

CITY OF SHOREWOOD
PLANNING COMMISSION MEETING
TUESDAY APRIL 4, 2023

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

A G E N D A

CALL TO ORDER

ROLL CALL / (LIAISON) SCHEDULE

EGGENBERGER (JUNE, AUG) _____
HUSKINS (JULY) _____
HOLKER (MARCH) _____
GORHAM (MAY) _____
JOHNSON (APRIL) _____
COUNCIL LIAISON MADDY (JAN-JUNE)
COUNCIL LIAISON CALLIES (JULY-DEC)

1. APPROVAL OF AGENDA

2. APPROVAL OF MINUTES

♦ March 7, 2023

3. MATTERS FROM THE FLOOR

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

4. PUBLIC HEARINGS

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

Applicant: TSML Properties LLC

Location: 24250 Smithtown Road

5. REPORTS

A) Council Meeting Report

B) Draft Next Meeting Agenda

6. ADJOURNMENT

**CITY OF SHOREWOOD
PLANNING COMMISSION MEETING
TUESDAY, MARCH 7, 2023**

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

DRAFT MINUTES

CALL TO ORDER

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

ROLL CALL

Present: Commissioners Eggenberger, Holker, Gorham, Johnson; Planning Director Darling; Planning Technician Carlson, and, Council Liaison Maddy

Absent: Commissioner Huskins

1. NOMINATION AND ELECTION OF OFFICERS

Holker moved, Gorham seconded, to elect Commissioner Eggenberger to serve as Chair. Motion passed 4/0.

Johnson moved, Holker seconded, to elect Commissioner Gorham to serve as Vice-chair. Motion passed 4/0.

2. APPROVAL OF AGENDA

Holker moved, Gorham seconded, approving the agenda for March 7, 2022, as presented. Motion passed 4/0.

3. APPROVAL OF MINUTES

- February 7, 2022

Holker moved, Gorham seconded, approving the Planning Commission Meeting Minutes of February 7, 2023, as presented. Motion passed 4/0.

4. MATTERS FROM THE FLOOR – NONE

5. PUBLIC HEARINGS

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

- A. PUBLIC HEARING – Rezoning and PUD Concept Plan for a Twin Home Development**
Applicant: TSML Properties LLC
Location: 24250 Smithtown Road

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Planning Director Darling explained the request from TSML Properties, LLC to rezone the property at 24250 Smithtown Road and for a PUD concept plan for 8 townhomes which would be individually owned. She noted that this item relates to only the portion of the project that would be located in Shorewood and noted that there are components of the project that are in Tonka Bay. She stated that staff feels that they are proposing too many units on the site to be able to offer adequate buffer and transition between the proposed homes and the Public Works facility. She stated that staff finds this inconsistent with the direction in the Comprehensive Plan and feels that the conflict between uses would be problematic without at least having visual protection of this activity. She explained that staff was recommending denial of the application of both the rezoning and the PUD concept plan. She noted that the City received one letter that expressed concern about the development.

Commissioner Gorham asked what the next step in the process would be if the Planning Commission decided to actually recommend approval.

Planning Director Darling explained that if the application moves forward to the City Council and they find it should be approved, the applicant would need to come back for a PUD development plan and Preliminary Plat, a PUD final plat and Final Plat.

Commissioner Holker stated that this proposal has also not been formally presented to the City of Tonka Bay either.

Commissioner Gorham stated that he remembered that the Commission had heard a different proposal for these sites and at that time there was some preliminary discussions with Tonka Bay on the overall process. He asked if there was any insight into how this may play out.

Planning Director Darling stated that the previous proposal got to the sketch plan phase of development and believes both cities would support review of the application separately. She stated that the thought was that they did not want to adjust the boundary between the two cities so the development would fully be in one city of the other.

Commissioner Holker asked if the previous applicant had formally walked away from the project.

Planning Director Darling stated that this was correct and explained that the previous applicant had an option on the property and had walked away.

Chair Eggenberger asked if the Planning Commission voted to recommend denial if that would go before the City Council without a delay.

Planning Director Darling stated that was correct.

Todd Simning, Ador Homes, introduced Ryan Lundgren with TSML Properties. He stated that they held a meeting with the cities of Shorewood and Tonka Bay and his take away from was that Tonka Bay wanted to ensure that the units within each respective City were clearly within the boundaries of one or the other and explained that they were aware of the Public Works facility. He noted that they also have had conversations with the County about the possibility of changing the intersection in this location in order to make it more safe. He stated that they applied a little over two weeks ago with Tonka Bay for this application and stated that the applications with the two cities are running concurrently. He noted that two of the biggest objections from staff related to the north property line and the noise from the Public Works facility. He stated that moving the house a bit further away would really not help control the noise level that much and stated that this was one of the reasons behind their fence design and explained their plans for arbor vitae

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because it would reduce the decibel level by about 10 points. He gave an overview of STC ratings which are ratings of decibels as they go through structures and noted that a townhouse project involves STC ratings because people don't want to hear each other, so they put together a good structure that assists with helping the noise not to travel so freely. He stated that he can provide more detailed documents to the City to show what they can utilize in this type of situation. He stated that the City does not have a lot of multi-family housing options available and they would like to provide this option to the residents. He stated that by using quality construction methods they will not downgrade the neighborhood and people will really enjoy living there despite what is nearby. He stated that they are planning for 12 feet between units and reviewed their plans for water runoff plans. He stated that back in 2019 the City approved two structures that were put in with a PUD that are only 10 feet apart, but inside the roof overhangs, the structures are only about 8 feet apart. He referenced Barrington that has side yard setbacks of 4 feet and noted that he feels this is a really nice development. He stated that for the fence on the north side, there is currently a chain link fence, however, they are proposing an 8 foot high white fence and would suggest that their fence replace the chain link fence. He noted that they are willing to maintain it, if the City did not want to take over its maintenance. He explained that they felt this would be better than having two different fences right next to each other. He asked that the Planning Commission move their request on to the City Council. He explained that their goal is to go no more than about the \$1-1.2 million price range for the units.

Commissioner Gorham stated that he would agree that the City needs more multi-family housing options but noted that one of the big constraints on this site, in his opinion, is the elevation.

Mr. Simning stated that the road goes up pretty gradually and they are planning to use most of the land as natural grade.

Kevin Teppen, Civil Site Group, explained that currently, with the driveway coming in, it is relatively flat and you notice the big hill and the existing wall. He stated that with the County agreeing to remove the wall, they have been able to give it a nicer residential feel along Smithtown Road. He stated that it will also allow them to do some things up along the road that would be beneficial to a residential development. He stated that for the existing grade, the 'T' intersection into the commercial area remains at the same grade as it was but they are working with the slope and going up plan to shave about 1.5 feet off which will require some export of material. He reminded the Commission that this is still in the concept level, but they feel it will work out pretty well.

Commissioner Gorham asked what would happen on the north side near building #12.

Mr. Teppen explained that the way it is currently shown, they are sloping down to the property line.

Commissioner Gorham asked to see the landscaping plans and explained that he wanted to see how the grade would work with the landscape plans.

Mr. Teppen stated that the building finished floor for #12 is approximately 1,004 and at the property line it is 997 or 996 so there is some grade change but they do have the plant material about 8 feet in. He stated that they were thinking to put up an opaque fence and put some tall, skinny arbor vitae in there to help with visual and audible screening.

Commissioner Gorham asked if the thought was that a retaining wall would not be needed on this edge.

Mr. Simning stated that they have talked about that and they could easily have a retaining wall in that area which would keep the fence up and allow the arbor vitae to be higher as well.

Commissioner Holker asked if her understanding was correct that Mr. Simning was saying that it would not be financially feasible to have one less building.

Mr. Simning stated that is correct and everything has to be there for it to be feasible.

Commissioner Holker asked about the side elevation for a walk-out with this kind of slope.

Mr. Simning reviewed the grading plans and the egress window wells.

Commissioner Holker asked how much space there would be between the egress window and the fence/arbor vitae.

Mr. Teppen stated that there are 16.4 feet from edge of structure to property line and the egress windows are 3, which brings it down to 13.4 feet. He explained that the arbor vitae are about 5 or 6 feet wide, which means they will be about 7 feet from the arbor vitae, at maturity, to the face of the building.

Chair Eggenberger stated that they are proposing an 8 foot privacy fence and asked if they would like to go higher with it.

Mr. Simning stated that he has done a lot of fencing and feels 6 foot fences are the best, but 8 foot fences are also okay. He stated that once it goes higher than that, there can be problems with sheer from the winds which makes it difficult to go higher.

Chair Eggenberger asked about the water run-off routes.

Mr. Teppen reviewed the water run-off and plans for catch basins.

Commissioner Johnson asked if she was correct that the plans for the fencing on the north side would not even be close to hitting the main level at some parts.

Mr. Simning stated that he believes it will be about 5 feet above where the first floor is located.

Chair Eggenberger opened the Public Hearing at 7:51 P.M. noting the procedures used in a Public Hearing. There being no comments, Chair Eggenberger closed the public hearing at 7:52 P.M.

Chair Eggenberger asked about the roadway and asked if Tonka Bay would own the first portion and Shorewood would own the rest. He asked how this would work for maintenance purposes and if there were other roads handled this same way.

Planning Director Darling stated that it will be a private street so neither of the cities will own it and would actually be owned by the HOA. She stated that the HOA would also be responsible for performing all the maintenance for it as well. She explained that the utilities would be public and would require some sort of encroachment agreement because their roadway will be over the top of the cities utility lines.

Commissioner Gorham stated that one of the things that resonated with him during the presentation was the idea of other developments that have approached the level of variance needs. He stated that he did not want to be in the business of shoehorning properties into a site

and then looking at noise mitigation to offset the allowances that were made. He stated that the STC data is most likely true, but that does not speak to the consistency that the Comprehensive Plan tries to provide. He stated that their plans may work in different cities in another location, but this site is on a hill on a very busy street. He stated that he feels that this is a highly visible site and the applicants are asking for a lot of PUD forgiveness from the City. He explained that he was unwilling to do that for this site because there are too many units crammed in. He stated that he wants more multi-family options for residents but thinks that this plan is too much and would require too much 'shoe-horning'.

Commissioner Holker stated that she concurred with Commissioner Gorham and explained that she would feel better about the project if there was one less building, however she understands that is not financially feasible. She agreed that it feels as though this is stuffed into the area and when the trees are cleared off the visibility and adjacency to the Public Works just would not feel right. She stated that she likes the density of this proposal more than the previous proposal, but she still feels as though they are trying to do too much on this parcel.

Commissioner Johnson stated that she is also concerned that the plans are too dense for the property and explained that she worries about the traffic. She stated that she has concerns about how a private road and a public road will be able to do a good job working together. She explained that the north side just feels too tight and thinks the entire development feels too tight for this parcel. She stated that she would recommend that the Planning Commission follow the recommendation made by staff to recommend denial.

