



CITY COUNCIL MEETING AGENDA
REGULAR MEETING
TUESDAY, NOVEMBER 15, 2016

CITY COUNCIL MEETING TIME: 7:30 PM

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. ****Consent Agenda****

All items listed under Consent Agenda are considered to be routine by Council and will be acted on by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- a. Approval of City Council minutes from the October 25, 2016 City Council Meeting.
 - b. Approval of Accounts Payable; Checks numbered 16614-16647.
 - For Information - Checks numbered 16600-16613 and 16648-16653 are Payroll Checks.
5. Set Agenda – Anyone Not On The Agenda Can Be Placed Under Open/Misc.
 6. Reports of Boards and Committees by Council and Staff.
 7. **PUBLIC HEARING:** George and Linda Becker (Applicants/Owners) request that the City consider the following actions for the property located at 4635 Lake Sarah Road, Independence, MN (PID No. 03-118-24-22-0002):
 - a. **RESOLUTION NO. 16-1115-01** – Considering approval of a variance to allow the subdivision of property in the AG-Agriculture zoning district; and
 - b. A minor subdivision to allow the subdivision of the subject parcel into two (2) lots.

8. **PUBLIC HEARING:** Lisa Dayton (Applicant/Owner) requests that the City consider the following actions for the property located at 8415 Hitsman Lane (PID No. 17-118-24-31-0004) in Independence, MN:
 - a. **RESOLUTION NO. 16-1115-02** – Considering approval A minor subdivision to permit the creation of a rural view lot.

9. **PUBLIC HEARING:** B. Benson Group (Applicant) and Joyce Larson (Owner) request that the City consider the following actions for the property located at 1160 County Road 19 N, Independence, MN (PID No. 25-118-24-42-0001):
 - a. **ORDINANCE 2016-08** – Which will rezone the property from Ag-Agriculture to RR-Rural Residential.

 - b. **RESOLUTION NO. 16-1115-03** – Considering approval of the preliminary and final plat for a four (4) 4 lot subdivision.

10. Open/Misc.

11. Adjourn.

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, OCTOBER 25, 2016, -7:30 P.M.

1. CALL TO ORDER.

Pursuant to due call and notice thereof, a regular meeting of the Independence City Council was called to order by Mayor Johnson at 7:30 p.m.

2. PLEDGE OF ALLEGIANCE.

Mayor Johnson led the group in the Pledge of Allegiance.

3. ROLL CALL

PRESENT: Mayor Johnson, Councilors Betts, Spencer, Grotting and McCoy

ABSENT: None

STAFF: City Planner & City Administrator Mark Kaltsas, City Administrative Assistant Horner, City Attorney Bob Vose

VISITORS: Parker Esterberg, Marit Esterberg, 3 Mound Westtonka High School Students

4. ****Consent Agenda****

All items listed under Consent Agenda are considered to be routine by Council and will be acted on by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- a. Approval of City Council minutes from the October 11, 2016 City Council Meeting.
- b. Approval of City Council minutes from the October 5, 2016 City Council Workshop.
- c. Approval of Accounts Payable; Checks numbered 16568-16576.
 - For Information - Checks numbered 16577-16599 are Payroll Checks.
- d. Approval of Satisfaction of Hennepin County Repayment Agreement for the Hennepin County Rehabilitation Loan
- e. Approval of MnDOT Master Partnership Contract for the Highway 12 Light Maintenance.
 - **RESOLUTION NO. 16-1025-02.**

McCoy requested pulling item # e off consent.

Motion by Grotting, second by McCoy to remove item #e for further discussion, and to approve the Consent Agenda with that change. Ayes: Johnson, Grotting, Spencer, Betts and McCoy. Nays: None. Absent: None. MOTION DECLARED CARRIED.

5. SET AGENDA – ANYONE NOT ON THE AGENDA CAN BE PLACED UNDER OPEN/MISC.

6. REPORTS OF BOARDS & COMMITTEES BY COUNCIL AND STAFF

Spencer attended the following meetings:

- Planning Commission meeting October 18
- Stocked Lake Sarah with 1,000 fish

Grotting attended the following meetings:

- Shared Services Firefighter meeting in Mound

McCoy attended the following meetings:

- Shared Services Firefighter meeting in Mound

Betts attended the following meetings:

- Shared Services Firefighter meeting in Mound

Johnson attended the following meetings:

- Northwest League of Municipalities Meeting
- Loretto Fire Open House
- Finance Committee Meeting for Community Action Partnership
- Orono School Breakfast Meeting
- Shared Services Firefighter meeting in Mound
- Training Session at Met Council

Horner attended the following meetings:

- Planning Commission
- Vinland Center to help with voting preregistration

Kaltsas attended the following meetings:

7. Director Gary Kroells, West Hennepin Public Safety - Activity Report for the Month of August, 2016.

Chief Kroells highlighted several incidents' to which they responded. For the full report of incidents please see the complete packet on the website. In addition to these, he mentioned that at least once per month an Officer helps residents' in need. September 16 a WHPS Officer helped a driver who had a flat tire and was not comfortable changing it herself. Kroells updated the Hwy 12 project, saying the Code Red, web-sites, etc... have worked well in informing people. There are incentives for them to finish early. Regarding the turn lanes installed on Hwy 12 and 92, this is a short term fix, but is better than it was.

Kaltsas spoke about the letter received from MnDOT regarding the reported dip and wave in Hwy 12. MnDOT's response was they know the smoothness is less than desirable but they will not repair this.

McCoy had a question on #23 on MnDOT maintenance agreement, and what is their labor rate-wondered if we needed to go with them. Kaltsas said we can use MnDOT to repair the new Hwy 12 lights, but we don't have to. The City's had locate requests and so now since they're our lights we're obligated to do them. They would provide a work order and we could use them or not. Kaltsas recommends we approve this so they could at least do the locates for us, and then we can decide. He attempted to get a fee schedule which changes yearly, but don't have it yet. Most likely their rates will be less than the competitors. Kaltsas guessed less than a dozen per year for locates needed. McCoy asked who supplies power, Kaltsas said could be Xcel or Wright Hennepin. If it's hit, that's the City's responsibility. We'd probably be able to get insurance to help cover this. McCoy was concerned about power being cut off right away, to avoid injury. Vose said MnDOT may be responsible for pole, but Xcel/Utility Co. has an obligation to respond right away to emergencies such as this. Regarding paragraph 23, if the City is sued, this directs who gets to choose the lawyer or who gets to direct what the lawyer does. In paragraph 12, says the City is only responsible for their acts. So, if MnDOT screws up, we're not liable for this. Kaltsas said MnDOT has provided these locates for us, but now we've

got take this on ourselves.

Motion by McCoy, second by Spencer to approve the MnDOT Master Partnership Contract for the Highway 12 Light Maintenance. Ayes: Johnson, Betts, Spencer, Grotting and McCoy. Nays: None. Absent: None. MOTION DECLARED CARRIED.

8. Fee Schedule Update:

- a. **RESOLUTION NO. 16-1025-01** – Considering an update to the City’s Fee Schedule.

Kaltsas addressed this again after it being tabled at the previous meeting. We’d like to clean up the fee schedule. Staff did an internal audit of this, and found the application fee covered a portion of expenses but not all. There was confusion with many applicants who expected all of their ‘escrow’ money back. Expenses often thought of as included in the application fee are water resource consultants, engineers, legal and planning when actually the total of these fees on an average equal the escrow amount paid. That is why Staff is requesting to flip these fees, and have the application fee more in line with the amount considered escrow now. We’d change ‘escrow’ to ‘deposit’ and make more clear how this deposit will be applied. We’d bill towards the initial application fee and continue billing until the \$1250 is exceeded, then we’d take it out of the deposit.

It was also discussed to broaden the definitions of fees. Definitions include Type I consisting of simple concept, simple zoning text amendment, and simple site plan review. Type II includes complex concept plan, complex site plan and complex zoning text amendment. Johnson likes this simple idea because it will make it more clear to the applicants what’s expected of them. Kaltsas also said we’d collect the money owed to the City because up until now we’ve lost out. We’re also having the City Attorney record our documents which costs us, but will ensure all necessary things will be recorded. These fees will also include recording documents. This applies to smaller developments. McCoy suggested including that the City will record the documents included in the fee schedule. Kaltsas suggested putting that in the application instead, and McCoy agreed. The term escrow will change to deposit.

Motion by Betts, second by Spencer to approve the fee schedule as presented. Ayes: Johnson, Betts, Spencer, Grotting and McCoy. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Kaltsas spoke about the Community Room rental rates. We updated the community room policy recently, thought we needed to increase some rates for non-resident’s-not to make money but to account for clean-up and usage of the building. Staff checked with other Cities. Johnson wanted to make sure we’re not charging local organizations which Kaltsas confirmed. Johnson felt it important that our local residents have this space available for their organization functions. McCoy wondered why not raise the charge for events for 151-200 people. Kaltsas said Staff mostly raised the wedding events. Grotting suggested differentiating it between day vs night events. Kaltsas said we could raise the 151-200 to \$1,000. McCoy confirmed we’ve changed the policy to require police presence of alcohol.

Motion by McCoy, second by Grotting to approve the updated City's Fee Schedule. Ayes: Johnson, Betts, Spencer, Grotting and McCoy. Nays: None. Absent: None. MOTION DECLARED CARRIED.

9. Sewer Rate Study Discussion:

a. Set Public Meeting Dates

Staff went through every file to determine who are users but haven't been paying for their availability. We've talked about having some open houses to discuss the deficit in this fund. There has been an increase in maintenance in sewer lines. We're trying to sustain a positive cash balance in a 10 year time frame. It was found there is a need to raise the rates 8% in 2017, 10% in 2018 & 2019, and 3% each year thereafter. The current rate for those connected is \$168 quarterly and by raising this \$12 per quarter would bring each user up to \$180 for year 1. The City needs to increase the availability charge also-or those who have it available but choose not to hook up because their on-site is working. But the cost to maintain this falls on the few who are connected. This would be an incentive for those to hook up, but to also make it fairer to those currently paying. We thought about increasing this from \$32 to \$90.75 per quarter.

Kaltsas suggested possibly 2 open houses to notify residents of our findings and solicit feedback. We'd provide information on our web-site. This could be the initial thought. We have meetings on November 15 and 29th, so prior to one of those we could have an open house. Johnson mentioned the November meeting dates, and Kaltsas said he found it in meeting minutes. Johnson and McCoy will be gone November 15 but there would still be quorum. Spencer said it was on the consent agenda September 13 to cancel the November 8th meeting and moving it to the 15th. Spencer said with the Planning meeting on the 15th that may be too much. Johnson suggested the 22nd and the 29th for the open houses. Kaltsas said maybe 1 meeting would be enough, so we could schedule it November 29th. Planning Commission will be on the 15th at 6:30, Council at 7:30.

Motion by Spencer, second by Johnson to hold the Sewer Rate Public Informational Meeting November 29th. Ayes: Johnson, Betts, Spencer, Grotting and McCoy. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Johnson summarized there will be no Council meeting on November 8 due to the elections, and will be meeting November 15 instead. November 29 at 7:30 is the meeting date instead of the regularly scheduled November 22 due to Thanksgiving. Johnson asked about the joint meeting with Maple Plain that Kroells brought up to recognized the WHPS Reserve Officers. They would like to have this November 28 at 6:30 or so. Kroells said they just need to figure out the time. That night is significant because one of the Reserve Officers will have her 30th anniversary date on that day. McCoy said there's a training class for firefighters here that night, but he thought he'd be able to step out for a bit.

Motion by Betts, second by McCoy to hold the Joint Presentation Meeting with Maple Plain November 28th. Ayes: Johnson, Betts, Spencer, Grotting and McCoy. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Johnson asked the students who were present if they had any questions, but there were none.

Motion by Betts, second by Grotting to Adjourn at 8:50 p.m. Ayes: Johnson, Betts, Spencer, Grotting and McCoy. Nays: None. Absent: None. MOTION DECLARED CARRIED.

City of Independence

Request for a Variance and Minor Subdivision for the Property Located at 4635 Lake Sarah Road

To: City Council
From: Mark Kaltsas, City Planner
Meeting Date: November 15, 2016
Applicant/Owner: George and Linda Becker
Location: 4635 Lake Sarah Road

Request:

George and Linda Becker (Applicants/Owners) request that the City consider the following actions for the property located at 4635 Lake Sarah Road, Independence, MN (PID No. 03-118-24-22-0002):

- a. A variance to allow the subdivision of property in the AG-Agriculture zoning district.
- b. A minor subdivision to allow the subdivision of the subject parcel into two (2) lots.

Property/Site Information:

The subject property is located north of CSAH 11 and on the west and east sides of Lake Sarah Road. There is an existing home and outbuildings located on the west side of the property. The property has the following site characteristics:

Property Information: 4635 Lake Sarah Drive

Zoning: *Agriculture*

Comprehensive Plan: *Agriculture*

Acreage: (BEFORE) *34.48 acres*

Acreage: (AFTER) 18.12 acres – West Parcel (TRACT B)

16.36 acres – East Parcel (TRACT C)



Discussion:

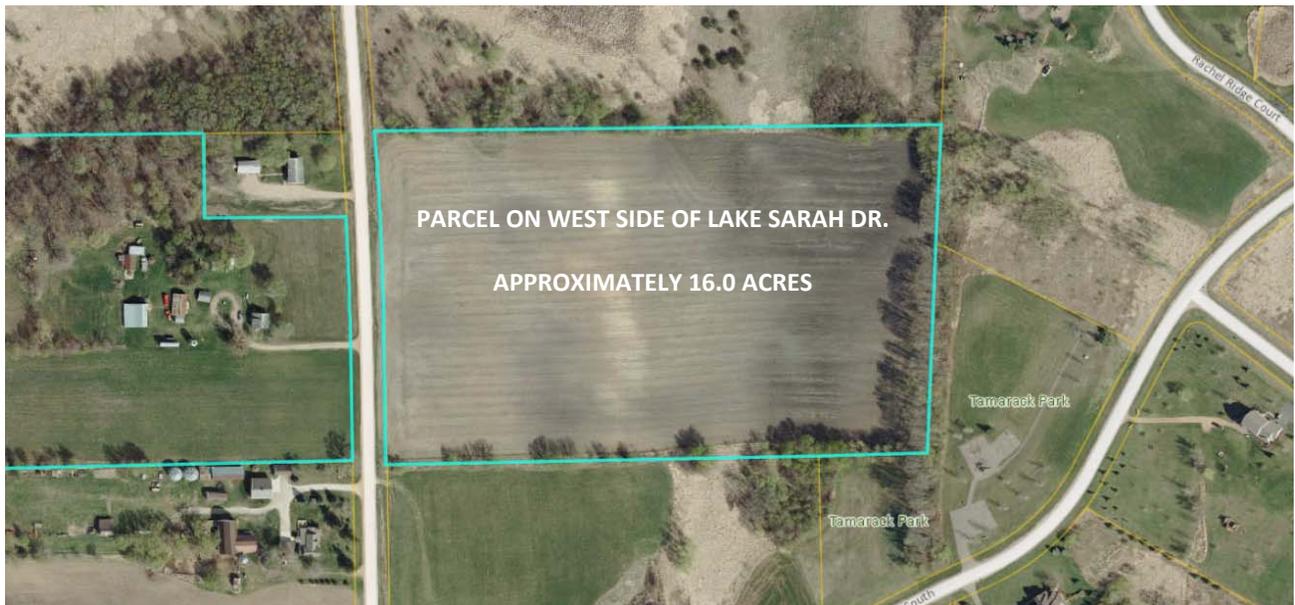
The applicant brought this concept to the City in August seeking preliminary feedback relating to whether or not a variance to allow the subdivision of the property based on the physical boundary of Lake Sarah Road would be considered. Planning Commissioners provided feedback to the applicant that the requested variance and subdivision appeared to meet the requirements for granting a variance and allowing a subdivision.

The original farmstead is somewhat unique in that the property is bisected by Lake Sarah Road. A portion (approximately 16 acres) of the property is located on the east side of Lake Sarah Road (see diagram below) with the remainder of the property (approximately 16 acres) located on the west side of Lake Sarah Road. The City does not allow the subdivision of property zoned Agriculture with the exception of lot line rearrangements and rural view lot splits. The City would have to consider granting a variance from the zoning ordinance to allow the subdivision of this property. The overall property does not meet the minimum 40 acre requirement to realize a

rural view lot subdivision. The parcel is located just outside (west) of the area guided for rural residential development.

Staff reviewed other parcels in the City to try to determine if there were any that would have a similar situation. The only other parcel discovered with a similar condition (where the property is bisected by a right of way) is the parcel directly north of the subject parcel. This parcel is owned by Three Rivers Park District.

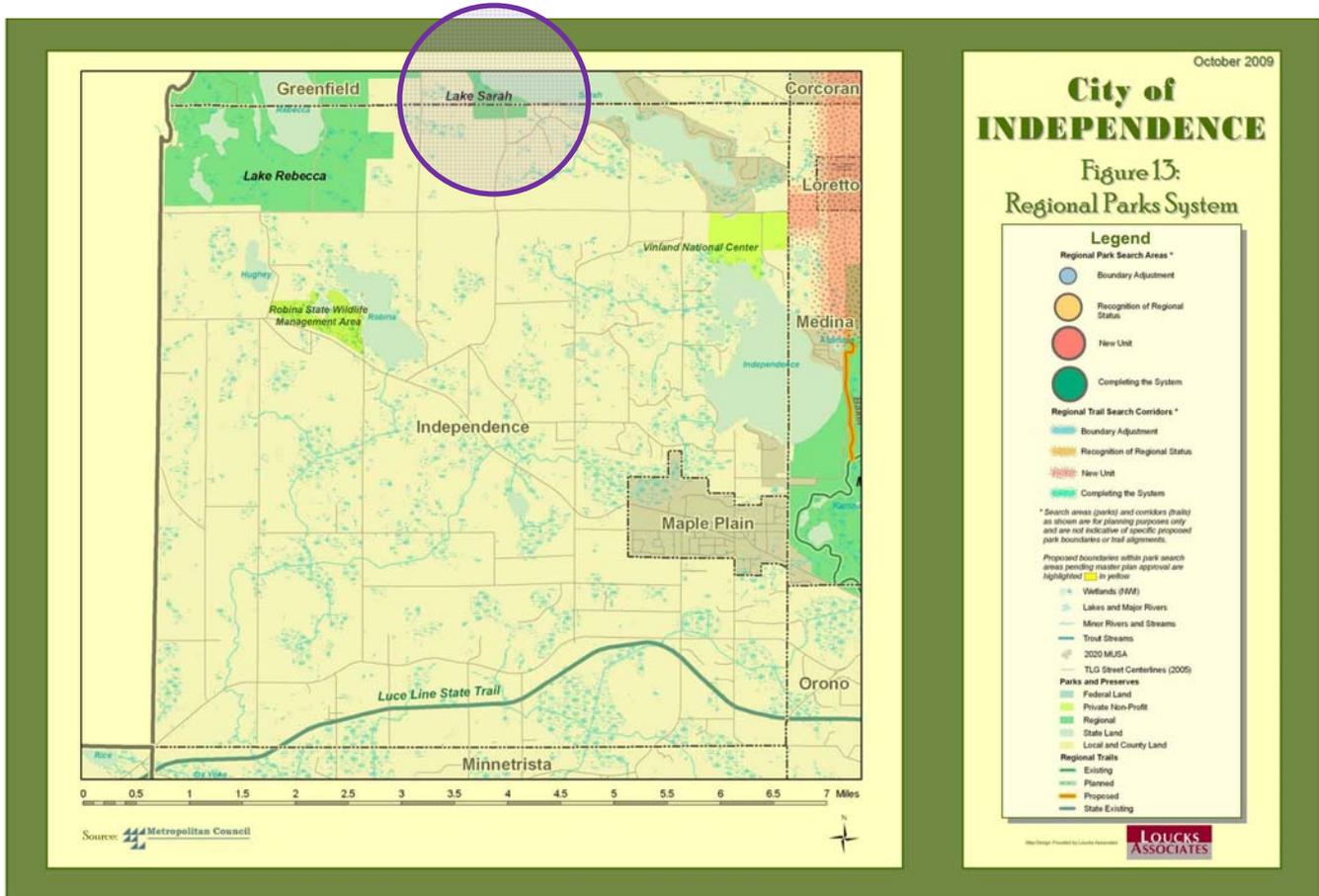
Should the parcel be subdivided, the newly created and existing remaining parcel would not be completely out of character with the surrounding parcels. The parcel to the east side of Lake Sarah Road backs up to the City's park on the east side and to the Three Rivers Park District parcel on the north side. The parcel to the south is approximately 10 acres in size and has an existing home. On the west side of Lake Sarah Road the properties range in size from more than 40 acres to less than 5 acres.



