

**AGENDA  
PLANNING COMMISSION MEETING  
CITY OF SHOREVIEW**

**DATE: AUGUST 23, 2016**

**TIME: 7:00 PM**

**PLACE: SHOREVIEW CITY HALL**

**LOCATION: 4600 NORTH VICTORIA ST.**

**1. CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF AGENDA**

**2. APPROVAL OF MINUTES**

*July 26th, 2016 Minutes*

**3. REPORT ON CITY COUNCIL ACTIONS**

*Meeting Date: August 1<sup>st</sup>, 2016 and August 15<sup>th</sup> 2016*

*Brief Description of Meeting Process – Chair John Doan*

**4. OLD BUSINESS**

**A. RESIDENTIAL DESIGN REVIEW - VARIANCE**

*FILE NO: 2624-16-23*

*APPLICANT: Zawadski Homes, Inc*

*LOCATION: 951 Oakridge Ave.*

**5. NEW BUSINESS**

**A. VARIANCE**

*FILE NO: 2629-16-28*

*APPLICANT: John & Valerie Kelly*

*LOCATION: 650 Hwy 96 West*

**B. VARIANCE**

*FILE NO: 2627-16-26*

*APPLICANT: Scott & Julie Schraut*

*LOCATION: 844 County Road I West*

**C. PLANNED UNIT DEVELOPMENT-CONCEPT REVIEW \***

*FILE NO: 2606-16-05*

*APPLICANT: Woolpert Inc.*

*LOCATION: 4188 Lexington Ave. (Shoreview Business Campus)*

**6. MISCELLANEOUS**

- A.** City Council Meeting Assignments for *September 6<sup>th</sup>, 2016 and September 19<sup>th</sup>, 2016*  
Planning Commissioners *McCool and Doan*

## **7. ADJOURNMENT**

*\* The Planning Commission will hold a hearing, obtain public comment, discuss the application and forward the proposal to the City Council. The Planned Unit Development (PUD) Concept Stage is intended to review general land use compatibility. The public review provides the Planning Commission, City Council and residents an opportunity to review a generalized plan. Issues identified during Concept Stage review are addressed with detailed information at the subsequent Development Stage Review. No comments by the City are binding, and no approvals are granted at this basic level of review.*

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



## **RESIDENTIAL DESIGN REVIEW / VARIANCE**

**FILE NO:** 2619-16-18  
**APPLICANT:** JAYME BRISCH/WILLET REMODELING  
**LOCATION:** 3275 OWASSO HEIGHTS ROAD

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

The property is a substandard, non-riparian lot with 8,401 square feet in area, less than the 10,000 square feet standard and a 50-foot width which is less than the 75-foot standard in the R1 District.

This item was tabled at the Planning Commission's June 28, 2016 meeting. Applicants have revised the plan. The second floor addition remains at 624 square feet with a 5-foot setback from the north lot line. The rear addition has been moved south 5 feet and reduced in area to 554 square feet, which complies with the 10-foot setback code requirement. An eyebrow architectural feature and windows have been added to visually break up the wall effect of the addition on the north side. The revisions add interest to the north elevation with the use of a jog in the wall, an eyebrow and windows. The expansion complies with all design standards, including the 1600 square foot maximum foundation area allowed. A variance is requested for the 5-foot setback for the second story addition because the existing house is located at a 5-foot setback from the north lot line.

The applicant states that practical difficulty exists with the location and dimensions of the existing house. A second story addition with usable space needs to use the existing setback. The improvements will enlarge and modernize the existing small house.

Property owners within 150 feet were notified of the revised request. Two comments were received in support. Three comments were received expressing concern about the roof peak of the shed style roof 5 feet from the lot line.

Staff supports the proposal and finds it is consistent with the City's Comprehensive Plan regarding Land Use and Housing. The City encourages reinvestment in older properties. The 5-foot setback is common in this neighborhood and was the minimum required when the house was built. Practical difficulty is a result of a small, narrow lot with the location of the existing house 5 feet from the north lot line. The area is developed with a mix of housing styles, and staff does not believe the essential character of the neighborhood will be altered.

Commissioner McCool asked if consideration was given to flipping the roof line of the second story so it would not be at the 5-foot setback. Mr. Warwick stated there was a brief discussion about that option, but it makes storm water runoff more difficult to manage.

Commissioner Solomonson asked if there are other two-story houses in the neighborhood. Mr. Warwick stated that many houses are one story; some are 1 1/2 stories. Many lakeside homes are two stories, as are newer homes on Owasso Heights Drive.



Chair Doan opened the meeting to public comment.

**Mr. Jeffrey Budd**, 3270 Owasso Heights Road, stated that he lives across the street and believes this will be a great improvement to the neighborhood.

**Ms. Sue Kramer**, 3279 Owasso Heights Road, stated that she lives south of this property. There is a deck on their house that will face the north wall of the proposed improvement. There is more space to the south side of the existing house and she and her husband would like to see the second story addition flipped or the roof gabled so there is not a solid wall. Or, would it be possible to move the second story 10 feet over and cantilever it on the south side to prevent a solid wall? She believes drainage could be handled with gutters and downspouts. She is not aware of other homes that are as close with a 5-foot setback. It is important to consider the character of the neighborhood and property values with this proposal that does not quite fit.

**Ms. Kelly Lyden**, 3262 Owasso Heights Road, stated she was disappointed with the new revised plan. The biggest issue is a second story at a 5-foot setback. There is 20 feet on the other side of the house that should be considered as another option. The house design emphasizes the narrow setback when looking at it from the road. The character of the neighborhood will be changed, and the addition, as proposed, will not look like it fits.

**Mr. Mike Lyden**, 3262 Owasso Heights Road, stated that he is not satisfied that practical difficulty has been demonstrated. Practical difficulty would be an odd shape or a pond to address or poor soil. There should not be an injurious impact to neighboring properties which there will be to the Kramers. It is not right to put an addition on at a 5-foot setback that will be permanent when today's standards are 10 feet. A variance should not be granted based on cost.

**Mr. Scott Willett, Willett Remodeling**, explained that the current design is to keep the roof as low as possible. Flipping the roof or making a gable would approach the limit of 28 feet and would mean that runoff water would flow between the two houses. Costs to demolish the home and start over are prohibitive.

Commissioner McCool asked if flipping the roof would mean changes internally. **Mr. Willett** stated that a vaulted ceiling would be lost because of the layout of the bedroom, the staircase would end up in the kitchen, and the roof would impact how the deck extends from the house.

**Ms. Brisch**, Applicant, stated that most of the interior of the home will remain the same. She is adding up and out because the house is very small at 600 square feet. She did take into consideration comments from neighbors. This design that she created with her architect is her dream home. The north wall closest to her neighbor has windows added and is in line with the rest of the home. The Kramers' house has a pergola on that side so they do not see straight up the wall. An addition to the back would block more of their view.

Chair Doan asked the impact of flipping the slope of the shed roof so it would drain on the north side instead of the south side. **Mr. Willett** explained that besides the fact that water will run onto the Kramer property, the neighbors on the other side had expressed objection to having the

highest portion of the roof facing their house because it would block the view through the back yards.

Chair Doan asked if there would be practical difficulty to a gabled roof. **Mr. Willet** stated that the reason to not use a gabled roof is to keep the height down. Also, the applicant likes and seeks to build the style that is presented. The height would not go over the limit of 28 feet.

Commissioner Solomonson asked the height of a garage that might be built on this lot, if it were vacant. Mr. Warwick responded that living area is required to be set back 10 feet; a garage setback is 5 feet. If the garage were attached, the type of roof proposed could be built without a variance. If the garage were detached, the peak height is 18 feet.

Commissioner Solomonson stated that the existing home is a legal non-conforming use. There are a number of 5-foot setbacks in the neighborhood, which is an older part of town. In considering that a structure could be built that is just as high without a variance. Flipping the roof for drainage to the north would create another type of problem. He would support the expansion as presented.

Commissioner McCool stated that he supports the addition above the existing structure rather than adding onto the back. The applicant has done what was asked by the Planning Commission at the last meeting. He understands that flipping the roof would create interior issues. Although the neighbors are objecting to the wall effect, they also might not like the water runoff onto their property.

Commissioner Peterson stated that after seeing the pros and cons of flipping the roof, he would support the proposal. The reasoning and findings are adequate to support the proposal.

Commissioner Wolfe asked about a plan that was discussed at the last meeting that would not require a variance. **Mr. Willet** explained that would be a one level on the existing house with a two-story addition to the back, which would not require a variance. However, there was objection to how that plan would obstruct neighbors' views. No formal plans were presented with that design. Commissioner Wolfe expressed his conflict with wanting neighborhoods to improve with reinvestment, but he also to stay true to who they are.

Commissioner Ferrington stated that infill is always difficult because there are neighbors who have lived in the area for a long time. She stated that the house is interesting, and she likes the design. The only issue seems to be the wall effect. The lot is not being overbuilt at 2000 square feet. She appreciates the fact that instead of three variances, only one variance is needed. She asked if there is enough room to plant arbor vitae along the north side. She does not see an easy solution for the neighbors. Mr. Warwick stated that 5 feet is not much space, and it is shady.

Chair Doan expressed his appreciation that the homeowner is making a major investment. Separate from visual impacts, a major issue is water flow. If the roof were flipped, he would have a big concern about water management. He would not want to see a water trough between the two neighbors. There is not enough room to create a slope. While the wall is difficult, he

would ask the applicant to try to think of other features that could be added to break up the wall effect.

**MOTION:** by Commissioner Peterson, seconded by Commissioner Solomonson to adopt Resolution No. 16-60, approving the variance request to reduce the side setback to 5-feet for the second floor addition, and to approve the residential design review application submitted by Jayme Brisch and Willet Remodeling for the property located at 3275 Owasso Heights Road. This approval is subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the application.
2. This approval will expire after one year if a building permit has not been issued and construction commenced.
3. Material storage and construction vehicle parking shall be limited to the subject property. No construction parking or storage is permitted within the public right-of-way or on nearby private property without the written consent of the affected property owner.
4. Erosion control will be installed in accordance with City Code requirements prior to any site disturbance. Vegetation shall be restored in accordance with City Code standards.
5. This approval is subject to a 5-day appeal period.
6. A grading and drainage plan shall be submitted for review and approval by the City Engineer.

This approval is based on the following findings:

1. The proposed improvements are consistent with the Housing and Land Use Chapters of the Comprehensive Plan.
2. The proposed second story addition to the detached single-family residence represents a reasonable use of the property which is located in the R-1 Detached Residential District.
3. Unique circumstances stem from the age of the existing house, constructed in 1924 as a seasonal cabin, with a side setback that does not conform to the current 10-foot minimum requirement. The existing 5-foot setback makes it difficult to enlarge in a compliant manner.
4. The diversity of housing styles and setbacks nearby indicate that the improvements will not alter the character of the existing neighborhood.

Discussion:

Commissioner McCool stated that he will not support this proposal because he does not find unique circumstances. The applicant's desire for this design and economic constraints have led to this proposal, which are not unique.

VOTE: Ayes - 3 (Peterson, Solomonson, Doan) Nays - 3 (Ferrington, McCool, Wolfe)

City Attorney Beck stated that a tie vote means that the motion fails.

Commissioner McCool suggested the matter be continued until there is a full Commission that would not result in a tie.

**Ms. Brisch** stated that the Commission was fairer at the last meeting in telling her what they wanted to see. She reduced the number of variances from 3 to 1. She is now unclear at all what the Commission is looking for. She would like to move forward.

Commissioner Solomonson explained that the Commission can only act on the plan that is presented. He acknowledged that she did bring in a new plan based on what she heard at the last meeting, but it was only accepted on a 3 to 3 vote. This leaves her in the position of either bringing the same plan back to a full Commission or bringing a new plan.

Commissioner McCool stated that he would support the proposal if the roof were flipped.

Commissioner Ferrington stated that reducing the height of the wall by 5 feet would help the neighbors and agreed with Commissioner McCool.

Commissioner Wolfe stated he would support the plan if the roof were flipped.

**Mr. Willet** stated that if flipping the roof gains support of the Commission and meets with the approval of the applicant, the roof can be flipped, and they will try to deal with water runoff through gutters and downspouts.

**MOTION:** by Commissioner McCool, seconded by Commissioner Solomonson that the Planning Commission adopt Resolution No. 16-60, approving the variance request to reduce the side setback to 5-feet for the second floor addition, and to approve the residential design review application submitted by Jayme Brisch and Willet Remodeling for the property located at 3275 Owasso Heights Road. This approval is subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the application, except that the roofline shall be flipped on the front portion of the house as discussed at this Planning Commission meeting, so that the peak is located on the south.
2. This approval will expire after one year if a building permit has not been issued and construction commenced.
3. Material storage and construction vehicle parking shall be limited to the subject property. No construction parking or storage is permitted within the public right-of-way or on nearby private property without the written consent of the affected property owner.
4. Erosion control will be installed in accordance with City Code requirements prior to any site disturbance. Vegetation shall be restored in accordance with City Code standards.
5. This approval is subject to a 5-day appeal period.
6. A grading and drainage plan shall be submitted for review and approval by the City Engineer.

This approval is based on the following findings:



Commissioner Solomonson asked if there has been any discussion about glare off the panels that would be disturbing to neighbors.

Commissioner McCool asked what type of screening is being recommended. Ms. Castle stated that year-round screening is recommended. The applicant has agreed to the increased setback to provide the screening.

**Mr. Brian Allen**, Vice President All Energy Solar, responded to the question about glare and stated that the modules are made to absorb sunlight in order to convert photons into electrons to make electricity. The glass has an anti-reflective coating. His company, All Energy Solar, began in 2009, and installs solar panels for homes in Minnesota, Iowa and Wisconsin as well as other states. It is a booming industry. Minnesota is one of the top states in solar energy growth. Often work is done in cities that have not yet developed regulations for solar facilities, and his company would like to work with cities on such ordinances to make it easier for contractors.

Commissioner Ferrington asked how secure the structure would be during severe weather. **Mr. Allen** explained that the ground mount system must meet state Building Code requirements. That means a ground snow load of 50 pounds per square foot and withstanding wind of up to 115 mph. The panels are warranted for 25 years. The glass is tempered to withstand 1-inch pieces of hail at 50 mph. It is very rare that panels are damaged by hail.

Commissioner Wolfe asked in which direction the panels will slope. **Mr. Allen** answered that the high end will be along the north property line where there is a 5-foot fence. Trees will be planted to screen the additional height above the fence. Commissioner Wolfe asked about screening on the south side. **Mr. Allen** stated that because of existing trees it will be difficult to see the array from any direction on the road. If required, the applicant is open to additional screening as long as no shadows are cast over the array.

Commissioner Solomonson asked if the tilt of the panels changes with the season for optimized efficiency. He also asked the reason for the panels to be on the ground and not on the roof. **Mr. Allen** explained that to optimize the system, the panels are at the same height as latitude. A 35-degree tilt is the design for this array. If the panels lie flat, there is over 40% loss in winter. The panels are not on the roof because it gets very little sunlight due to the trees around the house.

Chair Doan asked the recovery time for cost. **Mr. Allen** stated that with the drop in cost for panels in the last several years, rebates and federal tax incentives, there is an instantaneous recovery. The savings on the electric bill is higher than the payment of the loan for the energy system. Recovery of cost for the loan is 5 to 10 years.

**Mr. Allen** noted that staff has asked for an increased setback to 10 feet. Due to the shade of trees across the driveway, he requested that setback be reduced from 10 feet. In winter, there would be shade across the lower panels. He would prefer the 5-foot setback as originally requested. The five feet would allow enough space to plant arbor vitae. If that is not possible, he would agree to a 10-foot setback from the property line to the back post, which means the slope of the panels would extend to 7 feet from the property line.

Commissioner Peterson stated that there is significant distance between the house and road with many shade trees. Visually, there would be limited impact from this facility. He would support the change in setback to 10 feet from the back post, as proposed by **Mr. Allen**.

Commissioner Solomonson expressed his concern about installation in the front yard. The unique feature about this property is that it is long and narrow. Screening may work in this situation, but there may be many similar applications for solar panels. He would prefer to see the panels on the roof or in the back yard and will not support the application.

Commissioner McCool stated that he has similar concerns and does not want to see many such installations in front yards in Shoreview. However, he sees this situation as unique because there is no where else to put the panels, and they do not face the street. Also, the front setback is 90 feet from the street, which would be in the back yard of most lots. He would prefer the greatest possible side setback but would not want the panels to be ineffective. He would support the 10-foot setback to the back post as suggested by **Mr. Allen**.

Commissioner Ferrington stated that this is a new for consideration by the Planning Commission. For this particular property, this is a good design and she supports it.

Commissioner Solomonson noted that these panels are static. He asked if the panels could be replaced by ones that follow the sun and could then face the street. City Attorney Beck responded that concern is covered in condition No. 1 that states, "The project must be completed in accordance with the plans submitted as part of the Variance application." A change in static panels would necessitate a new application.

**MOTION:** by Commissioner Peterson, seconded by Commissioner McCool to adopt Resolution No. 16-64, approving the variance request submitted by All Energy Solar, on behalf of Erik and Trupti Storlie for their property at 3210 West Owasso Boulevard. The variance permits the installation of a solar array electric panel in the front yard (street side). This approval is subject to the following conditions with the modification to condition No. 3 to read that the solar array shall be set back a minimum of 10 feet from the north property line to the back post of the structure.

1. The project must be completed in accordance with the plans submitted as part of the Variance application.
2. This approval will expire after one year if a building permit has not been issued and construction commenced.
3. The solar array shall be setback a minimum of 10-feet from the north side property line.
4. Landscape screening shall be installed immediately north of the array to mitigate the visual impact and year round screening. A landscape plan shall be submitted for review and approval prior to the issuance of a building permit.
5. In the event the use of the solar array panel is discontinued, said panel must be removed from the property.
6. This approval is subject to a 5-day appeal period.

This approval is based on the following findings:

1. The proposed improvements are consistent with the Resource Conservation Chapter of the Comprehensive Plan.
2. The proposed location of the solar array is reasonable due to the topography and vegetation of the property.
3. Unique circumstances are present due to the physical characteristics of the property and need for solar exposure.
4. The proposed location of the array in the front yard will not impact the character of the neighborhood.
5. Practical difficulty is present as stated in Resolution 16-64.

Discussion:

Commissioner Solomonson stated that he will not support the motion because of his concern about front yards for this type of use.

**VOTE:**                      **Ayes - 5**                      **Nay - 1 (Solomonson)**

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

### **RESIDENTIAL DESIGN REVIEW/ VARIANCE**

**FILE NO:**                      **2624-16-23**  
**APPLICANT:**                **ZAWADSKI HOMES, INC**  
**LOCATION:**                    **951 OAKRIDGE AVE.**

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

The applicant seeks to tear down the existing house and rebuild a new one with a one-story design, walkout level basement with a 600-foot attached garage. The proposed foundation area of the home would be 2,090 square feet. The variance request is to increase the total floor area of accessory structures. The property is a substandard riparian lot on Turtle Lake with a lot width of 68 feet, which is less than the standard required of 100 feet.

There are several detached accessory structures on the property: 1) a boathouse of 331 square feet; 2) a detached garage of 788 square feet; and 3) a shed of 180 square feet that will be removed. The variance would allow the detached garage and boathouse to remain in addition to allowing the attached garage for the new house, which would result in a total of 1710 square feet of accessory structure, which is 81.8% of the foundation area of the proposed house. Code allows 1200 square feet or 90% of house foundation area, whichever is more restrictive, on lots of 0.5 to 1.0 acres. The intent of Code is to make sure that the principal structure--the house--is the dominant building on the property. The two accessory structures proposed to remain are legal non-conforming structures. The detached garage was built in 1978; the boathouse was built in 1984 with a permit from the City.



The proposal complies with the Residential Design Review Standards for riparian lots in regard to lot coverage, building height, foundation area, setbacks and architectural mass. Two shoreland mitigation practices to be used are: 1) establish a vegetation protection area 50 feet upland of the Ordinary High Water (OHW) mark; and 2) architectural mass using natural colors. All accessory structures will be resided to match the new house.

Notice of the proposal was mailed to property owners within 150 feet of the subject property. Three comments were received, all in support of the project.

Staff finds that the proposal is reasonable and that unique circumstances exist with the configuration of the property that is not due to conditions created by the property owner. The proposal will not alter the character of the neighborhood. By retaining the two detached accessory structures, the property owner is limited with construction of a two-car garage. However, staff believes the house will be the dominant visual feature on the property. Total accessory floor area will be approximately 82% of the 2090 square foot foundation area of the house. The two existing accessory structures are not easily visible either from the lakeside or the street. Staff is recommending approval.

Commissioner Solomonson noted that if the detached structures were removed, a variance would not be needed to build an attached garage. He would like to consider removal of the lakeside structure so that the variance in accessory structure space would not be so great from what is allowed. Mr. Warwick responded that the water oriented structure has historical value to the family, now the third generation to occupy the property. There is a deck on top of the boathouse very much enjoyed by the previous owner, a relative, who plans to continue to come to the property.

Commissioner Solomonson noted that if the detached garage were removed, total accessory structure would be closer to the 12000 square feet allowed.

**Mrs. Christine Wahlin**, Applicant, stated that they were able to purchase the property from her mother whose main goal is to maintain the property and keep it in the family. The first proposed option presented to neighbors was with a 3-car attached garage. Neighbors asked them to push the house back 10 feet, which was not an issue for them. **Mr. Wahlin** stated that the house was moved back to accommodate neighbors' concerns and then they opted for a two-car garage. The detached garage will be partially screened from the road by a large tree. **Ms. Wahlin** stated that the attached garage will be heated which is important for her health condition. It does not make sense to take down the detached garage which is a good structure. The detached garage will be re-sided to match the house. The boathouse is actually a screen house used for entertaining and storage in the back for water gear. Her mother plans to continue to use it, and it has to remain. Additional landscaping planned shows trees, shrubs, a rain garden on the lakeside house of the house and vegetation closer to the lake.

Commissioner McCool asked about the design with a 3-car garage. **Mrs. Wahlin** stated that design would mean a reconfiguration of the driveway and a turn-around area that would be next to the neighbor's front patio. The proposed driveway is straight in and out.

Chair Doan opened the discussion to public comment.

**Mr. Ron Kuhn**, 942 Oakridge, expressed his support for the project. Although the request is for a large amount of additional accessory structure, as was mentioned earlier, the front yard serves as the back yard on lake lots. Space is needed for the additional lake equipment. It is better to have accessory structures to store items than to have them set out in the yard. The detached garage will not alter the look of the neighborhood. The property at 971 Oakridge has two detached garages with a driveway to a 3-car garage. He would like to see items put away which improves the look of the neighborhood.

**Mr. Ralph Tuff**, 949 Oakridge, stated that the Wahlns have been good about communicating their plans. He would be concerned about a driveway on his side of their property. There has been discussion about trees along their lot line. The reason for detached garages is storage of lake equipment. He supports the proposed plan.

Commissioner Solomonson noted the boathouse is not totally on the property owner's property and what implications that may have. He asked if it is a legal structure. City Attorney Beck stated that the neighbor has not raised an issue. Whether it is legal depends on when it was built and whether it was approved. The structure can be legal and not on the owner's property.

Commissioner Solomonson said he prefers a 3-car attached garage design because it would remove the detached garage. This design allows more storage than most residents are allowed to have, and he would like to see the total accessory structure space reduced.

Commissioner McCool stated that the City just went through a revision of accessory structure regulations. He does not support the argument for more storage. However, he is very appreciative that the applicant is trying to come up with a design that is agreeable to the neighbors. He would prefer a 3-car garage design rather than granting 500 square feet of additional storage. He would also prefer granting a variance for a front lot line rather than the large amount of square footage for accessory structures.

Commissioner Peterson noted that at the last meeting flexibility was granted for additional accessory structure, but this request is too much. There are other options to come closer to compliance with City standards.

Commissioner Ferrington stated that she very much likes the design and the fact that the neighbors have been included in discussions. However, whether it is keeping the shed or another creative approach, the accessory structure storage space must be reduced from what is proposed.

Chair Doan asked the applicant whether they would like to table the matter or have the Planning Commission deny the proposal. Ms. Castle explained that the application could be revised. If the application is denied, it would mean that another similar application could not be processed for six months through a whole new application process.



Commissioner McCool asked the reason for the setback to be defined as 70 to 90 feet. Ms. Hill explained that the range is defined in the Code as obtained from the average of the setbacks of the two adjacent properties. Commissioner McCool stated that he would prefer that the front setback range be 80 to 90 feet, not 70. With the next door neighbor at 119 feet, a 70-foot setback would place the house almost 50 feet in front of the neighbor.

**Mr. Richard Kotosky**, Roseville, stated that he is present to answer questions. The applicants would like to keep the setback range at 70 to 90 feet, so the house could be 10 feet in front of or behind the adjacent house, which is what the Code allows. Ms. Hill explained that the home to the east across the drive is at a setback of 35 to 40 feet and is the only home used in the calculation because the property to the west is vacant. Ms. Castle added that when there is a vacant adjacent parcel, the minimum setback applied is 25 feet. That was added to the setback of the home on the other side to determine the setback range.

Commissioner Solomonson clarified the setbacks of adjacent parcels and the calculation. The 70-foot setback is in line with the houses beyond the vacant parcel so he will support the request.

**MOTION:** by Commissioner Ferrington, seconded by Commissioner Wolfe to recommend the Planning Commission adopt Resolution 16-65 approving the variance request for a Ivan and Libby Ivanov at 183 Sherwood Rd, subject to the following conditions:

1. The applicants shall enter into the approved Development Agreement for Construction, as specified in the subdivision of the parent parcel, 175 Sherwood, prior to building permits being issued for a home on 183 Sherwood.
2. The project must be completed in accordance with the plans submitted as part of the Variance application. The residential structure shall have a minimum 70 foot front setback and maximum 90 feet front setback.
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.

This approval is based on the following findings:

1. The proposed improvements are consistent with the Housing and Land Use Chapters of the Comprehensive Plan.
2. The proposed house and attached garage represent a reasonable use of the property which is located in the R-1 Detached Residential District.
3. Unique circumstances stem from the uniqueness of the parcel. The adjacent parcel is a key lot and the home is setback fully behind this parcel. The setback range for the future house on 183 Sherwood from the Sherwood Road right-of-way is 196.91 feet to 216.91 feet. With a lot depth of 248.57 feet and a required 40-foot rear yard setback, there is no buildable area causing the need for a future front yard setback variance.



Staff finds that the proposed parcels comply with City Code. The existing detached garage meets criteria for practical difficulty to justify the variance for the 5-foot setback. Staff is recommending approval with the conditions listed in the staff report.

Commissioner Ferrington asked if the driveway access to Parcel B goes through to Dale as shown on the map. Ms. Castle explained that staff is recommending that driveway easement be shortened and not extend to Dale.

Commissioner Ferrington asked if the beach access lot is an easement over any other property to access North Owasso Boulevard. Ms. Castle clarified that the beach access lot is a lot in its own right and is owned by Parcel A.

Commissioner McCool noted a Lot B attached to Parcel A and asked how that fits in. Ms. Castle stated that it is her understanding that when this area was originally platted, there was a lot along the rear of the properties to provide access to the rear. It was not platted as right-of-way. At some point, a portion of the rear access lot was deeded to the City known as Dale Alley, which is used by properties to the south.

City Attorney Beck stated that proper notice for the public hearing has been provided.

Chair Doan opened the public hearing.

**Mr. Todd Hinz**, 3160 West Owasso Boulevard, Applicant, introduced his partner **Josh Linden**. He stated that there is no intention to use the Dale Alley access. The beach access lot is separate from the minor subdivision. Legal rights have not been fully reviewed regarding that piece of property.

Commissioner Ferrington asked the reason for the property line that jogs around the garage and the reason for not creating a straight boundary for parcel B. **Mr. Hinz** explained that the uneven boundary line is strictly to keep the garage on Parcel A and retain use of the garage. There will be a 40-foot setback to the building pad on Parcel B.

**Mr. Linden** stated that the only other option would be to tear down the garage, which is in good shape. The driveway meets existing blacktop standards. It blends in well. Parcel B is heavily wooded. There will be a number of trees that will be left between the garage and the new house.

Commissioner Ferrington noted that neighbors are concerned about the safety of the access drives. **Mr. Hinz** agreed that North Owasso Boulevard is a busy street. Instead of having three driveways beyond the curve, the driveway is at the top of the curve and aligns with the house to the west. Once trees and brush are cleared, there will be a good sight line for traffic. The existing access to Parcel C will remain.

Chair Doan asked if approval of the minor subdivision means the access is also approved. Ms. Castle stated that approval includes the access for Parcels A and B. Parcel C does not have a building permit application. Access for Parcel C would be reviewed at that time.

Chair Doan opened the public hearing.

**Mr. Robert Devoe**, 590 North Owasso Boulevard, stated that their view is a park setting with old growth trees. They did not anticipate the property would be developed. It will impact the character of the neighborhood because now it is a park setting. Two new houses would sit among a 1920s house, a 1970s house and a 1960s house. Orientation of the houses are not in alignment.

**Mr. Skip Kiland**, 3340 Owasso Heights Road, stated that his concern is the lake access. His property abuts the 8-foot strip of land. He would like to see the City make that strip of land part of Parcel A and not increase the traffic on that land. There is not room for more boats and docks to use that strip of land.

**Mr. Chuck Copeland**, 3348 Owasso Heights Road, stated that his concern is that use of the 8-foot strip could mean a party by the lake and spilling over into private property. It would be untenable to control. Riparian rights go 150 feet into the water. There have been efforts to build marinas that have been blocked. The effect of use of the lake access strip needs to be addressed with this decision.

**Ms. Twila Greenhack**, 3333 Owasso Heights Road, stated that her concern is the 30-foot strip known as Dale Alley. She asked if the City owns it. Ms. Castle stated that it will be owned and maintained by the future property owner of Parcel A.

**MOTION:** by Commissioner Solomonson, seconded by Commissioner Ferrington to close the public hearing at 10:54 p.m.

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

Commissioner Ferrington stated that with the number of comments regarding the beach access lot, she would like to know if it is tied to this application. Ms. Castle stated that it is a separate parcel but in common ownership. City Attorney Beck stated that as a separate tax parcel it is a separate issue. In this scenario, typically the Commission would look for a nexus between the subdivision lot and the beach access lot. If there is one, the Commission can condition the minor subdivision on that.

Chair Doan asked for staff's recommendation on the matter. Ms. Castle stated that there are a number of beach access lots on Lake Owasso. The code states that any beach access lot created after 1993 requires a Conditional Use Permit. This lot was created before 1993 and is non-conforming. Shoreland management does not address beach access lots. The non-conforming lot regulations allow such a lot to continue in size, intensity and manner of operation which existed when it became a non-conforming use. A strict interpretation would be that to grant access to Parcels B and C by Parcel A would increase its use and intensity. She is unclear whether the property meets the nexus standard.

Chair Doan called a five-minute break and reconvened at 11:03 p.m.

Commissioner McCool questioned whether the Planning Commission is going to regulate the number of people who can have access. The issue he hears is with boats. To say that Parcels B and C do not have access is an overstep. The Planning Commission should not make this decision.

Commission Ferrington stated that she is not prepared to make a decision on the beach access lot. If the Planning Commission does not make this decision, who makes that determination? Ms. Castle stated that jurisdiction comes through the zoning code. Anything in water is under DNR jurisdiction.

Chair Doan stated that he is not qualified to determine whether there is a nexus and would err on the side of caution by not concluding there is one. Issues related to use from the lake are beyond the purview of the Planning Commission.

Commissioner McCool stated that approval of this minor subdivision does not mean the Commission is approving access to the beach access lot. It is a separate open issue to be decided another time.

**MOTION:** by Commissioner McCool, seconded by Commissioner Ferrington to adopt Resolution No. 16-66 approving the variance to reduce the 20-foot side yard setback for the detached garage to 5 feet and to recommend approval of the minor subdivision to the City Council, subject to the following proposed conditions, and with a 12th condition added to the minor subdivision that no access easement will be granted across Parcel A to Lot B (Dale Alley).

### **Variance**

1. This approval is subject to approval of the Minor Subdivision application by the City Council.
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 the approval of a variance reducing the required side yard setback for the detached garage on Parcel A.
2. 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 City Engineer. 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.





**PLANNED UNIT DEVELOPMENT/CONCEPT REVIEW**

**FILE NO. 2606-16-05**  
**APPLICANT: WOOPERT, INC.**  
**LOCATION: 4188 LEXINGTON AVENUE (SHOREVIEW BUSINESS CAMPUS)**

As noted under Approval of the Agenda, this matter was postponed.

**PUBLIC HEARING - TEXT AMENDMENT, TEMPORARY HEALTH CARE DWELLINGS**

**FILE NO.: 2621-16-20**  
**APPLICANT: CITY WIDE**  
**LOCATION: CITY OF SHOREVIEW**

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

The City proposes a text amendment to opt out of temporary health care dwellings. A bill was passed in the past legislative session creating a process for local governments to permit certain types of recreational vehicles and other structures as temporary family dwellings. The new law becomes effective September 1, 2016, unless a city chooses to adopt an ordinance to opt out of the legislation. The intent of the legislation is to provide transitional housing for seniors. The law allows anyone in need of assistance with two or more “instrumental activities of daily life” for mental or physical reasons eligible to be housed in this manner. There is an exemption to zoning authority and requires cities to approve a permit within a 15-day period. The law also allows a permit with a doctor’s note for the residents and allows exceptions to building, zoning and fire regulations.

Staff concerns regarding this new law are summarized as follows which provide the reason for the text amendment to opt out of this legislation:

- Allowing a detached accessory dwelling on a single-family parcel;
- Location is not verified with the absence of a survey as required by other permits;
- There is no means to process or reject a Conditional Use Permit;
- The permit circumvents the public process with the shortened, 15-day processing;
- The permit is automatically extended without any provisions on which the City may deny extension;
- There is no reference to compliance with shoreland, flood plain or wetland requirements.

Staff notes there are options in and around the community to assist with senior or health care needs, such as a family member spare bedroom, accessory apartments, apartments and senior apartments throughout the community, assisted living facilities, short-term health care facilities and various group homes.

The League of Minnesota Cities has drafted a sample opt-out ordinance in order for cities to regulate temporary dwelling units as a conditional use or to adopt a temporary health care

dwelling ordinance that mirrors the state law with additional requirements, such as front yard restriction.

