



PLANNING COMMISSION MEETING AGENDA  
TUESDAY JULY 19, 2022

**7:30 PM REGULAR MEETING**

1. Call to Order
2. Roll Call
3. Approval of Minutes:
  - a. June 21, 2022, Planning Commission Meeting
  - b. July 5, 2022, City Council Meeting Minutes (For Information Only)
4. **TO BE TABLED TO AUGUST 16 - PUBLIC HEARING:** Jon Dailing/Windsong Farm Golf Club (Applicant) and David Meyer (Owner) are requesting the following action for the property generally located at and adjacent to 8590 County Road 92 N (PID No.s 32-118-24-23-0001, 32-118-24-22-0003, 32-118-24-22-0002, 32-118-24-13-0002, 32-118-24-12-0003 and 32-118-24-12-0004) in the City of Independence, MN:
  - a. Conditional use permit amendment to allow the development of a new 18-hole golf course and associated site improvements on the subject properties.
5. **PUBLIC HEARING:** Charles Wiemerslage (Applicant) and Steve Bohl (Owner) requests that the City consider the following actions for the properties generally located at 2236 South Lake Shore Drive, Independence, MN (PID No's. 24-118-24-14-0005, 24-118-24-11-0009 and 24-118-24-11-0012):
  - a. A comprehensive plan amendment to allow the subject property to be re-guided to a new residential zoning district with standards to be determined.
  - b. An ordinance amendment to allow planned unit developments as a conditional use in the Rural Residential Zoning District.
  - c. Rezoning of the property to Rural Residential.
  - d. A conditional use permit to allow a planned unit development.
  - e. A preliminary plat for the proposed subdivision of the property into 28 single-family lots with a minimum lot size of 1 acre.
6. **PUBLIC HEARING:** Patti Good (Applicant/Owner) requests that the City consider the following actions for the property located at 4986 South Lake Shore Drive, Independence, MN (PID No. 24-118-24-11-0001):

- a. A variance allowing a reduced setback from the OHWL permitting the construction of a screened deck to be constructed in place of the existing legal non-conforming deck on the subject property.
- 7. **PUBLIC HEARING:** Jeffrey Pitzenberger (Applicant/Owner) requests that the City consider the following actions for the property located at 4082 Woodhill Drive, Independence, MN (PID No. 01-118-24-34-0012):
  - a. A variance to allow a detached accessory dwelling unit on a property that is less than 2.5 acres.
  - b. A conditional use permit to allow an accessory dwelling unit.
- 8. Open/Misc.
- 9. Adjourn.

MINUTES OF A MEETING OF THE  
INDEPENDENCE PLANNING COMMISSION  
JUNE 21, 2022 – 7:30 P.M.

1. CALL TO ORDER

Pursuant to due call and notice thereof, a regular meeting of the Independence Planning Commission was called to order by Gardner at 7:30 p.m.

2. Oath of Office for Newly Appointed Planning Commission Alternate – Timothy Usset  
Mark Kaltsas swore in Tim Usset as Planning Commissioner Alternate.

3. ROLL CALL

PRESENT: Commissioners Gardner, Volkenant, and Alternates Story and Usset  
STAFF: City Administrator Kaltsas  
ABSENT: Dumas, Tearse, and Thompson  
VISITORS: John Zitzloff

4. APPROVAL OF MINUTES:

- a. May 17, 2022, Planning Commission Meeting
- b. June 7, 2022, City Council Meeting Minutes (For Information Only)

**Motion by Volkenant to approve the May 17, 2022 Planning Commission minutes, second by Story. Ayes: Gardner, Volkenant, and Alternate Story. Nays: None. Absent: Dumas, Tearse, and Thompson. Abstain: Usset. Motion Approved.**

5. **PUBLIC HEARING:** John Zitzloff (Applicant/Owner) is requesting that the City consider the following action for the property located at 4224 Lake Sarah Dr. S. (PID No. 02-118-24- 42-0002) in Independence, MN:

- a. A variance to allow a detached accessory structure on the property that exceeds the height of the principal structure.

***Request:***

John Zitzloff (Applicant/Owner) is requesting that the City consider the following action for the property located at 4224 Lake Sarah Dr. S. (PID No. 02-118-24-42-0002) in Independence, MN:

- a. A variance to allow a detached accessory structure on the property that exceeds the height of the principal structure.

***Property/Site Information:***

The subject property is located at 4224 Lake Sarah Dr. S. which is on the east side of the road approximately ¼ mile north of the CSAH 11/Lake Sarah Drive S. intersection. The property has an existing single-family home and is comprised of a mix of wetlands and upland.

Property Information: 4224 Lake Sarah Dr. S.

Zoning: *AG-Agriculture*

Comprehensive Plan: *Rural*

Residential Acreage: 3.75  
acres

***Discussion:***

The applicant would like to construct a detached accessory structure on the property. There is currently an existing home and small detached shed located on the property. The City regulates the total square footage permitted for detached accessory structures using a formula contained within the zoning ordinance. The formula allows a property owner to construct an accessory building which does not exceed 2% of the upland square footage of the property. In this case, the City has determined that the upland portion of the property is 2.56 acres. The City's water resource consultant visited the property several weeks ago to confirm the wetland boundary. Based on this determination, the total allowable square footage for a detached accessory structure is 2,230 SF (2.56 acres - 111,482 sf \* .02 = 2,230 SF).

The applicant is proposing to construct a 2,226 square foot detached accessory structure (53' x 42') which is just less than the maximum size permitted. The current plan depicting a 42' x 60' will be revised to reflect the maximum size permitted. In addition to the limitation on building size, the City regulates the maximum height of detached accessory structures. The maximum height of an accessory structure shall not exceed the height of the principal structure.

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<sup>3</sup> *The height of an accessory structure shall not exceed the height of the principal structure. The height of the principle and accessory structure shall be measured in accordance with the definition provided in this ordinance, Section 510.05, Subdivision 10.*

The City measured the mid roof height of the principal structure to be 13'-6". The applicant would like the City to permit the detached accessory building to be 20' -6" in height. In order for the applicant to construct a building higher than that which is permitted, the City will need to consider a 7' variance. The applicant is proposing to locate the building approximately 30' east of the rear line of the principal structure. The elevation of the proposed accessory building (994) is approximately 4' lower than the elevation of the principal home (998). This differential in elevation would aid in mitigating adverse effects resulting from the taller accessory building.

The proposed accessory structure is proposed to meet applicable building setbacks. Setbacks for detached accessory structures are as follows:

	<u>REQUIRED SETBACKS</u>	<u>PROPOSED SETBACKS</u>
Front Yard:	85' from CL of road	N/A (beyond 100')
Side Yard:	15'	16'
Rear Yard:	40'	N/A (beyond 100')



There is an existing driveway that would provide access to the proposed building. The proposed building will be used by the applicant for an office, storage, workshop, canning, and fish cleaning kitchen. The City noted that the “range” label shown in the kitchen area of the plans should be removed to address any issue that could be construed as an accessory dwelling unit. The proposed building is 3 stories with a “walk out” lower level, main level, and second story. The building would be sided with board and batten steel siding and a metal roof.

There are several factors to consider relating to granting a variance. The City’s ordinance has established criteria for consideration in granting a variance.

*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 criteria for granting a variance:

- a. The applicant is proposing to use the property in a manner consistent with the Agriculture District. The applicants have attempted to locate the building to meet all other applicable setbacks for properties zoned Agriculture.

- b. The potential impacts of the requested variance will be somewhat mitigated as a result of the existing elevations, size of the property and existing screening due to vegetation and elevations.
- c. The character of the surrounding area is a mixture of agriculture and residential. The proposed detached accessory building is generally in keeping with the intent and typical use of properties zoned Agriculture.
- d. The adjacent property to the south has several large, detached accessory structures. The property to the north has several large agricultural buildings.

The City discussed the recently adopted ABRC review process and applicable criteria. The requirements for setbacks from the principal building (75' separation) and increased side yard setbacks (30' instead of 15') would create additional issues relating to placement of the building as determined by the applicant. As a result, the request for a variance was pursued for this property. The Planning Commission will need to determine if the requested variance meets the requirements for granting a variance.

***Neighbor Comments:***

The City has not received any written comments regarding the proposed variance.

***Recommendation:***

Staff is seeking a recommendation from the Planning Commission for the requested Variance with the following findings and conditions:

1. The proposed Variance request meets all applicable conditions and restrictions stated in Chapter V, Section 520.19, Procedures on variances, in the City of Independence Zoning Ordinance.
2. The 7-foot variance will allow the detached accessory building to have a maximum height of 20'-6" feet as measured in accordance with City standards.
3. The proposed building cannot be used for a commercial business or storage.
4. The applicant shall provide the City with a revised set of plans showing the building dimensions to be 53' x 42' prior to City Council review and consideration.
5. The applicant shall provide the City with a grading plan prior to City Council review and consideration.
6. The Applicant shall pay for all costs associated with the City's review of the

requested variance.

7. Any future improvements made to this property will need to be in compliance with all applicable standards relating to the Rural Residential and Shoreland Overlay zoning districts.

Kaltsas summarized the 4 pages of this variance request (details in the PC packet). The applicants' request would reduce the proposed accessory building's sq ft to comply with the 2% allowable keeping it at 2,226 sq ft and 53'x42'. He explained that this is a request for a variance to allow a detached accessory structure on the property that exceeds the height of the principal structure. When the City amended its ordinances 7-8 yrs ago to increase the allowable sq ft for detached accessories and also make that sq ft proportional to the property rather than static sizes. Keeping them subordinate to the primary dwelling/ principal structure. The height restriction can be no taller than the principal structure. Some variances came in where that proportionality didn't matter anymore... lots of acreage between structures and met ordinances. The City made an Accessory Building Review Committee/ABRC who can without variance approve height exception subject to applicants meeting other requirements. This applicant has a rambler and wants to have it usable to the primary structure and keep some connectivity for accessibility and keeping it less than 75' away.

They want to utilize the driveway and locate it closer than the 30' side setback and not distanced 75' from the principal structure. ABRC review board process. Full variance is to the height only and meets all other setbacks. Survey shows it is uniquely triangular-shaped adding challenges. (See packet details.)

As noted, there is a wetland, so the City's water resource identified a safe line and applied a buffer maxing the 2.56 acreage at 230 sq ft. The resident is proposing a 226 sq ft. and if approved. 53'x42'.

2<sup>nd</sup>, the building height is measured to the mid-pt of hip/gable roof. They are proposing mid-pt height be 20.6' which is a 7' variance. Proposing its location 30 ft e of rear line of principal structure and set over the top of the hill. Sloping up and then down towards the wetland, so the height should be a couple feet lower than the home's height. The projected location shows the slope away with a walkout utilizing the slope.

The City's set back requirements are: 85' from the c of rd. They're 100+' from rear and are in compliance.

Requesting a 7' variance due to the height limitations. Removing the range from the plan, as ranges are defining items making it a living kitchen vs. a s/he shed kitchen. (See architectural plans for details). 2<sup>nd</sup> story has office and storage, totaling 3 levels. Kaltsas showed the site plan drawings and has a white steel siding.

Criteria reasonable manner are common in this area. Neighbors also have large detached accessory buildings. The ordinance was enacted after this home was built. If granted it wouldn't alter the surrounding area. If granted, it would help to mitigate the extensive vegetive buffer. Which can be seen from the street but their setback help. No comments were received for this variance.

Gardener asked how close does the building have to come to the original structure to be considered to be attached as he'd seen some 6" away still be considered "attached"? Kaltsas said it needs to be attached.

Story asked the ballpark height of the building is to the south. Kaltsas said 20' Are there restrictions on permeable % applied to this for the driveway? Kaltsas, no.

Gardner discussed with Zitzloff on the building's intended use for non-dwelling use but for fish cleaning, office, etc. They agreed the variance was a good idea.

**Volkenant motioned to close the Public Hearing. Story seconded. No further questions.**

**Ayes: Volkenant, Gardner and Alternates Story and Usset. Nays: None. Absent: Dumas, Tearse, and Thompson. Abstain: None.**

**Motion by Usset to approve variance subject to staff recommendations, second by Volkenant. Ayes: Volkenant, Gardner and Alternates Story and Usset. Nays: None. Absent: Dumas, Tearse, and Thompson. Abstain: None. Motion Approved.**

This will go before the July 5th Council meeting for consideration.

6. **TO BE TABLED TO JULY 19 - PUBLIC HEARING:** Jon Dailing/Windson Farm Golf Club (Applicant) and David Meyer (Owner) are requesting the following action for the property generally located at and adjacent to 8590 County Road 92 N (PID No.s 32-118-24- 23-0001, 32-118-24-22-0003, 32-118-24-22-0002, 32-118-24-13-0002, 32-118-24-12-0003 and 32-118-24-12-0004) in the City of Independence, MN:

- a. Conditional use permit amendment to allow the development of a new 18-hole golf course and associated site improvements on the subject properties.

Kaltsas asked for a formal motion allowing a 2<sup>nd</sup> 18-hole golf course on their north property to be tabled as some items needed to be tweaked before going before CC and to allow us to not re-notice it and for more public to attend.

**Gardener Opened public hearing and Volkenant motioned to close public hearing. Ayes: Volkenant, Gardner and Alternates Story and Usset.**

**Volkenant motioned to table the Public Hearing until the July 19<sup>th</sup> Planning Commission meeting, second by Story. Ayes: Volkenant, Gardner and Alternates Story and Usset. Nays: None. Absent: Dumas, Tearse, and Thompson. Abstain: None. Motion Approved.**

Motion to close Public Hearing:

7. Open/Misc.

Kaltsas said there's a big July 19<sup>th</sup> meeting agenda.

8. Adjourn.

Story motioned to close.

**Adjourned at 8:02 p.m.**

Respectfully Submitted,

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Linda Johnson / Recording Secretary

DRAFT

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE CITY COUNCIL  
TUESDAY June 21, 2022–6:30 P.M.  
City Hall Chambers

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.

Mayor Johnson led the group in the Pledge of Allegiance.

3. ROLL CALL

PRESENT: Mayor Johnson, Councilors McCoy, Betts, and  
Grotting (virtual)

ABSENT: Councilor Spencer

STAFF: City Administrator Kaltsas, Chief Kroells

VISITORS: None.

*All votes were roll call votes*

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 June 7, 2022, Regular City Council Meeting.
- b. Approval of Accounts Payable (Batch # 1; Checks Numbered 21284-21311)

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

**Grotting attended the following meetings:**

- Watched Mayor Johnson's KSTP MN Live interview and wonderful job promoting Independence

**McCoy attended the following meetings:**

- June 13 Fire Commission Meeting

**Betts attended the following meetings:**

- June 13 Fire Commission Meeting

**Johnson attended the following meetings:**

- Interviews of the two candidates for upcoming staff vacancy (along with Councilor Spencer)
- June's Northwest League of MN Cities meeting in Loretto: speakers- Gary Carlson of Northwest League of MN Cities and Patty Nauman of Metro Cities MN
- Orono High School Graduation
- Lunch with James Wisker, Exec Dir Minnehaha Creek Watershed District, & Gene Maxwell, at Maynards, Excelsior
- Regional Council Mayors Meeting
- Maple Plain Fire Commission Meeting, audit report
- KSTP interview to be replaying on July 4th
- West Hennepin Chamber of Commerce
- Memorial service for Joe Reycraft, a previous Maple Plain business owner
- Visited with Public Works Director re Lk Sarah Rd

**Kaltsas attended the following meetings:**

- June 13 Fire Commission Meeting
- Staff interviews

**7. West Hennepin Public Safety – Director Gary Kroells: Presentation of the May 2022 Activity Report.**

Chief Kroells briefly described the report. For the month of May, there were 1,782 Incidence Complaints and Independence had 313 of those.

See Full Report for more details.

125 traffic contacts citations, verbal warnings.

Independence has been spared from increased car jackings, however a resident's call for an Uber was an issue when he'd gotten into a wrong car and thought the driver was acting weird.

**8. PUBLIC HEARING: Vacation for that portion of Quass Cut-Off Road Right of Way - Associated with the Final Plat for Hilltop Prairie.:**

- a. **RESOLUTION No. 22-0621-01** – Approving the right of way vacation.

The council approved Mayor Johnson to continue chairing the meeting and he reserved his comments to moderating.

Kaltsas said the City recently approved the Hilltop Prairie final plat subdivision and had identified the need to extend the road from the east side of CR90 to align it with Quass Cut-Off on the west side of CR90, thus approving a realign intersection E of CR90 with the condition that the applicant dedicate the ROW necessary to align the W side. Because this was 2 different properties both owned by the applicant, the City is vacating the ROW with the applicant's plan to vacate. Bringing it before council for a public hearing to vacate a public right of way is a formality of that final plat for Hilltop Prairie subdivision. It includes about 15,000 sq ft and the new area will realign at the new point where it starts and it's shifting south on the property. There's no net acreage loss. Betts asked if it were a safety issue. Hennepin County and the City preferred this area to make the realignment to create more space for HC's guidelines giving a good solution even though the road will dip a little. Johnson noted there was an electric/utility pole on the corner asking who will take initiative that. Kaltsas stated the utility wires on the north property aren't on the ROW, but South of Quass Cut-Off, the utility must be realigned by utility when that road goes in.

Johnson inquired of audience. No one wanted to speak. Kaltsas said no property owners are impacted as both sides were owned by same owner.

Betts motioned to close the public hearing. McCoy seconded. No further questions.

**Ayes: Grotting, McCoy, and Betts. Nays: None. Absent: Spencer. Abstain. Johnson.**

Grotting motioned to accept the realignment.

**Motion by Grotting, second by McCoy to approve RESOLUTION 22-0621-01 – approving the right of way vacation. Ayes: Grotting, McCoy, and Betts. Nays: None. Absent: Spencer. Abstain. Johnson. MOTION DECLARED CARRIED. 3:0**

9. Open/Misc.

Mayor Johnson was going to Duluth to represent the city at the League of Minnesota Cities Convention.

10. Adjourn.

**Motion carried by McCoy, second by Betts to adjourn the meeting at 6:57pm.**

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Respectfully Submitted,  
Linda Johnson / Recording Secretary



City of Independence  
Review of a Proposed 28 Unit Subdivision  
on the Subject Properties Generally Located  
at 2236 South Lake Shore Drive and to be known as BridgeVine

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<i>To:</i>	Planning Commission
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	July 19, 2022
<i>Applicant:</i>	BohLand Development
<i>Owner:</i>	Clifford L. Otten Trust
<i>Location:</i>	2236 South Lake Shore Drive

***Request:***

Charles Wiemerslage and Steve Bohl – BohLand Development (Applicant) and Clifford L. Otten Trust (Owner) requests that the City consider the following actions for the properties generally located at 2236 South Lake Shore Drive, Independence, MN (PID No's. 24-118-24-14-0005, 24-118-24-11-0009 and 24-118-24-11-0012):

- a. A comprehensive plan amendment to allow the subject property to be re-guided to a new residential zoning district with standards to be determined.
- b. An ordinance amendment to allow planned unit developments as a conditional use in the Rural Residential Zoning District.
- c. Rezoning of the property to Rural Residential.
- d. A conditional use permit to allow a planned unit development.
- e. A preliminary plat for the proposed subdivision of the property into 28 single-family lots with a minimum lot size of 1 acre.

***Property/Site Information:***

The property is located on the north side of Perkinsville Road and in-between South Lake Shore Drive and County Road 19. The property has frontage on Lake Independence and is comprised primarily of agriculture land. There are two homes on the subject property along with several detached accessory buildings. The property is comprised of densely wooded areas, wetlands and tillable acreage.

Property Information: **2236 South Lake Shore Drive**  
Zoning: *Agriculture (S-Shoreland Overlay)*  
Comprehensive Plan: *Rural Residential*  
Acreage: *~48 acres*

*2236 South Lake Shore Drive Aerial*



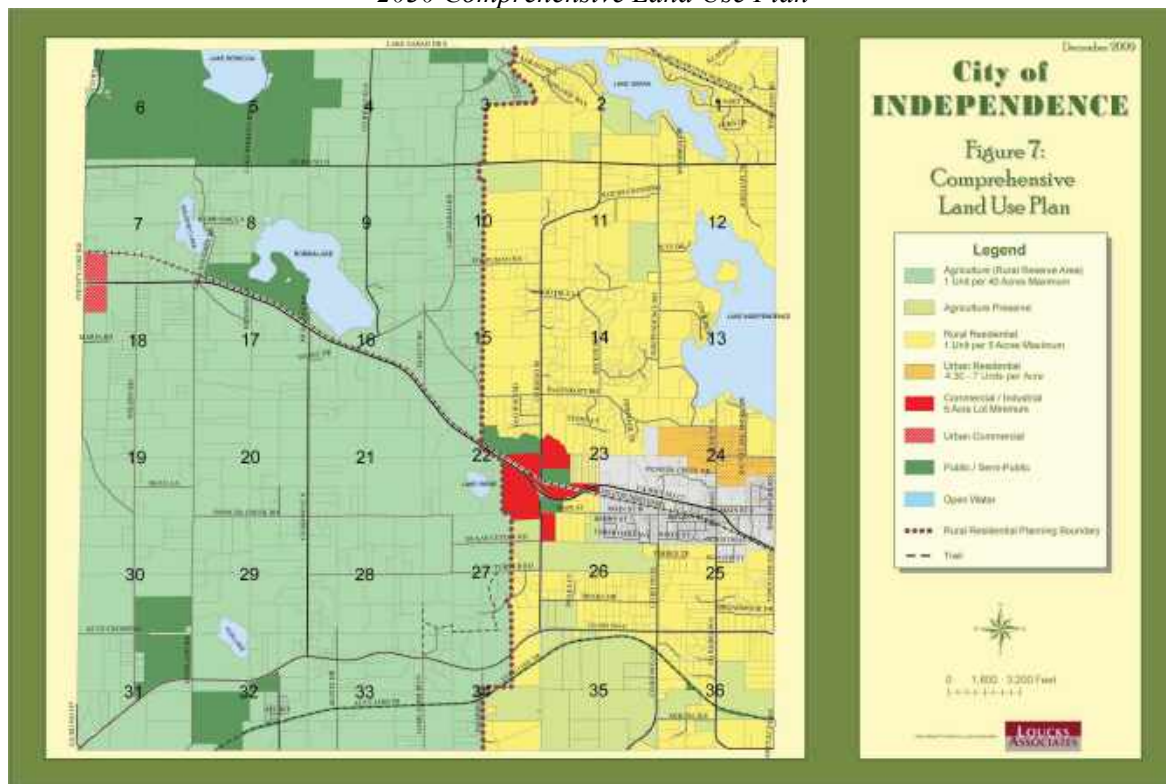
### ***Discussion:***

The City has reviewed and considered several concept plans for this property dating back to 2018. The initial concept plan submitted to the City was for a 96-unit subdivision. In 2020 a revised concept plan was submitted for a 28-unit subdivision. It was noted at that time that the City needed to finalize the Comprehensive Plan prior to considering any additional action on this property. The Comprehensive Plan is nearing completion and the City has received an application for a preliminary plat and associated actions relating to a new development on this property. Any consideration by the City relating to this application would be subject to finalization and approval of the City's 2040 Comprehensive and approval of a Comprehensive Plan Amendment to allow the development of this property.

### **Comprehensive Plan**

The City's adopted 2030 and Council Approved 2040 Plan (waiting for final Metropolitan Council approval) identifies this property as Rural Residential with limited sewer service. The Rural Residential designation allows for a general development density of 1 unit per 5 acres. The portion of the property that is located within the Shoreland Overlay zoning district could potentially be developed in accordance with the requisite shoreland standards. These standards generally allow for property within the shoreland overlay (1,000 feet from the OHWL) to be developed as one (1) acre lots if provided with City sewer. The City has noted that the property is currently served by the existing sanitary sewer which runs along two sides of the property (South Lake Shore and Perkinsville Road).

*2030 Comprehensive Land Use Plan*



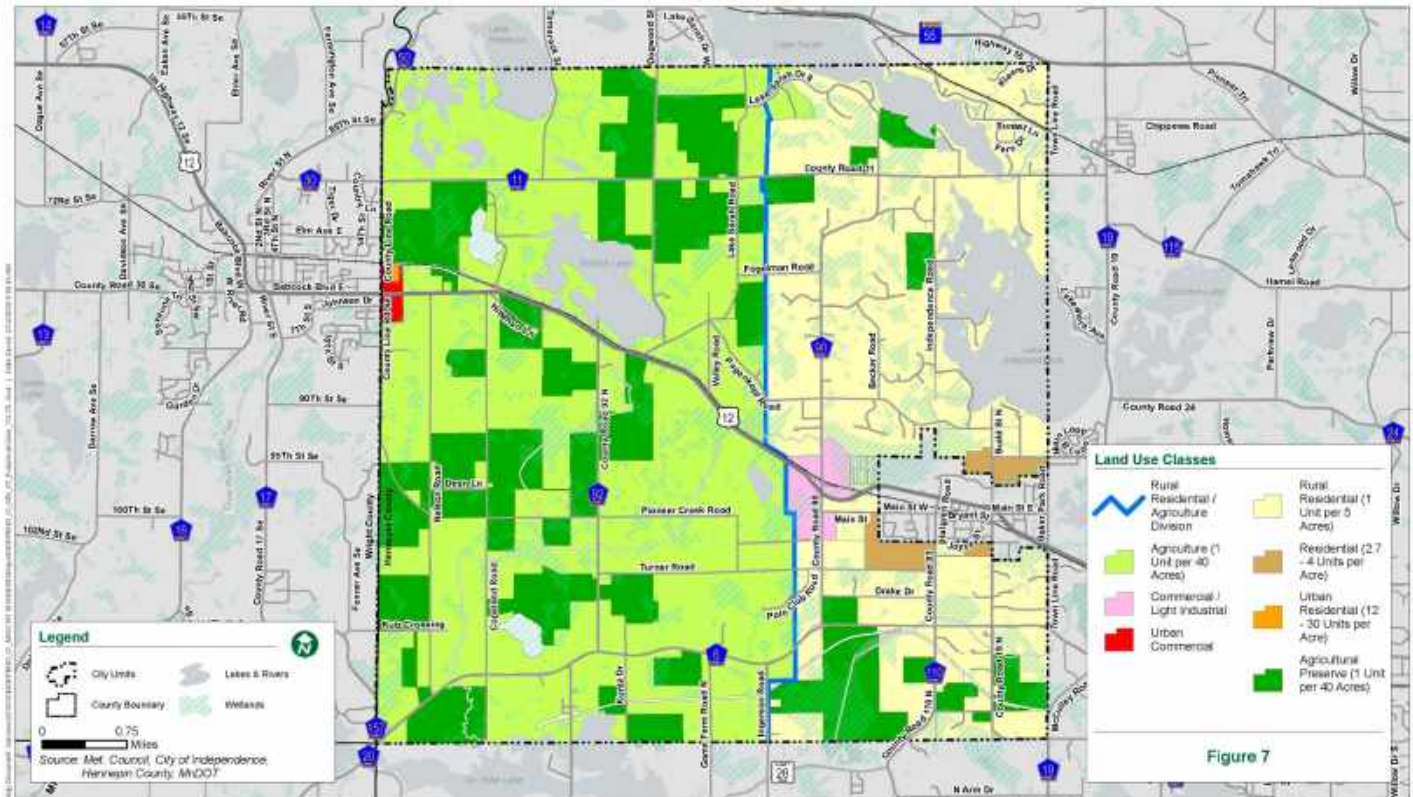


## City Approved 2040 Comprehensive Land Use Plan



2040 Comprehensive Plan  
Independence, MN

Future Land Use  
January 2020



### Proposed Subdivision - Preliminary Plat

The applicant has prepared a preliminary plat and associated plans for review by the City. The City has reviewed the plans and provided detailed comments and feedback to the applicant. The current guided designation would allow this property to be rezoned to Rural Residential with a portion of the property falling under the S-Shoreland Overlay (all property within 1,000 feet of the OHWL of Lake Independence). There are approximately 26 acres located within the area governed by the S-Shoreland Overlay. The number of lots that this area would yield is likely between 18-22 lots given the lakeshore, existing topography and configuration of the property covered by the overlay district. For the remaining 22 acres the number of lots that could be developed would be governed by the Rural Residential standards shown below. 22 acres could yield 4-5 lots depending on the exact acreage of the remaining land outside of the shoreland overlay area. The total number of lots that could be realized on this property utilizing the current zoning standards is estimated to be between 20-25.

The City reviewed the existing sewer system and met with the Metropolitan Council and the City of Medina relating to the possibility of developing this property. The relatively low density (less than 3 units per acre) of the proposed subdivision does present a challenge to gaining approval by the Metropolitan Council. Review of the City's sanitary sewer system identified the capacity

to service the proposed subdivision. The City has identified several upgrades and system improvements that will be necessary for this development to occur.

The City also completed a traffic analysis pertaining to the potential impacts of the development of the property based on a 96-unit development. Generally, the traffic analysis found that there was capacity on CSAH 29 and Perkinsville Road to accommodate development of this parcel. Any development of this property would have potential traffic impacts to Perkinsville Road and County Road 29. The City has limited ability to require off-site improvements due to the current restrictions relating to impact fees. The City has continued to discuss possible improvements to the intersection of CSAH 19 and Perkinsville Road with Hennepin County along with trying to identify additional funding sources.

The City completed a detailed review of the proposed development and provided detailed comments to the applicant (see attached letter) as follows:

1. The proposed layout shows that those lots with direct shoreland would be developed so that the homes could be located at the top of the existing slope. This configuration is preferable due to the existing vegetation and slopes moving from south to north.
2. The surrounding area has a mixture of lot types, sizes and densities. A quick analysis of the approximately 21 surrounding (abutting) properties indicates that the average lot size is close to 1.5 acres with the smallest property being 0.2 acres. The nearby properties located on Lake Independence (within 1,000 feet of the subject property) also range in size with the average lots size being approximately 0.5 acres. The approximate net density of the abutting properties is approximately .75 units per acre.
3. The proposed development would preserve a buffer and open space area along Perkinsville and South Lake Shore Drive. This area is proposed to be planted to help screen the proposed development from the surrounding properties. The applicant has noted that they are in the process of preparing a landscape plan for further consideration.
4. The subject property has a significant natural feature that consists of a wooded “ravine” that runs from west to southeast through the northern portion of the property. The proposed plans have identified this area and show that a significant portion of this area can be preserved. It is noted that the applicant is willing to consider placing an easement over the portion of this area that can be preserved to ensure its long term protection.
5. A portion of the proposed property is located within 1,000 feet of Lake Independence and is therefore within the Shoreland Overlay District. This plan will be subject to the review of the Department of Natural Resources.
6. This plan will be subject to the review of the Pioneer Sarah Creek Watershed Commission.
7. The plan indicates all lots will be connected to City sewer. This property is guided by the City’s Comprehensive Plan for RR-Rural Residential and currently has 2 sewer

connections. In order for the City to consider connection to the City sewer, a Comprehensive Plan Amendment will be required. In addition to the comprehensive plan amendment, the City's sanitary sewer is routed through the City of Medina and permitted through the Quad City Agreement. An amendment to that agreement will be necessary in order to serve this property with sewer.

8. Additional comments relating to potential lift station upgrades, grading, road construction and infrastructure will be provided in a separate letter from the City's engineer.
9. The proposed concept plan indicates six lots with riparian access (frontage or access) on Lake Independence. Any lot directly abutting the lake would need to comply with applicable shoreland overlay standards. The shoreland overlay requires a minimum lot size of 1 acre and a minimum shoreland lot width of 100 linear feet. The subject property has approximately 700 linear feet of shoreline on Lake Independence. Additional review relating to slopes, bluffs and general grading of the proposed riparian lots would be required if the develop moves forward.
10. It is noted that there is a 30-foot-wide strip of land that borders Lake Independence along Maple Drive. The proposed use of this land as a common HOA element with a dock and boat slips will need to be further discussed and reviewed by the City. The narrative provided indicates that there would be a dock and 4 boat slips that could be used by residents of the development during the day. During previous public comment and review of this development, there were concerns expressed related to the intensity of having additional boats and users in this area.
11. The City does not have applicable zoning for this type of sewer residential development. It is proposed that the City's Rural Residential zoning ordinance be amended to allow a Planned Unit Development (PUD) in the Rural Residential zoning district. The City will need to adopt physical lot standards associated with the PUD. If a PUD is adopted, it is recommended that the riparian lakeshore lots be required to comply with applicable shoreland district standards. The City is recommending the following additional lot standards:

Minimum lot size:	1 acre (43,560 SF)
Minimum lot width:	100 feet at right of way line
Front yard setback:	35 feet from right of way line
Side yard setback:	15 feet
Corner yard setback:	35 feet
Rear yard setback:	40 feet
Shoreland setback:	100 feet
Setback from lake:	100 feet from ordinary high mark
Setback from wetland:	10 ten feet from the outside edge of the required wetland buffer

The plans will need to be revised to clearly show the building setbacks. It is also recommended that a plan be prepared that shows a "typical" house plan for each lot to

verify that the lots can accommodate a home site. A draft ordinance amendment as been drafted for review and consideration. The ordinance amendment and PUD requirements would be considered at the time of final plat.

12. It does not appear that there are any proposed HOA/Covenant restrictions relating to accessory structures. Please provide additional information relating to proposed thoughts on accessory structures. The City would propose developing a new accessory structure provision with the PUD similar to the following:

Accessory Structure Maximum Size: 1,000 square feet (combined attached garage and detached accessory structures).

Accessory Structure Setbacks:      Front Yard – located to the rear of the principal structure.  
Side Yard – 15 feet  
Rear Yard – 40 feet

13. The proposed plan indicates open space around the perimeter and includes Outlots A, B, C, D and E. Outlot D, which is centrally located is proposed to contain an HOA community amenity space. All Outlots will become the responsibility of the homeowner's association established for this development. Documentation indicating the conveyance of this ownership and the maintenance responsibility has been provided to the City. The Outlots will be maintained as described in the HOA documents as mowed and managed landscape open areas.
14. The preliminary plat indicates a 66-foot-wide ROW and a 26-foot-wide road. The street construction plan indicates a 30-foot-wide street. Please revise the preliminary plat to match the construction drawings.
15. Lots 16 and 17, Block 1 are less than 1 acre in size and will need to be modified to meet the minimum lot size requirements.
16. There is an existing tree stand located on the property which is primarily along the ravine/drainage area. The City is concerned and desires that these areas are preserved and protected in the after condition of the property. The City has shoreland alteration limitations specified in the shoreland ordinance (see attached).
17. Please indicate the top of bluff structure setbacks on the site plan.
18. Please label all drainage and utility easements on the preliminary plat. It appears that there should be extended onto Lots 14 and 15 and 6 and 7, Block 1.
19. A landscape plan is required. Please submit a landscape plan for review. The City will want to see buffering and screening along the entirety of the right of ways of South Lake Sarah and Perkinsville Roads and the rear yards of Lots 15-18, Block 1.

20. Park dedication will be required for this development. No dedication of open space was discussed during the concept plan review of this property. The proposed development does not include sidewalks or trails. The City had discussed a trail along Perkinsville at one time but understand that it may be challenging to extend the trail beyond this property without a designated connection point on CSAH 19. Cash in lieu of land will be required in accordance with the City's current park dedication fee of \$3,500 per lot (less than 4.99 acres). One park dedication credit will be given for the existing house proposed to remain. The park dedication fee requirement for this development is anticipated to be approximately \$94,500 (27 lots x \$3,500).

21. Please see the comments provided by the City's Water Resource Engineer, Shane Nelson, dated June 2, 2022, pertaining to water resources.

