

TWICE THE DENSITY OF HIGH-DENSITY ZONING

Tycon Companies seeks to rezone the apartment-building portion of the site from Institutional to Mixed Use.

Mixed-use zoning would allow the developer to nearly double the number of units allowed by a high-density designation, from up to 20 units per acre for high density to up to 45 for mixed-use zoning.[see footnote 1] Tycon proposes 38 units per acre, for a total of 268 units in the apartment complex.[2]

Mixed Use is meant to integrate “a variety of uses including residential . . . commercial, office, and business park,” according to the city’s Destination Shoreview 2040 comprehensive plan.[3] “The intent of this designation is to create areas within the community for a variety of land uses that will serve and compliment each other.” [4]

Since only residential use is proposed for the apartment building, the appropriate zoning options should be Low Density, Medium Density or High Density Residential.

The proposal puts too heavy a burden on local residents. Shoreview’s 2040 plan forecasted that future growth would average 13.66 units per acre.[9] The Tycon proposal triples that density.

Evaluate the impact of development in accordance with the land use plan, benefit to the community, adjacent land uses, air and water quality, traffic generation, public safety, community health and aesthetics.

–Destination Shoreview 2040 comprehensive plan

SIGNIFICANTLY INCREASED TRAFFIC

The development could add up to 730 additional cars to the vicinity, based

on the city’s requirement of 2.5 parking stalls per apartment unit if zoned as Multi-Use and allowing 2 cars per single-family home.[6][13]

There is only one Metro Transit bus that comes close to the proposed development. That runs up to nine times a day each way to and from downtown St. Paul and there would be a 10-minute or more walk to get to the nearest bus stop. The bus takes about 50 minutes to run to downtown St. Paul. So public transportation would not ease the strain on traffic.

Highway 96

Hwy. 96 is already very busy. The entrance from Hwy. 96 to the apartment building would need to have a traffic light, according to the proposal [5]. There is already a traffic light at nearby Snail Lake Boulevard. Depending on the timing of the lights, Hwy. 96 traffic could back up, and regardless everyone would have another traffic light to contend with.

Snail Lake Boulevard, Snail Lake Road

According to the Minnesota Department of Transportation figures, 3,400 cars per day traveled on Snail Lake Boulevard between Snail Lake Road and the regional park in 2019 and 4,300 cars per day used the stretch between the park and Victoria St.[23] New development at the massive Deluxe Corporation site at I-694 and Victoria as well as at the Union Gospel site may increase traffic to an unpleasant level.

Harbor Court, Harbor Place Drive

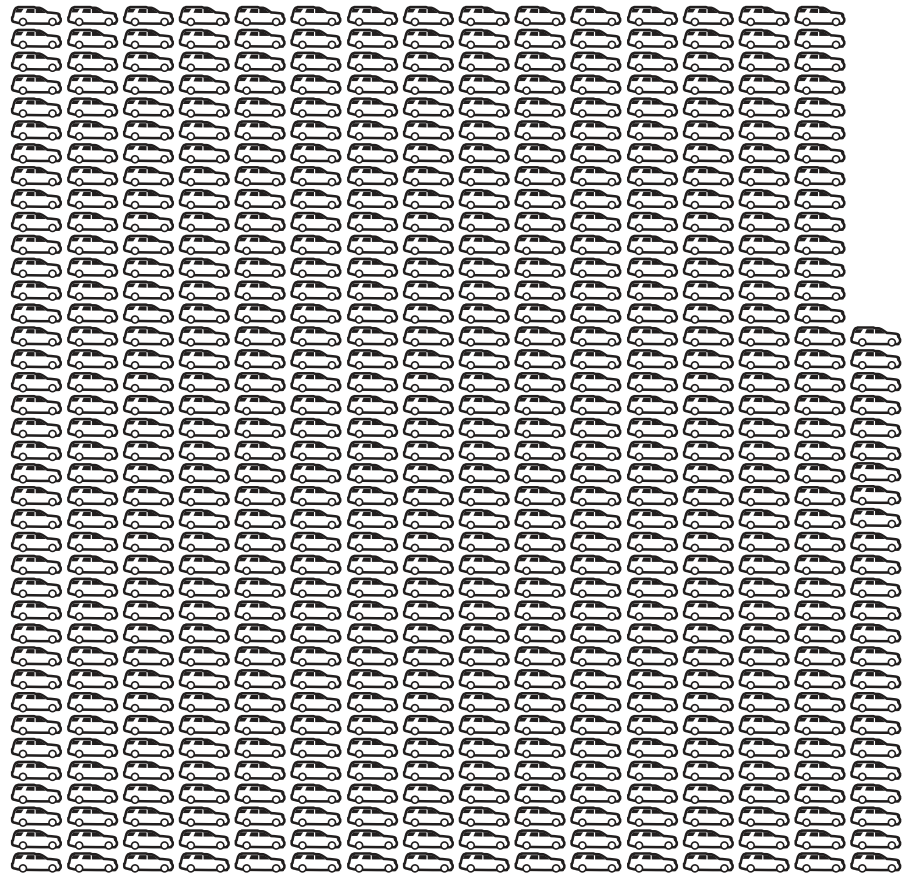
The single-family-home portion of the development would connect to a stub of Harbor Court, thus significantly changing the character of that quiet neighborhood. New residents would