Notice was published in the City's legal newspaper. No comments were received.

This matter was discussed by the City's Economic Development Authority. A recommendation was made at their July 5, 2016 meeting for the City to adopt an ordinance to opt out of the temporary health care dwelling requirements.

Staff recommends Planning Commission review with a recommendation to the City Council to adopt the proposed opt out ordinance.

City Attorney Beck stated that proper notice was given for the public hearing.

Chair Doan opened the public hearing. There were no comments

**MOTION:** by Commissioner Solomonson, seconded by Commissioner McCool to close the public hearing at 11:22 p.m.

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

Commissioner Wolfe asked if further explanation for this bill has been provided by the state. Ms. Hill stated that the bill was proposed by the representative from New Brighton. Next-Door Housing is located in New Brighton and manufactures this type of housing. If cities do not opt out by September 1, 2016, they are subject to its provisions.

Commissioner McCool stated that he supports opting out. If needed, he would like the City to adopt its own ordinance to address this need.

Chair Doan agreed with the opt-out ordinance but stated that there may be certain circumstances when such temporary dwellings would be beneficial. He would recommend further investigation and a possible workshop session for the Planning Commission to learn more about this issue.

**MOTION:** by Commissioner Ferrington, seconded by Commissioner Wolfe to recommend the City Council approve the ordinance to opt out of recently passed legislation, Chapter 111, 2016, Minnesota Session Laws, requiring cities to provide temporary health care dwelling units.

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

**MISCELLANEOUS**

**City Council Meetings**

Commissioners Peterson and Chair Doan are respectively scheduled to attend the City Council meetings of August 1, 2016 and August 15, 2016.

**ADJOURNMENT**

**MOTION:** by Commissioner Solomonson, seconded by Commissioner McCool, to adjourn the meeting at 11:28 p.m.

**VOTE:**

**Ayes - 6**

**Nays - 0**

ATTEST:

---

Kathleen Castle  
City Planner

**TO:** Planning Commission  
**FROM:** Rob Warwick, Senior Planner  
**DATE:** August 17, 2016  
**SUBJECT:** File No. 2624-15-23, Residential Design Review and Variance – Zawadski Homes/Wahlin, 951 Oakridge Avenue

### **INTRODUCTION AND BACKGROUND**

At the July 26<sup>th</sup> meeting, the Planning Commission extended the review period and tabled the variance and residential design review requests submitted by Zawadski Homes, on behalf of Steven and Kristine Wahlin for a tear down/rebuild project. The Commission commented that the proposed total floor area of all accessory structures represented too large a variance from the recently adopted standards, and suggested the applicants revise their plans to better comply.

The property is located on the south side of Turtle Lake, and is a substandard riparian lot located in the R1 – Detached Residential, and Shoreland Overlay Districts. Residential design review (Section 209.080(L)(2)(c)) is required for projects on substandard lots. The existing house will be removed, and a new two-story house with a three car attached garage will be constructed.

The lot has an area of 23,494 square feet (0.54 acres), and width of just less than 70-feet. Improvements on the property include:

- A single story house, with an approx. 1,200 sq. ft. foundation area
- A 788 sq. ft. detached garage
- A 180 sq. ft. shed
- A 331 sq. ft. water oriented structure
- About 3,300 sq. ft. of impervious driveway and parking area

The front lot line abuts the public portion of Oakridge Ave., a street constructed with a pervious surface (Pave-Drain). No parking is permitted on the street due to the narrow street width. The existing house is setback about 155 feet from the front lot line and about 115 feet from the OHW. There is an existing detached garage setback about 40-feet from the front lot line. Immediately east of the detached garage is a 10- by 18-foot shed. Near the northeast corner of the lot is a 331-sq. ft. water oriented structure that is about 12-feet from the OHW of the lake, and encroaches onto the property to the east by several feet.

The applicants propose to retain the existing 331-square foot water oriented accessory structure. The total floor area of resulting accessory structures will be 1,318 square feet, exceeding the 1,200 square foot maximum permitted by Code. The detached accessory structure will be used to provide an enclosed gathering location at the lakeside and enclosed storage for recreational equipment. The application was complete July 6, 2015.

### **PROJECT DESCRIPTION**

The applicants propose to tear down the existing house and build a new house with a 987 sq. ft. three-car attached garage. The proposed house has a 2,090 sq. ft. foundation area and is designed as a single story house with a walk-out lower level.

The existing water oriented accessory structure was built in 1984, and is a legal non-conforming structure. A variance is necessary to permit a new attached three car garage and to increase the total accessory floor area more than the 1,200 sq. ft. maximum that is permitted on this parcel.

With the proposed side-loaded three car garage, the attached garage is setback 139.6 feet from the front property, less than the minimum 155.15 feet that is required. The front setback is calculated, and equal to the average of the front setbacks of the principal structures on the adjacent parcel (plus or minus 10-feet). A variance is necessary to reduce the front setback.

**DEVELOPMENT CODE**

The City standards for accessory structures include provisions that two detached accessory structures are permitted, and the combined floor area of all accessory structures is limited to the lesser of 1,200 square feet or 90% of the foundation area of the dwelling. The applicant has requested a variance to add a 987-square foot attached garage, bringing the total of all accessory structures to 1,318 square feet (about 64% of the dwelling foundation area).

The Development Ordinance requires residential construction on substandard lots to comply with certain design standards, and these are summarized in the table below.

| <b>STANDARD</b>                                                                                           | <b>ALLOWED</b>                                                                                                   | <b>PROPOSED</b>                                                  |
|-----------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| <b>Lot Coverage</b>                                                                                       | 25%<br>Existing: 6,906 sq. ft. (29.4%)                                                                           | 6,906 sq. ft. (29.4%)                                            |
| <b>Building Height</b>                                                                                    | 35 feet                                                                                                          | 34.5 feet                                                        |
| <b>Foundation Area</b>                                                                                    | 4,229 sq. ft. (18%)<br>Existing = 2,972 sq. ft.                                                                  | 3,983 square feet (17%)                                          |
| <b>Setbacks:</b><br><b>Front (South)</b><br><b>OHW (North)</b><br><b>Side (East)</b><br><br><b>(West)</b> | 155.15 to 175.15 feet<br>78.25 to 98.25 feet<br>10 feet Living Area<br>5 feet Garage Area<br>10 feet Living Area | 139.61 feet *<br>94.5 feet<br>10.0 feet<br>5.0 feet<br>10.3 feet |
| <b>Architectural Mass</b>                                                                                 | Natural Colors and Materials                                                                                     | Hardi siding in shades<br>\of brown                              |

Lot coverage is limited to the greater of 25% of lot area or the existing impervious area, and the existing coverage will be redeveloped with the proposed improvements.

The residential design review application cannot be approved without first approving the variance requests to allow the attached garage, and to reduce the front setback to 139.61 feet.

**Shoreland Mitigation**

In accordance with the Development Code, shoreland mitigation is required of property owners who are seeking land use approvals the City. The applicants identified architectural mass and a vegetative protection area that extends 50-feet from the OHW for the two practices they plan to implement. The protection areas that will be subject to future landscape improvements with gardens,

shrubs and trees. The exterior finish will be Hardie-board in hues of brown. The applicants are required to enter into a Mitigation Agreement with the City.

**Accessory Structures**

As mentioned above, the accessory building proposed to be retained is a legal non-conforming building, and so can be removed and rebuilt, provided there is no expansion of the building envelope or change of location.

|                              | <b>Existing</b> | <b>Proposed</b>       | <b>Development Code Standard</b>                                                                       |
|------------------------------|-----------------|-----------------------|--------------------------------------------------------------------------------------------------------|
| Detached Accessory Structure | 331 sf          | 331 sf                | Legal non-conforming water oriented accessory structure                                                |
| Attached Garage              | None            | 987 sf                | <b>1,000 sf</b> or 80% of the dwelling unit Foundation area - whichever is more restrictive            |
| All Accessory Structures     | 1,299 sf        | 1,318 sf *<br>(63.7%) | <b>1,200 sf</b> or 90% of the dwelling unit foundation area (2,090 sf) – whichever is more restrictive |

\* Variance requested

**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.

For a variance to be granted, all three of the criteria need to be met.

**APPLICANT’S STATEMENT**

The applicant states that they are requesting a variance to enable building a new house with an attached garage on their property. The proposed 987 sq. ft. attached garage accommodates three cars and an interior accessibility ramp. The house setback from the OHW was carefully chosen to have the smallest impact on the water views of the neighbors, and that locates the attached garage nearer the front lot line than permitted. With the removal of the two existing detached

accessory structures that are now located nearer the street, the view from the street should improve. See the attached applicants' statement.

### **STAFF REVIEW**

Staff reviewed the plans in accordance with the variance criteria, and is able to make findings that practical difficulty is present.

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

A variance is necessary to construct a new three-car attached garage, while retaining a water oriented accessory structure, since the project will exceed the 1,200 sq. ft. maximum total floor area for all accessory structures. City Code limits the total floor area of all accessory structures to the lesser of 1,200 square feet or 90% of the living area foundation on lots larger than 0.5 acre and less than one-acre. The foundation area of the house is 2,090 square feet. The proposed 1,318 square feet of total accessory floor area is about 63% of the living area foundation, and staff believes the home will remain the primary feature of the property.

A variance to reduce the front setback also appears to represent a reasonable use of the property. An attached garage is subject to the setback for the principal structure.

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

Practical difficulty stems from the uniqueness of the parcel. The combination of a riparian lot, with a large area, and the existing legal non-conforming accessory structures are unique circumstances to this lot. Staff also find that the relative locations of the existing structures mitigates the total floor area, since the accessory structures are not all readily viewable from any single point, while the proposed house will dominate the property when viewed from any direction.

The front setback is calculated using the setbacks of the principal structures on the adjacent properties, and both are developed with detached garages. The houses are visually aligned when viewed from the lake. The proposed attached garage extends the principal structure towards the front lot line. The detached garages on the adjacent properties are located closer to their front lot lines.

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

Staff believes that the variance will not alter the essential character of the existing neighborhood as the adjacent properties are riparian and detached garages are a common feature of the front yards. There is existing screening provided by deciduous shrubs and trees along the west side lot line that will aid in screening.



## **COMMENT**

Property owners within 150 feet were again notified of the applicant's revised request. Two comments in support were submitted in response to the July notice.

## **STAFF RECOMMENDATION**

As noted above, staff is able to make affirmative findings regarding practical difficulty and so recommends the Planning Commission adopt Resolution 16-67, approving the variance requests, and to approve the residential design review application. Staff believes that this structure complies with the spirit and the intent of the code as the house will remain the primary structure and the character of the neighborhood will not be altered.

The approval should be subject to the following conditions:

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

### Attachments

- 1) Location Map
- 2) Aerial Map
- 3) Applicant's Statement and Submitted Plans
- 4) Comments
- 5) Resolution 16-67
- 6) Motion

**Legend**



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



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**

**Notes**

Enter Map Description

**VARIANCE REQUEST- Revised 8/3/16**

August 3, 2016

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

RE: Variance Request & Supplemental Background Information  
951 Oakridge Ave  
Shoreview  
PIN# 14.30.23.21.0009

Dear City Staff/Planning Commission,

**Original Variance Request**

On July 26, 2016, applicants appeared before the Planning Commission with an application for variance. The variance application was presented, discussed, and tabled until the next Planning Commission meeting. Briefly, applicant is removing the existing home and replacing it with a new home. Also, the proposal was to move the home back as far as possible from the lake to accommodate neighbor lake views. In order to meet the front street setback requirements, a compromise two car attached garage was adopted(both to meet the street setback and to mitigate/reduce the accessory structure square footage).

The previous July 26<sup>th</sup> application requested accessory structure square footage as follows:

- remove an existing shed(180 sf) as mitigation
- 788 sf detached garage(keep this structure due to smaller attached garage)
- 331 sf water oriented structure(keep this structure)
- 600 sf 2 car attached garage
- 1,719

This request was 519 sf over the 1,200 sf allowed for accessory structures.

**Modified Variance Request**

Applicant currently is modifying its application based on constructive feedback received. Applicant continues to desire to keep the existing screen porch located at the lakeshore, and are willing to remove both the shed(180 sf) and the detached garage(788 sf).

Now, without the detached garage storage, applicant has designed a normal 3 car attached garage, with minor additional space for a handicap accessible entry ramp for special use needs.

The accessory structure calculation is as follows:

- 331 sf water oriented structure
- 1,000 sf attached 3 car garage
- 1,331 sf

This request is 131 sf over the 1,200 allowed for accessory structures.

Note: per survey, the impervious coverage has gone down, from a previous 29.4% to 27.1%.

The applicants still wish to set the home back to accommodate neighbor's views. The home could be set as close as 78 feet back from the OHW; the proposed setback is 94 feet. By setting the home back 16 feet farther than necessary (to accommodate neighbor's views), the home now encroaches on the street setback by approximately the same amount (16 feet). The street setback is a minimum of 155 feet, and the new placement has the home approx.. 140 feet back from the street. Therefore, a variance is sought for the street side setback.

#### **Conclusion**

For the reasons outlined above, applicant believes the modified variance application results in creative solutions to limitations and neighbor concerns. The 2 minor variances are reasonable, and allow a reasonable use of the property. The situation arises from the unique circumstances of a long and narrow lot. Finally, the proposed home location and the lakeside porch do not alter the character of the neighborhood.... rather, the new home along with the removal of 2 accessory structures should be considered a visual improvement for the neighborhood.

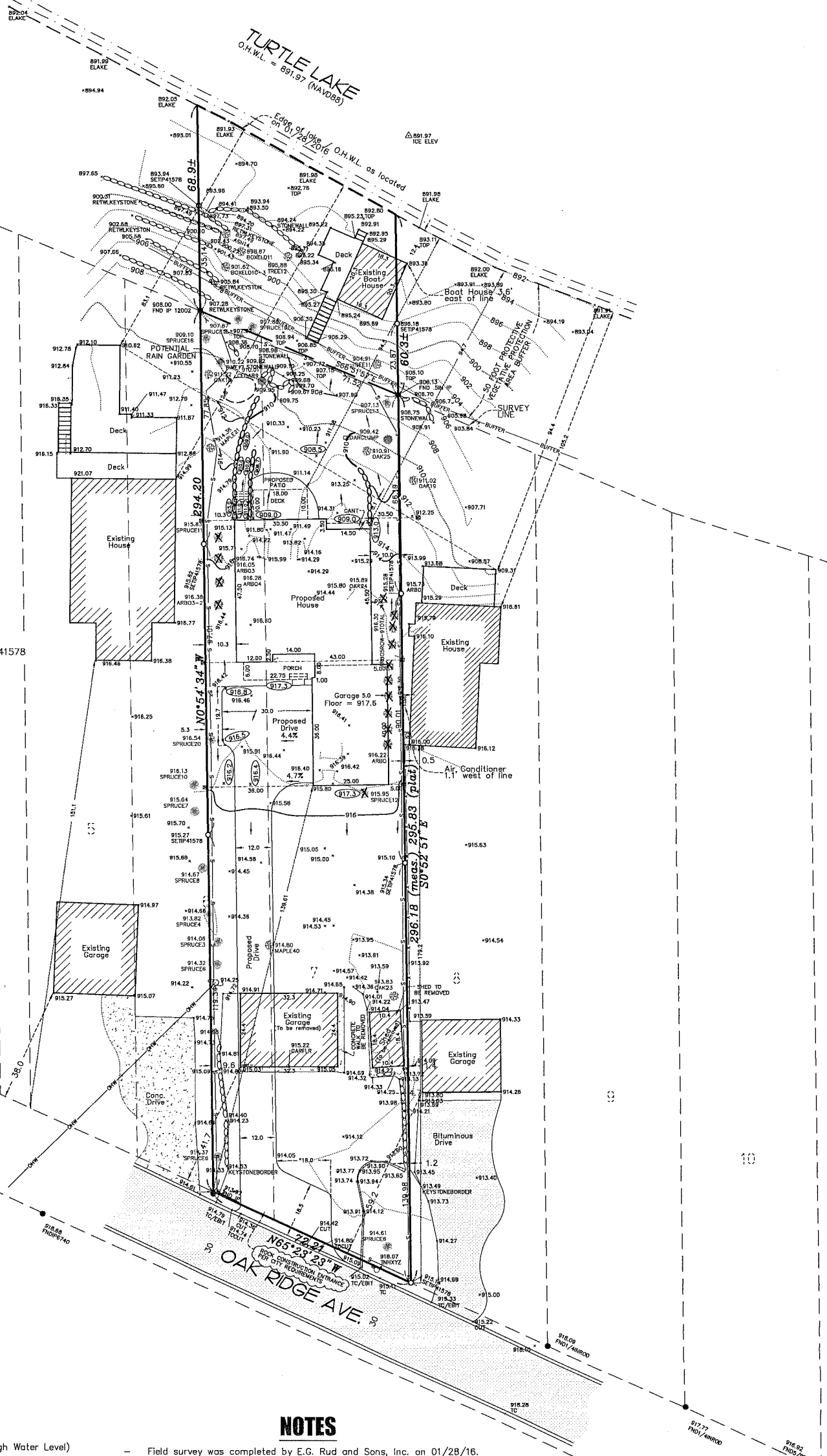
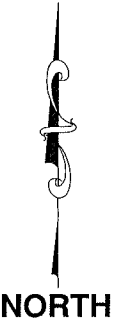
Sincerely,

Applicants: Steven Zawadski, Zawadski Homes, Inc.  
Owners: Steve and Chris Wahlin

**Page 3**

# CERTIFICATE OF SURVEY

~for~CHRIS WAHLIN  
~of~ 951 OAKRIDGE AVENUE



## LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 41578
- DENOTES HYDRANT
- DENOTES POWER POLE
- DENOTES EXISTING SPOT ELEVATION
- DENOTES AIR CONDITIONING UNIT
- DENOTES EXISTING FENCE
- DENOTES RETAINING WALL
- DENOTES EXISTING CONTOURS
- DENOTES OVERHEAD WIRE
- DENOTES CONCRETE SURFACE
- DENOTES BITUMINOUS SURFACE
- DENOTES GRAVEL SURFACE
- DENOTES PAVED SURFACE
- DENOTES PROPOSED ELEVATION.
- DENOTES DIRECTION OF DRAINAGE.
- DENOTES WOOD HUB/METAL SPIKE AT 11 FOOT OFFSET. (UNLESS OTHERWISE NOTED)
- DENOTES PROPOSED CONTOURS
- DENOTES PROPOSED CONTOURS
- DENOTES PROPOSED RETAINING WALL

## TREE DETAIL

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

## PROPOSED ELEVATIONS

(9'0" POURED WALL WALKOUT)  
TOP OF WALL = 918.0  
GARAGE FLOOR = 917.6  
LOWEST FLOOR = 909.3  
TOP OF FOOTING = 909.0

## IMPERVIOUS SURFACE

Total lot area = 23,494 sf (Above Ordinary High Water Level)

Existing house and porch = 1,679 sf  
Existing gar., shed, and boat house = 1,293 sf  
Existing driveway = 3,291 sf  
Existing sidewalk and patio = 643 sf  
Total existing impervious area = 6,906 sf (29.4%)

Proposed house, garage and stoop = 3,282 s.f.  
Proposed driveway = 2,982 s.f.  
Proposed sidewalk = 8 s.f.  
Proposed patio = 303 s.f.  
Existing boat house = 331 s.f.  
Total proposed impervious area = 6,906 s.f (29.4%)

Total proposed building coverage = 3,613 s.f. (15.4%)

## NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 01/28/16.
- Bearings shown are on an Ramsey County datum.
- Curb shots are taken at the top and back of curb.
- 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.
- Builder to verify house dimensions, sewer depth and foundation depth.
- Driveways are shown for graphic purposes only. final driveway design and location to be determined by contractor.
- Finished grade adjacent to home shall be 0.5 feet below top of block except at driveway and patio.
- See Certificate of Survey prepared by E.G. Rud & Sons, Inc. dated 2-15-16 for existing house and concrete walk location.

## PROPERTY DESCRIPTION

The east 20 feet of Lot 6 and all of Lot 7, OAK RIDGE, Ramsey County, Minnesota.

## BENCHMARK

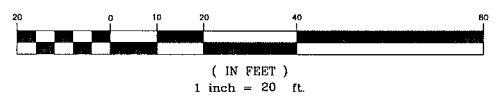
BENCHMARK: RAMSEY COUNTY BENCHMARK #9153  
ELEVATION = 898.765 (NAVD88)

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.

## PRELIMINARY

JASON E. RUD  
Date: 08/12/2016 License No. 41578

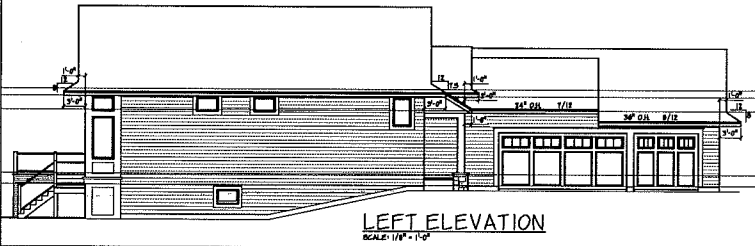
## GRAPHIC SCALE



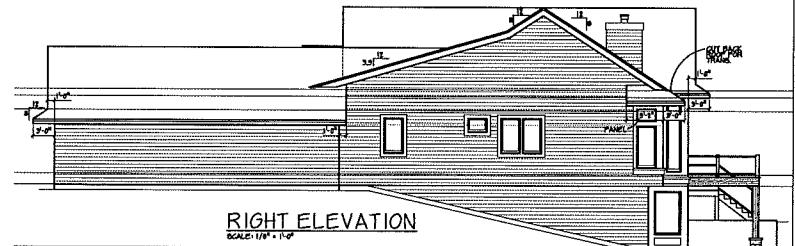
**E. G. RUD & SONS, INC.**  
EST. 1977  
Professional Land Surveyors  
6776 Lake Drive NE, Suite 110  
Lino Lakes, MN 55014  
Tel. (651) 361-8200 Fax (651) 361-8701

| DRAWN BY: | JOB NO:  | DATE:                         | BY  |
|-----------|----------|-------------------------------|-----|
| MMD       | 16030BT  | 02/15/16                      |     |
| CHECK BY: | JER      | SCANNED                       |     |
| 1         | 06/24/16 | Added prop hse info           | JEN |
| 2         | 07/13/16 | Added adj hses setback        | JEN |
| 3         | 07/15/16 | Move hse back to meet setback | JEN |
| 4         | 08/03/16 | Revised House & Imperv        | JEN |
| 5         | 08/12/16 | Revised House & Imperv        | JEN |
| 11:       | DATE     | DESCRIPTION                   | BY  |

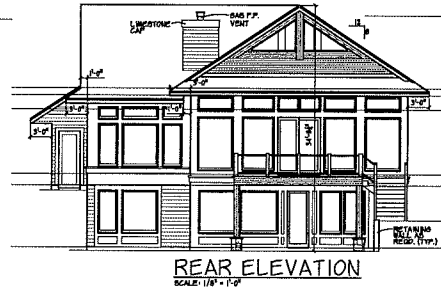
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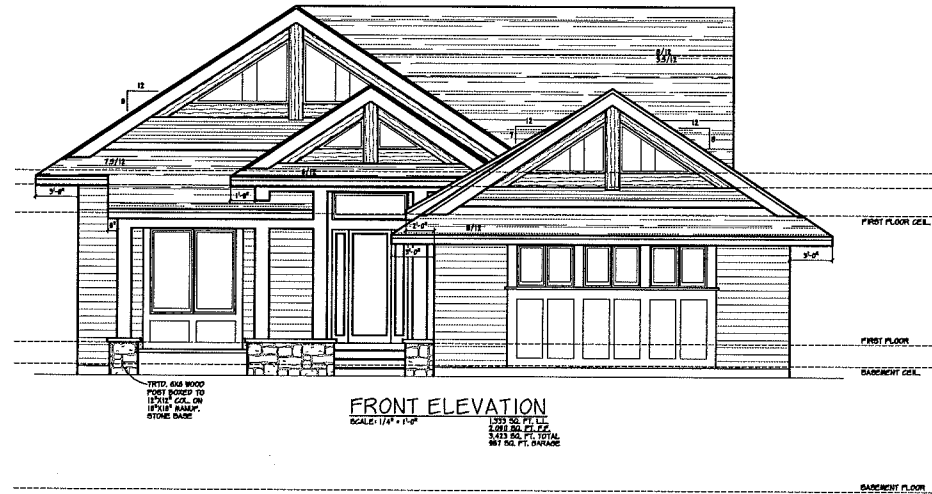
LEFT ELEVATION  
SCALE: 1/8" = 1'-0"



RIGHT ELEVATION  
SCALE: 1/8" = 1'-0"



REAR ELEVATION  
SCALE: 1/8" = 1'-0"



FRONT ELEVATION  
SCALE: 1/8" = 1'-0"

TRIM: 6/8\"/>

1337 SQ. FT. LL  
2081 SQ. FT. FF  
3413 SQ. FT. TOTAL  
967 SQ. FT. GARAGE

FIRST FLOOR GEL.  
FIRST FLOOR  
BASEMENT GEL.  
BASEMENT FLOOR

EXTERIOR NOTES

- FLASHING NOTES**
- \* KICKOUT FLASHING TO BE INSTALLED AS NEEDED
  - \* EXTERIOR WALL FINISH TO VERIFY KICKOUT FLASHING IS INSTALLED PRIOR TO FINISHING
  - \* CARPENTER TO FLASH ALL EXTERIOR WINDOWS AND DOORS PER IM & IRC CODE REQUIREMENTS
- WINDOW NOTES**
- \* ANDERSON 400 WINDOWS
  - \* BLOCK TO VERIFY ALL WINDOW, DOOR, & OPENING HRL HTS.
- EXT. FINISHING NOTES**
- \* XX DOORS/SHAKES
  - \* XX 6\"/>

D.F.P. PLANNING & DESIGN  
07/29/2016 9:18:22 AM

© 2015 DFP PLANNING & DESIGN  
 UNAUTHORIZED USE OF THE PLAN  
 WITHOUT THE WRITTEN BY ME, DATE OF REVISION  
 IS PROHIBITED. CONTACT: 952.441.1111  
 WWW.DFPDESIGN.COM

WAHLIN RESIDENCE  
 951 OAKRIDGE AVE.  
 SHOREVIEW, MINNESOTA

DATE:  
6-5-16  
REVISIONS:  
6-8-16 KCH  
7-20-16 KCH  
7-22-16 KCH  
7-28-16 KCH

DRAWN BY:  
KCH  
COMAL NO:  
216245  
SHEET NO:  
1







**EXTRACT OF MINUTES OF MEETING OF THE  
PLANNING COMMISSION OF SHOREVIEW, MINNESOTA  
HELD AUGUST 23, 2016**

\* \* \* \* \*

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. 16-67 TO REDUCE THE FRONT SETBACK AND TO INCREASE  
THE TOTAL FLOOR AREA FOR ALL ACCESSORY STRUCTURES**

WHEREAS, Steven and Christine Wahlin, submitted a variance application for the following described property:

*The east 20 feet of Lot 6 and all of Lot 7, OAK RIDGE, RAMSEY COUNTY,  
MINNESOTA*

*(This property is more commonly known as 951 Oakridge Avenue)*

WHEREAS, the Development Regulations establish that the front setback for a new principal structure is calculated using the front setbacks of the principals structures on the adjacent lots when those structures are setback more than 40-feet. In this instance the front setback is a range of 155.15 to 175.15 feet; and

WHEREAS, the Development Regulations state the a maximum area of all accessory structures shall not exceed 90% of the dwelling unit foundation area or 1,200 square feet whichever is more restrictive; and

WHEREAS, the Development Regulations state that a legal non-conforming structure can be retained or rebuilt, provided however that any expansion must conform to current Code requirements; and

WHEREAS, the applicants are proposing to construct a new two-car attached garage, altering the non-conformity of an existing legal detached structure, a 331 square foot water oriented accessory structure. The legal structures exceed the maximum floor area permitted when a two-car or larger attached garage is located on the property; and

WHEREAS, the applicant has requested the following variances for said structure;

- 1) To build a 987 square foot three-car attached garage; and
- 2) To exceed the maximum accessory structure square footage permitted of 1200 square feet as 1,318 square feet is proposed.

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, 2016 the Shoreview Planning Commission made the following findings of fact:

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

Variances are needed to allow the expansion of the legal non-conforming detached accessory structure. The City Code limits the total floor area of all accessory structures to the lesser of 1,200 square feet or 90% of the living area foundation on lots more than 0.5 acre and less than one-acre. The existing 331 square foot water oriented accessory structure, and proposed 987 square foot attached garage exceed that area. The foundation area of the house is 2,090 square feet. The proposed 1,318 square feet of total accessory floor area is about 63% of the living area foundation, therefore, the home will remain the primary feature of the property.

The variance request to construct the attached garage represents a reasonable use of the property. City Code permits garages as an accessory use. Garages are needed for vehicle parking and storage of normal household equipment and supplies. Additionally, lake lots have the potential to create greater storage needs.

The 23,494 square foot property is significantly larger than the 15,000 square foot required lot size for a single family residential riparian property in the City and greater than the minimum lot area of 10,000 square feet required for properties in the R1 zoning district.

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

The combination of a riparian lot, with a large area, and the existing legal non-conforming accessory structure are unique circumstances to this lot. Staff also find that the relative locations of the existing structures mitigates the total floor area, since the structures are not both readily viewable from any single point, while the proposed house will dominate the property when viewed from any direction.

The front setback variance stems from the adjacent properties both developed with detached garages. An attached garage is subject to the principal structure setback, and results in a longer principal structure, than where a detached garage exists.

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

The variance will not alter the essential character of the existing neighborhood as the adjacent properties are riparian and detached garages are a common feature of the front yards. The existing 788 sq. ft. detached garage located about 40-feet from the front lot line will be removed as part of the project. A garage setback further from the front line line is unlikely to alter the neighborhood character. There is also existing screening provided by deciduous shrubs and trees.

NOW, THEREFORE, BE IT RESOLVED BY THE SHOREVIEW PLANNING COMMISSION, that the variance requests for property described above, 951 Oakridge Avenue, be approved, subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the application. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. This approval will expire after one year if a building permit has not been issued and work has not begun on the project.
3. This approval is subject to a 5-day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity begins.
4. A Mitigation Affidavit shall be executed prior to the issuance of a building permit for the addition.
5. The applicants shall submit a landscape plan the shows the existing and proposed landscaping. The landscape plan is subject to the approval of the City Planner.
6. Use of the accessory structure shall be for personal use only and no commercial use is permitted.

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 23<sup>rd</sup> day of August, 2016

---

John Doan, Chair  
Shoreview Planning Commission

ATTEST:

---

Kathleen Castle, City Planner

ACCEPTANCE OF CONDITIONS:

---

Steven Wahlin, 951 Oakridge Avenue

---

Christine Wahlin, 951 Oakridge Avenue





**PROPOSED MOTION  
TO APPROVE**

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

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

To adopt Resolution No. 16-67, approving the variance request to construct a new 1,000-sq. ft. attached three-car garage, to increase the total floor area of all accessory structures to 1,318 sq. ft., to reduce the front setback to 139.61 feet for the house and attached garage, and to approve the residential design review application submitted by Mr. and Mrs. Wahlin and Zawadski Homes for the property located at 951 Oakridge Ave. This approval is subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the application. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. This approval will expire after one year if a building permit has not been issued and work has not begun on the project.
3. This approval is subject to a 5-day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity begins.
4. A Mitigation Affidavit shall be executed prior to the issuance of a building permit for the addition.
5. The applicants shall submit a landscape plan the shows the existing and proposed landscaping. The landscape plan is subject to the approval of the City Planner.
6. 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 attached 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 Shoreland Overlay District.

**VOTE:           AYES:           NAYES:**

Regular Planning Commission Meeting  
August 23, 2016

**TO:** Planning Commission  
**FROM:** Kathleen Castle, City Planner  
**DATE:** August 18, 2016  
**SUBJECT:** File No. 2629-16-28, Variance – Kelly, 650 Highway 96

**Introduction**

The City received a Variance application from John and Valerie Kelly for their property at 650 Highway 96. The Kelly's are proposing to expand and remodel their home. This project includes converting the existing attached garage into living space, adding an attached garage on the east side of the home, a front covered porch, mud room, great room and deck. This proposal requires the following variances:

- 1) To reduce the minimum required 40-foot setback from the front property line (street side) to 3.8 feet for the front porch addition; 10.8 feet for living area addition and 19.6 feet for the garage addition.
- 2) To reduce the minimum required 10-foot setback from the side lot line (west) to 7.3 feet for the conversion of the existing attached garage to living space.

Please see the attached plans.

The application was complete on August 4, 2016.

**Site Characteristics**

The property is located on the south side of Highway 96 and has frontage on Snail Lake. The property is a standard riparian lot and has an area of 19,696 square feet, a depth of approximately 150 feet and a width of 100 feet. It is currently developed with a single-family residential home that has an approximate foundation area of 1,246 square feet, including an attached single car garage. There is also a 224 square foot storage shed located on the lakeside of the home. The home is located in the western part of the property and is setback 10.8 feet from the Highway 96 right-of-way and 7.3 feet from the side property line both of which are less than the Code requirements. The structure is nonconforming. City and County records indicate that the home was constructed in the late 1940's or early 1950's.

Access to the property is from a horseshoe shaped driveway that has two access points onto Highway 96. The majority of the driveway is located in the Highway 96 right-of-way. The topography of the property generally slopes down from Highway 96 to Snail Lake. Vegetation on the property includes open lawn areas with a few trees on the lakeside and along the property lines.

**Development Code - Zoning**

The property is zoned R1, Detached Residential (Section 205.082) and is also located in the Shoreland Management District (Section 209.080) of Snail Lake. This parcel is a standard riparian lot; therefore, it is not subject to the Residential Design Review standards.



Section 205.080 (D1) requires residential structures to maintain a minimum 40-foot setback from the right-of-way of an arterial roadway. Highway 96 is classified as an arterial road.

Section 205.082 (D2) requires residential structures to maintain a minimum 10-foot setback from a side property line.