***Recommendation:***

The Planning Commission is being asked to consider the application for preliminary plat, subject to the approval of an ordinance amendment, conditional use permit, rezoning and comprehensive plan amendment with the following findings and conditions:

1. The proposed rezoning, conditional use permit, preliminary plat and comprehensive plan amendment meet all applicable conditions, criteria and restrictions stated in the City of Independence Ordinance.
2. City Council approval of the preliminary plat is subject to approval and completion of the following items:
  - a) Metropolitan Council approval of a Comprehensive Plan Amendment.
  - b) Review and adoption of an ordinance amendment to include planned unit developments as a conditional use in the RR-Rural Residential zoning district.
  - c) Rezoning of the property from AG-Agriculture to RR-Rural Residential.
  - d) Review and approval of a conditional use permit approving a planned unit development.
  - e) Approval of the Quad City Agreement (stipulates sewer connections through Medina) by the applicable cities that are a party to the agreement.
  - f) The Applicant shall address all engineering comments made by the City's Water Resource Engineer, Shane Nelson, dated June 2, 2022, pertaining to water resources.
  - g) The Applicant shall make all revisions requested in the staff report, Planning Commission and City Council.



- h) The Applicant shall receive approval and comply with all applicable regulations and conditions prescribed by Pioneer Sarah Creek Watershed Management Organization.
  - i) The Applicant shall receive the approval of the Department of Natural Resources.
  - j) The Applicant shall enter into a development agreement with the City for this development.
  - k) The Applicant shall provide a letter of credit as established by the development agreement for all improvements associated with this development.
  - l) The Applicant shall provide the City with copies of the HOA agreement and covenants, including information related to the maintenance plantings and storm water easements.
  - m) The Applicant shall obtain all necessary City, County, PCA and other regulatory agency approval and permits prior to construction.
- 3. The Applicant shall pay for all costs associated with the City's review of the subdivision, rezoning, conditional use permit and preliminary plat and general plan.
  - 4. The Applicant shall submit the final plat to the City within 180 days of the preliminary plat approval.

***Attachments:***      Application  
                             Narrative  
                             Preliminary Plat  
                             Construction Drawings  
                             Staff Comment Letters  
                             Draft Ordinance



## City of Independence - Application BridgeVine

### **DRAFT**

**January 5, 2022**

### **General Description:**

Rarely does a unique property like BridgeVine become available. Located on Lake Independence - 28 exclusive homesites.

For decades, this property has been a landscape nursery and is now growing into a Luxury Single Family neighborhood. Adjoining Lake Independence, this beautiful rolling terrain and natural amenities overlooking Lake Independence is reminiscent of a Vineyard.

With the abundance of natural trees and plantings, along with a water feature, neighborhood common area, and private neighborhood access to Lake Independence and boating, there is yet to be found another property with these unique characteristics in the western suburbs.

The landscaping and neighborhood amenity will be designed with rail fencing and characteristic vines with a nod toward a vineyard and its charming character. The front entrance will be lined with a unique stone wall and landscape design that will welcome a visit to the neighborhood.

With the luxury home style and character, and sensitivity toward architectural detail, the neighborhood will have a Homeowners Association that will bring the benefit of common area maintenance and architectural and landscape design review and approvals by the development team awarded for its previous neighborhood aesthetics and environmental sensitivity. The neighborhood will have a boat available for common use and Fun!

For those that are interested in the schools, this neighborhood is within the Orono school boundaries.

Typically, surrounding neighborhoods and communities that offer larger homesites require individual septic sites. City sanitary sewer services are available to this location. This allows the unique opportunity for homesite design and placement, and unencumbered use of the lot. To further improve the neighborhood, a feel of luxury and design, we have chosen to include 'curb and gutter' to the street section instead of the typical 'ditch and swale' stormwater management. This improves water quality treatment and a significantly more attractive streetscape and front yards to each home landscape design.

#### **General Site Considerations:**

- # Lots: 28 (includes the primary existing home that will be remodeled).
- All ancillary existing buildings will be removed.
- A Geotechnical Report has been performed to confirm adequate soils for the road, sanitary services, stormwater, and home construction.
- Total Acreage: 43.99
- Common Area Acreage .96
- Sanitary Sewer
- Individual wells for water to the homes and common areas.
- A tree specialist visited the site and offered to provide any information relative to the tree inventory. The grading plan shows the delineation of tree removal for the street and home building pad construction. Many of the trees on the southern portion of the property are from plantings for the nursery stock. Many will be moved around the site following the grading of the street onto common areas and back of lots. Most of the mature trees on the slopes and along the ravine will not be touched, except that those areas may be "grubbed out" and some trees trimmed for views without harming any trees. Our intent is to leave as many trees as possible.

#### **Homeowner's Association:**

- The Homeowners Association will be created for architectural and landscaping design requirements and maintenance of the common areas. There will be perimeter common areas, a neighborhood community area, and access to Lake Independence for the BridgeVine Homeowners. The common areas will be managed by the HOA and will create landscaped buffer areas between this site and adjoining neighbors where possible.
- The perimeter common areas will be landscaped. Portions of the areas along Perkinsville and South Lake Shore Dr will be mowed and manicured. Use of partial split rail fencing will be added to compliment the appearance.
- The Neighborhood Community Area will be exclusive to the neighborhood use and will include landscaping, a timber frame shelter, possible enhancement to the walking bridge, and an exterior stone fireplace.
- The small strip of land on Lake Independence will have a 4-boat dock. Use of the dock will be prohibited to the use of the HOA owned pontoon boat and Homeowners will be allowed to park their boat on the dock for day use. The scheduling for the

boat and dock use and any restrictions will be managed by the HOA. A walking path will allow Homeowners in the development access to the dock. This area will have landscaping and a small deck area for access to the dock along the lakeshore. All surfaces will be pervious and of natural materials.

**Timeframe and Schedule:**

- We are hopeful to begin site construction spring/summer of 2022. We anticipate it will take 3-4 months for the site improvements.
- Depending on the real estate market, we believe that absorption of 8-10 home sales per year. This would predict that the completion of all homes will be in 2025- 2026.

**Homes & Builders:**

- There will be a total of three carefully chosen Luxury Homebuilders to choose from.
- Strict Architectural Guidelines will be required.

We appreciate the opportunity to submit this subdivision application, and we look forward to any comments you may have and a schedule for public review process.

Thank you,

Steve Bohl  
BohLand Development



## City of Independence – Development Application BridgeVine

**July 13, 2022**

### **Additional Information & Narrative Update:**

- **Preliminary Landscape Plan**
- **Accessory Buildings**
- **Shoreland Overlay & the Ravine**

### **Preliminary Landscape Plan**

#### **General:**

Please see attached Preliminary Landscape Plan that gives an idea of how we anticipate replanting the on-site nursery stock and areas that will have new landscaping.

Following a theme reminiscent of a Vineyard, the neighborhood landscaping and park amenity will be designed with unique wood rail fencing and characteristic vines with a nod toward a vineyard and its charming character.

The Homeowners Association will bring the benefit of common area maintenance and architectural and landscape design review and approvals by the development team.

#### **Trees and Shrubs:**

This property has partially been a landscape nursery and has a significant number of transplantable trees and shrubs. Without counting, it is approximately 250+ potentially movable trees and shrubs. Every tree is important.

Our plan is to move as many trees as possible in the primary impact areas, bordering the property, along the interior street right of way, and within the neighborhood park. For any existing trees within the proposed grading limits, we will use our best efforts to replace them in common areas or along the ROW for the new street.

Upon approval of the Preliminary Plat, we will be meeting with a certified tree specialist to consider and mark what trees can be effectively moved. We will then meet with our grading contractor and tree moving company to coordinate and stage the moving.

We may mark and move some trees “stock temporary” that we will move spring/summer 2023.

On some of the individual lots, we will custom grade them to try and maintain as many of those trees as possible until a custom home is designed for the lot to help preserve more trees. In locations where there are possible movable trees on a lot that is not subject to grading for house pads, in lots where there are trees that are in the area of a house pad and are of landscape quality and movable, will be relocated somewhere on that lot

The existing trees outside of the grading limits may be moved around to create a buffer in the out lot common areas more open to adjoining neighbors. In the attached Preliminary Landscape Plan, it shows the areas of concentration where we will move trees.

The Preliminary Landscape Plan shows the areas where we will focus and concentrate on tree moving.

Although replanting and moving trees is an effort in sustainability, and to maintain the feel of mature landscaping, it does have a mortality rate when mature trees are moved. We will professional spade move all trees and have a watering plan to make sure they receive the best chances to survive.

There are a significant number of large conifer trees and other mature deciduous that will not be moved and many of those trees that will be trimmed and treated.

#### **South - Main & West Entrances:**

- The south main front entrance will be lined with a unique stone wall and landscape design that will welcome a visit into the neighborhood.
- Entrance monument with sign
- Fencing with vines
- Stacked stone 3' wall
- Irrigation and lighting

West

- Stacked stone 3' wall
- Fencing
- Vines type

### **Neighborhood Park:**

The Neighborhood Community Area "BridgeVine Park" will be exclusive to the neighborhood use and will include landscaping, a timber frame shelter, possible enhancement to the walking bridge, and an exterior stone fireplace.

- Stone fireplace
- Post and beam covered shelter
- Creative kids' playground
- Lighting
- Fencing and vines
- Stone walls
- Remodeled bridge

### **Out lot E - Dock Access:**

Out lot E is a strip of land on Lake Independence owned by this property. It is a valuable amenity for the neighbors in BridgeVine that won't have direct lakeshore access. We also recognize that we don't want the area to be a place where it is overused or a nuisance.

We plan on buying a pontoon boat for use exclusively the to eat BridgeVine neighbors and managed by the HOA.

We would also like to offer to have an additional 2 boat dock for the neighbors that choose to launch their boat at Baker Park and want to park their boat for the day at the neighborhood dock. This would be for day use only. The scheduling for the boat and dock use and any restrictions will be managed by the HOA.

A walking path trail will allow Homeowners in the development access to the dock. This area will have landscaping and a small deck area for access to the dock along the lakeshore. All surfaces will be pervious and of natural materials. The trail from the neighborhood to Out lot E will be sign posted "Exclusive Trail for BridgeVine Neighborhood only" and monitored by the HOA to make sure other non-residents do not use the trail.

We will need access to connect to the existing the lift station in out lot E for the development sanitary sewer. At that same time, we will clean up and landscape the out lot

for access to the lake. We may remove some trees that are either poor quality or not significant trees.

Due to the recent approvals for a home to be constructed to the west of our property, and the existing neighbor's home to the east, we are proposing a passive use. We will not do anything to enhance the beach.

Our intent is to have a path (most likely stone) to get to the dock. The landscaping design will be intentional to keep it more "natural" and we will add some landscaping along the property lines to help create a visual barrier to the adjoining properties. Our intent is not to install any fencing unless there is interest and agreement with the adjoining property owners.

We will have a turnout on our lot E so that any BridgeVine neighbor does not have to encroach on a neighbor's property and not have to back up the hill.

**Trail to lake access:**

- Signage "No Trespassing"
- Paved

**Out lots A, B and C – Common Areas:**

Some of the places in the common area out lots will be "mowed and manicured" to maintain a lawn type feel. There are places where natural grasses will be allowed to grow when it makes the most sense. In the areas where it will be mowed and manicured, these areas will have an irrigation system to keep these areas green.

These areas are designed for passive use and are intended for the scenic value for the neighborhood.

**Street Design:**

Street signs and roadsides:

Each lot corner with maple tree.

Same mailboxes

Some fencing?

Monument signs



Irrigation plans for spring 2023  
Special street signs

Typically, surrounding neighborhoods and communities that offer larger homesites require individual septic sites. City sanitary sewer services are available to this location. This allows the unique opportunity for homesite design and placement, and unencumbered use of the lot.

To further improve the neighborhood, a feel of luxury and design, we have chosen to include 'curb and gutter' to the street section instead of the typical 'ditch and swale' stormwater management. This improves water quality treatment and a significantly more attractive streetscape and front yards to each home landscape design.

### **Individual Lots:**

Each Homeowner will be required to have landscape plan review and approved by the Architectural Review Committee of the HOA.

### **Homeowner's Association:**

The Homeowners Association will be created for architectural and landscaping design requirements and maintenance of the common areas. There will be perimeter common areas, a neighborhood community area, and access to Lake Independence for the BridgeVine Homeowners. The common areas will be managed by the HOA and will create landscaped buffer areas between this site and adjoining neighbors where possible.

### **Accessory Buildings**

It is our preference to allow for accessory buildings with restrictions that will limit to locations that don't negatively impact adjoining neighbors or the neighborhood and complies with the City of Independence ordinances and building requirements. We anticipate the uses will be primarily for pool buildings, garden sheds, and limited storage.

The limitations and requirements will be recorded with the HOA documents.

Sample requirements:

- Architect approval. Must be similar in design with the home architecture
- Does not diminished value to neighbor
- Conformance with city requirements and building codes
- If plumbing, then connect to sanitary sewer
- Appropriately landscaped

- No outdoor storage
- Lighting does not negatively impact to neighbors
- Less than 1,000 Sf maximum.
- Does not obscure views from neighbors' views
- Storage for small recreational vehicles

### **Shoreland Overlay and the "Ravine":**

We will apply the applicable shoreland overlay standards.

Our intent for the ravine area will be to maintain that area as much as possible in its current condition. There will be no grading allowed in that area except for the most westerly area where the street is being constructed. We will transplant mature trees along that edge where we removed trees.

The individual lots that are most affected by the ravine and have access to the lakeshore are lots 8 and 9. We know that the depth of the ravine makes it difficult to walk to get to the lakeshore. Because a buyer of these lots will want access down to the lake, we want to minimize the impact of the ravine, but also give walking access to the lake. Most likely, a pervious surface (may include paths, stone steps, and/or a walking bridge on lots 8 and 9) as a trail will be allowed.

Also, a buyer of these lots may want to improve their views to the lake. We will add a tree removal limitation within that area.

A "scenic or construction easement" or some other restrictions will be recorded on those lots. We will describe the area most closely representative of the ravine and bluff.

For any of the lots along the lake edge, we will only allow the removal of smaller trees (6" in diameter or smaller), and significant trees can be trimmed as long as they are not damaged and will not kill the trees.

(Per Schedule A of the herein referenced Title Commitment)

Parcel 1: The West 525 feet of the East 657 feet of Government Lot 1 except the South 246 feet of the East 444 feet thereof; That part of Government Lot 1 lying West of the East 657 feet thereof and South of Fred W. Anderson's Addition, all in Section 24, Township 118, Range 24, free and clear of all dedications of streets, roads, alleys and public use of property contained in the plat of Perkinsville Hennepin County, Minnesota.

Parcel 3: Lot 4, Fred W. Anderson's Addition, except the East 2.00 feet, as measured at right angles to the East line thereof, free and clear of all dedications of streets, roads, alleys and public use of property contained in the plat of Perkinsville, Hennepin County, Minnesota.

(All of the above property is Torrens)

Lot Twenty-six (26) in Fred W. Anderson's Addition, Hennepin County, Minnesota, according to the plat thereof on file and of record in the office of the Register of Deeds in and for said county

(Abstract)

(The following items reference Table A optional survey responsibilities and specifications)

- |             |             |      |   |         |  |
|-------------|-------------|------|---|---------|--|
| Gross Area: | 2,070,703 ± | s.f. | ~ | 47.54 ± | acres (area to Ordinary High Water line ±) |
| R/W Area:   | 44,421      | s.f. | ~ | 1.02    | acres (includes area in street easement)   |
| Net Area:   | 2,026,282   | s.f. | ~ | 46.52   | acres.                                     |
- \*We do not affirmatively insure the quantity of acreage set forth in the description

\*We do not affirmatively insure the quantity of acreage set forth in the description.

- Front yard: 85 feet from centerline of road or 52 feet from right of way for corner lot  
Side: 30 feet  
Rear: 40 feet  
Lake: 100 feet (From Ordinary High Water Line)
- Lake Independence Shoreland Overlay District  
Height: 35 feet  
Lake: 100 feet (From Ordinary High Water Line)  
Street(s): 85 feet from centerline or 50 feet from right of way, whichever is greater

Please note that the zoning information shown hereon may have been amended through a city process. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site. All setback information and hardcover data for planning and design must be verified by all parties involved in the design and planning process.

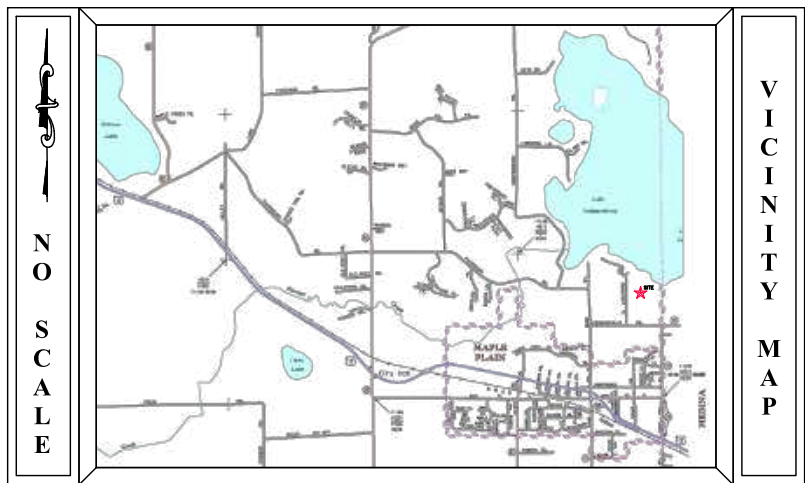
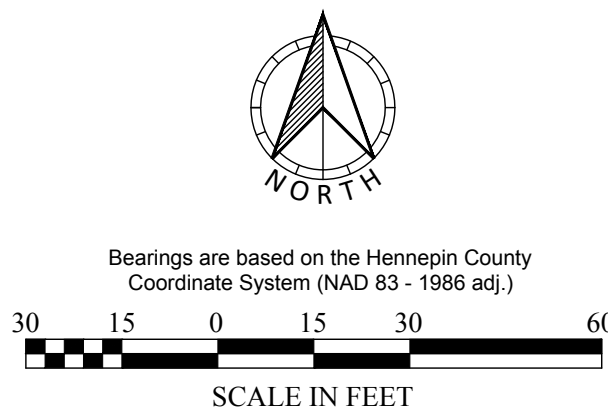
We have not received the current zoning classification and building setback requirements from the insurer


- 11) **Utilities:** We have shown the location of utilities to the best of our ability based on observed evidence together with evidence from the following sources: plans obtained from utility companies, plans provided by client, markings by utility companies and other appropriate sources. We have used this information to develop a view of the underground utilities for this site. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary. Also, please note that seasonal conditions may inhibit our ability to visibly observe all the utilities located on the subject property. A Gopher State One Call was submitted for this survey. Please reference Ticket No. 212811840 for a list of utility operators in this area.
- 18) **Wetland Delineation:** A wetland delineation was not performed at the time of this certification.

This map and report was prepared with the benefit of a Commitment for Title Insurance issued by Old Republic Title Insurance Company, File No. PRE238635, dated August 23, 2021.

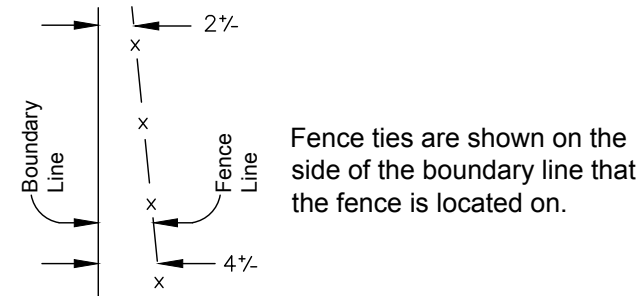
- 1) We note the following with regards to Schedule B of the herein referenced Title Commitment:
- a) Item # 1-9, & 16 are not survey related
  - b) Item # 10 - The following Recital(s) present appear(s) on the Certificate of Title and will be carried forward to any new Certificate: Subject to the easement held by the Northern States Power Company for a right to maintain an electric transmission line over the said land, which easement, and the rights incident thereto, is more fully described in the answer filed in Torrens Case No. 5716, by the said Northern States Power Company, which easement, which is hereby referred to and hereby made a part hereof for the purpose of fully described the said easement, (as to Parcel 1). *Shown Hereon, page 2.*
  - c) Item # 11 - Northern States Power Company release recorded 2/02, 1984 as Document No. 1604217 to release part of the easement in recital above. *Shown Hereon, page 1.*
  - d) Item # 12 - There is a perpetual easement for street, utility and drainage purposes over the subject property. All described Easement recorded as Document Nos. 2258789 (T) and 5902472 (A). *Shown Hereon, page 12.*
  - e) Item # 13 - Terms and conditions of Resolution No. 95-0523-02 Order of Vacation of City Street (Revised & Corrected Description Document) recorded as Document No. 2649540 (T) and 674033 (A). Said documents vacates that part of Maple Street from the westerly border of Lot 11 and the westerly border of Lot 16 east to the end of Maple Street and all of Lake Avenue Township 118, Range 24, Tired W, Anderson's Addition, Hennepin County, Minnesota. *Shown Hereon, page 1.*
  - f) Item # 14 - Terms and conditions of Declaration of Covenants, Conditions, Restrictions and Maintenance Agreement for a Private Driveway recorded as Document No. 6441204. *Shown Hereon, page 2.*
  - g) Item # 14 - Riparian rights are not insured by this policy. *Does not apply to subject property*
- 2) Observations/Comments noted hereon per field survey such as (but not limited to): access, occupation, and easements and/or servitudes:
- a) We have shown the right-of-way of South Lake Shore Drive across the west part of the site as shown on the plat of FRED W. ANDERSON'S ADDITION .
  - b) There is a discrepancy in the easement centerline description for documents no. 2649540 and 674033. There are 2 curve calls in the description, the first is described as tangent to the initial line call. The second curve is described as a reverse curve from the first curve and is supposed to intersect a line 1 foot south of the south line of the NE 1/4, which is not possible with the curve data listed in the description. We located the reverse curve to be non-tangential and held the line call 1 foot south of said south line. This entire portion of the easement falls outside of the subject property boundary and does not affect the subject property.

○	CAST IRON MONUMENT	⊗	PIEZOMETER	WFE	WALKOUT ELEVATION
○	IRON PIPE MONUMENT SET	⊗	POWER POLE	FFF	FIRST FLOOR ELEVATION
○	IRON PIPE MONUMENT FOUND	⊗	GUY WIRE	GFE	GARAGE FLOOR ELEVATION
⊗	DRILL HOLE FOUND	⊗	ROOF DRAIN	TOF	TOP OF FOUNDATION ELEV.
⊗	CHISELED "X" MONUMENT SET	⊗	LIFT STATION	LOE	LOWEST OPENING ELEV.
⊗	CHISELED "X" MONUMENT FOUND	⊗	UTILITY MANHOLE	CONCRETE	CONCRETE
⊗	REBAR MONUMENT FOUND	⊗	SANITARY CLEANOUT	BITUMINOUS	BITUMINOUS
△	PK NAIL MONUMENT SET	⊗	STORM MANHOLE	— — — — —	BUILDING SETBACK LINE
△	PK NAIL MONUMENT FOUND	⊗	STORM DRAIN	CTV	CABLE TV
△	PK NAIL W/ ALUMINUM DISC	⊗	CATCH BASIN	— — — — —	CONCRETE CURB
△	SURVEY CONTROL POINT	⊗	FLARED END SECTION	— — — — —	CONTOUR EXISTING
△	A/C UNIT	⊗	TREE DECIDUOUS	— — — — —	CONTOUR PROPOSED
△	CABLE TV PEDESTAL	⊗	TREE CONIFEROUS	— — — — —	CONTOUR RAIL
△	ELECTRIC TRANSFORMER	⊗	TREE CONIFEROUS REMOVED	BT	DRAIN TILE
△	ELECTRIC MANHOLE	⊗	TREE DECIDUOUS REMOVED	ELC	ELECTRIC UNDERGROUND
△	ELECTRIC METER	⊗	TELEPHONE MANHOLE	— — — — —	FENCE
△	ELECTRIC OUTLET	⊗	TELEPHONE PEDESTAL	FO	FIBER OPTIC UNDERGROUND
△	YARD LIGHT	⊗	UTILITY MANHOLE	GAS	GAS UNDERGROUND
△	LIGHT POLE	⊗	UTILITY PEDESTAL	OHU	OVERHEAD UTILITY
△	FIBER OPTIC MANHOLE	⊗	UTILITY VAULT	— — — — —	TREE LINE
△	FIRE DEPT. HOOK UP	⊗	WATERMAN MANHOLE	— — — — —	SANARY SEWER
△	FLAG POLE	⊗	WATER METER	TEL	STORM SEWER
△	FUEL PUMP	⊗	WATER SPOUT	TEL	TELEPHONE UNDERGROUND
△	FUEL TANK	⊗	WELL	— — — — —	RETAINING WALL
△	PROPANE TANK	⊗	MONITORING WELL	UTL	UTILITY UNDERGROUND
△	GAS METER	⊗	CURB STOP	I	WATERMAIN
△	GAS VALVE	⊗	GATE VALVE	— — — — —	TRAFFIC SIGNAL
△	GAS MANHOLE	⊗	HYDRANT	— — — — —	RAILROAD TRACKS
△	GENERATOR	⊗	IRRIGATION VALVE	— — — — —	RAILROAD SIGNAL
△	GUARD POST	⊗	POST INDICATOR VALVE	— — — — —	RAILROAD SWITCH
△	HAND HOLE	⊗	SIGN	— — — — —	SATELLITE DISH
△	MAIL BOX	⊗	SOIL BORING	— — — — —	WETLAND BUFFER SIGN



FIELD CREW	NO.	BY	DATE	REVISION	<p>USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.</p> <p>To: Bohland Homes, Clifford L. Otten, and Old Republic Title Insurance Company:</p> <p>This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1 - 6a, 7a, 8, 11b, 14, 16 and 17 of Table A thereof. This field work was completed on November 5, 2021.</p> <p>Date of Plat or Map: <u>11/23/2021</u></p> <p><i>Daniel L. Schmidt</i></p> <p>Daniel L. Schmidt, PLS Minnesota License No. 26147</p>	 <p><b>SATHRE-BERGQUIST, INC.</b> 150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000 WWW.SATHRE.COM</p>	<p>TWP:118-RGE.24-SEC.24 Hennepin County</p> <p><b>INDEPENDENCE, MINNESOTA</b></p>	<p><b>ALTA/NSPS LAND TITLE SURVEY</b></p> <p>PREPARED FOR: <b>BOHLAND HOMES</b></p>	<p>FILE NO. 3568-034</p> <p><b>1</b></p> <p><b>3</b></p>
DRAWN									
CMT									
CHECKED									
DLs									
DATE									
11/1/2021									



[illegible]

○	C/AST IRON MONUMENT	WFE	WALKOUT ELEVATION
○	IRON PIPE MONUMENT SET	WFF	FIRST FLOOR ELEVATION
○	IRON PIPE MONUMENT FOUND	GFE	GARAGE FLOOR ELEVATION
○	DRILL HOLE FOUND	TOF	TOP OF FOUNDATION ELEV.
X	CHISELED "X" MONUMENT SET	LOE	LOWEST ORIGIN ELEV.
X	CHISELED "X" MONUMENT FOUND	CONCRETE	CONCRETE
○	REBAR MONUMENT FOUND	BITUMINOUS	BITUMINOUS
△	PK NAIL MONUMENT SET	— — —	BUILDING SETBACK LINE
△	PK NAIL MONUMENT FOUND	CTV	CABLE TV
○	PK NAIL W/ ALUMINUM DISC	— — —	CONCRETE CURB
○	SURVEY CONTROL POINT	960	CONTOUR EXISTING
A/C	A/C UNIT	— — —	CONTOUR PROPOSED
□	ELECTRIC PEDESTAL	DT	DRAIN TILE
□	ELECTRIC TRANSFORMER	ELC	ELECTRIC UNDERGROUND
⊕	ELECTRIC MANHOLE	X — X	FENCE
⊕	ELECTRIC METER	FO	FIBER OPTIC UNDERGROUND
⊕	ELECTRIC OUTLET	GA	GAS UNDERGROUND
⊕	YARD LIGHT	ORU	OVERHEAD UTILITY
⊕	LIGHT POLE	— — —	TRAIL LINE
⊕	FIBER OPTIC MANHOLE	>	SANITARY SEWER
⊕	FIRE DEPT. HOOK UP	TEL	STORM SEWER
⊕	FLAG POLE	— — —	TELEPHONE UNDERGROUND
⊕	FUEL PUMP	UTL	UTILITY UNDERGROUND
⊕	FUEL TANK	I	WATERMAIN
⊕	PROPANE TANK	— — —	TRAFFIC SIGNAL
⊕	GAS METER	+	RAILROAD TRACKS
⊕	GAS VALVE	—	RAILROAD SIGNAL
⊕	GAS MANHOLE	—	RAILROAD SWITCH
⊕	GENERATOR	⊕	SATELLITE DISH
⊕	GUARD POST	⊕	WETLAND BUFFER SIGN
⊕	HAND HOLE	⊕	CURB STOP
⊕	MAIL BOX	⊕	GATE VALVE
⊕	PIEZOMETER	⊕	HYDRANT
⊕	POWER POLE	⊕	IRRIGATION VALVE
⊕	GUY WIRE	⊕	POST INDICATOR VALVE
⊕	ROOF DRAIN	⊕	SIGN
⊕	LIFT STATION	⊕	SOIL BORING
⊕	SANITARY MANHOLE	⊕	TREE CONIFEROUS
⊕	SANITARY CLEANOUT	⊕	TREE DECIDUOUS
⊕	STORM MANHOLE	⊕	TREE CONIFEROUS REMOVED
⊕	STORM DRAIN	⊕	TREE DECIDUOUS REMOVED
⊕	CATCH BASIN	⊕	TELEPHONE MANHOLE
⊕	FLARED END SECTION	⊕	TELEPHONE PEDESTAL
⊕	WATERMAIN MANHOLE	⊕	UTILITY MANHOLE
⊕	WATER METER	⊕	UTILITY PEDESTAL
⊕	WATER SPIGOT	⊕	UTILITY VAULT
⊕	WELL	⊕	
⊕	MONITORING WELL	⊕	

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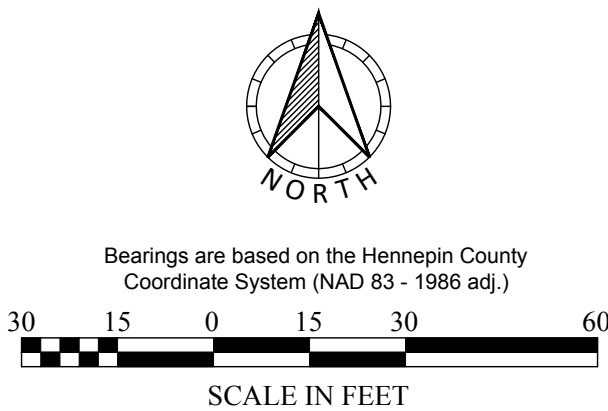


**SATHRE-BERGQUIST, INC.**  
 150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000  
[WWW.SATHRE.COM](http://WWW.SATHRE.COM)

ALTA/NSPS LAND TITLE SURVEY  PREPARED FOR: BOHLAND HOMES	FILE NO. 3568-034
	<div style="display: flex; justify-content: space-between; align-items: center;"> <span>2</span> <span>3</span> </div>



DETAIL A



SURVEY LEGEND

- |                               |                           |                             |
|-------------------------------|---------------------------|-----------------------------|
| ● CAST IRON MONUMENT          | ⊙ PIEZOMETER              | WOE WALKOUT ELEVATION       |
| ○ IRON PIPE MONUMENT SET      | ⊙ POWER POLE              | FFE FIRST FLOOR ELEVATION   |
| ● IRON PIPE MONUMENT FOUND    | ⊙ GUY WIRE                | GFE GARAGE FLOOR ELEVATION  |
| ⊙ DRILL HOLE FOUND            | ⊙ ROOF DRAIN              | TOF TOP OF FOUNDATION ELEV. |
| ⊙ CHISELED "X" MONUMENT SET   | ⊙ LIFT STATION            | LOE LOWEST OPENING ELEV.    |
| ⊙ CHISELED "X" MONUMENT FOUND | ⊙ SANITARY MANHOLE        | CONCRETE                    |
| ⊙ REBAR MONUMENT FOUND        | ⊙ SANITARY CLEANOUT       | BITUMINOUS                  |
| ⊙ PK NAIL MONUMENT SET        | ⊙ STORM MANHOLE           | BUILDING SETBACK LINE       |
| ⊙ PK NAIL MONUMENT FOUND      | ⊙ STORM DRAIN             | CTV CABLE TV                |
| ⊙ PK NAIL W/ ALUMINUM DISC    | ⊙ CATCH BASIN             | CONCRETE CURB               |
| ⊙ SURVEY CONTROL POINT        | FLARED END SECTION        | CONTOUR EXISTING            |
| ⊙ A/C UNIT                    | ⊙ TREE CONIFEROUS         | CONTOUR PROPOSED            |
| ⊙ CABLE TV PEDESTAL           | ⊙ TREE DECIDUOUS          | QUARD RAIL                  |
| ⊙ ELECTRIC TRANSFORMER        | ⊙ TREE CONIFEROUS REMOVED | ⊙ DRAIN TILE                |
| ⊙ ELECTRIC MANHOLE            | ⊙ TREE DECIDUOUS REMOVED  | ⊙ ELECTRIC UNDERGROUND      |
| ⊙ ELECTRIC METER              | ⊙ TELEPHONE MANHOLE       | ⊙ FENCE                     |
| ⊙ ELECTRIC OUTLET             | ⊙ TELEPHONE PEDESTAL      | ⊙ FIBER OPTIC UNDERGROUND   |
| ⊙ YARD LIGHT                  | ⊙ UTILITY MANHOLE         | ⊙ GAS UNDERGROUND           |
| ⊙ LIGHT POLE                  | ⊙ UTILITY PEDESTAL        | ⊙ OVERHEAD UTILITY          |
| ⊙ FIBER OPTIC MANHOLE         | ⊙ UTILITY VAULT           | ⊙ OHU                       |
| ⊙ FIRE DEPT. HOOK UP          | ⊙ WATERMAIN MANHOLE       | ⊙ SANITARY SEWER            |
| ⊙ FLAG POLE                   | ⊙ WATER METER             | ⊙ STORM SEWER               |
| ⊙ FUEL PUMP                   | ⊙ WATER SPIGOT            | ⊙ TEL                       |
| ⊙ FUEL TANK                   | ⊙ WELL                    | ⊙ TELEPHONE UNDERGROUND     |
| ⊙ PROPANE TANK                | ⊙ MONITORING WELL         | ⊙ RETAINING WALL            |
| ⊙ GAS METER                   | ⊙ CURB STOP               | ⊙ UTL                       |
| ⊙ GAS VALVE                   | ⊙ GATE VALVE              | ⊙ UTILITY UNDERGROUND       |
| ⊙ GAS MANHOLE                 | ⊙ HYDRANT                 | ⊙ WATERMAIN                 |
| ⊙ GENERATOR                   | ⊙ IRRIGATION VALVE        | ⊙ TRAFFIC SIGNAL            |
| ⊙ GUARD POST                  | ⊙ POST INDICATOR VALVE    | ⊙ RAILROAD TRACKS           |
| ⊙ HAND HOLE                   | ⊙ SIGN                    | ⊙ RAILROAD SIGNAL           |
| ⊙ MAIL BOX                    | ⊙ SOIL BORING             | ⊙ RAILROAD SWITCH           |
|                               |                           | ⊙ SATELLITE DISH            |
|                               |                           | ⊙ WETLAND BUFFER SIGN       |

FIELD CREW	NO.	BY	DATE	REVISION
DM, AK, DR, ABE				
DRAWN				
CMT				
CHECKED				
DLS				
DATE				
11/1/2021				

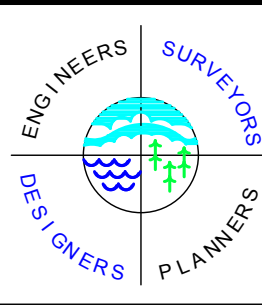
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To: Bohland Homes, Clifford L. Otten, and Old Republic Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1 - 6a, 7a, 8, 11b, 14, 16, and 17 of Table A thereof. The field work was completed on November 5, 2021.

