

**AGENDA
PLANNING COMMISSION
CITY OF WYOMING, MINNESOTA
JUNE 13, 2023
7:00 PM**

CALL TO ORDER:

CALL OF ROLL:

DETERMINATION OF A QUORUM:

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

An opportunity for members of the public to address the Planning Commission on items not on the current Agenda. Items requiring Planning Commission action may be deferred to staff for research and future Planning Commission Agendas if appropriate. You will be limited to two (2) minutes and we ask that you conduct yourself in a professional, courteous manner, and refrain from the use of profanity. Failure to abide by this policy may result in the loss of your privilege to speak.

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota Planning Commission for May 23, 2023.

SCHEDULED PUBLIC HEARINGS:

2. Variances, V23-001 Highway 8 Setback, Architectural Standards, and Screening Site Plan Review Sp-23-004 Gregory Contracting
Location: Lake Boulevard / Highway 8 & Hazel Avenue
Applicant: Richard Gregory, Jr.
Owner: Westkey Enterprises LLC
Property ID Number: 21.10712.10

NEW BUSINESS:

OLD BUSINESS:

3. Conditional Use Permit for Apartment Buildings: C-23-001
Location: 257th Street, south end of cul-de-sac
Applicant / Owner: 257 Land Holdings, LLC; Brian Solsrud
Property ID Numbers: 21.10605.00 & 21.10542.10

COMMUNICATIONS:

4. Vang Home Occupation - Application was withdrawn.

UPDATES:

Forest Lake Sportsman's Club - Conditional Use Permit was approved by the City Council.

ADJOURN**UPCOMING:**

**UNAPPROVED MINUTES
PLANNING COMMISSION
CITY OF WYOMING, MINNESOTA
MAY 23, 2023
7:00PM**

CALL TO ORDER:

Planning Commission Chairman Lobermeier called the Regular Meeting of the Wyoming Planning Commission for May 23, 2023 to order at 7:00 PM

CALL OF ROLL:

On a Call of the Roll the following members of the Wyoming Planning Commission were present: Mark Lobermeier, Katie West, and Dan Iverson

ABSENT: Commissioner Michael Naumann

Also Present: Fred Weck Zoning Administrator, Planning Consultant Kim Lindquist and Mayor Lisa Iverson

DETERMINATION OF A QUORUM:

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

Chair Lobermeier noted that usually Open Forum is a time for residents to bring up things to the Commission that are not on the agenda. He stated that he assumed many of those present tonight were here regarding Agenda Item #5, regarding a permit for apartment buildings. He explained that the Planning Commission closed the public hearing on March 14, 2023, and told the residents that if the City received large changes in the application that they would reopen the public hearing. He explained that the City feels that the new information from the applicant is very small. He stated that because he felt that the Commission had given a type of commitment for additional public comment, he would like to suggest that the residents use the Open Forum portion of the meeting if they believe there is something that has not yet been shared regarding this item. He asked that they make their comments brief and try not to repeat comments from others. He stressed that they were not re-opening the public hearing.

Rose Sundem, 25438 Heims Lake Circle, stated that based on the information that was sent out, she would like to bring up a logic check that she did not think had been brought up yet related to the hitching post comment that was made. She stated that the information says that there will be 13 resident units and 2 single level garages, but if you look at note #5, it says that they are proposing 21 parking stalls for each. She noted that she assumed that meant 21 parking stalls per building, which would equate 84 parking stalls, which averages about 6.5 cars per residence.

Chair Lobermeier stated that he believes there are 42 total parking spaces proposed which included 21 surface parking stalls and 21 garage stalls.

Planning Consultant Lindquist stated that there were a total of 42 parking spaces proposed.

Deb Thompson, 25319 Heims Lake Circle, stated that the units look like they are about 1,344 sq. ft. which is 3 bedrooms. She stated that the plans also show two ways out of each bedroom to outside. She asked how something like this could be pushed through and only have one window in 1,344 sq. ft. She stated that someone last time referred to it as the Hitching Post and she refers to it as the Hallberg Storage for Humans. She reiterated that she found it ridiculous that there was only one window for this entire space and expressed concern about property values in the

area if this moves forward. She stated that she did not understand how the City could approve putting something like this right underneath the cool City logo that says Wyoming.

Lon Erickson, 25337 Heims Lake Circle, noted that he was unable to attend the last meeting because he was out of state. He asked what use was being asked for with this application. He explained that he did not think the City or the residents could accurately reflect their opinion of it without knowing its actual use. He stated that in looking at the plans, he sees 3 bedrooms with 3 separate entrances and one small living space for each unit and questioned what type of family unit would live in that type of housing. He asked if the intent was for a criminal halfway house or a hospice type facility.

Chair Lobermeier explained that it was guided for apartments for 55+.

Mr. Erickson asked if the intent was for this to be a government assisted type facility.

Chair Lobermeier stated that the City did not know that information.

Mr. Erickson expressed concern that the City did not know if it would be used for a criminal halfway housing for individuals who are over age 55.

Zoning Administrator Weck stated that as far as the zoning goes, that information would not really matter. He stated that the applicant is proposing a 55+ apartment building.

Chair Lobermeier reminded the audience that the Planning Commission was allowing individuals to speak tonight as a courtesy because the actual public hearing had already been held.

Mr. Erickson stated that he had approached the City about purchasing this property and was told that the only way he could do it was to pay all of the taxes that were owed on the day of the sale. He stated that the day after the property was sold someone with the development came and started taking down trees that between his home and the swamp. He stated that when members of the neighborhood went out and discussed what was happening with this person, they were told that this was not a 'back room shady deal with the City' which they found to be an odd statement. He asked if the buyer paid the taxes and assessments in full on the day of the sale.

Zoning Administrator Weck stated that the City Council reassessed the property, so the payment had not yet been made, but they are all due this year.

Mr. Erickson expressed frustration that he had been told by the City when he was interested in purchasing the property that on the day of sale he would have to have a check for the full amount.

Chair Lobermeier stated that the question before the Commission tonight is whether or not to recommend approval of the proposed development. He stated that he understood that Mr. Erickson may feel that he was wronged in this process, but that is not what the Commission was here to discuss.

Mr. Erickson stated that he also wanted to comment on the architectural standards and noted that what is shown in the drawings were not any better than a Hallberg building because there is nothing pleasing to the eye. He stated that it will be located right next to the beautiful sign that says 'Welcome to Wyoming'. He reiterated that he felt the proposed buildings were not pleasing to the eye and stated that they brought to mind dog houses and, in his opinion, look worse than the storage buildings that the community is already well-known for. He stated that he thinks there are clearly still some issues that need to be looked at by the City.

Wayne Lund, 25330 Heims Lake Circle, stated that he understands that this property is zoned for 55+.

Zoning Administrator Weck clarified that it was zoned for Office Healthcare, so 55+ apartments is one of the things that it could be used for.

Mr. Lund stated that his understanding was that 80% has to be for 55 or older and asked if that

was based on the units.

Zoning Administrator Weck stated that it would be based on units and noted that it would be under the same standards as the Heims Lake development.

Sharon Morin, 25400 Farmstead Lane, stated that in the first information meeting they were told that there would not be wheelchair accessibility or handicap access and asked how they could have a 55+ development and not have those features.

Zoning Administrator Weck explained that the State building code addresses the earlier comment related to windows and also addresses how many units need to be handicap accessible. He stated that if this is approved and the applicant applies for a building permit, those items will be addressed during that process.

Julie Hinz, 25351 Farmstead Lane, stated that in the information sent out, it stated that the proposed development was to have peak traffic at 3:00 a.m. and 3:00 p.m. She asked why peak traffic would happen at 3:00 a.m.

Planning Consultant Lindquist stated that was just depicted as a general commute time and meant 3 trips during a.m. peak times, which are most likely 7:00 a.m. to 9:00 a.m.

Ms. Hinz asked if the next step in this process would be to take the application before the City Council.

Chair Lobermeier stated that the Planning Commission will make a recommendation that will be given to the City Council. He stated that he believes that this will go before the City Council at their June 6, 2023 meeting. He cautioned that while residents were welcome to attend, the City Council would not be holding a public hearing on this matter.

Ms. Thompson asked if this had already been approved.

Chair Lobermeier stated that it had not been approved.

Ms. Thompson asked who had paid for things like water level samples.

Zoning Administrator Weck stated that the developer would be responsible for those costs during the design process.

Darren Kolke, 25330 Farmstead Lane, stated that the permit application has a few things checked 'no' without any explanation. He asked if anyone had an answer on nearby property values and how they would be effected.

Melinda Deneen, 25347 Heims Lake Circle, asked how many paying tenants there would be per unit. She noted that typically for a 55+ development there is a husband and a wife or a widow or widower. She stated that she used to clean 55+ apartments and has never seen this kind of layout for that purpose. She stated that she feels it will be unsafe and did not feel this area would be the right location for this type of use.

Mr. Erickson stated that to go along with Ms. Deneen's point, when you plan this type of development, typically there needs to be transportation available for the residents. He stated that this is not on or near a bus line and does not feel it has been designed with that need in mind. He stated that he feels the City needs to get more answers from the developer as to what demographic would move into a 55+ unit with 3 bedrooms and one small common living area.

APPROVAL OF MINUTES:

- 1. Consider approving the minutes of the "Regular Meeting" of the Wyoming, Minnesota Planning Commission for April 25, 2023**

A MOTION WAS MADE BY COMMISSIONER IVERSON, SECONDED BY COMMISSIONER WEST, TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR APRIL 25, 2023 AS SUBMITTED.

Voting Aye: Iverson, West, and Lobermeier
Voting Nay: None
Abstain: None
Absent: Naumann

2. Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota Planning Commission for May 9, 2023

A MOTION WAS MADE BY COMMISSIONER WEST, SECONDED BY COMMISSIONER IVERSON, TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR MAY 9, 2023 AS SUBMITTED.

Voting Aye: Iverson, West, and Lobermeier
Voting Nay: None
Abstain: None
Absent: Naumann

SCHEDULED PUBLIC HEARINGS:

- 3. Conditional Use Permit for Sight-in Days Structure: C-23-003**
Location: 4648 240th Street
Applicant/Owner: Forest Lake Sportsman’s Club, Ron Westberg
Property ID Number: 21.10632.00

Zoning Administrator Weck explained that he was a member of the Forest Lake Sportsman’s Club, so Planning Consultant Lindquist would handle this item tonight.

Planning Consultant Lindquist gave an overview of the CUP request for a specific structure on the Forest Lake Sportsman’s Club premises. She noted that because it appears that many of the uses for the existing buildings may have existed prior to the City, there may be some grandfathering available. She explained that because this building would be removed, they would lose the grandfathering status. She stated that as they replace things the City would be looking at providing approvals that bring it into compliance with the legal requirements for the ordinance. She noted that the property is located in an agricultural zone with a shoreland district overlay and noted that the Comprehensive Plan has it guided for semi-rural neighborhood that recognizes the shoreland management. She noted that there are quite a few CUP standards that are appropriate for reviewing and noted that the proposed structure is just 200 sq. ft. which is slightly smaller than the existing structure. She stated that staff feels they meet the standards for issuance of the CUP and are recommending approval with the conditions as outlined in the staff report related to things like erosion control. She stated that they are planning to add electricity and an HVAC system so they will be getting permitting for those actions but are not running sewer and water utilities to the site.

Ron Westberg, Forest Lake Sportsman’s Club, explained that this structure will have small usage and will either have employees or club members. He stated that the public will not be going into this structure which is why they designed it this way. He stated that they expect that it will be used on weekends from the last weekend of September until the State deer opener which is generally the first weekend in November. He stated that they have discussed the possibility of

allowing the building to be used by members during other times of the year in order to socialize with each other or get out of the elements, but that had not yet been approved by the Board. He explained that the actual request is for a building to be used primarily as a check-in facility.

Chair Lobermeier stated that he has been there many times and noted that he would miss the old structure.

Commissioner West asked why they would tear down the old structure because it is so cool.

Mr. Westberg explained that they were concerned because it is rotting away at the base. He noted that when you spend time in it during the fall months, you end up sharing quarters with squirrels and mice.

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER IVERSON, TO OPEN THE PUBLIC HEARING AT 7:30 P.M.

<i>Voting Aye:</i>	<i>Iverson, West, and Lobermeier</i>
<i>Voting Nay:</i>	<i>None</i>
<i>Abstain:</i>	<i>None</i>
<i>Absent:</i>	<i>Naumann</i>

Mr. Erickson stated that this proposal looked better than the proposed apartment buildings that were discussed during the Open Forum.

Duane Sellman, 25353 Esquire Boulevard, stated that he shared a border with the Sportsman's Club. He noted that he did not have a problem with them updating the building, but he also likes the log building.

Jody Cowden, 24138 Elmcrest Avenue, she stated that she does not have a problem with the plans to update the building, but from her point of view it is open all day, every day, 365 days/year. She stated that it creates a lot of traffic and is not just in the fall and an occasional weekend.

Chair Lobermeier stated that he believes the statement made by Mr. Westberg about usage in the fall and on weekends, was just related to this particular building and not the Sportsman's Club itself.

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER IVERSON, TO CLOSE THE PUBLIC HEARING.

<i>Voting Aye:</i>	<i>Iverson, West, and Lobermeier</i>
<i>Voting Nay:</i>	<i>None</i>
<i>Abstain:</i>	<i>None</i>
<i>Absent:</i>	<i>Naumann</i>

Commissioner West reiterated that she would be sad to see the old building go, but understands the need because of the deterioration of the building.

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER IVERSON, TO RECOMMEND APPROVAL CONDITIONAL USE PERMIT FOR SIGHT-IN DAYS STRUCTURE: C-23-003 FOR PROPERTY LOCATED AT 4648 240TH STREET FOR FOREST LAKE SPORTSMAN'S CLUB, RON WESTBERG, PROPERTY ID NUMBER: 21.10632.00, SUBJECT TO THE CONDITIONS AS LISTED IN THE STAFF REPORT.

Voting Aye: Iverson, West, and Lobermeier
Voting Nay: None
Abstain: None
Absent: Naumann

NEW BUSINESS:

4. Sketch Plan, Wildlife Estates Plat 5: D-23-001
Location: 24996 Fondant Avenue
Applicant/Owner: Brian Mulroy
Property ID Number: 21.11125.34

Planning Consultant Lindquist gave an overview of the proposed sketch plan to create two parcels from one at 24996 Fondant Avenue. She explained that the process for a Sketch Plan was to give the proposal a cursory review and raise any pertinent issues prior to the applicant coming back for the official approvals. She reviewed the current zoning and access for the new driveway onto Fondant Avenue. She stated that staff is recommending rezoning to R-1 since the lot sizes are more consistent with that standard and referenced the property directly to the east that had the same issue. She noted that the lot depth requirements would not be met due to the corner lot situation which means a variance would be required.

Commissioner Iverson noted that this appears to be a carbon copy of what was done with the property to the east and asked if there were other lots in this same situation.

Zoning Administrator Weck stated that he believes that there were not any others in the area that could be rezoned in this manner.

OLD BUSINESS

5. Conditional Use Permit for Apartment Buildings: C-23-001
Location: 257th Street, South end of cul-de-sac
Applicant/Owner: 257 Land Holdings, LLC; Brian Solsrud
Property ID Numbers: 21.10605.00 and 21.10542.10

Chair Lobermeier expressed his appreciation for the additional public comment that was provided earlier in the meeting.

Planning Consultant Lindquist noted that the Planning Commission had previously recommended a continuance with 8 reasons and explained that they should ensure that those have been adequately addressed in the information provided by the applicant. She stated that this is comprised of two different parcels that has a total acreage of about 14.2 acres, but only about 4.3 of it is actual upland acreage. She reviewed what they had applied for when this was last discussed and explained that they have now modified that plan by reducing the driveway and garage length and would be under the hard surface coverage requirements for the Shoreland District so a CUP for that would no longer be needed. She stated that this property was fairly recently rezoned to office and healthcare which allows elderly housing. She stated that the applicant has clarified that this is an independent 55+ community which means they would typically have their own means of transportation. She reviewed the site plan and noted that, while similar, there are some modifications that have been made that address some of the concerns expressed by the Commission. She reviewed the modifications for access and circulation on the property. She stated that the plans are still for 2 buildings with 6-7 rental units and one leasing office. She reiterated that there will be 21 surface parking stalls and 21 garage stalls which will also provide for visitor parking. She explained that this proposal equates to 2.85 units per acre

which is a fairly low density. She stated that the Fire Chief has reviewed the modified access plans for emergency vehicle access and while not wholly desirable, it is adequate. She noted that it will be tough to maneuver on the site because there is not a lot of extra space. She stated that the roadway and the utilities will be private utilities and installed and maintained privately by the developer, but will tap into the City's system. She stated that the City had required a traffic study be conducted and noted that they had used the ITE for elderly housing which has a lower traffic generator than a typical single family or multi-family use. She explained that their information came out to 42 trips per day which is nothing that would be concerning related to traffic volumes. She stated that she knows that there has been a lot of concern expressed about the unit layouts and what they may represent, and noted that the traffic study was based on the proposed use for elderly housing. She reviewed the previous and modified versions of the tree preservation and landscaping plans. She noted that staff recognizes that the best landscaping for this site would be to maintain the existing landscaping because it is mature and ungraded. She noted that staff recommends that they put in the preservation fencing prior to any grading activity and that the City should monitor this situation. She reviewed the architectural plans and noted that she thinks that everyone recognizes that what they are proposing is an odd layout and noted that the applicant has provided detail for the garage space and noted that it is similar to other detached garage spaces. She explained that the applicant had generally addressed the 8 items that were associated with the continuation by the Commission. She stated that they have also modified some of the technical information and addressed some of the watershed district comments. She stated that staff is recommending approval with 14 conditions as included in the staff report. She stated that some of the proposed conditions address some of the concerns raised by the neighborhood related to clarifying the site use and that use cannot be modified without amending the PUD.

Commissioner West asked about the fire and emergency access plans to the apartments that are along the lake front.

Zoning Administrator Weck stated that the plans are probably not the best way to get to those units, but it does meet the fire code as far as distance from where they would park. He reiterated that the Fire Chief had looked over the plans and while not ideal, it would technically meet the code.

Commissioner Iverson asked about access and noted that people will need to carry their groceries around the back of the building. He asked if there would be a covering over the sidewalk and asked how it would be maintained to prevent falls. He stated that, to him, this is not a safe set up at all for people 55+ with the way they have to access this facility.

Planning Consultant Lindquist stated that there were no plans to cover the sidewalk with any type of shelter.

Commissioner Iverson stated that there also does not appear to be any community space outside or inside.

Ed Severson, 257 Land Holdings, stated that a lot of work has gone into this proposal thus far. He stated that they could bring more planning to bring the greenspace areas to the forefront in specifying the paths towards the lakeside for a communal area. He noted that the concerns shared about the 3 doorways speaks to the ADA requirements and they chose to have this in all the units in order to allow for accessibility to outdoors.

Commissioner Iverson asked about the plans for a window in the main living area but not for other areas in the bedrooms.

Mr. Severson stated that their architect could not be here tonight and noted that when he leaves the meeting he would like to have a hard list of questions that have not been answered that he can get answers for.

Chair Lobermeier respectfully reminded Mr. Severson that the applicant had been before the Commission on March 14, 2023 where those comments and concerns were shared and noted that those elements were not changed in the latest version of the plans.

Mr. Severson stated that he does not have answers regarding the design but knows that they followed best practices and assured the Commission that they want it to look good today and in the future.

Chair Lobermeier stated that there had been a concern raised regarding the circulation on the back side of both buildings and access to the units. He stated that there is also no lighting provided on the back sides of the building according to the lighting plans that were submitted which leaves him extremely concerned about individual safety and access for emergency response.

Mr. Severson stated that he concurs with that concern.

Chair Lobermeier stated that this concern was clearly communicated with the applicant and he feels there is room on the site to do something different than what is being proposed.

Mayor Iverson stated that the applicant brought up the 3 doors as an ADA compliance item. She asked about the size of the doors and noted that based on the plans submitted, those doors would not be ADA compliant.

Mr. Severson stated that he knows that there were a few different iterations.

Zoning Administrator Weck explained that the ADA requirements would only be required for a certain percentage of the units and would not have to be for all the units. He explained that the ADA units would require one 3'-0" door to each unit, and for escape and egress, would require a window or a door. He explained that each bedroom would not need to have its own door to the exterior.

Chair Lobermeier asked how long a typical lease would last.

Mr. Severson stated that they would be market rate apartments that would have at least a 1 or 2 year lease length.

Chair Lobermeier asked about the trash receptacle location and stated that he would strongly suggest that this be relocated to the far west side of the development so it would be further away from the neighbors. He stated that he believes the Commission has a lot of the same questions as those raised by neighbors. He noted that he has multiple concerns with this project and noted that usually their discussion about the look of a building is related to materials. He explained that architectural design typically revolves around form and function and if the function of this facility is geared towards 55+, he feels the form does not speak to that at all. He shared examples of what would typically be seen in that type of space such as extra navigation space, common areas, and access to the back of the buildings. He stated that the plans show no walk-in shower units which would be more typical for an aging community. He stated that the lack of windows not only mean a not very attractive design from the exterior, but also no light on the interior. He reiterated that there is no lighting on the backside of these units but on the other side seems to be very brightly lit. He stated that they had also mentioned safety for residents but also for emergency access, snow, and trash removal. He noted that it appears as though these kinds of details were not thought about with the design plans. He stated that he feels the Commission has gotten a lot of good feedback from the public and felt that the staff report was very detailed and explained how this meets the zoning ordinances and the guidance of the Comprehensive Plan. He noted that typically if a plan comes and meetings those things, the Commission is able to approve the plans, but he believes that this plan fails to meet the architectural standard ordinance. He stated that the design, as it has been presented, is inconsistent with the targeted segment of the community for 55+.

MOTION BY COMMISSIONER LOBERMEIER, SECONDED BY COMMISSIONER IVERSON, TO RECOMMEND DENIAL FOR THE CONDITIONAL USE PERMIT REQUEST FOR APARTMENT BUILDINGS: C-23-001 LOCATED AT 257TH STREET, SOUTH END OF CUL-DE-SAC FOR 257 LAND HOLDINGS, LLC; BRIAN SOLSRUD, PROPERTY ID NUMBERS: 21.10605.00 AND 21.10542.10.

Planning Consultant Lindquist stated that if the Commission was interested in recommending denial, staff would ask that they actually continue this item in order to allow time for them to prepare findings of fact appropriate with the feedback the Commission has given.

Chair Lobermeier referenced Division 5 of Ordinances, specifically 40-450 and 40-451.

Voting Aye: Iverson, West, and Lobermeier
Voting Nay: None
Abstain: None
Absent: Naumann

MOTION BY COMMISSIONER LOBERMEIER, SECONDED BY COMMISSIONER WEST, TO CONTINUE THE CONDITIONAL USE PERMIT REQUEST FOR APARTMENT BUILDINGS: C-23-001 LOCATED AT 257TH STREET, SOUTH END OF CUL-DE-SAC FOR 257 LAND HOLDINGS, LLC; BRIAN SOLSRUD, PROPERTY ID NUMBERS: 21.10605.00 AND 21.10542.10, AND DIRECT STAFF TO PREPARE FINDINGS OF FACT TO SUPPORT A RECOMMENDATION OF DENIAL.

Voting Aye: Iverson, West, and Lobermeier
Voting Nay: None
Abstain: None
Absent: Naumann

Chair Lobermeier clarified that this action meant that this would not be discussed at the June 6, 2023 City Council meeting. He expressed his appreciation to the public for attending the meetings and giving their input. He stated that he believes the Commission was concerned about many of the same things that the residents were and assured them that the Commission wants a good quality design. He stated that something 'like' what has been presented can go on this site, but it needs to be done right.

COMMUNICATIONS:

UPDATES:

A MOTION WAS MADE BY COMMISSIONER WEST, SECONDED BY COMMISSIONER IVERSON, TO ADJOURN THE MAY 23, 2023 "REGULAR MEETING" OF THE WYOMING, MINNESOTA PLANNING COMMISSION AT 8:23 PM.

Voting Aye: Iverson, West, and Lobermeier
Voting Nay: None
Abstain: None
Absent: Naumann

**CITY OF WYOMING
PLANNING AND ZONING**

TO:	Planning Commission
DATE:	6/6/2023
FROM:	Kim Lindquist, City Planner Fred Weck, Zoning Administrator
RE:	Site Plan Review,
APPLICANT:	Piper Properties, LLC Gregory Contracting, Inc.
PROPERTY:	R.21.10712.10
FILE NO.:	SP-23-004 & V-23-001

OVERVIEW

Piper Properties, LLC (“Applicant”) has requested a site plan review to construct a new 8,623 square foot office building on their property at 7310 Lake Boulevard. The new building would be leased to Gregory Contracting, Inc. The parcel currently abuts County Road 8 to the south and Hazel Avenue to the east and is presently vacant. In the future, with the changes to Hwy 8, the road configuration around the site will change. The site was rezoned and reguired from residential to commercial in early 2022.

The applicant originally requested a site review in August 2022 but withdrew the application before presenting to the planning commission. The project was review was postponed and plans changed to address concerns noted in the first project review.

The applicant’s proposal is to build an office building, which includes some storage and showroom space, on the southwest portion of the parcel. The proposed building will have two different parking areas serving the main structure – with both lots accessible through separate access points from Hazel Avenue. As compared to the prior plan, the current proposal no longer references a future building that would be located on the northeastern portion of the parcel.

In addition, plans illustrating site grading, storm sewer and access have been revised and are provided. Given the property location the plan must meet both C-Commercial District standards and Highway 8 Overlay District Regulations. Unfortunately, the site plan does not comply with ordinance setback standards for front yard setback from Hwy 8 for the parking and principal structure. Therefore, setback variances are required for the project as proposed.

STAFF RECOMMENDATION

Based on review of the request and the standards for approval, staff is recommending approval of a site plan for the new Gregory Contracting, Inc. office building at 7310 Lake Boulevard subject to the following conditions:

1. The Applicant shall revise the building elevations to provide a wainscotting around the entire building comprised of stone, rockface block, or brick.
2. The Applicant shall submit a lighting plan that complies with all standards in ordinance lighting requirements Article VII, Division 15, including turning off site lighting, except for security lighting one (1) hour after closing.

3. Any signage on site will require a separate sign permit (s).
4. The Applicant address all engineering comments provided to the applicant.
5. The Applicant shall install screening consistent with the ordinance requirements along the western parcel boundary.
6. All required local, state and/or federal permitting must be obtained.

Based on review of the request and the standards for approval, staff is recommending approval of the following five variances for the Gregory Contracting, Inc. office building at 7310 Lake Boulevard based upon the following findings of fact:

Variances:

- 117.5' principal structure setback when 150' from the right-of-way line is required.
- 48' parking setback when 150' from the right-of-way line is required.
- 47.5' sign setback when 150' from the right-of-way line is required.
- A variance from the architecture standards Section 40-451 for exterior materials to permit the proposed design subject to the conditions of the site plan approval.
- A variance from the screening standards Section 40-720 to omit screening for the north property line subject to the conditions of the site plan approval.

Based upon the following findings of fact:

- (a) Impair an adequate supply of light and air to adjacent property.
- (b) Unreasonably increase the congestion in the public right-of-way.
- (c) Increase the danger of fire or endanger the public safety.
- (d) Unreasonably diminish or impair established property values within the neighborhood.
- (e) Cause an unreasonable strain upon existing municipal facilities and services.
- (f) Be contrary in any way to the spirit and intent of this Ordinance.
- (g) Have a negative direct or indirect fiscal impact upon the City or school district unless the proposed use is determined to be in the public interest.

STAFF REVIEW

Site Plan Review

The subject property was rezoned and reguided to C-Commercial District in Spring 2022, and it is not currently developed. The zoning and surrounding uses are as follows:

North – R2–Rural Residential II District; low-density housing.

South – Hwy 8, C-Commercial, A-Agriculture, and R1-Rural Residential I Districts. Light commercial use and low-density housing.

East –R2-Rural Residential II; low-density housing and agricultural uses.

West –R2-Rural Residential II District; low-density housing.

The applicant is proposing that the lot will serve as a newly constructed office space with a public showroom and warehousing space. Office buildings are a permitted use in the Commercial District. This parcel is not located within either the Shoreland or Floodplain Districts, however, is located within the Highway 8 Overlay District. The site is unusually shaped, a triangular shape, and therefore

the site plan is being evaluated with one front yard and two side yards. The following table summarizes the regulations associated with the site, noting the Commercial District requirements standards:

Zoning District	<u>C- Commercial District</u>	<u>Proposed</u>
Lot Width	200 feet	351 feet (existing condition)
Lot Size	2.5 acres (minimum)	1.78 acres (existing condition)
Front Yard Setback	150 feet from right-of-way of Trunk Highway 8 for principal structure and parking	117.5 feet principal structure, * 48' for parking *
Side Yard Setback (west)	20 feet (principal building), 20 feet (parking area)(adjacent to residential districts)	20 feet
Side Yard Setback (east)	20 feet (principal building), 20 feet (parking area) (adjacent to residential districts)	139 feet, 89 feet
Building Height	45 feet (four stories) maximum	28.5 feet
Impervious Surface	75% (maximum)	31.5%

variance from the front yard parking setback is required

Lot Layout

There are a total of five variances that will be needed to permit the site plan as proposed. Three are for setbacks from Hwy 8 and the fourth is for the exterior building materials.

There is a front yard principal structure and parking setback requirement of 150' to the Hwy 8 right of way. Currently the office structure is set back 117.5' feet and the parking is set back 48'. The proposed monument sign has a 48.5' set back. The setback standard is found in the Hwy 8 overlay district and is required to ensure there is enough distance from any new construction to the future road. Because plans are almost completed for Hwy 8, it is anticipated that after installation of the Hwy 8 road system, two of the three variances will be moot. The new setback requirements, after road construction will be 135' front yard for the principal structure and 10' setbacks for parking and the monument sign. The parking and sign would be in compliance in the future.

The fourth variance is from the architectural standards of the ordinance given the very residential character and materials proposed. More information is provided below. And the fifth variance is from the screening requirements for a commercial site adjacent to residential development.

Architecture

The proposed one-story building is residential in character with a pitched roof. The building footprint is 130'x 62' with a small vestibule at the southern main entrance and 519 square feet of mezzanine space and unoccupied attic space. Total building square footage is 8554 square feet. The provided floor plan indicates eleven offices with showroom and storage, along with break room, restrooms, conference room, and reception area. A deck and paver patio is also proposed along the south and southwest side of the building.

Property developing in the Commercial District must adhere to the architectural standards and exterior materials contained in Division 5 Architectural Standards, Section 40-451(2). As part of these standards, commercial structures must be composed of at least sixty-five percent (65%) Class I materials; and not more than thirty-five percent (35%) percent Class II or Class III materials. The building elevations provided indicate that fiber cement lap siding will be used for the majority of all the sides of the principal building totaling over 68% of all the exterior material. Therefore, the building will have over 35% of the exterior covered in fiber-cement exterior lap siding, a material that is classified as a Class III material. Previously staff had indicated that the exterior material should be altered to meet ordinance standards. However, it is recognized that the Planning Commission is reviewing the city's architectural standards and anticipates some changes will occur. While it is impossible to predict the final outcome, it is anticipated that there would be some relaxation in the amount of "high quality" standards currently required. In recognition of the residential character of the building staff is suggesting a variance be granted for the exterior materials. However, it is also recommended that the applicant provide a wainscoting around the entire perimeter of the building, including the front façade, comprised of a decorate block or brick facing or the stone used on the front entrance, not the concrete block proposed.

Other design standards are met by having a consistent architectural expression on all sides of the building and being compatible with its surroundings.

Landscaping

City standards require landscaping with a combination of overstory trees, understory trees, and shrubs within one year following the completion of development. The site must have a minimum of one overstory tree and two understory trees per 1/10 acre of land not being used for structures or parking, which will require at least 7 overstory trees and 14 understory trees. As currently proposed, the site plan meets the standards though the use of coniferous and deciduous trees as the plan proposes 2 evergreen trees, 5 overstory trees and 14 understory trees. Proposed trees meet all size and height requirements as shown on the plant schedule. All site areas not covered by buildings, sidewalks, parking lots, driveways, or similar hard surface materials must be covered with plantings or an equivalent groundcover – excluding site areas that are preserved in a natural state. The landscaping plan illustrates compliance with this standard.

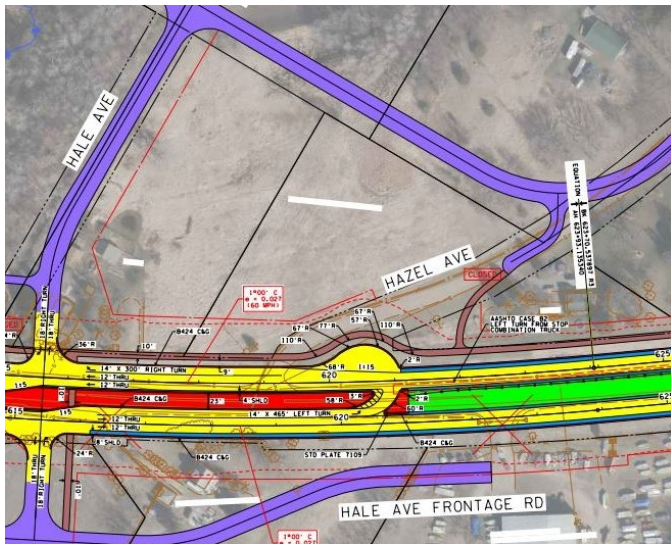
There are two differing plans relating to screening on the west side of the site. The landscape plan illustrates groupings of landscaping while other plans show a row of trees to aid in screening to the residential use in the west. Previously there was a privacy fence proposed along the western property line to provide screening. The applicant has requested a variance from the screening standards to the west and north due to the future configuration of the roadway system. Staff continues to recommend some screening treatment along the west due to the existing development to remain. Staff does not support the same treatment on the other sides of the site given the future roadway changes that are anticipated.

Screening standards also require a fully enclosed gate surrounding any trash storage facility and the site has a planned trash enclosure to the northwest of the main structure that meets this standard.

No additional tree removal is proposed to occur.

Roads, Traffic, and Access

The proposed development would create one new access point on Hazel Blvd. Currently Hazel Avenue is the only option for access to the site. In the future, Hwy 8 will be reconstructed, and local roads reconfigured, eliminating direct access to Hazel Avenue from Hwy 8 as shown below. At that time a new access will be created from the north, where a new road will be constructed. The future access is visible on the landscape and utility plans.



Drainage/Natural Resource/Wetlands

The site is within the Comfort Lake – Forest Lake Watershed District (CLFLWD) and permitting will be required through the CLFLWD. The site has obtained conditional approval from CLFLWD. Based on the proposed disturbance area being over an acre, a NPDES permit is also required. The SWPPP in the plans should be updated to provide all requirements noted in the NDPES Permit. There is no floodplain in the area so no floodplain permitting is required. The site is proposing to meet all stormwater management requirements using one filtration basins onsite. The basin is being designed and sized for the impervious proposed. The site is meeting City freeboard requirements as currently designed. Drainage and utility easements are required over stormwater management facilities and a stormwater maintenance agreement will be required. The stormwater plan meets current standards and is sized for the principal structure. Additional comments on the drainage design have been provided to the applicant and should be addressed as the project moves forward.

The farmed wetlands onsite will be filled and mitigated offsite; therefore, the proposed project is not required to meet any wetland bounce and inundation period requirements.

Utilities

City sewer and water are not available in the area of the proposed site. There are several plumbing fixtures shown as part of the proposed floor plan of the building including bathrooms as well as sinks

in the break and maintenance rooms. The applicant will need to provide details and show on the Utility Plan Sheet how the building will be served on-site by well and septic system.

Parking

The proposed development contains both office, mezzanine and storage space for a total of 8,623 square feet of office space. The parking standard for office space is 1 stall/250 square feet meaning 34 parking spaces are required for the project. As shown, the site plan depicts 25 parking stalls, and 6 “Proof Parking” spots, 3 below the ordinance requirement. In reviewing the floor plans, a portion of the building is dedicated to storage and showroom. The applicant’s narrative indicates there is 1669 square feet of showroom, 3193 square feet of office space and 3173 square feet of storage on the main floor with an additional 519 square feet of storage in the mezzanine. Using the land uses indicated by the applicant, the parking requirements would be reduced to approximately 20 stalls; 13 for the office use and 7 for the storage/showroom use. Because there is no room for on-street parking in this area the applicant should maintain the number of stalls shown with the 6 proof of parking. The City appreciates not adding stalls if unnecessary, which allows more green space. However, the property owner should not significantly change the use of the building space given the parking available on the site.

Lighting

As part of the site plan review, the applicant must illustrate adherence to all ordinance performance standards including lighting standards. Lighting standards require that any development cannot have a light intensity that exceeds 1 foot candle on the right-of-way line of a public street or a residential property. Also, light fixtures may not be taller than 25 ft, to limit potential spillover lighting on public streets. Lighting location performance standards state that light fixtures must be setback a minimum of 10 ft from a street right-of-way and 5 ft from interior and rear lot lines. Furthermore, there shall be no light fixtures on the roof of the building. The applicant indicates there will be no parking lot lighting and the building will have lighting at the building entrance.

Highway 8 Overlay District

Chapter 40; Article VI, Division 14 of the City of Wyoming’s municipal code outlines the requirements for any use within 500 ft of either side of Highway 8 ROW. Because the entire parcel is within this overlay zone, all buildings, parking areas, and other structures in the site plan must be setback at least 150 ft from the Highway 8 ROW. This standard prompts the need of a variance for the southern parking area.

Variance Review

Section 40-120(5) outlines the criteria for granting a variance to provide relief to the landowner. The current proposal requires a variance from the Hwy 8 setback standards for the principal structure, parking lot, and monument sign setbacks. They are also requesting variances from the screening and exterior materials regulations. As noted in the report, staff would support some exceptions to the performance standards but is asking for some changes to the materials and site screening.

The following are the criteria for granting of a variance:

- (a) The property is question cannot be put to a reasonable use if used under the conditions allowed by this Ordinance.
- (b) Exceptional or extraordinary circumstances apply to the property which does not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, topography, or other

circumstances over which the owners of the property, since enactment of this Ordinance, have had no control.

(c) That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.

(d) The special conditions or circumstances do not result from actions of the applicant.

(e) That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to owners of other lands, structures, or buildings in the same district.

(f) The variance requested is the minimum variance which would alleviate the hardship.

(g) The variance would not be materially detrimental to the purposes of this Ordinance, or to property in the same zone.

(h) Economic conditions or circumstances alone shall not be considered in the granting of a variance request if a reasonable use of the property exists under the terms of the ordinance

As mentioned throughout the report, staff supports the setback variances and notes that once Hwy 8 is constructed the parking and monument sign would meet the ordinance setback standards. The principal structure will still need a variance but not as severe at the current condition.

The two other variances are from performance standards associated with the site plan. Staff is supportive of a modification to exterior materials to allow the proposal but is recommending a wainscoting around the entire building perimeter of high-quality materials as defined in the ordinance, like stone, brick, or rockface block. The other performance-based variance relates to screening between a residential and commercial use. The applicant has not proposed any screening to the north or west. Staff can support the lack of screening in the north, knowing that the frontage road will ultimately be adjacent to the north property line. However, in the west, a residential use currently exists. It is unclear when or if that use will be removed or modified in the near future. Staff believes screening should occur along the west property line consistent with the ordinance requirement.

