

**CITY OF CLEARWATER
PLANNING & ZONING**

**PUBLIC HEARING AGENDA
JANUARY 7TH, 2020**

7:00 Call to order
Pledge of Allegiance
Approve Agenda
Approve 11-26-2019 Minutes

7:05 COMMITTEE DISCUSSION ON APPLICATIONS SUBMITTED
FOR THE PROPOSAL OF A 52 UNIT APARTMENT BUILDING.
PUBLIC HEARING WAS HELD ON NOVEMBER 26TH, 2019.

RESOLUTION # PZ20-01
RESOLUTION RECOMMENDING APPROVAL OF A PLANNED UNIT
DEVELOPMENT AMENDMENT AND SITE PLAN FOR A 52-UNIT
APARTMENT BUILDING (PID# 104019000010 AND 104020000020)

RESOLUTION # PZ20-02
RESOLUTION RECOMMENDING APPROVAL OF FINDINGS OF
FACT FOR REZONING FOR PID# 104019000010 AND
104020000020

RESOLUTION # PZ20-03
RESOLUTION RECOMMENDING APPROVAL OF A PRELIMINARY
PLAT TO CREATE ONE NEW LOT FROM TWO EXISTING LOTS
(PID# 104019000010 AND 104020000020)

RESOLUTION # PZ20-04
RESOLUTION RECOMMENDING APPROVAL OF A FINAL PLAT
FOR ONE NEW LOT AT
(PID# 104019000010 AND 104020000020)

7:55 Other

Adjourn

*Their may be a quorum of other City Boards or committees present.

*All times are tentative.

**City of Clearwater
Planning & Zoning Commission
NOVEMBER 26TH, 2019 Minutes**

Chair Watson, called the meeting to order at 7:00 pm.

Members present: Bob Watson, Wayne Kruchten and Robert Yurch

Members absent: 1 vacancy on board, Kris Crandall

Visitors as signed in: none

Others present: Deb Petty- Zoning Administrator, Kevin Shay-City Planner

MOTION TO APPROVE THE AGENDA, KRUCHTEN, SECOND BY YURCH ALL MEMBERS PRESENT IN FAVOR, MOTION CARRIED

MOTION TO APPROVE THE OCTOBER 8TH, 2019 MINUTES, KRUCHTEN, SECOND BY WATSON ALL MEMBERS PRESENT IN FAVOR, MOTION CARRIED

INTRODUCTION TO PUBLIC HEARING AND PRESENTATION BY KEVIN SHAY, CITY PLANNER

PRESENTATION BY REPRESENTATIVE OF GOHMAN CONSTRUCTION- MIKE GOHMAN

Mr. Gohman stated he reviewed with the Home Owners Association in Clearwater Estates about a month ago what his intentions were for the Apartment Building.

CHAIR WATSON OPENED THE PUBLIC HEARING AT 7:20 FOR PUBLIC COMMENT.

Chair Watson read a submitted comment from Jim and Heather Lorch-156 Cardinal Ln: See attached email. Summary below.

- a. That the variance being requested in the PUD for 10 additional feet in building height be denied.
- b. Increase the buffer between the apartment and the existing homes.

108 Goldfinch Lane-Jack Weber, question on where the snow would be going.

150 Bluebird Lane-Butch Donat, the south edge currently has a curb line, will it remain. Where is the estates pipe for water going to be located.

200 Kothman Circle- Ken Maehren, concerns on lighting, increased traffic and noise.

305 Kothman Circle-Mark Johnson, asked when the Comp Plan was updated/changed and it should be looked at.

205 Kitty Drive-Ken Abraham, where is the trash going to be located.

1100 Main-Wayne Murphy, is the electric service going to be moved.

CHAIR WATSON CLOSED THE PUBLIC HEARING AT 7:40

Because of conflicts of interest with Member Yurch being part of the Clearwater Estates Association which is also in the Planned Unit Development he will need to abstain from voting therefore; committee discussion will have to be held at a future meeting when at least 3 voting members are present.

OTHER-none

Next Meeting: To be determined

MOTION TO ADJOURN THE MEETING, KRUCHTEN, SECOND BY WATSON, ALL MEMBERS PRESENT IN FAVOR, MOTION CARRIED.

Meeting adjourned at 7:50 pm.

Respectfully submitted,

Deb Petty, Zoning Administrator

Robert Watson, Chair

Gohman 52 Unit Apartment

Heather Lorch <lorchheather14@gmail.com>

Tue 11/26/2019 9:24 AM

To: kshay@landform.net <kshay@landform.net>

Cc: Verlie Lorch <verlie@lorch.me>; Lorch, Jim <lorchjim@gmail.com>; Deb Petty <DPetty@clearwatercity.com>

Bob needs to
read out loud
During public comment

Mr Shay,

Thank you for taking the time to discuss the new apartment project near Clearwater Estates with me yesterday on the phone. Verlie Lorch is a family member who lives in Clearwater Estates and will be impacted by a new apartment building so close to her home.

We were planning to attend the hearing on Tuesday evening, but given the forecast we will not be travelling from the Twin Cities. Therefore, we would like to ask staff, the Planning Commission and City Council to consider the following items for discussion:

The variance being requested in the PUD for 10 additional feet in building height be denied. The location of the apartment building being proposed is on a high point in the residential neighborhood and the additional height will allow apartment residents increased visibility to the homes in Clearwater Estates. We would like to request this variance not be granted.

We would also like to ask that provisions be made to increase the buffer between the apartment building and the existing homes to reduce visibility at ground level and reduce noise. We would like the Planning Commission to consider the following:

1. Require a 6+ foot privacy vinyl fence be installed along the length of the parking lot adjacent to Clearwater Estates including on top of the proposed retaining wall to increase the buffer for existing neighbors down the hill.
2. Require increased landscaping on the hill. We would like to ask the landscape plan call for 15-18 additional trees; a combination of 4" overstory deciduous trees and 9-10 ft spruce.

