

**AN ORDINANCE AMENDING CHAPTER 20 OF THE  
CHANHASSEN CITY CODE, THE CITY'S ZONING ORDINANCE,  
BY REZONING CERTAIN PROPERTY**

THE CITY COUNCIL OF THE CITY OF CHANHASSEN ORDAINS:

Section 1. Chapter 20 of the Chanhassen City Code, the City's zoning ordinance, is hereby amended by rezoning all property within Arboretum Village and Arboretum Village 2<sup>nd</sup> Addition to Planned Unit Development – Residential and within Lots 1 and 2, Block 1, Arboretum Shopping Center to Planned Unit Development.

Section 2. The rezoning of this property incorporates the following development design standards:

**Arboretum Village Zoning Standards**

**a. Intent**

The purpose of this zone is to create a PUD neighborhood commercial/mixed density-housing zone. The use of the PUD zone is to allow for more flexible design standards while creating a higher quality and more sensitive proposal. All utilities are required to be placed underground. Each structure proposed for development shall proceed through site plan review based on the development standards outlined below. A specific lighting and sign plan shall be submitted prior to final plat. The Neighborhood Business District regulations shall apply to Lots 1 and 2, Block 1, Arboretum Shopping Center, except as modified by this ordinance. **Except as modified below, the mixed density residential development shall comply with the requirements of the R-8, Mixed Medium Density Residential District.**

**b. Permitted Uses**

The permitted uses within the neighborhood commercial zone should be limited to appropriate commercial and service uses consistent with the neighborhood. The uses shall be limited to those as defined herein. If there is a question as to whether or not a use meets the definition, the Planning Director shall make that interpretation. The type of uses to be provided on this outlot shall be low-intensity neighborhood-oriented retail and service establishments to meet daily needs of residents. Such uses may include the following:

- Small to medium-sized restaurant without drive-thru windows unless they meet the following standards:

Drive-thru facilities on Lot 2, Block 1, Arboretum Shopping Center for any use shall comply with the following standards:

- (a) They shall not be located adjacent to any residential lot lines.
- (b) They shall be provided with a suitable visual screen from adjacent properties.
- (c) Stacking shall be provided within applicable parking lot setbacks.
- (d) Stacking shall meet the following standards:
  - (1) Fast Food Restaurant: six cars per aisle.

- (2) Banks: three cars per aisle.
- (3) Pharmacy: two cars per aisle.
- (4) All other uses: two cars per aisle.
- (e) The City may require a vehicle stacking study to determine whether more or less stacking shall be required for a particular use.
- (f) Stacking areas shall not interfere with vehicular circulation in the parking lot nor encroach into any required drive aisles.
- (g) Speaker or intercom system shall not be audible at the property line.
- (h) A Restaurant with a drive-thru may not exceed 1,550 square feet in area.

- Office
- Day care
- Neighborhood scale commercial
- Convenience store
- Churches
- Other similar type and scale uses as described in the Comprehensive Plan.

No single use shall exceed 5,000 square feet.

**c. Setbacks**

The PUD ordinance requires setbacks from roadways and exterior property lines. The following table displays those setbacks.

<b>Setback</b>	<b>Required</b>
From Collector Street	50 feet (70 feet from Hwy 5)
From Exterior Lot Lines	30 feet
Interior Public Right-of-Way	30 feet **
<b>Interior Lot Lines</b>	<b>0 feet</b>
Hard Surface Commercial	70%
Hard Surface Coverage (Total site)	30 %
Parking Setback if screening is provided	10 feet

\*\* Council approval of 10 ft. minimum for residential only in those area adjacent to public streets except Highways 41, 5 and West 78<sup>th</sup> Street.

