

**RESOLUTION NO. 060115-01
CITY OF WAITE PARK,**

**A RESOLUTION APPROVING AN AMENDMENT TO THE PREVIOUSLY-APPROVED
PLANNED UNIT DEVELOPMENT FOR HERITAGE POINT DEVELOPMENT TO
ALLOW FOR CONSTRUCTION OF AN ADDITIONAL FIVE-STALL PARKING
GARAGE ON THE MOST WESTERLY PORTION OF THE DEVELOPMENT, WILLOW
SENIOR LIVING APARTMENTS, 500 HERITAGE COURT IN THE
CITY OF WAITE PARK, MINNESOTA**

WHEREAS, McMeredith Development Inc., a Minnesota corporation, (the "Applicant/Developer") has applied for an adjustment to the existing Planned Unit Development for Heritage Point Development, (the "PUD"); and

WHEREAS, the PUD consists of single family and multi-family housing units located on the easterly portion of the site and a senior housing facility known as Willow Senior Living Apartments located on the most westerly portion of the site and is collectively known as Heritage Court; and

WHEREAS, Heritage Court L.L.C. is the fee owner of the subject property consisting of approximately 15.7 acres and is legally described as follows:

Lot One (1), Block One (1), Heritage Point Plat Three, according to the plat and survey thereof on file and of record in the office of the County Recorder in and for Stearns County, Minnesota;

Parcel No. 98.60672.0338
500 Heritage Court
Waite Park, MN 56387

(the "Property"); and

WHEREAS, the Applicant/Developer is requesting an adjustment to the PUD to allow for construction of an additional five-stall parking garage in an area currently utilized for parking upon the northwest corner of Heritage Court; and

WHEREAS, the Property is zoned R-1, Single Family Residential District and the use of the Property for multi-family residential apartment units was previously approved as part of the planned unit development process; and

WHEREAS, the design plan for the five-stall parking garage shall be the same as is utilized elsewhere at Heritage Court and be built on the location of an existing parking lot area upon the northeast corner of the site as shown on attached **Exhibits A and A1**; and

WHEREAS, the garage design will have four regular parking stalls and one centrally-located handicap accessible parking stall, have a footprint of 1,500 square feet and the exterior design will mirror that of other garages upon the site as shown on attached **Exhibits B and B1**; and

WHEREAS, the Applicant/Developer has requested the new garage in this location on the Property so as to provide additional enclosed parking close to the building which makes access easier for many of the residents of the building who are older and have mobility issues; and

WHEREAS, the existing setbacks will not be impacted as the garage will not be any closer to the adjacent residential buildings than the existing parking area is; and

WHEREAS, the Waite Park Planning Commission met and held a public hearing on May 12, 2015, to hear public testimony on the PUD amendment application; and

WHEREAS, upon Planning Commission review of the application information, design plans, staff recommendation, testimony of the applicant, public comments and the criteria necessary to consider the request, the Planning Commission recommended approval of the requested adjustment to the existing PUD and made Findings of Fact in support of their recommendation which are attached hereto as **Exhibit C**; and

WHEREAS, the Waite Park City Council has reviewed the application information, design plans, staff recommendation and the Planning Commission recommendations, and agrees with the findings and recommendations of the Planning Commission;

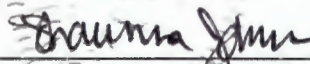
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Waite Park, Stearns County, Minnesota, as follows:

1. That the foregoing recitals are true and correct and incorporated herein by reference.
2. That the Findings of Fact as outlined in the attached **Exhibit C** are hereby adopted by the City Council of the City of Waite Park, Minnesota.
3. That the City Council of the City of Waite Park, Minnesota, and based upon the application information, design plans, staff recommendation and the Planning Commission recommendations hereby approves the requested adjustment to the existing PUD to allow the construction of an additional five-stall parking garage on property in the R-1, Single Family Residential District, located within the City and legally described as Lot 1, Block 1, Heritage Point Plat Three, Stearns County, Minnesota.

