

**AGENDA
PLANNING COMMISSION MEETING
CITY OF SHOREVIEW**

**DATE: NOVEMBER 17, 2015
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

October 27, 2015

Brief Description of Meeting Process – Chair Steve Solomonson

3. REPORT ON CITY COUNCIL ACTIONS

Meeting Date: November 2nd, 2015 and November 16th, 2015

4. NEW BUSINESS

A. PUBLIC HEARING – CONDITIONAL USE PERMIT*

File No: 2598-15-41

Applicant: Mike Heinze

Location: 223 East Owasso Lane

B. COMPREHENSIVE SIGN PLAN*

File No: 2597-15-40

Applicant: Phoenix Signs/Presbyterian Church of the Way

Location: 3382 Lexington Ave

5. MISCELLANEOUS

A. City Council Assignments for *December 7th, 2015 and December 21st, 2015*
Commission Members *Thompson and McCool*

B. City Council Assignments for *January 4th, 2016 and January 19th, 2016*
Commission Members *Peterson and Thompson*

C. Planning Commission Workshop before November 17th meeting @ 6:00 PM.

D. December Planning Commission Meeting scheduled for December 15th @ 7:00 PM

6. ADJOURNMENT

** These agenda items require City Council action. The Planning Commission will hold a hearing, obtain public comment, discuss the application and forward a recommendation to the City Council. The City Council will consider these items at their regular meetings which are held on the 1st or 3rd Monday of each month. For confirmation when an item is scheduled at the City Council, please contact the Community Development Department at 651-490-4682 or 651-490-4680 or check the City's website at www.shoreviewmn.gov.*

Draft

**SHOREVIEW PLANNING COMMISSION
MEETING MINUTES
October 27, 2015**

CALL TO ORDER

Chair Solomonson called the October 27, 2015 Shoreview Planning Commission meeting to order at 7:00 p.m.

ROLL CALL

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

APPROVAL OF AGENDA

MOTION: by Commissioner Schumer, seconded by Commissioner Thompson to approve the October 27, 2015 Planning Commission meeting agenda as presented.

VOTE: Ayes - 7 Nays - 0

APPROVAL OF MINUTES

MOTION: by Commissioner Schumer, seconded by Commissioner Ferrington to approve the September 22, 2015 Planning Commission meeting minutes as presented.

VOTE: Ayes - 6 Nays - 0 Abstain - 1 (Thompson)

Commissioner Thompson abstained as she did not attend the September 22, 2015 meeting.

REPORT ON CITY COUNCIL ACTIONS

Presentation by City Planner Kathleen Castle

The City Council approved the preliminary plat as recommended by the Commission for the new Ramsey County Library.

NEW BUSINESS

VARIANCE

FILE NO: 2593-15-36
APPLICANT: MICHAEL & KARIN MELOCH
LOCATION: 756 COUNTY ROAD I

Presentation by Senior Planner Rob Warwick

This variance request is to expand an existing legal non-conforming detached accessory structure. The structure is currently 448 square feet. When rebuilt and enlarged, it would be 672 square feet. The added space will be 2 feet on the west and 8 feet on the south side of the existing garage.

The property consists of approximately 0.8 acres and is a standard riparian lot. The lot width at the front property line on County Road I is 170 feet and 120 feet at the Ordinary High Water mark (OHW). The property is developed with a house and attached two-car garage with a horseshoe drive. There is also a small shed on the lake side and a detached garage. The detached garage has a setback of 5.5 feet from the front lot line to County Road I and a 4.4 foot setback from the east side lot line. The encroachment into the setback to the north will be increased by approximately 4 inches with the expansion resulting in a setback of 5.2 feet. At the southeast corner the setback will also be reduced by approximately 3 inches, which reduces the side setback to 4.1 feet. Code required setbacks are 5 feet from the east side lot line and 20 feet from the front north lot line. The detached garage is a legal non-conforming structure.

The foundation area of the house is 2150 square feet. Existing accessory structures total 1061 square feet or just under half the square footage of the foundation area. The proposed expansion would increase accessory structure square footage to 1285, or 59.8% of the house foundation area. The larger garage will be used for personal storage.

It is not known when the existing detached garage was constructed. A 10-foot by 20-foot addition was built in 1981. The area exceeds the permitted floor area specified by current code. While it is a legal non-conforming structure, any expansion must conform to current Code. With a 2-car attached garage to the house, a new detached structure is limited to 288 square feet with a Conditional Use Permit. Therefore, the following variances are requested:

- Increase the floor area of the existing 448 square foot detached garage to 672 square feet;
- Increase the total floor area of all accessory structures to 1285 square feet;
- Reduce the front setback to 5.2 feet and the side setback to 4.1 feet.

The applicant plans to use the current location for the new detached garage. Lot coverage on a riparian lot is 25% but can be increased to 40% if there are no structures in the Shore Impact Zone, and runoff from less than half the property drains directly to the lake. This property meets both those conditions, and so increasing impervious surface to 29% with the detached garage expansion is allowed.

Two practices of shoreland mitigation are required. The applicants have identified architectural mass and infiltration. An infiltration basin will be installed near the garage to manage storm water runoff onsite. The existing home has an exterior brick. Brick will not be used for the new detached garage, but the exterior materials will match the existing home. The detached garage is screened with a berm and landscaping, which will be retained.

The applicant's statement to justify the variances is that the existing detached garage is in poor condition and that expansion of the attached garage is not possible because the current 10.4 foot setback limits any potential for an addition on the east side. Expansion to the west would interfere with living area, and an expansion toward the street would negatively alter the appearance of the property. The large lake lot results in the need for increased storage for water and yard equipment.

Staff identifies that the requested 1285 square feet of accessory structure area is less than 60% of the dwelling foundation area, so the house will continue to be the dominant visual feature of the property. The combined circumstances of a large riparian lot and an existing non-conforming garage are unique circumstances. Detached garages are common on riparian lots along County Road I, and so the character of the neighborhood will not be changed.

Property owners within 150 feet were notified of the application. No comments have been received. There are no objections from either Ramsey County Public Works or Rice Creek Watershed District. A Rice Creek Watershed District permit is required only if more than 10,000 square feet of land is disturbed. The Building Official has noted that construction within 5 feet of a property line must meet certain Building Code standards.

Staff finds that there is practical difficulty and that the proposal complies with the intent of the Code. Approval is recommended with the conditions listed with the motion.

Commission Discussion

Commissioner McCool asked if any consideration was given to removing the smaller shed by the lake in exchange for the expansion. Mr. Warwick responded that the applicants do not wish to remove the small shed, as they use it for lifejackets for their children. He would be more supportive if the small lakeside storage structure were removed. He would like to see the total accessory structure square footage remain at 1200 or less to conform with City Code. He is not concerned about the size of the garage, but his concern is exceeding the limit of 1200 square feet total. The size of the garage could be 24 feet by 24 feet, keep the small shed and be in compliance. He is not so concerned about the 5-foot setback because of the trees that screen the area.

Commissioner Ferrington asked if consideration was given to moving the location of the detached garage closer to the house and closing off one of the access points for the existing horseshoe drive from County Road I. Then only one variance for the size would be needed. **Mr. Mike Meloch**, Applicant, responded that moving the garage further west would interfere with the driveway access. The circular drive is very convenient and provides parking for group

gatherings. If the detached garage were moved to the west side, there is very little tree cover and it would stand out. Also, there is a large tree they would like to save. He commended Mr. Warwick for his help and work on this application.

Commissioner Ferrington asked if a second story is considered an expansion. City Attorney Kelly agreed that a second story would be an expansion. Mr. Warwick added that the non-conformity expansion of a second story would not comply with City Code and cannot be permitted. To maintain legal non-conformity, the structure would have to be rebuilt in the exact location to the exact size and dimensions as it exists now.

Commissioner Ferrington suggested moving the garage to the west and plant trees for screening. **Mr. Meloch** responded that the garage would then be close to his neighbors. Keeping it on the east side of the lot keeps the setback encroachment toward a vacant lot. Also, the widened driveway provides easy access to the garage with boats and vehicles.

Commissioner Ferrington stated that exceeding the total accessory structure area of the required 1200 feet is an issue for her. Also, when the detached garage is rebuilt, she would like to at least see the side setback increased to the conforming 5 feet.

Chair Solomonson asked when the two accesses to County Road I were granted. Mr. Warwick explained that the two accesses were granted through a Ramsey County permit before the City had any regulations regarding two driveway access points. He noted that because of the lot width, Code would allow two driveway accesses. Chair Solomonson agreed with moving the new garage slightly to conform to a side yard setback of 5 feet. City Attorney Kelly noted that if the garage were rebuilt on the exact same footprint and not expanded it could be rebuilt as a legal non-conforming structure. With an expansion, variances are needed because the structure is no longer legally non-conforming.

Chair Solomonson stated that his issue with the application is the expansion, even though he understands the uniqueness of the situation. If the small shed were removed, the total accessory structure area would be closer to 1200 square feet and easier to support. The trade for the larger garage is to remove the small lakeside shed. He would also like to see a shift to the west to achieve the required 5-foot setback.

Commissioner Peterson noted that if the garage were expanded to 587 square feet, it could be moved to comply with the side yard setback of 5 feet. What is requested is so close to being in compliance. He agreed with making a change for a 5-foot side setback. He asked what would be lost if the expansion were 587 square feet. Mr. Meloch agreed that could be an option but would, but he would prefer the planned garage of 20 feet by 28 feet, which is easier to build. Commissioner Peterson stated that at some time the vacant lot will be developed and be impacted by this garage. The square footage is close to being in compliance and he would like to see it changed to the limit of 1200 square feet.

Commissioner Thompson stated that she agrees with staff and supports the proposal. The applicant has looked at a number of alternatives on his property. If it would be possible, she would like to see the elimination of the added 4-inch encroachment on each side.

Commissioner Doan agreed with reaching compliance of a 5-foot side setback because it is so close. At some point the vacant lot will be developed. He is open to considering the amount of 1285 square feet of storage space based on the fact that the property meets the three variance criteria. He would not want to see the garage moved to the west side of the lot because that would increase impervious surface on this property. While removing the small lakeside shed would achieve compliance of 1200, he does not believe it changes anything other than practical use for the applicant.

