



CITY OF WACONIA PLANNING COMMISSION AGENDA

Regular Meeting of
Planning Commission
Waconia, Minnesota

Thursday, January 7th, 2016
City Hall – 6:30 PM

MEMBERS: Mike Blanchfield, Steve Hebeisen, Don Osmundson, John Meisch, Nathan Vilmain
ALTERNATE MEMBER: Robert Grohmann
CITY COUNCIL MEMBER LIAISON: Jim Sanborn

STAFF: Lane Braaten, Community Development Director
Angie Perera, Assistant Planner
Brenda Wurst, Recording Secretary

1. Call meeting to order and roll call
2. Adopt Agenda
3. Minutes Approval from: November 19th, 2015 Special Planning Commission Meeting and December 3rd, 2015 Regular Planning Commission Meeting. – Pages 1-17.
4. New Business
 - A. ELECTION OF OFFICERS and OATH OF OFFICE: New Planning Commission members.
 - B. PUBLIC HEARING: Request for a variance from the Downtown District Design Standards regarding rooftop screening by Greg and Bria James for the property located at 140 Main Street West. – Pages 18-31.
 - C. SITE PLAN AMENDMENT & DESIGN REVIEW: Site Plan and Architectural Design Standards Review request by Paul Vogstrom and David Olshansky for additional modifications to be made to the Nagel Assisted Living facility at 232 Elm Street South. – Pages 32-57.
 - D. INFORMAL DISCUSSION: SKETCH PLAN – Interlaken Outlot A submitted by Hartman Communities for the property located at 1150 Somerwood Drive. – Pages 58-64.
5. Other
 - A. DISCUSSION ITEM: Day Mental Health Treatment Facility regulations. – Pages 65-66.
6. Adjourn

WACONIA PLANNING COMMISSION
THURSDAY, November 19, 2015

Pursuant to due call and notice thereof, a special meeting of the Waconia Planning Commission was called to order by Chairperson Hebeisen at 6:30pm.

1. CALL MEETING TO ORDER.

MEMBERS PRESENT:	Vilmain, Hebeisen and Osmundson
MEMBERS ABSENT:	Blanchfield and Parpart
STAFF PRESENT:	Braaten, Perera, Wurst
COUNCIL LEISON:	Jim Sanborn
VISITORS:	See attachment.

No changes to the agenda.

2. ADOPT AGENDA: Motion by Osmundson, seconded by Vilmain to adopt the Agenda as presented. All present voted aye. MOTION CARRIED.

3. APPROVE MINUTES: No minutes

4. NEW BUSINESS:

A. SITE PLAN REVIEW, VARIANCE REQUEST AND REZONING: HIGH SCHOOL SITE – PHASE 2, FOR THE PROPERTY LOCATED AT 1650 COMMUNITY DRIVE – WACONIA PUBLIC DISTRICT ISD#110.

The property owner, Waconia Public Schools, and the applicant, LSE Architects, Inc., have submitted the following applications for review in association with Phase 2 of the High School Project:

1. The Applicant has submitted a Variance Application requesting an overall maximum building height of 51 ft. 8 inches for the theater and fly loft area of the proposed addition versus the 40 ft. maximum height allowed in the P, Public District.
2. The Applicant has submitted a Rezoning Application requesting PID# 750270200 be rezoned from the A, Agricultural District to P, Public.
3. The Applicant has submitted a Site Plan Review Application requesting approval of Phase 2 of the High School Project for the property located at 1650 Community Drive.

Braaten pointed out the location of the property on the overhead screen reminding the Commissioners that the City regarded the parcels just west of Clearwater School as Institutional and Public. The annexation process is still being resolved but the City has received Zoning Authority from Carver County per their meeting on November 17, 2015.

Background – Braaten stated that the 6 parcels being discussed are identified as follows: Parcels 750220400 and 750220600 are currently zoned P, Public. The parcels identified as PID#s 090220800, 090220820 and 090220900 are guided as I-P, Institutional or Public and will be zoned P, Public when annexation of the properties becomes finalized. The property identified as PID# 750270200 is currently zoned A, Agricultural District and the School District, as part of Phase 2, has requested this property be rezoned to P, Public District.

The other unique interior site circulation detail is that the applicant is proposing to provide an access from the existing Clearwater Middle School/Safari Island parking lot to the new parking area to the south and west

of the proposed addition. This access drive is needed for fire protection, but staff has indicated to the applicant that it may not be appropriate as a through traffic circulation route.

The Site Plan Review:

The parcels identified as PID#s 750220400, 750220600 and 090220800 are a mix of parking, school uses (Clearwater Middle School), recreational/fitness uses (Safari Island) and agricultural use. The remaining parcels were most recently used for agricultural purposes.

The addition being proposed would connect to the existing Clearwater Middle School. All set back requirements are met. As a part of the lot requirements for the Public Zoning District, it does exceed the maximum 40 foot building height allowance by 11 feet 8 inches.

The maximum hardcover surface allowed in the P, Public District is 80%. The applicant is proposing 32% hardcover surface for the 100.7 acres of property included in said calculation. The application is in compliance with the hardcover surface standards for the district.

The project is located within the P, Public District and is therefore exempt from the Architectural Design Standards section of the City Code. With that noted, the applicant is proposing exterior building elements such as precast concrete panels, metal panels, brick, composite panels (wood veneer) and aluminum window frames with low E glass. The proposed building materials are consistent with the information provided with Phase 1 of the High School project.

The initial vehicular access to the property will be via Community Drive, with the City anticipating the improvement of 94th Street and Community Drive as part of our 2017 improvement projects. In addition, the County is proposing to construct, at a minimum, the section of new County 10 (County Road 110) from Highway 5 north to the intersection with Community Drive in 2017. This improvement will allow a roundabout to be installed at the Hwy. 5 intersection and at the intersection of Community Drive and County Road 110. The north section of County Road 110, if not completed as part of the County's initial project in 2017, will be completed at a later date and will connect to County Road 10 to the north (approx. 2018). When County Road 110 is completed it will serve as the primary access via Community Drive, with limited access via 94th Street.

Trails- City Ordinance requires subdividers/developers to *“construct a meaningful pedestrian circulation system subject to City approval which connects to the major trail system to schools, parks and shopping areas and shall provide easements to accommodate such movement. Said pedestrian ways shall be coordinated with those of adjacent subdivisions and the Comprehensive Plan.”*

The applicant is proposing significant additions to the pedestrian circulation system to connect the new high school location to the existing trail segments. Specifically, the applicant is proposing the following trail segments:

1. An 8 ft. wide bituminous trail segment along the north side of 94th Street that will extend to the east and connect to the existing high school/future middle school site and connect to the detached future trail which will extend north and south along future County Road 10.
2. An 8ft. wide bituminous trail segment along the south side of Community Drive which will connect to the existing sidewalk in front of Safari Island and extend west to the future detached trail which will extend along the east side of the future County Road 10.
3. A future 10 ft. trail segment extending from the eastern portion of the high school property to the west half of the high school property via a new pedestrian underpass. This trail segment will also connect to the future detached trail section along the east side of the future County Road 10 in addition to connecting the school and students to the new athletic fields on the west side of the highway.

All off street parking requirements are met.

The screening requirements are met.

Landscaping, lighting and loading dock requirements have been satisfied.

No sign information/permit has not been submitted as a part of this application, but they are aware of the submittal required.

Grading, drainage and utility as a part of this discussion is ongoing-the City Engineer and Public Services Director are still working through a list of items.

Osmundson asked about the parking spaces for the facility. Braaten clarified that there is a small parking area on the south side and another on the north side, with the major parking lot to the southwest of the proposed building. Also a future parking lot on the west side of the highway for the athletic fields. This is in addition to the existing parking that is shared between Safari and Clearwater Middle School.

Variance portion of the application includes:

The property is located within the P, Public Zoning District which allows a maximum building height of 40 ft. and the applicant is requesting approval of a variance to construct the theatre/fly loft portion of the proposed addition at a maximum height of 51 ft. 8 inches.

Vilmain pointed out a typo regarding the drawing in the packet stating 151’-8’ feet in height. (correction is 51 ft. 8 inches.)

The applicant has provided documentation from the specialty theatre consultant, Schuler Shook, indicating that reducing the height of the theater/fly loft portion of the building would have a significant impact on the functionality of the stage and theatre as a whole. Further, the applicant has indicated that the proposed addition will be at least 470 feet from the closest Waconia Township residence and approximately 690 feet from the Country Ponds neighborhood within the City Limits.

Braaten displayed the south elevation showing the height of the theater. There were comments from the contractors, Schuler Shook that reducing the height of the theater would have significant impact on the functionality of the stage theater as a whole. These heights for a theater this size are considered standard.

Braaten then went through the variance criteria which states the following:

Waconia City Code Section 900.12, Subd. 4 and Minnesota State Statute 462.357, Subd. 6 establishes criteria to be considered when contemplating the issuance of a variance in terms of “practical difficulty” as follows: Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the terms of the variance are consistent with the comprehensive plan.” So a city evaluating a variance application should make findings as to:

1. Is the variance in *harmony with* the purposes and intent of the ordinance?
2. Is the variance *consistent with the comprehensive plan*?
3. Does the proposal put property to use in a *reasonable manner*?
4. Are there *unique circumstances* to the property not created by the landowner?
5. Will the variance, if granted, alter the *essential character* of the locality?

State statute specifically notes that economic considerations alone cannot create practical difficulties. Whereas, practical difficulties exist only when the three statutory factors are met (1. reasonableness, 2. uniqueness, and 3. essential character).

Rezoning Application:

Current zoning of the properties is considered Public and Agricultural and guided as Institutional or Public and when annexed into the city will be zoned Public. Braaten pointed out a triangle portion that is currently zoned A, Agriculture. Todd Swanson, Finance Director for District #110, stated that the triangle portion has been farmed and that a small corner of the property is wetlands.

Braaten mentioned that rezoning the parcel would require a 4-5th vote of the Council to be approved. It is consistent with what they have been looking at as part of the application initially.

The Public Hearing items this evening are the Variance and the Rezoning. Notices were published in the October 22, 2015 in the Waconia Patriot and mailed notices for the statute of the ordinances and a revised notice for this evening was also sent out. No comments regarding any of the applications have been received. Braaten commented that the three applications needed to be considered with individual motions and once a recommendation has been made the applications will be heard by the City Council on November 23, 2015.

Motion by Osmundson, second by Vilmain to Open the Public Hearing for the Variance Request and Rezoning. All in favor voted Aye. MOTION CARRIED.

No comments.

Motion by Vilmain, second by Osmundson to Close the Public Hearing for the Variance Request and Rezoning. All in favor voted Aye. MOTION CARRIED.

Osmundson commented on the 5 recommended conditions and asked if they apply to all three applications. Braaten indicated that they would apply to all three.

Braaten indicated that the Planning Commission should make a recommendation to the City Council regarding the requests by Waconia Public Schools and LSE Architects for a Variance, Rezoning and Site Plan Review approval for Phase 2 of the High School Project.

If the Planning Commission chose to recommend approval of the Variance, Rezoning and Site Plan Review requests, staff would recommend the approval upon the following conditions:

1. The proposed improvements shall be completed as approved and as conditionally revised by the Planning Commission and the City Council.
2. All applicable permits are applied for by the applicant with all supporting documentation and issued prior to the start of construction.
3. The City Council shall review and approve the final plat for said project prior to the issuance of a building permit for Phase 2 of the project.
4. The sliding trash enclosure gate details shall be provided to City staff for review and approval prior to installation.
5. The applicant shall receive grading, drainage and utility plan approval from the Public Services Director and City Engineer prior to the issuance of a building permit for Phase 2 of the project.

Motion by Osmundson, second by Vilmain, to approve the Site Plan as presented with the recommendation of the 5 conditions stated in the staff report. All in favor vote aye. MOTION CARRIED.

Motion by Vilmain, second by Osmundson to approve the Variance request with the recommended 5 conditions stated. All in favor vote aye. MOTION CARRIED.

Motion by Osmundson, second by Vilmain to approve the Rezoning Application with the recommended 5 condition stated. All in favor vote aye. MOTION CARRIED.

(The only reason we are able to review the attached land use applications is that Carver County released zoning authority to the City of Waconia at their regular meeting on November 17th, 2015.)

B. PUBLIC HEARING: NEW WACONIA HIGH SCHOOL AND FIELDS PRLIMINARY PLAT AND FINAL PLAT APLICATION SUBMITTED BY LSE ARCHITECTS, INC. ON BEHALF OF ISD 110 FOR THE PROPERTY LOCATED AT 1650 COMMUNITY DRIVE.

The City has received Preliminary and Final Plat Applications from LSE Architects, Inc., on behalf of Waconia Public Schools for the properties located at 1650 Community Drive. The preliminary and final plat,

titled New Waconia High School and Fields, propose to consolidate the 6 parcels indicated above and dedicate outlots for the expansion of Community Drive, the improvement of a portions of 94th Street, the improvement of the future alignment of County Road 10 and storm water ponding.

The proposed plans indicate four (4) outlots being created with the approval of the New Waconia High School and Fields development.

Stormwater Ponding Outlot– The plans indicate that this outlot will provide approximately 3.4 acres for stormwater ponding.

County Highway 10 Outlot – The plans indicate that the County Highway 10 outlot will provide 4.67 acres to allow for the future improvement of County Road 110 and the roundabout at the intersection of County 110 and Community Drive.

Community Drive Outlot – The plans indicate that the Community Drive outlot will provide 3.31 acres to allow for the future improvement of the west extension of Community Drive.

94th Street Outlot – The plans indicate that this outlot will provide 1.22 acres to allow for the future improvement of 94th Street.

Motion by Osmundson, second by Vilmain, to open the Public Hearing for the New Waconia High School and field Preliminary Plat and Final Plat Application submitted by LSE Architects, Inc. on behalf of ISD 110 for the property located at 1650 Community Drive. All in favor voted aye. MOTION CARRIED.

No comments were received from the public.

Motion by Vilmain, second by Osmundson, to close the Public Hearing for the New Waconia High School and Field Preliminary Plat and Final Plat Application submitted by LSE Architects, Inc. on behalf of ISD 110 for the property located at 1650 Community Drive. All in favor voted aye. MOTION CARRIED.

Motion by Vilmain, second by Osmundson, to recommend approval of the New Waconia High School and Fields Preliminary Plat and Final Plat Application submitted by LSE Architects, Inc. on behalf of ISD 110 for the property located at 1650 Community Drive with the following conditions:

1. The New Waconia High School and Fields Preliminary and Final Plats shall be completed as approved and as conditionally revised by the Planning Commission, the City Council and City staff.
2. All applicable permits are applied for by the applicant with all supporting documentation and issued prior to the start of construction.
3. The applicant shall obtain Carver County Watershed Management Organization (CCWMO) approval and permitting for erosion control and storm water management. A copy of any approvals or permits shall be submitted prior to any land disturbing activities. Except for the temporary approvals previously approved for Phase 1 of the High School Project.
4. The applicant shall obtain a General Construction Storm water Permit (NPDES) from the Minnesota Pollution Control Agency and submit a copy to the City prior to any land disturbing activities.
5. All indirect costs related to the permitting, review, and plans associated with engineering and administrative costs shall be paid by the applicant/owner.
6. The applicant shall provide revised preliminary and final plat documents, drafted by a licensed surveyor, meeting the submittal requirements stated in City Ordinance and completed to the satisfaction of City Staff.
7. The watermain, sanitary sewer, grading, and storm water issues shall be resolved to the satisfaction of the City Engineer and Public Services Director prior to the issuance of the building permit for Phase 2 of the High School Project.
8. Compliance with applicable items contained in Chapter 1000 of the City of Waconia Subdivision Ordinance.
9. Compliance with the items noted in the City Staff review comments memo dated October 16th, 2015.
10. Execution of a Developer's Agreement for the Final Plat.

All in favor voted aye. MOTION CARRIED.

C. INFORMAL DISCUSSION: SKETCH PLAN – PLOCHER BROS. SUBDIVISION SUBMITTED BY PRESTON FOX, ON BEHALF OF LARRY PLOCHER AND KEN PLOCHER FOR PID #0902250310 AND #090250320.

The City has received a Sketch Plan Application from Mr. Preston Fox (the “applicant”), on behalf of the property owners Larry Plocher and Ken Plocher, to facilitate a discussion with the Planning Commission regarding the possible future development of their properties.

Braaten indicated the location of the properties on the overhead map. The properties are located at 9835 Highway 284. Submittal of a Sketch Plan allows possible developers to provide a concept plan to the Planning Commission to receive feedback on a potential project to determine any conflicts prior to submittal of any future applications such as Preliminary Plat, Comprehensive Plan Amendments, Annexation, etc.

The concept plan indicated single-family residential homes, townhomes and an apartment building. The applicant has submitted a sketch plan for PID#s 090250310 & 090250320 indicating the possible development of approximately 113 total housing units on just over 39 acres. Specifically, the applicant is proposing 57 single-family parcels, 26 townhome units and 30 apartment units on the subject properties, which is in compliance with the guidance of the City of Waconia Comprehensive Plan.

Hebeisen asked if this sketch plan fits the criteria. Braaten stated that yes it does.

Osmundson asked where the creek on the property comes from and where it goes. The applicant stated that it flows from the West and makes its way through Plocher Property.

Fox provided a few highlights:

- The entire neighborhood is consistent with the Comp Plan.
- High, medium and low density.
- They expect the utilities to extend through the Sierra development.
- They anticipate Campfire Court which comes out of Sierra to be extended through the new development.

Hebeisen asked if the Song River Development is connected with the Plocher Development. Mr. Fox stated that it was completely different.

Braaten commented that Song River is a totally separate development. Further, Braaten reminded the Commission that the only part of the Song River property currently adjacent to the City Limits is the corner to the far west. If the Plocher Development were to be annexed into the City, then the Song River’s eastern parcel would be directly adjacent to the City Limits which would allow them to annex and develop the eastern parcel without the need to annex the western parcel.

Osmundson asked about the remnant parcel shown on the sketch plan where Mr. Plocher currently has his business and how it would be incorporated into the plan in the future.

Hebeisen stated that he saw no obstacles or any issues with going forward with this development.

Braaten informed the Commission that he received a call earlier in the day from a resident concerned about the woods, the wetlands, and the creek that runs through the property. He indicated that these are concerns that would be handled at the time of a preliminary plat. Carver County Water Management would also get involved with this process and certain requirements would need to be met.

Braaten reminded the Commission that this is not a public hearing.

Braaten asked Mr. Fox for a time frame regarding this development. Fox stated that they would like to bring forth a Preliminary Plat early in 2016.

Larry Plocher, property owner, stated that the creek comes out of Brandts Lake and runs to Millers Lake, then from there into the Minnesota River.

Gordy Winter, Elm Creek Road resident, stated that this development logically makes sense. The only concern is the residents on Elm Creek Road who would see this becoming a major intersection at Elm Creek Road and Hwy 284. Mr. Winter asked that they be kept in the loop of what is taking place with the Plocher Development.

Gary Nordic, resident in the Sierra neighborhood, had concerns about the north end of the development that slopes and how it would be developed. Mr. Nordic also mentioned concern regarding the road going into Sierra. Braaten reassured Mr. Nordic that these items would be looked at as part of the preliminary plat process.

No other business.

There being no further business, motion by Osmundson, seconded by Vilmain to adjourn at 7:15p.m. All present voted aye. **MOTION CARRIED.**

Respectfully submitted,

Brenda Wurst
Recording Secretary

November 19, 2015
Waconia Planning Commission Special Meeting

PLEASE SIGN IN

NAME	ADDRESS
1. Jennifer Tuttle	11890 CR 30
2. P. Tox	Waconia
3. K. Plocher	Mayer, MN
4. LARRY PLOCHER	WACONIA
5. Phil Buranell	WACONIA
6. Adam Fabel	Cologne
7. Andy Vasak	Hutchinson
8. Pat Devine	150110 Waconia
9. LeRoy Friedrichs	10585 Elm Creek Rd Waconia
10. Dany Gladub	Waconia
11. Karen Hendricks	10585 Elm Creek Rd Waconia
12. Jackie Nordick	1987 Starlight Dr. Waconia
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WACONIA PLANNING COMMISSION
THURSDAY, December 3, 2015

Pursuant to due call and notice thereof, a regular meeting of the Waconia Planning Commission was called to order by Chairperson Hebeisen at 6:30 p.m.

1. CALL MEETING TO ORDER.

MEMBERS PRESENT: Blanchfield, Vilmain, Hebeisen, Osmundson and Parpart
MEMBERS ABSENT: All present
STAFF PRESENT: Braaten, Perera and Wurst
VISITORS: See attached

2. ADOPT AGENDA: Motion by Parpart, second by Blanchfield, to adopt the Agenda as presented. All present voted aye. MOTION CARRIED.

3. APPROVE MINUTES: Motion by Osmundson, seconded by Blanchfield, to adopt the Minutes of October 8, 2015 and November 5th, 2015 meeting. All present voted aye. MOTION CARRIED.

4. NEW BUSINESS:

PUBLIC HEARING: ORDINANCE AMENDMENT: REQUEST FOR AN AMENDMENT TO THE CITY CODE TO INCLUDE A DEFINITION FOR A "DAY MENTAL HEALTH TREATMENT FACILITY" AND TO ALLOW SAID USE AS A PERMITTED USE WITH SPECIAL RESTRICTIONS IN THE R-1, R-2, R-3, R-4 AND R-5 RESIDENTIAL ZONING DISTRICTS.

Perera presented the Ordinance Amendment regarding the facility for Cedar House, Inc. which is an out-patient community based mental health service provider. They are currently located in Albert Lea, Austin, Faribault, Jordan, Northfield, and Waconia. Their current location in Waconia is at 44 1st St. W. and is within the B-3 Central Business District. "Medical clinics" are permitted uses in the B-3 district therefore their current location is in compliance with the City Code.

The Cedar House is seeking a new location within the community and Jennifer Thalhuber (the applicant) has submitted an application on behalf of The Cedar House for the consideration of the proposed amendment to the City Code to specifically include a definition for a "Day Mental Health Treatment Facility" (within City Code Section 900.04, Definitions) and to allow the use as a Permitted Use with Special Restrictions in the R-1, Single-Family Residential District (City Code Sections 900.05, Subd. 2., A., B., C., D., & E).

