

**AGENDA
PLANNING COMMISSION MEETING
CITY OF SHOREVIEW**

**DATE: MAY 27, 2014
TIME: 7:00 PM
PLACE: SHOREVIEW CITY HALL
LOCATION: 4600 NORTH VICTORIA**

1. CALL TO ORDER

ROLL CALL

Approval of agenda

2. APPROVAL OF MINUTES

April 22, 2014

Brief Description of Meeting Process – Chair Steve Solomonson

3. REPORT ON CITY COUNCIL ACTIONS:

Meeting Date: May 5th and May 19th, 2014

4. NEW BUSINESS

A. VARIANCE

FILE NO: 2527-14-17

APPLICANT: John & Julie Peirson

LOCATION: 5110 Lexington Ave North

B. MINOR SUBDIVISION/VARIANCE

FILE NO: 2530-14-20

APPLICANT: Moser

LOCATION: 3339 Victoria Street North

C. COMPREHENSIVE SIGN PLAN

FILE NO: 2525-14-15

APPLICANT: Identi Graphics / Dave Kroona

LOCATION: 3854 Lexington

5. OLD BUSINESS

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

FILE NO: 2524-14-14

APPLICANT: City of Shoreview

LOCATION: City Wide

6. MISCELLANEOUS

- A. *City Council Meeting Assignments for June 2, 2014 and June 16th, 2014
Commission Member Peterson and Proud*
- B. *Joint City Council/Economic Development Authority/Planning Commission meeting – Highway
Corridor Transition Study – July 14th @ 7:00 pm*
- C. *Planning Commission Workshop @ 6:00 pm before the regular meeting.*

7. ADJOURNMENT

**SHOREVIEW PLANNING COMMISSION
MEETING MINUTES
April 22, 2014**

CALL TO ORDER

Chair Solomonson called the April 22, 2014 Shoreview Planning Commission meeting to order at 7:00 p.m.

ROLL CALL

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

APPROVAL OF AGENDA

MOTION: by Commissioner Schumer, seconded by Commissioner Ferrington to approve the April 22, 2014 Planning Commission meeting agenda as submitted.

VOTE: Ayes - 7 Nays - 0

APPROVAL OF MINUTES

MOTION: by Commissioner Thompson, seconded by Commissioner Peterson to approve the March 25, 2013 Planning Commission meeting minutes, as submitted.

VOTE: Ayes - 5 Nays - 0 Abstain - 2 (Proud, Schumer)

REPORT ON CITY COUNCIL ACTIONS:

Presentation by City Planner Kathleen Castle

The City Council approved the following applications forwarded by the Planning Commission:

- Site and Building Plan Review for City and County Credit Union, 1001 Red Fox Road;
- Site and Building Plan Review/Comprehensive Sign Plan for Cities Edge Architects, LLC and Forstrom & Torgerson, LLP, for the Hampton Inn at 1000 Gramsie Road;
- Text Amendment for the Housing Code; and
- St. Odilia Church Final Plat for the proposed cemetery.

NEW BUSINESS

PUBLIC HEARING –COMPREHENSIVE PLAN AMENDMENT – SURFACE WATER MANAGEMENT

FILE NO: 2524-14-14
APPLICANT: City of Shoreview

LOCATION: City Wide

Presentation by City Planner Kathleen Castle

A Comprehensive Plan Amendment is proposed to Chapter 9, *Community Facilities and Services*, Section D, *Surface and Water Management* and also to Chapter 11, *Natural Resources*. The amendments address changes regarding surface water management that have occurred since the plan was adopted in 2008.

Grass Lake Watershed Management Organization was dissolved. Those responsibilities have been taken over by Ramsey/Washington Metro Watershed District (RWMWD) who is the designated local government unit to administer the Wetland Conservation Act for the Vadnais Lake and Grass Lake watershed. References in the Comprehensive Plan have been updated, and maps 9D1 and 9D5 have been amended to reflect this change.

In 2010, the Federal Emergency Management Agency (FEMA) updated flood insurance and revised the flood insurance rate map. The City amended its flood plain ordinance in 2010 to be in compliance. Map 9D7 was updated. Table 9D1 was updated addressing the City's surface water utility fee.

A public hearing notice was published on April 9, 2014. No responses have been received. Staff is recommending the Planning Commission forward for Council approval the changes and updated language regarding surface water management.

Commissioner Ferrington asked for clarification of Map 9D7, whether properties adjacent to lakes shown as dark blue are included in the FEMA map. Mr. Warwick stated that the lakes in dark blue are part of flood zone AE, which is the designation where a base flood elevation has been established. The City has consistently required that homes be built two feet above the flood plain, so that in practically no instance are homes impacted by the updated flood maps. The City reviewed the old (1981) flood map in 2005, and obtained a Letter of Map Revision (LOMR) from FEMA that addressed the relationship between flood areas and development. This LOMR was incorporated into the 2010 maps, and so there was little change to flood hazard areas near residential development.

Commissioner Peterson asked if there are homes that are required to have flood insurance due to the fact that they were allowed to be built at a lower elevation in the past. Mr. Warwick stated that some homes are required to have flood insurance, depending on the policies set by lenders.

Commissioner Proud stated that he has a number of comments and would like a workshop meeting to look at the totality of the Code regarding surface water management, but he would support the proposed motion. Ms. Castle stated that she would prefer to pass only one amendment and would delay passage rather than pass two amendments after further discussion. There are a number of agencies who must sign off on the amendments. This is a public hearing and all comments should be heard.

Commissioner Proud stated that he would be willing to send his comments to staff and leave it to staff to determine if further changes should be made.

City Attorney Kelly stated that the notice of public hearing is in order. With a public hearing, any comment can be taken. Ms. Castle stated that as long as the discussion is specific to surface water management, the public hearing would not have to be re-noticed, if the matter is delayed.

Chair Solomonson opened the public hearing.

Commissioner Ferrington suggested that on page 93D, under Local Government, to insert the year when the GLWMO dissolved and assumption of RWMWD for historical purposes. Secondly, under 9D6, which is a table of planned improvements, the improvements for Lake Wabasso are not included. Ms. Castle stated that the table comes from the Capital Improvements Program. She agreed there has been discussion about improvements for Lake Wabasso, which perhaps needs to be mentioned as a separate paragraph but not included in the table.

Commissioner McCool stated that if more substantive changes are going to be made as a result of Commissioner Proud's comments, he would like the City Engineer present to weigh in.

City Attorney Kelly stated that if the matter is to be tabled, it should be to a date and time specific, for further comment.

MOTION: by Commissioner Proud, seconded by Commissioner McCool to recommend the public hearing be continued to the May 27, 2014 Planning Commission meeting so that Planning Commissioners and staff can consider additional changes.

VOTE: Ayes - 7 Nays - 0

RESIDENTIAL DESIGN REVIEW / VARIANCE

FILE NO: 2523-14-13
APPLICANT: 5101 Alameda Street
LOCATION: Kevin and Sara Ousdigian

Presentation by Senior Planner Rob Warwick

A single-story house with a walk-out level and attached garage is proposed for a recently subdivided lot. A variance is requested to reduce the minimum 114.4 feet setback from the Ordinary High Water (OHW) of Turtle Lake to 101.8 feet.

The property is a substandard riparian lot on Turtle Lake with a width of 79 feet. The lot area is 27,707 square feet. The minor subdivision that created this lot was approved in September 2013, when the variance for the lot width was approved. The variance for the structure setback was tabled and the review period was extended. A second extension for the review period was approved in January 2014, at the applicant's request.

The property is located in the R1, Detached Residential/Shoreland Overlay District. Lot coverage, building height and foundation area all meet Development Code standards. The range for the street setback is 145 to 165 feet; 145 feet is proposed. The lake ordinary high water setback range is 114 feet to 134 feet; 101 feet is proposed. This is the variance needed. The applicant has chosen architectural mass for mitigation.

The applicant believes there is practical difficulty due to three unique circumstances: 1) there is a dramatic change in street and OHW setbacks for nearby properties to the north and south; 2) An “inlet” on the property at 5091 Alameda, creates an irregular setback line for the property; and 3) there is topographical change on the subject property. The house to the north is 72 feet from the OHW and the house to the south is almost 105 feet. This creates a large range of setbacks north and south of this property.

The second difficulty is an inlet of the lake created by two stone walls because the setback from the inlet is an irregular line on their property. In 1940, the shoreline was regular, wooded, and followed the curve of the lake. The current shoreline has an inlet that was not apparent in 1940 aerial photos submitted by the applicant. The shoreline appears to have been altered.

Notices were sent to property owners within 150 feet. Two responses were received but no concerns were expressed and both support the proposal.

Staff agrees that there is practical difficulty as presented by the applicant. There are unique circumstances with a break in the setback line for the street and OHW caused by the inlet and topography. Staff does not believe that the proposed OHW setback would change the character of the neighborhood due the existing setback pattern, and staff recommends approval of the proposal.

Commissioner Ferrington asked for clarification of how the setback is drawn from the adjacent property. Mr. Warwick explained that the OHW is measured from the nearest point of the shoreline regardless of whether or not it is on the subject property. That is what creates the practical difficulty due to the inlet.

Mr. Kevin Ousdigian, 4419 Harbor Place, expressed appreciation to staff and the Commission for considering their application. Their request is to place the house as close as possible in line with adjacent houses. From the west shore, the setback shifts 30 feet on the north side. The topography shifts dramatically. In the northeast corner of the building pad, the elevation is 917, then 913 in the northwest corner and 903 in the southwest corner. The single-story rambler style works the best, which is what they chose. They talked to neighbors about how best their house could best fit. The key issues identified by neighbors were not to bring the driveway in on the south, and to create a separation of the homes for privacy and lake view. Their goals are to build a home that transitions between the homes close to the lake on the north with the homes closer to the street on the south. The single-story with walkout lower level fits with the natural topography. The driveway will be on the north side. Screening is planned for neighbors on both sides.

Commissioner Thompson asked if all the neighbors support the proposal. **Mr. Ousdigian** stated that no one has opposed

Chair Solomonson commended the planning in this proposal and consultation with neighborhoods. He asked if the house could be built without a variance. **Mr. Ousdigian** responded that it could be buildable without a variance, but it would be more challenging. It would be more difficult to provide screening, and there would be loss of a large oak tree. The house would also be smaller than others in the neighborhood. The house could not be shifted 20 feet without taking out the tree.

Commissioner Peterson noted a substantial drop-off in topography from the north to the south. He asked the function of the rain garden on the north on the higher topography. **Mr. Ousdigian** stated that the neighbor to the north does not have a garage. When the garage is built, the rain garden is an effort to prevent runoff to the south.

Chair Solomonson asked for public comment. There were no comments or questions.

Commissioner Ferrington stated that she believes the placement of the house is a reasonable transition between the two adjacent homes. Because of the inlet, there is practical difficulty. If there were no inlet, a variance would not be needed from the natural shoreline.

Commissioner McCool agreed and stated that the plan is reasonable. Due to the alteration of the shoreline, he believes flexibility should be allowed. This plan is a good transition for the neighborhood and he fully supports it.

Chair Solomonson agreed also and appreciates how thorough and well thought out this plan was presented.

Commissioner Proud particularly expressed his appreciation at how the applicant has worked with the neighbors.

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

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

This approval is based on the following findings:

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

VOTE: Ayes - 7 Nays - 0

MISCELLANEOUS

Council Meetings

Commissioners McCool and Ferrington will attend the May 5th and May 19th City Council meetings respectively.

Workshop

Commissioners discussed preferences for a workshop before or after the regular meeting on May 27, 2014.

Chair Solomonson recommended that if there is a big agenda for the regular meeting, the workshop should be before the meeting. If there is a light agenda, the workshop can be after the meeting.

Commissioner McCool requested a discussion on parking at an upcoming workshop, as there have been applications where parking is approved at less than the code requirement.

ADJOURNMENT

MOTION: by Commissioner Schumer, seconded by Commissioner McCool to adjourn the meeting at 8:16 p.m.

VOTE: Ayes - 7 Nays - 0

ATTEST:

Kathleen Castle
City Planner

TO: Planning Commission
FROM: Niki Hill, Planning and Economic Development Technician
DATE: May 23, 2014
SUBJECT: File No. 2527-14-17, Variance – John and Julie Pierson, 5110 Lexington Avenue

INTRODUCTION AND BACKGROUND

John and Julie Pierson, submitted a variance application for a detached accessory structure to increase the maximum allowed floor area from 150 sq. ft. to 576 sq. ft. and to reduce the required 20-foot structure setback from Kimberly Lane to 12-feet. A variance is also needed to exceed the maximum area permitted for all accessory structures on the property. The proposed detached accessory structure would be used to store their children's vehicles, bikes, garbage cans, and other household items that if stored outside would detract from the neighborhood. The application was complete May 15, 2014.

The property is a substandard riparian lot located in the R1 – Detached Residential District on the west side of Turtle Lake. Access to the property is via Kimberly Lane, an unimproved public road. The surrounding properties are used for detached single family dwellings and Turtle Lake is to the east. The west lot line abuts the street, and is the defined front lot line. The existing house is setback 127.5 feet from the front lot line and 165 feet from the OHW. The rear lot line is at the OHW of Turtle Lake. All of the other lot lines are defined as side lot lines.

The lot is developed with a 2,441 square foot two-story house with a walk-out basement on the lakeside and 987-square foot attached garage. The L-shaped lot has an area of 30,228 square feet. The width of the lot is 95 feet at the front lot line (the street) and narrows to about 55 feet at the OHW. There is an existing 23 foot by 24 foot concrete slab located on the property 25.4 feet from the front property line and to the south of the driveway.

PROJECT DESCRIPTION

The existing 23' x 24' concrete slab would be removed to build a 24' x 24', 576 square foot detached two car garage. The proposed detached accessory structure would have a peak height of 17'8" and interior storage space designed with a 6' ceiling height. The upper storage area will be reached via an interior staircase as noted in the plans. The structure has a slightly larger floor area than the existing concrete slab but the location has been moved to allow the homeowner to retain use of the existing driveway, lessen the impact on the yard, and to install a slab consistent with the requirements of the building code. Please refer to the attached plans.

DEVELOPMENT CODE

Regulations pertaining to accessory structures were revised in April 2006 to address the compatibility of such structures in residential neighborhoods. Changes to the ordinance focused on the permitted area, exterior design and construction of these structures.

The maximum permitted area of a detached accessory structure located on parcels less than one acre in size with an attached two car garage (or larger) is 288 square feet. The combined area of all accessory structures is limited to the lesser of 1,200 square feet or 90% of the foundation area of the dwelling. The applicant has requested a variance to allow a 576-square foot detached garage, bringing the total of all accessory structures to 1,563 square feet.

Regarding height, the maximum height permitted is 18 feet, as measured from the highest roof peak to the finished grade. In no case, shall the height of the accessory structure exceed the height of the dwelling unit. Storage areas are permitted above the main floor provided they do not exceed an interior height of 6 feet.

On riparian lots, detached accessory structures can be placed in the front yard adjacent to the street provided certain standards are met and a Riparian Lot – Detached Accessory Structure Permit is granted. From the front property line, these structures are required to maintain a minimum setback of 20-feet.

The exterior design and materials used in the accessory structure must be compatible with the dwelling unit and be similar in appearance from an aesthetic, building material and architectural standpoint. The proposed design, scale, massing, height and other aspects related to the accessory structure needs to be evaluated with consideration of structures and properties in the surrounding area.

Variance Criteria

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

1. *The property in question cannot be put to a reasonable use if used under the conditions allowed by the City's Development Code.*
2. *The hardship is due to circumstances unique to the property in question and was not created by the property owner.*
3. *The variance will not alter the essential character of existing neighborhoods.*

For a variance to be granted, all three of the criteria need to be met.

APPLICANT'S JUSTIFICATION OF HARDSHIP

The applicant states that they are requesting three variances to enable building a detached garage on their property. The first variance is to the minimum front setback. The applicant proposes reduction on the minimum 20 foot setback to 12 feet. This request is based on the configuration of the existing driveway and the angle of the proposed structure to align with it.

The second variance needed to exceed the 288 square foot maximum area for a detached structure.

The third variance is for the total allowable square feet for accessory structures. They would like to exceed the maximum allowable for accessory structures from 1200 square feet to 1,563 square feet.

See applicant's statement.

STAFF REVIEW

Staff reviewed the plans in accordance with the variance criteria. While the characteristics of this lot and neighborhood mitigate the impact of the proposed structure, staff is not able to make findings that practical difficulty is present. Again, all three criteria need to be met. In this case, staff cannot make affirmative findings regarding unique circumstances.

Front Setback Variance

The need for this variance request is due to the encroachment of the structure on the minimum 20-foot setback required from the lot line. Staff does not find that the setback practical difficulty exists since it appears unique circumstances are not present. There is an existing slab on the property that is setback 25 feet from the property line. A new accessory structure could be reconstructed in this same area without the need for the setback variance.

The lot has frontage on Kimberly Lane, an unimproved public right of way. Staff does agree that the fact that the public right of way is unimproved and is not a through street lessens the impact on the location. The area along Kimberly Lane along the front lot line is also screened with coniferous trees. The garage door is oriented away from Kimberly Lane which would help to minimize the visual impact.