Staff believes the requests meet the 8 criteria for granting a variance with the above clarifications.

The ordinance also provides 7 findings of fact for granting of a variance:

(a) Impair an adequate supply of light and air to adjacent property.

(b) Unreasonably increase the congestion in the public right-of-way.

(c) Increase the danger of fire or endanger the public safety.

(d) Unreasonably diminish or impair established property values within the neighborhood.

(e) Cause an unreasonable strain upon existing municipal facilities and services.

(f) Be contrary in any way to the spirit and intent of this Ordinance.

(g) Have a negative direct or indirect fiscal impact upon the City or school district unless the proposed use is determined to be in the public interest.

Staff believes these findings of fact have been met for the 5 variance requests with the recommended changes found in the recommended conditions of approval.

Site Plan Review Standards

In accordance with Sec. 40 – 86, the following criteria shall be met during the site plan review application process:

- (1) Consistency with the various elements and objectives of the City’s long-range plans, including, but not limited to, the Comprehensive Plan;
- (2) Consistency with the purposes of this Code;
- (3) Preservation of the site in its natural state, insofar as practicable, by minimizing tree and soil removal, and designing any grade changes so as to be in keeping with the general appearance of neighboring developed or developing areas;
- (4) Creation of a harmonious relationship of buildings and open spaces with the terrain and with existing and future buildings having a visual relationship to the proposed development;
- (5) Creation of a functional and harmonious design for structures and site features including:
 - (a) Creation of an internal sense of order for the various functions and buildings on the site and provision of a desirable environment for occupants, visitors and the general community;
 - (b) Appropriateness of the amount and arrangement of open space and landscaping to the design and function of the development;
 - (c) Appropriateness of the materials, textures, colors and details of construction as an expression the design concept of the project and the compatibility of the same with the adjacent and neighboring structures and functions; and
 - (d) Adequacy of vehicular, cycling and pedestrian circulation, including walkways, interior drives and parking, in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian, cycling and vehicular traffic and arrangement and amount of parking so as to be safe, convenient and, insofar as practicable, compatible with the design of proposed buildings, structures and neighboring properties.
- (6) Creation of an energy-conserving design through design, location, orientation and elevation of structures, the use and location of glass in structures, and the use of landscape materials and site grading; and
- (7) Protection of adjacent and neighboring properties through reasonable provisions for such matters as surface water drainage, sound and sight buffers, preservation of views, light and air, and those aspects of design, not adequately covered by other regulations, which may have substantial effects on neighboring land uses.

These standards are met subject to conditions of approval.

Next Steps

The City Council will review the Planning Commission’s site plan review at the next regularly scheduled meeting.



City Of Wyoming
26885 Forest Blvd., PO Box 188
Wyoming, MN 55092
Phone (651) 462-4947 Fax (651) 462-3938

SITE PLAN REVIEW
LAND USE APPLICATION

A site plan review application requests a use permitted in a particular zoning district, but regulated and controlled through conditions placed upon it by the City Council after review by the Planning Commission.

Property Address: ~~730 LAKE BLVD~~ **246 XX Hazel Avenue**

Applicant(s) Information:

Name(s) RICHARD A. GREGORY JR. / PIPER PROPERTIES LLC Home _____
Address 23090 HAZEL AVENUE Work 651-206-2853
City FOREST LAKE State MN Zip 55025 Email 651-213-0668
DJ @ GREGORY CONTRACTING

Owner(s) Information: (if other than Applicant(s))

Name(s) Same as Applicant Home 651-206-2853
Address _____ Work 651-213-0668
City _____ State _____ Zip _____ Email dj@gregorycontracting.com
Owner(s) Signature(s) [Signature] Date 05/17/2023

Legal description of property: _____
Property Identification Number: R.21. 10712.10 Present zoning: C.
Present use of property: VACANT.
Proposed use of property: BUSINESS

This application and the following attachments must be submitted to be considered a complete application:

1. A detailed site plan showing the information listed in Section 40 - 82, 1-6 as well as the following:
 - a. The grading and drainage plan must be designed in accordance with Article VII, Division 21 of the Zoning Ordinance and the City of Wyoming Surface Water Resource Guidance Document.
 - b. Elevation drawings of all sides of the proposed building to show compliance with the architectural standards of the zoning district the use will be located in.
 - c. Landscaping and Screening in accordance with Article VII, Divisions 14 & 26.
 - d. Lighting Plan in accordance with Article VII, Division 15.
2. A letter explaining the proposed use and how it will be operated.
3. Applications for uses described in Article VI, Divisions 7, 18, & 19 and Article VII, Divisions 2, 8, 10, 17-20, and 25 of the Zoning Ordinance must include the information necessary to show compliance with the applicable section of the ordinance.
4. Applications for uses that are within the Highway 8 Overlay District or that utilize Highway 8 for access must include the information necessary to show compliance with Article VI, Division 14 of the Zoning Ordinance.
5. The application fee and escrow must be paid at the time of application. The fee is not refundable. The unused portion of the escrow will be returned to the applicant.
6. Any other information deemed necessary by the Zoning Administrator or Planning Commission.

Signature of applicant(s) [Signature] Date 5/17/23
As the applicant for this request, I agree to reimburse the City for all expenses incurred by the City in employing planning, engineering, legal, and other professional consultants in reviewing this application. This may include the replenishment of any escrow funds as required as part of this application. Such costs shall be paid by me, the applicant, regardless of the outcome of the review and prior to commencing any work on the project. All of Article V, Division 4, Site Plan Review is attached to this application and by signing this application, the applicant acknowledges that it has been read and understood.

A public meeting can be scheduled only after a complete application has been received.

Application # Sp-23-004 OFFICE USE ONLY Date Application Received 5/18/23
Date Complete Application Received 5/18/23 60 Days 7/17/23 By: [Signature]
Fee \$220.00 + Escrow \$1,000.00 Date Paid 5/18/23 Check # ✓

City of Wyoming

This letter is in regard to the property located at 7310 Lake Blvd. Piper Properties LLC is the owner of the property and Gregory Contracting will be leasing the property. Gregory Contracting will have its offices at this location including a showroom. Gregory Contracting's operations will be run out of this building. A future building for operations is cited in the plans also.

Date: July, 12th 2022

Thank you,
Richard Gregory
Owner: Piper Properties, LLC
Owner: Gregory Contracting, Inc.
23090 Havelka Ct., Forest Lake, MN 55025
651-206-2853

GREGORY CONTRACTING - OFFICE BUILDING

Gregory Contracting Office Building project is being re-submitted for approval by Planning and Council. The building is to be built by Piper Properties LLC, the owner, and is intended to house the construction offices for Gregory Contracting. The facility will have a showroom space in the front, multiple offices and office function in the middle, with storage area in the rear of the building. The lot is presently zoned C Commercial District. The proposed use is allowed use.

The existing site is approximately 2.0 Acres in size with two wetlands. The wetlands have been mitigated on the building site. The total disturbed area for the project is 1.78 Acres (77733 SF) this includes the building, driving and parking areas, storm water ponding, mound system and re-grading required for the project. The final Hard surface will be .63 Acres (31.5% hard surface).

The project has been reviewed by Watershed and is anticipated to have final approval by the time of this Planning meeting.

The present lot is non-sewered and a type C Mound system is intended for this project. A well is also intended and a location is shown on the West side of the new building in the Architectural Site Plan. Parking Lighting is not intended currently. The building will have lighting at the entrances.

The building is set back 191'-2" from Hy 8 (requiring a variance of 32'-7") and 52'-0" from Hazel Avenue. The plans show the most recent scheme for the anticipated Hy 8 development. The West of the building is set back 20'-0" and the Northerly corner of the building is 102'-5" from the North property line or 68'-10" from the anticipated property line if the new frontage road is completed on the north side.

The building is 130' long and 62' in width with a 4' x 11' entrance. The interior of the building will consist of 1669 SF of showroom, 3193 SF of office space and 3173 SF of storage, on the main floor with an additional 519 SF of cold storage in the Mezzanine space. Chapter 40-672, #3 in the city code asks us to break down the uses to determine the parking requirements. Doing this gives us a requirement of 25 cars. We are showing 24 cars, with one additional Accessible Stall. Giving a total of 25 parking spaces. In addition, or if needed in the future, additional "proof of parking spaces" are shown, five standard stalls and one additional accessible stall. Currently Wyoming does not recognize proof of parking, The 25-parking stall requirement satisfied, without the additional proof stalls. The 25-stall count should be in excess of what Gregory contracting will actually need as well.

The building's maximum height is height is 28'-7" tall, at the back ridge line. The siding consists of a blend of LP Smartside lap Siding, LP board and batten siding, and LP shakes and some stone. Presently the city code considers the LP Smartside siding to be a Class II type of material with wood siding being classified as a Class I material. We are asking for a variance to consider the Hardy siding to be a class I material as it lasts longer, holds paint much longer than normal cedar or wood siding. With this variance approved the building would then be over 97% Class I material

The project has an enclosed trash enclosure on the north side of the building. We are asking to have a variance for the fencing when abutting a residential property removed, the West and North property lines. The property to the West will be vacated for a new intersection coming off of Hy 8 and the North property will abut a new proposed frontage road.

Signage will be done with a separate permit.

Variances:

- Setback from HY 8
- Building Materials
- Fencing on the North and West sides of the property.

.



City Of Wyoming
26885 Forest Blvd, PO Box 188
Wyoming, MN 55092
Phone (651) 462-4947
permits@wyomingmn.org

LAND USE & VARIANCE APPLICATION

A variance application initiates a request for an allowance to vary from the terms of the Ordinance and is heard by the Planning Commission who will make a recommendation to the City Council. The City Council will make the final decision.

Property Address: ~~7310 LAKE BLVD~~ 246xx Hazel Avenue

Applicant(s) Information:

Name(s) REHARDA GREGORY JR./PIPER PROPERTIES LLC Home 651-206-2853
Address 23090 HAVELKA CTN Work 651-213-0668
City FOREST LK. State MN Zip 55025 Email DJ GREGORY CONTRACTING LLC

Owner(s) Information: (if other than Applicant(s))

Name(s) _____ Home 651-206-2853
Address _____ Work 651-213-0668
City _____ State _____ Zip _____ Email dj@gregorycontracting.com
Owner(s) Signature(s) [Signature] Date 05/17/2023

Legal description of property: _____

Property Identification Number: R.21-10712.10 Present Zoning: C - COMMERCIAL

Present use of property: VACANT

Proposed use of property: BUSINESS

Description of request: - SEE ATTACHED NARRATIVE

This application and the following attachments must be submitted to be considered a complete application:

1. A detailed map of the property showing the location of existing and proposed structures and improvements and existing land uses and buildings of adjacent properties within 500 feet. A survey is required for all setback variances.
2. A letter to the Planning Commission describing the variance request and how the request satisfies the criteria found in Sec. 40 - 120, (5), (a) - (j).
3. A completed Variance Worksheet (attached).
4. The variance fee (\$220.00) must be paid at the time of application. The application fee and escrow must be paid at the time of application. The fee is not refundable. The unused portion of the escrow will be returned to the applicant.
5. Any other information deemed necessary by the Zoning Administrator or Planning Commission. (A variance application for a property in a Shoreland District must include a valid Septic System Certificate of Compliance)

A public hearing can be scheduled only after a complete application has been received.

Applicant(s) Signature [Signature] Date 5/17/23

As the applicant for this request, I agree to reimburse the City for all expenses incurred by the City in employing planning, engineering, legal, and other professional consultants in reviewing this application. This may include the replenishment of any escrow funds as required as part of this application. Such costs shall be paid by me, the applicant, regardless of the outcome of the review and prior to commencing any work on the project. All of Article V, Division 7, Variances, is attached to this application and by signing this application, the applicant acknowledges that it has been read and understood.

OFFICE USE ONLY

Application # V-23-001

Date Complete Application Received 5/18/23

Fee \$220.00 + Escrow \$750.00
Revised 01/24/23

Date Application Received 5/18/23

60 Days 7/17/23

Date Paid 5/18/23

By: [Signature]
Official
Check # ✓

City of Wyoming Variance Worksheet - SCREENING -

Applicant(s): RICHARD A. GREGORY JR / PIPER PROPERTIES LLC Phone: 651-206-2253
 Address: 23090 HAVELKA CT W.
 Variance request description: - FENCING / IN: W PROP. LINES / FRONT YD. SETBACK / CLASS I BLDG
 City Ordinance Section number: SEC 40-721 - RES USES MITLS

Answer the following questions based on the criteria found in Sec. 40 – 120, (5), (a) – (j). If needed, use a separate page. All questions must be answered.

Criteria #1 The property in question cannot be put to a reasonable use if used under the conditions allowed by this Ordinance.
Applicant - Can the property in question be put to a reasonable use if used under the conditions allowed by this Ordinance? ☒ Yes ☐ No

Describe: PROPERTY IS STILL USABLE, BUT WHEN HTS IS BUILT.

THE PROPERTY TO WEST WILL OR MAY NOT EXIST. / PROPERTY TO NORTH WILL HAVE A ROAD BETWEEN

Criteria #2 Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, topography, or other circumstances over which the owners of property since enactment of this Ordinance have had no control.

Applicant - Do exceptional or extraordinary circumstances apply to the property that do not apply generally to other properties in the same zone or vicinity, and do they result from lot size or shape, topography, or other circumstances over which the owners of property since enactment of this Ordinance have had no control?

☒ Yes ☐ No

Describe: RES PROPERTY TO WEST WILL NOT EXIST OR WILL BE

COMMERCIAL PROP. TO NORTH WILL HAVE A FRONTAGE ROAD AS A BUFFER

Criteria #3 That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.

Applicant - Does the literal interpretation of the provisions of this Ordinance deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance?

☒ Yes ☐ No

Describe: THIS PROVISION IS WHEN ADJACENT A RES PROPERTY

WITHIN A COUPLE OF YEARS THE RES PROPERTY WILL/MAY NOT EXIST

Criteria #4 The special conditions or circumstances do not result from actions of the applicant.

Applicant - Do the special conditions or circumstances result from actions of the applicant?

☐ Yes ☒ No

Describe: THE APPLICANT WILL STILL BE FOLLOWING THE

INTENT OF SEC. 40-721.

ity of Wyoming Variance Worksheet (Continued)

riteria #5 That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to owners of other lands, structures, or buildings in the same district.

Applicant - Will granting the variance requested confer on the applicant any special privilege that is denied by this Ordinance to owners of other lands, structures, or buildings in the same district? ☐ Yes ☒ No

If yes, describe. _____

riteria #6 The variance requested is the minimum variance which would alleviate the hardship.

Applicant - Is the variance you are requesting the minimum variance which would alleviate the hardship?

☒ Yes ☐ No

Describe: _____

riteria #7 The variance would not be materially detrimental to the purposes of this Ordinance, or to property in the same zone.

Applicant - Will the variance be materially detrimental to the purposes of this Ordinance, or to property in the same zone? ☐ Yes ☒ No

Describe: _____

riteria #8 Economic conditions or circumstances alone shall not be considered in the granting of a variance request if a reasonable use of the property exists under the terms of the ordinance.

Applicant - Is the requested variance for economic reasons? ☐ Yes ☒ No

Describe: THE VARIANCE FOR THE FENCE IS NOT ECONOMIC

THE FENCE WOULD PUT UP A VISUAL BARRIER & BE DETRIMENTAL TO APPLICANT & NEIGHBORS.

riteria #9 In the Flood Plain District, no variance shall be granted which permits a lower degree of flood protection than the Regulatory Flood Protection Elevation for the particular area or permits standards lower than those required by state law.

Applicant - Is the property in a Flood Plain District? ☐ Yes ☒ No

riteria #10 Variances shall be granted for earth-sheltered construction by state statutes when in harmony with this Ordinance.

Applicant - Is the variance for earth-sheltered construction? ☐ Yes ☒ No

If yes, how is the request in harmony with the ordinance? _____

City of Wyoming Variance Worksheet - HTB - FRONT YARD SETBACK

Applicant(s): RICHARD A. GREGORY JR / PAPER PROPERTIES LLC Phone: (51) 206-2253

Address: 23090 HAVELKA CT W.

Variance request description: - FENCING / N:W PROP. LINE, FRONT YD. SETBACK / CLASS I BLDG

Ordinance Section number: HTB - 135 - SETBACK - 15 - 254 3-A

Answer the following questions based on the criteria found in Sec. 40 - 120, (5), (a) - (j). If needed, use a separate page. All questions must be answered.

Criteria #1 The property in question cannot be put to a reasonable use if used under the conditions allowed by this Ordinance.

Applicant - Can the property in question be put to a reasonable use if used under the conditions allowed by this Ordinance? ☐ Yes ☒ No

Describe: # APPLICANT HAS ALLOWED FOR A # HAVING THE NORTH

PROPERTY LINE TO BE MOVED & IS ALLOWING HTB EXPANSION
WITH BOTH SIDES VACATIONS. PROPERTY IS TOO SMALL

Criteria #2 Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, topography, or other circumstances over which the owners of property since enactment of this Ordinance have had no control.

Applicant - Do exceptional or extraordinary circumstances apply to the property that do not apply generally to other properties in the same zone or vicinity, and do they result from lot size or shape, topography, or other circumstances over which the owners of property since enactment of this Ordinance have had no control?

☒ Yes ☐ No - VACATING PROPERTY ON NORTH - SOUTH SIDES

Describe: AFTER HTB IS FINISHED - EXIST PROPERTY IS VERY SMALL
SO THE FULL EXTENT OF THE 100' SETBACK IS
A HARDSHIP THAT APPLICANT CAN NOT ACCEPT. NOW CONSTRUCTION
FILE WITH PROPOSED HTB WORK & FRONTAGE ROAD ON NORTH

Criteria #3 That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.

Applicant - Does the literal interpretation of the provisions of this Ordinance deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance?

☒ Yes ☐ No

Describe: SEE ABOVE

Criteria #4 The special conditions or circumstances do not result from actions of the applicant.

Applicant - Do the special conditions or circumstances result from actions of the applicant?

☐ Yes ☒ No

Describe: HARDSHIPS ARE FROM HTB & FRONTAGE
ROAD ON NORTH..

ity of Wyoming Variance Worksheet (Continued)

Criteria #5 That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to owners of other lands, structures, or buildings in the same district.

Applicant - Will granting the variance requested confer on the applicant any special privilege that is denied by this Ordinance to owners of other lands, structures, or buildings in the same district? ☐ Yes ☒ No

If yes, describe. —

Criteria #6 The variance requested is the minimum variance which would alleviate the hardship.

Applicant - Is the variance you are requesting the minimum variance which would alleviate the hardship?

☒ Yes ☐ No

Describe: APPLICANT HAS SPENT A LOT OF TIME & TROUBLE TO WORK

WITH PROPOSED WORK/BOUNDARIES ANTICIPATED W/ HYS
AND NORTH-FRONTAGE ROAD

Criteria #7 The variance would not be materially detrimental to the purposes of this Ordinance, or to property in the same zone.

Applicant - Will the variance be materially detrimental to the purposes of this Ordinance, or to property in the same zone? ☐ Yes ☒ No

Describe: _____

Criteria #8 Economic conditions or circumstances alone shall not be considered in the granting of a variance request if a reasonable use of the property exists under the terms of the ordinance.

Applicant - Is the requested variance for economic reasons? ☐ Yes ☒ No

Describe: _____

Criteria #9 In the Flood Plain District, no variance shall be granted which permits a lower degree of flood protection than the Regulatory Flood Protection Elevation for the particular area or permits standards lower than those required by state law.

Applicant - Is the property in a Flood Plain District? ☐ Yes ☒ No

Criteria #10 Variances shall be granted for earth-sheltered construction by state statutes when in harmony with this Ordinance.

Applicant - Is the variance for earth-sheltered construction? ☐ Yes ☒ No

If yes, how is the request in harmony with the ordinance? _____

City of Wyoming Variance Worksheet - SMART SIDING - AS A CLASS I MATERIAL

Applicant(s): RICHARD A. GREGORY JR / PIPER PROPERTIES LLC Phone: 651-206-2253

Address: 23090 HAVELKA CT W.

Variance request description: - FINISH IN: W PROP. LINES / FRATYD, SETBACK / CLASS I BLDG
MTL'S

Ordinance Section number: _____

Answer the following questions based on the criteria found in Sec. 40 – 120, (5), (a) – (j). If needed, use a separate page. All questions must be answered.

Criteria #1 The property in question cannot be put to a reasonable use if used under the conditions allowed by this Ordinance.

Applicant - Can the property in question be put to a reasonable use if used under the conditions allowed by this Ordinance? ☒ Yes ☐ No

Describe: - BUILDING CAN BE BUILT W/ WOOD SIDING -

BUT PROPOSED SMART SIDING IS A BETTER LONGER LASTING MATL

Criteria #2 Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, topography, or other circumstances over which the owners of property since enactment of this Ordinance have had no control.

Applicant - Do exceptional or extraordinary circumstances apply to the property that do not apply generally to other properties in the same zone or vicinity, and do they result from lot size or shape, topography, or other circumstances over which the owners of property since enactment of this Ordinance have had no control?

☐ Yes ☐ No

Describe: IN GENERAL LP SMART SIDING IS A BETTER MORE

DURABLE PRODUCT THAN THE WOOD SIDING.

Criteria #3 That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.

Applicant - Does the literal interpretation of the provisions of this Ordinance deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance?

☒ Yes ☐ No

Describe: LP SMART SIDING IS NOW A MORE USED & ACCEPTED

MATERIAL THAN THE WOOD SIDING.

Criteria #4 The special conditions or circumstances do not result from actions of the applicant.

Applicant - Do the special conditions or circumstances result from actions of the applicant?

☐ Yes ☐ No

Describe: N.A.

ity of Wyoming Variance Worksheet (Continued)

riteria #5 That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to owners of other lands, structures, or buildings in the same district.

Applicant - Will granting the variance requested confer on the applicant any special privilege that is denied by this Ordinance to owners of other lands, structures, or buildings in the same district? ☐ Yes ☒ No

If yes, describe. _____

riteria #6 The variance requested is the minimum variance which would alleviate the hardship.

Applicant - Is the variance you are requesting the minimum variance which would alleviate the hardship?

☒ Yes ☐ No

Describe: - IT GIVES APPLICANT'S NEIGHBORS A BETTER

PRODUCT TO LOOK AT - FOR YEARS TO COME

riteria #7 The variance would not be materially detrimental to the purposes of this Ordinance, or to property in the same zone.

Applicant - Will the variance be materially detrimental to the purposes of this Ordinance, or to property in the same zone? ☐ Yes ☒ No

Describe: IT WILL BE THE OPPOSITE, IF LP SMART IS

NOT USED

riteria #8 Economic conditions or circumstances alone shall not be considered in the granting of a variance request if a reasonable use of the property exists under the terms of the ordinance.

Applicant - Is the requested variance for economic reasons? ☐ Yes ☒ No

Describe: COST - MAY BE MORE FOR APPLICANT.

riteria #9 In the Flood Plain District, no variance shall be granted which permits a lower degree of flood protection than the Regulatory Flood Protection Elevation for the particular area or permits standards lower than those required by state law.

Applicant - Is the property in a Flood Plain District? ☐ Yes ☒ No

riteria #10 Variances shall be granted for earth-sheltered construction by state statutes when in harmony with this Ordinance.

Applicant - Is the variance for earth-sheltered construction? ☐ Yes ☒ No

If yes, how is the request in harmony with the ordinance? _____

ZIERKE SOIL TESTING

DJ Gregory
10510 South Ave Ste B
Chisago City, MN 55013

5/12/2023

Dear DJ Gregory,

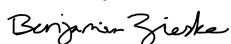
At your request, I have reviewed your proposed office construction plans for a vacant parcel in the City of Wyoming.

You have indicated that the maximum employee count in the building is 25. MN Rules 7080.0130 states that we need to account for 18 gallons per day per employee. This gives me a maximum daily flow of 450 gallons per day, which is equivalent to a 3-bedroom residential septic system.

The native soils on site have redoximorphic features at depths less than 12". This would mean a type three mound would be required. The soils in the top 12" on site are either loamy fine sand, sandy loam, or loam. The maximum mound absorption ratio of these soil types is 2:1. Therefore, the minimum space you'll need for a septic system is approximately 20'x40'. You will need to reserve a backup site, so I would recommend a 40'x50' area at minimum is set aside for primary and backup septic sites.

The present plan is to add sandy fill to the lot to raise the elevations up – in the current proposed septic area the fill depth could be four feet. I would propose testing the fill soil – percolation tests and borings – after it has been placed on the lot. This will give us an idea of how it will take water once we build a mound system on it. One caution – care should be taken not to compact the soil in the proposed septic area. Even sand can be compacted and have absorption issues with effluent.

Sincerely,



Benjamin Zierke
MPCA Lic 119, Cert 9594

ADDRESS:
28587 Jeffrey Ave
Chisago City, MN 55013

PHONE 651-249-1346
EMAIL benzierke@gmail.com

CERTIFICATE OF SURVEY

NEWSTRAND
ADDITION
LOT 2
BLOCK 1

SEC. 34

IVANSKI 1
2
BLOCK 1

SW 1/4 - NW 1/4
TWP. 33

PROPERTY DESCRIPTION:(per Warranty Deed Doc. No. A604532)

That part of the Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4) of Section Thirty-four (34), Township Thirty-three (33), Range Twenty-one (21) West, lying northerly of the northerly right-of-way line of Lake Boulevard (also known as Trunk Highway 8) and lying northwesterly of the northwesterly right-of-way line of Hazel Avenue (formerly known as Trunk Highway No. 98), EXCEPTING THEREFROM the West 267 feet thereof, Chisago County, Minnesota.

SURVEY NOTES:

- Orientation of this bearing system is based on the Chisago County Coordinate System NAD83 (1996 adj.)
- Total Acreage of the property is 77,733 Sq. Ft. or 1.78 Acres.
- No address has been assigned to the property. PID No. 21-10712.10.
- The subject property is zoned R3 - Single Family Residential and Highway 8 Overlay District(per City of Wyoming Zoning Map.)
Building setbacks: (per City of Wyoming City Code)
Front : 30 feet from local street /150 feet from the ROW line of U.S. 8*
Rear : 35 feet
Side : 10 feet

*Minimum building setback on U.S. 8 per Highway 8 Overlay District
Building setbacks may be subject to interpretation.
- The field work was performed on February 8th, 2022.

LEGEND

- ROAD MARKER SIGN POST

Y GUY ANCHOR

● GUY POLE

⊥ SIGN SINGLE POST

⊗ ELEC POLE

□ TV

□ TV PEDESTAL

✕ MAILBOX
- SECTION LINE

SIXTEENTH LINE

LOT LINE

RIGHT OF WAY EXISTING

CENTER LINE

BOUNDARY LINE

LOT LINE PROPOSED

EASEMENT LINE

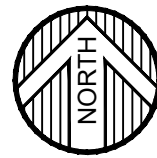
BUILDING SETBACK LINE

OHE OVERHEAD ELECTRIC

OHC OVERHEAD GUY WIRE

GRAVEL SURFACE

BITUMINOUS SURFACE



● = DENOTES FOUND 1/2" IRON PIPE MONUMENT W/CAP MARKED 13590 UNLESS OTHERWISE SHOWN

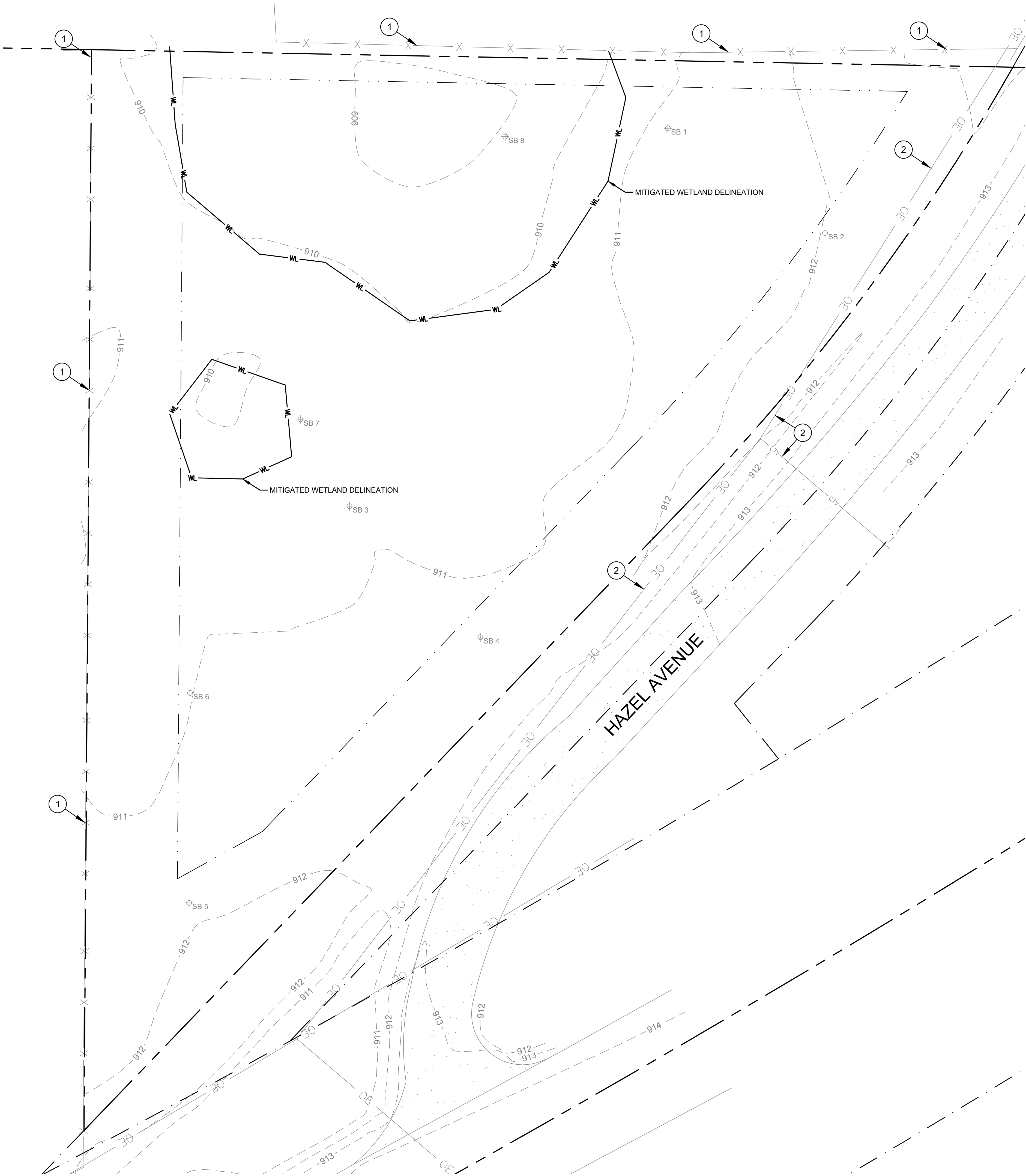
DATE: February 18, 2022
SCALE: AS SHOWN
DRAWN BY: JMM
CHECKED BY: SMK
FILE NUMBER: 2022-10177

DATE	AMENDMENTS	BY

PREPARED FOR: GREGORY CONTRACTING LLC
I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
Shawn M. Kupcho
Shawn M. Kupcho L.S. DATE: 2/18/22 LIC. NO. 49021



© 2022 WIDSETH SMITH NOLTING & ASSOCIATES, INC.



SYMBOL LEGEND

- ⊕ APPROXIMATE SOIL BORING LOCATION
- PROPERTY LINE
- - - EASEMENT LINE
- · — RIGHT-OF-WAY LINE

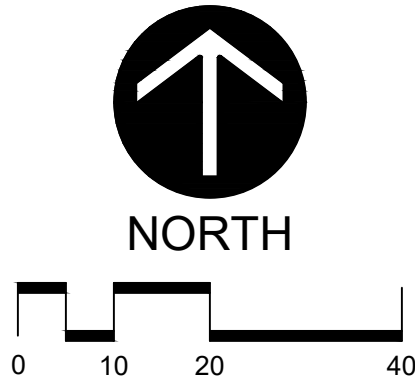
DEMOLITION NOTES

1. Verify all existing utility locations.
2. It is the responsibility of the Contractor to perform or coordinate all necessary utility demolitions and relocations from existing utility locations to all onsite amenities and buildings. These connections include, but are not limited to, water, sanitary sewer, cable tv, telephone, gas, electric, site lighting, etc.
3. Prior to beginning work, contact Gopher State OneCall (651-454-0002) to locate utilities throughout the area under construction. The Contractor shall retain the services of a private utility locator to locate the private utilities.
4. Sawcut along edges of pavements, sidewalks, and curbs to remain.
5. All construction shall be performed in accordance with state and local standard specifications for construction.

KEY NOTES

- ① PROTECT FENCE DURING CONSTRUCTION.
- ② PROTECT UTILITIES DURING CONSTRUCTION.

2023.05.01 CLFLWD SUBMITTAL - NOT FOR CONSTRUCTION



**Larson Engineering, Inc.**

3524 Labor Road
White Bear Lake, MN 55110
651.481.9120 (f) 651.481.9201
www.larsengr.com

© 2023 Larson Engineering, Inc. All rights reserved.

I hereby certify that this plan, specifications 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.

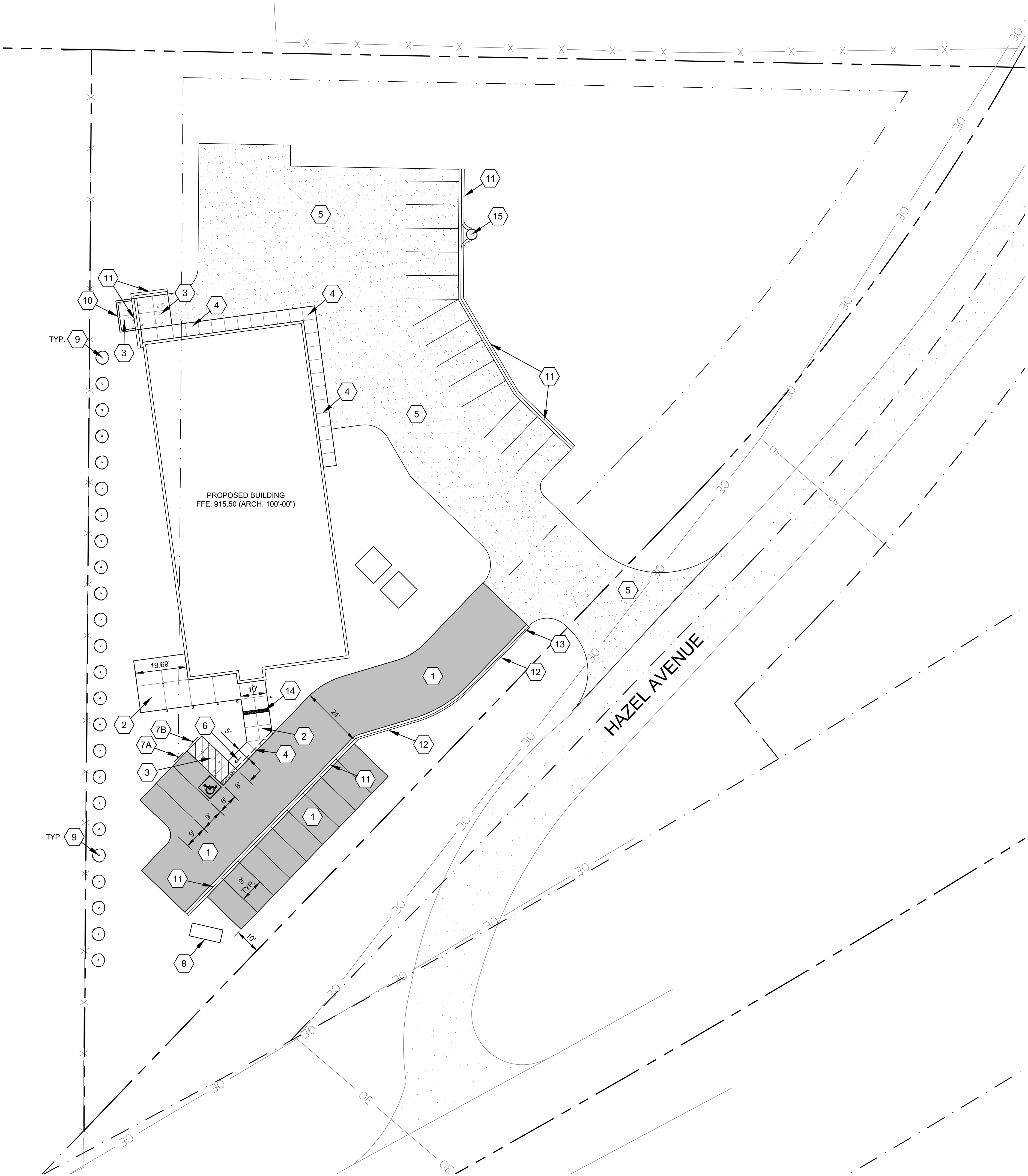

First M. Last, P.E.
Date: 05.01.2023 Lic. No.: 25520

REVISIONS:		
No.	Description	Date

GREGORY CONTRACTING LLC

**HAZEL AVENUE
WYOMING, MN**

C100
DEMOLITION PLAN



SYMBOL LEGEND

- NEW BITUMINOUS PAVEMENT
DETAIL 1/C500
- NEW CONCRETE PAVEMENT*
DETAIL 2/C500
- NEW HEAVY-DUTY CONCRETE PAVEMENT*
DETAIL 3/C500
- NEW GRAVEL SECTION
DETAIL 5/C500
- PAVEMENT MARKINGS

*JOINT PATTERN FOR REFERENCE ONLY. REFER TO SPECIFICATIONS FOR JOINT SPACING REQUIREMENTS

KEY NOTES

- 1 NEW BITUMINOUS PAVEMENT, DETAIL 1/C500
- 2 NEW CONCRETE PAVEMENT, DETAIL 2/C500
- 3 NEW HEAVY-DUTY CONCRETE PAVEMENT, DETAIL 3/C500
- 4 NEW THICKENED EDGE CONCRETE, DETAIL 4/C500
- 5 NEW GRAVEL SECTION, DETAIL 5/C500
- 6 NEW ACCESSIBLE RAMP, DETAIL 6/C500
- 7 NEW PARKING SIGN AND POST, DETAIL 7/C500
 - A ADA PARKING
 - B ACCESS AISLE
- 8 NEW SIGN, SEE ARCHITECTURAL
- 9 NEW PLANTING, SEE ARCHITECTURAL
- 10 NEW TRASH ENCLOSURE, SEE ARCHITECTURAL
- 11 NEW CONCRETE VALLEY GUTTER, DETAIL 15/C500
- 12 NEW B612 CONCRETE CURB AND GUTTER, DETAIL 14/C500
- 13 TRANSITION CURB TO FLUSH
- 14 NEW TRENCH DRAIN, DETAIL 8/C500
- 15 NEW RAIN GUARDIAN AND CURB CUT, DETAILS 1/C501 AND 2/C501

2023.05.01 CLFLWD SUBMITTAL - NOT FOR CONSTRUCTION

Larson Engineering, Inc.
3524 Labore Road
White Bear Lake, MN 55110
651.481.9120 (F) 651.481.9201
www.larsengr.com

I hereby certify that this plan, specifications 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.

