

**AGENDA
PLANNING COMMISSION MEETING
CITY OF SHOREVIEW**

DATE: February 23, 2016
TIME: 7:00 PM
PLACE: SHOREVIEW CITY HALL
LOCATION: 4600 NORTH VICTORIA

1. CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

2. APPROVAL OF MINUTES

January 26, 2016

Brief Description of Meeting Process – Chair John Doan

3. REPORT ON CITY COUNCIL ACTIONS

Meeting Date: February 1st, 2016 and February 16th, 2016

4. OLD BUSINESS

**A. COMPREHENSIVE PLAN AMENDMENT, REZONING, PRELIMINARY PLAT,
PLANNED UNIT DEVELOPMENT-DEVELOPMENT STAGE ***

File No. 2602-16-01

Applicant: Elevage Development Group, LLC/Elevage Shoreview Holdings, LLC

Location: 3500 Rustic Place, 185 County Road E, 157 County Road E, and 3521 Rice Street.

5. NEW BUSINESS

A. PUBLIC HEARING - TEXT AMENDMENT - ACCESSORY STRUCTURES*

File No: 2605-16-04

Applicant: City of Shoreview

Location: City Wide

6. MISCELLANEOUS

*A. City Council Assignments for March 7th, 2016 and March 21st, 2016
Commission Members Solomonson and Ferrington*

B. Planning Commission Workshop after the regular meeting, March 22nd, 2016

7. ADJOURNMENT

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

**SHOREVIEW PLANNING COMMISSION
MEETING MINUTES
January 26, 2016**

CALL TO ORDER

Chair Solomonson called the January 26, 2016 Shoreview Planning Commission meeting to order at 7:00 p.m.

ROLL CALL

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

Commissioner Schumer was absent.

APPROVAL OF AGENDA

MOTION: by Commissioner Ferrington, seconded by Commissioner McCool to approve the January 26, 2016 Planning Commission meeting agenda as presented.

VOTE: Ayes - 6 Nays - 0

APPROVAL OF MINUTES

MOTION: by Commissioner Peterson, seconded by Commissioner Thompson to approve the December 15, 2015 Planning Commission meeting minutes, as presented.

VOTE: Ayes - 6 Nays - 0

REPORT ON CITY COUNCIL ACTIONS

There was nothing to report.

NEW BUSINESS

**PUBLIC HEARING - COMPREHENSIVE PLAN AMENDMENT, REZONING,
PRELIMINARY PLAT, PLANNED UNIT DEVELOPMENT - DEVELOPMENT STAGE**

FILE NO.: 2603-16-11
APPLICANT: KOWALSKI COMPANIES, INC./SIDAL REALTY
LOCATION: 441 HIGHWAY 96 WEST

Presentation by Economic Development and Planning Associate Niki Hill

The applications submitted are to redevelop the former Rainbow Foods site. The vacant 68,000 square foot building will be renovated for a 25,000 square foot Kowalski's Market. The remainder of the building will be used for a bakery/production area that will serve all Kowalski stores. The property consists of 10.64 acres with frontage on Highways 96 and 49. Currently, access is from a signalized intersection on Highway 49 and a restricted right-in-right-out drive off Highway 96.

Zoning of surrounding properties includes O, Office for the Oak Hill Montessori School to the north; and PUD for the funeral home to the west, and R1 for detached residential properties to the west. Scandia Shores is across Highway 96 to the south. To the east is a car wash, gas station and Dairy Queen, as well as commercial businesses across Highway 49 in North Oaks.

The preliminary plat will divide the property into two lots. Lot 1 will consist of 9.2 acres for the existing store, the northern half of the parking lot, and the storm water pond and wetland to the west. Lot 2 will create a new lot of 1.5 acres for future retail development. The drainage easement over the pond as well as other easements will be retained by the City.

The PUD application is an amendment to the existing PUD, which would allow the following:

- A 25,000 square foot grocery store, including a wine shop, coffee shop and culinary kitchen and cookware store.
- The remaining floor area will be used for kitchen and bakery operations; a catering facility; a gift, pricing and distribution facility; a freezer/cooler area; and warehousing.
- Exterior enhancements to the existing building include improvements to the facade with a new entryway, brick, stone and glass.

The parking lot will remain in the current configuration but will be resurfaced and re-stripped. Existing lighting will be replaced with LED downward focused light fixtures. The off-street parking lot provides 350 parking stalls. The City requires 223 parking stalls for the proposed use; 212 will be provided with 46 in the rear for employee parking. Parking ratios at other Kowalski's stores range from 4 to 4.89 stalls per 1000 square feet of retail space. This proposal is 4.7 stalls. Parking will be further reviewed when a development plan is presented for Lot 2.

Access from Highway 96 will include a new free left-turn lane to serve the property. Ramsey County has approved the left turn access, and the City will construct the improvements.

The landscaping proposal includes replacing the majority of plant materials to enhance the appearance of the property. Screening of the loading dock area is required. The existing wood fence on the western edge of the parking lot will be replaced with a more durable decorative metal fence.

Truck delivery hours restricted under the current PUD do not allow deliveries between the hours of 12:00 a.m. to 6:00 a.m. The bakery operations require flexibility from this requirement. Except on Sunday, bakery products are shipped by truck at 1:00 a.m. and at 4:00 a.m. to the other Kowalski Markets. The property is separated by a wetland area from the residential area to the west. The closest home is 330 feet away from the loading area. As loading docks are oriented and located on the east side of the building away from the residential areas, staff does

not believe this will be a problem. Delivery hours will be stipulated in the Development Agreement.

The Comprehensive Sign Plan includes two new free standing signs and four wall signs for the south and east elevations for The Wine Shop, Starbuck's, and Cooks of Crocus Hill. The wall signs proposed are reasonable and attractive. The proposed size of the wall signs does not overwhelm the building elevation on the east and is consistent with the size on the south elevation. The free standing signs will be in the same location as the existing freestanding signs along Highway 96 and Highway 49. The free standing sign area is 132 square feet, which exceeds City standards by 32 square feet. These freestanding signs may also be used to identify future businesses on Lot 2.

Property owners within 350 feet of the site were notified of the applications. No comments were received. The Lake Johanna Fire Department indicated no issues or concerns. The Rice Creek Watershed District indicated that a watershed permit may be required if over 10,000 square feet is disturbed when Lot 2 is developed. Staff recommends approval of all applications with the conditions listed in the staff report.

Commission Discussion:

Commissioner Peterson asked how the new site access will impact future development on Lot 2. Ms. Hill explained that the only thing that will change is the added turn lane to be constructed on Highway 96. The actual drive in will not change. There will be easements and shared parking agreements in the future.

Commissioner McCool asked if the amended conditions for truck deliveries include restrictions for idling trucks. Ms. Hill answered that only delivery times are addressed.

Commissioner McCool asked what size structure could be built on Lot 2. Ms. Hills stated that Kowalski's and the City will influence the size structure allowed. That will be addressed when there is an application. Commissioner McCool expressed some concern for new parking that will be needed. Ms. Hill stated that if a restaurant comes in, she would anticipate heavy usage would be during off peak hours for the grocery store.

Chair Solomonson asked about snow removal and if trucks can be parked in front. Ms. Hill answered that the trucks will only be in the rear of the building. There are requirements in the current PUD for snow removal.

Commissioner Ferrington asked if the freestanding signs will be electronic. Ms. Hill responded that the signs are not electronic. There will only be back lighting for the signs.

Ms. Kris Kowalski Christiansen, Applicant, stated that Kowalski's is a local, family owned grocery with 10 locations in the metro area. The stores are upscale with high quality and health oriented products.

Chair Solomonson asked about adequacy of parking. **Mr. Mike Oase, VP of Operations**, stated that a lot of analysis has been done on parking. Peak parking is at 11:00 a.m. to 1:00 p.m. Monday through Saturday. The end of a shift for certain employees is at 3:00 p.m., when approximately 40 parking spaces become available for the peak shopping period between 4:00 p.m. to 6:00 p.m. There is no concern on the part of Kowalski's regarding parking. Lot 2 can handle up to an 8,000 square foot building and still have 64 parking stalls available in addition to the Kowalski Market parking. The 166 stalls shown in front of the store is a conservative estimate. Trucks are turned off for loading purposes and do not sit idling. As soon as loading is complete, the trucks leave.

City Attorney Kelly stated that proper notice has been given for the public hearing.

Chair Solomonson opened the public hearing. There were no comments or questions from the public.

MOTION: by Commissioner Ferrington, seconded by Commissioner Peterson to close the public hearing at 7:26 p.m.

VOTE: Ayes - 6 Nays - 0

Commissioner Ferrington stated that there is a lot of excitement about this development and having a quality grocery at this location. The fact that this location will be central to many of the company's operations will give it stability for the future.

Commissioner Peterson stated that he walked the loading dock area, which is located a good distance from residential homes. Screening is recommended and addressed in the staff report.

Chair Solomonson stated that his concerns regarding parking, splitting the property into two lots and loading dock noise have all been addressed. He supports the proposal.

Commissioner McCool agreed that his concerns about parking and nighttime loading have been addressed. He will propose language to specifically require that trucks are not allowed to idle.

Commissioner Thompson stated that she has heard unanimous support for this proposal and is excited to see Kowalski's come to Shoreview.

Commissioner Doan noted that Oak Hill Montessori School to the north is pleased to have a grocer develop the property. His concern is that screening from the highway be adequate. There is an opportunity in dividing the property into two lots to attract more varied commercial business to the community. He supports the application.

MOTION: by Commissioner McCool, seconded by Commissioner Ferrington to recommend the City Council approve the preliminary plat and amendment to the planned unit development stage applications submitted by Sidal Realty and Kowalski Companies, Inc. for 441 Highway 96. Said approval is subject to the following conditions as presented and condition No. 5 under the Planned Unit Development

Amendment to read, “The Development Agreement will amend the conditions regarding truck deliveries to correspond to the proposed uses, which conditions shall prohibit vehicle idling during nighttime deliveries.”

Preliminary Plat

1. The applicant shall execute an agreement between the Lots 1 and 2 addressing the shared infrastructure including access, parking, signage, utilities 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.
2. 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.
3. 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 approval from 1995.
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. Future development of Lot 2 shall require Site and Building Plan Review.
4. Kowalski’s agrees to work with the City on refining the landscape plan that addresses better screening for the loading dock area on the northeast side of the property. Said plan shall be submitted with the Final PUD application.
5. The Development Agreement will amend the conditions regarding truck deliveries to correspond to the proposed uses.
6. Prior to submittal of a Final PUD application, Kowalski’s shall verify the number of parking stalls provided on the property including the parking located north of the building. These stalls shall be identified on a site plan.
7. The City’s prefers that the freestanding signs be shared with the future use of Lot 2.

Comprehensive Sign Plan

1. The signs on the property shall comply with the plans submitted for the Comprehensive Sign Plan application.
2. Signage shall be maintained in accordance with the City’s Sign Code.
3. The applicant shall obtain a sign permit prior to the installation of the new signs on the property.

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 and the previous Planned Unit Development.
2. The proposed subdivision complies with the subdivision standards identified in the City’s Development Code.
3. The redevelopment/re-use of the property for retail is compatible with the adjoining land uses and will not have a significant adverse impact on surrounding properties.

The property is located in Policy Development Area (PDA) #18, known as Rice Street Crossings. This property is also a Targeted Redevelopment Area (TRA #2). This means there are certain policies that address the redevelopment of this area. The City's Highway Corridors Transition Study called for this property to expand potential uses to include high density residential and mixed use. The City's Economic Development Authority (EDA) has targeted this site in its 2015/2016 Work Plan for redevelopment. The Shoreview Housing Action Plan calls for new rental opportunities through redevelopment and an increase in housing opportunities for young households. A market study was also done by the developer, which shows a need for apartments in this area.

Rezoning

Rezoning the property from C2 and R1 to PUD would be consistent with the City's Comprehensive Plan. Rezoning would not significantly impact planned use of surrounding property, transportation, municipal utilities, or storm water management. Any impacts to adjacent residential land uses can be mitigated through the site and building design. Mixed Use would be considered a transition from the arterial road network and commercial land uses to the low density single family residential. The relocation of the mixed use structure to the southeast corner of the site increases separation from nearby residential properties and provides sufficient area for buffering and screening.

Preliminary Plat

The site consists of four parcels. Currently, three are single-family residential and one is commercial. The property is proposed to be platted into two parcels. Lot 1 would be the proposed townhomes. Lot 2 would be the mixed use building. The plat is consistent with subdivision standards. Drainage and utility easements will be required along parcel lines and over storm water infrastructure.

Planned Unit Development

A Planned Unit Development (PUD) allows design flexibility, creativity and innovation. This application seeks flexibility from City requirements regarding structure setbacks, building height and parking. The mixed use structure has been shifted to the southeast, which increases the separation from adjacent single-family homes and enhances visibility of the commercial component from the intersection. The townhomes on the western portion of the site provide a transition from high density to low density residential. The green space along the northern boundary serves as a buffer to the single-family homes to the north.

The proposed 5-story building has a height of 55 feet. The maximum 35-foot height allowed can be exceeded if approved by the Lake Johanna Fire Department. No concerns have been identified by the Fire Department. When height exceeds 35 feet, an additional foot of setback must be provided for each additional foot of height over the 35 feet. The deviation from setbacks are proposed as:

- 41-foot setback from front property line on Rice Street - Code requires 60 feet
- 32-foot setback from side property line on County Road E - Code requires 50 feet
- 14 -foot setback from the rear property line to the west - Code requires 50 feet

The height of the townhomes is proposed to be 31 feet, which complies with Code. A setback deviation is required from Rustic Place. Code requires 30 feet; 25.3 feet are proposed. Code requires a 10-foot setback from the east property line; 23 inches is proposed. The proposed setback from County Road E is 32.4 feet which exceeds the required 30 feet. The proposed rear setback is 54.3 feet. Two-car tuckunder garages with parking available in driveway approaches are provided with the townhomes.

Impact to the adjacent residential area is mitigated with placement of the mixed use structure in the southeast corner, the use of a flat roof design, and the green space along the northern boundary adjacent to the single-family homes. A shadow study was completed. The study shows that there will be some shadow cast impact to residential properties to the north during December.

Density

Mixed Use allows up to 45 units per acre; 33.6 units are proposed. The intensity of this development is addressed with the building placement, below grade parking, increased green space and provision of amenities with walking paths, pool and patio areas.

Traffic

The traffic study completed shows that this proposal will have negligible impact on the road network. Traffic will not be diverted to Rustic Place. Existing traffic congestion is caused by the deficiencies of the I-694/Rice Street interchange. Ramsey County, Shoreview, Little Canada, Vadnais Heights have funded preliminary design work for the interchange and seek funding to complete the work in 2018. The traffic study for this project was reviewed and accepted by Ramsey County, Minnesota DOT and the City.

Parking

On Lot 2, off-street parking provides 235 parking stalls on-site. Underground parking provides 168 stalls. The Development Code requires 365 stalls. The proposal provides 1.7 stalls per unit; the City requires 2.5 stalls per unit. There is no opportunity for shared parking and not enough room to show proof of parking. There may be some flexibility, but this issue needs to be addressed further.

Grading

The grade will be raised approximately 1 foot for the mixed use building. Garage structures for the townhomes will be near the current elevation. The main floor elevation is 932 feet. There is some concern about the visual impact from the adjoining homes to the north and west. Homes on Rustic Place are at an elevation of approximately 923.

Storm Water Management

The property is located in the Ramsey Washington Metro Watershed; a permit is required. Underground infiltration chambers are proposed to manage runoff before it overflows into the City storm sewer system. The site is also located in the St. Paul Water Utility Drinking Water Supply Management Area and may be subject to additional restrictions.

Landscaping

Existing homes have a significant number of trees. The proposal would remove 52 landmark trees and preserve 7. This would require 317 replacement trees; 116 replacement trees are proposed. A cash deposit will be made to the City's Forestry Fund. Additional plantings are proposed along the north property line and along County Road E and Rustic Place.

Agency Review

The proposal was reviewed by Ramsey County Public Works, Mn/DOT, Lake Johanna Fire Department and the City Engineer. Ramsey County concurred with the traffic study and prohibited any access off Rice Street.

Notice of the public hearing was published in the City's legal newspaper, and notices were sent to residents in the Rustic Place neighborhood and Vadnais Heights. Concerns expressed are in regard to land use compatibility, density, public safety, traffic, visual impact, market, architectural design and scale, and environmental impacts.

Staff supports the proposal and recommends the Planning Commission hold the public hearing and forward the project application to the City Council for approval.

Commission Discussion

Commissioner Ferrington noted there is no parking on Rice Street, County Road E and Rustic Place. Her concern is if the Planning Commission passes the proposal on, specific issues such as parking may not be fully addressed. Ms. Castle explained that the no parking prohibition on Rice Street, County Road E and Rustic Place is during construction. All construction traffic must have parking accommodation on-site. In condition No. 9 under the PUD Development Stage, the applicant is required to provide additional information pertaining to parking needs prior to the City Council's consideration of the PUD Development Stage. It is the Commission's decision if enough information is presented to move the application forward.

Commissioner Ferrington asked if there is land that could be developed as a park. Ms. Castle stated that there is a public use dedication fee that the developer has to pay that could be used for park improvements. The City does not own any land for a park in this neighborhood. Commissioner Ferrington added that connection to the Shoreview trail system would also be a benefit. Otherwise, this development is quite isolated and there is no way to safely access the Shoreview trails.

Commissioner McCool asked the number of parking stalls allocated to commercial. Ms. Castle stated that 29 stalls are allocated to commercial. Commissioner McCool asked where overflow parking would be available for the townhouses. Ms. Castle stated that 2.5 stalls provided--two in the garage and one on the driveway--meets Code standards.

Commissioner McCool asked the composition of units and number of bedrooms. Ms. Castle stated that there are 9 studio apartments; 62 units with one bedroom; 14 units with one bedroom and a den; 38 units with 2 bedrooms; 8 units with 2 bedrooms and a den; and 3 units with 3 bedrooms.

Commissioner Thompson expressed concern about safety for pedestrian travel from this neighborhood. Ms. Castle stated that there will be an internal sidewalk network for residents. There is a trail along Rice Street that will be maintained. There are no plans at this time to establish a trail on Rice Street north or south. That will be considered with the bridge redesign.

Commissioner Doan asked if the townhomes will be owned or rental and if there is any consideration for affordable units. Ms. Castle answered that all units will be rental. No affordable units are planned. Commissioner Doan asked about closing Rustic Place for cut-through traffic if needed. Ms. Castle responded that the traffic study shows that there will not be cut-through traffic.

Commissioner Peterson noted the 25.3 feet setback from Rustic Place. He asked the setback of the homes on Rustic Place. Ms. Castle stated that the nearest house to the north is set back approximately 52 feet.

Chair Solomonson noted that the intent of the reduced setback is to increase the distance from the single family residential. He asked if a future trail is planned on Rice Street. Ms. Castle stated that at this time County plans are for mill and overlay work that does not include a trail.

Commissioner Ferrington stated that she would like to see a breakdown of needed parking for the apartment building and retail component.

Public Hearing

City Attorney Kelly stated that proper notice has been given for the public hearing.

Chair Solomonson opened the public hearing.

Mr. Mike Mergens, Elevage Development Group, introduced **Aaron Rostadt**, ESG Architects; **Lucas Vadsesteen**; Civil Engineer Todd Erickson; **Vern Swing** of Westwood who performed the traffic study. He commended the staff presentation and stated that the conditions of approval are reasonable and do not present a problem.

Mr. Rostadt stated that rent by choice is a growing phenomenon across the country. Demographics that influence this type of housing are kid-less by choice, couples focused on career; single divorcees who are very concerned about schools; affluent empty nesters who wish to stay in Shoreview but do not want to keep a house; power singles who are educated people with higher income and fast track careers who live an upscale life in an urban setting. Rents are projected are from \$1100 for a studio apartment to \$2400 for a townhome. There are 38 million renters across the country at this time and 20 million apartment buildings. In the last five years renters have increased by 1.6 million. Walking to restaurants, stores and other amenities is becoming more desired. Concierge and technology services are also part of this type of living. Everything is connected by mobile device.

Mr. Mergens stated that the completed apartments done by ESG are amenity rich and community focused. Research shows that more and more people want housing close to work. As headquarters move from downtown areas to the suburbs, workers want the same apartment

amenities in the suburbs that they had downtown. At this time Shoreview does not have this type of living choice. The Comprehensive Plan recognizes this trend and need. The Comprehensive Plan sets a limit of 45 units per acre for Mixed Use. This project is at 33 units per acre. Research shows that the best use for this property is Mixed Use. Following the Concept Plan presentation to the Commission and City Council, it was clear that the design needed to be better. ESG was brought on board. The resulting project is in response to feedback from the neighborhood, City and County. Businesses in the community have indicated that this type of housing is needed for employees.

Mr. Rostadt showed a number of completed projects by his company as examples of the amenities that will be included in this project. As a result of neighborhood meetings, the height was reduced by taking off one floor. The second floor units above the retail space were taken out to create an open atrium like retail space. The ground floor units have sidewalks that connect to the street. Park benches are spaced along the sidewalks. Outdoor amenities also include a small fenced dog park, a pool and patio areas. Increasing the number of trees will be considered. It is important to have a strong buffer between the project and the residential neighborhood.

Chair Solomonson opened the discussion to public comments.

Ms. Hilary Fox, 181 St. Marie Street, stated that integrity, respect, and responsibility are core values of the company she works for in addition to profit. Elevage previously said that commercial space on the first floor does not work. Today they are asking for that approval. Elevage has not taken neighborhood concerns into consideration. The project is too big. The shadow study is unconscionable. It is unacceptable for properties to lose sun exposure. It is not right to put houses in darkness that have been in existence for 15 years. Elevage is pushing the City and not waiting to see how the Rice Street bridge will impact this property. Three major concerns include safety, quality of residents' life and genuine need. Without enough parking, people will park on Rustic Place. This will create a safety issue for children and special needs people who live on Rustic Place, which is a close knit neighborhood. To add so many units and so many people will make Rustic Place accident prone, with more cars. Quality of life is huge. The project is too big, too tall, too dense. There is no benefit to the neighborhood. There are questions about snow removal and garbage removal. It does not fit because it is too crowded. The homes on Rustic Place are 1/2 to 3/4 acre yards with homes set back into the lots. The parking provided is 64% of what is required by the City. Setbacks are not met. Residents do not get exceptions to City standards when a deck or garage is added. There are no amenities in this area to walk to. Who will want to look at the freeway and railroad tracks? The example shown that was done in Illinois was three stories. The previous owner of her property wanted to subdivide to build a small home. The City did not allow it and said that profit does not trump the integrity and history and security of the neighborhood. That is what the neighborhood wants to preserve. The neighborhood is not opposed to development, but she urged the Commission to table this application to require it be smaller and less dense.

Mr. Howard Statz, 3520 Rustic Place, stated that he directly borders the proposed development. His concern is property value. His property is large with open air and large trees like living in the country. He is concerned about the grade differences between the shopping center and townhomes and his property. The shade will impact his lawn. Privacy is definitely a concern.

He is hopeful that he will not have to worry about people cutting through his yard or younger people playing in his yard. He is concerned about noise from the swimming pool. A number of neighbors have fire rings to burn branches and brush. He is hopeful there will be no complaints about smoke. He can envision overflow parking on Rustic Place which has no sidewalks. The street is used for walking and biking as well as for vehicles. He anticipates an increase in vandalism with so many people coming in.