While the proposed 12-foot setback will not impact Kimberly Lane, the lot does not have unique circumstances that prevent the structure from being placed at the minimum 20-foot setback.

Accessory Structure Size Variance and Total Accessory Structure Size Variance

A variance is also needed to allow the proposed structure to exceed the maximum area permitted which is 150 square feet. On this property, a detached accessory structure of up to 150 square feet is permitted with a building permit. A detached accessory structure 150 square feet to 288 square feet in size is permitted with a conditional use permit. The City Code limits the total floor area of all accessory structures to the lesser of 1,200 square feet or 90% of the living area foundation on lots less than one-acre. The attached garage has a floor area of 987 square feet and the proposed detached garage has an area of 576 square feet. The foundation area of the house is 2,441 square feet. The proposed 1,563 square feet of total accessory floor area is about 64% of the living area foundation.

While Staff believes that the proposed structure is a reasonable use of the property not allowed by code, findings that there is practical difficulty present for the size of the proposed garage can not be made as there is not a unique circumstance present. The variance application is driven by storage needs and not a unique circumstance of the property.

This existing house was built in 2011 and received approval through the residential design review process. The previous house on the property had a 960 square foot detached garage in approximately the same location, which was permitted at the time. This structure was removed to comply with the maximum area requirements for accessory structures. The approved home plans submitted for the residential design review included the 987 square foot attached garage. The retention of the previous structures on the property would have required a variance.

Additional interior storage space on the property is permitted provided the maximum area for all accessory structures does not exceed 1,200 square feet. A detached accessory structure up to 213 square feet in size could be constructed with a conditional use permit. While the applicant indicates more interior storage space is needed, the Development Code does provide this option.

The other findings pertaining to reasonable use and neighborhood character may be supported due to the larger lot size (.77 acres), nature of Kimberly Lane, vegetation and lakeshore frontage. While these characteristics are present, the finding regarding unique circumstances presents some difficulty.

PUBLIC COMMENT

Property owners within 150 feet were notified of the applicant's request. No comments were received.

STAFF RECOMMENDATION

As noted above, staff is not able to make affirmative findings regarding practical difficulty and so cannot recommend approval to the Planning Commission. All three criteria need to be met for the variance to be granted. In this case, it is difficult to support the proposal because it appears unique circumstances are not present. The request is driven by storage needs rather than circumstances unique to the property. In accordance with the existing development code regulations, additional interior storage space could be provided on the property with either a building permit (up to 150 square feet) or a conditional use permit (up to 213 square feet).

If the Commission is able to make the needed findings, adopt the attached Resolution 14-31, including findings of fact. The following conditions should be attached to an approval:

1. The project must be completed in accordance with the plans submitted as part of the Variance application. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. This approval will expire after one year if a building permit has not been issued and work has not begun on the project.
3. This approval is subject to a 5-day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity begins.
4. The exterior design and construction of the structure must comply with Section 205.082 (5e), Exterior Design and Construction.
5. Use of the accessory structure shall be for personal use only and no commercial use or commercial related storage is permitted.

Attachments

- 1) Location Map
- 2) Aerial Map
- 3) Applicant's Statement
- 4) Submitted Plans
- 5) Resolution 14-31
- 6) Motion

**EXTRACT OF MINUTES OF MEETING OF THE
PLANNING COMMISSION OF SHOREVIEW, MINNESOTA
HELD MAY 27, 2014**

* * * * *

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

The following members were present:

And the following members were absent:

Member _____ introduced the following resolution and moved its adoption.

**RESOLUTION NO. 14-31 FOR A VARIANCES RELATED TO A DETACHED
ACCESSORY STRUCTURE**

WHEREAS, John and Julie Pierson, submitted a variance application for the following described property:

LOT 2, BLOCK 2, UNSTAD ADDITION, EXCEPT THAT PART OF THE NORTH 20 FEET OF SAID LOT 2 LYING EAST OF A LINE 210 FEET EAST OF, MEASURED AT A RIGHT ANGLES TO AND PARALLEL WITH THE WEST LINE OF SAID LOT 2; TOGETHER WITH THAT PART OF THE SOUTH 20 FEET OF LOT 1, BLOCK 2 OF SAID UNSTAD ADDITION LYING WEST OF A LINE 210 FEET EAST OF, MEASURED AT A RIGHT ANGLES TO AND PARALLEL WITH THE WEST LINE OF SAID LOT 1, RAMSEY COUNTY, MINNESOTA.

TOGETHER WITH AN EASEMENT FOR JOINT DRIVEWAY PURPOSES OVER AND ACROSS THE NORTH 2 FEET OF THE SOUTH 22 FEET OF THE WEST 57 FEET OF SAID LOT 1, BLOCK 2, UNSTAD ADDITION.

(This property is more commonly known as 5110 Lexington Avenue)

WHEREAS, the Development Regulations establish a minimum building setback of 20 feet from a front property line, adjacent to a Right of Way for detached accessory structure on a riparian lot.; and

WHEREAS, the Development Regulations establish a maximum detached accessory structure size of 150 square on parcels less than 1 acre in size which may be increased to square footage of 288 square feet with a Conditional Use Permit; and

WHEREAS, the Development Regulations state the a maximum area of all accessory structures shall not exceed 90% of the dwelling unit foundation area or 1,200 square feet whichever is more restrictive; and

WHEREAS, the applicants are proposing to build a 24 foot by 24 foot, 576 square foot detached accessory; and

WHEREAS, the applicant has requested the following variances for said structure;

- 1) To reduce the minimum 20-foot front yard setback required to 12 feet; and
- 2) To exceed the maximum 150 square feet permitted (or 213 square feet with a conditional use permit) as a 576 square foot structure is proposed; and
- 3) To exceed the maximum accessory structure square footage permitted of 1200 square feet as 1,563 square feet is proposed; and

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

WHEREAS, on May 27, 2014 the Shoreview Planning Commission made the following findings of fact:

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

NOW, THEREFORE, BE IT RESOLVED BY THE SHOREVIEW PLANNING COMMISSION, that the variance request for property described above, 5110 Lexington Avenue, be approved, subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the Variance application. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. This approval will expire after one year if a building permit has not been issued and work has not begun on the project.
3. This approval is subject to a 5-day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity begins.
4. The exterior design and construction of the structure must comply with Section 205.082 (5e), Exterior Design and Construction.
5. Use of the accessory structure shall be for personal use only and no commercial use or commercial related storage is permitted.

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

And the following voted against the same: None

Adopted this 27th day of May, 2014

Steve Solomonson, Chair
Shoreview Planning Commission

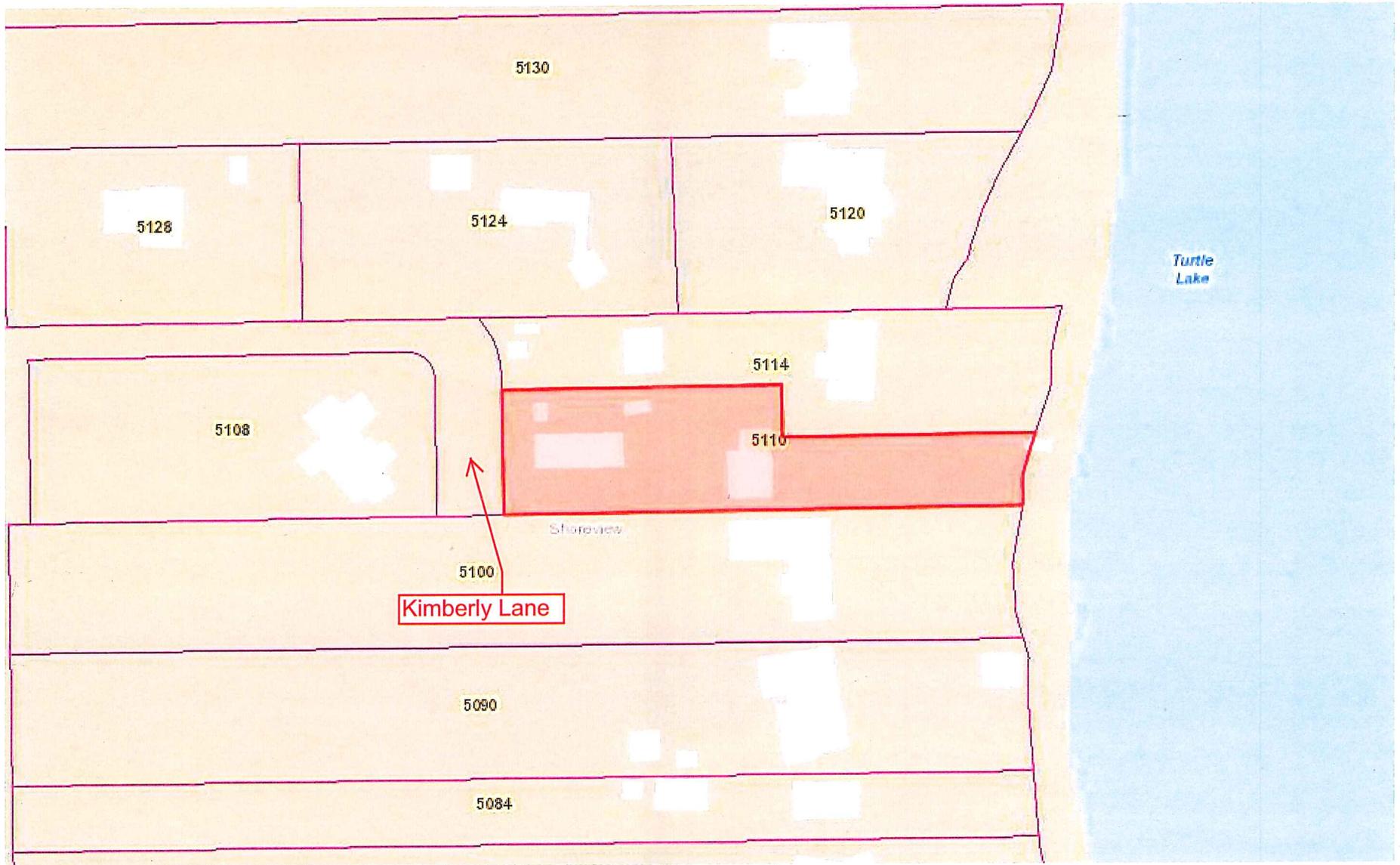
ATTEST:

Kathleen Castle, City Planner

ACCEPTANCE OF CONDITIONS:

John Pierson, 5110 Lexington Avenue

Julie Pierson, 5110 Lexington Avenue



208.3 0 104.17 208.3 Feet

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1:1,250





5110 Lexington Avenue N



Legend



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

Notes

Enter Map Description

171.9 0 85.95 171.9 Feet

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5110 Lexington Avenue



Legend



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

Notes

Enter Map Description

68.8 0 34.38 68.8 Feet

NAD_1983_HARN_Adj_MN_Ramsey_Feet
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5110 Lexington Avenue

Print Date: 05/23/2014

Image Date: 03/25/2012

Level: Neighborhood

May 14, 2014,

City of Shoreview
Planning Commission
4600 Victoria St North
Shoreview, Mn 55126

RE: Variance Request for the Permit application to build a detached garage at 5110 Lexington Ave N in Shoreview

Dear Sir or Madam:

The purpose of this letter is to document a requested variance to build a detached garage structure on our property at 5110 Lexington Ave in Shoreview, and demonstrate the practical difficulties in complying with the existing city code.

Per the General requirements numbers 1 & 3, a property total garage space, attached and detached is limited to 1200 sq ft and property with an existing attached garage is limited to a detached structure whose total floor area shall not exceed 150 sq feet, except that this may be increased to a maximum of 288 sq ft with a Conditional Use Permit. We are requesting variances related to these general requirements. We are also requesting a variance to reduce the required 20 foot structure setback from Kimberly Lane to 12 feet.

Compliance with City Code Section 201.10

The purpose of our proposed detached garage is to provide a covered and enclosed area to store our children's vehicles, bikes, garbage cans and other household items that if stored outside would detract from our neighborhood. What specifically applies to our situation is Code (A) maintaining a high quality of life and (D) – stabilizing and improving land uses and property values by minimizing conflicts and intrusions. We do not intend to use this garage for commercial use, which is contrary to our residential neighborhood.

Practical Difficulties – Square Footage

Our proposed detached garage is a two-car structure approximately 576 sq feet .

- i. A garage of this size would cause minimal impact to our neighborhood due to the following: 1. Uniqueness of the lot – we are on a lake property where garages in the “front” yard, away from the lake, are more desirable and are common 2. Consistent with adjacent property – our neighbors at 5114 Lexington have a detached shed and garage approximately the same size as we are proposing and in the same vicinity as our proposed structure. 3. Our lot size is .77 acre or approximately 30,000 square feet. A structure of this size would not detract from our existing home nor the neighborhood.

- ii. The location of the garage would not detract from our current home in that the garage would be at the entrance to our property near Kimberly Lane, which is an unmaintained city road, and to our neighbors at 5114 Lexington's existing shed and detached two-car garage which is similar in size to the one we are proposing. This would not be visible from any frequently used public streets and also not visible from Turtle Lake. See site plan for placement.
- iii. Our storage needs are greater than our existing garage. We have 5 children; 3 of them currently with their driver's license. We have 2 vehicles for them to drive and we would like to build a two-car garage in order to store their vehicles inside for security and for protection in the winters. While we can use the property now to park the cars outside, this causes additional wear and tear on the vehicles and is not ideal for keeping our property from looking like a used car lot. We are sensitive to our neighbors' views and feel a garage would be more pleasing than parked cars in our driveway.
- iv. Our situation is unique to the property and not created by us as the homeowners in that when we bought the property, there were previously two detached structures built in the "front" yard. (see site plan, sheet A) Both of these structures were used as garages. While we wanted to keep these existing structures for storage needs, further examination by our builder told us they were in need of serious roof repair and repair to the inside due to squirrel damage. For safety as well as aesthetic purposes (these garages were in poor condition and would not have matched our house,) we tore the structures down with the intention of rebuilding a better structure on that same site at a later date. We retained a portion of the cement flooring for parking purposes. Our proposed structure is currently 1 foot wider than our existing cement slab. While our structure has already been demolished, we are proposing building a structure smaller than the one that existed in the same location.
- v.
 - A. The character of the neighborhood would not be altered because we would build this garage in an attractive manner, similar to our existing home and plan to landscape around it to make it pleasing to our neighbors.
 - B. Structures like the one we are proposing are not an uncommon feature of property owners on Turtle Lake. There is a precedent to have both an attached garage and also a detached structure. For example, 948 County Road I was built in 2010 where a previously existing structure was rebuilt to suite the owners needs.
 - D. The total square footage of all our accessory structures of 1,563 (987 existing garage plus 576 proposed) is significantly less than the required maximum of 90% of our foundation area of 2,441 which is 2,196.

Practical Difficulties – Required setback

- i. The required setback with the proposed garage at an angle would put it in the middle of our current driveway which would leave no room for a new driveway on the north side plus create much expense in blacktopping a new one. Reducing the required setback minimizes the impact to our yard and maximizes our existing open space that is currently a cement slab.

Other Considerations:

1. We are planning on putting a finished loft on top of the garage for use as storage. We would prefer the stairs to get to the loft be inside the garage both for security and safety. This adds approximately 4 feet to the width of the garage, which is what causes the total square footage to be over the allowance.
2. We'd like the planning commission to know that while we would like to be able to store all of our possessions on our property, and living on the lake seems to create more "possessions" we realize that we can't do that. We've tempered our request to at least address our most pressing issue, which is storage of our children's vehicles by reducing the size of our request by 25% to 576 sq feet. We have discussed this with our neighbors at 5100, 5108 and 5114 Lexington, none have expressed concerns about the structure.

5110 Lexington Ave proposed detached garage application

Erosion Control Plan

As part of erosion control we plan to put gutters on the garage in order to direct water properly. We will also landscape the area around the garage with grass and trees. The increase in impervious surface the proposed garage causes is .1 % or a total of 25.1% up from 25% of the existing house, driveway and garage. We currently have a 150 Sq ft rain garden which is positioned on the same side of the property as the proposed garage to catch and drain any additional runoff water.

Site Map explanation:

Document A: this is a certificate of survey of the property prior to us owning it. It illustrates the previous house, shed and garage. During demolition, we removed a portion of the existing garage and kept a 23' by 24' portion of the existing cement slab. The purple box labeled A is the portion of the slab we retained.

Document B: This illustrates our new home and the placement of the existing cement slab we currently have on our property.

Document C: This is the proposed garage placement on our property. The proposed garage is 24' by 24' with the door opening towards the existing driveway. We are essentially taking our existing 23' by 24' slab and turning it slightly.

