

A G E N D A

CALL TO ORDER

ROLL CALL / (LIAISON) SCHEDULE

EGGENBERGER (March) _____
HUSKINS () _____
HOLKER () _____
LONGO (May) absent
MAGISTAD (April) _____
COUNCIL LIAISON DIGROTTOLO (Jan-June) _____
COUNCIL LIAISON MADDY (Jul-Dec) _____

1. APPROVAL OF AGENDA

2. APPROVAL OF MINUTES

- ♦ March 4, 2025

3. MATTERS FROM THE FLOOR

This is an opportunity for members of the public to bring an item, that is not on tonight's agenda, but related to the governance of the City of Shorewood, to the attention of the Planning Commission. In providing this limited public forum, the City of Shorewood expects respectful participation. We encourage all speakers to be courteous in their language and behavior, and to confine their remarks to those facts that are relevant to the question or matter under discussion. Anyone wishing to address the Commission should raise their hand and wait to be called on. Please make your comments from the podium and identify yourself by your first and last name and your address for the record. Please limit your comments to three minutes. No discussion or action will be taken by the Commission on this matter. The Commission may request the issue be forwarded to the City Council or to staff to prepare a report and place it on the next agenda.

4. PUBLIC HEARINGS

- A) CUP Amendment for construction of a new home and IUP for the demolition of the existing home once completed
Location: 27225 Smithtown Road
Applicant: Alan and Jessica Brandhorst
- B) Rezoning Three Parcels to R-3A
Location: 24560, 24590, and 24620 Smithtown Rd
Applicant: City-initiated Request

C) Rezoning Three Parcels to R-2A
Location: 6055, 6065, and 6067 Lake Linden Dr
Applicant: City-initiated Request

D) Subdivision Ordinance Update City Code Amendments
Location: City-Wide
Applicant: City-initiated Request

5. OTHER BUSINESS

A) Consider a variance to construct a detached garage structure
Location: 5765 Eureka Road
Applicant: Dan Wallace

B) Receive Information on CUP Amendment for Additional Antenna Installation
on Water Tower at 26350 Smithtown Rd

C) Monthly Training Topic: Organizational Structure and the Planning &
Protective Inspections Department

6. REPORTS

A) Council Meeting Report

B) Draft Next Meeting Agenda

7. ADJOURNMENT

4
5 **DRAFT MINUTES**
6

7
8 **CALL TO ORDER**
9

10 Chair Eggenberger called the meeting to order at 7:00 P.M. and welcomed new Planning
11 Commissioners Longo and Magistad.
12

13 **ROLL CALL**
14

15 Present: Chair Eggenberger; Commissioners Longo, and Magistad; City Planner Griffiths;
16 and, Council Liaison DiGruttolo
17

18 Absent: Commissioners Huskins and Holker
19

20 **1. APPROVAL OF AGENDA**
21

22 Longo moved, Magistad seconded, approving the agenda for March 4, 2025, as presented.
23 Motion passed 3/0.
24

25 **2. APPROVAL OF MINUTES**
26

- 27 • February 4, 2025
28

29 Eggenberger moved, Magistad seconded, approving the Planning Commission Meeting
30 Minutes of February 4, 2025, as presented. Motion passed 3/0.
31

32 **3. MATTERS FROM THE FLOOR – NONE**
33

34 **4. PUBLIC HEARINGS – NONE**
35

36 **5. OTHER BUSINESS**
37

38 A. Subdivision Ordinance Rewrite
39

40 City Planner Griffiths stated that this was intended as a discussion item to review the second half
41 of the updates to the City's Subdivision Ordinance. He explained the Planning Commission had
42 been working, for a number of months, on an update to a specific chapter within the City Code
43 related to subdivision and had already gone line-by-line through the first half. He noted that tonight
44 they were being asked to review the remainder of this chapter which would then move onto the
45 City's consultant to incorporate their feedback and then brought back to the Commission to review
46 the final version and make a recommendation to the City Council. He started the review of
47 sections 1202.00 through 1202.06 and noted that most of the changes on the first few pages were
48 administrative, in nature.
49

50 Commissioner Longo asked if there was a target date for when these changes should be
51 completed.
52

1 City Planner Griffiths explained that the City did not have a specific target date but he anticipated
2 that it could be completed by the end of April. He noted that he had highlighted a few sections
3 throughout the document and explained that those were just references to State statute for the
4 consultant to review.

5
6 Commissioner Magistad asked about section 1202.34, 'Minor Subdivision' and if the definition
7 would be for two lots, but the lots could be any size.

8
9 City Planner Griffiths stated that was correct and explained that there was only a limitation on the
10 number of lots, not their sizes.

11
12 Commissioner Magistad asked about the reason for not requiring a public hearing for a minor
13 subdivision.

14
15 City Planner Griffiths explained that during the Commission's last discussion, there was some
16 conversation related to the minor subdivision process and the review procedures. He noted that
17 the current procedure was to come to the Commission and then onto the City Council, and the
18 direction given at the last meeting was to tweak the approval process as a way to make it more
19 efficient for applicants, since these were generally pretty straight forward.

20
21 Chair Eggenberger explained that the Commission had decided that staff would be able to handle
22 that without having to get permission from the Commission.

23
24 City Planner Griffiths explained that if there were situations where there were variances, those
25 would have to come to the Commission. He moved the discussion on section 1202.10 'Definitions'
26 and reviewed some of the proposed changes but noted that many of these were substantially the
27 same as they were in the current City code. He moved the discussion onto 1202.41 and explained
28 that this section was essentially the meat and potatoes of the information that the City would be
29 looking for in review of applications. He noted that sections 1202.42 and 1202.43 were also
30 essentially the same as the current version and the changes were administrative and not policy
31 driven. He referenced 1202.44 'Street and Alley Design' and explained that they had added more
32 information to this section because, currently, the City did not have a lot of standard requirements,
33 and this added more information and beefed up the existing rules. He referenced 1202.45 'Non-
34 Motorized Connections' and explained that he was not sure why this section had been included
35 within the City Code and the consultant had recommended that they leave it in because there was
36 most likely a reason the City had adopted it in the past, even though this was not something that
37 would typically be seen in a subdivision ordinance. He moved onto section 1202.46 'Easements'
38 and noted that the City required standard easements on all lots and explained that section
39 1202.47 'Utilities' was much the same. He explained that the big change within the 'Utilities'
40 section was from the last Commission meeting and the City Council workshop to require municipal
41 water hook-ups for all subdivisions. He noted that he had worked in other cities and found that
42 requiring municipal water hook-ups was a pretty standard requirement. He stated that in section
43 1202.48 'Drainage and Erosion Control' it essentially says that if you are going to develop a lot
44 they needed to provide for erosion control, which was pretty basic stuff. He noted that the City did
45 not need to have super strict rules in this area, because this was also something that the
46 Minnehaha Watershed District handled and their rules were much more strict than the City's. He
47 moved the discussion onto section 1202.50 'Improvements' and explained that much of this he
48 would consider just common sense.

49
50 Chair Eggenberger asked if the condition of the streets changed with the size of the development.
51

1 City Planner Griffiths explained that he would say that they do, because if there was a larger
2 development, such as the Country Club, the City had the opportunity to build wider roads, but
3 many happen on existing roads, which can be very tiny.
4

5 Chair Eggenberger clarified that he was thinking of a minimum and asked if there was a minimum,
6 no matter what the size of the development would be.
7

8 City Planner Griffiths stated that there was a minimum, but noted that would be located with the
9 zoning regulations. He moved the discussion onto section 1202-52 'Financial Guarantee' and
10 explained that City staff will negotiate a development agreement with an applicant and the
11 guarantee would typically be a letter of credit from a bank or cash that would guarantee the City
12 that the improvements that the developers said would be built would actually get built. He noted
13 that section 1202.53 'Inspection' was also pretty standard and simply stated that the City had the
14 right to inspect what would eventually be their infrastructure. He referenced section 1202.60 'Park
15 Dedication' and noted that they may have veered off course from the initial scope of the update.
16 He explained that former Planning Director Darling had been interested in expanding this section
17 and as they had dug into it more, they discovered that they did not have enough information in
18 order to update this section and give it due justice. He stated that what they were presenting
19 tonight was kind of a 'Band-aid' that beefed up the language a bit more than the current language.
20 He explained that the Park Commission was currently working on an update to the Park Master
21 Plan and that information was really needed in order to be able to update this section and
22 explained that it would likely be brought back again after the Park Commission completed their
23 work on their Master Plan. He explained that the rest of this document was mainly administrative
24 changes and reminded the Commission that staff was looking for feedback, concerns, or if there
25 was anything the Commission felt still needed to be added.
26

27 Commissioner Magistad referenced something like water being stubbed to the property line as a
28 requirement asked if there would be exceptions that would need to be made because not
29 everyone had water stubbed to their property line.
30

31 City Planner Griffiths explained that the intent was that this would be set up so that, if water was
32 not available, it would be presumed that there would not be the ability to subdivide or develop the
33 property until it was available. He stated that on a case by case basis, the City would be able to
34 consider a variance for unique circumstances but stressed that the intent of the policy would be
35 that in most situations, subdivision would just have to wait until water was available.
36

37 Commissioner Magistad asked if it was appropriate to make that explicit within the ordinance.
38

39 City Planner Griffiths stated that there would be references in this section and noted that there
40 was also a separate section in City Code that talked about water connections which is where the
41 bulk of this information would be located.
42

43 Commissioner Magistad asked if City staff had any sort of forecast of where the subdivision
44 requests may emanate from or an estimation of where the demand signals may come from.
45

46 City Planner Griffiths explained that in the City's Comprehensive Plan, they identified some of
47 the larger areas in the City where there would be some development potential. He noted that
48 Shorewood was pretty built out, but there were a few properties where things could happen. He
49 explained that he can provide a map of this information to the Commission and noted that those
50 areas were located along major roads and some of the larger estate lots. He noted that in the
51 next Comprehensive Plan, the City would be doing that analysis again.

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Chair Eggenberger stated that the Commission had discussed much of this before and noted that he had not seen anything in what was presented that gave him any concern.

City Planner Griffiths explained that this would likely come back for a Public Hearing at their meeting in April or May.

B. Nomination and Election of Officers

Chair Eggenberger noted that this was a bit unique because two of the Commissioners were absent tonight and two that were new Commissioners. He stated that he was of the opinion that the officers rotate positions every year and nominated Commissioner Huskins to serve as Chair and Commissioner Holker to serve as Vice-Chair in 2025.

Longo moved, Magistad seconded, to Appoint Commissioner Huskins as Chair and Commissioner Holker as Vice-Chair for the Planning Commission in 2025. Motion passed 3/0.

City Planner Griffiths noted that since Commissioners Huskins and Holker were not present, he wanted to let the Commission know that they would be able to revisit this vote in the future, if something came up. He explained that he would reach out to Commissioners Huskins and Holker to ensure that they were on board with serving in those positions.

C. 2025 Work Program and Schedule of Meetings

City Planner Griffiths reminded the Commission that this was an annual item for the Commission which gave them the opportunity to look and see what things they may be looking at in the future. He clarified that no vote was required on this item and explained that it was more of an acknowledgement and would be forwarded to the City Council for their next meeting. He stated that he wanted to ensure the Commission knew how limited staff time was right now within the Planning Department which was why the 2nd quarter work program was pretty light. He briefly highlighted some of the things included in the work program and outlined things that were going to be included in the State's legislative session and how that may effect the City and their work program. He reviewed the tentative Planning Commission meeting schedule and explained that he felt that they may need to talk about moving some of the meeting dates because of recent changes in the Park Commission meeting schedule.

D. Liaisons for Upcoming Council Meetings

Chair Eggenberger explained that the Commission gives a report to the City Council once a month to explained that had been discussed and to give details of their recommendations.

- March 24, 2025 – Chair Eggenberger
- April 28, 2025 – Commissioner Magistad
- May 27, 2025 – Commissioner Longo

E. Monthly Training Topic: Planning Commission Roles and Responsibilities

City Planner Griffiths explained that this was a new addition to the Planning Commission meeting and stated that they intended to schedule in various training topics within the meetings, especially

1 if there was a light agenda. He gave a brief reviewing and explanation behind the roles and
2 responsibilities of the Planning Commission as their first training topic.

3
4 Commissioner Magistad asked, when a Public Hearing occurred, if the Planning Commission
5 meetings were broadcast live the way City Council meetings were.

6
7 City Planner Griffiths stated that they were not and explained that, right now, the meetings had
8 audio recordings which is what the meeting minutes were based on and clarified that the Planning
9 Commission meetings were not broadcast live.

10
11 Commissioner Magistad asked if there was any other channel for public comments on Planning
12 Commission items.

13
14 City Planner Griffiths stated that when there are Public Hearings, staff sends out notices ahead
15 of time, posted a sign on the property with details about the Public Hearing, published notice in
16 the newspaper, and also sends out mailings to nearby residents. He noted that anyone from the
17 public can submit comments, via letter or e-mail, ahead of the meeting and they would be included
18 in the official record of the meeting.

19
20 Chair Eggenberger noted that, in the past, the Commission had received some training on
21 'precedent' and how there really was not a precedent and that each needed to be considered as
22 separate and unique.

23
24 City Planner Griffiths confirmed that if there was actually any precedent, staff would call it out for
25 the Commission, but noted that it would happen very rarely.

26
27 Commissioner Magistad asked if staff ever had different opinions or recommendations than the
28 Commission.

29
30 City Planner Griffiths explained that the Commission and the City Council can overturn the
31 recommendations made by staff.

32
33 Commissioner Magistad clarified that he was talking about the recommendations within City staff,
34 such as the City Engineer and the Planning Department.

35
36 City Planner Griffiths stated that, typically, staff would work that out prior to the meeting and come
37 to a consensus before it was presented to the Commission.

38
39 Chair Eggenberger noted that he had a few additional items that he felt should be discussed such
40 as Commissioners talking to applicants outside of the meetings.

41
42 City Planner Griffiths stated that the simple answer is that they should not be talking to applicants
43 outside of meetings. He noted that Shorewood was a small community so they may run into
44 applicants at the grocery store or a sporting event, but it was better that they not engage in any
45 discussion regarding the application or Commission business.

46
47 Commissioner Magistad asked what the attitude was about talking, via e-mail, between meetings
48 with the other Commissioners.

49
50 City Planner Griffiths stated that he did not want to continue to use the word 'don't', but noted that
51 there was something called the open meeting law, which would most likely be a future training

1 topic as well. He stated that all discussion should happen in the chambers, which meant that e-
2 mail chains, phone calls, text messages, or posts on social media were all subject to the open
3 meeting law. He explained that if staff sends an e-mail, they will blind carbon copy (bcc) the
4 Commission, so nobody can accidentally hit 'reply all'. He noted that the Commission can have
5 one-on-one conversations, such as e-mailing the Chair to let them know that they would not be
6 able to attend a meeting, but beyond that, the Commission was supposed to be silent outside of
7 the chambers. He noted that chance encounters with each other were fine, but cautioned them
8 not to discuss any Commission items outside of this room.

9
10 Council Liaison DiGruttolo noted some training that she received that essentially said to never
11 use 'reply all'.

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13 **6. REPORTS**

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15 **A. Council Meeting Report**

16
17 Council Liaison DiGruttolo reported on matters considered and actions taken during the Council's
18 recent meetings.

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20 **B. Draft Next Meeting Agenda**

21
22 City Planner Griffiths stated that he expected the next meeting to have a full agenda which
23 included the Public Hearing for the Subdivision Ordinance, rezonings related to medium density
24 development, a variance application, a CUP amendment, and an Interim Use Permit.

25
26 Chair Eggenberger commended City Planner Griffiths for doing a good job running the Planning
27 Commission meeting for the first time.

28
29 **7. ADJOURNMENT**

30
31 **Magistad moved, Longo seconded, adjourning the Planning Commission Meeting of March**
32 **4, 2025, at 8:02 P.M. Motion passed 3/0.**



Planning Commission Meeting Item

Item
4A

Title/Subject: CUP amendment for construction of a new home and IUP for the demolition of the existing home once completed

Meeting Date: April 1, 2025

Prepared by: Jake Griffiths, Planning Director

Attachments: Location Map
Applicant’s Narrative & Plans

APPLICANT: Alan & Jessica Brandhorst

LOCATION: 27225 Smithtown Rd

REVIEW DEADLINE: June 18, 2025

COMPREHENSIVE PLAN: Minimum Density Residential

ZONING: R-1A & Shoreland

REQUEST

The applicant is seeking to construct a new single-family home on the property while retaining the existing single-family home during construction. An Interim Use Permit (IUP) is required to accommodate the temporary placement of two single-family homes on one property and to ensure that the existing home is eventually demolished. The Conditional Use Permit (CUP) amendment is required as the area which the new home is proposed to be built in was identified as a vegetated area on the property’s existing CUP which allows them to operate Twin Orchards Nursey at the property. It should be noted that the existing nursey and related buildings are not a part of this application and are not the subject of the City’s review. The applicant’s materials and narrative are attached for review.



Notice of the application was sent by postcard to all property owners within 500 feet of the property and by placing a sign in the right-of-way in front of the home. Notice of the public meeting was sent by US mail to all property owners within 750 feet of the property at least 10 days prior to this meeting and published in the City’s official newspaper, on the City’s website and at City Hall. As of the publication of this report no public comments have been received regarding this application.

INTERIM USE PERMIT ANALYSIS

City Code 1201.03, Subd. 2. c. (4) establishes review criteria for interim use permits allowing multiple homes on the same lot during construction as follows:

1. The new dwelling shall conform to the setback requirements of the zoning district in which it is located.

The applicant’s proposal meets the setbacks for the R-1A zoning district in which the property is located.

2. Construction of the new dwelling shall not result in substantially greater site alteration (for example, tree removal or grading) than if the original house is first removed.

Construction of the new dwelling would not result in substantially greater site alteration than if the original house was first removed.

3. The property owner must provide an estimate from a licensed contractor for the cost of removing the original dwelling and restoring the site. From this estimate the city shall require a cash escrow or letter of credit in the amount of 150% of the estimate to ensure that the original dwelling will be removed within two weeks of the date that a certificate occupancy is issued for the new dwelling. In no instance shall the original home remain on the property longer than two years.

Staff is recommending that if the request is approved, it be conditioned upon satisfying the above requirements.

4. The property owner shall provide the cash escrow or letter of credit referenced in (C) above at the time a building permit is issued for the new dwelling. The new dwelling shall not be occupied until a certificate of occupancy has been issued.

Staff is recommending that if the request is approved, it be conditioned upon satisfying the above requirements.

5. The request shall be subject to the requirements of City Code 1201.04, Subd. 4.

City Code 1201.04, Subd. 4. provides review criteria and administrative procedures for all interim use permits. Staff's recommendation later in this report includes additional items to ensure that the requirements of this section of the City Code are also being met.

CONDITIONAL USE PERMIT AMENDMENT ANALYSIS

The existing CUP was issued in 1991 and allowed for operation of the nurse on the property subject to a number of conditions. One of these conditions stated that "the existing natural vegetation and landscaping be maintained on the site" subject to a rough site plan where existing vegetation was identified. A copy of the existing CUP is attached for review. The applicant is proposing to construct their new home in one of the areas identified as a location where natural vegetation was to be preserved which is why an amendment is required. The proposed amendment would modify the map and original CUP resolution to allow construction of the new dwelling in a previously protected location. The applicant has indicated that the area they are proposing to build their new home has historically had vegetation that was marginal at best including buckthorn, scrub trees/brush, and deadfall.

Amendments to Conditional Use Permits are reviewed and processed in the same way as if it was an original application and are subject to the review criteria established by City Code 1201.04, Subd. 3. Included below:

1. The proposed use, and its related construction, would be consistent with the policies and provisions of the Comprehensive Plan.

As part of its recommendation, staff have drafted conditions that ensure the propose use, and its related construction, would be consistent with the policies and provisions of the Comprehensive Plan.

2. The proposed use would be compatible with present and future land uses in the area and would not tend to or depreciate the area in which it is proposed.

The proposed use is compatible with the present and future land uses in the area and would not tend to or depreciate the area in which it is proposed.

3. Adequate public facilities and services, including existing and anticipated traffic concerns, are available or can be reasonably provided to accommodate the proposed use.

Adequate public facilities and services, including existing and anticipated traffic concerns, are available and can be reasonably provided to accommodate the proposed use.

4. The proposed use conforms to the applicable regulations of the zoning district in which it is located and otherwise conforms to all applicable regulations of the City Code.

The proposed use conforms to the applicable regulations of the zoning district in which it is located and otherwise conforms to all applicable regulations of the City Code.

5. The proposed use will not be detrimental to the health, safety and general welfare of the occupants of surrounding lands.

It is not anticipated that the proposed use will be detrimental to the health, safety and general welfare of the occupants of surrounding lands.

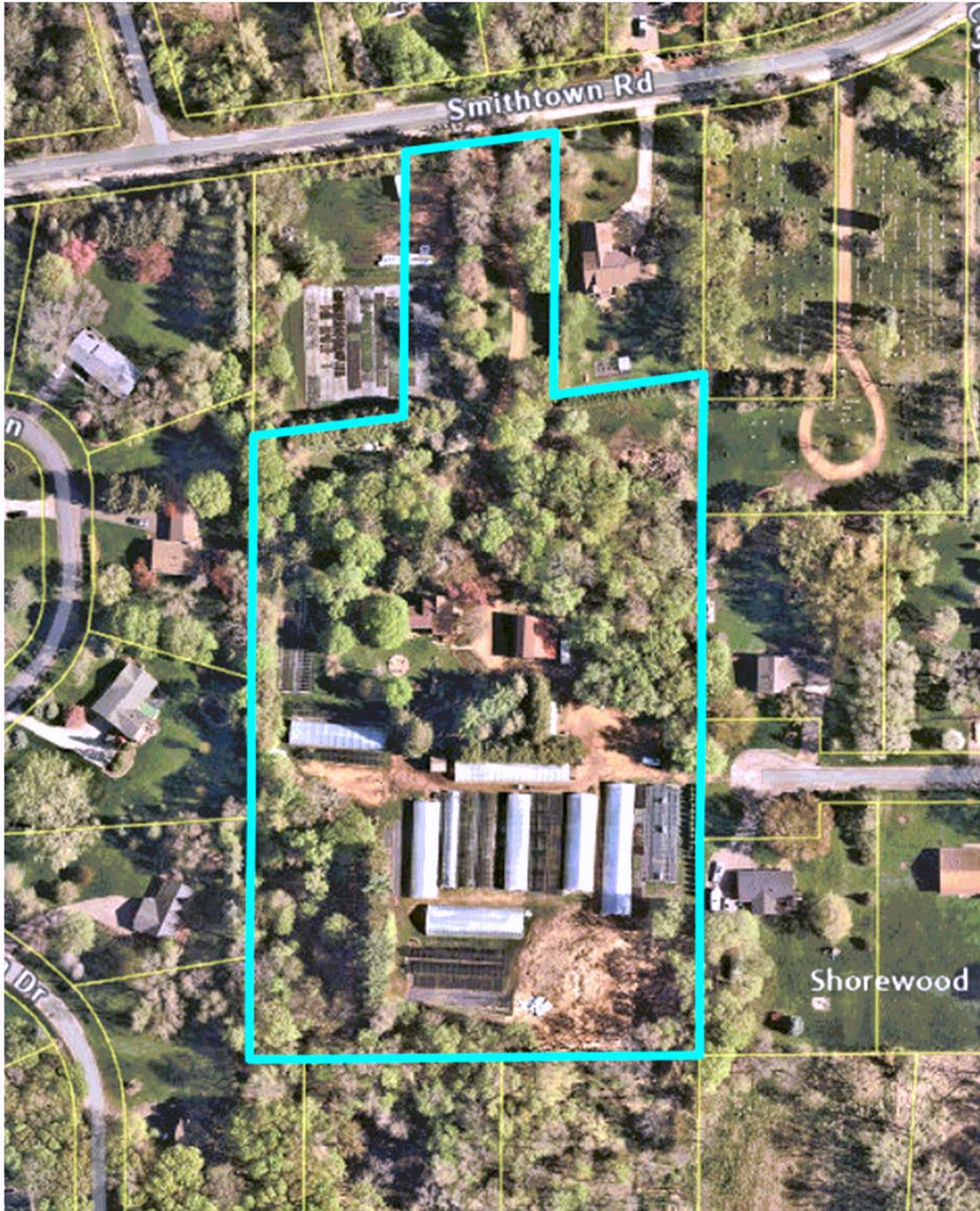
FINDINGS/RECOMMENDATION

Staff recommends approval of the request for an Interim Use Permit and Conditional Use Permit Amendment subject to the following conditions:

- Prior to issuance of a building permit for construction of the new home, the applicant shall provide the following:
 - Structural plans for construction of the new dwelling, and any other information required as part of the Building Permit and Demolition Permit application process.
 - Tree preservation and replacement plan which meets the City of Shorewood Tree Preservation and Replacement Policy.
 - Existing and proposed impervious surface calculations.
 - An estimate from a licensed contractor for the cost of removing the original dwelling and restoring the site.

- A cash escrow or letter of credit in the amount of 150% of the estimate to ensure that the original dwelling will be removed within two weeks of the date that a certificate of occupancy is issued for the new dwelling.
- The original dwelling shall be removed within two weeks of the date that a certificate of occupancy is issued for the new dwelling.
- The new dwelling shall not be occupied until a certificate of occupancy has been issued.
- In no instance shall the original dwelling remain on the property longer than two years.

27225 Smithtown Road Location Map



To: City of Shorewood
Honorable Mayor and City Council
City Planner – Jake Griffiths

Feb. 18th, 2025

From: Alan & Jessica Brandhorst (Trustee of the Tena Brandhorst Trust)
27225 Smithtown Rd.
Shorewood, MN 55331

RE: Description & Summary for: (i) the Amendment to the Existing Conditional Use Permit and (ii) an Interim Use Permit (i.e. Construction of new single family home and demolition of existing home)

For Clarification of the Application:

- This application is NOT seeking a new CUP, but an amendment to the existing CUP. The existing CUP from the early 1990's (pre-digital CAD documents) was for the purpose of allowing the operation of the nursery/greenhouse business. No changes are proposed to the nursery land/buildings. However, the original CUP also contained a graphic showing the proposed new home construction area as vegetated. The practical reality is that for the past 30 yrs. this area was “vegetated” with buckthorn, scrub tree/brush, and a general area to place deadfall (which has recently been cleaned up). The current amendment would allow placement of the new home in this location. This location also abuts Alan’s parents’ home and works with natural topography to allow a walkout basement.
- The IUP is required due to the ordinance which restricts 2 homes on one property. During construction of the new home, the Brandhorst Family will continue to occupy the existing home. Once the new home is completed, the Brandhorsts request they be permitted 60 days to complete demolition of the existing home.

Description and Summary:

The Brandhorst Family have been residents of Shorewood for 40+ years as owners of this property. During this time, they have also operated a community-sized landscape nursery known as Twin Orchards Nursery. The nursery has operated under a conditional use permit since the early 1990's. The property also contains Alan & Jessica’s personal homestead which was constructed in 1925.

While Alan & Jessica have enjoyed the home (and Alan’s parents before them), the residence is in sub-standard condition. The foundation has structural issues, mechanical systems are outdated and out of code compliance. General exterior/interior materials have outlived their viable lifespan.

In addition to the condition of the home, Alan & Jessica’s stage of life combined with their younger son’s physical disability make the home’s functionality a challenge for their current and future

lifestyle. Alan & Jessica have a family history with the property and Alan's parents live on an abutting lot. The CUP/IUP application before you would allow Alan & Jessica to construct a new, custom-built 1-level single-family walkout home on the property, and upon completion, take down the old home.

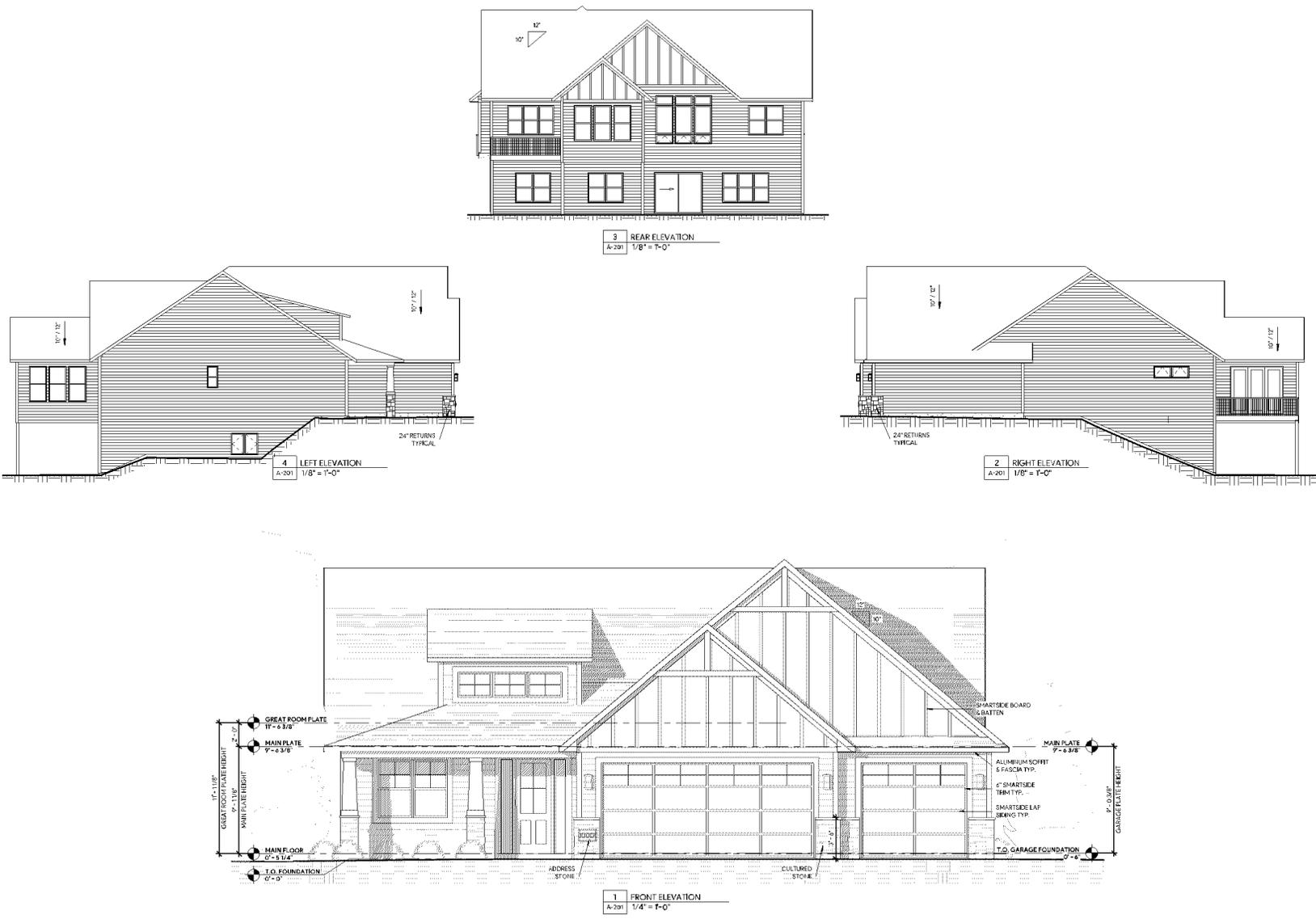
This application meets/exceeds the CUP checklist's "performance standards" for approval:

1. The new, custom-built home will conform to the current zoning regulations / building codes, and is consistent with the Comprehensive Plan's residential provisions.
2. The new home is compatible with other newer construction in the neighborhood and greater Shorewood. Furthermore, given the condition/age of the existing home, the new home would significantly improve the property value, which should have a positive impact on the surrounding area.
3. The application is to construct 1 new home and demolish 1 existing home. The new home would be connected to existing sewer & water mains lines in Smithtown Road. City utility services will not be materially impacted by this approval. Home service stubs were previously installed in Smithtown Rd. in anticipation of this type of connection.
4. Given the age, condition, and non-compliance with current building code of the existing home, the new construction home will enhance public welfare, health, and safety (primarily for that of the occupants).
5. Attached to this application is a preliminary planset for the proposed new home. As required by ordinance, prior to construction, the final home plan will be subject to the city code and submitted for city review and building permit.
6. Impervious Surface: The final impervious surface calculations will be provided upon building permit submittal. Given the new home will use the existing driveway and the existing home with its surrounding hardscape will be demolished/restored. The impervious surface (existing vs. new/proposed) is intended to be "net zero" or within allowable city standards without triggering additional review/ponding.

