

6:30 PM

A thriving, connected community with deep roots: a great place to live for a lifetime.

A city that leads, serves, and governs to enhance the quality of life for all community members.

CHAIR: JIM SARCLETTI
MEMBER: DAN LESHER
MEMBER: TINA ZELLMAN
MEMBER: JOE POLUNC
MEMBER: CHAD GENZ
ALTERNATE MEMBER: BRUCE PAULSEN

NOTE: TO ENSURE THAT YOU ARE PRESENT FOR ITEMS OF INTEREST, PLEASE BE PRESENT AT 6:30 P.M.

Those with items on the agenda should reach out to their staff contact. Others who wish to participate in the meeting, please contact the Community Development Director at 952-442-3106 or lbraaten@waconia.org to make certain that you are called upon during the meeting.

1. **Call meeting to order and roll call**
2. **Adopt Agenda**
3. **Minutes Approval**
 - 1) [May 4th, 2023 Planning Commission Meeting Minutes](#)
Motion to adopt the May 4th, 2023 Planning Commission Meeting Minutes.
4. **New Business**
 - 1) [PUBLIC HEARING - SITE PLAN, DESIGN REVIEW and INTERLAKEN VILLAGE 3RD ADDITION â€“ Twin Cities Orthopedics](#)
Open Public Hearing
Motion to Close the Public Hearing
Provide a recommendation to the City Council regarding the Site Plan, Design Review and Plat applications for the proposed Twin Cities Orthopedics project for the property located at 820 Village Way.
 - 2) [PUBLIC HEARING - Variance Request for 1077 Kinder Drive by Martha Vangen](#)
Open the Public Hearing.
Motion to close the Public Hearing.
Motion recommending either approval or denial of a variance for the property located at 1077 Kinder Drive to construct a 7' 6" privacy fence that would replace the existing rear portion of chain link fence that runs parallel to the rear property line.
 - 3) [PUBLIC HEARING - Amend Section 900.10 Sign Regulations - Lamar Advertising](#)

Open public hearing.

Motion to close the public hearing.

Recommend approval or denial of the proposed amendment to Section 900.10, which would permit dynamic signage on off-premises signs, including billboards and other outdoor advertising signage.

5. Old Business

1) [Continued - SITE PLAN & DESIGN REVIEW and VARIANCE - Waconia 1 Collision & Auto](#)

Provide a recommendation to the City Council regarding the proposed Site Plan & Design Review and Variance applications submitted by Sperides Reiners Architects - Jeff Gears & Laura Cragoe for the property located at 500 and 524 Elm Street South

6. Other

1. Staff Update

Adjourn



REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date: June 1, 2023

Item Name: May 4th, 2023 Planning Commission Meeting Minutes

Originating Department: Community Development

Presented by: Lane Braaten

Previous Commission Action (if any):

Item Type (X only one):	Consent		Regular Session	X	Discussion Session	
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RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED *(Include motion in proper format.)*

Motion to adopt the May 4th, 2023 Planning Commission Meeting Minutes.

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

Attachments:

1. [05.04.23_PC Minutes.pdf](#)

FINANCIAL IMPLICATIONS:

Funding Sources & Uses:

Budget Information:

_____ Budgeted

_____ Non Budgeted

_____ Amendment Required

CITY OF WACONIA
May 4, 2023

1) [Call meeting to order and roll call](#)

Pursuant to due call and notice thereof, the regular meeting of the Planning Commission of the City of Waconia was called to order by Zellman at 6:30PM

Members Present: Zellman, Genz, Polunc and Paulson

Member Absent: Sarcletti and Leshner

Alternate: Paulson-present

Staff Present: Yetzer

Staff Present: Stein, Havlik, Braaten and Nelson

2) [Adopt Agenda](#)

Braaten had no changes to the agenda.

MOTION by Paulsen, seconded by Genz to adopt the agenda.

MOTION carried.

3) [Minutes Approval](#)

3.1 [April 6th, 2023, Planning Commission Meeting Minutes](#)

MOTION by Polunc, seconded by Genz to adopt the agenda.

MOTION carried.

[Cover Page](#)

[4-6-2023 Planning Commission Minutes_DRAFT.pdf](#)

4) [New Business](#)

4.1 [PUBLIC HEARING- SITE PLAN & DESIGN REVIEW and VARIANCE - Waconia 1 Collision & Auto](#)

[Cover Page](#)

[Location Map \(1 Page\)](#)

[Public Hearing Notice \(1 Page\)](#)

[Site Plan & Variance Application and Narrative \(7 Pages\)](#)

[Staff Review Comments \(2 Pages\)](#)

[Existing & Proposed Site Plan \(12 Pages\)](#)

Nelson presented the Site Plan & Design Review and Variance for Waconia 1 Collision & Auto located at 500 and 524 Elm Street South. Nelson displayed the property location indicating the property is zoned B-1, Highway Business District. Applicants are proposing:

- To remove the existing home and garage for the addition of Waconia 1 Collision.
- A variance request to exceed the 80% hardcover maximum allowed in the B-1 District.
- A proposal to exceed the 35-foot setback for lots adjacent to the residential districts.
- Site improvements that cause the off-street parking to be setback closer than 8' to the road right-of-way.

The site plan shows the existing single family residential home to be removed from the property before constructing the addition. The grading plan was approved by the City Engineer with the comment that the snow storage area should be relocated along with intake drains to eliminate some of the site's runoff.

Nelson stated the landscaping plan meets code requirements. A submittal for the lighting plan is needed.

Access plans show one additional entrance to the property off Elm Street. No additional sidewalk access is being proposed. Trash enclosure is proposed on the north side of the property. Nelson noted that a chain link fence is not considered screening, which is required for all trash enclosures.

Applicants are proposing 42 parking spaces. Nelson described and counted the parking areas and talked through the interior storage spaces being considered in the parking standard.

The existing alley to the west of the property is only 15 feet wide and remains a challenge for snow removal and vehicle circulation. The alley provides use for commercial and residential property owners. A 5-foot buffer and screening were originally provided to screen the proposed 8 vehicle storage/ parking spaces proposed between the building and alley. The vegetation was removed and currently no screening is being proposed. Staff recommends at least a 5-foot setback of future screening such as a privacy fence to avoid future damage due to snow removal.

Nelson summarized the variance criteria and noted the 11 conditions of approval to consider if the Planning Commission was inclined to approve the land use applications.

Genz asked about the parking on the west side of the building and the proposed 5-foot setback and privacy fence and wondered if there is enough space. Discussion took place on the diagonal spaces not working and the requirements for a privacy fence.

Zellman opened the Public Hearing.

Comments and Concerns:

Dan Ashman, 500 South Olive, Waconia, MN 55387. Asked about the use of the alley way.

Mary Johnson, 509 South Olive Street, Waconia, MN 55387. Asked to consider the comments from homeowners at 501,509,525 South Olive Street sent to staff, which had been provided to the Planning Commissioners prior to the meeting.

Dan Steinhagen, 533 South Olive Street, Waconia, MN 55387. Concerns with the value of his property going down. To consider all requests before approval of the new addition. Parking issues, possible 2nd shift and consider fencing needs for the residential properties. Steinhagen mentioned the alley is not able to handle all the truck traffic.

Missy Siebert, 501 South Olive Street, Waconia, MN 55387. Questions regarding the future sidewalk having a 5-foot boulevard and a 6-foot sidewalk. Siebert is concern with constructing the sidewalk on her property. Braaten explained that there is no current timeline on the planned sidewalk installation. It would probably be in conjunction with the redevelopment of her property.

Chad and Michelle Bijou, Waconia 1 Collision, 500 and 524 Elm Street, Waconia, MN 55387. Bijou addressed concerns mentioned by residents. Bijou realizes the overflow of vehicles has been a nuisance. Discussion took place regarding the chain link fence with plastic inserts/slats that are being proposed. The issue of large tow trucks and tool company truck using the alley have been addressed and will only use their property and not the alley for deliveries. The new addition will be storage for disassembled vehicles. The parts department is now on the west side of the building and will be moving to the northeast corner. This is also the location of the metal bin and tire bin hidden by the fence. The security issue mentioned will also be covered by the lockable gate by the alley.

Jeff Gears, Project Manager with Sperides, Reiners Architects.

Currently there are 13 employees and possibly adding one more with the addition. The addition would eliminate the issue with every evening all vehicles being stored inside, and morning are taken out so there is room to work.

If snow storage becomes a problem then it will need to be taken off site.

Discussion items include:

Braaten addressed the variances and difficulty with lowering the impervious coverage along with the drive aisle width and the 8 ft. minimum parking lot setback from street right-of-way. The applicant is proposing to locate their north parking lot 5.6 feet from the street right-of-way. The applicants have indicated there were practical limitations due

to the addition, minimum drive aisle widths and minimum parking stall lengths so they needed to locate the parking lot closer than code allows. Staff noted that a future sidewalk will be located on the south side of 5th Street directly adjacent to the property and will require a sidewalk agreement for installation of the sidewalk at a future date.

The proposed addition encroaches into the 35-foot setback for the lots next to residential property. The existing building already encroaches over 10 feet into the required setback and the applicant is requesting to extend the building along the encroachment to keep in line with architectural expression of the building.

The addition exceeds 80% hardcover maximum allowed in the B-1, Highway Business District.

Mary Johnson, 509 Olive Street South, Waconia, MN 55387. Request to move the dumpster closer to Elm Street and not by the residential neighborhood behind the business.

Motion by Paulsen, seconded by Genz to close the Public Hearing. All in favor voted aye. **MOTION carried.**

Braaten addressed options which included parking, hardcover, and fence.

Motion by Genz, seconded by Polunc to table the Site Plan/ Design Review and Variance applications for Waconia 1 Collision and request additional information on fence location and materials, parking spaces on the west side, and impervious surface. All in favor voted aye. **MOTION carried, item tabled until the June 1st, 2023 Planning Commission Meeting.**

5) Old Business

5.1 Variance - 40 Lake Street East - Andrew Vasek

Cover Page

Stormwater Plan, Revised 4-24-23 (1 Page)

DNR natural buffer guidelines.pdf

Landscaping & Stormwater Site Plan Revised 4-24-23 (1 Page)

Nelson presented the variance request for a rear yard porch addition that would cause the property to further exceed the 25% maximum impervious on their lot. Per the direction of the Planning Commission at their regular meeting on April 6th, 2023 the applicant has submitted a revised landscaping plan. Nelson displayed the first site survey presented with the downspouts/gutters and removal of the 500 sq foot patio area in the rear of the property. The revisions by the applicant is to add natural buffers per DNR guidance.

Paulsen asked about DNR guidelines and what they allow for an access path area. Nelson stated there is not a specific standard. The City Code allows for an access path, but the access path width is not defined.

Genz inquired about the existing hardcover. Nelson displayed highlighted areas indicating when hardcover surfaces had been added between the years of 2008-2020.

Any Vasek, Mathews Vasek Construction.

Mentioned the impervious removal is separate from the initial application which is the addition. Conversation regarding the structural integrity of the deck by a home inspector stating an unsafe deck and railings. The addition is considered an expansion of hard cover. Braaten clarified the impervious coverage to the property was not done by the existing homeowners. Zellman asked about the application itself and the variances.

Nelson went through the 8 possible conditions of the application. Lake Waconia is the primary asset to our city. Vasek recalled a conversation regarding moving the gazabo 10 feet from where it is now. One accessory structure is allowed with in the setback if it is less than 350 sq feet. Nelson explained the typical structure setback from the OHW is 50 feet. Additional discussion about concrete removal between Commission Members and Vasek took place. The city Shoreland Overlay District requires native vegetation within 25' of the OHW.

Motion by Paulsen, seconded by Genz to approve the Variance for 40 Lake Street East with the 11 conditions of approval striking conditions 5,6, and 7. All in favor voted aye. **MOTION carried.**

This item will be presented on May 15th, 2023 to City Council.

No staff comments.

Adjourn

Motion by Polunc, seconded by Paulsen to adjourn at 8:25 p.m. **MOTION carried.**

ATTEST: _____
Brenda Stein, Office Assistant



REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date:		June 1, 2023					
Item Name:		PUBLIC HEARING - SITE PLAN, DESIGN REVIEW and INTERLAKEN VILLAGE 3RD ADDITION – Twin Cities Orthopedics					
Originating Department:		Community Development					
Presented by:		Lane Braaten					
Previous Commission Action (if any):							
Item Type (X only one):	Consent		Regular Session	X	Discussion Session		
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Open Public Hearing Motion to Close the Public Hearing Provide a recommendation to the City Council regarding the Site Plan, Design Review and Plat applications for the proposed Twin Cities Orthopedics project for the property located at 820 Village Way.							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
BACKGROUND Applicant: Twin Cities Orthopedics, Keith Heimer Owner(s): TCO Real Estate Fund 2, LLC and Waconia Interlaken OVA, LLC Address(es): 820 Village Way PID#s: 753240010 and 753240020 Existing Zoning: B-1, Highway Business District Design District: Highway District							
REQUEST The applicant, Twin Cities Orthopedic, has submitted Site Plan, Design Review and plat applications proposing the construction of a 35,500 square foot addition to the existing 18,938 square foot sports performance building within the Interlaken Village commercial development.							
APPLICABLE ORDINANCE PROVISIONS: 1. Section 900.05 - District Regulations, Subd. 2.F - B-1, Highway Business District 2. Section 900.06 - Supplementary Regulations, Subd. 9 - Architectural Design Standards 3. Section 900.07 - Landscaping and Fencing 4. Section 900.08 - Performance Standards 5. Section 900.09 - Off-Street Parking, Loading, and Access Regulations 6. Section 900.10 - Sign Regulations 7. Section 900.12 - Administration, Enforcement and Procedures, Subd. 10 - Site Plan Review 8. Section 1000 - Subdivision Ordinance							
SITE PLAN REVIEW 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.							
EXISTING USE The subject parcel includes the existing sports performance facility, which is nearly 19,000 square feet in overall area. The site also includes parking and pedestrian improvements consistent with the initial building approval in 2018.							

ZONING

The subject parcel is zoned B-1, Highway Business District. Medical related clinics/uses and offices are permitted uses in the B-1 zoning district.

LOT REQUIREMENTS

The B-1, High Business District section of the City Ordinance states “The purpose of this district is to provide for an appropriate range of businesses that will be utilized by area residents as well as vehicular traffic generate from the surrounding area.” The Lot Requirements for the Highway Business District are indicated in Table 1-1 below.

Table 1-1.	B-1 - Lot Requirements	Proposed Site Improvements*
Lot Area	17,500 sq. ft. min.	10.8 Acres
Lot Width	100 ft. min.	Conforming
Maximum Hardcover Surface	80% max.	41.3%
Maximum Structure Height	35 ft. max.	Conforming
Front Yard Setback	25 ft. min.	Conforming
Street Side Yard Setback	20 ft. min.	Conforming
Interior Side Yard Setback	15ft. min.	Conforming
Rear Yard Setback	20 ft. min.	Conforming
Parking Area Setback	8 ft. min.	Conforming

*The review of setbacks were completed based upon the Interlaken Village 3rd Addition lot lines. Review based on said preliminary and final plat does not constitute formal approval of the subdivision.

The proposed Twin Cities Orthopedics sports performance building expansion meets all required setbacks, impervious surface and building height requirements for the B-1, Highway Business District.

VEHICULAR ACCESS

The applicant is proposing continued access to the subject parcel via a shared access off of the existing Village Way private road segment.

SCREENING OF EQUIPMENT

The building plans indicate an indoor mechanical room and rooftop mechanical. Consistent with City Code, the roof top mechanical is shown to be screened with 4” Corrugated T15 Metal Wall Panels. Any other, or future outdoor mechanical equipment shall be screened in conformance with City Ordinance requirements. The proposed screening appears to be in conformance with City Ordinance requirements.

OFF-STREET PARKING

City Ordinance requires the following parking requirements for a medical, dental and veterinarian clinics;
Three (3) spaces plus at least one (1) space for each 200 square feet of gross floor area.

The total number of parking spaces required for the existing building and the proposed addition is 276 [(54,438 square feet/200 square feet) +3]. The applicant is proposing 286 parking spaces for the overall project, which is conforming.

LANDSCAPING

Section 900.07, Subd. 2.B of the City Ordinance requires one (1) tree for every one thousand (1,000) square feet of total building floor area or one (1) tree for every fifty (50) feet of site perimeter, whichever is greater.

Based on a review of the existing and proposed site dimensions, and the square footage of existing and proposed building footprint, the total number of trees required to be planted shall be determined based on the overall site perimeter. The number of trees required to be planted for the site is 65 trees. All proposed trees shall meet the

minimum sizing and species requirements.

The proposed landscape plan includes 37 existing trees and 45 proposed trees to be planted, which conforms to City Code requirements.

OFF-STREET PARKING LANDSCAPING

All off-street parking areas over one hundred (100) stalls shall include unpaved, landscaped islands meeting Section 900.07, Subd. 2.E.3. The proposed landscape plan appears to conform to the minimum standards stated in City Code.

SIGNS

A sign plan was not submitted with the Site Plan application. The applicant is aware that any future signage shall require a permit through the City and be formally reviewed at that time. Further, the Interlaken Village commercial development received approval of a sign plan for the overall development. Any future monument signage for Twin Cities Orthopedic will require an amendment to the Interlaken Village sign plan before City staff can formally approve a sign permit for the property.

LIGHTING

Section 900.08, Subd. 1.C provides standards for exterior lighting. Exterior lighting is required to be designed and arranged to limit direct illumination and glare in any contiguous parcel of land. Reflected glare or spill light shall not exceed one (1.0) foot candle when the source of light abuts any commercial parcel or public right-of-way.

The lighting plan indicates general compliance with this standard. Further, light poles and standards shall not exceed 35 feet.

PEDESTRIAN ACCESS

The applicant has proposed an internal sidewalk system generally in conformance with City Ordinance requirements, which connects and modifies the original pedestrian plan approved as part of Phase 1 of the project. The applicant should provide the following revisions to the plan regarding pedestrian access.

1. Pedestrian ramps should be indicated in all locations where sidewalk connects to streets or parking lots and along the accessible route.
2. Crosswalk striping should be provided between sidewalk connections across the entrance drive and the proposed sidewalk to the pedestrian amenity space.

TRASH

City Ordinance requires *“All trash and trash handling equipment to be stored within the principal structure, within an attached structure accessible from within the principal structure, or totally screened from eye-level view from public streets and adjacent residential properties. If accessory structures are proposed, they shall be constructed of the same building material as the principal structure.”*

The applicants have proposed a trash enclosure on the east side of the proposed addition. The trash enclosure, as proposed, would be constructed of “4” Corrugated T15 Metal Wall Panel”, which is also what the rooftop mechanical screening is proposed to be constructed of.

GRADING, DRAINAGE & UTILITIES

The utility, grading and storm water information has been reviewed by the City Engineer and the Public Services Director. There are a few outstanding items which require resolution, but nothing significant enough to preclude the Planning Commission and City Council from reviewing the site plan application. Any recommendation of approval shall require the applicant to work with the City Engineer to revise the grading, drainage, and utility information to the satisfaction of the City prior to any work commencing on site.

INTERLAKEN VILLAGE - Pedestrian Amenity

The subject parcel was included in the original approval and subdivision of Interlaken Village, which consisted of up to 9 commercial parcels on approximately 40 acres. Lot 1 of the development was developed as the Target

store and the first parcel to develop north of Village Way was Lot 1, Block 1, Interlaken Village 2nd Addition, which was the construction of Phase 1 of the TCO project. The remaining parcels are undeveloped. The intention of the other undeveloped parcels was to be a future location of uses consistent with the B-1 zoning district, e.g., retail, service, restaurant, and office.

The Interlaken Village Development included Target as the initial tenant and planned for a larger shopping center type of development, which included other smaller buildings and associated improvements. The approval required an amenity package which included pedestrian trails and walkways extending from the Target site into this property and further included the elements such as tree lined walkways, pergolas, patios and a pedestrian overlook area to the north. As the property is developing in a significantly different manner than what was originally considered TCO submitted a revised plan for pedestrian amenity on the south side of their proposed development. The location would allow the future development sites to the south to connect their future portions of pedestrian amenity to the TCO amenity and meet the original intent of the agreement between the City and Developer. The City Council considered the TCO portion of the plan on Monday, May 15th and approved the pedestrian amenity.

Any future development on Outlot A, Interlaken 3rd Addition and/or Outlot B of Interlaken 2nd Addition will require that the public space/amenity element be addressed prior to City Council approval.

SEWER AVAILABILITY CHARGE (SAC) AND CITY TRUNK FEES

New construction, a new business, a change in location or change in the use of space in a way that creates more potential demand on the wastewater system will require submission to the Metropolitan Council for a Sewer Availability Charge (SAC) determination. The SAC determination made by the Metropolitan Council informs the City sewer and water trunk fees associated with the potential development, redevelopment and/or remodeling of the subject property, location, or business. City Code requires that for every SAC unit determined by the Metropolitan Council, the project will require the payment of one City sewer trunk fee and one City water trunk fee. The SAC and City trunk fees are included below for convenience.

SAC Charge	\$2,485 per SAC unit determined by the Metropolitan Council
Sewer Trunk Fee	\$3,300 per SAC unit determined by the Metropolitan Council
Water Trunk Fee	\$5,100 per SAC unit determined by the Metropolitan Council
Stormwater Trunk Fee	\$11,050 per acre
Stormwater Access Fee	\$1,6000 per acre

DESIGN REVIEW - HIGHWAY DISTRICT

City Ordinance 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.

Based on a review of the plan set provided by the applicant for the Twin Cities Orthopedic staff finds that all of the design requirements stated in the Highway Design District have been met.

PRELIMINARY PLAT REVIEW:

SUBDIVISION DESIGN FEATURES

The City of Waconia staff have reviewed the proposed Preliminary Plat application for the Interlaken Village 3rd Addition development drafted by Westwood Professional Services, Inc. and recommend approval of said plat as drafted.

Streets/Access

The existing access via Village Way shall continue to be the access point to the TCO property. The access point is

consistent with previous approvals.

Zoning

The property is zoned B-1, Highway Business District. Specific standards related to this district can be found in 900.05, Subd. 2.F of the City Code.

Easements

Section 1000.06, Subd. 4 of the City Ordinance requires drainage and utility easements from block to block and lot to lot. The proposed plat appears to conform to City Ordinance requirements. Any approval of the preliminary plat should include a condition of approval requiring a final review and approval by the Public Services Director and the City Engineer to ensure all necessary drainage and utility easements have been satisfactorily included prior to recording of the plat.

Blocks

The block proposed in the Interlaken Village 3rd Addition commercial development is in conformance with the standards set forth in City Ordinance.

Lots

The commercial lot proposed in the Interlaken Village 3rd Addition Preliminary Plat is consistent with the Lot Requirements stated in the B-1, Highway Business District.

Outlots

The proposed plans indicate one (1) outlot being created with the approval of the Interlaken Village 3rd Addition development (Outlot A).

Outlot A - The parcel meets minimum sizing requirements, and it is anticipated it will be developed in a commercial manner consistent with the B-1, Highway Business District Standards.

Public Land Dedication, Open Space

City Ordinance requires at least 10% of the gross land in a subdivision shall be dedicated for parks, schools, playgrounds and open space. The City, upon consideration of the particular type of development proposed in the subdivision, may require larger or lesser amounts of land to be dedicated if it determines that the present and future residents of the subdivision would require greater or lesser amounts of land for such purposes. Further, City Ordinance requires payment in lieu of land if the area is not suitable or desirable for park/playground/open space purposes.

The initial Interlaken Village approval required the property owner to pay cash in lieu of land for the platting of the commercial development. Further, the Interlaken Village Developers Agreement indicates "Future platting of the outlot on the Final Plat shall have additional park dedication requirements." If it is determined by the City Council that payment in lieu of land continues to be appropriate, then the applicant shall be required to pay \$5,000 per gross acre as stated in Chapter 1000 of the City Code.

Pedestrian Ways and Trails

City Ordinance states "Subdividers shall define and construct a meaningful pedestrian circulation system subject to City approval which connects to the major trail system and 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 City approved a sidewalk and trail plan for Interlaken Village. The trails along the periphery of the development have been constructed and the sidewalks and trails associated with the Target store have been completed. The remaining elements of the sidewalk and trails plan, especially on the north side of Village Way, will require revision and approval based on the proposed TCO Site Plan and Design Review applications. Phase 1 of the TCO project included an internal sidewalk system consistent with City Ordinance, which connects to the sidewalk along Target Entrance. The proposed addition/development continues the internal sidewalk system and

includes a sidewalk connection to the pedestrian amenity on the southern property line. The future development of Outlot A, INTERLAKEN VILLAGE 3RD ADDITION, and Outlot B, INTERLAKEN VILLAGE 2ND ADDITION will require further modifications to the sidewalk and trail plan to ensure that the pedestrian circulation system meets City Ordinance requirements.

Landscaping

The landscaping of the commercial parcel and each of the outlots will be reviewed and approved as part of the Site Plan and Design Review Applications for each at the time of development. The future landscaping will also need to take into account the required public amenities, which were approved and required as part of Interlaken Village.

Utilities & Stormwater Management

An initial review of the proposed utilities and stormwater management items have been reviewed by the Public Services Director and the City Engineer. An approval of the Interlaken Village 3rd Addition should include a condition of approval requiring final review and approval by the Public Services Director and City Engineer prior to issuance of a building permit for the property.

Interlaken Village Commercial Development - 2006/2007

The subject parcels are included in the original developer's agreement titled "Developer's Agreement for Interlaken Village, City of Waconia, County of Carver, State of Minnesota." All terms and obligations stated as part of this document remain in force and effect in the future development of Outlot A, INTERLAKEN 3RD ADDITION and Outlot B of INTERLAKEN VILLAGE 2ND ADDITION unless modified/revised and approved by the City Council or via approval of a subsequent development agreement for the properties.

FINAL PLAT REVIEW:

The proposed final plat is consistent with the Interlaken Village 3rd Addition Preliminary Plat. The Interlaken Village 3rd Addition Final Plat includes the revised description of one (1) commercial lot and one (1) outlot. The proposed final plat information is consistent with the preliminary plat information and therefore staff recommends approval of the Interlaken Village 3rd Addition Final Plat as proposed with the conditions stated below.