Chair Eggenberger stated that he agrees with what has already been stated. He stated that the Commission could vote to recommend approval because that would mean that everything gets further fleshed out in greater detail, but he is not sure that would change the Commissioners minds.

Gorham moved, Holker seconded, recommending denial of the Rezoning and PUD Concept Plan for a townhouse development by TSML Properties, LLC, located at 24250 Smithtown Road . Motion passed 4/0.

Planning Director Darling stated that this item would come before the City Council at the March 27, 2023 meeting.

6. OTHER BUSINESS

- A. Variance to Side-Yard Setback
Applicant: Kyle Hunt & Partners, Inc.
Location: 28170 Woodside

Planning Director Darling gave an overview of the variance requests for property located at 28170 Woodside Road to allow a new home to be constructed. She explained that they are asking for two variances for a side-yard setback of 27 feet rather than 30 and for an overhang that projects four feet into the side-yard setback where two feet is allowed. She stated that staff found the variance proposals meet the criteria and recommends approval, subject to the conditions listed in the staff report. She stated that the City received one letter from an adjacent property owner stating their support for the variance requests.

Kyle Hunt, Kyle Hunt & Partners, 18324 Minnetonka Boulevard, Deephaven, stated that he was here representing the property owners since they were unable to attend tonight. He stated that he was hoping that the Commission has had a chance to read their narrative and

explained that part of the challenge is that his homeowners are empty nesters with a large immediate family who have the expectation of someday having grandchildren. He explained the desire for the master bedroom on the main level and then accomplishing the rest of the house in ways to accommodate their large family. He stated that every inch proposed on the main level makes sense to them and noted that they are not looking at having a second floor because this is something that they plan to utilize for the remainder of their years. He stated that they do have some future space that they could finish in the lower level, but are trying to keep this fairly small. He stated that when setbacks were established, they were under the assumption that there may be neighboring properties on both sides, but in this case, there is a subdivision that has a 33 foot side reverse flag lot that is to the north. He noted that about 10-12 years ago they built the home to the south and that has a 15 foot setback on their north side. He explained that the letter the City received in support of their request is from the property owner to the north.

Commissioner Johnson asked if she was correct that there were no plans to put a second story on the home and asked if that would even be possible with the way this home will be constructed.

Mr. Hunt stated that without a variance someone could build within 10 feet and it could be a full two-story home.

Planning Director Darling reminded the Commission that when they approve a variance, the approval is tied to the plans so if the applicant would want to come back and add another story, they would need to modify the resolution or meet all the setback requirements.

Commissioner Holker stated that she had the same question because she assumes this is not their primary residence since they have 6 children.

Mr. Hunt stated that this is their primary residence and explained that they sold their very large home in Medina and are moving here for the two of them to live but want to have possible accommodations for their children, when they come home.

Commissioner Gorham asked about the overhang variance request.

Mr. Hunt gave an overview of the overhang design and the variance request.

Chair Eggenberger noted that Mr. Hunt had sent him an e-mail over the weekend asking to meet and discuss the property, but explained that he declined to do that.

Gorham moved, Johnson seconded, to recommend approval of the variance requests at 28170 Woodside Road, subject to the conditions included the staff report. Motion passed 4/0.

Planning Director Darling stated that this item would come before the City Council on March 27, 2023.

B. 2023 Work Program and Schedule

Planning Director Darling explained that she had put together a tentative Work Program for the Commission to consider. She stated that the Commission could choose to add other

projects to it or remove items that they do not feel are necessary. She reviewed the proposed Work Program and asked for feedback from the Commission.

The Commission reviewed and discussed the proposed Work Program and schedule.

Holker moved, Gorham seconded, approving the 2023 Work Program and Schedule as presented. Motion carried 4/0.

C. Liaisons for Upcoming Council Meetings

March - Commissioner Holker
April – Commissioner Johnson
May – Commissioner Gorham
June – Chair Eggenberger
July – Commissioner Huskins (tentatively)
August – Chair Eggenberger

D. REPORTS

- **Council Meeting Report**

Council Liaison Maddy reported on matters considered and actions taken during the Council's recent meetings.

- **Draft Next Meeting Agenda**

Planning Director Darling stated there were not any new development applications slated for the next meeting but noted that there are still a few out there that are incomplete. She noted that at this point the plan will be to discuss the sign regulations at the next meeting.

E. ADJOURNMENT

Holker moved, Johnson seconded, adjourning the Planning Commission Meeting of March 7, 2023, at 8:42 P.M. Motion passed 4/0.



CITY OF SHOREWOOD

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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 outlot 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.

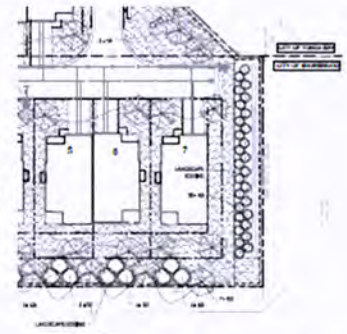
Design of the homes: The applicant has provided a design that appeals to many empty-nesters but has not proposed an age-restricted development. The main level has the majority of the living area with the lower level providing additional bedrooms and gathering spaces. The design is in keeping with the 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

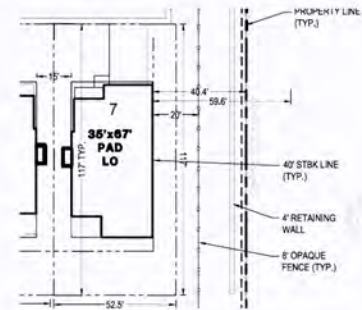
recommended that the open space be privately owned and maintained rather than publicly owned and maintained.

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 arborvitaes 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:

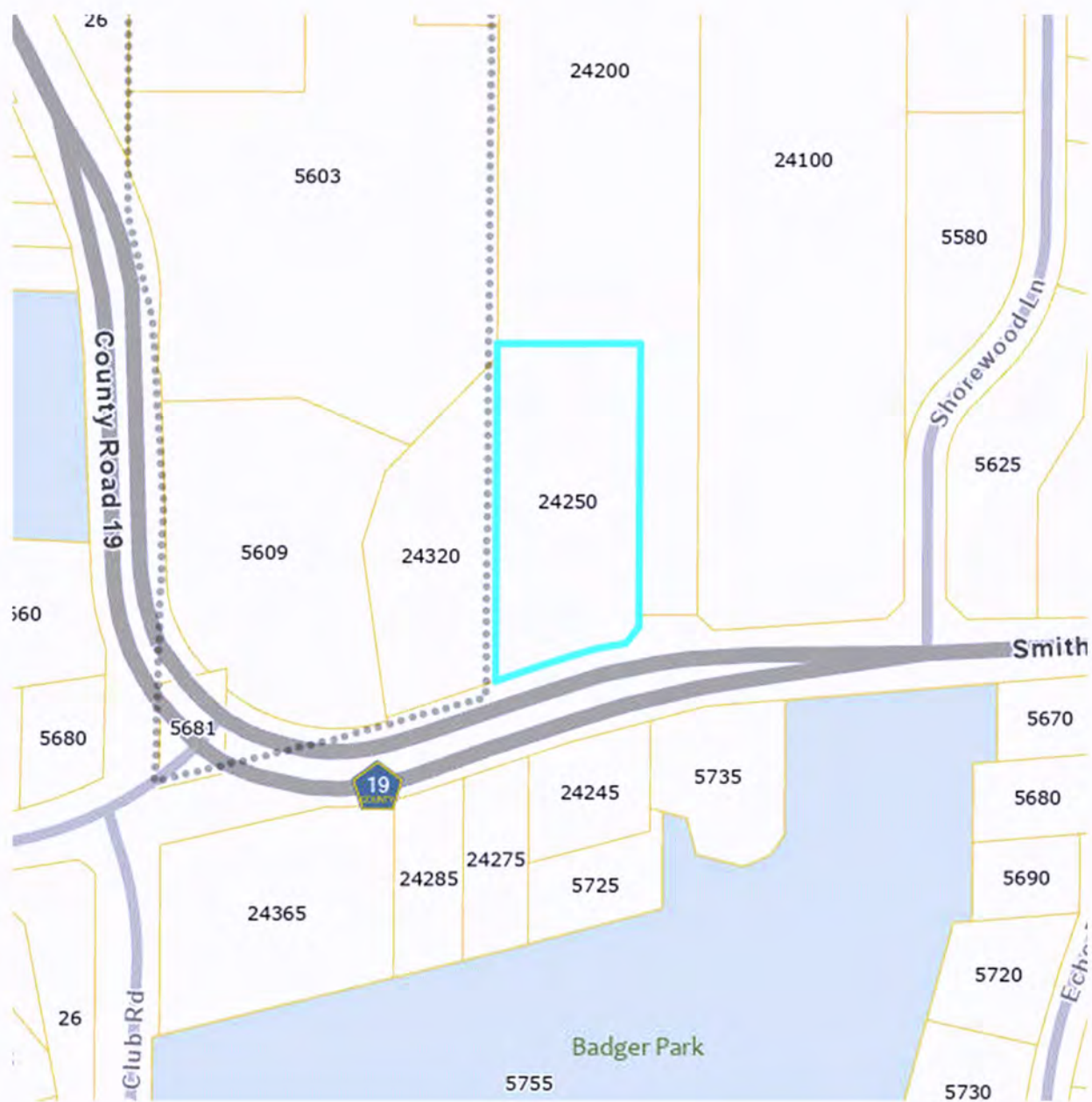
PUD development plan and preliminary plat
PUD final plan and final plat
Acquire all other permits from applicable jurisdictions.

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





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.