Goal: Maintain and enhance the quality of all residential neighborhoods.

–Destination Shoreview 2040



Cars of all residents living along Snail Lake Blvd. and in the Harbor Place development (at two cars per household)



Cars of all residents of the proposed Union Gospel development (at two cars per household)

use Harbor Court and Harbor Place Drive as through streets to access Snail Lake Boulevard and beyond.

Instead, if all of the residents of the Tycon development used Hwy. 96 as their access, it would have a relatively small addition impact on Hwy. 96, yet have a huge impact for the better on Harbor Place residents.

INSUFFICIENT PARKING

The city requires that new developments under Multi-Use zoning allow for 2.5 parking stalls per unit. That would mean 670 parking spots for 268 units. Instead Tycon plans to provide 440 parking spaces. [6][13]

With parking spaces being insufficient for the number of units planned, parking will likely spill over into existing residential streets, especially when guests visit new residents.

HARM TO NEARBY HARBOR PLACE COMMUNITY

Much of the Harbor Place development has no sidewalks and residents are used to strolling on the roadways, walking their dogs in the street and children often

Goal: Preserve and protect the character of our residential neighborhoods.

—Destination Shoreview 2040

play games in the streets. New residents would likely have less of an investment in maintaining that neighborhood character.

INCREASED NOISE LEVELS

With the removal of trees, the increase in hard surfaces and the increase in traffic and population, noise level in nearby communities will increase, possibly dramatically.

Noise and night lighting shall be reviewed in all land use decisions with the intent to minimize adverse impacts on the enjoyment of other properties or land uses.

—Destination Shoreview 2040

LOSS OF HUNDREDS OF TREES, MANY OF THEM LARGE OLD LANDMARK TREES; POTENTIALLY FEW (SMALL) REPLACEMENTS

Page 44 of Tycon’s proposal shows current tree locations on the site. The red dots are considered landmark trees, those that measure at least 15” diameter four-and-a-half feet above the ground (or 30” for box elder, cottonwood or willow).

Tycon estimates that 46 of these majestic beauties will be removed. But a simple count on the diagram on page 44 of landmark trees situated where roads and buildings are being proposed shows that 57 landmark trees would be taken down with another 15 or more potentially too close to structures or retention ponds. Even if the single family homes are not built exactly where they are currently sited, the number of landmark trees to be removed will certainly be higher than 46.

MnDNR ordinance states that “Vegetative and topographic screening must be preserved if existing.”^[25]

The city of Shoreview requires that six trees no

Development shall be conducted so that the maximum number of trees, in particular landmark trees, are preserved by the clustering of structures in existing cleared areas and natural clearings, and the utilization of other site design techniques. Design of the site and construction activities shall be conducted in a manner to avoid likely injury to Landmark Trees.