Perera shared the following services for The Cedar House:

- Adult Mental Health Rehabilitation Services (ARMHS)
- Children's Therapeutic Support Services (CTSS)
- Coping with Depression / Anxiety

- Interpersonal Communication Strategies
- Stress Management & Relaxation
- Anger Management
- Healthy Lifestyle Choices
- Co-Dependency
- Coping with Grief and Loss
- Parenting Skills
- Crisis Management
- Independent Living Skills (Budgeting and Shopping, Cooking & Nutrition)
- Employment Skills
- In-Home Individual Psychotherapy
- Group Psychotherapy

The current location is in the Downtown District, 44 1st Street West in the B-3 Central Business District. Perera then indicated the location on a map of the downtown area.

Perera added that the applicants request for the Cedar House is seeking a new location within the community. They are requesting:

- The a Day Mental Health Facility be considered a Permitted Use with Special restrictions within the R-1, Single-Family Residential District.
- To add City Code definition “Day Mental Health Treatment Facility “ as “approved by the County for human services serving ten (10) or fewer persons and being located no fewer than 2,00 feet to another approved facility.”
- Then to break it down to the two special restrictions:
 1. Approved by the County for human services servicing ten or fewer Persons.
 2. Being located no fewer than 2,000 feet to another approved facility.

Perera included the ‘City Code Types of Uses, Description, & Process’ including five different types of uses that are typically included within the Waconia City Code. The purpose of this table is to explain the types of uses, provide a brief description of the different uses, and to note the applicable process for the different uses and to also serve as a summary and reference to the Planning Commission when considering the request for the proposed Ordinance Amendment.

PERMITTED USE-A use that is authorized or allowed alone or in conjunction with another use within a zoning district (provided it conforms with the requirements of the zoning district) – no permit or special administrative review or public hearing process required.

PERMITTED ACCESORY USE-An allowed use that is customarily incidental to and subordinate to the principal use or building (provided it conforms to the requirements of the zoning district) - no permit or special administrative review or public hearing process required.

PERMITTED USE-WITH SPECIAL RESTRICTIONS-A use that is authorized or allowed alone or in conjunction with another use within a zoning district (provided it conforms with the requirements of the zoning district) and requires conformance of specific, special conditions or requirements in order to ensure that any adverse impacts on adjacent uses, structures, or public services and facilities that may be generated by the use can be and are mitigated- no permit or special administrative review or public hearing process required.

INTERIM USE-A temporary use of a property until a particular date, until the occurrence of a particular event , or until zoning regulations no longer permit the use, permitted only upon issuance of an interim use permit and subject to the limitations and conditions specified therein. – similar to a Permitted Use with Special Restrictions; although the Interim Use would

essentially expire at a certain time & City Code requires a public hearing process and notification to be published in the newspaper and mailed to properties within 350 ft. of proposed interim use. A conditional use could be revoked if conditions or specific regulations were not being met.

CONDITIONAL USE- A use or occupancy of a structure (building), or a use of land (property), permitted only upon issuance of a conditional use permit and subject to the limitations and conditions specified therein. A conditional use would be approved and stay with the property – similar to a Permitted Use with Special Restrictions and Interim Use; although the Conditional Use would not expire and would stay with the property. City Code requires a public hearing process and notification to be published in the newspaper and mailed to properties within 350ft of proposed Interim Use. A Conditional Use could be revoked if conditions or specific regulations were not being met.

Perera, in detail defined the “Use Types” from the *least* regulated, *minimal* regulated and then described the *most* regulated types.

Perera shared with the Commission existing locations of their out-patient Mental Health Facilities.

Albert Lea:	B-3 Central Business District
Austin:	B-2 Community Business District
Faribault:	C-2 Highway Commercial District
Northfield:	C-2 to B Highway Business District
Jordan:	C-2 Central Business District & R-1 Single Family Residential District

Perera then showed a picture of the facility in Jordan which is a twin home in a residential neighborhood. This facility was designed to fit in with the characteristics of a residential home in not making it too obvious that it is a Day Mental Health Treatment Facility.

Perera commented that the focus of tonight’s meeting is the applicants request for an Ordinance Amendment.

Proposed Use -

The applicant has indicated that the proposed “Day Mental Health Treatment Facility” would be the principal or primary use of a property in the residential zoning districts, providing services to outpatient clients during daytime business hours. Staff’s interpretation of the City Ordinance would place the services being provided by the Cedar House as a “medical clinic” or “clinic” use since the term “outpatient” is typically defined as “a patient who receives medical treatment and who is not hospitalized overnight but who visits a *hospital, clinic, or associated facility* for diagnosis or treatment”.

Perera touched on that “Medical Clinics” are permitted uses in the downtown area within the B-2 General Business District, within the B-3 Central Business District, and within the B-4 Health Care Business District. “Medical related clinics/uses” are also allowed as a permitted use within the B-1 Highway Business District. The applicant’s current location in Waconia is located within the B-3 District and is therefore in compliance with the uses allowed within the City Code.

Proposed Regulation -

The applicant is requesting that the City Code define the proposed use and allow said use as a “Permitted Use with Special Restrictions within the R- 1 Single-family Residential District”.

The applicant is proposing the following suggested definition: “*Day Mental Health Treatment Facilities – approved by the County for human services serving ten (10) or fewer persons and being located no fewer than 2,000 feet to another approved facility*”.

The applicant has indicated that the reason for the zoning amendment request is that “the above proposed use is very similar in nature to currently approved uses already granted by the City of Waconia” in the residential districts and referencing “Uses Permitted with Special Restrictions under category (c) for daycare facilities”. The applicant’s reference is being made to City Code Section 900.05, Subd. 2, A. subpart 4.c. which states: “Day care facilities licensed by the State of Minnesota serving ten (10) or fewer persons” is a Permitted Use with Special Restrictions within the R-1 Single Family Residential District. The applicant has also shared with staff that if this ordinance amendment were approved they would have more options for locations within the community.

Waconia City Code defines “Day Care Nursery – A building or structure where care, protection and supervision of children are provided for a fee as licensed by the State of Minnesota in accordance with Zoning Ordinance”. Daycares are currently allowed as a Permitted Use with Special Restrictions in the following zoning districts in Waconia: R-1, R-2, R-3, R-4, & R-5 Residential Zoning Districts and also within the B-1, B-2, B-3, B-4 Business Districts and within the I-1 and I-2 Industrial Districts.

Perera shared again that while the applicant is specifically seeking an Ordinance Amendment to the Permitted Uses with Special Restrictions within the R-1 Single Family Residential District, the Permitted Uses with Special Restrictions allowed in the R-2, R-3, R-4, and the R-5 zoning districts are the same as those allowed within the R-1 zoning district and referenced as such in the Zoning Code. Based on the existing ordinance language allowing this use as a Permitted Use with Special Restrictions in the R-1 District would mean that the proposed use would also be allowed in the R-2, R-3, R-4 and R-5 Districts.

Perera indicated that this facility would not be allowed in the Industrial District, Agricultural District, Conservation District, Public District nor the Fair Grounds District.

Perera mentioned that the notice was published in the WACONIA PATRIOT on October 22nd, 2015 and posted at Waconia City Hall. Per request made by the applicant, the Planning Commission tabled the public hearing at their November 5th, 2015 meeting. The public hearing is being continued at the December 3rd, 2015 Planning Commission meeting. As of Tuesday, November 24th, 2015, the City has received no comments regarding this application. Although a phone call was received early today regarding more information of the proposed use. The caller asked if medication was going to be administered and it is not.

Upon a formal recommendation by the Planning Commission, this application will be forwarded to the City Council for review at their upcoming meeting on December 14th, 2015.

1. The Planning Commission should decide whether or not the proposed use is or is not appropriate within the residential district(s).
2. If the Planning Commission feels that the proposed use is not appropriate within the residential district(s) then they may consider making a recommendation to deny the applicant’s request and include any applicable comments pertaining to the reason(s)/findings for their recommendation.

3. If the Planning Commission decides that the proposed use is appropriate within the residential district(s), then they may further consider making a recommendation on the following options listed below.
 - a) Make a recommendation to approve the applicant's request for the proposed definition for a "Day Mental Health Treatment Facility" and to allow the use as a "Permitted Use with Special Restriction within the R-1 Zoning District"; and
 - Include any other applicable restrictions that may be appropriate with the proposed use (ie. minimum lot size, screening, parking/number of business vehicles, hours of operation, etc.).
 - b) Make a recommendation to approve the applicant's request with modifications. Suggested modifications could include but are not limited to the following suggestions:
 - Consider limiting the proposed use as a "Permitted Use with Special Restrictions" to only the R-1 zoning district and not within the other residential zoning districts.
 - Consider whether or not the proposed use would be appropriate as a Permitted Use with Special Restrictions or if the proposed use should be a different use (ie. Permitted, Interim, Conditional Use)
 - If not a permitted use: Consider any other applicable restrictions that may be appropriate with the proposed use (ie. minimum lot size, screening, parking/number of business vehicles, hours of operation, etc.).

Perera mentioned that the R-1 Single Family Residential District states: Intent and Purpose: The purpose of this district is to provide for areas within the City primarily intended for low density residential development as designated by the Comprehensive Plan. "Does the proposed use fit within the Intent and Purpose of the R-1 Zoning District of the City Code and is it compatible with existing land uses?"

Hebeisen was confused by the language that stated the facility would serve 10 or fewer persons. The letter came in after the fact and the statement would need to reflect the 10 persons or fewer. Hebeisen asked Perera what the difference between Permitted Uses with Special Restrictions and Permitted Conditional Use. Perera clarified that a Permitted Use with Special Restrictions would not require a permit process.

Parpart clarified that they are currently allowed in the Business Districts and they want to move to an Residential District. Perera replied that was correct. Currently our Residential Districts do not allow this use.

Motion by Parpart, second by Blanchfield, to open the Public Hearing: Ordinance Amendment, request for an amendment to the City Code to include a definition for a "Day Mental Health Treatment Facility" and to allow said use as a Permitted Use with Special Restrictions in the R-1, R-2, R-3, R-4, R-5 Residential Zoning Districts. All in favor voted aye. MOTION CARRIED.

Karen Zeller, CEO of Cedar House and Mark Zeller, on the Board of Cedar House and a Real estate Attorney, gave a brief description of the business. They stated that the needs and demands for the facility in the Waconia area are so great that they require a larger facility to operate the business. At this time they are renting a small space in the downtown. The business in Jordan is in the Residential area and it blends in well with the community looking like a duplex home. This type of facility does not have the

institutional feel, these types of structures in a Residential District give off more of a home feel.

Blanchfield asked why locate the facility in the R-1 District and if they had a property in mind. At this time, they have not purchased any properties but are looking.

Parpart asked about parking and hours of operation for the facility. The applicants explained that the hours of operation are from 8:00am to 6:00pm. And some parking would be needed to accommodate their patients and staff. They indicated parking some vehicles off site may be an opportunity to mitigate the parking concerns.

Braaten stated that several areas that were of interest were located in the R-1 District and that is when the applicants started looking at what was allowed in each zoning district. They looked at similarities in the R-1 districts such as in home Daycares and this being a “Day Mental Health Treatment Facility” has some similarities. These examples of businesses that are not accommodating overnight stays

Vilmain commented that it seems like too much of a rush in changing an ordinance with no set location in mind.

Zeller stated that the existing business zoned parcels available were not meeting some of the primary needs and criteria for this type of business. For example Zeller indicated they needed a facility with no steps, that was handicapped accessible, and had more of a home feeling rather than institutional.

Dennis Guertin, Guertin Realty, commented that earlier this summer there were several commercial locations available, but they were too late and the locations that would have fit their needs had been occupied. Guertin spoke of all the locations, commercial and residential, that they were interested in, but none of these options worked out.

Osmundson stated that a more specific request would be easier to work with.

Sheila Hanson, resident of Waconia, stated that it’s difficult because they haven’t found a location and to amend the ordinance without a specific location in the Residential District it’s tough to understand the impacts to the neighborhood. The Commissioners agreed.

Perera commented that if this were allowed as a permitted use with special restrictions, and one of the restrictions was that the facility not be within 2,000 feet of another similar facility, it would be difficult for staff to track without having some type of permit on file.

Osmundson asked how the 2,000 feet from another facility is calculated. Perera stated that this could be specified in the restrictions.

Margaret Millne, 332 West Lake Street, she does not believe this is comparable to daycare centers that are in the Residential Districts. She wonders what the benefits of these facilities would be to the community being in the Residential District.

Vilmain commented that under the Permitted Use with Special Restrictions, if this was approved, anyone could set this up with no permit or request. Perera indicated that that is correct.

Hebeisen agreed with the fact that this facility does not compare to a daycare facility and that it's more of a secondary use to the property. This would be more of principle or primary use.

Haley Mueller-Millne, 340 West Lake Street, was not in support of this type of facility going in a residential district because of the parking and this type of business would be better served in a Business district. She suggests that once the property is identified, then apply for a Conditional Use Permit because that doesn't make sense in an R-1 Residential District.

Blanchfield indicated that this is not about whether or not a Mental Health facility is needed, this is a matter of if it should or should not be allowed as a permitted use in a Residential Zoning District. He does not feel it fits the intent of the purpose of the R-1 district and he would like to suggest a different approach.

Hebeisen suggested that they address the specific matter at hand and secondly add a recommendation if they choose to do so.

Margaret Milne wanted to note that she is in agreement that Mental Health facilities are needed, just not in the residential districts.

Mark Zeller presented a scenario regarding a family with a mentally ill child being the same as a Daycare center providing care for a child/adult as such.

Motion by Parpart, second by Vilmain, to close the Public Hearing: Ordinance Amendment, request for an amendment to the City Code to include a definition for a "Day Mental Health Treatment Facility" and to allow said use as a Permitted Use with Special Restrictions in the R-1, R-2, R-3, R-4, R-5 Residential Zoning Districts. All in favor voted aye. MOTION CARRIED.

Motion by Parpart, second by Blanchfield, to deny the Public Hearing Ordinance Amendment, Request for an amendment to the City Code to include a definition for a "Day Mental Health Treatment Facility" All in favor of denial voted aye. MOTION CARRIED.

Parpart stated, for the record, that she is opposed to allowing the Day Mental Health Facility use as a Conditional Use Permit in the R-1 District.

Blanchfield stated that he is not opposed to the process of a Conditional Use Permit in a residential district only because that process will be represented by the residents in the general vicinity of the property and will be able to help influence the decision. Hebeisen agreed with Blanchfields statement.

This item will be brought to City Council on December 14, 2105 for final approval.

Planning Commission schedule for 2016. Braaten asked for a motion to adopt the schedule.

Motion by Blanchfield, second by Hebeisen to adopt the Planning Commission meeting schedule for 2016. All in favor voted aye. MOTION CARRIED.

Braaten provided a thank you to Sharon Parpart for her participation on the Planning Commission Board.

Braaten mentioned that 93 new home construction permits have been issued so far in 2015 along with a townhome having 4 units.

Braaten stated that the City Council did approve the Hjelseths after the fact variance with an additional recommendation that the resolution be recorded against the property. So if they sell the property in the future it would be recorded and new property owners would be aware of the conditions required as part of the variance. Hebeisen asked about the ground cover/ erosion control being completed as stated in the condition. Braaten confirmed that it had been completed.

Song River Comp Plan Amendment on Elm Creek Road was withdrawn prior to a formal vote by the City Council. Braaten stated that the file on this development has been closed.

Osmundson asked how often the Comprehensive Plan is updated-Braaten replied every 10 years.

There being no further business, motion by Parpart to adjourn at 7:30 p.m. seconded by Blanchfield. All present voted aye. MOTION CARRIED.

Respectfully submitted,

Brenda Wurst
Recording Secretary

Thursday, December 3, 2015

WACONIA PLANNING COMMISSION MEETING

PLEASE SIGN IN

NAME	ADDRESS
1. Karen Zeller	16972 Acorn TR Faribault, MN
2. Mark Zeller, Atty	230 1941 Cardinal Lane Ste A. Fridley 55021
3. Mr. Milne	332 W Lake St
4. H. Mueller-Milne	340 W Lake St
5. S Hansen	"
6. Dennis Guertin	77 71 Point Dr. Waconia, MN
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REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date:	January 7 th , 2016
Item Name:	Public Hearing –Variance Request by Greg & Bria James (dba. Iron Tap) from the Rooftop Equipment Screening Requirements for the Property located at 140 Main Street West.
Originating Department:	Planning and Zoning
Presented by:	Lane L. Braaten, Community Development Director
Previous Council Action (if any):	October 20 th , 2014 – City Council Approval for Site Plan and Design Review for Jax Taphouse/Iron Tap at 140 Main Street West. January 20 th , 2015 – City Council Approval for Site Plan and Design Review for Jax Taphouse/Iron Tap for the properties at 140 and 144 Main Street West.

Item Type (X only one):	Consent		Regular Session	<input checked="" type="checkbox"/>	Discussion Session	
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RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED (Include motion in proper format.)

Open Public Hearing
Motion to Close the Public Hearing
Motion Recommending either Approval or Denial of the Variance Request by Greg & Bria James (dba. Iron Tap) relieving them from the rooftop screening requirements stated in the Architectural Design Standards in the Downtown District for the property located at 140 Main Street West.

EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations.)

BACKGROUND:

Applicant: Greg & Bria James
Owner: Greg & Bria James (dba. Iron Tap)
Address: 140 Main Street West, Waconia MN
PID# 750503720
Zoning: B-3, Central Business District & Shoreland Overlay District
Design District: Downtown District
Lot Size: Approx. 0.1 acres or 4,356 sq. ft.

REQUEST:

The City has received a Variance Application from Greg & Bria James (the “applicants”) requesting an exception to the Architectural Design Standards regarding rooftop screening in the Downtown Design District. Specifically, the applicants have requested a variance “to not enclose the rooftop kitchen equipment.” The variance request is necessary as Section 900.06, Subd. 9.C.7 of the City Ordinance states: “All rooftop equipment shall be screened from view from adjacent streets, public rights-of-way and adjacent properties.”

APPLICABLE ORDINANCE PROVISIONS:

1. Section 900.05 – District Regulations, Subd. 2.H – B-3, Central Business District
2. Section 900.06, Subd. 7. – Shoreland Overlay District
3. Section 900.06 – Subd. 9.D – Design Standards, Downtown District
4. Section 900.12 – Administration, Enforcement and Procedures, Subd. 4 – Variances

VARIANCE REVIEW CRITERIA:

Waconia City Code Section 900.12, Subd. 4 and Minnesota State Statute 462.357, Subd. 6 establishes criteria to be considered when contemplating the issuance of a variance in terms of “practical difficulty” as follows: Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the terms of the variance are consistent with the comprehensive plan.” So a city evaluating a variance application should make findings as to:

1. Is the variance in *harmony with* the purposes and intent of the ordinance?
2. Is the variance *consistent with* the *comprehensive plan*?
3. Does the proposal put property to use in a *reasonable manner*?
4. Are there *unique circumstances* to the property not created by the landowner?
5. Will the variance, if granted, alter the *essential character* of the locality?

State statute specifically notes that economic considerations alone cannot create practical difficulties. Whereas, practical difficulties exist only when the three statutory factors are met (1. reasonableness, 2. uniqueness, and 3. essential character).

PLANNING CONSIDERATIONS:

1. The applicants have stated their intent is to leave the rooftop mechanical unscreened per the information stated in their Variance Request Letter (Attachment # 3) and the letter from their architect (Attachment #5) dated October 8th, 2014.
2. The applicants received final Site Plan and Design Review approval from the City Council on January 20th, 2015, which included the requirement to screen the existing rooftop mechanical equipment.
3. Based on site visit on Tuesday, December 29th, 2015, the remaining conditions associated with Site Plan and Design Review approval have been completed except for the trash enclosure on the property and the screening of the rooftop mechanical.
4. The property is located in the Downtown Design Standards District which requires all rooftop mechanical to be screened from view from adjacent streets, public rights-of-way and adjacent properties.
5. There are residentially zoned properties to the north of the subject parcel from which the rooftop mechanical is visible.
6. The applicant has indicated three reasons for the variance to be approved, which I summarize below (see Attachment #3):
 - a) The rooftop is not structurally sound enough to add additional weight per their structural engineer (see Attachment #5).
 - b) The visibility of the equipment is minimal since the completion of the project.
 - c) There is decreased visibility of the equipment due to the new color of the building siding.

PUBLIC NOTICE/COMMENT:

The notice was published in the WACONIA PATRIOT on December 24th, 2015 and posted at Waconia City Hall. Individual notices were mailed to property owners within 350 feet of the subject parcel. As of the date of this report staff has not received any comments on the proposed variance.

RECOMMENDATION:

The Planning Commission should hold the required public hearing, review the variance request submitted by Greg and Bria James based on the Variance Criteria stated above, and make a recommendation to the City Council. Upon a formal recommendation by the Planning Commission this application will be forwarded to the City Council for review at their upcoming meeting on January 19th, 2016.

ATTACHMENTS:

1. Location Map (1 page)
2. Variance Application (3 pages)
3. Statement of Variance (1 page)
4. Public Hearing Notice (1 page)
5. Architect Comments (1 page)
6. Property Images (5 pages)

LOCATION MAP—140 MAIN STREET WEST





CITY OF WACONIA
201 South Vine Street
Waconia, MN 55387
Phone: (952) 442-2184 Ext. 2
Fax (952) 442-2135
www.waconia.org

VARIANCE

APPLICANT INFORMATION

1. Owner's Name: Greg + Bria James
2. Address of Property: 140 W. Main St., Waconia MN 55387
3. Legal Description: _____
4. Applicant's Name: Bria James
5. Mailing Address: 1883 Sandbar Cir., Waconia MN 55387
6. Daytime Phone(s): 952-303-1462
7. Email Address: gbjames@hotmail.com

The City will distribute copies & appropriate information to applicant via email

OFFICE USE ONLY

Date Received: 11/16/15

Fee: \$ 275⁰⁰
Receipt #: 237801



CITY OF WACONIA
201 South Vine Street
Waconia, MN 55387
Phone: (952) 442-2184 Ext. 2
Fax (952) 442-2135

VARIANCE APPLICATION

1. Present Zoning: B3
2. Existing use of Property: Restaurant Iron Tap
3. Has request for a variance on this property been sought previously? If so, when? No

IMPORTANT

Subd. 4. Variances

- A. No variance shall be granted to allow a use not permitted under the terms of this Ordinance in the district involved. In granting a variance the Board may prescribe appropriate conditions in conformity with this Ordinance. When such conditions are made part of the terms under which the variance is granted, violation of the conditions is a violation of this Ordinance. A variance shall not be granted by the Board unless it conforms to the following standards:
1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and do not result from the actions of the petitioner.
 2. Literal interpretation of the provisions of this Ordinance would deprive the petitioner of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
 3. Granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.
 4. The proposed variance will not impair an adequate supply of light and air to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the City.
 5. FINANCIAL SAVINGS WILL NOT CONSTITUTE A HARDSHIP.

