



PLANNING COMMISSION MEETING AGENDA  
TUESDAY APRIL 18, 2023

**7:30 PM REGULAR MEETING**

1. Call to Order
2. Roll Call
3. Approval of Minutes:
  - a. February 21, 2023, Planning Commission Meeting Minutes.
  - b. April 4, 2023, City Council Meeting Minutes (For Information Only)
4. **PUBLIC HEARING:** Seasonal Investments, LLC, (Applicant) and 1980 County Road 90 LLC (Owner) request that the City consider the following action for the property located at 1980 County Road 90, Independence, MN (PID No. 23-118-24-32-0011):
  - a. Site plan review to allow the proposed development of two new storage buildings on the subject property.
5. **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 conditional use permit to allow an attached accessory dwelling unit.
6. Open/Misc.
7. Adjourn.

MINUTES OF A MEETING OF THE  
INDEPENDENCE PLANNING COMMISSION  
TUESDAY, FEBRUARY 21, 2023, AT 7:30 PM

1. CALL TO ORDER

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

2. ROLL CALL:

PRESENT: Commissioners Gardner (Chair), Dumas, Volkenant, Thompson, and Usset.  
ABSENT: Story and Tearse.  
STAFF: City Administrator Kaltsas.  
VISITORS: See Sign-In Sheet

3. Approval of Minutes:

- a. November 15, 2022, Planning Commission Meeting Minutes.
- b. January 17, 2023, Planning Commission Meeting Minutes.
- c. February 9, 2022, City Council Meeting Minutes (For Information Only)

**Motion by Thompson, seconded by Gardner to approve the minutes.**

**Ayes: Gardner, Dumas, Volkenant, Thompson, and Usset. Nays: None. Absent: Story and Tearse. Abstain: None. Motion Approved. 5-0**

4. Continued from January 17, 2023, Meeting. William Stoddard (Applicant) and John Zeglin (Owner) requests that the City consider the following actions for the property located at 9285 US Hwy 12, Independence, MN (PID No. 18-118-24-21-0001):

- a. A comprehensive plan amendment to allow a portion of the property to be re-guided to the Urban Commercial - UC zoning district. A portion of the property is already guided Urban Commercial.
- b. Rezoning of a portion of the property from AG-Agriculture to UC-Urban Commercial.
- c. Conditional Use Permit to allow a planned unit commercial development on the subject property. The proposed development would include office warehouse and private garage condominium buildings.
- d. Site Plan Review to allow the proposed development.
- e. Preliminary Plat to allow the subdivision of the property into eight (8) residential lots and

associated lots to allow the proposed commercial development.

***Property/Site Information:***

The property is located on the south side of Highway 12 and west side of Nelson Rd. The property has frontage on both roads and is comprised primarily of agriculture land, woodlands, and wetlands. There is an existing home and several detached accessory structures on the subject property.

Property Information: 9285 Highway 12

Zoning: *Agriculture*

Comprehensive Plan: *Agriculture/Urban Commercial*

Acreage: ~58 acres

***UPDATE:***

The City reviewed the proposed development in January 2023 and provided feedback and comments to the developer and staff. Following the meeting, the City has worked with the developer to make revisions to the plans in order to address comments provided by the City and its consultants (see attached review letters and applicant responses attached to this report). In addition, the City has been working with MNDOT to identify an acceptable access plan. The City has also prepared the parameters for the PUD that would allow for the subject development. The following summary points detail the changes, outstanding comments and general considerations that should be noted by the Planning Commission:

- One of the primary issues that was identified during the initial review of this projects relates to the proposed access to the site. The City noted that it strongly discourages any commercial connection to Nelson Rd. To support this standing, the City noted that the site development standards contain the following prohibition:

**530.11. - Lot standards.**

Subd. 10. *Access streets.* Streets servicing a commercial-light industrial area must have direct access to a collector street or higher-capacity street. No street servicing commercial-light industrial establishments may have access to local residential streets nor may business-oriented traffic be routed or directed to local residential streets.

The City discussed the possibility of providing for a future frontage road across the property to provide for a future east/west connection to County Line Road. The applicant is agreeable to providing this future ROW and has revised the drawings to provide for this future access. The City met with MNDOT and offered that this future ROW would be acquired by the City and allow for a future frontage road. This would likely allow Nelson Road residents to access the future roundabout at County Line Road and Highway 12 without having to go onto Highway 12. Following additional review by MNDOT, they have agreed to allow the proposed right in/right out as a temporary access that would need to be removed at the time a frontage road can be constructed to County Line Rd. However, MNDOT also wants a full frontage road connection made to Nelson Road within the within the right of way shown on the revised plans. This is not in keeping with the City's ordinances and increases the

number of turning movements made from west bound Highway 12 onto Nelson Road (left turn off of Highway 12 onto Nelson Road from westbound Highway 12 lane). This turning movement is considered the most dangerous based on crash data.

Staff has asked to meet with MNDOT again relating to this issue noting the aforementioned points. Staff is seeking additional discussion from Planning Commission relating to the access issue. Staff has considered additional solutions should MNDOT not agree to allow the access as proposed. This would include looking at a one-way street option (westbound traffic only) that would allow a right turn only off of Nelson Road and into the commercial development.

- Based on the proposed revisions, the applicant has reduced the number of residential properties to seven from eight. This reduction will allow for the future frontage road right of way and eliminate the lot directly adjacent to Highway 12.
- The applicant has revised the plans to add additional detail to the proposed 10,000 SF commercial building. The City has reviewed the updated site plan related information and generally finds that it meets applicable standards. The City reviewed parking relating to the proposed commercial and made the following findings:
  - 1 space per 250 SF (10,600 - 10.6 x 4 = 43 parking spaces)  
43 parking spaces required  
49 parking spaces provided
- The applicant has provided photometric and lighting plans for the proposed development. The lighting plans have been reviewed by the City and found to meet all applicable requirements. The lights proposed by the applicant are cut-off type fixtures that will have limited visibility outside of the proposed development. One exception is with the proposed commercial building. The City will want to see light poles within the proposed parking lot that will provide adequate light levels to the entire parking area.
- The applicant has provided architectural plans and building elevations for all buildings within the proposed development. The City notes that the architectural standards adopted for the Urban Commercial zoning district state the following:

Subd. 3. *Design standards.*

- (a) Height. The maximum height of all buildings must not exceed the lesser of 2½ stories or 35 feet. This height limitation does not apply to farm buildings, grain elevators, silos, windmills, elevator legs, cooling towers, water towers, chimneys and smokestacks, church spires, or electric transmission lines.
- (b) Allowed materials for principal buildings. Principal commercial or industrial buildings in the commercial/industrial zoning district shall use the following materials on their exterior facades:
  - (1) Brick;
  - (2) Natural stone or stone veneers;



- (3) Decorative concrete block (color impregnated with a split faced, robbed, or textured surface;
  - (4) Glass curtain wall panels;
  - (5) Stucco or synthetic stucco;
  - (6) Exterior insulation and finish systems (EIFS).
- (c) All exterior vertical surfaces must be treated as a front and have an equally attractive or same fascia on all sides of the structure.
- (d) Mechanical protrusions. All necessary mechanical protrusions visible to the exterior must be screened or painted in a manner so they are not visually obvious and are compatible with the surrounding development. Satisfaction of this requirement must be demonstrated by the screening of the equipment in such a manner that it is not visible from a point six feet above any common property line or street right-of-way. Screening must consist of either a parapet wall along the roof's edge or by an opaque screen constructed of the same material as the building's primary vertical exposed exterior finish. The zoning administrator may determine that the equipment may be painted a neutral earth tone color, or color deemed similar by the zoning administrator or must be designed to be compatible with the architectural treatment of the principal building, which will satisfy the screening requirement. All mechanical protrusions must be highlighted on the site plan.

(Added, Ord. No. 2006-09)

Subd. 4. *New materials.* The city recognizes that technologies change and new products are continually available which may not be listed as allowed under these building design requirements. If an applicant wishes to utilize a non-listed material, an application to amend the zoning code text must be submitted per the requirements of city Code. In reviewing such an application to consider including a new material to the list of allowed materials in subdivision 3(b), the city will consider the following:

- (a) Is the proposed material of sufficient quality to ensure on-going maintenance will not be of concern (applicant should provide detailed information on the proposed product and its history of use);
  - (b) Will the style, color, and appearance of the proposed product integrate with adjacent commercial/industrial properties and other materials currently allowed within the commercial/industrial zoning district;
  - (c) Will the style, color, and appearance of the proposed product be acceptable in cases when visible from residential units on adjacent properties.
- The applicant is proposing to construct the buildings using primarily metal paneling (see illustrative elevation below). The City will request examples of the proposed materials. The proposed architecture is consistent throughout the development, utilizes significant amounts of glass and glazed surfaces and appears to meet the design intent of the ordinance. Staff will be seeking additional discussion and direction from Planning Commission relating to the proposed building materials and architecture.
  - The applicant does not currently identify and mechanical equipment on the plans. All mechanical equipment will need to be shown and if proposed to be on the exterior of the building or roof, will need to be screened from view.
  - A preliminary plat has now been submitted. The PP will need to be updated to reflect the City's standard 10' perimeter drainage and utility easements and provide all lot dimensions, easements and similar information.

- The City has reviewed the plans with the Delano Fire Chief. The applicant has provided an exhibit (attached to this report) which provides fire truck simulated turning movements which verify fire apparatus access. The City will want to further define no parking areas (using signage and striping) within the auto condo and commercial development areas. This will be further detailed as the project progresses.
- The applicant has provided an updated landscape plan for the proposed development. The plan provides a high level of landscaping around the commercial building, entrance drives and within the proposed lifestyle garage condos. The City does believe that additional landscaping screening may be warranted in several locations shown below.
- The City has prepared a draft of the Planned Development standards that would apply to the commercial development. It should be noted that the residential lots will be subject to the requirements of the AG-Agriculture physical and lot standards. The City will need to waive the minimum lot width for requirement for Lots 5, 6 and 7. The following Planned Development Standards would be incorporated in the Planned Development Agreement:

#### PLANNED DEVELOPMENT STANDARDS

(A) *Permitted uses.* Permitted uses of land or buildings, as hereinafter listed, shall be permitted in the Planned Development under the conditions specified. No building or lot shall be devoted to any use other than a use permitted hereunder:

- (1) Any use not expressly permitted but consistent with the intent of the district which, by approval of the city council, shall be permitted except for eating and drinking establishments, coffee shops and similar food service businesses which shall not be permitted.
- (2) Office and retail sales.
- (3) Contractor and construction supply shops conducted wholly within an enclosed building, including but not limited to plumbing, HVAC, roofing and electrical with a principle building or office.
- (4) Light manufacturing, production, processing, assembly, fabricating, servicing and repairing of materials, goods or products with no outdoor storage.
- (5) Auto Condos in accordance with the following provisions:
  - i. Auto Condos shall be for the private storage and private leisure by the owner(s) of such space. No commercial activities shall be permitted in the auto condos, nor shall any auto condo be ever occupied for residential purposes and the following additional conditions shall apply:

- a) Individual signs shall not be permitted for any units within the development.
- b) No outdoor storage will be permitted.
- c) Parking shall be permitted only in the designated parking spaces.

(B) *Accessory uses.* None.

(C) *Conditional uses.* The following conditional uses may be permitted by action of the city council pursuant to subsections [520.09](#), [520.11](#) and [520.13](#):

- (1) Telecommunications towers approved pursuant to [section 540](#) of this Code;
- (2) Any other use determined by the city council to be similar in character to a permitted use, but potentially requiring special conditions to ensure compatibility.

(D) *Physical standards.*

- (1) Minimum Lot Size: per approved general plan
- (2) Minimum Lot Width: per approved general plan
- (3) Front Yard: 50 feet
- (4) Side Yard: 20 feet
- (5) Corner Side Yard: 20 feet
- (6) Rear Yard: 30 feet
- (7) Residential Properties: 40 feet
- (8) Agriculture Properties: 40 feet
- (9) Parking and Drive Aisle:
  - a. Front Yard: 15 feet
  - b. Side Yard: 5 feet
  - c. Rear Yard: 5 feet

***Discussion:***

The City reviewed a concept site plan in 2022 for this property and provided feedback to the applicant and staff. The applicant considered the feedback and direction and has now made a formal application to develop the subject property. The applicant has revised the proposed development to include eight (8) single-family lots along Nelson Road, 120-130 lifestyle auto condominiums and 10,600 SF of commercial/retail space. The proposed lifestyle auto condominiums would be developed to allow for vehicle storage and would include amenities associated with this type of product (i.e., loft, bathroom, etc.). The applicant and City would work to establish regulations to prohibit overnight stays and limit and define any larger events (i.e., auto show) that could occur on the property. It is acknowledged that the proposed lifestyle auto condominiums would produce less traffic, require fewer public resources, and provide more market valuation than the initial commercial/warehouse development. The facility would be secured, professionally managed, and generally concealed from Highway 12 and Nelson Road.

Approximately 10,600 SF of commercial retail is proposed by the applicant. This area would have Highway 12 frontage and visibility consistent with the City's Comprehensive Plan. The City has reviewed the initial site plan layout and is generally in agreement with the proposed layout. The City would require a more detailed site plan specifically for the proposed Lot 9 development. The plan will need to provide more detail relating to allowed and proposed uses, parking and drive aisle dimensions, landscaping and lighting. In addition, the City will want to consider how/if the site could or would accommodate retail sales such as a drive thru and restaurant. A more detailed parking analysis would need to be completed.

In order for the City to consider approval of the proposed plan, the following approvals and steps would be required:

1. Amend the Comprehensive Plan.
  - a. This would re-guide a portion of the property (~16 acres) from AG- Agriculture to Urban Commercial.
2. Rezone that portion of the property indicated from AG-Agriculture to Urban Commercial.
3. Consider Site Plan Review.
4. Consider a Conditional Use Permit to allow a planned unit commercial development on the subject property.
5. Consider Preliminary Plat approval.
6. Consider Final Plat approval.

The following land uses are proposed by the applicant (plans attached):

- Commercial office/retail (10,600 SF on ~ 2.33 acres)
- Lifestyle auto condominiums (102 units on ~ 11.98 acres)
- Seven (7) Residential Lots (approximately 3.26 – 4.35 acres each)
- Frontage Road ROW (3.22 acres)

There are several key points of information that should be noted relating to the proposed development:

- The entire property is currently zoned AG-Agriculture.
- A portion of the property, approximately 12 acres on the west side is guided by the City's Comprehensive Land Use Plan for Urban Commercial.
- The applicant is asking the City to consider rezoning a larger portion of the property from AG-Agriculture to Urban Commercial (~16 acres).
- The remainder of the property (~28 acres) would remain as AG-Agriculture.
- In order for the property to be rezoned, the City would first need to approve a Comprehensive Plan Amendment. A comprehensive plan amendment process would be subject to approval by the Metropolitan Council.
- The initial submittal considered access to Nelson Road and the applicant was notified

that the City would not support any commercial access to Nelson Road. The plans submitted include a right in/right out only onto Highway 12 with a future frontage road connection to the west that could connect to County Line Road (shown on site plan). MNDOT has reviewed the plan and provided formal comments to the City and applicant. MNDOT has commented that they would recommend access to this site be provided via a connection to Nelson Road or County Line Road rather than a right in/right out as proposed. As a result of the MNDOT review, access has not been finalized. The issue of access will need to be resolved prior to the City finalizing a decision relating to this application.