—Destination Shoreview 2040

smaller than 2.5” diameter be planted for every landmark tree removed.^{[7][15]} This is a paltry substitute. Tycon wouldn’t even have to plant the replacement trees on the property. Tycon can simply plant the trees “elsewhere” off-site “if space is not available.”^[7]

This could mean that no trees are planted to compensate for the loss of those landmark trees.

Trees that don’t qualify as landmark, but that are still at least 4” diameter, would have to be replaced at a 1:1 ratio, but only if there aren’t 15 non-landmark trees per acre remaining on the land. Tycon says 250 of these trees would be removed. So again, this could mean very few, if any, replacement trees planted on site.^{[7][14]} The site plan shows very few trees anywhere in the development.

LOSS OF SAFE HAVEN FOR WILDLIFE

Otters, mallards, wood ducks, trumpeter swans, frogs, fish, owls, raptors and a myriad of other wildlife take refuge in the large trees and natural shoreline. Even the partially submerged dead trees there provide a rich and essential habitat for wildlife.^[10]

With the removal of hundreds of trees and the addition of docks and other shoreline landscaping, those animals will have fewer options and many may simply go away.

POTENTIAL VIOLATIONS OF STATE SHORELAND RULES

The Tycon proposal acknowledges that “the project site will need to follow City Code Section 209.080 — Shoreland Management”^[5]. We agree.

The Minnesota Department of Natural Resources (MnDNR) considers any land within 1,000 feet of a shore as shoreland. The entire site fits that description.

The MnDNR has requirements for shoreland properties including a stipulation that a maximum of 25 percent of the lot be impervious surfaces. The Minnesota Department of Natural Resources (MnDNR) website states that:

“In order to minimize overland runoff and reduce the amounts of contaminants to enter a body of water, the state shoreland rules limit the total coverage of impervious surface to 25 percent of the lot area. Impervious surfaces include rooftops, decks, sidewalks, patios, swimming pools, driveways or other similar surfaces.”^[8]

By dividing up and cutting and pasting the impervious surfaces of the site plan into a grid (think of the game Tetris) and comparing that square area to the overall size of the property, we came up with impervious surfaces totaling a whopping 46.7 percent of the total area.

To get to that figure we added reasonable area for driveways and walkways for the villas and lakeshore homes, something not shown on the site plan.

With the “green roof” on top of the apartment building’s parking structure added in, the impervious surfaces still add up to 44.4 percent. Despite proposed holding ponds, this amount of impervious surface could have a detrimental effect on the lake.

The developer may be able to get around this by having the development approved as a Planned Unit Development (PUD), but the MnDNR states that in a PUD: “Open space must constitute at least 50 percent of the total project area.”^[28] Open space excludes private dwelling sites (such as the seven lakeshore home),

dwelling units, roads parking areas.^[29]

So it’s quite hard to have 44.4 percent impervious surface and 50 percent open space plus the lakeshore home lots. That leaves no room at all for the villas and apartment building.

“Encourage site designs that minimize surface water run-off, reduce impervious surface coverage, provide vegetative buffers adjacent to water bodies, use native plants, support transit, active living and incorporate pedestrian-oriented features.

—*Destination Shoreview 2040*

Shoreview’s population estimates for the year **2040**,^[22]

Based on the 2020 U.S. Census, Shoreview has already surpassed its estimated population of 26,600 for the year **2040**, 19 years from now, according to one city projection.^{[21][22]}

26,600
27,400

Shoreview population, 2010 ^[21]	25,043
Shoreview population, 2020 ^[21]	26,921
Shoreview est. population with proposed Union Gospel (2.32 people per household) ^[22]	27,590

For a Planned Unit Development (PUD), the MnDNR states the purpose of building as a PUD on shoreland property is: “To preserve and enhance the natural and scenic qualities of shoreland areas during and after development and redevelopment of high density residential and commercial uses.”[26] This proposal preserves some shoreline vegetation but does not enhance shoreland areas and does not fall into the category of redevelopment of high-density uses.

