CITY OF SHOREWOOD PLANNING COMMISSION MEETING TUESDAY MARCH 7, 2023

COUNCIL CHAMBERS 5755 COUNTRY CLUB ROAD 7:00 P.M.

AGENDA

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ROLL CALL / (LIAISON) SCHEDULE

EGGENBERGER ()
HUSKINS ()
HOLKER ()
GORHAM ()
JOHNSON ()
COUNCIL LIAISON MADDY (JAN-JUNE)
COUNCIL LIAISON CALLIES (JULY-DEC)

1. <u>NOMINATION AND ELECTION OF OFFICERS</u> CHAIR:

VICE-CHAIR:

- 2. APPROVAL OF AGENDA
- 3. APPROVAL OF MINUTES
 - February 7, 2023

4. MATTERS FROM THE FLOOR

(This portion of the meeting allows members of the public the opportunity to bring up items that are not on the agenda. Each speaker has a maximum of three minutes to present their topic. Multiple speakers may not bring up the same points. No decisions would be made on the topic at the meeting except that the item may be referred to staff for more information or the City Council.)

5. PUBLIC HEARINGS

A) Rezoning and PUD Concept Plan for a twin home development

Applicant: TSML Properties LLC Location: 24250 Smithtown Road

6. OTHER BUSINESS

A) Variance to side-yard setback

Applicant: Kyle Hunt and Partners, LLC.

Location: 28170 Woodside

- B) 2023 Work Program and Schedule
- C) Liasons for Upcoming Council Meetings

7. REPORTS

- A) Council Meeting Report
- B) Draft Next Meeting Agenda

8. ADJOURNMENT



SHOREWOOD

5755 COUNTRY CLUB ROAD, SHOREWOOD, MINNESOTA 55331-8927 • 952.960.7900 www.ci.shorewood.mn.us • cityhall@ci.shorewood.mn.us

MEMORANDUM

TO: Planning Commission, Mayor and City Council

FROM: Marie Darling, Planning Director

DATE: March 7, 2023

RE: Election of Officers

Officers:

Section 201.04 of the City Code requires the member of the Planning Commission to elect a new Chair and Vice-Chair. The term of office is one year. While the membership may reelect incumbents if they wish to be considered, this year there are no incumbents to reelect. As a result, please nominate other Planning Commission members. Both offices are elected by majority vote.

Current Chair: Vacant Current Vice-Chair: Vacant

New Chair: New Vice-Chair:

CITY OF SHOREWOOD PLANNING COMMISSION MEETING TUESDAY, FEBRUARY 7, 2023

COUNCIL CHAMBERS 5755 COUNTRY CLUB ROAD 7:00 P.M.

MINUTES

CALL TO ORDER

Vice-Chair Riedel called the meeting to order at 7:00 P.M.

ROLL CALL

Present: Commissioners Riedel, Eggenberger, and Huskins; Planning Director Darling;

Planning Technician Carlson, and Council Liaison Maddy

Absent: Commissioner Holker

1. APPROVAL OF AGENDA

Huskins moved, Eggenberger seconded, approving the agenda for February 8, 2023, as presented. Motion passed 3/0.

2. APPROVAL OF MINUTES

• January 17, 2023

Commissioner Huskins noted a minor correction needed on page 2 in the second to the last paragraph to clarify the names of roadways/intersections.

Huskins moved, Eggenberger seconded, approving the Planning Commission Meeting Minutes of January 17, 2023, as amended. Motion passed 3/0.

3. MATTERS FROM THE FLOOR - NONE

4. PUBLIC HEARINGS - NONE

Vice-Chair Riedel explained the Planning Commission is comprised of residents of the City of Shorewood who are serving as volunteers on the Commission. The Commissioners are appointed by the City Council. The Commission's role is to help the City Council in determining zoning and planning issues. One of the Commission's responsibilities is to hold public hearings and to help develop the factual record for an application and to make a non-binding recommendation to the City Council. The recommendation is advisory only.

A. PUBLIC HEARING – CONDITIONAL USE PERMIT FOR A COLLOCATION OF ANTENNAS ON EXISTING TOWER

Applicant: SMJ International, LLC (T-Mobile)

Location: 24283 Smithtown Road

Planning Director Darling explained the request to add telecommunication antennas, six radio receiving units, and various other equipment within a new triangular array on the existing tower. Staff recommends approval subject to the conditions noted in the staff report.

CITY OF SHOREWOOD PLANNING COMMISSION MEETING FEBRUARY 7, 2023

Page 2 of 7

Commissioner Huskins stated that he did not see any communication from any of the neighbors and asked if the Commission could assume that they had been notified and that no one had any comments about this request.

Planning Director Darling stated that was correct and explained that the City sent out all notices, as required to 500 feet from the site and the City received no correspondence in response.

Commissioner Eggenberger stated that the last time this was before the Commission, part of the recommendation were surrounding some clean up of the trees and asked if that was for the previous applicant.

Planning Director Darling confirmed that was for a different applicant and confirmed that they would be handling the clean-up requested by the City. She noted that the ground equipment for this applicant is shorter and does not have a generator.

Andy Bobrytzke, 132 W 8th Street, Mankato, stated that he was at the last meeting for the same tower, but represented a different client.

Vice-Chair Riedel stated that the addition of the antennas requires additional supports and asked for a description of the engineering.

Planning Director Darling explained that the structural information was included in the packet and stated that there will be running bars up the existing monopole.

Mr. Bobrytzke noted that if the monopole needs additional supports, they will add them on the outside and then paint them to match so they blend in.

Vice-Chair Riedel asked if Mr. Bobrytzke asked if he was in support of the recommendation from staff that there be no lighting on the antenna unless required by the FAA.

Mr. Bobrytzke stated that what the client likes to do is put in a small LED light so they can see when working on the equipment. He stated that they have asked them to put in a dial, like there would be on a bathroom fan, so when the technician is there, he can turn the light on and it will stay on for a certain amount of time and then automatically turn off.

Planning Director Darling noted that there was no lighting included on the application.

Mr. Bobrytzke pointed out a rendering that listed a 'proposed LED luminaire' as the lighting he was referring to that used a timer dial on the H-frame.

Vice-Chair Riedel suggested that this be noted since the original staff recommendation listed that there would be no lighting.

Commissioner Huskins asked how long it takes from beginning to end to make this modification.

Mr. Bobrytzke explained that a typical installation takes about 2-3 days and modifications may take a few extra days. He stated that everything will be built ahead of time and installed on site with whatever crane or equipment is needed.

Commissioner Huskins confirmed that if any of the landscaping is damaged as part of the installation that they will return it to its former state before they are done. He asked about the

CITY OF SHOREWOOD PLANNING COMMISSION MEETING FEBRUARY 7, 2023

Page 3 of 7

frequency of maintenance and repair now that there is another vendor being served by the monopole and array.

Mr. Bobrytzke stated that the maintenance and repair is handled by each individual carrier. He noted that typically once it is up and running, they do not require a lot of work, especially up on top.

Commissioner Huskins asked how the City can hold them responsible if there is any damage done to things like landscaping when there are different carriers doing the work.

Planning Director Darling stated that she has not noticed a lot of damage on the site and noted that in this particular location she thinks mostly it is a gravel surface and it is not too complicated to repair. She stated that the City's Building Inspector will go out and do a final inspection on the ground and will note any unusual activity or disturbances. She stated that typically the tower owner will hold the carriers responsible for the damage that may occur on the site and explained that the City has not had to get involved.

Commissioner Eggenberger noted that he feels the light described by Mr. Bobrytzke is a good idea and would not be a problem.

Vice-Chair Riedel stated that he agreed and recommended that this be included in the recommendations to the City Council.

Commissioner Huskins agreed and stated that he likes the idea of this light from a safety standpoint and noted that it would also alert people nearby that there is someone there working on the equipment.

Vice-Chair Riedel opened the Public Hearing at 7:18 P.M. noting the procedures used in a Public Hearing. There being no comments, he closed the Public Hearing at 7:18 P.M.

Eggenberger moved, Huskins seconded, recommending approval of the CUP for Collocation of Communication Antennas at 24283 Smithtown Road, subject to the conditions listed in the staff report with the addition of proposed LED work light with a timer. Motion passed 3/0.

5. OTHER BUSINESS

A. Variance to Setback to OHWL on Silver Lake Applicant: Gardner Building and Remodeling

Location: 19960 Sweetwater Curve

Planning Director Darling stated that this request is from Gardner Building and Remodeling for a variance from the OHWL of Silver Lake. She stated that staff recommends approval of the request, subject to the two conditions as noted in the staff report.

Vice-Chair Riedel stated that the OHWL of Silver Lake has been the subject of quite a few discussions by the residents. He noted that he had also spoken to the DNR about this issue and explained that the OHWL is set by permit with the DNR with a weir structure that controls the level. He stated that the permit and the weir structure is designed for 898.1 feet, but for a period of at least 20 years, the lake level was substantially higher than that by almost 2 feet. He stated that what he has learned is that the OHWL is not where the water is, but it is where it is permitted and where it should be. He stated that the explanation for why it was pretty consistently higher

CITY OF SHOREWOOD PLANNING COMMISSION MEETING FEBRUARY 7, 2023 Page 4 of 7

than that was that the weir was pretty consistently clogged, possibly due to beaver activity. He stated that believes that part of the shoreline floated away during the high water levels which is why some of the setback numbers may be a bit off of what they should be.

Commissioner Eggenberger asked where the existing patio was located that staff is recommending be removed.

Planning Director Darling showed a photo of the patio and explained that it is a paved patio of some sort.

Zach Gardner, Gardner Building and Remodeling, explained that his clients moved into the house about a year ago and assumed when they purchased it that everything attached to the home and on the property was legally conforming. He stated that they have learned through this process that it was not and he was asked to come in and update the home including repair to the deck.

Vice-Chair Riedel asked for a description of the plans for a cantilevered section of the deck.

Mr. Gardner gave an overview of their plans to run a footing and foundation straight out that would not be cantilevered out because they are planning to screen in the lower section. He stated that if they were to just put normal footings back in, due to the water table, they would heave and the deck would once again be a mess. He stated that the cantilevered section is just for the upper section to give the upper deck a bit more room to have a table and things like that.

Commissioner Huskins asked about the patio portion and the request from staff to remove it.

Mr. Gardner stated that as part of the application process for this variance, they discovered that the patio that has a fire pit and limestone stone work was non-conforming. He stated that they bought the home with the patio there and asked if the requirement to remove it could be dealt with separately because it is covered in snow. He asked if that might be something that could be addressed in the springtime and someone from the City could come out and help them figure out what is actually okay. He stated that ideally they would like to leave it there, but they understand that some of it is apparently non-conforming.

Vice-Chair Riedel noted that most of the exceptions for things located in setbacks are for things like pathways, docks, and stairs. He noted that it would be unlikely that a patios such as this one would be allowed.

Commissioner Eggenberger explained that if they had not applied for a variance, the patio could remain because they would not be changing anything. He stated that when people apply for a variance, then the City takes a look at everything.

Mr. Gardner stated that it was his understanding the fire pit in the patio area was conforming and acceptable.

Vice-Chair Riedel stated that he believed a built up fire pit would not be allowed within 150 feet of the OHWL.

Planning Director Darling explained that the City had allowed some fire rings and stone circles but nothing that is built up. She noted that the way she wrote the proposed approvals for this project was that they could move forward with the application for the deck even though the patio will be there. She explained that the patio would need to be removed prior to the final inspection of the deck.

Vice-Chair Riedel asked if there was anyone in the audience who wanted to speak on this issue.

