

**CITY OF SHOREWOOD
CITY COUNCIL REGULAR MEETING
MONDAY, MAY 8, 2023**

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

For those wishing to listen live to the meeting, please go to ci.shorewood.mn.us/current_meeting for the meeting link. Contact the city at 952.960.7900 during regular business hours with questions.

AGENDA

1. CONVENE CITY COUNCIL MEETING

A. Pledge of Allegiance

B. Roll Call

Mayor Labadie____
Johnson____
Callies____
Maddy____
Sanschagrín____

C. Review and Adopt Agenda

Attachments

2. CONSENT AGENDA The Consent Agenda is a series of actions which are being considered for adoption this evening under a single motion. These items have been reviewed by city council and city staff and there shall be no further discussion by the council tonight on the Consent Agenda items. Any council member or member of city staff may request that an item be removed from the Consent Agenda for separate consideration or discussion. If there are any brief concerns or questions by council, we can answer those now.

Motion to approve items on the Consent Agenda & Adopt Resolutions Therein:

- | | |
|--|--|
| A. City Council Work Session Minutes of April 24, 2023 | Minutes |
| B. City Council Regular Meeting Minutes of April 24, 2023 | Minutes |
| C. Approval of the Verified Claims List | Claims List |
| D. Approve Public Works Seasonal Hire | City Clerk/HR Director Memo |
| E. Approve City Master Fee Schedule Update | City Clerk/HR Director Memo
Resolution 23-045 |
| F. Approve Excelsior's Park, Dock, and Code Enforcement CSO Agreement with City of Excelsior | City Administrator Memo |
| G. Approve Amplified Music for Private Event at Freeman Park | Planning Director Memo
Resolution 23-049 |

3. MATTERS FROM THE FLOOR This is an opportunity for members of the public to bring an item, which is not on tonight's agenda, to the attention of the Council. Anyone wishing to address the Council should raise their hand, or if attending remotely please use the "raise hand" function on your screen and wait to be called on. Please make your comments from the podium and identify yourself by your first and last name and your address for the record. Please limit your comments to three minutes. No discussion or action will be taken by the Council on this matter. If requested by the Council, City staff will prepare a report for the Council regarding the matter and place it on the next agenda.

4. REPORTS AND PRESENTATIONS

A. Auditors Report Finance Director Memo

B. Excelsior Fire District Presentation City Administrator Memo

5. PARKS

A. Approve Freeman Park Trail Plans and Specifications and Authorize City Engineer Memo
Advertisement for Bids, City Project 22-05 Resolution 23-046

6. PLANNING

A. Request for PUD concept plan for Smithtown Planning Director Memo
Road Redevelopment Resolution 23-047
Location: 24250 Smithtown Road
Applicant: TSML Properties, LLC.

7. ENGINEERING/PUBLIC WORKS

8. GENERAL/NEW BUSINESS

A. Bond Reimbursement Resolution Finance Director Memo
Resolution 23-048

9. STAFF AND COUNCIL REPORTS

A. Staff

1. Response to Inquiry – Multiple Dock Permit Fees Planning Director Memo

2. Galpin Lake Trail: Andrew Morrow, 5935 Galpin Lake Rd City Engineer Memo

3. Strawberry Ln/LRT Trail Crossing City Engineer Memo

B. Mayor and City Council

10. ADJOURN

CITY OF SHOREWOOD
CITY COUNCIL WORK SESSION MEETING
MONDAY, APRIL 24, 2023

5755 COUNTRY CLUB ROAD
CONFERENCE ROOM
6:00 P.M.

MINUTES

1. CONVENE CITY COUNCIL WORK SESSION MEETING

Mayor Labadie called the meeting to order at 6:06 P.M.

A. Roll Call

Present: Mayor Labadie; Councilmembers Callies, Maddy, and Sanschagrín; City Administrator Nevinski; Planning Director Darling; Public Works Director Morreim, City Attorney Jared Shepard; and Attorney Jessica Schwie

Absent: Councilmember Johnson

B. Review Agenda

Maddy moved, Sanschagrín seconded, approving the agenda as presented. Motion passed 4/0.

2. **CLOSED SESSION - ALEX AND ELENA UGORETS V. CITY OF SHOREWOOD, CIV. NO. 21-1446 (D. MINN)** Pursuant to Minn. Stat. §13D.05, subd. 3 (b), the meeting will be closed for a confidential, attorney-client privileged discussion of the litigation matter, *Alex and Elena Ugorets v. City of Shorewood*, Civ. No. 21-1446 (D. Minn.).

Maddy moved, Labadie seconded moving the meeting into closed session. Motion passed 4/0.

The meeting was re-opened at 6:57PM

2. ADJOURN

Maddy moved, Sanschagrín seconded, Adjourning the City Council Work Session Meeting of April 24, 2023, at 6:57 P.M. Motion passed 4/0.

ATTEST:

Jennifer Labadie, Mayor

Sandie Thone, City Clerk

CITY OF SHOREWOOD
CITY COUNCIL REGULAR MEETING
MONDAY, APRIL 24, 2023

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

MINUTES

1. CONVENE CITY COUNCIL REGULAR MEETING

Mayor Labadie called the meeting to order at 7:00 P.M.

- A. Pledge of Allegiance
- B. Roll Call

Present: Mayor Labadie; Councilmembers Callies, Maddy, and Sanschagrín; City Attorney Shepherd; City Administrator Nevinski; City Clerk/HR Director Thone; Finance Director Rigdon; Planning Director Darling; Park and Recreation Director Crossfield; Director of Public Works Morreim; and City Engineer Budde

Absent: Councilmember Johnson

- C. Review Agenda

Maddy moved, Callies seconded, approving the agenda as presented. All in favor, motion passed.

2. CONSENT AGENDA

Mayor Labadie reviewed the items on the Consent Agenda.

City Administrator Nevinski referenced item 2.K and read aloud the last part of paragraph three within RESOLUTION NO. 23-040, that should be struck.

Maddy moved, Sanschagrín seconded, Approving the Motions Contained on the Consent Agenda, as revised, and Adopting the Resolutions Therein.

- A. City Council Work Session Minutes of April 10, 2023
- B. City Council Regular Meeting Minutes of April 10, 2023
- C. Approval of the Verified Claims List
- D. Approve 2023 Retail Liquor License Renewals, Adopting RESOLUTION NO. 23-038, "A Resolution Approving 2023 Retail Liquor License Renewals."
- E. Approve Concessions Agreement for Freeman Park (Eddy's Station)
- F. Approve Contractor Agreement with Erica Heinrichs, Daily Wellness Tai Chi
- G. Approve Service Agreement for Christmas Lake AIS Program, Adopting RESOLUTION NO. 23-039, "A Resolution Authorizing Signature on a Service Agreement with the Christmas Lake Homeowners Association and

Waterfront Restoration, LLC to Provide Aquatic Invasive Species Inspections at the Christmas Lake Public Access

- H. Approve Permanent Appointment of Park/Recreation Director**
- I. Approve Hire of Community Center Attendant**
- J. Accept Quotes and Award Toppers and More for Truck Topper and Storage System**
- K. Approve Agreement and Adopt Special Assessment for 6060 Strawberry Lane, Adopting RESOLUTION NO. 23-040, "A Resolution Approving and Adopting a Special Assessment."**

Motion passed.

3. MATTERS FROM THE FLOOR

Andrew Morrow, 5935 Galpin Lake Road, asked if there was an active committee or group that was continuing the work around the proposed trail/sidewalk/project to add continuous access from the Chanhassen sidewalk system to the Excelsior sidewalk system up Galpin Lake Road. He stated that he wants to make sure that the various projects throughout the city related to sidewalks and trails are somewhat related and go hand in hand. He stated that he would like to be able to track progress and facilitate community activity when needed.

Mayor Labadie stated that there is not a current committee and asked City Engineer Budde to address some of the items raised by Mr. Morrow with a written memo at the next meeting. She noted that these same questions have been asked by other individuals in the city.

4. REPORTS AND PRESENTATIONS

5. PARKS

A. Approve 2023 Integrated Pest Management Work Plan

City Administrator Nevinski gave an overview of the work that has been done to create the 2023 Integrated Pest Management Work Plan. He stated that this is a 'big lift' and the work done in 2023 will be an important step. He explained that an Open House was held the past week to garner some feedback from the community. He noted that there is a desire for the athletic fields to have a higher quality turf but have more tolerance for weeds in the open or passive areas. He reviewed details from the proposed 2023 Integrated Pest Management Work Plan. He explained that the plan would be to work with the Parks Commission to evaluate how the 2023 Work plan goes this year and determine what changes will need to be made for 2024. He stated that putting this together has been a group effort and expressed his appreciation to Public Works Director Morreim, Planning Director Darling, and Park and Recreation Director Crossfield for their efforts.

Councilmember Callies acknowledged all the staff involvement that there has been in putting this document together. She stated that she also felt that the city had provided a lot of opportunities for the public to participate, however, there were only twenty-one people of the City's population of a bit over seven thousand who participated in these efforts. She stated that because of these

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numbers, she was not confident that the city truly has a good sense of where the community is at with this issue and noted that the feeling may be apathy. She stated that she did not think this was an issue that has a lot of ground swell interest. She agreed with City Administrator Nevinski who described this as a 'big lift'. She explained that she felt that the city got good information from the consultants and believes that this may be a good direction to head, but noted her concern with the costs and what the goals are of the community. She referenced past Council discussions related to trash collection that seemed to have had more interest from the community. She cautioned that she did not want to overstate what is being said with things like 'community tolerance' or 'community interest' because this plan may just reflect what the Council and a handful of residents want to see and not necessarily the 'community'. She stated that she feels the overall work plan looks good but cautioned that it should be considered as a work in progress.

Mayor Labadie applauded the staff members who have worked on this document and appreciated that the city had hired outside consultants to weigh in on this matter. She noted that she feels what has been done shows that the city is forward thinking and that they have listened to the residents.

Councilmember Sanschagrín stated that he believes the City is heading in the right direction. He noted that he is the parent of a child who has survived brain cancer and believes this is one of those things that is more important than just politics and for him, it comes down to the question of what the right thing is to do. He stated that he believes that it behooves the city to think about this systematically and do everything they can to reduce toxins in the city parks. He noted that he had sent an article earlier today to Public Works Director Morreim about an organic weed killer that uses vinegar and water and asked that this be considered for use. He stated that he has gotten input from residents who take issue with the City referring to themselves as a "Bee Safe" City until the City adopts all the standards that go along with that designation. He noted that he is looking forward to the discussions surrounding the emerald ash borer issue and the various treatment options.

City Administrator Nevinski stated that he had neglected to acknowledge the work that was put in by Communications Coordinator Wilson on the storyboard and survey.

Maddy moved, Labadie seconded, to Adopt and Approve the 2023 Integrated Pest Management Workplan. All in favor, motion passed.

6. PLANNING

A. Report by Commissioner Johnson on April 4, 2023, Planning Commission Meeting

Planning Commissioner Johnson gave an overview of discussion and recommendations from the April 4, 2023, Planning Commission meeting.

B. Request for Extension for Code Compliance Location: 25020 Yellowstone Trail

Planning Director Darling gave an overview of the request from the property owners at 25020 Yellowstone Trail for an extension to correct the code compliance. She stated that they have asked to have until July 1, 2023, to plant trees in this location. She noted that staff feels that they

do not need to plant trees to come into compliance and are recommending an extension just to May 1, 2023.

Sanschagrın moved, Maddy seconded, Adopting RESOLUTION NO. 23-041, “A Resolution Approving a Request for an Extension to Correct a Code Violation for Property Located at 25020 Yellowstone Trail.”

Motion passed.

**C. Amendment to Maple Shores Development Contract
Location: 20430 Radisson Road
Applicant: Chamberlain Capital, LLC**

Planning Director Darling explained that the applicant has requested to amend their Development Agreement primarily to modify the financial guarantee amounts because their bid amounts came in substantially lower than their engineering estimates. She stated that they also wanted to make some small changes to the house plans that would help protect them from the noise of the highway. Staff recommends approval.

Callies moved, Sanschagrın seconded, Adopting RESOLUTION NO. 23-042, “A Resolution Approving Amendments to the Development Agreement for the Maple Shores PUD to be Located at and Near 20430 Radisson Road.” All in favor, motion passed.

7. ENGINEERING/PUBLIC WORKS

A. Award Contract and Order Equipment for Lift Station 11 Rehabilitation, City Project 22-07

City Engineer Budde noted that staff had presented final plans and specifications for the lift station project. He explained that three bids were received and opened on April 18, 2023, with the lowest bidder from R & R Excavating, Inc. He noted that staff also solicited direct quotes for some of the components with the low quote from Quality Flow Systems. He noted that staff recommends awarding the low bid to R&R Excavating, Inc., and Quality Flow Systems, as presented.

Callies moved, Sanschagrın seconded, Adopting RESOLUTION NO. 23-043, “A Resolution to Award Contract and Authorize Equipment Purchase for the Lift Station 11 Rehabilitation Project, City Project 22-07.” All in favor, motion passed.

B. Approve Water Meter Replacement/Purchase

Public Works Director Morreim shared some background information on the previous replacement of water meters that took place between 2007 and 2009. He noted that over the past few years, many of the water meters have failed and the city had begun replacing them in 2021. He explained that there continue to be meters that have failed and are unable to be read. He explained that they end up estimating those billing amounts for customers rather than being able to be exact on what they are using. He stated that staff is hoping to replace all the meters from the 2007-2009 time period so there are not additional failures and have to continue repeating this process. He noted that the city has decided to use Ferguson water meters for numerous reasons. He noted that the city will be soliciting for additional quotes for installation of the water meters

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which will be brought forward to the Council sometime in May. He noted that the cost is to be paid with American Rescue Act funds.

Councilmember Maddy asked if any of the existing meters have any type of warranty.

Public Works Director Morreim stated that they do and noted that a majority of them have pro-rated warranties which were reflected in the proposed costs.

Councilmember Maddy asked how the city plans to shore up the numbers between what was estimated consumption and billing to what was actually was consumed. He asked if the city would essentially start over with the billing once the new meter was installed.

Finance Director Rigdon stated that he thinks they will have to start over and cannot go back in time.

Councilmember Sanschagrín asked why the old meters had failed and if it was a design flaw.

Public Works Director Morreim stated that his understanding is that there was a certain vintage of the meters and the batteries in them that are failing. He explained that technology has evolved over the last twenty years with respect to batteries. He stated that it is unfortunate that they are getting some premature failures on these meters and noted that they are hopeful the meters will last at least twenty years. He noted that Ferguson is one of the leaders in this field and would say, in general, they provide a quality water meter within the industry.

Maddy moved, Sanschagrín seconded, Adopting RESOLUTION NO. 23-044, “A Resolution Approving Quote and Authorizing Purchase of Water Meters.” All in favor, motion passed.

8. GENERAL/NEW BUSINESS

9. STAFF AND COUNCIL REPORTS

A. Administrator and Staff

1. First Quarter 2023 General Fund Budget Report

Finance Director Rigdon gave a brief overview of the General Budget report for the first quarter of 2023 but cautioned that there is generally not a lot of activity in the first quarter.

Councilmember Sanschagrín asked if there were any items that Finance Director Rigdon was concerned about related to expenses.

Finance Director Rigdon stated that he is not concerned about anything at this point and reiterated that there is not a lot of activity to consider in the first quarter.

2. First Quarter 2023 Investment Report

Finance Director Rigdon gave an overview of the 2023 Investment Report for the first quarter and noted that they did not do much because they were sitting in an environment that is fluctuating. He noted that he has basically left the portfolio as it is and is banking the funds that they are getting right now and plans to just keep an eye on the market and adjust, if necessary.

3. Response to Question – Tree Selection

Mayor Labadie referenced the staff memo in tonight's packet prepared by Communications Coordinator Eric Wilson regarding the process to determine tree selection for the City's Tree Sale. She explained City Clerk/HR Director Thone was available tonight for any questions.

Other Staff Reports

Park and Recreation Director Crossfield announced that the Step To It Challenge begins May 1, 2023, and noted that residents can register at www.steptoit.org. She stated that there will also be a Walk with the Mayor event on May 15, 2023, at Freeman Park at 5:30 p.m. She stated that there is a new kitchen rental that plans to use the Shorewood Community and Event Center about four to seven days per week for the next nine to twelve months.

Public Works Director Morreim stated that the Department is currently conducting their spring sweep which should be complete sometime in the next five weeks and noted that some of the recent weather had delayed the sweep a bit. He stated that they will also begin hydrant flushing soon. He stated that the spring road restrictions ended this morning, so they may see some more construction going on because contractors can start moving their equipment in for projects. He stated that they have some reports that MnDOT has begun advertising the Highway 7 corridor study through mid-May.

City Engineer Budde gave an update on Strawberry Lane and noted that they have been trying to get the final permit from the Hennepin County Regional Rail Authority and Three Rivers Park District. He stated that the Three Rivers Park District recently let the city know that they would like some more curvature added to the trail at the crossing of Strawberry Lane to make it more perpendicular because it makes for a safer pedestrian crossing. He asked if the Council had any feedback on this request and noted that he had heard from a resident on the east side of Strawberry Lane that is not in favor of the curvature because it clears more trees and will make the trail more visible. He stated that all the work would take place within the County right-of-way and is their facility to own, manage, and operate. He referenced the pond on the east side of Ashlyn Woods that has had trouble draining since it was built. He stated that there is too much undulation and topography through the Freeman Forest and noted that one of the possible solutions is to dig a ditch, but that would also require clearing out some trees.

Councilmember Sanschagrín asked how many mature, healthy trees would be impacted.

City Engineer Budde stated that he does not have a full count at this point, but noted that there are some good, mature trees in there that are desirable species, but there is also a lot of ash and a lot of buckthorn. He noted that he can follow up with this information tomorrow.

Councilmember Callies stated that it was unfortunate that the city did not have this information during the public meeting process. She noted that she assumed that it may add some concerns for residents about a change to the project.

City Engineer Budde noted that he feels the drainage is at least something that the city could investigate and explore an appropriate solution. He stated that if there is support from the property owners it will be easy and assured the Council that if there was not support, the City would not chase this action.

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Mayor Labadie asked why the expectation would be for the city to pay for half of this work when it is completely within the County right-of-way.

City Engineer Budde stated that originally, the County's thought was not to contribute at all, and he told them that this was a big change to make this late in the process. He stated that at that point they said they could split it 50/50. He stated that he can have additional conversations with them to see if there may be additional contributions they can make and noted that it was going to be tied in with some work within the Freeman Park agreement.

Mayor Labadie asked who had proposed the change.

City Engineer Budde stated that the County is proposing the change in the curvature and alignment.

Mayor Labadie reiterated her confusion as to why the County has come at this with the expectation that they will give the city a portion of the cost for the change they are proposing. She stated that this is essentially their land, their trail, their proposal, and their trees.

City Engineer Budde stated that for the city to be able to do its project, they must get a permit from the County to cross their trail. He stated that his understanding is that as a condition of getting this permit, the City will need to make the changes that they agree to and noted that he thinks they are being fair by offering to contribute 50% of the costs.

Councilmember Callies suggested that part of their 'contribution' may be to carry the labor or to handle the re-communication with the public about why the County wants this change.

City Engineer Budde stated that the city did not anticipate that they would want this significant of a change. He stated that the fault does not lie completely with the County or the Three Rivers Park District and rests a bit on the City with the coordination and timing and getting things wrapped up.

City Administrator Nevinski stated that the city was able to save some money by switching materials, so the overall project budget will probably not need to shift too much because those savings can be applied here.

Councilmember Maddy stated that he feels terms are being used interchangeably and wants to be clear that the property owners are the Hennepin County Regional Rail Authority and Three Rivers Park District runs the trail system. He asked which entity the City was negotiating with on this proposed change.

City Engineer Budde stated that this change was requested by Three Rivers Park District.

Councilmember Maddy clarified that he wanted to make it clear that the property and trees belong to the County. He asked if the newly marked trees were what was being discussed.

City Engineer Budde stated that was correct.

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Councilmember Maddy asked if there had been any discussion about an alternative and noted that he was questioning the wisdom of a 20 mph turn radius for a stop sign. He asked if there were smaller versions of this change that was discussed.

City Engineer Budde stated that there were smaller versions discussed, but ultimately, Three Rivers Park District wants this trail crossing to be 'yield' instead of a 'stop' which is why they wanted to continue the speed through here. He stated that the reasoning is that most bikers do not stop anyway and are trying to make it safer from that perspective. He stated that there have already been some close calls in this area and by removing some of the trees the thought is that it will improve the sightlines. He stated that the County sees this as an opportunity to improve the intersection because of the full street reconstruction.

Mayor Labadie stated that she feels the additional tree loss will be blamed on the city even though this is the County's proposal. She expressed concern that residents would say that the city was not up front and was deceptive with the plans, which is not good. She asked if the County was planning to broadcast the message that this was because of them and not the city and explained that she had already started getting calls about this at the city.

Councilmember Sanschagrín stated that he had already expressed concern about the loss of mature trees.

Councilmember Maddy noted that if, when the city gets the tree inventory and they find out they are ash trees, then he may support just taking them all down.

Councilmember Callies stated that she thinks the entire Council has concerns and agreed that the timing of this proposal is not good and puts the city in a bind on this project.

Councilmember Sanschagrín asked if there was an option to just keep the trail as it is.

City Engineer Budde stated that was the tricky part of navigating this because from an ownership perspective it is their trail to own and maintain and they are the ones applying the design criteria to make it a safer crosser for the trail. He stated that it is hard for the city to come in and do something that is less safe because the city does not want to cut down a few trees. He stated that then if something were to happen at the intersection, the finger would be pointing back at the city and him.

Councilmember Sanschagrín stated that the city does want it to be safe.

City Engineer Budde agreed and explained that as much as he does not like the proposal and that it means taking a few more trees, if it creates the safest crossing, that is the most appropriate thing to do in this case.

Mayor Labadie asked that this topic be put on as an agenda item at a future meeting so the public has notice that it is being discussed and can review the details. She asked that the staff report make it clear that this was not the city initiating this change.

City Engineer Budde stated that he will make it his goal to have this ready for discussion at the next City Council meeting.

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Mayor Labadie clarified that no trees would be coming down prior to this coming back before the Council.

Planning Director Darling updated the Council on two events related to the Mill Street Trail project. She stated that the County held a pop-up event at Excelsior Elementary where seventy-four people attended and an Open House held at St. John's Church last week which had forty-six people in attendance. She stated that there have been a lot of comments and ideas received on this project. She stated that she believes, in general, more people were in favor of Option #2 which is the wider road with the on-street biking shoulders, but there were still tabulating all the responses.

Mayor Labadie suggested that this be brought up at tomorrow's staff meeting that the County is looking for the public's help in design of the future pathway between Mill Street in Excelsior and Holly Lane in Chanhassen. She explained her concern is that all their media and communication have no mention of the City of Shorewood. She asked staff to reach out to the Hennepin County Government official website and social media and be sure that Shorewood is acknowledged because this is a huge project that involves the City.

City Administrator Nevinski stated that he met with representatives of MediaCom last week and they are doing work within the city. He stated that they are expanding their nodes from one to fifteen, which should result in better speeds for the residents.

B. Mayor and City Council Reports

Councilmember Maddy explained that a few weeks ago, he attended a Fire District Board meeting where they primarily discussed upcoming budget issues. He stated that mid-meeting, the new rescue boat was delivered which should be ready to begin work on the lake soon.

Mayor Labadie stated that on April 12, 2023, she attended the Minnetonka High School Superintendent and Mayor's meeting. She noted that Shorewood will be hosting the next meeting which will be the first time this has happened. She also stated that on April 12, 2023, she attended the South Lake Minnetonka Police Department meeting and learned that the SLMPD is introducing a Citizens Academy that should start this coming fall. She stated that they discussed the JPA which will be coming back to the Council with some proposed changes that will need to be discussed at an upcoming Work Session. She stated that on April 13, 2023, she attended the Minnesota Mayor's Association Executive Committee meeting. She noted that on April 17, 2023, she met with Dr. Tyrone Carter who is the City's Met Council Representative and former Mayor Scott Zerby to share some overview of some of the City's issues and vision related to the Met Council. She stated that the same afternoon she testified before the Senate Transportation Committee regarding Highway 7 safety. She stated that also on April 17, 2023, she attended the IPM Open House held by the city. She noted that on April 19, 2023, the League of Women Voters of South Tonka held a Mayor's Forum at the Shorewood Community and Event Center. She stated that the Mayors from Shorewood, Excelsior, Tonka Bay, and Deephaven were all in attendance. She encouraged residents to sign up for the Mayor's Water Challenge for water conservation which can be found at www.mywaterpledge.com.

10. ADJOURN

Maddy moved, Sanschagrin seconded, Adjourning the City Council Regular Meeting of April 24, 2023, at 8:35 P.M.

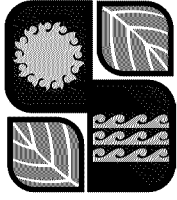
Motion passed.

ATTEST:

Jennifer Labadie, Mayor

Sandie Thone, City Clerk

DRAFT



City of Shorewood

City Council Meeting Item

Item
2C

Title/Subject: Verified Claims
Meeting Date: May 8, 2023
Prepared by: Michelle Nguyen, Senior Accountant
Reviewed by: Joe Rigdon, Finance Director
Attachments: Claims Lists

Background

Council is asked to verify payment of the attached claims. The claims include compensation, operational or contractual expenditures anticipated in the current budget, or otherwise approved by the Council. Funds will be distributed following approval of the claims list.

Claims for Council authorization:

Payroll – 04/24/2023	\$53,783.77
AP-Payroll-04/24/2023	\$64,349.68
AP-March Credit Cards	\$33,517.05
AP-05/08/2023	\$59,006.72
Hennepin Count Court Administrator	\$16,000.00

Total Claims: Checks No. 68037 – 68056 & ACH \$ 226,657.22

Financial Considerations

The expenditures have been reviewed and determined to be reasonable, necessary, and consistent with the City's budget.

Action Requested

Motion to approve the claims list as presented.

