



CITY COUNCIL MEETING AGENDA  
TUESDAY FEBRUARY 18, 2020

**CITY COUNCIL MEETING TIME: 6:30 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 February 4, 2020 Regular City Council Meeting.

b. Approval of Accounts Payable; Checks Numbered 19447-19478 (Check #'s 19445 & 19446 were voided).

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. **(CONTINUED FROM FEBRUARY 4, 2020)** Vincent Velie III (Applicant) requests that the City consider the following action for the property located at 3315 County Road 92 N, Independence, MN (PID No. 09-118-24-34-0004):

a. **RESOLUTION 20-0218-01** - To consider granting an interim use permit to replace the existing conditional use permit. The new interim use permit would allow a landscape business to operate from the subject property. The interim use permit would add new conditions to the property and the existing conditional use permit would be removed.

8. **(CONTINUED FROM FEBRUARY 4, 2020)** Theresa Marple (Applicant/Owner) requests that the City consider the following action for the property located at 7825 County Road 11, Independence, MN (PID No. 09-118-24-22-0003):

a. **RESOLUTION 20-0218-02** - to consider granting a variance to allow a minor subdivision of property zoned AG-Agriculture that does not meet all applicable

requirements. The subdivision proposed would create two approximately 40-acre parcels from the existing 80-acre parcel.

9. Consideration of approving plans and specifications and ordering advertisement for bids of the 2020 Bituminous Street Overlay Project.

a. **RESOLUTION 20-0218-03** – approving plans and specifications and ordering advertisement for bids.

10. Consideration of the following resolutions calling for a public hearing on the capital improvements plan bonds and street reconstruction bonds.

a. **RESOLUTION 20-0218-04** - calling a public hearing on the street reconstruction bonds.

b. **RESOLUTION 20-0218-05** - calling a public hearing on the capital improvement plan bonds. Reimbursement Resolution relating to the proposed City Hall and the street reconstruction project.

11. Open/Misc.

12. Adjourn.

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE CITY COUNCIL  
TUESDAY, FEBRUARY 4, 2020 –6:30 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 6:30 p.m.

2. Pledge of Allegiance

3. ROLL CALL

PRESENT: Mayor Johnson, Councilors Betts, Grotting and Spencer

ABSENT: Councilor McCoy, City Attorney Vose

STAFF: City Administrator Kaltsas, Assistant to Administrator Horner

VISITORS: Anita Volkenant, Bob Volkenant

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 January 21, 2020 Regular City Council Meeting.
- b. Approval of Accounts Payable; Checks Numbered 19404-19444.
- c. Approval of Election Judge Appointment for the 2020 Presidential Nominating Primary Election.
- d. Approval of annual liquor license renewals for the following establishments:
  - i. Ox Yoke Inn - Off Sale, On Sale and Sunday License
  - ii. Windsong Farm Golf Club LLC - Off Sale, On Sale and Sunday License
  - iii. Pioneer Creek Golf LLC - On Sale and Sunday License

**Motion by Spencer, second by Grotting to approve the Consent Agenda. Ayes: Johnson, Betts, Spencer and Grotting. Nays: None. Absent: McCoy. Abstain. None. MOTION DECLARED CARRIED.**

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

6. REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF

**Spencer attended the following meetings:**

- Planning Commission Meeting

**Grotting attended the following meetings:**

- Mediacom call regarding expansion

**McCoy attended the following meetings:**

**Betts attended the following meetings:**

- Sensible Land Use Committee Conference

- Elected Officials Conference in Plymouth
- Police Commission Meeting
- West Hennepin Chamber of Commerce Meeting
- Maple Plain Fire Commission Meeting
- West Hennepin Chamber of Commerce Board Meeting for the Mayor

**Johnson attended the following meetings:**

- Planning Commission Meeting
- Mayors Breakfast with Congressman Phillips
- Sensible Land Use Committee Conference
- Senator Osmek Official Committee Hearing on Energy
- Senior Community Services Meeting
- Elected Officials Conference in Plymouth
- Orono School Board Meeting
- Police Commission Meeting
- Highway 55 Coalition Corridor Meeting
- West Hennepin Chamber of Commerce Meeting
- National League of Cities Energy Committee Meeting
- Maple Plain Fire Commission Meeting
- Highway 12 Corridor Coalition Meeting
- Received a letter from the Commissioner of Transportation Margaret Kelliher dedicating an additional 2M to fill the funding gap on the round-about (option 3A)

**Horner attended the following meetings:**

- Planning Commission Meeting
- West Hennepin Chamber of Commerce Board Meeting
- Met with BKV Architects on building renovation

**Kaltsas attended the following meetings:**

7. **(REQUESTED TO BE CONTINUED TO FEBRUARY 18, 2020)** Vincent Velie III (Applicant) requests that the City consider the following action for the property located at 3315 County Road 92 N, Independence, MN (PID No. 09-118-24-34-0004):
  - a. To consider granting an interim use permit to replace the existing conditional use permit. The new interim use permit would allow a landscape business to operate from the subject property. The interim use permit would add new conditions to the property and the existing conditional use permit would be removed.
8. **(REQUESTED TO BE CONTINUED TO FEBRUARY 18, 2020)** Theresa Marple (Applicant/Owner) requests that the City consider the following action for the property located at 7825 County Road 11, Independence, MN (PID No. 09-118-24-22-0003):



- a. To consider granting a variance to allow a minor subdivision of property zoned AG-Agriculture that does not meet all applicable requirements. The subdivision proposed would create two approximately 40-acre parcels from the existing 80-acre parcel.
9. Consideration of a Reimbursement Resolution relating to the proposed City Hall and the street reconstruction project.
- a. **RESOLUTION 20-0204-01** – Declaring the official intent of the City to reimburse certain expenditures from the proceeds of bonds to be issued by the City.

Kaltsas said the City is in the process of preparing plans and specifications for the 2020 Bituminous Street Overlay Project and possibly a City Hall improvement project. If the City determines it necessary and appropriate to issue bonds for the projects, certain costs associated with the development and preparation of plans and the projects in general could be reimbursed with proceeds from bonds. This enabling resolution does not obligate the City to issue bonds and or move forward with either of the potential projects. The majority of the potential costs to be reimbursement include professional services fees such as engineering and architecture which are required to prepare plans and specifications. The resolution allowing the City to reimburse certain costs was prepared by the City’s legal counsel.

Johnson asked about Nelson Road and Kaltsas said he would check on that to see if it was already tiled. Johnson said it was important to check as it was not on this list.

**Motion by Spencer, second by Betts to approve RESOLUTION 20-0204-01 – Declaring the official intent of the City to reimburse certain expenditures from the proceeds of bonds to be issued by the City. Ayes: Johnson, Betts, Spencer and Grotting. Nays: None. Absent: McCoy. Abstain. None. MOTION DECLARED CARRIED.**

10. Open/ Misc.

11. Adjourn.

**Motion by Spencer, second by McCoy to adjourn at 6:54 p.m. Ayes: Johnson, Betts, Spencer and McCoy. Nays: None. Absent: Grotting. Abstain. None. MOTION DECLARED CARRIED.**

---

Respectfully Submitted,  
Trish Gronstal/ Recording Secretary

# City of Independence

## *Request for an Interim Use Permit for the Property located at 3315 County Road 92 N.*

---

*To:* City Council  
*From:* Mark Kaltsas, City Planner  
*Meeting Date:* February 18, 2020  
*Applicant:* Vincent Velie  
*Owner:* Vincent Velie  
*Location:* 3315 County Road 92 N.

### ***Request:***

Vincent Velie (Applicant/Owner) requests that the City consider the following actions for the property located at 3315 County Road 92 N, Independence, MN (PID No. 09-118-24-34-0004):

- a. An interim use permit to allow a commercial landscape, tree removal and snowplow business on the existing property. The interim use permit, if granted, would replace the existing conditional use permit granting similar use of the property.

### ***Property/Site Information:***

The property is located at 3315 County Road 92 N. which is on the west side of CSAH 92 N. between CSAH 11 and State Highway 12. There is an existing home located on the property along with 6 detached accessory structures. The property has the additional following characteristics.

Property Information: 3315 County Road 92 N.

Zoning: *AG - Agriculture*

Comprehensive Plan: *AG-Agriculture*

Acreage: *12.47 acres*

3315 County Road 92 N.: Aerial View



***Discussion:***

The City originally granted a conditional use permit for this property in 1994 allowing a landscaping, irrigation and snowplowing business to be operated from the subject property. The City has perennially worked with the previous owner of the property to achieve compliance with the approved conditional use permit and its conditions. In January of 2019, the City notified the property owner that the CUP was going to be revoked due to non-compliance with the existing conditional use permit conditions. The City revoked a number of CUP's in February of 2019 and this property was unintendedly not included in the revocation resolution. The City discovered the error and sent notice that the CUP was going to be revoked at the City Council Meeting on July 30<sup>th</sup>, 2019. The buyer of the property attended that meeting and asked for the Council to delay any action on the revocation of the CUP. The delay would allow the buyer of the property to clean up the property and make application to the City for an interim use permit to continue to use the property for a commercial business. The City Council acknowledged that the buyer had already begun to clean up the property and agreed to postpone any action on the CUP with the understanding that the buyer would bring forward an application for an interim use permit.

The property has been sold and the current owner has made an application to the City for an IUP to allow a commercial landscaping, tree removal and snowplowing business to operate from the property. The City

has the ability to consider approval of the IUP and also impose any conditions relating to the proposed use that are deemed necessary to mitigate potential impacts on the surrounding properties. The applicant would like to utilize the property in a manner consistent with the previously granted conditional use permit. The previously granted CUP had the following conditions:

2. A conditional use permit is hereby granted to the Applicant for the operation of a landscaping, irrigation, and snowplowing business on the Property, subject to the following terms and conditions:
  - a. The business may not employ more than 5 persons who do not reside on the Property. The business owner/operator must reside on the Property at all times that this conditional use permit is in effect.
  - b. The Applicant must plant approximately 200 feet of conifers along the south and west boundary lines, as shown in the attached diagram. The trees must be placed on 10 foot centers and must be at least 4 feet tall when planted. Planting along the west boundary line shall be completed by December 1, 1994 and planting on the south boundary line shall be completed by June 1, 1995. The Applicant shall maintain and replace the trees as necessary at all times that the conditional use permit is in effect, in order to provide the screening required by Section 13A of Ordinance No. 88.
  - c. All business-related vehicles and equipment must be stored indoors or consolidated in the area near the barn, as shown on the attached diagram.
  - d. Scrap metals, inoperable machinery and vehicles must be removed from the site on or before January 1, 1995. The ford dump truck will be moved and stored in the area between the house and the barn.
  - e. The windmill on the site must be removed or set in place on or before June 1, 1996.
  - f. The piles of PVC that are currently stored outside must be moved to the north side of the barn by January 1, 1995.
  - g. The Applicant must comply with all applicable requirements of Section 13A.5 at all times that this conditional use permit is in effect.
  - h. There shall be no signs on the Property that identify or advertise the business.
  - i. Hours of operation for the business shall be Monday through Saturday, from 7:00 a.m. to 8:00 p.m. All maintenance work on machinery shall be done during the authorized hours of operation.
  - j. The Fire Department shall be permitted to inspect the premises at reasonable times to ascertain location and type of any chemicals used in connection with the business.



- k. **The business operation shall not be conducted in a manner that, in the determination of the city council, unreasonably interferes with the neighboring property owners' peaceable enjoyment of their property.**
- l. **An inventory of all equipment stored on the property will be filed with the City Clerk.**

The applicant currently operates a commercial tree removal, landscape and snowplowing business. The applicant has noted that they would like to continue use of the property following the previously approved conditions of the CUP. The City has the ability to revoke the current CUP and approve or not approve a new IUP for the property. One of the considerations that was discussed by the Council was the idea that an interim use permit would allow the City to establish new conditions relating to the use of the property while providing for a known action that would end the commercial use of the property. Staff will be seeking feedback and direction from the Planning Commission and City Council relating whether or not the City should issue an interim use for this property.

The City has criteria relating to interim use permits. One of the criteria of an interim use permit is that it needs to meet all standards for granting a conditional use permit. In addition, the following criteria have been established for an interim use permit and conditional use permit:

1. *The use is deemed temporary and the use conforms to the development and performance standards of the zoning regulations.*
2. *The date or event that will terminate the use can be identified with certainty.*
3. *Allowing the use will not impose additional costs on the public if it is necessary for the public to take the property in the future.*
4. *The user agrees to any conditions that the city council deems appropriate for allowing the use.*
5. *The use meets the standards set forth in subsection 520.11 governing conditional use permits.*

The criteria for granting a conditional use permit are clearly delineated in the City's Zoning Ordinance (Section 520.11 subd. 1, a-i) as follows:

1. *The conditional use will not adversely affect the health, safety, morals and general welfare of occupants of surrounding lands.*
2. *The proposed use will not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity for the proposes already permitted or on the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
3. *Existing roads and proposed access roads will be adequate to accommodate anticipated traffic.*
4. *Sufficient off-street parking and loading space will be provided to serve the proposed use.*
5. *The proposed conditional use can be adequately serviced by public utilities or on-site sewage treatment, and sufficient area of suitable soils for on-site sewage treatment is available to protect the city form pollution hazards.*

6. *The proposal includes adequate provision for protection of natural drainage systems, natural topography, tree growth, water courses, wetlands, historic sites and similar ecological and environmental features.*
7. *The proposal includes adequate measures to prevent or control offensive odor, fumes, dust, noise, or vibration so that none of these will constitute a nuisance.*
8. *The proposed condition use is consistent with the comprehensive plan of the City of Independence.*
9. *The proposed use will not stimulate growth incompatible with prevailing density standards.*

The City will need to determine if the requested interim use permit meets all of the aforementioned conditions and restrictions. There are several key considerations relating to the proposed interim use permit that should be noted and further considered by the City.

1. The property has been substantially “cleaned up” since the new owner took possession of the property. There is still a significant amount of remaining equipment and other similar miscellaneous debris strewn about the property (see attached photographs taken on 11.15.2019).
2. The neighboring property owner to the west of this property has provided written and verbal correspondence to the City relating concerns about the proposed use of the property.
3. Should the City consider granting an IUP for the proposed use of the property, it is recommended that the following conditions be considered:
  - a. The IUP shall remain effective for so long as Velie possesses and resides at the 3315 County Road 92 N. property and owns and operates the approved business.
  - b. No more than five (5) employees, in addition to Velie, may originate, regularly visit and or park at the subject property. Each of the foregoing employees shall be allowed to park their personal vehicles on the Property while present at the property. Velie agrees to screen said vehicles from view from the public roadway.
  - c. The applicant is proposing to construct a new approximately 4,800 SF detached accessory structure on the property. The new detached accessory structure would be used for the business. The existing detached accessory structures would not be used for any business purposes or storage.

*DRAFT SITE PLAN*



- d. No outdoor storage of any equipment, materials or similar products will permitted on the property. One commercial vehicle used by Velie on a daily basis shall be permitted to be parked outside on the property along with two landscape trailers. No equipment or materials shall be stored on the trailers when parked outside. The trailers shall be screened from public view. Velie shall provide the City with a description and registration number of the vehicle and trailers permitted to be stored outside on the property.
- e. The existing evergreen and deciduous plant screen located along the property perimeters shall be maintained in perpetuity. No removal of the existing trees shall be permitted with the exception of dead or diseased trees. In the event a tree is removed due to death or disease, a replacement tree (which provides a similar screening effect and meets the minimum tree planting size of the City at the time of planting) shall be installed by Velie.
- f. No business signs shall be permitted on the premise.
- g. Hours of operation shall be limited to Monday through Saturday between 7:00 am to 8:00 pm.

- h. No expansion of the existing buildings or construction of new accessory structures shall be permitted on the property without the approval of the City Council by an amendment to the IUP.
- i. No materials generated off of the subject property shall be brought back to the property at any time or for any time period. This includes, but is not limited to trees, brush, leaves, organic materials and similar.