Thank you for your review. The Brandhorst Family looks forward to continuing their active role in Shorewood's community in the years to come. The new home will support this goal for their lifestyle and physical accessibility needs.

Attachments:

1. Application form (including \$2,000 fee/escrow for CUP/IUP)
2. CUP Application Checklist
3. Survey – including tree inventory and topography.
4. Prelim home plan – including architectural elevations & floor plan.
5. Brandhorst – Property Pictures Graphic
6. Brandhorst – Site Plan
7. Brandhorst – Site Plan (with Aerial)
8. Brandhorst – Site Plan (Zoom to new home area)



PRELIMINARY - NOT FOR CONSTRUCTION

mārka
ARCHITECTURE
20000 131
6TH AVENUE, SUITE 100
MINNEAPOLIS, MN 55414
TEL: (612) 338-4444
WWW.MARKA.COM

JR JOHNSON REILAND
BUILDERS & REMODELERS
616 HIGHWAY 3 SOUTH
DUNDAS, MN 55019
PH (607) 366-1288
FX (607) 366-1287
JRBANDR.COM

THE BRANDHORST RES.
27225 SMITHTOWN RD
SHOREWOOD, MN 55331

DATE	REVISION
2.5.25 SW	REV. 1
	REV. 2
	REV. 3
	REV. 4
	REV. 5
	REV. 6

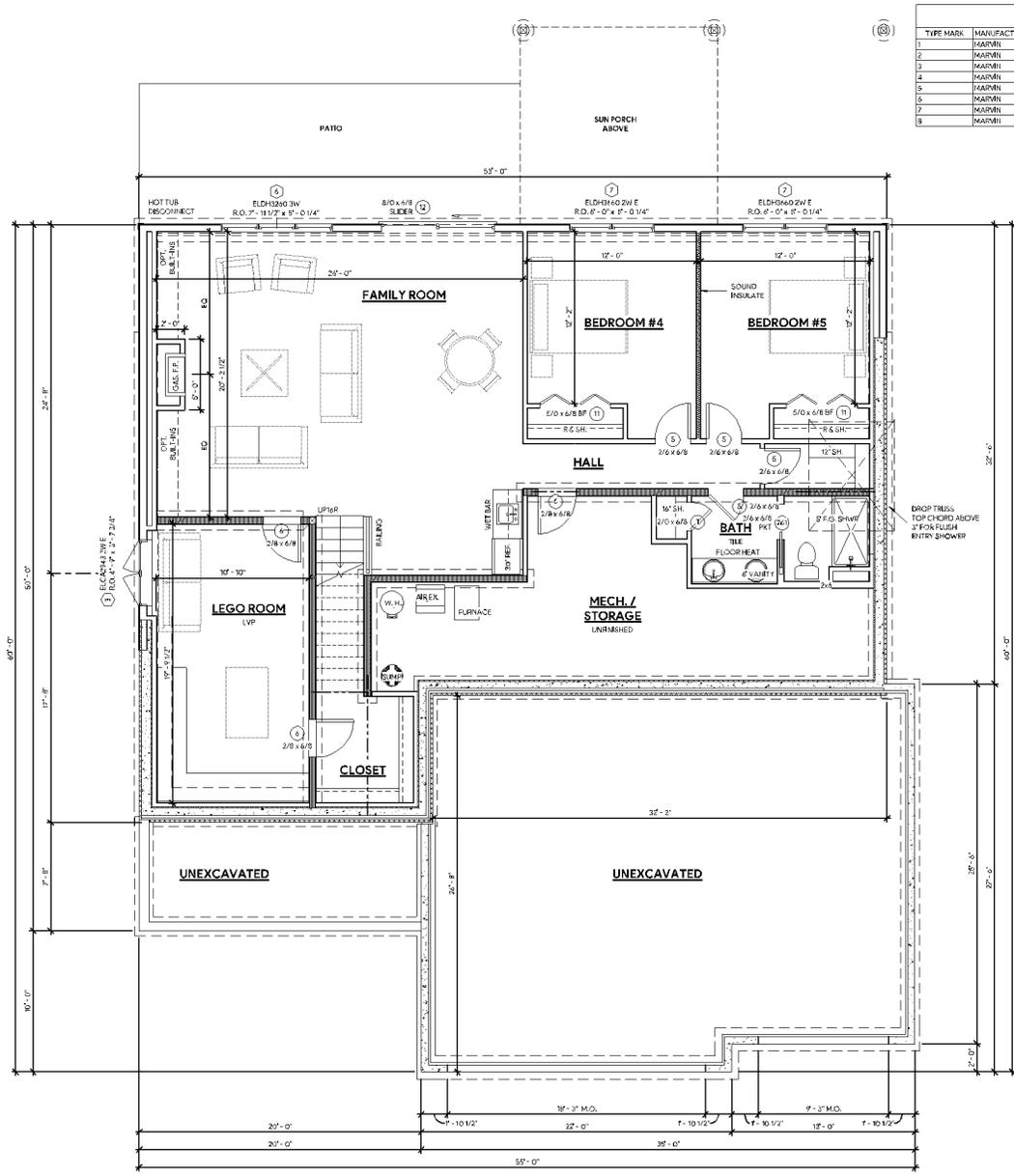
PLATE HEIGHTS	
UPPER:	9'-1 1/8"
MAIN:	10'-0" POUR

FINISHED SQUARE FEET	
UPPER:	
MAIN:	2130
LOWER:	1494
BONUS:	
TOTAL:	3624

PROJECT
JRB577
SHEET
A-201

UNSPECIFIED HEADERS TO BE 2-2x10 W/ 2 TRIMMERS
10" MIN. STAIR TREAD DEPTH & 7 3/4" MAX STAIR RISER HEIGHT
ALL ANGLES ARE 45 DEGREES UNLESS NOTED OTHERWISE
ALL EXTERIOR DIMENSIONS ARE TO OUTSIDE OF SHEATHING, CONCRETE OR FOUNDATION/INSULATION
THE IDEAS, DESIGNS, DRAWINGS AND SPECIFICATIONS REPRESENTED HEREIN ARE AND SHALL REMAIN THE EXCLUSIVE COPYRIGHT PROPERTY OF MARKA, LLC. NO PART THEREOF SHALL BE USED, COPIED, OR DISCLOSED IN CONNECTION WITH ANY WORK OR PROJECT OTHER THAN THE SPECIFIED PROJECT FOR WHICH THEY HAVE BEEN PREPARED WITHOUT THE WRITTEN CONSENT OF MARKA, LLC. THE PLANS FURNISHED HEREIN WERE PREPARED UPON REQUEST AND ARE NO MEANS MEANT TO BE ALL INCLUSIVE. MARKA, LLC ASSUMES NO RESPONSIBILITY FOR STRUCTURAL OR DIMENSIONAL ERRORS OR OMISSIONS. THE CONTRACTOR AND/OR OWNER MUST VERIFY AND CHECK ALL NOTES, DETAILS, ELEVATIONS, SECTIONS AND FLOOR PLANS AND NOTIFY MARKA, LLC OF ANY ERRORS OR OMISSIONS PRIOR TO THE START OF CONSTRUCTION. NO WARRANTIES ARE EXPRESSED OR IMPLIED INCLUDING COMPLIANCE OF THIS PLAN WITH APPLICABLE BUILDING CODE REQUIREMENTS. THE SELECTION AND APPLICATION OF CORRECT STRUCTURAL MATERIALS IS THE RESPONSIBILITY OF THE BUILDER, THE OWNER OR THE USER OF THESE PLANS.

2/20/25 3:12:09 PM



WINDOW SCHEDULE							
TYPE MARK	MANUFACTURER	MODEL	TYPE	COUNT	ROUGH WIDTH	ROUGH HEIGHT	HEAD HEIGHT
1	MARKIN	ELEVATE	ELAWN323 2W	1	6'-0"	1'-11 1/8"	6'-0"
2	MARKIN	ELEVATE	ELAWN327 2W FIXED	1	9'-0"	2'-3 3/8"	6'-0"
3	MARKIN	ELEVATE	ELCAP243 2W E	1	4'-0"	2'-7 3/4"	6'-10"
4	MARKIN	ELEVATE	ELCAT19319/ELCAPP319/ELAWN319P3	3	5'-0"	5'-2"	2'-0"
5	MARKIN	ELEVATE	ELDH244	1	7'-10 1/2"	2'-8 1/4"	15'-0"
6	MARKIN	ELEVATE	ELDH3240 2W	2	7'-11 1/2"	5'-0 1/4"	varies
7	MARKIN	ELEVATE	ELDH3460 2W E	4	8'-0"	5'-0 1/4"	varies
8	MARKIN	ELEVATE	ELDH3672 E	6	8'-0 1/2"	4'-0 1/4"	6'-0"

1 LOWER FLOOR PLAN
A-402 1/4" = 1'-0"

UNSPECIFIED HEADERS TO BE 2-2x10 W/ 2 TRIMMERS
 10" MIN. STAIR TREAD DEPTH & 7 3/4" MAX STAIR RISER HEIGHT
 ALL ANGLES ARE 45 DEGREES UNLESS NOTED OTHERWISE
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PRELIMINARY - NOT FOR CONSTRUCTION
THE BRANDHORST RES.
 27225 SMITHTOWN RD
 SHOREWOOD, MN 55331



marka
ARCHITECTURE

27225 SMITHTOWN RD
SHOREWOOD, MN 55331
PH (507) 366-1288
FX (507) 366-1287
JRB@MKA.COM



JOHNSONRELAND
BUILDERS & REMODELERS

616 HIGHWAY 3 SOUTH
DUNDAS, MN 55019
PH (507) 366-1288
FX (507) 366-1287
JRB@MKA.COM

DATE

RELEASED 2.5.25 SW

REV. 1 _____

REV. 2 _____

REV. 3 _____

REV. 4 _____

REV. 5 _____

REV. 6 _____

PLATE HEIGHTS

UPPER: _____

MAIN: 9'-11 1/8"

FOUND: 10'-0" POUR

FINISHED SQUARE FEET

UPPER: _____

MAIN: 2130

LOWER: 1494

BONUS: _____

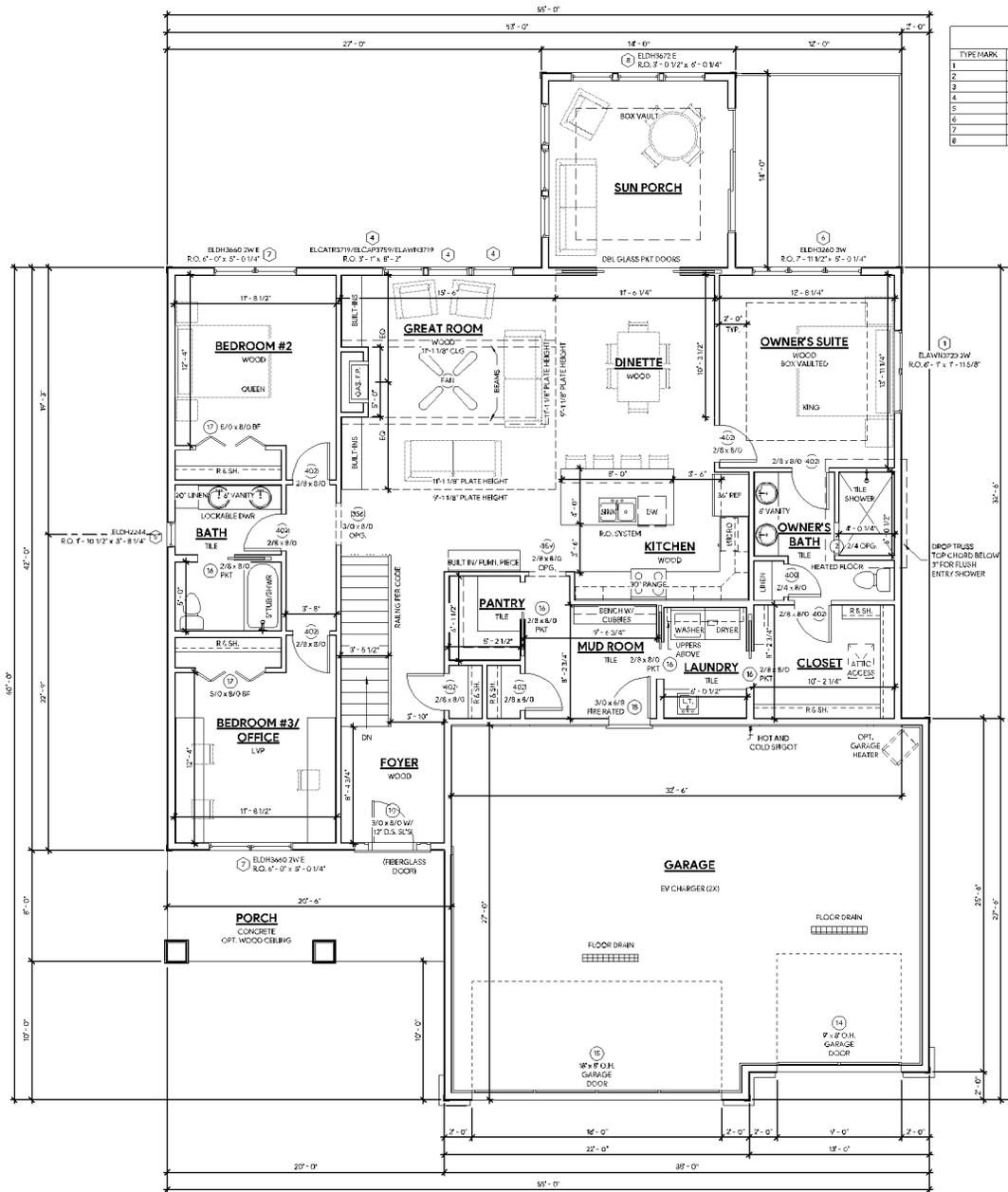
TOTAL: 3624

PROJECT

JRB577

SHEET

A-402



WINDOW SCHEDULE							
TYPE MARK	MANUFACTURER	MODEL	TYPE	COUNT	ROUGH WIDTH	ROUGH HEIGHT	HEAD HEIGHT
1	MARVIN	ELEVATE	ELW4023 ZW	1	6'-1"	4'-11 5/8"	6'-0"
2	MARVIN	ELEVATE	ELW4022 SW FMBD	1	6'-1"	2'-3 5/8"	6'-4"
3	MARVIN	ELEVATE	ELC4243 ZW E	1	4'-9"	2'-2 3/4"	6'-10"
4	MARVIN	ELEVATE	ELC402579/ELCAP359/ELAW4379	3	3'-1"	6'-2"	6'-8"
5	MARVIN	ELEVATE	ELD4244	1	4'-10 1/2"	4'-4 1/4"	6'-0"
6	MARVIN	ELEVATE	ELD4240 ZW	2	2'-11 1/2"	6'-0 1/4"	6'-8 1/2"
7	MARVIN	ELEVATE	ELD4340 ZW E	4	4'-0"	6'-0 1/4"	6'-8 1/2"
8	MARVIN	ELEVATE	ELD4022 E	6	2'-0 1/2"	6'-0 1/4"	6'-0"

1 MAIN FLOOR PLAN
A-403 1/4" = 1'-0"

UNSPECIFIED HEADERS TO BE 2-2x10 W/ 2 TRIMMERS
10" MIN. STAIR TREAD DEPTH & 3/4" MAX STAIR RISER HEIGHT
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PRELIMINARY - NOT FOR CONSTRUCTION

marka
ARCHITECTURE
2000 330
MOUNTAIN VIEW
1335 A MN 55056
TEL: 612-835-5500
WWW.MARKA-LLC.COM

JR JOHNSON REILAND
BUILDERS & REMODELERS
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DUNDAS, MN 55019
PH (507) 366-1288
FX (507) 366-1287
JRBRANDR.COM

THE BRANDHORST RES.
27225 SMITHTOWN RD
SHOREWOOD, MN 55331

DATE
RELEASED: 2.5.25 SW

REV. 1	
REV. 2	
REV. 3	
REV. 4	
REV. 5	
REV. 6	

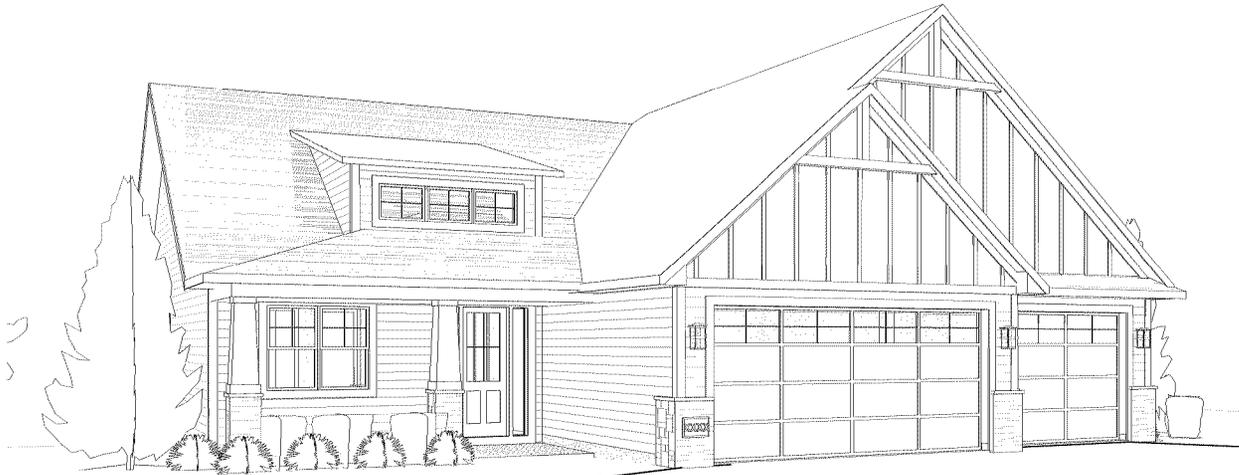
PLATE HEIGHTS

UPPER:	
MAIN:	9'-1 1/8"
FOUND:	10'-0" POUR

FINISHED SQUARE FEET

UPPER:	
MAIN:	2130
LOWER:	1494
BONUS:	
TOTAL:	3624

PROJECT
JRB577
SHEET
A-403



PRELIMINARY - NOT FOR CONSTRUCTION

marka
ARCHITECTURE
2025 13th
S.W. 4th Street, Suite 100
Dundas, MN 55019
Tel: (507) 366-1287
Fax: (507) 366-1287

JOHNSON & REILAND
BUILDERS & REMODELERS
616 HIGHWAY 3 SOUTH
DUNDAS, MN 55019
PH (507) 366-1288
FX (507) 366-1287
JRBANDR.COM

THE BRANDHORST RES.
27225 SMITHTOWN RD
SHOREWOOD, MN 55331

DATE	RELEASED
2.5.25 SW	REV. 1
	REV. 2
	REV. 3
	REV. 4
	REV. 5
	REV. 6

PLATE HEIGHTS	
UPPER:	
MAIN:	9'-1 1/8"
FOUND:	10'-0" POUR

FINISHED SQUARE FEET	
UPPER:	
MAIN:	2130
LOWER:	1494
BONUS:	
TOTAL:	3624

PROJECT
JRB577
SHEET
A-901

UNSPECIFIED HEADERS TO BE 2x2x10 W/ 2 TRIMMERS
10" MIN. STAIR TREAD DEPTH & 7 3/4" MAX STAIR RISER HEIGHT
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Brandhorst CUP Amendment and IUP Permit Application

Property Graphics

Existing Home— issues include — structural, age, condition, code non-compliance



New Home Area—Pre-CleanUp — buckthorn, debris, deadfall storage



New Home Area— After-CleanUp





SITE DATA

PARCEL ID: 3111723410021
3111723440028

SITE AREA: 8.84 acres

Site partially within the 1000' shoreland district boundary of Virginia Lake. Virginia Lake is considered a recreational development lake. OHW = 929.4 per MNDNR

SHORELAND DISTRICT ZONING STANDARDS:

- 15,000 sf min area (nonabutting within RD district)
- 25% max. impervious surface per lot
- Lot width and setbacks are same as R-1D

WETLAND INFO:

Delineation: By Kjolhaug Environmental Services.

- Wetlands area totals 514 sf and thus under diminimus threshold. Wetland area assumed to be fully impacted, therefore, no wetland buffers will be required.

STORMWATER:

- Impervious surface proposed: 5,230 sf
- Impervious to be mitigated through removal/reduction of equivalent existing gravel/impervious surface.

TREE PRESERVATION:

- Significant Trees to be removed:
 - 6533 - 14' White Mulberry
 - 6536 - 10' Sugar Maple
 - 6556 - 38' Crabapple (4 Trunk Clump)
 - 6567 - 9' American Elm
- Total Caliper Inches removal: 71 dbh

LEGEND

- DEVELOPMENT SITE BOUNDARY
- WETLAND DELINEATION
- EXISTING SANITARY SEWER
- EXISTING WATERMAIN
- PROPOSED SANITARY SERVICE
- PROPOSED WATER SERVICE

BRANDHORST PROPERTY - HOME PLAN

SHOREWOOD, MN

SITE PLAN w/ AERIAL



DATE: 2-10-25
DRAWN BY: MPR



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SITE DATA

PARCEL ID: 3111723410021
3111723440028

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Site partially within the 1000' shoreland district boundary of Virginia Lake. Virginia Lake is considered a recreational development lake. OHW = 929.4 per MNDNR

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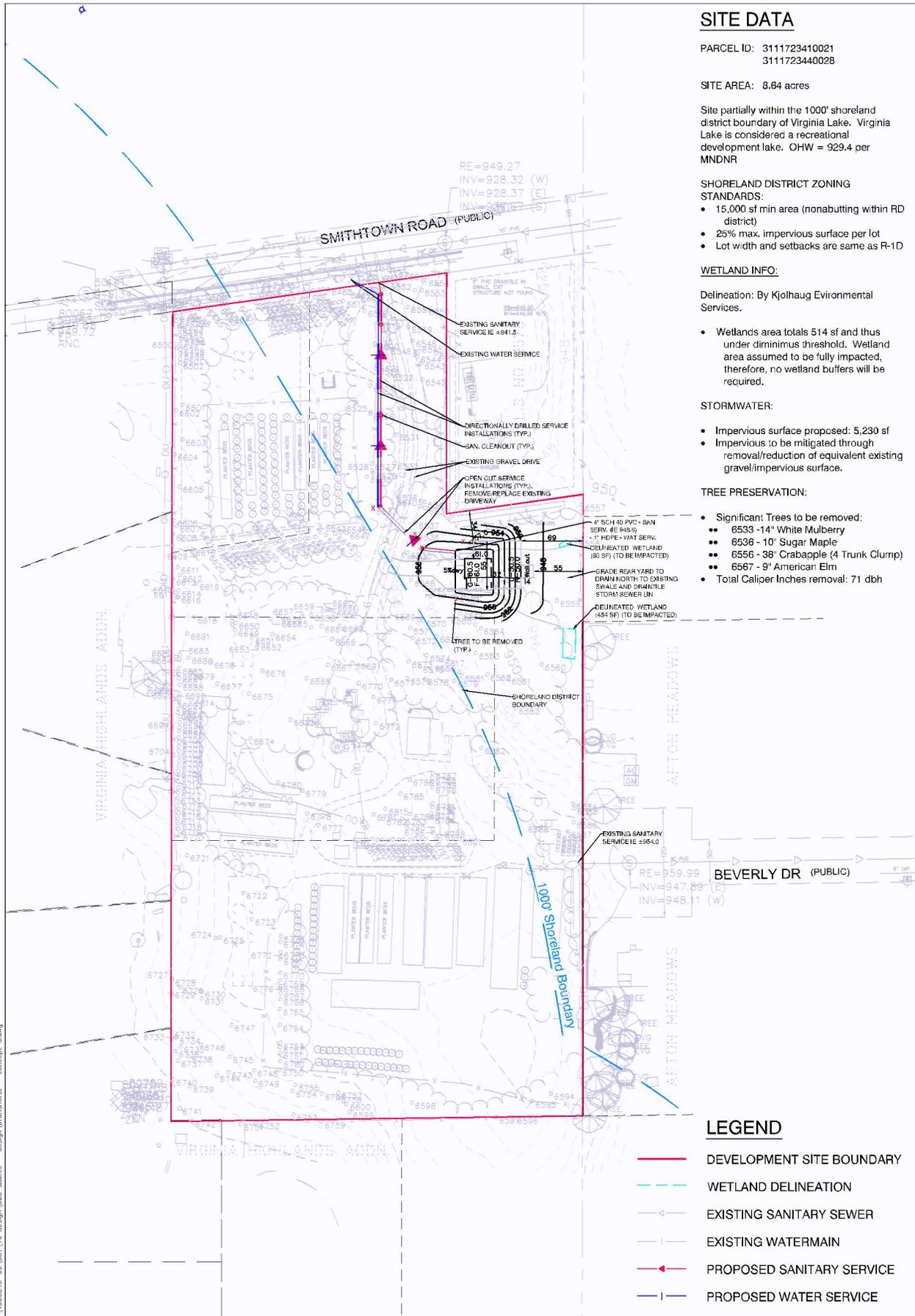
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BRANDHORST PROPERTY - HOME PLAN

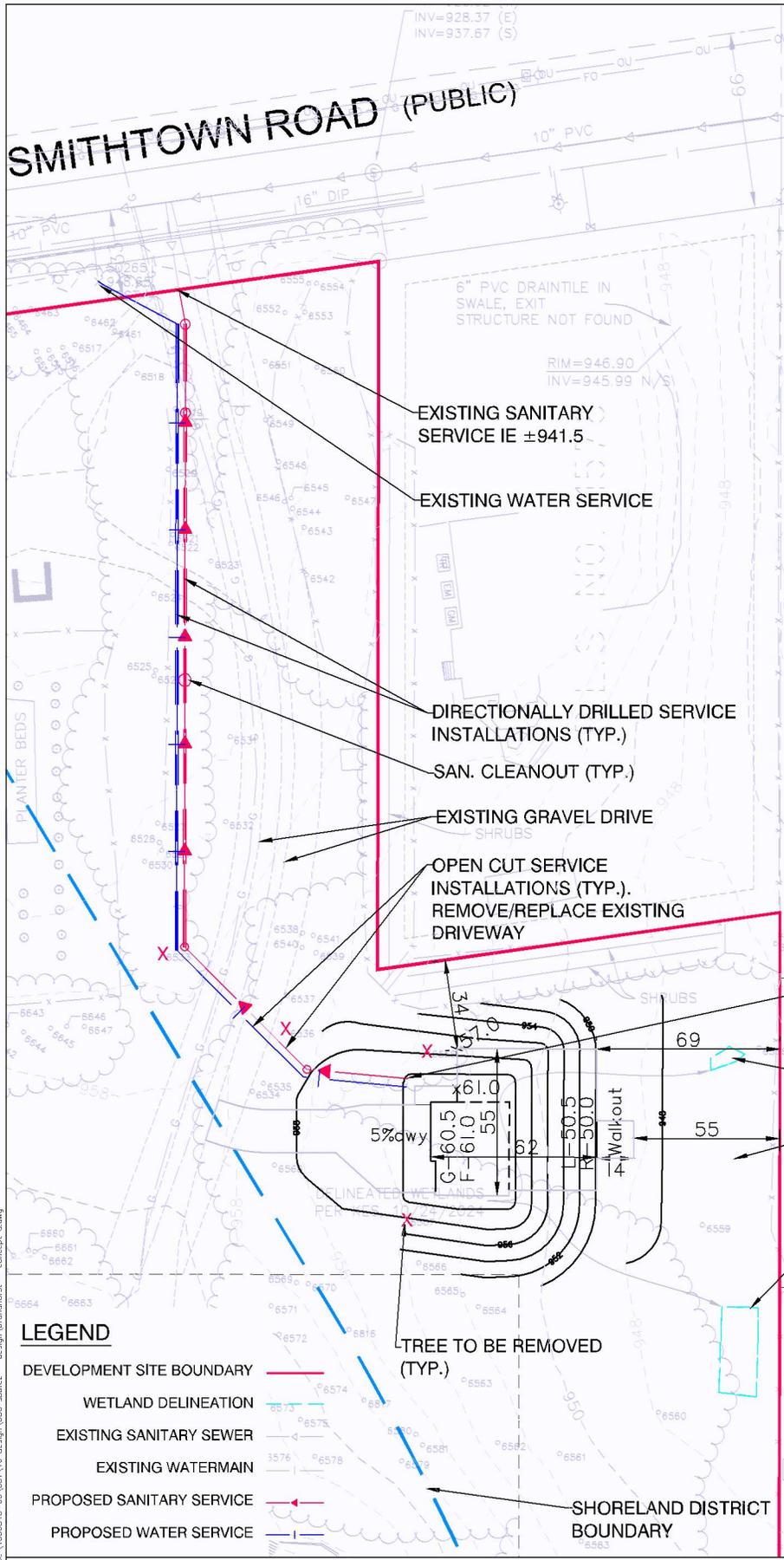
SHOREWOOD, MN SITE PLAN

N

0' 50' 100'

DATE: 2-10-25
DRAWN BY: MPR

ALLIANT
ENGINEERING



SITE DATA

PARCEL ID: 3111723410021
3111723440028

SITE AREA: 8.64 acres

Site partially within the 1000' shoreland district boundary of Virginia Lake. Virginia Lake is considered a recreational development lake. OHW = 929.4 per MNDNR

SHORELAND DISTRICT ZONING STANDARDS:

- 15,000 sf min area (nonabutting within RD district)
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 - 6567 - 9" American Elm
- Total Caliper Inches removal: 71 cbh

EXISTING SANITARY SERVICE IE ±941.5

EXISTING WATER SERVICE

DIRECTIONALLY DRILLED SERVICE INSTALLATIONS (TYP.)

SAN. CLEANOUT (TYP.)

EXISTING GRAVEL DRIVE

OPEN CUT SERVICE INSTALLATIONS (TYP.). REMOVE/REPLACE EXISTING DRIVEWAY

4" SCH 40 PVC - SAN SERV. (IE 948.5)
- 1" HDPE - WAT SERV.

DELINEATED WETLAND (60 SF) (TO BE IMPACTED)

GRADE REAR YARD TO DRAIN NORTH TO EXISTING SWALE AND DRAINTILE STORM SEWER LIN

DELINEATED WETLAND (454 SF) (TO BE IMPACTED)

TREE TO BE REMOVED (TYP.)

LEGEND

- DEVELOPMENT SITE BOUNDARY
- WETLAND DELINEATION
- EXISTING SANITARY SEWER
- EXISTING WATERMAIN
- PROPOSED SANITARY SERVICE
- PROPOSED WATER SERVICE

SHORELAND DISTRICT BOUNDARY

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BRANDHORST PROPERTY - HOME PLAN
SHOREWOOD, MN

SITE PLAN - ZOOM



DATE: 2-10-25
DRAWN BY: MPR



3/21/91

RESOLUTION NO. 30-91A RESOLUTION GRANTING A CONDITIONAL USE PERMIT
PROVIDING FOR AGRICULTURAL USE IN A SINGLE-FAMILY
RESIDENTIAL DISTRICT

WHEREAS, Clifford Brandhorst (Applicant) is the owner of real property consisting of approximately 10 acres located at 27225 Smithtown Road in the City of Shorewood, County of Hennepin, State of Minnesota, legally described in Exhibit A, attached hereto and made a part hereof; and

WHEREAS, Applicant for several years has been growing wholesale plant products (e.g., Hosta) on the property, which activity requires the use of temporary greenhouse structures to shade the plants during summer months; and

WHEREAS, said property is located within a single-family residential district and therefore requires a Conditional Use Permit for the operation of an agricultural business on the property; and

WHEREAS, the Applicant's request has been reviewed by the City Planner and his recommendations have been duly set forth in his memorandum to the Planning Commission dated 28 February 1991, which memorandum is on file at City Hall; and

WHEREAS, after required notice a Public Hearing was held and the application reviewed by the Planning Commission at their regular meeting on 5 March 1991, the minutes of which meeting are on file at City Hall; and

WHEREAS, the Applicant's application was considered by the City Council at their regular meeting held on 11 March 1991, at which time the Planner's memorandum was reviewed, the minutes of the Planning Commission were reviewed, comments were heard from the City Council members and staff, and the City Attorney was directed to prepare a resolution setting forth findings and conclusions approving the application.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shorewood as follows:

FINDINGS OF FACT

1. That the subject property consists of three contiguous parcels of land comprising 9.75 acres located in a R-1A single-family, residential zoning district.