Shawn Breaux, 19960 Sweetwater Curve, stated that when they go to remove the fire pit, he believes it will require heavy machinery. He asked if there was a separate process that they would need to follow when it comes to things like erosion to ensure that the shoreline is okay.

Vice-Chair Riedel stated that as part of the process they will need things like a silt fence.

Planning Director Darling stated that typically what they would need to do is to use whatever equipment needed to remove it and then restore the ground cover or turf to repair the damage.

Vice-Chair Riedel stated that the most important thing is that whatever contractor their hire to do the work makes sure that they properly install the silt fencing.

Huskins moved, Eggenberger seconded, to recommend approval of the Variance to Setback from OHWL of Silver Lake at 19960 Sweetwater Curve, subject to the two conditions included in the staff report. Motion passed 3/0.

B. Variance to Front and Side Setbacks

Applicant: Todd Nelson Location: 20980 lvy Lane

Planning Director Darling explained the request for a variance to the front and side setbacks to build an addition to an existing, non-conforming home. Staff recommends approval of the variance requests but would also acknowledge that the variance criteria are open to interpretation and that there is potential impact to the streetscape in the area. She noted that the City had received two letters of support for this application from the adjacent two homes.

Vice-Chair Riedel noted that Planning Director Darling had discussed other possible locations for the addition and stated that it sounded like she had been in favor of the version that had it on the rear or north side.

Planning Director Darling explained that location would have less of an impact on the streetscape, but it would also not be without potential difficulties.

Commissioner Huskins stated that he had recently driven through the area and the homes on the south side of Ivy are considerably further back from the road and it is just the north side of Ivy that has this issue. He stated that he was also interested in the prominence from the staff report of the option to build the addition in the back. He stated that it is a little disconcerting to be that close to the street, but appreciated the picture that shows that the garage is quite close to the street as well.

Vice-Chair Riedel stated that he also felt the picture was quite compelling and shows how small this lot is.

Todd Nelson, 20980 Ivy Lane, stated that he feels the pictures speak for themselves and show that they are in a predicament. He stated that he has had many discussions with Planning Director Darling about different options and possible locations. He stated that to address her suggestion to build onto the back, there are a number of issues with that option, including how it will impact the current floor plan of the house. He stated that it would involve major reconstruction of the interior of the home because the windows would be looking into the new addition. He noted that

CITY OF SHOREWOOD PLANNING COMMISSION MEETING FEBRUARY 7, 2023

Page 6 of 7

it would also require work to be done with the HVAC system. He stated that with what they are proposing it is just adding a living room, moving the stairs and explained that it would be much more simple nor would be require any mechanical systems work. He stated that their plans maintain the current roofline of the house and noted that they will not be as close to the street as the garages that were mentioned. He stated that the developer that they have hired to do the work, if the City approves, lives in a home he just built across the street.

Commissioner Eggenberger asked if Mr. Nelson parks on the street.

Mr. Nelson stated that they have an asphalt parking area and pointed it out on a map.

Commissioner Huskins asked if there was any anticipation that the actual building process may cause any issues for traffic on the road.

Mr. Nelson stated that he did not think so because there is plenty of yard space and would still be room to park their cars. He stated that this is a not a very large structure, so there will also not be a lot of material that would need to be stored on site.

Planning Director Darling explained that if approved, the City will require a construction management plan that would identify these types of details.

Vice-Chair Riedel stated that the addition is about 400 square feet and asked if this project would cease to be worthwhile if they had to bring it in a few feet in order to be further from the road.

Mr. Nelson stated that limit on the width is the stairwell which is where the 16 feet comes from because it is a 12 foot stairwell and a 2 foot bottom landing and a 2 foot top landing. He stated that he feels their plans are as minimal as they could make them considering the space.

Vice-Chair Riedel stated that it appears as though every option may require a variance and noted that another option may be to build up, but that would mean tearing off the existing roof.

Mr. Nelson stated that he had looked into that option and most of the contractors felt it would be better at that point to just tear down and rebuild because the foundation and supports were built in the 1950s and they were not sure they could support another level.

Vice-Chair Riedel stated that he feels the 60 foot right-of-way makes a big difference in this situation because otherwise he would have a harder time recommending approval of an 8 foot setback and building that close to the roadway.

Commissioner Eggenberger stated that he agreed and also took into consideration the difficulties of the lot itself. He stated that it truly appears that the applicant has taken a look at this project every possible way they could and this one seems to be the best solution. He stated that for him, it carries a lot of weight that the two neighbors on either side have given their support of the plans.

Commissioner Huskins stated that given the nature of the neighborhood and the existing structures, he is also in support of this request.

Vice-Chair Riedel noted that it is also in favor, but is also a bit on the fence because the counter argument would be that, as small as the existing house is, it actually may be the right size for that tiny little lot.

CITY OF SHOREWOOD PLANNING COMMISSION MEETING FEBRUARY 7, 2023
Page 7 of 7

Eggenberger moved, Huskins seconded, recommending approval of the variance request to the front and side setbacks for a home addition at 20980 lvy Lane, subject to the condition included in the staff report. Motion passed 3/0.

6. REPORTS

Council Meeting Report

Council Liaison Maddy gave an overview of recent activities related to Planning that were discussed by the City Council.

Planning Director Darling stated that the City has received 4 additional applications for the vacant Commission openings in the City. She noted that she expects the interviews for those seats to take place on the February 13, 2023.

Council Liaison Maddy stated that this would be Vice-Chair Riedel's last meeting with the Planning Commission and expressed his appreciation to the years of service that he had given to the Planning Commission.

Draft Next Meeting Agenda

Planning Director Darling stated there are quite a few items slated for the March 7, 2023, Planning Commission meeting and gave a brief review of applications she expected to be completed in time for the meeting.

ADJOURNMENT

Huskins moved, Eggenberger seconded, adjourning the Planning Commission Meeting of February 7, 2023, at 8:09 P.M. Motion passed 3/0.





CITY OF SHOREWOOD

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MEMORANDUM

TO: Planning Commission, Mayor and City Council

FROM: Marie Darling, Planning Director

MEETING DATE: March 7, 2023

RE: Rezoning and PUD Concept Plan for a townhouse development

APPLICANT: TSML Properties LLC.

LOCATION: 24250 Smithtown Road (and 24320 Smithtown Road, Tonka Bay)

COMPREHENSIVE PLAN: Medium Density Residential (6-8 units per acre)

ZONING: R-2A

REVIEW DEADLINE: May 24, 2023

FILE NO.: 23.02

REQUEST

The applicant proposes to subdivide the subject property into 8 lots and an outlot for common improvements to allow the construction of eight new dwellings in four two-unit structures. The application includes the following requests:

- A rezoning from R-2A to Planned Unit Development (PUD)
- A PUD concept plan



This development would impact both a parcel in Shorewood (outlined in blue in the above aerial) as well as a lot in Tonka Bay. The entire affected site is outlined in red. This review is for the portion of the site within Shorewood. At the time this report was written, the applicant had not yet made application to the City of Tonka Bay.

Notice of the application was published in the official newspaper at least 10 days prior to the meeting and mailed notice was sent to all property owners within 750 feet of the subject property.

BACKGROUND

<u>Property Information</u>: The lot was created as part of the Auditors Subdivision No 133 recorded in 1924 and was further subdivided in 1987 to create the subject property and the property that was eventually developed with the public works and public safety buildings. The existing home was built in 1936.

There are no wetlands, 100-year floodplain, or shoreland overlay district on the property. The site contains mature trees and is subject to tree preservation.

Neighborhood: The properties to the west are located in the city of Tonka Bay and guided and zoned for commercial uses. The properties to the north and east are zoned R-2A and contain the city's public works facility and the Public Safety building housing both the Excelsior Fire District and the South Lake Minneapolis Police Department. The properties to the south are developed with commercial uses and are zoned C-1.

<u>Application Discretion</u>: Requests to rezone are part of the legislative role for the Planning Commission and City Council. These types of requests have rules that apply broadly and have the most discretionary review.

APPLICANT'S PROPOSAL

The applicant is proposing to subdivide the Shorewood property to create eight lots for two-family homes (1 dwelling or ½ the structure on each lot) and one lot for common improvements. The common improvements include area for landscaping, the storm water feature (currently shown on the Tonka Bay side of the development), the private drive servicing all the homes and guest parking (on the Tonka Bay side of the development).

The Shorewood parcel (the subject property) contains 1.43 net acres (62,290 square feet.) The applicant's narrative is attached and indicates that they would like to develop the property based on the R-2B zoning district rather than the current R-2A zoning district. The applicant requests PUD flexibility to provide a development with 5.59 units per acre, which is consistent with the medium density land use guiding.

The applicant indicates that the units would likely be marketed at or above \$1 million dollars each and would include homes with walkout and lookout units. The applicant proposes to provide two parking spaces in the garage, two on the driveway and seven guest parking spaces. An HOA would be needed to provide maintenance and care of the private drive and the common areas.

Access to this development would be combined with an active access for the adjacent shopping center. The applicant proposes to improve the shared private drive that would connect with Smithtown Road (County Road 19) by reconstructing the driveway to provide a 90-degree intersection as recommended by Hennepin County. With any subsequent application the city would need to see that the easements or agreements the applicant negotiates to ensure they have the property right to make the changes to the access way and that there is an agreement for maintenance between all the affected property owners.

ANALYSIS

Rezoning:

The applicant is proposing to rezone the property to Planned Unit Development (PUD). A PUD is a custom zoning district which would allow innovations in design, higher standards of site and building design, preservation and enhancement of desirable site characteristics, and allow for variations in setbacks, lot area and yards within the project.

Rezoning the property to PUD would allow the applicant to propose flexibility that is not possible under a standard zoning district (for example the existing R-2A or even the R-2B district on which the applicant proposes to base the development.). For this development, the flexibility requests include four principal requests:

- Constructing a private street instead of a public street
- Reducing the lot area per unit requirement
- Reducing the setbacks between the private street and the homes, between the units, using the R-1B setback from Smithtown Road, and to call the north property line a side setback rather than a rear setback
- Increasing the impervious surface coverage on the property

Specific discussion on the flexibility requested:

<u>Private street</u>: A development under a regular zoning district would limit the number of homes on a private drive to three. Private streets are common in townhouse or twin-home developments with shared common open space and Shorewood has many examples of townhouse developments where this has been done.

- Benefits to the applicant: Setbacks may be measured to the curb of the private street versus to the right-of-way allowing the homes to be closer to the private drive than they could be to a public street.
- Impact to the city: The city would not need to maintain the roadway but may need to maintain the
 utilities underneath the roadway. An encroachment agreement would be needed to provide public
 utilities under a private street. The street would be designed to fire code standard.

Reduced area per home. The R-2A district requires lot area of 15,000 square feet per dwelling and the R-

2B district requires 10,000 square feet per dwelling. The applicant is proposing about 7,786 square feet.

 Benefit to the applicant: By reducing the amount of area per lot, the applicant would be able to provide more units within the development.

o Impact to the city: Some flexibility may be needed in this number to ensure a development that approaches the minimum allowed density range. However, the amount of lot area per unit shown on the plans doesn't appear to provide an adequate amount of open-space areas which reduces their ability to provide needed buffering from the public works facility and Smithtown Road.



The lesser greenspace is especially impactful for the northernmost home which has between 4-6 feet of grade change in 16 feet between the home and the property line and the developer is proposing to plant landscaping in this area as well.

Staff notes that the applicant shows that they have adequate area on the east side of the development to provide a landscaped buffer between the homes and the driveway to the public works and public safety building on the east side of the development as the trees mature. The plantings won't help for noise but will eventually provide some screening from the emergency lights and other activity on the driveway.

