



## **CITY COUNCIL WORK SESSION AGENDA**

**MONDAY, MAY 19, 2025**

**SPRING LAKE PARK CITY HALL, 1301 81ST AVE NE at 5:30 PM**

- 1. CALL TO ORDER**
- 2. DISCUSSION ITEMS**
  - A. Presentations for Consultant Planning Services
  - B. WSB Presentation - Lori Johnson, AICP (5:30pm)
  - C. Bolton & Menk - Nathan Fuerst, AICP (5:45pm)
  - D. Stantec Presentation - Evan Monson, AICP (6:00pm)
  - E. Proposal Discussion (6:15pm-6:40pm)
- 3. REPORT**
  - A. City Council/Staff Reports
- 4. ADJOURN**

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the City Clerk at 1301 81<sup>st</sup> Avenue NE, Spring Lake Park, MN 55432. Ph.763-784-6491 at least 48 hours in advance.



# Memorandum

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**To:** Mayor Nelson and Members of the City Council

**From:** Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

**Date:** May 15, 2025

**Subject:** Work Session Agenda

We will be holding a work session to evaluate planning proposals and to receive presentations from the top 3 firms. The proposals from the top 3 firms is in the packet for your review.

Each firm will have up to 10 minutes for a presentation, with a 5 minute Q&A session afterward. The Q&A session is informal, providing the City Council with an opportunity to clarify points raised during the presentation and/or ask follow-up questions.

Following the presentations, time has been reserved on the work session agenda for the City Council to discuss the proposals. There is no obligation to reach a decision at the May 19 work session. If additional time is needed for further evaluation, a second work session can be scheduled for June 2.

If you have any questions, please do not hesitate to contact me at 763-784-6491.





A PROPOSAL FOR

# City Planner Services

FOR SPRING LAKE PARK

May 5, 2025

Daniel Buchholtz  
Administrator, Clerk/Treasurer  
dbuchholtz@slpmn.org



Re: Qualifications for Planning and Zoning Consultant for the City of Spring Lake Park

Dear Daniel,

On behalf of WSB, thank you for the opportunity to submit our qualifications for Consultant Planning Services for the City of Spring Lake Park. We look forward to working with the City as you continue to manage your community growth in a reasonable, orderly, and thoughtful manner. WSB's experience in a variety of communities means we can draw from various cities and townships and their circumstances to provide Spring Lake Park with the best advice and guidance, whether it be for planning applications, project review, or responsible zoning regulations.

■ **Personal Connection to the Community:** Spring Lake Park has been a highly valued client for WSB through the years, and we understand the culture and the values of your community. Beyond this connection, I have worked across the border in Blaine for 24 years of my career, and I understand the issues in a community like yours. I understand the community's way of life and the values it possesses. I would take the lead as your planning expert for WSB. In short, WSB and I would be grateful for the opportunity to expand our partnership with the City of Spring Lake Park.

■ **Breadth of Planning Experiences:** We have over 18 municipal clients presenting both simple and complex planning and zoning problems to work through. This means that our WSB Planning Team has a wide range of experiences and are prepared to address any issue that may arise throughout the course of working with the City. Since you have the potential to experience major redevelopment of properties within the City, Kim Lindquist's knowledge and experience will help guide you through successful and financially purposeful redevelopment projects.

■ **Cost Conscious and Relationship Oriented:** As stated previously, WSB understand the needs, and the budgets, of your community, as you have been a valued customer for many years. We also have many contracts in cities like Spring Lake Park. We know how important relationships and communication are when working for our city clients. Our goal is to be conscious of your budgetary needs while continuing to build a lasting and trusting relationship for the years ahead.

Thank you for the opportunity to submit our proposal and we encourage you to contact our existing and past clients to get a better understanding of our level of knowledge, expertise, and efficiency in providing technical excellence, over-the-top customer service and integrity in our work. If you have any questions, please feel free to contact me directly at [ljohnson@wsbeng.com](mailto:ljohnson@wsbeng.com) or at 612.364.3029.

Sincerely, WSB

A handwritten signature in black ink that reads "Lori Johnson". The signature is written in a cursive, flowing style.

Lori Johnson, AICP  
Client Representative and Senior Planner





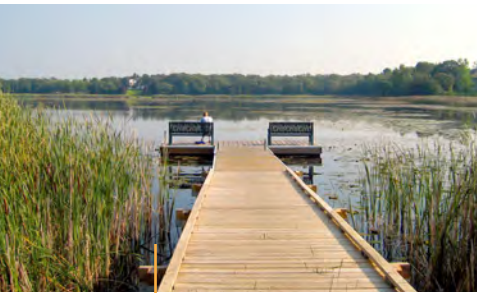
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Work Sample - City of Tonka Bay

# Consultant Profile



## Forge ahead.

WSB is a design and consulting firm specializing in engineering, community planning, environmental, and construction services. Together, our staff improves the way people engage with communities, transportation, infrastructure, energy and our environment. We offer services that seamlessly integrate planning, design and implementation.

**We share a vision to connect your dreams for tomorrow to the needs of today— the future is ours for the making.**

### ONGOING PLANNING AND ECONOMIC DEVELOPMENT SERVICES FOR:

- Long Lake
- Mahtomedi
- Tonka Bay
- Wyoming
- Monticello
- Denmark Township
- Sunfish Lake
- East Gull Lake
- Howard Lake
- Annandale
- Spring Park
- Dundas
- West Lakeland Township
- Vermillion Township
- Le Seuer
- St. Paul Park
- Bethal
- Delano
- Eureka Township
- Litchfield

**1,500+**

STAFF

**50+**

SERVICE AREAS

**45+**

OFFICES

**10**

STATES

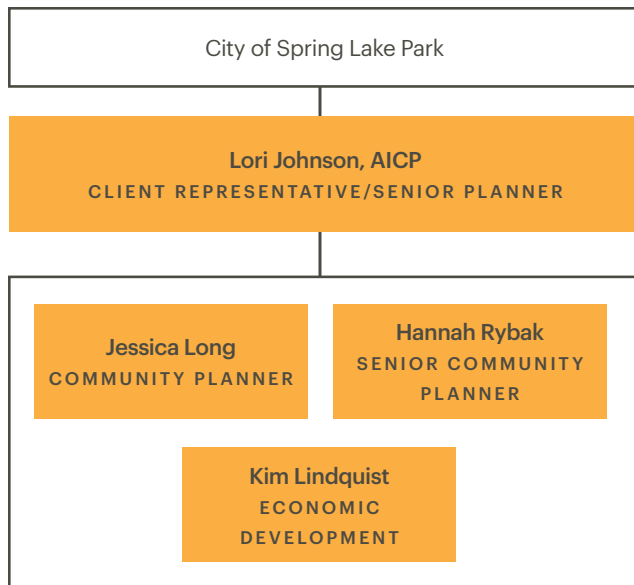
Alternative Project Delivery | Asset Management | Biogas | Bridges & Structures | City Engineering | Community Planning | Constructability Review | Construction Materials Testing & Special Inspection | Contractor Modeling | Drinking Water | Economic Development | Environmental Compliance | Geohazard Risk Management | Geospatial | Geotechnical Engineering | GIS Services | Grants & Funding | Health & Safety Compliance | Intelligent Transportation Systems | Investigation & Remediation | Land Development | Landscape Architecture | Managed Services | Natural Resources | Pavement Management | Pipeline | Project Management & Construction Administration | Public Engagement | Public Works Management | Right of Way | Roadway Design | Smart Cities | Solar | Survey | Sustainability | Technology Solutions | Traffic Engineering | Transit Planning | Transportation Planning | Urban Design | Vibration Monitoring | Visualizations | Water Resources | Water Reuse | Wind

# WSB Qualifications



## Organizational Chart

The structure of WSB continues to emphasize collaboration and engagement and the team selected is a core group that will provide seamless responsiveness for Spring Lake Park's needs.



It is our understanding that much of the work can be accomplished in the WSB offices, and the Team will review permits and field public inquiries regarding planning and zoning. WSB will attend Planning Commission and City Council meetings as appropriate, making planning presentations and fielding questions. WSB will review submitted applications and write a staff report with recommendation, publish for the public hearing and send out hearing notices as needed.

**Lori Johnson** will be the primary contact for planning and zoning activities for Spring Lake Park, MN. She will fulfill required tasks upon direction from the City. **Hannah** and **Jessica** will provide back up support for Lori and will assist with staff reports, research, presentations or other work to be done on the City's behalf.







## Lori Johnson, AICP

CLIENT REPRESENTATIVE/SENIOR PLANNER



Lori has over 29 years of experience in municipal planning, having advanced to City Planner at the City of Blaine. In this role, Lori supervised two planners, managed daily operations, and oversaw application processes for the Planning Commission and City Council. Lori is proficient in project management, site plan review, public participation, and long-range planning. With extensive experience in residential, commercial, and industrial plan review and implementation, Lori excels in navigating approval processes and communicating effectively with city councils, planning commissions, developers, real estate professionals, and residents.

### EDUCATION:

BA in Political Science,  
Luther College, IA

Master of Community and  
Regional Planning, Iowa  
State University, IA

### CERTIFICATIONS:

AICP Certification

### ASSOCIATION/ ORGANIZATION:

American Planning  
Association - MN Chapter  
Secretary

Sensible Land Use Coalition

### Staff Augmentation/Lead Planner | Sunfish Lake, Tonka Bay, and Spring Park, MN

**CLIENT:** VARIOUS MN CITIES

**PROJECT DURATION:** 2021 - CURRENT

Lori serves as the full-service staff planner for each of these clients and enforces the Zoning Ordinances and Comprehensive Plans of each community. She provides planning review services for land use applications, writes staff reports, and presents applications to Planning Commissions and City Councils. As part of full-service planning augmentation for these clients, she coordinates reviews with residents and developers, conducts on-site property inspections, and provides code enforcement services. For the City of Sunfish Lake, she maintains escrow accounts and fee schedules with the assistance of the City Treasurer.

### Planning and Land Use Regulations Update | Oronoco, MN

**CLIENT:** CITY OF ORONOCO, MN

**PROJECT DURATION:** APR 2024 - 2025

The City of Oronoco has hired WSB, with Lori as the project manager, to update its zoning ordinance due to changes from a new sewer and water infrastructure project. To ensure smart growth that respects public opinion and enhances the community, WSB has collaborated with staff and a steering committee on a public engagement process, including pop-up events, informational takeaways, and online surveys. The Steering Committee is guiding the development of future standards based on public feedback. WSB is drafting the ordinance for review by the Steering Committee, Planning Commission, and City Council. The final ordinance will provide clear language and visual aids to support the city's rapid growth and transformation.

### City Planner | Blaine, MN\*

**CLIENT:** CITY OF BLAINE, MN

**PROJECT DURATION:** APR 1997 - SEP 2021

Hired as the Neighborhood Program Coordinator in 1997, Lori led efforts to establish a neighborhood organization to collaborate with the City Council on development projects, facilitating large-scale stakeholder engagement events. Promoted to City Planner, Lori supervised two planners, managed daily Planning Department functions, and served as the department's representative at City Council meetings. Lori reviewed complex site plans, coordinated Administrative Review Committee meetings, and facilitated the development of many large scale residential, commercial, and industrial projects. In 2020, Lori directed a comprehensive zoning ordinance update and led public meetings on zoning and subdivision applications.

\*Work performed prior to  
WSB



## Kim Lindquist, AICP

### ECONOMIC DEVELOPMENT

Kim is a planning professional with over 35 years of experience overseeing a variety of complex planning and economic development projects. Kim has worked in high-growth communities, working with community residents, stakeholders, and developers in processing planning applications and project development for residential, commercial, and industrial land uses. She has assisted several client communities with small area plans, planning review, and zoning ordinance amendments. Communities have benefited from her economic development experience, helping to revitalize Rosemount's downtown, including affordable housing and desired retail commercial uses, and bringing new industrial and commercial businesses into communities.

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## Jessica Long

### COMMUNITY PLANNER

Jessica has experience in developing, researching, and publishing work in Planning, Community Development, and Geography. Along with performing typical day-to-day planning tasks and long-term research and comprehensive planning projects, Jessica enhances her work with GIS techniques to aid in visualization of trends within a community or region. Jessica's multiple publications have developed her writing skills and allowed her to disseminate dense topics to interested audiences. Jessica enjoys working with residents and community officials to develop strategies for sustainable growth and development.

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## Hannah Rybak

### SENIOR COMMUNITY PLANNER

Hannah has been a Planner with WSB for 9 years. Her primary role has been day-to-day planning and zoning administration for a variety of cities. Hannah has extensive experience with code enforcement and ordinance amendments. Through her education and work experience, Hannah has developed a passion for understanding challenges that face today's communities. She takes great pride in finding solutions to enhance life for the residents of the communities she serves.

# Project Approach



Our planners have experience in developing the full spectrum of plans, policies, and ordinances for communities of all sizes. We implement these policies through day-to-day zoning administration and development review. Our team is committed to practical, implementable plans and ordinances because we are on the front lines as community planners and/or planning support for many of our clients.


WSB's Community Planning Group is made up of seven community planning staff with a wide range of experience, expertise, and passions. Our group works collaboratively alongside other service groups within the company to ensure the best value and over-the-top customer service for our clients.

## Day-to-Day Planning

- Consultations with residents, business owners and developers
- Review and processing of land use applications
- Building permit reviews
- Assist in economic and redevelopment projects, especially for community downtowns
- Zoning administration/front counter assistance
- Code enforcement
- Ordinance auditing and amendments
- Staffing, presentation, and preparation of packets for township council, planning commission, and economic development authority meetings
- Development of application processing policies and handouts to assist the public
- In-office, office hours for planning meetings and public interface

## Long-Range Planning

- Comprehensive Plan Amendments
- Community engagement
- Downtown planning
- Housing studies
- Comprehensive planning
- Coordination with adjoining or regulating jurisdictions including Metropolitan Council
- Preparation of a variety of planning, economic development, environmental and transportation grant applications
- Professional code reviews



Our team's depth of experience in a variety of planning and zoning services, along with our collaborative and cross-functional office environment, will be an asset to Spring Lake Park's overall land use and planning needs.



# Relevant Experience



WSB's core service is municipal engineering and planning. We are proud of the projects that we have been involved with and the lasting relationships that we have developed in the communities we serve.

The City of Spring Lake Park will benefit from the wealth of knowledge and experience that our planning staff has obtained through developing broad-based projects and serving such a diverse group of cities. Highlighted below are a few communities that the WSB Spring Lake Park team members have provided planning and zoning services and their typical work tasks.

## City of Sunfish Lake

- Serve as the full-service staff planner for the City, and review all planning applications and zoning inquiries.
- Attend Planning Commissions and City Council meetings as needed.
- Staff coordination for development meetings and conduct property inspections for code enforcement.
- Provide planning review services for land use applications, including review of applications, staff report preparation, presentation of application and recommendation at Planning Commission and City Council meetings.
- Assist with Zoning Ordinance and Comprehensive Plan updates.

## City of East Gull Lake

- Lead day-to-day planning, including reviewing planning applications for completeness, Planning Commission review, and City Council approval. Also manage Land Use Application permits for zoning compliance
- Rewriting existing zoning and subdivision ordinance.
- Aid in creation of policies, procedures, applications and checklists
- Serve as the zoning administrator for the community and answer resident questions about planning and zoning and code interpretation
- Work with individual property owners and applicants to address application requirements and zoning ordinance standards

## Cities of Tonka Bay and Spring Park

- Provides planning review services for land use applications, writes staff reports, and presents applications to the Planning Commissions and City Councils
- Coordinates reviews with residents and developers
- Conducts on-site property inspections
- Provides code enforcement services
- Maintains escrow accounts and fee schedules with the assistance of the City Treasurer

## City of Mahtomedi

- Serve as the full-service planner for the City, and review all planning applications and zoning inquiries
- Serve as a staff resource for Planning Commission and City Council members and serve as an extension of their staff by attending department meetings whenever necessary
- Provide weekly office hours to complete planning related work (development review, preparation of staff reports for all land use applications, and meetings with residents/business owners
- Updates to the City of Mahtomedi's Comprehensive Plan, leading an ordinance amendment process

## Work Sample

In the Appendix, we have provided a report that WSB has created for the City of Tonka Bay.

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## Availability



Our team is confident that our current work load will not impede any work that will be done for the City of Spring Lake Park. Customer service is of utmost importance to our company and this team was chosen with consideration given to each individual's current workload.



# Fee Proposal



WSB is recommending Lori Johnson as the primary city contact with a billing rate of \$200/hour. Hannah Rybek (\$174/hour) and Jessica Long (\$100/hour) will assist Lori. Kim Lindquist will assist with economic and redevelopment projects within the community, upon request, at \$200/hour. WSB strives to have the appropriate person conduct work for the community to reduce overall billings for the City. WSB is proposing a flat fee of \$300 per Planning Commission or City Council meeting. Additional staff used for city projects, upon approval of the City, will be billed at the 2025 rates below.

## 2025 WSB RATE SHEET

BILLING RATE/HOUR	
PRINCIPAL   ASSOCIATE	\$195 - \$281
SR. PROJECT ENGINEER   SR. PROJECT MANAGER	\$195 - \$251
PROJECT MANAGER	\$171 - \$191
PROJECT ENGINEER   GRADUATE ENGINEER	\$115 - \$190
PROJECT MANAGER ASSISTANT	\$95 - \$155
ENGINEERING TECHNICIAN   ENGINEERING SPECIALIST	\$76 - \$189
LANDSCAPE ARCHITECT   SR. LANDSCAPE ARCHITECT	\$86 - \$182
ENVIRONMENTAL SCIENTIST   SR. ENVIRONMENTAL SCIENTIST	\$77 - \$180
PLANNER   SR. PLANNER	\$89 - \$188
GIS SPECIALIST   SR. GIS SPECIALIST	\$86 - \$188
CONSTRUCTION OBSERVER	\$117 - \$152
SURVEY	
SURVEY OFFICE TECHNICIAN	\$136 - \$169
DRONE PILOT	\$197
ONE-PERSON CREW	\$197
TWO-PERSON CREW	\$265
OFFICE TECHNICIAN	\$67 - \$147

Costs associated with word processing, cell phones, reproduction of common correspondence, and mailing are included in the above hourly rates. Vehicle mileage is included in our billing rates [excluding geotechnical and construction materials testing (CMT) service rates] | Reimbursable expenses include costs associated with plan, specification, and report reproduction; permit fees; delivery costs; etc. | Multiple rates illustrate the varying levels of experience within each category. | Rate Schedule is adjusted annually.



# References



## ■ City of Tonka Bay

**DURATION: 2022 - CURRENT**

### REFERENCE:

CJ Holl | City Administrator

952.474.7994 | choll@cityoftonkabay.net

Lori provides planning review services for land use applications in the City of Tonka Bay. She writes staff reports and presents them to the Planning Commission and City Council. Lori coordinates reviews with residents and developers, conducts on-site property inspections, and provides code enforcement services. Additionally, she maintains escrow accounts and fee schedules with the assistance of the City Treasurer.

## ■ City of Spring Park

**DURATION: 2023 - CURRENT**

### REFERENCE:

Mike Anderson | City Administrator

952.999.7493 | manderson@ci.spring-park.mn.us

In the City of Spring Park, Lori manages planning review services for land use applications. She prepares and presents staff reports to the Planning Commission and City Council. Lori coordinates with residents and developers, conducts on-site property inspections, and provides code enforcement services. She also collaborates with the City Treasurer to manage escrow accounts and fee schedules.

## ■ City of Sunfish Lake

**DURATION: SEP 2021 - CURRENT**

### REFERENCE:

Dan O'Leary | Mayor

651.238.0904 | olearytriallaw@yahoo.com

Lori serves as the full-service staff planner for the City of Sunfish Lake, reviewing all planning applications and zoning inquiries. She attends Planning Commission and City Council meetings as needed, coordinates staff for development meetings, and conducts property inspections for code enforcement. Lori provides planning review services for land use applications, including application reviews, staff report preparation, and presenting recommendations at Planning Commission and City Council meetings. Additionally, she assists with updates to the Zoning Ordinance and Comprehensive Plan.





Appendix

## Work Sample - City of Tonka Bay

## City of Tonka Bay Memorandum

**To:** City Council Members  
Dan Tolsma, City Administrator

**From:** Lori Johnson, City Planner  
Adam Gadbois, City Engineer

**Date:** May 4, 2023  
City Council Regular Meeting May 9, 2023

**Project:** 021191-000, Phase 04

**Request:** The applicant is requesting the following for the property at 24320 Smithtown Road:

- Comprehensive Plan Amendment to change the future land use of the property from Mixed Use to Multi-Family.
- Rezoning from C-2 General Commercial to R-3 Medium Density
- Conditional Use Permit for a residential Planned Unit Development (PUD)

**PID:** 3311723140040

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### GENERAL INFORMATION

**Applicant(s)/Owner(s):** Owner: Thomas Higgins  
Applicant: TSML Properties, LLC

**Subject Property:** 24320 Smithtown Road

**Existing Zoning:** C-2 General Commercial

**Comprehensive Plan:** The Tonka Bay 2018-2040 Comprehensive Plan guides this lot for Mixed Use.

**Deadline for Agency Action:** Application Complete Date: March 30, 2023  
60 Days: May 29, 2023  
Extension Letter Mailed: N/A  
120 Days: N/A

**Attachments:** Location Map/Aerial  
Development Plans  
Building Elevations and Floor Plans  
Fire Truck Turn Exhibit  
Hennepin County notes  
Correspondence from MCWD  
Narrative

### CONSIDERATIONS RELATED TO THE REQUEST

#### 1. Overview.

The applicant, TSML Properties, LLC, has submitted three land use applications for the property at 24320 Smithtown Road. The applications consist of a comprehensive plan amendment, rezoning and a conditional use permit for a residential Planned Unit Development (PUD).

The applicant is proposing to develop an 11-unit twinhome project that includes property in Tonka Bay and in Shorewood. This project is unique in that 4 twinhomes (2 structures) will be located on 24320

Smithtown Road, which is in the City of Tonka Bay, and 7 twinhomes will be located on 24250 Smithtown Road which is in the City of Shorewood. The city boundary falls on the west side of the north/south private drive that is shared between the four units in Tonka Bay and the 7 units in Shorewood. This project requires various land use approvals from both cities before development can occur. A condition of approval is that the development is contingent on land use approvals from the City of Shorewood.

The applicant is proposing that an association be created for this project to handle maintenance of the site.

#### Existing Site Details

24320 Smithtown Road in Tonka Bay has a gross site area of 1.12 acres. The site is currently zoned C-2 General Commercial and has a current land use designation of Mixed Use. 24250 Smithtown Road in Shorewood has a gross site area of 1.46 acres. This site is currently zoned R2-A Single/Two Family Residential and has an existing land use of Medium Density.

This report will focus solely on the Tonka Bay portion of the project. The City of Shorewood has their own approval process that is ongoing at this time but has been scheduled to coincide with Tonka Bay's process to the extent possible.

Currently there is an existing home on site that has been used for the chocolate shop for some time. The access to the home is shared with the commercial property to the west of the property and there is a shared access agreement in place for this shared road connection. The home and the existing bituminous drive area will be removed with the redevelopment of this site.

#### Tree Removal

All of the trees to be removed on site are in alignment with where streets, utilities, buildings, parking and drainage areas are to be constructed, and the zoning ordinance allows for this removal. There are six trees that will be saved on site along the western border of the development. Tree protection efforts will be required as part of the resolution of approval for these six trees.

#### Access/Filtration Basin

The existing private access location to the site will be reused but the access itself will be redesigned to accommodate a 90-degree angle. An existing retaining wall adjacent to the concrete walkway and current access to the site will be moved to accommodate the proposed filtration basin and new access proposed to the site. The existing retaining wall falls within a Hennepin County public road easement in some locations so Hennepin County would need to vacate the portion of the easement which will no longer be necessary for the retaining wall. The new retaining wall will be solely on private property.

Hennepin County has provided preliminary comments on the plan, and these comments are provided for your review. Specifically, Hennepin County has indicated support for the redesigned, 90-degree access and the removal/reconstruction of the retaining wall. Other comments include the County's support of the reconstruction of existing sidewalks and curb ramps to be directional, and county staff has asked the developer to provide dimensions from back of sidewalk to the right-of-way/filtration basin to determine if a drainage easement and or trail easement can be accommodated in this area.

A filtration basin will be constructed on the northeast corner of the access location, and this basin will straddle the Tonka Bay/Shorewood city line. A condition of approval includes the requirement for a shared access easement for this basin between the two cities to ensure the basin functions properly and the cities can adequately access the basin when necessary. The shared access with the commercial area to the west will remain in place but a new shared access agreement reflecting the new ownership will need to be in place between the two property owners prior to construction.

A private drive will be utilized to serve the 11 townhomes that are proposed. The portion of the private drive in the City of Tonka Bay includes the curve of the drive coming off the access and 7 new parking stalls to provide additional parking for the units. It also includes a small turn around area on the north

side of unit 4 for emergency vehicle access. Staff requested that the applicant provide evidence that emergency vehicles can safely access all units and be able to turn around within the development. The applicant submitted a drawing that indicates the largest emergency vehicle that could be used in this area (fire truck) can be accommodated with this proposed development.

#### Utilities

The overall development, including the portion of the project in Shorewood, will be serviced by watermain from Tonka Bay and sanitary sewer from Shorewood. The resolution of approval should include language that requires a service agreement between the two cities and the developer for the shared utilities.

#### Parking

The Tonka Bay zoning ordinance, for multi-family developments, requires two (2) fee free parking spaces for each living unit, of which one (1) is to be enclosed. Each unit has a garage which would count towards the one enclosed space. These units will have two car garages so the parking requirement for the site is met. With that being said, the developer has proposed seven additional parking stalls along the private drive south of the four units in Tonka Bay. These parking stalls also meet the size requirements of the zoning ordinance.

#### Landscaping

The zoning ordinance does not provide specific planting calculations for multi-family sites. It does, however, emphasize that boundaries or perimeters of the site be the focus of the new proposed landscaping. The plan that has been presented does provide conifer trees on the west side of the site to screen the commercial area from the twinhomes. Conifer trees are also planted around the hammerhead turn around on the north side of the site to block headlights from cars turning around at this location. There are overstory trees sprinkled throughout the site. A homeowner's association is required and proposed for this development to ensure ongoing maintenance of landscaping and snow removal.

#### Proposed Units

The units being proposed are approximately 8,900 square feet in size. The buildings are one level and are 28 feet in height, which meets the requirements of the ordinance. The materials used on the building include James Hardie siding, board and batten, soffit and fascia and architectural shingles.

#### Future Processes

If the comprehensive plan amendment, rezoning and conditional use permit are approved by the City Council, the applicant will subsequently submit a preliminary and final plat that appropriately subdivides the property into lots, blocks and outlots where necessary.

## **2. Approvals**

#### Comprehensive Plan Amendment

For the development to be constructed as proposed, a comprehensive plan amendment is required to change the current land use of the property (Mixed Use) to Multi-Family to accommodate a twinhome development.

Because the site has been used commercially in the past but has also historically been a single-family home, the site was previously given the Mixed Use land use designation. With this development proposal, the commercial aspect of the property is being removed, and the land will be used entirely for residential purposes. The multi-family nature of the proposal fits the definition of the Multi Family land use category in the Comprehensive Plan. The description of the Multi Family category is as follows: A land use category intended to provide for a wide variety of housing styles at differing residential densities and their directly related complementary uses.



All comprehensive land use plan amendments that are in jurisdictions within the seven-county metro area under the administration of the Metropolitan Council, must also be approved by the Metropolitan Council. If the City Council chooses to approve the amendment, staff will prepare an application to the Met Council for its review. It is staff's hope that due to the small size of the project, the Met Council will decide to provide administrative approval, though this is not guaranteed. Administrative approval could possibly be achieved within 30-40 days, while the review process involving the Met Council Board might take 60 days. The process involves staff sending in an application for review along with a resolution of approval from the City Council. The Met Council staff will review the information and make a determination on the type of approval that is required for this project.

#### Rezoning

A rezoning of the parcel would be required to provide an underlying zoning district that is compatible with the proposed development of the property. The applicant has submitted a rezoning application that would change the zoning of the property from C-2 to R-3 Medium Density Residential.

The purpose of the R-3 Medium Density Residential District is intended to provide for a greater variety in housing type by allowing medium density residential development at an overall density ranging up to seven (7) units per acre. The density of the Tonka Bay portion of the development is 3.5 units per acre, which fits within density requirement of the R-3 zoning district.

#### Conditional Use Permit

The proposed project includes setbacks, lot areas and other standards that are not compatible with the requirements of the R-3 Medium Density Residential zoning district. The R-3 standards include residential planned unit developments as a conditional use, and the appropriate conditional use permit application has been submitted.

Tonka Bay's zoning ordinance provides direction on how to process residential planned unit developments allowed with a conditional use permit. There are generally three phases to a planned unit development approval. These phases include concept plan approval, development stage approval and final approval. The ordinance allows the concept plan approval and development plan approval to be processed at the same time if the development is not proposed in stages. The final approval is the approval granted by staff prior to issuance of building permits. For this development, the conditional use permit will include the concept plan and development stage approvals as this project will be developed in one phase.

As stated earlier, a conditional use permit for a PUD is required for this development because the project does not meet all requirements of the R-3 Zoning District. It also does not meet certain standards of the PUD ordinance, but these deviations would also be allowed with the conditional use permit. The deviations proposed by this development are as follows:

#### Setback Deviations:

The R-3 zoning district requires a front yard building setback of 30 feet, a side yard building setback of 8 feet, and a rear yard building setback of 15 feet.

Because this development includes a private road, there is a lot line in the middle of the public street rather than at a right-of-way line. The distance between the front of the homes to the back of the curb for the private road is 30.2 feet. In typical residential neighborhoods, the property line would be located 30 feet from the home, and the distance between the property line and the street would be approximately five or ten feet. Thus, the twinhomes in this development would be much closer to the street than in a typical neighborhood.

The setbacks proposed for the twinhomes include a 6-foot side yard setback rather than the 8 foot required side yard building setback.

The rear yard setback proposed for this development is 25 feet which exceeds the zoning ordinance requirement and no deviation is required.

Lot Width Deviations:

The R-3 zoning district requires a lot width of not less than 65 feet. The proposed development has a lot width of 41 feet.

Allowance of a Private Road:

The PUD ordinance requires that there be no private roads allowed in a PUD. The applicant is proposing this road as a private drive, which makes sense from a maintenance standpoint. The city will have an agreement in place with the townhome association to maintain the utilities under the street so public right-of-way is not required.

Impervious Surface Deviation:

The zoning ordinance requires an impervious surface coverage of no more than 25% and the impervious surface coverage proposed for this development is 39.4%. The applicant is providing the necessary storm water treatment for this site with the filtration basin which is typically required when sites exceed this requirement through the variance process.

Floor Area Ratio Deviation:

The zoning ordinance requires a Floor Area Ratio (FAR) of no more than 30% on all residential sites. This development is proposing a FAR of 39%.

The purpose of considering a Planned Unit Development within the city of Tonka Bay is to provide flexibility in the development of neighborhoods by incorporating design modifications that are not consistent with typical zoning ordinance requirements. A PUD allows the city to approve creative, flexible, market driven developments that would not typically conform to current standards. In this particular instance, the city would be allowing the deviations listed above in return for the development of twinhomes with increased landscaping and a private road that does not burden the City's street maintenance system. It allows for a type of unit that is driven by the market now with setbacks that are typical of this type of development in different areas of the metro.

### **3. Ordinance Authority**

*SECTION 1021* sets forth the requirements for the R-3, Medium Density Residential District.

*SECTION 1006* sets forth the requirements for the establishments of Planned Unit Developments.

Section 1003 sets forth the procedural requirements for zoning map amendments, land use amendments and conditional use permits.

### **POTENTIAL ACTION**

- A) DIRECT STAFF TO PREPARE RESOLUTIONS APPROVING THE COMPREHENSIVE PLAN AMENDMENT, REZONING AND CONDITIONAL USE PERMIT REQUESTS based on the Applicant's submittals and findings of fact.
- B) DIRECT STAFF TO PREPARE A RESOLUTION DENYING THE COMPREHENSIVE PLAN AMENDMENT, REZONING AND CONDITIONAL USE PERMIT REQUESTS based on the Applicant's submittals and findings of fact.
- C) TABLE THE ITEM and request additional information.

## RECOMMENDATION

Staff recommends approval of the comprehensive plan amendment, rezoning and conditional use permit based on the conditions or rationale listed below for each application. The City Council, based on the information in this report and public testimony, will need to make a motion to approve these requests and motions of approval are provided below for consideration.

### Motion of **Approval**:

"I move that we direct staff to prepare a resolution of approval for the **comprehensive plan amendment**, which changes the land use from Mixed Use to Multi Family for 24320 Smithtown Road, based on the following rationale:

1. The proposed land use change from Mixed Use to Multi Family is consistent with the proposed development at 24320 Smithtown Road.
2. The Multi Family land use category is intended to provide for a wide variety of housing styles at differing residential densities and their directly related complementary uses, and the twinhome proposal at 24320 Smithtown Road is consistent with this purpose.
3. The comprehensive plan amendment approval by the Tonka Bay City Council is contingent upon approval from the Metropolitan Council regarding the land use change.
4. The comprehensive plan amendment is consistent with the criteria set forth in Section 1003.01 Subd. 8 for amendment approval.

"I move that we direct staff to prepare a resolution of approval of the **rezoning**, changing the zoning from C-2 to R-3 for 24320 Smithtown Road, based on the following rationale:

1. The existing zoning cannot accommodate residential development as proposed for this property.
2. The R-3 zoning designation is consistent with the type of construction and residential density proposed for the project at this property.
3. The rezoning is consistent with the criteria set forth in Section 1003.01 Subd. 8 for the approval of rezoning applications.

"I move that we direct staff to prepare a resolution of approval for the **conditional use permit** for the Planned Unit Development consisting of four twinhomes, the establishment of a homeowners association, a private road and access changes, for 24320 Smithtown Road based on the following conditions:

1. The construction of all townhomes to be generally guided by the approved conditional use permit resolution and consistent with all the depictions, drawings and information on the plans attached to the staff report dated May 9, 2023, for this project. This includes building elevations for the twinhomes.
2. The approval of this conditional use permit is conditioned upon the approval of all necessary land use applications from the City of Shorewood. No work can begin on site until these approvals have been secured.
3. All site plan and unit plans require approval from the City Engineer and City Planner prior to any work being performed on site.
4. All site work to meet the requirements of Section 1011 of the zoning ordinance.
5. The landscape plan must be installed as depicted on the plans presented for approval for the May 9, 2023 City Council meeting, and it shall also meet all requirements of Section 1011.05 Subd. 4 and 6.

6. Underground irrigation must be used for all landscaped areas.
7. No detached accessory structures allowed except if needed to house underground irrigation controls.
8. Any entrance signage for the development requires a separate permit.
9. A new shared access agreement must be provided to the city and recorded at Hennepin County that is in reference to the shared driveway between this property and the commercial property to the west of this development. The agreement must include the consent of both property owners.
10. A shared maintenance agreement must be established over the infiltration basin that allows both the City of Tonka Bay and the City of Shorewood to access the pond for maintenance purposes. The routine maintenance of the infiltration basin would be the requirement of the HOA.
11. A shared easement agreement must be executed between the developer, and the cities of Shorewood and Tonka Bay for the maintenance of the shared utilities in the development.
12. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.
13. The twinhome association must be responsible for all snow removal on individual driveways, the private drive and all landscaping.
14. Tree protection fencing must be installed around all trees to be preserved. An inspection of the fencing will be required prior to any work being performed on site.
15. The applicant must secure the necessary permits from Hennepin County for all work done in Hennepin County right-of-way.
16. The applicant must obtain a permit and approval from the Minnehaha Creek Watershed District prior to any work being performed on site.
17. The approval of this conditional use permit is contingent upon the approval of the comprehensive plan amendment for this site by the Metropolitan Council. No work can begin on site prior to Met Council approval.
18. Per Section 1011.08 of the zoning ordinance a plan agreement must be established between the city and the applicant prior to work being performed on site. This agreement will include the submission of a cash escrow to cover 100% of the site work.
19. The approval and execution of any and all additional agreements that may be required upon further review of staff for the City of Tonka Bay and the City of Shorewood.