2. That the property is occupied by Mr. Brandhorst's home, two accessory buildings, several greenhouses, and is bordered by natural vegetation and landscaping, all of which is depicted in the site plan of the property attached hereto and made a part hereof as Exhibit B.

3. That, with the exception of the cemetery located adjacent to the northeast corner of the site, the property is surrounded by single-family residences, the lots south of the site being approximately 660 feet deep with houses located on the south half of the lots.

4. That the visual impact of the temporary greenhouses is negligible due to the extent of existing vegetation on the site, and that the greenhouses are effectively screened from view of adjoining properties.

5. That the Shorewood City Code Section 1201.10 Subd. D, 4.d. and e. provides for the approval of conditional uses for the purposes of farm or truck gardens and the erection of farming and agricultural related buildings, subject to certain requirements.

6. That the use of the land contemplated in the application is in accordance with the official City Comprehensive Plan and will not adversely affect the general welfare, public health and safety of the community.

CONCLUSIONS

That Applicant's application for a Conditional Use Permit for the use of the subject property for agricultural purposes is hereby granted, subject to the following conditions:

1. That the three parcels remain under the ownership of the resident of the home located on the property and that the agricultural use of the property be restricted to use by the resident of the property.

2. That the sale of agricultural products be limited to such products as are raised on the premises and that retail sales be limited to seasonal sale of fruits and vegetables actually grown on the premises.

3. That the temporary greenhouses be kept in good repair and confined to the clearing shown on the site plan, attached hereto as Exhibit B.

4. That except for the temporary greenhouses, all structures comply with current building and zoning codes.

5. That the existing natural vegetation and landscaping be maintained on the site.

6. That a certified copy of this resolution, together with the Exhibits attached hereto, be filed with the Hennepin County Recorder or Registrar of Titles within thirty (30) days of the date of certification hereof.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF SHOREWOOD this
25th day of March, 1991.


Barbara J. Brancel, Mayor

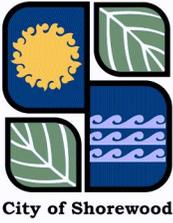
ATTEST:

Bradley J. Nielsen
Acting City Administrator/Clerk

Roll Call Vote:

Ayes -

Nays -



Planning Commission Meeting Item

Item
4B

Title/Subject: Rezoning Three Parcels to R-3A
Meeting Date: April 1, 2025
Prepared by: Jake Griffiths, Planning Director
Attachments: Location Map

LOCATION: 24560, 24590, and 24620 Smithtown Rd
APPLICANT: City of Shorewood

BACKGROUND

The Comprehensive Plan is a “road map” for the community. It establishes the vision and goals for the future and follows three basic questions: what is the state of the community today, what should the community be in the future, and how will the community get there. The Comprehensive Plan provides the foundation for all land use and zoning regulation in the City, and all decisions made by the City must be consistent with the Comprehensive Plan pursuant to Minnesota State Statute § 462.357, Subd. 2. (c).

As part of the 2040 Comprehensive Plan, the City reguided three parcels to the Medium Density residential land use classification of 6-8 units per acre. This change was adopted in order to meet minimum net density and affordable housing requirements imposed on the City by the State of Minnesota through the Metropolitan Council.

REQUEST

Recently, the City adopted zoning ordinance amendments that amended the R-3A zoning district to allow development that would be consistent with the medium density land use classification. Tonight’s request is the final step of implementing the 2040 Comprehensive Plan’s medium density direction by applying the newly amended R-3A zoning district to the three properties located at 24560 Smithtown Rd, 24590 Smithtown Rd and 24620 Smithtown Rd. This request is not tied to any specific development proposal and is largely a housekeeping item that is being brought forward in order to maintain consistency between the Comprehensive Plan and zoning regulations as required by State Statute.

Notice of the request was mailed to all property owners within 750 feet by postcard and a sign was posted on the affected properties. Notice of the public hearing was also published in the City’s official newspaper and mailed to all property owners within 750 feet of the subject properties at least 10 days prior to the public hearing, was posted on the City’s website and at City Hall. As of the publication of this report no public comments have been received regarding this request.

ANALYSIS

The City is proposing to rezone the properties to R-3A. Requests for zoning map amendments are reviewed according to the following standards:

- The proposed action is consistent with the City’s Comprehensive Plan.

The Comprehensive Plan guides the three properties as Medium Density Residential. The R-3A zoning district was recently amended specifically to implement the guidance of the Comprehensive Plan. The application of the zoning district is appropriate and is necessary in order to ensure consistency between the Comprehensive Plan and the City's zoning regulations.

- The proposed use is compatible with present and future land uses in the area.

The existing uses on each of the subject properties may continue as a legal nonconforming use indefinitely. However, if it redevelops to another use, it must be redeveloped with medium density housing consistent with the R-3A zoning district. The properties are located near the intersection of Smithtown Rd and County Rd 19 and will provide a transition between the existing commercial properties to the east, and the low-density residential neighborhoods to the west.

- The proposed use would not tend to depreciate the area and would promote and enhance the general public welfare and not be detrimental to or endanger public health or safety.

Property values in Shorewood are highly resilient to the impact from zoning district changes and new development. It is not likely that redevelopment of any of the properties would depreciate the area as long as the development is consistent with the requirements of the City Code.

- The proposed uses can be accommodated with existing public services and would not overburden the City's service capacity.

All three parcels have the ability to be connected to the municipal water and sewer systems, and existing local infrastructure is adequately sized to provide utilities to the properties. The adjacent road networks are adequately designed to accommodate any traffic generated by medium density residential uses.

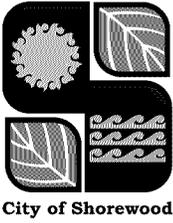
RECOMMENDATION

Staff recommends approval of the rezoning request in order to meet the requirements of Minnesota State Statute § 462.357, Subd. 2. (c) and align the zoning classification of the three properties with the policy of the Comprehensive Plan.

Location Map

↑ North





Planning Commission Meeting Item

Item
4C

Title/Subject: Rezoning Three Parcels to R-2A
Meeting Date: April 1, 2025
Prepared by: Jake Griffiths, Planning Director
Attachments: Location Map

LOCATION: 6055, 6065, and 6067 Lake Linden Dr
APPLICANT: City of Shorewood

REQUEST

The three parcels at 6055, 6065 and 6067 Lake Linden Dr are currently zoned R-3A. With the recent amendments to the R-3A zoning district relative to medium density housing, these three parcels no longer make sense to be included as part of the R-3A zoning district. In response, the City is proposing to rezone these three properties to R-2A. This request is not tied to any specific development proposal and is largely a housekeeping item that is being brought forward in order to allow these properties to have applicable zoning regulations instead of being in a zoning district that does not adequately reflect the current conditions on the properties.

Notice of the request was mailed to all property owners within 750 feet by postcard and a sign was posted on the affected properties. Notice of the public hearing was also published in the City's official newspaper and mailed to all property owners within 750 feet of the subject properties at least 10 days prior to the public hearing, was posted on the City's website and at City Hall. As of the publication of this report no public comments have been received regarding this request.

ANALYSIS

The City is proposing to rezone the properties to R-2A. Requests for zoning map amendments are reviewed according to the following standards:

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

The Comprehensive Plan guides the three properties as Low to Medium Density Residential at 3-6 units per acre. The R-2A zoning district is identified within the Comprehensive Plan as an appropriate zoning district for this density of housing. The proposed application of the R-2A zoning district to these properties is consistent with the Comprehensive Plan.

- The proposed use is compatible with present and future land uses in the area.

The R-2A zoning district has a majority of the same minimum lot requirements and setbacks as the R-3A zoning district previously had before it was amended to accommodate medium density housing. As a result, the impact of the proposed change on the property owners should be negligible. The table below illustrates the similarities between the two zoning districts. The existing

uses on each of the properties are permitted within the R-2A zoning district, and the surrounding neighborhood to the west is also zoned R-2A.

Requirement	R-3A (Pre-Amendment)	R-2A
Min Lot Size (Two-Family)	20,000 sqft	20,000 sqft
Min Lot Size (Single Family)	30,000 sqft	30,000 sqft
Lot Width (Two-Family)	90 ft	100 ft
Lot Width (Single Family)	100 ft	100 ft
Lot Depth	120 ft	120 ft
Front Yard Setback	30 ft	35 ft
Rear Yard Setback	30 ft	40 ft
Side Yard Setback	15 ft	10 ft
Max Building Height	35 ft	35 ft

Any existing structures which no longer meet setbacks as a part of the rezoning request would become legally nonconforming or “grandfathered in”.

- The proposed use would not tend to depreciate the area and would promote and enhance the general public welfare and not be detrimental to or endanger public health or safety.

Property values in Shorewood are highly resilient to the impact from zoning district changes. It is not likely that redevelopment of any of the properties would depreciate the area as long as the development is consistent with the requirements of the City Code.

- The proposed uses can be accommodated with existing public services and would not overburden the City’s service capacity.

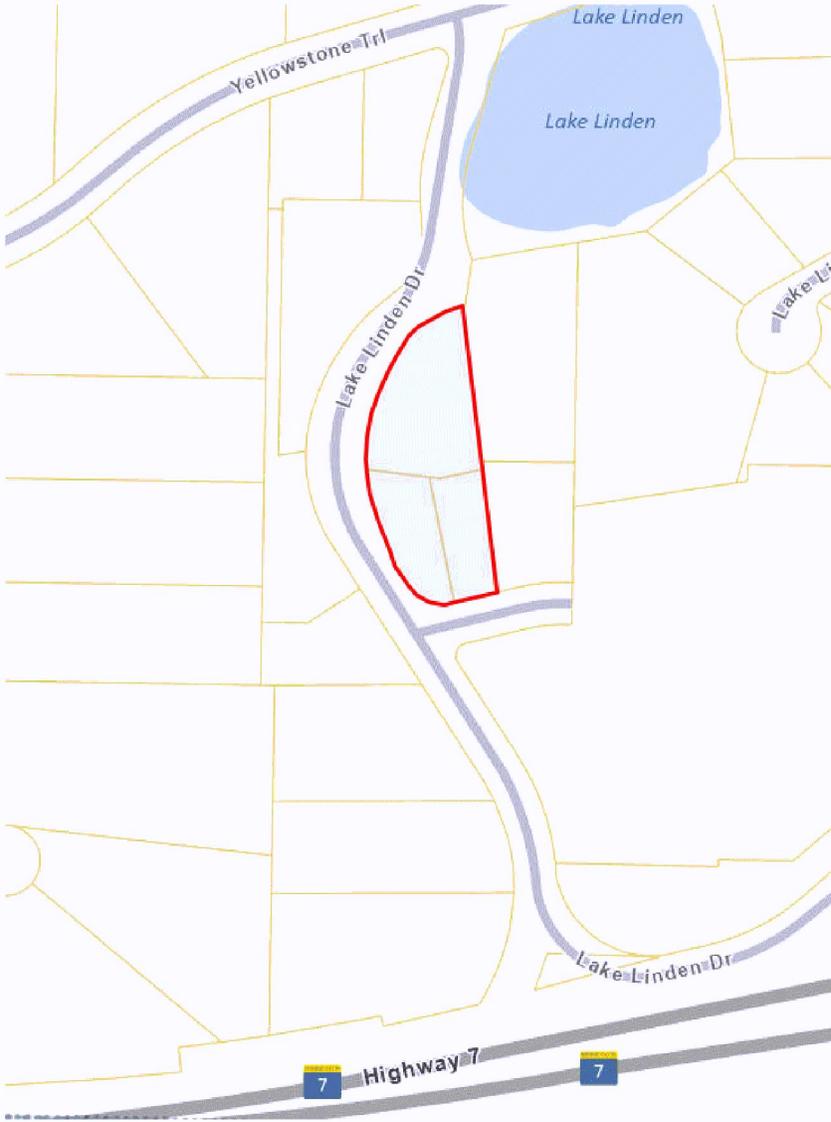
All three parcels have the ability to be connected to the municipal water and sewer systems, and existing local infrastructure is adequately sized to provide utilities to the properties. The adjacent road networks are adequately designed to accommodate any traffic generated by low to medium density residential uses.

RECOMMENDATION

Staff recommends approval of the rezoning request.

Location Map

↑ North





Planning Commission Meeting Item

Item 4D

Title/Subject: Subdivision Ordinance Update City Code Amendments
Meeting Date: April 1, 2025
Prepared by: Jake Griffiths, Planning Director
Attachments: Consultant's Memo
Code Changes Summary
Draft Amendment Language

LOCATION: City-wide
APPLICANT: City of Shorewood

BACKGROUND

For the last several months, the Planning Commission and City Council have been reviewing updates to the City's subdivision regulations and related amendments to the City Code. This review included meetings by the Planning Commission on December 3, 2024, January 7, 2025, and March 4, 2025, and a meeting by the City Council at its January 27, 2025, work session. The attached memo from the City's consultant provides additional context for reference.

REQUEST

The request essentially comes in two parts – the first is repealing and replacing the City's existing subdivision regulations, and the second is related amendments to the other sections of the City Code that are necessary due to these updates. Note of the public hearing was published in the City's official newspaper, posted on the City's website and posted at City Hall at least 10 days prior to the meeting. As of the publication of this report no public comments have been received regarding this request.

Subdivision Ordinance Update

The attached code change summary provides a high-level overview of the proposed updates to the subdivision ordinance and has been reviewed by the Planning Commission at its previous meetings. Draft amendment language is also attached that reflects feedback from the Planning Commission and City Council that was received throughout the review process. Again, it is the intent that existing City Code Chapter 1202 Subdivision Regulations would be repealed in its entirety and replaced with the attached draft amendment language.

Related Amendments

Zoning Ordinance: City Code 1201.03, Subd. 16 is proposed to be repealed in its entirety as it now conflicts with the requirements of the subdivision ordinance update relative to the subdivision of two-family lots. The draft amendment language reflects this change. Typically, all of the technical procedures that relate to subdivision are included in the subdivision ordinance rather than the zoning ordinance, and this amendment addresses that concern and makes the code easier to comprehend.

Water Connection: As part of the proposed updates to the subdivision ordinance, a new policy was introduced that will require all subdivisions to be served by the municipal water system. This policy was

incorporated into the update based on the Planning Commission and City Council's feedback during previous review. As a result of this policy, City Code 903.15 is proposed to be amended as shown in the attached draft amendment language to implement this direction relative to mandatory hook up to the municipal water system. Typically, this amendment would not be under the purview of the Planning Commission, however, since it is being brought forward as part of a larger update to the City Code it was included for consistency.

RECOMMENDATION/REQUESTED ACTION

Staff recommends approval of the proposed updates to the City Code. The Planning Commission is requested to hold a public hearing on the proposed amendments and make a recommendation to the City Council.

Planning Commission Report

To: City of Shorewood Planning Commission
From: Rita Trapp, on behalf of Beth Richmond
Date: March 13, 2025
Subject: Subdivision Code Update – Public Hearing
Meeting Date: April 1, 2025

Over the last few months, the City of Shorewood has been updating its Subdivision Code. The intent of the update process has been to modernize the code, enhance user-friendliness, ensure code consistency with local, state, and federal requirements and court rulings, and incorporate municipal best practices.

HKGi was hired by the City to complete this update process. The project has included the following:

- Kick-Off meeting with City Staff to discuss issues and concerns with the subdivision code
- A code audit report by HKGi to identify issues with the code and summarize potential code updates the City may wish to consider
- City Staff met with the Planning Commission multiple times to identify areas of focus and to review drafts of the subdivision code
- City Staff met with the City Council to gather input on a policy questions, including but not limited to requirements for water connections and procedures

A full draft of the Subdivision Code has been prepared for Planning Commission consideration. The Planning Commission is requested to hold a public hearing on the draft and make a recommendation to the City Council relative to its adoption.

Attachment

- Public Hearing Draft of the Subdivision Code
- Summary of major code changes

Shorewood Subdivision Code Changes Summary

1202.00 Introductory Provisions

- Language was added to establish the effective date of the subdivision chapter.
- Language was added to establish that the Zoning Administrator or their designee is responsible for administering the subdivision chapter.
- Clarifying language was added to the Interpretations section to eliminate confusion about conflicting Code provisions, state statutes, easements, or private agreements.

1202.10 Definitions

- Replaced reference to subdivider with applicant and removed the definition for subdivider.
- Added a definition for development agreement.
- Updated the base lot and unit lot definition to reflect the recent change in the zoning code.
- Added a definition for watercourse.

1202.20 Premature Subdivision Prohibited

- Language about premature subdivisions were crafted based on CC input from January work session.
- These provisions were moved from common procedures to their own section.
- Clarified that lack of adequate roads to serve the subdivision includes where there is not direct access to a public road or if the road intended to serve the subdivision is deemed inadequate
- Removed criteria related to providing public improvements, such as recreational facilities or other public facilities, as it hard to be specific enough

1202.30 Procedures and Enforcement

In general:

- Former sections 1202.03, 1202.04, 1202.08, 1202.09, and 1202.10 were all combined into a single section.
- Removed deadline requirements from each review procedure and created language in the common procedures section that reflects state requirements for timing/deadlines.
- Former “plat and data requirements” section was separated out and moved into each respective procedure’s section.
- Each procedure is organized in a similar way with the same headings to make it simpler for readers to understand.

1202.31 Common Procedures

- This is a new section that was created to house language that applies to all/most subdivision procedures. This reduces the need for repetitive text within this section.
- Added new language about applicability, authority to file applications, application fees, coordination of applications, deadline for action, premature subdivisions, withdrawal of applications, successive applications, appeals of decisions, building permits and amendments.

- Sketch plan language was changed to become language describing the “pre-application meeting.” This is an optional meeting with Staff that applicants may choose to request in order to obtain informal feedback from Staff before moving forward with the expense of preparing a larger application. It is recommended that applicants for minor subdivisions and preliminary plats schedule a pre-application meeting.

1202.32 Registered Land Survey

- Moved the regulations to its own subsection.

1202.33 Administrative Adjustment

- This is a new process that was created out of the former “minor subdivision and lot combination” procedure. This process can be used for lot line adjustments, lot combinations and requests to divide a base lot upon which multi-family dwellings exist.
- The review procedure and criteria for approval are new. The post-approval action language was taken from the former “minor subdivision and lot combination” procedure.
- Submittal requirements were updated to match current city needs and practice.
- Criteria for approval of base lot subdivisions was brought in from the zoning code (subd. 16) and added to this section.

1202.34 Minor Subdivision

- This process was also created out of the former “minor subdivision and lot combination” procedure. This process is intended to be used when no more than two lots are being created. Additional requirements, such as the land being previously subdivided, no further subdivision capability and no need for construction of public improvements, were added and apply to any subdivision using this procedure.
- Submittal requirements are being updated to reflect current city needs and practice.
- The procedure was updated to incorporate a suggestion for a pre-application meeting and to allow this type of subdivision to only be reviewed by City Council (not Planning Commission). No public notice/hearing is required.
- Criteria for approval were added.

1202.35 Preliminary Plat

- The procedures for preliminary plat and final plat were split out from the former “major subdivision” process.
- An Applicability section was created establishing the circumstances when a preliminary plat would be required for a subdivision.
- Submittal requirements will be updated to reflect current city needs and practice.
- Updated the review procedure to include a recommendation for a pre-application meeting.
- Added requirement that the applicant post a sign on the property indicated that the property is under development/subdivision review.
- Added criteria for approval.
- Clarified that the City Council can act on a preliminary plat even if a Planning Commission recommendation is not received if needed due to review timeline limitations with M.S. 15.99.

- Add a statement that if the applicants requests an extension to their review timelines they shall be subject to new or amended requirements.
- Extended the timeline to submit a final plat from 180 days to one year.

1202.36 Final Plat

- The procedures for preliminary plat and final plat were split out from the former “major subdivision” process.
- Submittal requirements will be updated to reflect current city needs and practice.
- Added language about final plat submittals that the city may choose to review preliminary and final plats simultaneously and that the final plat must incorporate all changes required for the preliminary plat and strictly conform to the preliminary plat.
- Added criteria for approval.

1202.37 Subdivision Variance

- Separated out subdivision variance language from appeals language.
- Added an applicability section.
- Submittal requirements were updated to reflect current city needs and practice.
- Included need for a public hearing with a notice distance of 500 feet.
- Updated language in criteria for approval to clarify that the variance must be consistent with the Code and Comprehensive Plan and that the owner must demonstrate an “unusual hardship.”
- Added requirement for and needed contents of a Development Agreement.
- Added post approval actions.

1202.38 Amendments

- Add a section to clarify how amendments to the subdivision code will be considered.
- Review will include a public hearing held by the Planning Commission.

1202.39 Violations and Penalty

- Current language only mentions improvements. Language was added to broaden the scope of when a violation might occur.
- Added a clarification about forged signatures and misrepresentation their authority to file an application.

1202.40 Design Standards

1202.41 General

- Language added to require design features to meet the requirements of the City Engineering Guidelines.
- Language added to limit the extension of a plat over political boundaries.
- Language was added to specify how lots should be designed with regard to watercourses, drainage, and natural features.
- Brought in the requirements for monuments.

1202.42 Protected Areas

- Moved regulations out of drainage and erosion control.

1202.43 Lots and Blocks

- Language was added to discourage irregularly shaped lots and flag lots.
- Language was modified to allow the creation of lots with access to private streets if approved by Council.
- Added clarifying language about how lot size is calculated. The new language followed the Metropolitan Council guidance about removing arterial right-of-way, public waters, public waters wetlands, city designated wetlands, areas in publicly held conservation easement, and portions of property protected by regulations, including bluffs and historic sites.
- Language was added to clarify that outlots are not buildable and that they are intended to be used either to set aside land for future development or to preserve open space with an easement in favor of the city.

1202.44 Street and Alley Design

- Clarified that streets shall meet City Engineering Guidelines.
- Language about private streets was added to address when they can be used and how these should be regulated.
- Language requiring curbs and gutters for all streets was added.
- The right-of-way radius required for cul-de-sacs was clarified to be 100 feet.
- Clarified that the arrangement of streets shall allow for the continuation of the street in adjoining undeveloped property.
- Added language regarding the dedication of streets, including limiting the creation of half-streets at the perimeter of the subdivision and requiring improvements if the subdivision borders an existing substandard street or a street needing improvement.

1202.45 Non-Motorized Connections

- Added language to clarify that non-motorized connections need to be established in accordance with the corridors established in the Comp Plan when subdivisions occur.
- Land for these connections can come in the form of parcels of land or easements.
- Language added that any connections that are constructed need to meet the city's standards. New sidewalks should be similar in width and design to existing trails.

1202.46 Easements

- Added a requirement that easements shall be dedicated with the plat.
- Added a requirement that an easement be established for 7.5 feet on each side of a utility main.

1202.47 Utilities

- A new section for utilities was added.
- Added a statement that connection to sanitary sewer is mandatory.
- Included a requirement that all utilities be placed underground in a joint trench and that it is the applicant's expense to install the utilities to the street.

1202.48 Drainage and Erosion Control

- Clarify that the development must meet the MPA's NPDES permit requirements.

1202.50 Improvements

1202.51 Improvements Required

- Added language stating that all improvements need to be constructed in accordance with the State Building Code and all applicable city, county and state regulations.
- Language added to specify that street improvements such as lighting or sidewalks may be required by the city.
- Clarified that all required utility improvements shall be inspected and accepted by the City Engineer at the applicant's expense.

1202.52 Development Agreement

- Language added to clarify what elements should be included within a development agreement, including who will construct, type of improvements to be constructed, and estimated cost.

1202.53 Financial Guarantee

- Created a separate section for these provisions.

1202.54 Inspection

- Created a separate section with inspection requirements.

1202.60 Park Dedication

1202.61 Dedication Required

- Language added to clarify when park dedication is required and to state the city's authority for requiring dedication.
- Existing land dedication requirements have been retained as the city will be undertaking a park system update that can be used to develop a new park dedication formula.
- Language added to specify that the city may accept a combination of land and cash and to describe how this will be calculated.
- Language added that clarifies that trails or sidewalks along streets are not considered park dedication.

1202.62 Land Suitability

- Language added which states that the city is not required to accept land if that land is not usable for parks, trails, etc. This may include land which is in a floodplain, encumbered by a utility easement, or has steep slopes.
- Language was also added to require the developer to improve dedicated park land to a certain level, including grading, installation of ground cover, and construction of trails when noted on city plans.

1202.63 Modification of Requirements

- Language added which specifies that no park dedication credit will be given for private open space/park land within a development. Need to confirm this direction w/staff
- Language added to allow subdivider to request a deviation from the Code requirements.

1202.64 Required Actions

- Added steps that the applicant needs to take before land is dedicated to the city.
- Clarified when the cash fee in lieu of land dedication is required to be paid.

1202.65 Timing

- Language was added to specify that land dedication/cash in lieu must occur at the time of final subdivision approval.

CITY OF SHOREWOOD
COUNTY OF HENNEPIN
STATE OF MINNESOTA

ORDINANCE 617

AMENDING SHOREWOOD CITY CODE TITLE 900 PUBLIC RIGHT-OF-WAY AND PROPERTY AND
TITLE 1200 ZONING AND SUBDIVISION REGULATIONS

Section 1. City Code Chapter 1202 SUBDIVISION REGULATIONS is hereby repealed in its entirety and replaced as shown on Exhibit A.

Section 2. City Code 903.15 MANDATORY HOOK UP, COMMERCIAL AND MULTIPLE FAMILY RESIDENTIAL USESRS AND CERTAIN RESIDENTIAL DEVELOPMENTS is hereby amended as follows. Text proposed to be added is underlined; text proposed to be removed is ~~stricken~~.

903.15 MANDATORY HOOK UP, ~~COMMERCIAL AND MULTIPLE FAMILY RESIDENTIAL USERS AND CERTAIN RESIDENTIAL DEVELOPMENTS~~

The owner of an existing property used for commercial purposes or for multiple-family residential purposes, involving four or more units, situated within the city and abutting on any street, alley or right-of-way in which there is located a municipal water truck or lateral facility, is hereby required at its expense to connect to the facility in accordance with the provisions of this chapter within 90 days after the date of official written notice by the City Council to so connect. ~~Single-family residential developments of more than three lots shall be required to connect to the municipal water system, at the developer's expense, based upon a determination by the City Engineer that the connection is feasible. The connection is considered feasible if the cost of providing water to the property line of the lots within the development does not exceed the connection charges, set forth in § 903.04, subd. 3. of this code, times the number of lots in the development. All subdivision applications received after the effective date of this ordinance shall be required to connect to the municipal water system, at the applicant's expense, pursuant to the requirements of City Code 1202.47 Utilities. If municipal water is not available to a proposed subdivision, it may be deemed premature for development and the proposed subdivision shall be denied by the City Council pursuant to the requirements of City Code 1202.20 Premature Subdivision Prohibited.~~

Section 3. City Code 1201.03 GENERAL PROVISIONS is hereby amended as follows. Text proposed to be added is underlined; text proposed to be removed is ~~stricken~~.

...
Subd. 16. (Reserved for future use). ~~Subdivision of two-family or quadraminium lots. The subdivision of base lots containing two-family dwellings or quadraminiums to permit individual private ownership of a single dwelling within the structure is acceptable upon the approval. Approval of a subdivision request is contingent on the following requirements.~~

1 ~~— a. Prior to a two-family dwelling or a quadraminium subdivision, the base lot must meet all~~
2 ~~the requirements of the zoning district.~~

3 ~~— b. There shall be no more than one principal structure on a base lot in all residential~~
4 ~~districts. The principal structure on unit lots created in a two-family or quadraminium~~
5 ~~subdivision will be the portion of the attached dwelling existing or constructed on the platted~~
6 ~~unit lots.~~

7 ~~— c. Permitted accessory uses as defined by the zoning districts are acceptable, provided they~~
8 ~~meet all the zoning requirements.~~

9 ~~— d. A property maintenance agreement must be arranged by the applicant and submitted to~~
10 ~~the City Attorney for his or her review and subject to approval. The agreement shall insure the~~
11 ~~maintenance and upkeep of the structure and the lots to meet minimum city standards. The~~
12 ~~agreement is to be filed with the Hennepin County Recorder's office as a deed restriction~~
13 ~~against the title of each unit lot.~~

14 ~~— e. Separate public utility service shall be provided to each subdivided unit and shall be~~
15 ~~subject to the review and approval of the City Engineer.~~

16 ~~— f. The subdivision and maintenance agreement are to be processed and recorded in~~
17 ~~conformance with the requirements of the Shorewood Subdivision Ordinance, Chapter 1202.~~

18
19 **Section 4: Effective Date.** This Ordinance 617 shall take effect upon publication in the City's
20 official newspaper.

21
22 ADOPTED BY THE CITY COUNCIL OF THE CITY OF SHOREWOOD, MINNESOTA this 28th day of
23 April, 2025.

24
25
26
27 _____
JENNIFER LABADIE, MAYOR

28 ATTEST:

29
30 _____
31 SANDIE THONE, CITY CLERK
32

EXHIBIT A

Chapter 1202 Subdivision Regulation

1202.00 Introductory Provisions

1202.01 Title

Subd. 1 This chapter shall be known as “City of Shorewood Subdivision Ordinance,” except as referred to herein, where it shall be known as “this chapter.”

1202.02 Purpose

Subd. 1 It is the purpose of this chapter to safeguard the best interests of the city and to assist property owners and subdividers of land in harmonizing their interests with those of the city.

Subd. 2 It is the purpose of this chapter to make certain regulations and requirements for the subdivision of land within the city, pursuant to the authority contained in Minnesota State Statutes, which regulations the City Council deems necessary for the health, safety and general welfare of this community.

Subd. 3 This chapter is intended to promote good planning practice and to ensure orderly growth and development and shall supplement and implement the provisions of the Shorewood Comprehensive Plan, the Shorewood Zoning Regulations, and City Code.

1202.03 Authority and Effective Date

Authority. This chapter is enacted pursuant to the authority granted by M.S. § 462.358. The effective date of this chapter is _____, 2025.

Comprehensive revision. The City Council intends this chapter to be a comprehensive revision to the Shorewood Subdivision Ordinance, as amended. Except as otherwise provided herein, the provisions of this chapter are not intended to alter, diminish, increase or otherwise modify any rights or liabilities existing on its effective date. Any act done, offense committed or rights accruing or accrued or liability or penalty incurred or imposed prior to the effective date of this chapter is not affected by its enactment.

Whenever other applicable city, state or federal laws or rules referenced in this chapter have been amended or superseded, this chapter shall also be considered amended accordingly.

1202.04 Administration

Subd. 1 This chapter shall be administered by the Zoning Administrator who is appointed by the City Council. The Zoning Administrator may delegate specific responsibility to any individual city employee, but shall remain responsible for all decisions made by those employees.

Subd. 2 Approvals necessary for acceptance of subdivision plats. Before any subdivision shall be recorded or be of legal effect, it shall be approved by the city as having fulfilled the requirements of this chapter.

Subd. 3 Conditions for recording. No plat of any subdivision shall be entitled to be recorded in the Hennepin County Recorder’s Office or have any validity until the plat thereof has been prepared, approved and acknowledged in the manner prescribed by this chapter and all conditions of approval satisfied.

Subd. 4 Permits. No building permits shall be granted by the city for the construction of any building, structure or improvement to the land or to any lot in a subdivision as defined

herein, until all requirements of this chapter have been fully complied with and the subdivision recorded.

Subd. 5 Exceptions. Except in the case of resubdivision, this chapter shall not apply to any lot or lots forming a part of a subdivision recorded in the office of the Hennepin County Register of Deeds for Registrar of Titles prior to the effective date of this chapter.

1202.05 Applicability

Subd. 1 The requirements of this chapter shall apply to all subdivision applications and procedures subject to development review under this Code unless otherwise stated.

Subd. 2 Subdivisions which meet the following circumstances are exempt from the regulations of this chapter:

- a. Where all the resulting parcels, tracts, lots, or interests will be 20 acres or larger in size and 500 feet in width for agricultural or residential uses;
- b. Where all the resulting parcels, tracts, lots, or interests will be five acres or larger in size for commercial and industrial uses;
- c. Creating cemetery lots; or
- d. Subdivisions resulting from court orders or the adjustment of a lot line by the relocation of a common boundary.

Subd. 3 Building Permits.

- a. Outlots are deemed unbuildable, and no building permit shall be issued for such properties, except in the case of public park facilities and essential services.

1202.06 Interpretation

Subd. 1 Conflicting Regulations or Provisions.