The City will need to determine if the requested interim use permit meets all of the aforementioned conditions and restrictions.

***Neighbor Comments:***

The City has received one written letter relating to the proposed interim use permit. The City heard from two adjacent property owners at the public hearing. Both neighbors expressed concerns relating to the historic use of the property and continued use in a similar manner.

***Planning Commission Discussion and Recommendation:***

Planning Commissioners reviewed the request and asked questions of staff and the applicant. Commissioners clarified information relating to the existing use of the property and buildings, the existing conditional use permit and property conditions. Commissioners asked if the property was currently in compliance with the approved conditional use permit on the property. It was noted by staff that the property is not currently compliant with all conditions of the existing CUP. Commissioners discussed some of the issues raised by the surrounding property owners. Commissioners recommended that the applicant work with the surrounding property owners to address their concerns and comments. One of the concerns brought up by the adjacent property owner to the west related to headlights shining into their home from cars parked adjacent to the existing house. The applicant has since worked with the neighboring property owner to come up with a berm and fence solution that will mitigate the issue. Planning Commissioners also discussed the timing of construction of the proposed accessory structure. Commissioners asked the petitioner when the building would be constructed and noted that the interim use would not commence until the building is completed. Commissioners asked what would be done with the existing buildings and the applicant noted that he was planning on refurbishing both buildings and would be using them for his personnel use. Commissioners confirmed that no business use of the buildings would occur. Commissioners asked if the existing CUP would be revoked and it was noted that upon approval of the IUP, the City would revoke the CUP on the property. A motion was made to approve the IUP to the City Council which did receive a second. The vote was taken to recommend approval and it failed based on a 2-2 vote.



***Recommendation:***

Staff is seeking direction from the City Council for the request for an interim use permit. Should the City Council approve of the interim use permit, the following findings and conditions should be considered:

1. The proposed interim use permit request meets all applicable conditions and restrictions stated in Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. The Interim Use Permit (IUP) shall be subject to the following conditions:
  - a. The interim use permit (IUP) will allow a landscape, tree and snow removal business to be operated on the subject property.
  - b. The IUP shall remain effective for so long as Velie possesses and resides at the 3315 County Road 92 N. property and owns and operates the approved business.
  - c. No more than five (5) employees, in addition to Velie, may originate, regularly visit and or park at the subject property. Each of the foregoing employees shall be allowed to park their personal vehicles on the Property while present at the property. Velie agrees to screen said vehicles from view from the public roadway.
  - d. All existing detached accessory structures on the property shall not be used for any business purposes or storage.
  - e. No business use of the property shall be permitted until the applicant has completed construction and received a certificate of occupancy for the accessory structure.
  - f. The applicant is proposing to construct a new, approximately 4,900 SF, detached accessory structure on the property. The new detached accessory structure would be used for the business. The proposed building shall be generally constructed on the site in the location shown in this report. The applicant shall provide the City with a site and grading plan which will be incorporated by attachment to the resolution as Exhibit B. Interim use permit approval will be subject to the applicant completing construction of the proposed detached accessory structure within 12 months from the date of City Council approval. Failure to complete the construction within this timeframe will result in nullification of the IUP.
  - g. No outdoor storage of any equipment, materials or similar products will be permitted on the property. One commercial vehicle used by Velie on a daily basis shall be permitted to be parked outside on the property along with two landscape trailers. No equipment or materials shall be stored on the trailers when parked outside. The trailers shall be screened from public view and only parked directly adjacent to the proposed accessory structure used for the business. Velie shall provide the City with a description and registration number of the vehicle and trailers permitted to be stored outside on the property.
  - h. The existing evergreen and deciduous plant screen located along the property perimeters shall be maintained in perpetuity. No removal of the existing trees shall be permitted with

the exception of dead or diseased trees. In the event a tree is removed due to death or disease, a replacement tree (which provides a similar screening effect and meets the minimum tree planting size of the City at the time of planting) shall be installed by Velie.

- i. No business signs shall be permitted on the premise.
  - j. Hours of operation shall be limited to Monday through Saturday between 7:00 am to 8:00 pm.
  - k. No expansion of any of the existing accessory buildings or construction of new accessory structures shall be permitted on the property without the approval of the City Council by an amendment to the IUP.
  - l. No materials generated off of the subject property shall be brought back to the property at any time or for any time period. This includes, but is not limited to trees, brush, leaves, organic materials and similar.
  - m. The business operation shall not be conducted in a manner that, in the determination of the City Council, unreasonable interferes with the neighboring property owners' peaceful use and enjoyment of their property.
  - n. The Applicant shall install a fence and or landscape berm to screen vehicle headlights from shinning into the adjacent property in accordance with the approved site plan attached hereto as Exhibit B.
3. The applicant shall pay for all costs associated with the City's review and processing of the requested interim use permit.

***Attachments:***

1. Application
2. Site Pictures



**RESOLUTION NO. 20-0218-01**

**A RESOLUTION GRANTING APPROVAL OF AN INTERIM USE PERMIT TO  
ALLOW A COMMERCIAL LANDSCAPE, TREE REMOVAL AND  
SNOWPLOW BUSINESS ON THE EXISTING PROPERTY LOCATED AT 3315  
COUNTY ROAD 92 N.**

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, Vincent Velie (the “Applicant”) submitted a request for an Interim Use Permit to allow a commercial landscape, tree removal and snowplow business on the property located at 3315 County Road 92 N. (PID No. 09-118-24-34-0004) (the “Property”); and

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

WHEREAS, the approved site plan is further depicted on **Exhibit B** attached hereto; and

WHEREAS, the Property is zoned AG-Agriculture; and

WHEREAS the requested Interim Use Permit meets all requirements, standards and specifications of the City of Independence zoning ordinance for AG-Agriculture property; and

WHEREAS the Planning Commission held a public hearing on January 21, 2020 to review the application for an Interim Use Permit, 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 Vincent Velie for an Interim Use Permit per the City's subdivision and zoning regulations with the following conditions:

1. The proposed interim use permit request meets all applicable conditions and restrictions stated in Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. The IUP shall be subject to the following conditions:
  - a. The interim use permit (IUP) will allow a landscape, tree and snow removal business to be operated on the subject property.
  - b. The IUP shall remain effective for so long as Velie possesses and resides at the 3315 County Road 92 N. property and owns and operates the approved business.
  - c. No more than five (5) employees, in addition to Velie, may originate, regularly visit and or park at the subject property. Each of the foregoing employees shall be allowed to park their personal vehicles on the Property while present at the property. Velie agrees to screen said vehicles from view from the public roadway.
  - d. All existing detached accessory structures on the property shall not be used for any business purposes or storage.
  - e. No business use of the property shall be permitted until the applicant has completed construction and received a certificate of occupancy for the accessory structure.
  - f. The applicant is proposing to construct a new, approximately 4,900 SF, detached accessory structure on the property. The new detached accessory structure would be used for the business. The proposed building shall be generally constructed on the site in the location shown in this report. The applicant shall provide the City with a site and grading plan which will be incorporated by attachment to the resolution as **Exhibit B**. Interim use permit approval will be subject to the applicant completing construction of the proposed detached accessory structure within 12 months from the date of City Council approval. Failure to complete the construction within this timeframe will result in nullification of the IUP.
  - g. No outdoor storage of any equipment, materials or similar products will be permitted on the property. One commercial vehicle used by Velie on a daily basis shall be permitted to be parked outside on the property along with two landscape trailers. No equipment or materials shall be stored on the trailers when parked outside. The trailers shall be screened from public view and only parked directly adjacent to the proposed accessory structure used for the

business. Velie shall provide the City with a description and registration number of the vehicle and trailers permitted to be stored outside on the property.

- h. The existing evergreen and deciduous plant screen located along the property perimeters shall be maintained in perpetuity. No removal of the existing trees shall be permitted with the exception of dead or diseased trees. In the event a tree is removed due to death or disease, a replacement tree (which provides a similar screening effect and meets the minimum tree planting size of the City at the time of planting) shall be installed by Velie.
  - i. No business signs shall be permitted on the premise.
  - j. Hours of operation shall be limited to Monday through Saturday between 7:00 am to 8:00 pm.
  - k. No expansion of any of the existing accessory buildings or construction of new accessory structures shall be permitted on the property without the approval of the City Council by an amendment to the IUP.
  - l. No materials generated off of the subject property shall be brought back to the property at any time or for any time period. This includes, but is not limited to trees, brush, leaves, organic materials and similar.
  - m. The business operation shall not be conducted in a manner that, in the determination of the City Council, unreasonable interferes with the neighboring property owners' peaceful use and enjoyment of their property.
  - n. The Applicant shall install a fence and or landscape berm to screen vehicle headlights from shining into the adjacent property in accordance with the approved site plan attached hereto as **Exhibit B**.
  - o. The City will revoke the existing Conditional Use Permit upon approval of this Interim Use Permit.
3. The City Council may revoke the interim use permit if the applicant violates any of the conditions set forth in the conditional use permit.

This resolution was adopted by the City Council of the City of Independence on this 18<sup>th</sup> day of February 2020, by a vote of \_\_\_\_ ayes and \_\_\_\_ nays.

\_\_\_\_\_  
Marvin Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Mark Kaltsas, City Administrator

**EXHIBIT A**  
*(Legal Description)*

**EXHIBIT B**

*(Approved Site Plan)*





# PLANNING APPLICATION

Case No. \_\_\_\_\_

## Type of application

- Standard     
  Staff Approval     
  Plan Revision     
  Amended     
  Reapplication
- 
- Rezoning     
  Conditional Use Permit     
  Variance     
  Ordinance Amendment     
  Subdivision
- Preliminary Development Plan     
 Interim Use Permit     
 Comprehensive Plan Amendment
- Final Development Plan     
 Final Site & Building Plan     
 Other \_\_\_\_\_

## Site Location— Additional addresses on back and legal description attached

Property address 3315 CR-92 N

PID 0911824340004

## Proposal -Full documentation must accompany application

Landscaping/tree company vehicle and equipment storage

Plow service

## Applicant

Name Vincent Velie TO Velie Enterprises  
DBA Tree & Turf LLC Email 4172TREE@gmail.com

Address 3315 CR-92 N

Phone 612-570-0835

Additional phone/contact 952-472-8733

Printed Name Vincent Velie LLC

Signature [Handwritten Signature]

## Owner Information (if different from applicant)

Name \_\_\_\_\_ Email \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Additional phone/contact \_\_\_\_\_

Printed Name \_\_\_\_\_ Signature \_\_\_\_\_

### Office Use Only

Date 9/26/19

Application Amount \_\_\_\_\_

Check # \_\_\_\_\_

Accepted By \_\_\_\_\_

Escrow Paid \_\_\_\_\_

Check # \_\_\_\_\_

Date Accepted by Planner \_\_\_\_\_

## 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 reviewed on a case-by-case basis.

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.

### Application for Planning Consideration Fee Statement

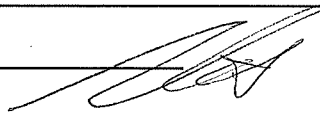
---

The City of Independence has set forth a fee schedule for the year 2019 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 noted on the current fee schedule. 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.

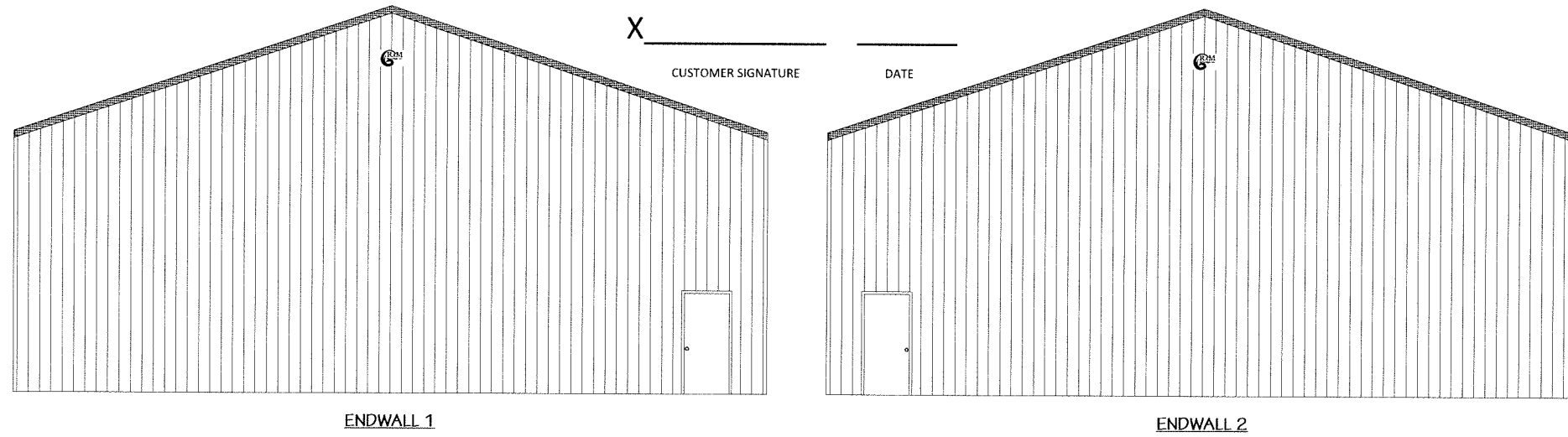
I UNDERSTAND THE FEE STATEMENT AND RESPONSIBILITIES ASSOCIATED WITH THIS LAND USE APPLICATION:

  
**Applicant Signature:** \_\_\_\_\_

**Date:** 9-26-19

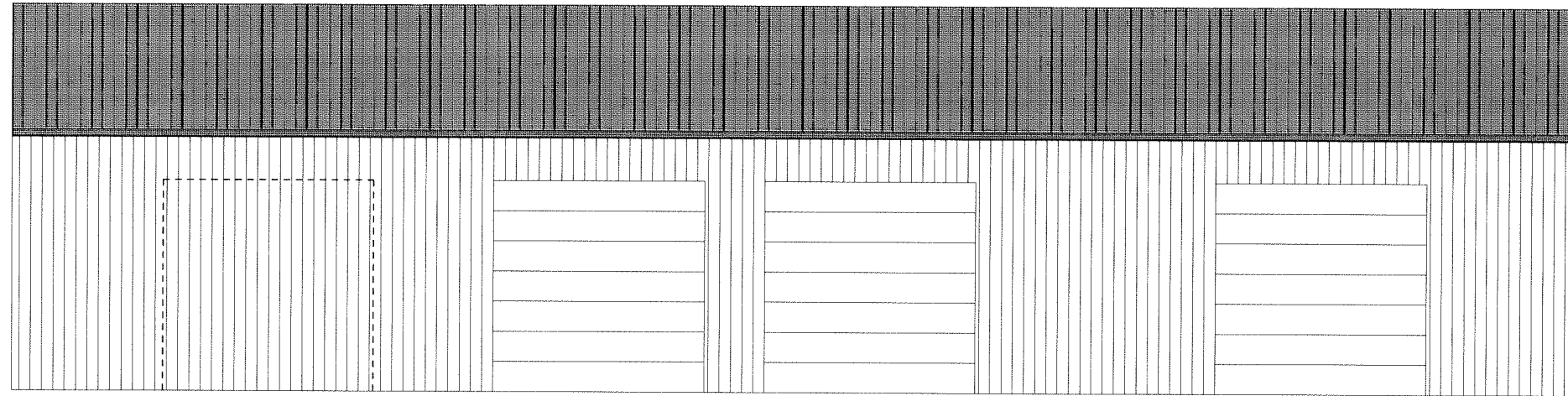
**Owner Signature (if different):**  \_\_\_\_\_