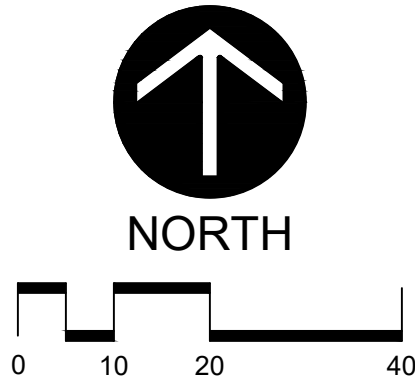
Thomas M. Last
First M. Last, P.E.
Date: 05.01.2023 Lic. No.: 25520

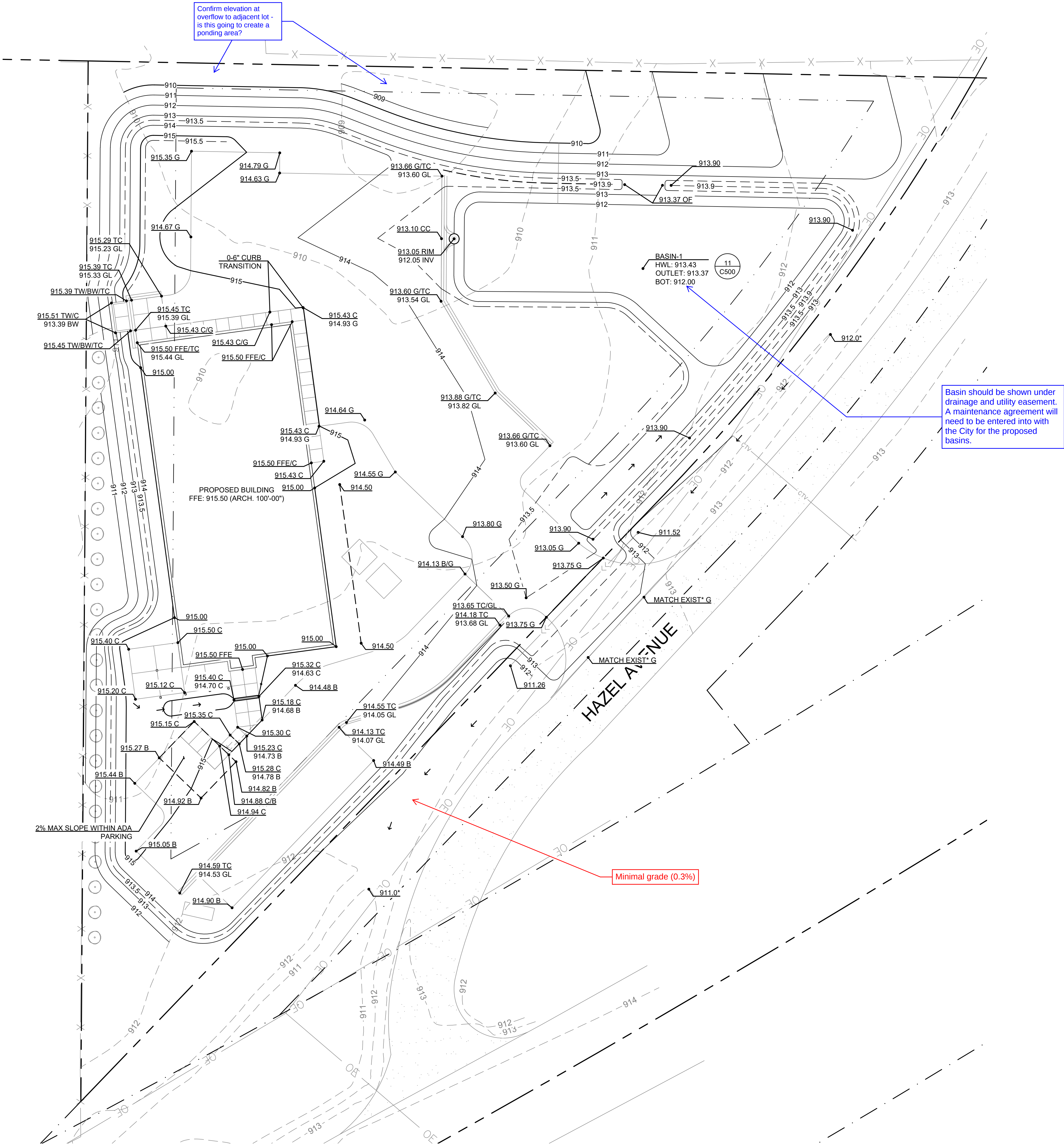
REVISIONS:		
No.	Description	Date

GREGORY CONTRACTING LLC

**HAZEL AVENUE
WYOMING, MN**

C200
PAVING PLAN





SYMBOL LEGEND

- 950 --- EXISTING CONTOURS
- 950 --- PROPOSED CONTOURS - MAJOR INTERVAL
- 949 --- PROPOSED CONTOURS - MINOR INTERVAL
- GRADE BREAK LINE
- 2.0% GRADE SLOPE
- SPOT ABBREVIATIONS:
 - B - BITUMINOUS
 - C - CONCRETE
 - G - GRAVEL
 - TC - TOP OF CURB
 - GL - GUTTER LINE
 - OF - OVERFLOW
 - (*) - EXISTING TO BE VERIFIED

GRADING NOTES

1. Tree protection consisting of snow fence or safety fence installed at the drip line shall be in place prior to beginning any grading or demolition work at the site.
2. All elevations with an asterisk (*) shall be field verified. If elevations vary significantly, notify the Engineer for further instructions.
3. Grades shown in paved areas represent finish elevation.
4. Restore all disturbed areas with 4" of good quality topsoil and seed.
5. All construction shall be performed in accordance with state and local standard specifications for construction.

Larson Engineering, Inc.
3524 Labor Road
White Bear Lake, MN 55110
651.481.9120 (F) 651.481.9201
www.larsengr.com

© 2023 Larson Engineering, Inc. All rights reserved.

I hereby certify that this plan, specifications 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.

Anna P. Vukobratovic
First M. Last, P.E.
Date: 05.01.2023 Lic. No.: 25520

REVISIONS:

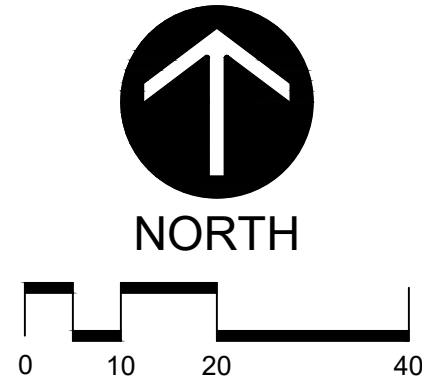
No.	Description	Date

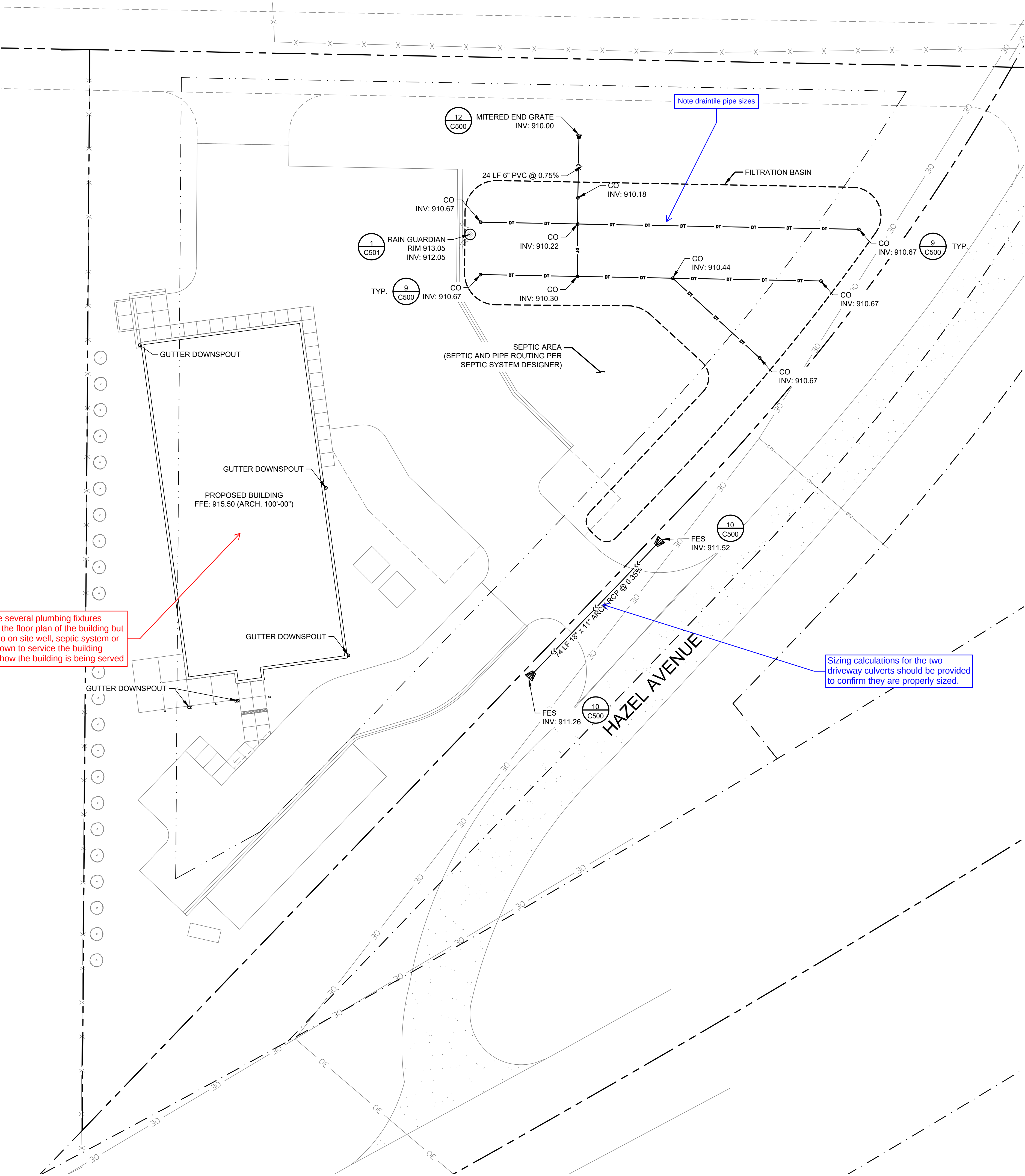
2023.05.01 CLFLWD SUBMITTAL - NOT FOR CONSTRUCTION

GREGORY CONTRACTING LLC

HAZEL AVENUE WYOMING, MN

C300
GRADING PLAN





SYMBOL LEGEND

- FLARED END (FES)
- MITERED END GRATE
- CLEANOUT (CO)
- STORM SEWER PIPE
- DRAINTILE PIPE

UTILITY NOTES

- It is the responsibility of the contractor to perform or coordinate all necessary utility connections and relocations from existing utility locations to the proposed building, as well as to all onsite amenities. These connections include but are not limited to water, sanitary sewer, cable TV, telephone, gas, electric, site lighting, etc.
- All service connections shall be performed in accordance with state and local standard specifications for construction. Utility connections (sanitary sewer, watermain, and storm sewer) may require a permit from the City.
- The contractor shall verify the elevations at proposed connections to existing utilities prior to any demolition or excavation.
- The contractor shall notify all appropriate engineering departments and utility companies 72 hours prior to construction. All necessary precautions shall be made to avoid damage to existing utilities.
- Storm sewer requires testing in accordance with Minnesota plumbing code 4714.1109 where located within 10 feet of waterlines or the building.
- HDPE storm sewer piping shall meet ASTM F2306 and fittings shall meet ASTM D3212 joint pressure test. Installation shall meet ASTM C2321.
- All RCP pipe shown on the plans shall be MN/DOT class 3.
- Maintain a minimum of 7 1/2' of cover over all water lines and sanitary sewer lines. Where 7 1/2' of cover is not provided, install 2" rigid polystyrene insulation (MN/DOT 3760) with a thermal resistance of at least 5 and a compressive strength of at least 25 psi. Insulation shall be 8" wide, centered over pipe with 6" sand cushion between pipe and insulation. Where depth is less than 5', use 4" of insulation.
- See Project Specifications for bedding requirements.
- Well location to be determined by Owner.

Larson Engineering, Inc.
3524 Labor Road
White Bear Lake, MN 55110
651.481.9120 (F) 651.481.9201
www.larsengr.com
© 2023 Larson Engineering, Inc. All rights reserved.

I hereby certify that this plan, specifications 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.

Thomas J. Vukobratovic
First M. Last, P.E.
Date: 05.01.2023 Lic. No.: 25520

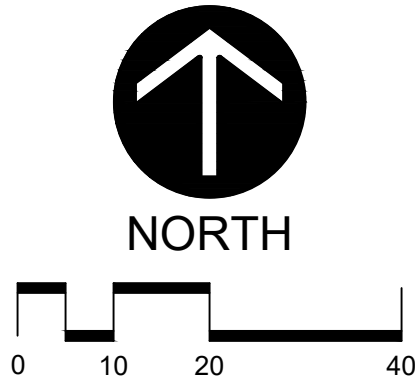
REVISIONS:		
No.	Description	Date

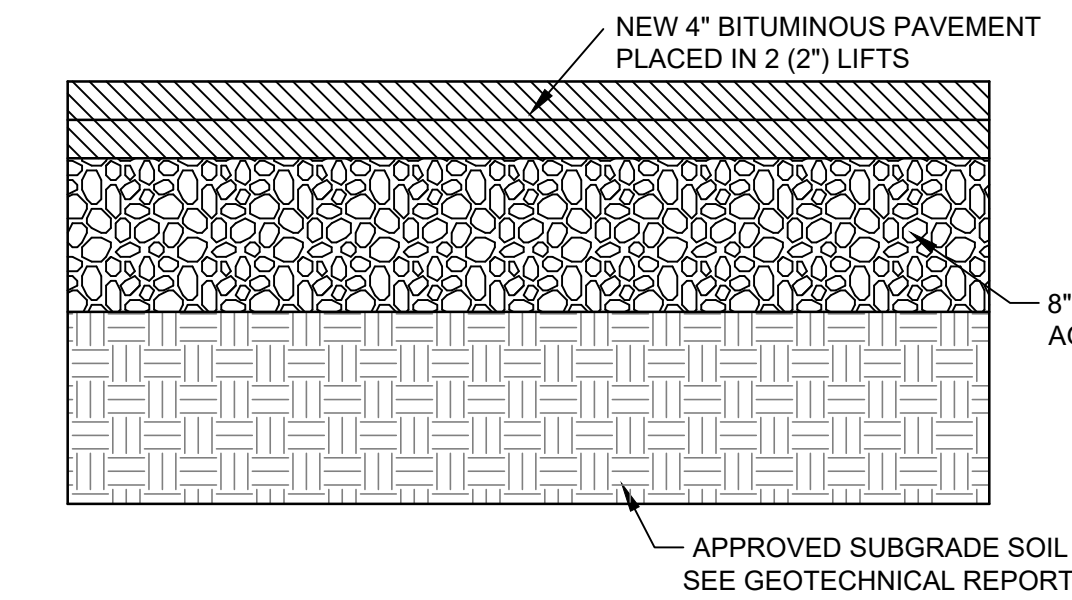
2023.05.01 CLFLWD SUBMITTAL - NOT FOR CONSTRUCTION

GREGORY CONTRACTING LLC

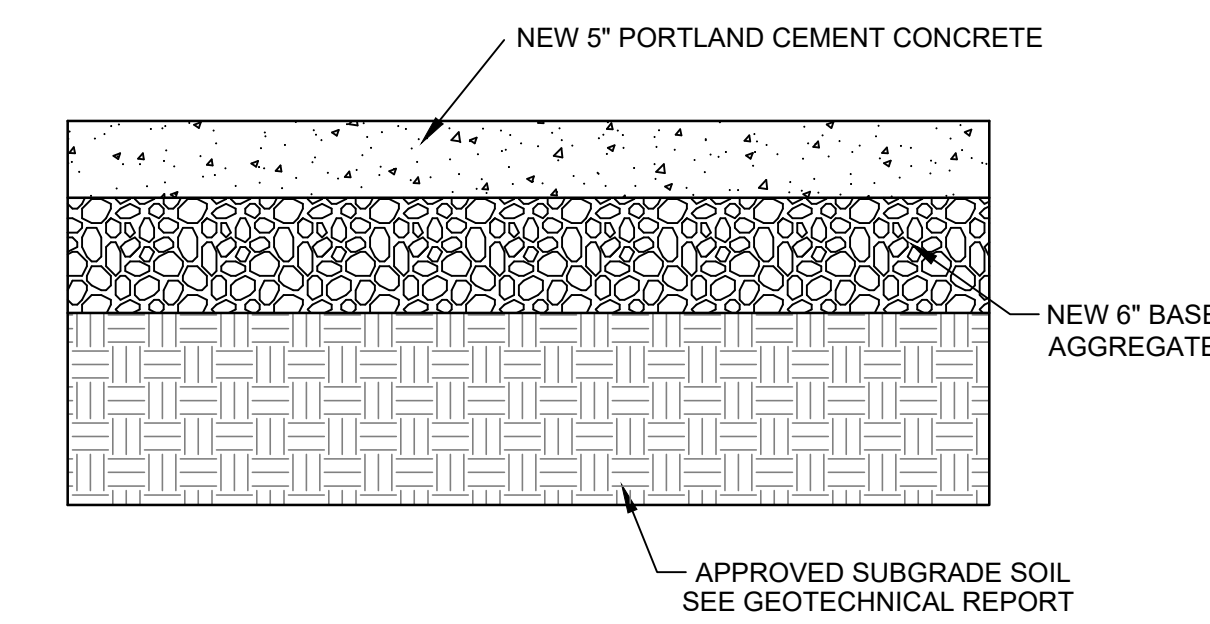
HAZEL AVENUE WYOMING, MN

C400
UTILITY PLAN

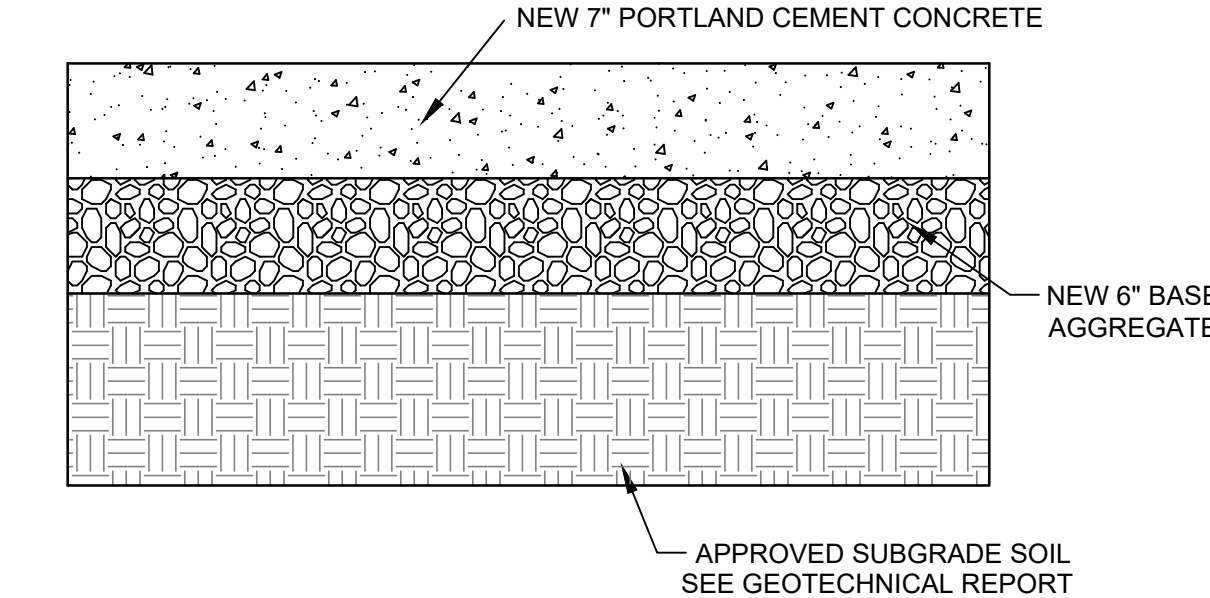




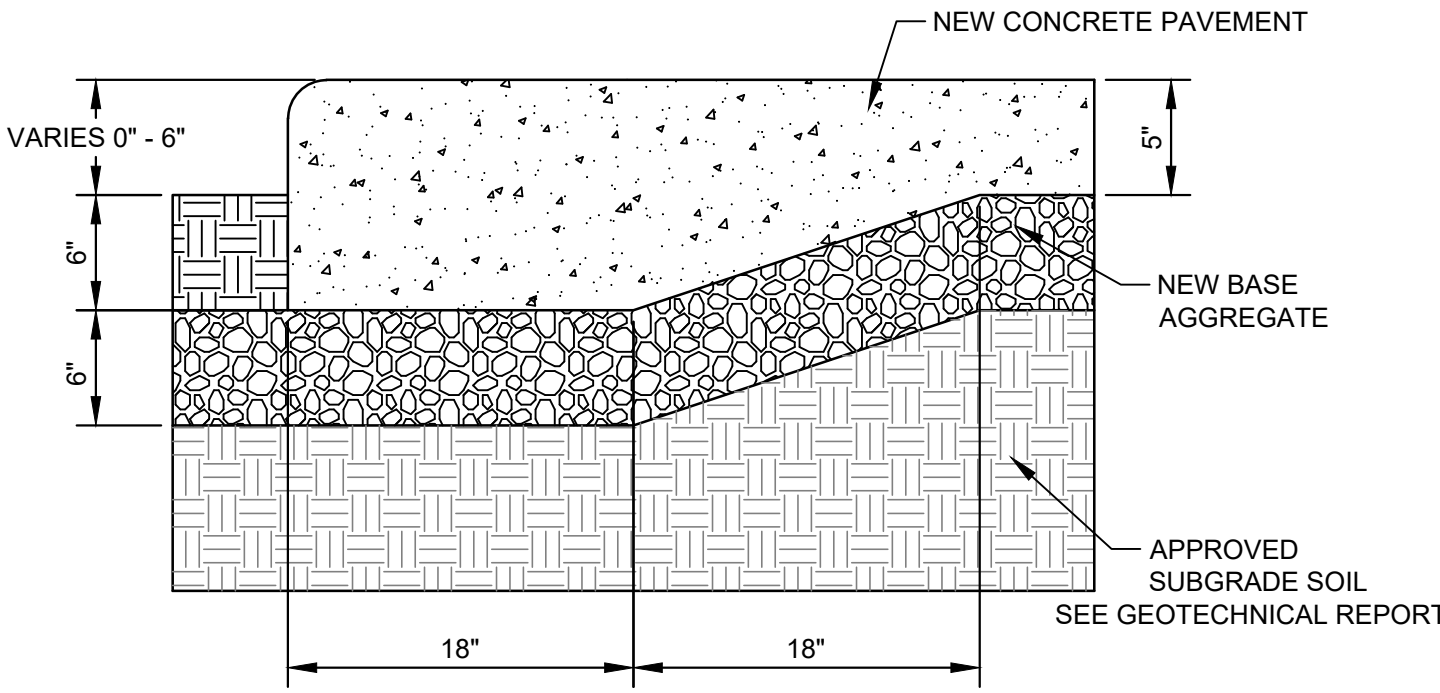
1
C500
BITUMINOUS PAVEMENT SECTION
NOT TO SCALE



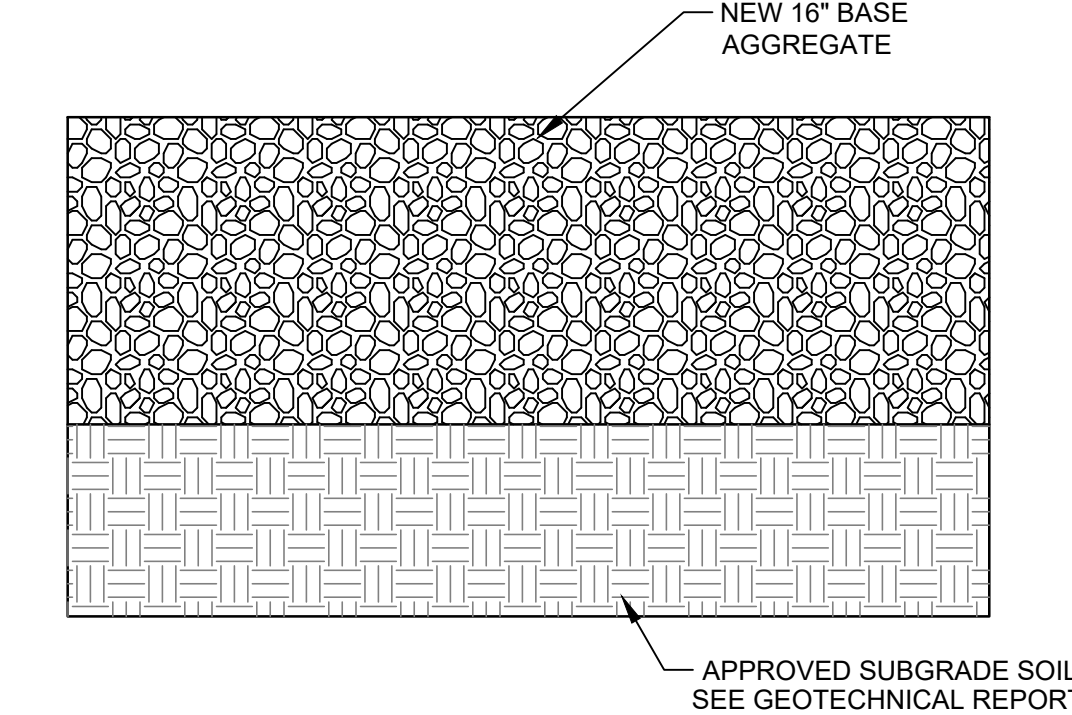
2
C500
CONCRETE CONSTRUCTION DETAIL
NOT TO SCALE



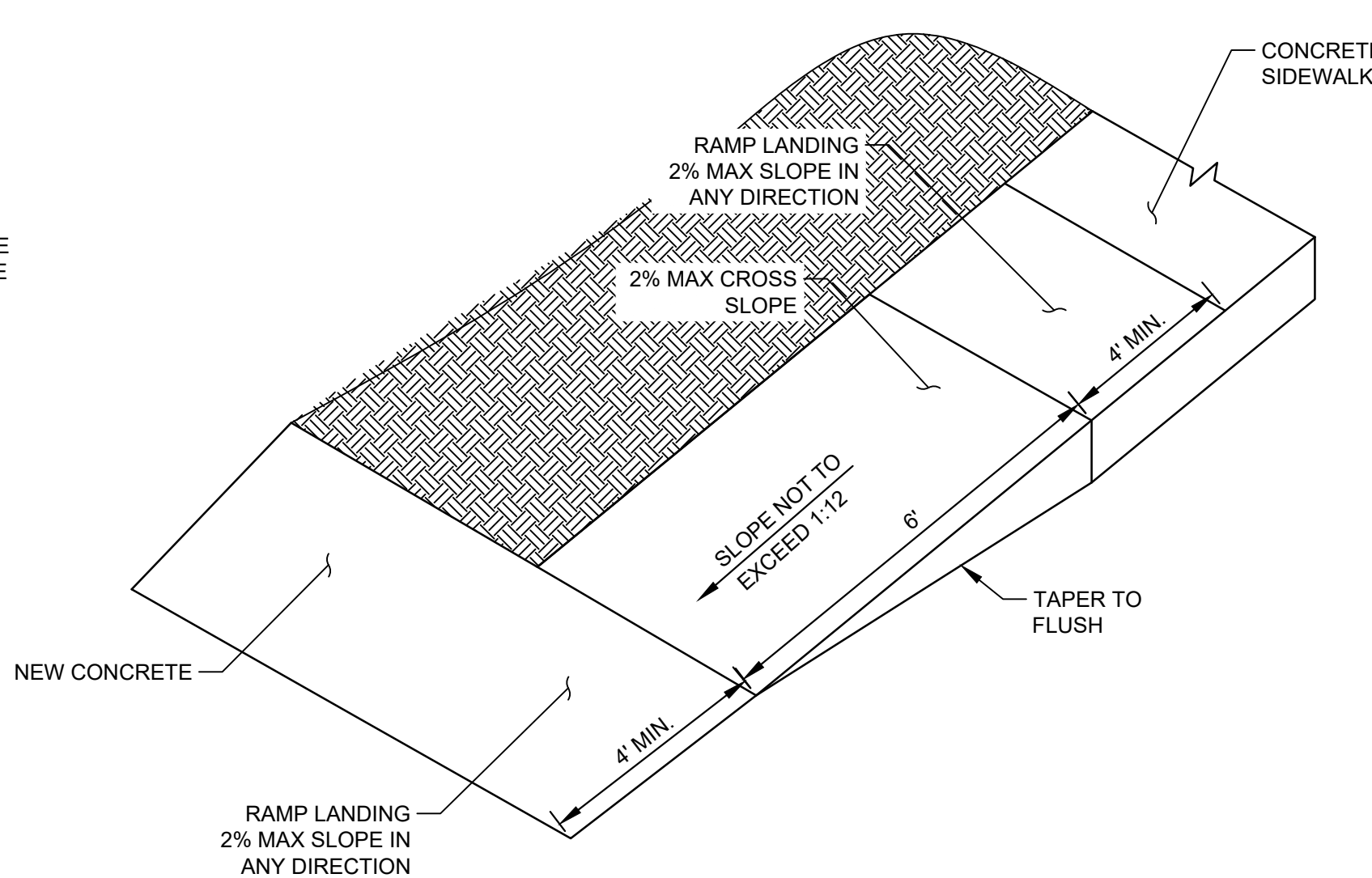
3
C500
HEAVY-DUTY CONCRETE CONSTRUCTION DETAIL
NOT TO SCALE



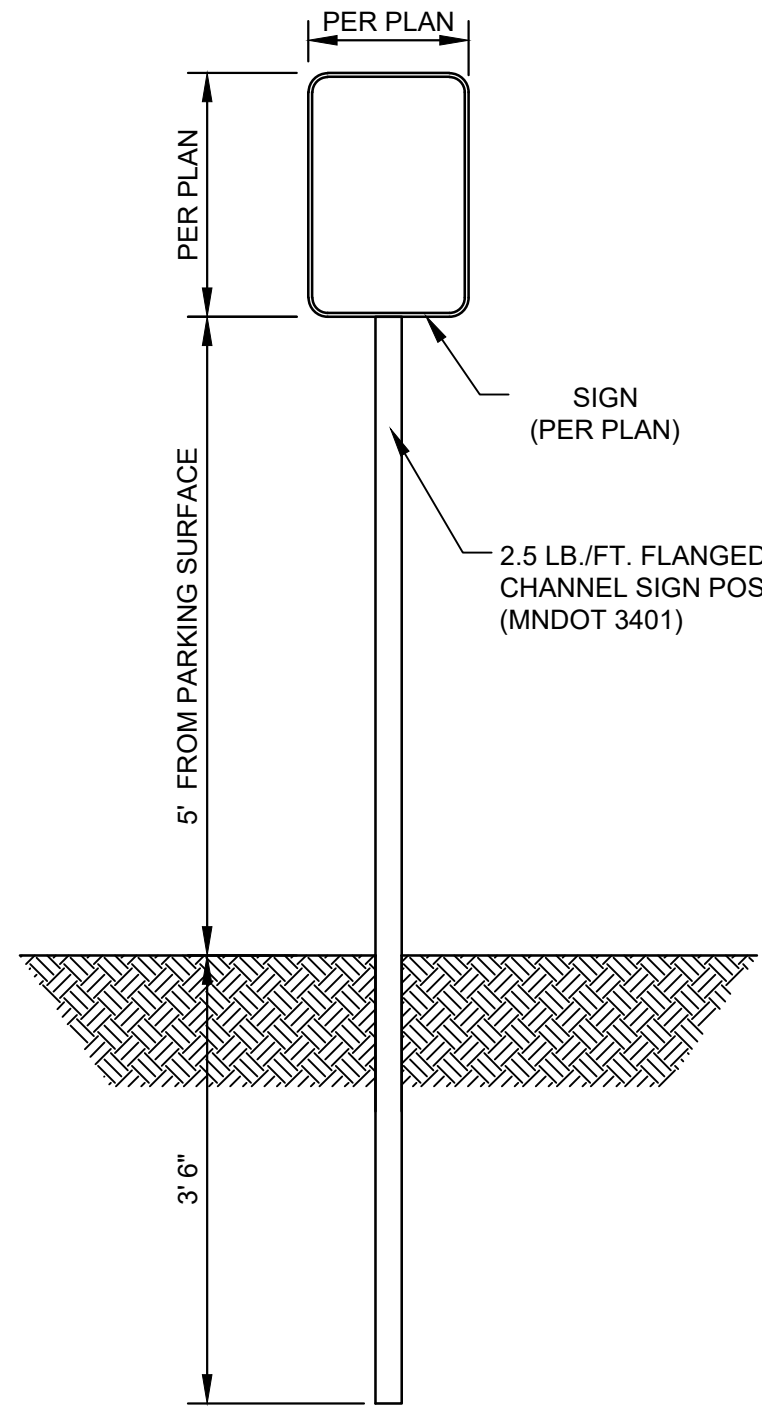
4
C500
CONCRETE WITH THICKENED EDGE DETAIL
NOT TO SCALE



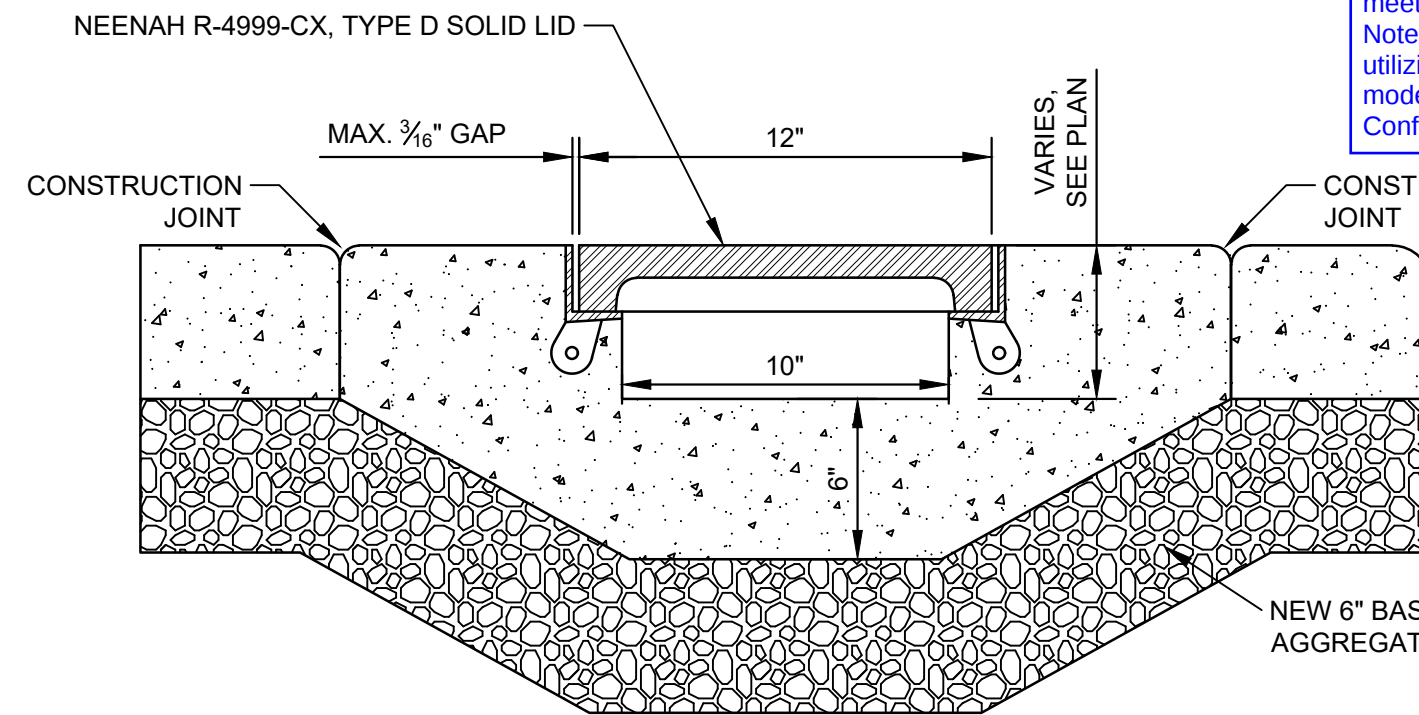
5
C500
NEW GRAVEL SECTION
NOT TO SCALE



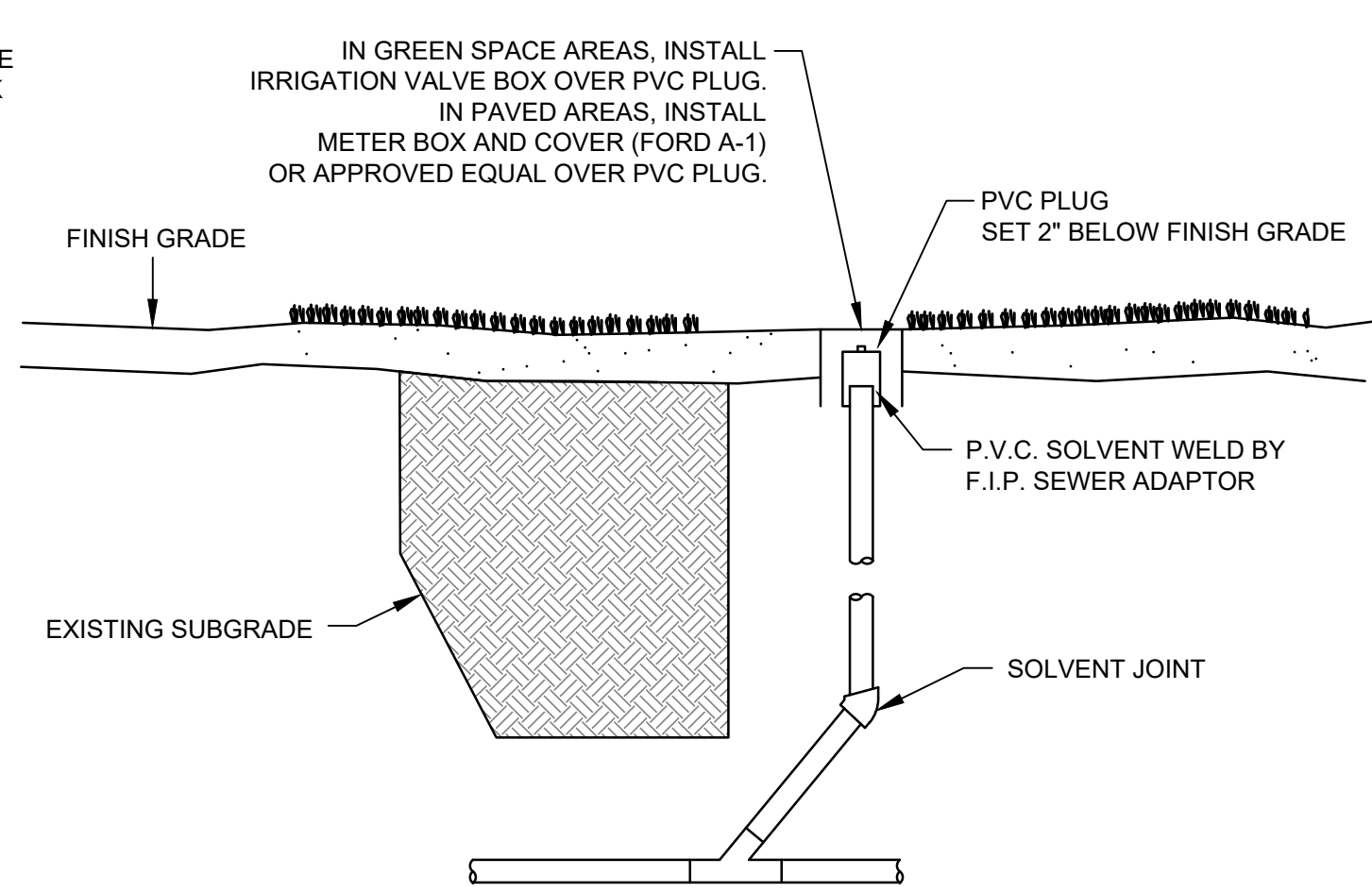
6
C500
ACCESSIBLE RAMP DETAIL
NOT TO SCALE