- a. In the interpretation of this chapter, its provisions shall be held to be the minimum requirements for the promotion of the public health, safety and welfare.
- b. In the event of a conflict or inconsistency between the provisions contained in this chapter and the state statutes or rules, state statutes and rules shall govern, unless such state statutes or rules provide otherwise.
- c. Where the conditions imposed by any provision of this chapter are either more or less restrictive than comparable conditions imposed by any other ordinance, rule or regulation of the city, the ordinance, rule or regulation that imposes the more restrictive condition, standard or requirement shall prevail. The Zoning Administrator shall determine which is more restrictive, and appeals from the determination may be made in the manner provided herein.
- d. This chapter is not intended to abrogate, annul, impair or interfere with any existing easement, covenant or any other private agreement. However, where the regulations of this chapter are more restrictive or impose higher standards or requirements on such easements, covenants or other private agreements, the requirements of this chapter shall govern.

Subd. 2 Relationship to Comprehensive Plan.

- a. The City Council recognizes the Comprehensive Plan as the Policy Guide responsible for regulation of land use and development in accordance with the policies and purpose herein set forth.

- b. It is the policy of the city that the enforcement, amendment and administration of this chapter be accomplished with due consideration of the direction contained in the Shorewood Comprehensive Plan as developed and amended from time to time by the City Council.

Subd. 3 Use of Cross-References. In some instances, cross-references between chapters, sections and subsections are provided that include the chapter, section or subsection number along with the name of the reference. Where a conflict may occur between the given cross-reference number and name, the name shall control.

Subd. 4 Rules. The language set forth in the text of this chapter shall be interpreted in accordance with the following rules of construction:

- a. The singular number shall include the plural and the plural the singular.
- b. The present tense includes the past and future tenses and the future the present.
- c. The word SHALL is mandatory while the word MAY is permissive.
- d. Whenever a word or term defined hereinafter appears in the text of this chapter, its meaning shall be construed as set forth in the definition thereof.
- e. All measured distances expressed in feet shall be to the nearest tenth of a foot.

Subd. 5 Separability. It is declared to be the intention of the city that the several provisions of this chapter are separable in accordance with the following:

- a. Other parts of this chapter. If any court of competent jurisdiction shall adjudge any provision of this chapter to be invalid, the judgment shall not affect any other provisions of this chapter not specifically included in the judgment.
- b. Application to other party or property. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this chapter to a particular property, building or structure, the judgment shall not affect the application of the provision to any other property, building or structure not specifically included in the judgment.

1202.10 Definitions

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALLEY. A public or private right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on a street.

APPLICANT. The owner of land proposed to be subdivided or the owner's representative. Consent shall be required from the legal owner of the premises.

BLOCK. An area of land within a subdivision containing one or more lots that is entirely bounded by streets, or by streets and the entire boundary or boundaries of the subdivision, or a combination of the above with a river, lake or other physical barrier.

BOULEVARD. The portion of the street right-of-way not occupied by pavement or other traveled surface.

BUILDING. Any structure used or intended for supporting or sheltering any use or occupancy.

COMPREHENSIVE PLAN. The long range goals, objectives, policies, concepts and plans of the city as stated in a group of maps, charts and text.

DESIGN STANDARDS. The specifications to land owners or applicants for the preparation of plats, both preliminary and final, indicating among other things, the optimum, minimum or maximum dimensions of the items as rights-of-way, blocks, easements and lots.

DEVELOPMENT AGREEMENT. A written contract between the city and applicant in conjunction with the approval by the city of a subdivision.

EASEMENT. A grant by a property owner for the use of land for the purpose of constructing and maintaining drives and utilities, including, but not limited to wetlands, ponding areas, sanitary sewers, watermains, electric lines, telephone lines, storm sewer or storm drainage ways and gas lines.

FINAL PLAT. A drawing, suitable for recording, showing the layout of a subdivision that has received preliminary plat approval pursuant to § 1202.35 and M.S. Chapter 505.

IMPERVIOUS SURFACE. An artificial or natural surface through which water, air or roots cannot penetrate.

LOT. A parcel of land in a subdivision or plat of land, separated from other parcels or portions by descriptions or by metes and bounds, for the purpose of sales or lease or separate use thereof.

LOT, BASE. A lot meeting all the lot specifications in the zoning district in which it is located prior to being subdivided into a two-family or townhouse subdivision.

LOT, CORNER. A lot situated at the intersection of two streets, or a lot at the point of deflection of a single street, the interior angle of which 135 degrees or less.

LOT, UNIT. A lot created from the subdivision of a two-family dwelling or townhouse, having different minimum lot size requirements than the conventional base lots within the zoning district in which it is located.

LOT IMPROVEMENT. Any building, structure, place, work of art or other object which constitutes a physical betterment of the real property on which it is situated or any part of the betterment.

LOT WIDTH. The shortest horizontal distance between the side lot lines measured at right angles to the lot depth measured at the required minimum building setback line as set forth in the Shorewood Zoning Code.

ORDINARY HIGH WATER LEVEL (OHWL). The boundary of public waters and wetlands that is described as an elevation delineating the highest water level that has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses the ORDINARY HIGH WATER LEVEL is the elevation of the top of the bank or channel.

OUTLOT. A lot remnant or parcel of land left over after platting, which is intended as open space or other use, or which is reserved for future development and for which no building permit shall be issued.

OWNER. Any individual, firm, association, syndicate, partnership, corporation, trust or any other legal entity having sufficient proprietary interest in the land sought to be subdivided or commercially used to commence and maintain proceedings under this chapter.

PARKS AND PLAYGROUNDS. Public land and open spaces in the city dedicated or reserved for recreation purposes.

PEDESTRIAN WAY. A public right-of-way or private easement that provides access for pedestrians and which may be used for the installation of utility lines.

PERCENTAGE OF GRADE. The ratio of the distance vertically from the horizontal in feet and tenths of a foot for each 100 feet of horizontal distance.

PRELIMINARY PLAT. A drawing or set of drawings describing the existing physical characteristics of a parcel of land and illustrating a proposed layout for subdividing the land into lots, blocks,

streets and easements for purposes of obtaining preliminary approval of a subdivision, pursuant to § 1202.35 and M.S. § 462.358 and Chapter 505.

PROTECTIVE COVENANTS. Contracts made between private parties relating to the manner in which land may be used in order to protect and preserve the physical and economic integrity of any given area.

PUBLIC IMPROVEMENT. Any drainage facilities, roadway, parkway, sidewalk, pedestrian way, tree, lawn, off-street parking area, lot improvement, utility or other facility for which the city may ultimately assume the responsibility for maintenance and operation or which may affect an improvement for which local government responsibility is established.

REGISTERED LAND SURVEYOR. A surveyor whom is registered and licensed in accordance to M.S. § 326.02, Subd. 4.

REGISTERED PROFESSIONAL ENGINEER. A REGISTERED PROFESSIONAL ENGINEER licensed in accordance to M.S. § 326.02, Subd. 3.

RIGHT-OF-WAY, PUBLIC. Any property established for the use of the public for street or highway purposes by any federal, state, county or local government by dedication, easement, gift or statutory user, whether developed or undeveloped, paved or unpaved.

SETBACK. The minimum horizontal distance between building and street, lot line or ordinary high water level. Distances are to be measured at ground level from the most outwardly extended portion of the structure. In the case of a private street or street acquired by statutory user as defined by Minnesota Statutes, the setback shall be measured from a line 15 feet from the edge of the traveled surface.

STREET. A public right-of-way or private way serving three or more properties, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, lane, place or however otherwise designated, which is used or can be used for travel.

STREETS, ARTERIAL. Those streets, as identified in the Shorewood Comprehensive Plan, carrying larger volumes of traffic and serving as links between various subareas of the community. Arterial streets are intended to provide for collection and distribution of traffic between highways and collector streets; hence regulations of direct access to property is critical.

STREETS, COLLECTOR. Those streets, as identified in the Shorewood Comprehensive Plan, that carry traffic from local streets to the major system of arterials and highways. COLLECTOR STREETS primarily provide principal access to residential neighborhoods, including, to a lesser degree direct land access.

STREETS, LOCAL. Those streets, as identified in the Shorewood Comprehensive Plan, that are used primarily for access to abutting properties and for local traffic movement.

STREETS, MARGINAL ACCESS. Those local streets that are parallel and adjacent to thoroughfares and highways and that provide access to abutting properties and protection from through traffic.

STREETS, CUL-DE-SAC. Those local streets with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

STREET WIDTH. The shortest distance between lines of lots delineating the streets right-of-way.

SUBDIVISION. The division of a parcel of land into two or more lots or parcels for the purpose of transfer of ownership or of building developments. The term includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

WATERCOURSE. Watercourse means any channel having definable beds and banks and capable of conducting generally confined runoff from adjacent lands. During floods water may leave the

confining beds and banks but under low and normal flows water is confined within the channel. A watercourse may be perennial or intermittent.

1202.20 Premature Subdivision Prohibited

Subd. 1 Premature Subdivisions.

- a. Any proposed subdivision deemed premature for development shall be denied by the City Council.
- b. The burden shall be upon the applicant to show that the proposed subdivision is not premature.
- c. A subdivision may be deemed premature should any of the following conditions exist:
 - (1) Inconsistency with Comprehensive Plan. The proposed subdivision is inconsistent with the purposes, objectives, and recommendations of the duly adopted Comprehensive Plan of Shorewood, as may be amended.
 - (2) Lack of Adequate Water Supply. A proposed subdivision shall be deemed to lack an adequate water supply if municipal water is not available to the plat. With the extension of municipal water, all private wells must be capped in accordance with State Statutes.
 - (3) Lack of Adequate Roads to Serve the Subdivision. A proposed subdivision shall be deemed to lack adequate roads if direct access to a public road is not possible or if the roads which serve the proposed subdivision are deemed inadequate by the City Engineer.
 - (4) Lack of Adequate Waste Disposal Systems. A proposed subdivision shall be deemed to lack adequate waste disposal systems if municipal sanitary sewer is not available to the plat or if in subdivisions for which sewer lines are proposed, there is inadequate sewer capacity in the present system to support the subdivision if developed to its maximum permissible density indicated in the Shorewood Comprehensive Plan, as may be amended.
 - (5) Lack of Adequate Drainage: A condition of inadequate drainage shall be deemed to exist if:
 - (a) Surface or subsurface water retention and runoff is such that it constitutes a danger to the structural security of the proposed structures and/or adjacent properties.
 - (b) The proposed subdivision will cause pollution of water sources or damage from erosion and siltation on downhill or downstream land.
 - (c) The proposed site grading and development will cause harmful and irreparable damage from erosion and siltation on downstream land.
 - (d) Factors to be considered in making these determinations may include:
 1. Average rainfall for the area.
 2. The relation of the land to floodplains.
 3. The nature of soils and subsoils and their ability to adequately support surface water runoff and waste disposal systems.
 4. The slope of the land and its effect on effluents.
 5. The presence of streams as related to effluent disposal.

1202.30 Procedures and Enforcement

1202.31 Common Procedures

Subd. 1 Authority to File Applications.

- a. Subdivision applications for an individual property may be initiated by:
 - (1) The owner of the property that is the subject of the application.
 - (2) An agent authorized by the owner of the property that is the subject of the application, which may include a lessee of the property. Evidence of such authorization shall be the signature of the property owner.
 - (3) If the property subject to an application is under more than one ownership, all owners or their authorized agents shall join in filing the application.

Subd. 2 Application and Fees.

- a. A complete application shall be made in writing, submitted in a format prescribed by the city.
- b. All applications for subdivision approval shall be accompanied by a fee established by chapter 1301 of the City Code to pay for costs associated with the application processing and review. Said fee ordinance will be annually reviewed and updated.
- c. An escrow amount shall be required by the city to pay for actual costs incurred by the city during the review process.
- d. No application shall be deemed complete for processing until the necessary fee has been paid.

Subd. 3 Pre-Application Meeting.

- a. Applicants are encouraged to meet with city staff prior to filing a subdivision application.
- b. A pre-application meeting is an informal discussion between a potential applicant and city staff regarding a possible project subject to this chapter. The purpose of the meeting is to inform applicants of the procedural requirements and minimum standards of this chapter and the requirements or limitations imposed by other city ordinances or plans prior to the development of a subdivision.
- c. For discussion purposes, applicants shall provide a sketch or concept of the proposed subdivision to the Zoning Administrator. This plan shall contain, at a minimum, plat boundary, north arrow, graphic scale, street layout on and adjacent to plat, designation of land use and current or proposed zoning, significant topographical or physical features and general lot locations and layout.
- d. Discussions that occur during pre-application meetings are not binding on the city and do not constitute official assurances or representations of the city.

Subd. 4 Coordination of Applications.

- a. Depending on the requirements of this Code, multiple applications may be required for a single development. Each application filed requires a fee and escrow as described in this Code.
- b. City staff shall determine the order of application review based on the City Code, including this chapter, and state requirements. Where possible, applications will be reviewed simultaneously.

- c. When submitting multiple applications of different review periods, the applicant is encouraged to agree to an extension of the shorter review period to match that of the application with the longest review period.

Subd. 5 Deadline for Action.

- a. In compliance with M.S. § 462.358, the city shall take action to preliminarily approve or deny a subdivision application within 120 days following delivery of an application completed in compliance with this Code, unless an extension for the review period has been agreed to by the applicant.
- b. In compliance with M.S. § 462.358, the city shall certify final approval of a subdivision application within 60 days if the applicant has complied with all conditions and requirements of applicable regulations and the preliminary approval.

Subd. 6 Withdrawal of Applications.

- a. Any request for withdrawal of an application shall be submitted in writing to city staff.
- b. In all cases where the applicant has requested withdrawal of an application, the associated fee paid and any costs incurred by the city in the processing of the application shall not be refunded.

Subd. 7 Successive Applications.

- a. No application which has been denied wholly or in part may be resubmitted for at least one year from the date of its submittal, unless substantial changes have been made which warrant reconsideration, as determined by city staff.

Subd. 8 Appeals of Decisions.

- a. The City Council shall serve as the Board of Adjustment and Appeals and hear and decide any appeals of the Zoning Administrator's interpretation of this chapter.
- b. All decisions made by the City Council regarding subdivision shall be final, except that any aggrieved person shall have the right to appeal to the District Court in Hennepin County within 30 days after delivery of the city decision to the appellant. Any person seeking judicial review under this chapter must serve the city and all necessary parties, including any landowners, within the 30-day period defined above.

1202.32 Registered Land Surveys

Subd. 1 It is the intention of this chapter that all registered land surveys in the city should be presented to the Planning Commission in the form of a preliminary plat in accordance with the standards and procedures set forth in this chapter for preliminary plats.

Subd. 2 The Planning Commission shall first recommend the arrangement, sizes and the relationships of proposed tracts in the registered land surveys, and tracts to be used as easements or roads should be so dedicated.

Subd. 3 Building permits will be withheld for buildings on tracts that have been so subdivided by registered land surveys unless a recommendation and approval have been obtained from the Planning Commission and City Council respectively, in accordance with the standards and procedures set forth in this chapter. The city may refuse to take over tracts as streets or roads or to improve, repair or maintain any tracts unless so approved.

1202.33 Administrative Adjustment

Subd. 1 Applicability. An application for an administrative adjustment shall be submitted to the city when any of the following apply:

- a. Requests to relocate a property line(s) without increasing or decreasing the number of parcels and where all parcels meet Code requirements meet Code requirements.
- b. Requests to divide a base lot, upon which has been constructed a twinhome that is directly accessible to a public street, where the division is to permit individual private ownership of a single dwelling unit within the structure and the newly created property lines will not cause any of the unit lots or the structure to be in violation of this chapter, the Zoning Regulations, or the State Building Code.

Subd. 2 Submittal Requirements.

- a. Complete application, fee and escrow as specified in city's fee schedule
- b. Proof of ownership of the property
- c. Existing and proposed legal descriptions for the property provided as Word document(s)
- d. One large-scale paper copy and one digital submission of a survey prepared and signed by a registered land surveyor which includes:
 - (1) North arrow, scale and date of preparation
 - (2) Proposed name of subdivision
 - (3) Original and proposed lot boundaries and dimensions
 - (4) Acreage of site
 - (5) Existing and proposed lot areas
 - (6) Layout, numbers and dimensions of parcels
 - (7) Location and dimensions of existing structures on the site
 - (8) Location and dimensions of curb cuts and driveways
 - (9) Street layout on and adjacent to subdivision
 - (10) Existing and proposed easement locations, including legal descriptions and graphic depictions of all easements
 - (11) Significant topographical or physical features
- e. Additional information as determined necessary by the Zoning Administrator.

Subd. 3 Procedure.

- a. The Zoning Administrator shall review the application to determine conformance with the Comprehensive Plan and the Zoning and Subdivision ordinances.
- b. The Zoning Administrator shall have the authority to make a final decision on the application.
- c. Following the approval or denial of the application, the Zoning Administrator shall provide the applicant with written notice of the decision and reasons for approval or denial.

Subd. 4 Criteria for Approval. In considering the administrative adjustment application, the Zoning Administrator shall consider the following factors:

- a. Conformance with City Code and all other applicable ordinances, rules and regulations.
- b. Consistency with the Comprehensive Plan.
- c. In addition to the criteria above, subdivisions of base lots shall meet the following criteria:
 - (1) Prior to a base lot subdivision, the base lot must meet all the requirements of the zoning district.

- (2) In any residential district, there shall be no more than one principal structure on the base lot. The principal structure on unit lots created in a base lot subdivision will be the portion of the attached dwelling existing or constructed on the platted unit lots.
- (3) A property maintenance agreement must be arranged by the applicant and submitted to the City Attorney for their review and subject to approval. The agreement shall ensure the maintenance and upkeep of the structure and the lots to meet minimum city standards. The agreement is to be filed with the Hennepin County Recorder's office as a deed restriction against the title of each unit lot.
- (4) Separate public utility service shall be provided to each subdivided unit and shall be subject to the review and approval of the City Engineer.

Subd. 5 Post-Approval Actions

- a. City approval for an administrative adjustment shall become null and void if, within one year after such approval, the administrative adjustment has not been duly filed and recorded with the Hennepin County Recorder's Office.

1202.34 Minor Subdivision

Subd. 1 Applicability. An application for a minor subdivision shall be submitted to the city when all of the following apply:

- a. The request to subdivide would create no more than two lots or building sites, neither of which is capable of being further subdivided in the future;
- b. The land has been previously subdivided by plat or registered land survey and is on file and of record in the County Register of Deeds or Registrar of Titles;
- c. The application will not cause the parcel or any structure on the parcel to be in violation of this chapter, the Zoning Regulations, or the building code;
- d. With the exception of sidewalks or trails, the application will not involve the construction of any new street or road, the extension of municipal facilities, or the creation of any public improvements; and
- e. The application does not involve an outlot.

Subd. 2 Submittal Requirements.

- a. Complete application, fee and escrow as specified in city's fee schedule
- b. Proof of ownership of the property
- c. Existing and proposed legal descriptions for the property and any easements provided as Word document(s) Certificate of survey prepared by a registered land surveyor.
- d. The data and supportive information detailing the proposed subdivision shall be the same as required for a preliminary plat as set forth in § 1202.35, Subd. 2. of this chapter. The Zoning Administrator may exempt the applicant from certain informational requirements.
- e. Additional information as determined necessary by the Zoning Administrator.

Subd. 3 Procedure.

- a. A pre-application meeting pursuant to § 1202.31 of this chapter is suggested prior to submitting a minor subdivision application.
- b. The owner or applicant shall submit an application for minor subdivision, together with all necessary supplementary information listed above.
- c. The Zoning Administrator shall refer the application to all appropriate city staff for review and comment.

- d. The Zoning Administrator shall distribute the request to other jurisdictions as appropriate.
- e. City Council Action.
 - (1) The City Council shall act upon the minor subdivision and may impose conditions and restrictions which are deemed necessary for compliance with City Code. Approval of the application requires a simple majority vote of the full City Council.
 - (2) The reasons for the City Council's action shall be recorded in the proceedings of the Council and transmitted in writing to the applicant.

Subd. 4 Criteria for Approval. In considering the minor subdivision application, the City Council shall consider the following factors:

- a. Conformance with this chapter, the Zoning Regulations, and all other applicable ordinances, rules and regulations; and
- b. Consistency with the Comprehensive Plan's vision, mission, values and policies.

Subd. 5 Post-Approval Actions.

- a. Prior to release of a Council resolution approving a minor subdivision for recording, the applicant shall submit the following:
 - (1) An up-to-date title opinion from within the last 30 days for review and approval by the City Attorney.
 - (2) Deeds in favor of the city for any easements or public right-of-way that may be required as part of the minor subdivision.
- b. The applicant must record the minor subdivision, and any required deeds for easements or street right-of-way, with the Hennepin County Recorder within one year of the date it receives the resolution approving the subdivision. Failure to record the subdivision within one year shall void the approval. No building permits shall be issued for new lots until the applicant has provided proof of recording.
- c. Prior to the expiration of a minor subdivision approval, an extension of the approval may be granted by the City Council upon the city's receipt of a request for extension. A request for an extension shall be in writing and filed with the city. The request for extension shall state facts showing a good faith attempt was made to meet the recording requirement.

1202.35 Preliminary Plat

Subd. 1 Applicability. A preliminary plat application shall be submitted to the city when any of the following apply:

- a. The applicant is proposing to create three or more lots as part of a subdivision.
- b. The applicant is proposing to change the exterior boundaries of an existing plat.
- c. The proposed subdivision includes the creation or installation of any public improvements as identified in § 1202.50 Improvements.
- d. The property to be subdivided has a current metes and bounds legal description rather than a lot and block legal description.
- e. The proposed subdivision does not qualify to be processed as an administrative adjustment or minor subdivision.

Subd. 2 Submittal Requirements.

- a. The required number and format of the preliminary plat and application materials shall be determined by and submitted to the Zoning Administrator. The required filing fee as

established by City Code § 1301.03 shall be paid and any necessary applications for variances from the provisions of this chapter shall be submitted with the required fee.

- b. The applicant shall prepare and submit a preliminary plat, together with any necessary supplementary information as described below. All plans shall include a graphic scale not to exceed 1 inch equal to 50 feet, north arrow, and date of preparation.
 - (1) Complete application and fee as specified in the city's fee schedule.
 - (2) Proof of ownership of the property
 - (3) Existing and proposed legal descriptions for the property and any easements provided as Word document(s)
 - (4) Existing Conditions Survey prepared by a registered land surveyor.
 - (a) Topographic map with contour interval of two feet or less.
 - (b) Total acreage of proposed plat.
 - (c) Boundary lines of proposed plat and of adjoining property within 300 feet.
 - (d) Ownership of adjoining property within 300 feet, including all contiguous land owned or controlled by the applicant.
 - (e) Existing zoning classifications for land within and abutting the subdivision.
 - (f) Location, right-of-way widths and names of all existing or previously platted streets or other public or private ways, railroad and utility rights-of-way, parks and other public open spaces, permanent buildings and structures, easements and section and corporate lines within the tract and 300 feet beyond the tract.
 - (g) Location, width and names of all existing power transmission poles and lines.
 - (h) Calculations showing all impervious surface coverage with the total expressed in a percentage of the lot area.
 - (5) Preliminary Plat.
 - (a) Proposed name of subdivision. Names shall not duplicate or too closely resemble names of existing subdivisions within Hennepin County.
 - (b) Location of boundary lines in relation to a known section, quarter section or quarter-quarter section lines comprising a legal description of the property.
 - (c) Names and addresses of all persons having property interest, the applicant, designer and surveyor, together with the surveyor's registration number.
 - (d) Layout of proposed streets showing the right-of-way widths, centerline gradients, typical cross sections and proposed names of streets in conformance with City and County street identification policies.
 - (e) Locations and size of proposed sewer lines and watermains or water wells.
 - (f) Locations and widths of proposed curb cuts, driveways, access roads, alleys and pedestrian ways and trails.
 - (g) Location, dimension and purpose of all easements.
 - (h) Layout, numbers, lot areas and preliminary dimensions of lots and blocks. All lots shall be numbered clockwise in each block and blocks shall be numbered consecutively.
 - (i) Minimum front, side and rear building setback lines.
 - (j) When lots are located on a curve, the width of the lot at the building setback line.

- (k) Areas, other than streets, alleys, pedestrian ways and utility easements, dedicated or reserved for public use, including the size of the area or areas in square feet and acres.
 - (l) A statement of the proposed use of lots stating type of buildings with number of proposed dwelling units or type of business, so as to reveal the effect of the development on traffic, fire hazards and congestion of population.
- (6) Grading and Erosion Control Plan prepared and signed by licensed Civil Engineer.
- (a) Location and size of existing sewers, water mains, stormwater pipes, culverts, drainage tiles or other underground facilities within the tract and to a distance of 100 feet beyond the tract. The data as grades, invert elevations, locations of catch basins, manholes and hydrants shall also be shown.
 - (b) Topographic data, including contours at vertical intervals of not more than two feet. Watercourses, wetlands, woodland areas, rock outcrops, power transmission poles and lines, and other significant features shall also be shown.
 - (c) 100-year flood elevations, the regulatory flood protection, and boundaries of flood way and flood fringe areas, if known taking into consideration the Flood Insurance Study and Flood Insurance Rate Map.
 - (d) On a separate plan sheet provide proposed grading, including existing and proposed contours at vertical intervals of not more than two feet, proposed cut and fill areas, proposed building pads showing type of house (full basement, walkout, split entry and the like), elevations of lowest floor and garage floor, ordinary high water level, proposed storm water treatment devices with rate and volume control, and emergency overflow elevation and route.
 - (e) Layout of the proposed streets showing right-of-way widths, centerline gradients, and typical cross sections.
 - (f) Proposed fill, levees, channel modifications, and other methods to overcome flood or erosion hazard areas in acceptance with the Zoning Ordinance and by use of the 100-year flood profile and other supporting technical data in the Flood Insurance Study.
 - (g) A plan for soil erosion and sediment control both during construction and after development has been completed. The plan shall include gradients of waterways, design of velocity and erosion control measures, design of sediment control measures and landscaping of the erosion and sediment control system.
- (7) Wetlands delineation report.
- (8) Landscape plan addressing the requirements of the Zoning Code.
- (9) Utility plan showing public utilities, including water, sanitary sewer mains and service connections to be installed in accordance with the standards of the city.
- (10) Stormwater management plan with drainage calculations and map.
- (11) Tree preservation plan addressing the requirements of the Zoning Code.
- (12) Supplementary Information. Any or all of the supplementary information requirements set forth in this subdivision shall be submitted, when deemed necessary by the city staff, consultants, advisory bodies or City Council.

- (a) A vegetation preservation and protection plan that shows those trees proposed to be removed, those to remain and the types and locations of trees and other vegetation that are to be planted
- (b) Proposed protective covenants.
- (c) An accurate soils report of the subdivision prepared by a registered professional engineer qualified to perform and analyze soil materials under the laws of Minnesota.
 - 1. The soils report shall consist of test holes to a depth necessary to determine the various types of soils to be encountered before reaching a stable base and the static water table elevation. The test holes, when ordered by city authorities, shall be drilled at the expense of the owner or applicant and the information disclosed shall be furnished to the city, together with a copy of the proposed plat showing the location of each test hole.
 - 2. The information required by the city shall include a report as to the various types of soils encountered and their depths, the level of the ground water, a percolation test and may include additional information. The number of test holes to be drilled and their location on the property, which is proposed to be platted, will be as directed by the city or their authorized representative.
 - 3. The owner shall be required to furnish to the city a report from a recognized engineering laboratory as to the safety and practicability of the use of the area for building construction.
- (d) A survey prepared by a qualified landscape architect, forester or arborist identifying tree coverage in the proposed subdivision in terms of type, weakness, maturity, potential hazard, infestation, vigor, density and spacing.
- (e) Where the applicant owns property adjacent to that which is being proposed for the subdivision, it shall be required that the applicant submit a sketch plan of the remainder of the property so as to show the possible relationships between the proposed subdivision and the future subdivision. In any event, all subdivisions shall be required to relate well with existing or potential adjacent subdivision.
- (f) Where structures are to be placed on large or excessively deep lots that are subject to potential replat, the preliminary plat shall indicate a logical way in which the lots could potentially be subdivided in the future.
- (g) Additional information as may be required.

Subd. 3 Procedure.

- a. A pre-application meeting pursuant to § 1202.31 is suggested prior to submitting a preliminary plat application.
- b. The owner or applicant shall submit an application for preliminary plat, together with all necessary supplementary information listed above. The plan shall be considered as being officially submitted when all the information requirements have been complied with.
- c. Technical assistance reports. The Zoning Administrator shall instruct the appropriate staff persons to prepare technical reports and provide general assistance in preparing a recommendation to the Planning Commission and City Council.

- d. Review by other commissions or jurisdictions. The Zoning Administrator shall refer copies of the preliminary plat to the Park Commission, county, metropolitan, state or other public jurisdictions for their review and comment, where appropriate and when required.
 - e. Public Hearing.
 - (1) Upon receipt of a complete application, the Zoning Administrator shall set a public hearing for public review of the preliminary plat.
 - (2) Notice of the hearing shall contain a legal property description, description of request detailing property location and be published in the official newspaper no more than 30 and no less than 10 days prior to the hearing. Written notification of the hearing shall be mailed no more than 30 and no less than 10 days prior to the hearing to all owners of land within 750 feet of the boundary of the property in question.
 - (3) The city shall post a sign on the subject property indicating that the property is under development review.
 - (4) The Planning Commission shall conduct the hearing and report its findings and make recommendations to the City Council.
 - f. Planning Commission Action. The Planning Commission shall make a recommendation on the application to the City Council following the close of the public hearing.
 - g. City Council Action.
 - (1) Upon receiving a recommendation from the Planning Commission, the City Council shall act upon the preliminary plat and may impose conditions and restrictions which are deemed necessary for compliance with City Code.
 - (2) If a recommendation has not been received from the Planning Commission in a timely manner to meet the requirements of M.S. 462.358, the City Council may act on an application without receiving a Planning Commission recommendation.
 - (3) A request for a time extension of the City Council's review process may be granted by the City Council, if requested in writing by the applicant. Applications granted a time extension shall be subject to new or amended requirements of the City Code since the application was originally submitted.
 - (4) The reasons for the City Council's action shall be recorded in the proceedings of the Council and transmitted in writing to the applicant.
 - (5) Approval of the preliminary plat shall not constitute final acceptance of the layout. Subsequent approval will be required of the engineering proposals and other features and requirements as specified by this chapter to be indicated on the final plat. The City Council may require revisions in the preliminary plat and final plat as it deems necessary for the health, safety and general welfare of those living in and near the City.
- Subd. 4 Criteria for Approval. In considering the preliminary plat application, the City Council shall consider the following factors:
- a. Conformance with this chapter and all other applicable ordinances, rules, and regulations including the city's Zoning Regulations; and
 - b. Consistency with the Comprehensive Plan's vision, mission, values and policies.
- Subd. 5 Post-Approval Actions.

- a. If the preliminary plat is approved by the City Council, the applicant must submit the final plat within one year after the approval or approval of the preliminary plat shall be considered void, unless a request for time extension is submitted in writing and approved by the City Council prior to expiration of the one year period.
- b. A reasonable time extension will be considered by the City Council, if circumstances requiring the extension are beyond the control of the applicant.

1202.36 Final Plat

Subd. 1 Submittal Requirements.

- a. The required number and format of the final plat and following required documents, together with any necessary supplementary application materials shall be determined by and submitted to the Zoning Administrator. The required filing fee as established by City Code § 1301.03 shall be paid.
- b. Final Plat. The Final Plat shall be prepared in accordance with provisions of Minnesota State Statutes and Hennepin County regulations, and the final plat shall contain the information listed below. All plans shall include a graphic scale not to exceed 1 inch equal to 50 feet, north arrow, and date of preparation.
 - (1) Subdivision name.
 - (2) Existing and proposed legal descriptions of the property.
 - (3) Name, address and signature of surveyor making the plat.
 - (4) The location of monuments shall be shown and described in reference to existing official monuments on the nearest established street lines, including true angles and distances to the reference points or monuments.
 - (5) Location of lots, streets, public highways, alleys, parks and other features with accurate dimensions in feet and decimals of feet, with the length of radii and arcs of all curves and with all other information necessary to reproduce the plat on the ground. Dimensions shall be shown from all angle points of curve to lot lines.
 - (6) Blocks and lots, clearly numbered.
 - (7) The exact locations, widths and names of all streets to be dedicated.
 - (8) Statement dedicating all streets, alleys and other public areas not previously dedicated as follows: streets, alleys and other public areas shown on this plat and not heretofore dedicated to public use are hereby so dedicated.
 - (9) The exact locations and widths of all easements to be dedicated.
 - (10) Statement dedicating all easements as follows: easements for installation and maintenance of utilities and drainage facilities are reserved over, under and along the strips marked "utility easements"
 - (11) Comply with rules and regulations of the Minnehaha Creek Watershed District, or Riley-Purgatory-Bluff Creek Watershed District, whichever District has jurisdiction or statement from the District indicating that it has no interest in the plat;
 - (12) Any supplementary engineering data required by the city.
- c. Final Grading, Erosion Control, and Stormwater Drainage Plan approved by the City Engineer. Provide evidence that ground water controls are provided at least ten feet below level of finished grades of plan.
- d. Final Utility Plan in accordance with the City of Shorewood Standard Specifications for Construction of Public Utilities and approved by the City Engineer.