Mr. Curt Leavitt, 3636 Rustic Place, stated that the mixed use building height blocks sun to homes to the north. He is a surveyor and has done an initial shadow study that disagrees with Elevage's statements. The distance of one home is 160 feet from the apartment building. In that 160 feet the sun had risen 30 feet within that 160 feet still below the building and casting a shadow that morning at 8:50 a.m. At 9:50 a.m., the sun had risen 48 feet, still below the 55-foot building, and this is a month after December. His shadow study this morning disagrees considerably with what is claimed by Elevage. An independent third-party study is needed.

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

Mr. Tom Johnson, 3527 Rice Street, stated that he thoroughly disagrees with staff that there will not be significant impact to the neighborhood. His bedroom is 90 feet from the apartment building. He commended the architect, but the walking paths are 30 feet from his bedroom window. He has lived in his house 25 years. There are many garden plantings which is great enjoyment. His yard has been transformed with 25 years of work. The developers have offered to buy them out. If this project goes through, that may be his only option. It would be devastating because after 25 years the house has become a home. He understands that the individual suffers for the greater good, but to say there is no significant impact is ludicrous.

Mr. David Gordh, 3646 Rustic Place, stated that Shoreview is a park system of lakes. Grass Lake that extends into Snail Lake and across to Vadnais Lake. These park and water systems are found all through Shoreview. Wildlife is special in Shoreview because of the lakes. This is a neighborhood that lives within a canopy of trees. The properties are large lots with trees. This project takes away from that environment. There are families that have many generations who have lived here. Residents want to keep it that way. The community is unique. He objects to this project that is too high and too dense. It needs to be moved to another location. That high, colossal building will be seen for a long way on Rice Street and Highway 96. Townhouses would be okay. Neighbors have discussed these issues with the developer, but they would not listen.

Mr. Nathan Anderson 3565 Rustic Place, stated that the professional opinions and studies heard are hired by the developer to manufacture results to support their project.

Mr. Angel Toro, 3830 Rustic Place, stated that as a young member of the community, he decided to live in Shoreview because of what it looks like. Shoreview is very desirable for new families. This size building does not belong in this part of Shoreview. Families are looking for a quiet place to live with good schools. For these reasons, he is opposed to this level of development.

change in location for some outdoor activities because this is where the land use is most incompatible with the single-family homes to the north.

Commissioner Doan asked if the fenced dog area and potential playground would be open to the community. **Mr. Mergens** answered, yes. Commissioner Doan suggested a document to that effect. **Mr. Mergens** agreed.

Commissioner Doan stated that only 116 trees are being replaced compared to the 300 required. **Mr. Mergens** stated that the tree study presumes all the trees are healthy. Some may be diseased and need to be removed. This property abuts the freeway. There is an effort to put in many trees but keep the property safe. If more trees are required, they will be planted.

Commissioner Doan asked sidewalk lighting. **Mr. Rostadt** stated that it is important to have proper lighting. Groundfloor units will be pet oriented and will be the eyes on the street. Pathways to the north will be lit in a manner that overflow light does not extend to adjacent properties but still will feel safe. Paths will be plowed and shoveled and available all year. **Mr. Mergens** added that all snow will be hauled away.

Commissioner Doan asked if consideration has been given to a tiered building to reduce the shadow effect for neighbors to the north. **Mr. Mergens** stated that the least shadow impact was from six stories with 130-foot setback. Because of the concern for height, the building was lowered. A tiered roof is not being considered because the cut was made by taking off a whole floor. There is no more to cut. **Mr. Rostadt** stated that the Comprehensive Plan supports this amount of density. This will be a great addition to Shoreview. Elevation wants to continue to work to find the right buffer and the right setback to move forward.

Commissioner Doan asked if there is any further mitigation screening that can be done for neighbors to the north. **Mr. Mergens** stated that with the screening, berm and fencing planned, neighbors to the north will not see any more than if there were another home built.

Commissioner Doan asked what can be considered to address the concern for cut-through traffic, whether Rustic Place would be closed off. Also how will overflow traffic on Rustic Place be restricted? **Mr. Vern Swing**, Westwood, stated that the issue of traffic is the am peak time traffic flowing down Rice Street toward I-694. The critical intersection is at Vadnais, County Road E and Rice. The cure is a new bridge that provides an added lane. This development will generate about 80 trips of right turns at a signalized intersection. The evidence does not support cutting through Rustic Place. Speed bumps could be added to Rustic Place to make it less desirable for traffic. **Mr. Mergens** added that a time limit on parking can certainly be considered.

Commissioner Thompson stated that her concerns include the density, adequacy of parking, shadow impact, safety for neighbors and connection to the trail system. **Mr. Mergens** responded stating that the bulk of this property is zoned commercial and is currently falling down. He compared the impact of this project to one that could be built without a PUD. The shopping mall could be taken down and a 4-story building built on that corner. That is what is stipulated in the City's planning documents.

Commissioner Ferrington stated that three issues are not resolved--density, height of the mixed use building and parking. **Mr. Mergens** stated that adequate parking is important. The ratio of 1.7 is adequate. Parking will be further addressed in the Development Agreement. Retail users will have peak hours that are not the same as a restaurant. Elevation will continue to work on this issue.

Chair Solomonson thanked the residents attending for their input. In comparing this plan with the first one, he understands why the building is pushed back to increase the distance from residences. That is why the setbacks are pushed back. The townhomes are a plus. He questions the ratio of parking at 1.7 with no overflow parking for the mixed use building. He would like to have the developer show proof that parking is adequate before this application goes to the City Council. He suggested a tiered roof on the north side to make room for 2 stalls per unit. That would be more acceptable. This project is a good transition that needs a little more work.

Commissioner Peterson stated that if parking is not adequate, residents will not be satisfied. Tiering on both sides would make the building more pleasant and attractive. The townhouse setback of 25 feet, which is half of that of the existing homes. Because of their height, the townhomes will stand out.

Commissioner Ferrington stated that the first plan was 100 units with 4 and 5 stories. At the time, five Commissioners said the height was too tall and it was too dense. This plan is 134 units and five stories. It is a beautiful complex and she commended the architect. What is being said now is the same, but it is more dense.

Commissioner McCool stated that he agrees with amending the Comprehensive Plan for this use. Mixed use is appropriate and a good transition. He is not supportive of this project. He commends ESG, but he is concerned about parking. At a ratio of 1.7 spaces for the apartments, there will only be 17 spaces for 7,000 square feet of commercial. The height is less troubling, but the shadow impact is difficult. He also questions the market for this type of building. He would like to see everything possible done for mitigation to the nearest neighbors. His preference would be to table this matter to the next meeting.

City Attorney Kelly stated that reasons for tabling need to be identified, and he would recommend extending the review period to 120 days.

Commissioner McCool stated the Commission is asking them to come back with parking analysis or make some changes.

Chair Solomonson called a 10-minute break in order to change the tape, and then reconvened the meeting.

Commissioner Doan stated that this is about a vision for the community and choices for the next generation. The vision of the developer is different from the neighborhood. The choice is to find the middle ground that will be attractive for his children to stay in the community. This is a prime piece of property. The project presented now is a great improvement from what was

presented last summer but it could be further improved. He does not want to turn away \$31 million of investment, but he would like to see the project tabled to bring more information about the shadowing/height, parking, and density.

MOTION: by Commissioner McCool, seconded by Commissioner Ferrington to table this application to the next scheduled Planning Commission meeting and that a letter be sent to the developer from staff extending the review period of the application another 60 days in order to provide the Planning Commission the opportunity to further review parking, building height, density and overall site design as discussed at this meeting.

Discussion:

Commissioner Peterson stated that the issues are clearly more than just parking and covered well in the motion.

VOTE: Ayes - 6 Nays - 0

PLANNED UNIT DEVELOPMENT-CONCEPT REVIEW

FILE NO. 2604-16-03
APPLICANT: RYAN COMPANIES
LOCATION: LOT 1 / BLOCK 1 RICE CREEK PARKWAY

Presentation by Senior Planner Rob Warwick

The Concept Plan presented is to amend the land use of the approved PUD for Rice Creek Corporate Park specifically for an 18.5 acre parcel designated for office use. Business park use is proposed to allow multiple tenants. The property owner would construct a shell building that tenants would finish to suit business and operation needs.

Rice Creek Business Park has boundaries with County Road J to the north, County Road I to the south and I-35W to the west. To the east is Rice Creek Park. The developer states that there is little demand for office space in the north metro, but there is a strong demand for office/flex space. The site lacks access to transit and nearby amenities for walking, both of which are desired by office developments.

The proposal is for two single-story buildings that would total approximately 210,000 square feet of floor area. Parking surrounds both buildings and shows a total of 460 stalls. Driveway access is off Rice Creek Parkway. As this is a Concept Plan, dimension details are not provided. The parcel is narrow and tapers to the south. Flexibility may be needed under the PUD. This parcel is the largest single vacant parcel in the City.

The applicant seeks feedback from the City and residents so that any issues can be addressed at the PUD Development Stage Review. Deviations are allowed in a PUD when the development provides a benefit to the City. This proposal is subject to the restrictive covenants of the original

Rice Creek Park development by Wispark. The main policy issue is whether this proposal is appropriate for the largest remaining vacant parcel in the community.

New office/flex spaces are generally lacking in the City. The Economic Development Authority (EDA) and Economic Development Commission (EDC) have noted that office/warehouse inventory in the City is older and lacks ceiling height, open bays, special power and flooring design to meet tenant needs.

There are a mix of existing uses in the corporate park. Any Business Park use must complement existing development with quality materials and site plans with no impact to the residential uses to the east. Business Park use requires a minimum 75-foot street setback from Rice Creek Parkway and I-35W. Heavy landscaping must be provided to screen the residential area to the east. The side lot lines on the north and south have 30-foot setbacks.

There is a master drainage plan for the corporate park. However, regulations have changed and a permit would be required from the Rice Creek Watershed District. City Code limits impervious surface to 70% of the lot area. This can be increased to 75% with the implementation of Best Management Practices (BMPs). Deviation for impervious surface is not permitted in the PUD process. Any deviation for impervious surface would require a variance.

Access is shown from four driveways off Rice Creek Parkway, which must align with existing drives and streets. The 460 parking stalls is a ratio of 2.2 stalls per 1,000 square feet of floor area. The developer will need to show sufficient parking with landscaping and screening. Business Park use parking requirements is based on the floor area of the tenant finish. Other development in the Rice Creek Corporate Park has about 3.2 stalls per 1000 square feet of gross floor area.

Truck facilities are required to be located on the side or rear yard, as they are prohibited from facing street frontage. If there is a deviation to locate trucking on the side facing I-35W, adequate landscaping will be needed.

Property owners within 350 feet were notified of the proposal. One response expressed concerns about the impact to nearby residences. A second response requested information on the proposed use, possible traffic volume and noise impacts. The Department of Public Works has indicated sewer and water services are stubbed to the property. A traffic study will be required. The Environmental Impact Statement (EIS) that was done when Rice Creek Corporate Park was initially developed included a traffic study and may meet that requirement.

The EDA reviewed this Concept Plan at their December 2015 and January 2016 meetings. Comments focused on a master plan for the property; a plan for specific uses, not spec buildings; a strong tax base and employment opportunity which favors office/corporate use rather than warehouse uses. The applicant believes that the spec buildings can be marketed, but the land use needs to be revised.

No formal action is required but to identify issues for review at the Development Stage.

Commission Discussion

Commissioner Ferrington noted that if the original traffic study was done in the late 1990s, it may be out of date. Mr. Warwick stated that staff will review those traffic projections carefully.

Mr. Casey Hankinson, Vice President Ryan, stated that the project description was well done. He introduced Steve Brown from Children's Hospital, the owner of this land. Mostly Ryan is looking for information about what the City wants to see on this property. There has been great success at Rice Creek Corporate Park. Ryan has been able to bring successful 24-foot clear buildings that would be an appropriate use. The industrial office flex vacancy is approximately 8.2 percent. Office vacancy is 18 percent and is trending toward downtown. General office users look for walkable amenities, which are not available with this site.

Commissioner McCool asked about compliance with the covenants. Business Park could be 100% warehouse. **Mr. Hankinson** stated he does not envision total warehouse. There will be office and production components. He would not be opposed to a condition of development to that effect. Commissioner McCool asked about truck loading visibility. **Mr. Hankinson** agreed that truck loading will be a tough issue. If loading docks face I-35W, it will be a tough challenge. Commissioner McCool asked about adequate parking. **Mr. Hankinson** agreed that the parking may be short and would have to be addressed.

Commissioner Ferrington asked about locating truck loading at the north and south ends of the building. **Mr. Hankinson** stated that would not be possible.

Commissioner Doan stated he would like the front of the building would be toward Rice Creek Parkway. People on I-35W will be driving 70 miles per hour. **Mr. Hankinson** stated that one sign is allowed for each company. That would not be his preference, but is willing to look at it. Then companies would want two signs each.

Mr. Hankinson asked if the Planning Commission's support for speculative development. There are many businesses who need 20,000 to 30,000 square feet and are underserved in this area. There is a market for a quality spec building. There is no tenant. When the space is leased, Ryan would complete.

Chair Solomonson stated that he would not want to see a warehouse building on that property. The flex/office construction makes sense. If the building is high quality, he would support it. Considering the noise and lights of the freeway, he does not see a big issue with the location of the loading docks. **Mr. Hankinson** stated that the preference would be for the front of the building to be on the I-35W side with visible signage and docks on the east side.

Commissioner McCool stated that he is not concerned about speculative building. The biggest issue here is parking because the site is tight and the tenant will be unknown. He would support additional signage if the loading docks were on the side of I-35W. If the loading docks are on the east side, berms and landscaping will be critical to make it a nonissue for the townhomes to the east.

Commissioner Ferrington verified that Ryan would purchase the entire property and fill one building before building the second building. She would not want to see loading on the residential side. It is important to protect the neighborhood.

Commissioner Peterson stated that there is less space for adequate screening and berm for the residential area to the east. He would like to see the loading docks on the I-35W side.

Commissioner Doan emphasized his preference for the front of the building to face the community, not a freeway of cars going 70 miles per hour. He would be supportive to consider additional signage for the loading docks to be on the I-35W side.

Commissioners agreed that they had consensus that the proposed use is appropriate for the site.

MISCELLANEOUS

Commissioners McCool and Doan will respectively attend the City Council meetings on February 1, 2016 and February 16, 2016.

Chair Solomonson noted that in 2016 Commissioner Doan will serve as Chair, and Commissioner McCool will serve as Vice Chair. Abraham Wolfe will begin as a new Commissioner at the next meeting. This was Commissioner Pat Schumer's last meeting and Chair Solomonson thanked him for his years of service.

A Planning Commission workshop scheduled at 6:00 p.m. immediately preceding the next regular Planning Commission meeting was postponed to the March 22, 2016 meeting.

Commissioner McCool thanked Chair Solomonson for his years of service as Chair.

ADJOURNMENT

MOTION: by Commissioner McCool, seconded by Commissioner Ferrington to adjourn the meeting at 12:09 a.m.

VOTE: Ayes - 6 Nays - 0

ATTEST:

Kathleen Castle
City Planner

TO: Planning Commission

FROM: Kathleen Castle, City Planner

DATE: February 19, 2016

SUBJECT: Case File 2602-16-01 Comprehensive Plan Amendment, Rezoning, Preliminary Plat, Planned Unit Development – Development Stage, Elevage Development Group, LLC/Elevage Shoreview Holdings, LLC

Introduction

At the January 26th meeting, the Commission reviewed several applications submitted by the Elevage Development Group, LLC/Elevage Shoreview Holdings, LLC (EDG) for the redevelopment of the following properties: 157 County Road E, 185 County Road E, 3521 Rice Street and 3500 Rustic Place. These applications were tabled to provide the applicant with additional time to further address parking, building height/shadow impact and the overall intensity and density of the development. The applications include:

- 1) Comprehensive Plan Amendment: Changing the land use from RL, Low Density Residential and C, Commercial/O, Office to MU, Mixed Use
- 2) Rezoning: Changing the zoning designation from C2, Commercial and R1, Detached Residential to PUD, Planned Unit Development
- 3) Preliminary Plat: Replatting the property from 4 lots to 2 lots
- 4) PUD – Development Stage: To redevelop the property with a mixed-use consisting of high-density multi-family residential and commercial development

Project Summary

The redevelopment site includes four properties located at the intersection of Rice Street and County Road E, north of Interstate 694. Existing land uses include a one-story 34,887 square foot shopping center built in 1957, and three small single-family residences that were built in 1939 and 1940. The redevelopment site has approximately 4.2 acres with frontage on Rustic Place, Rice Street and County Road E. EDG is proposing to demolish the shopping center and 3 single-family homes and construct a mixed-use multi-family residential and commercial development. The multi-family residential use will provide market rate rental housing and includes 14 townhome units and 134 apartment units. The apartment units are located in a 5 story mixed-use building which also has approximately 6,800 square feet of commercial space on the first floor. The submitted plans have been revised as follows:

Mixed-use building (Lot 2)

1. Increasing the number of surface and below grade parking stalls from 235 stalls to 274 stalls for the mixed-use building.
2. Adding an emergency vehicle only access lane off of Rice Street for the mixed-use building; thereby eliminating the fenced dog run area.

3. Providing additional landscaping along the north property line to enhance the buffer adjacent to the single-family residential land uses.

Townhomes (Lot 1)

1. Adding 10 surface parking stalls on the north side of the proposed townhomes.
2. Increasing the setback from the north property line for the proposed townhomes from 54.3' to 75.6'
3. Adding a driveway access onto Rustic Place to provide emergency vehicle access.
4. Reducing the topographical grade elevation of the proposed townhome structures by 1-foot.
5. Providing additional landscaping along the north property line to enhance the buffer adjacent to the single-family residential land uses

Please see the attached statement and submitted plans.

Previous Planning Commission Review

The Planning Commission reviewed the applications at the January 26th meeting and closed the public hearing. The applications were tabled to provide EDG additional time to respond to concerns raised at the public hearing. Minutes of the meeting are included in the Planning Commission packet. The full staff report for the January meeting can also be found online at <http://www.shoreviewmn.gov/Home/ShowDocument?id=7267>.

The Planning Commission requested additional information be submitted addressing the following:

- 1) **Parking:** The Commission discussed the density, mixture of land uses and questioned whether or not the proposed parking was sufficient to meet the needs of this development. The applicant was asked to increase parking provided on-site and provide information regarding the proposed parking ratios. The Commission also wanted information that compared this project with similar general occupancy market rate apartment complexes in the suburban market place.
- 2) **Building Height and Visual Impact:** The proposed height at 55-feet raised concern regarding the impact on the adjoining single-family residential dwelling units. Since the proposed structure is located south of the single-family residential homes, concern was expressed regarding shadow cast and the impact on the two homes immediately north of the proposed development site. EDG was asked to look at the shadow impact throughout the year and at different times during the day.
- 3) **Intensity and Density:** Concerns were raised regarding the intensity and density of the project due to the potential impact on the adjoining single-family residences, proposed mixture of land uses and the needed deviations from the City's building height and parking standards. The Commission asked for additional information addressing the need for the level of development being proposed.

Staff Review

Staff's review will focus on the changes made to the proposed redevelopment which are intended to address the concerns identified above. The Commission can refer to the January Planning Commission report for additional information regarding this proposal.

Parking and Access

Mixed use building – Lot 2

The City's Development Code requires a minimum 2.5 stalls per unit in the R3 zoning district with one stall fully enclosed (Section 206.020 (B1g) and 5.5 stalls per 1,000 square feet of net floor area in the C1 district (Section 206.020 (B1a)). Restaurants require 1 stall per 3 seats based on the maximum design capacity of the building (Section 206.020 (B2f)).

The following table summarizes the proposed parking and Development Code requirements:

	Code Requirement	Proposed Parking
Lot 1 – Mixed Use Structure	Total = 373 Residential - 2.5 stalls per unit = 335 Commercial – 5.5 stalls per net floor area (2,080 sf) = 11.4 Restaurants – 1 stall per 3 seats (80 seats) = 26.6	Total: 274 stalls <i>Proof of Parking – 8 stalls</i> Surface parking lot – 79 stalls Underground parking structure – 195 stalls Residential: 233 (1.74 stalls per unit) Commercial/Restaurant: 41 stalls

The number of parking stalls proposed has increased from 235 stalls to 274 stalls with the majority of the additional parking being provided in the below-grade parking structure. While the number of parking stalls provided has increased, a deviation to the minimum 373 stalls required is still needed. The applicant believes the number of stalls provided is sufficient to meet the demand due to the unit mix and target demographic. The applicant states that this ratio is consistent with similar apartment complexes and that the unit mix should be considered when applying parking standards. The alcove and one-bedroom units will likely be occupied by one tenant thereby reducing the parking demand while the 2 and 3 bedroom units will more than likely be occupied by two tenants that have vehicles. The provided number of parking stalls has been determined based on these assumptions with the following ratios applied based on the unit type.

	Number of Units	Parking Ratio	Number of Parking Stalls Provided
Alcove	9	1 stall/unit	9
1-bedroom	62	1.25 stalls/unit	77.5
1-bedroom plus den	14	1.25 stalls/unit	17.5
2-bedroom	38	2 stalls/unit	76
2-bedroom plus den	8	2 stalls/unit	16
3-bedroom	3	2 stalls/unit	6
Guest			31
Total	134	1.74/unit	233

The Development Code does provide some flexibility with respect to parking standards. The number of parking stalls constructed may be reduced to a number less than the minimum provided parking management techniques are used. Techniques that may be considered include proximity to transit, shared parking and proof of parking (Section 206.020 (C)). Transit is provided on Rice Street and the submitted plans do identify an additional 8 stalls for proof of parking.

The proposed parking ratio of 1.74 stalls per unit appears to be consistent with practices used in other suburban communities for newer complexes. Attachment B compares the City's parking requirements with other communities and provides ratios that have been used in newer apartment complexes. Shoreview's required parking ratio of 2.5 stalls per unit is on the upper end of those communities surveyed. The staff believes it is reasonable to apply a parking ratio based on the number of bedrooms within each unit. The ratios identified by the applicant are logical due to the demographic market and ratios applied in similar developments. Further, shared parking between the residential and commercial uses will be available.

The parking lot is accessed via one entry driveway off of County Road E. The plan has been revised to provide an emergency vehicle access lane north of the building connecting to Rice Street. As such, the enclosed dog area has been eliminated from the plan.

Landscaping is also required to screen the parking areas, provide visual relief and shade (Section 206.060 (A)). The setback of the parking lot from the northern property line adjacent to the single family residential use is 24' exceeding the minimum 20-foot setback required. Landscaping provided along the northern property line has been enhanced to screen the parking lot from view of the neighboring properties.

Townhomes – Lot 1

The primary access to the townhomes remains off of County Road E; however, a secondary access driveway has been added off Rustic Place. The purpose of this driveway is to provide an exit way for emergency vehicles. While this driveway complies with the City's standards, the staff encourages the applicant to review other options (such as an emergency vehicle lane) that may comply with the Fire Department's standards.

To address concerns regarding visitor parking, a surface parking area with 10 stalls has been added north of the townhomes. This parking area will be setback 25-feet from the north property

line and exceeds the minimum 20-foot setback required. A landscape screening buffer will be planted north of this parking area to minimize impacts on the adjoining residential property.

Building Height and Setbacks

Mixed use building – Lot 2

The design and placement of the mixed use structure remains the same as depicted in the plans reviewed by the Planning Commission at the January 26th meeting. The mixed use structure is designed as flat roofed 5 story building that has a height of 55’ and exceeds the maximum 35-foot permitted in the R3 district (Section 205.084 (C3)). This height, however, can be exceeded provided: 1) It does not exceed the firefighting capabilities of the Fire Department (Section 206.040 (A)) and 2) An additional 1-foot of setback is provided for every additional foot in height over 35’ (Section 205.084 (C3)).