- The applicant has provided the City with a traffic study as requested. The study indicates that the proposed development would generate a total of 7 entering and 1 exiting trips during the morning traffic peak and 2 entering and 7 exiting during the afternoon traffic peak hour. A total of 68 trips per day would be generated by the proposed auto condos and commercial retail uses. This would equate to approximately 1 trip every 7 minutes during peak times and approximately 2 trips per hour throughout the remainder of the day (see table below). It is noted that the proposed right in/right out would allow access to the proposed development until such time as a frontage road could be constructed to connect to County Line Road. Staff is seeking direction relating to access and the overall proposal from the Planning Commission and City Council.
- Following discussion with Planning and Council, the applicant has revised the plans to include eight (8) residential lots along Nelson Rd. The proposed residential lots mirror the lots across Nelson Rd. to the east. Development of the west side of Nelson into residential lots that are similar to those in existence would provide additional buffering of the proposed commercial development. It is noted that the existing residential lots directly across and on the east side of Nelson Road from the subject property have approximately 200 LF of frontage. The City's current ordinance would require 250 LF of frontage for all lots greater than 3.49 acres. This would include Lots 1, 2 & 6-8. Lots 3-5 comply with the frontage requirements. The applicant could revise the plan to reduce the acreage of the proposed lots or increase the frontages to meet the specified requirements. The applicant is attempting to mirror the lots across the street; however, those lots are all less than 3.49 acres in size.
- The City noted in its initial review that the potential wetland impact associated with the development of driveways to serve the lots was a concern. The applicant has revised the plans to show the extent of the wetland impacts and is now proposing to utilize shared driveways for Lots 1&2, 3&4 and 6&7. Utilization of shared driveways would reduce the wetland impacts and the number of driveways located along Nelson Road.
- The applicant is proposing to provide on-site sewer (septic) and on-site water to serve the proposed development. The applicant has provided a report indicating how the development of on-site water would serve the fire suppression requirements for the proposed development. The City is continuing to evaluate and study the possibility of establishing a municipal well/water service in the location of the Urban Commercial to serve commercial development on the north and south sides of Highway 12. Should the proposed development move forward, the City will provide additional information

relating to a municipal well to Council for consideration.

- The applicant has completed a wetland delineation for the property. The City initially provided feedback to the applicant relating to the potential wetland impacts. The applicant is proposing to mitigate the impacted wetlands utilizing the purchase of wetland credits. Approximately 31.36 acres of the subject property is wetlands. The applicant is proposing to impact 2.48 acres of the total wetland area (> 8%). The potential wetland impacts would need to be reviewed and approved by the City. Further review of the wetland mitigation plan would occur following an initial City approval.
- Stormwater management has been proposed for the development. The City has completed an initial review of the stormwater management plan and provided high level comments to the applicant. The proposal includes 3 stormwater ponds that would accommodate stormwater generated from the commercial portion of the proposed development. The City will continue to work with the applicant and would anticipate a more detailed submittal and calculations relating to the stormwater plan should the project proceed to final plat.
- The applicant is proposing to preserve a large portion of the mature trees on the property (see gray area below).

The applicant has provided the City with a robust package of details and information relating to the proposed development. The proposed lifestyle auto condominium illustrations appear to utilize high quality building materials and a sophisticated design that is unique for this product in the metro area. There are many details that will need to be finalized prior to the City being able to formally act on the proposed site development and preliminary plat. Due to the significant number of pieces included in the proposed site development, staff would like additional direction and feedback relating to the overall proposal so that additional review and direction can be provided to the applicant. In particular, staff is seeking additional review and direction relating to the proposed land use, expansion of the UC – Urban Commercial zoning district, access to the property and the development of the residential properties on Nelson Road. It is anticipated that following discussion and additional direction, the City would be able to work with the applicant to finalize the preliminary plans and bring back additional information and any revisions recommended for further consideration. It is also anticipated that the City and applicant will have further discussions with MNDOT relating to their recommended access for this property.

***Recommendation:***

The applicant is seeking feedback from the Planning Commission pertaining to the proposed development.

The Applicant's request had been tabled after closing the public hearing at the last January 17, 2023, Planning Commission meeting. Tonight, Kaltsas went through the packet's 5-page UPDATE section and reviewed the Applicant's RESPONSES to his January 30, 2023, letter. It was noted that the Applicant reduced the number of residential lots to (7) allowing for a future frontage road right of way. The included updated architectural drawings also show more details on the building, parking layout, 49 parking spaces, landscaping, building finishings, nicer garage doors, elevations for all buildings, lighting, etc. Photometric plans meet the City's standards and show where they zero out-meaning no measurable light level for entirety of site. As the project progresses to the Final, details of the mechanicals' screening and the "No Parking" areas and street striping will be noted. The types of businesses allowed would have low traffic considering Hwy 12 currently does not have a frontage road.

When opening it up to questions, Kaltsas and Commissioners discussed the need to ensure that Planned Unit Development Standards' **Permitted Uses** would clearly express the intention to any potential business that only low traffic options are permitted now until such a time of safe road connection is built reflecting any future changes of Hwy 12 with a roundabout. Kaltsas stated that if it's not written, it is not permitted.

**Access:** The City's stance unless directed differently, we don't want a connection to Nelson Rd for the commercial piece as it's not designed or built for that amount of traffic. We are comfortable with the 7 lots connecting to it as it is consistent to our policy. MNDot would consider allowing a temporary interim RIRO/Right In Right Out access on to Hwy 12 to serve the commercial development. But the City asked the Developer to dedicate a full frontage road right of way connecting out to Nelson Rd. The Blue Outlot A shown/66 ft ROW allowing for a future frontage road connecting on the East side through to Nelson Rd on the West side. It would be only until the time Hwy 12 was reconstructed and re-engineered at County Line Road and Hwy 12- a roundabout which is currently a 5-yr plan item for MNDot. Nelson Road would not change until Hwy 12 was rebuilt and a full frontage road was built. MNDot loved the easement concept but still wants a connection and fix to all the potential illegal turns. Re: Concerns for making illegal rt hand turn vs an unprotected left-hand turn.) As an alternative in between, the Builder to make a private drive keeping the RIRO as a primary access but maybe having a 1-way or no-turn on Nelson Rd sign, so only able to come into the North piece of Nelson Rd. OR other Right-In-ONLY off Hwy 12 into Nelson from the West- Thus No West-bound movement. We could recommend as-is, as the City Attorney thought it was reasonable and we are not forced to grant a variance if we don't want access to a residential street from commercial development. These auto condo owners won't be wanting to drive their types of high-end cars on gravel roads which reduces traffic for Nelson Road residents.

**Zoning and lot sizes:** Commissioners discuss the uniqueness of what's here, but because RR lots don't extend pass Co Rd 90, and they co-exist nicely.

**Who pays?** Currently, it's undesignated. The City may pay or look to a MNDot partnership or further development. Previously it was State Bonding Bill and no funds came from the County. We would be passing that out. We are doing our job and participating with the Developer to move the ROW and future Hwy 12 roundabout.

We note individual items in staff report with additional items as the recommendations. After Council reviews, it'll return to Planning Commission for Final consideration.

**Motion by Thompson, seconded by Dumas to recommend approval to City Council for William Stoddard at 9285 Hwy 12 regarding the 5 portions (a-e) of this request subject to all staff recommendations with additional feedback provided from this meeting including Permitted Uses, Nelson Road connection, and Landscaping. Ayes: Gardner, Dumas, Volkenant, Thompson, and Usset. Nays: None. Absent: Story and Tarse. Abstain: None. Motion Approved. 5-0**

This will go to the next Council meeting on March 7<sup>th</sup>.

5. Open/Misc.

Kaltsas- Thank you for coming out in this snowstorm tonight. We have a lot going on right now and one or two for next month's meeting. We moved the next Planning Commission meeting from March 21<sup>st</sup> to March 28<sup>th</sup> to get Council quorum. Although building permitting has slowed down a bit, I am getting inquiries for sub-division-type questions as there are still people looking to develop. As an update, I'm closing in on a MetCouncil CompPlan approval with a few tweaks that you will see again once approved by them. It will set us up for growth for the next 7 years. We championed the MetCouncil's 2030 Growth Projections and felt they were realistic. When they came back with their 2040 Forecast, they had throttled everyone back based on regional changes to growth. We had asked them to keep our 2030 Projections, but they had denied that. They didn't think that we would grow.

6. Adjourn.

**Motion by Thompson, seconded Volkenant by to adjourn.**

Meeting adjourned at 8:30 p.m.

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Respectfully Submitted,  
Linda Johnson/ Recording Secretary



MINUTES OF A REGULAR MEETING OF  
THE INDEPENDENCE CITY COUNCIL  
TUESDAY, APRIL 4, 2023 – 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 and Councilors Betts and Grotting.

ABSENT: McCoy and Spencer.

STAFF: City Administrator Kaltsas and City Administrative Director Simon.

VISITORS: Lauren Davis

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 March 28, 2023, Regular City Council Meeting.
- b. Approval of City Council Minutes from the March 28, 2023, Pre-Board LBAE City Council Meeting.
- c. Approval of Accounts Payable (Batch # 1; Checks Numbered 21921-21932).

**Motion by Johnson, seconded by Betts to approve the Consent Agenda. Ayes: Johnson, Betts, and Grotting. Nays: None. Absent: McCoy and Spencer. Abstain. None. MOTION DECLARED CARRIED. 3-0**

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:**

- Council meeting (virtually)
- Maple Plain Fire Dept awards

**Betts attended the following meetings:**

- Maple Plain Fire Dept awards

**Johnson attended the following meetings:**

- Corridors of Commerce Hwy 55
- Maple Plain Fire Dept awards

**Kaltsas attended the following meetings:**

- Maple Plain Fire Dept awards

**Simon attended the following meetings:**

- none

7. Consider Approval of Public Works Capital Equipment Purchase in Accordance with Approved Capital Equipment Plan:

- a. Authorization to Purchase 2018 Used CRAFCO SS125 Crack Seal Melter - Diesel

We project out about a 20-year capital equipment purchase plan and update it annually when doing our budget. We have talked about this item for a while. We have worked with surrounding cities to share and borrow it, and it is holding us back from using it at the most opportune time. Shawn and his team went out to see what options were available. It is identical to the model Medina has that we have been using, so the staff knows how to use it. This costs \$32,000 which is below what we'd budgeted.

Mayor Johnson- It is time sensitive when you can do the work, and when you are sharing equipment, you can't coordinate that. We have more roads to do and are in a position to do it.

**Motion by Grotting, seconded by Betts to approve the purchase of a Used 2018 CRAFCO SS125 Crack Seal Melter- Diesel. Ayes: Johnson, Betts, and Grotting. Nays: None. Absent: McCoy and Spencer. Abstain. None. MOTION DECLARED CARRIED. 3-0**

8. Open/Misc

Lauren Davis – My husband and I have lived here 6 years, and this is my first council meeting. Regarding roads and Public Works, I've tried to reach Shawn since 2021 to get Hitsman Lane repaired. What is the best way to get gravel roads repaired?

Mayor Johnson – There is going to be a work session soon.

Kaltsas- Acutely we can look at your road. We are trying to put together a long-term plan with gravel roads as this year has been horrendous. In general, the City is in need of an overhaul of adding materials to gravel roads. We've run the lifespan and are talking about putting together a larger, city-wide gravel rejuvenation project.

Mayor Johnson- That may be a road that is up in the air with the Hwy 12 repairs as well. WHPS Director Gary Kroells would most likely have the long-range study for you, Lauren.

Davis – Both we and our neighbor have big trailers that need to safely get in and out of there.

9. Adjourn

**Motion by Johnson, seconded by Grotting to adjourn the City Council Meeting at 6:52 pm. Ayes: Johnson, Betts, and Grotting. Nays: None. Absent: McCoy and Spencer. Abstain. None. MOTION DECLARED CARRIED. 3-0**

Meeting Adjourned.

Respectfully submitted,

Linda Johnson, Recording Secretary

■City of Independence

**Request for Site Plan Review for the  
Property located at 1980 County Road 90**

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*To:* Planning Commission  
*From:* Mark Kaltsas, City Planner  
*Meeting Date:* April 18, 2023  
*Applicant:* Seasonal Investments, LLC  
*Owner:* 1980 Co Rd 90 LLC  
*Location:* 1980 County Road 90

***Request:***

Seasonal Investments, LLC, (Applicant) and 1980 County Road 90 LLC (Owner) request that the City consider the following action for the property located at 1980 County Road 90, Independence, MN (PID No. 23-118-24-32-0011):

- a. Site plan review to allow the proposed development of two new storage buildings on the subject property.