- e. Final Tree Preservation Plan.
- f. Final Landscape plan.
- g. Specification book for construction of public improvements.
- h. Cost estimates for grading and all public and private improvements.
- i. Homeowners association documents, private covenants, of deed restrictions as applicable.
- j. Additional application materials as deemed necessary.
- k. Certification required.
 - (1) Certification by registered surveyor in the form required by M.S. § 505.03, as amended.
 - (2) Execution by all owners of any interest in the land or any holders of a mortgage thereon of the certificates required by M.S. § 505.03, as amended, and which certificate shall include a dedication of the utility easement and other public areas in the form as approved by the City Council.
 - (3) Space for certificates of approval and review, including the date of approval and spaces to be filled in by the signature of the Mayor and City Administrator/Clerk.

Subd. 2 Procedure.

- a. Submittal.
 - (1) Within one year after approval of the preliminary plat, the owner or applicant shall submit an application for final plat, together with all necessary supplementary information listed above.
 - (2) The final plat may constitute only that portion of the preliminary plat which the applicant proposes to record and develop at the time.
 - (3) The city may agree to review the preliminary and final plat simultaneously.
 - (4) The final plat shall incorporate all changes, modifications, and revisions required by the city in its approval of the preliminary plat. Otherwise, it shall strictly conform to the approved preliminary plat.
- b. Approval of the City Council.
 - (1) If accepted and all fees for processing the application have been paid, the final plat shall be approved by resolution, which shall provide for the acceptance of all agreements for basic improvements, public dedication, and other requirements as indicated by the City Council.
 - (2) If denied, the grounds for any refusal to approve a plat shall be set forth in the proceedings of the Council and reported to the person or persons applying for the approval.
- c. Development Agreement.
 - (1) If needed due to the subdivision, final plat approval shall be contingent upon the applicant's entrance into a development agreement with the city. Said agreement will require all improvements and approval conditions to comply with approved engineering standards and applicable regulations.
 - (2) The agreement shall be prepared by the city and shall ensure development performance based on approvals.
 - (3) The agreement shall address, but not be limited to, the following:
 - (a) Financial securities

- (b) Warranties
 - (c) Development time lines
 - (d) Remedies for default
 - (e) Iron monuments
 - (f) Improvements
 - (g) City administration and construction observation
 - (h) Permits
 - (i) Erosion and sediment control
 - (j) Maintenance
 - (k) Park dedication
 - (l) Sewer and water trunk utility charges
- d. Prior to recording or registering a final plat, the applicant shall have executed the development agreement with the city.
- Subd. 3 Criteria for Approval. In considering the final plat application, the City Council shall consider the following factors:
- a. Substantial conformance with the approved preliminary plat and all conditions of approval.
 - b. Conformance with this chapter and all other applicable city policies, ordinances, rules and regulations.
 - c. Consistency with the Comprehensive Plan's vision, mission, values, and policies.
- Subd. 4 Post-Approval Actions.
- a. If the final plat is approved by the City Council, the applicant shall record the final plat and development agreement, if required, with the Hennepin County Recorder within one year after the approval or approval of the final plat shall be considered void, unless a request for time extension is submitted in writing and approved by the City Council.
 - b. Prior to recording, the applicant shall furnish the Zoning Administrator with two blackline prints and a reproducible mylar of the final plat.
 - c. Upon recording the plat, the applicant shall provide the Zoning Administrator with evidence of the recording.
 - d. No building permits shall be issued for construction of any structure on any lot in the plat until the city has received evidence of the plat and development agreement being recorded by Hennepin County and the provisions of the development agreement have been satisfactorily met.

1202.37 Subdivision Variance

Subd. 1 Applicability. Subdivisions which do not meet the requirements of this chapter may request a subdivision variance.

Subd. 2 Submittal Requirements.

- a. Complete application, fee and escrow as specified in city's fee schedule
- b. Legal description of the property
- c. Detailed written and graphic materials fully explaining the proposed variance request with the number of copies and format as specified by the Zoning Administrator.
- d. Explanation of practical difficulties
- e. Additional information as determined necessary by the Zoning Administrator

Subd. 3 Procedure.

- a. Upon receipt of a subdivision variance application, the Zoning Administrator shall refer the application to all appropriate city staff for review and comment.
- b. Public Hearing
 - (1) Upon receipt of a complete application, the Zoning Administrator shall set a public hearing for public review of the minor subdivision.
 - (2) Notice of the hearing shall contain a legal property description, description of request detailing property location and be published in the official newspaper no more than 30 and no less than 10 days prior to the hearing. Written notification of the hearing shall be mailed no more than 30 and no less than 10 days prior to the hearing to all owners of land within 500 feet of the boundary of the property in question.
- c. Planning Commission action.
 - (1) The Planning Commission shall review the application and consider possible adverse effects of the variance request. The Planning Commission's judgment shall be based upon (but not limited to) the conditions set forth in Subd. 4 below.
 - (2) The Planning Commission and city staff shall have the authority to request any additional information from the applicant deemed necessary to establish performance conditions pertaining to the request.
 - (3) The Planning Commission shall make a finding of fact and recommend the actions or conditions relating to the request as they deem necessary to carry out the intent and purpose of this chapter. The recommendation shall be in writing and accompanied by any report and recommendation of the city staff. The written recommendation of the Planning Commission shall be forwarded to the City Council.
- d. City Council action. Upon receiving the request and any report of the city staff, the city Council shall review and take action on the variance application and make a recorded finding(s) of fact.
 - (1) Approval of a request shall require passage by a simple majority vote of the full City Council.
 - (2) The Council may impose any condition it considers necessary to protect the public health, safety and welfare.

Subd. 4 Criteria for Approval.

- a. The City Council may grant a variance from strict compliance with the subdivision regulations contained in this chapter when it finds that all of the following exist:
 - (1) That the requested subdivision variance is consistent with the Comprehensive Plan and all other applicable city plans.
 - (2) That the requested variance is in harmony with the general purposes and intent of this chapter.
 - (3) There are special and highly unique circumstances or conditions affecting the property that are not common to other properties in the city and that the strict application of the provisions of this chapter would deprive the applicant of the reasonable and minimum use of its land.

- (4) That the granting of the variance will not be detrimental to the public health or welfare or injurious to other property in the vicinity in which the property is situated.
- (5) That the applicant has established that there are special circumstances or conditions affecting the property not resulting from the actions of the applicant, such as exceptional topographic or water conditions or inadequate access to direct sunlight for solar energy systems, such that an unusual hardship to the owner would result if the strict letter of these regulations was to be carried out.

Subd. 5 Post-Approval Actions.

- a. City approval for a subdivision variance shall become null and void if, within one year after such approval, the subdivision variance has not been duly filed and recorded with the Hennepin County Recorder's Office.
- b. Upon recording, the applicant shall provide the Zoning Administrator with evidence of the recording.
- c. Violations of the conditions of a subdivision variance shall void the variance.

1202.38 Amendments

Subd. 1 From time to time, the Planning Commission may, of its own motion, upon petition, or at the direction of the City Council, cause to be prepared amendments supplementing or changing regulations herein established.

Subd. 2 Before any proposed amendment can be acted on, a public hearing shall be held by the Planning Commission with notice given in the official newspaper at least 10 days prior to the hearing.

Subd. 3 Upon receiving the recommendation of the Planning Commission, the City Council shall study the Planning Commission's recommendation and approve or disapprove the amendment.

1202.39 Violations and Penalty

Subd. 1 Violations.

- a. Sale of lots from unrecorded plats. It shall be a misdemeanor to sell, trade or otherwise convey any lot or parcel of land as a part of, or in conformity with, any plan, plat or replat of any subdivision or area located within the jurisdiction of this chapter unless the plan, plat or replat shall have first been recorded in the office of the County Recorder.
- b. Receiving or recording unapproved plats. It shall be unlawful for a private individual to receive or record in any public office any plans or plats of land laid out in building lots and streets, alleys or other portions of the same intended to be dedicated to public or private use or for the use of purchasers or owners of lots fronting on or adjacent thereto, and located within the jurisdiction of this chapter, unless the same shall bear thereon, by endorsement or otherwise, the approval of the City Council.
- c. Misrepresentation as to authority to file or for the construction, supervision or inspection of improvements.
 - (1) It shall be unlawful for any person, firm or corporation to misrepresent their authority to file an application.
 - (2) It shall be unlawful for any person, firm or corporation owning an addition or subdivision of land within the city to represent that any improvement upon any of

the streets, alleys or avenues of the addition or subdivision or any sewer in the addition or subdivision has been constructed according to the plans and specifications approved by the City Council or has been supervised or inspected by the city, when the improvements have not been so constructed, supervised, or inspected.

Subd. 2 Penalty. Anyone violating any of the provisions of this chapter shall be guilty of a misdemeanor punishable by a fine and imprisonment as provided in State Statutes.

1202.40 Design Standards

1202.41 General

Subd. 1 The design features of the subdivision shall meet the requirements set forth by the City Engineering Guidelines. The city may improve additional or more stringent requirements as deemed appropriate considering the property being subdivided.

Subd. 2 Political boundaries. No singular plat shall extend over a political boundary without legal notification to and approval by affected units of government.

Subd. 3 Provisions for resubdivision of large lots and parcels.

- a. All contiguous land owned by the same property owner shall be included in the plat.
- b. When a tract is subdivided into larger than required building lots or parcels, the lots or parcels shall be so arranged as to permit the logical location and openings of future streets and appropriate resubdivision with provision for adequate utility connections for the resubdivision.
- c. Streets and utilities shall be extended to the boundary of the plat.
- d. Watercourses.
 - (1) Watercourses shall be contained within abutting lots.
 - (2) Watercourses shall be protected by easement to the anticipated high water level (as determined by the city. Lots with easements protecting watercourses shall have sufficient dimensions and area above the high water level.
- e. Monuments.
 - (1) Official monuments, as designated and adopted by the Hennepin County Surveyor's Office and approved by the Hennepin County District Court for use as judicial monuments, shall be set at each corner or angle on the outside boundary of the final plat or in accordance with a plan as approved by the City Engineer. The boundary line of the property to be included within the plat shall be fully dimensioned on the plat. All angles of the boundary, excepting the closing angle, are to be indicated on the plat and all monuments and surveyor's irons are to be indicated on the plat. Each angle point of the boundary perimeter shall be so monumented.
 - (2) Location of monuments within the plat. Pipes or steel rods shall be placed at each lot and at each intersection of street right-of-way lines. All United States, state, county or other official bench marks, monuments or triangular stations in or adjacent to the property shall be preserved in precise position and shall be recorded on the plat.
 - (3) Second monumentation. To ensure that all irons and monuments are correctly in place following the final grading of a plat, a second monumentation shall be

required. Proof of the second monumentation shall be in the form of a surveyor's certificate and this requirement shall additionally be a condition of certificate of occupancy as provided for in the Shorewood Zoning Ordinance. As an alternative the applicant's surveyor may, upon approval by the City Engineer, place official monuments within the plat after the site grading has been completed, but no later than one year after the recording of the plat. In such cases a letter of credit or cash escrow in form and dollar amount acceptable to the city shall be submitted to guarantee that the monumentation will be completed.

1202.42 Protected Areas

Subd. 1 Where land proposed for subdivision is deemed environmentally sensitive by the city because of the existence of wetlands, drainage ways, water courses, floodprone areas or steep slopes, the design of the subdivision shall clearly reflect all necessary measures of protection to insure against adverse environmental impact.

Subd. 2 Based upon the necessity to control and maintain certain sensitive areas, the city shall determine whether the protection will be accomplished through lot enlargement, redesign, conservation easement, dedication of those sensitive areas in the form of outlots or through the use of protective covenants in Planned Unit Developments.

Subd. 3 Measures of protection shall include design solutions that allow for construction and grading involving a minimum of alteration to sensitive areas. Where these areas are to be incorporated into lots within the proposed subdivision, the applicant shall be required to demonstrate that the proposed design will not require construction on slopes that exceed 12% or result in significant alteration to the natural drainage system, such that adverse impacts cannot be confined within the plat boundary.

Subd. 4 Tree preservation and reforestation. Natural vegetation shall be protected in accordance with the Shorewood Tree Preservation and Reforestation Policy.

1202.43 Lots and Blocks

Subd. 1 All lot and block dimensions shall be shown on the plat and all necessary angles pertaining to the lots and blocks, as an aid to future surveys shall be shown on the plat.

Subd. 2 Blocks.

- a. Block length. In general, intersecting streets determining block lengths shall be provided at intervals so as to serve cross-traffic adequately and to meet existing streets. In blocks longer than 1,000 feet, pedestrian ways or easements through the block may be required in locations deemed necessary for convenient pedestrian circulation.
- b. Block width. The width of the block shall normally be sufficient to allow two tiers of lots of appropriate depth unless it adjoins a railroad, arterial or collector street, lake, wetland, park street or other natural feature where it may have a single tier of lots. Blocks intended for commercial use shall be of the width as to be considered most suitable for their respective use, including adequate space for off-street parking and deliveries.

Subd. 3 Lots.

- a. Size.
 - (1) The minimum lot area, width and depth shall not be less than that established by the Shorewood Zoning Ordinance in effect at the time of adoption of the final plat.

- (2) To eliminate any doubt as to the interpretation of lot size, the minimum lot square footage shall not include arterial right-of-way, public waters, public waters wetlands, city designated wetlands, areas protected through a publicly held conservation easement, and portions of property protected by regulations, including bluffs and historic sites.
- (3) No lots less than the minimum square footage provided by the Shorewood Zoning Ordinance for the area involved shall be authorized by this chapter except upon the granting of a variance in accordance with the Shorewood Zoning Ordinance.
- b. Corner lots. Corner lots for residential use shall have additional width to permit appropriate building setbacks from both streets as required in the Zoning Ordinance.
- c. Flag lots. Flag lots shall only be used when it can be demonstrated through a subdivision variance that an alternative lot arrangement meeting the density requirements of the Comprehensive Plan is not possible due to unique lot characteristics such as shape, topography, wetlands or public waters.
- d. Double-frontage lots.
 - (1) Double-frontage lots that have frontage on two parallel streets shall not be permitted, except where lots back on arterial streets or highways or where topographic or other conditions render subdividing otherwise unreasonable.
 - (2) Double-frontage lots shall have an additional depth of at least 20 feet in order to provide space screening along the rear lot line.
- e. Irregularly shaped lots are discouraged. Where such lots are proposed, the development shall demonstrate to the city an ability to properly place principal buildings and accessory structures on the site in a manner which is compatible in size and character to the surrounding area.
- f. Side Lot Lines.
 - (1) In general, side lot lines shall be at right angles to street lines or radial to curving street lines unless a variation from the rule will give a better street or lot plan, or unless topographic conditions necessitate a different arrangement.
 - (2) Lots which have a side lot line along an arterial street shall include an additional 15 feet of lot width to provide screening.
- g. Lot frontage. Every lot must have adequate frontage on a city-approved street to accommodate a driveway and required driveway setbacks, as required in the Shorewood Zoning Ordinance.
- h. Setback lines. Setback or building lines shall be shown on all lots intended for residential use and shall not be less than the setback required by the Shorewood Zoning Ordinance, as may be amended.
- i. Access.
 - (1) Each lot shall directly access a public street unless a subdivision has received approval from the City Council for a private street or access easement.
 - (2) Where proposed residential lots abut a collector or arterial street, they should be platted in such a manner as to encourage turn-around access - and egress on each lot.
 - (3) In new subdivisions, there shall be no direct vehicular access from residential lots to arterial streets.

- (4) In cases where a proposed plat is adjacent to a county or state highway, the plat shall be subject to county and/or state approval.
- j. Drainage. Lots shall be graded so as to provide drainage away from building locations, subject to City Engineering Guidelines and the approval of the City Engineer. A grading plan shall be submitted showing all lot grading and drainage provisions.
- k. Features. In the subdividing of any land, due regard shall be shown for all natural features such as tree growth, watercourses, historic sites or similar conditions which, if preserved, will add attractiveness and stability to the proposed development.
- l. Lot remnants. Remnants of land below minimum lot size, except in instances of cluster zoning, shall be added to adjacent lots rather than remaining as unusable parcels. Building permits shall not be issued for remnants.
- m. Outlots.
 - (1) An outlot is not buildable. A building permit shall not be issued for an outlot.
 - (2) An outlot may be used to set aside land to be platted at a later time. At the time of the platting, a resubdivision sketch for the outlot shall be required.
 - (3) An outlot may be used to preserve open space with an easement in favor of the City.

1202.44 Street and Alley Design

Subd. 1 General Requirements

- a. Streets shall be designed to comply with the standards set forth in the City's Engineering Guidelines.
- b. Minimum design standards for major collector streets shall comply with Minnesota Department of Transportation State Aid Standards.
- c. All proposed streets shall conform to city, county and state plans and standards and be offered for dedication as public streets unless:
 - (1) The streets are part of a planned unit development (PUD) for two-family dwellings or townhouses.
 - (a) The private street shall be located on a separate outlot and encumbered with an easement.
 - (b) A homeowners association shall be established to oversee ownership and operation private street.
 - (c) The private street is established within an easement at least 50 feet wide from the public street up to and including the lot(s) being created.
 - (d) The shared driveway improvements are deemed adequate for their intended use and comply with fire code requirements.
 - (2) Otherwise determined by the City Council after a recommendation from the City Engineer.
- d. Street plans for future subdivisions. Where the plat to be submitted includes only part of the tract owned or intended for development by the applicant, a tentative plan of a proposed future street system for the unsubdivided portion shall be prepared and submitted by the applicant and a temporary turnaround shall be provided.

Subd. 2 Street Layout.

- a. Continuous streets.
 - (1) Except for cul-de-sacs, streets shall connect with streets already dedicated in adjoining or adjacent subdivisions, provide for future connections to adjoining

- unsubdivided tracts or shall be a reasonable projection of streets in the nearest subdivided tracts.
- (2) Dead-end streets are prohibited, except for cul-de-sac streets as specified in this subsection.
 - (3) The arrangement of arterials and collector streets shall be considered in their relation to the reasonable circulation of traffic, to topographic conditions, to run-off of storm water, to public convenience and safety and in their appropriate relation to the proposed uses of the area to be served.
- b. Local streets. Local streets should be planned as to discourage their use by non-local traffic.
 - c. Cul-de-sac Streets.
 - (1) Cul- de-sac streets shall be permitted where topography or other physical conditions justify their use.
 - (2) Cul-de-sac streets shall not be longer than 700 feet including a terminal turn-around which shall be provided at the closed end. The cul-de-sac shall have a right-of-way radius of not less than 100 feet.
 - (3) Temporary cul-de-sac. In those instances where a street is terminated pending future extension in conjunction with future subdivision, a temporary turn-around facility shall be provided at the closed end in conformance with cul-de-sac requirements.
 - d. Frontage roads.
 - (1) Wherever the proposed subdivision contains or is adjacent to the right-of-way of a state highway or an arterial street, provision may be made for a marginal access street approximately parallel and adjacent to the boundary of the right-of-way or for a street at a distance suitable for the appropriate use of land between the street and right-of-way.
 - (2) The distance shall be determined with due consideration of the minimum distance required for lot depths.
 - e. Half-streets. Half-streets shall be prohibited, except where essential to the reasonable development of the subdivision and adjoining unsubdivided areas.
 - f. Private streets shall be designed to meet fire lane standards from Chapter 607 Uniform Fire Code.
 - g. Street intersections.
 - (1) Streets shall be laid out so as to intersect as nearly as possible at right angles, except where topography or other conditions justify variations.
 - (2) Angles formed by the intersection of two streets shall comply with the provisions of the City Engineering Guidelines.
 - (3) Under no conditions shall the minimum angle of intersection of streets be less than 80 degrees.
 - (4) Street intersection jogs with an offset of less than 125 feet shall be avoided.
 - h. Street right-of-way width.
 - (1) Street right-of-way widths shall conform with following standards and be dedicated on the final plat, or by easement in the case of minor subdivisions:
 - (a) Arterial street: 100 feet.

- (b) Collector street: 60 feet.
- (c) Local street: 50 feet.
- (2) All subdivisions incorporating streets which are identified in the Hennepin County Thoroughfare Plan shall comply with the minimum right-of-way, surfaced width and design standards as outlined in the plan.
- i. Street grades.
 - (1) Except upon the recommendation of the City Engineer, and the topography warrants a greater maximum, the grades in all streets, thoroughfares, collector streets, local streets and alleys in any subdivision shall not be greater than 8%.
 - (2) In addition, there shall be a minimum center line grade on all streets and thoroughfares of not less than 1%.
- j. Reverse curves. Minimum design standards for collector and arterial streets shall comply with Minnesota State Aid Standards.
- k. Curbs and gutters. Concrete curbs and gutters shall be required on all streets.
- l. Hardship to owners of adjoining property. The arrangement of streets in a new subdivision shall make provision for the continuation and proper intersection of streets into the adjoining, undeveloped property.
- m. Boulevards. Boulevards shall be uniformly finished to match the top of the curb and sodded or seeded to present a finished appearance.

Subd. 3 Street dedications.

- a. All streets within the subdivision shall be dedicated as public streets on the plat unless it is a private street that is located within an easement or is otherwise allowed under this Chapter.
- b. Streets in new subdivisions shall be laid out so as to eliminate or avoid new perimeter half streets.
 - (1) Where an existing half-street is adjacent to a new subdivision, the other half of the street shall be dedicated and improved by the applicant.
 - (2) The City Council may authorize a new perimeter street if the applicant dedicates and agrees to improve the entire required street right-of-way width within the subdivision boundaries.
- c. When a subdivision borders an existing substandard street or street needing improved, the applicant shall be required to dedicate and improve as its expense those areas for widening or improvement. Such streets shall be dedicated and improved to the full width as required by the subdivision regulations when the applicant's application contribute to the need for the street expansion.

Subd. 4 Street naming.

- a. The name of any street heretofore used in the City or its environs shall not be used unless the proposed street is a logical extension of an already named street, in which event the same name shall be used.

1202.45 Non-Motorized Connections

Subd. 1 Non-motorized connections shall be established in accordance with the City's Comprehensive Plan, along natural features, such as lakes and wetlands, and in other areas where trails will serve an important transportation or recreational purpose as recommended and approved by the City Council.

Subd. 2 Land to be used for non-motorized corridors shall be dedicated to the City as a parcel or as an easement for public purposes.

Subd. 3 Any trail constructed by the applicant shall be constructed in accordance with the City Engineer's Guidelines.

Subd. 4 Any new sidewalk constructed by the applicant shall be similar in width and design to existing trails but no narrower than what is recommended in the City Engineer's Guidelines.

1202.46 Easements

Subd. 1 Easements.

- a. Easements shall be dedicated on the plat instrument for the required use.
- b. Width and location.
 - (1) An easement for utilities at least 10 feet wide shall be provided on the complete perimeter of the lot.
 - (2) An easement at least 7.5 feet in width on either side of a utility main shall be provided. The width of the easement may be increased by the City Engineer due to the depth of the utility main or the complexity of the utility main design.
 - (3) If necessary for the extension of City water or sewer lines or similar utilities, drainage purposes or to incorporate wetlands, easements of greater width may be required along lot lines or across lots.
- c. Continuous utility easement locations. Utility easements shall connect with easements established in adjoining properties.
- d. Easements, when approved, shall not thereafter be changed without the approval of the City Council following the process required in M.S. § 462.358 and M.S § 412.851.
- e. Guy wires. Additional easements for pole guys should be provided, where appropriate, at the outside of turns. Where possible, lot lines shall be arranged to bisect the exterior angle so that pole guys will fall along side lot lines.

1202.47 Utilities

Subd. 1 The applicant shall install sewer and water mains and service connections, which are stubbed to the property line, to serve all lots in the subdivision.

Subd. 2 A sewer shall be connected on all properties which are abutting a street, alley, public sewer easement or right-of-way in which there is located a public sanitary sewer. This shall not apply to city park facilities.

Subd. 3 All utility facilities, including but not limited to telephone, CATV, natural gas and electric power, shall be located underground. Such utilities shall be placed within a joint trench unless otherwise approved by the City Engineer. Whenever existing utility facilities are located above ground, except when existing on public roads and right-of-way, they shall be removed and placed underground. Underground service connections to the street property line of each platted lot shall be installed at the applicant's expense. At the discretion of the city, the requirement for service connections to each lot may be waived in the case of adjoining lots to be retained in single ownership and intended to be developed for the same primary use.

1202.48 Drainage and Erosion Control

Subd. 1 Storm drainage. All subdivision design shall incorporate adequate provisions for storm water runoff consistent with the Shorewood Comprehensive Water Resource Management

Plan, Minnesota Pollution Control Agency (MPCA), and National Pollutant Discharge Elimination System (NPDES) permit. Storm water design shall be subject to review and approval of the City Engineer. An agreement for maintenance and inspection for the private storm water system must be in place before construction can commence.

Subd. 2 Existing topography. The development shall conform to the natural limitations presented by topography and soil so as to create the least potential for soil erosion.

Subd. 3 Limitations on exposed ground. Land shall be developed in increments of workable size that adequate erosion and siltation controls can be provided as construction progresses. The smallest practical area of land shall be exposed at any one period of time. When soil is exposed, the exposure shall be for the shortest feasible period of time, as specified in the development agreement.

Subd. 4 Staging. Erosion and siltation control measures shall be coordinated with the different stages of construction. Appropriate control measures shall be installed prior to development when necessary to control erosion.

Subd. 5 Commencement of work. No filling, grading or clearing of vegetation shall occur on the site during the processing of the plat until the final plat has been approved by the City Council. Violation of this provision shall make the application null and void.

Subd. 6 Removal/replacement of topsoil. Where the topsoil is removed, sufficient arable soil shall be set aside for respreading over the developed area. Topsoil shall be restored or provided to a depth of four inches and shall be of a quality at least equal to the soil quality prior to development.

1202.50 Improvements

1202.51 Improvements Required

Subd. 1 All of the required improvements specified in this chapter shall be constructed in accordance with the State Building Code and all other applicable city, county and state regulations.

Subd. 2 If public improvements are required for a subdivision, or if impacts to public improvements are proposed as part of a subdivision, the applicant shall execute a development agreement in accordance with the requirements of § 1202.36 Final Plat.

Subd. 3 Community facilities improvements.

- a. Sanitary sewer system. Municipal sanitary sewer facilities shall be provided for all proposed subdivisions and all lots within the subdivision shall be served by the municipal sanitary sewer system.
- b. Water system. Where the city determines it is technically and financially feasible, municipal water service facilities shall be provided for all proposed subdivisions containing more than three lots and all lots within the subdivision shall be served by the municipal water system.

Subd. 4 Semi-public utilities. Telephone, cable television, internet, electric and gas service shall be installed underground in accordance with the provisions of all applicable City ordinances.

Subd. 5 Street Improvements.

- a. Conformance with city standards. All street improvements shall be designed and conform to the Minnesota Department of Transportation Road Design Manual, Section 5-291.523, and the City of Shorewood Department of Public Works Standard

Specifications and Detail Plates. Design and construction specifications shall be subject to the review and approval of the City Engineer.

- b. Acceptance of streets. No street within the city will be accepted as a public street, except under the following conditions:
 - (1) The final bituminous wear course shall not be placed until the time as the approved bituminous base course has been placed and has sustained one full winter and spring season. Prior to placement of the wearing surface, the applicant shall obtain written approval by the City Engineer. Failure to obtain the approval shall result in removal and replacement of the wearing surface at no expense to the City.
 - (2) The applicant shall be responsible for all snowplowing, sanding and maintenance of all roadways within a proposed subdivision until the time as the final lift of bituminous wearing course has been placed, the City Engineer has reviewed and recommended acceptance by the city, and City Council has accepted the project, pursuant to inspections.
 - (3) The street will not be accepted until the City Council has received a recommendation from the City Engineer that this street is in good condition and not breaking up or deteriorating in any way. Upon receipt of the recommendation, the City Council will consider a resolution accepting the street as a public street for snowplowing and maintenance.
- c. Street lighting fixtures as may be required by the City Council shall be installed.
- d. The City Council may require the provision of sidewalks on arterials, collectors and other streets in proximity to public service areas such as parks, schools or shopping facilities or in other appropriate locations of a similar nature. The design of the sidewalks shall be considered in their relation to existing and planned sidewalks, reasonable circulation of traffic, topographic conditions, run-off of stormwater and the proposed uses of the area to be served.

Subd. 6 Utility Improvements.

- a. All required utility improvements shall be inspected during the course of construction by the City Engineer at the applicant's expense and acceptance shall be subject to the City Engineer's determination.

Subd. 7 Election by city to install improvements. It is the applicant's responsibility to install all required improvements. Pursuant to city policy, the applicant may petition the city for the installation of required improvements. The city also reserves the right to elect to install all or any part of the improvements required under the provisions of this chapter in lieu of requiring the applicant to install the improvements, pursuant to M.S. Chapter 429.

1202.52 Financial Guarantee

Subd. 1 Financial guarantee. Prior to the delivery of the approved final plat, the applicant shall deposit with the city financial security in an amount of 150% of the City Engineer's estimated cost of the required improvements within the plat, either in a cash escrow or letter of credit. The surety involved in the financial guarantees shall be approved by the city. Release of the cash escrow or letter of credit shall be conditioned upon:

- a. The making and installing of all of the improvements required by the terms and conditions set forth by the city within one year.

- b. Satisfactory completion of the work and payment therefore, which was undertaken by the applicant in accordance with the developer's agreement referred to above.
- c. The payment by the applicant to the city of all expenses incurred by the city, which expenses shall include, but not be limited to, expenses for engineering, planning, fiscal, legal, construction and administration. In instances where a letter of credit is used in lieu of a cash escrow, the letter of credit shall be in a form satisfactory to the city.

Subd. 2 Maintenance guarantee. The city shall require an applicant to submit a warranty/maintenance guarantee in the form of a letter of credit or cash deposit in the amount of 25% of the original cost of the improvements, or as approved by the city Engineer, which shall be in force for two years following the final acceptance of any required improvements and shall guarantee satisfactory performance of the improvement.

1202.53 Inspection

Subd. 1 As-built drawings. "As-built" drawings of all required improvements as required by the City Engineer shall be furnished to the City by the applicant in the format and quantity indicated by the City Engineer at no cost to the City. The "as-built" drawings and files shall meet format requirements of the City Engineer. The "as-built" drawings shall be certified to be true and accurate by the registered professional engineer responsible for the installation of the improvements.

Subd. 2 Inspection/reimbursement of city expenses. All of the required improvements to be installed under the provisions of this chapter shall approved by and subject to the inspection of the City Engineer or designees. The City Engineer shall assign a field representative to observe the project from initial construction through completion and acceptance by the city. All of the city's expenses incurred as the result of the requirement improvements shall be paid to the city by the applicant.

1202.60 Park Dedication

1202.61 Dedication Required

Subd. 1 Because a new subdivision creates a need for parks, playgrounds and open space, it is hereby found and declared, that pursuant to M.S. § 462.358, a reasonable portion of such land shall be dedicated to the public or preserved for conservation purposes or for public use as parks, playgrounds, trails, wetlands, or open space.

Subd. 2 At the time of subdivision, the applicant shall dedicate 8 percent of the total area of each new subdivision for public use as parks, playgrounds, recreation facilities, trails, or public open space.

Subd. 3 If the City Council determines that land is not needed in the area of the proposed subdivision, the city may alternatively require payment of a sum of money equivalent to 8 percent of the value of the raw land required.

Subd. 4 If the City Council determines that land is needed in the development, but in a lesser amount than the required amount, the City Council may require payment of cash in lieu of land dedication based on a pro-rata share of the land dedication that otherwise would be required.

Subd. 5 This dedication shall be in addition to the land dedicated for streets, alleys, trails or sidewalks along streets, storm water ponds or other public purposes.

Subd. 6 Credit for previous park dedication.