**Date:** \_\_\_\_\_

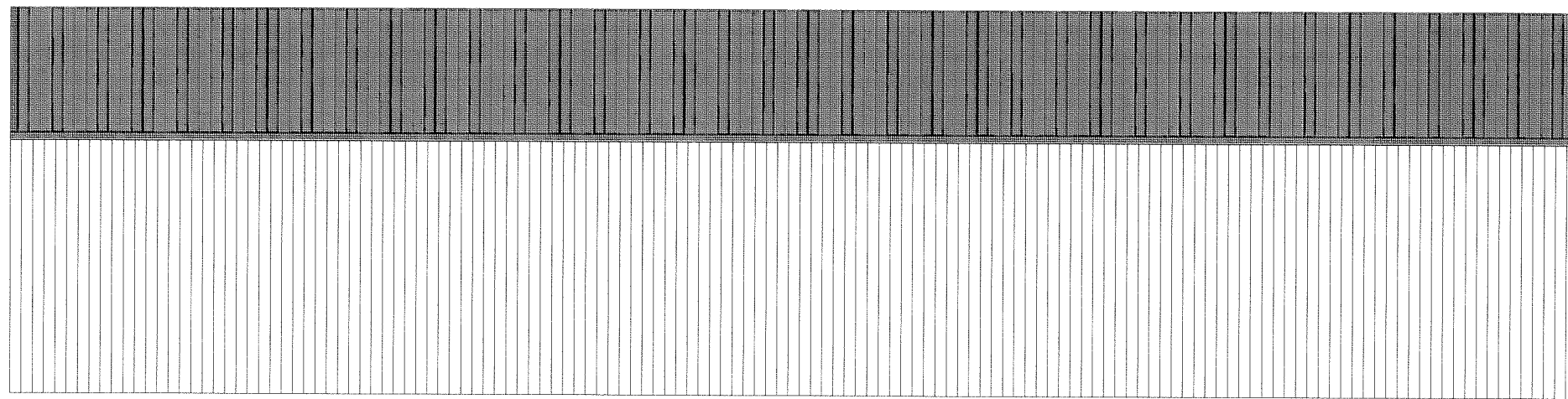


ENDWALL 1

ENDWALL 2



SIDEWALL 1



SIDEWALL 2

DRAWN BY: JEREMY B.  
 DATE: 12/10/2019  
 SHEET 1 OF 2

**VINCENT VILIE**

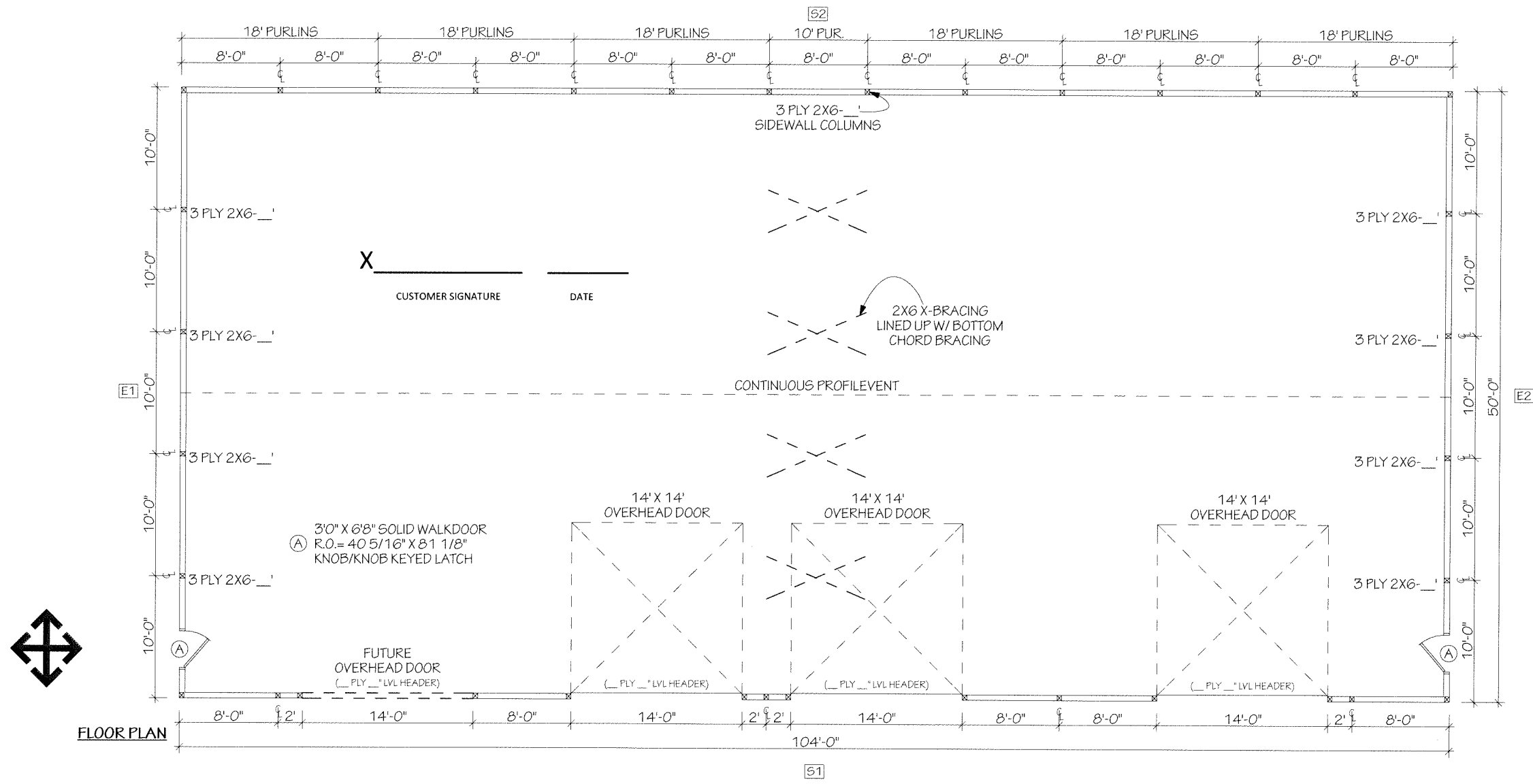
PROJECT NAME:  
 PROJECT NUMBER: (19-\_\_\_\_)  
 BUILDING DESCRIPTION:  
 DESIGN NUMBER: P19404

50'-0" X 104'-0" X 16'-0"

592 Industrial Drive  
 P.O. Box 660  
 Winsted, Minnesota 55395  
 320-485-2844 800-710-4726  
 Fax 320-485-3625  
 www.rambuildings.com  
 Contractor License Number 20171976



© All drawings and content copyright RAM Buildings Inc.  
 Call RAM Buildings Inc. to obtain copies of this plan.  
 Unauthorized reproduction of these plans is a violation of federal law.



FLOOR PLAN

DRAWN BY: JEREMY B.  
 DATE: 12/10/2019  
 SHEET: 2 OF 2

PROJECT NAME: VINCENT VILIE

PROJECT NUMBER: (19-\_\_\_)

BUILDING DESCRIPTION: 50'-0" X 104'-0" X 16'-0"  
 DESIGN NUMBER: P19404

592 Industrial Drive  
 P.O. Box 660  
 Winsted, Minnesota 55395  
 320-485-2844 800-710-4726  
 Fax 320-485-3625  
 www.rambuildings.com  
 Contractor License Number 20171976



© All drawings and content copyright RAM Buildings Inc.  
 Call RAM Buildings Inc. to obtain copies of this plan.  
 Unauthorized reproduction of these plans is a violation of federal law.















































City of Independence  
*Request for a Variance and Minor Subdivision for the Property  
located at 7825 County Road 11*

---

*To:* City Council  
*From:* Mark Kaltsas, City Planner  
*Meeting Date:* January 18, 2020  
*Applicant:* Theresa Marple  
*Owner:* Theresa Marple  
*Location:* 7825 County Road 11

***Request:***

Theresa Marple (Applicant/Owner) requests that the City consider the following action for the property located at 7825 County Road 11, Independence, MN (PID No. 09-118-24-22-0003):

- a. A variance to allow a minor subdivision of property zoned AG-Agriculture that does not meet all applicable requirements. The subdivision proposed would create two approximately 40-acre parcels from the existing 80-acre parcel.

***Property/Site Information:***

The subject property is located south of County Road 11 and just west of The County Road 11/County Road 92 intersection. The property has an existing conditional use permit (CUP) to allow a guest house and an accessory structure larger than 5,000 SF. There are approximately 12 detached accessory buildings located on the property. The property is comprised of tillable acreage and dense wooded areas.

Property Information: 7825 County Road 11

Zoning: *AG-Agriculture*

Comprehensive Plan: *Agriculture*

Acreage: *78.70 acres*





***Discussion:***

The applicant is seeking to subdivide the subject property into two parcels and ultimately sell both parcels. In 2009, the subject property was combined into one property from two existing properties. The property historically was comprised of a 5-acre parcel located along CSAH 11 and the remaining 75-acre parcel. There was an existing home located on each parcel. The City granted approval of a minor subdivision and conditional use permit to allow the existing home on the smaller 5-acre parcel to be converted to a guest house for the use of the property owners.

The applicant recently met with the City to discuss the subdivision of this property. It was noted that the City would allow a minor subdivision of the property which would permit a new parcel to be created with a minimum lot size of 2.5 acres and maximum lot size of 10 acres. The City and the applicant looked at

various configurations that would allow for a 10-acre parcel to be split off from the property and incorporate the existing second house and detached accessory structures. The applicant ultimately determined that they would like to split the property into two similar sized parcels that are approximately 40-acres rather than carving out a smaller 10-acre parcel.

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 into two 40-acre parcels. In order to subdivide the property into two equal parcels, the north/south dividing line would need to be slightly skewed in order to accommodate requisite side yard building setbacks for the existing detached accessory structures.

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)*

*Subd. 2. An applicant for a variance must demonstrate that there are practical difficulties in 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 split the property so that there is an existing residence on both properties. The use of the property as residential is consistent with the AG-Agriculture Zoning District.
- b. The properties created by the subdivision are similar in nature and character to the surrounding properties. There are many existing properties located along County Road 11 that are similar in size and configuration.
- c. The character of the surrounding area is mixed residential/agricultural and guided for long term agriculture. The City's current comprehensive plan guides this area for long term agriculture. The City will need to determine if the proposed subdivision is in keeping with the intent of the City's comprehensive plan.
- d. The requested variance to allow the subdivision of the property must be found to be unique to this property. The property was historically split into two parcels. The presence of two principle structures on the property is generally unique to just a handful of properties in the City. The significant number and size of detached accessory structures on this property is also unique. The City should note that the property is able to realize a rural view lot subdivision of the property. The rural view lot subdivision would allow a maximum of two 10-acre parcels to be subdivided from the whole. In reviewing the property frontage, lot depth to lot width and location of the two existing residences on the property, the proposed subdivision appears to be a reasonable request. The conditional use permit for the guest house will be revoked as a part of the subdivision and the properties will both be conforming in the after condition.

The City will need to determine if the requested variance to allow the minor 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. Lot frontage, setbacks and accessory building square footage would all meet requisite standards.

Min. Lot Frontage Required:	300 Lineal Feet
Lot Frontage Proposed:	(Parcel A) - 685 Lineal Feet
	(Parcel B) - 625 Lineal Feet

The applicant has provided locations for an alternative septic site on Parcel B. The septic system for Parcel A will need to be inspected upon the sale of the property. The City will require verification of a secondary site on Parcel A. The applicant is showing the requisite drainage and utility easements for both parcels.. The City has historically asked for additional County Road right of way to be dedicated when properties are subdivided along County Road 11. The additional right of way easement that has been

requested is 17 feet wide. Staff is recommending that the City require the additional 17 feet of right of way along the south side of County Road 11. The additional right of way would be dedicated in the form of an easement. The additional right of way does not appear to impact the proposed subdivision.

The creation of a new parcel typically requires the payment of a park dedication fee to the City. In this case, the property was historically subdivided prior to the combination of the properties in 2009. Staff researched the initial subdivision of the property and determined that no previous park dedication was paid to the City for the initial subdivision in the mid 1980's. If applied to the proposed subdivision, the park dedication fee would be based on the creation of a new 37-acre parcel. The City's park dedication fee is currently \$3,500 per lot up to 4.99 acres, plus \$750 per acre for each acre over 5 acres.

The park dedication fee for this subdivision would be approximately \$27,500. Staff is seeking direction from the City relating to the requirement for park dedication for this property.

***Neighbor Comments:***

The City has not received any comments regarding the proposed subdivision or conditional use permit.

***Planning Commission Discussion and Recommendation:***

Planning Commissioners reviewed the request for a variance and minor subdivision. Commissioners asked for clarification on the historic use of the property and when the property was initially subdivided. It was noted that the property was subdivided in the mid 1980's to allow for the construction of the house that is located furthest south. Commissioners further discussed that there are two homes on the property and that allowing a subdivision of the property would be a better long-term solution than the existing Conditional Use Permit allowing a guest home. Commissioners discussed the park dedication fees and recommended that the City not require any fees for the proposed subdivision. There was discussion of requiring a minimum amount of park dedication based on the maximum rural view lot split of 10 acres. Planning Commissioners discussed the configuration of the proposed north/south lot line and noted that it was slightly skewed. It should be noted that following Planning Commission review, the applicant has revised the plan to straighten the north/south property line by making one lot 41 acres and the other 37 acres rather than trying to make equal properties. This adjustment would potentially allow for one additional rural view lot subdivision to be realized on the 41-acre parcel. Ultimately, Planning Commissioners recommended approval of the proposed subdivision with conditions and findings.

***Recommendation:***

Planning Commissioners recommended approval of the requested variance to allow a minor subdivision and 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 City finds that the criteria for granting a variance have been met by the applicant and specially that:
  - a. The requested variance would allow a subdivision to create two parcels that fit into the character of the surrounding property.
  - b. There are two homes located on the subject property and the subdivision of the properties will allow the homes to be located on separate properties in the after condition.
  - c. This property could be subdivided into two lots utilizing the rural view lot subdivision provisions of the zoning ordinance.
3. The Applicant shall provide verification to the City that Parcels A and B have a secondary septic site location.
4. The Applicant shall provide, execute and record the requisite drainage and utility easement with the county within six (6) months of approval.
5. The Applicant shall dedicate 17 feet of right of way to the City along County Road 11. The Applicant shall prepare the requisite easement exhibit and legal description and execute and record the document with the county within six (6) months of approval.
6. Following approval and recording of the minor subdivision, the City will revoke the existing conditional use permit for a guest house on the property.
7. The Applicant shall pay for all costs associated with the City's review of the requested variance and subdivision.
8. The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.

***Attachments:***

1. Property Pictures
2. Proposed Subdivision Depiction - Before and After
3. Application



Attachment #1

7825 County Road 11



7825 County Road 11





**RESOLUTION NO. 20-0218-02**

**A RESOLUTION GRANTING APPROVAL OF A VARIANCE TO ALLOW A MINOR  
SUBDIVISION OF A PROPERTY ZONED AG-AGRICULTURE WHICH DOES NOT  
MEET ALL APPLICABLE SUBDIVISION CRITERIA FOR THE  
PROPERTY LOCATED AT 7825 COUNTY ROAD 11**

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, Theresa Marple (the “Applicant/Owner”) submitted a request for a variance to allow a minor subdivision which would permit the subdivision into two parcels for the property located at 7825 County Road 11 (PID No. 09-118-24-22-0003) (the “Property”); and

WHEREAS, the Property is zoned AG-Agriculture; and

WHEREAS, the Property is legally described as shown and depicted on Exhibit A attached hereto.

