

PRELIMINARY PLAT FOR DIVISIONS OF MORE THAN THREE LOTS APPLICATION PROCEDURE ¹ FOR THE CITY OF INDEPENDENCE

The Independence City Code was established to protect both current and future residents from the negative impacts of improper development and to ensure a positive future for the city. "Preliminary plat" means the preliminary map, drawing or chart indicating the proposed plan of a subdivision, to be submitted to the planning and park commissions and the city council for their consideration. The purpose of the preliminary plat is to complete a thorough review of the proposed project, and to prepare a draft of the documentation that could eventually be used for a final plat application. It is at this stage that your proposal will receive the greatest scrutiny, as the review bodies will work to ensure the proposal meets all city standards. All outstanding issues will need to be handled at this stage before proceeding to final plat. (*Ref: Independence City Code Subsection 500.33, .35, .37*)

The applicant for a preliminary plat must complete and submit to the city administrator-clerk an application for a preliminary plat and required documentation, together with a fee established by city council ordinance. In addition to said fee, the applicant shall sign an agreement, on forms provided by the city, to pay the cost of all engineering, planning, legal and inspection expenses incurred by the city in processing the application.

STEPS TO FOLLOW

In order to have your application be complete and reviewed in the timeliest fashion, there are a number of steps that must be followed:

1. Contact city staff to discuss your preliminary plat and obtain a land use application from City Hall.
2. Put together an informational packet (described herein) that outlines your request and outlines all reasons as to why the preliminary plat should be granted.
3. Submit your application and the completed packet to the staff by the applicable due date for review. Staff will examine your submittal to determine if the application is complete, and contact you if additional information is required or was omitted. When all the information requirements are complied with, the request shall be considered as being officially submitted. It is to your advantage to submit your materials as early as possible so staff can assist you in meeting all requirements. Applications found to be incomplete as of the due date shall not be

¹ The information provided in this document is intended to be a correct statement of the law as set forth in the Independence City Code and the laws of the State of Minnesota. However, the applicant should refer to the actual sources and consult with their own legal advisor regarding applicability to their application. In providing this information, the City makes no representations nor provides any legal advice or opinion.

- reviewed until the following month.²
4. Staff will address completed applications by requesting comments from partnering agencies, scheduling meetings, writing reports, notifying and holding a public hearing.
 5. The Park Commission will review the request at their monthly meeting (1st Thursday of every month³); the Planning Commission will also review (meets the 2nd Monday of every month⁴); and both will forward a find of fact and recommendations to the City Council (meets the 4th Tuesday of the month⁵). Applicants are advised to attend both Commission meetings and the Council meeting and be open to questions that might be posed regarding the request.
 6. The City Council will consider the request and either grant or deny the preliminary plat and lot divisions.

Above all else, it is imperative that you begin your preparations as early as possible to insure your application is complete by the applicable due date. Because of state mandated notification requirements, there may be NO exceptions to this deadline.

Please note that it is the responsibility of the applicant to provide all required information and to illustrate all reasons why the request should be granted. City staff is not authorized, nor permitted, to prepare applications since the “burden of proof” rests with the applicant to justify the specific request.

CHECKLIST

The following items must be completed for the preliminary plat application:

Item:

1. **Schedule a pre-application meeting** with the Planning Department to discuss the purpose of the request and what will be needed in order to complete the application
2. **A land use application form** signed by **all** property owners and applicant along with payment of the proper filing fee.

² Minnesota State Statute 15.99 requires local governments to review an application within 15 days of its submission to determine if an application is complete and/or if additional information is needed to adequately review the subject request.

³ Please note that meeting dates are subject to change due to holidays, lack of quorum, etc. Please contact City Hall to confirm all dates and times.

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3. **Written statements** providing information regarding your proposal listed below:
- a. A listing of contact information including name(s), address(es) and phone number(s) of: the owner of record, authorized agent or representatives, engineer, surveyor, designer of the plans and any other relevant associates;
 - b. A listing of the following site data: Address, current zoning, parcel size in acres and square feet, property identification number(s) (PID), current legal description (s) and existing use of land;
 - c. A narrative explaining the intent of the project and/or your original or revised vision for the finished product;
 - A statement showing the proposed density of the project with the method or calculating said density shown;
 - Discuss proposed infrastructure extensions (i.e. proposed roadways, sewer systems, water systems, sidewalk/trails, parking, etc);
 - conflicts with nearby land uses (livability, value, potential future development, etc.) and/or disturbances to wetlands or natural areas are being avoided or mitigated;
 - Provide justification that the proposal will not place an excessive burden on roads (traffic), sewage, water supply, parks, schools, fire, police, or other public facilities/services (including traffic flows) in the area.

