



## **FRIDLEY PLANNING COMMISSION**

WEDNESDAY, MAY 20, 2020

7:00 P.M.

FRIDLEY CIVIC CAMPUS, COUNCIL CHAMBERS

7071 UNIVERSITY AVENUE N.E.

### **AGENDA**

#### **CALL TO ORDER**

#### **ROLL CALL**

#### **APPROVE PLANNING COMMISSION MEETING MINUTES:** March 18, 2020

#### **PUBLIC HEARING:**

1. Consideration of a Variance, VAR #20-01, to reduce the front yard setback requirement from 80 ft. to 58 ft. to allow the construction of a Caribou Cabin coffeeshop, generally located at 6290 Hwy 65.

#### **ACCEPTANCE OF MINUTES FROM OTHER COMMISSIONS** – THROUGH ONE MOTION

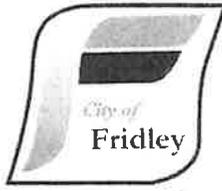
Motion to accept the minutes from the following Commission meetings:

#### **OTHER BUSINESS:**

#### **ADJOURN**

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NEXT PLANNING COMMISSION MEETING DATE:  
JUNE 17, 2020



## **FRIDLEY PLANNING COMMISSION**

WEDNESDAY, MARCH 18, 2020

7:00 P.M.

FRIDLEY CIVIC CAMPUS, COUNCIL CHAMBERS

7071 UNIVERSITY AVENUE N.E.

### **MINUTES**

#### **CALL TO ORDER**

Co-Chairperson Sielaff called the Planning Commission Meeting to order at 7:00 p.m.

#### **ROLL CALL**

**PRESENT:** Mike Heintz, Mark Hansen, Ryan Evanson, Brad Sielaff, and Terry McClellan

**ABSENT:** David Kondrick and Leroy Oquist

**OTHERS PRESENT:** Scott Hickok, Community Development Director  
Todd Ofsthun, TCO Design  
Don Krause, Lanewood Estates  
Dave Ostwald, City Council Member

#### **APPROVE MINUTES**

February 19, 2020

**Motion** by Commissioner Heintz to approve the minutes. Seconded by Commissioner Evanson.

**UPON A VOICE VOTE, ALL VOTING AYE, CO-CHAIRPERSON SIELAFF DECLARED THE MOTION CARRIED UNANIMOUSLY.**

#### **PUBLIC HEARING:**

1. Consideration of a Special Use Permit, SP #20-01, by Lanewood Estates, LLC, to allow the construction of an assisted living and memory care facility in an R-1, Single Family zoning district, generally located at 5350 Monroe Street.

**MOTION** by Commissioner Hansen to open the public hearing. Seconded by Commissioner McClellan.

**UPON A VOICE VOTE, ALL VOTING AYE, CO-CHAIRPERSON SIELAFF DECLARED THE MOTION CARRIED UNANIMOUSLY AND THE PUBLIC HEARING WAS OPENED AT 7:02 P.M.**

**Scott Hickok**, Community Development Director, this is a special use permit to allow the construction of an assisted living and memory care facility on a vacant parcel. The parcel is zoned R-1, single-family residential, and is located at 5350 Monroe Street. He presented an aerial photograph of the area which is located between the Target site and pet store and also single-family homes on Madison Street NE. The property is 2.2 acres and is located off from 53<sup>rd</sup> Avenue on Monroe Street. Currently it is a heavily wooded site. It has never been developed. It has potentially some wetlands bordering on the west and south sides of the property. It is zoned R-1, single-family residential, as are those properties to the west and the south. To the south of this site is the Kindercare daycare center, and it was located there in an R-1 district as well by virtue of a special use permit in 1971.

**Mr. Hickok** stated the Code requires that every lot be nothing less than 25 feet of right-of-way to be considered a legitimate lot for development. This property does have that minimum of 25 feet. In fact it has 33.8 feet of access along Monroe Street and, therefore, it meets the requirement by having adjacency to a public right-of-way.

**Mr. Hickok** stated this is the second time in the very recent past where they have seen a dead end street that abuts a property and provides just enough opportunity for access into that site. In this case it is Monroe coming in at a full width to the south corner of this property.

**Mr. Hickok** stated some of them may remember the Sikh Society of Minnesota purchased this property back in 2007, and they had hoped to create a worship facility on this site. The Council approved their special use permit in 2007, and several extensions were granted until 2011. They then turned to another site they purchased in Bloomington rather than developing this site.

**Mr. Hickok** stated their site plan required them to access an easement from Target and Petco in order to make the proper accesses they sought, and this would allow them to do that instead of accessing them from Monroe Street in the way the current development is proposing. At that time Target was agreeable to that type of access, but the Petco store was not. As a result they did relocate and Mr. Hickok did not think that was their only deciding factor, but they found a location in Bloomington and decided they would offer this site for sale.

**Mr. Hickok** stated the project that is being proposed is a building that has 71 units. It is an assisted living and memory care facility that will be three stories in height. The first floor will have 25 care units, a central kitchen, gathering space, library, chapel, and a theater. The second floor will have 31 units and the third floor will have 15 units. They will note from the architectural rendering he presented there is a side yard and there is a

bit of a stepping down of the property to an outside porch area for outside enjoyment. It does bring the scale of the building down a bit also as it comes closer to existing residential to the west.

**Mr. Hickok** stated this proposed project includes access through a new driveway that would be at the southeast portion of Monroe Street. One of the things that is different between this and the previous proposal is that Monroe Street will actually be designed in a way the engineering department will accept in that the driveway comes in perpendicular and allows visibility both directions. It is not a tight "Y" arrangement but instead there is enough curvature using Monroe in the position and the fashion they are using it to allow their driveway to come in perpendicular at the corner of the site.

**Mr. Hickok** stated a wetland delineation that was completed in 2007 showed wetland in that location which is the reason the Sikh Society was most interested in just avoiding that wetland and bringing the driveway in from the east.

**Mr. Hickok** stated the petitioner is still working with their civil engineer to design a solution that would allow them access by crossing the wetland and of course there is a lot of wetland work that would have to be done in order to be able to do that as they know.

**Mr. Hickok** stated the purpose of a special use permit is to provide the City with a reasonable degree of discretion in the determination of suitability of certain uses based upon the general welfare, public health, and safety of the area in which it is located. A special use permit gives the City the ability to place stipulations on a proposed use and to eliminate negative impacts of surrounding properties. They will remember in the Code they have those uses that are permitted by right, and there are accessory uses that are permitted by right, and they have special uses which he would say are more of a qualified yes or a qualified use where, provided they can meet the standards that are spelled out in stipulations to mitigate impacts, they would be acceptable. The City does have the right to deny a special use permit, only if the impacts to its surrounding properties or onto its site itself cannot be eliminated through stipulations.

**Mr. Hickok** stated hospitals, clinics, and assisted living homes for the elderly are permitted special uses in an R-1, single-family zoning district. They need to meet the performance standards as they have talked about relative to their building site and parking requirements.

**Mr. Hickok** stated this proposed building complies with the lot coverage and setback requirements. In this case the City Code would require 41 parking stalls for a nursing home or similar use which is a formula the City uses for memory care units. Not all of the units are memory care but, because it is the most restrictive parking formula in the Code, the

petitioner used this to be most conservative. Rather than 41 stalls, they are proposing 50 stalls.

**Mr. Hickok** stated the Engineering staff has reviewed this and have made a number of comments. The project is located in the Mississippi Watershed Management Organization Area, and the City is the permitting authority for this watershed district. As they know there are several watersheds in Fridley. This is one where the City is actually the permitting authority which is a bit unusual about this watershed district.

**Mr. Hickok** stated the utility plan submitted shows the location of an infiltration basin, a filtration basin, and utility services. The developer will be required to locate all existing utilities for the final design before the project will be approved for permit. Utility connections to water, sewer, and sanitary will need to be obtained from the City or through easements from Target for this subject property.

**Mr. Hickok** stated there is a question about ownership of utilities in this area. Many are private Target utilities, some are public. There is an easement for which the developer will need permission and a construction easement from Target to complete the project as planned. Also, they will need to confirm the utilities are truly connected to the public utilities.

**Mr. Hickok** stated further, relative to storm water, the Engineering review includes some discussion that based on the storm water management plan, the proposed project meets the rate control requirements for the two 10 and 100-year storm events. This means the rate of runoff for these specific events does not increase as a result of the development or the developer.

**Mr. Hickok** stated the developer is meeting these requirements by constructing an infiltration basin and filtration basin as part of their project. The storm water calculations show that it meets the requirements, but the Engineer Department had several questions based on the assumptions of the report including the viability of infiltration and filtration basins that are shown. More discussion is being identified here by the Engineering staff to make certain the assumptions that were used would also coincide with the Engineering staff's beliefs about proper infiltration and filtration on this site.

**Mr. Hickok** stated the Fridley utility department has observed some substantial flooding in this area in the past. It is not evident from the modeling and should be investigated further.

**Mr. Hickok** stated as to the wetland that was mentioned earlier, he will further describe that a wetland delineation was done by the Sikh Society in 2007 and that is no longer valid.

The developer will be required to complete a new delineation. If it is not done within the last five years, it does need to be updated. Delineations must be performed during the growing season and submitted to the Wetland Conservation District and the LGU (Local Government Unit, the City of Fridley) for concurrence and approval of wetland boundaries and type. The developer plans to have this completed this spring.