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

The placement of the structure exceeds the required setbacks from the adjoining single-family residential uses to the north. Flexibility from the required minimum building setbacks is needed from property lines along Rice Street and County Road E and the western property line adjacent to the proposed townhomes. The following table compares the required and proposed setbacks and identifies the deviations being requested.

	R3 Code Requirement	Proposed Setback
Front property line - Rice Street	60’	41’*
Side property line County Road E	50’	32’*
North (adjacent to single-family residential)	50’	78.2’
Rear property line - West	50’	14’*

**Deviation Required*

To provide some perspective regarding the height, the following table compares the proposed height of the structure to other high-density residential structures in the City.

Development	Peak	Midpoint
<i>Lexington Shores</i>	42 feet	36 feet
<i>Summerhouse</i>	50 feet*	40 feet*
<i>Scandia Shores</i>	48 feet	41 feet
<i>Shoreview Sr. Living Approved Addition(not yet constructed)</i>	41.5 feet (existing) 49 feet	36 feet (existing) 40.25 feet

<i>Applewood Pointe</i>	47'3" feet	39.5 feet
<i>Lakeview Terrace</i>	78.5 feet	-
EDG	55 feet	

**Estimated height*

Townhomes – Lot 1

The revised plans address some concerns raised regarding the proposed townhomes located on Lot 1. While the number of townhome units (14) has not changed, the structure footprints have been reduced increasing the setback from the north property line from 54.3' to 75.6'. These units will still be located in two structures that are a two-story design with tuck under garages oriented towards the rear of the building. The 31-foot height of the townhomes complies with the maximum 35-feet permitted.

The setback of the structure from the Rustic Place right-of-way (ROW) will remain the same at 25.4' and requires a deviation from the minimum 30-feet required. While the adjoining single-family residential property to the north has a greater setback from the Rustic Place ROW (approximately 52'), the distance between the structures and landscape buffer will mitigate the impacts. Currently, there is a detached accessory structure located on the development site that is approximately 6-feet from the Rustic Place ROW and 27' from the north property line. The existing home, while located in the southern portion of this lot is setback 5' from the Rustic Place right-of-way. The following table summarizes the required and proposed setbacks:

	R2 Code Requirement	Proposed Setback
Front property line County Road E	30'	32.4'
Side property line Rustic Place East	30' 10'	25.4'* 23'
Rear property line North (adjacent to single-family residential)	-	75.6'

**Deviation Required*

Visual Impact

Information was previously presented regarding the visual impact of the structure on the adjoining residential properties, specifically related to shadow impact. The Commission requested additional information to better determine what this impact will be year-round and at different times during the day.

The submitted shadow study identifies the shadow cast by the redevelopment on the 21st day of each month throughout the year. As expected, the shadow study indicates the greatest impact will occur during the winter months. In late December, the shadow cast will transcend the northern property line and extend onto the adjoining residential properties in the early morning and late afternoon hours. Shadow will not be cast on these homes during the majority of the daylight hours. EDG has minimized the impacts by placing the building in the southwest corner

of the property and exceeding the minimum structure setbacks required from the north property line.

Staff recognizes this impact but also believes other factors need to be considered when evaluating the impact. These factors include shadow cast by the existing vegetation, proposed vegetation, the location of the proposed structures and compliance with the required structure setbacks from the northern property line. In addition, the City's regulations do not have provisions that protect properties from shadow cast by development on adjoining properties. Staff does not believe the shadow cast will have an adverse impact on the adjoining properties when these factors are evaluated along with the results of the shadow study.

Intensity

The Commission also discussed the proposed development in terms of intensity and density. Development intensity relates to the land's capacity for the proposed physical improvements. This capacity can be measured by the infrastructure (sanitary sewer, water, transportation, storm sewer) needed to serve the development, land uses, and zoning regulations pertaining to impervious surface coverage, building height and setbacks.

The City Engineer has reviewed the proposal and has determined that the municipal infrastructure that is currently in place can serve this development. Further, the traffic study submitted has found that the proposed development will not impact the local and regional transportation system.

The commercial component of this mixed-use project is integrated into the residential apartment building and separated from the nearby low-density residential neighborhood. In staff's opinion, the integration of the two uses together, results in a lesser intense development than a horizontally mixed-use project.

While EDG has requested to deviations from the City's building setback and height requirement, the overall impervious surface coverage of 61.8% is less than the 70% permitted in the R3 district. It is staff's opinion that the proposed development intensity is suitable for this site due the proximity to Interstate 694 and the Rice Street corridor. The development intensity has been addressed by placing the mixed-use structure away from the single-family residential properties, utilizing below grade parking, increasing green or open space and providing site amenities for future residents. The intent of the structure setback deviations is to not only minimize the structure's impact on the nearby residential properties but also to establish a presence and create a sense of place for this gateway into Shoreview.

Density

Density is the measure of dwelling units to the total land area of the development site. In the MU land use designation, the City anticipates a maximum density of 45 units per acre. In mixed use projects, a higher density is needed to support the other land uses, ensure vitality and sustainability. Different but complimentary land use can reinforce one another. The overall density of the development is 33.6 units per acre.

One issue that has been raised relates to the impact higher density developments can have on lower –density residential neighborhoods. The proposed location is on the edge of a lower density neighborhood but is also adjacent to arterial roadways (Rice Street/Interstate 694) and commercial land uses. This type of development pattern is not unique and other examples include Southview Senior Living, The Shores, Summerhouse and Applewood Pointe. Although the densities of the two residential land uses have a large variation, these densities can co-exist provided site and building design strategies are used to minimize and mitigate impacts on the lower density residential neighborhood. These impacts are mitigated by exceeding the required structure setbacks from the adjoining residential properties, providing a landscape buffer, and increasing parking provide on-site.

Other –

Grading – Townhomes, Lot 1

To address concerns previously raised regarding the grade elevation of the proposed townhomes, the garage floor elevations have been lowered one foot and will be set at 923’ which is similar to the elevation of Rustic Place. The parking area north of the townhomes will be set at a grade elevation of 922’ which is lower than the property to the north. The increased setback of the townhome structures from the northern property line and the enhanced landscape buffer will minimize the impact the proposed grade changes will have on the adjoining residential property.

Public Comment and Agency Review

Property owners in the Rustic Place neighborhood and those on Rice Street in the City of Vadnais Heights were mailed notices informing them of the plan revisions and the February 23rd Planning Commission meeting. A development notification sign is also placed on the property.

The City continues to receive comments from a number of property owners expressing opposition and concerns regarding the proposed development. These concerns generally relate to land use compatibility with the adjoining single-family residential neighborhood, density, public safety, traffic, visual impact, architectural design/scale, and environmental impacts. Comments received from the February mailing are attached.

Recommendation

The plan revisions are intended to address concerns expressed by the public and Planning Commission during the public hearing held in January. The submitted plans were reviewed in accordance with the City’s development standards and previous direction received from the Commission. The staff believes the proposed development is consistent with Shoreview’s land use and housing policies and meets the criteria for the Comprehensive Plan Amendment, Rezoning and PUD. This mixed-use residential and commercial development should serve as a transitional land use between the arterial transportation network, commercial land uses and the adjacent single-family residences. Impacts of the proposed development are mitigated through

the site design including building placement, green space and landscaping. This mixed use product will also support community needs by diversifying the rental housing options available in the community and providing additional commercial development.

The staff is recommending the Planning Commission forward a recommendation of approval to the City Council with the following conditions attached.

Comprehensive Plan Amendment

1. The amendment changes the land use designation from C, Commercial/O, Office and RL, Low Density Residential to MU, Mixed Use.
2. Review and approval of the amendment by the Metropolitan Council.
3. The amendment will not be effective until the City grants approval of the Final Plat and PUD - Final Stage requests and the development agreements are executed.

Rezoning

1. This approval rezones the property from C2, General Commercial and R1, Detached Residential to PUD, Planned Unit Development.
2. The underlying zoning district for this PUD is: Lot 2 – R2, Attached Residential, Lot 3- R3, Multi-Dwelling Residential for the apartment units and C1, Retail Service for the commercial
3. Rezoning is not effective until approvals are received for the Final Plat, PUD - Final Stage and development agreements executed.

Preliminary Plat

1. A public use dedication fee shall be submitted as required by ordinance prior to release of the final plat by the City.
2. The final plat shall include drainage and utility easements along the property lines. Drainage and utility easements along the roadways shall be 10' wide and along the side lot lines these easements shall be 5' wide. Other easements shall be dedicated as required by the Public Works Director.
3. Private agreements shall be secured between the parcels in the subdivision regarding the maintenance of shared facilities. Said agreements shall be submitted to the City Attorney for review and approval prior to the City's release of the Final Plat.
4. Comments received from the State of Minnesota and Ramsey County shall be addressed in the Final Plat submittal.
5. The Final Plat shall be submitted to the City for approval with the Final Stage PUD application.

Planned Unit Development – Development Stage

1. This approval permits the redevelopment of 157 County Road E, 185 County Road E, 3521 Rice Street and 3500 Rustic Place with a mixed use development consisting of a 5-story building that has 134 market rate apartment units and 6,800 square feet of commercial space on the first floor. Fourteen townhomes are also planned.
2. Access to the site shall be provided via the driveways off County Road E and Rustic Place as indicated in the approved plans. Access from Rustic Place may be modified provided the requirements of the Fire Department are met.

3. The items identified in the City Engineer's memo dated January 20th shall be addressed in the Final PUD submittal.
4. The items identified by the Fire Marshall in his letter dated January 11th shall be addressed in the Final PUD submittal.
5. Approval of the final grading, drainage, utility, and erosion control plans by the Public Works Director is required, prior to submittal to the City of applications for Final Plat and PUD – Final Stage. Final plans shall identify site construction limits and the treatment of work (i.e. driveways, parking areas, grading, etc.) at the periphery of these construction limits.
6. The developer shall secure a permit from the Ramsey Washington Metro Watershed District prior to commencing any grading on the property.
7. The proposed apartment housing structure shall be of a 5-story design as depicted on the plans submitted with this application. Said building shall include the architectural enhancements and high-quality building materials as identified. The structure shall not exceed the 55-foot height as identified in this report and on the submitted plans.
8. A financial contribution to the City's Forestry fund is required since the number of required tree replacements cannot be accommodated on the development site.
9. 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. The Development Agreement shall address:
 - a. Construction management and nuisances that may occur during the construction process, including parking for contractors. No parking is permitted on Rustic Place, County Road E and Rice Street.
 - b. Best Management Practices for Water Quality improvement
 - c. Landscape maintenance
 - d. Maintenance of stormwater management facilities
10. This approval shall expire after two months if the Planned Unit Development - Final Stage application has not been submitted for City review and approval, as per Section 203.060 (C)(6).

Attachments

1. Attachment A – Comprehensive Plan/Planning Efforts
2. Attachment B – Parking Ratio Comparison – Other Communities
3. Memo dated February 17, 2016, Mark Maloney, Public Works Director
4. Location Map
5. February Submittal
6. Public Comment
7. Motion

ATTACHMENT A
COMPREHENSIVE PLAN/PLANNING EFFORTS

The Comprehensive Plan (weblink - <http://www.shoreviewmn.gov/government/comprehensive-plan-test>) designates the majority of this property as C, Commercial and the existing residential parcels as RL, Low Density Residential.

The planned land use of this property (Chapter 4) is C, Commercial and this property is also included in Policy Development Area #18, Rice Street Crossings and Vicinity. Policy Development Areas (PDA's) present opportunities or pose significant concerns for development or redevelopment. Through the use of the PDA concept, the City has established more specific land use policies that address the individual circumstances found within the PDA. In accordance with the PDA #18, the commercial parcel has a land use designation of Commercial and O, Office. The C designation recognizes and allows for commercial uses while the O designation, suggests this area may also be suitable for office use due to the proximity to the highway and adjoining residential neighborhood. The Plan does recognize that the large residential lots adjacent to this should retain the RL, Low Density Residential Designation until a redevelopment application is received. The application includes three residential properties that are adjacent to the shopping center. The submitted application is requesting an amendment to change the land use of these property to MU, Mixed Use.

Chapter 6, Economic Development, also identifies the commercial property as a Targeted Redevelopment Area, TRA #2. One of the key issues identified relates to the appropriate land use for this property because it adjoins a low density residential neighborhood.

Chapter 7, Housing, include goals that address redevelopment and housing. Since there are limited opportunities for development, the plan recognizes that redevelopment is vital to meet the life-cycle housing needs of the community and diversify the housing supply. The Plan also recognizes that existing conditions and neighborhood character need to be considered when reviewing infill and redevelopment proposals.

Other Planning Efforts

Since the Rice Street/I694 interchange area was identified as both a PDA and TRA, this area was included in the Highway Corridor Transition Study which was completed earlier this year. The recommendations of this study include updating the PDA and expanding potential uses to include high density residential as well as buffer requirements for the adjacent single-family neighborhood. In addition, the creation of a Mixed Use district was recommended to allow a mixture of uses within a development project including commercial, office, high-density residential and live-work units.

The Economic Development Authority also included the Rice Street/I694 interchange area in their 2015/2016 workplan. This plan calls for continued efforts to address the transportation

infrastructure issues for the interchange area as well as looking at options for the redevelopment of the commercial center.

Shoreview's Housing Action Plan recognizes that new rental housing opportunities are needed to expand housing choice and attract younger households (weblink - <http://www.shoreviewmn.gov/home/showdocument?id=1294>).

Attachment B - Parking Ratio Comparison

	Parking Required	Recent Projects Approved
Arden Hills	1.1 Stalls per each efficiency unit and 1 bedroom units 2 stalls per each 2 plus bedroom units	Arden Flats – 2 stalls per unit E Street Flats 1.76 stalls per unit
New Brighton	1.5 stalls per unit plus 1 visitor stall for every 4 units On-street parking applied towards ratio	The View at Long Lake 1.75 stalls per unit
White Bear Lake	2 stalls per unit – one of which must be enclosed	Boatworks Commons 1.25 stalls per 1 br units 1.75 stalls per 2 br units
Eden Prairie	2 stalls per unit – one of which must be enclosed	Martin Blu 1.06 stalls per studio unit
Edina	1.25 fully enclosed spaces and 0.75 exposed spaces per dwelling unit. Exposed spaces may be reduced to not less than 0.5 spaces per dwelling unit if the number of enclosed spaces is increased by a like amount	
Shoreview	2.5 stalls per unit	Lakeview Terrace 1.7 stalls per unit

Date: February 17, 2016
To: Kathleen Castle, City Planner
From: Mark Maloney, Director of Public Works *mjm*
Subject: Traffic/Parking Comments for Elevage Mixed-Use Redevelopment

I have reviewed the trip generation assumptions and potential traffic impacts resulting from the most recent revision of the Elevage mixed-use redevelopment near the intersection of Hodgson Road (Highway 49) and County Road E and offer the following observations.

- The public roadway infrastructure in the vicinity of the redevelopment site is sufficient to support the proposed land uses. The overwhelming majority of the traffic entering/leaving the site will continue to do so via the existing Highway 49/CR E signalized intersection.
- Expected directional distribution of trips (i.e. where vehicles are coming from, where they're trying to get to, and what paths they'd be likely to choose) should be very similar to the patterns that currently exist. With such close proximity to a signalized intersection, I'd assume that there's little incentive to use routes through adjacent residential area e.g. Rustic Place, and in the event that some small number does, the resulting traffic volume on the streets would still be toward the low end of the ADT range seen on residential streets in other parts of Shoreview.
- I'm not recommending that the redevelopment proposal include any unusual approaches to address the potential of on-street parking for the south end of Rustic Place. The intersection of CR E and Rustic Place is already controlled as an all-way STOP, and at 28 feet in width the existing low volume/extremely low speed roadway is wide enough to support on-street parking as it does in all other parts of the neighborhood to the north. I believe the proposal to widen the south end of Rustic Place with "parking bump outs" is both unnecessary and undesirable in that it would add impervious surface, require modification of the storm sewer on Rustic Place and relocation of power poles/private utilities, as well as create added difficulty for snow removal. It seems most prudent to evaluate future parking patterns and issues when/if they actually arise, and address them similar to how the City responds in other residential areas. Those situations are evaluated by staff on a case by case basis, and acted on by the City Council when necessary, with the notification and involvement of those property interests who would be impacted.

Let me know if you'd like clarification or additional information.



Legend



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

Notes

Comprehensive Plan Amendment,
Rezoning, Preliminary Plat, PUD -
Development Stage

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

February 10, 2016

Via Hand Delivery

City of Shoreview
c/o Kathleen Castle, City Planner
4600 Victoria Street North
Shoreview, MN 55126

Dear Kathleen:

This letter is offered to provide additional information on parking and to update you on changes we have made in response to the Planning Commission comments on January 23, 2016.

Parking

First, on Lot 1 (townhomes), we have added 10 additional parking spaces. Because of a grade change, a retaining wall will be constructed along the northern edge of the parking, which will minimize any impact that the parking spaces may have on the house to the north. The total parking spaces on Lot 1 for the 14-townhome units is now 66 stalls. That comes out to a ratio of 4.7 stalls per unit, or nearly twice what is called for in the City Code.

Turning to Lot 2 (mixed use building), we have looked at a number of options to add parking stalls and conducted significant analysis to ensure we have adequate parking for all components of the building. The majority of the additional stalls were added by expanding the below grade parking area, which has allowed us to add an additional 27 stalls below ground, for a new total of 195 belowground stalls. We also looked at opportunities to add surface parking. While we were able to add surface parking stalls, almost as many were lost to address the fact that changes were needed to accommodate the turn radius of the Lake Johanna Fire Department's needs. The net result was the addition of three surface stalls for a new total of 79 stalls. The combined total of parking stalls on Lot 2 is now 274. As discussed below, we believe 274 spaces are fully adequate to meet the needs of the building. We have identified, however, an additional location as Proof of Parking that could provide an additional 8 stalls, if needed. We find the need for those stalls unlikely, and would prefer to maintain the green space.

In analyzing parking needs, we assumed a restaurant of up to 80 seats, which by City Code would call for 27 stalls (1 stall per 3 seats), and 4,200 square feet. Using the City Code ratio of 5.5 stalls per 1,000 square feet, we have estimated an additional 14 stalls for the remaining 2,600 square feet of retail space. City Code would generally call for 41 parking stalls. Because the peak hours of the other uses will likely compliment rather than conflict with the restaurant, we believe that the parking needs of all the commercial space will be met with significantly fewer than 41 stalls. Nonetheless, since we will not have the exact uses in the commercial area until leases are signed, we have allocated the full 41 stalls to commercial in our analysis.

Assuming the commercial area will use up to 41 stalls at its peak, that leaves 233 stalls to meet the needs of the residents during that peak period. 233 stalls for 134 units is a ratio of 1.74 stalls per unit. Of course, the peak use for residents will occur after the peak hours for the commercial uses. Over night, there would be slightly more than 2 stalls per apartment. Looking at the demographic of our apartment design and after talking to management companies with experience with similar apartment designs, a 1.74 ratio of stalls per apartment is adequate.

First, the City of Shoreview has found a 1.7 stall ratio acceptable for the Lakeview Terrace. While that complex has must look beyond its borders for shared parking, our ratio assumes peak parking for the commercial area. During peak residential parking needs, many of the 41 "commercial" stalls will be available to tenants and guests.

Second, the apartment mix supports a parking ratio of 1.7. More than 60% of the apartments are one-bedroom or alcove units. Our research strongly supports the fact that our likely renters of one-bedroom units will be primarily single and hence, would have only one car. It is more unlikely that the few 3 bedroom units will have more than 2 cars. So expecting 1 car per alcove, 1.25 cars per one bedroom unit, 2 cars per 2 and 3 bedroom units, calls for 202 stalls, leaving 31 stalls for guest or overflow parking during peak commercial use.

Third, the Project is on a transit line. With the additional users that come online from the Project, we expect additional transit routes will serve the area, which may include the expansion of private shared-car options such as Car2go, Zipcar, or similar service.

Site Plan Changes

In order to address comments from the Lake Johanna Fire Department, we have reduced the width of each townhouse by three. By doing so, we were able to increase the building setback from the northern boundary line by 21 feet. The open area allowed the creation of emergency vehicle exit along the north property line and the addition of the parking space noted above without losing the trees that had already been identified to preserve. In addition, to respond to comments about the height of the townhomes, we have lowered the starting elevation for all 14 homes by 1 foot, which will reduce the ground floor elevation and reduce the height that each townhome rises above grade.¹ Further, by lowering the basement and drive elevation, the parking area on the north will be 2 feet below grade with berming at the front edge of the parking. This configuration will reduce, if not eliminate, any impacts of the parking on the property to the north.

In addition, to respond to the comments about screening, we have added 38 coniferous trees of mixed species to the Property. All of the trees will be added in the area between the buildings and the northern property lines. A significant focus of the tree placement was the northwest corner of the amenity area, which will now thoroughly screen the pool and pool deck. With the additional trees, the Project will be heavily screened from the neighbors to the north. Likewise, the neighbors' views of the Project will be little more than that of a dense line of trees and landscaping. The additional trees will not only assist in visual screening, but

¹ We could not go any lower because of storm sewer depth constraints.

will help block noise generated from the site as well as adding to the noise reduction qualities of the mixed-use building for the sounds generated from the freeway.

Shadow Study

During the last meeting, there were concerns raised about the shadows that will be cast by the Project based on a single slide showing the shadows at their peak. Enclosed is printout of the shadows cast by the Project throughout the entire year. We will also have an electronic version of the study that will be available for presentation at the February 23, 2016 meeting.

There are a few aspects of the study that are critical to understand the lack of impact the Project generates on the properties to the north. First, the shadow study focuses exclusively on the shadow created by the buildings. It does not account for shadows cast by existing trees either on properties or the properties to the north. As highlighted by neighbors in the public hearing and as shown in the enclosed snapshots generated on Google Earth on February 10, 2016, the existing tree coverage in the area is very substantial. The existing tree coverage, of course, casts considerable shadows of their own.

Second, the shadow study is computer generated by state of the art software in which the only user input is the building dimensions and related data. The sunrise and sunsets times are automatically generated by the software, as are the shadows that are then cast by the proposed buildings throughout the day of each day of the year.

Third, the shadows cast during each month of the year vary dramatically. At the public hearing there were public comments suggesting the shadows cast in December would affect grass growth. Nothing could be further from the truth. As shown in the attached printout, from February to November, there are few days where a shadow from the Project crosses any property line and when it does cross a property line, it does so minimally. Of course, in the months of December and January, the sun stays low in the sky and many properties are cast in shadows.

Finally, it is important to understand what the reasonable expectations of the neighbors should be. There are no solar or view easements that burdens any of the four properties Elevage owns. Further, the proposed Project has far less impacts than what is legally entitled to be built.

In order to understand the minimal impact of the Project, we have analyzed what we would be legally entitled to build on these properties.² Three of the four properties are guided office/commercial in the City's Comp Plan and the corner lot is presently zoned C2. Under Minnesota Statutes for the Metropolitan Area, the Comp Plan guiding controls over the zoning code in the case of any conflict.³ Legally, that means that any property owner of the

² The analysis is offered strictly to understand reasonable expectations based on existing code. We have not conducted any studies about the viability of a hotel and are not proposing it as an option.

³ See Minn. Stat. § 473.858.

two residential homes along County Road E are entitled to have those two properties rezoned to C2 and given the locations of those properties any commercial use is going to be freeway-focused. Looking at C2 zoning provisions, among the uses that are permitted uses are a motel/hotel and the height of that hotel (or any other legal use) is legally authorized to exceed 35 feet in height provided that for every foot in height. Using the formula expressly stated in the City Code, a seven-story hotel with 200+ rooms is a legally permitted and entitled use. Solely for the purpose of understanding the minimal impact of the proposed Project, we have conducted a study of the shadows that would be cast by a 70-foot tall hotel that was constructed across the three properties that are guided commercial. Not surprisingly, that entitled use casts far greater shadows to the north than the Project. The shadow study of the seven-story hotel building is available upon request.

