

Date Application Received: January 18, 2017  
 Date Application Considered as Complete: January 18, 2017  
 60-Day Review Period Expires: March 18, 2017



**To:** Chair Thiesse and Planning Commission Members  
 Jessica Loftus, City Administrator

**From:** Jeremy Barnhart, Community Development Director

**Date:** February 21, 2017

**Subject:** #17-3903, Alex Ugorets, 2520 Shadywood Road,  
 Sketch Plan

**Application Summary:** The applicant is requesting comments via the sketch plan process for a proposed apartment building on vacant 3.11 acres to the south of the Freshwater Business Center. The apartment building would include 49 units and 51 underground parking stalls. A zone change will be required.

**Staff Recommendation:** The Planning Commission is asked to give feedback on the proposed development, which appears to require a zone change, and a variance from the structural coverage requirement.

### Background

The property is currently zoned B-4 Office Professional, but is guided for mixed use with a prescribed density of 6-15 units per acre. The Comprehensive Plan suggests mixed use to include senior assisted living, townhomes, condominiums, or apartment buildings. From a use standpoint, the proposal is consistent with the comprehensive plan.

The project as proposed will require a Zone Change.

The density as proposed is 15.75 units per gross acre, just above the upper range prescribed by the Comprehensive Plan. The proposal also suggests modifying a portion of the shared property line between the proposed apartment lot and the lot housing the Freshwater Business Center. The modification will be more evident in the rear of the lot, away from the street, toward the lake/ wetland. This modification may impact the lot sizes, and by extension, the density calculation.

Access. Access to the site is proposed off of a new shared drive with the Freshwater Business Center. This driveway will line up with the driveway service the church across Shadywood. Ultimately, the plan to coordinate access locations was to have this shared driveway line up with the new Shadywood Circle, as part of the Shadywood Villas project. Ultimately, as part of an expansion, planners hope to shift the church access to Shadywood Circle. The County supports the offset; the turning movements do not conflict. However, staff supports the coordination of the drives, for the long term health of traffic in the area.

Parking. The proposal provides 100 parking spaces, a ratio of 2.04 spaces per unit. 51 of those spaces are covered, under the building, and 49 surface spaces are proposed. Two parking

spaces per unit is required by city code. The parking requirements are met.

Building. The building is intended as a 47-49 unit, market rate apartment building. The narrative suggests the building height will be between 31 and 54 feet. Elevation drawings have not been provided to accurately analyze the height. The building will appear as a three story, flat roofed building plus a penthouse from the parking lot and Shadywood Road. From the wetland, the building will appear to be 4 stories and a penthouse. Historically, the City has shied away from projects higher than 3 stories. The Commission is asked to provide feedback of the height.

The building is proposed to be 35 feet back from the Shadywood Road Right of way line and about 35 feet from the new side lot line to the north. The building will be 75 feet from the wetland.

Each unit will have a balcony. The building as shown includes brick, steel, and glass with stucco accents. Care will need to be taken to ensure mechanical units are shielded from public view.

Grading. The site slopes toward the east/ southeast, away from the street, dropping 12 feet in the first 119 feet. It appears that a substantial amount of fill will need to be brought in to accommodate the project. Further, the lot is wooded, the grading for the building, parking lot, and stormwater management will require the removal of most of the trees outside of the wetland.

Utilities. The project will be served by municipal water and sanitary sewer. Stormwater will need to be retained and treated as required by applicable stormwater regulation. Conceptual ponds are pictured.

Conservation design. A Conservation design plan will need to be completed as required by city ordinance.

Hardcover/ structural coverage. The proposal includes 48,988 sq ft (36.1%) of hard cover where 35% is the maximum permitted. The lot boundaries can be adjusted to avoid the need for a hardcover variance. A rough calculation of the structural converge shows 16,720 sq ft of structural coverage, or 12% of the lot area. There is no structural coverage maximum as the property is over 2 acres.