PUBLIC NOTICE/COMMENT

The notices were published in the WACONIA PATRIOT on May 18th, 2023, and posted at Waconia City Hall. Individual notices were mailed to all property owners within 350 feet of the subject parcel. As of the date and time of this report the city has not received any comments regarding the proposed Interlaken Village 3rd Addition plat.

CONCLUSION/RECOMMENDATION

The Planning Commission should make a recommendation to the City Council regarding the request by Twin Cities Orthopedic for Site Plan, Design Review & Preliminary and Final plat to allow the 2nd phase of development for the TCO project. This item will be forwarded to the City Council for review at their upcoming meeting scheduled for June 20th, 2023.

If the Planning Commission chooses to recommend approval of the Site Plan, Design Review and plat 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 applicant shall work with the City Engineer to revise the grading, drainage and utility information to the satisfaction of the City prior to any work commencing on site.
4. The applicant shall provide the City with a letter of credit to guarantee the proper installation and growth of the approved landscape plan. The letter of credit shall be submitted by the developer prior to obtaining a building permit that is equal to the amount of the required landscaping to be installed in phase 1 of the project. The letter of credit shall be held by the City and must cover one full calendar year subsequent to the installation of said landscaping and must be conditioned upon complete and satisfactory implementation of the approved landscape plan. A subsequent landscaping letter of credit will be required for phase 2 prior to

building permit issuance and must also meet the minimum requirements stated above.

5. All indirect costs with the building permit, review, and final plans associated with engineering and administrative costs shall be paid by the applicant/owner.
6. The applicant shall revise the final landscape plan in conformance with the City Ordinance requirements. Specifically, the applicant shall comply with the minimum tree sizing stated in City Code.
7. Pedestrian ramps should be indicated in all locations where sidewalk connects to streets or parking lots and along the accessible route.
8. Crosswalk striping shall be provided between sidewalk connections across the entrance drive and the proposed sidewalk to the pedestrian amenity space.
9. All future signage shall require a sign permit from the City of Waconia. Future monument signage may require an amendment to the Interlaken Village Sign Plan, which requires City Council approval.
10. All future exterior mechanical equipment shall be screened in conformance with City Ordinance requirements.
11. Light poles and standards shall not exceed 35 feet.
12. The Fire Chief shall review and approve the final plans for any required fire access lanes and hydrant placement prior to work commencing on the site.
13. The applicant shall contact the City Community Development Department for a final site inspection when all conditions of approval regarding this application have been completed.
14. Execution of a Developer's Agreement.
15. The applicant shall obtain, if necessary, Carver County Water 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.
16. The applicant shall obtain, if necessary, a General Construction Stormwater Permit (NPDES) from the Minnesota Pollution Control Agency and submit a copy to the City prior to any land disturbing activities.
17. The easement, 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 a building permit for the Interlaken Village 3rd Addition development.
18. Compliance with applicable items contained in Chapter 1000 of the City of Waconia Subdivision Ordinance.
19. The future development of Outlot A, Interlaken Village 3rd Addition and Outlot B, Interlaken Village 2nd Addition shall require Site Plan and Design Review at a minimum, and depending upon the proposed improvements may require modifications/amendments to the Interlaken Village developer's agreement or approval of another developer's agreement.
20. The applicant shall be required to pay \$5,000 per gross acre for park dedication as stated in Chapter 1000 of the City Code prior to the issuance of any building permits for Interlaken Village 3rd Addition.

Attachments:

1. [Location Map_TCO Project.pdf](#)
2. [TCO Waconia MOB Statement of use.pdf](#)
3. [TCO Waconia Phase II_Preliminary Plans.pdf](#)
4. [TCO Waconia - Expansion - Architectural.pdf](#)
5. [TCO Waconia_Perspectives.pdf](#)
6. [TCO Waconia Site Amenity Narrative.pdf](#)
7. [INTERLAKEN VILLAGE 3RD ADDITION FINAL PLAT.pdf](#)

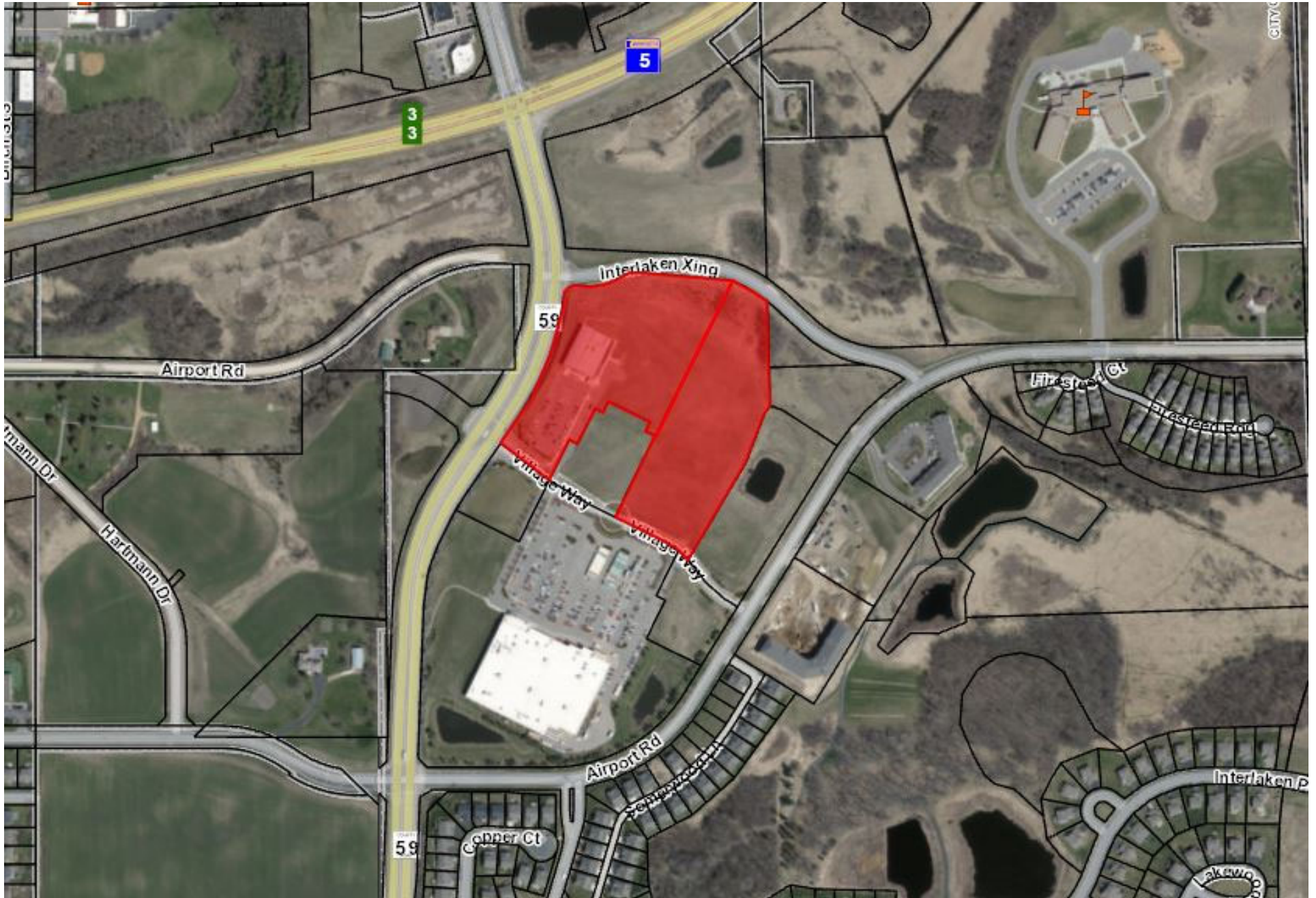
FINANCIAL IMPLICATIONS:

Funding Sources & Uses:

Budget Information:

_____ Budgeted
_____ Non Budgeted
_____ Amendment Required

LOCATION MAP



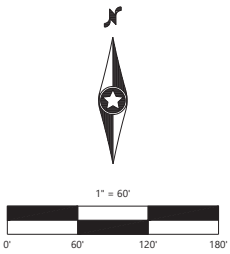
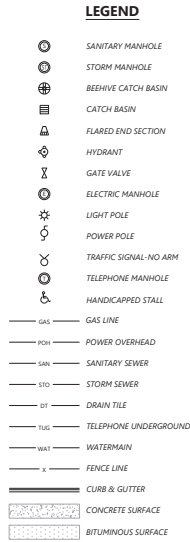
To Whom It May Concern:

The Twin Cities Orthopedics Waconia Facility will include a state of the art orthopedic clinic, orthopedic urgent care, and an 1.5T MRI. Other programs within the facility include prosthetics and orthotics along with prosthetics lab. These services are conducted in a 1:1 provider to patient ratio. The Facility will also expand athletic medicine, sports performance, and personal training.

The primary business will occur between the hours of 7 a.m. to 5:30 p.m. Monday through Friday; however, the Orthopedic Urgent Care will be open 8:00 am to 8:00 pm seven days a week. The MRI could also be open on Saturdays if needed.

Twin Cities Orthopedics would expect to have up to 50 - 70 employees at the Facility in a given day. We expect around 350 total patients a day.

Sincerely: Keith Heimer
 Director Facilities and Construction



Lot 1, Block 1 and Outlot A, INTERLAKEN VILLAGE 2ND ADDITION, Carver County, Minnesota.

1. This survey was prepared using First American Title Insurance Company, Title Commitment Number NC57-1165663-MPLS having an effective date of February 08, 2023 at 7:30 A.M.
2. The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area shown or that the information is not abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although the surveyor does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities. (Gopher State One Call ticket number: 232367186)
3. Bearings of property lines shown herein are based on the Carver County coordinate system, (NAD 83 - 96 Central Adjustment).
4. Lengths of lines and distances between features are measured in US Survey Feet.

PROPOSED LOT 1, BLOCK 1 = 470,405 Square Feet /10.80 Acres
 PROPOSED OUTLOT A = 102,871 Square Feet / 2.36 Acres
 TOTAL PROPERTY = 573,276 Square Feet / 13.16 Acres

TCO Real Estate fund 2 LLC
4200 Dahlberg Dr. Ste. 300
Golden Valley MN 55422

Twin Cities Orthopedic
4200 W. Dahlgren Dr., Ste. 300
Phone: 952-442-2163

Westwood Professional Services
12701 Whitewater Drive, Suite 300,
Minnetonka, Minnesota 55343
Phone: 952-937-5150

Waconia Interlaken OVA LLC
6600 France Avenue S. Ste. 550
Edina, MN 55435

CHECKED: CNA	REVISIONS
DRAWN: BY	
FIELD CREW	
FIELD WORK DATE:	

TWIN CITIES ORTHOPEDIC

820 VILLAGE WAY
Waconia, MN

Westwood

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
Fax (952) 937-5822 Minnetonka, MN 55343
Toll Free (888) 937-5150 www.westwoodpa.com

Westwood Professional Services, Inc.

PRELIMINARY PLAT OF
INTERLAKEN VILLAGE 3RD
ADDITION

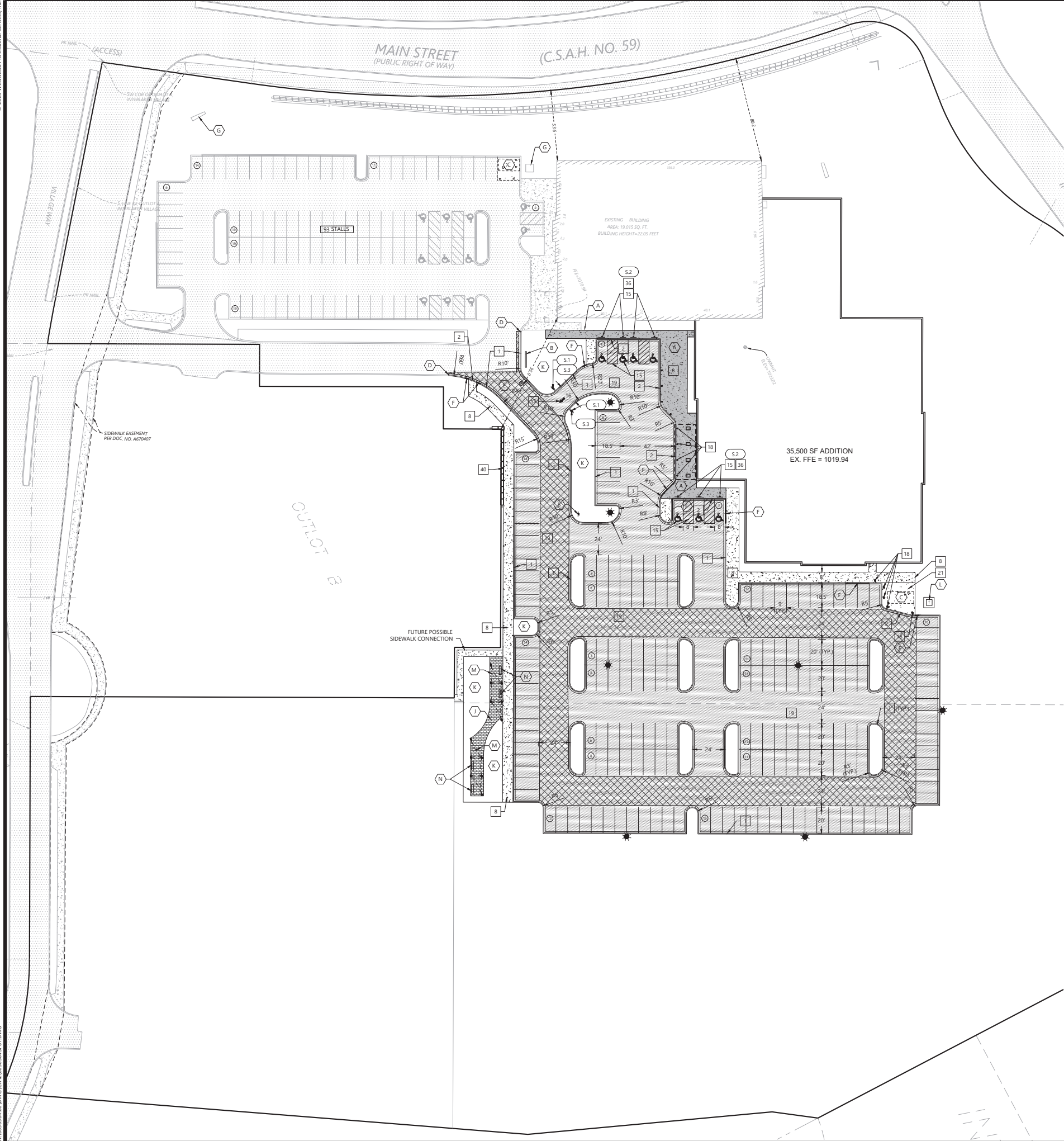
OF
BRD

PROJECT NUMBER: 0036304

SHEET NUMBER:
1 OF

DATE: 03/30/2023

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SITE LEGEND

EXISTING	PROPOSED	
		PROPERTY LINE
		LOT LINE
		SETBACK LINE
		EASEMENT LINE
		CURB AND GUTTER
		TIP-OUT CURB AND GUTTER
		TRANSITION CURB
		RETAINING WALL
		FENCE
		CONCRETE PAVEMENT
		CONCRETE SIDEWALK
		HEATED CONCRETE SIDEWALK
		NORMAL DUTY BITUMINOUS PAVEMENT
		NORMAL DUTY BITUMINOUS PAVEMENT
		NUMBER OF PARKING STALLS
		TRANSFORMER
		SITE LIGHTING
		TRAFFIC SIGN
		POWER POLE
		BOLLARD / POST

GENERAL SITE NOTES

- BACKGROUND INFORMATION FOR THIS PROJECT PROVIDED BY WESTWOOD PROFESSIONAL SERVICES, MINNETONKA, MN, 12/02/2022.
- LOCATIONS AND ELEVATIONS OF EXISTING TOPOGRAPHY AND UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY SITE CONDITIONS AND UTILITY LOCATIONS PRIOR TO EXCAVATION/CONSTRUCTION. IF ANY DISCREPANCIES ARE FOUND, THE ENGINEER SHOULD BE NOTIFIED IMMEDIATELY.
- REFER TO BOUNDARY SURVEY FOR LOT BEARINGS, DIMENSIONS AND AREAS.
- ALL DIMENSIONS ARE TO FACE OF CURB OR EXTERIOR FACE OF BUILDING UNLESS OTHERWISE NOTED.
- REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS AND LOCATIONS OF EXITS, RAMPS, AND TRUCK DOCKS.
- ALL CURB RADII ARE SHALL BE 3.0 FEET (TO FACE OF CURB) UNLESS OTHERWISE NOTED.
- ALL CURB AND GUTTER SHALL BE B612 UNLESS OTHERWISE NOTED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGGERS AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE CITY AND ENGINEER PRIOR TO PLACEMENT. TRAFFIC CONTROL DEVICES SHALL CONFORM TO APPROPRIATE MNDOT STANDARDS.
- BITUMINOUS PAVEMENT AND CONCRETE SECTIONS TO BE IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER.
- CONTRACTOR SHALL MAINTAIN FULL ACCESS TO ADJACENT PROPERTIES DURING CONSTRUCTION AND TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES.
- SITE LIGHTING SHOWN ON PLAN IS FOR REFERENCE ONLY. REFER TO LIGHTING PLAN PREPARED BY OTHERS FOR SITE LIGHTING DETAILS AND PHOTOMETRICS.

SITE DEVELOPMENT SUMMARY

• ZONING:	B-1, HIGHWAY BUSINESS DISTRICT
PARCEL DESCRIPTION:	LOT 1, BLOCK 1 AND OUTLOT A, INTERLAKEN VILLAGE 2ND ADDITION, CARVER COUNTY, MINNESOTA.
• PROPERTY AREA:	470,404 SF (10.80 AC)
• PERVIOUS SURFACE:	276,164 SF (59.7%)
• IMPERVIOUS SURFACE(RATIO):	194,240 SF (41.3%)
• BUILDING GROSS SIZE:	54,438 SF
• EXISTING:	18,938 SF
• PROPOSED EXPANSION:	35,500 SF
• BUILDING SETBACK PER CODE:	25'-FRONT 15'-SIDE / 20'-SIDE TO ROW 20'-REAR
• PARKING SPACE/DRIVE AISLE:	9' WIDE X 20' LONG, 24' AISLE MIN. LENGTH MAY BE DECREASED BY 1.5' WHEN BUMPER OVERHANG IS AVAILABLE
• PARKING RATIO REQUIREMENT	CITY OF WACONIA
• MEDICAL/HEALTH FACILITY:	3 SPACES + 1 SPACE / 200 SF OF BLDG
• TOTAL SPACES REQUIRED:	3 + (18,938 + 35,500) / 200 = 275.2 SPACES
• PARKING PROVIDED:	93 STALLS
• EXISTING PARKING:	193 STALLS
• PROPOSED PARKING:	286 SPACES
• TOTAL PROPOSED PARKING:	18 STALLS
• ADA STALLS PROVIDED:	

1 SITE DETAILS (SI-0XX)

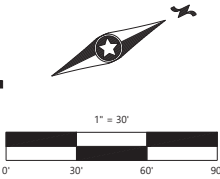
- B612 CURB AND GUTTER
- FLUSH CURB AND GUTTER
- PRIVATE CONCRETE SIDEWALK
- PRIVATE PEDESTRIAN CURB RAMP
- PRIVATE PARALLEL PEDESTRIAN CURB RAMP
- CROSS WALK STRIPING
- TRAFFIC ARROW
- HANDICAP ACCESSIBLE SIGNAGE AND STRIPING
- BOLLARD
- PAVEMENT SECTIONS
- HEAVY DUTY CONCRETE SECTION
- SIGN POST WITH BOLLARD
- MODULAR BLOCK RETAINING WALL

A KEY NOTES

- A HEATED CONCRETE - SEE ARCH PLANS, CONFIRM LIMITS
B DIRECTIONAL SIGN - SEE ARCH PLANS
C TRASH ENCLOSURE - SEE ARCH PLANS
D MATCH EXISTING CURB & GUTTER
E MATCH EXISTING PAVEMENT
F TRANSITION CURB
G EXISTING TRANSFORMER
H EXISTING MONUMENT SIGN
J STAMPED CONCRETE - SEE ARCH PLANS
K PLANTED AREA
L TRANSFORMER LOCATION
M SHADE CANOPY - SEE ARCH PLANS
N BENCH - SEE ARCH PLANS

CS10 SIGN LEGEND

REFERENCE	SIZE	MNDOT DESIGNATION
S.1 STOP SIGN	30" X 30"	R1-1
S.2 HANDICAP ACCESSIBLE	12" X 18"	R7-8M
S.3 DO NOT ENTER	30" X 30"	RS-1



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Call 48 Hours before digging:
811 or call811.com
Common Ground Alliance

DESIGNED	04/07/2023
CHECKED	05/09/2023
DRAWN	CITY RESUBMITAL
APPROVED	
HORIZONTAL SCALE	
VERTICAL SCALE	

PREPARED FOR:
SPERIDES REINERS ARCHITECTS, INC.
6442 CITY WEST PARKWAY SUITE 300
EDEN PRAIRIE, MN 55344

DESIGNED BY:
SHARITVYNN S. AHRENS
DATE: 05/09/2023 LICENSE NO. _____

TCO WACONIA PHASE II
WACONIA, MN

Westwood
Professional Services, Inc.
10270 W. Highway 100, Suite #1200
Minnetonka, MN 55345
Phone: (952) 837-5400
Fax: (952) 837-5400
Email: info@westwoodps.com
www.westwoodps.com

SITE PLAN

SHEET NUMBER:

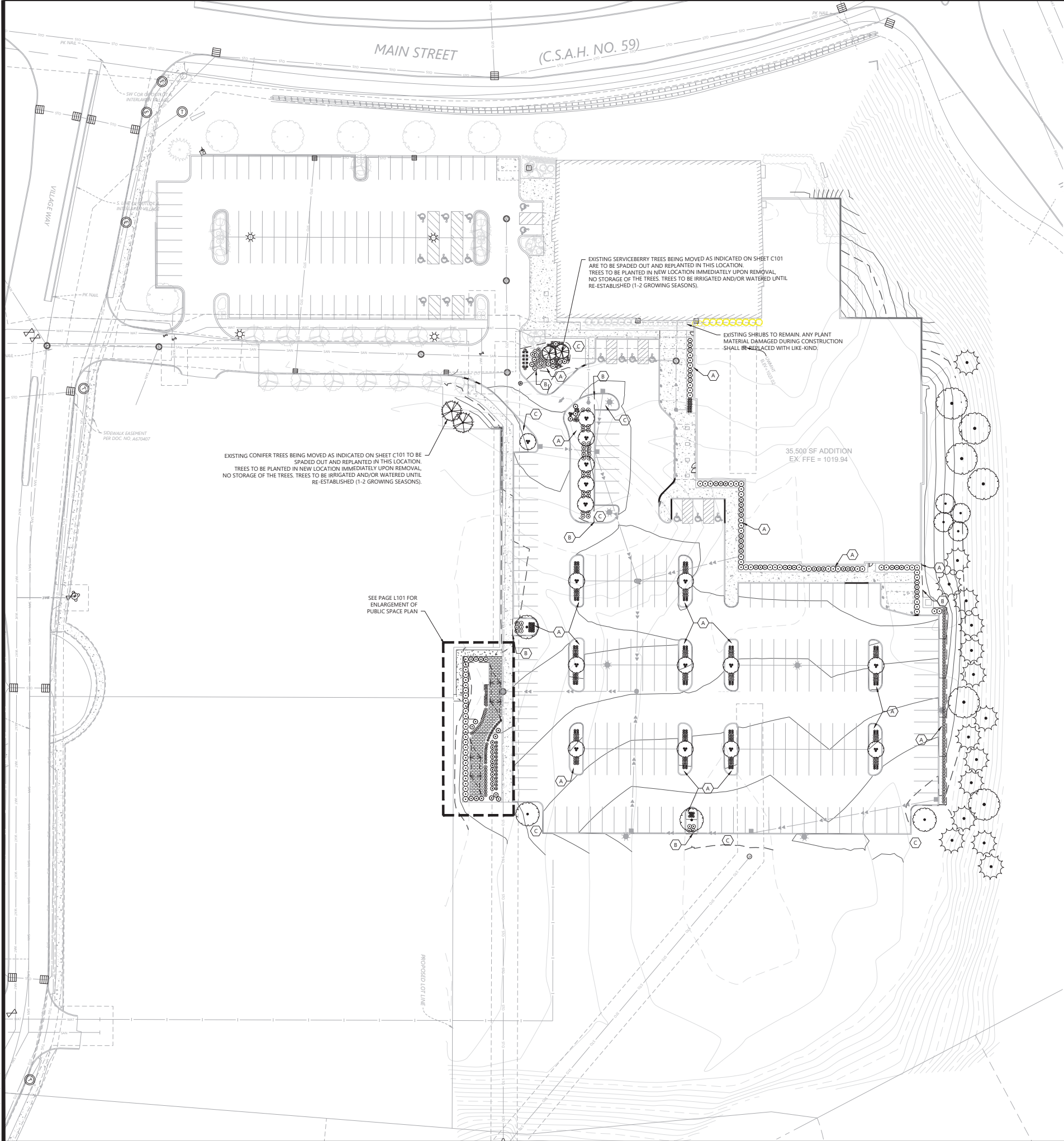
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DATE: 05/09/2023

PROJECT NUMBER: 0036304.00

TCO WACONIA PHASE II

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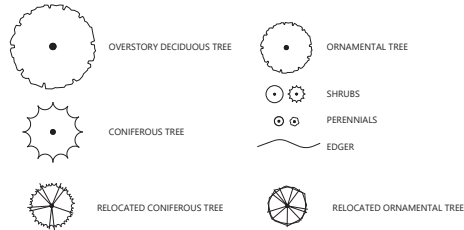
PLANT SCHEDULE

CONFEROUS TREES			
BHS	BLACK HILLS WHITE SPRUCE / PICEA GLAUCA 'DENSATA'	6' HT B&B	AS SHOWN
WHP	WHITE PINE / PINUS STROBUS	6' HT B&B	AS SHOWN
DECIDUOUS TREES			
SGM	SIENNA GLEN® MAPLE / ACER X FREEMANII 'SIENNA'	2.5" CAL	AS SHOWN
BOL	BOULEVARD AMERICAN LINDEN / TILIA AMERICANA 'BOULEVARD'	2.5" CAL	AS SHOWN
ORNAMENTAL TREES			
ALS	ALLEGHENY SERVICEBERRY MULTI-TRUNK / AMELANCHIER LAEVIS	6' HT B&B	AS SHOWN
QUA	QUAKING ASPEN / POPULUS TREMULOIDES	2.5" CAL	AS SHOWN
CONFEROUS SHRUBS			
MJJ	MINT JULEP® JUNIPER / JUNIPERUS CHINENSIS 'MONLEP'	#5 CONT.	4'-0" O.C.
ARJ	ARCADIA JUNIPER / JUNIPERUS SABINA 'ARCADIA'	#5 CONT.	4'-0" O.C.
HMP	HONEY BUN MUGO PINE / PINUS MUGO 'HONEY BUN'	#5 CONT.	4'-0" O.C.
DECIDUOUS SHRUB			
AFD	ARCTIC FIRE® RED TWIG DOGWOOD / CORNUS SERICEA 'FARROW'	#5 CONT.	4'-0" O.C.
DBH	DWARF BUSH HONEYSUCKLE / DIERVILLA LONICERA	#5 CONT.	3'-0" O.C.
CAV	BAILEY'S COMPACT AMERICAN CRANBERRYBUSH / VIBURNUM TRILOBUM 'BAILEY COMPACT'	#5 CONT.	4'-0" O.C.
ANNUALS/PERENNIALS			
BID	BAJA DAYLILY / HEMEROCALLIS Y 'BAJA'	#1 CONT.	24" O.C.
KOG	KOBOLD BLAZING STAR / LIATRIS SPICATA 'KOBOLD'	#1 CONT.	18" O.C.
RUS	RUSSIAN SAGE / PEROVSKIA ATRIPLICIFOLIA	#1 CONT.	3'-0" O.C.
BES	GOLDSTURM BLACK EYED SUSAN / RUDBECKIA FULGIDA SULLIVANTII 'GOLDSTURM'	#1 CONT.	24" O.C.
GRASSES			
KFG	KARL FOERSTER FEATHER REED GRASS / CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	#1 CONT.	24" O.C.
BLB	BLAZE LITTLE BLUESTEM / SCHIZACHYRIUM SCOPARIUM 'BLAZE'	#1 CONT.	18" O.C.

