding the existing and future parking needs for the 707 building is provided to the City for review. A shared parking and maintenance agreement will be required between the two sites.
 - C. Submittal of a stormwater management plan, including stormwater calculations, that complies with the City's Surface Water Management Plan and stormwater regulations and policies.
 - D. Submittal of a wetland delineation by a qualified wetland specialist.
 - E. County review and approval for the proposed new entry drive onto County Road E.
 - F. Submittal of a tree preservation and replacement plan for the entire property identifying vegetation/trees to be removed and replaced in accordance with Section 209.050, Vegetation and Woodlands
 - G. Submittal of a landscape plan for the entire property showing existing landscaping and proposed plant materials including specific plant and tree species, sizes, number and locations. Said plan shall address the City's requirements for landscape islands.
 - H. Calculation of impervious surface coverage for the existing and proposed site conditions.
2. Lighting on site shall comply with Section 204.030, Glare of the Development Code. The applicant shall provide details on the exterior light fixtures and pole heights with the building permit submittal.
3. Prior to the issuance of a building permit, a site development agreement and erosion control agreement shall be executed, including the submittal of all required fees and escrows.
4. The applicant shall enhance the exterior of the building by adding brick accents to architecturally tie the proposed building with the existing building on the property.
5. Comments identified by the Fire Marshal in his memo dated August 22, 2012 shall be addressed prior to the issuance of a building permit.
6. PaR Systems is required to submit a Planned Unit Development application prior to the proposed construction of the building addition as identified on the submitted plans or within one-year of this approval, whichever comes first.
7. Said approval does not include the proposed addition as shown on the submitted plans.

8. The Building Official is authorized to issue a building permit if approved by the City Council and the above conditions satisfied.

This approval is based on the following findings of fact:

1. The proposed land use is consistent with the designated business park land use in the Comprehensive Plan and BP, Business Park zoning district.
2. The development supports the City's business retention and expansion goals by supporting the continued growth of a company that:
 - *Provides livable wage jobs that allow residents to support local businesses and participate in community activities*
 - *Maintains tax base to generate revenues*
 - *Supports the economic vitality of the City*

VOTE:

AYES:

NAYS:

t:/2012pcf/2457-12-20par/pcmotion

TO: Planning Commission
FROM: Kathleen Nordine, City Planner
DATE: August 22, 2012
SUBJECT: City of Shoreview, Text Amendment – Vehicle and Equipment Sales

Introduction

In response to a recent conditional use permit application requesting the approval for automobile vehicle sales in a commercial district, there was some discussion by the City Council and Planning Commission regarding the desirability of this use in the City's commercial areas. Some general direction was provided to staff asking for an amendment that either restricts or prohibit this type of use in the City's commercial districts.

Background

Vehicle and equipment sales are permitted in the C-2, General Commercial Zoning District, as a conditional use. A conditional use permit may be granted provided the proposed use is listed as a conditional use for the district in which it is located and upon showing that the standards and criteria of the Development Code are satisfied. The criteria for a conditional use permit includes that the use is in harmony with the general purposes and intent of the Development Code and Comprehensive Plan and that the structure/land use conforms with the Comprehensive Plan and is compatible with the existing neighborhood.

The attached zoning map identifies the location of C-2 districts in the community. While most are located on arterial roadways, some are located adjacent to residential neighborhoods. There is some concern about this type of use and its impact on these residential areas as well as the quality and character of our commercial areas.

The Planning Commission did review the proposed amendment at a workshop on July 24th and indicated support of the amendment.

Proposed Text Amendment

The proposed text amendment adds a new section identifying prohibited uses, which specifies vehicle and equipment sales as a prohibited use. This use is also proposed to be removed from the C-2 district. Businesses which currently have a valid conditional use permit to operate vehicle and equipment sales on their property will continue to be able to do so provided the parameters of their permit are met.

Staff Recommendation

The staff is asking the Planning Commission to recommend approval of the proposed amendment to the City Council. The draft text amendment is consistent with the direction received from both the Planning Commission and City Council regarding vehicle and equipment sales in our commercial areas.

205 Development Districts

205.030 Permitted Uses. For those uses not specifically noted, the City Manager or his/her designee shall make a determination as to whether the proposed use is permitted. Where a question arises, the Planning Commission shall make a recommendation to the City Council, which shall make the final determination.

203.035
Section added
section for
Prohibited
Uses

205.035 Prohibited Uses. The following uses are prohibited within the City:

vehicle and equipment sales and rental

205.040 Business Districts Overview. Within the City, business districts have been established to provide areas suitable for commercial, office and business park development. These business districts include the following districts:

- Limited Retail Service District (C1A)
- Retail Service District (C1)
- General Commercial District (C2)
- Office District (OFC)
- Business Park District (BPK)

(B) Permitted Uses. In addition to the permitted uses listed for each Commercial District, the following uses are also permitted.

(9) Repetitive of
205.030 above,
therefore
stricken from

~~(9) For those uses not specifically noted, the City Manager or his/her designee shall make a determination whether the proposed use should be listed as a permitted use within a particular zoning district. Compatibility with the purpose statement and permitted uses for the district and with the adjoining planned uses shall be considered when making this decision.~~

205.043 General Commercial District (C2)

(A) Purpose. In addition to the purposes defined in Section 205.040(A) (Business District Overview, Purpose), the General Commercial District is intended to be located at an intersection that includes an arterial roadway. It should not be located adjacent to an area planned for residential use. This district is intended to permit uses such as motor vehicle fuel, service, and sales, convenience retail, restaurant, and motel/hotel uses that will not cause unsafe traffic conditions and which cater to visitors to the area.