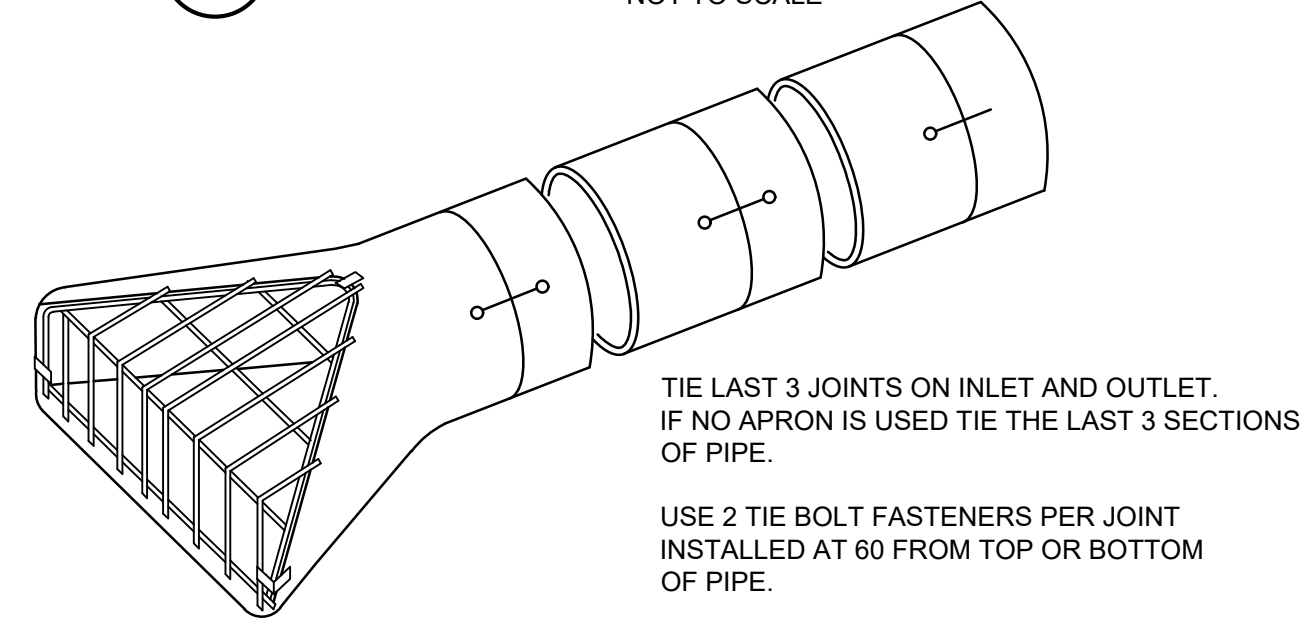
7
C500
PARKING SIGN AND POST DETAIL
NOT TO SCALE



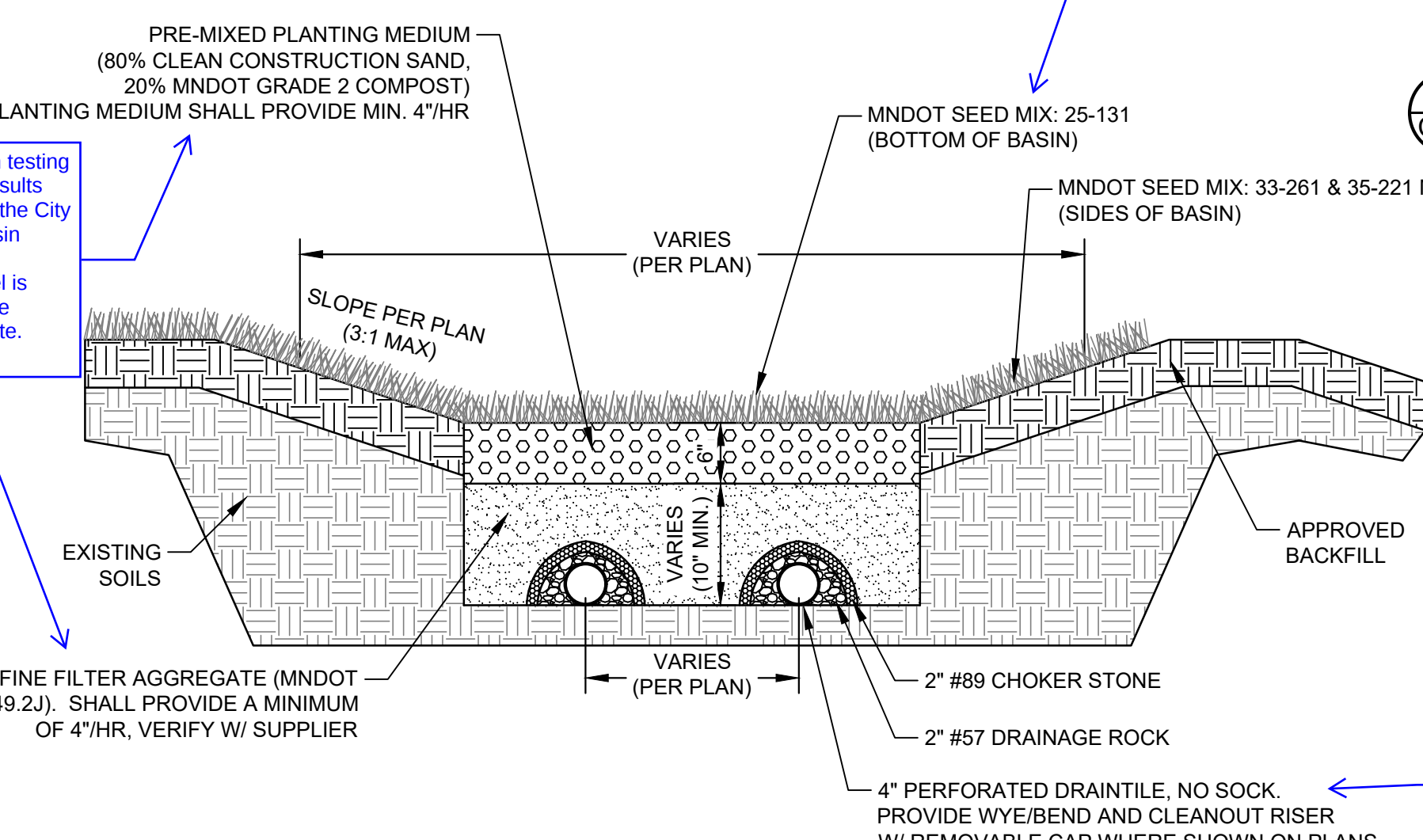
8
C500
TRENCH DRAIN DETAIL
NOT TO SCALE



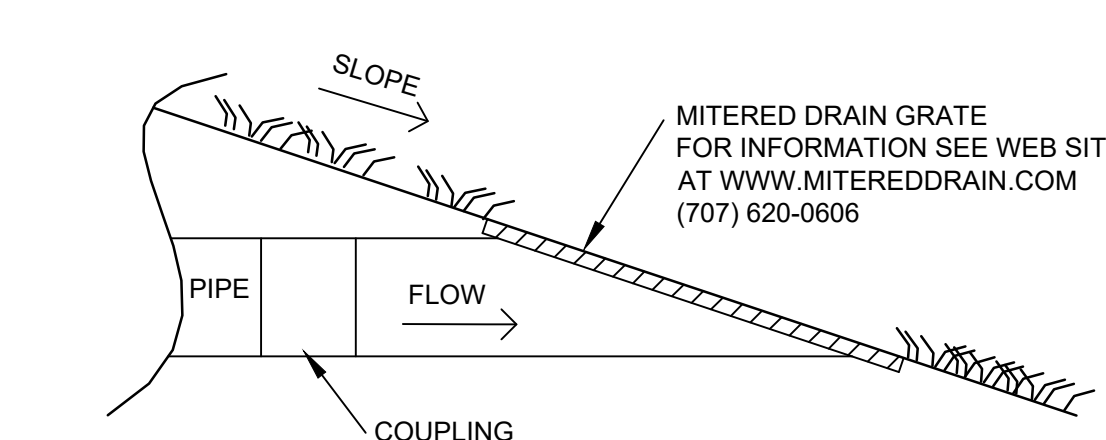
9
C500
CLEANOUT DETAIL
NOT TO SCALE



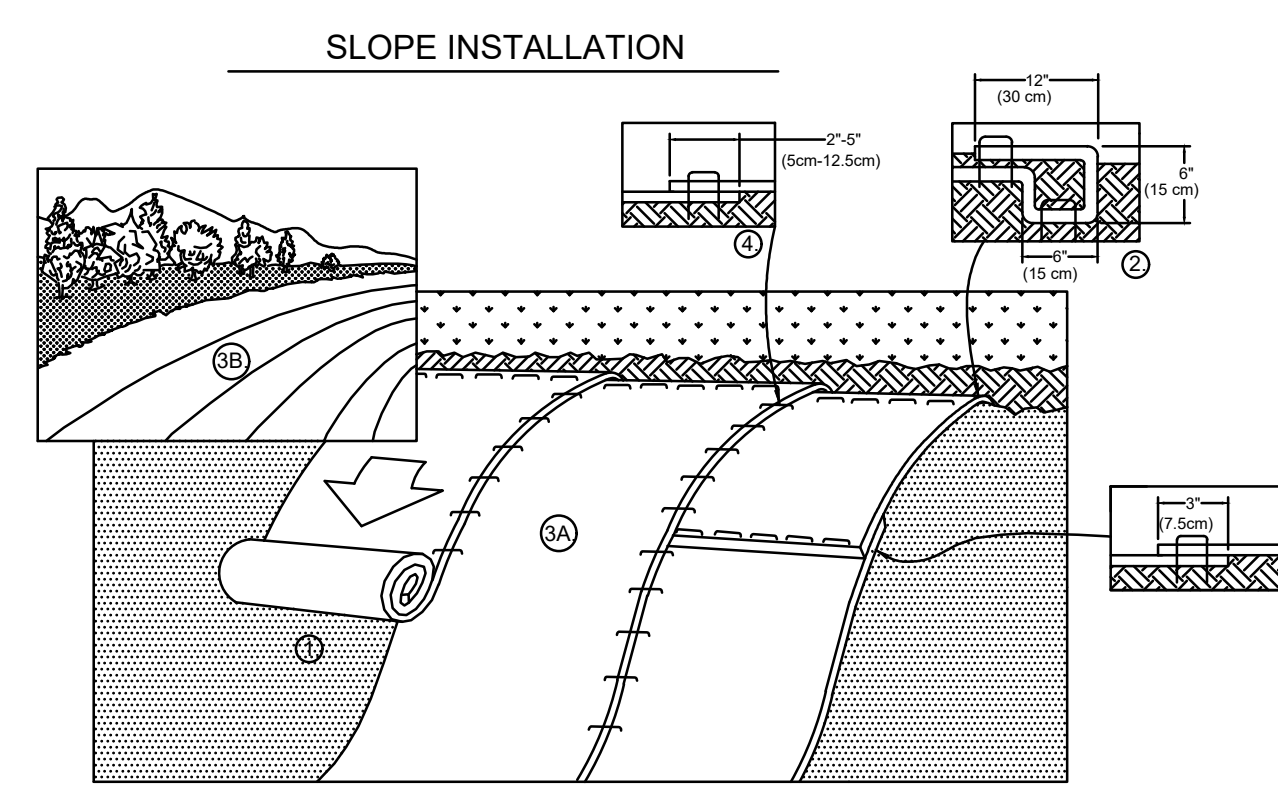
10
C500
FLARED END SECTION DETAIL
NOT TO SCALE



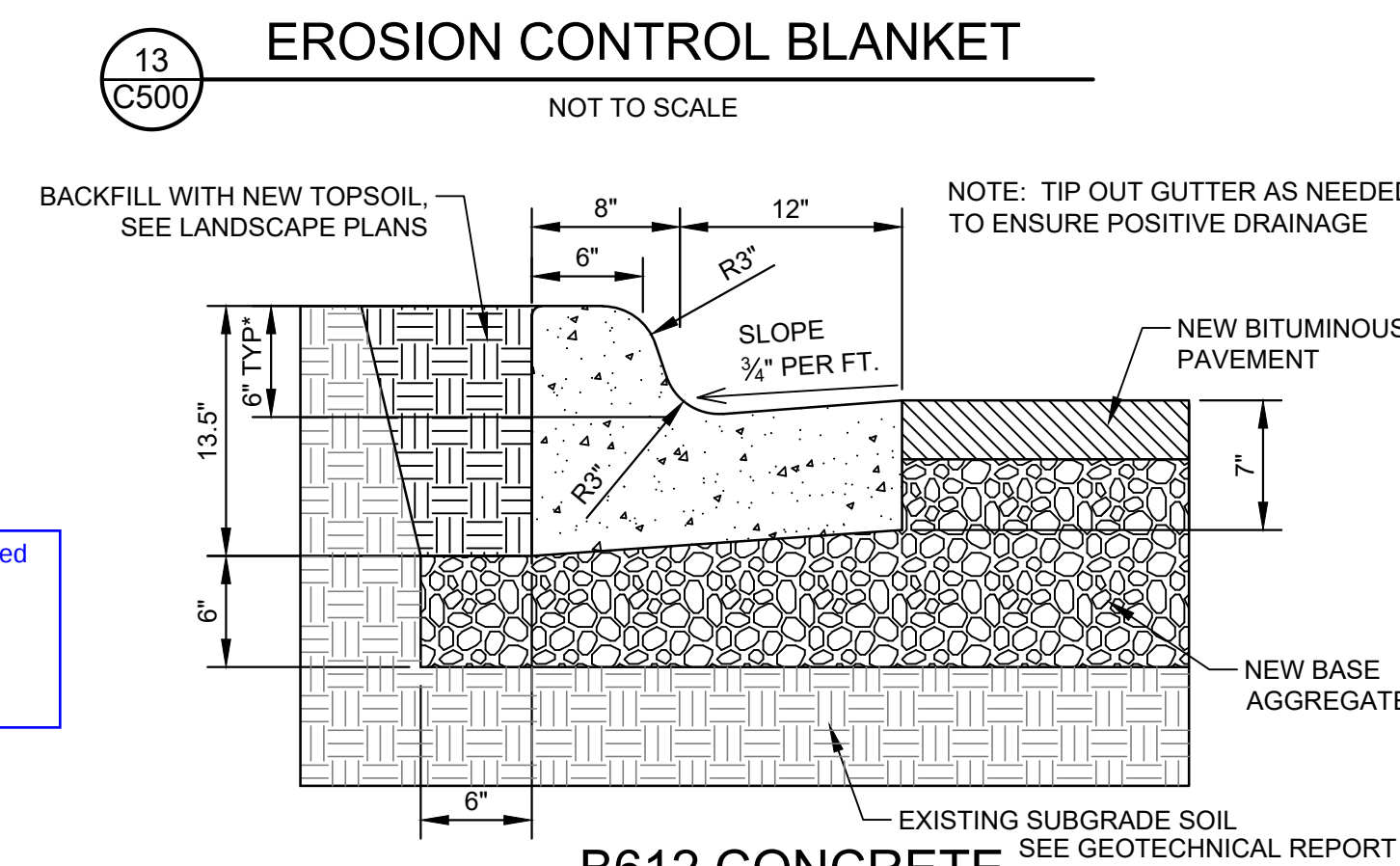
11
C500
FILTRATION BASIN CROSS SECTION
NOT TO SCALE



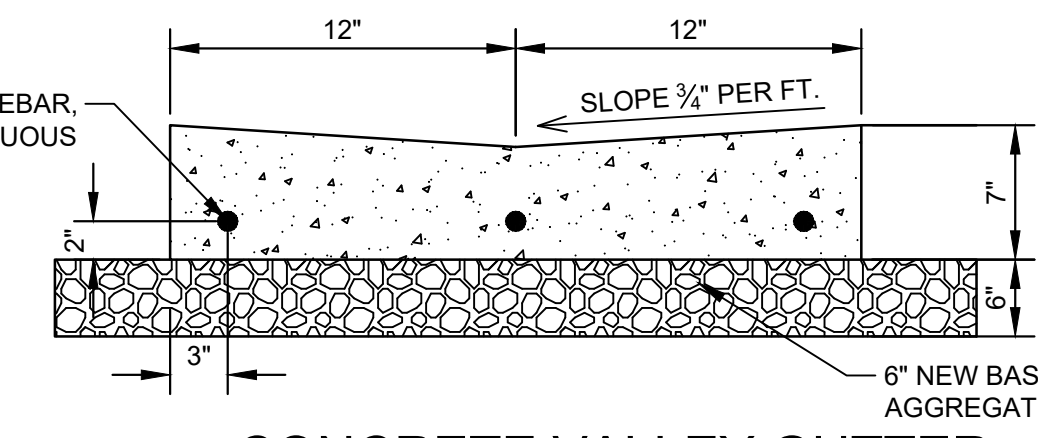
12
C500
MITERED END GRATE DETAIL
NOT TO SCALE



13
C500
EROSION CONTROL BLANKET
NOT TO SCALE



14
C500
B612 CONCRETE CURB & GUTTER DETAIL
NOT TO SCALE



15
C500
CONCRETE VALLEY GUTTER
NOT TO SCALE

NOTES:
1. ALL SIGNS TO BE INSTALLED IN ACCORDANCE WITH MMUTCD AND MNDOT CURRENT STANDARD SIGNS MANUAL.
2. SEE PROJECT MANUAL FOR SIGN TYPES AND SPECIFICATION.
3. ALL SIGNS SHALL BE REVIEWED AND APPROVED BY OWNER/ENGINEER PRIOR TO CONSTRUCTION.
4. SIGN POSTS TO BE 18" BEHIND THE BACK OF PAVEMENT, UNLESS OTHERWISE DIRECTED.

Note post construction testing will be required and results should be provided to the City to confirm filtration basin meets 4"/hr. Note HydroCAD model is utilizing 0.8 in/hr for the modeled exfiltration rate. Confirm design rate.

Recommend using seed mix 33-261 since the bottom of the basin is intended to be periodically inundated with water.

Only a 6" drain tile pipe currently called out on the utility plans. Confirm.

NOTES:
1. SOILS WITHIN FILTRATION AREAS SHALL BE PROTECTED FROM COMPACTION DUE TO CONSTRUCTION TRAFFIC. AREAS SHALL BE STAKED AND MARKED OFF, WITH ONLY LOW IMPACT EQUIPMENT (TRACKED OR SIMILAR) ALLOWED.

2023.05.01 CLFLWD SUBMITTAL - NOT FOR CONSTRUCTION

Larson Engineering, Inc.
3924 Labor Road
White Bear Lake, MN 55110
651.481.9120 (F) 651.481.9201
www.larsoneng.com
© 2023 Larson Engineering, Inc. All rights reserved.

I hereby certify that this plan, specifications 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.
Thomas M. Last, P.E.
First M. Last, P.E.
Date: 05.01.2023 Lic No.: 26520

REVISIONS:		
No.	Description	Date

GREGORY CONTRACTING LLC

HAZEL AVENUE WYOMING, MN

C500
DETAILS

STORM WATER POLLUTION PREVENTION PLAN (SWPPP) NARRATIVE

PROJECT DESCRIPTION / LOCATION

THE PROJECT CONSISTS OF A NEW BUILDING, PARKING LOT, GRAVEL DRIVE/PARKING LOT, UTILITY CONSTRUCTION, STORMWATER FILTRATION BASINS, AND ALL ASSOCIATED GRADING AND EROSION CONTROL MEASURES. THE PROJECT SITE IS LOCATED AT HAZEL AVENUE, WYOMING, MN 55025. STORMWATER RUNOFF FROM THE EXISTING SITE DRAINS OFF SITE TO THE NORTH.

THE PROJECT INCLUDES:
*GRADING
*UTILITIES
*STORM SEWER
*TURF ESTABLISHMENT

PLANS

THE PLANS SHOW THE PROJECT LIMITS.

ENVIRONMENTALLY SENSITIVE AREAS

PUBLIC WATERS LOCATED WITHIN 1 MILE OF THE PROJECT BOUNDARY AREA IDENTIFIED IN THE TABLE BELOW.

RECEIVING WATERS

COMFORT LAKE
SUNRISE RIVER

IMPAIRMENT

MERCURY IN FISH TISSUE
DISSOLVED OXYGEN, ESCHERICHIA COLI

OUTSTANDING RESOURCE VALUE WATERS (ORVWs)

NONE

CALCAREOUS FENS

THERE ARE NO CALCAREOUS FENS WITHIN 1 MILE OF THE PROJECT BOUNDARY.

ARCHAEOLOGICAL, HISTORICAL, AND ARCHITECTURAL RESOURCES

THERE ARE NO ARCHAEOLOGICAL, HISHORICAL, OR ARCHITECTURAL RESOURCES WITHIN THE PROJECT BOUNDARY.

ENDANGERED AND THREATENED SPECIES REVIEW

THERE ARE NO ENDANGERED OR THREATENED SPECIES IDENTIFIED WITHIN THE PROJECT BOUNDARY.

TOTAL MAXIMUM DAILY LOAD (TMDL) WATERS

NA

LAND FEATURE CHANGES

TOTAL PROJECT AREA DISTURBED:	1.71 ACRES±
TOTAL EXISTING IMPERVIOUS SURFACE AREA:	0.00 ACRES
TOTAL EXISTING PERVIOUS SURFACE AREA:	1.78 ACRES
TOTAL PROPOSED IMPERVIOUS SURFACE AREA:	0.63 ACRES
TOTAL PROPOSED PERVIOUS SURFACE AREA:	1.15 ACRES

TIMING OF BMP INSTALLATION

THE EROSION PREVENTION AND SEDIMENT CONTROL BMPS SHALL BE INSTALLED AS NECESSARY TO MINIMIZE EROSION FROM DISTURBED SURFACES AND CAPTURE SEDIMENT ON SITE. EROSION AND SEDIMENT CONTROL SHALL BE INSTALLED PRIOR TO ANY DEMOLITION AND/OR CONSTRUCTION.

DRAINAGE COMPUTATIONS

STORMWATER RUNOFF FROM THE SITE IS DIRECTED TO THE NEW FILTRATION BASINS TO MEET WATER QUALITY REQUIREMENTS, THEN OFFSITE NORTH.

PROJECT CONTACTS

PROJECT ENGINEER:
LARSON ENGINEERING
816 WEST ST. GERMAIN, SUITE 38
ST. CLOUD, MN 56301
320-774-1944

OWNER:
RICHARD GREGORY/PIPER PROPERTIES LLC
23090 HAVELKA CT. N.
FOREST LAKE, MN 55025
651-206-2853

CONTRACTOR:
TBD

MPCA 24 HOUR EMERGENCY NOTIFICATION:

651-649-5451
800-422-0798

SWPPP DESIGN, INSTALLATION & MANAGEMENT

DESIGN: TOM HERKENHOFF (LARSON ENGINEERING) 320.428.5824

INSTALLER: TBD

MANAGEMENT: TBD

CONSTRUCTION NOTES

CONSTRUCTION SHALL BE GOVERNED BY THE PROJECT MANUAL. THE CONTRACTOR SHALL KEEP AND MAINTAIN THE INSPECTION AND MAINTENANCE RECORDS.

PERMANENT STORMWATER MANAGEMENT

PERMANENT STORM WATER IS BEING TREATED BY THE FILTRATION BASINS LOCATED ON SITE. THE OWNER SHALL BE RESPONSIBLE FOR THE INSPECTION AND MAINTENANCE OF THE FILTRATION BASINS AFTER PROJECT COMPLETION AND ACCEPTANCE.

SEQUENCE OF CONSTRUCTION ACTIVITIES

1. INSTALL TEMPORARY EROSION CONTROL AS SHOWN ON THE PLANS.
2. COMPLETE THE REMOVALS AS NOTED ON THE PLANS.
3. CONSTRUCT ALL TEMPORARY SEDIMENT TRAPS.
4. CONSTRUCT DOWNSTREAM STORM SEWER.
5. CONDUCT SITE GRADING.
6. TEMPORARILY SEED DENUDED AREAS PER NPDES REQUIRMENTS.
7. CONTINUALLY STABILIZE THE NORMAL WETTER PERIMETER OF ALL AREAS WITHIN THE 200 LINEAL FEET OF THE SURFACE WATER OR THE PROPERTY EDGE.
8. COMPLETE PERMANENT STABILIZATION.

BMP PROJECT QUANTITY ESTIMATE
(QUANTITIES ARE AN ESTIMATE ONLY AND MAY VARY)

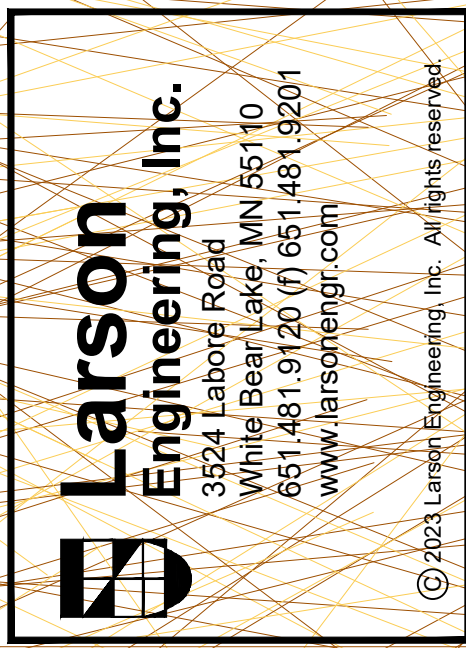
SILT FENCE:	1,555 LF±
INLET PROTECTION:	NA
TEMPORARY TURF ESTABLISHMENT:	0.55 AC±
PERMANENT TURF ESTABLISHMENT:	1.10 AC±
EROSION CONTROL BLANKET:	1,630 SY±
ROCK CONSTRUCTION ENTRANCE:	1 EA

STORM WATER POLLUTION PREVENTION PLAN (CONSTRUCTION ACTIVITY REQUIREMENTS)

1. THE CONTRACTOR WILL NEED TO IDENTIFY AN EROSION CONTROL SUPERVISOR IN GOOD STANDING WHO WILL BE KNOWLEDGEABLE AND HAS THE APPROPRIATE MPCA LICENSURE IN THE APPLICATION OF EROSION PREVENTION AND SEDIMENT CONTROL, BEST MANAGEMENT PRACTICES.
2. EROSION CONTROL MEASURES SHOWN THE EROSION CONTROL PLAN ARE THE ABSOLUTE MINIMUM. THE CONTRACTOR SHALL INSTALL TEMPORARY EARTH DIKES, SEDIMENT TRAPS OR BASINS, ADDITIONAL SILTATION FENCING, AND/OR DISK THE SOIL PARALLEL TO THE CONTOURS AS DEEMED NECESSARY TO FURTHER CONTROL EROSION. ALL CHANGES SHALL BE RECORDED IN THE SWPPP.
3. THE EROSION CONTROL SUPERVISOR WILL WORK WITH THE PROJECT ENGINEER TO OVERSEE THE IMPLEMENTATION OF THE SWPPP, AND THE INSTALLATION, INSPECTION AND MAINTENANCE OF THE EROSION PREVENTION AND SEDIMENT CONTROL BMPS BEFORE, DURING AND AFTER CONSTRUCTION AS REQUIRED. THE BMP MEASURES SHALL REFERENCE CITY BMP DETAILS.
4. THE GENERAL CONTRACTOR IS RESPONSIBLE TO COMPLY WITH THE CONSTRUCTION STORMWATER PERMIT.
5. THE CONTRACTOR WILL DEVELOP A CHAIN OF COMMAND WITH ALL OPERATORS ON THE SITE TO ENSURE THAT THE SWPPP WILL BE IMPLEMENTED AND STAY IN EFFECT UNTIL THE CONSTRUCTION PROJECT IS COMPLETE. THE ENTIRE SITE HAS UNDERGONE FINAL STABILIZATION, AND A NOTICE OF TERMINATION (NOT) HAS BEEN SUBMITTED TO THE MPCA.
6. THE CONTRACTOR WILL PREPARE A WRITTEN WEEKLY SCHEDULE OF PROPOSED EROSION CONTROL ACTIVITIES FOR THE PROJECT ENGINEERS APPROVAL.
7. THE CONTRACTOR WILL PREPARE AND SUBMIT A SITE PLAN FOR THE FOR THE PROJECT ENGINEERS APPROVAL FOR WORK IN CRITICAL AREAS AS IDENTIFIED ON THE PLANS OR AS REQUESTED BY THE PROJECT ENGINEER.
8. ALL EROSION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO ANY REMOVAL WORK AND/OR DISTURBING ACTIVITIES AND SHALL BE MAINTAINED UNTIL THE POTENTIAL FOR EROSION HAS BEEN ELIMINATED.
9. ALL EXPOSED SOIL AREAS MUST BE STABILIZED AS SOON AS POSSIBLE TO LIMIT SOIL EROSION BUT IN NO CASE LATER THAN 7 DAYS OR AS REQUIRED BY THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT FOR CONSTRUCTION ACTIVITY ON THAT PORTION OF THE SITE THAT HAS TEMPORARY OR PERMANENT CONSTRUCTION ACTIVITY COMPLETION.
10. WORK IN DRAINAGE SWALES OR THE NORMAL WETTED PERIMETER OF ANY SURFACE WATER WILL REQUIRE STABILIZATION WITHIN 24 HOURS OF CONNECTION. THESE AREAS WILL INCLUDE ALL AREAS THAT DRAIN WATER WITHIN 200 FEET FROM THE PROPERTY EDGE OR POINT OF DISCHARGE TO ANY SURFACE WATER. RAPID STABILIZATION WILL BE USED IN THESE AREAS.
11. DITCHES AND EXPOSED SOILS MUST BE KEPT IN A SMOOTH ROUGH GRADED CONDITION IN ORDER TO BE ABLE TO APPLY EROSION CONTROL MULCHES AND BLANKETS.
12. ALL EXPOSED SOIL AREAS WILL BE STABILIZED PRIOR TO THE ONSET OF WINTER. ANY WORK STILL BEING PERFORMED WILL BE SNOW MULCHED, SEEDED, OR BLANKETED.
13. SEDIMENT CONTROL DEVICES MUST BE ESTABLISHED ON ALL DOWN GRADIENT PERIMETERS BEFORE ANY UP GRADIENT LAND DISTURBING ACTIVITIES BEGIN. THE TIMING OF THE INSTALLATION OF THE SEDIMENT CONTROL DEVICES CAN BE ADJUSTED TO ACCOMMODATE SHORT-TERM ACTIVITIES SUCH AS CLEARING AND GRUBBING, OR PASSAGE OF VEHICLES. ANY SHORT TERM ACTIVITY MUST BE COMPLETED AS QUICKLY AS POSSIBLE AND THE SEDIMENT CONTROL DEVICES MUST BE INSTALLED IMMEDIATELY AFTER THE ACTIVITY IS COMPLETED IN ACCORDANCE WITH THE NPDES PERMIT.
 - A. SILT FENCE SHALL BE INSTALLED SO THAT IT FOLLOWS AS CLOSE AS POSSIBLE TO A SINGLE CONTOUR TO CAPTURE OVERLAND, LOW-VELOCITY SHEET FLOWS DOWN GRADIENT OF ALL EXPOSED SOILS AND PRIOR TO DISCHARGING TO SURFACE WATERS WITH THE SILT FENCE J-HOODED AT A MAXIMUM OF 100 FOOT INTERVALS AND SHALL CONTAIN NO MORE THAN 1/4 ACRE OF DRAINAGE AREA.
 - B. DITCH CHECKS WILL BE INSTALLED AS INDICATED ON THE PLANS DURING ALL PHASES OF CONSTRUCTION.
 - * TEMPORARY DITCH CHECKS WILL CONSIST OF USING ROCK DITCH CHECKS AND ROCK WEEPERS IN FRONT OF CULVERT INLETS.
 - C. SEDIMENT DAMAGE FROM STOCKPILES WILL BE MINIMIZED BY PLACING A ROW OF SILT FENCE 6 FEET FROM THE TOE.
 - D. ALL EXPOSED STOCKPILES LEFT FOR A PERIOD OF TIME SHALL BE TEMPORARILY STABILIZED ACCORDING TO THE NPDES PERMIT REQUIREMENTS BUT IN NO CASE LATER THAN 7 DAYS.
14. STREET SURFACES SHALL BE SWEEPED WITHIN 24 HOURS OF DISCOVERY OF SEDIMENT OR TRACKING WITH A VACUUM OPERATED BROOM SWEEPER. NO OPEN-BROOM SWEEPERS WILL BE ALLOWED.
15. STORM SEWER INLETS WILL BE PROTECTED WITH THE APPROPRIATE BMPS FOR EACH SPECIFIC PHASE OF CONSTRUCTION.
16. THE CONTRACTOR WILL COMPLY WITH THE REQUIREMENTS REGARDING POLLUTION PREVENTION MANAGEMENT DURING CONSTRUCTION, WHICH WILL INCLUDE PROVIDING:
 - A. CONCRETE WASHOUT FACILITIES/PROCESSES ACCORDING TO THE NPDES PERMIT REQUIREMENTS
 - B. SOLID WASTE COLLECTION AND REMOVAL
 - C. SECONDARY CONTAINMENT
 - D. HAZARDOUS WASTE STORAGE CONTAINERS AND SPILL KITS
17. BUILDING PRODUCTS WITH POLLUTANT POTENTIAL SHALL BE STORED UNDER COVER (PLASTIC SHEETING, TEMPORARY ROOFS) OR IN SECURE CABINETS TO MINIMIZE CONTACT WITH STORMWATER.
18. CHEMICALS (PESTICIDES HERBICIDES, FERTILIZERS, TREATMENT CHEMICALS, ETC.) SHALL BE STORED UNDER COVER (PLASTIC SHEETING, TEMPORARY ROOFS) OR IN SECURE CABINETS TO MINIMIZE CONTACT WITH STORMWATER.
19. HAZARDOUS MATERIALS AND TOXIC WASTE (OIL, GAS, PAINT, ETC.) SHALL BE STORED IN SEALED CONTAINERS IN A STORAGE AREA WITH RESTRICTED ACCESS. STORAGE AREAS SHALL BE PROVIDED WITH SECONDARY CONTAINMENT PER MINNESOTA CHAPTER 7045. ALL DISPOSAL SHALL BE IN ACCORDANCE WITH STATE REGULATIONS.
20. COLLECTION, STORAGE, AND DISPOSAL OF SOLID WASTE SHALL COMPLY WITH MINNESOTA ADMINISTRATIVE RULES 7035.0300 TO 7035.2915. STORAGE OF GARBAGE, REFUSE, AND OVERSIZE WASTE SHALL COMPLY WITH 7035.0700. RENOVATION AND DEMOLITION OPERATIONS SHALL COMPLY WITH 7035.0805.
21. PORTABLE TOILETS SHALL BE MANAGED IN ACCORDANCE WITH MINNESOTA ADMINISTRATIVE RULES CHAPTER 7041.
22. FUELING OF VEHICLES AND EQUIPMENT WILL BE PERFORMED IN A DESIGNATED, CONTAINED AREA. SPILL KITS SHALL BE READILY AVAILABLE AND DISPOSAL SHALL BE IN ACCORDANCE WITH STATE REGULATIONS. SPILLS WILL BE REPORTED IN ACCORDANCE WITH MINNESOTA STATUTE 115.061.
23. WASHING OF VEHICLES AND EQUIPMENT WILL BE PERFORMED IN A DESIGNATED, CONTAINED AREA. RUNOFF FROM THE WASHING AREA SHALL BE CONTAINED IN A SEDIMENT BASIN AND WASTE SHALL BE DISPOSED OF IN ACCORDANCE WITH STATE REGULATIONS.
24. CONCRETE AND WASHOUT WASTES (STUCCO, PAINT, RELEASE OILS, CURING COMPOUNDS, ETC.) SHALL BE PERFORMED IN A DESIGNATED, CONTAINED AREA, SO THAT WASTES DON NOT CONTACT THE GROUND. LIQUID AND SOLID WASTES SHALL BE DISPOSED OF IN ACCORDANCE WITH STATE REGULATIONS. A SIGN SHALL BE POSTED AT THE WASHOUT AREA FOR IDENTIFICATION AND INSTRUCTIONS.
25. DEWATERING OR BASIN DRAINING ACTIVITIES OF TURBID OR SEDIMENT LADEN WATER WILL BE DISCHARGED TO TEMPORARY SEDIMENT BASINS WHENEVER POSSIBLE. IN THE EVENT THAT IT IS NOT POSSIBLE TO DISCHARGE THE SEDIMENT LADEN WATER TO A TEMPORARY SEDIMENT BASIN THE WATER MUST BE TREATED SO THAT IT DOES NOT ADVERSELY AFFECT RECEIVING WATERS OR DOWNSTREAM LANDOWNERS.
26. THE CONTRACTOR WILL NEED TO PROVIDE A LICENSED EROSION CONTROL SUPERVISOR WHO CAN INSPECT THE SITE FOR NPDES PERMIT COMPLIANCE. MAINTENANCE OF ALL BEST MANAGEMENT PRACTICES (BMPS) WILL BE REQUIRED AS SET FORTH IN THE PREVIOUSLY NAMED SECTIONS.
 - A. THE EROSION CONTROL SUPERVISOR WILL NEED TO CONDUCT ROUTINE INSPECTIONS OF THE ENTIRE CONSTRUCTION SITE AS REQUIRED BY THE NPDES PERMIT
 - B. DATE AND TIME OF INSPECTION
 - C. NAME OF PERSONS CONDUCTING INSPECTIONS
 - D. CORRECTIVE ACTIONS TAKEN
 - E. DATE AND AMOUNT OF ALL RAINFALL EVENTS GREATER THAN 0.5 INCHES IN 24 HOURS
 - F. DOCUMENTS AND CHANGES MADE TO THE SWPPP
 - G. MAINTANENCE ACTIVITIES
27. MAINTENANCE WILL BE PERFORMED WITHIN A PERIOD PER PERMIT REQUIREMENTS.
 - A. SILT FENCE REPAIRS SHOULD BE MADE WHEN IT BECOMES NON-FUNCTIONAL OR SEDIMENT REACHES 1/3 THE HEIGHT OF THE FENCE
 - B. INLET PROTECTION DEVICES SHOULD BE REPAIRED WHEN THEY BECOME NON-FUNCTIONAL OR SEDIMENT REACHES 1/3 THE HEIGHT AND/OR DEPTH OF THE DEVICE
 - C. TEMPORARY SEDIMENT BASIN MUST HAVE THE SEDIMENT REMOVED ONCE THE SEDIMENT HAS REACHED 1/2 THE STORAGE VOLUME
 - D. TRACKED SEDIMENT MUST BE REMOVED WITHIN 24 HOURS OF DISCOVERY OF OFF SITE TRACKING ONTO PAVED SURFACES
 - E. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ALL BMPS UNTIL WORK HAS BEEN COMPLETED, SITE HAS GONE UNDER FINAL STABILIZATION, AND THE NOTICE OF TERMINATION HAS BEEN SUBMITTED TO THE MPCA IN ACCORDANCE WITH THE CONSTRUCTION GENERAL PERMIT
28. BURNING OF TREES, BRUSH, OR OTHER VEGETATED MATERIAL IS NOT ALLOWED WITHIN THE PROJECT BOUNDARIES.
29. THE CONTRACTOR MAY SKIP TEMPORARY OR RAPID STABILIZATION METHODS IF THEY CHOOSE TO STABILIZE AN AREA WITH PERMANENT STABILIZATION WITHIN THE APPROPRIATE TIME FRAMES OUTLINED IN THE PERMIT FOR THE DIFFERENT ACTIVITIES.
30. IF TEMPORARY OR PERMANENT COVER WILL NOT BE ESTABLISHED BY NOVEMBER 15, PROVIDE ADEQUATE MEASURES TO CONTROL SPRING EROSION AND SEDIMENTATION.
31. ALL SEDIMENT DEPOSITED INTO A WATER OF THE STATE MUST BE REMOVED IMMEDIATELY OR AS REQUIRED BY THE NPDES PERMIT.
32. OUTLETS INTO SURFACE WATERS SHALL BE STABILIZED WITH ENERGY DISSIPATION WITHIN 24 HOURS. ALL RIP RAP SHALL BE INSTALLED WITH A FILTER MATERIAL OR SOIL SEPARATION AND COMPLY WITH THE MINNESOTA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS.
33. A 50 FOOT NATURAL BUFFER SHALL BE PRESERVED ADJACENT TO SURFACE WATERS. IF WORK ENCROACHES THE SURFACE WATER AS A COMPONENT OF THE WORK, REDUNDANT SEDIMENT CONTROLS SHALL BE INSTALLED.
34. ALL FILTRATION AREAS MUST BE INSPECTED TO ENSURE THAT NO SEDIMENT FROM ONGOING CONSTRUCTION ACTIVITY IS REACHING THE FILTRATION AREA AND THESE AREAS ARE TO BE PROTECTED FROM COMPACTION DUE TO CONSTRUCTION EQUIPMENT DRIVING ACROSS THE FILTRATION AREA. ONLY LOW IMPACT EQUIPMENT SHALL BE ALLOWED IN THE FILTRATION AREAS WHICH SHALL BE STAKED AND MARKED OFF.