ABBREVIATIONS: B&B = BALLED AND BURLAPPED CAL = CALIPER HT. = HEIGHT MIN. = MINIMUM O.C. = ON CENTER SP. = SPREAD QTY. = QUANTITY CONT. = CONTAINER

NOTE: QUANTITIES ON PLAN SUPERSEDE LIST QUANTITIES IN THE EVENT OF A DISCREPANCY.

LANDSCAPE LEGEND



LANDSCAPE KEYNOTES

- A SHREDDED HARDWOOD MULCH (TYP.)
- B EDGER (TYP.)
- C SOD (TYP.)

LANDSCAPE SUMMARY

CANOPY/ EVERGREEN TREE REQUIREMENT
1 CANOPY/ EVERGREEN TREE PER 1000 SF OF GROSS BUILDING FLOOR AREA (35,500/1000= 35.5 TREES)
TREES REQUIRED= 36
TREES PROVIDED= 45 (15 PROPOSED CONFEROUS TREES + 10 PROPOSED DECIDUOUS TREES +20 PROPOSED ORNAMENTAL TREES)

*PARKING LOT LANDSCAPE- 1 LANDSCAPED ISLAND PER 16 STALLS OVER 100 STALLS.

Call 48 Hours before digging:
811 or call811.com
Common Ground Alliance

DESIGNED: _____
CHECKED: _____
DRAWN: _____
HORIZONTAL SCALE: _____
VERTICAL SCALE: _____
#1 OF #1

INITIAL ISSUE: 04/07/2023
REVISIONS: 05/09/2023 CITY REUBEN TAL
PREPARED FOR: SPERIDES REINERS ARCHITECTS, INC.
6442 CITY WEST PARKWAY SUITE 300
EDEN PRAIRIE, MN 55344

SPERIDES REINERS ARCHITECTS, INC.
6442 CITY WEST PARKWAY SUITE 300
EDEN PRAIRIE, MN 55344

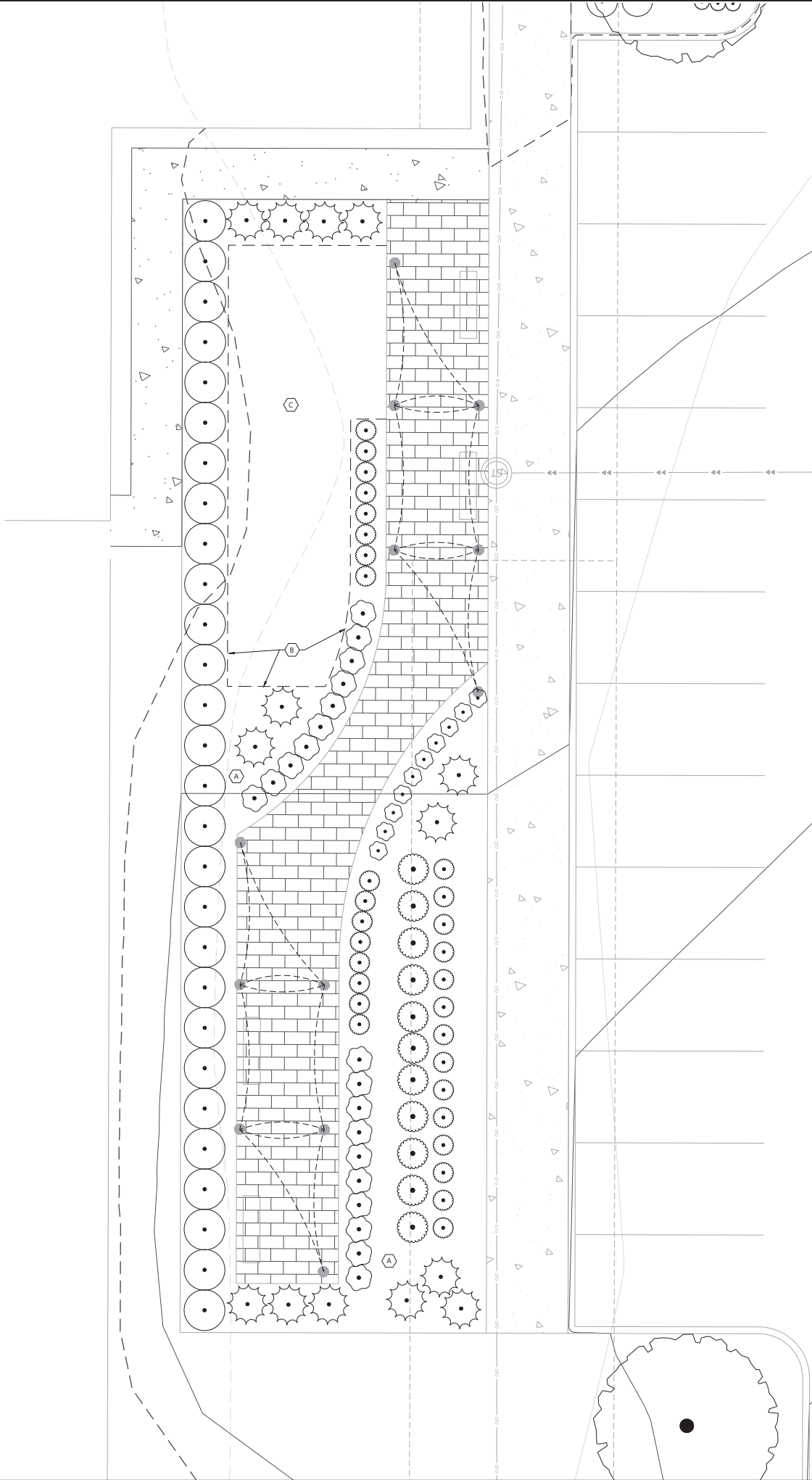
JEFF L. WESTENDORF
DATE 05/09/2023 LICENSE NO. _____

TCO WACONIA PHASE II
WACONIA, MN

Westwood
Professional Services, Inc.
10271 W. Highway 100, Suite #1200
Minnetonka, MN 55305
Phone: (952) 837-6600
Fax: (952) 837-6602
www.westwoodps.com

LANDSCAPE PLAN
L100
DATE: 05/09/2023
PROJECT NUMBER: 0036304.00

SHEET NUMBER:
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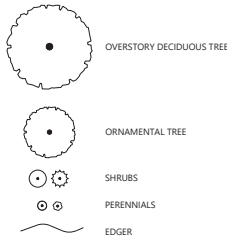
PLANT SCHEDULE

SGM	SIENNA GLEN® MAPLE / ACER X FREEMANII 'SIENNA'	2.5" CAL	AS SHOWN
BOL	BOULEVARD AMERICAN LINDEN / TILIA AMERICANA 'BOULEVARD'	2.5" CAL	AS SHOWN
ORNAMENTAL TREES	COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
ALS	ALLEGHENY SERVICEBERRY MULTI-TRUNK / AMELANCHIER LAEVIS	6' HT B&B	AS SHOWN
QUA	QUAKING ASPEN / POPULUS TREMULOIDES	2.5" CAL	AS SHOWN
CONIFEROUS TREES	COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
BHS	BLACK HILLS WHITE SPRUCE / PICEA GLAUCA 'DENSATA'	6' HT B&B	AS SHOWN
WHP	WHITE PINE / PINUS STROBUS	6' HT B&B	AS SHOWN
DECIDUOUS TREES	COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
ANNUALS/PERENNIALS	COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
BID	BAJA DAYLILY / HEMEROCALLIS X 'BAJA'	#1 CONT	24" O.C.
KOG	KOBOLD BLAZING STAR / LIATRIS SPICATA 'KOBOLD'	#1 CONT	18" O.C.

ABBREVIATIONS: B&B = BALLED AND BURLAPPED CAL = CALIPER HT. = HEIGHT MIN. = MINIMUM O.C. = ON CENTER SP. = SPREAD QTY. = QUANTITY
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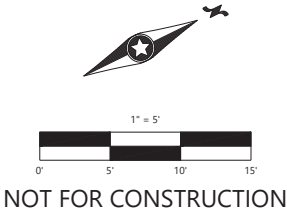
LANDSCAPE LEGEND



LANDSCAPE KEYNOTES

- A SHREDDED HARDWOOD MULCH (TYP.)
- B EDGER (TYP.)
- C SOD (TYP.)

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DATE	05/09/2023
HORIZONTAL SCALE	
VERTICAL SCALE	

PREPARED FOR:
SPEIDES REINERS ARCHITECTS, INC.
6442 CITY WEST PARKWAY SUITE 300
EDEN PRAIRIE, MN 55344

DESIGNED BY: JEFF L. WESTENDORF
DATE: 05/09/2023
LICENSE NO. _____

TCO WACONIA PHASE II
WACONIA, MN

Westwood
PROFESSIONAL SERVICES, INC.
15271 Highway 220, Suite #1200
Minnetonka, MN 55345
Phone: (952) 837-5400
Fax: (952) 837-5820
Email: info@westwoodps.com
www.westwoodps.com

**PUBLIC SPACE
LANDSCAPE PLAN**

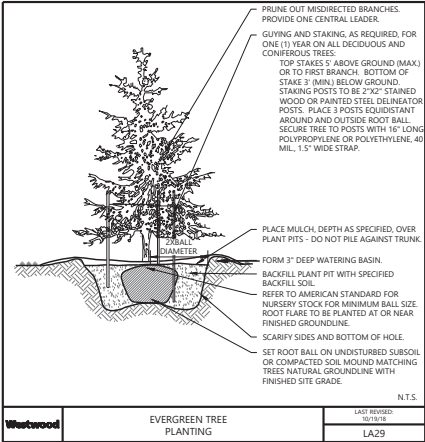
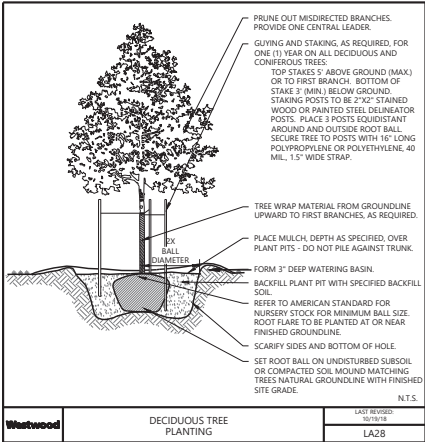
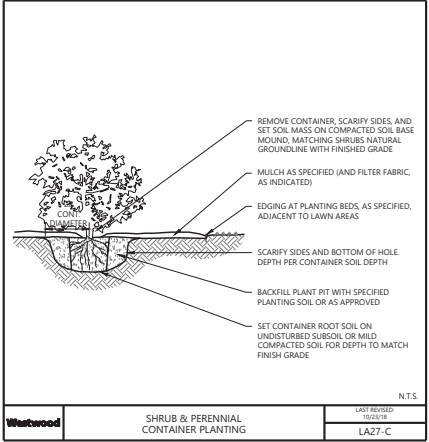
SHEET NUMBER:

L101

DATE: 05/09/2023

PROJECT NUMBER: 0036304.00

TCO WACONIA PHASE II



PLANTING NOTES

1. CONTRACTOR SHALL CONTACT COMMON GROUND ALLIANCE AT 811 OR CALL811.COM TO VERIFY LOCATIONS OF ALL UNDERGROUND UTILITIES PRIOR TO INSTALLATION OF ANY PLANTS OR LANDSCAPE MATERIAL.
2. ACTUAL LOCATION OF PLANT MATERIAL IS SUBJECT TO FIELD AND SITE CONDITIONS.
3. NO PLANTING WILL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
4. ALL SUBSTITUTIONS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO SUBMISSION OF ANY BID AND/OR QUOTE BY THE LANDSCAPE CONTRACTOR.
5. CONTRACTOR SHALL PROVIDE TWO YEAR GUARANTEE OF ALL PLANT MATERIALS. THE GUARANTEE BEGINS ON THE DATE OF THE LANDSCAPE ARCHITECT'S OR OWNER'S WRITTEN ACCEPTANCE OF THE INITIAL PLANTING. REPLACEMENT PLANT MATERIAL SHALL HAVE A ONE YEAR GUARANTEE COMMENCING UPON PLANTING.
6. ALL PLANTS TO BE SPECIMEN GRADE, MINNESOTA-GROWN AND/OR HARDY. SPECIMEN GRADE SHALL ADHERE TO, BUT IS NOT LIMITED BY, THE FOLLOWING STANDARDS:
ALL PLANTS SHALL BE FREE FROM DISEASE, PESTS, WOUNDS, SCARS, ETC.
ALL PLANTS SHALL BE FREE FROM NOTICEABLE GAPS, HOLES, OR DEFORMITIES.
ALL PLANTS SHALL BE FREE FROM BROKEN OR DEAD BRANCHES.
ALL PLANTS SHALL HAVE HEAVY, HEALTHY BRANCHING AND LEAVING.
CONIFEROUS TREES SHALL HAVE AN ESTABLISHED MAIN LEADER AND A HEIGHT TO WIDTH RATIO OF NO LESS THAN 5:3.
7. PLANTS TO MEET AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1-2014 OR MOST CURRENT VERSION) REQUIREMENTS FOR SIZE AND TYPE SPECIFIED.
8. PLANTS TO BE INSTALLED AS PER MNLA & ANSI STANDARD PLANTING PRACTICES.
9. PLANTS SHALL BE IMMEDIATELY PLANTED UPON ARRIVAL AT SITE. PROPERLY HEEL-IN MATERIALS IF NECESSARY; TEMPORARY ONLY.
10. PRIOR TO PLANTING, FIELD VERIFY THAT THE ROOT COLLAR/ROOT FLAIR IS LOCATED AT THE TOP OF THE BALLED & BURLAP TREE. IF THIS IS NOT THE CASE, SOIL SHALL BE REMOVED DOWN TO THE ROOT COLLAR/ROOT FLAIR. WHEN THE BALLED & BURLAP TREE IS PLANTED, THE ROOT COLLAR/ROOT FLAIR SHALL BE EVEN OR SLIGHTLY ABOVE FINISHED GRADE.
11. OPEN TOP OF BURLAP ON BB MATERIALS; REMOVE POT ON POTTED PLANTS; SPLIT AND BREAK APART PEAT POTS.
12. PRUNE PLANTS AS NECESSARY - PER STANDARD NURSERY PRACTICE AND TO CORRECT POOR BRANCHING OF EXISTING AND PROPOSED TREES.
13. WRAP ALL SMOOTH-BARKED TREES - FASTEN TOP AND BOTTOM. REMOVE BY APRIL 1ST.
14. STAKING OF TREES AS REQUIRED; REPOSITION, PLUMB AND STAKE IF NOT PLUMB AFTER ONE YEAR.
15. THE NEED FOR SOIL AMENDMENTS SHALL BE DETERMINED UPON SITE SOIL CONDITIONS PRIOR TO PLANTING. LANDSCAPE CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT FOR THE NEED OF ANY SOIL AMENDMENTS.
16. BACKFILL SOIL AND TOPSOIL TO ADHERE TO MN/DOT STANDARD SPECIFICATION 387T (SELECT TOPSOIL BORROW) AND TO BE EXISTING TOP SOIL FROM SITE FREE OF ROOTS, ROCKS LARGER THAN ONE INCH, SUBSOIL DEBRIS, AND LARGE WEEDS UNLESS SPECIFIED OTHERWISE. MINIMUM 4" DEPTH TOPSOIL FOR ALL LAWN GRASS AREAS AND 12" DEPTH TOPSOIL FOR TREE, SHRUBS, AND PERENNIALS.
17. MULCH TO BE AT ALL TREE, SHRUB, PERENNIAL, AND MAINTENANCE AREAS. TREE AND SHRUB PLANTING BEDS SHALL HAVE 4" DEPTH OF SHREDDED HARDWOOD MULCH. SHREDDED HARDWOOD MULCH TO BE USED AROUND ALL PLANTS WITHIN TURF AREAS. PERENNIAL AND ORNAMENTAL GRASS BEDS SHALL HAVE 2" DEPTH SHREDDED HARDWOOD MULCH. MULCH TO BE FREE OF DELETERIOUS MATERIAL AND COLORED RED, OR APPROVED EQUAL. ROCK MULCH TO BE BURL Limestone, 1 1/2" TO 3" DIAMETER, AT MINIMUM 5" DEPTH. OR APPROVED EQUAL. ROCK MULCH TO BE ON COMMERCIAL GRADE FILTER FABRIC, BY TYPAR, OR APPROVED EQUAL WITH NO EXPOSURE. MULCH AND FABRIC TO BE APPROVED BY OWNER PRIOR TO INSTALLATION. MULCH TO MATCH EXISTING CONDITIONS (WHERE APPLICABLE).
18. EDGING TO BE COMMERCIAL GRADE VALLEY-VIEW BLACK DIAMOND (OR EQUAL) POLY EDGING OR SPADED EDGE, AS INDICATED. POLY EDGING SHALL BE PLACED WITH SMOOTH CURVES AND STAKED WITH METAL SPIKES NO GREATER THAN 4 FOOT ON CENTER WITH BASE OF TOP BEAD AT GRADE, FOR MOWERS TO CUT ABOVE WITHOUT DAMAGE. UTILITY CURBS AND SIDEWALKS FOR EDGING WHERE POSSIBLE. SPADED EDGE TO PROVIDE V-SHAPED DEPTH AND WIDTH TO CREATE SEPARATION BETWEEN MULCH AND GRASS. INDIVIDUAL TREE, SHRUB, OR RAIN-GARDEN BEDS TO BE SPADED EDGE, UNLESS NOTED OTHERWISE. EDGING TO MATCH EXISTING CONDITIONS (WHERE APPLICABLE).
19. ALL DISTURBED AREAS TO BE SOODED OR SEEDED, UNLESS OTHERWISE NOTED. PARKING LOT ISLANDS TO BE SOODED WITH SHREDDED HARDWOOD MULCH AROUND ALL TREES AND SHRUBS. SOO TO BE STANDARD MINNESOTA GROWN AND HARDY BLUEGRASS MIX, FREE OF LAWN WEEDS. ALL TOPSOIL AREAS TO BE RAKED TO REMOVE DEBRIS, AND ENSURE DRAINAGE. SLOPES OF 3:1 OR GREATER SHALL BE STAKED. SEED AS SPECIFIED AND PER MN/DOT SPECIFICATIONS. IF NOT INDICATED ON LANDSCAPE PLAN, SEE EROSION CONTROL PLAN.
20. PROVIDE IRRIGATION TO ALL PLANTED AREAS ON SITE. IRRIGATION SYSTEM TO BE DESIGN/BUILD BY LANDSCAPE CONTRACTOR. LANDSCAPE CONTRACTOR TO PROVIDE SHOP DRAWINGS TO LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION OF IRRIGATION SYSTEM. CONTRACTOR TO PROVIDE OPERATION MANUALS, AS-BUILT PLANS, AND NORMAL PROGRAMMING. SYSTEM SHALL BE WINTERIZED AND HAVE SPRING STARTUP DURING FIRST YEAR OF OPERATION. SYSTEM SHALL HAVE ONE-YEAR WARRANTY ON ALL PARTS AND LABOR. ALL INFORMATION ABOUT INSTALLATION AND SCHEDULING CAN BE OBTAINED FROM THE GENERAL CONTRACTOR.
21. CONTRACTOR SHALL PROVIDE NECESSARY WATERING OF PLANT MATERIALS UNTIL THE PLANT IS FULLY ESTABLISHED OR IRRIGATION SYSTEM IS OPERATIONAL. OWNER WILL NOT PROVIDE WATER FOR CONTRACTOR.
22. REPAIR, REPLACE, OR PROVIDE SOO/SEED AS REQUIRED FOR ANY ROADWAY BOULEVARD AREAS ADJACENT TO THE SITE DISTURBED DURING CONSTRUCTION.
23. REPAIR ALL DAMAGE TO PROPERTY FROM PLANTING OPERATIONS AT NO COST TO OWNER.
24. RAIN GARDEN NOTE: PROVIDE AND INSTALL EROSION CONTROL BLANKET AT RAIN GARDEN AREA SIDE SLOPES AFTER ALL PLANTING HAVE BEEN INSTALLED. BLANKET TO BE ONE SEASON GEOLITE, MN/DOT CATEGORY 2 STRAW 15, WOOD FIBER 15, OR APPROVED EQUAL. BLANKET TO BE OVERLAPPED BY 4" AND ANCHORED BY SOO STAPLES. PLACE BLANKET PERPENDICULAR TO THE SLOPE. TRENCH IN EDGES OF BLANKET AREA TO PREVENT UNDER MINING. PROVIDE SALT FENCE AT TOP OF SLOPE AS NEEDED. SHREDDED HARDWOOD MULCH TO MATCH OTHER PROJECT PLANTING MULCH. PLACE 4" DEPTH OF MULCH AT ALL PLANTING AND EROSION CONTROL BLANKET AREA (NO FILTER FABRIC). SEE RAIN GARDEN DETAIL FOR FURTHER INFORMATION. RAIN GARDEN TO PROVIDE PROPER INFILTRATION AND DRAINAGE REQUIREMENTS PER ENGINEERS APPROVAL.