Concerning the south side, it will take a little longer for the trees proposed along Smithtown Road to provide screening for the activity on Smithtown Road as the trees will be planted about four feet below the lowest level of the proposed homes.

<u>Lesser setbacks</u>. Staff has provided the direction from the PUD section of the zoning regulations for your use:

Section 1201.25. (PUD) Subd. 4 m. Setbacks.

- (1) The front and side yard restrictions at the periphery of the Planned Unit Development site at a minimum shall be the same as imposed in the respective districts <u>recognizing surrounding</u> use and zoning. <emphasis added>
- (2) No building shall be located less than 145 feet from the back of the curb line along those roadways which are part of the internal street pattern.
- (3) No building within the project shall be nearer to another building than one-half the sum of the building heights of the two buildings, giving due consideration to solar access.

The R-2A/R-2B	and	applicant'	's proposal	are shown	below:
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	R-2A	R-2B	PUD (as proposed)
Front (from public streets)	35 ft	30 ft	32 feet to nearest projection (deck)
Front (from private streets)	50 ft	45 ft	25 ft
Sides	10 ft	10 ft	6 ft with egress pit encroachment
Rear (opposite shortest front)	40 ft	30 ft	16.4 ft to north prop. line, 46 ft to east prop. line

o Benefit to the applicant: By reducing the setbacks between the units and proposing a minimal setback from the north property line, the applicant can accommodate eight homes on the property.

Impact to the City: The only public benefit is that the tall retaining wall along Smithtown Road would be removed to accommodate the units and the costs associated with that maintenance or replacement of the wall would not be incurred (savings to the county taxpayers).

Staff notes that having a minimal setback (16.4 ft) on the north side of the development translates to less area to provide a landscaped buffer between the north property line (city's public works department) and the closest home. The applicant has made an effort to provide some buffering between the northerly dwelling and the public works department property with a row of arborvitaes planted along this edge and an 8-foot privacy fence.

To allow for maintenance, the City's fence regulations require a new fence to be installed a minimum of three feet from the existing public works security fence. Assuming the arborvitae are installed a minimum of five feet from the fence to allow for spread as the trees mature, there is only eight feet remaining between the homes and the arborvitae at planting leaving little room for maintenance of the unit over time.

At three feet from the property line, the proposed fence would be installed about three to four feet below the main floor elevation of the dwelling which reduces its effectiveness until the arborvitae mature.

Staff notes the use of a full privacy fence, eight feet in height would require PUD flexibility as the zoning regulations do not permit fences greater than six feet in height and limit the use of full privacy fences.

Additionally, the structures are proposed with a six-foot setback from the interior side property line (12 feet between units). This is narrower than Shorewood has approved in the last few years. As a comparison, the setbacks for the villas in the Minnetonka Country Club were proposed at 7 feet, Walnut Grove Villas at 10 feet and Maple Shores at 10 feet.

This area needs to accommodate both the grade changes between the units (between 1-2 feet) and grade changes front and back (about 6-8 feet). The developer may need to add retaining walls between some of the units to provide slopes that don't exceed 3:1. The applicant is proposing egress windows that are required to extend a minimum of three feet from the home. Based on the concept floor plans, the development may also propose to locate air conditions in the side-yard as well.

<u>Impervious Surface Coverage</u>. The allowed impervious surface coverage is 33 percent for this development and staff estimate the applicant has provided about 48 percent coverage on the Shorewood side of the development.

- Benefit to the applicant: By increasing the amount of impervious surface coverage, the applicant is able to provide more units. The applicant would be required to provide treatment, rate and volume control of all storm water run-off.
- o Impact on the city: Less greenspace for the future homeowners and less buffer between the northerly unit and the property line.

Rezoning requests are reviewed with the following standards:

• The proposed action is consistent with the City's Comprehensive Plan

The proposed rezoning and PUD is consistent with the density directed by the Medium Density Residential Consistent with direction in the Comprehensive Plan. However, the Comprehensive Plan also states that transitions between distinctly differing types of land uses shall be accomplished in an orderly fashion which does not create a negative impact on adjoint developments; and that residential development must be protected from adverse environmental impacts, including noise, air and visual pollution. Staff finds the land of buffer and transition proposed along the north property boundary would violate this policy.

- The proposed use is compatible with present and future land uses in the area While townhouses could work with the adjacent uses (commercial and a variety of public uses), the applicant's layout with little to no buffer on the north end of the development would be incompatible with the public works use of the property and would generate complaints from the development about the uses and operations on the public works and public safety facility operation.
- Property values in Shorewood are highly resilient to impact from new development. The property development is proposed to use a homeowner association to control the majority of the negative impacts of residential uses, such as outdoor storage, use of garages for storage rather than for parking vehicles or storage of recreational vehicles. While the development is not likely to depress the commercial properties to the east and the impact on the property value of the public works and safety properties is not measurable, staff questions if the northerly unit will hold its value over time or if the unit will be purchased and sold repeatedly as the impact of the noise of snowplows and other maintenance/emergency vehicles at all hours of the day and night impact the residents quality of life.
- The proposed use can be accommodated with existing public services and would not overburden the city's service capacity
 The adjacent roadways have adequate capacity for the traffic generated by the residential uses proposed. The applicant has proposed to realign the private drive that is shared with the commercial shopping center to the west so that it connects with Smithtown Road at a right-angle as directed by Hennepin County. Water with an adequate pressure could be provided from Tonka Bay and the units could be served with sewer from the existing sewer line on the south side of Smithtown Lane.

Recommendation on the rezoning: Staff finds the applicant has not provided adequate lot area per unit nor provided adequate space with which to provide adequate buffering between the northernmost home and the public works facility as would be required by the Comprehensive Plan and the intent of the PUD regulations. As a result, staff recommends denial of the application.

As pointed out earlier in the report, the Commission has much discretion with this type of application. Should the Planning Commission propose to recommend approval of the development instead of a denial, staff recommend continuing the item to the next meeting to allow:

- staff to provide a comprehensive list of next steps and conditions of approval; and
- the applicant time to make a formal application to the City of Tonka Bay so that both cities are proceeding forward with the application at roughly the same pace.

PUD Concept Plan:

Staff have provided a concept level review of other features in the development so that the Planning Commission has a complete picture of the proposed development.

<u>Park Dedication</u>: The Park Commission reviewed the request at their February 14, 2023 meeting and recommended that the park dedication be in the form of fees in lieu of a land dedication. They also recommended that the open space be privately owned and maintained rather than publicly owned and maintained.

<u>Design of the homes</u>: The applicant has provided a design that appeals to many empty nesters but has not proposed an age- restricted development. The main level has the majority of the living area with the lower

level providing additional bedrooms and gathering spaces. The design is in keeping with the architectural trends found in Shorewood and the metro area.

<u>Utilities</u>: The developer has proposed providing water from Tonka Bay, which would have the closest connection to the development. Sewer would be provided to a main in Shorewood on the south side of Smithtown Road. Providing utilities across city boundaries will require a joint powers agreement between the two cities. There is adequate capacity to serve the new development.

Stormwater Run-Off: the stormwater features will serve all the homes in the development and both cities (and the watershed) will likely review the drainage plans to make sure the feature is adequately sized and meets the requirements of both cities' storm water management plans and require maintenance agreements. The feature is also within a Hennepin County easement and will require their approval.

<u>Tree Preservation/Landscaping</u>: The site has a substantial number of significant trees on the property, including eight on the Shorewood property that are 20 caliper inches or greater. All of the trees on the Shorewood parcel would be removed to regrade the site and build the new homes. Trees removed would be required to be replaced as shown in the city's Tree Preservation policy and the applicant is showing far more than would be required in order to provide buffering and screening for the new residents. Staff notes that even with the loss of one or two homes, most of the trees would be lost.

RECOMMENDATION:

As staff is recommending denial of the rezoning, we also recommend denial of the PUD concept plan.

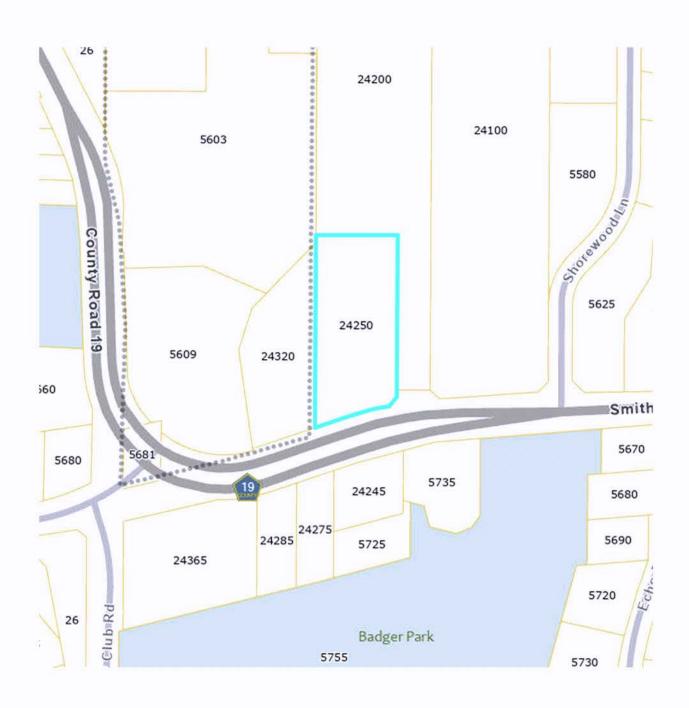
ATTACHMENTS:

Location map Applicant's narrative and plans

S:\Planning\Planning\Files\Applications\2023 Cases\24250 Smithtown PUD concept rez\PC memo.docx

24250 Smithtown Road Location Map





Shorewood Project Narrative

Project Name – TBD by marketing/real estate professionals

Applicant - TSML Properties, LLC

Address – 24250 Smithtown Road, Shorewood, MN

Project Outline

TSML Properties, LLC is looking to develop 24250 Smithtown Road, Shorewood, MN alongside 24320 Smithtown Road, Tonka Bay, MN into a new twin home community.

These two properties make up 2.58 acres of gross site area for the overall project with a gross site area of 1.46 acres in Shorewood. The overall net developable area for the project is 2.27 acres, of witch 1.43 acres are in Shorewood.

The current zoning of the property is R-2A, Single/Two-Family Residential District and is currently being utilized as one single family house. The 2040 Comprehensive Plan has the property guided as R-2B, Single/Two-Family Residential District.

For the project, we are proposing a planned unit development (PUD) with an underlying zoning district for our base development standards of R-2B, Single/ Two family Residential District.