The MnDNR states that “Each lot created through subdivision, including planned unit developments . . . must be suitable in its natural state for the proposed use with minimal alteration.”[27] This proposal drastically re-grades the land to accommodate the apartment building and roads.

WETLANDS FILLED IN

Tycon’s proposal calls for filling in part of a wetland.[7] Page 19 of the proposal shows two wetland areas on the property One is highlighted. The smaller one is near the east edge of the property. More than half of the bigger wetland would be filled in to build a road. The smaller wetland would be completely filled in.

Tycon claims there will be minimal impact to the wetland and suggests it could buy “wetland bank credits” to offset the damage.[7] That does nothing to help the wetland they would be partially filling in. Wildlife and aquatic animals could be negatively impacted.

The Ramsey Washington Metro Watershed District has indicated it might not be amenable to wetland bank credits as their rules have changed.[30]

EROSION AND RUNOFF FROM LANDSCAPING

Architectural drawings show grass growing right up to the edge of the water near the apartment building, creating a concern for erosion and pollution from lawn fertilizer and other runoff.[16]

INCREASED STORMWATER CONTAMINATION

While the developer proposes some stormwater retention ponds on the property, the proposal also states that “Storm sewer is located throughout the private drive [the ring road for the single-family homes] to capture water as the roadways drain to the north. This single-family storm sewer continues north into the multi-family property before depositing into Snail Lake.”[5]

With more volatile weather, the threat to our natural environment is likely to increase. Greater frequency and intensity of rain events could overwhelm the effectiveness of the

measures Tycon plans to put in place to protect Snail Lake from runoff from current weather events.

A ROAD TOO NEAR THE SHORE

A proposed ring road would encircle the apartment building and access its two-level parking garage. Part of that road is shown as being very close to the shore, infringing on the Ordinary High Water Level 50-foot setback allowance.[11]

The ground is also very steep at that point. The developer would build an 8-foot retaining wall between the roadway and the shore and it would infill on the land side of the wall to raise the elevation of the roadway. The elevation drawings show a much steeper resulting slope between the retaining wall and the water, leading to ques-

The City and its residents place a high value on preserving the natural environment of the community and ensuring new development fits the character of existing neighborhoods and meets community needs.

—Destination Shoreview 2040

Profile of apartment building, as seen from the south, 55 feet high by about 666 feet wide.

Profile of a Boeing 747 Jumbo Jet 250 feet, 2 inches long.



Profile of average ranch house.



tions of erosion.^{[11][16]}

The wall will also be unsightly from the water. Depending on storm water drainage plans, state shoreland standards may not allow impervious surfaces, such as roadways, within the ordinary high water level setback.^[8]

ROAD ENTRANCE WOULD USE PUBLIC LAND

The proposed paved entrance from Hwy. 96 directly across from Dale St. would need to use a parcel of property owned by Ramsey County, on which the second wetland is located. There is no alternative entrance allowed by the Department of Transportation, according to the proposal.^[5]

THE HEIGHT AND SHEER SIZE OF THE APARTMENT BUILDING WOULD DOMINATE THE LANDSCAPE AND LAKE

This will be a behemoth that will be hard to miss. The developer will surely promote lake views, meaning the apartment will easily be seen from the lake as well.

According to the Minnesota DNR:

“Height limits in shoreline areas are put in place to preserve the natural character on a body of water and are meant to keep development below the treeline. The state shoreline rules establish that all structures in residential

districts in cities, except churches and nonresidential agricultural structures, must not exceed 25 feet in height.”^[8]

The developer instead started with the existing allowed 35-foot maximum height for a building in Shoreview and added one foot of height for every additional foot the structure recedes from the 30-foot property line setback (as allowed under Multi-Use zoning), coming up with a whopping 55-foot tall apartment building. Many trees will likely be cut down to allow apartment residents to see the lake. That means that the 55-foot building would tower over Snail Lake and could be seen from the lake and opposite shore.