** INSPECT THE CONSTRUCTION SITE ONCE EVERY 7 DAYS DURING ACTIVE CONSTRUCTION AND WITHIN 24 HOURS AFTER A RAINFALL EVENT GREATER THAN 0.5 INCHES IN 24 HOURS. RAINFALL SHALL BE MEASURED USING AN ONSITE RAIN GAUGE.

2023.05.01 CLFLWD SUBMITTAL - NOT FOR CONSTRUCTION



REVISIONS:		
No.	Description	Date

**GREGORY
CONTRACTING
LLC**

**HAZEL AVENUE
WYOMING, MN**

C600
SWPPP

Municipal Tree Replacement Requirements:

Per City of Wyoming Requirements: (1) Overstory Tree and (2) Understory Trees are required per 1/10th acre of plantable area

Plantable Acres On Site*: 0.7 Acres
Overstory Trees Required On Site: 7
Understory Trees Required On Site: 14
**Less Easements, Basin Bottoms, and Future Building/Paving Area*

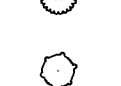
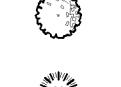
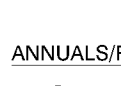
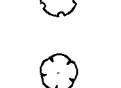
Overstory Trees to Remain as Credit: 0
Understory Trees to Remain as Credit: 0

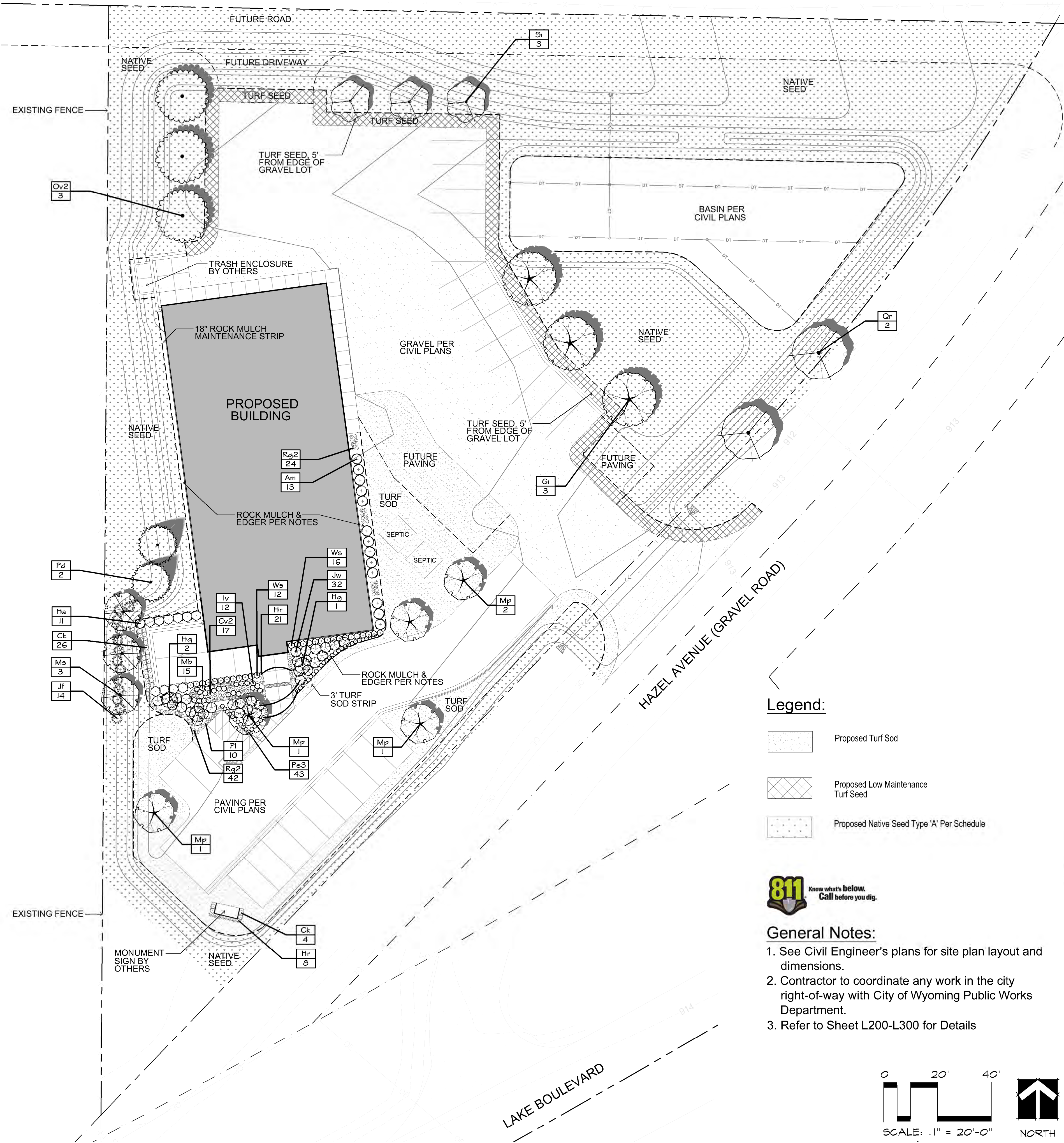
Municipal Screening Requirements:

Screening Buffers are required between different land uses. Screening requirements shall be satisfied by one or more of the following:

- Fence (existing)
- Planting Screen (must meet one of the following requirements:)
 - Evergreen shrubs (4' height) and deciduous trees (2" caliper minimum)
 - Continuous row of evergreen trees (4' height minimum)
 - Mixed panting of native trees and shrubs
- Berm

PLANT SCHEDULE

EVERGREEN TREES	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY	REMARKS
	Pd	Picea glauca 'Densata'	Black Hills Spruce	6' Hgt.	B&B	2	
OVERSTORY TREE	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY	REMARKS
	Gi	Gleditsia triacanthos inermis 'Skycole' TM	Skyline Thornless Honey Locust	2.5" Cal.	B&B	3	
	Qr	Quercus rubra	Northern Red Oak	2.5" Cal.	B&B	2	Spring Dug
UNDERSTORY TREE	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY	REMARKS
	Mp	Malus x 'Prairifire'	Prairifire Crab Apple	1.5" Cal.	B&B	5	
	Ms	Malus x 'Spring Snow'	Spring Snow Crab Apple	2" Cal.	B&B	3	
	Ov2	Ostrya virginiana	Ironwood	1.5" Cal.	B&B	3	
	Si	Syringa reticulata 'Ivory Silk'	Ivory Silk Japanese Tree Lilac	1.5" Cal.	B&B	3	
SHRUBS	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY	REMARKS
	Am	Aronia melanocarpa 'Morton' TM	Iroquis Beauty Black Chokeberry	5 gal.	Pot	13	
	Ha	Hydrangea arborescens 'Annabelle'	Annabelle Hydrangea	5 gal.	Pot	11	
	Hg	Hydrangea paniculata 'Grandiflora' Tree Form	PeeGee Panicle Hydrangea Tree Form	15 gal.	Pot	3	Tree Form, 5' Tall at Installation
	Jf	Juniperus chinensis 'Sea Green'	Sea Green Juniper	5 gal.	Pot	14	
	Jw	Juniperus horizontalis 'Wiltonii'	Blue Rug Juniper	2 gal.	Pot	32	
	Ws	Weigela florida 'Bokraspiwi' TM	Spilled Wine Weigela	2 gal.	Pot	28	
ANNUALS/PERENNIALS	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY	REMARKS
	Cv2	Carex vulpinoidea	Fox Sedge	1 gal.	Pot	17	
	Hr	Hemerocallis x 'Ruby Stella'	Ruby Stella Daylily	1 gal.	Pot	29	
	Iv	Iris versicolor	Blue Flag	1 gal.	Pot	12	
	Mb	Monarda fistulosa	Bergamot	1 gal.	Pot	15	
	Pl	Perovskia atriplicifolia 'Little Spire'	Little Spire Russian Sage	1 gal.	Pot	10	
	Pe3	Phlox subulata 'Emerald Blue'	Emerald Blue Creeping Phlox	1 gal.	Pot	43	
	Rg2	Rudbeckia fulgida 'Goldstrum'	Black Eyed Susan	1 gal.	Pot	66	
GRASSES	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY	REMARKS
	Ck	Calamagrostis x acutiflora 'Karl Foerster'	Feather Reed Grass	1 gal.	Pot	30	



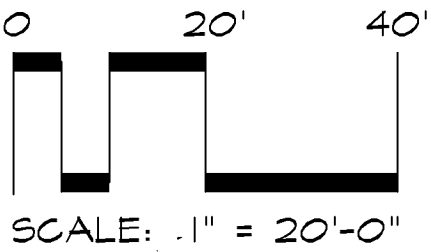
Legend:

- Proposed Turf Sod
- Proposed Low Maintenance Turf Seed
- Proposed Native Seed Type 'A' Per Schedule



General Notes:

- See Civil Engineer's plans for site plan layout and dimensions.
- Contractor to coordinate any work in the city right-of-way with City of Wyoming Public Works Department.
- Refer to Sheet L200-L300 for Details



CALYX

DESIGN GROUP
Landscape Architecture | Planning

475 Cleveland Avenue N. | Suite 101A
St. Paul, MN 55104

telephone: 651.788.9018

internet: www.calyxdesigngroup.com

GREGORY
CONTRACTING

Client:

GREGORY
CONTRACTING

246XX Highway 8

Wyoming MN, 56025

Project Title:

I hereby certify that this plan, specifications or report was prepared by me or under my direct supervision and that I am a duly licensed Landscape Architect under the laws of the State of MINNESOTA.



Benjamin Hartberg, PLA

Date: 05.09.2023 Lic. No.: 48084

Rev.	Date	Description

Project #:

Drawn By: HL

Checked By: BH

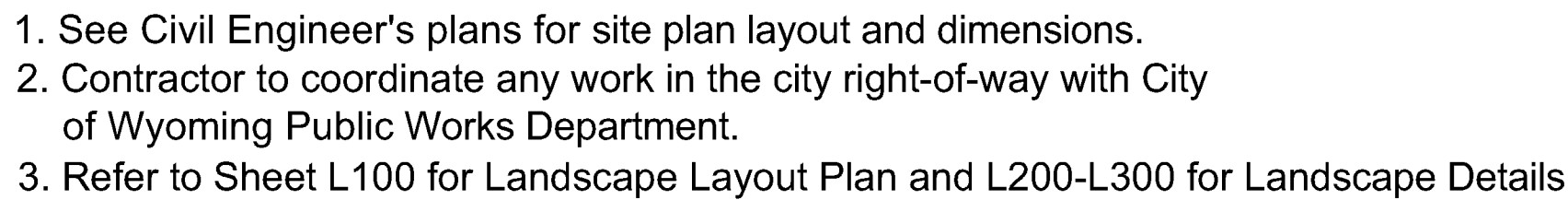
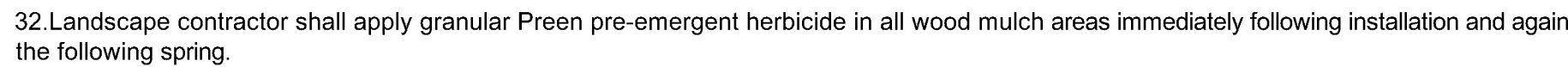
Issue Date: 05.09.2023

Sheet Title:

LANDSCAPE PLAN

Sheet:

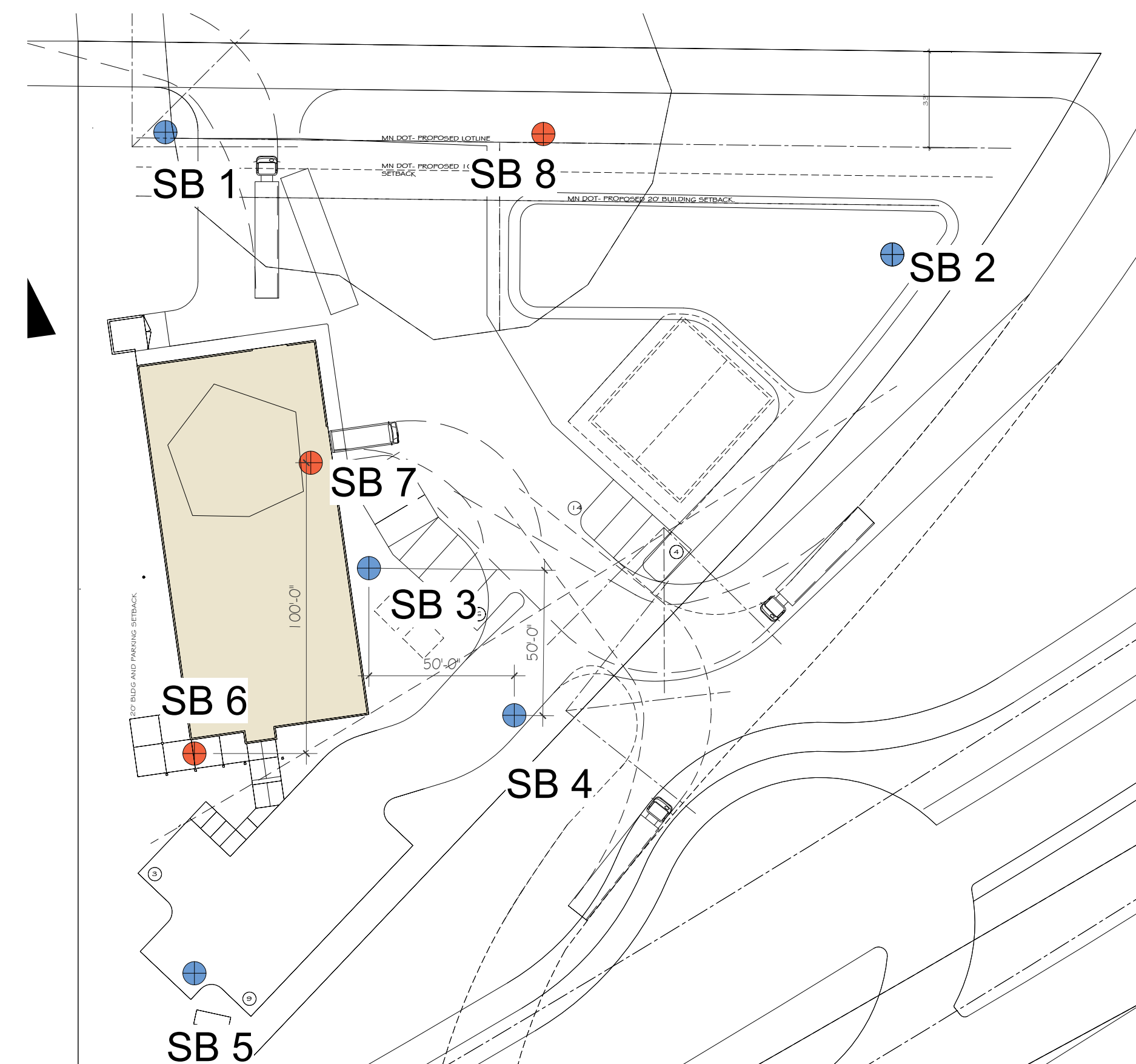
L100





① SITE PLAN FUTURE
1" = 20'-0"

5/17/2023 3:59:11 PM



② SITE PLAN FUTURE -SOIL BORINGS
1" = 40'-0"

PROGRESSIVE Architecture

4920 OTTER LAKE ROAD, WHITE BEAR LAKE, MN 55110
651.292.1061
WWW.PROGRESSIVEARCH.COM

REVISIONS:

No.	Description	Date
-----	-------------	------

I HEREBY CERTIFY THAT THIS
PLAN, SPECIFICATION, OR
REPORT WAS PREPARED BY
ME, OR UNDER MY DIRECT
SUPERVISION, AND THAT I AM A
DULY LICENSED ARCHITECT
UNDER THE LAWS OF THE
STATE OF MINNESOTA.

12.07.2022	19826
SCOTT C. MOWER DATE	LICENSE #
Project Number	GCOB
Date	12.07.2022
Drawn By	Author

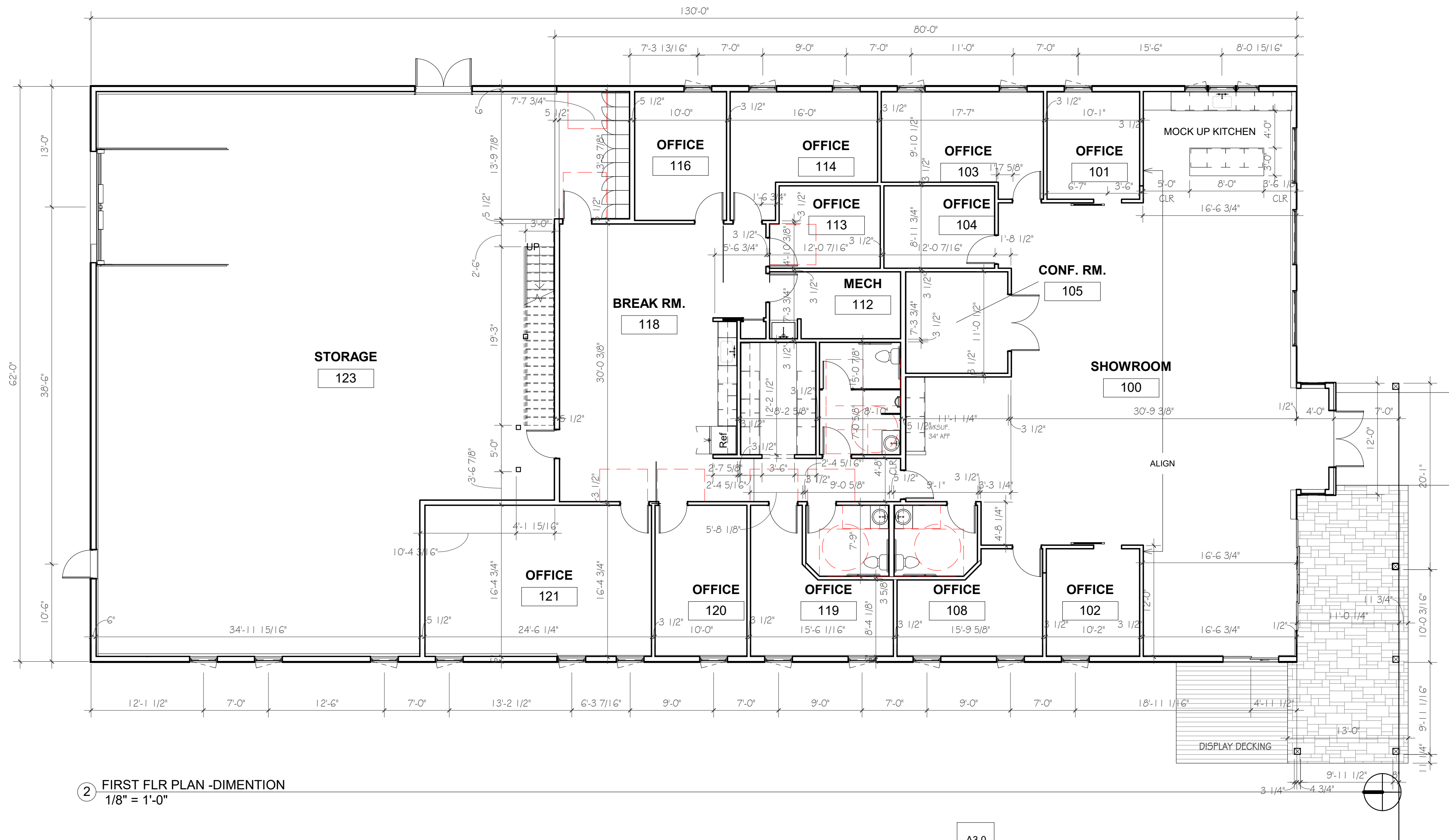
**GREGORY
CONTRACTING**

246XX
Hy 8
Wyoming MN

A1.1

FUTURE SITE PLAN

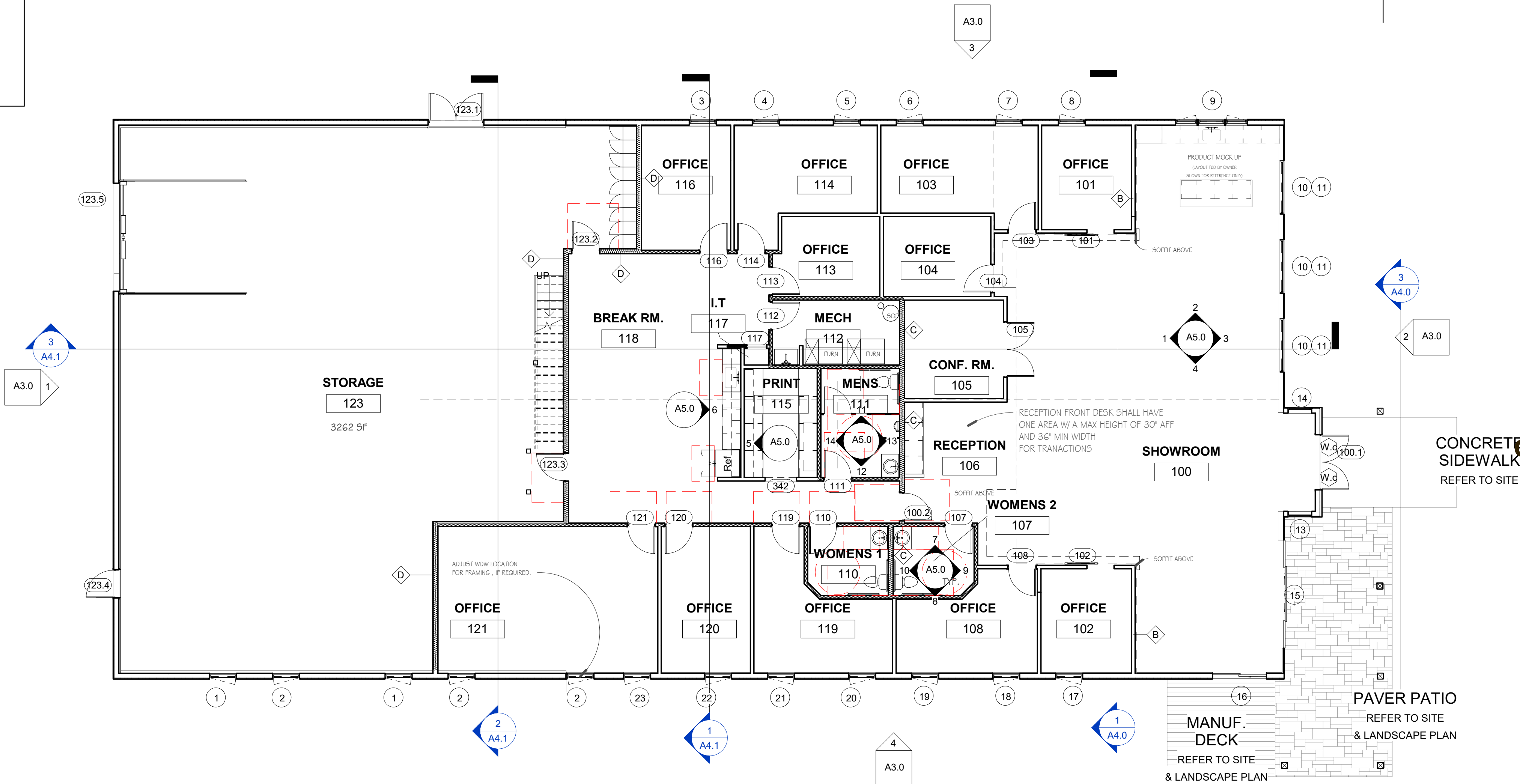
REVIEW SET



GENERAL NOTES

1. VERIFY CONDITIONS NOTED AS EXIST. AND NOTIFY ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES.
2. ALL DIMENSIONS PROVIDED ARE FROM FACE OF STUD TO FACE OF STUD, SHEATHING OR OTHER STRUCTURAL ELEMENT, UON.
3. DIMENSIONS PROVIDED FROM EXISTING BUILDING COMPONENTS ARE FROM FACE OF FINISH, UNLESS OTHERWISE NOTED.
4. PRODUCT MOCK UP AREA IN SHOWROOM SPACE IS TO BE DESIGNED AND INSTALLED BY OWNER.

② FIRST FLR PLAN -DIMENTION
1/8" = 1'-0"



① FIRST FLR PLAN
1/8" = 1'-0"

REVISIONS:		
No.	Description	Date

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME, OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

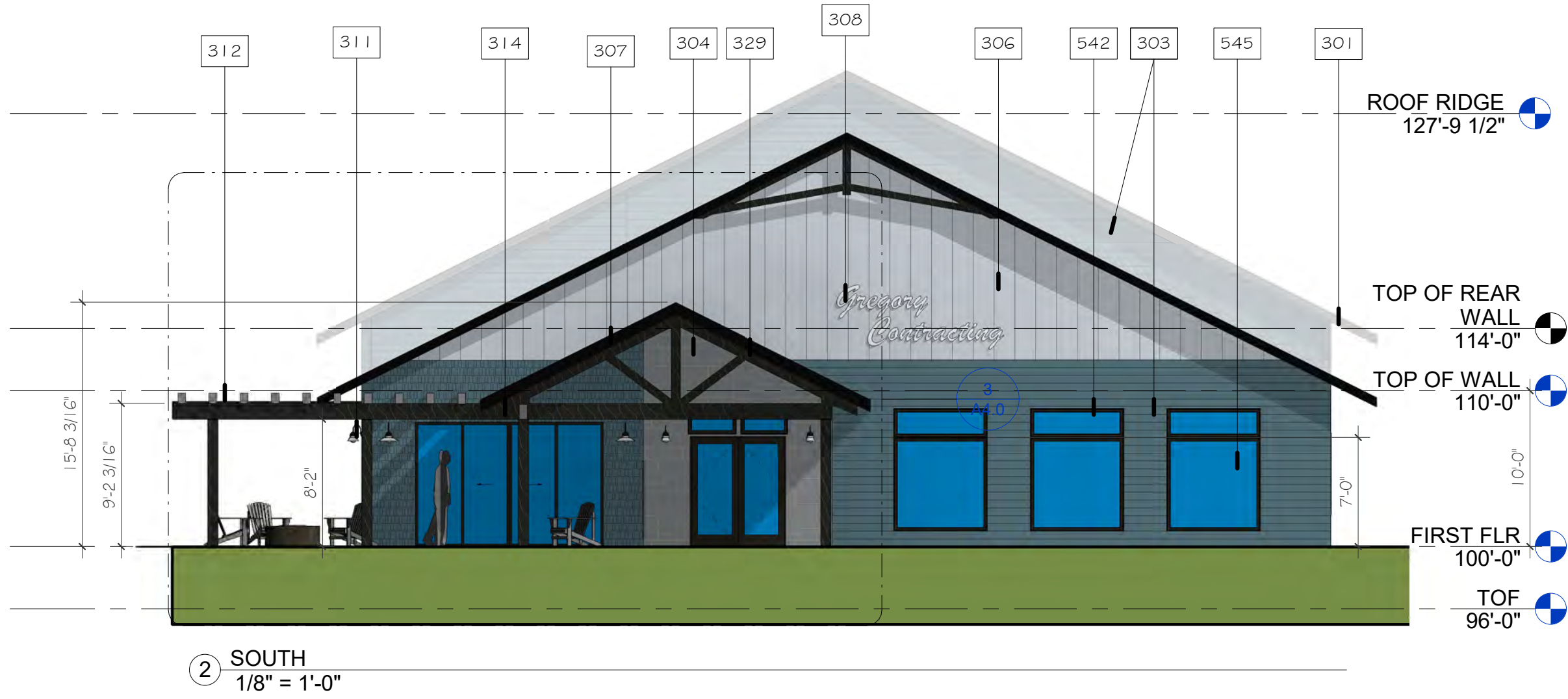
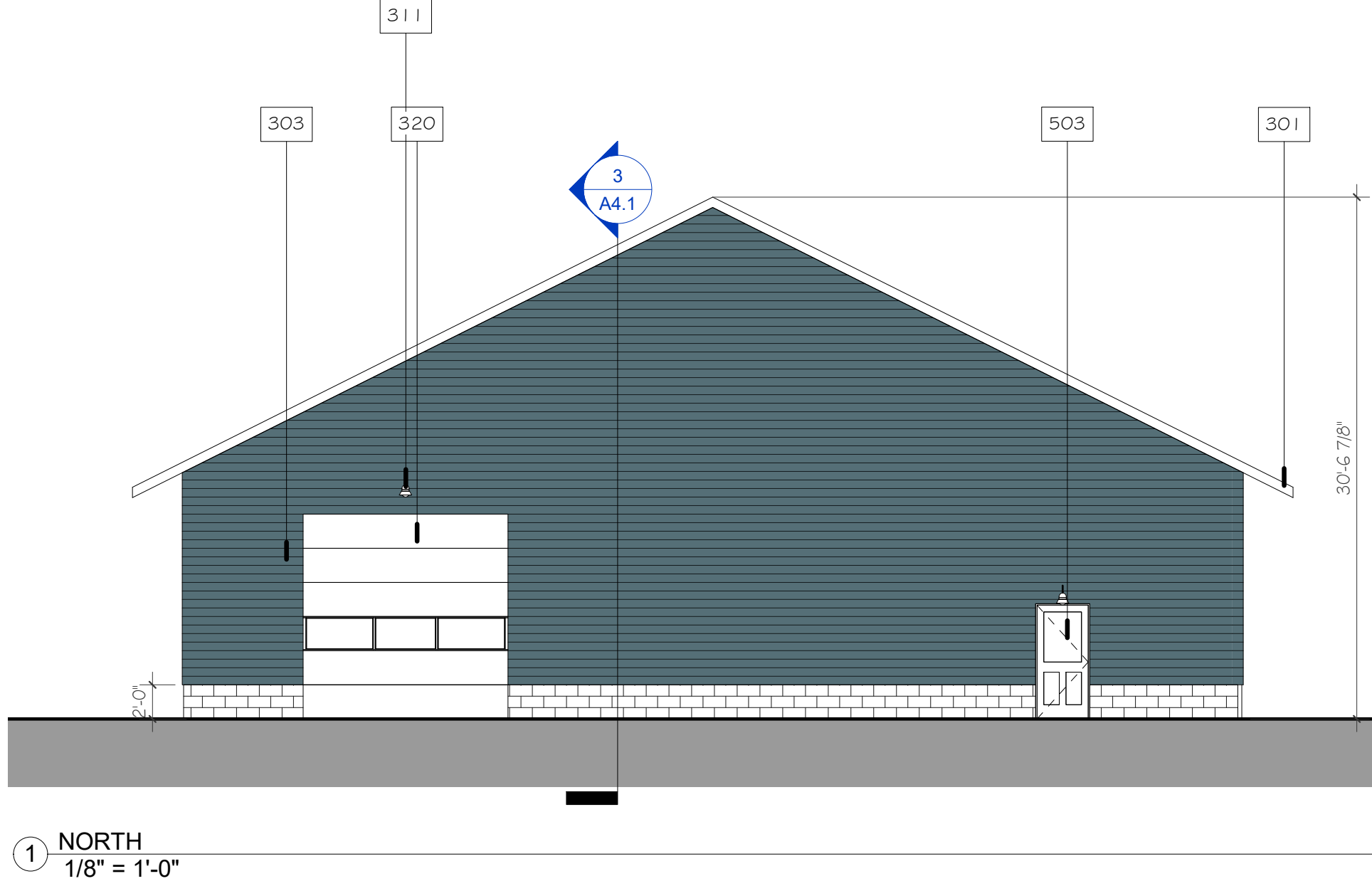
12.07.2022 19826
SCOTT C. MOWER DATE LICENSE #
Project Number GCOB
Date 12.07.2022
Drawn By PA

GREGORY
CONTRACTING

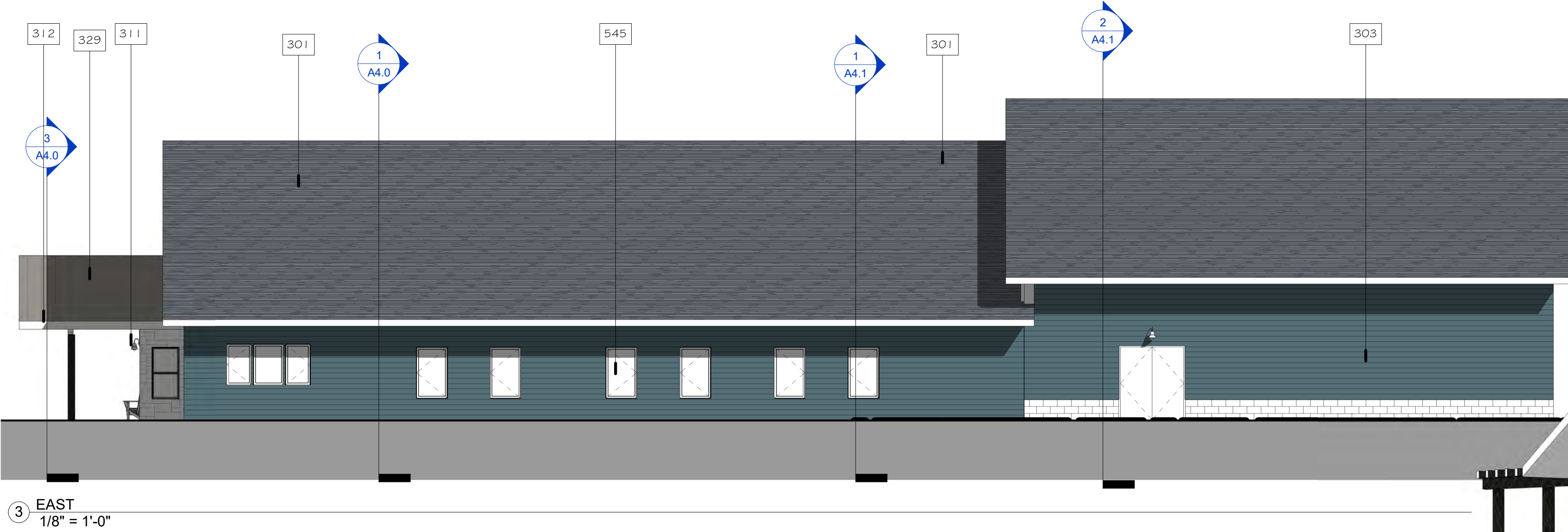
246XX
Hy 8
Wyoming MN

A2.0
FLOOR
PLAN

REVIEW SET

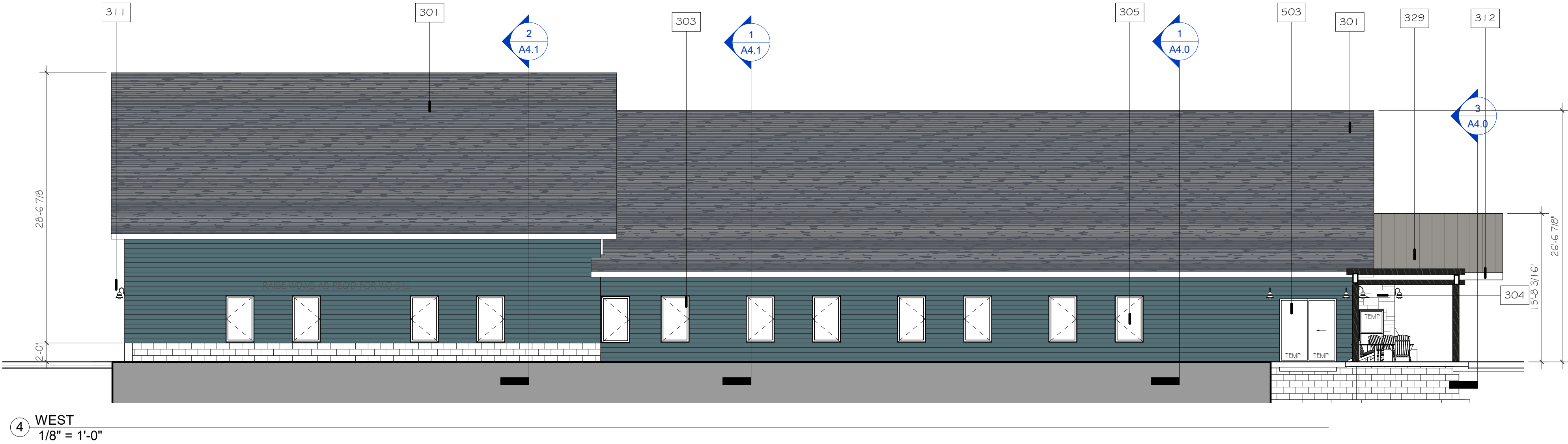


ELEVATION KEYNOTES	
NUMBER	DESCRIPTION
301	EXTERIOR HIGH DEFINITION SHINGLES, BLACK
303	LAP COMPOSITE SIDING - MANF/COLOR TBD BY OWNER
304	FAUX STONE VENEER - TBD BY OWNER
305	EXTERIOR WINDOWS, PROVIDED BY OWNER
306	VERTICAL (1/2" BOARD & BATTEN) COMPOSITE SIDING - MANF/COLOR TBD BY OWNER
307	WOOD TIMBER, W/EXPOSED FAUX GUSSET PLATES
308	EXTERIOR SIGNAGE, PROVIDED BY OWNER
311	EXTERIOR LIGHTING
312	TIMBER TRELLIS - ADD ALT (FUTURE)
314	SPLIT CEDAR SHAKES, MANF/COLOR TBD BY OWNER
320	OVERHEAD GARAGE DOOR, COLOR TBD BY OWNER
329	STANDING SEAM METAL ROOF - COLOR TBD BY OWNER
503	DOOR W/ FRAME, SEE DOOR SCHEDULE
542	SMOOTH FINISH EXT. TRIM "BELLY BAND",COLOR TBD BY OWNER
545	EXTERIOR WINDOWS



5 VIEW FROM FRONT ENTRANCE

SHOWN FOR VISUAL REFERENCE ONLY
DEPICTION IS NOT 100% ACCURATE.
FINAL LOCATION & SELECTION OF MATERIALS TO BE CHOSEN BY OWNER.