4. **Survey: Six (6)⁶ copies of a certified survey** depicting the lots or tracts involved with the subdivision. Each document shall be at a consistent, readable, and measurable engineering scale, be composed of sheet(s) not smaller⁷ than 11” x 17”, and be pre-folded for distribution. Staff will assist you in determining what is required. The survey will not be considered complete unless all required elements are included.

The survey must include:

- Exact location of the existing and proposed lot lines. Existing lot lines should be easily distinguishable from the proposed lot lines and not be a prominent feature on the parcel.
- Denote the existing and proposed gross area of each parcel involved with the subdivision (in the units of acres and square feet)
- Zoning district(s) of the land being subdivided (if more than one zoning district, zoning boundary lines must be shown)

⁶ Six copies are needed due to the number of people who receive Park, Planning and Council Packets. Depending upon how the project progresses (i.e. if the item is tabled), additional copies may be required.

⁷ We ask that three (3) copies of the plan be in the large format (30x40), with the remainder (3) reduced to 11x17.

- If any zoning changes are contemplated, the proposed zoning plan for the area, including dimensions.
- Layout, numbers and preliminary dimensions of lots and blocks. The perimeter boundary line of the subdivision should be distinguishable from the other property lines. Denote outlots planned for public dedication and/or open space (school, parks, etc.)
- Section and corporate lines within the tract and for a distance of 100 feet beyond the tract.
- Existing contours at **intervals of two feet**. Contours must extend a minimum of 100 feet beyond the boundary of the parcel(s) in question.
- Location and approximate size of existing buildings or significant above ground structures on or immediately adjacent to the subdivision showing setbacks to the existing and proposed lot lines.
- Lines establishing the buildable area (per zoning section definition) of each lot in units of acres.
- Delineation of wetlands and/or watercourses within the subdivision parcel or a letter from a qualified wetland professional stating that no wetlands are present on site (this may be waived)
- Lines establishing the buildable area if there are wetland setbacks.
- Delineation of bluff lines (if any)
- Location, widths, and names of all existing or previously platted streets and rights of way, railroad and utility rights-of-way, parks, trails, and other public open spaces, and easements, if any. Any street heretofore used in the city or its environs shall not be used unless the proposed street is an extension of an already named street, in which event the use of such name is mandatory.
- Location and width of existing and proposed easements within or adjacent to the subdivision parcel(s) and proposed streets within and immediately adjacent to the subdivision parcel
- Location of any unique natural and/or historic features (if any)
- Proposed protective covenants
- Source of water supply
- Provisions for sewage disposal (primary and secondary drain field), drainage and flood control. Soil borings and percolation tests, if required by staff.

- An S.C.S. soil survey map including the particulate makeup, permeability slope, and other morphological soil characteristics, together with classification and boundaries of all soils within the proposed subdivision.
- 5. Grading, Utility, and Infrastructure Plan⁸:**
 - Proposed lot lines, rights-of-ways, wetlands, and watercourses per the preliminary plat
 - Drainage & Utility easements per the preliminary plat
 - Existing and/or proposed contours, vertical intervals of not more than **two feet**; including approximate center line gradients of proposed streets and any proposed disturbance of existing grades around woodlands, wetlands and other water courses, and a plan for the disposal of surface and ground water, including storm sewers or ponds if required.
 - Indicate drainage patterns and locations of drainage facilities (show approximate area and volume)
 - Location of above ground obstructions to water flow
 - Provide drainage calculations
 - Indicate the base flood elevation level and delineate the floodways and/or flood fringe areas
 - Show any proposed modifications to wetlands and mitigation areas
 - Sedimentation, erosion control plan, storm water pollution prevention plan
 - Location and dimension of all existing utilities within and immediately adjacent to the subdivision including sewer, water, gas, electric, phone, cable TV, utility poles, or other above or underground facilities.
 - Proposed utilities plan including sewer, water, gas, electric, phone, cable TV, utility poles, or other above or underground facilities.
 - Denote the existing service tie locations and the proposed connection sizes.
 - Location and proposed number of on-street parking spaces
 - Location and number of off-street parking spaces (guest, handicapped, bicycle, motorcycle, etc.) including typical dimensions of each.

⁸ Six copies are needed due to the number of people who receive Park, Planning and Council Packets. Depending upon how the project progresses (i.e. if the item is tabled), additional copies may be required.

- Location of existing and proposed sidewalks and trails

- Location and dimensions of existing and proposed storm water sewer systems, watermains, culverts or other underground facilities within the tract and for a distance of one hundred feet beyond the tract. Such data as grades, invert elevations and locations of catch basins, manholes and hydrant shall also be shown.

- Storm water calculations.

- *If adjacent to a county road, refer to Hennepin County Transportation Department for plat review and recommendations at 763-745-7500.*

- 6. Planting, & Signage Plan:**
 - Existing native vegetation [including existing trees and shrubs having a diameter greater than four (6") inches] and other natural features.

 - Location of required plantings (boulevard trees, screening vegetation, etc.), type of plantings, and another other information indicating intent of landscaping.