Call 48 Hours before digging:
811 or call811.com
Common Ground Alliance

DESIGNED	04/07/2023
CHECKED	
DRAWN	CITY RELIANT/ITAL
DATE	05/09/2023
HORIZONTAL SCALE	
VERTICAL SCALE	
SHEET NO.	1102

PREPARED FOR:
SPERIDES REINERS ARCHITECTS, INC.
6442 CITY WEST PARKWAY SUITE 300
EDEN PRAIRIE, MN 55344

DESIGNED BY: JEFF WESTENDORF
DATE: 05/09/2023
CITY RELIANT/ITAL

TCO WACONIA PHASE II
WACONIA, MN

Westwood
Professional Services, Inc.
10271 W. Highway 100, Suite #100
Minnetonka, MN 55345
Phone: (952) 837-5400
Fax: (952) 837-5400
Email: info@westwoodps.com

LANDSCAPE DETAILS & NOTES

SHEET NUMBER:

L102

DATE: 05/09/2023

PROJECT NUMBER: 0036304.00

TCO WACONIA PHASE II

NOT FOR CONSTRUCTION

ISSUE RECORD		
ISSUE #	DATE	DESCRIPTION

TCO WACONIA
EXPANSION
820 VILLAGE WAY
WACONIA, MN 55387

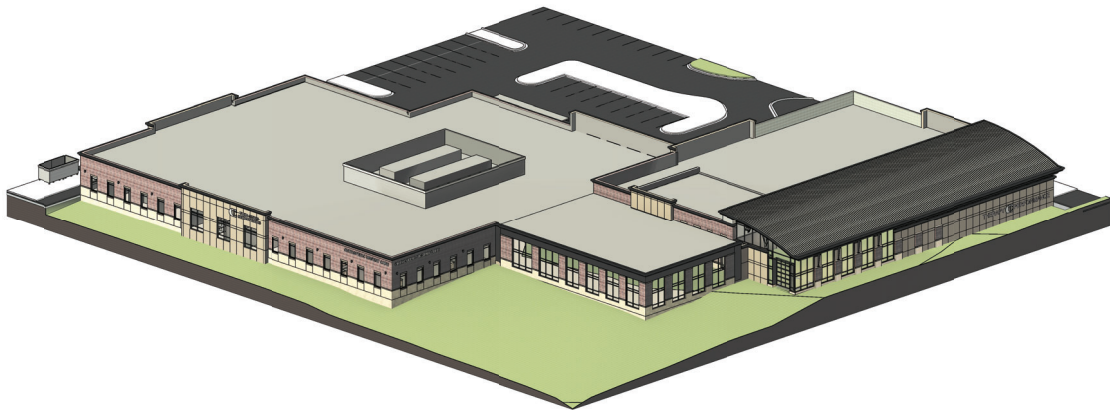
OVERALL FLOOR
PLAN

PROJECT NO: 21-124
DRAWN BY: DK/BW/AO
CHECKED BY: DM

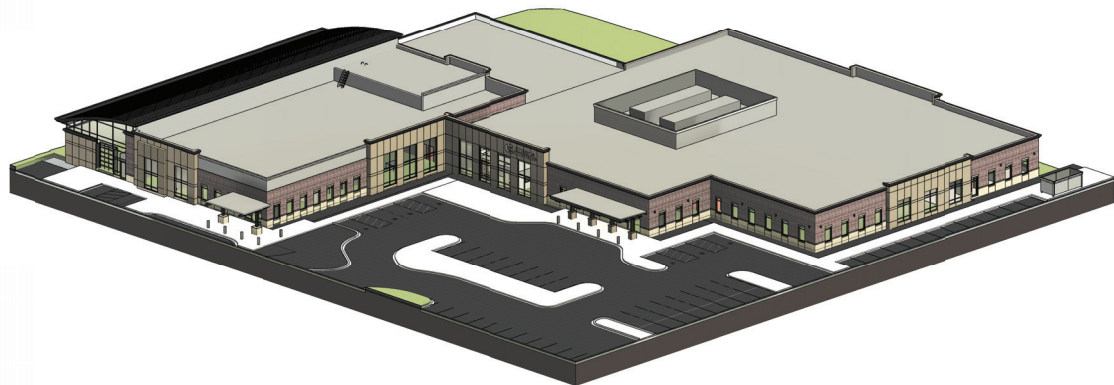
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4/6/2023 11:46:58 AM

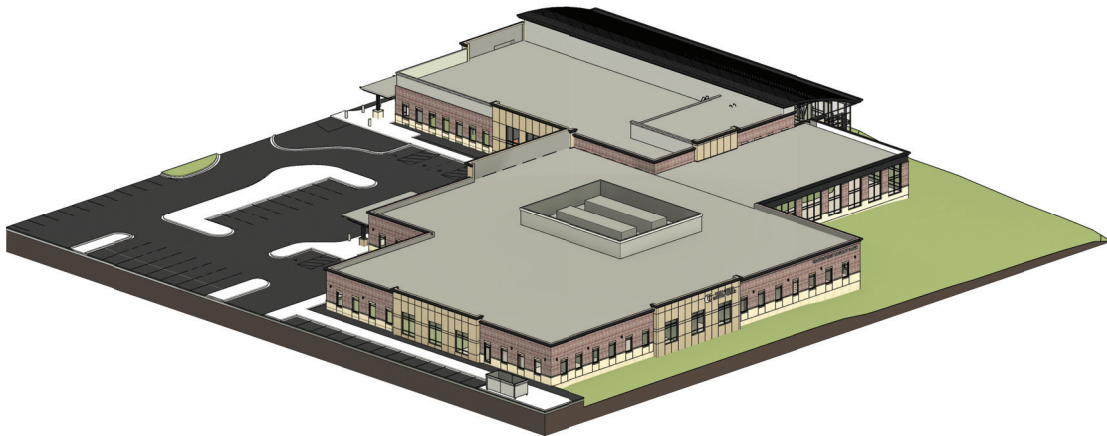




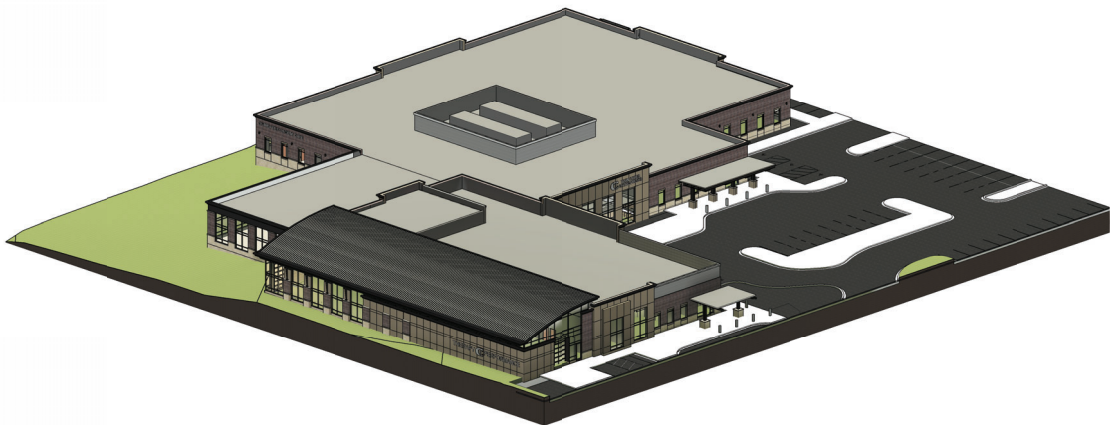
1
A300 AXON - NORTH
SCALE



2
A300 AXON - SOUTH
SCALE



3
A300 AXON - EAST
SCALE



4
A300 AXON - WEST
SCALE

EXTERIOR MATERIAL PALATE



6448 CITY WEST PARKWAY
SUITE 300
MINNETONKA, MINNESOTA 55344
PH: 953-995-5662
WWW.SBA-MN.COM

© CONCEPT 1992
SPENCE KENNER ARCHITECTS, INC.

PRELIMINARY
NOT FOR
CONSTRUCTION

ISSUE RECORD

ISSUE # DATE DESCRIPTION

TCO WACONIA
EXPANSION
890 VILLAGE WAY
WACONIA, MN 55387

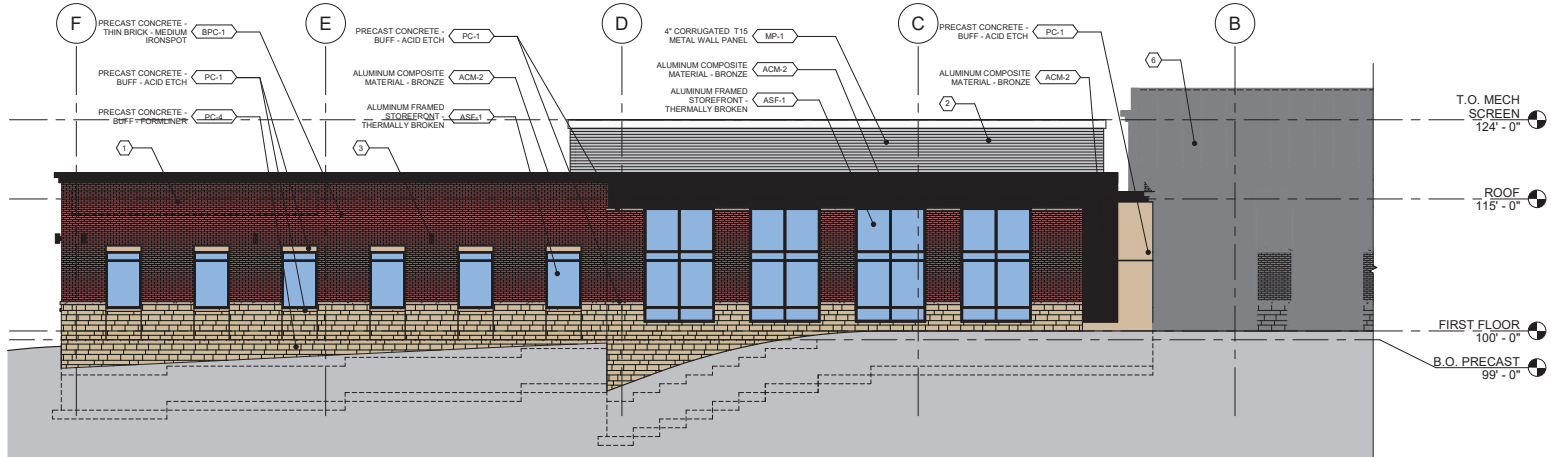
AXONS

PROJECT NO: 91-194
DRAWN BY: Author
CHECKED BY: Checker

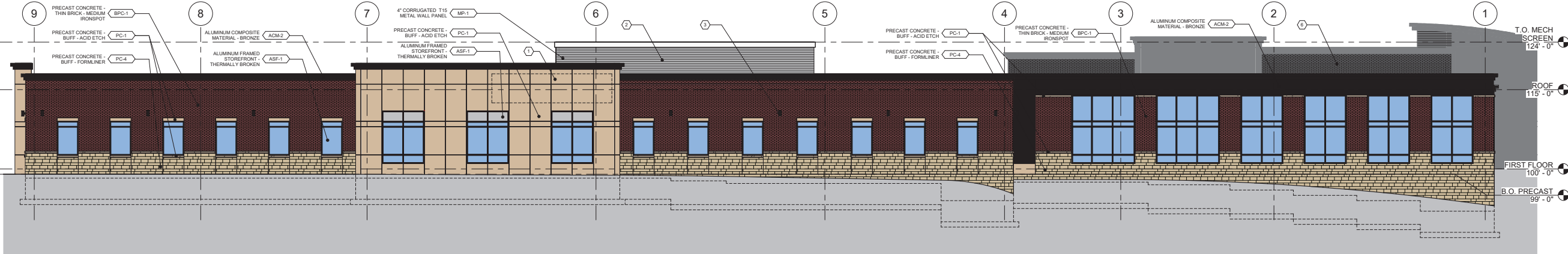
A300

4/6/2023 11:47:41 AM

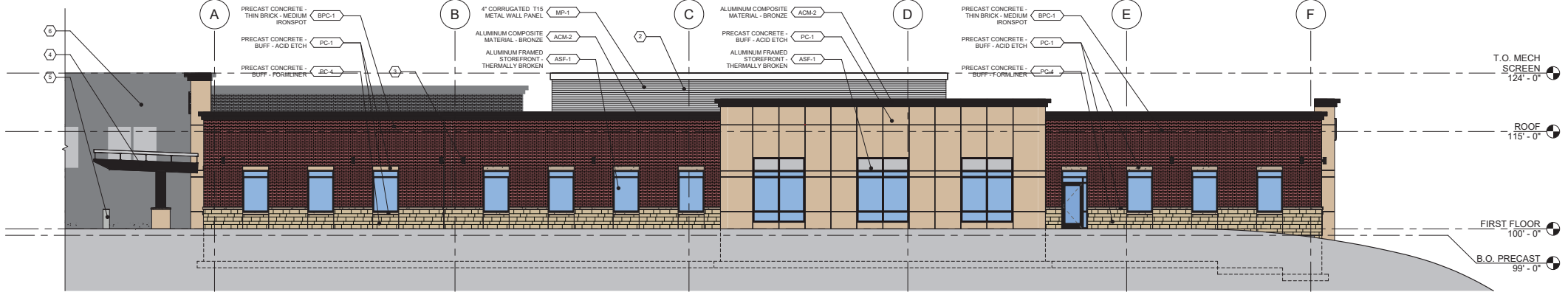
SRA
ARCHITECTURE + INTERIORS



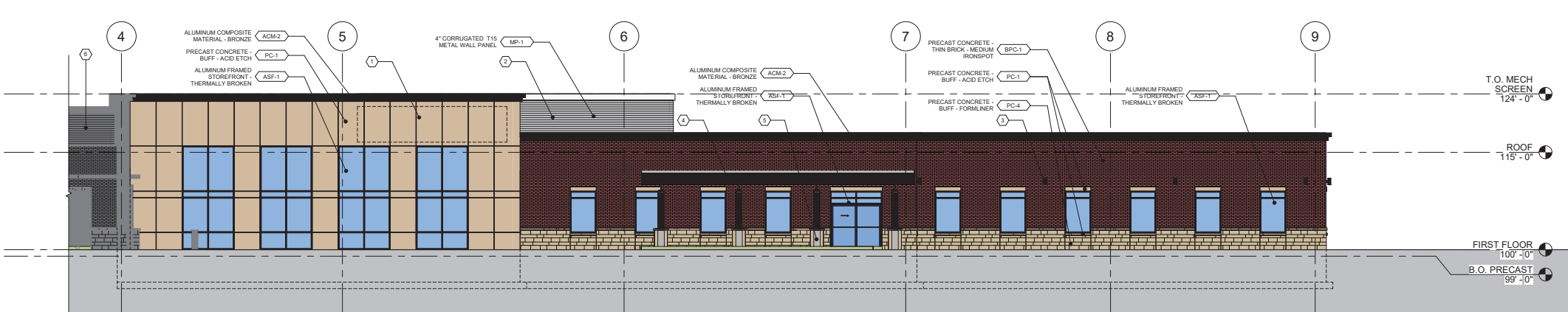
1 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



2 EAST ELEVATION
SCALE: 1/8" = 1'-0"



3 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



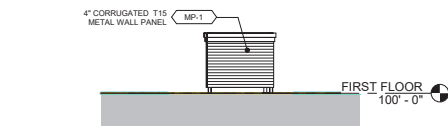
4 WEST ELEVATION
SCALE: 1/8" = 1'-0"

EXTERIOR MATERIAL LEGEND								
MATERIAL ID	SPEC SECTION	MATERIAL DESCRIPTION	MANUFACTURER	TYPE	FINISH	COLOR	SIZE	NOTES
ACM-2	074213	ALUMINUM COMPOSITE MATERIAL - BRONZE	EPFO	ACM-2				
ASF-1	084313	ALUMINUM FRAMED STOREFRONT - THERMALLY BROKEN	EPFO	ASF-1				DARK BRONZE MULLIONS
BPC-1	074213	PRECAST CONCRETE - THIN BRICK - MEDIUM IRONSPOT	ENESCOOT	BPC-1				
MP-1	074213	4" CORRUGATED T15 METAL WALL PANEL	PRESTONE	MP-1				OMEGA VR CLASSIC - ANODIZED ALUMINUM
PC-1	034100	PRECAST CONCRETE - BUFF - ACID ETCH	WELLS CONCRETE	PC-1				
PC-4	034100	PRECAST CONCRETE - BUFF - FORMLINER	RECALL FORMLINERS	PC-4				

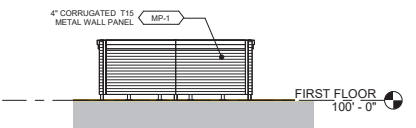
- EXTERIOR ELEVATION KEYNOTES**
- 1 BUILDING SIGNAGE
 - 2 ROOF TOP SCREEN
 - 3 WALL SOUNGE LIGHT FIXTURE
 - 4 STEEL FABRICATED CANOPY
 - 5 ARCHITECTURAL PRECAST BOLLARD
 - 6 EXISTING BUILDING

NORTH BUILDING MATERIALS	
GLASS: 570 SF (20%)	
BRICK: 980 SF (32%)	
PRECAST: 628 SF (22%)	
METAL PANEL: 728 SF (26%)	
TOTAL: 2,906 SF	
EAST BUILDING MATERIALS	
GLASS: 1,303 SF (22%)	
BRICK: 1,833 SF (31%)	
PRECAST: 1,891 SF (32%)	
METAL PANEL: 807 SF (15%)	
TOTAL: 5,834 SF	
SOUTH BUILDING MATERIALS	
GLASS: 533 SF (15%)	
BRICK: 1,368 SF (39%)	
PRECAST: 1,107 SF (32%)	
METAL PANEL: 497 SF (14%)	
TOTAL: 3,505 SF	
WEST BUILDING MATERIALS	
GLASS: 842 SF (22%)	
BRICK: 1,367 SF (36%)	
PRECAST: 1,248 SF (33%)	
METAL PANEL: 358 SF (9%)	
TOTAL: 3,815 SF	
TOTAL BUILDING MATERIALS	
GLASS: 3,248 SF (20%)	
BRICK: 5,474 SF (34%)	
PRECAST: 4,875 SF (30%)	
METAL PANEL: 2,485 SF (16%)	
TOTAL: 16,082 SF	

ISSUE #	DATE	DESCRIPTION



5 TRASH ENCLOSURE - SIDES
SCALE: 1/8" = 1'-0"



6 TRASH ENCLOSURE - FRONT
SCALE: 1/8" = 1'-0"





Site Amenity Narrative

5/9/2023

TCO Waconia Site Development

SRa #: 21-124

A new outdoor patio of approximately 3,330 sf for the Twin Cities Orthopedics Waconia site has been placed to meet the intent of a connective path and respite area for the overall development in the revised city submittal set. The outdoor patio is connected by the existing pedestrian sidewalk system that leads from Village Way along the existing TCO parking lot and building. The new connection provides a crosswalk to a new pedestrian sidewalk which extends along the new parking lot to the new outdoor patio.

The new outdoor patio has an area of stained & stamped concrete with benches and a sail shade with posts. It also includes a grassy area for a place to lay out blankets, if desired. The outdoor patio also has a variety of shrubs and perennials. See the civil and landscape plans dated 5/9/2023 prepared by Westwood for more detailed information.

Rendered images below:



Figure 1 - View from the South

TCO Waconia Site Amenity

21-124

5/9/2023

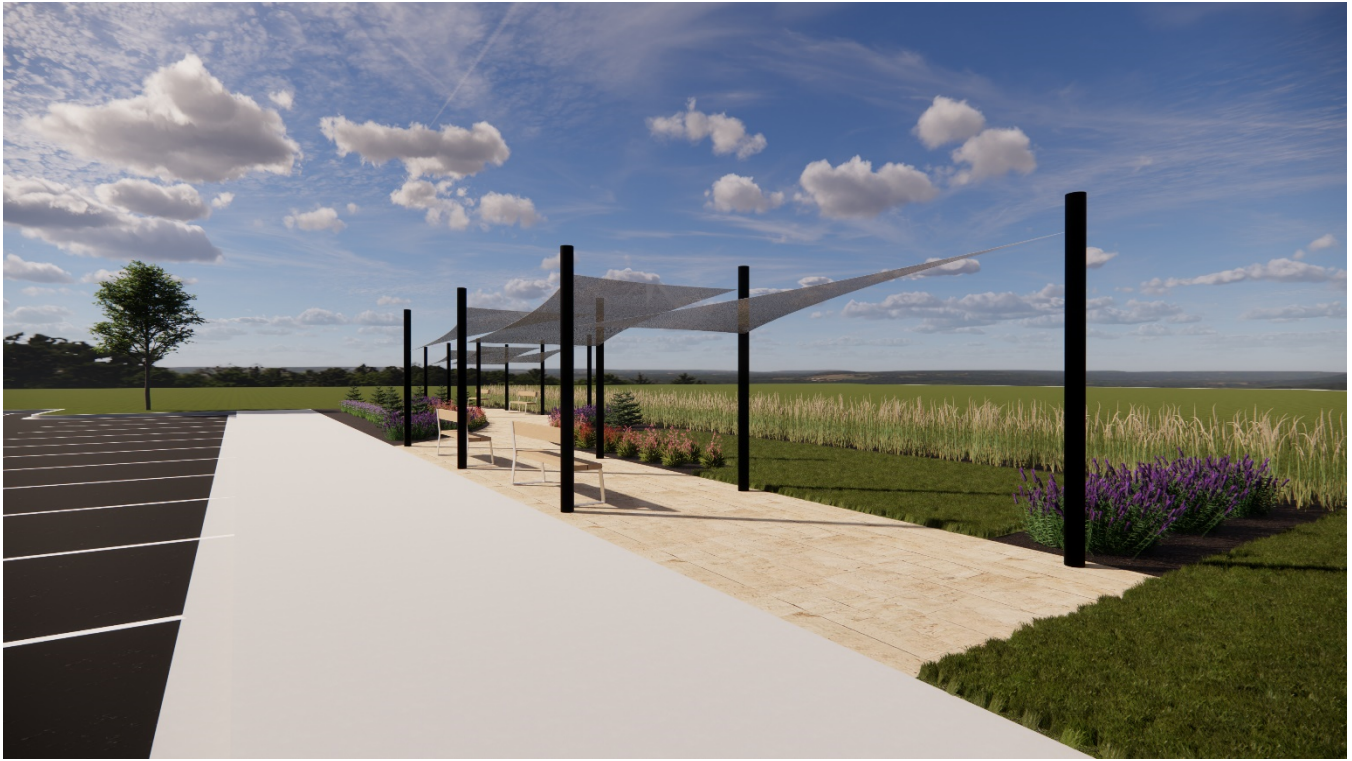
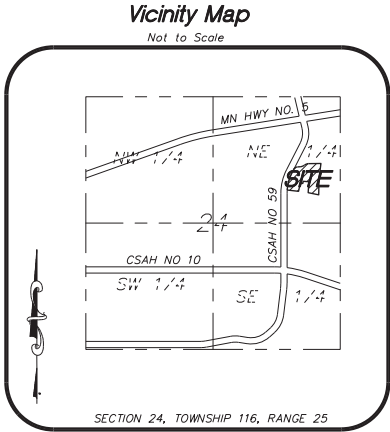


Figure 2 - View from the North

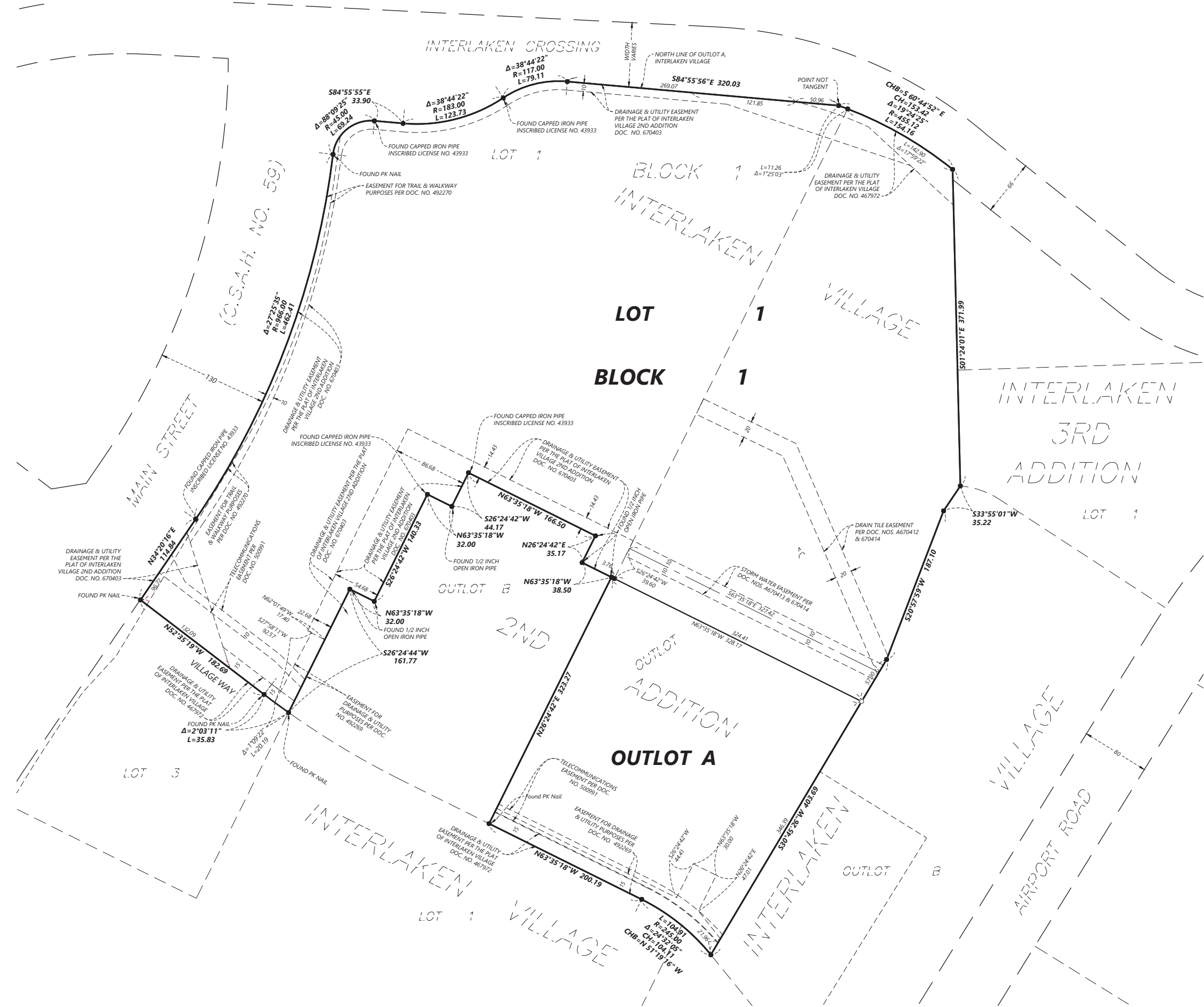
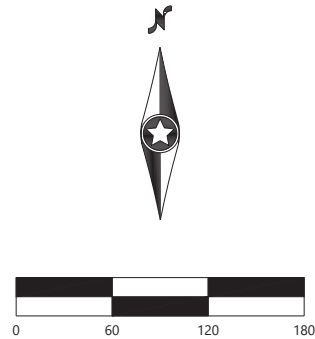
INTERLAKEN VILLAGE 3RD ADDITION

PLAT FILE NO.
C.R. DOC. NO.



The orientation of this bearing system is based on the north line of Outlot A, INTERLAKEN VILLAGE has a plat bearing of N84°55'56"W.

- Denotes 1/2 inch by 14 inch iron rebar set and marked by License No. 43055
- FOUND 1/2 INCH REBAR INSCRIBED LICENSE NO. 23021 UNLESS OTHERWISE NOTED





REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date: June 1, 2023

Item Name: PUBLIC HEARING - Variance Request for 1077 Kinder Drive by Martha Vangen

Originating Department: Community Development

Presented by: Ethan Nelson

Previous Commission Action (if any):

Item Type (X only one):	Consent		Regular Session	X	Discussion Session	
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RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED (Include motion in proper format.)

Open the Public Hearing.

Motion to close the Public Hearing.

Motion recommending either approval or denial of a variance for the property located at 1077 Kinder Drive to construct a 7' 6" privacy fence that would replace the existing rear portion of chain link fence that runs parallel to the rear property line.

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

BACKGROUND

Applicant: Martha Vangen

Owner: Martha and Michael Vangen

Address: 1077 Kinder Drive

PID# 753640060

Zoning: R-1, Single Family Residential District

REQUEST:

The City has received a Variance application from Martha Vangen (the "applicant") requesting approval of a variance to construct a 7' 6" fence at 1077 Kinder Drive (the "Subject Property") that would replace the existing 4' rear portion of chain link fence versus the maximum 6 ft. height requirement for the R-1, Single Family Residential District. The applicant has indicated that the variance is necessary due to the Waconia Parkway South trail improvements resulting in raised elevations, additional noise and light.

APPLICABLE ORDINANCE PROVISIONS:

1. Section 900.05 – District Regulations, Subd. 2.A – R-1, Single Family Residential District
2. Section 900.07 - Landscaping and Screening Regulations, Subd. 3 - Fencing
3. 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 the 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 a practical difficulty. Whereas, practical difficulties exist only when the three statutory factors are met (1. Reasonableness, 2. Uniqueness, and 3. Essential character).