## Location Map for 24320 Smithtown Road





## Aerial for 24320 Smithtown Road



# SMITHTOWN ROAD REDEVELOPMENT

SHOREWOOD / TONKA BAY, MINNESOTA

ISSUED FOR: PUD / CONCEPT PLAN CITY SUBMITTAL

PRELIMINARY:  
NOT FOR  
CONSTRUCTION

PROJECT  
24320 & 24250 Smithtown Road

Tonka Bay & Shorewood, Minnesota 55331

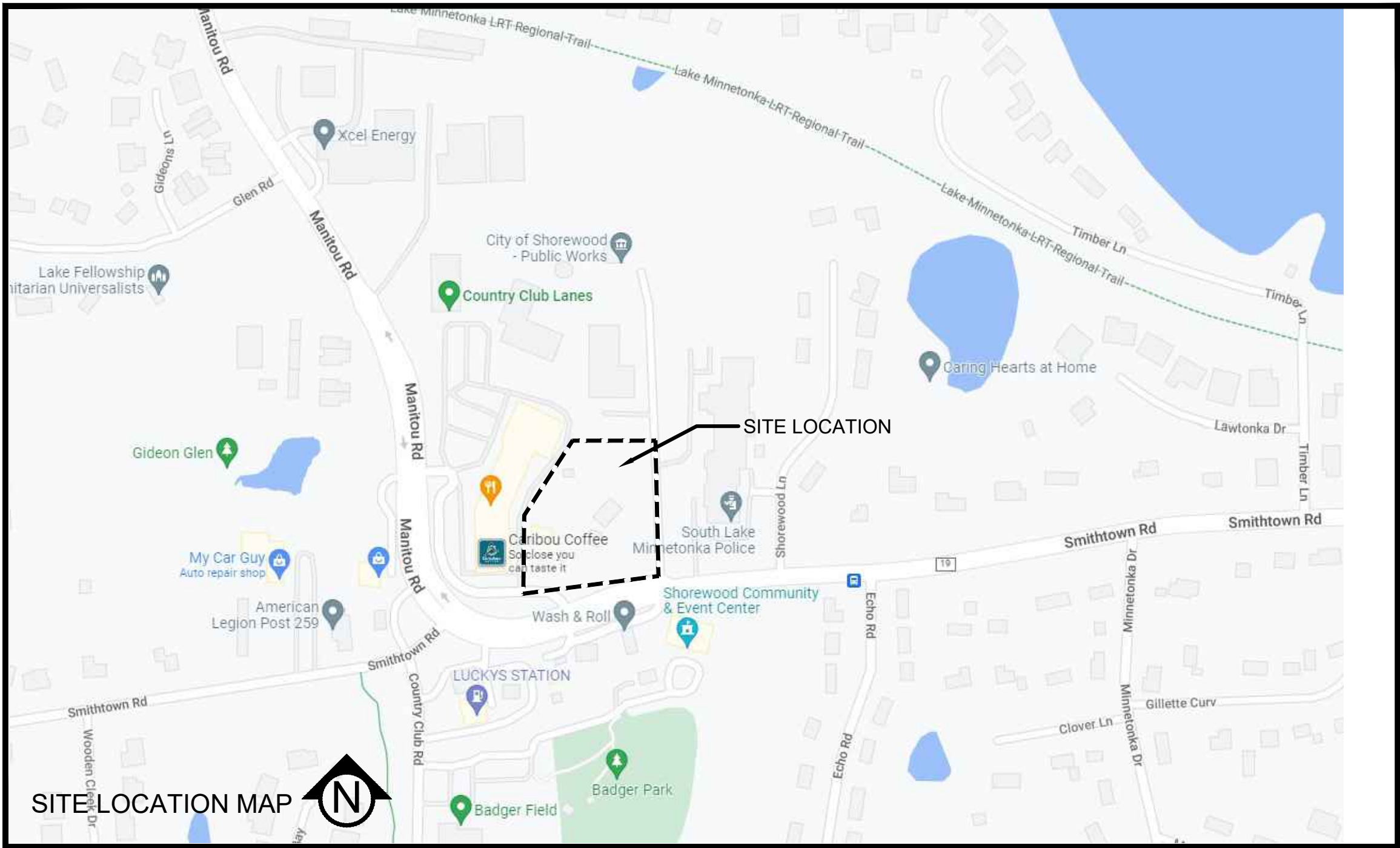
TSMI PROPERTIES, LLC  
10014 ORLEANS LANE N., MAPLE GROVE, MN 55369

ISSUE/SUBMITTAL SUMMARY	
DATE	DESCRIPTION
01-24-2023	SKETCH / CONCEPT SUBMITTAL
03-21-2023	CITY RESUBMITTAL

REVISION SUMMARY	
DATE	DESCRIPTION

TITLE SHEET

C0.0



DEVELOPER / PROPERTY OWNER:

TSMI PROPERTIES, LLC  
10014 ORLEANS LANE N.  
MAPLE GROVE, MN 55369  
CONTACT: RYAN LUNDGREN  
218.393.6940

ENGINEER / LANDSCAPE ARCHITECT:

CIVIL SITE GROUP  
5000 GLENWOOD AVE  
GOLDEN VALLEY, MN 55422  
CONTACT: KEVIN TEPPEN  
612-615-0060

SURVEYOR:

CIVIL SITE GROUP  
5000 GLENWOOD AVE  
GOLDEN VALLEY, MN 55422  
CONTACT: RORY SYNSTELIEN  
612-615-0060

GEOTECHNICAL ENGINEER:

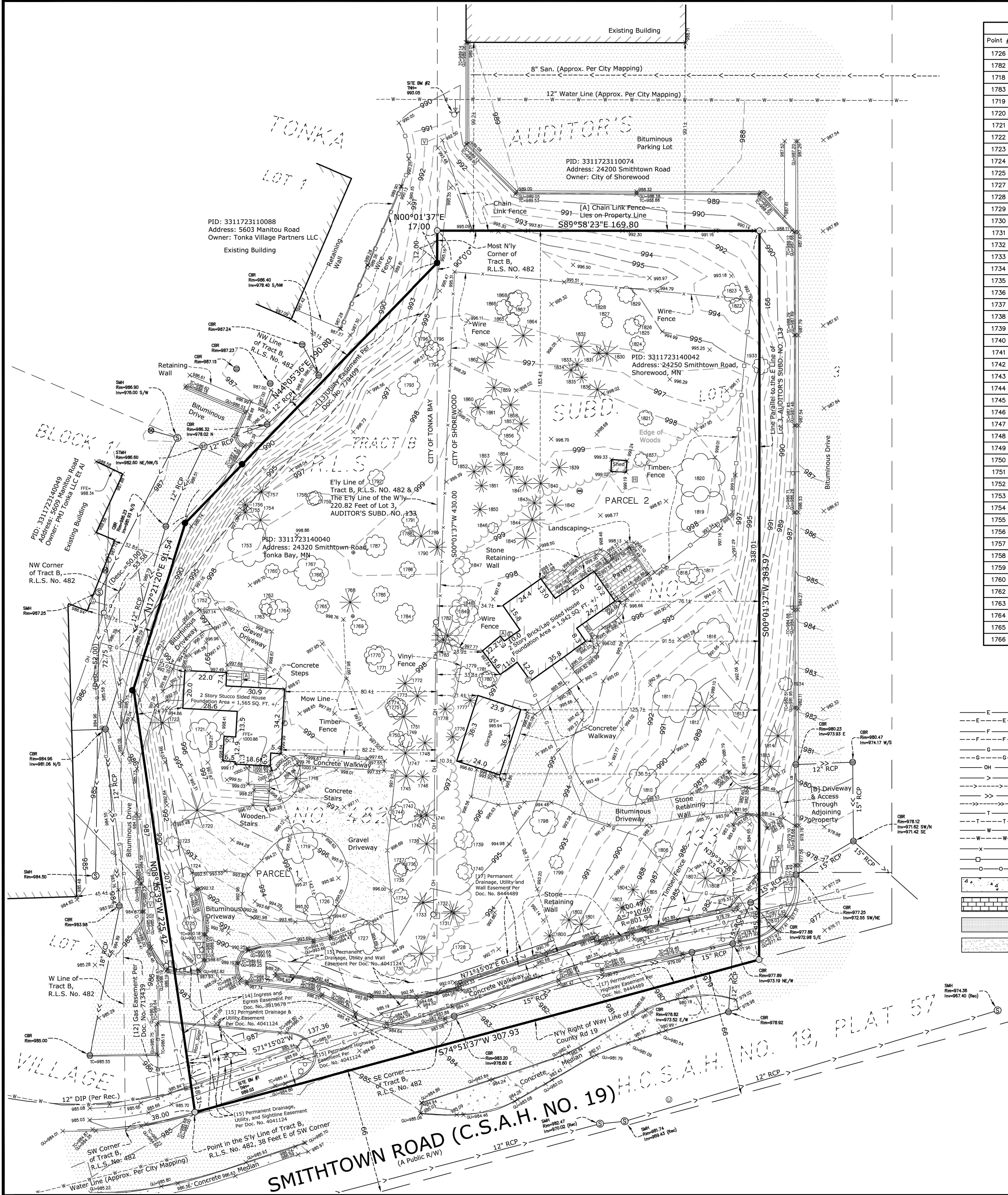
HAUGO GEOTECHNICAL SERVICES  
2825 CEDAR AVENUE S.  
MINNEAPOLIS, MN 55407  
CONTACT: PAUL GIONFRIDDO, PE  
612.729.2959

ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.



Know what's below.  
Call before you dig.





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

### Linetype & Symbol Legend

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

### DESCRIPTION OF PROPERTY SURVEYED

Parcel 1:  
That part of the following described property:

Tract B, except that part thereof lying Southwesterly of a line drawn from a point in the Southerly line of said Tract distant 38 feet East of the Southwest corner thereof to the Northwest corner of said Tract and except that part of said Tract lying Northwesterly of a line drawn from said Northwest corner to a point on the Easterly line of said tract distant 12 feet South of the most Northerly corner of said Tract, Registered Land Survey No. 482, Hennepin County, Minnesota,

Which lies Easterly of the following described line and its extensions:

Beginning at a point on the Westerly line of said Tract B distant 52.00 feet Southerly from the Northwest corner of said Tract B; thence Northerly to a point on the Northwesterly line of said Tract B distant 50.00 feet Northeastly from said Northwest corner and said line there terminating.

Hennepin County, Minnesota  
Torrens Property

### Parcel 2:

That part of Lot 3, Auditor's Subdivision No. 133, lying East of the West 220.82 feet of Lot 3; and lying Southerly and Westerly of the following described Line A:

Line A: Beginning at a point on the East line of the West 220.82 feet of Lot 3 a distance of 430 feet North of the Northerly boundary of County Road 19; thence East at right angles to a point distant 70 feet West of the East line of Lot 3; thence South parallel to the East line of Lot 3 to the Northerly boundary of County Road 19 and there terminating.

Hennepin County, Minnesota  
Abstract Property

### GENERAL SURVEY NOTES

- Bearings are based on the Hennepin County Coordinate System (1986 Adjustment).
- Elevations are based on the NGVD 29 Datum. Site Benchmark are as follows:  
Site BM #1 - Top nut of the fire hydrant located approximately 35 feet northeast of the most southwesterly corner of subject property. Elevation = 989.03.  
Site BM #2 - Top nut of the fire hydrant located approximately 62 feet northeast of the most northwesterly corner of subject property. Elevation = 993.05.
- We have shown the location of utilities to the best of our ability based on observed evidence together with evidence from the following sources: plans obtained from utility companies, plans provided by client, markings by utility companies and other appropriate sources. We have used this information to develop a view of the underground utilities for this site. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary. Also, please note that seasonal conditions may inhibit our ability to visibly observe all the utilities located on the subject property.

### ALTA/NSPS LAND TITLE SURVEY NOTES

(numbered per Table A)

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

### SURVEY REPORT

- This map and report was prepared with the benefit of a Commitment for Title Insurance issued by Commercial Partners Title, a division of Chicago Title Insurance Company, as agent for Chicago Title Insurance Company, File No. CP70389, dated May 11, 2022. We note the following with regards to Schedule B of the herein referenced Title Commitment:
  - Item no.'s 1-11, and 16 are not survey related.
  - The following are numbered per the referenced title Commitment:
    - Easement for gas mains, service pipes and appurtenances thereto in favor of Minneapolis Gas Company, a Delaware corporation, contained in Easement dated November 15, 1962, filed December 17, 1962, as Document No. 713439, (Parcel 1). **Easement as shown hereon along the westerly portion of Parcel 1.**
    - Easement for gas mains, service pipes and appurtenances thereto in favor of Minneapolis Gas Company, a Delaware corporation, contained in Easement dated July 27, 1964, filed August 26, 1964, as Document No. 779409, (Parcel 1). **Easement as shown hereon along the northwesterly portion of Parcel 1.**
    - Terms and conditions of and easement for ingress and egress purposes in favor of 7901 Brooklyn Boulevard Associates, LLP, a Minnesota limited liability partnership, contained in Easement Agreement dated July 22, 2003, filed August 21, 2003, as Document No. 3619678, (Parcel 1). **Easement as shown hereon in the southwesterly portion of Parcel 1.**
    - Easement for highway purposes, together with easement for drainage, utility and wall purposes in favor of the County of Hennepin, a body politic and corporate of the State of Minnesota, contained in Quitclaim Deed dated October 13, 2004, filed November 12, 2004, as Document No. 4041124, (Parcel 1). **Easements as shown hereon along the southerly portion of Parcel 1.**
    - Subject to Hennepin County State Aid Highway No. 19, Plat 57, filed September 26, 1985, as Document No. 5036415 (Abstract) and filed September 20, 1985, as Document No. 1672825 (Torrens), being directed by Resolution adopted October 28, 1969, filed October 2, 1970, as Document No. 99240 (Torrens), (Parcels 1 and 2). **County State Aid Highway No. 19 as shown hereon lying southerly and adjacent to Parcel 1 and 2.**
    - Easement for highway purposes, together with easement for drainage, utility and wall purposes in favor of the County of Hennepin, a body politic and corporate of the State of Minnesota, contained in Quitclaim Deed dated August 9, 2004, filed September 29, 2004, as Document No. 8444489, (Parcel 2). **Easements as shown hereon along the southerly portion of Parcel 2.**
- Conflicts such as (but not limited to): encroachments, protrusions, access, occupation, and easements and/or servitudes:
  - Chain link fence lies on north line of Parcel 2, as shown hereon.
  - Parcel 2 driveway and access to Smithtown Road crosses through adjacent parcel to the east, as shown hereon. We are unaware of an easement for said driveway and access.

### ALTA CERTIFICATION

To: Thomas C. Higgins (Parcel 1), Mark W. Justinak and Carrie Weinberger Justinak, as joint tenants (Parcel 2); Lifestyle Communities; Commercial Partners Title, a division of Chicago Title Insurance Company; and Chicago Title Insurance Company;

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7(a), 8, 9, and 13 of Table A thereof.

The fieldwork was completed on 06-21-2022.

Dated this 7th day of July, 2022.

Rory L. Synstelen  
rory@civilsitegroup.com

Minnesota License No. 44565

## 24320 & 24250 Smithtown Road

Tonka Bay & Shorewood, Hennepin County, MN 55331

Lifestyle Communities

4938 Lincoln Drive, Edina, MN 55436

PROJECT

CLIENT

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

RORY L. SYNSTELLEN  
DATE 7-7-2022 LICENSE NO. 44565

QA/QC

FIELD CREW	DO
DRAWN BY	LB
REVIEWED BY	DO
UPDATED BY	

VICINITY MAP



REVISION SUMMARY

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

PROJECT NO. 22227.00

ALTA/NSPS LAND  
TITLE SURVEY

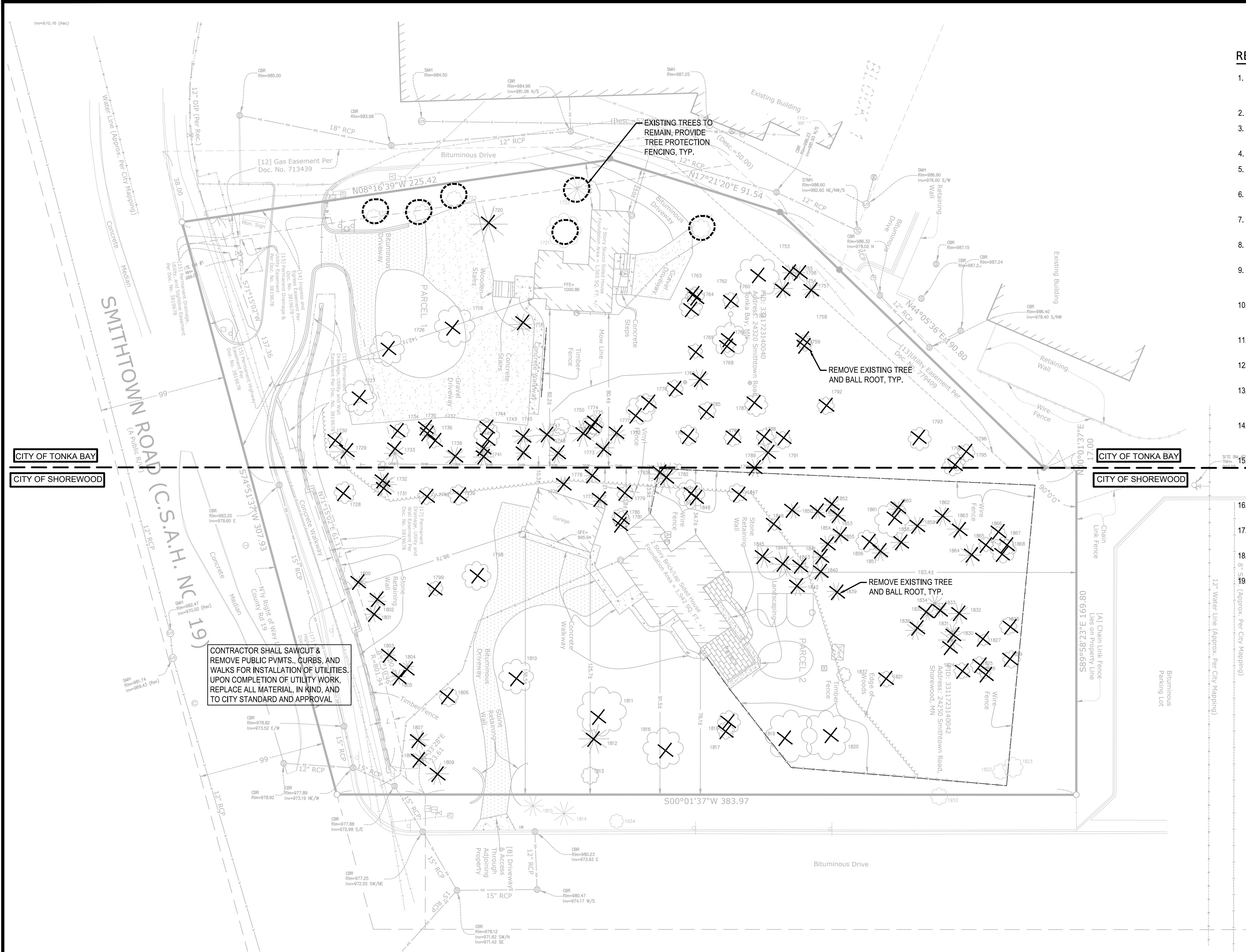
# V1.0

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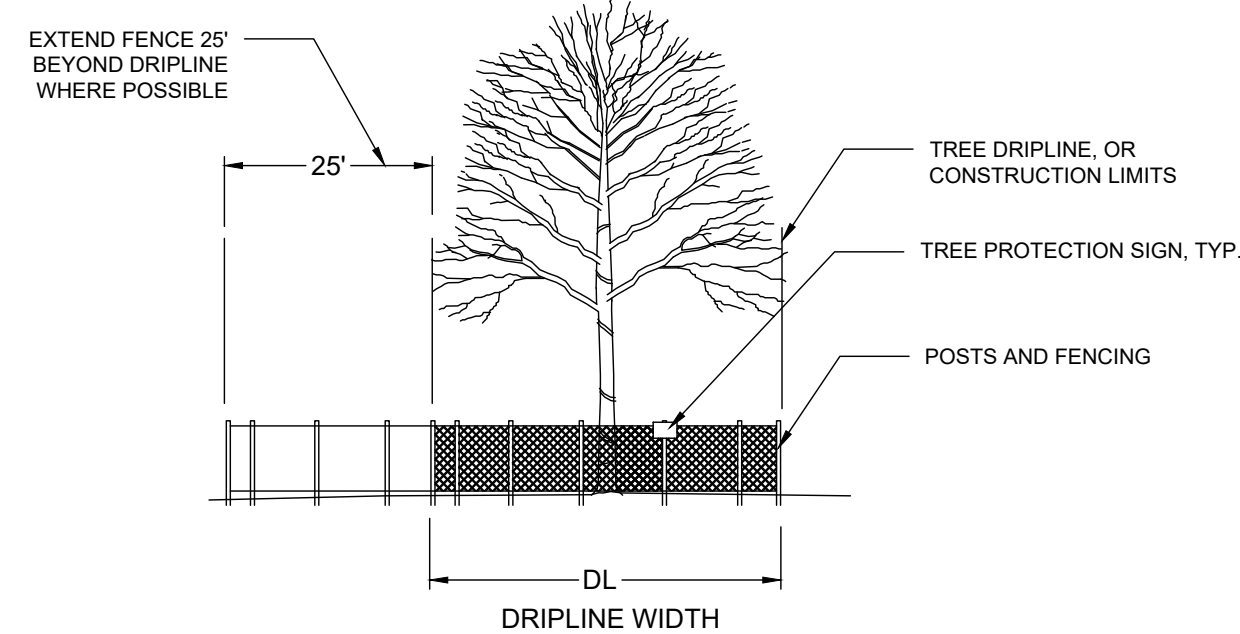






#### REMOVAL NOTES:

- ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
- SEE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) PLAN FOR CONSTRUCTION STORM WATER MANAGEMENT PLAN.
- REMOVAL OF MATERIALS NOTED ON THE DRAWINGS SHALL BE IN ACCORDANCE WITH MNDOT, STATE AND LOCAL REGULATIONS.
- REMOVAL OF PRIVATE UTILITIES SHALL BE COORDINATED WITH UTILITY OWNER PRIOR TO CONSTRUCTION ACTIVITIES.
- EXISTING PAVEMENTS SHALL BE SAWCUT IN LOCATIONS AS SHOWN ON THE DRAWINGS OR THE NEAREST JOINT FOR PROPOSED PAVEMENT CONNECTIONS.
- REMOVED MATERIALS SHALL BE DISPOSED OF TO A LEGAL OFF-SITE LOCATION AND IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.
- ABANDON, REMOVAL, CONNECTION, AND PROTECTION NOTES SHOWN ON THE DRAWINGS ARE APPROXIMATE. COORDINATE WITH PROPOSED PLANS.
- EXISTING ON-SITE FEATURES NOT NOTED FOR REMOVAL SHALL BE PROTECTED THROUGHOUT THE DURATION OF THE CONTRACT.
- PROPERTY LINES SHALL BE CONSIDERED GENERAL CONSTRUCTION LIMITS UNLESS OTHERWISE NOTED ON THE DRAWINGS. WORK WITHIN THE GENERAL CONSTRUCTION LIMITS SHALL INCLUDE STAGING, DEMOLITION AND CLEAN-UP OPERATIONS AS WELL AS CONSTRUCTION SHOWN ON THE DRAWINGS.
- MINOR WORK OUTSIDE OF THE GENERAL CONSTRUCTION LIMITS SHALL BE ALLOWED AS SHOWN ON THE PLAN AND PER CITY REQUIREMENTS. FOR ANY WORK ON ADJACENT PRIVATE PROPERTY, THE CONTRACTOR SHALL OBTAIN WRITTEN PERMISSION FROM THE ADJACENT PROPERTY OWNER PRIOR TO ANY WORK.
- DAMAGE BEYOND THE PROPERTY LIMITS CAUSED BY CONSTRUCTION ACTIVITY SHALL BE REPAIRED IN A MANNER APPROVED BY THE ENGINEER/LANDSCAPE ARCHITECT OR IN ACCORDANCE WITH THE CITY.
- PROPOSED WORK (BUILDING AND CIVIL) SHALL NOT DISTURB EXISTING UTILITIES UNLESS OTHERWISE SHOWN ON THE DRAWINGS AND APPROVED BY THE CITY PRIOR TO CONSTRUCTION.
- SITE SECURITY MAY BE NECESSARY AND PROVIDED IN A MANNER TO PROHIBIT VANDALISM, AND THEFT, DURING AND AFTER NORMAL WORK HOURS, THROUGHOUT THE DURATION OF THE CONTRACT. SECURITY MATERIALS SHALL BE IN ACCORDANCE WITH THE CITY.
- VEHICULAR ACCESS TO THE SITE SHALL BE MAINTAINED FOR DELIVERY AND INSPECTION ACCESS DURING NORMAL OPERATING HOURS. AT NO POINT THROUGHOUT THE DURATION OF THE CONTRACT SHALL CIRCULATION OF ADJACENT STREETS BE BLOCKED WITHOUT APPROVAL BY THE CITY PRIOR TO CONSTRUCTION ACTIVITIES.
- ALL TRAFFIC CONTROLS SHALL BE PROVIDED AND ESTABLISHED PER THE REQUIREMENTS OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MMUTCD) AND THE CITY. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO, SIGNAGE, BARRICADES, FLASHERS, AND FLAGGERS AS NEEDED. ALL PUBLIC STREETS SHALL REMAIN OPEN TO TRAFFIC AT ALL TIMES. NO ROAD CLOSURES SHALL BE PERMITTED WITHOUT APPROVAL BY THE CITY.
- SHORING FOR BUILDING EXCAVATION MAY BE USED AT THE DISCRETION OF THE CONTRACTOR AND AS APPROVED BY THE OWNERS REPRESENTATIVE AND THE CITY PRIOR TO CONSTRUCTION ACTIVITIES.
- STAGING, DEMOLITION, AND CLEAN-UP AREAS SHALL BE WITHIN THE PROPERTY LIMITS AS SHOWN ON THE DRAWINGS AND MAINTAINED IN A MANNER AS REQUIRED BY THE CITY.
- ALL EXISTING SITE TRAFFIC/REGULATORY SIGNAGE TO BE INVENTORIED AND IF REMOVED FOR CONSTRUCTION SHALL BE RETURNED TO LGU.
- ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.



FURNISH A AND INSTALL TEMPORARY FENCE AT THE TREE'S DRIP LINE OR CONSTRUCTION LIMITS AS SHOWN ON PLAN, PRIOR TO ANY CONSTRUCTION. WHERE POSSIBLE PLACE FENCE 25' BEYOND DRIP LINE. PLACE TREE PROTECTION SIGN ON POSTS, ONE PER INDIVIDUAL TREE (FACING CONSTRUCTION ACTIVITY), OR ONE EVERY 100' LF ALONG A GROVE OR MULTI-TREE PROTECTION AREA.

#### 1 TREE PROTECTION N T S

#### REMOVALS LEGEND:

- TREE PROTECTION
- TREE REMOVAL - INCLUDING ROOTS AND STUMPS

#### CITY OF SHOREWOOD / TONKA BAY REMOVAL NOTES:

- RESERVED FOR CITY SPECIFIC REMOVAL NOTES.

#### EROSION CONTROL NOTES:

SEE SWPPP ON SHEETS SW1.0 - SW1.5

PRELIMINARY:  
NOT FOR  
CONSTRUCTION

#### PROJECT 24320 & 24250 Smithtown Road

Tonka Bay & Shorewood, Minnesota 55331

**TSML PROPERTIES, LLC**

10014 ORLEANS LANE N., MAPLE GROVE, MN 55369

#### ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
01/24/2023	SKETCH / CONCEPT SUBMITTAL
03/21/2023	CITY RESUBMITTAL

DRAWN BY: kit, bj REVIEWED BY: kit

PROJECT NUMBER: 22227

#### REVISION SUMMARY

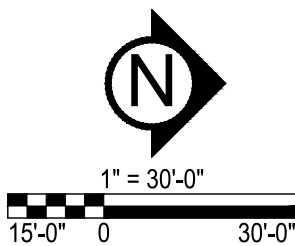
DATE	DESCRIPTION

#### TREE PRESERVATION PLAN

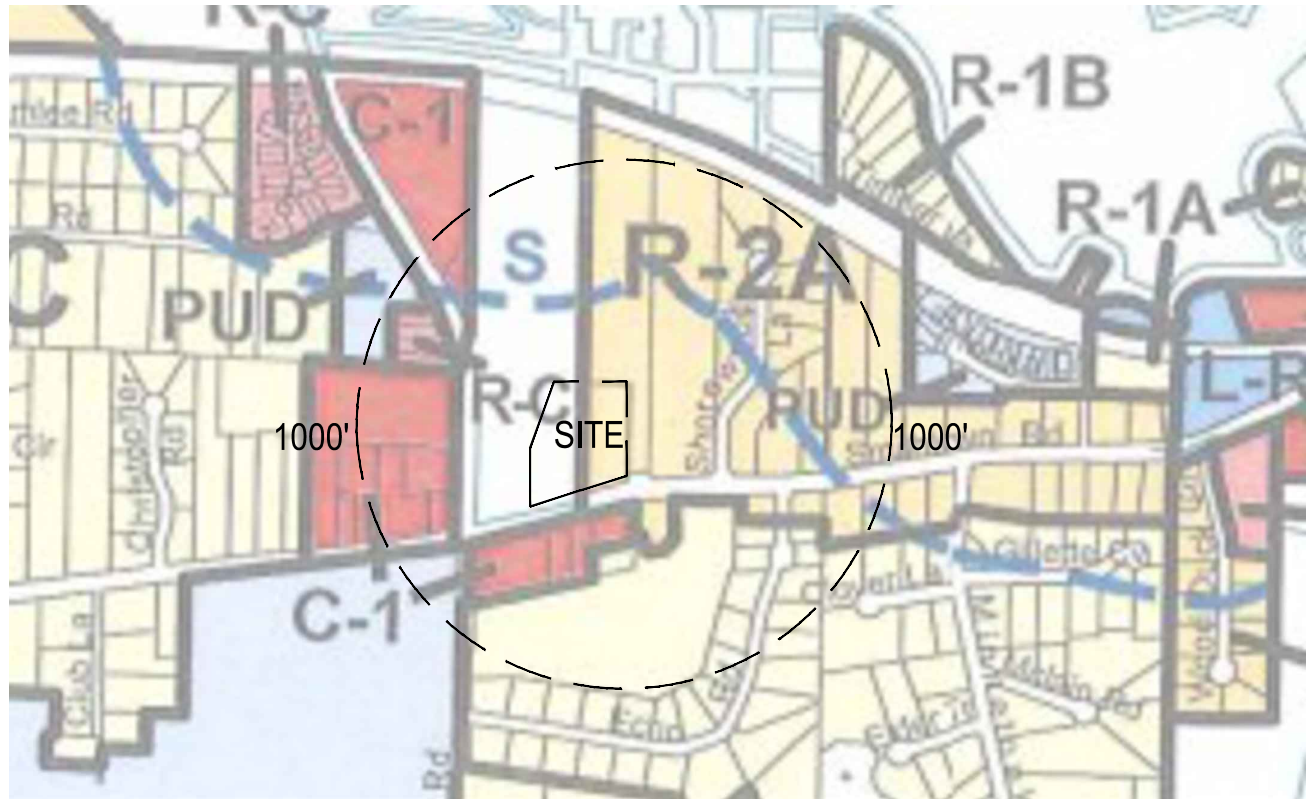
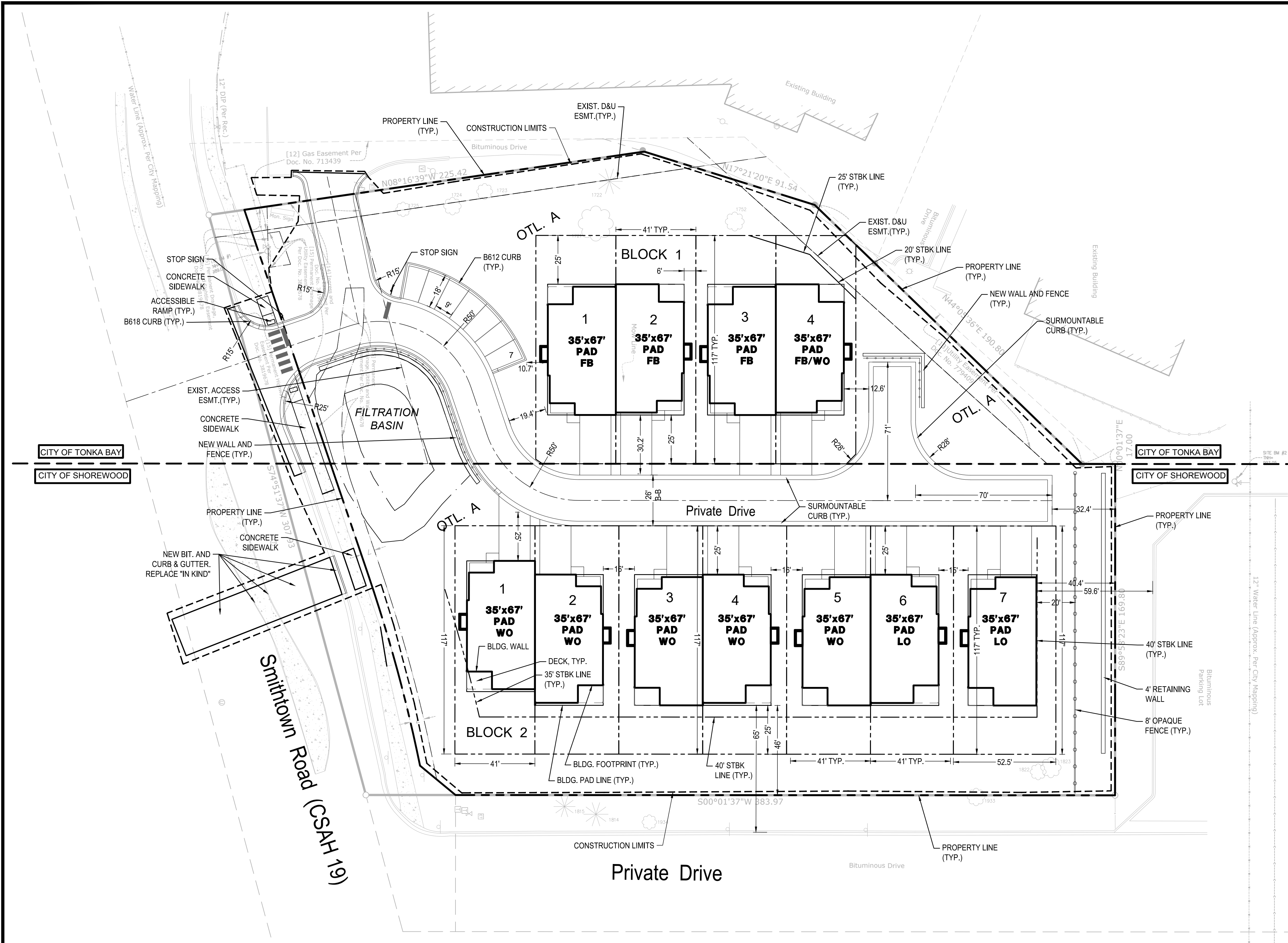
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CITY OF SHOREWOOD ZONING CLASSIFICATION:

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

SITE DATA (OVERALL PROJECT)

Gross Site Area: 2.58 Ac.  
Easements: 0.31 Ac.  
Net Developable Area: 2.27 Ac.  
(Lots & Local Roads, Ponds)

Overall Residential Units: 11 lots (4.85 u/a)  
Existing Hardcover: 0.44 Ac. (17.4% of site)  
Proposed Hardcover: see below per city

SITE DATA (SHOREWOOD)

Gross Site Area: 1.46 Ac.  
Easements: 0.03 Ac.  
Net Developable Area: 1.43 Ac.  
(Lots & Local Roads, Ponds)

Zoning:  
Existing Zoning: R2-A Single / Two Family Res.  
2040 Land Use Guide: Medium Density  
Proposed Zoning/ Land Use: PUD  
Proposed hardcover: 42.9% (27,309 / 63,610)

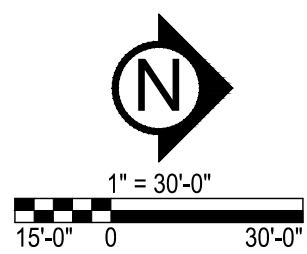
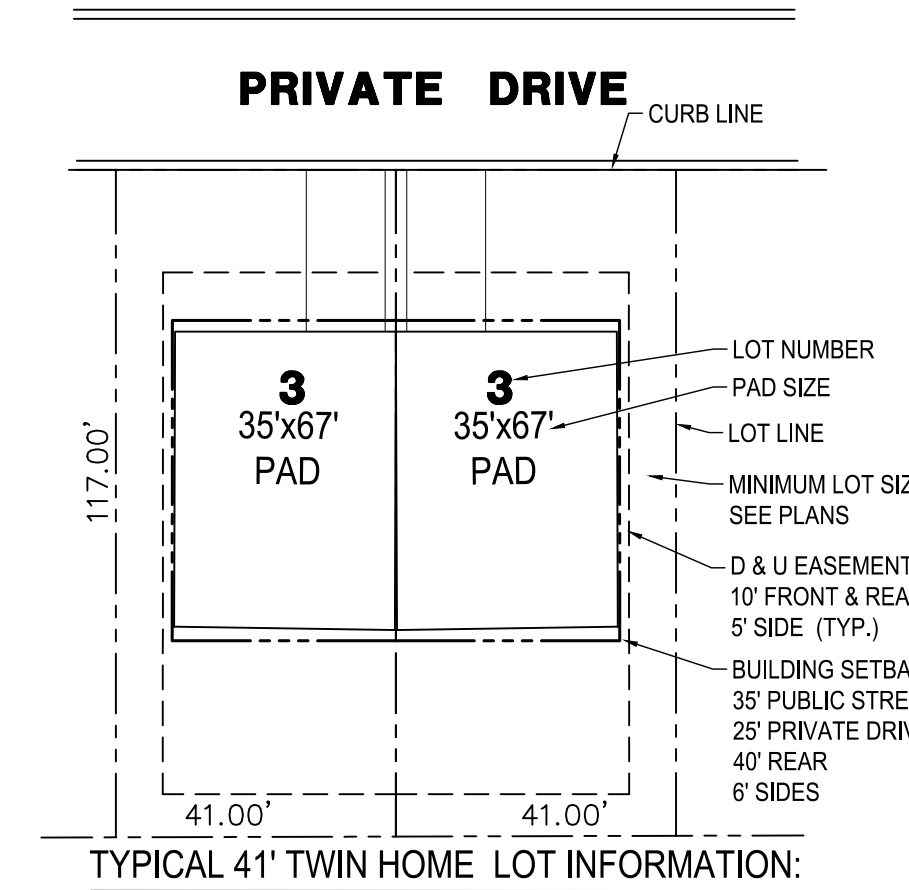
Overall Residential Units: 7 lots

SITE DATA (TONKA BAY)

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

Zoning:  
Existing Zoning: C-2 General Commercial  
2040 Land Use Guide: Mixed Use  
Proposed Zoning/ Land Use: PUD  
Proposed hardcover: 39.4% (19,221 / 48,726)  
Proposed FAR: 0.394

Overall Residential Units: 4 lots



PRELIMINARY:  
NOT FOR  
CONSTRUCTION

PROJECT  
24320 & 24250 Smithtown Road

Tonka Bay & Shorewood, Minnesota 55331

TSML PROPERTIES, LLC  
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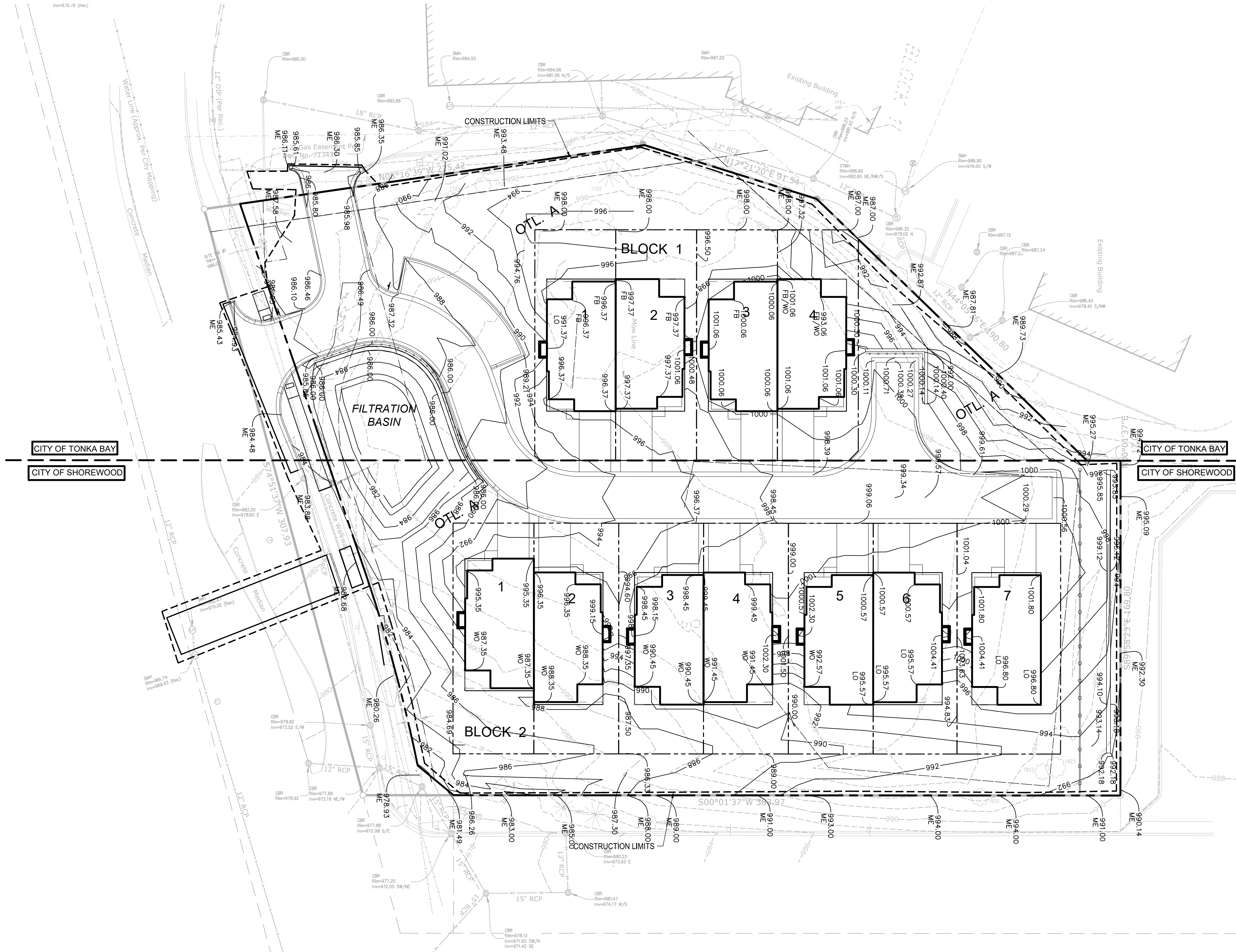
DRAWN BY: kit\_bj  
PROJECT NUMBER: 22227

REVISION SUMMARY	
DATE	DESCRIPTION
2.28.23	CITY COMMENTS

SITE PLAN

C2.0





CITY OF SHOREWOOD / TONKA BAY GRADING NOTES:

- RESERVED FOR CITY SPECIFIC GRADING NOTES.

