

**AGENDA
PLANNING COMMISSION MEETING
CITY OF SHOREVIEW**

DATE: APRIL 22, 2014
TIME: 7:00 PM
PLACE: SHOREVIEW CITY HALL
LOCATION: 4600 NORTH VICTORIA ST.

1. CALL TO ORDER
ROLL CALL
APPROVAL OF AGENDA

2. APPROVAL OF MINUTES

March 25, 2014

Brief Description of Meeting Process – Chair Steve Solomonson

3. REPORT ON CITY COUNCIL ACTIONS:

Meeting Date: April 7th, 2014 and April 21st 2014

4. NEW BUSINESS

**A. PUBLIC HEARING –COMPREHENSIVE PLAN AMENDMENT –
SURFACE WATER MANAGEMENT**

FILE NO: 2524-14-14

APPLICANT: City of Shoreview

LOCATION: City Wide

B. RESIDENTIAL DESIGN REVIEW / VARIANCE

FILE NO: 2523-14-13

APPLICANT: 5101 Alameda Street

LOCATION: Kevin and Sara Ousdigian

5. MISCELLANEOUS:

*A. City Council Assignments for May 5th and May 19th Commission Members
McCool and Ferrington*

B. Planning Commission Workshop – May 27th – Before the regular meeting.

6. ADJOURNMENT

DRAFT
SHOREVIEW PLANNING COMMISSION
MEETING MINUTES
March 25, 2014

CALL TO ORDER

Chair Solomonson called the March 25, 2014 Shoreview Planning Commission meeting to order at 7:00 p.m.

ROLL CALL

The following Commissioners were present: Chair Solomonson, Commissioners Ferrington, McCool, Peterson, Schumer, and Thompson.

Commissioner Proud was absent.

APPROVAL OF AGENDA

MOTION: by Commissioner Schumer, seconded by Commissioner Ferrington to approve the March 25, 2014 Planning Commission meeting agenda as submitted.

VOTE: Ayes - 6 Nays - 0

APPROVAL OF MINUTES

MOTION: by Commissioner Schumer, seconded by Commissioner Ferrington to approve the February 25, 2013 Planning Commission meeting minutes, as submitted.

VOTE: Ayes - 4 Nays - 0 Abstain - 2 (McCool, Thompson)

REPORT ON CITY COUNCIL ACTIONS:

Presentation by City Planner Kathleen Castle

The final PUD for Hummingbird Floral was approved at the March 17th City Council meeting. The Development Agreement identifies allowed and prohibited uses for the site. Also, a letter has been received from the Metropolitan Council approving the Comprehensive Plan amendment for the site.

OLD BUSINESS

RESIDENTIAL DESIGN REVIEW/VARIANCE

FILE NO.: **2516-14-06**
APPLICANT: **JAY HOPPE**
LOCATION: **707 SCHIFSKY ROAD**

Presentation by Senior Planner Rob Warwick

At its last meeting the Planning Commission tabled this application to allow the applicant the opportunity to address concerns regarding increased impervious surface and foundation area. At that meeting the review period for this application was extended to 120 days. The property is zoned R1 and is in the Shoreland Overlay District.

The applicant has revised the plan to reduce impervious surface and the size of increase to the foundation area. This property is substandard since it does not conform to the minimum lot requirements for a riparian lot, and so subject to residential design review. The lot area is 6,150 square feet. It is developed with a one-story house consisting of 1,232 square feet and an attached garage of 528 square feet. Three variances are requested:

1. Increase permitted foundation area to 1,953 square feet (31.7%) from the existing 1,759 square feet (28.6%); the existing 1,759 square feet already exceeds the permitted area of 1,600 square feet.
2. Reduce the front setback from the south lot line from the minimum of 25 feet to 12 feet; and
3. Reduce the rear setback from the north lot line from the minimum of 30 feet to 3.1 feet.

The existing northeast corner garage is setback 1.1 feet, and is the nearest point to the north property line, the rear lot line. The proposed setback at this location is 3.1 feet for the garage addition. The existing shed and patio will be removed. The proposed house of 1,953 square feet includes an attached garage of 616 square feet. The additions to the house include a partial second story of 457 square feet. An addition to the living area on the ground level is proposed of 4 feet by 14 feet. The front entry will be redone and measure 5 feet by 7 feet with a 12-foot setback from the front lot line. Storm water management will be addressed with downspouts and pipe.

The proposal, compared to the original proposal, reduces impervious surface by 50 sq. ft., which brings it into compliance with City Code. Concerns about drainage will be addressed with downspouts and underground pipes. With this revision, the roof pitch has been increased to 8/12 pitch to allow attic space above the garage and house.

The applicant states that practical difficulty exists with the lack of storage space in the house and the challenge of storing lake recreation equipment. The house has no basement.

Staff finds the proposed improvements are consistent with the Land Use and Housing sections of the City's Comprehensive Plan. The proposed improvements represent a reasonable use of this property. The expansion is reasonable as the existing home has only one bedroom and no basement. The main floor addition is modest. Both the main floor and second floor additions maintain the existing setback from the rear lot line of 5 feet. The garage replaces a non-conforming shed that will be removed. The garage extends to within 3.1 feet from the rear lot line and will be 25 feet from the front lot line. The existing garage is 1.1 feet from the rear lot line.

Unique circumstances are the small lot with a 50-foot lot depth. When the required setbacks are applied, there is no buildable area. Any expansion requires a variance for structure setbacks. The

foundation area increase is modest from 29% to 31.7% and resolves design issues with the home. It is noted that two adjoining parcels to the south are undeveloped and not buildable.

Characteristics of the neighborhood include poor soil with a high water table. Lake lots consist of a mix of one and two-story houses constructed on slabs or crawl spaces. The lake lots are small with a high percentage of impervious surface coverage and small side setbacks. Lake lots typically have two-car garages.

Notices were mailed to property owners within 150 feet. Two responses have been received. One raises the concern with parking and storage during construction. The second expressed concern that the house is built over the property line. An aerial view looks like the house crosses the property line but, in fact, is not the case, as shown on the site plan.

Staff finds that variance criteria are met with the size, configuration of the lot and the location, size and design of the existing house. Small setbacks are a common feature on lake lots in the neighborhood. Staff is recommending approval of the variances and approval of the residential design review application.

Commission Discussion

Commissioner McCool asked if the applicant would be able to put up an accessory structure in the future. Mr. Warwick stated that the addition of impervious surface would preclude an accessory structure. Any application for a shed would need to show a reduction of impervious surface to allow the shed.

Chair Solomonson suggested that the table of Design Standards that shows the current standard, what would be allowed under the current standard, and what is proposed should also include a column that shows what is existing. This application is better than the first application and he supports it. He noted an energy dissipation clause in the motion and asked for an example of energy dissipation that would be used. Mr. Warwick stated that rip-rap is used to reduce the velocity of water for erosion protection. Current runoff conditions should be reduced with this method.

Commissioner Ferrington asked the mitigation practices that will be used. Mr. Warwick stated that removal of the non-conforming shed and architectural mass with natural colors and materials are the practices identified. Commissioner Ferrington asked about catch basins or landscaping that would reduce flow.

Commissioner Peterson asked if poor soil means it does not infiltrate well and in a heavy rain it would easily wash into the lake. Mr. Warwick answered that there is little infiltration. Conditions vary in the neighborhood. At the time of excavation for construction, the soil conditions will be revealed for better evaluation.

Mr. Jay Hoppe, 1010 Sherwood Road, thanked staff for the hard work that has been done.

Commissioner Peterson asked about the reason for increasing the living room addition from 2 feet to 4 feet. **Mr. Hoppe** stated that the living room is so small and will be small after the addition.

The intent is to make the room comfortable. In regard to a shed, he has no intent of putting up a shed in the future.

Commissioner McCool asked the height of the deck and its material. **Mr. Hoppe** stated that the height would be the same as the dining room door, approximately 1 foot. The materials used on the deck will be maintenance free.

Commissioner Ferrington asked if Mr. Hoppe would be willing to adding a rain garden. He responded that there is not much beach and he does not want to cover it too much. He is willing to put in underground piping. He will work with staff.

Commissioner McCool would like to see a condition to prohibit any future accessory structure without Planning Commission approval. Secondly, he would also support further mitigation measures and that staff work with the applicant on that.

Chair Solomonson noted that water runoff will be less. The energy dissipation clause addresses runoff, and there will be a reduction in volume.

Commissioner Ferrington suggested that additional landscaping as approved by the City Manager would be used to mitigate water flowing into the lake. In addition to or in place of the rip rap, vegetation would slow erosion to the lake. Mr. Warwick stated that the advantage of using underground pipes is that the runoff does not pickup nutrients or sediment to deposit in the lake. Roof runoff is considered clean.

Ms. Castle noted that condition No. 4 should be amended to state energy dissipation shall be installed as approved by the City Engineer. Also the Applicant shall explore options including landscape vegetation.

City Attorney Kelly stated that there are a number of options and circumstances regarding a shed. To restrict any shed in the future would be strong. He would not recommend adding such a condition.

Commissioner McCool stated that in looking at the lot as a whole he would not want to permit an accessory structure without review by the Planning Commission.

MOTION: by Commissioner McCool, seconded by Commissioner Ferrington to adopt Resolution No. 14-15 approving the requested variances, and approve the Residential Design Review application submitted by Jay Hoppe for the property located at 707 Schifsky Road and to reduce the front and rear setbacks, and increase the permitted foundation area. This motion is based upon the six conditions listed under the motion, including the following amendments:

1. The project must be completed in accordance with the plans submitted as part of the Variance application.
2. This approval will expire after one year if a building permit has not been issued and construction commenced.
3. The deck shall be located a minimum of 51.85 feet from the OHW of Turtle Lake.

4. Gutters shall be installed and maintained on the north and south sides of the house. The downspouts shall direct stormwater to the lakeshore through an underground pipe. Energy dissipation shall be installed in a manner approved by the City Engineer at the pipe discharge point, and the applicant shall consider the use of vegetation to aid in reducing impact of the discharge on the lake.
5. Material storage and all vehicles shall be parked on the subject property. No construction parking or storage is permitted within the public right-of-way or on nearby private property without the written consent of the affected property owner.
6. This approval is subject to a 5-day appeal period.
7. The Mitigation Affidavit and Agreement shall be revised, at the discretion of the City Manager, to include, in lieu of architectural mass, a restoration activity to mitigate impacts created by the project.

This approval is based on the following findings:

1. The proposed improvements are consistent with the Housing and Land Use Chapters of the Comprehensive Plan.
2. The proposed expansion makes the house more livable with a defined front entry, foyer, second and third bedrooms, and a staircase. These are common features in detached residential single-family residences and so a reasonable use of the property.
3. The 50-foot lot depth is less than the sum of the required 25-foot front and 30-foot rear setbacks, leaving no buildable area. The existing house has no basement, one bedroom and no discernible front when viewed from the street, and these conditions create unique circumstances. The living area of the house is currently setback about 5-feet from the rear lot line, and the garage area is setback 1.1 feet from the rear lot line. The proposed additions will not encroach nearer the rear lot line than the existing house and garage.
4. The character of the neighborhood should not be affected with approval of these variances.

Condition No. 4 Amendment: add language at the end of this condition to state, "Applicant shall explore with City staff installing vegetation to assist with energy dissipation at the pipe discharge point.

Add Condition No. 7: Mitigation affidavit and agreement shall be revised, at the discretion of the City Manager, to include, in lieu of architectural mass, a protective or restoration activity that addresses specifically the impacts created by the project.

VOTE: Ayes - 6 Nays - 0

Chair Solomonson called a five-minute break and then reconvened the meeting. Commissioner Schumer left the meeting at this time (about 8.05 p.m.).

NEW BUSINESS

SITE AND BUILDING PLAN REVIEW / COMPREHENSIVE SIGN PLAN

FILE NO: 2518-14-08
APPLICANT: CITIES EDGE ARCHITECTS, LLC
FORSTROM & TORGERSON, LLP
LOCATION: 1000 Gramsie Road

Presentation by Senior Planner Rob Warwick

Applications have been received for interior and exterior improvements to the existing Hampton Inn. A new sign plan for a hotel, meeting center, and restaurant is proposed to reflect a change in the franchise to a Best Western Plus. Exterior improvements include changing the roofline from a gable style to horizontal with cornices, altering exterior siding with EFIS and stone accents, and adding new landscaping in the courtyard. The existing berm will be replaced with a low retaining wall. A new pergola and fireplace will be installed at the existing Green Mill patio. Six parking stalls will be removed for a new sidewalk and turf and landscaping. The entryway will be remodeled with a new canopy. These improvements are architectural features that comply with the City's design standards.

Interior improvements include the following:

- Removal of five guest rooms for two new elevators and a new south exit;
- Reduce floor area of Green Mill to create added meeting and banquet areas;
- Put in a new deck for the pool area;
- Add restrooms for the meeting/banquet area;
- Upgrade lighting, HVAC and fire alarm systems throughout the building; and
- Redecorate guest rooms and furnishings.

The property is zoned PUD with underlying C-2 designation. Hotels and restaurants are permitted in this zoning district. The existing use of the property is consistent with the Commercial Planned Land Use designation in the Comprehensive Plan. Staff believes the proposal will enhance the property and promote the wider community.

The reduction of five guest rooms reduces the required parking stalls by five for a total of 353 required parking stalls. 342 parking stalls are provided. The Hampton Inn is adjacent to Hilton Garden Inn, and the two facilities have a shared parking agreement.

The current sign plan includes wall signs on two elevations, and two freestanding signs. The proposed signs use consistent colors, materials and illumination, as required. The existing cabinet style freestanding signs have been in place since Hampton Inn was built. Three wall signs are proposed on the north and south building elevations. Three free-standing signs are proposed on Lexington, I-694 and Gramsie Road. The signs on I-694 and Gramsie are cabinet style. The existing Green Mill pylon sign will be removed and the new monument sign relocated to the west.

The off-site sign is visible from Lexington and I-694. Individual letter style sign area and height maximums are 100 square feet and 20 feet. The sign on Gramsie complies with that standard. The proposed sign on I-694 exceeds the standards. The applicant states that a larger sign is needed to address visibility. Other nearby freeway signs are typically 30 feet in height and at a higher elevation on the south side of the freeway. The off-site sign will be increased in height to add the Green Mill sign to the Best Western sign.

Staff has no concerns about the freestanding signs, which clearly identify the facilities and provide direction to guests.

The improvements to the property do not require a permit from the Rice Creek Watershed District. The Fire Marshall requires that the fireplace be installed in accordance with manufacturer guidelines.

Property owners within 350 feet were notified of the proposal. No comments have been received. Staff is recommends the proposal be forwarded to the City Council for approval.

Commission Discussion

Commissioner Ferrington asked if the expanded banquet facility will negatively impact parking. Mr. Warwick explained that the expanded banquet room reduces the same area from the restaurant. The seating count and required parking will be the same.

Chair Solomonson noted that the ramp at I-694 and Lexington will have four pylon signs and a monument sign. He expressed concern that there is no directional sign at the Gramsie intersection. Mr. Warwick noted that the Gramsie intersection is not signalized, which makes left turns difficult. Improvements to Lexington are planned by Ramsey County next year.

Commissioner McCool referred to the parking agreement between Hilton Garden Inn and Hampton Inn. He asked about the parking ratio for the Hilton Garden Inn. Mr. Warwick stated that it is slightly under parked as well, but staff believes parking is sufficient.

Commissioner McCool asked the reason for the added height to the pylon sign on the I-694. Mr. Warwick answered that clear visibility is desired for eastbound traffic. The existing sign is 40 feet from the top of the sign to grade. The pole is 26.5 feet in height.

Mr. Del Sheets, Architect, Cities Edge Architects, stated that the off-site pylon sign is needed to know the hotel location because the hotel site sits lower than the freeway. The existing pylon sign on the property is blocked trees and will be removed. The Hilton Garden Inn is a taller structure; Best Western is only two stories. The new monument sign will alert guests to the new south side entry.

Chair Solomonson asked if a 30-foot height for the pylon sign would be adequate. **Mr. Sheets** stated that adding the Green Mill sign added to the height. Regarding the Gramsie intersection, the experience of the current owner has been that there is no problem finding the hotel for those traveling south on Lexington. The intent is for visibility from I-694 for guests.

Chair Solomonson asked about removal of the off-site sign, which exists nowhere else in the City. City Attorney Kelly stated that he expects there to be an easement that guarantees the use of a sign, but he has not seen the document.

Mr. Sheets stated that the owner does not want the height to be a problem. The height can be lowered, but it is important to maintain the off-site sign for visibility from the west. The same pole will be used. It is possible the sign can be attached over the pole. He offered to work with staff to the Commission's satisfaction. He added that there is an easement for the sign as suggested by the City Attorney.

Commissioner Peterson stated that this plan is a nice upgrade to the hotel. He also is concerned about the sign height and is pleased the applicant is willing to work out this issue.

Commissioner Ferrington expressed concern that there may be an issue of visibility if the sign is lowered on the pole to lower height.

Chair Solomonson asked if this matter could be held over. **Mr. Sheets** explained that it would be a hardship for the owner to be delayed. If the franchise turnover does not take place, the facility would have to shut down.

Commissioner McCool stated that if the same pole is used and the sign placed on top, the height would be approximately 47 feet. He would support that and does not want to put undue hardship on the owner. He does not want the sign to be less visible. This is a good plan for the area.

Chair Solomonson stated that if Red Robin were to request a pylon sign, it would be 30 feet. This is an advantage for an off-site sign. It is a non-conforming use that is being increased, which is his concern. He would like to see staff work to reduce the height prior to review by the City Council and to provide understanding the impact of varying heights, 30 feet, 40 feet, 50 feet. Mr. Warwick stated that the motion could be based on building area and square footage. The larger hotel and meeting facility justifies the larger sign because of the increased floor area. Mr. Warwick suggested that prior to review by the City Council, the applicant shall work with staff to evaluate reductions in the proposed sign height.

MOTION: by Commissioner Ferrington, seconded by Commissioner Peterson to recommend the City Council approve the Site and Building Plan Review and Comprehensive Sign Plan applications submitted by Cities Edge Architects for the Hampton Inn/ Green Mill at 1000 Gramsie Road, and adding condition No. 5 to the Site and Building Plan Review.

This approval is subject to the following:

Site and Building Plan Review:

1. This approval permits exterior modification of the existing building, in accordance with the preliminary plans dated 2014. Significant changes, as determined by the City Planner, shall require review by the Planning Commission and approval of the City Council.

This application is for a proposed bank branch building. The area north of Red Fox Rod was zoned PUD in 2011, with underlying zoning as C2, General Business District. Agreements have been executed for shared site improvements. Phase 1 consisted of site improvements for development with a retail center; Phase 2 was construction of a specialty market. Phase 3 is the proposed branch bank facility.

The proposal includes construction of a credit union branch facility of one story consisting of 3,386 square feet with two drive-through lanes. The PUD included code deviations for parking, driveway and structure setbacks from I-694. Access to the site would be shared. Parking provides 25 stalls (23 are required). The north driveway access is 5 feet from I-694. The two drive-through lanes provide adequate stacking room for six vehicles. The building has a setback of 26.47 feet from I-694. This location is consistent with the master plan. There is wetland in the southeastern portion of the property.

The building is one story with an exterior of EIFS, aluminum composite panel and glass. Three wall signs are proposed, which comply with the size limits of the Comprehensive Sign Plan and Code. The PUD provides for two wall signs. The third wall sign can be approved administratively. Signage is on the east, west and north. No freestanding sign is proposed; if one were proposed, it would require an amendment to the Comprehensive Sign Plan.

Property owners within 350 feet were notified. No comments were received. The applicant is working with the Fire Marshal regarding requirements of the Lake Johanna Fire Department. The plans are consistent with the approved PUD, and staff recommends the application be forwarded to the City Council for approval with the conditions listed in the staff report.

Commission Discussion

Commissioner Peterson asked if the Rice Creek Watershed would be reviewing the proposal and comments from the Environmental Quality Committee (EQC). Ms. Castle stated that the Rice Creek Watershed has issued a permit for the PUD and so will not review this individual proposal. The property owner will be subject to the conditions of the RCWD permit that has been issued. The recommendations from the EQC go beyond the scope of the permit requirements.

Commissioner Ferrington asked if there is provision for snow storage. Ms. Castle stated that snow removal is addressed in the easement agreement and there is an area south of the parking lot that may be suitable for storage.

Commissioner McCool asked if cars backing out of nearby parking spaces will conflict with the drive-through lanes. Ms. Castle stated that staff does not believe there will be a traffic flow issue. There is sufficient stacking space for the drive-through lanes.

Mr. Tom Hour, Architect, Newground, stated that he is present to answer questions. He indicated two locations that would be accessible for snow storage. If additional snow storage is needed, some parking spaces would be compromised, but it is anticipated that there are plenty of parking spaces. He agreed that there could be some conflict with the cars backing out of parking spaces into the lane where other cars are approaching the drive-through lanes. However, he anticipates that the main parking areas will be away from those lanes. If there is a conflict cars

will be going slow to approach the drive-through lanes. He further indicated where landscaping is planned.