**Mr. Hickok** stated any potential impacts to wetlands delineated on the property will be reviewed in accordance with the WCA and must comply with the standards set forth of the WCA.

**Mr. Hickok** stated the City has received two comments from neighbors. He has given the Commission paper copies of these. One of the comments was, "I live directly adjacent to the wooded lot in question. I am strongly opposed to the development of this property to an assisted care facility. My house overlooks this beautiful wooded area, and I enjoy it very much. It is home for many wild animals, including wild turkeys, hawks, multiple species of birds, foxes, and several years ago, a deer. In the summer at night I am serenaded at night by the course of frogs chirping and in the morning he sees sunrise over the wooded area. It allows for a feeling of privacy in my house, and I am sure increases the value of my property. Please do not allow the development of this precious land." That comment is by Dr. Ross who lives at 5361 Madison Street NE.

**Mr. Hickok** stated the second comment is, "I think the proposal to build an assisted living facility and memory care in the R-1 single family zoning district at 5350 Monroe Street is totally unacceptable. Currently there are two other assisted living and memory care facilities in the southern portion of Fridley. One at 5300 Fourth Street and the White Pines Assisted Living Memory Care at 6352 Central Avenue NE. Neither of which are at capacity." Mr. Hickok does question that statement. "The site being proposed is a poor location based on its proximity to the Oak Hills neighborhood to the west which is R-1 single family zoning district and adjacent commercial properties to the east and south. This property is not developable using normal conventional construction methods utilized for this type of project because it is low and swampy and has been used as a dump site for construction material over the years. The property development will require removal of hundreds, maybe thousands of trees, and destroy the natural buffer that currently exists between the homes at 5381, 5371, 5361, 5351, 5341 Madison Street NE and 596 1/2 Avenue NE and the commercial properties to the east. I oppose the proposed development of this property." That comment comes from Wesley Grandstrand of 5431 Madison Street NE.

**Mr. Hickok** stated relative to the comments that have been submitted that, like a similar proposal the Planning Commission had recently on Hillcrest, there is a wooded parcel next to single-family residential that folks have come to enjoy as a wooded parcel. To that end the owner has had this property for sale for many years and to enjoy it and continue to

have it as a wooded property next door, it was available for sale. There are certain land rights that people have when they own property, and their ability to develop that certainly is the same for the owner of this property as it was for the owner of the property who developed the neighborhood to the west. As far as the birds, the wildlife, and so forth certainly it is something we all enjoy; but the City does require landscape on the new developed site. Although it is not hundreds or as the comment stated, thousands of trees, there are trees and there will be a buffer where trees have been removed on some part of this site and a building and landscape combination. There will also be a parking area, grading, and storm ponds. It is a different landscape but it is something that is being proposed by this developer.

**Mr. Hickok** stated as for the other comment it seems to focus more on the relative relationship of the other assisted living and memory care facilities in this area. They may recall in the Comprehensive Plan ten years back the City of Fridley was described by some senior developers as the hole in the donut for senior housing. Whether they were talking about assisted living, memory care, or nursing type facilities with full care, Fridley really did not have a lot. The fact that the City's Comprehensive Plan did point out areas where that could happen, probably in part was a contributor to the fact that development then began looking in this direction.

**Mr. Hickok** stated the other thing is the market. The market demands certainly have driven folks' interest in taking sites that are otherwise difficult to develop and looking at those today as sites that potentially could house that housing opportunity for assisted living and memory care. Where is the saturation point? That is a good question that comes up always during development discussions such as this, and they certainly would hate to go from being a hole in the donut to being overly saturated and find themselves at some point in the future with too much. However, with every one of these housing projects that come forward typically there is a very thoughtful housing analysis that has gone along with it so that bankers, lenders, and the developers themselves can understand what the development picture is; and they look out at that forecast as well because typically these things are mortgaged over time. It is not unusual for adjacent properties to enjoy the separation and the solitude of undeveloped property.

**Mr. Hickok** stated City staff recommends approval of this special use permit as assisted living and homes for the elderly are a permitted special use in the R-1 single family zoning district provided those certain conditions can be met. The following stipulations are as follows:

1. The petitioner shall meet all requirements set forth by:
  - a. The Building Code

- b. The Fire Code - including but not limited to, hydrant location, weight restrictions on a potential bridge that would traverse wetland, signage for emergency vehicles
  - c. The City's Engineering department including but not limited to grading, drainage, utilities plans, storm pond maintenance agreement, and utility connection fees
  - d. The City's Planning department – including but not limited to landscaping, lighting, and signage plans
  - e. The Mississippi Watershed Management Organization
2. The petitioner is required to provide a wetland delineation and associated Notice of Decision for the Wetland Boundary/Type consistent with the Wetland Conservation Act.
  3. Any potential impacts to wetlands delineated on the property will be reviewed in accordance with the Wetland Conservation Act and must comply with the standards set forth under the Wetland Conservation Act.
  4. All costs associated with the City's review of the wetland delineation and administration of the Wetland Conservation Act will be borne by the applicant
  5. The petitioner is strongly encouraged to participate in Xcel Energy's Energy Design Assistance Program in order to identify energy and cost –saving strategies.

**Mr. Hickok** stated all of the above entities mentioned in Stipulation No. 1 have had their eye on this project and have contributed to the stipulations that are set forth. What this stipulation is saying is the requirements that are being forwarded or advanced by these groups would be adhered to.

**Mr. Hickok** stated as to Stipulation No. 5 the City sees this as a standard coming forward and is really hoping to introduce as an option with any new construction that is happening.

**Commissioner Hansen** asked Mr. Hickok what is the extension of the Monroe Street public ownership?

**Mr. Hickok** replied, the public portion of the roadway on the illustration he presented is not perfect but the yellow highlighted area, the center of that essentially, follow the dotted line, and they will see that Monroe comes in. It literally overlaps the front parking island of the Kindercare daycare. This is the right-of-way as it comes in.

**Commissioner Hansen** stated the City is responsible to plow to the end of that.

**Mr. Hickok** replied, that is correct.

**Commissioner Hansen** stated similar to the application they had before them last month, there is not much of a turn around ability for plow trucks. Has that been discussed with Public Works that they are comfortable with the way that is configured?

**Mr. Hickok** replied, both the Public Works director and his assistant have been involved with these discussions and realize this is peculiar at its best. This is already an area where they use a piece of equipment that recognizes that they really do not have the standard place to push snow. They really have not been pushing it even into the corner of this site because there is not a lot of room considering the bearing of the blade and where the snow goes from here. Typically they are plowing it out to 53<sup>rd</sup> from here and then picking it up with their plowing activities along 53<sup>rd</sup>. Again, it is a peculiar dead end street that he believes was somewhat purposely left so that it did not leave a parcel without any opportunity to connect; but it is not an ideal opportunity either.

**Commissioner Hansen** stated is there any reason the City would not just vacate that right-of-way?

**Mr. Hickok** replied, if they did, they would be looking at buying this property because they would be leaving a parcel without access on a public right-of-way.

**Commissioner McClellan** asked if there is any likelihood that street would run north to connect on the other end? There is a parcel to the north of the subject parcel, and he does not know who owns that, is it the same party who owns the subject parcel?

**Mr. Hickok** replied, no, it is not. It is owned by Target. What he is referring to is this area here north of the highlighted site, the starred area. That is owned by Target largely. There is a little funny-shaped piece that is City-owned also that is just south of Cheri Lane. Target has no interest in a public street behind and in fact at one point they talked to them about having a formal opening and a walkway so that folks from this neighborhood could enjoy walking to their store; and they have no interest in encouraging public traffic of pedestrian, bike, or automobile type.

**Commissioner Hansen** asked about Fire Department access. The building he assumes will have a fire suppression system?

**Mr. Hickok** replied, yes, it will.

**Commissioner Hansen** asked and the Fire Marshall has no concerns with otherwise getting to it?

**Mr. Hickok** replied, they have looked at this. There is a hydrant that exists on the site just about that northeast corner of the site, off from the back parking lot area of Target. They are suggesting a fire connection within 100 feet of their building, and they would likely in this instance with how the building is being positioned, fight a fire from both the parking lot of this facility and also if necessary from along the eastern side of the curb.

**Commissioner McClellan** stated just for clarity, there was some discussion about 41 parking slots and then wanting 50. Is the actual number going to be 41? Also, how many employees might there be on this site on any given day?

**Mr. Hickok** replied, they are proposed in excess of the number of stalls the City would have, by formula required 41. They are proposing to have 50. In the staff report it indicated they did do a nice job of spelling out the number of staff they have, with their experience, throughout the course of their time there. They have even broken down into the time frames of 6:30 a.m. to 2:30, 2:30 to 7, 7 to 10:30, and 10:30 to 6:30 in the morning. They give very specific average cars during that 6:30 to 2:30, for example, is 32 cars. That is their highest peak time for cars. It drops from there considerably at 2:30 p.m. to 6:30 a.m. would be 12 cars. Worse case scenario, in their peak time of 6:30 to 2:30, would be 40 cars. Again they are talking in excess of the 41; they plan to construct 50 in the event they are needed.

**Commissioner McClellan** stated and this is a commercial endeavor and, therefore, it would be a taxable piece of property?

**Mr. Hickok** replied, yes, that is correct.

**Commissioner Evanson** asked if they have any information about who the developer is, who the operator would be, and their experience operating a facility of this scale?