EROSION CONTROL NOTES:

SEE SWPPP ON SHEETS SW1.0 - SW1.5

GENERAL GRADING NOTES:

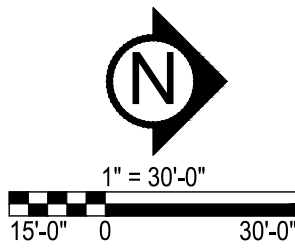
- CONTRACTOR SHALL VERIFY ALL BUILDING ELEVATIONS, (FFE, LFE, GFE), PRIOR TO CONSTRUCTION BY CROSS CHECKING WITH ARCHITECTURAL, STRUCTURAL AND CIVIL ELEVATIONS FOR EQUIVALENT "100" ELEVATIONS. THIS MUST BE DONE PRIOR TO EXCAVATION AND INSTALLATION OF ANY FOOTING MATERIALS. VERIFICATION OF THIS COORDINATION SHALL BE CONFIRMED IN WRITING BY CIVIL, SURVEYOR, ARCHITECTURAL, STRUCTURAL AND CONTRACTOR PRIOR TO CONSTRUCTION.
- ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
- SEE SITE PLAN FOR HORIZONTAL LAYOUT & GENERAL GRADING NOTES.
- THE CONTRACTOR SHALL COMPLETE THE SITE GRADING CONSTRUCTION (INCLUDING BUT NOT LIMITED TO SITE PREPARATION, SOIL CORRECTION, EXCAVATION, EMBANKMENT, ETC.) IN ACCORDANCE WITH THE REQUIREMENTS OF THE OWNER'S SOILS ENGINEER. ALL SOIL TESTING SHALL BE COMPLETED BY THE OWNER'S SOILS ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL REQUIRED SOIL TESTS AND INSPECTIONS WITH THE SOILS ENGINEER.
- ANY ELEMENTS OF AN EARTH RETENTION SYSTEM AND RELATED EXCAVATIONS THAT FALL WITHIN THE PUBLIC RIGHT OF WAY WILL REQUIRE A "RIGHT OF WAY EXCAVATION PERMIT". CONTRACTOR IS RESPONSIBLE FOR ACQUIRING THIS PERMIT PRIOR TO CONSTRUCTION IF APPLICABLE.
- ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
- GRADING AND EXCAVATION ACTIVITIES SHALL BE PERFORMED IN ACCORDANCE WITH THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS & PERMIT REQUIREMENTS OF THE CITY.
- PROPOSED SPOT GRADES ARE FLOW-LINE FINISHED GRADE ELEVATIONS, UNLESS OTHERWISE NOTED.
- GRADES OF WALKS SHALL BE INSTALLED WITH 5% MAX. LONGITUDINAL SLOPE AND 1% MIN. AND 2% MAX. CROSS SLOPE, UNLESS OTHERWISE NOTED.
- PROPOSED SLOPES SHALL NOT EXCEED 3:1 UNLESS INDICATED OTHERWISE ON THE DRAWINGS. MAXIMUM SLOPES IN MAINTAINED AREAS IS 4:1
- PROPOSED RETAINING WALLS, FREESTANDING WALLS, OR COMBINATION OF WALL TYPES GREATER THAN 4' IN HEIGHT SHALL BE DESIGNED AND ENGINEERED BY A REGISTERED RETAINING WALL ENGINEER. DESIGN DRAWINGS SHALL BE SUBMITTED FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF GRADE STAKES THROUGHOUT THE DURATION OF CONSTRUCTION TO ESTABLISH PROPER GRADES. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR A FINAL FIELD CHECK OF FINISHED GRADES ACCEPTABLE TO THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO TOPSOIL AND SODDING ACTIVITIES.
- IF EXCESS OR SHORTAGE OF SOIL MATERIAL EXISTS, THE CONTRACTOR SHALL TRANSPORT ALL EXCESS SOIL MATERIAL OFF THE SITE TO AN AREA SELECTED BY THE CONTRACTOR, OR IMPORT SUITABLE MATERIAL TO THE SITE.
- EXCAVATE TOPSOIL FROM AREAS TO BE FURTHER EXCAVATED OR REGRADED AND STOCKPILE IN AREAS DESIGNATED ON THE SITE. THE CONTRACTOR SHALL SALVAGE ENOUGH TOPSOIL FOR RESPREADING ON THE SITE AS SPECIFIED. EXCESS TOPSOIL SHALL BE PLACED IN EMBANKMENT AREAS, OUTSIDE OF BUILDING PADS, ROADWAYS AND PARKING AREAS. THE CONTRACTOR SHALL SUBCUT CUT AREAS, WHERE TURF IS TO BE ESTABLISHED, TO A DEPTH OF 6 INCHES. RESPREAD TOPSOIL IN AREAS WHERE TURF IS TO BE ESTABLISHED TO A MINIMUM DEPTH OF 6 INCHES.
- FINISHED GRADING SHALL BE COMPLETED. THE CONTRACTOR SHALL UNIFORMLY GRADE AREAS WITHIN LIMITS OF GRADING, INCLUDING ADJACENT TRANSITION AREAS. PROVIDE A SMOOTH FINISHED SURFACE WITHIN SPECIFIED TOLERANCES, WITH UNIFORM LEVELS OR SLOPES BETWEEN POINTS WHERE ELEVATIONS ARE SHOWN, OR BETWEEN SUCH POINTS AND EXISTING GRADES. AREAS THAT HAVE BEEN FINISH GRADED SHALL BE PROTECTED FROM SUBSEQUENT CONSTRUCTION OPERATIONS, TRAFFIC AND EROSION. REPAIR ALL AREAS THAT HAVE BECOME RUTTED BY TRAFFIC OR ERODED BY WATER OR HAS SETTLED BELOW THE CORRECT GRADE. ALL AREAS DISTURBED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED TO EQUAL OR BETTER THAN ORIGINAL CONDITION OR TO THE REQUIREMENTS OF THE NEW WORK.
- PRIOR TO PLACEMENT OF THE AGGREGATE BASE, A TEST ROLL WILL BE REQUIRED ON THE STREET AND/OR PARKING AREA SUBGRADE. THE CONTRACTOR SHALL PROVIDE A LOADED TANDEM AXLE TRUCK WITH A GROSS WEIGHT OF 25 TONS. THE TEST ROLLING SHALL BE AT THE DIRECTION OF THE SOILS ENGINEER AND SHALL BE COMPLETED IN AREAS AS DIRECTED BY THE SOILS ENGINEER. THE SOILS ENGINEER SHALL DETERMINE WHICH SECTIONS OF THE STREET OR PARKING AREA ARE UNSTABLE. CORRECTION OF THE SUBGRADE SOILS SHALL BE COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE SOILS ENGINEER. NO TEST ROLL SHALL OCCUR WITHIN 10' OF ANY UNDERGROUND STORM RETENTION/DETENTION SYSTEMS.
- TOLERANCES
  - THE BUILDING SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.30 FOOT ABOVE, OR 0.30 FOOT BELOW, THE PRESCRIBED ELEVATION AT ANY POINT WHERE MEASUREMENT IS MADE.
  - THE STREET OR PARKING AREA SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.05 FOOT ABOVE, OR 0.10 FOOT BELOW, THE PRESCRIBED ELEVATION OF ANY POINT WHERE MEASUREMENT IS MADE.
  - AREAS WHICH ARE TO RECEIVE TOPSOIL SHALL BE GRADED TO WITHIN 0.30 FOOT ABOVE OR BELOW THE REQUIRED ELEVATION, UNLESS DIRECTED OTHERWISE BY THE ENGINEER.
  - TOPSOIL SHALL BE GRADED TO PLUS OR MINUS 1/2 INCH OF THE SPECIFIED THICKNESS.
- MAINTENANCE
  - THE CONTRACTOR SHALL PROTECT NEWLY GRADED AREAS FROM TRAFFIC AND EROSION, AND KEEP AREA FREE OF TRASH AND DEBRIS.
  - CONTRACTOR SHALL REPAIR AND REESTABLISH GRADES IN SETTLED, ERODED AND RUTTED AREAS TO SPECIFIED TOLERANCES. DURING THE CONSTRUCTION, IF REQUIRED, AND DURING THE WARRANTY PERIOD, ERODED AREAS WHERE TURF IS TO BE ESTABLISHED SHALL BE RESEED AND MULCHED.
  - WHERE COMPLETED COMPACTED AREAS ARE DISTURBED BY SUBSEQUENT CONSTRUCTION OPERATIONS OR ADVERSE WEATHER, CONTRACTOR SHALL SCARIFY, SURFACE, RESHAPE, AND COMPACT TO REQUIRED DENSITY PRIOR TO FURTHER CONSTRUCTION.

GRADING PLAN LEGEND:

- |                  |  |
|------------------|--|
| ----- 1125 ----- | EX. 1' CONTOUR ELEVATION INTERVAL                              |
| ----- 1137 ----- | 1.0' CONTOUR ELEVATION INTERVAL                                |
| 41.26            | SPOT GRADE ELEVATION (GUTTER/FLOW LINE UNLESS OTHERWISE NOTED) |
| 891.00 G         | SPOT GRADE ELEVATION GUTTER                                    |
| 891.00 TC        | SPOT GRADE ELEVATION TOP OF CURB                               |
| 891.00 BS/TS     | SPOT GRADE ELEVATION BOTTOM OF STAIRS/TOP OF STAIRS            |
| 891.00 ME        | SPOT GRADE ELEVATION MATCH EXISTING                            |
| ⊗                | GRADE BREAK - HIGH POINTS                                      |
| =====            | CURB AND GUTTER (T.O = TIP OUT)                                |
| →                | EMERGENCY OVERFLOW   |



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PROJECT

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01.24.2023	SKETCH / CONCEPT SUBMITTAL
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DRAWN BY: kit, bj

REVIEWED BY: kit

PROJECT NUMBER: 22227

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GRADING PLAN

C3.0

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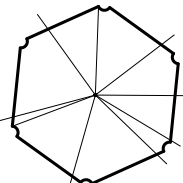
SYM	QUANT.	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	COMMENTS
DECIDUOUS TREES						
SM	12	SUGAR MAPLE	<i>Acer saccharum</i>	3.0" CAL.	B&B	STRAIGHT LEADER, FULL FORM
RM	3	PRESIDENTIAL GOLD GINKO	<i>Ginko biloba</i> "The President"	3.0" CAL.	B&B	STRAIGHT LEADER, FULL FORM
HA	6	HACKBERRY	<i>Celtis occidentalis</i>	3.0" CAL.	B&B	STRAIGHT LEADER, FULL FORM
SO	13	SWAMP WHITE OAK	<i>Quercus bicolor</i>	3.0" CAL.	B&B	STRAIGHT LEADER, FULL FORM
RO	7	RED OAK	<i>Quercus rubrum</i>	3.0" CAL.	B&B	STRAIGHT LEADER, FULL FORM
	41	TOTAL DECIDUOUS TREES				

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

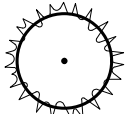
## LANDSCAPE NOTES:

3. WHERE SHOWN, SHRUB & PERENNIAL BEDS SHALL BE MULCHED - SEE SCHEDULE BELOW
2. ALL TREES SHALL BE MULCHED TO OUTER EDGE OF SAUCER OR TO EDGE OF PLANTING BED, IF APPLICABLE. ALL MULCH SHALL BE KEPT WITH A MINIMUM OF 2" FROM TREE TRUNK. SEE MULCH SCHEDULE BELOW.
3. IF SHOWN ON PLAN, RANDOM SIZED LIMESTONE BOULDERS COLOR AND SIZE TO COMPLIMENT NEW LANDSCAPING. OWNER TO APPROVE BOULDER SAMPLES PRIOR TO INSTALLATION.
4. PLANT MATERIALS SHALL CONFORM WITH THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS AND SHALL BE OF HARDY STOCK, FREE FROM DISEASE, DAMAGE AND DISFIGURATION. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING PLUMPNESS OF PLANT MATERIAL FOR DURATION OF ACCEPTANCE PERIOD.
5. UPON DISCOVERY OF A DISCREPANCY BETWEEN THE QUANTITY OF PLANTS SHOWN ON THE SCHEDULE AND THE QUANTITY SHOWN ON THE PLAN, THE SCHEDULE SHALL GOVERN AND CONTRACTOR SHALL RECONCILE BETWEEN THE TWO BEFORE INSTALLATION.
6. CONDITION OF VEGETATION SHALL BE MONITORED BY THE LANDSCAPE ARCHITECT THROUGHOUT THE DURATION OF THE CONTRACT. LANDSCAPE MATERIALS PART OF THE CONTRACT SHALL BE WARRANTED FOR TWO (2) FULL GROWING SEASONS FROM SUBSTANTIAL COMPLETION DATE.
7. ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITIES SHALL RECEIVE MIN. 6" LAYER TOPSOIL AND SOD AS SPECIFIED UNLESS OTHERWISE NOTED ON THE DRAWINGS.
8. COORDINATE LOCATION OF VEGETATION WITH UNDERGROUND AND OVERHEAD UTILITIES, LIGHTING FIXTURES, DOORS AND WINDOWS. CONTRACTOR SHALL STAKE IN THE FIELD FINAL LOCATION OF TREES AND SHRUBS FOR REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
9. ALL PLANT MATERIALS SHALL BE WATERED AND MAINTAINED UNTIL ACCEPTANCE.
10. REPAIR AT NO COST TO OWNER ALL DAMAGE RESULTING FROM LANDSCAPE CONTRACTOR'S ACTIVITIES.
11. SWEEP AND MAINTAIN ALL PAVED SURFACES FREE OF DEBRIS GENERATED FROM LANDSCAPE CONTRACTOR'S ACTIVITIES.
12. PROVIDE SITE WIDE IRRIGATION SYSTEM DESIGN AND INSTALLATION. SYSTEM SHALL BE FULLY PROGRAMMABLE AND CAPABLE OF ALTERNATE DATE WATERING. THE SYSTEM SHALL PROVIDE HEAD TO HEAD OR DRIP COVERAGE AND BE CAPABLE OF DELIVERING ONE INCH OF PRECIPITATION PER WEEK. SYSTEM SHALL EXTEND INTO THE PUBLIC RIGHT-OF-WAY TO THE EDGE OF PAVEMENT/BACK OF CURB.
13. CONTRACTOR SHALL SECURE APPROVAL OF PROPOSED IRRIGATION SYSTEM INCLUDING PRICING FROM OWNER, PRIOR TO INSTALLATION.

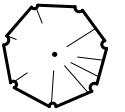
### LEGEND



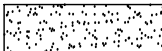
PROPOSED CANOPY TREE SYMBOLS - SEE PLANT  
SCHEDULE AND PLAN FOR SPECIES AND PLANTING SIZES



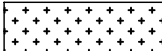
PROPOSED EVERGREEN TREE SYMBOLS - SEE PLANT  
SCHEDULE AND PLAN FOR SPECIES AND PLANTING SIZES



PROPOSED ORNAMENTAL TREE SYMBOLS - SEE PLANT  
SCHEDULE AND PLAN FOR SPECIES AND PLANTING SIZES



LAWN - SOD



SEED TYPE 1 - MNDOT 34-262 WET PRAIRIE, PER  
MNDOT SEEDING MANUAL SPECIFICATIONS (2014



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15'-0" 0 30'-0"

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PRELIMINARY:  
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PROJECT

# 24320 & 24250 Smithtown Road

Tonka Bay & Shorewood, Minnesota 55331

**TSML PROPERTIES, LLC**

110014 ORLEANS LANE N., MAPLE GROVE, MN 55369

## ISSUE/SUBMITTAL SUMMARY

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03.21.2023	CITY RESUBMITAL

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

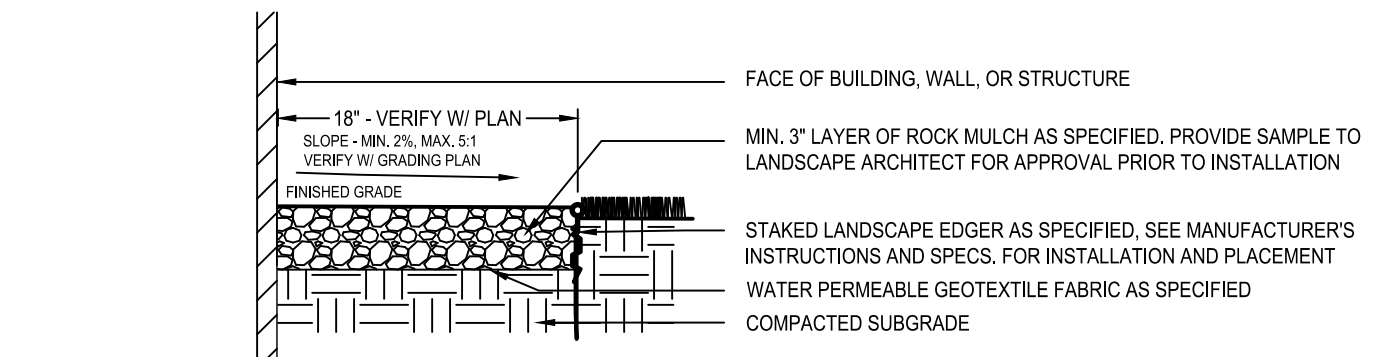
## REVISION SUMMARY

DATE	DESCRIPTION
2.28.23	CITY COMMENTS

LANDSCAPE PLAN

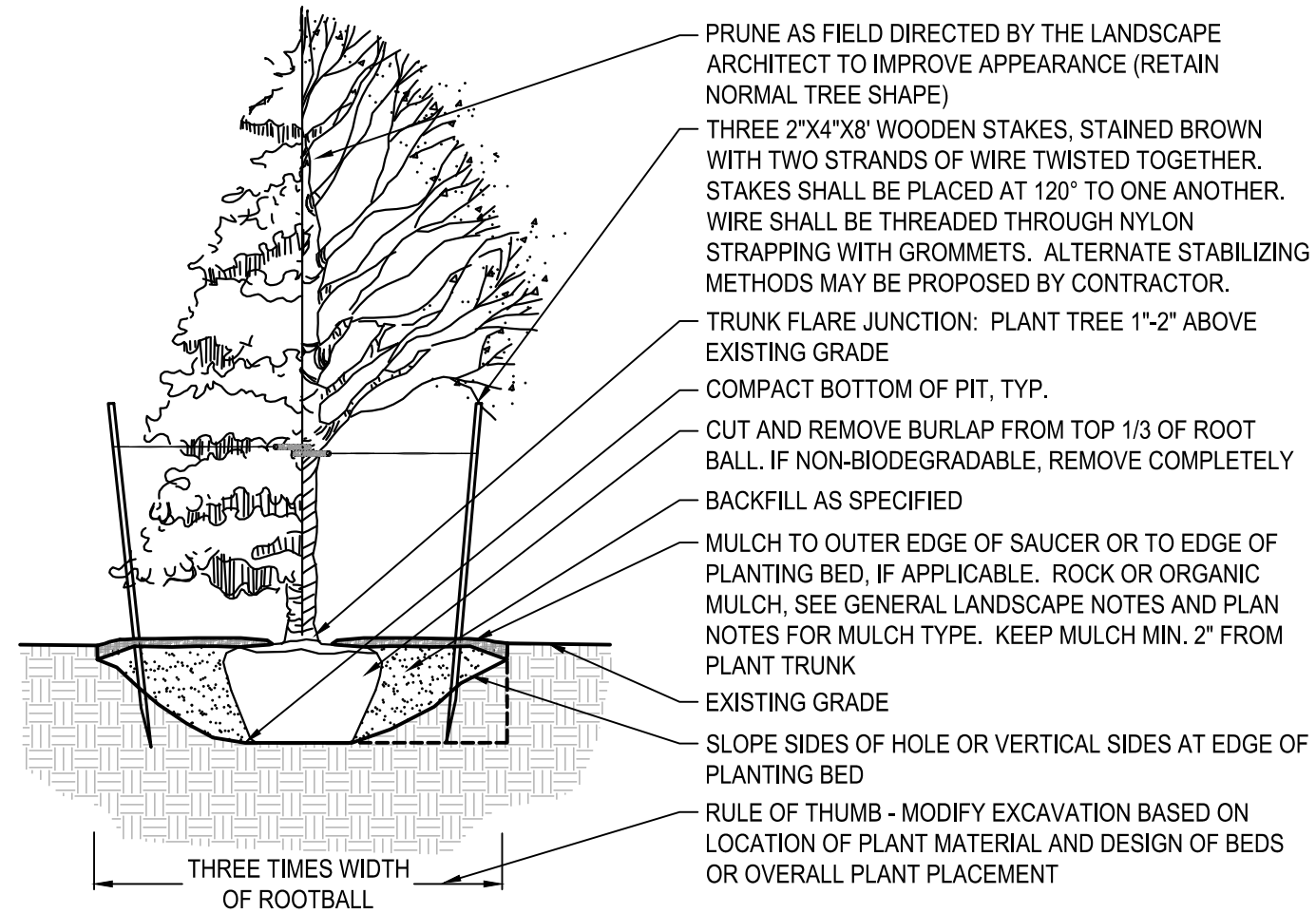
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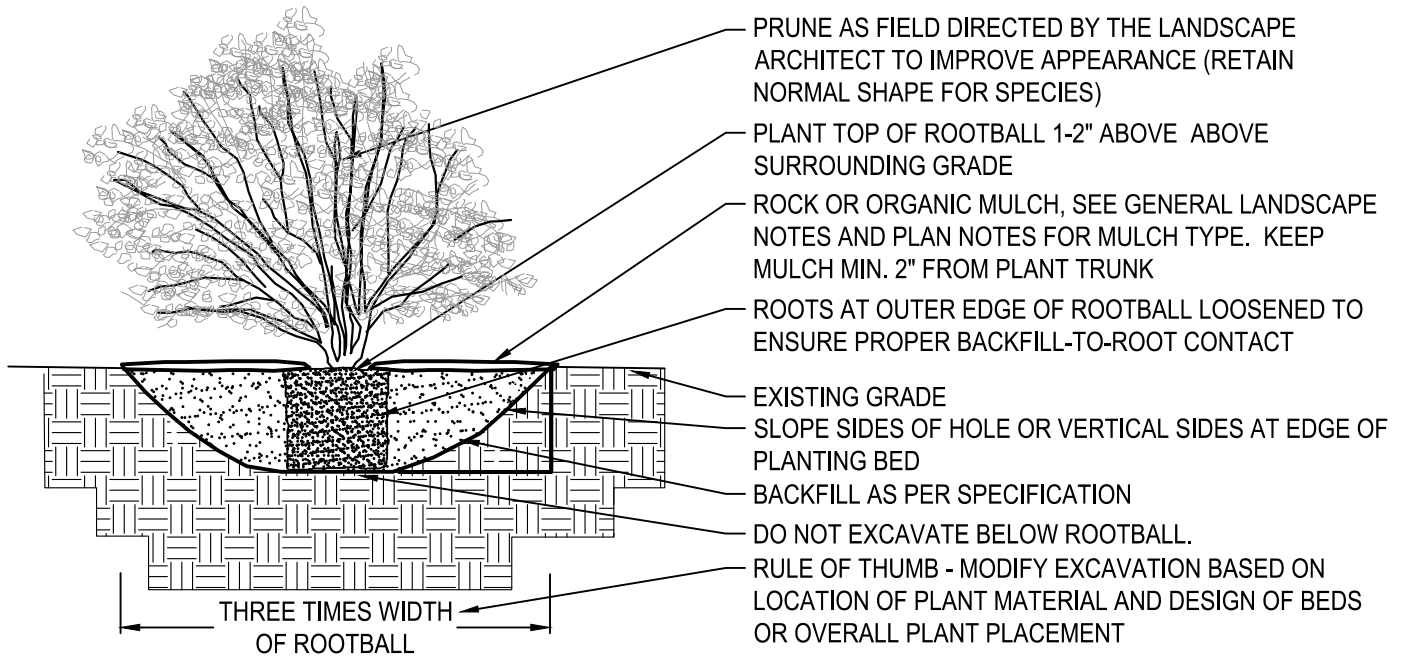
## 1 AGGREGATE MAINTANENCE STRIP

NTS



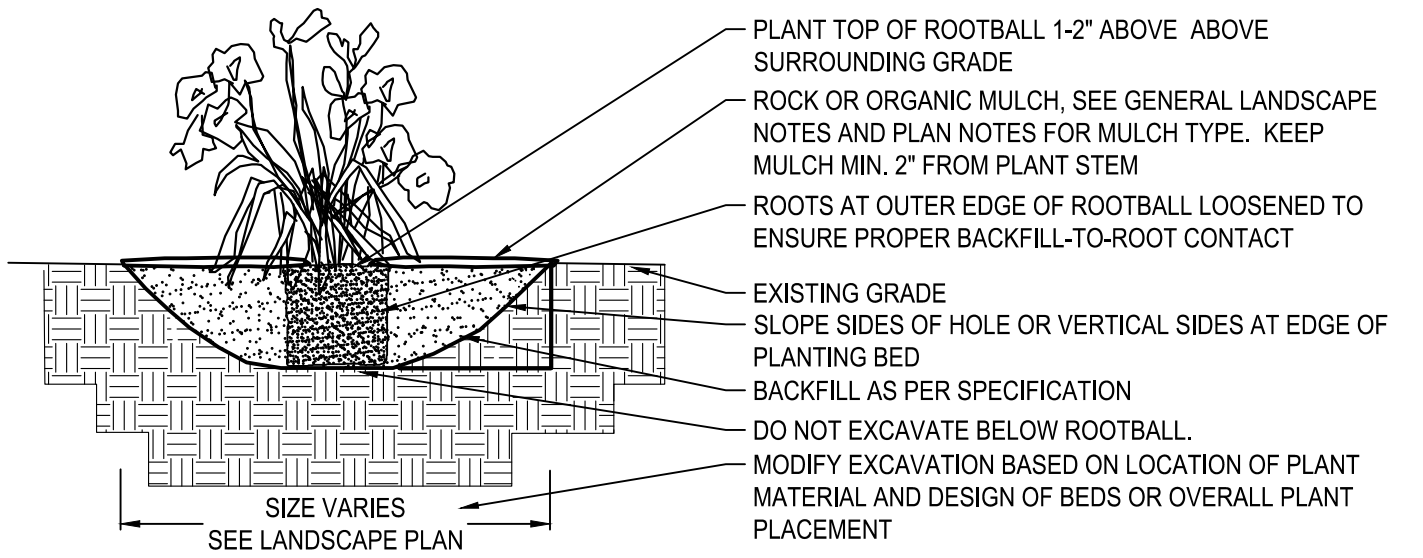
## 2 DECIDUOUS & CONIFEROUS TREE PLANTING

NTS



## 3 DECIDUOUS & CONIFEROUS SHRUB PLANTING

NTS



## 4 PERENNIAL BED PLANTING

NTS

### IRRIGATION NOTES:

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

PRELIMINARY:  
NOT FOR  
CONSTRUCTION

PROJECT  
**24320 & 24250 Smithtown Road**

Tonka Bay & Shorewood, Minnesota 55331

**TSMIL PROPERTIES, LLC**

10014 ORLEANS LANE N., MAPLE GROVE, MN 55369

### ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
01-24-2023	SKETCH / CONCEPT SUBMITTAL
03-21-2023	CITY RESUBMITTAL

DRAWN BY: kit\_bj REVIEWED BY: kit  
PROJECT NUMBER: 22227

### REVISION SUMMARY

DATE	DESCRIPTION

LANDSCAPE PLAN  
NOTES & DETAILS

**L1.1**



Know what's below.  
Call before you dig.



PRELIMINARY:  
NOT FOR  
CONSTRUCTION

PROJECT  
**24320 & 24250 Smithtown Road**

Tonka Bay & Shorewood, Minnesota 55331

**TSML PROPERTIES, LLC**

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

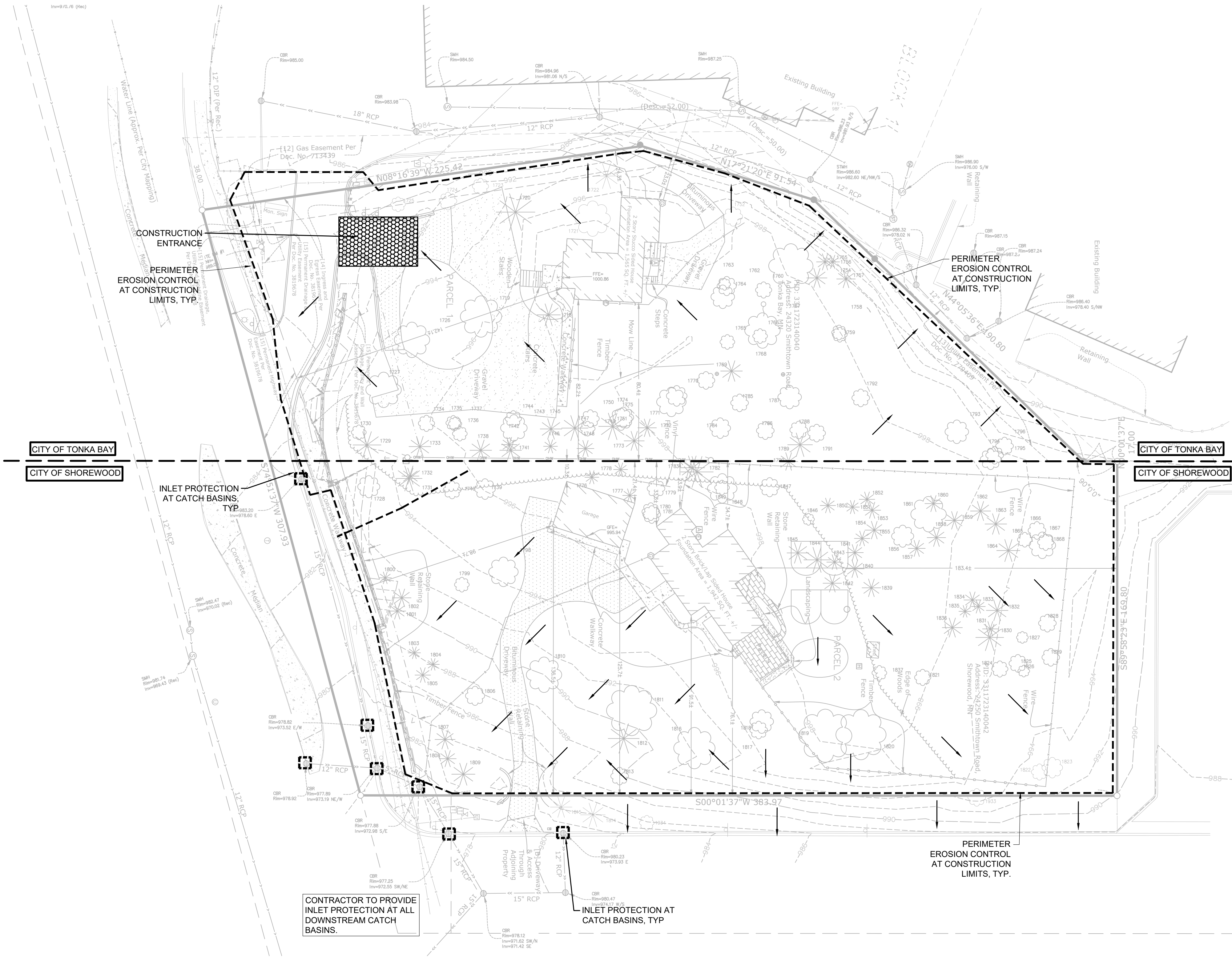
REVISION SUMMARY

DATE	DESCRIPTION

SWPPP - EXISTING  
CONDITIONS

**SW1.0**

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LEGEND:

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



Know what's below.  
Call before you dig.



1" = 20'-0"  
10'-0" 0 20'-0"

CITY OF TONKA BAY / SHOREWOOD EROSION CONTROL NOTES:

1. RESERVED FOR CITY SPECIFIC EROSION CONTROL NOTES.

SWPPP NOTES:

1. ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (851-454-0002 OR 800-252-1168) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
2. THIS PROJECT IS GREATER THAN ONE ACRE AND WILL REQUIRE AN MPCA NPDES PERMIT. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ANY EROSION CONTROL PERMITS REQUIRED BY THE CITY.
3. SEE SHEETS SW1.0 - SW1.5 FOR ALL EROSION CONTROL NOTES, DESCRIPTIONS, AND PRACTICES.
4. SEE GRADING PLAN FOR ADDITIONAL GRADING AND EROSION CONTROL NOTES.
5. CONTRACTOR IS RESPONSIBLE FOR SWPPP IMPLEMENTATION, INSPECTIONS, AND COMPLIANCE WITH NPDES PERMIT.

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



PRELIMINARY:  
NOT FOR  
CONSTRUCTION

# 24320 & 24250 Smithtown Road

Tonka Bay & Shorewood, Minnesota 55331

**TSML PROPERTIES, LLC**

10014 ORLEANS LANE N., MAPLE GROVE, MN 55369

## ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
01.24.2023	SKETCH / CONCEPT SUBMITTAL
03.21.2023	CITY RESUBMITAL

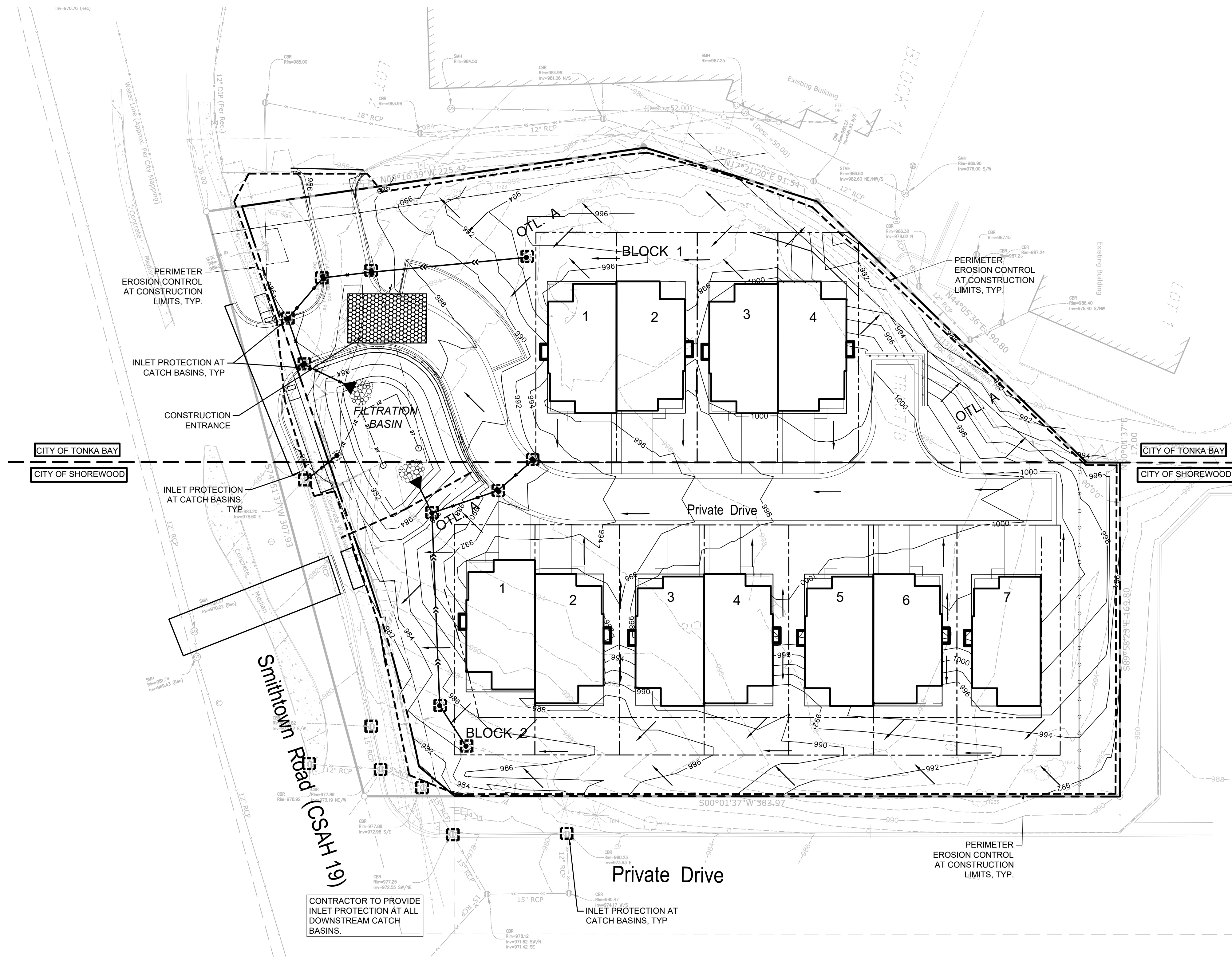
DRAWN BY: kit, bj      REVIEWED BY: kit  
PROJECT NUMBER: 22227

## REVISION SUMMARY

[illegible]SWPPP - PROPOSED  
CONDITIONS

# SW1.1

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## CITY OF TONKA BAY / SHOREWOOD EROSION CONTROL NOTES:





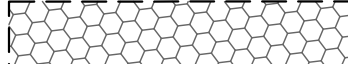
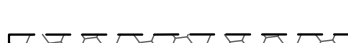
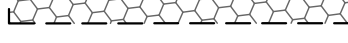
1. RESERVED FOR CITY SPECIFIC EROSION CONTROL NOTES.