THE FOLLOWING INFORMATION MUST BE FURNISHED IN ORDER TO PROCESS THE APPLICATION

1. A letter from the applicant(s) which should address the following:
 - Explain (in detail) the variance you are requesting (giving distances where appropriate).
 - Conditions or peculiar difficulties to the structure or land, which makes a variance necessary.
 - Why do you feel a variance should be granted in this instance?
2. Payment of application fee (**\$125 residential; \$275 non-residential**)
3. **Non-residential variance requests are required to submit an escrow payment in the amount of \$1,000.00.**

****Additional information may be requested by staff, based on the proposal. Additional consulting review fees may apply, such as civil engineering and legal counsel.**

4. Scaled site plan with north arrow indicating existing structures and proposed additions or modification to structures.
5. Show all distances of buildings and structures from property lines.
6. Show any unique features to property associated with variance request (i.e. trees, ravines, steep slopes, etc.).

The Planning Commission may or may not hold a public hearing on the request (based on the amount of the variance requested). The Planning Commission should make a recommendation to the City Council within sixty (60) days. If they do not, the City Council may proceed without the Planning Commission's recommendation.

The City Council may approve, approve with conditions, or deny the variance. If a variance is denied the applicant cannot resubmit a variance request for that same property until six (6) months has lapsed. If a variance is approved, it should be made use of within one (1) year or it will become void.

A violation of any condition set forth in the granting of the variance shall be a violation of the zoning ordinance and automatically terminate the variance.

Applicant's Signature: B. James

Date: 11/11/15

Printed Name: Bria James

Greg & Bria James

Iron Tap LLC

140 W. Main St, Waconia 55387

Variance Request

Dear Planning Commission & City Council,

We would like to request a variance for the Iron Tap property at 140 W. Main Street. The variance requested is to not enclose exposed rooftop kitchen equipment which was previously discussed with original build out plans.

There are multiple reasons why we would like to request a variance, and they are listed below.

1. A structural engineer has previously evaluated the property and deemed the rooftop not structurally sound to add additional weight, which includes the materials that would be used to build enclosure as well as added snow load that an enclosure could potentially create. There were no changes to this part of the building with the exception of exterior paint. We consider this a special condition of the building. (Letter enclosed)
2. Visibility of this equipment is very minimal since the completion of the entire project. When looking at the properties (140 and 144 W. Main Street) from the street level at the front of the buildings and even extending to the corner of the street, the equipment is not visible. When approaching from the east, the equipment is not visible. When approaching from the South on Vine Street, the equipment is not visible. When approaching from the west, the equipment is visible for a couple seconds while approaching the stop sign. The equipment is only fully visible when approaching from the north on the side street, which is not heavily traveled. (Pictures enclosed)
3. There is decreased visibility of this equipment due to the new color of building siding. The majority of the rooftop equipment is grey with blends in nicely with our new grey siding and does not stand out. (Picture enclosed)

Thank you for your time and considering our concerns to this matter.

Bria and Greg James

CITY OF WACONIA, MN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Waconia, MN, will hold a public hearing on Thursday, January 7th, 2015 at 6:30 p.m., at the Waconia City Hall, 201 South Vine Street, Waconia, MN, to consider a variance request by Greg and Bria James (dba. Iron Tap) to vary from the Downtown District Design Standards for the property located at 140 Main Street West.

The applicant is requesting approval of a variance which would relieve them from the rooftop equipment screening requirements stated in the Architectural Design Standards for the Downtown District.

Pertinent information pertaining to this request is available at the City Hall. Interested persons may submit written or oral comments pertaining to this matter any time prior to the hearing, or at the hearing on Thursday, January 7th, 2015. Written comments will be distributed to the Planning Commission for review and consideration. Please submit written comments by mail, email or in person as follows:

Mail/in person: Lane L. Braaten, 201 South Vine Street, Waconia, MN 55387
Email: lbraaten@waconia.org

By: WACONIA PLANNING COMMISSION

ATTEST: Lane L. Braaten, Community Development Director

(Published in the December 24th, 2015 Waconia Patriot newspaper)

October 8, 2014

Greg & Bria James

140 West Main St.

Waconia, MN

SUBJECT: Site Plan Review - Screening of Equipment

Dear Greg & Bria,

I have two comments regarding the screening of the rooftop mechanical equipment as mentioned in the Site Plan Review staff report.

First, any screening of the roof top equipment would change the historic scale and appearance of this turn of the century building. It would minimize the appearance of both the existing roof line and eave edges, changing the profile of the overall building.

Secondly, and most importantly any additionally screening would greatly impact the structural integrity of this century old building. Added screening would increase the drifting / snow loading on the existing roof , requiring costly structural modification to the existing structure.

We are prepared to assist in any manor you see fit and available for further discuss.

Sincerely,

Jack Amdal, AIA

Studio 55 Architects, LLP













REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date:	January 7 th , 2016						
Item Name:	SITE PLAN AMENDMENT: Request by Paul Vogstrom and David Olshansky for a second Site Plan Amendment for the Nagel Assisted Living Facility located at 232 Elm St. S.						
Originating Department:	Planning and Zoning						
Presented by:	Angie Perera, Assistant Planner						
Previous Planning Commission Action (if any):	The Planning Commission reviewed the original Site Plan 12/4/14 and the first Site Plan Amendment on 9/3/15.						
Item Type (X only one):	<table border="1"> <tr> <td>Consent</td> <td></td> <td>Regular Session</td> <td><input checked="" type="checkbox"/></td> <td>Discussion Session</td> <td></td> </tr> </table>	Consent		Regular Session	<input checked="" type="checkbox"/>	Discussion Session	
Consent		Regular Session	<input checked="" type="checkbox"/>	Discussion Session			

RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED (Include motion in proper format.)

Motion to recommend either approval or denial of the amended Site Plan Review Application submitted by Paul Vogstrom and David Olshansky for the property located at 232 Elm Street South.

EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations.)

SITE PLAN & DESIGN REVIEW:

The original Site Plan was reviewed by the Planning Commission on 12/4/14 and approved by the City Council on 12/8/14. The first amendment to the Site Plan was reviewed by the Planning Commission on 9/3/15 and approved by the City Council on 9/21/15.

City Ordinance requires Site Plan Review “in order to further promote the safe and efficient use of land and to further enhance the value of property in the City.” City Ordinance requires Site Plan Review for any construction for which a building permit is required, except for construction of detached, single-family residential structures or structures accessory thereto.

City Ordinance also requires Design Review with the understanding that “the visual character and historic resources of the City are important attributes of its quality of life.” City Ordinance requires Design Review to be conducted as part of the Site Plan Review process. City Code Section 900.06, Subd. 9, D. includes Design Standards for the Downtown District.

BACKGROUND:

Applicant: Paul Vogstrom and David Olshansky

Owner(s): Pro Partners Group, LLC

Address: 232 Elm St. S.

PID# 75.0500560

Zoning: B-2, General Business District

Design Standards District: Downtown District

Comprehensive Plan Designation: Institutional

APPLICABLE ORDINANCE PROVISIONS:

1. Section 900.12 - Administration, Enforcement and Procedures, Subd. 10 - Site Plan Review
2. Section 900.05 – District Regulations, Subd. 2.G – B-2, General Business District
3. Section 900.06 – Supplementary Regulations, Subd. 9.D – Design Standards, Downtown District
4. Section 900.07 – Landscaping and Screening Regulations
5. Section 900.09 – Off-Street Parking, Loading, and Access Regulations

REQUEST/PROPOSED MODIFICATIONS:

As you may recall, the first Site Plan Amendment did not include the detailed layout of the rooms within the proposed addition on the plan set and was only included within the applicant's narrative memo. This second amendment to the Site Plan includes the details of the specific layout of the interior of the addition along with a few other modifications as noted below.

A site plan amendment is required as the footprint of the previously approved proposed addition is changing from 2,273 square feet (per level) to a new footprint of 2,570 square feet (per level) and the west elevation is substantially changing from previously approved plans.

The site plan amendment includes the proposed installation of two, enclosed, staircase systems on both the south and the north ends of the building. This improvement will eliminate the need for the two doors and staircase systems on the west elevation as was previously planned. Secondly, the west elevation will now include twenty one new windows to match the rest of the existing building and the roof lines of the addition will be extended to match and abut the existing. You may recall that the previous plans indicated a gap between the existing building and the new addition. This change will be more cohesive in appearance and the design of the building.

The interior layout has also been revised to include an activity room, a day room, and the dining room on the west side of the addition (versus in the middle of the building as was proposed prior). This change will take advantage of the natural light coming into the facility with the new windows on the west elevation. The storage area is also being proposed in a more central location on the north side of the building (versus in the northwest corner of the addition as was indicated in the previous application). Further, the north portion of the addition has been reduced, providing space between the addition and the proposed trash enclosure and the south portion of the building is proposed to extend closer to the south lot line to accommodate for the two enclosed stairway structures on the interior of the addition at the north and south ends of building.

REVIEW:

The site plan amendment complies with all City Ordinance requirements and Architectural Design regulations. The applicant has indicated that no other changes or modifications are being proposed to lighting, landscape, parking, the trash enclosure, or other areas from what has been previously approved; however there are a few discrepancies that are inconsistent with the previously approved site plan and therefore staff has included those inconsistencies within the recommended conditions of approval for the Planning Commission's consideration.

CONCLUSION / RECOMMENDATION

The Planning Commission should make a recommendation to the City Council on the request by Paul Vogstrom and David Olshansky for an amended Site Plan and Design Review approval. Upon successful completion of conditions as noted below, this item may be forwarded to the City Council for review as early as their upcoming meeting scheduled for January 19th, 2016.

If the Planning Commission chooses to recommend approval of the Site Plan and Design Review request, staff would recommend the approval upon the following conditions prior to this item being forwarded to the City Council for review:

City staff is recommending that the applicant be required to resolve the following conditions prior to the Site Plan Amendment moving forward for City Council's review:

1. Parking - The proposed parking layout information does not appear to match the previously approved parking plans. The applicants shall revise the plans to correctly include the parking layout information as was previously approved as part of the first site plan amendment.
2. Screening in NE corner - Clarification is needed regarding a line segment indicated in the northeast corner of the property (as noted on sheet SP-01), which seems to show a fence structure. The line segment should be removed from the plans as staff has previously discussed this location with the applicant and a fence would

not be acceptable due to traffic safety concerns. The northeast corner location was previously approved to include plantings to partially screen the parking area and the plans shall be revised to reflect the prior approval.

3. **Grading & Drainage Plan** – The Grading Drainage Plan survey, which was prepared by Frank R. Cardarelle dated 9/4/14, shall be revised to include the correct layout of the building, the proposed addition, the parking area, landscaping and screening, and include all other proposed improvements consistent with previously approved plans. Further, the applicant shall include additional details regarding the stormwater improvements indicated on the site to the satisfaction of the City’s Public Services Director and/or the City’s Engineer.

Other Recommended Conditions:

4. A revised SAC determination shall be required to be submitted to the Metropolitan Council for review and consideration. Any resulting fees due to the changes to the building plans shall be the responsibility of the applicants and permits shall not be issued until said determination and fees are resolved to the satisfaction of City staff.
5. The applicant shall be required to comply with applicable conditions stated in Resolution No. 2015-224, dated 9/21/15 and in Resolution No. 2014-261, dated 12/8/14. Staff shall prepare a new resolution for the City Council’s consideration upon the completion of conditions numbered one through three as listed above. The new resolution will incorporate the second Site Plan Amendment.

ATTACHMENTS:

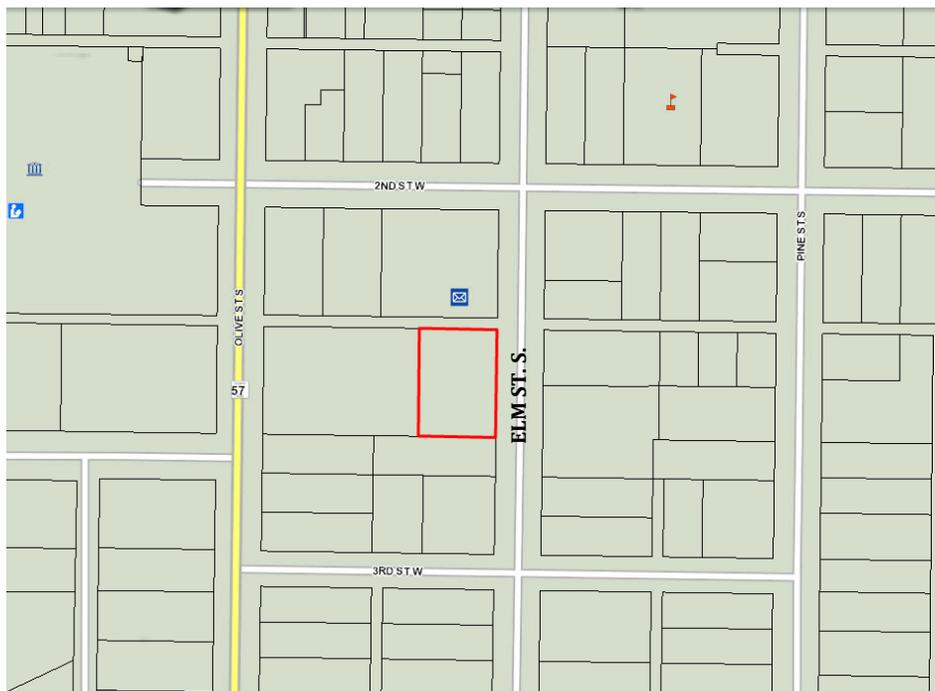
1. Location Map (1 page)
2. Site Plan Application (3 pages)
3. Resolution No. 2015-224, dated 9/21/15 – approval of First Site Plan Amendment (2 pages)
4. Resolution No. 2014-261, dated 12/8/14 – approval of Original Site Plan (3 pages)
5. Memo from Richard Lavelle, Creador Architecture LLC, dated 12/8/15 (2 pages)
6. Memo from Paul Vogstrom, Design Build, dated 12/2/15 (1 page)
7. Proposed Second Site Plan Amendment - plans prepared by Creador Architecture LLC dated 12/2/15, sheets: G-001, SP-01, A-100, & A-200 (4 pages)
8. Proposed Grading Drainage Plan survey - prepared by Frank R. Cardarelle dated 9/4/14 (1 page)
9. Previously Approved Plans (First Site Plan Amendment) - plans prepared by Buetow 2 Architects dated 9/1/15, sheets: A1.0 – A7.0 (6 pages)



Location Map

232 Elm St. S. & PID # 750500560

Site Plan Amendment Application





CITY OF WACONIA
 201 South Vine Street
 Waconia, MN 55387
 Phone: (952) 442-2184 Ext. 2
 Fax (952) 442-2135
www.waconia.org

APPLICANT INFORMATION

1. Owner's Name: PRO PARTNERS
2. Address of Property: 232 ELM ST.
3. Legal Description: _____
4. PID#: _____
5. Applicant's Name: PAUL VOGSTROM
6. Mailing Address: 1131 N ARM DR. ORONO
7. Daytime Phone(s): 612 250-9400
8. Email Address: VOGSTROM@GMAIL.COM

The City will distribute copies & appropriate information to applicant via email

Site Plan and Design Review Application Fees

1. Payment of application fee (\$350)
2. Escrow Payment +
 - a. 0-5 Acres \$2,500.00 each
 - b. 6-20 Acres \$3,500.00 each
 - c. 21 + Acres \$4,500.00 each
3. Additional consulting review fees may apply, such as civil engineering and legal counsel

\$2,850
TOTAL

NOTE:

Since we have a balance of \$4,425 on file for this existing project, there will be no need to pay the \$2,850 escrow fee for the revised site plan application dated 12/3/15. We will however, deduct the \$350 application fee from this balance.

OFFICE USE ONLY

Date Received: 12-3-15

Fee: \$ SEE NOTE
 Receipt #: NA

15 days complete/incomplete 12-18-15
 60 day review 1-31-16

12-8-15 Approved applicant application is incomplete.



CITY OF WACONIA
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SITE PLAN AND DESIGN REVIEW REQUIREMENTS

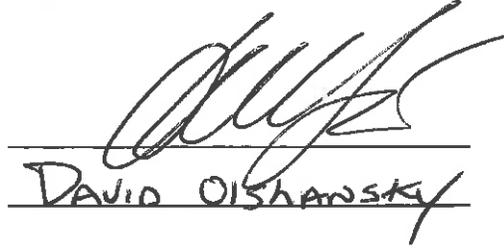
THE FOLLOWING INFORMATION MUST BE SUBMITTED
IN ORDER TO CONSIDER THE APPLICATION COMPLETE

(Check with Planning Office for specific requirements in each category)

1. Name of Site Plan: NAGEL ASSISTED LIVING
2. Present Zoning Classification: _____
3. Existing use of Property: _____
4. Payment of application and escrow fees. Additional consulting review fees may apply, such as civil engineering and legal counsel.
5. **1 full size, 6 11 x 17, and 1 Electronic Copy** (include color where possible) survey copies, drawn to scale and dimensioned, with north arrow showing:
 - a. Complete legal description and address of site plan location.
 - b. Lot dimensions.
 - c. All proposed and existing buildings and structures showing setbacks to property lines.
 - d. Yards and space between buildings and property lines.
 - e. Buildings, walls and fences showing height, type of building materials and building elevations for each side of the building.
 - f. Off-street parking showing location, layout, dimensions, circulation, landscaped areas, total number of stalls, surfacing of parking area with cross-section of construction materials, elevation, curb and gutter.
 - g. Access to public streets and trails showing pedestrian and vehicular access points of ingress and egress.
 - h. Outdoor signs showing location, size and height.
 - i. Loading docks showing location, dimensions, number of docks and internal circulation.
 - j. Site lighting showing location, height of poles or fixtures, design and detail (illumination plan showing foot candle measurements).
 - k. Street dedications and improvements, existing and required by City right-of-way standards (inquire with City Engineer if applicable).
 - l. Landscaping with a schedule of the plantings showing quantities, botanical and common names and sizes. Also show size and location of any existing trees.
 - m. Any outdoor storage activities where allowed by zoning codes. Show type, location and height of screening devices.
 - n. Conceptual drainage and grading plan for the site showing proposed finished floor elevation of each building, street elevation and drainage flow elevations. Hydrologic and drainage calculations shall also be submitted.
 - o. Show plans for the waste disposal facilities. Indicate location, access and screening for such facilities.
 - p. Show any easements and location of utilities servicing development.
 - q. Statement of use, including type of business with number of employees by shift.

6. City Ordinance requires design/architectural review to be conducted as part of the Site Plan Review process. The Submittal requirements for Design Review include the following:
- a. Complete exterior elevations of all proposed buildings and existing buildings if they are joined to a new development. Elevations should be drawn at an appropriate scale and should show:
 - i. All signs to be mounted on the building(s) or erected on site.
 - ii. Designations of materials and colors to be used on all exterior facades.
 - b. Material samples shall be presented, including color and material type of walls and roofs.
 - c. Color samples shall be provided of all principal and secondary colors to be used.
 - d. Photographs of surrounding buildings shall be submitted on the same block or street to address issues of design context.

Signature of Applicant:



DAVID OISHANSKY

Date: 12-2-15

Printed Name:

CITY OF WACONIA
RESOLUTION NO. 2015-224

**RESOLUTION APPROVING AN AMENDED SITE PLAN AND DESIGN REVIEW
FOR PRO PARTNERS GROUP, LLC FOR THE PROPERTY
LOCATED AT 232 ELM ST. S.**

WHEREAS, David Olshansky from Pro Partners Group, LLC (the “**Applicant**”) has submitted an amended Site Plan Review application to the City of Waconia (the “**City**”) pursuant to Section 900.12 of the Waconia City Code; and

WHEREAS, the Applicant has submitted a Design Review application to the City pursuant to Section 900.06 of the Waconia City Code; and

WHEREAS, Section 900.06 of the Waconia City Code requires Design Review to be conducted as part of the Site Plan Review process as specified in Section 900.12; and

WHEREAS, the subject property is located at 232 Elm St. S. (the “**Property**”) and zoned B-2, General Business District; and

WHEREAS, the Property is identified as PID# 75.0500560; and

WHEREAS, the amended Site Plan includes the proposed modifications primarily to the exterior west side of the building; and

WHEREAS, said modifications to the exterior west side of the building include: a new two story shed/storage addition and one new four season porch addition with storage area below; and

WHEREAS, the original Site Plan was approved on 12/8/14 per Resolution No. 2014-261 and included two open air decks on the west side of the building; and

WHEREAS, The amended Site Plan also includes some minor internal changes to the floor plans including: enclosing the two exterior deck areas to create one 1,700 sq. ft. four season porch with area below which may be used as either expanded activity/dining area, a physical therapy area, a storage area, or future alterations to bedrooms. A new 573 sq. ft., two-story storage/shed addition is also being proposed on the northwest corner of the building. The two proposed additions will include double hung windows with pre-finished metal gutters and downspouts to splash block on grade. The four season porch/addition will also include external staircases for access; and

WHEREAS, the Property is located within the Design Standards Downtown District and the Design Review includes the items mentioned in Section 900.06, Subd. 9. D. Design Standards, Downtown District; and

WHEREAS, the proposed modifications and improvements are consistent with Section 900.12 and Section 900.06 of the Waconia City Code; and

WHEREAS, the Planning Commission reviewed the proposed amended Site Plan and Design Review applications at their regular meeting on September 3rd, 2015 and recommended, via a 4-0 vote, approval of said applications with the following conditions:

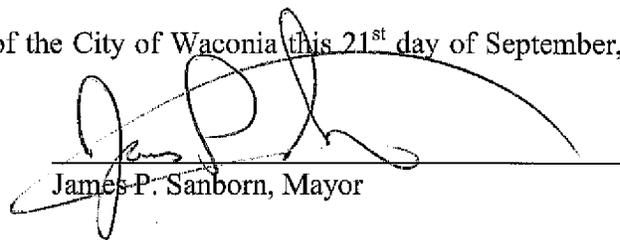
1. The Site Plan Amendment approval shall be based on the revised plans dated 9/1/15, prepared by Buetow 2 Architects, Inc. and upon the conditions as outlined within Resolution

No. 2014-261 for the original Site Plan that was approved by the City Council on 12/8/14 and upon the following revised and additional conditions as listed below.