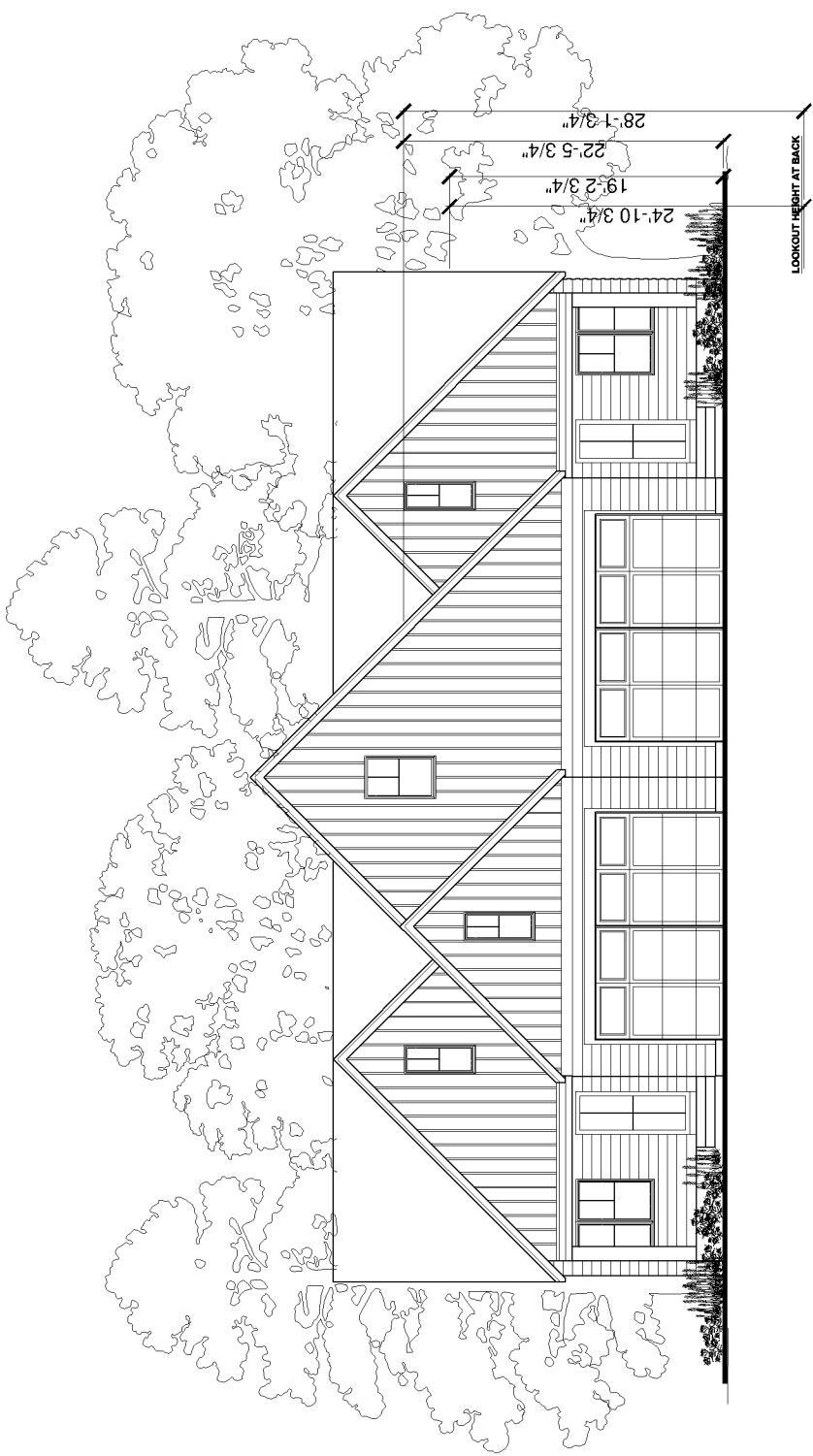
- Each unit shall offer parking for two (2) cars in the garage, and two (2) cars in the driveway. We have proposed additional parking at the start of the project to ensure the neighborhood will have adequate parking.

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 1/2" X 6" S4S.
 2. SUPPLY DRIP EAVES ON ALL ROOFS.
 3. WINDOWS AND DOORS. SUPPLY SEPARATION BETWEEN DOORS. COMPOSITE WOOD AND ANY OTHER WOOD MATERIAL PER SPECIFICATIONS.
 4. SUPPLY AT LEAST 1" OF SPACE BETWEEN ROOFS OF WINDOWS AND ROOFS OF WINDOWS.
 5. GRADE CONDITIONS MAY VARY ON SITE.
 6. ROOF PITCH AND SOFFIT VENTS PER IRC CODE REGULATIONS.
 7. ALL FURNACE FLUES, PLUMBING VENTS, AND EXHAUST VENTS THROUGH ROOF OR WALLS TO EXTEND THROUGH REAR PORCH WHENEVER POSSIBLE.
 8. ALL PENETRATIONS THROUGH EXTERIOR WALLS SHALL BE PROPERLY SEALED AND FLASHED PER MANUF. SPECIFICATIONS AND IRC CODE.
 9. REGISTRATION ON ROOF PLAN INDICATES LOCATION OF ICEWATER BARRIER.
 10. HOLD STONE OFF GRADE.
 11. REFER TO MANUF. SPECIFICATIONS FOR STONE.
 12. GARAGE BUCK BOARD MATERIAL SHALL BE COMPOSITE WOOD AND SIZED TO COVER THE EDGE OF STONE.
 13. ALL BEAMS HOLDING UP ROOF SHALL BE DROPPED UNLESS OTHERWISE NOTED.



REVISION:

REV. DATE:

DRAWING TITLE
ADOR HOMES - TWINHOMES
LOCATION:
SMITHTOWN TOWNHOMES

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LITFINDESIGN.COM
MLITFIN@HOTMAIL.COM
320-224-7844
WINSTED, MN

CURRENT DATE:
2-22-23

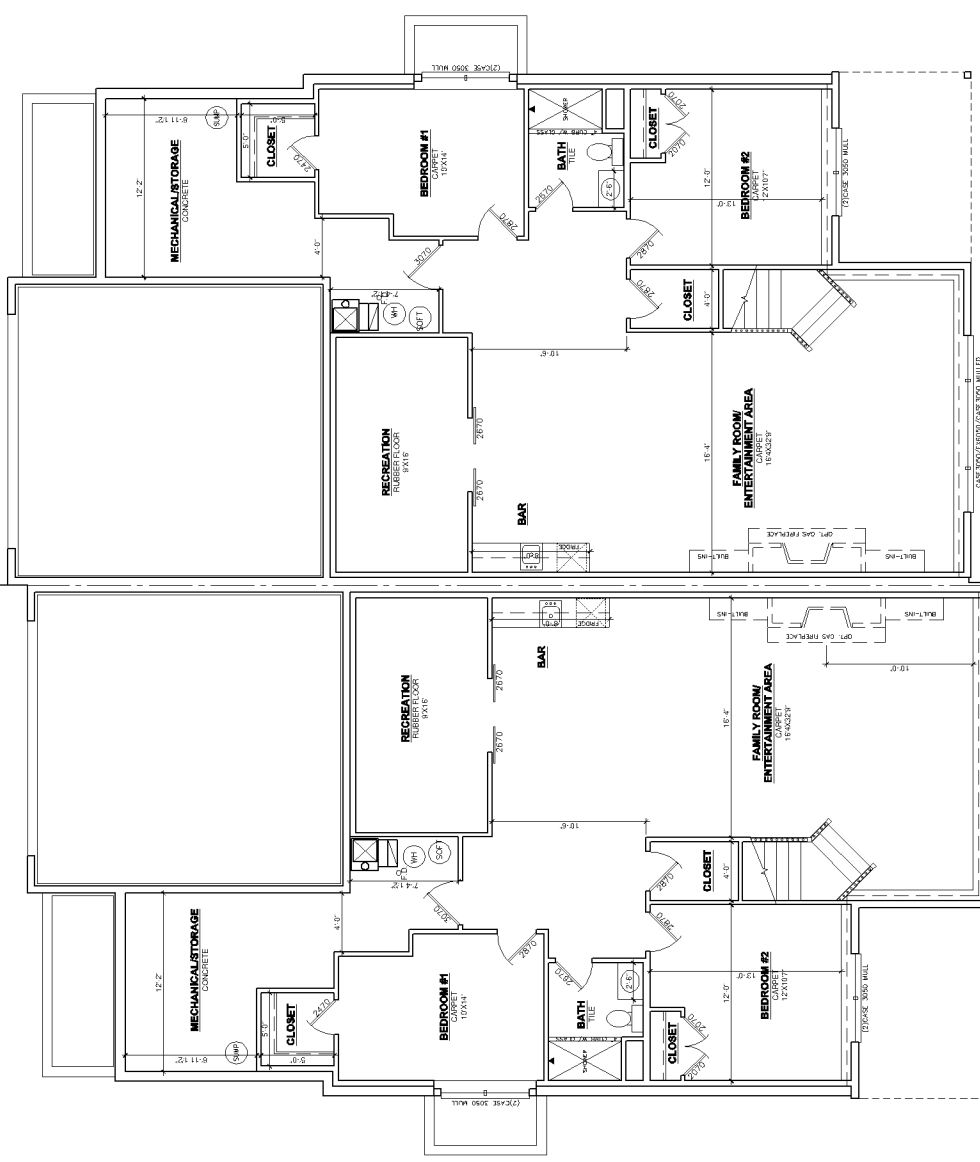
PAGE
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PAGE DESCRIPTION:
FRONT ELEVATION
SCALED PRINT @ 24X36

4.  GYPSUM BOARD TO BE APPLIED TO UNDERSIDE OF STAIRS PER CODE.
5.  INDICATES INTERIOR BEARING WALL, 16" O.C. STUDS
6.  INDICATES EXTERIOR WALL STUDS SPACED AT 12" O.C. TO MEET MINIMUM MATERIAL OR BETTER TO EACH SIDE OF OPENINGS IN WALL.
7. INSTALL DRAFT STOPPING WITHIN FLOOR SYSTEM PER IRC CODE SECTION 302.12, MIN. 1/2" GYPSUM BOARD OR 3/8" STRUCTURAL BOARD ADEQUATELY SUPPORTED BY 2X4 MIN. MATERIAL PARALLEL WITH FLOOR FRAMING. MIN. 1" SPACE OF JOIST SOFT, SEPARATE INTO EQUAL SPACES.

1348 FINISHED SQUARE FEET PER UNIT / 200 UNITS SHED SQUARE FEET PER UNIT / 1548 TOTAL SQUARE FEET (PER UNIT)

TOTAL FIRST FLOOR CALCULATIONS



	REVISION:		REV. DATE:	DRAWING TITLE	ADOR HOMES - TWINHOMES	LOCATION: SMITHTOWN TOWNHOMES	ALL PLANS & DESIGN'S SEVEN ARE 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	LITTFIN DESIGN	 LITTFIN DESIGN LITTFINDESIGN.COM MLITFIN@HOTMAIL.COM 320-224-7844 WINSTED, MN	CLEARANCE DATE: 2-22-23	PAGE A7 D	PAGE DESCRIPTION: FINISHED BASEMENT SCALED PRINT @ .4X06
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1. ALL NON-BEARING FRAMING IS TO BE 2" X 4" UNLESS OTHERWISE NOTED.
2. ALL WALLS TO HAVE A DOUBLE TOP PLATE UNLESS OTHERWISE NOTED.
3. STUDS TO BE 2" X 6" UNLESS OTHERWISE NOTED.
4. STUDS WITH 7/8" C&G SHEATHING UNLESS NOTED OTHERWISE.
5. ALL INTERIOR WALLS ARE TO BE 2" X 4" UNLESS OTHERWISE NOTED.
6. ALL FLOOR JOISTS ARE TO BE CONTINUED THROUGH FLOOR TRUSS SPACES WHEN SPANNING MORE THAN 1 FLOOR.
7. ALL WOOD MATERIALS ARE TO BE PROTECTED PER CODE & MANUFACTURER'S INSTRUCTIONS WHILE BEING STORED ON SITE.