**Mr. Hickok** replied, yes, the City does. He would refer to the guest on the specifics but Mr. Ofsthun and his company, TCO, were also involved in that other project at 53<sup>rd</sup> Ave and 4<sup>th</sup> Street.

**Commissioner Heintz** asked, what about traffic, stop signs, etc. Who installs those on the property? As far as coming out?

**Mr. Hickok** replied, the stop sign coming out of this would be recommended at that point of juncture; and it would be the private entity who would borne the cost by the developer themselves.

**Commissioner Heintz** stated you do not want someone just pulling out there when you have trucks coming down that road and Kindercare kids coming out, etc. It is something they should require.

**Mr. Hickok** replied, as part of the analysis the City has done, signage is a requirement as part of the stipulations. That is part of the signage they are talking about.

**Commissioner McClellan** asked is there not development or rerouting of 53<sup>rd</sup> either in the works to be started in 2021? What bearing does this have on that?

**Mr. Hickok** replied, it will not in any way diminish one's ability to develop this site. It will provide walkway, bikeway, better opportunities along 53<sup>rd</sup>. It will provide a much improved roadway surface along 53<sup>rd</sup> as well.

**Commissioner Heintz** asked how about the Target side where it is kind of a "Y" there. His wife goes around the back to avoid traffic but coming back down, you are not going to see cars pulling out of there. Can they do some traffic changes there, too?

**Mr. Hickok** replied, it took some real design work to get the roadway design so there is a perpendicular view point, not only for the person coming out of this site, but for the person coming out of the Target site. As they know there are large trucks coming out of the back area and the last thing they would want is a visibility issue at that corner. If that driveway goes in at that corner where proposed, there will be a lot of grading done and trees removed, so it is going to open up the site considerably. The stop sign will be easily seen for the cars sitting at that intersection.

**Commissioner Hansen** asked are there lights planned for the parking lot or could there be one at this intersection or are there other existing lights in that parking lot that may be close enough to help address some of the concern?

**Commissioner Heintz** stated people will stop there. Cars will not be paying attention coming down from the north to somebody pulling out from the right hand side.

**Commissioner Hansen** stated they should not be coming from the north if it is a private drive technically.

**Commissioner Heintz** stated customers from Target come out that way instead of having to get out by Petco.

**Mr. Hickok** replied, although he does not have a lighting plan before him this evening to answer that, it is something the City is very interested in also. Proper lighting in a parking lot and access so that folks can see will be required at building permit submittal time.

**Co-Chairperson Sielaff** referred to the storm water pond and asked whether that was also an infiltration basin? Is that designed with a certain amount of infiltration?

**Mr. Hickok** replied, this is where the engineering folks come in and he is going to be honest, he does not pretend to be an engineer on this, but he will tell them there are some questions about assumptions being made. Generally speaking a wetland does not serve well as your storm pond nor do typical conservation regulations allow you to just double up and use one for the other.

**Co-Chairperson Sielaff** stated his concern obviously is if the storm water pond is under design because they are taking in a certain amount of infiltration that does not happen.

**Commissioner Hansen** stated the site plan labels the bottom basin or the basin in the south as an infiltration pond. He thinks that is what the engineering memo tries to actually describe as the filtration pond. What that means is there will be drain tile installed so the basin by the wetland is more than likely not going to be an infiltration basin because we know that wetlands would not be wet if it infiltrated. It is going to need a mechanism like drain tile in order to support that volume of extraction. That is part of the City requirement.

**Mr. Hickok** stated in Stipulation No. 1 where it refers to the engineering analysis and meeting the requirements, the point of putting it on the record tonight and there are still questions about those assumptions and there needs to be stronger assertion and better demonstration by the engineering folks on the developer's side to make sure those questions are answered satisfactorily.

**Co-Chairperson Sielaff** stated he remembers this came up 12 years ago or so, and they did a wetland delineation back then. He understands what Mr. Hickok is saying they need to do a new one but that is based on the fact it has been so many years since the last one that was done. He does not know if the fundamentals of the site have changed. What did they come up with at the time of the delineation he asked if Mr. Hickok knew. He asked because the City approved that, right?

**Mr. Hickok** replied, that project was approved with a driveway in a different location, and it did define wetlands in the southeast corner to avoid.

**Commissioner Heintz** asked why at this time are they able to do a driveway on the south side now that they could not do 12 years ago?

**Mr. Hickok** replied, even on the Civic Campus site they had some wetland they were dealing with that they needed to deal with and in that case they managed through purchasing wetland credits and working very closely with the watershed district and the other agencies. There is no promise that any one certain outcome will work on the subject property so until the actual delineation is done we won't know how the wetlands could be handled on this site. In some cases filling is allowed provided that it meets other certain qualifications. Part of the Wetland Conservation Act requires that a new delineation be completed. We may not realize it, but there can be enough change over the course of time that what was not showing up as wetland vegetation years ago has emerged, and it would cause somebody to take a second look at that delineation and say it goes farther than they had anticipated.

**Co-Chairperson Sielaff** stated as far as a protected wetland, how many acres does it go down to?

**Commissioner Hansen** asked whether he meant the diminus? He thinks it is like 5,000 square feet.

**Mr. Hickok** stated that sounds right. Here is where he talks about certain sizes and characteristics. There are ways you can manage it. It would be dangerous for him to even try and tell them outcomes here without knowing size and without knowing precisely what they will find through this delineation.

**Commissioner Hansen** stated the other item to consider when it comes to wetlands, they will do a functions and value assessment and some wetlands have degraded so much over time that they are not valuable anymore to the ecosystem. So those are able to be impacted in an easier way.

**Co-Chairperson Sielaff** stated so there are some questions yet.

**Mr. Hickok** replied, yes, and the City has considered that. They should not feel uncomfortable based on the protections they have built into the stipulations. They have identified it on the record and basically said these are the things they need to have answered before they can move forward with a building permit.

**Todd Ofsthun**, TCO Design, stated he represents Lanewood Estates LLC in this application process. They did set the building 50 feet away from the property on the west for a number of reasons. One was it is a single-family neighborhood so they wanted to be as far away as they can. They wanted that nice buffer there, and it should also save a considerable amount of trees as that goes up the hill. That hill is 14 feet approximately from their site up to the neighborhood.

**Mr. Ofsthun** stated they feel like this is a good location because it is a nice quiet building. They figure about 100 cars a day and with Petco, Kindercare, and Target this a relatively small number of cars compared to the number of cars going through that area now. They also like the fact there are such good amenities for the employees, the visitors, and anybody who is working on this site for maintenance, etc. You have Target, Petco, Embers, Starbucks and it is just a great location.

**Mr. Ofsthun** stated referencing the wetland delineation, Mr. Hickok is absolutely correct, they cannot do it now. They have their engineers geared to do it as soon as the growing season starts, and they will be doing soil borings at the same time. With that information they will be able to do a better job of giving them information as far as access to the site. They have made some assumptions based on information that he has and in his experience, but obviously that has to be verified. The quality of wetland is a big factor and they are hoping it is not a higher quality, that they can actually get over that pretty easily; but they are prepared to do a bridge over it if needed. That is part of the mindset of the developer at this point.

**Mr. Ofsthun** stated a lot of the information they gather has been working with the manager of the building on Fourth Street, which was originally with Watermark and now it is Harbor Senior Living Community. They also have a facility in Golden Valley that is going in for permit right now. A building like this really is a good opportunity.

**Commissioner Evanson** asked typically there is a market feasibility study that has been done for projects like this. Because it was addressed as a concern from someone within the community, of the abundance of these types of facilities, he's wondering if Mr. Ofsthun can speak to whether a market feasibility has been done to determine whether a facility of this size is going to be needed in this area?

**Mr. Ofsthun** replied, yes, and since they already have investors involved in this project which have prepared the plans, the application, and the civil work, they also have looked at that. He is not sure how current the study is, but can say that the facility on 4<sup>th</sup> Street that he is affiliated with is full and they have a waiting list.

**Don Krause**, Lanewood Estates, stated the study was for 2022 and the capacity is 250. He thinks there is 135 going in on University and then there was a 71-unit one that was approved in Columbia Heights, but that fell through. It is still at least 50 under the market study that is present right now. It was done by Viewpoint out of Greenville.

**Commissioner Heintz** stated as to the property on Fourth Street, that one was supposed to expand. He asked what is happening with that?

**Mr. Ofsthun** replied that one will be expanding. They went through this process with the Planning Commission and they are working on their financing.

**Commissioner Heintz** asked, how many more units will that bring in?

**Mr. Ofsthun** replied, 18. So will be a total of 46 on that site.

**Commissioner Evanson** stated it sounds like there is a need and a demand for this type of housing. He asked Mr. Ofsthun if he could speak what part of the community this might be pulling residents from? Fridley has an aging population, could this be a place for Fridley residents to move to or does he know, generally, from what proximity do the residents move in from.

**Mr. Ofsthun** replied, yes, and typically they are pretty close. The facility on 4<sup>th</sup> Street has drawn from Columbia Heights, Fridley, and he believed New Brighton generally.

**Commissioner Evanson** stated this could allow people who currently reside in Fridley to continue to live in Fridley as they no longer are able to stay in their homes.

**Mr. Ofsthun** replied, yes, and typically they will see that more than anything because that is where family members are used to visiting. They are close by and it is about comfort and is why it is nice to be next to the residential neighborhood. Also, they are right there where they are used to shopping. The residents of these facilities do not drive. There are no cars for these residents.