*Daniel L. Schmidt*  
Daniel L. Schmidt, PLS  
Minnesota License No. 26147

Date of Plat or Map: 11/23/2021



**SATHRE-BERGQUIST, INC.**  
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000  
WWW.SATHRE.COM

TWP:118-RGE:24-SEC:24  
Hennepin County

**INDEPENDENCE,  
MINNESOTA**

**ALTA/NSPS LAND TITLE SURVEY**

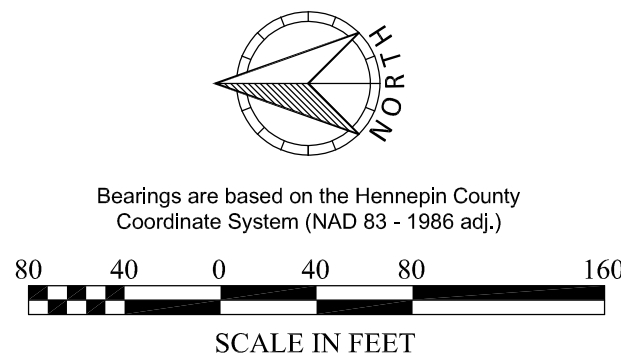
PREPARED FOR:  
**BOHLAND HOMES**

FILE NO.  
3568-034

**3**

**3**





PREPARED BY	PREPARED FOR
ENGINEER SATHRE-BERGQUIST, INC. 150 SOUTH BROADWAY WAYZATA, MINNESOTA 55391 PHONE: (952) 476-6000 FAX: (952) 476-0104 CONTACT: ROBERT S. MOLSTAD, P.E. EMAIL: MOLSTAD@SATHRE.COM	DEVELOPER BOHLAND DEVELOPMENT 815 WAYZATA BLVD EAST WAYZATA, MN 55391 CONTACT: STEVE BOHL PHONE: (952) 473-2089 EMAIL: steve@bohldevelopment.com

**DEVELOPMENT DATA**

Otten Parcel  
2236 South Lake Shore Dr  
24-118-24-14-0005  
43.99 ac

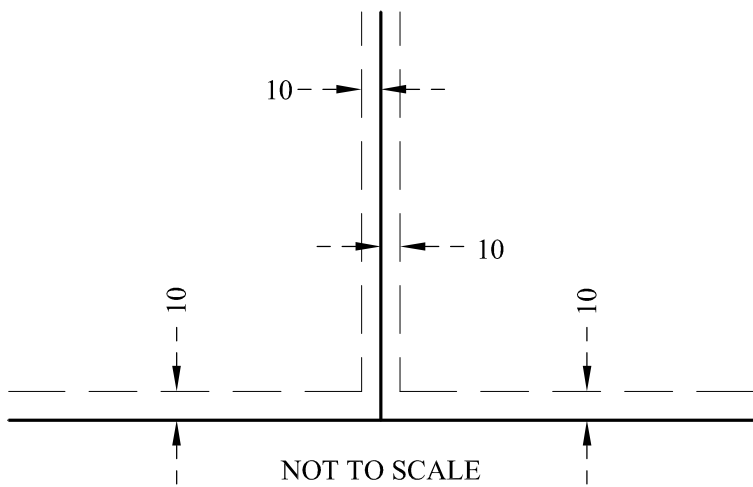
28 Lots  
1 Ac Min Lot  
100' Min Width

Street: 66' ROW  
CDS - 60' R (50' R)

**SETBACKS**

Frontyard Setback: 25'  
Corner Setback: 15'  
Sideyard Setback: 10'  
Rearyard Setback: 25'  
Lake Setback: 100'

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



Being 5 feet in width and adjoining lot lines, unless otherwise indicated, and being 10 feet in width and adjoining right of way lines, unless otherwise indicated on this plat.

**SURVEY LEGEND**

- |                               |                             |
|-------------------------------|-----------------------------|
| ● CAST IRON MONUMENT          | WOE WALKOUT ELEVATION       |
| ○ IRON PIPE MONUMENT SET      | FEE FIRST FLOOR ELEVATION   |
| ○ IRON PIPE MONUMENT FOUND    | GFE GARAGE FLOOR ELEVATION  |
| ○ DRILL HOLE FOUND            | TOF TOP OF FOUNDATION ELEV. |
| ✕ CHISELED "X" MONUMENT SET   | LOE LOWER OPENING ELEV.     |
| ✕ CHISELED "X" MONUMENT FOUND | CONCRETE                    |
| ★ REBAR MONUMENT FOUND        | BITUMINOUS                  |
| △ PK NAIL MONUMENT SET        | BUILDING SETBACK LINE       |
| ▲ PK NAIL MONUMENT FOUND      | CTV CABLE TV                |
| ○ PK NAIL W/ ALUMINUM DISC    | CONCRETE CURB               |
| △ SURVEY CONTROL POINT        | CONTOUR EXISTING            |
| □ A/C UNIT                    | CONTOUR PROPOSED            |
| □ CABLE TV PEDESTAL           | GUARD RAIL                  |
| □ ELECTRIC TRANSFORMER        | DT DRAIN TILE               |
| □ ELECTRIC MANHOLE            | ELC ELECTRIC UNDERGROUND    |
| □ ELECTRIC METER              | FENCE                       |
| □ ELECTRIC OUTLET             | FO FIBER OPTIC UNDERGROUND  |
| □ YARD LIGHT                  | GAS GAS UNDERGROUND         |
| □ LIGHT POLE                  | GHU OVERHEAD UTILITY        |
| □ FIBER OPTIC MANHOLE         | OHU OVERHEAD UTILITY        |
| □ FIRE DEPT. HOOK UP          | TR L TREE LINE              |
| □ FLAG POLE                   | SS SANITARY SEWER           |
| □ FUEL PUMP                   | SP STORM SEWER              |
| □ FUEL TANK                   | TU TELEPHONE UNDERGROUND    |
| □ PROPANE TANK                | UTL UTILITY UNDERGROUND     |
| □ GAS METER                   | WATERMAIN                   |
| □ GAS VALVE                   | TRAFFIC SIGNAL              |
| □ GAS MANHOLE                 | RAILROAD TRACKS             |
| □ GENERATOR                   | RAILROAD SIGNAL             |
| □ GUARD POST                  | RAILROAD SWITCH             |
| □ HAND HOLE                   | SATellite DISH              |
| □ MAIL BOX                    | WETLAND BUFFER SIGN         |
| □ PIEZOMETER                  | CURB STOP                   |
| □ POWER POLE                  | GATE VALVE                  |
| □ GUY WIRE                    | HYDRANT                     |
| □ ROOF DRAIN                  | IRRIGATION VALVE            |
| □ LIFT STATION                | POST INDICATOR VALVE        |
| □ SANITARY MANHOLE            | SIGN                        |
| □ SANITARY CLEANOUT           | SOIL BORING                 |
| □ STORM MANHOLE               | TREE CONIFEROUS             |
| □ STORM DRAIN                 | TREE DECIDUOUS              |
| □ CATCH BASIN                 | TREE CONIFEROUS REMOVED     |
| □ FLARED END SECTION          | TREE DECIDUOUS REMOVED      |
| □ WATERMAIN MANHOLE           | TELEPHONE MANHOLE           |
| □ WATER METER                 | TELEPHONE PEDESTAL          |
| □ WATER SPIGOT                | UTILITY MANHOLE             |
| □ WELL                        | UTILITY PEDESTAL            |
| □ MONITORING WELL             | UTILITY VAULT               |

FIELD CREW	NO.	BY	DATE	REVISION
DM, AK, DR, ABE	1	EMW	12/10/2021	LAYOUT REVISION
DRAWN	2	EMW	12/22/2021	UPDATE POND EASEMENT
CMT/EMW				
CHECKED				
DLS				
DATE				
11/1/2021				

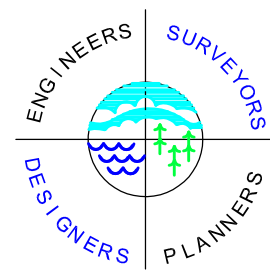
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I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 29th day of November, 2021.

*Daniel L. Schmidt*

Daniel L. Schmidt, PLS  
schmidt@sathre.com  
Minnesota License No. 26147



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WWW.SATHRE.COM

TWP:118-RGE:24-SEC:24  
Hennepin County

**INDEPENDENCE,  
MINNESOTA**

**PRELIMINARY PLAT  
BRIDGEVINE  
PREPARED FOR:  
BOHLAND DEVELOPMENT**

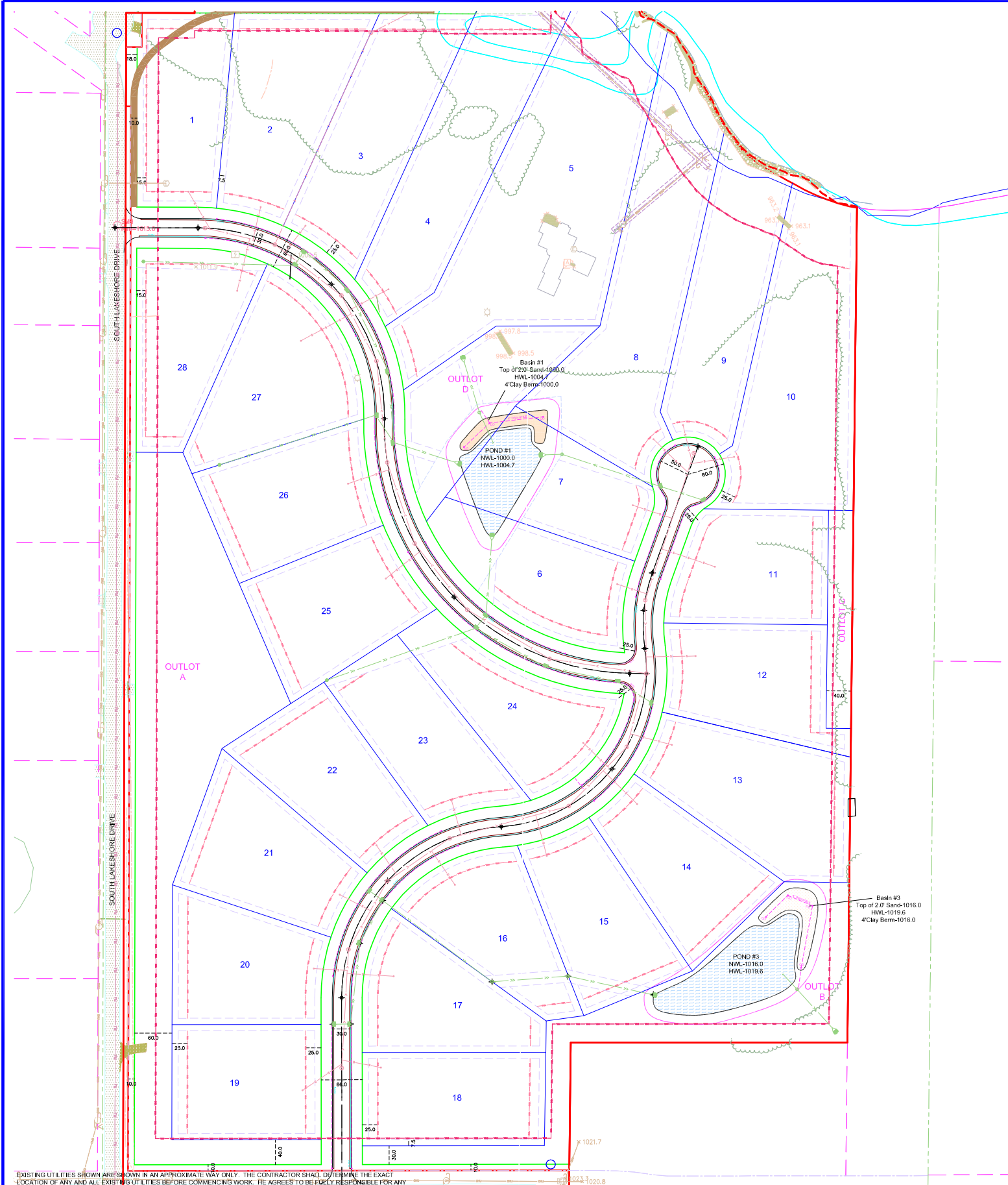
FILE NO.  
3568-034

1

1







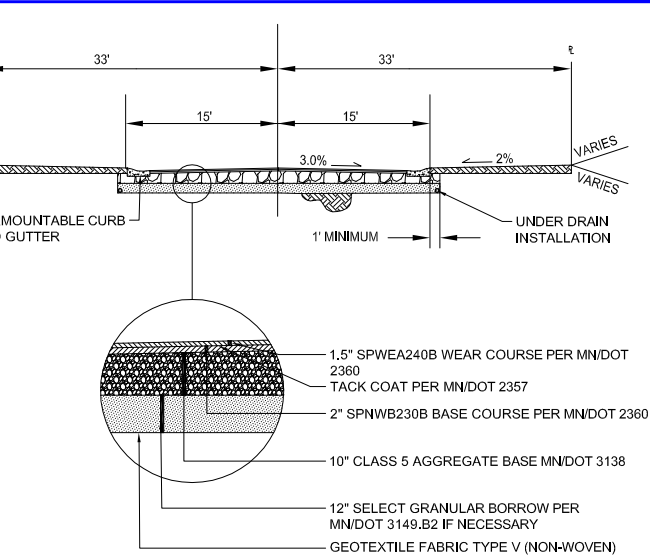
EXISTING UTILITIES SHOWN ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES ARISING OUT OF HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.

DRAWING NAME	NO.	BY	DATE	REVISIONS
STREET				
DRAWN BY				
CAW				
CHECKED BY				
RSM				
DATE				
12/29/21				

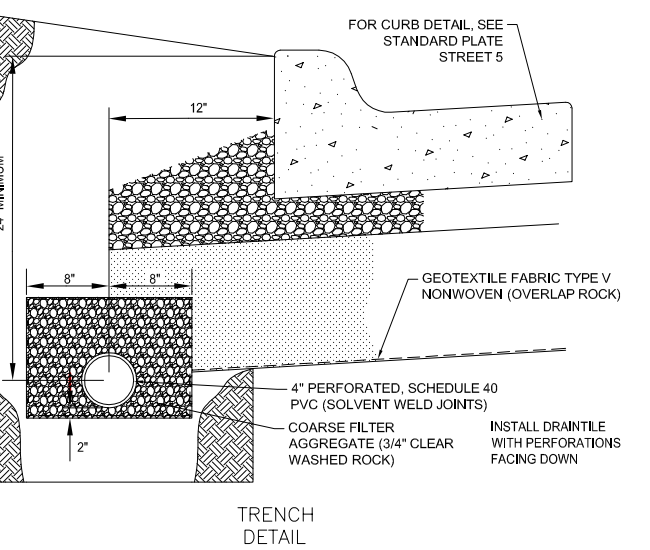
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I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

ROBERT S. MOLSTAD, P.E.  
Date: \_\_\_\_\_ Lic. No. \_\_\_\_\_



- NOTES:
- PAVING SECTION DESIGN SHALL BE VERIFIED BY AN INDEPENDENT SOILS ENGINEER BASED ON ACTUAL SITE SOIL CONDITIONS
  - TYPICAL SECTION SHOWN IS THE MINIMUM RESIDENTIAL STREET REQUIREMENT. SEE SPECIFICATIONS FOR PROJECT SPECIFIC DETAILS.
  - DRAINTILE SHALL BE INSTALLED BEHIND CURB. DRAINTILE TO BE INSTALLED AS REQUIRED TO ADEQUATELY DRAIN ALL SELECT GRANULAR FILL AREAS.
  - STREET SHALL BE DESIGNED FOR A 30 MPH DESIGN SPEED WITH MINIMUM 0.50% AND MAXIMUM 6.00% GRADE.
  - THE CITY RESERVES THE RIGHT TO INCREASE THE STREET SECTION BASED ON SOIL CONDITIONS.
  - TACK COAT PER MN/DOT 2357 TO BE USED ON CURB PRIOR TO PLACEMENT OF BITUMINOUS

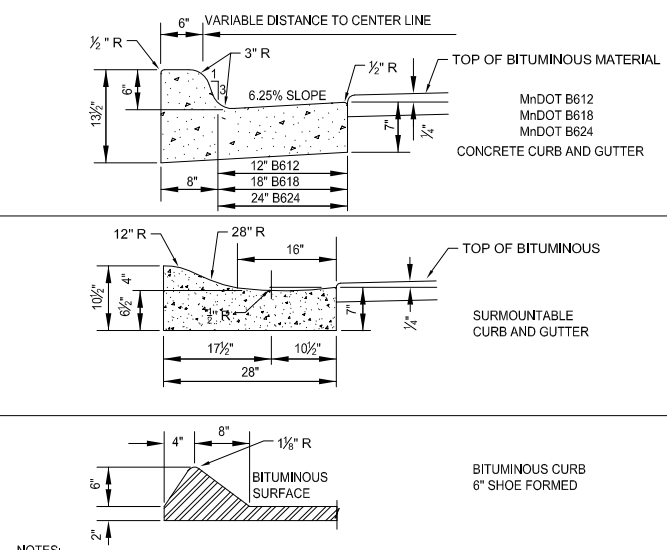


- NOTES:
- PLACE SUB-DRAIN BEHIND ALL CURB & GUTTER 250 LF IN EACH DIRECTION FROM CATCH BASINS LOCATED AT LOCALIZED LOW POINTS AND 150 LF UPSTREAM FROM CATCH BASINS LOCATED IN THE MID SLOPE.
  - CONNECT SUB-DRAIN TO NEAREST CATCH BASIN. CONNECTION TO BE CORE-DRILLED. DOGHOUSES MUST BE GROUTED BOTH INSIDE AND OUTSIDE OF STRUCTURE.
  - SLOPE SUB-DRAIN TO CATCH BASIN.
  - SUBDRAIN MAY BE DAYLIGHTED TO DITCH AS APPROVED BY CITY ENGINEER.
  - CLEANOUTS ARE REQUIRED AT A MAXIMUM OF 200 FOOT INTERVALS, AT BENDS, AND AT THE END OF THE RUN.

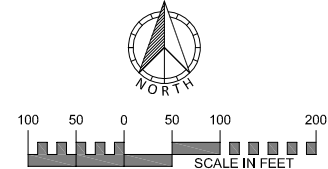
LEGEND		
DESCRIPTION	PROPOSED	EXISTING
BUILDING SETBACK LINE	BSBL	BSBL
GARAGE SETBACK LINE	GSBL	GSBL
PARCEL BOUNDARY LINE		
DRAINAGE AND UTILITY EASEMENTS		
CURB AND GUTTER		
RIGHT-OF-WAY		
SANWV SERVICE		
BACKYARD CATCH BASIN		
CATCH BASIN		
STORM SEWER MANHOLE		
FLARED END SECTION WRIP-RAP		
STORM STRUCTURE LABEL	CB H3	CB H3
SANITARY STRUCTURE LABEL		
SANITARY SEWER MANHOLE		
WATERMAIN		
HYDRANT		
GATE VALVE		

- STREET NOTES:
- ALL PUBLIC STREETS ARE 26' BB UNLESS OTHERWISE NOTED. CURB DIMENSIONS ARE BACK TO BACK.
  - SEE CITY DETAILS FOR STREET DESIGN STANDARDS.
  - STREET RADII AS FOLLOWS:  
INTERNAL INTERSECTIONS = 25' RADIUS
  - ALL STORM SEWER STRUCTURES SHALL BE EXPOSED DURING STRING LINE OF CURB TO ENSURE PROPER FIT WITH CONCRETE RINGS.
  - ALL PUBLIC STREETS SHALL BE NO PARKING ON ONE SIDE.

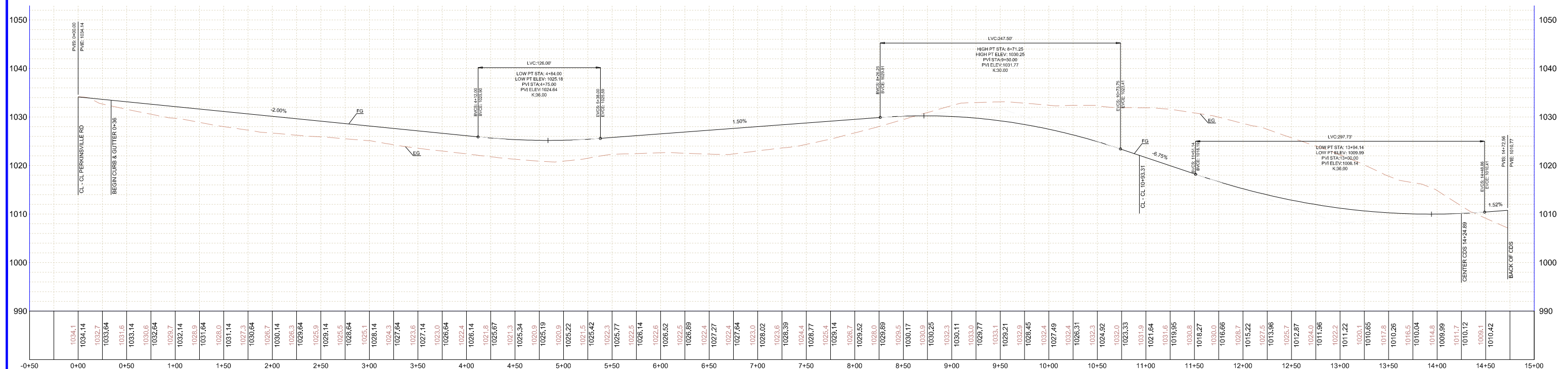
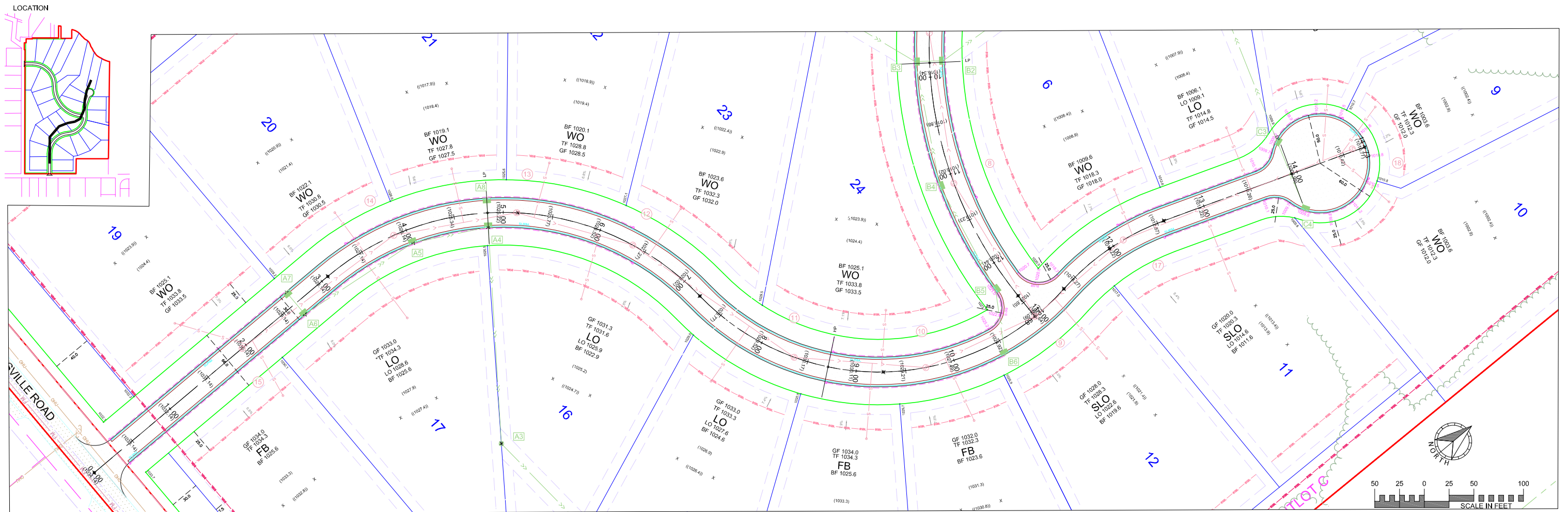
- SURM DENOTES PROPOSED SURMOUNTABLE CURB
- B618 DENOTES PROPOSED B618 CURB
- X.X% DENOTES PROPOSED DRIVEWAY GRADE
- DRAINTILE
- CLEANOUT




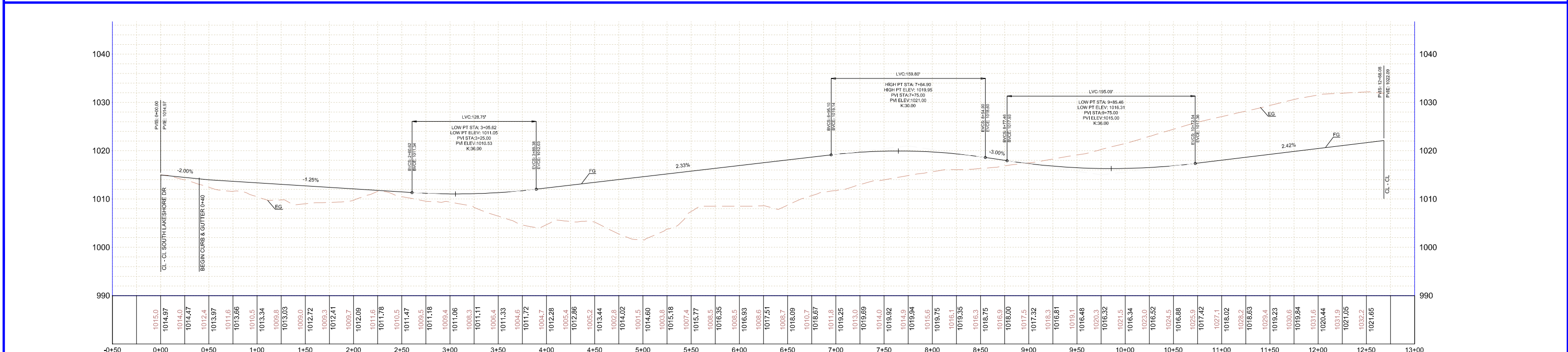
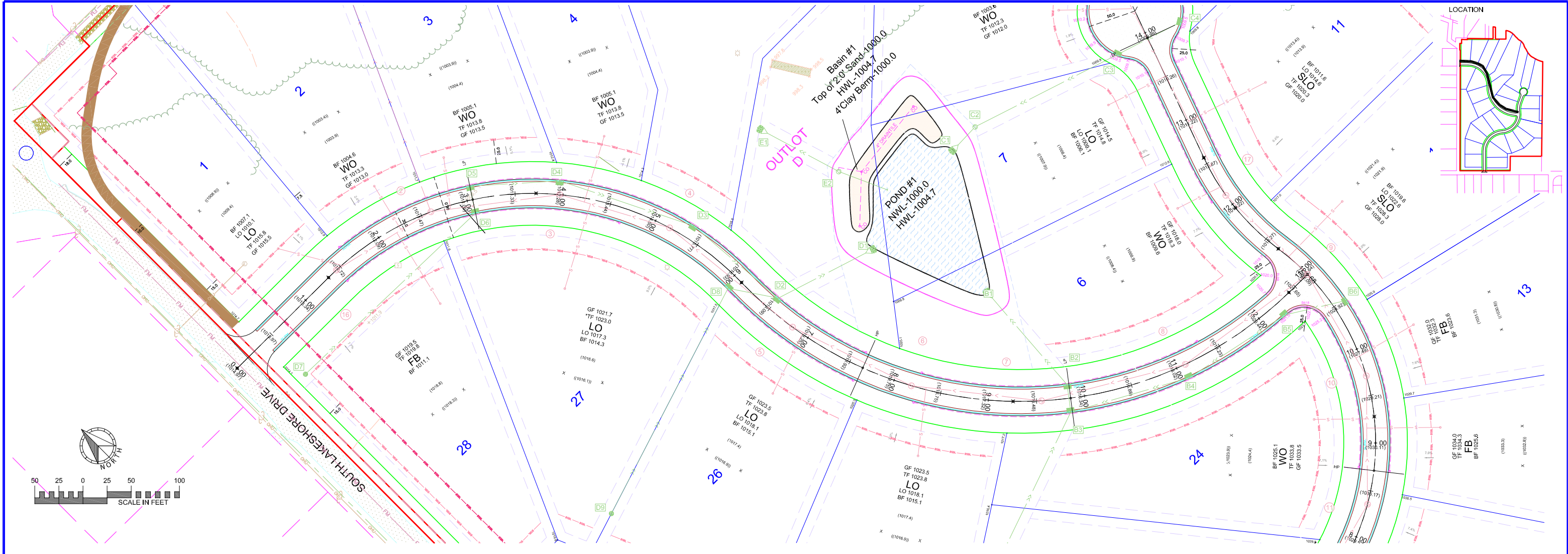
- NOTES:
- ONCE CURB AND GUTTER ARE INSTALLED, ENSURE EROSION CONTROL MEASURES ARE PROPERLY ESTABLISHED.
  - USE SUITABLE MATERIAL TO BACKFILL AREA BEHIND CURB.







DRAWING NAME	NO.	BY	DATE	REVISIONS
STREET				
DRAWN BY				
CAW				
CHECKED BY				
RSM				
DATE				
12/29/21				
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I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION 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.  ROBERT S. MOLSTAD, P.E. Date: _____ Lic. No. _____				
				
CITY PROJECT NO. --  INDEPENDENCE, MINNESOTA				
FILE NO. 3568-034  PRELIMINARY STREET PLAN  BRIDGEVINE  BOHLAND DEVELOPMENT				
DRAWING NUMBER: 17				



DRAWING NAME	NO.	BY	DATE	REVISIONS
STREET				
DRAWN BY				
CAW				
CHECKED BY				
RSM				
DATE				
12/29/21				

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ROBERT S. MOLSTAD, P.E.  
Date: \_\_\_\_\_ Lic. No. \_\_\_\_\_

ENGINEERS  
DESIGNERS

SURVEYORS  
PLANNERS

**SATHRE-BERGQUIST, INC.**  
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

CITY PROJECT NO.
---
INDEPENDENCE, MINNESOTA

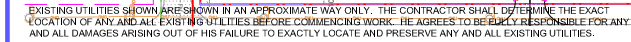
PRELIMINARY STREET PLAN

**BRIDGEVINE**

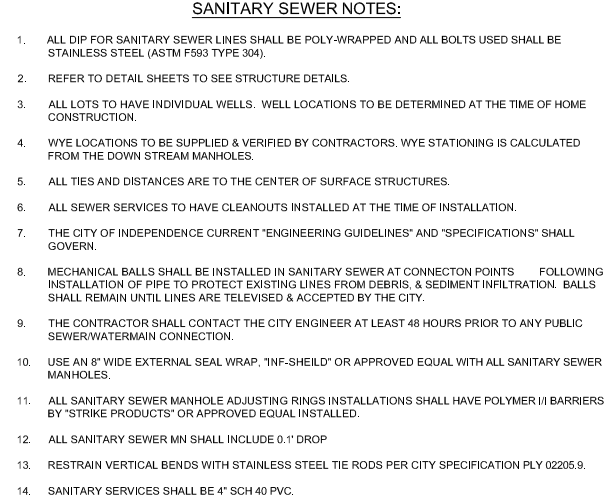

**BOHLAND DEVELOPMENT**

FILE NO.
3568-034
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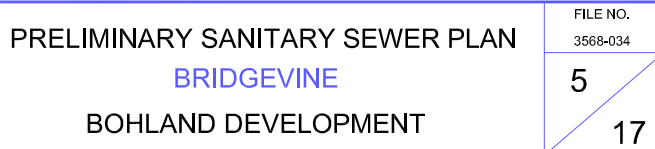


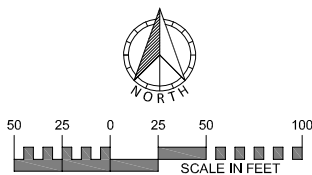
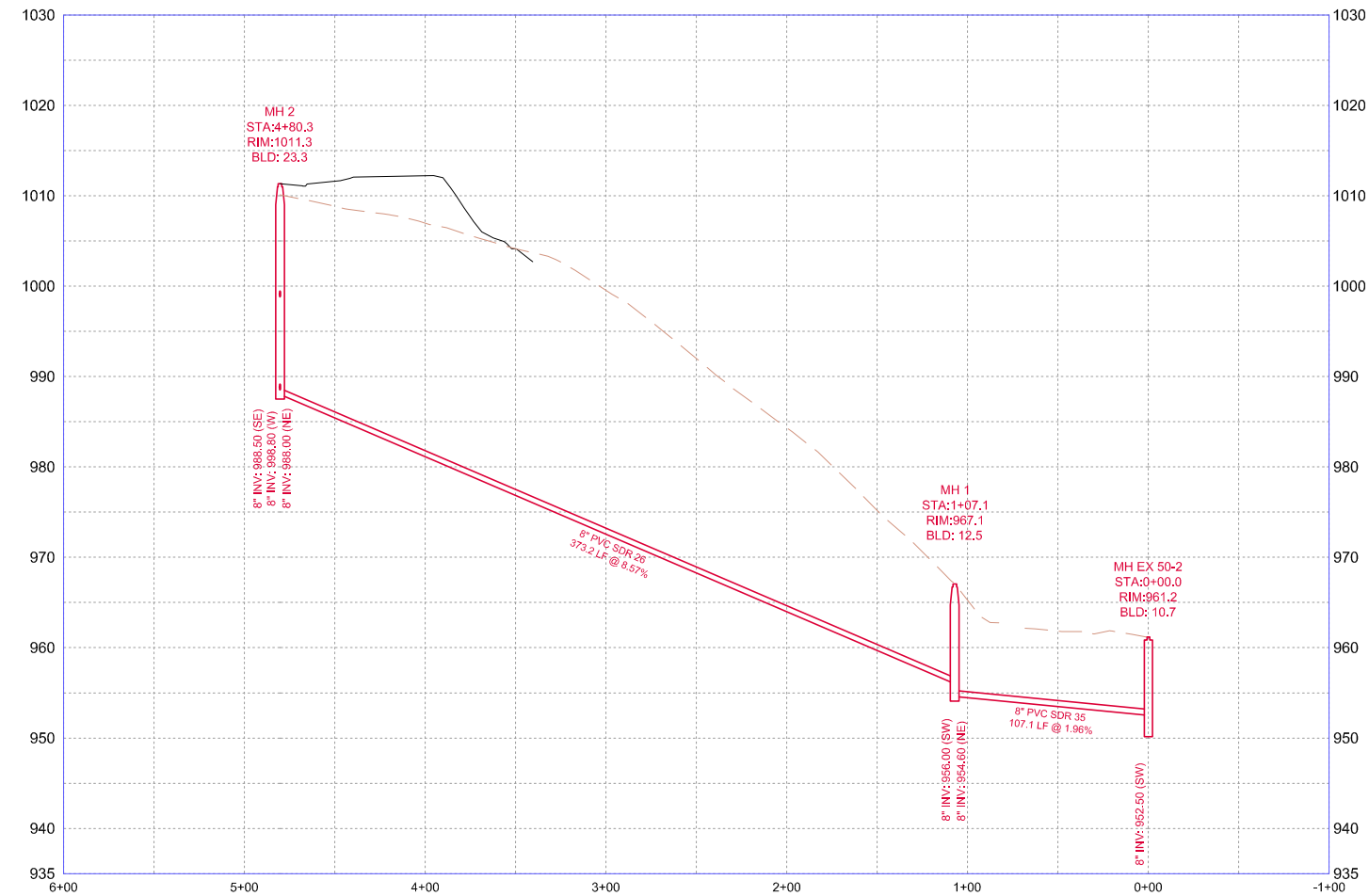
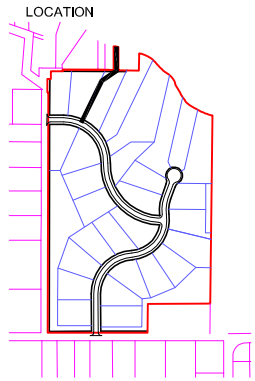
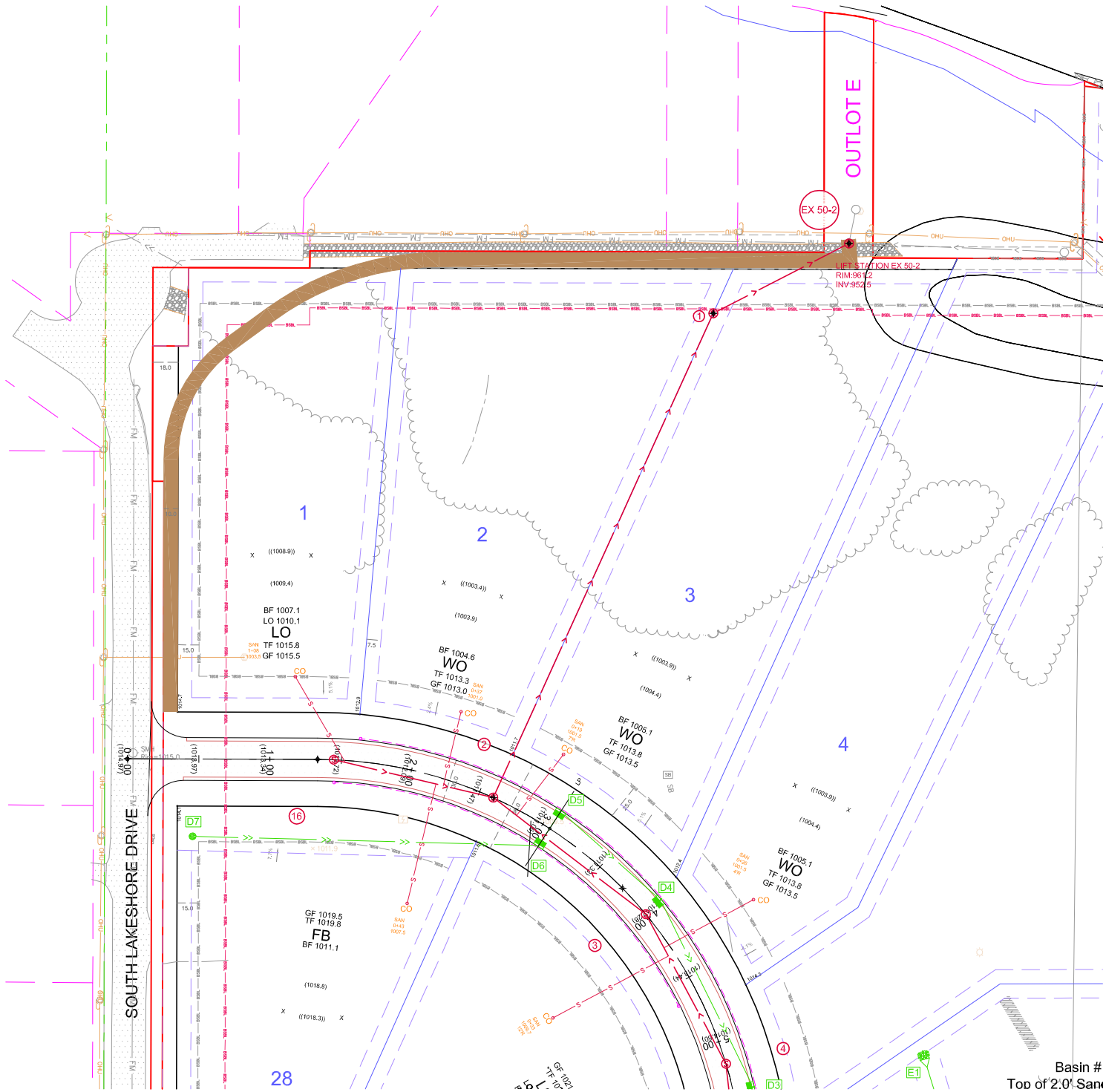
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**GENERAL NOTES:**