CITY OF WAITE PARK

By 
Richard E. Miller, Mayor

ATTEST:


By 
Shaunna Johnson, City Administrator

ACTION ON THIS RESOLUTION:

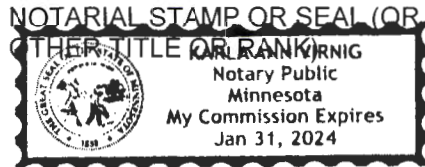
Motion for adoption: Member Schneider
Seconded by: Member Schulz
Voted in favor of: Mayor Miller, Members Schneider, Schulz, Theisen
Voted against: None
Abstained: None
Absent: Member Linquist
Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Waite Park, Minnesota, at a duly authorized meeting held on June 1, 2015.

Shaunna Johnson
Shaunna Johnson, City Administrator

STATE OF MINNESOTA)
) ss.
COUNTY OF STEARNS)

The foregoing instrument was acknowledged before me this 16th day of April, 2019, by Richard E. Miller, Mayor, and by Shaunna Johnson, City Administrator, of the City of Waite Park, a Minnesota municipal corporation, on behalf of the corporation and pursuant to authority granted by the City Council.



Carl Ann Vignig
Notary Public

THIS INSTRUMENT DRAFTED BY:
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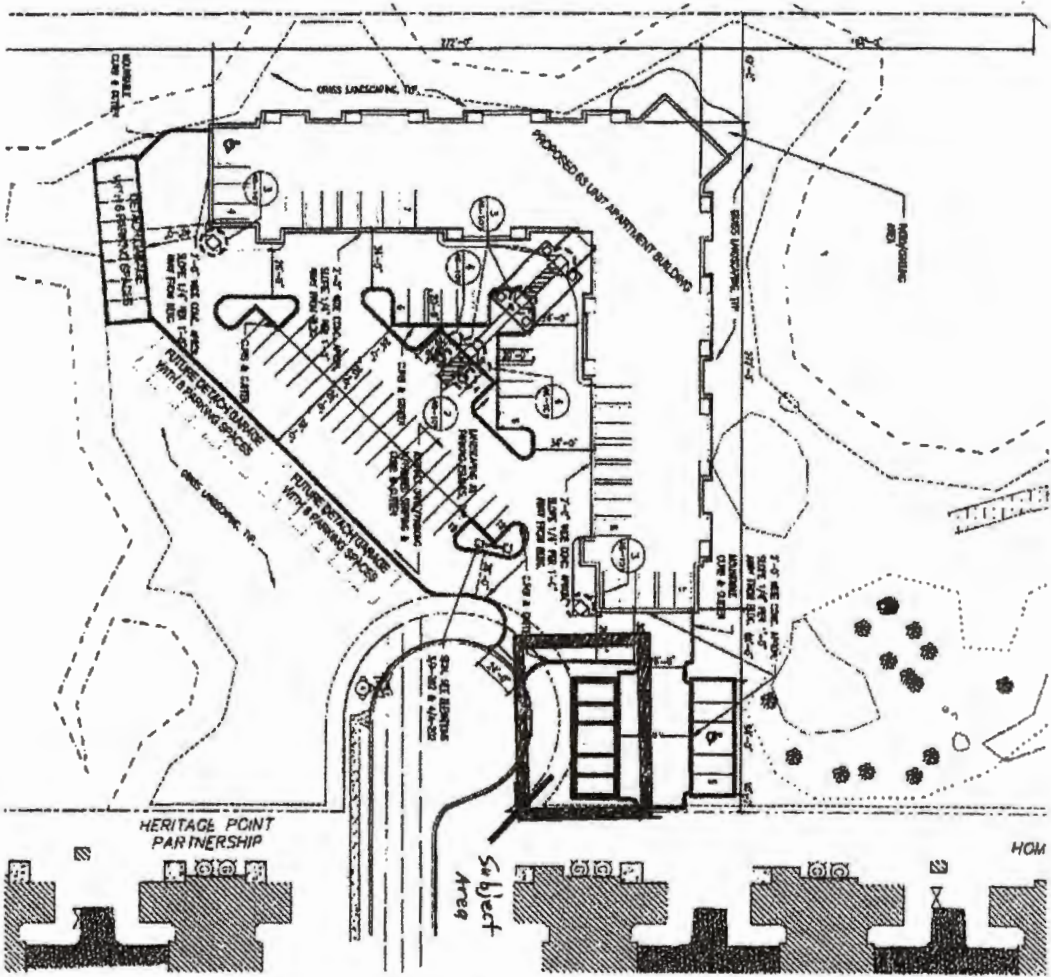