WHEREAS the requested Variance and Minor Subdivision meet all requirements, standards and specifications of the City of Independence zoning ordinance for Agriculture properties; and

WHEREAS the Planning Commission held a public hearing on January 21, 2020 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

Theresa Marple and grants a Variance and Minor Subdivision for the property in accordance with the City's zoning regulations 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 City finds that the criteria for granting a variance have been met by the applicant and specially that:
  - a. The requested variance would allow a subdivision to create two parcels that fit into the character of the surrounding properties.
  - b. There are two homes located on the subject property and the subdivision of the properties will allow the homes to be located on separate properties in the after condition.
  - c. This property could be subdivided into two lots utilizing the rural view lot subdivision provisions of the zoning ordinance.
3. The Applicant shall provide verification to the City that confirms both Parcels A and B have a secondary septic location.
4. The Applicant shall provide, execute and record the requisite drainage and utility easement with the county within six (6) months of approval.
5. The Applicant shall dedicate 17 feet of right of way to the City along County Road 11. The Applicant shall prepare the requisite easement exhibit and legal description and execute and record the document with the county within six (6) months of approval.
6. Following approval and recording of the minor subdivision, the City will revoke the existing conditional use permit for a guest house on the property.
7. The Applicant shall pay for all costs associated with the City's review of the requested variance and subdivision.
8. 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 18<sup>th</sup> day of February 2020, by a vote of \_\_\_ ayes and \_\_\_ nays.

---

Marvin Johnson, Mayor

ATTEST:

---

Mark Kaltsas, City Administrator

**EXHIBIT A**  
(Legal Description)

Parcel A:

The West 685.32 feet of the West Half of the Northwest Quarter of Section 9, Township 118, Range 24, Hennepin County, Minnesota.

Parcel B:

That part of the West Half of the Northwest Quarter of Section 9, Township 118, Range 24, Hennepin County, Minnesota, that lies East of the West 685.32 feet thereof.



# PLANNING APPLICATION

Case No. \_\_\_\_\_

## Type of application

- Standard     
  Staff Approval     
  Plan Revision     
  Amended     
  Reapplication
- 
- Rezoning     
  Conditional Use Permit     
  Variance     
  Ordinance Amendment     
  Subdivision
- Preliminary Development Plan     
  Interim Use Permit     
  Comprehensive Plan Amendment
- Final Development Plan     
  Final Site & Building Plan     
  Other \_\_\_\_\_

## Site Location- Additional addresses on back and legal description attached

Property address *7825 County Road 11,  
Maple Plain, MN 55359*

PID *09-118-24-22-0003*

## Proposal -Full documentation must accompany application

*To divide 78.70 acres into 2 equal plots - running  
north and south*

## Applicant

Name <i>Sheren Marple</i>	Email <i>theresamarple@frontiernet.net</i>
Address <i>7825 County Road 11, Maple Plain, MN 55359</i>	
Phone <i>612-709-3465</i>	Additional phone/contact <i>Wendy Marple - 612-709-0143</i>
Printed Name <i>Theresa Marple</i>	Signature <i>Sheren Marple</i>

## Owner Information (if different from applicant)

Name	Email
Address	
Phone	Additional phone/contact
Printed Name	Signature

## Office Use Only

Date *11/20/2019*     
 Application Amount *1250*     
 Check # *6041*     
 Accepted By *[Signature]*

Escrow Paid *750*     
 Check # *6041*     
 Date Accepted by Planner \_\_\_\_\_

## 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 reviewed on a case-by-case basis.

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.

### ***Application for Planning Consideration Fee Statement***

The City of Independence has set forth a fee schedule for the year 2019 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 noted on the current fee schedule. 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:** Sheresa Maple

**Date:** 11-20-19

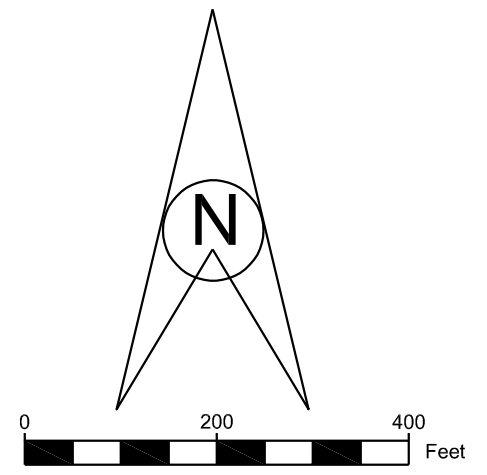
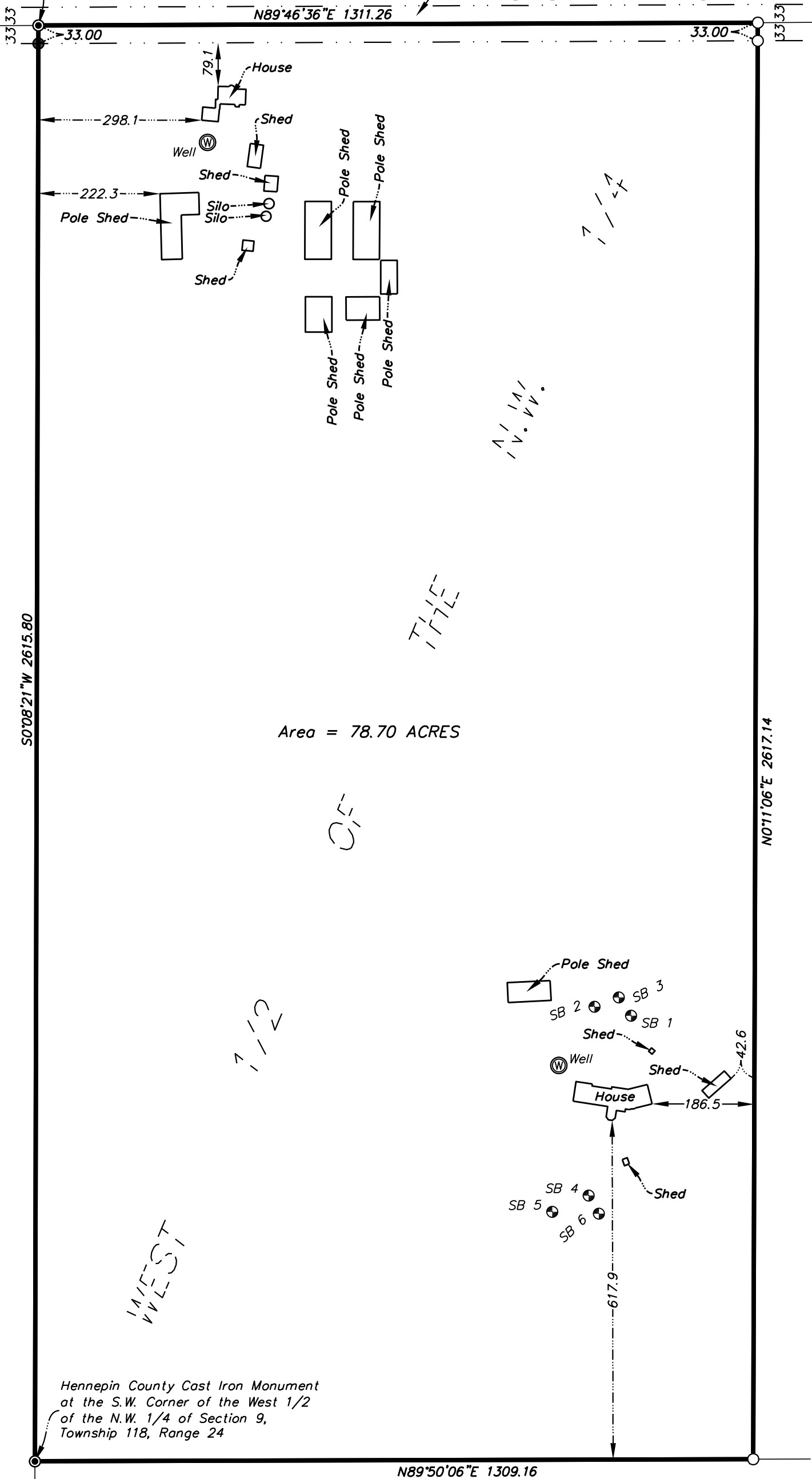
**Owner Signature (if different):** \_\_\_\_\_

**Date:** \_\_\_\_\_

# Certificate of Survey (Before)

Hennepin County Cast Iron Monument  
at the N.W. Corner of the West 1/2  
of the N.W. 1/4 of Section 9,  
Township 118, Range 24

H.C.S.A.H. NO. 11



**LEGEND**

● denotes Soil Boring

**PROPERTY DESCRIPTION**

The West Half of the Northwest Quarter of Section 9, Township 118, Range 24, Hennepin County, Minnesota.

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: 11-15-19

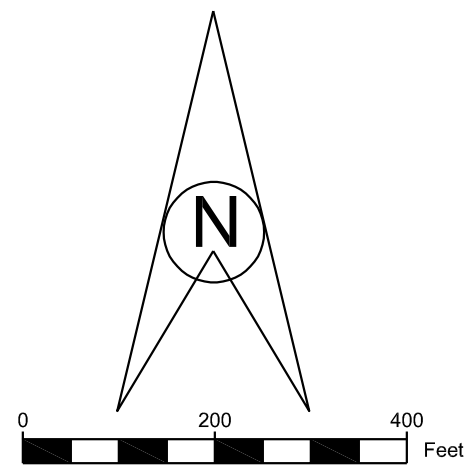
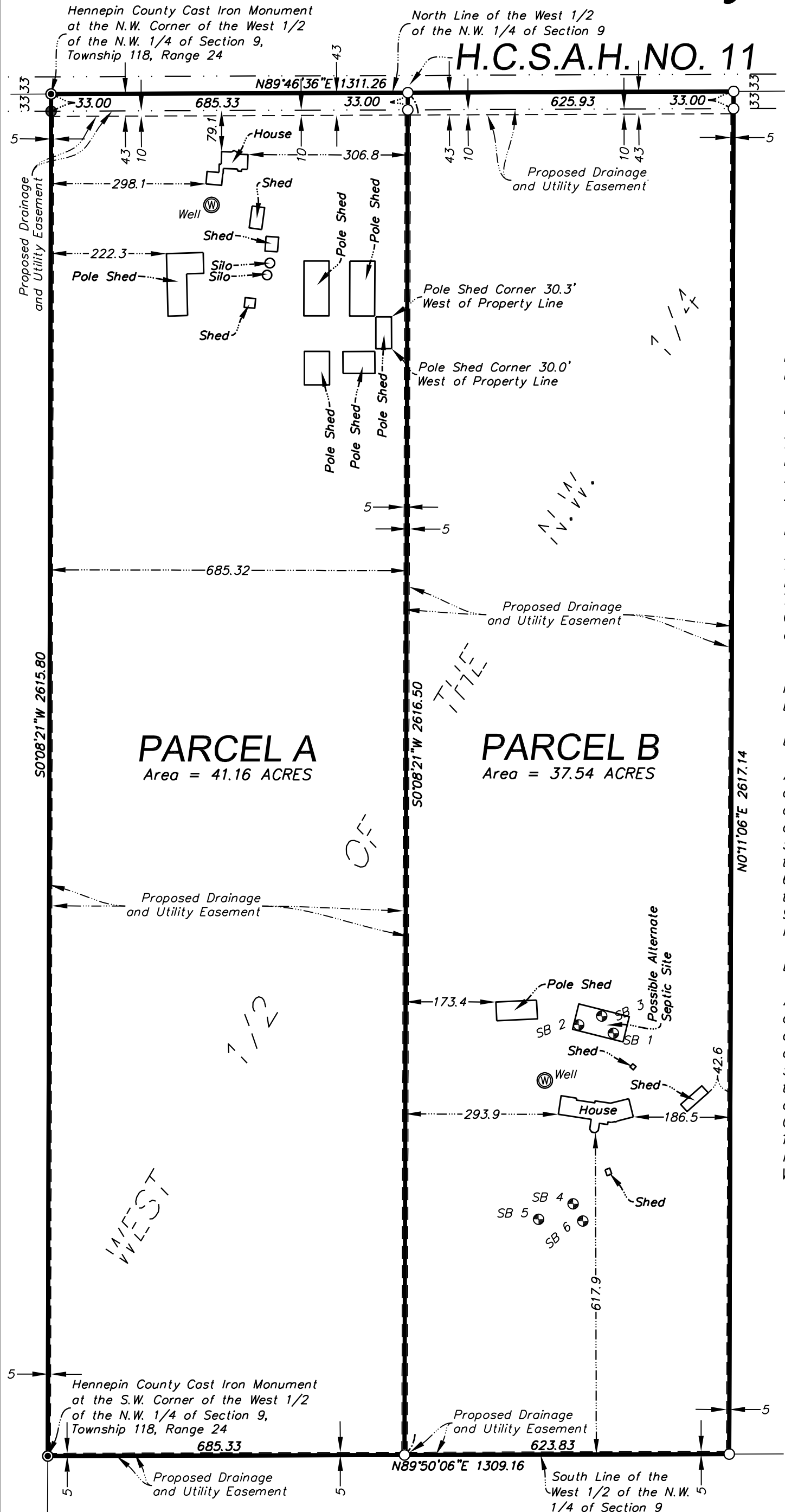
● denotes iron monument found  
○ denotes 1/2 inch by 14 inch iron pipe set and marked by License #40062

Requested By: <b>Theresa Marple</b>			
Date: 11-6-19	Drawn By: S.O.S.	Scale: 1"=200'	Checked By: P.E.O.

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

Revised:  
Project No.  
**19-0508**

# Certificate of Survey (After)



**LEGEND**  
 ● denotes Soil Boring

**PROPOSED PROPERTY DESCRIPTIONS**

**Parcel A:**  
 The West 685.32 feet of the West Half of the Northwest Quarter of Section 9, Township 118, Range 24, Hennepin County, Minnesota.

**Parcel B:**  
 That part of the West Half of the Northwest Quarter of Section 9, Township 118, Range 24, Hennepin County, Minnesota, that lies East of the West 685.32 feet thereof.

**PROPOSED DRAINAGE AND UTILITY EASEMENTS**

**Easement A:**  
 A perpetual easement for drainage and utility purposes over, under, and across the South 10.00 feet of the North 43.00 feet, the West 5.00 feet, the East 5.00 feet, and the South 5.00 feet of the West 685.32 feet of the West Half of the Northwest Quarter of Section 9, Township 118, Range 24, Hennepin County, Minnesota.

**Easement B:**  
 A perpetual easement for drainage and utility purposes over, under, and across the South 10.00 feet of the North 43.00 feet, the West 5.00 feet, the East 5.00 feet, and the South 5.00 feet of that part of the West Half of the Northwest Quarter of Section 9, Township 118, Range 24, Hennepin County, Minnesota, that lies Easterly of the West 685.32 feet thereof.

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: 2-4-2020

● denotes iron monument found  
 ○ denotes 1/2 inch by 14 inch iron pipe set and marked by License #40062

Requested By:  
**Theresa Marple**

Date: 11-6-19  
 Drawn By: S.O.S.  
 Scale: 1"=200'  
 Checked By: P.E.O.

www.ottoassociates.com

**OTTO ASSOCIATES**  
 Engineers & Land Surveyors, Inc.

9 West Division Street  
 Buffalo, MN 55313  
 (763)682-4727  
 Fax: (763)682-3522

Revised: 2-3-2020  
 Project No. 19-0508

# City of Independence

## Resolution Approving 2020 Street Overlay Plans and Ordering Advertisement of Bids

---

*To:* City Council  
*From:* Mark Kaltsas, City Administrator  
*Meeting Date:* February 18, 2020

### ***Discussion:***

The City has determined that certain streets in the City are in need of reconstruction, repair and improvements. The City based its findings on the long-range street improvement plans which assess all streets in the City based on their age, condition, number of users and current condition. In order to better preserve and maintain certain roads, the City's engineer has prepared detailed plans and specifications for the 2020 Street Overlay Project. The City engineer will review the plans and specification at the meeting. The overlay project will provide for an approximately one and half inch bituminous overlay on top of the existing roads included in the project. The project will also include the installation of a gravel shoulder, specific crack repair and the installation of a bituminous apron at certain road intersections. Approximately 6 miles of existing bituminous roads will be included in the project and are identified below:

- Stephanie Way
- Brei Kessel Road
- Merz Way
- Waldemar Way
- Providence Place
- Providence Court, Warren Way
- Providence Curve
- Providence Path
- Turner Road
- Polo Club Road
- Copeland Road
- Lindgren Lane
- Independence Road
- Budd Street
- Fieldstone Place
- Stone Court
- Hillstrom Road
- Drake Court
- Drake Drive
- Painter Creek Green
- Timber Island Trail

***Council Recommendation:***

City Council is asked to consider approval of **RESOLUTION NO. 20-0218-03** approving plans and specifications for the 2020 Street Overlay Project and order advertisement of bids.