#### **Issues for Consideration**

1. Does the Planning Commission find any other issues or concerns with this application?

#### **List of Exhibits**

Exhibit A	Application
Exhibit B	Narrative
Exhibit C	Site Plan
Exhibit D	Building renderings
Exhibit E	Landscape Plan
Exhibit F	Height Context Drawings

Electronic Copy

# City of Orono Land Use Permit Application



Street Address:  
2750 Kelley Parkway  
Orono, MN 55358  
  
Main: 952-249-4800  
fax: 952-249-4816  
Mailing Address:  
P.O. Box 86  
Crystal Bay, MN 55323-0086

Application # 17-3903  
Date Received: 1-18-17  
Staff: JB  
Fee: 1350  
Escrow # & \$  
Permit Fee  
Notes:

Please complete. Applicant will be notified within 15 days as to the status of the application.  
Incomplete applications will not be placed on Planning Commission Agendas.

SITE LOCATION: 2520 Shadywood Rd Orono, MN 55331

## APPLICANT / AGENT INFORMATION:

Applicant Name: Westwood Professional Services  
Phone (Primary): (952) 937-5150  
Applicant Email: tom.goodrum@westwoodps.com  
Address: 7699 Anagram Drive City: Eden Prairie ZIP: 55344  
Agent Name: Tom Goodrum Agent's phone number: (952) 906-7425  
Agent Email: tom.goodrum@westwoodps.com Applicant is: Contractor Homeowner (Circle One)

## PROPERTY OWNER INFORMATION: ☐ check here if property owner is same as applicant

Name: UGORETS 8098 LLC  
Phone (Primary): (612) 363-3321  
Mailing Address: 410 11th Ave South City: Hopkins ZIP: 55343  
Email: alex@midlandglass.com

## APPLICANT/AGENT AND/OR OWNER:

- Agree to provide all information required or requested by the Planning Department,
- Agree to pay additional fees (staff time not covered in the original fee payment) and/or consultant expenses incurred in review of this application, and
- Certify that the information supplied is true and correct to the best of his/her knowledge. The applicant and owner recognize that they are solely responsible for submitting a complete application being aware that upon failure to do so, the staff has no alternative but to reject it until it is complete or to recommend the request for denial of the request regardless of its potential merit.
- Acknowledge the Escrow Agreement is completed and signed.
- The Owner hereby acknowledges and agrees to this application and further authorizes reasonable entry onto the property by City Staff, consultants, agents, Commission and Council Members for purposes of investigation and verification of this request.
- Owner and/or Applicant acknowledge they must be present at all scheduled review meetings of the Planning Commission and Council. If an applicant and/or owner is unable to attend a scheduled meeting, please make arrangements to have an authorized representative attend in place of the applicant/owner and advise the City Planner assigned to your project.

Applicant/Agent Signature: [Signature] Date: 1/12/17  
Applicant/Agent Signature: [Signature] Date: 1/5/17  
Property Owner Signature: [Signature] Date: 1/5/17  
Property Owner Signature: [Signature] Date: 1/5/17

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## PROJECT NARRATIVE

### FRESHWATER APARTMENTS

The Freshwater Apartments will be a valued residential option for the City and Navarre. Alex Ugorets, the owner of the property, is proposing a 45-55 unit apartment building to coincide with the building improvements he is undertaking at the existing Freshwater Building. Both projects will enhance the work/live environment that is desired in this area.

Prior to our application we have met with city staff, Hennepin County, and the Minnehaha Creek Watershed District. The city letter we received on November 10th noted the following items to address:

**Land Use.** *The site is zoned B-4, but the Comprehensive Plan anticipates development of the site to include a mix of uses, including condominiums and apartments. We are in conformance to this vision.*

**Density.** *The proposal may exceed the 4-15 unit per acre assigned to this site. We are expecting to adjust the lot lines to accommodate setbacks for the office building and apartment. With the lot line adjustment the density calculation could be met.*

**Traffic Study.** *The city may require a traffic study. If required, we will provide a study. See also our meeting details with Hennepin County on access.*