Commissioner Peterson noted the recommendations by the EQC regarding infiltration improvements for drainage. He asked if a sunken island or pervious pavers were considered to reduce runoff into the wetland. **Mr. Hour** stated that they have only received those recommendations this evening.

Mr. Chad Ayers, Civil Engineer, MFRA Company, Plymouth, responded to Commissioner Peterson and stated that there is no direct drainage into the wetland. The drainage flows east to two large filtration basins, before flowing west and being released into the I-694 right-of-way. The site storm water is managed on Outlot A to the east of the property. This is part of the overall drainage for the PUD and approved by the Rice Creek Watershed District. As to the EQC comments, having just received them, the team will have to discuss them to see how they might be addressed.

MOTION: by Commissioner McCool, seconded by Commissioner Thompson to recommend the City Council approve the Site and Building Plan Review for the City County Credit Union branch facility located at 1001 Red Fox Road, subject to the following conditions:

1. This approval permits the development of this parcel with a branch bank/credit unit facility approximately 3,386 square feet in size.
2. Approval of the final grading, drainage, utility, and erosion control plans by the Public Works Director, prior to the issuance of a building permit for this project.
3. The applicant is required to enter into a Site Development Agreement and Erosion Control Agreement with the City. Said agreements shall be executed prior to the issuance of any permits for this project.
4. The master development agreement for the plat and PUD for this development shall remain in effect and said terms which apply to Lot 3 shall be adhered to.
5. The items identified in the email from the Assistant City Engineer must be addressed prior to the issuance of a building permit.
6. The items identified in the memo from the Fire Marshal shall be addressed prior to the issuance of a building permit.
7. Specifications on the Emergency Generator shall be submitted prior to the issuance of a building permit. Use of the generator is for emergency purposes only. Said generator may be used only when the primary source of electricity is disrupted, except for required maintenance activity. Said Generator shall comply with the City's Noise Standards.
8. The Building Official is authorized to issue a building permit for the project, upon satisfaction of the conditions above.

This recommendation is based on the following findings of fact:

1. The proposed land use is consistent with the City's Comprehensive Plan.
2. The proposed land use and development plans are consistent with the approved PUD and the Development Code standards.

MOTION: by Commissioner Ferrington, seconded by Commissioner Thompson to close the public hearing.

VOTE: Ayes - 5 Nays - 0

Commission Discussion:

Commissioner Ferrington asked if the language proposed is similar to other communities. Ms. Castle stated the escape/access space was adopted previously, working with the Lake Johanna Fire Department. What is added now includes the dimension of the cleared space.

Most other communities do not have regulations regarding interior storage or room functions. The intent is for residents to understand expectations.

Commissioner McCool referred to the provision for unobstructed cleared space. Under Interior Storage (3) and (4), the same term, "cleared space" should be used. He questioned the provision under kitchen to require a refrigerator/freezer. There may be people who do not cook and eat out. Ms. Castle stated that if there is no health of life safety issue, the home would not be posted uninhabitable. This provision could be enforced with rental properties if a refrigerator/freezer A unit may malfunction and a tenant has no place for cold food storage.

Chair Solomonson expressed concern about accessing a window for escape if there is a table in front of it or a large shrub on the other side of it. He asked the definition of "cleared space". Ms. Castle explained that the size table or obstruction would be left to the discretion of the Enforcement Officer. The addition of stipulating a 3-foot clearance is to better define the requirement. Outside vegetation is not addressed.

Chair Solomonson stated that Commissioner Proud's comments are clarifying and he would like to see them included.

Commissioner McCool offered the following changes:

- (8) Heating Facilities - a period was added, and the next sentence starts with "Said." A word needs to be added to the sentence.
- Under F. Interior Storage (1), he would add wood stoves to the list.

MOTION: by Commissioner McCool, seconded by Commissioner Ferrington, to recommend the City Council approve the text amendments to Chapter 202, Definitions and Chapter 211.0170, Housing Code, of the Municipal Code to better define standards related to safety, storage, and room function. City staff shall incorporate the comments of the Planning Commissions, including the comments from Commissioner Proud, into revised text before it is presented to the City Council.

The recommendation is based on the following finding:

1. The proposed text changes establish a definition for combustible material, as well as minimum standard for access, storage and room function. The changes address concerns related to the health, safety, and general welfare of the resident(s) and public safety staff. Concerns regarding the absence of such standards have been raised by Staff and the EDA with response to garbage / hoarding houses.

VOTE: Ayes - 5 Nays - 0

MISCELLANEOUS

City Council Meetings

Commissioners McCool and Proud will respectively attend the April 7, 2014 and April 21, 2014 City Council meetings.

ADJOURNMENT

MOTION: by Commissioner McCool, seconded by Commissioner Thompson to adjourn the meeting at 10:10 p.m.

VOTE: Ayes - 5 Nays - 0

ATTEST:

Kathleen Castle
City Planner

TO: Planning Commission
FROM: Kathleen Castle, City Planner
DATE: April 18, 2014
RE: File No. 2520-14-14, City of Shoreview – Comprehensive Plan Amendment, Surface Water Management

Introduction

The City is proposing to amend the Comprehensive Plan as it relates to surface water. The intent of the amendment is to recognize changes that have occurred with surface water management since 2008 when the Comprehensive Plan was adopted.

Proposed Amendment

Chapters that are proposed to be amended include Chapter 9, Community Facilities and Services, Section 9, Surface Water Management and Chapter 11, Natural Resources. Please refer to your hardcopy of the Comprehensive Plan or the City's website, <http://www.shoreviewmn.gov/government/comprehensive-plan-test>, for the existing Maps. The changes address the following:

Watershed Management Districts

In 2012, the City of Shoreview and Roseville officially dissolved the Grass Lake Water Management Organization (GLWMO) and the responsibility for wetland management has been transferred to the Ramsey Washington Metro Watershed District (RWMWD). RWMWD serves as the Local Government Unit responsible for administering the Wetland Conservation Act for a portion of the Vadnais Lake watershed and the Grass Lake watershed. References to the GLWMO have been removed and replaced with the RWMWD. Maps 9D.1, Watersheds with Jurisdictional Boundaries and 9D.5, Watershed sub-basins have also been amended to reflect this change.

Floodplain Management

Language regarding floodplain management and reference to map amendments completed in 2005 has been updated. In 2010, the Federal Emergency Management Agency (FEMA) completed an update to the Flood Insurance Study (FIS) and revised the Flood Insurance Rate Map (FIRM) for the City of Shoreview. The City then amended the Flood Plain Management Ordinance to remain in compliance with FEMA requirements, and so residents remain eligible

for flood insurance through the National Flood Insurance Program. Map 9D.7, Flood Map/LOMR has also been revised.

Surface Water Utility Fee

The City has adopted a surface water utility fee to fund repair and replacement of existing conveyance systems and provide a funding source for implementation of programs and improvements. The City's Capital Improvement Plan (CIP), which has a 5-year time horizon, includes a detailed description of projects. The adopted Plan includes Table 9D-1 which identifies projects to be completed between 2008 and 2012. This table has been updated to include those projects identified in the 2013 CIP.

Public Notice

A public hearing notice was published in the City's Legal Newspaper, the Shoreview Bulletin, on April 9th. No comments have been received.

Recommendation

The proposed amendment addresses changes related to Surface Water Management. Since the adoption of the 2008 Comprehensive Plan, there have been changes to the watershed management organizations, floodplain management and the CIP. The proposed amendment addresses these changes. Staff is recommending the Commission forward a recommendation of approval to the City Council subject to the following condition:

1. Said approval is contingent upon the Metropolitan Council's approval of the Comprehensive Plan Amendment.

Attachments:

1. Draft Text Amendment, including List of Maps
2. Maps
 - a. 9D.1, Watersheds with Jurisdictional Boundaries
 - b. 9D.5, Watershed Sub-basins
 - c. 9D.7, Flood Map/LOMR
3. Motion

Section 9D Surface Water Management

Introduction

Physical Environment

As Shoreview's name implies, the City has a variety of lakes, wetlands and waterways that provide aesthetic, environmental and recreational value to the community. The City has an area of 8,100 acres (12.7 square miles) of land of which approximately 2,400 acres are a combination of surface water and Type 3 to 7 wetland features. Portions of three major watersheds exist within the City (**Map 9D-1**) managed by two watershed management organizations (WMO): Rice Creek Watershed District and Ramsey Washington Metropolitan Watershed District. The ~~three~~ two Watershed Management Organizations (WMOs) include the Grass Lake Watershed encompassing approximately 3,100 acres, the Rice Creek watershed encompassing approximately 4,650 acres and the Vadnais Lake Watershed encompassing approximately 350 acres.

In addition to jurisdiction by the WMOs, a number of lakes, wetlands and creeks are included on the State of Minnesota Inventory of Protected Waters, and so are under the jurisdiction of the Minnesota Department of Natural Resources (**Map 9D-2**). Of the eight lakes in Shoreview, five have public boat access facilities operated by Ramsey County Parks and the water quality in these five lakes supports full body contact recreational uses (**Map 10-1**).

The City is now almost fully developed and will rely on infill and redevelopment to meet the changing needs of residents. Overall, the low-density residential development pattern will remain with some areas transitioning to higher density residential uses, employment centers, and shopping areas. Other Chapters of this Plan fully discuss the City's goals for land use and economic development that will guide development during the life of this Plan. The City recognizes the many effects land development has on surface waters and the natural environment. As a developed community, the City has a challenging surface water resources environment, with large areas of the City developed prior to establishment of surface water regulations.

The geology, soils, and other physical features that exist in the City are described in other chapters of this Plan, including Land Use (Chapter 4), Natural Resources (Chapter 11), Water Supply (Chapter 9C), and Park and Open Space (Chapter 10). Surface Water Management is interrelated to these other elements of the Plan, and so there is necessarily overlap and repetition with the information presented in those Chapters of the Plan.

Regulatory Environment

The regulatory environment for surface water management includes many Federal, State, and local agencies.

Federal Government

Federal programs and regulations that affect how the City manages surface water include the Clean Water Act (CWA) and National Pollutant Discharge Elimination System (NPDES) Phase II Storm Water Permit Program and Flood Plain Management.

The CWA regulates pollutants in surface water and includes provisions that regulate discharge of material into waters of the United States, including wetlands. The Environmental Protection Agency develops and interprets policy for Section 404 permitting and the Army Corps of Engineers administers the permitting process.

As an amendment to the CWA, the NPDES program requires owners of Municipally Separated Storm Sewer Systems (MS4) to prepare and implement a Storm Water Pollution Prevention Program (SWPPP) and apply for the permit with the Minnesota Pollution Control Agency (MPCA), which administers the Phase II MS4 program in the state.

In 2010, the Federal Emergency Management Agency (FEMA) completed an update to the Flood Insurance Study (FIS) and revised the Flood Insurance Rate Map (FIRM) for Ramsey County, including the City of Shoreview. The City then amended the Flood Plain Management Ordinance to remain in compliance with FEMA requirements, and so residents remain eligible for flood insurance through the National Flood Insurance Program.

State of Minnesota

State agencies responsible for surface water include the Minnesota Board of Water and Soil Resources (BWSR), the MPCA, and Minnesota Department of Natural Resources (MN DNR).

BWSR is the administrative agency for the soil and water conservation districts, watershed districts, metropolitan watershed management organization, and county water managers. The agency works with local government to protect and enhance the State's soil and water resources by implementing the states soil and water conservation policy, comprehensive local watershed management, and the Wetland Conservation Act (WCA). The purpose of the WCA is to maintain and protect Minnesota's wetlands and the benefits they provide. BWSR administers the act and the MN DNR enforces it.

The MN DNR also enforces shoreland management standards for certain lakes and rivers. The Shoreland Management Act regulates all land within 1,000-feet of a lake and 300-feet of a river and its designated floodplain. The City adopted a Shoreland Ordinance in 1992, and the regulations have been amended in 1994, 2000, and 2004. The Ordinance has been approved by the MN DNR.

Local Government – City of Shoreview and Watershed Management Organizations

The programs that drive the regulations for management of surface water within the City principally include, but are not limited to, the State's Metropolitan Surface Water Management Program (MSWMP) and Watershed Management Organizations (WMO).

The purpose of the MSWMP is that through policies and thoughtful program implementation, goals for proper water and wetland resource management can be realized and water quality can be protected. Regulations for this program are set forth in Minnesota Statutes 103B.201 to 103B.255, and Minnesota Rule, Chapter 8410. These Statutes and Rules require the preparation of watershed plans by WMOs and the preparation of local water management plans that are consistent with the respective WMO plans.

As noted above, the watersheds in Shoreview-is are located within three two major watershed districts: the Rice Creek Watershed District (RCWD); the Grass Lake Watershed Management Organization (GLWMO), and; the Vadnais Lake Area Watershed Management Organization (VLAWMO) and the Ramsey Washington Metro Watershed District (RWMWD). The watershed districts act as the local unit of government for surface water management and have the authority to adopt rules to regulate, conserve, and control the use of water resources within the district. The City of Shoreview works with the districts and the City's current Surface Water Management Plan (SWMP) was reviewed and approved by GLWMO and the RCWD. VLAWMO does not have jurisdictional authority within the City but was included in the planning and review process of the SWMP. RWMWD was designated as a watershed authority in Shoreview after another watershed management organization (Grass Lake) dissolved.

The City complies with the agencies, programs, and various regulations listed above and intends to remain in compliance into the future.

The natural environment remains relatively static in that the City's geology, soils, lakes and wetlands are set in place. The regulatory environment is dynamic, and the City must maintain goals, policies and implementation techniques that reflect the changing regulations for surface waters in the City, and the changing conditions that result from actions that affect surface waters and stormwater runoff.

Surface Water Management Plan

The Second Generation SWMP was adopted in 2005, and establishes a guide for surface water activities throughout the City. The SWMP is intended to remain dynamic by providing new information, ideas, methods, standards, and management practices. An electronic copy is available on the City website.

The City reviews the plan and residents or businesses within the City can request amendments to the plan. The City Council and the WMO's determine whether or not to approve the proposed amendment.

The SWMP includes an inventory of the natural resources found in the community. This information is also included in the Comprehensive Plan, in this Chapter and in Natural Resources – Chapter 11.

- National Wetland Inventory (NWI) wetlands (**Map 9D-3**)
- Wetland Classification (**Map 9D-4**)
- Watershed sub-basins (**Map 9D-5**)

The SWMP established nine main goals each with corresponding policies and implementation actions. The nine goals are intended to address the following aspects of surface waters:

1. Water Quality
2. Water Quantity (Flooding)
3. Wetlands
4. Erosion Control
5. Groundwater
6. Recreation, Habitat, and Shoreline Management
7. Public Participation, Information, and Education
8. Maintenance and Inspection
9. Regulatory Responsibility

Action-Implementation Plans were developed for each of the nine goals and each water body category in Shoreview. The Action Plans identify current or potential problems related to achieving the stated goals and recommended approaches and/or solutions for addressing the problems. The Action-Implementation Plan may include specific activity steps, reference to the applicable NPDES Permit Best Management Practice (BMP), available resources, and the means of measuring the completion of the activity step and a target date for completion.

Concurrent with the development of the SWMP, the City collected and analyzed the information necessary to update the Flood Insurance Rate Map (FIRM), and submitted a Letter of Map Revision (LOMR) to the Federal Emergency Management Agency. The LOMR was accepted by FEMA in March 2005 (**Map 9D-7**).

National Pollutant Discharge Elimination System / Storm Water Pollution Prevention Program

The NPDES Phase II storm water permit program in urban areas is designed to further reduce adverse impacts to water quality and puts controls on runoff that have the greatest likelihood of causing continued environmental degradation.

The regulatory program in Minnesota covers three aspects of storm water runoff: Industrial Sites, Municipally Separated Storm Sewer Systems (MS4), and construction sites. The City of Shoreview qualifies as an MS4 and is responsible for storm water that discharges to waters of the state coming from within the jurisdiction of the City and conveyance systems owned by the City such as storm drains, ditches, and storm water ponds. The City was required to apply for an NPDES permit and develop a SWPPP to address stormwater discharges.

The City submitted the initial NPDES permit application and SWPPP in 2003 and subsequent annual reports summarizing the status of compliance with permit conditions. A revised NPDES permit application and SWPPP was submitted in 2006. An electronic copy is available on the City website.

The SWPPP addresses six minimum control measures required as part of the NPDES permit process. To address each of the minimum control measures the SWPPP provides a description of each Best Management Practice (BMP), an implementation, measurable goals that determine the success or benefit, and the person responsible for its completion. The minimum control measures are listed below:

1. Public Education and Outreach
2. Public Involvement and Participation
3. Illicit Discharge Detection and Elimination
4. Construction Site Storm Water Controls
5. Post Construction Storm Water Management for New Development and Redevelopment
6. Pollution Prevention/Good Housekeeping for Municipal Operations

Surface Water Utility Fee

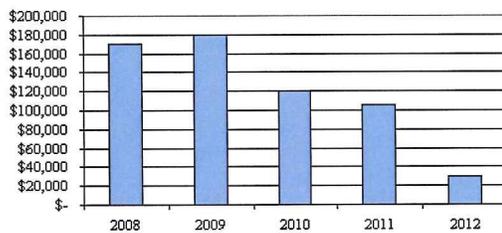
The City has adopted a surface water utility fee to fund repair and replacement of existing conveyance systems and provide a funding source for implementation of goals listed in the SWMP and BMPs listed in the SWPPP. Estimated operating costs, capital costs, and debt payments for insuring the integrity of the system are included in the City's Comprehensive Infrastructure Replacement Plan and Policy, with a time horizon of 50 years. The City's Capital Improvement Plan (CIP), which has a 5-year time horizon, includes a more detailed description of projects. A copy of the portion of the current CIP showing projects addressing surface waters is attached (*Table 9D-1*).

Table 9D-1

The following table is proposed to be deleted and replaced with the Pretreatment Structure table that follows:

Shoreview Comprehensive Plan

Description	Year 2008	Year 2009	Year 2010	Year 2011	Year 2012
Surface Water Improvements:					
Commons park storm pond dredging	100,000	-	-	-	-
Arbogast/Lake Emily pretreatment chamber	70,000	-	-	-	-
Turtle Lane pre-treatment facility	-	80,000	-	-	-
Storm pond dredging	-	100,000	-	105,000	-
Lake Wabasso pre-treatment facility	-	-	120,000	-	-
Update storm lift station controls	-	-	-	-	30,000
TOTAL	\$ 170,000	\$ 180,000	\$ 120,000	\$ 105,000	\$ 30,000



Pretreatment Structures

PWA 2

Construction of storm water pretreatment structures (within the road right-of-way) near the current location of storm water pipes that directly discharge run-off into lakes. Based on the City's Surface Water Management Plan, the projects have been identified to eliminate direct discharges and improve the quality of surface water run-off. The following improvements are planned:

- 2015 - East shore of Shoreview Lake, subject to potential redevelopment of the adjacent multi-unit dwellings
- 2018 Install storm water treatment structure for elimination of a direct discharge

	2013 Estimate	2014 Planned	2015 Planned	2016 Planned	2017 Planned	2018 Planned	2019 Planned
Resources							
Debt-Surface Water Revenue			\$ 120,000			\$ 120,000	
Total Sources of Funds	\$ -	\$ -	\$ 120,000	\$ -	\$ -	\$ 120,000	\$ -
Uses							
Storm Sewer			\$ 120,000			\$ 120,000	
Total Uses of Funds	\$ -	\$ -	\$ 120,000	\$ -	\$ -	\$ 120,000	\$ -

The major expenditures shown in the current CIP relate to pre-treatment of stormwater that would otherwise directly discharge to high quality natural basins or to improve the pollutant removal capabilities of existing storm ponds. These activities are generally related to improving water quality.

The City's storm water management system is funded with this utility, including storm sewer and storm water ponds (**Map 9D-6**).

Impaired Waters

The City does have five water bodies that appear on the ~~2008~~ 2012 MPCA ~~Final Draft~~ list of impaired waters, and these are listed below:

- Rice Creek (Aquatic Macroinvertebrate and Fish bioassessments)
- Island Lake (Nutrient/Eutrophication/Biologic indicators)
- Turtle Lake (Mercury in fish tissue)
- Snail Lake (Mercury in fish tissue)
- Lake Owasso (Mercury in fish tissue)

Two of these, Snail and Owasso, are included in the Statewide Mercury Total Maximum Daily Load (TMDL) study, which was approved by the United States Environmental Protection Agency in 2007. This study identifies that deposition of mercury from the atmosphere is the principal component of the mercury concentration in game fish. No local point or non-point sources of mercury were identified in Shoreview and no City action is required.

At this time a Total Maximum Daily Load (TMDL) has not been established for the other three impaired waters located within the City. Once MPCA funding is allocated the WMO where is the impaired water is located will act as the LGU and initiate the study, and so for each of the three impaired waters within the City, the RCWD will be responsible for the study. The City of Shoreview will work with the RCWD in an advisory role in the development of the study and establishment of the TMDL. After the study is complete and a TMDL has been established the City will review the SWPPP to determine if it is adequate to meet the TMDL's Waste Load Allocations. If the SWPPP is not meeting the applicable requirements, schedules, and objectives of the established TMDL, the SWPPP will be modified as appropriate.