Per Section 207.050 (F1), nonconforming structures may remain at their current size and location and/or may be structurally altered, including an area expansion, provided the alteration complies with the City' following table summarizes the proposal in accordance with the Code requirements.

| STANDARD               | ALLOWED                           | PROPOSED                                                                    |
|------------------------|-----------------------------------|-----------------------------------------------------------------------------|
| <b>Lot Coverage</b>    | 25%<br>Existing: 3,213 sf (16.3%) | 4,062 sf (20.6%)                                                            |
| <b>Building Height</b> | 35 feet                           | 26 feet                                                                     |
| <b>Setbacks:</b>       |                                   |                                                                             |
| <b>Front (North)</b>   | 40 feet                           | 3.8 feet* (Front Porch)<br>10.8 feet* (Living Space)<br>19.6* feet (Garage) |
| <b>Side (East)</b>     | 5 feet (Garage)                   | 10.3 feet                                                                   |
| <b>Side (West)</b>     | 10 feet (Living Space)            | 7.3 feet*                                                                   |
| <b>OHW</b>             | 133 feet                          | 134.8 feet                                                                  |

\* Variance required

The proposal requires variances to reduce the minimum required structure setbacks from the front property line and the west side lot line.

**Variance – Section 203.070.** When considering a variance request, the Commission must determine whether the ordinance causes the property owner practical difficulty and find that granting the variance is in keeping with the spirit and intent of the 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.

For a variance to be granted, all three of the criteria need to be met.

**Applicant’s Statement of Justification**

The applicant provided a statement of justification which explains the rationale for their project. Reduction of the front setback variances are related to the design of the existing home, placement of the home on the property and the topography. Conversion of the existing single car garage to living space will not have an impact on the adjoining home because the homes are not aligned with one another. The setback proposed for the garage cannot be increased due to the topography of the parcel. The front porch addition will provide sheltered space for visitors. See the attached statement.

**Staff Review**

The applicant is requesting a variance to waive the City’s standards pertaining to minimum structure setbacks from the front and side property lines. It is the City staff’s opinion that practical difficulty is present for the requested variances based on the following:

1. ***Reasonable Manner.*** The property owner is proposing to use the property in a reasonable manner. The property is zoned R1 which allows single-family homes as a permitted use. The foundation area of the existing home is approximately 989 square feet and is smaller than other nearby homes on Snail Lake. The proposed expansion and remodeling is intended to improve the livability of the home.

The setback of the home from the west side lot line is 7.3 feet. This portion of the home includes the single-car garage and living area. Converting the garage to living area will enable the applicants to gain additional living area within the current structure. In Staff’s opinion, this is reasonable since there will be no further encroachment into the side yard setback.

Replacing the garage with a three-car garage is also reasonable for a lakeshore property. The proposed garage location on the east side of the home and the 19.6- foot setback will provide off-street parking on the applicant’s property.

Creating a covered porch on the front of the home will provide shelter area for visitors. The porch has been designed to enhance the appearance of the home and create an inviting entryway. The proposed 3.8-foot setback will not interfere with improvements in the Highway 96 right-of-way.

2. ***Unique Circumstances.*** Unique circumstances are present due to the characteristics of Highway 96, placement and use of the existing home on the property and the topography of the property. Highway 96 is a former State Trunk Highway that is now under the jurisdiction of Ramsey County. Since it is a former State Trunk Highway, the right of way width is 180-feet and is improved with a four lane roadway that has turn lanes and medians. Trails are also located on the north and south sides of the roadway. No further improvements are planned to the roadway at this time. While the existing home is setback 10.8 feet from the right-of-way, the distance to the improved roadway is 52 feet. The private improvements in the boulevard area adjacent to the home include landscaping and driveway. The characteristics of the roadway and placement of the home in relation to the roadway are unique circumstances.

The structure is also setback 7.3 feet from the western side property line. This side of the home includes the single car garage and living space. Converting the garage to living space will not result in a further encroachment into the side yard. The adjoining home at 660 Highway 96 is setback farther from the right-of-way line than the applicant's home therefore, the proposed living space will not be adjacent to the neighboring home but is adjacent to the driveway. There is also landscaping along the side lot line that provides some separation and buffering.

The topography of the lot also is unique. The flattest part of the property is on the north side adjacent to Highway 96 where the existing home and driveway are located. Shifting the garage further to the south to increase the setback from Highway 96 is difficult due to the changing grade which slopes towards the lake. Placing the garage at a greater setback would require additional grading.

3. ***Character of Neighborhood.*** The character of the neighborhood will not be altered if the variances are granted. The parcels on the north side of Snail Lake vary in size and depth with the majority of homes located within the required structure setbacks. The applicant's parcel, along with the adjoining property at 640 Highway 96, are smaller and have been developed with homes that are closer to the Highway 96 right-of-way due to the topography. The expansion of the applicant's home on the east side is at a greater setback from the Highway than the existing home will not alter the character of the neighborhood. Further, there is no change in the building footprint on the west side.

### **Shoreland Mitigation**

A shoreland mitigation plan must be submitted for residential development that requires a land use approval, including a variance. The intent of the plan is to mitigate the adverse effects land development has on water quality and the lake environment. Property owners are required to implement two practices.

For the first practice, the applicant's are proposing to change the maroon color of the home to a neutral earth tone color. A second practice has not yet been identified. The mitigation plan and affidavit is required prior to the issuance of a building permit.

### **Public Comment and Agency Review**

The City notified property owners within 150 feet of the subject property. No comments have been received.

Ramsey County Public Works staff also reviewed the plan and did express some concern regarding the proposed 3.8-foot setback for the front porch; however, they do not have an objection to the variance request. These concerns related to the impact the porch may have on the use of driveway area. The porch is designed to abut the edge of the driveway and will not encroach over the improved driveway surface. Since the porch area will not encroach onto the existing driveway, the City staff is not recommending an increased setback.

File No. 2629-16-28  
Variance  
Kelly, 650 Highway 96  
Planning Commission Report – August 18, 2016

Further, Highway 96 is fully built out and there are no plans for the expansion of this roadway. If the Gospel Mission property is redeveloped in the future, the County may require a turn lane into the property. This property is east of the subject property. There is adequate right-of-way available for this turn lane.

Ramsey Washington Metro Watershed District also reviewed the plans and indicated a Watershed Permit is not required for this project.

**Recommendation**

The submitted plans were reviewed in accordance with the Development Code requirements and variance criteria. City staff believes practical difficulty is present as the property owner is proposing to use the property in a reasonable manner, unique circumstances are present and the character of the neighborhood will not be impacted. City staff recommends the Planning Commission adopt Resolution No. 16-76 approving the variance, subject to the following proposed conditions:

1. The project must be completed in accordance with the plans submitted as part of the Variance application.
2. This approval will expire after one year if a building permit has not been issued and construction commenced.
3. A Mitigation Affidavit shall be executed prior to the issuance of a building permit for the addition. The mitigation practices shall include architectural mass and a second practice.
4. Erosion control will be installed in accordance with City Code requirements prior to any site disturbance. Vegetation shall be restored in accordance with City Code standards.
5. Any construction work or activity in the Highway 96 right-of-way requires a permit from Ramsey County.
6. This approval is subject to a 5-day appeal period.

**Attachments:**

1. Resolution 16-76
2. Location Map
3. Applicant's Statement and Submitted Plans
4. Motion Sheet

**EXTRACT OF MINUTES OF MEETING OF THE  
PLANNING COMMISSION OF SHOREVIEW, MINNESOTA  
HELD AUGUST 23, 2016**

\* \* \* \* \*

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

The following members were present:

And the following members were absent:

Member introduced the following resolution and moved its adoption.

**RESOLUTION NO. 16-76  
VARIANCE TO REDUCE THE REQUIRED MINIMUM FRONT AND SIDE YARD  
SETBACKS**

WHEREAS, John and Valerie Kelly submitted a variance application for the following described property:

Lots 5 and 6, Snail Lakeside, Ramsey County, MN  
*(This property is commonly known as 650 Highway 96)*

WHEREAS, pursuant to the Development Code Section 205.080 (D1), residential structures shall maintain a minimum setback of 40-feet from the right-of-way for an arterial roadway; and

WHEREAS, pursuant to the Development Code Section 205.082 (D2), residential structures shall maintain a minimum setback of 10-feet from a side property line; and

WHEREAS, the applicants have requested a variance to these requirement in order converting the existing attached garage into living space, add an attached garage on the east side of the home, a front covered porch, mud room, great room and deck.

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

WHEREAS, on August 23, 2016, the Shoreview Planning Commission approved the variance and adopted the following findings of fact:

1. **Reasonable Manner.** The property owner is proposing to use the property in a reasonable manner. The proposed expansion and remodeling of this small home is intended to improve the livability of the home. Converting the single-car garage (which has a side-yard setback of 7.3) to living area is reasonable since it utilizes the existing foundation area and will not encroach any further into the side yard than the existing home.

Replacing the garage with a three-car garage is also reasonable for a lakeshore property. The proposed garage location on the east side of the home and the 19.6-foot setback will provide off-street parking on the applicant's property.

Creating a covered porch on the front of the home will provide shelter area for visitors. The porch has been designed to enhance the appearance of the home and create an inviting entryway. The proposed 3.8-foot setback will not interfere with improvements in the Highway 96 right-of-way.

2. **Unique Circumstances.** Unique circumstances are present due to the characteristics of Highway 96, placement and use of the existing home on the property and the topography of the property. Highway 96 is a former State Trunk Highway that is now under the jurisdiction of Ramsey County. Since it is a former State Trunk Highway, the right of way width is 180-feet. No further improvements are planned to the roadway at this time. While the existing home is setback 10.8 feet from the right-of-way, the distance to the improved roadway is 52 feet. The characteristics of the roadway and placement of the home in relation to the roadway are unique circumstances.

The structure is also setback 7.3 feet from the western side property line. This side of the home includes the single car garage and living space. Converting the garage to living space will not result in a further encroachment into the side yard.

The topography of the lot also is unique. The flattest part of the property is on the north side adjacent to Highway 96 where the existing home and driveway are located. The existing home and driveway area have been constructed on this portion of the property. Placing the garage at a greater setback would require additional grading.

3. **Character of Neighborhood.** The character of the neighborhood will not be altered by the variances. The parcels on the north side of Snail Lake vary in size and depth with the applicant's parcel developed with a home closer to the Highway 96 right-of-way. The expansion of the applicant's home on the east side of the property at a greater setback from the Highway than the existing home will not alter the character of the neighborhood. Further, there is no change in the building footprint on the west side

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

1. The project must be completed in accordance with the plans submitted as part of the Variance application.
2. This approval will expire after one year if a building permit has not been issued and construction commenced.
3. A Mitigation Affidavit shall be executed prior to the issuance of a building permit for the addition. The mitigation practices shall include architectural mass and a second practice.
4. Erosion control will be installed in accordance with City Code requirements prior to any site disturbance. Vegetation shall be restored in accordance with City Code standards.
5. Any construction work or activity in the Highway 96 right-of-way requires a permit from Ramsey County.
6. 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 23<sup>rd</sup> day of August, 2016

---

John Doan, Chair  
Shoreview Planning Commission

ATTEST:

---

Kathleen Castle  
City Planner

ACCEPTANCE OF CONDITIONS:

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John Kelly

---

Valerie Kelly












**Legend**



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

**Notes**

Variance

400.0 0 200.00 400.0 Feet

## Requested Variances

(From left to right of plan and around)

1. Garage placement: We are asking to have our garage placement even with our existing home.
2. Mudroom: We are asking to add a small mudroom from the new garage as part of the house.
3. Bedroom: We are asking to add space onto a bedroom to have a larger entry way.
4. Existing garage space: We are asking to make the existing garage into living space.
5. Future bedroom: We are asking for an additional 5 feet to make bedroom space.
6. We are asking to add a small deck off the bedroom.
7. We are asking to add on a Great Room addition to the house on the lakeside.
8. We are asking to add a deck on the south side of the house and garage.
9. We would like to have stairs coming off the left side of the garage going down to the lake with a landing and then going off to the west.
10. We are asking to have a stoop over the front steps area that will have a 7' depth x 35' wide awning and deck made of concrete or wood with 2 columns.

## Statement of Justification Due to Practical Difficulties

1. We believe it is reasonable to have a larger garage in today's housing market. The *proposed* garage is set back further from the road than the *existing* one-stall garage. It would be impossible to put an unattached garage back 40 feet on our lot due to the hill as we would have to drive down the hill to enter the garage. An attached garage works with the placement and layout of the house and lot.
2. The juttred areas on the left exterior of the home are the result of many previous small additions to our home. We would like to clean up the lines of the exterior to make the home look like it was always pleasing to the eye with curb appeal while including a nice, practical entryway/mudroom from the garage.
3. The entryway to our existing home is only 3' 6" wide, just wide enough for a door. We are hoping to make that at least 7' wide by taking out a bedroom wall and closet. In order to do that, we are asking that we can add on to the existing bedroom, so we still retain the third bedroom and have room for a closet. It would also clean up the outside architectural line of the existing home to enhance the appearance of the house.
4. We are asking to make the existing one-stall garage into living space. The space that we are proposing is a closet and bathroom that would encompass a master bedroom suite. The space would have few windows and lines up with our neighbor's driveway, not their home space.
5. To have enough room for a bed and dresser in the master bedroom, we need to add an additional 5' to the south of the home. Part of that space would take away a 4'x6' old entryway that juts out on the back of our house that is not pleasing to the eye when looked at from the lakeside of our home. That area is very cold in the winter as it doesn't have heat, so it would be good to have that area reconstructed by a good professional builder.

6. We would like to be able to have a deck off the sliding glass door of the master bedroom. Almost all of the homes on our beach have them, so we will be keeping in line with the neighborhood standards already in place to make the home appealing from the lakeside.

7. We are asking to have an addition added to the lakeside of our home. At this time, our house has a small dining area space 6' wide x 9' 6" long. We need a larger space to entertain family and friends.

8. Since we love the outdoors, we would like to build a deck that is useful and makes the house look pleasing on the lakeside.

9. We need steps to the backyard and this fits in with the setback to the lake.

10. We need an awning so people have protection from snow and rain. This area makes the front of the home architecturally pleasing as well.

#### **CLOSING THOUGHTS:**

Thank you for taking the time to review our application and plans. We are so excited to make our home more functional and to have it fit in better with the rest of our neighborhood's home styles. We went ahead and hired a surveyor so your team would have a good idea of what lies on our property to enable you to see what is existing and what issues need to be taken into consideration. We hired a draftsman to draw up our home remodel plans for you to ensure that everything we wanted could be done and that it is up to city codes.

---

Homeowners: John and Valerie Kelly

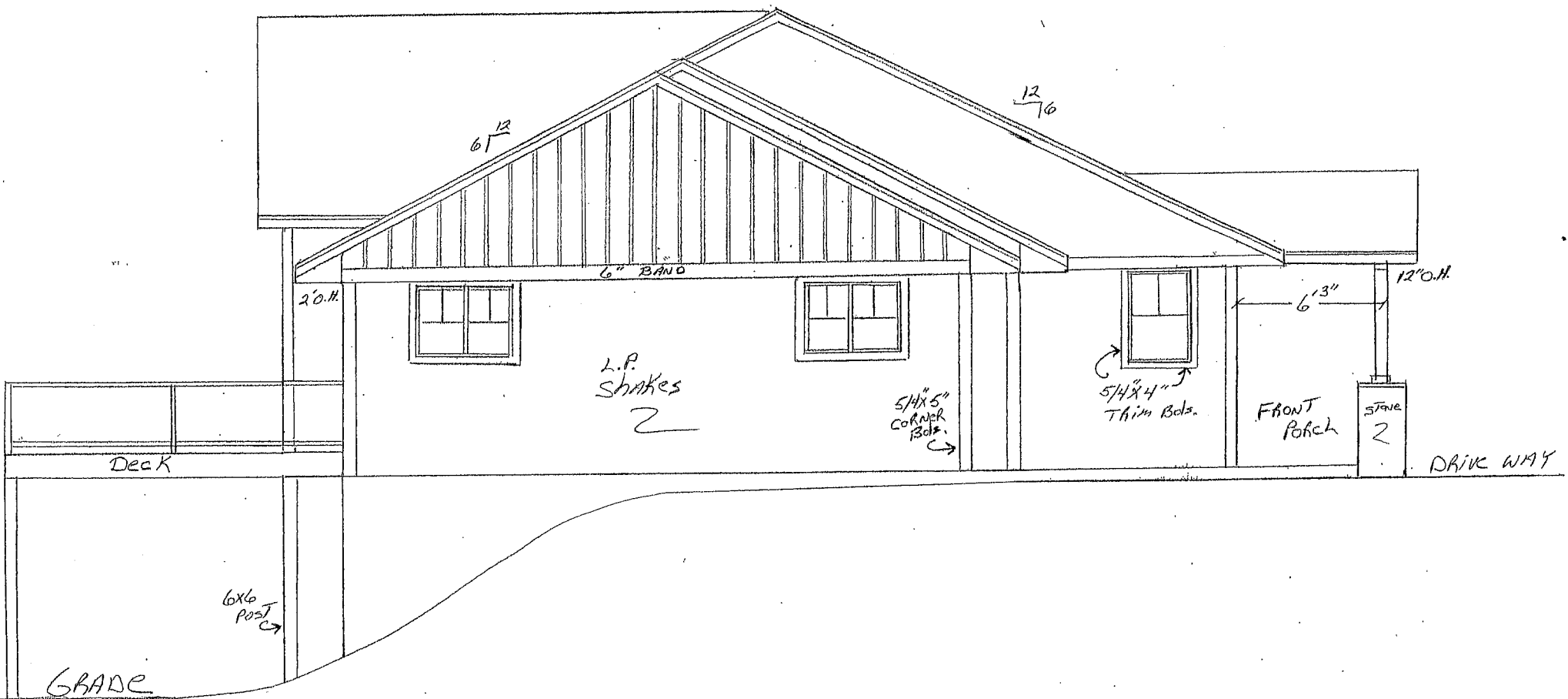
*John Kelly*  
*Valerie Kelly*





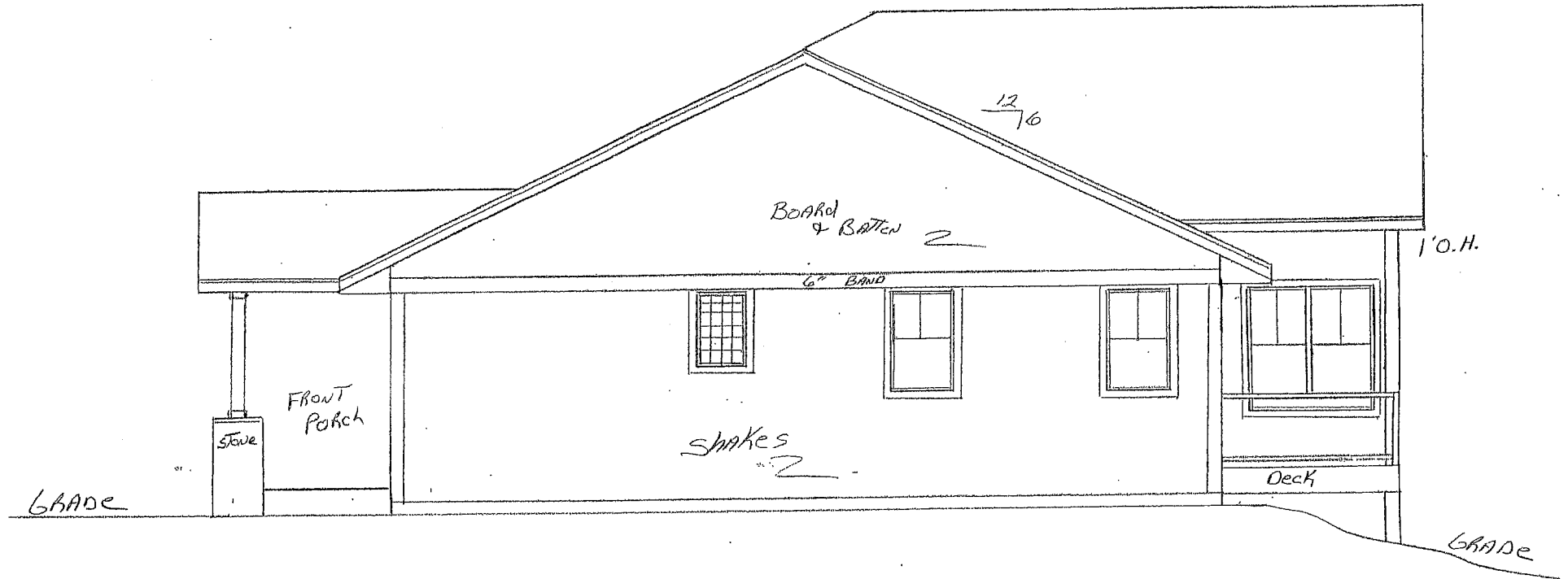


FRONT ELEVATION



Scale: 1/4" = 1'

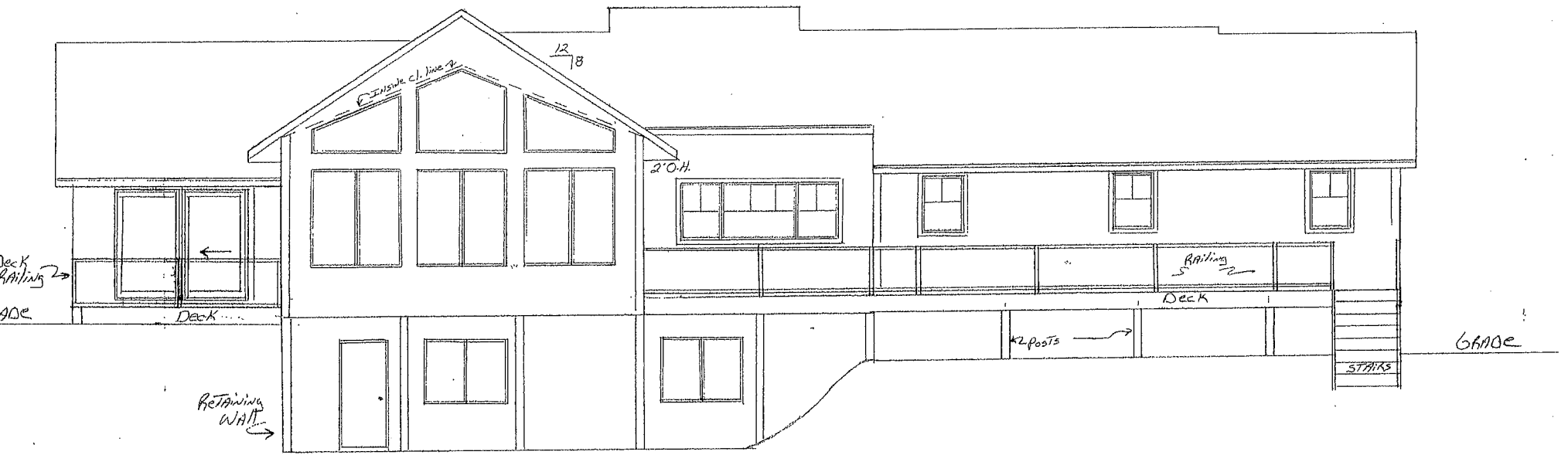
EAST ELEVATION



Scale: 1/4" = 1'

WEST ELEVATION

VAl & PAT  
Kelly  
650 HWY 96



REAR ELEVATION

scale: 1/4" = 1'



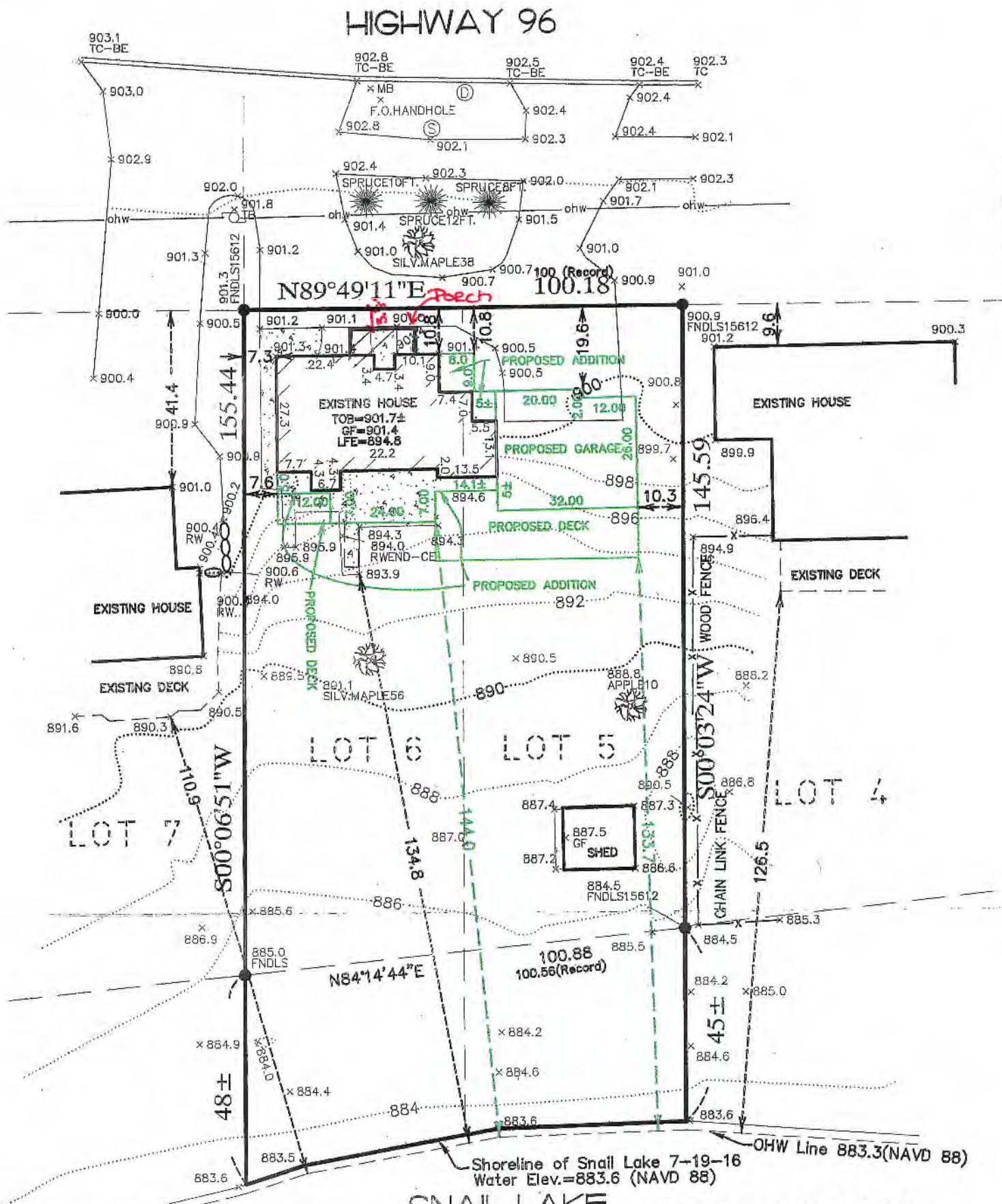
# CERTIFICATE OF SURVEY

PROPERTY ADDRESS: 650 Highway 96 W  
Shoreview, MN

FOR: VALERIE & JOHN KELLY



**NORTH**  
0 30  
( IN FEET )  
1 inch = 30 ft.



### LEGEND

- DENOTES IRON MONUMENT SET
- DENOTES IRON MONUMENT FOUND
- x 1011.2 DENOTES EXISTING ELEVATION.
- ⊙ DENOTES SANITARY SEWER MANHOLE
- ⊕ DENOTES STORM SEWER MANHOLE
- DENOTES CONCRETE
- DENOTES BITUMINOUS
- x- DENOTES EXISTING FENCE
- ~ DENOTES EXISTING CONTOUR

### BENCHMARK

Ramsey County Benchmark, 9164, NAVD 88  
Elevation = 902.23

### AREA CALCULATIONS

- AREA ABOVE OHW = ±19,696 sq. ft.
- Existing House = ±1,246 Sq. Ft.
- Existing Concrete = ±745 Sq. Ft.
- Existing Bituminous = ±998 Sq. Ft.
- Existing Shed = ±224 Sq. Ft.
- PROPOSED ADDITIONS = ±156 Sq. Ft. additional hard coverage
- PROPOSED GARAGE = ±693 Sq. Ft. additional hard coverage
- PROPOSED DECK = ±677 Sq. Ft.

### NOTES

- Bearing's shown are on assumed datum.
- Field survey conducted on July 19th, 2016.
- This survey was prepared without the benefit of titlework. Easement, appurtenances and encumbrances may exist in addition to those shown hereon. This survey is subject to revision upon receipt of a title insurance commitment or attorneys title opinion.
- Curb shots taken at top and back of curb.

### EXISTING PROPERTY DESCRIPTION

Lots 5 & 6, Snail Lakeside, Ramsey County, Minnesota.

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

JOSHUA P. SCHNEIDER

Revised: 7-25-16 (tie dim.)  
Date: 7-22-16 Reg. No. 44655

**ACRE LAND SURVEYING**  
Serving Twin Cities Metro  
area and beyond  
763-238-6278 js.acrelandsurvey@gmail.com



**PROPOSED MOTION  
TO APPROVE**

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

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

To adopt Resolution No. 16-76, approving the variance request submitted by John and Valerie Kelly for their property at 650 Highway 96. The approved variances reduce the minimum front and side yard setback required for the proposed addition and remodeling. 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.
2. This approval will expire after one year if a building permit has not been issued and construction commenced.
3. A Mitigation Affidavit shall be executed prior to the issuance of a building permit for the addition. The mitigation practices shall include architectural mass and a second practice.
4. Erosion control will be installed in accordance with City Code requirements prior to any site disturbance. Vegetation shall be restored in accordance with City Code standards.
5. Any construction work or activity in the Highway 96 right-of-way requires a permit from Ramsey County.
6. This approval is subject to a 5-day appeal period.

This approval is based on the following findings:

1. The proposed improvements are consistent with the Housing and Land Use Chapters of the Comprehensive Plan.
2. The proposed expansion and remodeling of the home, including the addition of an attached garage represents a reasonable use of the property which is located in the R-1 Detached Residential District and Shoreland Management District.
3. Unique circumstances are present due to the topography of the property, proximity of the home to Highway 96 and the characteristics of Highway 96.
4. Practical difficulty is present as stated in Resolution 16-76.

**VOTE:           AYES:           NAYES:**

Regular Planning Commission Meeting  
August 23, 2016

**TO:** Planning Commission  
**FROM:** Niki Hill, AICP, Economic Development and Planning Associate  
**DATE:** August 18, 2016  
**SUBJECT:** File No. 2627-16-26, Variance – Scott and Julie Schraut, 844 County Rd I

### **INTRODUCTION AND BACKGROUND**

A variance request has been submitted by Scott and Julie Schraut, 844 County Road I, to decrease the required OHW setback to 28 feet for their infill addition and 24 feet for the deck steps.

The property is a substandard riparian lot located in the R1 – Detached Residential District on the north side of Turtle Lake. Access to the property is via County Rd I. The surrounding properties are used for detached single family dwellings and Turtle Lake is to the south. The north lot line abuts County Rd I, and is the defined front lot line. The existing house is setback 58.5 feet from the front lot line and 25.5 feet from the OHW at its nearest point. The rear lot line is at the OHW of Turtle Lake. All of the other lot lines are defined as side lot lines.

The lot is developed with a 2,264 square foot two-story house and attached garage. The lot has an area of 11,325.6 square feet (.26 acres). It is a substandard riparian lake parcel with an average width of 100.30 ft, an average depth of 116 ft and a size of 11,325.6 square feet. The required minimum lot size of a riparian lot is 15,000 square feet; therefore the property is a substandard. Since the addition is less than 150 square feet administrative Residential Design Review is allowed in lieu of the full Planning Commission Residential Design review.

The application was complete August 2<sup>nd</sup>, 2016.

### **PROJECT DESCRIPTION**

The Schrauts propose to “infill” a 4 x 8 area that faces lake for the purpose of installing an efficient rear entrance with sliding patio door. The area is under the existing roof structure and requires the variance because they are expanding an existing non-conforming structure. Currently there is a 5’ cantilever that hangs over an existing stone porch where the proposed 8’x 4’ infill will go.

The pre-existing cantilever and mechanical room will remain closer to the OHW than the infill. In conjunction with the infill, the Schrauts propose a minimal amount of deck steps to access the rear yard from the new rear door. The floor of the home is three steps higher than the yard and these steps are necessary to access the proposed new rear exit.

## **DEVELOPMENT CODE**

### **Shoreland Standards**

Section 209.080(F)(1)(b), which addresses principal structure setback from the OHW, states that where two or more existing adjacent dwellings, including attached structures, have lakeside setbacks which exceed the minimum lakeside setback by ten (10) or more feet, the lakeside setback for an addition to a dwelling shall not be less than the average of the lakeside setbacks for such existing adjacent dwellings, including attached structures, minus 10 feet. In any event, 50 feet shall be the minimum setback. In this case the minimum setback would be 50 feet.

### **Residential Design Review**

The Development Ordinance requires residential construction on substandard riparian lots to comply with certain design standards. In this case 203.034(A)(1)(e) states that design review shall be reviewed administratively by the City Manager in accordance with Section 203.020(D) because the addition is 150 square feet or less. There was a residential design review done in 2001 when the second level to the home was added.

### **Shoreland Mitigation**

A shoreland mitigation plan must be submitted for residential development that requires a land use approval, including a variance. The intent of the plan is to mitigate the adverse effects land development has on water quality and the lake environment. Site disturbance for this project will be minimal and not have an impact on water quality and the lake environment. Therefore, City staff is recommending the mitigation requirement be waived.

### **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.*

For a variance to be granted, all three of the criteria need to be met.

## **APPLICANT'S JUSTIFICATION OF PRACTICAL DIFFICULTY**

The applicant states that the reason for the infill is primarily for functionality. The existing entrance to the home has a challenging floor plan with a doorway to the dining room perpendicular to the outside door and second floor stairs descending immediately adjacent to the

outside door. The infill adds ventilation and new space into which guests may more easily enter the home and prevent congestions and injuries to small children.

Additionally the applicants propose a minimal amount of deck steps to tastefully access the rear yard from the new exit door. The floor of the home is three steps higher than the yard and these steps are necessary to access toe proposed rear from the yard.

See applicant's statement.

### **STAFF REVIEW**

Staff reviewed the plans in accordance with the variance criteria. The characteristics of this substandard riparian lot and similar size of the adjacent properties mitigate the impact of the proposed addition along with the fact is it not going outside the current roof structure. Staff is able to make findings that practical difficulty is present so all three criteria are met, which are discussed below.

