

City of Orono

Land Use Permit Application



Street Address:
2750 Kelley Parkway
Orono, MN 55356

Main: 952-249-4600
fax: 952-249-4616

Mailing Address:
P.O. Box 66
Crystal Bay, MN 55323-0066

Application #	_____
Date Received:	_____
Staff :	_____
Fee:	_____
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: Date: 1/12/17

Applicant/Agent Signature: _____ Date: _____

Property Owner Signature: Date: 1/5/17

Property Owner Signature: _____ Date: _____

DATA PRIVACY ADVISORY

In accordance with Minnesota State Statute 13.04 Rights of Subjects of Data, Subd. 2, "Tennessee warning", we would like to inform you that your request for a permit or license from the City of Orono or any of its departments may require you to furnish certain private or confidential information.

You are notified that:

1. The information you furnish will be used to determine your qualification for the permit or license requested.
2. You may refuse to supply data, but refusal may require that the City deny the permit or license.
3. The information may be shared with other local, state or federal agencies to the extent necessary to process the permit or license.
4. If your requested permit or license requires Council action to approve, some information may become public.
5. You have certain rights under Minnesota State Statute 13.04 (see following page) to review private data on yourself.
6. Your full name is required to process this application or permit.

Alexander		Ugorets
First	Middle	Last

410 11th Ave South
Address

Hopkins	MN	55343	(612) 363-3321
City	State	Zip	Phone

I understand my rights as stated above.

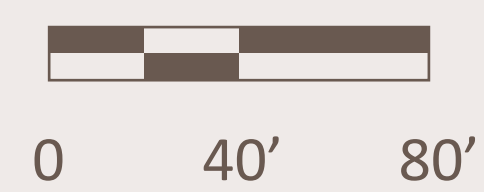

Signature



2520 Shadywood Road

Orono, Minnesota

Project # 0010413.00 01/18/2016



Westwood

Multi-Disciplined
Surveying & Engineering

westwoodps.com

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.*

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.

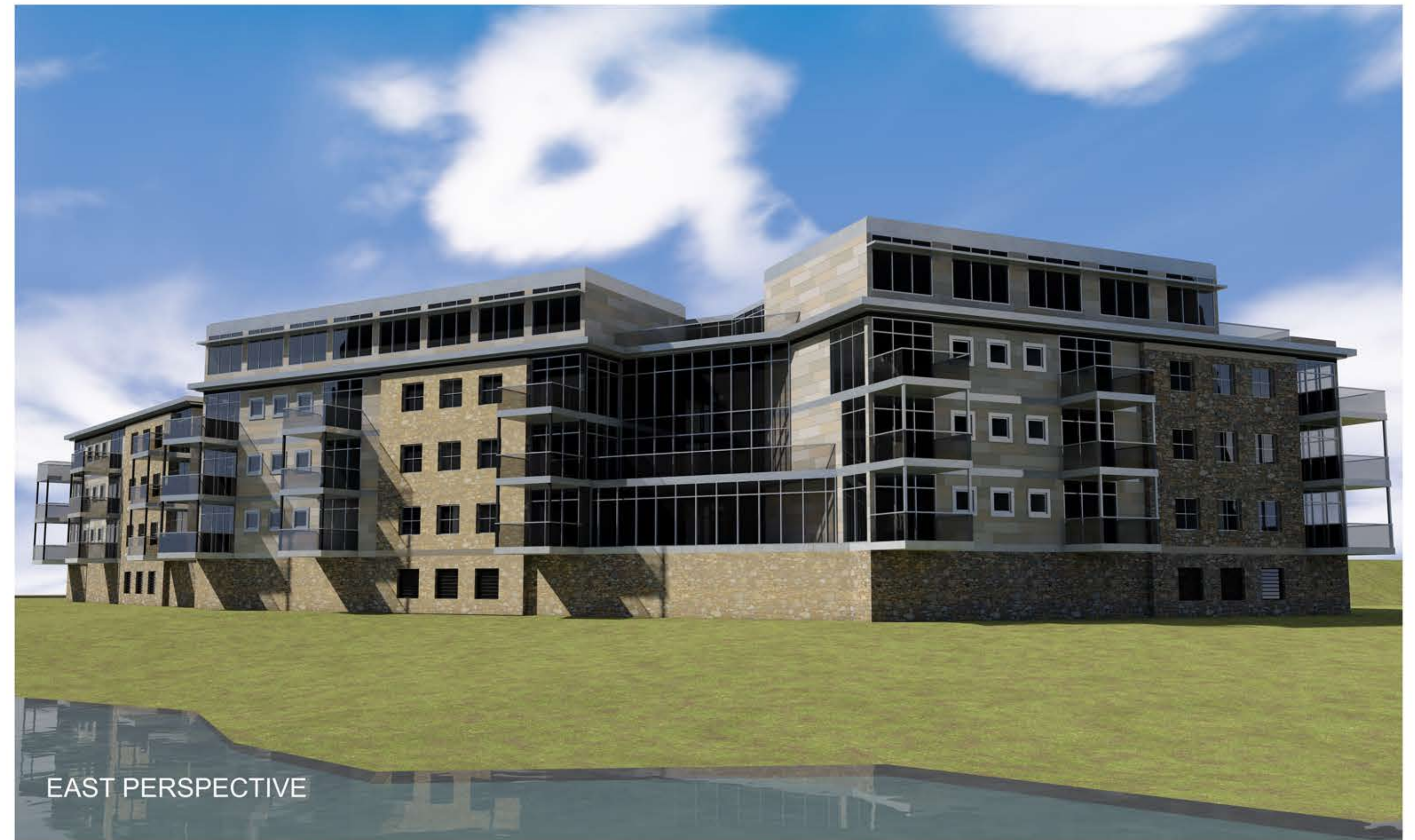
We have not conducted soil borings specifically to this site but Mr. Ugorets has conducted soil borings for his parking lot improvements on the Freshwater Office building. The borings closest to the proposed apartment building did not encounter ground water in the 14-foot deep boring. The wetland delineation 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.