Clearing House

Distribution Report

User: mnguyen
Printed: 04/24/2023 - 1:51PM
Batch: 00024.04.2023



Account Number	Debit	Credit	Account Description
700-00-1010-0000	0.00	53,783.77	CASH AND INVESTMENTS
700-00-2170-0000	53,783.77	0.00	GROSS PAYROLL CLEARING
	<u>53,783.77</u>	<u>53,783.77</u>	
Report Totals:	<u>53,783.77</u>	<u>53,783.77</u>	

Accounts Payable

Computer Check Proof List by Vendor

User: mnguyen
 Printed: 04/24/2023 - 2:05PM
 Batch: 00006.04.2023 - Payroll-04-24-2023



Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 4	AFSCME CO 5 MEMBER HEALTH FUND-UNION DENTAL			Check Sequence: 1	ACH Enabled: True
April-2023	PR Batch 00002.04.2023 Dental - Union: Hanso	210.00	04/24/2023	700-00-2185-0000	PR Batch 00002.04.2023 Dental - Union
	Check Total:	210.00			
Vendor: 5	EFTPS - FEDERAL W/H			Check Sequence: 2	ACH Enabled: True
PR-04-24-2023	PR Batch 00002.04.2023 FICA Employee Portio	4,976.87	04/24/2023	700-00-2174-0000	PR Batch 00002.04.2023 FICA Employee I
PR-04-24-2023	PR Batch 00002.04.2023 FICA Employer Portio	4,976.87	04/24/2023	700-00-2174-0000	PR Batch 00002.04.2023 FICA Employer I
PR-04-24-2023	PR Batch 00002.04.2023 Medicare Employer Po	1,163.96	04/24/2023	700-00-2174-0000	PR Batch 00002.04.2023 Medicare Emplo
PR-04-24-2023	PR Batch 00002.04.2023 Medicare Employee Pc	1,158.16	04/24/2023	700-00-2174-0000	PR Batch 00002.04.2023 Medicare Emplo
PR-04-24-2023	PR Batch 00002.04.2023 Federal Income Tax	7,705.19	04/24/2023	700-00-2172-0000	PR Batch 00002.04.2023 Federal Income T
	Check Total:	19,981.05			
Vendor: 6	HEALTH PARTNERS-MEDICAL			Check Sequence: 3	ACH Enabled: True
April-2023	PR Batch 00002.04.2023 Health Insurance-HSA	7,465.05	04/24/2023	700-00-2171-0000	PR Batch 00002.04.2023 Health Insurance
April-2023	PR Batch 00001.04.2023 Health Insurance-HSA	6,700.00	04/10/2023	700-00-2171-0000	PR Batch 00001.04.2023 Health Insurance
April-2023	PR Batch 00001.04.2023 Health Ins - CoPay-1	3,650.00	04/10/2023	700-00-2171-0000	PR Batch 00001.04.2023 Health Ins - CoP
April-2023	PR Batch 00002.04.2023 Health Ins - CoPay-2	4,077.08	04/24/2023	700-00-2171-0000	PR Batch 00002.04.2023 Health Ins - CoP
	Check Total:	21,892.13			
Vendor: 1166	HEALTHPARTNER-DENTAL			Check Sequence: 4	ACH Enabled: True
April-2023	PR Batch 00002.04.2023 Dental - Non Union	1,467.51	04/24/2023	700-00-2184-0000	PR Batch 00002.04.2023 Dental - Non Uni
April-2023-Cobr	PR Batch 00002.04.2023 Dental - Non Union	48.65	04/24/2023	700-00-2184-0000	PR Batch 00002.04.2023 Dental - Non Uni
	Check Total:	1,516.16			
Vendor: 2	ICMA RETIREMENT TRUST-302131-457			Check Sequence: 5	ACH Enabled: True
PR-04-24-2023	PR Batch 00002.04.2023 Deferred Comp-ICMA	2,632.68	04/24/2023	700-00-2176-0000	PR Batch 00002.04.2023 Deferred Comp-I
PR-04-24-2023	PR Batch 00002.04.2023 Deferred Comp-ICMA	91.99	04/24/2023	700-00-2176-0000	PR Batch 00002.04.2023 Deferred Comp-I
	Check Total:	2,724.67			

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 11	MINNESOTA DEPARTMENT OF REVENUE			Check Sequence: 6	ACH Enabled: True
PR-04-24-2023	PR Batch 00002.04.2023 State Income Tax	3,414.09	04/24/2023	700-00-2173-0000	PR Batch 00002.04.2023 State Income Tax
	Check Total:	3,414.09			
Vendor: 1091	MSRS-MN DEFERRED COMP PLAN 457			Check Sequence: 7	ACH Enabled: True
PR-04-24-2023	PR Batch 00002.04.2023 Deferred Comp-MSRS	1,300.00	04/24/2023	700-00-2176-0000	PR Batch 00002.04.2023 Deferred Comp-1
	Check Total:	1,300.00			
Vendor: 665	OPTUM BANK			Check Sequence: 8	ACH Enabled: True
PR-04-24-2023	PR Batch 00002.04.2023 HSA-OPTUM BANK	2,091.00	04/24/2023	700-00-2183-0000	PR Batch 00002.04.2023 HSA-OPTUM B.
	Check Total:	2,091.00			
Vendor: 9	PERA			Check Sequence: 9	ACH Enabled: True
PR-04-24-2023	PR Batch 00002.04.2023 MN-PERA Deduction	5,209.55	04/24/2023	700-00-2175-0000	PR Batch 00002.04.2023 MN-PERA Dedu
PR-04-24-2023	PR Batch 00002.04.2023 MN PERA Benefit Em	6,011.03	04/24/2023	700-00-2175-0000	PR Batch 00002.04.2023 MN PERA Benef
	Check Total:	11,220.58			
	Total for Check Run:	64,349.68			
	Total of Number of Checks:	9			

Accounts Payable

Computer Check Proof List by Vendor

User: mnguyen
 Printed: 05/01/2023 - 3:04PM
 Batch: 00007.04.2023 - March-BOM



Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 868	BANK OF MONTREAL			Check Sequence: 1	ACH Enabled: True
March-2023-Andy	Fuel	44.22	04/24/2023	101-32-4212-0000	
March-2023-Brend	Caribou	42.56	04/24/2023	101-13-4245-0000	
March-2023-Bruce	Fuel	359.91	04/24/2023	101-32-4212-0000	
March-2023-Bruce	PSN- RWA MN-Sewer Training	350.00	04/24/2023	611-00-4331-0000	
March-2023-CityCard	Culligan Bottled Water - C.H.	33.00	04/24/2023	101-19-4245-0000	
March-2023-CityCard	Republic Services-Residents Recycling Svcs	10,925.20	04/24/2023	621-00-4400-0000	
March-2023-CityCard	Waste Mgmt-Public Works	1,212.49	04/24/2023	101-32-4400-0000	
March-2023-CityCard	Waste Mgmt-SSCC	346.48	04/24/2023	201-00-4400-0000	
March-2023-CityCard	Chanhassen-18505-002 - Stormwa	105.37	04/24/2023	101-52-4380-0000	
March-2023-CityCard	Culligan Bottled Water-Solar-SCEC	161.00	04/24/2023	201-00-4245-0000	
March-2023-CityCard	Mangold Horticulture-SCEC	176.00	04/24/2023	201-00-4400-0000	
March-2023-CityCard	PBI Lease-Postage Lease	195.00	04/24/2023	101-19-4410-0000	
March-2023-CityCard	Iworq- Annually Svc Fee	6,500.00	04/24/2023	101-18-4433-0000	
March-2023-CityCard	Republic Services-Organic Recycling	320.00	04/24/2023	621-00-4400-0026	
March-2023-CityCard	AT&T - Wade's Ipad	23.49	04/24/2023	101-24-4321-0000	
March-2023-CityCard	Mangold Horticulture-SCEC	176.00	04/24/2023	201-00-4400-0000	
March-2023-Eric	Amazon	7.04	04/24/2023	101-13-4200-0000	
March-2023-Eric	Amazon	144.75	04/24/2023	101-13-4200-0000	
March-2023-Heitz	Fuel	208.03	04/24/2023	101-32-4212-0000	
March-2023-Heitz	Hatch-Water	251.05	04/24/2023	601-00-4245-0000	
March-2023-Heitz	Gettysburgflag-Flags	128.33	04/24/2023	101-19-4223-0000	
March-2023-Heitz	Amazon-Underbody Pressure Washer	89.77	04/24/2023	101-32-4245-0000	
March-2023-Heitz	Amazon-Mutt Mitts	419.31	04/24/2023	101-52-4245-0000	
March-2023-Janel	Lunds & Byerlys-Council Retreat	40.41	04/24/2023	101-11-4245-0000	
March-2023-Janel	Chipotle-Council Retreat	355.25	04/24/2023	101-11-4245-0000	
March-2023-Janel	Amazon-Gold Pot Supplies	59.99	04/24/2023	101-53-4246-0000	
March-2023-Janel	Amazon-Gold Pot Supplies	14.95	04/24/2023	101-53-4246-0000	
March-2023-Janel	Amazon-Gold Pot Supplies	60.99	04/24/2023	101-53-4246-0000	
March-2023-Janel	SP TJ Office-Office Desk	1,269.99	04/24/2023	201-00-4200-0000	
March-2023-Janel	Amamzon-Sign Holders	121.96	04/24/2023	201-00-4246-0000	
March-2023-Janel	Hometown Laundry-Table Linen Cleaning	472.00	04/24/2023	201-00-4400-0000	
March-2023-Jason	Dept of Labor	45.00	04/24/2023	101-18-4331-0000	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
March-2023Jason	Amazon-Membership and Refund coming in Apr	16.12	04/24/2023	101-18-4433-0000	
March-2023LukeW	PSN- RWA MN-Water Training	325.00	04/24/2023	601-00-4331-0000	
March-2023-Marc	Maddens On Grull Lake-MCMA Conf-4/26-4/28	386.54	04/24/2023	101-13-4331-0000	
March-2023-MatM	Exitlightcom	98.92	04/24/2023	101-32-4223-0000	
March-2023-MatM	APWA-Snow Registration-Conf Registered Fees	575.00	04/24/2023	101-32-4331-0000	
March-2023-MatM	St Cloud Parking-Conf Parking	8.50	04/24/2023	601-00-4331-0000	
March-2023-MatM	Delta Online-Flight Conf	382.80	04/24/2023	101-32-4331-0000	
March-2023-MatM	St Cloud - Parking	8.50	04/24/2023	601-00-4331-0000	
March-2023-MatM	In Enabling-Communication	17.00	04/24/2023	601-00-4321-0000	
March-2023-MatM	Red Wing Shoes-Safety Toe Boots	179.99	04/24/2023	101-32-4245-0000	
March-2023-MatM	Phunketts Pest Control	96.77	04/24/2023	101-32-4400-0000	
March-2023MattV	Fuel	1,046.10	04/24/2023	101-32-4212-0000	
March-2023MattV	Boyer Truck	31.60	04/24/2023	101-32-4221-0000	
March-2023MattV	Shorewood True	32.39	04/24/2023	101-32-4223-0000	
March-2023MattV	Shorewood True	47.63	04/24/2023	101-32-4223-0000	
March-2023MattV	Sq TA Schifsky - Asphalt	151.50	04/24/2023	101-32-4250-0000	
March-2023-Moe	Fuel	241.37	04/24/2023	101-32-4212-0000	
March-2023-Moe	Fastenal-Parts	182.18	04/24/2023	101-32-4221-0000	
March-2023-Moe	Carquest-Radiator Hose	122.00	04/24/2023	601-00-4221-0000	
March-2023-Moe	Carquest-Filters	68.34	04/24/2023	101-32-4221-0000	
March-2023-Moe	Northern Tool-Chians	234.50	04/24/2023	101-32-4221-0000	
March-2023-Moe	Carquest-Return	-28.13	04/24/2023	101-32-4221-0000	
March-2023-Moe	Carquest-Couplers	17.35	04/24/2023	101-32-4221-0000	
March-2023-Moe	Northern Tool	135.40	04/24/2023	101-32-4221-0000	
March-2023Nelia	Amazon	128.65	04/24/2023	101-13-4200-0000	
March-2023Nelia	ODP Bus-Office Supplies	235.09	04/24/2023	101-13-4200-0000	
March-2023Nelia	ODP Bus-Office Supplies	43.57	04/24/2023	101-13-4200-0000	
March-2023Nelia	ODP Bus-Office Supplies	49.41	04/24/2023	101-13-4200-0000	
March-2023Nelia	Target-Kitchen Supplies	47.31	04/24/2023	101-19-4245-0000	
March-2023-RobH	Fuel	126.00	04/24/2023	101-32-4212-0000	
March-2023-RobH	Shoewood True	51.99	04/24/2023	101-32-4245-0000	
March-2023-Ryan	Fuel	499.04	04/24/2023	101-32-4212-0000	
March-2023-Ryan	Shorewood	69.99	04/24/2023	101-32-4245-0000	
March-2023Thone	Amazon	37.16	04/24/2023	101-13-4200-0000	
March-2023Thone	Amazon	42.96	04/24/2023	101-13-4200-0000	
March-2023Thone	Kowalskis-March Meeting	49.53	04/24/2023	101-13-4331-0000	
March-2023Thone	League of MN-Wilson	20.00	04/24/2023	101-13-4331-0000	
March-2023Thone	League of MN-Wilson	15.00	04/24/2023	101-13-4331-0000	
March-2023Thone	League of MN-Sandie	20.00	04/24/2023	101-13-4331-0000	
March-2023Thone	League of MN-Pratley-Roden-Moe-Brant	60.00	04/24/2023	101-32-4331-0000	
March-2023Thone	Michaels - Photo Contest	225.42	04/24/2023	101-11-4245-0000	
March-2023Thone	Walgreens - Photo Contest	26.93	04/24/2023	101-11-4245-0000	
March-2023Thone	Target-Event Supplies	256.58	04/24/2023	101-19-4245-0000	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
March-2023-TimK	Fuel	307.70	04/24/2023	101-32-4212-0000	
March-2023-TimK	SP Us-Kennfootwear-Boots	250.00	04/24/2023	101-32-4245-0000	
March-2023-TimK	The Home Depot-Painting	276.79	04/24/2023	101-32-4223-0000	
March-2023-Todd	Fuel	700.59	04/24/2023	101-32-4212-0000	
March-2023-Todd	Cub-Water	39.90	04/24/2023	101-32-4245-0000	
March-2023-Wade	Fuel	85.00	04/24/2023	101-24-4212-0000	
March-2023-Wade	Dept of Labor	45.00	04/24/2023	101-24-4331-0000	
March-2023-Wade	Int'l Code Council	58.06	04/24/2023	101-24-4331-0000	
	Check Total:	32,804.58			
Vendor: 327	WINDSTREAM			Check Sequence: 2	ACH Enabled: True
75563663	City of Shwd- Badger Well	70.04	04/24/2023	601-00-4395-0000	
75563663	Public Works	80.01	04/24/2023	101-32-4321-0000	
75563663	City Hall	164.07	04/24/2023	101-19-4321-0000	
75563663	Badger-Manor-Cathcart Parks	245.25	04/24/2023	101-52-4321-0000	
75563663	City of Shwd-West Tower	153.10	04/24/2023	601-00-4321-0000	
	Check Total:	712.47			
	Total for Check Run:	33,517.05			
	Total of Number of Checks:	2			

Accounts Payable

Computer Check Proof List by Vendor

User: mnguyen
 Printed: 05/03/2023 - 3:10PM
 Batch: 00001.05.2023 - AP-05-08-2023



Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 105	ADVANCED IMAGING SOLUTIONS			Check Sequence: 1	ACH Enabled: True
INV303991	Konica Minolta/C658 Copier	39.00	05/08/2023	101-19-4221-0000	
	Check Total:	39.00			
Vendor: 111	AMERICAN ENGINEERING TESTING, INC.			Check Sequence: 2	ACH Enabled: True
INV-124671	Geotechnical Services-L.S.#11	3,550.00	05/08/2023	611-00-4303-0000	
	Check Total:	3,550.00			
Vendor: 125	BOYER FORD TRUCKS			Check Sequence: 3	ACH Enabled: True
008P22474	Equipment Part	786.36	05/08/2023	101-32-4245-0000	
	Check Total:	786.36			
Vendor: 136	CENTERPOINT ENERGY-GAS			Check Sequence: 4	ACH Enabled: True
04-28-2023	20405 Knightsbridge Rd	92.26	05/08/2023	601-00-4394-0000	
04-28-2023	28125 Boulder Bridge	125.69	05/08/2023	601-00-4396-0000	
04-28-2023	24200 Smithtown Rd	786.92	05/08/2023	101-32-4380-0000	
04-28-2023	6000 Eureka Road	159.33	05/08/2023	101-52-4380-0000	
04-28-2023	5755 Country Club Rd	249.01	05/08/2023	101-19-4380-0000	
79456885-042423	5735 Country Club Rd-SCEC	247.15	05/08/2023	201-00-4380-0000	
86501806-042423	20630 Manor Rd	58.29	05/08/2023	101-52-4380-0000	
	Check Total:	1,718.65			
Vendor: 137	CENTURY LINK			Check Sequence: 5	ACH Enabled: True
9524702294APR23	952-470-2294-642-PW	132.85	05/08/2023	101-32-4321-0000	
9524707819APR23	952-470-7819-261-SSCC	260.55	05/08/2023	201-00-4321-0000	New Line
9524746340APR23	952-474-6340-989-CH	240.06	05/08/2023	101-19-4321-0000	
	Check Total:	633.46			
Vendor: 915	CINTAS			Check Sequence: 6	ACH Enabled: False

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
5156108984	City Hall-First Aid Supplies	100.16	05/08/2023	101-19-4245-0000	
	Check Total:	100.16			
Vendor: 456	CORE & MAIN, LP			Check Sequence: 7	ACH Enabled: False
S668973	Water Hydrant Flags	384.54	05/08/2023	601-00-4245-0000	
	Check Total:	384.54			
Vendor: 167	ECM PUBLISHERS INC			Check Sequence: 8	ACH Enabled: True
944743	Ord. No. 598	64.00	05/08/2023	101-13-4351-0000	
944744	Ord. No. 599	64.00	05/08/2023	101-13-4351-0000	
944745	Ord. No. 600	64.00	05/08/2023	101-13-4351-0000	
	Check Total:	192.00			
Vendor: 186	FERGUSON WATERWORKS, LLC. No.2518			Check Sequence: 9	ACH Enabled: False
510262	Water Meters Purchased	2,025.00	05/08/2023	601-00-4265-0000	
	Check Total:	2,025.00			
Vendor: 200	GOPHER STATE ONE CALL			Check Sequence: 10	ACH Enabled: True
3040744	Monthly Rental	60.30	05/08/2023	601-00-4400-0000	
3040744	Monthly Rental	60.30	05/08/2023	611-00-4400-0000	
3040744	Monthly Rental	60.30	05/08/2023	631-00-4400-0000	
	Check Total:	180.90			
Vendor: 861	CHRISTOPHER HEITZ			Check Sequence: 11	ACH Enabled: True
Mar-2023-Cell	AT & T - Cell Phone Reimbursement	40.37	05/08/2023	101-32-4321-0000	
	Check Total:	40.37			
Vendor: 216	HENNEPIN COUNTY RECORDER & REGISTRAR OF TITLES			Check Sequence: 12	ACH Enabled: False
Res#23-040	Record Service-Resolution 23-040 - WAC Fee-6	46.00	05/08/2023	601-00-4400-0000	Record
	Check Total:	46.00			
Vendor: 985	HENNEPIN COUNTY ACCOUNTS RECEIVABLE			Check Sequence: 13	ACH Enabled: False
1000206256	REC0001086-View Recorded Documents	10.00	05/08/2023	101-18-4400-0000	RecordEase Payment
	Check Total:	10.00			
Vendor: 1308	HI-LINE INC.			Check Sequence: 14	ACH Enabled: False
11034436	Misc. Hardware for Equipment	219.70	05/08/2023	101-32-4245-0000	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	219.70			
Vendor: 896 20224825	HUEBSCH SERVICES SCEC - Mats	76.95	05/08/2023	Check Sequence: 15 201-00-4400-0000	ACH Enabled: True
	Check Total:	76.95			
Vendor: 1333 6974	INTEGRITY LOCKSMITH Fix Door @ City Hall & Badger	200.00	05/08/2023	Check Sequence: 16 101-19-4223-0000	ACH Enabled: False
	Check Total:	200.00			
Vendor: UB*00529	Charles & Angela Jones Refund Check 008171-000, 6160 Church Rd Refund Check 008171-000, 6160 Church Rd Refund Check 008171-000, 6160 Church Rd Refund Check 008171-000, 6160 Church Rd	18.36 21.43 9.18 9.18	05/03/2023 05/03/2023 05/03/2023 05/03/2023	Check Sequence: 17 601-00-2010-0000 611-00-2010-0000 631-00-2010-0000 621-00-2010-0000	ACH Enabled: False
	Check Total:	58.15			
Vendor: 265 W11432 W11432	MACQUEEN EQUIPMENT INC Street Sweeper Repair Street Sweeper Repair	2,500.00 16,431.74	05/08/2023 05/08/2023	Check Sequence: 18 631-00-4221-0000 101-32-4221-0000	ACH Enabled: False
	Check Total:	18,931.74			
Vendor: 283 INV2269476	METRO SALES, INC. Ricoh/MP-2000 Copier	121.50	05/08/2023	Check Sequence: 19 101-32-4400-0000	ACH Enabled: True RicoH/MP-2000 Copier
	Check Total:	121.50			
Vendor: 286 79949 79949	MIDWEST MAILING SYSTEMS INC Newsletter Postages Newsletter Svc	586.74 493.92	05/08/2023 05/08/2023	Check Sequence: 20 101-13-4208-0000 101-13-4400-0000	ACH Enabled: True
	Check Total:	1,080.66			
Vendor: 1111 232830	MINNESOTA DEPARTMENT OF NATURAL RESOURCES Freeman Park Trail-Info for Grant Application	90.00	05/08/2023	Check Sequence: 21 402-00-4400-0000	ACH Enabled: False
	Check Total:	90.00			
Vendor: 305 0098116-IN	MNSPECT, LLC Inspection Services	397.80	05/08/2023	Check Sequence: 22 101-24-4400-0000	ACH Enabled: False

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	397.80			
Vendor: 313 April-2023	MICHELLE THU-THAO NGUYEN Mileage Reimbursement	144.20	05/08/2023	101-15-4331-0000	Check Sequence: 23 ACH Enabled: True
	Check Total:	144.20			
Vendor: 903 259860 259860	PERRILL ROWay Web App-Monthly ROWay Web App-Monthly	75.00 75.00	05/08/2023 05/08/2023	611-00-4400-0000 601-00-4400-0000	Check Sequence: 24 ACH Enabled: True
	Check Total:	150.00			
Vendor: 1324 INV274797 INV274797 INV274797	SAFE-FAST INC. Hi-Viz Work Vests/Wear Hi-Viz Work Vests/Wear Hi-Viz Work Vests/Wear	549.83 549.83 549.84	05/08/2023 05/08/2023 05/08/2023	101-32-4245-0000 101-52-4245-0000 631-00-4245-0000	Check Sequence: 25 ACH Enabled: True
	Check Total:	1,649.50			
Vendor: 355 149947	SHRED-N-GO INC Shredded Svc	71.89	05/08/2023	101-13-4400-0000	Check Sequence: 26 ACH Enabled: False
	Check Total:	71.89			
Vendor: 360 1st Qtr-2023-CO March-2023-HCPF	SOUTH LAKE MINNETONKA POLICE DEPARTMENT Quarterly-Court Overtime Monthly-Henn Cty Process Fee	300.69 602.29	05/08/2023 05/08/2023	101-21-4440-0000 101-21-4400-0000	Check Sequence: 27 ACH Enabled: False
	Check Total:	902.98			
Vendor: 1181 88332 88333	SPLIT ROCK MANAGEMENT, INC. Custodial Service-CH Building Custodial Service-PWs Building	487.00 369.00	05/08/2023 05/08/2023	101-19-4400-0000 101-32-4400-0000	Check Sequence: 28 ACH Enabled: True
	Check Total:	856.00			
Vendor: 1194 146497 146497	THE McDOWELL AGENCY, INC. Background Check: William Joel Foster Background Check: Ethan Richard Palm	85.00 85.00	05/08/2023 05/08/2023	101-32-4400-0000 201-00-4400-0000	Check Sequence: 29 ACH Enabled: False
	Check Total:	170.00			
Vendor: 384	TOTAL PRINTING SERVICES				Check Sequence: 30 ACH Enabled: False

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
13694	Newsletters	1,620.00	05/08/2023	101-13-4351-0000	
	Check Total:	1,620.00			
Vendor: 1334	TSML PROPERTIES, LLC			Check Sequence: 31	ACH Enabled: False
24250SmithtownR	Zoning Amendment Application Refund-24250	600.00	05/08/2023	101-00-3413-0000	
	Check Total:	600.00			
Vendor: 1083	UNIFIRST CORPORATION			Check Sequence: 32	ACH Enabled: True
Mar-Apr-2023-Act156	Account#1562857 - Uniforms Services for Marc	1,435.95	05/08/2023	101-32-4400-0000	
	Check Total:	1,435.95			
Vendor: 389	UNITED LABORATORIES			Check Sequence: 33	ACH Enabled: False
INV376872	Graffiti Remover	301.48	05/08/2023	101-52-4245-0000	
	Check Total:	301.48			
Vendor: UB*00528	Brett Voegele			Check Sequence: 34	ACH Enabled: False
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	Refund Check 009359-000, 28005 Bldr Bridge]	35.74	05/03/2023	631-00-2010-0000	
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819970314-Credit	C.H. Svcs	-97.89	05/08/2023	101-19-4380-0000	C.H. Svcs
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819970314-Credit	P.W. Street Lights Svc	1,767.84	05/08/2023	101-32-4399-0000	P.W. Street Lights Svc
819970314-Credit	Parks	-533.05	05/08/2023	101-52-4380-0000	Parks

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
819970314-Credit	Amesbury	154.28	05/08/2023	601-00-4394-0000	Amesbury
819970314-Credit	Boulder Bridge	-200.00	05/08/2023	601-00-4396-0000	Boulder Bridge
819970314-Credit	S.E. Area Svc	-300.00	05/08/2023	601-00-4398-0000	S.E. Area Svc
819970314-Credit	Lift Station Street Lights	-1,600.00	05/08/2023	611-00-4380-0000	L.S. Street Lights
824013927	5655 Merry Lane	31.08	05/08/2023	101-52-4380-0000	5655 Merry Lane
824170804	5500 Old Market Rd	57.62	05/08/2023	601-00-4398-0000	5500 Old Market Rd
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825040022	P.W. Street Lights Svc	5,762.84	05/08/2023	101-32-4399-0000	P.W. Street Lights Svc
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825040022	S.E. Area Svc	3,180.61	05/08/2023	601-00-4398-0000	S.E. Area Svc
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825829945	24253 Smithtown Rd	1,415.70	05/08/2023	601-00-4395-0000	24253 Smithtown Rd
825830161	5735 Country Club Rd	722.89	05/08/2023	201-00-4380-0000	5735 Country Club Rd
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826156540	5700 County Rd 19 - Unit Light	254.82	05/08/2023	101-32-4399-0000	5700 County Rd 19 - Unit Light
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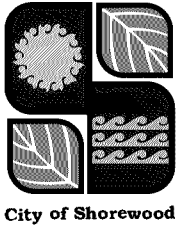
Accounts Payable

Computer Check Proof List by Vendor

User: mnguyen
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Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 1335	HENNEPIN COUNTY COURT ADMINISTRATOR			Check Sequence: 1	ACH Enabled: False
Juaire-Deposit	Juaire Condemnation - Deposit Check	16,000.00	05/08/2023	409-00-4610-0000	
	Check Total:	<u>16,000.00</u>			
	Total for Check Run:	<u>16,000.00</u>			
	Total of Number of Checks:	<u>1</u>			



City Council Meeting Item

Item
2D

Title/Subject: Approve Public Works Seasonal Hire: Luke Miller
Meeting Date: May 8, 2023
Prepared by: Sandie Thone, City Clerk/Human Resources Director
Reviewed by: Matt Morreim, Public Works Director
Attachments: None

Background

On February 27, 2023 City Council approved the recruitment for two Public Works Seasonal positions. Each year the Public Works department hires temporary seasonal workers who perform maintenance in the city's parks and other duties as assigned.

On Wednesday, April 19th, staff interviewed candidate Luke Miller for the seasonal position. Luke is a Minnetonka High School student currently and will be graduating in the spring. Luke will be attending Ohio Wesleyan University in the fall where he plans to major in Environmental Science and play lacrosse. Luke lives in Shorewood and loves the outdoors. Luke has years of lawn mowing experience and has worked at his father's store in Excelsior *The Lakes Running Company* for the past several years.

Financial Considerations

As delineated below and planned for in the 2023 Budget.

Action Requested

Staff respectfully recommends the city council approve Luke Miller's appointment as Public Works Seasonal working full-time at the rate of \$18.00 per hour. This temporary, seasonal position is not eligible for benefits and is exempt under the seasonal 185-calendar day limit for PERA. Luke's expected start date will be once his high school year ends anticipated to be at the end of May.

Motion, second and simple majority vote required.

Mission Statement: *The City of Shorewood is committed to providing residents quality public services, a healthy environment, a variety of attractive amenities, a sustainable tax base, and sound financial management through effective, efficient, and visionary leadership.*



City Council Meeting Item

Title/Subject: Update to City Master Fee Schedule to include Massage Therapy Licensing Fees

Meeting Date: May 8, 2023

Prepared by: Sandie Thone, City Clerk/Human Resources Director

Reviewed by: Marc Nevinski, City Administrator

Attachments: Resolution 23-045

Item
2E

Pursuant to MN State Law municipalities shall set forth fees to be reimbursed for administrative costs and expenses associated with issuing permits, licenses and providing other city services and amenities. Cities should consider three things when setting fees: 1) Cities should not view the fees as a significant source of revenue, rather fees must approximate the direct and indirect costs associated with issuing the license, permit or service and with policing, regulating or administering the service or licensed activities; 2) The fee amount should sufficiently reimburse the city for all of the expenses related to the license regulations or providing the service but should not cover other unrelated expenses; 3) Fees should be set based on the city’s particular situation and not based solely on what other cities have found reasonable.

Background: Periodically throughout the year fees may be reviewed and adjusted accordingly in addition to the annual review of the City’s Master Fee Schedule. On April 10 the Shorewood City Council approved Ordinance 600 approving repealing Shorewood City Code Chapter 311 pertaining to Massage Licensing, and replacing it entirely with the new language. This new language provides for licensing of both Massage Therapy Businesses and Massage Therapists. The licensing fees had not been reviewed in a number of years and the new requirements add staff and background investigation costs that need to be accounted for in the licensing fees.

Staff performed a comparison to Twin City local massage business, massage therapist and investigation fees. Staff estimated the time involved in issuing the massage therapy business licenses and the massage therapist licenses. The chart below shows the wide variety of fees and processes that exist locally regarding massage therapy licensing. The current license fees are set at \$100 for massage therapist license which includes the background investigation. Staff is recommending the fees to be as follows:

Massage Business License Fee	\$300
Business Investigation Fee	\$300
Massage Therapist License Fee	\$150
Massage Therapist Investigation Fee	\$150

COMPARISON TO LOCAL MASSAGE THERAPY FEES:

Municipality	Massage Business Fee	Massage Business Investigation Fee	Massage Therapist Fee	Massage Therapist Investigation Fee
St. Louis Park	\$400		\$130	
Mahtomedi		\$275	\$75	
Minnetonka	\$350	\$300		
Plymouth PD		\$150	\$75	
Fridley	\$400	\$400	\$25	
Burnsville	\$210	\$300	\$77	\$200
Maplewood	\$259		\$224	
Chaska	\$300	\$500	\$112	\$112
Chanhassen			\$50	\$250
Woodbury	\$100	\$100	\$50	\$25
Roseville	\$325		\$125	
Richfield	\$1046	\$1046	\$103	\$106
Eagan	\$300	\$300	\$25	\$100

Financial or Budget Considerations: The city fees cover the cost of providing the services.

Recommendation/Action Requested: Staff respectfully recommends the city council approve Resolution 23-045 Updating the City’s 2023 Master Fee Schedule to include the Massage Therapy licensing fees as proposed. **Motion, second and simple majority vote required.**

Connection to Vision/Mission: Consistency in providing residents quality public services, a sustainable tax base, and sound financial management through effective, efficient, and visionary leadership.

**CITY OF SHOREWOOD
COUNTY OF HENNEPIN
STATE OF MINNESOTA**

**RESOLUTION 23-045
UPDATE TO 2023 CITY MASTER FEE SCHEDULE
PERTAINING TO MASSAGE THERAPY FEES**

The City of Shorewood and its activities as a municipality requires setting forth fees and charges to reimburse the city for administrative and other expenses related to the issuing of permits, licenses, and other services; and must maintain a relevant schedule of fees and regularly audit their effectiveness.