Thank you for your consideration,

Jim and Heather Lorch - 156 Cardinal LN
Family of Verlie Lorch, resident of Clearwater Estates

https://www.clearwatercity.com/vertical/sites/%7B5630ACC5-D33A-4829-930C-570052E7B128%7D/uploads/11-26-19_Planning_Agenda_Packet.pdf

TO: Clearwater Planning and Zoning Committee
FROM: Kevin Shay, Landform
RE: Rezoning, Preliminary Plat, Final Plat, Site Plan and PUD Amendment to allow construction of a 52-unit apartment building and accessory garage structures (PID#s 104019000010 & 104020000020)

1. Application Request

Gohman Construction is requesting approval of a rezoning, preliminary plat, final plat, site plan and PUD amendment to allow construction of a 52-unit apartment building and two accessory garage structures.

2. Background

The site is currently home to maintenance buildings used for the golf course.

3. Context

Level of City Discretion in Decision-Making

The City has a relatively high level of discretion in approving or denying a rezoning application. The proposed zoning for a property must be consistent with the City's Comprehensive Plan. If the proposed zoning is not consistent with the Comprehensive Plan, the City must deny the rezoning application. The Zoning Ordinance and Map are the enforcement tools used to implement the goals and standards set in the Comprehensive Plan.

The City's discretion in approving or denying a preliminary plat is limited to whether or not the proposed plat meets the standards outlined in the City's subdivision and zoning ordinance. If it meets these standards, the City must approve the preliminary plat.

The City's discretion in approving a final plat is limited to whether or not the proposed plat meets the standards outlined in the City's subdivision and zoning ordinance and the conditions of preliminary plat approval. If it meets these standards, the City must approve the final plat.

The City's discretion in approving or denying a site plan is limited to whether or not the proposed request meets the standards outlined in the City's subdivision and zoning ordinance. If it meets these standards, the City must approve the site plan.

The City's discretion in approving or denying a PUD amendment is limited to whether or not the proposed PUD amendment is consistent with the City's Comprehensive Plan. The City may impose reasonable requirements in a PUD not otherwise required if the City deems it necessary to promote the general health, safety and welfare of the community and surrounding area.

Zoning and Land Use

Both properties are designated as Park/Open Space on the Clearwater Future Land Use Map in the 2015 Clearwater Comprehensive Plan. Both properties are currently zoned R-1 Residential Single Family on the zoning map. The inconsistency between land use and the zoning has been noted and

will be taken care of at a later date.

Surrounding Properties

The properties to the north and west are guided Low Density Residential and zoned R-1 Residential Single Family. The property to the south is guided park/open space and zoned PUD Planned Unit Development. The property to the east is guided Low Density Residential and zoned PUD Planned Unit Development.

Natural Characteristics of the Site

The Comprehensive Plan shows no wetlands on site. The northeast corner of the site is located in the Wild and Scenic Corridor Overlay.

4. Analysis of Request

The applicant is proposing to construct a 23,309 sq. ft. building to be used for a 52-unit apartment building. The building will contain a mix of unit sizes ranging from 729 sq. ft. to 1,005 sq. ft. The applicant is also proposing to construct two 4,390 sq. ft. detached garages to provide additional enclosed parking and storage space for the residents. Staff reviewed this request for compliance with the Comprehensive Plan, Zoning Ordinance and City Code requirements.

Setbacks

Section 117-583 provides dimensional standards for lots in the R-6 High Density Residential District. While the property is proposed to be rezoned to PUD, the R-6 district provides the baseline standards for this use. The following table shows the minimum and proposed standards for the site;

Standard	Minimum	Proposed
Lot Area	2,500 sq. ft./unit	3,904 sq. ft./unit
Lot Width	100 ft.	468.5 ft.

Building Setback:	-	-
Front (South and West)	30 ft.	32.6 ft. for west lot line. 42.6 ft. for south lot line.
Side	10 ft.	17.1 ft.
Rear	30 ft.	116.9 ft.
Parking Setback:	-	-
Front*	10 ft.	57.3 ft. for west lot line 6.3 ft. for south lot line
Side*	10 ft.	0 ft. for the north lot line corner
Rear	10 ft.	35 ft. for the east lot line
Principal Building Height*	35 ft.	45 ft.
Accessory Building Size*	30% of principal structure size	38.6% of principal structure size

*Standard not met but is part of requested PUD flexibility.

Building and Architecture

Gohman Construction is proposing to construct three separate buildings, the principal apartment structure and two accessory garage structures. The principal structure is proposed to be constructed using a mix of concrete masonry units (CMU) rockface, cultured stone and a variety of steel siding colors with a wood grain finish. The two proposed garage structures will be constructed using CMU rockface and a variety of the same wood grain steel siding as the principal structure. The proposed building materials comply with the required material types of Section 117-1066 of the Zoning Ordinance.

Access

Access to the proposed development is provided from a connection onto Main Street across from Koffman Circle.

Parking

Section 117-1168 of the Zoning Ordinance requires parking spaces for each use located in the principal structure. The multi-family residential use requires 2.5 parking spaces per unit, of which one must be enclosed.

The applicant is providing 52 residential units, which requires 130 parking spaces with 52 of the spaces being enclosed. The applicant is proposing to provide 134 parking spaces, with 66 of the spaces being enclosed. Staff finds that the applicant complies with the requirements for total parking. Staff also reviewed the dimensional standards for the parking spaces and in Section 117-1164 and finds that the plans meet or exceed the dimensional requirements of the Zoning Ordinance.

Screening

Section 117-1130 of the City Code requires that the apartment building and parking lot facing the eastern lot line be screened using a fence or green belt planting strip to provide a visual buffer. The screening shall be designed to provide complete visual screening to a minimum height of six feet. The green belt planting strip may contain large shrubs, evergreen trees and/or deciduous trees. The applicant will need to provide a revised landscape plan that includes the required screening on the east lot line.