As mentioned at the public hearing, we also analyzed the shadows cast if the Project was reconfigured to be a four-story building. Because a reduction in height must at this point also mean an increase in the building footprint (and particularly changing the design from an "L-shaped" building to a partial "U-shaped" building), the shadows that a four-story building casts to the north are generally not decreased and at some points are actually worse than the proposed five-story building. The increased footprint of a four-story building would also mean lost open space, lost amenity area, lost parking, and other impacts that we firmly believe make the design untenable. The shadow study of the four-story building is available upon request.

Since the public hearing has been closed, we understand that there will be very limited opportunity to speak. We, however, would request the opportunity to present the full shadow study and to address any questions the Planning Commission has related to the proposed changes we have made.

If you have any further questions regarding this matter, please do not hesitate to contact me.

Sincerely,



Michael J. Mergens



3521 Rice St

© 2016 Google

Google earth

Imagery Date: 8/11/2015 45°02'53.37" N 93°06'26.28" W elev 967 ft eye alt 1528 ft

1991

  Exit Street View

N



© 2016 Google
© 2016 Google

Google earth

[Report a problem](#)

45°02'50.52" N 93°06'28.01" W elev 950 ft eye/alt 943 ft 

3530 Rice St

  Exit Street View

© 2016 Google

© 2016 Google

Google earth

[Report a problem](#)

45°02'52.14" N 93°08'26.45" W elev 980 ft eye alt 940 ft

3507 Rustic Pl



Exit Street View

N

© 2016 Google

© 2016 Google

Google earth

Report a problem

45°02'52.63" N, 93°08'27.62" W elev 1048 ft eye alt 959 ft

February 19, 2016

Via Email Only

City of Shoreview
c/o Kathleen Castle, City Planner
4600 Victoria Street North
Shoreview, MN 55126

Dear Kathleen:

On behalf of Elevage Development Group, LLC and Elevage Shoreview Holdings, LLC (collectively "Elevage"), this letter is offered to provide additional information on the intensity of our proposed redevelopment of four parcels noted in the applications (collectively the "Property") and why we strongly believe that what has been proposed is not only appropriate, but necessary.

As with any residential-focused project of this magnitude, there is a point of critical density, which is the minimum density at which the project is feasible. For every project and every design, the point of critical density is different.

One of the biggest drivers of critical density is land cost. In order to meet debt service ratio and loan to value requirements, a project must add density as land costs increase. This is especially true with brownfields where remediation and lease buyouts add to the land costs. Lot consolidation also adds to land costs. Property owners knowledgeable of the potential development will often demand and receive a premium for their properties. Additionally, commercial land generally comes at a higher per square foot price than residential, mixed-use, or industrial land. Commercial land with high visibility and near immediate access to a major freeway generally comes at a premium over other commercial properties.

In addition to loan requirements, projects of this significance also require substantial equity investments from the owners. Owners closely analyze the expected NOI from a proposal and its expected costs. This allows the owner-investor to calculate his or her expected rate of return and, perhaps more importantly, determine the level of risk of loss. The closer the capitalized NOI is to expected costs, the higher the risk. When it comes to mixed-use development, the focus of the risk analysis is on density and height as the density raise expected NOI and height is a large factor in controlling the cost per unit.

When it comes to mixed-use developments, having the critical density is also a major factor for the retail component of the development. What has become abundantly clear to us in working with ESG on the present design is the impact of residential density on the success of retail space that is incorporated into an apartment building. The first factor is that integrated retail must be the "right" retail; it must focus inward to allow it to be viewed as an amenity for the renters. While all retail needs an adequate customer base, for inward focused retail, the density of that inward market is critical. The second factor is the per square foot rent. Rent rates that are too high will leave a space vacant, or even worse, it will drive a tenant to fail after significant tenant improvement investments. In order to ensure that the apartment

EntrePartner Law Firm, PLLC

Highlight Center 807 Broadway Street Northeast, Suite 140 Minneapolis, Minnesota 55413
(office) 612.314.8001 (fax) 612.314.8002 www.entrepartnerlaw.com

units support the retail (and vice-versa), the apartments act must act as a financial backstop to ensure that the retail rent is affordable. Greater apartment density ensures that financial security for the retail exists with a negligible impact to the apartment users.

Critical density is also what allows conversion of property zoned or guided commercial to be developed as mixed-use property. Under the City Code, property that is zoned General Commercial or C2, has a broad array of intense uses that are "permitted use," which means the property owner is entitled to construct such uses subject to review of the final building and site plan. The permitted uses in the C2 district include all permitted uses in the Retail Service District plus more intense uses such as car dealerships, large gas stations, and hotels. Construction of these permitted uses often carry higher returns and support greater land values. When considering developing properties that are zoned C2, or have a right to be rezoned C2, as mixed-use residential properties it is density that both narrows the gap in expected return and decreases the risk of loss, which in turn justify the conversion.

Here, the need for density is particularly high as the land costs were well above typical residential or mixed-use land costs. Nearly half of our property is currently zoned C2 and two additional properties are guided commercial/office. Each of the single-family homeowners to the west were well aware of the value their land had as redevelopment if the land was consolidated with the shopping center lot. The owner of the residential lot along Rice Street was equally aware of the premium he could demand for his land to be added as part of a large lot consolidation. The premiums paid for the land create a cost basis that must be overcome by the type and density of the redevelopment in order for the private financial institutions to approve the necessary construction funding and to justify the risk of redevelopment.

As Elevage looked at the four properties it now owns, we were well aware of the studies that had identified the area as a focus of redevelopment as mixed-use with high density residential. Our analysis likewise showed that the ideal use of the property was mixed-use with high density residential. Such use recognizes the location is on an arterial roadway (Rice Street) and immediately north of a major freeway. It also recognizes that while the Comprehensive Plan guides 3 of the 4 parcels as commercial/office, redevelopment with high-density residential no matter the density is more compatible with single-family homes than commercial redevelopment. In fact, the City Code expressly recognizes an inherent conflict between residential and C2 zoning.¹

We were equally aware of the City's Comprehensive Plan and its provisions that called for density in mixed-use areas of up to 45 units per acre with higher density along major roadways. It was this analysis that allowed us to pay the premium land costs in order to consolidate four blighted properties and to develop a dynamic mixed-use project that will be a stunning gateway for the City of Shoreview.

From the Concept Plan to ESG's initial plan to the final plan that has been submitted, we have focused considerably on both the density we believed to be appropriate and what is the

¹ City Code § 205.043 (A) states that the C2 district "should not be located adjacent to an area planned for residential use."

critical density for the project to move forward. Initially, ESG came forward with a plan with an appropriate amount of density. It called for density that was below the 45 units per acre identified in the Comprehensive Plan and that was consistent with properties location and the fact that more than half the property is zoned for a more intense use and more than three-fourths is guided for a more intense use.

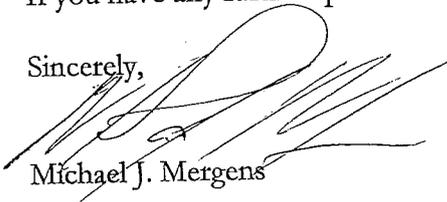
Responding to comments of the neighborhood, the City, and other agencies, we have worked diligently to reduce height, lower density, increase parking, maintain as much greenspace as possible, incorporate design features to mitigate impacts to the properties to the north, and relocate the point of access. As the plan has been revised, costs have increased while expected revenue and likely value at completion have declined. With every increase in costs or loss in value, risk increases. Because we believe deeply in our development team and the project that is now before the City, it is risk that the ownership group accepts, but there is little, if any, left to trim before that must be reanalyzed.

The plan as amended is now at the point of critical density. It is the density that is needed to generate sufficient value for financing, the density needed to ensure the restaurant and other retail tenants will flourish, the density needed to support the costs of the amenities, and the density needed for the ownership group to accept the risk of personal guarantees on a \$30+ million project. Any further reduction in density will likely cause the project to fall below the point of critical density. It would require that the ownership group either return to the drawing board to make necessary changes to a mixed-use, planned unit development or consider what we are entitled to build based on the C2 zoning of the shopping center lot and the commercial/office guiding of the two single-family lots to the west. Stated differently, the current density is needed in order for the project to move forward with all the positive features in place.

We also stress that the density is not only needed to keep the project in tact, but it is also appropriate. The current design calls for just over 33 units per acre, which is more than 25% below the 45 units per acre limit in the Comprehensive Plan. Given the properties' location along the freeway, the Comprehensive Plan supports higher than normal density. Further, the proposed density is a far less intense use of these properties than what is permitted under the C2 zoning. Additionally, the project is designed so that the proposed density will have minimal impact on the neighborhood and far less impact than what the City Code recognizes as a permitted use for these properties.

If you have any further questions regarding this matter, please do not hesitate to contact me.

Sincerely,



Michael J. Mergens

MEMORANDUM

Date: February 12, 2016

Re: **Concern with Potential Cut-Through Traffic – Update**
Shoreview Rice Development, Shoreview, MN
File R0008016.00

To: Michael J. Mergens, EntrePartner Law Firm, PLLC

From: Steve Manhart, P.E. PTOE, PTP

Thank you for passing along the concern being expressed by the existing neighborhood regarding the potential for “cut-through” traffic using Rustic Place to avoid long queues on Rice Street. Specifically, concern has been raised that the Shoreview Rice Traffic Impact Study did not address the potential for site-generated traffic cutting through the neighborhood.

Westwood conducted peak hour turning movement traffic counts at the intersection of Rice Street and St. Marie Street (See Figure A). The direction of peak travel is southbound on Rice Street in the morning and northbound on Rice Street in the afternoon/evening. These counts show very minor traffic turning onto or from St. Marie Street at this intersection, despite long queues of vehicles along Rice Street during the peak hours.

Figure A – Existing Peak Hour Turning Movement Counts



These count totals are representative of (albeit lower than) the number of trips one would expect to be generated by a residential area of this size during peak hours. It is noted that a gas station/convenience store and some retail establishments are still operating at the south end of this residential area. Their trips do not “cut through” traffic through the neighborhood.

The Shoreview Rice Traffic Impact Study considered two development scenarios – Scenario I comprising an apartment building, rental townhouse units and a retail use (specifically a quality sit-down restaurant); and, Scenario II comprising a small supermarket as well as rental townhouse units.

If the neighborhood is concerned with “cut-through” traffic using Rustic Place to avoid the long queues at the traffic signal at Rice Street and County Road C, the peak period of concern would be the morning peak hour. Looking at the trip generation potential for each scenario presented in the Traffic Impact Study, neither is a morning destination. Residential traffic is typically outbound, not inbound, in the mornings. Trip volumes for quality sit-down restaurants and small supermarkets are much greater during the afternoons/evenings than during the mornings. Thus, the demand to divert into the Rustic Place neighborhood to avoid the heavy southbound queues along Rice Street to get to the new development is very low.

Westwood also looked at the traffic and queuing conditions along Rice Street and Rustic Place during the p.m. peak hour. Because the southbound Rice Street queues are much shorter during the afternoons/evenings, traffic would not divert through the neighborhood to get to the new development. Conversely, traffic exiting the site to head northbound will use the signalized intersection at Rice Street and County Road E rather than “cut through” the neighborhood and attempt to turn left from St. Marie Street at the unsignalized intersection at Rice Street.

Therefore, the potential is virtually nonexistent for site-generated traffic to divert onto Rustic Place and “cut through” the neighborhood.

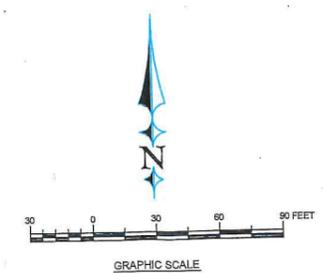
UPDATE (02/12/2016) – This week it was learned there remain concerns among nearby residents that development-generated traffic will flow northward through the existing neighborhood (especially during the a.m. peak hour) in order to ultimately head north on Rice Street. From a traffic perspective, this movement seems unlikely.

If there is a long queue of vehicles heading southbound on Rice Street during the morning commute, it seems more likely that traffic from the development will turn northbound onto Rice Street at a signalized intersection (i.e., at County Road E) rather than head to the unsignalized intersections at St. Marie Street or Rustic Place and then

February 12, 2016
Page 3

wait for unprotected gaps in the northbound and southbound traffic streams of Rice Street to complete their turns. The signal at County Road E will create gaps in the southbound Rice Street traffic stream so as to allow left turning traffic to head northbound in a protected movement.

cc: Vern Swing, Westwood



LEGEND:

- EXISTING BOUNDARY
- PROPOSED CONCRETE SIDEWALK/APRON
- PROPOSED BITUMINOUS PAVEMENT
- 9 SURFACE PARKING STALL COUNT (TOTAL PROPOSED = 89)
- A SURFACE PROOF OF PARKING STALL COUNT (TOTAL PROPOSED = 8)

KEYED NOTES:

- 1) INSTALL BITUMINOUS PAVEMENT. REFER TO DETAIL 1/C5.
- 2) INSTALL B612 CONCRETE CURB. REFER TO DETAIL 2/C5.
- 3) CONSTRUCT CONCRETE ADA RAMP. REFER TO DETAIL 5/C5.
- 4) INSTALL 4" CONCRETE SIDEWALK. REFER TO DETAIL 4/C5.
- 5)
- 6) INSTALL SIDEWALK WITH BRUSHED FINISH (DOT SPEC. VERSA LOK BRONCO). ANY WALL OVER 4-FT IN HEIGHT SHALL BE DESIGNED BY AN ENGINEER AND A SIGNED PLAN SET OF DIMENSIONS SHALL BE PROVIDED PRIOR TO START OF CONSTRUCTION.
- 7)
- 8) 6" MIN. TOPSOIL AND HYDRO SEEDED WITH LOW GROW FESCUE @ 220 LBS. PER ACRE, W/20 LBS. PER ACRE ANNUAL RYE.
- 9)
- 10) INSTALL FENCING AT RETAINING WALL PER ARCHITECT DETAIL. INSTALL ADA SIGNAGE IN CONCRETE FOR STALL. SEE DETAIL 5/C5 FOR RAMP CONSTRUCTION. LANDING(S) SHALL BE A MINIMUM OF 4-FT WITH A 2% MAXIMUM SLOPE OR RAMP DOWNWARD AND GLITTER.
- 11)
- 12) SNOW STORAGE AREA
- 13) 6" THICK CONCRETE OVER 8" CL. 5 AGGREGATE BASE (10-FT WIDE FIRE LANE)

LAYOUT NOTES:

- 1) ALL RADII TO BACK OF CURB
- 2) ALL DIMENSIONS TO THE FACE OF CURB UNLESS NOTED OTHERWISE.
- 3) PAVEMENT STRIPING TO BE 4" WIDE WHITE EPOXY PAINTED STRIPE.

SURFACE AREA ANALYSIS

TOTAL LOT AREA	= 184,158 S.F.
LOT 1	= 46,883 S.F.
LOT 2	= 137,275 S.F.
EXISTING IMPERVIOUS SURFACE	= 101,500 S.F. (55.1%)
CONCRETE	= 4,470 S.F.
BIT.	= 59,350 S.F.
SHED/GARAGE	= 710 S.F.
HOUSE	= 3,860 S.F.
BUILDING	= 30,110 S.F.
GRAVEL	= 3,000 S.F.
TOTAL PROPOSED IMPERVIOUS SURFACE	= 113,767 S.F. (61.8%)
SIDEWALK	= 28,815 S.F.
BIT.	= 36,630 S.F.
APARTMENT	= 34,675 S.F.
GARAGE	= 2,595 S.F.
TOWNHOMES	= 11,052 S.F.
LOT 1 PROPOSED IMPERVIOUS SURFACE	= 27,347 S.F. (58.3%)
SIDEWALK	= 4,095 S.F.
BIT.	= 12,200 S.F.
TOWNHOMES	= 11,052 S.F.
LOT 2 PROPOSED IMPERVIOUS SURFACE	= 86,420 S.F. (63.0%)
SIDEWALK	= 24,720 S.F.
BIT.	= 24,430 S.F.
GARAGE	= 2,595 S.F.
APARTMENT	= 34,675 S.F.

ERICKSON CIVIL
 333 North Main Street, Suite 201
 Stillwater, Minnesota 55082
 Phone (612) 309-3804
 www.ericksoncivilsite.com

DRAWING PHASE:

OWNER REVIEW
AGENCY REVIEW
BID DOCUMENT
PERMIT SET
AS-BUILT DOCUMENT

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

TODD A. ERICKSON, PE
 40418
 LICENSE NO.
 EDG PUD
 DATE:

OWNER/DEVELOPER
ELEVAGE DEVELOPMENT GROUP, LLC
 10901 Baltimore St, NE
 Blaine, Minnesota 55449

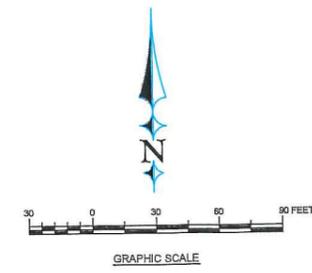
PROJECT TITLE
SHOREVIEW MIXED USE
 157 COUNTY ROAD E, W.
 SHOREVIEW, MN 55126

NO.	REVISION	DESCRIPTION	DATE

JOB NO. 15-172

SHEET TITLE
LAYOUT PLAN

SHEET NO.
C2
 SHEET 2 OF 6



LEGEND:

- EXISTING PROPERTY BOUNDARY
- - - EXISTING 1-FT CONTOUR
- - - PROPOSED 1-FT CONTOUR
- PROPOSED SPOT ELEVATION
- G = PROPOSED GROUND SURFACE
- gl = GUTTER LINE
- c = CONCRETE SURFACE
- b = BITUMINOUS SURFACE
- tw = TOP OF WALL
- bw = BOTTOM OF WALL
- NOTE: * REPRESENTS EXISTING GRADE
- - - PROPOSED HEAVY DUTY SILT FENCE

KEYED NOTES:

- ① MATCH EXISTING BITUMINOUS PAVEMENT ELEVATIONS.
- ② PROPOSED ROCK CONSTRUCTION ENTRANCE. REFER TO DETAIL 6/C5.

Contractor SHALL notify District staff at least 48 hours prior to the construction of the infiltration basin in order to provide for District construction observation. Failure to notify the District prior to the installation may result in the removal of work completed. Contact Nicole Soderholm at 651-792-7976.

Contact Nicole Soderholm, District Inspector, at 651-792-7976 prior to beginning construction.

NOTES:

- 1) ALL CONSTRUCTION AS CALLED FOR ON THESE CONTRACT DOCUMENTS SHALL BE PERFORMED IN ACCORDANCE WITH ALL OSHA REQUIREMENTS.
- 2) THE GRADING CONTRACTOR SHALL SCHEDULE THE SOILS ENGINEER SO THAT CERTIFICATION OF ALL CONTROLLED FILLS WILL BE FURNISHED TO THE OWNER DURING AND UPON COMPLETION OF THE PROJECT.
- 3) SPOT ELEVATIONS/CONTOURS SHOWN AS FINISHED GRADE ELEVATIONS.
- 4) PRIOR TO ON SITE EXCAVATION OR DEMOLITION WORK, INSTALL EROSION CONTROL MEASURES IN LOCATIONS SHOWN OR AS DIRECTED BY THE ENGINEER OR CITY STAFF.
- 5) EROSION CONTROL MEASURES SHOWN ON THE EROSION CONTROL PLAN ARE THE ABSOLUTE MINIMUM. THE CONTRACTOR SHALL INSTALL SEDIMENT TRAPS OR BASINS AND BIO LOG AS DEEMED NECESSARY TO CONTROL EROSION.
- 6) GRADING OPERATIONS SHALL BE CONDUCTED IN A MANNER TO MINIMIZE THE POTENTIAL FOR SITE EROSION. SEDIMENT CONTROL PRACTICES MUST BE ESTABLISHED PRIOR TO THE START OF ANY UP GRADIENT LAND DISTURBING ACTIVITIES.
- 7) PROVIDE 6" OF NATIVE TOPSOIL IN GREEN AREAS.
- 8) ALL EXPOSED SOIL AREAS MUST BE STABILIZED AS SOON AS POSSIBLE TO LIMIT SOIL EROSION BUT IN NO CASE LATER THAN 14 DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORARILY OR PERMANENTLY CEASED.
- 9) IF SEDIMENT EWALKS THE CONSTRUCTION SITE, OFF-SITE ACCUMULATIONS OF SEDIMENT MUST BE REMOVED IN A MANNER AND AT A FREQUENCY SUFFICIENT TO MINIMIZE OFF-SITE IMPACTS.
- 10) TEMPORARY SOIL STOCKPILES MUST HAVE SILT FENCE OR OTHER EFFECTIVE SEDIMENT CONTROLS, AND CANNOT BE PLACED IN SURFACE WATERS, INCLUDING STORMWATER CONVEYANCES SUCH AS SWALES AND DITCHES UNLESS THERE IS A BYPASS IN PLACE FOR THE STORMWATER.

- 11) SLOPES 3:1 AND GREATER SHALL BE STABILIZED WITH EROSION CONTROL BLANKET.
- 12) MAINTAIN AND REPAIR EROSION CONTROL MEASURES (INCLUDING REMOVAL OF ACCUMULATED SILT) UNTIL VEGETATION IS ESTABLISHED. CONTRACTOR TO INSPECT AND DOCUMENT EROSION CONTROL DAILY AND AFTER ANY RAIN EVENT. ALL SEDIMENT CONTROL FEATURES MUST BE REPAIRED WHEN THE SEDIMENT REACHES 1/3 THE HEIGHT OF THE STRUCTURE, OR REPLACED WITHIN 24 HOURS OF DISCOVERY. EROSION CONTROL STRUCTURES FOUND DAMAGED MUST BE REPAIRED OR REPLACED WITHIN 24 HOURS UPON DISCOVERY. REMOVAL OF EROSION CONTROL STRUCTURES REQUIRED AFTER SITE IS STABILIZED (AT DIRECTION OF ENGINEER).
- 13) ALL EXISTING CITY STREETS SHALL BE SWEEP AS NEEDED AND AS REQUESTED BY ENGINEER OR CITY STAFF.
- 14) REFER TO GEOTECHNICAL REPORT FOR ADDITIONAL REQUIREMENTS.
- 15) AFTER GRADING OPERATIONS ARE COMPLETED, LANDWALK CONTRACTOR SHALL UNCOMPACT ALL GREEN AREAS PRIOR TO SODDING AND LANDSCAPING.
- 16) PERMANENT RESTORATION IN LAWN AREAS SHALL CONSIST OF PLACING SOD PER MNDOT 3878.2.A SPECIFICATIONS. SOD STRIPS SHALL NOT HAVE DEAD OR DRY EDGES AND SHALL NOT BE CUT MORE THAN 24 HOURS IN ADVANCE OF DELIVERY.
- 17) TEMPORARY STABILIZATION OF SLOPES AND GRADING AREAS DURING CONSTRUCTION SHALL BE A MNDOT 150 MIXTURE. TEMPORARY SEED MIXTURE SHALL BE PLACED WITH A DRILL AT A RATE OF 60 LBS/ACRE.
- 18) SOD AND INSTALLATION OF EROSION CONTROL BLANKET SHALL BE COMPLETED WITHIN 48 HOURS OF FINAL GRADING.
- 19) POSITIVE DRAINAGE OF MINIMUM 2% SLOPE SHALL BE ACHIEVED AWAY FROM PROPOSED BUILDING.