***Property/Site Information:***

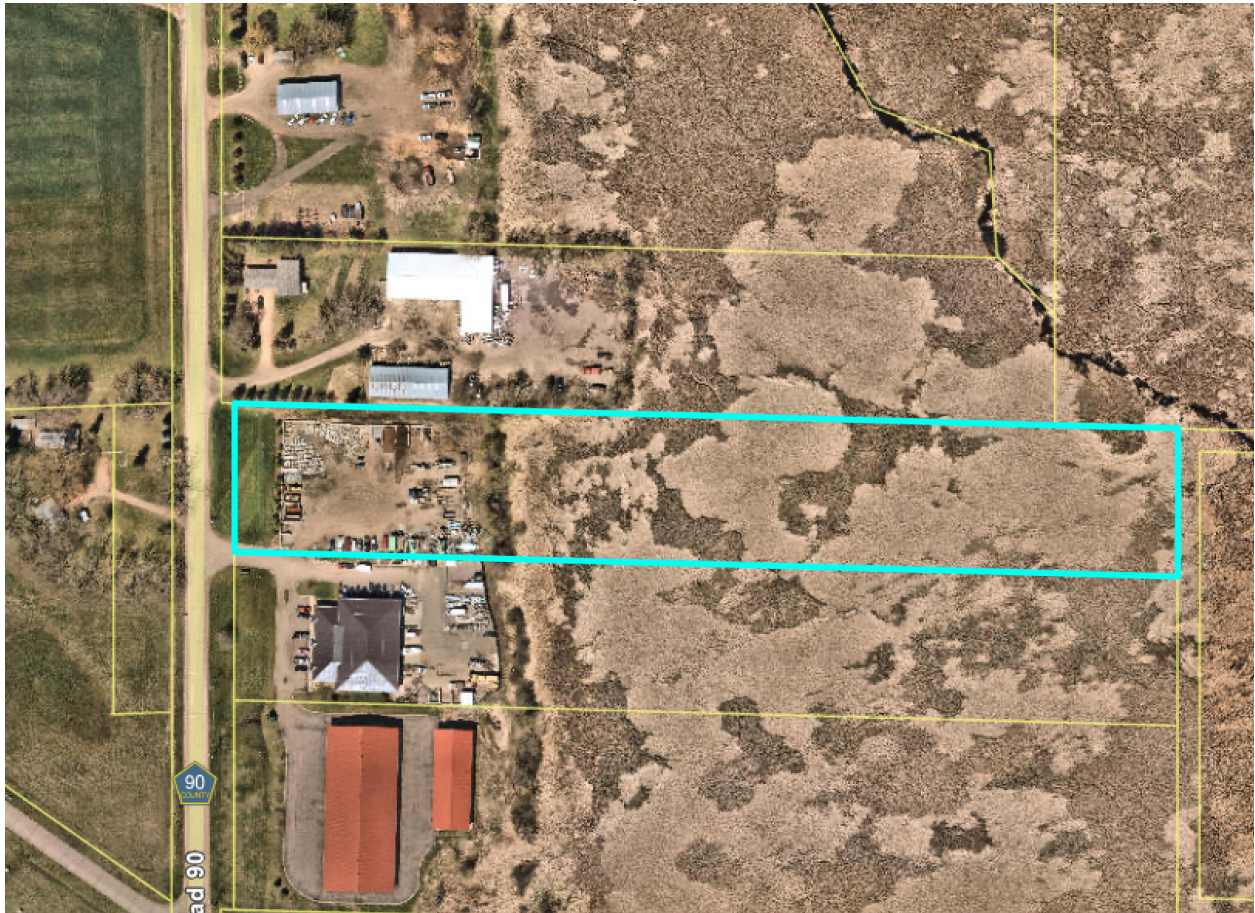
The property is located on the east side of CSAH 90 just north of the intersection of County Road 90 and Highway 12. The property is vacant and currently used by Sam's Landscape as an outdoor storage yard. There is a significant wetland located on the east side of the property. The property has the following characteristics:

**Property Information: 1980 County Road 90**

Zoning: CLI - *Commercial Light Industrial*

Comprehensive Plan: *Commercial Light Industrial*

Acreage: *5.84 acres*



**Discussion:**

The applicant approached the City about the possibility of developing the property with two new commercial buildings for the purpose of indoor boat storage. The applicant has prepared plans for the proposed development of the site and is now in a position to move forward with the proposed development of two new commercial buildings. The applicant is seeking site plan review approval to allow the construction of two new single-level, 12,000 square foot buildings (total 24,000 SF) and associated site plan improvements. The site improvements include parking areas, outdoor storage areas and landscaping.

The subject property is zoned CLI – Commercial Light Industrial. Warehouse and indoor storage are permitted within the CLI zoning district. The applicant owns and operates a commercial marina, repair and boat storage business and is seeking a location for additional indoor storage. The proposed development would be comprised of two 12,000 SF storage buildings. No outdoor storage is proposed at this time. New construction in the CLI zoning district requires the review and approval of the City. The review considers and analyzes how the proposed development meets the requirements of the zoning ordinance (Sections 530.17 and 530.23).

The City has adopted site and design requirements for commercial development. The City has reviewed the plans as they relate to the required standards provided in the zoning ordinance. The following items should be further considered by the Planning Commission:

1. Building Design – The City ordinance provides the following requirement for additions to commercial buildings:
  - a. Allowed materials for principal buildings. Principal commercial or industrial buildings in the commercial/industrial zoning district shall use the following materials on their exterior facades:
    - (1) Brick;
    - (2) Natural stone or stone veneers;
    - (3) Decorative concrete block (color impregnated with a split faced, robbed, or textured surface;
    - (4) Glass curtain wall panels;
    - (5) Stucco or synthetic stucco;
    - (6) Exterior insulation and finish systems (EIFS).

The applicant is proposing to construct two commercial buildings on the property. The applicant has confirmed that they will meet all applicable building material requirements but has not resubmitted a fully compliant building materials plan. The City anticipates that this will be submitted prior to the Planning Commission Meeting. The applicant has provided building elevations and images that provide dimensional and similar details for the proposed buildings. The general character and architecture of the proposed buildings is similar to that of other buildings in the general area.

2. Parking/Drive Access - The applicant is proposing to construct new bituminous access drive that have an ingress/egress coming off of the existing connecting driveway to CSAH 90 used by the adjacent property to the south. The proposed access driveway will also include a concrete curb and gutter perimeter as required by ordinance. The City will require that the applicant furnish and ultimately record a cross access and maintenance agreement pertaining to the shared driveway access.

The City initially commented on the driveway and fire department access and the plans have been updated to accommodate a compliant fire apparatus hammerhead.

The proposed use of the site for storage would not require additional off-street parking. Note that this site as proposed would not accommodate general business use and could not be broken down into individual lease spaces in the future. The proposed distance between buildings would not accommodate a drive aisle and parking spaces.



3. Setbacks – The City has the following setback requirements for buildings located in the CLI zoning district:

Required	Proposed
a. Front yard setback: 100 feet from centerline of road.	100' +
b. Side yard setback: 20 feet from side lot line.	25' N/20' S
c. Rear yard setback: 20 feet from rear lot line.	N/A
d. Setback from boundary of agricultural or rural residential dist.	N/A
e. Parking Setbacks: 20 feet from front /10 feet from side lot line.	N/A

The proposed buildings would meet all applicable setbacks.

4. Lighting – The applicant has noted wall mounted lighting over each garage door on the site plan. The City requires a photometric plan and detailed cut sheets for the proposed lighting. The City will require this to be submitted and reviewed for compliance prior to City Council consideration.
5. Landscaping - Landscaping is required for new construction within all requisite setback areas. The City has reviewed the proposed landscape plan. The plan generally meets the applicable requirements. The City would request that additional evergreen trees be planted along the east side of the buildings to screen views from the adjacent residential property to the northeast. The City can continue to work with the applicant to revise the plan to meet applicable requirements. Staff is seeking further direction from the Planning Commission relating to the requisite landscaping. Staff recommends that a condition be added to the site plan approval which requires submittal and approval of a final landscape plan.
6. Storm Water Management – The City’s engineer (Hakanson Anderson) has reviewed the plans and prepared comments in a letter dated March 6, 2023, and attached to this letter. The plans will need to be revised to accommodate the engineer’s comments and provide any requested information and or make and revisions and resubmit revised plans as necessary. This project will also require the review and approval of the watershed district. The plans will be revised prior to City Council consideration of the site plan review. The applicant has provided a stormwater management pond in the northwest corner of the site to accommodate runoff and quality control.
7. Lot Coverage - The maximum impervious lot coverage in the CLI zoning district is 30 percent. The overall site is 5.84 acres and impervious surface is broken down as follows:

	SITE AREA (ACRES)	IMPERVIOUS (ACRES)	IMPERVIOUS %
EXISTING CONDITION	5.84	1.17	20.0
PROPOSED CONDITION	5.84	0.90	15.4

The applicant is proposing to cover 15.4% of the proposed site with impervious surface.

The City stipulates the following relating to lot coverage in the zoning ordinance:

*Lot coverage. Impervious lot coverage shall not exceed 30 percent of the lot area. Lot coverage of up to 75 percent may be allowed by conditional use permit provided stormwater run-off and surface drainage is no greater than pre-development rates for one-, ten- and 100-year storm events. Stormwater treatment ponding is required for all developments.*

8. Sanitary Sewer – The proposed buildings will not have any finished interior space and will not have any bathroom facilities or water. There is an existing on-site septic system that would be removed as a part of the building/house demolition. The applicant is not proposing to preserve and or accommodate any on-site septic system which will limit future use of the proposed buildings.

The proposed development of this commercial property generally meets the intent and applicable requirements of the City's CLI zoning district. The City will update the Planning Commission on the building materials and architecture and will be looking for Planning Commission direction and discussion at the meeting. There are several items noted in the report that should be further considered by the Planning Commission. Based on direction from the Planning Commission, additional conditions may be required to be added to the recommendation.

#### ***Neighbor Comments:***

The City has not received any written or verbal comments regarding the proposed site plan review.

#### ***Recommendation:***

Staff is seeking a recommendation from the Planning Commission for the requested site plan review. Should the Planning Commission recommend approval to the City Council, the following findings and conditions should be considered:

1. The proposed Site Plan Review request meets all applicable conditions and restrictions stated in Chapter V, Section 520.25, Site Plan Approval Procedures, in the City of Independence Zoning Ordinance.
2. The applicant shall submit a final landscape plan and receive City approval prior to City Council consideration.



3. The applicant shall submit a final lighting and photometric plan and detailed cut sheets for all proposed building and site lighting prior to and receive City approval prior to City Council consideration.
4. The applicant shall comply with all applicable storm water requirements and obtain all storm water approvals determined necessary.
5. The applicant shall receive approval of the proposed access from Hennepin County.
6. The City will require that the applicant furnish and ultimately record a cross access and maintenance agreement pertaining to the shared driveway access.
7. No outdoor storage is approved as a part of this approval.
8. Any future development or improvements made to this property will need to be in compliance with all applicable standards relating to the Commercial-Light Industrial zoning district.
9. The Applicant shall pay for all costs associated with the City's review of the requested site plan review approval.
10. The City Council resolution shall be recorded against the property.

***Attachments:***

1. Application
2. Site Plan Package
3. Landscape Plan
4. Building Elevations

## City of Independence

The Independence City Code was established to protect both current and future residents from the negative impacts of improper development and to ensure a positive future for the city. The land use application review is the mechanism that allows the city to examine proposed uses to ensure compatibility with the surrounding environment, natural or otherwise. It is important to understand that a proposed use may be acceptable in some circumstances, but unacceptable in others—all applications are viewed on a case-by-case basis.

- ☐ *Appeal*

☐ *Comprehensive Plan Amendment*

☐ *Concept Plan*

☐ *Conditional Use Permit*

☐ Residential

☐ Commercial/Light Industrial

☐ Telecommunications

☐ Agriculture

☐ Home Occupation

☐ Non-Conforming Use

☐ Guest/Bunk House

☐ Institutional

☐ CUP Amendment

☐ *Extension Request*

☐ *Final Plat*

☐ *Interim Use Permit*

☐ *Lot Consolidation*

☐ *Minor Subdivision (Survey)*

☐ Lot Subdivision

☐ Lot Combination

☐ Lot Line Rearrangement

☐ *Moving Buildings*

☐ *Preliminary Plat*

☐ *Rezoning*

☒ *Site Plan Review (Commercial)*

☐ *Vacation*

☐ *Variance*

☐ Subdivision Regulations

☐ Zoning

☐ Road Frontage

☐ *Zoning Text Amendment*

*\*Please check all that apply*

**Request:** Site plan review of  
two 12,000 sf steel post  
frame buildings to be used as  
boat storage, and associated  
driveway, storm sewer, and  
ponding.

PID: 2311824320011  
**Site Address or Property Identification Number(s):**  
1980 County Road 90  
Independence, MN 55359

NOTE: Minnesota State Statute 15.99 requires local governments to review an application within 15 days of its submission to determine if an application is complete and/or if additional information is needed to adequately review the subject request. *To ensure an expedited review, applicants shall schedule a pre-application meeting with the City Planner/Administrator at least one week prior to submittal.* Most applications have a review period of 60 days, with the City's ability to extend an additional 60 days if necessary due to insufficient information or schedule.

### Office Use Only

<p>_____</p> <p>Application Amount</p> <p>_____</p> <p>Escrow Paid</p> <p>_____</p> <p>Date Accepted by Planner</p> <p>_____</p> <p>City Planner</p>	<p>_____</p> <p>Date</p> <p>_____</p> <p>Application Check #</p> <p>_____</p> <p>Escrow Check #</p> <p>_____</p> <p>Accepted By</p>
--	---

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

**Applicant Information:**

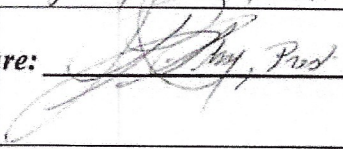
Name: Samsland Investments, LLC

Address: 4068 Sunset Drive

City, State, Zip: Spring Park, MN 55384

Phone: 612 310-7951 / 952-471-9575

Email: JERRY R. RAYE, C.A.