Although TMDL limits have not been established for the impaired waters within Shoreview's boundary the City will review the existing SWPPP to determine if modifications can be made to reduce the impact of our storm water discharge.

Goals, Policies and Recommended Actions

The City will rely on the SWMP as the primary mechanism for managing surface water resources. The SWMP establishes the following Goals.

Goals

1. **Water Quality** - Maintain or improve water quality to meet established standards consistent with the intended use and classification, with special focus on Category I water bodies and impaired waters.
2. **Water Quantity (Flooding)** - Control flooding and protect property while minimizing public expenditures necessary to control volumes and rates of runoff.
3. **Wetlands** - Preserve and improve wetlands acreage, functions and values and achieve no net loss of wetlands in conformance with the Minnesota Wetland Conservation Act and associated rules.
4. **Erosion Control** - Minimize soil erosion and sedimentation.
5. **Groundwater** - Protect the quality and quantity of groundwater resources and promote groundwater recharge.
6. **Recreation, Habitat and Shoreline** - Recreation, habitat and shoreline management. Protect and enhance fisheries and wildlife habitat, surface water recreation and shorelands.
7. **Public Participation, Information and Education** - Public participation, information and education. Provide information and educational resources to improve knowledge and promote an active public role in management of water resources.
8. **Maintenance and Inspection** - Preserve function and performance of public infrastructure through continued implementation of a maintenance and inspection program.
9. **Regulatory Responsibility** - Maintain primary responsibility for managing water resources at the local level but continue coordination and cooperation with other agencies and organizations.

The SWMP identifies policies and implementation plans for each of these goals, and the City is committed to adhere to those policies and plans throughout the life of this Plan. Furthermore, the SWMP is annually reviewed by the City and updated as deemed necessary. Reliance on the SWMP as the principal guiding document for surface waters allows the City flexibility to respond to changing circumstances and opportunities for improving and protecting valuable surface water resources. With that basis, the following policies will guide the City:

Policies

- A. Surface water management shall meet the standards of the Rice Creek Watershed District and the Ramsey Washington Metro Watershed District ~~Grass Lake Watershed Management~~

Organization. The Municipal Code and SWMP shall be reviewed regularly and amended as necessary to remain consistent with the plans and requirements of these agencies.

- B. The City will insure the Shoreland Management Ordinance and Floodplain Management Ordinance remains consistent with the requirements of the Department of Natural Resources.
- C. The City will remain in compliance with MS4 NPDES/SWPPP requirements.
- D. The City will encourage development and redevelopment activity to incorporate regional storm water ponds in their storm water management plans.
- E. The City will require compliance with erosion control regulations for projects disturbing soil within the City, and the use of BMPs on these sites.
- F. The City, along with other agencies, will work to develop education and outreach programs to promote practices that enhance surface waters in the City.
- G. The City will promote infiltration of surface water, for development projects and for individual residential properties.
- H. The City will encourage vegetative buffers around ponds and wetlands. The width and vegetation type shall reflect the wetland classification and its function.
- I. Groundwater recharge areas around City wells shall be protected.

Similar to policies, the SWMP also details implementation actions, which the City intends to use as the principal policy instrument for managing surface waters. The City expects the following actions will occur:

Recommended Actions

1. The City will work to develop and implement a program to detect and eliminate illicit discharges into the storm water system.
2. The City will review the Municipal Code requirements that regulate impervious surfaces for opportunities to reduce hard surface on development and redevelopment sites. The City will encourage the use of pervious materials for hard surfaced areas.
3. The City will participate in TDML studies and implementation of recommended actions for impaired waters. The City will conduct activities to improve the quality of impaired waters.
4. The City will conduct an annual review of the SWMP and SWPPP to insure these are up-to-date, and consistent with WMO, state and federal regulations.

5. The City will continue to monitor private Individual Sewage Treatment Systems within the City and to track required system maintenance based on annual review of records.
6. The City will review the monitoring of private ponds for compliance with maintenance activities.
7. The City anticipates adopting a Wellhead Protection Plan during the life of this Plan (See Chapter 9C – Water Supply).
8. The City will continue to participate in education and outreach programs to promote resident participation in addressing these surface water goals.
9. The City will explore incentives to encourage property owners to implement stormwater BMPs on their property.
10. The City will consider the Goals and Policies for surface water management while conducting maintenance activities and constructing public improvements.
11. The City ~~anticipates that in 2009 regulations for erosion and sediment control will be amended to better reflect City practice~~ will continue to monitor the City's ordinances related to erosion and sediment control for compliance to state and federal regulations and amend as needed.

County Road J W

County Road J W

Rice Creek Watershed District

County Road I W

Lexington Ave N

Hodgson Road



Legend

 Shoreview_boundary

Watershed District

 Ramsey Washington Metro

 Rice Creek

Watershed

 Grass Lake Watershed

 Rice Creek Watershed

 Vadnais Lake Watershed

Rice Creek Watershed

Highway 96 W

Ramsey Washington Metro Watershed District

Rice St

Grass Lake Watershed

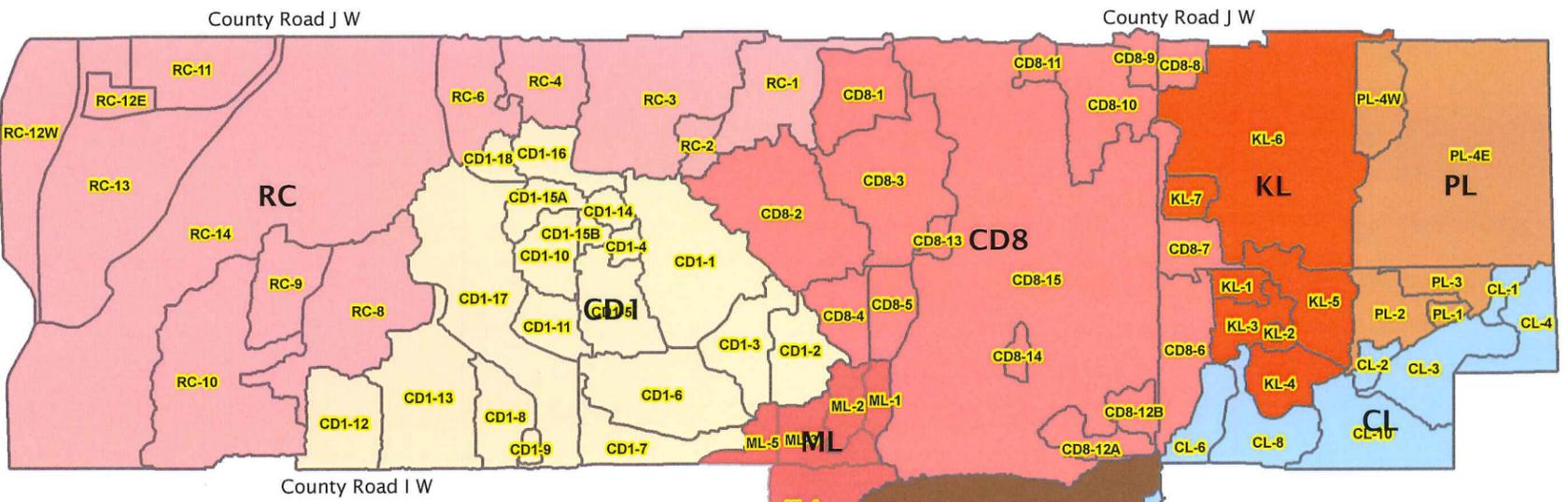
Lexington Ave N

Rice St

0 0.5 1 Miles

9D.1 Watersheds with Jurisdictional Boundaries





Legend

- Roads
- Drainage boundaries - Drainage Area ID shown in yellow

Grass Lake Watershed

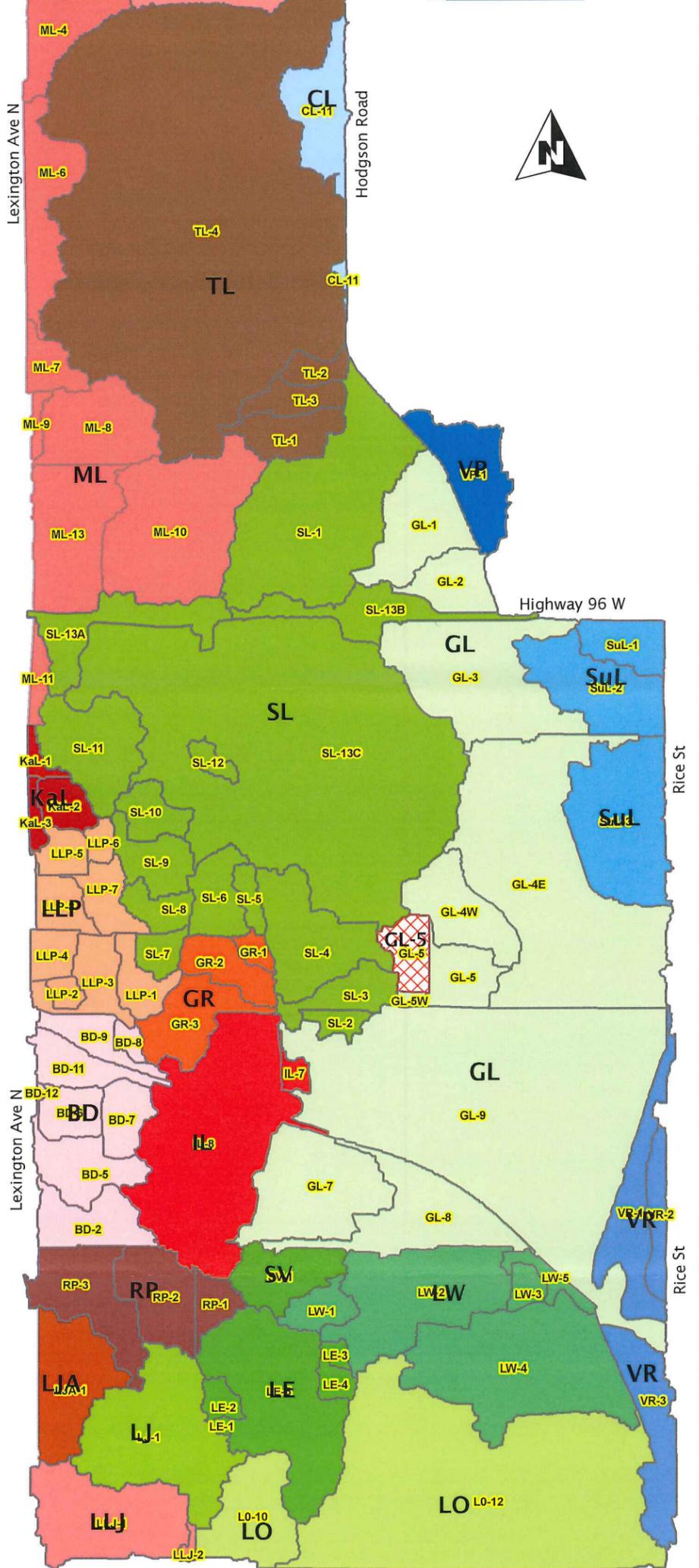
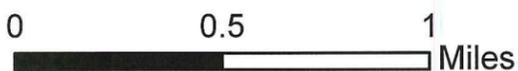
- Grass Lake - GL
- Lake Owasso - LO
- Lake Emily - LE
- Lake Judy - LJ
- Lake Wabasso - LW
- Snail Lake - SL
- Shoreview Lake - SV
- GL-5 Area, Future Routing to SL-4

Rice Creek Watershed

- Bethel Ditch - BD
- County Ditch - CD1
- County Ditch - CD8
- Gramsie Road - GR
- Island Lake - IL
- Kerry Lake - KL
- Karth Lake - KaL
- Lake Josephine - LJA
- Little Lake Josephine - LLJ
- Land O Lakes Pond - LLP
- Marsden Lake - ML
- Poplar Lake - PL
- Rice Creek - RC
- Richmond Pond - RP
- Turtle Lake - TL

Vadnais Lake Watershed

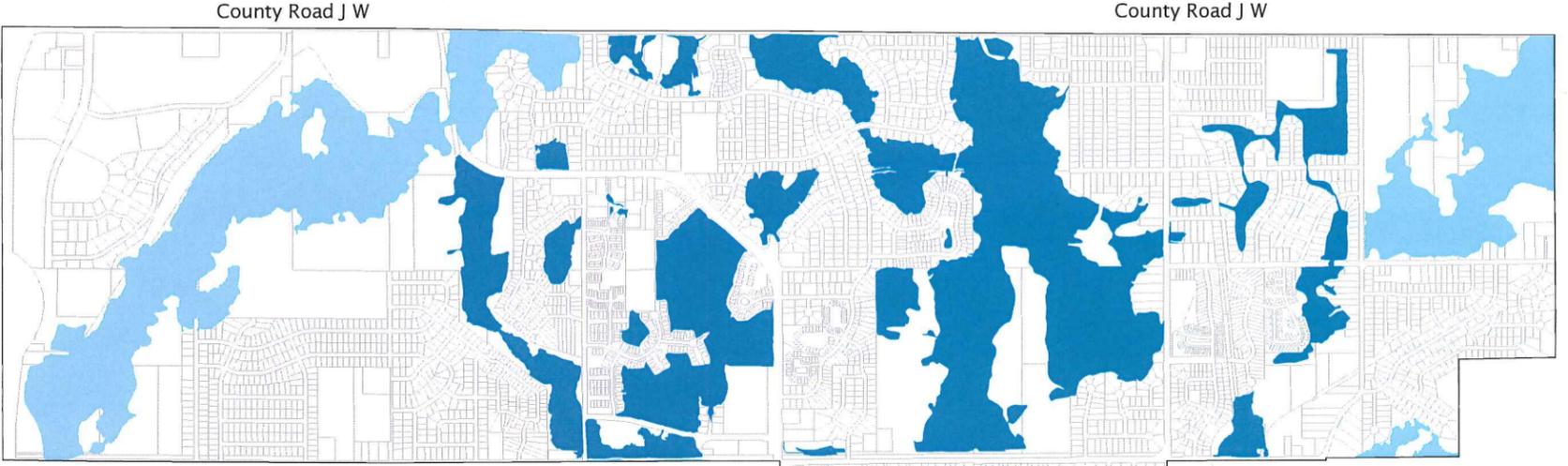
- Charlie Lake - CL
- Sucker Lake - SuL
- Vadnais-Pleasant - VP
- Vadnais-Rice - VR



9D.5 Watershed sub-basins

City of Shoreview - 2008 Comprehensive Plan

Disclaimer: The sub-basins shown are based on the drainage area identified and modeled in the City's 2005 Surface Water Management Plan. The jurisdictional boundaries of the Watershed Districts may not align with the drainage boundaries of these sub-basins.



County Road I W

Special Flood Hazard Areas



A

Areas subject to inundation by the 1-percent-annual-chance flood event. Because detailed hydraulic analyses have not been performed, no Base Flood Elevations or flood depths are shown.

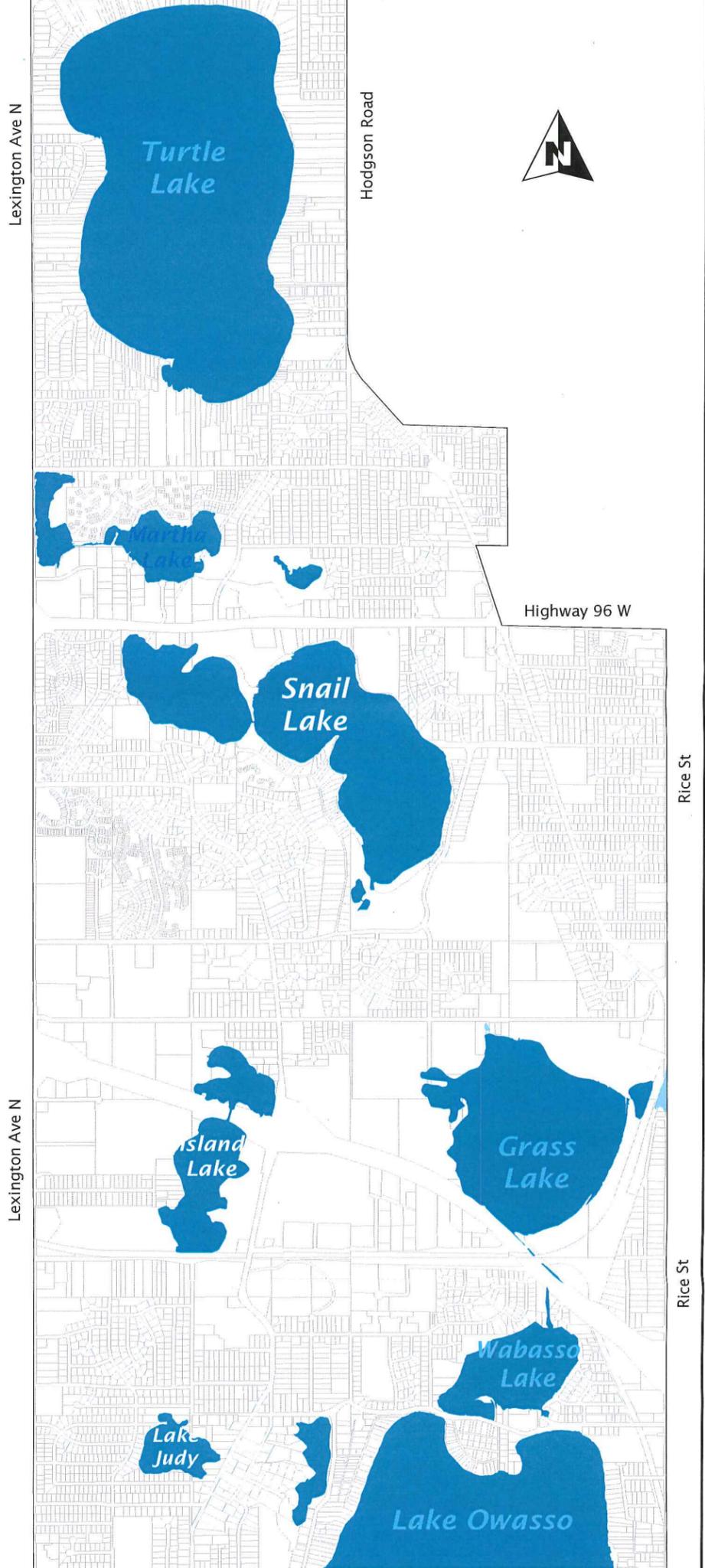
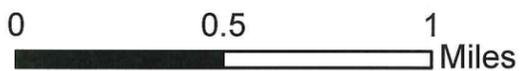


AE

Areas subject to inundation by the 1-percent-annual-chance flood event. Areas subject to inundation by the 1-percent-annual-chance flood event determined by detailed methods. Base Flood Elevations are shown within these zones.

Special Flood Hazard Areas represent the area subject to inundation by 1-percent-annual chance flood. Structures located within the SFHA have a 26-percent chance of flooding during the life of a standard 30-year mortgage. Federal floodplain management regulations and mandatory flood insurance purchase requirements apply in these zones.

Disclaimer: Every effort has been made to ensure the completeness and accuracy of this map. However, the data used to create this map was compiled from a number of sources and may contain errors. This map should be used for reference only. Data should be verified independently if used for any other purpose. This document is not a legally recorded map or survey and should not be used as such.



9D.7 Flood map

Chapter 11. Natural Resources

Introduction

The City of Shoreview's environmental setting contributes to the quality of life enjoyed by its citizens. Wetlands, open space and lakes comprise about one-third of the City's area, much of which remains due to the City's tradition of protecting its natural resources from development. Current and future residents benefit from these past efforts. Natural resources are part of the City's public wealth and should be managed as any other asset. The City is almost fully developed and the focus of environmental protection measures is to provide long-term preservation and management to these public assets.

The first section of this chapter includes a brief overview of the City's **natural setting**. The following sections describe the existing condition City's natural resources including **wetlands; surface water and shoreland; wildlife and natural communities; native vegetation and woodlands; and air quality**. Each section includes:

- A brief discussion of the **benefits** accrued from the City's natural resources.
- An **inventory** of these resources, if available.
- A description of **existing regulations and programs**.

The next section identifies natural resource management **issues**. The final section includes **goals, policies, and recommended actions**.

Natural Setting

Soils and Geology

The City's geology influences all other natural resources from water to woodlands. The last glacial activity and subsequent erosion primarily shaped Shoreview's soil and topography.

The majority of the City has soils of the Anoka sand plain. This includes the entire area north of Highway 96 and the east half of the City south of Highway 96. The Anoka sand plain is a broad expanse of sands deposited by glacial melt waters.

The portion of the City located southwest of a line roughly between the Highway 96-Lexington Avenue intersection and the City's southeast corner consists mainly of soils of the Twin Cities Formation. Hilly deposits of glacial till dominate the southwestern part of Shoreview. Topography in this area is moderately rolling with occasional steep slopes and depressions. Small lakes, depressions, and drainage ways are scattered throughout the area. Wetlands in this portion of the City are generally the result of a perched water table.

The soils and geology of the City are discussed in greater detail in Chapter 9C – Water Supply.

Watersheds

Shoreview falls within three watersheds as defined by the Minnesota Board of Water and Soil Resources (BWSR). These watersheds are Rice Creek, Grass Lake and Vadnais Lake (**Map 9D-1**).