SWPPP SEQUENCING:

- 1) OBTAIN MPCA PERMIT MINIMUM 7 DAYS PRIOR TO STARTING TREE CLEARING ACTIVITIES.
- 2) INSTALL SWPPP MAILBOX WITH A COPY OF THE PLANS, SWPPP AND EROSION CONTROL LOGS.
- 3) INSTALL ROCK CONSTRUCTION ENTRANCE AS SHOWN IN DETAILS.
- 4) INSTALL PERIMETER CATCH BASIN SEDIMENT CONTROL MEASURES (INLET PROTECTION).
- 5) INSTALL SILT FENCING/BIO LOGS AS SHOWN ON PLAN PRIOR TO ANY SITE DISTURBANCE OR TREE REMOVAL. SITE PERIMETER FENCING SHALL BE INSTALLED PRIOR TO ANY SITE DISTURBANCE.
- 6) INTERIOR SILT FENCE AND BIO LOG SEDIMENT CONTAINMENT SHALL BE PLACED TO CONTROL STOCKPILES OR CONCENTRATED AREAS OF FLOW DURING CONSTRUCTION AND AFTER SITE ROUGH GRADING IS COMPLETE.
- 7) INSTALL ORANGE CONSTRUCTION FENCING AROUND INFILTRATION CHAMBER AREA. KEEP CONSTRUCTION TRAFFIC OFF OF THIS AREA UNTIL EXCAVATION OF SYSTEM IS TO START.
- 8) INSTALL ORANGE CONSTRUCTION FENCING AROUND DRIP LINE OF TREES TO REMAIN.
- 9) NOTIFY RAMSEY WASHINGTON METRO WATERSHED DISTRICT FOR APPROVAL OF PERIMETER EROSION CONTROL MEASURES PRIOR TO STARTING CONSTRUCTION (3 BUSINESS DAY NOTIFICATION REQUIRED).
- 10) SEED ANY TOPSOIL STOCKPILE AND OR HYDROMULCH WITH MINIMUM 20LBS PER ACRE OATS.
- 11) INSTALL MPCA APPROVED CONCRETE CLEANOUT STATION PRIOR TO CONCRETE USE ON SITE.
- 12) CONDUCT GRADING OPERATIONS.
- 13) MAINTAIN LOGS OF RAIN EVENTS AND CORRECTIVE ACTIONS FOR EACH EVENT IN SWPPP MAILBOX PER MPCA NPDES PERMIT REQUIREMENTS.
- 14) UTILIZE TEMPORARY HYDROMULCH AND SEEDING TO MAINTAIN SEDIMENT ON SITE.
- 15) MAINTAIN AND CLEANOUT SILT FENCING AND CATCH BASIN SEDIMENT CONTROL AS INDICATED ON PLANS OR IN THE NPDES PERMITTING.
- 16) AFTER INSTALLATION OF PROPOSED STORM SEWER, IMMEDIATELY INSTALL SEDIMENT CONTROL MEASURES.
- 17) HYDROSEED ENTIRE SITE FOR FINAL STABILIZATION WITH PROPOSED SEED MIXTURE AND HYDROMULCH WITH TACKIFIER.

VERSA LOK BRONCO UNIT



Width (face) 67.5"
 Height 30"
 Depth 45"
 Face Area 14 ft²
 Weight 4650 lbs
 Max Unreinforced Height 10 ft
 Max Geogrid Reinforced Height 50+ ft

*The maximum stable, unreinforced VERSA-LOK wall height in best conditions, may be lower depending on soil, site and loading conditions (including terraces). Taller walls need geogrid soil reinforcement, designed by a qualified engineer. Check your local building code requirements. Please contact your supplier or VERSA-LOK representative for assistance.

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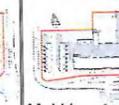
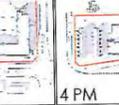
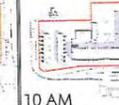
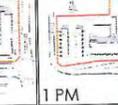
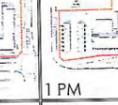
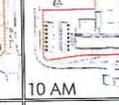
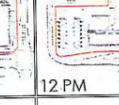
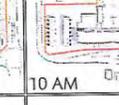
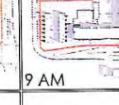
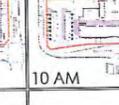
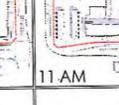
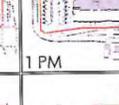
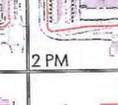
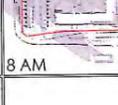
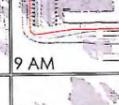
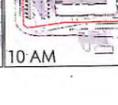
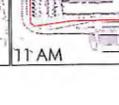
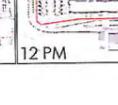
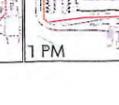
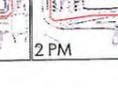
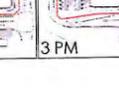
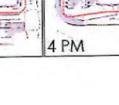
PROJECT TITLE
SHOREVIEW MIXED USE
 157 COUNTY ROAD E. W.
 SHOREVIEW, MN 55126

NO.	REVISION DESCRIPTION	DATE

JOB NO. 15-172

SHEET TITLE
GRADING PLAN

SHEET NO.
C3
 SHEET 3 OF 6

JANUARY			SUNRISE 7:43 AM									SUNSET 5:05 PM					
FEBRUARY		SUNRISE 7:05 AM											SUNSET 5:48 PM				
MARCH		SUNRISE 7:13 AM												SUNSET 7:27 PM			
APRIL		SUNRISE 6:17 AM														SUNSET 8:06 PM	
MAY		SUNRISE 5:37 AM															SUNSET 8:42 PM
JUNE	SUNRISE 5:26 AM																SUNSET 9:03 PM
JULY		SUNRISE 5:47 AM															SUNSET 8:51 PM
AUGUST		SUNRISE 6:22 AM														SUNSET 8:08 PM	
SEPTEMBER		SUNRISE 6:59 AM												SUNSET 7:11 PM			
OCTOBER		SUNRISE 7:37 AM										SUNSET 6:17 PM					
NOVEMBER		SUNRISE 7:18 AM										SUNSET 4:39 PM					
DECEMBER		SUNRISE 7:48 AM									SUNSET 4:34 PM						

21ST DAY OF EACH MONTH, YEAR 2016





elness swenson graham architects
 500 WASHINGTON AVENUE SOUTH
 MINNEAPOLIS, MINNESOTA 55415
 P. 612.339.5508
 F. 612.339.2382
 WWW.ESGARCH.COM

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the State of Minnesota.

Signature _____
 Typed or Printed Name _____
 License # _____ Date _____

**NOT FOR
 CONSTRUCTION**



RUSTIC PLACE

RICE STREET

COUNTY RD E

2 STREET LEVEL PLAN
 A1.1 1" = 20'-0"

AMENDED PLANS
 2/10/2016

ORIGINAL ISSUE: 12/29/2015
 REVISIONS
 No. Description Date

215537
 PROJECT NUMBER
 ESG DRAWN BY ESG CHECKED BY



SHOREVIEW MIXED-USE

SITE PLAN - LEVEL 1 PLAN
 A1.1

SHOREVIEW
MIXED-USE
157 COUNTY ROAD E WEST,
SHOREVIEW, MN 55126



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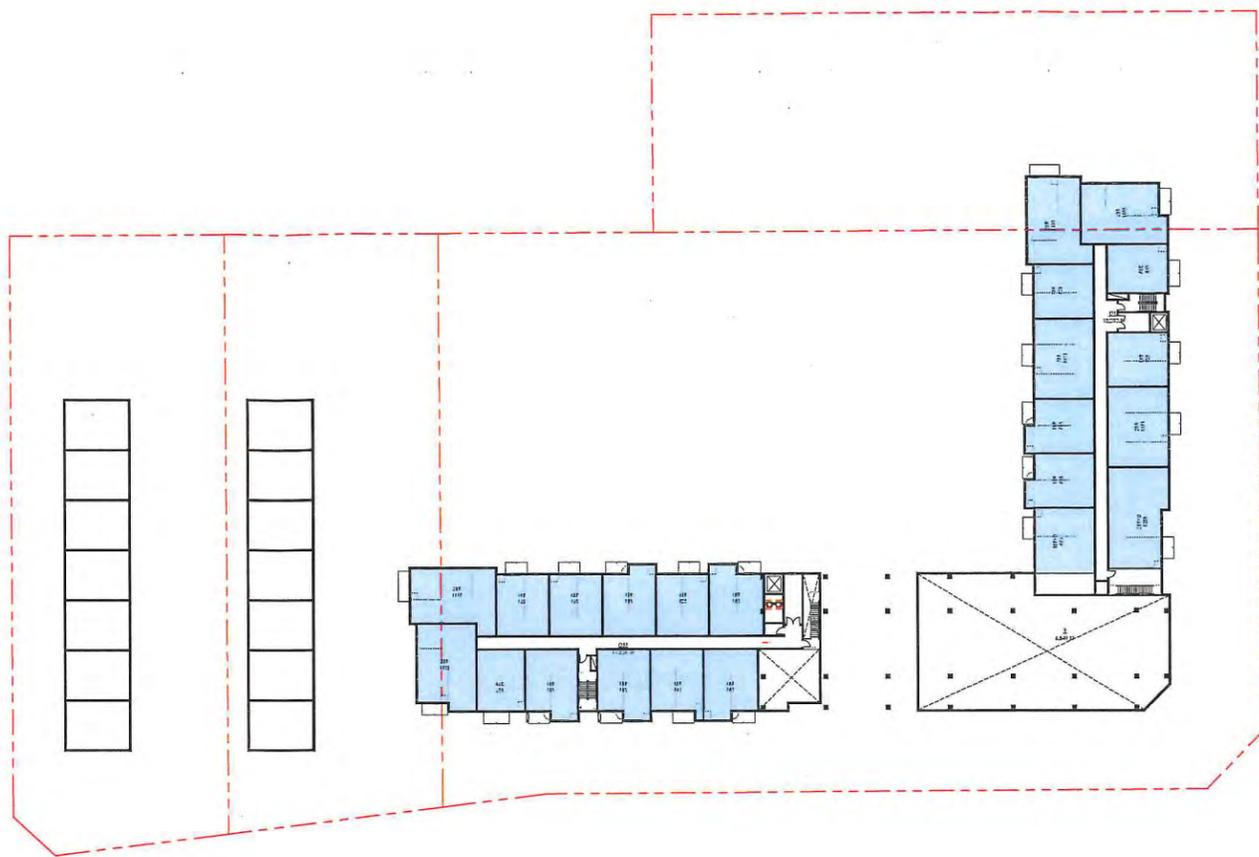
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the State of Minnesota.

Signature _____
Typed or Printed Name _____
License # _____ Date _____

**NOT FOR
CONSTRUCTION**



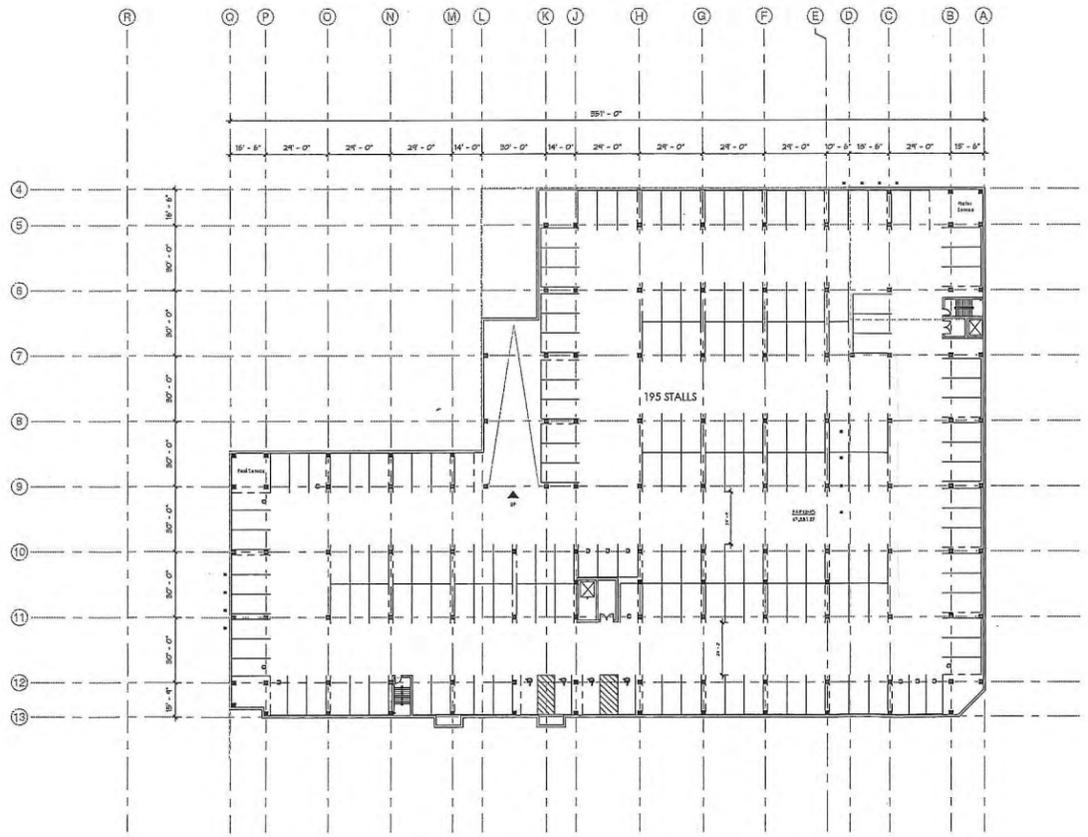
4 LEVEL 5
A1.2 1"=30'-0"



2 LEVEL 2 PLAN
A1.2 1"=30'-0"



3 LEVEL 3-4 PLAN
A1.2 1"=30'-0"



1 LEVEL P1 PLAN
A1.2 1"=30'-0"

AMENDED PLANS
2/10/2016

ORIGINAL ISSUE: 12/23/2015

REVISIONS

No.	Description	Date

215537
PROJECT NUMBER

ESG ESG
DRAWN BY CHECKED BY

KEY PLAN

SHOREVIEW MIXED-USE

LEVELS P1, 2, 3-4, 5

A1.2



February 9, 2016

Mayor Sandy Martin
Councilmember Emy Johnson
Councilmember Terry Quigley
Councilmember Ady Wickstrom
Councilmember Cory Springhorn

John Doan, Planning Commissioner Chair
Brian McCool, Planning Commission Vice Chair
Steve Solomonson, Planning Commission
Deborah Ferrington, Planning Commission
Elizabeth Thompson, Planning Commission
Kent Peterson, Planning Commission
Abraham Wolfe, Planning Commission

VIA EMAIL

Re: Support for new housing options to retain employees and employers

Dear Mayor Martin and Shoreview City Council Members:

The Saint Paul Area Chamber of Commerce strongly supports Elevage Development Group's applications related to its redevelopment of the property immediately north of I-694 on Rice Street. The proposed project includes 14 market-rate rental townhomes, 134 units of market-rate apartments, 6,800 square feet of resident-focused retail, and significant open space.

As the state's largest local chamber of commerce we realize that appropriate housing options are critical to the success of employers. There are several large employers near the property at issue including, Boston Scientific, Cummins Power Generation, Deluxe Corporation, H.B. Fuller, Land O'Lakes, Medtronic, TSI Incorporated and St. Jude Medical.

The availability of desired housing is key to attracting and retaining employees, which in turn attracts and retains employers in the area. Some of the most conservative estimates suggest that our region is facing a 100,000 skilled worker deficit by 2020, making the need to capture next generation talent in our communities more important than ever. This project will appeal to young professionals that our local businesses need. As the City noted in your 2008 Comprehensive Plan, "Providing housing near jobs serves important economic and environmental goals." (Page 7-12)

The Comprehensive Plan also notes:

The Metropolitan Council's employment forecasts expect approximately 3,450 jobs will be added in the community by 2013....When housing costs are affordable to the local workforce and a variety of housing options are provided, employers tend to have a stronger based of employees who live in the community, at a wide range of wages and skill levels. Realistically, however, limited opportunities for new development in

Shoreview means that surrounding communities will likely meet some of the demand for new housing created by additional employment.
(Page 7-13)

This redevelopment is a rare opportunity for the City to increase housing options.

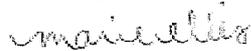
Another issue noted in the Comprehensive plan is that Shoreview has had difficulty retaining younger households, who chose newer housing stock in nearby communities. "Strategies that focus on creating additional housing choice for younger households need to be developed to slow this trend and create an age-balanced community." (Page 7-20) This redevelopment represents exactly the kind of housing that appeals to younger households and is consistent with what the City wants.

As you know, the parcel of land at issue includes a run-down shopping center that suffers from high vacancy. The proposed redevelopment project is an excellent opportunity for Shoreview to remove an underutilized fixture and create a benefit for the community.

Shoreview is known for its strong neighborhoods, and continuing to offer diverse housing styles and types will bolster the City. **This project directly meets the City's stated needs, and with limited opportunities available to meet these needs, we strongly urge you to support this project.**

Thank you for your service to Shoreview and our east metro community.

Sincerely,



Marie Ellis
Director of Public Affairs and Legal Counsel
Saint Paul Area Chamber of Commerce
(651) 265-2780
marie@saintpaulchamber.com

cc: Kathleen Castle
Tom Simonson



Kathleen Castle <kcastle@shoreviewmn.gov>

Fwd: Elevate development

Fri, Feb 12, 2016 at 7:12 AM

Sandra C. Martin <sandymartin444@gmail.com>
To: Kathleen Castle <kcastle@shoreviewmn.gov>

FYI.... the author of this email works at Pet Junction. She is a SV resident on Alameda, on Turtle Lake.

Sandy

Begin forwarded message:

From: Mary Larson <turtle-lake@comcast.net>
Subject: Elevate development
Date: February 11, 2016 at 10:31:52 PM CST
To: jdoan@shoreviewmn.gov
Cc: sandymartin444@gmail.com

Greetings:

I streamline the last meeting of the planning commission. As I listened to the proposal , the questions from the board & the concerns from the neighbors, I am against the proposed development. In order to capitalize their gain, they have proposed too many units to support the site & respect the neighborhood

The property needs to be developed but not to such an extreme. Shouldn't the revised rice street/694 bridge take priority before demolishing the mall. To have 2 construction projects occurring at that intersection would make a traffic jam over 2-3 yrs. best guess.

I have lived in Shoreveiw for over 50 yrs. I am not living in the area where the development is propose. But I am against the size of the proposal. The adjoining neighborhood has sustained enough challenges with the railroad. I vote to keep it one of the last truly Shoreview neighborhoods, quiet, safe, neighborly, low traffic.

Explore a low density site. May be a park & ride ?

Mary Larson

February 12, 2016

Elevage Development Group, LLC

157 County Road E, 185 County Road E, 3521 Rice Street and 3500 Rustic Place

File No. 2602-16-01

Comments:

Dear Members of the Shoreview Planning
Commission,

As a concerned taxpaying citizen of this fair community (ours), we feel the need to exercise our voice regarding the proposed development by Elevage for Co. Rd. E and Rice St. We do understand that development is inevitable for any American urban community. However, the scope of this project is blatantly intrusive to the long standing residents of this neighborhood. The ultimate decision hinges upon your carefully weighing all the factors and judging in a manner that represents the interests and concerns of the citizens of Shoreview. We here in Shoreview depend upon you to help ensure the quality of life we enjoy here. Don't for one minute think we do not understand the possible revenue that will be generated by this project. Unfortunately "money" is far too often the deciding factor. We are asking you to minimize the scope of this project to three stories high. Best case scenario is if they just go away.

"Three great forces rule our world: stupidity, fear and greed." - Albert Einstein

Name: Katie & Jim Cunningham
Address: 3651 Rustic Place
Shoreview, MN 55126



Kathleen Castle <kcastle@shoreviewmn.gov>

Comments for the February 23, 2016 Planning Commission Meeting regarding Elevage Development Group , LLC

2 messages

Sat, Feb 13, 2016 at 5:31 PM

Marcia Figus <marciafigus@hotmail.com>

To: KATHLEEN CASTLE <kcastle@shoreviewmn.gov>

Cc: "sandymartin444@gmail.com" <sandymartin444@gmail.com>, "emyjohnson26.2@gmail.com" <emyjohnson26.2@gmail.com>, "tjquig@comcast.net" <tjquig@comcast.net>, "ady@adywickstrom.com" <ady@adywickstrom.com>, "cory@coryspringhorn.com" <cory@coryspringhorn.com>, "tschwerm@shoreviewmn.gov" <tschwerm@shoreviewmn.gov>

Comments for the February 23, 2016 Planning Commission Meeting regarding Elevage Development Group , LLC

I understand from Kathleen Castle that the public hearing is closed. We, Rice St/ Rustic Pl/ Cardigan Junction Neighborhood, request the opportunity to address the Planning Commission at the February 23, 2016 meeting.

I live 200 ft from the land acquired for the proposed development. I have trees in my yard, as others, but it is not a canopy to provide privacy for my backyard, deck, and porch or even in my home. Trees leaf out in May/ June and drop leaves in October/ November. They do not provide privacy from the apartment building with its windows and balconies. They do not provide a dense shade either. It is called "dapple shade." The theory is false that oak trees retain their leaves through winter and will provide privacy. This area had oak wilt come through beginning in the 1970's. We still are losing what remaining oaks we have. I and others on Rice Street and Rustic Place will have absolutely no privacy. I will no longer feel comfortable teaching yoga classes in the privacy of my backyard during the summer months knowing we may have an audience peering down at us.

The height and density is completely out of line for this site. Shoreview's Planning Commission and Council have stated that fact to the developer on three different occasions. The developer continues to ignore it. The comparison to other developments on arterial roads, in Shoreview's minutes, is senior housing. They are 3 and 4 story. Yet at Cty E and Rice St, a 5 story building with an additional 14 very narrow, squeezed in, townhomes is proposed. The 14 town homes are becoming laughable in their size. The population boom will be exorbitant. It will be an increase of over 300% for this isolated neighborhood whose borders are defined by lakes and a freeway.

The lowering of the apartment to five stories, 55 feet, still creates a wall. There is no

creative transition to the homes along Rice St. The homes are only 1 story high. The building will look like a monolith along Rice St that is out of place. It will be massive and a blot on the landscape.

The Planning Commission has in its minutes on many occasions: "...that will not adversely impact these adjoining residential properties." After knowing what is going on at this development, I question the honesty in that statement. On this development, buffering and screening by "creative landscaping" is supposed to mitigate the impact on adjoining land. Nothing can hide fourteen very narrow townhomes and make them more appealing to the naked eye. It is not a natural transition to a residential neighborhood. The homes closest are 1 story and 1 1/2 story homes. Those town homes, though lowered one foot, will still tower over the homes and stand out like what they are "an eye-sore." Additional parking was provided but street parking is a "God" given right. The townhomes are near the street and not in line with the setbacks of the rest of the neighborhood. Also, adding coniferous trees, which will need to age to be of any value to block out noise from the swimming pool, etc is clearly stating that the developer realizes there is a problem with this area. This is truly a residential area. It is not "party central."

The commercial spaces haven't been identified except for the potential sports bar that is never addressed. Will Shoreview contact the citizens about a liquor license? Will the neighbors who will be directly affected by its presence even be considered? It needs to be away from residential homes, working families and children. There are two bars, Hog's Breath and the Vadnais Inn, within two miles of this location. Is another necessary? The hours alone are questionable for this establishment. Other applicants for the occupancy of the commercial space are never mentioned. Maybe Mr. Mergens will set up his office in one of the empty spaces?

After the January 26th Planning Commission Meeting, workers showed up at the residential homes on Cty E. Serious, dangerous situations were created by where the cars were parked. We request when work begins on this site, there is no parking on Rice St, Cty E and Rustic Place. Rustic Place is very narrow. If cars are near a mailbox, we do not get our mail. If cars are parked across from a driveway, we cannot pull out. If cars are on both sides of the street, only one car can get through the center and that should be driven very cautiously.