## SWPPP NOTES:

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

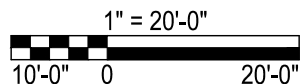
ALL SPECIFIED EROSION AND SEDIMENT CONTROL PRACTICES, AND MEASURES CONTAINED IN THIS SWPPP ARE THE MINIMUM REQUIREMENTS. ADDITIONAL PRACTICES MAY BE REQUIRED DURING THE COURSE OF CONSTRUCTION.

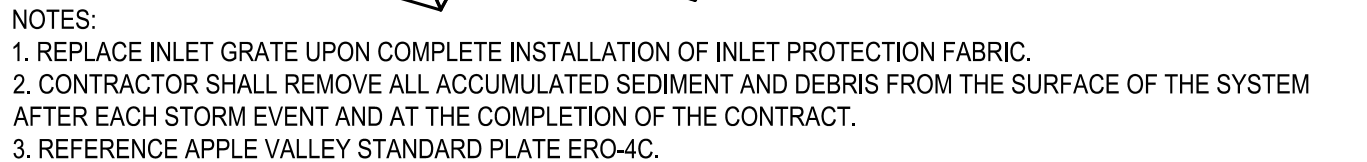
LEGEND:

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

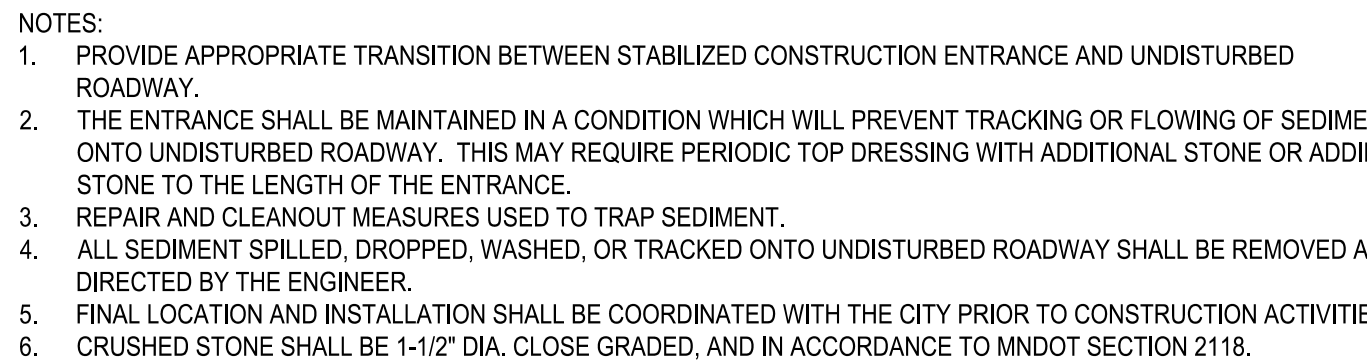


Know what's below.  
**Call** before you dig.

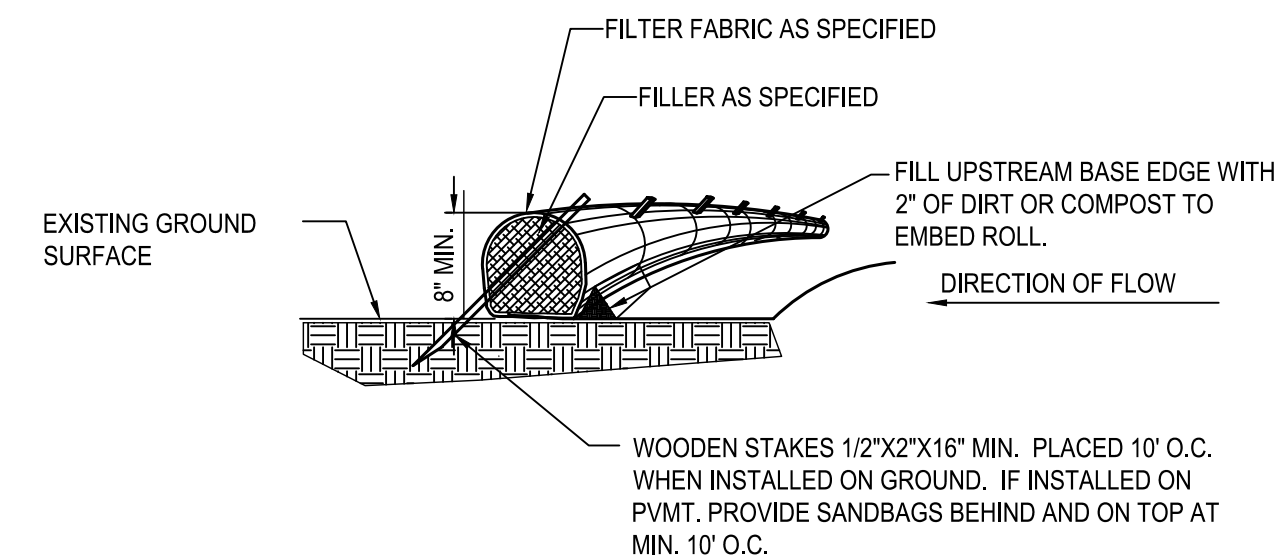




## NTS



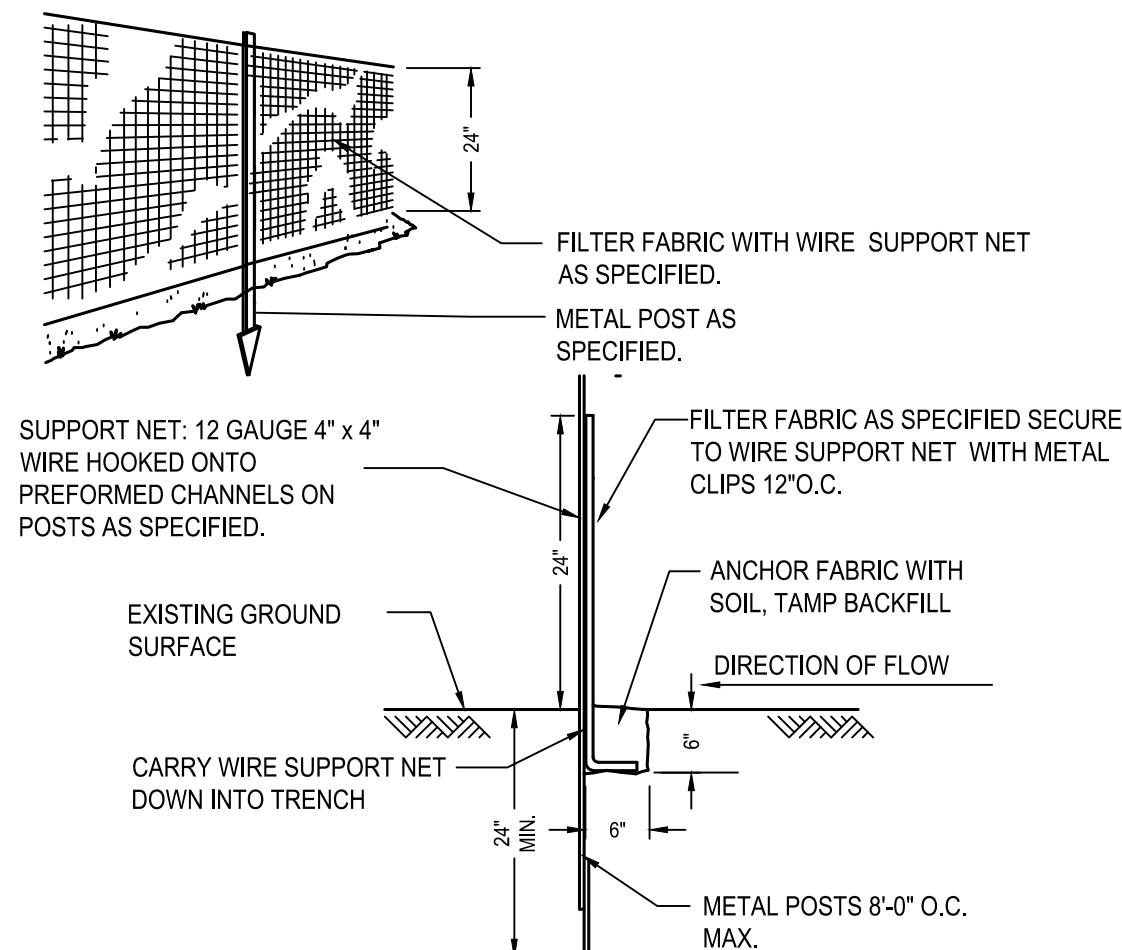
(2) NTS



NOTE:

1. COMPOST FILTER LOGS (BIO ROLLS) SHALL BE FILTREXX EROSION CONTROL SOXX OR APPROVED EQUAL.
2. COMPOST FILLER TO BE MADE FROM A COMPOST BLEND 30%-40% GRADE 2 (SPEC 3890) AND 60%-70% PARTIALLY DECOMPOSED WOOD CHIPS, PER MNDOT SPEC 3897.
3. FILTER FABRIC SHALL BE GEOTEXTILE KNITTED MATERIAL WITH MAX. OPENINGS OF 3/8".
4. IF MULTIPLE ROLLS NEEDED, OVERLAP BY MIN. 12" AT ENDS AND STAKE.
5. SILT SHALL BE REMOVED ONCE IT REACHES 80% OF THE HEIGHT OF THE ROLL OR AS DEEMED NECESSARY BY SITE CONTRACTOR TO MAINTAIN PROPER FUNCTION.

4) NTS



5 NTS

Civil Engineering • Surveying • Landscape Architecture  
5000 Glenwood Avenue  
Golden Valley, MN 55422  
civilsitegroup.com 612-615-0060

PRELIMINARY:  
NOT FOR  
CONSTRUCTION

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Tonka Bay & Shorewood, Minnesota 55331

**TSML PROPERTIES, LLC**

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01.24.2023	SKETCH / CONCEPT SUBMITTAL
03.21.2023	CITY RESUBMITAL

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

[illegible]

SWPPP - DETAILS

# SW1.2



- GENERAL EXTERIOR NOTES:
1. ALL EXT. TRIM TO BE FLASHED PER CODE.
  2. SUPPLY DRIPCAPS ON ALL WINDOWS AND DOORS.
  3. SUPPLY SEPARATION BETWEEN WOOD, COMPOSITE WOOD AND ANY OTHER WOOD MATERIAL PER SPECIFICATIONS.
  4. SUPPLY AT LEAST 6" OF SPACE BETWEEN BOTTOMS OF WINDOWS AND ROOFS.
  5. GRADE CONDITIONS MAY VARY ON SITE.
  6. PROVIDE ROOF AND SOFFIT VENTS PER IRC CODE REGULATIONS.
  7. ALL FURNACE FLUES, PLUMBING VENTS, FIREPLACE VENTS AND OTHER PENETRATIONS THROUGH ROOF OR WALLS TO EXTEND THROUGH REAR OF HOME WHENEVER POSSIBLE.
  8. ALL PENETRATIONS THROUGH EXTERIOR WALLS OR ROOFING MUST BE SEALED AND FLASHED PER MANUF. SPECIFICATIONS AND IRC CODE REGULATIONS.
  9. DOTTED AREA ON ROOF PLAN INDICATES LOCATION OF ICE/WATER BARRIER.
  10. HOLD STONE OFF GRADE MINIMUM OF 3".
  11. REFER TO MANUF. SPECIFICATIONS FOR STONE.
  12. GARAGE BUCK BOARD MATERIAL IS TO BE COMPOSITE WOOD AND SIZED TO COVER THE EDGE OF STONE.
  13. ALL BEAMS HOLDING UP PORCH ROOFS ARE TO BE DROPPED UNLESS OTHERWISE NOTED.



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		ADOR HOMES - TWINHOMES	© COPYRIGHT 2023			2-22-23	L A1 ID	FRONT ELEVATION
		LOCATION: SMITHTOWN TOWNHOMES						SCALED PRINT @ 24X36



STRUCTURAL NOTES:

1. ALL HEADERS TO BE SUPPORTED BY A MINIMUM OF (1) TRIMMER, (UNLESS NOTED OTHERWISE)
2. ALL HEADERS TO HAVE AT LEAST (1) KING STUD (UNLESS NOTED).
3. ALL STUD CALLOUTS @ SIDES OF WINDOWS/DOORS ARE TRIMMERS, MINIMUM (1) KING STUDS @ SAID LOCATIONS TO BE INCLUDED AS WELL.
4. BLOCKING @ ROOF & FLOOR PLAN PER TRUSS MANUFACTURER.
5. POINT LOADS TO BE CARRIED THROUGH FLOOR AREAS AND DOWN TO FOUNDATION FOR SUPPORT.
6. ALL HANGERS & CONNECTORS PER TRUSS MANUFACTURER, SUPPLIERS & CONTRACTOR.
7. ALL EXTERIOR SHEATHING TO BE 7/16" OSB OR PLYWOOD SHEATHING & NAILED PER CODE (MAY BE REFERRED TO AS 1/2" NOMINAL THICKNESS).
8. ROOF DECKING TO BE 3/4" NOMINAL (OR 5/8") OSB DECKING W/ CLIPS, NAILED TO ROOF FRAMING W/ MIN. 6d COMMON NAILS, 6" O.C. @ EDGES/12" O.C. @ FIELD.
9. FLOOR DECKING TO BE 3/4" PLYWOOD DECKING, NAILED OR SCREWED TO FLOOR SYSTEM PER CODE W/ ADHESIVE PER SPEC. (OR) MIN. 6d COMMON NAILS 6" O.C. @ EDGES/12" O.C. @ FIELD (CODE MINIMUM).
10. REFER TO WALL BRACING PLANS FOR ADDITIONAL FRAMING INFORMATION.

GENERAL FRAMING NOTES:

1. ALL NON-BEARING FRAMING IS TO BE 16" O.C. UNLESS OTHERWISE NOTED.
2. ALL WALLS TO HAVE A DOUBLE TOP PLATE UNLESS OTHERWISE NOTED.
3. ALL EXTERIOR WALLS ARE TO BE 2X6 WOOD STUDS WITH 7/16" OSB SHEATHING, UNLESS NOTED OTHERWISE.
4. ALL INTERIOR WALLS ARE TO BE 2X4 WOOD STUDS UNLESS NOTED OTHERWISE.
5. ALL COLUMN SIZES ARE TO BE CONTINUED THROUGH FLOOR TRUSS SPACES WHEN SPANNING MORE THAN 1 FLOOR.
6. ALL WOOD MATERIALS ARE TO BE PROTECTED PER CODE & MANUF. SPECIFICATIONS WHILE BEING STORED ON SITE.

WINDOW & DOOR SIZE NOTES (EXAMPLES)

- SH3050 = SINGLE HUNG 3'0" BY 5'0"
- FX2646 = FIXED 2'6" BY 4'6"
- CASE3050 = CASEMENT 3'0" BY 5'0"
- 2868 @ DOOR =2'8" WIDE BY 6'8" TALL
- 2880 @ DOOR =2'8" WIDE BY 8'0" TALL

- SD

110V, INTERCONNECTED SMOKE DETECTOR
- SD@

110V, INTERCONNECTED SMOKE DETECTOR / CARBON MONOXIDE DETECTOR COMBO
- EXHAUST FAN

FLOOR PLAN NOTES:

1. FOR EASE OF UNDERSTANDING GRADE IS CONSIDERED 0'0" ON THIS FOUNDATION PLAN
2. ALL STAIRWAYS (INTERIOR AND EXTERIOR) ARE TO BE ILLUMINATED AT EACH LANDING PER CODE
3. SUPPLY CONTINUOUS HANDRAIL PER CODE AT ALL STAIR LOCATIONS, CODE HANDRAIL IS TO CONTINUE TO LANDINGS/ TOP & BOTTOM OF STAIRS. CONTRACTOR & INSTALLER TO VERIFY IF ADDITIONAL GRASPABLE HANDRAIL IS INSTALLED OR IF DECORATIVE HANDRAIL TO CONTINUE.
4. 3/4" GYPSUM BOARD TO BE APPLIED TO UNDERSIDE OF STAIRS PER CODE.
5.  INDICATES INTERIOR BEARING WALL, 16" O.C. STUDS
6.  INDICATES EXTERIOR WALL STUDS SPACED AT 12" O.C. TIMBERSTRAND MATERIAL OR BETTER (2-PLY TIMBER-STRAND KING STUDS @ EACH SIDE OF OPENINGS IN WALL)
7. INSTALL DRAFT STOPPING WITHIN FLOOR SYSTEM PER IRC CODE SECTION 302.12. MIN. 3/4" GYPSUM BOARD (OR) 5/8" STRUCTURAL BOARD ADEQUATELY SUPPORTED BY 2X4 MIN. MATERIAL, PARALLEL WITH FLOOR FRAMING, SEPARATING AREAS WITH MAXIMUM SPACE OF 1000 SQ.FT.-SEPARATE INTO EQUAL SPACES.



2 PROPOSED UNIT BASEMENT PLAN  
1348 FINISHED SQUARE FEET PER UNIT / 200 UNFINISHED SQUARE FEET PER UNIT/ 1548 TOTAL SQUARE FEET (PER UNIT)

TOTAL FIRST FLOOR CALCULATIONS  
2696 FINISHED SQUARE FEET / 400 UNFINISHED SQUARE FEET / 3096 TOTAL SQUARE FEET

REVISION:	REV. DATE:	DRAWING TITLE:	<div>ALL PLANS &amp; DESIGNS SHOWN ARE THE PROPERTY OF LITTFIN DESIGN. USE OF THESE PLANS ON ANY OTHER PROJECT/LOT OTHER THAN NOTED ON THIS TITLEBLOCK WITHOUT THE WRITTEN CONSENT OF LITTFIN DESIGN IS PROHIBITED.</div> <div>© COPYRIGHT 2023</div>	<div><div>LITTFIN   DESIGN</div></div>	LITTFINDESIGN.COM MLITTFIN@HOTMAIL.COM 320-224-7844 WINSTED, MN	CURRENT DATE:	PAGE	PAGE DESCRIPTION:
		ADOR HOMES - TWINHOMES			2-22-23	L A7 ID	FINISHED BASEMENT	
		LOCATION: SMITHTOWN TOWNHOMES					SCALED PRINT @ 24X36	



1. ALL HEADERS TO BE SUPPORTED BY A MINIMUM OF (1) TRIMMER. (UNLESS NOTED OTHERWISE)
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3. ALL STUD CALLOUTS @ SIDES OF WINDOWS/DOORS ARE TRIMMERS. MINIMUM (1) KING STUDS @ SAID LOCATIONS TO BE INCLUDED AS WELL.
4. BLOCKS @ RISE & FLOOR PLAN PER TRIM MANUFACTURER
5. POINT LOADS TO BE CARRIED THROUGH FLOOR AREAS AND DOWN TO FOUNDATION FOR SUPPORT.
6. ALL HANGERS & CONNECTORS PER TRIM MANUFACTURER, SUPPLIERS & CONTRACTOR
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8. ROOF DECKING TO BE 1/2" NOMINAL (OR 3/8") DECKING & CLIPS, NAILED TO JOISTS @ 12" O.C. COMMON NAILS, 6" O.C. @ EDGES/12" O.C. @ FIELD
9. FLOOR DECKING TO BE 3/4" PLYWOOD DECKING, NAILED OR SCREWED TO FLOOR SYSTEM PER CODE W/ ADHESIVE PER SPEC. (OR) MIN. 6d COMMON NAILS 6" O.C. @ EDGES/12" O.C. @ FIELD (CODE MINIMUM).
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**SD CO** 110V, INTERCONNECTED SMOKE  
DETECTOR / CARBON  
MONOXIDE DETECTOR COMBO

 EXHAUST FAN


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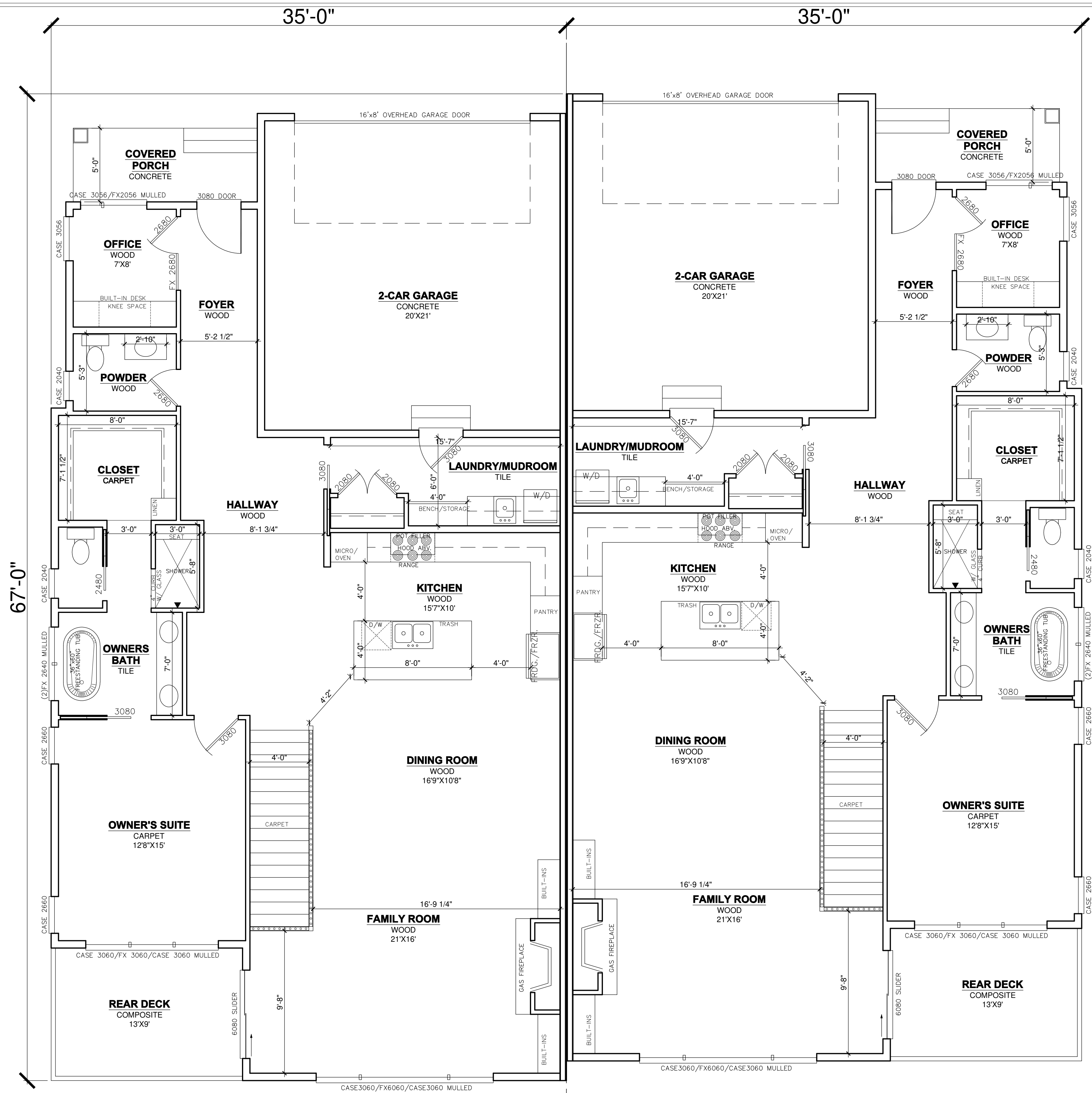
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4.  $\frac{1}{2}$ " GYPSUM BOARD TO BE APPLIED TO UNDERSIDE OF STAIRS PER CODE.

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**1 PROPOSED UNIT FIRST FLOOR PLAN**  
1640 FINISHED SQUARE FEET PER UNIT / 444 GARAGE SQUARE FEET PER UNIT/ 2263 TOTAL FOOTPRINT (PER UNIT)

3280 FINISHED SQUARE FEET / 888 GARAGE SQUARE FEET / 4526 TOTAL FOOTPRINT

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		ADOR HOMES - TWINHOMES				2-22-23	A8	FIRST FLOOR PLAN
		LOCATION: SMITHTOWN TOWNHOMES						SCALED PRINT @ 24X36



Turning Performance Analysis

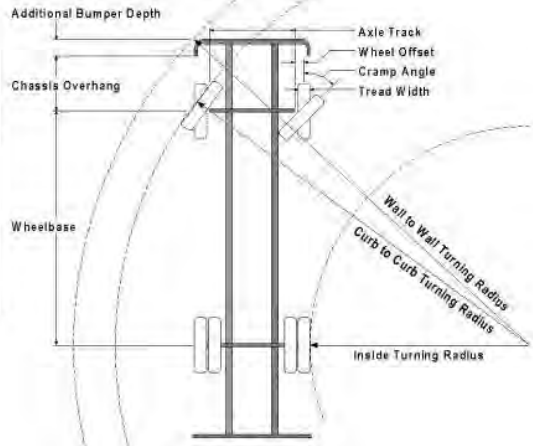
04/23/2019

Bid Number: 760  
Department: Excelsior Fire District

Chassis: Enforcer Chassis, Aerials, Single Axle, Ascendant  
Body: Aerial, HD Ladder 107' ASL Single, Quint, Alum Body

Parameters:	
*Inside Cramp Angle:	50"
Axle Track:	81.92 in.
Wheel Offset:	4.68 in.
Tread Width:	16.3 in.
Chassis Overhang:	65.95 in.
Additional Bumper Depth:	22 in.
Front Overhang:	92.5 in.
Wheelbase:	233.5 in.

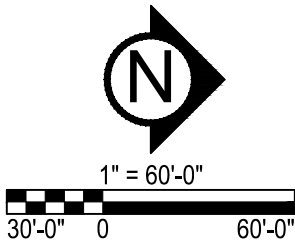
Calculated Turning Radii:	
Inside Turn:	15 ft. 4 in.
Curb to curb:	31 ft. 3 in.
Wall to wall:	36 ft. 4 in.



Category	Option	Description
Axle, Front, Custom	0637883	Axle, Front, Dana, D-2200F, 22,800 lb, Enforcer, (425 Tires)
Wheels, Front	0019611	Wheels, Front, Alcoa, 22.50" x 12.25", Aluminum, Hub Pilot
Tires, Front	0594821	Tires, Front, Goodyear, G296 MSA, 425/65R22.50, 20 ply
Bumpers	0012246	Bumper, 22" Extended, Saber FR/Enforcer
Aerial Devices	0614515	Aerial, 107' ASL, Single Axle, 750# Tip Load

CITY OF TONKA BAY

CITY OF SHOREWOOD



5000 GLENWOOD AVE  
GOLDEN VALLEY, MN 55422  
Office: 612.615.0060  
www.CivilSiteGroup.com

Smithtown

Fire Truck Turn Exhibit

Shorewood / Tonka Bay, Minnesota

Project Number: 22227  
Issue Date: 3.08.2023

Revision Number: .  
Revision Date: .

EX1



## Subject: 24320 & 24520 Smithtown Henn Co Comments



**KC Atkins** <KC.Atkins@hennepin.us>

Tue, Feb

to Marie Darling, ljohnson@wsbeng.com, Transportation.Plats, Dan Patterson, Eric M Drager, Michael D Olmstead, Marc Nevinski, andrew.budde@bolton-menk.com, Matt Bauman

You are viewing an attached message. TSM Capital LLC Mail can't verify the authenticity of attached messages.

Good morning all,

Thank you for connecting with county staff regarding the redevelopment of 34320 & 24520 Smithtown Road. Below are county staff's preliminary comments on the developr

1. County staff support removal of the retaining wall and moving it to private property and ownership. There is an existing retaining wall easement that will likely require : board action to vacate. We have started conversations internally to get this process moving forward. We will provide you with a contact once we have one.
2. County staff supports t-ing the private driveway with CSAH 19 as shown in the concept plans
3. County staff supports the reconstruction of the existing sidewalks and curb ramps to be directional. Please ensure these ramps are ADA compliant
4. County staff requests the developer provide dimensions from back of sidewalk to right-of-way and property/filtration basin to better determine whether a trail and/or dr utility easement will be requested along these properties.

Please let us know if you have any questions.

Thank you,  
KC

KC Atkins, P.E.  
Senior Professional Engineer | she/her/hers  
Public Works – Transportation Planning

Hennepin County Public Works | 1600 Prairie Drive | Medina, MN 55340  
Office: 612-596-0354  
[KC.Atkins@hennepin.us](mailto:KC.Atkins@hennepin.us) | [hennepin.us](http://hennepin.us)

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February 1, 2023

Attn: Marie Darling, TSML Properties, LLC:

**RE: Pre-Application Comments for 24250 Smithtown Road, Shorewood, MN**

Dear Ms. Darling,

Thank you for your early coordination with the Minnehaha Creek Watershed District (MCWD or District) for the 24250 Smithtown Road, Shorewood, MN (Project). District staff appreciates your early coordination as it ensures a mutual clarity of project scope, regulatory requirements, and opportunities for collaboration.

#### **Project Understanding**

This project will entail construction of a new multifamily residential development with 12 units. The project will take place on 2 parcels, one in Shorewood and one in Tonka bay, for a total of 2.58 acres. The MCWD has rule authority in both cities.

#### **MCWD Permitting Process**

To ensure a streamlined permitting process, while preserving the potential to identify opportunities for collaboration, the District outlines regulatory requirements for projects during the pre-application phase. Accordingly, our current understanding of the Project and its interaction with the District's natural resource regulations are outlined below for your Project. Following review of this letter, at your discretion, we recommend check-ins to review the Project proposal, and to clarify any point of ambiguity, before submitting a formal application for review. At that time, we can address any remaining questions regarding the formal application process, milestones, and estimated timeline.

**We also request that concept plans and drawings be submitted via email, when available. This will allow MCWD to continue assessing the project for any potential opportunities or risks.**

*We collaborate with public and private partners to protect and improve land and water for current and future generations.*



Below are the current MCWD Rules that may be triggered based on our current understanding of the Project scope. The District is currently in the process of revising its rules with the intention of implementing new rules by Q2, 2023. If application materials are received after new rules are implemented, this letter may no longer be applicable.

#### *Erosion Control Rule*

The Erosion Control Rule is triggered when a project proposes 5,000 square feet or more of land disturbance, or 50 cubic yards or more of excavation/fill on a property. The Project, as currently proposed will meet those thresholds and will trigger this rule. This rule will require that an erosion and sediment control plan be submitted to the District for review and approval.

#### *Stormwater Management Rule*

The development or redevelopment of a multi-unit residential project that creates new or replaces existing hardcover is subject to the District's Stormwater management rule. This project appears to propose an increase in impervious surface, disturbing more than 40% of the site, so phosphorous, rate, and volume control will be required for the entire sites impervious surface.

#### *Floodplain Alteration Rule*

The District's floodplain alteration rule is triggered if land is disturbed at or below the 100 year flood elevation of the waterbody. This project does not appear that it will disturb land below that elevation, so this rule will likely not be triggered.

#### *Waterbody Crossings & Structures Rule*

The Waterbody Crossings & Structures rule is triggered by installation of a bridge, boardwalk, or associated structure in contact with the bed or bank of any waterbody (either by the pilings of the boardwalk in contact with the lakebed AND/OR by the boardwalk connection to existing/future trail at the bank of the lake). This project will not trigger this rule.

#### *Shoreline & Streambank Stabilization Rule*

The Shoreline & Streambank Stabilization rule is triggered by any project that alters the shoreline, this includes riprap, biological stabilization, bioengineering, retaining walls, sheet piling, and boat ramps. This rule is not applicable to this project.

#### *Wetland Protection Rule*

The Wetland Protection Rule is triggered for any proposed impact to a wetland and the buffer provisions of the rule are triggered whenever the Stormwater Management and Waterbody & Crossings Structures rules are triggered. Based on District staff's current understanding of the Project, the buffer provision will not be triggered.

#### *Other Considerations*

- The project will take place on 2 parcels in separate cities. Are all parties in coordination on regulation?

*We collaborate with public and private partners to protect and improve land and water for current and future generations.*



**MCWD Application Submittal:** MCWD has an online permitting portal for applicants to apply for, track, modify, and pay for permit all in one location. Again, the District recommends a formal pre-application meeting to prior to submittal. Once an MCWD permit application is received, staff have 15 business days to deem the application complete or incomplete. In the event that the application is deemed incomplete, the timeline would commence upon a resubmittal. Once the application is deemed complete, a 14-day public notice will be sent out to property owners within 600 feet of the project site. During this time period, residents have the option to contact staff and/or request that the permit application be considered by the Board of Managers. In the event that a Board consideration is requested, the permit application would be scheduled for the next available meeting. The Board of Managers typically meet on the 2nd & 4th Thursday monthly. If there are no comments received, once the public notice period ends, a Letter of Conditional Approval will be sent outlining the required administrative items. Administrative items typically include, but are not limited to reimbursement of fees, submission of financial assurance, and submission of a recorded declaration for stormwater facilities and wetland buffers.

**Regulatory and Opportunity Coordination**

As the Project moves forward, I will be your main point of contact. I am available discuss with you and your consultant your Project timeline and how to streamline with MCWD's permit permitting process. The District appreciates the opportunity to coordinate in the early stages of the Project. In addition, to providing the District's preliminary assessment of potential rule triggers and the respective application process, the District would like to continue in parallel its conversations regarding potential partnership opportunities. At this time and based on our current understanding of the Project, staff would appreciate continuing our on-going discussions to explore coordination and/or partnership opportunities as the Project continues to move forward in planning and design.

Thank you for your on-going coordination and please reach out if you have any questions regarding MCWD's rules and permit process as it applies to your Project. In addition, we look forward to also coordinate with the RES Staff, Civitas, and the City to determine if there are additional opportunities in parallel with your Project.

Sincerely,

Trey Jonas  
Permitting Technician, MCWD

*We collaborate with public and private partners to protect and improve land and water for current and future generations.*

## **Tonka Bay Project Narrative**

Project Name – TBD by marketing/real estate professionals

Applicant – TSML Properties, LLC

Address – 24320 Smithtown Road, Tonka Bay, MN

### **Project Outline**

TSML Properties, LLC is looking to develop 24320 Smithtown Road, Tonka Bay, MN alongside 24250 Smithtown Road, Shorewood, MN. These two properties make up 2.58 acres known as the gross site area and 1.12 acres of Tonka Bay gross site area. The current zoning is C-2 General Commercial and is being utilized as the Truffle Hill Chocolate Shop. The 2040 Land Use Guide has the property zoned as mixed use proposing planned unit development (PUD) land use and we are applying for a Comprehensive Plan Amendment to Multi-Family. Based on comments from the city we would request PUD Concept approval and to rezone the underlying property to R-3 Medium Density.

- The plan requires the current structure at 24320 Smithtown Road to be demolished.
- We plan to conserve as many trees as possible on the west side for privacy with plans to plant additional trees (see landscape plans).
- The entry from Smithtown Road into the private drive is proposed to be adjusted to 90° degrees which creates an optimal and safer traffic layout compared to existing layout.
- The filtration basin is within the easement of Hennepin County which we have had positive discussions with. The reason we located the infiltration basin in the location we had shown is because it is at the low point of the site and adjacent to the only storm sewer we can connect to. Our plan is to completely remove the existing retaining wall and lower grades along that area in order to install the Stormwater basin. In the end there will be no wall along the county road, lower grades and better visibility.
- Each unit shall offer parking for two (2) cars in the garage, and two (2) cars in the driveway. We have proposed seven (7) additional parking at the start of the project to ensure future homeowners have adequate space.

Our concept plans have gone through several iterations after discussions with Tonka Bay, Shorewood, and Hennepin County. The project is proposed to have eleven (11) units in six (6) structures. The pads are approximately 35' x 67'. We plan to offer association maintained units with the idea of "one level living".

We understand that our proposed project does not meet all code in the R-3 Medium Density so we are asking for PUD flexibility on the following items.

- Side yard setbacks: We are proposing a 6' side setback and 8' is required per code. 6' is common in a twin/townhome type development.
- Lot Area per unit: We are proposing 9,148 sf per unit (0.84Ac. / 4 units) and the code requires 8,000 sf required.
- Front Yard setback: We are proposing a 25' front setback to the private drive. Code requires 30' front setback from public ROW. On a private street, 25' front setback is common in a twin/townhome development.

**3. Explain how the project is in harmony and consistent with the general purposes and intent of the comprehensive plan and the zoning ordinance**

The key plan features in the 2040 Comprehensive Plan includes selective new development near county road 19 and north of Smithtown Road. The proposed project aims to remain harmonious with as many areas possible within the comprehensive plan. It will address the issues and needs of residential chapter of comprehensive plan through smooth redevelopment on an older lot due to a closing business that was operating in a converted residential building. The resulting redevelopment will bring improvements and additions of new and existing streets and utilities. All of which being examples for areas of the infrastructure improvement comprehensive plan goal. Furthermore, the proposed project will increase the housing supply of townhouses/multi-family that will bring in long term net increase of tax revenue and provide a more affordable product in the local real estate market given the statistical land values and new construction home values in the area.

**4. Explain how the proposed project will not adversely affect the health, safety, or general welfare of the neighborhood**

The proposed redevelopment aims to provide a greater highest and best use of the existing usable land that complements the existing single-family zoning of the eastern adjacent parcel. With the development and redevelopment that has occurred on all sides of the subject property, the proposed project aims to create exceptional quality additional housing that the comprehensive plan shows are needed. The proposed project seeks maintain the health, safety, and general welfare of the neighborhood through maximizing the utilization of the usable land generating a net increase of surrounding land values, surrounding building values, and city population all of which performed in a way that will not create potential issues of higher vehicle traffic and or pedestrian traffic that may otherwise occur if the redevelopment resulted in a larger commercial use building per the existing zoning.