**Commissioner Evanson** asked what market segment is this going to be serving? Is this going to be higher end? Is this going to be Medicare, private pay? What type of resident is he expecting this to primarily attract?

**Mr. Kraus** replied, it will be mainly a little bit higher acuity and mainly private pay.

**Commissioner McClellan** asked whether there is such a thing as an average residency in a building like this typically? Has anybody done any studies to that?

**Mr. Kraus** replied, the average age probably is 80-85 unless they have other physical ailments.

**Commissioner McClellan** stated so how long is a resident typically at a facility like this, a year, two, three, four years?

**Mr. Kraus** replied, 2.7, give or take a couple more.

**MOTION** by Commissioner Hansen to close the public hearing. Seconded by Commissioner Evanson.

**UPON A VOICE VOTE, ALL VOTING AYE, CO-CHAIRPERSON SIELAFF DECLARED THE MOTION CARRIED UNANIMOUSLY AND THE PUBLIC HEARING WAS CLOSED AT 8:04 P.M.**

**Commissioner Evanson** stated this reminds him of what they heard recently about the petition at Hillcrest. Obviously there is some public opposition for reasons they can all emphasize with and they understand this will change the profile of the community. Nonetheless, as they discussed with the Hillcrest proposal, this is private property. If it is conforming with City Code and he trusts the City Planners know what they are doing and are taking precautions in making sure the proposed development complies with the City.

**Commissioner Evanson** stated by approving this it does not mean it is going to be built. It really is just a gateway for the developer to determine whether they are going to invest anymore dollars in doing a delineation of the wetlands to determine whether this is a project they want to pursue.

**Commissioner Evanson** stated through his work he has seen numerous requests for these types of developments happen. He continually hears the need because of lack of senior housing and increased demand for it. He trusts that a feasibility study would have been done well in advance of even where they are now. There probably is a need here and, knowing the community, if this could allow Fridley and surrounding community residents to remain nearby, that to him seems like an ideal scenario.

**Commissioner McClellan** stated it was not that long ago when folks had to find housing in like Lake Johanna and Shoreview, etc. because there was not anything nearby. Granted they seem to be on the rise and maybe that will be the epicenter of senior housing of some sort but he supposed worse things. It is private property and it has been for sale for some time. If somebody wanted a park in their back yard, and it sounds so crass, but there was that opportunity for a long time. If it is not this project which could not be much quieter, then if not this one, which one. He sympathized with the property owner who has rights. This seems to be a fair and reasonable proposition.

**Commissioner Evanson** asked Mr. Hickok if he could clarify the last time there was interest in developing this land, it was 2007?

**Mr. Hickok** replied, yes, 2007.

**Commissioner Heintz** stated he agrees with everything the others have said. The other thing he liked about this project is the way they used the dormers to actually make the building look shorter than what it actually is. It is a unique and good way to maybe appease the residents to the west a little bit more. The building appeared shorter than what it really is. It is a really good look for the building. Right now it is may be more of a dumping ground for stuff, too. It will enhance the area and give them a much better look down in that area.

**Commissioner Hansen** stated he agrees as well. He recalls about four years ago the applicant and his team were here in front of them with the proposal further to the west which has now materialized. He drives by that often and it turned out great. He thinks this is a great proposal here, the community needs it, and he wishes them all the luck.

**Co-Chairperson Sielaff** stated he agrees with what everyone has said.

**Commissioner McClellan** asked whether there is going to be any fence along the western side? He sees there is shrubbery and other things depicted.

**Mr. Ofsthun** replied, yes, there is. There is an area back there with a patio and gazebo and they are encasing that with fencing. The one fence runs along the west and then from a point in the fence with a gate. They are running it all the way along the parking. They did not continue it is there will be shrubs also and the cars with the headlights. They wanted to make sure there was no chance of that getting to the residents. The parking lot might be raised a little bit so it might be 13 feet from there. That 13-foot hill provides a very good buffer as well.

**Co-Chairperson Sielaff** stated this use for the property is probably one of the best ones they can get.

**MOTION** by Commissioner Heintz approving the Consideration of a Special Use Permit, SP #20-01, by Lanewood Estates, LLC., to allow the construction of an assisted living and memory care facility in an R-1, Single Family zoning district, generally located at 5350 Monroe Street with the following stipulations:

1. The petitioner shall meet all requirements set forth by:
  - a. The Building Code
  - b. The Fire Code - including but not limited to, hydrant location, weight restrictions on a potential bridge that would traverse wetland, signage for emergency vehicles

- c. The City's Engineering department including but not limited to grading, drainage, utilities plans, storm pond maintenance agreement, and utility connection fees
  - d. The City's Planning department – including but not limited to landscaping, lighting, and signage plans
  - e. The Mississippi Watershed Management Organization
2. The petitioner is required to provide a wetland delineation and associated Notice of Decision for the Wetland Boundary/Type consistent with the Wetland Conservation Act.
  3. Any potential impacts to wetlands delineated on the property will be reviewed in accordance with the Wetland Conservation Act and must comply with the standards set forth under the Wetland Conservation Act.
  4. All costs associated with the City's review of the wetland delineation and administration of the Wetland Conservation Act will be borne by the applicant
  5. The petitioner is strongly encouraged to participate in Xcel Energy's Energy Design Assistance Program in order to identify energy and cost –saving strategies.

Seconded by Commissioner Hansen.

**UPON A VOICE VOTE, ALL VOTING AYE, CO-CHAIRPERSON SIELAFF DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**ACCEPTANCE OF MINUTES FROM OTHER COMMISSIONS** – THROUGH ONE MOTION

Motion to accept the minutes from the following Commission meetings:

1. February 3, 2020, Parks & Recreation Commission
2. February 11, 2020, Environmental Quality & Energy Commission
3. January 2, 2020, Housing & Redevelopment Authority

**Motion** by Commissioner Hansen to approve the minutes. Seconded by Commissioner Evanson.

**UPON A VOICE VOTE, ALL VOTING AYE, CO-CHAIRPERSON SIELAFF DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**OTHER BUSINESS:**

**Mr. Hickok** stated they are seeing some fun stuff happening out in the community. If they have not been by the train station, they are really starting to see those buildings come up out of the ground. Some people have asked questions about the Midas store where 16 feet of the building was removed on the western side. There is a Caribou Coffee Cabin

that has been approved for that site. They do not have inside seating, they have a drive-thru, and an outside patio.

**Mr. Hickok** stated some time ago they had approved a special use permit for an indoor auto sales at the transmission building behind Bob's Produce along University Avenue. The owner of that building had toyed with different ideas, but they are going back to their original idea of using that for a maintenance facility for their other auto sales. It will not be an indoor auto sales. It was already an acceptable use in that zoning district to be auto repair. It will be their central location for a number of auto sales places, but they are really cleaning up the building inside and out.

**Mr. Hickok** stated they continue to focus on the University corridor and the image. They want people to continue to know and understand that the fence is a big important thing and it is planned to come out. There are segments there where they have talked to neighborhoods about the buffers to replace the fence. The aesthetic along University is going to take a tick upward in a very big way.

**Co-Chairperson Sielaff** stated as to the old Godfathers Pizza building, he saw they are doing something there. He asked if they are preparing it for something?

**Mr. Hickok** replied, it is actually a very nice renovation of that building. They are a kind of a unique custom builder. That is their office now. Inside and out they have improved the trees, put lighting in the parking lot, cleaned up the landscape.

**Commissioner Heintz** asked if there was any expected start date on the apartment building at the TOD Overlay site?

**Mr. Hickok** replied, their fence went up. Their plans have been approved. There is nothing holding them up on the building permit site. They could be seeing activity any time.

**Commissioner McClellan** stated the site of the old City Hall looks like it is ready.

**Mr. Hickok** replied, it is ready. The HRA owns the site now however they do have negotiated a sale and do have a purchaser. One of the complicating factors is that the two Fairview buildings were owned by a consortium of doctors. At a point almost all the way through or very close to closing, the doctors decided to sell their buildings to Fairview so that introduced an entire new group of appraisers, title people, etc. to the site that needed to take their time to see what kind of a deal was struck between the HRA and the developer. The HRA was going to sell lock, stock, and barrel and not be landlords. They owned parking around those buildings, etc. When they were done they were selling to the developers and it was up to them. It complicated matters when the doctors decided

to sell. It slowed it down but it does not mean it is not going to happen. They are not talking about closing anymore in May/June. The developer is very anxious; he already has a contract with his builder who is ready. There are a number of investors on this site and some who did not want to do winter construction. They are now right on that edge.

**Co-Chairperson Sielaff** stated there is the building Target used to be in. That building is still vacant, is it not?

**Mr. Hickok** replied, good news there. There is a headquarters out of Shoreview that is taking about half that building. The tenant is a good one. It is a healthcare provider. They were one of the partners in the aftercare facilities built up on the Unity campus.