Commissioner Schumer stated that he supports staff's findings. While he would like to see the garage smaller, he believes the applicant has researched well the options and he will support it. He would not want to see it moved to the west side where it would be close to a neighbor.

MOTION: by Commissioner Schumer, seconded by Commissioner Thompson to adopt resolution 15-98 approving the variances to permit re-building a detached accessory structure located at 756 County Road I:

- To reduce the front 5.2 feet and adhere to the 5-foot minimum side setback required for an accessory structure;
- To increase the floor area of the detached accessory structure from 448-square feet to 672-square feet; and
- To increase the total floor area of all accessory structures from 1,200-square feet to 1,285-square feet.

This approval is subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the Variance application. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. The enlarged garage shall conform to the required 5-foot side setback from the east side lot line.
3. This approval will expire after one year if a building permit has not been issued and work has not begun on the project.
4. This approval is subject to a 5-day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity begins.
5. A Mitigation Affidavit shall be executed prior to the issuance of a building permit for the addition.
6. The applicants shall submit a landscape plan that shows the existing and proposed landscaping used to screen the garage from the north and east. The existing vegetation will be enhanced with a minimum of two conifer trees or shrubs. The landscape plan is subject to the approval of the City Planner.
7. Use of the accessory structure shall be for personal use only and no commercial use is permitted.

This approval is based on the following findings:

1. The proposed improvement is consistent with the policies of the Comprehensive Plan, including the Land Use and Housing Chapters.
2. The proposed detached detached accessory structure and the total floor area of all accessory structures represent a reasonable use of the property which is located in the R-1 Detached Residential District and Shore land Overlay District.

Discussion:

Chair Solomonson stated that he would like the motion to include compliance with the 5-foot side yard setback.

AMENDMENT MOTION: by Commissioner Doan, seconded by Commissioner Peterson to amend the motion for the variance to allow the front setback to be 5.2 feet or more, but modify the motion to require the side yard setback to conform to the City's standard of 5 feet.

VOTE: Ayes - 6 Nays - 1 (Schumer)

Mr. Meloch agreed to comply with the 5-foot setback.

Commissioner McCool stated that while he supports the amendment, he would like to see other changes made to the plan to make the variances easier to support. He would support tabling this matter so the applicant can bring a revised plan.

VOTE ON AMENDED MOTION:

Ayes - 5 Nays 2 (McCool, Peterson)

VARIANCE/ MINOR SUBDIVISION*

FILE NO: 2594-15-37
APPLICANT: GERALD & LINDA WALSH
LOCATION: 175 SHERWOOD ROAD

Presentation by City Planner Kathleen Castle

This application is to subdivide the subject property into two parcels for single-family use. The property is located in and R1 District and is within the Shore land Management District of Poplar Lake. Minimum lot standards are more stringent in a Shore land Management District. The variances needed are:

- To reduce the minimum 40,000 square foot lot area to 28,749.6 for Tract B
- To reduce the minimum 125-foot lot width requirement to 115 feet for Tract B and 34.99 feet for Tract A.

The property consists of 1.74 acres with a lot width of 149.99 feet. The lot depth is 535.68 feet. It is currently developed with a single-family home with attached garage and other detached accessory structures on Tract A. The property is adjacent to Poplar Lake County Park. Tract A is developed with a single-family home and improvements with direct access on Sherwood Road. Tract B would be the new parcel for future single-family home development.

The Comprehensive Plan designates the property for low density residential use. The Development Code requires municipal sanitary sewer and water connection available through the City. Drainage and utility easements must be identified. The property is zoned R1, Detached Residential. Tracts A and B will be a key lots with side and rear lot lines abutting each other. A home on Tract B would require a variance from the front yard structure setback requirements. Future front yard setback variance determined by the existing home at 175 Sherwood at 388.87 and the vacant the County Park property--the permitted range is 196.91 feet to 216.91 feet. The lot depth of 248.57 feet restricts the building pad area, but there is sufficient area to support a single-family home. Tract A requires a variance to reduce the 125-foot lot width to 34.99 feet.

The applicant states that a proposed single-family residential use is reasonable. The property is unique because it is adjacent to Poplar Lake. The subdivision is compatible with the neighborhood. Staff finds that practical difficulty is present. Single-family residential use is consistent with the Comprehensive Plan and zoning. Unique circumstances include proximity to Poplar Lake, a lake with an undeveloped shoreline and no developed riparian properties. Municipal sanitary sewer and water are available. Development will not negatively impact the lake.

Lot sizes on Sherwood range from 0.76 acres to 1.45 acres with wetland present on some properties. Tract B has sufficient upland area for a home. The subdivision is consistent with the development pattern to the east and does not impact the character of the neighborhood.

Notices were sent to area property owners. Two comments were received in support of the proposal. One person expressed concerns about drainage from Tract A. Staff is looking into the question regarding the legal description. No future development is planned for this area.

The Department of Public Works reviewed the application and provided comments regarding city utility services, drainage and utility easements; and access on Sherwood Road, a county roadway.

Staff supports the proposal which is consistent with the City's Comprehensive Plan. Practical difficulty does exist and the variances are justified. Staff recommends approval of the variances and that the Commission forward the subdivision application with approved variances to the City Council for approval of the minor subdivision.

MOTION: by Commissioner Schumer, seconded by Commissioner Thompson to adopt Resolution 15-97, approving the following variances:

- 1) To reduce the minimum 40,000 square foot lot area required to 28,749.6 square feet for Tract B.
- 2) To reduce the minimum 125 foot lot width required to 115 feet for Tract B and 34.99 feet for Tract A.

And to approve the minor subdivision request to subdivide the property into two parcels creating a new parcel for single-family residential use subject to the following conditions:

Variance

1. This approval is subject to the City Council's approval of the Minor Subdivision.
2. This approval will expire after one year if the subdivision has not been recorded with Ramsey County.
3. The approval is subject to a 5 day appeal period.

Minor Subdivision

1. Approval of the minor subdivision is contingent upon approval the lot width variances for Tracts A and B and lot area variance for Tract B.
2. The minor subdivision shall be in accordance with the plans submitted. The applicant shall pay a Public Recreation Use Dedication fee as required by Section 204.020 of the Development Regulations before the City will endorse deeds for recording. The fee will be 4% of the fair market value of the property, with credit given for the existing residence.
3. Public drainage and utility easements shall be dedicated to the City as required by the Public Works Director. The applicant shall be responsible for providing legal descriptions for all required easements. Easements shall be conveyed before the City will endorse deeds for recording.
4. Municipal water and sanitary sewer service shall be provided to the resulting Tract B.
5. Items identified by the City Engineer in his memo shall be addressed as specified.
6. The applicants shall enter into a Subdivision Agreement with the City. This agreement shall be executed prior to the City's release of the deeds for recording.
7. Tree removal requires replacement trees per City Code. City requirements for the tree removal and protection plan shall be detailed in the Development Agreement.
8. While Tract B appears to contain sufficient land area for single-family residential use, a front yard structure setback variance will be needed since the required setback for this parcel is determined by a setback average which utilizes the structure setback of the home on Tract A. Approval of the subdivision does not bind the City or guarantee approval of a future variance.
9. This approval shall expire after one year if the subdivision has not been recorded with Ramsey County

This approval is based on the following findings of fact:

1. The proposed residential use is consistent with the policies of the Comprehensive Plan, including the Land Use and Housing Chapters.

impacts, pedestrian connections and any impact to nearby single-family neighborhoods. The proposal is consistent with the Comprehensive Plan. Staff is recommending approval with the conditions listed regarding operations, noise, and waste management.

Legal notice for the CUP was published in the City's legal newspaper, and property owners within 350 feet were notified of the application. One comment was received in support of the proposal. Ramsey County and the City Engineer have expressed no concerns with the application.

Approval shall include a 10-foot setback from Hodgson Road for landscaping. No signage shall be permitted on the fence, and the fence shall be maintained per Code. The fence must be removed upon expiration of the CUP or change in use on the property.

City Attorney Kelly stated that proper notice has been published for the public hearing for the Conditional Use Permit.

Commission Discussion:

Commissioner Peterson asked if the artificial turf will impact trees in the area. Ms. Castle explained that the artificial turf provides drainage, which means moisture will infiltrate into the soil. There would be no negative impact to trees.

Commissioner McCool asked about the applicant's concerns with the 10-foot setback. Ms. Castle responded that the concern is that the exercise area might be too small. There has been some discussion about expanding the exercise area further north.

Commissioner Ferrington asked the impact of the 10-foot setback. She suggested that there are hedge plantings for landscaping that would not need a 10-foot setback and perhaps a 5-foot setback could be used. **Mr. Jeff Jensen**, Applicant, stated that he staked the area for installation of 50 feet by 50 feet pieces of turf. A 5-foot setback would definitely help. The purpose of the project is to create an enclosed exercise space as large as possible where dogs can be off the leash. A gate will be put on the west side. He wants to be sure the fence is attractive to the business.

Chair Solomonson noted that this property is a high visibility area and asked if there could be restrictions as to the material used for the fence. Ms. Castle stated that Code does not address types of material to use for the fence. The proposed wooden fence is permitted.

Commissioner Doan asked if there was a square footage goal for the size of this outdoor space. **Mr. Jensen** stated that he would prefer to extend the fence straight from the building rather than angle it for the 10-foot setback. There are trees within the enclosure that are of concern and hang over the building. Ms. Castle responded that landmark trees cannot be removed unless diseased.

MOTION: by Commissioner Schumer, seconded by Commissioner McCool to close the public hearing at 9:08 p.m.

VOTE: Ayes - 7 Nays - 0

Commissioner Ferrington stated that this is a reasonable request from a long-time hometown business that she would like to support. Adjusting to a 5-foot setback is reasonable and would provide more area for the dogs.

Commissioner McCool agreed with a 5-foot setback to make the exercise area as large as possible. He would like to see a condition added to finalize the site plan once the design is complete.

Chair Solomonson also agreed with a 5-foot setback. He explained that the reason he questioned the material of the fence is that cedar takes a lot of maintenance and is not as sturdy as other types of fences.