VARIANCE ANALYSIS:

The R-1, Single Family District has a maximum fence height requirement of 6 ft. for side and rear yard areas. The Subject Property exists with a 4' tall chain link fence surrounding the area behind the principal structure. The applicant is proposing to remove and replace only the existing portion of the fence that runs parallel with Waconia Parkway South with a 7' 6" privacy fence. The proposed fence would be constructed with Western Red Cedar. Staff has noted some items below that the Planning Commission may wish to consider and discuss further with the applicant:

1. In 2022, the City made improvements to the grade of the trail that runs along Waconia Parkway South as part of the construction project that resulted in the elevations being raised roughly 1.5 to 2 feet higher than before the project occurred. The City also installed lighting with downward facing shields along the trail. Due to the wide road right-of-way area, the City did not precisely locate property lines or monuments. Since the applicant did not conduct a survey of the property prior to the variance request, it shall be required to have the relevant property lines surveyed prior to permit issuance to verify the proposed fence modifications are located completely on the Subject Property.
2. The Subject Property has a blue tarp material attached to the existing chain link fence that does not meet code and should be removed.

PUBLIC NOTICE/COMMENT

The notice was published in the WACONIA PATRIOT on May 18th, 2023 and posted at Waconia City. Individual notices were mailed to all property owners within 350 feet of the subject parcel. As of the date and time of this report the City has not received any public comment regarding the proposed Variance.

RECOMMENDATION

The Planning Commission should hold the public hearing and review the Variance application based upon the Variance Criteria stated above and the information provided 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 June 20th, 2023.

If the Planning Commission chooses to recommend approval of the Variance stated above, staff would recommend the approval upon the following conditions:

1. The applicant shall remove any material attached to the existing and proposed fence.
2. The applicant shall have the applicable property lines located and marked by a licensed land surveyor and indicated in the required building permit review prior to permit issuance and visible for final inspection.

Attachments:

1. [Location Map \(1 Page\).pdf](#)
2. [Public Hearing Notice \(1 Page\)](#)
3. [Application & Letter \(4 Pages\)](#)
4. [Site & Fence Plan \(4 Pages\)](#)
5. [Site Photos \(6 Pages\)](#)

FINANCIAL IMPLICATIONS:

Funding Sources & Uses:

Budget Information:

_____ Budgeted
_____ Non Budgeted
_____ Amendment Required



City of Waconia

201 Vine Street South, Waconia, MN 55387

Landscape_8x11

May 2023
34

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 June 1st, 2023, at 6:30 P.M., at the Waconia City Hall, 201 South Vine Street, Waconia, MN, to consider a variance request for the property located at 1077 Kinder Drive.

The City is considering a variance request by Martha and Michael Vangen for the property located at 1077 Kinder Drive to construct a fence that exceeds the 6 ft. maximum height requirement in the R-1, Single Family Residential District.

Pertinent information pertaining to this request is available at 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 June 1st, 2023. 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: Ethan Nelson, 201 South Vine Street, Waconia, MN 55387

Email: enelson@waconia.org

By: WACONIA PLANNING COMMISSION

ATTEST: Ethan Nelson, Assistant Planner

(Published in the May 18th, 2023 Waconia Patriot newspaper)



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: Martha and Michael Vangen
2. Address of Property: 1077 Kinder Drive, Waconia, MN 55387
3. Legal Description: Lot 6, Block 1, Pheasant Ridge 4th Addition, Carver County, Minnesota
4. Applicant's Name: Martha Vangen
5. Mailing Address: 1077 Kinder Drive, Waconia, MN 55387
6. Daytime Phone(s): 952-292-8257
7. Email Address: Ticavangen@gmail.com

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

OFFICE USE ONLY

Date Received: _____

Fee: \$ 125⁰⁰
Receipt #: online



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: Single Family Residential
 2. Existing use of Property: Primary Residence
 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. **Residential applications requiring the submittal of a stormwater plan shall submit a \$150 non-refundable stormwater plan review fee.**
4. **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.**

5. Certificate of Survey with north arrow indicating existing structures and proposed additions or modification to structures.
6. Show all distances of buildings and structures from property lines.
7. Show any unique features to property associated with variance request (i.e. trees, ravines, steep slopes, etc.).
8. Stormwater Plan for all properties located within the Shoreland Overlay District and for all properties that currently exceed, or propose to exceed, the hardcover maximum identified in the applicable zoning district.

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: Martha Vangen

Date: 4/21/23

Printed Name: Martha Vangen

Property Owner Signature: Martha Vangen

Date: 4/21/23

Printed Name: Martha Vangen

This is our formal request for a fence height variance at 1077 Kinder Drive, Waconia, legally described as Block 1, Lot 6, Pheasant Ridge 4th Addition, Carver County, Minnesota.

The variance is being requested for the following reasons:

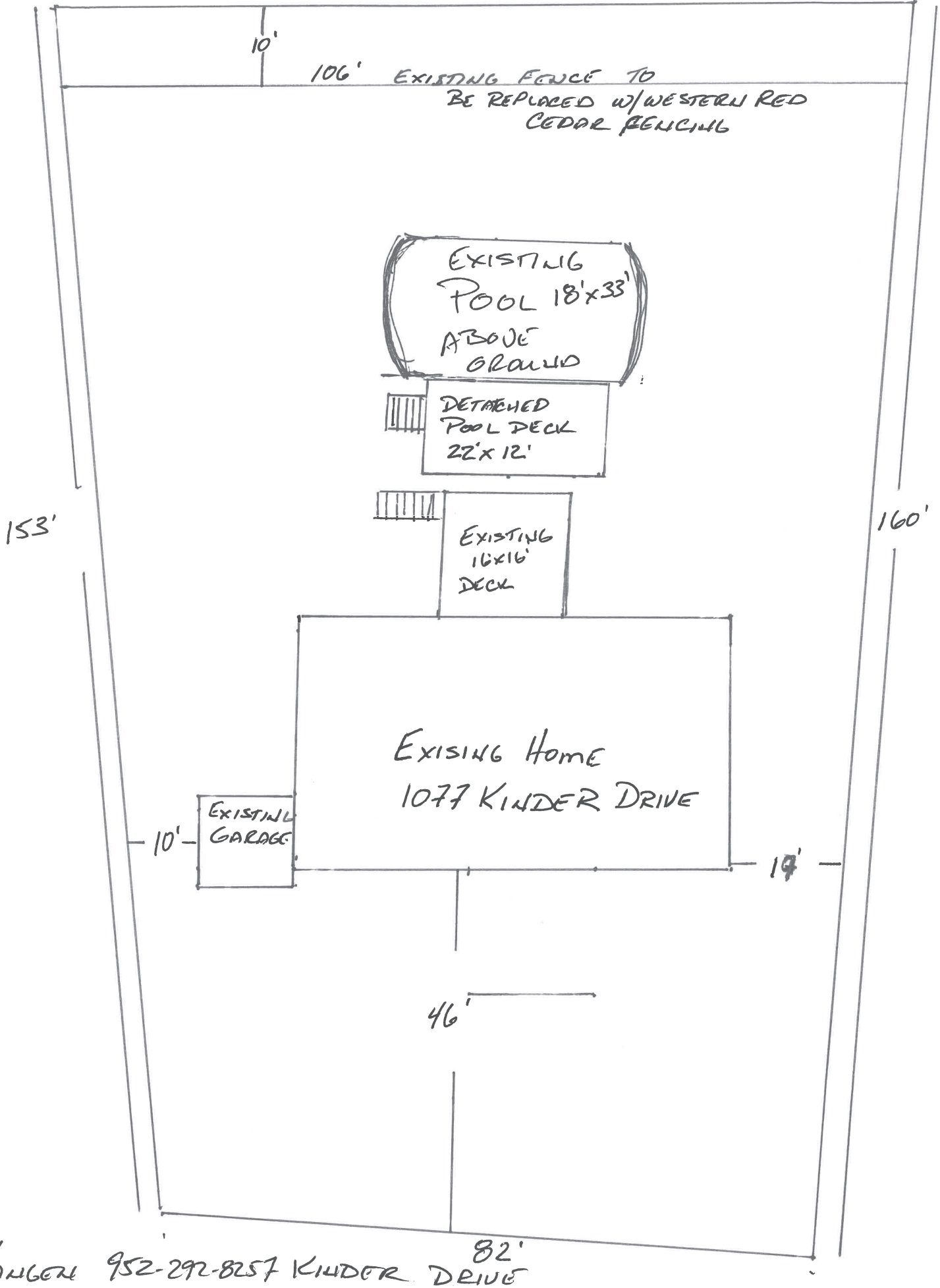
1. The paved trail that abuts our backyard on the south side of home was raised last summer (2022) by the city. The exact height the trail was raised is not known but it was raised to the extent that people walking behind our home now have a Birdseye view into our yard. The new trail height is anywhere from 19" to 26" above the base of our fence using a string level from trail to existing fence. Our current 4' chainlink fence with screening used to give us adequate privacy to enjoy our backyard prior to the construction. As further evidence to the height change, our neighbors to the east, put up a 6' privacy fence (2022) and now people passing by on the trail can look over their fence and into their yard. A 6' high fence will not give the privacy we need to use and enjoy our backyard. A 7'6" fence height will allow us the privacy from passerby on the trail. This new privacy height will feel like a 6' high fence from the raised trail given the height difference from where our fence base is and the trail. The road and trail construction that has affected our use and enjoyment of our backyard/home was not in our control.
2. We believe the road was also lifted during the 2022 construction. This has created a more noticeable difference in our view looking out into our backyard and has increased the sound level of passing cars. Not to mention the traffic increase due to the new development with over 200 homes going in just to the west. Building a higher fence will help dampen the sound not only into our backyard but also into our home. It also will hopefully stop people who feel the need to honk their approval as they pass in their cars.
3. The installed light along the path behind our home sits very high and shines all night long into our home. This is irritating as my husband often works late at night and the light is shining into his eyes when he faces the window. We want to screen the light from our view so he can work in his office without annoyance from light.
4. We are not asking for any special privilege but only to have the peaceful privacy to use and enjoy our back yard like our neighbors who do not abut a public trail or county road. This variance will not impede the use and enjoyment of our neighbors nor diminish their property values.

For the above reasons stated, we do not have the same use and enjoyment of our backyard as we did prior to the trail and road construction in 2022. We do believe that we will have more use and enjoyment with the addition of an 7'6" fence as described in our application.

Thank You.

Sincerely,

1077 10 1077 KINDER DRIVE FENCE PROPOSAL
PART 1/ TRAIL North



WALTON
952-292-8257

1077 KILDER DRIVE PROPOSED FENCE
REPLACEMENT FOR 106' ON BACK LOT LINE

MAY 2023

1 1/8" = 1'

1 1/8" = 1'



- 18 POST 4"x4"x6 FEET TRIMMED FOR GROUND CONTACT
SET IN CONCRETE
- HOLES - 42" DEEP
- POSTS - CUT TO 7'6" ABOVE GROUND & CAPPED BY 2"x4" LUMBER

(WESTERN RED)
CEDAR FENCING SET IN HORIZONTAL POSITION TO A
HEIGHT OF 7'6" ABOVE GROUND
3/8" x 6" x 6" FENCING / CH

FRAMING TOWARD PROPERTY HOME WILL CONSIST OF
2x4x12 GREEN TREATED LUMBER

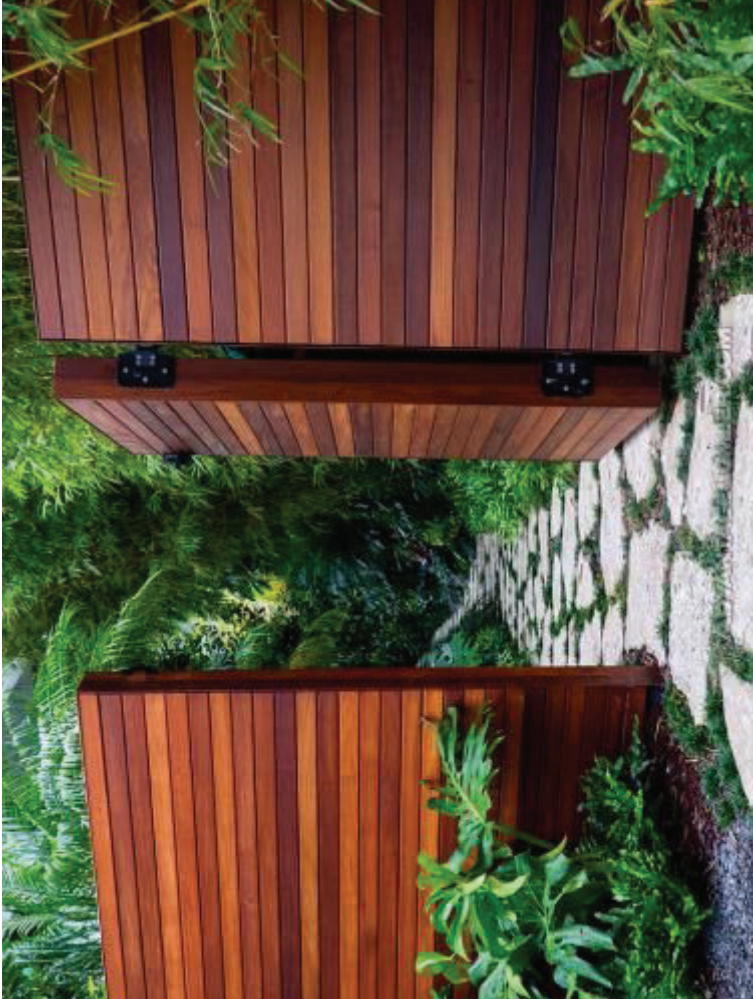
1 1/8" = 1'

7'6"



VIEW FROM TRAIL

SEAM BOARD WILL BE CEDAR



Close

5/8 in. x 6 in. x 6 ft. Western Red Cedar Dog-Ear Fence Picket

by Alta Forest Products

Related Videos & 360° View

Product Images

6 ft

5/8

Alta F

5/8

★ ★ ★

Exclusiv

Alta F

5/8

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Feedback

Live Chat















REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date: June 1, 2023

Item Name: PUBLIC HEARING - Amend Section 900.10 Sign Regulations - Lamar Advertising

Originating Department: Community Development

Presented by: Lane Braaten

Previous Commission Action (if any):

Item Type (X only one):	Consent		Regular Session	X	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.

Recommend approval or denial of the proposed amendment to Section 900.10, which would permit dynamic signage on off-premises signs, including billboards and other outdoor advertising signage.

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

APPLICANT INFORMATION

Applicant: Lamar Advertising

REQUEST

The applicant, Lamar Advertising, has submitted an Ordinance Amendment application proposing to amend Section 900.10 Sign Regulations to allow dynamic signage on off-premises signs. Specifically, they are proposing language to convert existing non-conforming billboard signs to dynamic message boards that would be allowed to change every 8 seconds.

APPLICABLE ORDINANCE PROVISIONS:

1. Section 900.10 - Sign Regulations

SIGN REGULATION DEFINITIONS:

"Dynamic sign" means a sign or portion thereof that appears to have movement or that appears to change using any method other than a person physically removing and replacing the sign or its components. For example, any sign or portion thereof that rotates, revolves, moves, flashes, blinks or changes color or intensity of illumination (using a method other than a person physically removing and replacing the sign or its components) is a dynamic sign. Further, any sign or portion thereof that incorporates LED lights, "digital ink" or any other method or technology that allows the sign face to present a series of images or displays is a dynamic sign.

"Freestanding sign" means a sign that is placed in the ground and not affixed to any part of any structure.

"Monument sign" means any one-sided or two-sided free-standing sign with its entire sign area mounted on the ground or mounted on a base at least eighty percent (80%) as wide as the sign area.

"Non-conforming existing sign" means a sign lawfully existing prior to the adoption of these regulations, but not conforming to the newly enacted requirements of these regulations.

"Off-premises commercial sign" means a sign (including any structure whose primary purpose is to support such sign) advertising a business, commodity or service (including those of nonprofits) which business, commodity or service is not located or performed on the premises of record where the sign is located (e.g., billboards and other outdoor advertising).

"Permitted dynamic sign" means a a) rotating barber pole; or b) any other dynamic sign that meets all the following requirements:

- i. It appears to move or change no more than once every ten (10) minutes or it solely displays time and temperature readings irrespective of the frequency of movement or change; and
- ii. The images or messages displayed between transitions are static and each transition from one display to the next is instantaneous and without special effects (e.g., scrolling messages or flashing messages); and
- iii. The images or messages displayed are complete in themselves, without continuation in content from one display to the next.

"Sign" means any letter, symbol, device, poster, mural, picture, statuary, reading matter or representation that is displayed outdoors for informational, communicative or artistic purposes.

"Sign area" means the entire area within a continuous perimeter enclosing the extreme limits of the sign message and background. However, such perimeter shall not include any structural elements lying outside of such sign and not forming an integral part of the sign. The area of a sign within a continuous perimeter shall be computed by means of the smallest circle, rectangle or triangle that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the building façade against which it is placed.

BACKGROUND:

Lamar Advertising ("the applicant") provides billboard signage within the community. In previous conversations with the applicant, they were made aware that the city would not allow existing static billboard signage to be converted to an electronic message board/dynamic display as this would be considered an expansion of an existing non-conforming sign (see attached City Attorney comments dated August 8th, 2018). As such, the applicant is requesting an amendment to the Sign Regulations to allow conversion of the existing static structures, which would allow increased advertising power of local businesses.

ORDINANCE AMENDMENT ANALYSIS:

1. Based on a staff review, it appears there are four (4) off-premises signs that would be affected by the proposed ordinance amendment. They include:
 - i. Billboard – located between the Ford dealership and Subway
 - ii. Billboard – located near the intersection of Hwy. 5 and Hartmann Drive
 - iii. Billboard – located on the south side of Hwy. 5 and the intersection with Birch Street South
 - iv. Movie Theatre/Downtown Waconia Sign – located at the corner of Olive Street and Hwy. 5
2. The existing signs referenced above were either constructed and placed prior to the adoption of the City Sign Regulations or were allowed as part of a variance request (see former movie theatre sign). By definition, this makes the off-premises commercial signage existing legal non-conforming structures.
3. Off-premises Commercial signs (e.g. billboards) are currently prohibited by the City Sign Regulations.
4. Each non-conforming existing sign shall be permitted to remain until such time as the use of the sign materially changes, the premises of record on which the non-conforming existing sign is located is subdivided, or the non-conforming existing sign is removed or replaced. At such time, the non-conforming existing sign shall be brought into full compliance with these regulations. This shall not prevent routine maintenance or repair of any non-conforming existing sign.
5. The current sign regulations allow movement or change of the dynamic signage once every ten minutes. The applicant is proposing the sign copy would be changeable every eight (8) seconds, which is a significant deviation from our existing standards.

PUBLIC NOTICE/COMMENT:

The notice was published in the WACONIA PATRIOT on May 18th, 2023, and posted at Waconia City Hall. As of May 25th, 2023, the city has not received any public comments pertaining to this proposed ordinance amendment.

RECOMMENDATION:

The Planning Commission is required to hold a Public Hearing to discuss the proposed draft ordinance language.

The Planning Commission should review the attached information and make a recommendation to the City Council, which would be considered at their upcoming meeting on June 20th, 2023.

Attachments:

1. [Ordinance Amendment Application and Information.pdf](#)
2. [20180808_Billboard Memorandum.pdf](#)
3. [Section 900.10 Sign Regulations - Existing City Code.pdf](#)

FINANCIAL IMPLICATIONS:

Funding Sources & Uses:

Budget Information:

_____ Budgeted
_____ Non Budgeted
_____ Amendment Required



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

ORDINANCE AMENDMENT

APPLICANT INFORMATION

1. Applicant's Name: Lamar Advertising
2. Mailing Address: P.O. Box 865, St. Cloud, MN 56302
3. Daytime Phone(s): 320. 253. 3000
4. Email Address: dlaubach@lamar.com

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

OFFICE USE ONLY

Date Received: _____

Application Fee: \$ 350.00
Escrow Fee: \$ 500.00
Receipt #: _____



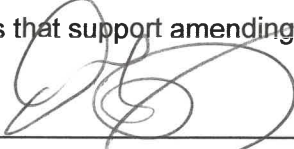
CITY OF WACONIA
201 South Vine Street
Waconia, MN 55387
Phone: (952) 442-2184 Ext. 2
Fax (952) 442-2135
www.waconia.org

ORDINANCE AMENDMENT

1. Reference specific part of the ordinance to be amended: Section 900.10
10 "Dynamic Signs"
2. Description of the amendment request: To allow conversion on
Existing Static Structures
3. Reason for the amendment request: To increase advertising power of
local business.

THE FOLLOWING INFORMATION MUST BE SUBMITTED IN ORDER TO PROCESS THE REQUEST

1. Payment of application fee of \$350.00 and an escrow payment of \$500.00. Additional consulting review fees may apply, such as civil engineering and legal counsel.
2. Any studies or reports that support amending the ordinance.

Applicant's Signature: 

Date: April 27, 2023

Printed Name: Don Laubach

Electronic Message sign are permitted on existing structures located in the Industrial and Commercial Districts; however, there shall be no blinking, flashing, scrolling animation, or motion on the display. The message must be static.

MELCHERT • HUBERT • SJODIN, PLLP

MEMORANDUM

DATE: August 8, 2018

TO: Lane Braaten, Community Development Director

FROM: Mike Melchert, City Attorney

RE: Billboard Request by Lamar Advertising

Lamar Advertising (“**Lamar**”) owns a parcel of land along Highway 5 (PID 75.0245400) that has a traditional (i.e., static print) billboard on it. The City of Waconia (“**City**”) has received a request from Lamar to convert the traditional billboard to a dynamic, electronic billboard. For the reasons discussed below, I recommend the City deny Lamar’s request.

The applicable billboard is an “Advertising Sign” under the §900.10, Subd. 2(A), of the Waconia City Code. Although Advertising Signs are prohibited in all zoning districts pursuant to §900.10, Subd. 3(A)(8), I understand the billboard predates this ordinance provision. Therefore, the billboard exists as a legal nonconforming sign pursuant to §900.10, Subd. 6(I).

The Waconia City Code has two zoning ordinance provisions applicable to nonconforming sign uses. The first can be found at §900.12, Subd. 12(A), which classifies legal nonconforming uses into two classes. Class 1 nonconformities are: i) uses that are not permitted in the district; and ii) uses that are permitted in the district but violate one or more lot requirements by more than 50%. Class 2 nonconformities are uses that are permitted in the zoning district and violate no district requirement by more than 50%. Because Advertising Signs are prohibited in all zoning districts, Lamar’s billboard is a Class 1 legal nonconforming use. Pursuant to §900.12, Subd. 12(A), Class 1 nonconforming uses may not be expanded. The second zoning ordinance provision can be found at §900.10, which has additional provisions regarding the alternation of legal nonconforming signs. Section 900.10, Subd. 6(I) states that legal nonconforming signs may remain until use of the sign materially changes. This subdivision also notes the ordinance does not restrict maintenance or repair of legal nonconforming signs.

I understand that you, as the City’s Zoning Administrator, interpret the above provisions to preclude conversion of the traditional billboard to a dynamic, electronic billboard. I agree. Specifically, the proposal constitutes a prohibited expansion of the legal nonconforming use for the following reasons:

First, even if Lamar keeps the dimensions of the billboard the same, it would need to replace the entire display area to make it a dynamic, electronic sign. The express language of §900.10, Subd. 6(l), prohibits material changes to any legal nonconforming sign. This type of wholesale conversion is a material change. The third sentence of §900.10, Subd. 6(l) supports this conclusion. It states that §900.10, Subd. 6(l) “shall not prevent routine maintenance or repair to any such Signs.” What Lamar is proposing extends well beyond maintenance and repair.

Second, it seems unlikely Lamar could complete the conversion without increasing the dimensions of the billboard in some respect. At a minimum, it seems the width and/or weight of the sign would increase to accommodate the sign’s electronic components. This would constitute physical expansion of the nonconforming use.

Third, as proposed, Lamar would replace the billboard with a new unit that has additional, expanded capabilities. As a result, Lamar would be able to increase the number of advertisements it is able to display on its billboard and, in turn, increase its revenue from the billboard. This also represents an expansion of the nonconforming use in respect to the use itself.

900.10 SIGN REGULATIONS

Subd. 1 Purpose and Intent

The purpose of these sign regulations is to protect and promote the general welfare, health, safety and order within the City through the establishment of a comprehensive series of standards and procedures governing the erection, use and display of signs within the City, without regard to content. Accordingly, these regulations are intended to: i) promote signs that are compatible with their surroundings, considering a sense of concern for the visual amenities of the City; and ii) discourage unsafe, disorderly, indiscriminate or unnecessary use of signs. These sign regulations are not intended to create content-based restrictions or to allow content-based enforcement.

Subd. 2 Definitions

The following terms apply to Section 900.10:

“Abandoned sign” means a sign (including any structure whose primary function is to support such sign) whose: i) display surface remains blank for a period exceeding sixty (60) days; ii) which pertains to a time, building, event or purpose that passed or ceased to apply more than sixty (60) days prior to the then applicable date; or iii) that has remained for more than sixty (60) days after demolition of the building it served.

“Address sign” means a sign including postal identification numbers, whether written or in number form, and, optionally, the name of the street or building.

“Area identification sign” means a freestanding sign, on the identified premises, which identifies the name of a neighborhood, residential subdivision, multiple residential complex, shopping center, industrial area, office complex, park or any combination of the above.

“Awning sign” means a sign permanently affixed to an awning providing a shelter or cover over the approach to any building entrance or shading a window area.

“Banner” means a temporary sign made out of flexible paper, cloth or plastic-like material.

“Building face” means that portion of any exterior elevation of a building or other structure extending from grade to the top of a wall and the entire width of that particular building or structure elevation.

“Canopy and Marquee” means a roof-like structure projecting over the entrance to a building.

“Development” means a commercial use of three or more principal structures with common characteristics, as determined by the City, or a platted residential use of twenty or more lots with common characteristics, as determined by the City. Common characteristics may include shared access, similar architecture, single ownership or history of site plan review approval.

“Directional sign” means a sign erected on a premises of record by the owner of such property solely for the purpose of guiding vehicular and pedestrian traffic.

“District” means a City zoning district, as defined in the City’s zoning ordinance.