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

A variance is needed to allow the proposed 8' x 4' structure expansion since the lot is substandard and the location of the house is less than the 50 foot required minimum OHW setback.

In Staff's opinion, the variance request to build the infill addition in the proposed location represents a reasonable use of the property. The proposed addition and deck stairs do not increase the roof area or the impervious surface coverage of the structure. Any modification of the home on the lakeward side would require a variance and staff believes that this request is reasonable.

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

Practical difficulty stems from the uniqueness of the parcel and the location of the house. The parcel has one of the smallest depths of the riparian lots on the north shore of Turtle Lake. It is a substandard riparian lake parcel with an average width of 100.30 ft, an average depth of 116 ft and a size of 11,325.6 square feet. The required minimum lot size for a riparian lot is 15,000. The home is also setback 25.5 feet from the OHW, which is less than the required 50 foot setback as stated in Section 209.080. This size of the parcel, combined with the 25.5 ft setback of the existing house make the home a legal non-conforming structure. Any modifications of the home expanding it require a variance because it would be an expansion of the non-conforming structure. The combination of substandard riparian parcel and the already minimal 25.5 foot setback of the existing home from the OHW are unique circumstances to this lot.

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

Staff believes that the variance will not alter the essential character of the existing neighborhood. The infill addition will not change the character – or setback of the closest point of the home to the OHW. The 24' setback of the stairs will not impact the neighborhood as they will be integrated in the existing landing. Furthermore, the adjacent properties also have reduced setbacks with the home on the west being 38.1 feet from the OHW and the home on the east having a 31.9 ft setback for their home but a 13.7 ft setback for their patio.

### **PUBLIC COMMENT**

Property owners within 150 feet were notified of the applicant's request. One comment was received in support of the project.

### **STAFF RECOMMENDATION**

Staff is able to make affirmative findings regarding practical difficulty and so recommends approval to the Planning Commission. Staff believes that this structure complies with the spirit and the intent of the code as the infill addition will minimally change the visible appearance so the character of the neighborhood is not altered.

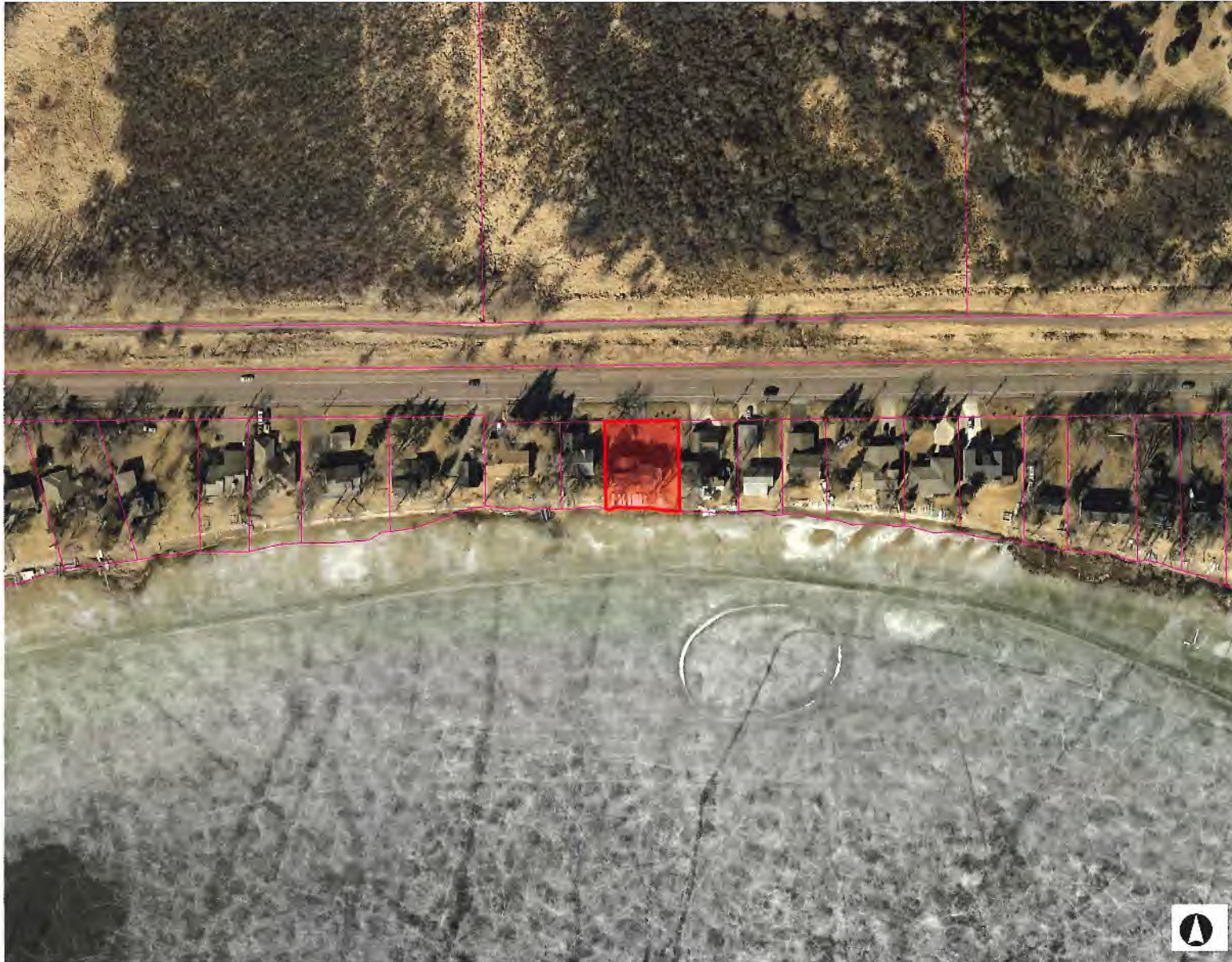
Staff recommends that the Planning Commission adopt the attached Resolution 16-77. The following conditions should be attached to an approval:

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

#### Attachments









- 1) Location Map
- 2) Applicant's Statement
- 3) Submitted Plans
- 4) Public Comment
- 5) Resolution 16-77
- 6) Motion





Legend



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

Notes

Enter Map Description

400.0 0 200.00 400.0 Feet

## VARIANCE REQUEST WRITTEN STATEMENT

July 18, 2016

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

RE: Variance Request & Supplemental Background Information  
844 County Road I W, Shoreview, MN 55126

Dear City Staff, Planning Commission, and City Council:

Scott and Julia Schraut (“the Owners”) request a variance to the Ordinary High Water Level (“OHW”) setback requirements as set forth in the City Code for minor construction to their home located at 844 County Road I West. Zawadski Homes, Inc. will serve as the general contractors for this project.

The Owners have lived at the home since October of 2012. The home was originally built in 1941 with subsequent additions completed in two separate stages, with the most recent addition completed in the early 2000s prior to the Owners living there. Presently, the home requires some updating and improvements. In addition to window replacements and a bathroom renovation which requires no change to the exterior of the home, the Owners wish to “infill” a 4’x8’ area facing the lake for the purpose of installing an efficient rear elevation entrance with a sliding patio door. This 4’x8’ infill, and a modest set of steps to access the infill, requires a variance since they are an expansion of an existing non-conforming use given that this infill is approximately 28’ back from the OHW, and the new proposed deck steps are 24’ back from the OHW. Both the items are discussed separately below.

### **Infill**

The 4’x8’ infill is/will be below a pre-existing roof overhang and above a pre-existing mechanical room. Currently, a 5’ cantilever hangs over the existing rear exit door under which the entire infill will be constructed. Underneath that cantilever is a stone porch on top of which the infill will be placed, and that porch includes a four foot tall half-wall that will be removed as part of this construction. The pre-existing cantilever, and mechanical room will remain closer to the OHW than the infill if completed as proposed, and removal of the stone wall will remove a structure closer to the OHW than the new exterior wall. Therefore, the percentage of impervious surface will not change, and the house structure will not be any closer to the lake and OHW than what is already in existence.

The reason for the infill is primarily for functionality. The existing entrance to the home has a challenging floor plan with a doorway to the dining room perpendicular to the outside door and



second floor stairs descending immediately adjacent to the outside door. The constriction at this location by the intersection of three separate walking paths is solved by the proposed remodel. The infill adds ventilation and new space into which guests may more easily enter the home and prevent congestion and injuries to small children that have previously occurred at this location. This is a modest and reasonable addition to improve ingress and egress efficiencies to a relatively small home constructed in multiple stages prior to the Owners purchasing the home.

Visually, siding and colors will not change, and only a keen eye would notice any difference to the rear elevation appearance. It does not alter the character of the home, the neighborhood, or Shoreview standards.

### **Deck Steps**

In addition to the infill, the Owners propose a minimal amount of deck steps to tastefully access the rear yard from the new exit door. The floor of the home is three steps higher than the yard and these steps are necessary to access the proposed rear from the yard. Although the steps are closer to the lake than the existing construction, they are only minimally so, and steps going down towards the lake would be less intrusive than a guard rail. These three riser steps are purely functional, and the 'surround' feature of the existing landing area eliminates the need to add the guard rail.

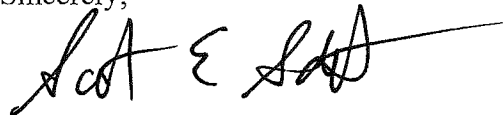
The decking material will be Trex maintenance free material. The steps are consistent with neighboring properties and do not visually change the look of the lakeshore and neighborhood. Also of note, the deck of the Owners' neighbors immediately to the east extends well beyond the proposed construction of these three steps. The steps are the least obtrusive method for gaining access to the rear entry.

### **Conclusion**

For the reasons outlined above, the proposed infill and three riser deck steps are a reasonable use for the property, do not negatively impact the visual look of the lakefront, and will actually be an improved look for the community as viewed from the lake. Although the project is a technical expansion of a non-conforming use, the unique circumstances of the home's dated layout makes a modest remodel practical and reasonable.

We appreciate your thoughtful consideration to this variance request.

Sincerely,



Owners/Applicants: Scott and Julia Schraut

Contractor: Steven Zawadski, Zawadski Homes, Inc.











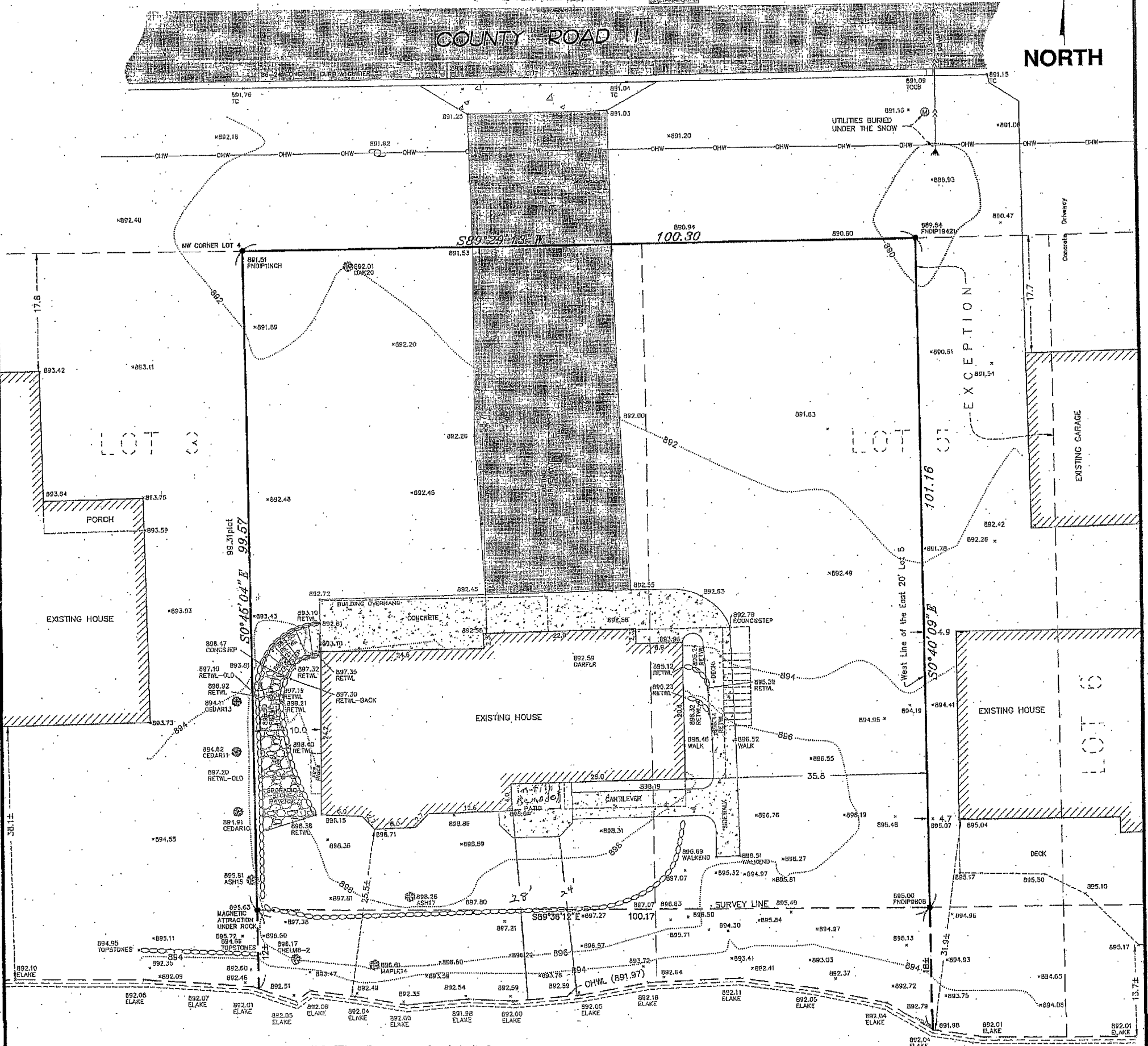
# CERTIFICATE OF SURVEY

~for~ SCOTT AND JULIA SCHRAUT  
 ~of~ 844 COUNTY ROAD I WEST  
 SHOREVIEW, MN 55126

## LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES CATCH BASIN
- DENOTES MISCELLANEOUS MANHOLE
- ⊕ DENOTES POWER POLE
- x 952.36 DENOTES EXISTING SPOT ELEVATION
- DENOTES STORM SEWER APRON
- DENOTES RETAINING WALL
- DENOTES EXISTING CONTOURS
- DENOTES OVERHEAD WIRE
- DENOTES CONCRETE SURFACE
- DENOTES BITUMINOUS SURFACE

NORTH



### NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 02/16/16.
- Bearings shown are on Ramsey County Coordinate System.
- Curb shots are taken at the top and back of curb.
- 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.
- Due to field work being completed during the winter season there may be improvements in addition to those shown that were not visible due to snow and ice conditions characteristic of Minnesota winters.

**TURTLE LAKE**  
 ORDINARY HIGH WATER ELEV.=891.97 (NAVD88)  
 WATER ELEV.=892.0± (NAVD88) AS OF 2-16-16

### EXISTING IMPERVIOUS SURFACE CALCULATIONS

Area above OHW Line = 11,345 S.F.  
 Existing House, Garage & Cant. = 1,366 S.F.  
 Existing Driveway = 1,123 S.F.  
 Existing Concrete, Patio & Walk = 717 S.F.  
 Total Impervious Surface = 3,206 S.F.  
 Percent Impervious = 28.2%

### BENCHMARK

Ramsey County Bench Mark on outlet dam (point mark on right corner of upstream end of the right abutment located in SE corner of yard at address #5424 Lake Drive. Elevation = 893.22 (NAVD 88)

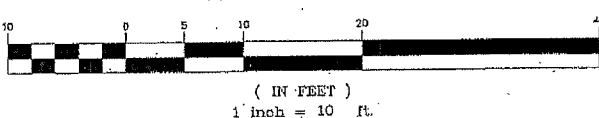
### DESCRIPTION

Lot 4 and 5, except the East 20 feet of said Lot 5, TURTLE LAKE SHORES, Ramsey County, Minnesota.

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.

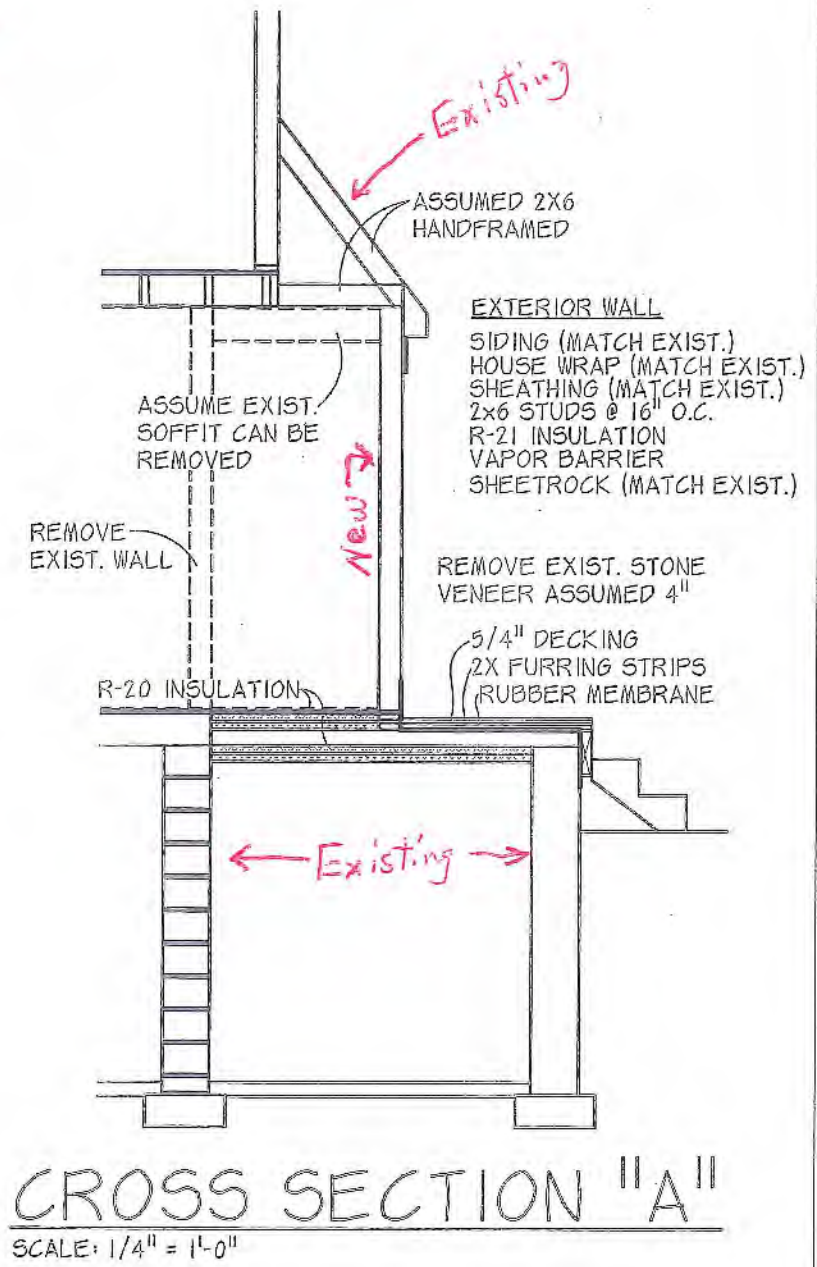
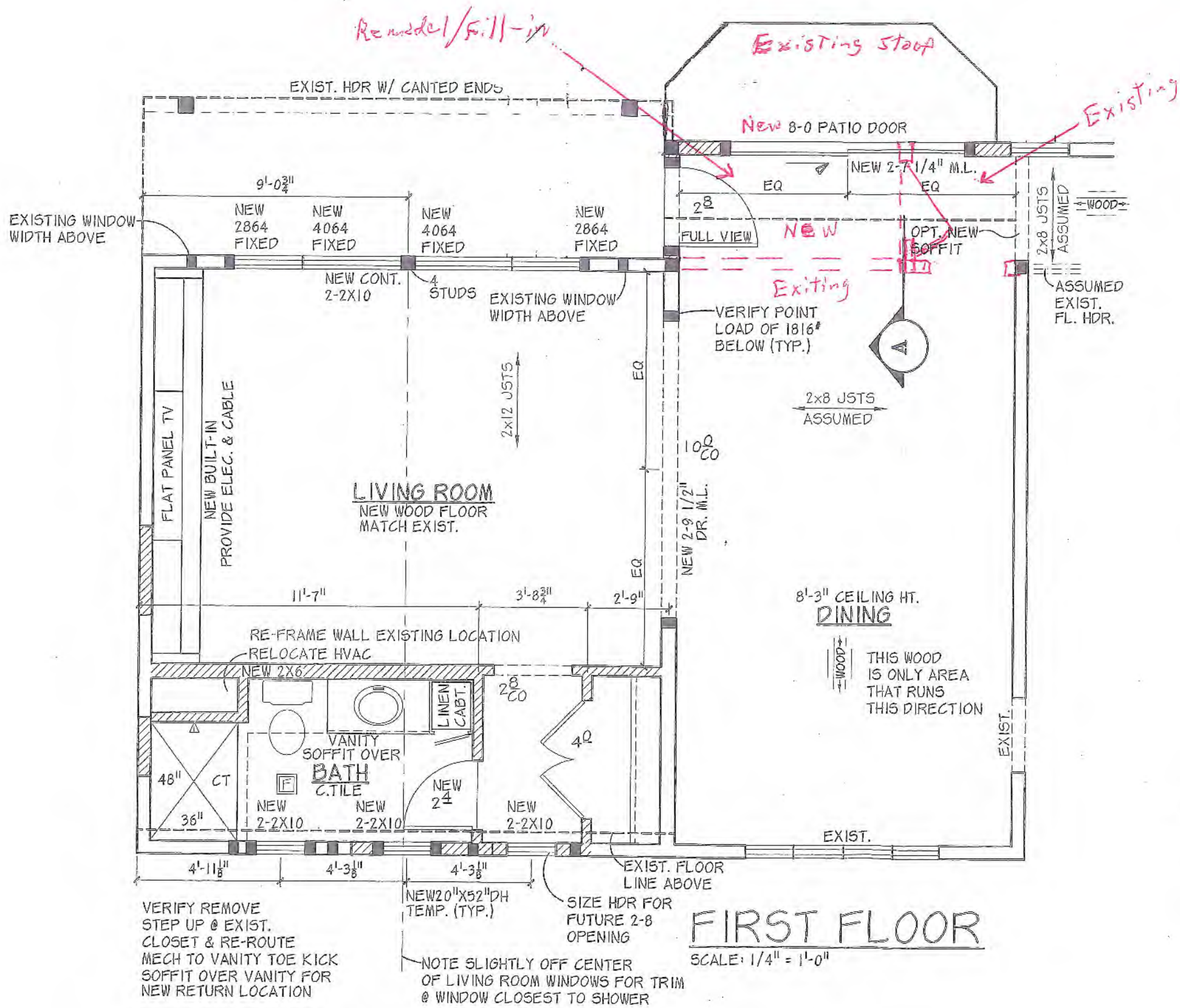
*Jason E. Rud*  
 JASON E. RUD  
 Date: 02-23-16 License No. 41578

### GRAPHIC SCALE



|               |                                  |                |    |
|---------------|----------------------------------|----------------|----|
| DRAWN BY: JEN | JOB NO: 16079BT                  | DATE: 02/23/16 |    |
| CHECK BY: JER | SCANNED <input type="checkbox"/> |                |    |
| 1.            |                                  |                |    |
| 2.            |                                  |                |    |
| 3.            |                                  |                |    |
| NO.           | DATE                             | DESCRIPTION    | BY |

**E. G. RUD & SONS, INC.**  
 1977 Professional Land Surveyors  
 6776 Lake Drive NE, Suite 110  
 Lino Lakes, MN 55014  
 Tel. (651) 361-8200 Fax (651) 361-8701



**D.F.P. PLANNING & DESIGN**

9100 BALTIMORE ST. NE, SUITE 106, BLAINE, MN 55449  
 WEB: www.dfpdesign.com/ E-MAIL: info@dfpdesign.com  
 Phone: 763-780-8004 Fax: 763-780-8015

**DFP**

© 2016 DFP PLANNING & DESIGN  
 UNAUTHORIZED USE OF THE PLAN  
 IS A VIOLATION OF THE U.S.  
 COPYRIGHT ACT





TO NIKI HILL

Comments:

WE HAVE REVIEWED THE PLANS  
AND HAVE NO OBJECTION TO  
THE VARIANCE.

Name: JACK & KAREN RUFF  
Address: 832 WEST W RD I  
55126

**EXTRACT OF MINUTES OF MEETING OF THE  
PLANNING COMMISSION OF SHOREVIEW, MINNESOTA  
HELD AUGUST 23, 2016**

\* \* \* \* \*

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. 16-77 FOR A VARIANCE TO REDUCE THE STRUCTURE  
SETBACK FROM THE ORDINARY HIGH WATER LEVEL**

WHEREAS, Scott and Julie Schraut, a married to eachother, submitted a variance application for the following described property:

Lot 4 and 5, except the East 20 feet of said Lot 5, Turtle Lake Shores, Ramsey County  
*(Commonly known as 844 County Rd I)*

WHEREAS, the Development Regulations state the minimum structure setback for a single-family residential home from the Ordinary High Water Level is 50 feet; and

WHEREAS, the applicant has requested a variance to reduce the structure setback to 24 feet for the stairs and 28 feet for the infill addition from the Ordinary High water level; 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, 2016 the Shoreview Planning Commission made the following findings of fact:

1. *Reasonable Manner.* *The property owner proposes to use the property in a reasonable manner not permitted by the Shoreview Development Regulations.* A variance is needed to allow the proposed 8' x 4' structure expansion due to the lot being substandard non-riparian and the location of the house is less than the 50 foot required minimum OHW setback as part of Section 209.080 of the City Code which addresses Shoreland Management. The variance request to build the infill addition in the proposed location represents a reasonable use of the property. The proposed addition and deck stairs do not increase the roof area or the impervious surface coverage of the structure.
2. *Unique Circumstances.* *The plight of the property owner is due to circumstances unique to the property not created by the property owner.* Practical difficulty stems from the uniqueness of the parcel and the location of the house. The parcel has one of the smallest depths of the riparian lots on the north shore of Turtle Lake. It is a substandard riparian lake parcel with an average width of 100.30 ft, an average depth of 116 ft and a size of 11,325.6 square feet. The required minimum lot size of a riparian lot is 15,000. The home is also setback 25.5 feet from the OHW, which is less than the required 50 foot setback as stated in Section 209.080. This size of the parcel, combined with the 25.5 ft setback of the existing house make the home a legal non-conforming structure. Any modifications of the home expanding it require a variance because it would be an expansion of the non-conforming structure. The combination of substandard riparian parcel and the already minimal 25.5 foot setback of the existing home from the OHW are unique circumstances to this lot.
3. *Character of Neighborhood.* *The variance, if granted, will not alter the essential character of the neighborhood.* The infill addition will not change the character – or setback of the closest point of the home to the OHW. The 24' setback of the stairs will not impact the neighborhood as they will be integrated in the existing landing. Furthermore, the adjacent properties also have reduced setbacks with the home on the west being 38.1 feet from the OHW and the home on the east having a 31.9 ft setback for their home but a 13.7 ft setback for their patio

NOW, THEREFORE, BE IT RESOLVED BY THE SHOREVIEW PLANNING COMMISSION, that the variance request for property described above, 844 County Rd I, be approved, subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the Variance application.
2. This approval will expire after one year if a building permit has not been issued and construction commenced.
3. 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 23<sup>rd</sup> day of August, 2016

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

ATTEST:

\_\_\_\_\_  
Kathleen Castle, City Planner

ACCEPTANCE OF CONDITIONS:

\_\_\_\_\_  
Scott Schraut

\_\_\_\_\_  
Julie Schraut

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

I, the undersigned, being the duly qualified and acting Manager of the City of Shoreview of Ramsey County, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a meeting of said City of Shoreview Planning Commission held on the 23<sup>rd</sup> day of August, 2016 with the original thereof on file in my office and the same is a full, true and complete transcript there from insofar as the same relates to adopting Resolution 16-77.

WITNESS MY HAND officially as such Manager and the corporate seal of the City of Shoreview, Minnesota, this 23<sup>rd</sup> day of August, 2016.

---

Terry C. Schwerm  
City Manager

SEAL

**MOTION  
TO APPROVE A VARIANCE  
844 COUNTY RD I**

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

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

To adopt Resolution 16-77 approving the requested variance submitted by Scott and Julie Schraut, 844 County Rd I, to reduce the required 50-foot Ordinary High Water level structure setback from a front property line to 28' for an infill addition and 24' for stairs. Said approval is subject to the following:

1. The project must be completed in accordance with the plans submitted as part of the Variance application.
2. This approval will expire after one year if a building permit has not been issued and construction commenced.
3. 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. Practical difficulty is present as stated in Resolution 16-77

**VOTE:**

**AYES:**

**NAYS:**

**TO:** PLANNING COMMISSION  
**FROM:** ROB WARWICK, SENIOR PLANNER  
**DATE:** AUGUST 18, 2016  
**SUBJECT:** File No. 2606-16-05, Woolpert, Inc/Waterwalk – Shoreview Business Campus

### **INTRODUCTION**

The City received a Planned Unit Development (PUD) Concept Stage application from Woolpert, Inc., on behalf of Waterwalk, to develop a corporate lodging facility on a portion of the vacant area of the Shoreview Business Campus. The Shoreview Business Campus occupies a 15-acre parcel located on the east side of Lexington, between County Road F and Victoria Street.

The south portion of the site is developed with a single story, multi-tenant office building. Allina Clinics and Torax Medical are the primary tenants.

### **SITE DESCRIPTION AND BACKGROUND**

In 1987 the City approved rezoning the property from UND, Urban Underdeveloped, to PUD, Planned Unit Development. The approved PUD includes three single story office buildings, each with a floor area of about 50,000 sq. ft. The southern-most building was constructed after approval. The common driveway and storm water management infrastructure were also constructed during this initial phase of development. The underlying zoning designation was the High Tech District, where data processing, medical, and research and development activities were permitted as primary uses, and light manufacturing, assembly and fabrication were permitted as secondary uses.

In 1993, the property owners submitted an application to amend the PUD to allow expansion of the uses permitted in the PUD. The property owner requested that general light industrial uses, including manufacturing, assembly, processing, and warehousing, be permitted uses in the PUD. Other uses permitted within the Industrial District were proposed to be specifically excluded within the PUD. The industrial uses not allowed were mini-storage, auto services, truck terminals and outside storage areas. The proposed amendment was not approved by the City, and in 1994 the owners applied again to amend the PUD.

The 1994 plans proposed a 136,000 sq. ft. office, warehouse and manufacturing building on the north. The exterior design of the south façade used glass and brick to complement the existing office building. Truck loading bays were located along the north side of the building. These docks faced the vacant property to the north, which was also located in the High Tech District during the 1994 review. No more than 15% of the building was proposed for office use. The Concept PUD was approved by the City, with conditions that included a 20% reduction in the floor area of the building. The City Council also directed the Planning Commission to review the Planned Use of the property, including designation as a Policy Development Area (PDA), areas of special land use concerns. The Council specifically noted that medium density residential uses might be appropriate for this property and the vacant land to the north. The property owner did not apply for the further approvals necessary to implement the 1994 proposed changes, and so the original 1987 approval remains in effect.

## **PROJECT SUMMARY**

Woolpert/Waterwalk propose to purchase the northwest portion the property and develop the site with two four story buildings, with a total of approximately 150 extended stay hotel/apartments, parking, and access drives. The plans include developing a pocket park in vacant City right-of-way immediately north of the site.

Concept plans do not present specific dimensions to determine if flexibility from the City's development standards will be necessary (if any), as the focus of the Concept review is to provide the owner and prospective buyer feedback on the requested land use change, and to identify issues associated with the development if the project were to move forward.

## **DEVELOPMENT CODE**

The development proposes a change in use for the approved PUD, and as such the City review process is based on standards specified for the PUD process. Proposals that do not comply with the minimum standards of this ordinance need to provide a benefit to the city and meet certain objectives including but not limited to sustainable and high quality building design, innovative stormwater management and transportation demand management (Section 203.060 (C)(5)(b)). This will need to be addressed further with the Development Stage application, if deviations are proposed.

The PUD process is a three stage review, the first of which is Concept PUD. The Concept Stage review is an optional stage intended to provide a public process to evaluate general land use compatibility. At the Concept Stage, a general plan is reviewed, and issues that require more detailed information are identified for attention during the subsequent Development Stage review. No approval is granted, and comments by the City during the Concept review are not binding.

Development standards for the site are to be according to the underlying district of the approved PUD. The underlying zoning approved for the PUD in 1987 was High Tech, and that district has since been subsumed under the BPK, Business Park District. In the BPK District (Section 205.045), office, light industrial, and supporting commercial services comprise the permitted uses (Exhibit B). In this district, the minimum required structure setback from a street or a residential use is 75-feet (Section 206.010(I) and 205.040(C)(2)(a)). From a side or rear lot line, the structure setback is a minimum 30-feet.

Drives and parking areas require a minimum 20-foot setback from streets or property planned for residential uses. The setback provides an area for an extensive landscape buffer. Landscaping is required within and around parking and drive areas with a minimum landscape area of 20% of the paved areas. Shade trees are required at a minimum rate of one tree per 10 parking stalls. Code allows a reduction to that landscaped area provided certain design features (Section 206.020(A)(1)(b)).

Building height is a maximum of 35-feet, but can be increased when an added foot of setback is provided that for each added foot of height above 35-feet, and that the building height does not exceed the fire-fighting capacity of the fire department (Sec. 205.040(C)(1)). The resulting setbacks are a minimum of 95-feet from the front (Lexington Avenue), and the north and east lot lines which abut residential uses. The south side setback is a minimum of 55-feet. These setbacks are based on the 55-foot height identified in the Concept plans, and are subject verification with the final design.

Architectural Design standards have been adopted by the City (Section 206.050), and the proposed buildings will be subject to review based on those standards at the Development Stage review.

The site has been graded, and storm water management infrastructure (including catch basins, storm pipe, and storm ponds) developed on the property. Impervious surface coverage is a maximum of 70% of lot area, and can be increased up to 75% when best management practices are used for managing storm water (Section 205.045). The property is located in the Rice Creek Watershed District (RCWD).