S&W	INDICATES SANITARY SERVICE
X+XX	INDICATES SANITARY SERVICE STATION (FROM DOWNSTREAM MANHOLE)
XXX-X	INDICATES SERVICE ELEVATION
X' R	INDICATES RISER HEIGHT (IF NEEDED)



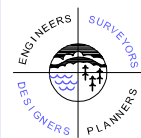


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ROBERT S. MOLSTAD, P.E.  
Date: \_\_\_\_\_ Lic. No. \_\_\_\_\_



**SATHRE-BERGQUIST, INC.**  
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

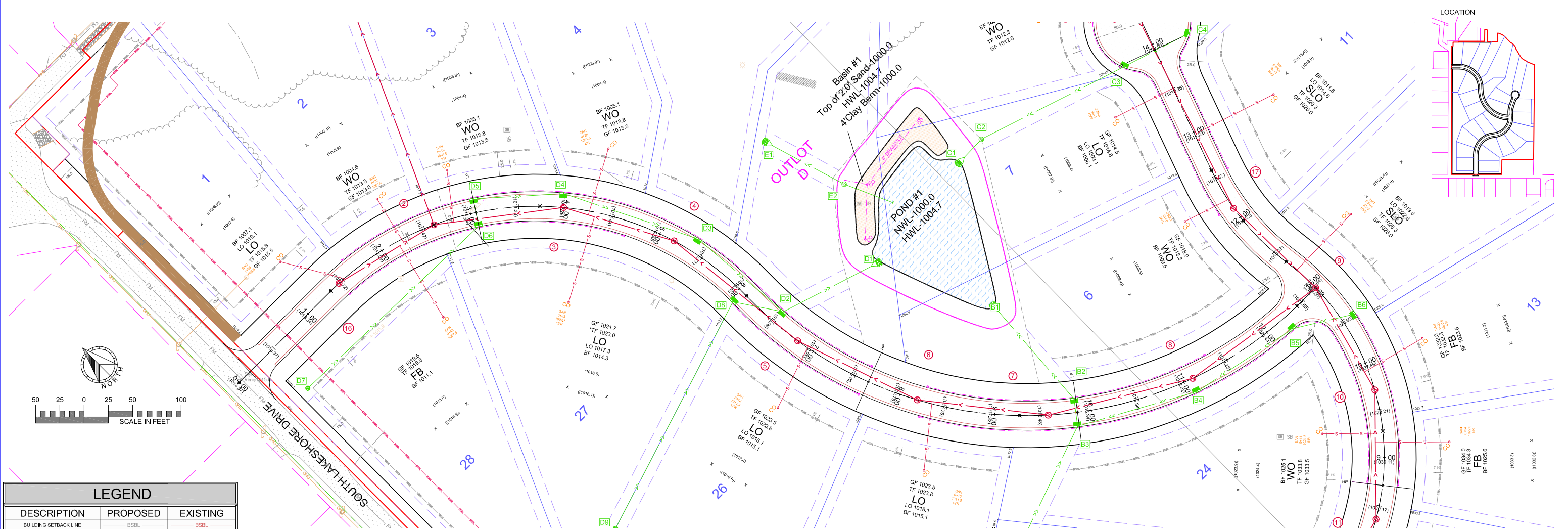
CITY PROJECT NO.  
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INDEPENDENCE,  
MINNESOTA

**PRELIMINARY SANITARY SEWER PLAN**  
**BRIDGEVINE**  
**BOHLAND DEVELOPMENT**

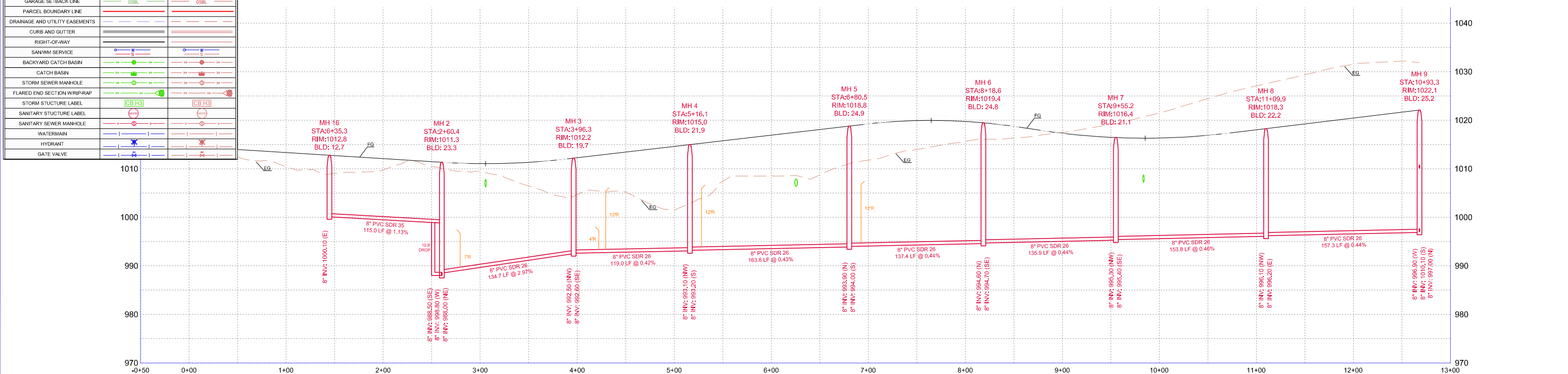
FILE NO.  
3568-034

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17



LEGEND		
DESCRIPTION	PROPOSED	EXISTING
BUILDING SETBACK LINE	BSBL	BSBL
GARAGE SETBACK LINE	CSBL	CSBL
PARCEL BOUNDARY LINE		
DRAINAGE AND UTILITY EASEMENTS		
CURB AND GUTTER		
RIGHT-OF-WAY		
SANITARY SERVICE		
BACKYARD CATCH BASIN		
CATCH BASIN		
STORM SEWER MANHOLE		
FLARED END SECTION WRAP-RAP		
STORM STRUCTURE LABEL	CB H3	CB H3
SANITARY STRUCTURE LABEL		
SANITARY SEWER MANHOLE		
WATERMAIN		
HYDRANT		
GATE VALVE		

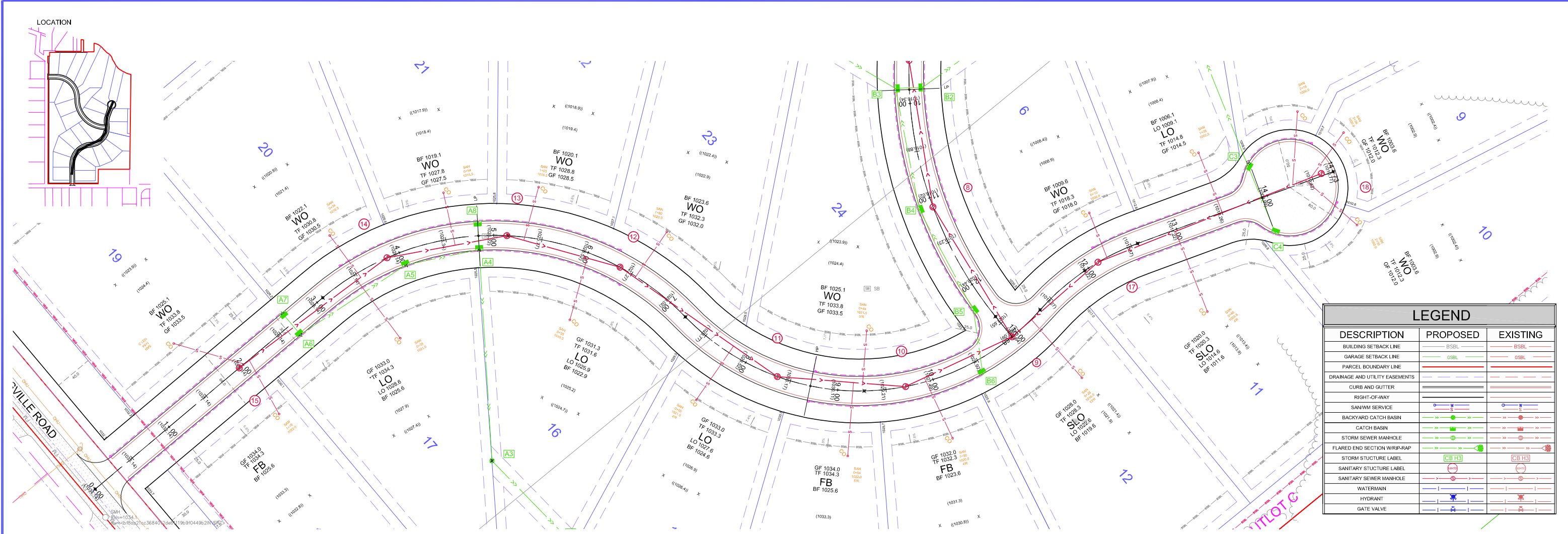


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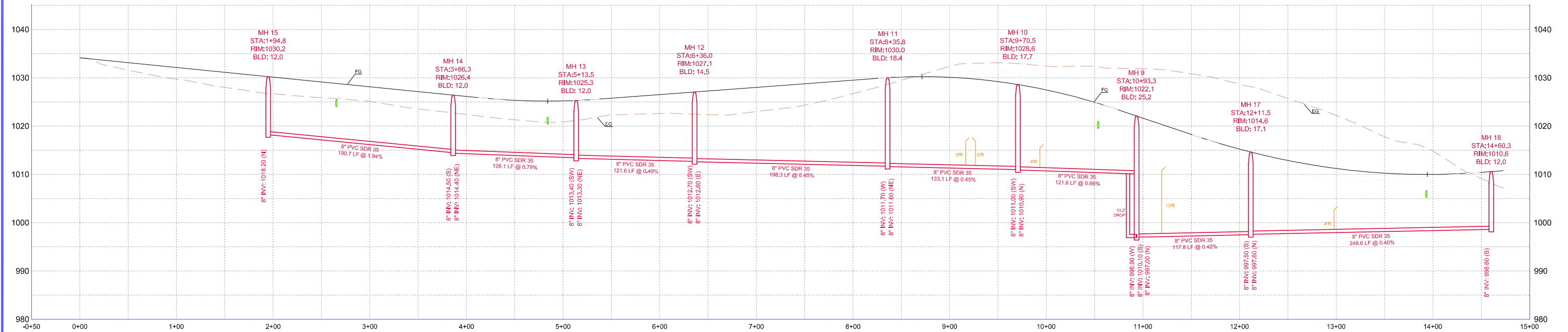
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UTILITY								3568-034		
DRAWN BY								7		
CHECKED BY								17		
DATE										

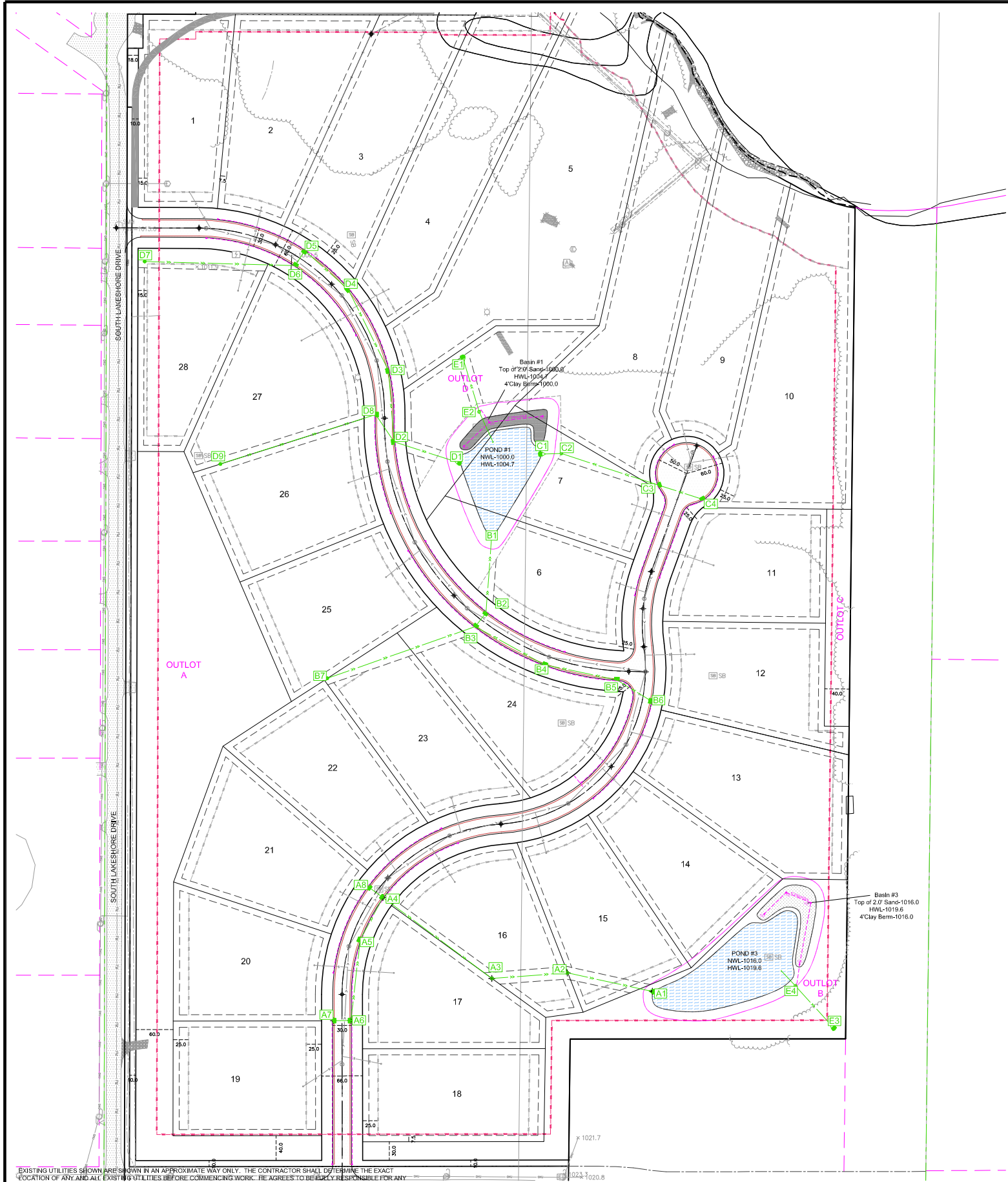
12/29/21





LEGEND		
DESCRIPTION	PROPOSED	EXISTING
BUILDING SETBACK LINE	— BSDL	— BSDL
GARAGE SETBACK LINE	— GSDL	— GSDL
PARCEL BOUNDARY LINE	—	—
DRAINAGE AND UTILITY EASEMENTS	—	—
CURB AND GUTTER	—	—
RIGHT-OF-WAY	—	—
SANWWM SERVICE	— S	— S
BACKYARD CATCH BASIN	—	—
CATCH BASIN	—	—
STORM SEWER MANHOLE	—	—
FLARED END SECTION WRAPRAP	—	—
STORM STRUCTURE LABEL	(CB H)	(CB H)
SANITARY STRUCTURE LABEL	(M)	(M)
SANITARY SEWER MANHOLE	—	—
WATERMAIN	—	—
HYDRANT	—	—
GATE VALVE	—	—





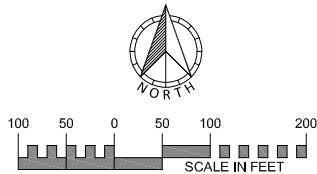
- STORM NETWORK NOTES:
- 6" RIGID PVC DRAINTILE SHALL BE INSTALLED AT THE LOWPOINT CATCH BASINS 125' MIN. (STD) IN EACH DIRECTION & 250' IN THE UPHILL DIRECTION FOR ON SLOPE CATCH BASINS.
  - 6" PERFORATED REAR YARD DRAINTILE W/WRAP SHALL BE INSTALLED THROUGH THE FILTRATION AREAS AS SHOWN ON THE PLANS. SEE THE "TYPICAL DETAIL - INFILTRATION/FILTRATION AREA" BELOW FOR INSTALLATION PURPOSES.
  - TIE THE LAST 3 PIPE JOINTS TO FLARED END SECTIONS (TYPICAL).
  - TRASH GUARDS (HOT DIPPED GALVANIZED) SHALL BE PLACED ON ALL FLARED END SECTIONS.
  - TIE ALL PIPE JOINTS BETWEEN STORM SEWER CONTROL STRUCTURES AND APRONS AND CULVERT APRONS.
  - TIE ALL JOINTS BETWEEN OCS STRUCTURES AND FLARED END SECTIONS.
  - WIMCO'S OR APPROVED EQUAL TO BE INSTALLED AT ALL STORM INLETS.
  - GRANULAR MATERIAL SHALL BE PLACED UNDER STORM SEWER PIPE OR STRUCTURES THAT ARE LESS THAN 48" BELOW FINISHED GRADE AND EXTEND TO AT LEAST 48" BELOW FINISHED GRADE.
  - RIP-RAP FOR STORM SEWER SHALL BE CONSTRUCTED USING GRANITE ROCK, 1" DIAMETER OR LARGER AND SHALL BE HAND PLACED. RIP-RAP SHALL BE CLASS 3 ON FILTER MATERIAL ON GEOTEXTILE FABRIC.
  - ALL ADJUSTING RINGS TO BE CONCRETE.

LEGEND		
DESCRIPTION	PROPOSED	EXISTING
BUILDING SETBACK LINE	B'SBL	B'SBL
GARAGE SETBACK LINE	G'SBL	G'SBL
PARCEL BOUNDARY LINE		
DRAINAGE AND UTILITY EASEMENTS		
CURB AND GUTTER		
RIGHT-OF-WAY		
SANITARY SERVICE		
BACKYARD CATCH BASIN		
CATCH BASIN		
STORM SEWER MANHOLE		
FLARED END SECTION WRIP-RAP		
STORM STRUCTURE LABEL	[CB H3]	[CB H3]
SANITARY STRUCTURE LABEL		
SANITARY SEWER MANHOLE		
WATERMAIN		
HYDRANT		
GATE VALVE		

STRUCTURE TABLE							
STRUCTURE NAME	TYPE	DIAMETER	RIM	BUILD	INV	CASTING	NOTES
A2	CBMH		1020.9	4.3'	1016.6		
A3	CBMH		1022.9	4.9'	1018.0		
A4	CBMH		1024.6	7.6'	1017.0		
A5	CBMH		1025.5	4.0'	1021.5		
A6	CBMH		1028.3	4.3'	1024.0		
A7	CB		1028.3	4.0'	1024.3		
A8	CB		1024.6	4.0'	1020.6		
B2	CBMH		1015.7	14.7'	1001.0		
B3	CBMH		1015.8	8.1'	1007.7		
B4	CBMH		1017.7	4.0'	1013.7		
B5	CBMH		1020.7	4.0'	1016.7		
B6	CB		1024.5	4.0'	1020.5		
B7	CB		1012.9	3.4'	1009.5		
C2	STMH		1005.0	4.8'	1000.2		
C3	CBMH		1009.0	7.3'	1001.7		
C4	CB		1008.9	3.2'	1005.7		
D2	CBMH		1017.5	19.0'	998.5		
D3	CBMH		1015.0	10.9'	1004.1		
D4	CBMH		1011.6	6.0'	1005.6		
D5	CBMH		1010.5	4.3'	1006.2		
D6	CBMH		1010.5	4.0'	1006.5		
D7	CB		1011.0	3.2'	1007.8		
D8	CBMH		1016.5	9.5'	1007.0		
D9	CB		1012.9	2.9'	1010.0		

FES TABLE				
Structure Name	TYPE	SIZE (IN.)	INV	C.Y. RIP RAP
A1	FES	21	1016.0	
B1	FES	18	1000.0	
C1	FES	18	1000.0	
D1	FES	18	1000.0	
E1	FES	36	998.0	
E3	FES	12	1010.9	

OUTLET STRUCTURE TABLE			
Structure Name	TYPE	INV	DETAIL
E2	OCS	997.5 998.50	SEE STRUCTURE DETAIL
E4	OCS	1014.0 1014.00	SEE STRUCTURE DETAIL

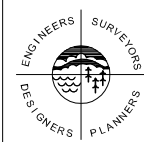


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UTILITY				
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CAW				
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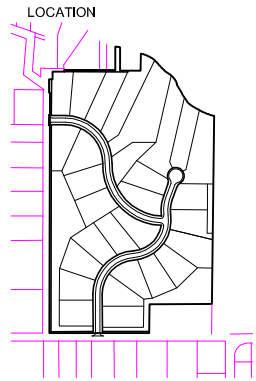
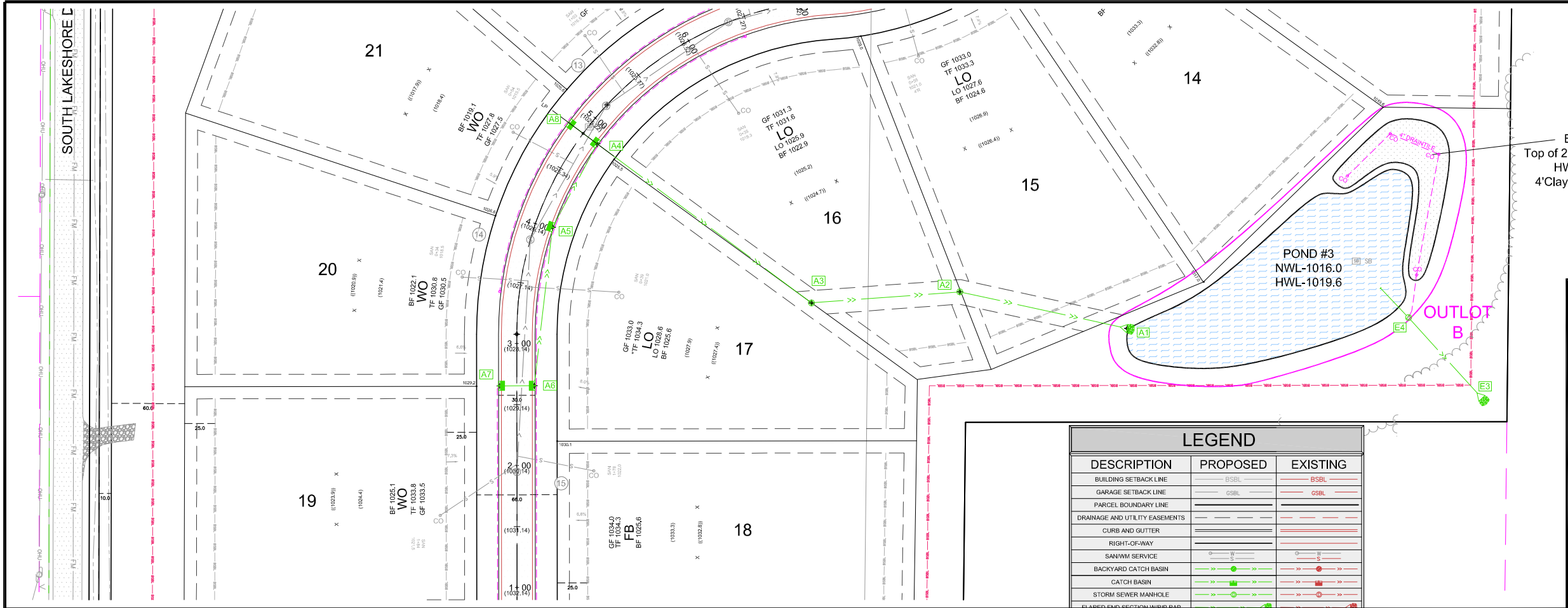
**SATHRE-BERGQUIST, INC.**  
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

CITY PROJECT NO.  
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INDEPENDENCE,  
MINNESOTA

**PRELIMINARY STORM SEWER PLAN**  
**BRIDGEVINE**  
**BOHLAND DEVELOPMENT**

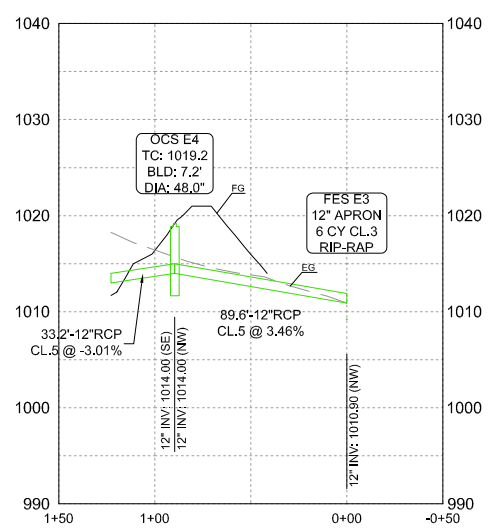
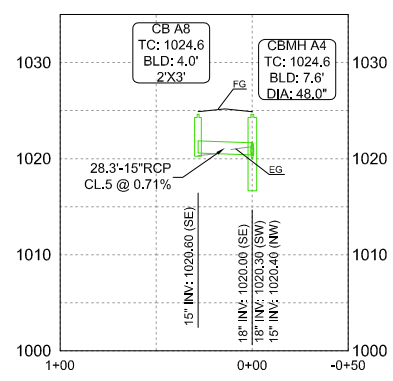
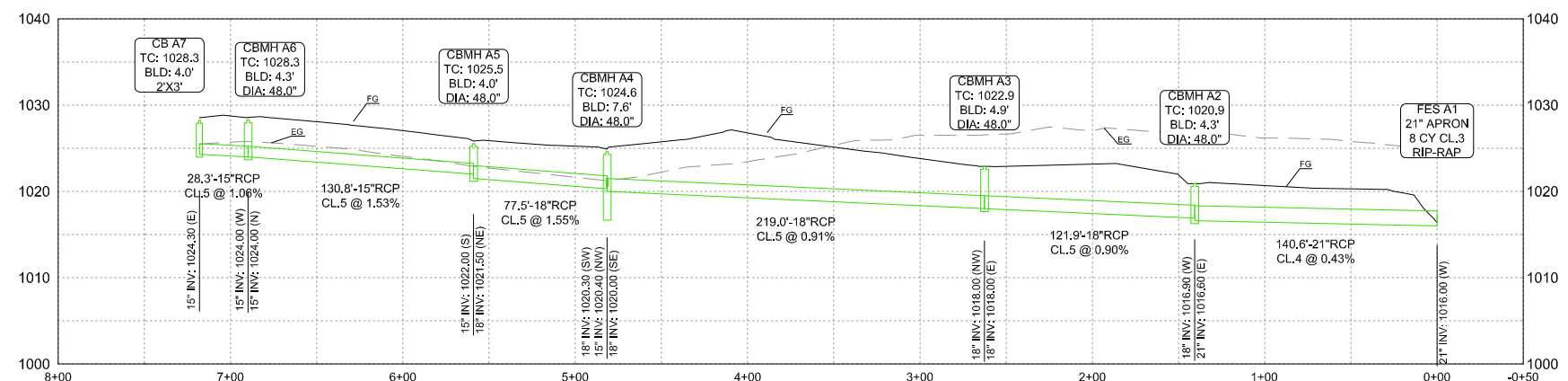
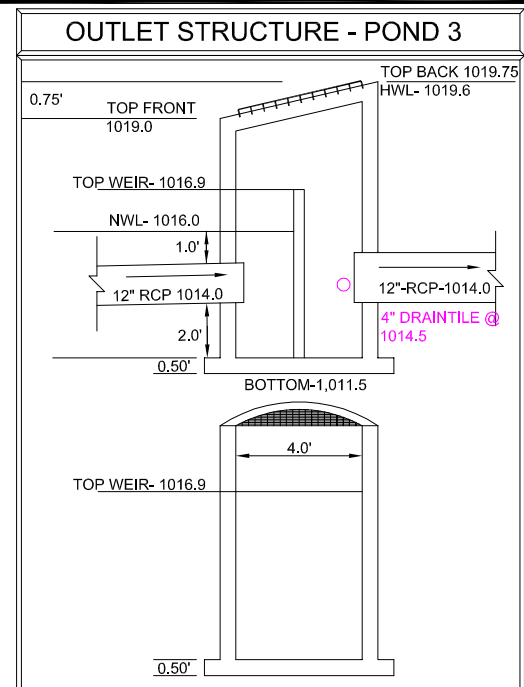
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**17**



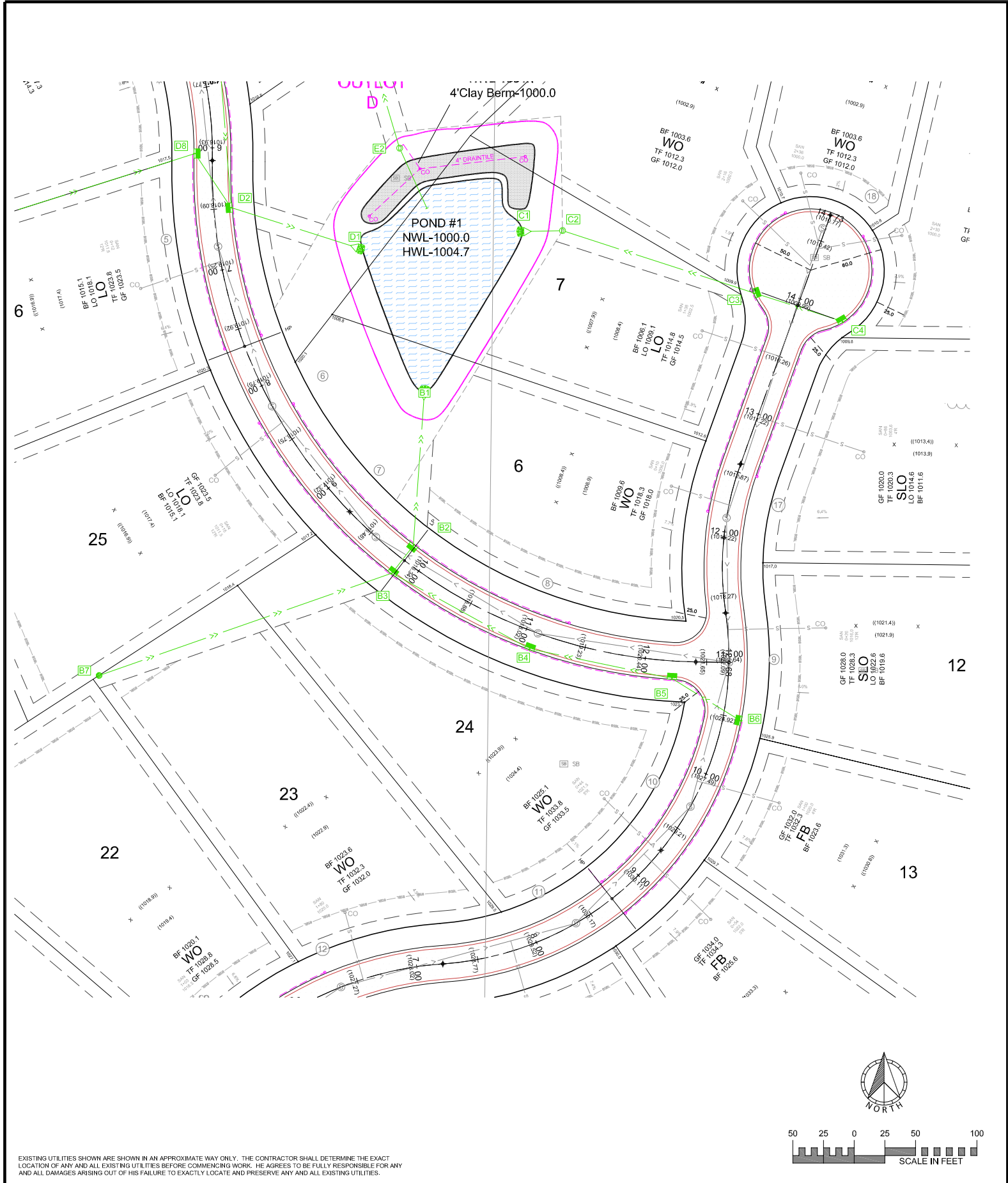


Basin #3  
Top of 2.0' Sand-1016.0  
HWL-1019.6  
4'Clay Berm-1016.0

LEGEND		
DESCRIPTION	PROPOSED	EXISTING
BUILDING SETBACK LINE	BSBL	BSBL
GARAGE SETBACK LINE	GSBL	GSBL
PARCEL BOUNDARY LINE		
DRAINAGE AND UTILITY EASEMENTS		
CURB AND GUTTER		
RIGHT-OF-WAY		
SANWM SERVICE		
BACKYARD CATCH BASIN		
CATCH BASIN		
STORM SEWER MANHOLE		
FLARED END SECTION INVERT ROAD		
STORM STRUCTURE LABEL	CB H3	CB H3
SANITARY STRUCTURE LABEL		
SANITARY SEWER MANHOLE		
WATERMAIN		
HYDRANT		
GATE VALVE		