“Dynamic sign” means a sign or portion thereof that appears to have movement or that appears to change using any method other than a person physically removing and replacing the sign or its components. For example, any sign or portion thereof that rotates, revolves, moves, flashes, blinks or changes color or intensity of illumination (using a method other than a person physically removing and replacing the sign or its components) is a dynamic sign. Further, any sign or portion thereof that incorporates LED lights, “digital ink” or any other method or technology that allows the sign face to present a series of images or displays is a dynamic sign.

“Freestanding sign” means a sign that is placed in the ground and not affixed to any part of any structure.

“Government sign” means a sign that is erected or maintained by a governmental unit.

“Illuminated sign” means a sign or portion thereof that: i) incorporates an artificial light source as part of the sign including, but not limited to, a sign with LED lights, neon lights or an interior light; or ii) a sign that has an artificial light source directed upon it.

“Marquee sign” means a sign that is permanently attached to a marquee.

“Monument sign” means any one-sided or two-sided free-standing sign with its entire sign area mounted on the ground or mounted on a base at least eighty percent (80%) as wide as the sign area.

“Multi-tenant building” means a building: i) containing two or more tenants; ii) used by the owner of the premises of record and also containing one or more tenants; iii) that is a condominium; or iv) that is a cooperative. For purposes of these regulations, a “tenant” of a multi-tenant building means either: i) a lessee with a right to occupy a portion of a multi-tenant building on a full-time basis; or ii) an owner using a portion of a multi-tenant building on a full-time basis.

“Non-conforming existing sign” means a sign lawfully existing prior to the adoption of these regulations, but not conforming to the newly enacted requirements of these regulations.

“Off-premises commercial sign” means a sign (including any structure whose primary purpose is to support such sign) advertising a business, commodity or service (including those of nonprofits) which business, commodity or service is not located or performed on the premises of record where the sign is located (e.g., billboards and other outdoor advertising).

“Permitted dynamic sign” means a a) rotating barber pole; or b) any other dynamic sign that meets all the following requirements:

- i) It appears to move or change no more than once every ten (10) minutes or it solely displays time and temperature readings irrespective of the frequency of movement or change; and
- ii) The images or messages displayed between transitions are static and each transition from one display to the next is instantaneous and without special effects (e.g., scrolling messages or flashing messages); and

- iii) The images or messages displayed are complete in themselves, without continuation in content from one display to the next.

“Portable sign” means a sign designed to move from one location to another, not permanently attached to the ground or any other surface.

“Premises of record” means a lot or parcel that has been assigned a tax identification number by Carver County, Minnesota.

“Promotional device” means air inflated devices, banners exceeding forty (40) square feet in area, non-mechanical whirling devices, spotlights, or any sign resembling the same; provided, however, that banners forty (40) square feet in area or less shall not be considered promotional devices.

“Pylon sign” means any free-standing sign supported by a column like structure, posts or poles set firmly in or below the ground surface.

“Regulations” or “sign regulations” mean the ordinance contained in this Section 900.10.

“Roof sign” means a sign erected upon or above a roof or parapet of a building.

“Shielded light source” means, as applicable:

- i) For an artificial light source directing light upon a sign, a light source diffused or directed so as to eliminate glare and housed to prevent damage or danger.
- ii) For light source located within a sign, a light source shielded with a translucent material of sufficient opacity to prevent the visibility of the light source.
- iii) For a light source designed to directly display a message (e.g. LED and neon lighting), a light source specifically designed by its manufacturer for outdoor use.

“Sidewalk sign” means a temporary sign located on a public or private sidewalk adjacent to and directly in front of a building.

“Sign” means any letter, symbol, device, poster, mural, picture, statuary, reading matter or representation that is displayed outdoors for informational, communicative or artistic purposes.

“Sign area” means the entire area within a continuous perimeter enclosing the extreme limits of the sign message and background. However, such perimeter shall not include any structural elements lying outside of such sign and not forming an integral part of the sign. The area of a sign within a continuous perimeter shall be computed by means of the smallest circle, rectangle or triangle that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the building façade against which it is placed.

“Special event sign” means a temporary sign erected by a civic or other non-profit organization in connection with a fundraiser, festival, tournament, or other one-time or annual event; examples of which

are Winterfest, Music in the Park, Nickle Dickle Day, and the Carver County Fair.

“Street frontage” means the portion of a premises of record that abuts a public right-of-way.

“Temporary sign” means a sign placed on a premises of record for a specific purpose that is of limited time duration, after which the sign is to be removed, which does not necessarily meet the structural requirements for a permanent sign.

“Wall sign” means any sign that is affixed to the wall of any building or structure.

“Window sign” means any letter, symbol, device, poster, mural, picture, statuary, reading matter or representation that is placed inside a window or upon the interior side of a window pane and that is visible from the exterior of the window. It does not include merchandise on display.

“Zoning Administrator” means the zoning administrator appointed by the City Council or such person’s designee.

Subd. 3 General Provisions Applicable to All Districts.

- A. Required Signs. In all districts, one address sign is required for each premises of record with a building. If a premises of record has multiple buildings with separate addresses, then one address sign is required for each separate address. Each address sign shall be attached flat against a wall of the building on which it is located and have letters/numerals at least four (4) inches high with a minimum stroke width of one-half (1/2) inch. The sign area of an address sign shall not exceed: i) two (2) square feet in the R-1, R-2, R-4 Agricultural, Shoreland, Public and Conservation Districts; or ii) four (4) feet in any other district.
- B. Prohibited Signs. The following signs are prohibited in all districts:
1. Signs in, upon or projecting into any public right-of-way or easement, excepting government signs typically found in a public right-of-way or easement (e.g. traffic control and street signs);
 2. Off-premises commercial signs;
 3. Banners, except as expressly allowed by these regulations;
 4. Signs painted, attached, or in any manner affixed to trees, rocks or similar natural surfaces;
 5. Signs painted directly on the wall or roof of a building or other structure;
 6. Signs that obstruct any window, door, fire escape or opening intended to provide ingress or egress to any building or other structure;
 7. Pylon signs;

8. Signs that fly or float, such as blimps or kites, whether attached or unattached to the ground or an object thereon;
 9. Signs on a vehicle or trailer where the primary purpose of the vehicle or trailer in that location is its use as a sign;
 10. Portable signs, except for freestanding temporary signs as expressly allowed by these regulations;
 11. Signs that interfere with the ability of vehicle operators or pedestrians to see traffic signs or signals or signs that interfere with the ability of vehicle operators or pedestrians to see other traffic;
 12. Abandoned signs;
 13. Roof signs;
 14. Signs mounted on a dock or floatation device attached to a dock;
 15. Dynamic signs that are not permitted dynamic signs;
 16. Signs that contain or are an imitation of an official traffic sign or signal; and
 17. Any sign not expressly permitted by the provisions of these sign regulations, other than a non-conforming existing sign.
- C. Election Season Preemption. Noncommercial signs are allowed on private property in all districts during election season to the extent required by Minnesota Statutes §211B.045, as amended. Except as preempted by Minnesota Statutes §211B.045, these sign regulations control.
- D. Freestanding Temporary Signs. Freestanding temporary signs are allowed in all districts subject to the following restrictions and qualifications:
1. No more than one freestanding temporary sign shall be placed on a premise of record at any given time.
 2. The placement of a freestanding temporary sign on a premises of record is limited to a maximum of sixty (60) days during any calendar year, which days may be consecutive or non-consecutive. This restriction applies, in aggregate, to all freestanding temporary signs placed on a premises of record during a calendar year.
 3. Each freestanding temporary sign shall:
 - a. Not exceed eight (8) feet in height;
 - b. Not exceed fifteen (15) feet in width;

- c. Not exceed thirty-two (32) square feet in sign area; and
- d. Not be closer than ten (10) feet from the boundary line of a premises of record or any right-of-way.
- 4. Garage sale signs are separately addressed by these regulations and shall be allowed in addition to the freestanding temporary signs described above.
- 5. Construction signs are separately addressed by these regulations and shall be allowed in addition to the freestanding temporary signs described above.
- E. Banners. Banners forty (40) square feet in area or less are permitted as follows:

- 1. One such Banner is permitted per premises of record, unless the premises of record contains a multi-tenant building, in which case the following shall apply:

<u>Number of Tenants</u>	<u>Number of Banners Allowed:</u>
1 through 7	1
8 through 11	2
12 through 15	3
16 through 19	4
20 through 23	5
24 through 27	6
28 through 31	7
32 or more	8

- 2. The placement of a banner at a premises of record is limited to a maximum of sixty (60) days during any calendar year, which days may be consecutive or non-consecutive. This restriction applies, in aggregate, to all banners placed on a premises of record during a calendar year.
- 3. Each banner shall be located on the wall of a building or structure.
- 4. A banner may be used in place of an approved wall sign if the banner is approximately equal in size to the approved wall sign and there is intent to replace the banner with the wall sign once the wall sign becomes available for installation. Any such banner shall be allowed until the applicable wall sign is installed or for a period of one-hundred and eighty (180) days from the date the banner is first placed on the building, whichever occurs first.
- F. Properties for Lease or Sale. In addition to any temporary sign permitted elsewhere in these regulations, a temporary sign may be placed on any premises of record that is actively being marketed for lease or sale, subject to the following restrictions:
 - 1. Each such temporary sign shall be removed within seven (7) days following the date of leasing or sale.
 - 2. The maximum sign area for each such temporary sign is as follows:

- a. R-1, R-2, R-4, Agricultural, Conservation and Shoreland Districts – nine (9) square feet.
 - b. R-3 and R-5 Districts – eighteen (18) square feet.
 - c. B-1, B-2, B-3, B-4, I-1, I-2, and Public Districts – thirty-two (32) square feet
- 3. No such temporary sign shall exceed eight (8) feet in height.
- G. Garage Sale Signs. In addition to any temporary sign permitted elsewhere in these regulations, garage sale signs with a sign area of four (4) square feet or less are allowed during the duration of a garage sale. Any such garage sale signs shall be removed within one (1) day after the end of the sale. Garage sale signs shall not be located in any public right-of-way or easement. The City shall have the right to remove and destroy signs not conforming to this provision. The City shall assess a fee of five dollars (\$5.00) per sign removed by the City pursuant to this provision.
- H. Construction Signs. If the City issues a grading or building permit for a premise of record, a sign twenty-four (24) square feet in area or less may be placed on the premises of record while the grading or building permit is in effect. For purposes of these regulations, a permit shall be deemed to be in effect from the date it is issued until the date it expires pursuant to its terms.
- I. Special Event Signs. Special event signs are permitted in all districts subject to the following restrictions:
 - 1. No more than three (3) special event signs are allowed within the City for any given special event. Further, each premises of record is limited to one (1) special event sign.
 - 2. Special event signs may be erected and maintained for a period not to exceed thirty (30) days prior to the date of the special event and shall be removed within two (2) business days following the special event.
 - 3. The maximum sign area for each special event sign is as follows:
 - a. R-1, R-2, R-4, Agricultural, Conservation and Shoreland Districts – nine (9) square feet;
 - b. R-3 and R-5 Districts – eighteen (18) square feet; and
 - c. B-1, B-2, B-3, B-4, I-1, I-2 and Public Districts – thirty-two (32) square feet.
- J. Promotional Devices. Promotional devices are prohibited except when used in conjunction with a grand opening (the initial commencement of business). For a grand opening, Promotional Devices shall be allowed for the week, or part thereof, of the grand opening (a week, for purposes of this grammatical paragraph only, meaning from Monday to Sunday). Promotional Devices may not be attached to or placed on a building or other structure and

may not exceed building height permitted by Code for the applicable district. On the Monday following such grand opening, all promotional devices shall be removed.

- K. Canopy and Marquee Signs. One sign is permitted on each side and front of a Canopy and Marquee, but no Canopy and Marquee shall be considered part of the wall area of a building and thus shall not warrant additional sign area.
- L. Illuminated Sign Standards. The following standards apply to illuminated signs allowed by these regulations:
1. Each illuminated sign shall have a shielded light source;
 2. Each illuminated sign shall be equipped with: i) an automatic dimmer control to produce the light intensity changes required by these regulations; and ii) a means to immediately turn off the display or lighting if the illuminated sign malfunctions.
 3. No illuminated sign shall, at any given time, exceed a brightness level of 0.3 foot-candles above ambient light as measured by a foot-candle (Lux) meter using the following procedure:
 - a. At least thirty (30) minutes past sunset, the ambient light level shall be measured while the illuminated sign is off, displaying all black copy or completely blocked from displaying any light.
 - b. After the ambient light level is measured, a second measurement of the fully operational illuminated sign shall be taken.
 - c. If the difference between the ambient and fully operational measurements is 0.3 foot candles or less, the brightness is properly adjusted; otherwise, the illuminated sign must be adjusted to comply with the brightness adjustment standard set forth above.
 - d. Each required meter reading shall be taken at the measurement point described below while the meter is aimed toward the center of the illuminated sign.
 - e. The measurement point shall be five feet above the finished grade at the following distance in front of the illuminated sign:

Lighted Area of Illuminated Sign (measured in square feet)	Distance from Illuminated Sign (measured in linear feet)
10 or less	32
More than 10 but less than or equal to 20	45
More than 20 but less than or equal to 30	55

Lighted Area of Illuminated Sign (measured in square feet)	Distance from Illuminated Sign (measured in linear feet)
More than 30 but less than or equal to 40	63
More than 40 but less than or equal to 50	71
More than 50 but less than or equal to 60	77
More than 60 but less than or equal to 70	84
More than 70 but less than or equal to 80	89
More than 80 but less than or equal to 90	95
More than 90 but less than or equal to 100	100
More than 100 but less than or equal to 110	105
More than 110 but less than or equal to 120	110
More than 120 but less than or equal to 130	114
More than 130 but less than or equal to 140	118
More than 140 but less than or equal to 150	122

4. Prior to the issuance of a sign permit for an illuminated sign, the applicant shall provide a written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed the light intensity levels allowed by these regulations.
5. A person that owns or otherwise controls an illuminated sign shall adjust the illuminated sign, in accordance with the City's instructions, to meet the light intensity standards set forth in these regulations. Such adjustment shall be made immediately upon notice of non-compliance from the City.

M. Substitution. Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.

Subd. 4 District Regulations. Signs are permitted in the districts as follows:

A. R-1, R-2, R-4, Agricultural, Shoreland, Public and Conservation Districts.

1. Institutional and public recreational signs. One monument sign per premises of record is permitted for a church, public institution or recreational facility. The sign area of each such monument sign shall not exceed thirty-two (32) square feet. The dimensions of each

monument sign structure shall not exceed fifteen (15) feet in width and six (6) feet in height, and no monument sign shall be placed closer than ten (10) feet to any public right-of-way line. In addition to any monument sign, one wall sign will be permitted on each building face, not to exceed two wall signs per building. The sign area of each such wall sign shall not exceed 5% of the building face on which it is located.

2. Area identification signs. A residential subdivision of twenty (20) or more acres is permitted a maximum of two (2) monument signs. The sign area of each such monument sign shall not exceed fifty (50) square feet. The dimensions of each monument sign structure shall not exceed fifteen (15) feet in width and six (6) feet in height. Such monument signs shall be located near the main entrances of the subdivision and shall be limited to one (1) monument sign per intersection.
3. Directional signs. Directional signs for non-single-family uses are allowed up to three (3) per premises of record. The sign area of each such directional sign shall not exceed four (4) square feet.

B. R-3 and R-5 Districts.

1. Multiple Family Dwellings, Institutional and Public Recreational Signs. One monument sign per premises of record will be permitted for an apartment building, multiple-family townhome, church, public institution or recreational facility. The sign area of each such monument sign shall not exceed thirty-two (32) square feet. The dimensions of each monument sign structure shall not exceed fifteen (15) feet in width and six (6) feet in height, and no monument sign shall be placed closer than ten (10) feet to any public right-of-way line. In addition to any monument sign, one wall sign will be permitted on each building face, not to exceed two wall signs per Building. The sign area of each such wall sign shall not exceed 5% of the building face on which it is located.
2. Area Identification Signs. A residential subdivision of twenty (20) or more acres will be permitted a maximum of two (2) monument signs. The sign area of each such monument sign shall not exceed fifty (50) square feet. The dimensions of each monument sign structure shall not exceed fifteen (15) feet in width and six (6) feet in height. Such monument signs shall be located near the main entrances of the subdivision and shall be limited to one (1) monument sign per intersection.
3. Directional Signs. Directional signs for non-single-family uses are allowed up to three (3) per premises of record. The sign area of each such monument sign shall not exceed four (4) square feet.

C. B-1 and B-4 Districts.

1. Monument Signs. One monument sign is allowed per premises of record. The maximum sign area of each such monument sign shall be based on the Street Frontage of the premises of record on which such monument sign is located as follows:

FRONTAGE:	MAX. Sign Area in Square Feet:
0 – 199'	40
200 – 299'	50
300' +	60

- a. For corner lots, the owner of the premises of record shall decide which Street Frontage of the applicable property will be used to calculate the maximum sign area allowed (i.e. the owner may choose one side of the property with Street Frontage or the other, but not both). The monument sign must be located on the side of the premises of record that was used to perform the above calculation.
 - b. No monument sign structure shall exceed 15 feet in height or 15 feet in width. The monument sign structure shall not exceed 150 square feet.
 - c. For multi-tenant buildings, one monument sign per premises of record is allowed. The sign area of each such monument sign shall not exceed 120 square feet, with a maximum sign area of 50 square feet per tenant.
 - d. Each monument sign shall be constructed of materials similar in appearance to those of the principal building that it serves. The ground area around the base of each monument sign shall be landscaped with shrubs and landscaping equal to fifty percent (50%) of the sign area. Landscape materials shall be selected to withstand the environmental conditions of the site and provide seasonal interest.
 - e. No monument sign shall be placed closer than ten (10) feet to any public right-of-way line.
2. Wall Signs. Wall signs are allowed as follows:
- a. For buildings other than multi-tenant buildings, any one of the following configurations is allowed:
 - i) One (1) wall sign covering a maximum of 10% of the building face on which it is located.
 - ii) Two (2) wall signs located on separate building faces, each covering a maximum of 10% of the building face on which it is located.
 - iii) Three (3) wall signs located on separate building faces, one (1) covering a maximum of 10% of the building face on which it is located and each of the other two (2) covering a maximum of 5% of the building face on which it is located.
 - iv) Four (4) wall signs located on separate building faces, each covering a maximum of 5% of the building face on which it is located.
 - b. For multi-tenant buildings, wall signs may cover a maximum of 10% of each building

face. Further, the number of wall signs located on any building face shall not exceed the number of tenants in a multi-tenant building, subject to the limitations contained in the next two sentences. Wall signs associated with the tenant's use may only be placed on exterior walls of the tenant's space. A tenant shall be allowed up to a maximum of two (2) wall signs with each wall sign located on a separate building face.

- c. Wall sign colors and materials shall coordinate with the building face to which the wall sign is attached.
 - d. Wall signs shall use dimensional letters and logos, be back lit or illuminated with a shielded light source if the wall sign is illuminated and be compatible with the building and other signage if a multi-tenant building.
 - e. One wall sign shall be permitted on each building face, not to exceed two wall signs per building. For multi-tenant buildings, one wall sign for each tenant is allowed provided that the building face coverage limitation set forth below is met.
 - f. A maximum of 10% of any building face may be used for a wall sign.
 - g. Wall signs shall not project above the roof level.
 - h. Wall sign colors and materials shall coordinate with the building face to which the wall sign is attached.
 - i. Wall signs shall use dimensional letters and logos, be back lit or illuminated with a shielded light source if the wall sign is illuminated and be compatible with the building and other signage if a multi-tenant building. Symbols, pictorial presentations, illustrations, or decorations (anything other than wording) shall not occupy more than 15% of the allowed sign area.
3. Development Identification Signs. For every 1,000 lineal feet that a development fronts a county or state highway, one area identification sign is allowed, up to a maximum of two signs, not to exceed a sign area of fifty (50) square feet per area identification sign. A minimum of 1,000 lineal feet is required for area identification sign eligibility. Area identification signs must not exceed six (6) feet in height and fifteen (15) feet in width. No area identification sign shall be placed closer than ten (10) feet to any public right-of-way line. Each area identification sign shall only identify the name of the development and shall not contain the name(s) of individual tenants. The area identification sign may not contain advertising.
4. Auto Service Station Signs. Signs on gas pump island canopies shall not exceed 10% of the canopy face.
5. Directional Signs. Up to three directional signs per premises of record are permitted. The sign area of each directional sign shall not exceed five (5) square feet.

D. B-2 and B-3 Districts.

1. Monument Signs. Where a building does not cover the full area of the property, one monument sign is allowed per premises of record. The sign area of any such monument sign shall not exceed thirty-two (32) square feet. The structure of each such monument sign shall not exceed twelve (12) feet in height or six (6) feet in width.
2. Wall Signs. For buildings other than multi-tenant buildings, one wall sign is permitted per building face, not to exceed two wall signs per building. For multi-tenant buildings, the number of wall signs located on any building face shall not exceed the number of tenants in a multi-tenant building, subject to the limitations contained in the next two sentences. Wall signs associated with a tenant's use may only be placed on exterior walls of the tenant's space. A tenant leased space with multiple building faces shall be allowed up to a maximum of two (2) wall signs with each wall sign located on a separate building face. In regard to all buildings, the following requirements apply to wall signs:
 - a. A maximum of 10% of the building face may be used for a wall sign.
 - b. A wall sign shall not project above the roof level.
 - c. The colors and materials of a wall sign shall coordinate with the building facade to which the wall sign is attached.
 - d. Wall signs shall use dimensional letters and logos.
 - e. If the wall sign is back lit or illuminated, it shall use a shielded light source.
3. Auto Service Stations. Signs on gas pump island canopies shall not exceed 10% of the canopy face.
4. Directional signs. Directional signs shall be allowed at the discretion of the City. The sign area of directional signs shall not exceed four (4) square feet.
5. Awning and Blade Signs. It shall be unlawful for any person within the City to erect, build, set up, place or keep any sign or wooden awning over any street or sidewalk in the City at a height less than eight (8) feet from and above such street and sidewalk. Further, it shall be unlawful for any person within the City of Waconia to erect, build, place, or keep any cloth awnings over any street or sidewalk at a height less than six and one half feet (6.5) above such sidewalk. One awning sign is allowed per premises of record, provided the sign area does not exceed eight (8) square feet. The sign area shall reduce, square foot for square foot, the sign area of any permitted wall signs on the same building. Awning signs shall be an integral part of the awning and shall not project above or below the vertical awning face.
6. Sidewalk signs. One sidewalk sign is permitted for each building frontage as a temporary sign. Any such sidewalk sign shall be a maximum of one and one-half (1.5 feet) in width and four (4) feet in height, including support members, with no more than two faces.

Plastic letters are not permitted. Sidewalk signs shall not limit pedestrian use of sidewalk and shall be removed at the end of each business day.

E. I-1 and I-2 Industrial Districts.

1. Monument Signs. One monument sign is allowed per premises of record. The sign area of any such monument sign shall not exceed sixty (60) square feet. The structure of each such monument sign shall not exceed eight (8) feet in height and fifteen (15) feet in width. No monument sign shall be placed closer than ten (10) feet to any public right-of-way line. For multi-tenant buildings, one monument sign per premises of record is allowed. The sign area of each such monument sign shall not exceed one hundred (100) square feet, with a maximum of sign area of fifty (50) square feet per tenant.
2. Wall Signs. For buildings other than multi-tenant buildings one wall sign shall be permitted per building face, not to exceed two wall signs per building. For multi-tenant buildings, wall signs may cover a maximum of 10% of each building face. Further, the number of wall signs located on any building face shall not exceed the number of tenants in a multi-tenant building, subject to the limitations contained in the next two sentences. Wall signs associated with the tenant's use may only be placed on exterior walls of the tenant's space. A tenant shall be allowed up to a maximum of two (2) wall signs with each wall sign located on a separate building face.
 - a. A maximum of 10% of the building face may be used for a wall sign.
 - b. Signs shall not project above the roof level.
 - c. Wall sign colors and materials shall coordinate with the building facade to which the wall sign is attached.
 - d. Wall signs shall use dimensional letters and logos, be back lit or illuminated with a shielded light source if the wall sign is illuminated and be compatible with the building and other signage if a multi-tenant building. Symbols, pictorial presentations, illustrations, or decorations (anything other than wording) shall not occupy more than 15% of the allowed sign area.
3. Area Identification Signs. One area identification sign per development entrance is allowed. The sign area of each such area identification sign shall not exceed fifty (50) square feet. Area identification signs must not exceed six (6) feet in height and fifteen (15) feet in width. No area identification sign shall be placed closer than ten (10) feet to any public right-of-way line. The area identification sign shall only identify the name of the industrial park.
4. Directional Signs. Up to four (4) Directional signs per premises of record are permitted. The sign area of each directional sign shall not exceed four (4) square feet.

F. F-1 District.

1. Wall Signs. Wall signs shall identify the names of buildings only. The sign area of wall signs shall not exceed five percent (5%) of the total area of the building face on which it is located.
2. Area identification Signs. One area identification sign shall be allowed per street frontage. The sign area of each area identification sign shall not exceed fifty (50) square feet in area. Area identification signs must not exceed ten (10) feet in height and fifteen (15) feet in width.
3. Off Premises Commercial Signs. Existing off premises commercial signs are non-conforming existing signs.

Subd. 5 General Design, Construction and Setback Requirements.

- A. General. Except as provided to the contrary in these regulations, a sign shall be designed as an integral architectural element of the building and site to which it principally relates. Materials and colors that are compatible with the character of the building and the surrounding environment should be used on all signage.
- B. Construction. All signs shall be constructed and maintained in conformance with applicable building code requirements. If supporting structures are used in the display of a sign, they shall be of a quality able to withstand the elements. Excessive or unnecessary supporting structures are prohibited.
- C. Setbacks. Except as provided to the contrary in these regulations, all freestanding signs shall meet the building setback requirements of the district in which the sign is located.