2. The color and exterior building materials of the porch/storage and shed/storage additions shall be required to be brick or clad in brick face and match the existing building and comply with the Architectural Design Standards of the City Code.
3. The applicant shall be required to submit a sample of the proposed exterior materials for City staff's review prior to the issuance of any building permits for this property.
4. The applicant shall be required to submit detailed utility and grading plans and any other applicable plans as determined necessary for review and consideration by the City's Public Services Director and the City Engineer prior to significant site grading or installation of stormwater improvements. Such plans shall include details for the catch basin and underground stormwater storage tank that are being proposed with the Site Plan dated 8/25/15.
5. The applicant shall be required to comply with the landscape and landscape escrow requirements of the City Code. The applicant shall be required to pay a landscape letter of credit or a landscape escrow in the amount of \$2,340 (Revised condition # 14 of Resolution No. 2014-261).
6. The required landscape shall be installed within six months from the date of an approved Certificate of Occupancy of the property. The applicant shall be required to contact City staff to schedule a landscape inspection after such landscape has been installed. A landscape warranty shall commence on the date of installation and expire two years from the date of installation only upon condition that the landscape is healthy and alive. (Revised condition # 14 of Resolution No. 2014-261).
7. The proposed revised Site Plan dated 9/1/15, prepared by Buetow 2 Architects, Inc. and associated improvements shall be completed as approved and as conditionally revised by the Planning Commission and the City Council. (Revised condition # 17 of Resolution No. 2014-261).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Waconia hereby approves the amended Site Plan and Design Review application for Pro Partners Group, LLC for the property located at 232 Elm St. S. subject to the findings and the conditions of approval stated above.

Passed and adopted by the City Council of the City of Waconia this 21st day of September, 2015.



 James P. Sanborn, Mayor

ATTEST: Susan MH Arntz
 Susan MH Arntz, City Administrator

M/	<u>Bloudek</u>	Bloudek	<u>Aye</u>
		Carrier	<u>Aye</u>
S/	<u>Carrier</u>	Erickson	<u>Absent</u>
		Ayers	<u>Absent</u>
		Sanborn	<u>Aye</u>

**CITY OF WACONIA
RESOLUTION 2014-261
A RESOLUTION APPROVING A SITE PLAN
FOR AN ASSISTED LIVING FACILITY
LOCATED AT 232 ELM STREET SOUTH**

WHEREAS, David Olshansky from Pro Partners Group, LLC has submitted a Site Plan application pursuant to Section 900.12 of the City Zoning Code; and

WHEREAS, the Site Plan proposes a remodel of their existing two story, 12,890 square foot building located at 232 Elm Street South (aka: “the property”); and

WHEREAS, the Site Plan includes sheets A1.0, A1.1, A1.2, A2.0, A3.0, A4.0, and A5.0, and was prepared by Buetow2 Architects, Inc. (dated 11/24/14); and

WHEREAS, the building is currently setback at one foot and ten inches from the south lot line of the property and currently does not meet the side yard setback requirement of 10 feet (per City Code Section 900.05, Subd. 2, G.), although no further encroachments are being proposed to this setback and therefore the existing setback is a legally non-conforming issue; and

WHEREAS, the existing staircase located on the southeast corner of the building currently also does not appear to meet the required side yard setback of 10 feet (per City Code Section 900.05, Subd. 2, G.) from the south lot line of the property and is also a legally non-conforming issue; and

WHEREAS, the staircase located on the southeast corner of the building will be replaced in its current configuration in terms of the same setback and dimensions that currently exist; and

WHEREAS, the existing off-street parking currently includes head-in parking spaces off of and adjacent to a public street (in this case, the public street is the alley) and head-in parking spaces as described are currently prohibited (per City Code Section 900.09, Subd. 1, C.) and this is an existing legally non-conforming issue that existed prior to the aforementioned City Code requirements and this issue is not changing or being modified; and

WHEREAS, the existing off-street parking does not comply with the City Code setback requirement of 8 feet from the right-of-way of the alley along the north portion of the site and is an existing legally non-conforming issue that existed prior to said City Code requirements and this issue is not changing or being modified; and

WHEREAS, the property does not currently include a loading dock or loading berth. City Code Section 900.09, Subd. 2, C., requires that all commercial and industrial buildings shall have at least one off-street loading berth. This is also an existing legally non-conforming issue that existed prior to the aforementioned City Code requirements and this issue is not changing or being modified. Loading and unloading will be performed through the alley and as noted in condition number 4 listed within this resolution; and

WHEREAS, the Site Plan was discussed at the Planning Commission’s meeting on December 4th, 2014 in the Council Chambers at Waconia City Hall, 201 South Vine Street, Waconia, Minnesota; and

WHEREAS, the Planning Commission recommends approval of the Site Plan application with the following findings and recommendations:

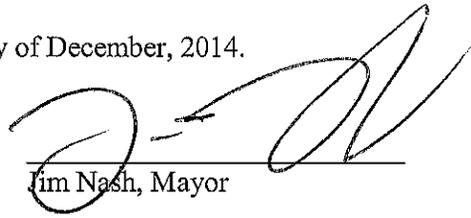
1. The proposed, new parking space as indicated on the Site Plan dated 11/25/14, closest to the east lot line (in the northeast corner of the site) shall be removed from the Site Plan.
2. The applicant shall be required to revise their Site Plan to include the correct number of beds.
3. The Site Plan dated 11/25/14 includes a note of “off-site parking location map (if required)”with an aerial image referencing other existing, off-site parking areas. The applicant shall be aware that reference to this on the Site Plan submittal is not authorizing the approval for the proposed assisted living facility to utilize the identified off-site parking areas. The reference to these other parking areas should only be acknowledged with the

understanding that generally speaking, there may potentially be other off-site parking areas available for residents or visitors of the proposed facility other than the off-street parking spaces that are being proposed on the property located at 232 Elm Street South, and as identified on the Site Plan application

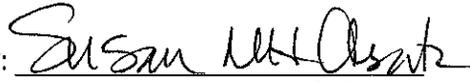
4. All truck deliveries and vendors shall be required to utilize the alley for loading and unloading and delivery purposes while allowing access for the neighboring property owners.
5. Two of the required trees shall be placed on the east side of the property, one on either side of the main entrance in the front yard of the building.
6. Screening is required in the northeast corner of the property along the length of the off-street parking space which is closest to the east lot line of the property shall be an earth berm with shrub plantings.
7. Any new rooftop or mechanical equipment shall be enclosed with a visual screen in accordance with the screening requirements of the City Code and at the same time as the date of the installation of any such equipment.
8. The applicant shall submit the proposed siding and brick colors and sample materials to City staff for review prior to commencing installation of the proposed trash enclosure in order to insure compliance with Design Review requirements.
9. Any proposed signage will require the submittal and approval of a sign permit application through the City and will require conformance to the City Sign Ordinance, Lighting requirements, and the Downtown District Design Standards, or else as otherwise interpreted by the Planning Commission during the Site Plan review process.
10. All areas disturbed through the construction process of this project shall be restored with six inches of top soil and seed or sod.
11. The proposed rain garden in the northwest corner of the property and the swale on the east side of the property are no longer being proposed with this Site Plan as previously indicated on the 'Grading Drainage Plan' prepared by Frank R. Cardelle Land Surveyor, dated 7/28/14 and the revised date 9/4/14.
12. Graffiti on all applicable exterior walls shall be required to be removed.
13. The proposed materials and color of the proposed decks shall be submitted to city staff for review at time of building permit and are required to comply with the Design Standards of the City Code.
14. A landscape letter of credit shall be required in the amount of \$3,900 for the 13 trees that are required for this Site Plan application. A landscape warranty shall commence on the date of installation and expire two years from the date of installation only upon condition that the landscape is healthy and alive. The required landscape shall be installed within six months from the date of an approved Certificate of Occupancy of the property.
15. The applicant shall be required to contact the Planning Department to schedule an onsite inspection with city staff once the landscape has been installed. A follow-up inspection is also required to be scheduled, two years from the date of the installation, to verify that the landscape is alive and healthy prior to the issuance of any remaining landscape letter of credit.
16. The applicant shall be required to submit either a temporary easement or a written agreement from any neighboring properties if the project requires *temporary access* onto neighboring properties or *temporary storage of materials* onto neighboring properties. Without an easement or agreement, all construction access, activity, and storage of materials shall be required to be located on the subject property (232 Elm St. S.).
17. The proposed Site Plan improvements shall be completed as approved and as conditionally revised by the Planning Commission and the City Council.
18. All applicable permits are applied for by the applicant with all supporting documentation and issued prior to the start of construction.
19. All indirect costs with the building permit, review, and final plans associated with engineering and administrative costs shall be paid by the applicant/owner.
20. The applicant shall contact the City Planning Department for a final site inspection when all conditions of approval regarding this application have been completed.
21. Landscape species shall include Black Hill Spruce and Swamp White Oak trees for the thirteen trees that are required.
22. The existing staircase located in the southeast corner has a legally non-conforming setback since it currently does not comply with the 10 foot setback requirement from the south/side lot line of the property. This staircase will be replaced in its current location in terms of existing setbacks and existing dimensions and will not encroach any closer to the south lot line of the property than what currently exists.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Waconia hereby approves the Site Plan for the 'Nagel Assisted Living' facility, which includes the remodel and site improvements for the property located at 232 Elm Street South subject to the findings and recommendations of the Waconia Planning Commission.

Adopted by the City Council of the City of Waconia this 8th day of December, 2014.



Jim Nash, Mayor

ATTEST: 
Susan MH Arntz, City Administrator

M/ Erickson

S/ Bloudek

Ayers	<u>Aye</u>
Bloudek	<u>Aye</u>
Carrier	<u>Aye</u>
Erickson	<u>Aye</u>
Nash	<u>Aye</u>



8 December 2015

Angie M. Perera, Assistant Planner
City of Waconia
201 S. Vine Street
Waconia, MN 55387

RE: *232 Elm St - Proposed Permit Plans and previous City Site Plan Approvals / Conditions*

Dear Angie:

I was recently hired by the owner of the property at 232 Elm Street in Waconia. I was commissioned to provide permit drawing for an addition on the west side of the existing Nagel Assisted Living Center. The renovation of the former hospital into an assisted living center is currently underway under a separate permit. The owner informed me that site plan approval had already been done regarding the West side addition and shared the site plan provided by Buetow 2 Architects during that approval process. I proceeded to provide the addition to the existing building following the guidelines set forth in the completed development approvals. I will try to indicate both verbally and through the proposed permit plans that we are in compliance with said conditions and that the variations are within reasonable expectations from a design development set of drawings to the current construction documentation.

Building Footprint:

The current building footprint follows the general layout of the approved addition. It varies in the following ways:

- 1) It is a little larger in area because it includes the existing basement exit stair on the south side and the existing storage shed on the northwest corner of the existing building. If you subtract both of these from the SF total of the addition, we are actually a little smaller in overall SF. The original approved footprint was 2,273 sf per level. The new footprint is 2,570 sf per level.
- 2) The north side of the approved footprint went all the way to the back of the trash enclosure (approx. 11'-0" from the north property line). The new footprint is 16'-4" from the north property line.
- 3) The west facing elevation was 3'-0" from the property line at its closest point on the approved plan. The final distance is 3'-6". The remaining west wall was 6'-10" from the property line with exit stairways along the exterior of the façade on the approved plan. The final distance of the permit plans is 6'-6" with no stairwells past that point.
- 4) On the south side, the stair that protruded from the structure was absorbed into the new addition creating an interior stairway that exits both the upper and lower level. The existing stairway that was removed was 15'-0" from the south property line. The final dimension of the south wall of the addition is 12'-1". This is still 2'-0" more than the current 10'-0" setback.

Elevations:

The exterior proposed during the site plan approval process was not dependent on any interior layout. It also was not very workable given the restraints along the west property line. Our solution was to coordinate the interior layout with the existing façade and essentially re-build the current west façade for the west elevation of the addition. This would be the same face brick (to be approved by staff) as the existing building and the same windows proposed as part of the initial renovation. They would be code compliant; egress windows for the sleeping units and similar low height windows for the lower level dining and activity rooms. It is essentially the same elevation that currently exists along the west side, only closer to the property line with a small jog toward the north end. We are even repeating the stepped

brick at the parapet condition to match the existing façade. We will also be repeating the soldier course at the second floor level.

Interior Layout:

There was no current interior layout provided during the site plan approval process. The approved resolution discussed various uses for the addition with possible future renovations based on the facility needs. See the following:

WHEREAS, the amended Site Plan also includes some minor internal changes to the floor plans including: encasing the two exterior deck areas to create one 1, 700 sq. ft. four season porch with area below which may be used as either expanded activity/dining area, a physical therapy area, a storage area, or future alterations to bedrooms. A new 573 sq. ft., two story storage/shed addition is also being proposed on the northwest corner of the building. The two proposed additions will include double hung windows with prefinished metal gutters and downspouts to splash block on grade. The four season porch addition will also include exterior staircases for access;

The current layout makes use of all the available space to allow the facility to meet the current state licensing guidelines for assisted living centers. These guidelines include activity rooms, dining areas, storage areas and other various support spaces for the residents of the facility. We were required to provide a certain amount of these spaces based on the number of residents. After reviewing several different layouts, it made the most sense to dedicate the entire lower level of the new addition along with some lower level space in the existing structure for support spaces only.

Site Plan Layout:

Other than the minor variations discussed in the building footprint section above, there are no planned changes to the current approved site plan and landscape plan.

I do not currently understand why there is a need for a revision to the current site plan approvals as I feel we are essentially in compliance with the original approvals as they currently stand. The variations of the footprint were primarily driven by field conditions as the 2 existing appendages where in such poor shape that to work around them did not make any practical sense. We also needed to properly exit the occupants and the stair at each end which accommodated both levels was a much simpler solution then the multiple exterior stairways from each level. As for the elevational changes, I believe we have greatly improved the look of the addition as opposed to the currently approved elevations. We have also simplified the construction process through these code compliant choices we have made since the initial submittal.

Please feel free to contact the applicant or myself if you have any specific questions on any items you feel I may have over-looked since I was not involved in the original approval process. As previously stated, I do not believe we are in need a revised site plan review application but that will be for you and your staff to determine. Thank you for your time and attention to our project.

Sincerely,



Richard J. Lavelle, AIA
Principal Architect / Owner
Creador Architecture LLC
952-240-7050

Paul T. Vogstrom

1151 N. Arm Drive
Orono, MN 55364
Phone: 612-250-9400

► **City of Waconia**

201 South Vine St
Waconia, MN 55387
Phone: 952-442-2184

To whom it may concern,

Property Located at 232 Elm St., Waconia we are proposing another site plan review. Reasons for change from previous plan are as follow:

Functional exits that will meet current code, convenience for residence with added interior stairs leading to upper level. Existing stairs in the middle of the buildings do not meet current code very narrow and steep. Current stairway is grandfathered in but feel another stairway is necessary.

One continuance addition will be more structurally sound, avoiding underpinning existing foundation at current exits. Currently exit walls do not have proper frost footing protection.

New Roof design plan is better avoiding water runoff in front of existing exits.

Interior layout much more functional and desirable. Dining and activity area will moved to addition maximizing natural light and ceiling height. Storage area will be moved closer to exterior loading area with minimal natural light.

Regards,

Paul T. Vogstrom
Paul Thomas Design Build
12/2/2015

NAGEL ASSISTED LIVING ADDITION

232 SOUTH ELM STREET

WACONIA, MN

PROJECT TEAM

ARCHITECT
 CREATOR ARCHITECTURE, LLC
 1621 RALEIGH DRIVE
 BURNSVILLE, MN 55337
 CONTACT: RICK LAVELLE, AIA
 (952) 252-4042

OWNERS REPRESENTATIVE
 CONTACT: PAUL VOGSTROM
 (612) 250-9400

STRUCTURAL ENGINEER
 TEKTON ENGINEERS
 105 EAST 4TH STREET, SUITE 200
 NORTHFIELD, MN 55057
 CONTACT: JEREMY BAER, PE
 (952) 300-3340

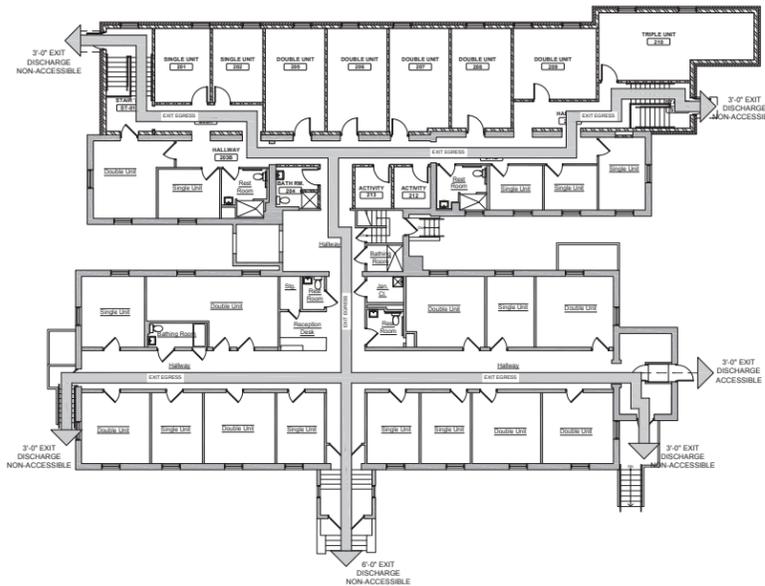
DRAWING INDEX

GENERAL	
G-001	GENERAL INFORMATION
SITE INFORMATION	
SP-01	ARCHITECTURAL SITE PLAN AND SITE DETAILS
ARCHITECTURAL	
A-001	DEMO PLANS
A-100	CONSTRUCTION FLOOR PLANS
A-110	REFLECTED CEILING PLANS
A-120	ROOF PLAN AND DETAILS
A-200	BUILDING ELEVATIONS
A-300	BUILDING SECTIONS
A-310	STAIR DIAGRAMS AND DETAILS
A-400	EXTERIOR DETAILS
A-500	RESTROOM PLANS AND DETAILS
A-600	DOOR & WINDOW SCHEDULES
STRUCTURAL	
S-100	FOUNDATION PLAN & FLOOR FRAMING PLAN
S-101	ROOF FRAMING & DETAILS
S-200	FOUNDATION DETAILS
S-300	FLOOR FRAMING DETAILS
S-400	ROOF FRAMING DETAILS
S-600	GENERAL STRUCTURAL NOTES
S-601	SPECIAL INSPECTIONS
MECHANICAL / PLUMBING	
DESIGN-BUILD BY GENERAL CONTRACTOR	
ELECTRICAL	
DESIGN-BUILD BY GENERAL CONTRACTOR	
FIRE PROTECTION	
DESIGN-BUILD BY GENERAL CONTRACTOR	

PROJECT LOCATION

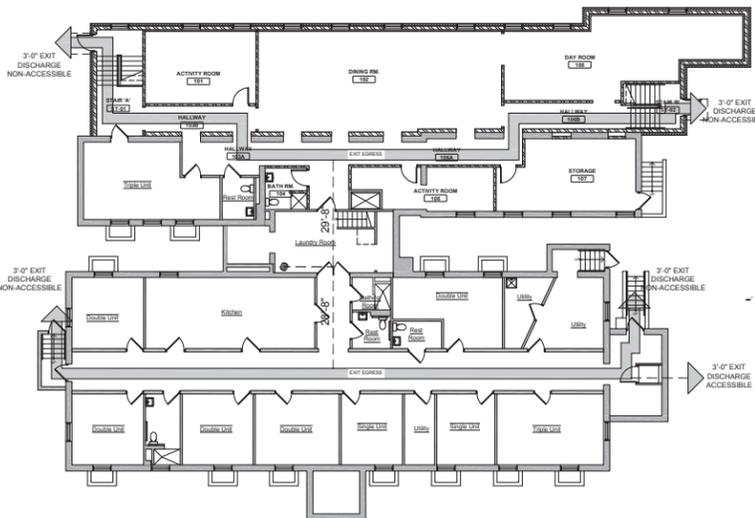


CODE DIAGRAM



UPPER LEVEL CODE DIAGRAM

1/16" = 1'-0"



LOWER LEVEL CODE DIAGRAM

1/16" = 1'-0"

CODE ANALYSIS

PROJECT DESCRIPTION:
 Addition to existing assisted living facility

PROJECT DATA:
APPLICABLE GOVERNING STANDARDS
 INTERNATIONAL BUILDING CODE 2012 (MNSBC 2015)
 MN STATE FIRE CODE, 2007 EDITION (EXISTING STRUCTURE)
 (NOTE: ALL REFERENCES ARE MNSBC UNLESS OTHERWISE NOTED.)

Code Analysis for Complete Building:
Construction Type - 2-B Non-combustible, exterior framed walls (with full fire sprinkler system installed)
 (Table 601) Exterior walls Interior Structural Frame (Columns / Beams), Interior Bearing Walls, Floor Construction and Roof Construction are not rated

Occupancy Type - I-1 This occupancy shall include buildings, structures or portions thereof for more than 16 persons who reside on a 24 hour basis in a supervised environment and receive custodial care. The persons receiving care are capable of self-preservation. This group shall include, but not be limited to, the following: Alcohol and drug centers, Assisted living facilities, Congregate care facilities, Convalescent facilities, Group homes, Halfway houses, Residential board and custodial care facilities, Social rehabilitation facilities

Section 503 - Allowable Building Height and Area (Table 503) (based on most restrictive occupancy - AI)
 Allowable Building Area: 10,000sf Allowable Building Height: 3 stories & 55'-0"

Section 504 - Height Modifications
 504.2 - Automatic Sprinkler System Increase: Maximum height increased an additional 20' and 1 additional story.