We are extremely excited to work with the city of Tonka Bay to ensure this development brings years of prosperity to the city!





## SPRING LAKE PARK **PLANNING SERVICES**

May 5, 2025



**BOLTON  
& MENK**

Real People. Real Solutions.

**Contact:**

Nathan Fuerst, AICP

612-210-8150

Nathan.Fuerst@bolton-menk.com

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111 Washington Ave South  
Suite 650 | Minneapolis, MN 55401  
612-416-0220 | Bolton-Menk.com



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May 5, 2025

Daniel R. Buchholtz  
Administrator, Clerk/Treasurer  
City of Spring Lake Park  
1301 81<sup>st</sup> Ave NE  
Spring Lake Park, MN 55432

RE: Proposal for Spring Lake Park  
Planning Services

Dear Daniel:

The City of Spring Lake Park is seeking to enhance its planning, zoning, and land use functions to sustain the community's character and services with balanced redevelopment and growth. Bolton & Menk, Inc. is uniquely positioned to provide the professional planning services you need to achieve these goals. With our extensive experience and deep understanding of municipal planning, we are ready to help Spring Lake Park navigate the complexities of redevelopment, infill development, and manage land use ordinances and policies to maintain neighborhood character. Our commitment to creating safe, sustainable, and beautiful communities aligns with your city's vision.

**EXPERTISE IN DAILY PLANNING SUPPORT** – Bolton & Menk has been providing planning and urban design services to clients for more than a decade. Our team of experienced planners has worked with numerous cities to administer zoning ordinances, conduct development reviews, and implement comprehensive plans. We pride ourselves on our collaborative approach, clear communication, and responsiveness to our clients' needs. As your primary planner, I will bring nearly a decade of city planning experience in the Twin Cities metro area along with support from a qualified team of metro based planning staff.

**PRIOR CITY EXPERIENCE** – Our team brings a wealth of experience from working directly for city governments. Myself, Madison Richard, and Jenni Faulkner have all served in various municipal planning roles before joining Bolton & Menk. This unique perspective allows us to understand the specific needs and challenges faced by city staff and decision-makers.

**PROVEN SUCCESS IN THE METRO AREA** – We have successfully delivered planning services to municipalities such as Newport, Lake Elmo, Arden Hills, Forest Lake, Victoria, and Empire. In our service to these communities, we ensure compliance with statutory requirements and Metropolitan Council regulations. Our familiarity with local regulations and processes, combined with our strong working relationships with the Metropolitan Council, Washington County, MnDOT, DNR, MPCA, and watershed districts, positions us well to serve Spring Lake Park effectively.

Thank you for considering our proposal. We look forward to the opportunity to work with the City of Spring Lake Park and contribute to its continued growth and success. I will serve as your project manager. Please feel free to contact me at 612-210-8150 or [Nathan.Fuerst@bolton-menk.com](mailto:Nathan.Fuerst@bolton-menk.com) if you have any questions regarding our proposal.

Respectfully submitted,  
**Bolton & Menk, Inc.**

Nathan Fuerst, AICP  
Senior Planner, Project Manager





## FIRM AND STAFF QUALIFICATIONS

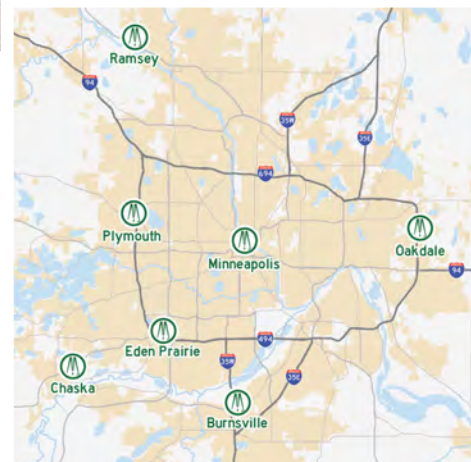
Bolton & Menk's commitment to communities began in 1949, serving the needs of municipal clients. As we continue to grow in both numbers and experience, our dedication to building trust and ensuring a true partnership with our clients remains the same. Our goal is to help communities make progress by listening to what people want, finding the best solutions for their needs, and treating them right. Simply put, we're people helping people. Today, Bolton & Menk has more than 1,000 employees including a professional staff of more than 300 engineers, planners, landscape architects, and surveyors.

Our dedication to our clients shines through in the work we provide. We are committed to cultivating and delivering exceptional community infrastructure solutions. From advocating for our communities to designing their dreams to finding funding; we take pride in our work because we live here too. We believe in the power of face-to-face meetings, friendly conversations, and collaborative decision-making to keep your projects on schedule, within budget, and focused on real, workable solutions.

We promise every client two things:

**WE'LL WORK HARD FOR YOU  
AND WE'LL DO A GOOD JOB.**

We take a personal interest in the work being done around us and do our part to build a better quality of life for all. At the end of the day, we're Real People offering Real Solutions.



### SOLUTIONS PROVIDED AT BOLTON & MENK

- » Civil/Municipal Planning and Engineering
- » Planning and Urban Design
- » Water and Wastewater Engineering
- » Transportation Planning and Engineering
- » Land Surveying
- » Structural Services
- » Water Resources Engineering
- » Environmental Planning and Permitting
- » Construction Administration and Inspection
- » Geographic Information Systems
- » Project Funding Support
- » Project Communication and Graphics

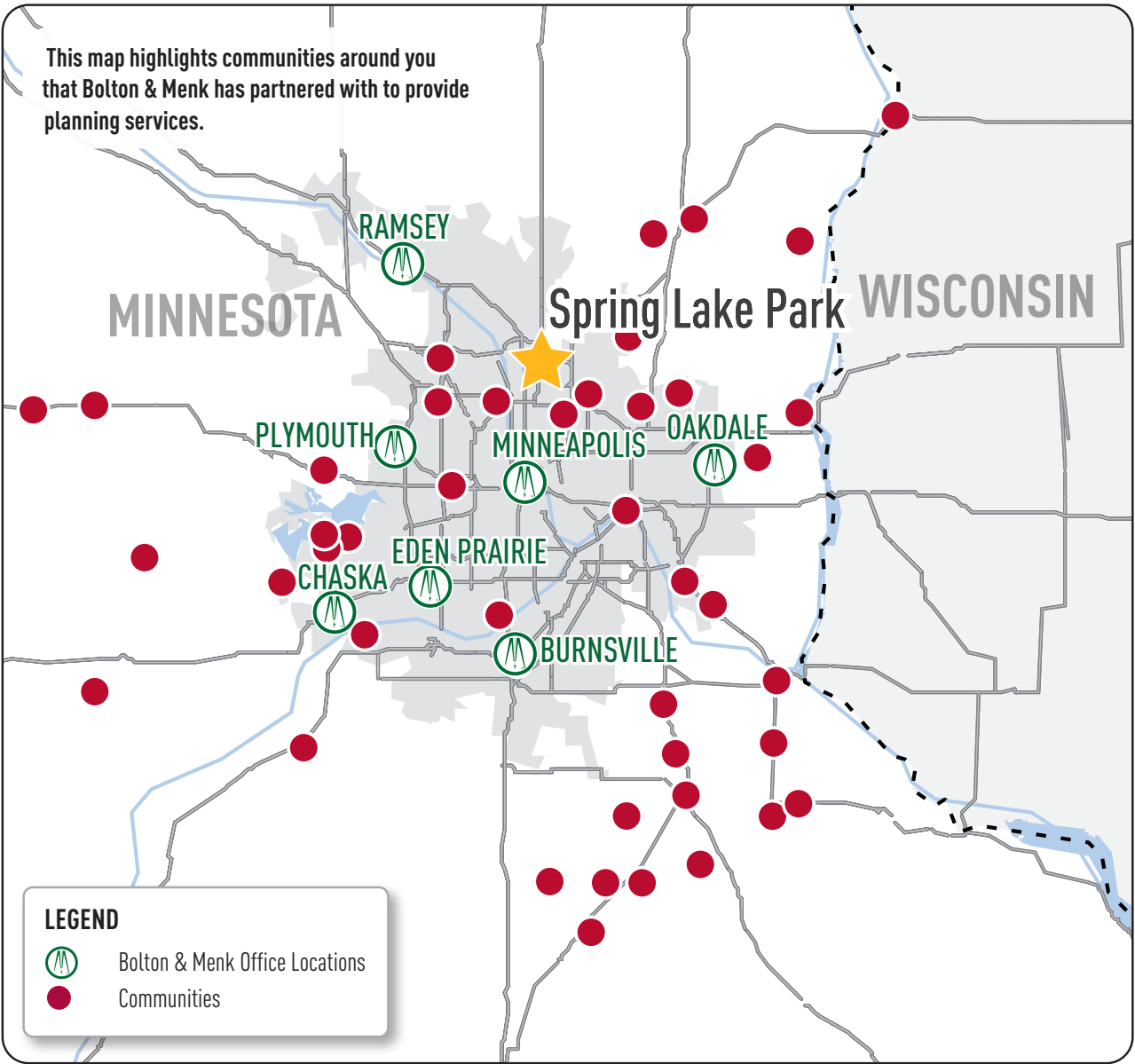
The Bolton & Menk community planning staff help clients identify their goals and plan for the future. Rooted in skilled technical analysis, visionary yet practical insights, and intentionally inclusive public engagement, our team facilitates community-centered consensus for buildable, sustainable solutions. Bolton & Menk helps solve multifaceted problems with technical, regulatory, funding, and community expertise. **We deliver planning services that reduce the burden placed on community staff, commissions, and boards, while elevating their ability to make informed and conscientious decisions.**

Alongside our expertise in community planning, our firm's comprehensive approach to planning includes public and private site design, park and small area plans, transportation planning, water resources, funding, project communication, and related services. We can help Spring Lake Park attain, and maintain, the community it hopes to be.

# WE'RE ALREADY IN YOUR NEIGHBORHOOD

Completing successful projects requires building upon experience and trusted relationships. Our approach ensures the city’s objectives and needs are achieved through collaboration and consensus building.

Bolton & Menk provides ongoing planning and engineering services to more than 100 communities in Minnesota. Below is a map showing the communities where Bolton & Menk has provided planning services throughout the Twin Cities.





# TEAM QUALIFICATIONS

The proposed team we've highlighted in this proposal provides you with the optimum combination of accessibility, community knowledge, and specialized expertise. All personnel identified will be 100 percent available to perform their assigned tasks as identified. Your project manager, Nathan Fuerst, will be supported by key individuals and support staff. Aside from this team, we can draw on other team members throughout our firm, as needed, to meet your needs. Project team member bios are included below. Full résumés can be found in the appendix.



## **NATHAN FUERST, AICP** **Lead City Planner and Project Manager**

Nathan will lead all client service efforts and will receive support from the Bolton & Menk team as needed or appropriate.

Nathan is a senior planner at Bolton & Menk, his career started in 2016 with professional planning experience coming primarily from work in the Twin Cities metro area. His responsibilities include leading planning services in client communities across the metro from Newport to Lake Elmo to Victoria. Nathan regularly leads the development of planning studies and reports, comprehensive plan and ordinance updates, and the review of complex development projects.

Nathan prioritizes clear and transparent communication with community stakeholders and has built strong interagency relationships in all of his roles. He has strong working relationships with the Metropolitan Council's staff and is an active member of the Minnesota chapter of the American Planning Association. Nathan currently serves as the city planner for the City of Newport, and provides regular planning support for the Cities of Lake Elmo, Forest Lake, and Victoria.



## **TJ HOFER** **Lead Support Planner**

TJ will be your lead support planner, supporting Nathan and filling in when needed.

TJ began his career as a planner at Bolton & Menk in 2019. His responsibilities include interpreting and enforcing zoning ordinance and comprehensive plans for his clients. He is also responsible for assisting in developing plan studies, comprehensive plans and ordinance updates, and preparing and presenting staff reports. TJ is a great communicator and is forward-thinking. He assists with community engagement and outreach during the planning process. TJ has worked toward his passion of helping clients both establish and meet their goals—he loves seeing the process unfold from start to finish. He currently serves as the city planner in Scandia and also provides on-call planning support for the Greenvale Township and Taylors Falls, working closely with legal counsel and watersheds as part of his work.



### MADISON RICHARD

#### Support Planner

Madison will support the team with all planning efforts.

Madison is a planner at Bolton & Menk, working to provide support to municipalities in daily planning services and assisting on larger-scale plan studies, reports, and updates. Prior to joining Bolton & Menk in 2024, she worked for three years doing public sector planning in Ohio, focusing on zoning and land use planning and application process management. Madison has a passion and desire to make planning more accessible to improve the lives of the communities and people she works with.



### JENNI FAULKNER

#### Senior Planning Advisor

Jenni will support Nathan and to provide land use planning expertise and support. Jenni leads our metro community planning team and will manage projects as needed.

Jenni is a senior planner on the Bolton & Menk team who began her professional career in 1995. Her 30 years of expertise spans the fields of city planning and land use, economic development, and housing. Her passion stems from her desire to provide sustainable and beautiful solutions to the communities she works in. Prior to joining Bolton & Menk, Jenni

served as a planner and the Community Development Director for the City of Burnsville—a fully developed city—for more than 20 years. While at Bolton & Menk, she has provided planning support for a variety of clients, large and small, urban and rural.

will work with us has tailored project communication  
watches your bottom line is creative and innovative  
has an award winning resume has proven partnerships

## A CONSULTANT WHO...

offers an array of services is worth their fee  
has proven expertise has creative problem solving skills  
builds community support you can trust is proactive  
plays well with others has local expertise



# PROJECT APPROACH

## OUR APPROACH TO PLANNING

At Bolton & Menk, we believe all people should live in safe, sustainable, and beautiful communities and we take pride in our ability to make that happen. Our diverse team of professionals collaborates with city staff and stakeholders to work through issues and develop solutions. Each of us makes it our personal, ethical, and professional mission to prepare well-crafted and research-based reports and plans. Our integrated, creative, and transparent approach makes us stand out from other firms.

### Our approach to providing on-call planning services to Spring Lake Park is one of value and expertise:

Using a team with a diverse mix of planners can provide cost-effective service to meet Spring Lake Park's needs as they are ever evolving. **Nathan Fuerst** will be your lead planner and project manager for this project. He will lead on complex projects and land use issues with **TJ Hofer** and **Madison Richard's** assistance on more routine land use and development reviews. These positions will be managed and supported by senior planning advisor, **Jenni Faulkner**. This allows for the most efficient use of resources while meeting or exceeding your service needs. Efficiencies can also be gained with the use of our multidisciplinary team and ability to use in-house specialty resources if needed. Bolton & Menk does not anticipate using subcontractors for on-call planning services.

Our planning staff is very familiar with state statutes along with city and county zoning codes and procedures. From understanding basic permit and development reviews to following the "60-Day Rule" to strategizing for group homes and comprehensive plans, our team is very knowledgeable in all aspects of community planning. We are also strong communicators and coordinators, both internally and externally. We will work with concerned neighbors, adjacent jurisdictions, the county and state, and other stakeholders. We are also very familiar with Met Council, MnDOT, DNR, MPCA, and watershed regulations and processes. Should environmental reviews be required, we can be a resource for navigating those processes and regulations.

### Staying at the forefront of changing practices and regulations:

Our planners are educated in urban planning and have specific experience with municipal planning in Minnesota. We stay at the forefront of legislation and understand statutes and court cases regarding land use and related subjects such as licensing or permitting. As a firm and local planning team, we are engaged with the APA Minnesota Chapter as well as Metro Cities and League of Minnesota Cities to stay in-the-know of emerging issues affecting planning practice. We also present at workshops and conferences, and provide planning commission training on local planning. As practicing daily planners, we also engage regularly with municipal attorneys and can bring our varied experience from other cities to assist in our work with Spring Lake Park.



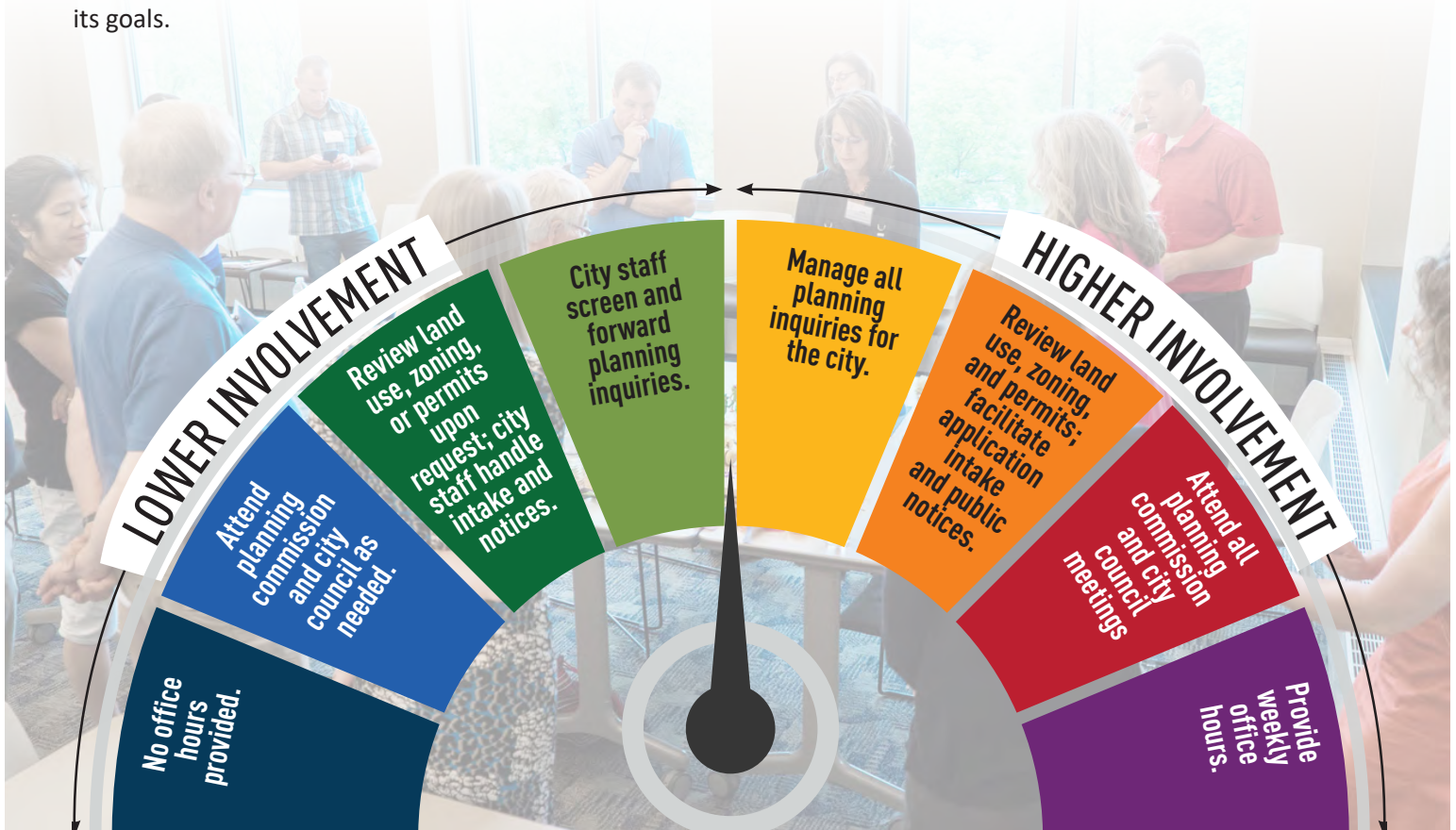


## Creating Strong Relationships:

As an extension of your staff, we will develop and maintain good working relationships with all city staff, elected and appointed officials, other jurisdictions, and the public. We have a proven track record of maintaining excellent working relationships within the communities in which we serve. As your planning consultant, and at your direction, we will meet with stakeholders (i.e., developers, engineers, property owners, contractors, etc.) to discuss, advise, explain processes, and suggest improvements regarding potential projects, pre-applications, sketch plan, other development meetings, or land use applications (CUPs, IUPs, or variance) consultations. We will do this in a responsive and professional manner for every interaction.

## Dialing it in:

We take pride in providing just the right amount of planning support that the community is looking for. Our approach to community planning is intended to proactively address planning issues before they become problems for the community. As your consulting planner, we will listen to the city's residents, staff, and decision makers to understand what issues are important so that we can best deliver the information desired by the city, and tailor our guidance to help Spring Lake Park meet its goals.



# RELEVANT EXPERIENCE


Client satisfaction through quality deliverables, cost-effective rates, and timely project delivery are top priorities for Bolton & Menk on all projects. Below we've identified a few of our current clients, their contact information, and the length of time since our first project (planning or non-planning related) with them. Please contact them to evaluate our performance.

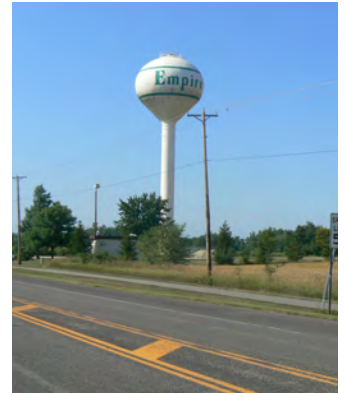
## PLANNING SERVICES

### EMPIRE TOWNSHIP/CITY OF EMPIRE, MINNESOTA

Bolton & Menk has been serving as Empire's city planner and city engineer since 2018. In this role, we provide development review coordination, presentations, ordinance updates, long-range planning, and comprehensive plan amendments. We also conducted research and provide land use training for commissioners and the council.

 **Staff Involved:** Jenni Faulkner, Madison Richard


 **Project Reference:** Charles Seipel-Teng, Clerk Administrator, 651-463-4620




## INTERIM PLANNING SERVICES

### CITY OF LAKE ELMO, MINNESOTA

Bolton & Menk has served as the consulting planner for the City of Lake Elmo since 2023, providing a variety of planning and zoning administration on complex development projects, including assisting residents and business owners with zoning and land use questions, development review, preparation of staff reports, and attendance at planning commission meetings. The Bolton & Menk community planning team continues to work closely with Lake Elmo's planning team as the community continues its rapid growth.

 **Staff Involved:** Nathan Fuerst, Jenni Faulkner

 **Project Reference:** Nicole Miller, City Administrator, 651-777-5510 | Sarah Sonsalla, City Attorney, 612-337-9200




## INTERIM PLANNING SERVICES

### CITY OF ARDEN HILLS, MINNESOTA

Bolton & Menk has provided interim planning services for the City of Arden Hills since 2019. Services provided have ranged from office hours with front counter support to large scale development review, including the first development in the Twin Cities Army Ammunition Plant.

 **Staff Involved:** TJ Hofer, Jenni Faulkner

 **Project Reference:** Jessica Jagoe, City Administrator, 612-665-9394

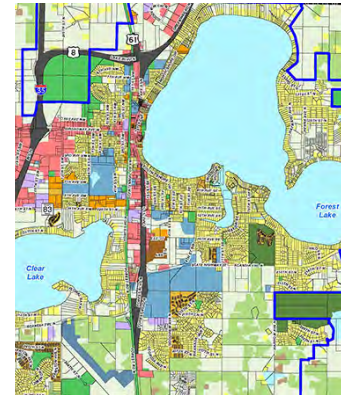






## INTERIM PLANNING SERVICES

### CITY OF FOREST LAKE, MINNESOTA

Bolton & Menk has served as the consulting planner for the City of Forest Lake since 2021, providing a variety planning services including assisting residents and business owners with zoning and land use questions, zoning and building permit reviews, development review, preparation of staff reports, and attendance at planning commission and city council meetings. Bolton & Menk also serves as the city engineer, providing for streamlined services to the community.



 **Staff Involved:** Nathan Fuerst,  
Madison Richard

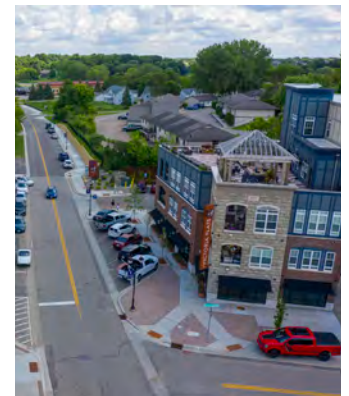
 **Project Reference:** Abbi Wittman,  
Community Development Director,  
651-209-9752


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## INTERIM PLANNING SERVICES

### CITY OF VICTORIA, MINNESOTA

Bolton & Menk has served as the consulting planner and city engineer for the City of Victoria since 2022, providing a variety planning services including complex development reviews, zoning and building permit reviews, public inquiry responses, zoning ordinance and comprehensive plan updates, preparation of staff reports, and attendance at planning commission and city council meetings.



 **Staff Involved:** Nathan Fuerst,  
Jenni Faulkner

 **Project Reference:** Jenn Brewington,  
Community Development Director,  
952-443-4219


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## PLANNING SERVICES

### CITY OF NEWPORT, MINNESOTA

Bolton & Menk has served as Newport's city planner since 2021, with Nathan's leadership on this project beginning in 2022. Newport is a unique metropolitan community—nestled along the Mississippi River and between larger communities, the city maintains its own identity and character. Planning in these communities is crucial in order to review and monitor the impact to existing development, as well as to promote opportunities in the city. Bolton & Menk assembled a planning team based on our experience providing planning services for similar communities throughout Minnesota. With Nathan Fuerst serving as Newport's designated city planner, we have collaborated with city staff and stakeholders to work through issues and develop tailored solutions. We have been able to bring an innovative, problem-solving approach to provide ongoing planning services to the city.



 **Staff Involved:** Nathan Fuerst,  
Madison Richard

 **Project Reference:** Joe Hatch,  
City Administrator, 651-556-4600



# SERVICES

Bolton & Menk's philosophy is to staff all major projects using a team approach. This ensures you will receive efficient and cost-effective service based on the nature of the item being discussed or project under review. Our team will always maintain close coordination with the city's staff and consultants.

For the services requested, we propose an hourly rate billed monthly as services are provided. Detailed pricing can be found on the Fee Proposal page of this proposal.

## Our full suite of community planning services includes:

- » Daily planning support in person or remote
- » Development review including technical review, preparation of reports, and presentations to advisory bodies and city council
- » Ordinance review and amendments
- » GIS analysis and updating maps
- » Permit review
- » Comprehensive planning and amendments
- » Process review and improvement
- » Redevelopment
- » Small area planning and design
- » Code updates for statutory and legal compliance
- » Area studies and future development planning
- » Downtown planning
- » Design guidelines
- » Environmental review coordination
- » Community engagement
- » Code enforcement
- » Commission training



## → PROPOSED SCOPE OF SERVICES

Bolton & Menk is confident we can provide outstanding on-call planning services to meet your needs. As desired, Spring Lake Park can increase or decrease our level of involvement and therefore cost. We're here to serve you however you prefer.

## PLANNING AND ZONING ADMINISTRATION

Our planners are experienced in processing land use applications. We will competently review and process zoning requests and inquires including:

- » Minor and major subdivisions (preliminary and final plat)
- » Variances
- » Conditional use permits (CUPs)
- » Interim use permits (IUPs)
- » Administrative permits
- » Sign permits
- » Architectural design reviews
- » Rezoning
- » Lot line adjustments
- » Lot splits and combinations
- » Comprehensive plan amendments
- » Zoning and subdivision ordinance updates

## 60-Day Rule Compliance

Our planners are very familiar with the 60-Day Rule—Minnesota Statutes, Section 15.99 and those additional statutory requirements for subdivisions. We understand the importance of reviewing for completeness and sending letters in a timely manner. We implement a project review schedule that provides comments within specified timelines and can provide reviews with shorter timelines, as requested by the city.

## CONSISTENT MEETING ATTENDANCE

Lead planner, Nathan Fuerst, will be present at city hall for all pre-application, development review, city council, and planning commission meetings as requested by the city. Nathan will also be available to attend any other meetings or work sessions as requested. He will provide concise professional presentations for public meetings with technologies available, and successfully does this for other clients. Bolton & Menk's team-based approach means we can provide experienced planning staff as backup in the event Nathan cannot make a meeting.

## DEVELOPMENT REVIEW

We are comfortable reviewing any nature of planning issue or request against the city's 2040 plan, zoning ordinance, applicable site and architectural design requirements, and other policies. We have experience with presenting our analysis and recommendations in any format, or at any forum, desired by the city.

## ZONING CODE MODERNIZATION

We will quickly get up to speed with the city's adopted ordinances and policies. The Bolton & Menk team brings a wealth of experience with municipal zoning ordinances and land use policies. As professional planners, and through involvement in organizations such as the American Planning Association, we continually review for current best practices. Our team stays on top of ever-evolving Minnesota statutory requirements and case law, and will provide a proactive assessment of areas for improvement.

## COMPREHENSIVE PLAN IMPLEMENTATION

With a staff of professional and experienced planners, we can analyze projects for compliance with the 2040 comprehensive plan. Our team is experienced in all levels of updates to metro area comprehensive plans, from minor updates to major overhauls. We pride ourselves on strong working relationships with the Metropolitan Council's staff and an understanding of their review procedures and timelines. When it comes

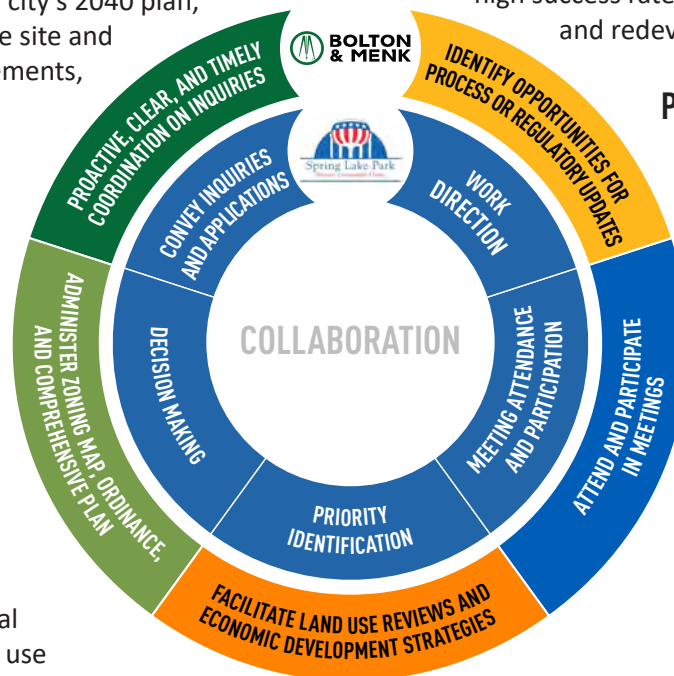
time for the city to perform the required decennial update, we can assist with necessary updates to your 2040 comprehensive plan.

## ECONOMIC DEVELOPMENT SUPPORT

Our team is experienced in foundational strategies for economic development and the tools that are available to Minnesota's cities. We have successfully formed and implemented economic development strategic plans, downtown plans, and comprehensive plans. We also work regularly with municipal financial advisors to coordinate economic development initiatives. Our team regularly helps communities process complicated development and redevelopment projects, and has a high success rate with grant funding for planning and redevelopment work.

## PUBLIC INQUIRIES

We are comfortable with answering questions and providing information to the public. We take pride in our ability to efficiently respond to and resolve routine inquiries, and will respond within one business day to inquiries that come our way as directed by the city's staff or council.



# FEE PROPOSAL

For planner consulting services, Bolton & Menk will bill on an hourly basis and can adjust to meet the city's needs. Unless otherwise noted, the fees include vehicle and personal expenses, mileage, telephone, and other office or routine expendable supplies; no separate charges will be made for these activities and materials. Our invoices are typically set up to indicate hours worked on each specific development review project for projects that are billed to applicants or others. The hourly rates are the same for technical assistance or attending meetings.

## 2025 RATES FOR OUR IDENTIFIED PERSONNEL ARE AS FOLLOWS:

EMPLOYEE	HOURLY RATE
Nathan Fuerst, Project Manager	\$176 per hour
TJ Hofer, Lead Planner	\$164 per hour
Madison Richard, Support Planner	\$148 per hour
Jenni Faulkner, Senior Planning Advisor	\$228 per hour

### NOTE ON SPECIAL PROJECTS:

Specialized projects usually have a specific timeframe for completion. Examples of these projects include environmental reviews, master plans, small area studies, complete zoning ordinance rewrites, or other special planning studies. Projects are not a part of this proposal. We will work with the city to define the scope of services and budget for other special projects, as they come up.

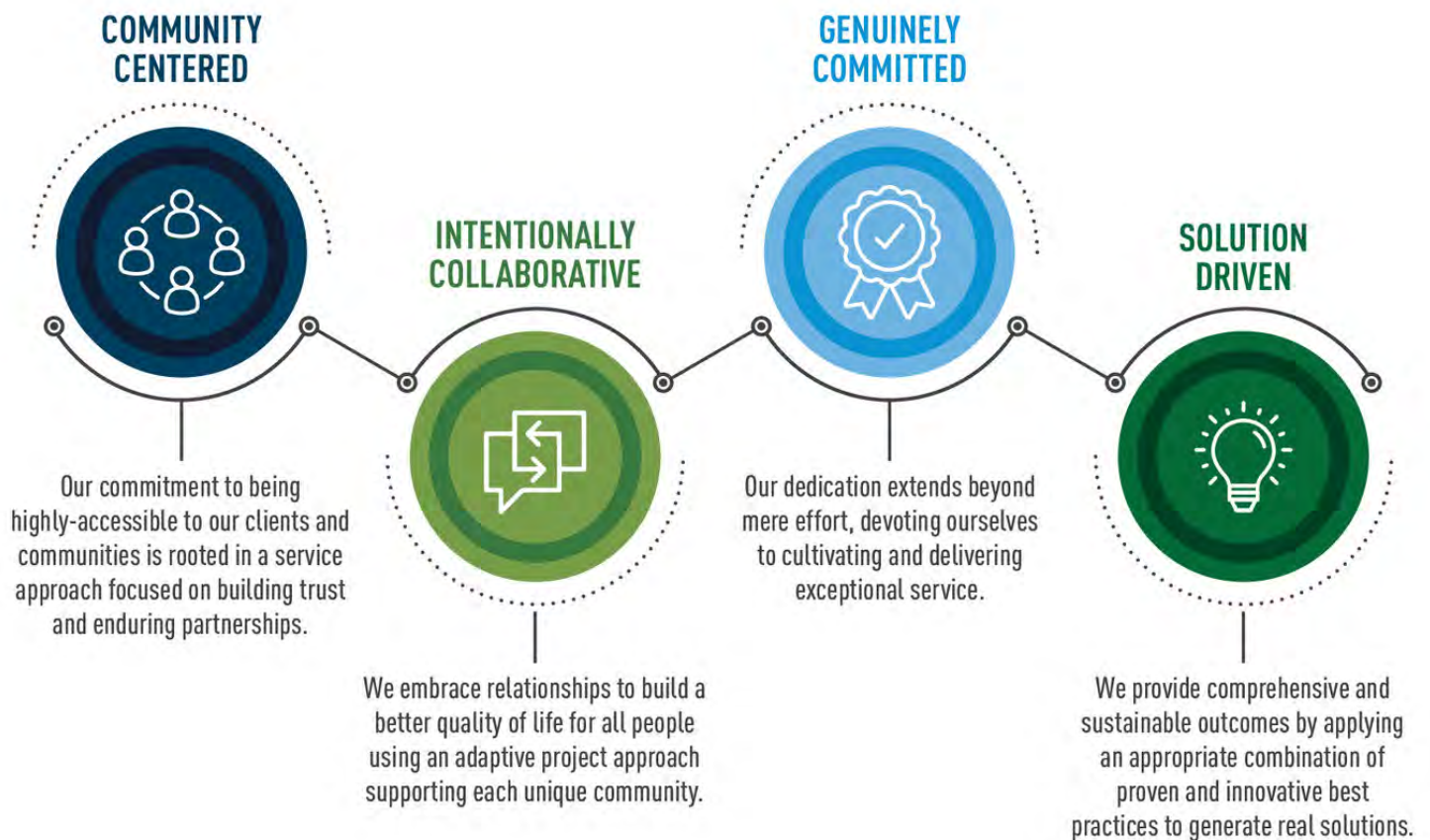


# WHY BOLTON & MENK?

As previously stated throughout the proposal, we believe we have the expertise the Spring Lake Park is looking for in providing planning services. We are committed to providing excellent planning services with the team provided in this proposal. Just ask our current or past clients.

As a growing company and work group, we have the capacity to make and keep Spring Lake Park a priority client from the onset. We are excited and ready to serve as an extension of your staff and we promise to bring our integrated services and our professional insights to collaborate with your team as needed.

We are excited about the opportunity to assist Spring Lake Park with on-call planning services and can step in whenever you are ready! We will work hard to ensure that there is a smooth transition.







**APPENDIX**  
RESUMES  
WORK SAMPLE



# NATHAN FUERST, AICP

PROJECT MANAGER



Real People. Real Solutions.

## EDUCATION

Bachelor of Science - Environmental Science  
University of Minnesota - Twin Cities

Master of Arts - Urban and Regional Planning  
University of Southern California

## CERTIFICATIONS

Certified Planner - AICP  
(American Institute of Certified Planners)

Low Salt Design Strategies - LSiD TM  
Bolton & Menk Authorized Trainer

## SUMMARY

Nathan is a senior planner at Bolton & Menk, his career started in 2016 with professional planning experience coming primarily from work in the Twin Cities metro area. His responsibilities include leading planning services in client communities across the metro from Newport to Lake Elmo to Victoria. Nathan regularly leads the development of planning studies and reports, comprehensive plan and ordinance updates, and the review of complex development projects. Nathan prioritizes clear and transparent communication with community stakeholders and has built strong interagency relationships in all of his roles. He has strong working relationships with the Metropolitan Council's staff and is an active member of the Minnesota chapter of the American Planning Association. Nathan currently serves as the City Planner for the City of Newport, and provides regular planning support for the Cities of Lake Elmo, Forest Lake, and Victoria.

## EXPERIENCE

- City Planner, City of Newport, MN
- Planning Services, City of Lake Elmo, MN
- Property Reviews, Randolph City, MN
- Zoning and Subdivision Ordinance, Castle Rock City, MN
- Planning Services, City of Victoria
- Zoning and Subdivision Ordinance, Chisago County, MN
- Planning Services, City of Forest Lake, MN
- Property Reviews, City of Forest Lake, MN
- City Planner and Economic Development Specialist, City of Jordan, MN\*

\*Completed prior to Bolton & Menk





# TJ HOFER

CITY PLANNER



Real People. Real Solutions.