MOTION: by Commissioner Schumer, seconded by Commissioner McCool to recommend the Planning Commission recommend to the City Council approval of the Site and Building Plan Review and Conditional Use Permit for the Minnesota Veterinary Hospital, 4545 Hodgson Road subject to the following conditions, and with amendment to condition No. 3 of the Site Plan Review for a 5-foot setback from Highway 96 rather than the stated 10-foot setback.

Site and Building Plan Review

1. This approval permits the installation of a 6-foot tall wooden privacy fence for an outdoor animal exercise area located on the north side of the hospital/kennel building as identified on the approved plans.
2. The installation of the fence shall not result in the removal of any landmark trees on the property.
3. The fence shall maintain a minimum setback of 10 feet from Hodgson Road to provide an area for landscaping. A landscape plan shall be submitted for City review and approval prior to the issuance of a fence permit.
4. No signage is permitted on the fence.
5. A fence permit is required to install the proposed 6-foot tall fence. This fence shall be constructed and maintained in accordance with Section 205.040 (C)(9).

Conditional Use Permit

1. This permit amends the existing Conditional Use Permit for the indoor kennel facility, Minnesota Veterinary Hospital, as authorized in Resolution 02-11. This amendment permits an outdoor exercise area located on the north side of the hospital/kennel building.
2. Conditions as identified in Resolution 02-11 shall remain in effect. Condition No. 4 shall be amended to read:

The owners must comply with the management plan for the facility, including the outdoor exercise area. Animal waste that occurs outside the facility shall be picked up and disposed of daily. The owners must comply with Section 601.030 (D) and 209.020 (B)(8) regarding noise and Section 601.030 (E) regarding waste. The exterior of the site shall be maintained in accordance with Section 211, Property Maintenance Standards.

3. The outdoor exercise area shall be enclosed with a 6-foot tall wooden privacy fence. This fence shall be constructed and maintained in accordance with Section 205.040 (C)(9).
4. Artificial turf is permitted for the outdoor exercise area provided it is maintained in accordance with the manufacturer's specifications and Section 211, Property Maintenance Standards.
5. Use of the outdoor exercise area shall be restricted to canines receiving care at the Veterinary Hospital or being boarded in the kennel facility.
6. Use of the outdoor exercise area shall be managed and operated in accordance with the information submitted as part of the conditional use permit application.
7. The fence and outdoor exercise area shall be removed upon the expiration of the conditional use permit and/or a change in use on this property.

Approval is based on the following findings.

1. The property is zoned O, Office which allows veterinary hospitals as a permitted use and indoor kennels as a conditional use.
2. The land use complies with the designated land use (Office) of the Comprehensive Plan and policies of PDA #10. The proposed outdoor exercise area for the canines will not affect nearby residential uses, traffic or pedestrian connections.
3. The outdoor exercise area is consistent with the standards required for an indoor kennel, Section 205.044 (C)(3).

Discussion:

AMENDMENT: by Commissioner McCool, seconded by Commissioner Ferrington to add condition No. 6 under the Site and Building Plan Review to state that the applicant shall submit a plan showing the final design of the fence for review and approval by City staff prior to installation of the fence.”

VOTE ON AMENDMENT: Ayes - 7 Nays - 0

SECOND AMENDMENT TO AMENDED MOTION: by Commissioner Doan, seconded by Commissioner Ferrington to condition No. 3 that the setback of 5 feet in lieu of 10 feet from Hodgson Road to provide for an area for landscaping, that a landscaping plan shall include screening vegetation of the fence and shall be submitted for City review and approval prior to the issuance of a fence permit.

VOTE ON SECOND AMENDMENT TO AMENDED MOTION: Ayes - 7 Nays - 0

VOTE ON MOTION AS AMENDED: Ayes - 7 Nays - 0

Chair Solomonson called a 10-minute break and then reconvened the meeting.

MISCELLANEOUS

Discussion - Accessory Structure Regulations

Ms. Castle stated that based on previous discussions with the Planning Commission, staff has made an effort to simplify the City Code on accessory structures and clarify the requirements using a table format rather than text explanation. Recommended changes by the Planning Commission are incorporated in the table format.

Chair Solomonson expressed his support for the changes and the table format which makes the information much clearer. He asked if the right levels are being used for the tier system.

Commissioner Ferrington stated that the result is a code that is less restrictive for a greater number of properties in Shoreview. For example, for 0.4 acre 415 parcels would qualify in that category while a cutoff at 0.5 acre qualifies 792 parcels. At each tier the number of qualifying parcels is approximately double. She noted that a 10-foot setback might be difficult for long narrow lake lots. She agreed that the one-half acre tier limit makes sense and supports this tier approach.

Commissioner Peterson responded that rather than looking at the number of properties impacted, he looks at the issues of visual impact, mass and scale in neighborhoods. He is satisfied with the tier level of 0.5 acre rather than 0.4 acre.

Chair Solomonson stated that in looking at neighborhoods, only a few properties in some Victoria Street areas are impacted at the tier level of 0.5 acre. At 0.4 acre, almost all properties are impacted. Then the question becomes whether certain accessory structures are allowed on a few lots or allowed consistently through the neighborhood. He believes that 0.4 would allow more benefit. It also depends on the configuration of lots. He expressed his support for the changes to the Cod and the table format which makes the information clearer.

Commissioner McCool stated that the goal is to set appropriate limits to alleviate the number of variances requested. He believes one-half acre increments make sense. He emphasized Attorney Kelly's comment that when the maximum limits saying whichever is more restrictive is noteworthy.

Commissioner Doan stated that front setback requirements are not stipulated. Mr. Warwick stated that front setbacks are for riparian lots, so that accessory structures could be placed on the street side rather than the lake side. Commissioner Doan referred to page 205-42 and asked how the 5-foot and 10-foot setbacks are applied in the one-half acre to one acre tier. Ms. Hill responded that a standard detached garage requires only a 5-foot setback.

The Planning Commission will jointly meet with the City Council to present the Code amendments on accessory structures in the proposed table format.

City Council Assignments

Commissioners Schumer and Peterson will respectively attend the City Council meetings for November 2nd and November 16th, 2015.

Commissioners Solomonson and McCool will respectively attend the December 7th and December 21st, 2015 City Council meetings.

Workshop Meeting

The next Planning Commission workshop meeting is at 6:00 p.m., immediately prior to the scheduled meeting at 7:00 p.m. on November 17, 2015.

ADJOURNMENT

MOTION: by Commissioner Schumer, seconded by Commissioner McCool to adjourn the meeting at 9:50 p.m.

VOTE: Ayes - 6 Nays - 0

ATTEST:

Kathleen Castle
City Planner

TO: Planning Commission
FROM: Niki Hill, Economic Development and Planning Associate
DATE: November 12, 2015
SUBJECT: File No. 2598-15-41, Heinze – 223 E Owasso Ln., Conditional Use Permit

INTRODUCTION

Mike Heinze proposes to construct a 256 square foot detached accessory structure on his property. The proposal requires a Conditional Use Permit since the property is less than 1 acre and the proposed shed exceeds 150 square feet in area. The intent of the Conditional Use Permit process is to review the proposal in terms of the Development Code standards and consistency with the Comprehensive Plan.

PROJECT DESCRIPTION

The property is located on the East (non-lake) side of Owasso Lane E in the R1, Detached Residential District as are the adjacent properties. According to tax records, the lot is .46 acres and has an area of 20,037 square feet. The lot has a width of 76 feet with a depth of 265.00 and is considered a standard lot. The property is developed with a single family home that has a foundation area of 1,400 square feet with a 396 square foot attached garage.

The applicant plans to construct a 256 square foot, 16' x 16' shed in the rear of their house. The shed will be placed 10.00 feet from the north property line and 30 feet from the east (rear) property lines. On lots under 1 acre, a Conditional Use Permit is required to construct anything over 150 square feet. The applicant has submitted a building permit application for this, and that will be reviewed administratively upon conclusion of the CUP review process. Please see the attached plans.

DEVELOPMENT CODE

The accessory structure regulations were revised in 2006, adopting standards to ensure the compatibility of these structures with surrounding residential uses. In the R-1 District, two detached accessory structures are permitted. On parcels with an area less than 1 acre, accessory structure floor areas that are larger than 150 square feet but less than 288 square feet require a Conditional Use Permit. The Conditional Use Permit process enables the City to review the proposed use for compliance to the Development Code standards and ensure compatibility with nearby land uses through a public hearing. The combined area of all accessory structures cannot exceed 90% of the dwelling unit foundation area or 1,200 square feet, whichever is more restrictive.

Accessory structures must be setback a minimum of 5 feet from a side lot line and 10 feet from a rear lot line, except when a CUP is required the minimum setback increases to 10 feet from all property lines. The maximum height permitted for detached accessory structures is 18 feet as measured from the roof peak to the lowest finished grade; however in no case shall the height of the structure exceed the height of the dwelling unit. In addition, sidewalls cannot exceed 10 feet and interior storage areas above the main floor cannot exceed an interior height of 6 feet.

The exterior design of the structure must be compatible with the dwelling and be similar in appearance from an aesthetic, building material and architectural standpoint. The proposed design, scale, height and other aspects related to the accessory structure are evaluated to determine the impact on the surrounding area. Building permits may be issued upon the finding that the appearance of the structure is compatible with the structures and properties in the surrounding area and does not detract from the area. The intent of these regulations and the City's Comprehensive Plan's policies is to ensure that the residential character of the property and neighborhood is maintained and that dwelling unit remains the primary feature and use of the property.

Conditional Use Permit

Attachment A summarizes the standards which must be met for the Conditional Use Permit to be granted. These standards address location, structure setbacks, screening, and exterior design. In addition, a Conditional Use Permit can only be granted upon the finding that the proposed use is in harmony with and conforms to the Comprehensive Plan policies and Development Code standards.

APPLICANT'S STATEMENT

The applicant states that the detached accessory building will be used for storage of additional tool, equipment, recreation, and household items. By building this structure it will allow current items in the existing garage to be organized neatly in a designated space so a vehicle can be parked in the existing detached garage.