Subd. 6 Administration and Enforcement

- A. Sign Permit Required. No person or entity shall install, erect, relocate or modify any sign in the City without first obtaining a sign permit from the City, except as provided in Subd. 6, D. below.
- B. Permit Application.
 1. Applications for sign permits shall be made to the Zoning Administrator using an application form provided by the City. Each application must include the following information and supporting documentation:
 - a. The name and address of the owner of the sign;
 - b. The street address or location of the premises of record on which the sign is located, or will be located, along with the name and address of the owner of the premises of record;
 - c. The type of sign, as defined in these regulations;

- d. A site plan showing the location of the proposed sign;
 - e. Specifications and scale drawings showing the materials, design, dimensions, structural supports, method of attachment and electrical components of the sign;
 - f. A plan showing the location and size of all existing signs located on the same premises;
 - g. If the sign is a wall sign, a drawing to scale showing the location of the wall sign on the applicable building face and the percentage of the applicable building face covered by the wall sign;
 - h. If the sign is to be illuminated, all information required showing the sign will comply with these regulations; and
 - i. Any required sign permit fee.
2. No application will be considered complete until all required information and documentation is submitted to the City.
 3. The Zoning Administrator shall approve or deny a sign permit within sixty (60) days from the receipt of a complete application, including applicable fee. A copy of the decision will be made in writing and delivered to the applicant electronically at the email address provided in the application. In the alternative, the applicant may request notification via U.S. Mail if the applicant provides a self-addressed, postage prepaid envelope at the time the permit application is submitted. If a permit application is denied, the reason will be stated in writing.
- C. Permit Fee. At the time of application, the applicant shall pay the permit fee listed in Chapter 1100 of the Waconia City Code unless an exemption listed in Subd. 6, D. applies. No fee shall be refunded in any circumstance, even if the permit application is withdrawn.
- D. Exemptions.
1. The following signs are exempt from both permit and fee requirements, but subject to all other provisions of these sign regulations:
 - a. Directional signs;
 - b. Address signs; and
 - c. Traffic control signs and street signs placed by a governmental entity in a public right-of- way.
 2. The following signs are exempt from fees, but subject to all other provisions of these sign regulations:

- a. Special event signs; and
 - b. Banners.
3. Noncommercial signs posted on private property during a political campaign in compliance with Minnesota Statutes 211.045, as amended, are exempt from the permit, fee and the other requirements of these regulations to the extent Minnesota Statutes 211.045, as amended, preempts these regulations. These sign regulations apply to such signs in all other circumstances.
- E. Planned Unit Developments and Large Developments. The City Council may recognize separate sign plans for planned unit developments and large developments that will supersede these regulations. To qualify as a large development, the development must include a commercial use of three or more principal structures with common characteristics, as determined by the City, or a platted residential use of twenty or more lots with common characteristics, as determined by the City. Common characteristics may include shared access, similar architecture, single ownership or history of site plan approval. Any such sign plan approved by the City Council will have the effect of a sign ordinance for the applicable premises of record. Such an individual sign plan will only be considered if: (i) the development includes a substantial site area and/or the sign plan is necessary to address the unique visibility needs of the development; and (ii) the City Council finds that the sign plan meets the purpose and intent of these regulations.
- F. Appeal. An applicant may appeal any denial of a sign permit application using the appeal procedure set forth in Section 900.12, Subd. 3, of the Waconia City Code.
- G. Variances. No variance shall be granted from these sign regulations unless such variance is granted pursuant to Section 900.12, Subd. 4, of the Waconia City Code.
- H. Maintenance. Any sign in a state of disrepair shall be restored to good condition and repair by the owner thereof or the owner of the premises of record on which the sign is situated within twenty-one (21) days after the mailing of written notice of repair from the City. In the event of non-compliance with said notice, the City may, at its option, repair or remove such sign at the expense of the owner thereof or the owner of the applicable premises of record, which persons/entities shall be jointly and severally liable for any such removal or repair. The City may enter, at reasonable times, any property to inspect or re-inspect any sign.
- I. Dangerous Signs. The City may remove any sign that endangers the public safety, such as a dangerous or structurally unsound sign, or any sign for which no permit was issued. The City shall prepare a notice describing the sign, specifying the violation involved and stating that, if the sign at issue is not removed or the violation is not corrected within five (5) days, the sign shall be removed at the expense of the owner thereof or the owner of the applicable premises of record, which persons/entities shall be jointly and severally liable for the cost of any such removal.
- J. Non-Conforming Existing Signs. Each non-conforming existing sign shall be permitted to remain until such time as the use of the sign materially changes, the premises of record on

which the non-conforming existing sign is located is subdivided, or the non-conforming existing sign is removed or replaced. At such time, the non-conforming existing sign shall be brought into full compliance with these regulations. This shall not prevent routine maintenance or repair to any non-conforming existing sign.

- K. Severability. If any subsection, division, sentence, clause or phrase of these sign regulations is for any reason held to be invalid, such determination shall not affect the validity of the remaining portions of these regulations. The City Council hereby declares it would have adopted these regulations irrespective of the fact that any one or more subsections, divisions, sentences, clauses, or phrases be declared invalid.



REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date:	June 1, 2023
Item Name:	Continued - SITE PLAN & DESIGN REVIEW and VARIANCE - Waconia 1 Collision & Auto
Originating Department:	Community Development
Presented by:	Ethan Nelson
Previous Commission Action (if any):	Planning Commission motioned to table the agenda item on May 4, 2023 via a 4-0 vote.

Item Type (X only one):	Consent		Regular Session	X	Discussion Session	
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RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED (Include motion in proper format.)

Provide a recommendation to the City Council regarding the proposed Site Plan & Design Review and Variance applications submitted by Sperides Reiners Architects - Jeff Gears & Laura Cragoe for the property located at 500 and 524 Elm Street South

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

BACKGROUND

Applicant: Sperides Reiners Architects - Jeff Gears & Laura Cragoe

Owner: Chad & Michelle Bijou

Address: 500 and 524 Elm Street South

PID# 755000500 & 755000490

Zoning: B-1, Highway Business District

Design District: Highway District

REQUEST

The applicant, Sperides Reiners Architects - Jeff Gears & Laura Cragoe (the "Applicants"), on behalf of Chad & Michelle Bijou (the "Property Owners"), have submitted a Site Plan and Design Review and Variance application for the property located at 500 and 524 Elm Street South (the "Subject Parcel"). The applicant is proposing to construct an addition to the principal structure and make site improvements on the respective properties. Based upon the comments from the Planning Commission during their regular session on May 4th, 2023, the revised applications include the following:

1. Site Plan and Design Review for expansion of the existing building and site which includes removal of the existing residential structure on 500 Elm Street South
2. Variance request to allow:
 - Hardcover surface to exceed the 80% maximum allowed in the B-1, Highway Business District.
 - The proposed addition to exceed the minimum 35 ft. setback for lots adjacent to

residential districts.

- Site improvements that cause the off-street parking to be setback closer than 8 ft. to the road right-of-way.

APPLICABLE ORDINANCE PROVISIONS:

1. Section 900.05 – District Regulations, Subd. 2.F – B-1, Highway Business District
2. Section 900.06 - Supplementary Regulations, Subd. 9 - Architectural Design Standards
3. Section 900.06 - Supplementary Regulations, Subd. 8 - Environmental Protection Regulations
4. Section 900.07 - Landscaping and Fencing
5. Section 900.08 - Performance Standards
6. Section 900.09 - Off-Street Parking, Loading, and Access Regulations
7. Section 900.10 - Sign Regulations
8. Section 900.12 - Administration, Enforcement and Procedures
 4. 4. Variances
 5. 5. Conditional Use Permits
 6. 10 - Site Plan Review

SITE PLAN REVIEW

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.

EXISTING USE

500 Elm Street South currently has a residential home and related improvements. 524 Elm Street South has the existing Waconia 1 Collision and Auto building, sidewalk areas and off-street parking for the business.

ZONING

500 and 524 Elm Street South are both zoned B-1, Highway Business District. The proposed automotive use is permitted in the district.

LOT REQUIREMENTS

The subject properties are located in the B-1, Highway Business District. Section 900.05, Subd. 2.F of City Ordinances states "*The purpose of this district is to provide for an appropriate range of businesses that will be utilized by area residents as well as vehicular traffic generated from the surrounding area.*" The Lot Requirements for the Highway Business District are indicated in Table 1-1 below. It is important to note that the table assumes a future required lot combination of 500 and 524 Elm Street South. This requirement is reflected into the Existing and Proposed lot circumstances and requirements.

Table 1-1.*

	B-1, Highway Business District - Lot Requirements	Existing Site Improvements	Proposed Site Improvements
Lot Area	17,500 sq. ft.	35,645 sq. ft.	35,654 sq. ft.
Lot Width	100 ft.	159.27	159.27 ft.
Maximum Hardcover Surface	80%	Conforming	82.1%**
Front Yard Setback	25 ft.	73 ft.	48.9 ft.
Residential Alley Side Setback	35 ft.	24.2 ft.	24.2 ft.
Side Street Setback	20 ft.	14.7 ft.	14.7
Rear Yard Setback	20 ft.	64.2 ft.	64.2 ft.

*Assumes a future required lot combination of both 500 and 524 Elm Street South

** Sheet C2.0 - Site Plan indicates 82.1% Impervious, however Sheet A2 - Architectural Plan & Site Plan indicates 80.4%. The Planning Commission should clarify the correct figure with the applicant.

VEHICULAR ACCESS

The applicant currently utilizes the existing access of 524 Elm Street South for the principal structure for primary access and the alley for secondary access. The proposed site plan indicates an additional access on the north side of the building, which had been previously reviewed and deemed acceptable by the City Engineer.

SCREENING OF EQUIPMENT

The existing principal structure has rooftop units that are screened. It does not appear that additional mechanical equipment has been proposed. Any future mechanical equipment shall be screened.

OFF-STREET PARKING

The purpose of off-street parking regulation is to alleviate or prevent congestion of public streets, and to promote the safety and welfare of the public, by establishing minimum requirements for the off-street parking, loading and unloading of motor vehicles in accordance with the use to which the property is put.

The off-street parking requirements stated for motor vehicle service establishments are as follows:
Four (4) spaces for each 1,000 square feet of gross floor space, less storage space.

Additional Code Off-Street Parking Regulations (related to this application):

1. The replacement or expansion of an existing building shall comply with applicable parking requirements.
2. Adequate space for snow storage shall be provided on site so as not to reduce the required minimum number of parking spaces.
3. Trash, trash handling equipment and trash enclosures shall not occupy designated parking spaces.
4. All off-street parking facilities shall be designed and constructed according to the design standards stated in Section 900.09, Subd. 1.E.

Off-Street Parking Comments/Analysis

1. The applicant is proposing 39 parking spaces on the subject parcel, which includes existing area on the south side of the property, 6 parallel parking spaces on the west side towards the alley and 13 spaces on the north side. City Ordinance requires 36 parking spaces to conform to the motor vehicle service establishment standard of 4 spaces per 1,000 sq. ft. less storage.
2. The 2019 Site Plan approval included a Proof of Parking Agreement. The applicant shall remove the recorded Proof of Parking Agreement that was previously required by the Conditional Use Permit approval and meet off-street parking requirements as indicated by City code.
3. The applicant previously noted angled parking spaces which was proposed on the west side of the subject parcel towards the alley. That area has been revised to parallel parking with screening on the north and west side. The Planning Commission should review this area and discuss with the applicant to determine if the screening sufficiently meets the revisions requested from the prior meeting.

LANDSCAPING

900.07, Subd. 2.B of the City Ordinance requires one (1) tree for every one thousand (1,000) square feet of total building floor area or one (1) tree for fifty (50) feet of site perimeter, whichever is greater.

The total site perimeter is 765.8 lineal feet, which requires 15.3162, or 16 trees. The applicant is currently proposing 15 trees on the north side of the property around the proposed improvements. One additional tree shall be added to the landscaping plan to meet City requirements.

SIGNS

The applicant is not proposing any additional signage as part of the proposed addition. Any future signage shall require a separate sign permit application.

LIGHTING

Section 900.08, Subd. 1.C provides standards for exterior lighting. The City Code indicates “The intent of this subsection is to minimize the adverse effect of light and glare on operators of motor vehicles, pedestrians, and on residential and other land uses in the vicinity of a light source, to promote traffic and personal safety, and to prevent the nuisance associated with the intrusion of spillover light and glare.”

A lighting plan was not included in the initial submission, however it would appear the existing and proposed addition conform to City standards. Staff have required submission of a lighting plan to meet City requirements.

PEDESTRIAN ACCESS

There is an existing sidewalk extending along Elm Street South and an access walk into the street side façade of the former furniture store building and an internal site sidewalk extending from the parking area to the main front door that faces the south side of the property. No additional pedestrian access is proposed as part of the site plan.

TRASH

City Ordinance requires *“All trash and trash handling equipment to be stored within the principal structure, within an attached structure accessible from within the principal structure, or totally screened from eye -level view from public streets and adjacent residential properties. If accessory structures are proposed, they shall be constructed of the same building material as the principal structure.”*

The applicant has indicated the trash enclosure location on the north-east portion of the north parking lot. The enclosure is screened by a 6' privacy fence with black vinyl inserts. The Planning Commission should review this material and determine if this material is similar to the principal structure.

GRADING, DRAINAGE & UTILITIES

The Public Services Director and City Engineer have reviewed the revised plans dated May 18, 2023 and have found that the majority of the comments have been addressed adequately. Items that require additional discussion have been listed below:

1. The applicant response letter says the pavement section was increased (#14). However, the typical section still shows 3” of bituminous with 8” of aggregate rather than 4”/8”. This may have been missed on the plan revisions. With the clay soils, low elevations, and flat grades, this pavement section will have a shorter life span than on previous similar projects.

PLANNING & SITE PLAN ANALYSIS AND STAFF REVIEW COMMENTS:

1. The existing site is developed with a principal building (8,902 sq. ft.) and a parking surface that is bituminous and partially gravel on the west side.
2. The off-street parking requirements are intended to alleviate or prevent congestion of the public streets, and so to promote the safety and welfare of the public, by establishing minimum requirements for the off-street parking, loading and unloading of motor vehicles in accordance with the use to which the property is put. There currently exists a Conditional Use Permit for Proof of Parking that would require the property owner to improve 500 Elm Street South in the event of additional parking demand on the site.
3. The current alley to the west of the property is only 15 feet wide and remains a challenge for snow removal and vehicle circulation. Additionally, this alley provides use for both commercial and residential property owners. A 5 ft. buffer and screening was originally provided to screen the proposed 8 vehicle storage/parking spaces proposed between the building and alley. The vegetation was removed and there is currently no screening element being provided to provide this buffer. Staff observed the plantings prior to their removal and do not recommend a vegetative replacement of that size in the future. Staff further recommend at least a 6 ft. setback of a future screening element such as a privacy fence to avoid future damage or removal in the event of future snow removal issues. Staff has added this requirement in the staff comment letter dated April 27th, 2023 and in the recommended conditions. The applicant has revised this area following the May 4th Planning Commission meeting and has included a fence that bounds the north and part of the west side parking area. This area does not include a gate or additional screening on the southwest side of the premises. The Planning Commission may want to have additional discussion with the applicant regarding fencing or the possibility of a gate.

DESIGN REVIEW - HIGHWAY DISTRICT

City Ordinance 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 indicates that *"The standards shall apply only to the building and site elements being developed or altered. That is, a proposal for changes to a building would be required to meet only those standards that pertain to buildings, while changes to the parking area would be required to meet all standards for parking areas, but not for buildings"*

Based on the previous Planning Commission review of the plan set provided by the applicant for Waconia 1 Collision and Auto, staff finds that the application meets the design requirements stated in the Highway Design District.

VARIANCE REVIEW CRITERIA:

Waconia City Code Section 900.12, Subd. 4 and Minnesota State Statue 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 the 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 a practical difficulty. Whereas, practical difficulties exist only when the three statutory factors are met (1. Reasonableness, 2. Uniqueness, and 3. Essential character).

Variance Analysis

The applicant is proposing three (3) variance requests as part of the proposed addition. Staff has provided a separate explanation for each item below:

1. 8 ft. minimum Parking Lot Setback from street right-of-way: The applicant is proposing to locate their proposed north parking lot 5.6 ft. from the street right-of-way. The applicants have indicated that there were practical limitations due to the addition, minimum drive aisle widths and minimum parking stall lengths so they needed to locate the parking lot closer than code allows. Staff notes that a future sidewalk will be located on the south side of 5th Street, directly adjacent to the subject properties, and thus will require a Sidewalk Agreement with the applicant requiring them to pay for said sidewalk improvement when the City improves the area in the future.
2. The proposed addition encroaches into the minimum 35 ft. setback for lots adjacent to residential districts: The existing building currently encroaches 10 ft. 8 inches into the required setback and the applicant is requesting to extend the building along this encroachment to keep in line with architectural expression of the building.
3. The proposed addition exceeds the 80% hardcover maximum allowed in the B-1, Highway

Business District. Some confusion exists with the revised plans as previously noted in Table 1.1. The applicant appears to note both 80.4% and 82.1% hardcover proposed as of the plan set dated 5.18.2023. It would appear the 82.1% figure is the correct number, but the Planning Commission should verify this with the applicant.

The Planning Commission should review the applicant's requests and determine if the proposals meet the Variance Criteria.

CONCLUSION / RECOMMENDATION

The Planning Commission should hold the public hearing, take all public comment and review the Site Plan and Variance applications based up on the City Code criteria stated earlier in this report and make a recommendation to the City Council regarding the Waconia 1 Collision project at 500 and 524 Elm Street South. Upon a formal recommendation by the Planning Commission this application will be forwarded to the City Council for review at their upcoming meeting on June 20th, 2023.

If the Planning Commission chooses to recommend approval of the Waconia 1 Collision project, staff would recommend the approval upon the following conditions:

1. The proposed improvements shall be completed as approved and conditionally revised by the Planning Commission and City Council
2. The applicant/owners shall remove the recorded Proof of Parking Agreement that was previously required by the Conditional Use Permit approval.
3. The applicant shall submit a lighting plan in conformance with Section 900.08, Subd. 1.C.
4. The applicant shall update the proposed plans to detail the location of the proposed trash enclosure and provide screening that meets the requirements of Section 900.07 Subd. 2.B.6
5. The applicant shall submit a revised landscaping plan meeting Section 900.07, Subd. 2.B
6. The applicant shall provide the City with a letter of credit/escrow funds to guarantee the property installation and growth of the approved landscape plan. The letter of credit/escrow funds shall be submitted by the developer prior to obtaining a building permit that is equal to the amount of the required landscaping to be installed. The letter of credit/escrow funds shall be held by the City and must cover one full calendar year subsequent to the installation of said landscaping and must be conditioned upon complete and satisfactory implementation of the approved landscaping plan.
7. The applicant shall submit a revised parking plan meeting Section 900.09. The applicant shall install a privacy fence on the west side of the property set back 6 ft. adjacent to the alley to screen the proposed parking area from the residential properties to the satisfaction of the Community Development Department. The applicant shall submit an escrow to be held by the City and must be conditioned on complete and satisfactory implementation.
8. All indirect costs with the building permit, review, and final plans associated with engineering and administrative costs shall be paid by the applicant/owner.
9. The applicant shall be required to enter into a sidewalk agreement with the City for the future sidewalk improvements.
10. The subject properties shall be combined through a separate lot combination application.
11. The applicant shall comply with the staff review comment letter dated April 27th, 2023.

Attachments:

1. [Location Map \(1 Page\)](#)
2. [Proposed Redlined Revisions \(4 Pages\)](#)

3. Site Plan (6 Pages)

FINANCIAL IMPLICATIONS:

Funding Sources & Uses:

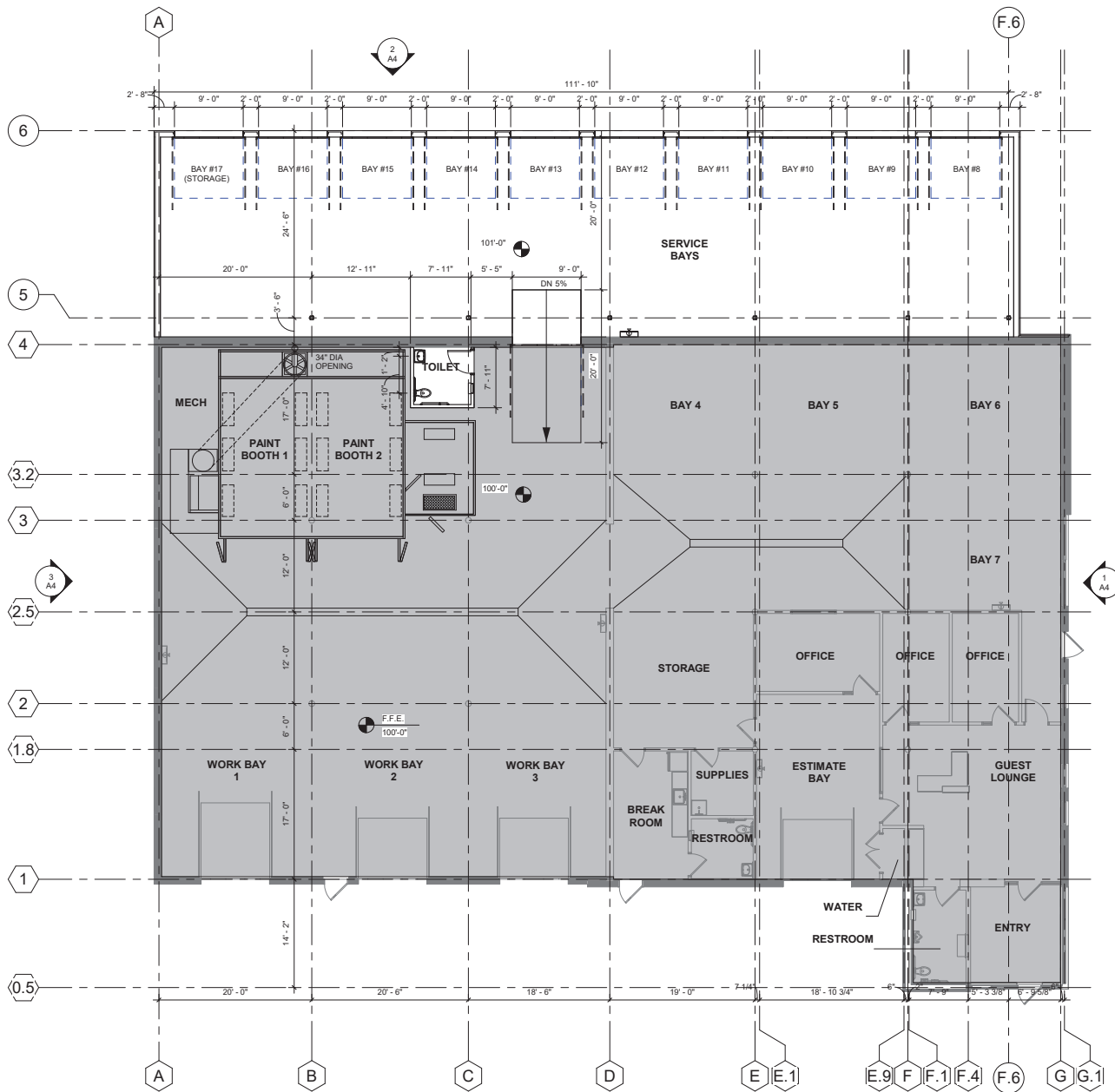
Budget Information:

_____ Budgeted

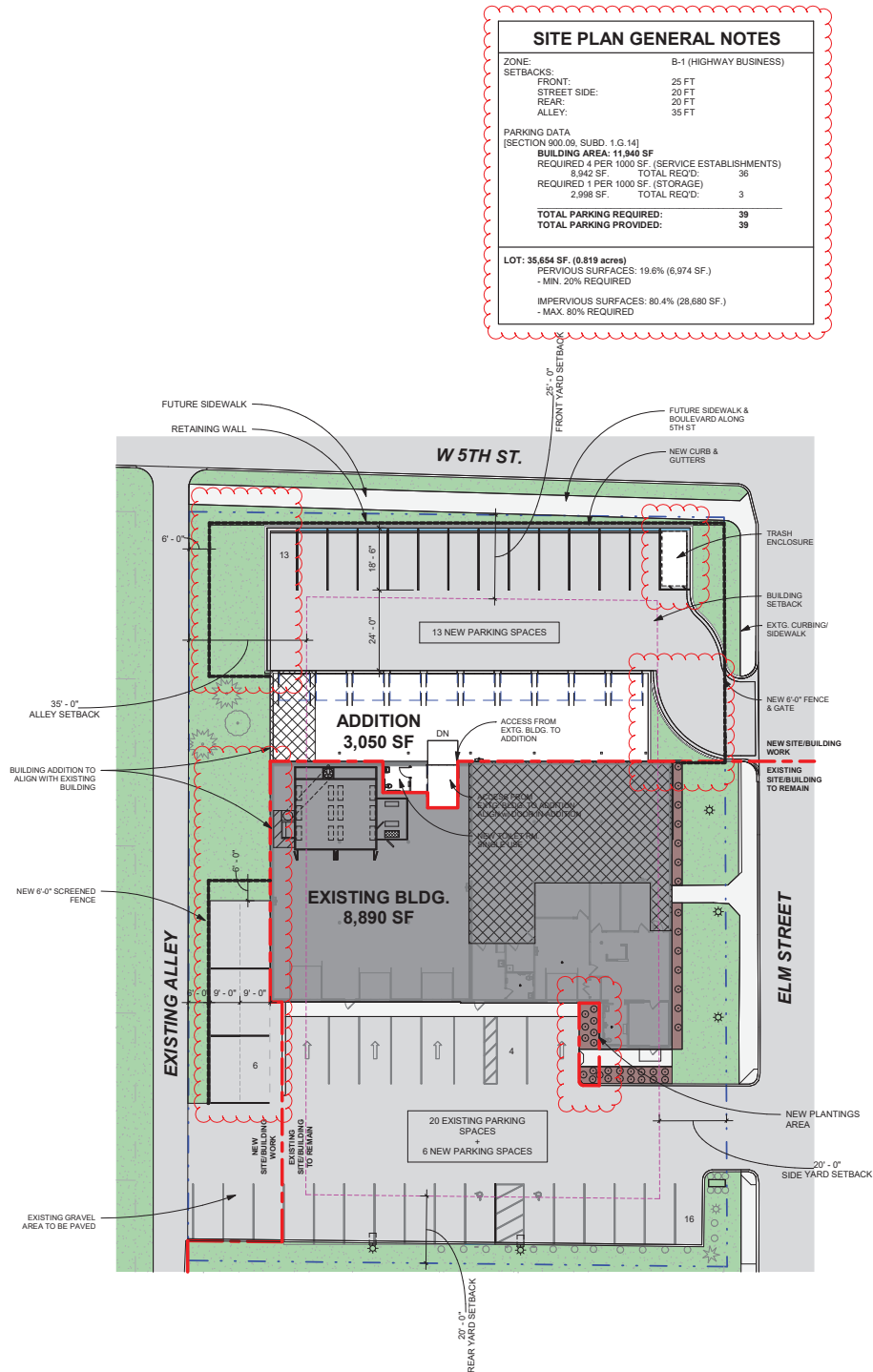
_____ Non Budgeted

_____ Amendment Required





1 LEVEL 1 - SCHEMATIC
1/8" = 1'-0"



SITE PLAN GENERAL NOTES	
ZONE:	B-1 (HIGHWAY BUSINESS)
SETBACKS:	
FRONT:	25 FT
STREET SIDE:	20 FT
REAR:	20 FT
ALLEY:	35 FT
PARKING DATA	
(SECTION 800.09, SUBD. 1 G.14)	
BUILDING AREA: 11,940 SF	
REQUIRED 4 PER 1000 SF. (SERVICE ESTABLISHMENTS)	
8,940 SF. TOTAL REQ'D:	36
REQUIRED 1 PER 1000 SF. (STORAGE)	
2,998 SF. TOTAL REQ'D:	3
TOTAL PARKING REQUIRED:	39
TOTAL PARKING PROVIDED:	39
LOT: 35,654 SF. (0.819 acres)	
PERVIOUS SURFACES: 19.6% (6,974 SF.)	
- MIN. 20% REQUIRED	
IMPERVIOUS SURFACES: 80.4% (28,680 SF.)	
- MAX. 80% REQUIRED	