EXAMPLE 2

SH350 • SINGLE HANG 30" BY 50"
F2346 • FIXED 26" BY 48"
CASE350 • CASEMENT 30" BY 50"
2363 • DOOR • 23" WIDE BY 68" TALL
2361 • DOOR • 23" WIDE BY 67" TALL

110V, INTERCONNECTED SMOKE
DETECTOR

110V, INTERCONNECTED SMOKE
DETECTOR, CARBON
MONOXIDE DETECTOR COMBO

EXHAUST FAN

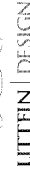
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1640 FINISHED SQUARE FEET PER UNIT / 444 GARAGE SQUARE FEET PER UNIT/2280 TOTAL FOOTPRINT (PER UNIT)

VISION: _____ REV. DATE: _____

ADOR HOMES

LOCATION:
SMITHTOWN TOWNHOMES



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320-224-7844
WINSTED, MN

2008-09-01	
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8

FIRST FLOOR

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

ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
08-28-2024	SMITHTOWN ROAD REDEVELOPMENT SUBMITTAL
10-27-2024	UTILITY RECORDING PLAN

DRAWN BY: ktl, bjREVIEWED BY: ktl

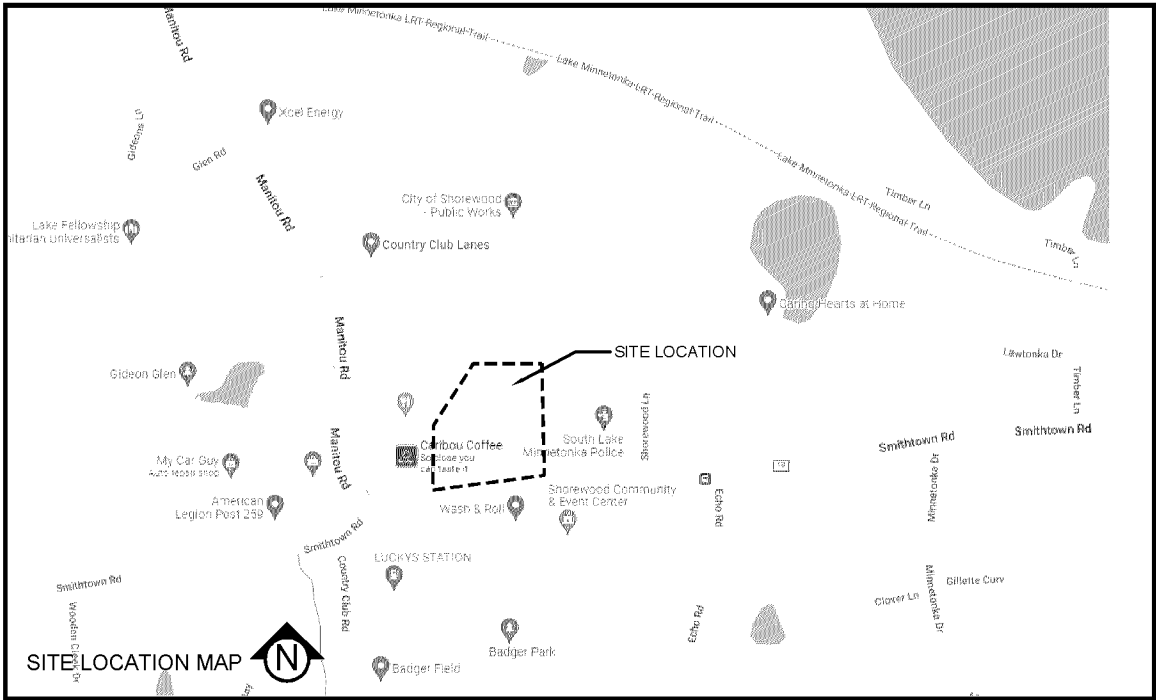
PROJECT NUMBER: 22227

REVISION SUMMARY

DATE	DESCRIPTION

TITLE SHEET

C0.0



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

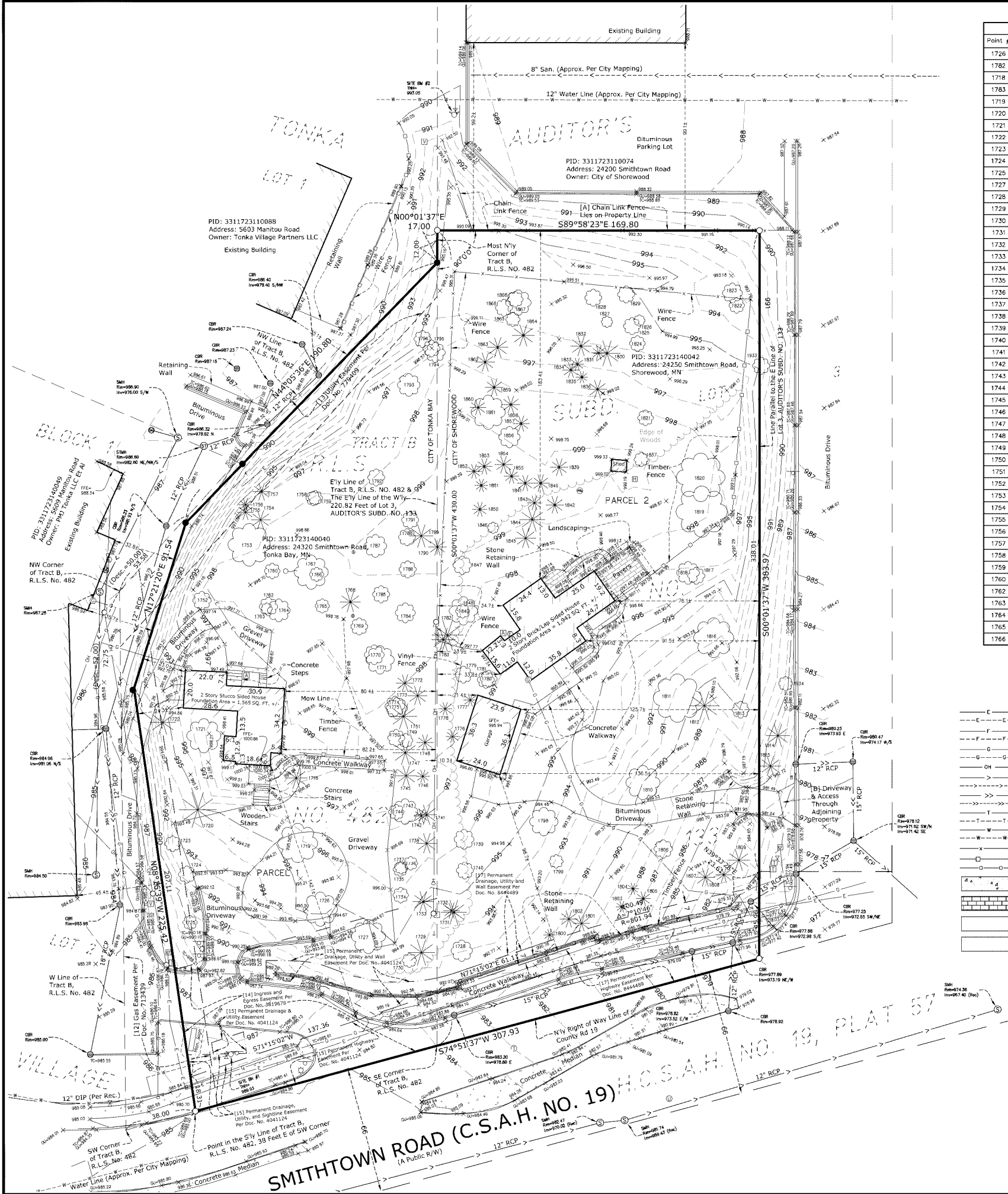
GEOTECHNICAL ENGINEER:

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.



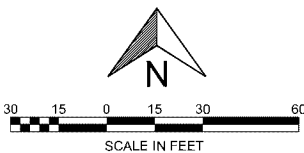
Know what's below.
Call before you dig.