**Access.** *The new entrance should be aligned with the new development across the street. We had a joint meeting with City staff and the County to review the access points. At that meeting, the proposed access location was supported by the County as they identified benefits of the project as it relates to future road improvements. We removed a proposed second access as part of this discussion.*

**Parking.** *Covered parking for one car should be provided. We are providing underground parking to accommodate this request and will have sufficient on-site parking to meet code. The site plan identifies 51 stalls below ground and 49 surface parking stalls. We also have the ability to create a joint parking arrangement with the office building if necessary.*

**Building Height.** *Historically, the City Council was cautious of buildings over 2-stories when adjacent residents and the lake. We are proposing a 3-story building fronting County Rd 19 with penthouse units on top along the northeast corner of the building. The building height will be 31 feet facing CR 19 and then steps up to 42 feet with the penthouse units at the back of the building. Because of the topography and underground parking, the building will have a maximum height of 54 feet facing the wetland (east). The architectural renderings we are showing are conceptual to demonstrate the architectural style we wish to provide but may be altered as we move forward with the project.*

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# 3903

The building location also supports the building height. We positioned the building to take advantage of the topography of the site and to minimize any visual impact along County Rd 19. The site slopes away from the road and toward the wetland to the south and east. By using this topography we are able to angle the building away from the street with only having a corner of the building at the front setback. The rest of the building will fall away from the street thus keeping an open view along the road corridor. The topography also allows us to step the building down to 3 stories in front and a partial fourth floor to the back. The penthouse apartments will be set back away from the front building line and placed in the northeast side of the building. In this location the penthouses are away from public view and transitions in height from the existing Freshwater Office building to the north and the residential homes to the south.

The site is separated from the residents to the south by 590 and 380 feet respectively with a band of existing mature trees. Lake views of the building will be minimal since the building is on a non-usable part of the lake with few homes. The proposed 54-foot building height matches the height of the Freshwater building when viewing from the east. The 42-foot height also matches the height of the Freshwater building southwest corner along County Road 19.

**Wetland.** *The wetland is a "Preserve" wetland and will require a 75-foot buffer from the MCWD with an additional 10-foot city required setback from the buffer.* The wetland has been delineated and we have identified the 75-foot buffer line on our plan. In speaking with the Watershed they noted that the buffer size can be averaged to accommodate the building and that replacement buffers may be allowed on the office site to the north in order to provide buffering along the wetland edge where none exist today. We are improving the quality of the lake by incorporating buffers and ponds for stormwater treatment plus improving existing conditions to the Freshwater Office site. We will continue to work with the Watershed and the city to provide an acceptable buffer. (See attached meeting summary)

From the above meetings and the comments that we received we prepared a site plan and building elevations that we believe supports the direction given to us and continues to be a viable project. The plan respects the views of the neighboring homes and the views along County Rd 19. It is designed to transition from the 52,000 sq. ft. Freshwater Office building to the north and the homes to the south.

We have not conducted soil borings specifically to this site but Mr. Ugorets has conducted soil borings for his parking lot improvements on the Freshwater Office building. The borings closest to the proposed apartment building did not encounter ground water in the 14-foot deep boring. The wetland delineation reports also did not encounter ground water. Based on this information we are not expecting to encounter groundwater during construction or have it impact the project. We will conduct further borings as we move forward with the project.

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We are very excited to bring an attractive residential option to the residents of Orono and Navarre. We believe this project will match well with a life style that is desired in this area and around the lake. This project, along with the improvements to the Freshwater Office building, will provide new business and living opportunities to this area that meets local demands and regional goals.

We look forward to be part of this community and welcome your comments of our conceptual plan.

