

**SHOREVIEW PLANNING COMMISSION SPECIAL MEETING
MINUTES
September 11, 2012**

CALL TO ORDER

Vice Chair Proud called the special meeting of the September 11, 2012 Shoreview Planning Commission to order at 7:00 p.m.

ROLL CALL

The following members were present: Vice Chair Proud; Commissioners, Ferrington, McCool, and Wenner.

Chair Solomonson and Commissioners Schumer and Thompson were absent.

APPROVAL OF AGENDA

MOTION: by Commissioner Ferrington, seconded by Commissioner Wenner to approve the September 11, 2012 agenda as submitted.

VOTE: Ayes - 4 Nays - 0

OLD BUSINESS

**SITE AND BUILDING PLAN REVIEW & VARIANCE
PaR SYSTEMS, 655 County Road E**

This matter was tabled at the Planning Commission's August 28th meeting in order that more information could be submitted.

The proposal consists of two requests: 1) construction of a new manufacturing warehouse and office building; and 2) a variance to reduce the required setback for a parking area from the front lot line. The new building will be 45,750 square feet for a manufacturing/warehouse and office building. The existing building will remain and existing parking will be expanded. There is an access drive owned by Deluxe between the two parcels. A new access of County Road E is requested for truck traffic. Deluxe supports the use of the private drive for employees.

The property is zoned Business Park (BP). The proposed use is consistent with this zoning district. The variance requested is to reduce the required 20 feet of front setback to 6.2 feet. The architecture design will be further addressed through the PUD. Staff is asking that the building designs be complimentary. The building height is 66 feet, an extension from the 35 feet permitted. The additional height may be allowed provided it does not impact firefighting capability. The Fire Department has indicated no issues with the project. County Road E varies in width, which creates the need for the variance.

The Code requires 232 parking stalls. The proposed plan is for 157 stalls with proof of parking shown to be 193 stalls. PaR notes that there will be shared parking facilities between the two parcels, 655 and 707. There are no parking islands. Based on discussions with the applicant, staff is recommending they be waived because of the site design. The two parking areas are separated by wetland area. Also, the parking lot is not wide but is long and framed by the building. Additional landscaping could be planted along the perimeter of the parking lot. Impervious surface is at 52%, which is significantly less than the allowed 75%. This also provides openness on the site.

Two wetlands are located on the property. The one located in the northwest corner will not be impacted. A second one is located in the southeast corner. Wetland delineations have been completed and verified by the City's consultant. A final report needs to be submitted. The driveway will encroach on the 16.5-foot buffer to the wetland but not the wetland itself.

Five landmark trees will be removed for development. A full tree inventory is requested for the City to determine replacement requirements.

The grading, drainage and storm water plans were reviewed by the City Engineer and do comply with the Appendix C of the City's Surface Water Management Plan. A storm water pond will be put in along the north property line to address run-off from the new parking areas and building. The pond will be designed to drain into City infrastructure when it overflows.

Staff believes practical difficulty exists to warrant the requested variance with the varying widths of County Road E.

Notice was sent to property owners within 350 feet. No comments were received. Ramsey County has indicated no concerns with the requested driveway, if another driveway is closed off. PaR has agreed to close the center driveway.

Commission Discussion

Commissioner Wenner asked if it is the intent of the City for this to be zoned PUD. Ms. Nordine answered, yes. That rezoning application will come to the Planning Commission, as well as the Development Stage Review. That is another opportunity to address issues of parking, design, and drainage, if needed.

Commissioner McCool asked if the parking area would be reconfigured with the middle driveway closed. Ms. Nordine stated that the area would be converted to parking stalls. Commissioner McCool stated that his concern with this proposal is parking if a new user were to move in. The number of stalls proposed is significantly less than the City standard, and he is thinking of the long-run future. Ms. Nordine stated that with a change of use, the new owner may have to submit plans to the City for review by the Planning Commission and City Council to address any parking needs.

Commissioner McCool asked if a certain number of stalls would be dedicated as shared parking for the two parcels. Ms. Nordine responded that would be difficult to enforce. Commissioner

McCool suggested a parking agreement is not necessary since the parking will work for PaR who owns both parcels.