Cities should consider three things when setting fees: 1) Cities should not view the fees as a significant source of revenue, rather fees must approximate the direct and indirect costs associated with issuing the license, permit or service and with policing, regulating or administering the service or licensed activities; 2) The fee amount should sufficiently reimburse the city for all of the expenses related to the license regulations or providing the service but should not cover other unrelated expenses; 3) Fees should be set based on the city's particular situation and not based solely on what other cities have found reasonable.

The Shorewood City Council approved Ordinance 600 on April 10th. The action repealed Shorewood City Code Chapter 311 pertaining to Massage Licensing and replaced it entirely with the new language. This new language provides for licensing of both Massage Therapy Businesses and Massage Therapists. The new requirements add staff and background investigation costs that need to be accounted for in the licensing fees.

Staff performed a local comparison study of fees and a thorough review of the time involved in issuing the massage therapy business, therapist licenses and performing the background investigation work. Staff are proposing the following fees for Massage Therapy Licensing.

Massage Business License Fee	\$300
Business Investigation Fee	\$300
Massage Therapist License Fee	\$150
Massage Therapist Investigation Fee	\$150

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shorewood the Updated 2023 City Master Fee Schedule including the updated massage therapy fees. **ADOPTED BY THE CITY COUNCIL** of the City of Shorewood this 8th day of May 2023.

Jennifer Labadie, Mayor

Sandie Thone, City Clerk



Title/Subject: Approve 2023 Agreement Between SLMPD and City of Excelsior for Summer Dock Patrol, Park Patrol, and Code Enforcement Services

Meeting Date: May 8, 2023

Prepared by: Marc Nevinski, City Administrator

Attachments: Memorandum and Proposal/Projected Budget from SLMPD

Background

The South Lake Minnetonka Police Department (SLMPD) annually enters into an agreement with the City of Excelsior to provide additional services for summer dock and park patrol. This year the arrangement will also include code enforcement. Services will be provided by Community Service Officers (CSO). The Joint Powers Agreement requires all member cities to approve agreements for additional services.

Financial Considerations

Costs associated with this agreement will be funded by the City of Excelsior.

Action Requested

Motion to approve the agreement between the City of Excelsior and South Lake Minnetonka Police Department for Summer Dock Patrol, Park Patrol, and Code Enforcement Services.

A majority vote by the Council is required.



South Lake Minnetonka Police Department

TO: City of Excelsior
City of Greenwood
City of Shorewood
City of Tonka Bay

FROM: Chief Brian Tholen

DATE: April 26th, 2023

RE: 2023 Excelsior's Park, Dock Patrol, Parking & Code Enforcement

Since the early 1980's, the City of Excelsior has contracted with the South Lake Minnetonka Police Department (SLMPD) for park and dock patrol services. The Joint Powers Agreement allows member cities to contract with the SLMPD for additional services, as long as the proposed services do not use existing SLMPD staffing hours. All costs are the responsibility of the contracting city (Excelsior), and the other member cities must approve the agreement. These additional responsibilities/hours for our CSO's provide sustainability to our CSO program that has and will continue to develop future SLMPD Police Officers. In addition, we will be fully staffed with four CSO's at the end of May to cover these additional hours.

In the past couple of years, we expanded the park & dock program to include parking enforcement for some special events in Excelsior: The Homecoming Parade, The Halloween Parade, Christkindlmarkt, Luck O' the Lake, and other events as needed.

In 2023 we further expanded the services by adding staffing hours for a Code Enforcement position for the year.

Please submit the proposed Park, Dock, and Code Enforcement agreement between the City of Excelsior and the SLMPD on the agenda for approval at your next city council meeting.

Attached is a breakdown of the proposed 2023 Park, Dock Patrol, and Code Enforcement budget.

Please contact me if you have any questions or concerns.



SOUTH LAKE MINNETONKA POLICE DEPARTMENT

Excelsior Park and Dock Patrol Services

2023 Summer and Off-Season

SLMPD Proposal - Projected Budget

Part-Time Seasonal Positions (Memorial Day – Labor Day)	Projected Hours 2023	Hourly Rate* Total	Total Amount
Park Service Officer - Commons Park <i>Civilian Position - Patrol Commons Park and Adjacent Residential/Business Areas</i>	640	\$21.81	\$13,958
Park Service Officer - Municipal Docks <i>Civilian Position - Patrol Port of Excelsior and Municipal Docks</i>	414	\$21.81	\$9,029
Dedicated Parking Enforcement	685	\$21.81	\$14,939
Code Enforcement Community Service Officer (June, July, and August / 30 hrs. a month)	90	\$21.81	\$1,962
Total	1,829		\$39,890

Off-Season Position (September – May)	Projected Hours 2023	Hourly Rate* Total	Total Amount
Code Enforcement Community Service Officer (September – May / 31 hrs. a month)	280	\$21.81	\$6,106

	Total Hrs.		Total \$
Projected Budget – 2023 season**	2,109	\$21.81	\$45,997
Projected Budget - 2022 Season***	925		\$22,729
Actual Totals - 2022 Season***	605		\$12,162

*Average Park Service Officer for 2023 is at one year of service wage rate

**May be expanded for increased service requirements

***Included Uniforms, Gear & Training.



City of Shorewood

City Council Meeting Item

Item
2G

Title/Subject: Approving Event Permit for St. Paul Saints Community Youth Spotlight Game

Meeting Date: May 8, 2023

Prepared by: Marie Darling, Planning Director

Reviewed by: Janelle Crossfield, Parks and Recreation Director

Attachments: Request from Minnetonka 11AA White Baseball Team

Background: The White baseball team won an appearance of the St. Paul Saints Community Youth Spotlight Game on May 17, 2023. The applicant would like permission to have the St. Paul Saints Organist perform at the team's game and their Master of Ceremonies announce each batter as they step up to the plate. They would also have between innings games/promotions in the outfield and special appearances by the mascots and other characters.

The event (including set up and tear down) would take place from 4:00 p.m. to 8:30 pm

As they are proposing amplified music and sound, the attached resolution allows them to either reposition the speakers so that the sound does not create a nuisance for the adjacent homeowners or monitor the sound levels to meet the state standard of 65 decibels. Other means to prevent nuisance impacts are also included in the resolution, such as trash and parking.

Financial Considerations: Subject to the conditions regarding nuisance impacts and a liability waiver for the city, staff anticipate no financial impacts to the City.

Action Requested

Motion to approve the attached resolution providing authorization for amplified music for an event on May 17, 2023 at Field 3 in Freeman Park for Minnetonka 11AA White Baseball Team, subject to the conditions in the attached resolution.

A majority (quorum) vote by the Council is required for any action on this request.

Saint Paul Saints Community Youth Spotlight Game – May 17, 2023, 5:30-7:30pm at Freeman Park Field #3 – Minnetonka 11AA White vs. Minnetonka 11AA Blue

For the 9th straight year, the Saint Paul Saints take their show on the road to bring all the fun of attending a Saints game to community fields! As one of the area's most unique partnerships between a professional team and youth athletics, the Saints promo team will provide a fun experience for players and fans with:

- Music by Saints organist, Andy Crowley
- Announcer – The Saints' Master of Ceremonies will announce each batter as he steps up to the plate
- In-between innings games/promotions in the outfield (would not be damaging to the field in any way) like those you've seen at CHS Field during Saints games.
Could include:
 - Tire races
 - Suomo wrestling inflatables
 - Relay races
 - and more
- Pre-game and in-game music (not post-game)
- Saints characters like Mudonna, the Saints team mascot, and two to three others, like Chef, Coach, Nerd and Nerdette to engage the crowd

Timing/What is Needed

- PA may be there by 4:30pm to unload and set up
 - PA simply needs an outlet to plug into for sound – we are looking at the home dugout electric box where an extension cord could be run out or the electric along the first baseline
 - Speaker would be angled in between the backstop/home plate area where both fan bases can hear it. The overall position would be toward the field.
 - Should a different position or angle be desired by the City of Shorewood, we can work with its guidance on positioning.
 - The Saints' contact has assured us it will not be overly loud or disruptive. The sound is typically very manageable and adjusted based on other noise such as crowds. It can always be turned down, as needed.
- Saints group to arrive around 4:45pm
- The Saints group will use our parking lot and not need any extra accommodations.
- Would be packed up by 8 p.m.

Attendance

- Expected attendance – family and fans from both Minnetonka 11AA baseball teams – could be around 75-125 people, the same as a typical Minnetonka Baseball Association (MBA) league baseball game
 - There is potential to promote to area residents and MBA families as a special event in the community, but we would not do this without permission and approval from the City of Shorewood Council.
- The Saint Paul Saints group will include around 10 people.

Head coaches of both 11AA teams have agreed to and approved the plan to have this St. Paul Saints Community Spotlight game.

Contact Information

Jill Maki, Team Manager – 11AA White baseball team

763.639.0813

Jillmaki2000@yahoo.com

Sarah Gottfredsen – Saint Paul Saints
Communication contact

Helpful Links

Saint Paul Saints Spotlight Games

<https://www.milb.com/st-paul/community/youth-sports/spotlight-games>

Saint Paul Saints Entertainment Team

<https://www.milb.com/st-paul/ballpark/entertainment-team>

<https://www.milb.com/st-paul/community/youth-sports/spotlight-games>





**CITY OF SHOREWOOD
COUNTY OF HENNEPIN
STATE OF MINNESOTA**

RESOLUTION 23-049

**A RESOLUTION GRANTING AUTHORIZATION FOR
SAINT PAUL SAINTS COMMUNITY YOUTH SPOTLIGHT GAME ON FIELD 3
AT FREEMAN PARK LOCATED AT 6000 EUREKA ROAD**

WHEREAS, The Minnetonka 11AA White Baseball Team (Applicant), has applied to hold a Community Youth Spotlight Game at Freeman Park on May 17, 2023; and

WHEREAS, the City requires regulations for events that have amplified music on public properties; and

WHEREAS, after staff has reviewed the submitted information; and

WHEREAS, the City Council considered the application at its regular meeting on May 8, 2023.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHOREWOOD, MINNESOTA AS FOLLOWS:

The Applicant's request to hold an event is hereby approved subject to the information submitted on May 4, 2023 and the following conditions:

1. The Applicant is entirely responsible for the operation of the event and will be expected to assume financial responsibility in case of damage to City-owned facilities or structures.
2. The applicant must agree, in writing, that the city is indemnified and held harmless from any claims arising out of the use of the park and the operation of the event.
3. The event shall take place between the hours of 4:00 pm and 8:30 pm. Any changes to the schedule of events must be submitted to the City prior to the event.
4. The applicant is required to provide clean-up of the activity including trash, manure, etc.
5. The applicant shall be responsible for picking up all litter and placing it in trash containers, which shall not be permitted to overflow.
6. No parking may occur on the grass for this event. In the event that parking may exceed the capacity of the southerly lots, the applicant shall be responsible for having attendants that direct overflow to the northerly lots.
7. The amplified music must be directed away from any homes located within 500 feet of the stage or performance area or monitored so as not to exceed 65 decibels at the property line. The City withholds the right to require the sound level to be lowered or turned off.

The City Clerk is hereby authorized and directed to provide a certified copy of this resolution as permit for the event when the applicant has fulfilled all the above conditions and the following

staff has signed the application for the event permit: Director of Public Works, Police Chief, Fire Chief, and Planning Director.

Adopted by the City Council of Shorewood, Minnesota this 8th day of May, 2023.

Jennifer Labadie, Mayor

Attest:

Sandie Thone, City Clerk



City of Shorewood Council Meeting Item

Title / Subject: 2022 Audit
Meeting Date: May 8, 2023
Prepared by: Joe Rigdon, Finance Director
Reviewed by: Marc Nevinski, City Administrator

Policy Consideration: Acceptance of the 2022 Annual Comprehensive Financial Report

Background:

The 2022 financial statements audit was completed by Abdo, and Andy Berg from the firm will be available to present information from the Annual Comprehensive Financial Report. Links to the financial statements and other reports for 2022 may be found at the City's web site:

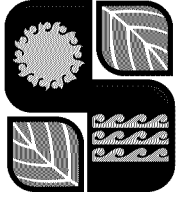
https://ci.shorewood.mn.us/government/city_departments/finance.php

Available documents include:

- 2022 Annual Comprehensive Financial Report
- 2022 Executive Governance Summary
- 2022 Other Required Report
- 2022 Audit Presentation

Options: The City Council can either accept the 2022 Annual Comprehensive Financial Report, or give staff other direction.

Recommendation / Action Requested: Staff recommends that the City Council accept the 2022 Annual Comprehensive Financial Report.



City Council Meeting Item

Title/Subject: Presentation by Excelsior Fire District
Meeting Date: May 8, 2023
Prepared by: Marc Nevinski, City Administrator

Item 4B

Background:

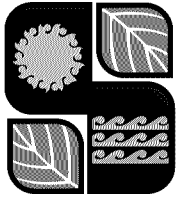
Representatives of the Excelsior Fire District will provide an update of the Department's activities.

Financial or Budget Considerations:

None

Action Requested:

No action is requested



City of Shorewood

City Council Meeting Item

Title/Subject: Approve Plans & Specifications and Authorize Bidding for Freeman Trail Improvements, City Project 22-05

Meeting Date: May 8, 2023

Prepared by: Andrew Budde – City Engineer

Reviewed by: Marie Darling, Planning Director

Attachments: Overview Figures, Final Plans & Specifications, and Resolution

Item 5A

Background: On August 8, 2022, the Shorewood City Council authorized the preparation of the Final Plans and Specifications for the Freeman Park Trail Improvements project, which included rehabilitation of existing city trails and the construction of a new trail head connection to the Lake Minnetonka Regional Trail through Freeman Park.

The final plans and specifications were developed to be consistent with council direction that included Parks Commission and staff input throughout 2022 and 2023. The trail rehabilitation projects consist of reconstructing the existing asphalt trails within Freeman Park and the adjacent connections. Construction of new, ADA-compliant sidewalks adjacent to park shelters will connect to the existing trails. The new trail head connection will be an 8-foot-wide trail from the existing Lake Minnetonka Regional Trail connection to the southeastern parking lot near Eureka Road. The City of Shorewood and the Three Rivers Park District will enter into a Joint Powers Agreement (JPA) in the future that will better define project costs and maintenance responsibilities. The general understanding is that the city is to lead the design and construction administration of the entire project and will be reimbursed by the Three Rivers Park District for their share of the construction and engineering costs. The trail will be the city's to maintain after it is constructed. The Three Rivers Park District will include some of their wayfinding signage that they will maintain. They ask for signs on a few parking spaces in the unpaved lot near the entrance to Freeman Park that indicate the spaces are reserved for trail users.

In addition to the trail construction, an outlet control structure will be constructed on the edge on the wetland, north of Freeman Park, to help control flooding in adjacent properties' yards. This is an efficient and opportune time to construct this structure with construction equipment already mobilized nearby for the trail work.

If the plans are approved, the bids would be opened in late May/early June and an award could occur at the June 12 Council. The draft final plans are available on the city website at the following path:

https://ci.shorewood.mn.us/government/city_departments/parks/freeman_park.php

Financial or Budget Considerations: The City has included the Freeman Park Trail Improvements project in their CIP for 2023 and budgeted \$400,000. The project will also utilize a portion of the Miscellaneous Drainage Capital of \$100,000 for the drainage improvements in the wetland north of the trails. The budget amount includes concept construction estimates and soft costs for engineering, administration, and legal. Three Rivers Park District has budgeted \$231,000 for construction and has also agreed to pay for the associated engineering costs above this amount. The current engineers estimate for the project is \$743,000 and includes all construction, engineering, and administrative work for the project. The city's share of the estimated cost is \$478,000 and Three Rivers Park District's share of the estimated cost is \$270,000. Any final adjustments to scope can be made prior to bidding to help ensure the project stays under budget, of the council could choose to increase the budget amount if needed. In addition, the city has applied for a grant from the DNR for partial funding of the city portion of the project. It is anticipated that the grant results would be known in late June/early July.

Action Requested: Staff recommends the City Council adopt the Resolution as submitted that approves the plans & specifications for the Freeman Park Trail Improvements project and proceed with bidding the project.

Connection to Vision/Mission: Consistency in providing residents quality public services, a healthy environment, a sustainable tax base, and sound financial management through effective, efficient, and visionary leadership.

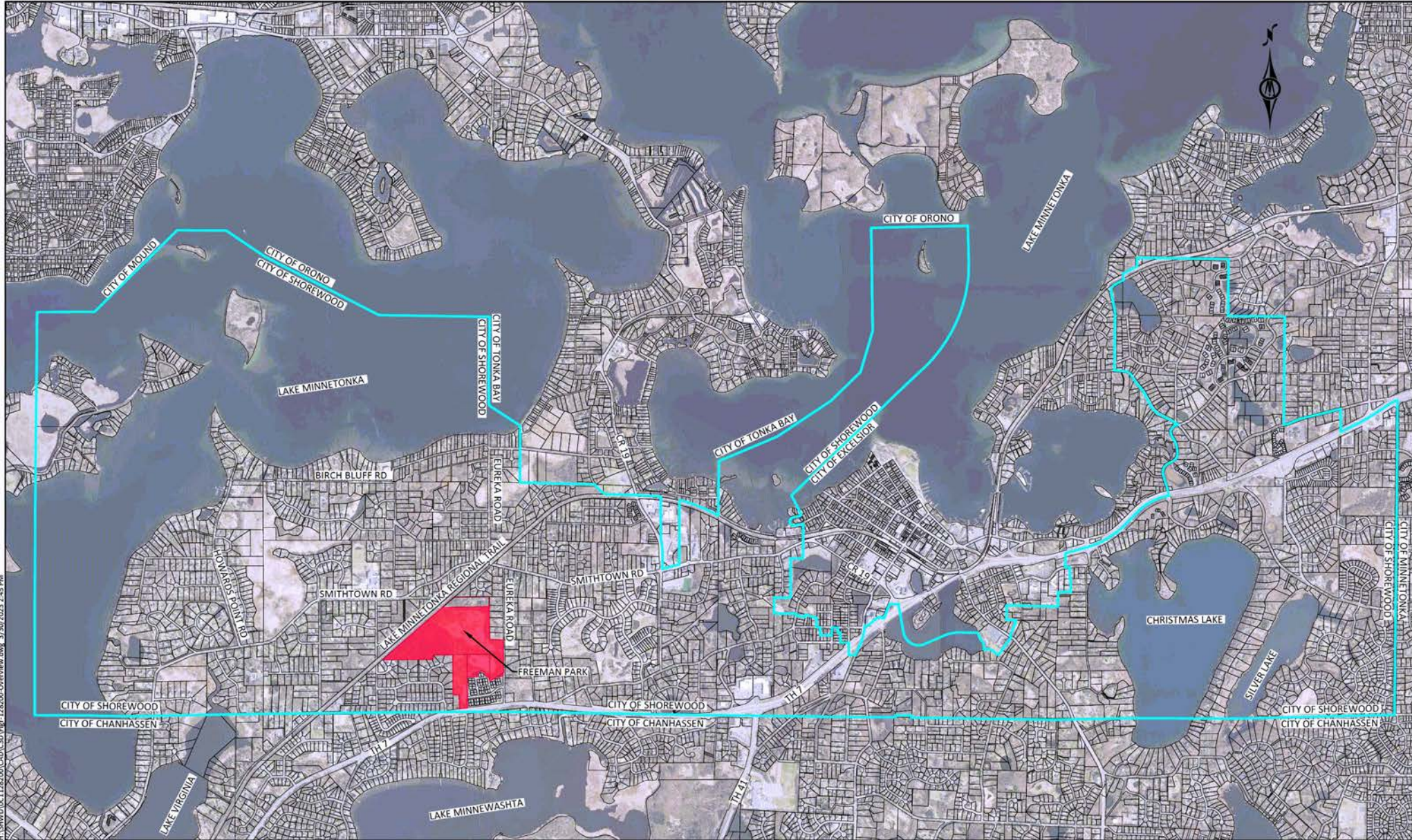
Freeman Park Enhancement & Rejuvenation Project

City of Shorewood

Location Map



March 2023



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Freeman Park Enhancement & Rejuvenation Project

City of Shorewood

Boundary Map



March 2023

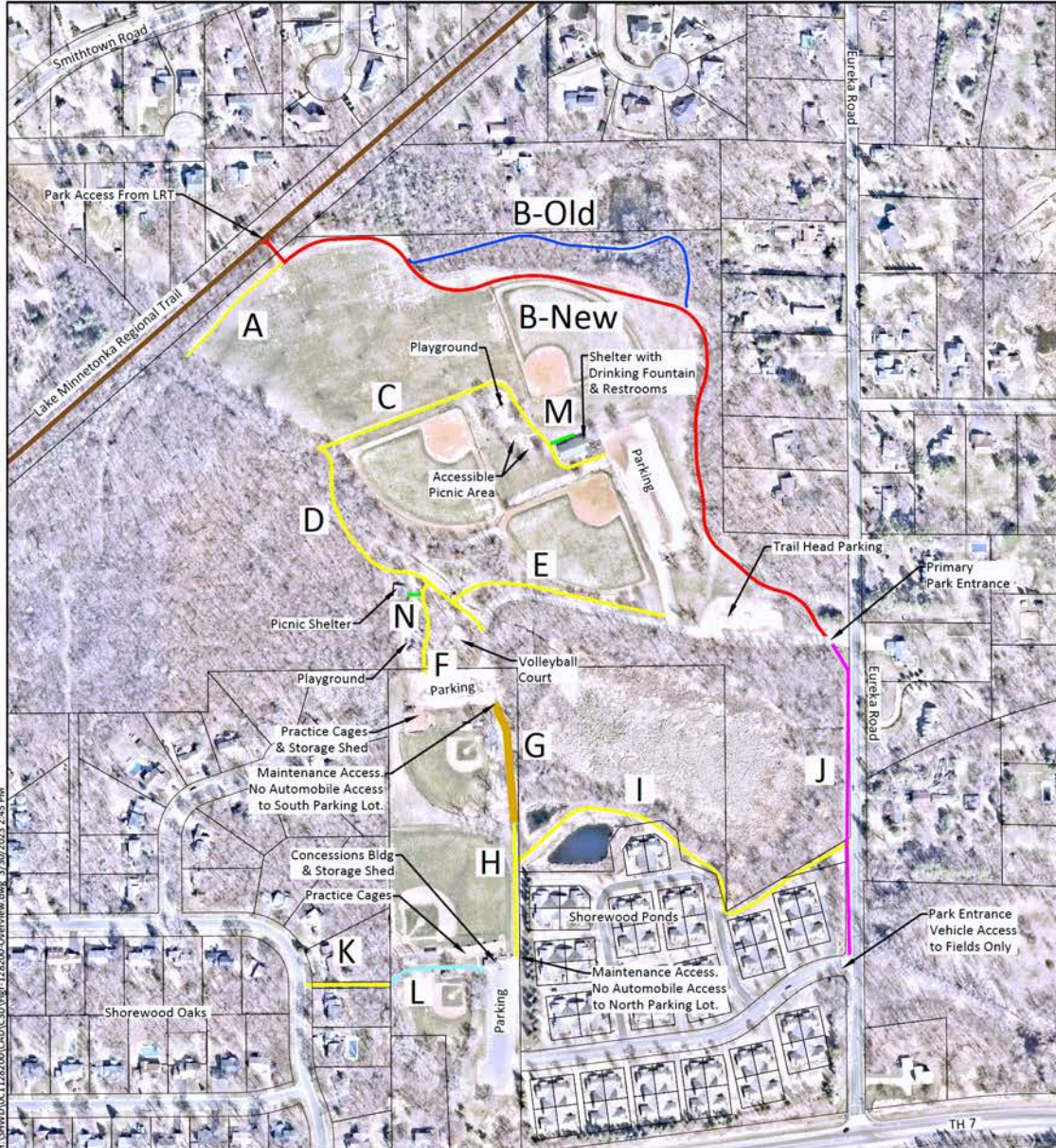


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LEGEND
— PARK BOUNDARY

NOTE: TOTAL AREA OF THE PARK IS 67.39 ACRES.
 NO ADDITIONAL PARK ACQUISITION REQUIRED.

BOUNDARY MAP APPROVAL
 MARIE DARLING, CITY PLANNER _____
 DATE _____



Legend

- Trail Segment to be Reconstructed (B-New)
- Trail Segments for Potential Rehabilitation
- Trail Segment Recon from Gravel to Pavement
- Sidewalk Segment Converted to Gravel
- Sidewalk Segment for Potential Rehabilitation
- Maintenance Access Road for Potential Rehabilitation
- Lake Minnetonka Regional Trail
- New Sidewalk for ADA Compliance

SEGMENT	SEGMENT LENGTH (LF)	WIDTH (FT)	COST PER SEGMENT
A	342	8	\$19,330
B - OLD	885	6	\$4,478
B - NEW	2190	8	\$300,617
C	873	8	\$49,342
D	687	8	\$38,829
E	565	8	\$31,934
F	236	8	\$13,339
G	309	20-12	\$38,459
H	341	8	\$19,273
I	1007	8	\$56,916
J	794	6	\$44,877
K	206	8	\$11,643
L	252	8	\$14,243
M	75	6	\$10,000
N	30	6	\$5,000
TOTAL	8772		\$658,100

RECREATIONAL SITE PLAN APPROVAL

MARIE DARLING, CITY PLANNER _____ DATE _____

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**CITY OF SHOREWOOD
COUNTY OF HENNEPIN
STATE OF MINNESOTA**

RESOLUTION 23-046

A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE FREEMAN PARK TRAIL IMPROVEMENTS PROJECT AND AUTHORIZING BIDDING; CITY PROJECT 22-05

WHEREAS, the City of Shorewood (“City”) authorized the preparation of Plans & Specifications for the Freeman Park Trail Improvements project, City Project 22-05, on August 8, 2022; and

WHEREAS, the Three Rivers Park District approached the city about construction of a new trail head from Freeman Park to the Lake Minnetonka Regional Trail and would like the city to be the lead agency for design and administration of the project; and

WHEREAS, the Three Rivers Park District will reimburse the city for the construction and design associated with the new trail head connection and will be formalized in a future Joint Powers Agreement; and

WHEREAS, the project is included in the 2023 Capital Improvements Plan and will fund the project through the Parks Fund; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHOREWOOD, MINNESOTA AS FOLLOWS:

1. The City Council of the City of Shorewood hereby approves the Final Plans & Specifications for the Freeman Park Trail Improvements project and authorizes bidding.

Adopted by the City Council of Shorewood, Minnesota this 8th day of May, 2023.

Jennifer Labadie, Mayor

Attest:

Sandie Thone, City Clerk



City Council Meeting Item

Title/Subject: Request for PUD Concept plan for 7 dwellings
Meeting Date: May 8, 2023
Prepared by: Marie Darling, Planning Director
Reviewed by: Marc Nevinski, City Administrator
Attachments: Planning Commission memo from April 4, 2023
Resolution for approving a PUD concept plan

Item 6A

Background:

Location: 24250 Smithtown Road
Applicant: TSML Properties, LLC
Review Deadline: May 24, 2023

The applicant submitted a request for a PUD Concept Plan for a development of single- and two-family dwellings to be constructed at 24250 Smithtown Road. This development would also impact a lot in Tonka Bay. This memo and the attached ordinance and resolutions are for the portion of the site within Shorewood. The applicant has also submitted a complete application to the City of Tonka Bay and the Tonka Bay City Council is expected to review the request on May 9, 2023.

The applicant had also requested a rezoning request from R-2A to PUD. At the request of staff, the applicant has withdrawn their request for the rezoning and will submit that request with the final plat application.

Summary of Public Engagement: Notice of the revised application was published in the official newspaper at least 10 days prior to the public hearings on March 7 and April 4, 2023. Notice for the public hearings was mailed to all properties within 750 feet of the development. No one from the public requested to speak, but one letter was received and is attached and addressed in the planning commission memo from April 4, 2023.

At their April 4, 2023 meeting, the Planning Commission voted three in favor and one opposed to recommend approval of the request. Commissioner Huskins voted in opposition as he concluded the City should wait for a development that meets the density range and provide less expensive dwellings that meet a the needs of a broader economic spectrum of residents.

Commissioners in favor of the motion noted that the proposed units fit the site better than the alternative of taller, thinner townhouses or apartments. They also noted the reduction in development density would not be noticeable on the site.

Mission Statement: *The City of Shorewood is committed to providing residents quality public services, a healthy environment, a variety of attractive amenities, a sustainable tax base, and sound financial management through effective, efficient, and visionary leadership.*

Chair Eggenberger asked that a contingency be added so that if development is denied by the City of Tonka Bay or if Tonka Bay requires substantial changes that would change the scope of the project, the Shorewood approvals would be automatically rescinded. Staff included language to that effect in the attached resolution for the PUD concept plan.

Comprehensive Plan/Flexibility to be Below the Density Range: One of the primary concerns discussed was the development's lack of conformity to the Comprehensive Plan density range for the property. As indicated in the planning commission's memo, the development is currently proposing 4.9 units per acre where six to eight is indicated in the Comprehensive Plan.

The City's Comprehensive Plan indicates 212 potential units at the required density where 155 were required.

The Planning Commission recommended approval of the development based on the premise that the development fit the site better than taller, thinner townhouses and the lower density would not be noticeable to most residents.

Other factors to consider:

- The development is on property that was identified as an opportunity area for medium density which would implement the city's goal to meet the above density guidelines.
- The property is an opportunity area for housing types not available elsewhere in Shorewood like taller row townhouses or a small apartment building.
- While staff would anticipate significant tree loss for a higher density development, the proposed development with its lower density also does not protect any of the existing significant trees.