Signature: 

**Owner Information (if different than applicant)**

Name: 1980 Cord 90 LLC

Address: PO Box 848

City, State, Zip: Wayzata MN 55391

Phone: 763-478-0200

Email: samslandscape@gmail.com

Signature: 

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

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

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

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

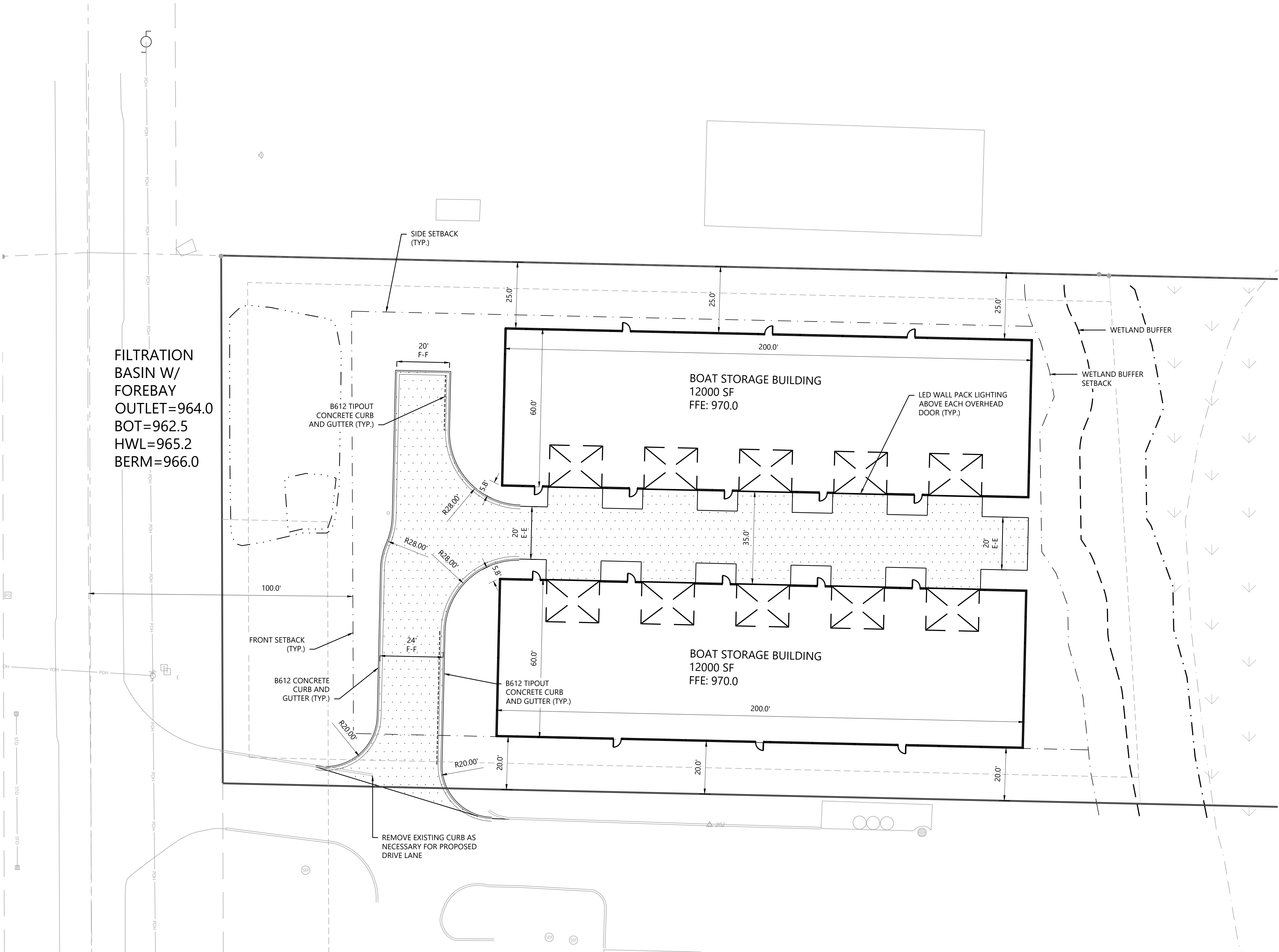
I UNDERSTAND THE FEE STATEMENT AND RESPONSIBILITIES ASSOCIATED WITH THIS LAND USE APPLICATION:

Applicant Signature: 

Date: 1/31/23

Owner Signature (if different): 

Date: 2-1-23



SITE LEGEND

EXISTING	PROPOSED	
		PROPERTY LINE
		LOT LINE
		SETBACK LINE
		EASEMENT LINE
		B612 CURB AND GUTTER
		TIP-OUT CURB AND GUTTER
		POND NORMAL WATER LEVEL
		RETAINING WALL
		FENCE
		CONCRETE PAVEMENT
		CONCRETE SIDEWALK
		HEAVY DUTY BITUMINOUS PAVEMENT
		NORMAL DUTY BITUMINOUS PAVEMENT
		NUMBER OF PARKING STALLS
		TRANSFORMER
		SITE LIGHTING
		TRAFFIC SIGN
		POWER POLE
		BOLLARD / POST

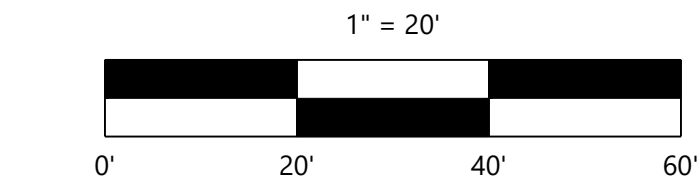
GENERAL SITE NOTES

- LOCATIONS AND ELEVATIONS OF EXISTING TOPOGRAPHY AND UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY SITE CONDITIONS AND UTILITY LOCATIONS PRIOR TO EXCAVATION/CONSTRUCTION. IF ANY DISCREPANCIES ARE FOUND, THE ENGINEER SHOULD BE NOTIFIED IMMEDIATELY.
- REFER TO BOUNDARY SURVEY FOR LOT BEARINGS, DIMENSIONS AND AREAS.
- ALL DIMENSIONS ARE TO FACE OF CURB OR EXTERIOR FACE OF BUILDING UNLESS OTHERWISE NOTED.
- REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS AND LOCATIONS OF EXITS, RAMPS, AND TRUCK DOCKS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGGERS AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE CITY AND ENGINEER PRIOR TO PLACEMENT. TRAFFIC CONTROL DEVICES SHALL CONFORM TO APPROPRIATE MNDOT STANDARDS.
- BITUMINOUS PAVEMENT AND CONCRETE SECTIONS TO BE IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER.
- CONTRACTOR SHALL MAINTAIN FULL ACCESS TO ADJACENT PROPERTIES DURING CONSTRUCTION AND TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES.
- SITE LIGHTING SHOWN ON PLAN IS FOR REFERENCE ONLY. REFER TO LIGHTING PLAN PREPARED BY OTHERS FOR SITE LIGHTING DETAILS AND PHOTOMETRICS.

IMPERVIOUS COVERAGE

	SITE AREA (ACRES)	IMPERVIOUS (ACRES)	IMPERVIOUS %
EXISTING CONDITION	5.84	1.17	20.0
PROPOSED CONDITION	5.84	0.90	15.4

- ALLOWABLE IMPERVIOUS COVERAGE IS 30%
- GRAVEL SURFACE IN THE EXISTING CONDITION IS CONSIDERED IMPERVIOUS



NOT FOR CONSTRUCTION

Call 48 Hours before digging:  
811 or call811.com  
Common Ground Alliance

DESIGNED: \_\_\_\_\_  
CHECKED: \_\_\_\_\_  
DRAWN: \_\_\_\_\_  
HORIZONTAL SCALE: 20'  
VERTICAL SCALE: 4' OR 2'

INITIAL ISSUE: 02/09/23  
REVISIONS:  
03/17/23 CITY COMMENTS  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PREPARED FOR:  
**SEASONAL INVESTMENTS, LLC**  
4068 SUNSET DRIVE  
SPRING PARK, MN 55384

I HEREBY CERTIFY THAT THIS PLAN 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  
CHRISTIAN H. FROEMKE  
DATE: 03/17/23 LICENSE NO. 56208

**ROCKVAM BOAT YARDS STORAGE  
FACILITY**  
INDEPENDENCE, MN

**Westwood**  
Phone (952) 937-5150 12701 Whitewater Drive, Suite #300  
Fax (952) 937-5822 Minnetonka, MN 55343  
Toll Free (888) 937-5150 westwoodps.com  
Westwood Professional Services, Inc.

SITE PLAN

PROJECT NUMBER: 0040835.00

SHEET NUMBER:  
3 OF 7  
DATE: 03/17/23



# PRELIMINARY PLANS

## FOR

# SITE, GRADING & LANDSCAPE PLAN

## FOR

# ROCKVAM BOAT YARDS STORAGE FACILITY

INDEPENDENCE, MN

PREPARED FOR:

**SEASONAL INVESTMENTS, LLC**

4068 SUNSET DRIVE

SPRING PARK, MN 55384

CONTACT: JERRY ROCKVAM

PHONE: (612) 310-7095

EMAIL: JERRY@RBYI.COM

PREPARED BY:

**Westwood**

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300  
Fax (952) 937-5822 Minnetonka, MN 55343  
Toll Free (888) 937-5150 [westwoodps.com](http://westwoodps.com)

Westwood Professional Services, Inc.

PROJECT NUMBER: 0040835.00

CONTACT: CHRISTIAN H. FROEMKE



Vicinity Map  
(NOT TO SCALE)

**SHEET INDEX**

Sheet List Table	
SHEET NUMBER	SHEET TITLE
1	Cover
2	Existing Conditions & Removals Plan
3	Site Plan
4	Grading, Drainage, Erosion Control & Utility Plan
5	Details
6	Landscape Plan
7	Landscape Notes & Details

NO.	DATE	REVISION	SHEETS
	-	-	
	-	-	
	-	-	
	-	-	
	-	-	
	-	-	
	-	-	
	-	-	
	-	-	

**PRELIMINARY PLANS**

FOR

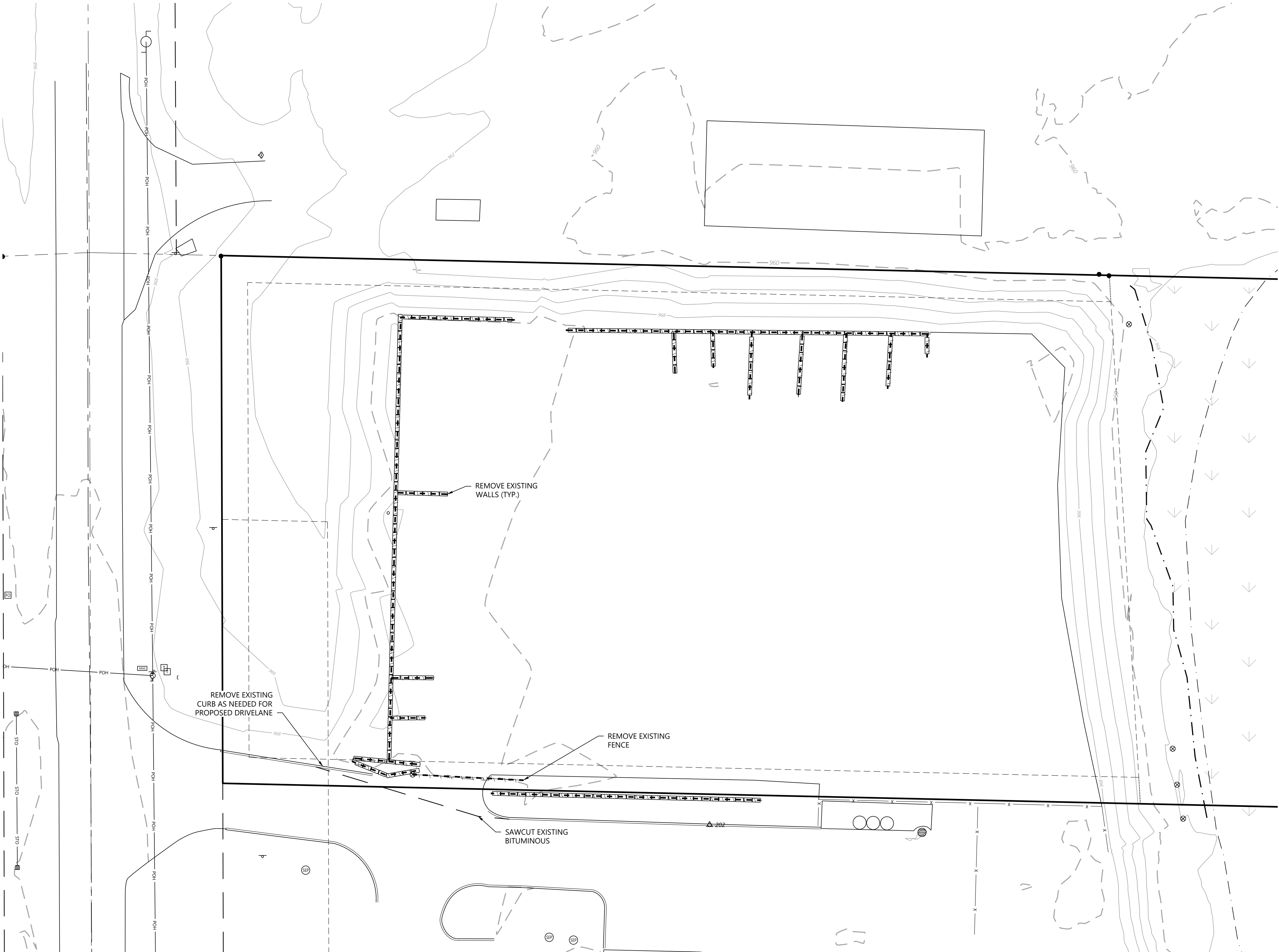
SITE, GRADING & LANDSCAPE PLAN

FOR

ROCKVAM BOAT YARDS STORAGE FACILITY

INDEPENDENCE, MN

INITIAL SUBMITTAL DATE: 02/09/23 SHEET: 1 OF 7



Call 48 Hours before digging:  
**811 or call811.com**  
Common Ground Alliance

REMOVAL LEGEND

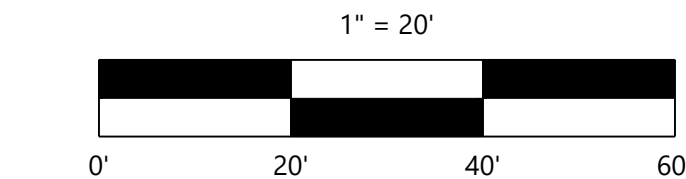
EXISTING	PROPOSED	
		PROPERTY LINE
		SAW CUT PAVEMENT
		RETAINING WALL
		FENCE

REMOVAL NOTES

- LOCATIONS AND ELEVATIONS OF EXISTING TOPOGRAPHY AND UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY SITE CONDITIONS AND UTILITY LOCATIONS PRIOR TO EXCAVATION/CONSTRUCTION. THE ENGINEER SHALL BE NOTIFIED IMMEDIATELY IF ANY DISCREPANCIES ARE FOUND.
- CONTRACTOR SHALL COORDINATE LIMITS OF REMOVALS WITH PROPOSED IMPROVEMENTS AND FIELD VERIFY CONDITION OF EXISTING APPURTENANCES TO REMAIN. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING OR REPLACING MISCELLANEOUS ITEMS (SUCH AS FENCES, SIGNS, IRRIGATION HEADS, ETC.) THAT MAY BE DAMAGED BY CONSTRUCTION.
- CONTRACTOR SHALL PLACE ALL NECESSARY EROSION CONTROL MEASURES REQUIRED TO MAINTAIN SITE STABILITY PRIOR TO EXECUTING ANY SITE REMOVALS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION WITH UTILITY PROVIDERS FOR REMOVAL AND/OR RELOCATION OF EXISTING UTILITIES AFFECTED BY SITE DEVELOPMENT. ALL PERMITS, APPLICATIONS AND FEES ARE THE RESPONSIBILITY OF THE CONTRACTOR.

LEGEND

	CATCH BASIN MANHOLE		POWER OVERHEAD
	SEPTIC COVER		BOUNDARY LINE
	POWER POLE		RIGHT-OF-WAY LINE
	TELEPHONE BOX		
	SIGN		
	MAIL BOX		



NOT FOR CONSTRUCTION

DESIGNED: \_\_\_\_\_  
CHECKED: \_\_\_\_\_  
DRAWN: \_\_\_\_\_  
HORIZONTAL SCALE: 20'  
VERTICAL SCALE: 4' OR 2'

INITIAL ISSUE: 02/09/23  
REVISIONS:  
△ \_\_\_\_\_  
△ \_\_\_\_\_  
△ \_\_\_\_\_  
△ \_\_\_\_\_  
△ \_\_\_\_\_

PREPARED FOR:  
**SEASONAL INVESTMENTS, LLC**  
4068 SUNSET DRIVE  
SPRING PARK, MN 55384

I HEREBY CERTIFY THAT THIS PLAN 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  
CHRISTIAN H. FROEMKE  
DATE: 02/09/23 LICENSE NO. 56208

**ROCKVAM BOAT YARDS STORAGE  
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**Westwood**

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Toll Free (888) 937-5150 westwoodps.com  
Westwood Professional Services, Inc.