Commissioner Ferrington asked about parking during construction.

Mr. Brian Behm, 881 Springwood Drive, Woodbury, Applicant, stated that the new building will not be filled quickly. There is plenty of parking on the 655 site during construction. The building is needed urgently for large robots that are being built. The shop number of employees is stable, but the number of engineers varies.

Commissioner Ferrington asked how snow removal would be handled. Mr. Garry Mannor, Mission Construction, indicated on the map the areas used for snow. Snow could be placed in the new retention pond if needed. If necessary, snow can be removed from the site, but that has not been necessary and is not anticipated.

Commissioner Ferrington asked for further clarification on the landscaping plan. Ms. Nordine explained that it has not been determined the number of trees that will be required to replace the five landmark trees being removed. Code would require up to 30 replacement trees. The City has discretion in the number of trees required based on the size and health of existing trees. She would anticipate them being planted around the parking area.

Commissioner Ferrington suggested that native plants be considered for the areas marked for seeding or sod to add more greenery.

Commissioner McCool stated that he supports the project and PaR. He noted that the City is expecting that within a year this site to be zoned PUD. That is the appropriate process for the deviations being discussed, and he would hope the rezoning application could be done soon.

MOTION: by Commissioner Ferrington, seconded by Commissioner McCool to adopt Resolution 12-77 approving a variance to reduce the required 20-foot front parking setback to 6.2 feet from the front property line and to recommend that the City Council approve the site and building plan request submitted by Mission Construction for PaR Systems. Approval is based on the four conditions for the variance and four findings of fact with the site and building requirements presented in the staff report.

VOTE: Ayes - 4 Nays – 0

Variance

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

This approval is based on the following findings of fact:

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

Site and Building Plan Review

1. A wetland delineation must be submitted for the City's review and approved prior to the September 17th City Council meeting.
2. Shared parking may be permitted between the 655 and 707 building to address the deviation from the City's minimum parking requirements. A shared parking and maintenance agreement shall be executed between the properties prior to the issuance of a building permit.
3. The applicant must obtain the necessary permits from Ramsey County for the proposed new entry drive onto County Road E.
4. Lighting on site shall comply with Section 204.030, Glare of the Development Code. The applicant shall provide details on the exterior light fixtures and pole heights with the building permit submittal
5. Prior to the issuance of a building permit, a site development agreement and erosion control agreement shall be executed, including the submittal of all required fees and escrows. Said development agreement shall address:
 - a. Shared parking between the 655 and 707 buildings, and
 - b. Change in use or occupancy which does not meet the City's exceptions to the minimum parking requirements
6. The submitted tree replacement plan shall be revised and submitted prior to the issuance of a building permit. Required replacement trees may be planted on the 655 County Road E property and the 707 County Road E property. The revised plan shall include the following information:
 - a. Site plan showing location of trees over 4" in size on the property

- b. Tree Inventory table containing the species of tree, tree diameter, landmark tree designation
 - c. Replacement calculations
 - d. Tree protection
7. The submitted landscape plan shall be revised to include additional landscaping around the perimeter of the existing and proposed parking lots.
 8. Comments identified by the Fire Marshal in his memo dated August 22, 2012 shall be addressed prior to the issuance of a building permit.
 9. Comments identified by the City Engineer in his memo shall be addressed prior to the issuance of a building permit.
 10. PaR Systems is required to submit a Planned Unit Development application prior to the proposed construction of the building addition as identified on the submitted plans or within one-year of this approval, whichever comes first.
 11. Said approval does not include the proposed addition as shown on the submitted plans.
 12. The Building Official is authorized to issue a building permit if approved by the City Council and the above conditions satisfied.

This approval is based on the following findings of fact:

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

ADJOURNMENT

MOTION: by Commissioner Wenner, seconded by Commissioner McCool to adjourn the regular Planning Commission Meeting of September 11, 2012, at 7:27 p.m.

VOTE: Ayes - 4 Nays - 0