Landscaping

Section 117-1130 of the Zoning Ordinance requires one tree per dwelling unit for the first ten units and one tree per five dwelling units thereafter. With 52 units the applicant is required to plant 18 trees. 50% of the required number of trees may be substituted with the use of shrubs in combination with other landscape design elements. The applicant is proposing 21 trees and 52 shrubs, which is greater than the required number. Staff finds that the plans comply with the landscaping requirements but will need additional shrubs/trees to meet the screening requirements.

Lighting

Section 117-1036 of the Zoning Ordinance requires that all exterior lighting shall be so directed so as not to cast glare toward or onto the public right-of-way or neighboring residential uses or districts. The lighting shall not read more than ½ foot candle from the centerline of the street or a ½ foot candle from a property line adjacent to any property. The applicant has not provided a lighting plan, but all lighting will need to comply with the lighting standards.

Trash Enclosure

The applicant has proposed a trash enclosure on the northeast corner of the parking lot. Consistent with the performance standards of Section 117-1106 of the Zoning Ordinance, the color elevations show that the trash enclosure is fully enclosed and will be constructed using rock face CMU to match the materials used in the principal structure.

Signage

The applicant is proposing to construct one monument sign located at the entrance to the site. Section 117-1256 of the Zoning Ordinance provides the standards for permanent signs based on the zoning district in which it is located. The R-6 district allows monuments signs no greater than 32 sq. ft. in size with a max height of eight ft. and setback 10 ft. from the property line. The proposed monument sign meets all of the standards.

Other Reviews

The City Engineer reviewed the plans on November 19, 2019. Staff has included a condition that the applicant work with staff to address comments contained in the report in a manner that is satisfactory to the City.

The applicant will need to comply with applicable requirements from the Building Inspector.

Rezoning

The applicant is proposing to rezone the property from R-1 Residential Single Family to PUD Planned Unit Development. The Planning Commission shall consider possible adverse effects of the proposed use. Its judgment shall be based upon, but not limited to, the following factors;

1. *The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official city comprehensive plan.*

The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the City's Comprehensive Plan. The Comprehensive Plan identifies the need for diverse housing choices with a variety of price ranges. The proposed project will provide a housing type that is underrepresented in Clearwater's existing housing stock.

2. *The proposed use is or will be compatible with present and future land uses of the area.*

The proposed use will be compatible with the future land use of the area. The land use map is currently guiding the land for park and open space. This was consistent with the golf club house that is currently occupying the property. The land was anticipated for further development with the initial PUD and the land use should be changed to reflect that.

3. *The proposed use conforms to all performance standards contained herein and this Code.*

The proposed use conforms to all performance standards contained within the code aside from the requested flexibility as part of the PUD.

4. *The proposed use can be accommodated with existing public services and will not overburden the city's service capacity.*

The proposed use can be accommodated with existing public services and will not overburden the City's service capacity. The City Engineer has reviewed the plans and has found that the existing public services will be sufficient for the development.

5. *Traffic generation by the proposed use is within capabilities of streets serving the property.*

Traffic generation by the proposed use is within capabilities of streets serving the property.

Site Plan and PUD Amendment

The purpose of the PUD is to provide for flexibility in the strict application of the land use regulations in order to improve site design and operation, while at the same time incorporating design elements (e.g., construction materials, landscaping, lighting, etc.) that exceed the city's standards to offset the effect of any flexibility. The applicant has requested a PUD Amendment to allow some flexibility from the minimum code standards in the following areas;

City Standard	Proposed Development Standard
10-foot setback for parking lot drive aisles.	A parking setback of 0 feet for the drive aisle adjacent to the southeast corner of PID 104037002050.
10-foot setback for parking lot drive aisles.	A parking setback of 6.5 feet for the drive aisle adjacent to the south lot line.
35-foot maximum building height.	A maximum principal structure height of 45 feet for the apartment building.
30% maximum accessory structure coverage.	A maximum accessory structure size of 39% of the principal structure size.

The Planning Commission should evaluate the effects of the proposed site plan and PUD amendment and discuss if the flexibility is granted whether the site design, landscaping and other elements provided offset the effect of the flexibility. This review shall be based upon, but not limited to the following factors:

1. *Compliance with and effect upon the comprehensive plan and public facilities plans.*

The use complies with the Comprehensive Plan and public facilities plans.

2. *The establishment, maintenance or operation of the use, event or activity will promote and enhance the general public welfare and will not be detrimental to or endanger the public health, safety or welfare.*

The establishment of the use will promote and enhance the general public welfare and will not be detrimental to or endanger the public health safety or welfare. The new apartment building will provide a solution to the existing stormwater management issues with the development of the project site.

3. *The use event, or activity will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.*

Provided the applicant revises the plans to provide the screening, the use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

4. *The establishment of the use, event or activity will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.*

The establishment of the use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

5. *Adequate public facilities and services are available or can be reasonably provided to accommodate the use, event or activity which is proposed.*

Adequate public facilities and services can be reasonably provided to accommodate the use.

6. *The use, event or activity shall, in all other respects, conform to the applicable regulations of the district in which it is located.*

The use complies to the applicable regulations of the R-6 district aside from the requested flexibilities as part of the PUD. The R-6 district provides the applicable standards for the high-density residential use.

7. *The use, event or activity and site conform to the performance standards as outlined in section 117-128 (conditional use permit, general performance standards) and all other applicable provisions of this chapter.*

Provided the applicant makes the revisions provided in the staff report, the use will conform to the performance standards of Section 117-128 and all other applicable provisions of the site plan review chapter

8. *The request complies with all other applicable sections of this Code.*

The request complies with all other applicable sections of this code as discussed in the staff report.