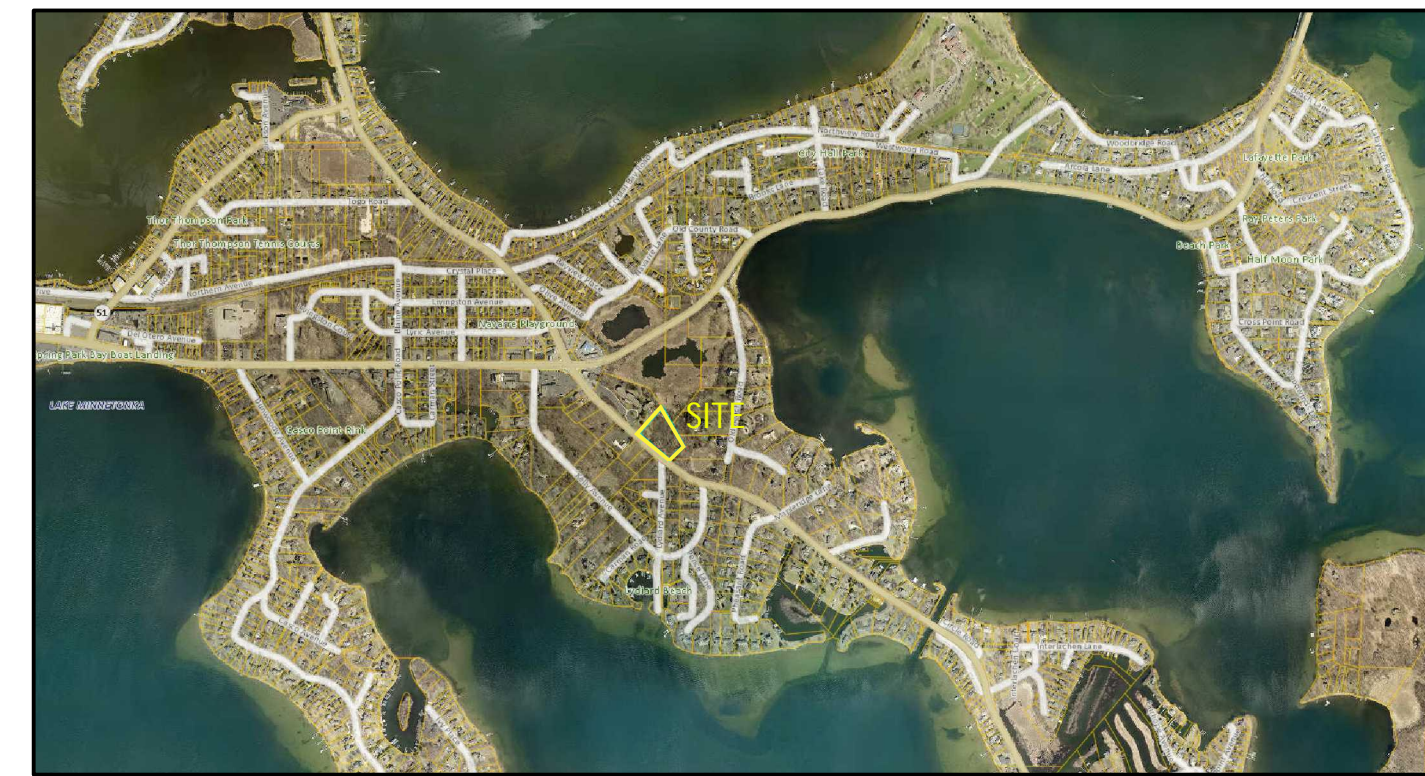
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### Vicinity Map



## Site Legend

EXISTING	PROPOSED	
		PROPERTY LINE
		LOT LINE
		SETBACK LINE
		WETLAND BUFFER LINE
		EASEMENT LINE
		CURB AND GUTTER
		POND NORMAL WATER LEVEL
		RETAINING WALL
		FENCE
		CONCRETE PAVEMENT
		CONCRETE SIDEWALK
		HEAVY DUTY BITUMINOUS PAVEMENT
		STANDARD DUTY BITUMINOUS PAVEMENT
		NUMBER OF PARKING STALLS
		TRANSFORMER
		SITE LIGHTING
		TRAFFIC SIGN
		POWER POLE
		BOLLARD / POST