EXISTING CONDITIONS &  
REMOVALS PLAN

PROJECT NUMBER: 0040835.00

SHEET NUMBER:

2

OF

7

DATE: 02/09/23



GRADING LEGEND

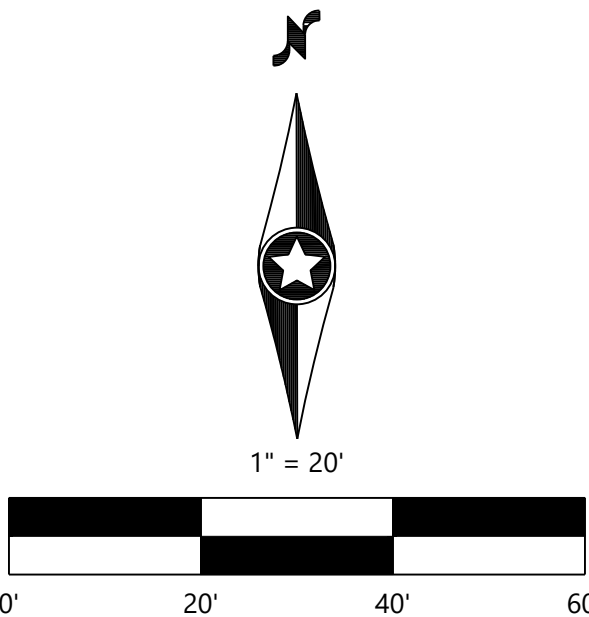
EXISTING	PROPOSED	
		PROPERTY LINE
		SOIL BORING LOCATION
		INDEX CONTOUR
		INTERVAL CONTOUR
		SPOT ELEVATION
		HIGH/LOW POINT
		CL-CL ELEVATION
		FLOW DIRECTION
		TOP AND BOTTOM OF RETAINING WALL
		EMERGENCY OVERFLOW
		PROPOSED STREET PROFILE GRADE
		STORM SEWER
		TREE LINE
		RETAINING WALL (MODULAR BLOCK)
		GRADING LIMITS
		POND NORMAL WATER LEVEL
		WETLAND LINE
		WETLAND FILL
		WETLAND BUFFER
		POND ACCESS MAINTENANCE BENCH
		ROCK CONSTRUCTION ENTRANCE
		EROSION CONTROL BLANKET
		WETLAND BUFFER LIMITS
		WETLAND BUFFER MONUMENT
		DO NOT DISTURB
		INLET PROTECTION

GRADING & DRAINAGE NOTES

- ALL CONTOURS AND SPOT ELEVATIONS ARE SHOWN TO FINISHED SURFACE/GUTTER GRADES UNLESS OTHERWISE NOTED.
- REFER TO THE SITE PLAN/RECORD PLAT FOR MOST CURRENT HORIZONTAL SITE DIMENSIONS AND LAYOUT.
- THE CONTRACTOR SHALL VERIFY THE LOCATION AND ELEVATION OF EXISTING UTILITIES AND TOPOGRAPHICAL FEATURES WITH THE OWNERS AND FIELD-VERIFY PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR VARIATIONS FROM PLAN.
- ALL CONSTRUCTION SHALL CONFORM TO LOCAL RULES.
- POSITIVE DRAINAGE FROM THE SITE MUST BE PROVIDED AT ALL TIMES.

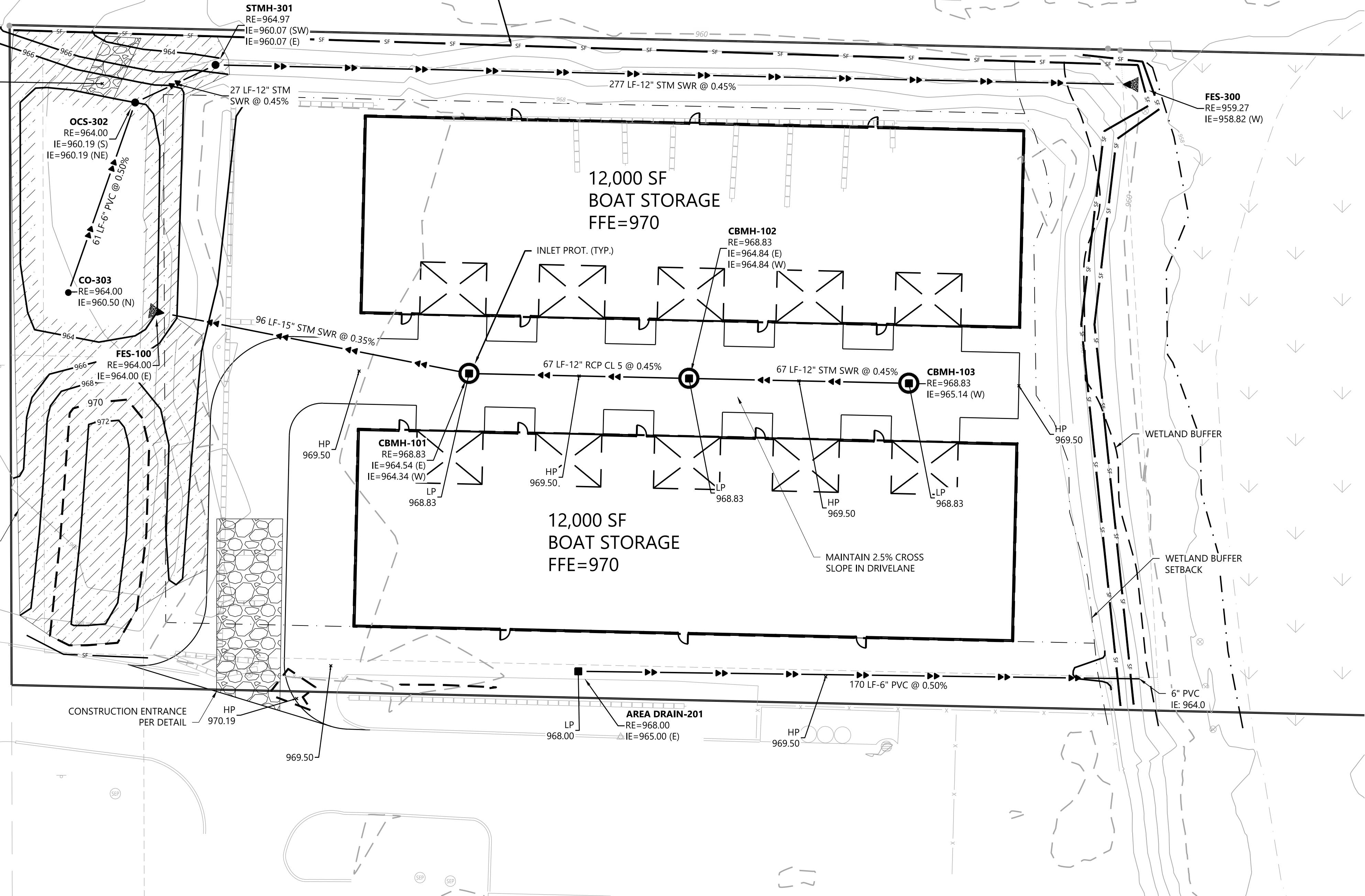
GENERAL UTILITY NOTES

- THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY THE OWNER OF ANY DIFFERENCES.
- THE CONTRACTOR SHALL RECEIVE THE NECESSARY PERMITS FOR ALL WORK OUTSIDE OF THE PROPERTY LIMITS.
- VERIFY EXISTING INVERT LOCATION & ELEVATION PRIOR TO BEGINNING CONSTRUCTION.
- THE CONTRACTOR SHALL CONTACT "GOPHER STATE ONE CALL" FOR FOR UTILITY LOCATIONS PRIOR TO UTILITY INSTALLATION.



NOT FOR CONSTRUCTION

FILTRATION  
BASIN  
OUTLET=964.0  
BOT=962.5  
HWL=965.2  
BERM=966.0



DESIGNED: \_\_\_\_\_  
CHECKED: \_\_\_\_\_  
DRAWN: \_\_\_\_\_  
HORIZONTAL SCALE: 20'  
VERTICAL SCALE: 4' OR 2'

INITIAL ISSUE: 02/09/23  
REVISIONS:  
△ \_\_\_\_\_  
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△ \_\_\_\_\_  
△ \_\_\_\_\_

PREPARED FOR:  
**SEASONAL INVESTMENTS, LLC**  
4068 SUNSET DRIVE  
SPRING PARK, MN 55384

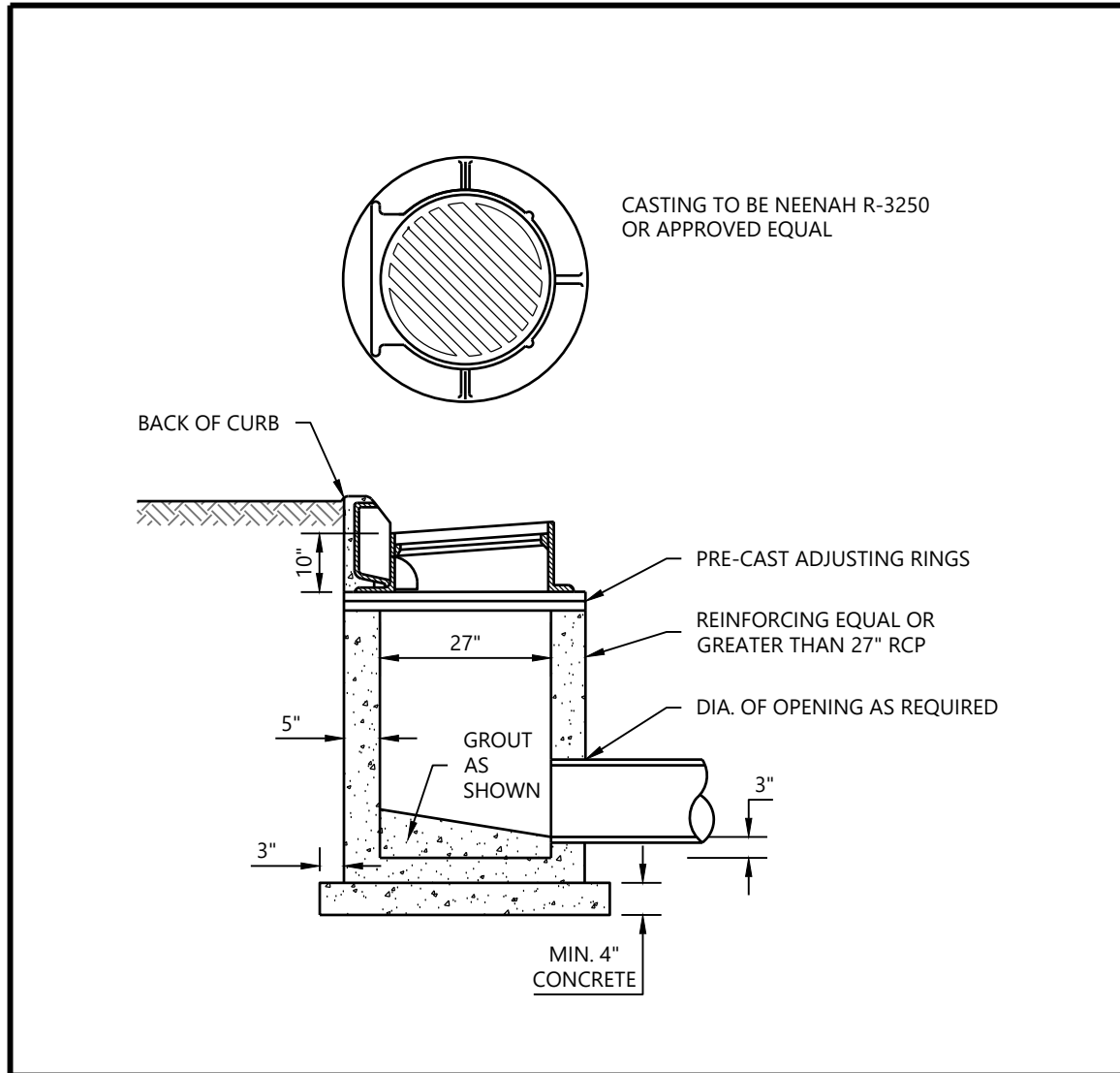
I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME  
OR UNDER MY DIRECT SUPERVISION AND THAT I AM A  
DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS  
OF THE STATE OF MINNESOTA  
CHRISTIAN H. FROEMKE  
DATE: 02/09/23 LICENSE NO. 56208

**ROCKVAM BOAT YARDS STORAGE  
FACILITY**  
INDEPENDENCE, MN

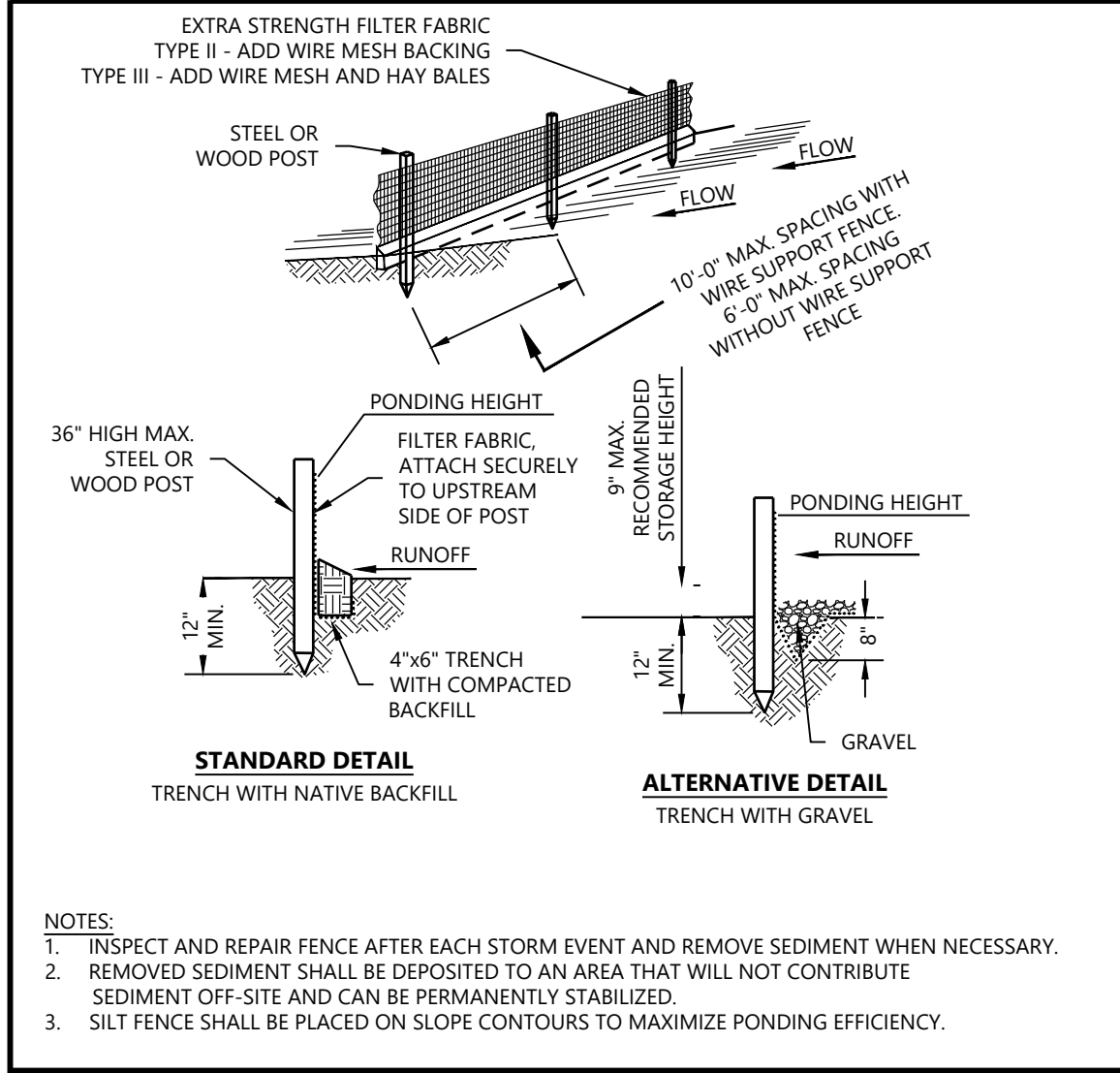
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Toll Free (888) 937-5150 westwoodps.com  
Westwood Professional Services, Inc.