CERTIFICATE OF SURVEY

FOR: TJB HOMES, INC.
 ADDRESS: 5110 LEXINGTON AVENUE, SHOREVIEW

Existing Survey

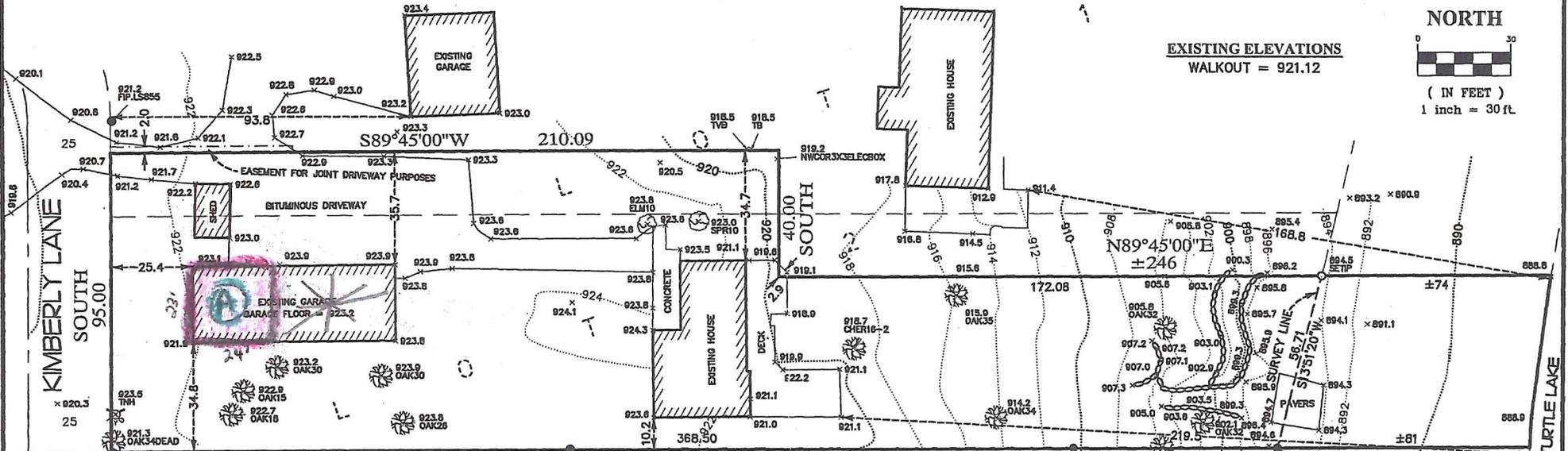
This survey was prepared without the benefit of title work. Easements, appurtenances, and encumbrances may exist in addition to those shown hereon. This survey is subject to revision upon receipt of a title insurance commitment or attorneys title opinion.

AREA CALCULATIONS

TOTAL LOT = ±33,268 sq. ft.
 Existing House = ±1,279 Sq. Ft.
 Existing Driveway = ±3,593 Sq. Ft.
 Existing Concrete = ±260 Sq. Ft.
 Existing Buildings = ±1,722 Sq. Ft.
 Existing Deck = ±807 Sq. Ft.



EXISTING ELEVATIONS
 WALKOUT = 921.12



LEGAL DESCRIPTION

LOT 2, BLOCK 2, UNSTAD ADDITION, EXCEPT THAT PART OF THE NORTH 20 FEET OF SAID LOT 2 LYING EAST OF A LINE 210 FEET EAST OF, MEASURED AT A RIGHT ANGLES TO AND PARALLEL WITH THE WEST LINE OF SAID LOT 2; TOGETHER WITH THAT PART OF THE SOUTH 20 FEET OF LOT 1, BLOCK 2 OF SAID UNSTAD ADDITION LYING WEST OF A LINE 210 FEET EAST OF, MEASURED AT A RIGHT ANGLES TO AND PARALLEL WITH THE WEST LINE OF SAID LOT 1, RAMSEY COUNTY, MINNESOTA. TOGETHER WITH AN EAEMENT FOR JOINT DRIVEWAY PURPOSES OVER AND ACROSS THE NORTH 2 FEET OF THE SOUTH 22 FEET OF THE WEST 57 FEET OF SAID LOT 1, BLOCK 2, UNSTAD ADDITION.

I hereby certify that this plan, survey 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.

Joshua P. Schneider

JOSHUA P. SCHNEIDER

Date: 12-21-10 Reg. No. 44655

NOTES

- FIELD SURVEY CONDUCTED ON DECEMBER 10TH, 2010.
- BEARING'S SHOWN ARE ON ASSUMED DATUM.
- CONTRACTOR TO VERIFY HOUSE DIMENSIONS, AND SEWER AND BASEMENT DEPTHS.
- FINISHED GRADE 10 FEET FROM PROPOSED BUILDING SHALL BE 0.5 FEET LOWER THAN THE FINISHED GRADE AT THE BUILDING.
- FINISHED GRADE ELEVATIONS ARE TO FINISHED SURFACE WITH TURF ESTABLISHMENT.
- DRIVEWAYS ARE SHOWN FOR GRAPHIC PURPOSES ONLY. FINAL DRIVEWAY DESIGN AND LOCATION TO BE DETERMINED BY CONTRACTOR

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET
- 1023 DENOTES PROPOSED ELEVATION
- x1011.2 DENOTES EXISTING ELEVATION
- DENOTES DIRECTION OF DRAINAGE
- DENOTES METAL SPIKE
- x DENOTES EXISTING FENCE
- ⊕ DENOTES FIRE HYDRANT
- ∞ DENOTES EXISTING RET. WALLS

JOB#10371bs

ACRE LAND SURVEYING
 Blaine, MN 55449
 763-238-6278 js.acrelandsurvey@gmail.com

Original Slabs we kept

(B)

New House, Existing slab

Mar. 2, 2011 1:25PM

Received

FEB 20 2011

CERTIFICATE OF SURVEY

FOR: TJD HOMES, INC.
ADDRESS: 6110 LEXINGTON AVENUE, SHOREVIEW

Sylvia Perisa
John Perisa
Officer

This survey was prepared without the benefit of title work. Easements, appurtenances, and encumbrances may exist in addition to those shown hereon. This survey is subject to revision upon receipt of a title insurance commitment or attorney's title opinion.

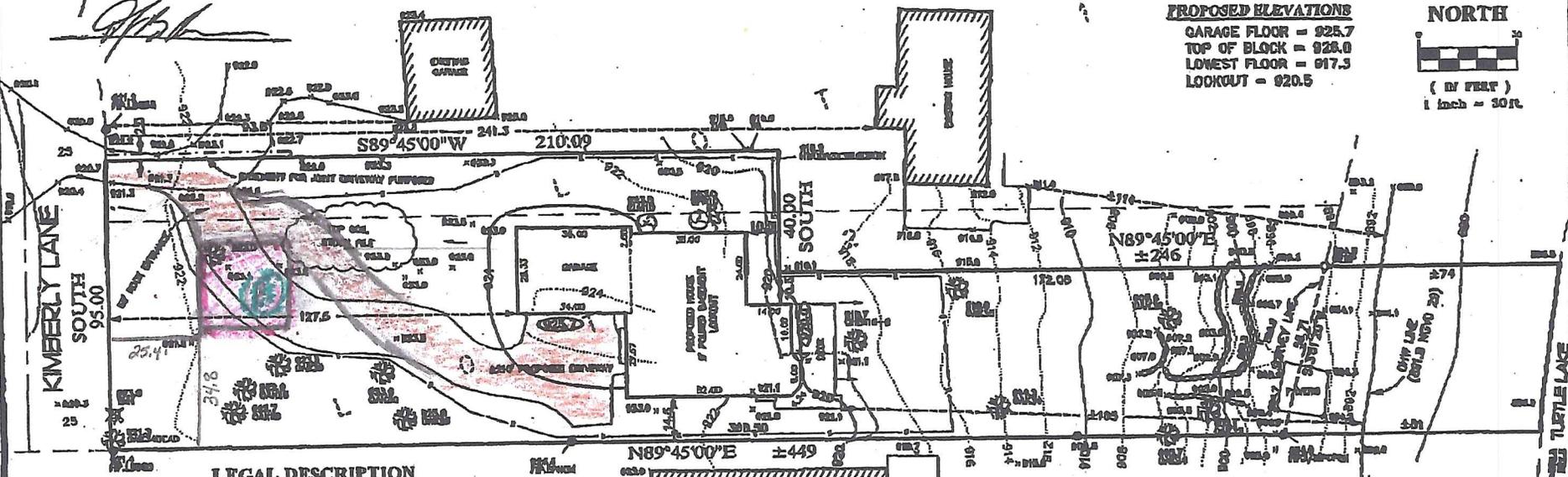
AREA CALCULATIONS
TOTAL LOT = ±30,227 sq. ft.
Proposed House = ±1472 Sq. Ft.
Proposed Driveway = ±1,850 Sq. Ft.
Proposed Porch = ±23 Sq. Ft.
Impervious Surface = ±23,224

PROPOSED ELEVATIONS

GARAGE FLOOR = 925.7
TOP OF BLOCK = 928.0
LOWEST FLOOR = 917.3
LOOKOUT = 920.5

NORTH

(IN FEET)
1 inch = 30 ft.



LEGAL DESCRIPTION

LOT 2, BLOCK 2, UNSTAD ADDITION, EXCEPT THAT PART OF THE NORTH 20 FEET OF SAID LOT 2 LYING EAST OF A LINE 210 FEET EAST OF, MEASURED AT A RIGHT ANGLE TO AND PARALLEL WITH THE WEST LINE OF SAID LOT 2; TOGETHER WITH THAT PART OF THE SOUTH 20 FEET OF LOT 1, BLOCK 2 OF SAID UNSTAD ADDITION LYING WEST OF A LINE 210 FEET EAST OF, MEASURED AT A RIGHT ANGLE TO AND PARALLEL WITH THE WEST LINE OF SAID LOT 1, RAMSEY COUNTY, MINNESOTA, TOGETHER WITH AN EASEMENT FOR JOINT DRIVEWAY PURPOSES OVER AND ACROSS THE NORTH 2 FEET OF THE SOUTH 22 FEET OF THE WEST 57 FEET OF SAID LOT 1, BLOCK 2, UNSTAD ADDITION.

I hereby certify that this plan, survey 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.

J.P.S.
JOSHUA P. SCHNEIDER

Revised: 2-4-11
Revised: 1-7-11
Revised: 12-27-10
Date: 12-21-10 Reg. No. 44605

NOTES

- EXISTING HOUSE TO BE REMOVED. NOT SHOWN HEREON.
- HOUSE PLACEMENT AND ELEVATIONS SET BY OWNER.
- FIELD SURVEY CONDUCTED ON DECEMBER 10TH, 2010.
- BEARING'S SHOWN ARE ON ASSUMED DATUM.
- CONTRACTOR TO VERIFY HOUSE DIMENSIONS, AND SEWER AND BASEMENT DEPTHS.
- FINISHED GRADE 10 FEET FROM PROPOSED BUILDING SHALL BE 0.5 FEET LOWER THAN THE FINISHED GRADE AT THE BUILDING.
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- DENOTES PROPOSED SILT FENCE
- DENOTES PROPOSED ELEVATION
- DENOTES EXISTING ELEVATION
- DENOTES DIRECTION OF DRAINAGE
- DENOTES METAL SPIKE
- DENOTES EXISTING FENCE
- DENOTES FIRE HYDRANT
- DENOTES EXISTING RET. WALLS

JOB#10371bs

ACRE LAND SURVEYING
Stable, MN 55448
703-233-6276 jps@acrelandsurveying.com

Address File

FINAL GRADE AS-BUILT

FOR: TJB HOMES, INC.

ADDRESS: 610 LEXINGTON AVENUE, SHOREVIEW

Proposed Garage Placement

This survey was prepared without the benefit of title work. Easements, appurtenances, and encumbrances may exist in addition to those shown hereon. This survey is subject to revision upon receipt of a title insurance commitment or attorney's title opinion.

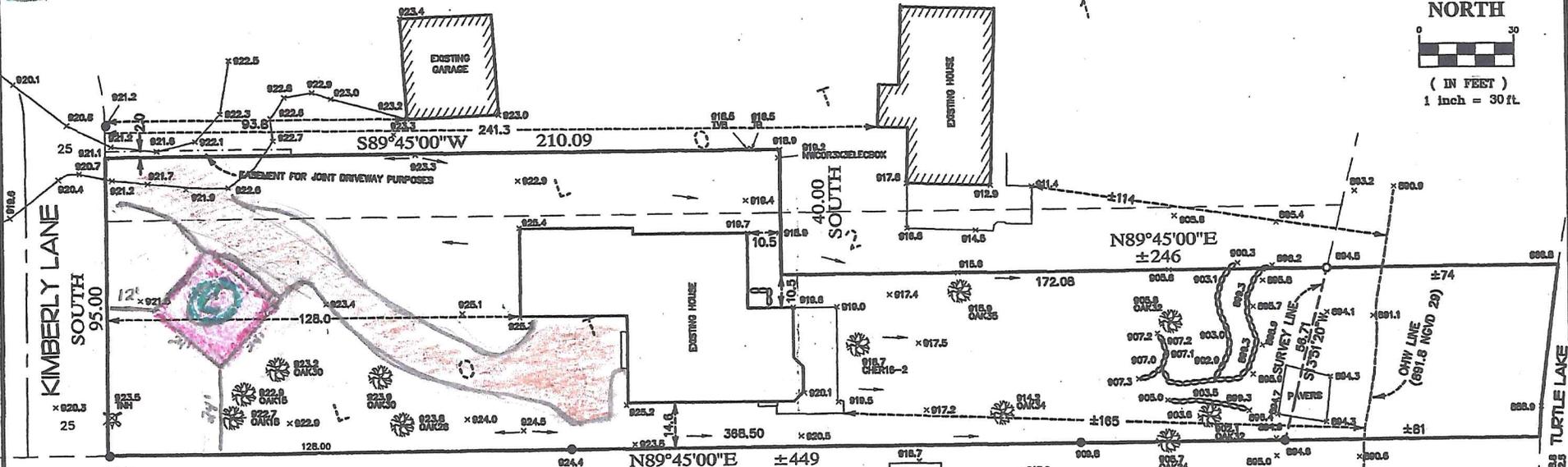
EXISTING ELEVATIONS

GARAGE FLOOR = 925.7
TOP OF BLOCK = 926.0
LOWEST FLOOR = 917.3
LOOKOUT = 921.0

NORTH



(IN FEET)
1 inch = 30 ft.



LEGAL DESCRIPTION

LOT 2, BLOCK 2, UNSTAD ADDITION, EXCEPT THAT PART OF THE NORTH 20 FEET OF SAID LOT 2 LYING EAST OF A LINE 210 FEET EAST OF, MEASURED AT A RIGHT ANGLES TO AND PARALLEL WITH THE WEST LINE OF SAID LOT 2; TOGETHER WITH THAT PART OF THE SOUTH 20 FEET OF LOT 1, BLOCK 2 OF SAID UNSTAD ADDITION LYING WEST OF A LINE 210 FEET EAST OF, MEASURED AT A RIGHT ANGLES TO AND PARALLEL WITH THE WEST LINE OF SAID LOT 1, RAMSEY COUNTY, MINNESOTA, TOGETHER WITH AN EASEMENT FOR JOINT DRIVEWAY PURPOSES OVER AND ACROSS THE NORTH 2 FEET OF THE SOUTH 22 FEET OF THE WEST 57 FEET OF SAID LOT 1, BLOCK 2, UNSTAD ADDITION.

I hereby certify that this plan, survey 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.

Joshua P. Schneider
JOSHUA P. SCHNEIDER

Date: 8-2-11 Reg. No. 44655

NOTES

- FIELD SURVEY CONDUCTED ON AUGUST 1ST, 2011.
- BEARING'S SHOWN ARE ON ASSUMED DATUM.
- CONTRACTOR TO VERIFY HOUSE DIMENSIONS, AND SEWER AND BASEMENT DEPTHS.
- FINISHED GRADE 10 FEET FROM PROPOSED BUILDING SHALL BE 0.5 FEET LOWER THAN THE FINISHED GRADE AT THE BUILDING.
- FINISHED GRADE ELEVATIONS ARE TO FINISHED SURFACE WITH TURF ESTABLISHMENT.
- DRIVEWAYS ARE SHOWN FOR GRAPHIC PURPOSES ONLY. FINAL DRIVEWAY DESIGN AND LOCATION TO BE DETERMINED BY CONTRACTOR

- S — DENOTES PROPOSED SILT FENCE
- 1023 DENOTES PROPOSED ELEVATION
- x1011.2 DENOTES EXISTING ELEVATION
- > DENOTES DIRECTION OF DRAINAGE
- DENOTES METAL SPIKE
- x— DENOTES EXISTING FENCE
- ⊗ DENOTES FIRE HYDRANT
- ⊕ DENOTES EXISTING RET. WALLS

JOB#10371GAB

ACRE LAND SURVEYING
Blaine, MN 55449
763-238-6278 ja.acrelandsurvey@gmail.com

EXISTING 1/2" ELEVATION = 888.8
100' W FLOOD ELEVATION = 882.5







ALTERNATE MOTION TO APPROVE

MOVED BY COMMISSION MEMBER: _____

SECONDED BY COMMISSION MEMBER: _____

To adopt the attached Resolution 14-31, including findings of fact, permitting the construction of 576 square foot detached accessory structure for John and Julie Pierson on their property at 5110 Lexington Avenue North. Said approval is subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the Variance application. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. This approval will expire after one year if a building permit has not been issued and work has not begun on the project.
3. This approval is subject to a 5-day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity begins.
4. The exterior design and construction of the structure must comply with Section 205.082 (5e), Exterior Design and Construction.
5. Use of the accessory structure shall be for personal use only and no commercial use or commercial related storage is permitted.