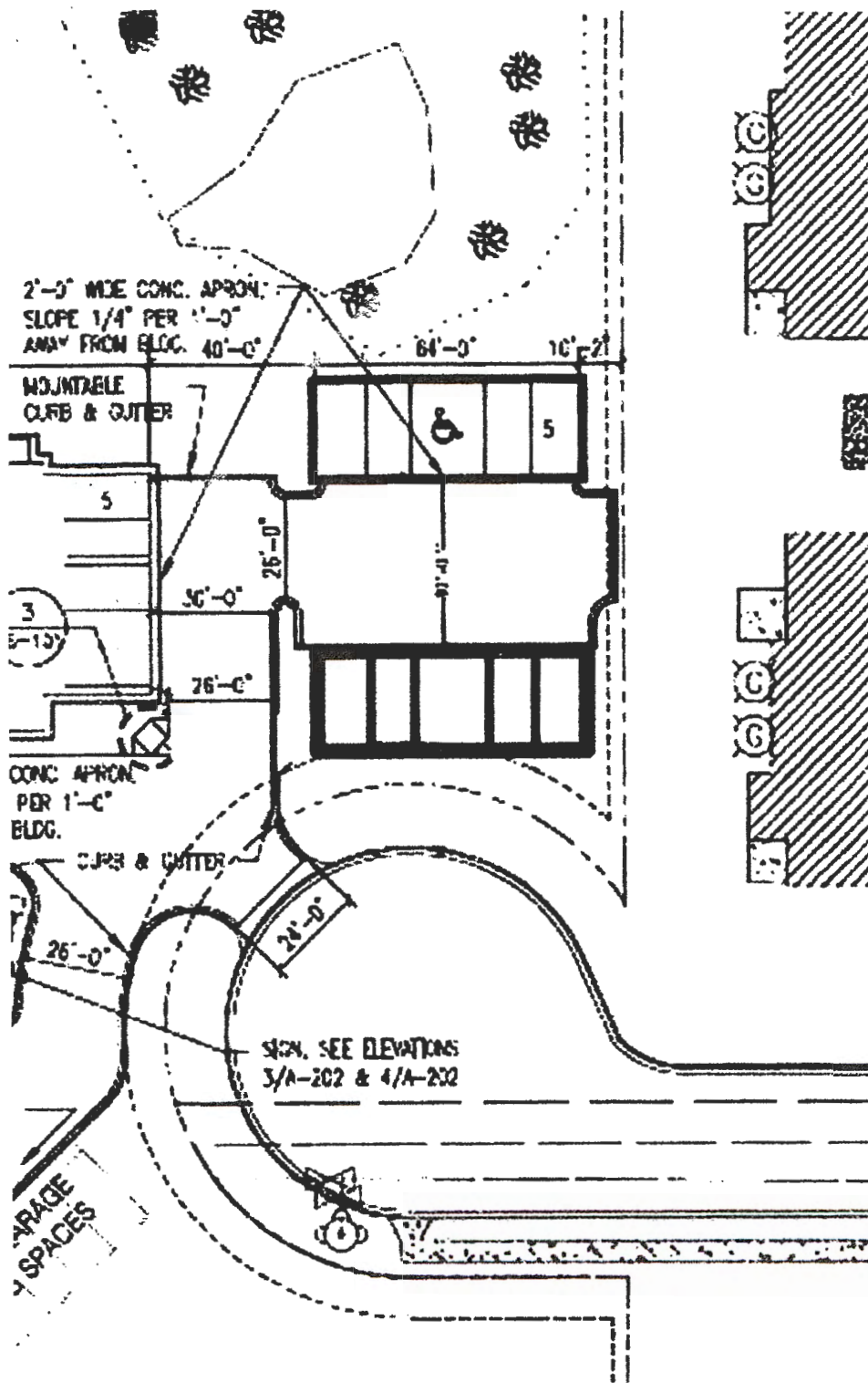
EXHIBIT A

Date: 11/27/2013
 Scale: 1/8" = 1'-0"
 Project: 107 UNIT APARTMENT BUILDING
 Drawing: SITE PLAN
 Designer: [Signature]
 Checker: [Signature]

For more information
ALLIANCE
BUILDING CORP.
 ALLIANCE BUILDING CORP.
 1000 W. 10TH ST. SUITE 100
 DENVER, CO 80202

MAHLER & ASSOCIATES
ARCHITECTURE
 107 N. 21ST AVE. SUITE 107
 DENVER, CO 80202
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EXHIBIT A1