**ADJOURN:**

**Motion** by Commissioner Heintz to adjourn the meeting. Seconded by Commissioner McClellan.

**UPON A VOICE VOTE, ALL VOTING AYE, CO-CHAIRPERSON SIELAFF DECLARED THE MOTION CARRIED UNANIMOUSLY AND THE MEETING ADJOURNED AT 8:14 P.M.**

Respectfully submitted,

Denise M. Johnson  
Recording Secretary

# City of Fridley Land Use Application

VAR #20-01

May 20, 2020

## GENERAL INFORMATION

## SPECIAL INFORMATION

### Applicant:

6290 Hwy 65 NE, LLC  
Mark Krogh  
879 Scheffer Avenue  
St. Paul MN 55102

### Requested Action:

Variance to reduce the front yard setback

### Location:

6290 Hwy 65 and vacant parcel to the west

### Existing Zoning:

C-3, General Shopping

### Size:

2 parcels = 31,040 sq. ft. .71 acres

### Existing Land Use:

Vacant lots

### Surrounding Land Use & Zoning:

N: Banquets of MN & C-3  
E: Hwy 65 & ROW  
S: Multi-tenant Office Bldg & C-3  
W: Daycare Use & C-3

### Comprehensive Plan Conformance:

Consistent with the Plan

### Zoning Ordinance Conformance:

Section 205.15.3.C.(1) requires a front yard setback of 80 ft.

### Building and Zoning History:

1955 – Lots platted  
1958 – Gas station constructed  
1994 – Special use permit issued to allow a repair garage.  
2002 – Gas station demolished  
Lot has never been developed

### Legal Description of Property:

See attached land survey

### Public Utilities:

Property will need to be connected

### Transportation:

Hwy 65 Service Drive provides access to the property

### Physical Characteristics:

Vacant land

### Summary of Request

The petitioner, Mark Krogh with 6290 Hwy 65 NE, LLC is requesting a variance to reduce the front yard setback from 80 ft. to 56 ft. to allow the construction of a Caribou Cabin on the vacant lot located at 6290 Hwy 65.

### Summary of Practical Difficulties

"Our visibility without a setback variance doesn't work for our tenant, so we won't have a project without this. In addition to that the neighboring property seem not to be affected by our set back. Their set back cuts off our site lines (visibility) and makes the setback variance even more important." – see narrative attached

### Staff Recommendation:

*City Staff recommends approval of the variance, with stipulations.*

Practical difficulties exist – unique zoning designation and lot size



Subject Property

### City Council Action/60 Day Action Date

City Council – June 8, 2020

60 Day Date – June 15, 2020

Staff Report Prepared by Stacy Stromberg

# Land Use Application

## Variance Request #20-01

### The Request

The petitioner, Mark Krogh of Java Properties and joint owner of 6290 Hwy 65 NE, LLC is requesting a variance to reduce the front yard setback from 80 ft. to 56 ft. to allow the construction of a Caribou Coffee Cabin on the vacant lot located at 6290 Hwy 65.



Of note: A Caribou Coffee Cabin like the one proposed in this request is already under construction at 8094 University Avenue, the former Midas property.

### Summary of Practical Difficulties provided by the Petitioner:

“Our visibility without a setback variance doesn’t work for our tenant, so we won’t have a project without this. In addition to that the neighboring property seem not to be affected by our set back. Their set back cuts off our site lines (visibility) and makes the setback variance even more important.” – see narrative attached

Mark Krogh, Java Properties

### Site Description and History

The property is located on the West Hwy 65 Service Drive, north of West Moore Lake Drive. It is zoned C-3, General Shopping as are all surrounding properties. The property was originally developed in 1958 with the construction of a gas station and repair garage, which were permitted by right at that time. The repair garage discontinued operating sometime after 1974. In 1994, when the owners wanted to operate a repair garage on site, the code required that use with a special use permit. As a result, a special use permit was issued in 1994 to allow the repair garage use along with gas station. In 2002, the building was demolished, and the site has remained vacant ever since.

### Variance Description and Code Requirements

The petitioner would like to redevelop the site by constructing a Caribou Coffee Cabin. There will be no interior seating, however there will be a drive-thru and a walk-up window to serve guests. An outdoor patio with tables will also be on site to encourage patrons to stay and enjoy their beverage. In order to meet the minimum lot size requirements for the C-3, General Shopping zoning district, the petitioner will be combining the 6290 Hwy 65 parcel with the

vacant parcel to the west and acquiring an 18 ft. strip of land lying north of the two properties. The additional 18 ft. strip of land will need to be combined with the vacant lots through a platting process to meet the minimum 35,000 sq. ft. lot area requirement. The petitioner plans to go through the platting process with the City at a later date.



City code requires an 80 ft. front yard setback in the C-3, General Shopping zoning district. The petitioner is seeking a variance to reduce the front yard setback requirement from 80 ft. to 56 ft.

The C-3, General Shopping zoning and the 80 ft. setback requirement provides a challenge for development of the subject property. The first zoning map on file at City Hall is dated 1958 and shows the subject property and the surrounding properties zoned as C-2S, which was General Shopping Districts. The 1955 didn't have a minimum front yard setback for commercial buildings zoned C-2S. In 1969, the zoning code was amended and required an 80 ft. front yard setback. When the zoning code went through a re-write in the 1980's, the C-2S zoning was renamed to C-3, General Shopping.

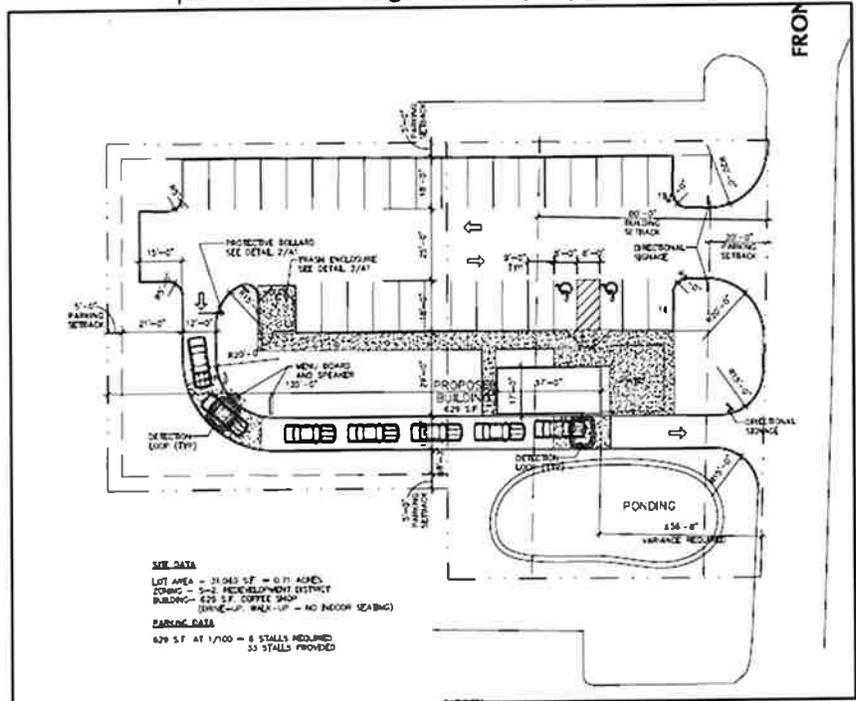
From 1985 to 2001, front yard setback variances were approved for all the properties to the south of the subject property. The office condos generally located at 6230 Hwy 65 were granted a variance to 55 ft. in 1985. The Veterinary Clinic was granted a variance to 48 ft. in 1992, however that addition was never constructed, and the existing building is setback at 55 ft. Miller Funeral Home was many front yard setback variances with the most recent one being in 2001 to 58 ft.

In is unclear to current Planning staff why the properties on this corner of Hwy 65 and West Moore Lake Drive weren't zoned C-2, General Business, which allows for smaller lot sizes and reduced setbacks. As a result, multiple variances have been approved to reduce setbacks to allow the properties to be developed with for commercial users. The C-2, General Business zoning designation is a better fit for this area, however a rezoning is a much longer process that would involve all property owners to participate in the request. This process can be difficult if the property owner doesn't see the value in the rezoning. As a result, current staff recommended the petitioner apply for a variance to reduce the front yard setback to be in-line with those properties to the south. This will create consistent site lines along this section of the Hwy 65 Service Drive corridor.

### Practical Difficulties

Variances may be granted if practical difficulties exist on the property. Practical difficulties are met based on the following findings of fact:

- Is the variance in harmony with the purpose and intent of the ordinance?
  - The intent of the front yard setback is to ensure that there is sufficient room for green space and parking, especially for a property zoned Shopping Center District. The proposed setback reduction is consistent with the neighboring properties and provides adequate area for green space and a patio, with parking along the north side the building.
- Is the variance consistent with the Comprehensive Plan?
  - The 2030 and 2040 Draft Comprehensive Plan guide this property as commercial; so, the proposed use is consistent with the Plan.
- Does the proposal put the property to use in a reasonable manner?
  - The proposed development of the property as a commercial entity is considered a reasonable use. The proposed front yard setback is reasonable



given the neighborhood the property is located in and it will create a consistent look along the Hwy 65 Service Drive corridor.

- Are there unique circumstances to the property, not created by the landowner?
  - Unique circumstances do exist on this property in relation to the zoning that was designated to it and the surrounding properties. It also is unique for parcels of this size to have that zoning designation.
- Will the variance, if granted, alter the essential character of the locality?
  - This proposed project will not alter the essential character of the locality and will fit in nicely.