Tree Table		Tree Table		Tree Table	
Point #	Row Description	Point #	Row Description	Point #	Row Description
1726	TRD 24 MAP	1767	TRD 24 ELM Z	1820	TRD 34 WALNUT Z
1782	TRC 21 SPR Z	1768	TRC 14 SPR Z	1821	TRD 11 MAP
1718	TRC 15 SPR	1769	TRD 12 WAL Z	1822	TRD 11 ASH Z
1783	TRC 16 SPR Z	1770	TRD 14 ELM	1823	TRD 14 ASH
1719	TRD 28 MAP	1771	TRD 20 WALNUT Z	1824	TRD 11 MAP Z
1720	TRC 25 SPR	1772	TRC 12 SPR Z	1825	TRD 12 BOX
1721	TRD 24 MAP	1773	TRC 13 SPR Z	1826	TRD 8 BOX Z
1722	TRC 17 SPR Z	1774	TRD 14 BOX Z	1827	TRD 8 BOX Z
1723	TRD 11 ASH	1775	TRD 15 BOX Z	1828	TRD 12 BOX Z
1724	TRD 12 Walnut	1776	TRC 9 SPR Z	1829	TRD 12 ASH Z
1725	TRD 10 MAP	1777	TRC 9 SPR Z	1830	TRC 18 SPR Z
1727	TRD 24 MAP	1778	TRC 9 SPR Z	1831	TRC 10 SPR Z
1728	TRD 15 WALNUT Z	1779	TRD 12 BOX Z	1832	TRC 14 SPR Z
1729	TRC 16 CED	1780	TRD 12 BIR Z	1833	TRC 9 SPR Z
1730	TRD 10 HAC Z	1781	TRD 12 BIR Z	1834	TRC 11 SPR Z
1731	TRC 17 SPR Z	1784	TRD 14 HAC Z	1835	TRC 8 SPR Z
1732	TRC 11 SPR Z	1785	TRD 12 HAC Z	1836	TRC 13 SPR
1733	TRC 14 SPR Z	1786	TRD 12 BOX Z	1837	TRD 10 HAC
1734	TRD 11 LOC	1787	TRD 16 HAC Z	1839	TRC 12 SPR
1735	TRD 10 MAP	1788	TRD 12 ELM Z	1840	TRC 12 SPR
1736	TRD 10 HAC Z	1789	TRC 16 SPR Z	1841	TRC 11 SPR Z
1737	TRD 9 WALNUT Z	1790	TRD 12 BOX Z	1842	TRC 12 SPR
1738	TRC 14 SPR	1791	TRD 12 ELM Z	1843	TRC 10 SPR
1739	TRD 14 MAP	1792	TRD 12 HAC Z	1844	TRC 17 SPR
1740	TRD 12 MAP Z	1793	TRD 16 ELM Z	1845	TRC 14 SPR Z
1741	TRC 14 SPR Z	1794	TRD 14 BOX Z	1846	TRD 8 BOX Z
1742	TRD 10 SPR Z	1795	TRD 12 BOX Z	1847	TRD 13 BOX Z
1743	TRD 16 ASH	1796	TRD 12 BOX Z	1848	TRD 20 BOX Z
1744	TRD 11 MAP Z	1798	TRD 20 WALNUT	1849	TRD 10 BOX Z
1745	TRC 14 SPR Z	1799	TRD 10 MAP Z	1850	TRC 10 SPR Z
1746	TRC 9 SPR Z	1800	TRC 8 PIN Z	1851	TRC 9 SPR Z
1747	TRC 17 SPR Z	1801	TRC 11 PIN Z	1852	TRC 10 SPR Z
1748	TRC 11 SPR Z	1802	TRC 12 SPR Z	1853	TRC 11 SPR Z
1749	TRD 10 HAC Z	1803	TRC 8 PIN	1854	TRC 12 SPR Z
1750	TRD 12 HAC Z	1804	TRC 8 PIN	1855	TRC 10 SPR Z
1751	TRC 18 SPR Z	1805	TRC 10 SPR	1856	TRD 15 BOX Z
1752	TRD 13 BIR	1806	TRD 13 MAP Z	1857	TRC 11 SPR Z
1753	TRD 30 ELM Z	1807	TRC 13 SPR Z	1858	TRC 12 SPR Z
1754	TRC 13 SPR Z	1808	TRC 11 SPR Z	1859	TRC 12 SPR Z
1755	TRC 11 SPR Z	1809	TRC 15 SPR Z	1860	TRC 11 SPR Z
1756	TRC 9 SPR Z	1810	TRD 24 WALNUT	1861	TRD 24 BOX
1757	TRC 12 SPR Z	1811	TRD 34 MAP Z	1862	TRC 13 SPR Z
1758	TRD 10 BOX	1812	TRC 20 SPR Z	1863	TRC 14 SPR
1759	TRD 10 BOX	1813	TRD 12 MAP Z	1864	TRC 15 SPR Z
1760	TRD 11 ELM	1814	TRC 16 PIN Z	1865	TRD 10 BOX Z
1762	TRD 13 HAC	1815	TRC 14 PIN	1866	TRD 12 BOX Z
1763	TRD 8 HAC	1816	TRD 28 MAP Z	1867	TRD 18 BOX Z
1764	TRD 16 HAC	1817	TRD 12 WALNUT Z	1868	TRD 11 BOX Z
1765	TRD 10 HAC	1818	TRD 16 HAC Z	1933	TRD 12 WALNUT
1766	TRD 10 ELM Z	1819	TRD 36 WALNUT	1934	TRD 10 APPLE

Linetype & Symbol Legend

---E---E---	ELECTRIC LINE (RECORD)	⊠	AIR CONDITIONER	⊠	UTILITY VAULT
---F---F---	FIBER/COMM. LINE (RECORD)	⊠	CABLE TV BOX	⊠	UTILITY MANHOLE
---G---G---	GASMAIN (RECORD)	⊠	ELECTRIC MANHOLE	⊠	ELECTRICAL OUTLET
---H---H---	OVERHEAD UTILITIES	⊠	ELECTRIC TRANSFORMER	⊠	HAND HOLE
---I---I---	SANITARY SEWER	⊠	ELECTRICAL METER	⊠	BOLLARD
---J---J---	SANITARY SEWER (RECORD)	⊠	FIBER/COMM. MANHOLE	⊠	FLAG POLE
---K---K---	STORM SEWER	⊠	POWER POLE	⊠	FUEL TANK
---L---L---	STORM SEWER (RECORD)	⊠	GUY WIRE	⊠	HANDICAP SYMBOL
---M---M---	TELEPHONE LINE	⊠	GAS METER	⊠	LIGHT POLE
---N---N---	TELEPHONE LINE (RECORD)	⊠	GAS MANHOLE	⊠	MAIL BOX
---O---O---	WATERMAIN	⊠	GAS VALVE	⊠	SIGN
---P---P---	WATERMAIN (RECORD)	⊠	ROOF DRAIN	⊠	CONIFEROUS TREE
---Q---Q---	CHAINLINK FENCELINE	⊠	SEWER CLEAN OUT	⊠	DECIDUOUS TREE
---R---R---	WOODEN FENCELINE	⊠	SANITARY MANHOLE	⊠	SOIL BORING
---S---S---	GUARDRAIL	⊠	STORM MANHOLE	⊠	FOUND IRON MONUMENT
---	CONCRETE SURFACE	⊠	CATCH BASIN	⊠	SET IRON MONUMENT
---	PAVER SURFACE	⊠	FLARED END SECTION	⊠	CAST IRON MONUMENT
---	BITUMINOUS SURFACE	⊠	TELEPHONE BOX	⊠	
---	GRAVEL/LANDSCAPE SURFACE	⊠	TELEPHONE MANHOLE	⊠	
---		⊠	TRAFFIC SIGNAL	⊠	
---		⊠	HYDRANT	⊠	
---		⊠	FIRE CONNECTION	⊠	
---		⊠	POST INDICATOR VALVE	⊠	
---		⊠	WATER MANHOLE	⊠	
---		⊠	WATER VALVE	⊠	
---		⊠	WELL	⊠	



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

- Bearings are based on the Hennepin County Coordinate System (1986 Adjustment).
- 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.
- 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)

- Monuments placed and/or found at all major corners of the boundary of the surveyed property as shown hereon.
- Site Address: 24320 Smithtown Road, Tonka Bay, MN 55331 & 24250 Smithtown Road, Shorewood, MN 55331.
- This property is contained in Zone X (area determined to be outside the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27053C0314F, effective date of November 4th, 2016.
- The Gross land area is 120,840 +/- square feet or 2.774 +/- acres.
(a) Exterior dimensions of buildings at ground level as shown hereon.
- Substantial features observed in the process of conducting the fieldwork as shown hereon. Please note that seasonal conditions may inhibit our ability to visibly observed all site features located on the subject property.
- We did not observe any parking stripes on the subject property.
- 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

- 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:
 - Item no.'s 1-11, and 16 are not survey related.
 - The following are numbered per the referenced title Commitment:
 - 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). **As shown hereon along the westerly portion of Parcel 1.**
 - 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.**
 - Terms and conditions of and 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.**
 - 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.**
 - 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.**
 - 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.**

- Conflicts such as (but not limited to): encroachments, protrusions, access, occupation, and easements and/or servitudes:
 - Chain link fence lies on north line of Parcel 2, as shown hereon.
 - Parcel 2 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

24320 & 24250 Smithtown Road

Tonka Bay & Shorewood, Hennepin County, MN 55331

Lifestyle Communities

4938 Lincoln Drive, Edina, MN 55436

PROJECT

CLIENT

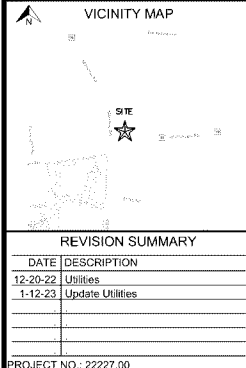
I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

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

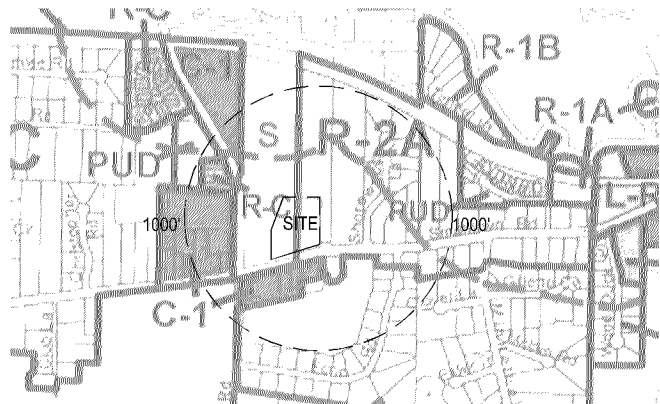
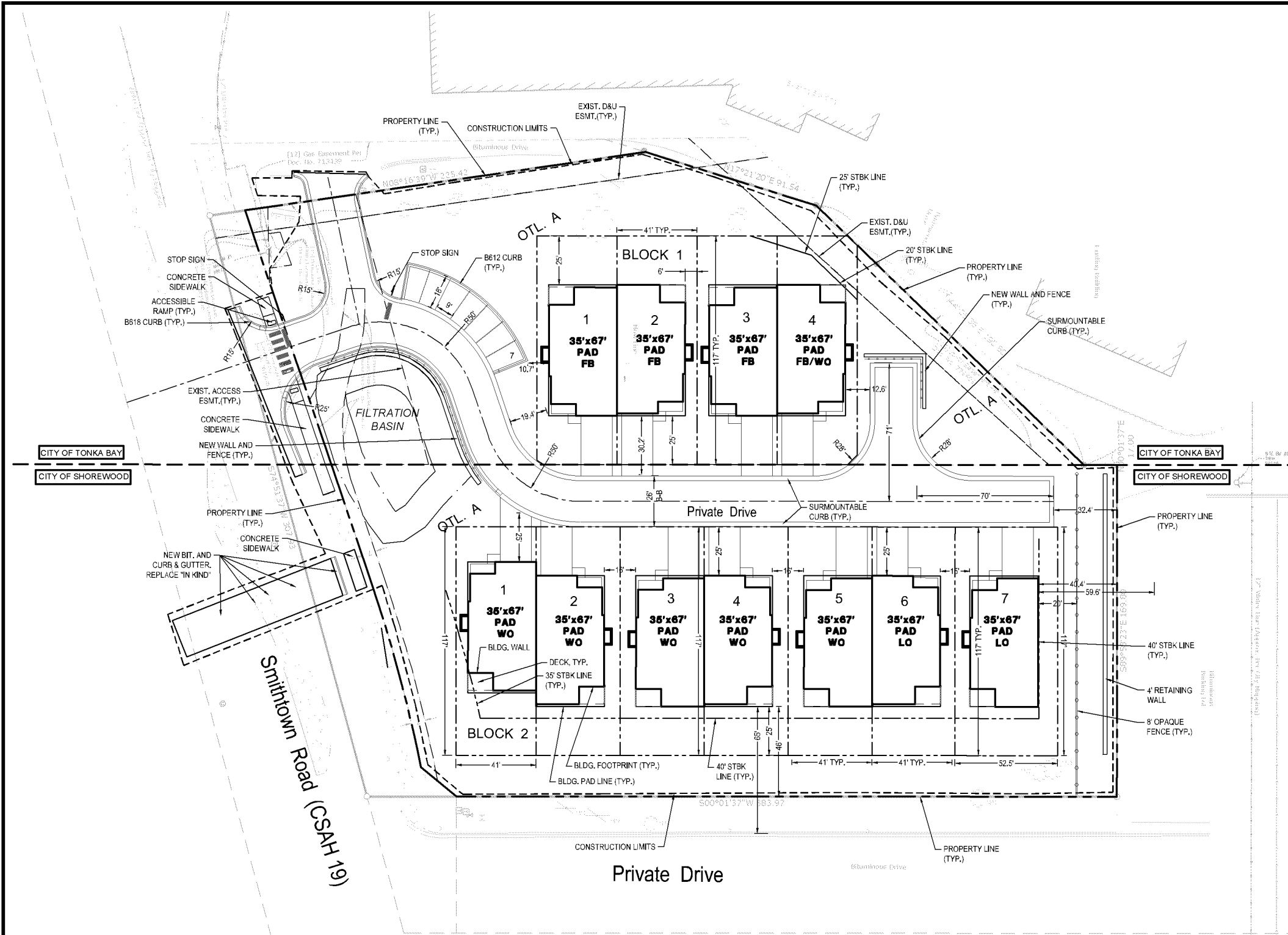
DATE DESCRIPTION
12-20-22 Utilities
1-12-23 Update Utilities