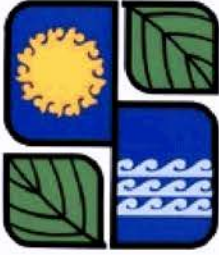
Financial or Budget Considerations: Developers are required to pay utility connection fees and park dedication and pay for constructing the streets, stormwater facilities and utilities. The application fees and escrow were established to cover the cost of reviewing the application.

Action Requested: The Planning Commission recommends approval of the request for a PUD concept plan.

Proposed motion: Move to approve the resolution approving a request for a PUD Concept Plan for Smithtown Road Redevelopment, a development of seven single- and two-family dwellings for TSML Properties, LLC. subject to the findings and conditions in the attached ordinance and resolution. (Action on this item would require a simple majority vote.)

Should the City Council choose another course of action, please provide findings and continue the item to the May 22, 2023 meeting so that staff may prepare a resolution.

Connection to Vision/Mission: Consistency in providing residents quality public services through effective, efficient, and visionary leadership.



CITY OF SHOREWOOD

5755 Country Club Road • Shorewood, Minnesota 55331 • 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: April 4, 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 7 lots and an outlet for common improvements to allow the construction of seven 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. The applicant has also submitted a complete application to the City of Tonka Bay.

After the March 7, 2023 meeting, the applicant revised their request to remove one dwelling from the site plan in order to provide more space between the northerly property boundary and the northernmost unit. The applicant also shows enhanced landscaping in this area.

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

BACKGROUND

Property Information: 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 Minnetonka Police Department. The properties to the south are developed with commercial uses and are zoned C-1.

Application Discretion: 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 seven lots for three two-family homes (1 dwelling or ½ the structure on each lot), one single-family 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 indicates the dwellings 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 the existing 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 legal authority 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 five principal requests:

- Providing a development with less than six units to the acre
- 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, and from Smithtown Road
- Increasing the impervious surface coverage on the property

Specific discussion on the flexibility requested:

Density: The recently adopted, but not yet finalized, Comprehensive Plan indicates the property should be developed with 6-8 units per acre or between about 9 and 11 dwellings. The applicant's current proposal with 7 dwellings would be 4.9 units per acre with about 8,900 square feet of lot area per dwelling.

Private street: 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 8,900 square feet per dwelling.

- Benefit to the applicant: By reducing the amount of area per lot, the applicant would be able to provide a development with a majority of two-family homes.
- Impact to the city: If two-family homes are found to be an appropriate use on this property, some flexibility may be needed in this number to ensure a development that approaches the minimum allowed density range.

If this development does not move forward, when the Metropolitan Council completes their review of the Comprehensive Plan, the property would need to be rezoned to the R-3A or R-3B zoning district so that the minimum density indicated in the Comprehensive Plan can be achieved with

some of the unit types in those districts, likely townhouses with up to six units per building or apartments.

In the last review of this development, staff called out the lack of buffering between the north property line and the northernmost unit. By removing one dwelling from the site plan, the applicant has achieved a 40-foot setback to the north property line, which does allow them enough distance to provide transition and buffering. The transition and buffering would include better absorption of the grades and adequate room for their proposed retaining wall, fence, and eight-foot arborvitaes planted in a saw-tooth fashion. The increased distance will not have a noticeable impact on noise but will allow for visual screening.

The applicant has also maintained their previous proposal for 46 feet from the units to the east property line to allow for grading and screening between the homes and the driveway to the public works and public safety driveway as the trees mature. The plantings will not help for noise but will eventually provide some screening from the emergency lights and other traffic on the driveway.

Concerning the south side of the development (Smithtown Road), the development is unchanged. Having the units closer to Smithtown Road would be a big change from the retaining wall and trees on this side of the property, but the new home would be farther from the property line than the car wash or the community center on the south side of Smithtown Road or the homes at the corner of Smithtown Road and Echo. 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 below the lowest level of the proposed homes.

Staff notes that some areas of the site may exceed 3:1 slopes, and private retaining walls may be needed to correct steep slopes. The applicant could also remove more dirt from the site as an alternative to avoid the steeper slopes.

Lesser setbacks. 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 recognizing surrounding use and zoning.
- (2) No building shall be located less than 15 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 requirements and applicant's proposal are shown below:

	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	8 ft with egress pit encroachment
Rear (opposite shortest front)	40 ft	30 ft	40.4 ft to north prop. line, 46 ft to east prop. line

- Benefit to the applicant: By reducing the setbacks between the units and proposing a 40-foot setback from the north property line, the applicant can accommodate seven homes on the property.

Impact to the City: Some flexibility is needed for setbacks to be able to provide a development that approaches the minimum density. By having the southernmost home and the pond located close to Smithtown Road, the developer would remove the tall retaining wall along Smithtown Road and the costs associated with that maintenance or replacement of the wall would not be incurred (savings to all county taxpayers).

Staff notes that the homes in the Minnetonka Country Club were approved with 7.5-foot setbacks (15 feet between units). The two homes on Lawtonka Drive were approved with a five-foot setback (10 feet) between the units, although staff note that there are only two homes in that PUD and it is within a two-family area. Other PUDs were approved with the standard 10-foot setback (Walnut Grove Villas and Maple Shores).

The additional two feet between the units appears to have allowed some additional space to provide more normal contours for drainage between the units as well, even with the egress window pits. The developer has provided a grade break at the egress window pits to reduce drainage concerns.

Impervious Surface Coverage. The allowed impervious surface coverage is 33 percent for this development and staff estimate the applicant has provided about 43 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 units with a larger footprint in several buildings. The applicant would be required to provide treatment, rate and volume control of all storm water run-off regardless of the unit type.
- Impact on the city: Less greenspace for the future homeowners and more building coverage. To reduce the impervious surface coverage to the required amount and maintain the density proscribed by the Comprehensive Plan, the applicant could provide townhouses with more units per building or apartments.

Rezoning requests are reviewed with the following standards:

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

The applicant requests PUD flexibility to provide a development with 4.9 units per acre, which is below the density range of the medium density land use classification.

One of the policy questions to be decided is if the applicant cannot provide the density with twin homes, are they the correct unit type for this property? A smaller apartment building or townhouses clustered in one or two buildings may be able to achieve the density range, where two-family structures cannot.

In the previous review, staff identified several policies that required attention for this applicant regarding buffering or transitions between the residential uses proposed and the public works facility on the north side of the site. Staff find the applicant has provided an adequate amount of space to provide a landscaped transition between their proposed homes.

- The proposed use is compatible with present and future land uses in the area:
Staff finds the applicant's proposal for townhouses (single- and two-family homes) are compatible with the adjacent uses (commercial and a variety of public uses).
- The proposed use would not tend to depreciate the area:
Property values in Shorewood are highly resilient to the 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.
- 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. Estimates for trip generation in the development would be 7.2 (two-family) and 10 (single-family) trips per day per unit or about 82 trips per day for the entire development. Half of the anticipated trips would be in-bound and the other half out-bound. This level of trips generated is under the amount that could be generated from the existing conditions with a commercial property and a residential property with 6-8 units per acre density classification.

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.

Water with 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 Road. Utility agreements would need to be negotiated between the two cities for one city's water or sewer system to provide service to homes in another city. The City of Shorewood also has a watermain available near the Shorewood Community and Event Center that could be extended to serve the property.

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.

Grading: The applicant proposes to export about 12,000 cubic yards of material from the site. City Code section 1201.03 Subd. 9 requires a conditional use permit to export more than 400 cubic yards of material from a site. Similar to the Walnut Grove PUD and the Maple Shores PUD, review of the proposed export would need to be incorporated into the PUD development stage and preliminary plat application. The applicant would be required to show where the material would be removed and how they would meet the conditions in sections 1201.03 Subd. 8 and 9.

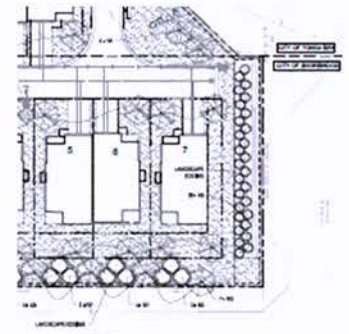
Design of the homes: The applicant has provided a design that appeals to many empty-nesters but has not proposed an age-restricted development. The main level has the majority of the living area with the lower level providing additional bedrooms and gathering spaces. The design is in keeping with the architectural trends found in Shorewood and the metro area. The homes are designed to be 32 feet in height and the future phases of the PUD should be drafted to restrict the height.

Park dedication: 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

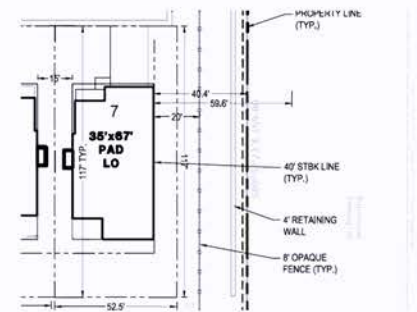
recommended that the open space be privately owned and maintained rather than publicly owned and maintained.

Stormwater Run-Off: The stormwater features shown on the Tonka Bay side of the development will serve all the homes in the development and both cities (and the watershed) would 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 or relocation outside the easements. Design details are required to be submitted with the development and final stage PUD applications.

Tree Preservation/Landscaping: 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, which are primarily in the center of the site. All the trees on the Shorewood parcel would be removed to regrade the site and build new homes. Trees removed would be required to be replaced as shown in the city's Tree Preservation policy and the applicant's plan indicates 122 trees would be replanted on the site, which is greater than what would be required. The applicant proposes the extra trees to help provide the necessary landscaped buffer the new residents from traffic at the public works facility, the public safety building and Smithtown Road.



Transition with Landscaping/Fence/Retaining wall: The applicant has proposed to construct a four-foot retaining wall about five feet from the north property line. Five feet would allow enough room to maintain the area between the wall and the existing city security fence installed along the property line. Above the retaining wall, the applicant proposes to plant 28 arborvitae and install an eight-foot privacy fence.



Screening and boundary fences in Shorewood are not permitted to exceed six feet in height. City code section 1201.03 Subd. 2. F. (11) allows fences that vary in construction, height or length may be permitted in any district by conditional use permit. Similar to the export of material, the use of a full privacy fence, eight feet in height would need to be reviewed in detail with the development stage PUD application.

RECOMMENDATION:

Staff previously recommended denial of the application because the applicant did not provide adequate buffer and transitions to protect the new homes. With the removal of one dwelling, the applicant has been able to address the concern. But, by removing a unit from the development, the applicant is farther from the density range that the comprehensive plan identifies for the property. The applicant has designed the site to include as many single and two-family dwellings as can be accommodated on the site. If the Commission directs the applicant to provide a development that conforms to the land use classification, they would need to provide a different type of structure.

As pointed out earlier in the report, the Commission has much discretion with this type of application. If the Commission recommends denial of the application, staff recommends providing specific findings for the City Council.

If the Planning Commission recommends approval, staff propose including the following conditions:

1. With the next phases of development, the applicant shall submit plans and materials as required by the zoning and subdivision regulations and the attached Engineer's memo, including storm water management plan and calculations.
2. Concept plans and elevations for all homes proposed in the development.
3. Details on the proposed material to be exported and haul routes.
4. Details on the fence and retaining walls proposed.

NEXT STEPS:

If the Planning Commission recommends approval and the City Council approves the requests for Rezoning and PUD Concept Plan, the next steps for the developer within the City of Shorewood would include:

PUD development plan and preliminary plat
PUD final plan and final plat
Acquire all other permits from applicable jurisdictions.

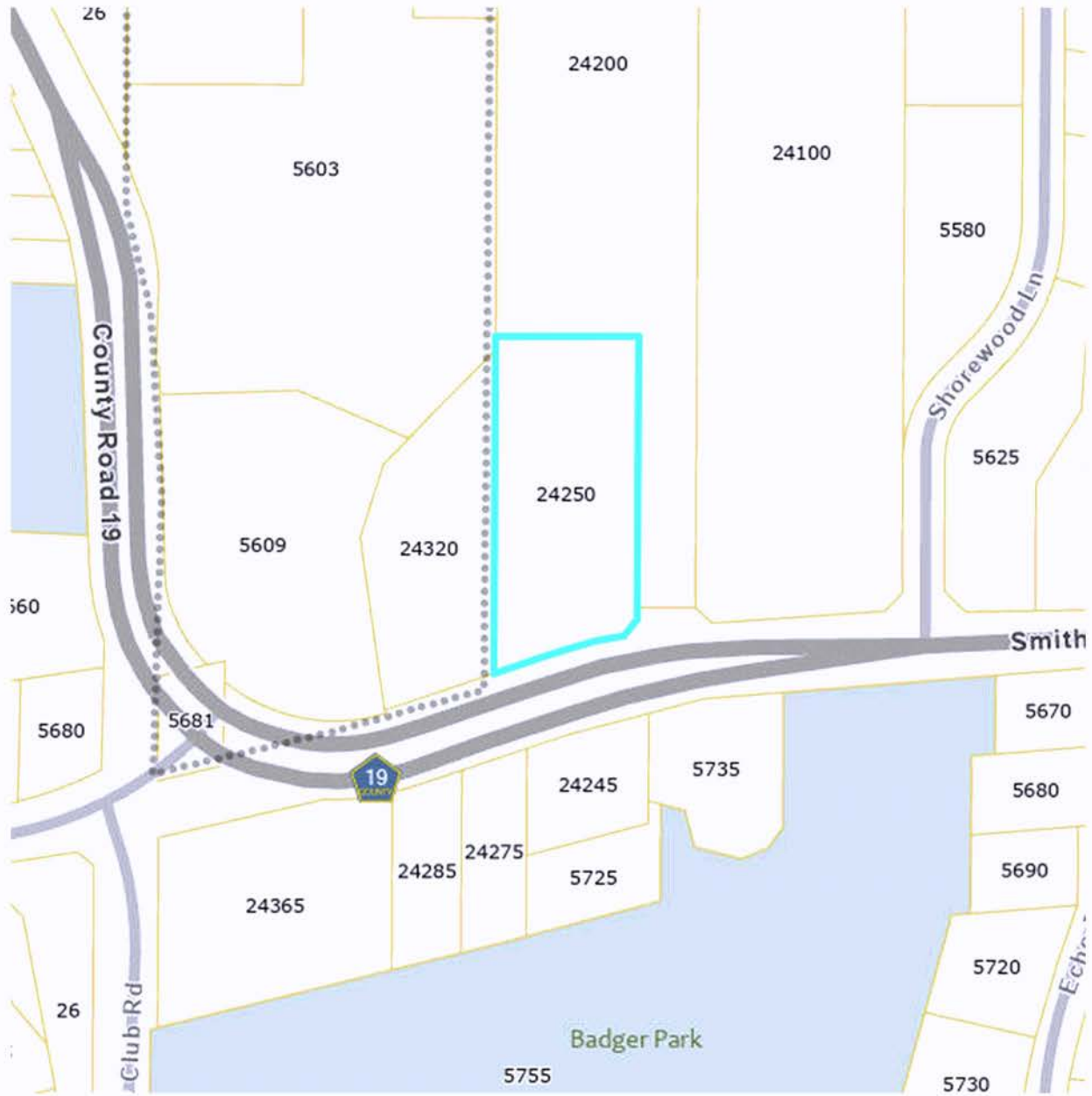
The next steps for the developer within the City of Tonka Bay would include:
Comprehensive Plan Amendment and Rezoning
PUD approvals
Preliminary and Final plats

Additionally, the two cities would need to negotiate a utility agreement between the two cities and would need encroachment agreements to address maintenance of the public utilities below the private street.

ATTACHMENTS:

Location map
Engineer's memo
Applicant's narrative and plans
Comments from MCWD and Hennepin County
Planning Commission memo dated 3/7/2023
Correspondence received

24250 Smithtown Road Location Map





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& MENK**

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Fax: (952) 448-8805
Bolton-Menk.com

MEMORANDUM

Date: March 30, 2023
To: Marie Darling, Planning Director
From: Matt Bauman, PE
Subject: 24250 Smithtown Road – Revised PUD Concept and Rezoning Application
City of Shorewood
Project No.: 0C1.130016

The following documents were submitted for review of compliance with the City of Shorewood's Local Surface Water Management Plan and Engineering Standards:

- Sketch/Concept Civil Plans revised dated 3/21/2023
- Stormwater Management Plan dated 3/21/2023

This review only included the documents listed above, primarily dealing with grading, utilities and stormwater management.

1. Coordination will be required to determine ownership of utilities as some are in the City of Shorewood and some are in the City of Tonka Bay.
 - a. The City of Shorewood and Tonka Bay need to agree on ownership of the watermain, billing for the water to the properties and how maintenance is coordinated.
 - b. An encroachment agreement should be included in the final documents to designate responsibility for the private road over public utilities and how future maintenance is coordinated.
2. Public infrastructure owned by Shorewood shall be constructed in accordance with City Standard Details and Specifications.
3. The realigned sewer will need to have adequate D&U for future maintenance. As currently shown, it crosses into the private property of Block 2, Lot 1. For the designed depth of sewer, 20 feet, centered over the sewer main would be required.
 - a. Consideration to trenchless installation of this main should be considered to reduce traffic impacts for construction.
 - b. The large tree placed over the sewer main here should be relocated out of the D&U.
4. Suggest regrading the north portion of the development to remove more fill and so the structures will fit into the area better; a design could be achieved where a retaining wall isn't required on the north portion of the property and the home doesn't appear to be on a platform.
5. The entire site roadway drains to the stopping point at the intersection connection. Consideration should be given to shifting the low point and inlets so that potential for freezing and ponding will not occur where vehicles need to stop. This will reduce future maintenance and salting needs.
6. Hydrant placement requires confirmation by the fire department.
7. The watermain can and should continue to the north and into the public works lot to provide looping. This will ensure better water quality and reliability for the residents in the development and to the public services properties.

Name: 24250 Smithtown Road

Date: March 30, 2023

Page: 2

8. The storm sewer and stormwater management features should be owned and maintained by the homeowner's association.
 - a. Owners of private stormwater facilities shall enter into an agreement with the City of Shorewood (and jointly with Tonka Bay) describing responsibility for the long-term operation and maintenance of the stormwater facilities and shall be executed and recorded with the final plat. An operations and maintenance plan for the proposed stormwater system should be included with future submittals.
9. Retaining walls over 4' high shall be designed by a registered professional engineer.
 - a. Ensure adequate fall protection for the retaining walls.
10. Developer shall obtain all permits before approval of final plat. Specific permits to consider early in the process include:
 - a. A stormwater management and erosion and sediment control permit will be required with Minnehaha Creek Watershed District.
 - b. A permit will be required with Hennepin County for Utility Work in the right of way.
11. Ensure the project meets all NPDES/SWPPP requirements. Detailed review will be provided with construction plans.
12. The property must meet the City of Shorewood Surface Water Management Plan Regulations (Section 5.3) including, but not limited to:
 - a. List HWL of the filtration basin on Grading and Utility Sheets.
 - b. Label the basin EOF route on the plans.

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 which 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 eleven (11) twin home units, with seven (7) 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 have shown to install both a privacy fence and 8' Arborvitae Trees 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 storm sewer 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 neighborhood .

- 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 neighborhood will have adequate parking.

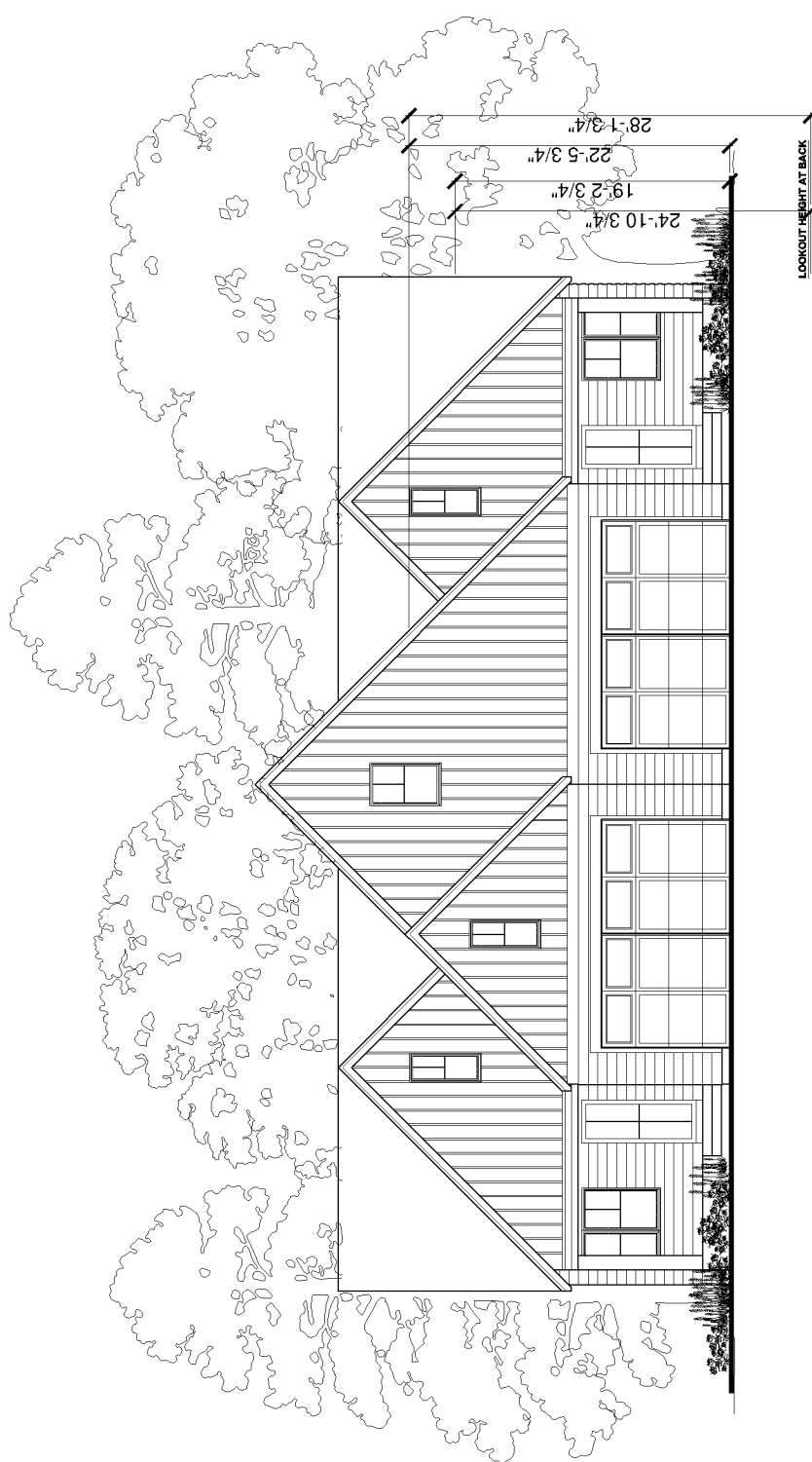
For the proposed community, we are requesting PUD flexibility on the following items:

- A reduction of the front setback along the private drive to go from 35' to 25' to the back of the curb. This is a 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 8' between units 2/3 and 4/5 and 7.5' between units 6/7. There is adequate space to provide drainage between the units because we have set the high point between the building at the egress wells and directing the stormwater to both the front and rear of the lots..
- Increased impervious surface from 33% to 42.9% on the shorewood side. We will provide a 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!

GENERAL EXTERIOR NOTES:

1. ALL EXT. TRIM TO BE 1" X 4" S4S.
2. SUPPLY DIRIGS ON ALL WINDOWS AND DOORS.
3. SUPPLY SEPARATION BETWEEN COMPOSITE WOOD AND ANY OTHER WOOD MATERIAL PER SPECIFICATIONS.
4. SUPPLY AT LEAST 1" OF SEPARATION BETWEEN ROOFS OF WINDOWS AND ROOFS OF WINDOWS.
5. GRADE CONDITIONS MAY VARY ON SITE.
6. VENTS PER IRC CODE REGULATIONS.
7. ALL FURNACE FLUES, FURNACE VENTS, AND OTHER PENETRATIONS THROUGH ROOF OR WALLS TO EXTEND THROUGH BEAR JOISTS WHENEVER POSSIBLE.
8. ALL PENETRATIONS THROUGH EXTERIOR WALLS TO EXTEND THROUGH BEAR JOISTS AND FLASHED PER MANUF. SPECIFICATIONS AND IRC CODE REGULATIONS.
9. REGULATE THE LOCATION OF ICE WATER BARRIER. PLAN INDICATES LOCATION OF ICE WATER BARRIER.
10. HOLD STONE OFF GRADE.
11. REFER TO MANUF. SPECIFICATIONS FOR STONE.
12. GARAGE BULK HEAD TO BE MANUFACTURED COMPOSITE WOOD AND SIZED TO COVER THE EDGE OF STONE.
13. ALL BEAMS HOLDING UP GARAGE CEILING TO BE DROPPED UNLESS OTHERWISE NOTED.



REVISION:	REV. DATE:	DRAWING TITLE: ADOR HOMES - TWINHOMES	LITTFIN DESIGN 	LITTFINDESIGN.COM MLITTFIN@HOTMAIL.COM 320-224-7844 WINSTED, MN	PAGE DESCRIPTION: FRONT ELEVATION SCALED PRINT @ 1/8"=1'-0"
<p>ALL PLANS & DESIGNS REMAIN THE PROPERTY OF LITTFIN DESIGN. USE OF THESE PLANS ON ANY OTHER PROJECT/LOT WITHOUT THE WRITTEN CONSENT OF LITTFIN DESIGN IS PROHIBITED. © COPYRIGHT 2023</p>					
<p>LOCATION: SMITHTOWN TOWNSHOMES</p>					

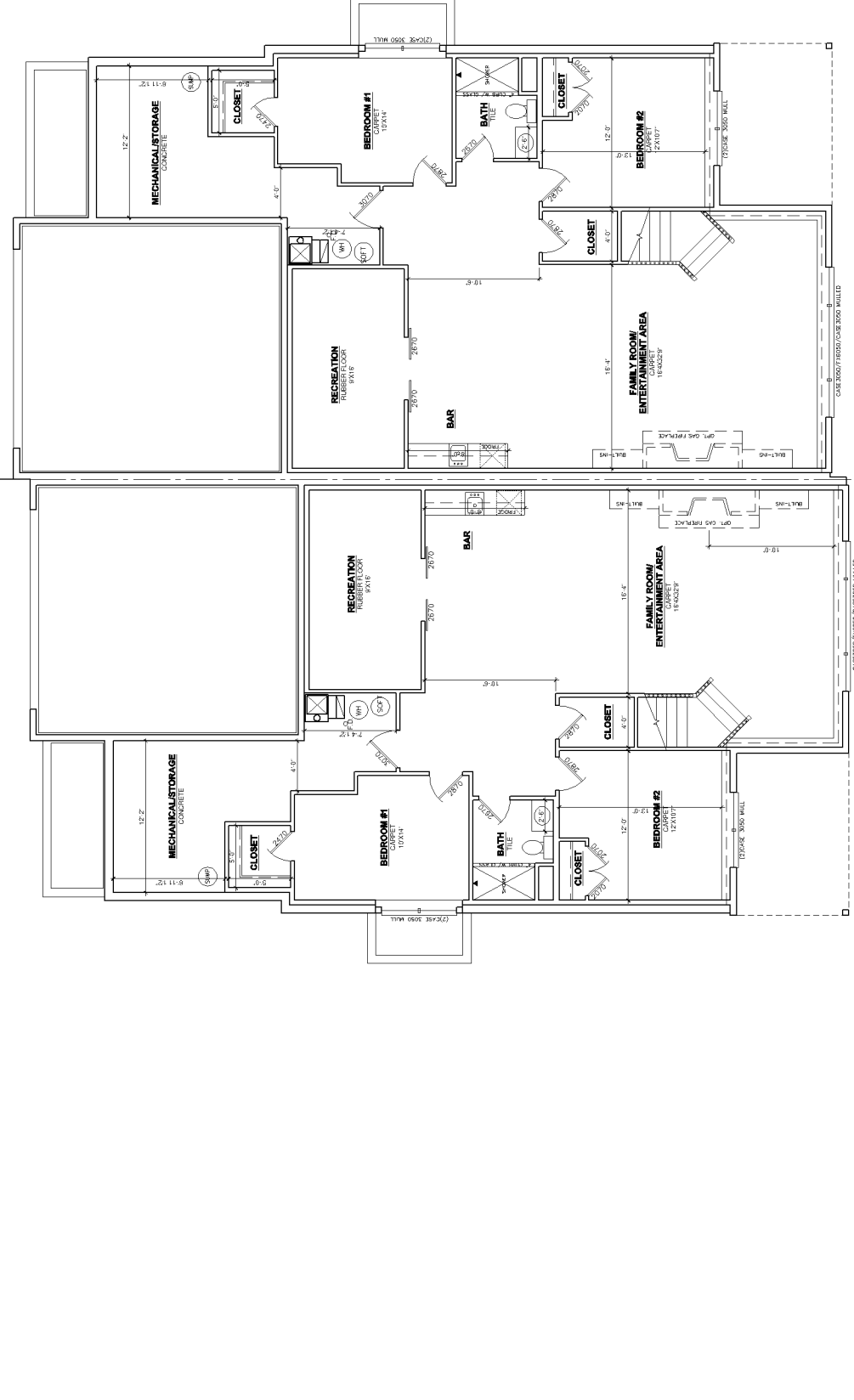
- STRUCTURAL NOTES:**
1. ALL MEMBERS TO BE SUPPORTED BY A FOUNDATION OR WALL UNLESS NOTED OTHERWISE.
 2. ALL WALLS TO BE 8" CMU UNLESS NOTED OTHERWISE.
 3. ALL EXTERIOR WALLS TO BE 16" CMU UNLESS NOTED OTHERWISE.
 4. ALL INTERIOR WALLS TO BE 8" CMU UNLESS NOTED OTHERWISE.
 5. ALL FLOOR JOISTS TO BE 12" X 16" UNLESS NOTED OTHERWISE.
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- GENERAL FRAMING NOTES:**
1. ALL NON-BEARING FRAMING IS TO BE 16" X 16" UNLESS NOTED OTHERWISE.
 2. ALL WALLS TO HAVE A DOUBLE TOP UNLESS NOTED OTHERWISE.
 3. ALL EXTERIOR WALLS TO BE 16" CMU UNLESS NOTED OTHERWISE.
 4. ALL INTERIOR WALLS TO BE 8" CMU UNLESS NOTED OTHERWISE.
 5. ALL FLOOR JOISTS TO BE 12" X 16" UNLESS NOTED OTHERWISE.
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- MECHANICAL & PIPING NOTES:**
1. ALL MECHANICAL & PIPING TO BE 16" X 16" UNLESS NOTED OTHERWISE.
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- FLOOR PLAN NOTES:**
1. FOR EASE OF UNDERSTANDING, GRANGE IS CONSIDERED 30" ON THIS FOUNDATION PLAN.
 2. ALL DIMENSIONS ARE TO BE UNLESS NOTED OTHERWISE.
 3. ALL DIMENSIONS ARE TO BE UNLESS NOTED OTHERWISE.
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- MECHANICAL & PIPING NOTES:**
1. ALL MECHANICAL & PIPING TO BE 16" X 16" UNLESS NOTED OTHERWISE.
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2 PROPOSED UNIT BASEMENT PLAN
 2587 FINISHED SQUARE FEET PER UNIT / 220 UNFINISHED SQUARE FEET PER UNIT / 256 TOTAL SQUARE FEET PER UNIT
 2587 FINISHED SQUARE FEET AND UNFINISHED SQUARE FEET / 5008 TOTAL SQUARE FEET