### **Staff Recommendation**

*City Staff recommends approval of this variance request.*

- Practical difficulties exist – unique zoning designation and lot size

### **Stipulations**

1. *The petitioner shall meet all requirements set forth by:*
  - a. *The Building Code*
  - b. *The Fire Code – including but not limited to hydrant location, weight restrictions on potential bridge to traverse wetland, signage for emergency vehicles*
  - c. *The City's Engineering department – including but not limited to grading, drainage, utilities plans, storm pond maintenance agreement, and utility connection fees*
  - d. *The City's Planning department – including but not limited to landscaping, lighting, and signage plans*
  - e. *The Rice Creek Watershed District regulations*
2. *The petitioner is strongly encouraged to participate in Xcel Energy's Energy Design Assistance program in order to identify energy and cost-saving strategies*

### **Set Back Variance Narrative:**

There are 5 keys for a site to develop a drive thru coffee shop and they are as follows:

1. AM Side of the street
2. Accessibility
3. **Visibility**
4. **Stacking Space in Drive Thru**
5. Parking

The 1<sup>st</sup> key is AM, which our site achieves. I would grade our 2<sup>nd</sup> key, Accessibility as a B, so the other keys become even more important. Our Visibility without the setback variance doesn't work for our tenant, so we won't have a project without this. In addition to that the neighboring property seem not to be affected by our set back. Their set back cuts off our site lines (visibility) and makes the setback variance even more important. With the setback variance we can also increase the number of stacking spaces in the drive thru, which is very important for a drive thru coffee shop and our tenant will not move forward on this project without the stacking spaces provided by the setback variance. For all these reason, we will need the setback variance to move forward on this project and increase the tax basis for the city and county.





**LAMPERT ARCHITECTS**  
 427 Summit Avenue  
 St. Paul, MN 55102  
 Phone: 612-224-1111  
 Email: info@lmpert.com

**PRELIMINARY CONSTRUCTION**  
 THESE DRAWINGS ARE PRELIMINARY AND NOT FOR CONSTRUCTION. ANY CHANGES TO THESE DRAWINGS MUST BE APPROVED BY THE ARCHITECT. THE USER OF THESE DRAWINGS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND REGULATORY APPROVALS.

**JAVA PROPERTIES**  
 1111 Broadway  
 St. Paul, MN 55102  
 Phone: 612-452-1500

**MOORE LAKE COFFEE**  
 Fridley, Minnesota

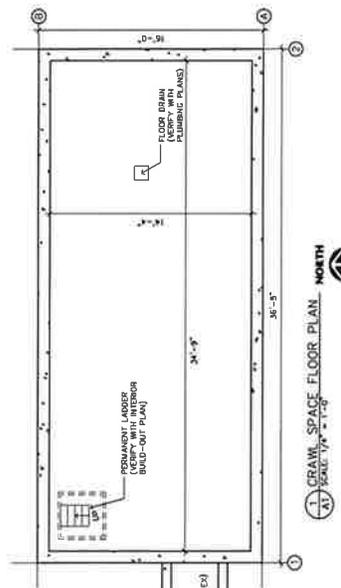
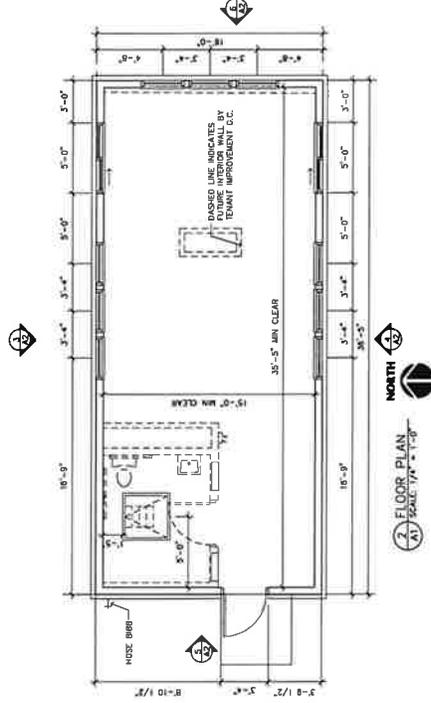
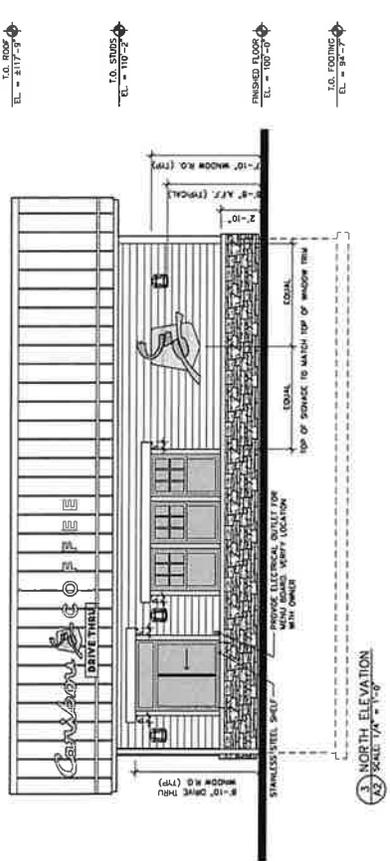
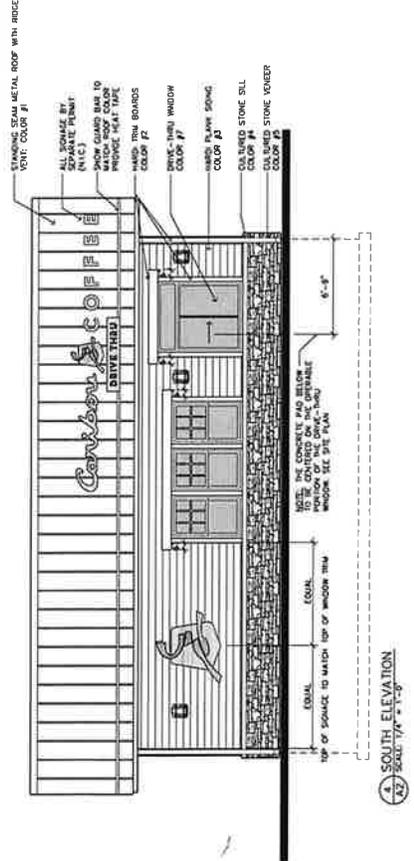
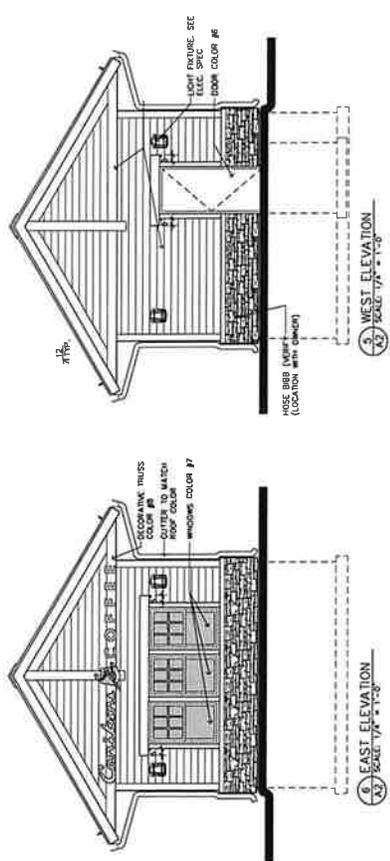
CONTRACT NO. 190528-02  
 DESIGNER: JAMES B. LAMPERT ARCHITECTS P.C.  
 PROJECT: MOORE LAKE COFFEE  
 DRAWN BY: JBL  
 CHECKED BY: LL  
 DATE: 08/14/2019  
 PROJECT LOCATION: 1111 BROADWAY, ST. PAUL, MN 55102