PROJECT NO. 22227.00

ALTA/NSPS LAND
TITLE SURVEY

V1.0

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CITY OF SHOREWOOD ZONING CLASSIFICATION:

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

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)

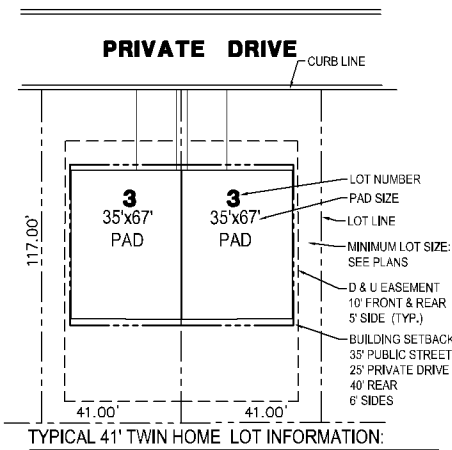
Overall Residential Units: 7 lots

SITE DATA (TONKA BAY)

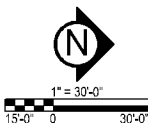
Gross Site Area: 1.12 Ac.
Easements: 0.28 Ac.
Net Developable Area: 0.84 Ac.
(Lots & Local Roads, Ponds)

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



TYPICAL 41' TWIN HOME LOT INFORMATION:



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

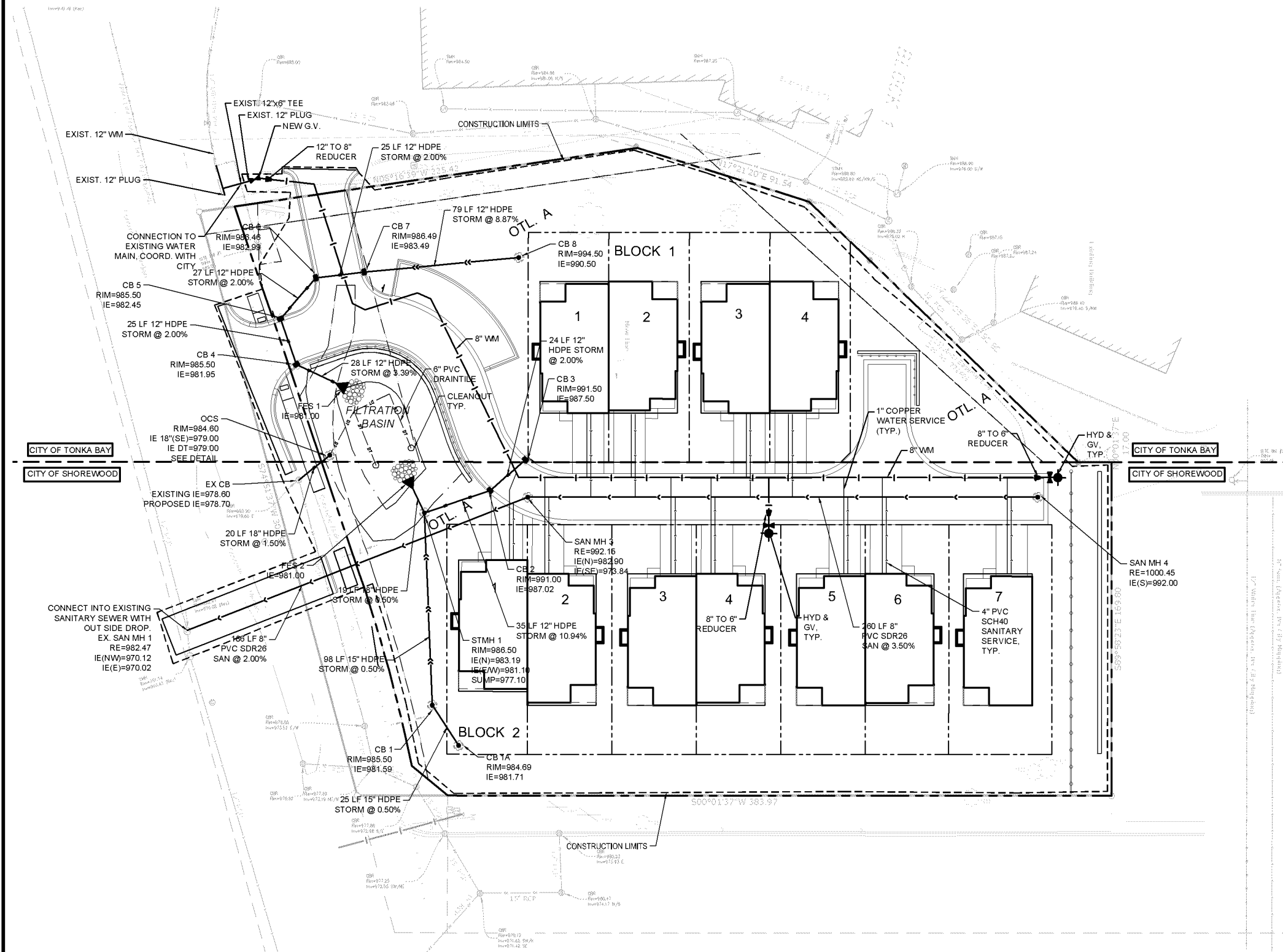
DATE	DESCRIPTION
11-28-2024	SCHEMATIC DEVELOPMENT SUBMITTAL
12-27-2024	FINAL SUBMITTAL

DRAWN BY: kit, bj
PROJECT NUMBER: 22227

REVIEWED BY: kit

REVISION SUMMARY

DATE	DESCRIPTION
2-28-23	CITY COMMENTS

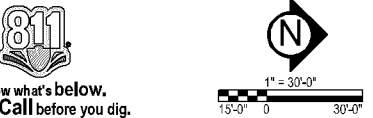


CITY OF SHOREWOOD / TONKA BAY UTILITY NOTES:

1. RESERVED FOR CITY SPECIFIC UTILITY NOTES.

- 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 CASTTIGHT OR WATERTIGHT. APPROVED RESILIENT RUBBER JOINTS MUST BE USED TO MAKE WATER-TIGHT 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



**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
11-28-2024	ISSUE/SUBMITTAL SUMMARY
12-27-2024	UTILITY REVISIONS

DRAWN BY: kit, bj
PROJECT NUMBER: 22227

REVISION SUMMARY	
DATE	DESCRIPTION

PRELIMINARY:
NOT FOR
CONSTRUCTION

ECT
24320 & 24250 Smithtown Road

Tonka Bay & Shorewood, Minnesota 55331

TSML PROPERTIES, LLC

10014 ORLEANS LANE N., MAPLE GROVE, MN 55369

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 GINKO	<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				

AB	28	TECHNY ARBORVITAE	Thuja occidentalis	6' ht	B&B	STRAIGHT LEADER, FULL FORM
RP	12	RED PINE	Pinus resinosa	6' ht.	B&B	STRAIGHT LEADER, FULL FORM
WP	14	WHITE PINE	Pinus strobus	6' ht.	B&B	STRAIGHT LEADER, FULL FORM
BS	17	BLACK HILLS SPRUCE	Picea glauca "Densata"	6' ht.	B&B	STRAIGHT LEADER, FULL FORM
CS	10	COLORADO SPRUCE	Picea pungens "Glaucua"	6' ht.	B&B	STRAIGHT LEADER, FULL FORM
	81	TOTAL EVERGREEN TREES				

1. WHERE SHOWN, SHRUB & PERENNIAL BEDS SHALL BE MULCHED - SEE SCHEDULE BELOW.
2. 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.
3. IF SHOWN ON PLAN, RANDOM SIZED LIMESTONE BOULDERS COLOR AND SIZE TO COMPLIMENT NEW LANDSCAPING. OWNER TO APPROVE BOULDER SAMPLES PRIOR TO INSTALLATION.
4. 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.
5. 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.
6. 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.
7. ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITIES SHALL RECEIVE MIN. 6" LAYER TOPSOIL AND SOD AS SPECIFIED UNLESS OTHERWISE NOTED ON THE DRAWINGS.
8. 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.
9. ALL PLANT MATERIALS SHALL BE WATERED AND MAINTAINED UNTIL ACCEPTANCE.
10. REPAIR AT NO COST TO OWNER ALL DAMAGE RESULTING FROM LANDSCAPE CONTRACTOR'S ACTIVITIES.
11. SWEEP AND MAINTAIN ALL PAVED SURFACES FREE OF DEBRIS GENERATED FROM LANDSCAPE CONTRACTOR'S ACTIVITIES.
12. 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.
13. CONTRACTOR SHALL SECURE APPROVAL OF PROPOSED IRRIGATION SYSTEM INCLUDING PRICING FROM OWNER, PRIOR TO INSTALLATION.