### **COMPREHENSIVE PLAN**

The property is designated as Policy Development Area No. 11 in the Land Use Chapter of the 2008 Comprehensive. The planned land use for the campus is guided for O, Office and RM, Medium-density Residential, 4-8 units per acre.

The corresponding zoning districts for these land use categories are:

RM, Medium-density Residential  
O, Office

R-2, R-4, PUD  
OFC, PUD

The PDA identifies that the City has expected to see the property developed rather than used as poor quality urban forest. The Plan identifies that Office uses should be compatible and buffered from adjoining residential neighborhoods, and that traffic and access issues shall be evaluated, including a road connection between the Business Campus and Weston Woods, on the north. Attached are excerpts from Chapter 4, Land Use (2008 Shoreview Comprehensive Plan), including Map 4-3, Planned Land Use.

A Comprehensive Plan Amendment will be necessary at Development Stage, since the proposed use is not consistent with the designated Planned Land Use for the property.

### **PRIVATE DEVELOPMENT CONSIDERATIONS**

#### *COMMON INTEREST COMMUNITY No. 276*

The site was developed as a condominium in 1987, with the Declarations and Common Interest Community (CIC) Plat recorded to control the future site development. The CIC plat identifies the three condo units (Sites), common areas and other elements of the condominium. The proposed development does not conform to those private development documents, which must be amended to permit the proposed projects. Staff emphasizes that these amendments must be made between the applicants and the existing condominium owners, who have the rights and authority to amend the private development that was established in 1987. The City has no role in their amendment process. However staff notes that there is little point in the City granting an approval for a project not otherwise permitted, and so recommends that Development Stage PUD application includes documentation that the proposed developments are consistent with and permitted in the condominium.

#### *CONSERVATION EASEMENTS*

In 1993, the property owner conveyed a conservation easement over the eastern portion of the property. The easement, in favor of the Minnesota Forestry Association, limited uses on the property to forestry uses. Public use and the establishment of any trails within the area of the easement was prohibited. By 1996, additional conservation easements had been conveyed over the entire undeveloped portion of the property. The conservation easements were extinguished in 2009.

## **STAFF REVIEW**

The applicant appears to have prepared the conceptual site plan based on the CIC plat, which identifies a 5-foot parking/driveway setback along the north property line. That setback applied on the site until the Weston Woods townhouse development was approved and constructed in the late 1990s, at which point a 20-foot landscaped buffer and setback became necessary.

Similarly, the building setbacks shown on the concept site plan do not reflect the 75-foot setback that is required when residential uses are planned on adjoining property.

Staff also reviewed the Development District regulations (Section 205), and hotels are a permitted use only in the C-2, General Commercial District (Section 205.043(B)). This is problematic, since the C-2 District uses should be located at the intersection of arterial roads, and not adjacent to residential uses (Section 205.043(A)). As such staff does not believe it is appropriate to use an underlying C-2 designation for the amended PUD. The applicants identified that if the proposed building were repurposed in the future, it would be as a hotel, not a residential apartment building, and staff considers that the potential future use should be considered when amending the Comprehensive Plan to avoid problems in the future.

Staff does not support development of a pocket park on City right-of-way as proposed. This type of park is not consistent with the City's park plans. The applicants may choose to locate recreational equipment on the site for use of their customers, and if so, the play area should be shown on the plans at Development Stage.

While storm water management infrastructure has been planned for, and developed on the site, regulations have changed since 1987. The City expects that additional management practices will be required to meet the requirements of the Rice Creek Watershed District.

## **AGENCY COMMENT**

Lexington Avenue is under the jurisdiction of Ramsey County. County staff commented that the traffic study performed in 1987 with the original approval must be updated. The study will be required with the PUD Development Stage application. Rice Creek Watershed District staff commented that site work will require an RCWD permit. The Fire Marshall had no comments on the concept plan.

## **COMMENT**

Property owners within 350-feet of the campus were notified of the application. About 50 comments were submitted in response to notices mailed for the July and August meetings. The comments object to the proposed development, expressing concerns over runoff, groundwater issues, traffic, loss of privacy, among others. The comments area attached.

## **RECOMMENDATION**

This is the first step in the City's review process. If the applicant chooses to move forward with this proposal, approvals are needed from the City, including a Comprehensive Plan Amendment, and subsequent Development and Final Stages for PUD. The applicant must also amend the private condominium declarations and plat.



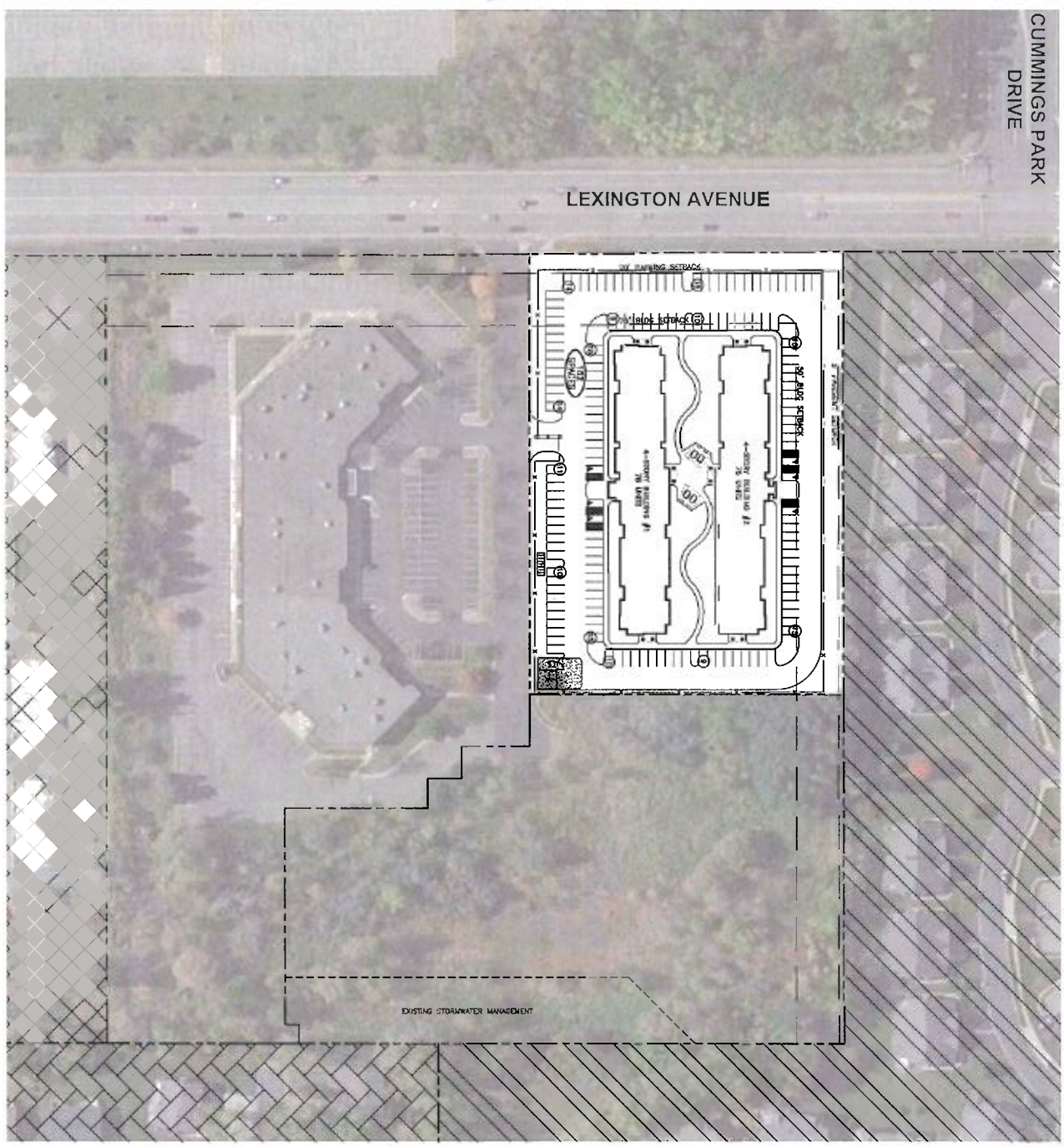
At this time, the Commission is being asked to review the concept plans and identify any issues or concerns regarding the use and the site and building design that may require further attention as the developer considers plans for the subsequent Development Stage PUD application. Comments from the public should also be taken during the review, although an official public hearing is not held until the next review stage. No formal action is taken on this PUD Concept application.

Attachments:

1. Location Map
2. Common Interest Community No. 276 Plat and 1987 approved PUD plan
3. Excerpts from the 2008 Comprehensive Plan
  - a. Planned Land Use, Map 4.3
  - b. Policy Development Area No. 11
4. Excerpts from the Development Code
  - a. Current Zoning Map
  - b. Section 205.045, Business Park District regulations
5. Comments







CUMMINGS PARK  
DRIVE

LEXINGTON AVENUE

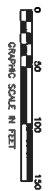
EXISTING STORMWATER MANAGEMENT

**SURROUNDING LAND USE**

PUD - PLANNED  
 URBAN DEVELOPMENT  
 RESIDENTIAL  
 OTHER

**SITE DATA**

|                   |                   |
|-------------------|-------------------|
| SITE ZONING:      | PUD - BUSINESS    |
| SITE AREA:        | 1,544 SQUARE FEET |
| PARKING PROVIDED: | 102 SPACES        |
| TOTAL ROOMS:      | 133               |



| SHEET NO.<br><b>CP3</b>    | <b>SITE IMPROVEMENT PLAN</b><br><b>WATERWALK</b><br>LEXINGTON AVENUE<br>SHOREVIEW, MINNESOTA | <br>1815 South Meyers Road<br>Suite 120<br>Oakbrook Terrace, IL 60181<br>830.424.9080<br>FAX: 630.496.3731 | PROJECT No:<br>DATE <b>07/14/16</b><br>DES. <b>JB</b><br>DR. <b>JB</b><br>C.K.D. <b>JR</b> | <table border="1" style="width: 100%;"> <thead> <tr> <th>No.</th> <th>DATE</th> <th>REVISION</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table> | No. | DATE | REVISION |  |  |  |  |  |  |  |  |  |  |  |  |
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|                            | No.                                                                                          | DATE                                                                                                                                                                                          | REVISION                                                                                   |                                                                                                                                                                                                                                                                                                            |     |      |          |  |  |  |  |  |  |  |  |  |  |  |  |
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|                            |                                                                                              |                                                                                                                                                                                               |                                                                                            |                                                                                                                                                                                                                                                                                                            |     |      |          |  |  |  |  |  |  |  |  |  |  |  |  |
| <b>CONCEPT REVIEW PLAN</b> |                                                                                              |                                                                                                                                                                                               |                                                                                            |                                                                                                                                                                                                                                                                                                            |     |      |          |  |  |  |  |  |  |  |  |  |  |  |  |

The proposed corporate lodging development will be designed to be architecturally compatible with the Multi-Dwelling Residentially-zoned parcel to the south, the Attached Residentially-zoned parcel directly to the east, as well as the adjoining PUD parcel to the north. The proposed development will be appropriately buffered from the surrounding neighborhoods. However, the proposed corporate lodging development will vary from the City of Shoreview's development code as follows:

- The proposed 55' building height is over the maximum allowable limit of 35'. The current restriction is too stringent for this development. The respective building setbacks have been increased by twenty (20) feet (one foot increase for every foot over the maximum building height limit).
- The proposed development will not be able to meet the parking lot requirement of "...minimum 20% of the parking surface area shall be designed with landscaping islands", as stated in the development code. The current restriction is too stringent for this development. In lieu of meeting the parking lot island requirement, the proposed development is designed to have a lot coverage percentage of 60%. The proposed lot coverage is well under the maximum lot coverage limit of 75%, as stated in the development code. The proposed lot coverage of 60% should compensate for the lack of parking lot islands.

The benchmark for development stage approval is met because the proposed development will meet the following requirements of 'Attachment A: Review Criteria for Planned Unit Developments':

- The proposed corporate lodging development complies with the Shoreview Comprehensive Guide Plan. A "pocket park" is planned to be developed in the public land to the north of the proposed development.
- High quality building materials, decorative features, and accents will be incorporated into the design of the proposed development.
- The surrounding public infrastructure is planned to be enhanced via the development of a "pocket park" in the public land to the north of the proposed development.
- Stormwater runoff will be contained on-site, and then routed to the existing on-site stormwater management pond. This will minimize runoff from the proposed development into public stormwater systems, as required by City code.
- Sustainable building practices will be incorporated into the building plans and the overall site design.
- The proposed development will preserve open spaces by providing a twenty (20) foot landscaping buffer along the north and east borders of the property. The proposed development will have a lot coverage of 60%, which is well below the maximum allowable coverage rate of 75%.
- This proposed development is fully compatible with all adjacent land uses and the surrounding, existing properties.
- The existing stormwater management pond on the property will be protected during construction/development.

- Native plant materials will be incorporated into the design of the landscaping plan for this proposed development.
- The proposed development does not occupy a designated flood plain area (assessment based on the most recent FEMA maps available).
- The proposed development does not occupy land that is composed of structurally deficient soils (assessment based on the most recent NRCS Soil Survey Maps available).

The proposed development will benefit if the variances listed above are granted due to “Corporate Lodging” not being defined within the City’s development codes. “Corporate lodging” means a building or buildings designed to be occupied longer than the usual hotel stay with amenities as set forth herein, and with an inner lobby through which all tenants must pass to gain access to rooms or units.. Corporate lodging units shall contain full-sized appliances, full kitchens, and washers and dryers. Corporate lodging uses shall contain the following amenities for renter use: breakfast service, grocery shopping service, full housekeeping, concierge services, broadband internet, and fitness rooms.

Additionally, the proposed development will be designed so the City of Shoreview will not be requested to extend or construct any new public utilities. Only the 4.39 acre lot shown in the plan set submitted with this application will be developed. The remaining vacant land will be undisturbed, and the proposed development will be subdivided from the main parcel. The current property owner will retain ownership of the remaining portions of the lot to the west.

**CERTIFICATE OF SURVEY  
FOR  
EVEREST II  
MWF MORTGAGE CORPORATION  
% UNITED MORTGAGE CORPORATION  
AND METRO TITLE CORPORATION**

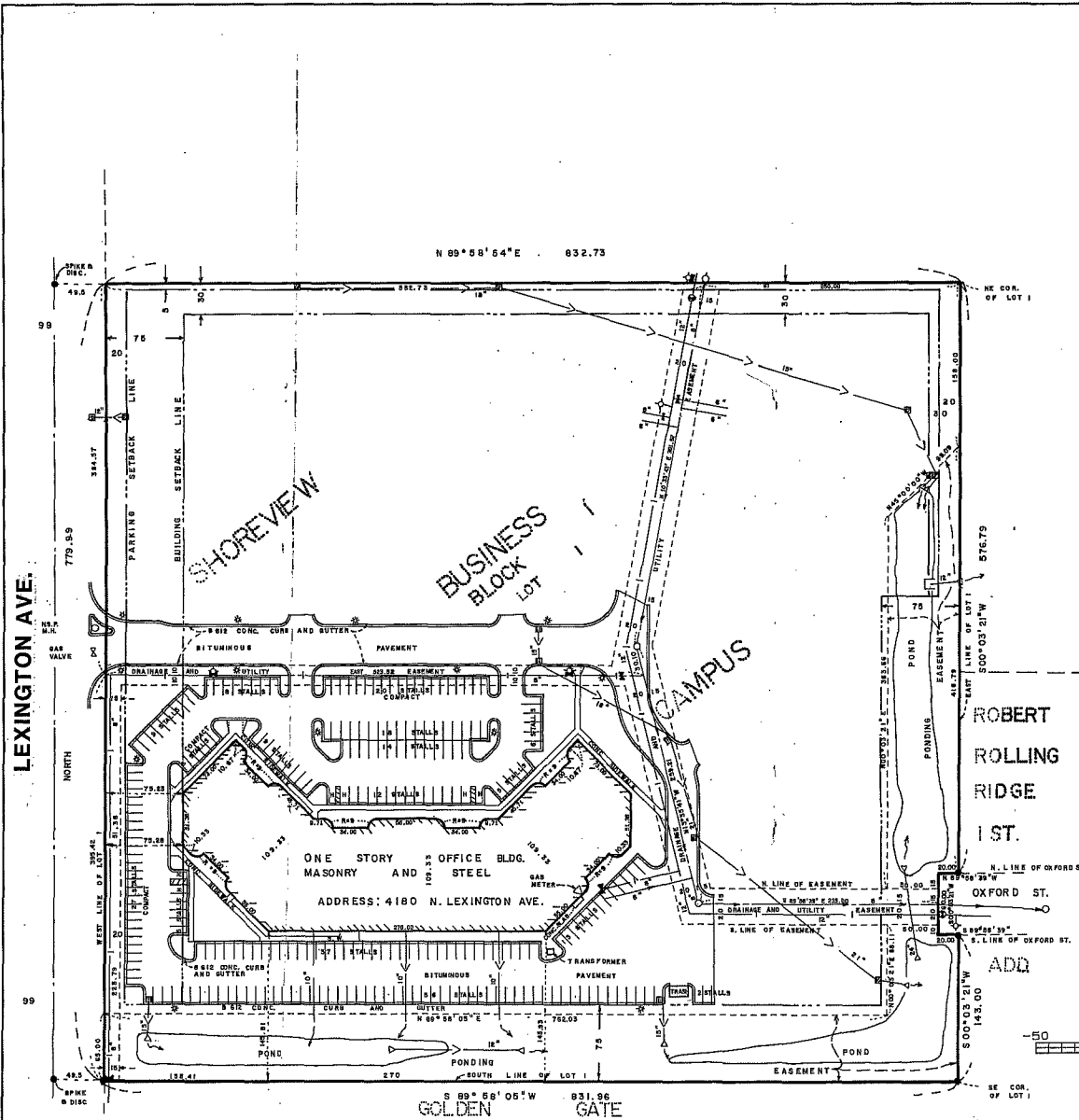
**LEGAL DESCRIPTION**

Lot 1, Block 1, SHOREVIEW BUSINESS CAMPUS, Ramsey County, Minnesota. Said Lot 1 contains 647,941 square feet, being 14.878 acres, more or less.

"I hereby certify to Everest II, a Minnesota general partnership, MWF Mortgage Corporation c/o United Mortgage Corporation and Metro Title Corporation that this is a true and correct representation of a survey of the boundaries of the above-described land and the location of all buildings and other improvements thereon and all visible encroachments, if any, from or on said land; further that all recorded and visible encroachments affecting the land and all applicable setback lines are set forth thereon."

*Walter D. Ferguson*  
Walter D. Ferguson, LMS Surveyor  
Minnesota Registration No. 14889

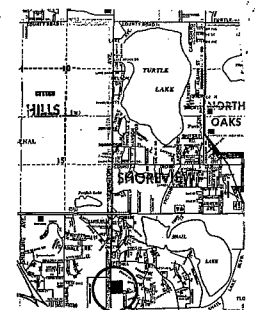
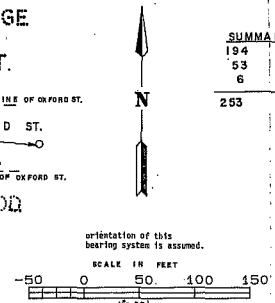
August 30, 1968



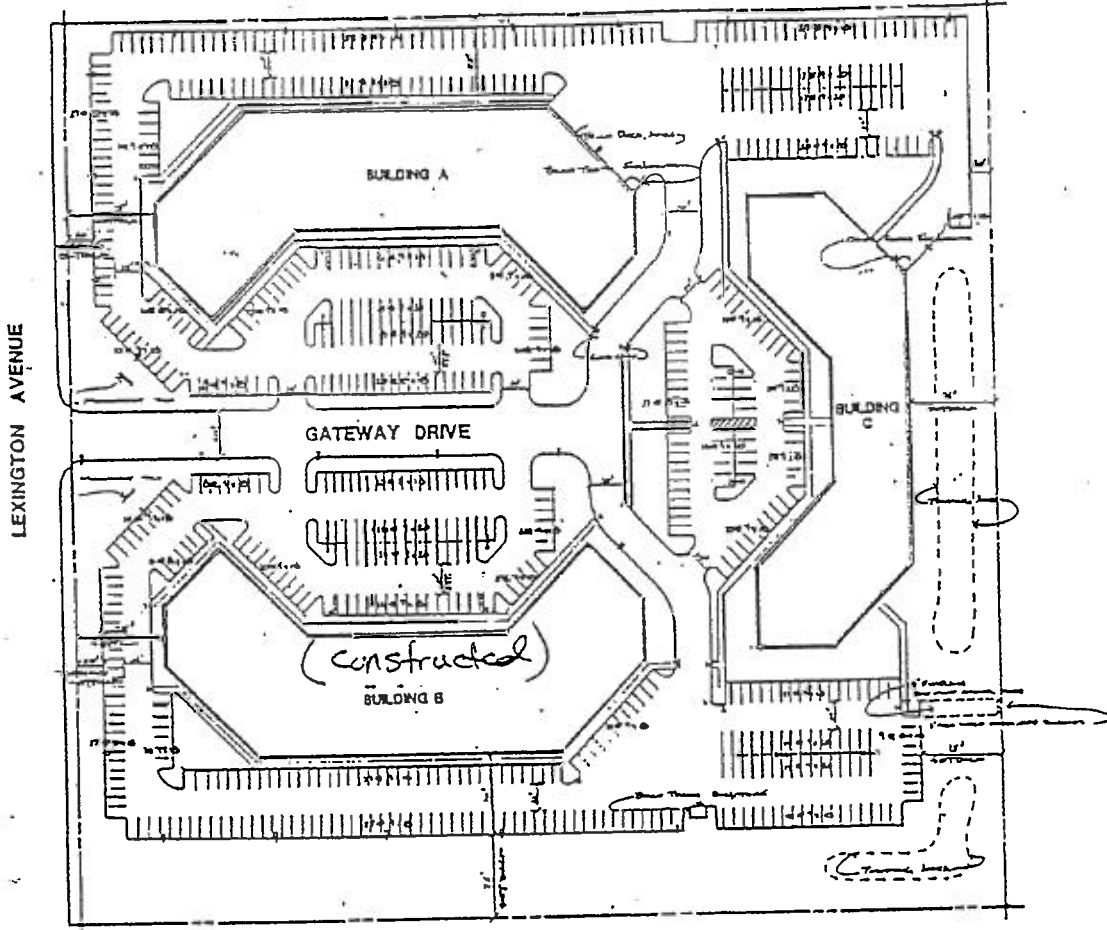
- LEGEND**
- BENCHMARK Iron Monument Found
  - o BENCHMARK Iron Pipe Set With Cap, Stamped ALS14W80
  - Existing Sanitary Sewer, Size Noted
  - Existing Sanitary Sewer Manhole
  - Existing Meter, Size Noted
  - ⊕ Existing Valve
  - ⊕ Existing Fire Hydrant
  - Existing Storm Sewer, Size Noted
  - ⊕ Existing Storm Sewer Manhole or Catch Basin
  - ▨ Existing Building
  - ⊙ Existing Light Pole

**SUMMARY OF PARKING**

|            |              |       |
|------------|--------------|-------|
| 194        | REGULAR      | 9 FT. |
| 53         | COMPACT      | 8 FT. |
| 6          | HANDICAP     |       |
| <b>253</b> | <b>TOTAL</b> |       |



|                                                           |                     |
|-----------------------------------------------------------|---------------------|
| <b>SITE LOCATION MAP</b>                                  |                     |
| <b>SHOREVIEW BUSINESS CAMPUS</b>                          |                     |
| HERILA AND ASSOCIATES                                     |                     |
| 8401 73RD AVE. N.<br>BROOKLYN PARK, MN 55428 612-533-7595 |                     |
| AS BUILT SURVEY                                           |                     |
| BUILDING B                                                |                     |
| SCALE 1" = 50'                                            | JOB NO. 87-028      |
| DATE 8/26/68                                              | SHEET 1 of 1 Sheets |



(Approved 9/87)  
by City of Shoreview (1987 POD)

# SITE PLAN

Attachment

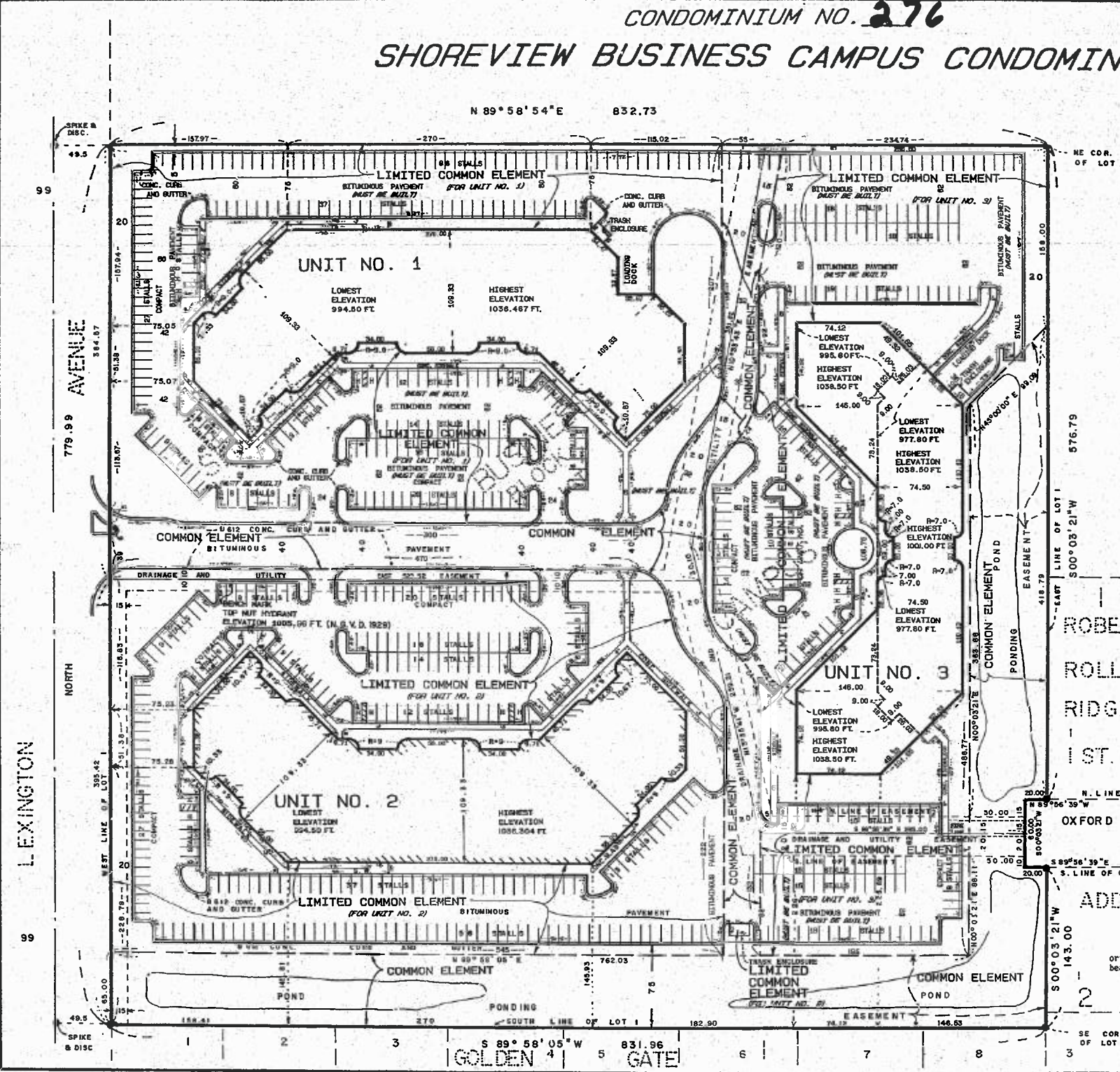




276

OFFICIAL  
CONDOMINIUM NO. 276  
SHOREVIEW BUSINESS CAMPUS CONDOMINIUM

This Condominium Plat is part of the Declaration recorded as Document Number 276 909 on the 7th day of NOVEMBER, 1989.



I, Walter J. Gregory, do hereby certify that the work undertaken by me or under my supervision for this Condominium Plat of CONDOMINIUM NO. 276, SHOREVIEW BUSINESS CAMPUS CONDOMINIUM, being located upon

Lot 1, Block 1, SHOREVIEW BUSINESS CAMPUS, Ramsey County, Minnesota, according to the recorded plat thereof,

fully and accurately depicts all information required by Minnesota Statutes, Section 515A.2-110.

Dated this 2nd day of OCTOBER, 1989.

*Walter J. Gregory*  
Walter J. Gregory, Land Surveyor  
Minnesota Registration No. 14889

STATE OF MINNESOTA  
COUNTY OF HENNEPIN  
The foregoing instrument was acknowledged before me this 3rd day of OCTOBER, 1989, by Walter J. Gregory, a Registered Professional Land Surveyor.

*Marilyn Lindsay*  
MARILYN LINDSAY  
NOTARY PUBLIC-MINNESOTA  
HENNEPIN COUNTY  
MY COM. EXPIRES 01/08/94  
Notary Public, Hennepin County, Minnesota  
My Commission Expires 01/08/94

David L. Putnam, a Registered Professional Engineer in the State of Minnesota, pursuant to Minnesota Statutes, Section 515A.2-101(b) does hereby certify that all structural components and mechanical systems serving more than one unit of all buildings containing or comprising any units hereby created are substantially completed consistent with the floor plans for this Condominium Plat, CONDOMINIUM NO. 276, SHOREVIEW BUSINESS CAMPUS CONDOMINIUM.

Dated this 3rd day of October, 1989.

*David L. Putnam*  
David L. Putnam, Professional Engineer  
Minnesota Registration No. 13432

STATE OF MINNESOTA  
COUNTY OF HENNEPIN  
The foregoing instrument was acknowledged before me this 3rd day of OCTOBER, 1989, by David L. Putnam, a Registered Professional Engineer.

*Marilyn Lindsay*  
MARILYN LINDSAY  
NOTARY PUBLIC-MINNESOTA  
HENNEPIN COUNTY  
MY COM. EXPIRES 01/08/94  
Notary Public, Hennepin County, Minnesota  
My Commission Expires 01/08/94

I hereby certify that I reviewed and approved this Condominium Plat this 14th day of OCTOBER, 1989, pursuant to Minnesota Statutes, Section 515A.2-110, as amended.

*David D. Claypool*  
David D. Claypool, L.L.S.  
Ramsey County Surveyor

- LEGEND
- Denotes Iron Monument Found
  - Denotes 1" Iron Pipe Set With Cap Stamped RLSF14889
  - H Handicap Parking
  - ▨ Existing Building
  - S.W. Concrete Sidewalk

orientation of this bearing system is assumed.

2 CONDOMINIUM SITE PLAN

SCALE IN FEET:  
50 0 50 100 150

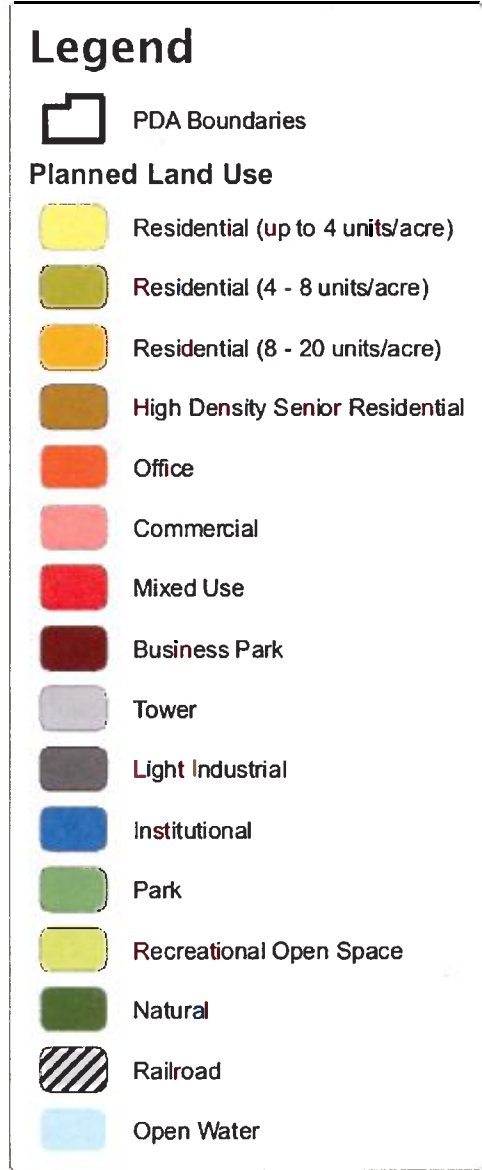
SCALE: 1 INCH = 50 FEET

MERILA & ASSOCIATES  
ENGINEERING SURVEYING PLANNING

SHEET 1 OF 1 SHEET

Common Interest Community (CIC) Plat (1989)





**Map 4.3 Planned Land Use, 2008 Comprehensive Plan**

## Parks and Open Space

Approximately 18 percent of the land area within the City is allocated to parks, open space or natural areas. Water bodies cover another 15 percent of the City's area.

## Land Use Category Definitions

Table 4-1 summarizes the land use categories used in the plan. These categories are described in detail in the following sections.

**Table 4.1 Land Use Designations**

| <u>Designation</u>                   | <u>Description</u>                                                                             | <u>Zoning District(s)</u> |
|--------------------------------------|------------------------------------------------------------------------------------------------|---------------------------|
| RL, Low-density residential          | Residential, up to 4 units/acre.                                                               | R-1, RE, PUD              |
| RM, Medium-density residential       | Residential, 4 to 8 units/acre.                                                                | R-2, R-4, PUD             |
| RH, High-density residential         | Residential, 8 to 12 units/acre.                                                               | R-2, R-3, PUD             |
| HSR, High-density senior residential | Residential, 20 to 45 units/acre for senior citizen residents.                                 | PUD                       |
| O, Office                            | Professional offices, daycare centers, medical or dental clinics.                              | OFC, PUD                  |
| C, Commercial                        | Services, offices, restaurants, and retail uses.                                               | C-1A, C-1, C-2, PUD       |
| BPK, Business Park                   | Offices, research/development, light manufacturing, and warehousing.                           | OFC, BPK, PUD             |
| LT-I, Light Industrial               | Office/showrooms, storage, warehouse, research/development, and light manufacturing.           | I                         |
| T, Tower                             | Radio and television tall towers.                                                              | T                         |
| MU, Mixed Use                        | Integration of a variety of uses including residential, commercial, office, and business park. | PUD                       |
| INST, Institutional                  | Public and quasi-public uses such as schools, churches, and public facilities.                 | ALL*                      |
| P, Park                              | Public playfields, playgrounds, golf courses, beaches, or similar uses.                        | ALL*                      |
| ROS, Recreation Open Space           | Lands owned and managed by Ramsey County for parkland and open space.                          | OS                        |
| N, Natural                           | Areas with sensitive land features intended to be left in a natural state.                     | OS, UND                   |
| RR, Railroad                         | Railroad right-of-way                                                                          | UND                       |

\* The City anticipates creating a new institutional zoning district to accommodate these uses.