TOTAL FIRST FLOOR CALCULATIONS
 2587 FINISHED SQUARE FEET AND UNFINISHED SQUARE FEET / 5008 TOTAL SQUARE FEET

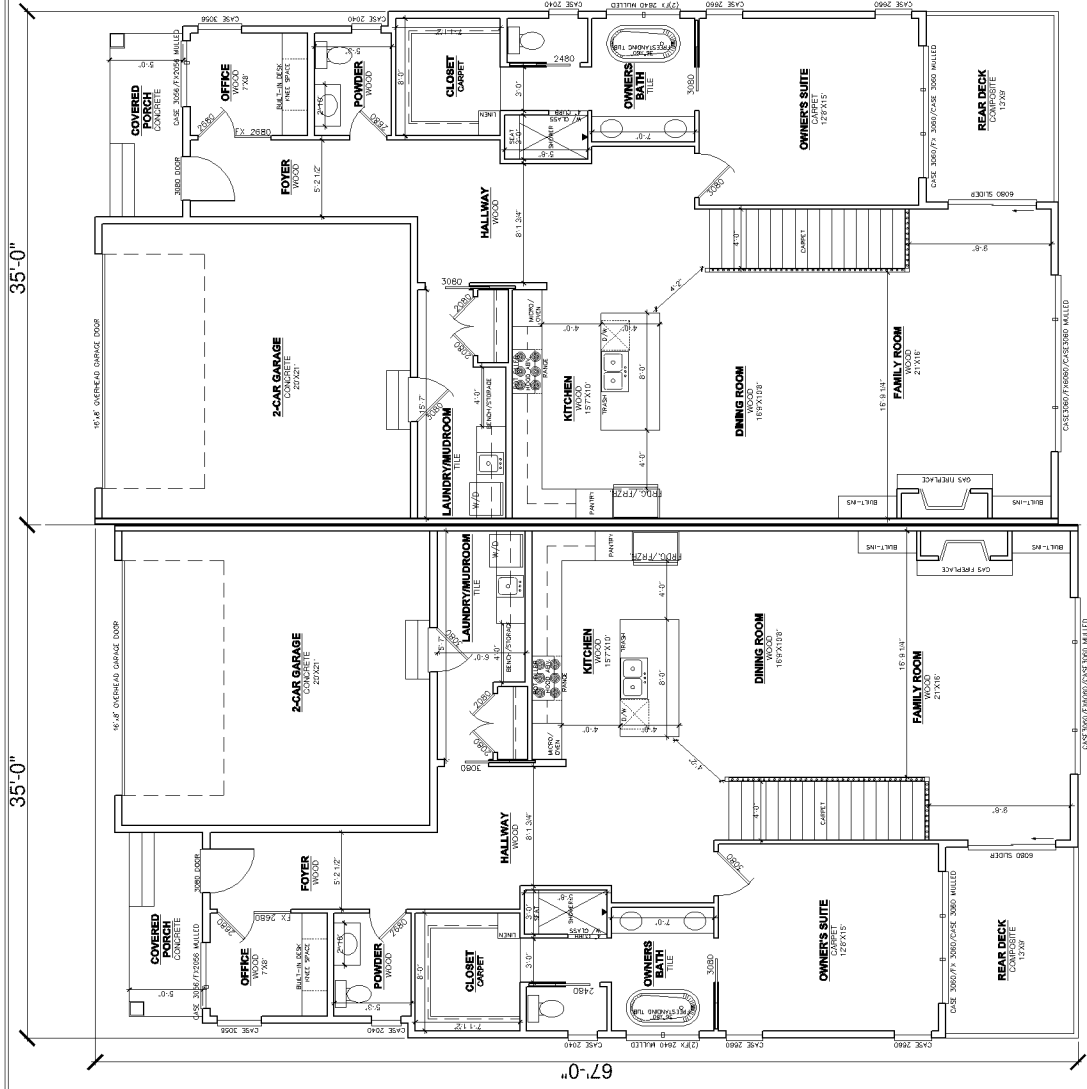
REVISION:	REV. DATE:	DRAWING TITLE: ADOR HOMES - TWINHOMES	 LITFIN DESIGN	LITFINDESIGN.COM MLITFIN@HOTMAIL.COM 320-724-7844 WINSTED, MN	SHEET NUMBER: 2-22-23	PAGE NUMBER: A7	PAGE DESCRIPTION: FINISHED BASEMENT SCALED PRINT @ 1/8"=1'-0"
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- STRUCTURAL NOTES:**
1. ALL MEMBERS TO BE SUPPORTED BY A FOUNDATION.
 2. ALL WOODS SHALL BE DRY-KILN (UNLESS NOTED OTHERWISE).
 3. ALL WOODS SHALL BE TREATED WITH A MINIMUM 10 PPM STUDS @ 3" ON CENTER.
 4. BLOCKING @ ROOF, AT JOINTS AND DOWN TO FLOOR HEADS AND DOWN TO FOUNDATION.
 5. POINT LOADS TO BE CARRIED THROUGH FLOOR HEADS AND DOWN TO FOUNDATION.
 6. ALL HANDRAILS & CONNECTORS PER LOCAL CODES.
 7. ALL WOODS SHALL BE TREATED WITH A MINIMUM 10 PPM STUDS @ 3" ON CENTER.
 8. ROOF DECKING TO BE 1/2" NOMINAL OR 5/8" NOMINAL W/ CIPR, Nailed TO 2x4 @ 16" O.C. @ BONES TO 2" O.C. @ FIELD.
 9. REAR DECKING TO BE 1/2" NOMINAL OR 5/8" NOMINAL W/ CIPR, Nailed TO 2x4 @ 16" O.C. @ BONES TO 2" O.C. @ FIELD.
 10. REFER TO WALL BRACING PLANS FOR ADDITIONAL FRAMING INFORMATION.

- GENERAL FRAMING NOTES:**
1. ALL WOODS SHALL BE TREATED WITH A MINIMUM 10 PPM STUDS @ 3" ON CENTER.
 2. ALL WALLS TO HAVE A DOUBLE TOP JOINT.
 3. ALL EXTERIOR WALLS TO BE 2x4 WOOD STUDS WITH 7/16" OSB SHEATHING UNLESS NOTED OTHERWISE.
 4. WOOD STUDS TO BE 2x4 UNLESS NOTED OTHERWISE.
 5. OTHER WALL TYPES ARE TO BE CONTINUED THROUGH FLOOR PLUS FLOOR JOINTS WHEN SPANNING MORE THAN 1 FLOOR.
 6. ALL WOODS SHALL BE TREATED WITH A MINIMUM 10 PPM STUDS @ 3" ON CENTER.

- WALLS & DOOR SIZES NOTES:**
- 1. 10" W/ INTERCONNECTED SMOKE DETECTOR
 - 2. 11" W/ INTERCONNECTED SMOKE DETECTOR
 - 3. 12" W/ INTERCONNECTED SMOKE DETECTOR
 - 4. 14" W/ INTERCONNECTED SMOKE DETECTOR
 - 5. 16" W/ INTERCONNECTED SMOKE DETECTOR
 - 6. 18" W/ INTERCONNECTED SMOKE DETECTOR
 - 7. 20" W/ INTERCONNECTED SMOKE DETECTOR
 - 8. 22" W/ INTERCONNECTED SMOKE DETECTOR
 - 9. 24" W/ INTERCONNECTED SMOKE DETECTOR
 - 10. 26" W/ INTERCONNECTED SMOKE DETECTOR
 - 11. 28" W/ INTERCONNECTED SMOKE DETECTOR
 - 12. 30" W/ INTERCONNECTED SMOKE DETECTOR
 - 13. 32" W/ INTERCONNECTED SMOKE DETECTOR
 - 14. 34" W/ INTERCONNECTED SMOKE DETECTOR
 - 15. 36" W/ INTERCONNECTED SMOKE DETECTOR
 - 16. 38" W/ INTERCONNECTED SMOKE DETECTOR
 - 17. 40" W/ INTERCONNECTED SMOKE DETECTOR
 - 18. 42" W/ INTERCONNECTED SMOKE DETECTOR
 - 19. 44" W/ INTERCONNECTED SMOKE DETECTOR
 - 20. 46" W/ INTERCONNECTED SMOKE DETECTOR
 - 21. 48" W/ INTERCONNECTED SMOKE DETECTOR
 - 22. 50" W/ INTERCONNECTED SMOKE DETECTOR
 - 23. 52" W/ INTERCONNECTED SMOKE DETECTOR
 - 24. 54" W/ INTERCONNECTED SMOKE DETECTOR
 - 25. 56" W/ INTERCONNECTED SMOKE DETECTOR
 - 26. 58" W/ INTERCONNECTED SMOKE DETECTOR
 - 27. 60" W/ INTERCONNECTED SMOKE DETECTOR
 - 28. 62" W/ INTERCONNECTED SMOKE DETECTOR
 - 29. 64" W/ INTERCONNECTED SMOKE DETECTOR
 - 30. 66" W/ INTERCONNECTED SMOKE DETECTOR
 - 31. 68" W/ INTERCONNECTED SMOKE DETECTOR
 - 32. 70" W/ INTERCONNECTED SMOKE DETECTOR
 - 33. 72" W/ INTERCONNECTED SMOKE DETECTOR
 - 34. 74" W/ INTERCONNECTED SMOKE DETECTOR
 - 35. 76" W/ INTERCONNECTED SMOKE DETECTOR
 - 36. 78" W/ INTERCONNECTED SMOKE DETECTOR
 - 37. 80" W/ INTERCONNECTED SMOKE DETECTOR
 - 38. 82" W/ INTERCONNECTED SMOKE DETECTOR
 - 39. 84" W/ INTERCONNECTED SMOKE DETECTOR
 - 40. 86" W/ INTERCONNECTED SMOKE DETECTOR
 - 41. 88" W/ INTERCONNECTED SMOKE DETECTOR
 - 42. 90" W/ INTERCONNECTED SMOKE DETECTOR
 - 43. 92" W/ INTERCONNECTED SMOKE DETECTOR
 - 44. 94" W/ INTERCONNECTED SMOKE DETECTOR
 - 45. 96" W/ INTERCONNECTED SMOKE DETECTOR
 - 46. 98" W/ INTERCONNECTED SMOKE DETECTOR
 - 47. 100" W/ INTERCONNECTED SMOKE DETECTOR

- FLOOR PLAN NOTES:**
1. FLOOR AREA OF UNDERSTANDING GRANGE FOUNDATION PLAN.
 2. EXTERIOR ARE TO BE ILLUMINATED AT EACH LANDING PER CODE.
 3. SURVEY CONTINGENT HANDRAIL PER LOCAL CODE.
 4. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LOCATIONS WITH SURVEY CONTRACTOR AND SHALL BE RESPONSIBLE TO CONTINUE HANDRAIL TO CONTINUE.
 5. GYPSUM BOARD TO BE APPLIED TO UNDERSIDE OF STAIRS PER CODE.
 6. BEARING WALL, 16" O.C. STUDS.
 7. WALL STUDS SPACED AT 12" O.C. PER 2x4 TIMBERS STRAND KING STUDS @ EACH SIDE OF OPENING IN WALL.
 8. METAL CORNER BRACING WITH MINIMUM 3/8" X 2" L GYPSUM BOARD OR 1/2" X 2" L GYPSUM BOARD SUPPORTED BY 2x4 MIN. LATERAL BRACING WITH THE CORNER BRACING SHALL BE 1600 SUFF. SEPARATE INTO EQUAL SPACES.



1 PROPOSED UNIT FIRST FLOOR PLAN
 1847 FINISHED SQUARE FEET PER UNIT / 444 GARAGE SQUARE FEET PER UNIT / 2892 TOTAL FOOTPRINT PER UNIT
 3800 FINISHED SQUARE FEET / 880 GARAGE SQUARE FEET / 4680 TOTAL FOOTPRINT

REVISION:	REV. DATE:	DRAWING TITLE: ADOR HOMES - TWINHOMES LOCATION: SMITHTOWN TOWNHOMES	LITFIN DESIGN LITFINDESIGN.COM MLJLITFIN@HOTMAIL.COM 320-724-7844 WINSTED, MN	PAGE DESCRIPTION: FIRST FLOOR PLAN SCALED PRINT @ 1/8"=1'-0"
	SHEET NUMBER: A8 DATE: 2-22-23			

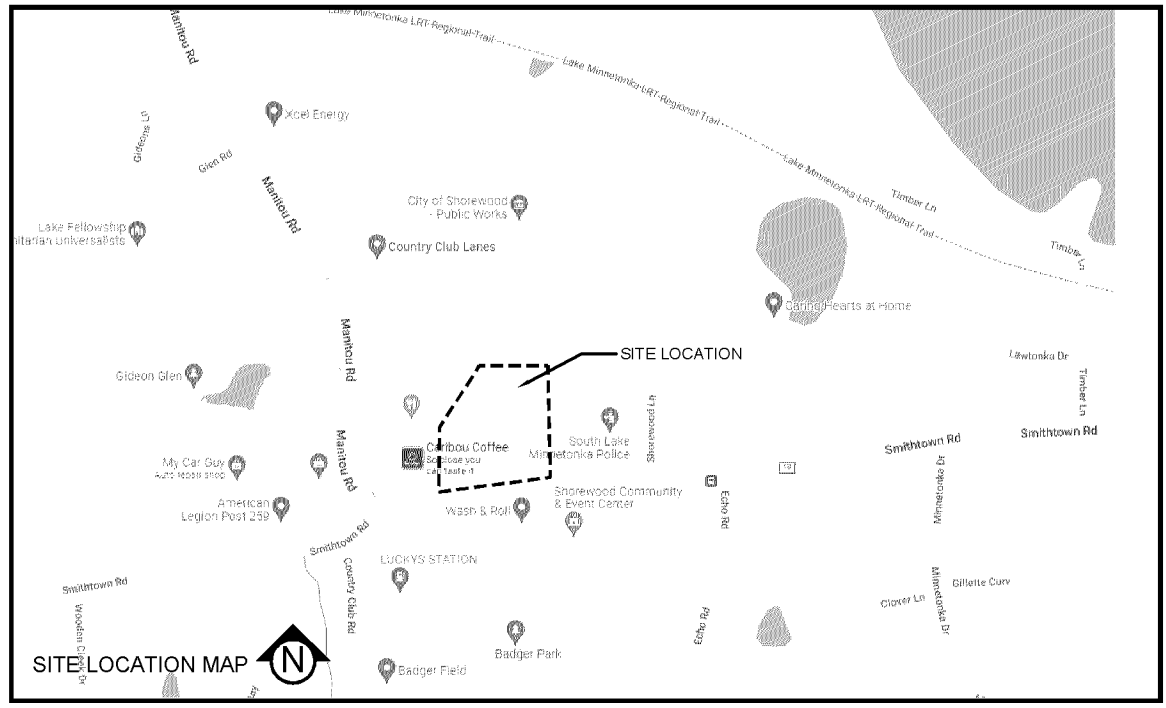
SMITHTOWN ROAD REDEVELOPMENT

SHOREWOOD / TONKA BAY, MINNESOTA

ISSUED FOR: PUD / CONCEPT PLAN CITY SUBMITTAL

PRELIMINARY:
NOT FOR
CONSTRUCTION

PROJECT
24320 & 24250 Smithtown Road
Tonka Bay & Shorewood, Minnesota 55331
TSMI PROPERTIES, LLC
10014 ORLEANS LANE N., MAPLE GROVE, MN 55369



DEVELOPER / PROPERTY OWNER:
TSMI PROPERTIES, LLC
10014 ORLEANS LANE N.
MAPLE GROVE, MN 55369
CONTACT: RYAN LUNDGREN
218.393.6940

ENGINEER / LANDSCAPE ARCHITECT:
CIVIL SITE GROUP
5000 GLENWOOD AVE
GOLDEN VALLEY, MN 55422
CONTACT: KEVIN TEPPEN
612-615-0060

SURVEYOR:
CIVIL SITE GROUP
5000 GLENWOOD AVE
GOLDEN VALLEY, MN 55422
CONTACT: RORY SYNSTELIEN
612-615-0060

GEOTECHNICAL ENGINEER:
HAUGO GEOTECHNICAL SERVICES
2825 CEDAR AVENUE S.
MINNEAPOLIS, MN 55407
CONTACT: PAUL GIONFRIDDO, PE
612.729.2959

ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS. 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.



SHEET INDEX	
SHEET NUMBER	SHEET TITLE
C0.0	TITLE SHEET
V1.0	SITE SURVEY
C1.0	REMOVALS PLAN
C1.1	TREE PRESERVATION PLAN
C2.0	SITE PLAN
C3.0	GRADING PLAN
C4.0	UTILITY PLAN
L1.0	LANDSCAPE PLAN
L1.1	LANDSCAPE PLAN NOTES & DETAILS
SW1.0	SWPPP - EXISTING CONDITIONS
SW1.1	SWPPP - PROPOSED CONDITIONS
SW1.2	SWPPP - DETAILS

ISSUE/SUBMITTAL SUMMARY	
DATE	DESCRIPTION

DRAWN BY: ktl, dj REVIEWED BY: ktl
PROJECT NUMBER: 22227

REVISION SUMMARY	
DATE	DESCRIPTION

TITLE SHEET
C0.0

DESCRIPTION OF PROPERTY SURVEYED

Parcel 1:
That part of the following described property:

Tract B, except that part thereof lying Southwesterly of a line drawn from a point in the Southerly line of said Tract distant 38 feet East of the Southwest corner thereof to the Northwest corner of said Tract and except that part of said Tract lying Northwesterly of a line drawn from said Northwest corner to a point on the Easterly line of said Tract distant 12 feet South of the most Northerly corner of said Tract, Registered Land Survey No. 482, Hennepin County, Minnesota,

Which lies Easterly of the following described line and its extensions:

Beginning at a point on the Westerly line of said Tract B distant 52.00 feet Southerly from the Northwest corner of said Tract B; thence Northerly to a point on the Northwesterly line of said Tract B distant 50.00 feet Northeastly from said Northwest corner and said line there terminating.

Hennepin County, Minnesota

Torrens Property

Parcel 2:

That part of Lot 3, Auditor's Subdivision No. 133, lying East of the West 220.82 feet of Lot 3; and lying Southerly and Westerly of the following described Line A:

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 Northerly boundary of County Road 19; thence East at right angles to a point distant 70 feet West of the East line of Lot 3; thence South parallel to the East line of Lot 3 to the Northerly boundary of County Road 19 and there terminating.

Hennepin County, Minnesota

Abstract Property

GENERAL SURVEY NOTES

- 1. Bearings are based on the Hennepin County Coordinate System (1986 Adjustment).
- 2. Elevations are based on the NGVD 29 Datum. Site Benchmark are as follows:
Site BM #1 - Top nut of the fire hydrant located approximately 35 feet northeast of the most southwesterly corner of subject property. Elevation = 989.03.
Site BM #2 - Top nut of the fire hydrant located approximately 62 feet northeast of the most northwesterly corner of subject property. Elevation = 993.05.
- 3. We have shown the location of utilities to the best of our ability based on observed evidence together with evidence from the following sources: plans obtained from utility companies, plans provided by client, markings by utility companies and other appropriate sources. We have used this information to develop a view of the underground utilities for this site. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary. Also, please note that seasonal conditions may inhibit our ability to visibly observe all the utilities located on the subject property.

ALTA/NSPS LAND TITLE SURVEY NOTES

- (numbered per Table A)
- 1. Monuments placed and/or found at all major corners of the boundary of the surveyed property as shown hereon.
- 2. Site Address: 24320 Smithtown Road, Tonka Bay, MN 55331 & 24250 Smithtown Road, Shorewood, MN 55331
- 3. This property is contained in Zone X (area determined to be outside the 0.2% annual chance floodplain) per Flood Inundation Risk Assessment, Community Panel No. 27053C0314F, effective date of November 4th, 2016.
- 4. The Gross land area is 120,840 +/- square feet or 2.774 +/- acres.
- 7. (a) Exterior dimensions of buildings at ground level as shown hereon.
- 8. Substantial features observed in the process of conducting the fieldwork as shown hereon. Please note that seasonal conditions may inhibit our ability to visibly observe all site features located on the subject property.
- 9. We did not observe any parking stripes on the subject property.
- 13. The names of the adjoining owners of the platted lands, as shown hereon, are based on information obtained from Hennepin County GIS Map.

SURVEY REPORT

- 1. This map and report was prepared with the benefit of a Commitment for Title Insurance issued by Commercial Partners Title, a division of Chicago Title Insurance Company, as agent for Chicago Title Insurance Company, File No. CP70389, dated May 11, 2022. We note the following with regards to Schedule B of the herein referenced Title Commitment:
 - a. Item no.'s 1-11, and 16 are not survey related.
 - b. The following are numbered per the referenced title Commitment:
 - [12] Easement for gas mains, service pipes and appurtenances thereto in favor of Minneapolis Gas Company, a Delaware corporation, contained in Easement dated November 15, 1962, filed December 17, 1962, as Document No. 713439. (Parcel 1). **Easement as shown hereon along the westerly portion of Parcel 1.**
 - [13] Easement for gas mains, service pipes and appurtenances thereto in favor of Minneapolis Gas Company, a Delaware corporation, contained in Easement dated July 27, 1964, filed August 26, 1964, as Document No. 779409. (Parcel 1). **Easement as shown hereon along the northwesterly portion of Parcel 1.**
 - [14] Terms and conditions of an easement for ingress and egress purposes in favor of 7901 Brooklyn Boulevard Associates, LLP, a Minnesota limited liability partnership, contained in Easement Agreement dated July 22, 2003, filed August 21, 2003, as Document No. 3819678. (Parcel 1). **Easement as shown hereon in the southwesterly portion of Parcel 1.**
 - [15] Easement for highway purposes, together with easement for drainage, utility and wall purposes in favor of the County of Hennepin, a body politic and corporate of the State of Minnesota, contained in Quitclaim Deed dated October 13, 2004, filed November 12, 2004, as Document No. 4041124. (Parcel 1). **Easements as shown hereon along the southerly portion of Parcel 1.**
 - [16] Subject to Hennepin County State Aid Highway No. 19, Plat 57, filed September 26, 1985, as Document No. 5036415 (Abstract) and filed September 20, 1985, as Document No. 1672825 (Torrens), being directed by Resolution adopted October 28, 1969, filed October 2, 1970, as Document No. 979240 (Torrens), (Parcels 1 and 2). **County State Aid Highway No. 19 as shown hereon lying southerly and adjacent to Parcel 1 and 2.**
 - [17] Easement for highway purposes, together with easement for drainage, utility and wall purposes in favor of the County of Hennepin, a body politic and corporate of the State of Minnesota, contained in Quitclaim Deed dated August 9, 2004, filed September 29, 2004, as Document No. 8444489. (Parcel 2). **Easements as shown hereon along the southerly portion of Parcel 2.**
- 2. Conflicts such as (but not limited to): encroachments, protrusions, access, occupation, and easements and/or servitudes:
 - [A]. Chain link fence lies on north line of Parcel 2, as shown hereon.
 - [B]. 2nd driveway and access to Smithtown Road crosses through adjacent parcel to the east, as shown hereon. We are unaware of an easement for said driveway and access.

ALTA CERTIFICATION

To: Thomas C. Higgins (Parcel 1), Mark W. Justinaik and Carrie Weinberger Justinaik, as joint tenants (Parcel 2); Lifestyle Communities; Commercial Partners Title, a division of Chicago Title Insurance Company; and Chicago Title Insurance Company;

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7(a), 8, 9, and 13 of Table A thereof.

The fieldwork was completed on 06-21-2022.

Dated this 7th day of July, 2022.

Rory L. Synstleien
rory@civilsitegroup.com
Minnesota License No. 44565

PROJECT
24320 & 24250 Smithtown Road
Tonka Bay & Shorewood, Hennepin County, MN 55331
CLIENT
Lifestyle Communities
4938 Lincoln Drive, Edina, MN 55436

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA

RORY L. SYNSTLEIEN
DATE 7-7-2022 LICENSE NO. 44565

QA/QC
FIELD CREW DO
DRAWN BY LB
REVIEWED BY CJ
UPDATED BY

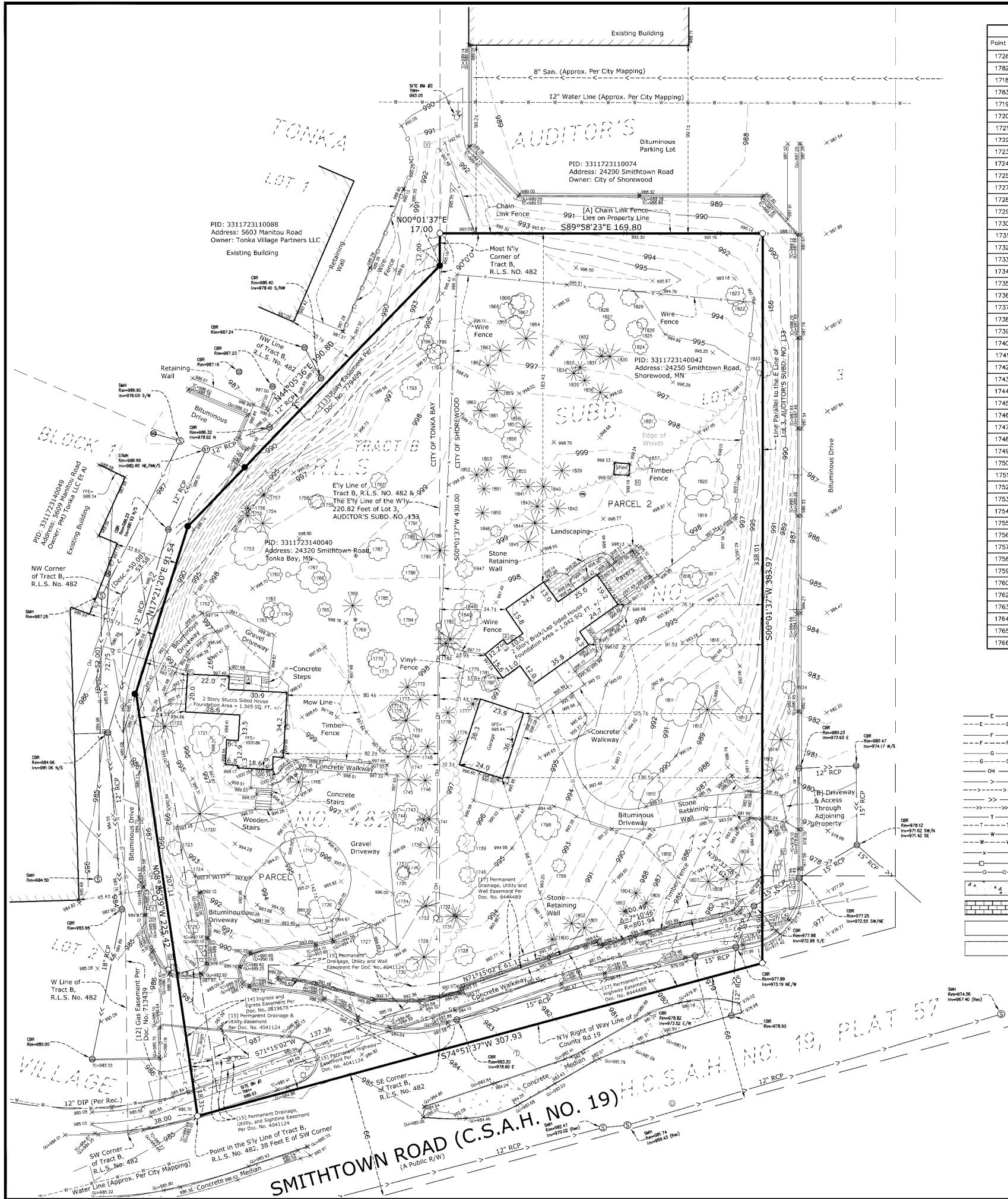
VICINITY MAP



REVISION SUMMARY
DATE DESCRIPTION
12-20-22 Utilities
1-12-23 Update Utilities

PROJECT NO.: 22227.00
ALTA/NSPS LAND TITLE SURVEY

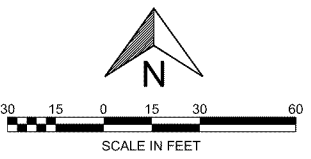
V1.0



Tree Table with columns: Point #, Raw Description, Point #, Raw Description, Point #, Raw Description. Lists various tree types and their locations across the site.