Our concept plans have gone through several iterations after discussions with Tonka Bay, Shorewood, and Hennepin County. The project is proposed to have twelve (12) twin home units, with 8 units within Shorewood. The pads are approximately 35' x 67'. We plan to offer association maintained units with the idea of "one level living". A few of the highlights of the community are:

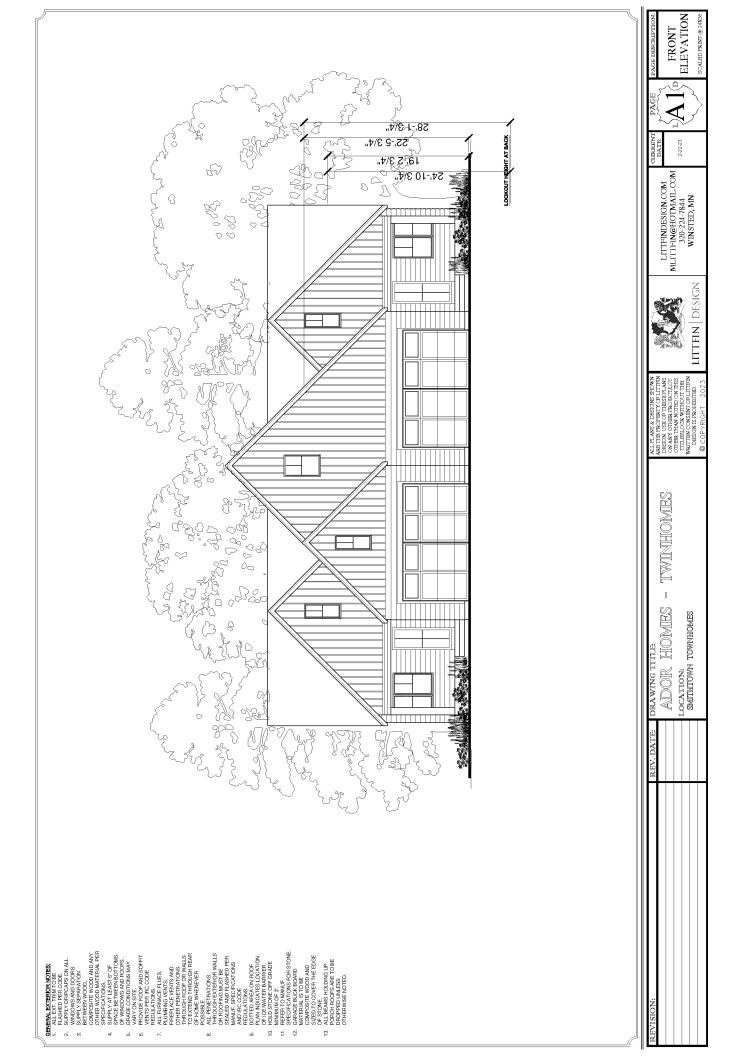
- The plan requires the current structure at 24250 Smithtown Road to be demolished.
- We plan to conserve as many trees as possible on the east/north side for privacy with plans to plant additional trees (see landscape plan).
- On the border with Public works we are have shown on our plan to install both a privacy fence and 8' Arborvitae Tree's that can grow 20+ ft. tall. All deciduous trees will be 3" caliper in size at time of planting.
- The entry from Smithtown Road into the private drive is proposed to be reconstructed to 90' degrees which creates an optimal traffic and safety layout compared to the existing layout.
- We proposed to develop our stormwater filtration basin at the low point of the project and adjacent to Smithtown Road. It will discharge into the only existing public stormsewer in the area. The basin will be sized to meet or exceed the city's stormwater requirements. Filtration basin will be planted with native grasses and forbs.
- In preliminary discussions with the county staff, they have been in favor of removing the wall and associated easement. Our plan is to completely remove the existing retaining wall and adjust the grades along Smithtown Road to provide a more natural and appropriate streetscape for the neighboorhood.

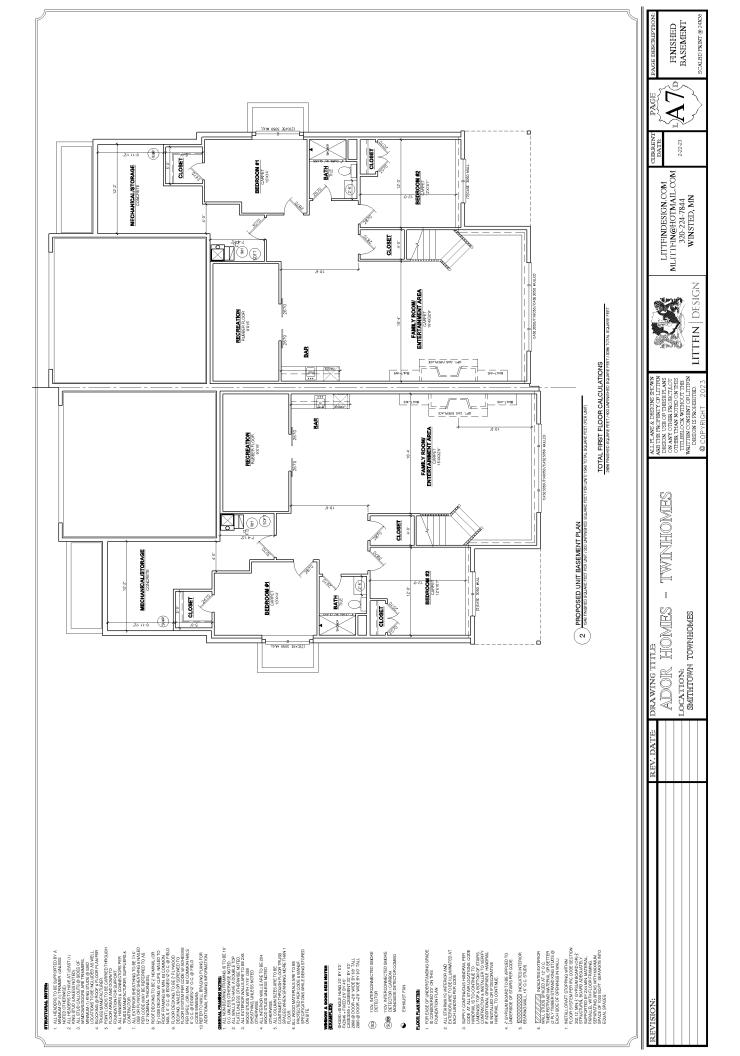
• Each unit shall offer parking for two (2) cars in the garage, and two (2) cars in the driveway. We have proposed additional parking at the start of the project to ensure the neigboorhood will have adequate parking.

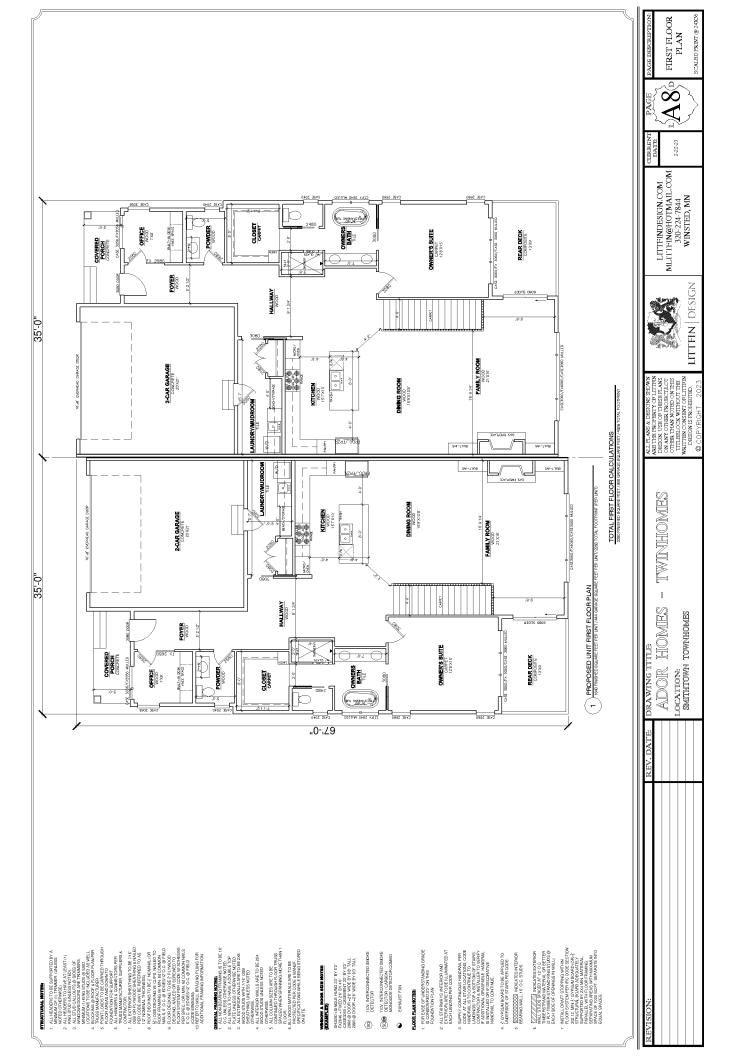
For the proposed community, we are requesting PUD flexability on the following items:

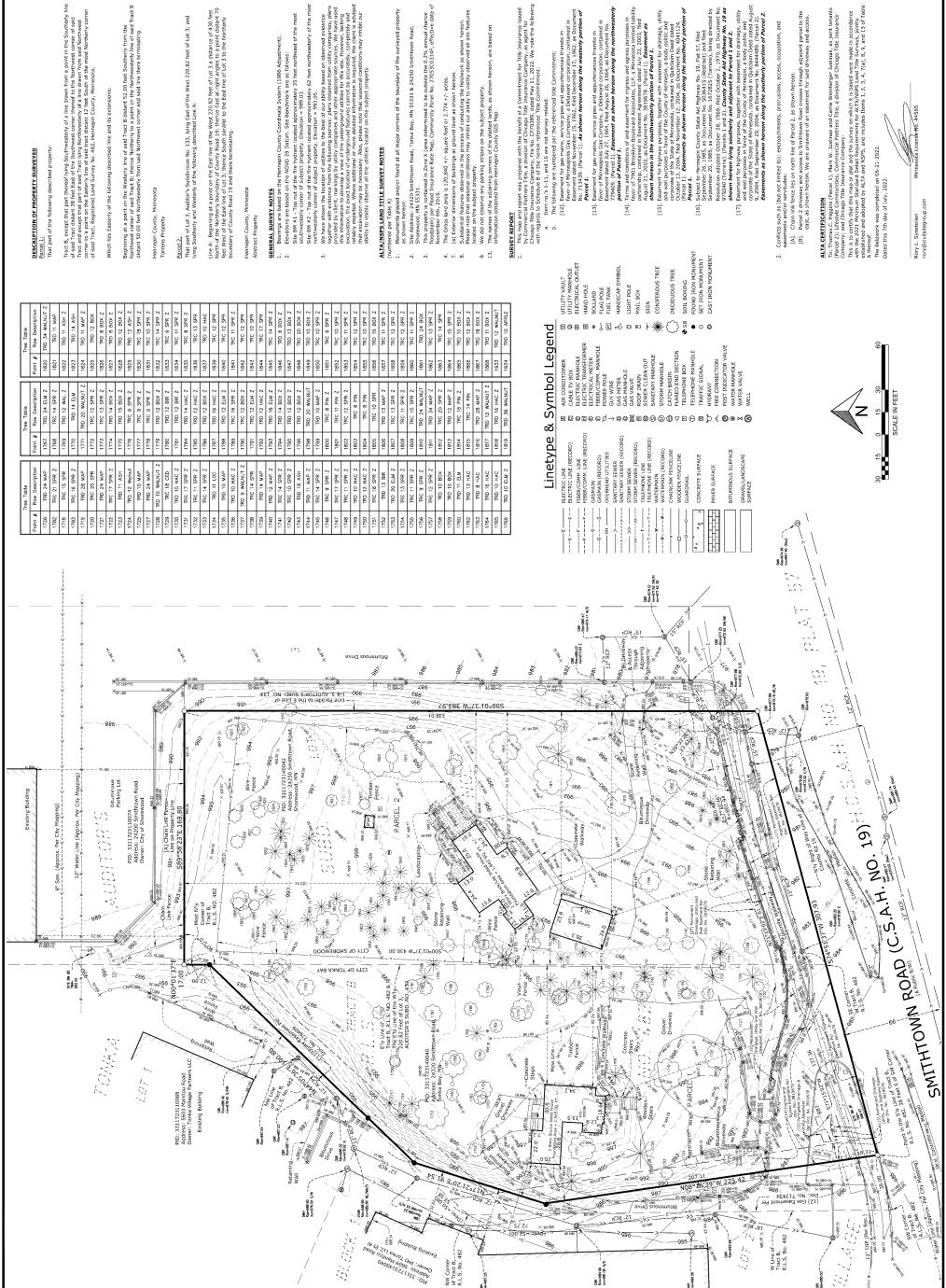
- A reduction of the front setback along the private drive to go from 35' to 25' to back of curb. This is very typical setback for twinhome developments like this and will allow a car to park in the driveway and not hinder the private drive.
- A reduction for the side yard setback between the units from 10' to 6'. We believe that there is adequate space to provide drainage between the units because we have set the high point between the building at the egrees wells and directing the stormwater to both the front and rear of the lots.
- A minimum lot area of 15,600 sf in lieu of 20,000 sf. per structure.
- Increased impervious surface from 33% to 42% for the overall project, 48% on the shorewood side. We will provide stormwater system that will compensate for the additional impervious.