Public Comments:

At the time this report was prepared, the City had received preliminary comments from Three Rivers Park District regarding the proposed subdivision. The Park District was supportive of the subdivision and is interested in possibly seeking a similar action for their property to the north. The Park District also noted that they have a regional trail “search” corridor along County Road 11 and Lake Sarah Road which would extend north towards Lake Sarah and then into Lake Rebecca Park. The City of Independence did not include the search corridor in the Comprehensive Plan because the City did not have the ability to fully study and vet the possible corridor (see map below and larger map attached). The Park District asked if the City would

retain a future trail easement as a part of the required subdivision. Historically, the City has retained additional County/City right of way where known improvements were proposed. In this case, it should be noted that the City did not support the trail search corridor in the 2030 Comprehensive Plan. There has also not been an approved alignment for a trail along Lake Sarah Road. Staff is asking direction from the Planning Commission regarding this issue.



Summary:

The City has standards for granting a variance which need to be considered prior to making a recommendation relating to the application. The standards established by the City require the applicant to demonstrate that the requested variance does not create a situation that is not in keeping with the character of the surrounding area. In addition, the applicant must demonstrate that the requested variance is unique to the subject property. The standards for granting a variance are as follows:

520.21. Standards for granting variances. Subdivision 1. The City Council may grant a variance from the terms of this zoning code, including restrictions placed on nonconformities, in cases where: 1) the variance is in harmony with the general purposes and intent of this zoning code; 2) the variance is consistent with the comprehensive plan; and 3) the applicant establishes that

there are practical difficulties in complying with the zoning code (Amended, Ord. 2011-08)

in Subd. 2. An applicant for a variance must demonstrate that there are practical difficulties complying with the zoning code. For such purposes, “practical difficulties” means:

- (a) The property owner proposes to use the property in a reasonable manner not permitted by the zoning code;*
- (b) the plight of the property owner is due to circumstances unique to the property not created by the landowner;*
- (c) the variance, if granted, will not alter the essential character of the locality.*

Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. (Amended, Ord. 2011-08)

Subd. 3. The City Council shall not grant a variance to permit a use that is not allowed under the zoning code based on the zoning classification of the affected property. (Amended, Ord. 2011-08)

520.23. Conditions and restrictions. The board of adjustments may recommend and the City Council may impose conditions on a variance. Conditions must be directly related to and must bear a rough proportionality to the impact created by the variance. (Amended, Ord. 2011-08)

Consideration of the standards for granting a variance:

- a. The applicants are proposing to use the property in a manner consistent with the AG-Agriculture Zoning District.
- b. The properties created by the subdivision are similar in nature and character to the surrounding properties.
- c. The character of the surrounding area is mixed residential/agricultural and guided for long term agriculture. The proposed subdivision and the properties that would be created appear to be in keeping with the City’s comprehensive plan.
- d. The requested variance to allow the subdivision of the property is unique to this property. There may be several other properties in the City that have a similar condition.

The City will need to determine if the requested variance to allow the subdivision of the property meets the requirements for granting a variance. The proposed subdivision, if approved, would create two properties that meet all other applicable criteria of the City’s zoning ordinance.

The existing farm house on Tract B has an existing on-site septic system that will remain in use with the existing home. Upon the sale of the parcel, the City will require an inspection of the system. Tract C will need to accommodate the requisite primary and secondary on-site septic system locations. The applicant will need to provide the City with information verifying that the site can accommodate a primary and secondary site. The proposed subdivision delineates the requisite drainage and utility easements along all property lines.

The newly created Tract C will be required to pay the City's Park Dedication fee. For this property, the park dedication fee amount is \$11,750.00. This fee will need to be paid prior to recording the subdivision.

Park dedication fee \$3,500 per lot up to 4.99 acres, plus \$750 per acre for each acre over 5.

16 acres - \$3,500 for first 5 acres, plus \$8,250 for the additional 11 acres = \$11,750

The proposed subdivision appears to meet all of the applicable standards of the City's zoning and subdivision ordinance. The lots being created will fit into the surrounding area and appear to have minimal impacts on the surrounding properties. The adjacent properties are similar in size to the proposed lots after the subdivision.

Planning Commission Recommendation:

Planning Commissioners reviewed the requested variance and minor subdivision. Commissioners noted that there were very few properties in the City with similar conditions. Commissioners noted that this property was very close to property guided RR-Rural Residential by the Comprehensive Plan. Commissioners discussed the idea of requiring a trail easement on the property. Planning Commissioners did not believe that there was enough study done at this time to recommend taking an easement on this property. Commissioners found that the criteria for granting a variance had been met and recommended approval of the requested variance and minor subdivision

Planning Commission Recommendation:

The Planning Commission recommended approval of the requested variance and minor subdivision with the following findings and conditions:

1. The proposed variance and minor subdivision request meet all applicable conditions and restrictions stated in Chapter V, Section 520.19, Procedures on variances, and Chapter V, Section 500, Subdivisions, in the City of Independence Zoning Ordinance.
2. The requested variance is found to meet the criteria for granting a variance as a result of the unique characteristics of this property. Following approval of the variance, this

property will continue to be consistent with the character of the surrounding property and the future land use as guided by the Comprehensive Plan.

3. The Applicant shall provide to the City verification that Tract C can accommodate a primary and secondary septic site.
4. The Applicant shall execute and record the requisite drainage and utility easement with the county within six (6) months of approval.
5. The Applicant shall pay the park dedication fees in the amount of \$11,750 prior to the applicant receiving final approval to record the subdivision by the City.
6. The Applicant shall pay for all costs associated with the City's review of the requested variance and subdivision.
7. The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.

Attachments:

- Application
- Survey
- Comprehensive Plan Figure 13 (Parks and Trails)
- Letter from Three Rivers Park District



RESOLUTION NO. 16-1115-01

**A RESOLUTION APPROVING A VARIANCE AND MINOR SUBDIVISION
FOR THE PROPERTY LOCATED AT 4635 LAKE SARAH ROAD**

WHEREAS, the City of Independence (the “City”) is a municipal corporation under the laws of Minnesota; and

WHEREAS, the City adopted a Comprehensive Plan in 2010 to guide the development of the community; and

WHEREAS, the City has adopted a Zoning and Subdivision Ordinance and other official controls to assist in implementing the Comprehensive Plan; and

WHEREAS, George and Linda Becker (the “Applicants/Owners”) have submitted a request for a variance and minor subdivision for the property located at 4635 Lake Sarah Road (PID No. 03-118-24-22-0002); and

WHEREAS, the Property is legally described on Exhibit A attached hereto; and

WHEREAS, the Property is zoned Agriculture; and

WHEREAS the requested variance and minor subdivision meets all requirements, standards and specifications of the City of Independence subdivision and zoning ordinance for Agriculture Property; and

WHEREAS the City held a public hearing on November 15, 2016 to review the application for a variance and minor subdivision, following mailed and published noticed as required by law; and

WHEREAS, the City Council has reviewed all materials submitted by the Applicant; considered the oral and written testimony offered by the applicant and all interested parties; and has now concluded that the application is in compliance with all applicable standards and can be considered for approval.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MINNESOTA, that it should and hereby does approve the application by

George and Linda Becker for a variance and minor subdivision per the City's subdivision and zoning regulations with the following conditions:

1. The proposed variance and minor subdivision request meet all applicable conditions and restrictions stated in Chapter V, Section 520.19, Procedures on variances, and Chapter V, Section 500, Subdivisions, in the City of Independence Zoning Ordinance.
2. The Applicant shall provide to the City verification that Tract C can accommodate a primary and secondary septic site.
3. The Applicant shall execute and record the requisite drainage and utility easement with the county within six (6) months of approval.
4. The Applicant shall pay the park dedication fees in the amount of \$11,750 prior to the applicant receiving final approval to record the subdivision by the City.
5. The Applicant shall pay for all costs associated with the City's review of the requested variance and subdivision.
6. The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.

This resolution was adopted by the City Council of the City of Independence on this 15th day of November, 2016, by a vote of ____ ayes and ____ nays.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator

(SEAL)

EXHIBIT A

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. The land use application review is the mechanism that allows the city to examine proposed uses to ensure compatibility with the surrounding environment, natural or otherwise. It is important to understand that a proposed use may be acceptable in some circumstances, but unacceptable in others—all applications are viewed on a case-by-case basis.

- Appeal
 - Comprehensive Plan Amendment
 - Concept Plan
 - Conditional Use Permit
 - Residential
 - Commercial/Light Industrial
 - Telecommunications
 - Agriculture
 - Home Occupation
 - Non-Conforming Use
 - Guest/Bunk House
 - Institutional
 - CUP Amendment
 - Extension Request
 - Final Plat
 - Interim Use Permit
 - Lot Consolidation
 - Minor Subdivision (Survey)
 - Lot Subdivision
 - Lot Combination
 - Lot Line Rearrangement
 - Moving Buildings
 - Preliminary Plat
 - Rezoning
 - Site Plan Review (Commercial)
 - Vacation
 - Variance
 - Subdivision Regulations
 - Zoning
 - Road Frontage
 - Zoning Text Amendment
- *Please check all that apply

Request: _____

Split Current Property
and add 1 building entitlement
to east side of road approx.
15 Acres

Site Address or Property Identification Number(s):

4635 ~~MINNESOTA~~
Lake Sarah Rd. Independence

NOTE: 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. **To ensure an expedited review, applicants shall schedule a pre-application meeting with the City Planner/Administrator at least one week prior to submittal.** Most applications have a review period of 60 days, with the City's ability to extend an additional 60 days if necessary due to insufficient information or schedule.

Office Use Only	<u>7/6/16</u> Date
<u>1250</u> Application Amount	<u>3370</u> Application Check #
<u>2500.</u> Escrow Paid	<u>3362</u> Escrow Check #
_____ Date Accepted by Planner	_____ Accepted By
_____ City Planner	

***Note: All parties with a fee interest in the real estate must sign this application before the City will review for consideration!

Applicant Information:

Name: George Becker
Address: 4675 Lake Sarah Rd
City, State, Zip: Maple Plain MN 55359
Phone: 763 477 5004
Email: _____
Signature: George Becker

Owner Information (if different than applicant)

Name: _____
Address: _____
City, State, Zip: _____
Phone: _____
Email: _____
Signature: _____

Checklist: Please review the checklist that goes with the request(s) as all materials in the checklist unless waived by the City.

Review Deadline and Timeline: All applications must be received by the deadline according to the schedule attached hereto. Failure to submit by the date shown will result in a delay in the scheduling of the application review by Planning Commission and City Council.

Application for Planning Consideration Fee Statement

The City of Independence has set forth a fee schedule for the year 2014 by City Ordinance. However, projects of large scope that include two or more requests will be required to provide a larger deposit than the resolution sets forth as set by the City Administrator. The fees collected for land use projects are collected as deposits. All invoices associated with each land employ application will be billed to the applicant within 30 days upon receipt by the City for each project. The City of Independence often utilizes consulting firms to assist in the review of projects. The consultant and City rates are shown at the bottom of this form. By signing this form, the applicant recognizes that he/she is solely responsible for any and all fees associated with the land use application from the plan review stage to the construction monitoring stage through to the release of any financial guarantee for an approved project. If a project is denied by the City Council or withdrawn by the applicant, the fees associated for the project until such denial or withdrawal, remain the applicant's responsibility.

I UNDERSTAND THE FEE STATEMENT AND RESPONSIBILITIES ASSOCIATED WITH THIS LAND USE APPLICATION:

Applicant Signature: George Becker
Date: 7/6/16

Owner Signature (if different): _____
Date: _____



Hennepin County Property Map

Date: 6/7/2016



PARCEL ID: 0311824220002

OWNER NAME: George E Becker Et Al

PARCEL ADDRESS: 4635 Lake Sarah Rd,
Independence MN 55359

PARCEL AREA: 37.49 acres, 1,632,858 sq ft

A-T-B: Abstract

SALE PRICE:

SALE DATA:

SALE CODE:

ASSESSED 2015, PAYABLE 2016

PROPERTY TYPE: Farm
HOMESTEAD: Homestead
MARKET VALUE: \$357,500
TAX TOTAL: \$3,408.62

ASSESSED 2016, PAYABLE 2017

PROPERTY TYPE: Farm
HOMESTEAD: Homestead
MARKET VALUE: \$336,200

Comments:

This data (i) is furnished 'ASIS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.

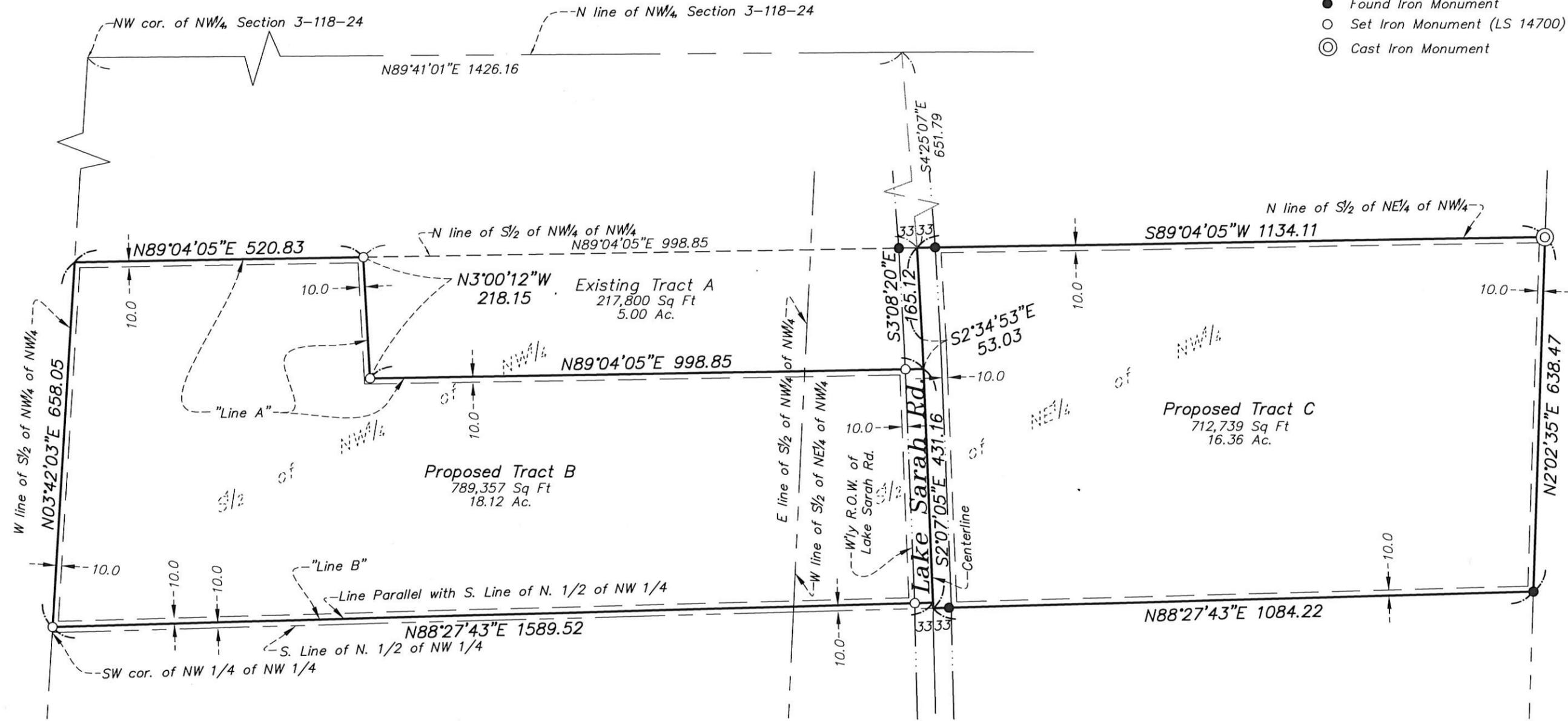
COPYRIGHT © HENNEPIN
COUNTY 2016

Certificate of Survey

Prepared for: George Becker

Legend

- Found Iron Monument
- Set Iron Monument (LS 14700)
- ⊙ Cast Iron Monument



Bearings based on assumed datum.

**SCHOBORG
LAND SERVICES
INC.**

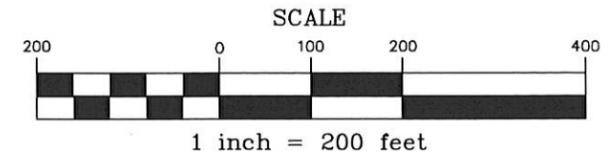
763-972-3221 8997 Co. Rd. 13 SE
www.SchoborgLand.com Delano, MN 55328

I hereby certify that this certificate of survey was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Paul B. Schoborg
Paul B. Schoborg

Date: SEPT. 30, 2016 Registration No. 14700

Job Number:	8102
Book/Page:	LL
Survey Date:	10-21-15, 8-31-16
Drawing Name:	becker.dwg
Drawn by:	DMS
Revisions:	9-30-16 (easements)



Descriptions

Proposed Tract B:

The South Half of the Northwest Quarter of the Northwest Quarter and that part of the South Half of the Northeast Quarter of the Northwest Quarter all in Section 3, Township 118, North Range 24, West of the 5th Principal Meridian, lying west of the center line described as follows:

Commencing at the northwest corner of the Northwest Quarter of said Section 3; thence on an assumed bearing of North 89 degrees 41 minutes 01 seconds East, along the north line thereof, a distance of 1426.16 feet to the intersection with the center line of Lake Sarah Road; thence South 4 degrees 25 minutes 07 seconds East, along said center line, a distance of 651.79 feet to the intersection with the north line of the South Half of the Northeast Quarter of said Northwest Quarter, said point being the point of beginning of the center line to be described; thence South 3 degrees 08 minutes 20 seconds East, along said center line, a distance of 165.12 feet; thence South 2 degrees 34 minutes 53 seconds East, along said center line, a distance of 53.03 feet; thence South 2 degrees 07 minutes 05 seconds East, along said center line, a distance of 431.16 feet to the South line of the South Half of the Northeast Quarter of said Northwest Quarter and there terminating.

EXCEPT a strip of land 10 feet wide lying East and West across the South side of the North Half of the Northwest Quarter of Section 3, in Township 118, of Range 24, described as follows:

Beginning at the southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 3, in Township 118, of Range 24; thence extending North along the West line of said Northwest Quarter of the Northwest Quarter of Section 3, in Township 118, of Range 24, a distance of 10 feet; thence at right angles running due East in a line parallel with the South line of said North Half of the Northwest Quarter to a point in the center of County Road No. 91 across said land; thence in a Southwesterly direction to the intersection of the said center line of said County Road No. 91 and the South line of the said North Half of the Northwest Quarter of said Section 3, in Township 118, of Range 24; thence due West along the South line of said North Half of the Northwest Quarter of Section 3, in Township 118, of Range 24 to the point of beginning. Said strip of land lying between the West line of the said Northwest Quarter and the center line of said County Highway No. 91 in the North Half of the Northwest Quarter of Section 3, in Township 118, of Range 24.