**GRADING, DRAINAGE,  
EROSION CONTROL &  
UTILITY PLAN**  
PROJECT NUMBER: 0040835.00

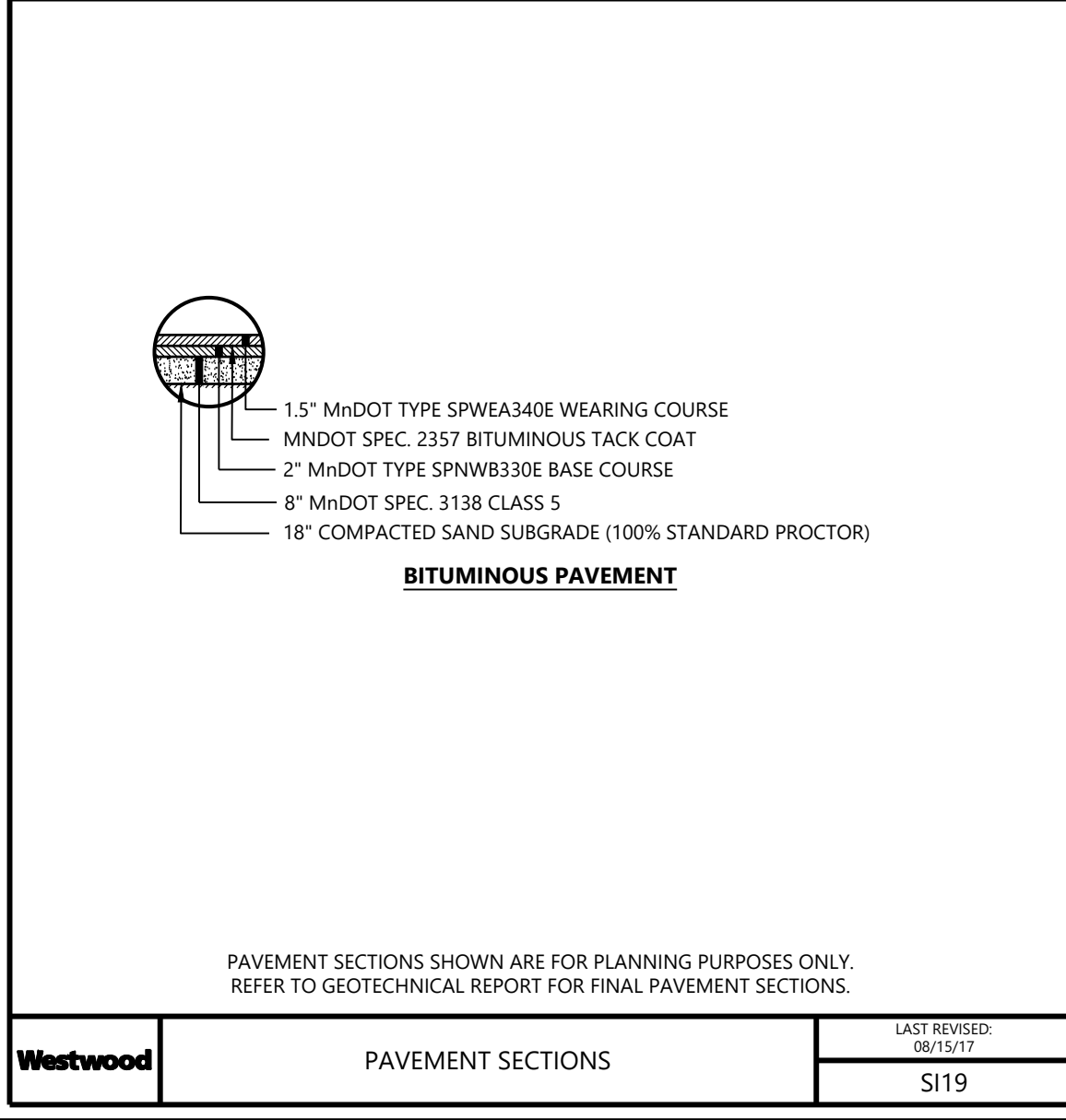
SHEET NUMBER:  
**4** OF **7**  
DATE: 02/09/23



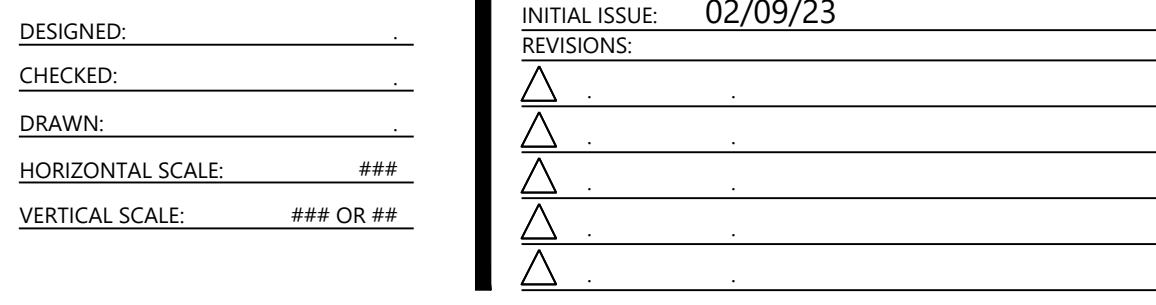
**Westwood** ROUND CATCH BASIN **ST02** LAST REVISED: 08/10/17



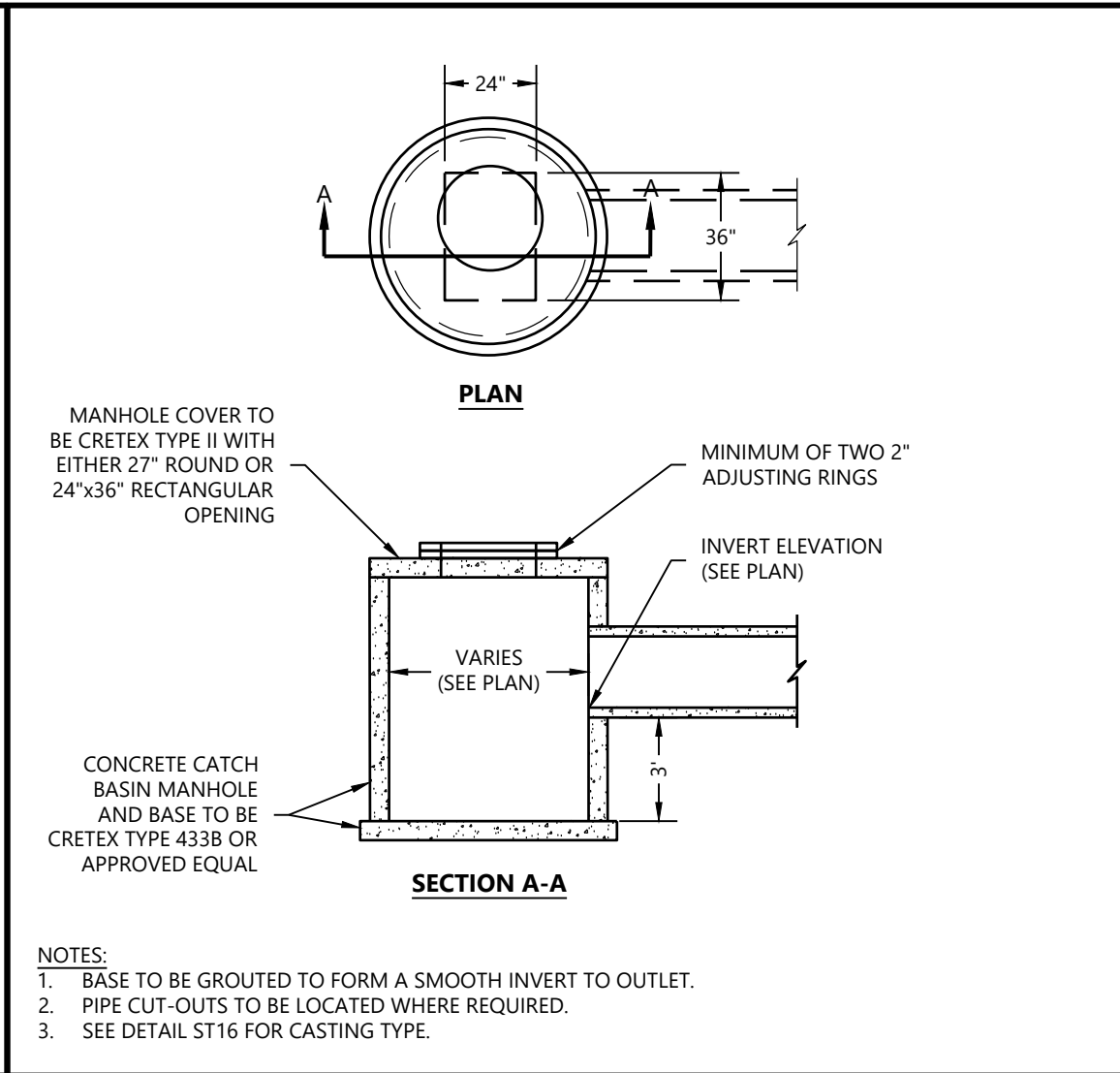
**Westwood** CATCH BASIN (SUMP) **ST04** LAST REVISED: 08/10/17



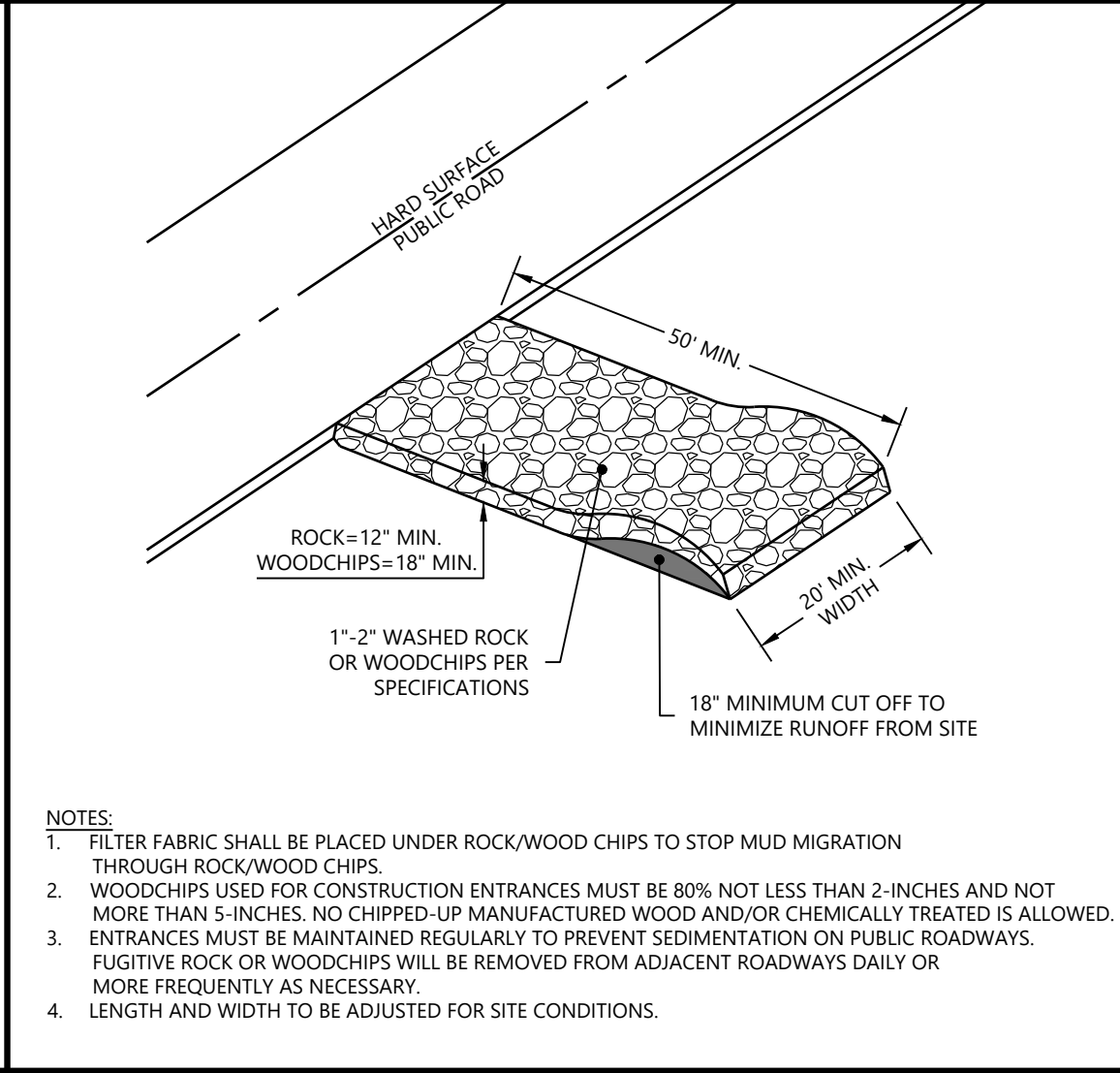
**Westwood** RIPRAP AT OUTLETS **ST05** LAST REVISED: 08/10/17