MORE DOCKS, MORE USE OF LAKE

With the addition of more than 600 residents to the lakeshore, use of Snail Lake will surely increase. It’s unclear how the proposed dock for the apartment building would be used, but the

potential for heavy use is there. The single-family homes planned for the rest of the shoreline would also likely have docks, as would be expected for a home on a lake. It also looks as though the 22 villas would have group access to the lake with, potentially, a dock. (Notice the corridor between lots V4 and L1 on page 11 of the proposal).^[11]

If the apartment building and villas would have access to the lake, it’s unclear how use of the lake would be monitored, whether non-residents could surreptitiously use the common dock and how enforcement of inap-

Visual impact of altering the landscape and of new development must be considered.

—*Destination Shoreview 2040*

appropriate behavior would be dealt with. Snail Lake Regional Park has certain set hours. There might not be set hours for the development residents.

DISTURBED SOIL NOT ADEQUATELY AMENDED

Looking at the road elevations in the proposal, there will have to be significant grading of the soil. [18] According to the proposal “All disturbed areas shall be re-vegetated with a minimum of 4” of top-soil”^[12]. If the soil beneath is not of good quality, for instance in an infill situation, many plants will have trouble growing there.

A BAD PRECEDENT WOULD BE SET

If built as proposed, the apartment building would set an undesirable precedent. It would be the first to be seen from any lake in Shoreview. There are other large apartment buildings in the city, but they are located so as to not visually mar such a precious natural city asset like Snail Lake.

The other large apartment buildings in Shoreview do not border low-density residential areas to the extent Tycon’s proposal would. With the exception of a small business center, the Union Gospel Mission site is bordered completely by single-family residential homes.

DIVERSITY REDUCED

According to the Minnesota DNR, diversity of wildlife is reduced as development directly on lakes increases.^[24]

“When a lakeshore becomes developed there is a 30% reduction in native tree and shrub canopy [and a] . . . 66% reduction in shoreline vegetation.”

Songbirds are still as plentiful before and after development, but the species of bird changes. “Uncommon songbirds, like warblers . . . and vireos, were primarily found along undeveloped lakes. . . . Common birds, like English sparrows and blue jays . . . were more abundant on developed lakes.”

‘. . . the more homes per mile, the fewer the green frogs.’”

“Research in Minnesota lakes has demonstrated that Black Crappie and Largemouth Bass may be affected by shoreline development. Crappies and bass both prefer to spawn near undeveloped shoreline . . .”

And last but not least:

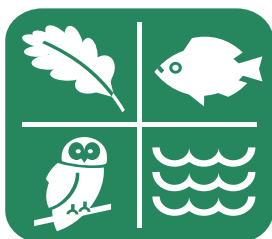
HISTORY OF THE PROPERTY IGNORED

Tycon makes no mention of preserving the Ministry Center or recognizing the history of the property, which includes gangster ties and charitable outreach.^[20]

The cultural and historical significance of this property shall be recognized in any redevelopment plan. Efforts shall be taken to preserve the existing Ministry Center building and incorporate the structure into the redevelopment.