EXCEPT that part described as follows:

Commencing at the northwest corner of the Northwest Quarter of said Section 3; thence on an assumed bearing of North 89 degrees 41 minutes 01 seconds East, along the north line thereof, a distance of 1426.16 feet to the intersection with the center line of Lake Sarah Road; thence South 4 degrees 25 minutes 07 seconds East, along said center line, a distance of 651.79 feet to the intersection with the north line of the South Half of the Northeast Quarter of said Northwest Quarter, said point being the point of beginning of the tract to be described; thence South 3 degrees 08 minutes 20 seconds East, along said center line, a distance of 165.12 feet; thence South 2 degrees 34 minutes 53 seconds East, along said center line, a distance of 53.03 feet; thence South 89 degrees 04 minutes 05 seconds West, parallel with the north line of the South Half of the Northeast Quarter of said Northwest Quarter, a distance of 998.85 feet; thence North 3 degrees 00 minutes 12 seconds West a distance of 218.15 feet to the north line of the South Half of the Northwest Quarter of said Northwest Quarter; thence North 89 degrees 04 minutes 05 seconds East, along said north line and the easterly extension thereof, a distance of 998.85 feet to the point of beginning and there terminating.

Subject to Lake Sarah Road right of way. Subject to any and all easements of record.

Proposed Tract C:

That part of the South Half of the Northeast Quarter of the Northwest Quarter, Section 3, Township 118, North Range 24, West of the 5th Principal Meridian, lying east of the center line described as follows:

Commencing at the northwest corner of the Northwest Quarter of said Section 3; thence on an assumed bearing of North 89 degrees 41 minutes 01 seconds East, along the north line thereof, a distance of 1426.16 feet to the intersection with the center line of Lake Sarah Road; thence South 4 degrees 25 minutes 07 seconds East, along said center line, a distance of 651.79 feet to the intersection with the north line of the South Half of the Northeast Quarter of said Northwest Quarter, said point being the point of beginning of the center line to be described; thence South 3 degrees 08 minutes 20 seconds East, along said center line, a distance of 165.12 feet; thence South 2 degrees 34 minutes 53 seconds East, along said center line, a distance of 53.03 feet; thence South 2 degrees 07 minutes 05 seconds East, along said center line, a distance of 431.16 feet to the South line of the South Half of the Northeast Quarter of said Northwest Quarter and there terminating.

Subject to Lake Sarah Road right of way. Subject to any and all easements of record.

Proposed Easements over Tract B:

A 10.00 foot wide easement for drainage and utility purposes over, under and across that part of the South Half of the Northwest Quarter of the Northwest Quarter and that part of the South Half of the Northeast Quarter of the Northwest Quarter all in Section 3, Township 118, North Range 24, West of the 5th Principal Meridian, lying 10.00 feet southerly, westerly and southerly, as measured at right angles to, a line hereinafter described as "Line A". The side lines of said easement are prolonged or shortened to terminate on the east at the westerly right of way of Lake Sarah Road and on the west at the west line of said Northwest Quarter of the Northwest Quarter.

A 10.00 foot wide easement for drainage and utility purposes over, under and across that part of the South Half of the Northwest Quarter of the Northwest Quarter and that part of the South Half of the Northeast Quarter of the Northwest Quarter all in Section 3, Township 118, North Range 24, West of the 5th Principal Meridian, lying 10.00 feet northerly, as measured at right angles to, a line hereinafter described as "Line B". The side lines of said easement are prolonged or shortened to terminate on the east at the westerly right of way of Lake Sarah Road and on the west at the west line of said Northwest Quarter of the Northwest Quarter.

A 10.00 foot wide easement for drainage and utility purposes over, under and across that part of the westerly 10.00 feet of the South Half of the Northwest Quarter of the Northwest Quarter lying northerly of the line hereinafter described as "Line B".

A 10.00 foot wide easement for drainage and utility purposes over, under and across that part of the South Half of the Northeast Quarter of the Northwest Quarter lying 10.00 feet westerly of, as measured at right angles to, the westerly right of way of Lake Sarah Road, and also lying southerly of the line hereinafter described as "Line A" and also lying northerly of the line hereinafter described as "Line B".

Said "Line A" is described as follows:

Commencing at the northwest corner of the Northwest Quarter of said Section 3; thence on an assumed bearing of North 89 degrees 41 minutes 01 seconds East, along the north line thereof, a distance of 1426.16 feet to the intersection with the center line of Lake Sarah Road; thence South 4 degrees 25 minutes 07 seconds East, along said center line, a distance of 651.79 feet to the intersection with the north line of the South Half of the Northeast Quarter of said Northwest Quarter; thence South 3 degrees 08 minutes 20 seconds East, along said center line, a distance of 165.12 feet; thence South 2 degrees 34 minutes 53 seconds East, along said center line, a distance of 53.03 feet to the point of beginning of the line to be described; thence South 89 degrees 04 minutes 05 seconds West, parallel with the north line of the South Half of the Northeast Quarter of said Northwest Quarter, a distance of 998.85 feet; thence North 3 degrees 00 minutes 12 seconds West a distance of 218.15 feet to the north line of the South Half of the Northwest Quarter of said Northwest Quarter; thence South 89 degrees 04 minutes 05 seconds West, along said north line, a distance of 520.83 feet to the west line of said South Half and said line there terminating.

Said "Line B" is described as follows:

Beginning at the southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 3, in Township 118, of Range 24; thence extending North along the West line of said Northwest Quarter of the Northwest Quarter of Section 3, in Township 118, of Range 24, a distance of 10 feet to the point of beginning of the line to be described; thence at right angles running due East in a line parallel with the South line of said North Half of the Northwest Quarter to a point in the center of County Road No. 91 across said land, and said line there terminating.

Proposed Easements over Tract C:

A 10.00 foot wide easement for drainage and utility purposes over, under and across the north 10.00 feet, the east 10.00 feet and the south 10.00 feet of the South Half of the Northeast Quarter of the Northwest Quarter, Section 3, Township 118, North Range 24, West of the 5th Principal Meridian, lying easterly of the easterly right of way line of Lake Sarah Road.

Also, a 10.00 foot wide easement for drainage and utility purposes over, under and across that part of said South Half lying 10.00 feet easterly of, as measured at right angle to, the easterly right of way line of said Lake Sarah Road.



City of Independence

Minor Subdivision to Permit a Rural View Lot for the Property Located at 8415 Hitsman Lane

To: City Council
From: Mark Kaltsas, City Planner
Meeting Date: November 15, 2016
Applicant: Lisa Dayton
Owner: Lisa Dayton
Location: 8415 Hitsman Lane

Request:

Lisa Dayton (Applicant/Owner) requests that the City consider the following actions for the property located at 8415 Hitsman Lane (PID No. 17-118-24-31-0004) in Independence, MN:

- a. A minor subdivision to permit the creation of a rural view lot.

Property/Site Information:

The property is located south of US HWY 12 and south of Hitsman Lane. The property is accessed via a 33 foot wide private driveway which extends south from Hitsman Lane. The property has an existing home and several outbuildings. The property is comprised of significant wetlands and upland acreage. The property has the following characteristics:

Property Information: 8415 Hitsman Lane

Zoning: Agriculture

Comprehensive Plan: Agriculture

Acreage (BEFORE): 58.92 acres

Acreage (AFTER): North Parcel – 10.00 acres

South Parcel – 48.92 acres



Discussion:

The applicant is proposing to subdivide the property in order to create a rural view lot. The applicant is proposing to create one (1) rural view lot in accordance with the provisions set forth in the City's Zoning Ordinance. The subject property has a total acreage of 58.92 acres. The provisions in the Agriculture Zoning District allow one (1) rural view lot for every 40 acres of land under the same ownership. Under the current zoning standards, the subject property has the ability to realize one (1) rural view lot for a total of two (2) lots on this property.

Rural view lots must have the following characteristics:

Lot size required - between 2.5 and 10 acres

Lot size proposed – North Parcel – 10.00 acres

Minimum lot frontage required – 300 LF (for property between 5-10 acres)

Minimum lot frontage proposed – North Parcel – 300 LF

Ratio of lot frontage to lot depth required - no more than 1:4

Ratio of lot frontage to lot depth proposed – Parcel A - ~1:5 (300:1500)

In addition to the minimum size necessary to subdivide, the ordinance requires a minimum of 2.5 acres of buildable upland, 300 LF of frontage on a right of way and no greater than a 1:4 ratio of lot frontage to lot depth for each rural view lot. Based on the proposed subdivision, the rural view lot would have approximately 5 acres of useable upland and 300 LF of frontage on the 33 foot wide easement.

The existing property is accessed via a 33 foot wide parcel that connects to Hitsman Lane. It appears that this parcel was historically established as a cart way. As proposed both lots do not meet the minimum public right of way frontage requirements of the City's ordinance. The City can grant a waiver to the frontage requirements if the criteria established in the City's ordinance are met. The configuration proposes to utilize the common driveway provision of the City's zoning ordinance. The City allows common driveways to be utilized for up to three lots if all applicable criteria established in the ordinance are satisfied. The criteria established for allowing a common driveway are as follows:

Subd. 20. "Driveway, common." An easement encumbered by a common driveway agreement that provides for access, construction, maintenance and financing of private vehicular and pedestrian access to not more than three lots. A common driveway shall be considered if evidence of the following standards is met: (Added, Ord. 2010-06)

- (a) Extension of a public street is not physically feasible as determined by the city. If the city determines that there is need for such extension, this provision shall not apply, and the right-of-way for a public street shall be provided by dedication in the plat; or (Added, Ord. 2010-06)*
- (b) The city determines that a public road extension would adversely impact natural amenities, including wetlands or stands of mature trees containing deciduous trees greater than 12 inches in diameter or coniferous trees greater than 25 feet in height; or (Added, Ord. 2010-06)*
- (c) There is no feasible present or future means of extending right-of-way from other directions; and (Added, Ord. 2010-06)*

- (d) *Covenants which assign driveway installation and future maintenance responsibility are submitted and recorded with the titles of the parcels which are benefitted. The city will not provide maintenance or snow plowing for common or shared access driveways; and (Added, Ord. 2010-06)*
- (e) *Common driveways shall be constructed in accordance with the provisions established in the City of Independence Manual of Standards. (Added, Ord. 2010-06)*

The extension Hitsman Lane to the south is unlikely due to current zoning and development standards of the City. In addition, there is a large wetland impeding the potential extension of the road to the south. The City has requested that the applicant provide an additional 33 foot wide easement along the portion of property being developed. This will provide the City with the full 66 foot right of way width in case of future development. The City will need to determine if the criteria for allowing a common driveway are satisfied on this parcel. The applicant would need to establish covenants which assign maintenance responsibility for the parcels granted access off of the common driveway. The City would need to review the proposed driveway construction details to ensure that it will be constructed to a standard adequate to accommodate public safety equipment.

The proposed lot depth to lot frontage ratio for the rural view lot would be ~1:5. This lot width to lot depth ration exceeds the maximum range but creates a “clean” lot line. Moving the line to adjust for the lot depth would create an irregular parcel behind the proposed rural view lot. Moving the line to the south to provide more lot width would create a lot that is greater than 10 acres. The City will need to provide direction relating to the proposed lot depth to lot width ratio.

The proposed subdivision would produce a 10 acre rural view lot. The proposed property would be “in line” with the property to the west and north. The proposed North Parcel would accommodate a new building pad given its overall size, topography and proposed dimensions. Any development on the property would need to meet all applicable setbacks including those from wetlands. The City received an on-site septic report verifying that the proposed rural view lot can accommodate a primary and secondary on-site septic system. The applicant will need to include the requisite drainage and utility easements as required by ordinance (Section 500.15, Subd.’s 1 and 2) for both the existing and proposed parcel.

The remaining 48.92 acres would continue to be a conforming lot of record. The existing home and detached accessory structure meet all applicable setbacks in the after condition. The

remaining property will have **no** rural view lot subdivision eligibilities following this subdivision.

The newly created North Parcel will be required to pay the City's requisite Park Dedication fee. For this property the requirement is \$7,250. This fee will need to be paid prior to recording the subdivision.

*Park dedication fee of \$3,500 per lot up to 4.99 acres,
plus \$750 per acre for each acre over 5 acres*

The applicant has submitted information to the City verifying the ability of the newly created lot to accommodate a primary and secondary septic system. The existing lot has an existing septic system. The home is currently for sale and upon its sale will be required to have the system inspected. The City believes that this system will not be found to be in compliance with septic system standards and will need to be replaced. The proposed lot appears to meet most applicable criteria relating to the subdivision and zoning standards.

Neighbor Comments:

The City had comments from a neighboring property owner. The neighboring property owner stopped into City Hall to review the plans. The neighboring owner asked questions pertaining to the subdivision and wanted to understand the proposed subdivision in relation to their respective property. The neighboring owner generally supported the proposed subdivision. At the public hearing the neighboring property owner to the west commented on the proposed subdivision and offered his support of the subdivision. The City also confirmed that the existing wetlands could not be altered or built upon.

Planning Commission Recommendation:

Commissioners discussed the proposed subdivision. Commissioners considered whether or not to recommend altering the proposed parcel configuration to conform to the lot depth to lot width requirements by shortening and widening the proposed new parcel. Commissioners noted that requiring the applicant to conform to the lot depth to lot width ratio would create an awkward "gap" on the remaining property. Planning Commissioners discussed the condition of the septic system on the existing property and recommended that the City include a condition requiring the applicant to verify the location and ability of the remainder property to provide an alternative septic site. Commissioners ultimately recommended approving the proposed subdivision utilizing the initial configuration.

Recommendation:

The Planning Commission recommended approval of the request for a rural view lot subdivision, with the following findings and conditions:

1. The proposed rural view lot subdivision meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. City Council approval of the rural view lot subdivision is subject to the following:
 - a) The Applicant shall provide the City with all requisite materials and a location to verify that the South Parcel can accommodate an alternative septic site.
 - b) The Applicant shall pay the park dedication fees in the amount of \$7,250, for the newly created North Parcel, prior to the applicant receiving final approval to record the subdivision by the City.
 - c) The Applicant shall pay for all costs associated with the City's review of the requested minor subdivision.
 - d) The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.
 - e) The Applicant shall execute and record the requisite drainage and utility and right of way easements with the county within six (6) months of approval.
 - f) The remaining South Parcel will have no remaining rural view lot eligibilities.

Attachments:

1. Application
2. Property Pictures
3. Proposed Subdivision Exhibit

View of 8415 Hitsman Lane (Looking North)



View of 8415 Hitsman Lane (Looking South)





RESOLUTION NO. 16-1115-02

A RESOLUTION APPROVING A MINOR SUBDIVISION TO ALLOW A RURAL VIEW LOT
SUBDIVISION AS REQUESTED BY LISA DAYTON FOR THE
PROPERTY LOCATED AT 8415 HITSMAN LANE

WHEREAS, the City of Independence (the “City”) is a municipal corporation under the laws of Minnesota; and

WHEREAS, the City adopted a Comprehensive Plan in 2010 to guide the development of the community; and

WHEREAS, the City has adopted a Zoning Ordinance and other official controls to assist in implementing the Comprehensive Plan; and

WHEREAS, Lisa Dayton (the “Applicant”) has submitted a request for a minor subdivision to allow a rural view lot subdivision for the property located at 8415 Hitsman Lane (PID No. 17-118-24-31-0004); and

WHEREAS, the Property is legally described on Exhibit A attached hereto; and

WHEREAS, the Property is zoned Agriculture; and

WHEREAS the requested minor subdivision meets all requirements, standards and specifications of the City of Independence subdivision and zoning ordinance for Agriculture and Rural Residential Property; and

WHEREAS the City held a public hearing on November 15, 2016 to review the application for a minor subdivision, following mailed and published noticed as required by law; and

WHEREAS, the City Council has reviewed all materials submitted by the Applicant; considered the oral and written testimony offered by the applicant and all interested parties; and has now concluded that the application is in compliance with all applicable standards and can be considered for approval.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MINNESOTA, that it should and hereby does approve the application by Lisa Dayton for a minor subdivision to allow a rural view lot per the City's subdivision and zoning regulations with the following conditions:

1. The proposed minor subdivision for a rural view lot subdivision meets all applicable criteria and conditions stated in Chapter V, Section 500, Planning and Land Use Regulations of the City of Independence Zoning Ordinance.
2. City Council approval of the rural view lot subdivision is subject to the following:
 - a. The Applicant shall provide the City with all requisite materials and a location to verify that the South Parcel can accommodate an alternative septic site.
3. The Applicant shall pay the park dedication fees in the amount of \$7,250, for the newly created North Parcel, prior to the applicant receiving final approval to record the subdivision by the City.
4. The Applicant shall pay for all costs associated with the City's review of the requested minor subdivision.
5. The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.
6. The Applicant shall execute and record the requisite drainage and utility and right of way easements with the county within six (6) months of approval.
7. The remaining South Parcel will have no remaining rural view lot eligibilities.

This resolution was adopted by the City Council of the City of Independence on this 15th day of November, 2016, by a vote of ____ayes and ____nays.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator

(SEAL)

EXHIBIT A

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. The land use application review is the mechanism that allows the city to examine proposed uses to ensure compatibility with the surrounding environment, natural or otherwise. It is important to understand that a proposed use may be acceptable in some circumstances, but unacceptable in others—all applications are viewed on a case-by-case basis.

- Appeal
- Comprehensive Plan Amendment
- Concept Plan
- Conditional Use Permit
 - Residential
 - Commercial/Light Industrial
 - Telecommunications
 - Agriculture
 - Home Occupation
 - Non-Conforming Use
 - Guest/Bunk House
 - Institutional
 - CUP Amendment
- Extension Request
- Final Plat
- Interim Use Permit
- Lot Consolidation
- Minor Subdivision (Survey)
 - Lot Subdivision
 - Lot Combination
 - Lot Line Rearrangement
- Moving Buildings
- Preliminary Plat
- Rezoning
- Site Plan Review (Commercial)
- Vacation
- Variance
 - Subdivision Regulations
 - Zoning
 - Road Frontage
- Zoning Text Amendment

*Please check all that apply

Request: _____

Site Address or Property Identification Number(s):
8415 Hitsman Ln. Independence, MA
PI# 1711824310004

NOTE: 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. *To ensure an expedited review, applicants shall schedule a pre-application meeting with the City Planner/Administrator at least one week prior to submittal.* Most applications have a review period of 60 days, with the City's ability to extend an additional 60 days if necessary due to insufficient information or schedule.

Office Use Only	
750 + 750 =	8/17/16
1500	Date
Application Amount	11075
3,000	Application Check #
Escrow Paid	11076
	Escrow Check #
Date Accepted by Planner	Accepted By
City Planner	

***Note: All parties with a fee interest in the real estate must sign this application before the City will review for consideration!

17-31-0004

Applicant Information:

Owner Information (if different than applicant)

Name: Lisa Dayton

Garrett W. Hickley
Coldwell Banker Barnett Realty

Name: Lisa Dayton

Address: 8415 Hitsman Ln.

201 E. Lake St.

Address: 8415 Hitsman Ln.

City, State, Zip: Independence, MN 55359

Wadena, MN 55396

City, State, Zip: Independence, MN 55359

Phone: H-763 972-4024
cell- 612 868-4340

0-752 476-3694
cell- 952 230-1675

Phone: H-763 972-4024 cell 612 868-4340

Email: _____

gshickley@cbbr.net

Email: Forestfarm2frontier.net

Signature: [Signature]

Signature: [Signature]

Checklist: Please review the checklist that goes with the request(s) as all materials in the checklist unless waived by the City.

Review Deadline and Timeline: All applications must be received by the deadline according to the schedule attached hereto. Failure to submit by the date shown will result in a delay in the scheduling of the application review by Planning Commission and City Council.