Said approval is based on the following findings of fact:

VOTE:

AYES:

NAYS:

Regular Planning Commission Meeting
May 27th, 2014

MOTION TO DENY

MOVED BY COMMISSION MEMBER: _____

SECONDED BY COMMISSION MEMBER: _____

To deny the following variances submitted by John and Julie Pierson, 5110 Lexington Avenue for the construction of a 576 square foot two car detached garage on their property.

- 1) To reduce the minimum 20-foot front yard setback required to 12 feet; and
- 2) To exceed the maximum 150 square feet permitted (or 213 square feet with a conditional use permit) as a 576 square foot detached accessory structure is proposed; and
- 3) To exceed the maximum accessory structure square footage permitted of 1200 square feet; 1,563 square feet proposed

Said denial is based on the following findings of fact:

- 1) Practical difficulty is not present as all three criteria have not been satisfied.
- 2) Unique Circumstances: The plight of the property owner is not due to circumstances unique to the property. Existing property conditions would permit a structure to be setback 20-feet from the right-of-way line of Kimberly Lane. The proposed size of the structure is related to storage needs and not a unique characteristic of the property.
- 3) Additional interior storage space can be constructed on the property in accordance with the Development Code standards.

VOTE:

AYES:

NAYS:

Regular Planning Commission Meeting
May 27th, 2014

TO: Planning Commission
FROM: Kathleen Castle, City Planner
DATE: May 21, 2014
SUBJECT: File No. 2530-14-20 Moser Homes, Inc.; Minor Subdivision and Variance, 3339 Victoria Street North

INTRODUCTION

Robert Moser of Moser Homes, Inc. has submitted a minor subdivision application to divide the property at 3339 Victoria Street into two parcels for single-family residential development. In addition, a variance application was also submitted for both the proposed parcels to exceed the maximum building setback permitted for the future homes.

BACKGROUND

The property is currently owned by the City of Shoreview. The City acquired the property, through the Economic Development Authority, in 2013 with the objective of resolving long-standing housing and property maintenance conditions on the property and redeveloping the property with housing that supports the City's housing goals and is compatible with the surrounding single-family residential land uses.

The property has a lot area of 1.5 acres and a lot width of 91.17 feet along Victoria Street. It is a "key lot", with the north side lot line abutting the rear lot line of homes immediately to the north. The City hired a contractor to remove the blighted house and accessory structures and disturbed areas have been restored, with the exception of some finishing work after two existing wells are sealed. Vegetation on the property is primarily located along the boundaries and in the western portion of the property. There is also a wetland area located in the northwest corner of the property.

The City distributed solicited a Request for Proposal earlier this year from qualified developers/builders for seeking purchase offers and concept redevelopment plans. Moser Homes, Inc. submitted a proposal that was accepted by the Economic Development Authority. If the submitted applications are approved, a purchase agreement will be executed with an anticipated closing date later this summer.

This application was complete as of May 19, 2014.

MINOR SUBDIVISION

Development Ordinance Requirements. Minor subdivisions require review by the Planning Commission and approval by the City Council. Minor subdivisions must be reviewed in accordance with subdivision and zoning district standards in the Development Regulations.

The City's subdivision standards require all lots to front on a publicly dedicated right-of-way. Municipal sanitary sewer and water must be provided to the resulting lots. These standards also require 5-foot public drainage and 10-foot utility easements along property lines where necessary. Public drainage and utility easements are also required over infrastructure, watercourses and floodways.

Key lots (any lot where the side lot line abuts the rear lot line of one or more adjoining parcels) are discouraged and must be at least 15-feet more in depth or width than the minimum required. When a side lot line abuts a rear lot line, the setback for principal and accessory structures increases to a minimum of 20-feet from a side lot line. Through the subdivision process, the City can require a greater width or depth to increase the proposed structure setback from the adjoining properties.

The property is zoned R1, Detached Residential, as are the adjacent properties. In this zoning district, the lot standards require a minimum lot area of 10,000 square feet and a width of 75 feet. Regarding structure setbacks, the front yard setback of the proposed homes is based on the setbacks of the adjacent homes, since the homes are more than 40 feet from the front property line. The front yard setback for a dwelling to be constructed on a vacant lot shall be equal to the average of the front yard setbacks for such immediately adjacent dwelling plus or minus 10-feet. The dwelling must also maintain a minimum setback of 10 feet from a side property line and 30 feet from a rear property line. Accessory structures, including attached garage, must maintain a minimum setback of 5-feet from a side lot line.

STAFF REVIEW

Lot Standards

The proposed parcels comply with the minimum lot standards for parcels in the R1 zoning district. As stated earlier, the existing parcel is considered a key lot. With the subdivision, Parcel 2 will remain a key lot and is subject to the additional structure setback and lot depth or width requirements. The parcel exceeds the lot depth by more than 20 feet. This parcel has adequate width and depth to comply with the required 20-foot structure setback from the north side property line. Below is a table summarizing the proposed lots to the zoning requirements:

	Requirements	Parcel 1 (South)	Parcel 2 (North)
Area:	10,000 sf	31,685 sf	33,469 sf
Width: Key Lot	75 feet 90 feet*	75 feet (Average) 45.59 feet to 82 feet	75 feet (Average) 45.59 feet to 103.79 feet
Depth: Key Lot	125 feet 140 feet*	427.87 feet	454 feet

* For Key lots, an additional 15 feet is required for either the lot width or lot depth

Municipal Utilities

Municipal sanitary sewer and water service are already provided to property. Additional service stubs will need to be provided for the second parcel. The standard drainage and utility easements along the property lines will be required, as well as over the wetland area.

Access

The existing access driveway will be relocated farther to south. A single access point will remain on Victoria Street, however, there will be separate driveways serving each parcel. A private maintenance agreement between the two properties is required for shared access driveway serving the proposed homes.

Vegetation and Woodlands

The submitted survey identifies some landmark trees on the property that will be impacted by the construction of new homes. These trees include Cottonwoods, Boxelder and Ash. Landmark trees removed will need to be replaced at a ratio 2:1, in accordance with the City's regulations. Tree removal, replacement and protection will be addressed further in the Development Agreement.

Grading, Drainage and Stormwater Management

The site is relatively flat with topographical elevations ranging from 946 in the eastern portion of the site to 941 in the southwest corner of the property. The proposed homes are anticipated to be a split-level design with a walkout lower level. The submitted survey indicates that the grade will be raised approximately 1.5 feet for each building pad with the walkout design taking advantage of the sloping grade change at the rear of the property.

The building pads were placed in the western portion of the property because of the larger lot width. This portion of the site can accommodate two home sites. While the survey information identified the edge of the pond, surface water conditions on the site do vary and are seasonal. The pond in the northwestern corner of the property has a high water elevation of 942.6 feet with the recommended lowest opening for structure at 944.6 feet. In addition, there is a seasonal water basin in the southwestern corner of the property that appears to be at a similar elevation but is not identified on the survey. The building pads in their current proposed locations are problematic as they encroach into these wet areas or do not meet the required 16.5' wetland setback (Parcel 2).

The City has reviewed additional information since the application submittal, and the developer recognizes there is a need to move the proposed building pad locations further to the east. It appears that this is possible without encroaching upon any of the required building setbacks from the adjoining properties. This change does affect the variances that have been requested. The relocation of the building pads to the east would lessen the extent of the variances needed for the front yard structure setback. Additional information is needed to ensure that the proposed parcels have the area needed for the proposed development without impacting the surface water features. There may also be some additional opportunities to improve the drainage in the rear portion of the property, and will be further reviewed with the developer.

VARIANCE

The proposed building pad locations required variances to increase the maximum structure setback from front lot line from the required 67.5 feet to the following:

1. Parcel 1: 290.9 feet
2. Parcel 2: 300.7 feet

As stated earlier, the building pad locations will need to be moved further to the east, lessening the extent of the front yard setback variances needed for this development. Mr. Moser is currently exploring options and will be submitting revised plans. Until these plans are received, it is premature to act on the variance request.

PUBLIC COMMENT

Property owners within 350 feet were notified of the applicant's request. Written and verbal comments have been received expressing concern about site conditions, the location of surface water on the property, suitability of the site for development, wetland impacts, landscape screening and fencing. The written comments are attached.

STAFF RECOMMENDATION

The minor subdivision application has been reviewed in accordance with the standards of the Development Regulations. While the proposed parcels comply with the subdivision standards, staff believes there is a need for additional analysis of the site conditions pertaining to wetland area and seasonal water basin, which will likely impact the buildable area. Therefore, it is recommended that the Planning Commission table the application and extend the review period to 120 days. This will enable the applicant to address these issues and modify the subdivision and variance request, as needed.

Attachments

- 1) Site Aerial Photo
- 2) Submitted Statement and Plans
- 3) Response to Request for Comment
- 4) Motion



416.7 0 208.33 416.7 Feet

NAD_1983_HARN_Adj_MN_Ramsey_Feet
© Ramsey County Enterprise GIS

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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

1:2,500





Property address: 3339 Victoria Street, Shoreview, MN
Narrative For Minor Subdivision and Variance Applications
May 2, 2014

A variance is being requested for the property at 3339 Victoria Street to allow for a front yard setback greater than that dictated by City code. The attached survey shows two proposed parcels which meet or exceed City zoning standards for a single family residential lot. Due to the unique configuration of the property, the most practical location for homes on these lots is at a distance from Victoria Street greater than 10 feet from the average setback line of the two adjacent dwellings.

The attached copy of the Google Maps aerial perspective shows that variable front yard setbacks in this vicinity are predominant. As a result, if this variance is approved, the locations of the proposed homes will not alter the essential character of the neighborhood. It is important to note that the proposed use of the property will be compliant with all other city zoning standards and with the policies of the City's comprehensive plan.

Concept plans for homes proposed to be built on these lots are included with this application for your review. It is speculated that a foundation area for new homes on these lots will range between 2200 to 2800 square feet for the house and garage.

In summary, this variance is being requested as a result of a practical difficulty posed by a unique configuration of the property. We propose to construct homes consistent in nature to those in the neighborhood so that the character of the area will not be altered. If this variance is permitted, we will be able to use the property for its highest and best use and in a reasonable manner not currently permitted by Shoreview development regulations.

I appreciate your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bob Moser', written in a cursive style.

Bob Moser

SKETCH PLAN

~for~ MOSER HOMES, INC.
 ~of~ 3339 VICTORIA STREET
 SHOREVIEW, MN

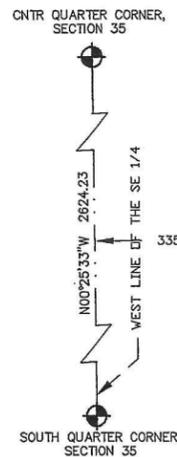
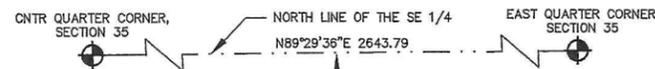
LEGAL DESCRIPTION PROVIDED BY CLIENT

(Quit Claim Deed, Doc. No. 3261484)

That part of the SE quarter of Section 35, Township 30, Range 23, Ramsey Co., Minnesota, described as follows: Beginning at a point 560 feet East of the West line and 260 feet South of the North line of said quarter section; thence North parallel with the West line of said quarter section 24 feet; thence Southeasterly at an included angle of 79 degrees 56 minutes with said East parallel line a distance of 135 feet more or less to the intersection with a line 260 feet South of and parallel with the said North line of the South East quarter of section 35; thence West 133 feet, more or less, to place of beginning.

TOGETHER WITH

The South 85 feet of the North 260 feet of the West 560 feet of the West half of the Southeast quarter of section 35, Township 30, Range 23, except the West 335 feet thereof; also all that part of the following described property which lies Westerly of Victoria Street: The West half of the Southeast quarter of section 35, Township 30, Range 23, except the South 2262 feet also except the North 260 feet also except the West 335 feet and also except that part of the Southeast quarter of section 35, Township 30, Range 23, described as: Beginning at the intersection of the Westerly line of Victoria street with a line 260 feet South of and parallel with the North line of said quarter section; thence Southwesterly along said Westerly line of Victoria Street 24 feet; thence Northwesterly at an included angle of 109 degrees 48 minutes with said Victoria Street a distance of 118 feet, more or less, to the intersection with said line 260 feet South of and parallel with the North line of said quarter section; thence East 128 feet, more or less, to place of beginning.

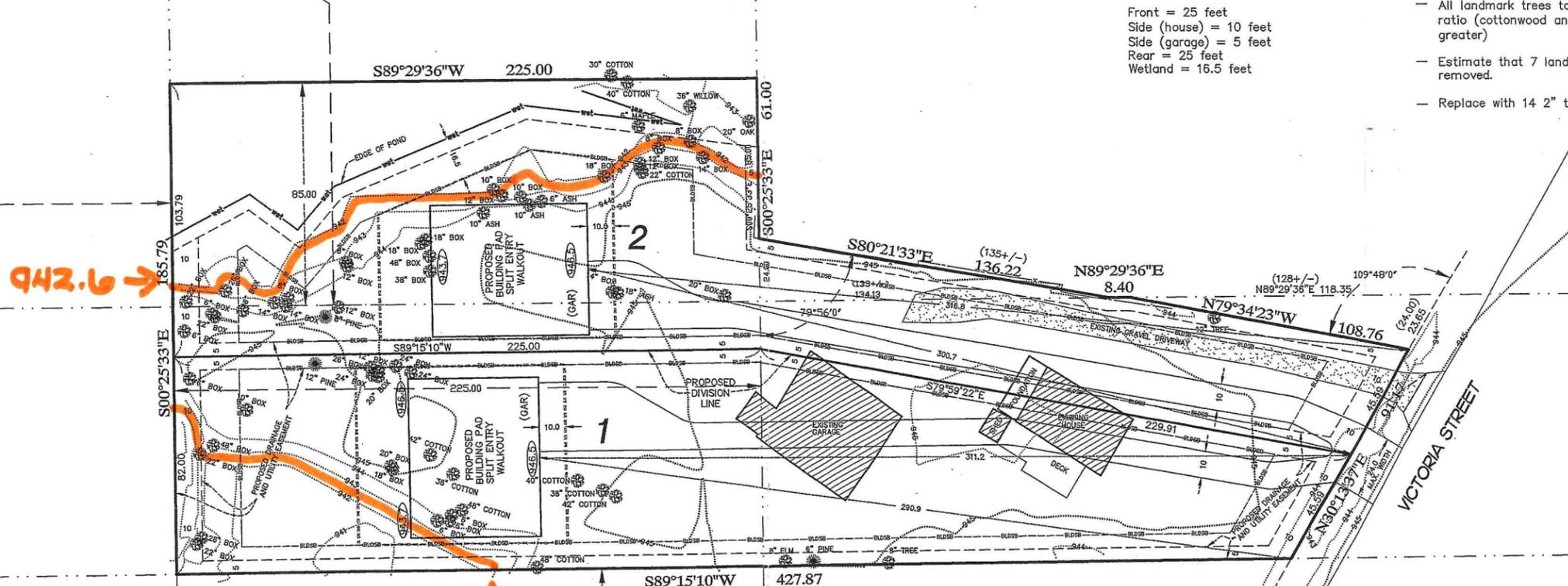


R-1 ZONING SETBACKS:

- Front = 25 feet
- Side (house) = 10 feet
- Side (garage) = 5 feet
- Rear = 25 feet
- Wetland = 16.5 feet

POSSIBLE TREE REPLACEMENT

- All landmark trees to be replaced at 2:1 ratio (cottonwood and boxelders 30" or greater)
- Estimate that 7 landmark trees will be removed.
- Replace with 14 2" trees



I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Daniel W. Obermiller
 DANIEL W. OBERMILLER

Date: 5/1/2014 License No. 25341

DEVELOPMENT DATA:

Overall parcel area = 65,154 sq. ft (1.50 acres)

Proposed Lot 1 = 31,685 sq. ft. (0.73 acres)

Proposed Lot 2 = 33,469 sq. ft. (0.77 acres)

Proposed density = 1.33 lots/acre

DENOTES PROPOSED BUILDABLE PAD AREA

NOTES:

- Boundary and topographic information per CAD file from SEH. Plans dated 8/22/13.
- No field work has been done by E.G. Rud and Sons, Inc. to verify boundary or topo.

NORTH

GRAPHIC SCALE

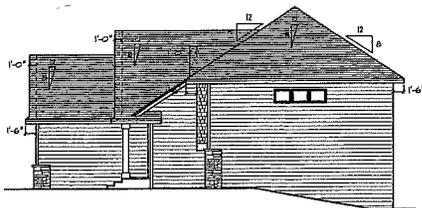


(IN FEET)
 1 inch = 30 ft.