—Destination Shoreview 2040

The arguments herein were researched and presented by



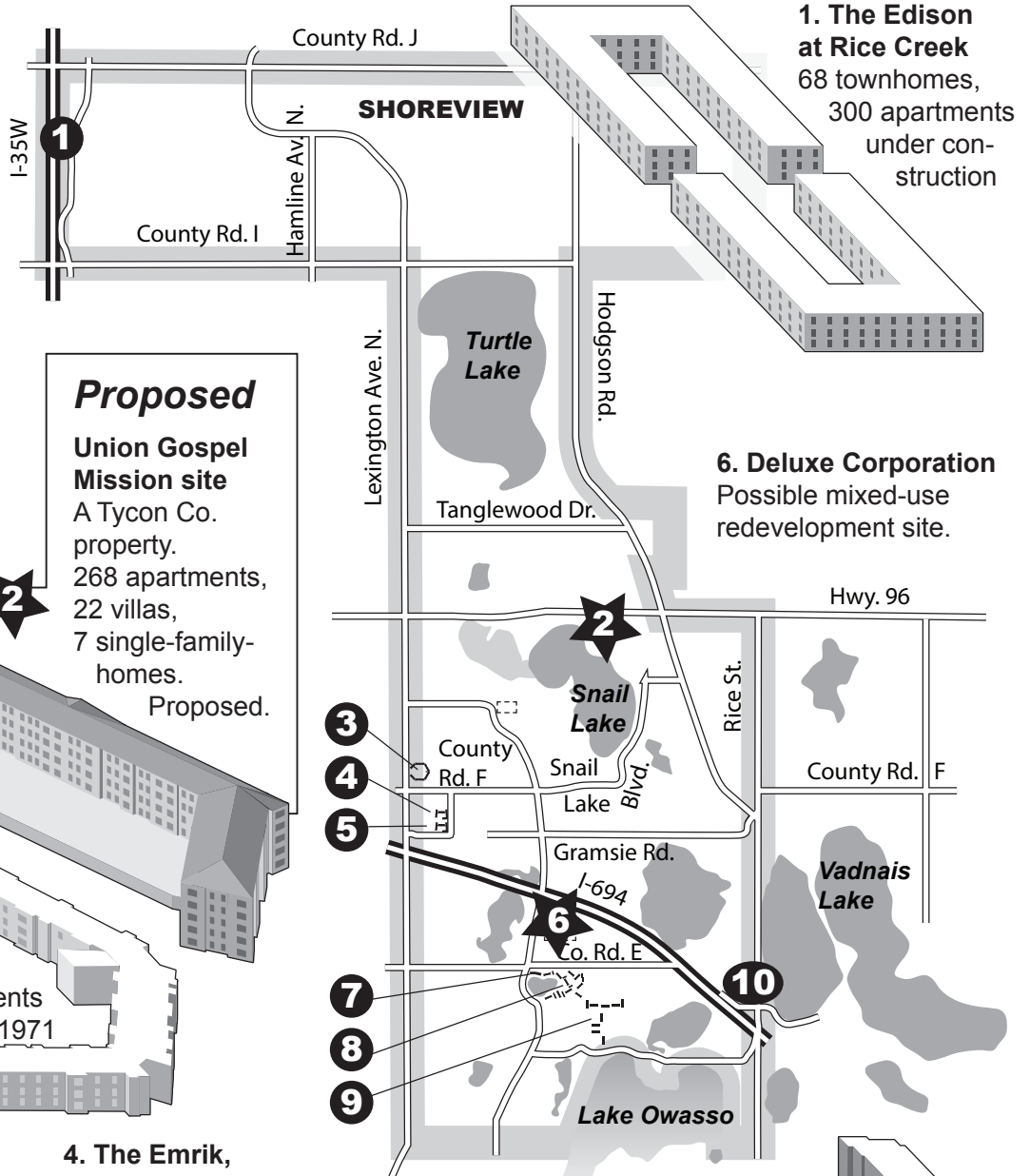
Shoreview Lakes Preservation

Formerly Snail Lake Preservation Alliance

Too massive for the shore of a small lake

The proposed development on Snail Lake is huge, even compared to other mammoth apartment projects already built in the city or under construction. Add in existing senior and smaller apartment buildings and Shoreview has arguably done its part to provide high-density housing.