Application for Planning Consideration Fee Statement

The City of Independence has set forth a fee schedule for the year 2014 by City Ordinance. However, projects of large scope that include two or more requests will be required to provide a larger deposit than the resolution sets forth as set by the City Administrator. The fees collected for land use projects are collected as deposits. All invoices associated with each land employ application will be billed to the applicant within 30 days upon receipt by the City for each project. The City of Independence often utilizes consulting firms to assist in the review of projects. The consultant and City rates are shown at the bottom of this form. By signing this form, the applicant recognizes that he/she is solely responsible for any and all fees associated with the land use application from the plan review stage to the construction monitoring stage through to the release of any financial guarantee for an approved project. If a project is denied by the City Council or withdrawn by the applicant, the fees associated for the project until such denial or withdrawal, remain the applicant's responsibility.

I UNDERSTAND THE FEE STATEMENT AND RESPONSIBILITIES ASSOCIATED WITH THIS LAND USE APPLICATION:

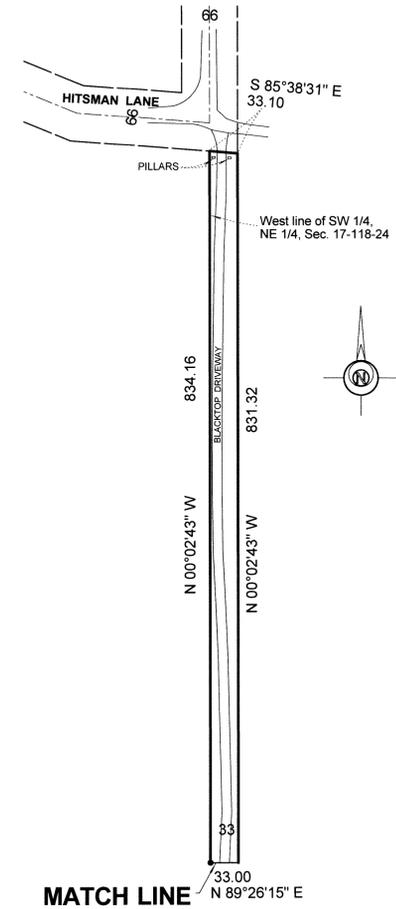
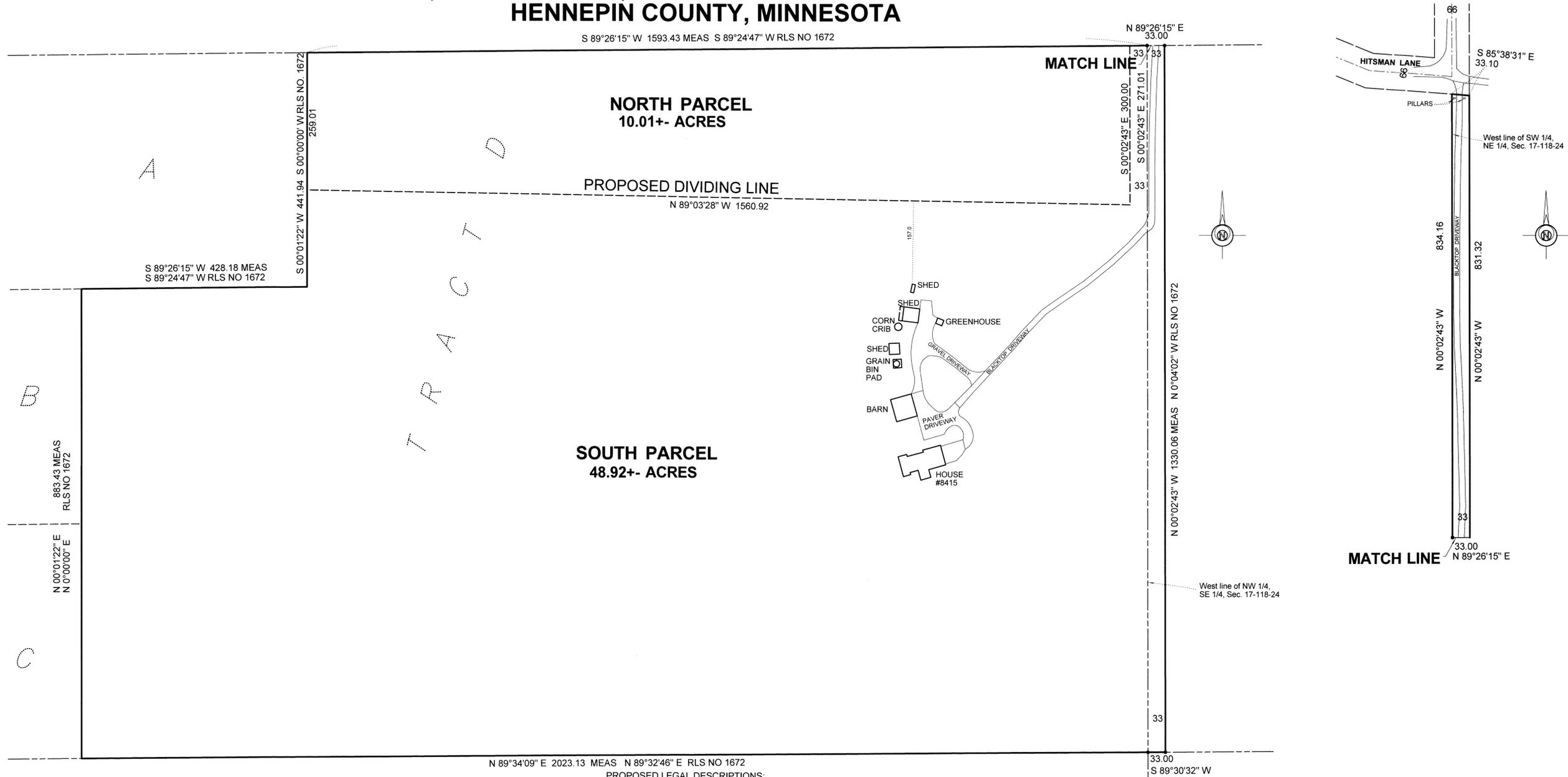
Applicant Signature: [Signature]
Date: _____

Owner Signature (if different): [Signature]
Date: 7.23.16



**BOUNDARY SURVEY AND PROPOSED LOT DIVISION FOR
ELIZABETH DAYTON
OF TRACT D, R.L.S. NO. 1672, AND IN THE E 1/2 OF SECTION 17-118-24
HENNEPIN COUNTY, MINNESOTA**

S 89°26'15" W 1593.43 MEAS S 89°24'47" W RLS NO 1672



LEGAL DESCRIPTION OF PREMISES SURVEYED:

Tract D, Registered Land Survey No. 1672, Hennepin County, Minnesota.

ALSO:
The West 33 feet of the Northwest Quarter of the Southeast Quarter of Section 17, Township 118 North, Range 24 West of the 5th Principal Meridian, and that part of the West 33 feet of the Southwest Quarter of the Northeast Quarter of said Section 17 which lies southerly of the southerly right of way line of Hitsman Lane.

This survey shows the boundaries of the above described property, the location of all existing buildings thereon, the location of an existing driveway, and the proposed location of a proposed dividing line. It does not purport to show any other improvements or encroachments.

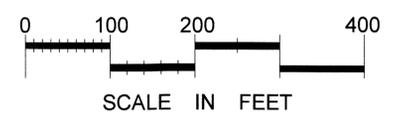
- : Iron marker found
- : Iron marker set

PROPOSED LEGAL DESCRIPTIONS:

NORTH PARCEL
That part of Tract D, Registered Land Survey No. 1672, Hennepin County, Minnesota, which lies west of the East 33 feet of said Tract and northerly of the following described line: Commencing at the Northwest corner of the East 33 feet of said Tract D; thence on an assumed bearing of South 0 degrees 02 minutes 43 seconds East along said West line of the East 33 feet a distance of 300.00 feet to the point of beginning of the line being described; thence North 89 degrees 03 minutes 28 seconds West a distance of 1560.92 feet to it intersection with the northerly segment of the West line of said Tract D, and said line there ending.

SOUTH PARCEL
Tract D, Registered Land Survey No. 1672, Hennepin County, Minnesota EXCEPT that part of said Tract which lies west of the East 33 feet of said Tract and northerly of the following described line: Commencing at the Northwest corner of the East 33 feet of said Tract D; thence on an assumed bearing of South 0 degrees 02 minutes 43 seconds East along said West line of the East 33 feet a distance of 300.00 feet to the point of beginning of the line being described; thence North 89 degrees 03 minutes 28 seconds West a distance of 1560.92 feet to it intersection with the northerly segment of the West line of said Tract D, and said line there ending.

ALSO
The West 33 feet of the Northwest Quarter of the Southeast Quarter of Section 17, Township 118 North, Range 24 West of the 5th Principal Meridian, and that part of the West 33 feet of the Southwest Quarter of the Northeast Quarter of said Section 17 which lies southerly of the southerly right of way line of Hitsman Lane.



GRONBERG & ASSOCIATES, INC. CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS 445 N. WILLOW DRIVE LONG LAKE, MN 55356 PHONE: 952-473-4141 FAX: 952-473-4435													
<p>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 Land Surveyor under the laws of the State of Minnesota.</p> <p align="right"><i>David J. Gronberg</i> DATE: 9-2-16 MINN. LICENSE NUMBER: 27255</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>DATE</td> <td>8-8-16</td> </tr> <tr> <td>SCALE</td> <td>1"=100'</td> </tr> <tr> <td>SHEET NO.</td> <td>16-293</td> </tr> <tr> <td>TOTAL SHEETS</td> <td>2</td> </tr> </table>	DATE	8-8-16	SCALE	1"=100'	SHEET NO.	16-293	TOTAL SHEETS	2				
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REVISIONS													
BY													
DATE	9-8-16												

City of Independence
Rezoning, Preliminary and Final Plat Approval Request for the
Settlers Prairie Subdivision

<i>To:</i>	City Council
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	November 15, 2016
<i>Applicant:</i>	B. Benson Group
<i>Owner:</i>	Joyce Larson - Trustee
<i>Location:</i>	1160 County Road 19 N.

Request:

B. Benson Group (Applicant) and Joyce Larson (Owner) request that the City consider the following actions for the property located at 1160 County Road 19 N, Independence, MN (PID No. 25-118-24-42-0001):

- a. Rezoning from Ag-Agriculture to RR-Rural Residential.
- b. Preliminary Plat for a four (4) lot subdivision.
- c. Final Plat for a four (4) lot subdivision.

Property/Site Information:

The property is located on the east side of County Road 19 N. and just south of Willow Street. There is an existing home and several accessory structures located on the property. The house is accessed via a gravel driveway off of County Road 19 N. The property is a combination of rolling hills, tillable acreage and wetlands. The property has the following characteristics:

Property Information: 1160 County Road 19 N.

Zoning: *Agriculture*

Comprehensive Plan: *Rural Residential*

Acreage: *19.83 acres*

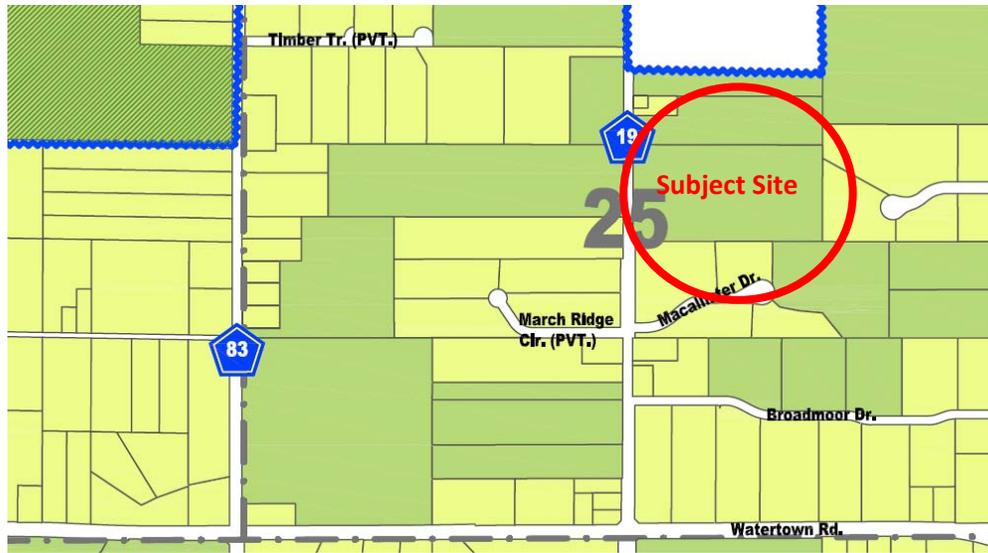
Site Aerial – 1160 County Road 19 N.



Discussion:

The Planning Commission reviewed the same request for this subdivision in September of 2015. The Commission held a public hearing and ultimately recommended approval of the proposed subdivision. Following the Planning Commission review, the applicant ran into issues with the watershed district review of the property. The final wetland delineation identified an additional wetland on the property and caused the road to need to shift to the south. Following discussions with the watershed district last fall and earlier this year, the applicant decided to withdraw their application. The applicant has now worked through the watershed issues and has made a new application seeking Rezoning, Preliminary and Final Plat approval for a four (4) lot subdivision to be known as Settlers Prairie Subdivision. The proposed subdivision would split the existing 20 acre parcel into four lots. There is an existing home located on the west edge of the property just off of County Road 19 N. The existing home would remain in the after condition and be located on one of the four lots.

The property is currently zoned Ag – Agriculture and is guided by the City's Comprehensive Plan as a RR- Rural Residential property (See Map – Green = Agriculture, Yellow = Rural Residential).



Rezoning

Rezoning this property is consistent with the City's 2030 Comprehensive Plan. Rezoning of this property is also consistent with the zoning of the property to the south and west. There are three subdivisions that surround this property which are similar in nature to that which is proposed.

Site Plan

The City allows the subdivision of property in the rural residential zoning district if it can be shown to meet all applicable criteria of the ordinance. The City's applicable standards are further defined as follows:

Subd. 3. Density. Lots of record in the rural residential district may be divided or subdivided into the following maximum number of lots, said maximum number to include the lot for any existing dwelling unit or other principal use: (Amended, Ord. 2010-01)

<u>Area of Lot of Record</u>	<u>Maximum Number of Lots Permitted</u>
7.5 acres or less	One
7.6 through 12.5 acres	Two
12.6 through 17.5 acres	Three
17.6 through 22.5 acres	Four
22.6 through 27.5 acres	Five
27.6 through 32.5 acres	Six
32.6 through 37.5 acres	Seven
37.6 through 42.5 acres	Eight
42.6 through 47.5 acres	Nine, plus one addn. lot for every five addn. acres of land.

In addition to the maximum lot density, the City has the following standards pertaining to Rural Residential lots.

530.03. Physical Standards.

Subd. 3. Physical standards. All lots and construction thereon must meet the following physical standards:

- (a) Minimum lot area ^a 2.50 acres buildable land*
- (b) Maximum lot area 10 acres*
- (c) Minimum lot frontage on an improved public road or street:*

<u>Lot area</u>	<u>Minimum frontage</u>
2.50 – 3.49 acres	^b 200 feet
3.50 – 4.99 acres	^b 250 feet
5.00 – 10.00 acres	^b 300 feet

(e) Lot depth. The ratio of lot frontage to lot depth must be no more than 1:4.

^a *A lot must be a minimum of 2.50 acres buildable land with a demonstrated capability to accommodate two on-site waste disposal systems. Buildable land must be contiguous and not separated by streams, wetlands, slopes in excess of 10% or other physical impediments.*

^b *A waiver to permit lots with reduced frontage on a public right-of-way, neck lots or lots with no frontage on a public right-of-way but with frontage on a common driveway may be considered and granted or not granted. If granted, evidence must be provided that all standards established and defined in Section 510.05, Subdivision 20 of this zoning code are met: (Amended, Ord. 2010-06)*

A more detailed breakdown of the proposed individual lots is as follows:

Block 1	Area	Upland Acreage	Frontage	Lot Frontage to Lot Depth
Lot 1	3.56 acres	2.51 acres	575/456 LF	1:1
Lot 2	5.43 acres	2.91 acres	473 LF	1:1
Lot 3	3.48 acres	3.48 acres	122 LF	1:1
Lot 4	5.08 acres	3.26 acres	990 LF	2:1

The applicant is proposing to provide access into the property by developing a new public cul-de-sac off of County Road 19 into the middle of the subject property. The road is proposed to meet all applicable City standards for road and right of way width. The new road would follow the north property line into the site. The driveway which provides access to the existing home would be relocated such that it connects to the new cul-de-sac and no longer connects to County Road 19 N. There are several existing accessory buildings that would be removed as a result of the proposed new road and associated right of way. The

configuration of the proposed lots and potential building sites appears to take into account the location of the existing wetlands, primary and secondary septic locations and existing topography. The applicant indicates the potential locations of a proposed building pad for each lot. The proposed building pad is conceptual only, but provides the City with evidence that the lots can accommodate a new home site. The applicant has submitted information to the City verifying the ability of each lot to accommodate a primary and secondary septic system. The applicant may need to revise the proposed secondary or alternative location to ensure that it meets the applicable setbacks from a wetland. The size of the lots proposed will allow all applicable building setbacks to be met. The proposed lots appear to meet all applicable criteria relating to the subdivision and zoning standards.

There are several significant wetlands located on this property which make the subdivision more difficult. The applicant and the City have reviewed the location and boundaries of the wetlands on this property. A wetland delineation has been completed and approved by the state, watershed and City. Based on the current wetland boundaries, the applicant meets the minimum 2.5 acres of contiguous upland for all four lots. The applicant will be required to maintain the requisite wetland buffer around the wetlands.

All of the proposed lots would have the requisite amount of frontage on a public right of way. The minimum frontage required for lots is as follows:

(c) Minimum lot frontage on an improved public road or street:	
<u>Lot area</u>	<u>Minimum frontage</u>
2.50 – 3.49 acres	^b 200 feet
3.50 – 4.99 acres	^b 250 feet
5.00 – 10.00 acres	^b 300 feet

Lots that are located on the terminus of a cul-de-sac are required to have a minimum of 50 LF of frontage.

The proposed lot configuration is consistent with the existing subdivisions to the east and south. Their configuration somewhat dictates the configuration of this parcel. The extension of a public street to the south and east is unlikely due to the existing development and wetlands impeding the potential extension. The property to the north has an existing single-family home and has not been further subdivided. It may be possible to connect a future road into the proposed road to serve the property to the north. There is a large wetland located on the parcel to the north that could limit the full development of that parcel.

Transportation

The City sent the proposed subdivision to Hennepin County for their review of the proposed road access onto County Road 19 N. Hennepin County found the proposed road access location to be acceptable; however, required that the existing driveway servicing the home be relocated to connect to the new road.

Storm Water

The applicant is proposing to construct a storm water conveyance system to accommodate the runoff resulting from the construction of the public street. The conveyance system includes a two bay filtration basin system to be located within a drainage and utility easement across Lot 2. In addition, the applicant is proposing to install a small filtration basin on Lot 3 to aid in the runoff from the proposed lot. This was one of the concerns raised at the public hearing last year. The City has reviewed the conveyances system and noted several conditions that should be included with any approval (see attached memorandum from Hakanson Anderson, dated October 10, 2016).

Approval from Minnehaha Creek Watershed District will be required. Any conditions or findings made by the watershed will be required to be incorporated into the plans and become a condition of the final plat.

Engineering

The City has completed a review of the proposed grading plan (see attached memorandum from MSA Professionals, dated October 13, 2016). The City has received revised plans based on the comments provided by the City's engineer and is finalizing the review. There did not appear to be any comments that would prohibit the development of the property or cause for the design to be substantially changed. The individual lots will be required to apply for and be granted a grading permit at the time of building permit application. At that time the City will review the individual lot grading

Park Dedication

The proposed subdivision is subject to the City's park dedication requirements. The park dedication is broken down as follows:

Park dedication fee \$3,500 per lot up to 4.99 acres, plus \$750 per acre for each acre over 5.