 - Indicated how existing vegetation will be preserved and protected during the development process.

 - Proposed location for signs, both wall and free-standing, and an elevation of all free-standing signs showing the materials, color and size to scale.

 - Table indicting the name of required signs and the number of each sign needed for the development. Signs are required to have double frontage (excluding traffic control signs designed to be seen from only one direction).

 - Proposed location for permanent entrance monument and temporary area identification signs.

- 7. Optional Information:** In addition to the preliminary plat, you may be required to submit additional information depending upon the specifics of your application.⁹ Please consult with staff to determine which information listed on the following pages will also need to be submitted. Some of the additional items to be considered are as follows:
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 - A context diagram that graphically depicts how the development plan relates to its surrounding neighborhood or community context including the pedestrian, bike, and street (vehicular access) network (existing and potential);

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 - A transportation impact analysis prepared in accordance with City Engineering guidelines.

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 - A soil report by the Hennepin Soil and Water Conservation District

⁹ Number of copies, size, and other such administrative details may also be imposed when requiring additional information.

- ▪ Signed letters of intent indicating that all required off-site easements and off-site rights-of-way necessary for the project could be negotiated and obtained
 - ▪ A hydrological/groundwater report
 - ▪ Any other special natural area or environmental study or report pursuant to Independence Code as requested by the City, if such exists or is deemed necessary.
- 8. **Variances:**** If you are requesting variances in any portion of the submitted preliminary plat, the City asks that you list each of the requested variance and provide an explanation as to why each is necessary and cannot be avoided. Additionally, you must provide written answers to the following questions:
- (1) The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property; and
 - (2) The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property; and
 - (3) Because of the particular physical surroundings, shape or topographical conditions of the specific land involved, a particular hardship to the land would result, as distinguished from an inconvenience or hardship to the subdivider, and it is found that the strict enforcement of this chapter would result in an environmentally unsound development of the land; and
 - (4) The variances will not in any manner vary the provisions of the comprehensive municipal plan; and
 - (5) The variances will not in any manner vary the minimum requirements for a lot as set forth in the Zoning Chapter as applied to the entire subdivision.

Process following application submittal *(Ref: Independence City Code Section 500):*

After you submit your application, the city administrator-clerk refers the application to the zoning administrator. The application will be reviewed before being presented to the planning commission. The request shall be considered as being officially submitted when all the information requirements are completed. If the request is deemed incomplete, the city will contact you with an explanation on how to rectify the problem.

The planning commission will hold a hearing on the proposed preliminary plat. Notice of the hearing will be mailed by first class mail to owners of the property within **500 feet** of

the outer boundaries of the land to which the preliminary plat will be applicable. The notices will be posted ten days before the hearing (failure to give the required notice does not invalidate the proceedings). Notice of the time, place, and subject matter of the proposed preliminary plat must be posted at the city hall.

After review, where the planning commission is encouraged to make written findings and recommendation of the proposed preliminary plat to the city council, the city council will approve or deny the proposed preliminary plat within 120 days of the filing of a completed application.

In granting a preliminary plat the planning commission may recommend and the city council may impose additional conditions and restrictions that are reasonably necessary to insure compliance with all provisions of this zoning code, and with the language and intent of the comprehensive plan, and to protect adjacent properties.

The City may require (or the applicant may choose to submit) evidence that is beyond what is required in any section outlined in this handout. Please be advised that the City reserves the right to impose conditions on an approved preliminary plat if necessary to avoid a detrimental impact on surrounding properties or the City as a whole.

Please contact Rose Lorsung, City Planner at (763)746-1632 if you have any questions.

Thank You!

Application Due Dates¹⁰ (2007 to 2008):

<u>Year</u>	<u>Meeting Month</u>	<u>Application Due Date</u>	<u>Parks¹¹</u>	<u>Planning¹²</u>	<u>Council¹³</u>
2007	January	December 8	January 4	January 8	January 23
	February	January 12	February 1	February 12	February 27
	March	February 9	March 1	March 12	March 27
	April	March 9	April 5	April 9	April 24
	May	April 13	May 3	May 14	May 22
	June	May 11	June 7	June 11	June 26
	July	June 8	July 5	July 9	July 24
	August	July 13	August 2	August 13	August 28
	September	August 10	September 6	September 10	September 25
	October	September 7	October 4	October 8	October 23
	November	October 12	November 1	November 12	November 27
	December	November 9	December 6	December 10	December 11 or 18
2008	January	December 14	January 3	January 14	January 22

¹⁰ This table does not reflect holidays. Generally, meetings which fall on holidays are rescheduled for the following day. Please check with City Hall to confirm actual dates.

¹¹ Park Commission meeting starts at 7:00 p.m.

¹² Planning Commission meeting starts at 7:30 p.m.

¹³ City Council meeting starts at 7:30 p.m.