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UTILITY				
DRAWN BY				
CAW				
CHECKED BY				
RSM				
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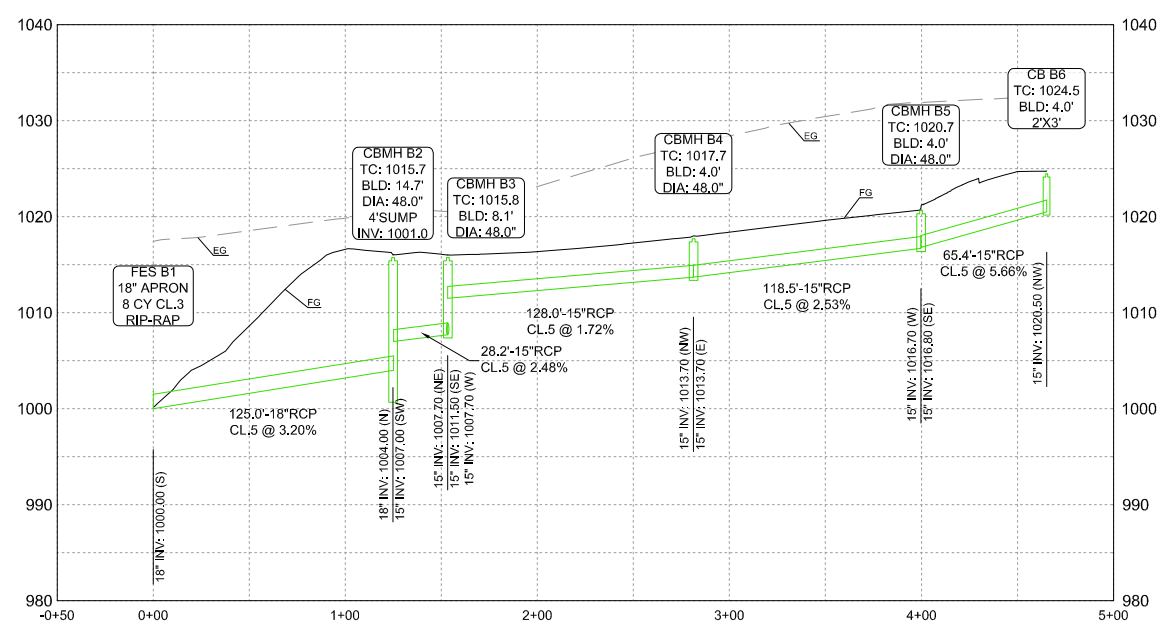
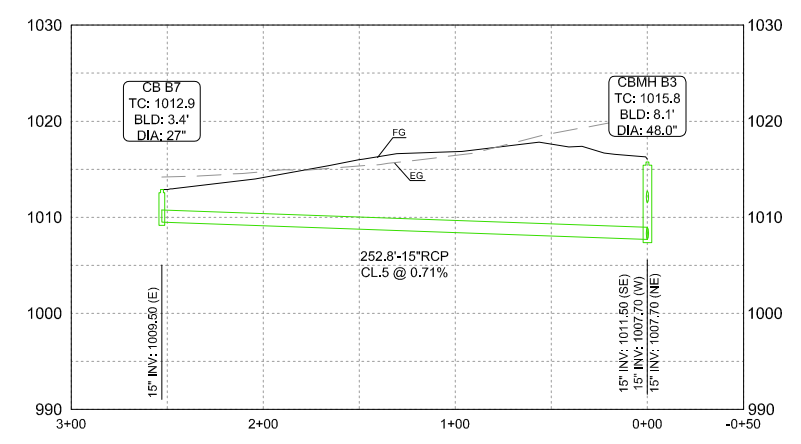
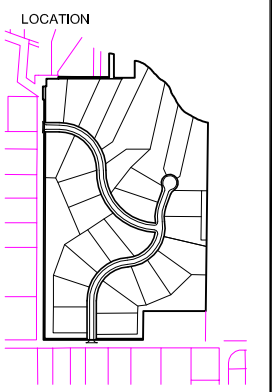
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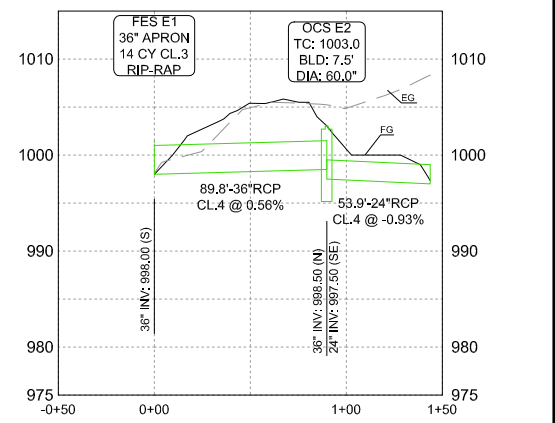
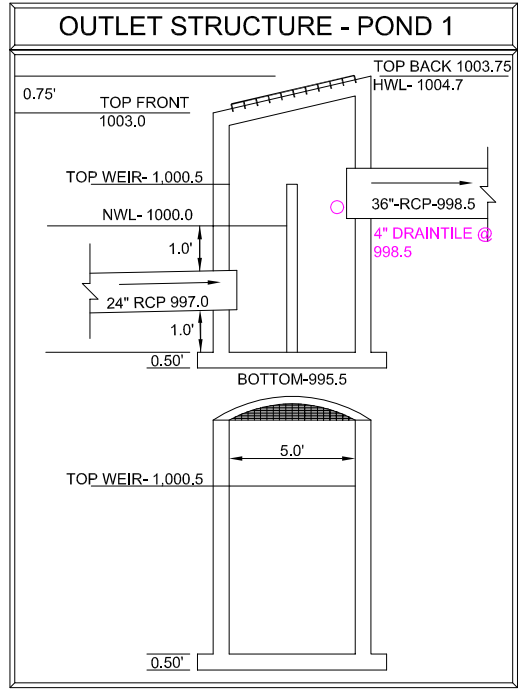
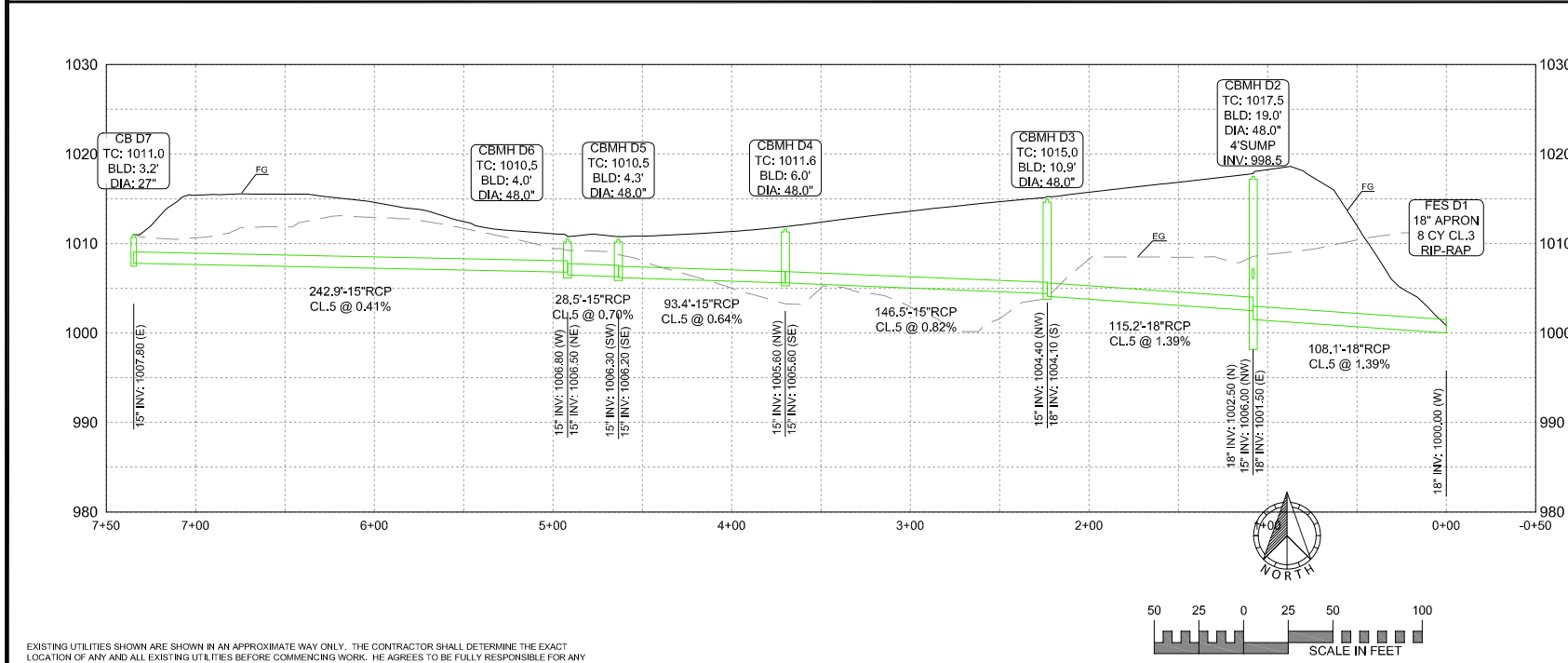
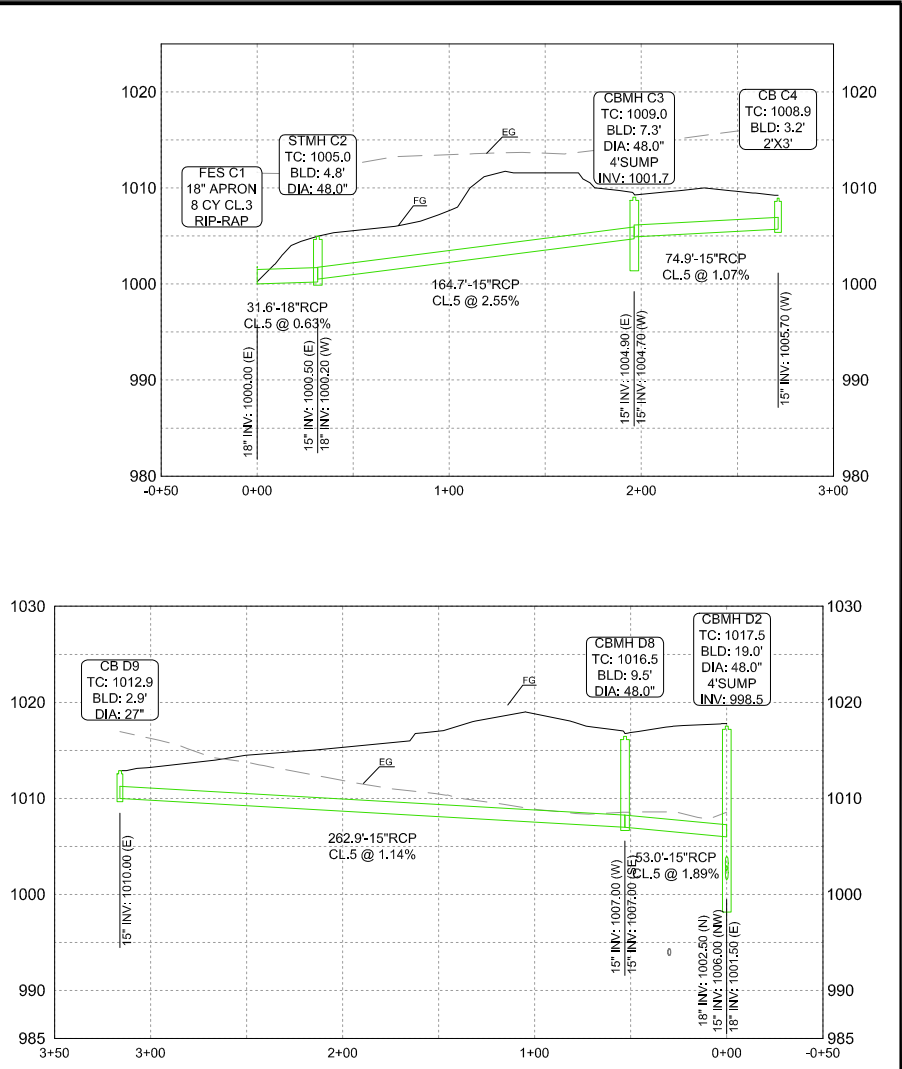
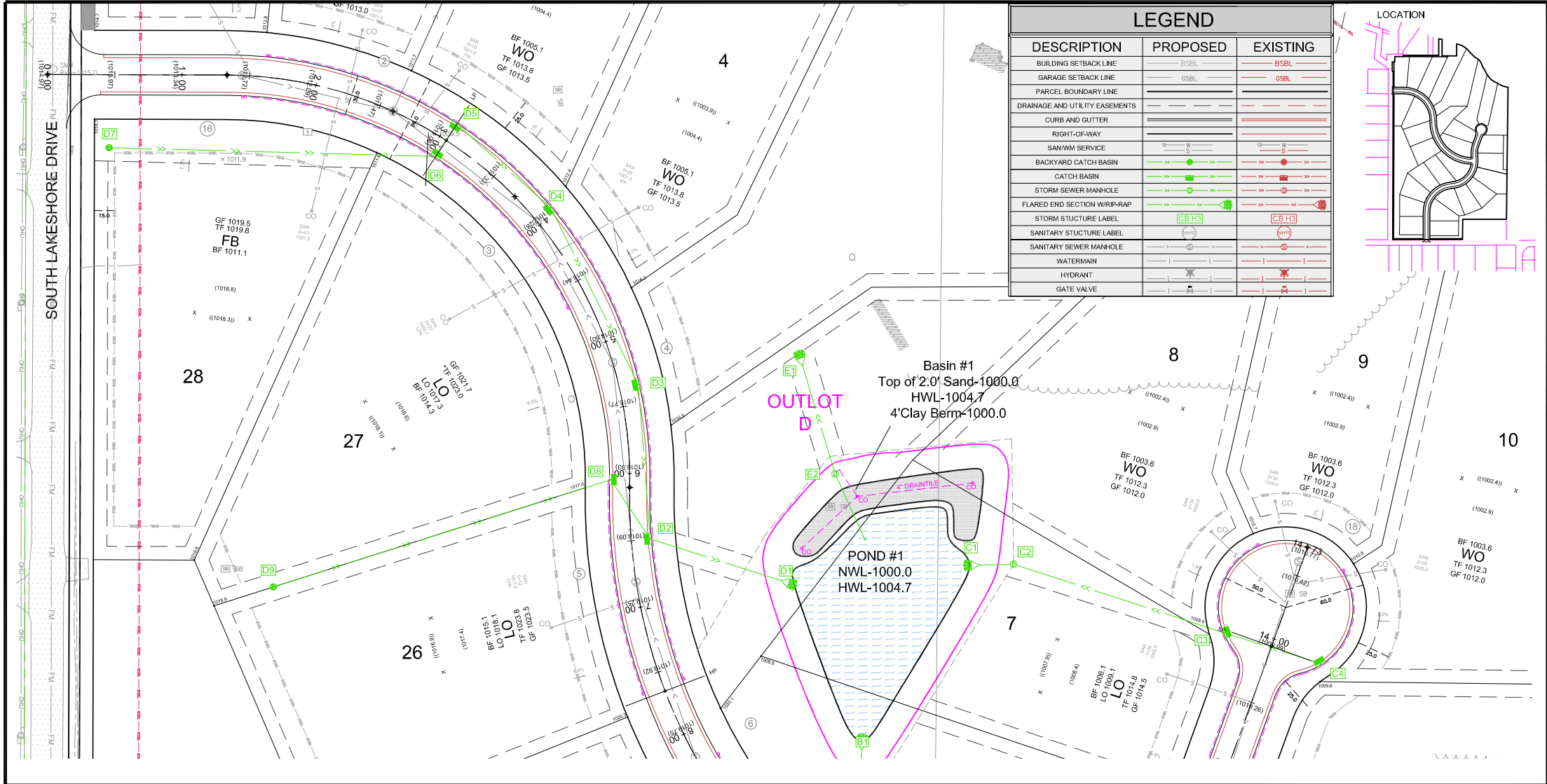
CITY PROJECT NO.
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INDEPENDENCE, MINNESOTA

**PRELIMINARY STORM SEWER PLAN**  
**BRIDGEVINE**  
**BOHLAND DEVELOPMENT**

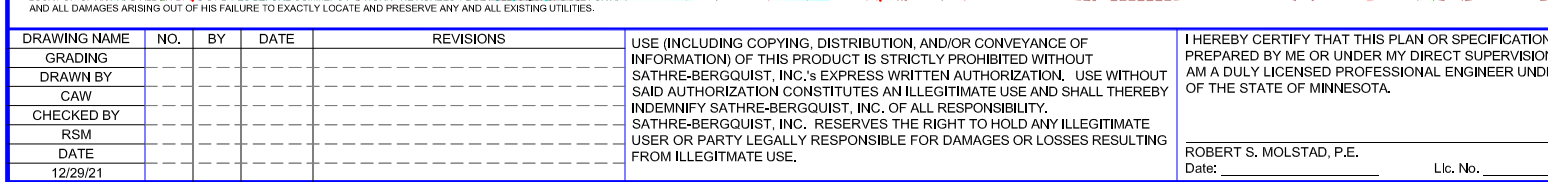
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3568-034
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LEGEND		
DESCRIPTION	PROPOSED	EXISTING
BUILDING SETBACK LINE	BSBL	BSBL
GARAGE SETBACK LINE	GSBL	GSBL
PARCEL BOUNDARY LINE		
DRAINAGE AND UTILITY EASEMENTS		
CURB AND GUTTER		
RIGHT-OF-WAY		
SAN/WM SERVICE		
BACKYARD CATCH BASIN		
CATCH BASIN		
STORM SEWER MANHOLE		
FLARED END SECTION WRIP-RAP		
STORM STRUCTURE LABEL	CB H3	CB H3
SANITARY STRUCTURE LABEL		
SANITARY SEWER MANHOLE		
WATERMAIN		
HYDRANT		
GATE VALVE		









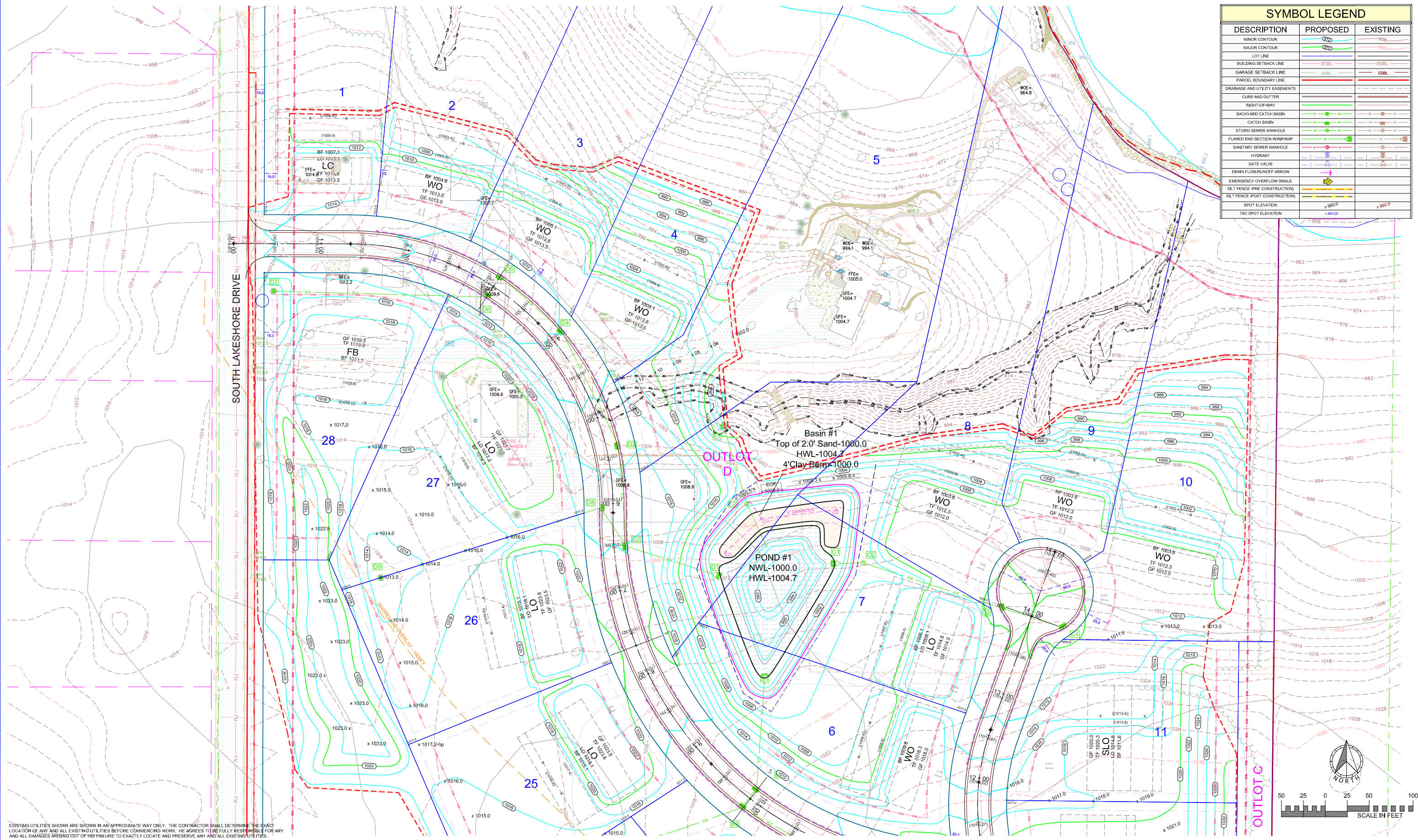


- # HOLDDOWN DETAILS
- 
- WALKOUT (WO)**
- LOOKOUT (LO)**
- FULL BASEMENT (FB)**
- HOUSE PAD LOCATION VARIES ON A LOT BY LOT BASE - SEE GRADING PLAN FOR PROPOSED LOCATIONS**
- 2. GRADE (HWO) BEHIND EACH HOMESET IS THE LOW GROUND ELEVATION AND PROPOSED TOP OF TOPSOIL SUBGRADE SHALL BE DOWN 0.50 FEET**
- 2. ESTABLISH FIRM GRADE AT ALL 1/4" FRONT W/AD UTILITY EASEMENT LOCATIONS.**
- 3. THESE DETAILS REFERENCE A 16" Poured FOUNDATION WALL, AND A 0.5" DROP FROM REAR TOP FOUNDATION TO GROUND ELEVATION FOR ALL LOOKOUTS AND WALKOUTS.**

- ON-SITE BMPs
1. NURP POND - NURP POND WILL BE UTILIZED TO MEET OR EXCEED QUALITY AND RATE CONTROL REQUIREMENTS.
2. SKIMMERS - THE POND OUTLET STRUCTURE INCLUDES A SUBMERGED INLET PIPE TO ALLOW SKIMMING.
3. RIP RAP - RIP RAP WILL BE UTILIZED AT ALL APRONS FOR ENERGY DISSIPATION AND PROVIDE SEDIMENT CONTROL. MUST BE INSTALLED OVER A SUITABLY GRADED FILTER MATERIAL OR FILTER FABRIC TO ENSURE THAT SOIL PARTICLES DO NOT MIGRATE THROUGH THE RIP RAP AND REDUCE ITS STABILITY.
4. INLET PROTECTION - INLET PROTECTION WILL BE INSTALLED AND MAINTAINED IN ALL CATCH BASINS & REAR YARD STRUCTURES. REFER TO THE CITY DETAILS TO DETERMINE WHICH INLET PROTECTION DEVICE IS APPLICABLE.
5. SLOPE STABILIZATION - SILT FENCE WILL BE INSTALLED ALONG DOWN GRADIENT GRADING LIMITS AND WOODFIBER BLANKET WILL BE UTILIZED ON ALL SLOPES 3:1 OR GREATER TO PROVIDE ADEQUATE SLOPE STABILIZATION.
6. BIOROLLS - BIOROLLS WILL BE INSTALLED ALONG REAR YARD SWALES TO PREVENT SEDIMENT FROM REACHING THE NURP POND AND ULTIMATELY DOWNSTREAM WETLANDS.
7. INFILTRATION/RETENTION AREAS - INFILTRATION/RETENTION AREAS WILL BE UTILIZED TO REDUCE/RETAIN THE RUNOFF FROM THE INCREASED HARD SURFACE.
8. STREET SWEEPING - STREET SWEEPING WILL BE DONE A MINIMUM OF ONCE PER WEEK OR MORE FREQUENTLY TO MINIMIZE DUST CONTROL AND VEHICLE TRACKING.
9. PHOSPHOROUS FREE FERTILIZER - PHOSPHOROUS FREE FERTILIZER WILL ALSO BE USED ON SITE.





SYMBOL LEGEND		
DESCRIPTION	PROPOSED	EXISTING
MINOR CONTOUR		
MAJOR CONTOUR		
LOT LINE		
BUILDING SETBACK LINE		
GARAGE SETBACK LINE		
PARCEL BOUNDARY LINE		
DRAINAGE AND UTILITY EASEMENTS		
CURB AND GUTTER		
RIGHT-OF-WAY		
BACKYARD CATCH BASIN		
CATCH BASIN		
STORM SEWER MANHOLE		
FLARED END SECTION WIRE-RAP		
SANITARY SEWER MANHOLE		
HYDRANT		
GATE VALVE		
DRAIN FLOW/RUNOFF ARROW		
EMERGENCY OVERFLOW SWALE		
SILT FENCE -PRE CONSTRUCTION		
SILT FENCE -POST CONSTRUCTION		
SPOT ELEVATION		
TBC SPOT ELEVATION		

EXISTING UTILITIES SHOWN ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES ARISING OUT OF HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.

DRAWING NAME	NO.	BY	DATE	REVISIONS
GRADING				
DRAWN BY				
CAW				
CHECKED BY				
RSM				
DATE				
12/29/21				

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I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION 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.

ROBERT S. MOLSTAD, P.E.  
Date: \_\_\_\_\_ Lic. No. \_\_\_\_\_

ENGINEERS  
SURVEYORS  
DESIGNERS  
PLANNERS

**SATHRE-BERGQUIST, INC.**  
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

CITY PROJECT NO.
INDEPENDENCE, MINNESOTA

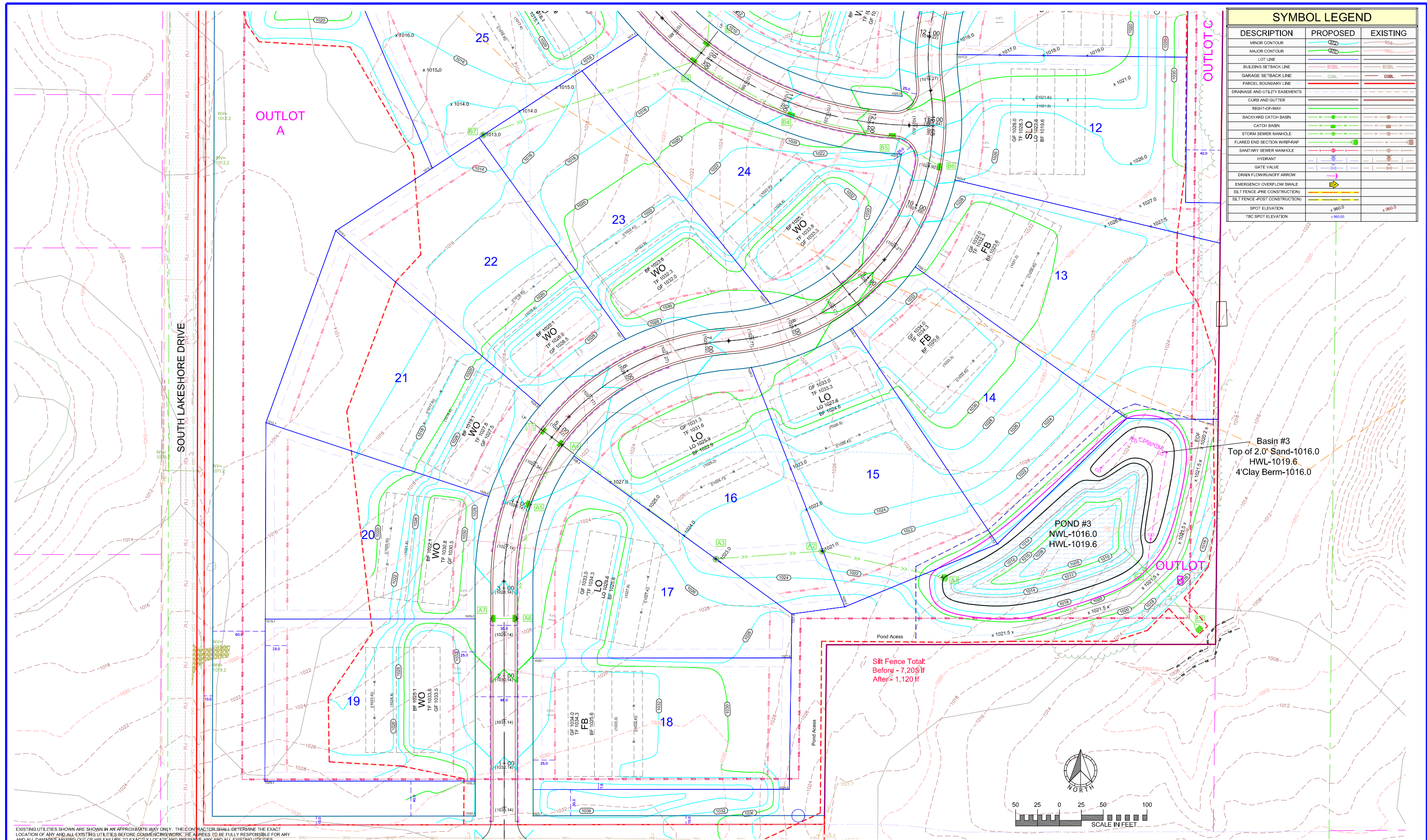
PRELIMINARY GRADING PLAN

BRIDGEVINE

BOHLAND DEVELOPMENT

FILE NO.
3568-034
14
17



[illegible]



July 6, 2022

Steve Bohl  
BohLand Development  
815 Wayzata Blvd. East  
Wayzata, MN 55391

RE: Preliminary Plat Review of BridgeVine Subdivision

Dear Steve:

The City has completed a review of the information submitted pertaining to the requested comprehensive plan amendment, preliminary plat, text amendment, planned unit development and rezoning application. The City has prepared comments for your review. Please review the comments and provide the additional information requested. As a formality and in accordance with Minnesota Statutes, 462.358, 3b, the City is required to notify you that the application is found to be incomplete. The reasons that the application is incomplete are listed below in this letter.

The City will require submittal of the following applications:

- a. A comprehensive plan amendment to allow the subject property to be re-guided to a new residential zoning district with standards to be determined.
- b. An ordinance amendment to allow planned unit developments as a conditional use in the Rural Residential Zoning District.
- c. Rezoning of the property to Rural Residential.
- d. A conditional use permit to allow a planned unit development.
- e. A preliminary plat for the proposed subdivision of the property into 28 single-family lots with a minimum lot size of 1 acre.

I offer the following recommendations/requests for your review and revision:

1. A portion of the proposed property is located within 1,000 feet of Lake Independence and is therefore within the Shoreland Overlay District. This plan will be subject to the review of the Department of Natural Resources.
2. This plan will be subject to the review of the Pioneer Sarah Creek Watershed Commission.
3. The plan indicates all lots will be connected to City sewer. This property is guided by the



City's Comprehensive Plan for RR-Rural Residential and currently has 2 sewer connections. In order for the City to consider connection to the City sewer, a Comprehensive Plan Amendment will be required. In addition to the comprehensive plan amendment, the City's sanitary sewer is routed through the City of Medina and permitted through the Quad City Agreement. An amendment to that agreement will be necessary in order to serve this property with sewer.

4. Additional comments relating to potential lift station upgrades, grading, road construction and infrastructure will be provided in a separate letter from the City's engineer.
5. The proposed concept plan indicates six lots with riparian access (frontage or access) on Lake Independence. Any lot directly abutting the lake would need to comply with applicable shoreland overlay standards. The shoreland overlay requires a minimum lot size of 1 acre and a minimum shoreland lot width of 100 linear feet. The subject property has approximately 700 linear feet of shoreline on Lake Independence. Additional review relating to slopes, bluffs and general grading of the proposed riparian lots would be required if the develop moves forward.
6. The City does not have applicable zoning for this type of sewer residential development. It is proposed that the City's zoning ordinance be changed to rezone allow a Planned Unit Development (PUD) in the Rural Residential zoning district. The City will need to adopt physical lot standards associated with the PUD. Lakeshore lots will be required to comply with applicable shoreland district standards. The City is recommending the following standards:

Minimum lot size:	1 acre (43,560 SF)
Minimum lot width:	100 feet at right of way line
Front yard setback:	35 feet from right of way line
Side yard setback:	15 feet
Corner yard setback:	35 feet
Rear yard setback:	40 feet
Shoreland setback:	100 feet
Setback from lake:	100 feet from ordinary high mark
Setback from wetland:	10 ten feet from the outside edge of the required wetland buffer

The plans will need to be revised to clearly show the building setbacks. It is also recommended that a plan be prepared that shows a "typical" house plan for each lot to verify that the lots can accommodate a home site.

7. It does not appear that there are any proposed HOA/Covenant restrictions relating to accessory structures. Please provide additional information relating to proposed thoughts on accessory structures. The City is proposing to develop a new accessory structure provision with the PUD similar to the following:

Accessory Structure Maximum Size: 1,000 square feet (combined attached garage and detached accessory structures).

8. The proposed plan indicates open space in accordance with the cluster development requirements. This space will become the responsibility of the homeowners within this development. Documentation indicating the conveyance of this ownership and the maintenance responsibility will need to be provided. Further information pertaining to the intended use of the open space will need to be provided along with information detailing the intended planting and management of the area. The City is also seeking additional information relating to any intended recreational amenities included in the development such as trails or active recreation space.
9. The preliminary plat indicates a 66-foot-wide ROW and a 26-foot-wide road. The street construction plan indicates a 30-foot-wide street. Please revise the preliminary plat to match the construction drawings.
10. Lots 16 and 17, Block 1 are less than 1 acre in size and will need to be modified to meet the minimum lot size requirements.
11. The subject property has a significant natural feature that consists of a wooded “ravine” that runs from west to southeast through the northern portion of the property. This natural feature should be further defined and potentially preserved by any development of this property.
12. There is an existing tree stand located on the property which is primarily along the ravine/drainage area. The City is concerned and desires that these areas are preserved and protected in the after condition of the property. The City has shoreland alteration limitations specified in the shoreland ordinance (see attached).
13. Please indicate the top of bluff structure setbacks on the site plan.
14. Please label all drainage and utility easements on the preliminary plat. It appears that there should be extended onto Lots 14 and 15 and 6 and 7, Block 1.
15. A landscape plan is required. Please submit a landscape plan for review. The City will want to see buffering and screening along the entirety of the right of ways of South Lake Sarah and Perkinsville Roads and the rear yards of Lots 15-18, Block 1.
16. It is noted that there is a 30-foot-wide strip of land that borders Lake Independence along Maple Drive. The proposed use of this land as a common HOA element with a dock and boat slips will need to be further discussed and reviewed by the City. During previous public comment and review of this development, there were concerns expressed related to the intensity of having additional boats and users in this area.
17. Park dedication will be required for this development. The City’s current park dedication fee is \$3,500 per lot (less than 4.99 acres). One dedication will be credited for the existing house proposed to remain. The park dedication fee requirement for this development is anticipated to be approximately \$94,500.