We are extremely excited to work with the city of Shorewood to ensure this development brings years of prosperity to the city!









5000 Glenwood Avenue Golden Valley, MN 55422

Line A: Beginning at a point on the East line of the West 220.82 feet of Lot 3 a distance of 430 feet North of the Northory boundary (County Road 19; thence East at right angles to a point distant 70 feet West of the East line of Lot 3; thence South porallel to the East line of Lot 3 to the Northerty boundary of County Road 19 and there terminating.

4938 Lincoln Drive, Edina, MN 55436 Lifestyle Communities

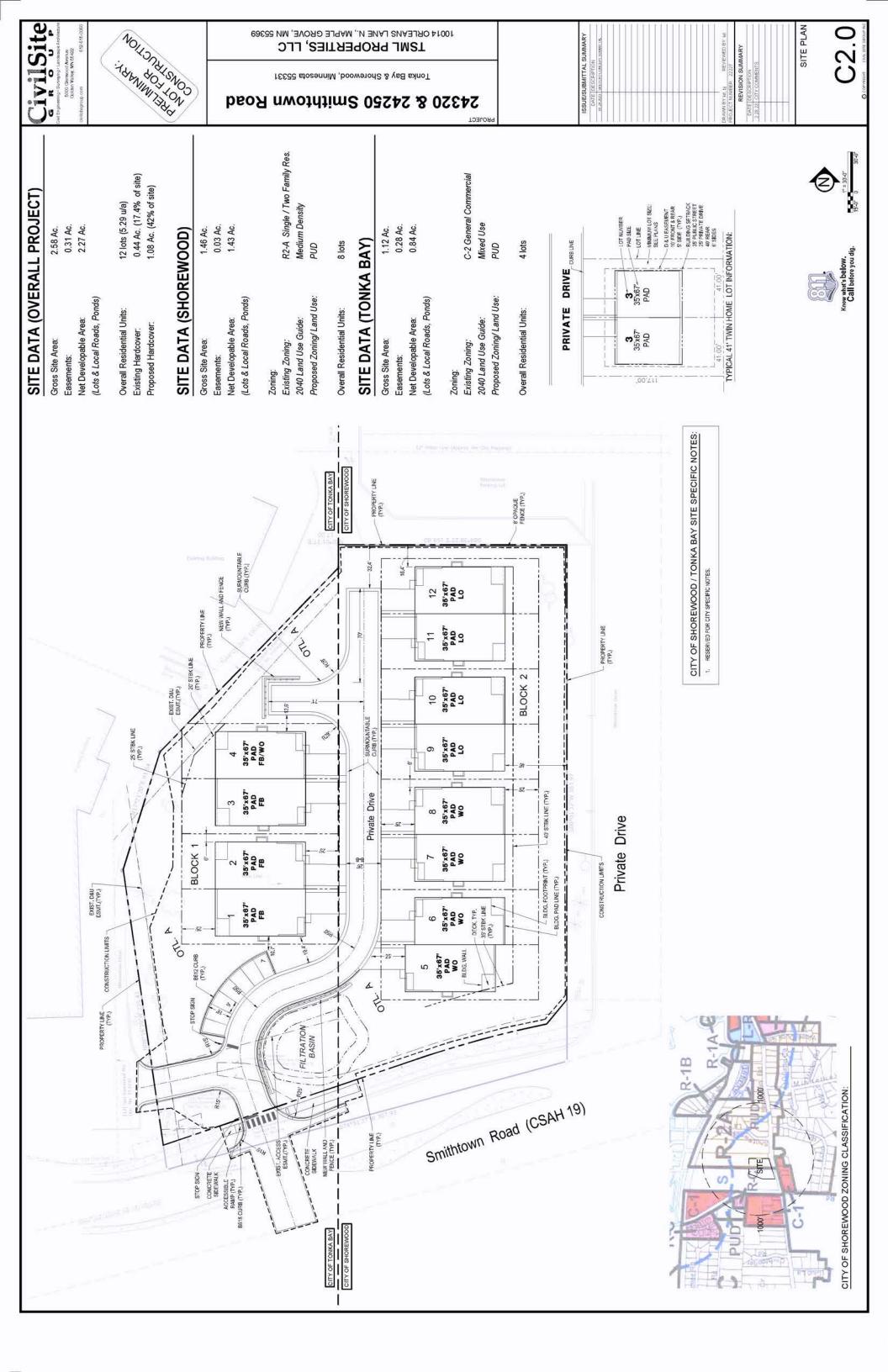
24320 & 24250 Smithtown Road

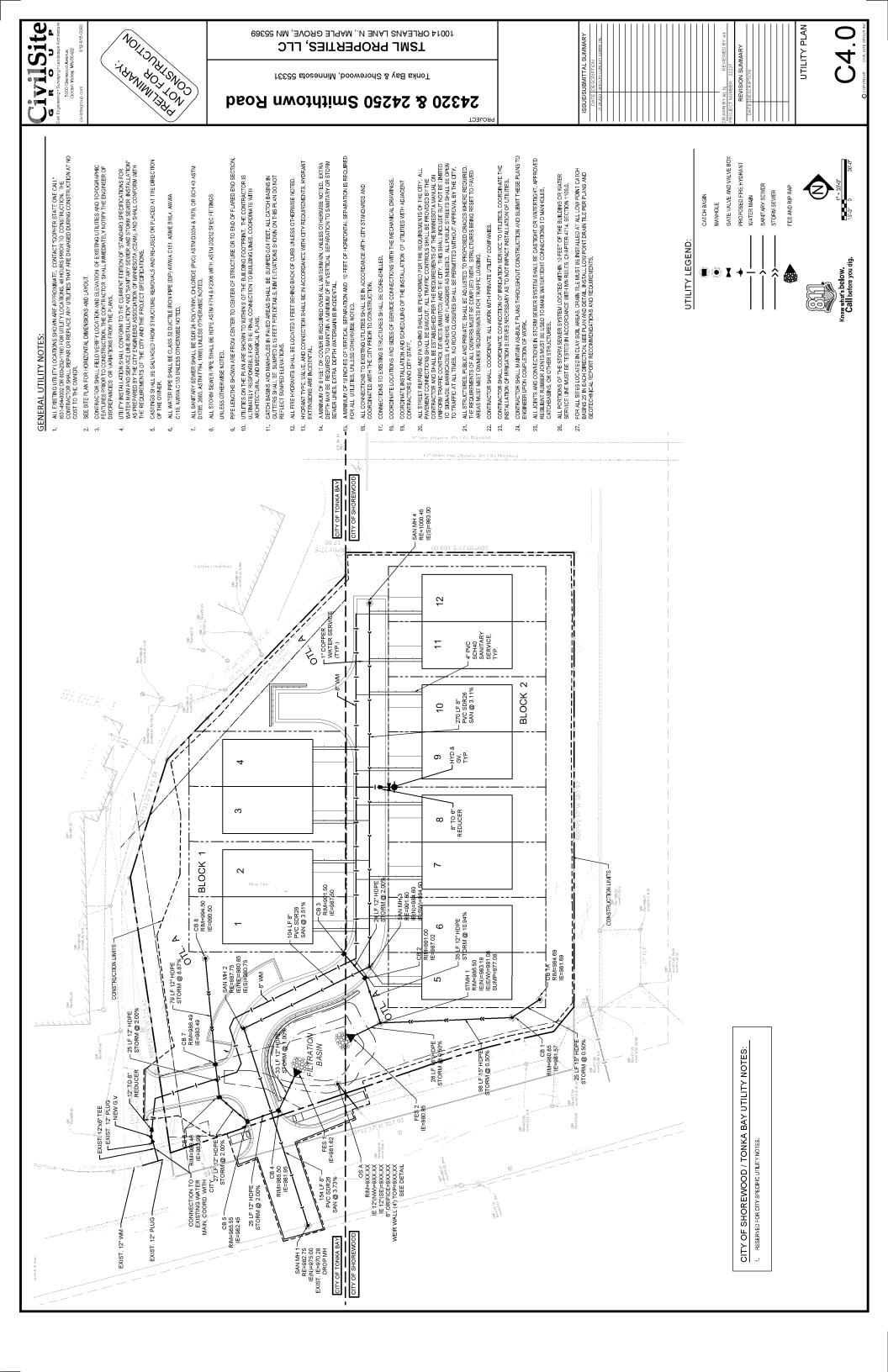
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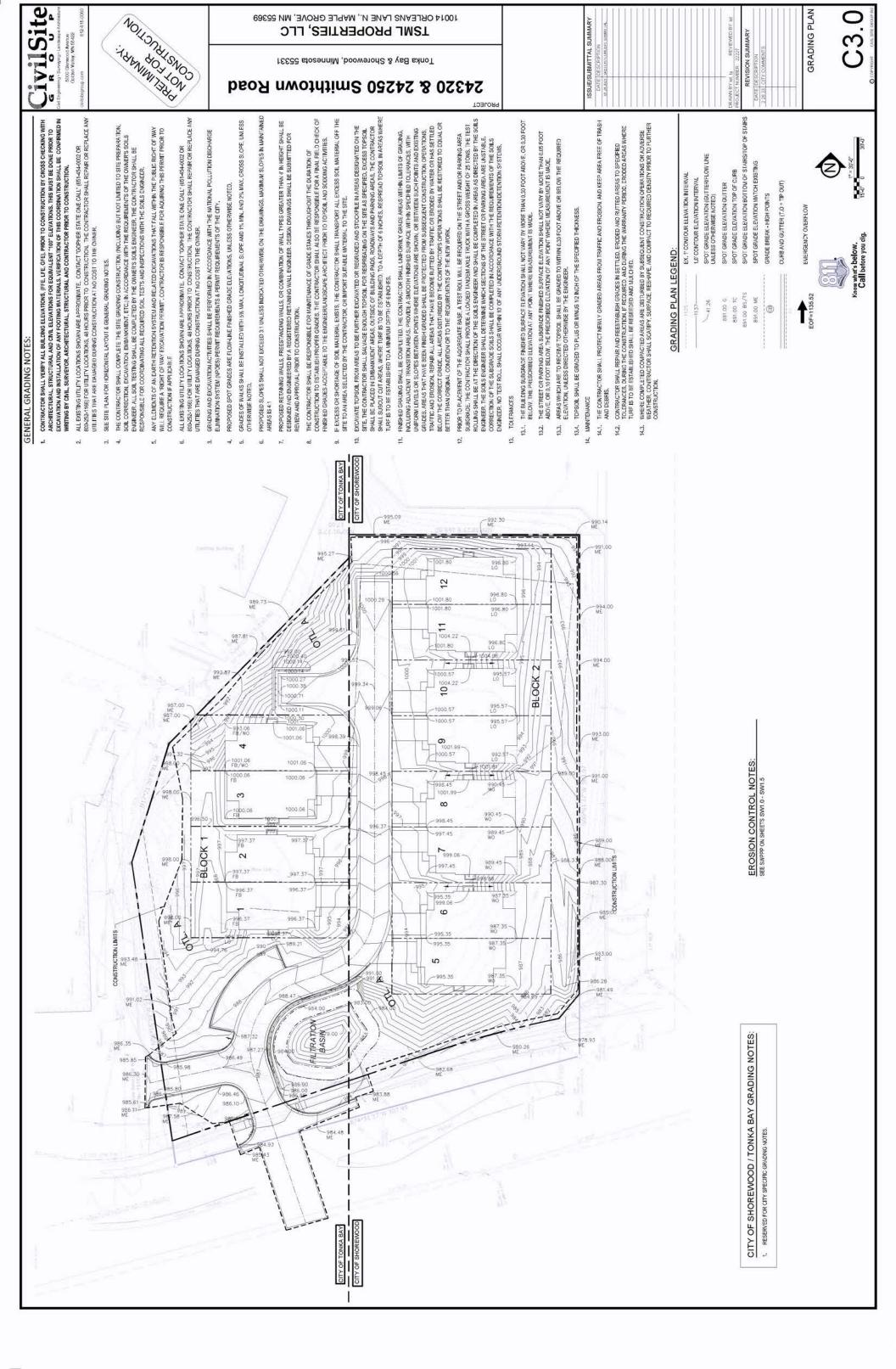
bject to Hennepin County State Aid Highway No. 19, Plat 57, filed prember 26, 1985, as Document No. 5036415 (Abstract) and filed eptember 20, 1985, as Document No. 1672825 (Torrens), being dire