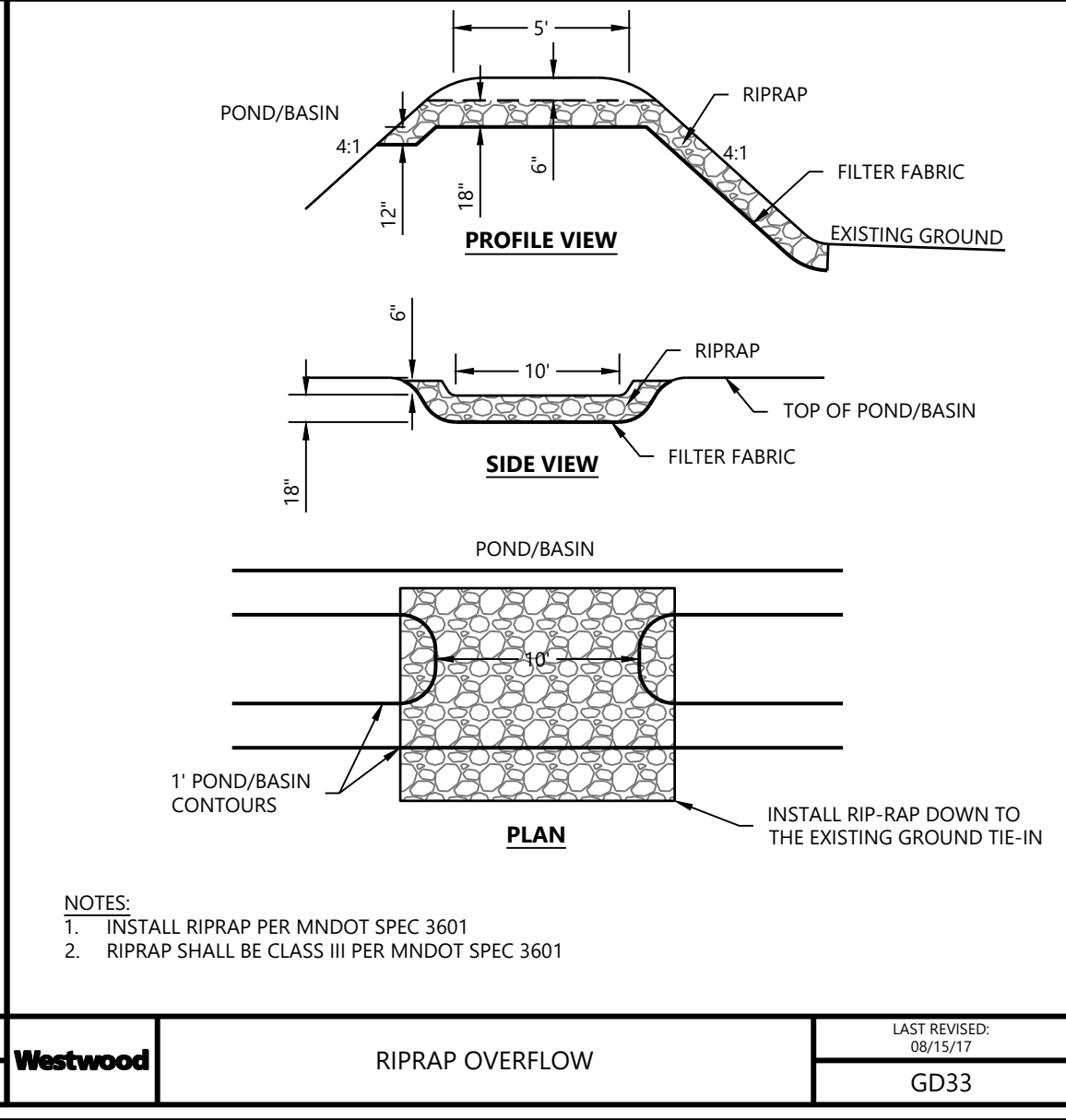
**Westwood** STORM SEWER CASTING SCHEDULE **ST16** LAST REVISED: 08/11/17



**Westwood** STORM DRAIN FILTER BAG INSERT **GD10** LAST REVISED: 08/15/17



**Westwood** FILTRATION BASIN **ST06a** LAST REVISED: 08/10/17

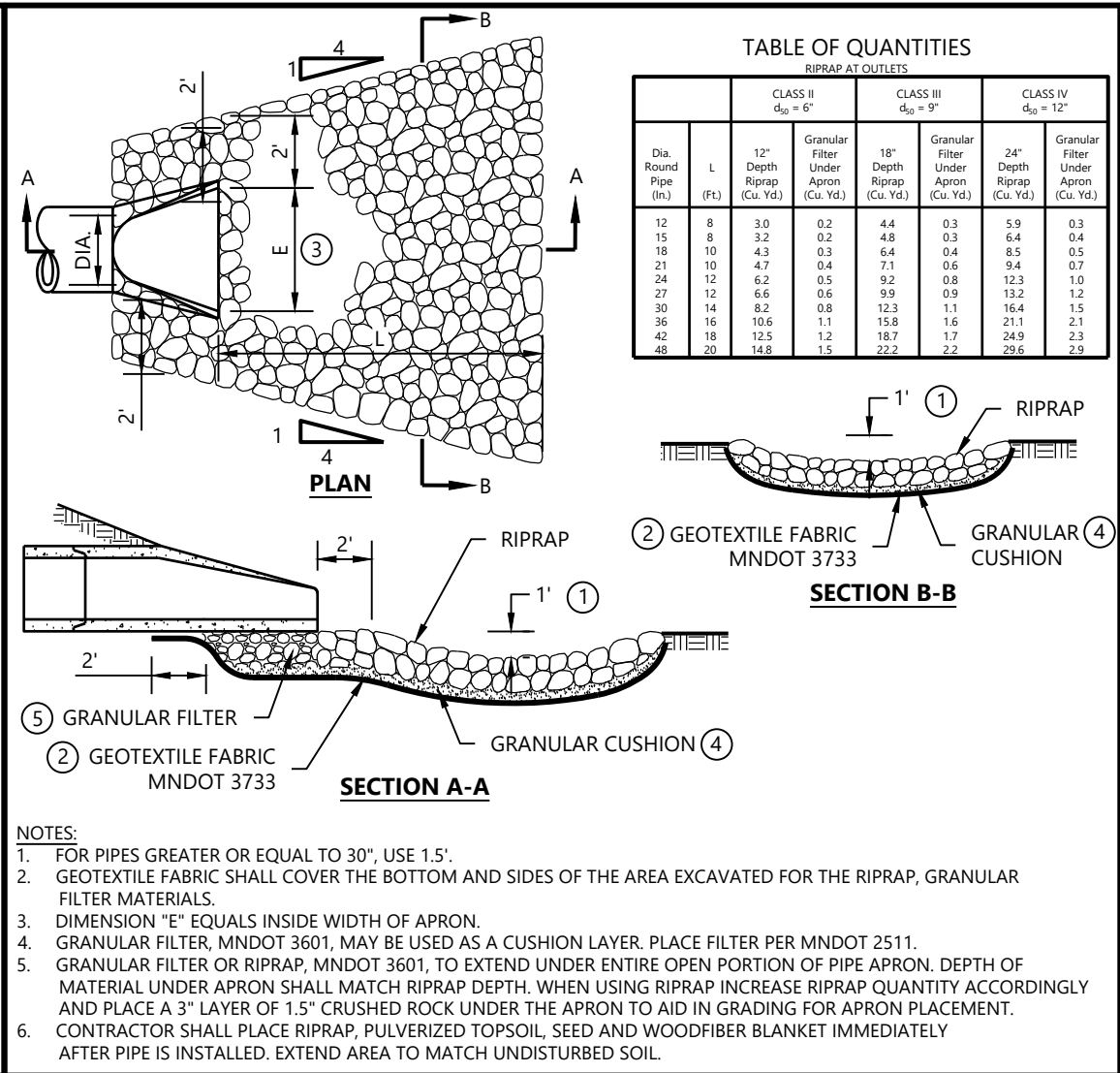


**Westwood** TEMPORARY EROSION BLANKETS TURF REINFORCEMENT MATS FOR SLOPES **GD21** LAST REVISED: 04/20/21

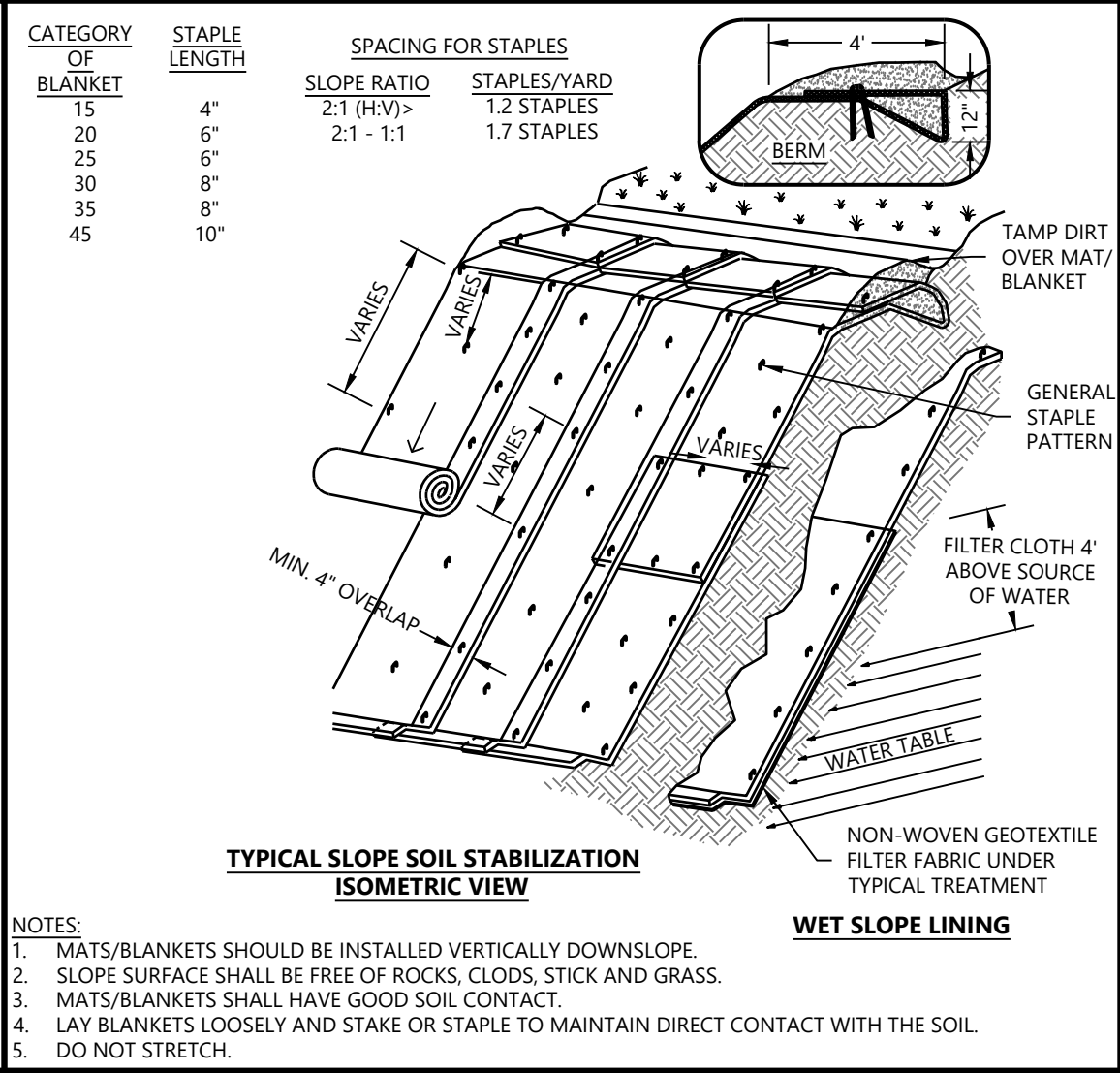


**Westwood** TEMPORARY BIOROLL BLANKET SYSTEM (DITCH APPLICATION) **GD23** LAST REVISED: 04/20/21

**Westwood** NOT FOR CONSTRUCTION



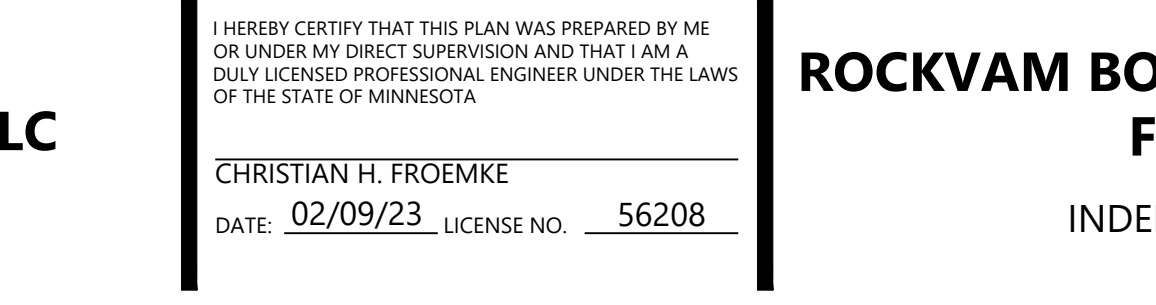
**Westwood** RIPRAP AT OUTLETS **ST05** LAST REVISED: 08/10/17