Preliminary Plat / Final Plat

The applicant is proposing to plat the two properties included in the project. The reason for the request is due to the restriction that buildings are not allowed to be constructed on outlots. The platting of the property will create a single lot for the proposed apartment building and accessory garage structures. The proposed plat is in conformance with the requirements of the City's subdivision ordinance.

5. Summary

Provided that the applicant revises plans as noted in the staff conditions, the applicant meets the requirements of the rezoning, preliminary plat, final plat, site plan and PUD amendment.

6. Recommendation

Recommend approval of the following resolutions/ordinance to allow construction of a 52-unit apartment building, subject to staff conditions;

- a. Planning Commission Preliminary Plat Resolution and Findings of Fact
- b. Planning Commission Final Plat Resolution and Findings of Fact
- c. Planning Commission Site Plan and PUD Amendment Resolution and Findings of Fact
- d. Planning Commission Rezoning Findings of Fact

Clearwater Apartments

Brian Schultz <schultzeng@live.com>

Wed 12/4/2019 4:47 PM

To: 'Justin Kannas' <justinka@bolton-menk.com>; Deb Petty <DPetty@clearwatercity.com>

Cc: 'Graeme Mahler (gmahler@mahlerarchitecture.com)' <gmahler@mahlerarchitecture.com>; Rodney Kadlec <rkadlec@Mahlerarchitecture.com>

📎 2 attachments (9 MB)

19023Clearwater Apts Civil Check Set REV 112919.PDF; 19023Clearwater Apts Storm Calcs REV 120419.PDF;

Hi Justin,

Attached is the revised civil drawing set, and storm water calculation report for the proposed Clearwater Apartments project. Responses to your review comments from 11/19/2019 are listed below. Numbering of the responses correspond with the numbering of your review comments:

1. Previously proposed infiltration basin has been revised as a dry detention pond in order to provide rate control for the proposed project while within the wellhead protection area. Per our meeting, storm water management related to water quality is not required for this project, as there is actually a net decrease in impervious surfacing from existing to proposed.

The associated outlet structure consist of a 4" orifice within a weir wall, and this orifice alone controls the discharge rate of the proposed pond for all storm events (2-year, 10-year, and 100-year), thus, the discharge rate of the proposed pond has been minimized as much as possible per discussion at our recent meeting.

2. Storm water calculations include a HydroCad model of the 10-year storm event. Review of this model will show that proposed storm sewer pipe is sized to convey runoff generated by this storm event.
3. Understood.
4. The requested City of Clearwater Standard Details have been added to the civil plan set. Please note that the plan set now has a total of 7 sheets.
5. Existing water main within Main Street, and south of Kothmann Circle, has been added to the existing conditions background indicated on the plan view sheets. This water main is shown just behind the east curb line as per Record Drawings provided to us, which were completed by SEH, and dated 03/03/2003.
6. Understood.
7. Understood.
8. Curb cuts and slopes of all sidewalk currently meet ADA requirements.
9. Developer responsibility.
10. The requested note has been added to Sheet C1 (General Notes & Specifications) of the plans. Please note that the note also indicates that the more stringent of the specifications (the City's specifications vs. the specifications listed on Sheet C1) shall be adhered to. While we appreciate the City's desire that all sanitary sewer and water utilities within the City meet City standard specifications, utilities within private development are also governed by the MN Plumbing Code (via the MN DOLI). Proposed sanitary sewer and water design/details/specifications also need to pass State Plumbing Review, and we have had some issues on past projects where standard City specifications in other cities did not meet MN Plumbing Code requirements.

11. Concrete valley gutter has been added to the plans at the proposed driveway entrance as per City Standard Detail #206.
12. Per our recent meeting, it is the Developer's desire to maintain existing trees and berming adjacent to the proposed south garage as much as possible. The south garage walls will be constructed with the necessary waterproofing.
13. Developer responsibility. Retaining wall design would most likely be provided by the retaining wall material supplier's Engineer.
14. The proposed dry detention pond is located outside of the existing utility easement.
15. Developer responsibility.
16. Developer responsibility.
17. Developer/General Contractor responsibility.
18. Developer responsibility.

Please call me with any questions.

Thanks!

Brian Schultz, PE
Civil Engineer

Schultz Engineering & Site Design

18 South Riverside Avenue
Suite 230

Sartell, MN 56377

Direct: (320) 339-0669

Fax: (866) 633-1830

schultzeng@live.com

www.schultzengineeringdesign.com



Real People. Real Solutions.

2040 Highway 12 East
Willmar, MN 56201-5818

Ph: (320) 231-3956
Fax: (320) 231-9710
Bolton-Menk.com

MEMORANDUM

Date: November 19, 2019
To: Honorable Mayor Lawrence-Wheeler, Members of the City Council and
Members of the Planning Commission – Clearwater, Minnesota
From: Justin L. Kannas, P.E.
City Engineer
Subject: Clearwater Estates Apartments
Clearwater, Minnesota
BMI Project No: W13.118405

I have reviewed the preliminary plans dated September 26, 2019 and the preliminary plat October 8, 2019 for the above referenced project and have the following comments:

- 1) The construction of new infiltration basins is prohibited per MPCA stormwater requirements due to the location being within a Drinking Water Supply Management Area. The Developer shall revise the stormwater management plan to control the rate and volume of runoff to be less than existing conditions to all discharge points off site. A table summarizing volumes of runoff to each discharge point for the 2, 10, and 100 year storm events shall be included.
- 2) The applicant shall submit storm sewer sizing calculations. The storm sewer shall be sized for a 10 year storm event.
- 3) A detailed review of the storm water management plan and storm water calculations will be completed after changes are made to eliminate the infiltration basin.
- 4) The following City Standard Details shall be added to or replaced in the plan: 206, 308, 310A, 311B, 312A, 401, 402, 404, 410 and 411.
- 5) The existing watermain within Main Street south of Kothmann Circle shall be shown on the plans.
- 6) The plans shall be subject to review and comment by the Fire Chief regarding hydrant locations, site circulation, fire suppression service shut offs, and riser room location and access.
- 7) Details of the combined domestic and fire suppression water service into the building shall be worked out with the City Engineer, Fire Chief and Public Works Director regarding shut off locations and location of where the 2 services separate.
- 8) The curb cuts and slopes where the sidewalk crosses the curb on the south end of the site shall meet ADA requirements.
- 9) Permission shall be obtained from the Clearwater Estates Association for any work within the Eagle Drive right of way.
- 10) Please add a note to Sheet C1 under Standard Specifications that all improvements shall conform

to the City of Clearwater Standards.