STAFF REVIEW

The proposal was reviewed in accordance with the Conditional Use Permit standards identified in the Development Code. The proposed structure complies with the City's standards regarding setback, height, and exterior design.

The following table reviews the proposal in terms of the adopted standards.

	Existing	Proposed	Development Code Standard
Area			
Shed (Proposed)	N/A	256 sf	150 sf to 288 sf for a detached structure
Detached Garage	396 sf	396 sf (51%)	1,000 or 75% (1000 sf) of the dwelling unit foundation, whichever is less.
All Accessory Structures	396 sf (28.2% of dfa)	652 sf (46.6% of dfa)	1,200 sf or 90% of the dwelling unit foundation area (1,000 sf) – whichever is more restrictive
Setback			
- Side lot line	N/A	10 ft	10 ft
- Rear lot line	N/A	30 ft	10 ft
Height			
- Roof Peak	N/A	17'10" ft	18 ft
- Sidewall	N/A	7'6" ft	10 ft
Exterior Design		Hardie Board Siding, with color of roof trim and shingles to match existing house color.	Compatible with the residence and be similar in appearance
Screening		Existing house, and trees along north property line.	Structure shall be screened from view of public streets and adjoining properties with landscaping, berming or fencing

In Staff's opinion, the proposed shed is in harmony with general purpose of the Development Code and Comprehensive Plan policies. The overall size of this structure when combined with all other accessory structures is less than 90% of the dwelling unit foundation area, therefore, the dwelling unit will remain the primary feature and use of the property. The use of the structure is incidental to the primary residential use of the property and will enhance the use of the property by providing additional indoor storage. This use is consistent with the residential use of the property and neighborhood. Staff does recommend the retention of existing screening on the north side of the shed to mitigate the impacts of the adjoining property to the north.

PUBLIC COMMENT

Property owners within 350' of the property were notified of the application. Comments received have been attached.

RECOMMENDATION

The applicant's proposal is consistent with the Conditional Use Permit criteria and standards for detached accessory structures. The residential use of the proposed shed is in harmony with the general purposes and intent of the Development Code and Comprehensive Plan. The structure/land use conforms to the Comprehensive Plan and is compatible with the residential neighborhood. The existing home will remain the primary feature and use of the property.

Staff is recommending the Planning Commission recommend the City Council approve the Conditional Use Permit, subject to the following:

1. The project must be completed in accordance with the plans submitted with the applications. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. The exterior design of the shed shall be consistent with the plans submitted and complement the home on the property.
3. The applicant shall obtain a building permit for the structure. The structure shall comply with the Building Code standards.
4. The accessory structure shall be screened from view of adjacent properties and public streets through the use of landscaping, berming, fencing or a combination thereof.
5. The structure shall not be used in any way for commercial purposes.

Attachments:

1. Attachment A – Conditional Use Permit, Standards for Detached Accessory Structures
2. Aerial Photo
3. Applicant's Statement and Submitted Plans
4. Comments received
5. Motion Sheet

ATTACHMENT A

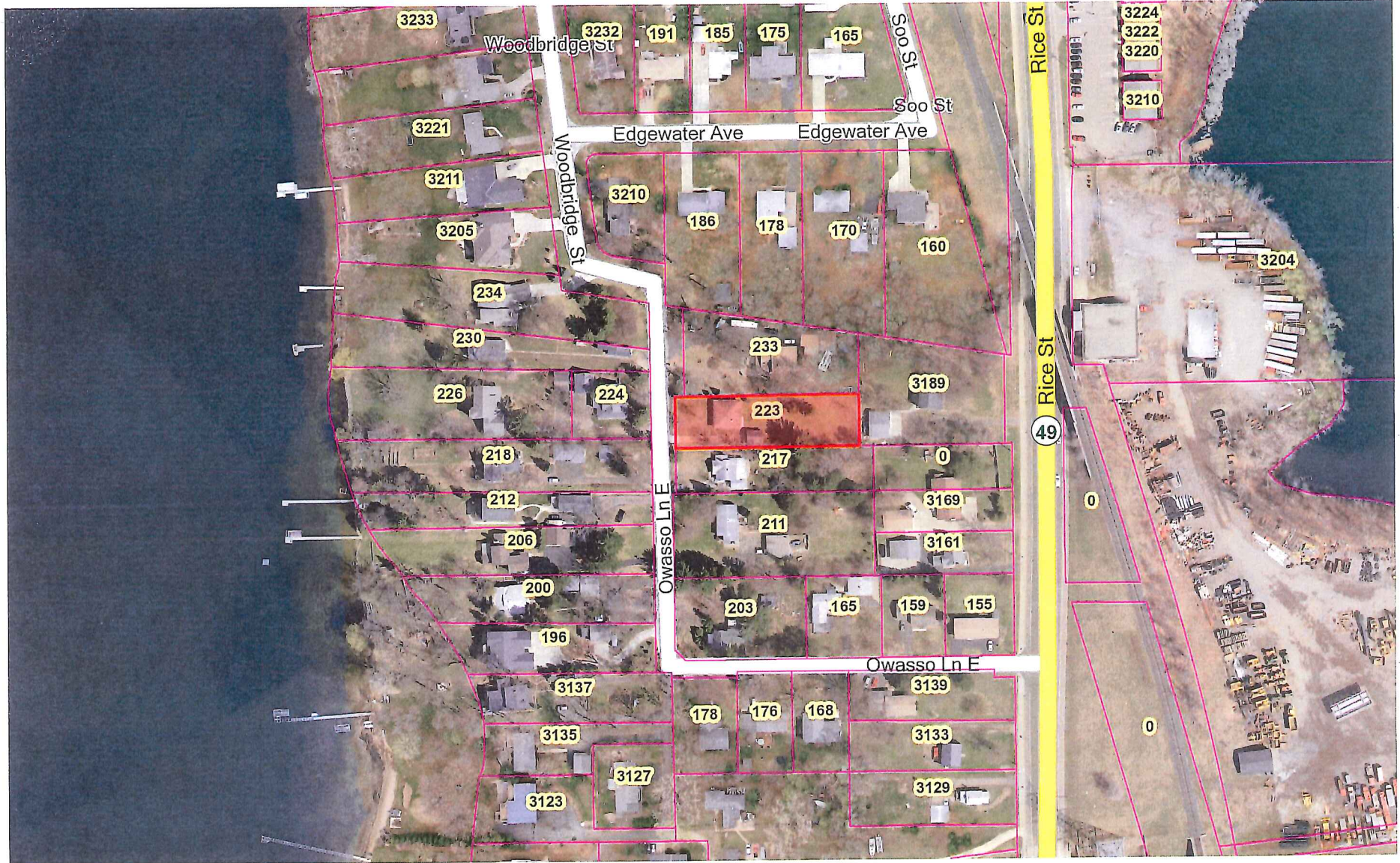
- (1) The accessory structure shall be located in the rear yard of the property except as otherwise permitted by this ordinance.
- (2) The accessory structure shall be setback a minimum of 10 feet from the side property line and 10 feet from the rear property line; however, the City may require greater setbacks to mitigate impacts on adjoining properties.
- (3) For parcels 1 acre or larger in size, the lot shall have a minimum area of 1 acre above the ordinary high water line of a lake, ponding area or wetland on the property.
- (4) The accessory structure shall be screened from view of adjacent properties and public streets through the use of landscaping, berming, fencing or a combination thereof.
- (5) The structure shall comply with the standards of Section 205.082(D) (5) of this ordinance.

Conditional Use Permit Criteria

Certain land uses are designated as a conditional use because they may not be suitable in a particular zoning district unless conditions are attached. In those circumstances, conditions may be imposed to protect the health, safety and welfare and to insure harmony with the Comprehensive Plan.

In addition to the standards identified above, the City Council must find that the use complies with the following criteria.

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



400.0 0 200.00 400.0 Feet

NAD_1983_HARN_Adj_MN_Ramsey_Feet
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1:2,400



Date: 10/23/15

Subject: Conditional Use Permit – Statement of Use

To: City of Shoreview – Permits & Inspections Department

From: Mike Heinze

I am providing this letter in order to meet the requirements stated in the conditional use application for the construction of a 256 SQFT storage shed located at 223 East Owasso Lane, Shoreview MN. The intended use of this structure will be for additional tool, equipment, recreation, and household item storage space. By building this structure it will allow current items in the existing garage to be organized neatly in a designated space. So a vehicle can be parked in the existing detached garage.