***Attachment:*** RESOLUTION NO. 20-0218-03





**CITY OF INDEPENDENCE  
RESOLUTION NO. 20-0218-03**

**APPROVING PLANS AND SPECIFICATIONS AND ORDERING  
ADVERTISEMENT FOR BIDS OF THE 2020 STREET OVERLAY PROJECT**

**WHEREAS**, the Council has found and determined that certain streets in the City are in need of reconstruction, repair and improvement.

**WHEREAS**, the City Engineer has prepared plans and specifications for the 2020 Overlay Project and has presented such plans and specifications to the council for approval;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF  
INDEPENDENCE, MINNESOTA:**

1. Such plans and specifications, a copy of which is attached hereto and made a part hereof, are hereby approved.
2. The City Administrator shall prepare and cause to be inserted in the official paper an advertisement for bids for the approved plans and specifications. The advertisement shall be published for 21 days, shall specify the work to be done, shall state that bids will be received by the City, at which time they will be publicly opened in City Hall by the City Administrator and engineer (March 25, 2020 at 2:00 PM), will then be tabulated, and will be considered by the City Council at a regular City Council Meeting.

This resolution was adopted by the City Council of the City of Independence on this 18<sup>th</sup> day of February 2020, by a vote of \_\_\_ ayes and \_\_\_ nays.

\_\_\_\_\_  
Marvin Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Mark Kaltsas, City Administrator

# **PROJECT MANUAL**

2020 Overlay

City of Independence

Independence, MN


**SECTION 00005 – CERTIFICATION**

PROJECT MANUAL

for

2020 Overlay  
City of Independence  
Independence, MN

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.

By:   
Philip Schrupp  
License No. 54198

Date: January 29, 2020

## SECTION 00010 - TABLE OF CONTENTS

2020 Overlay  
City of Independence

This Project Manual incorporates, either in full or in part, various EJCDC copyrighted documents. Documents incorporated in full are subject to the copyright notice in the EJCDC document footnotes. For those EJCDC documents excerpted, modified or incorporated in part, those portions of the text that originated in copyrighted EJCDC documents remain subject to the EJCDC license and copyright. Copyright © 2011-2015 National Society of Professional Engineers, American Council of Engineering Companies, and American Society of Civil Engineers. All rights reserved.

### CONTRACT DOCUMENTS:

#### PROJECT MANUAL:

Introductory Information, Bidding Requirements, Contract Forms and Conditions of Contract

00005 - CERTIFICATION PAGE  
00010 - TABLE OF CONTENTS  
00100 - ADVERTISEMENT FOR BIDS  
00200 - INSTRUCTIONS TO BIDDERS FOR CONSTRUCTION CONTRACTS  
00210 - ELECTRONIC/DIGITAL DOCUMENTS  
00410 - BID FORM  
00415 - RESPONSIBLE CONTRACTOR - PROPOSAL ATTACHMENT  
00430 - BID BOND  
00450 - INFORMATION REQUESTED FROM LOW BIDDER  
00510 - NOTICE OF AWARD  
00515 - RESPONSIBLE CONTRACTOR - NOTICE OF AWARD  
00516 - RESPONSIBLE CONTRACTOR - SUPPLEMENTAL  
00520 - AGREEMENT BETWEEN OWNER AND CONTRACTOR  
00550 - NOTICE TO PROCEED  
00610 - PERFORMANCE BOND  
00615 - PAYMENT BOND  
00700 - GENERAL CONDITIONS  
00800 - SUPPLEMENTARY CONDITIONS  
  
01110 - SUMMARY OF WORK  
01230 - ALTERNATES / ALTERNATIVES  
01270 - MEASUREMENT & PAYMENT  
01310 - COORDINATION  
01315 - PROJECT MEETINGS  
01330 - SUBMITTALS  
01350 - SPECIAL PROJECT PROCEDURES  
01410 - REGULATORY REQUIREMENTS  
01420 - SPECIFICATION REFERENCE AND WORKS CONSULTED  
01425 - ABBREVIATIONS  
01450 - QUALITY CONTROL  
01500 - MOBILIZATION  
01550 - MAINTENANCE OF HAUL ROADS & TEMPORARY ACCESS  
01555 - MAINTENANCE AND CONTROL OF TRAFFIC  
01562 - AIR, LAND AND WATER POLLUTION  
01720 - FIELD ENGINEERING  
01770 - PROJECT CLOSEOUT

**Specifications**

- 02210 - SUBSURFACE INVESTIGATION
- 02220 - REMOVING PAVEMENT AND MISCELLANEOUS STRUCTURES
- 02240 - DEWATERING
- 02315 - APPLICATION OF WATER
- 02330 - EXCAVATION AND EMBANKMENT
- 02335 - SUBGRADE PREPARATION
- 02340 - GEOTEXTILE FABRIC - ROAD CONSTRUCTION
- 02370 - EROSION & SEDIMENT CONTROL (LESS THAN ONE ACRE DISTURBANCE)
- 02705 - MANHOLES & CATCH BASINS - ADJUST CASTING
- 02720 - AGGREGATE BASE
- 02730 - AGGREGATE SURFACING
- 02740 - PLANT-MIXED BITUMINOUS SURFACING
- 02741 - BITUMINOUS PATCH
- 02749 - PAVEMENT MARKINGS
- 02785 - BITUMINOUS SEAL COAT
- 02920 - TURF RESTORATION
- 02923 - TOPSOIL BORROW, FURNISH AND SPREAD
- 02960 - PAVEMENT MILLING
- 02975 - BITUMINOUS SURFACE CRACK AND JOINT REPAIR

**DRAWINGS (UNDER SEPARATE COVER) with each sheet bearing the following general title:**

2020 Overlay  
City of Independence

**\*\*\*\*\*END OF SECTION\*\*\*\*\***

**SECTION 00100 - ADVERTISEMENT FOR BIDS**

2020 Overlay

City of Independence  
Independence, MN

**RECEIPT AND OPENING OF PROPOSALS:** Sealed proposals for the work described below will be received at the Office of the City Administrator, City of Independence, 1920 County Road 90, Independence, MN 55359 until 2:00 PM on March 25, 2020 at which time the bids will be opened and publicly read.

**DESCRIPTION OF WORK:** The work includes the construction of approximately:

MILL BITUMINOUS SURFACE	10,900	SY
BITUMINOUS PAVING	11,900	TON
STRIPING	9,670	LF

together with numerous related items of work, all in accordance with Plans and Specifications. This project is subject to Responsible Contractor Certification.

**PLAN HOLDERS LIST, ADDENDUMS AND BID TABULATION:** The plan holders list, addendums and bid tabulations will be available for download on-line at [www.bolton-menk.com](http://www.bolton-menk.com) or [www.questcdn.com](http://www.questcdn.com). Any addendums may also be distributed by mail, fax or email.

**TO OBTAIN BID DOCUMENTS:** Complete digital project bidding documents are available at [www.bolton-menk.com](http://www.bolton-menk.com) or [www.questcdn.com](http://www.questcdn.com). You may view the digital plan documents for free by entering Quest project #6695236 on the website's Project Search page. Documents may be downloaded for \$30.00. Please contact QuestCDN.com at 952-233-1632 or [info@questcdn.com](mailto:info@questcdn.com) for assistance in free membership registration, viewing, downloading, and working with this digital project information. An optional paper set of project documents is also available for a nonrefundable price of \$250.00 per set, which includes applicable sales tax and shipping. Please make your check payable to Bolton & Menk, Inc. and send it to 2638 Shadow Lane, Suite 200, Chaska, MN 55318.

**BID SECURITY:** A certified check or proposal bond in the amount of not less than 5 percent of the total amount bid, drawn in favor of City of Independence shall accompany each bid.

**OWNER'S RIGHTS RESERVED:** The Owner reserves the right to reject any or all bids and to waive any irregularities and informalities therein and to award the Contract to other than the lowest bidder if, in their discretion, the interest of the Owner would be best served thereby.

Dated: February 18, 2020 /s/ Mark Kaltsas  
City Administrator

Published:

Delano Herald Journal: February 28, March 6 and March 13, 2020

Laker Pioneer: February 29, March 7 and March 14, 2020

**\*\*\*\*END OF SECTION\*\*\*\***

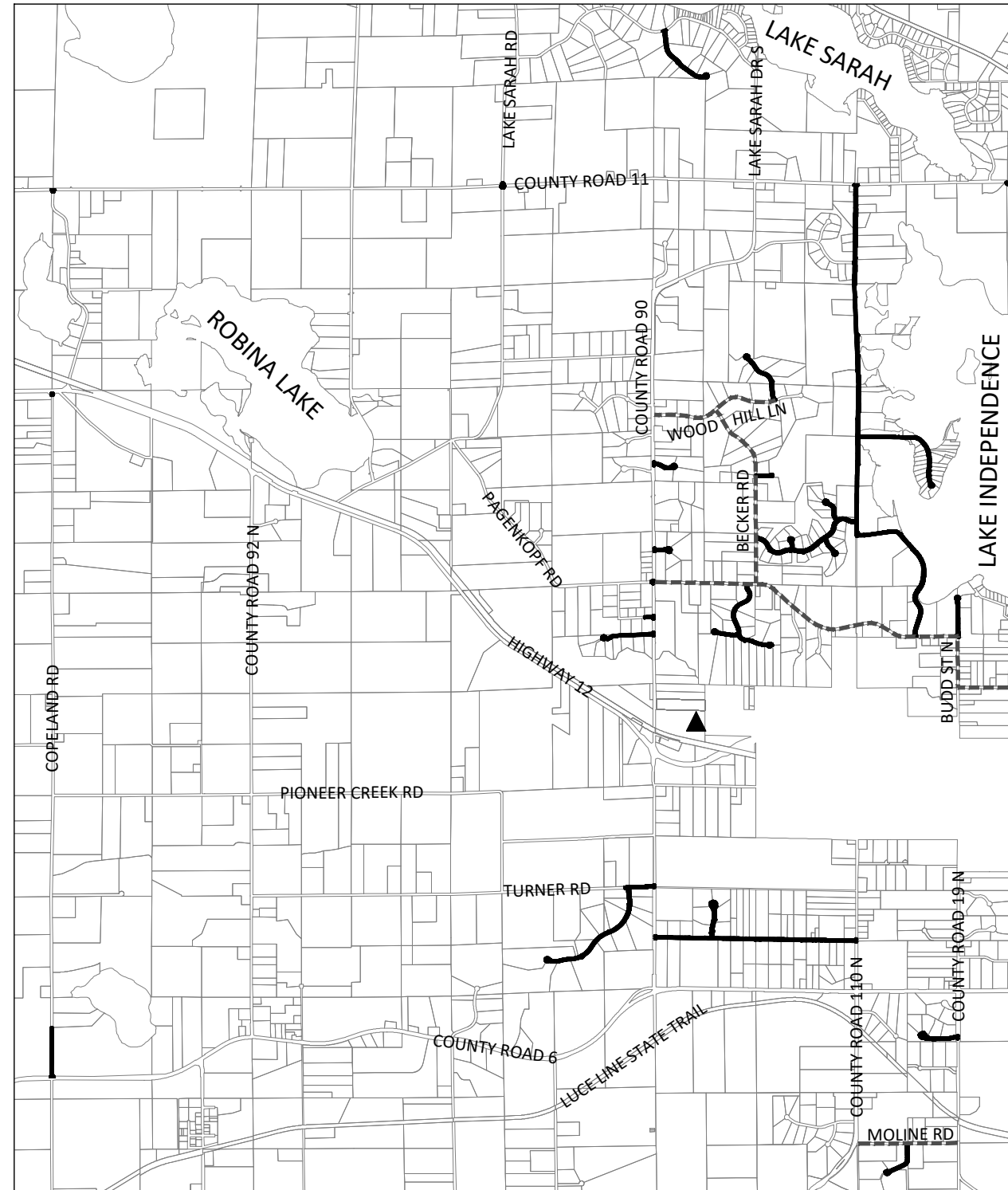


# CITY OF INDEPENDENCE

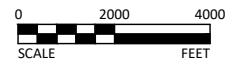
## CONSTRUCTION PLANS FOR

# 2020 OVERLAY



JANUARY, 2020



MAP OF THE  
CITY OF INDEPENDENCE  
HENNEPIN COUNTY, MN



### MAP LEGEND

-  PROJECT LIMITS
-  BID LOCATION
-  HAUL ROADS

SHEET NUMBER	SHEET TITLE
G0.01	TITLE SHEET
G0.02	CONSTRUCTION NOTES
G2.01	GENERAL PLAN LAYOUT
C1.01-C1.02	CONSTRUCTION DETAILS
C6.01-C6.33	CONSTRUCTION PLANS

THIS PLAN SET CONTAINS 38 SHEETS.

NOTE: EXISTING UTILITY INFORMATION SHOWN ON THIS PLAN HAS BEEN PROVIDED BY THE UTILITY OWNER. THE CONTRACTOR SHALL FIELD VERIFY EXACT LOCATIONS PRIOR TO COMMENCING CONSTRUCTION AS REQUIRED BY STATE LAW. NOTIFY GOPHER STATE ONE CALL, 1-800-252-1166 OR 651-454-0002.

THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D UNLESS OTHERWISE NOTED. THIS UTILITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF CI/ASCE 38-02, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA."

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.