## Site Development Summary

EXISTING ZONING— LOT 1 :	B4 — OFFICE/PROFESSIONAL
PROPOSED ZONING— LOT 1:	RPUD
EXISTING PROPERTY AREA— LOT 1:	114,779 SF (2.63 AC)
PROPOSED PROPERTY AREA— LOT 1:	135,668 SF (3.11 AC)
EXISTING PROPERTY AREA— LOT 2:	221,246 SF (5.08 AC)
PROPOSED PROPERTY AREA— LOT 2:	200,333 SF (4.60 AC)
PERVIOUS SURFACE— LOT 1:	86,680 SF (63.9%)
IMPERVIOUS SURFACE(RATIO)— LOT 1:	48,988 SF (36.1%)
BUILDING GROSS SIZE— LOT 1:	±58,170 SF
DWELLING UNITS—LOT 1:	45+ 2-4 PENTHOUSE UNITS
FLOOR—AREA—RATIO(FAR)— LOT 1:	0.51
BUILDING SETBACK PER CODE:	35'=LOCAL STREETS/SITE LOT LINE
PARKING SETBACK:	10'=SIDE AND REAR
PARKING SPACE/DRIVE AISLE:	9' WIDE X 20' LONG
PARKING RATIO REQUIREMENT — CITY OF ORONO	
MULTIPLE DWELLING:	2 SPACE / DWELLING UNIT
<u>MULTIPLE DWELLING(45+2)</u>	<u>90 SPACES</u>
TOTAL SPACES REQUIRED:	90 SPACES
PARKING PROVIDED— LOT 1:	100 SPACES (49 SPACES + 51 UNDERGROUND SPACES)
EXISTING PARKING— LOT 2:	103 SPACES
PARKING PROVIDED— LOT 2:	105 SPACES

## 1 Site Details

- 1 B612 CURB & GUTTER (TYP.)  
2 PRIVATE PEDESTRIAN CURB RAMP  
3 PRIVATE ACCESSIBLE DROPPED PEDESTRIAN RAMP  
4 ACCESSIBLE PARKING LOGO, STRIPING, & SIGNAGE (TYP.)  
5 STANDARD DUTY BITUMINOUS PAVEMENT  
6 HEAVY DUTY BITUMINOUS PAVEMENT  
7 CONCRETE SIDEWALK

Site Notes 

- A 4" YELLOW DIAGONAL STRIPE  
B SAWCUT & MATCH EXISTING BITUMINOUS (TYP.)

# Westwood

**Westwood Professional Services, Inc.**  
7699 Anagram Drive  
Eden Prairie, MN 55344

**Phone** (952) 937-5150  
**Fax** (952) 937-5822  
**Toll Free** (888) 937-5150

**westwoodps.com**

Designed: KIT / RAH

Checked: KIT

Drawn: RAH

Record Drawing by/date:

**Revisions:**

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I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed PROFESSIONAL LANDSCAPE ARCHITECT under the laws of the State of Minnesota.

Date: 01/18/17 License No. \_\_\_\_\_

Prepared for:

**Ugorets  
Properties LLC**

410 11th Avenue South  
Hopkins, Minnesota 55343

**2520 Shadywood  
Road**

**Orono, Minnesota**

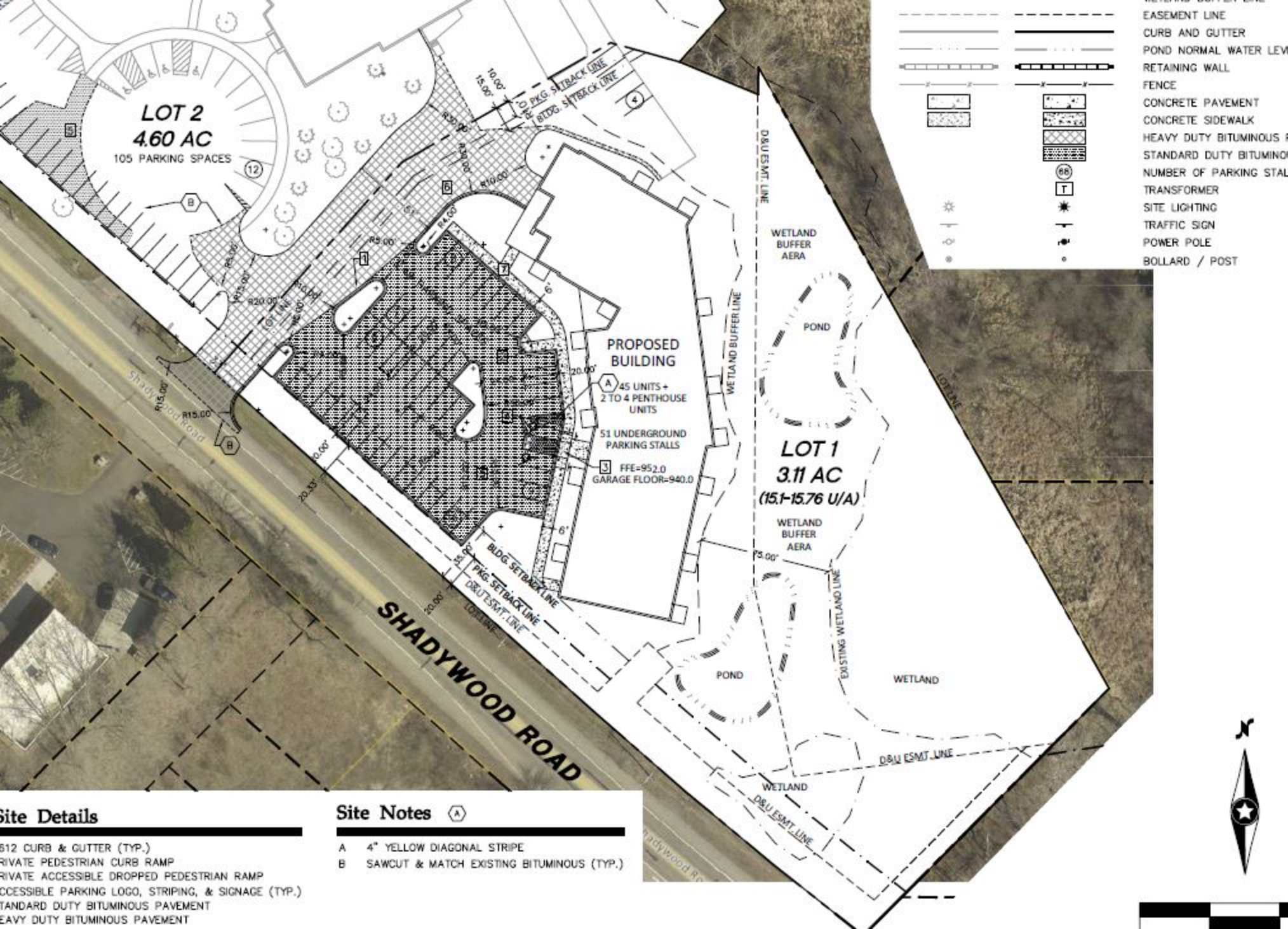
## SITE PLAN

Date: 01/18/17