Sincerely,

Mike Heinze
223 East Owasso Lane, Shoreview MN 55126

mheinze@nac-hvac.com

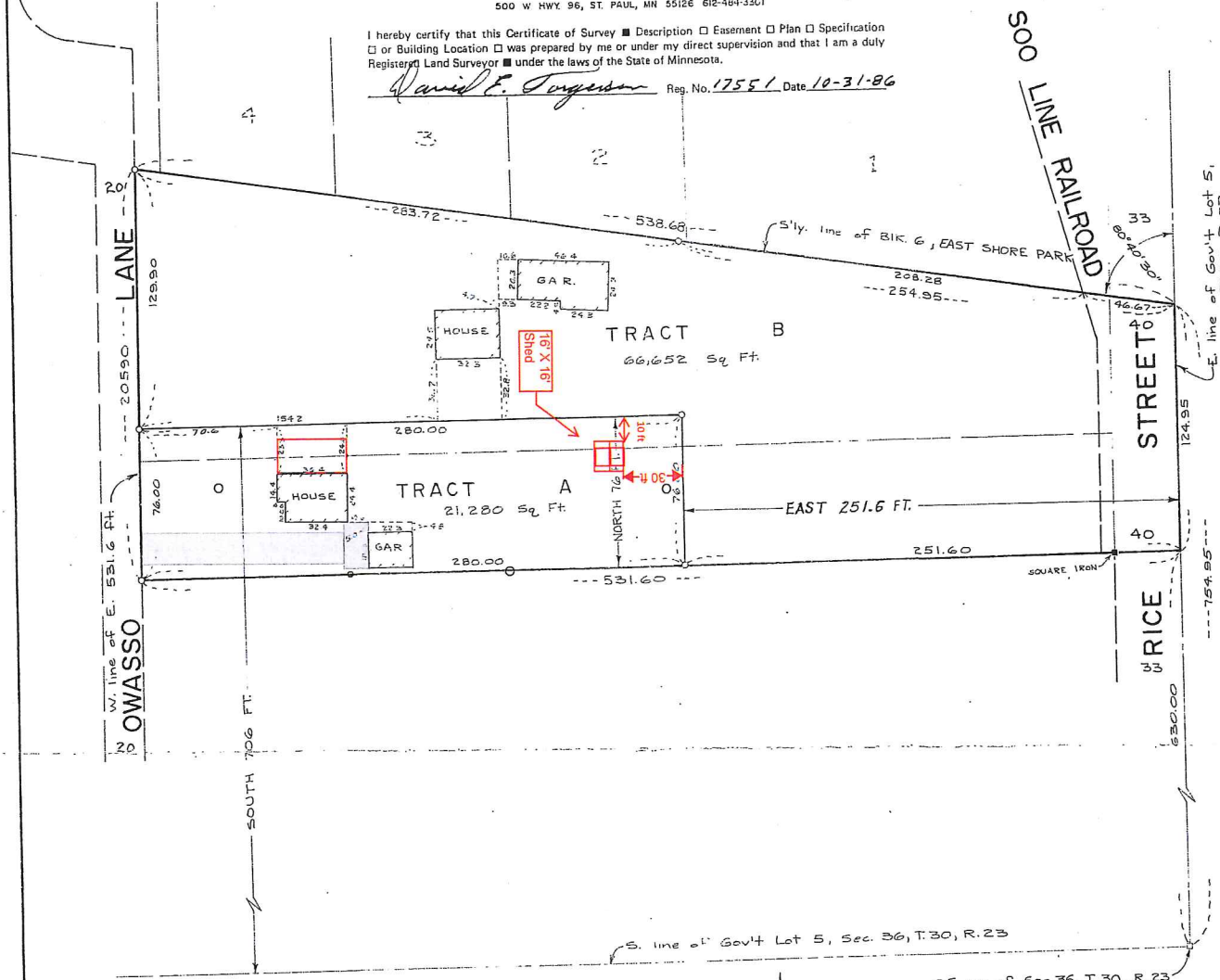
Cell: 651-245-5621



500 W HWY 96, ST. PAUL, MN 55126 612-484-3361

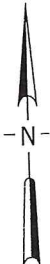
I hereby certify that this Certificate of Survey ■ Description □ Easement □ Plan □ Specification □ or Building Location □ was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor ■ under the laws of the State of Minnesota.

David E. Ferguson Reg. No. 17551 Date 10-31-86



SCALE: 1 inch = 40 feet

- Denotes iron monument found
- o Denotes iron monument set

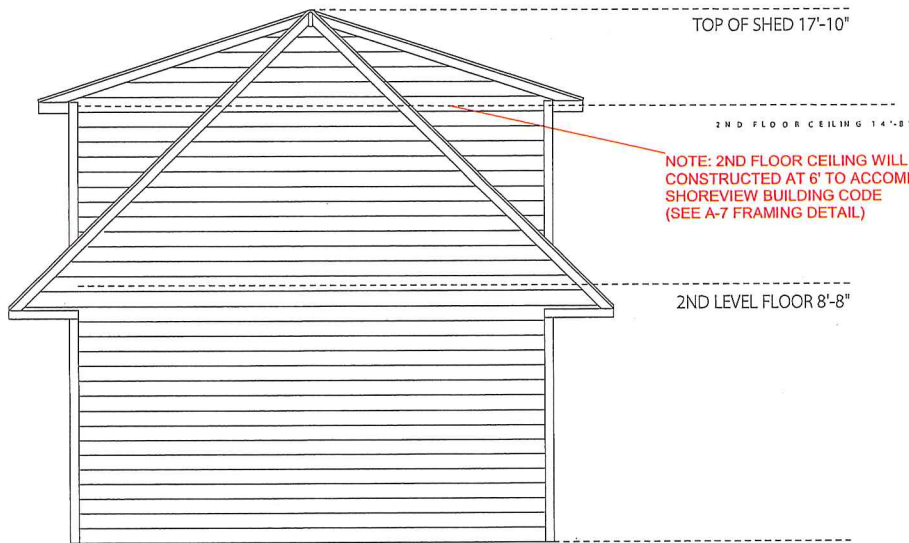


TRACT A

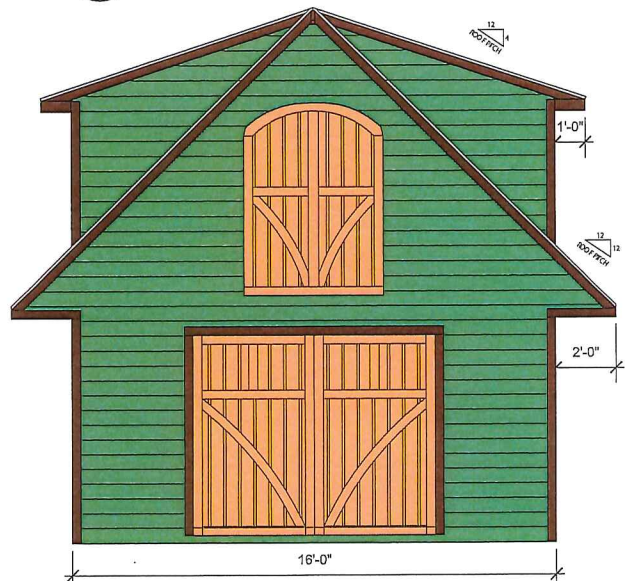
The North 76 feet of the South 706 feet of the West 280 feet of the East 531.6 feet of GOVERNMENT LOT 5, Section 36, Township 30, Range 23, Ramsey County, Minnesota.

TRACT B

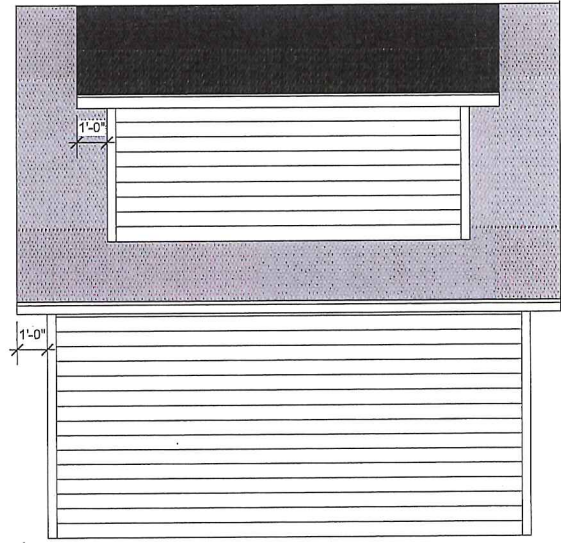
The East 251.6 feet of the North 76 feet of the South 706 feet of GOVERNMENT LOT 5, Section 36, Township 30, Range 23, Ramsey County, Minnesota and the East 531.6 feet of said GOVERNMENT LOT 5 lying North of the South 706 feet of said GOVERNMENT LOT 5 and lying Southerly of the Southerly line of Block 6, East Shore Park according to the recorded plat thereof except the Soo Line Railroad right-of-way and subject to Rice Street.



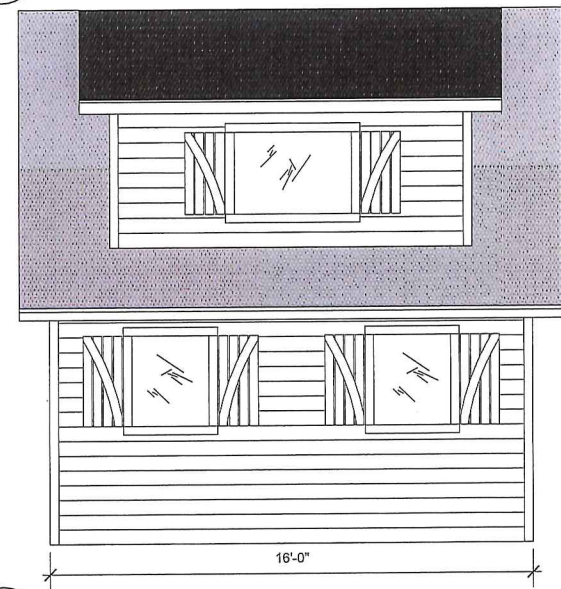
1 NORTH-SIDE VIEW
A1 SCALE FACTOR: 1/4" = 1'



3 SOUTH-SIDE VIEW
A1 SCALE FACTOR: 1/4" = 1'



2 EAST-SIDE VIEW
A1 SCALE FACTOR: 1/4" = 1'



4 WEST-SIDE VIEW
A1 SCALE FACTOR: 1/4" = 1'

PLANS REVISED 10/26/15

MIKE HEINZE 10/26/15
223 EAST OWASSO LANE
SHOREVIEW, MN 55126
WALL SECTIONS

GARDEN SHED

SHEET NUMBER

A-1

MOTION

MOVED BY COMMISSION MEMBER: _____

SECONDED BY COMMISSION MEMBER: _____

To recommend the City Council approve the Conditional Use Permit application submitted by Mike Heinze, 223 E. Owasso Ln, to construct a 256 sq. ft. detached accessory structure on their property. The Conditional Use Permit authorizes 288 square feet of total floor area for detached accessory structures, subject to the following conditions:

1. The project must be completed in accordance with the plans submitted with the applications. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. The exterior design of the shed shall be consistent with the plans submitted and complement the home on the property.
3. The applicant shall obtain a building permit for the structure. The structure shall comply with the Building Code standards.
4. The accessory structure shall be screened from view of adjacent properties and public streets through the use of landscaping, berming, fencing or a combination thereof.
5. The structure shall not be used in any way for commercial purposes.

Said approval is based on the following findings of fact:

1. The proposed accessory structure will maintain the residential use and character of the property and is therefore in harmony with the general purposes and intent of the Development Ordinance.
2. The primary use of the property will remain residential and is in harmony with the policies of the Comprehensive Guide Plan.
3. The conditional use permit standards as detailed in the Development Ordinance for residential accessory are met.
4. The structure and/or land use conform to the Land Use Chapter of the Comprehensive Guide Plan and are compatible with the existing neighborhood.