E. G. RUD & SONS, INC.
 EST. 1977 Professional Land Surveyors
 6776 Lake Drive NE, Suite 110
 Lino Lakes, MN 55014
 Tel. (651) 361-8200 Fax (651) 361-8701

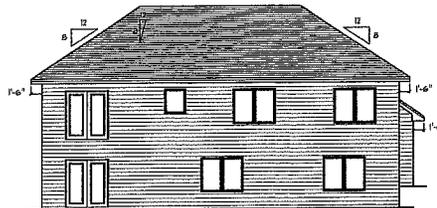
DRAWN BY: BAB	JOB NO: 14189MS	DATE: 4/24/14	
CHECK BY: DW	SCANNED		
1	4/30/14	CITY COMMENTS	BAB
2	5/1/14	BUILDING PADS	BAB
3			
NO.	DATE	DESCRIPTION	BY





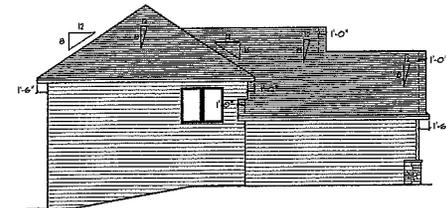
RIGHT ELEVATION

SCALE: 1/8" = 1'-0"



REAR ELEVATION

SCALE: 1/8" = 1'-0"



LEFT ELEVATION

SCALE: 1/8" = 1'-0"



MAIN FLOOR AREA: 1445 SQ. FT.
 FUTURE LOWER LEVEL: 1008 SQ. FT.
 TOTAL FINISHED AREA: 1445 SQ. FT.

FRONT ELEVATION

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

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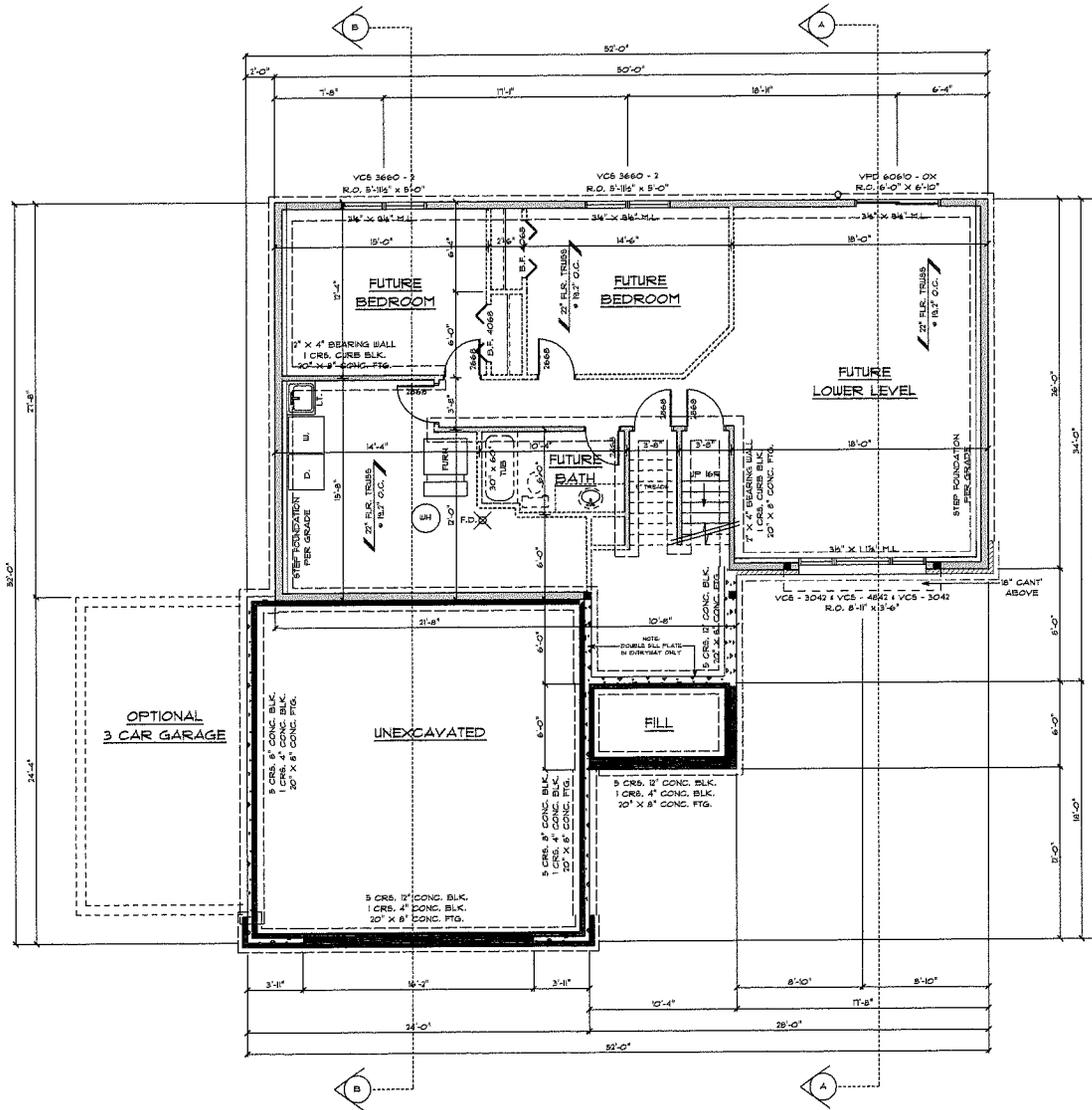
©2004 Royal Oaks Design, Inc.

MARATHON HOMES
 THREE BEDROOM SPLIT-LEVEL
 PLAN "B" SILVER

DATE:	B - 9 - 04
DRAWN BY:	J. SAVELA
CHECKED BY:	
REV. BY:	DATE:

19 18
ROYAL OAKS
 1 Sloop Hill, E. West, Suite 103, Shoreview, MN 55125 651.756.4771
 Fax: 651.761.0877 www.RoyalOaksDesign.com

PROJEC. NO:
 04049
 SHEET NO:
 1 OF 4



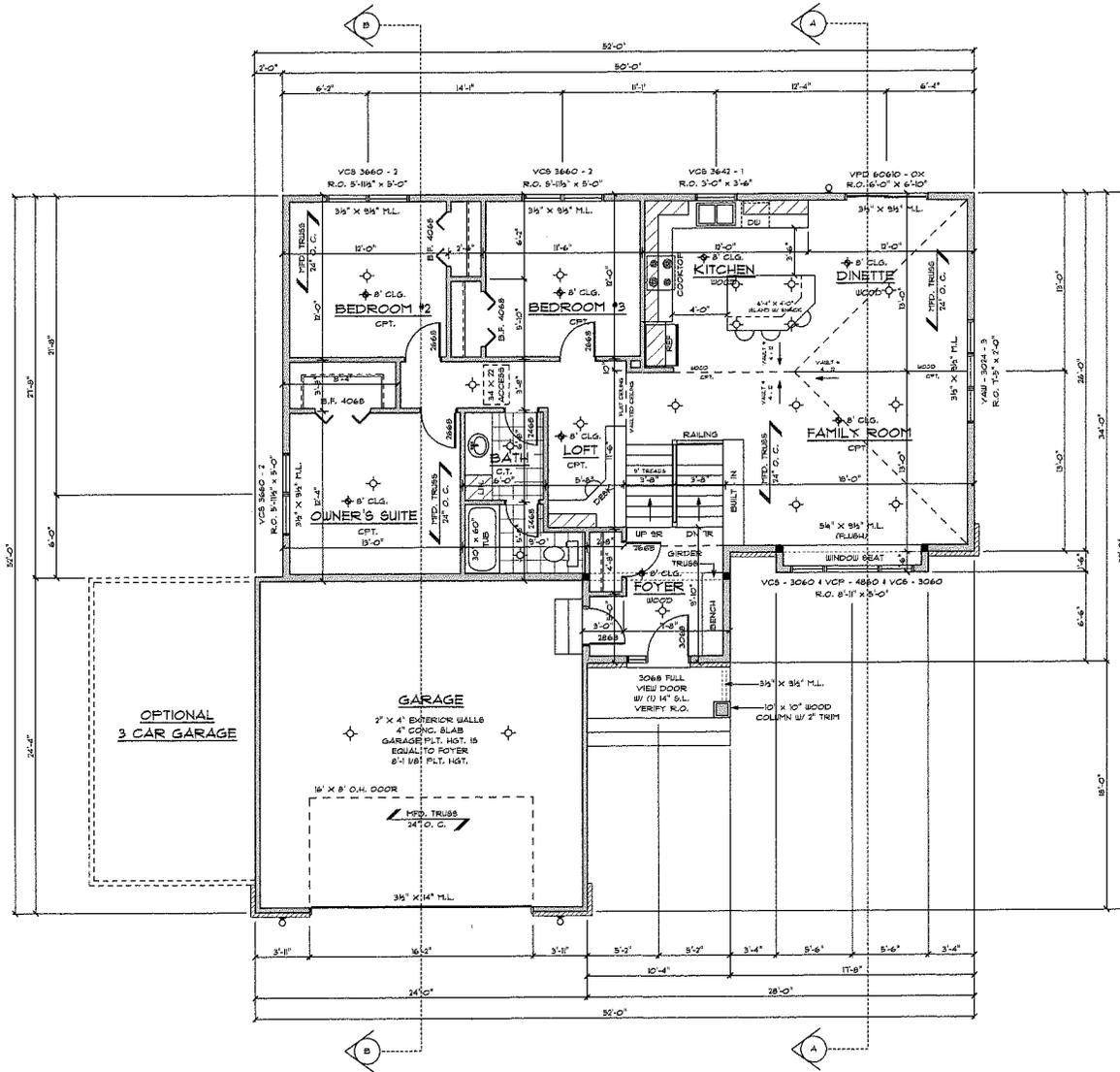
MAIN FLOOR PLT. HGT. 8'-4 1/8"
 GARAGE PLT. HGT. EQUAL TO FOYER PLT. HGT.
 ROOF PITCH 8/12
 MAIN FLOOR SYSTEM 22" FLR. TRUSS @ 18" O.C.
 FOUNDATION WALLS 5 CRS. 10" CONC. BLK.
 WINDOW HEIGHTS MAIN FLOOR 1'-0"
 FOUNDATION 1'-0"

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

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 omissions in any drawings or specifications required during actual
 construction. No representation is made by the Architectural Firm.

MARATHON HOMES
THREE BEDROOM SPLIT-LEVEL
PLAN "B" SILVER

DATE:	8 - 9 - 04
DRAWN BY:	J. SAVELLA
CHECKED BY:	
REV BY:	DATE:



MAIN FLOOR P.L.T. HGT. 8'-4 1/8"
 GARAGE P.L.T. HGT. EQUAL TO FOYER P.L.T. HGT.
 ROOF PITCH 8/12
 MAIN FLOOR SYSTEM 22" FLR. TRUSS @ 19.2" O.C.
 FOUNDATION WALLS 5 CRS. OF 10" CONC. BLK.
 WINDOW HEIGHTS MAIN FLOOR 7'-0"
 FOUNDATION 7'-0"

1445 SQ. FT.
MAIN FLOOR PLAN
 SCALE: 1/4" = 1'-0"

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MARATHON HOMES
THREE BEDROOM SPLIT-LEVEL
PLAN "B" SILVER

DATE:	8 - 9 - 04
DRAWN BY:	J. SAVELA
CHECKED BY:	
REV BY:	DATE:



Kathleen Castle <kcastle@shoreviewmn.gov>

2530-14-14 3339 Victoria Street/neighborhood request for comment

1 message

Michael Murtaugh <murta001@umn.edu>

Mon, May 19, 2014 at 11:12 PM

To: kcastle@shoreviewmn.gov

Cc: Connie Murtaugh <conniemurtaugh@comcast.net>

Dear Ms. Castle,

My wife and I live at 3307 Victoria Stree N. We are concerned about the variance request by Moser Homes. There is a significant wetland immediately south of the property that is not visible on aerial maps provided to us. The wetland should be viewed now to see how extensive it is and the extend of the standing body of water, which appears to extend into the 3339 Victoria Street property, near or abutting the proposed site of house construction. We are concerned that destruction or disruption of the wetland may be unavoidable during construction. Our neighbors at 3325 Victoria Street, which abuts the 3339 property, can attest to the natural flooding of this area which occurs every spring and persists into the summer.

We appreciate your consideration of our request and our desire to preserve the natural beauty of Shoreview.

Sincerely yours,
Michael Murtaugh

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



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

May 14, 2014

REQUEST FOR COMMENT

Dear Shoreview Property Owner:

Please be advised that on **Tuesday, May 27th at 7:00 p.m.**, the Shoreview Planning Commission will review Minor Subdivision and Variance applications for **3339 Victoria Street** submitted by **Moser Homes, Inc.** The applicant proposes to subdivide the property into two parcels to be used for the future construction of a new single family residence on each lot. A variance has been requested to increase the maximum 67.5-foot front yard setback to 290- and 300- feet for the new lots. The proposed lots conform to other requirements of the Municipal Code. Please see the attached plans.

You are encouraged to fill out the bottom portion of this form and return it if you have any comments or concerns. Comments received by **May 22nd** will be distributed to the Planning Commission with the Planning Commission agenda packet. Comments received after that date but before the meeting will be distributed to the Commission that night. You are also welcome to attend the meeting. The meeting is held in the City Council Chambers at Shoreview City Hall, 4600 North Victoria Street.

If you would like more information or have any questions, please call me at 651-490-4682 between 8:00 a.m. and 4:30 p.m., Monday through Friday. You may leave a voice mail message at any time. I can also be reached via e-mail at kcastle@shoreviewmn.gov.

Sincerely,

Kathleen Castle
City Planner

Comments:

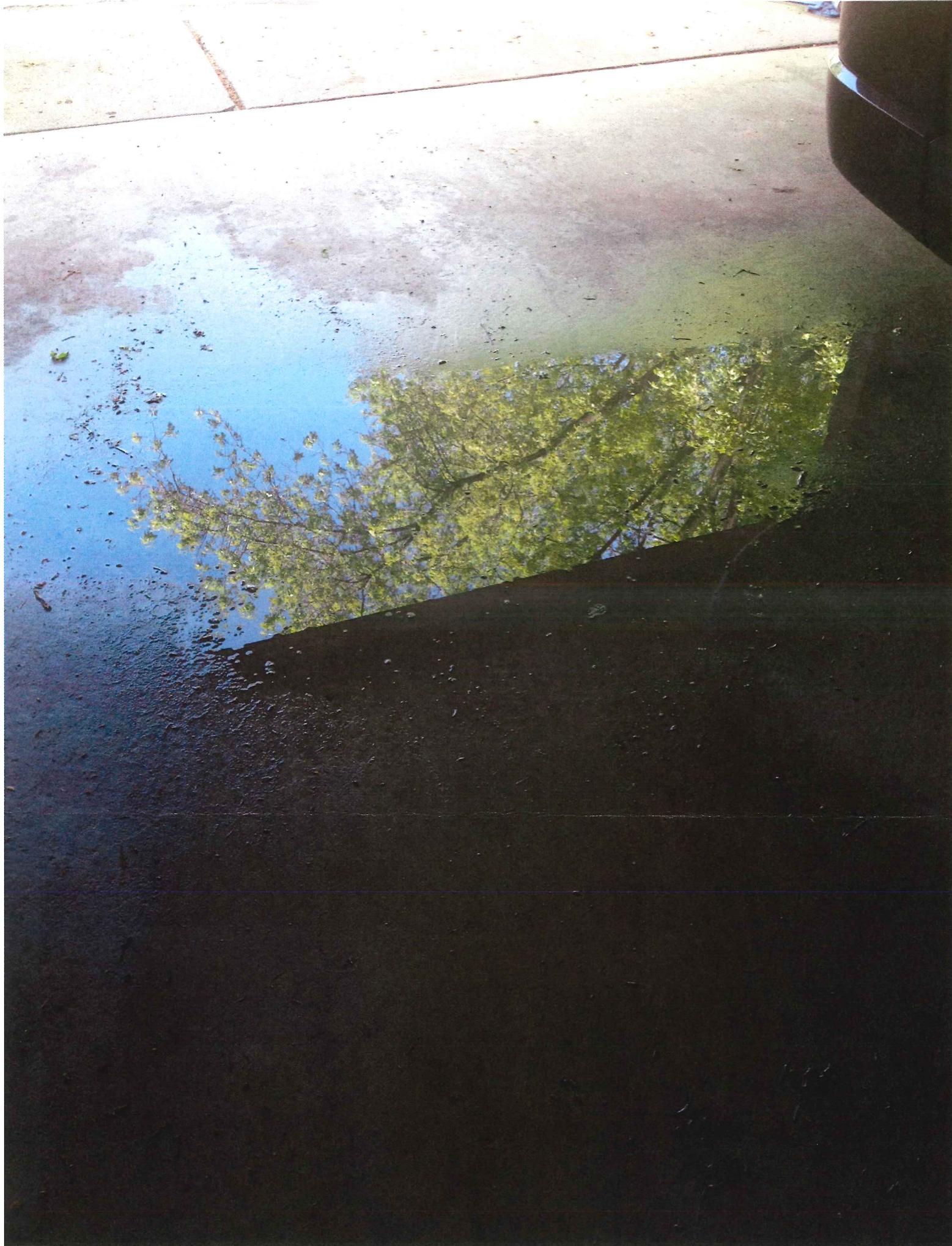
I have included two pictures of my garage floor. It is 25 feet from the same wetland area protected by a 5 foot retaining wall. The water levels have changed greatly since the street and storm drainage was completed on Vivian. This was taken on 5/6/2014 and my garage is three feet above the grade of proposed homes.