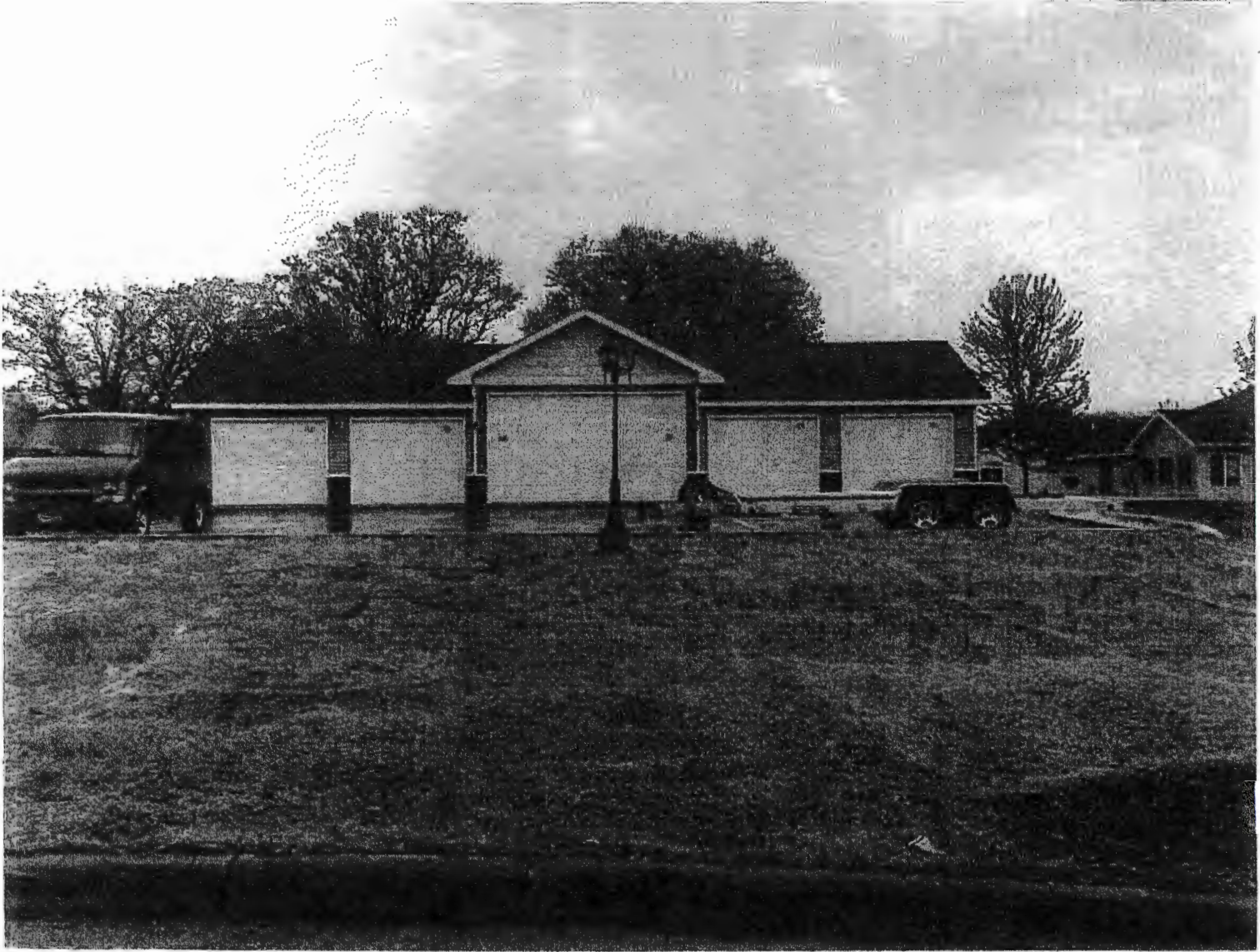


EXHIBIT B

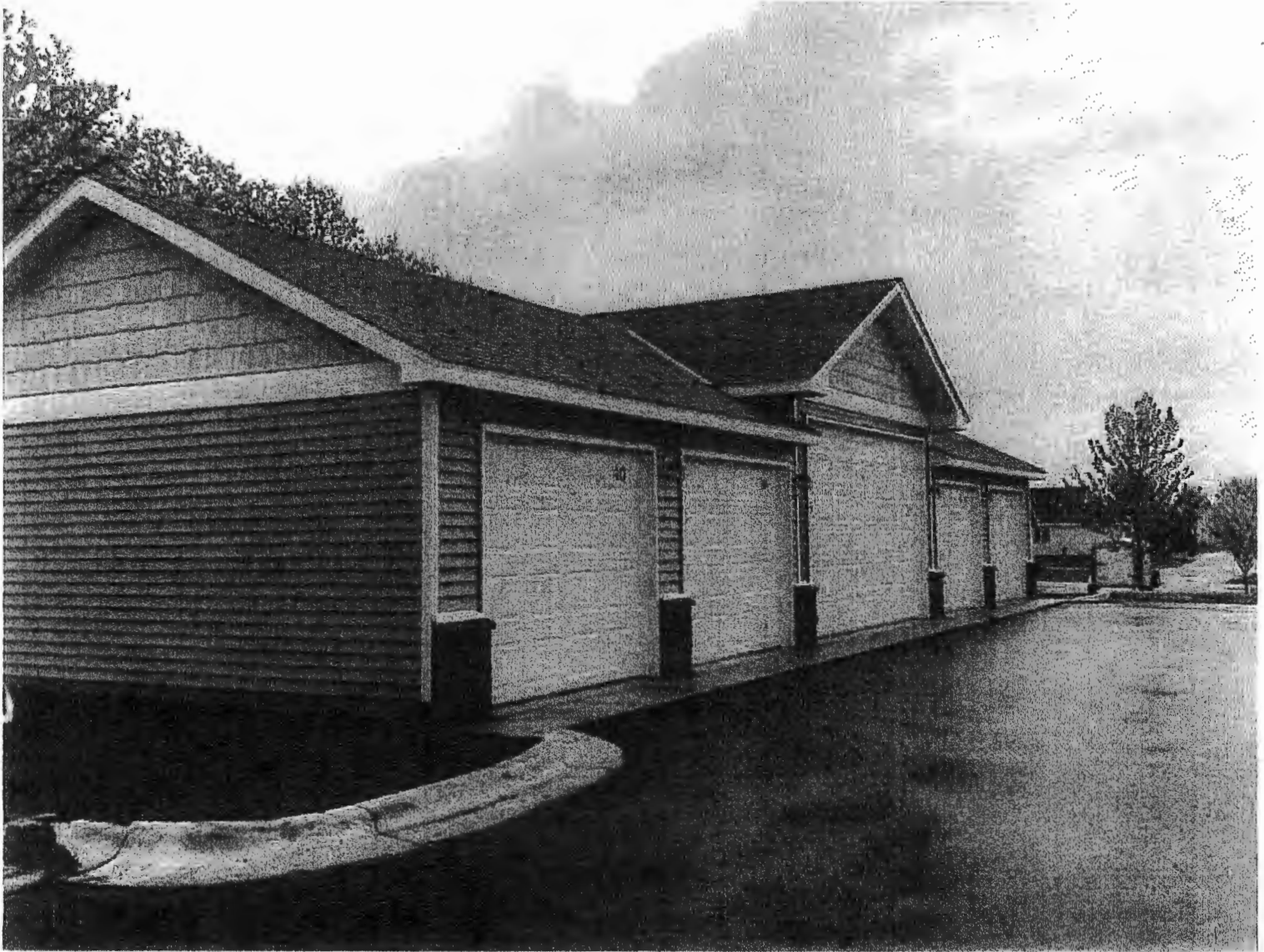


EXHIBIT B1

EXHIBIT C
FINDINGS OF FACT

Adjustments to Approved Final PUDs – Criteria for Approval

- A. The City is authorized to allow adjustments in accordance with subsection B (which immediately follows this section) of this chapter. The zoning administrator shall allow only such adjustments as are consistent with guidelines established in subsection B of this section, and in no case shall an adjustment be allowed if it will increase the total amount of floor space authorized in the approved final PUD, or the number of dwelling units or density, or decrease the amount of parking or loading facilities or permit buildings to locate substantially closer to any boundary line or change substantially any point of ingress or egress to the site.
- B. For the purposes of this section, “adjustments” means any departure from the conditions of final PUD approval which complies with the following criteria:

Criteria #1 The adjustment maintains the design intent and quality of the original approval.