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)

[illegible]

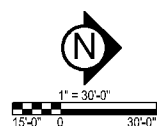
DRAWN BY: kit, bj REVIEWED BY: kit
PROJECT NUMBER: 22227

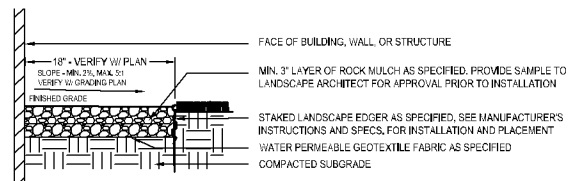
DATE	DESCRIPTION
2.28.23	CITY COMMENTS

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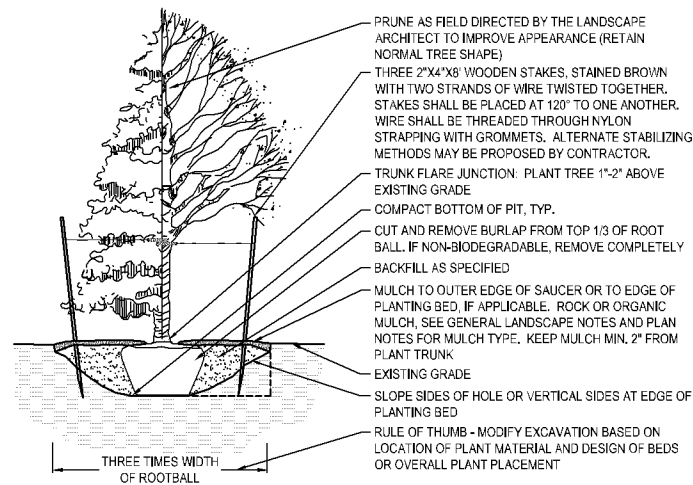


Know what's below.
Call before you dig.

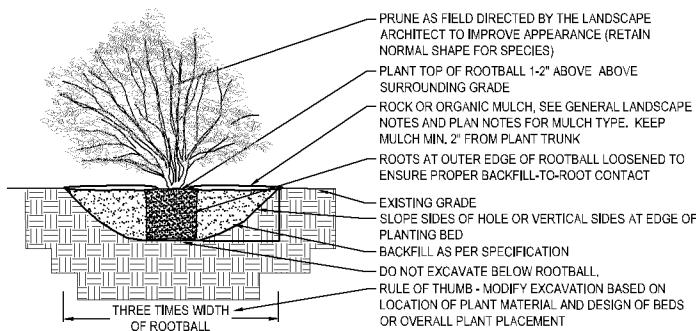




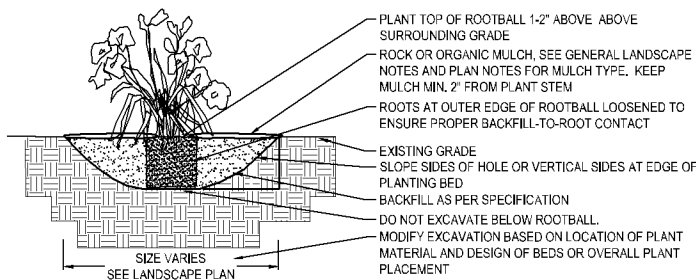
1 AGGREGATE MAINTENANCE STRIP



2 DECIDUOUS & CONIFEROUS TREE PLANTING



3 DECIDUOUS & CONIFEROUS SHRUB PLANTING



4 PERENNIAL BED PLANTING

IRRIGATION NOTES:

1. CONTRACTOR SHALL BE FULLY IRRIGATED, THE CONTRACTOR SHALL SUBMIT IRRIGATION SHOP DRAWINGS FOR REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
2. SEE MECHANICAL AND ELECTRICAL PLANS AND SPECIFICATIONS FOR IRRIGATION WATER, METER, AND POWER CONNECTIONS.
3. CONTRACTOR TO VERIFY LOCATION OF ALL UNDERGROUND/ABOVE GROUND FACILITIES PRIOR TO ANY EXCAVATION/INSTALLATION, ANY DAMAGE TO UNDERGROUND/ABOVE GROUND FACILITIES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND COSTS ASSOCIATED WITH CORRECTING DAMAGES SHALL BE BORNE ENTIRELY BY THE CONTRACTOR.
4. SERVICE EQUIPMENT AND INSTALLATION SHALL BE PER LOCAL UTILITY COMPANY STANDARDS AND SHALL BE PER NATIONAL AND LOCAL CODES. EXACT LOCATION OF SERVICE EQUIPMENT SHALL BE COORDINATED WITH THE LANDSCAPE ARCHITECT OR EQUIVALENT AT THE JOB SITE.
5. CONTRACTOR SHALL COORDINATE WITH LOCAL UTILITY COMPANY FOR THE PROPOSED ELECTRICAL SERVICE AND METERING FACILITIES.
6. IRRIGATION WATER LINE CONNECTION SIZE IS 1-1/2" AT BUILDING. VERIFY WITH MECHANICAL PLANS. COVERAGE.
7. ALL MAIN LINES SHALL BE 18" BELOW FINISHED GRADE.
8. ALL LATERAL LINES SHALL BE 12" BELOW FINISHED GRADE.
9. ALL EXPOSED PVC RISERS, IF ANY, SHALL BE GRAY IN COLOR.
10. CONTRACTOR SHALL LAY ALL SLEEVES AND CONDUIT AT 2'-0" BELOW THE FINISHED GRADE OF THE TOP OF PAVEMENT. EXTEND SLEEVES TO 2'-0" BEYOND PAVEMENT.
11. CONTRACTOR SHALL MARK THE LOCATION OF ALL SLEEVES AND CONDUIT WITH THE SLEEVING MATERIAL "ELLED" TO 2'-0" ABOVE FINISHED GRADE AND CAPPED.
12. FABRICATE ALL PIPE TO MANUFACTURER'S SPECIFICATIONS WITH CLEAN AND SQUARE CUT JOINTS. USE QUALITY GRADE PRIMER AND SOLVENT CEMENT FORMULATED FOR INTENDED TYPE OF CONNECTION.
13. BACKFILL ALL TRENCHES WITH SOIL FREE OF SHARP OBJECTS AND DEBRIS.
14. ALL VALVE BOXES AND COVERS SHALL BE BLACK IN COLOR.
15. GROUP VALVE BOXES TOGETHER FOR EASE WHEN SERVICE IS REQUIRED. LOCATE IN PLANT BED AREAS WHENEVER POSSIBLE.
16. IRRIGATION CONTROLLER LOCATION SHALL BE VERIFIED ON-SITE WITH OWNER'S REPRESENTATIVE.
17. CONTROL WIRES: 14 GAUGE DIRECT BURIAL, SOLID COPPER IRRIGATION WIRE. RUN UNDER MAIN LINE, USE MOISTURE-PROOF SPLICES AND SPLICE ONLY AT VALVES OR PULL BOXES. RUN SEPARATE HOT AND COMMON WIRE TO EACH VALVE AND ONE (1) SPARE WIRE AND GROUND TO FURTHEST VALVE FROM CONTROLLER. LABEL OR COLOR CODE ALL WIRES.
18. AVOID OVER SPRAY ON BUILDINGS, PAVEMENT, WALLS AND ROADWAYS BY INDIVIDUALLY ADJUSTING RADIUS OR ARC ON SPRINKLER HEADS AND FLOW CONTROL ON AUTOMATIC VALVE.
19. ADJUST PRESSURE REGULATING VALVES FOR OPTIMUM PRESSURE ON SITE.
20. USE SCREENS ON ALL HEADS.
21. A SET OF AS-BUILT DRAWINGS SHALL BE MAINTAINED ON-SITE AT ALL TIMES IN AN UPDATED CONDITION.
22. ALL PIPE 3" AND OVER SHALL HAVE THRUST BLOCKING AT EACH TURN.
23. ALL AUTOMATIC REMOTE CONTROL VALVES WILL HAVE 3" MINIMUM DEPTH OF 3/4" WASHED GRAVEL UNDERNEATH VALVE AND VALVE BOX. GRAVEL SHALL EXTEND 3' BEYOND PERIMETER OF VALVE BOX.
24. THERE SHALL BE 3" MINIMUM SPACE BETWEEN BOTTOM OF VALVE BOX COVER AND TOP OF VALVE STRUCTURE.

PRELIMINARY:
NOT FOR
CONSTRUCTION

ECT
24320 & 24250 Smithtown Road

Tonka Bay & Shorewood, Minnesota 55331

TSML PROPERTIES, LLC

10014 ORLEANS LANE N., MAPLE GROVE, MN 55369

DATE	DESCRIPTION
J1 24 2023	SKETCH/CONCEPT SUBMITTAL
J3 21 2023	CITY RESUBMITTAL

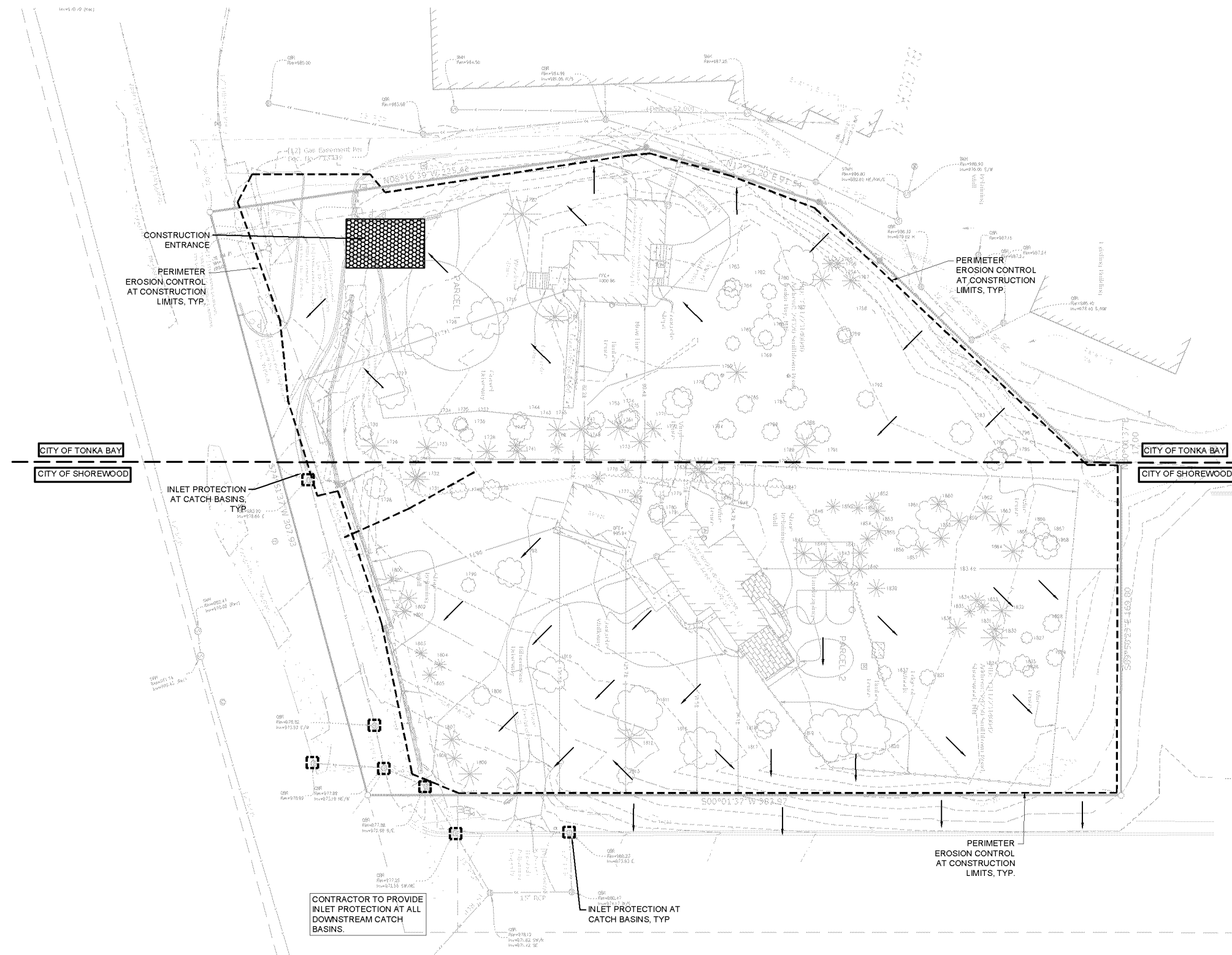
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DRAWN BY: kit, bj REVIEWED BY: kit
PROJECT NUMBER: 22227

DATE	DESCRIPTION
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SWPPP - EXISTING
CONDITIONS

SW1.0



1. RESERVED FOR CITY SPECIFIC EROSION CONTROL NOTES.

1. 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.