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.



WEST PERSPECTIVE



EAST PERSPECTIVE



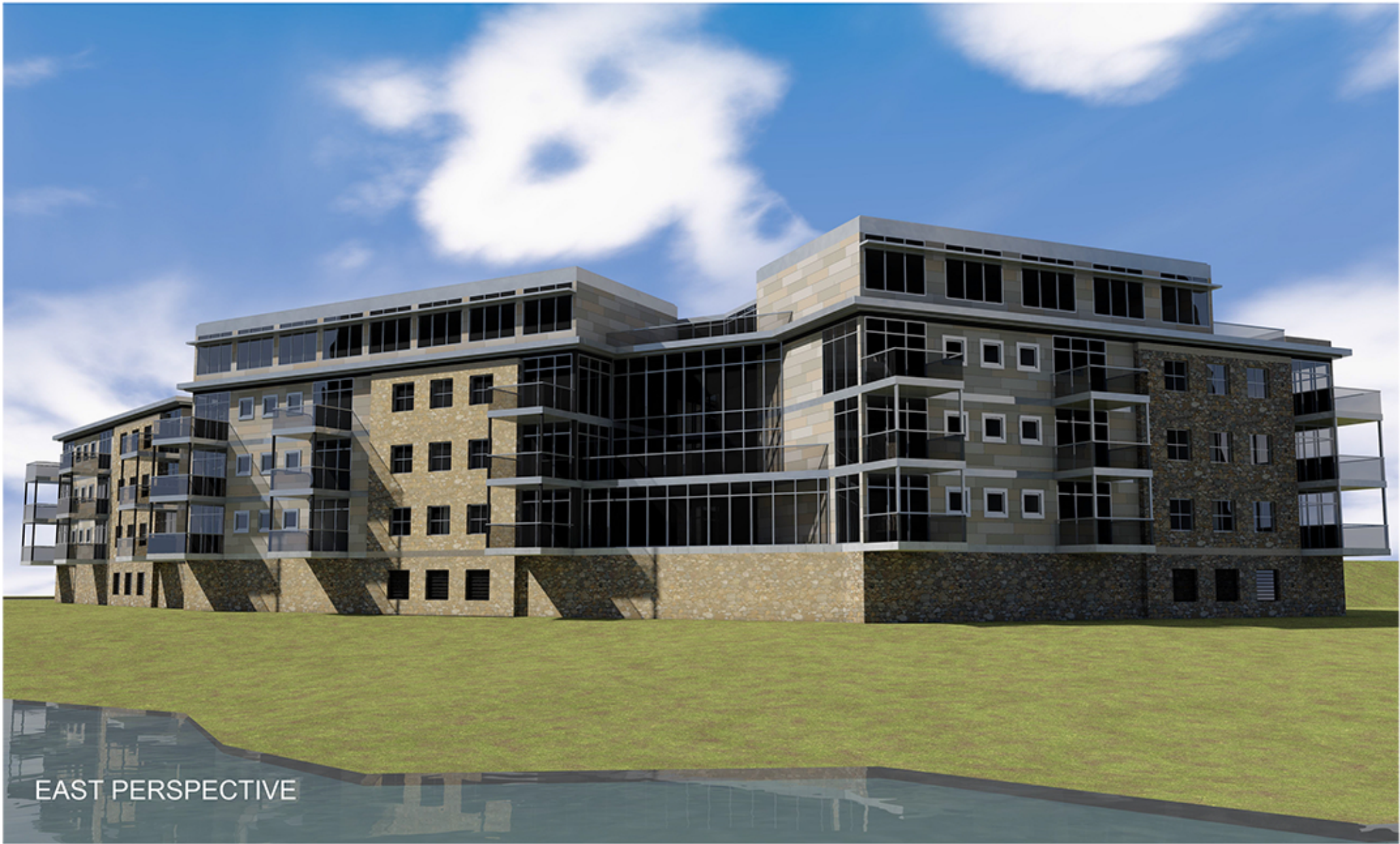
AERIAL



SOUTHWEST PERSPECTIVE - VIEW FROM ROAD



WEST PERSPECTIVE



EAST PERSPECTIVE



SOUTHWEST PERSPECTIVE - VIEW FROM ROAD

AERIAL





January 9th, 2017

Pre Application Summary: 2500/2520 Shadywood Road, Orono

Attendees: Tom Goodrum, Westwood; Heidi Quinn, MCWD; Katherine Sylvia, MCWD; Renae Clark, MCWD