**FLOOR & ROOF PLANS  
 FLOOR PLANS**

Sheet Number

**A2**

Project No. 190528-02



**Moore Lake Coffee**  
 6290/6310 HWY 65 NE, Fridley, Anoka County, MN 55432

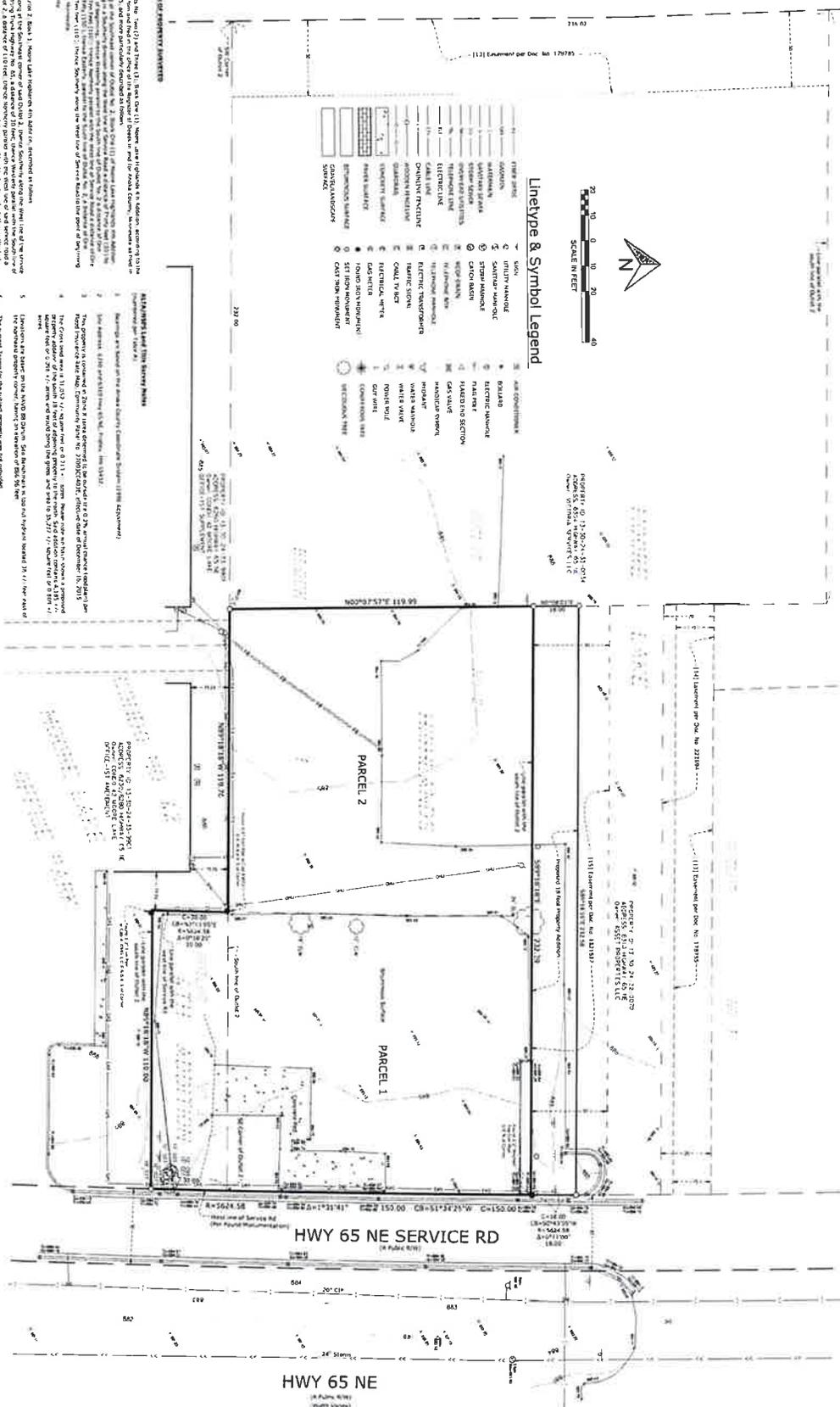
**Java Companies**  
 Minneapolis, MN

**PROJECT**  
 HARBOR CENTER THIS SURVEY  
 PREPARED BY CIVISITE SURVEYING & ENGINEERING  
 FOR JAVA COMPANIES  
 UNDER THE SUPERVISION OF  
 CIVISITE SURVEYING & ENGINEERING

**CLIENT**  
 CIVISITE SURVEYING & ENGINEERING  
 11111 1st Avenue S, Suite 200  
 Minneapolis, MN 55425

DATE	11/11/2019
BY	ALAN S. JENSEN
CHECKED BY	ALAN S. JENSEN
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**ALTRANS LAND TITLE SURVEY**  
**V1.0**



**LineType & Symbol Legend**

1	ASBESTOS	10	ADDITIONAL
2	CEMENT	11	CONCRETE
3	CONCRETE	12	CONCRETE
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91	CONCRETE	100	CONCRETE

**DESCRIPTION OF PROPERTY INTERESTS**

Parcel 1  
 Parcel 2  
 Parcel 3

**ALTRANS LAND TITLE SURVEY**

1. The owner of Parcel 1, Moore Lake Coffee, has requested that the survey be conducted in accordance with the provisions of the Minnesota Surveying and Mapping Act, Chapter 55A, Minnesota Statutes, and the rules and regulations promulgated thereunder. The owner of Parcel 2, Moore Lake Coffee, has requested that the survey be conducted in accordance with the provisions of the Minnesota Surveying and Mapping Act, Chapter 55A, Minnesota Statutes, and the rules and regulations promulgated thereunder. The owner of Parcel 3, Moore Lake Coffee, has requested that the survey be conducted in accordance with the provisions of the Minnesota Surveying and Mapping Act, Chapter 55A, Minnesota Statutes, and the rules and regulations promulgated thereunder.

**GENERAL NOTES**

1. The survey was conducted in accordance with the provisions of the Minnesota Surveying and Mapping Act, Chapter 55A, Minnesota Statutes, and the rules and regulations promulgated thereunder.

2. The survey was conducted in accordance with the provisions of the Minnesota Surveying and Mapping Act, Chapter 55A, Minnesota Statutes, and the rules and regulations promulgated thereunder.

3. The survey was conducted in accordance with the provisions of the Minnesota Surveying and Mapping Act, Chapter 55A, Minnesota Statutes, and the rules and regulations promulgated thereunder.

4. The survey was conducted in accordance with the provisions of the Minnesota Surveying and Mapping Act, Chapter 55A, Minnesota Statutes, and the rules and regulations promulgated thereunder.

5. The survey was conducted in accordance with the provisions of the Minnesota Surveying and Mapping Act, Chapter 55A, Minnesota Statutes, and the rules and regulations promulgated thereunder.

**STATE REPORT**

1. The survey was conducted in accordance with the provisions of the Minnesota Surveying and Mapping Act, Chapter 55A, Minnesota Statutes, and the rules and regulations promulgated thereunder.

2. The survey was conducted in accordance with the provisions of the Minnesota Surveying and Mapping Act, Chapter 55A, Minnesota Statutes, and the rules and regulations promulgated thereunder.

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4. The survey was conducted in accordance with the provisions of the Minnesota Surveying and Mapping Act, Chapter 55A, Minnesota Statutes, and the rules and regulations promulgated thereunder.

5. The survey was conducted in accordance with the provisions of the Minnesota Surveying and Mapping Act, Chapter 55A, Minnesota Statutes, and the rules and regulations promulgated thereunder.

**ALTRANS LAND TITLE SURVEY**

1. The survey was conducted in accordance with the provisions of the Minnesota Surveying and Mapping Act, Chapter 55A, Minnesota Statutes, and the rules and regulations promulgated thereunder.

2. The survey was conducted in accordance with the provisions of the Minnesota Surveying and Mapping Act, Chapter 55A, Minnesota Statutes, and the rules and regulations promulgated thereunder.

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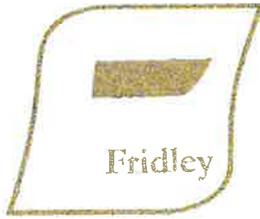
5. The survey was conducted in accordance with the provisions of the Minnesota Surveying and Mapping Act, Chapter 55A, Minnesota Statutes, and the rules and regulations promulgated thereunder.











Community Development Department  
 7071 University Avenue NE  
 Fridley MN 55432  
 763-572-3592  
 Fax: 763-571-1287  
[www.fridleymn.com](http://www.fridleymn.com)

**VARIANCE APPLICATION FOR:**

Residential \_\_\_\_\_ Commercial/Industrial/Multi-Family  Signs \_\_\_\_\_

**Property Information**

Address: \_\_\_\_\_  
 Anoka County Property Identification Number (PIN #): \_\_\_\_\_  
 Legal Description: \_\_\_\_\_  
 Current Zoning: \_\_\_\_\_ Square footage of Parcel: \_\_\_\_\_

**Reason for Variance (one sentence summary, please attached full description)**

*To protect site lines and adequate staging for the drive thru*

**Fee/Property Owner Information (as it appears on property title)**

**\*\*Fee owner must sign this form prior to processing**

Name (please print): 6290 Hwy 65 NE, LLC  
 Mailing address: 879 Scheffer Ave  
 City: St. Paul State: MN Zip code: 55102  
 Daytime Phone: 612-384-9676 Fax Number: \_\_\_\_\_  
 Cell Phone: 612-384-9676 E-mail address: mark@javaprop.com

Signature/Date: [Signature] 3-30-2020

**Petitioner Information**

Company Name (please print): 6290 Hwy 65 NE, LLC  
 Contact Person's Name (please print): Mark Krogh  
 Mailing address: 879 Scheffer Ave  
 City: St. Paul State: MN Zip code: 55102  
 Daytime Phone: 612-384-9676 Fax Number: \_\_\_\_\_  
 Cell Phone: 612-384-9676 E-mail address: mark@javaprop.com

Signature/Date: [Signature] 3-30-20

**FOR OFFICE USE ONLY**

**Fees**

\$500 - R-1, Single Family Residential \_\_\_\_\_  
\$1,400 - Commercial/Industrial/Multi-Family Residential/Signs \_\_\_\_\_  
 Application Number: VAR 20-01 Receipt #: paid 4-17-20 Received By: Jane B/Cheryl  
 Application Date: 4-17-20  
 15 Day Application Complete Notification Date: 5-1-20  
 Scheduled Planning Commission Date: 5-20-20  
 Scheduled City Council Date: 6-8-20  
 60 Day Date: 6-15-20  
 60 Day Extension Date: 8-13-20

**CITY OF FRIDLEY  
PUBLIC HEARING NOTICE  
BEFORE THE PLANNING COMMISSION**

<b>TO:</b>	All property owners/residents within 350 feet of the property generally located at 6290 Hwy 65.
<b>CASE NUMBER:</b>	Variance 20-01
<b>APPLICANT:</b>	6290 Hwy 65 NE, LLC Petitioner or representative must attend the Planning Commission meeting and City Council meeting.
<b>PURPOSE:</b>	To reduce the front yard setback requirement from 80 ft. to 58 ft. to allow the construction of a Caribou Cabin coffeeshop.
<b>LOCATION OF PROPERTY AND LEGAL DESCRIPTION:</b>	6290 Hwy 65.  The legal description is on file and available at the Fridley Civic Campus.
<b>DATE AND TIME OF HEARING:</b>	<b>Planning Commission Meeting: Wednesday, May 20, 2020, 7:00 p.m.</b> The Planning Commission Meetings are televised live the night of the meeting on Channel 17.
<b>PLACE OF HEARING:</b>	Fridley Civic Campus, City Council Chambers 7071 University Avenue N.E., Fridley, MN.
<b>HOW TO PARTICIPATE:</b>	1. You may attend hearings and testify. 2. You may send a letter before the hearing to Stacy Stromberg, Planner, at 7071 University Avenue N.E., Fridley, MN 55432 or FAX at 763-571-1287.
<b>SPECIAL ACCOMODATIONS:</b>	Hearing impaired persons planning to attend who need an Interpreter or other persons with disabilities who require auxiliary aids should contact Roberta Collins at 763-572-3500 no later than <b>May 13, 2020</b> . The TDD # is 763-572-3534.
<b>CITY COUNCIL MEETING:</b>	The City Council meeting for this item will be on <b>June 8, 2020</b> .
<b>ANY QUESTIONS:</b>	Contact Stacy Stromberg, Planner, at 763-572-3595.