Linetype & Symbol Legend

Legend table mapping symbols and line types to specific features such as Electric Line, Gasmain, Sanitary Sewer, Telephone Line, Watermain, and various manholes and valves.



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PRELIMINARY:
NOT FOR
CONSTRUCTION

PROJECT
24320 & 24250 Smithtown Road

Tonka Bay & Shorewood, Minnesota 55331

TSML PROPERTIES, LLC

10014 ORLEANS LANE N., MAPLE GROVE, MN 55369

ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
01-28-2014	ISSUE/REVISION 1/28/14
02-27-2014	ISSUE/REVISION 2/27/14

DRAWN BY: ktl, dlj REVIEWED BY: ktl

PROJECT NUMBER: 22227

REVISION SUMMARY

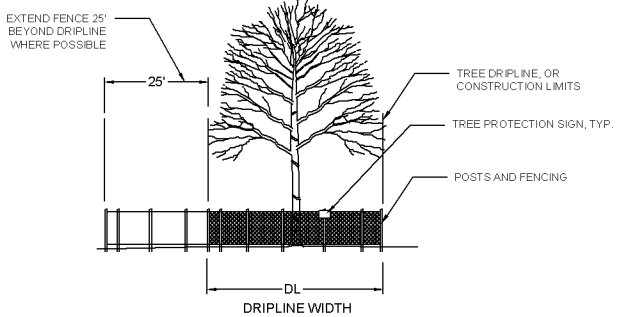
DATE	DESCRIPTION

REMOVALS PLAN

C1.0

REMOVAL NOTES:

- ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
- SEE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) PLAN FOR CONSTRUCTION STORM WATER MANAGEMENT PLAN.
- REMOVAL OF MATERIALS NOTED ON THE DRAWINGS SHALL BE IN ACCORDANCE WITH MNDOT, STATE AND LOCAL REGULATIONS.
- REMOVAL OF PRIVATE UTILITIES SHALL BE COORDINATED WITH UTILITY OWNER PRIOR TO CONSTRUCTION ACTIVITIES.
- EXISTING PAVEMENTS SHALL BE SAWCUT IN LOCATIONS AS SHOWN ON THE DRAWINGS OR THE NEAREST JOINT FOR PROPOSED PAVEMENT CONNECTIONS.
- REMOVED MATERIALS SHALL BE DISPOSED OF TO A LEGAL OFF-SITE LOCATION AND IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.
- ABANDON, REMOVAL, CONNECTION, AND PROTECTION NOTES SHOWN ON THE DRAWINGS ARE APPROXIMATE. COORDINATE WITH PROPOSED PLANS.
- EXISTING ON-SITE FEATURES NOT NOTED FOR REMOVAL SHALL BE PROTECTED THROUGHOUT THE DURATION OF THE CONTRACT.
- PROPERTY LINES SHALL BE CONSIDERED GENERAL CONSTRUCTION LIMITS UNLESS OTHERWISE NOTED ON THE DRAWINGS. WORK WITHIN THE GENERAL CONSTRUCTION LIMITS SHALL INCLUDE STAGING, DEMOLITION AND CLEAN-UP OPERATIONS AS WELL AS CONSTRUCTION SHOWN ON THE DRAWINGS.
- MINOR WORK OUTSIDE OF THE GENERAL CONSTRUCTION LIMITS SHALL BE ALLOWED AS SHOWN ON THE PLAN AND PER CITY REQUIREMENTS. FOR ANY WORK ON ADJACENT PRIVATE PROPERTY, THE CONTRACTOR SHALL OBTAIN WRITTEN PERMISSION FROM THE ADJACENT PROPERTY OWNER PRIOR TO ANY WORK.
- DAMAGE BEYOND THE PROPERTY LIMITS CAUSED BY CONSTRUCTION ACTIVITY SHALL BE REPAIRED IN A MANNER APPROVED BY THE ENGINEER/LANDSCAPE ARCHITECT OR IN ACCORDANCE WITH THE CITY.
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FURNISH AND INSTALL TEMPORARY FENCE AT THE TREE'S DRIP LINE OR CONSTRUCTION LIMITS AS SHOWN ON PLAN, PRIOR TO ANY CONSTRUCTION, WHERE POSSIBLE PLACE FENCE 25' BEYOND DRIP LINE. PLACE TREE PROTECTION SIGN ON POSTS, ONE PER INDIVIDUAL TREE (FACING CONSTRUCTION ACTIVITY), OR ONE EVERY 100' LF ALONG A GROVE OR MULTI-TREE PROTECTION AREA.

1 TREE PROTECTION NOTES

REMOVALS LEGEND:

- 1125 EX. 1' CONTOUR ELEVATION INTERVAL
- [Hatched pattern] REMOVAL OF PAVEMENT AND ALL BASE MATERIAL, INCLUDING BIT., CONC., AND GRAVEL PVMTS.
- [Cross-hatched pattern] REMOVAL OF STRUCTURE INCLUDING ALL FOOTINGS AND FOUNDATIONS.
- [Dashed line] REMOVE CURB AND GUTTER, IF IN RIGHT-OF-WAY, COORDINATE WITH LOCAL GOVERNING UNIT.

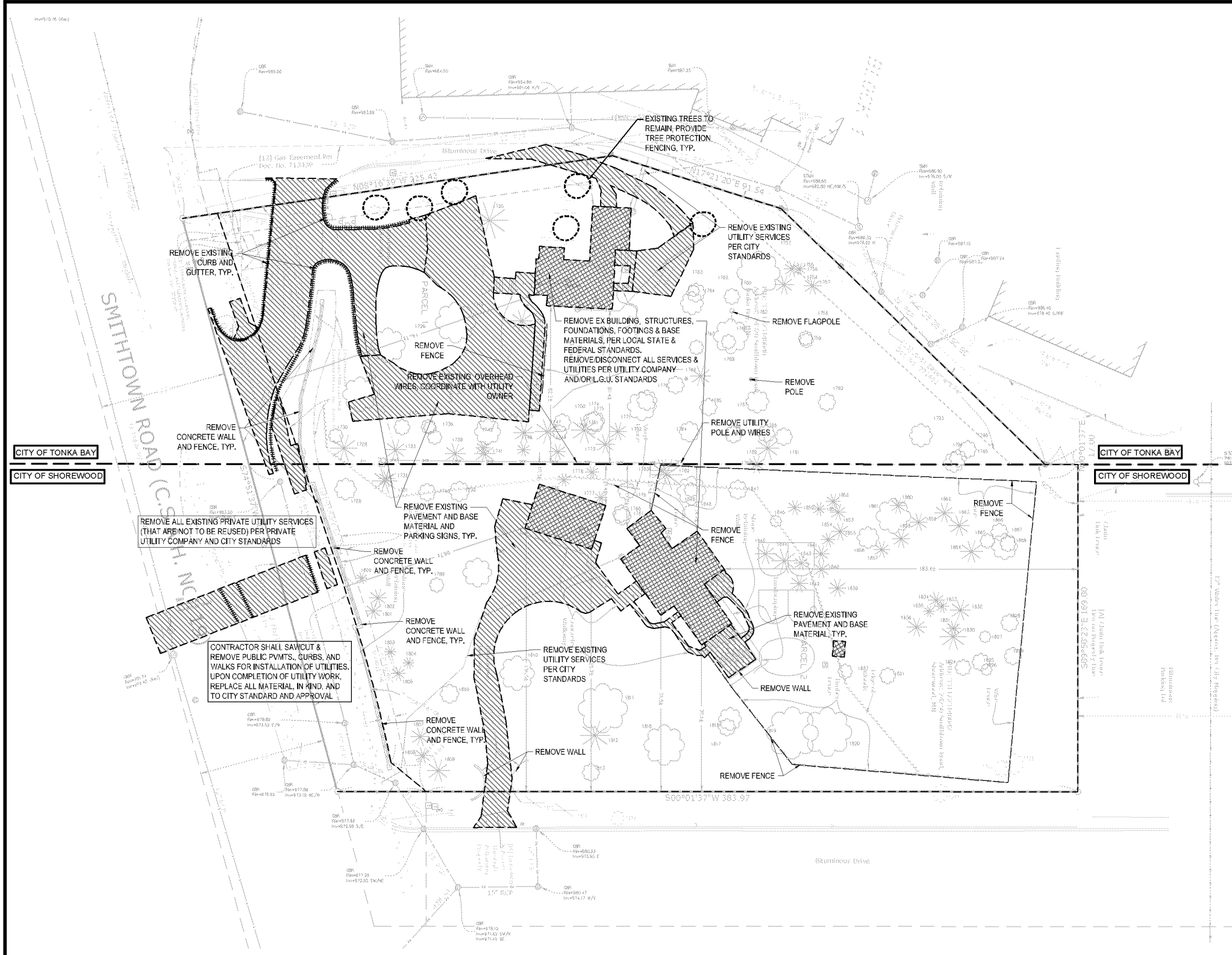
SEE SHEET C1.1 FOR TREE REMOVALS AND PRESERVATION

CITY OF SHOREWOOD / TONKA BAY REMOVAL NOTES:

- RESERVED FOR CITY SPECIFIC REMOVAL NOTES.

EROSION CONTROL NOTES:

SEE SWPPP ON SHEETS SW1.0 - SW1.5



**PRELIMINARY:
NOT FOR
CONSTRUCTION**

24320 & 24250 Smithtown Road

Tonka Bay & Shorewood, Minnesota 55331

TSML PROPERTIES, LLC

10014 ORLEANS LANE N., MAPLE GROVE, MN 55369

PROJECT

ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
01/28/2024	ISSUE FOR PERMITS AND CONSTRUCTION
02/27/2024	ISSUE FOR PERMITS AND CONSTRUCTION

DRAWN BY: kit, dl REVIEWED BY: kit
PROJECT NUMBER: 22227

REVISION SUMMARY

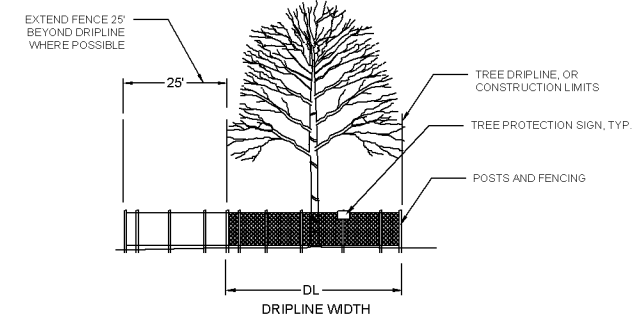
DATE	DESCRIPTION

TREE PRESERVATION PLAN

C1.1

REMOVAL NOTES:

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**1 TREE PROTECTION
NTS**

REMOVALS LEGEND:

- TREE PROTECTION
- TREE REMOVAL - INCLUDING ROOTS AND STUMPS



CONTRACTOR SHALL SAWCUT & REMOVE PUBLIC PUMPS, CURBS, AND WALKS FOR INSTALLATION OF UTILITIES. UPON COMPLETION OF UTILITY WORK, REPLACE ALL MATERIAL IN KIND, AND TO CITY STANDARD AND APPROVAL.

EXISTING TREES TO REMAIN. PROVIDE TREE PROTECTION FENCING, TYP.

REMOVE EXISTING TREE AND BALL ROOT, TYP.

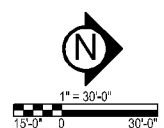
REMOVE EXISTING TREE AND BALL ROOT, TYP.

CITY OF SHOREWOOD / TONKA BAY REMOVAL NOTES:

- RESERVED FOR CITY SPECIFIC REMOVAL NOTES.

EROSION CONTROL NOTES:

SEE SWPPP ON SHEETS SW1.0 - SW1.5



**PRELIMINARY:
NOT FOR
CONSTRUCTION**

24320 & 24250 Smithtown Road

Tonka Bay & Shorewood, Minnesota 55331

TSML PROPERTIES, LLC

10014 ORLEANS LANE N., MAPLE GROVE, MN 55369

PROJECT

ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
01/28/2024	ISSUE FOR CITY OF SHOREWOOD REVIEW
02/27/2024	CITY COMMENTS

DRAWN BY: kit, dlj REVIEWED BY: kit
PROJECT NUMBER: 22227

REVISION SUMMARY

DATE	DESCRIPTION
2/28/23	CITY COMMENTS

SITE PLAN

C2.0

SITE DATA (OVERALL PROJECT)

Gross Site Area: 2.58 Ac.
Easements: 0.31 Ac.
Net Developable Area: 2.27 Ac.
(Lots & Local Roads, Ponds)

Overall Residential Units: 11 lots (4.85 u/a)
Existing Hardcover: 0.44 Ac. (17.4% of site)
Proposed Hardcover: see below per city

SITE DATA (SHOREWOOD)

Gross Site Area: 1.46 Ac.
Easements: 0.03 Ac.
Net Developable Area: 1.43 Ac.
(Lots & Local Roads, Ponds)

Zoning:
Existing Zoning: R2-A Single / Two Family Res.
2040 Land Use Guide: Medium Density
Proposed Zoning/ Land Use: PUD
Proposed hardcover: 42.9% (27,309 / 63,610)

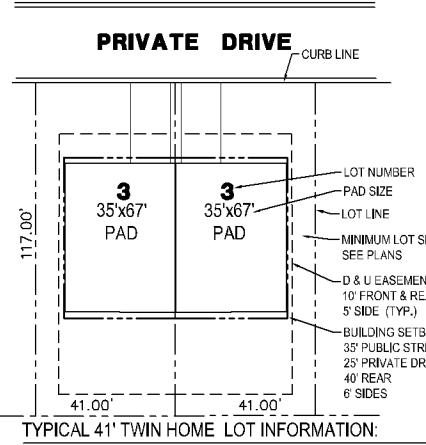
Overall Residential Units: 7 lots

SITE DATA (TONKA BAY)

Gross Site Area: 1.12 Ac.
Easements: 0.28 Ac.
Net Developable Area: 0.84 Ac.
(Lots & Local Roads, Ponds)

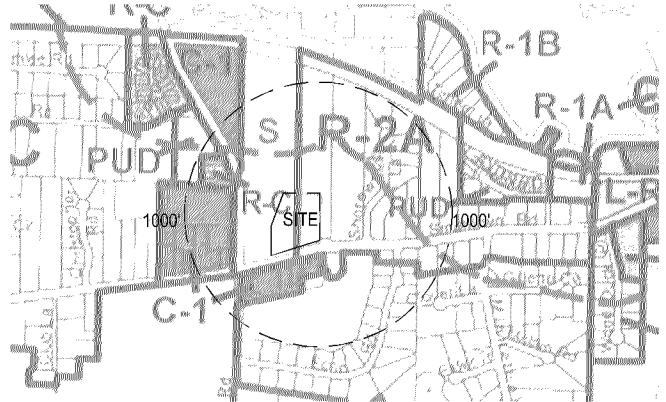
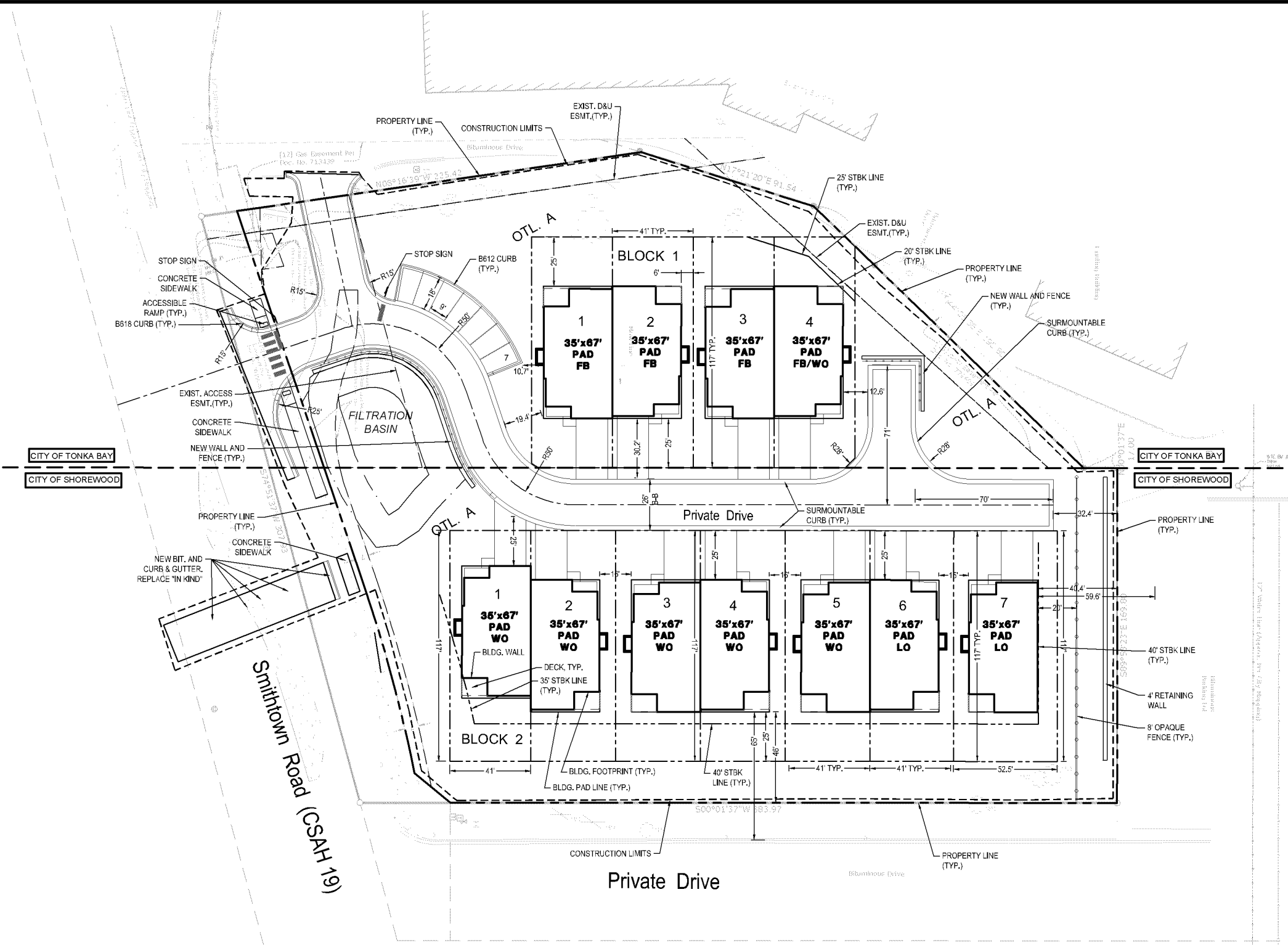
Zoning:
Existing Zoning: C-2 General Commercial
2040 Land Use Guide: Mixed Use
Proposed Zoning/ Land Use: PUD
Proposed hardcover: 39.4% (19,221 / 48,726)
Proposed FAR: 0.394

Overall Residential Units: 4 lots

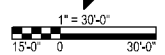


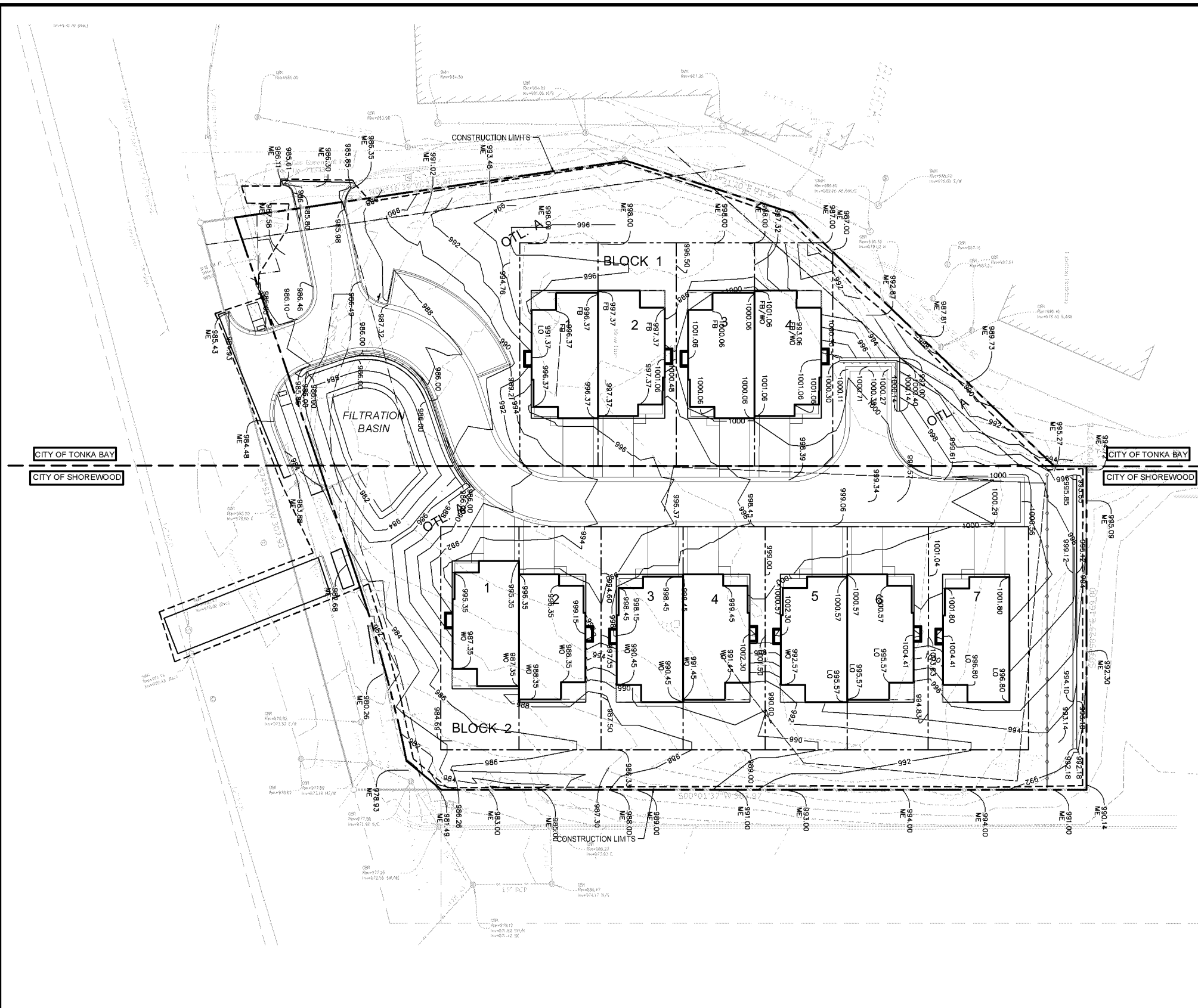
CITY OF SHOREWOOD / TONKA BAY SITE SPECIFIC NOTES:

- RESERVED FOR CITY SPECIFIC NOTES.



Know what's below.
Call before you dig.





GENERAL GRADING NOTES:

- CONTRACTOR SHALL VERIFY ALL BUILDING ELEVATIONS, (FFE, LFE, GFE), PRIOR TO CONSTRUCTION BY CROSS CHECKING WITH ARCHITECTURAL, STRUCTURAL AND CIVIL ELEVATIONS FOR EQUIVALENT "100" ELEVATIONS. THIS MUST BE DONE PRIOR TO EXCAVATION AND INSTALLATION OF ANY FOOTING MATERIALS. VERIFICATION OF THIS COORDINATION SHALL BE CONFIRMED IN WRITING BY CIVIL, SURVEYOR, ARCHITECTURAL, STRUCTURAL AND CONTRACTOR PRIOR TO CONSTRUCTION.
- ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
- SEE SITE PLAN FOR HORIZONTAL LAYOUT & GENERAL GRADING NOTES.
- THE CONTRACTOR SHALL COMPLETE THE SITE GRADING CONSTRUCTION (INCLUDING BUT NOT LIMITED TO SITE PREPARATION, SOIL CORRECTION, EXCAVATION, EMBANKMENT, ETC.) IN ACCORDANCE WITH THE REQUIREMENTS OF THE OWNER'S SOILS ENGINEER. ALL SOIL TESTING SHALL BE COMPLETED BY THE OWNER'S SOILS ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL REQUIRED SOIL TESTS AND INSPECTIONS WITH THE SOILS ENGINEER.
- ANY ELEMENTS OF AN EARTH RETENTION SYSTEM AND RELATED EXCAVATIONS THAT FALL WITHIN THE PUBLIC RIGHT OF WAY WILL REQUIRE A "RIGHT OF WAY EXCAVATION PERMIT". CONTRACTOR IS RESPONSIBLE FOR ACQUIRING THIS PERMIT PRIOR TO CONSTRUCTION IF APPLICABLE.
- ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
- GRADING AND EXCAVATION ACTIVITIES SHALL BE PERFORMED IN ACCORDANCE WITH THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS & PERMIT REQUIREMENTS OF THE CITY.
- PROPOSED SPOT GRADES ARE FLOWLINE FINISHED GRADE ELEVATIONS, UNLESS OTHERWISE NOTED.
- GRADES OF WALKS SHALL BE INSTALLED WITH 5% MAX. LONGITUDINAL SLOPE AND 1% MIN. AND 2% MAX. CROSS SLOPE, UNLESS OTHERWISE NOTED.
- PROPOSED SLOPES SHALL NOT EXCEED 3:1 UNLESS INDICATED OTHERWISE ON THE DRAWINGS. MAXIMUM SLOPES IN MAINTAINED AREAS IS 4:1.
- PROPOSED RETAINING WALLS, FREESTANDING WALLS, OR COMBINATION OF WALL TYPES GREATER THAN 4' IN HEIGHT SHALL BE DESIGNED AND ENGINEERED BY A REGISTERED RETAINING WALL ENGINEER. DESIGN DRAWINGS SHALL BE SUBMITTED FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF GRADE STAKES THROUGHOUT THE DURATION OF CONSTRUCTION TO ESTABLISH PROPER GRADES. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR A FINAL FIELD CHECK OF FINISHED GRADES ACCEPTABLE TO THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO TOPSOIL AND SODDING ACTIVITIES.
- IF EXCESS OR SHORTAGE OF SOIL MATERIAL EXISTS, THE CONTRACTOR SHALL TRANSPORT ALL EXCESS SOIL MATERIAL OFF THE SITE TO AN AREA SELECTED BY THE CONTRACTOR, OR IMPORT SUITABLE MATERIAL TO THE SITE.
- EXCAVATE TOPSOIL FROM AREAS TO BE FURTHER EXCAVATED OR REGRADED AND STOCKPILE IN AREAS DESIGNATED ON THE SITE. THE CONTRACTOR SHALL SALVAGE ENOUGH TOPSOIL FOR RESPREADING ON THE SITE AS SPECIFIED. EXCESS TOPSOIL SHALL BE PLACED IN EMBANKMENT AREAS, OUTSIDE OF BUILDING PADS, ROADWAYS AND PARKING AREAS. THE CONTRACTOR SHALL SUBCUT CUT AREAS, WHERE TURF IS TO BE ESTABLISHED, TO A DEPTH OF 6 INCHES. RESPREAD TOPSOIL IN AREAS WHERE TURF IS TO BE ESTABLISHED TO A MINIMUM DEPTH OF 6 INCHES.
- FINISHED GRADING SHALL BE COMPLETED. THE CONTRACTOR SHALL UNIFORMLY GRADE AREAS WITHIN LIMITS OF GRADING, INCLUDING ADJACENT TRANSITION AREAS. PROVIDE A SMOOTH FINISHED SURFACE WITHIN SPECIFIED TOLERANCES, WITH UNIFORM LEVELS OR SLOPES BETWEEN POINTS WHERE ELEVATIONS ARE SHOWN, OR BETWEEN SUCH POINTS AND EXISTING GRADES. AREAS THAT HAVE BEEN FINISH GRADED SHALL BE PROTECTED FROM SUBSEQUENT CONSTRUCTION OPERATIONS, TRAFFIC AND EROSION. REPAIR ALL AREAS THAT HAVE BECOME RUTTED BY TRAFFIC OR ERODED BY WATER OR HAS SETTLED BELOW THE CORRECT GRADE. ALL AREAS DISTURBED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED TO EQUAL OR BETTER THAN ORIGINAL CONDITION OR TO THE REQUIREMENTS OF THE NEW WORK.
- PRIOR TO PLACEMENT OF THE AGGREGATE BASE, A TEST ROLL WILL BE REQUIRED ON THE STREET AND/OR PARKING AREA SUBGRADE. THE CONTRACTOR SHALL PROVIDE A LOADED TANDEM AXLE TRUCK WITH A GROSS WEIGHT OF 25 TONS. THE TEST ROLLING SHALL BE AT THE DIRECTION OF THE SOILS ENGINEER AND SHALL BE COMPLETED IN AREAS AS DIRECTED BY THE SOILS ENGINEER. THE SOILS ENGINEER SHALL DETERMINE WHICH SECTIONS OF THE STREET OR PARKING AREA ARE UNSTABLE. CORRECTION OF THE SUBGRADE SOILS SHALL BE COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE SOILS ENGINEER. NO TEST ROLL SHALL OCCUR WITHIN 10' OF ANY UNDERGROUND STORM RETENTION/RETENTION SYSTEMS.
- TOLERANCES
 - THE BUILDING SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.30 FOOT ABOVE, OR 0.30 FOOT BELOW, THE PRESCRIBED ELEVATION AT ANY POINT WHERE MEASUREMENT IS MADE.
 - THE STREET OR PARKING AREA SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.05 FOOT ABOVE, OR 0.10 FOOT BELOW, THE PRESCRIBED ELEVATION OF ANY POINT WHERE MEASUREMENT IS MADE.
 - AREAS WHICH ARE TO RECEIVE TOPSOIL SHALL BE GRADED TO WITHIN 0.30 FOOT ABOVE OR BELOW THE REQUIRED ELEVATION, UNLESS DIRECTED OTHERWISE BY THE ENGINEER.
 - TOPSOIL SHALL BE GRADED TO PLUS OR MINUS 1/2 INCH OF THE SPECIFIED THICKNESS.
- MAINTENANCE
 - THE CONTRACTOR SHALL PROTECT NEWLY GRADED AREAS FROM TRAFFIC AND EROSION, AND KEEP AREA FREE OF TRASH AND DEBRIS.
 - CONTRACTOR SHALL REPAIR AND REESTABLISH GRADES IN SETTLED, ERODED AND RUTTED AREAS TO SPECIFIED TOLERANCES, DURING THE CONSTRUCTION, IF REQUIRED, AND DURING THE WARRANTY PERIOD, ERODED AREAS WHERE TURF IS TO BE ESTABLISHED SHALL BE RESEDED AND MULCHED.
 - WHERE COMPLETED COMPACTED AREAS ARE DISTURBED BY SUBSEQUENT CONSTRUCTION OPERATIONS OR ADVERSE WEATHER, CONTRACTOR SHALL SCARIFY, SURFACE, RESHAPE, AND COMPACT TO REQUIRED DENSITY PRIOR TO FURTHER CONSTRUCTION.