Sheet: 1 OF 2

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## Site Details

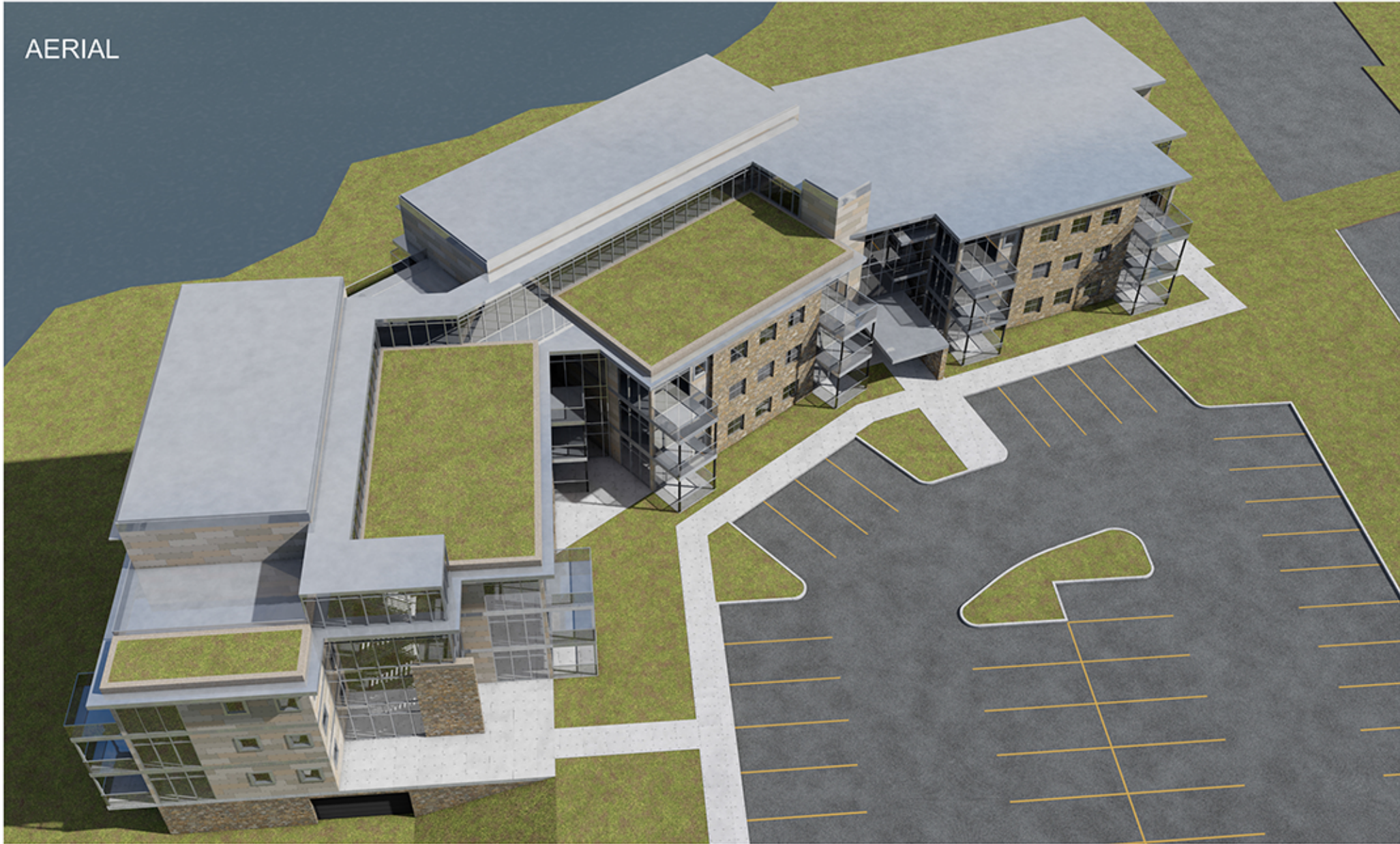
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## Site Notes