The residential designations refer to density. If the City Council determines that the range of density allowed by the RL, RM or RH designations is too broad for a particular property, an intermediate limit within the range may be imposed through the adoption of a Policy Development Area (PDA) statement for that property or properties.

If multiple zoning districts are associated with a land use designation, the City may limit the zoning options for any particular development site to ensure compatibility with adjoining planned land uses and the carrying capacity of the site.

## Residential Uses

**RL, Low-density Residential.** This category identifies those areas designated for continued or future use typically as detached single-family homes -- a development type existing in a density range of up to four units per acre. In undeveloped or underdeveloped areas, a development density and lot pattern similar to that found in existing neighborhoods will be expected. Departures or changes from this density and lot pattern may be considered as a means of reducing impacts to the natural environment and providing suitable transitions to existing neighborhoods. Such changes may include smaller lot detached single dwellings or townhouse-style units, not exceeding a density of four units per acre.

Corresponding zoning districts: R-1, Detached Residential; RE, Residential Estate; PUD, Planned Unit Development.

**RM, Medium-density Residential.** This category identifies those areas designated for continued or future use as townhomes, double dwellings, quad-homes, manufactured homes, small-lot single-family dwellings, or similar housing styles. Development density will range from four to eight units per acre.

Corresponding zoning districts: R-2, Attached Residential; R-4, Manufactured Home Residential District; and PUD, Planned Unit Development.

**RH, High-density Residential.** This category identifies those areas designated for continued or future use as apartment-style buildings, townhomes, quad-homes, and similar uses. Development density will range from eight to twenty units per acre.

Corresponding zoning districts: R-2, Attached Residential; R-3, Multiple Dwelling Residential; and PUD, Planned Unit Development.

**HSR, High-density Senior Citizen Residential.** This category identifies areas for future development with apartment-style buildings designed for occupancy by senior citizens (defined as individuals 62 years of age or older). In some cases, the City may consider housing projects designed for occupancy by individuals 55 years of age or older, subject to compliance with federal and state laws. Development density may range from 20 units per acre to a maximum of 45 units per acre subject to the approval of a Planned Unit Development and site-specific criteria.

These criteria may include:

- Proximity to retail uses.
- Provision of underground parking.
- High quality material and design.
- Accessibility to available public transportation.
- Provision of site amenities and interior/exterior common areas for residents.
- Proximity to arterial roadway corridors.
- Extent to which the project meets other City goals and objectives.

Corresponding zoning district: PUD, Planned Unit Development.

## Commercial and Industrial Uses

**O, Office.** This designation is intended for property located adjacent to land planned for residential use but may also be located in areas surrounded by nonresidential uses. Professional offices, daycare centers, medical and dental clinics and similar uses are intended for these locations.

Corresponding zoning districts: OFC, Office, and PUD, Planned Unit Development.

**C, Commercial.** This designation is intended for a variety of service, office, restaurant, and retail uses ranging in intensity from those that serve the immediate neighborhood to those whose patrons come from outside of the community. The intensity of use chosen for a particular site, through the adoption of a zoning designation, must be compatible with the uses planned for the adjoining property. Each commercial zoning district should include performance standards for uses that would be located near property planned for residential use.

Corresponding zoning districts: C-1A, Limited Retail Service; C-1, Retail Service; C-2, General Commercial; and PUD, Planned Unit Development.

**BPK, Business Park.** This designation is intended for uses such as offices, research and development, light manufacturing, and office warehousing. Uses that require outdoor storage of materials or vehicles are not to be located in business park areas. Development in these areas will be expected to include attractive buildings and well-landscaped sites. The intensity and mass of the use must be compatible with the uses planned for adjoining properties.

Corresponding zoning districts: OFC, Office; BPK, Business Park; and PUD, Planned Unit Development.

**LT-I, Light Industrial.** The uses intended for areas designated LT-I include office/showrooms, storage and warehouse, research and development, and light manufacturing facilities. Outdoor storage may be permitted only if the storage area and materials within it can be totally screened from view from off site with attractive screening and landscaping. The City's policy is also to

eventually upgrade or phase out all outdoor storage and truck storage areas that are visible from off site. The intensity of use must be compatible with the uses planned for adjoining properties.

Corresponding zoning district: I, Industrial.

**T, Tower.** One of the features that distinguishes Shoreview from other communities is the concentration of the radio and television towers found north of Interstate 694. This designation was created to accommodate the two existing tower sites within the City. The Tower designation permits these uses, their support facilities and operation.

Corresponding zoning district: T, Tower.

## Mixed Uses

**MU, Mixed Use.** This category permits a variety of land uses, including single-family and multi-family residential, commercial, office, and business park uses that are integrated through design features. The intent of this designation is to create areas within the community for a variety of land uses that will serve and complement one another. Development within these districts will tend to require flexibility from the strict guidelines of the development code. This designation has been established to provide opportunities for innovative design, high quality standards for development, incentives for redevelopment, preservation/enhancement of natural features and efficient use of the land.

Corresponding zoning district: PUD, Planned Unit Development.

## Other Uses

**INST, Institutional.** Institutional uses include public and quasi-public uses such as public and private schools and school grounds, fire and police stations, city hall, water towers, utilities, public maintenance garages and yards, ice arenas, public community centers, libraries, churches and other places of worship, YMCA/YWCAs and similar non-commercial facilities and uses. The intensity of the use must be compatible with the use(s) planned for adjoining properties. New institutional uses should generally be served by a collector or arterial roadway. Furthermore, maintenance garages and yards should be restricted to locations suitable for industrial or commercial uses.

Corresponding zoning district: Public uses are generally allowed in most zoning districts. The City anticipates creating a new institutional zoning district to accommodate these uses.

**P, Park.** Public playfields, playgrounds, golf courses, beaches, or any similar uses. The objective in areas planned for park use is to provide a variety of active outdoor recreation opportunities.

Corresponding zoning district: Public uses are generally allowed in most zoning districts. The City anticipates creating a new institutional zoning district to accommodate these uses.

- C. If feasible, provide pedestrian trail and sidewalk connections, especially to the Snail Lake open space to the south. Consider construction of a pedestrian underpass to provide safe access to commercial areas on the north side of Highway 96.

**Southeast.** The property is owned by Mounds View School District, ISD #621. The site was originally developed as a school, Snail Lake Elementary School, however, this school facility was closed in 2005 due to declining enrollment. The School District has retained ownership of the building and “re-purposed” it for other school district related uses. The facility is also available for community use. In the event the School District ever elects to discontinue use of the property for school related purposes and redevelop the property, appropriate land uses could include multi-family residential uses or office development. The property has a dual designation of INST, for the existing use, O, Office, SR, Senior Residential and RM, Medium Density Residential. Redevelopment should address the following:

- A. Traffic impact and site access to Highway 49 and Highway 96.
- B. Loss of the facilities that are used by the community for recreational purposes.
- C. Placement and scale of proposed structures should be consistent with similar land uses in the immediate area.
- D. Impacts on the adjacent single-family residential neighborhoods should be mitigated through buffer techniques such as landscaping, berming or fencing.

## **11. Shoreview Business Campus**

This PDA consists of the Shoreview Business Campus located on Lexington Avenue, south of Victoria Street. The City approved a Planned Unit Development (PUD) for this site in the 1980s allowing for three buildings in a campus setting. At that time, the property was zoned for high tech uses. Phase 1 of the development plan was completed with the construction of a 50,000 square foot office building; however, the rest of the site remains vacant. The property immediately to the north has been developed with a low-density residential townhouse development. Other surrounding land uses include medium- and high-density residential housing. Office and business park uses are present to the west in the City of Arden Hills.

The property owner has encumbered the northern and eastern 9.2 acres with a conservation easement held by the Minnesota Forestry Association. The vacant area was mass graded and served with utilities during the initial construction of Phase 1. Existing vegetation consists predominantly of Russian olive, box elder, and aspens. These species generally are not recognized as a high quality urban forest. If the vacant property continues under the existing conservation easement, the City should encourage the Minnesota Forestry Association to consider developing an urban forest that would be more environmentally significant than the existing vegetation. Issues of erosion and grading should also be considered and addressed if a natural landscaping plan is pursued as identified in the existing conservation easement and the property will be utilized for conservation purposes for the long-term.

Since the property was never planned for open space and is not designated as Natural or Open Space, there remains the potential that the site could be developed in the future if the existing easement were ever removed. As such, the City should be prepared to respond to future development proposals and indicate desired land uses that are consistent and compatible with the surrounding land uses. Furthermore, the City continues to be interested in encouraging and facilitating development of this vacant property, which was always envisioned as suitable for business development uses.

### **Policies**

The designated land use is RM, Medium-Density Residential and O, Office, in compliance with the following criteria. It is also recognized that the remaining vacant site may be developed, and the existing building may be used, in accordance with the approved PUD. If the landowner does not pursue the approved PUD plan, the City may be willing to facilitate and assist with the acquisition and development of the remaining land area with financial participation if determined to be feasible and an agreement can be reached with the property owner.

- A. Any office development must be architecturally compatible with the adjacent residential neighborhoods and must be appropriately buffered from these neighborhoods.
- B. Traffic and access issues shall be evaluated as part of any future development proposal, including the need for a traffic signal on Lexington Avenue and the potential for a road connection between the Business Campus and the Weston Woods development to the north.

### **12, 13, 14 Tower Sites Areas**

The broadcast towers are one of the City's distinguishing features, occupying the hilltop sites just north of I-694. There are no indications that the towers will be removed in the foreseeable future. However, the City is interested in exploring options for potential current and future uses for these sites. Summer recreational activities may be compatible with the tower use, although winter uses must be restricted because of the danger of icefalls from the towers and supports.

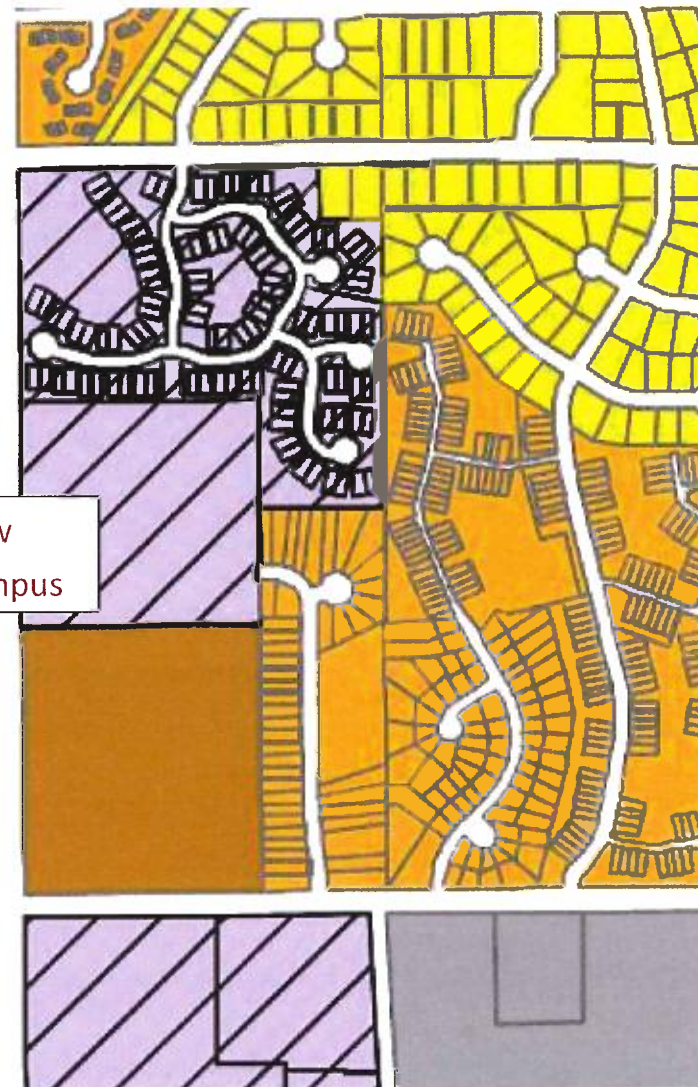
### **Policies**

The City will encourage seasonal use of the tower sites for public recreation that is compatible with continued tower use, such as hiking, dog-running areas, and possibly field sports. Should any of the tower uses be discontinued, obsolete, unused or structurally modified in a manner that lessens the use, the City will encourage redevelopment of the sites or portion of the sites in accordance with the policies described in the following sections. The tower structures shall be removed when use of the towers for broadcast purposes ceases, unless approvals are received from the City to reuse the structures for a different use.



# Legend

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



Excerpt: ZONING MAP



- (3) Minimum Setbacks. Front yard of 50 feet; side yard of 10 feet, except that on the side yard of a corner lot the setback shall be 30 feet; and rear yard of 20 feet; provided however that in all circumstances where an Office District abuts property planned for residential use, there shall be a minimum setback of 50 feet from an office structure to the residential property line.
- (4) Maximum Lot Coverage. Not to exceed 70%. Maximum lot coverage may be increased to 75% if best management practice measures are taken to minimize negative effects on the environment as documented in the current editions of Minnesota Construction Site Erosion and Sediment Control Planning Handbook (MBWSR) and Protecting Water Quality in Urban Areas (MPCA).

#### **205.045 Business Park District**

(A) Purpose. The Business Park District is established to:

- (1) Reserve appropriately located areas for low intensity office, light industrial and supporting commercial services.
- (2) Protect areas appropriate for low intensity office, light industrial and supporting commercial services from intrusion by inharmonious uses.
- (3) Provide opportunities for low intensity office, light industrial and supporting commercial services to congregate in a mutually benefiting relationship to each other.
- (4) Establish and maintain high standards of site planning, building architecture, and landscape design that will create an environment attractive to business park uses and be compatible with adjoining residential properties.

(B) Permitted Uses. The following activities are permitted in the Business Park District:

adult and continuing education; and secondary-level learning centers  
financial institutions  
health services, including medical, dental and veterinary  
light manufacturing, including fabrication, compounding, processing,  
packaging, treatment and assembly of goods, products and materials  
high-tech research, development and testing laboratories; and data-processing  
businesses, including storage of materials processed on site and  
distribution provided these uses are related and supporting activities that  
are secondary to the primary use.  
office uses

indoor limited retail sales accessory to office/manufacturing uses provided that:

all sales are conducted in a clearly defined area of the principal building reserved exclusively for retail sales. Said sales area must be physically segregated from other principal activities in the building.

the retail sales must be located on the ground floor of the principal building.  
the retail sales activity shall not occupy more than fifteen (15%) of the gross floor area of the building.

retail hardware stores that sell small quantities of hardware goods directly to the consumer and does not sell in bulk to contractors or serve as a supplier for other businesses provided that:

the retail hardware store is not the primary use of the principal building.  
the gross floor area of the retail hardware store shall not exceed 4,000 square feet.

the hardware store is located on the ground floor of the principal building.  
outdoor display of seasonal merchandise may only occur on a seasonal basis. Outdoor display areas shall not exceed 750 feet and must be screened from view from adjacent properties and arterial roadways. Screening must include attractive opaque fencing and either planters or landscaping. Outdoor storage of materials and merchandise is not permitted.

licensed day care facilities that occupy less than 49% of the leasable space area in a multiple tenant building.

office space

office/showrooms

office/warehouse

research laboratories, when wholly contained within a building

restaurants that satisfy the following requirements and are contained in an office building:

qualify for the issuance of an intoxicating on-sale liquor license within the City of Shoreview.

do not have drive-up order facilities.

food sales constitute at least 60% of the establishment's gross sales.

are able to accommodate, by reservation, gathering of 20 or more people.

except for special occasions, do not accept food orders after 11:00 p.m.

utilities.

(C) Conditional Uses. Approval of a Conditional Use Permit shall require compliance with the requirements set forth in Section 203.032(D) (Conditional Use Permits).

(1) Public and quasi-public uses except adult and continuing education and secondary-level learning centers, which are permitted uses.

(2) Satellite earth stations with a diameter greater than two meters



Robert Warwick &lt;rwarwick@shoreviewmn.gov&gt;

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**4188 Lexington, Shoreview Business Campus Development**

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**Nicholas Tomczik** <ntomczik@ricecreek.org>  
To: Robert Warwick <rwarwick@shoreviewmn.gov>

Fri, Feb 12, 2016 at 7:54 AM

Robert,

The creation of new or reconstructed impervious of the suggested size will require RCWD permit. The past BMP on the site may be eligible towards the rule obligation but that issue would require additional information. Permit application requires signature from the landowner and those with interest in the property, so here your mention regarding the conservation easement might come into play for the applicant to show the right to develop. No further comment at this time, RCWD would be happy to work with the applicant in a pre-application capacity on any issues.

Nick Tomczik

Permit Coordinator/Wetland Specialist

Rice Creek Watershed District

4325 Pheasant Ridge Dr. NE, #611

Blaine, MN 55449-4539

O: 763-398-3079

ntomczik@ricecreek.org



Please consider following the RCWD on Facebook.

**From:** Robert Warwick [mailto:rwarwick@shoreviewmn.gov]**Sent:** Thursday, February 11, 2016 1:55 PM**To:** Lux, Joe <joseph.lux@co.ramsey.mn.us>; Nate Berg <nberg@ljfd.org>; Nicholas Tomczik <ntomczik@ricecreek.org>**Subject:** 4188 Lexington, Shoreview Business Campus Development



Robert Warwick <rwarwick@shoreviewmn.gov>

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## 4188 Lexington, Shoreview Business Campus Development

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Nate Berg <nberg@ljfd.org>

Thu, Feb 11, 2016 at 3:07 PM

To: Robert Warwick <rwarwick@shoreviewmn.gov>, "Lux, Joe" <joseph.lux@co.ramsey.mn.us>, "Tomczik, Nick" <ntomczik@ricecreek.org>

The fire department does not have comments at this time.

Nate Berg

Fire Marshal/Deputy Chief

Lake Johanna Fire Department

5545 Lexington Ave N

Shoreview, MN 55126

(651) 481-7024

nberg@ljfd.org

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

**Sent:** Thursday, February 11, 2016 1:55 PM

**To:** Lux, Joe <joseph.lux@co.ramsey.mn.us>; Nate Berg <nberg@ljfd.org>; Tomczik, Nick <ntomczik@ricecreek.org>

**Subject:** 4188 Lexington, Shoreview Business Campus Development

Shoreview has received a Concept Stage PUD application from Woolpert Inc. They propose developing a portion of the remaining vacant land at the Shoreview Business Campus, 4188 Lexington Ave.

[Quoted text hidden]



Robert Warwick &lt;rwarwick@shoreviewmn.gov&gt;

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**4188 Lexington, Shoreview Business Campus Development**

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Lux, Joseph &lt;Joseph.Lux@co.ramsey.mn.us&gt;

Thu, Feb 11, 2016 at 3:07 PM

To: Robert Warwick &lt;rwarwick@shoreviewmn.gov&gt;

Cc: "Laberee, Erin" &lt;Erin.Laberee@co.ramsey.mn.us&gt;, Kathleen Castle &lt;kcastle@shoreviewmn.gov&gt;, Tom Wesolowski &lt;twesolowski@shoreviewmn.gov&gt;

Hi, Rob:

For a development of this size, we'll need a new Traffic Impact Study, as this is a major change in use of the site. The 1987 data might be interesting, but is no longer relevant. Since this is a change in use under MN Rules 8810.5200 (my favorite of all the rules ☺), we need to review access. It is possible that a right-turn lane or other improvements will be necessary to accommodate the added traffic. Because of the proximity to Cummings Park Drive, no other access can be considered. If you need anything further from us at this time, please let me know.

*Joe Lux*

Joseph Lux

Senior Planner

Ramsey County Public Works

1425 Paul Kirkwold Drive

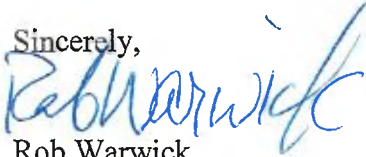
Arden Hills, MN 55112-3933

651-266-7114

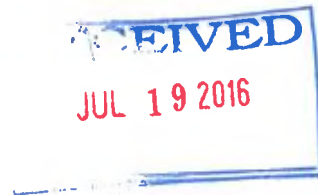
<http://www.ramseycounty.us/>**From:** Robert Warwick [mailto:rwarwick@shoreviewmn.gov]**Sent:** Thursday, February 11, 2016 1:55 PM**To:** Lux, Joseph <Joseph.Lux@CO.RAMSEY.MN.US>; Nate Berg <nberg@ljfd.org>; Tomczik, Nick <ntomczik@ricecreek.org>**Subject:** 4188 Lexington, Shoreview Business Campus Development

The agenda and staff report to the Planning Commission will be available on the City website by July 22<sup>nd</sup>. Please use the following weblink: [www.shoreviewmn.gov/pc/documents](http://www.shoreviewmn.gov/pc/documents). If you would like more information or have any questions, please contact me at 651-490-4681 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 [rwarwick@shoreviewmn.gov](mailto:rwarwick@shoreviewmn.gov).

Sincerely,



Rob Warwick  
Senior Planner



Comments:

I THOUGHT WE WENT THROUGH THIS  
before!

My thoughts are:

1. AS PART OF THEIR "PLANNED UNIT DEVELOPMENT"  
DID THEY STUDY HOW MUCH ARE  
PROPERTY VALUES ARE GOING TO GO  
DOWN?

2. IS OXFORD ST. GOING TO REMAIN A  
DEAD-END? BECAUSE WITH ALL THE  
CHILDREN IN THE NEIGHBORHOOD, WE DON'T  
NEED ALOT OF MORE TRAFFIC!

Name: KENNETH A. IVES

Address: 4177 OXFORD ST. N.  
SHOREVIEW, MN. 55126



Robert Warwick &lt;rwarwick@shoreviewmn.gov&gt;

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## 4188 Lexington-Resident comments

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Laura Carlson &lt;lmcz2016@gmail.com&gt;

Mon, Jul 18, 2016 at 9:41 PM

To: rwarwick@shoreviewmn.gov

Hi Rob,

I am a resident at 4186 Oxford Court North in Shoreview and I have been sick in my heart all day. I received a notice today with your plans to develop property next to our resident owned pond on Lexington Ave. I would like to express my profound sadness and disgust that these two 4 story enormous building plans are being considered alongside residential homes. I believe It is not appropriate for TWO such a GIGANTIC buildings to be erected in that small area and will tower over all of our homes on the pond. And as a side note, I was under the impression that land was for business use only. I feel like this is a loop hole to squeeze two 4 story massive residential buildings into a small space. We already have so many people living in the surrounding few blocks, I have no idea how you think this is acceptable. Additionally, I thought there was some kind of height restriction for buildings?! What happen to that?

I believe it will certainly be more than a short term housing building for executives. It is just too massive to believe that. It will be another apartment building. We have tons of apartment buildings in Shoreview and Arden Hills and Roseville already. Furthermore, The "renters" will be transient people who come and go and do not care about our neighborhood or this community. To pack that many people into such small space like sardines is going to turn out very bad for the area. Crime and trespassing will be an issue for me and my neighbors who live along this small pond area. The current apartments already bring elements of crime into the area and to add to that is irresponsible. They are even naming the building "Water Walk" and they cannot walk on our property! Right? So why call it that? It implies the renters can walk on our property. Also, it will be an gross looking eye sore. We all on the pond will be on stage for all the transient renters to look at us like fish in a bowl. All of our privacy will be lost.

Second, This is already a very high density area of residents and will only make the neighborhood extremely congested and crime ridden. Like the apartments on the corner on Lexington and County Road F (which is actually better situated because they are more spread out and only 3 story not on a hill), it will eventually become run down and poorly maintained after the local corporations no longer need the corporate apartments. And as a side note, I was under the impression that land was for business use only. I feel like this is a loop hole to squeeze two 4 story massive buildings into a small space. What happened to height restriction on buildings? Parking will be an issue and the people staying there will start parking on residential streets. They will walk and trespass through our yards.

It is not good for the wonderful nature of Shoreview that is so treasured by all residents of Shoreview. It will kill the coyotes who live in the woods there. It will kill the eagles that live in the woods there. It will displace the deer and many birds and muskrats and ducks who all live near the pond. And it will kill many trees because the buildings are so massive there will be nothing left but concrete and city landscaping. It will be a very sad day if that happens.

All of the residents who live on the pond are very concerned about your plan to use the pond as this 350 resident's dumping place to run off all their water waste. We had a problem with basement flooding already when the city pipe was not working properly. This would decimate us residents on the pond. The damage it will do to current drainage after the erection of such massive structures will be certainly damaging to our homes and basements. I hope you are concerned as we are.

Lastly, and another huge concern is the increased traffic these building residents will produce, especially if you are planning to change the law special for this builder from Chicago and open our street to the cars from the monster building residents. I know Oxford Street is zoned to stay a dead end street. Have you changed the laws and zoning for that too? We all would lose a lot of value of our home for all the above reasons and if you open our street up to over 350 cars to speed through here everyday it would be horrible for safety of pedestrians, children who often play on the street and ride bikes and decimate home value. I am a resident, I pay taxes and I welcome business. But, this is just not ok. Please do not do this to the residents who live here. Please do not do this. It's not safe and it will kill our home value. There are so many terrible things about this; it will effect all of the families here in a negative way financially and otherwise; it will destroy the wildlife and nature, and our safety will be compromised with transients and 350 plus cars in our streets.



I ask you to please reject this and put a business in the space that is more appropriate for this neighborhood, that space and for Shoreview. Why not another clinic, office building of reasonable height, a ace hardware?...anything but this skyscraper full of transient people coming and going and destroying the neighborhood. Please do not bring the value of our already low price home even further down. Please consider us permanent Shoreview residents a little bit, our homes where we live everyday and realize it is we who take care of the neighborhood and our children in this area not the people passing through.

And please don't kill the coyotes, eagles, birds, deer, muskrats, ducks, and all the other creatures who live with us in this neighborhood!

Respectfully,  
Laura Carlson-Ziegler  
4186 Oxford Ct N  
Shoreview, MN  
651-757-7880



Robert Warwick <rwarwick@shoreviewmn.gov>

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## Woolpert proposal

---

Pat <cospat17@gmail.com>  
To: rwarwick@shoreviewmn.gov

Tue, Jul 19, 2016 at 11:15 AM

Dear Rob,

We live in Weston Woods, and our property backs up to the open space and Lexington Ave. We are very against this proposal of putting a hotel on the vacant lot behind us. 153 units would cause a lot more traffic and noise on an already congested part of Lexington. If their thought is to route their traffic through our complex, I believe our small, winding roads would not be able to handle it. Many times our maintenance company has vehicles parked along Westcliff and Weston Way, which narrows the street even more.

We hope you would vote no to this proposal, and will be at the meeting on Tuesday.

Sincerely,  
Jim and Pat Costello  
1098 Westcliff Curve

Sent from my iPad

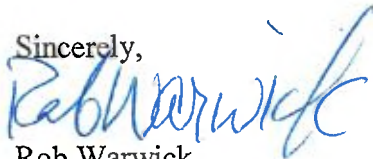


City of Shoreview  
Attn: City of Shoreview Planner

7/20

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Sincerely,



Rob Warwick  
Senior Planner

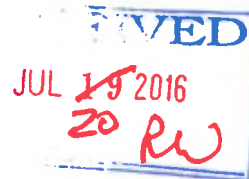
Comments:

Any development of this parcel of land should mandate a walking trail from Oxford St N to the Allina Building parking lot which will result in access to Lexington Ave.

A building height of 55 feet seems to be out-of-scale with all other commercial buildings in the area, and undesirable for adjacent residential properties.

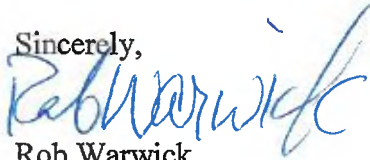
Name: William L Sulzbach

Address: 4178 Oxford Ct N.

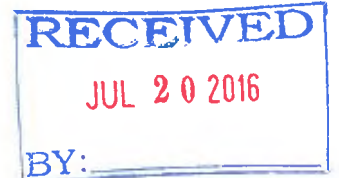


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Sincerely,



Rob Warwick  
Senior Planner



Comments:

GOING THRU OUR COMPLEX  
LIGHTS AT NIGHT & NOISE  
~~HEIGHTS AND~~  
"HEIGHT" DENSITY  
TRAFFIC - When we have  
Small Children  
we have a quite neighborhood  
with small children not any  
need for traffic

Name: KATHERINE SANTANNI  
Address: 1096 WESTCLIFF CURVE



Robert Warwick <rwarwick@shoreviewmn.gov>

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## Water walk

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Gloria Mae Peterson <gloriapeterson55@yahoo.com>

Wed, Jul 20, 2016 at 6:24 PM

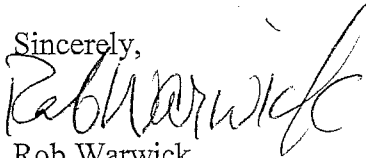
To: "rwarwick@shoreviewmn.gov" <rwarwick@shoreviewmn.gov>

Rob Warwick  
Senior Planner

Mr Warwick,  
I will be quite sad to see the woods behind my home be developed!  
Gloria Peterson  
1094 Westcliff Curve, Shoreview, MN  
Sent from my iPad

The agenda and staff report to the Planning Commission will be available on the City website by July 22<sup>nd</sup>. Please use the following weblink: [www.shoreviewmn.gov/pc/documents](http://www.shoreviewmn.gov/pc/documents). If you would like more information or have any questions, please contact me at 651-490-4681 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 [rwarwick@shoreviewmn.gov](mailto:rwarwick@shoreviewmn.gov).

Sincerely,



Rob Warwick  
Senior Planner

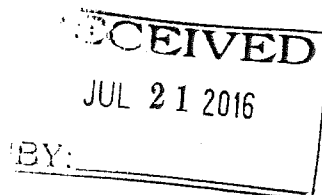
Comments:

- The proposed development is incompatible with the current, dominant residential use.
- The height and footprint of the two buildings are not in harmony with existing homes and 1 story office.
- This is essentially a "motel" for transitory workers at nearby businesses - those living in the facility would have no long term commitment to the neighborhood and Shoreview.
- This changes the residential identity of the already existing properties -
- When we moved into Weston Woods property the parcel was identified as "green space" -
- Because of existing street access from Lexington there will be traffic issues to consider.

Name: Robert & Annette DeWeyff

Address: 1087 Westcliff Curve  
Shoreview, MN 55126

Robert DeWeyff

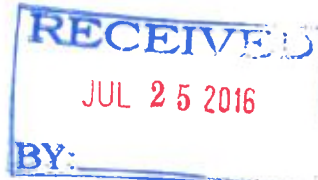




Robert Warwick &lt;rwarwick@shoreviewmn.gov&gt;

## Woolpert, Inc Planned Unit Development

nosral@comcast.net <nosral@comcast.net>  
 To: rwarwick@shoreviewmn.gov  
 Cc: "Larson, Sally" <nosralsjl@comcast.net>



Fri, Jul 22, 2016 at 7:11 PM

Mr. Warwick,

My wife and I live in the Weston Woods town homes development adjacent to the proposed site for this development.

This project is a big **concern** on many levels.

\* The size of the proposed buildings will shadow many of the units in the development. These new structures will be some of the largest buildings in Shoreview; **is this really**

**the correct location for that type of structure?**

\* It will, if successful, add a large number of new and unexpected neighbors. **Will there be a fence or barrier** to dissuade development customers from wandering into Weston Woods?

\* We have no idea who will want to live in small "hotel-like" rooms, with kitchens. **How many people will inhabit each room/suite?** I cannot envision Land-O-Lakes and Boston Scientific filling the buildings.

If not professionals on short term assignment, **who are the expected customers?**

\* We did review the Woolpert, Inc website; their properties **did not** appear designed for anything related to executives.

\* I assume this development will add **considerable traffic** to an area already congested area.

\* What happens to the property should this concept fail?

I assume the ambiguity around this project will **immediately lower the property value for current residents in Weston Woods.**

Many residents of Weston Woods have been here since the development was created and are senior citizens.

The property in question was part of the Nature Conservancy at that time the development went on sale.

Who would have projected that the natural area would be (potentially) turned into a high rise?

In closing, I do not think this project is good for Shoreview or its neighboring citizens.

Thank you for requesting input into this disturbing project and for considering these concerns.

Gary Larson  
 1052 Westcliff Court  
 Shoreview, MN

PS My wife and I have lived in Shoreview for 32 years.



07/25/2018

To: Shoreview Planning Commission

Re: PUD Modification Request for 4188 Lexington Avenue (corporate long stay lodging)

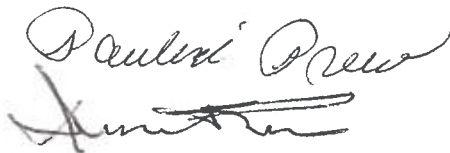
Our residence is located at 1070 Westcliff Curve, Shoreview, MN which is just north of the property being considered.

After reviewing the Concept Review Plan(s) received, we are concerned that the elevation of the proposed buildings (55 feet building dimensions plus any topographical differences) along with their footprint dimensions (61,000 sq. ft. per building) and associated parking lot dimensions coupled with the very close proximity to the Weston Woods properties will result in an adverse impact on those properties located on either side of Westcliff Curve. Any attempts at screening between the two properties would probably be ineffective.

In other words there appears to be too much building height and inadequate space between the proposed structures and the existing twin-homes on Westcliff Curve.

Therefore our concern is that there will be a negative impact on property values along Westcliff Curve which in turn could result in reduced property values for the total Weston Woods neighborhood.