EXTERIOR BLDG MATERIALS	
SOUTH ELEVATION	
GLAZING	293 SF
STONE	83 SF
LP LAP SIDING	249 SF
LP LAP SIDING - HIGH	212 SF
LP SHAKE	122 SF
LP B & B	387 SF
MISC TRELLIS ETC	31 SF
TOTAL SOUTH	1377 SF
EAST ELEVATION	
GLAZING	127 SF
STONE	24 SF
LP LAP SIDING	1171 SF
MTL DOOR	45 SF
BLOCK	45 SF
TOTAL EAST	1412 SF
NORTH ELEVATION	
LP LAP SIDING	1127 SF
DOORS	165 SF
BLOCK	94 SF
TOTAL NORTH	1377 SF
WEST ELEVATION	
GLAZING	223 SF
STONE	24 SF
LP LAP SIDING	1064 SF
CONCRETE BLOCK	100 SF
TOTAL	1411 SF

REVISIONS:		
No.	Description	Date

I HEREBY CERTIFY THAT THIS
PLAN, SPECIFICATION, OR
REPORT WAS PREPARED BY
ME, OR UNDER MY DIRECT
SUPERVISION AND THAT I AM A
DULY LICENSED ARCHITECT
UNDER THE LAWS OF THE
STATE OF MINNESOTA.

12.07.2022	19826	
SCOTT C. MOWER	DATE	LICENSE #
Project Number	GC0B	
Date	12.07.2022	
Drawn By	PA	

GREGORY
CONTRACTING

246XX
Hy 8
Wyoming MN

A3.0
EXT ELE

REVIEW SET

**CITY OF WYOMING
PLANNING AND ZONING**

TO:	Planning Commission
DATE:	06/13/2023
FROM:	Kim Lindquist, City Planner
	Fred Weck, Zoning Administrator
RE:	Conditional Use Permit & PUD Master
	Development Plan/Site Plan Review
	Application
APPLICANT:	257 Land Holdings, LLC.
PROPERTY:	R.21.10605.00 & R.21.10542.10
FILE NO.:	Z-22-004

OVERVIEW

On May 23, 2023, the Planning Commission continued this application and directed staff to prepare a resolution of denial with appropriate findings of fact. The resolution was based upon the revised plans, specifically the civil plans dated April 17, 2023.

Within the April staff review and recommendation, city staff had recommended approval of the applications with 14 recommended conditions of approval. Several members of the public spoke during the open forum about this project since the public hearing had been closed in March. The applicant also spoke and provided information regarding several of the questions or comments from the public or Commission members. During the Commission's deliberations, members expressed reservations about the project, focusing much of the discussion on the architecture of the buildings, the unit style and building internal layout, and the constrained site which led to poor pedestrian circulation for future tenants and restricted vehicular circulation. Much of the conversation dealt with the proposed use as elderly independent housing and the unit style, building layout and tenant access to units and from garages. The Commission felt the unit layout and inconvenient pedestrian access to individual units was inconsistent and contrary to the stated over 55 land use. It was noted that the current zoning only permitted over 55 residential land uses.

It is recognized that the staff had recommended approval of the proposal, but the Commission declined to recommend approval. Staff review is directed toward the ordinance standards and regulations. As the application moves through the approval process, the Commission and most certainly the City Council, review applications based upon the ordinance performance standards as well as the policies and goals of the community as embodied in the Comprehensive Plan. The Commission's recommendation for denial is based upon existing ordinance standards and Comprehensive Plan policies as defined in the attached resolution and findings of fact.

STAFF RECOMMENDATION

Based upon the direction from the Planning Commission the following recommendation is made:

The requirements of Chapter 40, Article V, Division 6, "Conditional Use Permits", Section 40 – 112, as contained in the City of Wyoming Ordinance has not been complied with. Staff is recommending denial of a Conditional Use Permit to allow establishment of a Commercial

Planned Unit Development based upon the findings of fact related to use of the PUD Overlay and conditions for granting of a Conditional Use Permit for the property PID R.21.10605.00 & R.21.10542.10.

Staff is recommending denial of a PUD master plan/site plan for the Heim's Lake Senior Housing project (PID R.21.10605.00 & R.21.10542.10) based upon the following findings of fact:

1. The building design and individual unit layout is not consistent with the proposed land use based upon the following:
 - a. The proposed development consists of two one story apartment buildings with 13 total units and two detached single stall parking garages with 21 stalls.
 - b. Access to the dwelling units and garages is via exterior sidewalks.
 - c. The proposed apartment units have three exterior doors to each individual unit.
 - d. Each apartment unit has at least two bedrooms and three bathrooms.
 - e. Pedestrian circulation is difficult and doesn't provide easy access to units from parking stalls or parking garages, which is inconsistent with the use as elderly housing.
2. The use is not in conformity with the Comprehensive Plan. The proposed plan does not provide "A high level of site planning, landscaping and façade treatment will be required..." as stated in the Comprehensive Plan Land Use Plan chapter, Office and Health Care land use description.
3. The use is not sufficiently compatible with adjacent development so that existing development will not be depreciated in value.
 - a. The proposed apartment units have three exterior doors to each individual unit.
 - b. The proposed structures do not meet the Architectural Standards Division of the Zoning Ordinance.
4. The structures have an appearance that will have an adverse effect upon adjacent properties.
 - a. The proposed structures do not meet the Architectural Standards Division of the Zoning Ordinance.
5. The use is not located, designed, maintained, and operated to be compatible with the existing or intended character of the zoning district in which it is to be located.
 - a. The housing is not designed for elderly housing due to the constrained circulation on the site
 - b. The parking areas are not designed for elderly housing as they are not immediately adjacent to individual housing units and require crossing parking lots to access units.
 - c. The buildings are not designed for elderly housing as they do not provide reasonable access to individual units as the back-to-back design means that rear units must be accessed through a pedestrian sidewalk containing little lighting.
6. The use is inconsistent with the purpose of this and other City Ordinances.

7. The establishment or maintenance of the use will be detrimental to the public, health, safety, or general welfare.
 - a. The stormwater ponds freeboard elevations does not provide a minimum of two feet of height separation from the finish floor elevations of the proposed structures.
 - b. The proposed site lighting does not provide adequate lighting for residents and visitor to navigate the site.
8. Section 40-316 request processing of PUD developments must be processed as a conditional use permit. Denial of the Conditional Use Permit means that the PUD Master Development Plan/Site Plan Review must also be denied.

BACKGROUND

The site was previously rezoned from R1 to OHC to allow the multi-family use. The zoning ordinance allows elderly housing, either independent living, assisted living, memory care or convalescent care in the OHC by permitted use. The applicant has indicated that this project will be restricted to 55 and older residents. A recommended condition of approval requires consistent compliance with this standard.

The property is also located in the Shoreland Overlay District which requires greater setbacks, regulates impervious surface and impacts site density. Staff has determined that a commercial PUD expansion could be appropriate for the project development. Use of a PUD requires approval of a master development plan and a CUP to permit the PUD overlay. In March, the plan also required a conditional use permit for hard surface coverage. The revision in the plans reduced the amount of impervious surface on the site and it is now below the ordinance maximum, negating the need for a CUP. Therefore, a conditional use permit for the PUD, a PUD master development plan and a site plan approval are required to allow construction of the proposal as currently proposed.

The site is comprised of two parcels identified as R.21.10605.00 (Lot 1) and R.21.10542.10 (Lot 2) which are presently vacant. In total the sites are 14.23 acres however both parcels have significant wetlands and therefore the total land above the delineated wetland is closer to 4.53 acres. In addition, both parcels abut Heims Lake and therefore the site is subject to Shoreland Overlay standards.

The applicant will construct two multi-family residential buildings housing seven (7) or six (6) units within the two structures. An office suite is also provided in the 7-unit building. Detached garage buildings are also located next to the two residential buildings along with twenty-one surface stalls. Access will be from 257th Street, by a private drive extension from the existing cul-de-sac. The site has access to sanitary sewer and water and each residential building will have a sprinkler system. Building location is constrained due to the amount of land designated for natural resource protection and the required setbacks from the wetlands and Heims Lake. The buildings and parking meet the setback requirements.

Heims Lake Apartments proposed development

Concerns, Amy Holzle, 25359 Heims Lake, Wyoming, MN

ph. 612-562-7491

I was sick May 23 and unable to attend the Planning Commission meeting. There was lack of time for a neighbor to share my concerns at the meeting. Hope you will consider the concerns below. Apologize for the delay.

Concerns related to Public Health and general Welfare, page 10, proposed development review submitted by developer. Traffic sounds and pollution from Interstate 35. Traffic sounds are extremely loud with a development so close to Interstate 35. Pollution and particulate matter from high traffic is also a concern. Many seniors experience traffic background noise drowning out audible or higher pitched sounds. Enhanced insulation of walls and windows may help, but will not be able to alleviate this noise. Traffic noise also interferes with needed peace, rest and quiet, especially for senior residents.

Second concern is the very nice Welcome to Wyoming sign now surrounded by a scenic green native nature belt. These are plants, shrubs and trees are well established to the dry and sandy soil. The nature belt helps reduce wind, noise, particulates and traffic visibility. The nature belt offers a very positive image of Wyoming which is in the heart of the Carlos Avery Wildlife Management area. A 'garage belt,' even with proposed shrubs, detracts from the current scenic image of Wyoming.

Headlights from cars and trucks, not to mention flashing lights from EMS vehicles still appear to be shining into neighboring homes and proposed apartments. Proposed landscaping is minimal and insufficient. A fence with exterior and interior landscaping, would help, but may not alleviate this concern to the property slope or elevation.

The number of seniors (55+) required to live in this residence is totally unclear. Is it one per unit, with no age restrictions for others living in the unit? Do only ten units need to have one senior? Where are the senior amenities such as storm shelter, or gathering room? Do buildings follow the ADA (Americans with Disabilities Act) guidelines which contribute to the general welfare, safety and accessibility of seniors?

RESOLUTION NO. 23-06-XX

**RESOLUTION DENYING A CONDITIONAL USE PERMIT APPLICATION
AT**

PROPERTY ID NUMBERS: 1.10605.00 & 21.10542.10.10

WHEREAS, the City of Wyoming is a political subdivision, organized and existing under the laws of the State of Minnesota; and,

WHEREAS, the City Council of the City of Wyoming has adopted zoning and subdivision regulations, per Ordinances 2009-4 and 2010-08, including subsequent amendments, to promote the orderly, economic and safe development and utilization of land within the City; and,

WHEREAS, Brian Solsrud of 257 Land Holdings, LLC has requested a Conditional Use Permit to allow establishment of a Commercial Planned Unit Development and a Master Plan for the Heims Lake Senior Housing project approval on property legally described as:

That part of Southwest 1/4 of Southwest 1/4, Section 29, Township 33, Range 21, described as follows: Commencing at the SW corner of said Section 29: then easterly along the south line of said SW 1/4 of SW 1/4, a distance of 354 feet, then northerly at a right angle 1092 feet to the point of beginning; then continue northerly on a projection of the last described line to the north line of said SW 1/4 of SW 1/4; then westerly along said north line to the west line of said SW 1/4 of SW 1/4; then southerly along said west line to the intersection with a line drawn westerly parallel with the south line of said SW 1/4 of SW 1/4 from the point of beginning; then easterly along said parallel line to point of beginning, excluding public waters.

AND

That part of the Southeast 1/4 of the Southeast 1/4, Section 30, Township 33, Range 21, lying northerly of the south 720 ft.; lying easterly of the easterly right of way line of Interstate Highway No.35, and lying northerly, westerly and northwesterly of the following described line: commencing at the southeast corner of said section 30; then west assumed bearing along the south line of said Section 30, a distance of 221 feet to the point of beginning of said line to be described; then north 1092; then east to the east line of said SE 1/4 of SE 1/4 and said line there terminating, excluding public waters.

WHEREAS The property is within the Office and Health Care (OHC) Zoning District and is contained within the Shoreland Overlay for Heims Lake, a Recreational Development Lake. Section 40-262 restricts housing in the OHC District to Elderly, including independent living, assisted living, memory care, and convalescent (nursing) care. The applicant has indicated the housing proposed is elderly independent living.

WHEREAS, Section 40-263 regulates permitted uses in the OHC are conditional uses when in the Shoreland District. Housing restricted to the elderly is a Conditional Use in the OHC district when within the shoreland overlay for a recreational development lake.

WHEREAS, Section 40-362 requires a Conditional Use Permit for any planned unit developments (PUD). The applicant is proposing a commercial PUD for the site.

WHEREAS, Section 40-451 regulates architectural standards including "architecture in relationship to the proposed land use, site characteristics and interior building layout."

WHEREAS, on March 14, 2023, May 23, 2023 and June 13, 2023 the Planning Commission held a public hearing and public meetings in accordance with the Ordinance and laws of the State of Minnesota; and,

WHEREAS, the City Council and Planning Commission have reviewed the Conditional Use Permit application for a Commercial Planned Unit Development and the PUD application for a Master Plan approval; and as submitted, and have made the following findings of fact:

1. The building design and individual unit layout is not consistent with the proposed land use based upon the following:
 - a. The proposed development consists of two one story apartment buildings with 13 total units and two detached single stall parking garages with 21 stalls.
 - b. Access to the dwelling units and garages is via exterior sidewalks.
 - c. The proposed apartment units have three exterior doors to each individual unit.
 - d. Each apartment unit has at least two bedrooms and three bathrooms.
 - e. Pedestrian circulation is difficult and doesn't provide easy access to units from parking stalls or parking garages, which is inconsistent with the use as elderly housing.
2. The use is not in conformity with the Comprehensive Plan. The proposed plan does not provide "A high level of site planning, landscaping and façade treatment will be required..." as stated in the Comprehensive Plan Land Use Plan chapter, Office and Health Care land use description.
3. The use is not sufficiently compatible with adjacent development so that existing development will not be depreciated in value.
 - a. The proposed apartment units have three exterior doors to each individual unit.
 - b. The proposed structures do not meet the Architectural Standards Division of the Zoning Ordinance.
4. The structures have an appearance that will have an adverse effect upon adjacent properties.
 - a. The proposed structures do not meet the Architectural Standards Division of the Zoning Ordinance.
5. The use is not located, designed, maintained, and operated to be compatible with the existing or intended character of the zoning district in which it is to be located.
 - a. The housing is not designed for elderly housing due to the constrained circulation on the site
 - b. The parking areas are not designed for elderly housing as they are not immediately adjacent to individual housing units and require crossing parking lots to access units.
 - c. The buildings are not designed for elderly housing as they do not provide reasonable access to individual units as the back-to-back design means that rear units must be accessed through a pedestrian sidewalk containing little lighting.
6. The use is inconsistent with the purpose of this and other City Ordinances.
7. The establishment or maintenance of the use will be detrimental to the public, health, safety, or general welfare.
 - a. The stormwater ponds freeboard elevations does not provide a minimum of two feet of height separation from the finish floor elevations of the proposed structures.

- b. The proposed site lighting does not provide adequate lighting for residents and visitor to navigate the site.
8. Section 40-316 request processing of PUD developments must be processed as a conditional use permit. Denial of the Conditional Use Permit means that the PUD Master Development Plan/Site Plan Review must also be denied.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Wyoming hereby **DENIES** the Conditional Use Permit as requested by the applicant:

ADOPTED BY THE CITY COUNCIL OF THE CITY OF WYOMING THIS 20th DAY OF JUNE, 2023.

Lisa Iverson, Mayor

ATTEST:

This Document Drafted by:
The City of Wyoming
26885 Forest Boulevard
Wyoming, Minnesota 55092

Robb Linwood, City Administrator



City Of Wyoming
26885 Forest Blvd, PO Box 188
Wyoming, MN 55092
Phone (651) 462-4947
permits@wyomingmn.org

LAND USE APPLICATION: CONDITIONAL & INTERIM USE PERMIT

A conditional use permit application requests a use permitted in a particular zoning district, but regulated and controlled through conditions placed upon it by the City Council after review by the Planning Commission.

Property Address: Parcels 21.10542.10 @ 21.10605.00
Applicant(s): Name(s) 257 Land Holdings, LLC
Address 4463 White Bear PKwy
City White Bear Lake State MN Zip 55110
Phone Number 612-532-1164 Email brian@bergen-financial.com

Owner(s) - If other than Applicant(s):

Name(s) _____
Address _____
City _____ State _____ Zip _____
Phone Number _____ Email _____

Owner(s) Signature(s) _____ Date _____

Legal description of property: Survey is attached

Property Identification Number: R.21. 10605.00 + 21.10542.10 Present Zoning: OTC R1

Present use of property: Vacant lot

Proposed use of property: 13 unit affordable multi-family housing

Is this an application for an Interim Use permit? ☐ Yes ☒ No If yes, on what date, or upon what event, would the applicant desire the interim use to expire? Date: ____/____/____ OR Event: _____

This application and the following attachments must be submitted to be considered a complete application:

- A detailed site plan showing the following information from Sec. 40 - 111, A-K also including:
 - The grading and drainage plan must be designed in accordance with Article VII, Division 21 of the Zoning Ordinance and the City Of Wyoming Surface Water Resource Guidance Document
 - Elevation drawings of all sides of the proposed building to show compliance with the architectural standards of the zoning district the use will be located in
 - Landscaping and Screening in accordance with Article VII, Divisions 14 & 26
 - Lighting Plan in accordance with Article VII, Division 15
- A letter explaining the proposed use and how it will be operated
- A completed Conditional & Interim Use Permit Worksheet
- Applications for uses described in Article VI, Divisions 7, 18 & 19 and Article VII, Divisions 2, 8, 10, 17-20 & 25 of the Zoning Ordinance. It must include the information necessary to show compliance with the applicable section of the ordinance.
- Applications for uses that are within the Highway 8 Overlay District or that utilize Highway 8 for access must include the information necessary to show compliance with Article VI, Division 14 of the Zoning Ordinance
- The application fee and escrow must be paid at the time of application - The fee is not refundable and the unused portion of the escrow will be returned to the applicant.
- Any other information deemed necessary by the Zoning Administrator or Planning Commission

RECEIVED
JAN 17 2023

BY: FW

Applicant(s) Signature(s) [Signature] Date 11/20/22

As the applicant for this request, I agree to reimburse the City for all expenses incurred by the City in employing planning, engineering, legal, and other professional consultants in reviewing this application. This may include the replenishment of any escrow funds as required as part of this application. Such costs shall be paid by me, the applicant, regardless of the outcome of the review and prior to commencing any work on the project. All of Article V, Division 6, Conditional Use Permits, and Article VII, Division 13, Home Occupations are attached to this application and by signing this application, the Applicant acknowledges that they have been read and understood.

A public hearing can be scheduled only after a complete application has been received.

OFFICE USE ONLY

Date Complete Application Received 2/21/23

Fee: \$220.00 + Escrow

Escrow - Commercial is \$1,000.00 & Residential is \$750.00

Application # C-23-001

60 Days 4/22/23

Date Paid 1/17/23

Date Application Received 1/17/2023

By: [Signature]

Check # 5590

Revised 10/19/22

Extended to 6/21/23

CONDITIONAL & INTERIM USE PERMIT WORKSHEET

Applicant: 257 Land Holdings LLC
 Address: 4463 White Bear Pkwy
 Type of Business: Apartment
 Business name: 257 Land Holdings LLC

Answer the following questions based on the standards contained in Sec. 40 – 112 of the City of Wyoming Zoning Ordinance for Conditional and Interim Use Permits. If needed, use a separate page. **All questions must be answered.**

1. Is your proposed use in conformity with the Comprehensive Plan and development policies of the City?
☒ Yes ☐ No Explain: _____
2. Will your proposed use create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area?
☐ Yes ☒ No Explain: _____
3. Will your proposed use be sufficiently compatible or separated by distance or screening from adjacent development or land so that existing development will not be depreciated in value and so there will be no deterrence to development of vacant land?
☒ Yes ☐ No Explain: _____
4. Will the structure and site have an appearance that will not have an adverse effect upon adjacent properties?
☒ Yes ☐ No Explain: _____
5. Is the proposed use reasonably related to the overall needs of the City and to the existing land use?
☒ Yes ☐ No Explain: _____
6. Will the proposed use be consistent with the purpose of the Zoning Ordinance and other City Ordinances?
☒ Yes ☐ No Explain: _____
7. Will the proposed use be located, designed, maintained, and operated to be compatible with the existing or intended character of the zoning district in which it is to be located?
☒ Yes ☐ No Explain: _____
8. Will the proposed use generate only minimal vehicular traffic on local streets?
☒ Yes ☐ No Explain: _____
9. Will the proposed use create traffic hazards or unsafe access or parking needs?
☐ Yes ☒ No Explain: _____
10. Will existing businesses nearby be adversely affected by your proposed use because of the curtailment of customer trade brought about by intrusion of noise, glare, or general unsightliness?
☐ Yes ☒ No Explain: _____
11. Will the establishment or maintenance of the proposed use be detrimental to the public health, safety or general welfare?
☐ Yes ☒ No Explain: _____
12. Will the proposed use be hazardous, detrimental, or disturbing to present and potential surrounding land uses due to water pollution, odor, fumes, and general unsightliness or other nuisances?
☐ Yes ☒ No Explain: _____
13. How will the proposed use preserve and incorporate the site's important natural and scenic features into the development design?
☒ Yes ☐ No Explain: _____
14. Will the proposed use cause adverse environmental effects?
☐ Yes ☒ No Explain: _____

Application # _____

Revised 10/19/22



March 17, 2023

257 Land Holdings, LLC
Attn: Brian Solsrud
4463 White Bear Parkway
White Bear Lake, MN 55110

VIA EMAIL & U.S. MAIL

RE: Minnesota Statute 15.99; Time Deadline for Agency Action on the Conditional Use Permit Application for the Construction of Two Apartment Buildings and Two Parking Garage Structures

Dear Mr. Solsrud:

Pursuant to Minnesota State Statute 15.99, the City of Wyoming must make a decision on your Conditional Use Permit application within sixty (60) days of a complete application being received (which was on February 21, 2023) unless the City extends the time limit in accordance with Subdivision 3, (f).

The Wyoming Planning Commission has tabled your request until on or before their regular meeting on May 24, 2023. This was done in order to give you and your consultants the opportunity to provide the following information as detailed in the Staff Report to the Planning Commission:

1. The applicant clarify the type of housing project proposed and it's compliance with the OHC zoning district.
2. The applicant address all engineering comments provided to the applicant.
3. The applicant address Comfort Lake Forest Lake Watershed District Comments
4. The applicant shall submit architectural drawings for the detached garage building and verify the number of parking stalls provided on site.
5. The residential unit design shall be modified, or a drive aisle be installed around each residential unit to permit fire and emergency vehicle access to all units within each structure.
6. The applicant provide traffic generation and calculations for the 13 residential units and one office unit.
7. The applicant revised the landscape plan to add additional overstory trees unto the site.
8. The applicant clarify the intended use of the proposed office unit.

In accordance with Minnesota Statute 15.99, Subdivision 3, (f), the City of Wyoming is extending the deadline for action on your request an additional 60 days to June 21, 2023. The city will need to receive the information at least ten (10) business days prior to the May 24th meeting so that it can be reviewed.

If you have any further questions I can be reached at (651) 462-4947 between the hours of 8:00 a.m. & 4:30 p.m., Monday through Friday.

Sincerely,

Frederick E. Weck, IV
Zoning Administrator
Building Official #1825
City of Wyoming



DEPARTMENT OF BUILDING SAFETY

P.O. Box 188, 26885 Forest Blvd., Wyoming, MN 55092

Phone: 651-462-4947 Fax: 651-462-3938

257 Land Holding LLC
4463 White Bear Pkwy Suite 101
White Bear Lake MN 55127
612-532-1164
brian@bergen-financial.com

April 14, 2023

City Planner
City of Wyoming
7665 Wyoming Trail
Wyoming MN 55092

Dear Sir:

RE Response to your letter dated March 17, 2023

Number 1. The applicant clarify the type of housing project and it's compliance with he OHC zoning district.

This project will serve tenants 55 and older. It will be a senior independent living apartment community.

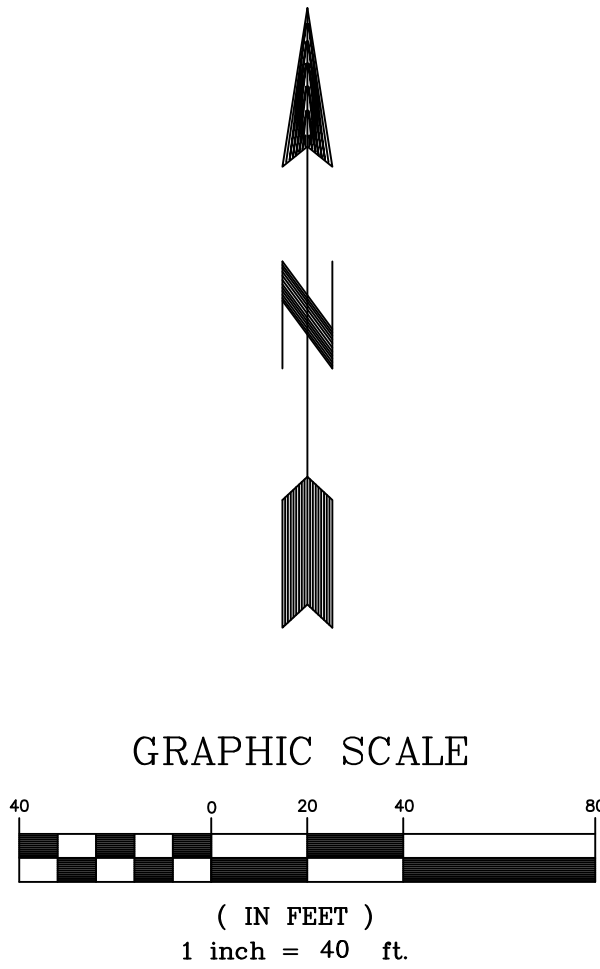
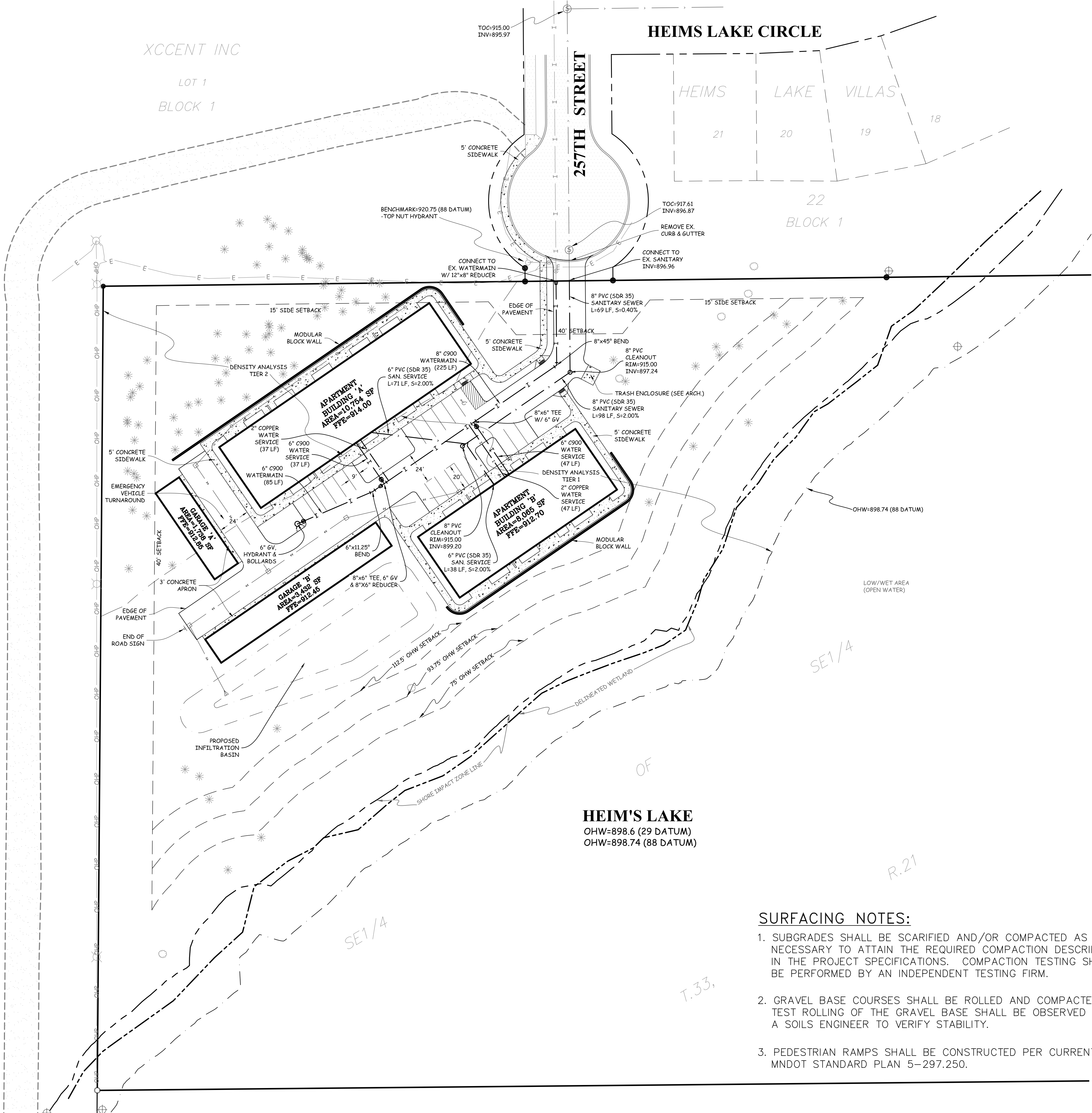
Number 8. The applicant clarify the intended use of the proposed office unit.

The office unit will serve as the rental office for the apartment community.

Thanks

A handwritten signature in black ink, appearing to read 'Brian Solsrud', is written over the printed name.

Brian Solsrud
Member



NOTES:

1. BASE PLAN USED IS A SURVEY PREPARED BY O'MALLEY & KRON LAND SURVEYORS, INC.
2. ALL EXISTING UTILITY LOCATIONS AND ELEVATIONS SHOWN ARE APPROXIMATE ONLY. CONTRACTOR SHALL CONFIRM ALL LOCATIONS AND ELEVATIONS PRIOR TO CONSTRUCTION. CONTRACTOR SHALL CONTACT UTILITY COMPANIES VIA GOPHER STATE ONE-CALL ONLINE OR BY CALLING 811 OR 1-800-252-1166.
3. ALL CONSTRUCTION SHALL CONFORM TO THE MOST RESTRICTIVE OF THE PROJECT SPECIFICATIONS, THE STANDARD SPECIFICATIONS OF THE CITY OF WYOMING AND THE LATEST EDITION OF MNDOT STANDARD SPECIFICATIONS FOR CONSTRUCTION.
4. TOTAL PARCEL AREA = 597,175 SF (13.71 AC)
TOTAL UPLAND (SITE) AREA = 197,265 SF (4.53 AC)
EXISTING IMPERVIOUS AREA = 0 SF
PROPOSED IMPERVIOUS AREA = 48,241 SF (8.1%/24.5%)
5. PROPOSED PARKING STALLS = 21 EACH
(INCLUDES 1 ACCESSIBLE STALL)
PROPOSED GARAGE STALLS = 21 EACH

UTILITY NOTES:

1. WATER MAIN AND ANY WATER SERVICE LINES SHALL BE PLACED AT A MINIMUM DEPTH OF 8 FEET BELOW FINISHED GRADE.
2. HORIZONTAL SEPARATION BETWEEN ALL SEWER AND WATER LINES SHALL BE 10'.
3. WHERE SEWER AND WATER LINES CROSS, A MINIMUM VERTICAL SEPARATION OF 18" SHALL BE MAINTAINED. IF INSULATION IS NECESSARY, IT SHALL BE PROVIDED AS AN INCIDENTAL ITEM. THE CONTRACTOR WILL BE RESPONSIBLE FOR PROVIDING THIS VERTICAL SEPARATION.
4. THE CONTRACTOR SHALL TIE ALL WATER MAIN FITTINGS TO THE MAIN ON ALL SIDES. THREADED ROD JOINT RESTRAINT SHALL BE USED ON ALL HYDRANTS, WHILE POURED CONCRETE SHALL BE UTILIZED ON ALL OTHER FITTINGS. MECHANICAL RESTRAINED JOINTS ARE AN APPROVED ALTERNATIVE TO THREADED ROD JOINT RESTRAINTS AND POURED CONCRETE.
5. ALL STORM SEWER PIPE SHALL HAVE WATERTIGHT GASKETED JOINTS CONFORMING TO MNDOT STANDARD PLATE NO. 3006G.
6. CONTRACTOR SHALL VERIFY LOCATIONS AND ELEVATIONS OF ALL EXISTING UTILITIES PRIOR TO ANY CONSTRUCTION.

SURFACING NOTES:

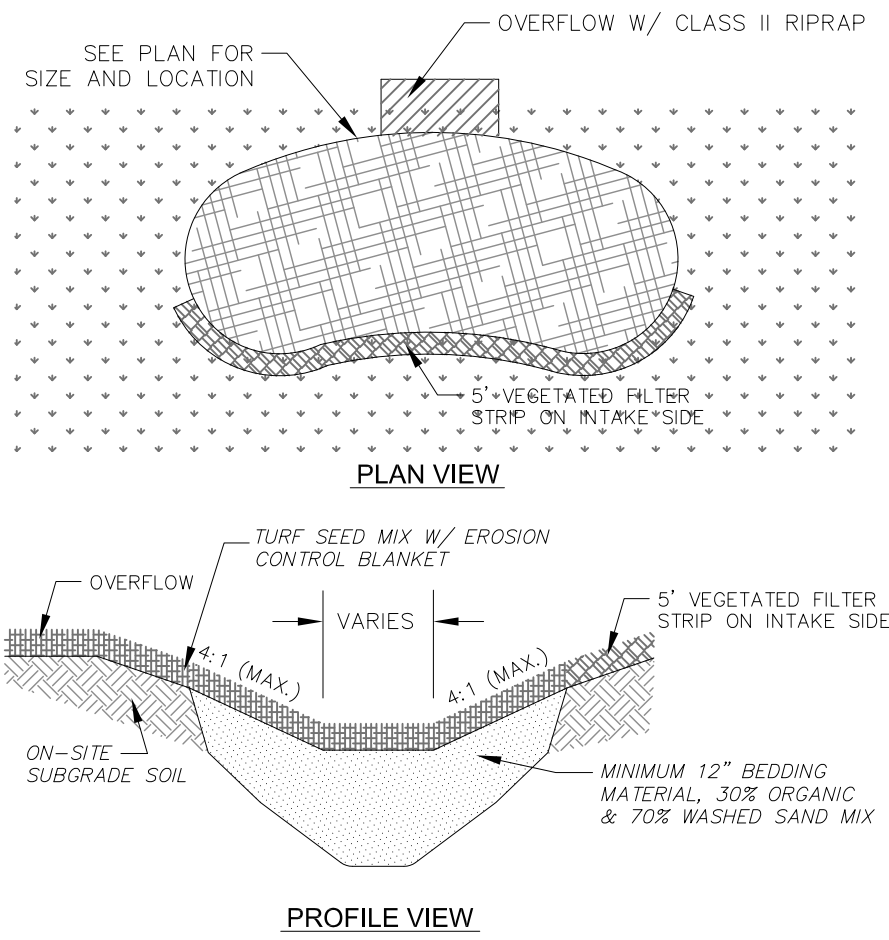
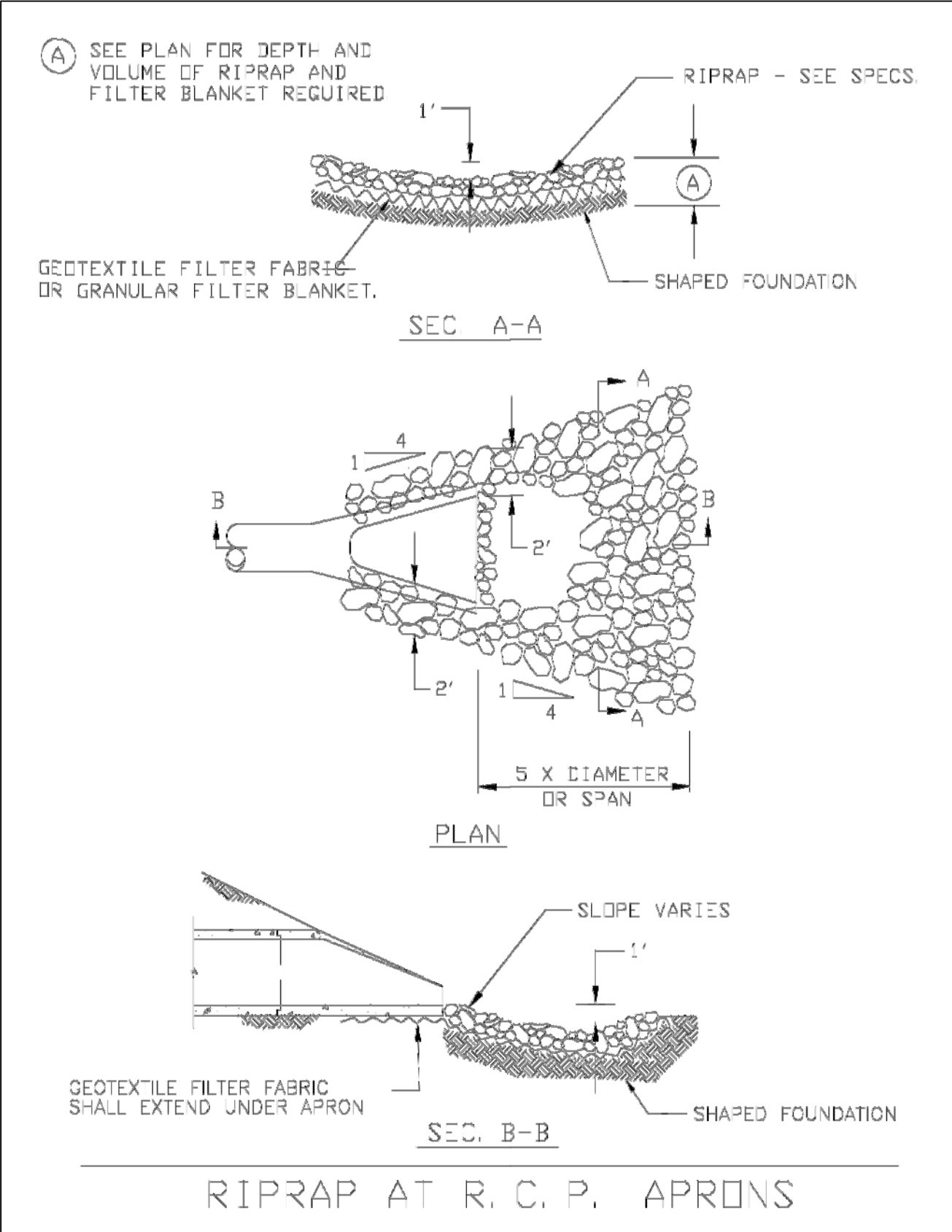
1. SUBGRADES SHALL BE SCARIFIED AND/OR COMPACTED AS NECESSARY TO ATTAIN THE REQUIRED COMPACTION DESCRIBED IN THE PROJECT SPECIFICATIONS. COMPACTION TESTING SHALL BE PERFORMED BY AN INDEPENDENT TESTING FIRM.
2. GRAVEL BASE COURSES SHALL BE ROLLED AND COMPACTED. TEST ROLLING OF THE GRAVEL BASE SHALL BE OBSERVED BY A SOILS ENGINEER TO VERIFY STABILITY.
3. PEDESTRIAN RAMPS SHALL BE CONSTRUCTED PER CURRENT MNDOT STANDARD PLAN 5-297.250.