*Philip J. Schrupp*  
PHILIP J. SCHRUPP, P.E.  
LIC. NO. 54198 DATE 1/29/2020



2638 SHADOW LANE, SUITE 200  
CHASKA, MINNESOTA 55318  
Phone: (952) 448-8838  
Email: Chaska@bolton-menk.com  
www.bolton-menk.com

DESIGNED	NO.	ISSUED FOR	DATE
PJS			
DRAWN	NO.	ISSUED FOR	DATE
MGJ			
CHECKED	NO.	ISSUED FOR	DATE
ALB			
CLIENT PROJ. NO.	C16.119985		

CITY OF INDEPENDENCE, MINNESOTA

2020 OVERLAY

TITLE

SHEET

G0.01

**GENERAL NOTES:**

1. THE ENGINEER WILL MARK BITUMINOUS MILLING AND CRACK REPAIR LIMITS IN THE FIELD PRIOR TO CONSTRUCTION. NO WORK SHALL COMMENCE UNTIL ALL REMOVAL LIMITS ARE CLEARLY MARKED AND REVIEWED BY THE ENGINEER AND THE CONTRACTOR.
2. AREAS TO BE PATCHED WILL BE MARKED BY THE ENGINEER IN THE FIELD.
3. THE CONTRACTOR SHALL PROTECT ALL CONCRETE VALLEY GUTTERS, UNDERGROUND FENCING AND IRRIGATION/SPRINKLER SYSTEMS ETC. REPAIR OF DAMAGED ITEMS SHALL BE AT THE CONTRACTOR'S EXPENSE.
4. ALL REMOVAL ITEMS SHALL BE DISPOSED OF OFF-SITE IN PROPER ACCORDANCE WITH ALL FEDERAL, STATE AND LOCAL REGULATIONS.
5. MANHOLES SHALL BE LOCATED IN THE FIELD BY THE CONTRACTOR. STRUCTURES SHOWN ON THE PLAN ARE SHOWN IN AN APPROXIMATE WAY ONLY AND IT IS NOT GUARANTEED THAT ALL MANHOLES ARE SHOWN.
6. THE CONTRACTOR SHALL SUPPLY UNEVEN PAVEMENT AND BUMP SIGNS IF REQUIRED BY THE MNMUTCD OR ENGINEER. THE CONTRACTOR SHALL TAPER DROP OFFS IF REQUIRED BY THE MUTCD. ALL WORK & SIGNAGE NEEDED TO MEET MUTCD STANDARDS ARE INCIDENTAL TO THE TRAFFIC CONTROL PAY ITEM.
7. THE CONTRACTOR SHALL HAVE ONE QUALIFIED FLAG PERSON ON EACH END OF THE PAVING OPERATION AND AT OTHER LOCATIONS (SIDE STREETS, PARKING LOT ENTRANCES, ETC.) AS REQUIRED OR DIRECTED BY THE ENGINEER. (INCIDENTAL TO TRAFFIC CONTROL.)
8. PROVISIONS SHALL BE MADE AND MAINTAINED BY THE CONTRACTOR DURING CONSTRUCTION TO PROVIDE ACCESS TO ALL BUSINESSES AND RESIDENTS AT ALL TIMES. TEMPORARY ACCESS AND/OR ADDITIONAL TRAFFIC CONTROL DEVICES MAY BE NECESSARY TO ROUTE TRAFFIC. ALL DISTURBANCE OF ANY ACCESS SHALL BE APPROVED BY THE ENGINEER PRIOR TO ANY DISTURBANCE OF THE DRIVEWAY. ALL TEMPORARY ACCESS WORK SHALL BE INCIDENTAL TO CONSTRUCTION.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SUPPLYING, INSTALLING, ERECTING, MAINTAINING, AND THE COORDINATION OF ALL NO PARKING SIGNS TO TEMPORARILY PROHIBIT VEHICLES PARKING WITHIN THE PROJECT LIMITS DURING CONSTRUCTION IN ACCORDANCE WITH AN APPROVED PLAN. THE SIGN SIZE, COLOR, MESSAGE, ETC. SHALL BE APPROVED BY THE ENGINEER. NO SIGNS SHALL BE ERECTED WITHOUT PROPER NOTIFICATION TO THE POLICE AND ENGINEER.
10. STREETS USED AS HAUL ROUTES SHALL BE SWEEP/CLEANED DAILY IN ORDER TO PREVENT A BUILDUP FROM DROPPED MILLINGS, BITUMINOUS, AC, ETC. THIS WORK SHALL BE CONSIDERED INCIDENTAL TO THE PAVING.
11. ALL TRAFFIC CONTROL DEVICES SHALL BE IN COMPLIANCE WITH THE MN MUTCD MANUAL GUIDELINES. ALL LAYOUTS SHALL CONFORM WITH THE LATEST MN MUTCD FIELD MANUAL FOR TEMPORARY TRAFFIC CONTROL ZONE LAYOUTS.
12. FIELD CONDITIONS MAY REQUIRE MODIFICATIONS OF LAYOUTS AS DEEMED NECESSARY BY THE ENGINEER.
13. THE CONTRACTOR IS RESPONSIBLE FOR ANY SIGNAGE NEEDED TO FACILITATE TRAFFIC SWITCHES OR FOR TRANSITIONING TRAFFIC IN ANY MANNER.
14. PROTECT ALL LANDSCAPING ADJACENT TO THE ROAD.
15. THE CONTRACTOR WILL BE REQUIRED TO STAGE CONSTRUCTION IN ORDER TO ELIMINATE ALL LONGITUDINAL COLD JOINTS.
16. PAVING OPERATIONS SHALL CONSIST OF ONLY ONE CONSTRUCTION JOINT AT THE CENTER OF THE ROADWAY. PAVING SHALL BE PERFORMED BY PLACING THE BITUMINOUS MATERIAL ON ONE HALF OF THE ROADWAY SURFACE WITH ONE LARGE PAVER OR TWO PAVERS IN TANDEM.
17. THE ENGINEER WILL DETERMINE WHICH MANHOLES REQUIRE A FULL ADJUSTMENT AND WHICH MANHOLES CAN BE ADJUSTED WITH A RISER RING. RISER RINGS SHALL MATCH THE EXISTING CASTING EXACTLY. SIZE MAY VARY THROUGHOUT THE PROJECT.
18. SAWCUTTING BITUMINOUS IS INCIDENTAL TO THE CONTRACT.
19. ONE WAY TRAFFIC MUST BE MAINTAINED AT ALL TIMES.
20. EIGHT (8) ADDITIONAL TYPE III BARRICADES, AND TWENTY (20) ADDITIONAL BARRELS SHALL BE AVAILABLE FOR USE BY THE PROJECT ENGINEER AT HIS DISCRETION AND SHALL BE INCLUDED IN THE BID PRICE FOR TRAFFIC CONTROL.
21. ADJUST FRAME AND RING CASTINGS TO BE ADJUSTED SHALL BE DETERMINED IN THE FIELD BY THE ENGINEER.
22. AFTER MILLING THE PAVEMENT TO THE REQUIRED DEPTH AND PRIOR TO OVERLAYING, AIR BLAST ANY DETERIORATED CRACKS AND JOINTS TO REMOVE LOOSE OR DETERIORATED BITUMINOUS SURFACING. THE AIR BLASTING SHALL BE DONE WITH HIGH-PRESSURE (100+ PSI) EQUIPMENT.
23. CRACKS OR DEPRESSIONS RESULTING AFTER SURFACE REPAIR, AIR BLASTING, SWEEPING OR MILLING OPERATIONS, WHICH ARE GREATER THAN 1 1/2" IN DEPTH AND WIDTH, SHALL BE FILLED WITH BITUMINOUS MIXTURE PRIOR TO THE PLACEMENT OF THE OVERLAY USING THE SAME BITUMINOUS MIXTURE USED IN THE OVERLAY. PATCHING OF THESE AREAS SHALL BE DONE AHEAD OF THE PAVING OPERATION AND COMPACTED WITH A SMALL VIBRATORY OR PNEUMATIC ROLLER. DEPRESSIONS OF LESSER DIMENSIONS SHALL BE FILLED WITH THE BITUMINOUS COURSE MIXTURE, IN FRONT OF THE PAVER, AS DIRECTED BY THE ENGINEER.

**PAVEMENT MARKING NOTES**

GENERAL INFORMATION:

THE ENGINEER'S INVOLVEMENT IN THE APPLICATION OF THE MATERIAL SHALL BE LIMITED TO FIELD CONSULTATION AND INSPECTION. THE CONTRACTOR WILL PLACE NECESSARY "SPOTTING" AT APPROPRIATE POINTS TO PROVIDE HORIZONTAL CONTROL FOR STRIPING AND TO DETERMINE NECESSARY STARTING AND CUTOFF POINTS. LONGITUDINAL JOINTS, PAVEMENT EDGES AND EXISTING MARKINGS MAY SERVE AS HORIZONTAL CONTROL WHEN SO DIRECTED.

EDGE LINES AND LANE LINES ARE TO BE BROKEN ONLY AT INTERSECTIONS WITH PUBLIC ROADS AND AT PRIVATE ENTRANCES IF THEY ARE CONTROLLED BY A YIELD SIGN, STOP SIGN OR TRAFFIC SIGNAL. THE BREAK POINT IS TO BE AT THE START OF THE RADIUS FOR THE INTERSECTION OR AT MARKED STOP LINES OR CROSSWALKS.

A TOLERANCE OF 1/4 INCH UNDER OR 1/4 INCH OVER THE SPECIFIED WIDTH WILL BE ALLOWED FOR STRIPING, PROVIDED THE VARIATION IS GRADUAL AND DOES NOT DETRACT FROM THE GENERAL APPEARANCE. BROKEN LINE SEGMENTS MAY VARY UP TO ONE-HALF FOOT FROM THE SPECIFIED LENGTHS, PROVIDED OVER AND UNDER VARIATIONS ARE REASONABLY COMPENSATORY. ALIGNMENT DEVIATIONS FROM THE CONTROL GUIDE SHALL NOT EXCEED 1 INCH. MATERIAL SHALL NOT BE APPLIED OVER LONGITUDINAL JOINTS. ESTABLISHMENT OF APPLICATION TOLERANCES SHALL NOT RELIEVE THE CONTRACTOR OF THEIR RESPONSIBILITY TO COMPLY AS CLOSELY AS PRACTICABLE WITH THE PLANNED DIMENSIONS.

PAINT:

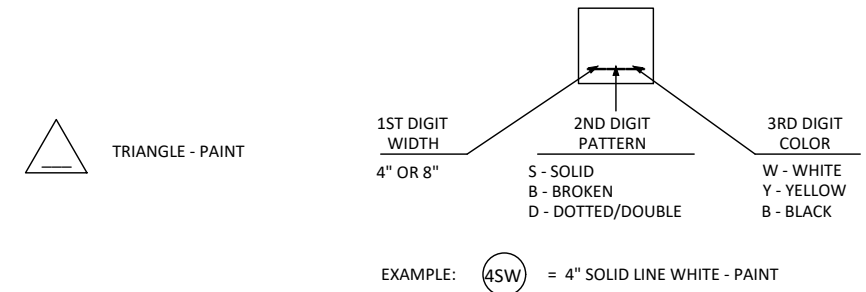
AT THE TIME OF APPLYING THE MARKING MATERIAL, THE APPLICATION AREA SHALL BE FREE OF CONTAMINATION. THE CONTRACTOR SHALL CLEAN THE ROADWAY SURFACE PRIOR TO THE LINE APPLICATION IN A MANNER AND TO THE EXTENT REQUIRED BY THE ENGINEER.

GLASS BEADS SHALL BE APPLIED IMMEDIATELY AFTER APPLICATION OF THE PAINT LINE.

EXCEPT WHEN USED AS TEMPORARY MARKING, PAVEMENT MARKINGS SHALL ONLY BE APPLIED IN SEASONABLE WEATHER WHEN AIR TEMPERATURE IS 50° F OR HIGHER AND SHALL NOT BE APPLIED WHEN THE WIND OR OTHER CONDITIONS CAUSE A FILM OF DUST TO BE DEPOSITED ON THE PAVEMENT SURFACE AFTER CLEANING AND BEFORE THE MARKING MATERIAL CAN BE APPLIED.

THE FILLING OF TANKS, POURING OF MATERIALS OR CLEANING OF EQUIPMENT SHALL NOT BE PERFORMED ON UNPROTECTED PAVEMENT SURFACES, UNLESS ADEQUATE PROVISIONS ARE MADE TO PREVENT SPILLAGE OF MATERIAL.

STRIPING KEY



© Bolton & Menk, Inc. 2020. All Rights Reserved. 11/16/2019 10:11:55 AM C:\16119985\CAD\CSD\119985\_G002.dwg 2/5/2020 3:54:21 PM

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.

*Philip J. Schrupp*  
 PHILIP J. SCHRUPP, P.E.  
 LIC. NO. 54198 DATE 1/29/2020



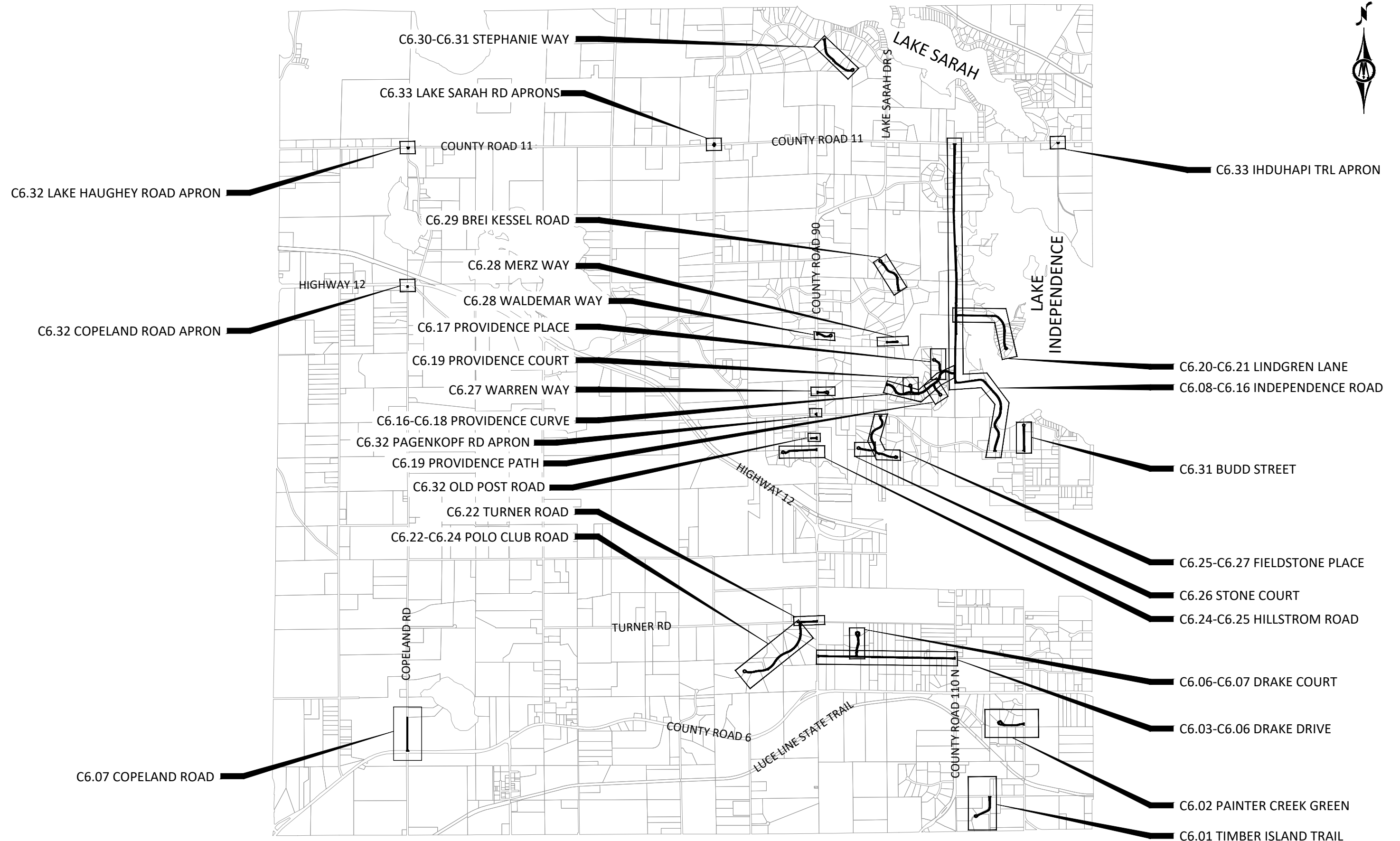
2638 SHADOW LANE, SUITE 200  
 CHASKA, MINNESOTA 55318  
 Phone: (952) 448-8838  
 Email: Chaska@bolton-menk.com  
 www.bolton-menk.com

DESIGNED	NO.	ISSUED FOR	DATE
PJS			
DRAWN			
MGJ			
CHECKED			
ALB			
CLIENT PROJ. NO.			
C16.119985			

CITY OF INDEPENDENCE, MINNESOTA  
 2020 OVERLAY  
 CONSTRUCTION NOTES

SHEET

G0.02



C6.30-C6.31 STEPHANIE WAY

C6.33 LAKE SARAH RD APRONS

COUNTY ROAD 11

COUNTY ROAD 11

C6.32 LAKE HAUGHEY ROAD APRON

C6.33 IHDUHAPI TRL APRON

C6.29 BREI KESSEL ROAD

C6.28 MERZ WAY

HIGHWAY 12

C6.28 WALDEMAR WAY

COUNTY ROAD 90

LAKE INDEPENDENCE

C6.32 COPELAND ROAD APRON

C6.17 PROVIDENCE PLACE

C6.20-C6.21 LINDGREN LANE

C6.19 PROVIDENCE COURT

C6.08-C6.16 INDEPENDENCE ROAD

C6.27 WARREN WAY

C6.16-C6.18 PROVIDENCE CURVE

C6.32 PAGENKOPF RD APRON

C6.31 BUDD STREET

C6.19 PROVIDENCE PATH

C6.32 OLD POST ROAD

HIGHWAY 12

C6.22 TURNER ROAD

C6.22-C6.24 POLO CLUB ROAD

C6.25-C6.27 FIELDSTONE PLACE

C6.26 STONE COURT

C6.24-C6.25 HILLSTROM ROAD

TURNER RD

C6.06-C6.07 DRAKE COURT

COPELAND RD

C6.03-C6.06 DRAKE DRIVE

COUNTY ROAD 6

C6.07 COPELAND ROAD

LUCE-LINE STATE TRAIL

COUNTY ROAD 110 N

C6.02 PAINTER CREEK GREEN

C6.01 TIMBER ISLAND TRAIL

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.