To summarize, I ask the Planning Commissioners to:

Reduce the height

Reduce the density

Eliminate balconies on the north and west sides

No parking on Rice St, Cty E and Rustic Place during construction

Thank you for reading this and all the previous letters and notes written by this community.

Marcia Figus

3538 Rustic Place

Shoreview, MN 55126

651-483-3306

Sat, Feb 13, 2016 at 6:45 PM

Teri Rieger <sunnie55126@gmail.com>

To: Marcia Figus <marciafigus@hotmail.com>

Cc: KATHLEEN CASTLE <kcastle@shoreviewmn.gov>, "sandymartin444@gmail.com" <sandymartin444@gmail.com>, "emyjohnson26.2@gmail.com" <emyjohnson26.2@gmail.com>, "tjquig@comcast.net" <tjquig@comcast.net>, "ady@adywickstrom.com" <ady@adywickstrom.com>, "cory@coryspringhorn.com" <cory@coryspringhorn.com>, "tschwerm@shoreviewmn.gov" <tschwerm@shoreviewmn.gov>

Marcia:

Great letter. You have nicely summed up what we all have been concerned about.

Teri

[Quoted text hidden]

--

Teri Ann Rieger



Kathleen Castle <kcastle@shoreviewmn.gov>

Response to Feb. 10 Elevage Proposals

1 message

Sat, Feb 13, 2016 at 2:41 PM

Dorothy Legault <dodylegault@aol.com>

To: kcastle@shoreviewmn.gov

Cc: sandymartin444@comcast.net, emyjohnson26.2@gmail.com, tjquig@comcast.net, ady@adywickstrom.com, cory@coryspringhorn.com, tschwerm@shoreviewmn.gov

My husband and I have had a long standing previous commitment on February 23. Thus, we will be unable to attend the Planning Commission meeting. We wish to remind the commission, however, that we are totally opposed to Elevage's present plans as presented in the latest revision for Rice/County Road E.

For one thing we still do not understand why the developer is allowed to disregard the commission's and the council's instructions to lower the height (sorry, one story doesn't do it) and density (yes, they reduced the apartments to 134 units but made up for it by adding 14 town homes). What are we not understanding? The commission has no real authority?

In his February 10, 2016, letter to you, Mike Mergens requests being allowed to speak at the next planning commission meeting. If this is granted, the neighborhood must also be given the opportunity to speak. Very few of us understand the workings of PUDs. We thought the deluge of letters, emails, and phone calls expressing our viewpoints would be taken seriously and addressed by the commission. Who knew that we needed to repeat the very same things at the Planning Commission meetings?

We still do not have answers as to when the shadow study was done. Was it done around December 1 or near the 20th? For the residents whose sunlight will be diminished or gone for several weeks, this can affect their physical and emotional well being. Manhart's study to examine the effect of drivers cutting through Rustic Place to avoid the long lines of traffic missed the mark completely. No one goes up up hill on Ste. Marie. Drivers from the north cut through at the north end of Rustic Place near the railroad bridge. Also, we don't want balconies facing north or west, and we most certainly don't want a sports bar. Ours is a quiet neighborhood year round.

Do I detect a veiled threat in Mergens' letter by referencing a hotel/motel or the legal ability to build anything on the property? Are the neighborhood and city being held hostage by the developer?

Simply put, the apartment is too high. Also, if we must have town homes, they need to be in line with the setback other homes have along Rustic Place. Frankly, they probably shouldn't even be there. It's time to get serious and really examine the negative effect of the proposal on the neighborhood.

The neighborhood has been vehement in opposing the plans. Mayor Martin was recently quoted as saying "Shoreview remains close to its citizens." If this is true, our voices have been unified and loud. Why hasn't the commission or the council heard them??

Dody LeGault/Ron Podratz
3546 Rustic Place

City of Shoreview,

In regards to the parking for the townhomes, yes there are more parking spaces at the cost of cutting green space. How about cutting the number of townhomes being built instead of cutting green space? Also the grade change, the townhomes should be built starting at the existing ground level the house is currently at, not by building up the foundation to get to the desired height to accommodate their plans. The proposed townhomes are still too high, cutting them by 1 foot is simply not enough. The townhomes are also still too close to the curb.

In regards to Lot 2, are 274 parking spaces adequate? Are they divided appropriately, meaning not shared spaces with whatever business will go into this design? Just because "they" believe this is adequate what does city code dictate? Also they are assuming a restaurant of up to 80 seats. What if in the end the restaurant is double that size? Again they have no idea who they will be getting for the commercial leased tenants for this design. Does the city have any input into what businesses end up in this design? Their proposal uses the word "assuming" a lot. At this stage in the proposal the words of, "I believe" and "assuming" are clearly the builder just trying to get exactly what HE wants. We need to know what businesses will go into this site to adequately compute the proper parking stalls needed.

The builder is trying to compare apples to oranges to justify the parking ratio by comparing this project to Lakeview Terrace. Also "his research" strongly supports whatever it is he wants it to support. If given the time, I too could provide research to strongly support and contradict what his research strongly supports.

I am concerned/confused as to the access onto Rice Street from the parking lot of the apartment complex. Is this an exit only for the Fire Department, or is this another entry into the lot?

The small changes that the builder made take away green space to add parking spaces. He did not address the density or the height of the apartment complex. The density and height need not be overlooked.

We are strongly against the amended proposal.

Kelly Kasel/Mark Kaspszak

3628 Rustic Place

Shoreview, MN 55126

Proposed Elevage Development in Shoreview, MN shows Sun Shadow on homes to North & West of 5-Story Apartments

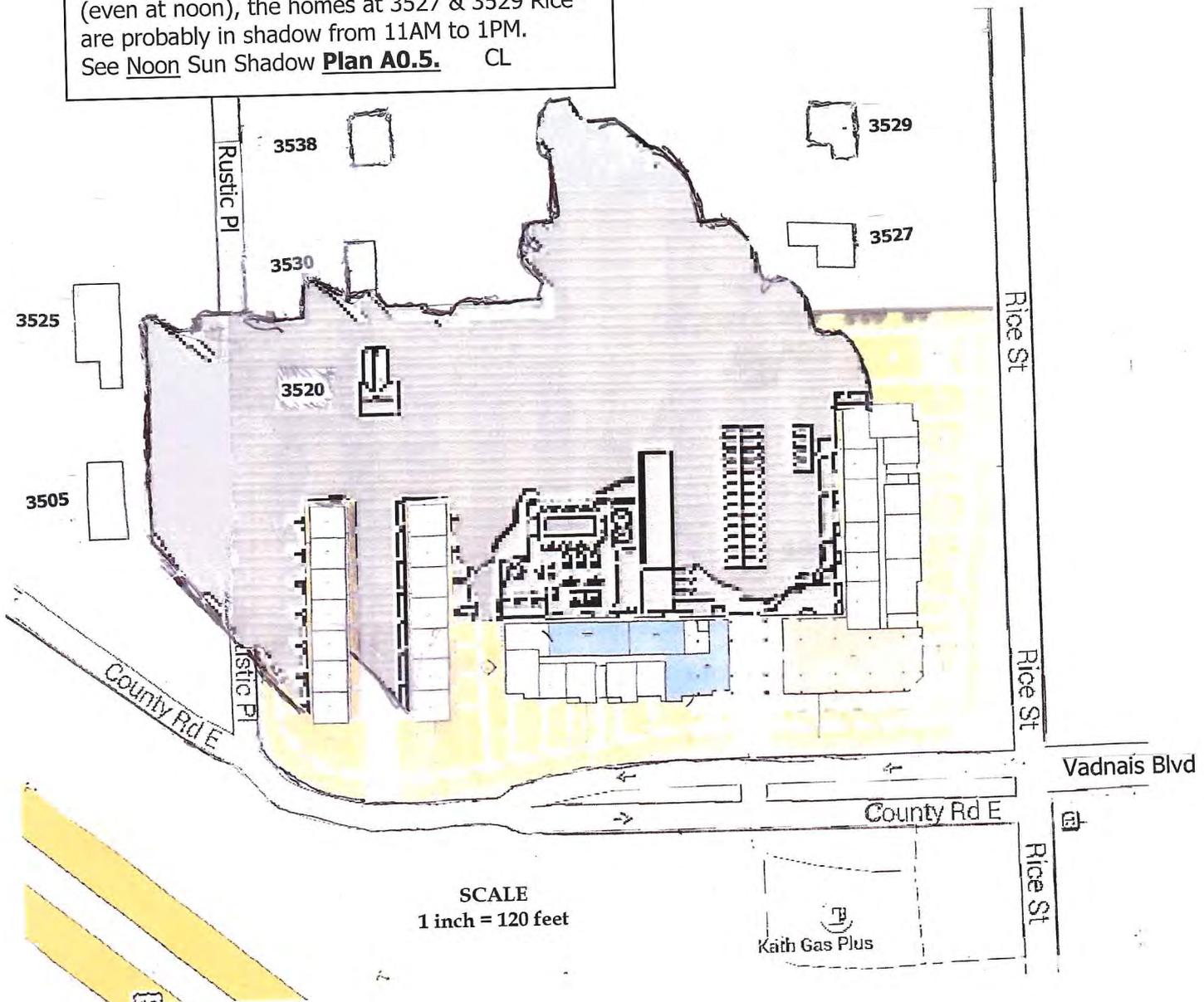
The proposed development would be between Rice St and Rustic Place North of County Rd E (on N. side of Freeway 694). Plans used in this drawing can be found at the Shoreview City website. Those plans from Commission agenda of 1-26-16 are:

- **A 0.5** - Sun- Shadow Dec 9 AM cast by proposed Apartments
- **A 1.1** - Plan View of the main development

House numbers are shown by homes. Note the home at 3520 Rustic Place is still in shadow of apartment at 9 AM - almost 2 hours after sun has risen. Shadow would be even longer at 8 AM, and more homes probably affected. The shadow is cast to the NW, as the sun rises in the SE, but in the afternoon, the shadow is cast to NE and homes at 3527 & 3529 Rice will probably be affected.

Curt Leavitt, Land Surveyor (retired)
Feb. 15, 2016

Given how low the sun is in southern sky in Dec (even at noon), the homes at 3527 & 3529 Rice are probably in shadow from 11AM to 1PM. See Noon Sun Shadow Plan A0.5. CL





Kathleen Castle <kcastle@shoreviewmn.gov>

Feedback on the proposed redevelopment of Rice and Cty Rd E W as requested.

1 message

Jeff&Lisa Olson <jeffandlisaolson@gmail.com>
To: kcastle@shoreviewmn.gov

Mon, Feb 15, 2016 at 2:37 PM

Hi!

My name is Jeff Olson and I live on Rustic Place (and own a home there). I am responding to the request for feedback on the changes of the plans for the Redevelopment of Rice and Cty Rd E W.

As I stated in my previous emails (which I will include below) I still have the same concerns and with these changes my concerns have actually grown. Infact, it seems the changes simply add more parking or drive ways, thus eliminating more green space and buffers only adding to the over development of the small space they wish to redevelop.

Incase you did not still have my previous concerns I have attached them below and would love you to share with whom ever is desiring feedback from the long time Shoreview residents as they discern what is in the best interests of the city.

- The lot is much to small for the number of units and height proposed of the building will be out of context and shadow other houses literally blocking the sun from their homes. Its out of scale with the area, the lot and most of Shoreview.
- There are other properties (such as the new 6 story property off of Victoria that visually does not mix with its surroundings and has a large vacancy issue). Also, having several close friends who do city planning for Moundsview and Vadnais Heights the first floor commercial spaces are hard sells (go further south on rice and look at how Little Canada is doing on that front) no one is building them anymore.
- That intersection is already much too busy for locals during rush hour. This adds a few 100 cars.
- The lack of green space for children who may live there is risky and unfair.
- No buffer between high density and single family housing. This is just a normative proper city planning issue.
- The way in which the builders have communicated at meetings with a belittling tone laced with superiority when communicating with life time Shoreview residents should concern you. A development group who seems to have no vested interest in Shoreview other then turning a fairly quick (yet risky given market conditions and a dow that is volatile, profit). I have been to several meetings and while I recognize the residents of this region are upset, the tone and candor of the development group borders on insulting.
- As a upper middle class person whom they are "targeting" for their proposed build this seems a bad sell. I moved to Shoreview for a yard for my kids. If I want a "loft" I am going to want to live downtown near restaurants, shops and not off Rice St. in Suburbia. I am suspecting I am not alone on that assumption.
- It appears that intersection on the Little Canada side will already be getting a tall building (assist. living) adding more traffic and competing with the other group this development is supposed to be catered to (Empty Nesters). Market over saturation could well be an issue.
- The neighborhood has been very vocal and attended many meetings and made attempts at requests to the developer and this voice has not been heard or addressed at all. in fact, the property height has only increased as the dialogue has gone on.

Here is what I would like to add that I feel may be a unique voice:

I am completely in agreement that region of Shoreview needs a make over, just not in the way, height and in the density that is proposed. Part of the problem is likely financial. They have too many partners (7 I believe) and thus for them to all make a good profit they have to go big or go home. This is where their best interests and Shoreviews best interests likely part ways. Please don't let money be the only voice we listen to in Shoreview.

2/17/2016

Shoreviewmn.gov Mail - Feedback on the proposed redevelopment of Rice and City Rd E W as requested.

Thank you for your time and hearing my concerns that are echoed by a neighborhood of longtime and invested Shoreview residents.

Thank you,

Jeffrey C Olson



Kathleen Castle <kcastle@shoreviewmn.gov>

Elevage Development Group, LLC File No. 2602-16-01

1 message

Mon, Feb 15, 2016 at 7:53 PM

howard@thecaulkersco.com <howard@thecaulkersco.com>

To: kcastle@shoreviewmn.gov

Cc: sandymartin444@gmail.com, emyjohnson26.2@gmail.com, tjquig@comcast.net, ady@adywickstrom.com, cory@coryspringhorn.com, tschwerm@shoreviewmn.gov

As the February 23, 2016 Shoreview Planning Commission meeting approaches, I continue to have concerns regarding the proposed development next to my property at 3520 Rustic Place, directly north of the development.

The height and overall size of the proposed project is concerning, as this will involve removing three neighboring homes and a single level shopping center; replacing them with a 5-story apartment complex and 14 townhomes. I don't believe the development, as proposed, will blend in well at all with the existing single family homes. Many of my neighbors have lived here most of their lives, while I've been here about 28 years, so this proposed change is very hard for us to visualize as being part of our neighborhood. There is also the concern that my property value would suffer.

Despite the shadow affects presentation by the developer, I still have concern regarding this. A local individual, Curt Leavitt (a retired Land Surveyor) has also performed a shadow study which indicates a more intrusive shadow may be cast than the developer has shown. I also have concern regarding a lack of air flow, both from the buildings being constructed and also the buffer zone trees and plants.

There is the possibility of residents or their children, or visitors to the new housing/businesses making their way onto my property (whether by accident or intentional). I don't think I'm unsociable, but I do have some concern that anyone injured on my property would incur some liability on my part. People enjoying themselves is a good thing, but the location of the outdoor pool and activity area just on the other side of the property boundary could mean excessive noise or music making it over to my home regularly as well.

There has been concern of cars from the development parking on Rustic Place, and the recent addition of a driveway from the development onto Rustic Place only increases this concern. With my home being next door, parking at my front yard would be the first available area. Regarding the traffic flow, there is now a waiting period to enter Rice Street from County E in the morning, I find it hard to believe a minor traffic jamb wouldn't result from the additional vehicles exiting the development.

I welcome development of this property, but it needs to be trimmed back to a more reasonable scale.

Thank you,

Howard Statz
3520 Rustic Place

ELEVAGE SHOPPING CENTER RENOVATION PROPOSAL 4TH REVISION FEB.
17, 2016

OUR MAIN CONCERNS WITH THIS 4TH REVISION;

1. HEIGHT AND DENSITY WERE PREVIOUSLY ADDRESSED IN OUR 3RD REVISION . WHY CAN'T THE PLANNING COMMISSION REQUEST AN ANSWER ON THIS FROM THE DEVELOPER BEFORE YOU APPROVE OR ALLOW HIM TO CONTINUE WITH THIS PROPOSAL, WHEN YOU HAVE STATED IN THE PAST THAT YOU WILL NOT LET THESE CHANGES ADVERSELY IMPACT THE ADJOINING PROPERTIES.
2. THE TRAFFIC STUDY ONLY ADDRESSED PART OF OUR CONCERNS. WE ARE REQUESTING ANOTHER STUDY TO REFLECT THE INCREASE IN TRAFFIC AND VEHICLES IN OUR AREA ATTEMPTING TO GET ONTO RICE ST. THE STUDY ONLY ADDRESSED "CUT THROUGH" TRAFFIC.
3. THE DEVELOPER HAS NOT IDENTIFIED THE COMMERCIAL SPACE IN THIS PROPOSAL. THERE WAS MENTION OF RESTAURANT/SPORTS BAR AND RETAIL SPACE. WHEN DO YOU REQUIRE AN ANSWER OR DO YOU LET HIM DO WHATEVER HE WANTS TO WITH THE SPACE. PLEASE ADDRESS THIS AND RESPOND.
4. IN THE REVISED FEBRUARY PROPOSAL, THERE IS ANOTHER ENTRANCE-EXIT FROM THE TOWNHOUSES UNTO RUSTIC PLACE. THIS ADVERSELY AFFECTS OUR LOW DENSITY NEIGHBORHOOD. RUSTIC PLACE IS A NARROW STREET AND THAT BRINGS ADDITIONAL TRAFFIC INTO OUR RESIDENTIAL AREA. THIS WAS NOT IN THE ORIGINAL PLAN. WHY IS THIS NECESSARY?
5. PRIVACY IS ALSO A CONCERN. REDUCING THE HEIGHT OF THE PROPOSED APARTMENT COMPLEX AND ELIMINATING THE BALCONIES ON THE NORTH AND WEST SIDES WOULD ALEVEATE THIS PROBLEM. WE KNOW THAT THE DEVELOPER HAS ADDED TREES, BUT THEY TAKE TIME TO GROW TO MATURITY AND WHEN THEY LOSE THEIR LEAVES IN THE FALL THAT ALSO TAKES AWAY PRIVACY



Kathleen Castle <kcastle@shoreviewmn.gov>

Regarding the Elevage Development for the February 23, 2016 Planning Commission Meeting

1 message

Wed, Feb 17, 2016 at 4:21 PM

jb3505@comcast.net <jb3505@comcast.net>

To: kcastle@shoreviewmn.gov

Cc: sandymartin444@gmail.com, emyjohnson26.2@gmail.com, tjquig@comcast.net, ady@adywickstrom.com, cory@coryspringhorn.com, tschwerm@shoreviewmn.gov

I live on Rustic Place. My home will be to the west of the proposed townhomes. I have a one story home.

In my previous letters, I addressed concerns about the proposal to develop the land on Cty E and Rice St. I feel the same as I wrote in those previous letters. The building of the 5 story apartment building and the 14 townhomes is too much for the space. I will not only be facing the townhomes but I will also see the apartment building over their roofs. It would be as if I chose to live in downtown St. Paul. The apartment building fits better in downtown where there are tall buildings with flat tops. There are no 5 story building near me. I am a one story home. The flat roof style doesn't fit with the residential setting. The town homes look like homes, but they are so crowded together that they look like cereal boxes next to each other. I'll be seeing these narrow buildings from my kitchen and living room for the rest of my life. I'll be seeing the apartment building towering over them too. I'm uncomfortable having balconies on the apartment facing west and north. It makes me uneasy for my safety. Isn't the City of Shoreview suppose to be looking out for the safety of its residents?

Parking spaces were added so that the renters wouldn't park on the street. I don't believe that at all. Renters will park on the street. I won't be getting my mail because they'll park too close to my mail box. When snow is plowed, the plow will move around the parked cars. I won't be plowed in front of my house. This has happened. I have pictures I can show you. Mail delivery is affected if the snow isn't plowed. I won't be getting my mail. Since these are renters, they won't care. But I will.

The outside lighting in this development will be a problem. If the developer puts lights around this area of the townhomes and apartment, I won't like it! It will be blinding for me at night.

The noise of 134 renters and occupants of the 14 townhomes will be a lot. The cars, all 148+ cars, may not all be well running and we'll have noisy cars moving in and out 24 hours of the day. It will be just like living in the heart of St Paul. They may have trailers, camping units parked outside. Noise. Noise. Noise. There is too much building on this piece of land. Too many people on this piece of land. Adults, children, and dogs have nowhere to go by my yard and down Rustic Place. I will need to put up a fence for the first time in 50 years to keep people out. Isn't the City of Shoreview suppose to be looking out for the safety of its residents?

2/18/2016

Shoreviewmn.gov Mail - Regarding the Elevage Development for the February 23, 2016 Planning Commission Meeting

The developer wants a restaurant in the apartment building. I'd like a nice family restaurant too. But I don't want a sports bar with the late night hours and the rowdy crowd that may come to it.

Changing the zoning to mixed use gives this developer too much leeway as to what can be done.

When Elevage met with the neighborhood, they were not respectful to the citizens' thoughts and concerns. I do hope the City of Shoreview will be more respectful to my thoughts and concerns. I hope the City of Shoreview will address all the concerns of the neighborhood.

I had previously addressed issues in earlier emails. I will not readdress them here.

Lower the height, decrease the density, and eliminate the balconies to the west and north.

Thank you for reading this,

Joan M. Benson
3503 Rustic Place
Shoreview, MN 55126
651.484.6539



Kathleen Castle <kcastle@shoreviewmn.gov>

Regarding the Elevate Development for the February 23, 2016 Planning Commission Meeting

Wed, Feb 17, 2016 at 8:48 PM

donjanbunde@q.com <donjanbunde@q.com>

To: Kcastle <kcastle@shoreviewmn.gov>

Cc: "Sandra C. Martin" <sandymartin444@comcast.net>, emyjohnson26.2@gmail.com, tjuig@comcast.net, ady@adywickstrom.com, cory@coryspringhorn.com, Terry Schwerm <tschwerm@shoreviewmn.gov>

We have attended all the meetings regarding the Elevate Proposal on County Rd E and Rice Street, two City Planning Commission Meetings, Council Meeting and two meetings with the developer. With each meeting we attended, proposals to the plans have varied: the placement of the apartment building, townhomes were added, less parking, more parking, green space, walkways, dog park, playground, bocce ball area, swimming pool, etc.

At each Planning Commission meeting, the committee members expressed concerns about the height of the apartment building. The Planning Commission, as well as the City Council, asked the height of the apartment be lowered. Less height would greatly reduce the population density but also reduce the shading issue to nearby residents. Also the reduced height and density would establish a better fit with neighborhood and residential homes.

An area that had an existing shopping center and three family homes is now being replaced by a five story apartment building with one hundred thirty four units including sixty eight hundred square feet of commercial space on the first floor and fourteen townhomes. This is too much development and is not an acceptable replacement for this small area.

The development needs to be scaled to better fit with this parcel of land next to an established residential area.

To keep privacy of the neighborhood all balconies on the north and west side of the buildings should be eliminated.

Do we have assurance that the emergency vehicle lane will only be used for that purpose only?

We are questioning the need for rental units in this area. Currently, there is the apartment building on County Rd D and Victoria (possibly only fifty percent occupied), the building of a Senior complex on Rice St. south of Owasso Blvd in Little Canada, and the near future development of the Arden Hills Arms Plant with four thousand+ units to be built. That is quite a lot of dwellings in close proximity.

Do not invest tax payer money in tax breaks or subsidies. Would you invest your own money in this development?