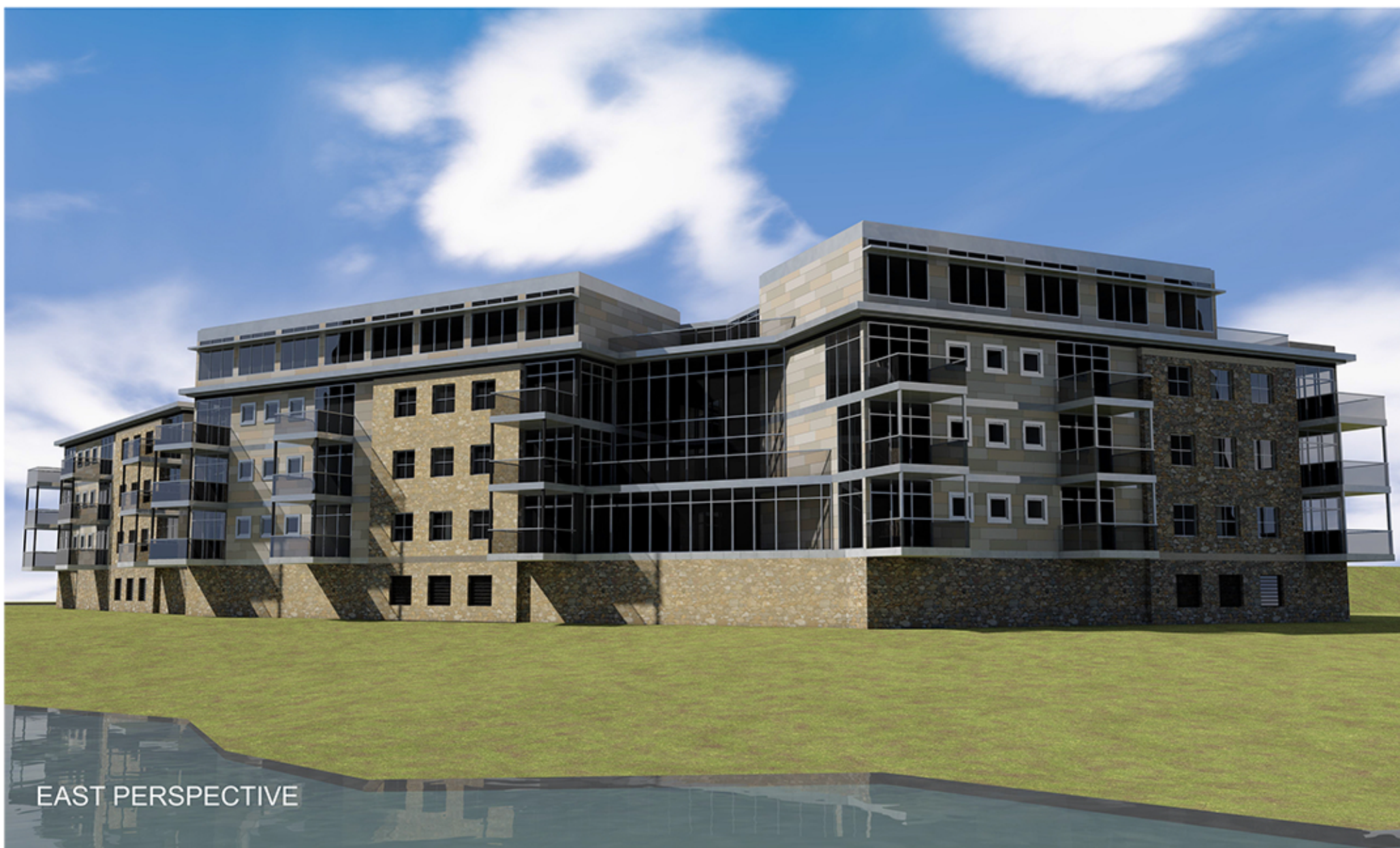
- A 4" YELLOW DIAGONAL STRIPE  
B SAWCUT & MATCH EXISTING BITUMINOUS (TYP.)



AERIAL







EAST PERSPECTIVE





SOUTHWEST PERSPECTIVE - VIEW FROM ROAD





WEST PERSPECTIVE

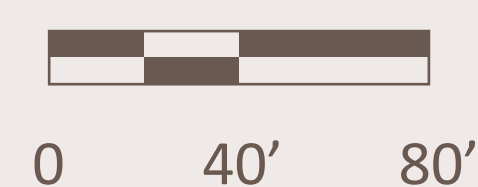




## 2520 Shadywood Road

Orono, Minnesota

Project # 0010413.00 01/18/2016



# Westwood

Multi-Disciplined  
Surveying & Engineering

[westwoodps.com](http://westwoodps.com)





WEST PERSPECTIVE





25'

36'





25'

36'

54'

