

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

**CALL TO ORDER**

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

**ROLL CALL**

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

Commissioner Wenner was absent.

**APPROVAL OF AGENDA**

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

VOTE:                   Ayes - 6                   Nays - 0

**APPROVAL OF MINUTES**

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

VOTE:                   Ayes - 6                   Nays - 0

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

VOTE:                   Ayes - 6                   Nays - 0

**REPORT ON CITY COUNCIL ACTIONS:**

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

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

**NEW BUSINESS**

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

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

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

**Presentation by City Planner Kathleen Nordine**

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

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

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

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

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

Property owners were notified beyond 350 feet to include the Island Lake neighborhood. Aside from noise, concerns were also expressed about traffic at the intersection of the South Access

Road and Lexington and the future use of Lot 2. There is a Ramsey County Park site to the east of the site. Ramsey County expressed no concerns with this application.

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

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

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

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

Chair Solomonson opened the public hearing.

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

There were no further comments or questions from the public.

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

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

**MOTION:** by Commissioner Schumer, seconded by Commissioner Proud to recommend the City Council approve the preliminary plat and amendment to the planned unit

development stage applications submitted by Target Corporation, 3800 Lexington Avenue. Said approval is subject to the following:

***Preliminary Plat***

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

***Planned Unit Development – Amendment***

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

10. Target is released from the responsibility imposed with the 1989 PUD requiring snow removal on Red Fox Road as this road is plowed and maintained by the City of Shoreview. Target shall continue to be responsible for the removal of snow on the South Access Road until such time the City takes over snow plowing on said road.

This approval is based on the following findings of fact:

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

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

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

**Presentation by Senior Planner Rob Warwick**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1. The project must be completed in accordance with the plans submitted as part of the Wireless Telecommunications Facility Permit application. Any significant changes to

these plans, as determined by the City Planner, will require review and approval by the Planning Commission.

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

This approval is based on the following findings of fact:

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

Discussion:

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

Commissioners Ferrington and Thompson accepted the amendment.

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

VOTE:                   Ayes - 5                   Nays - 1 (Solomonson)

## **SITE AND BUILDING PLAN REVIEW**

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

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

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

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

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

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

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

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

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

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

This approval is based on the following findings of fact:

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

Discussion:

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

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

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

VOTE:                      Ayes - 6                      Nays - 0

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

## **MISCELLANEOUS**

### **City Council Meetings**

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

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

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

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

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

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

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

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

### **Planning Commission Workshop**

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

## **ADJOURNMENT**

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

VOTE:                      Ayes - 6                      Nays - 0

ATTEST:

---

Kathleen Nordine  
City Planner