Don and Jan Bunde

3681 Rustic Place

2/18/2016

Shoreviewmn.gov Mail - Regarding the Elevate Development for the February 23, 2016 Planning Commission Meeting

Shoreview MN 55126

651 483 1876



Kathleen Castle <kcastle@shoreviewmn.gov>

Elevage Development Proposal

1 message

Thu, Feb 18, 2016 at 3:14 PM

Richard O'Neil <rwo3530@yahoo.com>
Reply-To: Richard O'Neil <rwo3530@yahoo.com>
To: "kcastle@shoreviewmn.gov" <kcastle@shoreviewmn.gov>

Ms Castle,

I am a resident of Shoreview and have lived on 3530 Rustic Place for the past 25+ years.

I am not opposed to the Elevage developmet but I have concerns:

1. I live very close to the development so I am directly affected by the height of the planned apartment building. According to the data rolling around, my property and that of my neighbor directly to the south will be in shadows for part of the day for about 90 days during the winter months: November, December, January, February. I respectfully request that the developer address this by lowering the height of the building or finding some other way to mitigate this feature.

2. The developer must provide adequate parking to mitigate the liklihood of overflow parking spilling over to Rustic Place.

3. It was also noted that the set back requirements were not being met in the designs that were presented at the last meeting.

All of these issues were raised at the last meeting and I am anxious to see how they have been addressed.

Thank you.

Richard O'Neil [651.481.1591](tel:651.481.1591)



Kathleen Castle <kcastle@shoreviewmn.gov>

Elevage Development Proposal

1 message

Thu, Feb 18, 2016 at 11:52 PM

JOHNSON, KEITH E <keithjohnson3034@msn.com>
To: "kcastle@shoreviewmn.gov" <kcastle@shoreviewmn.gov>

Ms. Castle:

Concerning the development proposed by Elevage Development Group for the northwest corner of Rice Street and County Road E, we have two concerns for consideration by the Shoreview Planning Commission:

1. The Planning Commission has twice requested the developer to address the intensity of the project, but the latest proposal remains more intense than the original proposal that triggered the first request.

2. A careful review of the Westwood Professional Services traffic study leads us to believe it draws an erroneous conclusion: "...it is concluded that either development scenario will not create unacceptable traffic impacts on the existing roadway network in Shoreview." This conclusion is drawn from the results of three simulations of the Rice Street/County Road E junction. The first simulation replicates existing (December 2015) conditions and serves to validate the model they use. It indicates an acceptable Level of Service rating (LOS) of LOS-C for the intersection.

The second and third simulations allow one to compare projected 2018 traffic conditions with and without the proposed redevelopment. The latter two simulations are referred to as the "No-Build" and the "Build" simulations, and they both indicate an unacceptable LOS-E rating for the intersection. The Westwood study therefore concludes that although both simulations result in an unacceptable service rating, the redevelopment project does not make the situation worse. It does not degrade the rating further, to LOS-F, for instance.

These simulation results are summarized in Tables 1, 2, and 3 of the study. Oddly, the data of Tables 2 and 3 ("No Build" and "Build" simulations, respectively) is identical. Review of the raw data in the Technical Appendix reveals that the "No Build" simulation data was not entered into Table 2. Instead, the "Build" simulation data was entered, so both tables contained the same data. The raw data from the Technical Appendix also indicates that the actual "No Build" simulation probably places the Level of Service (LOS) rating much closer to the acceptable LOS-C than to the LOS-E level cited in the text of the report. That result contradicts the Westwood study conclusion; the redevelopment will actually impact the

2/19/2016

Shoreviewmn.gov Mail - Elevage Development Proposal

service level of the intersection significantly in a negative way. In reality, the intersection will be rated LOS-C for no redevelopment and LOS-E for redevelopment.

Based on these two concerns, we believe the Planning Commission should reject the proposed redevelopment.

Keith and Carolyn Johnson

3695 Rustic Place

Shoreview, MN 55126

Elsa and Jeff Keeler
209 Saint Marie Street, Shoreview 55126
February 18, 2016

To: Kathleen Castle
Shoreview City Planner
kcastle@shoreviewmn.gov

Re: Elevage Development Group, properties 157 County Road E, 185 County Road E, 3521 Rice Street and 3500 Rustic Place. LLC File No. 2602-16-01

Comments: We are 29 year residents of the neighborhood, living in the home built by Elsa's grandfather. We embrace change, and we are pleased that the city of Shoreview is entertaining a proposal for housing and commercial development on the properties noted above. Providing a variety of housing options is critical to supporting a sustainable community. We hope that the city of Shoreview can continue a vision for a "healthy and livable" community where people can live, work, have access to active transportation (bike and walk), public transportation, and open spaces.

Unfortunately, the current proposal before the Planning Commission is not consistent with a vision for a healthy, sustainable community. On the contrary, the 5 story building with the density of housing proposed by Elevage crowds the property, leaves minimal open space, and will have significant negative impact on the established neighborhood houses close by.

It is uncommon to find 5 story apartment buildings amid single family dwellings in any of the surrounding comparable suburban communities. In fact, as I drive around the metro, I see *very few* multi-family units with more than 3 stories when located in a suburban residential area. We believe that the proposal, as currently written, does not support a "livable" community environmentally, aesthetically, or practically. Please consider the negative impact of the proposal in your recommendations to the city council.

Sincerely,

Elsa and Jeff Keeler email: enk@nisswandt.com



Kathleen Castle <kcastle@shoreviewmn.gov>

Why the Elevage Proposal Should be Denied

1 message

Wed, Feb 3, 2016 at 7:39 PM

Dorothy Legault <dodylegault@aol.com>

To: smartin@shoreviewmn.gov, ejohnson@shoreviewmn.gov, tquigley@shoreviewmn.gov,
 cspringhorn@shoreviewmn.gov, awickstrom@shoreviewmn.gov
 Cc: tschwerm@shoreviewmn.gov, kcastle@shoreviewmn.gov, blake.huffman@co.ramsey.mn.us,
 rep.jason.isaacson@house.mn

Why the Elevage Proposal Should Be Denied

The latest Shoreview Comprehensive Plan was approved in 2008. It is a public document serving as a policy guide for decision makers. However, city officials have found a convenient way to bypass the plan. Potential developers can submit PUDs, which allow flexibility for the City to ignore their own written policies, and this is exactly what Elevage has done.

For example, in Chapter 4, "Land Use," the city has set rather strict guidelines and policies for further developments. Under redeveloping the area once known as the County Maintenance Site, the Plan states the redevelopment "should achieve the goals of improved landscaping, improvements in vehicular access, sidewalks and trail connection to nearby open space." It would seem the same policies should apply to the County Road E/Rice Street site as well. Unfortunately, the freeway and railroad tracks do not allow easy access to nearby Lake Owasso for swimming, boating, or picnicking. To get to Vadnais Lake, just down the road, a pedestrian must cross Rice Street, a very difficult crossing. Furthermore, the new Vadnais Boulevard bridge has a narrow concrete shoulder which is not conducive to walking and biking. The Plan on p. 46 also states that "access onto Rice Street shall be minimized to the extent feasible" for the area south of North Owasso Boulevard. Again, this should relate to the Elevage proposal. Adding 14 townhomes, an apartment with 146 units, and several businesses, including a restaurant, traffic on Rice Street will be significantly impacted. To disagree is foolhardy!

The Elevage proposal most certainly does not enhance the Rustic Place/Rice Street neighborhood. Our homes are on 2/3 of an acre or more, which qualify as low-density. This means no more than 4 units per acre, according to the Comprehensive Plan. Fourteen townhomes on 1 and 1/3 acres are a drastic departure from the city's own guidelines for a low density neighborhood (4-4). With a PUD anything is possible; never mind the City's well thought out intentions years ago.

Policies set forth by the Plan for general land use (4-11/12) include evaluating and minimizing "adverse impacts in air quality, surface and groundwater and other natural resources." A five story apartment, as proposed by Elevage, will mean a lack of direct sun and reduced or negligible air flow for the homes north of the proposed development. This will result in excessive moisture causing mold and wood rot to the homes. Once begun, this condition will continue to damage the homes' structural integrity throughout all four seasons of the year. In addition, Elevage will cut down hundreds of trees for their project. Again, the Plan states "visual impact of altering the landscape and of new development must be considered." The loss of those trees will definitely have a negative impact. "Noise and night lighting shall be reviewed in all land use decisions" A restaurant with a bar, especially if it has any outdoor seating, will certainly minimize the enjoyment of the homeowners for

any outdoor use of their property.

Under General Land Use, the Plan has set goals for residential uses. The first goal (4-13) states "Maintain and enhance the quality of all residential neighborhoods." Exactly how does the Elevage Proposal do either??

For these reasons alone, ignoring the fact that the state will begin widening I694 by Rice Street in the spring, the Elevage Proposal should be denied by the Shoreview Planning Commission and City Council. If the City accepts the Elevage proposal, elected officials and administrators are really saying their Comprehensive Plan has little value as PUDs allow them the opportunity to ignore their own written policies.

So save the money and time necessary to complete the 2018 Comprehensive Plan. For Shoreview residents, the documents are meaningless and a waste of paper.

Dr. Dody LeGault

I would like to comment on three memoranda coming from Elevage Development Group within the past month.

1) Shoreview Rice Traffic Study - NW Corner Rice (CR 49) & W. County Road E, Shoreview, MN

- . This study has surfaced sometime after the County has made it's decision ... why ?
- . It does not show the total mess when Elevage construction and the expansion of 694 (requiring both Rice street exits to be closed) ... these will be happening at the same time.
- . It does not mention the Rice Street bridge over 694 replacement ... it has happen it sometime.
- . When the off-ramp 694 traffic backs up and Rice street traffic backs up at the same time, there is no timing setting of the traffic light at Rice and County Road E that will not punish the East/West flow in order to improve the North/South flow or vice versa.

2) Concern with Potential Cut-Through Traffic Shoreview Rice Development, Shoreview, MN

- . The document mentions Rice and County Road C in the fifth paragraph ... glaring typo.
- . The document mentions that the Saint Marie outlet to Rice is involved ... not true.
- . The problem happens when the morning traffic on Rice backs up to Gramsie & Hodgson Road.
- . If that happens, people are sorely tempted to take a right onto Rustic Place, race down to the end of the street, take a left on County Road E to get to the traffic light, and wait for the light to change.
- . The local police have done stake-outs to discourage this behavior but it can break out again.
- . The morning traffic out of the Elevage development puts pressure on the Rice Street traffic flow by tripping the traffic light ... very unlikely that everyone leaves at the same time.

3) Memo by Michael Mergens dated February 10, 2016

- . Parking ... my concern here is what happens when parking is maxed out in the complex.
- . Perhaps, Elevage can make an arrangement with the railroad to handle overflow parking.
- . Empty land is only a block away.
- . Site Plan Changes ... no comments
- . Shadow Study ... why do most of his comments relate to south face of the complex ?
- . If there is any commercial value for an apartment complex to face a 694 on-ramp, it escapes me.
- . Something is missing here ... the ending doesn't make sense to me

Looking at C2 zoning provisions, among the uses that are permitted uses are a motel/hotel and the height of that hotel (or any other use) is legally authorized to exceed 35 feet in height provided that for every foot in height.

- . If this is part of a federal provision on how close to an interstate highway one can build (and how high), then that would make sense.

**PROPOSED MOTION
ELEVAGE DEVELOPMENT GROUP, LLC /ELEVAGE SHOREVIEW
HOLDINGS, LLC**

MOVED BY COMMISSION MEMBER: _____

SECONDED BY COMMISSION MEMBER: _____

To recommend the City Council approve the following requests submitted by Elevage Development Group, LLC/Elevage Shoreview Holdings, LLC (EDG) to redevelop the following properties: 157 County Road E, 185 County Road E, 3521 Rice Street and 3500 Rustic Place with a mixed use residential and commercial development.

Comprehensive Plan Amendment

1. The amendment changes the land use designation from C, Commercial/O, Office and RL, Low Density Residential to MU, Mixed Use.
2. Review and approval of the amendment by the Metropolitan Council.
3. The amendment will not be effective until the City grants approval of the Final Plat and PUD - Final Stage requests and the development agreements are executed.

Rezoning

1. This approval rezones the property from C2, General Commercial and R1, Detached Residential to PUD, Planned Unit Development.
2. The underlying zoning district for this PUD is: Lot 2 – R2, Attached Residential, Lot 3- R3, Multi-Dwelling Residential for the apartment units and C1, Retail Service for the commercial
3. Rezoning is not effective until approvals are received for the Final Plat, PUD - Final Stage and development agreements executed.

Preliminary Plat

1. A public use dedication fee shall be submitted as required by ordinance prior to release of the final plat by the City.
2. The final plat shall include drainage and utility easements along the property lines. Drainage and utility easements along the roadways shall be 10' wide and along the side lot lines these easements shall be 5' wide. Other easements shall be dedicated as required by the Public Works Director.
3. Private agreements shall be secured between the parcels in the subdivision regarding the maintenance of shared facilities. Said agreements shall be submitted to the City Attorney for review and approval prior to the City's release of the Final Plat.
4. Comments received from the State of Minnesota and Ramsey County shall be addressed in the Final Plat submittal.
5. The Final Plat shall be submitted to the City for approval with the Final Stage PUD application.

Planned Unit Development – Development Stage

1. This approval permits the redevelopment of 157 County Road E, 185 County Road E, 3521 Rice Street and 3500 Rustic Place with a mixed use development consisting of a 5-story building that has 134 market rate apartment units and 6,800 square feet of commercial space on the first floor. Fourteen townhomes are also planned.
2. Access to the site shall be provided via the driveways off County Road E and Rustic Place as indicated in the approved plans. Access from Rustic Place may be modified provided the requirements of the Fire Department are met.
3. The items identified in the City Engineer's memo dated January 20th shall be addressed in the Final PUD submittal.
4. The items identified by the Fire Marshall in his letter dated January 11th shall be addressed in the Final PUD submittal.
5. Approval of the final grading, drainage, utility, and erosion control plans by the Public Works Director is required, prior to submittal to the City of applications for Final Plat and PUD – Final Stage. Final plans shall identify site construction limits and the treatment of work (i.e. driveways, parking areas, grading, etc.) at the periphery of these construction limits.
6. The developer shall secure a permit from the Ramsey Washington Metro Watershed District prior to commencing any grading on the property.
7. The proposed apartment housing structure shall be of a 5-story design as depicted on the plans submitted with this application. Said building shall include the architectural enhancements and high-quality building materials as identified. The structure shall not exceed the 55-foot height as identified in this report and on the submitted plans.
8. A financial contribution to the City's Forestry fund is required since the number of required tree replacements cannot be accommodated on the development site.
9. 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. The Development Agreement shall address:
 - a. Construction management and nuisances that may occur during the construction process, including parking for contractors. No parking is permitted on Rustic Place, County Road E and Rice Street.
 - b. Best Management Practices for Water Quality improvement
 - c. Landscape maintenance
 - d. Maintenance of stormwater management facilities
10. This approval shall expire after two months if the Planned Unit Development - Final Stage application has not been submitted for City review and approval, as per Section 203.060 (C)(6).

This approval is based on the following findings:

1. The proposed redevelopment plan supports the policies stated in the Comprehensive Plan related to land use, housing and redevelopment.
2. The proposed redevelopment plan carries out the recommendations as set forth in the Housing Action Plan

3. The proposed redevelopment plan will not have a significant adverse impact the planned land use of the surrounding property.
4. The proposed deviations permit this site to be redeveloped with a use that expands life-cycle and affordable housing, including housing choice in the city.

VOTE:

AYES:

NAYS:

Regular Planning Commission Meeting
February 23, 2016

T:\2016 Planning Cases Files\2602-16-01 155-173 Cty Rd E-Elevage

TO: Planning Commission
FROM: Niki Hill, Economic Development and Planning Associate
DATE: February 18, 2016
RE: Accessory Structures

INTRODUCTION

Throughout the past year staff, the Planning Commission and the City Council have discussed the existing accessory structure regulations and increased requests for conditional use permits and variances. Planning Commission members and staff have most recently discussed options that provide more flexibility to property owners relating to the size of the structure based on the parcel size. The proposed ordinance changes establish area and setback regulations based on a tiered system while making sure that these structures remain subordinate to the principal structure on the property and do not negatively impact adjoining properties.

The majority of residential parcels in the City are one half acre (21,780 square feet) or less. The average parcel size is just over 17,600 square feet or .4 acres. Changes with this new system to these smaller properties will be minimal.

CURRENT DEVELOPMENT CODE

The current Development Code (Section 205.082 (D)(5)(a)) establishes a maximum permitted area for accessory structures on parcels less than one acre. On these lots, an accessory structure are limited to 150 square feet in size but can be increased to 288 square feet in size provided a conditional use permit is received. In addition, the total of all accessory structures cannot exceed 90% of the dwelling unit foundation area or 1,200 square feet, whichever is less.

On parcels greater than one acre, a conditional use permit is required to exceed the limits defined for parcels less than one acre. There is, however, no cap for the maximum area. If the conditional use permit criteria and standards can be satisfied, then the permit should be issued. Without a cap, there is some concern that larger accessory structures would not meet the spirit and intent of the Development Code which is to ensure that the dwelling remains the primary use of the property is residential and that an accessory structure, whether attached or detached, does not detract from the residential character of the property or neighborhood.

PROPOSED CHANGES

Information regarding existing lot sizes is being presented to the Commission as an attachment. The tiered approach for accessory structures was chosen to provide more flexibility to property owners while taking the size of their property and dwelling unit foundation into consideration. We have broken it down into four sizes:

- Under ½ acre
- ½ acre – under 1 acre
- 1 acre to under 2 acres
- 2 acres and over

It should be noted for parcels 1 acre or larger in size, lot area is measured above the ordinary high water line of a lake, pond or wetland area on the property. This restriction connects the buildable area of the property with the permitted accessory structure size and considers the building capacity of the site.

The changes include increasing the maximum permitted sizes outright as well as increasing sizes allowed with a Conditional Use Permit for parcels ½ Acre and larger. There would also be a cap to the total amount of accessory square footage in all of the tiers – including the 2 acres and over. The proposed regulation changes would minimally affect the majority of properties (.5 acres and lower) as we would allow up to 200 square feet outright instead of the current 150 square feet. The Staff believes the intent of the code remains the same with accessory structures being a subordinate use/structure on the property. See attached ordinance for the proposed changes.

PUBLIC HEARING

Notice of the hearing has been published in the City’s Legal Newspaper. No comments from the public have been received.

RECOMMENDATION

The Staff believes the proposed changes related accessory structures add greater flexibility to our residents while keeping the spirit and intent of the original code. The changes also better clarify the requirements and add a cap to the total allowable square footages for all property sizes. Staff is recommending the Commission recommend approval to the City Council.

Attachments

- 1) October 27, 2015 Planning Commission Minutes
- 2) Accessory Structure Parcel Size Map
- 3) Proposed Section 205.082 changes with existing code to be removed
- 4) Proposed Section 205.082 changes after removal of existing code
- 5) Motion Sheet

Excerpt from October 27, 2015 Planning Commission Minutes

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

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

MISCELLANEOUS

Discussion - Accessory Structure Regulations

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

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

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

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

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

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

Commissioner Doan stated that front setback requirements are not stipulated. Mr. Warwick stated that front setbacks are for riparian lots, so that accessory structures could be placed on the street side rather than the lake side. Commissioner Doan referred to page 205-42 and asked how

the 5-foot and 10-foot setbacks are applied in the one-half acre to one acre tier. Ms. Hill responded that a standard detached garage requires only a 5-foot setback.

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

City Council Assignments

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

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

Workshop Meeting

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

ADJOURNMENT

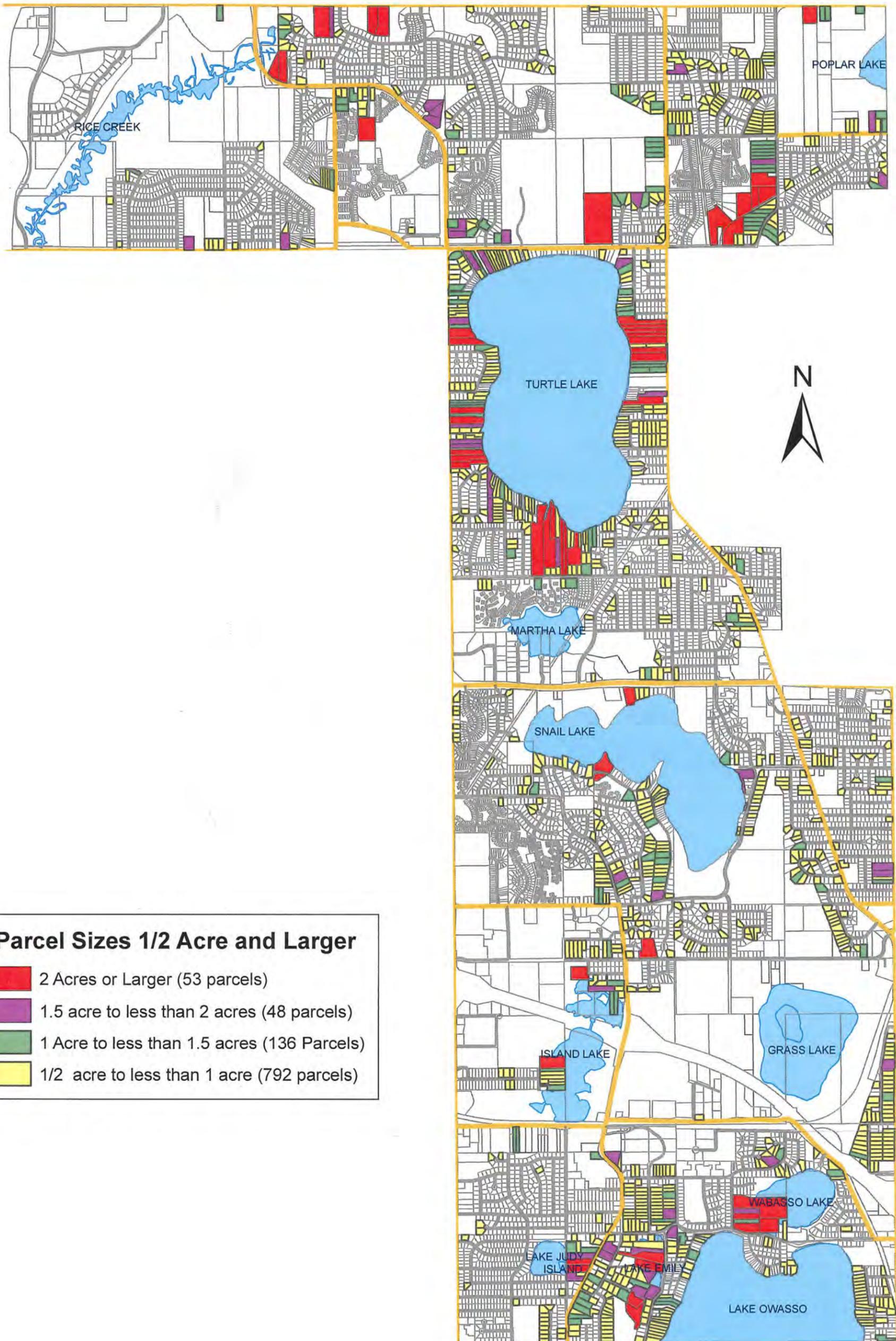
MOTION: by Commissioner Schumer, seconded by Commissioner McCool to adjourn the meeting at 9:50 p.m.