LABELS FOR  
Current Resident

Current Resident  
6229 BAKER AVE NE  
FRIDLEY MN 55432

Current Resident  
6260 HIGHWAY 65 NE #307  
FRIDLEY MN 55432

Current Resident  
FRIDLEY MN 55432

Current Resident  
6304 HIGHWAY 65 NE  
FRIDLEY MN 55432

Current Resident  
6260 HIGHWAY 65 NE #303  
FRIDLEY MN 55432

Current Resident  
FRIDLEY MN 55432

Current Resident  
FRIDLEY MN 55432

Current Resident  
6260 HIGHWAY 65 NE #302  
FRIDLEY MN 55432

Current Resident  
FRIDLEY MN 55432

Current Resident  
6290 HIGHWAY 65 NE  
FRIDLEY MN 55432

Current Resident  
6260 HIGHWAY 65 NE #301  
FRIDLEY MN 55432

Current Resident  
FRIDLEY MN 55432

Current Resident  
6239 BAKER AVE NE  
FRIDLEY MN 55432

Current Resident  
6230 HIGHWAY 65 NE #103  
FRIDLEY MN 55432

Current Resident  
1001 EAST MOORE LAKE DR NE  
FRIDLEY MN 55432

Current Resident  
6259 BAKER AVE NE  
FRIDLEY MN 55432

Current Resident  
6230 HIGHWAY 65 NE #101  
FRIDLEY MN 55432

Current Resident  
6310 HIGHWAY 65 NE  
FRIDLEY MN 55432

Current Resident  
6279 BAKER AVE NE  
FRIDLEY MN 55432

Current Resident  
6260 HIGHWAY 65 NE #308  
FRIDLEY MN 55432

Current Resident  
6315 BAKER AVE NE  
FRIDLEY MN 55432

Current Resident  
6240 HIGHWAY 65 NE #208  
FRIDLEY MN 55432

Current Resident  
6280 HIGHWAY 65 NE #402  
FRIDLEY MN 55432

Current Resident  
6301 BAKER AVE NE  
FRIDLEY MN 55432

Current Resident  
6240 HIGHWAY 65 NE #207  
FRIDLEY MN 55432

Current Resident  
6280 HIGHWAY 65 NE #401  
FRIDLEY MN 55432

Current Resident  
6220 HIGHWAY 65 NE  
FRIDLEY MN 55432

Current Resident  
6240 HIGHWAY 65 NE #202  
FRIDLEY MN 55432

Current Resident  
6240 HIGHWAY 65 NE #201  
FRIDLEY MN 55432

LABELS FOR  
Current Resident

Current Resident  
6240 HIGHWAY 65 NE  
FRIDLEY MN 55432

Current Resident  
6210 HIGHWAY 65 NE  
FRIDLEY MN 55432

Current Resident  
6301 HIGHWAY 65 NE  
FRIDLEY MN 55432

Current Resident  
6230 HIGHWAY 65 NE #106  
FRIDLEY MN 55432

Current Resident  
6230 HIGHWAY 65 NE #105  
FRIDLEY MN 55432

Current Resident  
6230 HIGHWAY 65 NE #104  
FRIDLEY MN 55432

LABELS FOR  
Parcel Owner

BEITZ SCOTT  
6310 HWY 65 NE  
FRIDLEY MN 55432

LOO JONATHAN  
6640 235TH AVE NE  
LINWOOD MN 55079

FRIDLEY CITY OF  
7071 UNIVERSITY AVE NE  
FRIDLEY MN 55432

CAMPEAU DANIEL  
6239 BAKER AVE NE  
FRIDLEY MN 55432

FISCHER JANET LEE & FISCHER STEVEN  
5291 HODGSON RD  
SHOREVIEW MN 55126

SHOREWOOD PLAZA LLC  
4109 HIGHWOOD RD  
ORONO MN 55364

CLAUSON ERIKA  
1545 75TH AVE NE  
FRIDLEY MN 55432

BRICKNER BUILDERS INC  
6230 HIGHWAY 65 NE #103  
FRIDLEY MN 55432

ASSET PROPERTIES LLC  
6310 HIGHWAY 65 NE  
FRIDLEY MN 55432

BEDNAR KATHY A  
6279 BAKER AVE NE  
FRIDLEY MN 55432

LOO JONATHAN  
6640 235TH AVE NE  
LINWOOD MN 55079

BEARD CLARENCE R & EDITH M  
6315 BAKER AVE NE  
FRIDLEY MN 55432

BRICKNER BRAAM LLC  
6240 HWY 65 #207  
FRIDLEY MN 55432

HEBEISEN GREGG  
6280 HIGHWAY 65 NE  
FRIDLEY MN 55432

HERNANDEZ R J & KLEIN M D  
6301 BAKER AVE NE  
FRIDLEY MN 55432

BRICKNER THOMAS E & M A  
6230 HWY 65 SUITE 103  
FRIDLEY MN 55432

HEBEISEN GREGG  
6280 HIGHWAY 65 NE  
FRIDLEY MN 55432

BRANDJORD-SPELTZ ASSOCIATES  
6220 HIGHWAY 65 NE  
FRIDLEY MN 55432

UNITED PROPERTIES LLC  
6240 HIGHWAY 65 #202 NE  
FRIDLEY MN 55432

CRAFT PROPERTIES LLC  
6240 HIGHWAY 65 NE #201  
FRIDLEY MN 55432

HART ARIANA  
6229 BAKER AVE NE  
FRIDLEY MN 55432

LOO JONATHAN  
6640 235TH AVE NE  
LINWOOD MN 55079

BRICKNER THOMAS E & M A  
6230 HWY 65 SUITE 103  
FRIDLEY MN 55432

VICTORIA SERVICES LLC  
2791 VICTORIA ST  
ROSEVILLE MN 55113

LOO JONATHAN  
6640 235TH AVE NE  
LINWOOD MN 55079

FRIDLEY REAL ESTATE LLC  
501 NEBRASKA AVE  
BRECKENRIDGE MN 56520

ASSET PROPERTIES LLC  
6310 HIGHWAY 65 NE  
FRIDLEY MN 55432

LOO JONATHAN  
6640 235TH AVE NE  
LINWOOD MN 55079

KEMK COMPANIES LLC  
6301 HWY 65 NE  
FRIDLEY MN 55432

LABELS FOR  
Parcel Owner

VONDERHARR SCOTT  
6230 HIGHWAY 65 #106 NE  
FRIDLEY MN 55432

PEREZ HENRY  
6230 HIGHWAY 65 NE #105  
FRIDLEY MN 55432

BRICKNER BRAAM LLC  
6240 HWY 65 #207  
FRIDLEY MN 55432



## Fridley Civic Campus

7071 University Ave N.E. Fridley, MN 55432  
763-571-3450 | FAX: 763-571-1287 | [FridleyMN.gov](http://FridleyMN.gov)

April 30, 2020

6290 Hwy 65 NE, LLC  
Mark Krogh  
870 Scheffer Avenue  
St. Paul, MN 55102

Dear Mr. Krogh:

Per Minnesota Statute 15.99, local government units are required to notify land use applicants within 15 working days if their land use applications are complete. We officially received your application for a Variance for the property at 6290 Hwy 65 NE on April 17, 2020. This letter serves to inform you that your application is complete.

Your Variance application hearing and discussion will take place at the City of Fridley Planning Commission Meeting on May 20, 2020 at 7:00 P.M. in the City Council Chambers at 7071 University Avenue. The City of Fridley City Council is scheduled to take final action on your Variance on June 8, 2020 at 7:00 P.M. Please note that as a result of the COVID-19 pandemic, these meetings may be held virtually. City staff will be in contact with you prior to the meeting dates to coordinate that with you.

If you have any questions regarding this letter or the process, please feel free to contact me at [stacy.stromberg@fridleymn.gov](mailto:stacy.stromberg@fridleymn.gov) or 763-572-3595.

Sincerely,

Stacy  
Stromberg

Digitally signed by Stacy  
Stromberg  
Date: 2020.04.30 13:20:42  
-05'00'

Stacy Stromberg  
Planning Manager