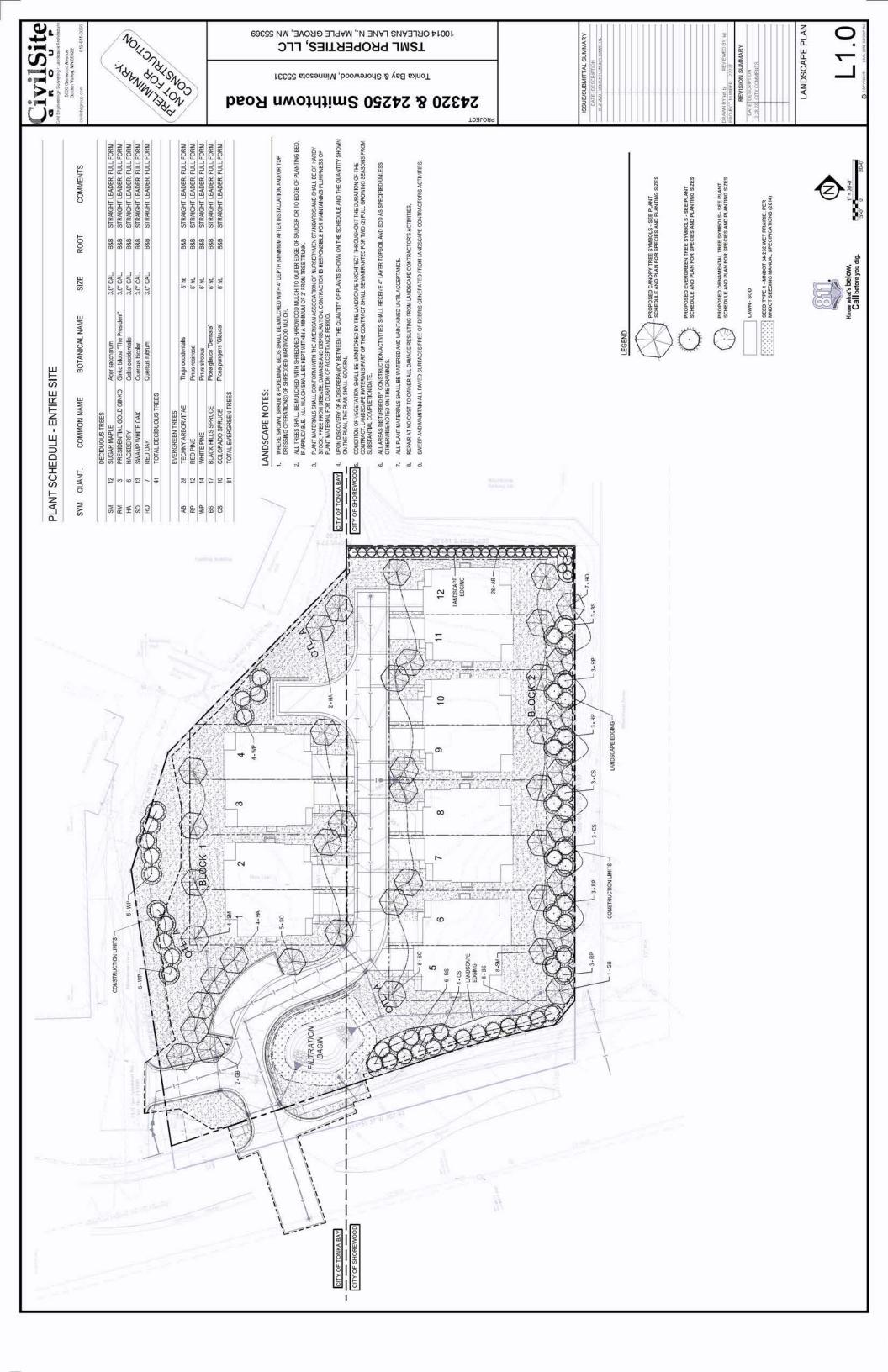
A

ALTA/NSPS LAND TITLE SURVEY











SHOREWOOD



5755 COUNTRY CLUB ROAD, SHOREWOOD, MINNESOTA 55331-8927 • 952.960.7900 www.ci.shorewood.mn.us • cityhall@ci.shorewood.mn.us

MEMORANDUM

TO: Planning Commission, Mayor and City Council

FROM: Marie Darling, Planning Director

MEETING DATE: March 7, 2023

REQUEST: Variances to side setback

APPLICANT: Kyle Hunt and Partners, Inc.

LOCATION: 28170 Woodside Road

REVIEW DEADLINE: May 24, 2023

LAND USE CLASSIFICATION: Low Density Residential

ZONING: R-1A/S

FILE NUMBER: 22.11

REQUEST:

The applicant has proposed variances to the side vard setbacks as follows:

- A 27-foot combined side-yard where 30 feet is required, and,
- An overhang that projects four feet into the side-yard setback where two feet is allowed.



Under the plan, the existing home would be removed and the portion of the shared drive that connects to the existing home would be removed. The new home would have its own driveway.

Notice of this application and the public meeting was mailed to all property owners within 500 feet of the property at least 10 days prior to the meeting. After the notice was sent the applicant reduced their request by reducing the width of the home by two feet and removed all improvements previously shown within the northerly drainage and utility easement. The notice sent to the neighborhood continues to be adequate to fulfill the notice requirement.

BACKGROUND

<u>Context</u>: The subject property was originally part of the Scott's Subdivision from 1885 and the existing home was constructed around 1900. The lot as it exists today was created in 2012 with a minor subdivision and variances for lot area and lot width.

The property is within the shoreland district and is riparian to Lake Minnetonka and the area near the shore is within the 100-year floodplain. The property contains mature trees and the construction of the new home would be subject to the tree preservation policy. There is no evidence of wetland on the property.

The adjacent properties are all developed with single-family homes and zoned R-1A.

Applicable Code Sections:

Section 1201.26 subd. 5. a. (7) of the zoning regulations requires all structures in the shoreland overlay districts to be setback from side property lines a minimum total of 30 feet from both side property lines with no one side closer than 10 feet.

Section 1201.03. c. (1) of the zoning regulations allows all chimneys, flues, belt courses, sills, pilasters, lintels, ornamental features, cornices, eaves, gutters and the like in required yards provided they do not project more than two feet. The standard drainage and utility easement is 10 feet. Staff notes that two-foot overhangs are typical encroachments into the standard drainage and utility easements.

ANALYSIS

The applicant's narrative is attached and indicates that the property owners propose to demolish the existing home and rebuild a new home closer to the lake. The home is designed with most of the living area on the main floor with a walk-out basement. The home is designed with a flat-roofed home in the prairie style. The property owners' design incorporates a four-foot overhang that they feel is essential to the design of the home. The overhang would encroach no more than two feet into the existing drainage and utility easement, similar to the encroachment any home would be allowed when constructed up to the drainage and utility easement.

Variance Criteria:

Section 1201.05 subd.3.a. of the zoning regulations sets forth criteria for the consideration of variance requests. These criteria are open to interpretation. Staff reviewed the request according to these criteria as follows:

- 1. *Intent of comprehensive plan and zoning ordinance*: The property owner would continue to use the property for residential purposes.
- Practical difficulties: Practical difficulties include three factors, all three of which must be met.
 The applicant maintains that the property is narrower than many lake lots on the west side of
 Shorewood.
 - a. *Reasonable*: The applicant has proposed reasonable residential uses on the property.
 - b. *Unique Situation vs. Self-Created*: The applicant proposes to build a new home and the design of the structure is still conceptual. In that sense, the situation is self-created.

What is unique in this situation is that the property to the north (28110 Woodside Road) has a 30-foot strip of land that connects the part of the lot with the home to the shore. The strip of land is about 30 feet wide and preserves access to the lakeshore. This strip forces extra distance between the home proposed and any future reconstruction project on lot 28100 Woodside Road.



- c. Essential Character: Because the home is a single level (above grade) home and the lot lines lots in the area are not uniform, the home will not be out of character with the area and it is unlikely to impact the essential character of the neighborhood.
- 3. *Economic Considerations*: The applicant has not proposed the variance solely based on economic considerations, but to enhance the livability of the future home and to meet what they feel is an important design feature of the home (the extra-wide overhang).
- 4. *Impact on Area*: The property owner is not proposing anything that would impair an adequate supply of light and air to an adjacent property, increase the risk of fire, or increase the impact on adjacent streets.
- 5. Impact to Public Welfare, Other Lands or Improvements: By keeping a single-level height on the street side of the home, the property owners have minimized the impact to the views on both the neighboring homes.
- 6. *Minimum to Alleviate Practical Difficulty*: The applicant did reduce the home by two feet to reduce their request.

Staff acknowledge that the home could be reduced in size by another three feet to meet the setback and the home could provide a two-foot overhang on the north side similar to the overhang provided on the south side. However, the design of the home with a flat roof minimizes the impact of the reduced setback for the adjacent homes.

FINDINGS/RECOMMENDATION

Staff finds the variance proposal meets the criteria above and recommends approval of the variance. Staff acknowledge that the variance criteria are open to interpretation and the Planning Commission could reasonably find otherwise.

Should the Planning Commission recommend approval of the variance, staff recommends that the following conditions:

- 1. Prior to construction of the home, the applicant shall acquire all necessary permits.
- 2. Prior to final inspections of the home, the portion of the driveway connecting the existing home to the shared drive on 28180 Woodside Road must be removed.