GRADING PLAN LEGEND:

- 1125 --- EX. 1' CONTOUR ELEVATION INTERVAL
- 1137 --- 1.0' CONTOUR ELEVATION INTERVAL
- 41.26 SPOT GRADE ELEVATION (GUTTER/FLOW LINE UNLESS OTHERWISE NOTED)
- 891.00 G SPOT GRADE ELEVATION GUTTER
- 891.00 TC SPOT GRADE ELEVATION TOP OF CURB
- 891.00 BS/TS SPOT GRADE ELEVATION BOTTOM OF STAIRS/TOP OF STAIRS
- 891.00 ME SPOT GRADE ELEVATION MATCH EXISTING
- ⊕ GB GRADE BREAK - HIGH POINTS
- ==== C&G CURB AND GUTTER (T.O = TIP OUT)
- EOF=1135.52 EMERGENCY OVERFLOW

CITY OF SHOREWOOD / TONKA BAY GRADING NOTES:

- RESERVED FOR CITY SPECIFIC GRADING NOTES.

EROSION CONTROL NOTES:

SEE SWPPP ON SHEETS SW1.0 - SW1.5

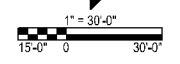
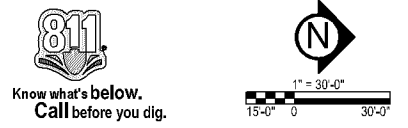
**PRELIMINARY:
NOT FOR
CONSTRUCTION**

PROJECT
24320 & 24250 Smithtown Road
Tonka Bay & Shorewood, Minnesota 55331
TSML PROPERTIES, LLC
10014 ORLEANS LANE N., MAPLE GROVE, MN 55369

ISSUE/SUBMITTAL SUMMARY	
DATE	DESCRIPTION
11-18-2014	ISSUE/REVISION SUMMARY
12-21-2014	ISSUE/REVISION SUMMARY

REVISION SUMMARY	
DATE	DESCRIPTION
2-28-23	CITY COMMENTS

DRAWN BY: ktl/bl		REVIEWED BY: ktl	
PROJECT NUMBER: 22227			



**PRELIMINARY:
NOT FOR
CONSTRUCTION**

24320 & 24250 Smithtown Road

Tonka Bay & Shorewood, Minnesota 55331

TSML PROPERTIES, LLC

10014 ORLEANS LANE N., MAPLE GROVE, MN 55369

PROJECT

ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
11-18-2014	ISSUE/REVISION SUMMARY
12-27-2014	UTILITY REVISIONS

DRAWN BY: kit, dlj REVIEWED BY: kit
PROJECT NUMBER: 22227

REVISION SUMMARY

DATE	DESCRIPTION









UTILITY PLAN

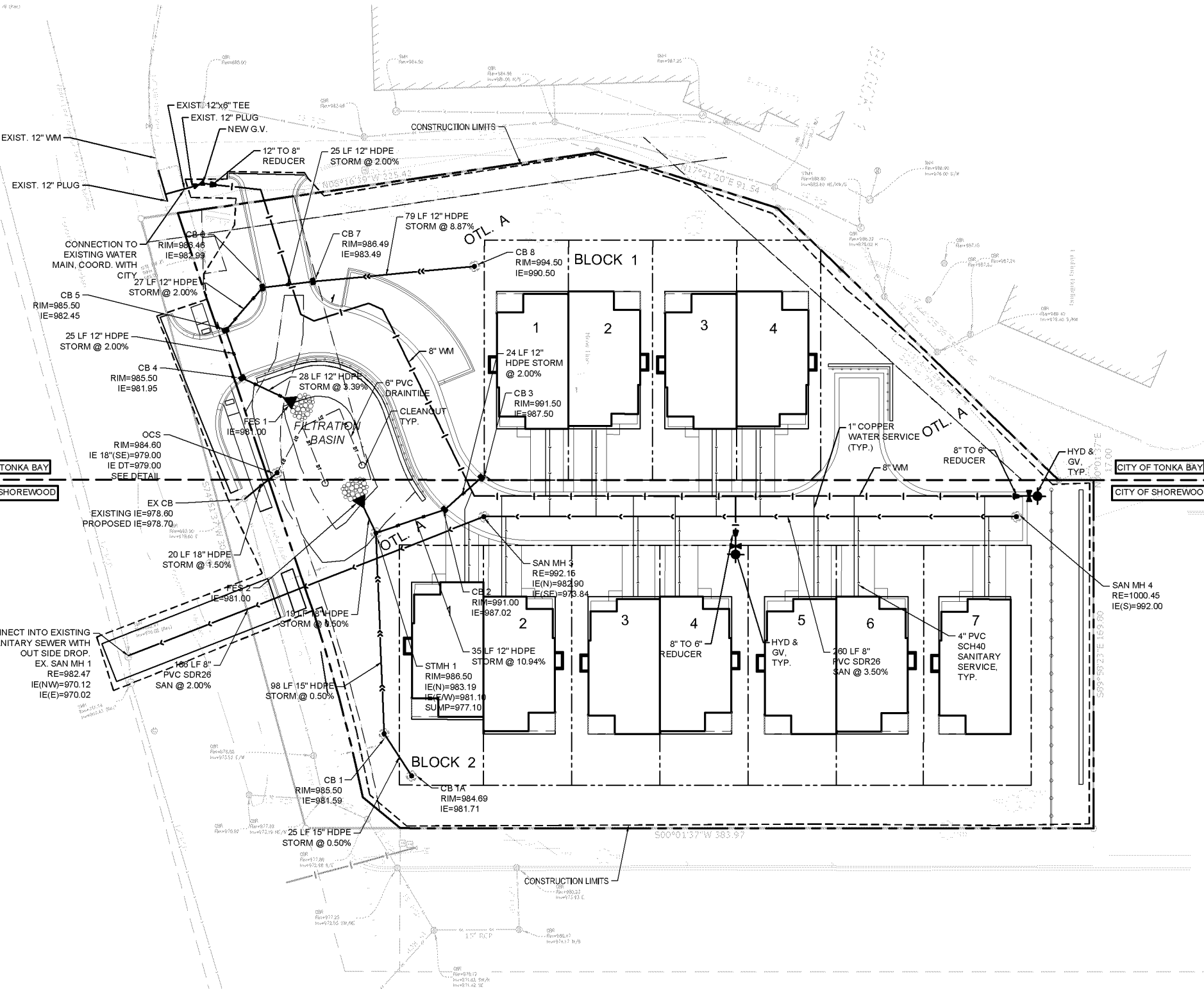
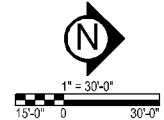
C4.0

GENERAL UTILITY NOTES:

- ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
- SEE SITE PLAN FOR HORIZONTAL DIMENSIONS AND LAYOUT.
- CONTRACTOR SHALL FIELD VERIFY LOCATION AND ELEVATION OF EXISTING UTILITIES AND TOPOGRAPHIC FEATURES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF DISCREPANCIES OR VARIATIONS FROM THE PLANS.
- UTILITY INSTALLATION SHALL CONFORM TO THE CURRENT EDITION OF "STANDARD SPECIFICATIONS FOR WATER MAIN AND SERVICE LINE INSTALLATION" AND "SANITARY SEWER AND STORM SEWER INSTALLATION" AS PREPARED BY THE CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM), AND SHALL CONFORM WITH THE REQUIREMENTS OF THE CITY AND THE PROJECT SPECIFICATIONS.
- CASTINGS SHALL BE SALVAGED FROM STRUCTURE REMOVALS AND RE-USED OR PLACED AT THE DIRECTION OF THE OWNER.
- ALL WATER PIPE SHALL BE CLASS 52 DUCTILE IRON PIPE (DIP) AWWA C151, ASME B16.4, AWWA C110, AWWA C153 UNLESS OTHERWISE NOTED.
- ALL SANITARY SEWER SHALL BE SDR 26 POLYVINYL CHLORIDE (PVC) ASTM D3034 & F679, OR SCH 40 ASTM D1785, 2665, ASTM F794, 1866) UNLESS OTHERWISE NOTED.
- ALL STORM SEWER PIPE SHALL BE HDPE ASTM F714 & F2306 WITH ASTM D3212 SPEC FITTINGS UNLESS OTHERWISE NOTED.
- PIPE LENGTHS SHOWN ARE FROM CENTER TO CENTER OF STRUCTURE OR TO END OF FLARED END SECTION.
- UTILITIES ON THE PLAN ARE SHOWN TO WITHIN 5' OF THE BUILDING FOOTPRINT. THE CONTRACTOR IS ULTIMATELY RESPONSIBLE FOR THE FINAL CONNECTION TO BUILDING LINES. COORDINATE WITH ARCHITECTURAL AND MECHANICAL PLANS.
- CATCH BASINS AND MANHOLES IN PAVED AREAS SHALL BE SUMPED 0.04 FEET. ALL CATCH BASINS IN GUTTERS SHALL BE SUMPED 0.15 FEET PER DETAILS. RIM ELEVATIONS SHOWN ON THIS PLAN DO NOT REFLECT SUMPED ELEVATIONS.
- ALL FIRE HYDRANTS SHALL BE LOCATED 5 FEET BEHIND BACK OF CURB UNLESS OTHERWISE NOTED.
- HYDRANT TYPE, VALVE, AND CONNECTION SHALL BE IN ACCORDANCE WITH CITY REQUIREMENTS. HYDRANT EXTENSIONS ARE INCIDENTAL.
- A MINIMUM OF 8 FEET OF COVER IS REQUIRED OVER ALL WATERMAIN, UNLESS OTHERWISE NOTED. EXTRA DEPTH MAY BE REQUIRED TO MAINTAIN A MINIMUM OF 18" VERTICAL SEPARATION TO SANITARY OR STORM SEWER LINES, EXTRA DEPTH WATERMAIN IS INCIDENTAL.
- A MINIMUM OF 18 INCHES OF VERTICAL SEPARATION AND 10 FEET OF HORIZONTAL SEPARATION IS REQUIRED FOR ALL UTILITIES, UNLESS OTHERWISE NOTED.
- ALL CONNECTIONS TO EXISTING UTILITIES SHALL BE IN ACCORDANCE WITH CITY STANDARDS AND COORDINATED WITH THE CITY PRIOR TO CONSTRUCTION.
- CONNECTIONS TO EXISTING STRUCTURES SHALL BE CORE-DRILLED.
- COORDINATE LOCATIONS AND SIZES OF SERVICE CONNECTIONS WITH THE MECHANICAL DRAWINGS.
- COORDINATE INSTALLATION AND SCHEDULING OF THE INSTALLATION OF UTILITIES WITH ADJACENT CONTRACTORS AND CITY STAFF.
- ALL STREET REPAIRS AND PATCHING SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CITY. ALL PAVEMENT CONNECTIONS SHALL BE SAWCUT. ALL TRAFFIC CONTROLS SHALL BE PROVIDED BY THE CONTRACTOR AND SHALL BE ESTABLISHED PER THE REQUIREMENTS OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MMUTCD) AND THE CITY. THIS SHALL INCLUDE BUT NOT BE LIMITED TO SIGNAGE, BARRICADES, FLASHERS, AND FLAGGERS AS NEEDED. ALL PUBLIC STREETS SHALL BE OPEN TO TRAFFIC AT ALL TIMES. NO ROAD CLOSURES SHALL BE PERMITTED WITHOUT APPROVAL BY THE CITY.
- ALL STRUCTURES, PUBLIC AND PRIVATE, SHALL BE ADJUSTED TO PROPOSED GRADES WHERE REQUIRED. THE REQUIREMENTS OF ALL OWNERS MUST BE COMPLIED WITH. STRUCTURES BEING RESET TO PAVED AREAS MUST MEET OWNERS REQUIREMENTS FOR TRAFFIC LOADING.
- CONTRACTOR SHALL COORDINATE ALL WORK WITH PRIVATE UTILITY COMPANIES.
- CONTRACTOR SHALL COORDINATE CONNECTION OF IRRIGATION SERVICE TO UTILITIES. COORDINATE THE INSTALLATION OF IRRIGATION SLEEVES NECESSARY AS TO NOT IMPACT INSTALLATION OF UTILITIES.
- CONTRACTOR SHALL MAINTAIN AS-BUILT PLANS THROUGHOUT CONSTRUCTION AND SUBMIT THESE PLANS TO ENGINEER UPON COMPLETION OF WORK.
- ALL JOINTS AND CONNECTIONS IN STORM SEWER SYSTEM SHALL BE GASTIGHT OR WATERTIGHT. APPROVED RESILIENT RUBBER JOINTS MUST BE USED TO MAKE WATERTIGHT CONNECTIONS TO MANHOLES, CATCHBASINS, OR OTHER STRUCTURES.
- ALL PORTIONS OF THE STORM SEWER SYSTEM LOCATED WITHIN 10 FEET OF THE BUILDING OR WATER SERVICE LINE MUST BE TESTED IN ACCORDANCE WITH MN RULES, CHAPTER 4714, SECTION 1109.0.
- FOR ALL SITES LOCATED IN CLAY SOIL AREAS, DRAIN TILE MUST BE INSTALLED AT ALL LOW POINT CATCH BASINS 25' IN EACH DIRECTION. SEE PLAN AND DETAIL. INSTALL LOW POINT DRAIN TILE PER PLANS AND GEOTECHNICAL REPORT RECOMMENDATIONS AND REQUIREMENTS.

UTILITY LEGEND:

-  CATCH BASIN
-  MANHOLE
-  GATE VALVE AND VALVE BOX
-  PROPOSED FIRE HYDRANT
-  WATER MAIN
-  SANITARY SEWER
-  STORM SEWER
-  FES AND RIP RAP



CITY OF SHOREWOOD / TONKA BAY UTILITY NOTES:
1. RESERVED FOR CITY SPECIFIC UTILITY NOTES.

PRELIMINARY:
NOT FOR
CONSTRUCTION





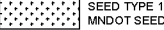
PLANT SCHEDULE - ENTIRE SITE

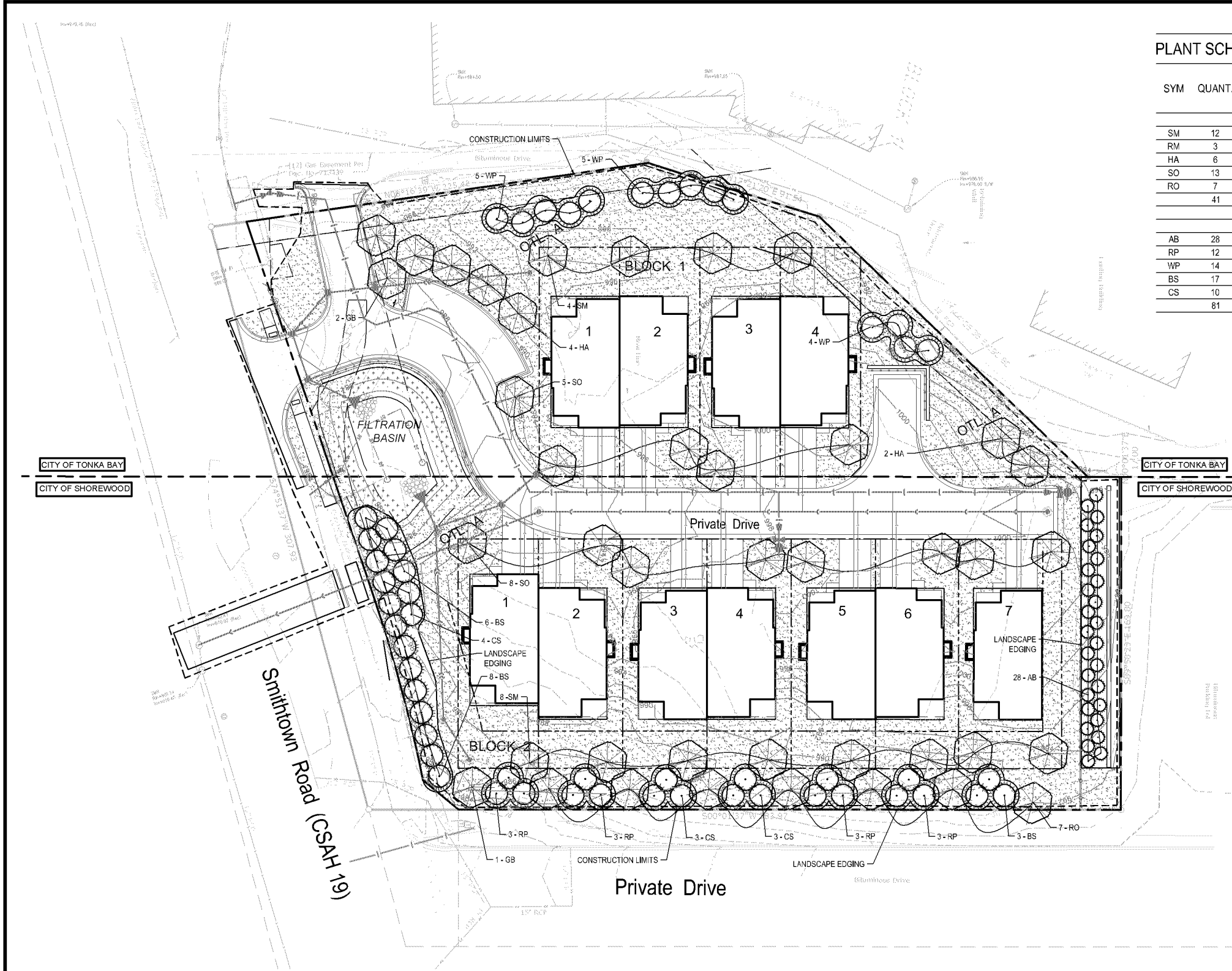
SYM	QUANT.	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	COMMENTS
DECIDUOUS TREES						
SM	12	SUGAR MAPLE	<i>Acer saccharum</i>	3.0" CAL.	B&B	STRAIGHT LEADER, FULL FORM
RM	3	PRESIDENTIAL GOLD GINKGO	<i>Ginkgo biloba</i> "The President"	3.0" CAL.	B&B	STRAIGHT LEADER, FULL FORM
HA	6	HACKBERRY	<i>Celtis occidentalis</i>	3.0" CAL.	B&B	STRAIGHT LEADER, FULL FORM
SO	13	SWAMP WHITE OAK	<i>Quercus bicolor</i>	3.0" CAL.	B&B	STRAIGHT LEADER, FULL FORM
RO	7	RED OAK	<i>Quercus rubrum</i>	3.0" CAL.	B&B	STRAIGHT LEADER, FULL FORM
41	TOTAL DECIDUOUS TREES					
EVERGREEN TREES						
AB	28	TECHNY ARBORVITAE	<i>Thuja occidentalis</i>	6' ht	B&B	STRAIGHT LEADER, FULL FORM
RP	12	RED PINE	<i>Pinus resinosa</i>	6' ht	B&B	STRAIGHT LEADER, FULL FORM
WP	14	WHITE PINE	<i>Pinus strobus</i>	6' ht	B&B	STRAIGHT LEADER, FULL FORM
BS	17	BLACK HILLS SPRUCE	<i>Picea glauca</i> "Densata"	6' ht	B&B	STRAIGHT LEADER, FULL FORM
CS	10	COLORADO SPRUCE	<i>Picea pungens</i> "Glauca"	6' ht	B&B	STRAIGHT LEADER, FULL FORM
81	TOTAL EVERGREEN TREES					

LANDSCAPE NOTES:

- WHERE SHOWN, SHRUB & PERENNIAL BEDS SHALL BE MULCHED - SEE SCHEDULE BELOW
- ALL TREES SHALL BE MULCHED TO OUTER EDGE OF SAUCER OR TO EDGE OF PLANTING BED, IF APPLICABLE. ALL MULCH SHALL BE KEPT WITHIN A MINIMUM OF 2' FROM TREE TRUNK. SEE MULCH SCHEDULE BELOW.
- IF SHOWN ON PLAN, RANDOM SIZED LIMESTONE BOULDERS COLOR AND SIZE TO COMPLEMENT NEW LANDSCAPING. OWNER TO APPROVE BOULDER SAMPLES PRIOR TO INSTALLATION.
- PLANT MATERIALS SHALL CONFORM WITH THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS AND SHALL BE OF HARDY STOCK, FREE FROM DISEASE, DAMAGE AND DISFIGURATION. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING PLUMPNESS OF PLANT MATERIAL FOR DURATION OF ACCEPTANCE PERIOD.
- UPON DISCOVERY OF A DISCREPANCY BETWEEN THE QUANTITY OF PLANTS SHOWN ON THE SCHEDULE AND THE QUANTITY SHOWN ON THE PLAN, THE SCHEDULE SHALL GOVERN AND CONTRACTOR SHALL RECONCILE BETWEEN THE TWO BEFORE INSTALLATION.
- CONDITION OF VEGETATION SHALL BE MONITORED BY THE LANDSCAPE ARCHITECT THROUGHOUT THE DURATION OF THE CONTRACT. LANDSCAPE MATERIALS PART OF THE CONTRACT SHALL BE WARRANTED FOR TWO (2) FULL GROWING SEASONS FROM SUBSTANTIAL COMPLETION DATE.
- ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITIES SHALL RECEIVE MIN. 6" LAYER TOPSOIL AND SOD AS SPECIFIED UNLESS OTHERWISE NOTED ON THE DRAWINGS.
- COORDINATE LOCATION OF VEGETATION WITH UNDERGROUND AND OVERHEAD UTILITIES, LIGHTING FIXTURES, DOORS AND WINDOWS. CONTRACTOR SHALL STAKE IN THE FIELD FINAL LOCATION OF TREES AND SHRUBS FOR REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- ALL PLANT MATERIALS SHALL BE WATERED AND MAINTAINED UNTIL ACCEPTANCE.
- REPAIR AT NO COST TO OWNER ALL DAMAGE RESULTING FROM LANDSCAPE CONTRACTOR'S ACTIVITIES.
- SWEEP AND MAINTAIN ALL PAVED SURFACES FREE OF DEBRIS GENERATED FROM LANDSCAPE CONTRACTOR'S ACTIVITIES.
- PROVIDE SITE WIDE IRRIGATION SYSTEM DESIGN AND INSTALLATION. SYSTEM SHALL BE FULLY PROGRAMMABLE AND CAPABLE OF ALTERNATE DATE WATERING. THE SYSTEM SHALL PROVIDE HEAD TO HEAD OR DRIP COVERAGE AND BE CAPABLE OF DELIVERING ONE INCH OF PRECIPITATION PER WEEK. SYSTEM SHALL EXTEND INTO THE PUBLIC RIGHT-OF-WAY TO THE EDGE OF PAVEMENT/BACK OF CURB.
- CONTRACTOR SHALL SECURE APPROVAL OF PROPOSED IRRIGATION SYSTEM INCLUDING PRICING FROM OWNER, PRIOR TO INSTALLATION.

LEGEND

-  PROPOSED CANOPY TREE SYMBOLS - SEE PLANT SCHEDULE AND PLAN FOR SPECIES AND PLANTING SIZES
-  PROPOSED EVERGREEN TREE SYMBOLS - SEE PLANT SCHEDULE AND PLAN FOR SPECIES AND PLANTING SIZES
-  PROPOSED ORNAMENTAL TREE SYMBOLS - SEE PLANT SCHEDULE AND PLAN FOR SPECIES AND PLANTING SIZES
-  LAWN - SOD
-  SEED TYPE 1 - MNDOT 34-262 WET PRAIRIE, PER MNDOT SEEDING MANUAL SPECIFICATIONS (2014)



PROJECT
24320 & 24250 Smithtown Road

Tonka Bay & Shorewood, Minnesota 55331

TSML PROPERTIES, LLC

10014 ORLEANS LANE N., MAPLE GROVE, MN 55369

ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
01/28/2024	ISSUE FOR CITY OF SHOREWOOD
02/27/2024	CITY RESPONSE

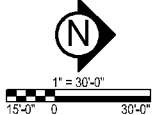
DRAWN BY: kit, dl REVIEWED BY: kit
PROJECT NUMBER: 22227

REVISION SUMMARY

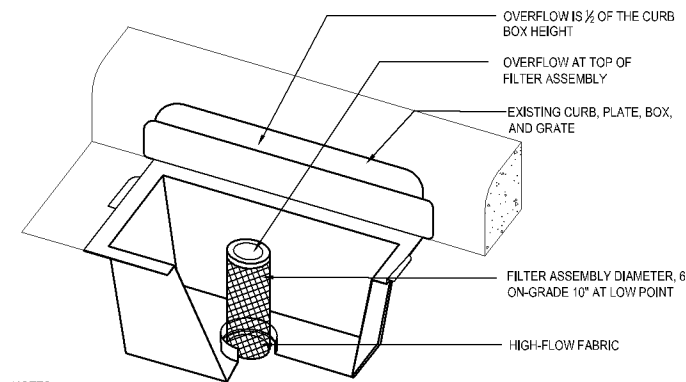
DATE	DESCRIPTION
2/28/23	CITY COMMENTS

LANDSCAPE PLAN

L1.0

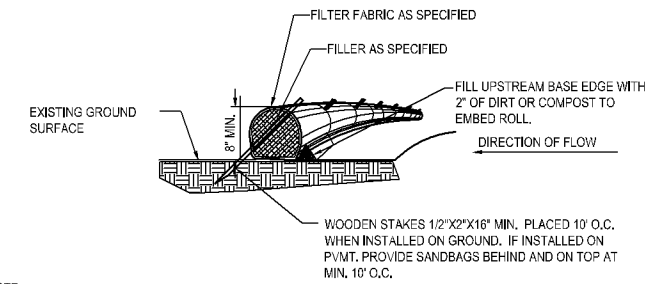


**PRELIMINARY:
NOT FOR
CONSTRUCTION**



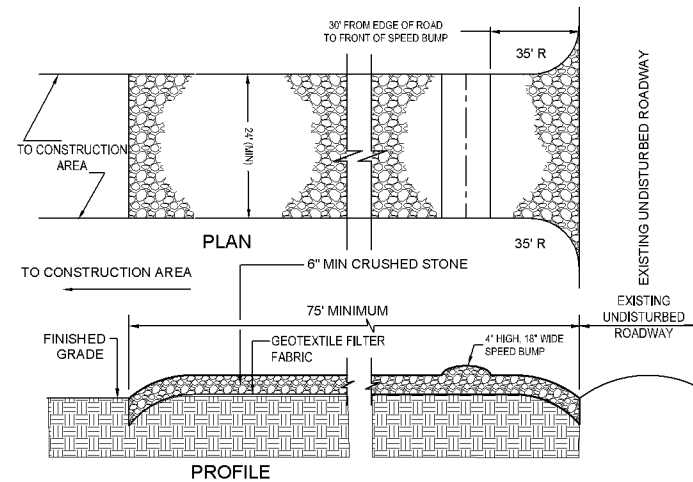
- NOTES:
1. REPLACE INLET GRATE UPON COMPLETE INSTALLATION OF INLET PROTECTION FABRIC.
 2. CONTRACTOR SHALL REMOVE ALL ACCUMULATED SEDIMENT AND DEBRIS FROM THE SURFACE OF THE SYSTEM AFTER EACH STORM EVENT AND AT THE COMPLETION OF THE CONTRACT.
 3. REFERENCE APPLE VALLEY STANDARD PLATE ERO-4-C.