(B) Permitted Uses. In addition to the uses defined in Sections 205.040(B) (Overview) and 205.042(B) (Retail Service District), the following types of activities, as well as similar uses, are permitted:

- dispensing propane/compressed natural gas fuel stations

- motels, hotels
- restaurants
- seasonal produce/Christmas tree sales
- truck/car washes

(C) Conditional Uses.

(1) Approval of a Conditional Use Permit shall require compliance with the requirements set forth in Section 203.032(D) (Conditional Use Permits). In addition, when the site abuts land planned for residential use as defined by the Shoreview Comprehensive Guide Plan, the City may:

- (a) prohibit access from a predominately residential street.
- (b) restrict the hours of operation for loading docks, drive-up facilities, self-service fuel sales, outdoor display/activity areas that are lighted and have an outdoor speaker system(s) and any use that could promote loitering, such as a tavern or commercial recreation use.
- (c) require greater than minimum setbacks for structures and driveways.
- (d) require opaque screening to eliminate headlight glare.
- (e) impose any other restriction it deems to be in the public interest. If the proposed conditional use is an adult establishment, outside storage and display and accessory structures are prohibited.






(2) The following uses are permitted with a conditional use permit:

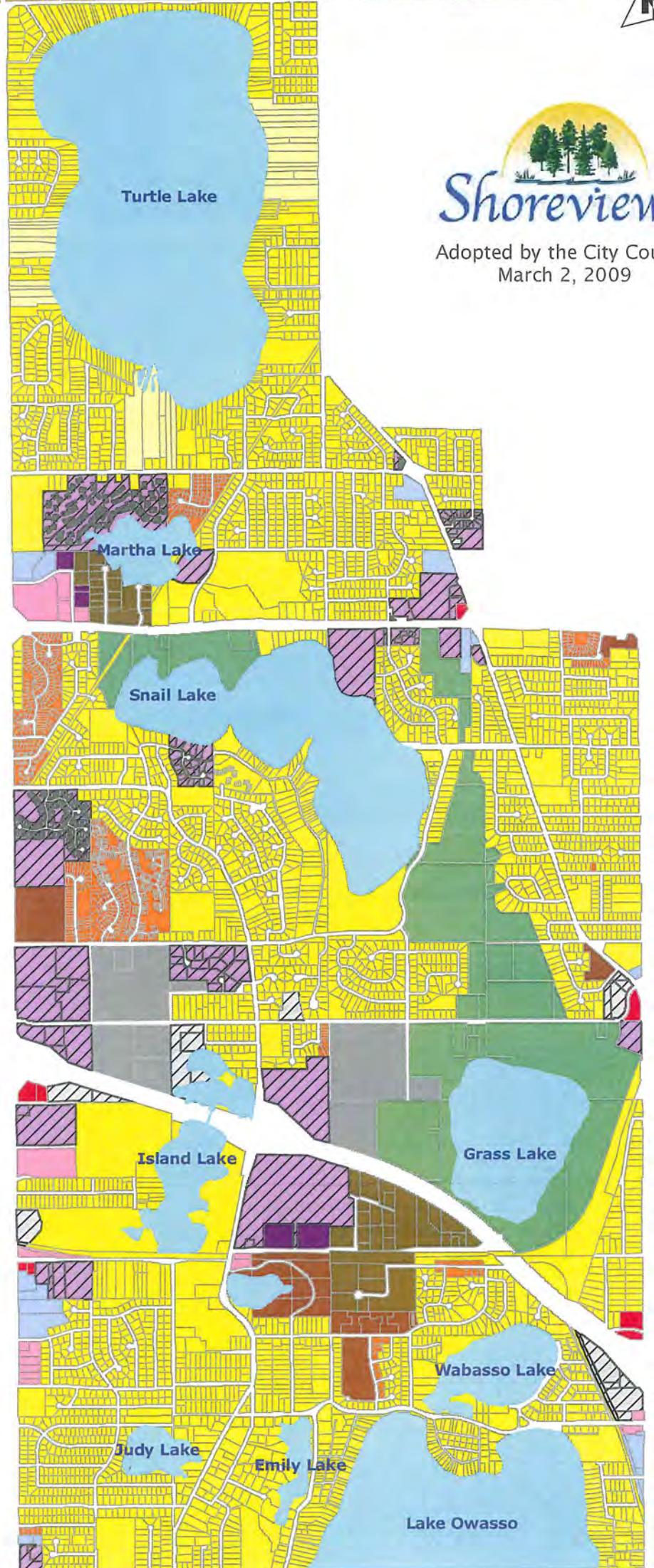
(2) vehicle and equipment sales and rental stricken from text

- adult establishments
- automobile service station
- auto body repair and painting
- commercial recreation uses
- uses with drive-up facilities or loading docks within 75 feet of property zoned for residential use
- ~~vehicle and equipment sales and rental~~
- pawnbroker shops



Zoning Classifications

-  RE - Residential Estate
-  R1- Detached Residential
-  R2 - Attached Residential
-  R3 - Multi-Dwelling Residential
-  R4 - Mobile Home Residential
-  C1 - Retail Service
-  C2 - General Commercial
-  OFC - Office
-  I - Industrial
-  T - Tower
-  OS - Open Space
-  PUD - Planned Urban Development
-  UND - Urban Under Developed
-  BPK - Business Park
-  Water



Disclaimer: Every effort has been made to ensure the completeness and accuracy of this map. However, data used to create this map was compiled from a number of sources and may contain errors. This map should be used for reference only. Data should be verified independently if used for any other purpose. This document is not a legally recorded map or survey and should not be used as such.

Zoning Map

City of Shoreview Community Development Department