**d. Lot Requirements (Residential)**

- 1. Minimum Lot Area (per unit): 835 square feet**
- 2. Minimum Lot Width: 26 feet**
- 3. Minimum Lot Depth: 45 feet**

**e. Building Materials and Design**

**COMMERCIAL**

1. All materials shall be of high quality and durable. Brick shall be used as the principal material and must be approved to assure uniformity with the residential uses.
2. Metal standing seam siding will not be approved except as support material to one of the above materials.
3. All accessory structures shall be designed to be compatible with the primary structure.
4. All roof-mounted equipment shall be screened by pitched roofs. Wood screen fences are prohibited. Screening shall consist of compatible materials.
5. All buildings on the commercial site shall have a pitched roof line.
6. All mechanical equipment shall be screened with material compatible to the building.

**RESIDENTIAL STANDARDS**

The plans propose five products. Each product must conform to the following standards:

1. **Club Homes** (Rambler attached two-unit town homes)
  - One-level town homes (with or without basement).
  - Building exterior material shall be a combination of 4" vinyl siding or shake and brick.
  - Colors used shall be earth tones such as soft gray, creamy white, pearl gray, shell white, etc.).
  - Each town house shall consist of two units. One unit will have a side-loaded garage and the other will have a front-loaded garage.
  - Each unit shall utilize accent architectural features such as arched louvers, dormers, etc.
  - All units shall utilize fiberglass shingles.
  - Each unit shall have a minimum of 1 overstory tree within its front landscape yard.
  - All units shall have access onto an interior street.
  - All mechanical equipment shall be screened with material compatible to the building or landscaping.
2. **Manor Homes** (three to four-unit town homes)
  - Split-level town homes with basement.
  - Building exterior material shall be a combination of 4" vinyl siding, vinyl shakes, brick and stone.
  - Colors used shall be earth tones such as soft gray, creamy white, pearl gray, shell white, etc.
  - Each town house shall consist of three or four units. No more than two garage doors may be adjacent to each other.

- Each unit shall utilize accent architectural features such as round louvers, dormers, etc.
- All units shall utilize fiberglass shingles.
- Each unit shall have a minimum of 1 overstory tree within its front landscape yard.
- All units shall have access onto an interior street.
- All mechanical equipment shall be screened with material compatible to the building or landscaping.

### **3. Coach Homes**

- Two-story town homes (four to six-unit town homes).
- Building exterior material shall be a combination of 4" vinyl siding or shake and brick.
- Colors used shall be earth tones such as soft gray, creamy white, pearl gray, shell white, etc.
- Each town house shall consist of four or six units. Garage doors must be separated from each other by entryways.
- Each unit shall utilize accent architectural features such as dormers, etc.
- All units shall utilize fiberglass shingles.
- Each unit shall have a minimum of 1 over story tree within its front landscape yard.
- All units shall have access onto an interior street.
- All mechanical equipment shall be screened with material compatible to the building or landscaping.

### **4. Village Homes**

- Two-story town homes with tuck-under garage (four to eight-unit town homes).
- Building exterior material shall be a combination of 4" vinyl siding or shake and brick.
- Colors used shall be earth tones such as soft gray, creamy white, pearl gray, shell white, etc.
- Each town house shall consist of four to eight units. Garage doors must be staggered.
- Each unit shall utilize accent architectural features such as dormers, bay windows, arched windows, shutters, etc.
- All units shall utilize Class A fiberglass/asphalt shingles (230 lb. per sq. inch).
- Each unit shall have a minimum of 1 overstory tree within its front landscape yard.
- All units shall have access onto an interior street.
- All mechanical equipment shall be screened with material compatible to the building or landscaping.
- Changes to building detail plans dated January 16, 2001 shall be required.
- A design palette shall be approved for the entire project. The palette shall include colors for siding, shakes, shutters, shingles, brick and stone.

The following design standards shall be incorporated in the development:

- a. Vinyl shakes are an acceptable material on all home styles.
- b. Prohibit shiplap siding.