PRELIMINARY
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CONSTRUCTION

ISSUE #	DATE	DESCRIPTION

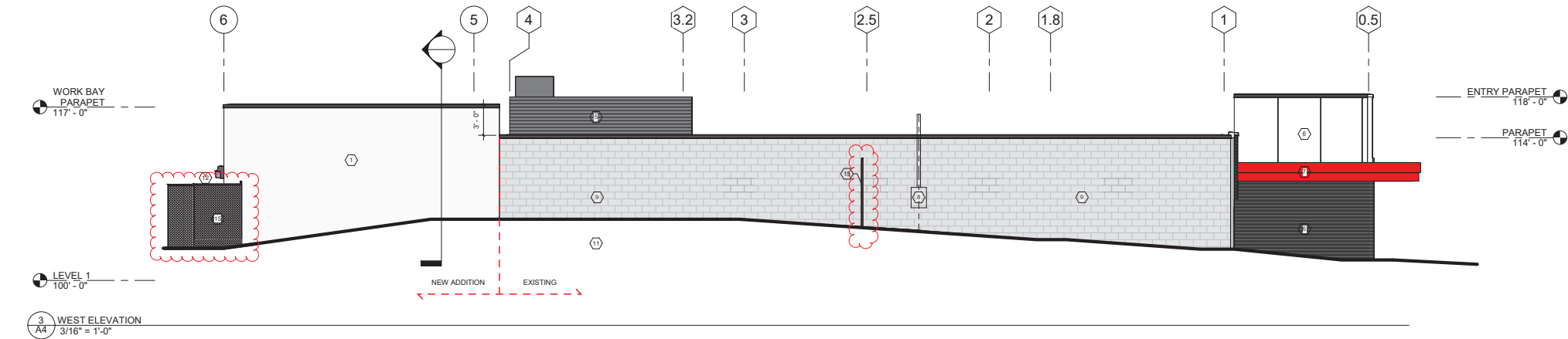
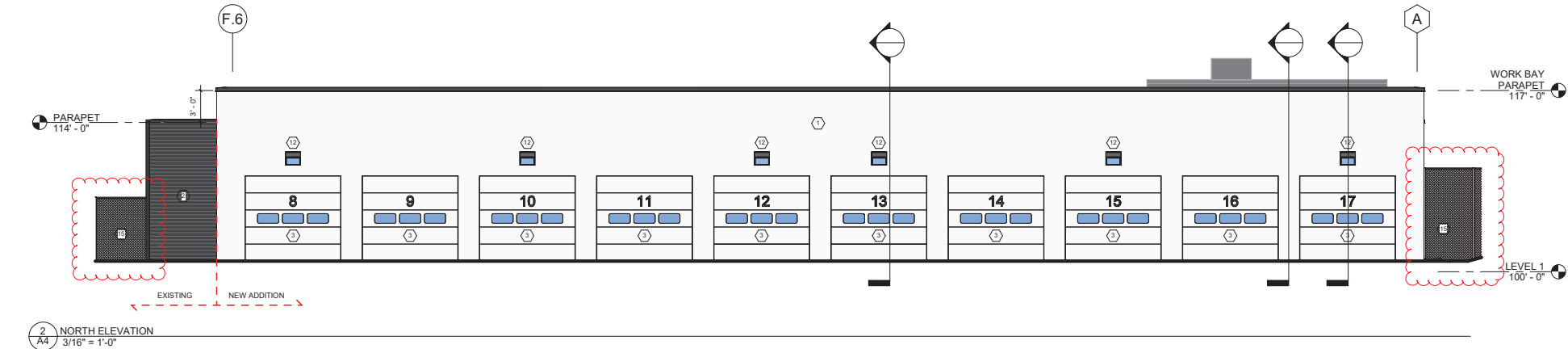
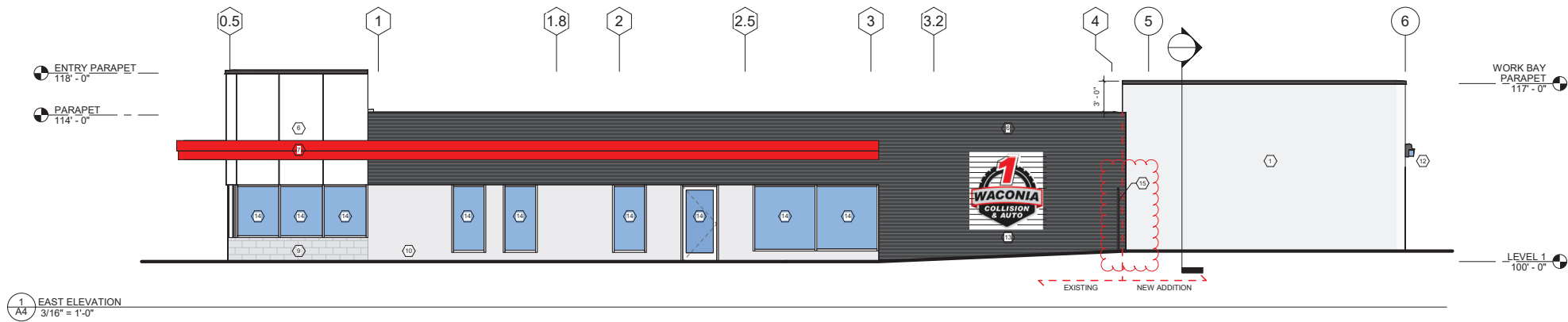
W1CA SERVICE BAY ADDITION

524 ELM ST S
WACONIA, MN 55387

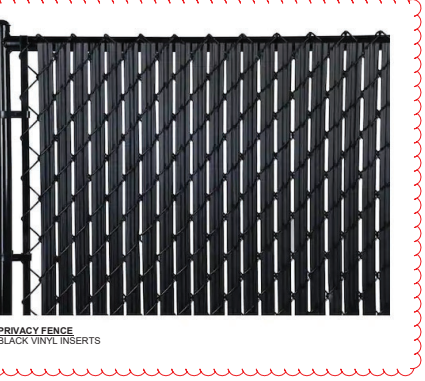
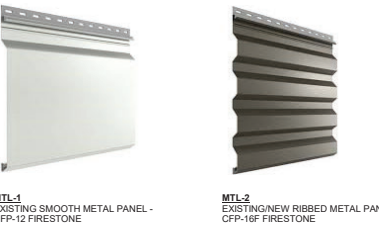
ARCHITECTURAL
PLAN & SITE
PLAN

PROJECT
DRAWN
CHECKED
BY:

A2



EXTERIOR ELEVATION MATERIAL PERCENTAGES			
NORTH ELEVATION			
NEW STUCCO PAINT GRAY:	1,207 SQ FT	60%	
OPAQUE DOORS:	720 SQ FT	36%	
RIBBED METAL PANEL:	90 SQ FT	4%	
TOTAL:	2,017 SQ FT	100%	
EAST ELEVATION			
NEW STUCCO PAINTED:	422 SQ FT	23%	
EXISTING STUCCO:	205 SQ FT	12%	
EXISTING MASONRY:	34 SQ FT	2%	
EXISTING RIBBED METAL PANEL:	670 SQ FT	40%	
EXISTING SMOOTH METAL PANEL:	145 SQ FT	9%	
EXISTING GLAZING:	230 SQ FT	14%	
TOTAL:	1,706 SQ FT	100%	
SOUTH ELEVATION (NOT SHOWN - NO WORK)			
EXISTING STUCCO:	248 SQ FT	14%	
EXISTING MASONRY:	218 SQ FT	13%	
EXISTING RIBBED METAL PANEL:	690 SQ FT	40%	
EXISTING SMOOTH METAL PANEL:	135 SQ FT	8%	
EXISTING OPAQUE DOORS:	310 SQ FT	18%	
EXISTING GLAZING:	113 SQ FT	7%	
TOTAL:	1,712 SQ FT	100%	
WEST ELEVATION			
NEW STUCCO PAINTED GRAY:	282 SQ FT	21%	
EXISTING MASONRY:	782 SQ FT	60%	
EXISTING RIBBED METAL PANEL:	155 SQ FT	12%	
EXISTING SMOOTH METAL PANEL:	98 SQ FT	7%	
TOTAL:	1,317 SQ FT	100%	



EXTERIOR ELEVATION KEYNOTES	
1	STUCCO, PAINT PT-1
2	PRE-FINISHED RIBBED METAL PANEL, BOD FIRESTONE DELTA CONCEALED FASTENERS - 16F, UNA CLAD KYNAR 500 COLOR EXTRA DARK BRONZE
3	9'-0" WIDE X 8'-0" HIGH INSULATED OVERHEAD DOOR, COLOR WHITE
4	NOT USED
5	EXISTING RIBBED METAL PANEL ROOFTOP EQUIPMENT SCREEN
6	EXISTING METAL PANEL
7	EXISTING METAL CANOPY
8	EXISTING ELECTRICAL SUPPLY
9	EXISTING PAINTED CMU
10	EXISTING STUCCO
11	GRADE
12	WALLPACK LIGHT
13	EXISTING SIGNAGE
14	EXISTING GLAZING
15	6'-0" PRIVACY FENCE WITH VINYL INSERTS, SEE SITE PLAN FOR LOCATIONS

4200 WEST OLD SHAKOPEE
ROAD
SUITE 220
BLOOMINGTON, MINNESOTA
55437
PH: 952-996-9662
FX: 952-996-9663

SRA

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ARCHITECTS, INC.

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CONSTRUCTION

ISSUE RECORD	
ISSUE #	DESCRIPTION
DATE	

W1CA SERVICE BAY
ADDITION
524 ELM ST S
WACONIA, MN 55387

EXTERIOR
ELEVATIONS

PROJECT 22-127
DRAWN LC
CHECKED ER
BY:

A4



1 NE VIEW (NOT TO SCALE)
A5 1/2" = 1'-0"



2 NW VIEW (NOT TO SCALE)
A5 1/2" = 1'-0"

4200 WEST OLD SHAKOPEE
ROAD
SUITE 220
BLOOMINGTON, MINNESOTA
55437
PH: 952-996-9662
FX: 952-996-9663

SRA
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ISSUE RECORD	
ISSUE #	DESCRIPTION
DATE	

**W1CA SERVICE BAY
ADDITION**
524 ELM ST S
WACONIA, MN 55387

EXTERIOR
RENDERINGS

PROJECT 22-127
DRAWN Author
CHECKED Checker
BY:

A5

SITE LAYOUT NOTES:

1. ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
2. CONTRACTOR SHALL VERIFY LOCATIONS AND LAYOUT OF ALL SITE ELEMENTS PRIOR TO BEGINNING CONSTRUCTION, INCLUDING BUT NOT LIMITED TO LOCATIONS OF EXISTING AND PROPOSED PROPERTY LINES, EASEMENTS, SETBACKS, UTILITIES, BUILDINGS AND PAVEMENTS. CONTRACTOR IS RESPONSIBLE FOR FINAL LOCATIONS OF ALL ELEMENTS FOR THE SITE. ANY REVISIONS REQUIRED AFTER COMMENCEMENT OF CONSTRUCTION, DUE TO LOCAL ADJUSTMENTS SHALL BE CORRECTED AT NO ADDITIONAL COST TO OWNER. ADJUSTMENTS TO THE LAYOUT SHALL BE APPROVED BY THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF MATERIALS. STAKE LAYOUT FOR APPROVAL.
3. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION, INCLUDING A RIGHT-OF-WAY AND STREET OPENING PERMIT.
4. THE CONTRACTOR SHALL VERIFY RECOMMENDATIONS NOTED IN THE GEO TECHNICAL REPORT PRIOR TO INSTALLATION OF SITE IMPROVEMENT MATERIALS.
5. CONTRACTOR SHALL FIELD VERIFY COORDINATES AND LOCATION DIMENSIONS & ELEVATIONS OF THE BUILDING AND STAKE FOR REVIEW AND APPROVAL BY THE OWNERS REPRESENTATIVE PRIOR TO INSTALLATION OF FOOTING MATERIALS.
6. LOCATIONS OF STRUCTURES, ROADWAY PAVEMENTS, CURBS AND GUTTERS, BOLLARDS, AND WALKS ARE APPROXIMATE AND SHALL BE STAKED IN THE FIELD. PRIOR TO INSTALLATION, FOR REVIEW AND APPROVAL BY THE ENGINEER/LANDSCAPE ARCHITECT.
7. CURB DIMENSIONS SHOWN ARE TO FACE OF CURB. BUILDING DIMENSIONS ARE TO FACE OF CONCRETE FOUNDATION. LOCATION OF BUILDING IS TO BUILDING FOUNDATION AND SHALL BE AS SHOWN ON THE DRAWINGS.
8. THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OR SAMPLES AS SPECIFIED FOR REVIEW AND APPROVAL BY THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO FABRICATION FOR ALL PREFABRICATED SITE IMPROVEMENT MATERIALS SUCH AS, BUT NOT LIMITED TO THE FOLLOWING, FURNISHINGS, PAVEMENTS, WALLS, RAILINGS, BENCHES, FLAGPOLES, LANDING PADS FOR CURB RUMPS, AND LIGHT AND POLES. THE OWNER RESERVES THE RIGHT TO REJECT INSTALLED MATERIALS NOT PREVIOUSLY APPROVED.
9. PEDESTRIAN CURB RUMPS SHALL BE CONSTRUCTED WITH TRUNCATED DOME LANDING AREAS IN ACCORDANCE WITH A.D.A. REQUIREMENTS-SEE DETAIL.
10. CROSSWALK STRIPING SHALL BE 24" WIDE WHITE PAINTED LINE, SPACED 48" ON CENTER PERPENDICULAR TO THE FLOW OF TRAFFIC. WIDTH OF CROSSWALK SHALL BE 5' WIDE. ALL OTHER PAVEMENT MARKINGS SHALL BE WHITE IN COLOR UNLESS OTHERWISE NOTED OR REQUIRED BY ADA OR LOCAL GOVERNING BODIES.
11. SEE SITE PLAN FOR CURB AND GUTTER TYPE. TAPER BETWEEN CURB TYPES-SEE DETAIL.
12. ALL CURB RADII ARE MINIMUM 3' UNLESS OTHERWISE NOTED.
13. CONTRACTOR SHALL REFER TO FINAL PLAT FOR LOT BOUNDARIES, NUMBERS, AREAS AND DIMENSIONS PRIOR TO SITE IMPROVEMENTS.
14. FIELD VERIFY ALL EXISTING SITE CONDITIONS, DIMENSIONS.
15. PARKING IS TO BE SET PARALLEL OR PERPENDICULAR TO EXISTING BUILDING UNLESS NOTED OTHERWISE.
16. ALL PARKING LOT PAINT STRIPPING TO BE WHITE, 4" WIDE TYP.
17. BITUMINOUS PAVING TO BE "LIGHT DUTY" UNLESS OTHERWISE NOTED. SEE DETAIL SHEETS FOR PAVEMENT SECTIONS.
18. ALL TREES THAT ARE TO REMAIN ARE TO BE PROTECTED FROM DAMAGE WITH A CONSTRUCTION FENCE AT THE DRIP LINE. SEE LANDSCAPE DOCUMENTS.

CITY OF WACONIA SITE SPECIFIC NOTES:

1. RESERVED FOR CITY SPECIFIC REMOVAL NOTES.

OPERATIONAL NOTES:

SNOW REMOVAL:	ALL SNOW SHALL BE STORED ON-SITE OUTSIDE PARKING LOT. WHEN FULT, REMOVAL CO. SHALL REMOVE EXCESS OF-SITE.
TRASH REMOVAL:	TRASH SHALL BE PLACED IN EXTERIOR TRASH AREA AND REMOVED BY COMMERCIAL CO. WEEKLY.
DELIVERIES:	DELIVERIES SHALL OCCUR AT THE FRONT DOOR VIA STANDARD COMMERCIAL DELIVERY VEHICLES (UPS, FED-EX, USPS).

SITE PLAN LEGEND:

The diagram illustrates various pavement markings and their corresponding descriptions:

- BITUMINOUS PAVEMENT (IF APPLICABLE), SEE GEOTECHNICAL REPORT FOR AGGREGATE BASE & WEAR COURSE DEPTH, SEE DETAIL.** (Represented by a solid black rectangle)
- BITUMINOUS PAVEMENT OVER EXISTING GRAVEL AREA, SEE GEOTECHNICAL REPORT FOR FINAL PAVEMENT RECOMMENDATION.** (Represented by a rectangle with diagonal hatching)
- CONCRETE PAVEMENT (IF APPLICABLE) AS SPECIFIED (PAD OR WALK) SEE GEOTECHNICAL REPORT FOR AGGREGATE BASE & CONCRETE DEPTHS, WITHIN ROW SEE CITY DETAIL, WITHIN PRIVATE PROPERTY SEE CSG DETAIL.** (Represented by a rectangle divided into four equal squares)
- PROPERTY LINE** (Represented by a dashed line)
- CONSTRUCTION LIMITS** (Represented by a solid line with short, perpendicular tick marks on both sides)
- CURB AND GUTTER-SEE NOTES (T.O.) TIP OUT GUTTER WHERE APPLICABLE-SEE PLAN** (Represented by a solid line with a dashed line parallel to it)
- TRAFFIC DIRECTIONAL ARROW PAVEMENT MARKINGS** (Represented by two arrows: one pointing straight up and one pointing diagonally up and to the right)
- SIGN AND POST ASSEMBLY, SHOP DRAWINGS REQUIRED, HC = ACCESSIBLE SIGN** (Represented by a small circle with a diagonal slash through it)
- NP = NO PARKING FIRE LANE**
- ST = STOP**
- CP = COMPACT CAR PARKING ONLY**

SITE AREA TABLE:

SITE AREA CALCULATIONS				
	EXISTING		PROPOSED	
BUILDING COVERAGE	10,708 SF	30.0%	12,073 SF	33.9%
ALL PAVEMENTS	12,803 SF	35.9%	17,204 SF	48.3%
ALL NON-PAVEMENTS	12,143 SF	34.1%	6,377 SF	17.9%
TOTAL SITE AREA	35,654 SF	100.0%	35,654 SF	100.0%

IMPERVIOUS SURFACE		
EXISTING CONDITION	23,511 SF	65.9%
PROPOSED CONDITION	29,277 SF	82.1%
DIFFERENCE (EX. VS PROP.)	5,766 SF	16.2%
IMPERVIOUS TOTAL	29,277 SF	82.1%

PRELIMINARY:
NOT FOR
CONSTRUCTION

PROJECT
WACONIA AUTO BODY EXPANSION

524 ELM STREET S, WACONIA, MN 55387

CRS PROPERTIES LLC

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 PROFESSIONAL ENGINEER
UNDER THE LAWS OF THE STATE OF
MINNESOTA.


David J. Knaeble
DATE 05/18/23 LICENSE NO. 48776

ISSUE/SUBMITTAL SUMMARY

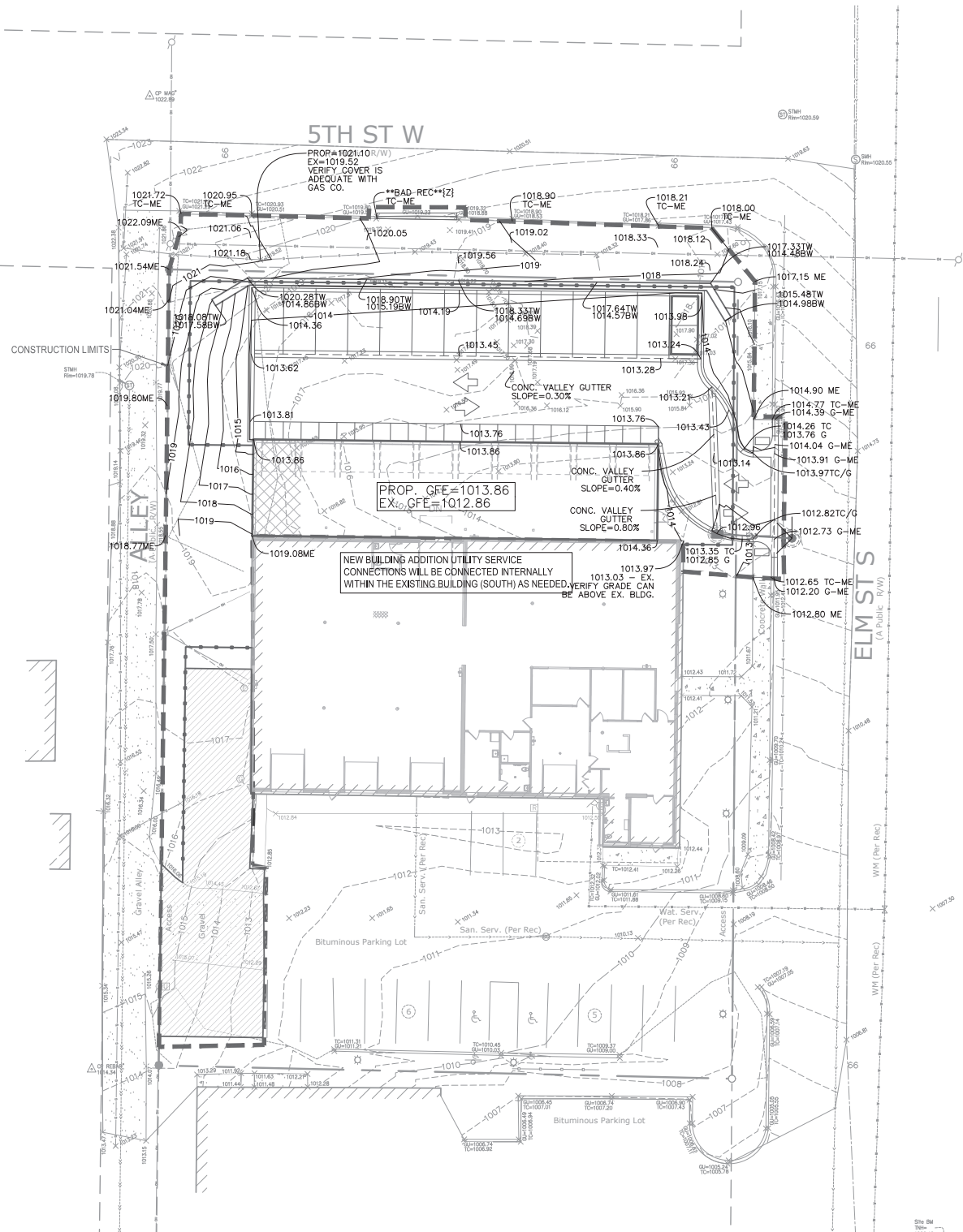
[illegible]

REVISION SUMMARY

[illegible]

SITE PLAN

C2.0



GENERAL GRADING NOTES:

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

CITY OF WACONIA GRADING NOTES:

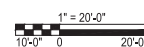
1. RESERVED FOR CITY SPECIFIC GRADING NOTES.

EROSION CONTROL NOTES:

SEE SWPPP ON SHEETS SW1.0 - SW1.3

GRADING PLAN LEGEND:

----- 1125 -----	EX. 1' CONTOUR ELEVATION INTERVAL
----- 1137 -----	1.0' CONTOUR ELEVATION INTERVAL
 41.26	SPOT GRADE ELEVATION (GUTTER/FLOW LINE UNLESS OTHERWISE NOTED)
891.00 G	SPOT GRADE ELEVATION GUTTER
891.00 TC	SPOT GRADE ELEVATION TOP OF CURB
891.00 BS/TS	SPOT GRADE ELEVATION BOTTOM OF STAIRS/TOP OF STAIRS
891.00 ME	SPOT GRADE ELEVATION MATCH EXISTING
-----	GRADE BREAK - HIGH POINTS
	
=====	CURB AND GUTTER (T.O. = TIP OUT)
=====	
 EOV=1135.52	EMERGENCY OVERFLOW



PRELIMINARY:
NOT FOR
CONSTRUCTION

PROJECT

WACONIA AUTO BODY EXPANSION

524 ELM STREET S. WACONIA, MN 55387

CRS PROPERTIES LLC

8159 WILLOWOOD RD WACONIA, MN 55387

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 PROFESSIONAL ENGINEER
UNDER THE LAWS OF THE STATE OF
MINNESOTA.



David J. Knaeble

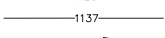
DATE 05/18/23 LICENSE NO. 48776

[illegible][illegible]SWPPP - PROPOSED
CONDITIONS

SW1.1

1. ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE, CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
2. THIS PROJECT IS LESS THAN ONE ACRE AND WILL NOT REQUIRE AN MPCA NPDES PERMIT. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ANY EROSION CONTROL PERMITS REQUIRED BY THE CITY.
3. SEE SHEETS SW1.0 - SW1.3 FOR ALL EROSION CONTROL NOTES, DESCRIPTIONS, AND PRACTICES.
4. SEE GRADING PLAN FOR ADDITIONAL GRADING AND EROSION CONTROL NOTES.
5. CONTRACTOR IS RESPONSIBLE FOR SWPPP IMPLEMENTATION, INSPECTIONS, AND COMPLIANCE WITH NPDES PERMIT.

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

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