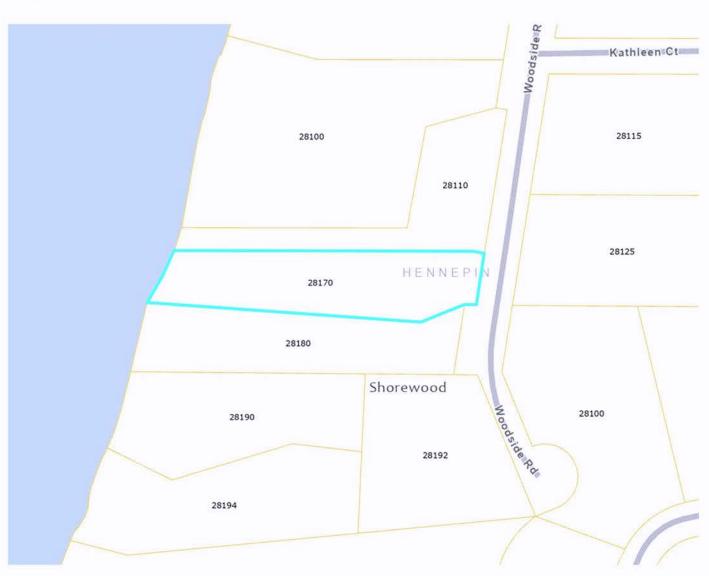
ATTACHMENTS

Location map Applicants' narrative and plans Correspondence Received

S:\Planning\Planning Files\Applications\2023 Cases\28170 Woodside Rd VAR\PC memo-.docx

28170 Woodside Road Location Map





Carney Variance Request

28170 Woodside Road Shorewood, MN 55331

Summary of Request

Debra and Patrick Carney seek two variances from the City of Shorewood in their desire to build an Age In Place home that can accommodate their growing family. The style of this home can be described as: a Modern Flat-Roofed home with a Prairie style contemporary feel (think Frank Lloyd Wright's Falling Water house). Essentially, a Mid-Century Modern approach meets Minnesota cabin. Ultimately, this design will blend into the landscape and community by using earth tones on the exterior to give it an organic feel.

- 1. Our first variance request is that the side yard setback be reduced from a 15-foot setback to a 12-foot setback on the north side-yard setback.
- 2. Our second request is for an additional 2 feet of roof overhang on the north side of the home, totaling 4 feet of which 2 feet would extend into the 10-foot drainage and utility easement on the north side of the property.

Background and Context

Debra and Patrick Carney (Carney's) own property at 28170 Woodside Road Excelsior, MN 55331. It is their desire to build a home that allows for Aging In Place while also permitting room for their family to grow. At present, the Carney's immediate family includes six young adult children who hope to return to their parent's home often, to bring along their significant others and ultimately grandchildren for frequent visits and overnight stays.

The Carney's have engaged the services of architect Charles R. Stinson (Stinson) and his team, to design a small, one-story home (the total height is approximately 11 feet + 6 inches tall) with a partially finished lower level to accommodate their lifestyle. It is the Carney's desire to build a melding of Mid-Century Modern style home that stylistically meets a Modern Lake Cabin vernacular.

Along with the desire to Age In Place comes the requirement of having a modest sized owner's suite on the main level, with just enough room for a wheelchair to fit on all three sides of the bed. This accommodation results in the owner's bedroom measuring at 18 feet wide on the lake side of the home. Additionally, the Greatroom, including dining room and kitchen, makes up the remaining lake side width of the home at 31 feet + 6 inches. The Carney's desire this Greatroom to be these dimensions due to the growing size of their family and the importance of gathering at the lake for years to come. Please refer to the Site Plan document provided for reference for these two rooms.

Unique Characteristics of the Carney Site

- When considering all 59 lake front properties in Shorewood, starting at the Victoria/Shorewood City boundary on Smithtown Bay south of the Carney's property, running north to the tip of Howard's Point—the Carney's lot is one of only 3 properties with an unusually narrow lot dimension that limits their buildable area.
 - The Carney property measures at 75 feet wide by 446 feet deep, presenting challenges to their hopes of building a home within City ordinance.
- The Shorewood City ordinance, Section 1202.265, Shoreland District Subd.5a.(7), requires that there be a setback between homes, which is not a concern in this instance because:

Point 1:

- The neighboring property to the north, 28110 Woodside Road that is owned by Michael and Jessica Giebenhain, has a unique non-conformity that does not usually occur on lake property, given the width of the property is only 33 feet wide at the shoreline on the west, and extends for more than 320 feet to the east.
 - In the position neighboring the Carney house, the
 Giebenhain lot would not allow for the construction of any additional structures.
- The afore mentioned city ordinance would not permit another home to be built here due to the unique width of the side yard between the Carney and Giebenhain property (33 feet). This reality leaves this portion of the Giebenhain property unbuildable.

Point 2:

- The closest potential home that may be built in the future would be 55 feet away from the Carney home (if the variance of 3 feet were to be grated).
 - 28100 Woodside Rd owned by Greg and Lorraine Scott, is the nearest potential location for a new home. If that were achieved and the home was placed at the 10-foot setback, the home would be 55 feet away from the Carney home (if the variance of 3 feet were to be grated). See site plan for context.

Variance Requests

Variance Request #1

Section 1202.265, Shoreland District Subd.5a.(7) notes that the side yard setback requirement is 30 feet total and 10 feet minimum.

- 1. We are requesting that the side yard setback be reduced from a 15-foot setback to a 12-foot setback. This setback adjustment would conform with the Six Variance Checklist standards as set forth in section 1201.05 of the Shorewood zoning regulations:
 - Response to #1: Granting this variance would be consistent with the intent of the comprehensive plan, and would be in harmony of the general purposes and intent of the zoning regulations.
 - Response to #2: The applicant has demonstrated that there is in fact a practical difficulty in building an Age In Place home on a site of 75 feet of width when 30 feet is being used for side yard setbacks.
 - 2.(a): The Carney's propose to use the property in a reasonable manner, as they need a bit more width in the home to aid in the idea of Aging In Place while also accommodating their large and growing family.
 - o 2.(b): The width of the property was not determined by the Carney's.
 - 2.(c): If the variance were granted the essential character would not be altered, one could argue that it would be enhanced and in greater harmony to the neighborhood if we proceed with the proposed build.
 - Response to #3: The variance has no economic consideration.
 - Response to #4: The variance would not impair the adequate supply of light or air to the adjacent owners. In fact, it would likely enhance those features since it is a flat roofed, one story, above grade home. There would be no impact to the public street regarding congestion or any increased danger to public or fire safety.
 - Response to #5: The variance would not create any detriment to the public welfare, nor be injurious to other lands or improvements in the neighborhood.
 - Response to #6: The variance is minimal and is in the scale to provide for the room needed in the proposed floor plan to meet the needs of the Carney's Aging In Place and for the room to accommodate their family.

Variance Request #2

Section 1201.03 Subd 3 Yard requirements subsection states:

"...c. The following shall not be considered as encroachments on required yard

setbacks for all lots:

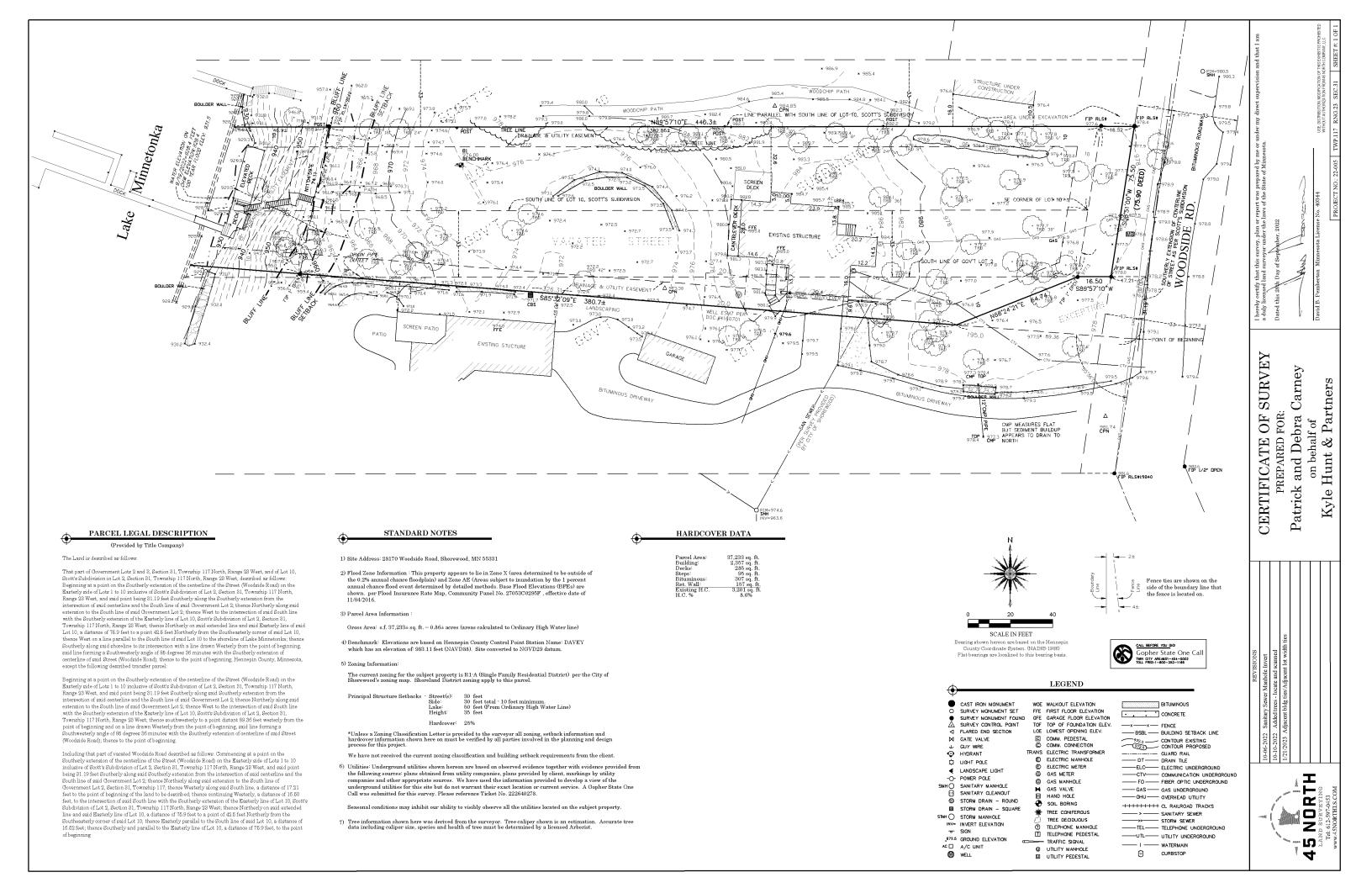
- (1) Chimneys, flues, belt courses, sills, pilasters, lintels, ornamental features, cornices, eaves, gutters and the like, provided they do not project more than two feet into a required yard."
- 1. Our second variance request is for an additional 2 feet of roof overhang on the north side of the home, totaling 4 feet of overhang with 2 feet into the north side drainage and utility easement.
 - a. The Carney's and their architect, Charles R. Stinson, also seek this variance to complete the style and look of this type of modern architecture.
 - b. Due to the aforementioned width of the property to the north, this does not have any adverse effect to any neighboring properties.
 - c. Our responses to the Zoning Checklist requirements:
 - Response to #1: This request would be found consistent with the intent of the comprehensive plan and in harmony of general purposes and intent of the zoning regulations.
 - Response to #2
 - 2(a): It is still a reasonable use and more true to a style of architecture.
 - Response to #2(b): N/A
 - Response to #2(c): The essential character of the locality would not be altered by this feature.
 - Response to #3: There is no economic consideration with this request.
 - Response to #4: This request does not impair an adequate supply of light and air to adjacent property, unreasonably increase the congestion in the public street or increase the danger of fire or endanger the public safety.
 - Response to #5: This variance request, and its resulting construction or project, would not be detrimental to the public welfare, nor would it be injurious to other lands or improvements in the neighborhood.
 - Response to #6: Our request would properly finish the style of this architecture. Any less would not look true to the style or architectural intent.