- 11) A concrete valley gutter shall be constructed through the entrance off of Main Street.
- 12) The swale along the west side of the south garage shall be located a minimum of 5 feet from the building.
- 13) Plans signed by a Licensed Engineer for all retaining walls over 4 feet in height shall be submitted to the City.
- 14) No pond excavation shall occur within the existing 20 foot utility easement on the north side of the site. The easement area should remain relatively flat for an access point to the Clearwater Estates Pond and the storm sewer from Main Street to the pond.
- 15) A lighting plan and photometric plan shall be submitted for review and comment by the City Planner and City Engineer.
- 16) The developer shall be responsible for paying all development fees including but not limited to SAC/WAC, Trunk Area Fees, and Park Dedication Fees.
- 17) The Developer shall be responsible for obtaining all permits including but not limited to the MPCA Sanitary Sewer Extension Permit, MDH Watermain Permit, MPCA NPDES Construction Stormwater Permit, and the Department of Labor and Industry Permit (DOLI). Please forward a copy of all permits to the City Engineer prior to construction.
- 18) The Developer shall execute a Site Improvement Agreement prepared by the City.

I recommend approval of the preliminary and final plat contingent upon the above comments and comments as submitted by other City Staff. The applicant shall submit revised plans and storm water calculations for approval by the City Engineer prior to issuance of a building permit.

JLK/jk

cc: Kevin Kress, City Administrator, City of Clearwater
Deb Petty, Deputy Clerk, City of Clearwater
Michael Gohman, Developer, Clearwater Development Inc.
Kevin Shay, City Planner, Landform
Joseph Pelawa, P.E., Bolton and Menk, Inc.

October 15, 2019

City of Clearwater
Attn: Kevin Kress - City Administrator
PO Box 9
Clearwater MN 55320
RE: Amendment to the PUD

Dear Mr. Kress,

In response to the letter dated October 2, 2019 from Landform please use this letter as a request to allow some flexibility in the PUD requirements for the planned apartment complex. There are three areas that need to be addressed:

1. North and South Drive do not meet required 10-foot setback. The road around both ends of the building ensure good access for emergency vehicles and smooth flow of regular traffic. On the North end the road going around the building abuts to the point of the property owned by the City that has a well on it. Due to the shape of the property owned by the City and the use of the property it does not appear that this will cause any issues with function to the City parcel. On the South end of the property the road parallels the main entrance into Clearwater Estates so the usage will not hinder the neighboring property. Currently this area is paved and used as road way as well. Curb and gutter will be put in that will not allow vehicle traffic between the two areas as is currently the case. Since this is a roadway and not a structure if in the future utilities or some other service needs be brought through this area the road can be torn up and replaced.
2. Maximum building height exceeds the allowed 35-feet. The structure height is 45-feet as designed. This allows for 9' ceiling heights on all floors of the units which will give a much nicer finished product helping to ensure long term success of the project and if it is successful it will continue to be a well-maintained building long term. It also allows for a slightly steeper pitch on the main roof at 5/12 which then helps tie the aesthetic of 8/12 on the lookouts.
3. Maximum accessory structure size allowed is 30% of the principal structure. The private garages and trash enclosure total approximately 38.6% of the size of the principal structure. Having additional garages gives more opportunity for people to store vehicles inside in the winter as well as if they move from a house to the apartment, they can have some extra room to store items as they downsize. It is also possible being near the golf course that some residents may have a golf cart and need a place to park that inside. We have located these to create some buffer to the main building and away from the housing below the hill.

I hope this clarifies the issues at hand and is acceptable as designed. If you have any further questions please let me know.

Sincerely,



Michael Gohman
President
Clearwater Development Inc.

From: Ryan Pridgeon <clearwaterfirechief@gmail.com>
Sent: Wednesday, December 4, 2019 11:41 AM
To: Justin Kannas <Justin.Kannas@bolton-menk.com>
Cc: Deb Petty <DPetty@clearwatercity.com>; Kevin Shay <KShay@landform.net>; Liz Lindrud <LLindrud@clearwatercity.com>
Subject: Re: CDI Apartments

Justin,

I don't have any issues with the overall height of the building. The Fire Department would not need to buy any special equipment based on the height of the building. I have a question on the width of the access road around the apartment building. Our Engine 11 is very long and if the access road around the building is too narrow we would have an issue getting to the back of the building.

FW: Clearwater Apartment

Mike Gohman <mike@wgohman.com>

Thu 12/26/2019 11:12 AM

To: Justin Kannas <Justin.Kannas@bolton-menk.com>

Cc: Deb Petty <DPetty@clearwatercity.com>; April Jacques <aprilj@wgohman.com>; Mike Hentges <mhentges@wgohman.com>

📎 1 attachments (2 MB)

12-26-19 1911 SITE PLAN.pdf;

Justin,

Attached is a site plan showing the truck dimensions and the path around the corners. Looks like everything works just fine.

If you have any other questions please let me know.