- a. Previously subdivided property from which a park dedication has been received, being re-subdivided with the same number of lots, is exempt from park dedication requirements.
- b. If, as a result of re-subdividing the property, the number of lots is increased, then the park dedication or per-lot cash fee must apply only to the net increase of lots.
- c. If a property being subdivided has existing homes and there is no documentation of previous dedication or payment of park dedication, then no credit for park dedication shall be given.

1202.62 Land Suitability

Subd. 1 The area intended to be dedicated must be suitable for parks and playgrounds and shall conform to city plans for parks, trails or open space within the city.

Subd. 2 The city shall not be required to accept land which will not be usable for parks, trails or open space or which would require extensive expenditures on the part of the city to make them usable.

Subd. 3 The city will not give park dedication credit for floodplains, wetlands, stormwater ponding areas, land encumbered by gas pipeline or other utility easements, slopes of more than 20% grade or for required sidewalks or trails within road rights of way.

Subd. 4 All land dedicated for parks, trails, and/or open space shall be designed to incorporate natural features as much as possible, such as rivers, streams, wildlife habitats, woodlands, and ponding areas.

Subd. 5 Improvements to Dedicated Land.

- a. As part of the subdivision approval, the applicant shall be responsible for making certain improvements to dedicated park land, including, but not limited to, finish grading, ground cover, construction of trails and clearly identifying park and trail boundaries with city-approved markers.
- b. The applicant shall preserve all existing trees to the greatest extent possible during the grading process on the land that is to be dedicated for a park, trail or open space.
- c. When the city's Comprehensive Plan identifies a trail or trails to be constructed in the land to be subdivided, the applicant shall be required to pay for the construction of the trail improvements. The construction specifications of trails shall be determined by City Staff. Whenever possible, trails shall connect with existing trails and/or sidewalks.

1202.63 Modification of Requirements

Subd. 1 No credit to the requirements of § 1202.61 will be given for private open space, park, recreational facilities, or trails.

Subd. 2 The dedication requirements are presumptively appropriate. An applicant for affordable housing or senior housing may request a deviation from the presumptive requirements based upon: the anticipated impact of that particular subdivision; or proposed parks, open space, recreational or common areas and facilities open to the public as designated on development plans. The request must be made to the City Council as part of an application for final plat approval. The City Council, after consideration of the request, may modify or reduce the requirements of this section.

Subd. 3 If the applicant disputes the amount of the proposed cash contribution in lieu of the land dedication, the applicant, at their own expense, may obtain an appraisal of the

property. The appraisal shall be made by an approved Member of the Appraisal Institute (MAI), or equivalent real estate appraisal societies. If the city disputes such appraisal, the city may, at the applicant's expense, obtain an appraisal of the property by a qualified real estate appraisal.

1202.64 Required Actions

Subd. 1 Prior to the dedication of the required property, the developer shall:

- a. Indicate separate lots or outlots on the plat drawings for the area(s) to be dedicated. Such lots or outlots shall be deeded to the City prior to the issuance of any building permits within the plat.
- b. Provide a survey with topographic data, including contours at vertical intervals of at least two feet, watercourses, wetlands, marshes, rock outcrops, easements, utilities and vegetative data. Portions of any property dedicated to the public for park, trail and open space purposes to be used for borrow and fill activities elsewhere in the development shall be clearly identified.
- c. Provide the city with evidence of title in a form acceptable to the city attorney or a title insurance policy insuring the city's interest in the property. In any dedication of required land, the developer must have good and marketable title to the land, free and clear of any mortgages, liens, encumbrances or assessments, except easements or minor imperfections of title acceptable to the city.

Subd. 2 Prior to the paying of a cash fee in lieu of land dedication, the payment of such fee shall be required as follows:

- a. For residential developments, the fee shall be paid prior to the city's release of the signed final plat Mylars for recording with Hennepin County. The exception is that in the case of multiple-family residential developments where the site plan review occurs after the time of final plat approval, the fee shall be paid prior to the issuance of any building permits.
- b. For non-residential developments, the fee shall be paid prior to issuance of any building permits within the subdivision. A pro-rated portion of the fee may be deferred if the applicant proposes to construct significantly less square footage than the site supports, provided that any remaining fees shall be paid if and when additional square footage is constructed on the site in the future.
- c. In plats that include outlots for future development, the applicant may pay to the city:
 - (1) the required dedication for the entire subdivision including the outlots
 - (2) the required dedication excluding such outlots, provided that the park dedication requirement shall be satisfied when such outlots are replatted.

1202.65 Timing

Subd. 1 The requirements of this section for dedication of land or for contribution of cash in lieu of land shall apply at the time of final subdivision approval. If the plat is not recorded within one year of approval and the City Council approves an extension, then the applicant is responsible for paying any increases to the fee.



Planning Commission Meeting Item

Item
5A

Title/Subject: Variance to Construct Detached Garage
Meeting Date: April 1, 2025
Prepared by: Jake Griffiths, Planning Director
Attachments: Location Map
 Applicant’s Narrative & Plans
 2015 Variance Resolution

APPLICANT: Dan Wallace
LOCATION: 5765 Eureka Rd
REVIEW DEADLINE: June 18, 2025
COMPREHENSIVE PLAN: Minimum Density Residential
ZONING: R-1A Single Family

REQUEST

The applicant is requesting a variance from the required rear yard setback to accommodate construction of a detached garage. The variance, if approved, would reduce the rear yard setback from 50 feet to 10 feet. A similar variance was granted on the property in 2015, however, that approval expired shortly thereafter as no action was taken by the previous property owner.



Notice of the application was sent by postcard to all property owners within 500 feet of the property and by placing a sign in the right-of-way in front of the home. Notice of the public meeting was also sent by US mail to all property owners within 500 feet of the property at least 10 days prior to the meeting.

BACKGROUND

The existing home was built in 1915 as part of Eureka Addition. The lot is substantially undersized for the R-1A zoning district, having only 12,020 square feet of lot area where 40,000 square feet is required and having only 96.6 feet of lot depth where 150 feet is required. If the setbacks for the R-1A zoning district were applied as written to the property, nearly the entirety of the lot would be unbuildable as demonstrated by the applicant’s attached materials. While the existing home is a legal nonconformity, or “grandfathered in”, any new structure built on the lot would require a variance.

In 2015, the previous property owners obtained variance approval to reduce the rear yard setback to 10 feet to construct a detached garage. While the applications vary slightly, there are many similarities between the two proposals. This variance approval expired in 2016 as the previous property owner did not construct the detached garage as requested within one year of approval.

ANALYSIS

City Code 1201.05, Subd. 3. a. establishes review criteria for the consideration of variance requests. These criteria are open to interpretation. Staff reviewed the request according to the criteria as follows:

Intent of the Comprehensive Plan and Zoning Ordinance: The applicants propose to use the property for residential purposes, which is consistent with the Comprehensive Plan and the zoning ordinance.

Practical Difficulties: Practical difficulties include three factors, all three of which must be met.

- a. *Reasonable:* The applicant's request to construct a detached garage on a residential property is reasonable, and was previously contemplated by a variance granted by the City Council in 2015.
- b. *Unique Situation vs. Self-Created:* The practical difficulty is unique to this property as the lot was created in 1915, prior to modern zoning regulations and they own no adjacent property to combine with this lot to bring the property in conformance. If setbacks were to be applied as required, there would be no location on the property suitable for construction of any structure. The applicant was not responsible for the inactivity on the previous variance granted to the property. As a result, the situation is unique to this property and not created by the property owners.
- c. *Essential Character:* There are a number of undersized lots in the vicinity of the subject property and constructing a detached garage with a 10-foot setback would not alter the essential character of the surrounding area.

Economic Considerations: The applicant has not proposed the variance solely based on economic considerations.

Impact on Area/Public Welfare, Other Lands or Improvements: The applicant is not proposing anything that would impair an adequate supply of light and air to an adjacent property or increase the risk of fire.

Minimum to Alleviate Practical Difficulty: Staff finds the proposed variance is the minimum request necessary to alleviate the practical difficulty.

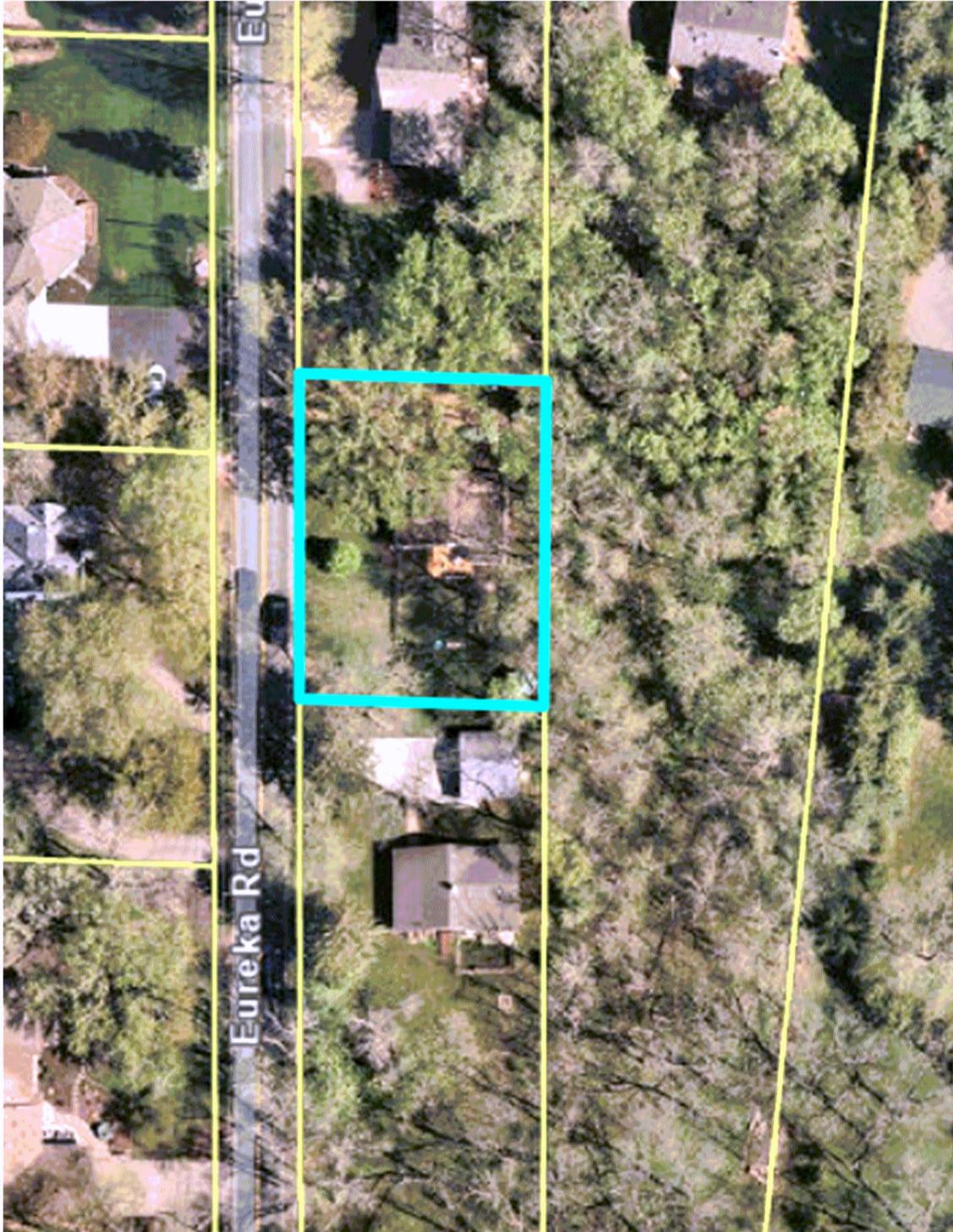
FINDINGS/RECOMMENDATION

Staff recommends approval of the request for a variance subject to the following conditions:

- The applicant must acquire all necessary permits, including a building permit from the City of Shorewood, and complete construction of the detached garage within one year of the date of approval.

Staff acknowledges that the variance criteria are open to interpretation. Consequently, the Planning Commission could reasonably find otherwise.

5765 Eureka Road Location Map



2/17/2025
5765 Eureka Road
WRITTEN DESCRIPTION OF THE REQUEST

RECEIVED
FEB 18 2025
CITY OF SHOREWOOD

The applicant requests a variance from the rear yard setback to construct a detached garage structure. A similar variance for the previous owners of this property was approved a number of years ago, but has since expired.

The structures at 5765 Eureka Road currently consists of a single-family home and a small shed, but the property does not have a garage structure. As you see on the site plan, given the existing setback requirements on this property, it is currently impossible to build any structure without the need for a variance. After many design options were considered, the homeowners selected a design that required the least number of variances, and had the least amount of impact to surrounding properties. The design and aesthetics of the detached garage structure are intended to blend in with the existing residential structure on the property, and feel as if it was built at the same time as the current home. Though the existing residential structure is not very tall, the height of the proposed structure has been intentionally left even shorter than the existing residence, to give prominence to the existing structure. All architectural details of the proposed structure will match the existing residential structure. While this design does require a 1.3% increase in hardcover, we are still below the hardcover requirement for this property. It is also of note that over 10% of this property's allotted hardcover is given to the existing bituminous surface of Eureka Road.

That being said, it is our assertion that the variance, and its resulting construction and use, is consistent with the intent of the comprehensive plan and in harmony with the general purposes and intent of the zoning regulations. We propose to use the property in a reasonable manner, but which is not permitted by the required setbacks given the existing property dimensions. These existing circumstances are unique to the property and have not been created by the landowner. If approved, the variance would not alter the essential character of the area.

The variance would not impair an adequate supply of light and air to adjacent property owners, as it will be tucked into an existing tree line and away from any existing structures. It will not increase congestion in the public street, and it will not endanger the public or increase the danger of fire. The structure would not be detrimental to the welfare of the public, and it wouldn't be injurious to other lands or improvements in the neighborhood. The variance requested is the minimum necessary to alleviate the practical difficulties.

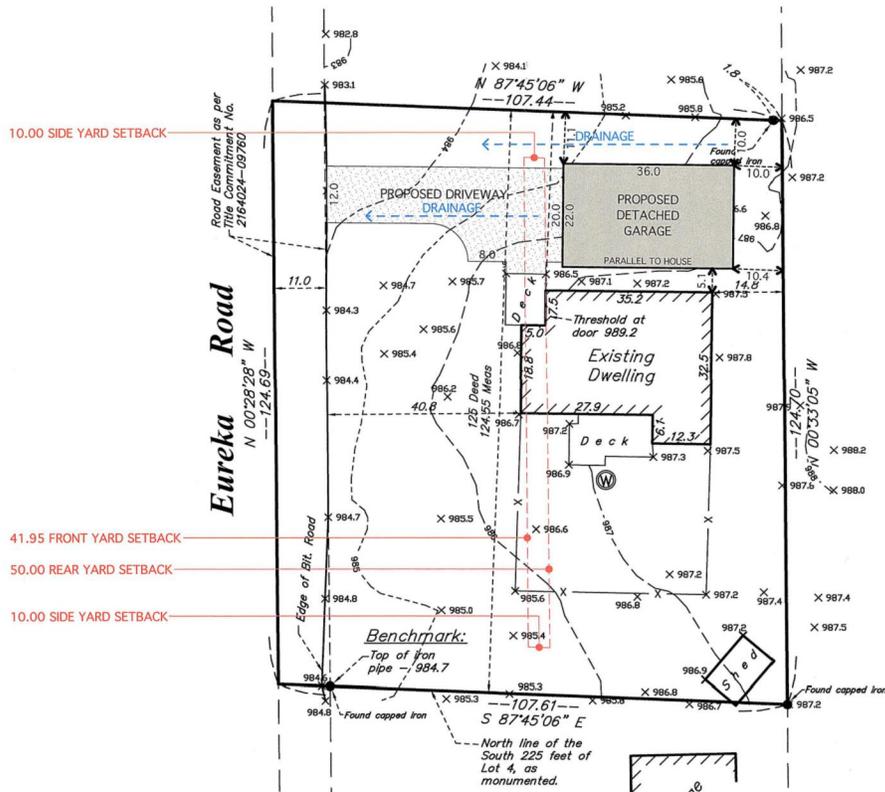
wallace
 ARCHITECTURE, PLLC
 311 Third Street
 Excelsior, MN 55331
952.913.9641

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the JOSEPH garage
 5765 Eureka Road
 Shorewood, MN

Project Number: 2411
 Project Architect: Dan Wallace
 Drawn By: Dan Wallace

Date of Issue: Variance.1 - 17 Feb 2025
 Preliminary - 16 Dec 2024



PROPOSED HARDCOVER	
EXISTING HOUSE	1,095 SQ.FT.
EXISTING DECKS	263 SQ.FT.
EXISTING SHED	104 SQ.FT.
EXISTING BIT. ROAD	1,349 SQ.FT.
PROPOSED GARAGE	792 SQ.FT.
PROPOSED DRIVEWAY	791 SQ.FT.
PROPOSED HARDCOVER	4,394 SQ.FT.
AREA OF LOT	13,392 SQ.FT.
PERCENTAGE OF HARDCOVER TO LOT = 32.8%	

1
01

PLAN - site and drainage

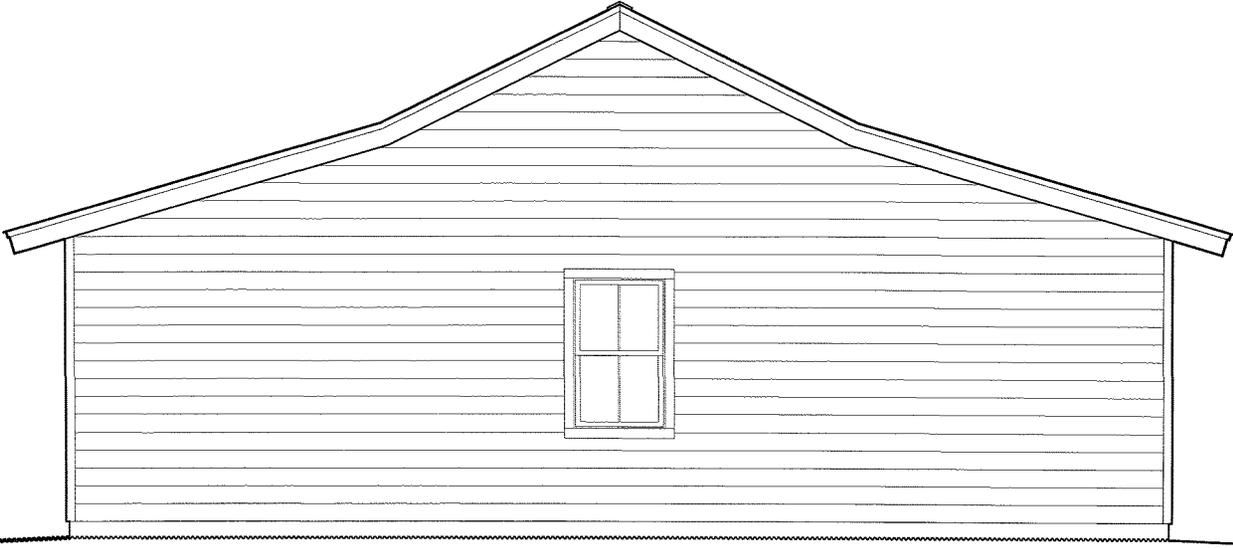
SCALE: 1" = 20'

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01



1/04
EXTERIOR ELEVATION - east
1/4" = 1'-0"



2/04
EXT. EL. - north
1/4" = 1'-0"

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Excelsior, MN 55331

952.913.9641

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the JOSEPH garage
5765 Eureka Road
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Project Number: 2411

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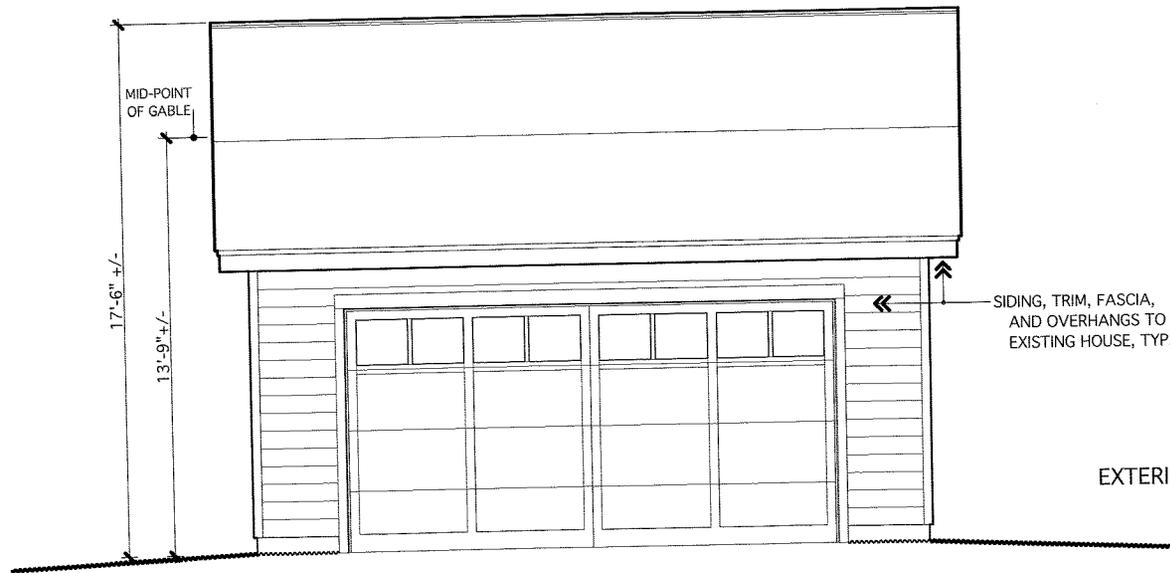
Drawn By: Dan Wallace

Date of Issue:
Variance.1 - 17 Feb 2025
Preliminary - 16 Dec 2024

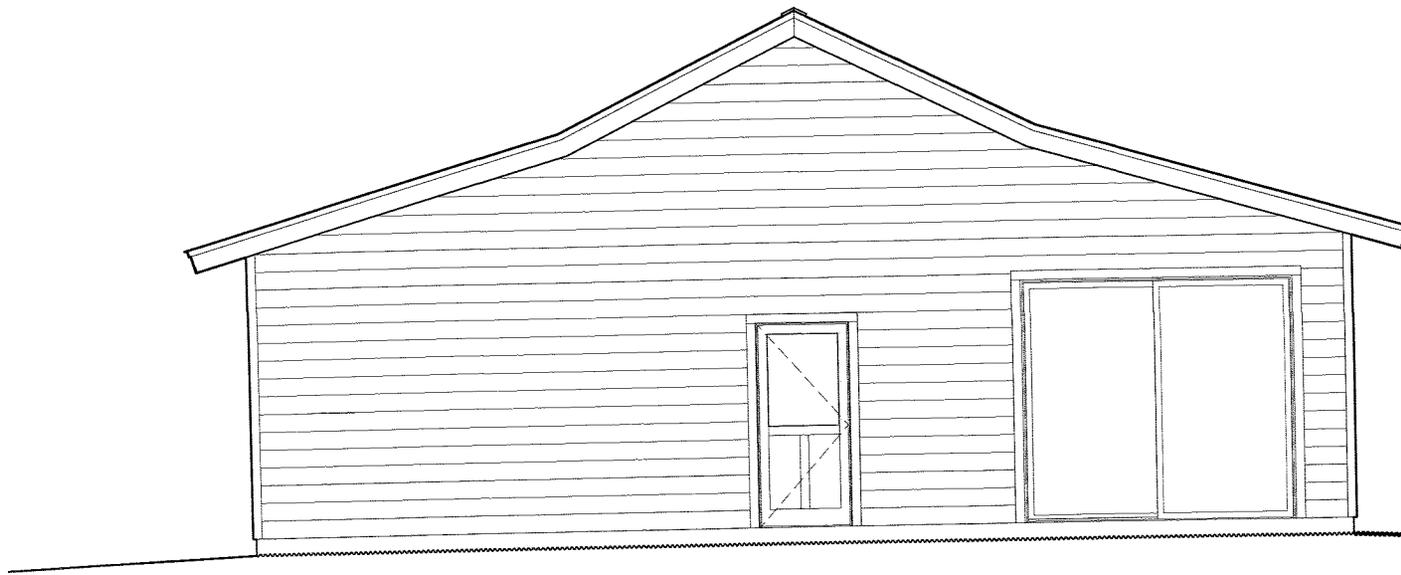
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FEB 18 2025

CITY OF SHOREWOOD

04



1/03
EXTERIOR ELEVATION - west
1/4" = 1'-0"



2/03
EXT. EL. - south
1/4" = 1'-0"

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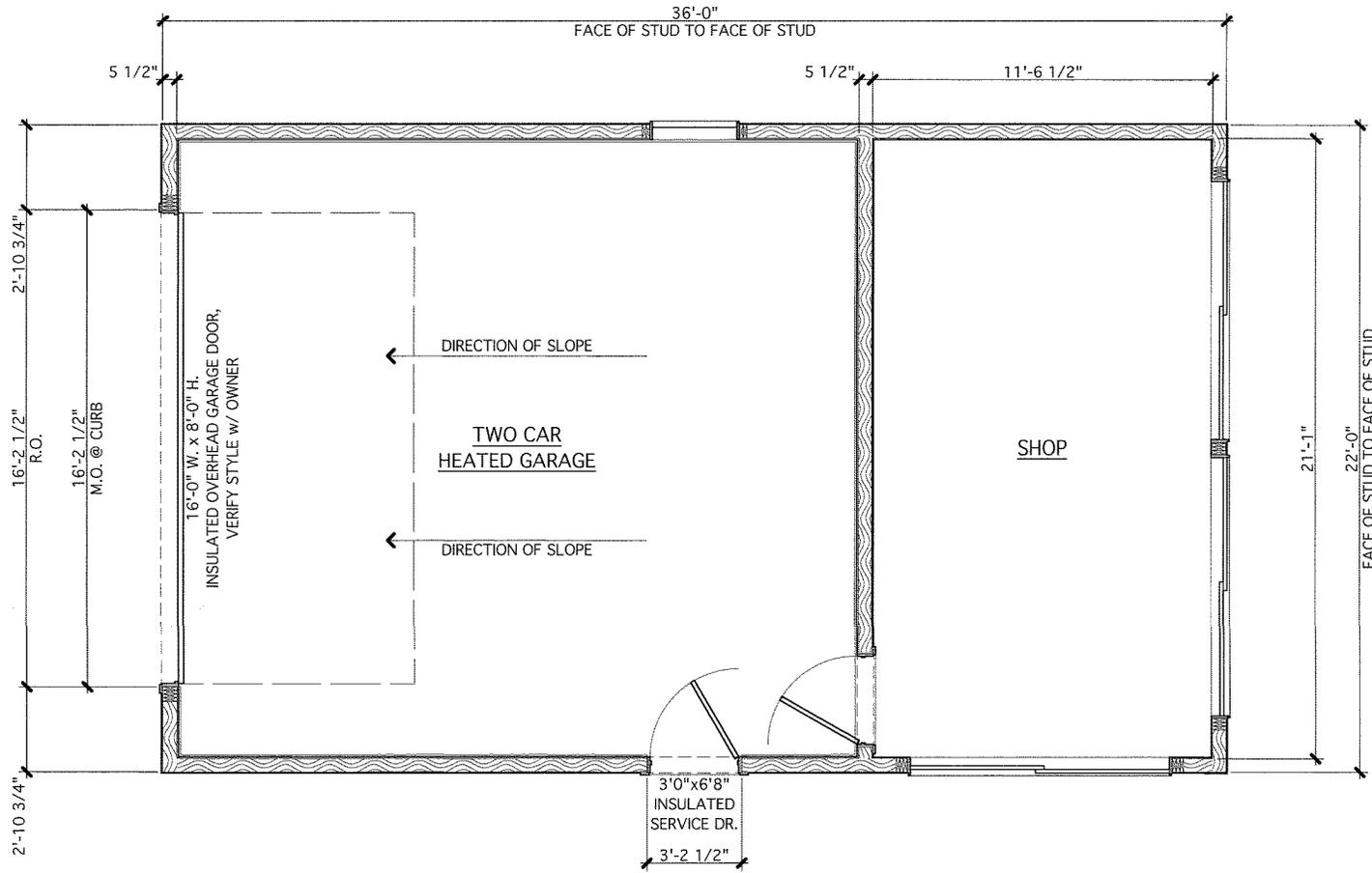
the JOSEPH garage
5765 Eureka Road
Shorewood, MN

Project Number: 2411
Project Architect: Dan Wallace
Drawn By: Dan Wallace
Date of Issue: Variance.1 - 17 Feb 2025
Preliminary - 16 Dec 2024

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FEB 18 2025

CITY OF SHOREWOOD

03



1
02

PLAN - main level garage

SCALE: 1/4" = 1'-0"

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the JOSEPH garage
 5765 Eureka Road
 Shorewood, MN

Project Number: 2411
 Project Architect: Dan Wallace
 Drawn By: Dan Wallace
 Date of Issue: Variance.1 - 17 Feb 2025
 Preliminary - 16 Dec 2024

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 FEB 18 2025
 CITY OF SHOREWOOD

02

CITY OF SHOREWOOD

RESOLUTION NO. 15-017

**A RESOLUTION GRANTING SETBACK VARIANCES
TO NICK BENDER**

WHEREAS, Nick Bender (Applicant) is the owner of real property located at 5765 Eureka Road, City of Shorewood, legally described as:

“The North 125 feet of the South 350 feet of Lot 4, Eureka, Hennepin County, Minnesota”; and

WHEREAS, the Applicant has an existing single-family dwelling and a small garage, both of which are located too close to the rear property line; and

WHEREAS, the Applicant proposes to replace the existing, single-car garage with a new two-car garage and relocate an existing nonconforming deck adjoining the house, both of which necessitate setback variances; and

WHEREAS, the Applicant’s request was reviewed by the City Planner, whose recommendations are included in a memorandum, dated 29 January 2015, a copy of which is on file at City Hall; and

WHEREAS, after required notice a public hearing was held and the application reviewed by the Planning Commission at a regular meeting held on 3 February 2015, the minutes of which meeting are on file at City Hall; and

WHEREAS, the City Council considered the application at its regular meeting on 23 February 2015, at which time the Planner’s memorandum and the Planning Commission’s recommendations were reviewed and comments were heard by the Council from the Applicant and from the City staff; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shorewood as follows:

FINDINGS OF FACT

1. The subject property is located in an R-1A, Single-Family Residential zoning district, which requires a 50-foot setback from the rear lot line and a 50-foot setback from the front lot line.

2. The subject property is substandard in lot area and lot depth, having only 12,020 square feet of area where 40,000 square feet is required and having only 96.6 feet where 150 feet is required.

3. The Applicant proposes to construct a new detached garage on the north side of the existing house, ten feet from the rear lot line, requiring a variance of forty feet.

4. The Applicant proposes to construct a new deck on the south side of the house, 16.8 feet from the rear lot line, requiring a variance of 33.2 feet.

5. The Applicant proposes to demolish the existing garage on the south side of the home.

6. Due to the shallow depth of the lot, the front and rear setbacks render the lot unbuildable without variances.

CONCLUSIONS

A. The Applicant has satisfied the criteria for the grant of a variance under the Shorewood City Code and has established practical difficulties as defined by Minnesota Statutes.

B. Based upon the foregoing, the City Council hereby grants to the Applicant a setback variance to build a detached garage 10 feet from the rear lot line and a new deck 16.8 feet from the rear lot line.

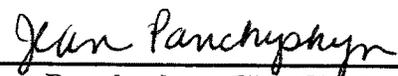
C. The City Clerk is hereby authorized and directed to provide a certified copy of this resolution for filing with the Hennepin County Recorder or Registrar of Titles.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF SHOREWOOD this 23rd day of February 2015.



Scott Zerby, Mayor

ATTEST:



Jean Panchyshyn, City Clerk



Planning Commission Meeting Item

Item
5B

Title/Subject: Receive Information for CUP Amendment for Additional Antenna Installation on Water Tower at 26350 Smithtown Rd

Meeting Date: April 1, 2025

Prepared by: Jake Griffiths, Planning Director

Attachments: Location Map
Applicant’s Narrative & Materials

APPLICANT: Buell Consulting, Inc.