VOTE: Ayes - 6 Nays - 0

ATTEST:

Kathleen Castle
City Planner

Accessory Structure Parcel Sizes



Section 205.082 Proposed Additions and Deletions

Red Text = Proposed Changes

~~Stricken Text~~ = Proposed Deletion

Rev. Date
5/20/13
Ord. 907

- (a) Front Yard. Dwellings and accessory structures shall have a front yard setback of at least twenty-five (25) feet but in no event more than forty (40) feet.
- (b) Rear Yard. Dwellings shall have a rear yard setback of at least 30 feet and accessory structures shall have a rear yard setback of at least 10 feet, regardless of lot area requirements.
- (c) Side Yard. Side yards adjoining a street right-of-way shall be treated as a front yard for purposes of setback requirements. Dwellings and accessory structures shall maintain minimum side yard setbacks as follows:

District	Dwelling	Accessory Structures
RE (20)	10	5
RE (40)	10	5
RE (60)	15	10
RE (80)	15	10

- (d) Lot Coverage. Lot coverage shall be restricted as follows:

District Title	Maximum Lot Coverage
RE (20)	30%
RE (40)	20%
RE (60)	15%
RE (80)	15%

(D) Lots of Record. Legal lots of record that existed prior to a rezoning to a Residential Estate District shall continue to be classified as buildable lots, provided any new construction complies with the RE District standards to extent practical, as determined by the Director of Community Development.

205.082 Detached Residential District (R1)

- (A) Purpose. In addition to the purposes defined in Section 205.080 (Residential Overview), the Detached Residential District is established to reserve appropriately located areas for single-family living at reasonable population densities consistent with the Land Use Plan Chapter of the Comprehensive Guide Plan.
- (B) Permitted Uses. In addition to the uses defined in Section 205.080 (Residential Overview), the following activities are permitted in the Detached Residential District:

- (1) Single-family structures and accessory structures.
- (2) Accessory apartments subject to permit requirements of Section 203.031 (Accessory Apartment Permit).
- (3) Manufactured homes.
- (4) The keeping of non-domestic animals is permitted on property containing two (2) or more acres. The City Council may require the owner of non-domestic animals to apply for a Conditional Use Permit if the Council determines that it is in the best interest of the public's health, safety or general welfare; provided, however, that the raising and keeping of not more than four (4) hen chickens or pullets is permitted on property less than two (2) acres provided a license is obtained in accordance with Section 601.020(D).

Rev.Date
5/3/10
Ord. #868

- (5) The keeping of Wild Animals is permitted pursuant to the provisions of Section 601.020(B) and provided a license is obtained in accordance with the requirements of that Section.

Rev. Date
11/17/08
Ord. 837

(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) Funeral Homes (mortuaries) provided the site adjoins a collector or arterial roadway. The performance standards set forth in Section 205.043(C) (General Commercial District (Conditional Uses) shall also be imposed as a condition(s) of approval.
- (2) Accessory Structures **that exceed the maximum allowable permitted with a conditional use permit provided that the standards in Table 205-A are met.**

~~(a) On parcels less than 1 acre in size, accessory structures that have an area of 150 square feet to 288 square feet in size are permitted as a conditional use provided the standards in Section 205.082(C)(2)(e) are met.~~

~~(b) On parcels 1 acre or larger in size, accessory structures that exceed the maximum allowable square footage are permitted as a conditional use provided the standards in Section 205.082(C)(2)(e) are met.~~

(a) ~~(e)~~ Performance Standards

- (1) The accessory structure shall be located in the rear yard of the property except as otherwise permitted by this ordinance.
- (2) ~~The accessory structure shall be setback a minimum of 10 feet from the side property line and 10 feet from the rear property line; however, the City may require greater setbacks to mitigate impacts on adjoining properties.~~

Rev.Date
4/17/06
Ord. #789

The accessory structure shall be subordinate to the single-family residential dwelling unit.

- (3) For parcels 1 acre or larger in size, the lot shall have a minimum area of 1 acre above the ordinary high water line of a lake, ponding area or wetland on the property.
- (4) The accessory structure shall be screened from view of adjacent properties and public streets through the use of landscaping, berming, fencing or a combination thereof.

(D) Required Conditions. In addition to the conditions of Section 205.080(D) (Residential Overview), the following conditions apply:

(1) Lot Size. A lot of not less than 10,000 square feet with a minimum width of 75 feet and a minimum depth of 125 feet.

(2) Setback. Dwelling and accessory structures shall have a front yard setback of at least twenty-five (25) feet but in no event more than forty (40) feet. The side yard setback shall be a minimum of ten (10) feet except that side yards adjoining a street right-of-way shall be treated as a front yard for purposes of setback requirements. The rear yard setback shall be a minimum of thirty (30) feet. Zero lot line developments are permitted if consistent with adjacent land uses.

(3) Height. 35-foot maximum.

(4) Lot coverage. Maximum of 40%.

(5) Accessory Structures are subject to the maximum size and setback standards of Table 205-A below.

~~(a) Maximum Area:~~

~~(i) Attached Accessory Structure: 1,000-square feet or 80% of dwelling unit foundation area, whichever is more restrictive.~~

~~(ii) Detached Accessory Structure:~~

~~a. Area shall not exceed the 75% foundation area of the dwelling unit or 750 square feet whichever is more restrictive.~~

~~b. Parcels less than 1 acre in size:~~

~~i. When there is no attached garage or an attached garage that is less than a two-car, a single detached accessory structure may consist of the maximum area allowed in Section~~

Rev. Date
5/20/13
Ord. 907

Rev. Date
4/17/06
Ord. #789

~~205.082(D)(5)(a)(ii)(a). However, the second detached structure shall not exceed 150 square feet. The area of the second detached accessory structure may be increased to a maximum of 288 square feet upon Conditional Use Permit approval.~~

~~ii. When there is an attached two-car garage or larger on the property, the total area of all detached accessory structures shall not exceed 150 square feet. The total area of all detached accessory structures may be increased to a maximum of 288 square feet upon Conditional Use Permit approval.~~

~~e. Parcels that have a lot area of one or more acres:~~

~~i. When there is no attached garage or an attached garage that is less than a two-car, a single detached accessory structure may consist of the maximum area allowed in Section 205.082(D)(5)(a)(ii)(a). However, the second detached structure shall not exceed 288 square feet.~~

~~ii. When there is an attached two-car garage or larger on the property, the total area of all detached accessory structures shall not exceed 288 square feet.~~

~~iii. The maximum allowable square footage for accessory structures may be exceeded upon Conditional Use Permit approval.~~

~~(iii) The combined area of all accessory structures shall not exceed 90% of the dwelling unit foundation area or 1,200 square feet whichever is more restrictive.~~

Table 205-A

Lot Area	Type of Accessory Structure	Maximum Area	Minimum* Side Setback	Minimum* Rear Setback
Less than ½ acre				
	Attached	1,000 square feet or 80% of the dwelling unit foundation area whichever is more restrictive	5 ft.	10 ft.
	Detached (with no attached or less than 2 car attached)	750 square feet or 75% of the dwelling unit foundation area whichever is more restrictive	5 ft.	10 ft.
	Detached Accessory Structure (with 2-car or larger attached garage)	Up to 200 square feet	5 ft.	10 ft.
		CUP - 200 square feet to 288 square feet	10 ft.	10 ft.
	Combined – Attached and Detached	1,200 square feet or 90% of the dwelling unit foundation area		
½ acre to less than 1 acre				
	Attached	1,000 square feet or 80% of the dwelling unit foundation area whichever is more restrictive	5 ft.	10 ft.
	Detached (with no attached or less than 2 car attached)	1,000 square feet or 80% of the dwelling unit foundation area whichever is more restrictive	5 ft.	10 ft.
	Detached Accessory Structure (with 2-car or more attached garage)	Up to 288 square feet	5 ft. – under 200 sq ft. 10 ft. – 200 sq ft. and above	10 ft.
		CUP – Up to 440 square feet	10 ft.	10 ft.
	Combined – Attached and Detached	1,200 square feet or 90% of the dwelling unit foundation area		

Lot Area	Type of Accessory Structure	Maximum Area	Minimum* Side Setback	Minimum* Rear Setback
1 acre to less than 2 acres				
	Attached	1,000 square feet or 80% of the dwelling unit foundation area whichever is more restrictive	5 ft.	10 ft.
	Detached (with no attached or less than 2 car attached)	1,000 square feet or 80% of the dwelling unit foundation area whichever is more restrictive	5 ft.	10 ft.
	Detached Accessory Structure (with 2-car or more attached garage)	Up to 440 square feet	5 ft. – under 200 sq ft. 10 ft. – 200 sq ft. and above	10 ft.
		CUP – Larger than 440 sq. ft.	10 ft.	10 ft.
	Combined – Attached and Detached	1,500 square feet or 100% of the dwelling unit foundation area		
2 acres or more				
	Attached	1,000 square feet or 80% of the dwelling unit foundation area whichever is more restrictive	5 ft.	10 ft.
	Detached (with no attached or less than 2 car attached)	1,000 square feet or 80% of the dwelling unit foundation area whichever is more restrictive	5 ft.	10 ft.
	Detached Accessory Structure (with 2-car or more attached garage)	Up to 440 square feet	5 ft. – under 200 sq ft. 10 ft. – 200 sq ft. and above	10 ft.
		CUP – Larger than 440 sq. ft.	10 ft.	10 ft.
	Combined – Attached and Detached	125% of the dwelling unit foundation area		

* Greater Setbacks may be required to mitigate impacts on adjoining properties.

~~(a) Additional Setback Standards:~~

~~i. Attached Accessory Structures~~

~~a. Rear yard setback: Not less than 30 feet or the minimum setback required for the principal structure~~

~~b. Side yard setback: 5 feet~~

~~ii. Detached Accessory Structures~~

~~a. Side yard: 5 feet~~

~~b. Rear yard: 10 feet~~

i. Alleys:

~~a. 20 feet if a garage overhead door faces the alley.~~

~~b. 10 feet if a garage overhead door is side loaded and does not face the alley.~~

~~c. Location of the accessory structure shall not interfere with vehicle visibility or traffic movement in the alleyway.~~

~~ii. Accessory structures on corner lots shall be setback the same distance as the principal structure from the street right-of-way except as permitted in 205.080(D)(1).~~

~~iii. No accessory structures shall be located in the front yard of any lot, except for a riparian lot which shall comply with the provisions of Section 203.039 (Riparian Lot-Detached Accessory Structure Permit).~~

~~iv. Structures housing non-domestic animals: 100 feet from all property lines except as permitted by the City's licensing provisions.~~

~~(b)(e) Height – Detached Accessory Structures~~

i. Height of sidewalls cannot exceed 10 feet.

ii. Maximum height: 18 feet as measured from the highest roof peak to the lowest finished grade; however, in no case shall the height of the accessory structure exceed the height of the dwelling unit

iii. Storage areas are permitted above the main floor provided they do not exceed an interior height of 6 feet.

~~(c)(d)~~ Maximum Number of Detached Accessory Structures: 2

~~(d)(e)~~ Exterior Design and Construction

- (i) The exterior design and materials shall be compatible with the dwelling unit and be similar in appearance from an aesthetic, building material and architectural standpoint.
- (ii) Unfinished metal building exteriors, including corrugated metal siding, untreated non-decay resistant wood, concrete block, cloth, plastic sheeting and other materials that are not compatible with residential neighborhoods are prohibited.
- (iii) All accessory buildings shall maintain a high standard of architectural and aesthetic compatibility with surrounding properties to ensure that they will not adversely impact the surrounding properties and neighborhood.
- (iv) All accessory structures shall have a finished flooring system, with the exception of boathouses.
- (v) No accessory structure shall be constructed prior to the construction of a principal structure.

~~(e)(f)~~ Use: Accessory structures are to be used for personal use only and no commercial use or commercial related storage is permitted.

~~(f)(g)~~ Escrow: A cash escrow may be required to insure the removal of any accessory structure on the property if said structure must be removed to comply with this Ordinance.

~~(g)(h)~~ Evaluation of Impact. The proposed design, scale, massing, height and other aspects related to the accessory structure of any permit requested herein shall be evaluated by the City Manager with respect to the structures and properties in the surrounding area. A building permit may be issued upon the finding that the appearance of the structure is compatible with the structures and properties in the surrounding area and does not reasonably detract from the appearance of the area or city as a whole. Conditions may be attached to the approval of any building permit to ensure that the proposed structure does not have a negative impact on the surrounding areas.

205.083 Attached Residential District (R2)

(A) Purpose. In addition to the purposes defined in Section 205.080(A) (Residential Overview), the Attached Residential District is established to:

- (1) Provide for all income levels an opportunity to enjoy a medium density environment.

Proposed Final Version of Section 205.082
Red Text = Proposed New Text

Rev. Date
 5/20/13
 Ord. 907

(3) Setbacks.

- (a) Front Yard. Dwellings and accessory structures shall have a front yard setback of at least twenty-five (25) feet but in no event more than forty (40) feet.
- (b) Rear Yard. Dwellings shall have a rear yard setback of at least 30 feet and accessory structures shall have a rear yard setback of at least 10 feet, regardless of lot area requirements.
- (c) Side Yard. Side yards adjoining a street right-of-way shall be treated as a front yard for purposes of setback requirements. Dwellings and accessory structures shall maintain minimum side yard setbacks as follows:

<u>District</u>	<u>Dwelling</u>	<u>Accessory Structures</u>
RE (20)	10	5
RE (40)	10	5
RE (60)	15	10
RE (80)	15	10

- (d) Lot Coverage. Lot coverage shall be restricted as follows:

<u>District Title</u>	<u>Maximum Lot Coverage</u>
RE (20)	30%
RE (40)	20%
RE (60)	15%
RE (80)	15%

(D) Lots of Record. Legal lots of record that existed prior to a rezoning to a Residential Estate District shall continue to be classified as buildable lots, provided any new construction complies with the RE District standards to extent practical, as determined by the Director of Community Development.

205.082 Detached Residential District (R1)

- (A) Purpose. In addition to the purposes defined in Section 205.080 (Residential Overview), the Detached Residential District is established to reserve appropriately located areas for single-family living at reasonable population densities consistent with the Land Use Plan Chapter of the Comprehensive Guide Plan.
- (B) Permitted Uses. In addition to the uses defined in Section 205.080 (Residential Overview), the following activities are permitted in the Detached Residential District:

- (1) Single-family structures and accessory structures.
- (2) Accessory apartments subject to permit requirements of Section 203.031 (Accessory Apartment Permit).
- (3) Manufactured homes.
- (4) The keeping of non-domestic animals is permitted on property containing two (2) or more acres. The City Council may require the owner of non-domestic animals to apply for a Conditional Use Permit if the Council determines that it is in the best interest of the public's health, safety or general welfare; provided, however, that the raising and keeping of not more than four (4) hen chickens or pullets is permitted on property less than two (2) acres provided a license is obtained in accordance with Section 601.020(D).
- (5) The keeping of Wild Animals is permitted pursuant to the provisions of Section 601.020(B) and provided a license is obtained in accordance with the requirements of that Section.

Rev.Date
5/3/10
Ord. #868

Rev. Date
11/17/08
Ord. 837

(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) Funeral Homes (mortuaries) provided the site adjoins a collector or arterial roadway. The performance standards set forth in Section 205.043(C) (General Commercial District (Conditional Uses) shall also be imposed as a condition(s) of approval.
- (2) Accessory Structures **that exceed the maximum allowable permitted with a conditional use permit provided that the standards in Table 205-A are met.**
 - (a) Performance Standards
 - (1) The accessory structure shall be located in the rear yard of the property except as otherwise permitted by this ordinance.
 - (2) **The accessory structure shall be subordinate to the single-family residential dwelling unit.**
 - (3) For parcels 1 acre or larger in size, the lot shall have a minimum area of 1 acre above the ordinary high water line of a lake, ponding area or wetland on the property.
 - (4) The accessory structure shall be screened from view of adjacent properties and public streets through the use of landscaping, berming, fencing or a combination thereof.

Rev. Date
5/20/13
Ord. 907

(D) Required Conditions. In addition to the conditions of Section 205.080(D) (Residential Overview), the following conditions apply:

- (1) Lot Size. A lot of not less than 10,000 square feet with a minimum width of 75 feet and a minimum depth of 125 feet.
- (2) Setback. Dwelling and accessory structures shall have a front yard setback of at least twenty-five (25) feet but in no event more than forty (40) feet. The side yard setback shall be a minimum of ten (10) feet except that side yards adjoining a street right-of-way shall be treated as a front yard for purposes of setback requirements. The rear yard setback shall be a minimum of thirty (30) feet. Zero lot line developments are permitted if consistent with adjacent land uses.
- (3) Height. 35-feet maximum.
- (4) Lot coverage. Maximum of 40%.
- (5) Accessory Structures are subject to the maximum size and setback standards of Table 205-A below.

Table 205-A

Lot Area	Type of Accessory Structure	Maximum Area	Minimum* Side Setback	Minimum* Rear Setback
Less than 1/2 acre				
	Attached	1,000 square feet or 80% of the dwelling unit foundation area whichever is more restrictive	5 ft.	10 ft.
	Detached (with no attached or less than 2 car attached)	750 square feet or 75% of the dwelling unit foundation area whichever is more restrictive	5 ft.	10 ft.
	Detached Accessory Structure (with 2-car or larger attached garage)	Up to 200 square feet	5 ft.	10 ft.
		CUP - 200 square feet up to 288 square feet	10 ft.	10 ft.
	Combined – Attached and Detached	1,200 square feet or 90% of the dwelling unit foundation area		

* Greater Setbacks may be required to mitigate impacts on adjoining properties.

Lot Area	Type of Accessory Structure	Maximum Area	Minimum* Side Setback	Minimum* Rear Setback
1/2 acre to less than 1 acre				
	Attached	1,000 square feet or 80% of the dwelling unit foundation area whichever is more restrictive	5 ft.	10 ft.
	Detached (with no attached or less than 2 car attached)	1,000 square feet or 80% of the dwelling unit foundation area whichever is more restrictive	5 ft.	10 ft.
	Detached Accessory Structure (with 2-car or more attached garage)	Up to 288 square feet	5 ft. – under 200 sq ft. 10 ft. – 200 sq ft. and above	10 ft.
		CUP – Up to 440 square feet	10 ft.	10 ft.
	Combined – Attached and Detached	1,200 square feet or 90% of the dwelling unit foundation area		
1 acre to less than 2 acres				
	Attached	1,000 square feet or 80% of the dwelling unit foundation area whichever is more restrictive	5 ft.	10 ft.
	Detached (with no attached or less than 2 car attached)	1,000 square feet or 80% of the dwelling unit foundation area whichever is more restrictive	5 ft.	10 ft.
	Detached Accessory Structure (with 2-car or more attached garage)	Up to 440 square feet	5 ft. – under 200 sq ft. 10 ft. – 200 sq ft. and above	10 ft.
		CUP – Larger than 440 sq. ft.	10 ft.	10 ft.
	Combined – Attached and Detached	1,500 square feet or 100% of the dwelling unit foundation area		

* Greater Setbacks may be required to mitigate impacts on adjoining properties.

Lot Area	Type of Accessory Structure	Maximum Area	Minimum* Side Setback	Minimum* Rear Setback
2 acres or more				
	Attached	1,000 square feet or 80% of the dwelling unit foundation area whichever is more restrictive	5 ft.	10 ft.
	Detached (with no attached or less than 2 car attached)	1,000 square feet or 80% of the dwelling unit foundation area whichever is more restrictive	5 ft.	10 ft.
	Detached Accessory Structure (with 2-car or more attached garage)	Up to 440 square feet	5 ft. – under 200 sq ft. 10 ft. – 200 sq ft. and above	10 ft.
		CUP – Larger than 440 sq. ft.	10 ft.	10 ft.
	Combined – Attached and Detached	125% of the dwelling unit foundation area		

* Greater Setbacks may be required to mitigate impacts on adjoining properties.

(a) Additional Setback Standards:

- i. Alleys:
 - a. 20 feet if a garage overhead door faces the alley.
 - b. 10 feet if a garage overhead door is side loaded and does not face the alley.
 - c. Location of the accessory structure shall not interfere with vehicle visibility or traffic movement in the alleyway.
- ii. Accessory structures on corner lots shall be setback the same distance as the principal structure from the street right-of-way except as permitted in 205.080(D)(1).
- iii. No accessory structures shall be located in the front yard of any lot, except for a riparian lot which shall comply with the provisions of Section 203.039 (Riparian Lot-Detached Accessory Structure Permit).

- iv. Structures housing non-domestic animals: 100 feet from all property lines except as permitted by the City's licensing provisions.

(b) Height – Detached Accessory Structures

- i. Height of sidewalls cannot exceed 10 feet.
- ii. Maximum height: 18 feet as measured from the highest roof peak to the lowest finished grade; however, in no case shall the height of the accessory structure exceed the height of the dwelling unit
- iii. Storage areas are permitted above the main floor provided they do not exceed an interior height of 6 feet.

(c) Maximum Number of Detached Accessory Structures: 2

(d) Exterior Design and Construction

- (i) The exterior design and materials shall be compatible with the dwelling unit and be similar in appearance from an aesthetic, building material and architectural standpoint.
- (ii) Unfinished metal building exteriors, including corrugated metal siding, untreated non-decay resistant wood, concrete block, cloth, plastic sheeting and other materials that are not compatible with residential neighborhoods are prohibited.
- (iii) All accessory buildings shall maintain a high standard of architectural and aesthetic compatibility with surrounding properties to ensure that they will not adversely impact the surrounding properties and neighborhood.
- (ii) All accessory structures shall have a finished flooring system, with the exception of boathouses.
- (iii) No accessory structure shall be constructed prior to the construction of a principal structure.

(e) Use: Accessory structures are to be used for personal use only and no commercial use or commercial related storage is permitted.

(f) Escrow: A cash escrow may be required to insure the removal of any accessory structure on the property if said structure must be removed to comply with this Ordinance.

(g) Evaluation of Impact. The proposed design, scale, massing, height and other aspects related to the accessory structure of any permit requested herein shall be evaluated by the City Manager with respect to the structures and properties in the

surrounding area. A building permit may be issued upon the finding that the appearance of the structure is compatible with the structures and properties in the surrounding area and does not reasonably detract from the appearance of the area or city as a whole. Conditions may be attached to the approval of any building permit to ensure that the proposed structure does not have a negative impact on the surrounding areas.

205.083 Attached Residential District (R2)

(A) Purpose. In addition to the purposes defined in Section 205.080(A) (Residential Overview), the Attached Residential District is established to:

- (1) Provide for all income levels an opportunity to enjoy a medium density environment.
- (2) Reserve appropriately located areas for family living in a variety of types of dwellings at a reasonable range of population densities consistent with the Land Use Chapter of the Comprehensive Guide Plan.
- (3) Provide special requirements for common facilities, parking and other conditions created by an increased population density.

(B) Permitted Uses. In addition to the uses defined in Section 205.080(B) (Residential Overview), buildings with 2-6 residential units are permitted in the Attached Residential District.

(C) Required Conditions. In addition to the conditions of Section 205.080(D) (Residential Overview), the following conditions apply for the Attached Residential District:

- (1) Lot size. Minimum zoned area of 5 acres unless being rezoned from Urban Underdeveloped; minimum lot size of 10,000 square feet per building plus 1,000 square feet per unit and a width of not less than 80 feet per building.
- (2) Setback. A front yard of 30 feet, a side yard of 10 feet except that side yards adjoining a street right-of-way shall be treated as a front yard for purposes of setback requirements. Zero lot line developments shall be permitted.
- (3) Height. 35-feet maximum.
- (4) Lot Coverage. A maximum of 55%. Maximum lot coverage may be increased to 60% 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).
- (5) Accessory Structures.

PROPOSED MOTION

MOVED BY COMMISSION MEMBER _____

SECONDED BY COMMISSION MEMBER _____

To recommend the City Council approve the amendment to Section 205.082, Development Code, pertaining to Accessory Structures in the R1- Detached Residential zoning district.

VOTE:

AYES: _____

NAYS: _____

Regular Planning Commission Meeting – February 23, 2015