PERMIT PLAN
NOT FOR CONSTRUCTION

REVISIONS			
1/17/23	CITY SUBMIT.	4/10/23	PER REVIEW
2/17/23	CITY SUBMIT.	4/13/23	PER REVIEW
4/17/23	CITY SUBMIT.	4/17/23	CITY SUBMIT.

SITE & UTILITY PLAN

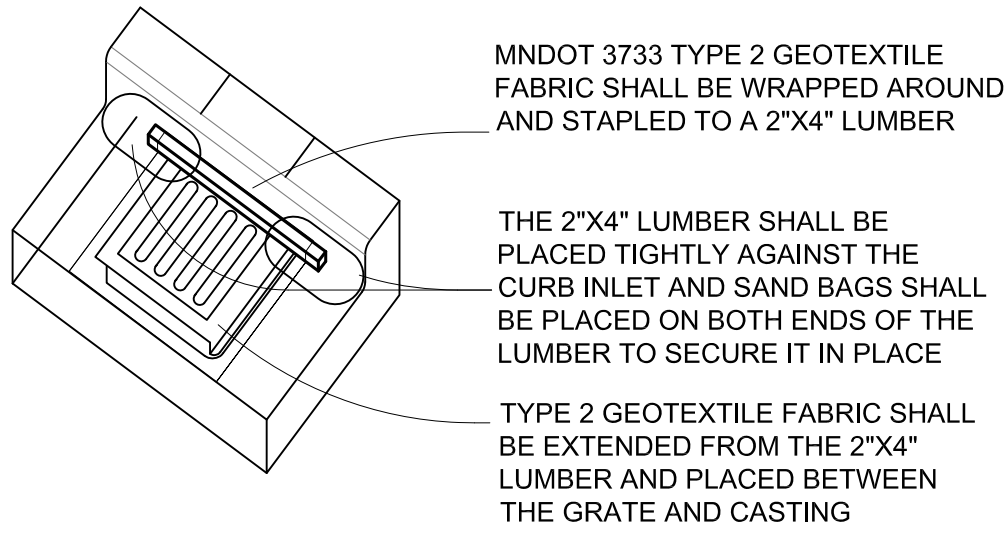
HEIM'S LAKE APARTMENTS
WYOMING, MINNESOTA
for:
257 LAND HOLDINGS, LLC



NOTES:
1) FILTRATION BASIN AREAS SHALL BE PROTECTED FROM CONSTRUCTION TRAFFIC AND SCARIFIED AFTER GRADING OPERATIONS ARE COMPLETE.

INFILTRATION BASIN DETAIL

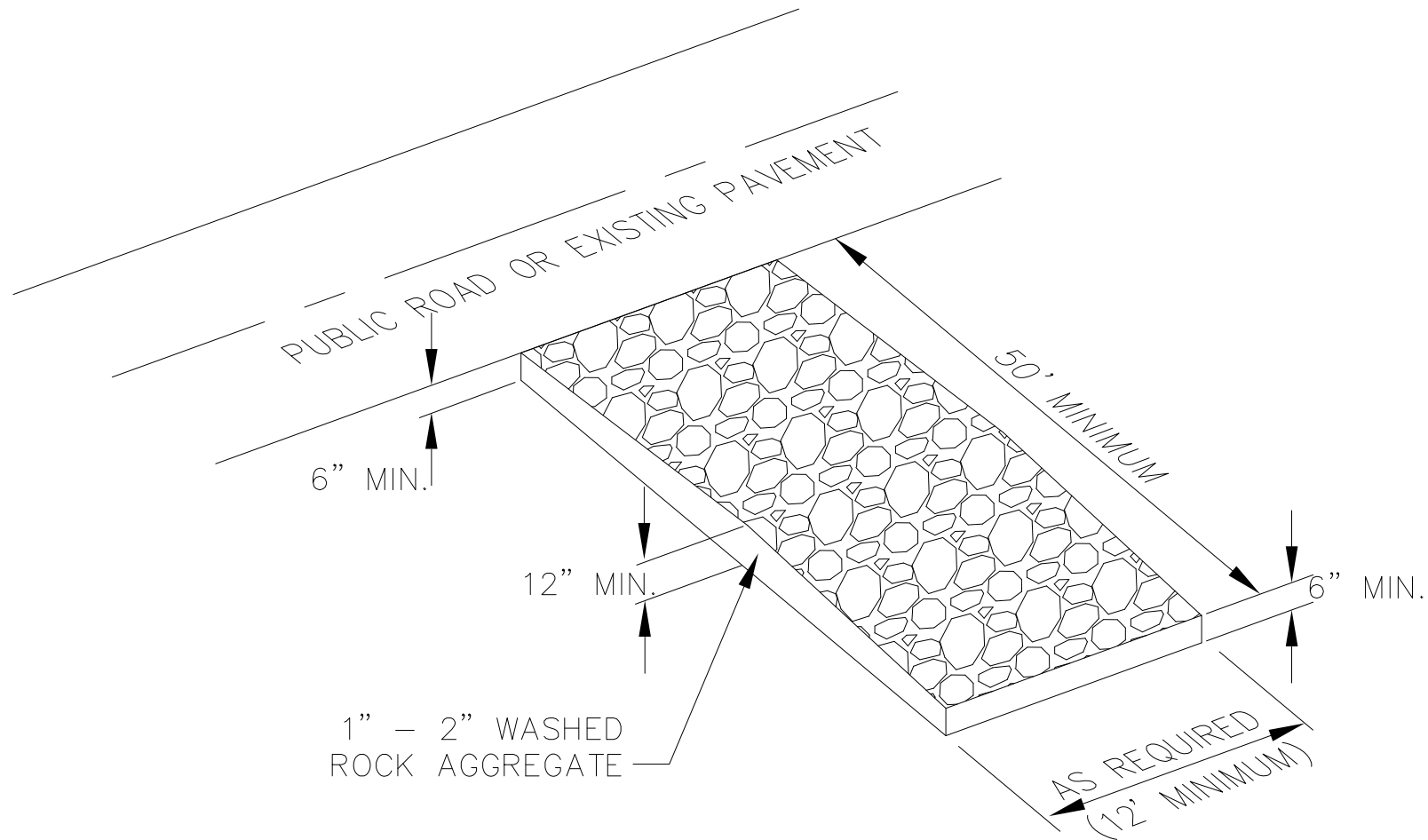
NO SCALE



- NOTES:
1. THE CATCH BASIN PROTECTION SHOWN IN THIS DETAIL SHALL BE USED IN PAVED AREAS.
 2. WIMCO INLET PROTECTION DEVICES (OR APPROVED EQUAL) ARE ALSO ACCEPTABLE.

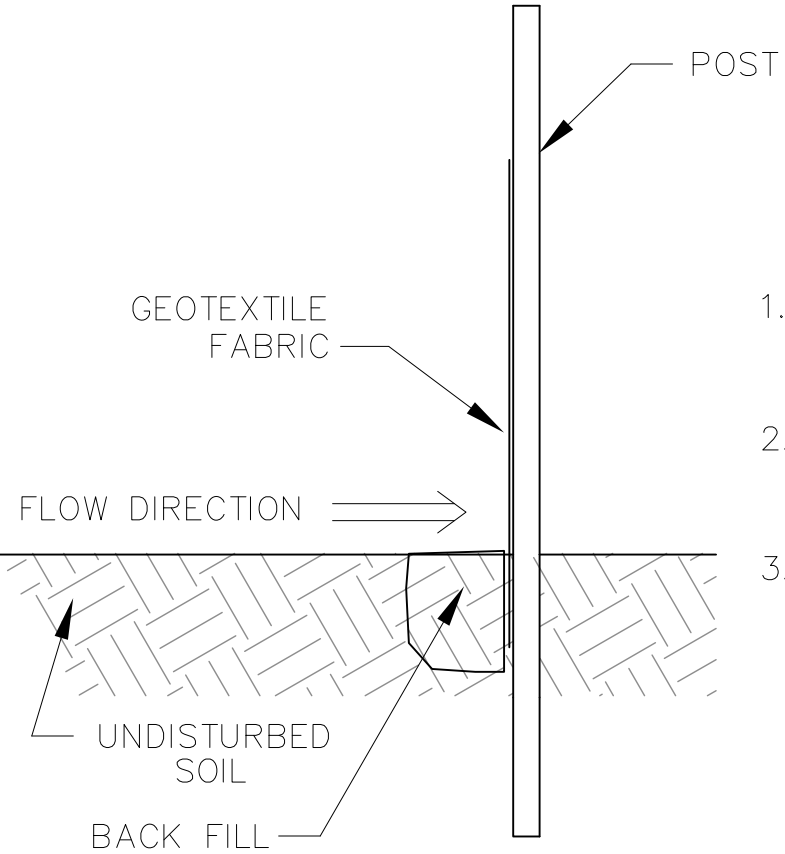
INLET PROTECTION

NO SCALE



ROCK ENTRANCE DETAIL

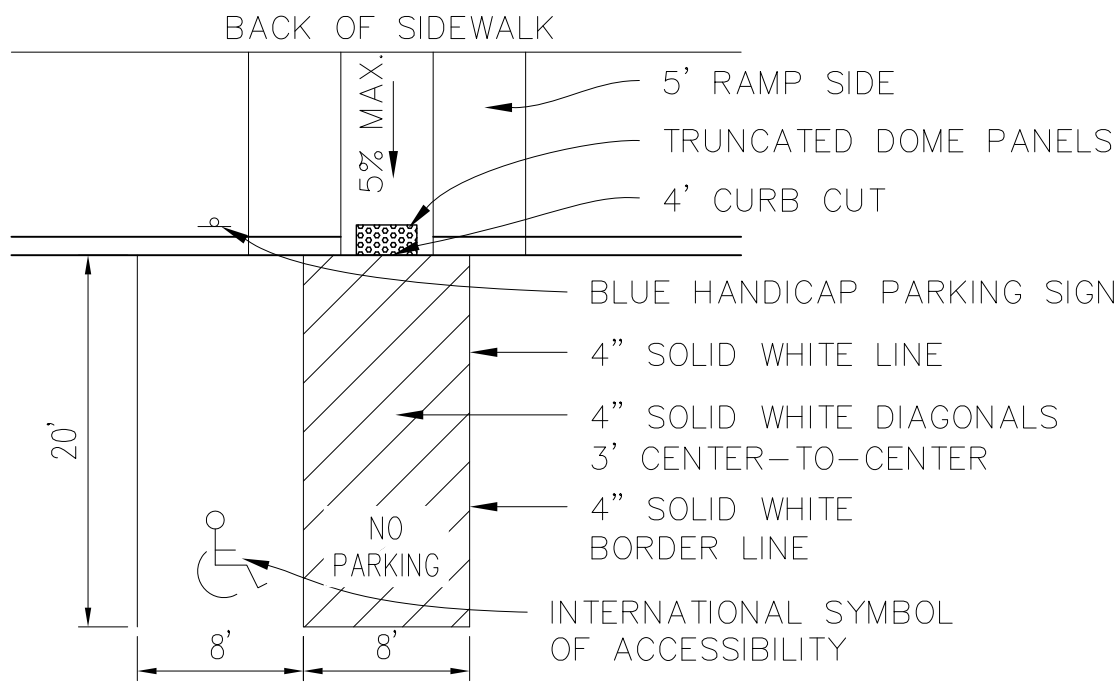
NO SCALE



1. DIG A 4"-6" TRENCH ALONG THE INTENDED FENCE LINE.
2. DRIVE ALL POSTS INTO THE GROUND AT BACK SIDE OF TRENCH
3. LAY OUT SILT FENCE ON THE UPHILL SIDE ALONG THE FENCE LINE, AND BACK FILL

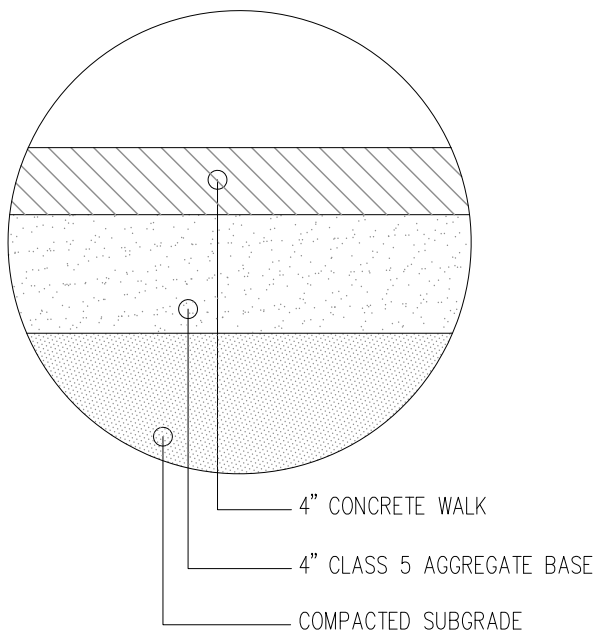
TYPICAL SILT FENCE INSTALLATION

NO SCALE



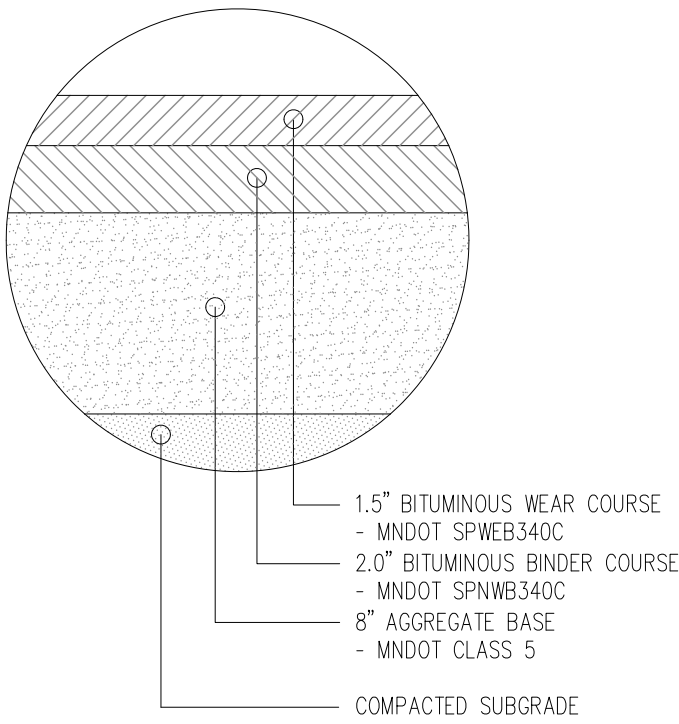
ACCESSIBLE PARKING STALL

NO SCALE



SIDEWALK SECTION

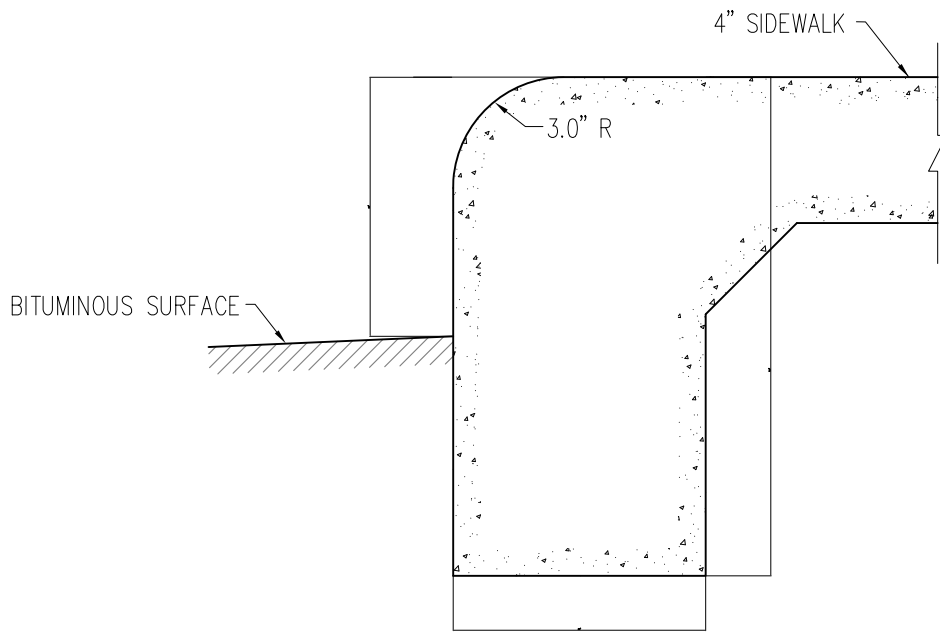
NO SCALE



NOTE: PAVEMENT SECTION MAY BE REVISED IN ACCORDANCE WITH THE GEOTECHNICAL REPORT AND RECOMMENDATIONS

PAVEMENT SECTION

NO SCALE



REFERENCE TO MNDOT SPEC. 2531

INTEGRAL 6" CURB & SIDEWALK

NO SCALE

PERMIT PLAN
NOT FOR CONSTRUCTION

www.starkengineer.com
320-249-2611
Sault Rapids, Minnesota

STARK
ENGINEERING

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

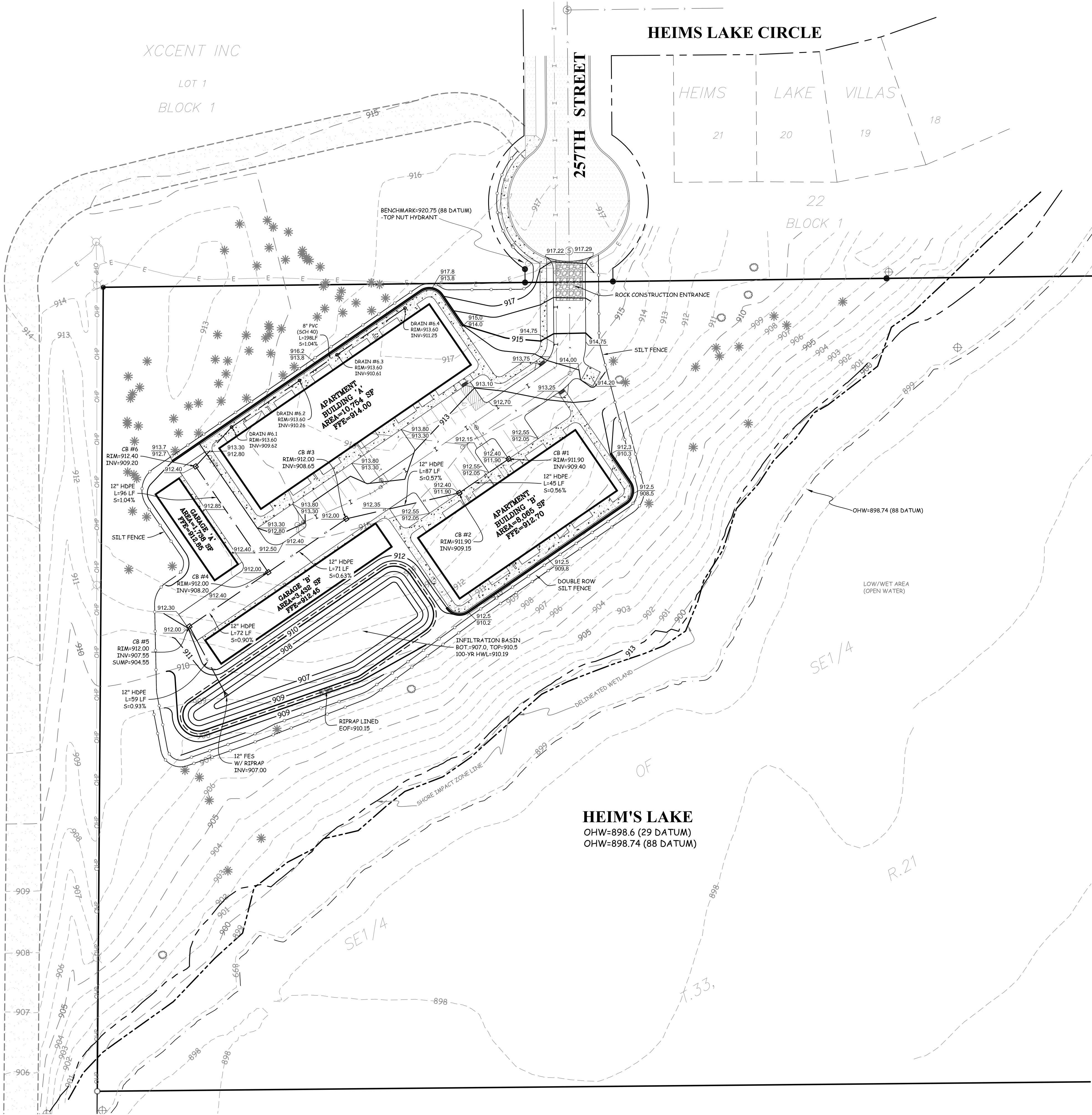
Wayne C.B. Stark Date 4/17/23 Registration No. 26093

REVISIONS	CITY SUBMIT.
4/17/23	

DETAILS

HEIM'S LAKE APARTMENTS
WYOMING, MINNESOTA
for:
257 LAND HOLDINGS, LLC

SHEET
C-2
OF 4 SHEETS



NOTES:

1. BASE PLAN USED IS A SURVEY PREPARED BY O'MALLEY & KRON LAND SURVEYORS, INC.
2. ALL EXISTING UTILITY LOCATIONS AND ELEVATIONS SHOWN ARE APPROXIMATE ONLY. CONTRACTOR SHALL CONFIRM ALL LOCATIONS AND ELEVATIONS PRIOR TO CONSTRUCTION. CONTRACTOR SHALL CONTACT UTILITY COMPANIES VIA GOPHER STATE ONE-CALL ONLINE OR BY CALLING 811 OR 1-800-252-1166.
3. ALL CONSTRUCTION SHALL CONFORM TO THE MOST RESTRICTIVE OF THE PROJECT SPECIFICATIONS, THE STANDARD SPECIFICATIONS OF THE CITY OF WYOMING AND THE LATEST EDITION OF MNDOT STANDARD SPECIFICATIONS FOR CONSTRUCTION.
4. SEE SHEET C-4 FOR THE SEQUENCE AND PROTOCOLS TO BE FOLLOWED FOR EROSION AND SEDIMENT CONTROL DURING THE SITE DEVELOPMENT PROCESS.
5. CATCH BASINS SHALL BE 24" DIAMETER NYLOPLAST WITH ROUND CASTINGS AND GRATES SUITABLE FOR VEHICLE TRAFFIC. DRAINS ON NORTH SIDE OF BUILDING A SHALL BE 12" DIAMETER NYLOPLAST WITH ROUND CASTINGS AND GRATES SUITABLE FOR PEDESTRIAN TRAFFIC.
6. ESTIMATED QUANTITIES: ROCK CONSTRUCTION ENTRANCE=1 EACH, INLET PROTECTION=6 EACH, SILT FENCE=1,800 LF AND TEMPORARY/PERMANENT SEEDING=0.74 ACRE.

GRADING NOTES:

1. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS INCLUDING LOCATIONS, AND RIM AND INVERT ELEVATIONS, OF EXISTING DRAINAGE AND SANITARY STRUCTURES. LOCATION AND SIZE OF EXISTING SANITARY, WATER, AND STORM SEWER STUBS, AND EXISTING GRADES SHALL ALSO BE VERIFIED.
2. NOTIFY ENGINEER IMMEDIATELY IF ANY DISCREPANCIES ARE DISCOVERED BETWEEN THE EXISTING CONDITIONS AND THE CONDITIONS NOTED ON THE PLANS, WHICH ARE SIGNIFICANT ENOUGH TO ALTER THE INTENT OF THE DRAWINGS.
3. CONTRACTOR SHALL PERFORM CALCULATIONS TO VERIFY EARTHWORK QUANTITIES. CONTRACTOR'S BID/QUOTE SHALL BE BASED ON HIS/HER OWN EARTHWORK CALCULATIONS.
4. ALL PROPOSED ELEVATIONS ARE TOP OF PAVING OR GUTTER, UNLESS NOTED OTHERWISE. PROPOSED ELEVATIONS ARE INTENDED TO PROVIDE POSITIVE DRAINAGE TOWARDS CATCH BASINS AND/OR OUTLETS. THE CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE THE REQUIRED ELEVATIONS, WHICH WILL PROMOTE POSITIVE DRAINAGE THROUGHOUT THE PROJECT SITE.
5. TOPSOIL SHALL BE RESPREAD IN THE SEEDING AREAS ONLY AT A MINIMUM DEPTH OF 6 INCHES.
6. ANY BITUMINOUS PAVEMENT OR CONCRETE REMOVED OR DEBRIS ENCOUNTERED SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND DISPOSED OF OFF THE R.O.W. AND EASEMENTS OF THE OWNER PER MNDOT SPECIFICATION 2104.3C3 OR RECYCLED PER MNDOT SPECIFICATIONS.

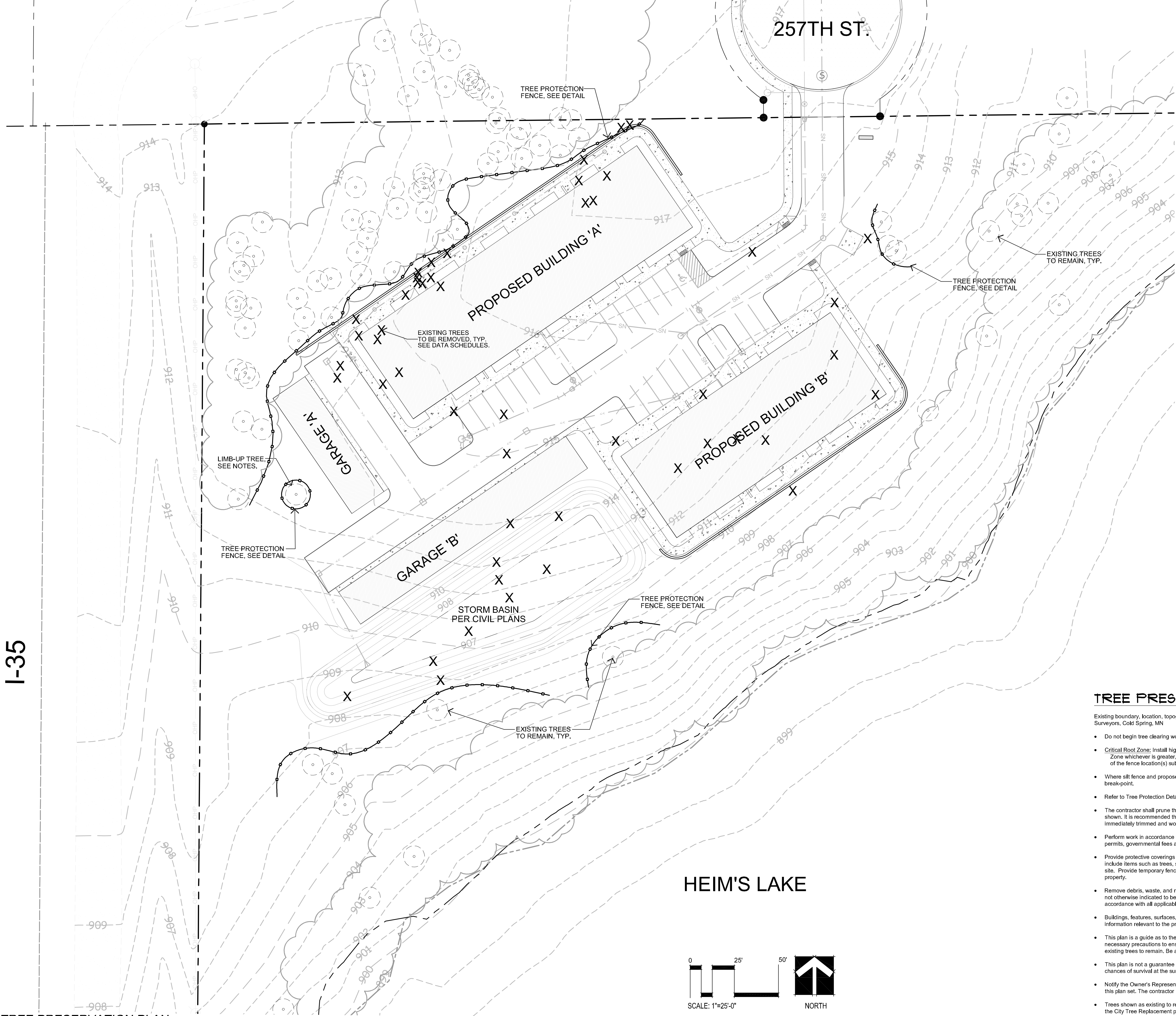
PERMIT PLAN
NOT FOR CONSTRUCTION

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Engineer under the laws of the State of Minnesota.			
REVISIONS	CITY SUBMIT	DATE	DESCRIPTION
1/17/23	2/17/23	4/17/23	26093

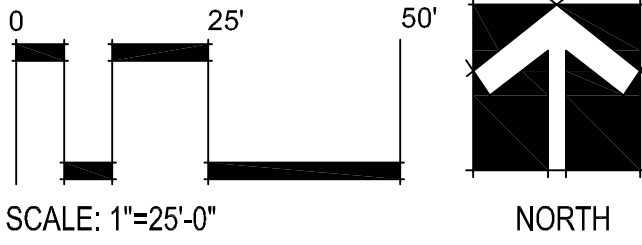
GRADING & EROSION
CONTROL PLAN

HEIM'S LAKE APARTMENTS
WYOMING, MINNESOTA
for:
257 LAND HOLDINGS, LLC

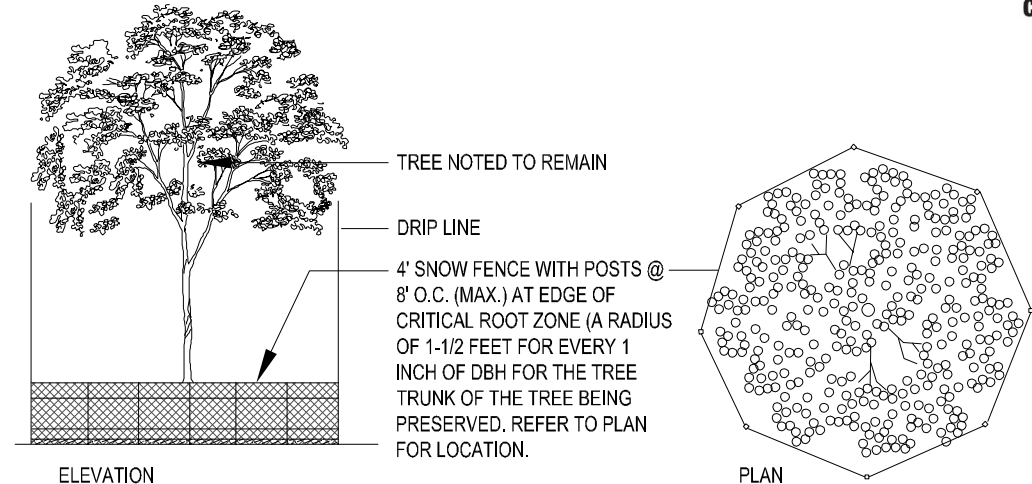
SHEET
C-3
OF 4 SHEETS



HEIM'S LAKE



PROTECT EXISTING TREES TO REMAIN



NOTE: TREE PROTECTION SHALL BE PROVIDED BY CONTRACTOR AS REQUIRED TO AIDE IN SURVIVABILITY OF EXISTING TREES TO REMAIN. DO NOT STORE MATERIALS OR DRIVE EQUIPMENT WITHIN THE TREE DRIP LINE AS DESIGNATED ABOVE. MAINTAIN THE FENCE INTEGRITY AT ALL TIMES THROUGHOUT CONSTRUCTION.

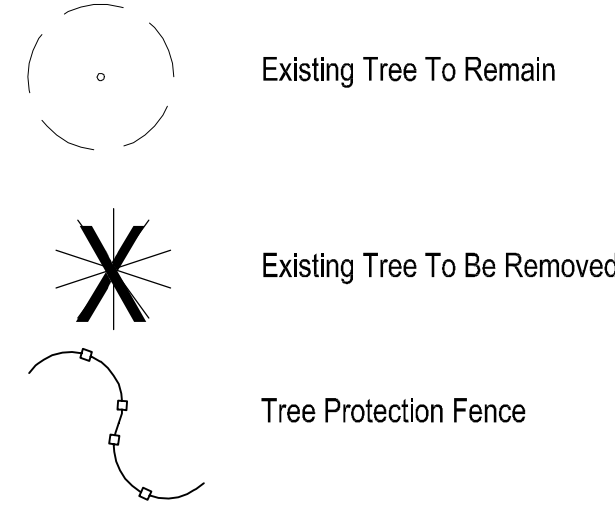
TREE PROTECTION FENCE SHALL BE IN PLACE PRIOR TO THE START OF DEMOLITION.

1 TREE PROTECTION DETAIL

GENERAL NOTES:

1. Refer to Sheet L-1 for Tree Preservation Plan.
2. Refer to Sheet L-2 for Landscape Plans.
3. Refer to Sheet L-3 for Landscape Details, Notes, and Schedules.
4. Refer to Sheet L-3 for Tree Inventory Schedule.
5. Contractor to coordinate work in the city easement or right-of-way with City of Wyoming.
6. Protect existing trees to remain from damage during construction.
7. Place a minimum of 4" topsoil or slope dressing on all areas disturbed by construction, including right-of-way boulevards, unless specified otherwise. Re-use stripped topsoil.
8. Protect existing paving during landscape installation.