Section 506 - Area Modifications
 506.3 - Automatic Sprinkler System Increase: 200% area increase for areas more than one story above grade.

Modifications to Building Height and Area:
 Modified Allowable Building Area: 20,000sf Modified Allowable Building Height: 4 stories & 75'-0"
 Actual Building Area: 17,843sf Actual Building Height: 2 stories & 15'-0"

Section 703 - Exterior Walls
 Existing exterior walls are brick veneer (4") with masonry structural back-up (8"). Interior finish is lathe & plaster. New exterior walls to be non-combustible, metal stud construction with brick veneer.

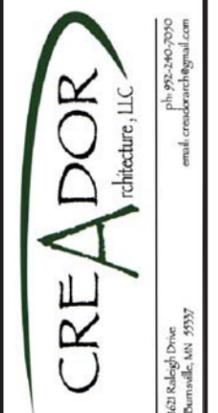
Section 1004 - Occupant Load
 Resident Units (# Beds) 6,534sf / 120sf per occupant = 55 occupants (59 beds)
 Resident Support spaces 3,143sf / 200sf per occupant = 16 occupants
 Total Occupants = 71 occupants (75 occ.)

Section 1005 - Egress Width (Table 1005.1)
 With Sprinkler System:
 Egress Stairways are 2" per occupant. Other egress components are 15" per occupant
 Lower level occupancy - 32 occupants x 2" occupant = 6.4" required stairway width
 Actual Stairway width = (2) stairs at 48" wide to horizontal exit
 Upper level occupancy - 43 occupants x 2" occupant = 8.6" required exit width
 Actual Stairway width = (2) stairs at 48" wide to horizontal exit

Section 1007 - Accessible Means of Egress
 Exception #1: Accessible Means of egress is not required for alterations to existing buildings.
 (1 exit out using chair lift to accessible - North side)

1008.2 - Door Swing
 Doors shall swing in the direction of egress where serving an occupant load of 50 or more.

Section 1009 - Stairways
1009.1 Stairway Width
 Stairway width shall not be less than 44".
1009.3 Exit Access Stairway
 Floor openings between stories created by exit access stairways shall be enclosed.
 Exception #4: In other than Group B and M occupancies, exit access stairway openings are not required to be enclosed provided that the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, the floor opening does not connect more than four stories, the area of the floor opening between stories does not exceed twice the horizontal projected area of the exit access stairway, and the opening is protected by a draft curtain and closely spaced sprinklers in accordance with NFPA 13.
1009.7 Stair Trends and Risers
 Stair riser is a maximum of 7" and the stair trend is a minimum of 11".
1014.3 - Common Path of Egress Travel
 Common Path of egress travel shall not exceed 75'-0"
1016 - Exit Access Travel Distance (Table 1016.1)
 250'-0" maximum travel distance for buildings with Fire Sprinkler.
1019.1 - Minimum number of exits (Table 1019.1)
 Occupant load: 1-500 Occupants requires minimum of 2 exits.
1208.1 Minimum room widths
 Habitable spaces, other than a kitchen, shall be not less than 7 feet (2134 mm) in any plan dimension. Kitchens shall have a clear passageway of not less than 3 feet (914 mm) between counter fronts and appliances or counter fronts and walls.
1208.2 Minimum ceiling heights
 Occupiable spaces, habitable spaces and corridors shall have a ceiling height of not less than 7 feet 6 inches (2286 mm). Bathrooms, toilet rooms, kitchens, storage rooms and laundry rooms shall be permitted to have a ceiling height of not less than 7 feet (2134 mm).
2902 - Minimum Plumbing Facilities (Table 2902.1)
 1-1 Occupancy requires 1 water closet per 10 occupants and 1 lavatory per 10 occupants and 1 shower per 8 occupants
 59 Total Residents
Required Plumbing:
 6 WC & 6 LAV & 8 Showers
Provided Plumbing:
 Lower Level 5 WC & 5 LAV & 3 Showers
 Upper Level 5 WC & 5 LAV & 5 Showers



I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.

Richard J. Lavelle
 12/2/2015
 Date
 #48088
 License

NAGEL ASSISTED LIVING
 BUILDING ADDITION
 232 SOUTH ELM ST.
 WACONIA, MN

GENERAL PROJECT INFORMATION

DATE ISSUED	23 OCT 15
OWNER REVIEW	16 NOV 15
PERMIT SET	19 NOV 15
REV	2DEC15

DRAWN BY	RJL
CHECKED BY	RJL
JOB NO.	15059

G-001

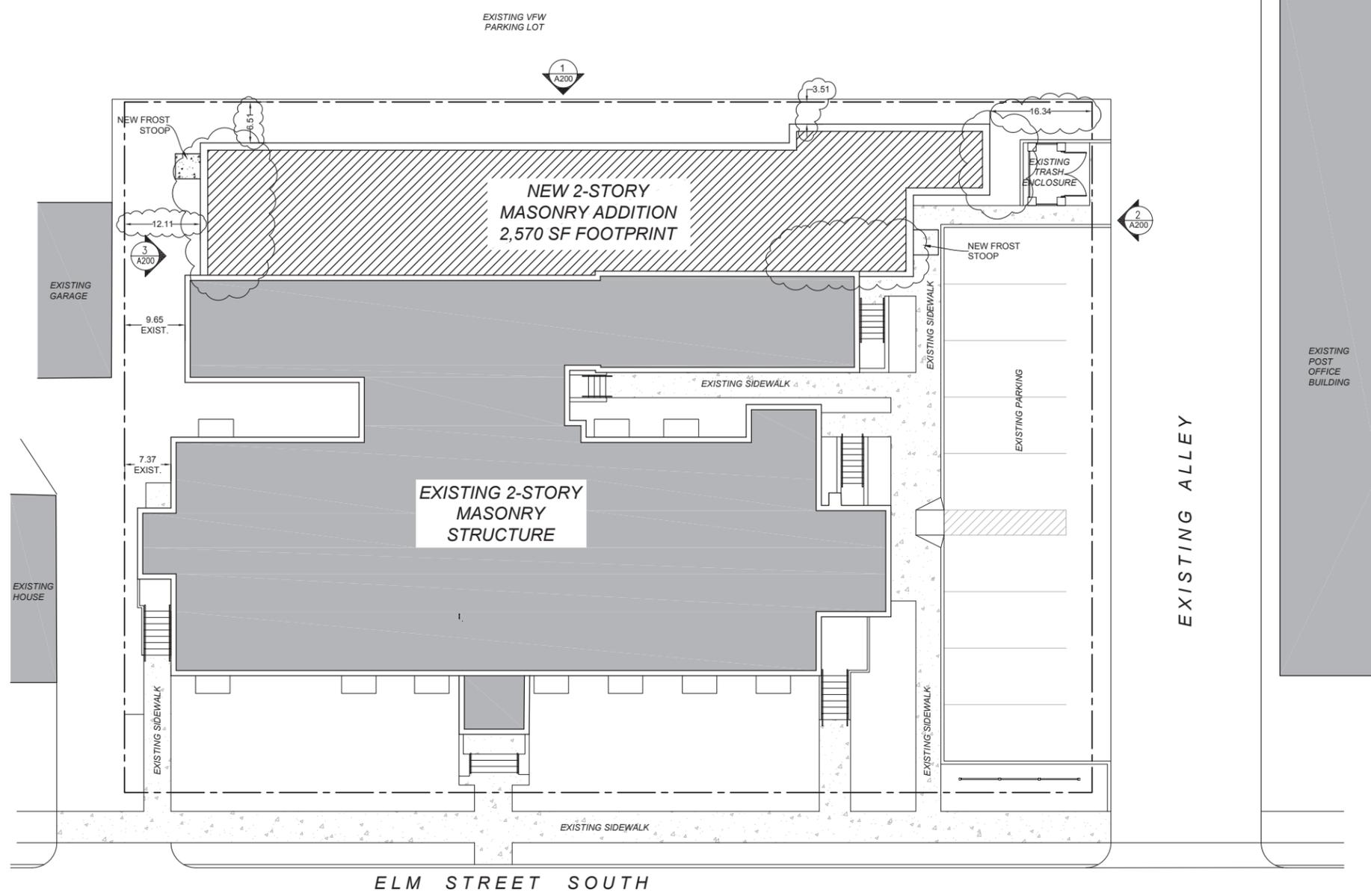
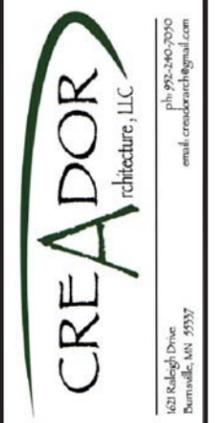


TABLE 705.8
MAXIMUM AREA OF EXTERIOR WALL OPENINGS BASED ON FIRE SEPARATION DISTANCE AND DEGREE OF OPENING PROTECTION

FIRE SEPARATION DISTANCE (feet)	DEGREE OF OPENING PROTECTION	ALLOWABLE AREA	PROJECT ACTUAL OPENING AREA
0 to less than 3	Unprotected, Sprinklered (UP, S)	Not Permitted	N/A
3 to less than 5	Unprotected, Sprinklered (UP, S)	15%	11.5%
5 to less than 10	Unprotected, Sprinklered (UP, S)	25%	16.8%
10 to less than 15	Unprotected, Sprinklered (UP, S)	45%	5.8%
15 to less than 20	Unprotected, Sprinklered (UP, S)	75%	5.5%
20 to less than 25	Unprotected, Sprinklered (UP, S)	No Limit	N/A
25 to less than 30	Unprotected, Sprinklered (UP, S)	No Limit	N/A
30 or greater	Unprotected, Sprinklered (UP, S)	Not Required	Not Required

1 ARCHITECTURAL SITE PLAN
1" = 10'-0"



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Richard J. Lavelle
Richard J. Lavelle
12/2/2015
Date

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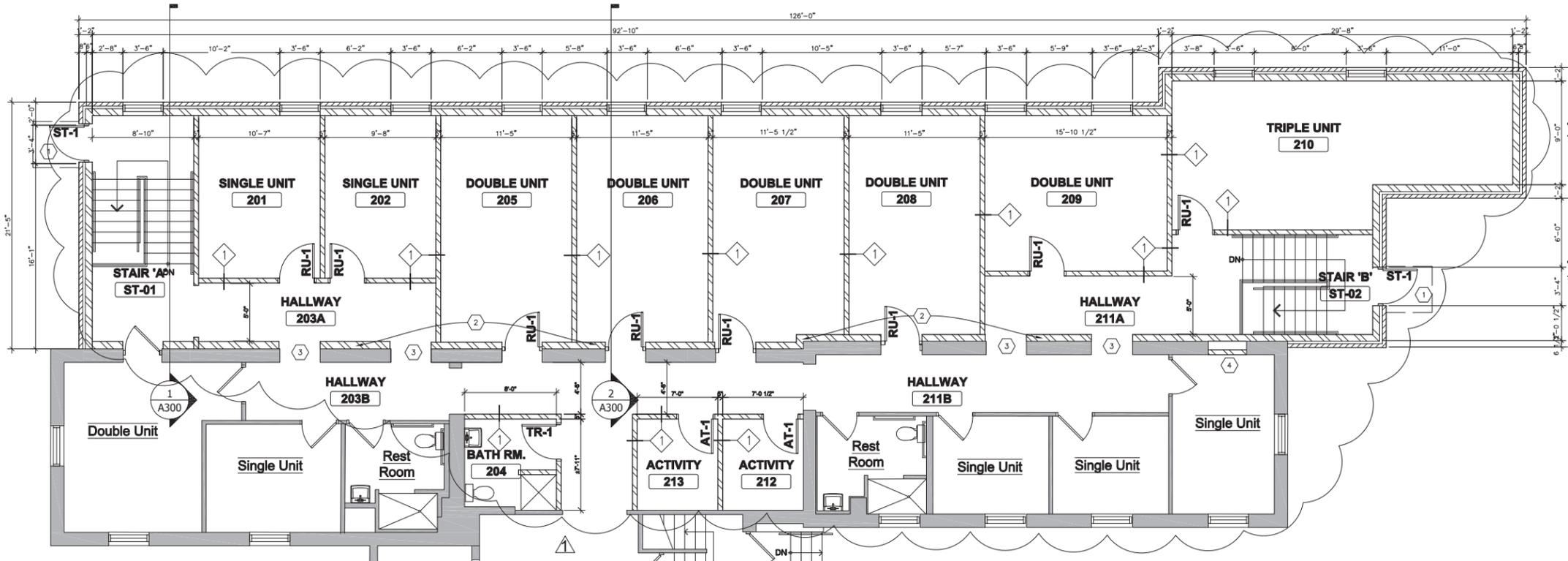
NAGEL ASSISTED LIVING
BUILDING ADDITION
232 SOUTH ELM ST.
WACONIA, MN

ARCHITECTURAL SITE PLAN

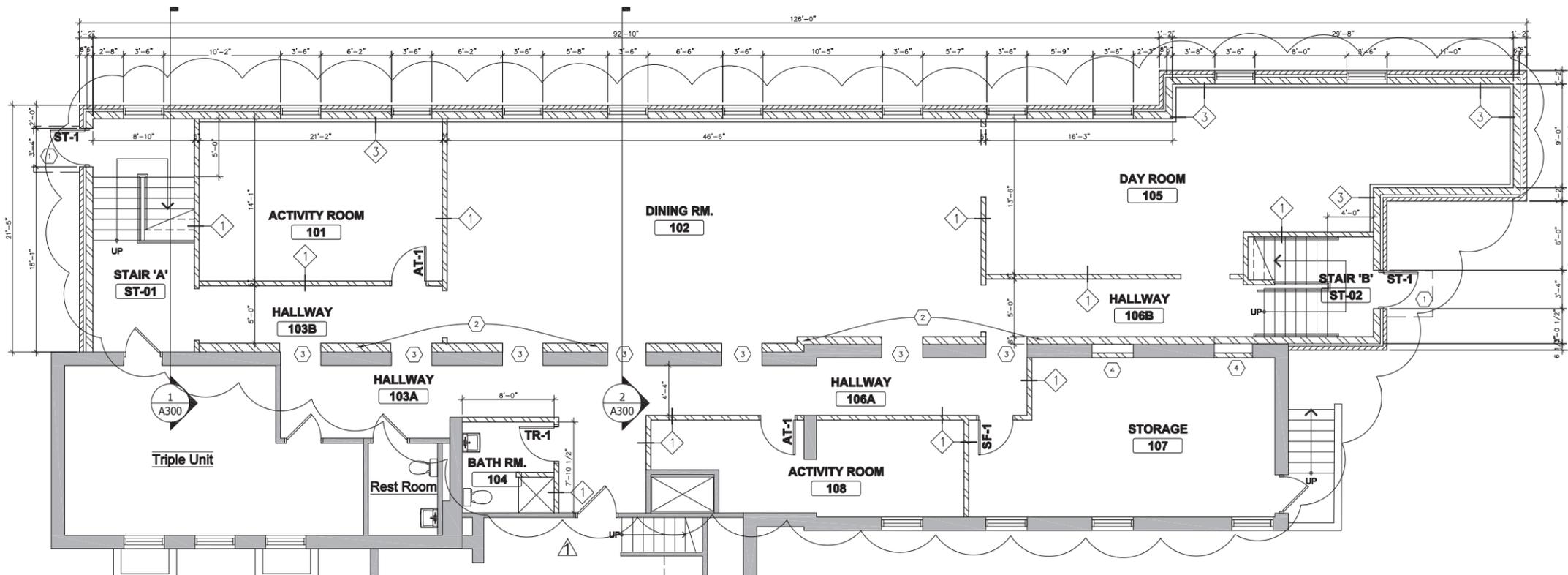
DATE ISSUED	23 OCT 15
OWNER REVIEW	16 NOV15
PERMIT SET	19 NOV15
REV	2DEC15

DRAWN BY	R.J.L.
CHECKED BY	R.J.L.
JOB NO.	15059

SP-01



1 UPPER LEVEL FLOOR PLAN
 $\frac{3}{16}'' = 1'-0''$



2 LOWER LEVEL FLOOR PLAN
 $\frac{3}{16}'' = 1'-0''$



- CONSTRUCTION NOTES**
1. PROTECT WORK AND EXISTING PROPERTY, ADJACENT PUBLIC AND PRIVATE PROPERTY AND WORK OF OTHER SECTIONS FROM DAMAGE WHILE DOING WORK.
 2. PROTECT FLOORS, WALLS AND DOORS AGAINST DAMAGE, SPREAD OF DUST AND DIRT, TAKE SPECIAL MEASURES WHEN MOVING HEAVY LOADS OR EQUIPMENT.
 3. ALL DOOR FRAMES TO BE INSTALLED 3" FROM PARTITIONS UNLESS NOTED OTHERWISE.
 4. GYPSUM BOARD TO BE TAPED, SANDED AND PRIMED READY TO RECEIVE NEW FINISH UNLESS OTHERWISE NOTED, REFER TO FINISHES PLAN.
 5. PATCH AND REPAIR ALL DAMAGES TO EXIST. WALLS AND COLUMNS TO REMAIN, INCLUDING WHERE OUTLETS HAVE BEEN REMOVED DEPRESSIONS, FLAKING WALLS, SCREWS ATTACHMENTS LEFT OVER WALL PAPER GLUE AND FRAGMENTS AND MAKE READY TO RECEIVE NEW WALL FINISH.
 6. WHERE EXISTING FLOOR FINISHES ARE BEING REMOVED, SURFACE TO BE MADE LEVEL AND SMOOTH, READY TO RECEIVE NEW FINISH AS SPECIFIED ON FINISH SCHEDULE.
 7. CONTRACTOR TO PERFORM ALL WORK SPECIFIED ON DRAWINGS AND SUPPLY ALL NECESSARY MATERIAL AND LABOR REQUIRED TO COMPLETE WORK.
 8. WHERE FLOOR SLAB IS UNEVEN, SHIM DOOR FRAMES TO SUIT AND PAINT SHIM TO MATCH FRAME FINISH.
 9. CONTRACTOR TO VERIFY ALL DRAWINGS, DIMENSIONS AND MEASUREMENTS AS WELL AS SITE CONDITIONS AND NOTIFY THE ARCHITECT OF ANY ERRORS, DISCREPANCIES AND OMISSIONS PRIOR TO STARTING WORK.
 10. CONTRACTOR TO ENSURE THAT ALL PARTITIONING AND CEILINGS ARE REPAIRED AFTER THE MECHANICAL AND ELECTRICAL TRADES HAVE COMPLETED THEIR WORK.
 11. CONTRACTOR TO ENSURE THAT ALL AREAS ARE CLEANED ON AN ONGOING BASIS AND FINAL CLEANING PRIOR TO OCCUPANCY.
 12. PROVIDE CLASS 'B' FINISHES MINIMUM FOR BOTH WALLS AND CEILINGS IN HALLWAYS.