The Rice Creek Watershed District manages the larger Rice Creek watershed and portions of the Vadnais Lake watershed. ~~The Grass Lake watershed lies entirely within the cities of Shoreview and Roseville. Ramsey Washington Metro Watershed District manages the remaining portions of the Vadnais Lake watershed and the~~ Grass Lake watershed. ~~is managed by the Grass Lake Watershed Management Organization (GLWMO), created by a joint powers agreement between the two cities. The day-to-day operational authority for GLWMO functions has been delegated to the Public Works departments of the respective cities. A small portion of the eastern part of Shoreview lies within the Vadnais Lake Water Management Organization (VLAWMO).~~

Existing Conditions

Wetlands

Wetlands are fully discussed in Chapter 9D – Surface Water. Please refer to that portion of the Comprehensive Plan for a detailed examination of wetland and wetland regulation and the City’s goals and policies.

Benefits

The City of Shoreview is fortunate to have an abundance of wetland resources. Wetlands provide a number of important functions in urban communities. Wetlands remove sediments and nutrients from runoff water. Through a combination of filtration and percolation, wetlands are particularly effective at filtering out the fine sediments that most degrade water quality. By providing stormwater storage, wetlands help prevent flooding and related erosion. Wildlife, including migratory waterfowl, use wetlands as habitat. Near lakes, wetlands may serve as breeding grounds for fish. As an “ecotone” or edge environment between land and water, wetlands offer unique opportunities for education and research.

Inventory

A number of wetland studies have been completed within the City of Shoreview. In 1981, a wetland inventory of the City of Shoreview was completed by the Ramsey Soil and Water Conservation District in conjunction with the U.S. Soil Conservation Service. This study identified 82 wetlands within the City, ranging in size from small depressions to large peat areas

of many acres. In 1995, the National Wetlands Inventory (NWI) was completed. This federally-sponsored study identified wetlands using the latest method for classifying wetlands. The NWI provides a general location of identified wetlands and a description of each wetland. In 1998, the City Council commissioned an aerial survey of the city. This survey provided more specific wetland location information than available from the NWI.

Most recently, wetland resources were inventoried in 2004 during preparation of the Second Generation Surface Water Management Plan (SWMP). In addition to locating wetland areas, the SWMP mapped the drainage areas for each surface water feature and modelled important basin characteristics (**Map 9D-5**). This information was used to create the Natural Resources map (see **Map 11-1**).

These data sources provide excellent information on the type and location of wetland resources in the City.

Existing Regulations and Programs

Wetlands are primarily regulated by the Wetland Conservation Act. At the local level, the Rice Creek Watershed District and the Grass Lake Water Management Organization (GLWMO) implement this act. Other agencies involved in wetland management include the Minnesota Board of Soil and Water Resources (BWSR), the Minnesota Department of Natural Resources (DNR) and the U.S. Army Corps of Engineers.

Because other agencies may have limited resources to cover large areas, the City plays an important role in the management and protection of wetland resources. The City is involved in wetland management through its role in the GLWMO; the construction and maintenance of City infrastructure; the development review process; and the management of City-owned lands. Both the Development Ordinance and the Surface Water Management Plan include provisions and standards relevant to wetland management including flood plain management, erosion control, vegetation management, standards for treatment of runoff, and best management practices.

Surface Water, Lakes and Shoreland Areas

Benefits

The City's lakes are one of the landmark features and the most significant resources in Shoreview. Lakes provide recreational opportunities from swimming to boating to fishing, and water quality is vital to the enjoyment of these activities. Clean water allows water sports without risk to public health and many species of desirable game fish cannot tolerate poor water quality. Location on or near a lake enhances property values, and all property values benefit from the number of public lake accesses available in the City. Lakes have great scenic value both from private and public properties. The City's lakes also serve as habitat for fish, waterfowl, and many other plant and animal species.

Inventory

The City has 11 lakes and one major stream at least partially within its borders. Lake Owasso straddles the border between Shoreview and Roseville, and Poplar Lake lies on the boundary of Shoreview and White Bear Township. Rice Creek crosses the northwest corner of Shoreview extending to the northeast into Anoka County and to the southwest to the Mississippi River. **Table 11-1** below summarizes available lake data. **Map 11-1**, Natural Resources, shows lakes and shoreland areas.

The Minnesota Pollution Control Agency (MPCA) compiles annual clarity data on many of the City's lakes. Clarity is measured by using a Secchi disk, a metal disk painted in a black and white pattern. The disk is lowered into the water until it disappears from view. The depth at which the disk can no longer be seen is the clarity depth recorded. Where this data has been collected for many years, a statistical analysis can determine a clarity trend. Water clarity is linked to water quality because alga growth and sediment can reduce the depth at which the Secchi disk is visible. **Table 11-1** provides water clarity trend information where available.

Table 11-1 Lake Data Summary

<u>Lake Name</u>	<u>Area (acres)</u>	<u>Maximum Depth (feet)</u>	<u>OHW Level (feet)</u>	<u>Clarity (feet)</u>	<u>Clarity Trend</u>
Turtle	409	28	892.4	7.7	No statistical trend.
Owasso	375	37	886.7	4.6	Highly significant declining trend, 1998-2007.
Snail	150	30	883.7	9.9	No statistical trend.
Grass	146	N/A	881.9	N/A	Not available.
Island	60	11	946.7	2.9	Significant declining trend, 1998-2007.
Wabasso	46	66	885.9	9.3	No statistical trend.

Table 11-1 Lake Data Summary (continued)

<u>Lake Name</u>	<u>Area (acres)</u>	<u>Maximum Depth (feet)</u>	<u>OHW Level (feet)</u>	<u>Clarity (feet)</u>	<u>Clarity Trend</u>
Martha	34	N/A	898.5	N/A	Not available.
Poplar	19	N/A	N/A	N/A	Not available
Judy	16	N/A	943.9	N/A	Not available.
Emily	12	N/A	919.5	3.0	No statistical trend.
Shoreview	11	N/A	N/A	N/A	Not available.

Source: Minnesota Department of Natural Resources Lake Survey Database. Clarity trend data from Minnesota Pollution Control Agency Lake Water Quality Trend Data, 2007.

The Minnesota DNR also monitors invasive aquatic weeds in the City's lakes. All five Shoreview lakes with public boat access have all been identified as containing infestations of Eurasian milfoil. Curly leaf pond weed, another invasive aquatic plant, is also present in several City lakes. Snail Lake is at risk for infestation by zebra mussels because it is supplemented by water from Sucker Lake which was identified as containing the invasives in late 2007.

Wetlands are discussed in detail in Chapter 9D, Surface Water, and wetland areas within the municipal boundaries have been classified by type (**Map 9D-4**).

Existing Regulations and Programs

Ordinances. The Minnesota DNR regulates all activities such as vegetation removal, filling, or dredging below the OHW level of protected waters. Shoreland is defined as the area within 1,000 feet of the Ordinary High Water (OHW) level of a lake or within 300 feet of a stream or floodplain, and the City has adopted a Shoreland Management Ordinance to regulate activities in those areas.

The City has also adopted a floodplain management ordinance to regulate disturbance within the 100-year floodplain. This ordinance seeks to protect life, property, and environmental quality through restricting and managing uses within the floodplain.

The City has a number of other ordinances related to water quality including erosion control requirements and vegetation management.

Surface Water Management Plan. In 2005, the City adopted the Second Generation Surface Water Management Plan (SWMP) to manage and protect surface water quality (see Chapter 9D). The SWMP provides goals, policies and implementation actions to protect and improve surface waters in the City.

Invasive Species. The Minnesota DNR maintains signage and waste receptacles at the City lakes infested with Eurasian milfoil. Education material on invasive species is available from the DNR and the University extension. In 2005, the City adopted a policy to participate with lakeshore homeowners associations (HOA) that develop lake management plans and work to control invasive aquatic plants, such as Eurasian watermilfoil. The HOAs for Turtle and Owasso lakes conduct annual surveys of the lakes to identify invasive species, and develop treatment plans as needed.

Goose Management. Suburban development provides attractive habitat for Canada geese. Resident geese populations have rapidly increased to the point that geese droppings are negatively impacting land use and water quality in some areas. The City participates in the Twin Cities Metropolitan Area goose capture and removal program run by the Canada Goose Program, a private firm with ties to the University of Minnesota. The program attempts to control and reduce nuisance geese populations, not to eradicate geese from a wetland or lake. See the Wildlife and Natural Community section for additional discussion of goose management.

Operations and Maintenance. The City's Public Works Department completes normal operation and maintenance activities that help prevent surface water quality degradation. These activities include street sweeping, particularly in the spring, regular holding pond maintenance, and stormwater system maintenance. Necessary stormwater improvements are regularly programmed as part of the City's Capital Improvement Project (CIP) process. See Chapter 9D, Surface Water Management for a more detailed discussion of stormwater management.

Wildlife and Natural Communities

Benefits

Given the lakes, wetlands and open space in the City and surrounding area, it is no surprise that Shoreview is home to a variety of wildlife including a number of rare species and natural communities. These species add to our biological wealth and diversity. Viewing wildlife and identifying plants provide recreational opportunities and enjoyment to many City residents. Wildlife and natural communities have significant value for education and research.

Inventory

Formal inventories have not been completed for most species within the City. The Minnesota DNR maintains records of sightings of rare species. The Ramsey County Biological Survey identifies significant natural communities in the county. **Table 11-2** summarizes rare species and natural communities identified in Shoreview. **Map 11-1**, Natural Resources, shows species and community locations.

Table 11-2 Rare Species and Natural Communities

<u>Common Species Name</u>	<u>Status*</u>	<u>Approximate Location</u>
<i>Plants</i>		
Autumn Fimbristylis	Special Concern	Snail Lake Regional Park
Club-Spur Orchid	Special Concern	Snail Lake Regional Park
Grass-Like Arrowhead	None	Snail Lake Regional Park
Tooth Cup	Threatened	Snail Lake Regional Park
<i>Animals</i>		
Blanding's Turtle	Threatened	Numerous; see Map 11-1.
Upland Sandpiper	None	Northwest near Rice Creek.
Red-Shouldered Hawk	Special Concern	Snail Lake Regional Park
River Otter	None	Rice Creek
<i>Natural Communities</i>		
Cattail Marsh	Not Applicable	Grass Lake
Hardwood Swamp	Not Applicable	Grass Lake
Inland Sand Lake Beach	Not Applicable	Snail Lake

Source: Minnesota Department of Natural Resources, Minnesota Natural Heritage Database

* All statuses shown refer to the state listing. There are currently no federally-listed species in Shoreview.

Existing Regulations and Programs

County, State and Federal Programs. State and federal laws govern protection of rare species. Management responsibility lies with the DNR at the state level and with the U.S. Fish and Wildlife Service at the federal level. Ramsey County includes protection of rare species and natural communities as one element in its management of county parks and open space. The City has no direct role in the preservation of rare species and natural communities but supports federal, state, and county efforts.

Goose Management. The City participates in the Twin Cities Metropolitan Area goose capture and removal program run by the Canada Goose Program. Nesting sites throughout the City are

surveyed, and trapping occurs at sites where the population appears to have a negative affect on the land or aquatic environment. In 2007, 21 mature Canada geese and 52 goslings were captured at Island, Turtle, and Owasso Lakes. Mature geese are killed, processed and the meat donated to local food shelves. Goslings are used by the Wildlife Science Center.

Deer Management. Ramsey County Parks Department conducts annual aerial deer surveys and operates special permit archery hunts in County parks when the number of deer exceeds the capacity of the park. In fall 2007, 22 deer were harvested from Regional Parks in Shoreview. In February 2008, there were 157 deer counted during the 2-day aerial survey of the City, and this is an increase of about 25% since the 2006 winter deer count.

Feeding Wild Animals. There are significant populations of deer and wild turkeys in the City, often congregating in areas near open space or undeveloped areas of the City. While the wild animals provide viewing opportunity and enjoyment, they can also damage landscaping, gardens, and affect public safety when they cross roads. The City adopted regulations in 2005 prohibiting intentional feeding of wild animals to discourage incursions into residential neighborhoods.

Native Vegetation and Woodlands

Benefits

Native vegetation and wooded areas provide many benefits and contribute to the quality of life in the City. Mature trees increase property values, while trees planted in public spaces represent investments that appreciate, rather than depreciate, over time. Properly located trees can reduce heating and cooling costs, control glare, and lessen noise and sound. Trees and vegetation help control erosion by intercepting rainfall and reducing the impact of precipitation on the ground while stabilizing soil with their root systems. Trees and native vegetation can also provide food, wildlife habitat, and educational opportunities. Native vegetation can serve as attractive, hardy landscaping that requires less maintenance and watering than introduced species and few, if any, applications of fertilizer or pesticides.

The City recognizes the benefits of native plants, which generally are deeper rooted, and so require less watering than other types of ground cover used in residential setting. Replacing turf grasses with native plants aids in the infiltration of stormwater and reduces demand on the municipal water supply. Yards adjacent to wetlands and lakes also provide a buffer that can reduce the nutrient load on surface water, and so having a positive affect on the water.

Inventory

No City-wide inventory of trees and woodlands exists. The Minnesota DNR maintains lists of rare plants and natural communities and their known locations (see Wildlife and Natural Communities section). Private parcels are surveyed on a project-by-project basis during the City's review process. The Ramsey County Parks and Open Space System Plan includes some information on trees and native vegetation on county land within Shoreview.

Existing Regulations and Programs

The City's vegetation management ordinance includes provisions for tree preservation and establishes replacement requirements for trees removed during development or construction. Special protection is given to "landmark", (mature) trees. Landmark trees are defined according to diameter for a particular species.

The City offers technical assistance to citizens on tree planting, maintenance, and care. The City also sponsors a tree disease management program, which seeks to identify and contain diseases such as oak wilt and Dutch elm disease. The City annually budgets to replace diseased, dying, or damaged trees on public property, including boulevards, parks, and open spaces. In addition, the City plants trees, shrubs and annual plants as part of street renewal and other infrastructure projects.

The City participates in the Blue Thumb program that is sponsored by the Rice Creek Watershed District. The City also encourages residents to utilize technical services offered by the Ramsey County Conservation District for native planting, rain gardens and shoreland restoration projects.

Air Quality

Benefits

Clean air is a basic need for human health. Polluted air has been linked to health problems such as asthma and pneumonia, particularly in children and the elderly. Air-borne particles and pollutants can travel long distances and be deposited on land and water thousands of miles away. Air pollutants can also have a detrimental effect on the built environment through acid rain and other corrosive processes.

Inventory

The MPCA operates a network of more than 40 sites around the state to monitor various air pollutants. The MPCA network includes monitoring sites in nearby municipalities, including St. Paul, Blaine, and Fridley. Specific air quality studies have not been done for Shoreview.

The MPCA compiles an annual report called an emission inventory. All facilities in Minnesota that have an air emissions permit, including some in Shoreview, are required to submit an annual emission inventory report to the MPCA. Some facilities are also required to report their emissions of toxic air pollutants annually for the Toxics Release Inventory.

Existing Regulations and Programs

Air quality is regulated by the federal Clean Air Act and by specific state statutes. The Clean Air Act was originally adopted in 1970 and amended in 1990. In Minnesota, enforcement of all

state statutes and most federal laws relating to air pollution is the responsibility of the MPCA. The MPCA helps protect the quality of the air by developing and enforcing regulations, providing education, and giving technical assistance.

Issues

Water Quality

Water quality is affected by a variety of activities that occur on the land. These activities include development of land, the alteration of wetlands and drainage ways, agriculture, turf management and waste management. Maintaining and improving the quality of both surface and groundwater is vital to the community's economy and quality of life. Water quality issues currently facing the community include land use regulations, lawn care, direct stormwater discharge and illegal dumping.

Land Use Regulations. Currently, the City's zoning ordinance does not require a minimum setback for structures or parking areas from identified wetlands. Structures or parking areas can be constructed directly adjacent to the edge of the wetland. Runoff from roofs and parking areas can be detrimental to the long-term health of the wetland. In addition, when a residential structure is close to a wetland, property owners may covertly alter or fill wetland areas to create a larger usable yard. Wetland buffers are encouraged, and sites that have been developed since adoption of the SWMP have included a 16.5 foot buffer around wetlands.

The 1998 Water Quality Initiative identified a number of specific action items geared towards improving water quality. One general recommendation of this report was to re-evaluate current impervious surface standards. Impervious surface ratios, even as little as 20 percent, have been shown to have a direct impact on water quality. The report suggested linking allowed impervious surface coverage to stormwater improvements. The Development Code was amended in 2003 reducing the maximum impervious areas allowed and encouraging the use of best management practices (BMPs) when sites are developed or redeveloped. The use of BMPs is also included in the Development Guidelines of the SWMP.

Lawn Care. Landscaping adjacent to wetlands and lakes can also have an impact on water quality. If a manicured lawn is maintained right up to the wetland boundary, runoff containing fertilizer can overwhelm the wetland's capacity for processing nutrients. Along lakeshores, many private property owners have extensively modified the natural vegetation and/or slopes to create a lawn area. The lack of a natural vegetative buffer increases runoff, sediment and nutrient transport to the lake contributing to algae blooms and other water quality problems. Lack of native vegetation can encourage resident Canada geese and can lead to water quality degradation.

Insecticides and other chemicals used for lawn maintenance can also harm habitat. Recent research has identified that long-term exposure to concentrated pesticides is dangerous to human health, especially children. In response, many communities have adopted ordinances limiting the use of pesticides on public property, particularly in parks and turf areas where children play.

Pesticides applied on lawns and turf areas can also be carried into lakes, streams, and wetlands and have a negative impact on these ecosystems.

Direct Stormwater Discharge. In September 1998, the City completed a Direct Discharge Report, which identified all direct stormwater discharges into the City's lakes. This report identified priorities for providing pre-treatment for these discharges. While managing "non-point" or dispersed nutrient and sediment sources (such as from lawns) is important to achieving water quality goals, eliminating direct stormwater discharges could have an immediate and significant impact on improving and maintaining water quality within the City. However, limited resources for discharge retrofits should be directed where it is most cost effective.

Illegal Dumping. Shoreview has a number of large wetland complexes. Portions of these wetlands are relatively isolated, and illegal dumping in these areas can be an issue. Dumping may include trash, litter, tires, yard waste, or waste oil. Illegal dumping may create a public health concern and reduces a wetland's ability to filter sediments, nutrients, and pollutants from incoming runoff. Trash and pollutants can harm wildlife and fisheries.

Vegetation

One of Shoreview's identifiable features is the natural vegetation that is found in the community's open space, residential neighborhoods and along lakeshores. A variety of vegetation types exist including mature woodlands, floodplain forests and marshlands. Development and other land use activities threaten these native plant communities. The City has recognized this threat through its tree and wetland preservation efforts. However, the use of non-native plant materials and invasive species remain issues.

Native Vegetation. As Shoreview developed, landscaping including turf and non-native shrub and tree species replaced much of the native vegetation. Loss of native vegetation reduces wildlife habitat, and non-native species may require more maintenance and chemical treatment than native species. Attractive landscaping can be created from native species, particularly in non-turf areas, but developers and landscape architects need encouragement to use these species in new developments or redeveloped areas.

Invasive Species. Invasive species are also a concern in Shoreview as they are throughout the Midwest. These species, introduced from abroad, create problems because of their rapid growth, lack of natural predators, and the difficulty in eradicating these species once they become established. Four invasive species of concern include Eurasian watermilfoil, purple loosestrife, zebra mussels, and buckthorn.

- Eurasian watermilfoil is an aquatic plant that can form thick mats that interfere with water recreation and crowd out important native plants. Eurasian milfoil has difficulty becoming established in lakes with healthy native plant populations.

- Purple loosestrife is a wetland plant that invades marshes and shorelines replacing cattails and other wetland plants. Purple loosestrife forms dense stands unsuitable for cover, food, or nesting sites and can dominate habitat formerly occupied by many endangered plants and animals. Ramsey County has had success controlling purple loosestrife using beetles that feed on the plant.
- Zebra mussels have been identified in nearby lakes and rivers. These small mussels can attach themselves to objects, clog water intakes, smother native mussels, and interfere with food webs of native species.
- Two species of buckthorn, both native to Europe, can invade wetlands, meadows, and moist woodlands. These species include glossy buckthorn and common or European buckthorn. Buckthorn control is labor intensive and usually requires mechanical removal and chemical control.

Wildlife Management

Although the presence of wildlife in the community provides viewing and educational opportunities, it also creates conflict. The urbanization of land within the Metropolitan area has reduced the amount of land available for wildlife habitat. Some species have adapted to these urban conditions or have population levels that can not be supported by available habitat. Issues include the management of goose and deer populations.

Goose Management. Canada geese populations on the Mississippi River Flyway have been declining. At the same time, populations of resident (year-round) Canada geese in the Upper Midwest have been growing. These resident geese are lured by the availability of their preferred habitat (short grass near water) created by suburban development. Feeding of geese exacerbates the problem. Geese droppings from resident Canada geese create a nuisance for property owners and have a negative impact on water quality. Wildlife biologists are also concerned that declining Flyway populations could signal an eventual end to the migration of Canada geese.