18. Please see the comments provided by the City's Water Resource Engineer, Shane Nelson, dated June 2, 2022, pertaining to water resources.

The comments provided in this letter are based on the information that has been submitted to the City. Following the submittal of additional information, the City may have additional comments or require additional information. Please prepare a revised submittal which address all of the comments pertained herein. Please submit a point-by-point response letter to each comment so that the City can quickly review the revised plan submittal. If you have any questions, please contact me at (763) 476-0044.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mark Kaltsas', with a stylized flourish at the end.

Mark Kaltsas, PLA Planner

CC: Shane Nelson, City Engineer - Hakanson Anderson  
Andrew Budde, City Engineer – Bolton & Menk, Inc.  
Shawn Bode, Public Works Supervisor

## MEMORANDUM

**TO:** Mark Kaltsas, Independence City Planner/Administrator

**CC:** Andrew Budde, City Engineer  
Shawn Bode, Public Works Supervisor

**FROM:** Shane Nelson, Water Resources Engineer

**DATE:** June 2, 2022

**RE:** Bridgevine – Water Resources Review

---

We have received and reviewed the Preliminary Construction Plans, dated February 14, 2022, and Stormwater Report, dated December 29, 2021, for Bridgevine prepared by Sathre-Bergquist, Inc. in the City of Independence and the Stormwater Management Plan, dated December 30, 2021, prepared by Advanced Engineering and Environmental Services LLC. We would offer the following comments in regards to water resources:

BridgeVine is a proposed 28 lot, 43.99-acre residential development. The existing site contains a mixture of woodland, meadow/wetland and crops. The site is located immediately south of Lake Independence, and the stormwater discharge from this project is conveyed to Lake Independence via natural drainage ways. Lake Independence is currently listed as an impaired water and has a TMDL for nutrients.

1. This project is located in close proximity to Lake Independence, which has an USEPA approved TMDL for nutrients. The Applicant / Contractor will be required to implement additional stormwater BMPs and erosion control measures during construction as required by City ordinances, watershed rules, and state permitting requirement.
2. Stormwater is proposed to be managed by the construction of 2 wet sedimentation (NURP) basins with adjacent/integrated filtration basins. The Stormwater basins appear to be at logical locations for treating the stormwater prior to discharge and are conducive to the layout.
3. Pond 1 is proposing to discharge stormwater into a natural drainage swale which is located on three of the lots as well as Outlot D. The natural drainage swale was identified as a potential project in the Lake Sarah and Lake Independence Stormwater Retrofit Analysis (Gulley Stabilization 46) due to the current instability and erosion of the swale. The increased impervious surface associated with the proposed development is likely to increase the susceptibility for erosion of the swale. It is therefore recommended that the Developer stabilize the swale as a condition of this project such that it does not erode and contribute excess Phosphorous and Total Suspended Solids to Lake Independence.
4. Turf reinforcement is recommended for the separating berm between the NURP ponds and the bio-filtration basins.
5. A detail for the bio-filtration basins shall be provided.

6. We have not received a Wetland Delineation Report for this property. A Wetland Delineation Report is required and if wetlands are present there is a potential to affect the lot layouts for the proposed development.
7. PSC rules indicate that a 25-foot average buffer is required adjacent to all wetlands. At this time, no wetlands are depicted on the Preliminary Plat.
8. Buffer strips will need to be established as part of this project. The Preliminary Plans shall indicate an appropriate BWSR, MnDOT, NRCS, OR SWCD seed mixture for establishing buffer vegetation. A buffer establishment plan and agreement will also need to be prepared and submitted to the City and Watershed. This agreement shall cover the first two growing seasons following initial establishment to ensure proper vegetation.
9. Buffer monuments are required at a max spacing of 200 feet, and additional as necessary to define the edge of the buffer.
10. This project will require a watershed permit from Pioneer-Sarah Creek Watershed Management Commission.
11. The project will require a NPDES permit (General Permit MNR100001) from the Minnesota Pollution Control Agency (MPCA).

# ***DRAFT***

## **ORDINANCE NO. 2022-XXX CITY OF INDEPENDENCE**

### **AN ORDINANCE AMENDING CHAPTER V, SECTION 530 OF THE CITY CODE (ZONING ORDINANCE)**

**THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, HENNEPIN COUNTY,  
MINNESOTA, ORDAINS:**

**SECTION 1.** The Independence City Code, Chapter V, Section 530.07, is amended to add the following provisions.

#### **Chapter V, Section 510.07. – Physical Standards**

#### **530.07. Physical standards.**

Subd. 5. *Planned unit development (PUD) conditional use permit.* Planned unit developments are a conditional use in the Rural Residential District, subject to the provisions of subsections 520.09, 520.11 and 520.13 of this Code.

- (a) *Purpose.* The purpose of the planned unit development conditional use permit is to promote the creative and efficient use of land. The provisions of this subdivision are intended to:
  - (1) Protect natural features in common open space.
  - (2) Improve the arrangement of structures, facilities and amenities on a site.
  - (3) Preserve the rural character of the community.
- (b) *Criteria.* A Planned Unit Development (PUD) zoning district shall be developed in appropriate settings and situations and to create or maintain a development pattern that complies with the City's Comprehensive Plan and comply with the following:
  - (1) The development parcel must be 40 or more acres in size;
  - (2) Upon completion of the development, all lots to be included in the development parcel must be connected to the City's sanitary sewer service;
  - (3) Woodland, wetlands and topography must be preserved in a natural state, with modification allowed when no reasonable alternative exists; or, if the site lacks unique features such as woodlands and wetlands, the site must be designed and constructed in such a manner that residential building sites are integrated into a created natural environment including reforestation, wetlands enhancement, and vegetative screening of structures;

- (4) The preliminary plat must show a primary and secondary individual sewage treatment site for each dwelling unit and must be supported with soil test reports indicating the adequacy of each proposed location, provided that shared treatment systems within a development may be acceptable if the plat identifies two or more suitable sites for the shared system and the city council approves the proposal;
- (5) Lots within the development must have a minimum lot size of 1 contiguous buildable acres. Buildable acreage must not be separated by streams, wetlands or other physical impediments;
- (6) Open space must be designated in the development as one or more Outlots and must be owned either by a homeowners' association consisting of the owners of all of the residential lots in the development or by the owners of the residential lots, as tenants in common;
- (7) The developer must record against the development a declaration of covenants that places responsibility for management of the open space in a homeowner's association and provides for the assessment of management costs to the association members;
- (8) All utilities must be placed underground;
- (9) All residential streets within the cluster development must be paved with a bituminous surface according to the city street standards in effect at the time of the development;
- (10) A development agreement must be entered into with the city.

**SECTION 2.** This ordinance shall be in force and effect after enactment and publication as required by law.

Adopted this\_\_ day of \_\_\_\_\_2022, by the Independence City Council.

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

ATTEST:

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

## City of Independence

### ***Request for a Variance from the Requisite OHWL Setback for the Property Located at 4986 South Lake Shore Drive***

---

<i>To:</i>	Planning Commission
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	July 19, 2022
<i>Applicant:</i>	Patti Good
<i>Owner:</i>	Patti Good
<i>Location:</i>	4986 South Lake Shore Drive

#### ***Request:***

Patti Good (Applicant/Owner) requests that the City consider the following actions for the property located at 4986 South Lake Shore Drive, Independence, MN (PID No. 24-118-24-11-0001):

- a. A variance allowing a reduced setback from the OHWL permitting the construction of a screened deck to be constructed in place of the existing legal non-conforming open deck on the subject property.

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

The subject property is located at 4986 South Lake Shore Drive. The existing home is a legal non-conforming structure that does not meet all of the current setback requirements. There is an existing home and detached accessory structure on the subject property.

Property Information: 4986 South Lake Shore Drive  
Zoning: *Rural Residential (Shoreland Overlay)*  
Comprehensive Plan: *Rural Residential*  
Acreage: *1.0 acres (43,560 square feet)*  
Impervious Surface Maximum: *25% (10,890 square feet)*





***Discussion:***

The applicant submitted a building permit application seeking approval to rebuild the existing deck in its current location and to enclose a portion of the existing deck with a new screen porch. It was identified that the existing deck does not meet applicable setbacks from the OHWL and is considered a legal non-conforming structure. The City discussed the potential options (variance) with the applicant and noted that the existing deck can be rebuilt in its current location as long as no expansion or intensification of the deck occurs.

The applicant decided to move forward with an application for a variance from the OHWL to allow the existing deck to be reconstructed generally in its current location with a small expansion (69 SF) to allow a new stairway and a portion of the deck to be covered/screened. The City has historically considered variances for properties located in the Shoreland Overlay district that are substandard lots of record. The City currently allows an “administrative variance” from the requisite standards by acknowledging lots of record that were in existence prior to 1982. For

these lots, the City allows all requisite setbacks to be reduced by 40% for substandard lots of record. In this particular situation, there is no location attached to the rear (lakeside) of the home that would accommodate any expansion or intensification.

The subject property is considered a substandard lot of record in accordance with the City's Shoreland Ordinance Section 505.15.

*505.15. Substandard lots. Lots of record in the office of the county register of deeds or registrar of titles prior to December 1, 1982, which do not meet the requirements of this section 505, may be allowed as building sites provided:*

*(a) such use is permitted in the zoning district;*

*(b) the lot of record is in separate ownership from abutting lands, and can meet or exceed 60% of the lot area and setback requirements of this section; and*

*(c) all requirements of section 705 of this code regarding individual sewage treatment systems are complied with.*

Setbacks for properties located in the shoreland ordinance are as follows:

Subd. 2. Lot standards.

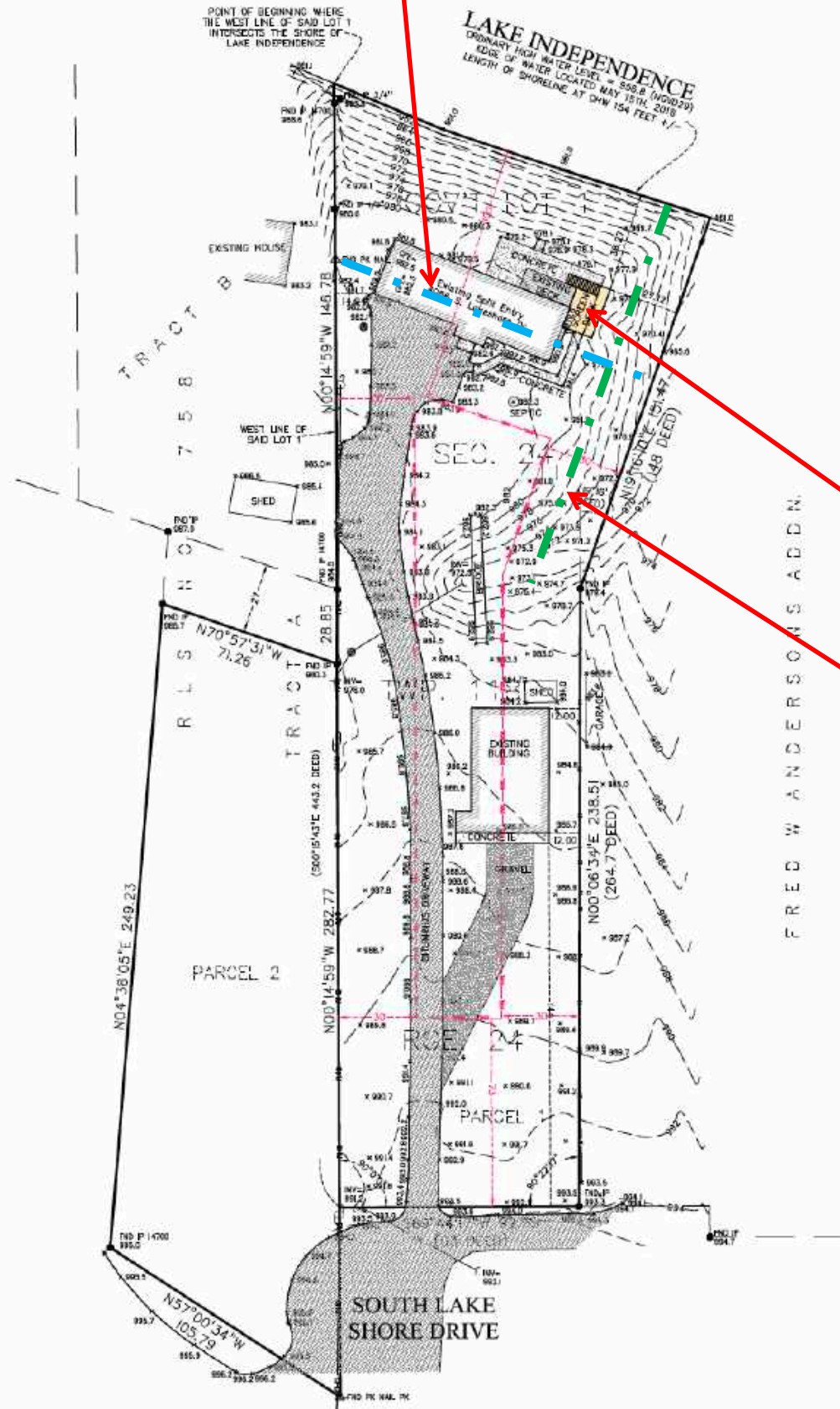
	Unsewered Areas			Sewered Areas		
	NE Waters	RD Waters	Tributary Streams	NE Waters	RD Waters	Tributary Streams
Lot Area	2.5 acres	2.5 acres	2.5 acres	1.0 acre	1.0 acre	1.0 acre
Water frontage and lot width at building line	200 ft	200 ft	200 ft	125 ft	100 ft	100 ft
Structure setback from ordinary high water mark	150 ft	100 ft	100 ft	150 ft	100 ft	100 ft
Structure setback from roads and highways	85 ft from centerline or 50 ft. from right-of-way, whichever is greater					
Structure height limitation	35 ft	35 ft	35 ft	35 ft	35 ft	35 ft
Maximum lot area covered by impervious surface	25%	25%	25%	25%	25%	25%
Sewage system setback from ordinary high water mark	150 ft	75 ft (RR) 150 ft (AG)	75 ft (RR) 150 ft (AG)	125 ft	75 ft	75 ft



**REQUIRED OHWL  
SETBACK IS 60'**

**EXISTING DECK WITH (69 SF  
EXPANSION)**

**REQUIRED SIDE YARD  
SETBACK IS 18'**



**OHWL Setback:**

Required: 60 feet

Provided (Existing and Proposed): 38'

In addition to the setback requirements, properties located in the shoreland district can have a maximum impervious surface coverage of 25%. This property would be permitted to have a maximum impervious surface coverage of 10,890 square feet. The current property exceeds the allowable amount by 645 square feet. This is an existing condition that is considered to be legal non-conforming. The applicant has noted that they also own the adjacent vacant property and have calculated impervious surface coverage based on the total of both lots. The proposed deck would increase the impervious coverage on this property by 69 square feet. The applicant has prepared an analysis of the impervious surface area for this property. The existing and proposed impervious surface calculations are provided as follows:

**Existing Hardcover**

Lot Area	= 63,952	S.F.
House Area	= 1,678	S.F.
Structure Area	= 1,488	S.F.
Bituminous Area	= 5,804	S.F.
Deck Area	= 355	S.F.
Gravel Area	= 1,457	S.F.
Concrete Area	= 753	S.F.
Total Area	= 11,535	S.F.
Coverage = 18.04 %		

**Proposed Hardcover**

Lot Area	= 63,952	S.F.
House Area	= 1,678	S.F.
Structure Area	= 1,488	S.F.
Bituminous Area	= 5,804	S.F.
Deck Area	= 424	S.F.
Gravel Area	= 1,457	S.F.
Concrete Area	= 753	S.F.
Total Area	= 11,604	S.F.
Coverage = 18.14 %		

There are several factors to consider relating to granting a variance. The City's ordinance has established criteria for consideration in granting a variance.

*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 criteria for granting a variance:

- a. Residential use of the property is consistent with the Rural Residential District. The applicants are seeking a variance that is generally consistent with similar variances granted for properties in this area.
- b. Each property in this area is non-conforming and typically requires relief from certain setbacks. The City will need to determine if the requested variance is unique to this property.
- c. The character of the surrounding area is residential. The proposed single-family home is in keeping with the City's comprehensive plan.

There are several additional items that could be considered by the City:

1. Many of the surrounding properties have been granted relief from the requisite setback requirements due to the small size of the properties, unique lot layouts resulting from the historic nature of the structures on the properties and the change in nature of the homes from seasonal to permanent.
2. The neighboring property owner to the east has submitted a letter in support of the requested variance.
3. The proposed screen porch would be covering an area that has historically been used as a deck. The small addition that would be added to this deck would accommodate the relocation of the existing stairway. The overall structure would not be moving closer to the OHWL.
4. There is limited visibility to the portion of the deck that would be screened from adjacent properties due to the heavy tree coverage.

Ultimately the City will need to find that the aforementioned criteria for granting a variance have been met by the applicant.

***Public Comments:***

The City received one written letter from the adjacent property owner to the east. Several residents have stopped in or called City Hall to obtain additional information relating to the requested variance.

***Recommendation:***

Staff is seeking a recommendation or direction from the Planning Commission pertaining to the request for a variance. Should the Planning Commission consider granting a variance, the following findings and conditions should be considered.

1. The proposed Variance request meets all applicable conditions and restrictions stated in Chapter V, Section 520.19, Procedures on variances, in the City of Independence Zoning Ordinance.
2. The variance will allow a deck and associated screen porch to be constructed in accordance with the approved plans attached hereto as Exhibit B. No portion of the deck shall be located closer than 38.27 feet from the OHWL of Lake Independence.
3. Any future improvements made to this property will need to be in compliance with all applicable standards relating to the Rural Residential and Shoreland Overlay zoning districts. No expansion of the home/ garage or impervious areas will be permitted without an additional variance request.
4. The Applicant shall pay for all costs associated with the City's review of the requested variance.

***Attachments:***

1. Application
2. Site Plan/Survey
3. Existing Deck Plan/Elevation
4. Proposed Deck Plan/Elevation



**CITY OF  
INDEPENDENCE  
MINNESOTA**

**Applicant Information**

Name: Patti Good

Address: 4986 South Lakeshore  
Drive  
Maple Plain, Minnesota  
55359

Primary Phone: 612-281-8755

Email: pgood161@yahoo.com

**Owner Information**

Name: Patti Good

Address: 4986 South Lakeshore  
Drive  
Maple Plain, Minnesota  
55359

Primary Phone: 612-281-8755

Email: pgood161@yahoo.com

Property Address:

PID:

Planning Application Type: Variance

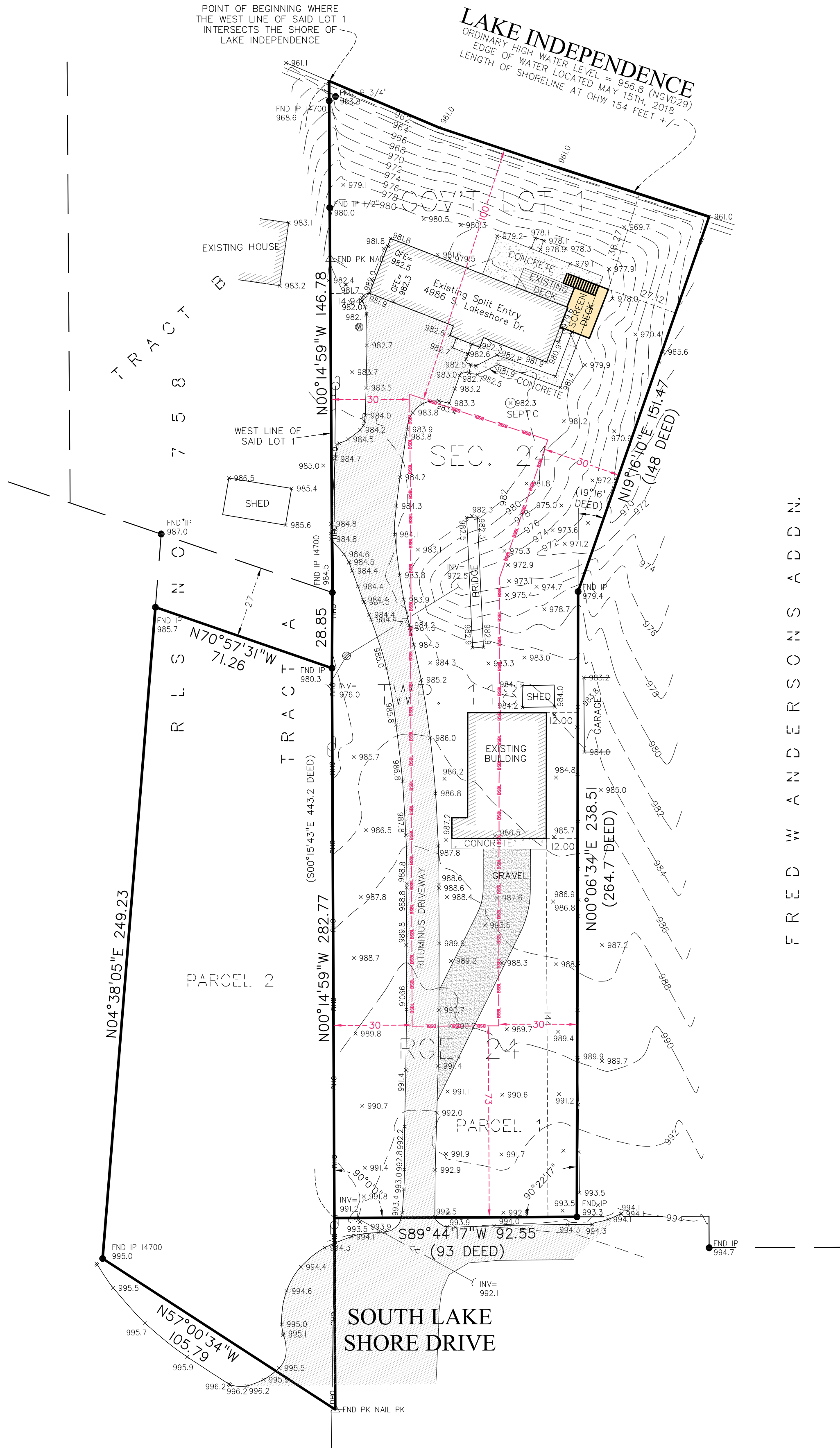
Description:

Supporting Documents: Site Survey (Existing Conditions), Site Survey (Proposed Conditions), Building Plans

Signature:

Patti Good





**DESCRIPTION OF PROPERTY SURVEYED**

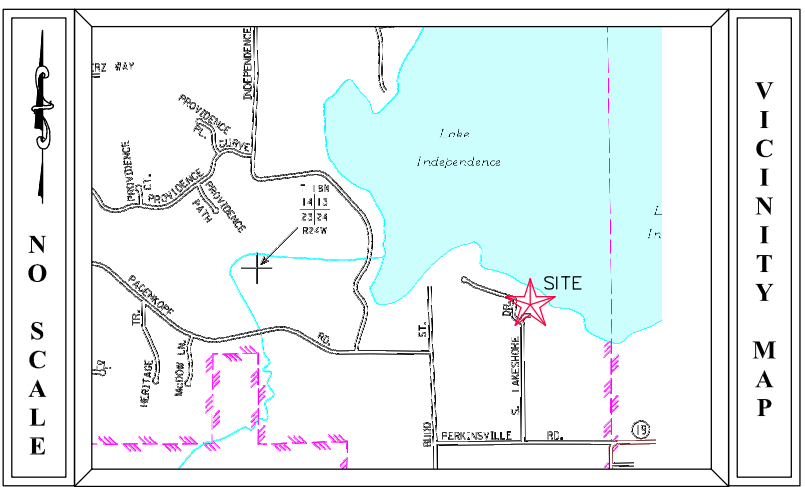
PARCEL 1: Abstract Property

That part of Government Lot numbered 1 in Section numbered 24, Township numbered 118 North, Range numbered 24, West of the 5th Principal Meridian, according to the Government Survey thereof, described as follows, to wit: Beginning at a point where the West line of said Lot 1 intersects the shore of Lake Independence, thence South a distance of 443.2 feet, thence at right angles East a distance of 93 feet, thence at right angles North a distance of 264.7 feet, thence deflecting to the East at an angle of 19 degrees and 16 minutes and running a distance of 148 feet to the shore of Lake Independence, thence Northwestery along the shore of Lake Independence to the place of beginning, Hennepin County, Minnesota.

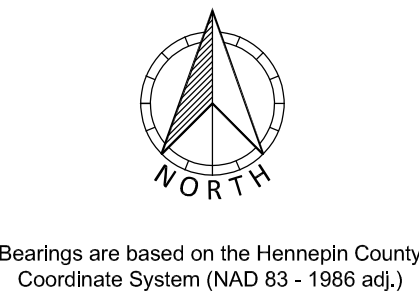
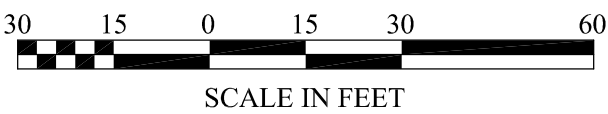
PARCEL 2: Torrens Property

Tract A, Registered Land Survey No. 758, Hennepin County, Minnesota according to the files Registrar of Titles; except the North 27.33 feet thereof.

- STANDARD NOTES**
- Site Address:** 4986 South Lake Shore Drive, Maple Plain, MN
  - A title opinion was not furnished to the surveyor as part of this survey. Only easements per the recorded plat are shown unless otherwise denoted hereon.
  - Benchmark:** Elevations are based on Hennepin County Brass Disk in left upstream abutment of Independence Road bridge over outlet at SW corner of lake. Elevation is 959.46 feet, based on NGVD 29 Datum.  
  
**Principal Structure Setbacks** - Street(s): 85 feet from centerline  
Side: 30 feet  
Rear: 40 feet  
Height: 35 feet  
Lake: 100 feet or 30 feet when on top of a bluff From Ordinary High Water Line)  
Hardcover: 25%
- Please note that the general restrictions for the subject property may have been amended through a city process. We could be unaware of such amendments if they are not in a recorded document provided to us. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site.
- We have not received the current zoning classification and building setback requirements from the insurer.
- Utilities:** We have shown the location of utilities on the surveyed property by observed evidence only. There may be underground utilities encumbering the subject property we are unaware. Please note that we have not placed a Gopher State One Call for this survey. There may or may not be underground utilities in the mapped area, therefore extreme caution must be exercised before any excavation takes place on or near this site. Before digging, you are required by law to notify Gopher State One Call at least 48 hours in advance at 651/454-0002.



Existing Hardcover	Proposed Hardcover
Lot Area = 63,952 S.F.	Lot Area = 63,952 S.F.
House Area = 1,678 S.F.	House Area = 1,678 S.F.
Structure Area = 1,488 S.F.	Structure Area = 1,488 S.F.
Bituminous Area = 5,804 S.F.	Bituminous Area = 5,804 S.F.
Deck Area = 355 S.F.	Deck Area = 424 S.F.
Gravel Area = 1,457 S.F.	Gravel Area = 1,457 S.F.
Concrete Area = 753 S.F.	Concrete Area = 753 S.F.
Total Area = 11,535 S.F.	Total Area = 11,604 S.F.
Coverage = 18.04 %	Coverage = 18.14 %



Bearings are based on the Hennepin County Coordinate System (NAD 83 - 1986 adj.)

SURVEY LEGEND		
<ul style="list-style-type: none"><li>CAST IRON MONUMENT</li><li>CATCH BASIN</li><li>FLARED END SECTION</li><li>GATE VALVE</li><li>GUY WIRE</li><li>HYDRANT</li><li>SURVEY MONUMENT SET</li><li>SURVEY MONUMENT FOUND</li><li>SURVEY CONTROL POINT</li><li>LIGHT POLE</li><li>POWER POLE</li><li>SANITARY MANHOLE</li><li>SANITARY CLEANOUT</li><li>SIGN</li><li>GROUND ELEVATION</li><li>STORM DRAIN</li><li>STORM MANHOLE</li><li>YARD LIGHT</li><li>A/C UNIT</li><li>WELL</li></ul>	<ul style="list-style-type: none"><li>WOE WALKOUT ELEVATION</li><li>FFE FIRST FLOOR ELEVATION</li><li>GFE GARAGE FLOOR ELEVATION</li><li>TOF TOP OF FOUNDATION ELEV.</li><li>LOE LOWEST OPENING ELEV.</li><li>CABLE TV PEDESTAL</li><li>ELECTRIC TRANSFORMER</li><li>ELECTRIC MANHOLE</li><li>ELECTRIC METER</li><li>GAS METER</li><li>GAS VALVE</li><li>HAND HOLE</li><li>SOIL BORING</li><li>TREE CONIFEROUS</li><li>TREE DECIDUOUS</li><li>TELEPHONE MANHOLE</li><li>TELEPHONE PEDESTAL</li><li>TRAFFIC SIGNAL</li><li>UTILITY MANHOLE</li><li>UTILITY PEDESTAL</li></ul>	<ul style="list-style-type: none"><li>BITUMINOUS</li><li>BUILDING SETBACK LINE</li><li>CABLE TV</li><li>CONCRETE CURB</li><li>CONCRETE</li><li>CONTOUR EXISTING</li><li>CONTOUR PROPOSED</li><li>GUARD RAIL</li><li>DRAIN TILE</li><li>ELECTRIC UNDERGROUND</li><li>FENCE</li><li>FIBER OPTIC UNDERGROUND</li><li>GAS UNDERGROUND</li><li>OVERHEAD UTILITY</li><li>RAILROAD TRACKS</li><li>SANITARY SEWER</li><li>STORM SEWER</li><li>TELEPHONE UNDERGROUND</li><li>UTILITY UNDERGROUND</li><li>WATERMAIN</li></ul>

FIELD CREW	NO.	BY	DATE	REVISION
XXX				
DRAWN				
EMW				
CHECKED				
DLS				
DATE				
06/09/2022				

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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.

Dated this 9th day of June, 2022.