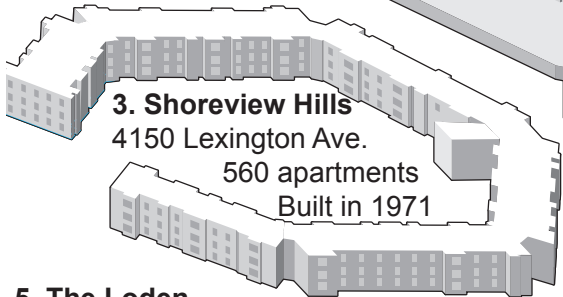
These buildings are drawn to scale relative to each other.



1. The Edison at Rice Creek
68 townhomes, 300 apartments under construction

Proposed
Union Gospel Mission site
A Tycon Co. property.
268 apartments, 22 villas, 7 single-family-homes.
Proposed.

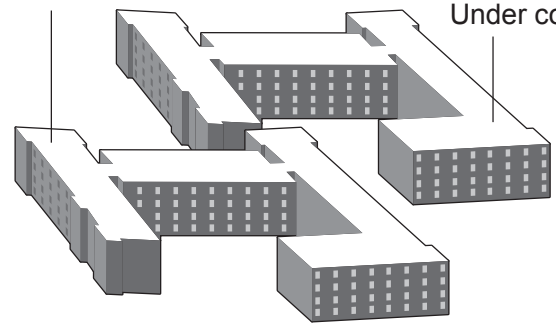
6. Deluxe Corporation
Possible mixed-use redevelopment site.



3. Shoreview Hills
4150 Lexington Ave.
560 apartments
Built in 1971

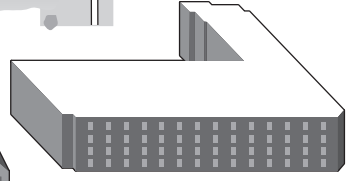
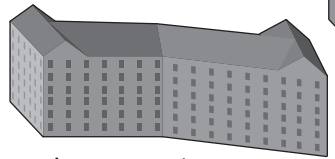
5. The Lodan
206 apartments, 4 stories. Built in 2019

4. The Emrik,
206 apartments, 4 stories. Under construction.



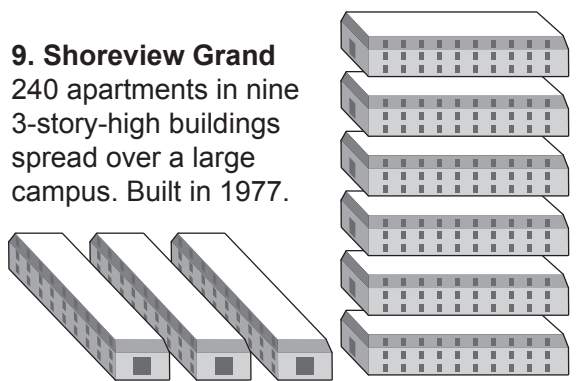
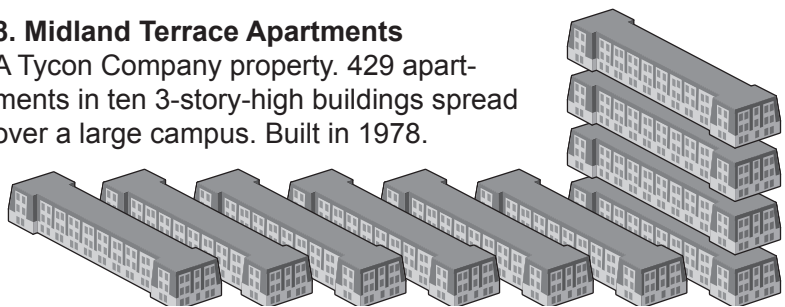
7. Lakeview Terrace
A Tycon Companies property
104 apartments, 6 stories
Built in 2014

10. McMillan Apartments
135 apartments, 4 stories
Built in 2018



8. Midland Terrace Apartments
A Tycon Company property. 429 apartments in ten 3-story-high buildings spread over a large campus. Built in 1978.