Lot 1 includes the existing home and accessory structures and will not be subject to additional park dedication fees. The total amount of the park dedication is \$10,500 for the three (3) new lots.

Neighbor Comments:

The City has received several questions and comments from adjacent property owners both verbally and at the public hearing. Adjacent property owners had questions relating to the stormwater runoff from the proposed subdivision. Neighboring property owners wanted to ensure that the stormwater runoff would not cause an increase or change to the water on their respective properties.

Planning Commission Recommendation:

Commissioners asked questions pertaining to the proposed rezoning and subdivision. Commissioners believed the plan was in keeping and consistent with the previously approved preliminary plat.

Commissioners discussed the storm water issues brought forward by the neighboring property owner. Commissioners noted that the proposed storm water conveyance system and pond should work so that no new additional storm water affects the adjacent property. Commissioners stated that the proposed rezoning was consistent with the Comprehensive Plan. Commissioners recommended approval to the City Council.

Recommendation:

The Planning Commission recommended approval of the requested rezoning, preliminary plat and final plat. Should the Council approve the request, the applicant would be required to enter into a development agreement with the City Council. The following findings and conditions should be included with any approval:

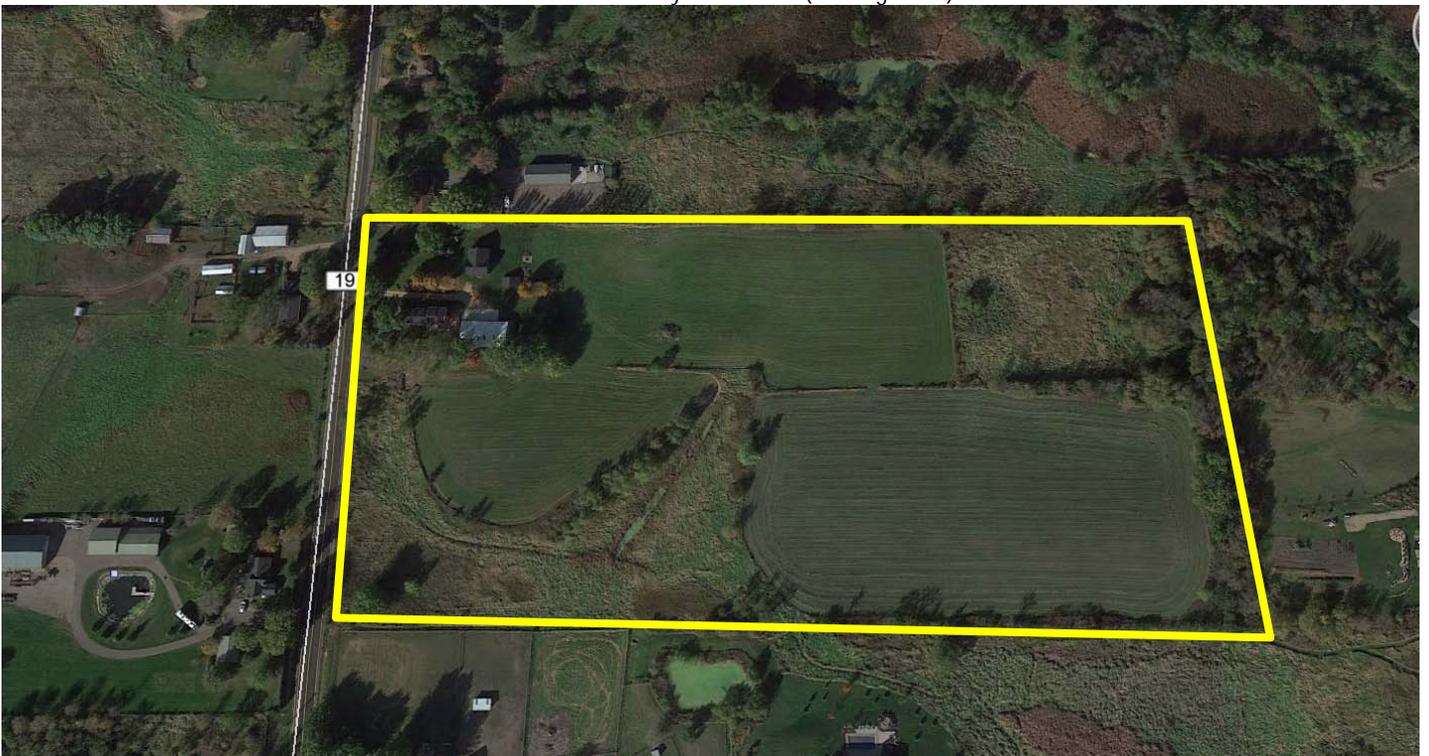
1. The proposed Rezoning and Preliminary Plat meet all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. Approval of the Preliminary and Final Plat is subject to the following:
 - a. The Applicant shall address all comments and applicable requirements pertaining to the development.
 - b. The Applicant shall make all revisions requested in the staff report, by the Planning Commission and City Council.
 - c. The applicant shall satisfactorily respond to all comments outlined in the attached memorandum from Hakanson Anderson, dated October 10, 2016.
 - d. The applicant shall satisfactorily respond to all comments outlined in the attached memorandum from MSA Professionals, dated October 13, 2016.
 - e. The Applicant shall comply with all applicable regulations and conditions prescribed by Minnehaha Creek Watershed District.
 - f. The Applicant shall enter into a development agreement with the City for this development.
 - g. The Applicant shall provide a letter of credit as established by the development agreement for all improvements associated with this development, if required.
 - h. The Applicant shall provide the City with copies of the HOA agreement and covenants, including information related to the maintenance of the common stormwater pond.
 - i. The Applicant shall obtain all necessary City, County, PCA and other regulatory agency approval and permits prior to construction.

3. The Applicant shall pay the park dedication fees in accordance with the terms defined in the Development Agreement.
4. The Applicant shall pay for all costs associated with the City's review of the rezoning, preliminary and final plats.
5. The Applicant shall submit the final plat and associated documents to the City within six (6) months of approval of the Preliminary Plat.

Attachments:

1. Property Pictures
2. Grading Plans
3. Street Construction Plans
4. Preliminary Plat
5. Final Plat
6. Memo From Hakanson Anderson – Stormwater
7. Memo From MSA Professionals - Engineering

View of 1160 County Road 19 N. (Looking North)





**CITY OF INDEPENDENCE
COUNTY OF HENNEPIN
STATE OF MINNESOTA**

**ORDINANCE NO. 2016-08
AMENDING THE CITY OF INDEPENDENCE
ZONING CODE, INCLUDING ZONING MAPS**

THE CITY OF INDEPENDENCE DOES ORDAIN:

Section 1. The City of Independence Zoning Code to be amended to rezone 19.83 acres located at 1160 County Road 19 N., Independence, MN (PID No. 25-118-24-42-0001): from A-Agriculture to RR-Rural Residential, illustrated in Exhibit A and legally described as follows:

The north half or the northwest quarter of the southeast quarter of Section 25, Township 118, Range 24, Hennepin County Minnesota.

Section 2. The City Administrator is hereby directed to amend the City of Independence Zoning Ordinance, including Zoning Maps, in accordance with the foregoing amendment.

Section 3. Effective date. This ordinance shall be and is hereby declared to be in full force and effect after its passage and publication according to law.

Adopted by the Independence City Council this 15th day of November, 2016.

Marvin Johnson, Mayor

Attest:

Mark Kaltsas, City Administrator

Exhibit A



RESOLUTION NO. 16-1115-03

A RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLAT
FOR A DEVELOPMENT TO BE KNOWN AS
SETTLERS PRAIRIE SUBDIVISION AS SUBMITTED BY B.BENSON GROUP

WHEREAS, the City of Independence (the “City”) is a municipal corporation under the laws of Minnesota; and

WHEREAS, the City adopted a comprehensive plan in 2010 to guide the development of the community; and

WHEREAS, the City has adopted a zoning and subdivision ordinance and other official controls to assist in implementing the comprehensive plan; and

WHEREAS, B. Benson Group (the “Applicant”) submitted a preliminary and final plat for the property located at 1160 County Road 19 N. (the “Property”); and

WHEREAS, the property is legally described as follows:

The north half or the northwest quarter of the southeast quarter of Section 25, Township 118, Range 24, Hennepin County Minnesota.

WHEREAS, the Property is zoned Rural Residential; and

WHEREAS the requested preliminary and final plat meets all requirements, standards and specifications of the City of Independence zoning and subdivision ordinances for Rural Residential lots; and

WHEREAS the City held a public hearing on November 15, 2016 to review the application for rezoning and preliminary and final plat following mailed and published noticed as required by law; and

WHEREAS, the City Council has reviewed all materials submitted by the Applicant; considered the oral and written testimony offered by the applicant and all interested parties; and has now concluded that the application is in compliance with all applicable standards and can be considered for approval.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MINNESOTA, that it should and hereby does approve the application by B. Benson Group for preliminary and final plat for a subdivision to be known as SETTLERS PRAIRIE per the City's subdivision and zoning regulations with the following conditions:

1. The proposed Rezoning, Preliminary and Final Plats meet all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. Approval of the Preliminary and Final Plat is subject to the following:
 - a. The Applicant shall address all comments and applicable requirements pertaining to the development.
 - b. The Applicant shall make all revisions requested in the staff report, by the Planning Commission and City Council.
 - c. The applicant shall satisfactorily respond to all comments outlined in the attached memorandum from Hakanson Anderson, dated October 10, 2016.
 - d. The applicant shall satisfactorily respond to all comments outlined in the attached memorandum from MSA Professionals, dated October 13, 2016.
 - e. The Applicant shall comply with all applicable regulations and conditions prescribed by Minnehaha Creek Watershed District.
 - f. The Applicant shall enter into a development agreement with the City for this development.
 - g. The Applicant shall provide a letter of credit as established by the development agreement for all improvements associated with this development, if required.
 - h. The Applicant shall provide the City with copies of the HOA agreement and covenants, including information related to the maintenance of the common stormwater pond.
 - i. The Applicant shall obtain all necessary City, County, PCA and other regulatory agency approval and permits prior to construction.
3. The development of Lots 2, 3 and 4, Block 1, when applying for a building permit, shall be subject to the review of the City Engineer in an effort to ensure that the existing drainage is not directed towards the adjacent properties.
4. The Applicant shall pay the park dedication fees in accordance with the terms defined in the Development Agreement.
5. The Applicant shall pay for all costs associated with the City's review of the rezoning, preliminary and final plats.
6. The Applicant shall submit the final plat and associated documents to the City within six (6) months of approval of the preliminary plat.

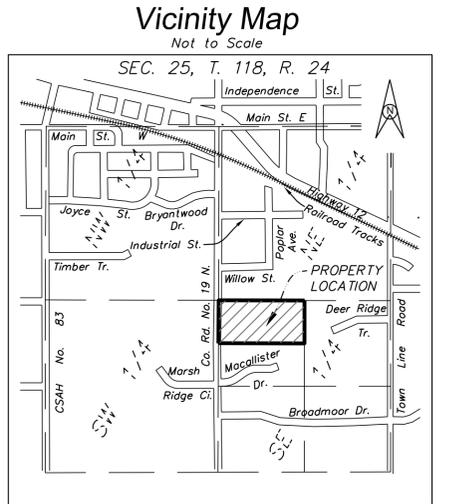
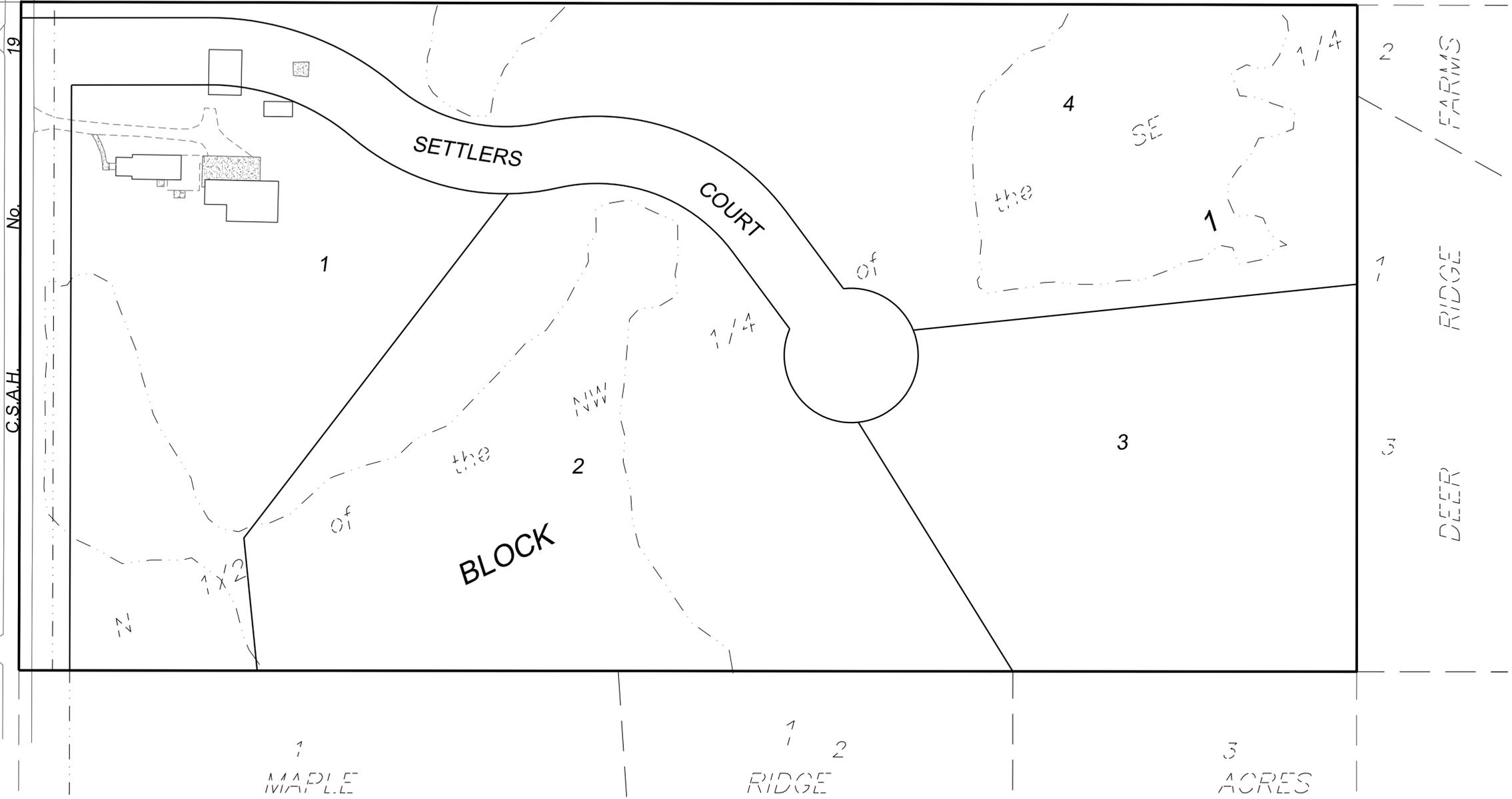
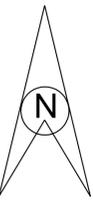
This resolution was adopted by the city council of the City of Independence on this 15th day of November, 2016, by a vote of ____ayes and ____nays.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator

(SEAL)



SHEET INDEX

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	GRADING PLAN
3	STREET PLAN & PROFILE
4	STORMWATER POLLUTION PREVENTION PLAN (SWPPP)
5	STORMWATER POLLUTION PREVENTION NARRATIVE
6	DETAILS

REV. NO.	DATE	BY	DESCRIPTION
1	10-31-16	T.J.B.	REVISED PER CITY REVIEW

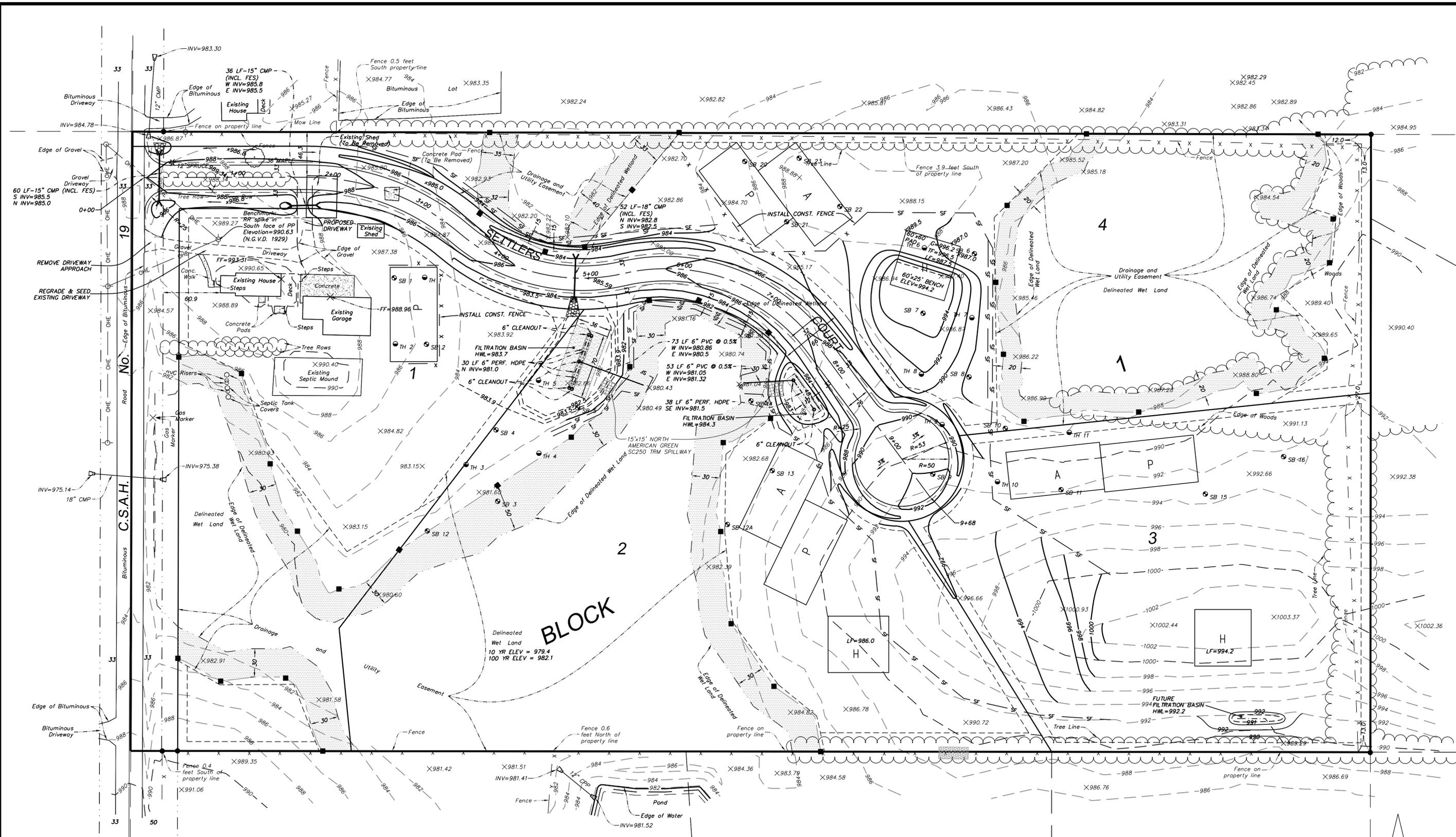
DESIGNED DRAWN
 C.S.O. T.J.B.
 CHECKED
 P.E.O.
 I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
 Cara M. Schwahn Otto
 License # 40433 Date: 10-31-16

OTTO ASSOCIATES
 Engineers & Land Surveyors, Inc.
 www.ottoassociates.com
 9 West Division Street
 Buffalo, MN 55313
 (763)682-4727
 Fax: (763)682-3522

SETTLERS PRAIRIE
 COLDWELL BANKER BURNET
 INDEPENDENCE, MN

COVER SHEET
 SHEET NO. 1 OF 6 SHEETS

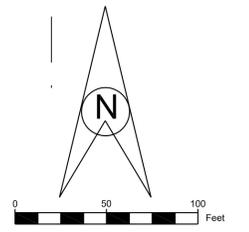
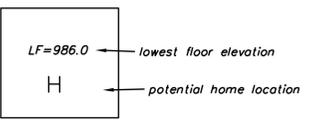
PROJECT NO:
 15-0501
 DATE: 9-16-16



LEGEND

- 984 - denotes existing contour
- X 989.15 denotes existing spot elevation
- 984 - denotes proposed contour
- x989.5 denotes proposed spot elevation
- [Hatched Area] denotes Wetland Buffer (avg. 20' along northern wetlands & 30' along southern wetland)
- denotes wetland buffer sign

NOTE: ANY DISTURBED OR UNVEGETATED WETLAND BUFFER AREAS SHALL BE RESTORED WITH MNDOT 35-241, UNLESS OTHERWISE NOTED.