Final Considerations

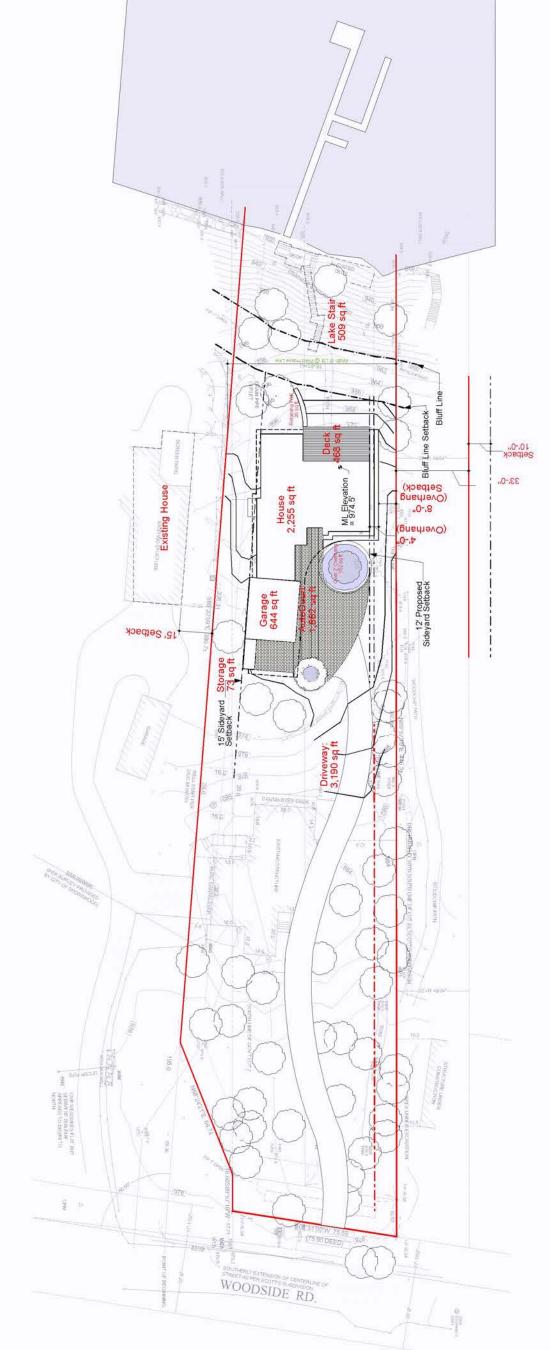
Privacy and Neighborhood Accommodations based on proposed Carney site plan:

• Our proposed plans will ensure a 15-foot south side yard setback to uphold privacy for the existing location of the Tom and Velinda Schrepel home (28180 Woodside Road).

- We are honoring the Schrepel's setback of 15 feet by mirroring the 15 feet of setback on the Carney property.
- The Carney home would have a similar side yard setback (if the variance were granted) to the recently constructed garage on the Giebenhain property.
 - The detached garage setback of the Giebenhain's garage is 10 feet + 6 inches from the Giebenhain's south property line, as noted on the survey.
 - It should also be noted that the height of the Carney home will be less than the height of the Giebenhain detached garage.
- The location of the home maintains the established grove of maple trees on street side and privacy for the surrounding homes.
- With the small size of the footprint and one-story flat roof, the Carney home will ensure low-profile visibility.



CRS Partners LLC



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Main Level Plan

Lake

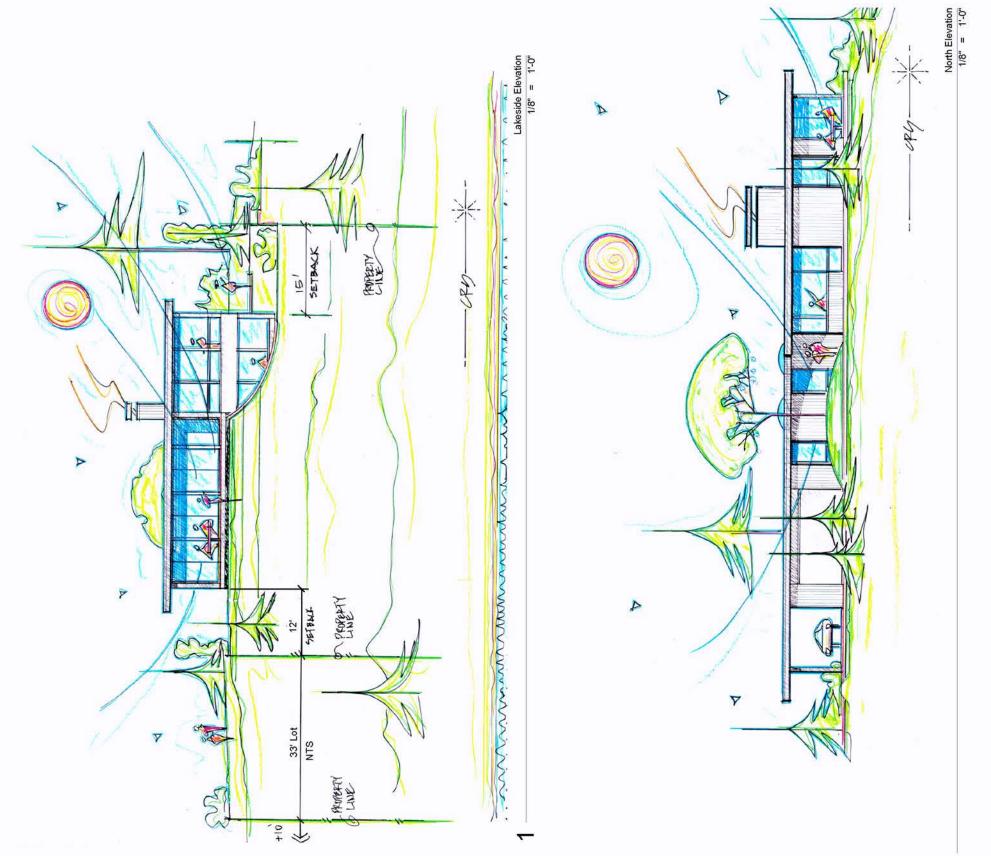
Lower Level Plan

Minnetonka
Bluff House
Variance Submittal
DATE: 20220227
REVISIONS. A201 Exterior Elevations

Lake

8096-874-286 18304 Minnetonka Blvd

CRS Partners LLC



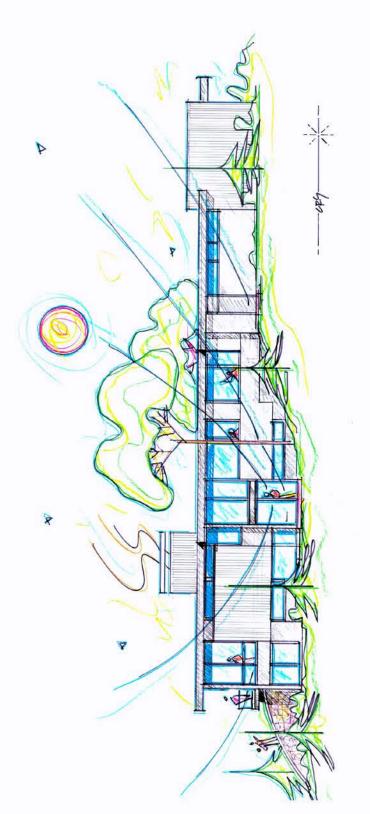
Lake
Minnetonka
Bluff House
Variance Submittal
DATE. 20220227
REVISIONS.

Entry (East) Elevation 1/8" = 1'-0"

18304 Minnetonka Blvd

moo.nosnits1s9l1sdo.www Deephaven, M N 55331

CRS Pariners LLC.



South Elevation 1/8" = 1'-0"

8096-814-896

2

Marie Darling

From: mike giebenhain <mikegiebenhain@hotmail.com>

Sent: Tuesday, February 28, 2023 7:32 PM

To: Marie Darling **Subject:** Carney variance

Marie,

Kyle Hunt asked me to contact you regarding my position on the Carney variance request. While I completely disagree with their logic in the submitted request as it suggests my property should be treated more like deeded access in regards to setbacks and they show absolutely no need, I do think granting the variance of a 12ft setback (vs 15ft) in this instance makes sense as they are building a home that will not be overly obstructive to my lake view compared to what could potentially be built.

Please feel free to contact me if you have any further questions.

Thanks Mike Giebenhain 28110 Woodside Rd Shorewood, mn 55331 612-816-8429

Sent from my Verizon, Samsung Galaxy smartphone Get <u>Outlook for Android</u>



SHOREWOOD

6B

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MEMORANDUM

TO: Planning Commission, Mayor and City Council

FROM: Marie Darling, Planning Director

DATE: March 7, 2022

RE: Work Program and Schedule of Meeting

Work Program:

In 2022, the City Council has prioritized some of the needed code amendments. Some of those priority amendments affect the Planning Commission's work program for 2023. Other amendments proposed are tentative suggestions from staff.

Tentative 2023 Work Program

March of 2023

- Development Applications
- Election of Officers

Spring of 2023 (April - June)

- Development Applications
- · Sign amendment related to content neutral language

Summer of 2023 (July - September - October)

- Development Applications
- Amendments to CUPs and Site Plan application administration
- Telecommunication Amendments to Zoning Regulations (Discussion/Public Hearing)

Winter of 2023/24 (November -January)

- Development Applications
- Review potential Amendments to tree preservation ordinance and policy changes
- Subdivision regulations refresh (Park Dedication, Premature Subdivision, Variance, etc.)

Other future code amendments:

Review Amendments to impervious surface coverage/storm water regulations (Discussion/Public Hearing), grading issues, escrow language, certificate of occupancy in Zoning Regulations. Exterior storage PUD Amendment Procedures Fences Food Trucks Nonconforming uses, structures and lots

Small housekeeping edits that accumulate

Home Occupation Permit/Licenses

2023 PLANNING COMMISSION MEETING SCHEDULE

PLANNING COMMISSION MTG	REPORT AT CITY COUNCIL MTG
TUESDAY, JANUARY 17	MONDAY, JANUARY 23
TUESDAY, FEBRUARY 7	MONDAY, FEBRUARY 27
TUESDAY, MARCH 7	MONDAY, MARCH 27
TUESDAY, APRIL 4	MONDAY, APRIL 24
TUESDAY, MAY 2	MONDAY, MAY 22
TUESDAY, JUNE 6	MONDAY, JUNE 26
TUESDAY, JULY 18	MONDAY, JULY 24
TUESDAY, AUGUST 1 (PRIMARY ELECTION ON AUG. 8)	MONDAY, AUGUST 28
TUESDAY, SEPTEMBER 5	MONDAY, SEPTEMBER 25
TUESDAY, OCTOBER 3 (CITY COUNCIL MEETING ON OCT. 10 DUE T	MONDAY, OCTOBER 23 O HOLIDAY ON OCT. 9)
TUESDAY, NOVEMBER 21 (ELECTIONS TAKE PLACE ON NOV. 7)	MONDAY, NOVEMBER 27

MONDAY, JANUARY 22, 2024

TUESDAY, DECEMBER 5