*Philip J. Schrupp*  
 PHILIP J. SCHRUPP, P.E.  
 LIC. NO. 54198 DATE 1/29/2020

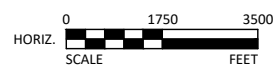


2638 SHADOW LANE, SUITE 200  
 CHASKA, MINNESOTA 55318  
 Phone: (952) 448-8838  
 Email: Chaska@bolton-menk.com  
 www.bolton-menk.com

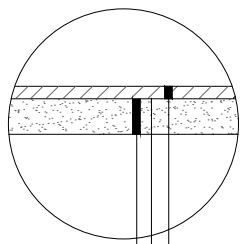
DESIGNED	NO.	ISSUED FOR	DATE
PJS			
DRAWN			
MGJ			
CHECKED			
ALB			
CLIENT PROJ. NO.			
C16.119985			

CITY OF INDEPENDENCE, MINNESOTA  
 2020 OVERLAY  
 GENERAL PLAN LAYOUT

SHEET  
 G2.01

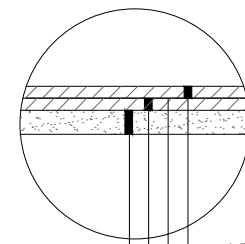


© Bolton & Menk, Inc. 2019. All Rights Reserved.  
 PL16082-RD-CJ-WAY-C16.119985-CAD (3/21/2020 2:25:15 PM)



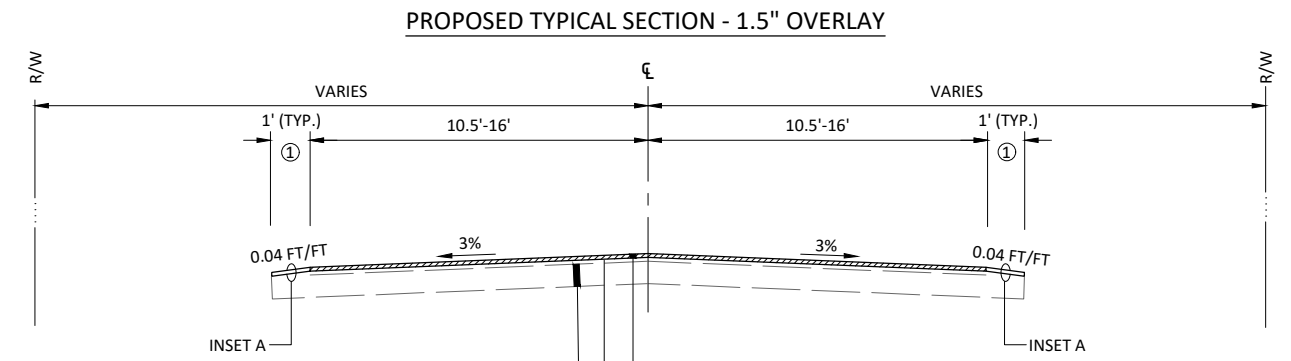
1.5" SP12.5 BITUMINOUS WEARING COURSE (SPWEA240B)(2360)  
 BITUMINOUS TACK COAT (2357) (INCIDENTAL)  
 EXISTING ROADWAY

**1.5" BITUMINOUS OVERLAY**  
 NOT TO SCALE



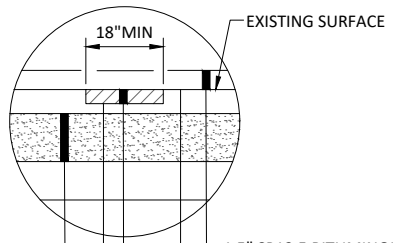
1.5" SP12.5 BITUMINOUS WEARING COURSE (SPWEA240B)(2360)  
 BITUMINOUS TACK COAT (2357) (INCIDENTAL)  
 2" SP12.5 BITUMINOUS WEARING COURSE (SPWEA240B)(2360)  
 EXISTING AGGREGATE BASE, CL 5 (2211)

**3.5" BITUMINOUS PAVING**  
 NOT TO SCALE



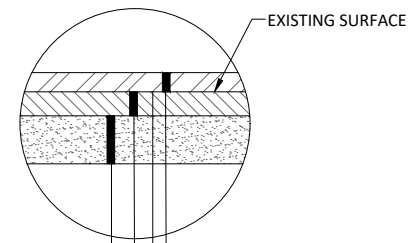
NOTE:  
 ① SHOULDERING WIDTH VARIES. COORDINATE WITH ENGINEER PRIOR TO PLACING SHOULDERING MATERIAL.

1.5" TYPE SP 9.5 WEARING COURSE (2,B) (SPWEA240B) (2360)  
 BITUMINOUS TACK COAT (2357) (INCIDENTAL)  
 EXISTING BITUMINOUS



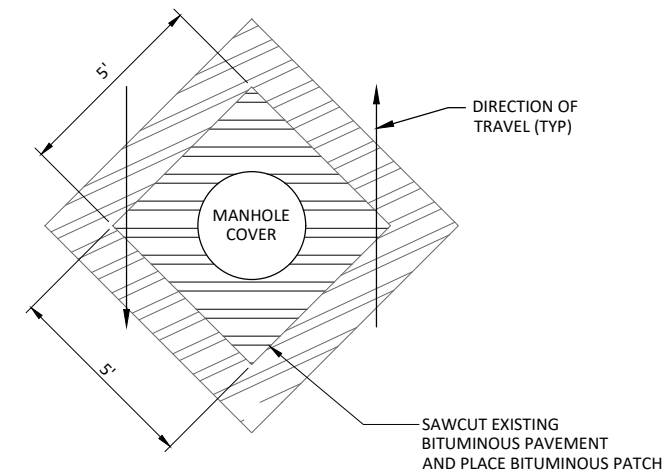
18" MIN  
 EXISTING SURFACE  
 1.5" SP12.5 BITUMINOUS WEARING COURSE (SPWEA240B)(2360)  
 BITUMINOUS TACK COAT (2357) (INCIDENTAL)  
 MILL 1.5" OF EXISTING PAVEMENT & FILL WITH 1.5" TYPE SPNWB230B. COMPACT NEW BITUMINOUS FLUSH W/EX. SURFACE.  
 BITUMINOUS TACK COAT (2357) (INCIDENTAL)  
 EXISTING AGGREGATE BASE, CL 5 (2211)

**CRACK REPAIR**  
 NOT TO SCALE

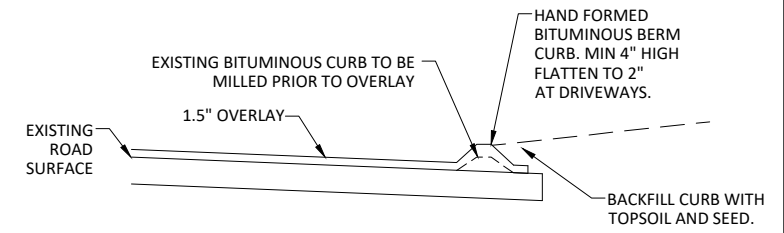


EXISTING SURFACE  
 1.5" SP12.5 BITUMINOUS WEARING COURSE (SPWEA240B)(2360)  
 BITUMINOUS TACK COAT (2357) (INCIDENTAL)  
 2" SP12.5 NON-WEARING COURSE (SPNWB230B) (INCIDENTAL)  
 10" AGGREGATE BASE, CLASS 5, (2211) (INCIDENTAL)

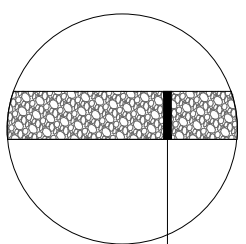
**PATCH REPAIR**  
 NOT TO SCALE



DIRECTION OF TRAVEL (TYP)  
 MANHOLE COVER  
 SAWCUT EXISTING BITUMINOUS PAVEMENT AND PLACE BITUMINOUS PATCH

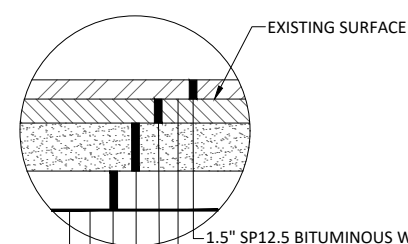


**BITUMINOUS BERM CURB**  
 NOT TO SCALE



1.5" AGGREGATE SURFACING CLASS 2

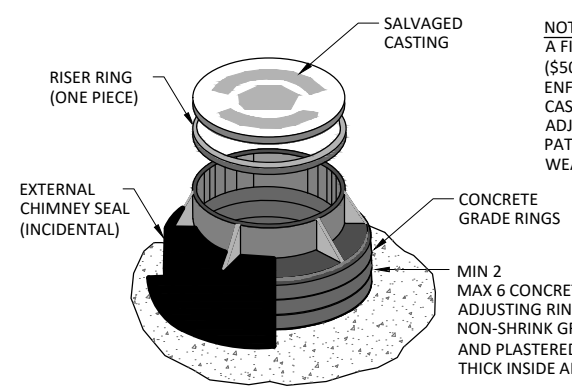
**INSET A/AGGREGATE DRIVEWAY**  
 NOT TO SCALE



EXISTING SURFACE  
 1.5" SP12.5 BITUMINOUS WEARING COURSE (SPWEA240B)(2360)  
 BITUMINOUS TACK COAT (2357) (INCIDENTAL)  
 TYPE SPNWB230B (PATCH REPAIR)  
 AGGREGATE BASE (PATCH REPAIR)  
 12" COMPACTED GRANULAR MATERIAL (INCIDENTAL)  
 GEOTEXTILE FABRIC  
 SUBGRADE PREPARATION (2112) (INCIDENTAL)

**SUBGRADE EXCAVATION**  
 NOT TO SCALE

NOTE:  
 SUBGRADE EXCAVATION LIMITS TO BE DETERMINED IN THE FIELD BY ENGINEER.



**ADJUST FRAME & RING CASTING**  
 NOT TO SCALE

NOTE:  
 A FIVE HUNDRED DOLLAR (\$500) PENALTY WILL BE ENFORCED FOR EACH CASTING NOT PROPERLY ADJUSTED REQUIRING A PATCH IN THE BITUMINOUS WEARING COURSE.

© Bolton & Menk, Inc. 2020. All Rights Reserved. P:\V\2020\C16.119985\CAD\CSD\119985\_C101.dwg, 1/31/2020 3:16:58 PM

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.  
*Philip J. Schrupp*  
 PHILIP J. SCHRUPP, P.E.  
 LIC. NO. 54198 DATE 1/29/2020

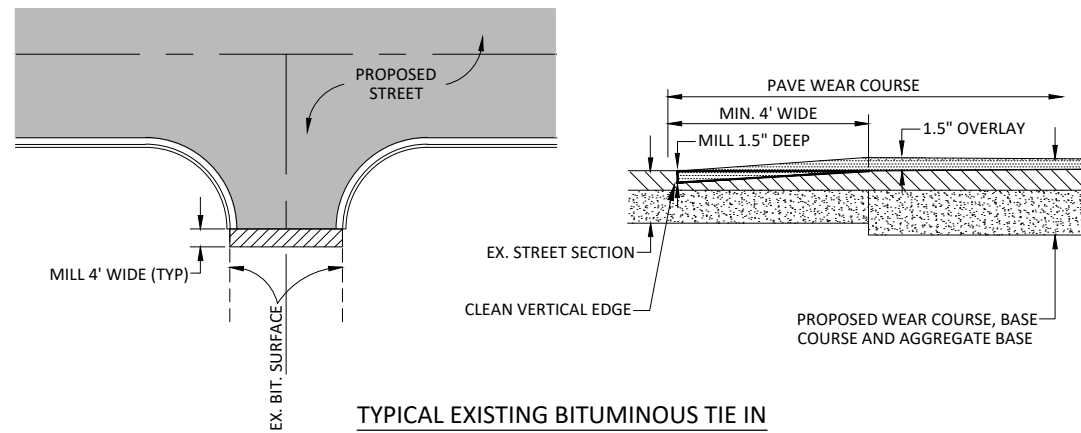


2638 SHADOW LANE, SUITE 200  
 CHASKA, MINNESOTA 55318  
 Phone: (952) 448-8838  
 Email: Chaska@bolton-menk.com  
 www.bolton-menk.com

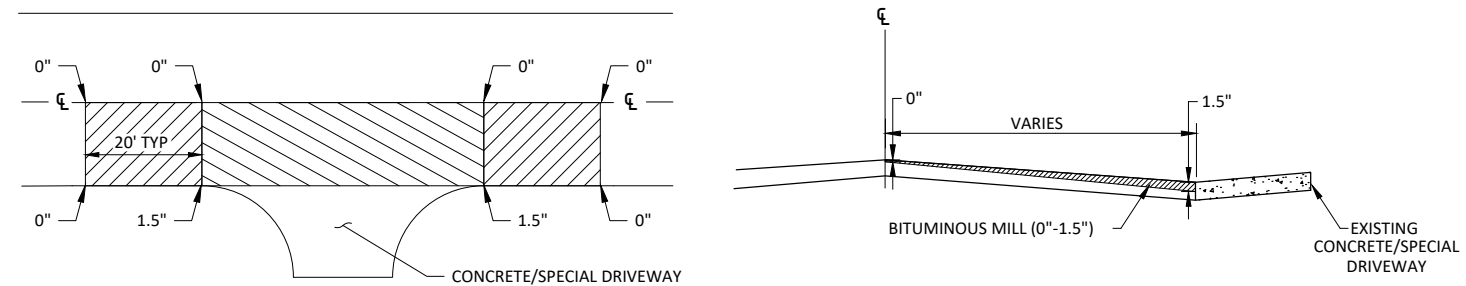
DESIGNED	NO.	ISSUED FOR	DATE
PJS			
DRAWN	MGJ		
CHECKED	ALB		
CLIENT PROJ. NO.	C16.119985		