## EDUCATION

Bachelor of Arts, Concordia College - St. Paul

Master of Arts - Urban and Regional Planning  
University of Minnesota - Twin Cities

## SUMMARY

A planner at Bolton & Menk, TJ began his career in 2019 and works with a wide range of clients to provide planning services. In this role, he interprets and enforces zoning ordinances, reviews development plans, maintains and updates ordinances, meets with residents, and prepares and presents staff reports to governing bodies. He regularly assists with community engagement and outreach during the planning process. Since beginning his career, TJ has worked toward his passion of helping clients identify, establish, and implement their goals—he loves seeing the process unfold from start to finish.

## EXPERIENCE

- Planning Services, City of Jordan, MN
- Planning Services, City of Scandia, MN
- Planning Services, City of Empire, MN
- 2040 Comprehensive Plan Update, City of Scandia, MN
- 2040 Comprehensive Plan Update, City of Forest Lake, MN
- Planning Services, City of Arden Hills, MN
- Planning Services, Greenvale City, MN
- Planning Services, City of Taylors Falls, MN
- City Code Update, City of New Trier, MN (Ongoing)
- Downtown Area Plan, City of West Fargo, ND
- Planning Services, City of Randolph, MN
- Housing Study, City of International Falls, MN
- Planning Services, City of Cottage Grove, MN
- Unified Development Code, City of New Prague, MN (Ongoing)
- Planning Services, City of Chisago City, MN



# MADISON RICHARD

## SUPPORT PLANNER



Real People. Real Solutions.

### EDUCATION

Bachelor of Science - City and Regional Planning  
Ohio State University

Bachelor of Science - Environment, Natural  
Resources, and Community Development  
Ohio State University

### SUMMARY

Madison is a planner at Bolton & Menk, working to provide support to municipalities in daily planning services and assisting on larger-scale plan studies, reports, and updates. Prior to joining Bolton & Menk in 2024, she worked for three years doing public sector planning in Ohio, focusing on zoning and land use planning and application process management. Madison has a passion and desire to make planning more accessible to improve the lives of the communities and people she works with.

### EXPERIENCE

- Planning Services, City of Arden Hills, Minnesota
- Interim Planning Services, City of Lake Elmo, Minnesota
- Planning Services, City of Newport, Minnesota
- Planning Services, Empire City, Minnesota
- Planning Services, City of Jordan, Minnesota
- On-Call Planning Services, City of Scandia, Minnesota
- On-Call Planning Services, Waterford City, Minnesota
- On-Call Planning Services, City of Taylors Falls, Minnesota
- Planning and Zoning Services, City of Hampton, Minnesota
- Cokato Trail Improvements, City of Dassel, Minnesota
- CSAH 1 Improvements, City of Winsted, Minnesota
- Planning Services, City of Coates, Minnesota
- W 3rd-4th Ave Ally Reconstruction, City of Aurora, Minnesota
- Scenic Acres Road & Hwy 135 Trail, Town of White, Minnesota
- Unified Development Code, City of New Prague, Minnesota



# JENNI FAULKNER

SENIOR PLANNING ADVISOR



Real People. Real Solutions.

## EDUCATION

Bachelor of Arts - Urban Studies  
University of Minnesota - Minneapolis

Master of Arts - Urban Planning  
Minnesota State University, Mankato

## SUMMARY

Jenni is a planning project manager on the Bolton & Menk team who began her professional career in 1995. Her expertise spans the fields of city planning and land use, economic development, and housing. Her passion stems from her desire to provide sustainable and beautiful solutions to the communities she works in. Jenni says, "In my profession, I have the ability to positively impact and influence how people experience their physical environment."

## EXPERIENCE

- City Planner, City of Empire, MN
- City Planner, City of Albertville, MN
- Zoning Code Update (Parking Ordinance), City of New Brighton, MN
- City Planning Services, City of Jordan, MN
- Planning Services, City of Victoria, MN
- Downtown Redevelopment Vision Plan, City of Savage, MN
- Development Review Planning Services and Oversight, City of Lake Elmo, MN
- Greenvale City Zoning and Subdivision, Dakota County CDA
- Zoning Code Update and Planning Services, City of Taylors Falls, MN
- 2000-2005 City Planner, City of Burnsville MN\*
- 2005-2022 Community Development Director, City of Burnsville MN\*

\*Completed prior to Bolton & Menk





CITY OF NEWPORT  
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ci.newport.mn.us

## Memorandum

**To:** Newport City Council  
**From:** Nathan Fuerst, AICP, City Planner  
**Date:** January 7, 2025  
**Subject:** Keller Fence – Interim Use Permit

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### Background:

The City approved a conditional use permit for Keller fence on January 5, 2023 through Resolution 2023-07. Keller Fence's CUP allows the land use "building materials and services" with conditions for operating the business on site.

After the initial approval, the Applicant began to compile final site plans and satisfy conditions for approval. At that time environmental contamination was identified on site through a phase I environmental review. This paused the site development plans to address environmental remediation requirements that occur when contamination is identified. To abate the contamination, more environmental review was needed in the form of a phase II study.

The City of Newport successfully received funding to study environmental contamination on the site and to form a plan with the applicant for remediation required to develop the site. On October 3, 2024, the City extended the approval for Keller Fence for one year, through January 5, 2025. In 2024, additional time was needed to complete the environmental work on site and resolve the identified issues with the Minnesota Pollution Control Agency (MPCA). The City extended once more, on October 3, 2024, creating a new deadline of January 6, 2026.

Staff have been able to confirm with the MPCA that no further changes will be needed to the site plan originally approved by the City through Resolution 2023-07. The applicant is now seeking to take ownership of the property. They have requested an Interim Use Permit and to allow for temporary use of the property as a site for storage of materials associated with their business while starting over on project financing and building plans.

### Interim Use Permits:

An Interim Use Permit (IUP) is a zoning "tool" nearly identical to a Conditional Use Permit (CUP) but used far less often. This is because IUP's are typically intended to allow land uses which are currently acceptable but are not in the long-term interests of the community.

Newport City Code, Section 36-49, permits the City Council to approve Interim Use Permits with the following (summarized) criteria:

- a) Zoning compliance - The use must be consistent with the allowed uses in a zoning district.

- b) Termination - An IUP will terminate on a specific date, not more than three years from the time the IUP is granted.
- c) Conditions – The city council may attach conditions to an IUP to mitigate issues reasonably anticipated with the use.
- d) Revocation - An interim use permit may be revoked in the same manner as a conditional use permit.

### **Request:**

The Applicant, Keller Fence, has requested the IUP to allow for reasonable use of their property from the time a closing can occur until they are able to begin construction of their building and establishment of their use under the approved CUP. The proposed IUP would consist of the following:

- Materials storage located in the existing principal structure, and outdoors in a 70' x 80' area on the property behind the existing principal structure.
- Access to site would remain at its current location on 7<sup>th</sup> Avenue, with vehicles entering the site intermittently. Vehicles accessing the site would be limited to Ford F550 trucks or Isuzu Flat Bed trucks per the Applicant.
- A wooden fence facing 7<sup>th</sup> Avenue would be removed and replaced with black vinyl fence and swing gate to screen and secure the storage area.
- The duration of this IUP is expected to be about one year, as the Applicant needs to work on project financing and building plans with the builder.

### **Applicant's Narrative:**

*"We would like to use the block garage and area behind the block garage for storage. The block garage would be used for truck and equipment storage inside. The area immediately behind the block garage would be used for material storage. Material would not exceed the height of the garage. Truck traffic would be limited to several times a month at most. Our construction season is at low December through March. Hours of use would be 7:30am to 3:30pm. The existing broken wood fence would be replaced with a screening fence and gate to eliminate view of the yard."*

### **Analysis:**

This land use appears to meet the minimum criteria for an IUP. With a CUP already granted for the *building materials and services* land use from the City Council, staff find that this use satisfies the land use provision.

Since the storage will take place both within the existing building, and would be completely screened behind an existing structure, there are no visual impacts expected with this use.

Access to the site will be minimized to intermittent trips by smaller commercial vehicles, and not semis. Therefore, traffic impacts to the surrounding community are anticipated to be negligible.

### **Findings:**

Staff have reviewed the request and recommend that it be approved with the following findings:

- a) *Consistency with the comprehensive plan.* The proposed use is consistent with the City's adopted 2040 Comprehensive Plan.
- b) *Health and safety.* The proposed interim use is not anticipated to negatively impact the health or safety of the community. All storage will be secured within the principal building, or secured behind privacy fencing.

- c) *Compliance with standards.* The requested interim use permit is compliant with Section 36-49 of the City Code and will allow for a temporary land use prior to establishment of the conditional use approved by the City through Resolution 2023-07.
- d) *Public infrastructure services.* Adequate public facilities and services are available to the site where the use is proposed. The use will not be detrimental to providing such services to the Community.
- e) *Screening and landscaping.* Landscaping will not be altered except for within the storage area to be approved by the City. All materials will be fully screened from the public view on 7<sup>th</sup> Avenue as a condition of approval.
- f) *Architectural standards.* There will be no changes to the site visible from 7<sup>th</sup> Avenue.
- g) *Zoning.* The use shall be consistent with the requirements of the zoning ordinance with approval of the IUP.
- h) *Traffic.* Intermittent access to this site by the Applicant, as controlled by the IUP, will cause negligible impacts on traffic along 7<sup>th</sup> Avenue.

### **Recommended Conditions:**

Staff recommend approval with the following conditions:

1. This interim use permit is exclusively to allow for the storage of equipment and materials associated with the “building materials and services” land use within the principal structure and outdoor storage area proposed by the applicant.
2. The outdoor storage area is identified on the site plan attached to the City Staff’s report dated January 16, 2025.
3. No outdoor storage is permitted outside of the proposed 70 foot by 80 foot storage area.
4. Improvements to the subject property are required in conformance with the site plan included in the Staff Report to the Planning Commission dated January 7, 2025.
5. No other site improvements are permitted by the interim use permit.
6. Applicant must receive any required city permits prior to beginning any work on site.
7. Access to the site shall be limited to weekdays between the hours of 7:30 and 3:30.
8. Outside of permitted daily parking, no outdoor material, equipment, or vehicle storage may be visible from 7<sup>th</sup> Avenue.
9. Vehicles, trailers, or other related equipment must be stored on a compliant parking surface.
10. Unless extended by the City Council, the Interim Use Permit shall expire one year from approval or when substantial construction has begun on the property.

### **Recommended Action**

City Code Section 36-49 creates the ability to place a specific date or event that will terminate the interim use and the ability to place conditions on the use. Given the Concept Plan for Keller Fence already has a required construction date of January 5, 2026, staff recommend an expiration date for the interim use as one year out, ending January 16, 2026.

Example Motion

**“Move to recommend the City Council approve the Interim Use Permit requested by Keller Fence to allow for temporary use of the site for one year with the conditions proposed by staff”**





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Burnsville, MN 55337-1649

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Bolton-Menk.com

## MEMORANDUM

**Memo Date:** December 23, 2022  
**Meeting Date:** January 5, 2023  
**To:** Newport City Council  
**From:** Nathan Fuerst, AICP, City Planner  
**Subject:** Conditional Use Permit Request - Keller Fence

**Action Requested:** Review the Conditional Use Permit request and provide a determination.

### Overview

**Applicant:** Keller Fence  
**Owner:** Presidential Recovery Services, LLC

**PIDs:** 0102722210031, 0102722210030,  
0102722210029, 0102722210028

**Zoning:** B-2 General Business

**Future Land Use:** Mixed  
Commercial/Residential

**60 Day Period:** January 20, 2023

### Summary of Proposal

The City has received a Conditional Use Permit request from Keller Fence regarding the largely undeveloped parcels south and east of the former Newport City Hall property. Keller Fence is looking to acquire, combine, and redevelop the four subject parcels to create a new base for their business operations. This use is classified as *Building Materials and Services* under Sec. 36-229 of the Newport City Code and only allowed with a Conditional Use Permit (CUP).



The City's Planning Commission reviewed and held a public hearing on this request at its regular meeting on November 15<sup>th</sup>. The Commission unanimously voted to table this item, requesting additional information on traffic impacts, and screening.

This item was reviewed again by the City's Planning Commission on December 13<sup>th</sup>, 2022, and the Planning Commission voted 3-2 to recommend denial for this requested CUP.

## Site Plan Review

Application materials submitted with this request have been reviewed by staff for conformance with the zoning code's performance standards. A summary of this review is below.

### Building Design

The exterior building materials meet the City Code's requirements for commercial structures established in Sec. 36-162.1.b, which requires that the building facades be covered in at least 60% of either Class I or II materials. In this case, precast concrete panels qualify as a worthy Class II material. Metal siding is a permitted accent material. Finished metal standing seam roofing is permitted in all zoning districts.

### Lighting

The submitted plans meet the City's performance standards for lighting on private developments. Lighting does not exceed maximum thresholds on surrounding properties.

### Parking/Loading Areas

With the office and warehousing uses, the City Code requires a combination of 26 plus 2 stalls respectively. As proposed, the site meets this standard as 46 stalls will be provided. Proposed parking and loading areas also meet the requirements for parking lot landscaping and surfacing requirements.

### Landscaping

The Site meets the minimum planting requirements for trees in relation to square feet of open area. This requirement (Sec. 36-162.11.b) requires the following:

*There shall be a minimum of one tree for every 1,000 square feet of non-impervious surface area on the lot.*

As proposed, the site plan shows a total of 57,954 S.F., which translates to a requirement of 58 trees. By removing an estimated 18,000 S.F. required for the storm basins, we are left with 39,954 S.F. of non-impervious area, or 40 trees. The applicant is proposing that many trees, and therefore meets code requirements.

### Screening

The Applicant is proposing two different types of screening at the suggestion of City Staff. Along the 7<sup>th</sup> Avenue Corridor, the Applicant is proposing a continuous row of overstory deciduous trees. This will help to satisfy tree planting requirements while buffering the use visually from adjacent properties.

In addition, the applicant is proposing fencing along the perimeter of their outdoor storage and ponding areas. Fences and gates are proposed at 8'. Fencing will be comprised of coated vinyl chain link fence with slating to fully screen the storage area.

### Site Access

There are two access points proposed for this site, which line up at the intersections of 7<sup>th</sup> Avenue and 5<sup>th</sup> and 4<sup>th</sup> streets. The southerly access, at 4<sup>th</sup> street, will be utilized primarily for the ingress and egress of delivery and fleet vehicles from this site. Controlled gate access into that access point is proposed. It is staff's recommendation that access to this site from fleet or delivery vehicles be limited to the southerly access point at 4<sup>th</sup> Street.

## Traffic Impacts

Staff asked that the Applicant provide more detailed information on the nature of traffic to serve this use. The following details were provided:

- **Deliveries** - The trucks that the Applicant's vendors use for deliveries have 48' beds. The Applicant intends to have these deliveries pull entirely into the storage yard for off loading.
- **Fleet Vehicles** – The Applicant has 10 F450s (GVW 8500 – 8700 lbs) that are in use daily along with 2 Isuzu cab over trucks
- **Routing** – The Applicant is open to routing their vehicles south.
- **Material Deliveries** – Whenever possible, the Applicant has materials delivered directly to job sites. If timing doesn't work, then materials will be delivered to this site. The Applicant currently keeps inventory and will continue to do so.
- **Delivery Windows** – The Applicant reports a set delivery window on Fridays from 8-10am on a typical day. They also reported that there "is usually one other during the week as needed with a similar window".

## 7<sup>th</sup> Avenue Restrictions

7<sup>th</sup> Avenue is constructed to allow for 9 tons per axle. This means that it's designed to withstand heavy vehicles, including semis. In 2004, among concerns regarding truck traffic along 7<sup>th</sup> Avenue, the Newport City Council unanimously passed Resolution 2004-55. That Resolution restricted the weight of vehicles on 7<sup>th</sup> Avenue between 2<sup>nd</sup> Street and the Glen Road Interchange to 10,000 pounds of gross vehicle weight.

Functionally, Resolution 2004-55 restricted 7<sup>th</sup> Avenue from heavy truck through traffic, namely prohibiting semis that served the refineries in neighboring St. Paul Park. At the time that this resolution was passed, the Council clarified that heavy vehicles such as furniture delivery or moving vans making deliveries were not subject to this restriction.

When the CUP amendment was approved for what is now Absolute Towing and Recovery in 2016, the City Council provided a number of different conditions to mitigate the anticipated impacts of the use with respect to traffic. Those restrictions include the following:

- Requirement to divert traffic to and from this site south, to the 70<sup>th</sup> Street exit off Highway 61.
- Requirements for truck traffic to utilize the southerly site access point
- Gates must remain closed when not in use
- Limited daily operation hours for deliveries or work outdoors on site from 8am to 8pm, unless headlight and backup alarm controls were in place
- Limit for any truck traffic to 9 tons in weight, year-round

## Back Up/Reverse Alarms

Community members also shared concerns regarding the use of alarms when backing up to maneuver on the property. Such alarms are commonly required by OSHA and other federal, state, or local agencies as standard for many different types of commercial vehicles.

In recent years, the use of broadband alarms has proliferated specifically in context of delivery vehicles. As opposed to a piercing noise emitted by standard tonal alarms, broadband alarms issue a noise which could be considered less intrusive or more similar to a white noise. In reaction to public concern, staff have proposed a condition of approval requiring either this technology to be implemented or for site circulation of vehicles such that they do not need to back up.



## Public Hearing

A public hearing was noticed for and held by the Planning Commission at its regular meeting on November 15, 2022. The Planning Commission heard several public comments both written and in person. Several residents raised concerns about the impact of the truck traffic along 7<sup>th</sup> avenue. Specifically, Resolution 2004-55 was referenced when discussing traffic concerns.

Generally, comments were made with concern for surrounding residential uses, and the potential impacts that development of this site with the proposed use could have. Specifically, residents were concerned that traffic impacts could be created by this project, or other commercial or multifamily developments. Traffic concerns with this project included semi vehicle deliveries and ingress/egress of fleet vehicles tied to the land use. Outdoor storage, screening, and lighting were also concerns of residents, and the commission's review of screening was requested.

Although not noticed as a public hearing, and not required by City Code or Minnesota Statute, the Planning Commission determined that as a number of residents had shown up with concern for this item to the December 13, 2022 meeting, they would be heard by the Commission. The Planning Commission heard similar concerns to the November 15 meeting from the community members in attendance. Complaints generally related to traffic impacts such as noise, lights, pedestrian safety, speeding and general heavy traffic along the corridor.

## Conditional Use Permit

The applicant has requested a conditional use permit pursuant to City Code section 36-241, Uses in the Nonresidential Districts.

## Criteria for Consideration

The Planning Commission and City Council are required to consider criteria a – h in City Code Section [36-45 \(d\)\(3\)](#) when determination whether to approve a Conditional Use Permit request. Headings for those criteria are provided below:

- a) *Consistency with the Comprehensive Plan*
- b) *Health and Safety*
- c) *Compliance with standards*
- d) *Public infrastructure services*
- e) *Screening and landscaping*
- f) *Architectural standards*
- g) *Zoning*
- h) *Traffic*

## Consistency with Criteria and Proposed Findings

Staff have reviewed the Applicant's site plan and find that it is generally consistent with the criteria for approval established in Section 36-45. Staff propose the following findings:

- a) Consistency with the Comprehensive Plan - The 2040 Comprehensive Plan guides Mixed Residential and Commercial areas for a wide variety of land uses compatible in type and scale with residential uses. The B-2 zoning district designation for this site is aligned with the adopted Future Land Use Map and provides for gradual transition along 7<sup>th</sup> avenue from more predominantly residential to the north, to more predominantly industrial uses to the south. The B-2 zone permits the proposed land use through a conditional use permit.
- b) Health and Safety - As proposed, the land use is not expected to detract from health and safety of those land uses surrounding. Site alterations are not anticipated to create any detrimental impacts

to surrounding properties. Anticipated impacts from this land use, on this property, can be mitigated through conditions of approval which require the land use to reduce real or perceived issues not limited to noise, light, traffic, parking, aesthetics, stormwater, or odor.

- c) Compliance with standards - As proposed, the land use and site plan meet applicable zoning and subdivision standards. It will be required to meet, or continue meeting, City standards through proposed conditions of approval.
- d) Public infrastructure services - This land use will be adequately served by public infrastructure. It will not create demand in excess of what can be supported by existing infrastructure.
- e) Screening and landscaping - Any non-temporary parking and outdoor storage will be screened either behind the principal structure or by use of fencing. Plantings meet minimum requirements and will be used to soften the appearance of the property as seen from neighboring parcels or public rights of way. Conditioned approval will require that screening and storage surfaces be maintained to continue proper function.
- f) Architectural standards - The building and site design conform with established design standards.
- g) Zoning - The B-2 zoning district permits the use requested, Building materials and services, through a Conditional Use Permit. The applicant's submittal indicates a use consistent with City Code Section 36-241. Through site plan and design review, staff have not identified any inconsistencies with City Code site or design performance standards.
- h) Traffic - Access points will align with existing intersections. Parking demand for this use is satisfied by dedicated parking on site. Traffic entering and egressing from the site due to the proposed use will not exceed what is currently supported on the surrounding street network. Mitigating conditions will regulate traffic associated with this use to limit impacts on surrounding residential land uses.

### **Conditions of Approval**

City Code section 36-45(d)(5) allows the City to establish considerations relating to review of sites and address various performance issues on an individualized basis. Staff have generated a list of proposed conditions should the City wish to approve this conditional use permit.

### **Staff Recommended Conditions**

Should the City seek to approve this request, it may do so with conditions of approval. Staff have drafted conditions considerate of public testimony and Planning Commission discussion, and recommend the following:

1. Applicant must receive any required city permits prior to beginning any work on site.
2. Applicant must pay all fees and escrows associated with this application.
3. Applicant must submit a lot combination application and any necessary documentation to satisfy City Engineering review requirements.
4. Applicant must adequately address comments in the City Engineer's review memo dated September 30, 2022, prior to issuance of a building permit.
5. Applicant must prepare, submit for review, and record acceptable drainage and utility easement agreements prior to issuance of the building permit.
6. Applicant must provide permanent stormwater management facilities that achieve applicable requirements of the City of Newport City Code and the South Washington Watershed District rules.
7. All permanent stormwater facilities shall be contained within a drainage and utility easement.
8. All storm water infrastructure and connecting pipe shall be privately owned and maintained.
9. All traffic to the site must weigh less than 9 tons per axle year-round.
10. All fleet and delivery vehicle traffic associated with this use shall be directed to access the site from the south, using the 70<sup>th</sup> Street exit from Highway 61 and 7<sup>th</sup> Avenue.

11. All fleet and delivery vehicle traffic shall use the southerly site access proposed at the intersection of 4<sup>th</sup> Street and 7<sup>th</sup> Avenue.
12. All fleet and delivery vehicle traffic on site shall be restricted from 7am to 7pm, on weekdays.
13. Diesel vehicles shall not be idled or operated outside of regular operating hours between 7am to 7pm on weekdays.
14. Vehicles on site with back up signals must either utilize broadband alarms while backing up or a circular traffic pattern around the site to avoid the need to back up.
15. Outdoor storage shall only consist of building materials and shall not be visible from the public right of way on 7<sup>th</sup> Avenue.
16. Gates shall remain closed when not in use.
17. Parking required by this use should be fully accommodated on the site, no customer, staff, or delivery parking may take place on 7<sup>th</sup> Avenue.
18. Parking, loading, and exterior storage surfaces shall be maintained sufficiently to keep them in good condition and dust free.
19. Fencing and gates shall be maintained sufficiently to keep such improvements in good condition and meeting screening requirements.
20. Landscaping shall be provided and routinely maintained to meet applicable city standards.
21. A trash enclosure, meeting applicable City standards, must be constructed if refuse is to be stored outdoors outside of regular collection.
22. Retail sales are not permitted on site.
23. Intensification of the use on site by expansion of the principal structure, or as otherwise identified by staff, shall require a CUP amendment per Sec. 36-45.
24. Site improvements must conform with those proposed in the site plans reviewed at the City Council meeting on November 17, 2022. Deviations from the reviewed plans must be reviewed consistent with Sec. 36-51.

### **Planning Commission Recommendation**

The Planning Commission reviewed and discussed this item at its meeting on November 15. At that meeting, and in consideration of public testimony, the Planning Commission voted unanimously to table consideration. The commission requested additional information on 7<sup>th</sup> avenue regulations, proposed site conditions, and information relating to traffic impacts.

Staff brought this item back to the Planning Commission at its regular meeting on December 13, 2022. At that meeting, as noted and summarized above, a number of residents were allowed by the Commission to make public comments relating to this request. The Planning Commission discussed this request and the potential impacts that it felt could or could not be mitigated by conditions of approval. Commissioners discussed impacts to surrounding properties including noise, traffic, safety, and health and wellbeing.

Ultimately, the Planning Commission voted 3-2 to recommend that the City Council deny this request based on the following findings of fact, summarized by City Staff:

- Inconsistency with Criteria b – The use will create health and safety impacts to the surrounding community which cannot be mitigated with proposed conditions. Concern is for noise or light created on site which could impact the health of surrounding residents, and proximity to a public library which provides programming to youth.
- Inconsistency with Criteria h – Commissioners were concerned with the amount of traffic that this use will generate during hours of operation. The City cannot easily enforce the conditions that would be required to mitigate concerns about traffic routing and intensity.



The planning commission discussed three changes to possible conditions of approval should this request ultimately be granted:

1. Restrictions are desired to prevent customer, staff, fleet, or delivery vehicles associated with Keller Fence from parking on surrounding properties.
2. Restricting all fleet and delivery vehicle traffic from accessing the site from the north along 7<sup>th</sup> Avenue.
3. Creating more strict language relating to noises emitted from reverse or back up alarms. Language should only allow for broadband (white noise) alarms or circulation which creates no need to back up.

### **Staff Recommended Action**

The City Council is reminded that this determination is *quasi-judicial* and should refer to information from the City Attorney on how such determinations should be made.

Were this proposed land use any number of different uses permitted “by-right”, there would be no opportunity for the City to decide upon the use itself. The only review allowed would be to determine if the site meets City Code design and performance standards. Permitted uses in the B-2 district, found in City Code Section 36-241, include the following:

- Funeral Homes
- Medical Clinics
- Post Offices
- Schools
- Breweries/Distilleries
- Gas/diesel or other motor vehicle sales
- Hotels
- Wholesale retail

Staff have proposed findings fact that indicate conformance with required criteria for approval. Concerns relayed from the members of the community and Planning Commission are acknowledged and incorporated into the conditions of approval. It is Staff’s opinion that the conditions of approval can reasonably mitigate the impacts that this use may have on surrounding properties or residents. Therefore, approval of this request is recommended.

### **City Council Action**

The City Council may take several actions on this item:

- Approve
- Approve with conditions
- Denial
- Table (Action must be taken by January 20, 2023)

Should the City Council seek to approve this request, Staff suggest the aforementioned 24 conditions of approval.

Staff have provided an example motion approving the project as follows:

**“Move to adopt Resolution 2023-xx [approving/denying] approval of the Keller Fence Conditional Use Permit [with conditions of approval, 1-24, as proposed by staff]”**

Name: Keller Fence – Conditional Use Permit

Date: January 5, 2023

Page: 8

**Resources:**

- Application Documents (attached)
- Zoning Code ([link only](#))
- Citywide Zoning Map ([link only](#))
- 2040 Comprehensive Plan ([link only](#) - Land Use chapter begins on pg 31)



**STAFF REPORT**  
**DATE: 12/3/2024**  
**REGULAR AGENDA**

**TO:** Lake Elmo City Council  
**FROM:** Nathan Fuerst, AICP, Consulting Planner  
**AGENDA ITEM:** **Cannabis Regulations – Draft Registration and Land Use Standards**  
**REVIEWED BY:** Jason Stopa, Community Development Director  
Sophia Jensen, City Planner  
Joseph Sathe, Kennedy & Graven

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**BACKGROUND:**

In 2023, Chapter 342 of Minnesota State Statutes was established legalizing cannabis for recreational adult use and the sale, possession, use, and growth of cannabis. The same statute also created the Office of Cannabis Management (OCM), a new State agency that regulates cannabis use and businesses in Minnesota. The OCM is currently finalizing rules and standards for licensing and use of facilities that will deal with cannabis. The OCM recently closed the application period for Social Equity Applicants and received over 1,800 applications.

Licenses are anticipated to be issued shortly after the rules are finalized in 2025. To avoid the possibility of creating legal nonconforming uses, city staff are proposing that the City adopt registration and land use standards before January 1, 2025.

On November 12, 2024, the City Council and several Planning Commissioners were present for a joint workshop and provided staff with direction on regulations for cannabis and hemp businesses.

On November 25, 2024, the Planning Commission held a public hearing and discussed the proposed regulations.

Given feedback received through the review process, the following general changes have been made to staff's proposed ordinances:

- Staff have drafted Ordinance 2024-20, and ordinance creating a registration process for cannabis and hemp retail businesses.
- Ordinance 2024-21 was amended as follows:
  - Cultivation in greenhouses is prohibited, buildings must be compliant with design standards.
  - Requirement added for temporary cannabis events to be held indoors.

**ISSUE BEFORE THE CITY:**

The City Council is asked to review the proposed ordinances. If it seeks to adopt the standards, it should do so or advise staff on changes for a future meeting.



## **REGISTRATION VS. LICENSING:**

The OCM will issue and manage licenses for cannabis businesses. Retail operations for cannabis must register with local units of government before making retail sales to customers or patients. Currently, local government units are required to allow for one registration for every 12,500 residents. The statute specifies these registrants as cannabis retailers, cannabis mezzobusinesses with a retail operations endorsement, and cannabis microbusinesses with a retail operations endorsement. This minimum of one applies only to cannabis retailer registration. It is currently unclear if the City will be able to limit non-retailer uses to any capacity, however, staff believes uses that are not required to register cannot be prohibited.

The pros and cons of registering locally vs with Washington County are generally laid out below:

### **Pros:**

1. Local control on the number of registrants, Lake Elmo can limit to up to two retail businesses.
2. Local control on process of registration such as background checks, enforcement, etc.

### **Cons:**

1. Use of limited staff resources for processing registrations.
2. County registration process or potentially the number of retail registrants in Lake Elmo are out of the City's control.

## **PROPOSED ORDINANCE UPDATES:**

All cannabis businesses are required to comply with local zoning ordinances. Upon receipt of an application for a license, the OCM will reach out to local governments to certify zoning compliance during their application process. Cities without zoning controls in place will have a difficult time responding that uses do or do not comply with their ordinance.

Per State law, cities may place reasonable restrictions on the *time, place, and manner* of a cannabis business but may not outright ban one. A city is required to issue a retail registration to a cannabis retailer and/or any cannabis business seeking a retail endorsement if compliant with the City's rules.

## **Cannabis Businesses and Uses**

Minnesota State Statute defines the term "cannabis business." This term means the following uses:

1. cannabis microbusiness;
2. cannabis mezzobusiness;
3. cannabis cultivator;
4. cannabis manufacturer;
5. cannabis retailer;
6. cannabis wholesaler;
7. cannabis transporter;
8. cannabis testing facility;
9. cannabis event organizer;
10. cannabis delivery service;

11. medical cannabis cultivator;
12. medical cannabis processor;
13. medical cannabis retailer; and
14. medical cannabis combination business.

These “businesses” correlate with the types of licenses that will be available from the OCM. Without amendments to the Zoning Ordinance, cannabis uses may be grouped in with existing land use classifications. The figure below is intended to provide an assessment of land use elements associated with each type of cannabis businesses.

		Use								
		Grow		Sell to		Consume	Manufacture/ Process	Packaging	Wholesale	Research/ Laboratory
		Indoor	Outdoor	Customers	Other Businesses					
License Type	Microbusiness	X	X	X	X	X	X	X		
	Mezzobusiness	X	X	X	X		X	X		
	Cultivator	X	X		X		X	X		
	Manufacturer				X		X	X		
	Retailer			X						
	Wholesaler								X	
	Testing									X
	Event			X						
	Transporter	N/A								
	Delivery Services	N/A								

### **Cannabis Retail Business Registration**

**Application Fees:** Application fees are limited by State Statute. The draft ordinance adopts the highest fee permitted which is \$500 (and sometimes less) for initial registration, and \$1000 (and sometimes less) for renewal. State law allows for the first renewal to be made without a fee.

**Application Procedure:** The City will create a form and applicants will need to supply all required information. The City will require certification that the business is compliant with zoning standards. Where the retail business operation requires Conditional Use Permit, the City will not issue its registration unless or until the business has received approval of a CUP.

**Annual Compliance Checks:** State law requires the City to perform compliance checks on registered retailers. This includes age verification compliance checks by individuals, in coordination with law enforcement, that are between the age of 17 and 21 who attempt to purchase products.

Number of Retail Businesses: The only cannabis business which the City is permitted by state statute to limit per number of registered business is the retail sale of cannabis products. This type of business can be limited to 1 per every 12,500 residents of a City, Township, or County. It may be possible to limit retail registrations to zero if there are enough licensed retailers in the county to satisfy the 1 business per 12,500 resident ratio county-wide.

### **Micro and Mezzobusinesses**

Microbusiness and mezzobusinesses are the two unique use names within cannabis. These uses can be compared to something like a small winery or brewery; however, on-site consumption of intoxicating products is only allowed by state licenses for microbusinesses. Microbusinesses and mezzobusinesses are allowed to cultivate, manufacture/process, package, and sell with their license. Businesses licensed as microbusinesses or mezzobusinesses can operate multiple locations and the cultivation and manufacturing part of the license can be located separately from the retail location. As such, the uses may have multiple parts of a singular building that make up a single structure such as a warehouse type facility for storage and processing and a greenhouse for cultivation, but these all serve the principal use of microbusiness or mezzobusiness.

### **Draft Zoning Standards**

Staff are recommending the following changes at this time:

- Establishment of definitions for cannabis and hemp uses.
- Revision of land use tables in Mixed Use, Business, and Industrial Districts to regulate the specific cannabis business uses.
- Establishment of performance standards for cannabis businesses and the process for temporary cannabis events.

### **Zoning District Use Table Amendments**

Changes to allow low potency hemp product sales in the Village Districts in LEC 105.12.780:

	<b>V-LDR</b>	<b>V-MDR</b>	<b>V-HDR</b>	<b>VMX</b>
Accessory Uses:				
<u>Lower-potency hemp edible sales</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>

*[remainder of page intentionally blank]*



Changes to allow cannabis businesses in Commercial Districts in LEC 105.12.870 and 105.12.920:

	<b>LC</b>	<b>CC</b>	<b>C</b>	<b>BP</b>	<b>MU-C</b>	<b>MU-BP</b>
Sales of Merchandise:						
<u>Cannabis Cultivation</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>N</u>
<u>Cannabis Event, Temporary</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Cannabis Mezzobusiness</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>C</u>
<u>Cannabis Microbusiness</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>C</u>
<u>Cannabis Sales</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Cannabis Wholesaling</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>C</u>
<u>Lower-Potency Hemp Edible Manufacturing</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>C</u>
<u>Lower-Potency Hemp Edible Sales</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
Accessory Uses:						
<u>Cannabis Delivery</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>

#### District Abbreviations:

LC = Limited Commercial, CC = Convenience Commercial, C = Commercial, BP = Business Park/Light Manufacturing District, MU-C = Mixed Use Commercial, MU-BP = Mixed Use Business Park

#### Buffers/Setbacks

State statute allows cities to adopt restrictions if they choose by prohibiting registrations within:

- 1,000 feet of a school
- 500 feet of a daycare
- 500 feet of a residential treatment facility
- 500 feet from an attraction in a public park regularly used by minors, such as a playground or athletic field.

Staff have drafted an ordinance with all buffers adopted as the most restrictive option. However, the buffers from daycare and residential treatment facilities are more difficult to administer and may be less of a concern for public safety.

#### Odor Control

OCM has left odor control to be controlled at the local level aside from Minnesota Pollution Control Standards for nuisances. The draft standards include a condition that odor control systems be installed for uses where odor would be expected as part of the regular businesses (indoor cultivation, manufacturing, wholesaling). In researching standards for this, some communities require verification from a qualified industrial hygienist that appropriate odor control systems have

been installed and continual monitoring was required. If the Council wishes to require this, the standards should be modified to reflect this.

### **Lighting**

All uses will be required to meet the standards within the City Code for outdoor lighting, however, indoor cultivation has a specific need for lighting to facilitate plant growth. At this time, staff are recommending not to permit greenhouses as light impacts on neighboring properties are expected in winter months. All buildings and sites will therefore need to comply with applicable design standards.

### **Outdoor Use Prohibitions**

The draft ordinance restricts outdoor storage to only the daily parking of vehicles. This standard will apply to all cannabis businesses. As part of a cultivator, microbusiness, and mezzobusiness license, cultivation is allowed and can either be indoor cultivation (greenhouses, hydroponics) or outdoor cultivation. Outdoor cultivation is not expected to be largely utilized as the growing conditions in Minnesota are not optimal for cannabis. The draft ordinance does not allow outdoor cultivation.

### **Cannabis Testing Facilities**

Although not currently recommended, the City may want to consider regulating cannabis testing facilities separately from the “Research, and testing” use that exists within the code as a conditional use in Business Parks and Mixed-Use Business Parks. It is not yet known how prevalent cannabis testing facilities will be in the Twin Cities metro area.

### **Temporary Cannabis Events**

The City is encouraged to consider proactively adopting standards for Temporary Cannabis Events. It is staff’s opinion that this use must be permitted somewhere in the City. The standards proposed are summarized below:

- Permit required – a permit is required for such events to allow the City time to process a request.
- Application and Fees – application and fee requirements are established.
- Process – a permit application would initiate a review process with city council approval of permits for temporary cannabis events.
- Standards:
  - OCM license is required for the business.
  - Temporary Cannabis Events are only permitted at approved Cannabis Cultivation, Cannabis Mezzobusiness, Cannabis Microbusiness, Cannabis Retail, and Low Potency Hemp Retail Locations.
  - Temporary Cannabis Events may not be held outdoors.
  - Temporary Cannabis Events must last no more than four consecutive calendar days.
  - No more than four Temporary Cannabis Events may be conducted at a single location in a calendar year.
  - Hours of operation for a Temporary Cannabis Event are limited to 10:00 AM to 5:00 PM.

## **Public Hearing**

A public hearing notice was published in the City's official paper. No written public comments have been received. The noticed public hearing was held at the City's Planning Commission meeting on November 25, 2024.

One verbal comment was provided at the public hearing. That commenter was appreciative of the public review process and made remarks favoring the limitation of cannabis business uses strictly to commercial districts. Design standards that were discussed by staff and the commission were seen as favorable.

## **Draft Ordinance Timeline**

Staff propose the following timeline for review and approval of an ordinance before the new year:

- ~~November 12, 2024 – Joint workshop between Planning Commission and City Council~~
- ~~November 25, 2024 – Public Hearing at Planning Commission~~
- December 3, 2024 – City Council Review of draft ordinance

## **Planning Commission Recommendation:**

The Planning Commission discussed this item at its regular meeting on November 25, 2025. The Planning Commission found that the suggested land use standards were acceptable. It was suggested that temporary cannabis events take place indoors, and staff have revised the ordinance accordingly.