LOCATION: 26350 Smithtown Rd

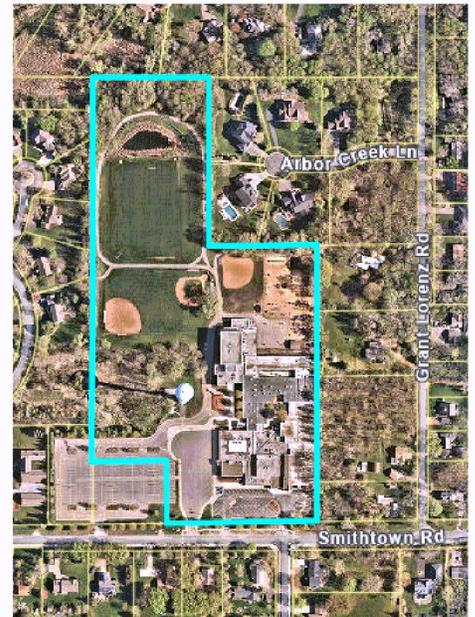
REVIEW DEADLINE: May 11, 2025

COMPREHENSIVE PLAN: Public/Semi-Public

ZONING: R-1A Single Family

BACKGROUND

Buell Consulting, Inc. has applied for a Conditional Use Permit (CUP) Amendment on behalf of Verizon Wireless to install six additional antennas on the water tower at 26350 Smithtown Rd. This property is also home to Minnewashta Elementary School.



Normally the Planning Commission would hold a public hearing, review, and provide a recommendation to the City Council for this type of application. However, since this application is not classified as a “substantial change” by federal law the City is obligated to make a decision on the application within 60 days pursuant to FCC Ruling 18-133. Unfortunately, this shortened timeline means that review by the Planning Commission is not possible as the City does not have enough time to publish the required notice in the newspaper in advance of the May meeting and still meet the 60-day review timeline. As a result, the public hearing for this application will be conducted by the City Council at their April 14th meeting and they will make a decision on this application without a Planning Commission recommendation. As this type of situation is historically uncommon in Shorewood, staff have provided this report to the Commission as a courtesy so that it is aware of the application and has the opportunity to provide informal feedback to the City Council.

ANALYSIS

The 205-foot water tower is owned by the City of Shorewood but located on land owned by ISD 276. Previous CUP amendments were approved in 2000 (ATT and APT), 2008 (TTM), 2009 (Clearwire) and 2021 (Verizon). The majority of the adjacent properties are owned by the school district or are single-family homes. The applicant would install six new antennas about 116-feet above grade on the existing water tower. The cables connecting the antennas and related equipment would be placed inside the tower.

All CUP applications for antennas are reviewed according to the standards listed in City Code 1201.04, Subd. 1. Which includes the following:

- Consistent with the Comprehensive Plan.

Staff finds that the application is consistent with the policy of the Comprehensive Plan and Zoning Ordinance to encourage additional antennas on existing structures rather than to have additional freestanding towers constructed.

- Compatible with present and future land uses in the area.

Impacts to adjacent properties would be minimal. The antennas would be similar to the existing equipment in the area and likely would not be noticed by drivers passing by on Smithtown Rd.

- Will not tend to or actually depreciate the area in which it is proposed.

No impact to property values is anticipated as part of the request. The proposed equipment is similar to the existing equipment on the site.

- The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.

No public services are needed to accommodate the request.

- Conform to applicable regulations in City Code 1201.03, Subd. 21 relative to telecommunication towers and facilities and other sections of the zoning regulations as may be applicable.

The zoning ordinance requires all equipment to be consistent with the FCC's allowable radiation emission requirements. The applicant has indicated that the proposed equipment is FCC certified. Because the equipment would be placed on the City's water tower, the City Council will be reviewing a lease. As part of that lease, the applicant is required to provide drawings and pay for a structural evaluation by the City's tower consultants.

RECOMMENDATION

Staff recommends approval of the Conditional Use Permit Amendment subject to the following conditions:

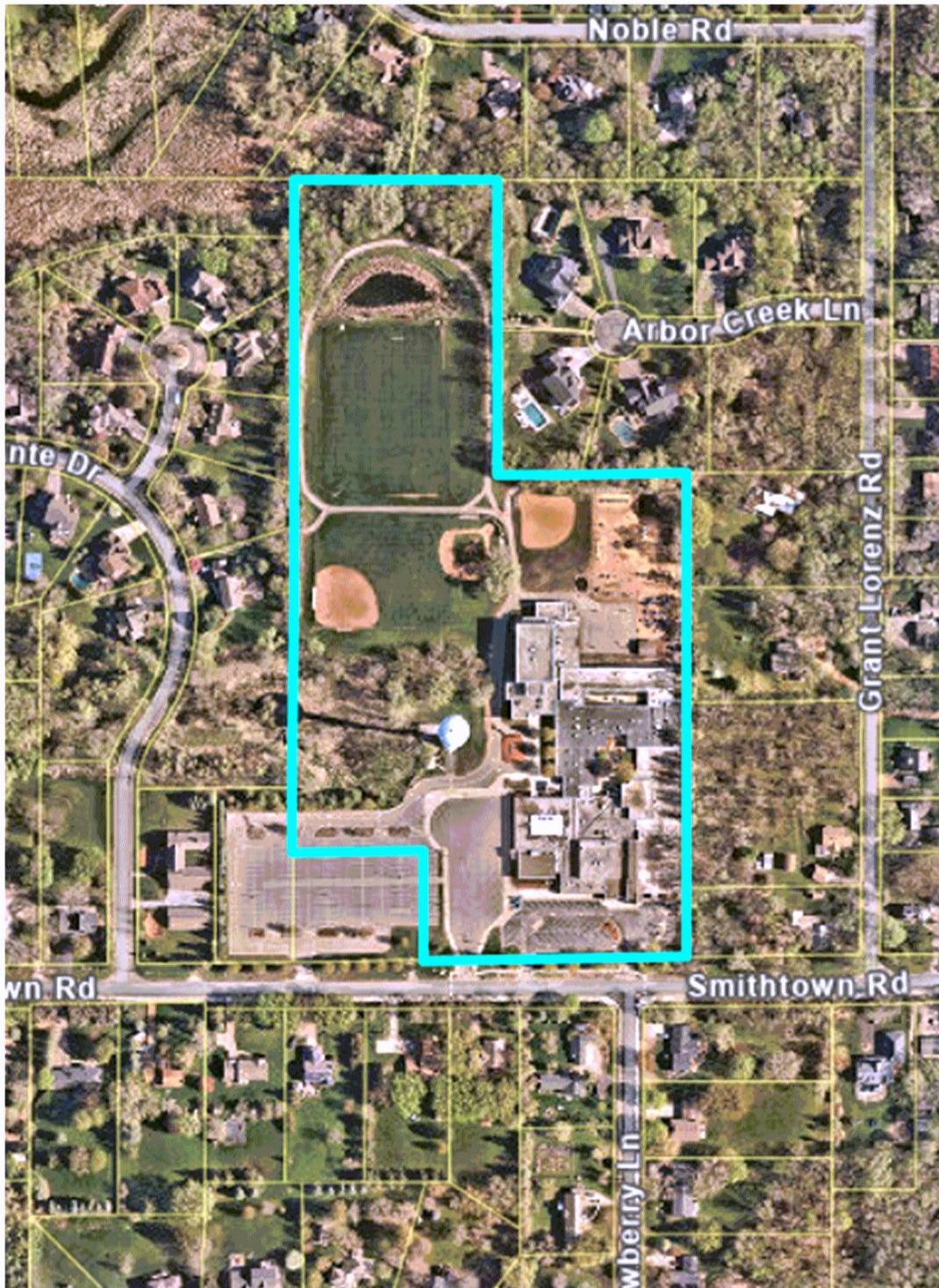
- The applicant must apply for and acquire all necessary building permits prior to beginning any construction on the site.
- The applicant must provide a copy of the FCC certification for the proposed equipment relative to radiation emission requirements.
- Prior to the issuance of any permits, the City Council shall approve a lease for the use of the City's water tower and the applicant shall execute the lease.
- The applicant shall revise the plans to indicate that all antennas and all equipment, including any shrouds, shall be white, pale grey, or a similar color to the existing water tower.
- The exterior lights shall be turned off unless a technician is accessing the site at night or during an emergency.

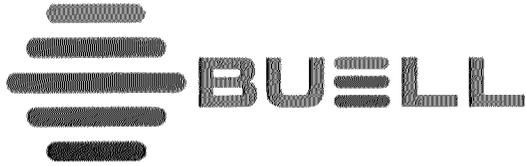
- All disturbance to the site shall be restored to preconstruction condition by the next growing season.

REQUESTED ACTION

The Commission is requested to receive information on the proposed Conditional Use Permit Amendment. The Commission may provide informal feedback to the City Council; however, the Commission should refrain from making a formal motion or recommendation.

26350 Smithtown Road Location Map





BUELL CONSULTING, INC.
9973 Valley View Rd
Minneapolis, MN 55344
(651) 361-8110
www.buellconsulting.com

February 12, 2025

City of Shorewood
Planning & Protective Inspections
Attn: Marie Darling
5755 Country Club Rd
Shorewood, MN 55331

RE: Verizon Proposed equipment upgrade located at: 26350 Smithtown Road, Shorewood,
MN 55331
Wireless Site Name / MDG Location ID: MIN WILDROSE / 5000327441

Marie,

Verizon is proposing to upgrade their installation at this site by upgrading equipment on the existing wireless communication structure. Verizon's installation is a collocation upgrade and will not increase the height of the existing structure. Verizon will not be expanding the size of the current lease compound. This upgrade will consist of adding six (6) additional antennas and associated equipment to the existing lease space.

Enclosed, please find the following:

- (1) CUP Application
- (1) Escrow of \$1000 & Non-Residential application fee of \$600 = \$1,600.00 total
- (1) Eligible Facilities Request Form
- (1) Construction drawings 11" x 17"
- (1) Structural analysis

Please email, or mail any correspondence to:

Sincerely,

Justin Gartner
Site Development Agent
Buell Consulting, Inc. On Behalf of Verizon Wireless
9973 Valley View Rd
Minneapolis, MN 55344
EMAIL: jgartner@buellconsulting.com
PHONE: 507-327-2329

Verizon Wireless 60-Day Eligible Facility Request Modification of Existing Wireless Tower not in the Right-of-Way

Request Date: 2/12/2025

Jurisdiction: City of Shorewood, MN

Departments: Building and Planning

Site Address: 26350 Smithtown Road, Shorewood, MN 55331

Verizon Wireless Contact: Justin Gartner, 507-327-2329, jgartner@buellconsulting.com,
agent for Buell Consulting on behalf of Verizon Wireless

This document serves as Verizon Wireless's eligible facilities request to modify an existing wireless facility at the above-referenced site address. This eligible facilities request must be approved administratively under Section 6409 of the federal Spectrum Act and Federal Communications Commission ("FCC") rules. Review by the City of Shorewood is limited to determining whether the proposed modification qualifies as an eligible facilities request that does not substantially change the physical dimensions of the wireless tower. All permits necessary to commence construction must be approved within 60 days of the request date set forth above, subject to tolling for incompleteness.

Project Description

The existing wireless facility is owned by the City of Shorewood. Verizon Wireless is a tenant of the City of Shorewood's.

As currently installed, the facility consists of: a 205.1' Water Tower and an existing ground-mounted equipment and shelter. Verizon Wireless has antennas and radio units mounted on the tower at 116.8' above ground level.

To accommodate new wireless technologies, Verizon Wireless proposes to: add six (6) additional antennas and associated equipment to the existing lease space. No additional changes are proposed for the modification.

FCC Rules for Eligible Facilities Requests

The Spectrum Act states that "a State or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or

base station that does not substantially change the physical dimensions of such tower or base station.”¹ An “eligible facilities request” is defined to include any collocation, removal, or replacement of existing equipment.²

The FCC adopted rules providing legally binding guidance on key terms of the Spectrum Act, notably defining “substantial change” with the six thresholds described below.³ The FCC requires that qualifying eligible facilities requests be approved within 60 days, subject to tolling for incompleteness.⁴ The 60-day period begins when an applicant takes the first procedural step required by a local government, and submits written documentation.⁵ The only submittal documents a local government can require are those relevant to determining if a proposed modification qualifies as an eligible facilities request.⁶ If a local government does not render a decision within the 60-day period, an eligible facilities request can be deemed granted by operation of law.⁷

The Proposed Modification Does Not Constitute a “Substantial Change”

Below are the FCC’s six “substantial change” thresholds for a wireless tower not in the right-of-way,⁸ each followed by an explanation that the proposed modification does not exceed that threshold.

- 1) It increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater.

There are no proposed changes to the tower height.

- 2) It involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater.

The added antennas will not add 20-ft of width to the tower

- 3) Involves the installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four.

There are no new cabinets being proposed for this scope of work.

- 4) It entails any excavation or deployment of transmission equipment outside of the current site by more than 30 feet in any direction. The site boundary from which 30 feet is measured excludes any access or utility easements currently related to the site. The “site” is as defined at 47 C.F.R. § 1.6100(b)(6).

Excavation is not required for the proposed scope of work.

- 5) Would defeat any concealment elements of the existing facility.

There are no concealment elements at the existing facility.

- 6) Does not comply with conditions associated with the prior approval of the existing facility, unless the non-compliance is due only to a change in height, width, etc., that does not exceed the first four thresholds.

The proposed scope of work does not conflict with any conditions of approval for this permitted communications facility.

Conclusion

In sum, the modification qualifies as an “eligible facilities request” under the Spectrum Act and FCC rules, because it does not exceed any of the thresholds such that it would “substantially change” the physical dimensions of the existing wireless tower. Failure to process this eligible facilities request and approve all necessary permits within 60 days may result in the request being deemed granted by operation of law.

The undersigned is the person who prepared this application, and with knowledge of the contents and representations made herein attests to the truth and completeness of the information. Verizon Wireless' telecommunications facilities shall be maintained in a safe manner, and in compliance with all conditions of the Eligible Facility Permit, without exception, unless specifically granted relief by the City in writing, as well as all applicable and permissible local codes, ordinances, and regulations, including any and all applicable City, State, and Federal Laws, rules, and regulations.

Installation of the modifications is legally permissible, including but not limited to Verizon Wireless' authorization to do business in the State of Minnesota.

Submitted on behalf of Verizon Wireless

Justin Gartner

Digitally signed by Justin Gartner
DN: cn=Justin Gartner, o=State Consulting, Inc., ou=Site Development
Agent, email=jgartner@stateconsulting.com, c=US
Date: 2023.02.11 11:45:04 -05:00

Justin J. Gartner

¹ 47 U.S.C. § 1455(a)(1).

² 47 U.S.C. § 1455(a)(2).

³ See Report and Order FCC 14-153, 29 FCC Red. 12865 (FCC October 17, 2014); see also Report and Order FCC 20-153, 2020 WL 6501650 (FCC October 27, 2020).

⁴ See 47 C.F.R. § 1.6100(c)(2), (3).

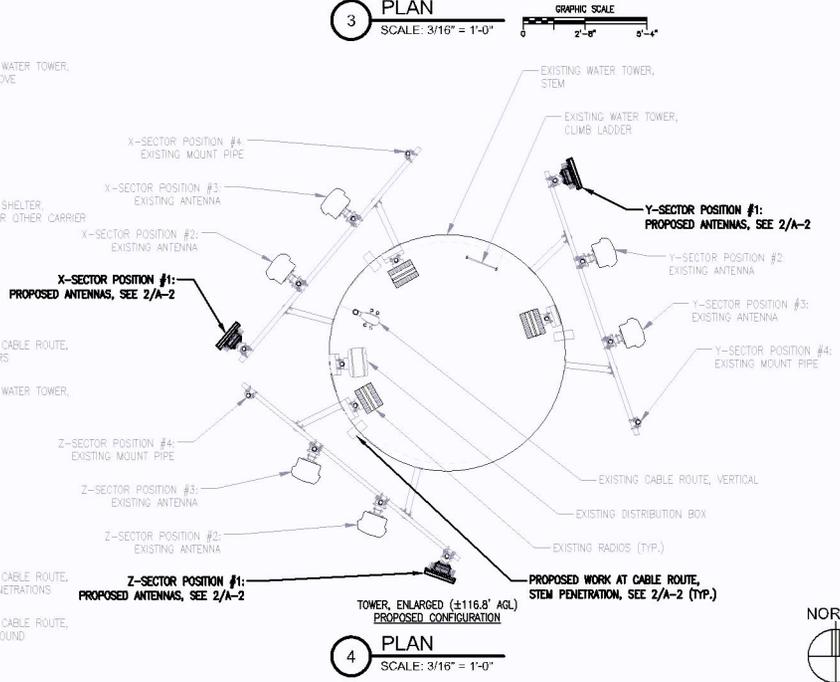
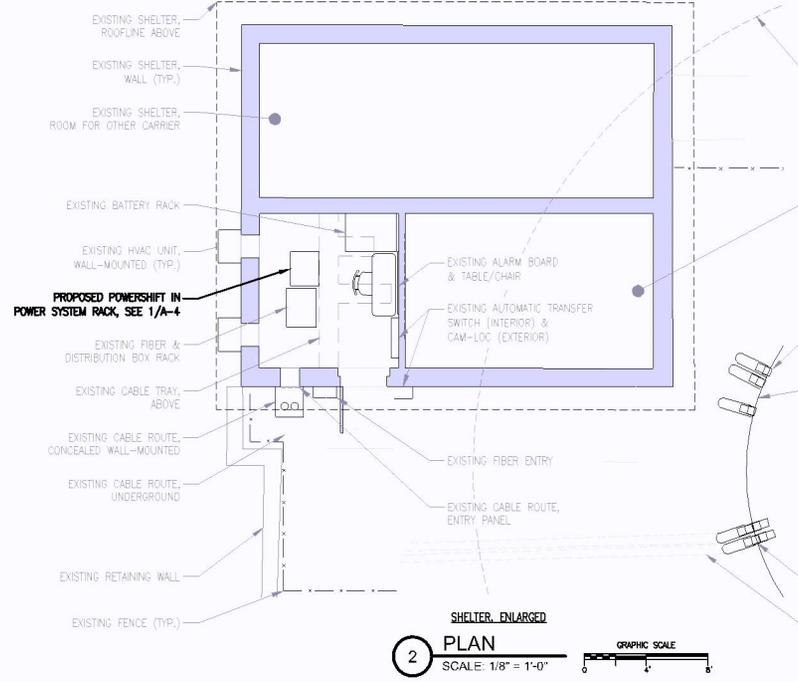
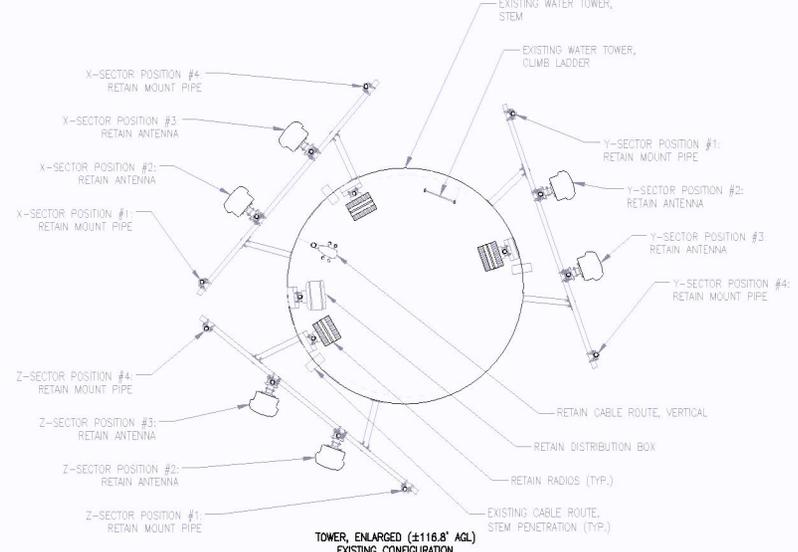
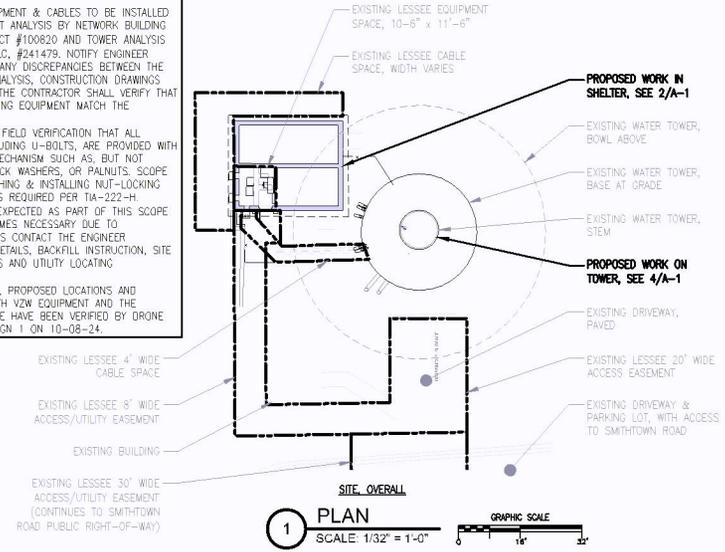
⁵ Declaratory Ruling FCC 20-75, 35 FCC Red 5977, ¶ 16 (FCC June 9, 2020).

⁶ See 47 C.F.R. § 1.6100(c)(1).

⁷ See 47 C.F.R. § 1.6100(c)(4).

⁸ See 47 C.F.R. § 1.6100(b)(7).

- NOTE:**
- 1) PROPOSED ANTENNAS, EQUIPMENT & CABLES TO BE INSTALLED IN ACCORDANCE WITH MOUNT ANALYSIS BY NETWORK BUILDING + CONSULTING, LLC, PROJECT #100820 AND TOWER ANALYSIS BY HERZOG ENGINEERING, LLC, #241479. NOTIFY ENGINEER IMMEDIATELY IF THERE ARE ANY DISCREPANCIES BETWEEN THE MOUNT ANALYSIS, TOWER ANALYSIS, CONSTRUCTION DRAWINGS AND EXISTING CONDITIONS. THE CONTRACTOR SHALL VERIFY THAT THE HEIGHTS OF THE EXISTING EQUIPMENT MATCH THE ANALYSES.
 - 2) SCOPE OF WORK INCLUDES FIELD VERIFICATION THAT ALL BOLTED CONNECTIONS, INCLUDING U-BOLTS, ARE PROVIDED WITH NUT-LOCKING DEVICE OR MECHANISM SUCH AS, BUT NOT LIMITED TO, LOCK NUTS, LOCK WASHERS, OR PALNUTS. SCOPE OF WORK INCLUDES FURNISHING & INSTALLING NUT-LOCKING DEVICES OR MECHANISMS AS REQUIRED PER TA-222-H.
 - 3) SOIL DISTURBANCE IS NOT EXPECTED AS PART OF THIS SCOPE OF WORK. IF DIGGING BECOMES NECESSARY DUE TO UNFORESEEN CIRCUMSTANCES CONTACT THE ENGINEER IMMEDIATELY FOR TRENCH DETAILS, BACKFILL INSTRUCTION, SITE RESTORATION SPECIFICATIONS AND UTILITY LOCATING REQUIREMENTS.
 - 4) THE ORIENTATIONS, LAYOUTS, PROPOSED LOCATIONS AND EXISTING LOCATIONS OF BOTH VZW EQUIPMENT AND THE EQUIPMENT ALREADY ON SITE HAVE BEEN VERIFIED BY DRONE FLIGHT CONDUCTED BY DESIGN 1 ON 10-08-24.



HERZOG ENGINEERING
1334 81st AVE NE
SPRING LAKE PARK, MN 55432
(612) 844-1234
WWW.HERZOGENGINEERING.COM

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

SIGNATURE: *Joshua Herzog*
NAME: Joshua Herzog
DATE: 01/08/2025
LICENSE NUMBER: 42392
HE # 241479

DESIGN 1
9973 VALLEY VIEW RD.
EDEN PRAIRIE, MN 55344
(952) 903-9290
WWW.DESIGN1EP.COM

verizon
1801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
(952) 948-4700

PROJECT
17048042
LOC. CODE # 518427

MIN WILDROSE 2024 C-BAND

26350 SMITHTOWN ROAD
SHOREWOOD, MN 55331

SHEET CONTENTS:
PLANS

DRAWN BY:	MJS
DATE:	10-18-24
CHECKED BY:	TRB
PRE-REV. A:	12-13-24
REV. A:	01-02-25
REV. B:	01-07-25



WRAPPING SPECIFICATIONS:

- SCOPE OF WORK INCLUDES PROVIDING COORDINATION OF THE MATERIALS AND LABOR FOR WRAPPING THE FOLLOWING COMPONENTS WITH CONCEALMENT FILM:
 - PROPOSED ERICSSON AIR6419 ANTENNA.
 - PROPOSED ERICSSON KRE105281/1 ANTENNA.
- PRINTED COLOR OF WRAP TO MATCH THE EXISTING WATER TOWER, FIELD VERIFY COLOR MATCH & OBTAIN LESSOR APPROVAL OF COLOR PRIOR TO APPLICATION.
 - CONTRACTOR TO FURNISH THE ANTENNAS WITH CONCEALMENT FILM. CONCEALMENT FILM TO BE 3M "ENVISION PRINT WRAP FILMS 480MC". CONCEALMENT FILM TO BE PRINTED A SOLID-COLOR AND PRINTING TO BE PERFORMED BY A 3M MCS CERTIFIED GRAPHICS MANUFACTURER.
 - PRINTED CONCEALMENT FILM TO BE COVERED WITH 3M "ANTI-GRAFFITI WRAP MATTE OVERLAMINATE 8550M" CONCEALMENT FILM TO BE INSTALLED ON ANTENNAS AND SHALL EXCLUDE MANUFACTURER'S LABELS, VZW IDENTIFICATION TAGS, HEAT-SINK FINS, VENTILATION HOLES, CABLE CONNECTIONS/RF INTERFACE & MOUNTING HARDWARE.
 - INSTALLATION OF THE OVERLAMINATED, PRINTED CONCEALMENT FILM ONTO ANTENNAS TO BE BY A TRAINED 3M "PREFERRED", "ENDORSED" OR "CERTIFIED" INSTALLER OR GRAPHIC INSTALLATION COMPANY. FOR PROCURING THE PROPER 3M CONCEALMENT FILM CONTACT: NICHOLAS LOWRY BRAND INK 99 FIFTH AVE NW, SUITE 300 ST. PAUL, MN 55112 OFFICE: (612) 256-2786 FAX: (612) 234-4287 EMAIL: NICK@BRANDINK.COM WEBSITE: WWW.BRANDINK.COM

PAINING SPECIFICATIONS:

- SCOPE OF WORK INCLUDES PROVIDING THE MATERIALS & LABOR FOR PAINTING THE FOLLOWING COMPONENTS:
 - PROPOSED HUBER+SUHNER HYBRID JUMPER.
- PAINTING FINISH COAT COLOR TO MATCH THE EXISTING WATER TOWER, FIELD VERIFY COLOR MATCH & OBTAIN LESSOR APPROVAL OF COLOR PRIOR TO APPLICATION.
- PAINTING SHALL EXCLUDE MANUFACTURER'S LABELS, VZW IDENTIFICATION TAGS, HEAT-SINK FINS, VENTILATION HOLES, CABLE CONNECTIONS/RF INTERFACE & MOUNTING HARDWARE.
- TAPING OR WRAPPING OF PROPOSED CABLING MAY BE AN ACCEPTABLE SUBSTITUTION FOR PAINTING WITH LESSOR APPROVAL.
- FOR ADDITIONAL INFORMATION & REQUIREMENTS, SEE THIRD PARTY SPECIFICATIONS ON SHEET A-6.

ANTENNA KEY													CABLE/EQUIPMENT KEY							
	AZIMUTH	POSITION	FUNCTION	QTY	MANUFACTURER	MODEL	MOD TYPE	LENGTH	TIP	CENTER	ELEC DT	MECH DT	STATUS	QTY	TYPE	DESCRIPTION	MANUFACTURER	MODEL	STATUS	
X-SECTOR	310°	2.1	Tx/RX0	1	JMA	MX06FR0860-02	700/850	96"	120.8'	116.8'	2'	0'	RETAIN	1	RADIO	LOW-BAND	ERICSSON	#4449	RETAIN	
	2.2	Tx/RX1	1	---	---	---	---	---	---	---	---	---	RETAIN	1	JUMPER	HYBRID	CDMMSCOPE	#HFT410-4SVHY-15	RETAIN	
	2.3	Tx/RX0	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	2.4	Tx/RX1	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	2.5	Tx/RX2	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	2.6	Tx/RX3	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	310°	3.1	Tx/RX0	1	JMA	MX06FR0860-02	700/850	96"	120.8'	116.8'	2'	0'	RETAIN	---	---	---	---	---	---	---
	3.2	Tx/RX1	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	3.3	Tx/RX0	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	3.4	Tx/RX1	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	3.5	Tx/RX2	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	3.6	Tx/RX3	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
4.0	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
Y-SECTOR	70°	1.0	Tx/RX0	1	JMA	MX06FR0860-02	700/850	96"	120.8'	116.8'	2'	0'	RETAIN	---	---	---	---	---	---	
	2.0	Tx/RX1	1	---	---	---	---	---	---	---	---	---	RETAIN	1	RADIO	LOW-BAND	ERICSSON	#4449	RETAIN	
	2.1	Tx/RX0	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	2.2	Tx/RX1	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	2.3	Tx/RX0	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	2.4	Tx/RX1	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	2.5	Tx/RX2	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	2.6	Tx/RX3	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	70°	3.1	Tx/RX0	1	JMA	MX06FR0860-02	700/850	96"	120.8'	116.8'	2'	0'	RETAIN	---	---	---	---	---	---	
	3.2	Tx/RX1	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	3.3	Tx/RX0	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	3.4	Tx/RX1	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
3.5	Tx/RX2	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
3.6	Tx/RX3	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
4.0	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
Z-SECTOR	200°	1.0	Tx/RX0	1	JMA	MX06FR0860-02	700/850	96"	120.8'	116.8'	2'	0'	RETAIN	---	---	---	---	---	---	
	2.1	Tx/RX0	1	---	---	---	---	---	---	---	---	---	RETAIN	1	RADIO	LOW-BAND	ERICSSON	#4449	RETAIN	
	2.2	Tx/RX1	1	---	---	---	---	---	---	---	---	---	RETAIN	1	JUMPER	HYBRID	CDMMSCOPE	#HFT410-4SVHY-15	RETAIN	
	2.3	Tx/RX0	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	2.4	Tx/RX1	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	2.5	Tx/RX2	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	2.6	Tx/RX3	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
	200°	3.1	Tx/RX0	1	JMA	MX06FR0860-02	700/850	96"	120.8'	116.8'	2'	0'	RETAIN	---	---	---	---	---	---	
	3.2	Tx/RX1	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	3.3	Tx/RX0	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	3.4	Tx/RX1	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	3.5	Tx/RX2	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
3.6	Tx/RX3	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
4.0	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
36	JUMPER	CABLE	ANDREW	#LDF4-50A-10	LENGTH	RETAIN	---	---	---	---	---	---	---	---	---	---	---	---		

ADDITIONAL RETAIN:

- DISTRIBUTION BOX, RAYCAP #RCMCD-4520-RM-48 (IN SHELTER, SEE 2/A-1)
- HYBRID CABLE, CDMMSCOPE #HFT1206-24SV2-220 (SHELTER TO SECTORS)
- DISTRIBUTION BOX, RAYCAP #RCMCD-8627-PF-48 (IN TOWER, SEE 3/A-1)

FOR REFERENCE ONLY:
 HYBRID CABLE LENGTH
 HORIZONTAL = 65'
 VERTICAL = 145'
 EXTRA = 10'
 TOTAL = 220'

1 EXISTING KEYS



1334 81st AVE NE
 SPRING LAKE PARK, MN 55432
 (612) 844-1234
 WWW.HERZOGENGINEERING.COM

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

SIGNATURE: *Joshua Herzog*

NAME: Joshua Herzog

DATE: 01/08/2025

LICENSE NUMBER: 42392

HE # 241479



8973 VALLEY VIEW RD.
 EDEN PRAIRIE, MN 55344
 (952) 963-9290
 WWW.DESIGN1EP.COM



1801 BUSH LAKE ROAD
 BLOOMINGTON, MN 55438
 (952) 948-4700

PROJECT
 17048042
 LOC. CODE # 518427

MIN
 WILDROSE
 2024 C-BAND

26350 SMITHTOWN ROAD
 SHOREWOOD, MN 55331

SHEET CONTENTS:
 EXISTING KEYS &
 SPECIFICATIONS

DRAWN BY: MJS
 DATE: 10-18-24
 CHECKED BY: TRB
 PRE-REV. A: 12-13-24
 REV. A: 01-02-25
 REV. B: 01-07-25

A-3

NOTE:
 1) SCOPE OF WORK INCLUDES FURNISHING & INSTALLING ALL CABLE/JUMPER ATTACHMENT HARDWARE INCLUDING, BUT NOT LIMITED TO, BRACKETS, SNAP-INs, CUSHIONS, HOIST GRIPS, SLEEPERS & MISCELLANEOUS HARDWARE. STACKABLE HANGERS REQUIRED VARY WITH CABLE TYPE, FIELD VERIFY.
 2) SCOPE OF WORK INCLUDES FURNISHING & INSTALLING CAPS, INSERTS AND/OR BOOT KITS TO WEATHERSEAL CABLE ROUTE PORTS, FIELD VERIFY SIZE & TYPE REQUIRED.
 3) THE DESIGNER/ENGINEER OF RECORD MAKES NO WARRANTY, EXPRESSED OR IMPLIED, ON THE STRUCTURAL ADEQUACY FOR PROPRIETARY BRACKETS, CLIPS, PARTS FROM A MANUFACTURER.