Deer Management. The white-tailed deer population in the Twin Cities has been steadily increasing for the last 20 years. There are a number of municipalities that have populations above acceptable densities and have instituted deer management plans. The City of Shoreview has not had a deer problem to date, but deer removal programs have been initiated at the Twin Cities Army Ammunition Plant (TCAAP) in Arden Hills, in the City of North Oaks, and in Regional Parks. These programs have helped reduce Shoreview's deer herd.

Air Quality

Air Quality is affected by three sources of pollution: mobile sources (vehicles), area sources (gas stations, dry cleaners) and stationary sources (factories, power plants). Weather conditions and topography can also impact air quality, specifically when pollutants are trapped or move from one area to another. Addressing air quality is complex, however, local governments influence air

quality through land use and transportation planning. Local government efforts to improve air quality are, therefore, based on land use and transportation decisions that limit congestion, reduce vehicle miles traveled, and provide options to automobile use. For example, higher residential densities are required to support transit service. Trails and carpooling are alternatives to automobile use that can be promoted through appropriate public infrastructure. See Chapter 4, Land Use, and Chapter 5, Transportation, for additional discussion of land use and transportation issues.

Mobile sources of air pollution, such as vehicle emissions, impact air quality and potentially impact the health of the community. Motor vehicle emissions are partially responsible for increasing levels of nitrogen oxides and increased cancer risk due to inhaling toxic pollutants. This creates health concerns for those residents living near major roadways.

In addition to mobile sources of air pollution, pollution from stationary sources and area sources can be of concern. Area sources are difficult to monitor because the emissions per facility is small but when considered collectively can be of concern. These sources are not only found with commercial or industrial land uses but are present with residential land uses. Examples include outdoor burning, fireplaces and lawnmowers. Pollutants released from stationary and area sources include sulfur dioxide, nitrogen dioxides, carbon monoxide, benzene, mercury, and dioxin.

Wood burning furnaces are not subject to any City regulations, except for the applicable provisions of the Building Code that apply to the installation of these devices. Recreational fires are generally permitted when the fire is less than three-feet in diameter.

Air quality issues with direct health effects include ozone, which is not emitted as a stationary or mobile source. Ozone created by a chemical reaction through the mixing of hydrocarbons and nitrogen oxides and tends to be present on days that are sunny, hot and have calm winds. Ozone is a concern for children, persons with preexisting lung diseases and those working or exercising outdoors.

Goals, Policies, and Recommended Actions

The following goals, policies and actions overlap those contained in other sections of the Plan, including Surface Water, Transportation, Parks, and Land Use.

Goals

1. Manage the City's natural resources so that environmental quality is maintained and enhanced for future generations.
2. Maintain or improve the quality of the water, wetlands, urban forest, and other natural features within the City.

3. Provide for development and redevelopment in a manner that protects the City's natural resources and environment.
4. Reduce air pollution and ensure that land use activities maintain air quality standards.

Policies

- A. Protect wetlands by encouraging landscaping buffers of native, undisturbed vegetation. Consider adoption of regulations for wetland buffers, taking into consideration the wetland classification and purpose, as well as the development potential of the adjacent land areas. Any regulations should address buffer disturbance and mitigation requirements.
- B. Promote native vegetation in the shore impact zone as a means to protect water quality, enhance habitat, and discourage geese nuisances.
- C. Continue to regulate floodplain development in accordance with state requirements and to protect life and property.
- D. Minimize impervious surface coverage where practical and relevant.
- E. Support county, state, and federal efforts to preserve rare plant and animal species and unique natural communities.
- F. Preserve remaining mature trees in the community to the extent possible and ensure appropriate replacement trees are planted where trees are removed.
- G. Consider the impacts on air quality and recognize it's connection to land use and transportation planning.

Recommended Actions

1. Identify methods to promote environmental education within area schools, such as partnerships with educational institutions or non-profit organizations.
2. Continue to support efforts by the Minnesota DNR and the University Extension to control invasive species.

Water Quality

3. Consider revising the City's zoning ordinance to require structure and parking area setbacks from wetlands.
4. Consider revising the City's shoreland management ordinance to recommend and create incentives for natural landscaping in the shore impact zone.

5. Increase education efforts about the wetland benefits, wetland vegetation buffers, and the long-term impacts of illegal dumping, impacts of residential development on surface water quality, outdoor burning and impact on air quality, in City mailings, newsletter, and other public information outlets.
6. Consider amending the City's zoning ordinance to link allowable impervious surface coverage to storm water management improvements. Investigate alternatives to paving for peak-use parking areas in parks and open spaces. Continue to enforce existing City regulations limiting impervious surface coverage.
7. Continue the City's operation and maintenance activities, such as street sweeping, grit chamber and pond maintenance, which protect water quality.
8. Consider adopting regulations that encourage the use of pervious pavements and hard surfaces that percolate stormwater.

Vegetation

9. Consider developing a long-term plan to replant trees throughout the City, taking care to maintain the age diversity of the urban forest.
10. Consider completing a tree inventory for areas under City management, including streets, parks, and open space, and incorporating this information in the City's Geographic Information System (GIS).

Wildlife Management

11. Continue the City's participation in the goose capture program as resident geese populations warrant.
12. Consider amending the City's landscape ordinance to require or encourage plantings of native species in new development or redevelopment areas.
13. Consider native vegetation demonstration projects on City or County property.

Air Quality

14. Consider local air quality impacts in actions such as making land use decisions and granting permits to businesses.
15. The City will consider acquiring low-emission vehicles and equipment, and installing retrofitting devices on existing vehicles or equipment, as part of its fleet program.

16. Development projects should incorporate buffers, landscaping, erosion control and other design tools to decrease the effects of emissions, dust, dirt and other air contaminants.
17. Reduce motor vehicle trips and vehicle miles traveled through land use planning and transportation planning.

PROPOSED MOTION

MOVED BY COMMISSION MEMBER _____

SECONDED BY COMMISSION MEMBER _____

To recommend the City Council approve the amendments to Chapter 9, Section 9D, Surface Water Management and Chapter 11, Natural Resources related to surface water management, subject to the following condition.

1. Said approval is contingent upon the Metropolitan Council's approval of the Comprehensive Plan Amendment.

VOTE:

AYES: _____

NAYS: _____

The recommendation is based on the following finding:

1. The proposed amendment updates the City's practices related to surface water management.

Regular Planning Commission Meeting – April 25, 2014

TO: Planning Commission
FROM: Rob Warwick, Senior Planner
DATE: April 17, 2014
SUBJECT: File No. 2523-14-13; Kevin and Sara Ousdigian, Variance and Residential Design Review, 5101 Alameda Street

INTRODUCTION AND BACKGROUND

In fall of 2013, the City approved a minor subdivision application submitted by Kevin and Sara Ousdigian for the property located at 5107 Alameda Street. Prior to Council approval, the Planning Commission approved a variance request for lot width for the subdivision which created two substandard riparian lots. At the same meeting the Commission tabled a variance request for structure setback on the resulting vacant south parcel in order to provide the applicants the opportunity to develop a building plan. The Commission also extended the review period for the setback variance to 120-days.

At the January 28, 2014, the Planning Commission extended the review period of the setback variance for an additional 120-days at the request of the applicants. At that time, the applicants stated that they had sold 5107 Alameda (the northern parcel), and retained ownership of the vacant southern parcel, which has been assigned an address of 5101 Alameda. This application was complete as of September 6, 2013.

They have submitted a Residential Design Review application and prepared plans for review by the Planning Commission. The proposed dwelling is a single-story, with a walk-out lower level, and a 985 sq. ft. attached garage. It is located with a 101.8 foot OHW setback, less than the calculated minimum of 114.4 feet, and so approval of a setback variance is required. The property is currently developed with a detached garage, fence, retaining walls, and driveway. The detached garage will be torn down upon completion of the new house. The adjacent land uses are detached single-family residential dwellings. The variance application was complete September 6, 2013 and the Residential Design Review application was complete April 1, 2014.

DEVELOPMENT ORDINANCE REQUIREMENTS

Residential Design Review

The property is located in the R1, Detached Residential, and in the Shoreland Overlay District of Turtle Lake. For riparian properties in the Shoreland district, lot standards require a minimum lot area of 15,000 square feet and a width of 100 ft. The subject lot has an area of 27,707 sq. ft. and a width of 78.69 feet. The lot is substandard since the width is less than the minimum requirement, and so Residential Design Review is required for the proposed dwelling. The property has a Planned Land Use (PLU) designation in the Land Use Chapter of the Comprehensive Plan, and the proposed use is consistent with that PLU designation.

The required front and OHW setbacks are the average of the setbacks of the dwellings on the adjoining lots, plus or minus 10-feet. The intent of this calculated setback is that residences will be roughly aligned when viewed from the street or lake.

The standards for development on the property are summarized below.

Standard	Allowed	Proposed
Lot Coverage	8,312 square feet (30% of lot area)	6,521 square feet (23.5%)
Building Height	35 feet	34 feet, 4 inches
Foundation Area	4,987 square feet (18% of lot area)	3,612 square feet (13 %)
Setbacks		
Front	145.8 – 165.8 feet	151.84 feet
OHW (Lake)	114.4 – 134.4 feet	101.8 feet **
Side	10 feet – Living Area 5 feet – Accessory/Garage Area	10.1 feet each side - Living 5.0 feet (north side) - Garage
Architectural Mass	Encourage use of natural colors/materials, landscaping.	Brown siding, white trim, stone accents

** Variance required

The proposal complies with adopted standards, with the exception of the OHW setback, and so approval of the Residential Design Review application is possible only if the variance application is approved.

Variance

The applicants have requested a setback variance to reduce the OHW setback from the minimum 114.4 feet to 101.8 feet. The nearest point of the OHW is located on the property to the south, and is referred to as an inlet in the applicants’ statement. As a result of this feature, the OHW setback line is not parallel to the actual shoreline on the subject property.

When considering a variance request, the Commission must determine whether the ordinance causes the property owner practical difficulty and find that granting the variances is in keeping with the spirit and intent of the ordinance. Practical difficulty is defined as:

1. *Reasonable Manner.* The property owner proposes to use the property in a reasonable manner not permitted by the Shoreview Development Regulations.
2. *Unique Circumstances.* The plight of the property owner is due to circumstances unique to the property not created by the property owner.
3. *Character of Neighborhood.* The variance, if granted, will not alter the essential character of the neighborhood.

The applicants state that they are requesting the variance to enable building on the new south parcel. This request is based on the wide variation in the street and OHW setbacks of the adjoining riparian properties, a variation in the shoreline (the inlet) located on the adjacent parcel to the south, and the site topography. The applicants' statement is attached and provides a comprehensive description of the existing and proposed conditions.

STAFF REVIEW

Staff has reviewed the applicants' statement and agree that the circumstances cited by the applicant create practical difficulty on the subject property. These circumstances stem from the presence of the 'inlet' along the shoreline to the south, which causes the OHW setback for the subject property to shift inland; the alignment of the houses north and south of 5101 Alameda relative to both the OHW and the street, and finally the topographical grade of the parcel.

The change in the shoreline causes the calculated OHW setback to be located further east on the property than if the setback line was parallel to the lakeshore on the subject property (see attached survey and Figure 4 of the applicants' statement). Staff concurs with the applicants' assertion that the inlet is not a natural feature of the shoreline, or that there appears to have been alteration to the shoreline south of the subject property. However, the situation and circumstances are present, and the existing conditions form the basis for City review of the project.

The properties to the north of 5101 are characterized by front setbacks over 225 feet while the properties to the South have front setbacks of approximately 50 feet (See Figure 2 of the applicants' statement). With respect to the OHW setback, conditions are reversed with houses to the north aligned nearer the shore, while houses to the south have OHW setbacks more than 150 feet. The applicants note that their proposed house is located fully east of the house to the north and fully west of the house to the south, and that this location reflects the spirit of the City Code regarding alignment from both the OHW and the front lot line. Staff finds this circumstance is unique and a convincing aspect of the variance request. The proposed location will create a transition between these two differing alignments. At the same time, staff does not believe that any house location can fully achieve the alignment intended by Code given the extent of the difference that exists in front and OHW setbacks to the north and to the south of the property. Staff also considers that the 'inlet' has an outsize impact on the buildable area relative to the actual visual impact of the 'inlet' itself. (see Figure 3 and 4 of the applicants' statement; and the attached oblique aerial photo of the shore area).

Lastly, there is a significant topographical grade on the property. The proposed house is sited to conform to the topographic grade using the existing low grade as the floor elevation for the lower level of the house. This minimizes grade changes needed for development of the site.

It is staff's belief that the property is situated on the cusp of two different building setback patterns in the neighborhood. The variance to the setback enables use of the existing grade while still creating a transition between these patterns. Given the large difference between the OHW setbacks for the existing houses north and south of the subject property, staff believes the proposed 10-foot reduction will not be apparent when viewed from the lake. Given the differences in the setbacks that now exist in the neighborhood, staff believes that the character of the neighborhood will not be altered if the variance is approved.

PUBLIC COMMENT

Property owners within 150 feet were notified of the applicant's request. Three comments in support have been submitted in response and are attached.

The City Engineer has reviewed the plans and reports that the grading plan appears to control stormwater generated as a result of the project.

STAFF RECOMMENDATION

The proposed residential use for a detached single family dwelling is a reasonable use of this property, and staff agrees with the applicant that unique circumstances for the requested setback variance are present. Staff recommends adoption of Resolution 14-20, approving the variance request for the structure setback, finding that practical difficulty is present due to the 'inlet' on the property to the south that reduces the distance to the OHW for a portion of the subject property, and the differences in setbacks north and south of the subject property.

The approvals are subject to the following conditions:

1. The project shall be constructed in accordance with the submitted plans. Any significant change to the plan, as determined by the City Planner, shall require review and approval of the Planning Commission.
2. This approval will expire after one year if a building permit has not been issued and construction commenced for the dwelling.
3. The project is subject to the terms of the Development Agreement for the property. The Development Agreement includes provisions for tree replacement and protection
4. The approval is subject to a 5-day appeal period.

Attachments

- 1) Location Map
- 2) Site Aerial Photos
- 3) Submitted Statement and Plans
- 4) Comment
- 5) Resolution Number 14-20
- 6) Motion

**EXTRACT OF MINUTES OF MEETING OF THE
PLANNING COMMISSION OF SHOREVIEW, MINNESOTA
HELD APRIL 22, 2014**

* * * * *

Pursuant to due call and notice thereof, a meeting of the Planning Commission of the City of Shoreview, Minnesota was duly called and held at the Shoreview City Hall in said City at 7:00 PM.

The following members were present:

And the following members were absent:

Member _____ introduced the following resolution and moved its adoption.

**RESOLUTION NO. 14-20 APPROVING A VARIANCE TO REDUCE THE OHW
SETBACK**

WHEREAS, Kevin and Sara Ousdigian submitted a variance application for the following described property:

The South 78.69 feet of the North 155.68 feet of Lot Six (6) except the Easterly 902 feet thereof, Birch Lane, Ramsey County, Minn., including full riparian rights to Turtle Lake; according to the plat thereof on file and of record in the office of the Register of Deeds in and for said county, subject to restrictions, reservations, and easements of record and utility easements and public highways.

(commonly known as 5101 Alameda Street)

WHEREAS, the Development Regulations establish a setback of 114.4 feet from the front Ordinary High Water (OHW) of Turtle Lake for principal structures; and

WHEREAS, the applicant has requested a variance to reduce the OHW setback requirement to 101.8 feet; and

WHEREAS, the Shoreview Planning Commission is authorized by state law and the City of Shoreview Development Regulations to make final decisions on variance requests.

WHEREAS, on April 22, 2014 the Shoreview Planning Commission made the following findings of fact:

1. The proposed improvement is consistent with the policies of the Comprehensive Plan, including the Land Use and Housing Chapters.
2. **Reasonable Manner.** The proposed detached single-family residence represents a reasonable use of the property which is located in the R-1 Detached Residential District and the Shoreland Overlay District for Turtle Lake.
3. **Unique Circumstances.** The OHW and front setbacks prevalent north and south of the subject property differ by about 100 feet. An alteration of the shoreline located on the adjoining property to the south strongly affects the buildable area on the property. The proposed house is located to utilize changes in the existing grade elevation and minimize site disturbance.
4. **Character of the Neighborhood.** The proposed house location will provide a transition between the differing setback patterns in the neighborhood. By approving the variance, the essential character of the neighborhood should not be affected.

NOW, THEREFORE, BE IT RESOLVED BY THE SHOREVIEW PLANNING COMMISSION, that the variance request for property described above, 5101 Alameda Street, be approved, subject to the following conditions:

1. The project shall be constructed in accordance with the submitted plans. Any significant change to the plan, as determined by the City Planner, shall require review and approval of the Planning Commission.
2. This approval will expire after one year if a building permit has not been issued and construction commenced for the dwelling.
3. The project is subject to the terms of the Development Agreement for the property. The Development Agreement includes provisions for tree replacement and protection
4. The approval is subject to a 5-day appeal period.

The motion was duly seconded by Member _____ and upon a vote being taken thereon, the following voted in favor thereof:

And the following voted against the same:

Adopted this 22nd day of April, 2014

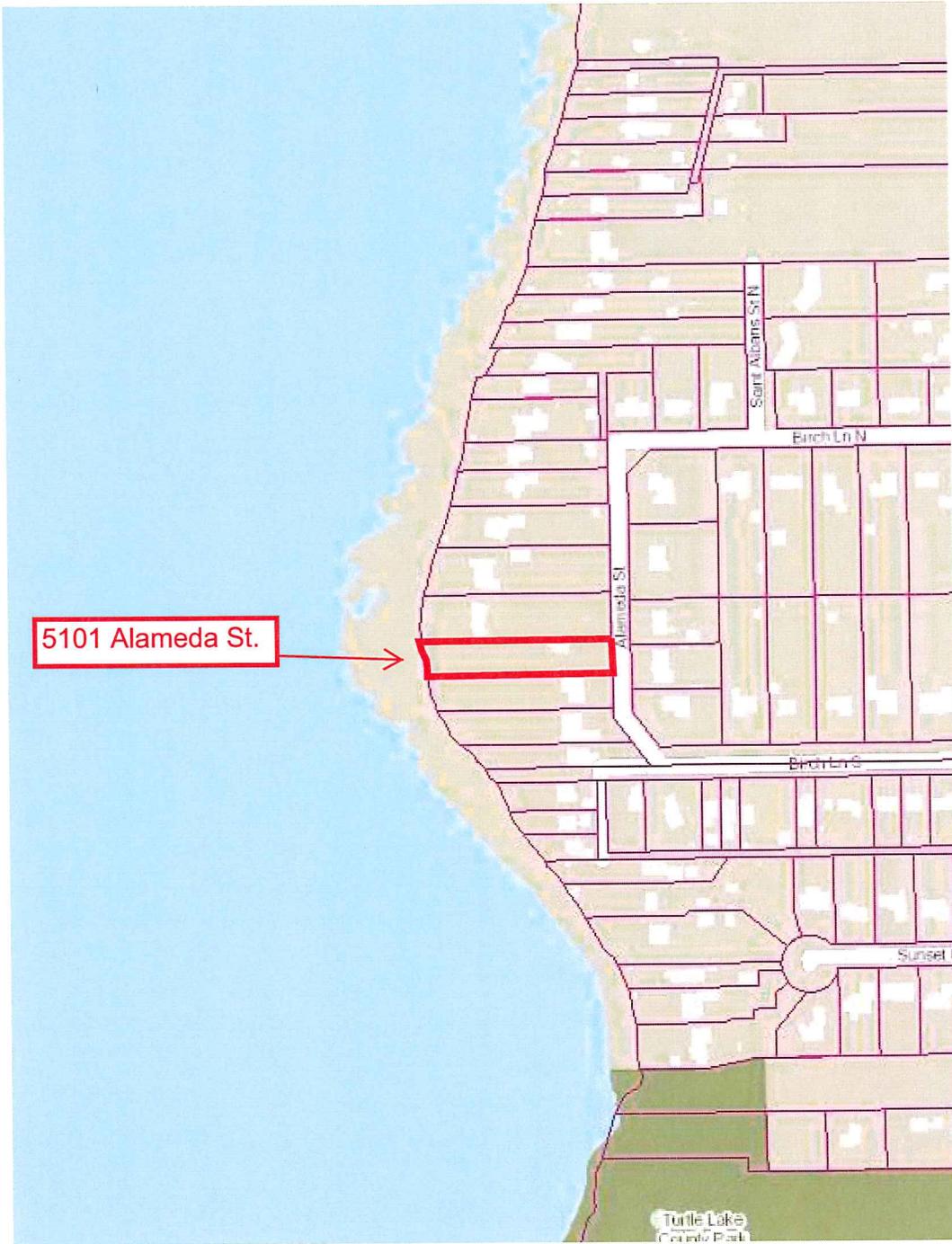
Steve Solomonson, Chair
Shoreview Planning Commission

ATTEST:

Rob Warwick, Senior Planner

ACCEPTANCE OF CONDITIONS:

Kevin and Sara Ousdigian, 5101 Alemeda Street



Legend

-  City Halls
-  Schools
-  Hospitals
-  Fire Stations
-  Police Stations
-  Recreational Centers
-  Parcel Points
-  Parcel Boundaries

5101 Alameda St.

693.5 0 346.74 693.5 Feet



1: 4,161

NAD_1983_HARN_Adj_MN_Ramsey_Feet

© Ramsey County Enterprise GIS Division

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Enter Map Description

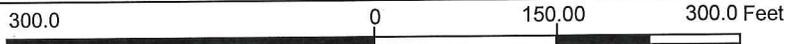




Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries



Notes

Enter Map Description



5101 Alameda

The Inlet

TO: Shoreview Department of Community Development

FROM: Sara and Kevin Ousdigian

DATE: April 15, 2014

SUBJECT: Application for Variance and Residential Design Review for 5101 Alameda Street

Summary

We are submitting this application for a residential design review and minor variance for the southwest corner of home for 5101 Alameda on Turtle Lake. There are three unique circumstances for our lot:

1. A significant change in the adjoining home setbacks (change of 104.8' for OHW and 199.36' for street setbacks) (Figure 2)
2. A shift in OHW due to an inlet south of the property which results in an irregular building pad if the inlet is used to drive OHW setback. (Figure 3-4 and setback exhibit)
3. Significant topographical changes (913' down to 902') from north to south and east to west. (survey)

We sought and incorporated feedback from all three immediate neighbors. The neighbors across the street (5100) and to the south (5091) prefer to have our driveway come in on north side of our lot and the neighbor to south also prefers to have more separation and some screening (i.e., confers) with her existing home. The combination of the three unique circumstances and neighbors' desires create hardship in the form of a challenging building pad due to the short depth (<50') on the south side if the OHW setback is taken from the inlet, the irregular shape, and the goal of trying to create separation and screening with neighbors to south and north.