Thank You,



Pauline and Duane Prew

651-484-8197





Robert Warwick &lt;rwarwick@shoreviewmn.gov&gt;

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**Comments to PUD: Applicant, Woopert, Inc., on behalf of Waterwalk**

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Paul Kennedy &lt;paul.kennedy@comcast.net&gt;

Mon, Aug 1, 2016 at 8:33 PM

To: rwarwick@shoreviewmn.gov

Mr. Rob Warwick:

Here are comments in response to PUBLIC NOTICE – REQUEST FOR COMMENT, July 19, 2016,

Planned Unit Development (PUD) at Shoreview Business Campus, Lexington Ave.

Applicant Woolpert, Inc., on behalf of Waterwalk

When I first heard of this proposal, I couldn't believe that Shoreview would consider allowing the building a four-story hotel in the middle of a residential area, and on one of the highest elevations in Shoreview. It seems rather inconsiderate to residents who live here night and day, year round. I tried to weigh pros and cons and could not come up with any pros, except that maybe Ramsey county and Shoreview would collect more property tax on the proposed hotel. To me that is not very considerate of the residents and puts Shoreview itself in the position of not being a good neighbor to its own residents.

As well, this is not an aesthetic addition to the neighborhood, or for that matter, Shoreview in general. By comparison, I don't mind having the medical clinic nearby because it, by and large, has daytime business hours (with the exception of UrgentCare). Also, the medical clinic is only a one-story building so it blends in well with its surroundings.

Here are more concerns:

- Concern over the property devaluation with a view behind my house to a four-story hotel.
- Noise from cars: engine noise and door slamming.
- Noise from HVAC.
- Increased vehicle traffic entering and exiting Lexington Avenue.
- A four-story hotel would be an eyesore and not in alignment with the rest of the neighborhood. It would be the tallest building for miles.
- Transient population does not contribute to the well-being of the neighborhood.
- One of the reasons I love Shoreview is because of a balanced mix between nature and residential living. Adding this hotel would take away more nature, where wildlife such as deer, owls, and songbirds live.

Also, aside from the concerns stated, what variances are being requested?

Regards,

Paul Kennedy  
4237 Bristol Run  
Shoreview MN 55126





Robert Warwick &lt;rwarwick@shoreviewmn.gov&gt;

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**Waterwalk corporate living**

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elaine rhode &lt;enrhode@gmail.com&gt;

Mon, Aug 1, 2016 at 5:46 PM

To: "rwarwick@shoreviewmn.gov" &lt;rwarwick@shoreviewmn.gov&gt;

Mr. Warwick,

These are my concerns about the proposed development. I live in townhouse at Weston Woods. I feel the four story buildings are to tall for the existing neighborhood. Also I believe a buffer should be left between the development and existing homes, this would allow the the mature trees to be left in place and protect any ponds in the area. Green space is important Thank you for your time

Elaine Rhode



**Proposed Development for the Shoreview Business Campus by Woolpert, on behalf of Waterwalk overlooking the existing Weston Woods of Shoreview town home development.**

Comments:

As a resident of the town homes which have a view of and, are exposed to, the proposed development site we have the following comments and concerns-

The property we know is subject to development, however, the height (55 ft.) of the proposed buildings raises issues of overall height due to the grade level of the land which is already much higher than that of the town homes. The buildings will loom over us, if allowed to proceed as planned, unless adequate and natural screening, setback and/or reduction in height of the buildings is changed. As it looks now occupants of the building will be able to peer down into our yards from above and that concerns us. This could affect our privacy and our property values.

Given the height of the land and parking required, night time lighting could be unsightly and disturbing to our residents.

The nature of a transient facility, hotel complex, gives concerns as to the safety of our neighborhood and we wonder what security will be provided.

We are concerned as to the nature and quality of the facility and who will own and/or manage it after completion.

Thank you.

Frank and Pattie Green

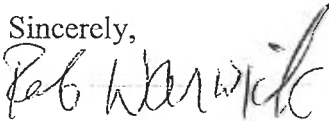
1069 Westcliff Curve

651-341-9840

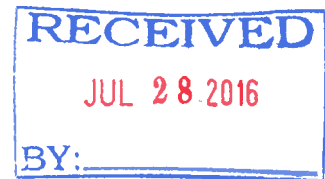


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Sincerely,



Rob Warwick  
Senior Planner



Comments:

**Why would the City Planning Commission approve a four story building on this property? The property location is already at the highest location in Shoreview. The office building currently on the site is only one story high. We do not feel a building of this height would be appropriate for the general development of the land in this area.**

**Has the general run off of water coming down from the elevation been taken into consideration? Is this Shoreview property within the Rice Creek Water District for drainage?**

**The site plan would involve a lot of additional traffic with only one entry and exit in and out of the property. Would there be additional stop signs on Lexington Avenue, tunnels or foot bridge cross walks?**

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



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

4225 BOSTON ROW



Robert Warwick &lt;rwarwick@shoreviewmn.gov&gt;

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## Building proposal for City of Shoreview

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joann.pastorius &lt;joann.pastorius@gmail.com&gt;

Wed, Jul 27, 2016 at 5:10 PM

To: rwarwick@shoreviewmn.gov, kculligan@paradisemn.com, Holman Beth &lt;beth.holman@allina.com&gt;

Dear Mr. Warwick:

I received this email from our property manager about the proposed building development off Lexington near the Shoreview Allina Clinic and the Weston Woods town homes. I have some serious concerns about this proposal.

1. First of all, 2 units that are 4 stories high seem out of the norm for the buildings found in other areas in the Shoreview community. There is a wall behind the Weston Woods town homes so the actual height will seem like 5 stories to those home owners.
2. I understand that in 1988 there was a water study done on this land in conjunction with the development of the clinic building. My Allina Clinic director told me this fact. Originally, there were 4 buildings stated to be developed and they found a major water issue and only developed one building because of this issue. I work in this building and we have had water issues on the cement in the lab and we needed to have the very expensive flooring redone after only 2 years because of the buckling on the linoleum flooring.
3. Our Shoreview Clinic continues to grow and we are having a difficult time with the size of our parking lot. The patients overflow to the street daily which could not happen if there was a development done on this property. Parking could become problematic that is for sure.
4. It is difficult to turn left out on to Lexington Avenue presently and would require a traffic light if a development went into this area.

I believe this development would not work well for this property for these reasons.

I am interested in attending this meeting and I believe our Clinic Manager/lead physician are also interested. Please inform us of the time of the meeting on August 23rd and if there are any changes to the date that will discuss this development.

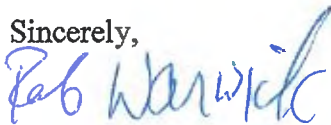
Sincerely,

JoAnn Pastorius  
4277 Weston Way  
Shoreview, MN. 55126  
Joann.Pastorius@gmail.com  
651-247-4940

Sent from my iPad

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Sincerely,



Rob Warwick  
Senior Planner



Comments:

Dear Mr Warwick,

Thank you for the information on the proposed development.  
I am opposed to such a massive development adjoining  
our development. The property would be a huge distraction  
to homeowners of Weston Woods and certainly would have  
an impact on resale of properties in the development  
I would hope the concerns of residents of Weston Woods  
would be considered prior to approval by Planning  
Commission

Name: Olly Savoir  
Address: 1091 Westly Circle  
Shoreview, Mn.





Robert Warwick &lt;rwarwick@shoreviewmn.gov&gt;

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## Public Notice - Request for Comment

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Val Burdick <vburdick@goldengate.net>  
To: Rob Warwick <rwarwick@shoreviewmn.gov>

Mon, Aug 8, 2016 at 12:46 PM

Rob Warwick, Senior Planner

City of Shoreview

Re: Public Notice-Request for Comment, Proposed Waterwalk Development

August 8, 2016

Mr. Warwick:

As long-time homeowners in Shoreview and current residents in the Weston Woods of Shoreview

Town home development, we have concerns about the proposed Waterwalk Corporate Living

Development:

- 1) The Developer wants a 20' height variance to build his proposed structures. We deem this to be extremely inappropriate due to its proximity to the existing Weston Woods town homes directly to the north. The town homes will be significantly in the shadows of the proposed buildings. A nature view would be turned into a commercial view which would result in the potential for negative impact on current property values, and could lead to similar results for the rest of the Weston Woods development. This is an *extreme* variance **50%** higher than the established maximum height. A four story commercial hotel directly adjacent to an established owner occupied town home development is an invasion of privacy, and is certainly NOT compatible.
- 2) How is storm water and snow runoff going to be handled with this proposed development? There do not appear to be any facilities to manage the runoff as there is not a storm water management pond, nor storm sewers on this site. Runoff from this location would travel to the small gully between this site and Weston Woods, resulting in flooding of those homes.
- 3) We believe this proposal to be a "shoe-horn" fit for this parcel. The buildings would be directly adjacent to Lexington Avenue, with questionable setbacks, exacerbated by the proposed building height of 55' and right on top of Weston Woods. The proposed setbacks do not appear to be adequate for this project, nor does the proposed parking plan.
- 4) It appears that the only vehicle access to this property will be the access drive off Lexington Avenue. Lexington Avenue is already very heavily trafficked. The access drive for this proposal is sandwiched between two traffic lights and right turns are difficult enough out of this access drive. Left turns would be nearly impossible due to heavy traffic. It would seem infeasible to expect 160 additional vehicles to use this single access daily.
- 5) The Developer states that there would be a "pocket park" to "enhance the surrounding public

infrastructure". There does not appear to be a "pocket park" in this proposal and we question whether there would be sufficient green space for this project.

6) An Environmental Impact Statement should be required to address all of these previous points: a) height variance; b) storm water management; c) necessary setbacks for a building of this type; d) traffic impact and e) green space and wildlife habitat.

7) There is a retaining wall (on the south boarder of Weston Woods) that runs nearly the entire length of the proposed development. This retaining wall would surely be negatively impacted by construction on the proposed site.

8) There was an appalling lack of detail in the July 16<sup>th</sup> Public Notice – Request for Comment mailing. Those who might be impacted by its construction would surely need much more information. There were no renderings of proposed structure, no discussion of how green space would be addressed, no discussion of need for additional (City provided) public utilities, and no indication of how the city intends to address the requested variances in lieu of the term "Corporate Lodging" not being defined within the City's development codes.

We urge the City of Shoreview to reject this entire project. The requested variances are inappropriate for this neighborhood. There is potential for negative impact on the entire surrounding area. At a minimum, we request a moratorium on any further discussions with the Developer until the impact to the environment is clearly understood and more information is provided by the Developer. We also question the need for this project at all when there are two hotels within a mile of the proposed site which have struggled to be profitable in their own right.

Thank you for your consideration.

Val Burdick and Peggy Riha

1053 Westcliff Curve

Shoreview, MN 55126



Robert Warwick &lt;rwarwick@shoreviewmn.gov&gt;

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## Comment regarding the Woolpert/Waterwalk project

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Nancy Kennedy &lt;njkennedy@comcast.net&gt;

Mon, Aug 8, 2016 at 11:48 AM

To: rwarwick@shoreviewmn.gov

Dear Mr. Warwick,

I was very concerned to read of the potential plans for building a 4 story temporary housing project near my home. I live with my husband and 3 dogs in the Weston Woods twin home development.

Here are my concerns:

- 1) The 4 story buildings would be placed on some of the highest ground in Shoreview. This will give these buildings a very high profile in a surrounding neighborhood that is definitely "low rise". The only other 4 story building I am aware of is over near 694 and Hamline in Arden Hills. This would affect the Weston Woods resident privacy.
- 2) My understanding is that Woolpert is proposing only a 5 feet easement next to the Weston Woods development's property line. This is literally RIGHT ON TOP of the Weston Woods homes.
- 3) The traffic on Lexington, County Rd F and Victoria is already a nightmare, nearly round the clock. It is a major thoroughfare for ambulances and police traffic and there are a lot of sirens. Another 153 units will add considerably to this traffic. We love walking in the neighborhood with our dogs, and this increase in traffic is simply taking us up and over the point of acceptability. I am very concerned about the value of the neighborhood declining.
- 4) Noise is an issue with transient neighbors such as hotel residents - they don't have an investment in the neighborhood. Often business travelers consider an out-of-town trip a chance to kick up their heels, and they have little respect for those around them.
- 5) I can only see two outcomes when it comes to security - either the hotel will be a target for crime (bad people wanting to rob the cars or units), or the security efforts - such as 24 hour lighting, alarms and other means of securing the facility will be an issue.
- 6) In a similar vein, the housing density is already very high in this neighborhood. I believe with this added housing, that the density of this neighborhood will be much higher than any other area in Shoreview. I would like to see some calculations to see the before and after impact of this proposed development. Not every unit would be just one person.
- 7) Snow removal is already an issue in the neighborhood. I also am concerned about the drainage from this site - and am not sure the developers have a plan for ensuring either of these issues do not affect their neighbors.
- 8) I am concerned about the wildlife that is now living on that site. We have deer, coyote, owls and other raptors, foxes, and song birds. This is one thing I highly value from living in Shoreview - there are wild and developed areas. It truly is a beautiful city. This development will provide 24 hour disruption to a currently quiet and peaceful neighborhood. The current clinic is only 7:30am - 5pm type activity.
- 9) And finally, the fact that this is billed as "corporate long stay lodging" sounds like this would be transient residents - isn't this just a hotel? This is simply not in keeping with the spirit of this Shoreview neighborhood.

When my husband bought into the Weston Wood development, he said that this property was supposed to remain wild forever (I am under the impression it was to be sold to Nature Conservancy or something like that). I'm not sure how this commitment to the neighborhood changed, but it is a huge disappointment.

Surely you can do better for this neighborhood! Please reject Woolpert Inc's PUD Concept Stage application. It is simply incompatible with the rest of the neighborhood.

Nancy Kennedy  
4237 Bristol Run

Aug. 3, 2016

Rob Warwick  
Senior Planner, City of Shoreview

I am replying to your lated of July 19, 2016 concerning the WaterWalk Corporate Living proposal for the land on Lexington Ave., east of Boston Scientific.

I have a number of concerns about developing that property.  
The most important ones are:

Concern about disruption of the water table and springs in the area. Weston Woods has had problems with springs and excessive ground water. My neighbor at 1080 Westcliff Curve had to replace his garage floor because water heaved and destroyed the floor. This happened in 2009 or 2010. Last year Allina Clinic Lab had to repair the floor because of water seepage.

An employee of Allina told me that a nurse who has worked there since the beginning, claimed that water problems was the reason that the site was not developed at that time. The city and the developer were at odds about it, so the developer donated the property to a "Nature Conservancy".

Many people in Weston Woods were told that the property wood remain wild forever. (My realtor told me that when I purchased my house in 2010.

Building two large and heavy buildings and parking lots will affect the area in ways that are hard to predict. Who is liable if I have water seeping up through my basement floor? Walpert, Inc., the City of Shoreview -no. John Bridgman - YES I doubt if homeowners insurance would cover it.

The second concern I have is the likely increase in crime around the development. I was told by a Brooklyn Park Police Officer that hotel parking lots are a preferred location for drug deals and other illegal activities. The bad guys like the fact that people come and go at all hours and are less likely to draw attention.

I have other concerns, but others will be contacting you with them. Please consider them my concerns also.

John R. Bridgman



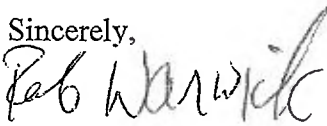
1074 Westcliff Curve  
Shoreview, Mn. 55126  
651-638-9539

[johnrbridgman@comcast.net](mailto:johnrbridgman@comcast.net)



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Sincerely,



Rob Warwick  
Senior Planner

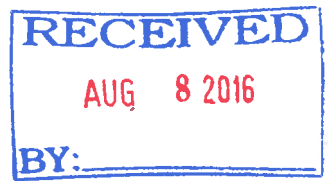
Comments:

I live at 4277 Weston Way. I understand that there is a project by our community that is under consideration for development. I am strongly against this project for many reasons.

- 1) Height of 4 stories does not conform to SV community buildings.
- 2) Water run off to the townhomes would be a negative for the townhomes as well as the snow.
- 3) I work at Allina next door to this project & that area would require another stop light to control traffic.
- 4) The SV clinic has had water issues & floors needed to be replaced.

Name: JoAnn Pastorius

Address: 4277 Weston Way  
Shoreview, Mn. 55126



City of Shoreview  
Planning Commission  
4600 Victoria Street North  
Shoreview, MN ,55126

July 31, 2016

We have received notice from the Shoreview Planning Commission regarding a proposal submitted to the Planning Commission from Woolpert Inc on behalf of Waterwalk Inc. The request is for a two building complex, four stories high on a hill overlooking town homes imposing on privacy of the residents. This of course will have an impact on the resale value of the properties. My house is directly across the street , from the proposed buildings proposed to be built south of the Weston Woods development.

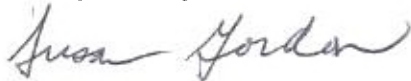
Weston Woods of Shoreview is a residential development with families that choose to live here because of the beauty of the natural wooded area surrounding this development harboring a variety of wildlife enjoyed by all. Building a 153 room hotel is certainly not going to enhanced the beauty of the area, viewing a four story hotel in our backyards is not in the best interest of the community.

Should this project go through there would likely need to be improvements on the access to the property,

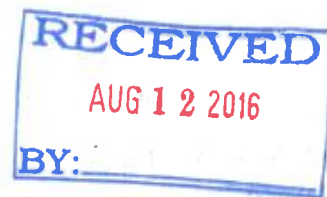
This proposal if, should it be approved, is driven by revenue for the city not for keeping the community a natural beautiful place to live,

I the undersigned am **Opposed** to the proposal to develop the property adjacent to Weston Woods of Shoreview.

Thank you for your consideration in this matter.



Susan Gordon  
1089 Westcliff Curve  
651-484-2810



August 2<sup>nd</sup>, 2016

TO: City of Shoreview  
4600 Victoria Street North  
Shoreview, MN 55126  
Attn: Planning Commission  
Attn: City Council

Example

Dear Sir/Madam,

We have received notice from the Shoreview Planning Commission regarding a proposal submitted to the Planning Commission from **Woolpert Inc on behalf of Waterwalk Inc.** The request is for a two building hotel complex, four stories in height on a hill overlooking the townhomes of Weston Wood of Shoreview.

The residents of Weston Woods of Shoreview have numerous concerns with regard to this proposal. The most important being:

- The imposing design of the buildings which would directly affect the privacy of the Weston Woods residents
- The drainage issues associated with this parcel of land and surrounding areas
- The increase in volume of traffic on the adjoining county road (MN Ct Rd 51) / Lexington Ave
- The destabilizing of the Weston Woods community of 104 homes with a decline in real estate values for the residents of Weston Woods and surrounding areas

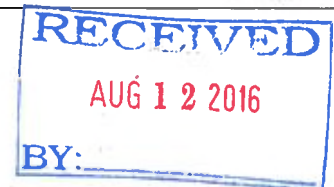
The additional concerns Weston Woods's residents have are listed below but not limited to:

1. Is the proposal set forth by *Woolpert, Inc* and *Waterwalk* within the PUD of this area for the City of Shoreview?
2. Noise, security, privacy, light invasion and safety issues with a multi-story, short term, multiple inhabitant building within only a 5' easement proposed by *Woolpert Inc.* from the Weston Woods property line.

We ask that the City Council of Shoreview take our concerns into consideration when reviewing *Woolpert, Inc.*'s proposal and not approve.

Thank you.

Comments:



Signature:

Address:

4250 Bristow Row



August 8, 2016

City of Shoreview Planning Commission  
4600 Victoria Street North  
Shoreview, MN 55126

Shoreview Planning Commissioners:

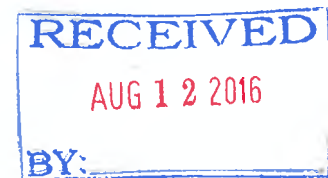
Regarding the Woolpert, Inc proposal on behalf of WaterWalk Inc: We do not consider a four-story commercial hotel to be a compatible neighbor to stable, owner occupied one-level town homes. We ask that the Shoreview City Planning Commission take our concerns into consideration for the reasons stated below.

- The height of the buildings which would directly affect the privacy of the Weston Woods residents
- The increase in volume of vehicle and pedestrian traffic on the adjoining county road (MN Ct Rd 51) / Lexington Ave
- The drainage issues associated with this parcel of land and surrounding areas, including snow storage and runoff
- Noise, security, privacy, light invasion and safety issues with a multi-story, short term, multiple inhabitant building within only a 5' easement proposed by Woolpert Inc. from the Weston Woods property line.

This proposal for a building of this height and size seems incompatible with the surroundings. Please reject Woolpert Inc's PUD Concept Stage Application.

Thank you.

Comments:



*We are strongly against the construction of (2) four story buildings on the south side of the Weston Woods Townhomes. The building to the south of this property is a one story structure & is a nice transition from a business area to a residential neighborhood. This same transition should be utilized in developing the subject property. Thank you for your consideration.*

*William M. Meier*  
Signature: \_\_\_\_\_

*1058 Westcliff Court*  
Address: \_\_\_\_\_  
*Shoreview, MN*  
*55126*

August 8, 2016

City of Shoreview Planning Commission  
4600 Victoria Street North  
Shoreview, MN 55126

Shoreview Planning Commissioners:

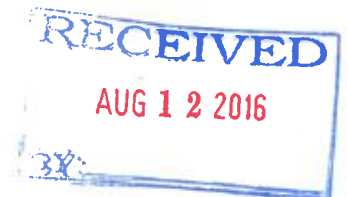
Regarding the Woolpert, Inc proposal on behalf of WaterWalk Inc: We do not consider a four-story commercial hotel to be a compatible neighbor to stable, owner occupied one-level town homes. We ask that the Shoreview City Planning Commission take our concerns into consideration for the reasons stated below.

- The height of the buildings which would directly affect the privacy of the Weston Woods residents !  
*TWO-STORY BUILDINGS SHOULD BE MAXIMUM HEIGHT!*
- The increase in volume of vehicle and pedestrian traffic on the adjoining county road (MN Ct Rd 51) / Lexington Ave !
- The drainage issues associated with this parcel of land and surrounding areas, including snow storage and runoff !
- Noise, security, privacy, light invasion and safety issues with a multi-story, short term, multiple inhabitant building within only a 5' easement proposed by Woolpert Inc. from the Weston Woods property line.  
*10' EASEMENT SHOULD BE MINIMUM!*

This proposal for a building of this height and size seems incompatible with the surroundings. Please reject Woolpert Inc's PUD Concept Stage Application.

Thank you.

Comments: *DEAR MR. WARWICK,  
WE ARE COMPLETELY IN TOTAL AGREEMENT WITH  
THE ABOVE CONCERNS REGARDING THE WOOLPERT, INC.  
PROPOSAL ON BEHALF OF WATER WALK, INC.*



*Gary R. Nelson*  
Signature:  
*Judy K. Nelson*

Townhouse Owners  
Address:

Gary R. & Judy K. Nelson  
1082 Westcliff Curve  
St. Paul, MN 55126

City Of Shoreview Planning Commission  
4600 Victoria Street North  
Shoreview Mn 55126

There are many issues concerning the Woolpert proposed four story commercial hotel to be built on the east side of Lexington Ave.

Having hotel guests look down into a residential neighborhood ( Weston Woods) does not seem like a good city plan for Shoreview and its residents.

Having a 4 story building on the high point of the city overlooking Shoreview does not seem like a good fit with the surrounding development.

Over the years, 2 traffic lights were added on Lexington Ave to accommodate Victoria and Cummings Park Drive traffic. Will the increase in traffic necessitate adding yet another traffic light so that there will be 4 traffic lights within 2500 feet between Co Rd F to Victoria.?

Water run off is a major concern for Weston Woods residents . When the snow (usually pushed off of the parking area) melts ,it will add to the already high water table in the area.

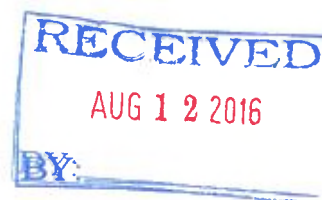
Rumor has it that a company wants to build a 2 story business on the East end of this property. Why don't we encourage this type of development that would be less conspicuous and have less impact in the area.

There are obvious places where a 4 story hotel will fit in with the surrounding development. Current zoning of this property is an indicator that this site is not a good fit for this development.

Please consider whats in the best interest of the residents who have to live next to this proposed hotel and the impact on their lives.

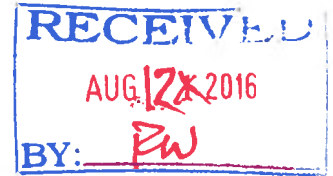


Thomas Kramer  
612 9684416 c  
4274 Weston Way  
Shoreview Mn 55126



August 8, 2016

City of Shoreview Planning Commission  
4600 Victoria Street North  
Shoreview, MN 55126



Shoreview Planning Commissioners:


Regarding the Woolpert, Inc proposal on behalf of WaterWalk Inc: We do not consider a four-story commercial hotel to be a compatible neighbor to stable, owner occupied one-level town homes. We ask that the Shoreview City Planning Commission take our concerns into consideration for the reasons stated below.

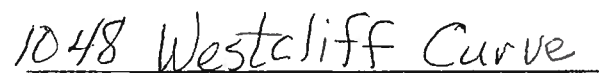
- The height of the buildings which would directly affect the privacy of the Weston Woods residents
- The increase in volume of vehicle and pedestrian traffic on the adjoining county road (MN Ct Rd 51) / Lexington Ave
- The drainage issues associated with this parcel of land and surrounding areas, including snow storage and runoff
- Noise, security, privacy, light invasion and safety issues with a multi-story, short term, multiple inhabitant building within only a 5' easement proposed by *Woolpert Inc.* from the Weston Woods property line.

This proposal for a building of this height and size seems incompatible with the surroundings. Please reject Woolpert Inc's PUD Concept Stage Application.

Thank you.

Comments:

  
Signature:  
Kathy Stechmann

  
Address:  
Shoreview, MN 55126

August 8, 2016

City of Shoreview Planning Commission  
4600 Victoria Street North  
Shoreview, MN 55126

Shoreview Planning Commissioners:

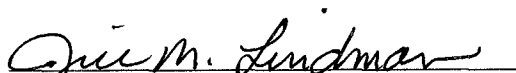
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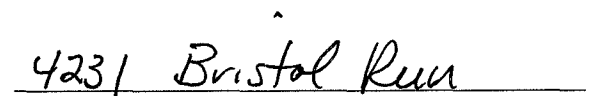
- The height of the buildings which would directly affect the privacy of the Weston Woods residents
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- Noise, security, privacy, light invasion and safety issues with a multi-story, short term, multiple inhabitant building within only a 5' easement proposed by *Woolpert Inc.* from the Weston Woods property line.

This proposal for a building of this height and size seems incompatible with the surroundings. Please reject Woolpert Inc's PUD Concept Stage Application.

Thank you.

Comments:

  
Signature:

  
Address:

August 9, 2016

City of Shoreview Planning Commission  
4600 Victoria St. N.  
Shoreview, Mn. 55126  
Re: Proposal of WaterWalk, Inc.

Dear Shoreview Planning Commissioners:

I do not consider two four-story commercial hotels to be compatible with our neighborhood. We live in Weston Woods which has owner-occupied one level townhomes, some with small children.

Please consider the reasons below:

- The height of the four-story buildings affect the privacy of our neighborhood.
- Increased volume traffic on Lexington Ave.
- Drainage issues due to run-off + snow storage.
- Noise, security, lights + safety issues 24/7
- Short term, multi-inhabitants as neighbors with only 5' easement proposed within Weston Woods property line.

Please reject Woblpert Inc's application.

Regards,

Mary Costello  
1044 Westcliff Curve  
Shoreview, Mn. 55126

# Daphne G Thompson

1049 Westcliff Curve, Shoreview, Minnesota 55126  
651-415-1404 • dgatesthompson@gmail.com

August 9, 2016

City of Shoreview Planning Commission  
c/o Rob Warwick, Senior Planner  
4600 Victoria Street North  
Shoreview, MN 55126



## RE: PUBLIC NOTICE – REQUEST FOR COMMENT

I am writing to express concern over the Woolpert, Inc. proposal to develop the property immediately south of Weston Woods of Shoreview, where I am an owner and serve on the Board of Directors of the homeowner's association. First and foremost, a four story hotel complex does not seem an appropriate development to sit adjacent to a single family housing association. I would expect the City to plan a buffer zone between our quiet housing and *any* high traffic, night-active facility.

These are the reasons I do not consider a four-story hotel compatible with the neighborhood:

- Noise and privacy issues would occur with a multi-story building within feet of our backyards.
- Lights from the hotel buildings and parking lot would flood the backyards and bedrooms of the homes bordering the property.
- As a real estate broker, I know that homes being loomed over by a four story building such as a hotel do not sell well. They linger on the market and prices usually have to be reduced before a buyer can be attracted. Often such homes become rental properties and that would destabilize our 97% owner-occupied community of 104 homes valued between \$340,000 and \$500,000+ each. Mortgages are less available to homes in associations with higher rental percentages, also making them more difficult to sell.

Shoreview has always stood for excellent city planning and I urge you to deny this application and seek or approve a more appropriate, low-rise and night-quiet project for development of the subject area, a project that would truly be compatible with the neighborhood.

Sincerely,

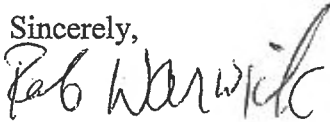
Daphne G Thompson  
DGT:wd



RECEIVED  
AUG 10 2016  
BY: \_\_\_\_\_

The agenda and staff report to the Planning Commission will be available on the City website by August 19<sup>th</sup>. Please use the following weblink: [www.shoreviewmn.gov/pc/documents](http://www.shoreviewmn.gov/pc/documents). If you would like more information or have any questions, please contact me at 651-490-4681 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 [rwarwick@shoreviewmn.gov](mailto:rwarwick@shoreviewmn.gov).

Sincerely,



Rob Warwick  
Senior Planner

Comments:

*As a home owner of Shoston Shoods, who will be directly impacted, I would like the plan rejected*

*This project will result in the devaluation of our properties. Constructing a two story hotel building in a quiet residential area is detrimental to the existing residents. The environmental impact in the loss of habitat, increased competition on Lexington Avenue, increased pollution and noise need to be considered. I urge the Planning Commission to reject this plan.*

Name: Patricia R Thayer

Address: 4223 Bristol Run



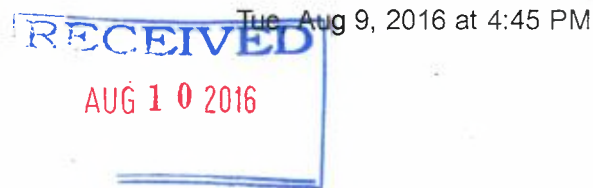
Robert Warwick &lt;rwarwick@shoreviewmn.gov&gt;

---

## Shoreview Business Campus

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jim lund <shmemory@yahoo.com>  
 Reply-To: jim lund <shmemory@yahoo.com>  
 To: "rwarwick@shoreviewmn.gov" <rwarwick@shoreviewmn.gov>



Here are a several items objecting to the proposed development of the above campus.

1). The two lots under consideration are among the highest, if not the highest, in terms of elevation in the Twin Cities. Does the City of Shoreview, which prides itself on home ownership, family, and traditional values, want as its signature Skyline and Gateway Entrance along Lexington Avenue, buildings that are basically transient worker Extended Stay Rentals? Is that how the City really wants this premier property, used? If so, it's a complete contradiction of the values the City expounds and communicates in its various themes and venues.

2). There are "zero" four story apartment or condo buildings along the Lexington Avenue corridor, from at least University Avenue in St. Paul to the south, and to Blaine or Lino Lakes to the north--it might be actually even further in either direction. There are a several occasional three story apartment or office complex buildings, but most such buildings are either single or two story. A single four story building would be unique and totally out of character along this entire Avenue, and two such buildings is double that uniqueness.

3. Buildings along Lexington Avenue are not crowded into small lot sizes. There are adequate setbacks from neighbors and/or Lexington Avenue. This developer is allowing only a 5 foot setback from Weston Woods property line. He is allowing a 20 foot setback from Lexington Avenue. The Weston Woods homes immediately affected by these proposed buildings are approximately 15 -25 feet below the base elevation level of this property--in other words all the hard surface snow and/or water will run into these homes--totally unacceptable.

Weston Woods currently has a two or three foot wide rock garden stretching from Lexington Avenue to a holding pond to the East. This rock garden runs along the base of a retaining wall that stretches the entire length. This retaining wall will not hold up under anticipated car or truck traffic with only a minimal five foot setback.

And it was never designed to handle the runoff from these proposed structures.

There is an excellent chance of flooding all the homes along Westcliff Curve from Lexington Avenue to the East from snowmelt and heavy rains.

4. The Allina Heath Clinic to the immediate south of the proposed buildings has 200 plus cars coming and going each day. Adding another 153 or more cars to the mix each day with a single shared entrance/egress will create a traffic and logistics nightmare. Boston Scientific across Lexington Avenue in Arden Hills has thousands of cars each day. Land O'Lakes in Arden Hills has hundreds of cars each day. LOL just broke ground on a new building adding

800 or more employees. When completed, Lexington Avenue, between Victoria and 694, will become a huge bottleneck and gridlock without the traffic these two buildings will generate.

5. There are three hotels on the corners of Lexington Avenue and 694. There are apartment buildings on County Road F, both on Lexington Avenue and Snelling Avenue. There are no shortage of rooms to rent in the immediate area. There are additional apartment buildings and homes to rent within a five mile radius. The bottom line is that this albatross is looking to solve a problem that does not exist.

6. Senior Housing in two different locations has been added on Hodgson Road to the north of County Road 96 in Shoreview and even there the buildings are only three stories in height. The existing PUD for this property calls for single story offices--possibly two story--which would seem consistent with the entire Lexington Avenue corridor running from St. Paul, through Roseville, and through Arden Hills/Shoreview all the way to Lino Lakes and Blaine. Four story buildings along this corridor are totally out of architectural esthetics and context given these other communities have not even allowed them.

7. There are two lots for sale in the proposed development. The developer in February 2016 sited the proposed four story buildings on the lot further East from Lexington Avenue--and they were to face East/West. The developer has now proposed these buildings to be closer to Lexington Avenue, with the buildings facing North/South. Nothing has been said regarding the use of this second vacant lot. If the developer receives approval for the two buildings, is it developer's intention then to build two other identical buildings later on this second lot? In other words, is the Planning Commission basically being ask to approve four buildings instead of two?