- KEY NOTES:**
- ① - FROST FOOTING AND CONCRETE SLAB, SEE STRUCTURAL
 - ② - BEARING MTL. STUD FRAMING, SEE STRUCTURAL
 - ③ - CASE OPENING WITH WOOD TRIM TO MATCH EXISTING
 - ④ - FRAME IN EXISTING OPENING WITH WALL TYPE 1

CREADOR
 Architecture, LLC
 1621 Kullagh Drive
 Burnsville, MN 55337
 phone: 952-340-7050
 email: creadorarch@gmail.com

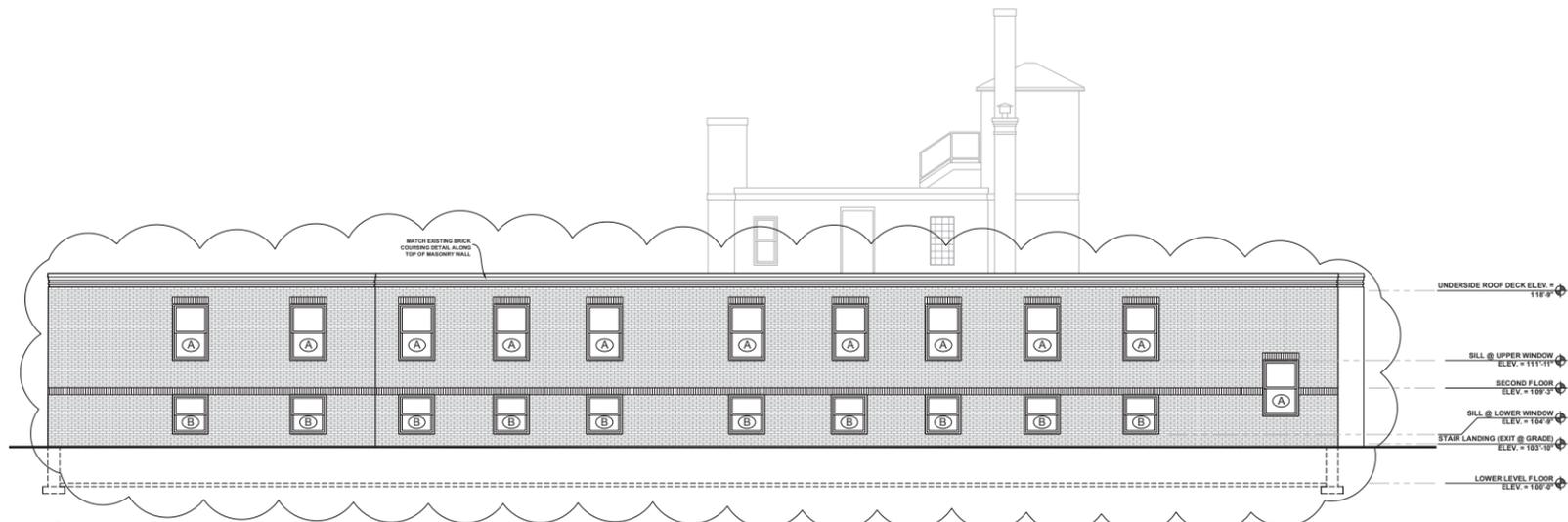
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.
 Richard J. Lavelle
 12/21/2015
 #48088
 License
 Date

NAGEL ASSISTED LIVING
 BUILDING ADDITION
 232 SOUTH ELM ST.
 WACONIA, MN
CONSTRUCTION PLANS

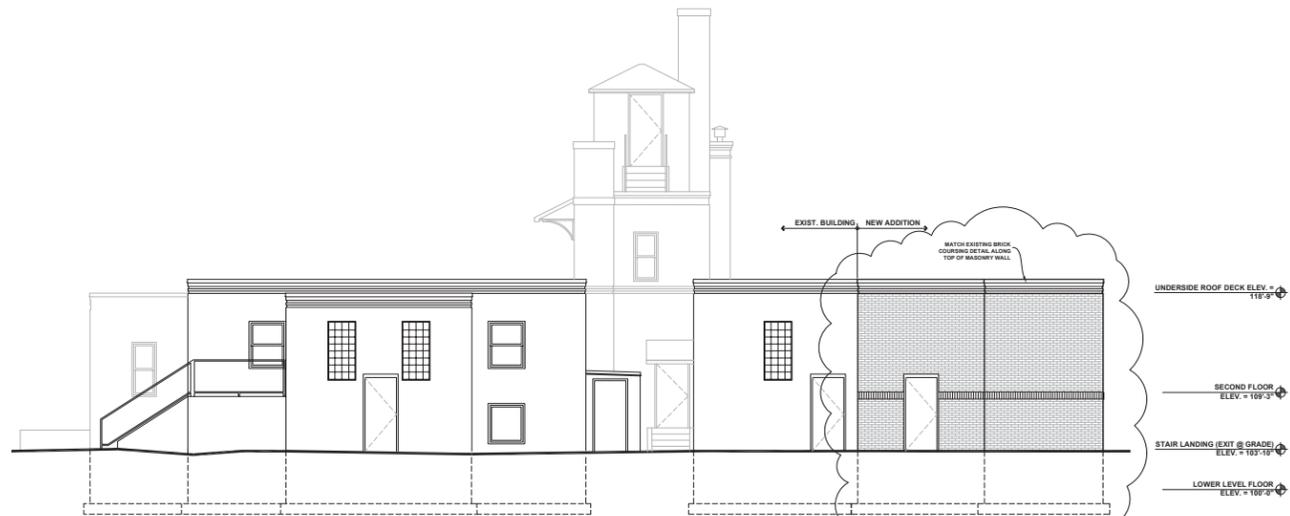
DATE ISSUED	23 OCT 15
OWNER REVIEW	16 NOV 15
PERMIT SET	19 NOV 15
REV	2DEC15

DRAWN BY	R.J.L.
CHECKED BY	R.J.L.
JOB NO.	15059

A100



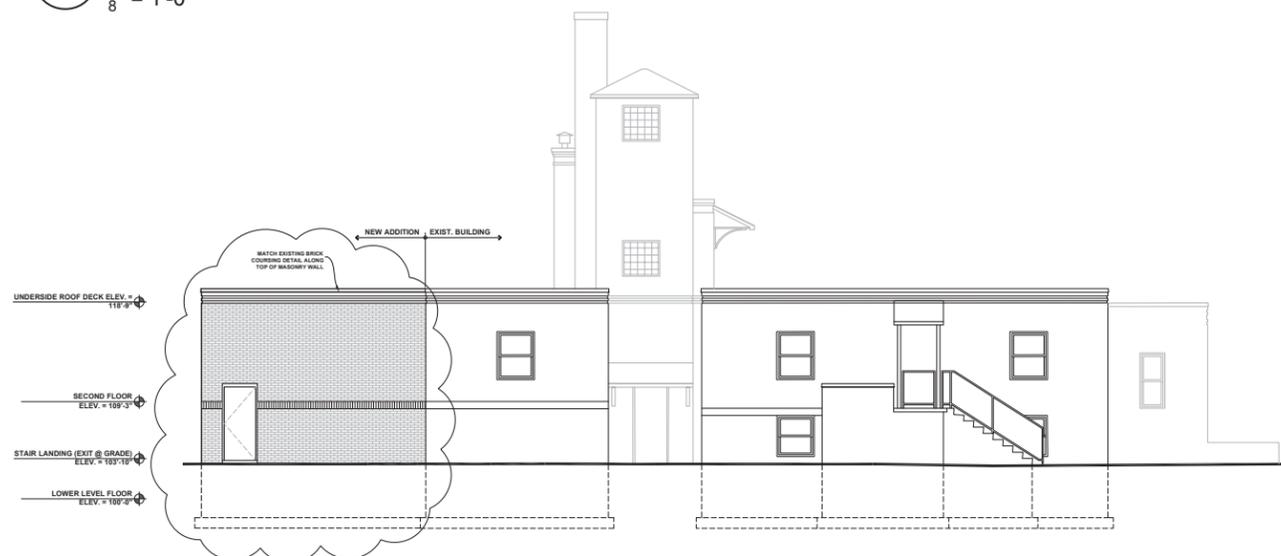
1 BUILDING WEST ELEVATION
 $\frac{1}{8}'' = 1'-0''$



2 BUILDING NORTH ELEVATION
 $\frac{1}{8}'' = 1'-0''$



3 BUILDING EAST ELEVATION (EXISTING TO REMAIN UNCHANGED)
 $\frac{3}{32}'' = 1'-0''$ (PREVIOUSLY APPROVED EAST ELEVATION PREPARED BY BUETOW 2 ARCHITECTS, INC)



4 BUILDING SOUTH ELEVATION
 $\frac{1}{8}'' = 1'-0''$

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.

Richard J. Lavelle
 Richard J. Lavelle
 12/21/2015
 Date
 #48088
 License

NAGEL ASSISTED LIVING
 BUILDING ADDITION
 232 SOUTH ELM ST.
 WACONIA, MN

BUILDING ELEVATIONS

DATE ISSUED	23 OCT 15
OWNER REVIEW	16 NOV 15
PERMIT SET	19 NOV 15
REV	2DEC15

DRAWN BY	R.J.L.
CHECKED BY	R.J.L.
JOB NO.	15059

LANDSCAPING MATERIAL SCHEDULE				
SYMBOL	QTY	PLANTING NAME	SIZE	COMMENTS
	0	EXISTING TREES AND SHRUBS		
T1	5	BLACK HILLS SPRUCE PICEA GLAUCA	6' HT.	FULL FORM TO GRADE SEE 3/A1.3
T2	3	SWAMP WHITE OAK QUERCUS BICOLOR	2.5' CAL.	STRAIGHT LEADER FULL CROWN SEE 2/A1.3
P1	48	PURPLE LEAF SANDCHERRY PRUNUS X CISTENA	18" POT	SPACED SQUARE IN TWO ROWS IN STRAIGHT LINES SEE 1/A1.3

NOTE:
PROVIDE MULCH, WEED BARRIER AND EDGING AROUND NEW AND EXISTING PLANTING BEDS.

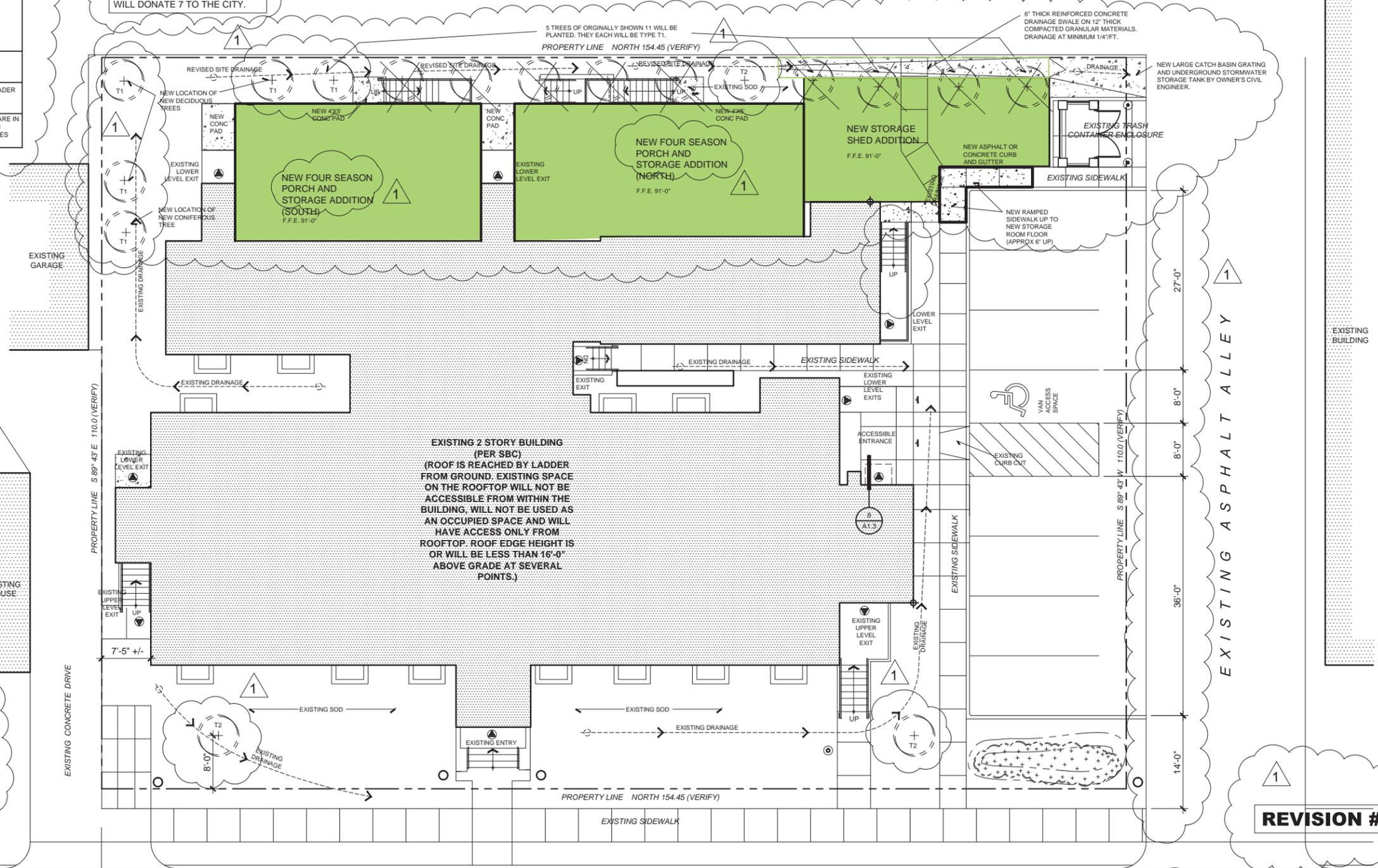
GENERAL LANDSCAPING NOTES

- THE CONTRACTOR SHALL THOROUGHLY REVIEW THE CONSTRUCTION SITE AND SHALL PERFORM ONE OR MORE SITE VISITS SO AS TO UNDERSTAND THE SCOPE OF WORK INVOLVED PRIOR TO THE ONSET OF CONSTRUCTION.
- PROTECT EXISTING VEGETATION AND IMPROVEMENTS. THEY SHALL NOT BE DISTURBED NOR DAMAGED - UNLESS NOTED OTHERWISE.
- MAINTAIN EXISTING ADJACENT STREETS AND PARKING AREAS FREE OF FOREIGN MATERIALS, SOIL AND CONSTRUCTION DEBRIS ON A DAILY BASIS.
- MAINTAIN DUST CONTROL DURING ALL CONSTRUCTION OPERATIONS.
- ALL CONSTRUCTION SHALL COMPLY WITH APPLICABLE FEDERAL, STATE AND LOCAL CODES, ORDINANCES AND REGULATIONS.
- NOT USED.
- REMOVE AND REPLACE ALL ASSEMBLIES (CONCRETE CURBS, CONCRETE PAVING, BITUMINOUS PAVING, SOD, TOPSOIL AND OTHER EXISTING PORTIONS OF THE BUILDING AND ITS GROUNDS) THAT ARE DAMAGED DURING, BY AND AS A RESULT OF THE CONSTRUCTION ACTIVITIES. UNDERTAKEN. ALL SUCH REPLACEMENT WORK SHALL BE NEW, OF THE HIGHEST QUALITY, AS SPECIFIED AND SHALL MATCH EACH RESPECTIVE ASSEMBLY IN TERMS OF SIZE, ORIENTATION, PROFILE, CONFIGURATION AND EXTENT.
- PROVIDE OFF-SITE LEGAL DISPOSAL OF ALL EARTHWORK REQUIRED TO BE REMOVED.
- UTILIZE PROTECTIVE MEASURES AND PROTECT EXISTING STORM SEWER SYSTEM AND CATCH BASINS FROM DEBRIS, SOIL EROSION AND OTHER FOREIGN MATERIALS.
- MAINTAIN AND ENHANCE EXISTING SITE DRAINAGE PATTERNS.
- GRADED TOP SOIL BY EARTHWORK CONTRACTOR. LEVELING AND ADDITIONAL 6" MINIMUM OF NEW TOP SOIL BY LANDSCAPE CONTRACTOR.
- CONCRETE ON-GRADE SPLASH BLOCKS ARE SHOWN ON DRAWING SHEET A2.0 LOWER LEVEL PLAN.

SITE AREA:	16,909 S.F. OR 0.39 ACRES
BUILDING AREA (GROSS FLOOR AREA)	
LOWER LEVEL	6,477 S.F. G.F.A.
UPPER LEVEL	6,413 S.F. G.F.A.
TOTAL	12,890 S.F. G.F.A.

FLOOR AREA DATA (ADDITIONS)	
NEW STORAGE SHED	UPPER LEVEL: 573 S.F. LOWER LEVEL: 573 S.F.
NEW THREE SEASON PORCH & STORAGE ADDITION (SOUTH)	UPPER LEVEL: 720 S.F. LOWER LEVEL: 720 S.F.
NEW THREE SEASON PORCH & STORAGE ADDITION (NORTH)	UPPER LEVEL: 880 S.F. LOWER LEVEL: 880 S.F.

NOTE: 15 TREES ARE REQUIRED. 8 ARE SHOWN. THE OWNER WILL DONATE 7 TO THE CITY.



EXISTING 2 STORY BUILDING (PER SBC) (ROOF IS REACHED BY LADDER FROM GROUND. EXISTING SPACE ON THE ROOFTOP WILL NOT BE ACCESSIBLE FROM WITHIN THE BUILDING. WILL NOT BE USED AS AN OCCUPIED SPACE AND WILL HAVE ACCESS ONLY FROM ROOFTOP. ROOF EDGE HEIGHT IS OR WILL BE LESS THAN 16'-0" ABOVE GRADE AT SEVERAL POINTS.)

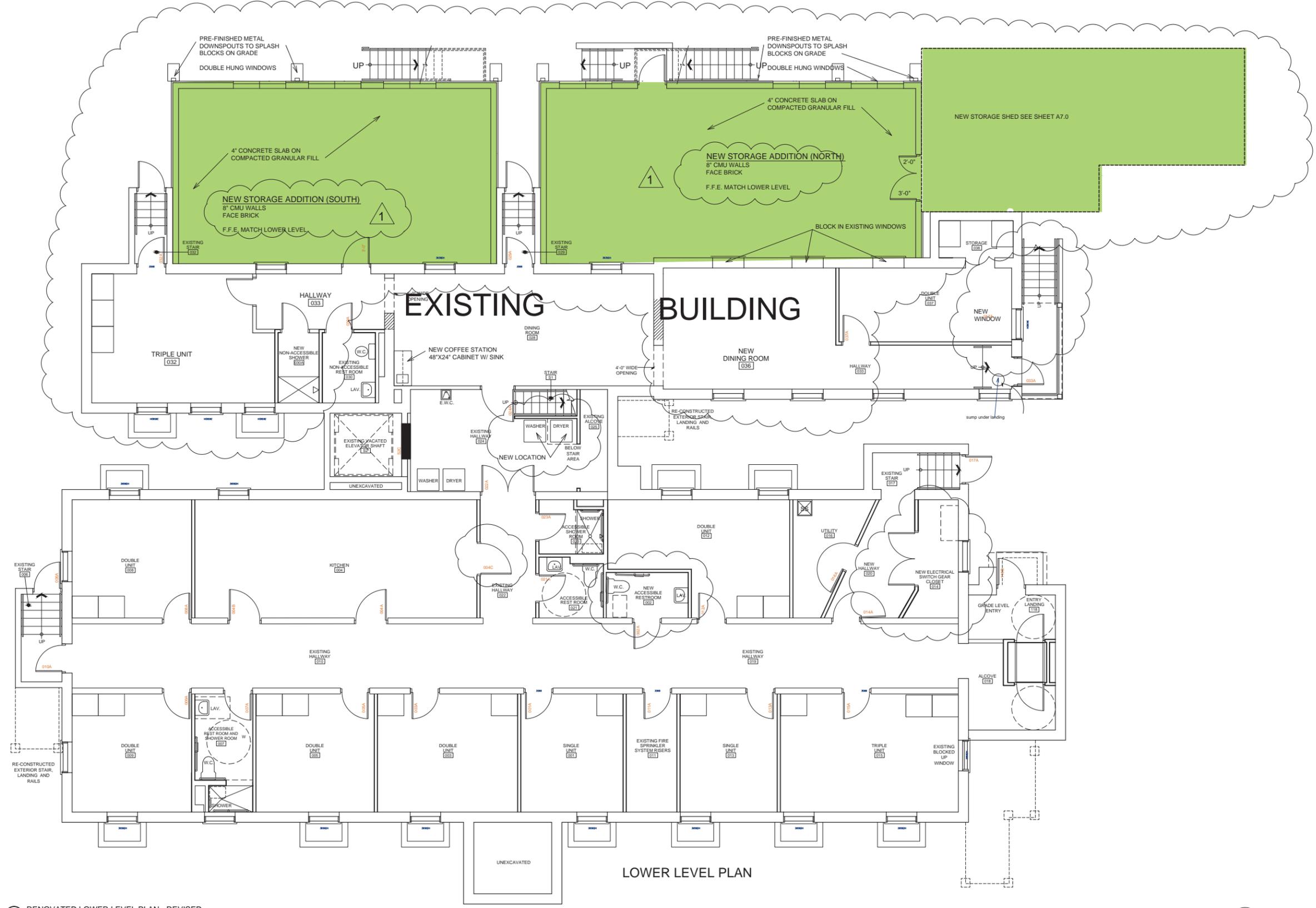
← R2 ZONING DISTRICT × B2 ZONING DISTRICT → ELM STREET SOUTH

NOTE #1: "CLOUDED" AREAS ON EACH SHEET OF THIS SET OF DRAWINGS DEPICT REVISIONS TO DRAWINGS ORIGINALLY ISSUED FOR PERMIT ON DECEMBER 16, 2014, REVISED AND REISSUED DECEMBER 30, 2014 AND REVISED AND REISSUED MARCH 27, 2015.

NOTE #2: THE TERM "EXISTING" USED IN THIS DRAWING REFERS TO CONDITIONS FOUND IN PLACE PRIOR TO THE RECENT INCEPTION OF CONSTRUCTION OR DESIGNED FOR CONSTRUCTION IN DRAWINGS THAT WERE ISSUED ON THE DATES LISTED IN NOTE #1.