*Daniel L. Schmidt*  
Daniel L. Schmidt, PLS  
schmidt@sathre.com

Minnesota License No. 26147

**SATHRE-BERGQUIST, INC.**  
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WWW.SATHRE.COM

TWP:118-RGE-24-SEC.24  
Hennepin County

**Maple Plain,  
MINNESOTA**

**CERTIFICATE OF SURVEY**

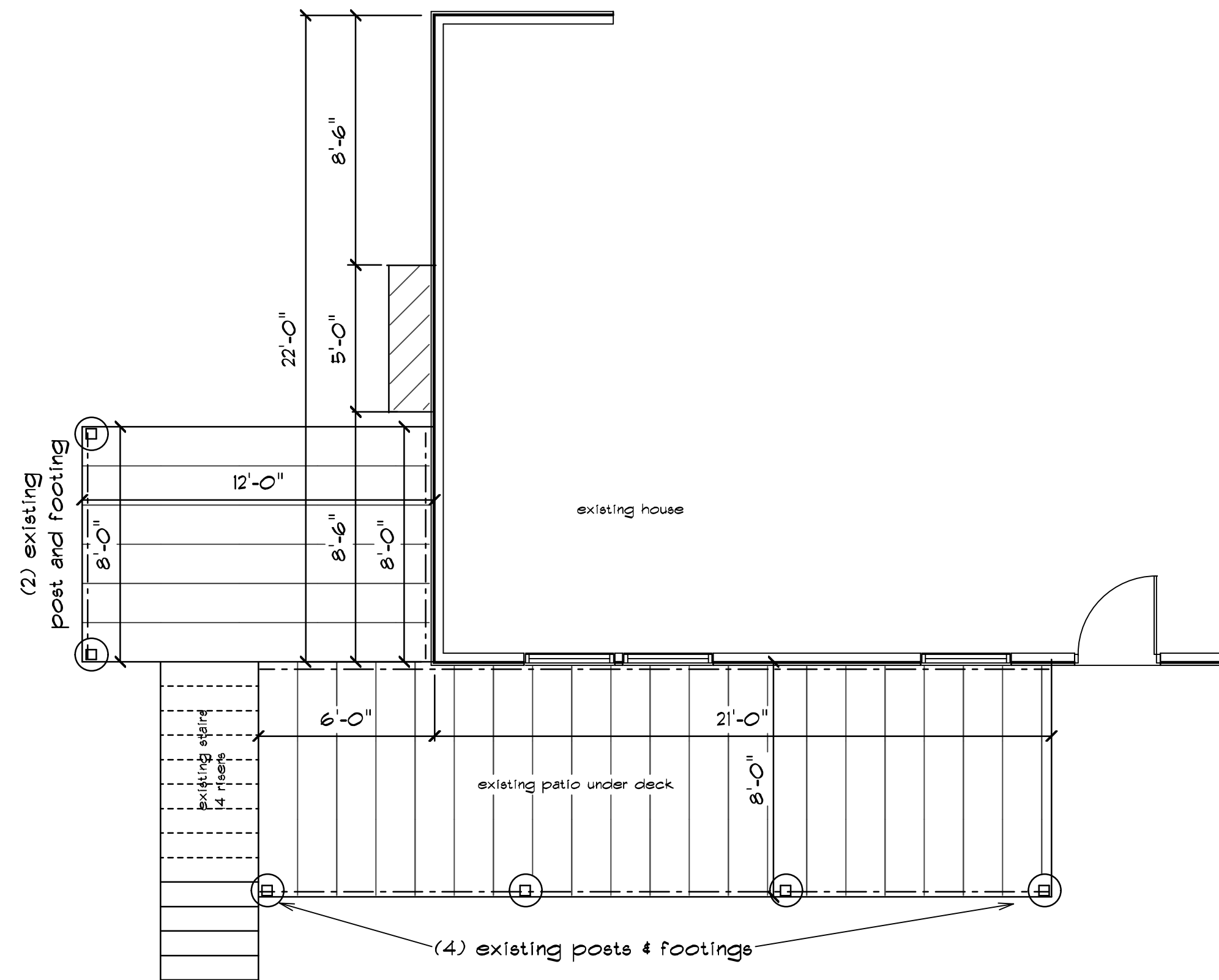
PREPARED FOR:  
**Perry & Patty Good**

FILE NO.  
31290-001

**1**

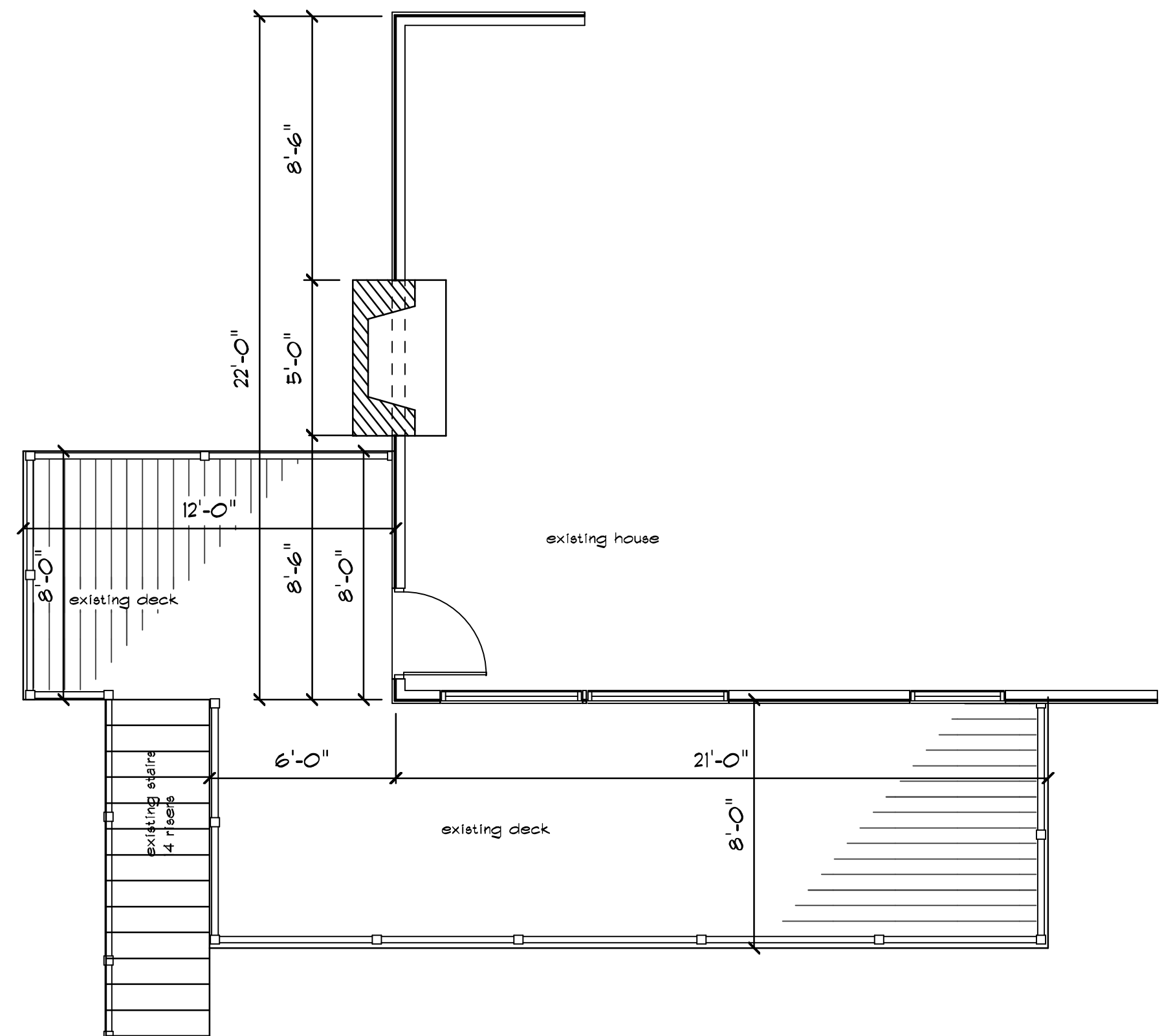
**1**





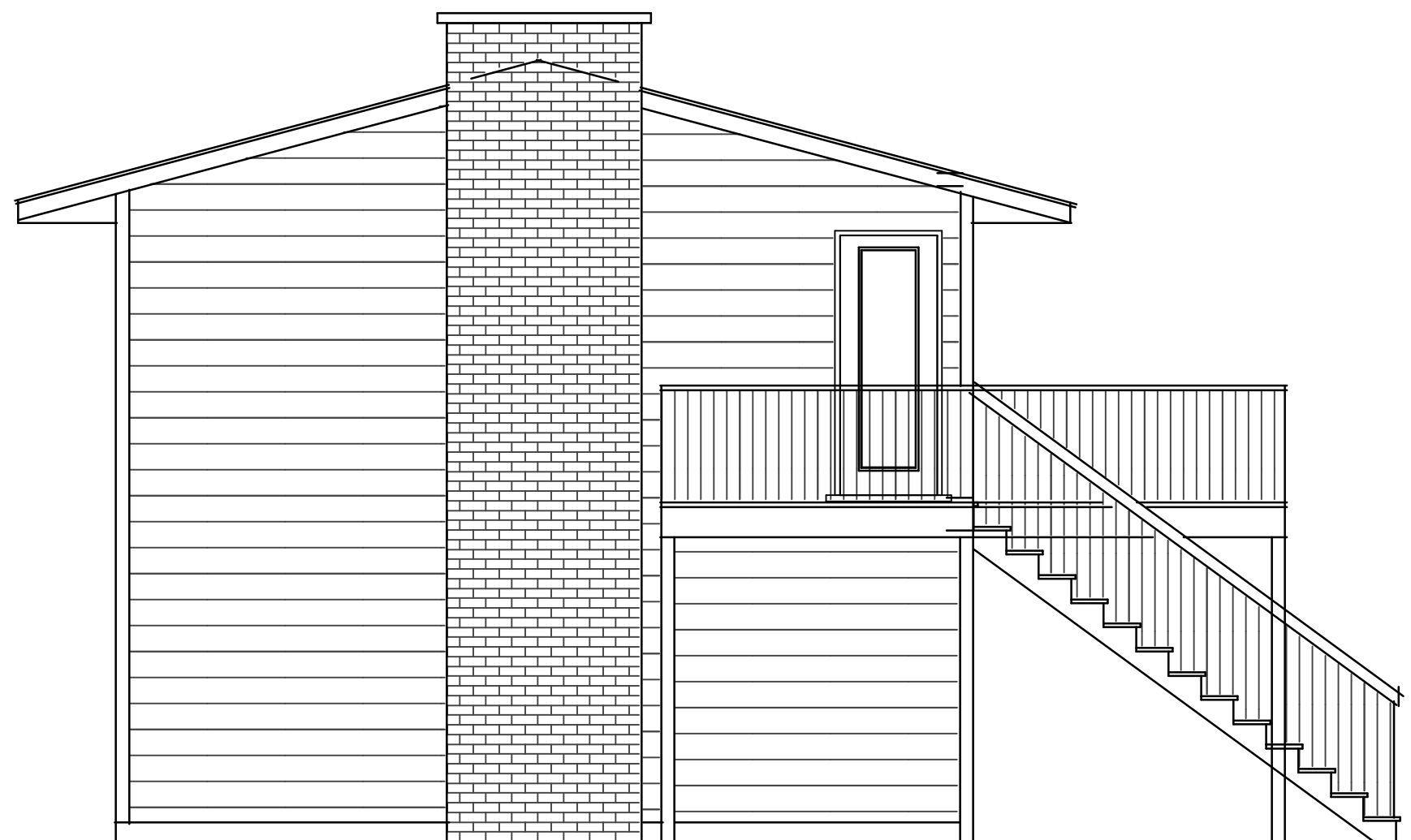
Existing framing & footing plan

Scale 1/4" = 1'-0"



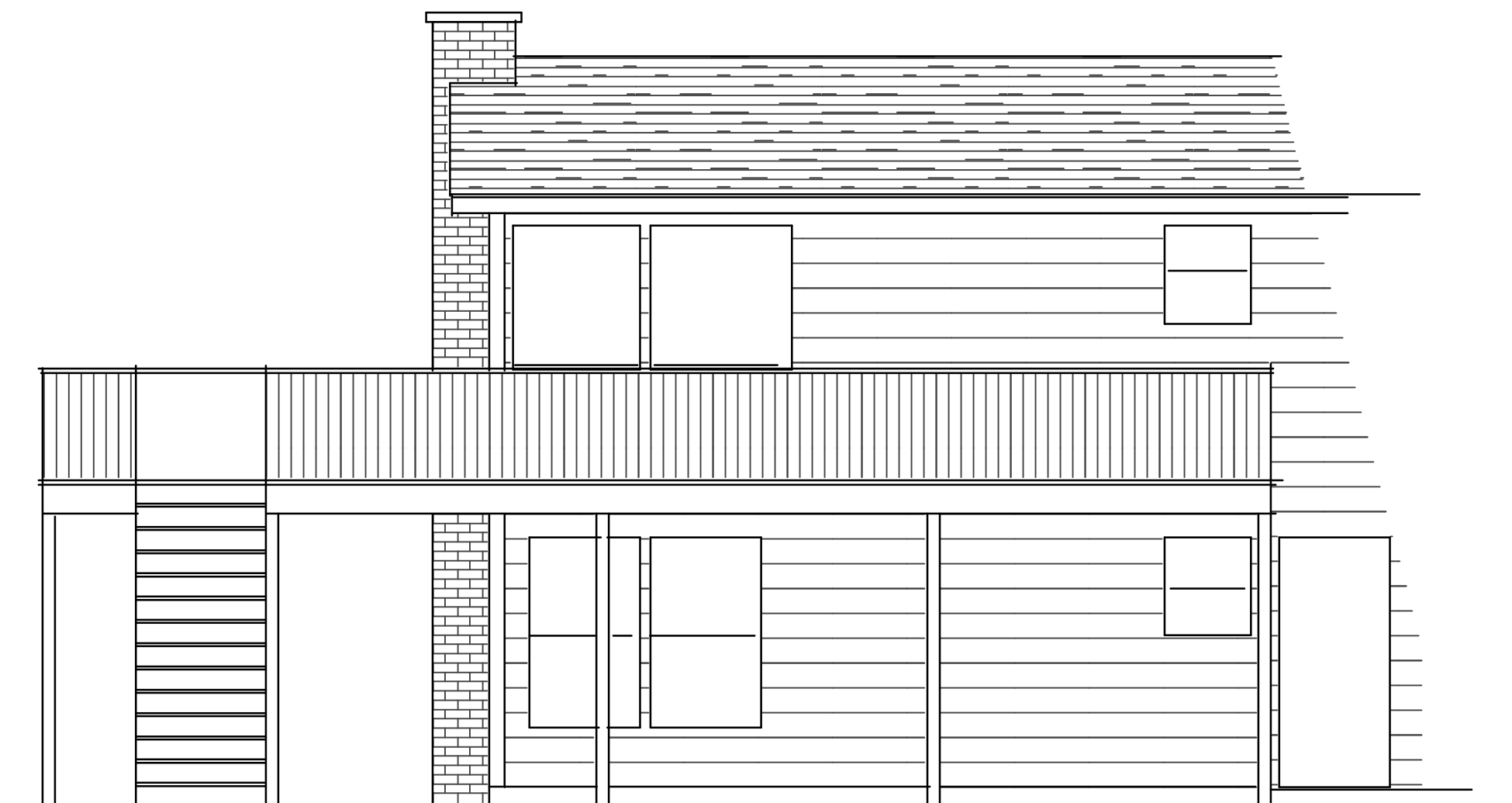
Existing deck plan

Scale 1/4" = 1'-0"



Existing Elevation East

Scale 1/4" = 1'-0"



Existing Elevation North - Lakeside

Scale 1/4" = 1'-0"

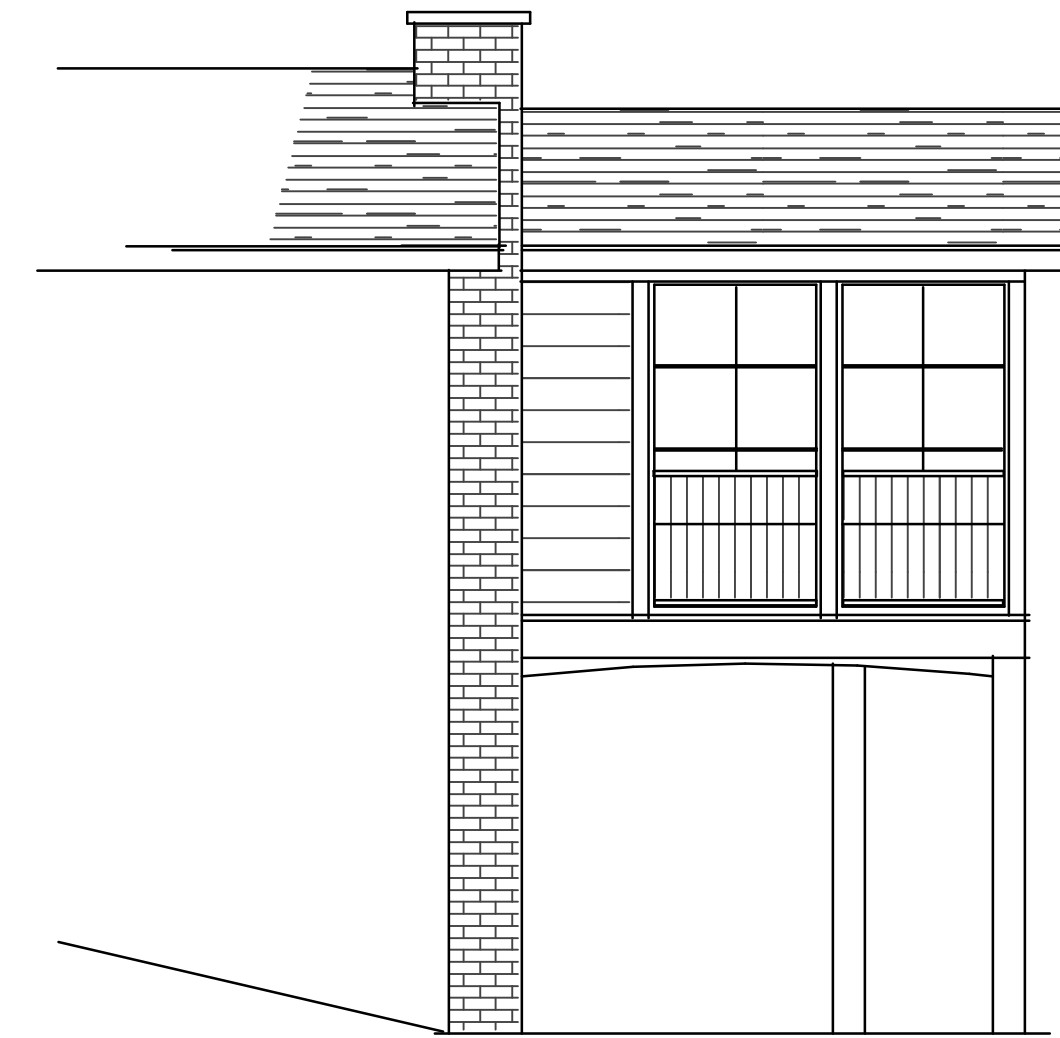
Contractor:  
Frank Mastro  
Perry & Patty Good  
4986 S Lakeshore Dr  
Maple Plain, MN

April 13 2022

Existing Drawings  
Sheet  
3 of 3



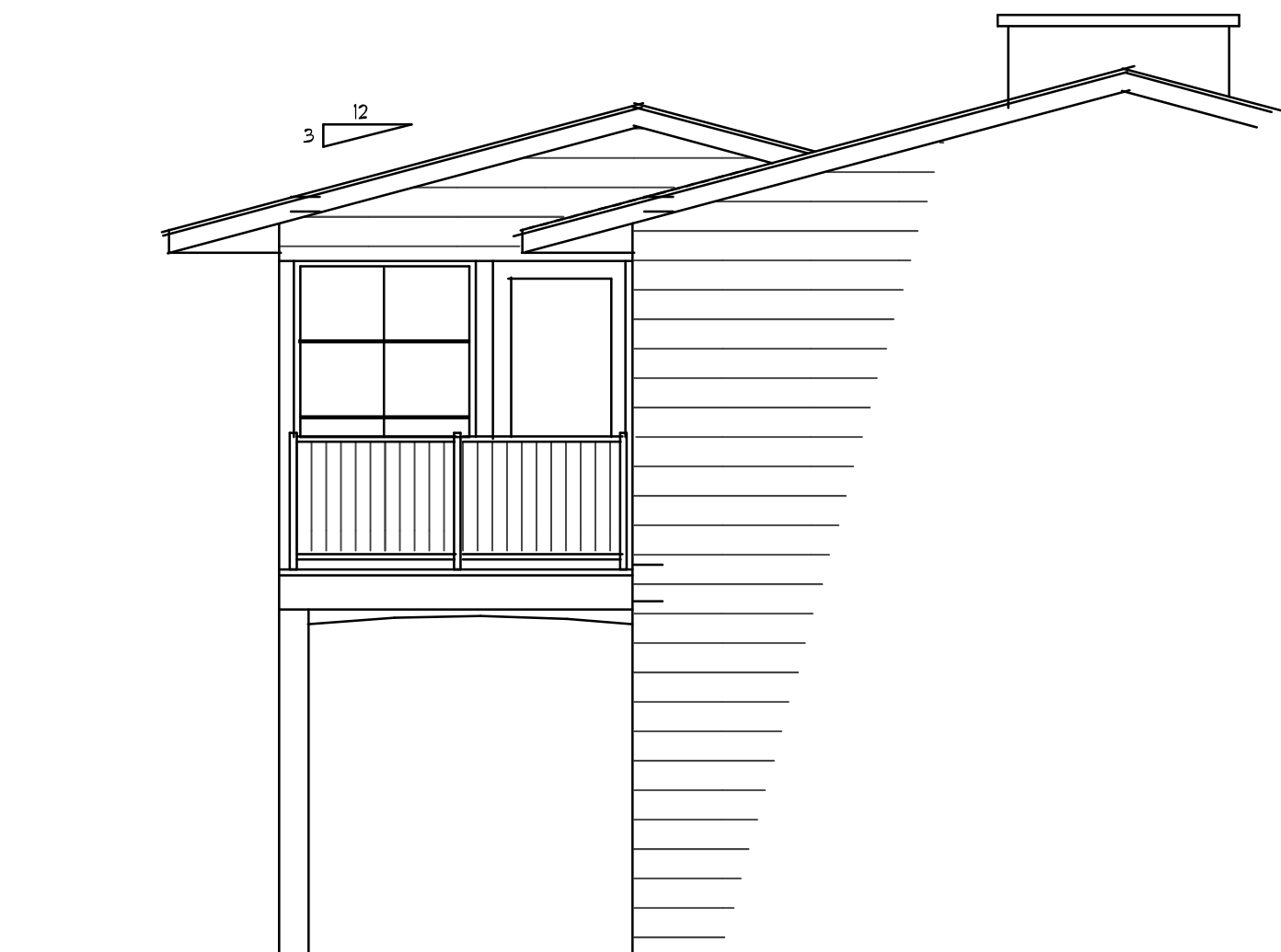
Proposed Elevation North - Lakeside  
Scale 1/4" = 1'-0"



Proposed Elevation



Proposed Elevation East  
Scale 1/4" = 1'-0"



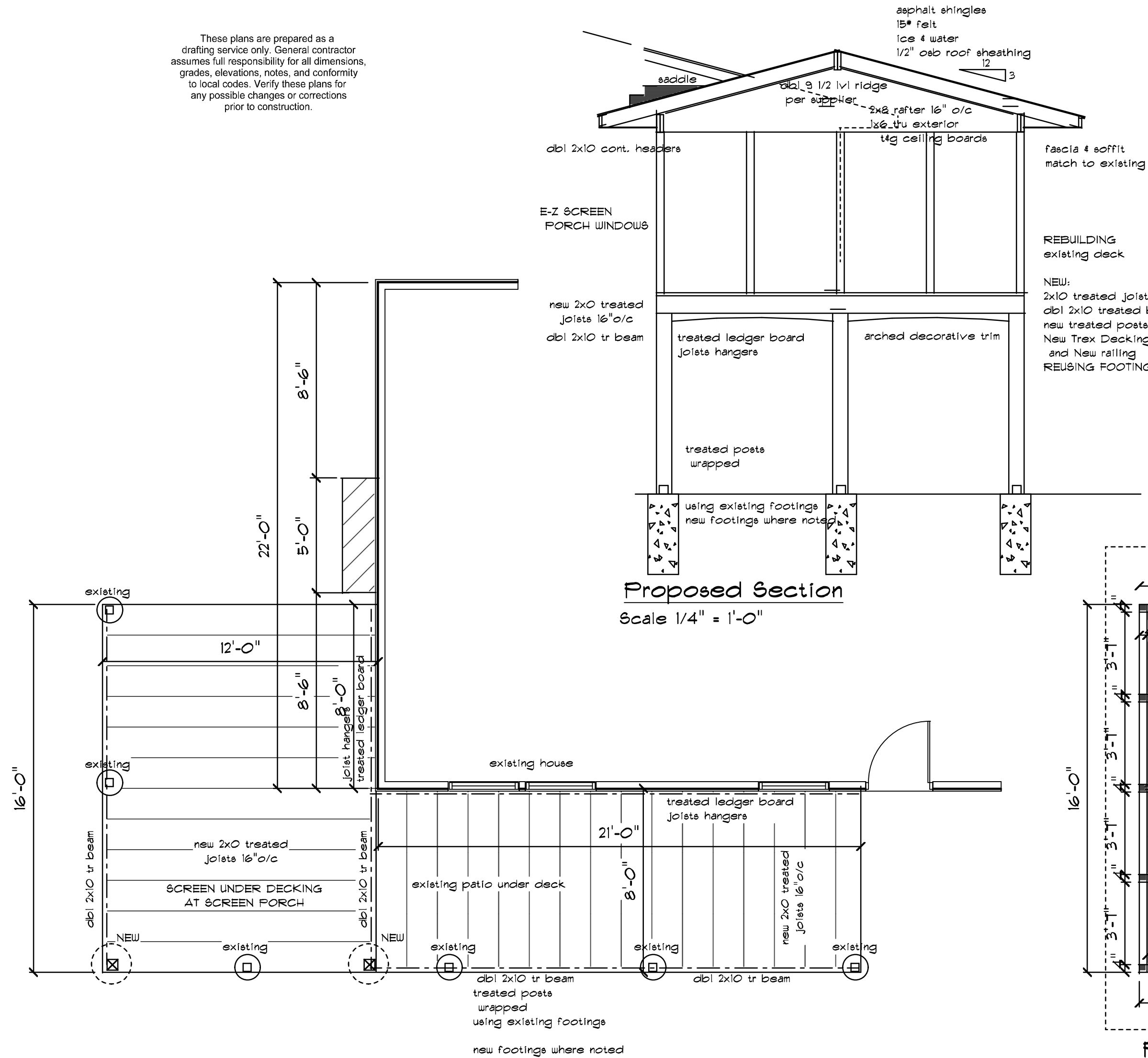
Proposed Elevation West  
Scale 1/4" = 1'-0"

Contractor: Perry & Patty Good  
Frank Mastro 4986 S Lakeshore Dr  
Maple Plain, MN

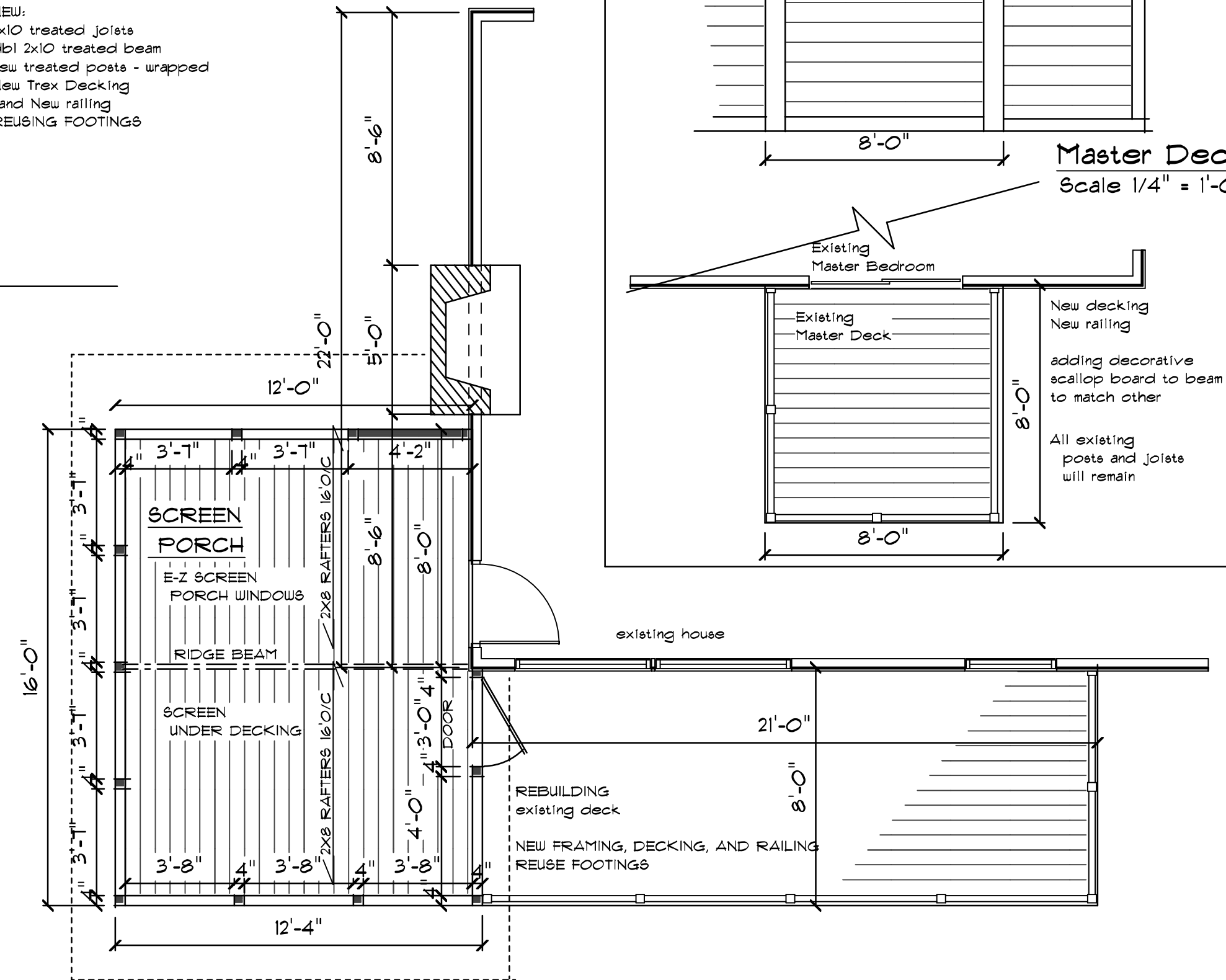
May 6 2022  
May 11 2022  
add master deck  
resurface only  
June 20 2022  
no strairs

Sheet  
1 of 3

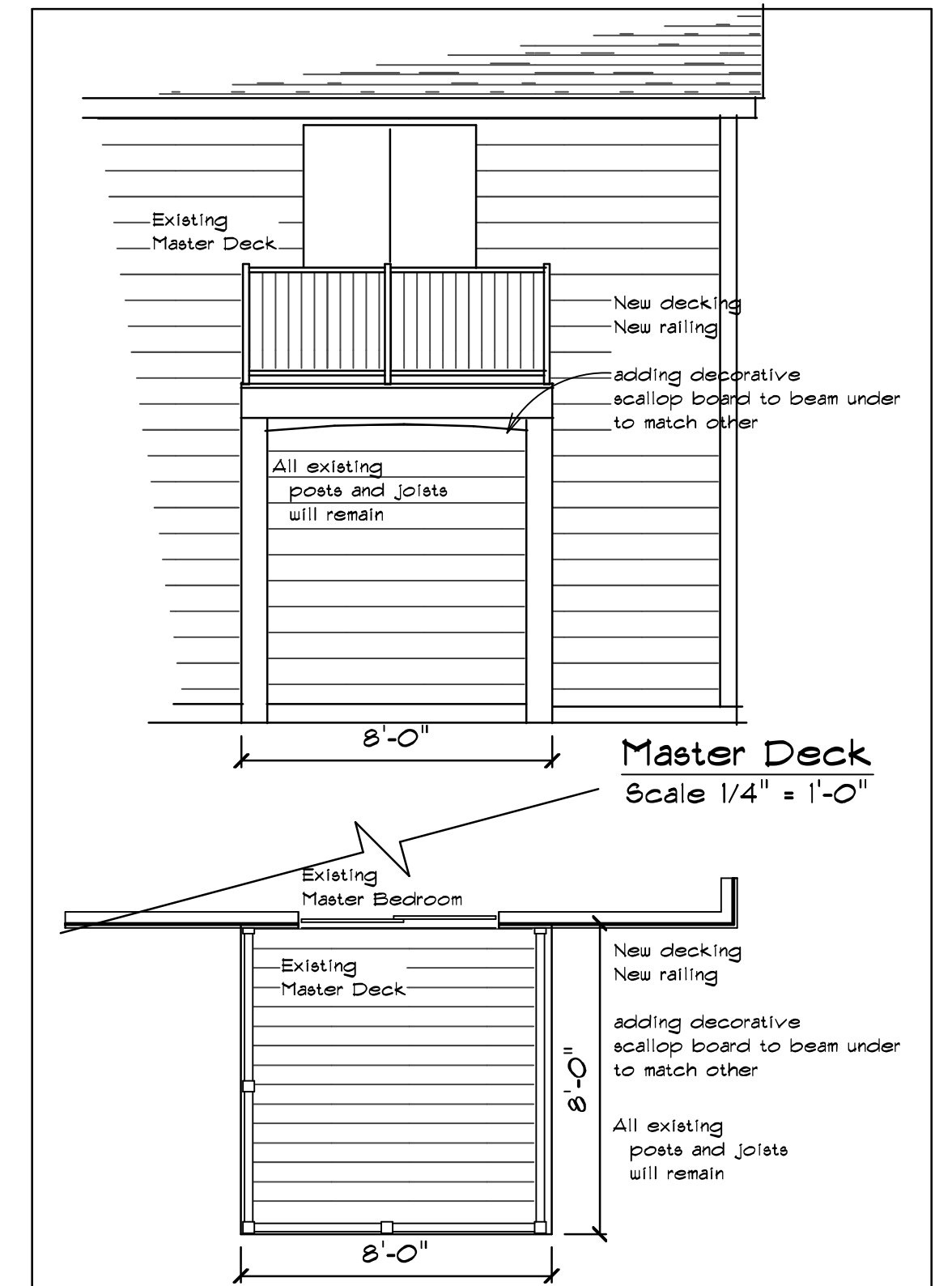
These plans are prepared as a drafting service only. General contractor assumes full responsibility for all dimensions, grades, elevations, notes, and conformity to local codes. Verify these plans for any possible changes or corrections prior to construction.

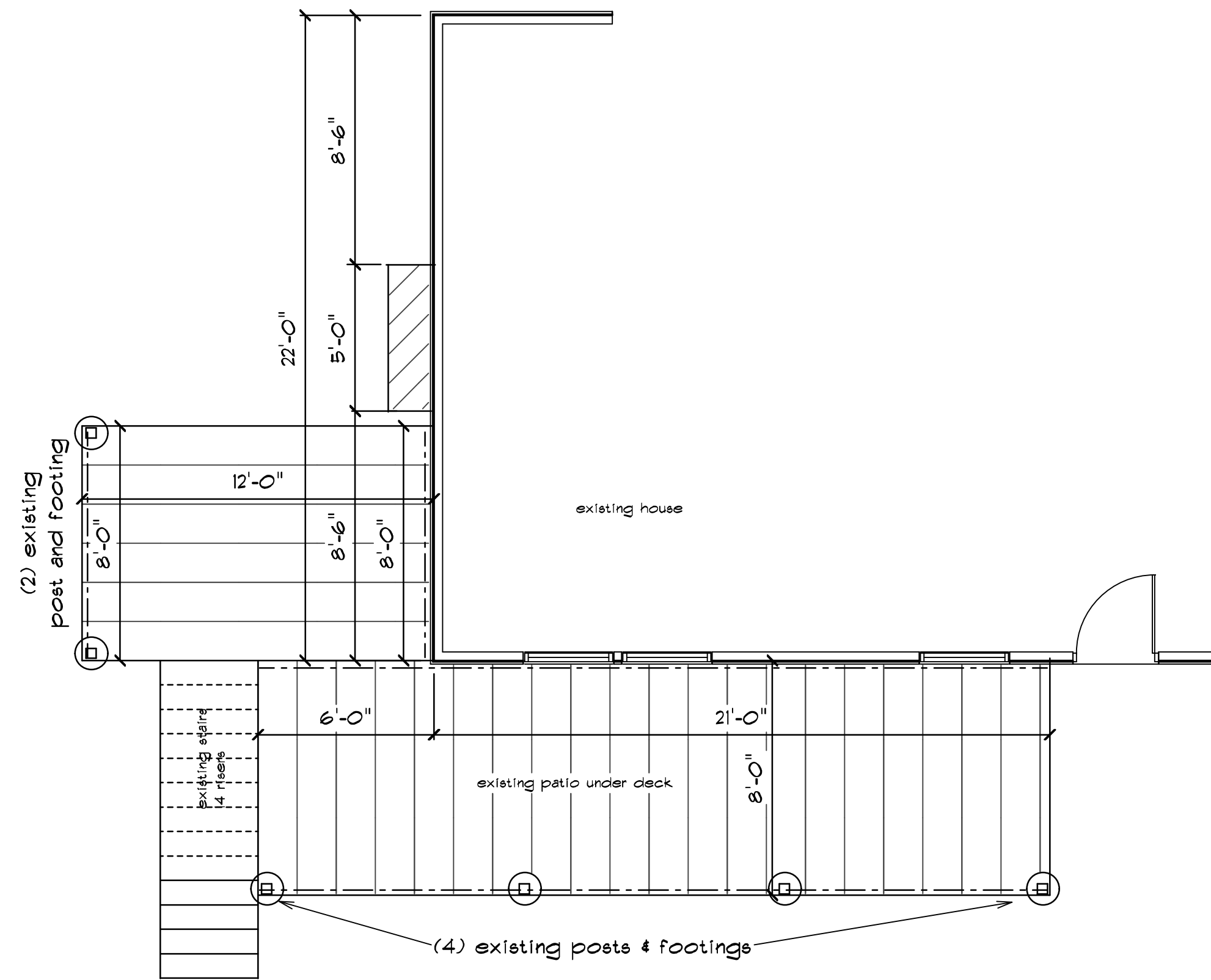


Proposed framing & footing plan  
Scale 1/4" = 1'-0"



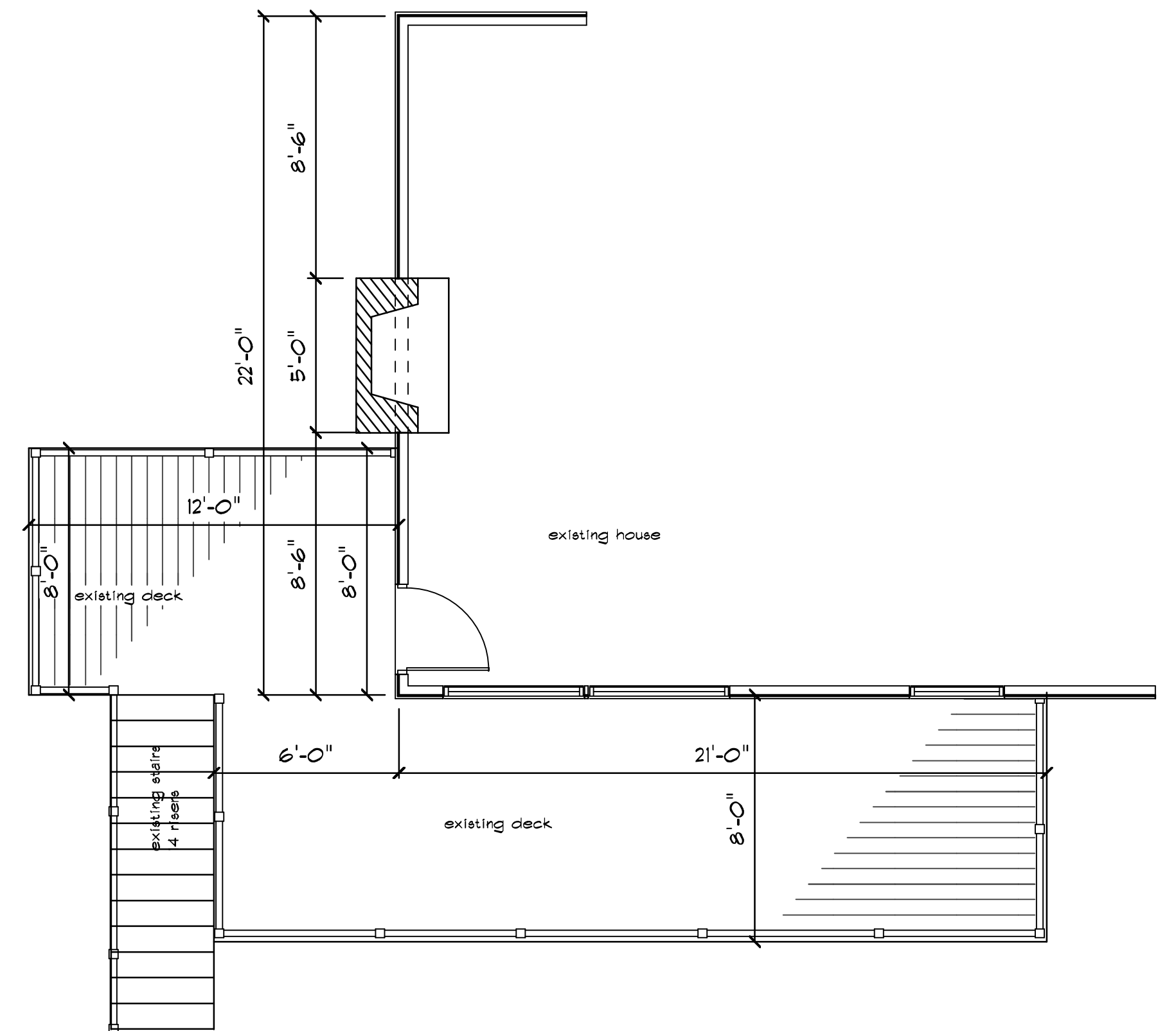
Proposed screen porch & deck plan  
Scale 1/4" = 1'-0"