REV. NO.	DATE	BY	DESCRIPTION
1	4/11/16	C.S.O.	LOT 3 & 4 GRADING
2	9-6-16	T.J.B.	ROAD ALIGNMENT
3	10-31-16	T.J.B.	REVISED PER CITY REVIEW

DESIGNED DRAWN
C.S.O. C.S.O.

CHECKED
P.E.O.

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.

Cara M. Schwahn Otto
Cara M. Schwahn Otto
License # 40433 Date: 10-31-16

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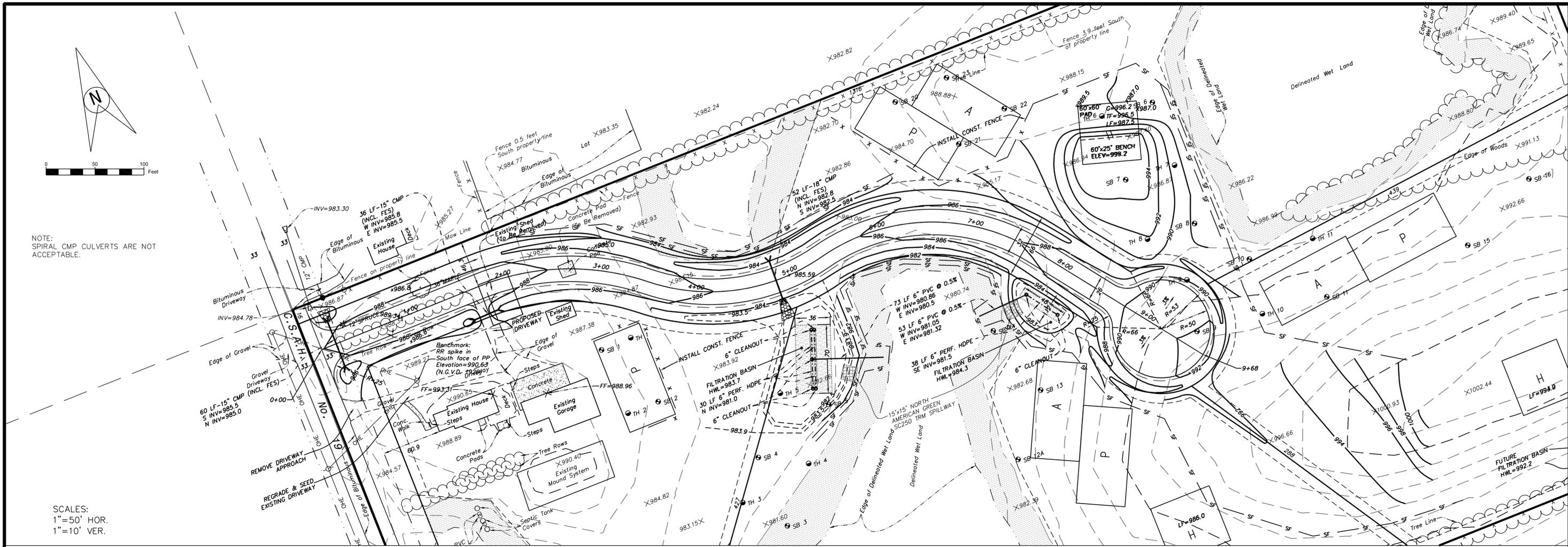
SETTLERS PRAIRIE
COLDWELL BANKER BURNET
INDEPENDENCE, MN

GRADING PLAN

SHEET NO. 2 OF 6 SHEETS

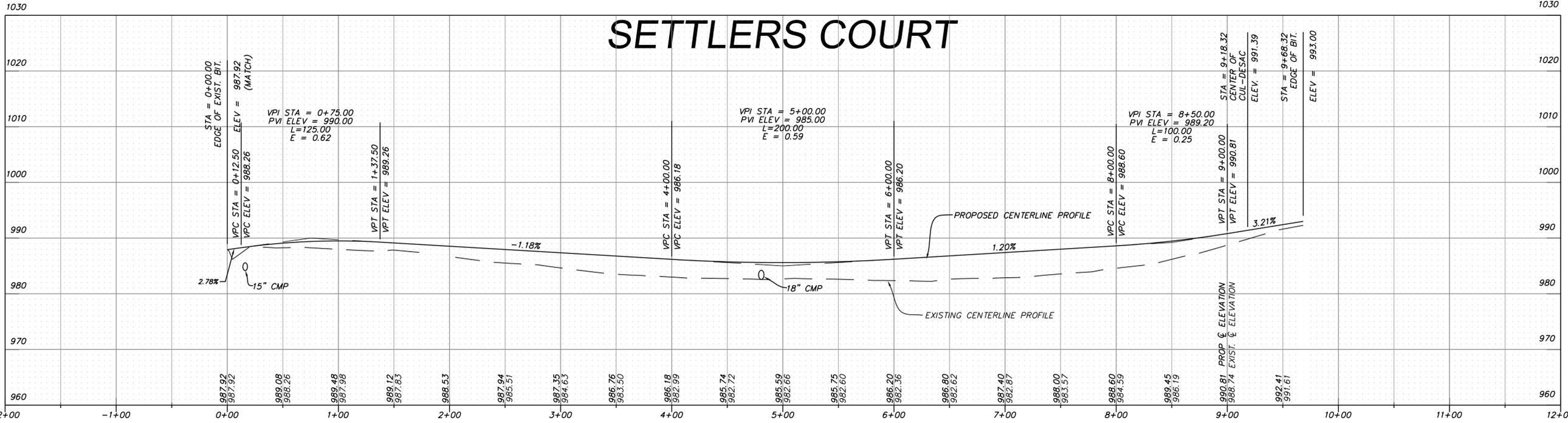
PROJECT NO:
15-0501

DATE: 9-16-16



NOTE: SPIRAL CMP CULVERTS ARE NOT ACCEPTABLE.

SCALES:
1" = 50' HOR.
1" = 10' VER.



SETTLERS COURT

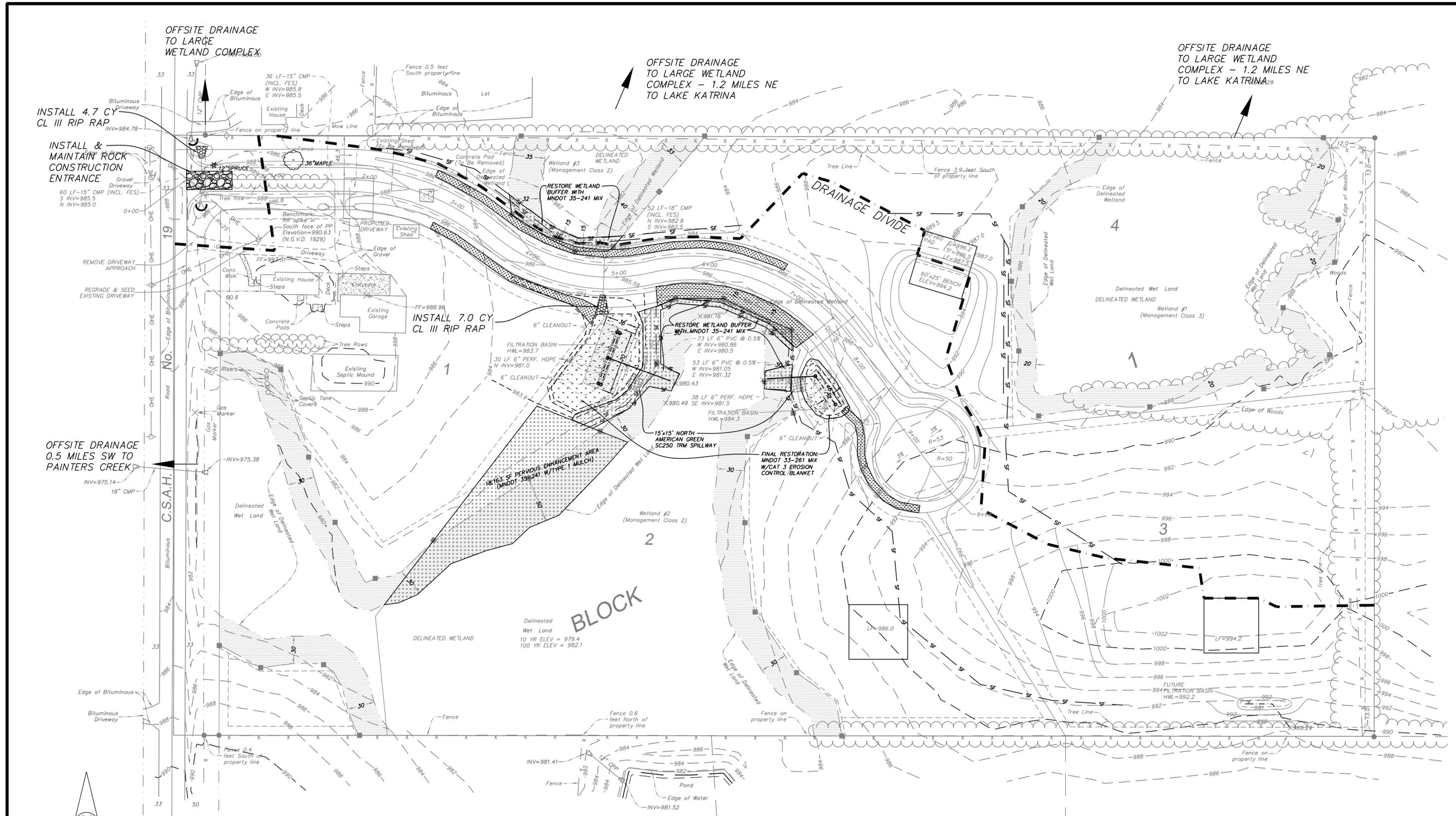
REV. NO.	DATE	BY	DESCRIPTION
1	3-22-16	T.J.B.	UPDATE PROPOSED STREET NAME
2	4-11-16	C.S.O.	LOT 3 & 4 GRADING
3	9-16-16	T.J.B.	ROAD ALIGNMENT
4	10-31-16	T.J.B.	REVISED PER CITY REVIEW

DESIGNED DRAWN
C.S.O. T.J.B.
CHECKED
P.E.O.
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.
Cara M. Schwahn Otto
Date: 10-31-16

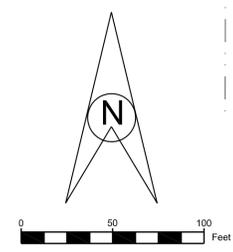
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SETTLERS PRAIRIE
COLDWELL BANKER BURNET
INDEPENDENCE, MN

PROJECT NO: 15-0501
DATE: 3-2-16
PLAN & PROFILE
SETTLERS COURT
SHEET NO. 3 OF 6 SHEETS



-  DENOTES BIROLL INLET PROTECTION
-  SF DENOTES SILT FENCE
-  DENOTES MNDOT 3885 CAT 3 EROSION CONTROL BLANKET
-  DENOTES WETLAND BUFFER



REV. NO.	DATE	BY	DESCRIPTION
1	10-31-16	T.J.B.	REVISED PER CITY REVIEW

DESIGNED C.S.O. DRAWN C.S.O.

CHECKED P.E.O.

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.

Cara M. Schwahn Otto
 Cara M. Schwahn Otto
 License # 40433
 Date: 10-31-16

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SETTLERS PRAIRIE
 COLDWELL BANKER BURNET
 INDEPENDENCE, MN

PROJECT NO: **15-0501**

DATE: 9-16-16

STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

SHEET NO. 4 OF 6 SHEETS

GENERAL PROJECT INFORMATION

PROJECT LOCATION AND NARRATIVE:

THIS PROJECT CONSISTS OF A 4 LOT RESIDENTIAL SUBDIVISION IN INDEPENDENCE, MN. THE CENTER OF THE SITE IS LOCATED NEAR LONGITUDE -93.6531, LATITUDE 44.9995. THE SITE IS ACCESSED FROM CR 19 SOUTH OF WILLOW ST. NEW HOMES WILL BE BUILT ON THREE OF THE LOTS AND THE REMAINING LOT WILL INCLUDE THE EXISTING HOMESTEAD. SOILS ARE PRIMARILY OF HYDROLOGIC GROUP B/C WITH POOR INFILTRATION DUE TO SEASONALLY SATURATED SOILS WITHIN 12"-24" OF THE SURFACE.

CONSTRUCTION ACTIVITIES INCLUDE GRADING, CULVERT INSTALLATION, FILTRATION BASIN INSTALLATION AND AGGREGATE AND BITUMINOUS PLACEMENT. WETLANDS COMPRISE APPROXIMATELY A QUARTER OF THE PROPERTY. MUCH OF THE SITE HAS BEEN FARMED. EXISTING DRAINAGE RATES ARE TO BE MAINTAINED. CONSTRUCTION IS ANTICIPATED TO BEGIN NOV 1ST OF 2016 AND END AUGUST 15TH OF 2017.

RESPONSIBLE PARTIES:

CONTRACTOR AND OWNER ARE REQUIRED TO APPLY FOR A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL STORMWATER PERMIT FOR CONSTRUCTION ACTIVITY AT LEAST 7 DAYS PRIOR TO BEGINNING WORK.

CONTRACTOR AND OWNER SHALL IDENTIFY A PERSON KNOWLEDGEABLE AND EXPERIENCED IN THE APPLICATION OF EROSION PREVENTION AND SEDIMENT CONTROL BMP'S WHO WILL OVERSEE THE IMPLEMENTATION OF THE SWPPP.

CONTRACTOR MUST BE TRAINED FOR BOTH CONSTRUCTION INSTALLER AND SITE MANAGEMENT PER REQUIREMENTS OF THE PERMIT, PART III.F.

BRIAN BENSON 612-227-8629
OWNER PHONE

OTTO ASSOCIATES, INC. CARA SCHWAHN OTTO 763-682-4727
PLAN PREPARER CONTACT PERSON PHONE
TRAINING: 1/20/2016 (EXPIRES 2019) U OF MN CERTIFICATION - DESIGN OF CONSTRUCTION SWPPP
4/2/2014 (EXPIRES 2017) U OF MN CERTIFICATION - CONSTRUCTION SITE MANAGEMENT

CONTRACTOR (RESPONSIBLE FOR CONTACT PERSON PHONE
INSTALLATION & INSPECTION)

DEER RIDGE FARMS SECOND ADDITION HOA
PARTY RESPONSIBLE FOR LONG TERM O&M OF CONTACT PERSON PHONE
THE PERMANENT STORMWATER MANAGEMENT SYSTEM

PROJECT AREAS:

TOTAL PROJECT SIZE (DISTURBED AREA) = 4.2 ACRES

EXISTING AREA OF IMPERVIOUS SURFACE = 0.9 ACRES
POST-CONSTRUCTION AREA OF IMPERVIOUS SURFACE = 1.9 ACRES
TOTAL NEW IMPERVIOUS SURFACE AREA CREATED = 1.0 ACRES

RECEIVING WATERS:

SURFACE WATERS AND WETLANDS THAT WILL RECEIVE STORM WATER RUNOFF FROM THE SITE AND ARE WITHIN ONE (1) MILE OF THE SITE ARE INDICATED WITH DIRECTION ARROW ON THE SWPPP PLAN SHEET AND ARE LISTED BELOW:

NAME OF WATER BODY	TYPE OF IMPAIRMENT
PAINTERS CREEK	NONE
LARGE WETLAND COMPLEX	NONE

CONSTRUCTION ACTIVITY NOTES

ALL CONSTRUCTION ACTIVITIES MUST MEET THE REQUIREMENTS OF THE MPCA'S NPDES GENERAL STORMWATER PERMIT FOR CONSTRUCTION ACTIVITY.

EROSION PREVENTION:

CONTRACTOR SHALL USE PHASED CONSTRUCTION WHEREVER PRACTICAL TO MINIMIZE DISTURBED AREA.

ALL EXPOSED SOIL AREAS MUST BE STABILIZED AS SOON AS POSSIBLE TO LIMIT SOIL EROSION BUT IN NO CASE LATER THAN SEVEN (7) DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORARILY OR PERMANENTLY CEASED.

TEMPORARY TURF RESTORATION SHALL BE MNDOT SEED MIX 21-111 @ 100 LBS/AC WITH MNDOT TYPE 1 MULCH @ 2 TONS/ACRE (DISC ANCHORED).

PERMANENT TURF RESTORATION SHALL BE MNDOT SEED MIX 25-141 @ 59 LB/ACRE OR 25-121 @ 61 LBS/ACRE (SEE BID FORM) WITH MNDOT TYPE 1 MULCH @ 2 TONS/ACRE (DISC ANCHORED) AND 22-5-10 TYPE 3 FERTILIZER (350 LBS/ACRE).

THE FOLLOWING SHALL BE INSTALLED WITHIN 24 HOURS OF CONNECTION TO SURFACE WATER:

- 1) ENERGY DISSIPATION (RIPRAP) AT ALL OUTLET APRONS
- 2) STABILIZATION OF TEMPORARY OR PERMANENT DRAINAGE SWALES WITHIN 200' OF EDGE OF SITE OR CONNECTION TO SURFACE WATER

RAPID STABILIZATION TO BE IMPLEMENTED AS NEEDED AND DIRECTED BY THE ENGINEER.

SEDIMENT CONTROL PRACTICES:

THE CONTRACTOR SHALL BE RESPONSIBLE TO CONTROL SEDIMENT-LADEN SURFACE WATER FROM LEAVING THE CONSTRUCTION ZONE. ALL MOBILIZED SEDIMENT THAT HAS LEFT THE CONSTRUCTION ZONE SHALL BE COLLECTED BY THE CONTRACTOR AND PROPERLY DISPOSED OF AT NO ADDITIONAL COST TO THE OWNER.

ENTERING/EXITING THE SITE SHALL OCCUR ONLY AT ROCK CONSTRUCTION ENTRANCES TO LIMIT TRACKING OF SEDIMENT ONTO STREETS.

SEDIMENT TRACKED ONTO STREETS DURING WORKING HOURS MUST BE RECLAIMED VIA SCRAPING AND SWEEPING AT END OF EACH WORKING DAY.

TEMPORARY SOIL STOCKPILES SHALL HAVE SILT FENCE INSTALLED AROUND THE PERIMETER WITHIN 14 DAYS FROM THE LAST CONSTRUCTION ACTIVITIES THAT FORMED THEM.