Ultimately, the Planning Commission voted unanimously to recommend the ordinances to the City Council for approval.

## **Recommendation:**

Staff suggest adoption of the revised ordinances. The City Council can do so through the following example motions:

**“Move to Adopt Ordinance 2024-20 establishing registration requirements for cannabis retail businesses”**

**“Move to Adopt Ordinance 2024-21 establishing land use and performance standards for cannabis and hemp businesses.”**

**“Move to Adopt Resolution 2024-130 authorizing summary publication of Ordinances 2024-20 and 2024-21.”**

## **ATTACHMENTS:**

- Draft Ordinance – Land Use Standards
- Draft Ordinance – Registration Standards
- Draft Resolution – Authorizing Summary Publication of Land Use and Registration rules
- A Guide for Local Minnesota Governments of Adult Use Cannabis, Version 1.4



# City Planner Services

Prepared for the City of Spring Lake Park





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**Stantec Consulting  
Services Inc.**

733 Marquette Ave, Suite 1000  
Minneapolis, MN 55402

**May 5, 2025**

**Attention:**

Daniel R. Buchholtz,  
Administrator, Clerk/Treasurer  
City of Spring Lake Park  
dbuchholtz@slpmn.org  
763-784-6491

**Reference:**

Proposal for  
City Planner Services

**Dear Mr. Buchholtz and members of the selection committee,**

Building on our long history of serving your community, we are eager to continue serving the City of Spring Lake Park with planning services. This proposal outlines our team and approach, which we believe will continue our strong, collaborative relationship with Spring Lake Park in coming years.

The Stantec team is dedicated to continue working hand-in-hand with you to meet Spring Lake Park's daily planning needs with our "best fit" expertise. Evan Monson, a seasoned urban planner, has joined our team and will provide a seamless transition of Phil Carlson's responsibilities. Evan is backed by a deep bench of planning experts to meet the large and small challenges that may come up. Phil Carlson is planning to continue to be available part time as a resource for Spring Lake Park planning matters.

The City of Spring Lake Park is a valued client. We are committed to continuing our planning services to the City. Our problem solvers and our public/private experience give us the perspective from which to suggest win-win solutions in complex situations, helping residents and property owners through the often-confusing world of planning and development. Highlights of our qualifications include:

- Our local planning team excels at developing the policy and zoning frameworks that set up communities for success, which is why we are also asked to serve as expert witnesses in planning and zoning cases. Stantec's planners have also been in your shoes as public sector planners, a perspective that is different from many other consulting firms. We offer a spectrum of experience you can rely on so that you can focus on the other city issues that need you.
- As experienced planners, our rates are competitive with the industry, and deliver value through our extensive qualifications. If we can see our way through an issue quickly, a higher hourly rate more than pays for itself versus an inexperienced planner taking hours to understand the situation. If we can address a situation professionally and diplomatically, we may be able to avoid legal problems for the City. Having seen thousands of applications, we can better bring our expertise to bear, whether it's a complicated site plan negotiation in a concept plan review, legal findings for or against a variance, or a plat evaluation based on shoreland standards. We match our staff with the level of knowledge and expertise your situation demands.
- We will communicate clearly about our budgets and billing practices, so there are no surprises. We do not work without prior authorization from a City representative. We understand that our services are often passed through to residents and we will be diligent and efficient in our work. And where the costs are not passed on, but borne by the City directly, we take seriously the responsibility to be conservative stewards of the public's money.

Backed by our national planning practice, Stantec planners are leaders in development economics, mobility, resilience, and urban design best practices. Not only do we practice what we preach, we work with communities to implement visions that carry them into the future. The day-to-day planning work in the City of Spring Lake Park supports and implements your community's vision. We are your partners to success.

We look forward to further discussing how best to structure a Spring Lake Park/ Stantec partnership with the selection committee.

Sincerely,

**STANTEC CONSULTING SERVICES INC.**

**Evan Monson, AICP**  
Urban Planner  
evan.monson@stantec.com  
612-712 2148

**Beth Elliott, AICP**  
Principal  
beth.elliott@stantec.com  
612-712-2039



## Firm Qualifications

Since 1954, our local strength, knowledge, and relationships, coupled with world-class expertise, have allowed us to go anywhere to meet our clients' needs in creative, personalized ways. The Stantec community unites approximately 32,000 employees working in over 450 locations across 6 continents.

We help communities with community planning and infrastructure investment through the lasting value of economic, community building, and environmental assets.

From rural to urban, we lay the foundation for creating the communities of today and the future. Planning is problem solving—creating thoughtful options for communities that consider site conditions, public input, client needs, and project requirements.

Stantec's planning practice is more than just a collection of technical skills—it's an integrated approach that "connects the dots" to solve complex problems and unlock bigger opportunities. We're a team with broad national expertise and local knowledge with visionaries who push the edge of innovation but keep plans grounded in the realities of the market.

With a long-term commitment to the people and places we serve, we have the unique ability to connect to projects on a personal level and advance the quality of life in your community.

## Our Relationship with the City of Spring Lake Park

Stantec has enjoyed a long relationship with Spring Lake Park. In addition to our decades of service as City Engineer, our planners have served the City in varying capacities through the years.

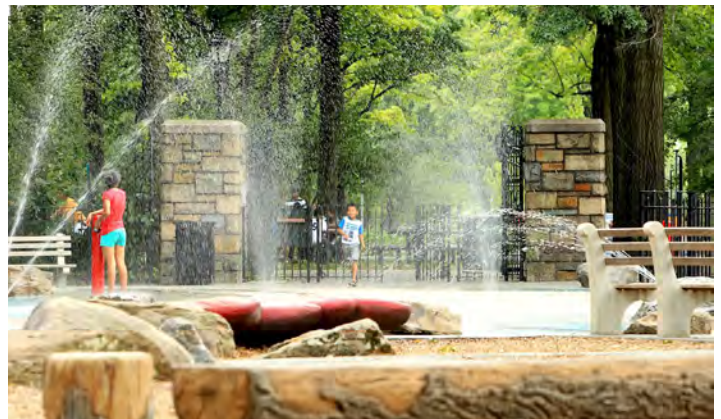
We work well with City Staff, the Planning Commission, and the City Council. Some planning issues are relatively routine. In those instances, we have worked with the City Administrator to have City staff handle the matter with little involvement from Stantec. Sometimes just a brief phone call or a quick review of the City staff memo is sufficient involvement from our staff. This ability to work collaboratively helps keep the planning budget down.

We have worked with the City to develop detailed Geographic Information System (GIS) mapping. The mapping includes City zoning information and property parcel data. We are able to assist City staff with quick mapping requests, such as maps showing setback distances for possible cannabis businesses.

We are expertly familiar with the City of Spring Lake Park Comprehensive Plan and will continue to work with the City to implement the 2040 Plan. Our planners are ready to continue to help your community. We can provide a flexible level of service—more involvement for detailed planning issues and less involvement for routine planning issues.

## City Clients

Stantec planners have been partnering with communities like Spring Lake Park in Minnesota throughout our careers. We believe in active partnerships with strong communication, capacity-building, education of decision-makers and residents, and a direct connection between policy and regulations. We have worked as on-call planners for Mounds View, Mendota Heights, Centerville, Burnsville, Vadnais Heights, Lilydale, Roseville, Spring Lake Park, Milaca, Baytown Township, White Bear Township, and others, handling zoning applications and planning issues.



## Consultant Team

Stantec brings a highly qualified and experienced team with proven experience in current and long-range planning work in similar communities. Resumes for each team member are included on the following pages.

In addition to this team, Stantec has a specialized global talent pool to draw from if more resources are needed to serve Spring Lake Park's needs.

### City of Spring Lake Park

**Project Manager**  
Evan Monson, AICP

**Principal**  
Beth Elliott, AICP

**Urban Planner**  
Lauren Walburg, AICP

**Urban Planner**  
Kribashini Moorthy, AICP\*

**Development Economics Specialist**  
Tom Leighton, AICP, EDFP

**Engineering Advisor**  
Phil Gravel, PE

**Planning Advisor**  
Phil Carlson, AICP

*\* pending registration*







**Evan Monson** AICP  
Project Manager

### Education

Bachelor of Science, Community and Regional Planning, Iowa State University, Ames, Iowa, 2017

### Registration

Certified Planner #35041, American Institute of Certified Planners

### Memberships

Member, American Planning Association (Minnesota)

Evan has served as a planner for seven years, having provided planning and zoning expertise for a variety of communities, clients, and settings, ranging from rural townships to urban and suburban cities. He is experienced in site plan review, interpreting and enforcing zoning codes, policy review, mapping, economic development, and urban design. In addition, Evan is experienced in public meetings and engagement, and can present complex planning cases to the public as well as to clients, boards and commissions, and elected and appointed officials. He is also proficient in ArcGIS and is experienced in using GIS/geospatial data to aid in planning work and analysis.

## EXPERIENCE

### Comprehensive Plan Update\* | Houston County, MN

Evan worked with the County to update their Comprehensive Plan Update. He served as the lead author of the new Plan, which will help guide policies, ordinances, and decision-making regarding land use and development activities in the County for years to come. The county adopted the Plan in 2023.

### On-Call Planning and Development Services\* | White Bear Township, MN

Evan served as the Township's Planner. He reviewed applications and requests for compliance with the township's zoning and subdivision ordinances, presented reports to the Town Board and Planning Commission, and helped update and amend ordinances and plans for the township. Evan led the drafting and adoption of a new subdivision ordinance, which was adopted in 2024.

### On-Call Planning Services\* | Stillwater Township, MN

Evan reviewed and updated ordinances, and reviewed different development projects such as new housing, rezoning, and new subdivisions. He worked with and presented planning cases and projects at the Planning Commission and Town Board meetings.

### On-Call Planning Services\* | Baytown Township, MN

Evan served as town planner, reviewing development projects and ensuring housing, rezoning, and subdivision projects meet ordinances. He presented reports and planning requests at Planning Commission and Town Board meetings.

### On-Call Planning Services\* | Gem Lake, MN

As the planner, Evan helped the city update ordinances, worked with city staff and consultants to review development applications, and prepared reports and presentations for the Planning Commission and City Council.

### Grey Cloud Island Township MRCCA Ordinance Update\* | Grey Cloud Island Township, MN

Evan served as lead on engagement and drafting of the Township's Mississippi River Corridor Critical Area (MRCCA) ordinance to adhere to state rules governing land use rules along the river corridor. The ordinance was adopted by the Township in 2023.

### Metropolitan Council Environmental Services Planning and Zoning\* | Saint Paul, MN

Evan provided planning and zoning consultation on MCES projects such as the Harrison sewer improvement project, Forest Lake sewer improvement project, and the Shakopee odor management system improvement project.

*\* denotes project completed prior to joining Stantec*





## Beth Elliott AICP

### Principal

#### Education

Masters in Urban and Regional Planning, University of Minnesota, Minneapolis, Minnesota, 2002

Bachelor of Arts, University of Iowa, Iowa City, Iowa, 2000

#### Registration

Certified Planner # 020439, American Institute of Certified Planners

#### Memberships

Member, American Planning Association

Member, Lambda Alpha International

Beth is an urban planner with proven experience managing complex short- and long-term projects of regional significance related to downtown planning, comprehensive planning, community revitalization, zoning and other regulatory frameworks, funding and implementation, and transit-oriented development. She also has specialized expertise in developing and facilitating inclusive and creative community engagement strategies for diverse stakeholder groups. In her 12 years as Minneapolis' downtown planner, Beth gained a reputation for her collaboration and communication skills among elected officials, community members, developers, and businesses to advance projects into implementation.

### EXPERIENCE

#### Planning Experience with the City of Minneapolis\* | Minneapolis, MN

Beth spent 14 years as a planner for the City of Minneapolis, including 11 years as the Principal Planner for Downtown Minneapolis. She co-managed the 2018 update to the city's comprehensive plan and its engagement process and coordinated and implemented Downtown planning initiatives.

#### Zoning Administration | Various Communities, MN

Beth provides technical zoning expertise to municipal staff, planning commissions, and city councils on land use applications, including for the cities of Spring Lake Park, Minnetonka Beach, Onamia, and Centerville.

#### 2040 Cottage Grove Comprehensive Plan | Cottage Grove, MN

In one of St. Paul's fastest growing suburbs, Beth worked closely with Cottage Grove planners and Economic Development staff to create a land use strategy that best meets their future community's future needs and goals. A major component of this strategy was introducing a performance-based mixed-use district around future bus rapid transit (BRT) stations.

#### Lyndale Avenue Suburban Retrofit Strategy | Bloomington, MN

As the original Bloomington main street, Lyndale Avenue's auto-centric land uses and design hid its authentic character and beloved local businesses. The suburban retrofit strategy identified assets to maintain while proposing improved alternative mobility, compact critical mass and public spaces at nodes, and design and zoning criteria to evolve the suburban commercial corridor into a walkable corridor. Beth's role was to co-lead the project as well as design a creative and inclusive engagement process, including pop-up events at local businesses and institutions, virtual engagement tools, and an artist-designed charrette with a gardening theme.

#### 2040 Oakdale Comprehensive Plan | Oakdale, MN

Beth supported the comprehensive plan engagement process through designing interactive and informative exercises for the Community Advisory Committee and broader community for such topics as equitable access to parks and open space and barriers to walking and biking to community destinations.

#### Burnsville Parking Ordinance | Burnsville, MN

Beth led the effort to update Burnsville's parking ordinance to better reflect current best practices and offer more realistic expectations to the business community and property owners. The work included an extensive peer city review, collaboration with a diverse group of city staff, and tackling issues like shared parking and change of uses. The parking ordinance revisions gave city staff a more effective administration tool and decision-makers clarity in their approval processes.

*\* denotes project completed prior to joining Stantec*



**Lauren Walburg** AICP  
Urban Planner

### Education

Masters of Urban and Regional Planning, University of Minnesota, Minnesota, 2019

Bachelor of Arts, Environmental Studies and Spanish, College of St. Benedict, St. Joseph, Minnesota, 2013

### Registration

Certified Planner #344760, American Institute of Certified Planners

### Memberships

Member, American Planning Association (Minnesota)

Lauren is experienced in comprehensive planning, environmental planning, zoning and municipal planning, community engagement, research and analysis, and report writing. Lauren has served as assistant project manager on several long-range planning projects and is skilled in quickly understanding and synthesizing context and information. Her experience working in Midwest communities of all sizes prepares her well to respond to the needs and desires of the community with a focus on implementing strategies that will help the community achieve its goals.

## EXPERIENCE

### Zoning Administration

Lauren provides technical support to staff, Planning Commissions, and City Councils on land use applications and zoning issues. She specializes in thoughtfully researching and writing staff reports to assist City staff and decision makers with complex zoning issues. Current clients include Spring Lake Park, Centerville, Burnsville and Minnetonka Beach.

### Sunrise Energy Ventures Solar Farm Permitting | Statewide, Minnesota

Lauren worked with Sunrise Energy Ventures on the development of solar farms across Minnesota. She was responsible for coordinating and assembling land use applications for several solar farms including analysis of zoning and land use compatibility, as well as analysis of environmental impacts. Lauren was also responsible for coordinating with the client, County staff and township staff to ensure that all requirements were met for a successful land use application.

### Cottage Grove Business Park Alternative Urban Area-wide Review | Cottage Grove, MN

To better position themselves for future business growth, the City of Cottage Grove hired Stantec to manage an Alternative Urban Area-wide Review (AUAR) for their existing business park and a large expansion area. When it needed to be updated in 2022, Lauren mapped new development scenarios, coordinated internal technical experts, and drafted the AUAR Update document.

### Evanswood EAW | Maple Grove, MN

As project manager, Lauren worked with the City of Maple Grove to conduct an Environmental Assessment Worksheet (EAW) on a proposed residential development. She coordinated an internal team of experts, coordinated communications and schedule with the City staff and developer, and drafted an EAW for approval.

### Xcel Energy/City of Becker AUAR | Becker, MN

As a land use planner, Lauren worked with technical GIS staff and the project manager to create two realistic industrial development scenarios for the City. Lauren was also responsible for the land use and visual aspects of the environmental review.

### Metropolitan Council Environmental Services L-32 EAW | Fridley, MN

As project manager, Lauren worked with the Metropolitan Council of Environmental Services and the Minnesota Pollution Control Agency to conduct an EAW for a large sanitary sewer lift station and pipes crossing the Mississippi River. Lauren coordinated an internal team of experts and managed client expectations and schedule.



**Kribashini Moorthy** AICP\*  
Urban Planner

### Education

Masters in Urban and Regional Planning, University of Minnesota, Humphrey School of Public Affairs, Minneapolis, Minnesota, 2023

Masters in Engineering in Remote Sensing and GIS, Anna University, Anna University, Chennai, Tamil Nadu, India, 2018

Bachelors in Civil Engineering, Anna University, Anna University, Chennai, Tamil Nadu, India, 2016

### Registration

Certified Planner, American Institute of Certified Planners (\* pending)

Kribashini is an urban planner with experience in community engagement, research and analysis, and report writing. She is also involved in a wide variety of projects including zoning studies, comprehensive plans, small area plans, mapping, Storymaps, and design.

## EXPERIENCE

### Spring Lake Park Zoning Services | Spring Lake Park, MN

On call zoning support for various requests from the City of Spring Lake Park that includes evaluation and preparation of reports for zoning requests and analysis of existing zoning codes.

### Mounds View Zoning Services | Mounds View, MN

On-call zoning support for various requests from the City of Mounds View that includes evaluation and preparation of reports for zoning requests, analysis of existing zoning codes.

### Nexamp Solar | Various Locations, IL

Involved in the preparation of due diligence memos for various sites and preparation of Special Use Application for the site by coordinating with various City and County staff.

### Zoning Code Revision | Valdez, AK

Assisted the team by writing zoning ordinances and redlining the zoning code.

### Imagine Owatonna: 2050 Comprehensive Plan | Owatonna, MN

Assisted the team with summarizing existing conditions and participating in community engagement events along with analysis of engagement surveys.

### Northfield Comprehensive Plan | Northfield, MN

Assisted the team in preparing existing conditions reports along with demographic analysis.

### MnDOT Corridor Context Guides 2023 | Twin Cities, MN

Analyzed transportation corridors throughout the Twin Cities Metro area. Performed Demographic analysis to identify future opportunities and constraints beyond the transportation infrastructure that may need to be targeted priorities for corridor reconstruction from an equity perspective.

### Manhattan Plaza West Small Area Plan | Manhattan, KS

Assisted the team by summarizing engagement events, report writing, and updating Storymaps.

### Junction City Small Area Plan | Junction City, KS

Assisted the team by summarizing engagement events, report writing, and consolidating existing conditions.





## Tom Leighton AICP, EDFP

### Development Economics Specialist

#### Education

Master in Design Studies (MDesS) in Real Estate and the Built Environment, Harvard University Graduate School of Design, Cambridge, Massachusetts, 2013

Master of Arts (MA) in Public Affairs, University of Minnesota Humphrey School, Minneapolis, Minnesota, 1996

Bachelor of Arts in Natural Science, St. John's University, Collegeville, Minnesota, 1982

#### Registrations

Certified Planner #018262, American Institute of Certified Planners

Economic Development Finance Professional #1216-024, National Development Council

#### Memberships

Member, American Planning Association (Minnesota)

Member, Economic Development Association of Minnesota

Tom has more two decades of experience focused on implementation-oriented planning and community development. He served as Minneapolis's lead urban planner in economically challenged North Minneapolis leading large-scale, transformative initiatives for its neighborhoods, commercial corridors, and riverfront. In the last decade, Tom has offered implementation-oriented consulting services to public sector clients and developers. He provides support with development planning, market analysis, housing and economic development strategy, and development implementation strategy. He has developed analytical methodologies and processes that illuminate real-world market and development and pave the way for implementation.

## EXPERIENCE

### Economic and Fiscal Impact Analysis and Recommended Strategies Relative to King Plant Closure | Oak Park Heights, MN

With the scheduled closure of the coal-fired power plant, the small city of Oak Park Heights will lose a significant share of its property tax base. Stantec worked with the City of Oak Park Heights to secure a state Energy Transition Grant and utilized those funds to provide analysis to the City to understand the impact of the closure and identify strategies for mitigating that impact. Tom coordinated Stantec's work, which encompasses fiscal impact analysis, economic impact analysis, and strategic guidance concerning the City's options for mitigation of impacts and pursuit of additional support. Tom also serves as the lead economic analyst, estimating the economic impacts of the plant closure, and the degree to which a set of redevelopment scenarios might offset those economic impacts.

### Irving and Fairmount Brownfields Revitalization Plan | Duluth, MN

The City of Duluth secured an areawide brownfield grant to support planning for redevelopment and revitalization in the Irving and Fairmont neighborhoods in West Duluth. Tom led the development analysis component of the plan—identifying opportunity sites, shaping development concepts for the brownfield sites, and articulating a clear strategic approach to implementing the plan recommendations.

### Shoreview Housing Study | Shoreview, MN

Tom served as the project manager and primary researcher for the project. The project employed market research, mapping analysis, and other analytical methodologies. Structured interviews were conducted with housing developers familiar with Shoreview to understand their perceptions of the Shoreview development context and the range of housing types that may be viable in Shoreview.

### Woodbury Theater Site – Market and Development Analysis | Woodbury, MN

Metro Transit owns the Woodbury Theater property in Woodbury, MN, leasing it to the theater while using it as a park and ride location for its express bus service to downtown St. Paul and Minneapolis. The property is immediately adjacent to a future Gold Line bus rapid transit station. Metro Transit sought to understand the potential for redeveloping the property as a transit-oriented housing development. Tom was the lead analyst in assessing the local and metropolitan market context for such housing and analyzing the value that the development community would place on the property.



**Phil Gravel** PE  
**Engineering Advisor**

### Education

Master of Business Administration,  
Hamline University, St. Paul,  
Minnesota, 2009

Bachelor of Science Civil Engineering,  
North Dakota State University, Fargo,  
North Dakota, 1996

### Registrations

Professional Engineer #19864, State  
of Minnesota

### Memberships

Member, American Council of  
Engineering Companies

Member, American Public Works  
Association

Member, City Engineers Association of  
Minnesota

Phil joined Stantec in 1987 as a civil engineer and currently is a principal in the firm. Phil leads an engineering team specializing in municipal engineering in existing urban areas. A Registered Professional Engineer for more than 36 years, he has a long history of working on municipal reconstruction projects, both as a field engineer and as a design engineer. Phil's designs focus on constructability and long-term reliability for the owner.

## EXPERIENCE

### City Engineer | Spring Lake Park, MN

Phil has served as the city engineer for Spring Lake Park since 2011. As city engineer, Phil worked with the City to develop a multi-year sanitary sewer maintenance plan that focused on Infiltration /Inflow reduction. Phil is the project manager for the city's ongoing street improvement projects, which are part of a pavement management program that Stantec helped Spring Lake Park establish in 1996.

### City Engineer | Various Communities, MN

Phil is an experienced municipal engineer. His past and current experience includes serving as the designated City Engineer for nine Minnesota communities. He brings expertise in helping municipalities navigate engineering challenges and providing responsive service. One of Phil's strong points is being able to keep the lines of communication open between City staff members, City Council members, and residents of a community.

### Planning Assistance | Various Communities, MN

As city engineer for various municipalities, Phil works with planners and city staff to complete site plan reviews, provide information to potential developers, and implement comprehensive plans.

### Capital Improvement Plans and User Charge Policies | Various Communities, MN

Phil has prepared numerous capital improvement plans for municipal infrastructure systems. He has worked with several cities to develop their user charge systems for financing municipal infrastructure systems with area and connection charges. In addition, he has prepared storm water and street light utility programs.

### Business/Industrial Parks Experience | Various Communities, MN

Phil has assisted with the planning and design of many business and industrial parks including the following: Millennium Industrial Park, Rockford; Annandale Business Park, Annandale; Arboretum Business Park, Chanhassen; Airport Industrial Park, Forest Lake; Jude Industrial Park, Maple Lake; and Highway 169 Industrial Park, Milaca.

### Street Construction and Reconstruction Projects | Various Communities, MN

Phil has been involved with all phases of street projects in numerous cities including: Annandale, Belle Plaine, Cambridge, Chanhassen, Chaska, Eagan, Forest Lake, Kenyon, Lake Elmo, Maple Lake, Mazeppa, Milaca, Minneapolis, New Hope, Oak Park Heights, Onamia, Rockford, Wayzata, and Woodbury.

### Comprehensive Planning Experience | Various Communities, MN

Phil has extensive experience in preparing municipal infrastructure plans including plans for sewer, water, and transportation systems.



**Phil Carlson** AICP  
Planning Advisor

### Education

Bachelor of Architecture, University of Minnesota, Minneapolis, Minnesota, 1986

### Registration

Certified Planner #05800, American Institute of Certified Planners

### Memberships

Member, Sensible Land Use Coalition

Member, American Planning Association

Phil is involved in a wide variety of planning and design projects, including comprehensive plans, zoning studies, master plans, redevelopment projects, environmental reviews, and the design of residential, retail, office, mixed use and industrial projects. He is frequently called as an expert witness in land use and zoning cases.

## EXPERIENCE

### Comprehensive Planning | Various Communities

Phil has managed numerous comprehensive plans throughout the Upper Midwest in his 40-year career. Among the communities he has helped plan in Minnesota are Spring Lake Park, St. Cloud, Burnsville, Roseville, Blaine, Ramsey, Alexandria, Little Falls, Sauk Rapids, and many others. In North Dakota he led the Minot Land Use and Transportation Plan Update and is currently working with Mandan on a similar planning effort. In Iowa he prepared the Marshalltown Plan and assisted with the Newton Plan update. These efforts typically involve analyzing infrastructure studies, including water, sewer, transportation, and natural resources. His responsibilities include supervising all research, planning, report writing, and map preparation, as well as facilitating key meetings and presentations to the community, task forces, Planning Commission, and City Council.

### Community Engagement | Various Communities

In many communities on numerous projects, Phil has developed communications and outreach plans to engage stakeholders. This includes meeting facilitation using standard techniques such as SWOT exercises, visioning exercises, visual preference surveys, and prioritization techniques. For the Marshalltown Plan, he used his fluency in Spanish to work with a focus group from the large Hispanic community. This has included targeted business community forums as well as meetings with classes of school children. He has facilitated numerous design charrettes and is also trained in the innovative Open Space Technology facilitation approach.

### Riverfront and Center Downtown and Neighborhood Plans | Minot, ND

Phil was one of four co-project managers for the Riverfront and Center Plans in Minot, focused on downtown Minot and the six neighborhoods along the Mouse River that were devastated by flooding in 2011. The neighborhood plans have emphasized listening sessions with the neighborhoods, identifying key issues and concerns, but also strengths to build on as the community recovers. Key issues identified in the process are potential commercial redevelopment in targeted areas, sidewalk and trail connections, park improvements, street lighting, renovating damaged properties, on-street parking regulations, and other quality of life issues.

### Green Bay University Avenue Brownfields Redevelopment Plan | Green Bay, WI

Green Bay's University Avenue corridor was the focus of assessment and planning work under EPA grants to the city. Mr. Carlson was project manager for the study, completed in 2014, which identified five brownfield catalyst sites and numerous other planning and redevelopment opportunities along the four-mile University Avenue corridor between downtown Green Bay and the University of Wisconsin–Green Bay. The project involved working with city staff and a local advisory committee to decide the best strategies and redevelopment plans for the corridor, which includes several former packing plant sites. The plan envisions new housing, office and mixed use development at key nodes along University Avenue, tied together with gateway and streetscape elements.



# Project Approach

## We understand the community and City's zoning requirements

In our current role as the city planner, we have developed a thorough understanding of Spring Lake Park's community and zoning requirements. We have learned to work effectively through strong communication with the City Administrator and the rest of the City staff. While many zoning codes are standardized, each community has its own precedents and procedures for maintaining its strong character assets. Stantec will make recommended updates to the zoning code as opportunities arise to modernize and improve the code.

With each new question or request, we will continue to educate ourselves and review the zoning code by doing—reviewing specific development standards, calculating setbacks using available mapping, and reviewing how similar actions have been determined in the past. Finally, the best way to understand the Spring Lake Park context is to communicate early on with staff and applicants to make a meaningful zoning determination.

## Services provided

We acknowledge and understand the scope of services outlined in the Request for Proposals. Based on our past experience with Spring Lake Park, we have deep experience in providing Planning and Zoning Administration, Development Review, Comprehensive Plan Implementation, Zoning Updates, and Meeting Participation services to the City of Spring Lake Park. We are ready to continue those services to the City, and we pledge to transition the work at no cost to the City.

We are excited to be able to assist the City with Economic Development Support services. Stantec has an experienced Development Economics group embedded within the Minneapolis Planning team that is working across the country to bring market conditions into policymaking and regulatory frameworks. Our staff have assisted municipalities in developing economic development strategies, studying local housing conditions, and creating reinvestment plans for key development opportunities.

For example, we look forward to the opportunity to work with the City to provide Economic Development support on the redevelopment of the City-owned property on Laddie Lake. We have had preliminary discussions with the City Administrator about pursuing brownfields redevelopment and other funding sources for the site. Stantec's brownfield redevelopment staff have many years of guiding communities successfully through grant applications and redevelopment projects.

## How responsibilities will be divided

Your local Stantec planners will tailor our expertise to the needs of each individual project. We have a deep bench of local planners to offer to the City of Spring Lake Park that includes more than 60 years of in-house municipal consulting, municipal in-house experience, and private sector experience. We serve as city planners (as consultants and in-house staff) but also understand the needs of property owners and business owners as they work through everything from a complicated concept review to a straightforward driveway variance. This gives us a unique perspective that is unmatched by our competitors. The key local staff assigned to this task, with their varied backgrounds, is listed in the table on the next page.



**Table 1: Project Roles**

<b>Evan Monson</b> Project Manager	Evan will serve as the zoning administrator. As your primary contact, you can rely on his experience working with communities to implement comprehensive plans through the development review process, custom planning projects, and ordinance updates. Evan's public sector and consulting experience includes leading the reviews of residential and commercial developments, amendments and updates to plans and ordinances, conditional use permits, rezonings, variances, and more. Spring Lake Park can count on Evan to help the City continue to develop in an orderly fashion.
<b>Beth Elliott AICP</b> Principal	Beth will be Evan's support and back-up. She spent the first 14 years of her planning career at the City of Minneapolis before joining Stantec in 2017. Beth's public sector expertise helps her understand planning and zoning issues from the perspective of City staff and the Planning Commission. She developed zoning controls downtown that offered property owners flexibility and focused on maximizing the benefit to the City. Beth understands what it is like to work in a public sector environment and the expectations of consultants she hired.
<b>Lauren Walburg AICP</b> Urban Planner	Lauren has experience serving the City of Spring Lake Park. She has spent years as an on-call planner for cities throughout the region and uses that expertise to achieve successful outcomes for public and private clients. Lauren will be available as a resource to Evan on planning issues for Spring Lake Park. She will also be available to fill in at meetings as necessary.
<b>Kribashini Moorthy AICP*</b> Urban Planner  <i>* pending</i>	Kribashini provides a strong platform of support on planning and zoning issues that need a detailed evaluation. Kribashini has experience with recent Spring Lake Park planning reviews. Not only is she proactive and diligent, but she can also work with City staff to communicate recommendations to residents and the Planning Commission in written and graphic formats.
<b>Tom Leighton AICP, EDPF</b> Development Economic Specialist	Tom leads Stantec's Development Economics team, providing market analysis, development intelligence, and implementation strategies to support communities across North America. His facilitation and communication skills can help Spring Lake Park decision-makers, stakeholders, and community members strategize policy and redevelopment opportunities.
<b>Phil Gravel PE</b> Engineering Advisor	Phil Gravel will work closely with Evan to provide engineering comments and advice on planning and zoning issues that need a detailed evaluation of site and building design. Not only is he proactive and diligent, he will work with our staff to communicate recommendations to City Staff and the Planning Commission in clear and concise written and graphic form.
<b>Phil Carlson AICP</b> Planning Advisor	Phil Carlson will be available as an advisor to Stantec staff. He is planning to keep his office phone and computer to help support this transition. Our staff can rely on his broad and deep experience with Spring Lake Park. He can help Evan in working to implement the comprehensive plan, with development reviews, and custom planning projects. In Phil's 40+ years as a consultant, he has tackled nearly every type of municipal planning issue imaginable.

## Work Samples

To demonstrate the quality of our work, we have included two work samples in the Appendix. These are:

- Conditional Use Permit, Northtown Auto Sales, Auto Service, 8325 University Avenue NE, prepared for the City of Spring Lake Park.
- Memorandum: Minor Subdivision request to split 2655 Stillwater Street into two parcels, prepared by Evan Monson for White Bear Township while with his previous employer.

## Relevant Experience + References

Great communities don't just happen. They start with strong leadership and a clear, shared vision. Recognizing the unprecedented challenges community leaders face today, careful planning combined with strategic investment are necessary to bring that vision to life.

At Stantec, we have helped communities of all sizes and situations realize their visions. We understand planning from its regional context, down to the key details associated with a single property.

We know the importance of community involvement and education, the need to support decision-makers with the right information, and the results of effective participation. We bring creative strategies to engage and inform citizens to help build public support for decisions.

### Comprehensive Planning for Communities of Any Size

Stantec provides planning services for municipalities large and small. We customize our approach for each community, working with the schedule, budget, and real world needs of each unique place.

### Guiding Sensible Development

Our planners have experience inside city halls handling day-to-day zoning applications—variances, conditional use permits, site plan reviews, planned unit developments—and can augment staff capabilities. Because we also have experience with private sector development, we speak the developer's language too.

### Sustainable Planning That's Mindful of the Environment

Stantec is passionate about the relationship between our natural and built environments. We draw from over 20 technical specialties to form teams that are uniquely suited to cities like Spring Lake Park, whether it's an environmental review process, nature-based solutions, electrification, and so much more. We balance innovation and creativity with strong practices grounded in planning, science, and engineering.

Client	Services Provided	Contact
<b>Mounds View</b> 2023-Present	Providing planning services to the City including advice regarding planning and zoning questions and zoning applications, preparing planning reports and zoning amendments, and updating the Comprehensive Plan.	Brian Beeman Assistant City Administrator 763-717-4029 brian.beeman@moundsviewmn.org
<b>Minnetonka Beach</b> 2018-Present	Providing planning services to the City including advice regarding planning and zoning questions and zoning applications, preparing planning reports and zoning amendments, and updating the Comprehensive Plan.	Heidi Honey City Administrator 952-471-8878 cityadmin@ci.minnetonka-beach.mn.us
<b>Centerville</b> 2007-Present	Providing on-call planning services. We are helping the city administrator negotiate a preliminary plat and planned unit development (PUD), including preservation and enhancement of the shoreline of Centerville Lake.	Mark Statz Former City Administrator (now with City of Forest Lake) 651-209-9750 mark.statz@ci.forest-lake.mn.us
<b>Lilydale</b> 2007-Present	As with Spring Lake Park, we built the capacity of City staff to update the 2040 comp plan, including drafting the Mississippi River Critical Area Plan. Our on-call planning services help the Planning Commission and City Council make good decisions in this small community.	Mary Tollefson City Administrator 651-457-2316 cityoflilydale@comcast.net
<b>Stillwater Township</b> 2020-2025	With his previous employer, Evan Monson reviewed and updated ordinances, and reviewed different development projects such as new housing, rezoning, and new subdivisions. He worked with and presented planning cases and projects at the Planning Commission and Town Board meetings.	Barbara Riehle Town Clerk 651-706-4133 clerk@stillwatertownshipmn.gov



# Availability

The City of Spring Lake Park is important to Stantec. The City will be one of Evan Monson's top priorities. Our planning services staff are available to the City on an as-needed basis with flexibility. This means that we are here for you when you need assistance, but you don't have the expenses of a planner when there are no active planning issues.



# Fee Proposal

As we have to date, Stantec will continue to work on an hourly basis for day-to-day planning administration under a Master Services Agreement (MSA). This MSA provides flexibility to add task orders for larger projects with a scope and fee consistent with our shared agreement with you. Our Stantec Project Management Framework includes a practice that no work is to be completed prior to authorization from the client. For on-going planning services for the City, we pledge not to begin any services without email authorization from a qualified City representative. This practice makes sure that there no surprises and that expectations for each task are known up front.

We would be happy to work with the City on standard review estimates or per project estimates. That way, when an applicant applies for a project review, they will know the budget the City's consultant will work under. This is a value-added service and in turn provides more confidence to property owners and developers who invest in Spring Lake Park.

When larger planning projects are submitted, we will partner with you to prepare a scope and budget that makes sense for you.

Below are hourly rates for key planning services personnel. In addition to the hourly rates, we have mileage expenses based on the current government rates, printing based on costs, and postage/shipping based on costs.

Key Personnel	2025 Hourly Rate
Evan Monson	\$163
Beth Elliott	\$199
Lauren Walburg	\$163
Kribashini Moorthy	\$139
Tom Leighton	\$189
Phil Gravel	\$213
Phil Carlson	\$198

# Appendix

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## WORK SAMPLES

- Conditional Use Permit, Northtown Auto Sales, Auto Service, 8325 University Avenue NE, prepared for the City of Spring Lake Park.
- Memorandum: Minor Subdivision request to split 2655 Stillwater Street into two parcels, prepared by Evan Monson for White Bear Township while with his previous employer.



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To:	Spring Lake Park Planning Commission	From:	Phil Carlson, AICP, Stantec
	City of Spring Lake Park		
File:	Northtown Auto Sales 8325 University Avenue NE Applicant: Muchtar Sajady Owner: Fatima Sajady Trustee	Date:	January 22, 2024

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**Re: Conditional Use Permit, Northtown Auto Sales, Auto Service, 8325 University Avenue NE**

## INTRODUCTION

Northtown Auto Sales operates a car sales lot at 8325 University Avenue NE in the C-2 zoning district. The property has an existing conditional use permit (CUP) that allows for auto sales and cleaning of vehicles. The original CUP (then called a “special use permit” – same as a CUP) was approved in March 1985 and allowed auto sales, but no repair, with a maximum of 50 cars parked on site. A CUP amendment in December 1985 increased the allowed number of cars on site to 58 and allowed parking to within 5 feet of the front lot line. Two CUP amendments in 1993 allowed a taller garage door and added storage and cleaning of vehicles to the permitted uses. See attached Summary of Special Use Permit Actions.

Auto sales (“*Auto and marine; sales, leasing and rental*” in the official code language) and repair (“*Auto and marine; service, parts, and repair, excluding wash*”) are both listed as conditional uses in the table of uses in the Zoning Code for the C-2 district. A *conditional use* is considered in planning practice and Minnesota zoning rulings to be a *permitted use* to which reasonable conditions may be attached. It is generally not advisable to deny the use outright unless there are unusual issues with a given site that would make that use inappropriate even with reasonable conditions.