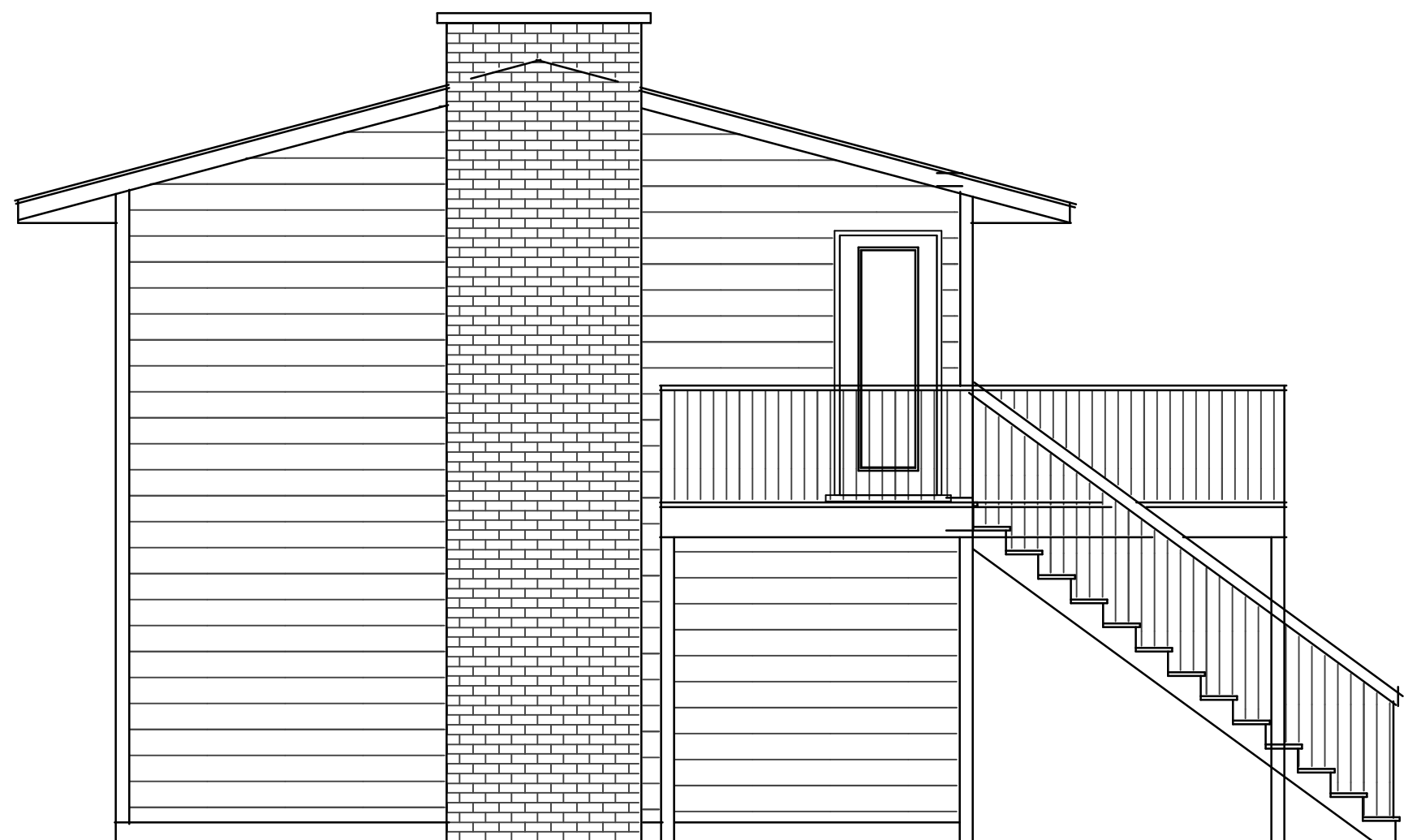
Existing framing & footing plan

Scale 1/4" = 1'-0"



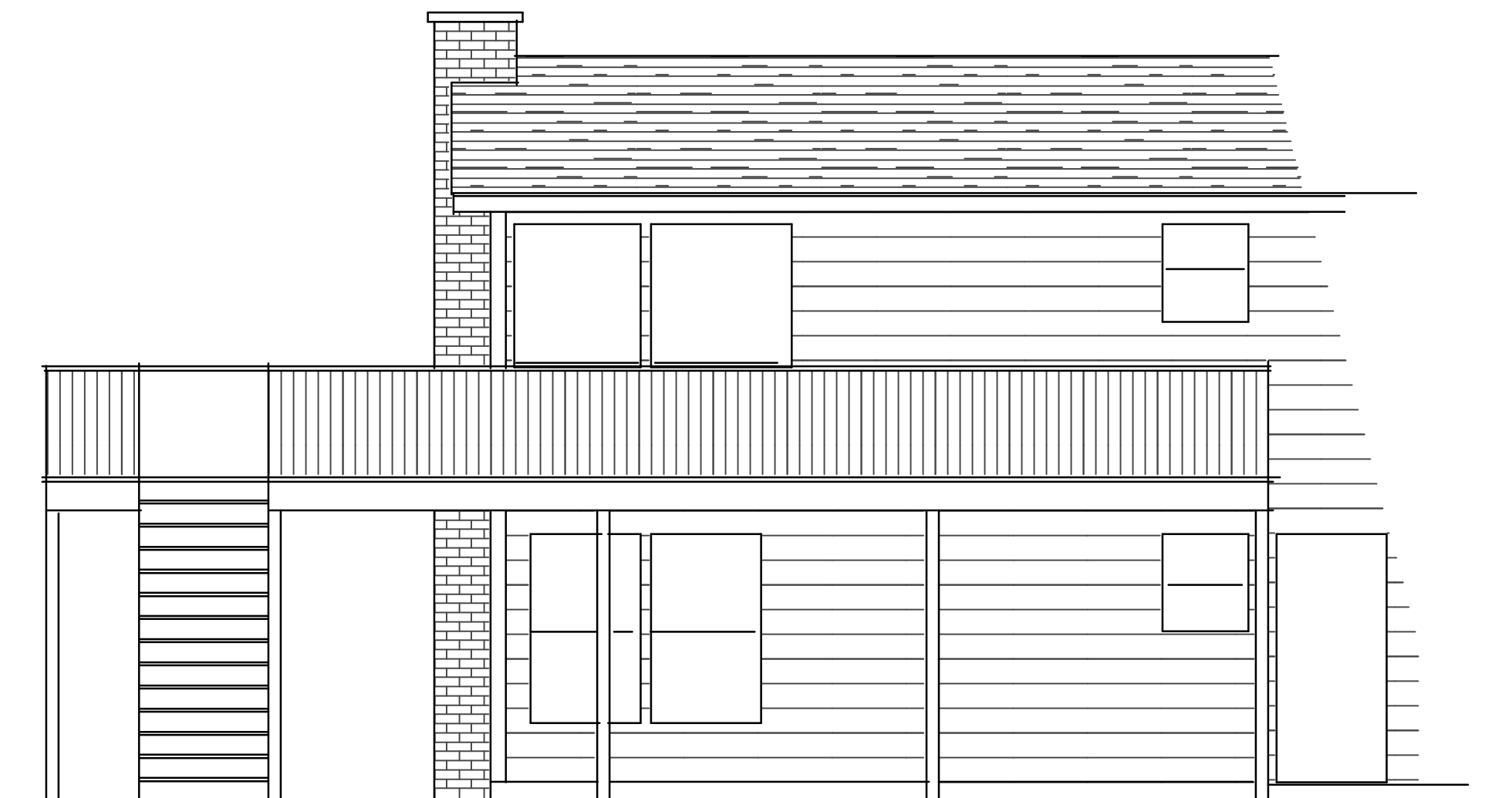
Existing deck plan

Scale 1/4" = 1'-0"



Existing Elevation East

Scale 1/4" = 1'-0"



Existing Elevation North - Lakeside

Scale 1/4" = 1'-0"

Contractor:  
Frank Mastro  
Perry & Patty Good  
4986 S Lakeshore Dr  
Maple Plain, MN

April 13 2022

Existing Drawings  
Sheet  
3 of 3

McDonald  
4976 S. Lakeshore Dr.  
Independence MN 55359

June 15, 2022

Re 4986 S. Lakeshore Drive

To the City of Independence and/or whom it may concern:

Our address is 4976 S. Lakeshore Drive. We have discussed with the Goods of 4986 S. Lakeshore Drive their plan to replace their deck with a screened porch on the footprint of the deck, near our lot line. A porch will not obstruct our views, nor do we have any other objection to their project.

  
Douglas M. and GERALYN J. McDonald

6/15/22

## City of Independence

### ***Request for a Conditional Use Permit to Allow an Accessory Dwelling Unit on the Property Located at 4082 Woodhill Drive***

---

<i>To:</i>	Planning Commission
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	July 19, 2022
<i>Applicant:</i>	Jeffrey Pitzenberger
<i>Owner:</i>	Jeffrey Pitzenberger
<i>Location:</i>	4082 Woodhill Drive

#### ***Request:***

Jeffrey Pitzenberger (Applicant/Owner) requests that the City consider the following actions for the property located at 4082 Woodhill Drive, Independence, MN (PID No. 01-118-24-34-0012):

- a. A variance to allow a detached accessory dwelling unit on a property that is less than 2.5 acres.
- b. A conditional use permit to allow an accessory dwelling unit.

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

The property is located at 4082 Woodhill Drive which is on the northeast corner of CSAH 11 and Woodhill Drive. The property has frontage on Lake Sarah and comprised of mostly upland with a wetland on the east side of the property. There are no existing structures located on the property.

**Property Information: 4082 Woodhill Drive**  
Zoning: *RR-Rural Residential (Shoreland Overlay)*  
Comprehensive Plan: *RR-Rural Residential*  
Acreage: *2.00 acres*





***Discussion:***

The applicant approached the City about the possibility of constructing a detached accessory dwelling unit on this property prior to acquiring the property. The property was recently platted as a part of the Lake Sarah Hill Subdivision. It was noted that the City's current ordinance does



not allow detached accessory dwelling units (ADU's) on properties less than 2.5 acres. For properties less than 2.5 acres, ADU's are required to be attached to the principal structure.

The City considers allowing ADU's as a conditional use in the RR-Rrural Residential zoning district. The intent of the ordinance was to allow for "mother-in-law" type units to be located within the principal structure or within a detached accessory building. The applicant recently acquired this property and the property to the north and discussed regulations relating to ADU's for this property. The applicant is planning on constructing a principal residence on this property in 2022-2023 and would like the City to consider allowing a separate detached ADU to be constructed following/at the same time as construction of the principal structure.

The applicant has prepared plans for the development of the property which include both the principal and accessory dwelling units. The City has adopted standards requiring the ADU to be proportional and subordinate to the principal structure. The proposed principal house and accessory dwelling unit have the following specifics:

**Main House:**

3316 SF 1<sup>st</sup> and 2<sup>nd</sup> Floors (33% \* 3316 = 1094 SF)

**Accessory Dwelling Unit:**

Allowed SF

1094 SF allowed

Proposed SF

1198 SF\* (Excludes attached garage)

\*Applicant has noted that they can reduce the SF to meet the 1094 SF

<u>Setbacks</u>	<u>Required</u>	<u>Proposed</u>
Front Yard	85' from CL	100'
Side Yard	15'	20'
Rear Yard	100' from OHWL	200'+

The proposed accessory dwelling unit is comprised 2 bedrooms, 2 baths, kitchen, great room, dining room, mud room, mechanical and attached garage. In order for the City to consider a CUP for an accessory dwelling unit, the applicant will need to demonstrate how they meet all applicable criteria for granting a conditional use permit and for an accessory dwelling unit. The City has criteria broadly relating to Conditional Use Permits and then more focused criteria relating specifically to accessory dwelling units.

An accessory dwelling unit must meet the following criteria:

*Subd. 2. "Accessory Dwelling Unit." A secondary dwelling unit that is:*

- (a) *Physically attached to or within a single-family dwelling unit or within a detached<sup>a</sup> accessory building that has a principal structure on the parcel; and*

**The applicant is proposing to construct a detached accessory dwelling unit. As a result of the property being less than 2.5 acres, the applicant is seeking a variance to allow a detached structure.**

- (b) *Subordinate in size to the single-family dwelling unit; and*

**The proposed accessory dwelling unit would be subordinate in size to the single-family dwelling unit.**

- (c) *Fully separated from the single-family dwelling unit by means of a wall or floor, with or without a door; and*

**The proposed accessory dwelling unit would be in a detached structure which is separated from the single-family home.**

- (d) *Architecturally compatible with the principal structure (using materials, finishes, style and colors similar to the principal structure); and*

**The proposed ADU has been designed to be architecturally similar to the proposed principal structure. Architecture and materials appear to be consistent with the existing home.**

- (e) *The lesser of 33% of the above ground living area of the principal structure or 1,200 square feet, and no less than 400 square feet; and*

**The principal structure is proposed to be 3,316 square feet of above ground living space not including the walkout basement. 33% of 3,316 square feet equals 1,094 square feet. The applicant has initially proposed a 1,198 SF detached accessory structure. The applicant has noted that they intend to reduce the overall size proposed to meet the allowable SF. It should be noted that the mechanical room can be excluded from the total calculation.**

- (f) *Not in excess of the maximum square footage for accessory structures as permitted in this code; and*

**The existing property is 2.5 acres in size and is limited to 1,850 square feet for the total square footage for all detached accessory structures. The proposed structure would fit within the allowable SF.**

- (g) *Has permanent provisions for cooking, living and sanitation; and*

**The applicant is proposing to construct permanent provisions for cooking; living and sanitation (see attached depiction).**

- (h) *Has no more than 2 bedrooms; and*

**The applicant is proposing to have two (2) bedrooms within the proposed accessory dwelling unit.**

- (i) *Limited to relatives of the homesteaded owner occupants or the homesteaded owners of the principal structure. The total number of individuals that reside in both the principal dwelling unit and accessory dwelling unit may not exceed the number that is allowed by the building code; and*

**The owner of the property is proposing that the accessory dwelling unit will be occupied by his family.**

- (j) *Uses the existing on-site septic system<sup>b</sup> or an approved holding tank; and*

**The proposed accessory structure will be connected to the City sewer line that will also serve the principal residence.**

- (k) *Respectful of the future subdivision of the property and the primary and secondary septic sites. The City may require a sketch of the proposed future subdivision of a property; and*

**The accessory structure does not impede the ability of the owner to subdivide the property in the future or utilize a secondary septic site.**

- (l) *In compliance with the adopted building code relating to all aspects of the dwelling unit.*

**The applicant will be required to obtain a building permit for all proposed improvements.**

<sup>a</sup> *On lots less than 2.5 acres, the accessory dwelling unit must be attached to the principal dwelling unit or located/constructed within an existing detached accessory structure that meets all criteria of this section.*

<sup>b</sup> *The existing on-site septic system will be required to be inspected by the City to ensure compliance with all applicable standards. Any system that does not meet all applicable standards shall be brought into compliance as a part of the approval of the accessory dwelling unit.*

The applicant has discussed the proposed improvements to the property with the City. The applicant has submitted a site survey, sketch of the proposed building plans, elevations of the proposed principal residence and ADU and a site plan. The accessory dwelling unit will need to meet all applicable building codes and building regulations.

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 standards for granting a variance are also clearly delineated in the City's Zoning Ordinance 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)*

There are several items that could be considered by the City:

1. The proposed ADU is located in the “front” yard of the property and will be visible from the Woodhill Drive and surrounding properties. The City will want to consider if there are any potential impacts to surrounding properties related to having a second structure located in the front yard.
2. The applicant could locate a detached accessory structure on this property and meet applicable setbacks (15 feet).
3. Given that this is an undeveloped property, the applicant could meet the ordinance by attaching the ADU to the principal structure.
4. The adjacent property to the south is larger than 2.5 acres and could accommodate a detached ADU. The properties to the north and across Woodhill to the west are not large enough to accommodate a detached ADU.

Ultimately the City will need to find that the criteria for granting a conditional use permit and the standards for granting a variance have been satisfied by the applicant. This property is 2 acres in size and is limited to an attached ADU in accordance with the City standards. Consideration for the proposed conditional use permit should weigh the impact of having a detached accessory dwelling unit located on this property. The proposed new home and ADU appear to be designed so that they are compatible and consistent.



Should the requested variance and CUP to allow an accessory dwelling unit be recommended for approval by the Planning Commission, it is suggested that the following conditions be noted by the City:

- The Conditional Use Permit will be subject to the applicant constructing the principal structure on the property and successfully obtaining and completing a building permit for all applicable improvements required for a dwelling unit.
- The ADU be reduced in size so that it is no greater than 1,094 SF.
- The ADU be constructed in accordance with the approved plans.
- The ADU will meet all applicable setbacks of the City's zoning ordinance.

***Neighbor Comments:***

The City has not received any written comments regarding the proposed conditional use permit to allow an accessory dwelling unit.

***Recommendation:***

Staff is seeking a recommendation from the Planning Commission for the requested Conditional Use Permit with the following findings and conditions:

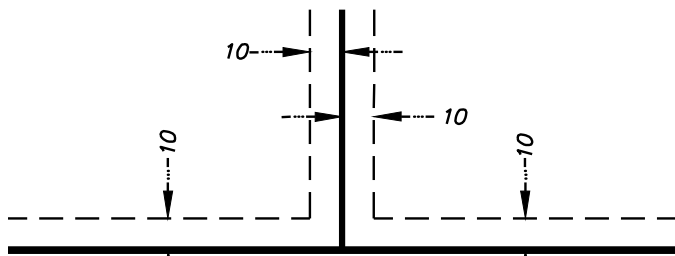
1. The proposed Conditional Use Permit request meets all applicable conditions and restrictions stated in Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. The Conditional Use Permit will be issued subject to the following items being completed:
  - a. The Conditional Use Permit will be subject to the applicant constructing the principal structure on the property and successfully obtaining and completing a building permit for all applicable improvements required for a dwelling unit.
  - b. The ADU be reduced in size so that it is no greater than 1,094 SF.
  - c. The ADU will be constructed in accordance with the approved plans.
  - d. The ADU will meet all applicable setbacks of the City's zoning ordinance.
3. Prior to the City Council placing the Conditional Use Permit into effect, the applicant shall provide the City with the following items:
4. The Applicant shall pay for all costs associated with the City's review of the requested conditional use permit.

***Attachments:***

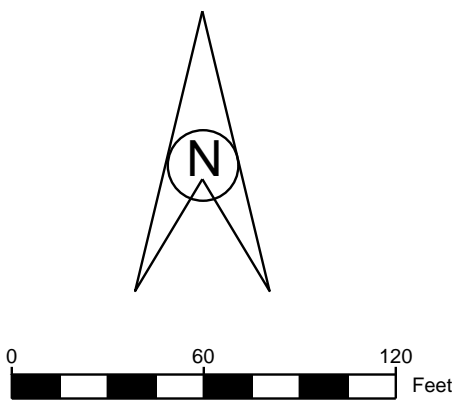
1. Application
2. Subdivision Survey
3. Proposed Accessory Dwelling Unit Floor Plan
4. Building Elevations
5. Site Plan with ADU Location

# Preliminary Plat of LAKE SARAH HILL

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



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



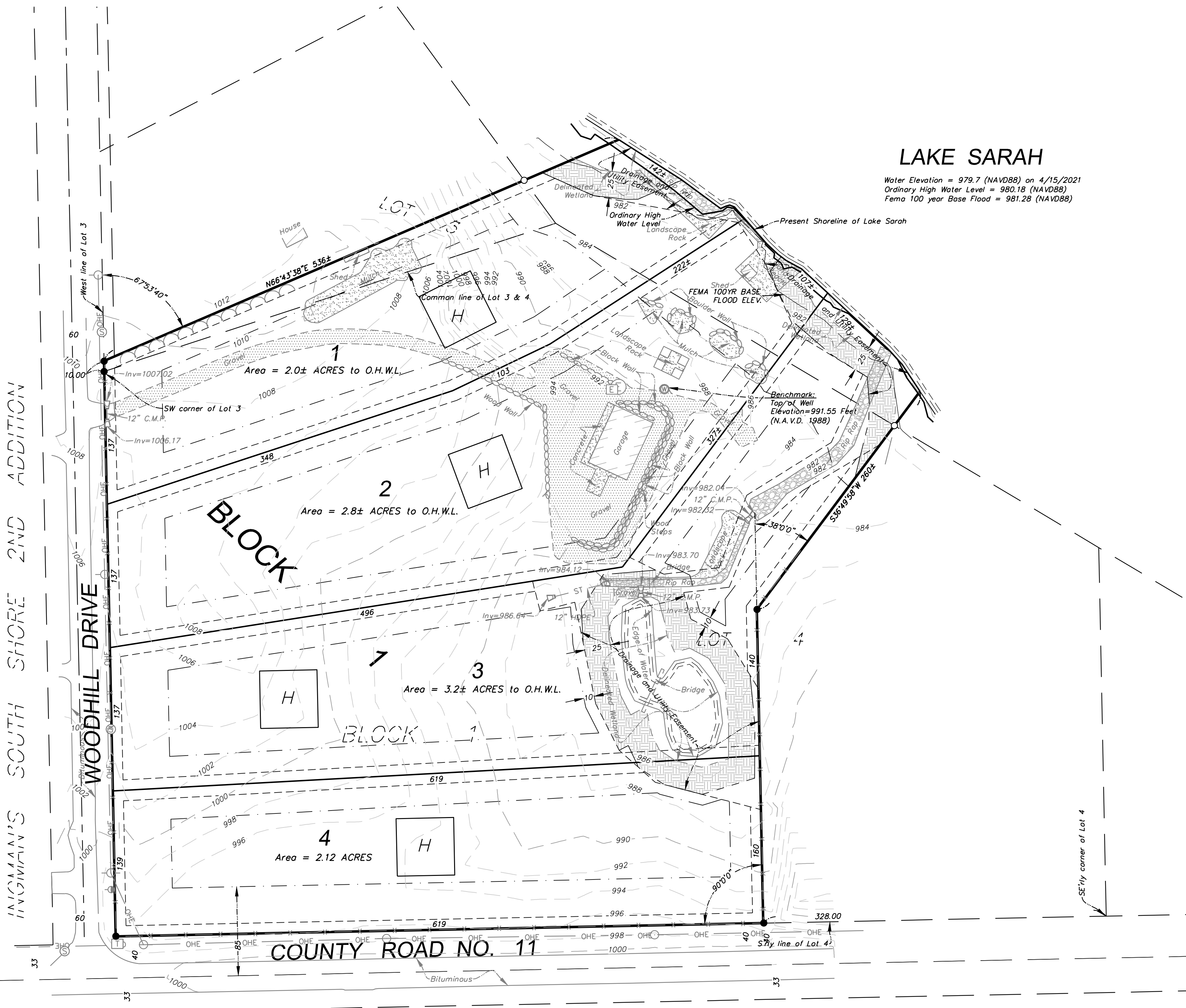
P.I.D. No. 0111824340010

Total Plat Area to O.H.W.L. = 10.1±

- LEGEND**
- 988 — denotes Existing Contour
  - 988.00 X denotes Existing Spot Elevation
  - FF=989.36 denotes Finished Floor Elevation
  - Ⓢ denotes Electrical Meter
  - Ⓣ denotes Telephone Pedestal
  - Ⓢ denotes Electrical Pedestal
  - denotes Guy Wire
  - denotes Power Pole
  - Ⓢ denotes Sanitary Manhole
  - OHE — denotes Overhead Electric Line
  - X — denotes Fence Line
  - denotes Drainage and Utility Easement per the plat LAKE SARAH FARMS (to be Vacated)
  - denotes Building Setback Line
  - Front = 85' (to Centerline)
  - Corner Side = 52' (to R/W)
  - Side = 30'
  - Lake = 100'
  - Wetland Buffer = 10'
  - H denotes Possible House Pad Location
  - denotes 25' Wetland Buffer

## LAKE SARAH

Water Elevation = 979.7 (NAVD88) on 4/15/2021  
Ordinary High Water Level = 980.18 (NAVD88)  
Fema 100 year Base Flood = 981.28 (NAVD88)



### Notes:

- The existing drainage and utility easements on the property are proposed to be vacated.
- The existing sewer service to the existing garage shall be moved to Lot 2

### PROPERTY DESCRIPTION:

That part of Lot 3, Block 1, LAKE SARAH FARMS, Hennepin County, Minnesota, according to the recorded plat thereof; lying Southerly of a line described as:

Commencing at the Southwest corner thereof; thence Northerly along the West line of said Lot 3, a distance of 10.00 feet to the point of beginning of line to be described; thence Northeasterly deflecting right 67 degrees 53 minutes 40 seconds to the shoreline of Lake Sarah and there ending.

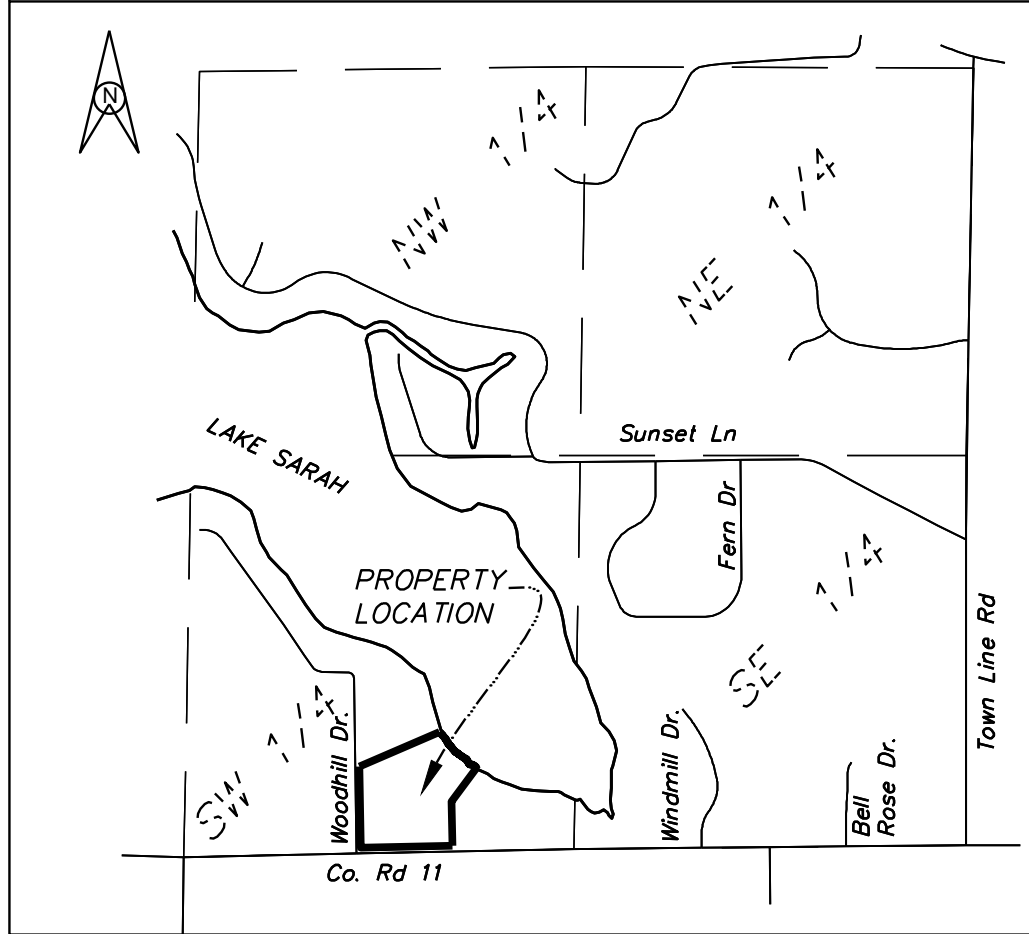
### ALSO:

That part of Lot 4, Block 1, LAKE SARAH FARMS, Hennepin County, Minnesota, according to the recorded plat thereof; lying Westerly of the following described line and its Northeasterly extension.

Commencing at the Southeasterly corner thereof; thence Westerly along the Southerly line thereof; distant 328.00 feet to the point of beginning of line to be described; thence deflect right 90 degrees, a distance of 300.00 feet; thence deflect right 38 degrees to the shoreline of Lake Sarah and there ending.

### Vicinity Map

Not to Scale  
SEC. 1, T. 118, R. 24



Preliminary Plat on part of Lot 3 and 4,  
Block 1, LAKE SARAH FARMS, 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  
License #40062 Date: 5/11/2021

Requested By:

Skies Limit, LLC

Date:  
3/10/21

Drawn By:  
J.J.A.

Scale:  
1"=60'

Checked By:  
P.E.O.



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

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

Project No. 21-0172

Done

Mother in Law House Location.pdf

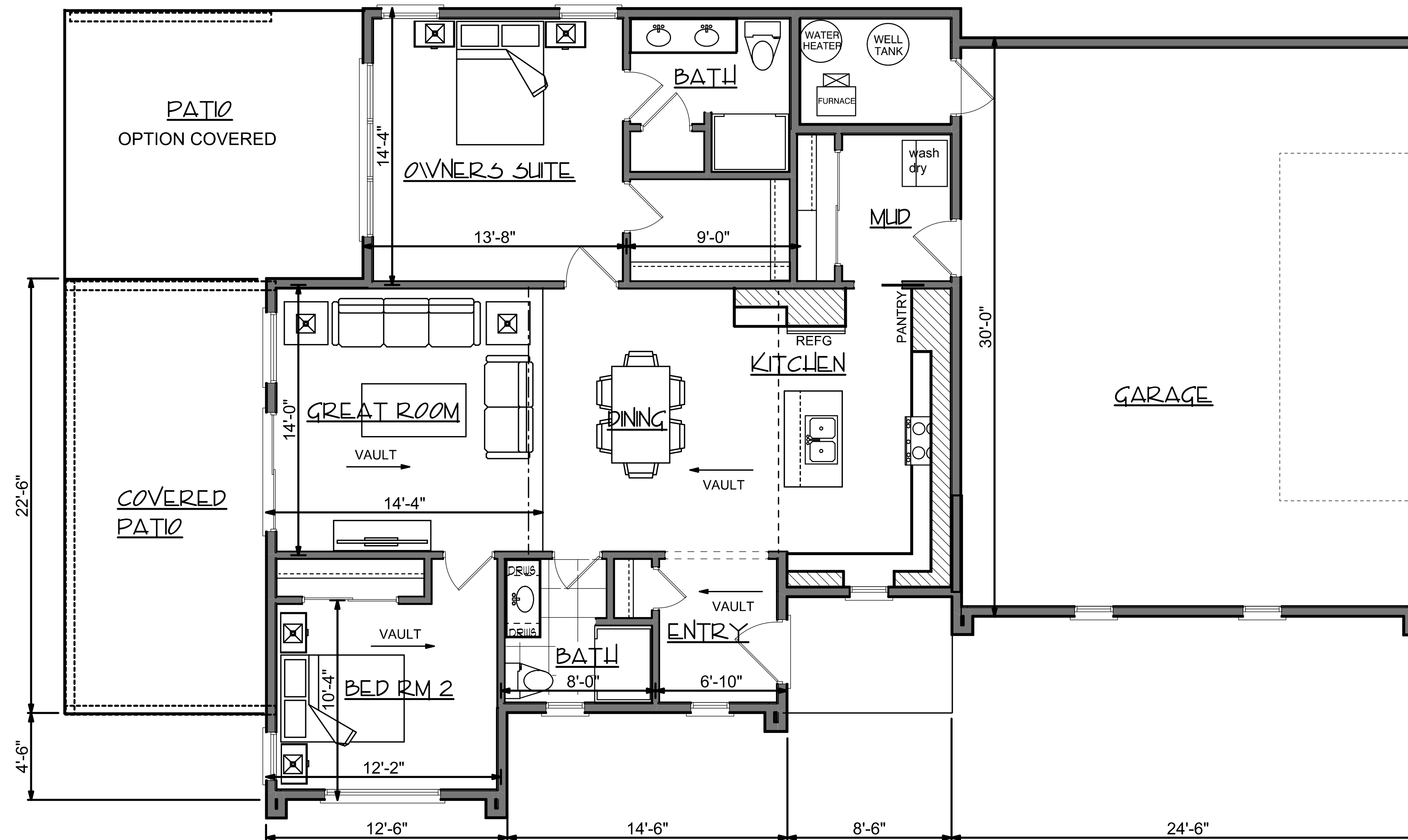


ADDENDUM:  
House  
Location  
Exhibit  
(12/5/2020)

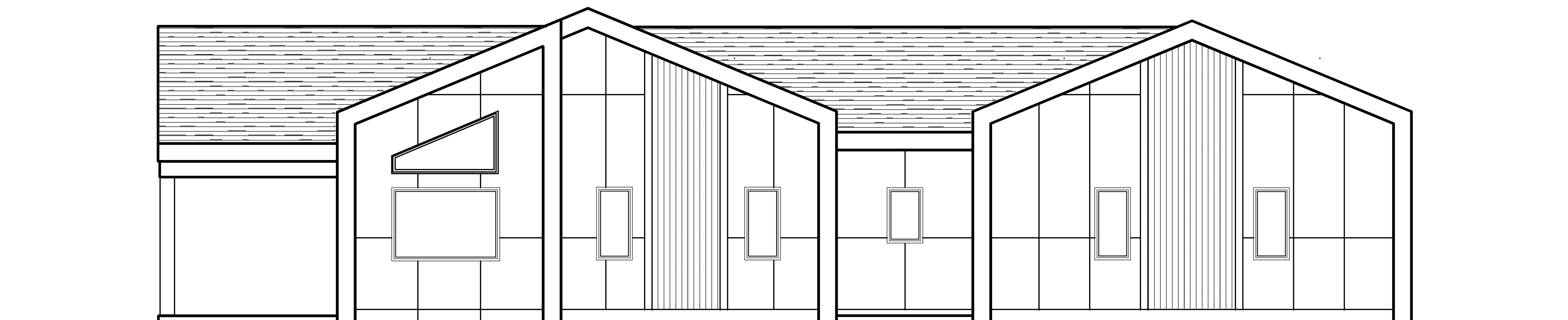
LAND SURVEY  
1800-1800



Linea  
Sketch



MAIN FLOOR PLAN 1/4" = 1'-0"  
© COPYRIGHT BEYOND DESIGN ARCHITECTURE 1198 SQ FT



FRONT ELEVATION 1/4"= 1-0  
© COPYRIGHT BEYOND DESIGN ARCHITECTURE

PLAN NUMBER

22-068

DATE

5-18-2022

REVISIONS

6-15-2022

RESIDENCE FOR:

BARRY

BUILT BY:



BEYOND DESIGN  
— ARCHITECTURE —

Excellence from every angle

612-597-4269

SHEET

OF