CONSTRUCTION SEQUENCING:

- 1) PRECONSTRUCTION MEETING.
- 2) INSTALL PERIMETER SILT FENCE & ROCK ENTRANCE.
- 3) DEMOLITION & CLEARING & GRUBBING.
- 4) ROUGH GRADE SITE.
- 5) INSTALL STORM SEWER.
- 6) STABILIZE SITE AS INDICATED ON THE PLANS.
- 7) COMPLETE STREET CONSTRUCTION.
- 8) PRIVATE UTILITY INSTALLATION.
- 9) AFTER UPGRADIENT AREAS ARE VEGETATED, CONSTRUCT FILTRATION TRENCHES.
- 10) RESTORE FILTRATION BASINS.
- 11) PREP & SEED DISTURBED WETLAND BUFFER AND PVIOUS ENHANCEMENT AREAS.
- 12) HOME CONSTRUCTION.
- 13) RESTORE SITE WITH PERMANENT RESTORATION AS HOMES ARE BUILT.
- 14) REMOVE SEDIMENT CONTROL DEVICES & SUBMIT NOTICE OF TERMINATION (NOT) TO MPCA ONCE ALL DISTURBED AREAS HAVE 70% VEGETATIVE DENSITY.

EROSION & SEDIMENT CONTROL BMP ESTIMATED QUANTITIES:

QUANTITIES LISTED ARE APPROXIMATE. REFER TO CONTRACT DOCUMENTS FOR EXACT QUANTITIES.

BMP	QUANTITY
SILT FENCE	2790 LF
ROCK CONSTRUCTION ENTRANCE	1 EA
BIOROLL INLET PROTECTION	2 EA
MNDOT SEED MIX 25-141, TYPE 1 MULCH, 22-5-10 TYPE 3 FERTILIZER	3.5 AC
MNDOT SEED MIX 33-261 W/CAT 3 BLANKET	9,950 SF
MNDOT SEED MIX 35-241 & TYPE 1 MULCH	25,800 SF
MNDOT 3885 CAT 3 EROSION CONTROL BLANKET	1138 SY
CLASS III RIP RAP	11.7 CY

DEWATERING:

ANY DEWATERING SHALL BE DISCHARGED TO A TEMPORARY SEDIMENTATION BASINS WHEN REQUIRED. IF THE WATER CANNOT BE DISCHARGED TO A BASIN PRIOR TO ENTERING THE SURFACE WATER, AN APPROVED ALTERNATE BMP SUCH THAT THE DISCHARGE DOES NOT ADVERSELY AFFECT THE RECEIVING WATER.

USE APPROPRIATE ENERGY DISSIPATION MEASURES ON ALL DISCHARGES. DEWATERING PRACTICES CANNOT CAUSE NUISANCE CONDITIONS, EROSION, OR FLOODING IN RECEIVING CHANNELS OR INUNDATION OF WETLANDS RESULTING IN ADVERSE IMPACTS. TEMPORARY SEDIMENTATION BASIN MUST BE VISUALLY CHECKED TO ENSURE ADEQUATE TREATMENT IS OBTAINED IN THE BASIN.

CONSTRUCTION NOTES

INSPECTIONS AND MAINTENANCE:

THE CONTRACTOR MUST ROUTINELY INSPECT THE CONSTRUCTION SITE ONCE EVERY SEVEN (7) DAYS DURING ACTIVE CONSTRUCTION AND WITHIN 24 HOURS OF A RAINFALL EVENT GREATER THAN 0.5 INCHES IN A 24-HR PERIOD. INSPECTION LOGS SHALL INCLUDE ANY CORRECTIVE MEASURES TAKEN.

ALL INSPECTIONS MUST BE RECORDED AND RECORDS RETAINED WITH THE SWPPP ON SITE. THE SWPPP, ALONG WITH INSPECTIONS AND MAINTENANCE RECORDS, SHALL BE RETAINED FOR THREE YEARS AFTER SUBMITTAL OF THE NOTICE OF TERMINATION (NOT).

SILT FENCE, BIOROLLS, DITCH CHECKS AND INLET PROTECTION DEVICES MUST BE MAINTAINED WHEN ACCUMULATED SEDIMENT REACHES 1/3 OF THE DEVICE HEIGHT. INLET PROTECTION DEVICES SHALL BE CLEANED ON A ROUTINE BASIS SUCH THAT THE DEVICES ARE FULLY FUNCTIONAL FOR THE NEXT RAINSTORM EVENT. REMOVAL AND DISPOSAL OF THE SEDIMENT SHALL BE INCIDENTAL TO THE CONTRACT.

ROCK CONSTRUCTION ENTRANCE SHALL BE CLEANED AND REFRESHED AS NECESSARY TO CONFORM TO DETAIL.

TEMPORARY SEDIMENT BASINS SHALL BE DRAINED AND CLEANED OF SEDIMENT WHEN THE DEPTH OF SEDIMENT IN THE BASIN IS EQUAL TO 1/2 OF THE ORIGINAL STORAGE VOLUME. DRAINAGE AND REMOVAL SHALL BE COMPLETED WITHIN 72 HOURS OF DISCOVERY.

OFF-SITE VEHICLE TRACKING SHALL BE REMOVED WITHIN 24 HOURS OF DISCOVERY.

ALL NON-FUNCTIONAL BMP'S MUST BE REPAIRED, REPLACED, OR SUPPLEMENTED WITH FUNCTIONAL BMP'S WITHIN 24 HOURS OF DISCOVERY, OR AS SOON AS FIELD CONDITIONS ALLOW ACCESS.

POLLUTION PREVENTION:

ALL SOLID WASTE GENERATED BY/COLLECTED FROM THE CONSTRUCTION SITE MUST BE DEPOSITED IN A DUMPSTER.

NO CONSTRUCTION MATERIAL SHALL BE BURIED OR BURNED ONSITE.

ALL HAZARDOUS MATERIALS (OIL, GASOLINE, FUEL, PAINT, ETC) MUST BE PROPERLY STORED/CONTAINED TO PREVENT SPILLS, LEAKS OR OTHER DISCHARGE. STORAGE AND DISPOSAL OF HAZARDOUS WASTE MUST BE IN COMPLIANCE WITH ALL APPLICABLE STATE AND FEDERAL REGULATIONS. ALL VEHICLES LEFT ONSITE SHALL BE MONITORED FOR LEAKS TO REDUCE THE CHANCE OF CONTAMINATION.

EXTERNAL WASHING OF TRUCKS OR OTHER CONSTRUCTION VEHICLES, ENGINE DEGREASING, NOR CONCRETE WASHOUTS ARE ALLOWED ON SITE.

THE CONTRACTOR SHALL MONITOR AND PROVIDE DUST CONTROL CORRECTION WHEN NEEDED. THIS WORK IS CONSIDERED INCIDENTAL TO THE CONTRACT.

ALL SPILLS SHALL BE CLEANED IMMEDIATELY UPON DISCOVERY. SPILLS LARGE ENOUGH TO REACH THE STORM CONVEYANCE SYSTEM SHALL BE REPORTED TO THE MPCA STATE DUTY OFFICER AT 1-800-422-0798.

FINAL STABILIZATION:

THE CONTRACTOR MUST ENSURE FINAL STABILIZATION OF THE SITE. THE PERMITEE MUST SUBMIT A NOTICE OF TERMINATION WITHIN 30 DAYS AFTER FINAL STABILIZATION IS COMPLETE OR SITE CONTROL HAS BEEN PASSED TO ANOTHER OWNER.

SUFFICIENT TOPSOIL (6") SHALL BE PLACED ON DISTURBED AREAS FOR RE-VEGETATION.

ALL TEMPORARY EROSION CONTROL MEASURES AND BMP'S MUST BE REMOVED AS PART OF THE FINAL SITE STABILIZATION.

TRAINING REQUIREMENTS:

CONTRACTOR MUST BE TRAINED FOR BOTH CONSTRUCTION INSTALLER AND SITE MANAGEMENT PER REQUIREMENTS OF THE PERMIT, PART III.F. DOCUMENTATION SHALL BE ADDED TO THE SWPPP DOCUMENTS LOCATED ONSITE.

REV. NO.	DATE	BY	DESCRIPTION
1	10-31-16	T.J.B.	REVISED PER CITY REVIEW

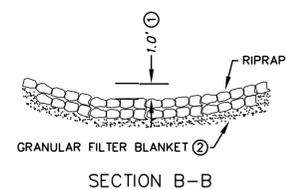
DESIGNED DRAWN
C.S.O. C.S.O.
CHECKED
P.E.O.
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
Cara M. Schwahn Otto
License # 40433 Date: 10-31-16

www.ottoassociates.com
9 West Division Street
Buffalo, MN 55313
(763)682-4727
Fax: (763)682-3522
OTTO ASSOCIATES
Engineers & Land Surveyors, Inc.

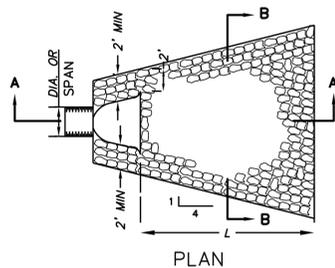
SETTLERS PRAIRIE
COLDWELL BANKER BURNET
INDEPENDENCE, MN

STORMWATER POLLUTION PREVENTION NARRATIVE
SHEET NO. 5 OF 6 SHEETS

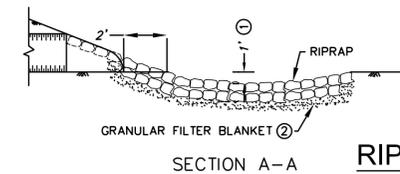
PROJECT NO:
15-0501
DATE: 9-16-16



SECTION B-B



PLAN



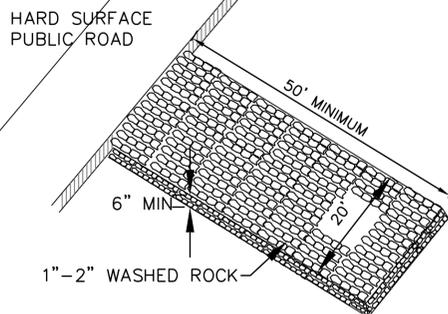
SECTION A-A

RIPRAP AT CMP OUTLETS

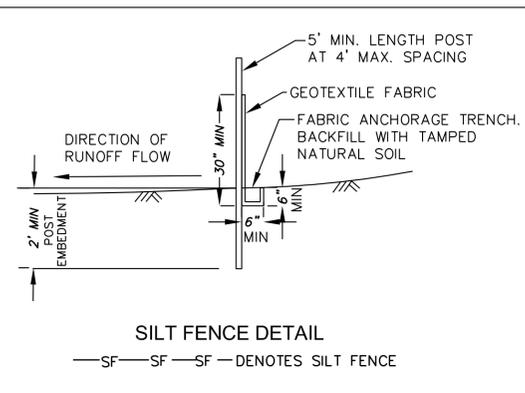
DIA. OF ROUND PIPE (IN.)	L (FT.)	CLASS II d ₅₀ = 6"		CLASS III d ₅₀ = 9"		CLASS VI d ₅₀ = 12"	
		12" DEPTH RIPRAP (CU. YD.)	6" DEPTH GRANULAR FILTER (CU. YD.)	18" DEPTH RIPRAP (CU. YD.)	9" DEPTH GRANULAR FILTER (CU. YD.)	24" DEPTH RIPRAP (CU. YD.)	12" DEPTH GRANULAR FILTER (CU. YD.)
12	8	3.2	1.6	4.7	2.4	6.3	3.2
15	8	3.5	1.8	5.2	2.6	6.9	3.5
18	10	4.7	2.4	7.0	3.5	9.4	4.7
21	10	5.5	2.8	8.2	4.1	10.9	5.5
24	12	6.5	3.3	9.8	4.9	13.0	6.5
30	14	8.6	4.3	12.8	6.4	17.1	8.6
36	16	10.9	5.5	16.3	8.2	21.8	10.9
42	18	13.5	6.8	20.3	10.2	27.0	13.5
48	20	16.0	8.0	24.0	12.0	32.0	16.0

NOTES:
REQUIREMENTS FOR RIPRAP SIZE AND THICKNESS AND FILTER BLANKET WILL BE DESIGNATED IN THE PLANS.

- ① FOR PIPES GREATER THAN OR EQUAL TO 30", USE 1.5'.
- ② THE CONTRACTOR, AT HIS OPTION, MAY SUBSTITUTE A GEOTEXTILE FABRIC, SPEC. 3601, FOR THE GRANULAR FILTER BLANKET UNLESS OTHERWISE SPECIFIED IN THE PLANS. THE FABRIC SHOULD COVER THE AREA OF THE RIPRAP AND EXTEND UNDER THE CULVERT APRON 3 FT.

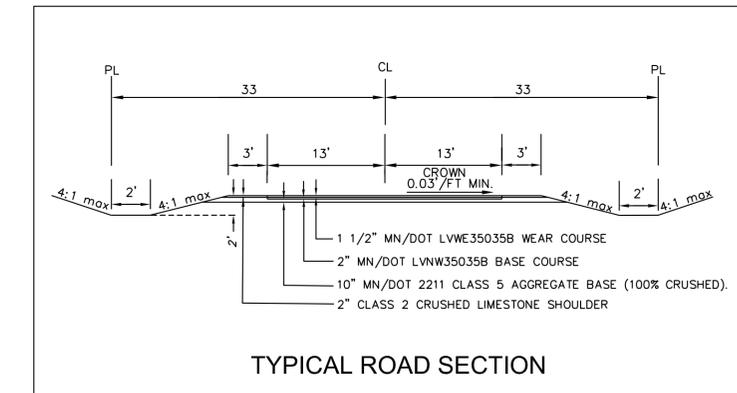


ROCK CONSTRUCTION ENTRANCE

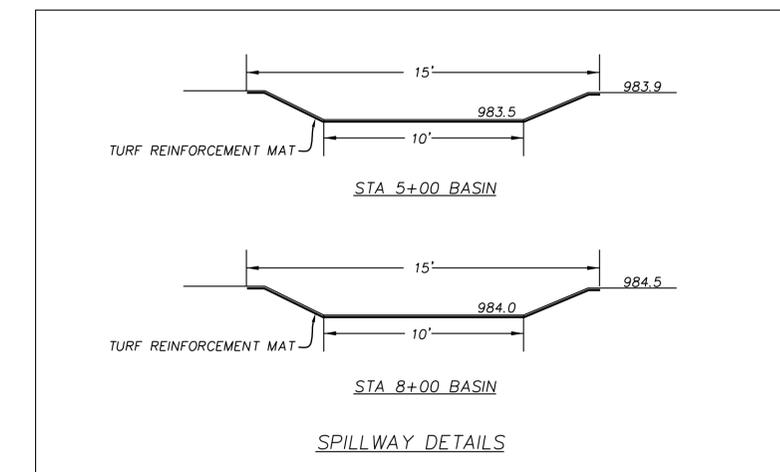


SILT FENCE DETAIL

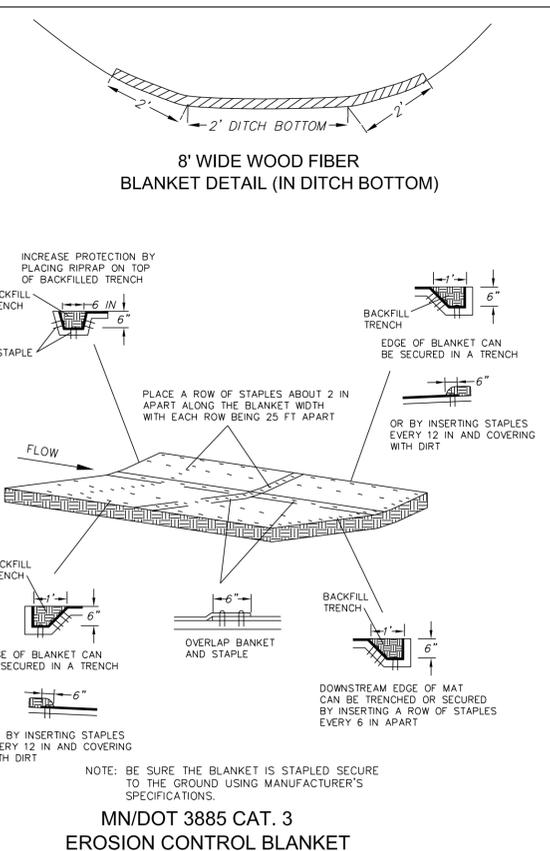
—SF—SF—SF— DENOTES SILT FENCE



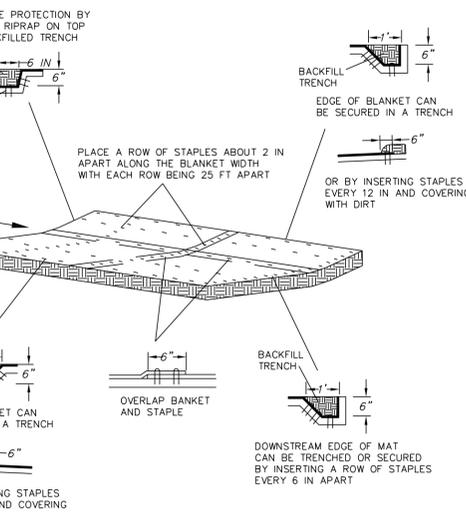
TYPICAL ROAD SECTION



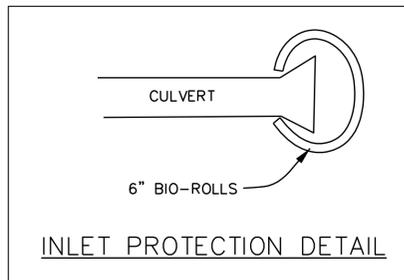
SPILLWAY DETAILS



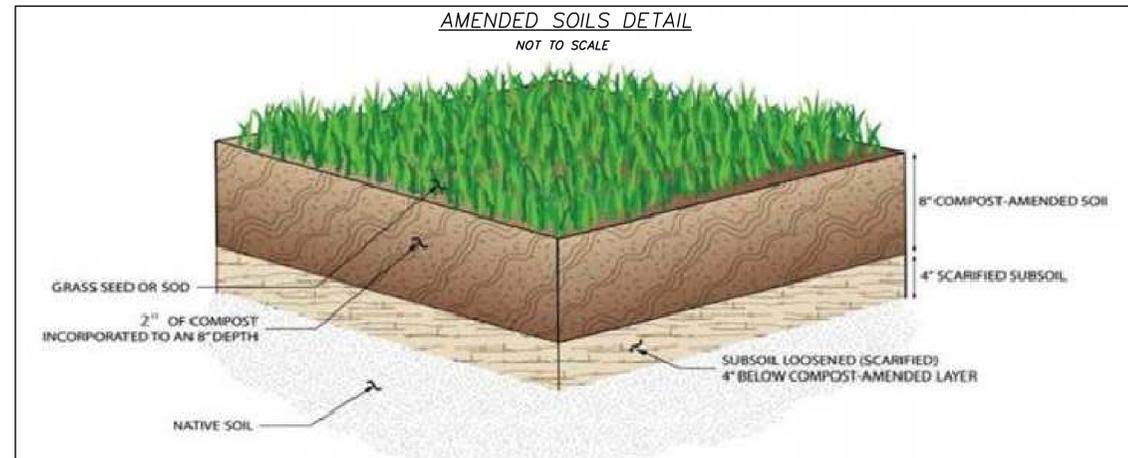
8' WIDE WOOD FIBER BLANKET DETAIL (IN DITCH BOTTOM)