ANTENNA KEY													CABLE/EQUIPMENT KEY						
AZIMUTH	POSITION	FUNCTION	QTY	MANUFACTURER	MODEL	MOD TYPE	LENGTH	TIP	CENTER	ELEC. DT	MECH. DT	STATUS	QTY	TYPE	DESCRIPTION	MANUFACTURER	MODEL	STATUS	
X-SECTOR	310°	1-1.0	-	1	ERICSSON	AR6419	C-BAND	31"	119.7'	118.5'	-1'	0'	PROPOSED	1	JUMPER RADIO	HYBRID INTEGRATED	HUBER+SUHNER ERICSSON	#65243899 #AR6419 B77D	PROPOSED
	310°	1-2.0	-	1	ERICSSON	KRE105281/1	CBRS	8"	115.3'	115.0'	9'	0'	PROPOSED	1	JUMPER RADIO	HYBRID INTEGRATED	HUBER+SUHNER ERICSSON	#65243899 #4A08 B48	PROPOSED
	310°	2.1	Tx/RX0	1	JMA	MX08FR0860-02	700/850	96"	120.8'	116.8'	2'	0'	EXISTING	1	RADIO	LOW-BAND	ERICSSON	#4449	EXISTING
		2.2	Tx/RX1	1			700/850							1	JUMPER	HYBRID	COMMSCOPE	#HFT410-45VHY-15	EXISTING
		2.3	Tx/RX0				AWS												
		2.4	Tx/RX1				AWS												
		2.5	Tx/RX2				AWS												
		2.6	Tx/RX3				AWS												
	310°	3.1	Tx/RX0	1	JMA	MX08FR0860-02	700/850	96"	120.8'	116.8'	2'	0'	EXISTING						
		3.2	Tx/RX1				700/850												
		3.3	Tx/RX0				PCS												
		3.4	Tx/RX1				PCS							1	RADIO	HIGH-BAND	ERICSSON	#6843	EXISTING
		3.5	Tx/RX2				PCS							1	JUMPER	HYBRID	COMMSCOPE	#HFT410-45VHY-15	EXISTING
		3.6	Tx/RX3				PCS												
	4.0																		
Y-SECTOR	70°	1-1.0	-	1	ERICSSON	AR6419	C-BAND	31"	119.7'	118.5'	-1'	0'	PROPOSED	1	JUMPER RADIO	HYBRID INTEGRATED	HUBER+SUHNER ERICSSON	#65243900 #AR6419 B77D	PROPOSED
	70°	1-2.0	-	1	ERICSSON	KRE105281/1	CBRS	8"	115.3'	115.0'	9'	0'	PROPOSED	1	JUMPER RADIO	HYBRID INTEGRATED	HUBER+SUHNER ERICSSON	#65243900 #4A08 B48	PROPOSED
	70°	2.1	Tx/RX0	1	JMA	MX08FR0860-02	700/850	96"	120.8'	116.8'	2'	0'	EXISTING	1	RADIO	LOW-BAND	ERICSSON	#4449	EXISTING
		2.2	Tx/RX1	1			700/850							1	JUMPER	HYBRID	COMMSCOPE	#HFT410-45VHY-25	EXISTING
		2.3	Tx/RX0				AWS												
		2.4	Tx/RX1				AWS												
		2.5	Tx/RX2				AWS												
		2.6	Tx/RX3				AWS												
	70°	3.1	Tx/RX0	1	JMA	MX08FR0860-02	700/850	96"	120.8'	116.8'	2'	0'	EXISTING						
		3.2	Tx/RX1				700/850												
		3.3	Tx/RX0				PCS												
		3.4	Tx/RX1				PCS							1	RADIO	HIGH-BAND	ERICSSON	#6843	EXISTING
		3.5	Tx/RX2				PCS							1	JUMPER	HYBRID	COMMSCOPE	#HFT410-45VHY-25	EXISTING
		3.6	Tx/RX3				PCS												
	4.0																		
Z-SECTOR	200°	1-1.0	-	1	ERICSSON	AR6419	C-BAND	31"	119.7'	118.5'	-1'	0'	PROPOSED	1	JUMPER RADIO	HYBRID INTEGRATED	HUBER+SUHNER ERICSSON	#65243899 #AR6419 B77D	PROPOSED
	200°	1-2.0	-	1	ERICSSON	KRE105281/1	CBRS	8"	115.3'	115.0'	9'	0'	PROPOSED	1	JUMPER RADIO	HYBRID INTEGRATED	HUBER+SUHNER ERICSSON	#65243899 #4A08 B48	PROPOSED
	200°	2.1	Tx/RX0	1	JMA	MX08FR0860-02	700/850	96"	120.8'	116.8'	2'	0'	EXISTING	1	RADIO	LOW-BAND	ERICSSON	#4449	EXISTING
		2.2	Tx/RX1	1			700/850							1	JUMPER	HYBRID	COMMSCOPE	#HFT410-45VHY-15	EXISTING
		2.3	Tx/RX0				AWS												
		2.4	Tx/RX1				AWS												
		2.5	Tx/RX2				AWS												
		2.6	Tx/RX3				AWS												
	200°	3.1	Tx/RX0	1	JMA	MX08FR0860-02	700/850	96"	120.8'	116.8'	2'	0'	EXISTING						
		3.2	Tx/RX1				700/850												
		3.3	Tx/RX0				PCS												
		3.4	Tx/RX1				PCS							1	RADIO	HIGH-BAND	ERICSSON	#6843	EXISTING
		3.5	Tx/RX2				PCS							1	JUMPER	HYBRID	COMMSCOPE	#HFT410-45VHY-15	EXISTING
		3.6	Tx/RX3				PCS												
	4.0																		

ADDITIONAL EXISTING UNLESS NOTED OTHERWISE:
 (1) DISTRIBUTION BOX, RAYCAP #RCMOC-4520-FW-48 (IN SHELTER, SEE 2/A-1)
 (2) HYBRID CABLE, COMMSCOPE #HFT1206-24SV2-220 (SHELTER TO SECTORS)
 (1) DISTRIBUTION BOX, RAYCAP #RCMOC-6827-PF-48 (IN TOWER, SEE 4/A-1)
 PROPOSED (1) POWERSHIFT EQUIPMENT, DC UP-CONVERTER UNIT (IN SHELTER, SEE 2/A-1)
 PROPOSED (5) POWERSHIFT EQUIPMENT, DC UP-CONVERTER MODULES (IN SHELTER, SEE 2/A-1)

1 PROPOSED KEYS

16	JUMPER	COAX	4MDF50A	#DF4-304-10	LENGTH	EXISTING
FOR REFERENCE ONLY: HYBRID CABLE LENGTH HORIZONTAL = 85' VERTICAL = 145' EXTRA = 10' TOTAL = 220'						



HERZOG ENGINEERING
 1334 81st AVE NE
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SIGNATURE: *Joshua Herzog*
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WATER TOWER



1 PHOTO
SCALE: NONE



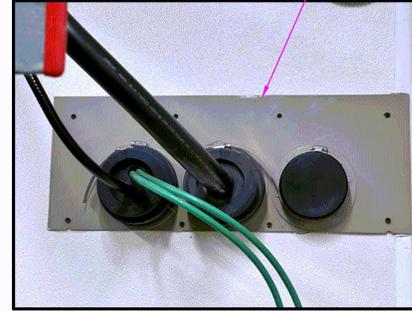
X-SECTOR

4 PHOTO
SCALE: NONE



CABLE ROUTE

7 PHOTO
SCALE: NONE



SHELTER, CABLE ROUTE

10 PHOTO
SCALE: NONE



WATER TOWER, VIEWED SOUTH

2 PHOTO
SCALE: NONE



Y-SECTOR

5 PHOTO
SCALE: NONE

CONCEALED WALL-MOUNTED



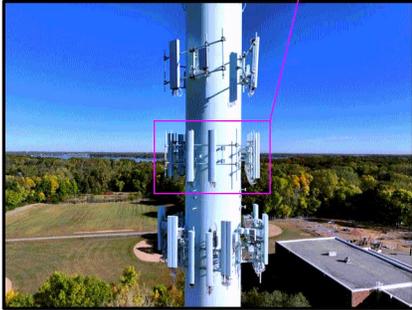
CABLE ROUTE/SHELTER

8 PHOTO
SCALE: NONE



SHELTER, VIEWED NORTHWEST

11 PHOTO
SCALE: NONE



WATER TOWER, STEM

3 PHOTO
SCALE: NONE



Z-SECTOR

6 PHOTO
SCALE: NONE



SHELTER, VIEWED SOUTHEAST

9 PHOTO
SCALE: NONE



SHELTER, VIEWED NORTHEAST

12 PHOTO
SCALE: NONE



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

SIGNATURE: *Joshua Herzog*

NAME: Joshua Herzog

DATE: 01/08/2025

LICENSE NUMBER: 42392

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PROJECT

17048042

LOC. CODE # 518427

MIN
WILDROSE
2024 C-BAND

26350 SMITHTOWN ROAD
SHOREWOOD, MN 55331

SHEET CONTENTS:
PHOTOS

DRAWN BY:	MJS
DATE:	10-18-24
CHECKED BY:	TRB
PRE-REV. A:	12-13-24
REV. A:	01-02-25
REV. B:	01-07-25

THIRD PARTY NOTES:

- 1) ALL ATTACHMENTS TO PAINTED SURFACES ARE TO INCLUDE THE PLACEMENT OF NEOPRENE STRIPS BETWEEN HARDWARE AND POINTS OF CONTACT TO REDUCE/ELIMINATE DAMAGE TO THE PAINTED SURFACE. METAL SHIMS ARE REQUIRED IN SITUATIONS WHERE TIGHTENING A CLAMP MAY CAUSE THE NEOPRENE TO TEAR CAUSING METAL TO METAL CONTACT WHERE POSSIBLE EXPOSED NEOPRENE SHOULD BE WRAPPED WITH WHITE TAPE. FASTENING SEQUENCE SHOULD INCLUDE NYLON WASHERS BETWEEN THE PAINTED SURFACE AND THE GALVANIZED WASHER.
- 2) PROPOSED ANTENNAS TO BE PAINTED EXCEPT AS NOTED (SEE WRAPPING SPECIFICATION ON SHEET A-4)
- 3) ANY REPLACEMENT EXTERIOR MOUNTING PIPES ARE TO HAVE WELDED END CAPS. EXISTING MOUNTING PIPES ARE TO BE CAPPED AT BOTH ENDS WITH RUBBER CAPS.
- 4) RISER AND ALL COMPONENTS ATTACHED TO THE STIFFENER RING SHALL BE MOUNTED FACING INWARD AND VERTICALLY SO AS NOT TO INTERFERE WITH WALKWAY ACCESS ON THE STIFFENER RING. ALL CABLES AND LINES SHOULD BE Routed UNDER STIFFENER RING SO AS NOT TO INTERFERE WITH WALKWAY ACCESS. ALL CABLES AND LINES SHOULD BE BUNDLED OR SUPPORTED TO CREATE A "NEAT OR CLEAN" INSTALLATION APPEARANCE.
- 5) INSTALLATION OF EQUIPMENT TO THE STIFFENER RING TO INCLUDE CARriage BOLTS ON THE WALKWAY PORTION OF THE STIFFENER RING TO AVOID A TRIPPING HAZARD.
- 6) PROPOSED MOUNTING PIPES INSTALLED ON THE INTERIOR OF THE WATER TOWER SHALL BE GALVANIZED AND CAPPED ON BOTH ENDS WITH RUBBER CAPS. DRILL HOLE IN THE CENTER OF THE BOTTOM CAP ONLY.
- 7) CONTRACTOR TO TOUCH UP PAINTING ON EXISTING ANTENNAS, SPOT REPAIRS MADE WITH BRUSH AND WITHOUT FEATHERING, SHOULD BE COMPLETELY ROLLED FOR UNIFORMITY.
- 8) CONTRACTOR TO TOUCH UP EXISTING ANTENNA MOUNTING PIPES, DEPENDING UPON THEIR CONDITION (DAMAGED/FAILED), THE CITY MAY REQUEST REPLACEMENT.
- 9) ALL EXPOSED JUMPERS AND CABLES ARE TO BE PROVIDED WITH MANUFACTURED WHITE JACKETING OR TAPED WHITE. NOTE: ANY OTHER REFERENCES TO PAINTING COAX, HYBRID OR ANY OTHER CABLES IS SUPERSEDED BY THIS NOTE.
- 10) ALL MOUNTING HARDWARE IS TO BE GALVANIZED AND/OR PROVIDED IN A NON-CORRODING MATERIAL.
- 11) ALL ABANDONED ANTENNAS, COAXIAL CABLE AND DETACHABLE EQUIPMENT THAT IS NO LONGER USED ARE TO BE REMOVED DURING THE FINAL MIGRATION.
- 12) ALL EQUIPMENT IS TO BE IDENTIFIED BY THE TENANT.
- 13) ALL EQUIPMENT MUST BE MOUNTED AS STATED IN CONSTRUCTION DRAWINGS, IF ANY EXTRA MAST PIPES ARE NEEDED FOR MOUNTING OF ANY EQUIPMENT (RRU, TMA, RAYCAPS, ETC.), CONTRACTOR MUST HAVE DRAWINGS EDITED TO MATCH AND SA AND OR MA SHALL BE RETURN TO MATCH THE AS BUILT CONDITION. THIS DOCUMENTATION MUST BE SENT TO THE CITY AND KLM FOR THEIR RECORDS.
- 14) ALL UNUSED COMPONENTS, CABLES, HARDWARE, ETC. SHALL BE REMOVED FROM THE TOWER.
- 15) ALL NEW AND EXISTING COMPONENTS/CABLES SHALL BE INSTALLED SO AS NOT TO CREATE A TRIPPING HAZARD OR INTERFERE WITH ACCESS TO THE CLIMBING LADDERS, MAN-WAY HATCHES, OR GUARDRAILS.
- 16) ALL NEW AND EXISTING ANTENNAS, MAST PIPES, EXTERIOR COMPONENTS, CABLES, AND HARDWARE, SHALL BE SHOP PAINTED TO COLOR MATCH. ALL NEW ANTENNAS, MAST PIPES, AND MODIFICATION STEEL MUST BE SHOP PAINTED AND INSPECTED. CABLES MAY BE TAPED AS AN ALTERNATIVE TO PAINTING ONLY WITH APPROVAL OF THE CITY AT THE PRE-CONSTRUCTION MEETING. (KLM PREFERRED SHOP PAINTER IS IPS IN HUGO, MN).
- 17) CONTRACTOR IS TO FIELD MATCH AND FIELD VERIFY PAINT COATING COLOR. (KLM WILL PROVIDE WHAT THEY HAVE ON FILE, BUT IT IS THE CONTRACTOR'S SOLE RESPONSIBILITY TO ENSURE COLOR MATCH IS APPROVED BY THE CITY).
- 18) CABLES SHALL BE MANUFACTURED OR TERMINATED TO THE APPROPRIATE LENGTH AND INSTALLED AS NEATLY/DISCREETLY AS POSSIBLE.
- 19) ALL CABLES ARE REQUIRED TO FOLLOW A CITY APPROVED CABLE MANAGEMENT ROUTE.
- 20) NO WELDING OVER COATED STEEL SURFACES POST TOWER RECONDITIONING IS PERMISSIBLE.
- 21) ALL ANTENNAS, RADIOS, JUNCTION BOXES, AND CABLES AT ALL PENETRATIONS SHALL BE LABELED WITH WEATHERPROOF LABELS, CLEARLY LABELING EQUIPMENT AS "VERIZON" EQUIPMENT.
- 22) NO EQUIPMENT OR CABLES MAY BE GROUNDED TO TOWER BY PIERCING TOWER COATING, IT MUST BE PROPERLY GROUNDED AND FOLLOW ALL LOCAL, STATE, AND NATIONAL ELECTRIC CODE.
- 23) ALL PAINT COATINGS SHALL BE PROTECTED, AND ALL FIELD PAINTING MUST BE COMPLETED BY A PROFESSIONAL PAINTER APPROVED PAINTER. (KLM PREFERRED COATING REPAIR PAINTER IS SLACK PAINTING).
- 24) THE CONTRACTOR AND SUBCONTRACTORS SHALL PROTECT EXISTING IMPROVEMENTS, PAVEMENTS, CURBS, LANDSCAPING AND STRUCTURES. ANY DAMAGED PART SHALL BE REPAIRED AT CONTRACTOR'S EXPENSE TO THE SATISFACTION OF THE CITY/OWNER OF DAMAGED PROPERTY.
- 25) ON ALL NEW AND EXISTING METAL TO METAL CONTACT POINTS INCLUDE NEOPRENE, NYLON WASHERS, AND A METAL SHIM AS NECESSARY BENEATH AND AROUND ALL CLAMPS, ANGLE ADAPTERS, ETC. AT ALL PAINTED CONTACT POINTS. ON ALL PAINTED EXTERIOR U-BOLT OR COMPRESSION MOUNT CONTACT POINTS ALSO USE COLORED TAPE TO MATCH THE TOWER.
- 26) ALL ANTENNAS, RADIOS, JUNCTION BOXES, AND CABLES AT ALL PENETRATIONS SHALL BE LABELED WITH WEATHERPROOF LABELS, CLEARLY LABELING EQUIPMENT AS "VERIZON" EQUIPMENT.
- 27) THE CONTRACTOR AND SUBCONTRACTORS SHALL PROTECT EXISTING IMPROVEMENTS, PAVEMENTS, CURBS, LANDSCAPING AND STRUCTURES. ANY DAMAGED PART SHALL BE REPAIRED AT CONTRACTOR'S EXPENSE TO THE SATISFACTION OF THE CITY/OWNER OF DAMAGED PROPERTY.
- 28) CABLES SHALL BE MANUFACTURED OR TERMINATED TO THE APPROPRIATE LENGTH AND INSTALLED AS NEATLY/DISCREETLY AS POSSIBLE.
- 29) ALL CABLES ARE REQUIRED TO FOLLOW THE APPROVED CABLE MANAGEMENT ROUTE.
- 30) NO EQUIPMENT OR CABLES MAY BE GROUNDED TO TOWER BY PIERCING TOWER COATING, IT MUST BE PROPERLY GROUNDED AND FOLLOW ALL LOCAL, STATE, AND NATIONAL ELECTRIC CODE.

THIRD PARTY SPECIFICATIONS:

- 1) PAINTING OF ALL NEW ITEMS, AND REPAIR OF ALL DAMAGED AREAS OF THE TOWER WILL BE REQUIRED. SURFACE PREPARATION AND PAINTING REQUIREMENTS ARE AS FOLLOWS:
 - 2) REMOVE ALL SURFACE CONTAMINANTS IN ACCORDANCE WITH SSPC-SP-1 SOLVENT CLEANING. DO NOT USE HYDROBLASTING EQUIPMENT ON SURFACES TO BE COATED WITH WATER-BASED COATING.
 - 3) UNDER THE DIRECTION OF THE ENGINEER, SPOT REPAIR THE TANK AND TOWER SURFACES WHERE THE COATING HAS BEEN DAMAGED BY STRUCTURAL REPAIRS AND MODIFICATIONS, TO AN SSPC-SP-10 NEAR WHITE METAL BLAST CLEAN. THIS WORK INCLUDES ALL NEW ITEMS AND AT OTHER AREAS DAMAGED BY STRUCTURAL REPAIRS OR MODIFICATIONS, FEATHER EDGES OF EXISTING COATING, AT SPOT BLASTED AREAS, USING SSPC-SP-3 POWER TOOL CLEANING METHODS.
 - 4) BEFORE ANY PRIMER OR COATING IS APPLIED, METAL SURFACES SHALL BE COMPLETELY DRY, DUST FREE, INSPECTED AND APPROVED BY THE ENGINEER.
 - 5) NO COATING SHALL BE PERMITTED WHEN THE RELATIVE HUMIDITY IS EXPECTED TO EXCEED 85% OR TEMPERATURE IS EXPECTED TO DROP BELOW 40 DEGREES WITHIN 8 HOURS AFTER THE APPLICATION OF THE COATING. PROCEED WITH SURFACE PREPARATION AND COATING APPLICATION ONLY WHEN AIR AND SURFACE TEMPERATURES ARE ABOVE THE MANUFACTURER'S RECOMMENDED MINIMUM SURFACE TEMPERATURE AND BELOW 100 DEGREES F, AND SURFACE TEMPERATURE IS AT LEAST 5 DEGREES ABOVE WET BULB AIR TEMPERATURE READING. COATING SHALL NOT BE APPLIED TO DUSTY, WET, OR DAMP SURFACES, AND SHALL NOT BE APPLIED IN RAIN, SNOW, FOG, OR MIST. IF WORKING CONDITIONS ARE QUESTIONABLE, THE ENGINEER SHALL MAKE THE DECISION AND THE CONTRACTOR SHALL ACCEPT THE ENGINEER'S INTERPRETATION AS FINAL AND BINDING.
 - 6) PRIME COAT MUST BE APPLIED WITHIN 8 HOURS OF ABRASIVE BLASTING.
 - 7) TOUCH UP BY BRUSH ONE (1) ADDITIONAL COAT OF PRIMER TO ENSURE A UNIFORM COAT OF PRIMER THOROUGHLY WORKED INTO AND AROUND ALL SEAMS, WELDS, BOLT ASSEMBLIES, PLATE OVERLAP SEAMS, AND OTHER IRREGULARITIES IN THE SURFACE.
 - 8) FINISH COAT SHALL BE UNIFORM IN COLOR AND SHEEN WITHOUT STREAKS, LAPS, RUNS, SACS OR MISSED AREAS.
 - 9) ANTENNAS, EXTERIOR COAX CABLES AND EXTERIOR JUMPER CABLES TO BE PAINTED TO MATCH EXISTING TANK COLOR. ALL ITEMS ATTACHED DIRECTLY TO THE TANK, SUCH AS MOUNTING BRACKETS AND SUPPORTS, SHOULD BE PAINTED TO MATCH EXISTING TANK COATING SYSTEM AND COLOR. CABLES MAY REQUIRE SCARIFICATION PRIOR TO COATING.
 - 10) EXPOSED COAXING CABLES; PRIOR TO PRIMING, SOLVENT WIPE ALL EXPOSED CABLES WITH THE RECOMMENDED SOLVENT. PRIME THE CABLES AND JUMPER CABLES WITH 2 COATS OF X-M COAX CABLE BONDER & SEALER (PRODUCT NO. 1138). AFTER PRIMING APPLY ONE FINISH COAT TO THE CABLES AS DIRECTED BY THE ENGINEER.
 - 11) IF GALVANIZED MATERIALS USED, THE GALVANIZED SURFACES MUST BE SOLVENT WIPED AND BRUSH-BLASTED PRIOR TO COATING.
- 2) SPECIFICATIONS APPLY TO BOTH SHOP AND FIELD COATING.
- 3) EXTERIOR SURFACE SPOT REPAIR AND RE-COATING:
 - SPOT PRIME AND FINISH COAT REPAIRED AREAS AS SPECIFIED BY MANUFACTURER. THE COATING SYSTEM SHALL MATCH THE EXISTING COATING SYSTEM ON THE TOWER. THE EXTERIOR PRIMER SHALL BE TNEMC HI-BUILD EPOXOLINE SERIES 66 OR TNEMC-FASCURE SERIES 161, 4.0-6.0 MILS THE EXTERIOR INTERMEDIATE COAT SHALL BE TNEMC HI-BUILD EPOXOLINE SERIES 66 OR TNEMC-FASCURE SERIES 161, 4.0-6.0 MILS DFT. THE DFT OF THE PRIMER PLUS THE INTERMEDIATE COAT AT ANY INDIVIDUAL SPOT MEASUREMENT LOCATION SHALL BE 9.0 MILS MINIMUM. THE EXTERIOR FINISH COAT SHALL BE TNEMC ENDURASHIELD II SERIES 1075-COLORTO MATCH THE TOWER, 3.0-5.0 MILS DFT. THE TOTAL DRY FILM THICKNESS INCLUDING THE PRIMER AND THE FINISH COAT SHALL BE 11 MILS MINIMUM - 17.0 MILS WITH AN AVERAGE OF 13.0 MILS DFT. THE MINIMUM DRY FILM THICKNESS OF THE COATING AT ANY INDIVIDUAL SPOT LOCATION SHALL BE 12.5 MILS. COLOR SHALL MATCH THE EXISTING COATING TO THE OWNER'S SATISFACTION. COLOR DRAWDOWNS SHALL BE OBTAINED FROM THE PAINT MANUFACTURER FOR THE RESERVOIR OWNER TO CONFIRM COLOR SELECTION(S).
 - EXTERIOR COATING SHALL BE BY BRUSH AND ROLLER ONLY.
- 4) INTERIOR DRY SPOT REPAIR AND RE-COATING:
 - THE INTERIOR DRY COATING SYSTEM SHALL BE COMPATIBLE WITH THE EXISTING COATING SYSTEM ON THE TANK. THE INTERIOR DRY PRIMER SHALL BE TNEMC POTA-POX PLUS SERIES N140, 4.0 6.0 MILS DRY FILM THICKNESS. THE DFT OF THE PRIMER AT ANY INDIVIDUAL SPOT MEASUREMENT LOCATION SHALL BE 2.5 MILS MINIMUM. THE INTERIOR DRY INTERMEDIATE COAT SHALL BE TNEMC POTA-POX PLUS SERIES N140, 4.0 - 6.0 MILS DRY FILM THICKNESS. THE DFT OF THE PRIMER PLUS INTERMEDIATE AT ANY INDIVIDUAL SPOT MEASUREMENT LOCATION SHALL BE 6.5 MILS MINIMUM. THE INTERIOR DRY FINISH COAT SHALL BE TNEMC POTA-POX PLUS SERIES N140, 4.0 - 6.0 MILS DRY FILM THICKNESS. THE TOTAL DRY FILM THICKNESS INCLUDING THE PRIMER, INTERMEDIATE AND FINISH COATS SHALL BE 10.5 MILS MINIMUM - 15.5 MILS WITH AN AVERAGE OF 13.0 MILS. THE MINIMUM DRY FILM THICKNESS OF THE COATING SYSTEM AT ANY INDIVIDUAL SPOT LOCATION SHALL BE 10.5 MILS. THE COLOR SHALL MATCH THE EXISTING INTERIOR DRY COLOR TO THE OWNER'S SATISFACTION. COLOR DRAWDOWNS SHALL BE OBTAINED FROM THE PAINT MANUFACTURER FOR THE RESERVOIR OWNER TO CONFIRM COLOR SELECTION(S).
- 5) INTERIOR WET SURFACE SPOT REPAIR AND RE-COATING:
 - SPOT BLAST THE INTERIOR WET AREA OF THE TANK AT LOCATIONS DAMAGED DURING INSTALLATION OF NEW EXTERIOR AND INTERIOR DRY ITEMS, INCLUDING ANTENNA AND CABLE SUPPORT BRACKETS AND GUARDRAIL, TO AN SSPC-SP-10 NEAR WHITE METAL BLAST. FEATHER EDGES OF EXISTING COATING, AT SPOT BLASTED AREAS, USING SSPC-SP-3 POWER TOOL CLEANING METHODS.
 - THE INTERIOR WET COATING SYSTEM SHALL BE COMPATIBLE WITH THE EXISTING COATING SYSTEM ON THE TANK. THE INTERIOR WET PRIMER SHALL BE TNEMC POTA-POX PLUS SERIES N140, 4.0 6.0 MILS DRY FILM THICKNESS. THE DFT OF THE PRIMER AT ANY INDIVIDUAL SPOT MEASUREMENT LOCATION SHALL BE 2.5 MILS MINIMUM. THE INTERIOR WET INTERMEDIATE COAT SHALL BE TNEMC POTA-POX PLUS SERIES N140, 4.0 - 6.0 MILS DRY FILM THICKNESS. THE DFT OF THE PRIMER PLUS INTERMEDIATE AT ANY INDIVIDUAL SPOT MEASUREMENT LOCATION SHALL BE 6.5 MILS MINIMUM. THE INTERIOR WET FINISH COAT SHALL BE TNEMC POTA-POX PLUS SERIES N140, 4.0 - 6.0 MILS DRY FILM THICKNESS. THE TOTAL DRY FILM THICKNESS INCLUDING THE PRIMER, INTERMEDIATE AND FINISH COATS SHALL BE 10.5 MILS MINIMUM - 15.5 MILS WITH AN AVERAGE OF 13.0 MILS. THE MINIMUM DRY FILM THICKNESS OF THE COATING SYSTEM AT ANY INDIVIDUAL SPOT LOCATION SHALL BE 10.5 MILS. THE COLOR SHALL MATCH THE EXISTING INTERIOR WET COLOR TO THE OWNER'S SATISFACTION. COLOR DRAWDOWNS SHALL BE OBTAINED FROM THE PAINT MANUFACTURER FOR THE RESERVOIR OWNER TO CONFIRM COLOR SELECTION(S).



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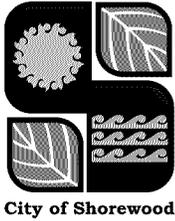
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THIRD PARTY NOTES & SPECIFICATIONS

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Title/Subject: Monthly Training Topic: Organizational Structure and the Planning & Protective Inspections Department

Meeting Date: April 1, 2025

Prepared by: Jake Griffiths, Planning Director

Attachments: City of Shorewood Organizational Chart

Discussion

At most Planning Commission meetings, City staff will provide a brief monthly training session on a topic of interest to the Commission. This month, staff will discuss the organizational structure of the City of Shorewood and the Planning & Protective Inspections Department.

The City of Shorewood’s organizational chart is attached for reference and illustrates how the planning commission and the Planning & Protective Inspections Department fit into the overall structure of local government. As you already know, Planning & Protective Inspections Department staff serve as staff liaisons to the planning commission. But, what does the Planning and Protective Inspections Department actually do?

The department administers nearly all the regulations for private property. In Shorewood that could be anything from building a new house or apartment to rules for parking and everything in between. The department consists of 3.5 staff people: Planning Director, City Planner, Building Official and a part-time Administrative Support Professional. Some day-to-day tasks of the department include:

Planning:

- Serves as the primary staff support for the planning commission.
- Primary staff drafting and amending the Comprehensive Plan.
- Monitor and update City Code as necessary, primarily concerning sections 200, 500, 1000, 1100 and 1200 of the City Code.
- Review all development applications for private property and assist on applications for public property. This includes all variances, subdivisions, conditional use permits, interim use permits, rezonings, zoning amendments, building permits and zoning permits.
- Prepare and administer environmental regulations pertaining to private property, including AIS program at Christmas Lake, the deer management program, and private proposals for wildlife management.
- Enforce all the above regulations and permits.
- Conduct special studies.
- Hire and oversee consultants.
- Provide information to residents, developments, builders and other levels of government.
- Maintain permanent storage or required documents.

Building:

- Administer the building permit process, including reviewing permits, inspections, and enforcing building codes.

- Hire and oversee consultants.
- Maintain database of materials.
- Perform site inspections as may be required.
- Provide information to developers, builders, and homeowners.
- Maintain permanent storage of required documents.

Rental Housing:

- Administer the rental housing process.
- Reviewing rental housing license applications and inspecting homes for compliance with maintenance and life, health, and safety issues.
- Providing information to landlords, tenants, and the public.
- Maintain storage of required documents.

Code Enforcement:

- Process and investigate complaints.
- Prepare cases for administrative hearing officers and courts.
- Provide information to the public.
- Maintain storage of required documents

Action Requested

This information is being provided for discussion purposes only, no formal action is required.

CITY OF SHOREWOOD • ORGANIZATIONAL CHART