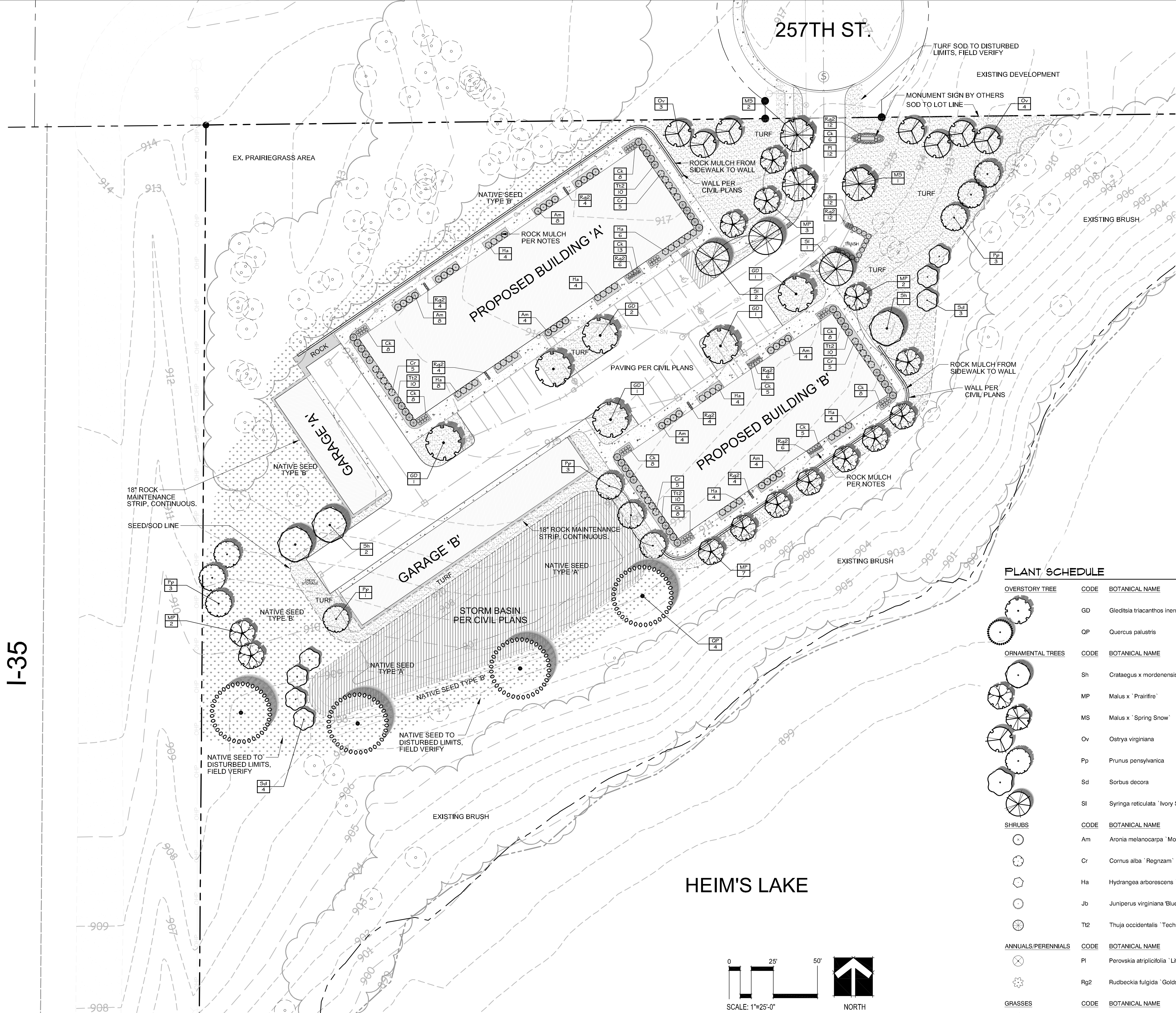
LANDSCAPE LEGEND:



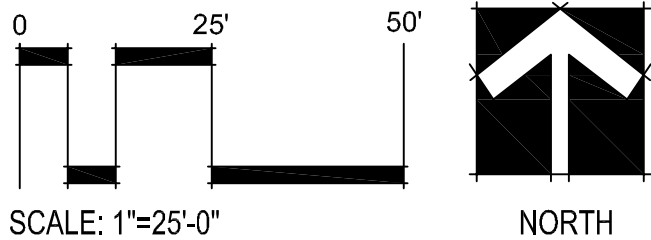
TREE PRESERVATION NOTES:

- Existing boundary, location, topographic, vegetation, and utility information shown on this plan is from a field survey by O'Mally and Kron Land Surveyors, Cold Spring, MN
- Do not begin tree clearing work until tree protection measures are in place and to the permit approval of the City Forester has been granted.
 - **Critical Root Zone:** Install high density polyethylene safety fence, 4 ft. high, international orange, at the Drip Line or at the Critical Root Zone whichever is greater, of trees to be preserved per detail, prior to commencement of earthwork activity. Field-staking of the fence location(s) subject to City approval.
 - Where silt fence and proposed tree protection fence overlap, place the tree protection fence on the outside of the silt fence, double-staked at the break-point.
 - Refer to Tree Protection Detail 1
 - The contractor shall prune the canopy of existing trees to remain where the canopy is in jeopardy of damage due to the new improvements shown. It is recommended that the contractor hire a certified arborist to perform the pruning. Any branches broken during construction shall be immediately trimmed and wounds painted to prevent further damage.
 - Perform work in accordance with the laws, ordinances, rules, regulations, and orders of public authority having jurisdiction. Secure and pay for permits, governmental fees and licenses necessary for the proper execution of the demolition work.
 - Provide protective coverings and enclosures as necessary to prevent damage to existing work that is to remain. Existing work to remain may include items such as trees, shrubs, lawns, sidewalks, drives, curbs, utilities, buildings and/or other structures on or adjacent to the demolition site. Provide temporary fences and barricades as required for the safe and proper execution of the work and the protection of persons and property.
 - Remove debris, waste, and rubbish promptly from the site. On-site burial of debris is not permitted. Burn no debris on the site. Salvage material not otherwise indicated to be reused shall become the Contractor's property and is to be removed promptly from the site and disposed of in strict accordance with all applicable laws, regulations, and/or statutes.
 - Buildings, features, surfaces, and other descriptive references shown on this drawing are for informational purposes only. Field verify all information relevant to the project prior to proceeding with the work. Visit the site and determine all site conditions and hazards.
 - This plan is a guide as to the anticipated amount of disturbance expected due to proposed improvements. The contractor is expected to take all necessary precautions to ensure trees noted to remain are not damaged during construction. Do not store material or drive within the drip line of existing trees to remain. Be aware of overhead branches for clearance of material and equipment.
 - This plan is not a guarantee that existing trees will survive during/post construction, but rather a guide to help assure their protection and greatest chances of survival at the surface level. Further protection measures outside this scope could involve ecologists, foresters and arborists.
 - Notify the Owner's Representative when tree protection fencing is taken down to perform work in conjunction with the new improvements noted in this plan set. The contractor is responsible for re-erecting the tree protection fence immediately after the work is complete, when ever possible
 - Trees shown as existing to remain (be preserved) that are damaged / killed as a result of construction activities are subject to replacement per the City Tree Replacement penalty. Replacement trees are to be paid for at no additional expense to the Owner.

REVISIONS	CITY COMMENTS
04/17/23	



HEIM'S LAKE



SCALE: 1"=25'-0"

MUNICIPAL LANDSCAPE CALCULATIONS:

Per City of Wyoming Requirements: (1) Overstory Tree and (2) Understory Trees are required per 1/10th acre (excluding wetlands):

Site Area (excluding wetlands):	4.53 Acres
Overstory Trees Required On Site:	45
- Existing Overstory Trees as Credit:	35
New Overstory Trees Owed:	10
Understory Trees Required On Site:	91
- Existing Understory Trees as Credit:	44
New Understory Trees Owed:	47

GENERAL NOTES:

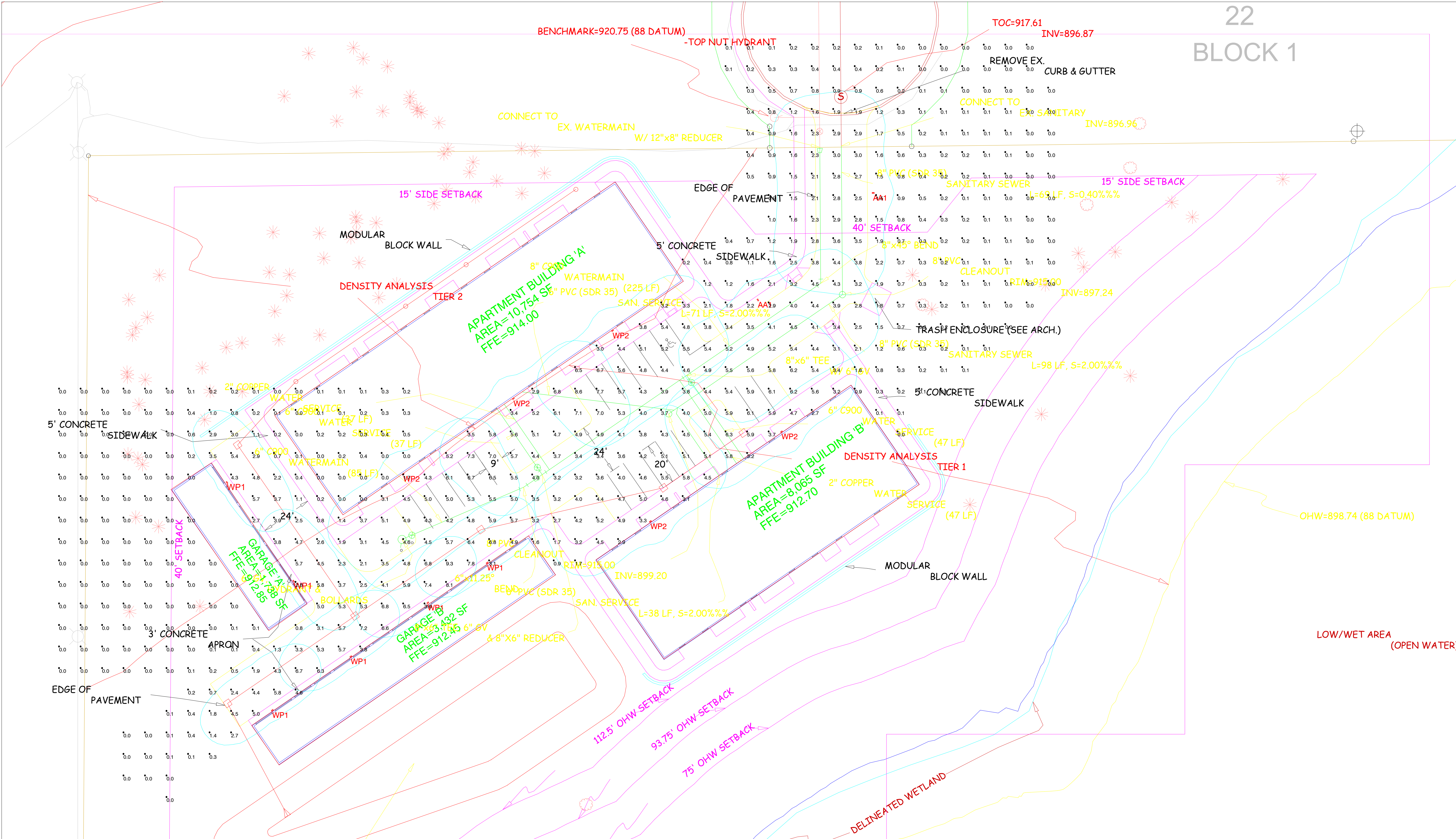
1. Refer to Sheet L-1 for Tree Preservation Plan.
2. Refer to Sheet L-2 for Landscape Plan.
3. Refer to Sheet L-3 for Landscape Details, Notes, and Schedules.
4. Refer to Sheet L-3 for Tree Inventory Schedule.
5. Contractor to coordinate work in the city easement or right-of-way with City of Wyoming.
6. Protect existing trees to remain from damage during construction.
7. Place a minimum of 4" topsoil or slope dressing on all areas disturbed by construction, including right-of-way boulevards, unless specified otherwise. Re-use stripped topsoil.
8. Protect existing paving during landscape installation.

LANDSCAPE LEGEND:

	Existing Tree To Remain		Proposed Native Seed Type 'A' In Basin Bottom Area
	Proposed Turf Sod		Proposed Native Seed Type 'B' Basin Sides and Upland Areas
	Proposed Rock Mulch		

PLANT SCHEDULE

OVERSTORY TREE	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY
	GD	Gleditsia triacanthos inermis 'Draves' TM	Street Keeper Honey Locust	2.5" Cal.	B&B	6
	QP	Quercus palustris	Pin Oak	2.5" Cal.	B&B	4
ORNAMENTAL TREES	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY
	Sh	Crataegus x mordenensis 'Snowbird'	Snowbird Hawthorn	2" Cal.	B&B	3
	MP	Malus x 'Prairifire'	Prairifire Crab Apple	1.5" Cal.	B&B	14
	MS	Malus x 'Spring Snow'	Spring Snow Crab Apple	2.5" Cal.	B&B	3
	Ov	Ostrya virginiana	American Hophornbeam	2.5" Cal.	B&B	7
	Pp	Prunus pensylvanica	Pin Cherry	2" Cal.	B&B	10
	Sd	Sorbus decora	Showy Mountain Ash	1.5" Cal.	B&B	7
	SI	Syringa reticulata 'Ivory Silk'	Ivory Silk Japanese Tree Lilac	2.5" Cal.	B&B	3
SHRUBS	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY
	Am	Aronia melanocarpa 'Morton' TM	Iroquois Beauty Black Chokeberry	5 gal.	Pot	32
	Cr	Cornus alba 'Regnzam'	Red Gnome Dogwood	3 gal.	Pot	20
	Ha	Hydrangea arborescens 'Annabelle'	Annabelle Hydrangea	5 gal.	Pot	34
	Jb	Juniperus virginiana 'Blue Arrow'	Blue Arrow Juniper	10 gal.	Pot	12
	Tt2	Thuja occidentalis 'Techny Globe'	Techny Globe Arborvitae	5 gal.	Pot	40
ANNUALS/PERENNIALS	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY
	PI	Perovskia atriplicifolia 'Little Spire'	Little Spire Russian Sage	1 gal.	Pot	12
	Rg2	Rudbeckia fulgida 'Goldstrum'	Black Eyed Susan	1 gal.	Pot	62
GRASSES	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY
	Ck	Calamagrostis x acutiflora 'Karl Foerster'	Feather Reed Grass	1 gal.	Pot	85



Not to Scale

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
LOT_Planar	Illuminance	Fc	1.96	9.3	0.0	N.A.	N.A.

Luminaire Schedule								
Symbol	Qty	Label	Manufacturer	Description	Arrangement	Lum. Lumens	Lum. Watts	LLF
⌈	5	WP2		RWL2-160L-135-4K7-4-U	Single	17390	137.1	0.900
⌋	6	WP1		RWL2-160L-45-4K7-3-U	Single	6780	46.1	0.900
⊕	2	AA1		RAR1-160L-115-4K7-4W-U	Single	15232	109.7	0.900

TYPE AA1 20FT POLE ON 3FT BASE

1. Lighting Reflectance of 80/50/20 used unless noted otherwise
2. Interior calc points shown at 30" A.F.F. unless noted otherwise
3. Exterior calc points shown at grade unless noted otherwise
4. Emergency egress calc points shown at 0" A.F.F.
5. Photometric drawings are for Design purposes only, not for Construction documents

Project #:
Date: 4/14/2023
Paper Size: ARCH D - 24X36"

HEIM LAKE APARTMENTS v2

Page M of 1

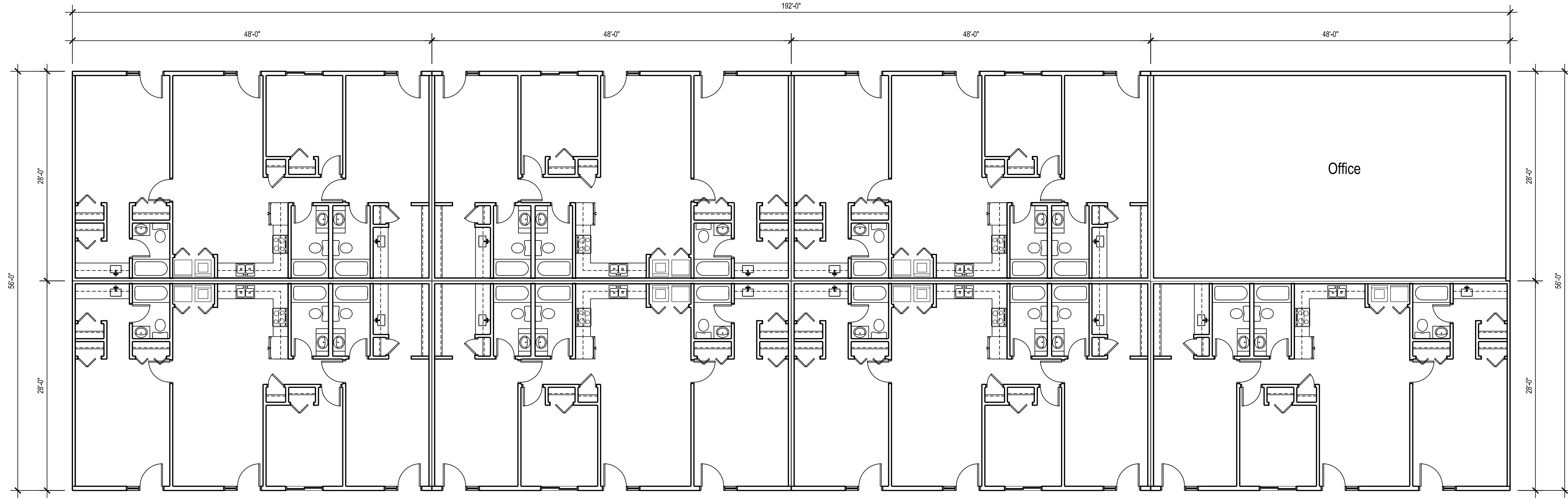
MIN. ND. SD. W. WI
6885 146TH ST W
APPLE VALLEY, MN 55124
952.223.6300
WWW.JTHLIGHTING.COM

jth

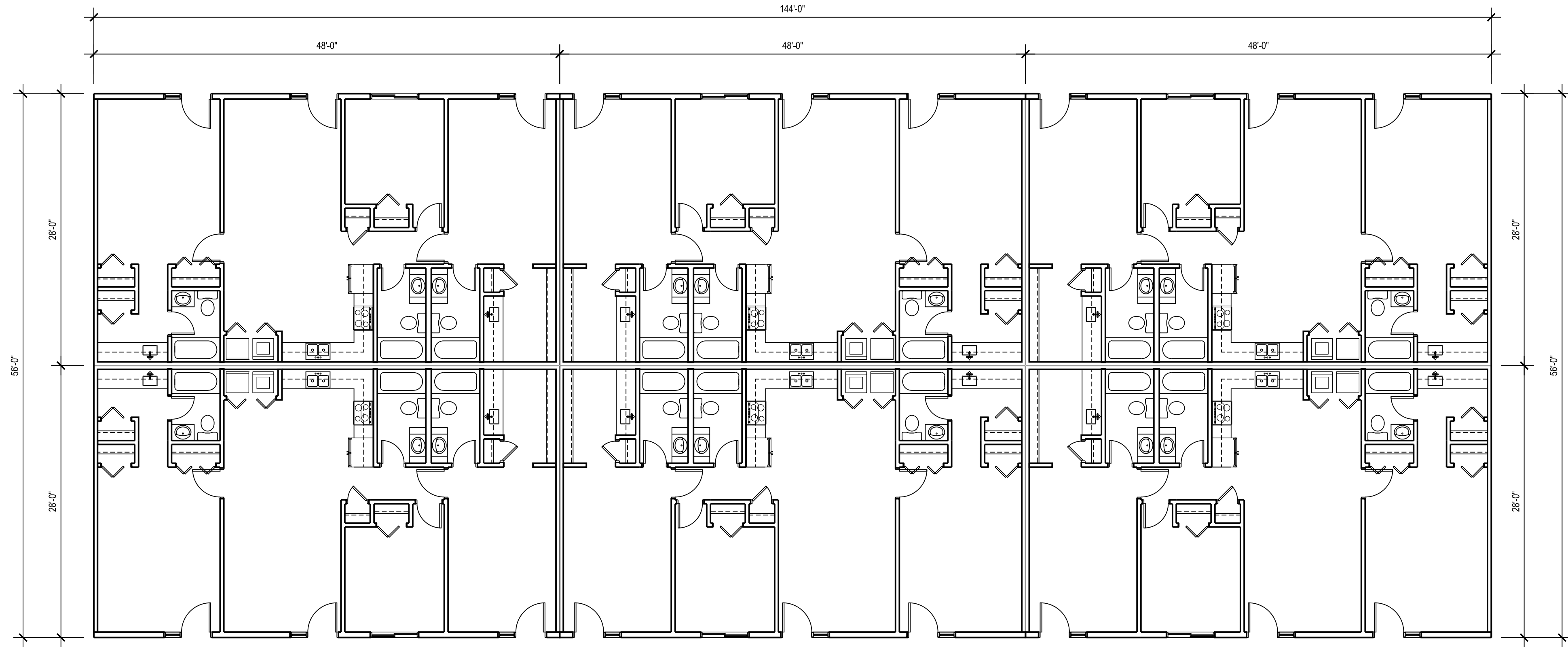
LIGHTING ALLIANCE

Calculated light levels shown are estimates based on information available at time of layout request. Due to unknown site conditions JTH Lighting assumes no responsibility for installed light levels.

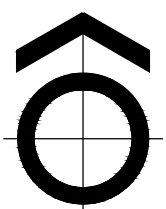
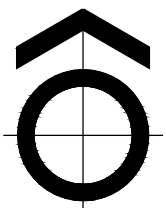
Page 64 of 68



1 FLOOR PLAN - 7 UNITS APARTMENT PLUS OFFICE: BUILDING #1
SCALE: 1/8" = 1'-0"



2 FLOOR PLAN - 6 UNITS APARTMENT: BUILDING #2
SCALE: 1/8" = 1'-0"



PRELIMINARY NOT FOR CONSTRUCTION

PROPOSED 13 RESIDENTIAL UNITS
APARTMENT

Address
City, State Zip Code

REVISIONS
MM/DD/YYYY

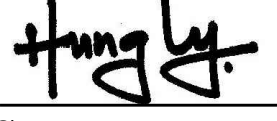
SHEET TITLE
FLOOR PLANS: BUILDING #1
AND BUILDING #2

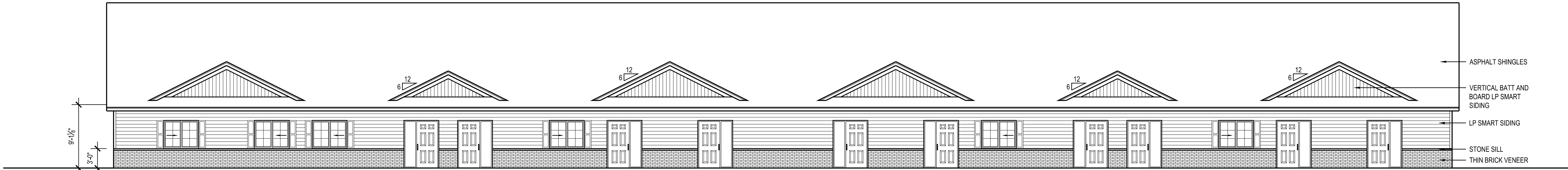
DRAWN BY: DATE:
Hung Ly 04/15/2023

SHEET NO.
A2

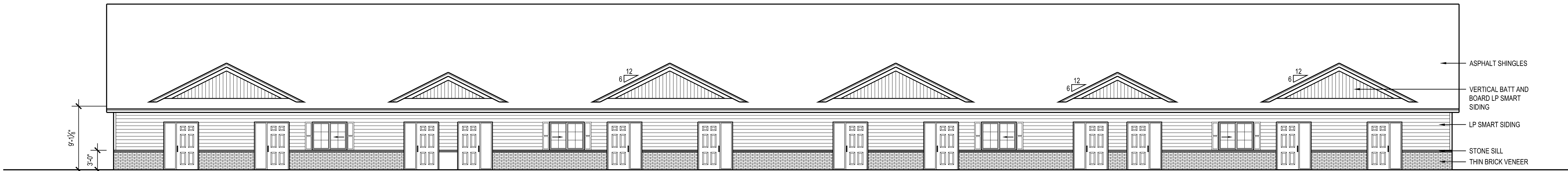
PROJECT NO.:

H Architects
Commercial | Retail | Mixed Use Residential | Restaurants
51 11th Ave. South
Waite Park, MN 56387
320-237-7411: harchitects2000@gmail.com

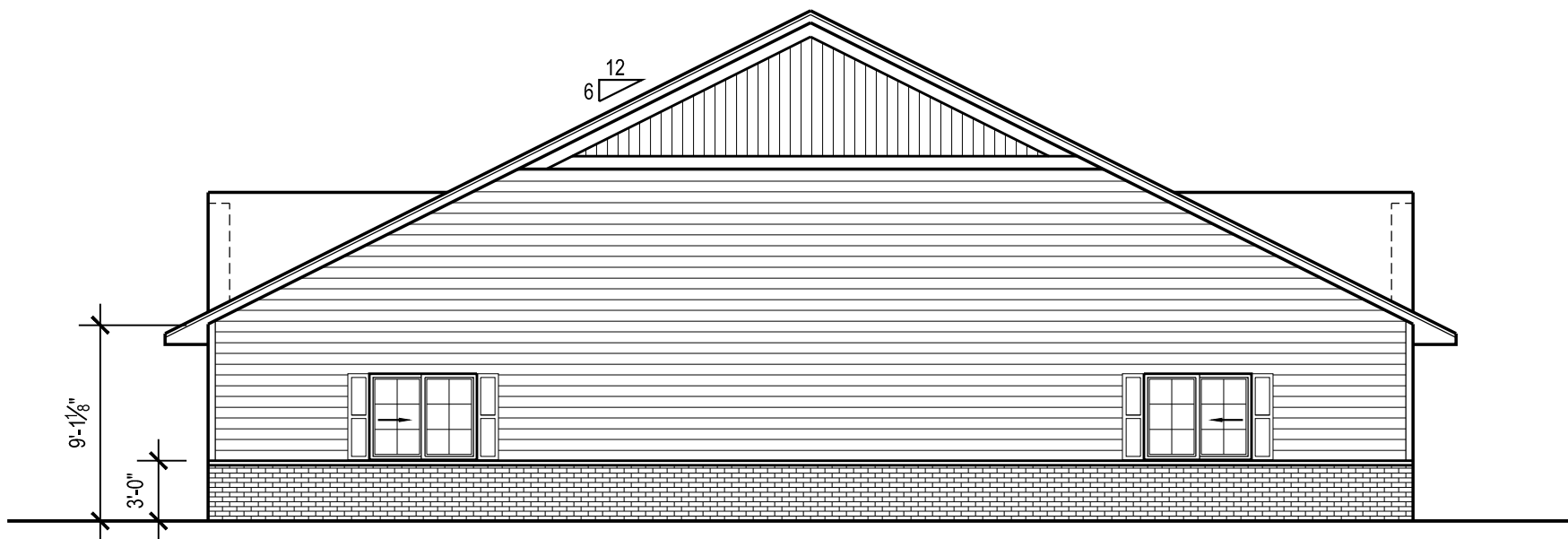
ARCHITECT CERTIFICATION:
I Herby Certify That This Plan Was
Prepared By Me Or Under My
Direct Supervision and I am A Duly
Licensed Architect Under The Laws
Of The State of Minnesota

Signature:
Printed Name: Hung T. Ly
REG. 50476 Date: 04/15/2023



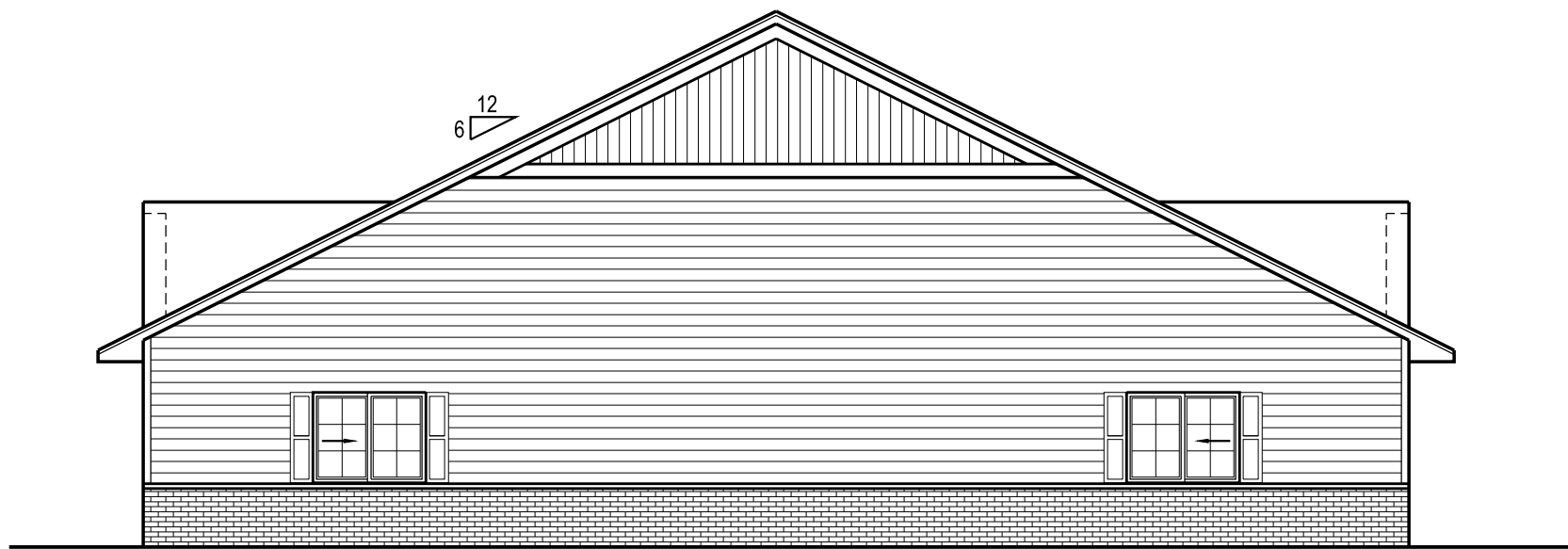
1 EXTERIOR FRONT ELEVATION
SCALE: 1/8" = 1'-0"



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



3 EXTERIOR RIGHT SIDE ELEVATION
SCALE: 1/8" = 1'-0"



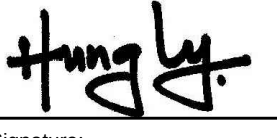
4 EXTERIOR LEFT SIDE ELEVATION
SCALE: 1/8" = 1'-0"

PRELIMINARY NOT FOR CONSTRUCTION

PROPOSED 13 RESIDENTIAL UNITS
APARTMENT

Address
City, State Zip Code

H Architects
Commercial | Retail | Mixed Use Residential | Restaurants
51 11th Ave. South
Waite Park, MN 56387
320-237-7411: harchitects2000@gmail.com

ARCHITECT CERTIFICATION:
I Heroby Certify That This Plan Was
Prepared By Me Or Under My
Direct Supervision and I am A Duly
Licensed Architect Under The Laws
Of The State of Minnesota

Signature:
Printed Name: Hung T. Ly
REG. 50476 Date: 04/15/2023

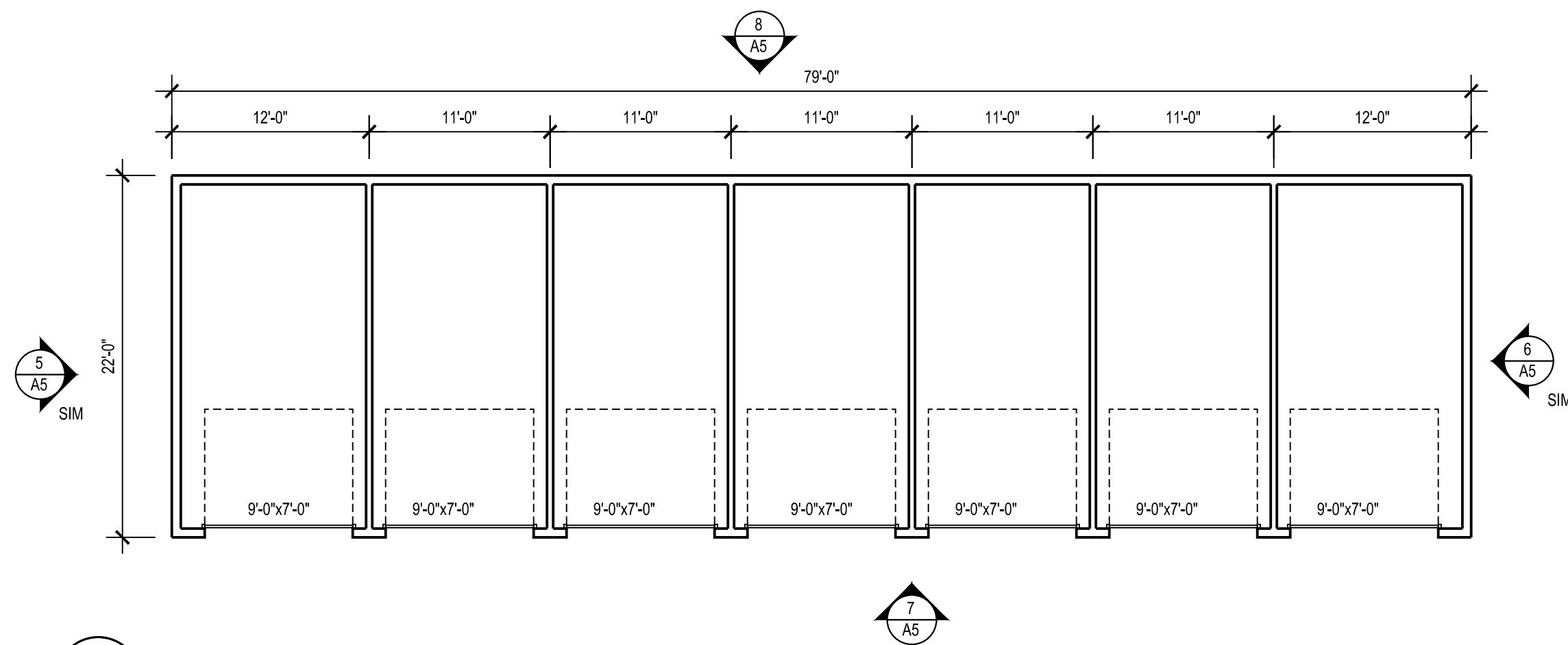
REVISIONS
MM/DD/YYYY

SHEET TITLE
EXTERIOR ELEVATIONS:
BUILDING #1

DRAWN BY: DATE:
Hung Ly 04/15/2023

SHEET NO.
A3

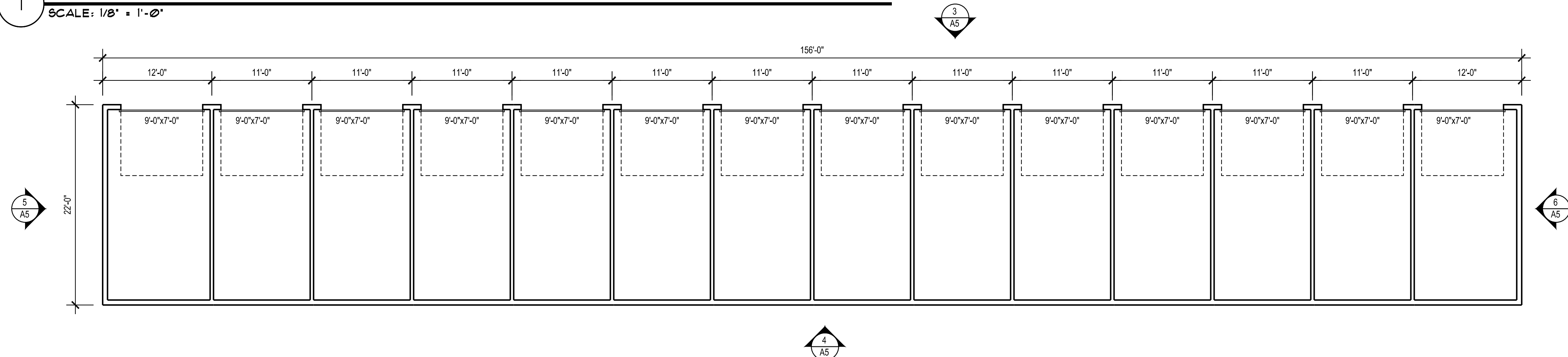
PROJECT NO.:



1 FLOOR PLAN AT 7 GARAGES
SCALE: 1/8" = 1'-0"



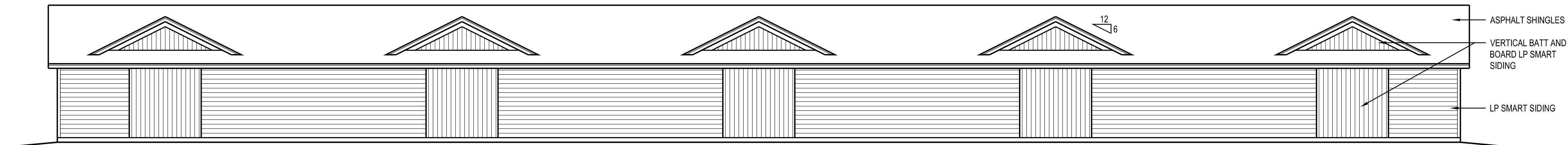
7 EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"



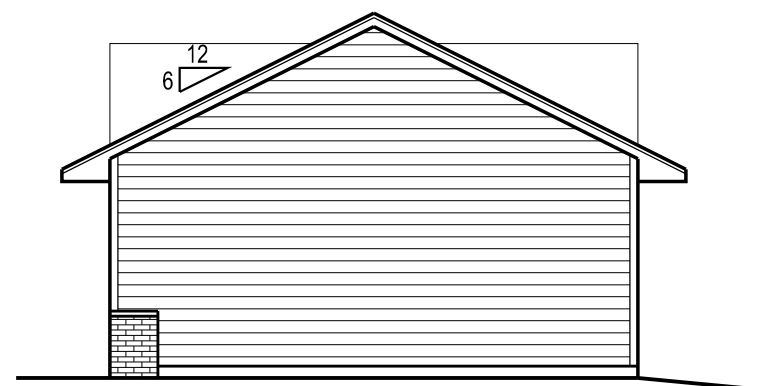
2 FLOOR PLAN AT 14 GARAGES
SCALE: 1/8" = 1'-0"



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



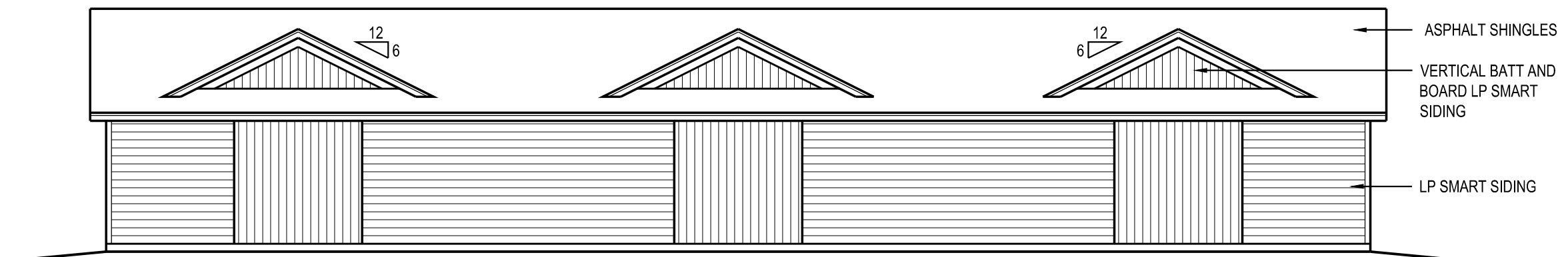
4 EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"



5 EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"



6 EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"



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

PRELIMINARY NOT FOR CONSTRUCTION

PROPOSED 13 RESIDENTIAL UNITS
APARTMENT

Address
City, State Zip Code

H Architects
Commercial | Retail | Mixed Use Residential | Restaurants
51 11th Ave. South
Waite Park, MN 56387
320-237-7411: harchitects2000@gmail.com

ARCHITECT CERTIFICATION:
I Herby Certify That This Plan Was
Prepared By Me Or Under My
Direct Supervision and I am A Duty
Licensed Architect Under The Laws
Of The State of Minnesota
Hung Ly
Signature:
Printed Name: Hung T. Ly
REG. 50476 Date: 04/15/2023

REVISIONS
MM/DD/YYYY

SHEET TITLE
GARAGE FLOOR PLANS AND
EXTERIOR ELEVATIONS

DRAWN BY: DATE:
Hung Ly 04/15/2023

SHEET NO.
A5

PROJECT NO.:

June 1, 2023
Frederick E. Weck. IV
Zoning Administrator
Building Official #1825

RE: Withdrawal of an Application

Dear Weck:

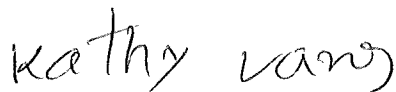
Thank you for reviewing our Chicken Livestocks and Delivery application. At this time, we would like to ask you to withdraw the Interim Conditional use Permit Application before the next court date on June 13, 2023.

We have found a suitable site for our Chicken Business. We appreciate you taking the time to walk us through this process. We are sorry for any inconveniences.

Again, thank you for your consideration and the time you shared.

Sincerely,

Owner: Kathy X. Vang

A handwritten signature in black ink that reads "kathy vang" in a cursive, lowercase style.

Applicant: Tong Vang

A handwritten signature in black ink that reads "Tong Vang" in a cursive, uppercase style.