VOTE:

AYES:

NAYS:

Regular Planning Commission Meeting
November 17, 2017

TO: Planning Commission
FROM: Kathleen Castle, City Planner
DATE: November 12, 2015
SUBJECT: File No. 2597-15-40, Phoenix Signs/Presbyterian Church of the Way, 3382 Lexington Avenue N. - Comprehensive Sign Plan

INTRODUCTION

On behalf of Presbyterian Church of the Way, 3382 Lexington Avenue N, Phoenix Signs, submitted an application for a Comprehensive Sign Plan to replace an existing monument sign that has a readerboard sign with one that has an electronic message center sign. The intent of the message center sign is to advertise the events and services of the Church. A Comprehensive Sign Plan is required because the property is zoned residential and an electronic message center sign is proposed.

The application was complete November 5, 2015.

SITE CHARACTERISTICS

The property is located on the southeast corner of Cannon Avenue and Lexington Avenue and has an area of 4.96 acres and a width of 480' along Lexington Avenue. The property is developed with the church structure, a single-family residence and off-street parking lot. The church building is designed as a one-story building with a steeple and is approximately 32,694 gross square feet in size. The building is located in the southwestern portion of the property with the parking area and single-family residence on the eastern side of the property. Access to the parking lot is gained from existing driveways off Lexington Avenue and Cannon Avenue.

The property is zoned R1, Detached Residential. Churches are considered quasi-public uses and are permitted in this zoning district through the site and building plan review process upon the finding that the use will not impede or otherwise conflict with the planned use of the adjoining property. Adjacent land uses include commercial to the north, and low-density residential to the east, west and south. Immediately to the west across Lexington Avenue lies the City of Arden Hills.

PROJECT DESCRIPTION

Signage on the property includes an existing monument sign along Lexington Avenue and a wall sign on the western building elevation. The existing monument sign is designed with a stone base and contains an illuminated cabinet sign panel with a readerboard. The sign, including the stone base, has a height of 5.3' and a width of 15'.

The sign face has a height of 3.3' and a width of 12' for a sign area of 40 square feet. The readerboard is incorporated into this sign panel and provides 3 lines of text.

In addition, the Church has been using a portable sign to display messages associated with the Church activities. The City has not authorized the use of this sign as portable signs are prohibited.

The applicants are proposing to re-use the stone base and install a new sign with an electronic message center. The proposed sign is designed to complement the architectural elements found in the Church building with a light tan background and blue and white lettering. This sign will be lit internally and is designed as an individual letter sign. The sign face has a height of 5'10" and an area of 70 square feet, which includes the 20-square foot the message center sign. The height of the sign structure is approximately 8-feet. Please see the attached plans.

This proposal requires a Comprehensive Sign Plan because electronic message center signs on public/quasi-public properties zoned residential are permitted with a Comprehensive Sign Plan provided certain standards are met. Deviations from the City's sign standards can be allowed with a Comprehensive Sign Plan. The applicant is requesting a deviation to the maximum area permitted.

DEVELOPMENT CODE REQUIREMENTS

Signs are regulated in Section 208 of the Development Code. Per Section 208.040 (B)(12), public/quasi-public uses zoned residential may have a freestanding sign provided it is a monument or ground style design. If the sign faces property planned for residential use, the sign area cannot exceed 40 square feet and the height of the sign face cannot exceed 6'. An electronic message center sign is permitted provided the sign meets criteria regarding area, location and orientation, display hours and color (Section 208.040 (B)((8)(a) and (c)). The message center sign must be integrated into a freestanding ground or monument style sign. The non-message center portion of the sign must include the name of the building or facility and be displayed with individual letters.

A Comprehensive Sign Plan is required since the proposal includes a message center sign and the property is adjacent to residential land uses. An approved plan may vary from the dimensional standards set forth in the Sign Code without approval of a formal variance provided the sign package results in attractive signage that is compatible with the premises and adjoining development. Considerations include location, materials, size, color and illumination (Section 208.060).

When a deviation to the regulations is proposed, the Comprehensive Sign Plan requires review by both the Planning Commission and City Council with the City Council taking final action. Approval of the plan needs to be based on the following findings (Section 203.040 (C)(2):

1. The plan proposes signs consistent in color, size and materials throughout the site.

2. Approving the deviation is necessary to relieve a practical difficulty existing on the property.
3. The proposed deviations from the standards of Section 208 result in a more unified sign package and greater aesthetic appeal between signs on the site.
4. Approving the deviation will not confer a special privilege on the applicant that would normally be denied under the Ordinance.
5. The resulting sign plan is effective, functional, attractive and compatible with community standards.

STAFF REVIEW

The proposed sign was reviewed in accordance with the City’s requirements for freestanding signs, message center signs and Comprehensive Sign Plans.

Freestanding Sign Standards

The proposed sign will replace the existing monument sign but utilize the existing stone sign base. The following table summarizes the proposal in comparison with the City’s Sign Code standards. A deviation is being sought for the proposed sign area.

	SIGN CODE STANDARDS SECTION 208	PROPOSED SIGN
LOCATION MINIMUM SETBACK FROM PROPERTY LINE	5 feet	15 feet; 10 feet (as measured to trail) No change
SIGN HEIGHT	16 feet	8 feet
SIGN FACE HEIGHT	6 feet	5 feet 10 inches
SIGN AREA	40 square feet	70 square feet*
SIGN TYPE	Individual Letter	Individual Letter

*Deviation required

The proposed 70-square foot sign area exceeds the maximum 40 square feet permitted. When a freestanding sign for a public/quasi-public use faces property planned for residential use, this stricter standard is imposed to minimize the visual impact on the residential land uses. The proposed sign will be perpendicular to the adjoining residential neighborhood to the east but will face the residential neighborhood to the south. The sign is approximately 130-feet to the southern property line abutting the residential land uses. This separation, along with existing vegetation should minimize the visual impact.

Message Center Standards

The applicant has stated that the sign will comply with the general standards identified in the Development Code related to audio/pyrotechnics, brightness and dimmer control. The following table reviews the proposed message center sign with the Code requirements for public/quasi-public use in residential zoning districts.

	SIGN CODE STANDARDS SECTION 208	PROPOSED SIGN
Land Use	Public/quasi-public	Public/quasi-public
Maximum Area	35% of the total sign area (24.5 square feet) or 30 square feet whichever is less	20 square feet
Minimum Area	20 square feet	20 square feet
Location and Orientation	Minimizes visual impact on adjoining residential properties	Yes – see discussion below
Hours of Display	11:00 pm to 6:00 am	11:00 pm to 6:00 am
Color	Amber	Amber

Location and Orientation

The church is adjacent to single-family residential land uses on east, south and west sides. To the north in the City of Shoreview are commercial land uses. While the location of the sign is not changing, the message center sign may be visible from some of the adjoining residential uses. The Staff does not have significant concerns about the visual impact due to the orientation of those homes, existing vegetation and distance between the sign and residential homes.

To reduce the visual impact, the Sign Code does not permit the message center sign to be displayed between 11:00 pm and 6:00 am and restricts the color to amber. The sign will comply with these standards.

Comprehensive Sign Plan Review

The intent of the Comprehensive Sign Plan is to allow flexibility from the sign standards without formal approval of a variance provided it results in an attractive sign that is compatible with the premises and adjoining development. Staff believes the following findings for the Plan are satisfied.

1. *The plan proposes signs consistent in color, size and materials throughout the site.* The sign design is intended to provide a modernized look while simplifying the sign graphic so the message and graphics are easily read. The light tan color of the sign also compliments the natural colors of the church building and the stone base replicates stone used on the façade of the church.
2. *Approving the deviation is necessary to relieve a practical difficulty existing on the property.* The deviation is to exceed the maximum 40-square foot sign area permitted since the proposed sign has an area of 70 square feet. In Staff’s opinion, the practical difficulty relates to the character of Lexington Avenue, the sign location, and separation from adjoining residential land uses. The property is situated on an arterial roadway, Lexington Avenue and provides a transition from the higher intensity commercial uses north to lower intensity single-family

- residential uses immediately to the south. Commercial land uses generally have freestanding signs that are larger than 40 square feet and may include readerboards or message center signs. The proposed sign area is reasonable due to the location on Lexington Avenue and separation from the adjoining residential home to the south (130' to the common property line) and orientation. Existing vegetation on the Church property along this common boundary provides sufficient screening.
3. *The proposed deviations from the standards of Section 208 result in a more unified sign package and greater aesthetic appeal between signs on the site.* The existing stone base will be retained and the tan color complements the church building. The replacement of the readerboard with an electronic message center sign is intended to visually improve the look of the monument sign and improve advertising for church events and services. The staff is recommending temporary signage (banners) be prohibited since the message center sign is a vehicle to advertise special sales or events.
 4. *Approving the deviation will not confer a special privilege on the applicant that would normally be denied under the Ordinance.* The type of sign proposed is permitted on public/quasi public properties located in residential zoning districts. Staff does not believe the proposed deviation will provide the applicant with a special privilege since the property has frontage on Lexington Avenue, an arterial, and is near commercial land uses.
 5. *The resulting sign plan is effective, functional, attractive and compatible with community standards.* The proposed sign package is effective, functional and compatible with the quasi-public use. The intent of the sign is to provide a more efficient method of communicating special events and services offered by the church. Also, this design better identifies the church by providing more area to display the church name and logo. With the individual letter style, only the sign letters will be lit at night providing a better display while minimizing the visual impact on adjoining residential land uses.

REQUEST FOR COMMENT

Property owners within 350 feet were notified of this request. One telephone call was received from a nearby resident who expressed concern about the overall size of the sign and impact on the residential character found on this segment of Lexington Avenue. Ramsey County Public Works also stated no concerns provided the sign is located on the private property.