REVISION #3

BII BUETOW 2 ARCHITECTS, INC.
 2905 DEAN PARKWAY, SUITE C
 MINNEAPOLIS, MINNESOTA 55416
 (612) 455-2626
 REGISTRATION NUMBER: 1518
 DATE: 7/28/2015
 INCL. DATE: 8/25/15
 REVISION #3
 Pro Partners Group, L.L.C.
 232 South Elm Street
 Waconia, Minnesota



1 RENOVATED LOWER LEVEL PLAN - REVISED
A2.0 3/16" = 1'-0"

LOWER LEVEL PLAN

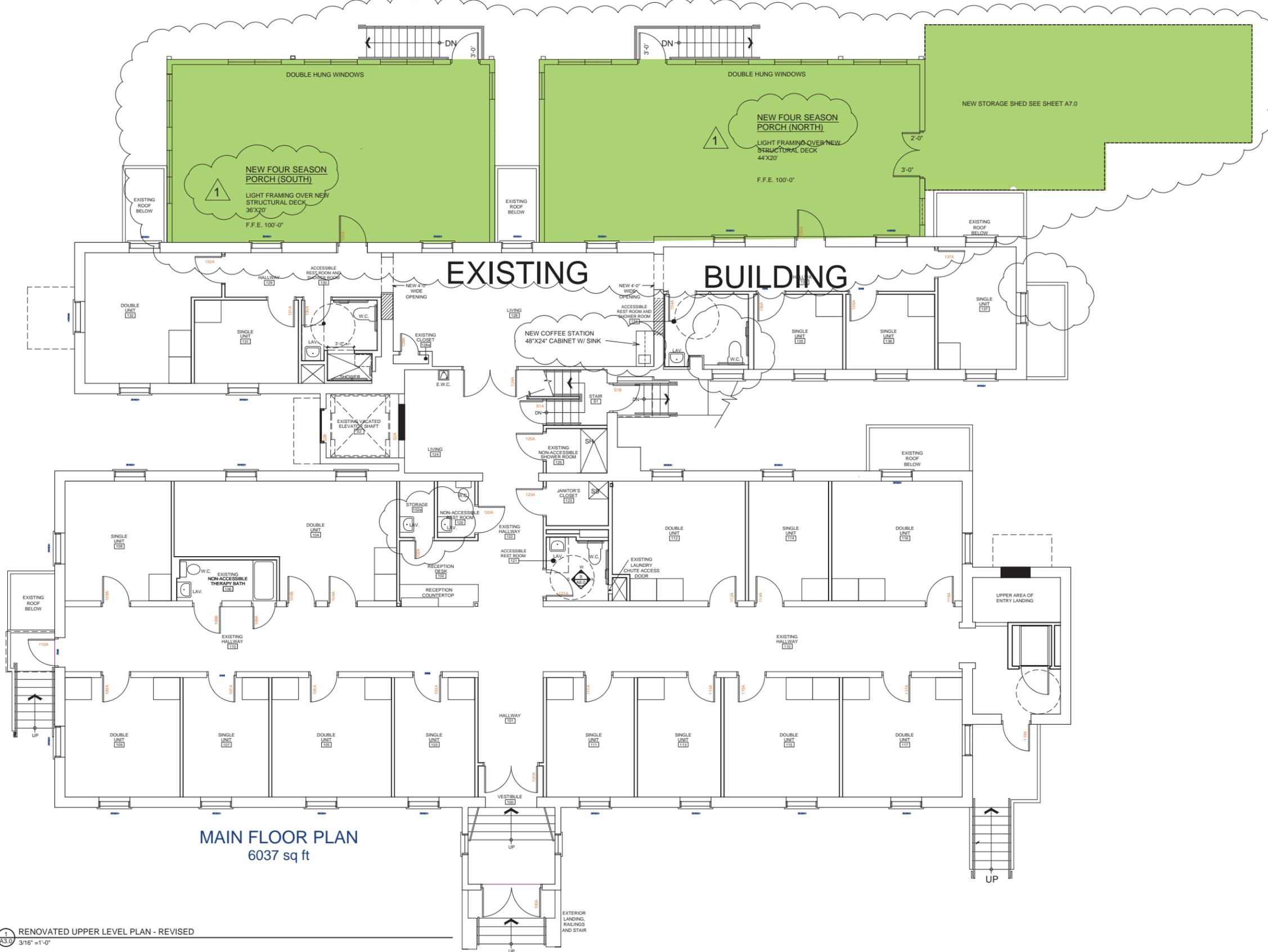
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REVISION #3

BII BUETOW 2 ARCHITECTS, INC.
 2905 DEAN PARKWAY, SUITE C
 MINNEAPOLIS, MINNESOTA 55416
 (612) 455-2626
 REGISTRATION NUMBER: 1518
 DATE: July 28, 2015
 Project: Renovated Lower Level Plan - Revised #2
 Storage Shed and Screened Porches
 Pro Partners Group, L.L.C.
 232 South Elm Street
 Waconia, Minnesota

1518

A2.0



MAIN FLOOR PLAN
6037 sq ft

1
A3.0 RENOVATED UPPER LEVEL PLAN - REVISED
3/16" = 1'-0"

1
REVISION #3

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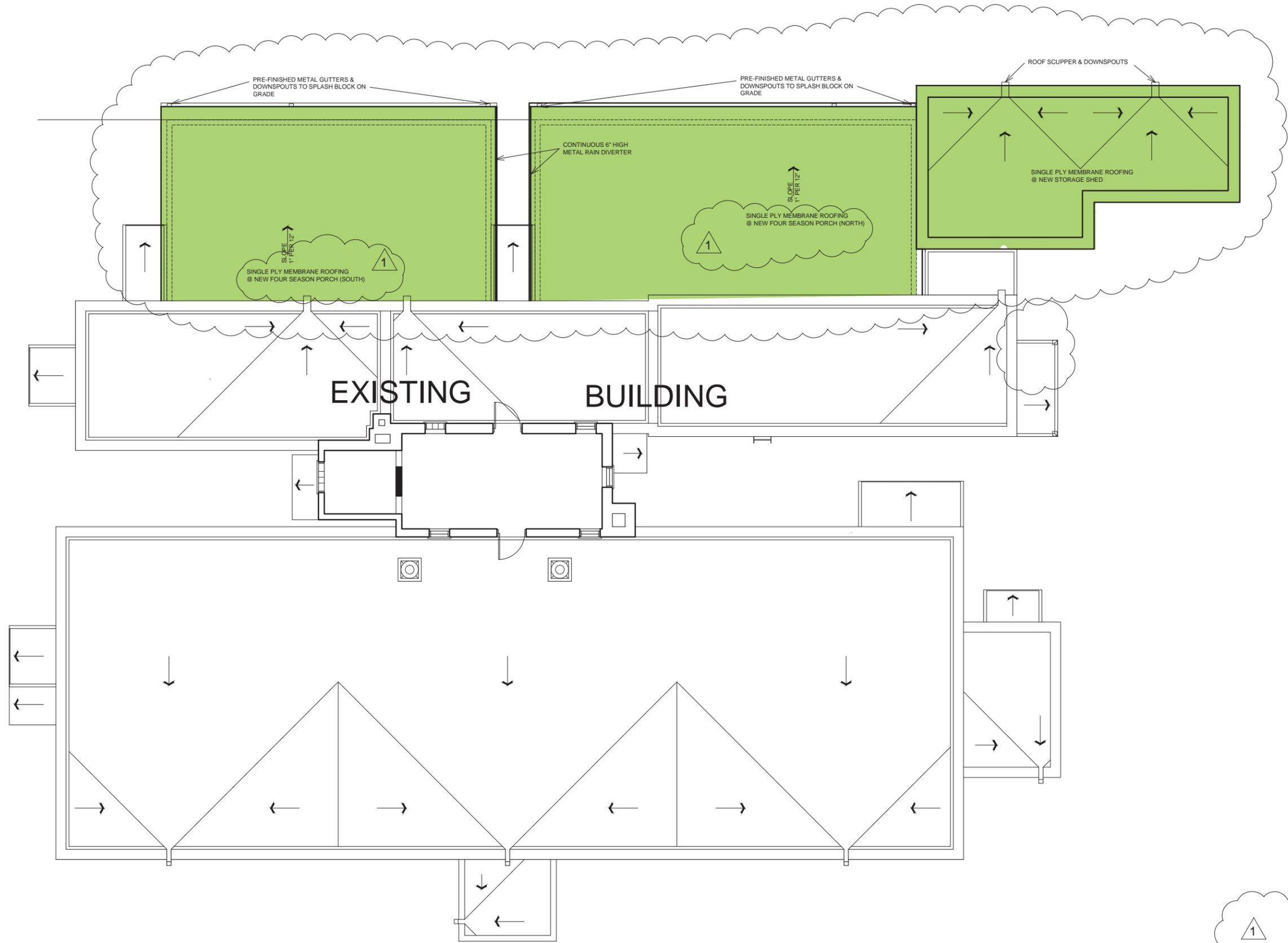
B I I BUETOW 2 ARCHITECTS, INC.
2305 DEAN PARKWAY, SUITE C
MINNEAPOLIS, MINNESOTA 55416
(612) 455-2626

NO.	DATE	REVISION
1	8/25/15	REVISION #3

July 28, 2015

Renovated Upper Level Plan - Revised #2
Storage Shed and Screened Porches
Pro Partners Group, L.L.C.
232 South Elm Street
Waconia, Minnesota

1518
A3.0



1 ROOF PLAN - REVISED
 3/16" = 1'-0"

1
REVISION #3

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 REGISTERED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA
 Brett L. Enger
 DATE:

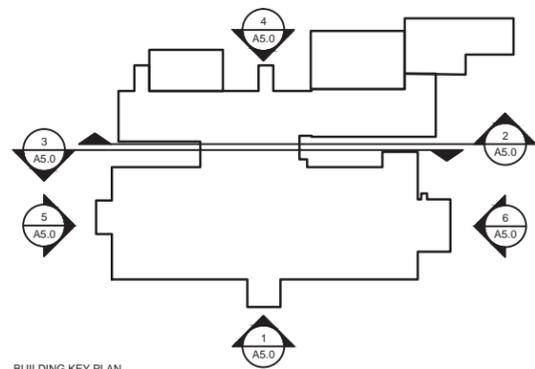
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 2305 DEAN PARKWAY, SUITE C
 MINNEAPOLIS, MINNESOTA 55416
 (612) 455-2626

NO.	DATE	REVISION
1	8/25/15	REVISION #3

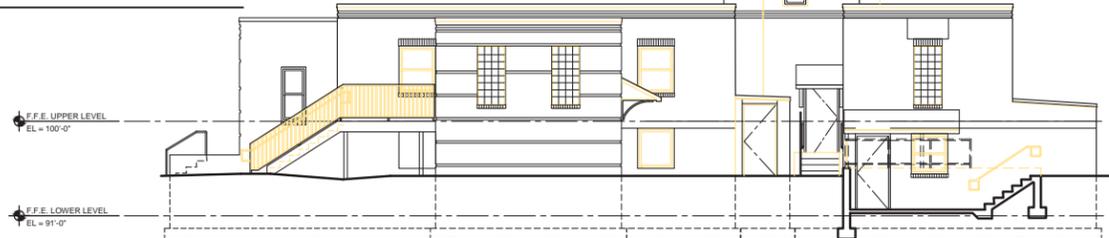
HL-201
 July 28, 2015

Roof Plan - Revised #2
 Storage Shed and Screened Porches
 Pro Partners Group, L.L.C.
 232 South Elm Street
 Waconia, Minnesota

1518
A4.0

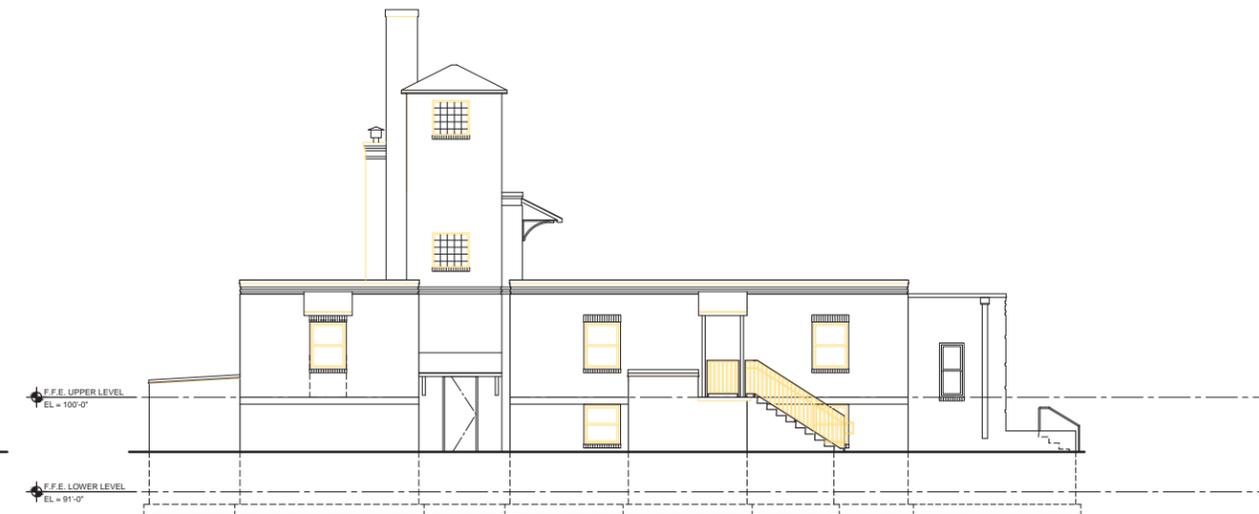


BUILDING KEY PLAN
N.T.S.



6 NORTH ELEVATION (EXISTING)

A5.0 1/8" = 1'-0"



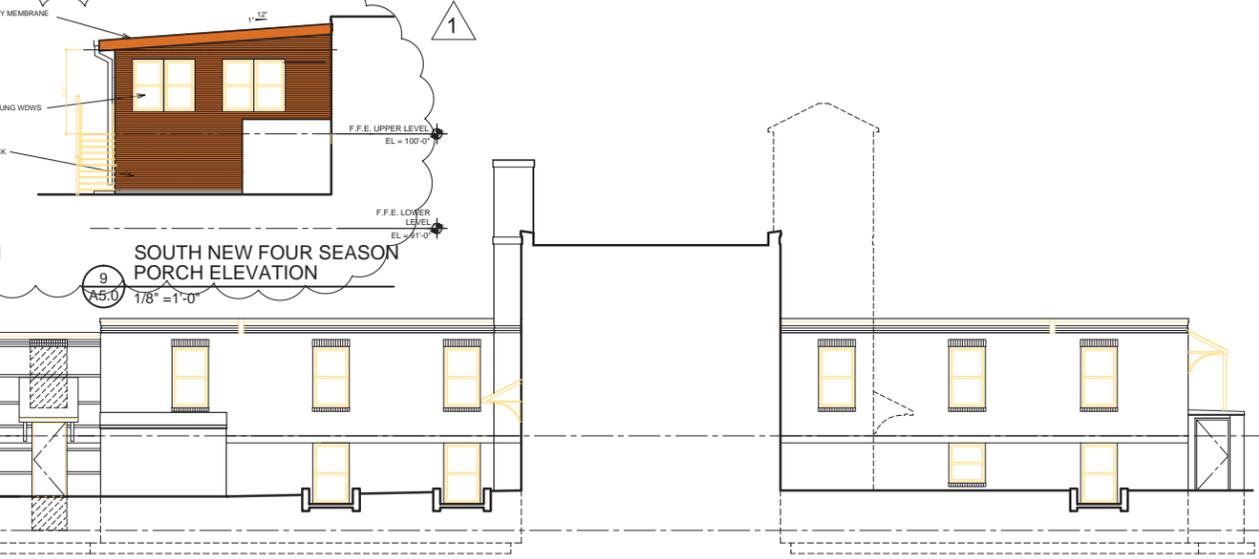
5 SOUTH ELEVATION (EXISTING)

A5.0 1/8" = 1'-0"



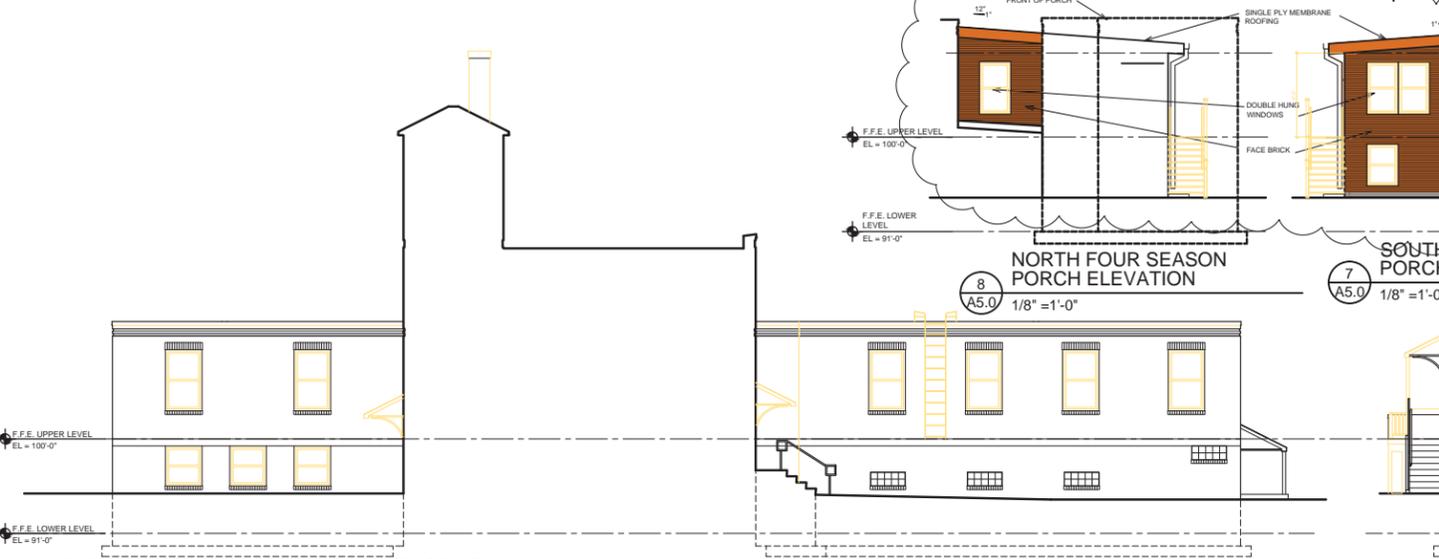
4 WEST ELEVATION - REVISED

A5.0 1/8" = 1'-0"



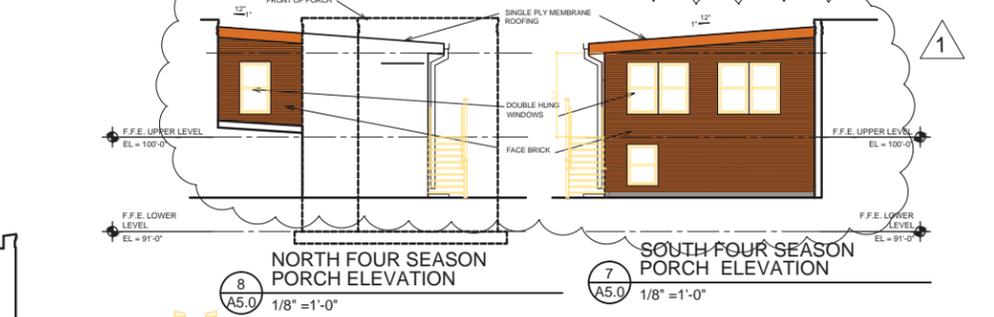
3 WEST ELEVATION (COURTYARDS) (EXISTING)

A5.0 1/8" = 1'-0"



2 EAST ELEVATION (EXISTING)

A5.0 1/8" = 1'-0"



8 NORTH FOUR SEASON PORCH ELEVATION

A5.0 1/8" = 1'-0"

7 SOUTH FOUR SEASON PORCH ELEVATION

A5.0 1/8" = 1'-0"

1 EAST ELEVATION (EXISTING)

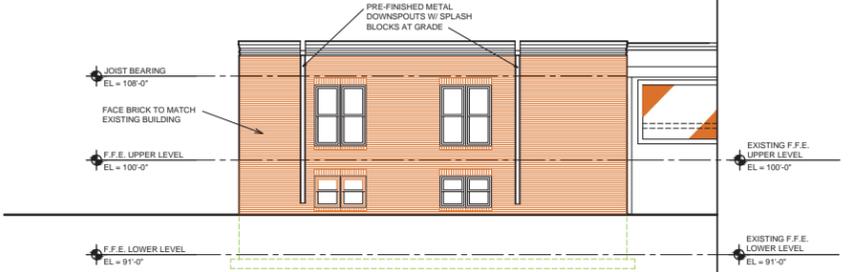
A5.0 1/8" = 1'-0"

REVISION #3

BII BUETOW 2 ARCHITECTS, INC. 2905 DEAN PARKWAY, SUITE C MINNEAPOLIS, MINNESOTA 55416 (612) 455-2626 DATE: _____ REGISTRATION NUMBER: _____		
NO.	DATE	REVISION
1	8/25/15	REVISION #3
Renovated Building Elevations - Revised Storage Shed and Screened Porches Pro Partners Group, L.L.C. 232 South Elm Street Waconia, Minnesota		
July 28, 2015		1518 A5.0



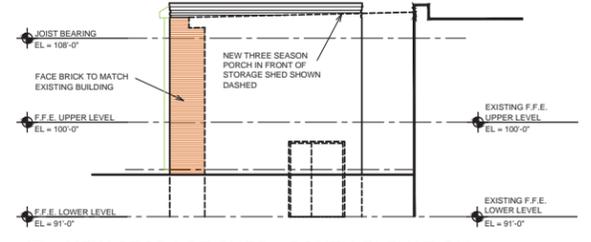
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A7.0 NEW STORAGE SHED - EAST ELEVATION
1/4" = 1'-0"



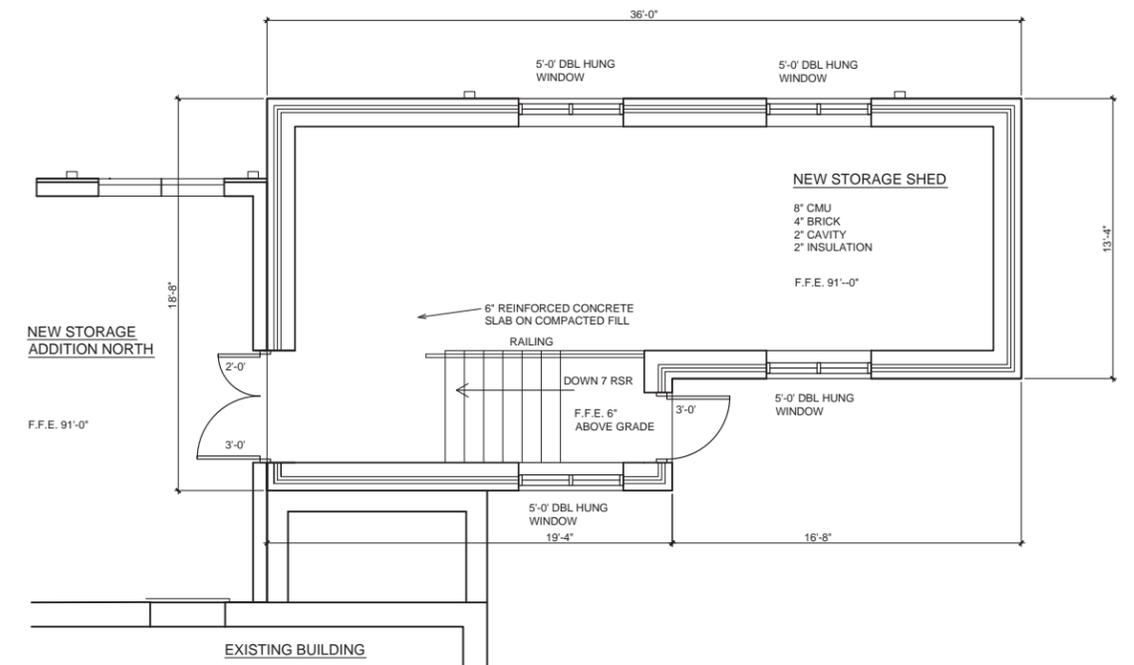
2
A7.0 NEW STORAGE SHED - WEST ELEVATION
1/4" = 1'-0"