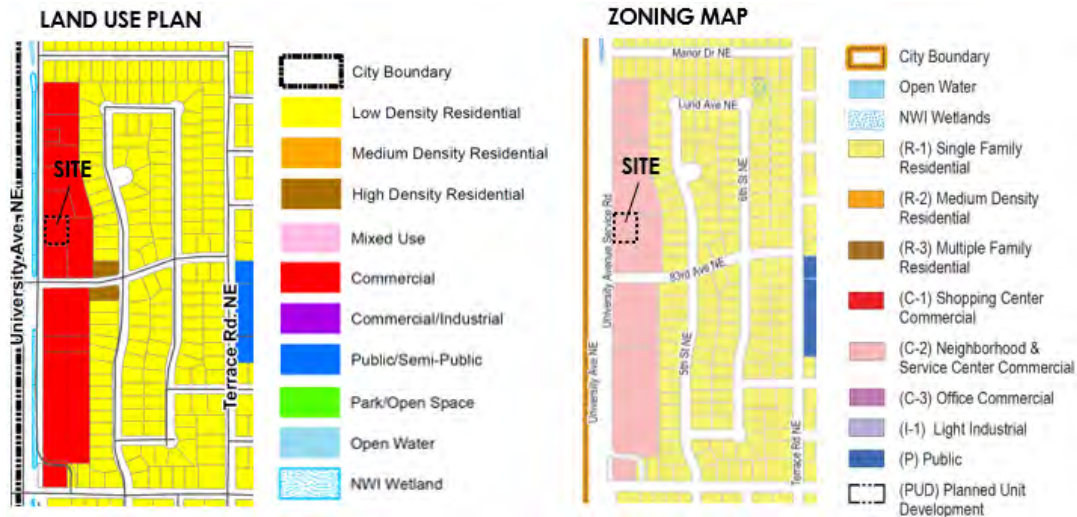


Using this approach, we assume that auto repair can be allowed but that the City can attach conditions to the permit to address issues on site. Since there is already a CUP on the property we will consider this request an amendment to that CUP – all conditions now in effect would remain unless specifically altered in an amended CUP.

## PLANNING & ZONING CONTEXT

The property is guided Commercial on the City's Land Use Plan and zoned C-2 Neighborhood and Service Center Commercial, as illustrated on the map excerpts on the next page. The properties on all sides of the site are also commercial, in Spring Lake Park and across University Avenue to the west in Fridley. All properties in this area are served by a frontage road adjacent to University Avenue. The land immediately east behind the Northtown Auto site is vacant commercial property, part of the parcel belonging to the business fronting 83<sup>rd</sup> Avenue to the southeast. That vacant piece could be developed some day but has sat vacant for many years. The next properties to the east are all single family homes on 5<sup>th</sup> Street NE. The homes are about 230 feet from the property line of Northtown Auto Sales.

**Re: Conditional Use Permit, Northtown Auto Sales, 8325 University Avenue NE**



## HISTORY

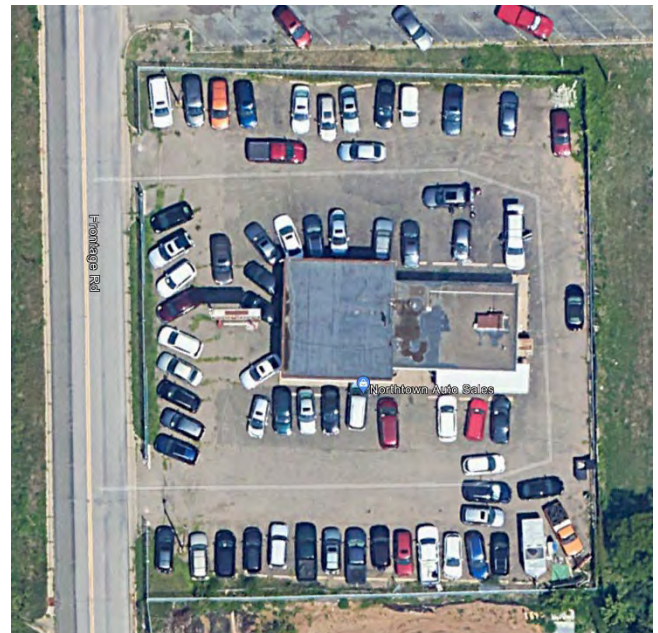
The original 1985 SUP was issued to a previous owner. Mr. Sajady has owned the property since before the 1993 SUP amendments. City files show a number of complaints and violations of the permit conditions several times over the years, both with the previous owner and with Mr. Sajady. The complaints have involved too many cars on site, lighting spilling into neighboring properties, and hours of operation. As recently as May of 2023 a Google Earth aerial photo shows over 60 cars on the site (see photo, right).

## ZONING ISSUES

As noted above, the auto repair use being requested is listed as an allowed conditional use in the C-2 district. The questions are whether there are conditions that can be attached to the request to address site conditions that have an impact on surrounding properties or if there is anything about that use that would inherently disqualify it from this site. The site is approximately 25,700 sq ft in area.

The basic relevant zoning standards in the C-2 district for this property are the following, compared to the estimated existing conditions on site:

- Front parking setback: 25 ft required (5 ft existing)
- Rear parking setback: 10 ft required (0-5 ft existing)
- Side parking setback: 10 ft (0-5 ft existing)
- Impervious site coverage: 75% maximum (92% existing)



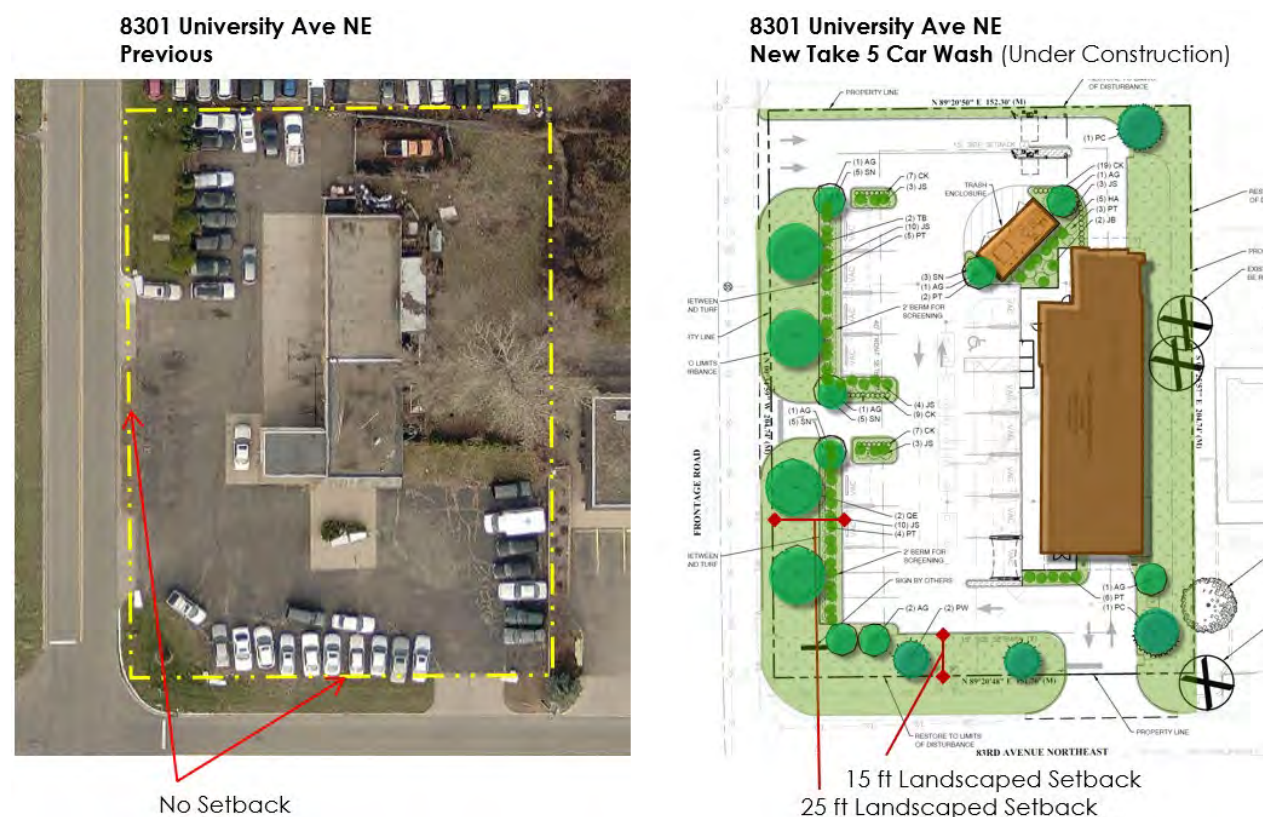
Google Earth aerial photo, 5/23/2023



**Re: Conditional Use Permit, Northtown Auto Sales, 8325 University Avenue NE**

The existing site is out of compliance in terms of setbacks and site coverage, a condition that is not unusual for older properties. Changes in the property, however, can be a time for the City to consider ways to bring the site more into compliance with the spirit and letter of the Zoning Code. It has been a goal of the City for some time to improve the appearance of the University Avenue streetscape, and the Northtown Auto site has that opportunity now.

An example is the property immediately to the south of Northtown Auto Sales on the University Avenue frontage road, the Take 5 Express Car Wash, now under construction. The redevelopment of that property improves the previous condition of zero setbacks on the street frontages with new landscaped boulevards – 25 ft on the University Avenue frontage road and 15 ft on the side setback to 83<sup>rd</sup> Avenue NE.



Requiring the site to come into compliance with the zoning code standards is covered in Section 16.08.010:

#### 16.08.0101. Scope Of Regulations

1. No application for a building permit or other permit or license, or for a certificate of occupancy, shall be approved by the Zoning Administrator, and no permit or license shall be issued by any other department, which would authorize the use or change in use of any land or building contrary to the provisions of this title, or the erection, moving, alteration, enlargement, or occupancy of any building designed or intended to be used for a purpose or in a manner contrary to the provisions of this title. [underline added]



**Re: Conditional Use Permit, Northtown Auto Sales, 8325 University Avenue NE**

Reviewing this CUP application and requiring it to come into complete compliance with the code would be permitted by this section, but we understand that complete compliance would be difficult and unreasonable. Some improvements however can be made and are reasonable to expect in this situation.

## **CONDITIONAL USE CRITERIA**

The criteria in Section 16.56.030(E)(1) of the Zoning Code related to Conditional Uses are as follows:

- a. The proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community;***

The use – auto repair – is assumed to be necessary and desirable.

- b. The use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity;***

The use, if conducted properly, will not be detrimental to people in the vicinity.

- c. The proposed use will comply with the regulations specified in this title for the district in which the proposed use is to be located;***

The site does not comply with the setback and lot coverage regulations, as noted above. This is an issue to be addressed in this CUP request.

- d. The use is one of the conditional uses specifically listed for the district in which it is to be located;***

The use is listed as a Conditional Use in the C-1 district.

- e. The proposed use shall not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity;***

The use and enjoyment of this part of the University Avenue is impacted by the appearance of the businesses along it. Improving that appearance is one of the issues to be addressed in this request, by adding more of a landscaped boulevard which will bring it more into compliance with the setback and lot coverage standards.

- f. The use will not lower property values or impact scenic views in the surrounding area;***

The conduct of the use itself will not lower property values, but as noted, the appearance of the site with many cars and little green space and landscaping does impact the scenic value of the area.

- g. Existing streets and highways and proposed access roads will be adequate to accommodate anticipated traffic;***

The streets are adequate to serve the use.

- h. Sufficient off-street parking and loading space will be provided to serve the proposed use;***

Limiting the number of cars on site is one of the key issues with this property going back many years. The business must comply with the reasonable limit to the number of vehicles on site.

**Re: Conditional Use Permit, Northtown Auto Sales, 8325 University Avenue NE**

**i. The use includes adequate protection for the natural drainage system and natural topography;**

The site can handle the drainage.

**j. The proposed use includes adequate measures to prevent or control offensive odor, fumes, dust, noise, or vibration so that none of these will constitute a nuisance; and**

It is assumed that the use will continue to limit odor, fumes, dust, noise and vibration as required by the code.

**k. The proposed use will not stimulate growth incompatible with prevailing density standards.**

Not applicable.

**NEW LANDSCAPED BOULEVARD**

To accomplish the improved appearance of the University Avenue frontage an expanded landscape boulevard could be added to the west side of the site adjacent to the frontage road, as illustrated below. The new boulevard area would add 8 ft of width to the existing 5 ft of width. Landscaping would consist of low shrubbery that would not block visibility to cars on display on the site and overstory trees approximately 30 ft on center whose branches would also be above the cars on display so as not to block visibility. We estimate this plan would remove 12 parking spaces and add back 4, for a net of 8 spaces lost, and a total of 50 spaces on the site, compared to the 58 spaces allowed under the current permit. The plan would add about 1,000 sq ft of green space to the site, or about 4%, reducing the impervious coverage from about 92% to about 88%. The new plan would be prepared by the owner for review and approval by the City Planner and City Engineer.



**Re: Conditional Use Permit, Northtown Auto Sales, 8325 University Avenue NE**



**Recommended Site Concept**  
8325 University Ave NE, Spring Lake Park  
Conceptual for discussion only 1-2-24

## RECOMMENDATION

I recommend that the Planning Commission recommend voiding the current Special Use Permit at 8325 University Avenue NE and recommend approval of a new Conditional Use Permit including auto repair use for Northtown Auto Sales, with the following conditions which incorporate, restate, and modify the current permit conditions, with the following findings of fact:

### *Conditions of Approval*

- 1) The current Special Use Permit at 8325 University Avenue NE, approved in March 1985 and amended in December 1985 and December 1993, is voided and replaced with a new Conditional Use Permit.
- 2) Auto repair may be conducted on site as long as all repair work is done completely within the building and all other conditions of this permit are adhered to.
- 3) A new landscaped boulevard along the University Avenue frontage road will be added as illustrated in the Planner's report of January 22, 2024, consisting of an additional 8-ft-wide landscaped area, in addition to the existing 5-ft-wide landscaped area, for a total of 13 ft wide. The new boulevard will be planted with overstory trees approximately 30 ft on center and low shrubs in a plan to be prepared by the owner and reviewed and approved by the City Planner and City Engineer. All landscaping will be installed as indicated on the approved landscape plan and guaranteed for at least one year. The plan is to be completed by October 1, 2024.
- 4) The number of cars on site at any one time, including vehicles for sale, involved in repair, or customer parking, is limited to 50, as illustrated on the Recommended site plan in the Planner's report of January 22, 2024.



**Re: Conditional Use Permit, Northtown Auto Sales, 8325 University Avenue NE**

- 5) All vehicles on site must be legal and operational for public highways.
- 6) Hours of operation are 9 am to 9 pm, Monday to Friday and 9 am to 6 pm on Saturdays.
- 7) On-site lighting to be confined to the premises. Any changes in site lighting plan are to be reviewed and approved by the City Engineer.
- 8) Existing green space to be maintained.
- 9) Fencing will be kept in good repair and attractive appearance.
- 10) All other City standards related to drainage of the site and other site features are to be followed. Any changes must be reviewed and approved by the City Engineer.

*Finding of Fact for Approval*

- 1) Northtown Auto Sales has operated at 8325 University Avenue NE under a Special Use Permit approved in 1985 and amended in 1993.
- 2) The City has standards in the zoning code for setbacks and lot coverage which are reasonable to promote the health, safety, and welfare of the City, its residents, and businesses. One of the purposes of the setbacks is to encourage and allow the attractive landscaping of business sites.
- 3) The current site at 8325 University Avenue NE is zoned C-2 and does not comply with the required standards in the zoning code for setbacks and impervious site coverage, summarized as follows:
  - a. Front parking setback: 25 ft required (5 ft existing)
  - b. Rear parking setback: 10 ft required (0-5 ft existing)
  - c. Side parking setback: 10 ft (0-5 ft existing)
  - d. Impervious site coverage: 75% maximum (92% existing, estimated)
- 4) With a new landscaped boulevard as recommended with the new Conditional Use Permit the front parking setback would be increased to 13 ft and the impervious site coverage would be reduced to about 88%. The side and rear setbacks would not be affected.
- 5) The use as conditioned with this approval meets the criteria for approving a Conditional Use Permit in Section 16.56.030(E)(1) of the City Code.

**OPTIONS**

- 1) Recommend approval of the CUP as presented with the recommended conditions and findings, or as modified by the Planning Commission.
- 2) Recommend denial of the CUP, with findings for denial.
- 3) Continue the items to a future meeting to gather more information or more discussion.

**60-DAY RULE**

The Conditional Use Permit application was received on November 16, 2023. Due to scheduling over holidays the City has already extended the deadline for final action an additional 60 days to 120 days as allowed by State statute 15.99. The deadline for final action by the City Council is March 16, 2024.

## 8325 University Avenue NE

### Summary of Special Use Permit Actions

(from City files)

- March 1985: Petition for SUP, Northtown Auto Sales
- December 1985: Amendment to SUP – to store more vehicles and reduce green space
- December 1993: Amendment to SUP – to clean and maintain vehicles and change door

#### **March 1985:** Petition for SUP for Northtown Auto Sales, 8325 University Ave

Decision: Approval of Special Use Permit for Northtown Auto Sales, 8325 University Ave NE with following conditions and amendment stipulating that the SUP be reviewed in one year.

- 1) Number of cars displayed for sale to be limited to 50.
- 2) Hours of operation: 9 am to 9 pm
- 3) On-site lighting to be confined to the premises
- 4) Lighting plan to be approved by the City Engineer
- 5) Existing green space to be maintained
- 6) Fencing be repaired
- 7) No repair work to be done in the existing building
- 8) Drainage of the site to be approved by the City Engineer
- 9) No junkers (all vehicles not legal operational for public highways) be allowed

#### **December 1985:** Amendment of Special Use Permit granted for Lenny's Auto Sales, 8325 University Avenue to reduce the green space to within 5 feet of the curb and increase the number of display cars to 58 from 50.

Decision: Approval to reduce the amount of green space to within 5 feet and increase the number of display cars to 58.

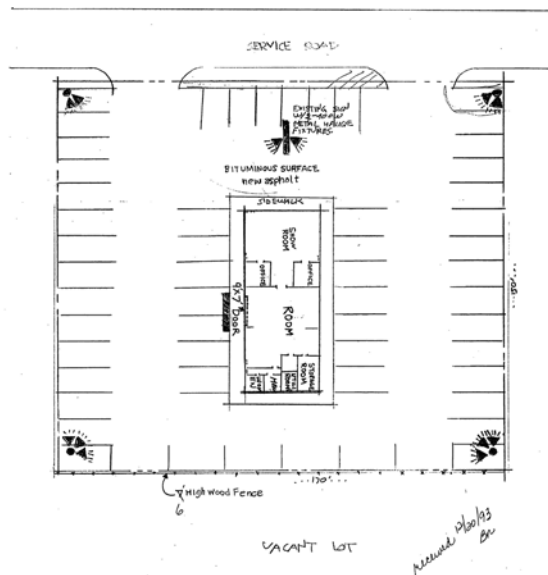
Discussion points:

- [Owner] explained that he currently has 58 spaces and if his request is approved, he will have 8 to 10 additional spaces, bringing the total to 66 or 68.
- [Owner] said that he cannot asphalt until Spring but would like to start parking cars in the designated area.
- Council Member observed that the issue of green space in commercial properties has been a recurring problem in Spring Lake Park and asked if the City could adopt a guideline for calculating the minimum amount of green space required for a building keeping in mind its size, amount of blacktop etc. City Engineer explained that adopting a guideline will be difficult as some uses require more green space than others. Site plan review process was recommended to give the Council the opportunity to review each individual case.
- Council Member recalled that the amount of green space varies considerably along University Service Drive and would be difficult to establish a standard as it is difficult to evaluate the effect of reducing green space without actually measuring and viewing the site. Council Member recalled that the original SUP was approved with the condition that the existing green space would remain as it and the number of parking spaces were adequate to operate the business and added that he cannot support the reduction in green space. Cohen explained that additional of spaces is essential to increase his visibility and exposure and not for the want of more space. His earlier request for an amended SUP to park cars right up to the street was denied but he observed that the cars parked next door at Northtown Imports parked closer to the street than his cars will be. Council Member expressed his opinion that the green space will add to the appearance of the business. There were varying opinions on the different businesses that existed along Service Drive and their aesthetic appearances. It was concluded that Owner is maintaining the property much better than its previous owners.

**December 1993:** Amendment of SUP to store and clean vehicles

Decision taken: The council approved an amended SUP for 8325 University Avenue N.E to store and clean vehicles with the following conditions:

- 1) Plans for modifying the concrete curb and sidewalk to provide access to the overhead door shall be submitted by July 1, 1994.
- 2) Lighting plan to be submitted for consideration by the City Council and approval by the City Engineering by July 1, 1994.
- 3) A fence to be re-installed on the east side of the property in accordance with the code by July 1, 1994.
- 4) Permission for a new overhead door is granted.
- 5) Cleaning of exterior and interior of vehicles is permitted but, cleaning of engines or engine parts is prohibited. (Mr. Sajady stated that any engine cleaning would be done at Northtown imports which has the proper oil traps and pressure hoses while being questioned by Commissioner Johnson)
- 6) Additional asphalt in front the building will be permitted in accordance with the plan submitted on December 20, 1993 (attached below).
- 7) No repair work to be performed in the existing building.
- 8) Hours of operation maybe from 9 am to 9 pm, Monday to Friday and 9 am to 6 pm on Saturdays.
- 9) No junkers are allowed on the lot.



Plan submitted on December 20, 1993

**4) December 1999:** Letter sent to owner Mr. Sajady that the SUP allows maximum of 58 cars on display not 73 vehicles which are currently on display. The memorandum states that all the vehicles were parked on the paved surface and no vehicles were parked on the lawn. No response from the owner was received.

Council Member asked Administrator if SUP could be denied that evening. On discussion with City Attorney, it was concluded that revocation of SUP would be an expensive procedure. The Council took the decision to deny the license and not take any action of SUP immediately as this could compel Mr. Sajady to bring his property into compliance. Council Member directed the Staff to notify Northtown Auto Sales that their lots must be in compliance with their Special Use Permit.

5) November 2023: The owners of the property have applied for a Conditional Use Permit for repairing and servicing used vehicles. The existing use of the property is to auto sales and services.



## References to Complaints or Violations

Date	Type of complaint	Nature	Response
12/20/1993	Lighting	Continuing problem with lighting on the property, complaints received from a resident on 5 <sup>th</sup> Street. Council member Carson also observed the lighting problem when she visited the resident's home and observed the reflection in the kitchen window and identified the light located in the northwest corner of the site causing this problem.	Lights on the west side facing east, is tuned off at 9.30 pm but the signs stay on for security reasons and Mr. Sahady offered to tip the fixture downward as far as it will go before turning it off at 9.30 pm.
12/20/1993	Asphalt	Previous owners were required to expand the asphalt by Spring but did not follow through	Mr. Sajady stated that even with additional asphalt, the property will have more green space than other businesses along University Avenue
12/7/1999	73 vehicles in display, permitted vehicles is 58	No response from Mr. Sajadi to the letter advising him that the property's special use permit allows a maximum of 58 cars on display and not 73 vehicles (6 vehicles appear to be inoperable), which are currently on the lot as stated in the Memorandum dated December 6 <sup>th</sup> , 1999	License denied and Minnesota license division notified for further action
12/20/1999	Memorandum - 73 vehicles in display, permitted vehicles is 58	Currently 73 vehicles parked on the lot. All vehicles parked on the paved surface and no vehicles parked on the lawn	
12/28/1999	2000 Used car Dealership License	Inspections carried on December 7 <sup>th</sup> and 20 <sup>th</sup> not corrected immediately, the City Council will consider moving against the SUP under which the business is permitted to exist	

# Memorandum

To: White Bear Township Town Board

Copies To: Scott Montgomery, Applicant

From: Evan Monson, Planner

Date: November 13, 2024

Project Reference: Minor Subdivision – 2655 Stillwater St

TKDA Project No.: 21101.000

Client No.:

**SUBJECT:** Minor Subdivision request to split 2655 Stillwater Street into two parcels

**MEETING DATE:** November 18, 2024

**LOCATION:** 2655 Stillwater Street (Parcel ID 123022410107)

**APPLICANT:** Scott Montgomery, on behalf of the property owner

**OWNER:** Isabelle Montgomery Trust

**ZONING:** R-1 Suburban Residential, Shoreland Management Overlay Zone

**REVIEW PERIOD:** 120-day period ends 12/3/2024

**ITEMS REVIEWED:** Application and plans received by Town on 8/1/2024 & 8/5/2024, stormwater information received on 9/17/2024, 10/31/2024, and 11/8/2024

## DESCRIPTION OF THE REQUEST

The subject parcel has been owned by the Montgomery family for many years. The family is proposing to split the parcel into two to facilitate the sale of one of the parcels as a future building site. The subject parcel contains a single-family detached home, and two detached accessory structures. A wetland is located on the south side of the property. The proposed lot split would result in 'parcel A' containing 29,321 square feet (SF) of land, along with the existing house and accessory structures. Proposed 'parcel B' would be vacant and available as a future building site, with 15,046 SF of land. The proposed lot line would run through a wetland located near Stillwater Street, so each proposed parcel would have approximately half of the wetland.

A Minor Subdivision, which is outlined in Section 5 of Ordinance 15 (Subdivisions), is the process that applicants follow to split a lot/parcel into two. A Minor Subdivision requires the Planning Commission review the request, and that the Town Board approves or denies the request.

The request was reviewed at the [August Planning Commission meeting](#). The commissioners tabled the item, to allow the applicant time to get stormwater drainage calculation information for the commissioners and Public Works/Engineering to review. The commissioners reviewed the request again at their [October meeting](#), and recommended approval of the request with conditions. Their recommendation is found later in this report.

## PROPERTY INFORMATION

**Description:** The subject parcel is located at the northwest corner of the intersection of Stillwater Street and Park Avenue. An alleyway running east-west abuts the north side of the subject property. The subject property is 1.02 acres, or 44,367 SF in size. According to Ramsey County Assessor records, the house on the property was built in 1889, and the two accessory structures were built in 1889 and 1930. The property slopes down from the house toward the wetland, while the east half of the property is fairly flat. The wetland on the property, delineated in 2024, occupies 6,934 SF.

**Land Use:** Single-Family Residential



Figure 1: Aerial of the site, from Ramsey County GIS. Parcel boundaries of the site are in red.

## EVALUATION OF REQUEST

### Zoning Ordinance Requirements

Section 7-1 of the Township Zoning Ordinance regulates the lot size, yard setbacks, and density regulations; these are also shown in Table 1 below. The current dimensions of the current parcel, as well as the proposed, are also included in Table 1. Both proposed parcels would meet the minimum lot size and frontage/width requirements. The Township defines 'minimum lot area' in Section 3-40 as land "exclusive of wetlands, drainage retention areas, floodplains, lakes, streams, public parks and the right-of-way of any public or private roadway", which means that 12,000 SF of land outside of wetlands (i.e. upland) is needed to meet the minimum lot size for the R-1 zone. Both proposed parcels would meet this requirement. Table 7-1 also requires a minimum width of



105 feet along all street frontages which will be met. Since the property is within the Shoreland Management Overlay zone, the maximum impervious surface coverage allowed is 25% of the lot. Both parcels A and B would be under this threshold.

Table 1: Current & Proposed Conditions vs R-1 Requirements

	Lot Size (in SF)	Impervious Surface Coverage (% of Lot) *	Lot Width / Frontage (in Feet) **
R-1 zone Requirement	12,000 (minimum)	25% (maximum)	105 (minimum)
Current	44,367 (total) 37,433 (upland)	5,692 SF, 15.2%	320.05 (along Stillwater St) 138.32 (along Park Ave)
Parcel A (proposed)	29,321 (total) 25,428 (upland)	5,692 SF, 22.4%	211.35 (along Stillwater St)
Parcel B (proposed)	15,046 (total) 12,005 (upland)	None	108.7 (along Stillwater St) 138.32 (along Park Ave)

\*The Shoreland Management Overlay zone limits impervious surface coverage to 25% of the lot.

\*\*Corner lots shall have an additional 25 of frontage along all streets + the minimum width of 80 feet.

The proposed lot split would result in the existing house and detached accessory structures being located on Parcel A, while Parcel B would be vacant. The Town has historically interpreted that lot lines along alleyways are 'front' lot lines, which per Table 7-1 in the Zoning Ordinance require a 35-foot minimum setback. The house and detached accessory structures are legally non-conforming to this requirement, as they were built prior to the current Zoning Ordinance. A portion of an existing gravel driveway that serves the property would be removed as part of the Minor Subdivision, as it crosses into part of proposed Parcel B.

Parcel B would have three 'front' lot lines along Park Avenue, Stillwater Street, and the alleyway. The west property line would be a 'side' lot line. Section 7-1.8 of the Zoning Ordinance states that "structures shall conform to the minimum side and rear yard setback requirements indicated in Table 7-1, from all wetlands as provided in Section 9-5.1." The required side yard is ten feet, while the required rear yard is 20 feet. If applying the more restrictive amount (the 20-foot setback) from the delineated boundary of the wetland, Parcel B would have approximately 2,121 SF of land that is both upland and outside of required setbacks (buildable area). The Township does not have a minimum buildable area requirement.

The Township requires, per Section 8-6.4(d) of the Zoning Ordinance, that the lowest floor elevation of buildings in the Shoreland Management Overlay zone shall be at minimum three feet above the highest known water level of adjacent lakes or three feet above the 100-year 1% storm elevation, whichever is greater. Any future development on the site would have to adhere to this requirement. The 100- year 1% storm elevation for this site is at an elevation of 934.65 feet, which means the floor of any new construction would have to be at an elevation of 937.7 feet or higher.

Figure 2 on the following page shows an excerpt of the buildability plan submitted by the applicant's engineer showing future grading required to develop on the site while meeting setbacks and floor elevation requirements. The house pad area shown in Figure 2 is 1,866 SF in size. Future development on the site (house, garage, driveway, deck, etc.) would have to adhere to the requirements of the buildability plan.

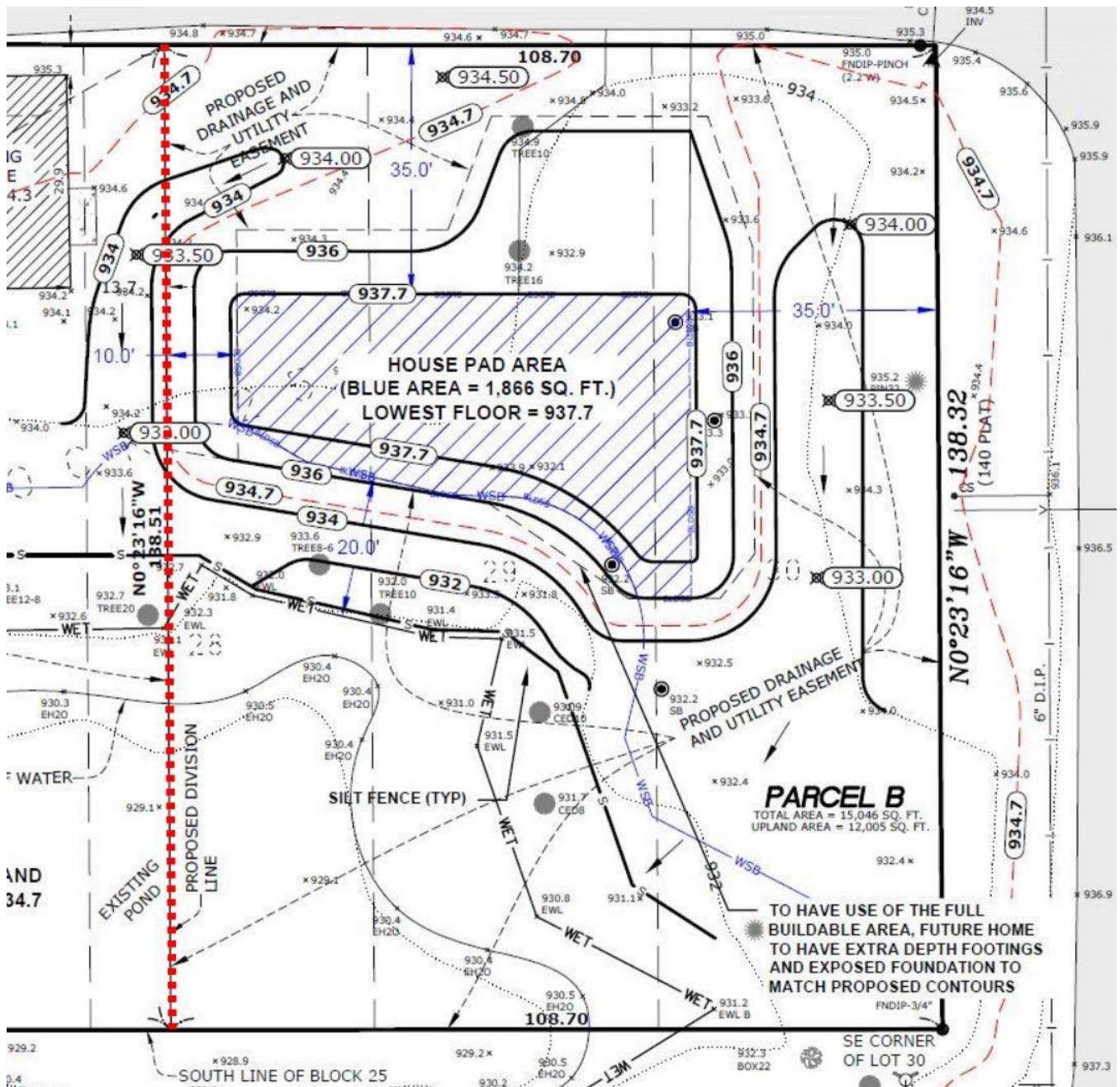


Figure 2: Excerpt from applicant's submittal, showing proposed grading and elevations. The proposed house pad area for Parcel B is shown in blue. Proposed lot split line is shown in red.

### Subdivision Ordinance Requirements

Ordinance 15, Section 5 covers Minor Subdivisions. The request would create only one new lot, and no new streets are proposed. The proposed Minor Subdivision would result in both parcels being compliant with the dimensional requirements of the Zoning Ordinance, and the request would be consistent with the Township's 2040 Comprehensive Plan. Based on the above, this request meets the definition of a Minor Subdivision.

The applicant has included drainage and utility easements along the newly proposed lot line, and the west side lot line of proposed Parcel A, as required per Section 8.3. A drainage easement over the wetland and the portions of the parcels below the 100-year 1% storm elevation is also provided.

Parkland dedication requirements, as noted in Ordinance 15, Section 10, would be triggered because of creating a new lot. There are no plans for a park identified in the Township's current Comprehensive Plan in this area, therefore a fee in lieu of land would be required. The fee, in lieu of land, required per new residential lot at the time of the application being received on 8/1/2024 is \$3,500.

#### Staff Comments

The project plans were forwarded to staff and other agencies for comments.

- The DNR did not provide any comments at the time of drafting this report.
- The Rice Creek Watershed District (RCWD) noted that a permit would be required for the proposed Minor Subdivision.
  - Erosion Control measures and stabilization notes would need to be added to the survey regarding the removal of the existing gravel driveway.
  - Any future site additions are subject to RCWD requirements and review prior to construction.
  - Future development on the site would be subject to watershed rules at the time of application.
  - A permit with conditional approval for the subdivision was issued by the watershed on 9/13/24.
- The Building Inspector provided the following comments:
  - A geotechnical report would need to be reviewed prior to issuance of any building permits for future development on the site.
  - Utility connection fees for Parcel B for water and sewer would apply: ~\$20,000 total.
  - Any future buildings on either parcel would have to adhere to the lowest elevation being three feet above the 100-year 1% storm elevation requirement.
- Engineering/Public Works
  - Staff confirmed there are no storm drainage pipes to outlet the wetland south under Stillwater Street during flooding.
  - The following edits are to be made to the buildability plan dated and received by the Township on 10/31/2024:
    - Change the "Proposed Easement Line (typ)" into Drainage and Utility Easement; and add easement onto the survey for the proposed Minor Subdivision.
    - Add more arrows and call out the D&U easement in more locations to better show the easement.
    - Clarify (eliminate) the D&U in the driveway.
    - Remove D&U easement lines west of the house going to the lot split line.
    - Shift the 10' setback dimension west of the buildable area so it can be seen.
    - Spell out the WSB as Wetland Set Back in a symbol location.
    - Spell out the WET as Wetland in a symbol location.
    - Provide the exact size in SF of the "buildable area" shown in blue.
    - The revised survey (dated 11/7/2024) and buildability plan (dated 11/8/2024) address the above comments.

#### ACTION

The Town Board has the following options for this request:

1. Approve the requested minor subdivision, with or without conditions.
2. Deny the requested minor subdivision, with findings for denial.
3. Table the request for further review/study.



## RECOMMENDATION

If the Town Board approves of the request, the following conditions of approval are recommended. A resolution including findings and the recommended conditions is included in the meeting packet.

1. The proposed Minor Subdivision shall adhere to the survey dated and received by the Township on 8/5/2024 and revised 11/7/2024.
  - a. The applicant shall add erosion control measures and stabilization notes onto the survey regarding the removal of the existing gravel driveway.
2. The applicant shall pay the required park land dedication fee (\$3,500 as of the date of the application) to the Township upon approval of the request.
3. Future development on the proposed Parcel B shall adhere to watershed rules at the time of application.
4. Utility connection fees for water and sewer connections on proposed Parcel B shall be paid prior to connection.
5. Future development on the proposed Parcels A & B shall have the lowest elevation be three feet above the 100-year 1% storm elevation, as required in Section 8-6.4(d) of the Zoning Ordinance.
  - a. A geotechnical report would need to be reviewed by the Township prior to issuance of any building permits for future development on the site.
  - b. The existing gravel driveway on the site shall be removed prior to development on Parcel B.
  - c. Future development on Parcel B shall adhere to the Buildability Plan dated and received by the Township on 11/8/2024.
6. The applicant shall acquire all other applicable Federal, State, and Local permits.
7. The applicant shall adhere to all applicable Federal, State, and Local ordinances and regulations.
8. The applicant shall pay all fees and escrows associated with the project.

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EPM:jdc



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Stantec is a global leader in sustainable architecture, engineering, and environmental consulting. The diverse perspectives of our partners and interested parties drive us to think beyond what's previously been done on critical issues like climate change, digital transformation, and future-proofing our cities and infrastructure. We innovate at the intersection of community, creativity, and client relationships to advance communities everywhere, so that together we can redefine what's possible.