Name: Scott Feero
Address: 384D Vivian Ave

T:\2014 Planning Case Files\2530-14-14 3339 Victoria Street/neighborhood Request for Comment.docx

I would recommend a new wetland study.





Kathleen Castle
City Planner

Re: 3339 Victoria

Comments:

This property should have been put on the open market and should be restricted to one house on one lot to fit with the neighborhood: single homes on large lots. Why must the density of housing be increased? The neighbors here went through so much for so low (25+ years) with this property due to the city dropping the ball with code enforcement back when the problems started. Why not just one nice, big, beautiful home on this lovely lot instead of 2 long drive ways?

Name: Nancy + Ron Florid
Address: 3339 Victoria

T:\2014 Planning Case Files\2530-14-14 3339 Victoria Street/neighborhood Request for Comment.docx

Have you taken into consideration the water problems? Can't wait to see how people in walk-outs handle it! (over)-
Also - when will the damage to our lot be restored? The utility people left piles of dirt and the excavators pushed it onto pine tree limbs that are still buried. More opens up each time it rains - needs leveling, sod, maybe fill.

Also - on the Ramsey Co. Website this lot is noted as .9 acre. On a document emailed by Ms. Castle 12/13, it is also noted as .9 acre. Where are you getting the additional .6 acre?

**PROPOSED MOTION
TO TABLE THE MINOR SUBDIVISION AND VARIANCE APPLICATIONS
FOR MOSER HOMES, INC
3339 VICTORIA STREET**

MOVED BY COMMISSION MEMBER _____

SECONDED BY COMMISSION MEMBER _____

To table the minor subdivision and variance request submitted by Moser Homes, Inc. to divide the property at 3339 Victoria Street into two parcels for single-family residential development and exceed the maximum building setback permitted from the front property line. Additional information is needed regarding the wetland area, seasonal water basin and impact on the proposed building pads. The review period is extended from 60 to 120 days.

VOTE:

AYES:

NAYS:

Regular Planning Commission Meeting
May 27, 2014

TO: Planning Commission
FROM: Rob Warwick, Senior Planner
DATE: May 21, 2014
SUBJECT: Identi Graphics/Dave Kroona, 3854 Lexington Avenue, Comprehensive Sign Plan Amendment, File No. 2525-14-15

INTRODUCTION

Identi Graphics, on behalf of Dave Kroona, has submitted a comprehensive sign plan amendment to install new signage on the property at 3854 Lexington Avenue to advertise the fuel station, car wash, service station and convenience store. The applicant proposes to replace the existing freestanding sign with a new 61 sq. ft. freestanding sign. The proposed sign will also incorporate a 29.5 sq. ft. message center sign.

PROJECT DESCRIPTION

The property is located at the intersection of Red Fox Road and Lexington Avenue, and is bounded on the north by I-694.

In 1999, the City approved a Comprehensive Sign Plan for the property, and in 2004 approved an amendment to that plan.

The current amendment is proposed to allow replacement of the existing monument sign that was approved in 1999. The proposed monument sign has a height of 11.28 feet, and a width of 10.5 feet, and displays 4 panels used to identify the services offered at the station, a gas price display for regular fuel price, and plus the 29.5 square foot full color message center sign. The proposed sign will use the existing sign foundation and base.

Comprehensive Sign Plan Amendment

The existing monument sign has an approved area of 56 square feet and height of 10 feet. There is an electronic changeable copy sign incorporated into the monument that displays 2 lines of 6-inch text. A condition of approval limits this display to information pertaining to the car wash and fuel prices. The existing sign also uses an electronic digital display for the prices of three vehicle fuel types. Note that the electronic displays represented a deviation from Code when the existing sign plan was approved as the City Code did not permit any digital displays on signs at that time.

The proposed sign advertises the fuel station, car wash, service station and convenience store. The Sign Plan Review process is necessary since the proposed monument sign is taller and larger than permitted by Code and the existing Sign Plan. The ordinance requires a comprehensive sign plan in instances where deviations from the sign code are proposed.

Sign Standards

The ordinance permits one freestanding sign per principal structure unless the structure faces two or more arterial roadways, as is here the case. This property also has an existing 33-foot pylon sign (approx. 140 sq. ft.) located near the I-694 frontage (see aerial photo).

Structures less than 20,000 square feet are allowed to display cabinet style monument sign with a maximum of 10-feett in height and have a copy/graphic area with a maximum of 50 square feet. Advertising on freestanding signs is limited to a list of tenants, the property address and the building name. In accordance with Code, this sign area does not include the area of the gas price display or the message center sign. A gas price display is limited to a 6-square feet LED for the price, with a maximum 16-inch character height is permitted. In the C-2 District, a message center sign with a maximum area of 50-square feet may be integrated into the monument sign.

The applicant provided a graphic showing the location and area of existing wall and canopy signage that is currently displayed on the property. Since the 2004 amendment to the approved sign plan, several wall signs have been removed, and several others refaced to reflect changes in the brand of convenience store operated at the site.

The Comprehensive Sign Plan review process considers five elements that govern signs on a property: location, materials, color, size and illumination. This review considers the proposed freestanding sign within the context of the existing approved signs on the property.

STAFF REVIEW

The monument sign will be refaced with panels identifying the Exxon and Circle K store brands, the car wash, and regular fuel sales. The price of regular gasoline will be displayed with a 6-square foot electronic readerboard using 16-inch characters that is located within a larger 15.4 square foot panel.

The existing sign base will be used for the new sign. In this case, using the existing base contributes to the 11.28 foot sign height that is proposed. The applicant has already made height reductions in response to staff concerns, and staff considers the proposed height reasonable and consistent with the height of nearby signs.

The 61 square foot area proposed exceeds the maximum 50 square feet permitted. Sign area is computed based on the smallest rectangle that will encompass the copy and graphics area, excluding the area of the message center and gas price display. However, the gas price display proposed here is one of four equal panels. The size and area of the rectangle does not change whether or not the price display panel is included. Given this circumstance, staff believes it is appropriate to exhibit flexibility with the sign area.

A full color LED message center display is proposed to be installed below these panels. The 29.5 square foot message center complies with the minimum (20-square foot) and maximum (50 square foot) area standards specified for the C-2 District.

Comprehensive Sign Plan review considers five elements governing sign design within the site: location, materials, size, color and illumination. When a deviation is proposed approval shall be based on required findings, and these findings are reviewed below:

1. *The plan proposes signs consistent in color, size and materials throughout the site for each type of proposed sign.* Existing and proposed signs uniform color and materials, and with colors generally based on the Exxon and Circle K logos. The wall sign for the car wash use white letters on a red background.
2. *Approving the deviation is necessary to relieve a practical difficulty existing on the property.* The existing sign base is proposed for use for the new sign and contributes to the height.
3. *The proposed deviations from the standards of Section 208 result in a more unified sign package and greater aesthetic appeal between signs on the site.* The height of the monument sign will aid visibility from north and south bound traffic on Lexington Avenue. The proposed message center sign has better aesthetics than temporary signs for promotion of the goods and services available on the property.
4. *Approving the deviation will not confer a special privilege on the applicant that would normally be denied under the Ordinance.* The configuration of the access to the lot and building is unique for this property with two points of ingress that are right turn only, and a third access near the car wash building.
5. *The resulting sign plan is effective, functional, attractive and compatible with community standards.* The sign plan amendment proposes signs with a consistent design motif based on the fuel and C-Store corporate logos.

RECOMMENDATION

As discussed above, staff has been able to make findings required to approve the height and area deviations, and so recommends the Planning Commission forward to the City Council a recommendation to approve the Comprehensive Sign Plan amendment, with the following conditions:

1. The signs shall comply with the plans approved for the Comprehensive Sign Plan, File No. 1742-99-09, as amended (see File No. 2091-04-21) and this application (File No. 2525-14-15). Any significant change will require review by the Planning Commission

2. The applicant shall obtain a sign permit prior to the installation or refacing of any signs on the property.
3. This approval will expire after one year if a sign permit has not been issued and construction commenced.
4. Signage on the propane tank shall not advertise commercial messages unless required by the State of Minnesota.
5. Temporary signs shall not be displayed on the property, since the message center sign provides the mechanism to display promotional information and advertisements.
6. In accordance with Conditional Use Permit 12-33, additional signage advertising car sales is not permitted on the property, with the exception of window signage displayed in the vehicle being offered for sale. Said window signage shall not exceed 11" x 17" in area. The message center sign shall not be used to advertise vehicles for sale.
7. The message center sign shall:
 - a. Display text of a sufficient size so as to be readable by passing motorists without distraction.
 - b. Display messages in their entirety to allow passing motorists to read the entire copy.
 - c. Not display telephone numbers, email address or internet urls.
 - d. Display messages for a minimum of 8 seconds, and change instantaneously.
 - e. Present messages in a static display, and shall not scroll, flash, blink or fade.
 - f. May display time, temperature and other graphics related to weather conditions. Advertisement is limited to goods and services offered on-site.

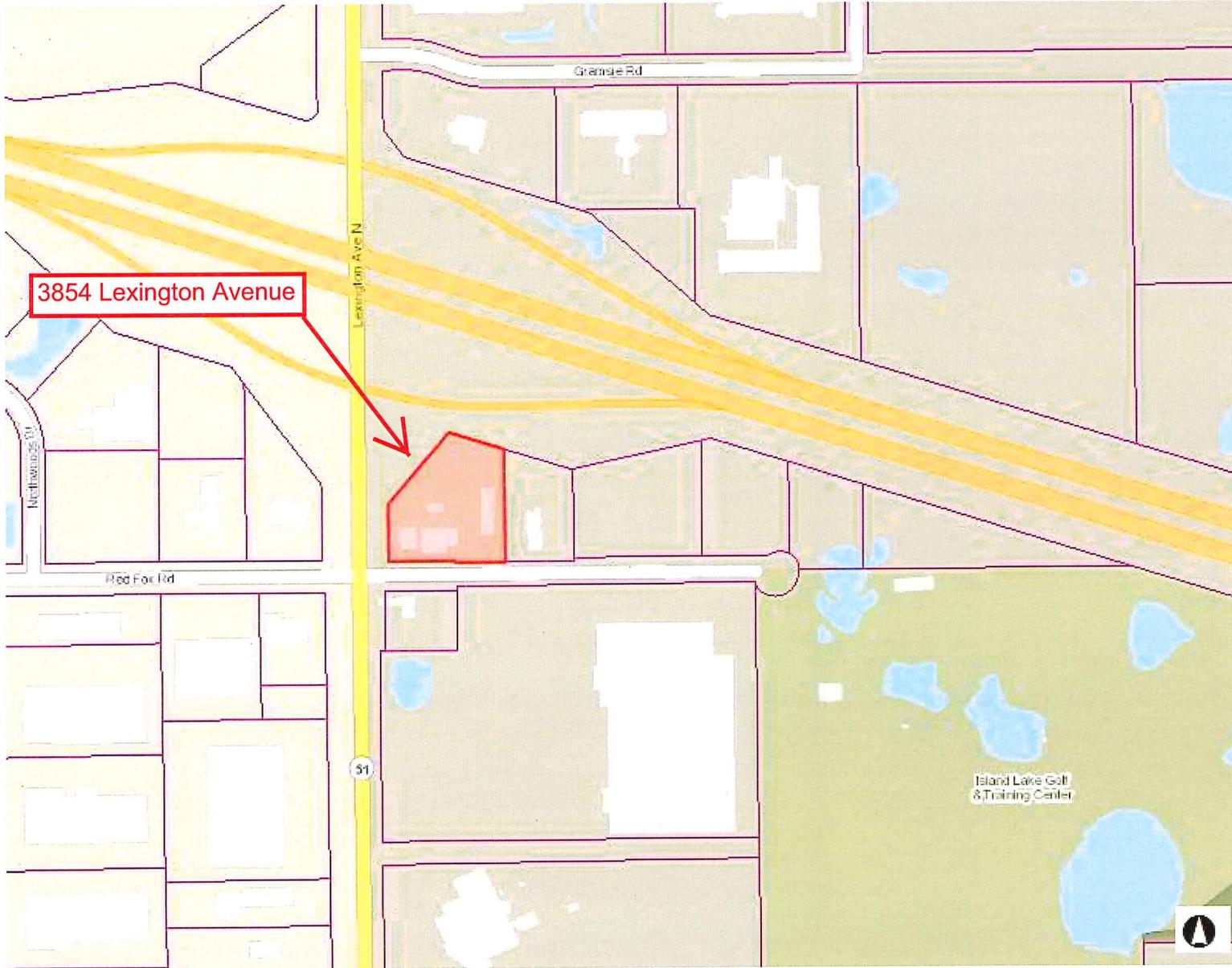
Attachments

- 1) Location Map
- 2) Submitted Plans
- 3) Approved Comprehensive Sign Plan, 1999
- 4) Proposed Motion

Legend



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



3854 Lexington Avenue

773.1 0 386.57 773.1 Feet

Notes

Shoreview Exxon Station

~~4-3-14~~ 4-24-2014

March 28 2014

TO: Rob Warwick

SUBJ: Permit request to Increase Existing Monument Sign (EXXON – 3854

Lexington Ave N, Shoreview, MN)

Identi Graphics, on behalf of Dave Kronna submitting a Sign Permit – to replace the Existing Monument sign.

I have surveyed all the existing signage on the site. I am attaching the site square ft. of The existing signs. Since 2004 elevation of signs permitted there have been a reduction In the square ft of the Cstore signs and Car wash signs of 187 sq ft.

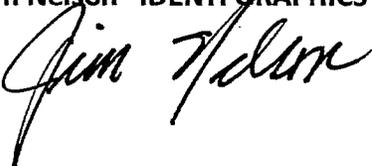
Shoreview EXXON – Has 6 Business at one location.

1. Gasoline sales – separate island
2. Diesel sales- separate island
3. Propane sales- separate island
4. C-Store
5. Auto service
6. Car Wash separate bldg.

The Diesel Island, Convenience Store, Auto Service and Car Wash are not very Visible driving North and South. With Monument of proposed size will help Promote the pricing of Gas, Diesel, Propane, Convenience items, and Auto Service. With the Electronic Message Center of this size – Customers can be informed of Upcoming specials. This will make this location up-to-date with current business. With the construction on the roads – business has declined so much that any way In increasing is needed.

Thank you,

Jim Nelson IDENTI GRAPHICS MN (612) 309 3220





97.16 Sq Ft

Exxon Of Shoreview
3854 Lexington Ave N
Shoreview, MN 55126



WASN N FILL - OXON 3854 LEXINGTON S ← N
SHOVE VIEW

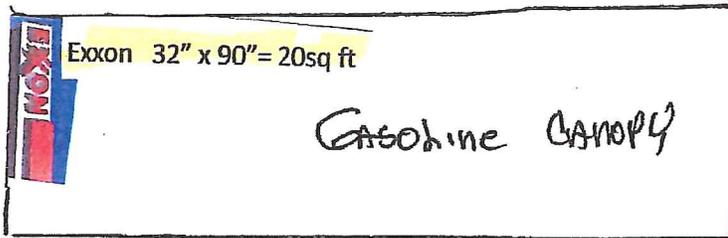
LEXINGTON

EXXON = 139 Sq. ft.

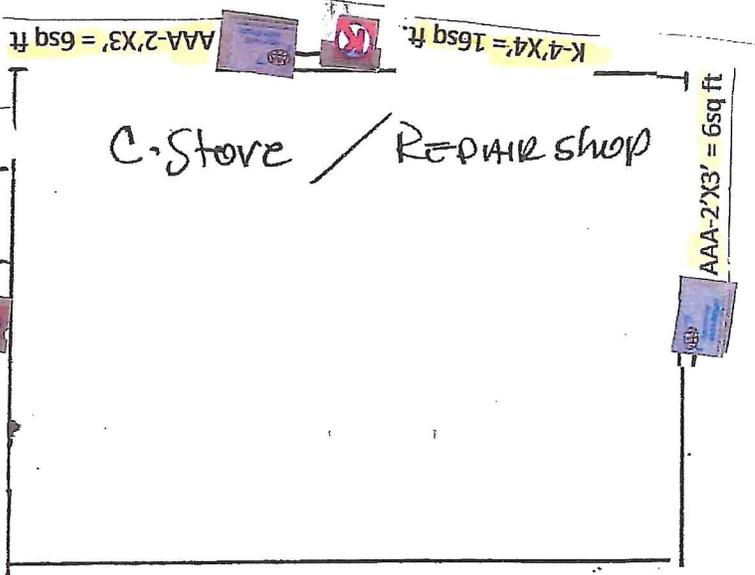
Hi Rise



66.5" x 103" = 47.56 sq ft.