- c. Specify that all buildings use UL Class A asphalt/fiberglass shingle, 230 pounds or better.
- d. All foundation walls shall be screened by landscaping or retaining walls.
- e. Central air conditioning shall be included in the base price of all homes per the EAW noise abatement recommendation.
- f. The percent of brick and other materials for each building style shall be built as per Attachment A.
- g. Commercial design standards shall prohibit standing seam siding as a curtain wall.
- h. The applicant shall provide benches in the tot lot areas.
- i. No adjacent unit shall have the same front elevation colors or architectural styles with any four types of homes. Materials to be consistent with the Arboretum Village elevation materials dated 2-7-01.

**f. Signage Criteria**

**COMMERCIAL**

**Monument Sign**

- 1. Lot 1 shall not contain any monument signs. In return, the applicant shall be permitted to place a 10-foot high sign with a maximum area of 48 square feet along Highway 5 on Lot 2.
  - a. An electronic message center sign may be permitted as part of the 48 square-foot sign display area in lieu of alternative temporary signage and shall comply with the following standards:
    - i. No electronic message center sign may be erected that, by reason of position, shape, movement or color interferes with the proper functioning of a traffic sign, signal or which otherwise constitutes a traffic hazard.
    - ii. Electronic message center displays shall not exceed 5,000 Nits between the hours of civil sunrise and civil sunset and shall not exceed 500 Nits between the hours of civil sunset and civil sunrise.
    - iii. Electronic message center signs shall not cause direct glare nor become a distraction due to excessive brightness.
    - iv. The lamp wattage and luminance level in candelas per square meter (Nits) shall be provided at the time of permit applications.
    - v. There shall be no electronic message center signs in the front setback area within 50 feet of a street intersection (as measured from intersecting right-of-

way lines) or within 125 feet of a residential district, except where lighting for such sign is indirect or diffused and in no way constitutes a traffic hazard.

- vi. Electronic and non-electronic message center sign display area used on a sign shall not exceed a total of 40 square feet or 25 percent of the allowable sign area, whichever is less. The message displayed on electronic message center signs shall be depicted in one statement and not a continuing sentence or flow of information. Flashing, special effects or animated scenes on electronic reader boards shall be prohibited.
  - vii. Electronic message center sign LED display use for signs within 500 feet of single-family residential homes shall be limited to the hours between 6:00 a.m. and 10:00 p.m.
  - viii. Temporary signage other than that depicted on the LED display is prohibited for tenants on Lot 1.
2. Lot 2 will contain one monument sign at the intersection of Highway 5 and Century Boulevard. The height of the sign shall not exceed 5 feet with an area of 24 square feet.
  3. All signs shall be built of materials similar to those used on the exterior of the buildings and complement their architectural design. The signs must maintain a minimum 10-foot setback from the property lines.

### **Wall-Mounted Signs**

1. Building “A” shall be permitted signage along the south and west elevations only.
2. Building “B” shall be permitted signage along the west and south elevations only.
3. The gas pump canopy shall not be permitted to have any signage.
4. The carwash shall be permitted to have one sign along the south or east elevation.
5. All signs require a separate permit.
6. The signage will have consistency throughout the development and add an architectural accent to the buildings. Consistency in signage shall relate to color, size, materials and heights.
7. Back-lit individual letter signs are permitted. Individual letters may not exceed 30 inches in height.
8. Only the name and logo of the business occupying the building will be permitted on the sign.
9. The applicant must obtain a sign permit prior to erecting the signs on the site. A detailed sign plan incorporating the method of lighting, acceptable to staff should be provided prior to requesting a sign permit.

Section 3. The zoning map of the City of Chanhassen shall not be republished to show the aforesaid zoning, but the Clerk shall appropriately mark the zoning map on file in the Clerk's Office for the purpose of indicating the rezoning hereinabove provided for in this ordinance, and all of the notations, references, and other information shown thereon are hereby incorporated by reference and made a part of this ordinance.

Section 4. This ordinance shall be effective immediately upon its passage and publication.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by the City Council of the City of Chanhassen, Minnesota

\_\_\_\_\_  
Todd Gerhardt, City Manager

\_\_\_\_\_  
Thomas A. Furlong, Mayor

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