Finding #1 The adjustment maintains the design intent and quality of the original approval.

Criteria #2 The amount of landscaping, buffering and open space shall not be reduced.

Finding #2 The amount of landscaping, buffering and open space has not been reduced.

Criteria #3 The number of dwelling units in residential developments and the square footage of structures shall not increase.

Finding #3 The number of dwelling units and the square footage of structures have not increased.

Criteria #4 The adjustment shall not relocate a building, street or other use more than 20 feet in any direction and shall not reduce any required yard and/or setback.

Finding #4 The adjustment does not relocate a building, street or other use more than 20 feet in any direction and does not reduce any required yard and/or setback.

Criteria #5 The height of buildings and other structures shall not increase.

Finding #5 The height of the buildings and other structures have not increased.

Criteria #6 Views from both structures on-site and off-site shall not be substantially reduced.

Finding #6 The views from both structures on-site and off-site have not been substantially reduced.

- Criteria #7** Traffic volumes shall not increase and circulation patterns shall not change.
- Finding #7* The traffic volumes have not increased and circulation patterns have not changed.
- Criteria #8** Changes in colors, plant material and parking lot configurations are minor.
- Finding #8* There are no changes in colors, plant material and parking lot configurations.
- Criteria #9** The adjustment does not add significant new environmental impacts or significantly increase environmental impacts disclosed in the original documents.
- Finding #9* The adjustment does not add significant new environmental impacts or significantly increase environmental impacts disclosed in the original documents.
- Criteria #10** The zoning administrator determines that the change will not increase any adverse impacts or undesirable effects of the project, or that the change in no way significantly alters the project.
- Finding #10* The zoning administrator has determined that the change will not increase any adverse impacts or undesirable effects of the project and the change does not significantly alter the project.