1 CURB INLET FILTER
N T S



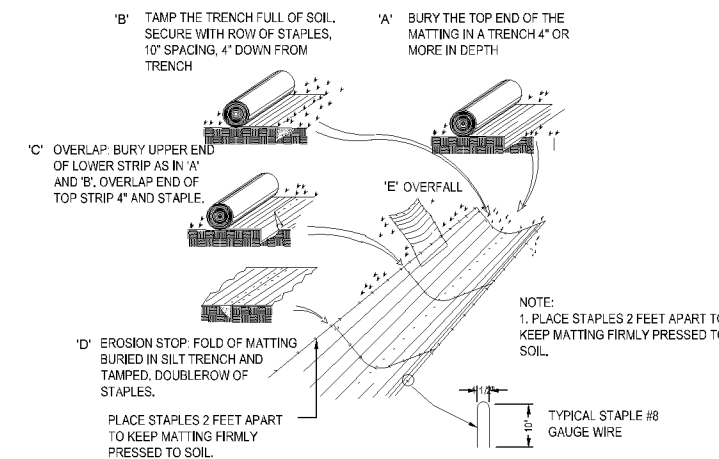
- NOTE:
1. COMPOST FILTER LOGS (BIO ROLLS) SHALL BE FILTREXX EROSION CONTROL SOXX OR APPROVED EQUAL.
 2. COMPOST FILLER TO BE MADE FROM A COMPOST BLEND 30%-40% GRADE 2 (SPEC 3890) AND 60%-70% PARTIALLY DECOMPOSED WOOD CHIPS, PER MNDOT SPEC 3897.
 3. FILTER FABRIC SHALL BE GEOTEXTILE KNITTED MATERIAL WITH MAX. OPENINGS OF 3/8\".
 4. IF MULTIPLE ROLLS NEEDED, OVERLAP BY MIN. 12\" AT ENDS AND STAKE.
 5. SILT SHALL BE REMOVED ONCE IT REACHES 80% OF THE HEIGHT OF THE ROLL OR AS DEEMED NECESSARY BY SITE CONTRACTOR TO MAINTAIN PROPER FUNCTION.

4 SEDIMENT BIO-ROLL / COMPOST FILTER LOG
N T S

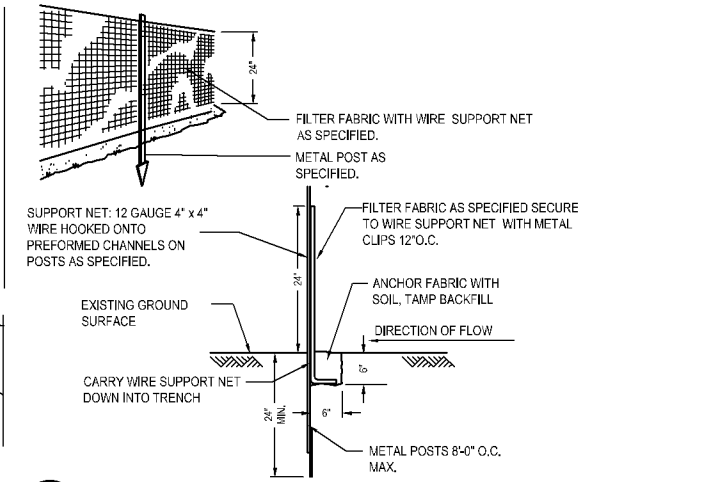


- NOTES:
1. PROVIDE APPROPRIATE TRANSITION BETWEEN STABILIZED CONSTRUCTION ENTRANCE AND UNDISTURBED ROADWAY.
 2. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO UNDISTURBED ROADWAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE OR ADDING STONE TO THE LENGTH OF THE ENTRANCE.
 3. REPAIR AND CLEANOUT MEASURES USED TO TRAP SEDIMENT.
 4. ALL SEDIMENT SPILLED, DROPPED, WASHED, OR TRACKED ONTO UNDISTURBED ROADWAY SHALL BE REMOVED AS DIRECTED BY THE ENGINEER.
 5. FINAL LOCATION AND INSTALLATION SHALL BE COORDINATED WITH THE CITY PRIOR TO CONSTRUCTION ACTIVITIES.
 6. CRUSHED STONE SHALL BE 1-1/2\" DIA. CLOSE GRADED, AND IN ACCORDANCE TO MNDOT SECTION 2118.

2 STABILIZED CONSTRUCTION ACCESS
N T S



3 EROSION BLANKET
N T S



5 SEDIMENT FENCE
N T S

24320 & 24250 Smithtown Road
Tonka Bay & Shorewood, Minnesota 55331
TSMI PROPERTIES, LLC
10014 ORLEANS LANE N., MAPLE GROVE, MN 55369

ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
10-28-2022	ISSUE FOR PERMIT REVIEW
10-27-2022	ISSUE FOR PERMIT REVIEW

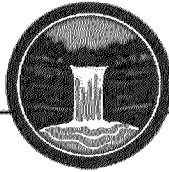
DRAWN BY: ktl, dlj REVIEWED BY: ktl
PROJECT NUMBER: 22227

REVISION SUMMARY

DATE	DESCRIPTION

SWPPP - DETAILS

SW1.2



February 1, 2023

Attn: Marie Darling, TSML Properties, LLC:

RE: Pre-Application Comments for 24250 Smithtown Road, Shorewood, MN

Dear Ms. Darling,

Thank you for your early coordination with the Minnehaha Creek Watershed District (MCWD or District) for the 24250 Smithtown Road, Shorewood, MN (Project). District staff appreciates your early coordination as it ensures a mutual clarity of project scope, regulatory requirements, and opportunities for collaboration.

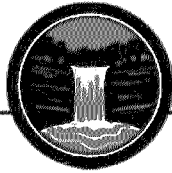
Project Understanding

This project will entail construction of a new multifamily residential development with 12 units. The project will take place on 2 parcels, one in Shorewood and one in Tonka bay, for a total of 2.58 acres. The MCWD has rule authority in both cities.

MCWD Permitting Process

To ensure a streamlined permitting process, while preserving the potential to identify opportunities for collaboration, the District outlines regulatory requirements for projects during the pre-application phase. Accordingly, our current understanding of the Project and its interaction with the District's natural resource regulations are outlined below for your Project. Following review of this letter, at your discretion, we recommend check-ins to review the Project proposal, and to clarify any point of ambiguity, before submitting a formal application for review. At that time, we can address any remaining questions regarding the formal application process, milestones, and estimated timeline. **We also request that concept plans and drawings be submitted via email, when available. This will allow MCWD to continue assessing the project for any potential opportunities or risks.**

We collaborate with public and private partners to protect and improve land and water for current and future generations.



Below are the current MCWD Rules that may be triggered based on our current understanding of the Project scope. The District is currently in the process of revising its rules with the intention of implementing new rules by Q2, 2023. If application materials are received after new rules are implemented, this letter may no longer be applicable.

Erosion Control Rule

The Erosion Control Rule is triggered when a project proposes 5,000 square feet for more of land disturbance, or 50 cubic yards or more of excavation/fill on a property. The Project, as currently proposed will meet those thresholds and will trigger this rule. This rule will require that an erosion and sediment control plan be submitted to the District for review and approval.

Stormwater Management Rule

The development or redevelopment of a multi-unit residential project that creates new or replaces existing hardcover is subject to the District's Stormwater management rule. This project appears to propose an increase in impervious surface, disturbing more than 40% of the site, so phosphorous, rate, and volume control will be required for the entire sites impervious surface.

Floodplain Alteration Rule

The District's floodplain alteration rule is triggered if land is disturbed at or below the 100 year flood elevation of the waterbody. This project does not appear that it will disturb land below that elevation, so this rule will likely not be triggered.

Waterbody Crossings & Structures Rule

The Waterbody Crossings & Structures rule is triggered by installation of a bridge, boardwalk, or associated structure in contact with the bed or bank of any waterbody (either by the pilings of the boardwalk in contact with the lakebed AND/OR by the boardwalk connection to existing/future trail at the bank of the lake). This project will not trigger this rule.

Shoreline & Streambank Stabilization Rule

The Shoreline & Streambank Stabilization rule is triggered by any project that alters the shoreline, this includes riprap, biological stabilization, bioengineering, retaining walls, sheet piling, and boat ramps. This rule is not applicable to this project.

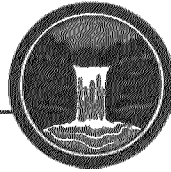
Wetland Protection Rule

The Wetland Protection Rule is triggered for any proposed impact to a wetland and the buffer provisions of the rule are triggered whenever the Stormwater Management and Waterbody & Crossings Structures rules are triggered. Based on District staff's current understanding of the Project, the buffer provision will not be triggered.

Other Considerations

- The project will take place on 2 parcels in separate cities. Are all parties in coordination on regulation?

We collaborate with public and private partners to protect and improve land and water for current and future generations.



MCWD Application Submittal: MCWD has an online permitting portal for applicants to apply for, track, modify, and pay for permit all in one location. Again, the District recommends a formal pre-application meeting to prior to submittal. Once an MCWD permit application is received, staff have 15 business days to deem the application complete or incomplete. In the event that the application is deemed incomplete, the timeline would commence upon a resubmittal. Once the application is deemed complete, a 14-day public notice will be sent out to property owners within 600 feet of the project site. During this time period, residents have the option to contact staff and/or request that the permit application be considered by the Board of Managers. In the event that a Board consideration is requested, the permit application would be scheduled for the next available meeting. The Board of Managers typically meet on the 2nd & 4th Thursday monthly. If there are no comments received, once the public notice period ends, a Letter of Conditional Approval will be sent outlining the required administrative items. Administrative items typically include, but are not limited to reimbursement of fees, submission of financial assurance, and submission of a recorded declaration for stormwater facilities and wetland buffers.

Regulatory and Opportunity Coordination

As the Project moves forward, I will be your main point of contact. I am available discuss with you and your consultant your Project timeline and how to streamline with MCWD’s permit permitting process. The District appreciates the opportunity to coordinate in the early stages of the Project. In addition, to providing the District’s preliminary assessment of potential rule triggers and the respective application process, the District would like to continue in parallel its conversations regarding potential partnership opportunities. At this time and based on our current understanding of the Project, staff would appreciate continuing our on-going discussions to explore coordination and/or partnership opportunities as the Project continues to move forward in planning and design.

Thank you for your on-going coordination and please reach out if you have any questions regarding MCWD’s rules and permit process as it applies to your Project. In addition, we look forward to also coordinate with the RES Staff, Civitas, and the City to determine if there are additional opportunities in parallel with your Project.

Sincerely,

Trey Jonas
Permitting Technician, MCWD

We collaborate with public and private partners to protect and improve land and water for current and future generations.



Marie Darling

From: KC Atkins <KC.Atkins@hennepin.us>
Sent: Tuesday, February 14, 2023 11:24 AM
To: Marie Darling; ljohnson@wsbeng.com
Cc: Transportation.Plats; Dan Patterson; Eric M Drager; Michael D Olmstead; Marc Nevinski; andrew.budde@bolton-menk.com; Matt Bauman
Subject: 24320 & 24520 Smithtown Henn Co Comments

Good morning all,

Thank you for connecting with county staff regarding the redevelopment of 34320 & 24520 Smithtown Road. Below are county staff's preliminary comments on the development.

1. County staff support removal of the retaining wall and moving it to private property and ownership. There is an existing retaining wall easement that will likely require a county board action to vacate. We have started conversations internally to get this process moving forward. We will provide you with a contact once we have one.
2. County staff supports t-ing the private driveway with CSAH 19 as shown in the concept plans
3. County staff supports the reconstruction of the existing sidewalks and curb ramps to be directional. Please ensure these ramps are ADA compliant
4. County staff requests the developer provide dimensions from back of sidewalk to right-of-way and property/filtration basin to better determine whether a trail and/or drainage and utility easement will be requested along these properties.

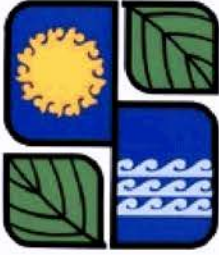
Please let us know if you have any questions.

Thank you,
KC

KC Atkins, P.E.
Senior Professional Engineer | she/her/hers
Public Works – Transportation Planning

Hennepin County Public Works | 1600 Prairie Drive | Medina, MN 55340
Office: 612-596-0354
KC.Atkins@hennepin.us | hennepin.us

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CITY OF SHOREWOOD

5755 Country Club Road • Shorewood, Minnesota 55331 • 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

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 outlet 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

Property Information: 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.

Application Discretion: 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:

Private street: 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.
- 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.

Lesser setbacks. 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 recognizing surrounding 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:

	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.

Impervious Surface Coverage. 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.
- 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 adjacent 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.
- The proposed use would not tend to depreciate the area
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.

Park Dedication: 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.

Design of the homes: 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.

Utilities: 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.

Tree Preservation/Landscaping: 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

Marie Darling

From: James Douglas <jamesgdouglas@hotmail.com>
Sent: Tuesday, March 7, 2023 12:19 PM
To: Planning
Subject: Development 24250 Smithtown Rd.

In the nearly four decades my wife and I have lived at 24010 Smithtown Road in Shorewood, we've experienced a dramatic increase in vehicular traffic on Smithtown Rd.

There are occasions when access from our drive to the street can take several minutes due to heavy traffic flow.

That traffic can also pose danger to residents living on Smithtown.

Twice I've been nearly struck while checking my mailbox at the curb.

Evidently, some west bound motorists assume the right hand turn lane onto Shorewood Ln is a through street.

In recent months South Lake Minnetonka Police Department has stepped up speed enforcement on this portion of the street due to excessive violations.

Further residential development in the immediate area is bound to exacerbate what is already a deeply concerning traffic pattern along Smithtown Rd.

Sent from my iPad

**CITY OF SHOREWOOD
COUNTY OF HENNEPIN
STATE OF MINNESOTA**

RESOLUTION 23 - 047

**A RESOLUTION APPROVING A PUD CONCEPT PLAN FOR THE PROPERTY LOCATED AT 24250
SMITHTOWN ROAD**

WHEREAS, TSML Properties, LLC. (Applicant), has submitted a request a PUD Concept Plan for a development to be called “Smithtown Road Redevelopment” (the “Request”) for the property legally described as:

That part of Auditor’s Subdivision No. 133, lying east of the west 220.82 feet of Lot 3; and lying southerly and westerly of the following described line A:

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 northerly boundary of County Road 19; thence east at right angles to a point distance 70 feet west of the east line of Lot 3; thence south parallel to the east line of Lot 3 to the northly boundary of County Road 19 and there terminating. (the “Property”)

WHEREAS, the Request has been submitted in the manner required for the development of land under the Shorewood City Code and under Chapter 462 of Minnesota Statutes, and all proceedings have been duly consistent thereunder; and,

WHEREAS, said Request is consistent with the regulations and requirements of the laws of the State of Minnesota and the City Code of the City of Shorewood for the approval of such a request.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHOREWOOD, MINNESOTA, AS FOLLOWS:

1. The Request for a PUD concept plan for a development to be called “Smithtown Road Redevelopment” for 7 lots for single- and two-family homes and one lot to be owned in common is hereby approved according to the plans and materials submitted January 24, and March 21, 2023, (the “Plans”) subject to the contingency and conditions listed below.
2. The approval of this request is contingent upon the approval of the request by the City of Tonka Bay as shown on the Plans.
3. With subsequent applications, the Applicant shall submit plans and materials as required by the zoning and subdivision regulations and elsewhere in City Code and as may be indicated by the City Engineer’s Memo dated March 30, 2023.
4. With the next phases of development, the applicant shall also submit the following:
 - A. Detailed information on the materials to be exported, including where on the property it will be removed, erosion control methods, the haul route proposed, etc.
 - B. Detail on materials for the fence and the retaining wall.
 - C. Elevations and concept floor plans for all structures in the development.

5. The PUD Concept Plan is approved to allow seven single- and two-family homes as the permitted use within this subdivision and accessory uses and dimensional requirements as allowed by the R-2B district except as provided herein and as shown on the Plans dated March 21, 2023 and except that the following accessory uses shall not be permitted: 1) storage or parking of recreational vehicles or equipment outside the garage; 2) any garage that does not include at least space for one passenger vehicle (not including recreational vehicles or equipment); 3) renting garage space to nonresidents of the property; and 4) noncommercial greenhouses and conservatories; and 5) accessory structures like storage sheds.
6. The PUD Concept Plan is approved allowing the following dimensional requirements:
 - 1) Setback to the internal private drive: 25 feet to the garage;
 - 2) Setback between structures: 16 feet;
 - 3) Setback to north property line: 40 feet;
 - 4) Setback to east property line: 45 feet;
 - 5) Setback to Smithtown Road right-of-way: 35 feet for structure, 32 feet for deck.
 - 6) No dwelling or other structure attached to the principal dwelling may cross a property line.
7. Maximum height shall be determined with the PUD Development plan.
8. The lots areas and widths for each residential property shall be as shown and approved on the final plat.
9. The development shall have one provider of trash and recycling for all properties.
10. The City Council hereby authorizes the staff to work cooperatively with Tonka Bay's staff to draft potential agreements for stormwater maintenance, utility agreements and encroachment agreements for private streets over public utilities. All such agreements shall be reviewed, approved and executed by the Shorewood City Council prior to recording the plat or disturbing the site.
11. With subsequent applications, the applicant shall provide shared access agreements concerning the alteration and maintenance of the private drive shared with the property to the east.
12. The approval for the PUD Concept Plan shall expire in 180 days if the applicant has not submitted a complete application for PUD Development Plan, except that the applicant may request an extension to the approval subject to the requirements of Section 1201.25 Subd. 6. c. (5).

ADOPTED BY THE CITY COUNCIL OF SHOREWOOD Minnesota this 8th day of May, 2023.

Jennifer Labadie, Mayor

ATTEST:

Sandie Thone, City Clerk



City of Shorewood Council Meeting Item

Title/Subject: Bond Reimbursement Resolution

Meeting Date: May 8, 2023

Prepared By: Joe Rigdon, Finance Director

Reviewed By: Marc Nevinski, City Administrator

8A
MEETING TYPE REGULAR

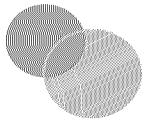
Attachments: Letter from Shannon Sweeney of David Drown Associates;
Resolution

Background: Reimbursement resolutions allow one or more city funds to loan money to a capital projects fund or enterprise fund for capital costs, and to require reimbursement to the original fund(s). For the 2023 street and utility projects, it is advisable that the city have a reimbursement Resolution approved. The Resolution will allow the city to reimburse itself with tax exempt bond proceeds for project expenses that the city has already paid for, as well as provide flexibility for financing as there will be multiple projects financed through a single bond issue. The reimbursement resolution does not obligate the City to issue bonds.

The following projects are included in the reimbursement resolution:

- Birch Bluff Road Street & Utility Improvements
- Lift Station 11 Rehabilitation

Recommended Action: Staff recommends approval of a Resolution Declaring the Official Intent of the City of Shorewood to Reimburse Certain Expenditures from the Proceeds of Bonds to be Issued by the City.



DDA

David Drown Associates, Inc.
Public Finance Advisors

Cologne Office:
10555 Orchard Road
Cologne, MN 55322
(952) 356-2992
shannon@daviddrown.com

April 28, 2023

City of Shorewood
Attn: Joe Rigdon, Finance Director
5755 Country Club Road
Shorewood, MN 55331

RE: Reimbursement Resolution - Street & Utility Reconstruction Projects

Honorable Mayor, Council Members, Administrator Nevinski, and Director Rigdon:

The City of Shorewood is in the process of implementing the Birch Bluff street and utility reconstruction project and the renovation of Lift Station #11. As those projects may be funded through the issuance of tax exempt bonds, it would be our recommendation for the City Council to adopt a reimbursement resolution which preserves the City's ability to reimburse project costs from the proceeds of tax exempt bonds.

A reimbursement resolution is required to reimburse capital costs from tax exempt bond proceeds if the bonds are issued more than 60 days after the capital cost has been incurred. As the implementation timelines can vary for capital projects, it would be appropriate to adopt a reimbursement resolution to preserve flexibility for the implementation of project financing.

Enclosed for City Council consideration is a resolution declaring the City's intent to reimburse project costs from the proceeds of tax exempt bonds. The resolution does not obligate the City to issue bonds, but preserves the City's ability to coordinate financing for these two projects.

Please feel free to contact me if I can be of any assistance in answering questions regarding the information provided.

Sincerely,

Shannon Sweeney, Associate
David Drown Associates, Inc.

**CITY OF SHOREWOOD
COUNTY OF HENNEPIN
STATE OF MINNESOTA**

RESOLUTION NO. 23-048

**DECLARING THE OFFICIAL INTENT OF THE
CITY OF SHOREWOOD TO REIMBURSE
CERTAIN EXPENDITURES FROM THE PROCEEDS
OF BONDS TO BE ISSUED BY THE CITY**

WHEREAS, the Internal Revenue Service has issued Treas. Reg. § 1.150-2 (the “Reimbursement Regulations”) providing that proceeds of tax-exempt bonds used to reimburse prior expenditures will not be deemed spent unless certain requirements are met; and

WHEREAS, the City expects to incur certain expenditures that may be financed temporarily from sources other than bonds, and reimbursed from the proceeds of a tax-exempt bond;

WHEREAS, the City has determined to make this declaration of official intent (the “Declaration”) to reimburse certain costs from proceeds of bonds in accordance with the Reimbursement Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHOREWOOD AS FOLLOWS:

1. The City proposes to undertake the following projects (the “Projects”).

Birch Bluff Street & Utility Reconstruction Project
Lift Station #11 Rehabilitation Project

2. The City reasonably expects to reimburse the expenditures made for certain costs of the Projects from the proceeds of bonds in an estimated maximum principal amount of \$5,645,000. All reimbursed expenditures will be capital expenditures, costs of issuance of the bonds, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Reimbursement Regulations.

3. This Declaration has been made not later than 60 days after payment of any original expenditure to be subject to a reimbursement allocation with respect to the proceeds of bonds, except for the following expenditures: (a) costs of issuance of bonds; (b) costs in an amount not in excess of the lesser of \$100,000 or 5 percent of the proceeds of an issue; or (c) “preliminary expenditures” up to an amount not in excess of 20 percent of the aggregate issue price of the issue or issues that finance or are reasonably expected by the City to finance the project for which the preliminary expenditures were incurred. The term “preliminary expenditures” includes architectural, engineering, surveying, bond issuance, and similar costs that are incurred prior to commencement of acquisition, construction or rehabilitation of a project, other than land

acquisition, site preparation, and similar costs incident to commencement of construction.

4. This Declaration is an expression of the reasonable expectations of the City based on the facts and circumstances known to the City as of the date hereof. The anticipated original expenditures for the Project and the principal amount of the bonds described in paragraph 2 are consistent with the City's budgetary and financial circumstances. No sources other than proceeds of bonds to be issued by the City are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside pursuant to the City's budget or financial policies to pay such Project expenditures.

5. This Declaration is intended to constitute a declaration of official intent for purposes of the Reimbursement Regulations.

Adopted this 8th day of May, 2023.

Attest:

Mayor Jennifer Labadie

Sandie Thone, City Clerk



City Council Meeting Item

Title/Subject: Response to License Fee Question

Meeting Date: May 8, 2023

Prepared by: Marie Darling, Planning Director

Item 9.A.1

Background: At the April 10, 2023 meeting, Councilmember Johnson requested a review of the fees for the multiple dock license.

The cost of a license should be adequate to cover the cost of processing the application. The fee for the 2023 Minnetonka Marina license was \$215. The cost of processing the license is –

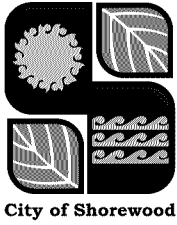
Staff time to Process the license and write the memo: \$105 – 120 (depending on which staff person processes the permit)

Physical processing costs (paper packets, postage, etc.): \$6.00

Inspection: \$75

Total: \$186-201

Currently, the fees charged are adequate to cover the cost of processing the license. Staff will continue to monitor the fees annually.



City Council Meeting Item

Title/Subject: Galpin Lake Sidewalk/Trail Update
Meeting Date: May 8, 2023
Prepared by: Andrew Budde
Reviewed by: Matt Morreim
Attachments: None

Item
9A.2

Background: Resident Andrew Morrow expressed interest in a working group that would help ensure the Galpin Lake trail stays in the spotlight so that it can be funded and constructed soon.

The potential sidewalk/trail along Galpin Lake Road has been in discussion for several decades and has had a lot of residential support for its implementation. The obstacle has historically been project funding. The city completed a feasibility study, final design, and bidding in the past for the addition of curb and sidewalk along the east side of Galpin Lake Road, but ultimately rejected the bids because the project was 50% over the budget amounts.

More recently in 2021 the city was awarded a Safe Routes to School Planning Grant (SRTS) which was completed in June 2022. The focus of the SRTS was to gain additional support and justification for the sidewalk/trail connection of Galpin Lake Rd but did spread the discussion to about a one-mile radius of the Excelsior Elementary School. In 2022 the city lobbied to the state legislature for support to help fund the sidewalk/trail project. Ultimately no bonding bill was passed so no funding was awarded. Then, in 2022 MnDOT completed a Road Safety Audit (RSA) for the TH 7 Corridor from I-494 to western Carver County. The RSA identified short-, mid-, and long-term solutions along the corridor. The most notable for Galpin Lake Road being the potential closure of the access to TH 7. Staff reviewed this internally and agreed that there are justifiable safety reasons to potentially close the access, however it creates a snowball effect of other questions and concerns related to pedestrians, traffic, and nearby residents. In discussions with MnDOT the next step for TH 7 was to complete a Corridor Study. Shorewood staff and politicians work to further understand this next step and ultimately were willing to lead the Corridor Study if MnDOT or the state legislature was willing to help fund a large majority of the efforts. Staff again met with state legislators and garnered support for a bill to have Shorewood lead the Corridor Study efforts with state bonding. This bill is still under consideration in the legislature. Most recently, MnDOT has posted a Request For Proposal (RFP) where MnDOT would hire a consultant to complete the study by Dec 2024. Staff has the opinion that the process of completing the Corridor Study will help the city and other stakeholders address the multitude of questions and concerns that would come from closing the Galpin Lake Road access to TH 7. The Corridor Study is intended to include public participation and involvement and therefore appears to be the most appropriate method for

Mission Statement: *The City of Shorewood is committed to providing residents quality public services, a healthy environment, a variety of attractive amenities, a sustainable tax base, and sound financial management through effective, efficient, and visionary leadership.*

residents to have concerns heard and further advanced into buildable solutions that work for the residents, Shorewood, MnDOT, and other stakeholders.

Financial or Budget Considerations: Currently none. Future project costs, implementation, and phasing are to be determined as part of the Corridor Study that MnDOT is proposing to lead.

Action Requested: None.

Connection to Vision/Mission: Consistency in providing residents quality public services, a healthy environment, a sustainable tax base, and sound financial management through effective, efficient, and visionary leadership.



City Council Meeting Item

Title/Subject: Strawberry Lane/Lake Minnetonka Regional Trail Crossing
Meeting Date: May 8, 2023
Prepared by: Andrew Budde – City Engineer
Reviewed by: Matt Morreim – Public Works Director
Attachments: None

Item 9A3

Background: Staff provided an update to Council on April 24 related to proposed geometry changes to the Lake Minnetonka Regional Trail Crossing at Strawberry Lane that included S-shaped curvature to provide for a perpendicular trail crossing of Strawberry Lane. Several questions were asked by Council that required further follow up.

Staff met with Three Rivers Park District (TRPD) and Hennepin County Regional Rail Authority (HCRRA) on Friday April 28th to discuss the items in more detail and are summarized below.

Curvature: Early coordination for the project between the agencies did indicate that additional changes to the trail crossing would be desired by TRPD. However, the staff's assumptions were that these were ped ramps and ADA crossing items that are easily incorporated into final design and were not anticipating more substantial S-shaped curvature. The TRPD/HCRRA/City staff on the call agreed that the proposed S-shaped geometrical changes create the safest possible crossing for trail users and are therefore preferred. The proposed 75' radius curvature is designed for 15 mph and is slightly smaller than the typical 100' radius curvature that is typically used for standard 20 mph designs.

Further discussion included signage for stop control or yield control for the trail users. It was determined that the trail crossing would be signed as stop control for the trail users with the Strawberry Lane project. If TRPD/HCRRA determines to change to a yield control in the future based on sight lines and trail user/vehicle behaviors, it will be at their discretion as they operate the trail corridor. The nearest adjacent crossings at Cathcart Drive/W 62nd Street, Smittown Road/Eureka Road, and Wedgwood Drive, and County Road 19 are all signed for stop control for the trail users.

The additional trees that need to be removed in the NW quadrant are quaking aspen, American linden, silver maple, green ash, and elm. The additional trees in the SE quadrant are green ash, silver maple, and buckthorn. The TRPD and HCRRA do not want to add replacement trees in this immediate vicinity to keep the sightlines at the intersection as clear as possible. Trees could be added in other locations and would be at the city expense.

Messaging: The TRPD and HCRRRA do not intend to put out any external messaging related to this change. Staff will coordinate to distribute messaging to the city website and email list serves as appropriate.

Cost Share: TRPD initial contribution was discussed to be 50% for any additional costs associated with the S-shaped curvature and this policy is consistent with type of crossing. The S-shaped curvature was preliminary scoped to be a total change of \$50k so each entity would contribute \$25k. Upon further discussion with TRPD they are willing to contribute 100% of the additional costs as the city is already contributing for the crossing improvements directly adjacent to the roadway such as upgraded ADA pedestrian ramps and the sight line improvements associate with the tree removal to date.

Financial or Budget Considerations: City share is \$0 unless additional replacement trees are requested. Three Rivers Park District share is preliminarily \$50,000 and would be reimbursed by adding to a pending Joint Powers Agreement for the Freeman Park Trailhead Project.

Action Requested: No formal action is required. Staff is seeking a general indication that it is acceptable to proceed with the change.

Connection to Vision/Mission: Consistency in providing residents quality public services, a healthy environment, a sustainable tax base, and sound financial management through effective, efficient, and visionary leadership.