Exxon 32" x 90" = 20sq ft



Exxon 32" x 90" = 20sq ft

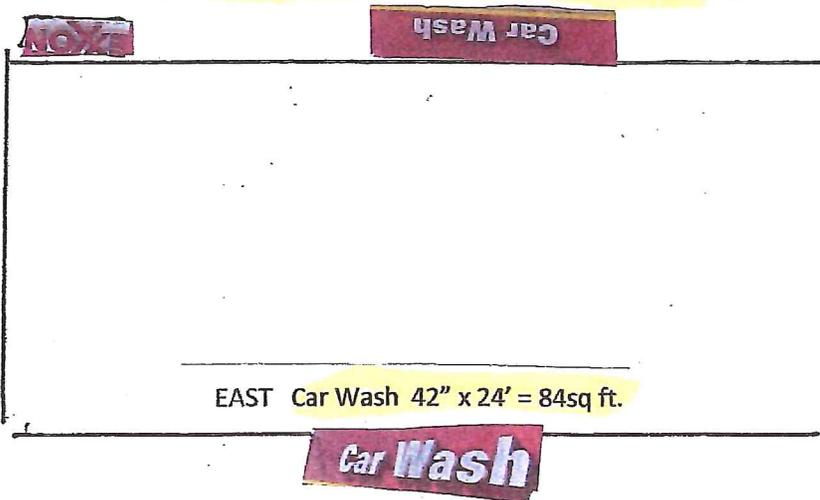


Exxon 32" x 90" = 20sq ft

RED FOX ROAD

WEST Exxon 19" x 48" = 6.3sq ft

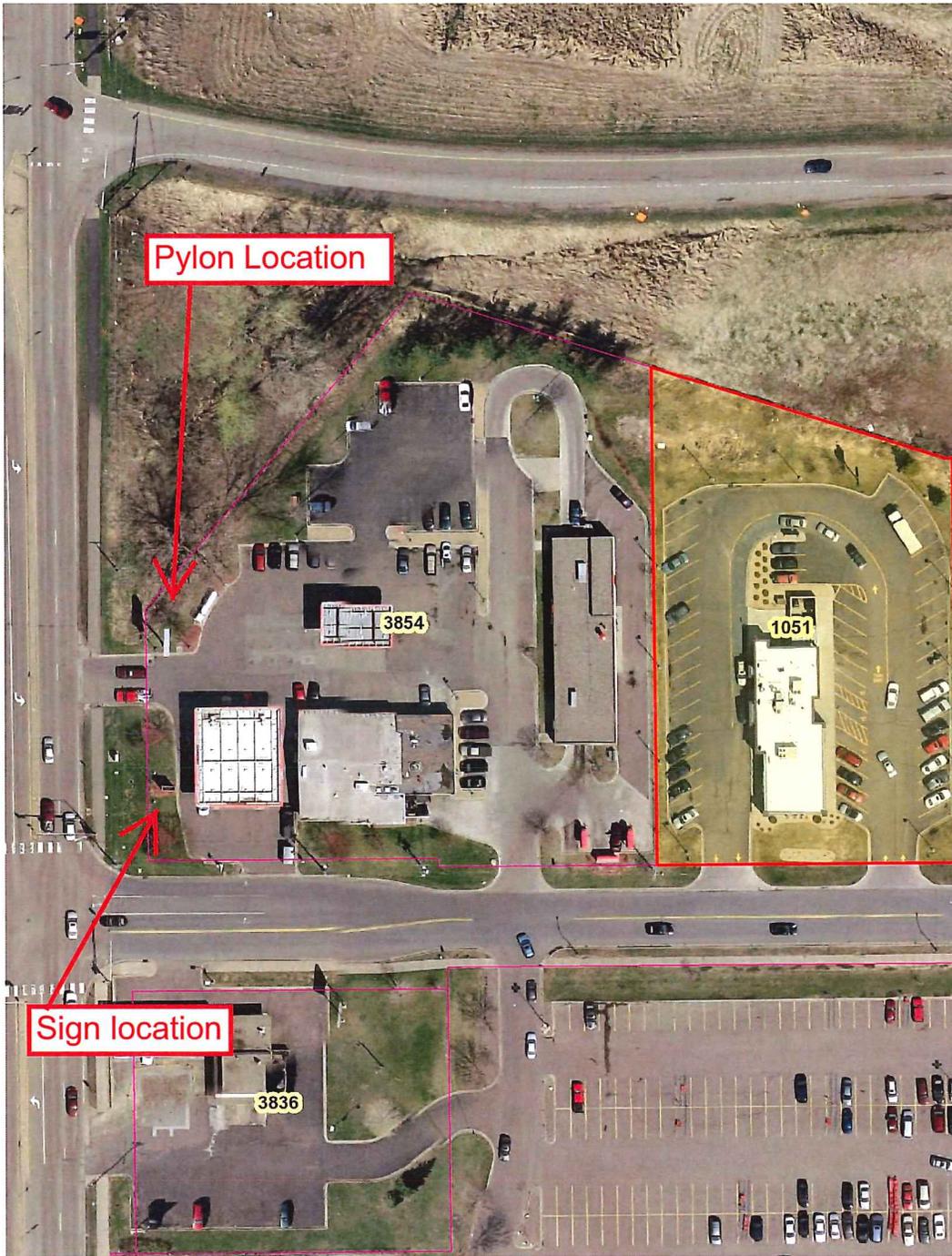
WEST Car Wash 27" x 15' = 33.75sq ft



EAST Car Wash 42" x 24' = 84sq ft.

SITE LAYOUT
SHOWING LOCATION
AND SIZE OF
EXISTING WALL
AND CANOPY
SIGNS.

EXXON STATION
3854 LEXINGTON



Legend

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

200.0 0 100.00 200.0 Feet



1: 1,200

NAD_1983_HARN_Adj_MN_Ramsey_Feet

© Ramsey County Enterprise GIS Division

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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Exxon Aerial View



7-0"

Welcome to



Shoeview *Amoco*

2 LINE 6 INCH
MESSAGE BOARD

Regular
Unleaded

1.359

Mid-Grade
Silver

1.359

Diesel

1.359

10'

8'

8'

EXISTING MONUMENT SIGN

**PROPOSED MOTION
TO APPROVE AN AMENDMENT TO THE COMPREHENSIVE SIGN PLAN**

MOVED BY COMMISSION MEMBER: _____

SECONDED BY COMMISSION MEMBER: _____

To recommend the City Council approve an amendment to the Comprehensive Sign Plan submitted Identi Graphics for the Exxon station at 3854 Lexington Avenue.

This approval is subject to the following:

1. The signs shall comply with the plans approved for the Comprehensive Sign Plan, File No. 1742-99-09, as amended (see File No. 2091-04-21) and this application (File No. 2525-14-15). Any significant change will require review by the Planning Commission
2. The applicant shall obtain a sign permit prior to the installation or refacing of any signs on the property.
3. This approval will expire after one year if a sign permit has not been issued and construction commenced.
4. Signage on the propane tank shall not advertise commercial messages unless required by the State of Minnesota.
5. Temporary signs shall not be displayed on the property, since the message center sign provides the mechanism to display promotional information and advertisements.
6. In accordance with Conditional Use Permit 12-33, additional signage advertising car sales is not permitted on the property, with the exception of window signage displayed in the vehicle being offered for sale. Said window signage shall not exceed 11" x 17" in area. The message center sign shall not be used to advertise vehicles for sale.
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 - b. Display messages in their entirety to allow passing motorists to read the entire copy.
 - c. Not display telephone numbers, email address or internet urls.
 - d. Display messages for a minimum of 8 seconds, and change instantaneously.
 - e. Present messages in a static display, and shall not scroll, flash, blink or fade.
 - f. May display time, temperature and other graphics related to weather conditions. Advertisement is limited to goods and services offered on-site.

This approval is based on the following findings of fact:

1. *The plan proposes signs consistent in color, size and materials throughout the site for each type of proposed sign.* Existing and proposed signs uniform color and materials,

and with colors generally based on the Exxon and Circle K logos. The wall sign for the car wash use white letters on a red background.

2. *Approving the deviation is necessary to relieve a practical difficulty existing on the property.* The existing sign base is proposed for use for the new sign and contributes to the height.
3. *The proposed deviations from the standards of Section 208 result in a more unified sign package and greater aesthetic appeal between signs on the site.* The height of the monument sign will aid visibility from north and south bound traffic on Lexington Avenue. The proposed message center sign has better aesthetics than temporary signs for promotion of the goods and services available on the property.
4. *Approving the deviation will not confer a special privilege on the applicant that would normally be denied under the Ordinance.* The configuration of the access to the lot and building is unique for this property with two points of ingress that are right turn only, and a third access near the car wash building.
5. *The resulting sign plan is effective, functional, attractive and compatible with community standards.* The sign plan amendment proposes signs with a consistent design motif based on the fuel and C-Store corporate logos.

VOTE:

AYES:

NAYS:

TO: Planning Commission
FROM: Kathleen Castle, City Planner
DATE: May 22, 2014
RE: File No. 2520-14-14, City of Shoreview – Comprehensive Plan Amendment, Surface Water Management

Introduction

At the April 22nd meeting, the Commission tabled the proposed text amendment to Comprehensive Plan regarding surface water management. The intent of the amendment is to recognize changes that have occurred with surface water management since 2008 when the Comprehensive Plan was adopted. The item was tabled to provide Staff with additional time to respond to Commissioner comments.

Proposed Amendment

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

Watershed Management Districts

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

Floodplain Management

Language regarding floodplain management and reference to map amendments completed in 2005 has been updated. In 2010, the Federal Emergency Management Agency (FEMA) completed an update to the Flood Insurance Study (FIS) and revised the Flood Insurance Rate Map (FIRM) for the City of Shoreview. The City then amended the Flood Plain Management Ordinance to remain in compliance with FEMA requirements, and so residents remain eligible for flood insurance through the National Flood Insurance Program. Map 9D.7, Flood Map/LOMR has also been revised.

Surface Water Utility Fee

The City has adopted a surface water utility fee to fund repair and replacement of existing conveyance systems and provide a funding source for implementation of programs and improvements. The City's

Capital Improvement Plan (CIP), which has a 5-year time horizon, includes a detailed description of projects. The adopted Plan includes Table 9D-1 which identifies projects to be completed between 2008 and 2012. This table has been updated to include those projects identified in the 2013 CIP.

Planning Commission Review

At the April 22nd meeting, the Commission opened the public hearing and discussed the proposed changes and provided comments. Additional comments have been received from Commissioner Proud and are attached to this report. While some text changes have been made in response to these comments, some are outside the scope of the Comprehensive Plan and are better suited for implementation tools such as the Surface Water Management Plan and Development Code. The City is planning on updating the Surface Water Management Plan in 2016 after Ramsey Washington Metro Watershed District updates their plan. The City's Plan must be consistent with those plans of the Watershed Districts that have jurisdiction in the City.

The public hearing was continued to the May 27th meeting.

Public Notice

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

Recommendation

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

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

Attachments:

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

Section 9D Surface Water Management

Introduction

Physical Environment

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

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

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

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

Regulatory Environment

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

Federal Government

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

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

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

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

State of Minnesota

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

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

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

Local Government – City of Shoreview and Watershed Management Organizations

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

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

As noted above, the watersheds in Shoreview is are located within three two major watershed districts: the Rice Creek Watershed District (RCWD); the Grass Lake Watershed Management Organization (GLWMO), and; the Vadnais Lake Area Watershed Management Organization (VLAWMO) and the Ramsey Washington Metro Watershed District (RWMWD). The watershed districts act as the local unit of government for surface water management and have the authority to adopt rules to regulate, conserve, and control the use of water resources within the district. The City of Shoreview works with the districts and the City’s current Surface Water Management Plan (SWMP) was reviewed and approved by GLWMO and the RCWD. VLAWMO does not have jurisdictional authority within the City but was included in the planning and review process of the SWMP. RWMWD was designated as a watershed authority in Shoreview after another watershed management organization (Grass Lake) dissolved in 2012.

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

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

Surface Water Management Plan

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

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

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

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

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

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

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

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

National Pollutant Discharge Elimination System / Storm Water Pollution Prevention Program

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

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

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

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

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

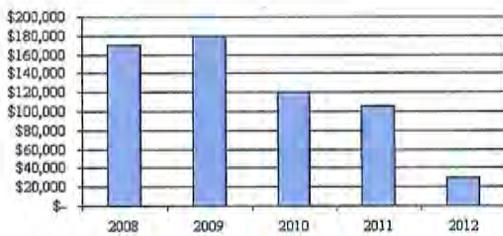
Surface Water Utility Fee

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

Table 9D-1

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

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



Pretreatment Structures

PWA 2

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

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

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

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

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

Impaired Waters

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

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

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

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

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

Goals, Policies and Recommended Actions

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

Goals

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

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

Policies

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

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

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

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

Recommended Actions

- 1. The City will work to develop and implement a program to detect and eliminate illicit discharges into the storm water system.
- 2. The City will review the Municipal Code requirements that regulate impervious surfaces for opportunities to reduce hard surface on development and redevelopment sites. The City will encourage the use of pervious materials for hard surfaced areas.
- 3. The City will participate in TDML studies and implementation of recommended actions for impaired waters. The City will conduct activities to improve the quality of impaired waters.

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

County Road J W

County Road J W

Rice Creek Watershed District

County Road L W

Lexington Ave N

Hodgson Road



Legend

Shoreview_boundary

Watershed District

Ramsey Washington Metro

Rice Creek

Watershed

Grass Lake Watershed

Rice Creek Watershed

Vadnais Lake Watershed

Rice Creek Watershed

Highway 96 W

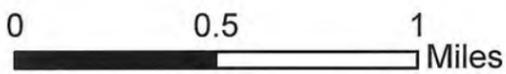
Ramsey Washington Metro Watershed District