Thanks,

Michael Gohman



Creative
Custom Builders LLC

PHONE 320-363-7781

CELL 320-248-0718

FAX 320-363-7207

EMAIL mike@wgohman.com

From: Graeme Mahler <gmahler@Mahlerarchitecture.com>

Sent: Thursday, December 26, 2019 10:30 AM

To: Mike Gohman <mike@wgohman.com>; Brian Schultz <schultzeng@live.com>

Cc: Mike Hentges <mhentges@wgohman.com>; April Jacques <aprilj@wgohman.com>

Subject: RE: Clearwater Apartment

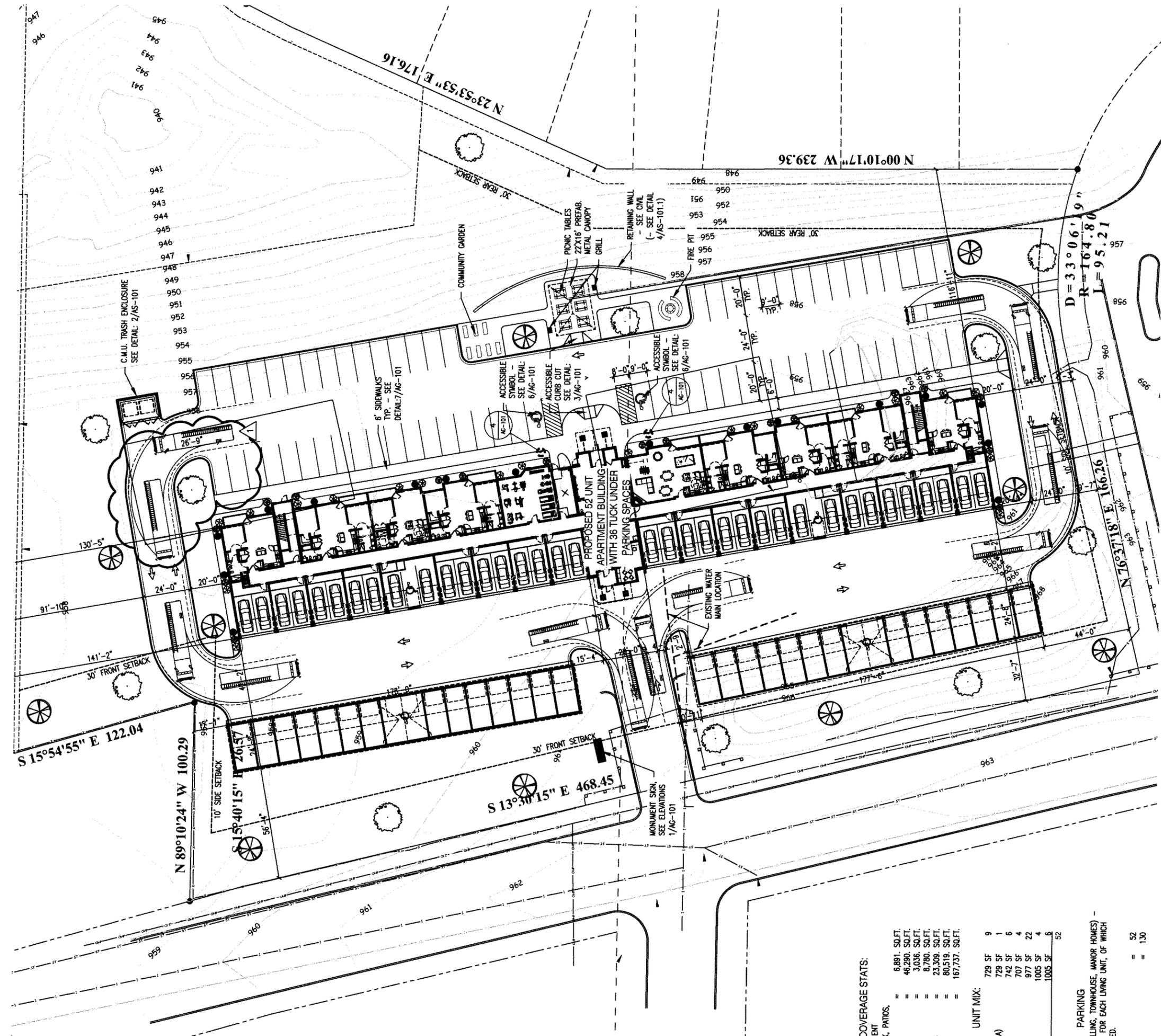
Here is a site plan with the Fire Dept dimensions/turning radius for a Ladder Truck (same as the Fire Chief gave us).

The truck clears, with ease, all drives around the perimeter of the building, as currently designed.

The drive aisles are wider than many of the local city streets.

Respectfully,

Graeme Mahler, AIA
Principal



COVERAGE STATS:

ACENT	=	6,891	SQ.FT.
ALK PATIOS	=	46,290	SQ.FT.
S	=	3,036	SQ.FT.
NG	=	8,780	SQ.FT.
	=	23,309	SQ.FT.
	=	80,519	SQ.FT.
	=	167,737	SQ.FT.

UNIT MIX:

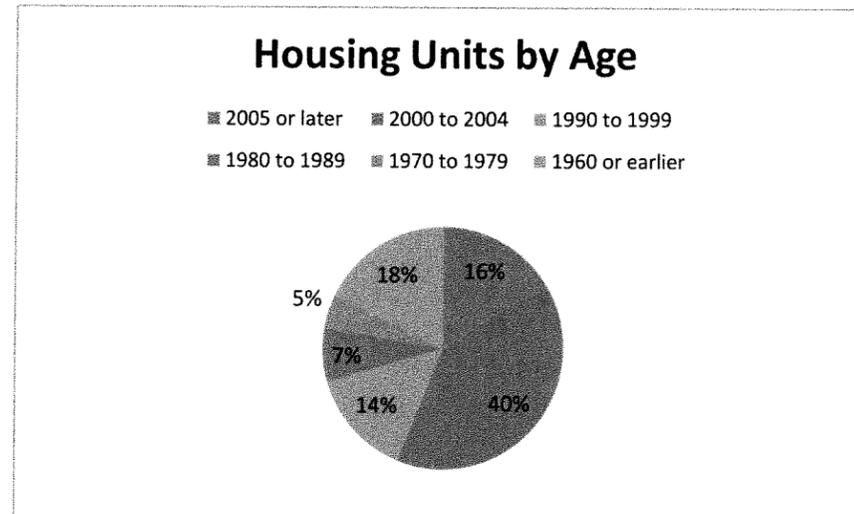
E A)	729	SF	9
	729	SF	1
	742	SF	6
	707	SF	4
	977	SF	22
	1005	SF	4
	1005	SF	6
			52