CITY OF INDEPENDENCE, MINNESOTA  
 2020 OVERLAY  
 CONSTRUCTION DETAILS

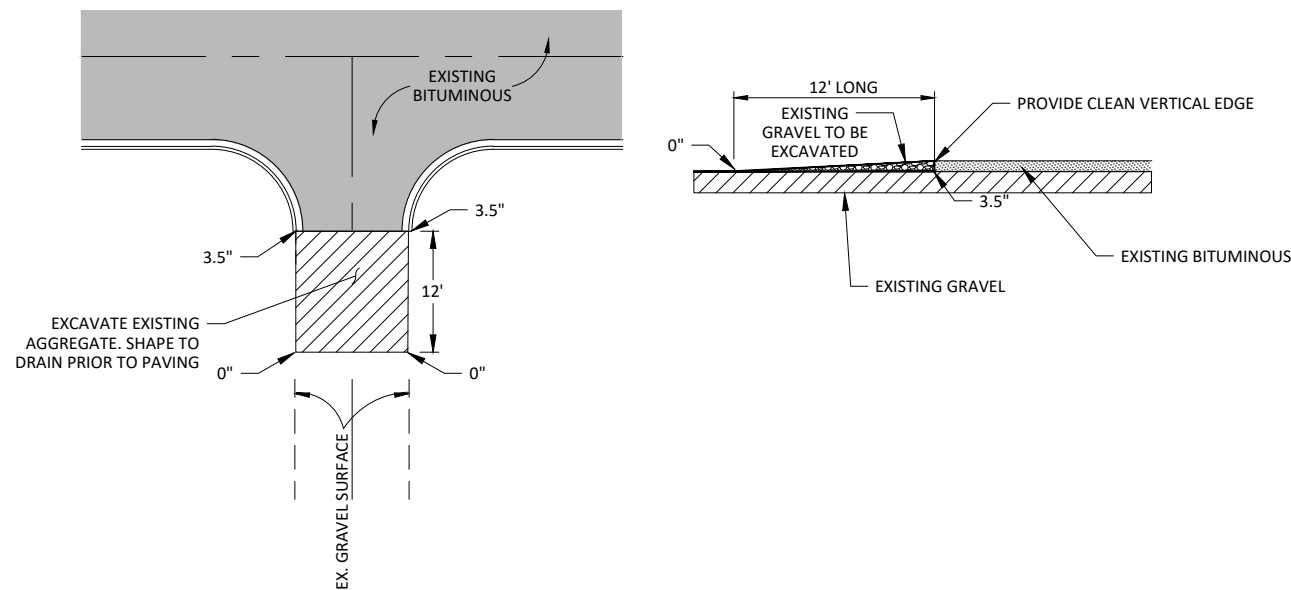
SHEET  
**C1.01**



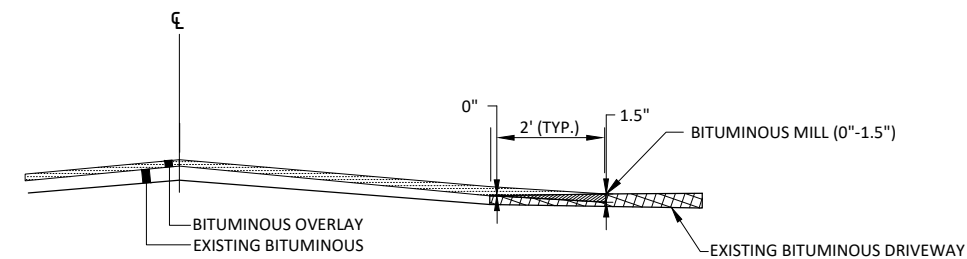
**TYPICAL EXISTING BITUMINOUS TIE IN**  
NOT TO SCALE



**TYPICAL EDGE MILL AT CONCRETE/SPECIAL DRIVEWAYS**  
NOT TO SCALE



**TYPICAL GRAVEL APPROACH TIE IN GRADING**  
NOT TO SCALE



**TYPICAL EDGE MILL AT BITUMINOUS DRIVEWAYS**  
NOT TO SCALE

NOTE:  
EXCAVATED GRAVEL CAN BE UTILIZED  
WITHIN PROJECT LIMITS AND ADJACENT  
GRAVEL ROAD TIE INS. (INCIDENTAL)

© Bolton & Menk, Inc. 2020. All Rights Reserved. P:\V\DW\FIN\DWG\C16.119985\CAD\CSD\119985\_C101.dwg, 1/28/2020 2:57:52 PM

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.

*Philip J. Schrupp*  
PHILIP J. SCHRUPP, P.E.  
LIC. NO. 54198 DATE 1/29/2020



2638 SHADOW LANE, SUITE 200  
CHASKA, MINNESOTA 55318  
Phone: (952) 448-8838  
Email: Chaska@bolton-menk.com  
www.bolton-menk.com

DESIGNED	NO.	ISSUED FOR	DATE
PJS			
DRAWN			
MGJ			
CHECKED			
ALB			
CLIENT PROJ. NO.			
C16.119985			

CITY OF INDEPENDENCE, MINNESOTA  
2020 OVERLAY  
CONSTRUCTION DETAILS

SHEET  
C1.02

# City of Independence

## Resolution Calling for Capital Improvement Plan and Street Reconstruction Plan Discussion

---

*To:* City Council  
*From:* Mark Kaltsas, City Administrator  
*Meeting Date:* February 18, 2020

***Discussion:***

The City has determined that certain streets in the City are in need of reconstruction, repair and improvements. The City is authorized by Minnesota Statutes, Section 475.58, subdivision 3b (the "Act"), to prepare a plan for reconstruction or overlay of streets in the City over the next five years, including a description of the affected streets and estimated costs (the "Plan"), and to issue general obligation bonds to finance the cost of street reconstruction activities described in the Plan. Pursuant to the Act, the City is required to hold a public hearing regarding the Plan and issuance of the bonds.

The City now finds that it is necessary to prepare a Plan setting forth proposed street reconstruction projects in the City for the years 2020 through 2024, and to provide for the issuance of general obligation bonds thereunder in an aggregate principal amount not to exceed \$1,400,000 (the "Bonds"), to finance certain costs of the Plan.

In addition, the City is authorized by Minnesota Statutes, Section 475.521, as amended (the "Act") to finance certain capital improvements under an approved five-year capital improvement plan (the "Plan") by the issuance of general obligation bonds of the City payable from ad valorem taxes. Capital improvements include acquisition or betterment of public lands, buildings or other improvements for the purpose of a city hall, town hall, library, public safety facility and public works facility (excluding light rail transit or any activity related to it, or a park, road, bridge, administrative building other than a city or town hall, or land for any of those facilities).

The City now finds it necessary to prepare a Plan setting forth proposed capital improvements in the City for the years 2020 through 2024 and to provide for the issuance of general obligation bonds thereunder in an aggregate principal amount not to exceed \$2,500,000 (the "Bonds") to finance certain costs of the Plan, including the costs of renovating, expanding, improving and equipping the City's existing City Hall, public safety and public works facilities.

Pursuant to the Act, before issuance of bonds under both Plans described above, the City Council is required to hold a public hearing on the Plans and the issuance of such bonds.

***Council Recommendation:***

The City hereby authorizes its staff and consultants to prepare the Plan for street reconstruction projects

and capital improvement projects in the City over the five-year period of 2020 to 2024 in accordance with the Act and provide notice of the requisite public hearings. City Council is asked to consider approval of **RESOLUTION NO. 20-0218-04 and RESOLUTION NO. 20-0218-05.**

*Attachment:* RESOLUTION NO. 20-0218-04  
RESOLUTION NO. 20-0218-05



**CITY OF INDEPENDENCE, MINNESOTA**

**RESOLUTION NO. 20-0218-04**

**RESOLUTION RELATING TO THE ADOPTION OF A  
STREET RECONSTRUCTION PLAN AND THE ISSUANCE  
OF STREET RECONSTRUCTION BONDS: CALLING A  
PUBLIC HEARING**

BE IT RESOLVED by the City Council of the City of Independence, Hennepin County, Minnesota (“City”), as follows:

Section 1. Background; Findings.

1.01. The Council has found and determined that certain streets in the City are in need of reconstruction, repair and improvement.

1.02. The City is authorized by Minnesota Statutes, Section 475.58, subdivision 3b (the “Act”), to prepare a plan for reconstruction or overlay of streets in the City over the next five years, including a description of the affected streets and estimated costs (the “Plan”), and to issue general obligation bonds to finance the cost of street reconstruction activities described in the Plan.

1.03. Pursuant to the Act, the City is required to hold a public hearing regarding the Plan and issuance of the bonds.

1.04. The City now finds that it is necessary to prepare a Plan setting forth proposed street reconstruction projects in the City for the years 2020 through 2024, and to provide for the issuance of general obligation bonds thereunder in an aggregate principal amount not to exceed \$1,400,000 (the “Bonds”), to finance certain costs of the Plan, and further finds and determines that it is in the best financial interests of the City that the City hold a public hearing on the Plan and the issuance of Bonds as provided in the Act.

Section 2. Public Hearing Authorized.

2.01. The City hereby authorizes its staff and consultants to prepare the Plan for street reconstruction projects in the City over the five-year period of 2020 to 2024 in accordance with the Act, and to place a copy of the Plan on file with the City Administrator by no later than the date of publication of the hearing notice.

2.02. As required by the Act, a public hearing on the Plan and the issuance of the Bonds to finance the cost of street reconstruction activities described therein will be conducted in City Hall on Tuesday, March 17, 2020, commencing at 6:30 P.M. The City Administrator is authorized and directed to cause notice of the hearing to be published in substantially the form attached hereto as

Exhibit A not less than ten (10) nor more than twenty-eight (28) days prior to the date of the hearing.

2.03. City staff and consultants are authorized to take all other actions needed to bring the Plan and issuance of the Bonds before the City Council.

Sec. 3. Miscellaneous.

3.01. As provided in the Act, the Bonds, in an aggregate principal amount not to exceed \$1,400,000, will not be issued without the approval of a majority of the voters at a special election if within thirty (30) days after approval of the Plan and authorization of the issuance of the Bonds, a petition requesting such an election signed by a number of voters equal to five percent (5%) of the votes cast in the last previous City general election, is filed with the City Administrator.

Adopted by the City Council of the City of Independence, Minnesota, this 18<sup>th</sup> day of February, 2020.

---

Mayor

Attest:

---

City Administrator

**EXHIBIT A**

**CITY OF INDEPENDENCE  
HENNEPIN COUNTY, MINNESOTA**

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the City Council of the City of Independence, Minnesota (the "City") will conduct a public hearing at City Hall, 1920 County Road 90 in the City on Tuesday, March 17, 2020, at or after 6:30 PM, to consider a proposal concerning: (1) the adoption of a five-year street reconstruction plan (the "Plan"); and (2) the issuance of general obligation street reconstruction bonds (the "Bonds") to finance the reconstruction of certain streets in the City, all pursuant to Minnesota Statutes, Section 475.58, subdivision 3b. The Bonds will be issued in an aggregate principal amount not to exceed \$1,400,000. A draft copy of the Plan is on file with the City Administrator and is available for public inspection at City Hall during regular business hours. The City may accept an offer to purchase the Bonds, and the City may sell the Bonds, at a price that results in the receipt of original issue premium in any amount.

If a petition requesting a vote on the issuance of the Bonds, signed by voters equal to five percent of the votes cast in the last City general election, is filed with the City Administrator within 30 days after the public hearing, the City may issue the Bonds only after obtaining approval of a majority of voters voting on the question at an election.

At the time and place fixed for the public hearing, the City Council will give all persons who appear at the hearing an opportunity to express their views with respect to the proposal. In addition, interested persons may direct any questions or file written comments respecting the proposal with the City Administrator, at or prior to said public hearing.

Dated: \_\_\_\_\_, 2020

BY ORDER OF THE CITY COUNCIL OF  
THE CITY OF INDEPENDENCE,  
MINNESOTA

/s/ Mark Kaltsas  
City Administrator  
City of Independence, Minnesota

**CITY OF INDEPENDENCE, MINNESOTA**

**RESOLUTION NO. 20-0218-05**

**RESOLUTION CALLING PUBLIC HEARING ON THE  
ADOPTION OF A FIVE-YEAR CAPITAL  
IMPROVEMENT PLAN AND THE ISSUANCE OF  
GENERAL OBLIGATION BONDS THEREUNDER**

BE IT RESOLVED By the City Council of the City of Independence, Hennepin County, Minnesota (the “City”), as follows:

Section 1. Background.

1.01. The City is authorized by Minnesota Statutes, Section 475.521, as amended (the “Act”) to finance certain capital improvements under an approved five-year capital improvement plan (the “Plan”) by the issuance of general obligation bonds of the City payable from ad valorem taxes. Capital improvements include acquisition or betterment of public lands, buildings or other improvements for the purpose of a city hall, town hall, library, public safety facility and public works facility (excluding light rail transit or any activity related to it, or a park, road, bridge, administrative building other than a city or town hall, or land for any of those facilities).

1.02. Pursuant to the Act, before issuance of bonds under the Plan, the City Council is required to hold a public hearing on the Plan and the issuance of such bonds.

1.03. The City now finds it necessary to prepare a Plan setting forth proposed capital improvements in the City for the years 2020 through 2024 and to provide for the issuance of general obligation bonds thereunder in an aggregate principal amount not to exceed \$2,500,000 (the “Bonds”) to finance certain costs of the Plan, including the costs of renovating, expanding, improving and equipping the City’s existing City Hall, public safety and public works facilities, and further finds and determines that it is in the best financial interests of the City that the City hold a public hearing on the Plan and the issuance of Bonds as provided in the Act.

Section 2. Hearing Scheduled.

2.01. The City hereby authorizes its staff and consultants to prepare the Plan for capital improvement projects in the City over the five-year period of 2020 to 2024 in accordance with the Act, and to place a copy of the Plan on file with the City Administrator by no later than the date of publication of the hearing notice.

2.02. The City Council will hold a public hearing regarding the approval of the Plan and issuance of the Bonds on Tuesday, March 17, 2020, commencing at 6:30 p.m. at City Hall. The City Administrator is authorized and directed to publish a notice substantially the form

attached as Exhibit A in the official newspaper of the City at least fourteen (14) days but no more than twenty-eight (28) days before the date of the hearing.

2.03. City staff and consultants are authorized to take all other actions needed to bring the Plan and issuance of the Bonds before the City Council.

Section 3. Miscellaneous.

3.01. As provided in the Act, the Bonds will not be issued without the approval of a majority of the voters at a special election if within thirty (30) days after approval of the Plan and authorization of the issuance of the Bonds, a petition requesting such an election signed by a number of voters equal to five percent (5%) of the votes cast in the last previous City general election, is filed with the City Administrator.

Adopted by the City Council of the City of Independence, Minnesota, this 18<sup>th</sup> day of February, 2020.

---

Mayor

ATTEST:

---

City Administrator

**EXHIBIT A**

**NOTICE OF PUBLIC HEARING**

**NOTICE OF PUBLIC HEARING REGARDING A FIVE-YEAR CAPITAL  
IMPROVEMENT PLAN AND THE ISSUANCE OF GENERAL OBLIGATION BONDS  
THEREUNDER**

NOTICE IS HEREBY GIVEN that the City Council of the City of Independence, Minnesota (the “City”) will meet on Tuesday, March 17, 2020, at or after 6:30 PM at City Hall, 1920 County Road 90 in the City, to hold a public hearing concerning (1) the adoption of a five-year capital improvement plan for the City prepared in compliance with Minnesota Statutes, Section 475.521, as amended (the “Plan”); and (2) the issuance of general obligation bonds (the “Bonds”) to finance certain projects described in the Plan including the renovation, expanding, improvement and equipping of the City’s existing City Hall, public safety and public works facilities. The aggregate principal amount of the Bonds to be issued under the Plan shall not exceed \$2,500,000. The City may accept an offer to purchase the Bonds, and the City may sell the Bonds, at a price that results in the receipt of original issue premium in any amount.

If a petition requesting a vote on the issuance of the Bonds, signed by voters equal to five percent (5%) of the votes cast in the City in the last general election, is filed with the City Administrator within thirty (30) days after the public hearing, the City may issue the Bonds only after obtaining approval of a majority of voters voting on the question at an election.

A copy of the Plan is available for inspection in the City Administrator’s office at City Hall. Questions or comments may be directed to the City Administrator at 763-479-0527.

All interested persons may appear and be heard at the public hearing either orally or in writing, or may file written comments with the City Administrator before the hearing.

Dated: \_\_\_\_\_, 2020

BY ORDER OF THE CITY COUNCIL OF  
THE CITY OF INDEPENDENCE,  
MINNESOTA

/s/ Mark Kaltsas  
City Administrator  
City of Independence, Minnesota