Our goal was to design an aesthetically attractive and functional lake cottage that transitions the homes closer to the lake with the homes closer to the street and also fits in to the topographical changes. We would like to design a single story (rambler) with walkout basement to fit the home with the lot topography. We have worked with Tim Sullivan, RDC Architects, to develop a home plan that aims to optimize our goals and those of the neighbors.

We are requesting a minor variance: to have the OHW setback driven from the west shore rather than the inlet (Figure 4) in the southwest corner. We will still maintain the 114.4' OHW setback as derived by the city code. The entire livable home is still over 120' from the OHW from western shore and over a 100' from OHW as measured from the inlet. The deck and porch are over the 114.4' minimum setback. The western edge of the southernmost part of the home is still behind the inlet driven OHW setback. We stepped the home out from east to west and south to north as shown in Figure 5. This eliminates any impact on the view from the neighbor to the south to the lake generated by the western most part of our home.

Practical Difficulties:

Reasonable Manner:

5101 Alameda is on the east side of Turtle Lake at the western most point of the east shore (Figure 1). We plan to build a single family home with a foundation size under 18% of lot area which is consistent with the City's land use and housing guidelines. See Appendix for pictures of the property and adjacent neighbors' homes.

Figure 1: Overview of Turtle Lake



Unique Circumstances:

We are asking for a minor OHW setback variance due to several unique circumstances that are independent.

Unique Circumstance #1: A dramatic change in the setbacks of the adjacent homes.

The street setback changes by 199.36' going from 255.47' for 5107 Alameda to only 56.11' for 5091 Alameda. (Survey, Figure 1-2) The OHW setback changes by 104.8' going from 72.0' for 5107 Alameda (to north) to 176.8' for 5091 Alameda (to south) and the attached patio OHW setbacks change from 61.0' to 153.7'.

Figure 2: Adjacent neighbors have a dramatic change of 104.8' in OHW setback and 199.36' in street setbacks.



Unique Circumstance #2: Inlet shifts OHW just south of 5101 Alameda and creates irregular OHW setback if used instead of the western shore of 5101 Alameda.

Just south of the border of 5101 Alameda there is an inlet that results in an OHW shift on the property 5091 Alameda (Figure 3 and Survey). The OHW setback for 5101 Alameda mirrors the shoreline on the west side of 5101 Alameda (Figure 4 and survey setback exhibit) and creates a normal setback. However, if the inlet is used for southern edge of the western OHW setback the inlet creates an irregular OHW setback.

Figure 3: Inlet shifts OHW (green line) just south of 5101 Alameda

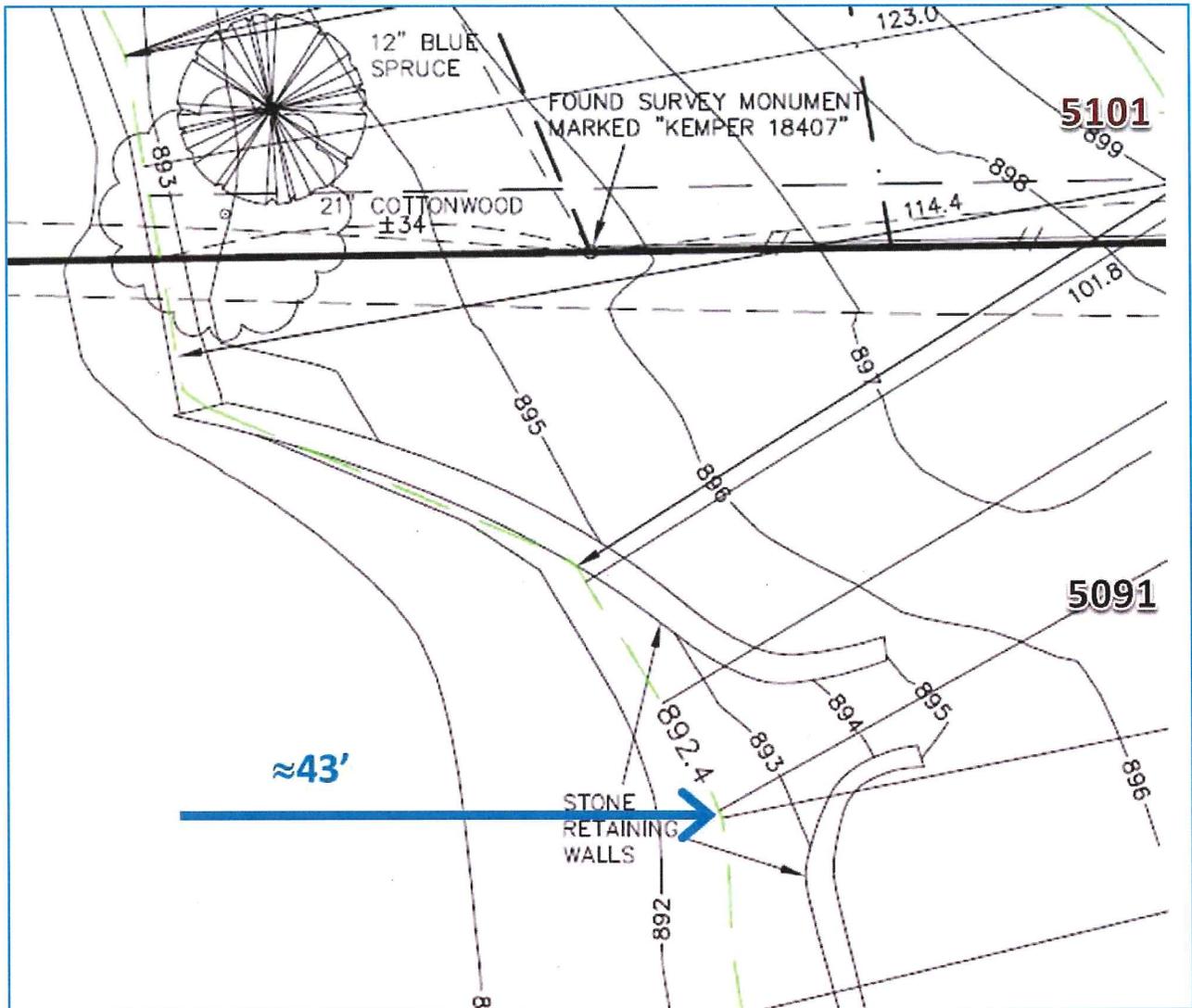
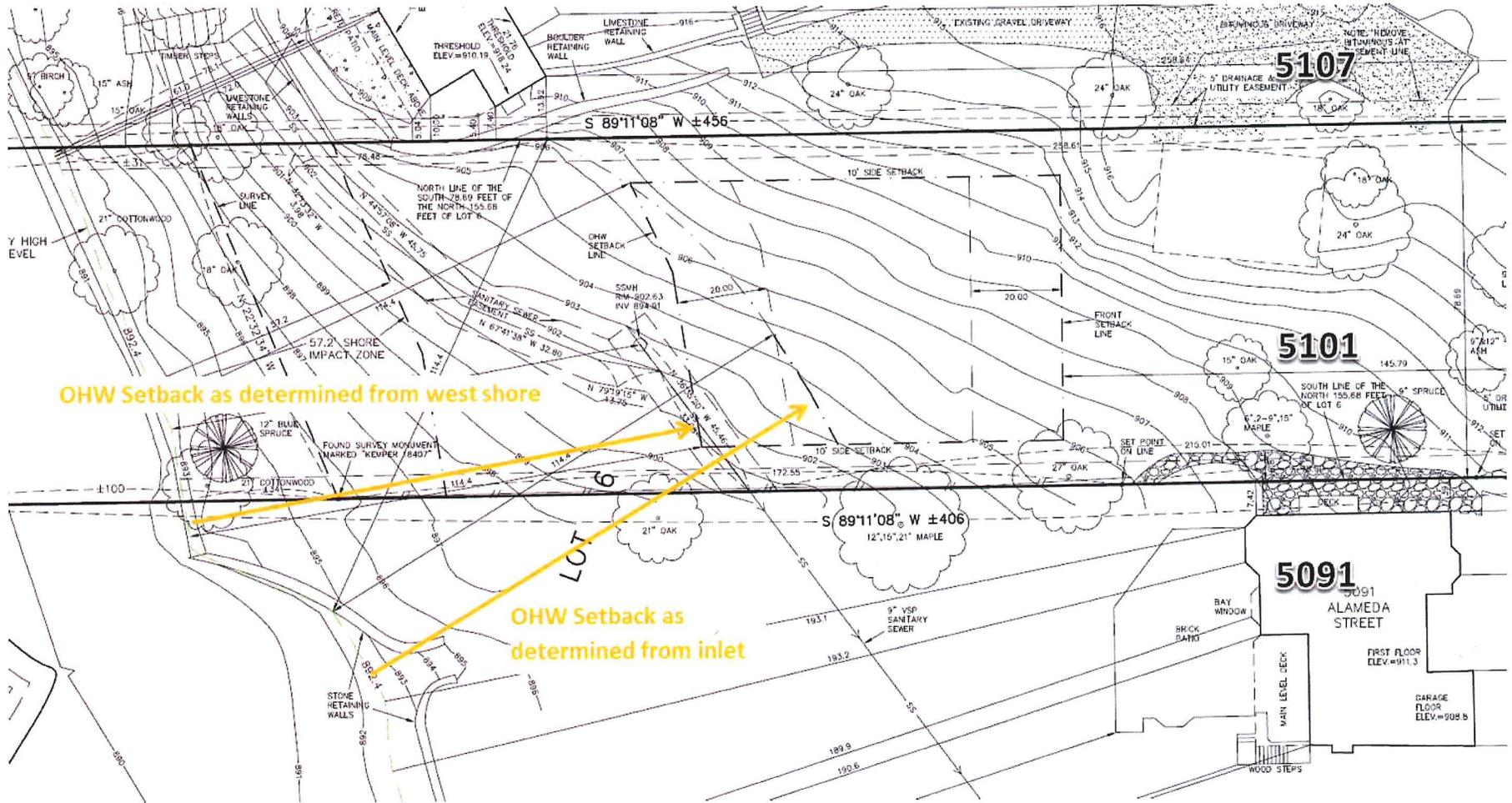


Figure 4: The OHW setback mirrors the shoreline on the west side of 5101 Alameda. However, if the inlet is used for southern OHW setback the inlet creates an irregular OHW setback.



Unique Circumstance #3: Significant Topographical Changes

The grade changes significantly both from east to west and from north to south going from 913' elevation in the northeast corner to 902' in southwest corner. This change means that the garage needs to go on the NE corner of the home or in the southeast corner as a tuck under garage. The grading coupled with the much shorter building pad on the south end of the lot means that a 'turned' garage on the north is not possible due to the depth of the home that will be necessary on the south side (i.e., not room to 'turn' into a turned garage unless the garage could stick out from home but home already has to be back from lake so far on south end relative to north end). A 'turned' garage is also not possible on the south end due to the grading change unless spancrete is used to create a lower level garage entered from east and a garage entered from north on second level.

Character of the Neighborhood

The proposed setback variances will fit in the character of the neighborhood by creating an aesthetically attractive nice transition between the existing homes and will also create separation and screening between our new home and the existing homes, especially the home to the south at 5091.

Hardship:

The combination of the three unique circumstances and neighbors' desires create hardship in the form of a challenging building pad due to the short depth (<50') on the south side if the OHW setback is taken from the inlet, the irregular shape, and the goal of trying to create separation and screening with neighbors to south and north.

Neighbor's Input:

We sought input from the immediate neighbors prior to getting too far into the home design and also shared our initial plans with the side neighbors. We recognize this land was undeveloped and are trying to build a home and driveway that is less intrusive from their viewpoints. The following is what we heard our discussions.

Neighbor to north (5107 Alameda): Amy and Eric Kalmes would prefer to have some screening between our deck/porch and their covered deck on the south side of their home. We went over a few different ideas. We jointly agreed there is not sufficient space for trees to be planted in between our home in that corner due to the retaining wall, topography, their desire to have lake access without steps in that area, and the other large 24" oak already there. They liked the idea of having the north wall of our screen porch be sided (not screen) to help screen the views between each other. They preferred to have our porch moved further west (even further than OHW setback allows) because that will make the north wall of our porch more effective at screening. The further east our porch is the less effective the north wall is at screening. We positioned our deck south of our porch to help with screening of our deck from their deck.

Neighbor to south (5091 Alameda): Diane Napier would prefer to have our driveway come in from the north side of our lot rather than the south side to keep it further from her home. She likes privacy and screening via conifer trees and/or deciduous trees including the big 27" oak that is on our property. We shared our second draft plans and survey with her, and she concurred that the little step out of our study won't infringe on the lake view any more than the southernmost corner of our home. She liked the idea of leaving some space between the homes, so we can fill in the few gaps of screening with more conifer trees as we proposed in the survey.

Across Street (5100 Alameda): I talked with Jerome Weiskopf in January and discussed driveway placement. He preferred that our driveway go in on the north side of my property rather than to the south of the electrical transformer which is more across from his home and driveway to his home.

Home Design and Placement Goals:

Our home design and placement goals include creating:

- An aesthetically attractive lake cottage that transitions the homes closer to the lake (to north) with the homes closer to the street (to south)
- Screening for the neighbors via:
 - A paneled north wall of a screen porch to screen our outdoor space (i.e., screen porch and deck) from the deck on the south side of the neighbor's home at 5107.
 - Newly planted conifer trees and keeping the large mature oak in SE corner of building pad by not building too close to it.
- Grading, landscaping, and home and garage placement to maximize and maintain the natural topography of the parcel.
- The southernmost west wall of home behind (east of) the OHW setback as determined by inlet.

We envision our home being the 'transition' home and therefore having both OHW and street setbacks in between the home to the north and the home to the south. In our proposal, the lake side (west) of our home will be entirely behind (to the east of) the home to the north and the street side of our home will be in entirely in front of (to the west of) the home to the south.

See Survey for our proposed home placement that attempts to accomplish all the goals stated above and the neighbor's desires. A builder and architect felt that bringing the driveway in on the south end of the lot would be more appealing and follow the grade better however we changed the driveway and home plan after seeking neighbor feedback. We designed the home to be entirely behind (east of) the OHW setback if derived from our west shore and the southernmost west wall is still behind (east of) the OHW setback even if the setback were determined by the inlet. Then we stepped the home out both north to south and east to west. This will provide the optimal home placement for the neighbors to the north and south. The following issues could be unintended consequences if our home is shifted 15-20' to the east in an attempt to meet the inlet OHW setback along the entire west side:

1. Our home will be much closer and possibly overlap with the home to the south which will reduce the opportunity for additional screening with conifers due to the grading and retaining walls and general desire to not plant new trees within a few feet of the home.
2. The large 27" oak on the SE corner of my property will be in jeopardy as two arborists stated that root system fans out far enough that digging footing down about 6-8' away from tree is likely to damage the tree. If the home needs to be that far east they recommend taking the tree out now before the home goes in rather than weakening tree and trying to get it out later with the home there. There is also a conifer tree that will be jeopardized.
3. A variance will be necessary for street setback or the home will need to dramatically change (e.g., switch to 1.5 story, SE area of lot will be consumed with home or garage, ...).
4. There will be more challenges with grading in NE corner by our garage due to the 24" oak and driveway at 5107 Alameda, both of which are at a higher grade.

Variance Request:

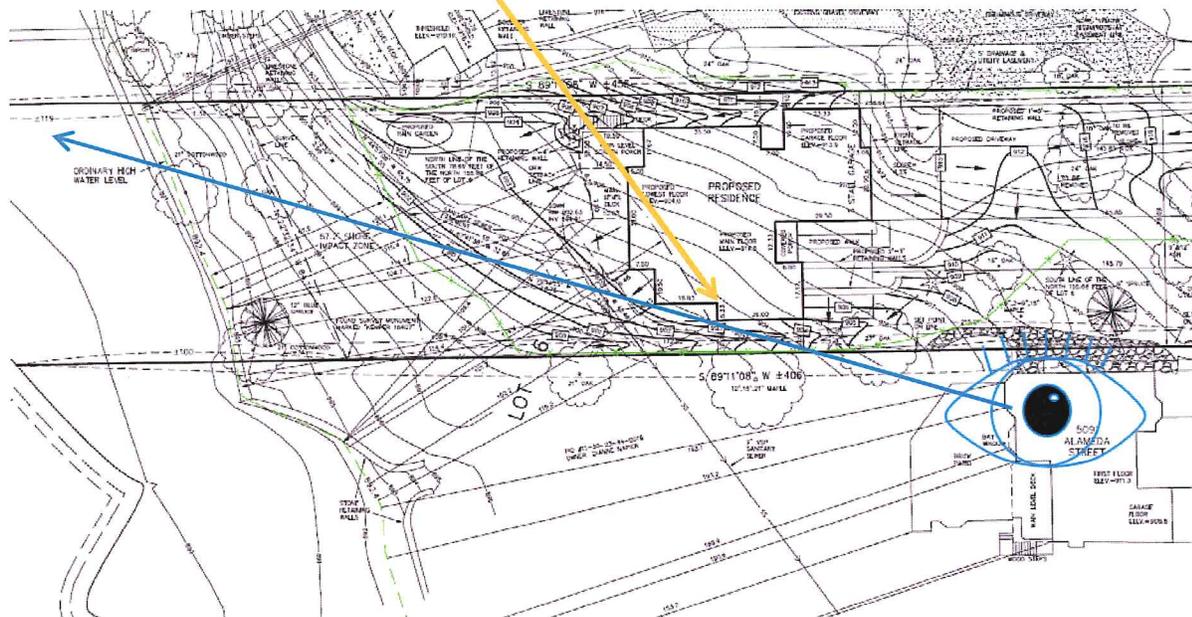
We are requesting the following minor variance to accomplish the goals and home placement described above:

Use City OHW setback as measured from the west shore, not inlet.

We propose using the city determined OHW setback (114.4') from the shoreline on the west shore of our property and the northern shore of the neighbor's property at 5091 before it jaunts easterly to the inlet (see Figure 4). The entire home is still over 120' from the OHW from western shore and over a 100' from OHW as measured from the inlet.

The western edge of the southernmost part of the home is still behind the inlet driven OHW setback. We stepped the home out from east to west and south to north as shown in Figure 5. This eliminates any impact on the view from the neighbor to the south to the lake generated by the western most part of our home.