Rice St

Grass Lake Watershed

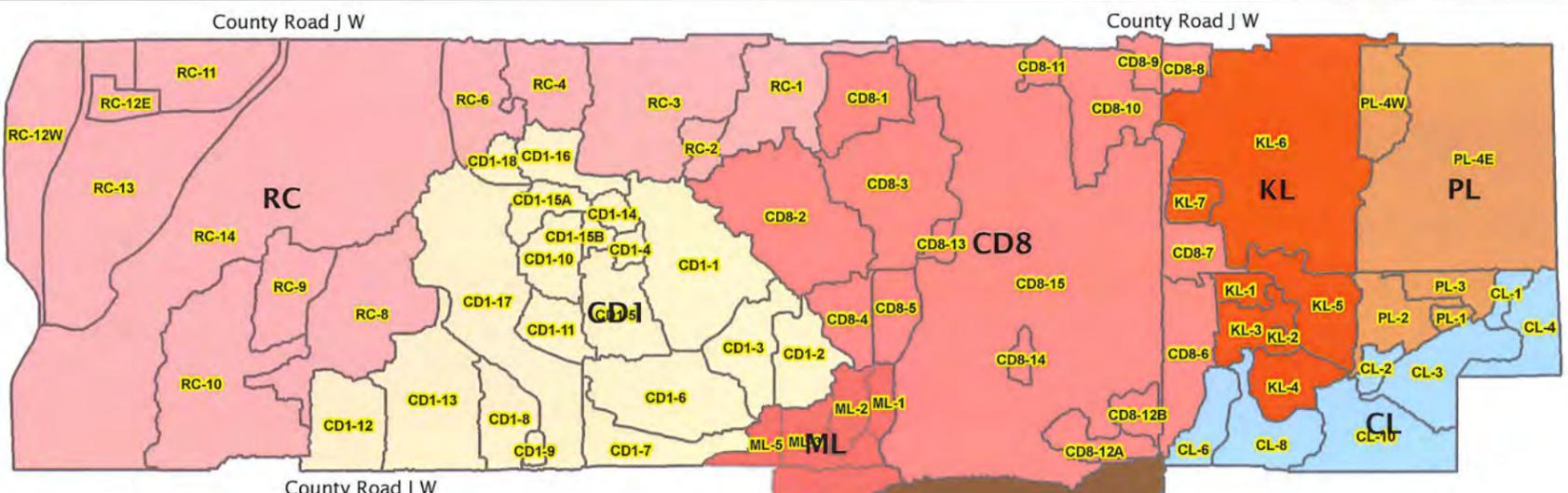
Lexington Ave N

Rice St



9D.1 Watersheds with Jurisdictional Boundaries





Legend

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

Grass Lake Watershed

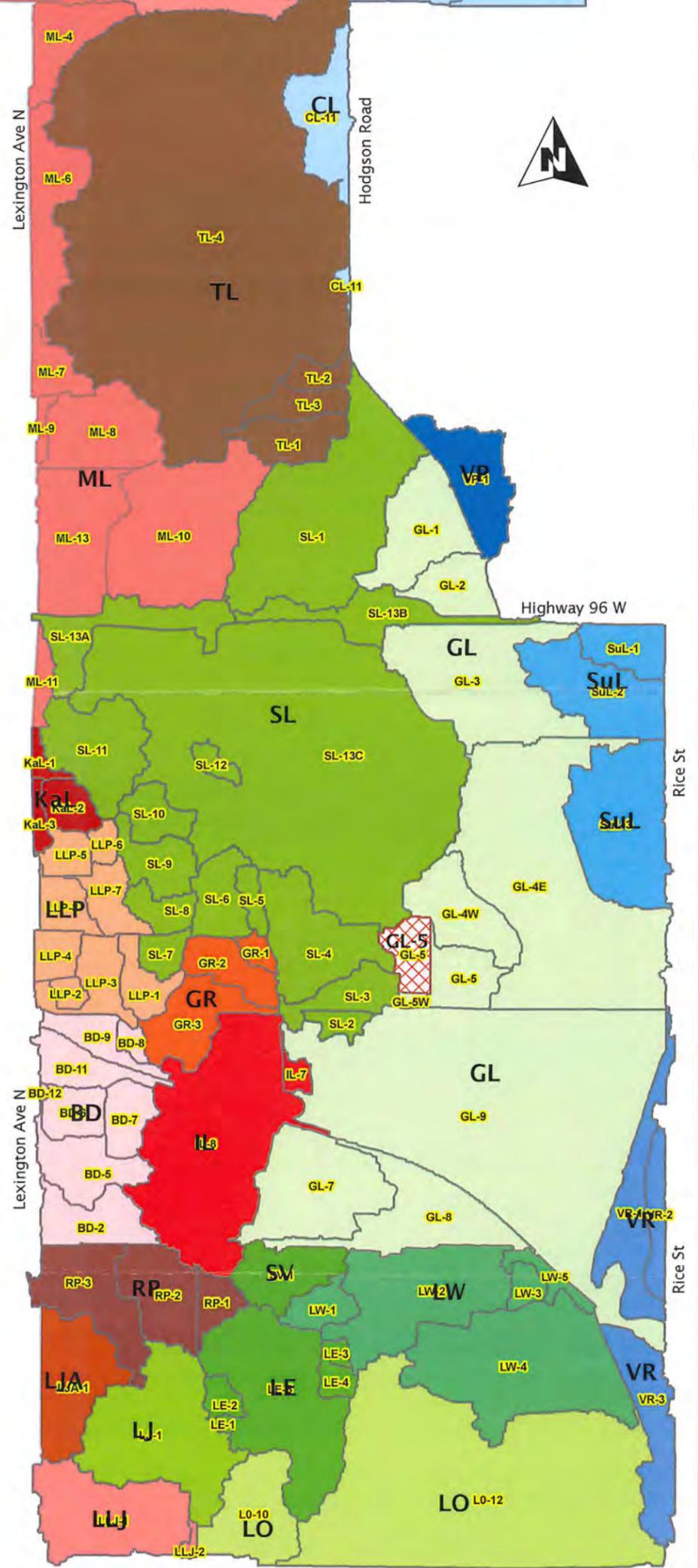
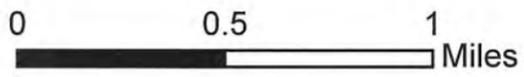
- Grass Lake - GL
- Lake Owasso - LO
- Lake Emily - LE
- Lake Judy - LJ
- Lake Wabasso - LW
- Snail Lake - SL
- Shoreview Lake - SV
- GL-5 Area, Future Routing to SL-4

Rice Creek Watershed

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

Vadnais Lake Watershed

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



9D.5 Watershed sub-basins

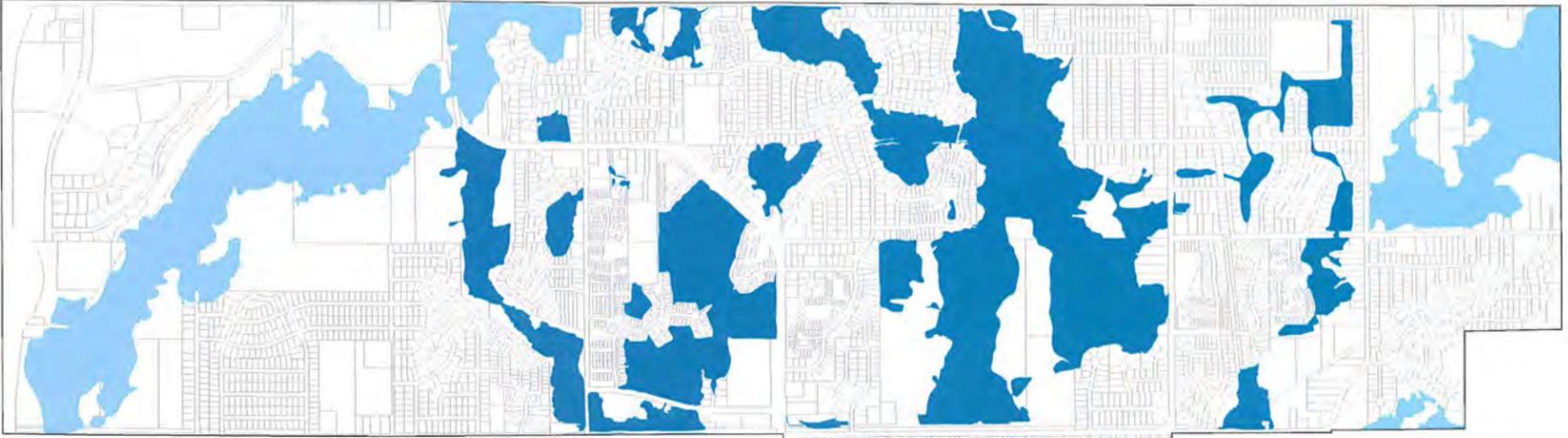
City of Shoreview - 2008 Comprehensive Plan

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



County Road J W

County Road J W



County Road I W

Special Flood Hazard Areas



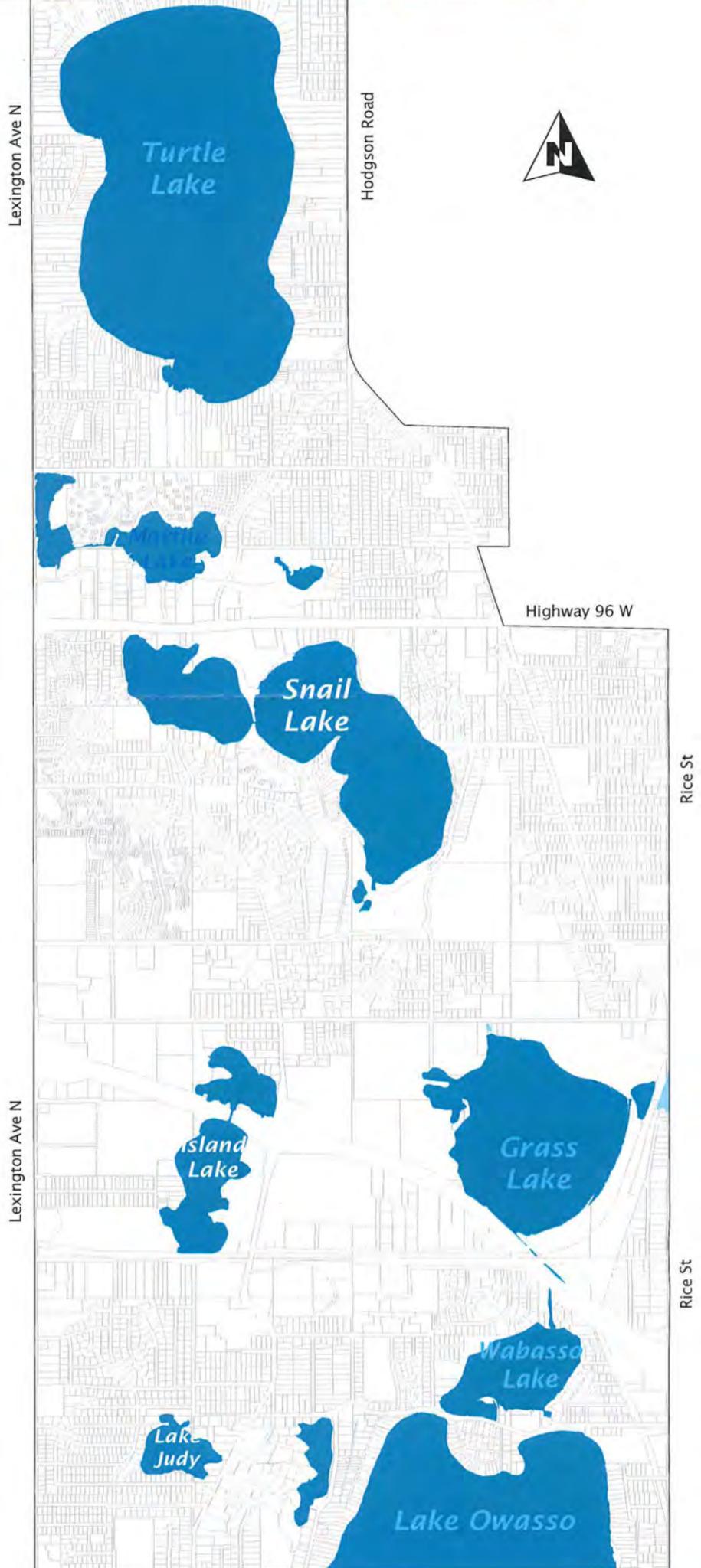
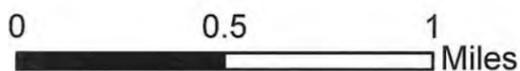
Areas subject to inundation by the 1-percent-annual-chance flood event. Because detailed hydraulic analyses have not been performed, no Base Flood Elevations or flood depths are shown.



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

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

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



9D.7 Flood map

Chapter 11. Natural Resources

Introduction

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

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

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

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

Natural Setting

Soils and Geology

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

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

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

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

Watersheds

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

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

Existing Conditions

Wetlands

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

Benefits

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

Inventory

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

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

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

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

Existing Regulations and Programs

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

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

Surface Water, Lakes and Shoreland Areas

Benefits

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

Inventory

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

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

Table 11-1 Lake Data Summary

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

Table 11-1 Lake Data Summary (continued)

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

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

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

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

Existing Regulations and Programs

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

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

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

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

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

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

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

Wildlife and Natural Communities

Benefits

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

Inventory

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

Table 11-2 Rare Species and Natural Communities

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

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

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

Existing Regulations and Programs

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

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

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

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

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

Native Vegetation and Woodlands

Benefits

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

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

Inventory

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

Existing Regulations and Programs

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

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

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

Air Quality

Benefits

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

Inventory

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

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

Existing Regulations and Programs

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

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

Issues

Water Quality

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

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

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

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

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

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

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

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

Vegetation

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

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

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

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

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

Wildlife Management

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

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

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

Air Quality

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

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

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

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

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

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

Goals, Policies, and Recommended Actions

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

Goals

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

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

Policies

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

Recommended Actions

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

Water Quality

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

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

Vegetation

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

Wildlife Management

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

Air Quality

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

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

Section 9D Surface Water Management

PROPOSED TEXT WITH
COMMENTS OF
COMMISSIONER PROUD AND
STAFF RESPONSE

Introduction

Physical Environment

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

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

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

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

Regulatory Environment

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

Federal Government.

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

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

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

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

State of Minnesota

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

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

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

PROPOSED TEXT WITH
COMMENTS OF
COMMISSIONER PROUD AND
STAFF RESPONSE

Local Government – City of Shoreview and Watershed Management Organizations

[PROPOSED TEXT WITH COMMENTS OF COMMISSIONER PROUD AND STAFF RESPONSE](#)

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

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

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

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

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

Surface Water Management Plan

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

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

**PROPOSED TEXT WITH
COMMENTS OF
COMMISSIONER PROUD AND
STAFF RESPONSE**

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

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

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

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

Comment [C B1]: I presume this only pertains to the preservation of existing wetlands as defined by the US Corps of Engineers delineation manuals. Should we consider expanding the scope to include or enable the restoration of previous wetlands or creation of new wetlands by way of "wetland banks". These are usually privately owned and operated, created in perpetuity by Deed Restrictions / Covenants and managed by the US Corps of Engineers. How does the City now address wetland banks?

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

Wetland banking falls under the jurisdiction of the local watershed districts (Rice Creek and Ramsey Washington Metro Watershed) with the program managed by the State Board of Water and Soil Resources. It is a tool that can be used in the City and is identified in the Surface Water Management Plan.

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

National Pollutant Discharge Elimination System / Storm Water Pollution Prevention Program

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

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

PROPOSED TEXT WITH COMMENTS OF COMMISSIONER PROUD AND STAFF RESPONSE

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

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

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

Comment [C B2]: Regarding the type of measures and structures; is this where we do or should indicate our design preferences and guidance? Are the specific types of structures or measures used at the discretion of the applicant and subject to City approval? I presume we want to encourage infiltration, and use catch basins instead of NURP / stormwater detention ponds. Do City Ordinances now provide City staff with sufficient authority to direct the type of water handling measures and stormwater structures?

Surface Water Utility Fee

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

Staff Response: The Development Code does not address the type of measures or structures. This will be addressed in the City's revision of the SWMP which is expected in 2016 and will occur after the local watershed districts amend their plans.

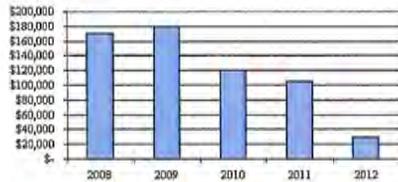
Table 9D-1

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

Shoreview Comprehensive Plan

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

PROPOSED TEXT WITH COMMENTS OF COMMISSIONER PROUD AND STAFF RESPONSE



Pretreatment Structures

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

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

Comment [C B3]: I presume many of the pretreatments structures listed and funded per the above deleted table and the below funding are related to previous private developments and public structures. Let's consider we can and should shift the cost to maintain the structures that service private property to the parties that benefit from the structures. In rural Minnesota such a system of benefit received is used to make assessments to the landowners for the costs to establish and maintain Judicial Ditches.

Staff Response. This addresses public structures that are owned and managed by the City. Improvements are funded through the Stormwater Management Fee.

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

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

PROPOSED TEXT WITH
COMMENTS OF
COMMISSIONER PROUD AND
STAFF RESPONSE

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

Impaired Waters

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

Comment [C B4]: Does this include the streams and watersheds that feed these lakes? Would this include streams in the City that feed into lakes outside of the City?

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

Staff Response:
Yes

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

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

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

Goals, Policies and Recommended Actions

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

Goals

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

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

Policies

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

PROPOSED TEXT WITH COMMENTS OF

Comment [C B5]: Is "Water Quality" a defined term within the this section of the City Ordinances? In the event the City wanted to enforce a matter or take action based upon a water quality standard, is it best if the quality of water is or is not a defined term or based upon an authoritative published standard?

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Comment [C B6]: What are examples of these "established standards"?

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Comment [C B7]: How can we enable higher performance standards when needed? TP-40 will eventually be replaced by Atlas 14, and in most cases should provide better rain fall projections that result in the needed storm water management structures and designs. At a previous workshop we conceptually discussed with City staff regulations or Ordinances that for good cause, would enable engineering staff to require higher stormwater management standards that what resulted by application of the standard formulas. When needed, how can we specify a higher standard?

Comment [C B8]: I presume this only pertains to the preservation of existing wetlands as defined by the US Corps of Engineers delineation manual. Should we consider expanding the scope to include or enable the restoration of previous wetlands or creation of new wetlands by way of "wetland banks". These are usually privately owned and operated; and created in perpetuity by Deed Restrictions / Covenants and managed by the US Corps of Engineers. How does the City now address wetland banks?

Comment [C B9]: I think the obligation for maintenance and inspection of many stormwater systems on private property is the responsibility of the landowner. Consider a policy that requires such landowners to periodically certify the systems have been inspected by an engineer and that recommended maintenance has taken place. (All sites / high risk sites?)

Staff Response: Water quality is defined in the SWMP. Standards are based on the classification or category of the water body or impaired water. The future update of SWMP will address Atlas 14 in relation to the plans adopted by the watershed districts. As indicated earlier, it is possible for the City to have higher standards - further discussion will occur with the SWMP update. When a watershed permit is needed, maintenance agreements are executed. For sites less than 1 acre, the City requires inspection reports. This will be further addressed in the SWMP update.

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

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

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

Recommended Actions

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

PROPOSED TEXT WITH COMMENTS OF COMMISSIONER PROUD AND STAFF RESPONSE

Staff Response: CB10 and B12 will be addressed in the SWMP update. Recommended actions could then be amended after the adoption of the new plan.

CB11 – Currently addressed in the City’s Wellhead Protection Plan

Comment [CB10]: Infiltration practices in some cases should be mandatory and not an elective mitigation option:
1. Variances of lot coverage or impervious area.
2. Where development is in close proximity to streams or water bodies.

Comment [CB11]: Do we need to protect wellheads from surface water flooding?

Comment [CB12]:
1. Enable and encourage wetland banks.
2. Cause the periodic inspection and maintenance of stormwater structure on private property.
3. Change other Ordinances to require, when reasonably possible, for infiltration practices to be mandatory mitigation requirements when variances are granted for impervious surface or lot coverage.
4. Enable the City engineers at their discretion to specify grit catch basins and infiltration systems in lieu of NURP / stormwater ponds.

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

PROPOSED TEXT WITH
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STAFF RESPONSE

Comment [C B13]: Do we or should we have a FAQ publication on the various stormwater recommended management practices?

Staff Response: Public education and outreach is required per the SWMP. Examples include the EOC speaker series, City's website, Green Community Awards and Newsletter.

PROPOSED MOTION

MOVED BY COMMISSION MEMBER _____

SECONDED BY COMMISSION MEMBER _____

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

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

VOTE:

AYES: _____

NAYS: _____

The recommendation is based on the following finding:

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

Regular Planning Commission Meeting – May 27, 2014