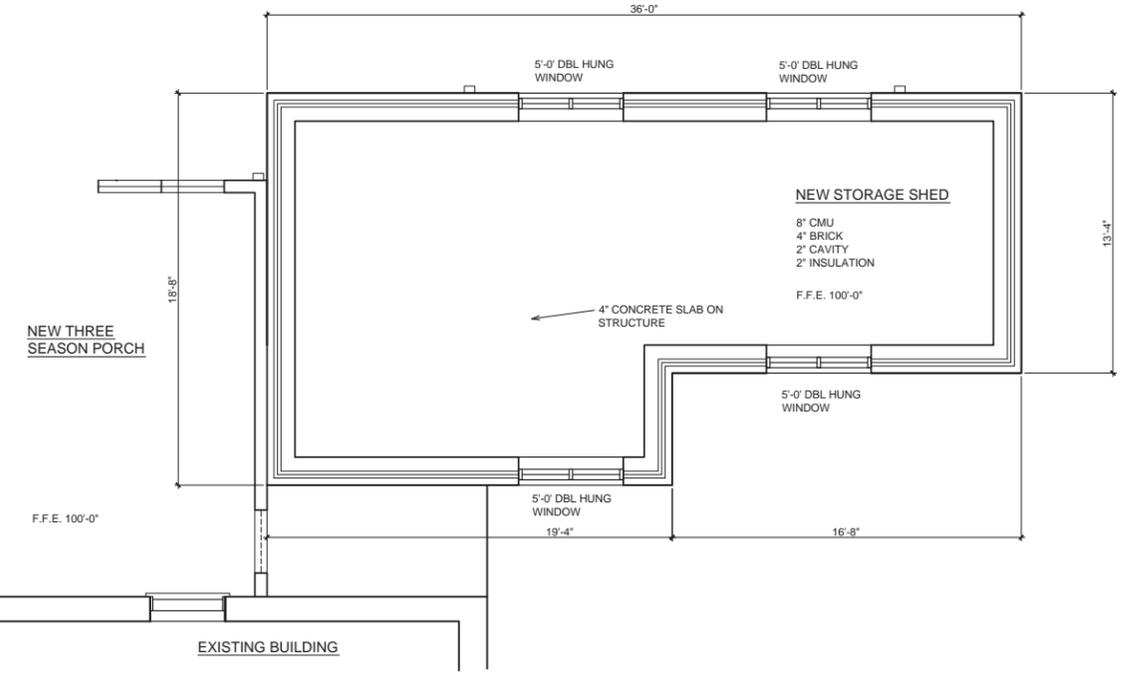
3
A7.0 NEW STORAGE SHED - NORTH ELEVATION
1/4" = 1'-0"



4
A7.0 NEW STORAGE SHED - SOUTH ELEVATION
1/4" = 1'-0"



5
A7.0 STORAGE SHED - LOWER LEVEL PLAN
1/4" = 1'-0"



6
A7.0 STORAGE SHED - UPPER LEVEL PLAN
1/4" = 1'-0"

1
REVISION #3

BII BUETOW 2 ARCHITECTS, INC.
 2305 DEAN PARKWAY, SUITE C
 MINNEAPOLIS, MINNESOTA 55416
 (612) 455-2626
 REGISTRATION NUMBER: _____
 DATE: _____
 INCL DATE REVISION
 8/25/15 REVISION #3
 HL-301
 July 28, 2015
 New Storage Shed Plan & Elevations #2
 Storage Shed and Screened Porches
 Pro Partners Group, L.L.C.
 232 South Elm Street
 Waconia, Minnesota

1518
A7.0



REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date:	January 7 th , 2016					
Item Name:	Sketch Plan – Interlaken Outlot A - Hartman Communities, LLC					
Originating Department:	Planning and Zoning					
Presented by:	Lane Braaten, Community Development Director					
Previous Commission Action (if any):						
Item Type (X only one):	Consent		Regular Session	<input checked="" type="checkbox"/>	Discussion Session	
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED (Include motion in proper format.)						

Informally discuss the Hartman Communities Sketch Plan for the property located at 1150 Somerwood Drive and described as PID # 753150610 and advise the applicant of the extent to which the plan conforms to the Comprehensive Plan and City Ordinances and discuss possible modifications that may be necessary.

EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations.)

BACKGROUND:

Applicant: Hartman Communities, LLC
Owner(s): City of Waconia/Hartman Communities, LLC
Project: Interlaken Outlot A Sketch Plan
Address: 1150 Somerwood Drive
PID#: 753150610
Zoning District: R-3, Medium Density Residential District
Comp Plan Designation: M – Medium Density Residential (M)

REQUEST:

The City has received a Sketch Plan Application from Hartman Communities, LLC (the “applicant”) to facilitate a discussion with the Planning Commission regarding the possible future development of the property located at 1150 Somerwood Drive.

APPLICABLE ORDINANCE PROVISIONS:

1. Section 1000.03 – Sketch Plan

Submittal of a Sketch Plan allows possible developers to provide a concept plan to the Planning Commission to receive feedback on a potential project to determine any conflicts prior to submittal of any future applications such as Preliminary Plat, Comprehensive Plan Amendments, Zoning Map Amendments, Annexation, etc.

City Ordinance Section 1000.03 Sketch Plan, Subd. 1. states “*Subdividers shall prepare ten (10) copies of a subdivision sketch plan for review by the Planning Commission. Such sketch plan will be considered as having been submitted for informal discussion between the subdivider and the Planning Commission. No fee shall be required of the subdivider for the submission of a sketch plan.*”

Further, Section 1000.03 Sketch Plan, Subd. 3. States “*Submission of a subdivision sketch plan shall not constitute formal filing of a plan with the City. On the basis of the subdivision sketch plan, the Planning Commission may informally advise the subdivider of the extent to which the plan conforms to the Comprehensive Plan, design standards of this ordinance and to other ordinances of the City, and may discuss possible modification necessary to secure approval of the plan.*”

SKETCH PLAN ANALYSIS:

The applicant has submitted a sketch plan for the 15.3 acre parcel located at 1150 Somerwood Drive (see Attachment #2) indicating the possible development of approximately 51 small lot, single-family residential parcels. The concept plan (see Attachment #3) indicates a typical lot size of 60 feet in width and 130 ft. to 140 ft. in lot depth, with a minimum lot depth of 120 feet. The lot sizing stated above results in an overall density of 3.5 units per acre for the subject parcel, which is not currently in compliance with the guidance of the City of Waconia Comprehensive Plan as the property is guided for Medium

Density Residential which requires a minimum density of 4 units per acre. As such, a Comp Plan Amendment would be needed to allow the development as proposed. A copy of the Land Use Plan Map has been attached for your review and consideration.

The applicant has also indicated that a rezoning to a Planned Unit Development (PUD) would be the current direction considered to allow for the reduced lot sizing and setbacks to accommodate the proposed housing type. The subject parcel is currently zoned R-3, Medium Density Residential.

RESIDENTIAL LAND USE PLAN CATEGORIES AND PROPOSED ZONING MAP DISTRICTS:

<u>CATEGORY</u>	<u>LAND USES</u>	<u>ZONING DISTRICTS</u>
L – Low Density Residential	Single-family, detached housing on parcels with a minimum size of 10,500 square feet.	R-1, Single-Family District R-2, Single-Family District
M – Medium/Mid Density Residential	Single-family and two-family dwellings, townhouses and other forms of housing having and individual outdoor entrance for each housing unit. The density range should be from 4 to 10 units per gross acre.	R-2, Single-Family District R-3, Medium Density District R-4, Mixed Residential District
H – High Density Residential	All forms of attached housing ranging from 8 to 22 units per gross acre.	R-5, High Density Residential District

**Information above taken from Table 3-8 of the City of Waconia Comprehensive Plan*

PUBLIC NOTICE/COMMENT:

As this application is an informal discussion with the Planning Commission, no public notice was required.

CONCLUSION / RECOMMENDATION

The Planning Commission should review the proposed submittal and how it relates to the City of Waconia’s Comprehensive Plan and to the applicable City Ordinances and advise the applicant of the extent to which the plan conforms to said documents. It would also be appropriate to discuss possible modifications that may be necessary prior to submittal of a subdivision application, Zoning Map Amendment application, or Comprehensive Plan Amendment application for the property.

NOTE:

The Hartman Communities, LLC Sketch Plan does not require review or consideration by the City Council. The Sketch Plan practice is a Planning Commission process to allow informal review of a potential development and to discuss possible modifications necessary to secure future approval of the plan.

ATTACHMENTS:

- Attachment 1: Sketch Plan Application (2 pages)
- Attachment 2: Location Map (1 page)
- Attachment 3: Interlaken Outlot A Sketch Plan (1 page)
- Attachment 4: Comprehensive Plan – Land Use Plan Map (1 page)



CITY OF WACONIA
201 South Vine Street
Waconia, MN 55387
Phone: (952) 442-2184 Ext. 2
Fax (952) 442-2135
www.waconia.org

APPLICANT INFORMATION

- CITY OF WACONIA
1. Owner's Name: HARTMAN COMMUNITIES LLC
 2. Address of Property: 1150 SOMERWOOD DRIVE
 3. Legal Description: OUTLOT A INTERLAKEN 4TH ADD
 4. Applicant's Name: HARTMAN COMMUNITIES LLC
 5. Mailing Address: 1750 TOWER BLVD, PO BOX 65 VICTORIA, 55386
 6. Daytime Phone(s): 952-368-4547
 7. Email Address: TERRY@HARTMANCOMMUNITIES.COM

The City will distribute copies & appropriate information to applicant via email

OFFICE USE ONLY

Date Received: _____

Fee: \$ NO FEE
Receipt #: _____



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SKETCH PLAN

1. Present zoning classification: _____

THE FOLLOWING INFORMATION MUST BE SUBMITTED IN ORDER TO REVIEW THE SKETCH PLAN

Number of Plan Sets:

6 Large, 1 11 x 17 and 1 **electronic copy of ALL** (include color when possible) full sets of the SKETCH PLAN showing:

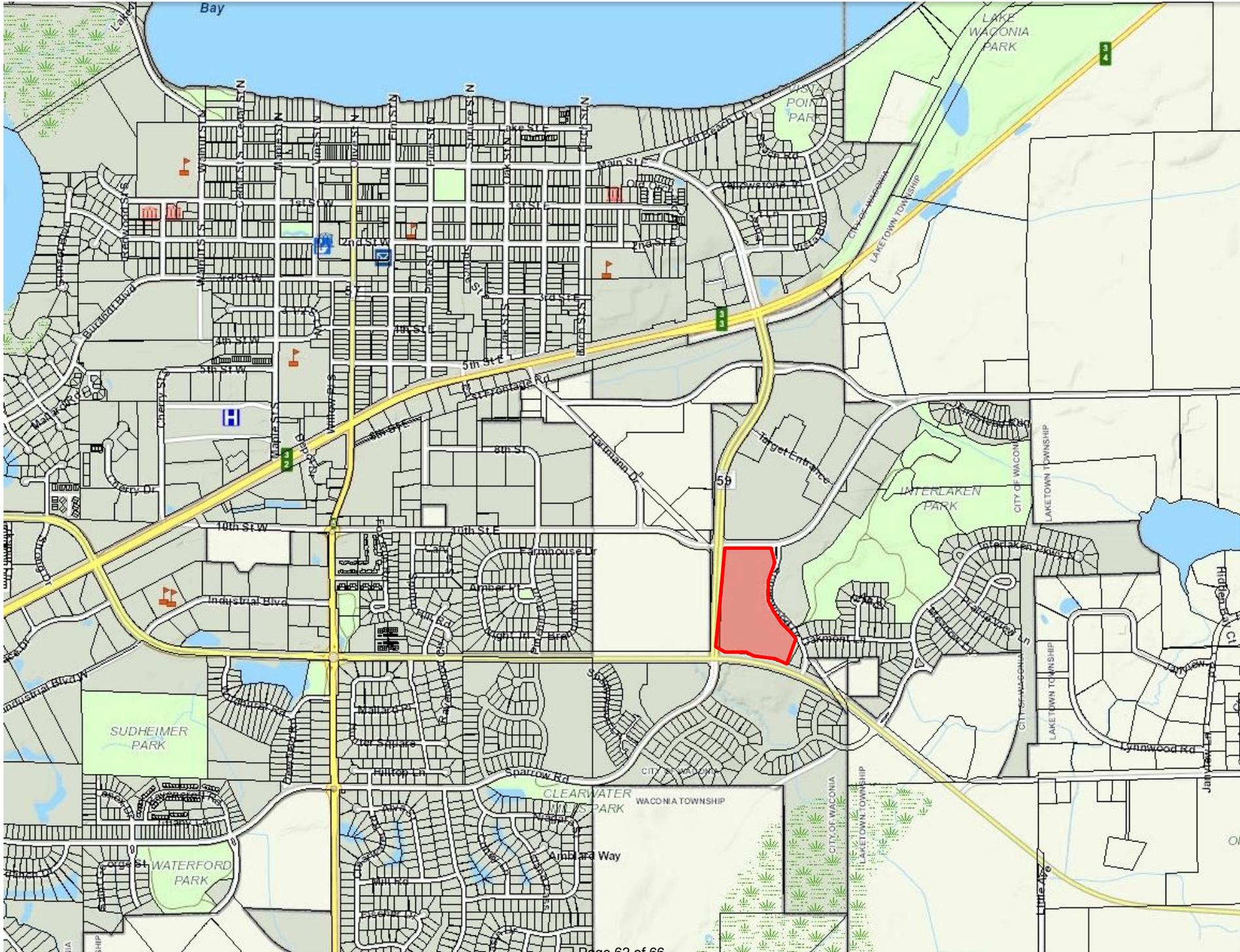
1. A site location map showing the major streets, school location, commercial centers and other significant developments.
2. Tract boundaries.
3. North point and scale being used.
4. Streets within and adjacent to tract.
5. Topography and physical features.
6. Proposed general street design.
7. Proposed lot size and orientation.

Submission of a sketch plan SHALL NOT constitute formal filing of a plan with the City. On the basis of the subdivision sketch plan the Planning Commission may informally advise the subdivider of the extent to which the plan conforms to the Comprehensive Plan, design standards of this ordinance and to other ordinances of the City, and may discuss possible modification necessary to secure approval of the plan.

Applicant's Signature: TJ HARTMAN ^{HARTMAN COMMUNITIES LLC} Date: 12/9/15

Printed Name: TERRANCE J HARTMAN

LOCATION MAP—1150 SOMERWOOD DRIVE



CONCEPT SKETCH PLAN

CONCEPT DATA

Gross Site Area: 15.3 ac
 Trail Outlots: 0.7 ac
 Net Site Area: 14.6 ac

Proposed 60' Lots: 51 lots
 (60' x 120' min; 130'-140' typical)
 Gross Density: 3.3 un/ac
 (51 un / 15.3 ac gross site area)
 Net Density: 3.5 un/ac
 (51 un / 14.6 ac net site area)

Proposed Development Standards:

Proposed Standards (PUD):
 Front Setback - local streets: 25'
 Side Setback - corners: 25'
 Side Setbacks - interior: 7.5/7.5' min. (15' total)
 Rear Setbacks: 25' min.
 Minimum Lot Size: 7,200 sf



SOMERWOOD COTTAGES
 (by others)

SOMERWOOD DR.

AIRPORT ROAD

CSAH 30 (MAIN STREET)

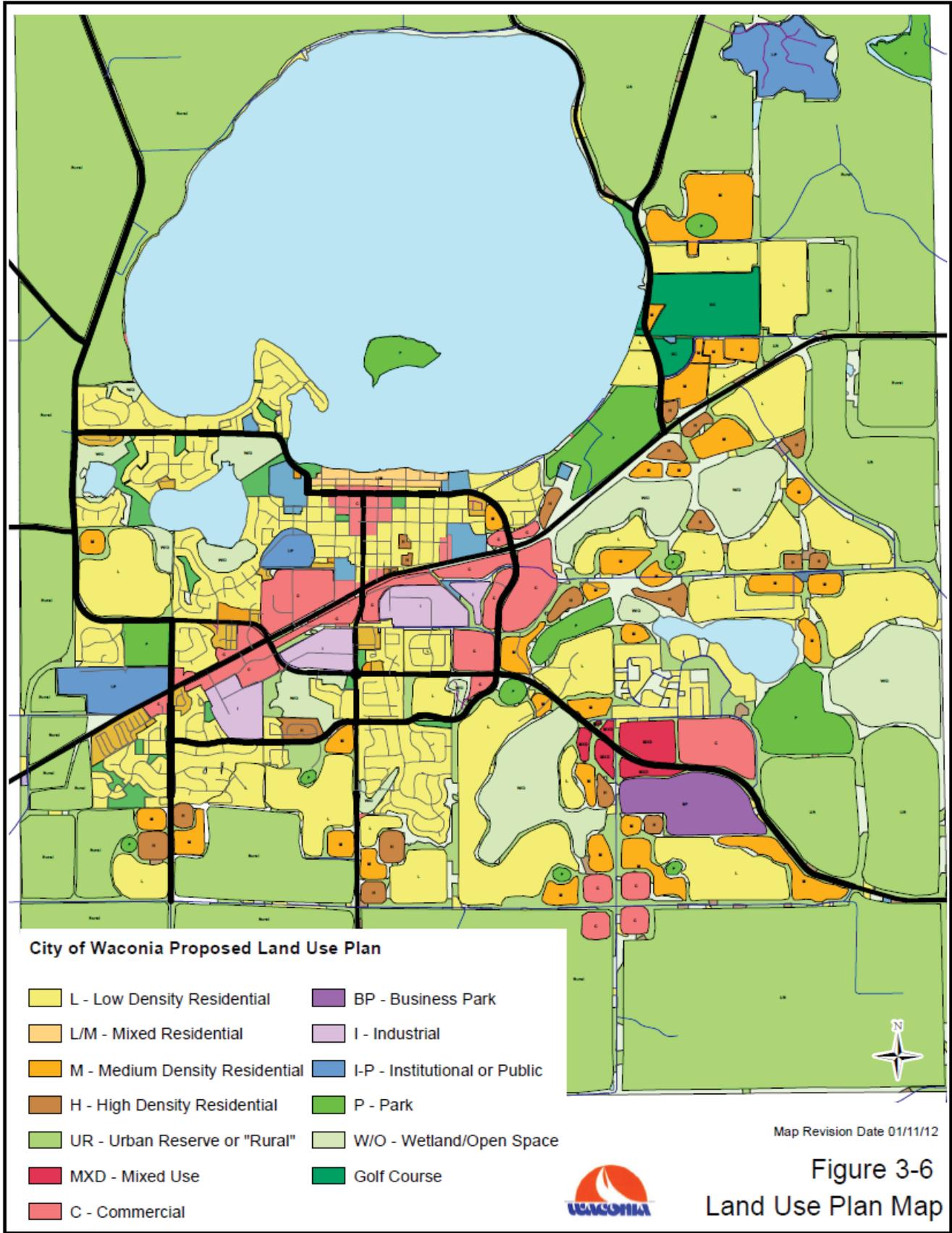
MAIN STREET

CSAH 10

60' Public R/W (typ.)

Landscape Buffer (typ.)

Aerial photography from State of Minnesota.
 Topography from grading plans





REQUEST FOR PLANNING COMMISSION CONSIDERATION

Meeting Date:	January 7 th , 2016
Item Name:	Day Mental Health Treatment Facility Regulation for Residentially Zoned Properties
Originating Department:	Planning and Zoning
Presented by:	Angie Perera, Assistant Planner

Previous Commission Action (if any):					
Item Type (X only one):	Consent		Regular Session	<u>X</u>	Discussion Session

RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED (Include motion in proper format.)

Discuss and consider development of future regulations pertaining to Day Mental Health Treatment Facility regulation within residentially zoned properties per the direction of the City Council.

EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations.)

The City Council, at their regular meeting on December 14th, 2015, considered an Ordinance Amendment Application submitted by Cedar House Inc. to allow for a Day Mental Health Facility to be allowed as a permitted use with special restrictions in all residentially zoned areas. After much consideration and conversation the City Council denied the proposed amendment as they did not feel the use would be appropriate as a permitted use in all residentially zoned properties as proposed by the applicant. However, the Council was in favor of having the Planning Commission further discuss the possibility of allowing the use as either an interim or conditional use in some residentially zoned areas and therefore directed City Staff and the Planning Commission to discuss this topic further and develop suitable Ordinance language for future consideration by the City Council.

This memo has been drafted with the anticipation that the Planning Commission will begin to review and consider options regarding what residential zoning districts may be appropriate for the afore-mentioned use, if an Interim Use Permit or Conditional Use Permit would be appropriate, and what special restrictions may be necessary to include in the Ordinance language to insure that the use is compatible with neighboring residential properties.

As the Council indicated that the Day Mental Health Facility may be acceptable in some of our residential areas as either an interim or conditional use, staff has provided the use descriptions and process table below to help inform our conversation and future direction. The main difference between the two uses is that an interim use is intended to be a temporary use of a property whereas a conditional use would not have an end date therefore the use be allowed to stay with the property.

Use Types	Use Descriptions & Process
Interim Use	A temporary use of a property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit the use, permitted only upon issuance of an interim use permit and subject to the limitations and conditions specified therein. – <i>similar to a Permitted Use with Special Restrictions; although the Interim Use would essentially expire at a certain time & City Code requires a public hearing process & notification to be published in the newspaper and mailed to properties within 350 ft. of proposed Interim Use. An Interim Use could be revoked if conditions or specific regulations were not being met.</i>
Conditional Use	A use or occupancy of a structure (building), or a use of land (property), permitted only upon issuance of a conditional use permit and subject to the limitations and conditions specified therein. A conditional use would be approved and stay with the property – <i>similar to a Permitted Use with Special Restrictions & Interim Use; although the Conditional Use would not expire and would stay with the property. City Code requires a public hearing process & notification to be published in the newspaper and mailed to properties within 350 ft. of proposed Interim Use. A Conditional Use could be revoked if conditions or specific regulations were not being met.</i>

As stated above, in addition to our consideration of conditional versus interim use, the Planning Commission may want to consider specific requirements for the use such as some of the examples listed below:

1. Minimum lot size requirements
2. Onsite parking requirements
3. Additional landscape/screening requirements
4. Hours of operation
5. Signage
6. Out-patient versus inpatient care
7. Maximum number of patients to be served on the property
8. Architectural compatibility
9. Proximity of another such facility within a certain distance

Subsequent to our discussion regarding this topic, and based on the direction of the Planning Commission comments, staff will begin to draft an Ordinance Amendment for consideration at the February 4th, 2016 regular meeting.