RECOMMENDATION

The Staff reviewed the proposal in accordance with the requirements for signage and a Comprehensive Sign Plan. The proposed deviation from the sign code permitting a larger freestanding sign for the church use is reasonable since the property is near commercial land uses and has frontage on Lexington Avenue. The visual impact of this sign should

be minimal due to the sign location, orientation, individual letter style design, separation from nearby residential land uses and existing landscape screening. The proposed message center sign will allow the church to advertise services and special events more efficiently. Staff is recommending the Comprehensive Sign Plan be approved subject to the following:

1. The signs shall comply with the plans submitted for the Comprehensive Sign Plan application. Any significant change will require review by the Planning Commission and City Council.
2. The applicant shall obtain a sign permit prior to the installation of any signs on the property.
3. The message center sign shall:
 - a. Display text shall be of a sufficient size so as to be readable by passing motorists to read the entire copy with minimal distraction. The minimum display period for any message shall be 8 seconds.
 - b. The use of audio or pyrotechnics is prohibited.
 - c. Lighting shall be set at a minimum level which the billboard is intended to be read and shielded to minimize glare.
 - d. The light level shall not exceed .3 foot candles as measured in accordance with the Sign Code. Said sign shall comply with the City's standards regarding brightness and dimmer control
 - e. Messages shall be presented in a static display, and shall not scroll, flash, blink or fade in and out in any manner to imitate movement.
 - f. Display of messages is limited to the events and services offered on-site and time/temperature display.
 - g. The message center sign shall not be operated between the hours of 11:00 pm and 6:00 am.
 - h. The color of the sign message or display shall be amber.
4. Temporary signs (including banners) , with the exception of window signs, sandwich board/T-frame signs placed adjacent to the building and incidental display signs, shall not be placed on the property.

Attachments

1. Attachment A – Sign Code
2. Location Aerial Map
3. Submitted Plans
4. Request for Comment
5. Proposed Motion

ATTACHMENT A – SIGN CODE REQUIREMENTS

208.040 Permitted Signs and Sign Standards:

(B) Standards, by Sign Type

(8) **Message Center.** Message Center Signs shall be integrated into a free-standing sign that is a monument or ground style sign, except as otherwise permitted for Gas Price Display and Incidental Signs. The non message center portion of the sign shall include the name of the building or facility. The name shall be displayed in an individual-letter format in letters that dominate all other names and graphics on said sign.

(a) General Provisions

(i) Display. The sign message shall be displayed to allow passing motorists to read the entire copy with minimal distraction. The minimum display period for any message shall be 8 seconds.

(ii) Audio or pyrotechnics. Audio speakers or any form of pyrotechnics are prohibited.

(iii) Brightness.

i. Lighting. Lighting shall be set at a minimum level which the billboard is intended to be read and shielded to minimize glare.

ii. The light level shall not exceed .3 foot candles above ambient light as measured from a pre-set distance depending on sign size. Measuring distance shall be determined using the following equation: the square root of the message center sign area multiplied by 100. Example: 12 square foot sign $\sqrt{(12 \times 100)} = 34.6$ feet measuring distance.

iii. Dimmer control. The sign must have an automatic dimmer control that automatically adjusts the sign's brightness in direct correlation to ambient light conditions. Said sign shall be equipped with a photo cell designed to measure the ambient lighting conditions and adjust the sign brightness as needed so as to be in compliance with this ordinance.

iv. No portion of the message may flash, scroll, twirl, fade in or out in any manner to imitate movement.

v. Display of messages shall be limited to those services offered on the property and time/temperature display.

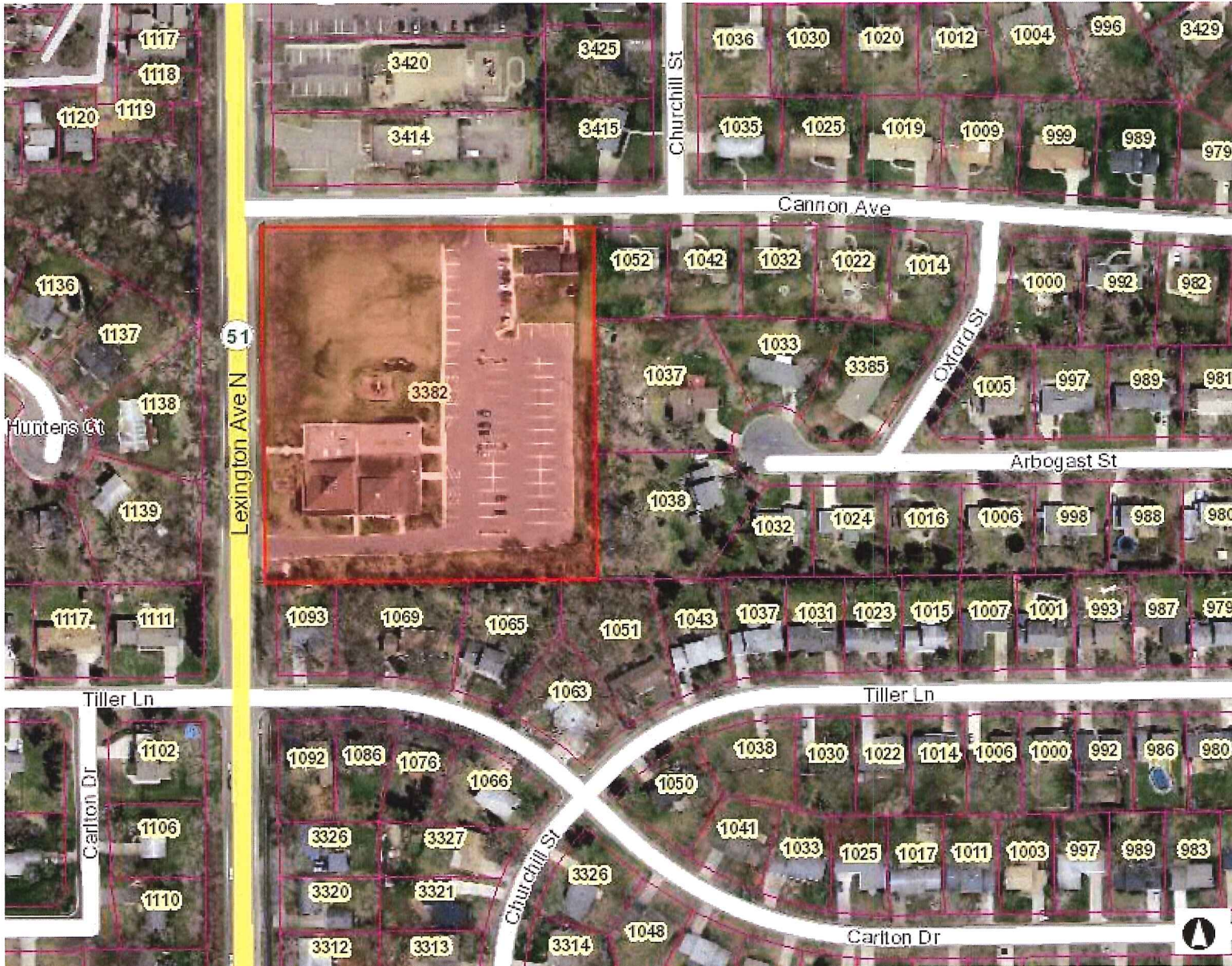
- (iv) Message center signs may be permitted as part of an incidental business sign in accordance with Section 208.040(B)(7).
- (v) Only one message center sign, not including those as part of an incidental business sign, is permitted for each principal structure.

(b) Residential Zoning Districts

- (i) Message Center signs are permitted when displayed on the site of an approved public or quasi-public land use, with a Comprehensive Sign Plan.
- (ii) Maximum Area. The area of the message center sign shall be included in the maximum sign area permitted. The area of the message center shall not exceed 35% of the total sign area for the sign on which it is displayed or 30 square feet whichever is less. The maximum sign area may be exceeded to comply with the minimum sign area required.
- (iii) Minimum Area. 20 square feet.
- (iv) Location and Orientation. The location and orientation of the sign shall be placed on the property in a manner that minimizes the visual impact on adjoining residential properties.
- (v) Hours of display. The sign shall be turned off and shall not display messages between the hours of 11:00 pm and 6:00 am.
- (vi) Color. The sign message or display shall be amber in color.

(12) **Principal Signs, Freestanding.**

- (e) All freestanding signs associated with approved Public/Quasi-Public uses and residential developments shall be ground or monument-style. If a sign for such a facility will face property planned for residential use, the sign area shall not exceed forty (40) square feet and the height of the sign face shall not exceed six feet.



Legend



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

Notes

Comprehensive Sign Plan

400.0 0 200.00 400.0 Feet

NAD_1983_HARN_Adj_MN_Ramsey_Feet
© Ramsey County Enterprise GIS Division

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

THIS MAP IS NOT TO BE USED FOR NAVIGATION



Double sided sign, routed faces with 1/2" push thru letters with vinyl overlays. Double sided mono color LED reader board (amber), 19mm pixel spacing, 32x160 pixel matrix, radio communication, software, 5 year warranty.

70 square feet layout overall, reader board (2'x10') at 29% of total.

Power requirements for sign is 17 amps at 120 volts at the sign. Your electrician can verify but I believe this will require a 23 amps minimum taking line drop into account.





Double sided sign, routed faces with 1/2" push thru letters with vinyl overlays. Double sided mono color LED reader board (amber), 19mm pixel spacing, 32x160 pixel matrix, radio communication, software, 5 year warranty.

70 square feet layout overall, reader board (2'x10') at 29% of total.

Power requirements for sign is 17 amps at 120 volts at the sign. Your electrician can verify but I believe this will require a 23 amps minimum taking line drop into account.