PARKING
 WELLING, TOWNHOUSE, MANOR, HOMES) -
 ES FOR EACH LIVING UNIT, OF WHICH
 USED:
 = 52
 = 130

AGE OF HOUSING

Clearwater's housing stock is generally new, given that 56% of the homes were built since 2000. CHART 2 indicates the age of housing in Clearwater .

CHART 2



What implications do existing commercial and housing land uses have for comprehensive planning?

Clearwater should plan for 25 to 30 new single-family residences per year for a total of 375 to 450 new lots, and an additional 100 new units of rental housing (high density housing) to meet the market demand until 2030, as determined by existing demographic and housing trends. This results in approximately 200 acres needed for single-family housing and 15 acres needed for medium or high density housing.

PLANNING AND ZONING COMMISSION
CITY OF CLEARWATER

RESOLUTION NO. PZ20-02

RESOLUTION RECOMMENDING APPROVAL OF FINDINGS OF FACT FOR REZONING
FOR PID# 104019000010 AND 104020000020

WHEREAS, Gohman Construction ("the applicant") has requested approval of a rezoning on property legally described as follows:

Outlot A, Clearwater Estates and Outlot B, Clearwater Estates Plat Two according to the recorded plat thereof, Wright County, Minnesota

WHEREAS, notice of a public hearing to accept input on the rezoning request was published in the official newspaper on November 8, 2019 and also sent to property owners within 350 feet of the property; and

WHEREAS, the Planning Commission conducted a public hearing on the rezoning request on November 26, 2019 and accepted input on the rezoning request; and

WHEREAS, the Planning Commission has reviewed the rezoning request and has made the following findings:

1. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official City Comprehensive Plan.

Planning Commission Finding:

2. The proposed use is or will be compatible with present and future land uses of the area.

Planning Commission Finding:

3. The proposed use conforms to all performance standards contained in the City Zoning Ordinance.

Planning Commission Finding:

4. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.

Planning Commission Finding:

5. Traffic generated by the proposed use is within capabilities of streets serving the property.

Planning Commission Finding:

WHEREAS, The Planning Commission has extensively reviewed the applicable code, considered the findings as well as the comments, and input of the Applicants, the Property Owner, the neighboring residents and the general public.

NOW, THEREFORE, BE IT RESOLVED BY THE CLEARWATER PLANNING COMMISSION THAT; the Planning Commission does hereby recommend the issuance of a rezoning for (PID# 104019000010 and 104020000020).

DATED THIS 7th DAY OF JANUARY 2020

ATTEST:

Planning Chair

Zoning Administrator

PLANNING AND ZONING COMMISSION
CITY OF CLEARWATER

RESOLUTION NO. PZ20-01

RESOLUTION RECOMMENDING APPROVAL OF A PLANNED UNIT DEVELOPMENT
AMENDMENT AND SITE PLAN FOR A 52-UNIT APARTMENT BUILDING
(PID# 104019000010 AND 104020000020)

WHEREAS, Gohman Construction ("the applicant") has requested approval of a PUD amendment and site plan for a 52-unit apartment building and accessory garage structures on property legally described as follows:

Outlot A, Clearwater Estates and Outlot B, Clearwater Estates Plat Two according to the recorded plat thereof, Wright County, Minnesota

WHEREAS, Division 8, Sec. 117-578 of the Clearwater Zoning Ordinance does provide for said use; and

WHEREAS, notice of a public hearing to accept input on the PUD amendment request was published in the official newspaper on November 8, 2019 and also sent to property owners within 350 feet of the property; and

WHEREAS, the Planning Commission conducted a public hearing on the PUD amendment request on November 26, 2019 and accepted input on the PUD amendment request; and

WHEREAS, the Planning Commission has reviewed the PUD amendment and site plan request and has made the following findings:

1. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official City Comprehensive Plan.

Planning Commission Finding:

2. The proposed use is or will be compatible with present and future land uses of the area.

Planning Commission Finding:

3. The proposed use conforms to all performance standards contained in the City Zoning Ordinance.

Planning Commission Finding:

4. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.

Planning Commission Finding:

5. Traffic generated by the proposed use is within capabilities of streets serving the property.
Planning Commission Finding:
6. Other factors for consideration:
Planning Commission Finding:

WHEREAS, The Planning Commission has extensively reviewed the applicable code, considered the findings as well as the comments, and input of the Applicants, the Property Owner, the neighboring residents and the general public.