8. Does the Planning Commission know how many other similar transient worker projects the developer has in the works? How many projects have been actually approved by local communities, and how many have not been approved--and for what reasons? I would assume these type of projects are not widely accepted by communities similar to Shoreview if they are built immediately next door to single family owned homes. A four story building of approximately 55 feet, with an elevation change of 25 feet, means 80 foot buildings in height with limited setbacks will simply dwarf and destroy the property values of the affected single family homes. And these homes are not inexpensive and they generate substantial local taxes. Weston Woods has 52 buildings (104 Units) that are spread over an area many, many times larger than the proposed single lot. Density if occupants actually owned a Unit is one thing--but all these rooms are short term rentals in a very confined and limited space--it will not be a good mix and the result will be the destruction of property values of the single family homes.

It is our expectation and hope that the Planning Commission will agree these buildings are totally inappropriate for the location and deny the developer's application for the proposed structures.

Sincerely,

James A. Lund  
Weston Woods

8/10/2016

Shoreviewmn.gov Mail - Shoreview Business Campus

1066 Westcliff Curve  
Shoreview, Minnesota 55126

651-483-8242  
shmemory@yahoo.com

# NOTES

Doreen Mickelson

4220 Bristol road

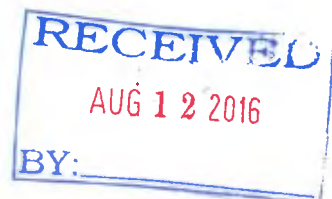
Shoreview, MN 55126.

Concerns: Already high  
density population in area  
of Lexington, Victoria L694  
Circle. Traffic, Noise, safety  
of children & Older population.

Previous assurance  
of zoning for 1 level  
building. Major change  
to 4 level hotel.



© Beth Logan, artstuff, led.



August 16, 2016



Robert Warwick, Senior Planner  
City of Shoreview Planning Commission  
4600 Victoria Street North  
Shoreview, MN 55126

RE: Planned Urban Development South of Weston Woods

I am a homeowner next to the proposed development for the Shoreview Business Campus. Regarding the Woolpert, Inc. proposal: I strongly object to their request to build a four-story hotel/lodging facility a few feet away from existing townhomes.

The reasons for my strong objection are:

HEIGHT - of building on top of one of the highest elevations in the City  
- and townhomes are about 15 feet below surface of hotels first floor  
- create issues that impact privacy for homeowners

DRAINAGE- only a 5 foot setback from property line leaves no space for surface water/snow  
which will naturally runoff to homes where there is history of water problems  
-where will snow be moved to or stored in parking lot to melt

TRAFFIC - vehicle and pedestrian traffic will increase with 153 hotel/apartment size suites  
which adds to safety, noise and security concerns for area

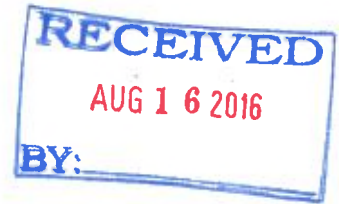
I understand the developer is asking for a code deviation for this property, but fail to understand how a more desirable environment could be achieved thru proposed PUD request. The height and size seems totally incompatible with the surrounding area. So please do not accept the application from Woolpert, Inc., for this hotel.

Sincerely,

Harlene Hagen, homeowner  
4227 Bristol Run  
55126

August 13, 2016

City of Shoreview Planning Commission  
4600 Victoria Street North  
Shoreview, MN 55126



Shoreview Planning Commissioners:

We live at 1098 Westcliff Curve in Weston Woods, and will be drastically impacted by the Woolpert Inc. proposed buildings. We do not want a four-story commercial hotel that would look down into our windows, and will have traffic and lights directly adjacent to our backyard. We ask that the Shoreview City Planning Commission take our concerns into consideration for these reasons and the reasons stated below.

- The overwhelming consideration is that this space is not zoned for a multistory hotel. It is zoned for “data processing, medical and other research and development”. The zoning requires low rise, day time use space like the Alina building to the south, not a 55 foot building dominating the space. Our house is 15 feet below this space so we would be looking up at a 70 foot building with lights glowing down on our houses 24/7.
- Proposals like this have been rejected time and time again based on the following criteria.
  - There will be too much traffic and noise
  - Expanding allowable industrial uses beyond the designated use.
  - Negative visual impact from Lexington and surrounding residential areas to the North and East.
- The drainage issues associated with this parcel of land and surrounding areas, including snow storage and runoff. Our backyards already have extreme water saturation issues, and would not be able to handle more run off from parking lots from above our properties.
- Privacy and safety issues with a property that will be open 24 hours a day, as well as noise issues.
- Traffic issues on Lexington Ave with additional traffic 24/7.
- If the road is put through our development, crime, noise and safety will be dramatically affected.

This proposal for a building of this height, size and 24/7 use is incompatible with the surroundings. Please reject Woolpert Inc.'s PUD Concept Stage Application.

James and Patricia Costello  
1098 Westcliff Curve  
651-231-4217



August 11, 2016

Mr. Rob Warwick  
City of Shoreview  
4600 Victoria St. North  
Shoreview, MN 55126

Dear Mr. Warwick,

I am a resident of Weston Woods of Shoreview. I am writing to you with concerns about the proposed hotel project that is adjacent to our townhomes.

My first concern is the height of the structures. Since they will be built on an embankment above the townhomes, it will seem more like a five story building. This does not seem appropriate in a single-story neighborhood.

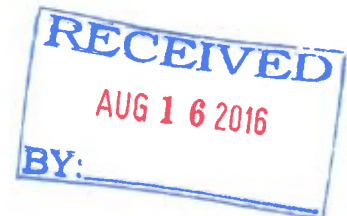
My second concern is how the project will affect my property value. Having such a large structure next to our townhomes will negatively affect both value and the ability to sell my townhome. Currently, our townhomes frequently sell before they are even put on the market. This will not be true if the proposed hotels are built.

Please consider my concerns when deciding whether to approve the hotel project.

Thank you,



Jeanne Gelbmann  
4278 Weston Way  
Shoreview, MN 55



August 11, 2016



Mr. Rob Warwick  
Senior Planner  
City of Shoreview  
4600 Victoria St. North  
Shoreview, MN. 55126

RE: Proposed Waterwalk Development

Dear Mr. Warwick,

Below are the concerns we have as property owners at Weston Woods. Thank you for the opportunity to comment.

**Characterization of project purpose.** The proposed development calls itself a long-term residence for businesses in the area. It will actually be two hotels, if it is operated like its sister facility in Wichita, allowing public booking for one night or more via online reservation sites including Travelocity. Is the area zoned for hotels?

**Height of the hotels.** The proposal is for two 55 foot towers. Current Shoreview regulations limit building height to 35 feet. We understand that there are a few recent developments that received a variance, however one of those developments is not directly adjacent to residential homes and the other is a 3 story unit next to 2 story homes. With the proposed height as well as the difference in elevation between the PUD lot and the single story Weston Woods development, we obviously have privacy concerns.

**Proposed setback.** While a 50 foot setback for the building is a good first offer, the parking area/roadway setback is 5 feet from the property boundary. That would be unacceptable, allowing car lights and noise that close to our homes. In addition, our reading of the Shoreview codes indicate that Shoreview regulations require a 75 foot setback when a business locates directly adjacent to residential homes. We understand that this property falls under the Planned Unit Development regulations. The PUD anticipated two additional office buildings, however, now we have a hotel business being proposed. The 75 foot setback in the other part of the code should be honored.

**Hydrogeologic Concerns.** Groundwater seepages have occurred in our development, as well as at the Allina clinic, we understand. Will buildings of this size increase groundwater problems in the area? Will a hydrologic study of potential impacts to our residences be done and financial assurances be made available should seepages occur?

**Storm water concerns.** In addition, we are concerned that the existing storm water system may not be adequate to handle the additional runoff that would come from the proposed hotel and its

associated parking lots. Will the proposal meet the State's current storm water regulations? Where does the storm water discharge to? Will there be a storm water management plan required for the construction phase? Many questions here.

**Light and noise pollution.** Office buildings, as proposed under the PUD, generally are daytime operations. Hotels are 24/7 operations. Light pollution is a recognized issue, and hotel parking and signage lights shining into our homes is a concern and must be addressed. Night-time noise should also be assessed and mitigated.

**Increased traffic and air pollution.** 24/7 traffic onto Lexington and the added noise and vehicle pollution should be studied.

**Cellular interference.** Will the hotel height interfere with cell signals for the homes directly beneath the two hotels? In the town in Texas where we spend time in the winter, a new 4 story hotel resulted in adjacent property owners with no or limited cell service. Will this be studied before the hotels are built?

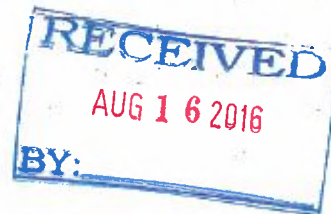
Overall, we question why a city would do long-range planning, establish a PUD, and then years later change the plan. Since the original PUD was adopted, development has occurred around the property based on the original planning. Now, instead of 3 one or two-story office buildings, we are getting the existing office building plus two 4-story hotels. That does not seem fair to property owners who made their purchases based on the original planning.

Thank you for the opportunity to express our concerns. We look forward to hearing from you with any questions.

Sincerely,

*E.C. Tibbetts / Michael J. Tibbetts*

Michael J. Tibbetts  
Elizabeth C Tibbetts  
1080 Westcliff Curve  
Shoreview, MN 55126  
[Mikejtibbetts@gmail.com](mailto:Mikejtibbetts@gmail.com)  
651.315.5433 (Mike)  
651.247.0566 (Liz)



Zoning laws are usually created in order to protect the residential or business environment from any change that would be adverse to the overall area.

Allowing a 4 story hotel (on a hill) to be build right next to the Weston Woods development will immediately reduce property values by a considerable amount. Those units next to the proposed development would probably never have been built in the first place were it not for the current zoning.

These zoning laws were probably set the way they are to encourage the original Weston Woods development. Now that the Westons Woods development is complete, its time to change the zoning laws (sarcasm).

Be considerate. Help protect our property values. Do not change the zoning and allow this proposed 4 story hotel to be built.

Edward D. Neis

1097 Westcliff curve



August 12, 2016

City of Shoreview  
4600 Victoria Street North  
Shoreview, Minnesota 55126  
Attn: Planning Commission  
Atn: City Council



Dear Sir/Madam,

As a resident of Weston Woods I am very concerned that you may choose to change the PUD and allow the building of four story buildings next to our development and greatly destroy our peaceful neighborhood. Please keep the one story concept that is already the law.

What is Weston Woods like and who lives there? Weston Woods' 104 homes take up very little acreage in Shoreview, but provide a lot of tax money to the county. With average taxes paid on a two bedroom home of about \$5,300 per year, the entire community pays more than \$530,000 per year. The residents are excellent citizens who support the local schools and are law abiding citizens. It is a community which is an asset to Shoreview. We do not have the crime that is reported in the areas south and north of us. We do not drain Shoreview's resources. We are good stewards of the land and we contribute to making Shoreview a family friendly desirable community.

Please do not sell us out to a developer that will not be an asset to Shoreview.

Thank you.

Janet K. Gageby

4279 Weston Way

August 17, 2016

City of Shoreview Planning Commission  
4600 Victoria Street North  
Shoreview, MN 55126



Shoreview Planning Commissioners:

Regarding the Woolpert, Inc proposal on behalf of WaterWalk Inc: We do not consider a four-story commercial hotel to be a compatible neighbor to stable, owner occupied one-level town homes. We ask that the Shoreview City Planning Commission take our concerns into consideration for the reasons stated below.

- The height of the buildings which would directly affect the privacy of the Weston Woods residents
- The increase in volume of vehicle and pedestrian traffic on the adjoining county road (MN Ct Rd 51) / Lexington Ave
- The drainage issues associated with this parcel of land and surrounding areas, including snow storage and runoff
- Noise, security, privacy, light invasion and safety issues with a multi-story, short term, multiple inhabitant building within only a 5' easement proposed by *Woolpert Inc.* from the Weston Woods property line.

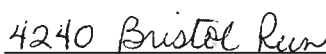
This proposal for a building of this height and size seems incompatible with the surroundings. Please reject Woolpert Inc's PUD Concept Stage Application.

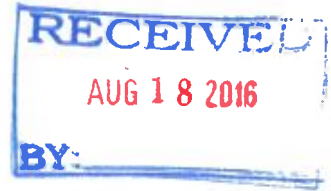
Thank you for the opportunity to respond to this proposal.

Sincerely,

Carol A. Balthazor  
4240 Bristol Run  
Shoreview, MN 55126

  
Signature: \_\_\_\_\_

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



Rob Warwick  
City Planner  
RE: 4-Story Hotel Development on Lexington Avenue

To Whom it May Concern:

My name is Ron Cunningham and I reside at 4281 Weston Way, Shoreview, MN. I am responding to the proposed development on Lexington that abuts our development on the South side. I am vehemently against this proposed project on many levels. My greatest concerns are the additional drainage issues, increased traffic congestion on Lexington and the potential increase in crime that this project could create for the residents that surround this tract of land. The 4-story height of the building conflicts with the original PUD that required buildings on this site to be no more than one story. A structure of that height would eliminate any kind of privacy that the present homeowners adjacent to this site have experienced during their ownership.

It is nonsensical, in my opinion, to even consider this proposal. The plan is not compatible with the original PUD and will have a major negative impact for the homeowners that border this tract of land and the Weston Wood Community at large.

I strongly urge the planning commission to reject this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Cunningham". The signature is written in a cursive style with a large initial "R" and "C".

Ron Cunningham



Arthur C. Lind  
1099 Westcliff Curve  
Shoreview, MN 55126-1402

August 12, 2016

City of Shoreview Planning Commission  
4600 Victoria Street North  
Shoreview, MN 55126



Shoreview Planning Commissioners;

I am writing to you with concerns of your new building proposal regarding Woolpert, Inc on behalf of WaterWalk, Inc. We do not consider a four-story commercial hotel to be a compatible neighbor to stable, owner occupied one-level town homes. As neighbors to this property, I am asking that the Shoreview City Planning Commission take our concerns into consideration for the reasons stated below.

- The height of the buildings, which would directly affect the privacy of the Weston Woods residents.
- The increase in volume of vehicle and pedestrian traffic on the adjoining county road (MN Ct Rd 51)/Lexington Ave.
- The drainage issues associated with this parcel of land and surrounding areas, including snow storage and runoff.
- Noise, security, privacy, light invasion and safety issues with a multi-story, short term, multiple inhabitant building within only a 5' easement proposed by Woodpert Inc. from the Weston Woods property line.

This proposal for a building of this height and size seems incompatible with the surroundings. Please reject Woolpert Inc's PUD Concept Stage Application.

Thank you for your consideration,

Arthur C. Lind

1040 Westcliff Curve  
Shoreview, MN 55126  
August 15, 2016



City of Shoreview  
4600 Victoria Street North  
Shoreview, N 55126  
Attn: Planning Commission  
Attn: City Council

To Whom It May Concern:

In regards to the notice from the Shoreview planning Commission regarding a proposal submitted to the Planning Commission from Woolpert Inc on behalf of Waterwalk Inc, I have concerns that they are requesting a variance for what that land was zoned for in the past (zoned for a one level building and they are requesting a 4 level building). My concern is the privacy and security of my neighbors who will be close to the newly proposed multilevel building. During the 2016 "Night to Unite" get together, the Ramsey County officers were "surprised" that we currently had so little crime in our area. As an association of mainly retired, more vulnerable citizens, there is a general concern of increased traffic on Lexington Avenue which may impact the folks in the Weston Woods community.

Thank you.

A handwritten signature in cursive script that reads "Joan Hill".

Joan Hill

City of Shoreview  
Planning Commission  
4600 Victoria Street North  
Shoreview, MN ,55126



July 31, 2016

We have received notice from the Shoreview Planning Commission regarding a proposal submitted to the Planning Commission from Woolpert Inc on behalf of Waterwalk Inc. The request is for a two building complex, four stories high on a hill overlooking town homes imposing on privacy of the residents. This of course will have an impact on the resale value of the properties. My house is directly adjacent to the property, 1096 Westcliff Curve, will be directly affected by the proposed buildings from Woolpert Inc.

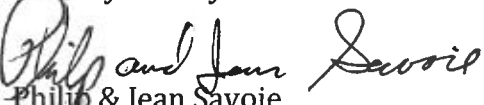
Weston Woods of Shoreview is a residential development with families that choose to live here because of the beauty of the natural wooded area surrounding this development harboring a variety of wildlife enjoyed by all. Building a 153 room hotel is certainly not going to enhanced the beauty of the area, viewing a four story hotel in our backyards is not in the best interest of the community.

Should this project go through there would likely need to be improvements on the access to the property,

This proposal if, should it be approved, is driven by revenue for the city not for keeping the community a natural beautiful place to live

I the undersigned am **Opposed** to the proposal to develop the property adjacent to Weston Woods of Shoreview.

Thank you for your consideration in this matter.

  
Philip & Jean Savoie  
1091 Westcliff Curve  
Weston Woods Of Shoreview  
Shoreviw, Minnesota 55126

August 2<sup>nd</sup>, 2016

TO: City of Shoreview  
4600 Victoria Street North  
Shoreview, MN 55126  
Attn: Planning Commission  
Attn: City Council



Dear Sir/Madam,

We have received notice from the Shoreview Planning Commission regarding a proposal submitted to the Planning Commission from **Woolpert Inc on behalf of Waterwalk Inc.** The request is for a two building hotel complex, four stories in height on a hill overlooking the townhomes of Weston Wood of Shoreview.

The residents of Weston Woods of Shoreview have numerous concerns with regard to this proposal. The most important being:

- The imposing design of the buildings which would directly affect the privacy of the Weston Woods residents
- The drainage issues associated with this parcel of land and surrounding areas
- The increase in volume of traffic on the adjoining county road (MN Ct Rd 51) / Lexington Ave
- The destabilizing of the Weston Woods community of 104 homes with a decline in real estate values for the residents of Weston Woods and surrounding areas

The additional concerns Weston Woods's residents have are listed below but not limited to:

1. Is the proposal set forth by *Woolpert, Inc* and *Waterwalk* within the PUD of this area for the City of Shoreview?
2. Noise, security, privacy, light invasion and safety issues with a multi-story, short term, multiple inhabitant building within only a 5' easement proposed by *Woolpert Inc.* from the Weston Woods property line.

We ask that the City Council of Shoreview take our concerns into consideration when reviewing *Woolpert, Inc.*'s proposal and not approve.

Thank you.

Comments: *No, No, No!*

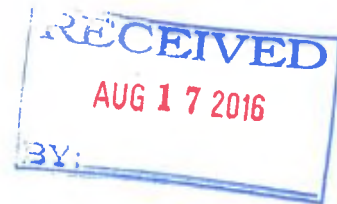
*Elsa E. Bennett*  
Signature:

*1038 Westcliff Curve*  
Address:

~~August 8, 2016~~

August 15, 2016

City of Shoreview Planning Commission  
4600 Victoria Street North  
Shoreview, MN 55126



Shoreview Planning Commissioners:

Regarding the Woolpert, Inc proposal on behalf of WaterWalk Inc: We do not consider a four-story commercial hotel to be a compatible neighbor to stable, owner occupied one-level town homes. We ask that the Shoreview City Planning Commission take our concerns into consideration for the reasons stated below.

- The height of the buildings which would directly affect the privacy of the Weston Woods residents
- The increase in volume of vehicle and pedestrian traffic on the adjoining county road (MN Ct Rd 51) / Lexington Ave
- The drainage issues associated with this parcel of land and surrounding areas, including snow storage and runoff
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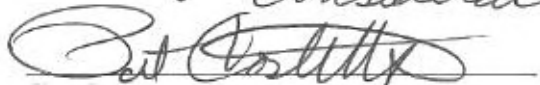
This proposal for a building of this height and size seems incompatible with the surroundings. Please reject Woolpert Inc's PUD Concept Stage Application.

Thank you.

Comments:

I agree with the arguments listed above; a building with that much traffic day + night would be very disruptive to the whole development.

at most another one story office type building would make much more sense for that property. Something on the order of the clinic on the adjacent property. Thank you for your consideration!

  
Signature:

1056 Westcliff Court  
Address:

4221 Bristol Run  
Shoreview, MN 55126  
August 15, 2016

Rob Warwick, Senior Planner  
City of Shoreview  
4600 Victoria Street North  
Shoreview, MN 55126



Dear Mr. Warwick,

We object to the Woolpert, Inc. revised proposal for Waterwalk Inc. to build two four story buildings on the property adjacent to the Weston Woods development in Shoreview for the reasons mentioned below:

1. The scale and proportion of the proposed development would have a detrimental impact upon the residential amenities of the Weston Woods residences.

2. It could have an adverse impact on protected trees. Could the proposed development affect the roots and crown of the trees and their future growth?

3. Weston Woods residents would have a loss of privacy by overlooking from the proposed development.

4. Highway safety would be impaired. More cars would be in the immediate area, which could imperil pedestrians, bikers, and drivers.

5. Drainage and other water issues with the proposed development could have a negative impact on Weston Woods.

6. There could be noise and security issues with 153 hotel rooms filled with non - permanent residents.

7. Ask yourselves, as Shoreview residents, would you want such a proposed development next to your home, and is such a development, next to a quiet residential neighborhood of mostly retired people, really in keeping with the planning objectives and rules of the Shoreview community?

Sincerely,

*Richard Shulman*

Richard Shulman

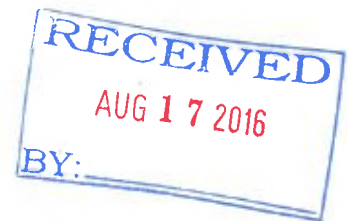
*Kathryn Shulman*

Kathryn Shulman

8/15/2016

TO: City of Shoreview Planning Commission  
Shoreview City Council Members  
4600 Victoria Street North  
Shoreview, MN 55126

RE: Public Notice-Request for Comment  
Woolpert, Inc. on behalf of Waterwalk



Dear Sir/Madam,

We are writing in response to the Woolpert, Inc., PUD revision for the property at the Shoreview Business Campus, Shoreview MN.

We do not feel this proposal is an appropriate use of this land for three major reasons:

- A 4-story hotel is not an appropriate use/design for a piece of land that already sits higher than the neighboring homes.
- The water runoff /water management caused by large buildings with large parking lots will directly effect the homes in the neighborhood
- The traffic volume, congestion and security issues from a business that runs 24/7, is historically known for security problems, and on an already busy county road.

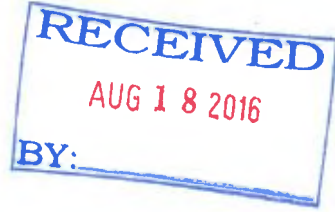
The Planning Commission needs to safeguard the investment of residents who have built and preserved Shoreview and raised it to one of the more desirable northern suburbs. Tax revenue should not be the sole basis on which the Commission makes its judgment.

Sincerely,

Mr. & Mrs. Karl Conley  
1090 Westcliff Curve  
Shoreview, MN 55126



August 8, 2016



City of Shoreview Planning Commission  
4600 Victoria Street North  
Shoreview, MN 55126

Shoreview Planning Commissioners:

Regarding the Woolpert, Inc proposal on behalf of WaterWalk Inc: We do not consider a four-story commercial hotel to be a compatible neighbor to stable, owner occupied one-level town homes. We ask that the Shoreview City Planning Commission take our concerns into consideration for the reasons stated below.

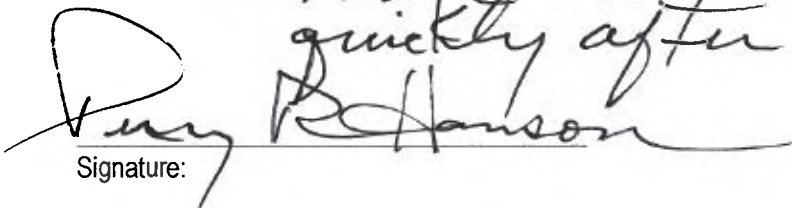
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- The drainage issues associated with this parcel of land and surrounding areas, including snow storage and runoff
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This proposal for a building of this height and size seems incompatible with the surroundings. Please reject Woolpert Inc's PUD Concept Stage Application.

Thank you, 

Comments:

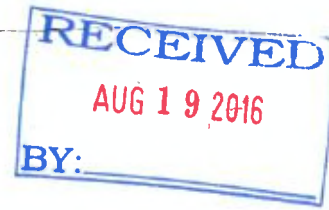
Additional drainage concern: with the added SVL - P.V.D. on the east end of the property, where will run-off water go? The "pond" to the east ~~is~~ does not have an outlet and fills quickly after heavy rains.

  
Signature:

4219 BRISTOL  
Address: Shoreview, MN <sup>RUN</sup>  
55126

August 2<sup>nd</sup>, 2016

TO: City of Shoreview  
4600 Victoria Street North  
Shoreview, MN 55126  
Attn: Planning Commission  
Attn: City Council



Dear Sir/Madam,

We have received notice from the Shoreview Planning Commission regarding a proposal submitted to the Planning Commission from **Woolpert Inc on behalf of Waterwalk Inc.** The request is for a two building hotel complex, four stories in height on a hill overlooking the townhomes of Weston Wood of Shoreview.

The residents of Weston Woods of Shoreview have numerous concerns with regard to this proposal. The most important being:

- The imposing design of the buildings which would directly affect the privacy of the Weston Woods residents
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The additional concerns Weston Woods's residents have are listed below but not limited to:

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2. Noise, security, privacy, light invasion and safety issues with a multi-story, short term, multiple inhabitant building within only a 5' easement proposed by *Woolpert Inc.* from the Weston Woods property line.

We ask that the City Council of Shoreview take our concerns into consideration when reviewing *Woolpert, Inc.*'s proposal and not approve.

Thank you.

Comments:

I agree with all the statements above.

JILL PETERSON  
1067 WESTCLIFF CURVE  
SHOREVIEW, MN 55126

Signature:

A handwritten signature in black ink, appearing to read "Jill Peterson", written over a horizontal line.

Address:



The agenda and staff report to the Planning Commission will be available on the City website by August 19<sup>th</sup>. Please use the following weblink: [www.shoreviewmn.gov/pc/documents](http://www.shoreviewmn.gov/pc/documents). If you would like more information or have any questions, please contact me at 651-490-4681 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 [rwarwick@shoreviewmn.gov](mailto:rwarwick@shoreviewmn.gov).

Sincerely,

A handwritten signature in black ink that reads "Rob Warwick".

Rob Warwick  
Senior Planner

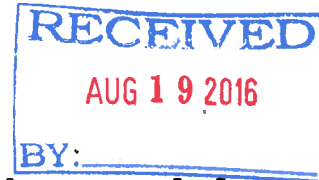
Comments:

My wife and I oppose the construction of a four story commercial hotel in our neighborhood. Traffic & safety are a major concern. We have families with young children in our Truston Woods Townhome development who will be affected in an increase of traffic. We don't want cars speeding and not paying close attention. Pedestrian traffic is also a primary concern.

Name: LR Stenberg  
Address: 1043 Westcliff Curve

4221 Bristol Run  
Shoreview, MN 55126  
August 15, 2016

City of Shoreview Planning Commission  
4600 Victoria Street North  
Shoreview, MN 55126



Shoreview Planning Commissioners,

We object to the Woolpert, Inc. revised proposal for Waterwalk Inc. to build two four story buildings on the property adjacent to the Weston Woods development in Shoreview for the reasons mentioned below:

1. The scale and proportion of the proposed development would have a detrimental impact upon the residential amenities of the Weston Woods residences.

2. It could have an adverse impact on protected trees. Could the proposed development affect the roots and crown of the trees and their future growth?

3. Weston Woods residents would have a loss of privacy by overlooking from the proposed development.

4. Highway safety would be impaired. More cars would be in the immediate area, which could imperil pedestrians, bikers, and drivers.

5. Drainage and other water issues with the proposed development could have a negative impact on Weston Woods.

6. There could be noise and security issues with 153 hotel rooms filled with non - permanent residents.

7. Ask yourselves, as Shoreview residents, would you want such a proposed development next to your home, and is such a development, next to a quiet residential neighborhood of mostly retired people, really in keeping with the planning objectives and rules of the Shoreview community?

Sincerely,

*Richard Shulman*

Richard Shulman

*Kathryn Shulman*  
Kathryn Shulman

August 8, 2016



City of Shoreview Planning Commission  
4600 Victoria Street North  
Shoreview, MN 55126

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This proposal for a building of this height and size seems incompatible with the surroundings. Please reject Woolpert Inc's PUD Concept Stage Application.

Thank you.

Comments:

Traffic coming thru our neighborhood  
we have children here  
I'm right next to property and we have  
Clay as I've had to redo my foundation  
3 times.

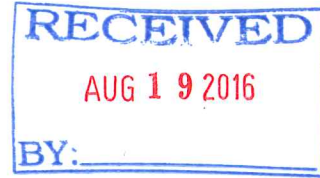
Katherine Santorini  
Signature:

1096 Westcliff Curve  
Address:



August 8, 2016

City of Shoreview Planning Commission  
4600 Victoria Street North  
Shoreview, MN 55126



Shoreview Planning Commissioners:

Regarding the Woolpert, Inc proposal on behalf of WaterWalk Inc: We do not consider a four-story commercial hotel to be a compatible neighbor to stable, owner occupied one-level town homes. We ask that the Shoreview City Planning Commission take our concerns into consideration for the reasons stated below.

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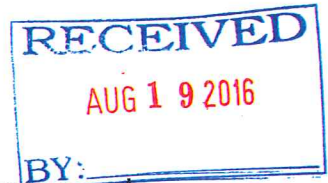
Thank you.

Comments:

I have lived in Weston Woods for the past 17 years and have enjoyed the peace and quiet of the neighborhood which would change with the added traffic. When getting my mail and visiting neighbors I have to walk on the street and at 88 years of age I don't move as fast which would be necessary with the added traffic, which would make it dangerous. My vote is No!

Silva M. Koth  
Signature:

1068 Westcliff Curve  
Address:  
Shoreview, 55126



Dear Kathleen Castle and Rob Warwick,

Thank you for the opportunity as a property owner to comment on the proposed development affecting our property at 4190 Oxford Ct. N. in Shoreview. We have thoroughly loved our 16 years at this address. Though it is just a "starter" home we can honestly say that one of the major reasons we have not "upgraded" is because of the uniqueness of our backyard. The proposed developments raise concerns for us about the impact this will have on our life at this address.

Here are some of our concerns...

We feel the development will affect our property value, destroy wildlife habitat and our view, add noise and traffic (especially if the dead end street becomes a throughway to the business park which is unclear to me from the rendering.)

The park like nature of our backyard will be diminished with the proposed building projects. Right now we enjoy a lot of wildlife especially deer who rut and roam from Cummings Park to the radio power property via our backyard. This path has allowed us to witness twin speckle back fawns drinking out of the pond, games of "tag" played by deer on the berm in the exact spot where the new office building is proposed, and the gorgeous 8 point buck that comes by every once in a while. I have dragged my kids away from the screen hundreds if not thousands of times to check out the wildlife right in our backyard. Deer, hawks, a bald eagle, muskrats, raccoons, countless types of birds, both mallards and wood ducks, egrets, and many more. You just don't find this type of wildlife in a starter home budget very often at all. We have loved it and will be so disappointed to see it diminish. The location of the development will deplete the tree line surrounding the pond and will affect the beauty of the western view as well as the natural habitat for many kinds of animals. We, unfortunately, believed the builder at the time we purchased our home that this area was not ever going to be built on because it was not zoned for that. This has been disappointing news.

Are you sure that the additional housing is not going to negatively affect the Shoreview Hills Apartments? My concern is that with all of the brand new TCAAP properties already planned, if the additional housing is built then the Shoreview Hills Apartments will not be able to compete for residents with the new properties. Vacancies will result in the further decline of the existing buildings and property which already need obvious attention. Rundown neighboring properties could have a negative affect on our property value.

A huge concern is for us is that if the new construction fails to manage the additional water run off that results from the added hardscape we could end up with flooded basements or a dry pond. Several years ago an easement culvert was not properly maintained, got clogged, and after a heavy rain flooded our backyards. Our neighbors had ducks swimming up to their walk out deck door, had to replace their carpet and other property items due to the flooded basement. On the flip side if too much water is diverted then the pond will dry up. We will not have use of our canoe or be able to put



up or hockey rink. Both our boys, our neighbors and friends have enjoyed many hours on our backyard rink and it would be a huge loss for us if the water run off is mismanaged and the pond dries up. The concern here is both the headache a wet basement would cause but also the property value hit it would be if we have to declare a wet basement when we decide to sell. The beauty of the backyard without a pond but a muddy soggy swamp instead would also negatively affect the property value. Can we be assured that the water level will be maintained in a way that will protect our property value?

The addition the businesses and high density housing proposed on this campus will add noise. The topography is such that the pond creates a bowl affect and any noise echoes. Any time a car doors slamming or remote chirps it will be intensified, bouncing off the building and amplified by the acoustics of the pond. Currently much of the traffic noise from Lexington is screened by the forested area which will be gone. The proposed buildings will add noise to our otherwise very quiet backyard.

We do appreciate that the design of the business building is only two stories and not higher though a single story would be well below a tree line if there is one left and would affect our view less. The fact that this is a business not residential property gives us hope that operating hours might be 9-5 and we won't have to deal with the car noises on evenings and weekends. We were very happy to see the location change of the proposed 4 story buildings to the lot closest to Lexington as this will not affect our view as much though the noise will increase. There is also the high potential for trash and trespassers to make their way in and onto the private property go the pond.

Our family has benefitted greatly by the leadership of those in Shoreview and understand tough decisions need to be made in the name of progress. I just need to say that the constant development around 694, on Lexington including near my workplace at Target and on County Road F over the last several years had left me and my family with a profound and very thorough case of "orange cone fatigue". The timing on this project is just plain tough to take. The development projects between my house and Target have been relentless. It would be nice to not have to work around construction trucks and resulting traffic for even a little while. Especially when the next wave of it affects the refuge that has been our beautiful backyard.

You have a standing invitation to come to my house and back yard to see firsthand how the business park development would impact the property owners in the Rolling Ridge area.

Sincerely and respectfully,

Kathi Graffam  
(651) 483-4931 (home)  
(651) 280-5425 (cell)