

MINUTES

CALL TO ORDER

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

ROLL CALL

Present: Chair Eggenberger; Commissioners Huskins, Holker and Johnson; Planning Director Darling; City Planner Griffiths; and Council Liaison DiGruttolo

Absent: None

Chair Eggenberger announced that agenda item 4.B., related to the Minor Subdivision And Variance for property located at 5570/5580 Shorewood Lane has been withdrawn. He explained that tonight, he would be turning over the running of the meeting to Vice-Chair Huskins.

1. APPROVAL OF AGENDA

Holker moved, Johnson seconded, approving the agenda for February 4, 2025, as amended.

Chair Eggenberger suggested that the Commission may want to move item 5.A. earlier on the agenda prior to item 4.C.

Vice-Chair Huskins stated that his opinion would be swayed on this suggestion depending on whether there were people present for item 4.C and asked if anyone present was here for item 4.C.

There was no one present that expressed an interest in item 4.C.

Holker moved, Johnson approving the agenda for February 4, 2025, as previously amended, and also to move discussion of item 5.A. prior to 4.C.

Motion passed 4/0.

2. APPROVAL OF MINUTES

- **January 7, 2025**

Vice-Chair Huskins noted that earlier today he had sent some minor edits to Planning Director Darling and City Planner Griffiths.

Johnson moved, Holker seconded, approving the Planning Commission Meeting Minutes of January 7, 2025, including the edits suggested by Vice-Chair Huskins.

Motion passed 4/0.

3. MATTERS FROM THE FLOOR

4. PUBLIC HEARINGS

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

A. PUBLIC HEARING – PRELIMINARY PLAT FOR SHOREWOOD MEADOWS

Applicant: McDonald Construction Partners

Location: 25480 and 25560 Smithtown Road

City Planner Griffiths outlined the request for a Preliminary Plat to subdivide a 2.33 acre parcel into 3 lots for a project referred to as Shorewood Meadows. He reviewed details related to the guidance within the Comprehensive Plan, lot width and area, utilities, tree preservation plans, and noted that this proposal met all the City's requirements for the City's zoning districts as well as the Comprehensive Plan. He stated that staff recommended approval subject to the conditions included in the staff report.

Chair Eggenberger asked if there were any wells on the property.

City Planner Griffiths explained that there were existing wells on the property and noted that as part of this application, staff was requiring that they be sealed once the properties were hooked up to municipal water.

Commissioner Johnson asked about the plans for removal of ten mature trees and asked how many trees were currently on the property.

City Planner Griffiths stated that he did not have the exact numbers with him, but knew that the total number of trees on the property was much more than ten.

Vice-Chair Huskins asked about the statement in the report that the applicant had indicated, to date, indicated that they were willing to connect to City water. He explained that when he read that his thought was that the applicant could still change their mind and asked if they did change their mind if it would have an impact.

City Planner Griffiths explained that the City Code currently says that when there are 3, or less, lots, they were not required to hook up to City water. He stated in this case, because the service was already there along Smithtown Road, staff was encouraging them to hook up, and the applicant had also proposed to hook up. He noted that if the applicant did change their mind, there would be no implications for the application. He explained that once the plans were approved by the City Council, the applicant would be able to go back and change their mind.

Commissioner Johnson stated that she did not see this clarification within staff's recommendation and asked if it should be included.

City Planner Griffiths stated that they can include this language, but noted that it had not been included because the applicant was already choosing to hook up to City water.

Vice-Chair Huskins stated that he would also endorse including this language so it was completely clear and what would be obligated to take place. He invited the applicant to address the Commission.

Lyndon Moquist, 18696 Overland Trail, Eden Prairie, and Harold Worrell, 3878 Augustine Trail, Chanhassen introduced themselves. Mr. Moquist explained that they were very proud of the product that they were proposing in Shorewood and noted that they were part of the team from McDonald Construction Partners. He noted that he felt that their proposal would be able to hit a great niche in the City related to home pricing and would most likely be around \$1,500,000. He stated that since they put their sign up on the property they have received about 30 calls and currently had 19 people on the list who have expressed interest in the project.

Mr. Worrell stated that they were looking to put up 3 homes on lots that were around 1/3 of an acre.

Commissioner Johnson about the proposed purchase pricing of around \$1,500,000.

Mr. Worrell explained that the purchase price could vary, depending on what it ultimately costs them to develop the property, but should be within a few hundred thousand dollars of \$1,500,000.

Commissioner Holker stated that the lots they were proposing were fairly deep and were located on fairly busy intersection and asked if they may be able to set the homes back a bit further.

Mr. Worrell stated that they did have a bit of play in how far the homes would be able to be setback, but noted that it would be challenging because of the slope on the site which meant the most likely answer to her question was 'no'.

Chair Eggenberger asked how much fill they were planning to bring to the site.

Mr. Worrell stated that he would say it would probably be around 3,000 yards.

Vice-Chair Huskins asked if the applicants had reviewed the conditions that were recommended by staff.

Mr. Worrell stated that they had reviewed the conditions and noted that all but 3 of them had already been taken care of and had been discussed them with City Engineer Budde.

Vice-Chair Huskins asked if the applicant had any comments on the earlier questions and discussion about hooking up to City water.

Mr. Worrell noted that he felt that the majority of the public would prefer to have City water connection, so it would be worth it for them to make the investment necessary in order to have them connected.

Commissioner Holker asked about the proposed buffers between the lots and the trail and who actually owned the trail.

Planning Director Darling stated that the trail was owned by the Hennepin Suburban Rail Authority and was leased by the Three Rivers Park District.

Mr. Moquist stated that it was a bit tight there and explained that their preference would be to leave every tree possible in order to have more privacy and also for future resale.

City Planner Griffiths explained that the regional trail corridor property area was 50 feet on either side of the trail.

Commissioner Johnson asked about the decision to propose single-family, multi-level homes with a fairly large footprint rather than single-story homes.

Mr. Moquist stated that he felt that the single-story home market was a bit saturated right now and also felt this configuration of lots with large backyards and large open areas lent itself to this type of family home, but noted that they do have the ability to construct single level, rambler type homes as well.

Mr. Worrell clarified that they had done research on villa designs for the homes but explained that the site did not lend itself well to that approach and they wanted to bring forward plans that did not require a variance.

Commissioner Johnson asked if there was a sidewalk.

Mr. Worrell stated that they would not be adding a sidewalk to the site but would add curbing.

Vice-Chair Huskins opened the Public Hearing at 7:27 P.M. noting the procedures used in a Public Hearing. There being no public comment, he closed the Public Hearing at 7:28 P.M.

Holker moved, Johnson seconded, recommending approval of the Preliminary Plat For Shorewood Meadows, for applicant, McDonald Construction Partners, located at 25480 and 25560 Smithtown Road, subject to the conditions listed in the staff report and an additional condition related to the City's expectation that these lots would connect to City water.

Motion passed 4/0.

City Planner Griffiths stated that this item would come before the City Council at their February 24, 2025 meeting.

~~B. PUBLIC HEARING – MINOR SUBDIVISION AND VARIANCE~~

~~Applicant: Sharratt Design & Company, LLC and Matt Tierney~~

~~Location: 5570/5580 Shorewood Lane (withdrawn)~~

Vice-Chair Huskins reminded those present at the meeting that this item had been withdrawn.

Planning Director Darling explained that when an applicant withdraws an application, it means that they have rescinded it, so there would be no action taken on it unless they bring a new application to the City.

C. Variance for Redevelopment of a Non-Conforming Lot (formerly item 5.A.)

Applicant: Edward Zaret

Location: 20175 Manor Road

Planning Director Darling gave an overview of the request for a variance to redevelop a non-conforming lot at 20175 Manor Road and explained that a variance was required only because this was a non-conforming lot and not for any aspect of the proposed construction plans. She explained that staff recommended approval subject to the conditions included in the staff report.

Vice-Chair Huskins asked how the home was able to be built before the lot was recorded.

Planning Director Darling stated that she felt it was likely that it was part of a larger parcel at some point in the past and the properties were platted around it.

Vice-Chair Huskins asked the applicant to address the Commission.

Edward Zaret, 217 Hanley Road, Golden Valley, stated that he and his wife really love the area and explained that he was a road cyclist and he had biked on Manor Road for many years and was pleased when they were able to buy this parcel with the existing home. He explained that it was not a very pretty house and felt that their plans would improve the property. He asked if he conformed for the permitting requirements if he would be able to have flexibility on construction of their new home.

Planning Director Darling stated that, in this case, the variance was for the lot size and not any aspect of their construction. She explained that the City did tie the approval to the plans, the plans that are important here is the fact that they can show the City that they can build a single-family home on the lot. She noted that for single-family homes, the City did not have site plan requirements, so there was a lot of flexibility on how they can design their home.

Commissioner Johnson asked if there were any requirements to hook up to City water.

Planning Director Darling stated that there were not currently any requirements related to hooking up to City water.

Johnson moved, Holker seconded, recommending approval of the Variance Request to Redevelop a Non-conforming Lot located at 20175 Manor Road subject to the conditions listed in the staff report.

Motion passed 4/0.

Planning Director Darling noted that this item would come before the City Council on February 24, 2025.

D. PUBLIC HEARING – ZONING AMENDMENTS TO IMPLEMENT THE COMPREHENSIVE PLAN'S MEDIUM-DENSITY LAND USE DESIGNATION

Applicant: City-Initiated

Location: City-Wide

Planning Director Darling explained that this item was a City-initiated request for zoning amendments in order to continue to implement the 2040 Comprehensive Plan for medium-density land use designations. She noted that this would primarily affect the R-3A and L-R zoning districts. She gave a brief overview of the recommended amendments and noted that she had not received any questions or concerns from the public regarding the proposed amendments.

Vice-Chair Huskins suggested that the Commission go through the proposed amendments page by page and line by line. He referenced page 1, line 19, and asked if they should add language that stated that a lot base would be a legally non-conforming lot because it would be an acknowledgment of reality.

Planning Director Darling stated that she felt that they could take out the language that said 'all the lot specifications' and noted that this was a tricky definition and shared examples using an aerial photo of the base lot and unit lots.

Commissioner Johnson asked if that meant that the base lot would never be non-conforming.

Vice-Chair Huskins asked if this definition was unique and specific to medium density.

Planning Director Darling explained that it was unique and specific to townhouses.

Vice-Chair Huskins asked what a lot in the R-1A district would be called.

Planning Director Darling stated that those lots would be called a 'lot of record'.

Vice-Chair Huskins stated that he would withdraw his suggestion to amend the definition of base lot and moved the discussion onto page 2.

Commissioner Johnson noted that they talk about townhouses containing eight or fewer dwelling units, but when they look at townhouses detached and townhouses attached, it seemed like the word townhouse was actually used incorrectly there and referenced line 16.

Planning Director Darling explained that this would be townhouses in one structure, so the limitation would be that they could have up to an eight-unit structure.

Vice-Chair Huskins moved the discussion onto page 3 and referenced line 24 and asked if the word 'signing' should be changed to 'signage'.

Planning Director Darling explained that she had simply copied that from the existing language and suggested that she change it to 'all signs'.

Vice-Chair Huskins moved the discussion onto page 4. There being no comments, he moved the discussion on page 5 and referenced line 11, and asked if they should include language that specified that there was a maximum of 2.5 stories allowed.

Planning Director Darling explained that information was listed below so she did not believe it needed to be added to this section.

Vice-Chair Huskins referenced line 3 and the reference to the Comprehensive Plan and asked if it should be changed to say something such as, 'as indicated in the Comprehensive Plan' or, 'as amended in the future'.

Planning Director Darling stated that they could perhaps change it to 'the Comprehensive Plan in effect at this time'.

Commissioner Johnson suggested that it may be more clear if they say, 'the Comprehensive Plan in effect at the time of application'.

Vice-Chair Huskins moved the discussion onto page 6 and referenced line 32 and asked if this language was standard.

Planning Director Darling explained that this was to give a buffer between the two uses and noted that this language was existing.

Vice-Chair Huskins stated that was confused about line 38.

Planning Director Darling explained that if you were putting a townhouse next to a property line, they would have to keep it back as far as the height of the structure and shared examples of what it would mean in different scenarios.

Commissioner Johnson stated that she agreed that line 38 was not quite clear and suggested that they reword it so it was easier to understand.

Vice-Chair Huskins stated that he felt line 41 was similar and needed some clarifying language in order to be understood more easily. He moved the discussion onto page 7.

Commissioner Johnson stated that line 1 on page 7 should also have clarifying language to make it clear that the height for accessory structures could be a maximum of 15 feet, or one story, whichever was less.

Vice-Chair Huskins moved the discussion onto page 8.

Commissioner Johnson noted that the numbering was wrong on line 2.

Vice-Chair Huskins moved the discussion onto page 9, there being no comments, he moved the discussion onto page 10.

Commissioner Holker referenced lines 5 and 6 and stated that she felt the wording was a bit confusing.

Planning Director Darling explained that this language was trying to convey that they do not want cars backing out into a public street, except for traditional homes where they have a garage.

Vice-Chair Huskins referenced line 33 and asked if that referred to existing commercial parking areas.

Planning Director Darling stated that she should have taken that one out because the City cannot require that and noted that it was a carry-over from the existing document.

Vice Chair Huskins moved the discussion onto page 11, there being no comment, they moved onto page 12 and 13, there being no comments, the Commission moved the discussion to page 14.

Vice-Chair Huskins referenced line 34 on page 14 and asked if the word 'if' could be removed.

Planning Director Darling stated that he felt this was saying that if the caretaker was a permanent resident or staying longer than 30 days, they had to notify the Zoning Administrator, which meant that the word 'if' was actually needed.

Vice-Chair Huskins moved the discussion onto page 15 and asked about line 20.

Planning Director Darling stated that line 20 was saying that they could have either attached or detached units as elderly housing, but if there were multiple principle buildings, they had to be reviewed as a PUD.

Commissioner Johnson stated that she agreed that the language was a bit confusing and suggested that they could add the word 'but' to clarify it a bit more.

Planning Director Darling stated that she would take a closer look at this line item.

Vice-Chair Huskins moved the discussion onto page 16, there being no comments, He opened the Public Hearing at 8:14 P.M. noting the procedures used in a Public Hearing, there being no public comment, he closed the Public Hearing at 8:14 PM.

Holker moved, Johnson seconded, recommending approval of the Zoning Amendments To Implement The Comprehensive Plan's Medium Density Land Use Designation, with the changes, as discussed.

Motion passed 4/0.

Planning Director Darling stated that this item would go before the City Council at their February 24, 2025, meeting.

5. OTHER BUSINESS

- ~~E. Variance for Redevelopment of a Non-Conforming Lot
Applicant: Edward Zaret
Location: 20175 Manor Road (moved to item 4.C.)~~

6. REPORTS

- **Council Meeting**

Chair Eggenberger congratulated Council Liaison DiGruttolo on her recent election to the City Council and welcomed her as the Council Liaison to the Planning Commission.

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

Planning Director Darling noted that the City Council also had a few Work Session items that she felt the Planning Commission should be aware of related to the subdivision regulations and briefly reviewed some of their discussion points, and direction the Council had given to staff, and answered Commission questions.

- **Draft Next Meeting Agenda**

Vice-Chair Huskins stated that he would not be able to attend the March 4, 2025, Planning Commission meeting.

Commissioner Holker stated that she would also not be able to attend the March meeting.

Commissioner Johnson stated that she would no longer be serving on the Commission when the March meeting is held.

City Planner Griffiths stated that if the Planning Commission was able to hold a meeting, the agenda was pretty full already with mostly annual administrative items but also the next version of the subdivision ordinance rewrites. He noted that something that will be new for the Commission in 2025 was that they were also planning to have a training topic on the agenda for most meetings. He noted that Chair Eggenberger had informed him earlier today that he was no longer able to give the Council report at the February 24, 2025 meeting and asked if anyone else was available to take his place.

Chair Eggenberger noted that he had spoken with Commissioners Huskins and Holker prior to the meeting, and they explained that they would both be out of town, so City Planner Griffiths would have to update the Council on their behalf.

Vice-Chair Huskins asked Planning Director Darling to give an update on the timing and selection of the new Planning Commissioners.

Planning Director Darling stated that the City had received 8 applications for the 6 open seats for the various Commissions. She explained that the Council would be holding interviews on February 10, 2025 and noted that some of the applicants had specified which Commission they were interesting on, but others were open to serving on either Commission.

Vice-Chair Huskins stated that before they adjourn, he wanted to express his gratitude to Planning Director Darling and Commissioner Johnson for their service to the City. He stated that he especially wanted to note Planning Director Darling's long-time commitment to the City, her expertise, and her willingness to share that expertise with the Commission. He stated that he felt the Planning Commission had benefitted immensely by Planning Director Darling's work and felt he could speak for the entire Commission that they were all grateful for her.

There was a round of applause in honor of Planning Director Darling.

Planning Director Darling stated she also wanted to thank the Planning Commission and explained that it had been a privilege to work for Shorewood and be able to intimately learn about the community.

Vice-Chair Huskins stated that the Commission also appreciated City Planner Griffiths and noted that they were looking forward to many years of them all working together in the City. He stated that he felt that City Planner Griffiths had already given the Commission guidance which was very helpful. He announced that he was hopeful that both Planning Director Darling and Commissioner Johnson could stick around a bit following the meeting because they had a celebration cake waiting for them.

Commissioner Johnson commented that she had been so impressed with the amount of knowledge that Planning Director Darling had off the top of her head.

7. ADJOURNMENT

Johnson moved, Holker seconded, adjourning the Planning Commission Meeting of February 4, 2025, at 8:32 P.M. Motion passed 4/0.