Figure 5: Stepping out and up home eliminates impact on neighbor's view towards lake through our property

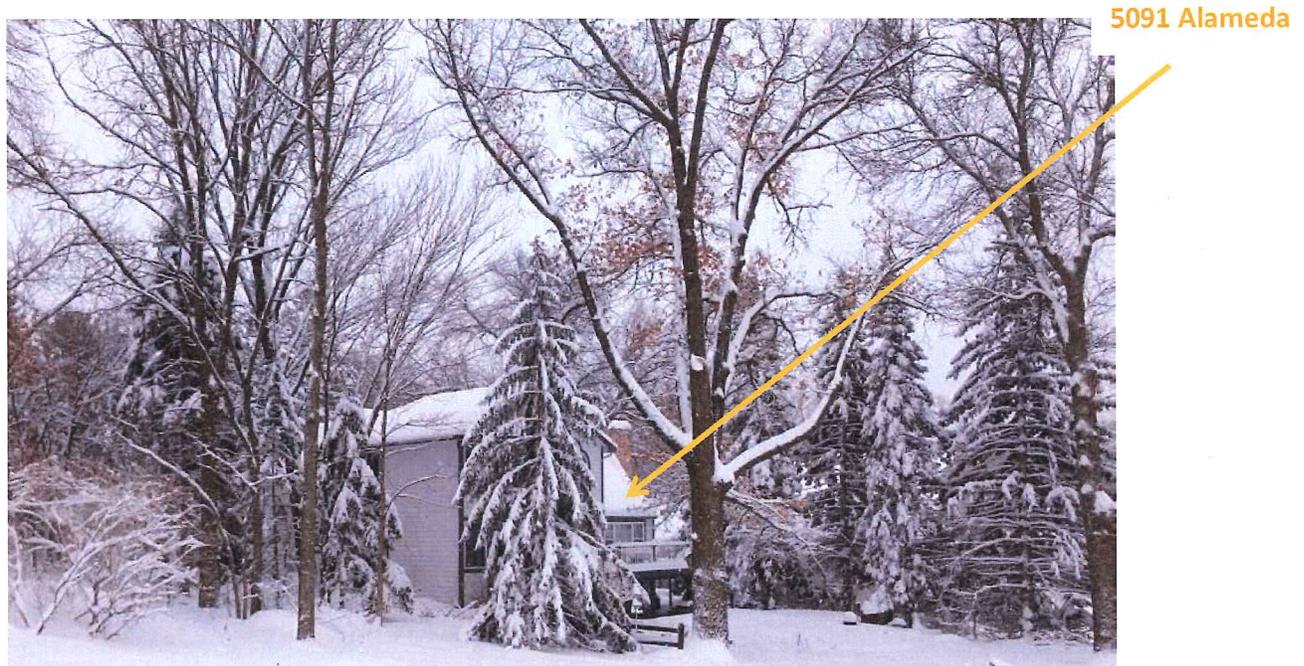


Appendix: Recent Pictures of 5101 Alameda

View of Eastern side of 5101 Alameda (taken from NE corner of property looking south)



View of south and eastern side of property (taken from northwest and looking southeast)
The adjacent neighbor is in center of picture (5091 Alameda)



View of south side of property (taken from middle and looking southeast)



Existing garage that will be removed

View of Middle and towards west (taken from inside home at 5091 Alameda and looking NW)



View of east side (taken from inside home at 5091 Alameda and looking N)



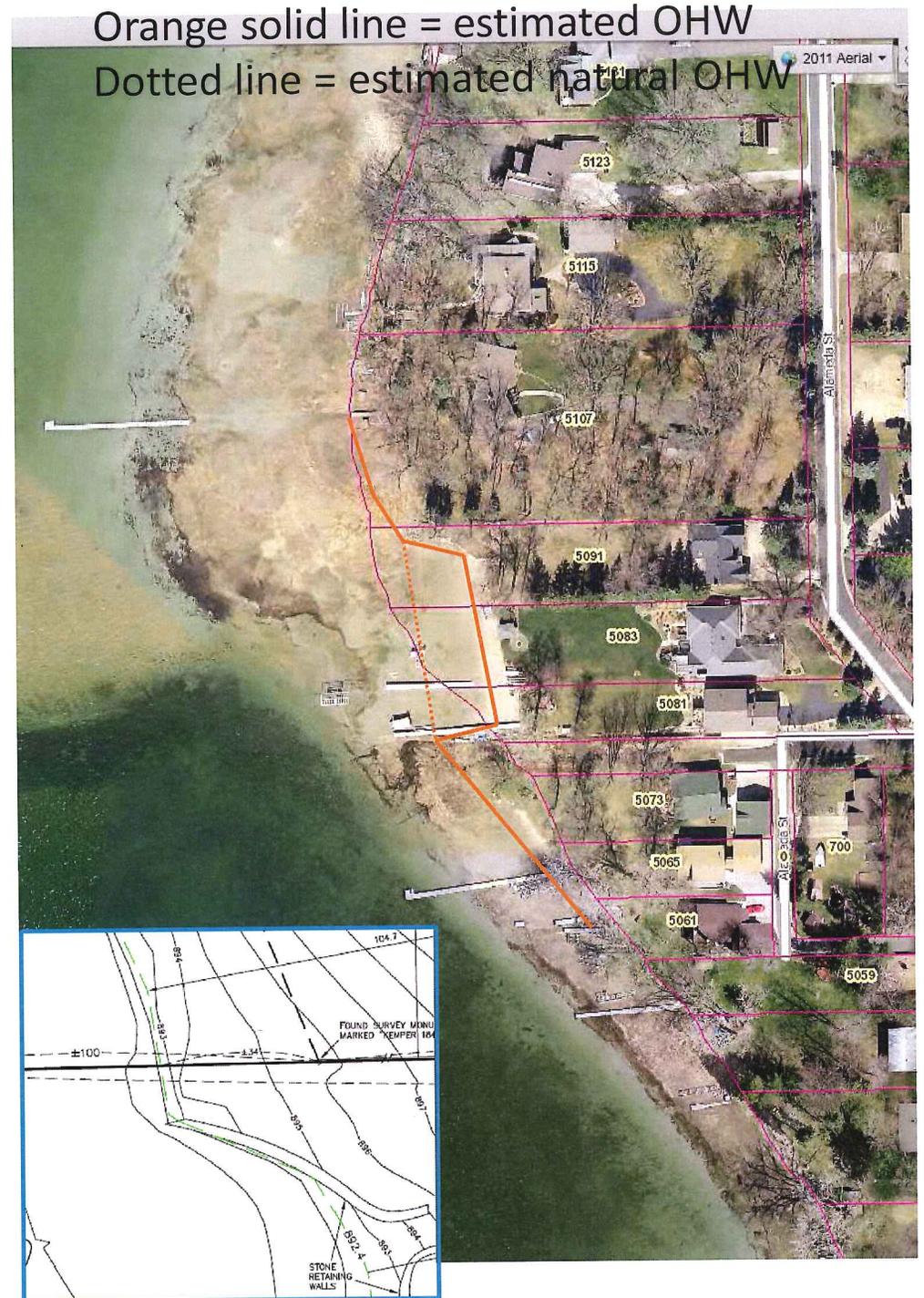
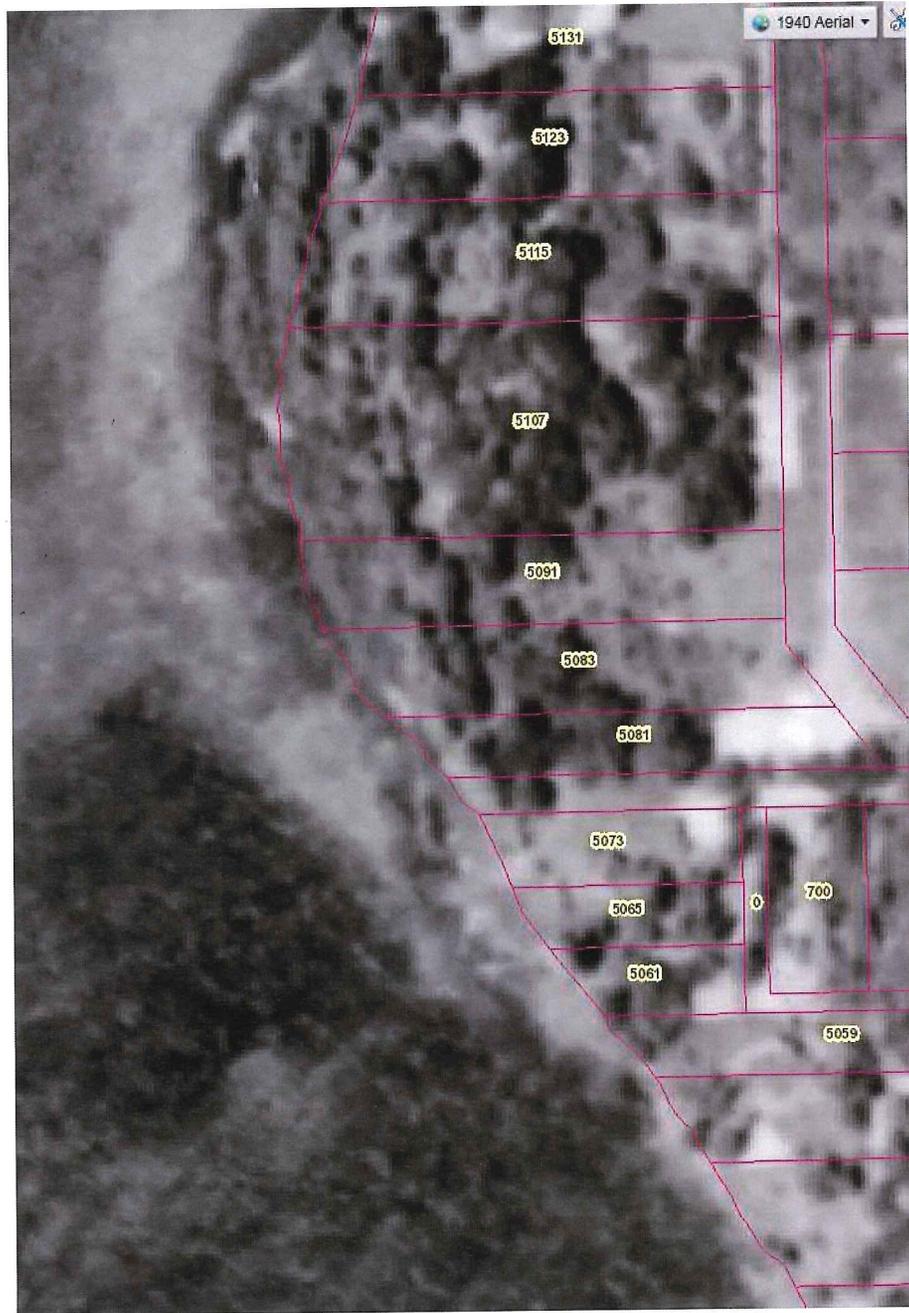
Existing garage that will be removed

View to the west towards Turtle Lake (taken from north side)

The adjacent neighbor is on the right (5107 Alameda).



5107 Alameda









721 OLD HIGHWAY 8 N.W.
NEW BRIGHTON, MINNESOTA 55112
651-631-0351
FAX 651-631-8805
email: kemper@pro-ns.net
www.kemper-surveys.com

PROPOSED SITE & GRADING PLAN OF
5101 ALAMEDA STREET

CITY OF SHOREVIEW, RAMSEY COUNTY, MINNESOTA



EAST SIDE OF PROPOSED RESIDENCE
5101 ALAMEDA STREET
(PER ARCHITECT'S PLANS)

RM 916.90

1 INCH EQUALS 20 FEET
BASIS FOR BEARINGS:
RAMSEY COUNTY
COORDINATE SYSTEM
(MAD 83, 1996)
(VA REAL TIME GPS
MEASUREMENTS UTILIZING
MINNESOTA DEPARTMENT
OF TRANSPORTATION
VRS NETWORK)
BASIS FOR ELEVATIONS:
TOP NUT OF FIRE HYDRANT
AT #811 BIRCH LANE SOUTH
ELEVATION=225.52
(AS PER CITY OF SHOREVIEW
ENGINEERING DEPARTMENT,
FOR 2002 SURVEY)
CONTOUR INTERVAL=1 FOOT

LEGAL DESCRIPTION

The South 78.69 feet of the North 155.68 feet of Lot Six (6), except the Easterly 902 feet thereof, Birch Lane, Ramsey County, Minn., including full riparian rights to Turtle Lake, according to the plat thereof on file and of record in the office of the Register of Deeds in and for said county, subject to restrictions, reservations, and easements of record and utility easements and public highways. Subject to drainage and utility easements over, under and across the East 10 feet, the South 5 feet, and the North 5 feet thereof.

AREA SUMMARY

SUBJECT PROPERTY = ±27,707 SQ. FT. OR
±0.64 ACRES
(TO ORDINARY HIGH WATER LEVEL)

PROPOSED SETBACK CALCULATIONS

STREET SETBACKS:
5107 ALAMEDA ST. DECK = 255.47 FEET
5091 ALAMEDA ST. GARAGE = 56.11 FEET
AVERAGE = 155.79 FEET - 10 FEET = 145.79 FEET
ORDINARY HIGH WATER SETBACK:
5107 ALAMEDA ST. DECK = 72.0 FEET
5091 ALAMEDA ST. DECK STEPS = 176.8 FEET
AVERAGE = 124.4 FEET - 10 FEET = 114.4 FEET

LEGEND

- 910— EXISTING CONTOUR LINE
- MH ○ MANHOLE
- SMH ○ SANITARY SEWER MANHOLE
- CB □ CATCH BASIN
- LP ○ LAMP POST
- FH ○ FIRE HYDRANT
- ET □ ELECTRIC TRANSFORMER
- TV □ CABLE TV RISER
- EM □ ELECTRIC METER
- AC □ AIR CONDITIONER
- SL □ SIGN
- SS— SANITARY SEWER
- DENOTES SET SURVEY MONUMENT MARKED "KEMPER 18407"
- 909— PROPOSED CONTOUR LINE
- DENOTES DIRECTION OF PROPOSED DRAINAGE
- ✕ PROPOSED SILT FENCE
- ★ PROPOSED CONFERENTIAL TREE

PREPARED FOR:
KEVIN OUSDIGIAN
4491 HARBOR PLACE DRIVE
SHOREVIEW, MINNESOTA 55126
763-216-8154

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

Mark D. Kemper
MARK D. KEMPER, PLS 18407
DATED THIS 12TH DAY OF APRIL, 2014



101.2 feet from OHW. Minimum setback is 114.4 feet

Proposed 145.8 foot front setback exceeds required 145.79 foot minimum

OHW Setback Line



WEST SIDE OF PROPOSED RESIDENCE
5101 ALAMEDA STREET
(PER ARCHITECT'S PLANS)

NOTE: SEE HOUSE PLANS BY
RCD ARCHITECTS
3303 EMERT STREET
SHOREVIEW, MINNESOTA 55126
651-483-1090

FLOODPLAIN NOTE:
SUBJECT PROPERTY LIES WITHIN FLOOD ZONES "X"
(AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AND "AE" (SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD). BASE FLOOD ELEVATIONS DETERMINED ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 271230-0210 G, DATED JUNE 4, 2010, RAMSEY COUNTY, MINNESOTA. THE BASE FLOOD ELEVATION SHOWN FOR TURTLE LAKE IS 893.

NOTE: AREA OF PROPOSED RETAINING WALLS NOT INCLUDED IN ABOVE CALCULATIONS

ZONING REQUIREMENTS

ZONED R1 - DETACHED RESIDENTIAL DISTRICT
SUBJECT TO SHORELAND MANAGEMENT
SUBJECT TO FLOOD PLAN MANAGEMENT
MINIMUM LOT AREA - 10,000 SQ. FT. (R1)
- 15,000 SQ. FT. (S)
MINIMUM LOT WIDTH - 75 FEET (R1)
- 100 FEET (S)
MINIMUM LOT DEPTH - 125 FEET (R1)
MAXIMUM IMPERVIOUS SURFACE COVERAGE - 25% (S)
MAXIMUM HEIGHT - 35 FEET
BUILDING SETBACKS:
FRONT - 25 FEET MINIMUM/40 FEET MAXIMUM
SIDE - 10 FEET
ORDINARY HIGH WATER - 50 FEET
ACCESSORY STRUCTURES:
DETACHED ACCESSORY STRUCTURE AREA SHALL NOT EXCEED 75% OF THE FOUNDATION AREA OF THE DWELLING UNIT OR 750 SQ. FT., WHICHEVER IS MORE RESTRICTIVE.
THE COMBINED AREA OF ALL ACCESSORY STRUCTURES SHALL NOT EXCEED 50% OF THE DWELLING UNIT FOUNDATION AREA OR 1,000 SQ. FT., WHICHEVER IS MORE RESTRICTIVE.
SIDE SETBACK - 5 FEET
MAXIMUM HEIGHT - 18 FEET AS MEASURED FROM THE HIGHEST ROOF PEAK TO THE LOWEST FINISHED GRADE. HOWEVER, IN NO CASE SHALL THE HEIGHT OF THE ACCESSORY STRUCTURE EXCEED THE HEIGHT OF THE DWELLING UNIT. HEIGHT OF SIDEWALLS CANNOT EXCEED 10 FEET
MAXIMUM NUMBER OF DETACHED ACCESSORY STRUCTURES - 2
(AS PER CITY OF SHOREVIEW ZONING CODE)

KEMPER & ASSOCIATES INC.

PROFESSIONAL LAND SURVEYORS

721 OLD HIGHWAY 8 N.W.
NEW BRIGHTON, MINNESOTA 55112
651-631-0351
FAX 651-631-6505
email: kemper@pro-ns.net
www.kempersurveys.com

PROPOSED SITE & GRADING PLAN OF
5101 ALAMEDA STREET
CITY OF SHOREVIEW, RAMSEY COUNTY, MINNESOTA



EAST SIDE OF PROPOSED RESIDENCE
(PER ARCHITECT'S PLANS)

1 INCH EQUALS 20 FEET

BASIS FOR BEARINGS:
RAMSEY COUNTY
COORDINATE SYSTEM
(NAD 83, 1996)

(AS REAL TIME GPS
MEASUREMENTS UTILIZING
MINNESOTA DEPARTMENT
OF TRANSPORTATION
VRS NETWORK)

BASIS FOR ELEVATION:
TOP NUT OF FIRE HYDRANT
AT #81 BIRCH LANE SOUTH
ELEVATION=825.52
(AS PER CITY OF SHOREVIEW
ENGINEERING DEPARTMENT,
FOR 2002 SURVEY)

CONTOUR INTERVAL=1 FOOT

LEGAL DESCRIPTION

The South 78.69 feet of the North 155.68 feet of Lot Six (6), except the Easterly 502 feet thereof, Birch Lane, Ramsey County, Minn., including full riparian rights to Turtle Lake; according to the plat thereof on file and of record in the office of the Register of Deeds in and for said county, subject to restrictions, reservations, and easements of record and utility easements and public highways. Subject to drainage and utility easements over, under and across the East 10 feet, the South 5 feet, and the North 5 feet thereof.

AREA SUMMARY

SUBJECT PROPERTY = ±27,707 SQ. FT. OR
±0.64 ACRES
(TO ORDINARY HIGH WATER LEVEL)

PROPOSED SETBACK CALCULATIONS

STREET SETBACK:
5107 ALAMEDA ST. DECK = 255.47 FEET
5091 ALAMEDA ST. GARAGE = 56.11 FEET
AVERAGE = 155.79 FEET - 10 FEET = 145.79 FEET
ORDINARY HIGH WATER SETBACK:
5107 ALAMEDA ST. DECK = 72.0 FEET
5091 ALAMEDA ST. DECK STEPS = 178.8 FEET
AVERAGE = 124.4 FEET - 10 FEET = 114.4 FEET

LEGEND

- 910 — EXISTING CONTOUR LINE
- MH ○ MANHOLE
- SSMH ○ SANITARY SEWER MANHOLE
- CB □ CATCH BASIN
- LP ⊕ LAMP POST
- PH ⊕ FIRE HYDRANT
- ET ⊕ ELECTRIC TRANSFORMER
- TV ⊕ CABLE TV RISER
- EM ⊕ ELECTRIC METER
- AC ⊕ AIR CONDITIONER
- ⊕ SIGN
- SS — SANITARY SEWER
- DENOTES SET SURVEY MONUMENT MARKED "KEMPER 18407"
- 909 — PROPOSED CONTOUR LINE
- DENOTES DIRECTION OF PROPOSED DRAINAGE
- * — PROPOSED SILT FENCE
- ★ PROPOSED CONIFEROUS TREE

ZONING REQUIREMENTS

ZONED R1 - DETACHED RESIDENTIAL DISTRICT
SUBJECT TO SHORELAND MANAGEMENT
SUBJECT TO FLOOD PLAN MANAGEMENT
MINIMUM LOT AREA - 10,000 SQ. FT. (R1)
- 15,000 SQ. FT. (S)
MINIMUM LOT WIDTH - 75 FEET (R1)
- 100 FEET (S)
MINIMUM LOT DEPTH - 125 FEET (R1)
MAXIMUM IMPERVIOUS SURFACE COVERAGE - 25% (S)
MAXIMUM HEIGHT - 35 FEET
BUILDING SETBACKS:
FRONT - 25 FEET MINIMUM/40 FEET MAXIMUM
SIDE - 10 FEET
ORDINARY HIGH WATER - 50 FEET

ACCESSORY STRUCTURES

DETACHED ACCESSORY STRUCTURE AREA SHALL NOT EXCEED 70% OF THE FOUNDATION AREA OF THE DWELLING UNIT OR 750 SQ. FT., WHICHEVER IS MORE RESTRICTIVE.
THE COMBINED AREA OF ALL ACCESSORY STRUCTURES SHALL NOT EXCEED 50% OF THE DWELLING UNIT FOUNDATION AREA OR 1,200 SQ. FT., WHICHEVER IS MORE RESTRICTIVE.
SIDE SETBACK - 5 FEET
MAXIMUM HEIGHT - 18 FEET AS MEASURED FROM THE HIGHEST ROOF PEAK TO THE LOWEST FINISHED GRADE; HOWEVER, IN NO CASE SHALL THE HEIGHT OF THE ACCESSORY STRUCTURE EXCEED THE HEIGHT OF THE DWELLING UNIT, HEIGHT OF SIDEWALKS CANNOT EXCEED 10 FEET
MAXIMUM NUMBER OF DETACHED ACCESSORY STRUCTURES - 2
(AS PER CITY OF SHOREVIEW ZONING CODE)



WEST SIDE OF PROPOSED RESIDENCE
5101 ALAMEDA STREET
(PER ARCHITECT'S PLANS)

NOTE: SEE HOUSE PLANS BY
ROD ARCHITECTS
3303 EMMERT STREET
SHOREVIEW, MINNESOTA 55126
651-483-1090

FLOODPLAIN NOTE:
SUBJECT PROPERTY LIES WITHIN FLOOD ZONE "X"
(AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AND "AE" (SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD). BASE FLOOD ELEVATIONS (DETERMINED) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 27123C-0210 G, DATED JUNE 4, 2010, RAMSEY COUNTY, MINNESOTA. THE BASE FLOOD ELEVATION SHOWN FOR TURTLE LAKE IS 863.