Meeting Date: December 29th, 2016

Current site sketch proposal:

- New 45-50 unit apartment building with underground parking and parking lot at 2520 along with parking lot expansion at 2500

Permit Pre-App review:

- Rules Triggered: Erosion Control, Wetland Protection, and Stormwater Management

Stormwater Management:

- Size of site in aggregate: 7.71 acres
- Existing impervious surface: 1.88 ac – 1.89 ac (based on 2015/2016 applications)
- Proposed impervious: unknown
- Assuming less than 40% of the site is disturbed (less than 3 acres), the proposed increase in impervious surface will determine if the new impervious surface or entire site need to be treated.
- Required volume standards are calculated by abstraction of the first 1" of rainfall from the impervious surface. Phosphorus standards are assumed to be fulfilled by abstracting the first 1" (volume requirement). The rate control standards are met by showing there is no net increase in peak runoff for the 1, 10, & 100 year storm event.
- Below is a table that summarizes the stormwater rule for an increase in impervious:

Table 4: Stormwater management requirements for redevelopment resulting in an increase in impervious surface

Site Size	Site Disturbance	Impervious Surface Increase	Requirements	Treatment Scope
≤ 1 acre	N/A	N/A	Incorporate BMPs	N/A
> 1 acre	< 40% site disturbance	< 50% increase in impervious surface	Phosphorus Control, Rate Control, and Volume Control	Additional impervious surface
		≥ 50% increase in impervious surface		Entire site's impervious surface
	≥ 40% site disturbance	N/A	Phosphorus Control, Rate Control, and Volume Control	Entire site's impervious surface



- Currently, 2 filtration ponds are proposed within the wetland buffer
 - If BMPs are proposed within the wetland buffer, than the buffer area must be increased to make up for the area lost from the BMP. This may cause unwanted site constraints.
 - Filtration is given a 50% credit for abstraction, ie treat for the first 2” of rainfall. The abstraction credit schedule can be found on pages 12-13 of the stormwater rule.
- High Water Elevation
 - All applications shall provide at least two vertical feet of separation between low openings of structures and the 100-year high water elevations of stormwater BMPs and waterbodies.
 - NOD does not reference, but it appears the preserve wetland is a DNR public waters wetland that connects to Lake Minnetonka. The 100 year floodplain elevation for Lake Minnetonka is 931.5’
- The below table summarizes the allowable impact to downstream waterbodies based on management class. The large wetland complex has been identified as a preserve and the small wetland to the SE does not have a management class on file.

Wetland Management Class/ Waterbody	Permitted Bounce for 1-, 10-, and 100-Year Event	Inundation Period for 1-Year Event	Inundation Period for 10- and 100-Year Event	Runout Control Elevation
Preserve	Existing	Existing	Existing	No change
Manage 1	Existing plus 0.5 feet	Existing plus 1 day	Existing plus 2 days	No change
Manage 2	Existing plus 1.0 feet	Existing plus 2 days	Existing plus 14 days	0 to 1.0 ft above existing runout
Manage 3	No limit	Existing plus 7 days	Existing plus 21 days	0 to 4.0 ft above existing runout
Lakes	Existing	N/A	N/A	No change

Wetland Protection:

- W15-17 Boundary & Type NOD valid
- No proposed wetland impacts



- Proposed buffer disturbance
 - Requires restoration plan, 5 year monitoring & maintenance plan and financial assurance minimum of \$5,000
- Preserve wetland requires a 75' buffer
 - Averaging min 37.5', max 150'
- Type 2 wetland in SE corner does not have FAW management class
 - Typically a wetland delineator or specialist will run a MnRAM to identify the management class.
- Buffers are required around wetlands that are downgradient of the site disturbance.
- Buffer averaging can occur on both parcels (2500 & 2520)
 - Existing structures are grandfathered in
 - MCWD encourages native wetland buffers even when not required by regulation and can provide technical assistance on seed mixes and maintenance.

Other:

- Boardwalk/Dock in wetland-
 - In summary WCA does not consider boardwalks as fill in wetlands as long as the hydrology, vegetation, and soils are not effected in a manner that would cause them to lose wetland characteristics.
 - MCWD Waterbody Crossings & Structures rule may be triggered if the boardwalk comes into contact with the bed or bank of the wetland. Additionally, Lake Minnetonka Conservation District (LMCD) regulates docks on Lake Minnetonka and should be consulted. There is no dock permit required from the DNR if the dock is built within the guidance criteria (DNR guidance attached separately).
- Upon consulting with the District's engineer, there are some preliminary concerns regarding a high ground water table, site space for BMPs and space for required wetland buffers.
- Alternative and/or additional BMPs should be explored based on the soil conditions and location of the ground water table. Some other options may be underground storage, permeable pavers, additional filtration "gardens", and/or a treatment train(s).