2. THIS PROJECT IS GREATER THAN ONE ACRE AND WILL REQUIRE AN MPCA NPDES PERMIT. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ANY EROSION CONTROL PERMITS REQUIRED BY THE CITY.

3. SEE SHEETS SW1.0 - SW1.5 FOR ALL EROSION CONTROL NOTES, DESCRIPTIONS, AND PRACTICES.

4. SEE GRADING PLAN FOR ADDITIONAL GRADING AND EROSION CONTROL NOTES.

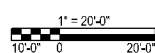
5. CONTRACTOR IS RESPONSIBLE FOR SWPPP IMPLEMENTATION, INSPECTIONS, AND COMPLIANCE WITH NPDES PERMIT.

ALL SPECIFIED EROSION AND SEDIMENT CONTROL PRACTICES, AND MEASURES CONTAINED IN THIS SWPPP ARE THE MINIMUM REQUIREMENTS. ADDITIONAL PRACTICES MAY BE REQUIRED DURING THE COURSE OF CONSTRUCTION.

----- 1125 ----- ----- 1137 ----- →	EX. 1' CONTOUR ELEVATION INTERVAL 1.0" CONTOUR ELEVATION INTERVAL DRAINAGE ARROW
----- []	SILT FENCE / BIOROLL - GRADING LIMIT INLET PROTECTION
[]	STABILIZED CONSTRUCTION ENTRANCE
[]	EROSION CONTROL BLANKET



Know what's below.
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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
11-28-2024	SECTOR SUBMITTAL
12-27-2024	FINAL SUBMITTAL

DRAWN BY: kit, bj REVIEWED BY: kit

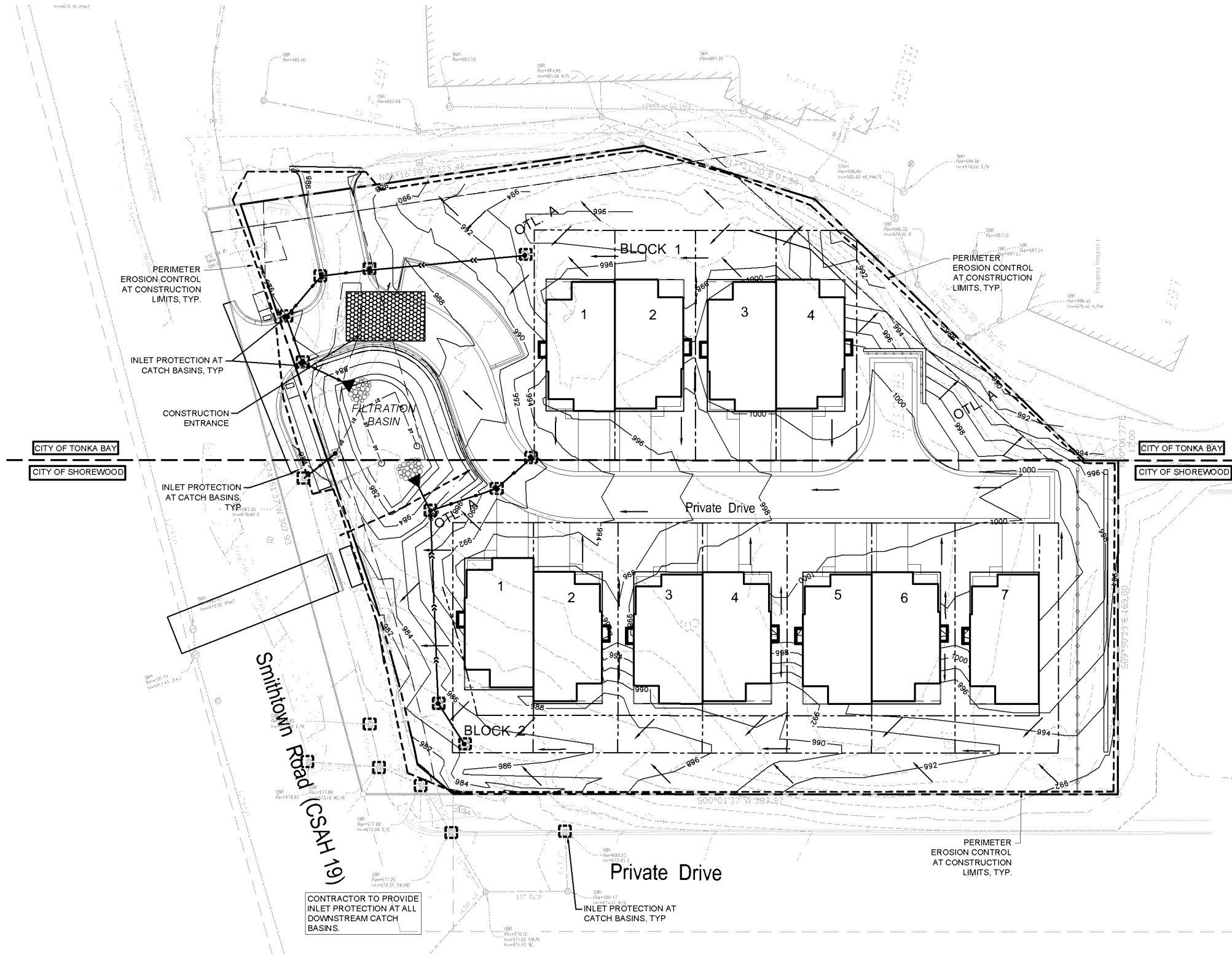
PROJECT NUMBER: 22227

REVISION SUMMARY

DATE	DESCRIPTION
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SWPPP - PROPOSED
CONDITIONS

SW1.1



CITY OF TONKA BAY / SHOREWOOD EROSION CONTROL NOTES:

1. RESERVED FOR CITY SPECIFIC EROSION CONTROL NOTES.

SWPPP NOTES:

1. ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "Gopher State One Call" (855-454-3002 OR 800-252-1165) 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.
2. THIS PROJECT IS GREATER THAN ONE ACRE AND WILL REQUIRE AN MPCA NPDES PERMIT. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ANY EROSION CONTROL PERMITS REQUIRED BY THE CITY.
3. SEE SHEETS SW1.0 - SW1.5 FOR ALL EROSION CONTROL NOTES, DESCRIPTIONS, AND PRACTICES.
4. SEE GRADING PLAN FOR ADDITIONAL GRADING AND EROSION CONTROL NOTES.
5. CONTRACTOR IS RESPONSIBLE FOR SWPPP IMPLEMENTATION, INSPECTIONS, AND COMPLIANCE WITH NPDES PERMIT.

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LEGEND:

- EX. 1' CONTOUR ELEVATION INTERVAL
- 1.0' CONTOUR ELEVATION INTERVAL
- DRAINAGE ARROW
- SILT FENCE / BIOROLL - GRADING LIMIT
- INLET PROTECTION
- STABILIZED CONSTRUCTION ENTRANCE
- EROSION CONTROL BLANKET



Know what's below.
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1" = 20'-0"
10'-0" 0 20'-0"

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

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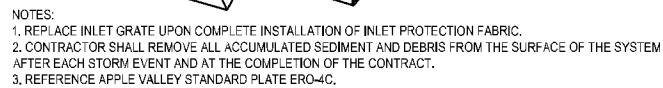
DRAWN BY: kit, bj REVIEWED BY: kit
PROJECT NUMBER: 22227

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SWPPP - DETAILS

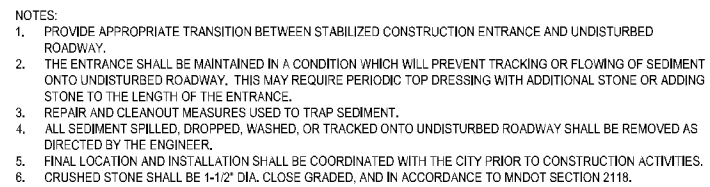
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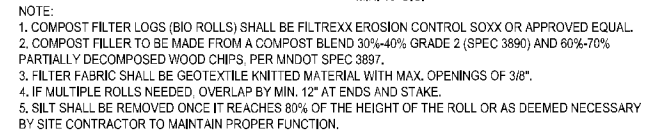


STABILIZED CONSTRUCTION ACCESS

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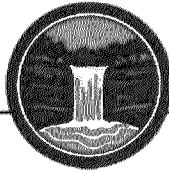
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SEDIMENT BIO-ROLL / COMPOST FILTER LOG

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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.

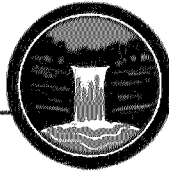
Project Understanding

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.

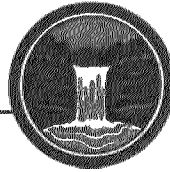
Wetland Protection Rule

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 outlot for common improvements to allow the construction of eight new dwellings in four two-unit structures. The application includes the following requests:

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



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

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

BACKGROUND

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 adjoint developments; and that residential development must be protected from adverse environmental impacts, including noise, air and visual pollution. Staff finds the land of buffer and transition proposed along the north property boundary would violate this policy.

- The proposed use is compatible with present and future land uses in the area
While townhouses could work with the adjacent uses (commercial and a variety of public uses), the applicant's layout with little to no buffer on the north end of the development would be incompatible with the public works use of the property and would generate complaints from the development about the uses and operations on the public works and public safety facility operation.
- 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