114.4' OHW setback from "inlet"
114.4' OHW setback from "west shore of lot"

HARDCOVER CALCULATIONS

PROPOSED HOUSE = 2,355 SQ. FT.
PROPOSED GARAGE = 1,000 SQ. FT.
PROPOSED SCREEN PORCH = 232 SQ. FT.
PROPOSED SCREEN PORCH SIDE DECK & STEPS = 101 SQ. FT.
PROPOSED DECK = 183 SQ. FT.
PROPOSED COVERED PORCH = 82 SQ. FT.
PROPOSED DRIVEWAY = 2,431 SQ. FT.
PROPOSED WALKS = 164 SQ. FT.
TOTAL PROPOSED IMPERVIOUS SURFACE COVERAGE = 6,548 SQ. FT. (23.5% OF PROPERTY AREA TO OHW)

NOTE: AREA OF PROPOSED RETAINING WALLS NOT INCLUDED IN ABOVE CALCULATIONS

PREPARED FOR:
KEVIN OUSDJIAN
4491 HARBOR PLACE DRIVE
SHOREVIEW, MINNESOTA 55126
763-218-8154

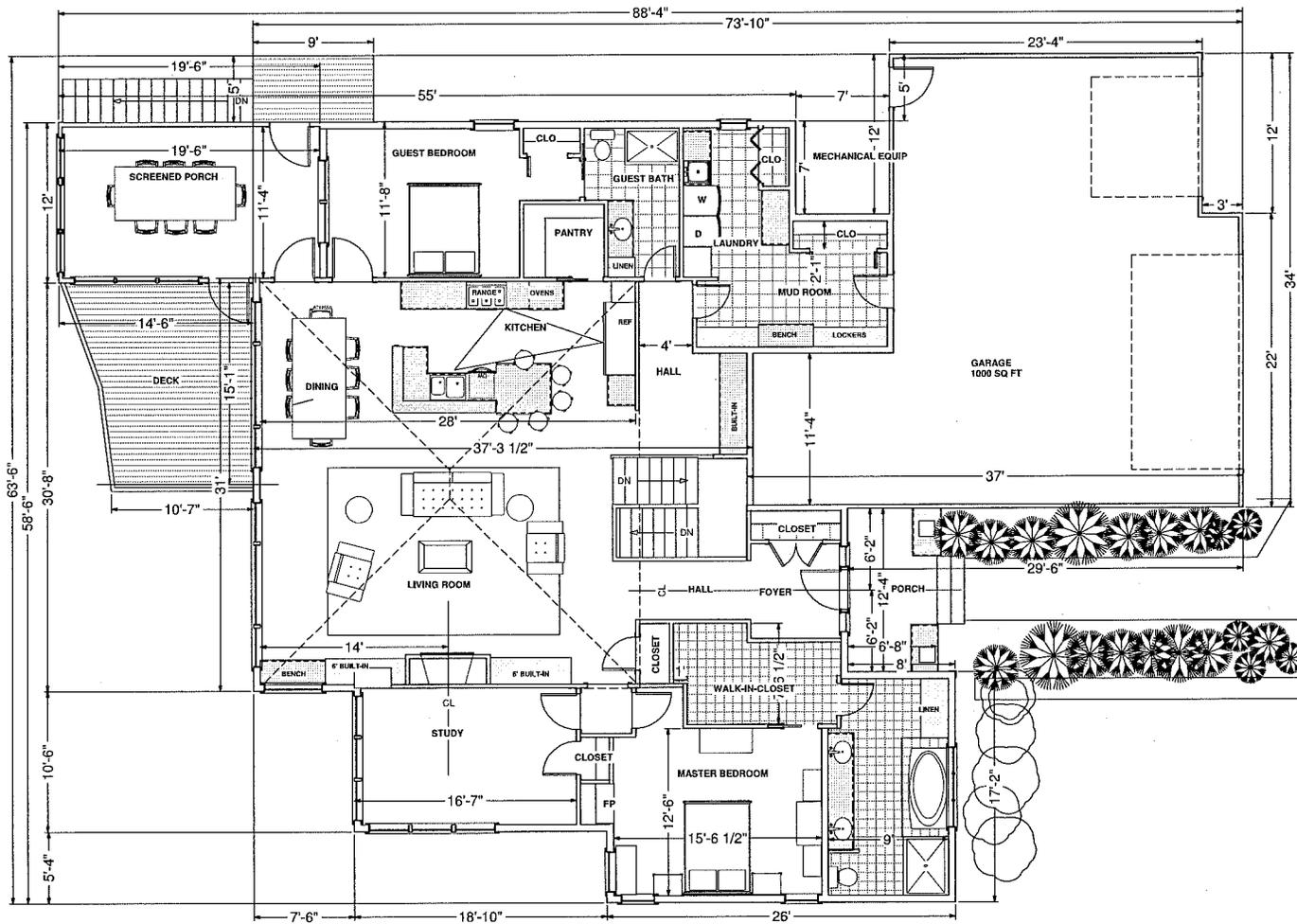
CERTIFICATION
I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Mark D. Kemper
MARK D. KEMPER, PLS 18407
DATED THIS 12TH DAY OF APRIL, 2014



CERTIFICATE OF SURVEY

13176 (13176SPR1.DWG) D.B. TODD HOLEN REVISED HOUSE DIMENSIONS 04/11/2014



MAIN FLOOR PLAN 1/4"=1'0



NO.	DESCRIPTION	BY	DATE

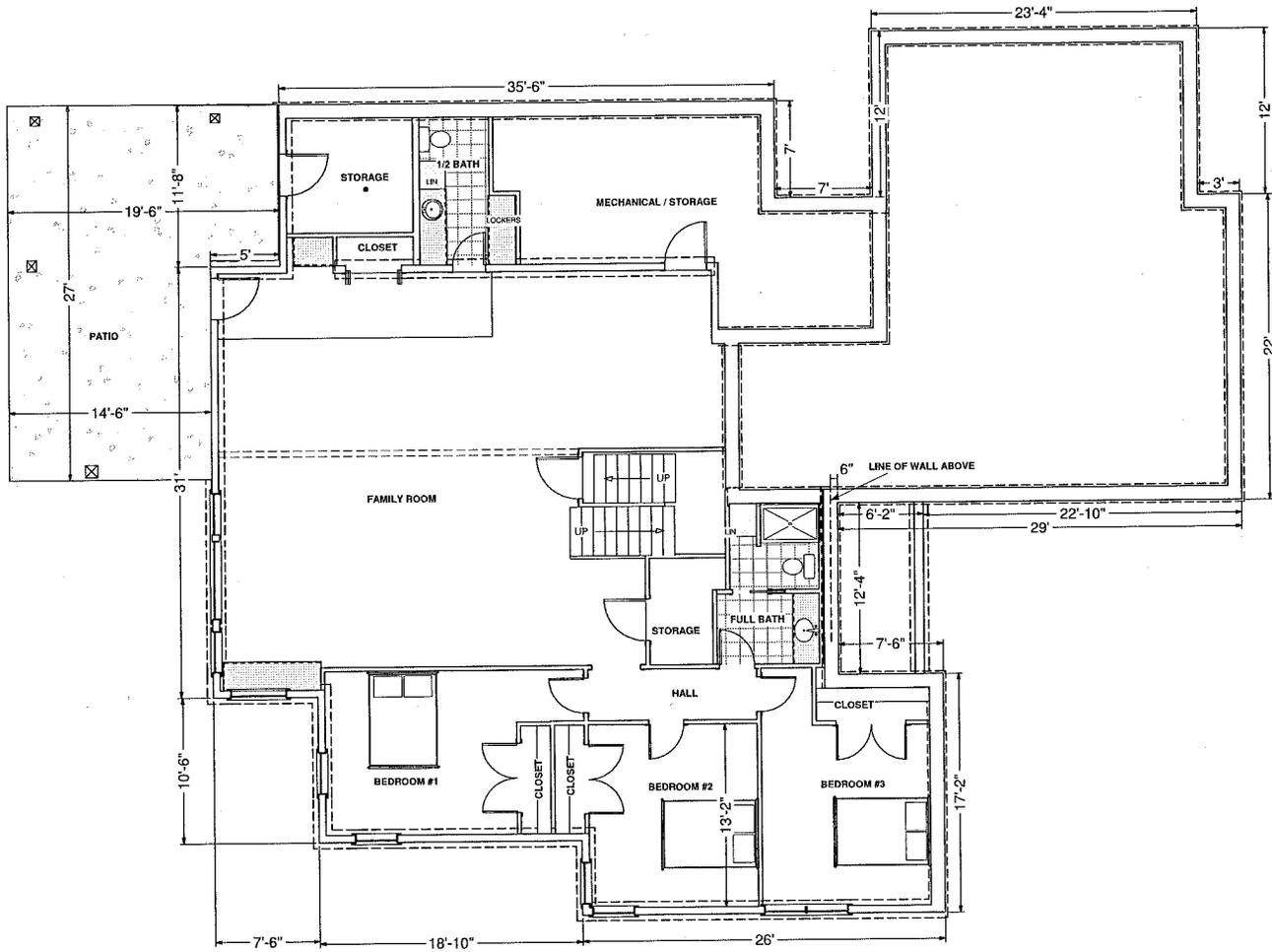
SHEET TITLE:

PROJECT DESCRIPTION:
OUSDIGIAN RESIDENCE
5101 ALAMEDA ST
SHOREVIEW, MN

DRAWINGS PROVIDED BY:
RDC Architects
 3100 Everett Ct
 Shoreview, MN 55126
 651-483-1999
 Email: info@rdcarchitect.net

DATE:
3/24/14

SHEET:
1



LOWER FLOOR PLAN 1/4"=1'0



NO.	DESCRIPTION	BY	DATE

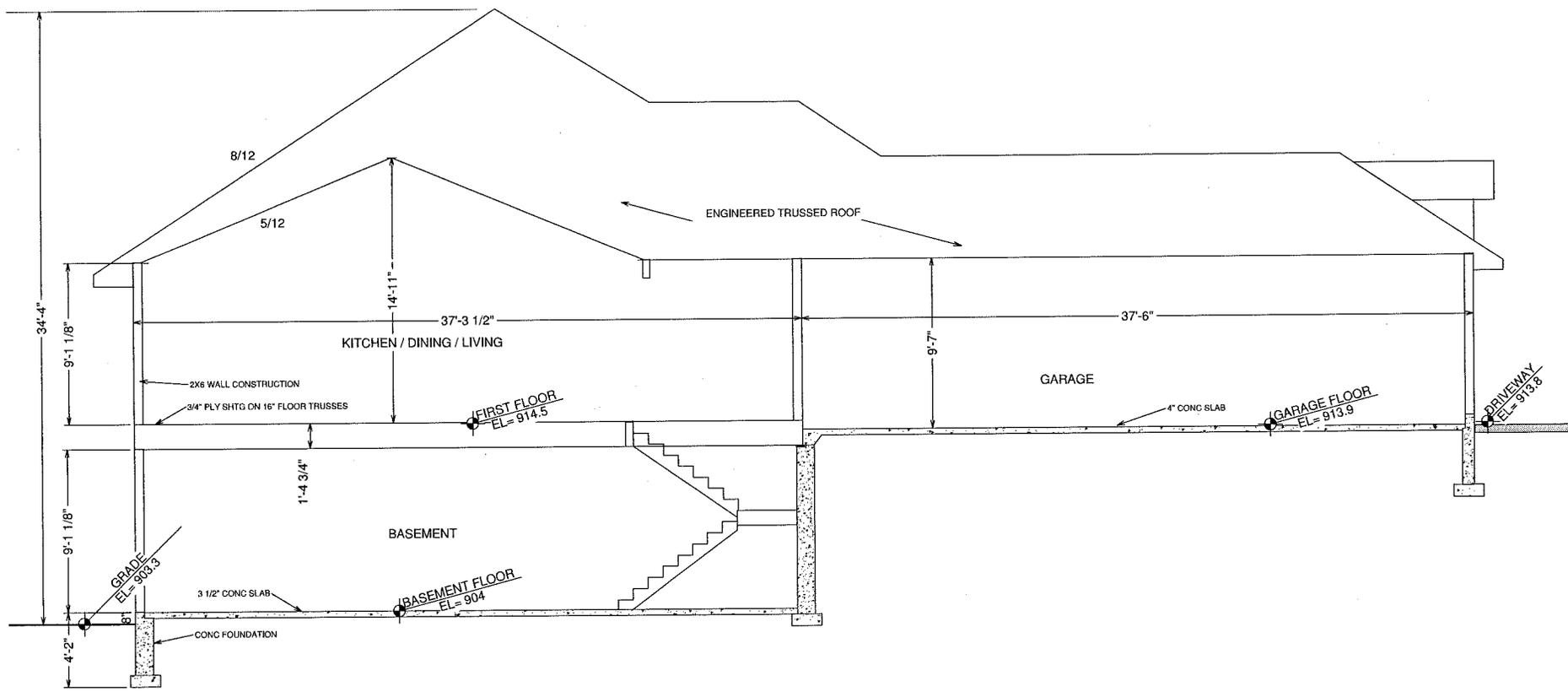
SHEET TITLE:

PROJECT DESCRIPTION:
OUSDIGIAN RESIDENCE
5101 ALAMEDA ST
SHOREVIEW, MN

DRAWINGS PROVIDED BY:
RDC Architects
 10000
 Shoreview, MN 55136
 651-483-1090 - rdc@rdcarch.com
 Email: rdc@rdcarch.com

DATE:
 3/24/14

SHEET:
2



EAST / WEST CROSS SECTION 3/8"=1'0



NO.	DESCRIPTION	BY	DATE

SHEET TITLE:

PROJECT DESCRIPTION:
OUSDIGIAN RESIDENCE
5101 ALAMEDA ST
SHOREVIEW, MN

DRAWINGS PROVIDED BY:
RDC Architects
 3103 Emmet St.
 Shoreview, MN 55126
 Phone: 763-489-8888
 Email: rdcarch@comcast.net

DATE:
3/24/14

SHEET:
3

To whom it may concern:

Thank you for the opportunity to comment on the Design Review application for 5101 Alameda Street submitted by Kevin and Sara Ousdigian.

The proposed general design and location is consistent with the Alameda neighborhood as well as the greater Turtle lake community. The requested variance to reduce the OHW is minimal and has little if any impact to my adjoining property to the north. Allowing the variance provides a balance for the substandard lot and surrounding properties.

Sincerely,



Eric and Amy Kalmes
5107 Alameda
Shoreview, MN 55126



City Council:
Sandy Martin, Mayor
Amy Johnson
Terry Quigley
Ady Wickstrom
Ben Withhart



City of Shoreview
4600 Victoria Street North
Shoreview, MN 55126
651-490-4600 phone
651-490-4699 fax
www.shoreviewmn.gov

April 11, 2014

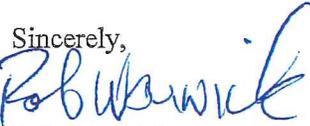
REQUEST FOR COMMENT

Dear Shoreview Property Owner:

Please be advised that on **Tuesday, April 22, 2014 at 7:00 p.m.**, the Shoreview Planning Commission will review Variance and Residential Design Review applications for **5101 Alameda Street** submitted by **Kevin and Sara Ousdigian**. The applicants propose to construct a new single-story house with a walk-out lower level. The existing detached garage will be removed upon completion of the house construction. The applicant requests a variance to reduce the OHW setback from the minimum 114.4 feet to 101.2 feet for the new house and attached garage. Residential Design Review is required for construction on a substandard lake lot. Please see the attached plans.

You are encouraged to fill out the bottom portion of this form and return it if you have any comments or concerns. Comments received by **April 17th** will be distributed to the Planning Commission with the Planning Commission agenda packet. Comments received after that date but before the meeting will be distributed to the Commission at the meeting. You are also welcome to attend the meeting, which will be held in the City Council Chambers at Shoreview City Hall, 4600 North Victoria Street.

If you would like more information or have any questions, please contact me at 651-490-4681 between 8:00 a.m. and 4:30 p.m., Monday through Friday. You may leave a voice mail message at any time. I can also be reached via e-mail at rwarwick@shoreviewmn.gov.

Sincerely,

Rob Warwick
Senior Planner



Comments:

*Mr. Warwick and Planning Commission,
We see no problem in proceeding with the requested
variance and recommend approval.*

Name: *RS Anderson* (RS Anderson)
Address: *5115 Alameda St.*



Robert Warwick <rwarwick@shoreviewmn.gov>

5101 Alameda Street Application

Tom Wesolowski <twesolowski@shoreviewmn.gov>
To: "WARWICK, ROBERT" <rwarwick@shoreviewmn.gov>

Wed, Apr 16, 2014 at 12:30 PM

Rob,

Reviewed the applications and do not see any issues. The grading plan looks ok, should contain runoff on the property.

Please contact me if you have any comments or questions.

Thanks, Tom

—
Tom Wesolowski, P.E.
City Engineer
City of Shoreview
twesolowski@shoreviewmn.gov
Direct Tel: 651-490-4652
Fax: 651-490-4696

ncil:
y Martin, Mayor
emy Johnson
Terry Quigley
Ady Wickstrom
Ben Withhart



City of Shoreview
4600 Victoria Street North
Shoreview, MN 55126
651-490-4600 phone
651-490-4699 fax
www.shoreviewmn.gov

April 11, 2014

REQUEST FOR COMMENT

Dear Shoreview Property Owner:

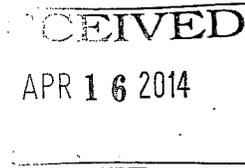
Please be advised that on **Tuesday, April 22, 2014 at 7:00 p.m.**, the Shoreview Planning Commission will review Variance and Residential Design Review applications for **5101 Alameda Street** submitted by **Kevin and Sara Ousdigian**. The applicants propose to construct a new single-story house with a walk-out lower level. The existing detached garage will be removed upon completion of the house construction. The applicant requests a variance to reduce the OHW setback from the minimum 114.4 feet to 101.2 feet for the new house and attached garage. Residential Design Review is required for construction on a substandard lake lot. Please see the attached plans.

You are encouraged to fill out the bottom portion of this form and return it if you have any comments or concerns. Comments received by **April 17th** will be distributed to the Planning Commission with the Planning Commission agenda packet. Comments received after that date but before the meeting will be distributed to the Commission at the meeting. You are also welcome to attend the meeting, which will be held in the City Council Chambers at Shoreview City Hall, 4600 North Victoria Street.

If you would like more information or have any questions, please contact me at 651-490-4681 between 8:00 a.m. and 4:30 p.m., Monday through Friday. You may leave a voice mail message at any time. I can also be reached via e-mail at rwarwick@shoreviewmn.gov.

Sincerely,

Rob Warwick
Senior Planner



Comments:

We fully support this Variance. It would be beneficial to the neighborhood design - best place for house, driveway and garage. This will be beneficial to the tax base and overall community.

Please consider favorably this Variance

Name: Tommy & Laura Mericle

Address: 5083 ALAMEDA ST. SHOREVIEW MN.

MOTION

MOVED BY COMMISSION MEMBER _____

SECONDED BY COMMISSION MEMBER _____

To adopt Resolution No. 14-20, approving the variance request to reduce the OHW setback, and to approve the Residential Design Review application submitted by Kevin and Sara Ousdigian for the property located at 5101 Alameda Street. This approval is subject to the following conditions:

1. The project shall be constructed in accordance with the submitted plans. Any significant change to the plan, as determined by the City Planner, shall require review and approval of the Planning Commission.
2. This approval will expire after one year if a building permit has not been issued and construction commenced for the dwelling.
3. The project is subject to the terms of the Development Agreement for the property. The Development Agreement includes provisions for tree replacement and protection
4. The approval is subject to a 5-day appeal period.

This approval is based on the following findings:

1. The proposed improvements are consistent with the Housing and Land Use Chapters of the Comprehensive Plan.
2. The proposed detached single-family residence represents a reasonable use of the property which is located in the R-1 Detached Residential District.
3. The OHW and front setbacks prevalent north and south of the subject property differ by about 100 feet. An alteration of the shoreline located on the adjoining property to the south strongly affects the buildable area on the property. The proposed house is located to utilize changes in the existing grade elevation and minimize site disturbance.
4. The proposed house location will provide a transition between the differing setback patterns in the neighborhood. By approving the variance, the essential character of the neighborhood should not be affected.