NOW, THEREFORE, BE IT RESOLVED BY THE CLEARWATER PLANNING COMMISSION THAT; the Planning Commission does hereby recommend the issuance of a PUD amendment and site plan for a 52-unit apartment building and accessory garage structures (PID# 104019000010 and 104020000020), subject to the following conditions:

1. A site plan is approved to allow a 52-unit apartment building and accessory garage structures in accordance with the application materials and plans received by the City on August 7, 2019 and additional materials received on September 30, 2019, October 14, 2019 and October 15, 2019, except as amended by this resolution;
2. In accordance with the application materials and plans received by the City on August 7, 2019 and additional materials received on September 30, 2019, October 14, 2019 and October 15, 2019, A PUD amendment is approved to allow;
 - a. A parking setback of 0 feet for the drive aisle adjacent to the southeast corner of PID 104037002050.
 - b. A parking setback of 6.5 feet for the drive aisle adjacent to the south lot line.
 - c. A maximum principal structure height of 45 feet for the apartment building.
 - d. A maximum accessory structure size of 39% of the principal structure size.
3. All comments from the City Engineer's memo dated November 19, 2019 shall be addressed.
4. A revised landscape plan which screens the east lot line. The screening shall be designed to provide complete visual screening to a minimum height of six feet. The green belt planting strip may contain large shrubs, evergreen trees and/or deciduous trees.
5. Lighting must not exceed ½ a foot candle when measured from the centerline of an adjacent street or adjacent property line.

DATED THIS 7th DAY OF JANUARY 2020

ATTEST:

Robert Watson, Planning Chair

Deb Petty, Zoning Administrator

PLANNING AND ZONING COMMISSION
CITY OF CLEARWATER

RESOLUTION NO. PZ20-04

RESOLUTION RECOMMENDING APPROVAL OF A FINAL PLAT FOR ONE NEW LOT AT
(PID# 104019000010 AND 104020000020)

WHEREAS, Gohman Construction ("the applicant") has requested approval of a final plat for one new lot on property legally described as follows:

Outlot A, Clearwater Estates and Outlot B, Clearwater Estates Plat Two according to the recorded plat thereof, Wright County, Minnesota

WHEREAS, the Planning Commission has reviewed the final plat request and has made the following findings:

1. The final plat conforms to the approved preliminary plat and any/all conditions for approval of the preliminary plat.

Planning Commission Finding:

2. All submission requirements have been satisfied.

Planning Commission Finding:

3. The plat conforms to all applicable requirements of this chapter, subject only to approved rule exceptions.

Planning Commission Finding:

WHEREAS, The Planning Commission has extensively reviewed the applicable code, considered the findings as well as the comments, and input of the Applicants, the Property Owner, the neighboring residents and the general public.

NOW, THEREFORE, BE IT RESOLVED BY THE CLEARWATER PLANNING COMMISSION THAT; the Planning Commission does hereby recommend the issuance of a final plat for one new lot. (PID# 104019000010 and 104020000020), subject to the following conditions:

1. Prior to release of the final plat for recording;
 - a. A site improvement performance agreement (SIPA) must be completed and provided to the City.
 - b. Park dedication shall be cash in lieu. The in lieu amount shall be based on the average fair market value of land, as determined by the city assessor and shall be computed on the buildable land area.
2. Record the approving resolutions, mylar, easements and all related documents at Wright County and provide proof of recording to the City.
3. The applicant must file the final plat at Wright County within two years of the date of approval or the approval shall expire.

DATED THIS 7th DAY OF January, 2020

ATTEST:

Planning Chair

Deputy City Clerk/Zoning Administrator

PLANNING AND ZONING COMMISSION
CITY OF CLEARWATER

RESOLUTION NO. PZ20-03

RESOLUTION RECOMMENDING APPROVAL OF A PRELIMINARY PLAT TO CREATE ONE
NEW LOT FROM TWO EXISTING LOTS (PID# 104019000010 AND 104020000020)

WHEREAS, Gohman Construction ("the applicant") has requested approval of a preliminary plat to create one new lot from two existing lots on property legally described as follows:

Outlot A, Clearwater Estates and Outlot B, Clearwater Estates Plat Two according to the recorded plat thereof, Wright County, Minnesota

WHEREAS, notice of a public hearing to accept input on the preliminary plat request was published in the official newspaper on November 8, 2019 and also sent to property owners within 350 feet of the property; and

WHEREAS, the Planning Commission conducted a public hearing on the preliminary plat request on November 26, 2019 and accepted input on the preliminary plat request; and

WHEREAS, the Planning Commission has reviewed the preliminary plat request and has made the following findings:

1. The proposed preliminary plat conforms to the requirements of this chapter and the applicable zoning district regulations.

Planning Commission Finding:

2. The proposed subdivision is consistent with the city's comprehensive plan and any other adopted land use studies and is compatible with the platting or approved preliminary plat on adjoining lands.

Planning Commission Finding:

3. The proposed plat does not constitute a premature subdivision under subsection 113-50(d)

Planning Commission Finding:

4. The physical characteristics of the site, including but not limited to topography, vegetation, wetlands, susceptibility to erosion and siltation, susceptibility to flooding, water storage and retention, are such that the site is suitable for the type of development or use contemplated.

Planning Commission Finding:

5. The design or improvement of the proposed subdivision complies with applicable plans of the county and the state.

Planning Commission Finding:

6. The design or improvement of the proposed subdivision is not likely to cause environmental damage or health problems.

Planning Commission Finding:

7. The completion of the proposed development of the subdivision can be achieved in a timely manner so as not to cause an undue economic burden upon the city for maintenance, repayment of bonds or similar burden.

Planning Commission Finding:

8. That permits applicable to the site/project as required by local, state and federal law have been applied for and/or have been approved. The applicant is required to prove compliance with all local, state and federal law. The city and/or its assigns may determine whether an application for approval is sufficient or if approval of a permit application is required.

Planning Commission Finding:

WHEREAS, The Planning Commission has extensively reviewed the applicable code, considered the findings as well as the comments, and input of the Applicants, the Property Owner, the neighboring residents and the general public.

NOW, THEREFORE, BE IT RESOLVED BY THE CLEARWATER PLANNING COMMISSION THAT; the Planning Commission does hereby recommend the issuance of a preliminary plat to create one lot where two lots exist. (PID# 104019000010 and 104020000020).

DATED THIS 7th DAY OF JANUARY 2020

ATTEST:

Planning Chair

Deputy City Clerk/Zoning Administrator