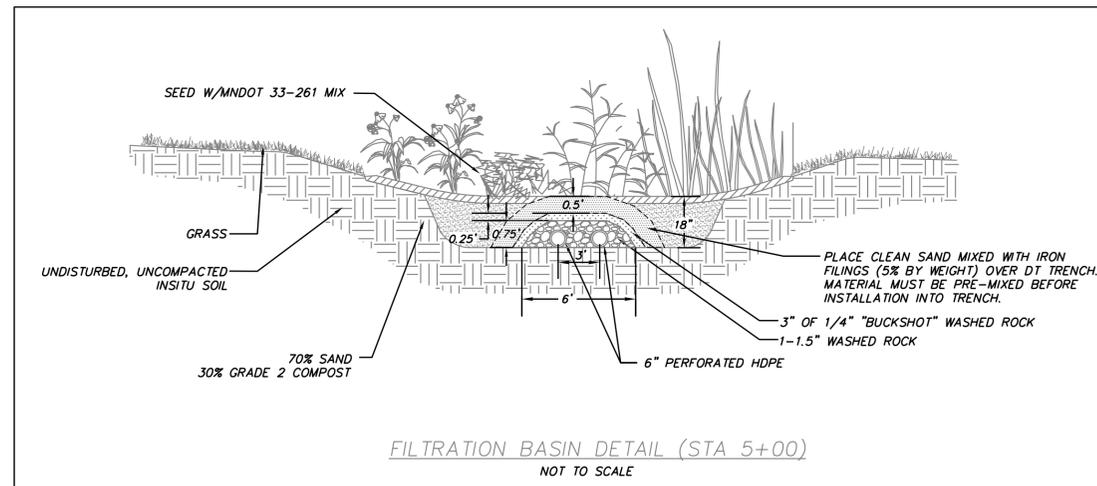
NOTE: BE SURE THE BLANKET IS STAPLED SECURE TO THE GROUND USING MANUFACTURER'S SPECIFICATIONS.
MN/DOT 3885 CAT. 3
EROSION CONTROL BLANKET



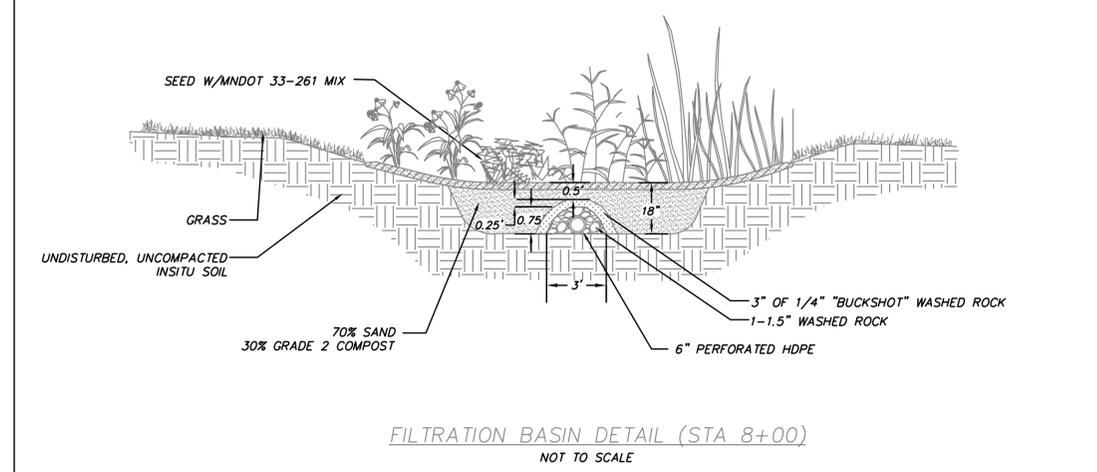
INLET PROTECTION DETAIL



AMENDED SOILS DETAIL
NOT TO SCALE



FILTRATION BASIN DETAIL (STA 5+00)
NOT TO SCALE



FILTRATION BASIN DETAIL (STA 8+00)
NOT TO SCALE

REV. NO.	DATE	BY	DESCRIPTION
1	10-31-16	T.J.B.	REVISED PER CITY REVIEW

DESIGNED DRAWN
C.S.O. C.S.O.
CHECKED
P.E.O.
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.
Cara M. Schwahn Otto
License # 40433 Date: 10-31-16

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SETTLERS PRAIRIE
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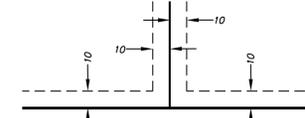
PROJECT NO:
15-0501
DATE: 9-16-16
DETAILS
SHEET NO. 6 OF 6 SHEETS

Preliminary Plat of SETTLERS PRAIRIE

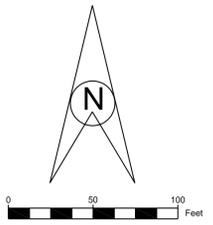
BUILDABLE AREAS TABLE

LOT	BUILDABLE AREA (ACRES)
1	2.51
2	2.91
3	3.48
4	3.26

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

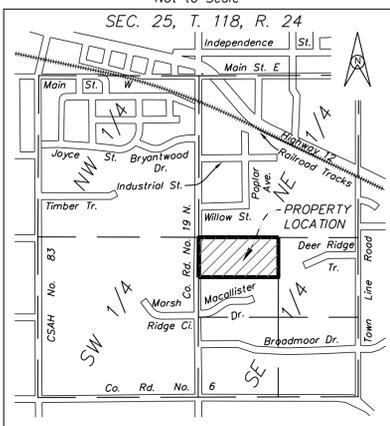


BEING 10 FEET IN WIDTH, UNLESS OTHERWISE INDICATED, AND ADJOINING RIGHT-OF-WAY LINES, AND BEING 10 FEET IN WIDTH, UNLESS OTHERWISE INDICATED, AND ADJOINING LOT LINES, AS SHOWN ON THE PLAT.



SCALE: 1" = 50'
TOTAL AREA = 19.83 ACRES
EXISTING ZONING: AG
PROPOSED ZONING: RR

Vicinity Map
Not to Scale



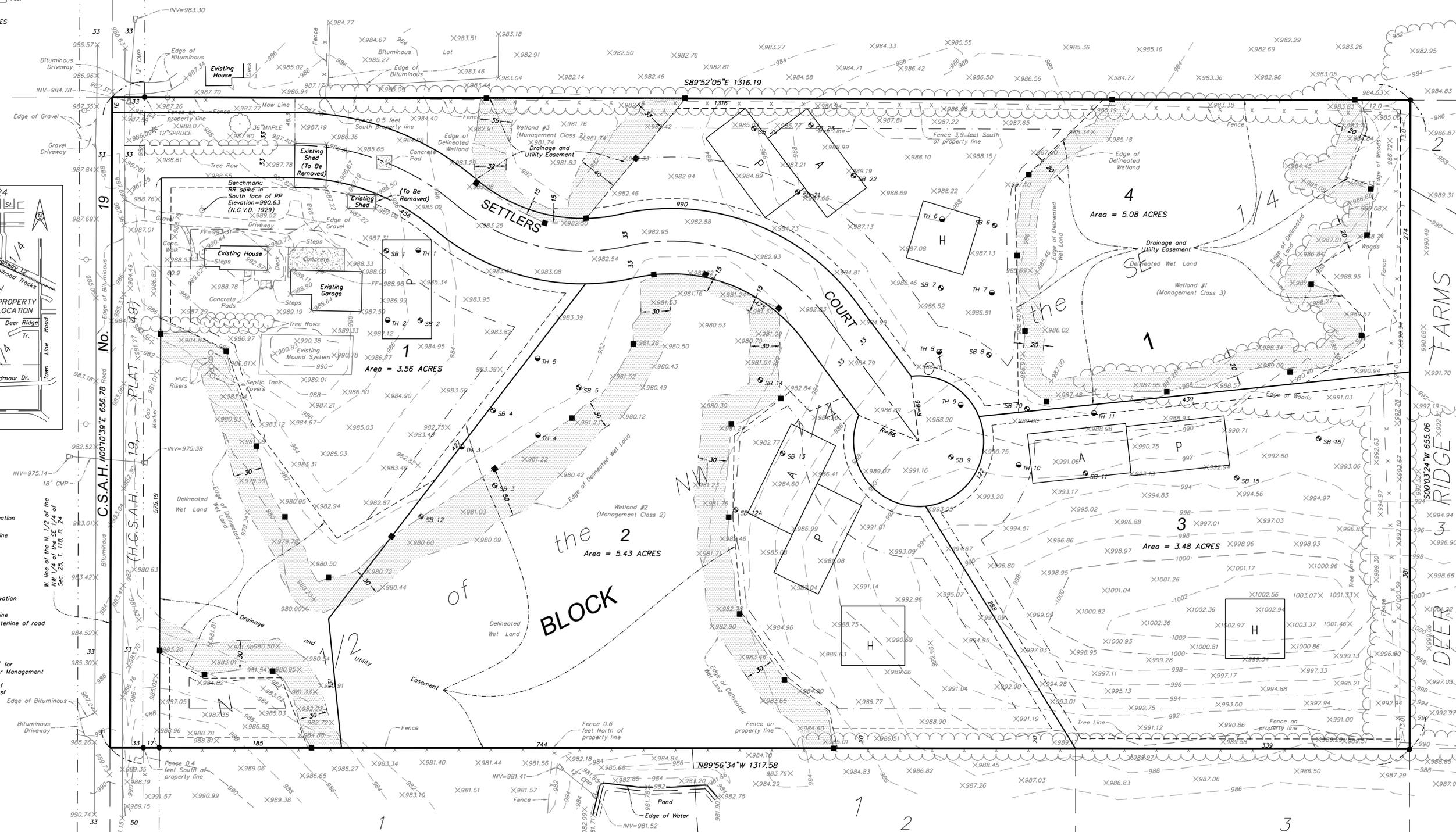
LEGEND

- 984 — denotes Existing Contour
- × 984.00 denotes Existing Spot Elevation
- OHE — denotes Overhead Power Line
- denotes Power Pole
- denotes Soil Boring
- ⊙ denotes Test Hole
- FF denotes Finished Floor Elevation
- denotes Building Setback line
Front = 85' from centerline of road
Side = 30'
Rear = 40'
Wetland Buffer = 10'
- denotes Wetland Buffer (avg. 20' for Management 3 wetland & 30' for Management 2 wetlands)
Buffer area required = 82,882 sf
Buffer area proposed = 82,957 sf
- denotes Proposed Wetland Buffer Sign, Typ.
- P denotes Proposed Primary Septic Area
- A denotes Proposed Alternate Septic Area
- H denotes Proposed House Pad Location

PROPERTY DESCRIPTION:

The North Half of the Northwest Quarter of the Southeast Quarter of Section 25, Township 118, Range 24, Hennepin County, Minnesota.

Note: Wet Lands Delineated by Jacobson Environmental, PLLC



denotes iron monument found
denotes 1/2 inch by 1/4 inch iron pipe set and marked by License #40062
Project No. 15-0501

www.ttoassociates.com
9 West Division Street
Buffalo, MN 55313
(763) 682-4127
Fax: (763) 682-5522

Engineers & Land Surveyors, Inc.

Requested By: **Coldwell Banker Burnet**
Checked By: **P.E.O.**
Date: **9-16-16**
Scale: **1"=50'**
Drawn By: **T.J.B.**

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.

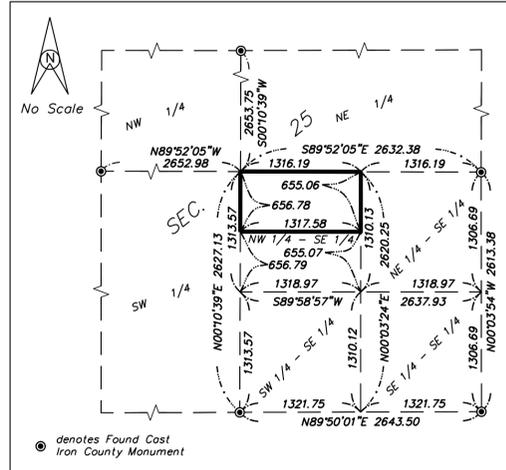
Paul E. Otto
Paul E. Otto
License #40062 Date: 10-31-16

Revised: 10-31-16 REVISED PER CITY REVIEW

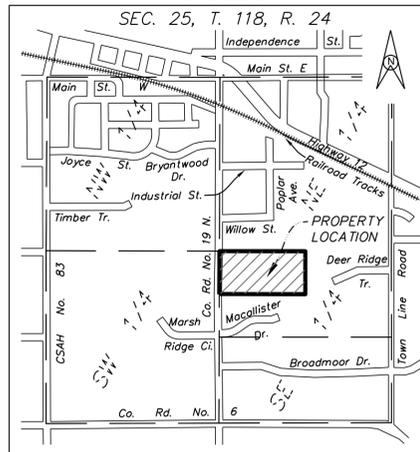
SETTLERS PRAIRIE

C.R. DOC. NO.

PUBLIC LAND SURVEY BREAKDOWN
SECTION 25, TOWNSHIP 118, RANGE 24



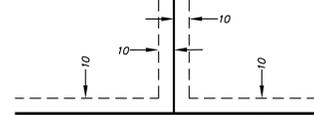
Vicinity Map
Not to Scale



Bearing Note:
The West line of the N 1/2 of the NW 1/4 of the SE 1/4 of Section 25, Township 118, Range 24, Hennepin County, Minnesota, is assumed to bear N00°10'39"E.

- denotes iron monument found
- denotes 1/2 inch by 14 inch iron pipe set and marked by License number 40062.
- ⊙ denotes found Hennepin County Cast Iron Monument unless otherwise noted.

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



BEING 10 FEET IN WIDTH, UNLESS OTHERWISE INDICATED, AND ADJOINING RIGHT-OF-WAY LINES, AND BEING 10 FEET IN WIDTH, UNLESS OTHERWISE INDICATED, AND ADJOINING LOT LINES, AS SHOWN ON THE PLAT.

KNOW ALL PERSONS BY THESE PRESENTS: That B. Benson Group, Inc., a Minnesota corporation, fee owner of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

The North Half of the Northwest Quarter of the Southeast Quarter of Section 25, Township 118, Range 24, Hennepin County, Minnesota.

Has caused the same to be surveyed and platted as SETTLERS PRAIRIE and does hereby dedicate to the public for public use the public ways and the drainage and utility easements as created by this plat.

In witness whereof said B. Benson Group, Inc. has caused these presents to be signed by its proper officer this _____ day of _____, 20____.

B. BENSON GROUP, INC.

Brian Benson, President

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me this _____ day of _____, 20____ by Brian Benson, President of B. Benson Group, Inc., a Minnesota corporation, on behalf of the corporation.

(Notary Signature)

(Notary Printed Name)

Notary Public, _____ County, Minnesota

My commission expires _____

I, Paul E. Otto, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20____.

Paul E. Otto, Licensed Land Surveyor
Minnesota License Number 40062

STATE OF MINNESOTA
COUNTY OF WRIGHT
This instrument was acknowledged before me on this _____ day of _____, 20____, by Paul E. Otto.

(Notary Signature)

(Notary Printed Name)

Notary Public, _____ County, Minnesota

My commission expires _____

CITY COUNCIL, CITY OF INDEPENDENCE, MINNESOTA

This plat of SETTLERS PRAIRIE was approved and accepted by the City Council of Independence, Minnesota, at a regular meeting thereof held this _____ day of _____, 20____. If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been received by the City or the prescribed 30 day period has elapsed without receipt of such comments and recommendations, as provided by Minn. Statutes, Section 505.03, Subd. 2.

City Council of Independence, Minnesota

By _____ Mayor By _____ Clerk

RESIDENT AND REAL ESTATE SERVICES, Hennepin County, Minnesota
I hereby certify that taxes payable in 20____ and prior years have been paid for land described on this plat, dated this _____ day of _____, 20____.

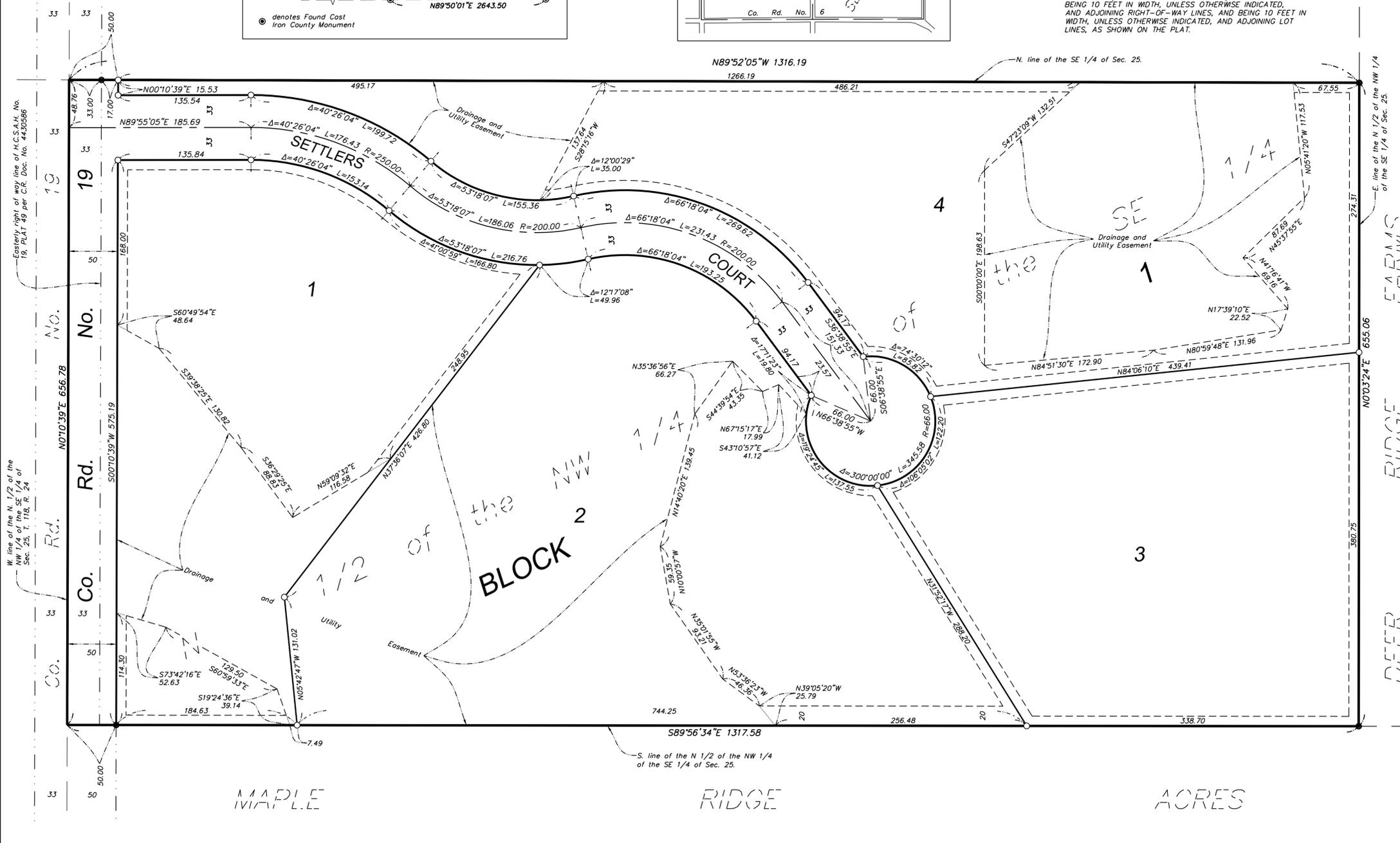
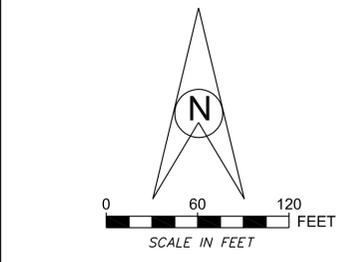
Mark V. Chapin, County Auditor by _____ Deputy

SURVEY DIVISION, Hennepin County, Minnesota
Pursuant to MN. STAT. Sec. 383B.565 (1969), this plat has been approved this _____ day of _____, 20____.

Chris F. Mavis, County Surveyor by _____

COUNTY RECORDER, Hennepin County, Minnesota
I hereby certify that the within plat of SETTLERS PRAIRIE was recorded in this office this _____ day of _____, 20____, at _____ o'clock _____ M.

Martin McCormick, County Recorder by _____ Deputy



MAPLE RIDGE

MAPLE RIDGE

ACRES