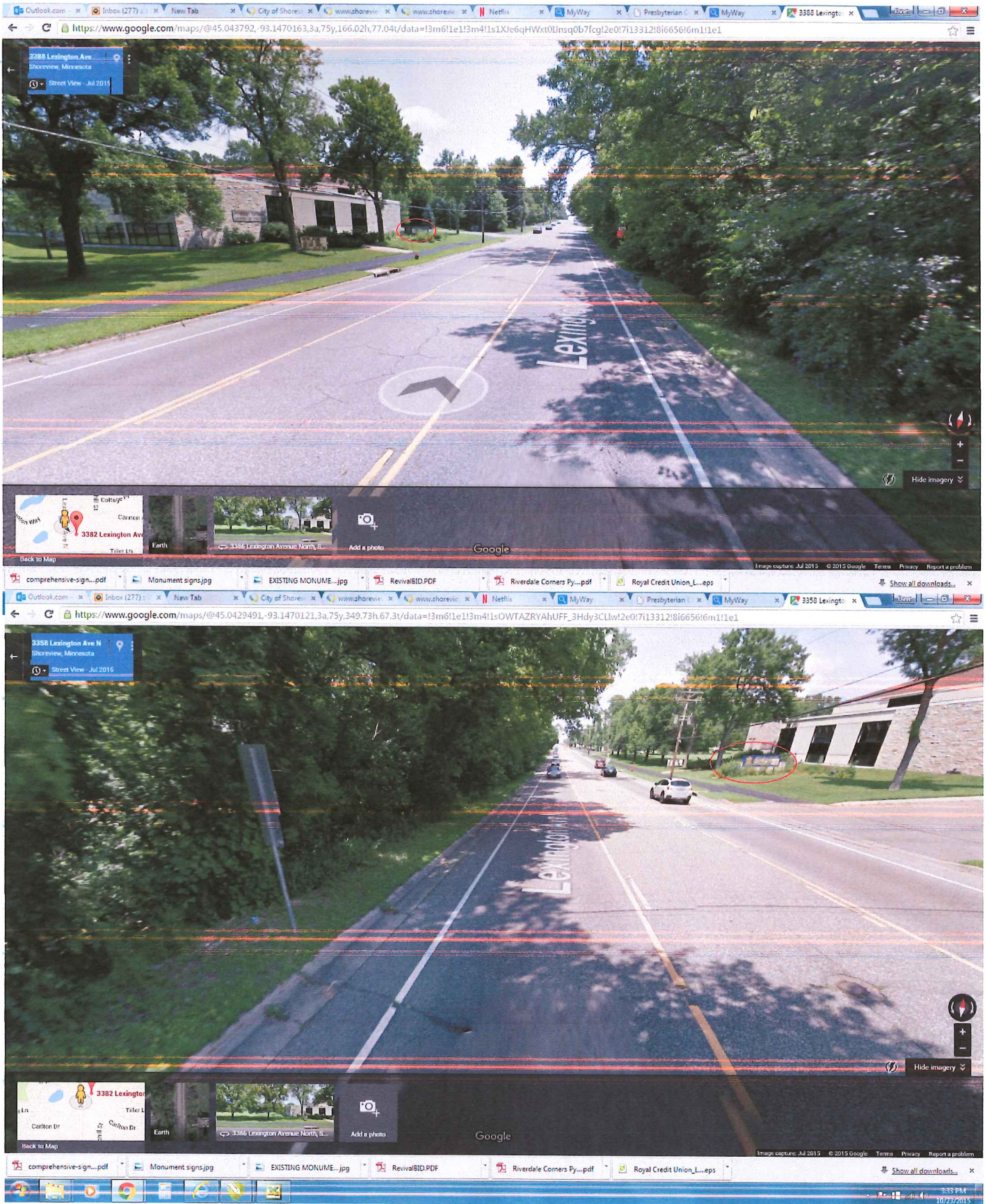


iso view elevation



back side elevation



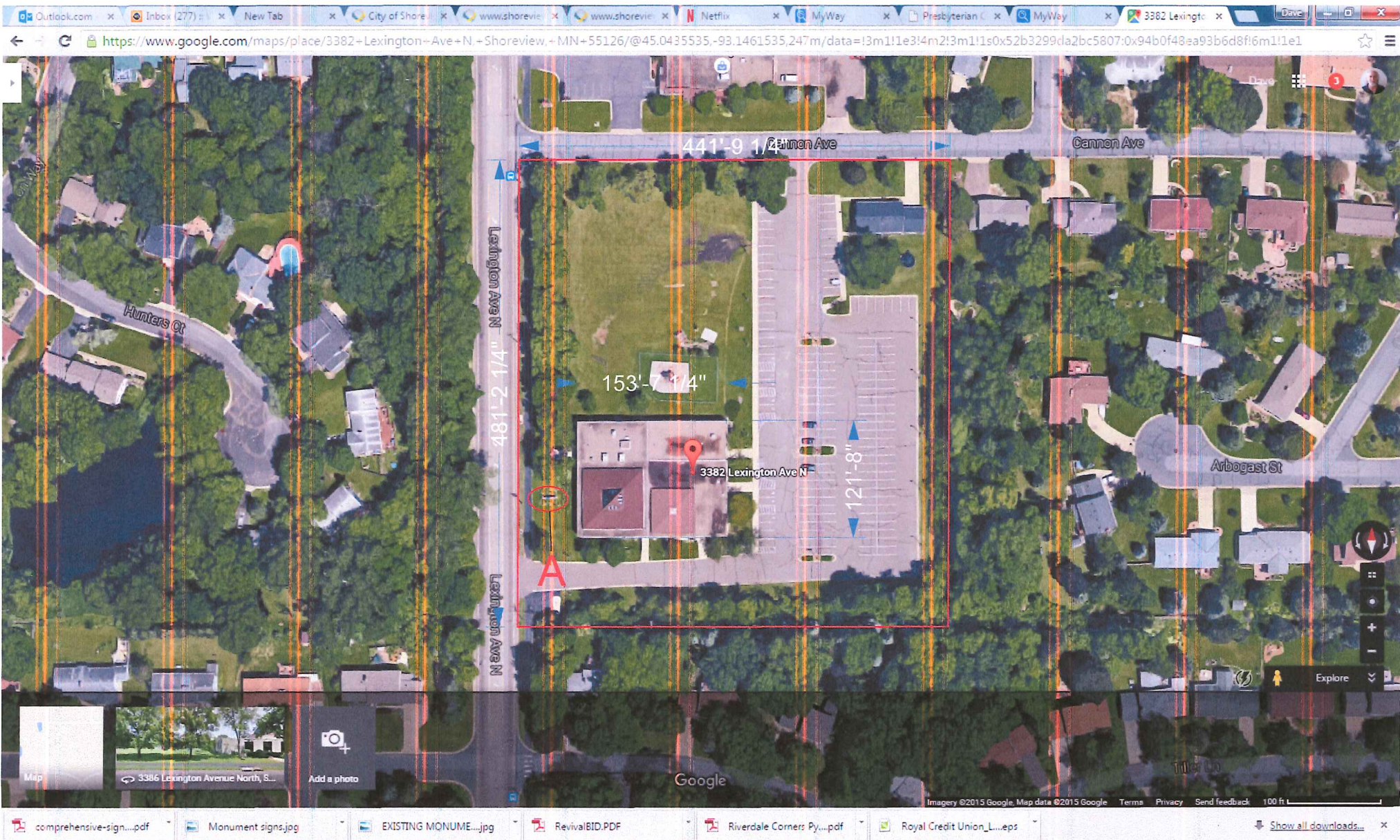


The property across the street from the sign location is the back end of residential lots and heavily treed. Sign location is circled in red.



A - sign to be replaced
B - wall mounted sign





A - sign location for existing and replacement sign
Building size is estimated at 19000 square feet,
lot at 21,500 square feet



Kathleen Castle <kcastle@shoreviewmn.gov>

Presbyterian church

1 message

Laberee, Erin <Erin.Laberee@co.ramsey.mn.us>
To: Kathleen Castle <kcastle@shoreviewmn.gov>

Thu, Nov 12, 2015 at 2:24 PM

Hi Kathleen,

I received the plan for the sign replacement at the church. The only comment the County would have is that the sign be placed on private property, outside of the public right of way.

Thanks,

Erin

Erin Laberee, P.E.
Ramsey County Department of Public Works
1425 Paul Kirkwold Drive
Arden Hills, MN 55112

p 651.266.7105

f 651.266.7110

erin.laberee@co.ramsey.mn.us

**PROPOSED MOTION
TO APPROVE COMPREHENSIVE SIGN PLAN
PHOENIX SIGNS – PRESBYTERIAN CHURCH OF THE WAY
3382 LEXINGTON AVENUE**

MOVED BY COMMISSION MEMBER: _____

SECONDED BY COMMISSION MEMBER: _____

To recommend the City Council approve the Comprehensive Sign Plan submitted by Phoenix Signs on behalf of Presbyterian Church of the Way, 3382 Lexington Avenue N., for a freestanding monument sign with a message center, subject to the following:

1. The signs shall comply with the plans submitted for the Comprehensive Sign Plan application. Any significant change will require review by the Planning Commission and City Council.
2. The applicant shall obtain a sign permit prior to the installation of any signs on the property.
3. The message center sign shall:
 - a. Display text shall be of a sufficient size so as to be readable by passing motorists to read the entire copy with minimal distraction. The minimum display period for any message shall be 8 seconds.
 - b. The use of audio or pyrotechnics is prohibited.
 - c. Lighting shall be set at a minimum level which the billboard is intended to be read and shielded to minimize glare.
 - d. The light level shall not exceed .3 foot candles as measured in accordance with the Sign Code. Said sign shall comply with the City's standards regarding brightness and dimmer control
 - e. Messages shall be presented in a static display, and shall not scroll, flash, blink or fade in and out in any manner to imitate movement.
 - f. Display of messages is limited to the events and services offered on-site and time/temperature display.
 - g. The message center sign shall not be operated between the hours of 11:00 pm and 6:00 am.
 - h. The color of the sign message or display shall be amber.
4. Temporary signs (including banners) , with the exception of window signs, sandwich board/T-frame signs placed adjacent to the building and incidental display signs, shall not be placed on the property.

This approval is based on the following findings of fact:

1. The property is zoned R1, Detached Residential and quasi-public uses are a permitted use.

2. The Sign Code permits freestanding monument signs and message signs on properties that have a quasi-public use. With the exception of sign area, the sign complies with Sign Code Requirements.
3. The Comprehensive Sign Plan is complies with the findings as stated in Section 203.040 (C) (2) (C) .

VOTE:

AYES:

NAYS: