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5 **MINUTES**
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8 **CALL TO ORDER**
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10 Chair Huskins called the meeting to order at 7:00 P.M.

11
12 **ROLL CALL**

13
14 Present: Chair Huskins; Commissioners Eggenberger, Holker, Longo, and Magistad;
15 Planning Director Griffiths; and, Council Liaison DiGruttolo

16
17 Absent: None

18
19 **1. APPROVAL OF AGENDA**

20
21 **Commissioner Holker moved, Commissioner Longo seconded, approving the agenda for**
22 **June 3, 2025, as presented. Motion passed 5/0.**

23
24 **2. APPROVAL OF MINUTES**

25
26 • **MAY 6, 2025**

27
28 Chair Huskins noted that he had submitted some minor edits to Planning Director Griffiths before
29 the meeting.

30
31 **Commissioner Magistad moved, Commissioner Holker seconded, approving the Planning**
32 **Commission Meeting Minutes of May 6, 2025, as amended. Motion passed 5/0.**

33
34 **3. MATTERS FROM THE FLOOR**

35
36 Michael Cohen, 20640 Radisson Road, expressed concern about the Maple Shores PUD that
37 was approved by the City, which involved clear-cutting of the trees and building seven
38 townhomes. He explained that it has been an ongoing disaster for the neighborhood and listed
39 off things like the clear-cutting, the promised replanting not occurring, debris, and litter. He asked
40 the City to drive through and assess the situation, comparing it to what was approved. He noted
41 that it was approved about two and a half years ago, and nobody has moved in; he wanted the
42 City to know that what was there was not what was supposed to be there.

43
44 Commissioner Eggenberger asked if someone from the Public Works Department could go take
45 a look at what Mr. Cohen had described.

46
47 Planning Director Griffiths stated he would ask Public Works and the City's Building Official to
48 drive by the site and ensure code requirements were being met. He noted that it was an active
49 construction site, so there was still work to be done on landscaping and trees that would take
50 place at a later time. He explained that he would plan to reach out to Mr. Cohen after staff had
51 taken a look at the site.

52
53 **4. PUBLIC HEARINGS**

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

7
8 **A. PUBLIC HEARING – TINGEWOOD HOA COMMON AREA PUD CONCEPT**

9 **Applicant: Tingewood Homeowners' Association**

10 **Location: Parcel ID 3511723110072**

11
12 Planning Director Griffiths gave an overview of the request for the City to review a PUD concept
13 plan to subdivide the Tingewood HOA common area into one additional single-family lot. He
14 explained the overall process for this to move forward to the final stages. He stated staff
15 recommended approval of the PUD Concept Plan, subject to the conditions listed in the staff
16 report. He noted that after the packet was put together, staff had received two public comments,
17 which he distributed to the Commission before the meeting. He stated that comments and
18 questions were received from Michael Cohen at 20640 Radisson Road and Carol and Paul
19 Seiffert.

20
21 Commissioner Holker stated that the original proposal from the HOA had listed two lots and asked
22 what had changed.

23
24 Planning Director Griffiths stated that the original request was for two lots, but that would not
25 comply with the City's Comprehensive Plan, so now they were asking for one lot.

26
27 Commissioner Holker asked if there would be a setback issue for the townhomes to the lot line.

28
29 Planning Director Griffiths explained that there was no set requirement in the City Code for this
30 kind of situation and explained that in one of the conditions, staff had recommended that the lot
31 line be shifted slightly so there would be at least five feet between the two lot lines.

32
33 Commissioner Holker asked where the nearest city water line was located.

34
35 Planning Director Griffiths stated that the nearest municipal water was at the Maple Shores
36 townhomes discussed earlier, which would be several thousand feet away. He clarified that the
37 City would not require this to be extended and hooked up because it was for just one lot.

38
39 Commissioner Longo noted that the City has plans for a lot of buildings and units over the next
40 ten years and asked when the City would start requiring water lines and fire hydrants, even if
41 there was only one lot.

42
43 Planning Director Griffiths reminded the Commission that there were discussions earlier this year
44 that would have required municipal water connection for every subdivision, but the
45 recommendation from the Commission was to make amendments to the Subdivision Ordinance,
46 not to require water connections. He noted that the proposed amendment was currently before
47 the Council and explained that they had recently tabled action on that item, so the City's current
48 policy is what will govern this request, which means that there would be no requirement for
49 municipal water connection to the site.

1 Commissioner Magistad asked how this PUD situation could become complicated once the
2 Council took the Subdivision Ordinance amendments off the table for discussion and action.

3
4 Planning Director Griffiths explained that this project was submitted before the policy was
5 changed, so the future requirements that may be adopted by the City would not apply to this
6 project. He explained that this application was put forward before the proposed amendments
7 were brought forward, but, hypothetically, if the proposed amendments had been adopted, this
8 project would not be allowed to move forward unless they connected to City water.

9
10 Commissioner Magistad stated that the two correspondences that were submitted shared their
11 concerns about this proposal.

12
13 A woman spoke from the audience and stated that there were three parties that were concerned.

14
15 Commissioner Magistad asked if the HOA was unanimous in its support for this proposal.

16
17 Planning Director Griffiths stated that as part of the submittal, the applicant needed to verify to
18 staff that the HOA had approved submission of this application, which was done. He stated that
19 if the Commission had specific questions on the vote, they could ask the applicant.

20
21 Commissioner Longo stated that the application states that there are two lots and that the hope
22 was that they would be sold together, and asked if they would not be sold together if that meant
23 there would be two dwellings.

24
25 Planning Director Griffiths suggested that the Commission take a step backward and clarified that
26 the request for two lots was no longer part of the application, and the Commission was just being
27 asked to consider the proposal with one lot. He stated that the only way two lots would be allowed
28 to be built on this site would be if there were a Comprehensive Plan amendment. He explained
29 that the narrative provided for the Commission had not been updated when the plan was changed
30 to just one lot. He noted that any additional development in this neighborhood would require a
31 PUD amendment and explained that what was being proposed tonight was for this property not
32 to be part of the HOA because it is a stand-alone, single-family lot, like the surrounding
33 neighborhood.

34
35 Chair Huskins stated that he was confused by the calculations within the 'Relation to
36 Comprehensive Plan' portion of the staff report and noted that it sounded like Planning Director
37 Griffiths was including this lot as part of the existing homes in his overall calculations.

38
39 Planning Director Griffiths explained how the City was required, by the Met Council, to calculate
40 density. He stated that the City was required to calculate the density as a whole, which was why
41 he had done the density calculations for both situations and explained that it did not matter how
42 it was sliced because this proposal met the intent of the City's Comprehensive Plan.

43
44 Commissioner Eggenberger stated that he had a few questions related to water connections and
45 asked if the City was limited to how many wells the City can drill.

46
47 Planning Director Griffiths stated that there was no limit on the number of wells, and reminded the
48 Commission that, because the proposed amendments were not approved, the City did not have
49 the ability to restrict additional private wells in the community, nor did the State have laws that
50 pertained to private wells.

1 Commissioner Eggenberger asked if new construction projects were required to hook up to City
2 Water if they were within a certain distance of a waterline.

3
4 Planning Director Griffiths stated that the current requirement was that if a development has three
5 or fewer lots, they would not be required to connect, even if water was available. He noted that if
6 there are four or more lots and water is immediately available, then they would be required to
7 connect, and others would be decided on a case-by-case basis, based on financial feasibility,
8 when considering extending the water main. He stated that while he understood the Commission
9 had questions about water, and they were good questions, it was important for them to back
10 things up because they were not appropriate to this application.

11
12 Commissioner Longo stated that this was an important discussion because the Commission
13 would be voting on a lot of other proposed dwellings.

14
15 Planning Director Griffiths stated that the Commission had already discussed this, and a decision
16 on it was awaiting action from the Council.

17
18 Jane Korin, 5520 Tiffany Lane, applicant, stated that the purpose of selling this lot was to make
19 their HOA healthier to keep up with maintenance. She stated that they are hoping to restore the
20 property in order to enhance the community. She noted that their surveyor, Eric Lindgren, was
21 also here tonight if the Commission had any technical questions.

22
23 Commissioner Magistad asked about the approval of the HOA with this proposal.

24
25 Ms. Korin stated that there were seven people who signed in favor of this proposal and two who
26 did not sign.

27
28 Commissioner Magistad asked about the location of the two owners who had not signed.

29
30 Ms. Korin explained that they were not able to contact the owner of Lot 1, and the owner of Lot 8
31 declined to vote.

32
33 Chair Huskins opened the Public Hearing at 7:33 P.M.

34
35 Paul Seiffert, 5515 Radisson, stated that he has been on Radisson Road for over fifty years and
36 was in R1 zoning with two and one-half acres. He noted that when the PUD was proposed, it was
37 the overall understanding that this would take care of this property as a final solution, but then he
38 found out that PUDs can be modified. He asked if there were criteria for the modifications and
39 who made the determination on whether something could be modified or not.

40
41 Planning Director Griffiths explained that under State Statute, the property owner has a right to
42 request an amendment to zoning approvals on their property.

43
44 Mr. Seiffert stated that behind his property is what he called a pond, which was apparently a lake
45 and referenced the other PUD nearby, Maple Shores, and asked if that PUD could also be subject
46 to revision.

47
48 Planning Director Griffiths explained that, at any time, any property owner, can request an
49 amendment to whatever approvals they have and gave a brief overview of the process that would
50 need to be followed in that situation. He reiterated that this was something that was allowed by
51 State law.

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Mr. Seiffert noted that he owned almost three acres, and he was not able to do anything like split his property because the plotted road is very near his living room window, and the real road is about fifty yards away. He explained that he had come to the City and asked for some relief from the road so he could do some more development, but his request was denied.

Planning Director Griffiths clarified that Mr. Seiffert had never made an application.

Mr. Seiffert agreed and stated that he was encouraged not to make an application.

Planning Director Griffiths explained that what Mr. Seiffert was talking about would be a different application for a variance, which was substantially different than what was being considered tonight.

Chair Huskins suggested that if Mr. Seiffert wanted to pursue this, he do so outside of this meeting.

Mr. Seiffert explained that the point he was trying to make was that there were constraints based on the plotted road, but now the City was saying that this could be modified. He asked if the Commission had read and understood the note he had submitted regarding the background of the issues with erosion and water, and gave a brief review of what he had included in his letter regarding the proposed home and driveway.

Chair Huskins clarified that what the Commission was considering tonight was a concept and other details related to things like water would be hurdles crossed at the point an official development plan would come to the City. He stated that if the City approved a concept plan, it would allow the application to move to the next step. He explained that if this continued to move forward, there would be another public hearing held once some of those details were submitted.

Mr. Seiffert asked what adding another well to the Radisson Road area might do and where the sewer ended.

Planning Director Griffiths stated that there was a sanitary sewer main in the Radisson Entrance that would be able to serve this proposed lot, but municipal water stops far short of the site. He noted that the property owner would work with the Minnesota Department of Health in order to put in a private well, which was a property right, and explained that the City did not have the ability to restrict their location, according to State Statute.

Mr. Seiffert asked about the water for the nine townhomes.

Planning Director Griffiths stated that there was one, very large well, that served all of the townhomes.

Chair Huskins stated that this discussion was not germane to what was before the Commission tonight.

Elaine Hastings, 5495 Radisson Entrance, stated that she had lived here since 1971 and noted that when Tingewood began, there were discussions that took place about stormwater, and the developers said that it would not be a problem, which was not true. She explained that during the building process, she had a lot of water run-off from the development that knocked down a retaining wall, and former City Attorney Larson was able to get Tingewood's insurance company

1 to pay for rebuilding the wall. She gave examples of other issues that had arisen over the years
2 and stated that she felt if another home was built at the end of Radisson Entrance then all the
3 hard space would collect rain and come down her driveway. She noted that they have built
4 boulder walls in order to keep things in place on her property and stated that if a home were built
5 here, she wanted to make sure all of these issues were addressed so she would not be washed
6 out.

7
8 Commissioner Longo asked if there would be more consideration given to the management of
9 water if this moved further into the City's process.

10
11 Planning Director Griffiths reviewed the proposed conditions, which included hiring an engineer
12 to come up with a stormwater management plan for the site for review by the City.

13
14 Michael Cohen, 20640 Radisson Road, asked about the price of the lot.

15
16 Chair Huskins stated that the question was not a matter for discussion during this public hearing.

17
18 Mr. Cohen stated that it would eliminate all of this if they would just offer it to the neighbors.

19
20 Ms. Korin stated that they would love to sell it to the neighbors, but explained that it would not be
21 a sellable lot until the City approves a subdivision.

22
23 Chair Huskins reiterated that this issue was not a matter for the Commission to discuss tonight.

24
25 Mr. Cohen stated that he felt he was asking the same question that the City had asked during the
26 Maple Shores approval process because the City wanted to know how much money they would
27 get from taxation, which was why he was asking the question, too.

28
29 Commissioner Eggenberger asked Mr. Cohen to address his questions to the Commission and
30 not members of the audience.

31
32 Mr. Cohen asked if it would be possible to add another unit to the existing well that was being
33 shared by the nine townhome units, so they would not have to drill a new well. He stated that
34 when the Tingewood PUD was originally approved, Radisson Entrance was a throughway to
35 Highway 7.

36
37 Chair Huskins stated that these comments would be noted for the record.

38
39 Ms. Hastings stated that when Tingewood was being formed, they all had the understanding that
40 these would be the only buildings that would be on this property.

41
42 Chair Huskins explained that legally, the owners of the property, have the right to present an
43 amendment to the original PUD.

44
45 Chair Huskins closed the public hearing at 7:58 p.m.

46
47 Commissioner Eggenberger stated that he would vote in favor of this because it was a concept,
48 but shared that he did have some concerns about development. He explained that comments
49 were made about this being the only building that would be on this site, but noted that things can
50 change and are not forever.

51

1 Commissioner Magistad explained that he would like the City Council to map out the requirements
2 for a minor subdivision, even though this was a PUD amendment. He stated that until the
3 Commission has clarity on the Council's decision about how to deal with the City watermain
4 extension rather than digging wells, and the dissension he observed during the public hearing, he
5 felt this application would be difficult for the City Council to approve.

6
7 Commissioner Longo stated that he agreed with Commissioner Magistad that they needed to
8 have a conversation about future development, but under the current boundaries, he would
9 support this request.

10
11 Commissioner Holker stated that she would be in favor of this concept plan, based on what was
12 in the current City code requirements.

13
14 Planning Director Griffiths stated that he understood the Commission's concern about future
15 development and municipal water, but cautioned them that the City had a legal obligation to review
16 this request with respect to the requirements that were currently in place. He stated that the City
17 is unable to deny this application based on wanting to wait to have a conversation about municipal
18 water or further direction from the City Council.

19
20 **Commissioner Holker moved, Commissioner Eggenberger seconded, recommending**
21 **approval of the Tingewood HOA Common Area PUD Concept Plan for the Tingewood**
22 **Homeowners Association, Parcel ID 3511723110072, subject to the conditions included in**
23 **the staff report. Motion passed 4/1 (Magistad opposed).**

24
25 Planning Director Griffiths stated that this item would be on the June 23, 2025, City Council
26 meeting agenda.

27
28 **B. PUBLIC HEARING – IMPERVIOUS SURFACE DEFINITION CITY CODE**
29 **AMENDMENTS**

30 **Applicant: City of Shorewood**

31 **Location: City-wide**

32
33 Planning Director Griffiths explained that the City was required by State law, to regulate the
34 percentage of impervious surface that was constructed on properties. He shared details behind
35 the request for a City-wide definition of impervious surface and the history behind how impervious
36 surface requirements have adapted to technology over time, and what was being proposed
37 tonight was not a policy change for the City. He noted that the proposed language for this
38 amendment came directly from the Department of Natural Resources and had also been adopted
39 by the Minnehaha Creek Watershed District. He explained that no public comments had been
40 received prior to the meeting.

41
42 Commissioner Longo asked if the new definition was a bit more restrictive than the old definition.

43
44 Planning Director Griffiths stated that this new definition just clarifies information and reiterated
45 that it was not a policy change and was more about matching the Code to the current practice.

46
47 Commissioner Magistad asked when the language had been changed by the DNR and why it was
48 coming up now and not, for example, five years ago.

49
50 Planning Director Griffiths stated that he did not know the exact date but believed that they had
51 also updated it because of new technology. He explained that staff had recently evaluated the

1 City's current policy and was concerned that the City Code does not back them up, and noted
2 that this was a requirement that the City enforces daily.

3
4 Chair Huskins asked about the 1,000-foot metric and if that came from the State.

5
6 Planning Director Griffiths confirmed that the number was from the State and explained that the
7 City could not make the number less than one thousand, but could make it greater.

8
9 Chair Huskins referenced higher-density development and past conversations about
10 compromising on acceptable impervious surfaces for things like additional parking spaces. He
11 asked if the City would start with these parameters and then everything else would become a
12 variance, or if they would establish what would be permissible for each zoning district, and if the
13 builder wanted something different, they could apply for a variance.

14
15 Planning Director Griffiths stated that the City would establish the parameters for each zoning
16 district, and if something else was desired, they could apply for a variance. He noted that this
17 proposed language amendment was kind of leveling the playing field on impervious surface and
18 stated that the current definition had been in the Code since the 1970s.

19
20 Chair Huskins opened the Public Hearing at 8:16 p.m., and there being no one present, he closed
21 the Public Hearing at 8:16 p.m.

22
23 **Commissioner Eggenberger moved, Commissioner Magistad seconded, recommending**
24 **approval of the Impervious Surface Definition City Code Amendments for Applicant, City**
25 **of Shorewood, City-wide. Motion passed 5/0.**

26
27 Planning Director Griffiths stated that this would come before the City Council on June 23, 2025.

28
29 Commissioner Eggenberger referenced the topic brought up during Matters from the Floor and
30 asked Planning Director Griffiths to let the Commission know what he found when he looked into
31 the situation.

32
33 **5. OTHER BUSINESS**

34 **A. Monthly Training Topic – Due Process and Public Hearings**

35
36 Planning Director Griffiths gave an overview of the monthly training topic for the Commission
37 related to due process and public hearings and answered Commission questions.

38
39 **6. REPORTS**

40
41 **A. Council Meeting Report**

42
43 Council Liaison DiGruttolo explained that she would defer to Planning Director Griffiths since she
44 had not been in attendance at the most recent City Council meetings.

45
46 Planning Director Griffiths gave a brief overview of the last few City Council meetings, where
47 Planning Commission recommendations had been discussed and reviewed actions taken by the
48 Council. He noted that the City had chosen a new City Planner who would begin on June 30,
49 2025.

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51 **B. Draft Next Meeting Agenda**

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Planning Director Griffiths stated that the July Planning Commission meeting will be canceled because there are no applications. He noted that their next meeting would be on August 19, 2025, due to National Night Out.

Chair Huskins asked for an update on the Planning Commission applicant pool and when a new Commissioner would be in place.

Planning Director Griffiths stated four applicants had expressed interest in filling outgoing Commissioner Eggenberger's seat and explained that the Council would be interviewing them on June 23, 2025, at their Work Session meeting. He stated that he would expect the new Commissioner to be in place by the August meeting.

Chair Huskins stated that before they adjourn, he wanted to officially acknowledge the service of Commissioner Eggenberger to the City and the Commission. He stated that he considered him a friend and had learned a lot from him, and felt his contributions to the City have been notable, and he would be greatly missed on the Commission. He noted that he has also heard the same sentiments expressed by other former Commissioners.

7. ADJOURNMENT

Commissioner Holker moved, Commissioner Longo seconded, adjourning the Planning Commission Meeting of June 3, 2025, at 8:55 P.M. Motion passed 5/0.