9. Shoreview Grand
240 apartments in nine 3-story-high buildings spread over a large campus. Built in 1977.



WEBSITES

DESTINATION SHOREVIEW 2040 COMPREHENSIVE PLAN:

<https://www.shoreviewmn.gov/government/departments/community-development/comprehensive-plan>

CITY WEBSITE FOR UNION GOSPEL MISSION DEVELOPMENT

<https://www.shoreviewmn.gov/uniongospel>

TYCON COMPANIES PROPOSED DEVELOPMENT PDF

<https://www.shoreviewmn.gov/home/showpublisheddocument/15816>

MnDNR SHORELAND INFORMATION

https://www.dnr.state.mn.us/waters/watermgmt_section/shoreland/property-owners.html

CITY OF SHOREVIEW MUNICIPAL CODE, Chapter 206, Other development standards

<https://www.shoreviewmn.gov/home/showpublisheddocument/12/637237491316370000>

CITY OF SHOREVIEW MUNICIPAL CODE, Chapter 209 Environmental Standards

<https://www.shoreviewmn.gov/home/showpublisheddocument/16/637650469316200000>

MnDNR HABITAT INFORMATION

<https://www.dnr.state.mn.us/rys/in/development.html#:~:text=Water%20quality,-Our%20lakes%2C%20wetlands&text=Up%20to%209%20times%20more,other%20pollutants%20than%20natural%20shorelines>

MnDNR MODEL ORDINANCE

[dnr.state.mn.us/waters/watermgmt_section/shoreland/mod-ord.html](https://www.dnr.state.mn.us/waters/watermgmt_section/shoreland/mod-ord.html)

CITY OF SHOREVIEW MEETING AGENDA PACKET for the Sept. 28, 2021 Planning Commission meeting. Go to <https://www.shoreviewmn.gov/government/agendas-and-minutes> > Available archives > Planning Commission > Sept. 28, Part 1 > Agenda packet

FOOTNOTES (see left for web links)

- [1] Destination Shoreview 2040 comprehensive plan, Chapter 4, page 25
- [2] Tycon development pdf, page 2
- [3] Shoreview 2040, Chapter 4, page 25
- [4] Shoreview 2040, Chapter 4, page 28
- [5] Tycon development pdf, page 5
- [6] Tycon development pdf, page 33
- [7] Tycon development pdf, page 7
- [8] MnDOT WEBSITE ON SHORELAND PROPERTY, referenced at left
- [9] Shoreview 2040, Chapter 7, page 153
- [10] UNIVERSITY OF WISCONSIN ARTICLE ON WATER HABITAT
<http://www.uwsp.edu/cnr-ap/clue/Documents/Water/TreesShoreline.pdf>
- [11] Tycon development pdf, page 11 and others
- [12] Tycon development pdf, page 22
- [13] City of Shoreview Municipal Code, Chapter 206, page 9
- [14] City of Shoreview Municipal Code, Chapter 209, page 17
- [15] City of Shoreview Municipal Code, Chapter 209, page 18
- [16] Tycon development pdf, page 16
- [17] Shoreview 2040, Chapter 4, page 51
- [18] Tycon development pdf, pages 26-28
- [19] Tycon development pdf, page 19
- [20] Shoreview 2040, Chapter 8, page 9
- [21] [uscensus.gov](https://www.uscensus.gov)
- [22] Shoreview 2040, Chapter 3, page 17/18 (page 17 gives an estimated 2040 population of 26,600, while page 18 gives an estimate for 2040 of 27,400). You be the judge.
- [23] Minnesota Department of Transportation.
<https://mndot.maps.arcgis.com/apps/webappviewer/index.html?id=7b3be07daed84e7fa170a91059ce63bb>
- [24] MnDOT WEBSITE ON HABITAT, referenced at left
- [25] MnDNR model ordinance, Sec. 10.61f
- [26] MnDNR model ordinance, Sec. 10.1
- [27] MnDNR model ordinance, Sec. 9.2
- [28] MnDNR model ordinance, Sec. 10.62a
- [29] MnDNR model ordinance, Sec. 10.62c
- [30] Meeting agenda packet (see left), page 88