**Westwood** STORM SEWER CASTING SCHEDULE **ST16** LAST REVISED: 08/11/17

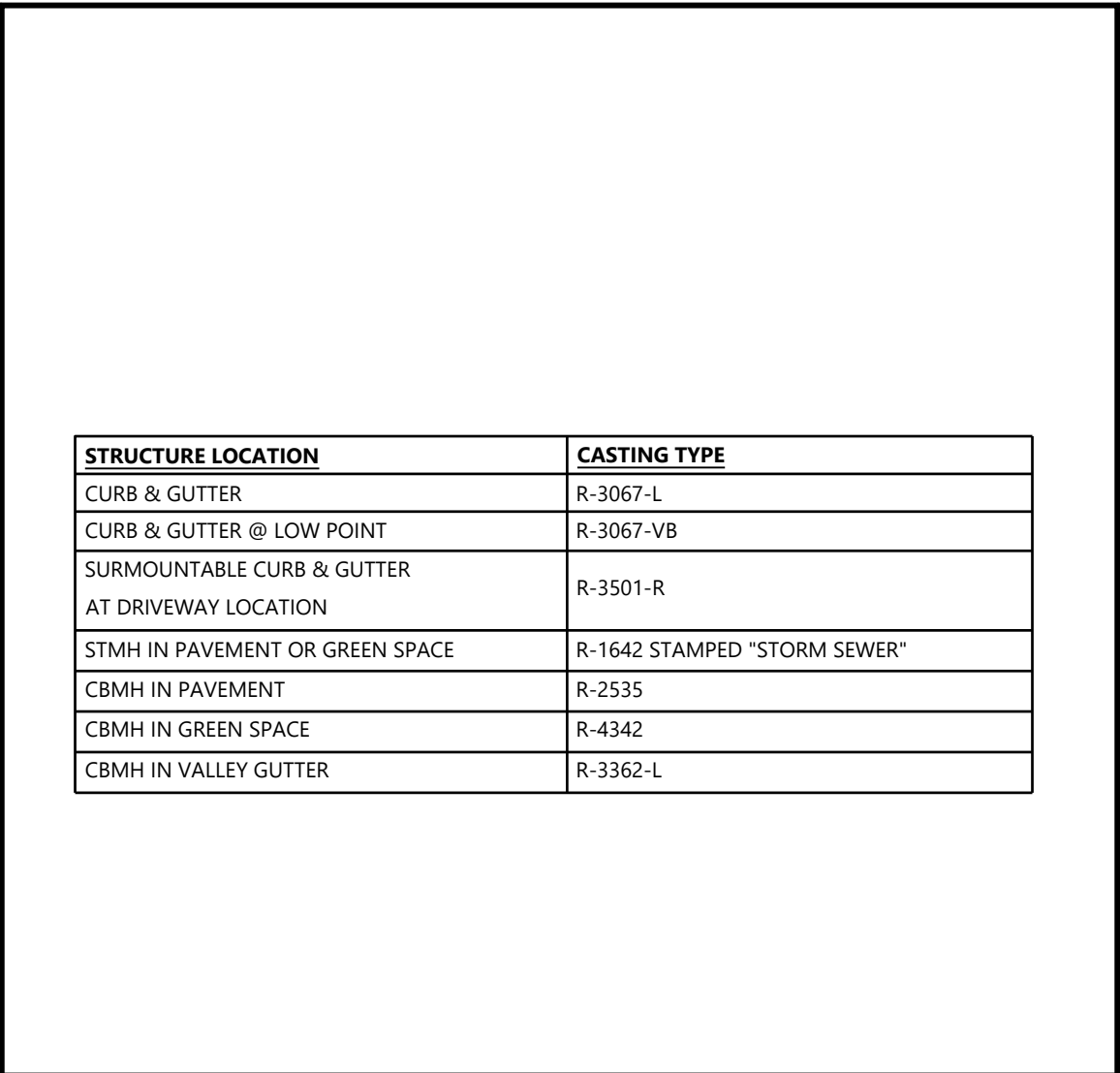


**Westwood** STORM DRAIN FILTER BAG INSERT **GD10** LAST REVISED: 08/15/17

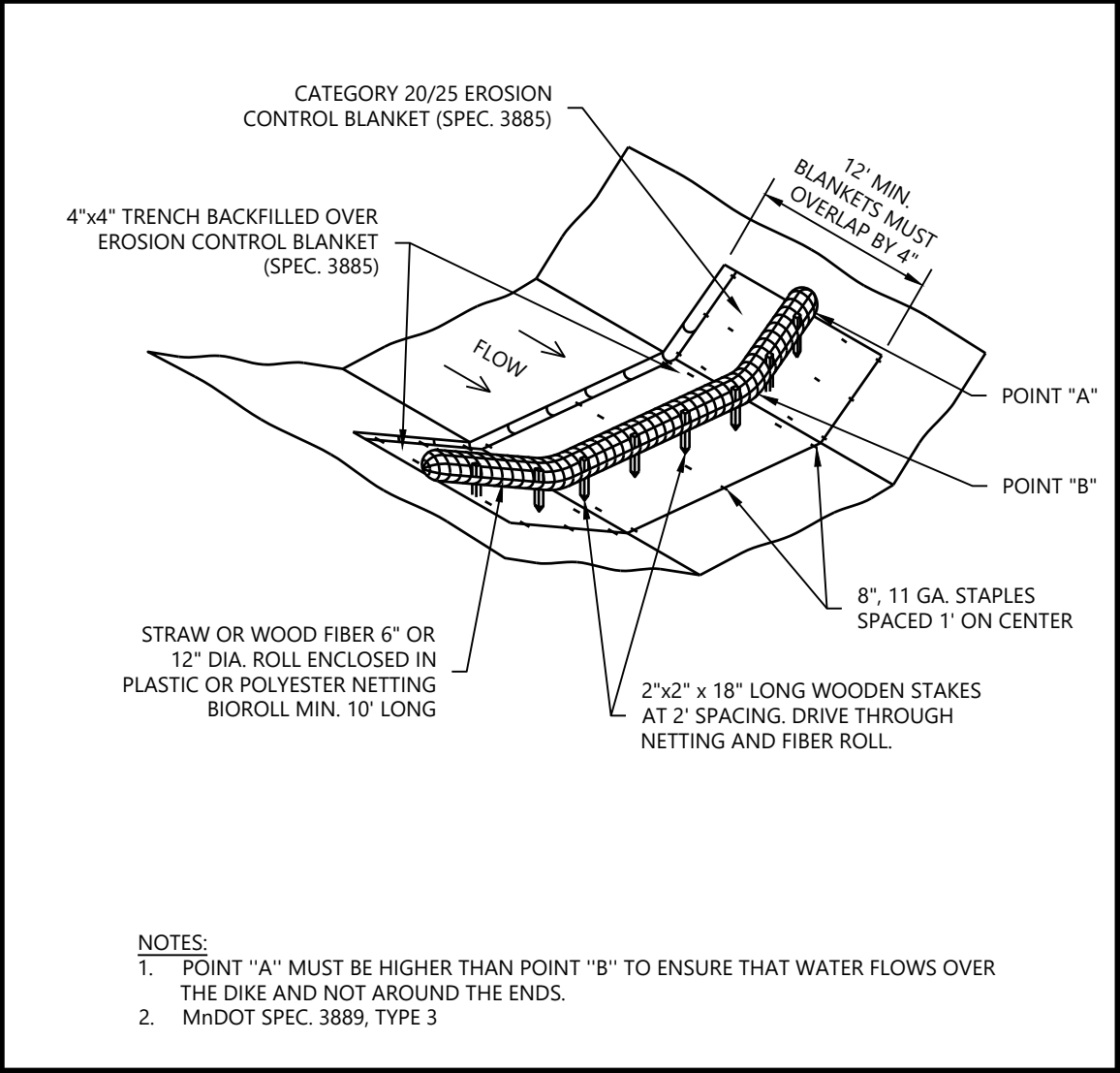


**Westwood** FILTRATION BASIN **ST06a** LAST REVISED: 08/10/17

**Westwood** NOT FOR CONSTRUCTION



**Westwood** RIPRAP AT OUTLETS **ST05** LAST REVISED: 08/10/17



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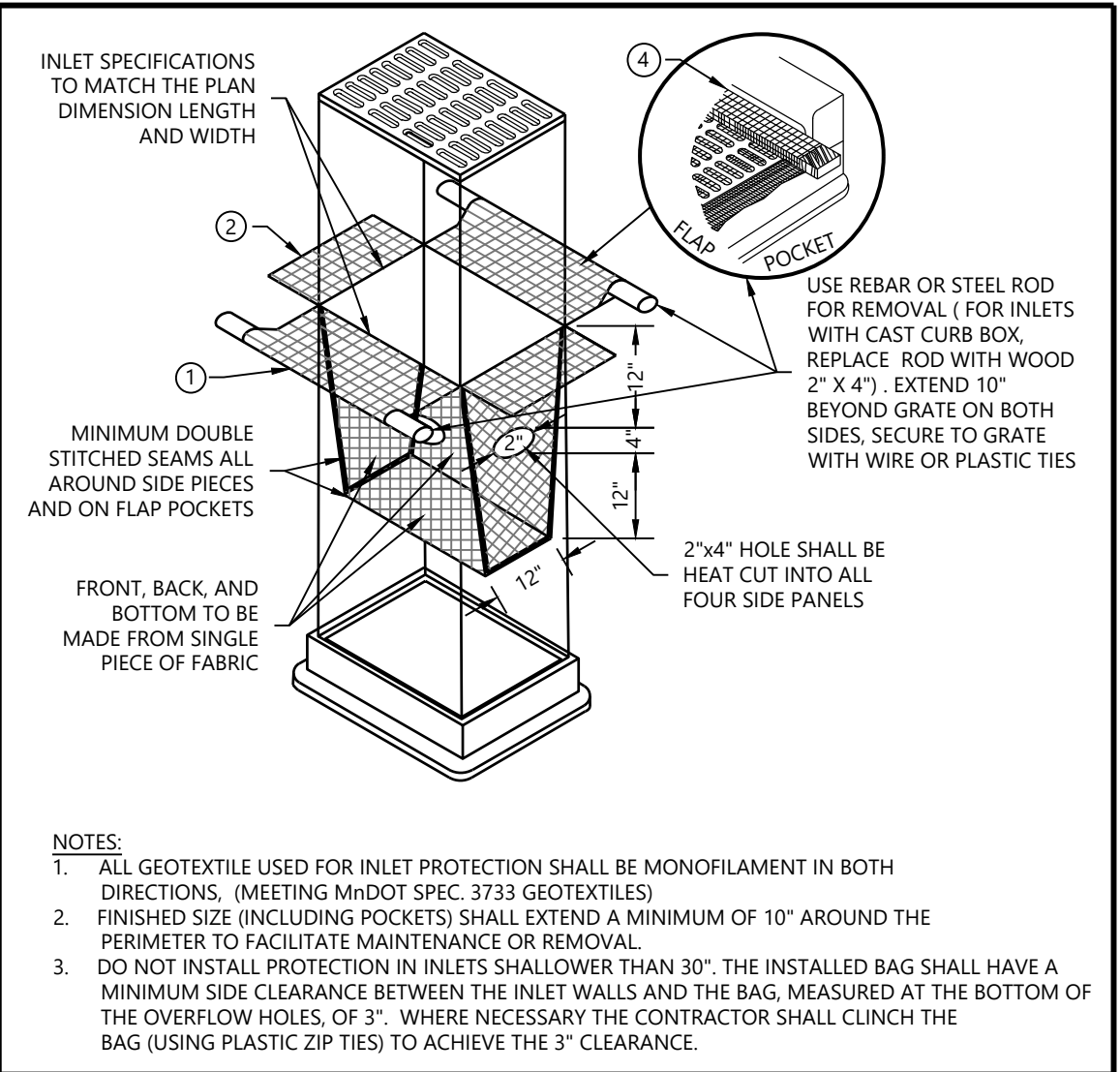


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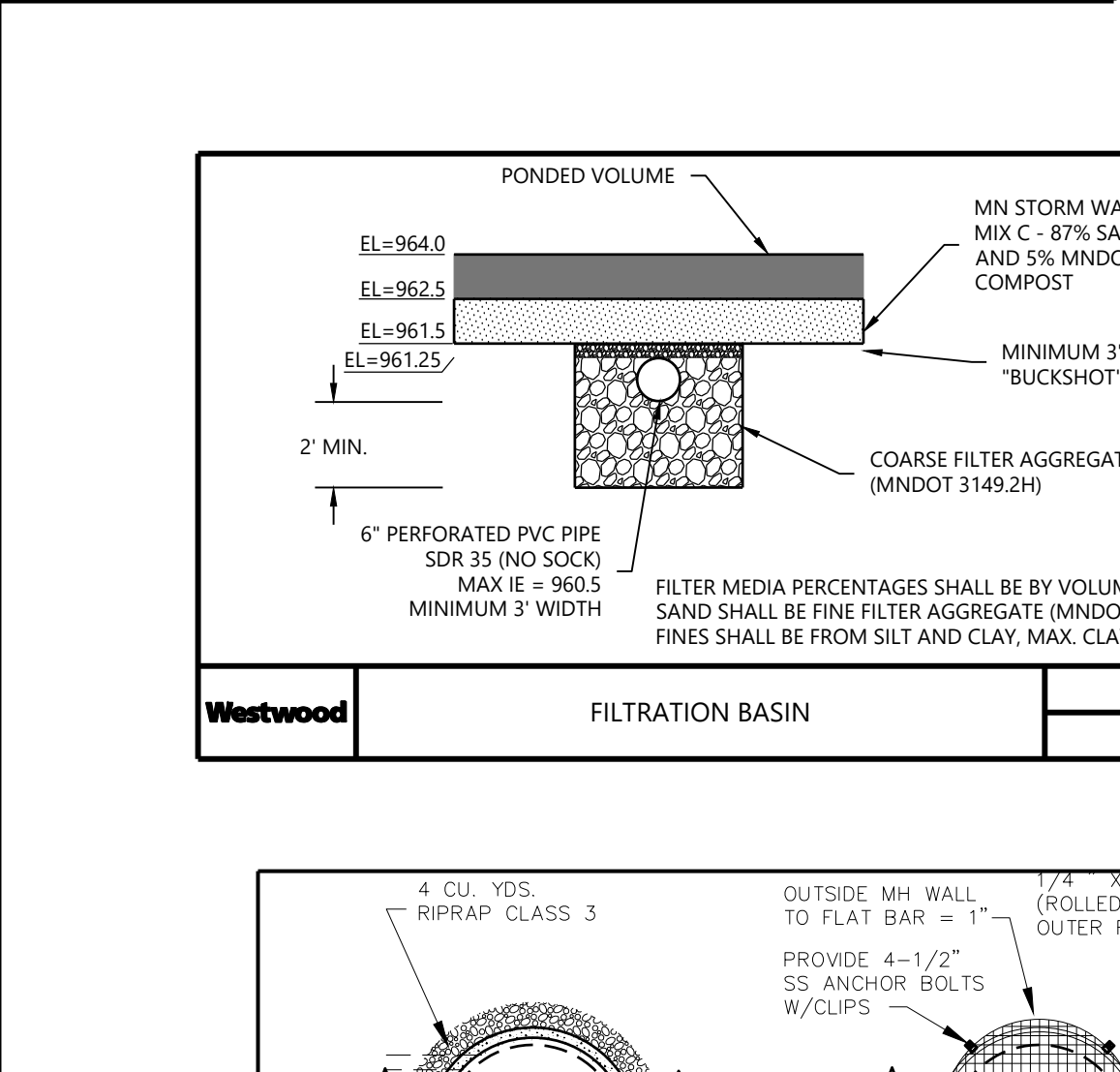


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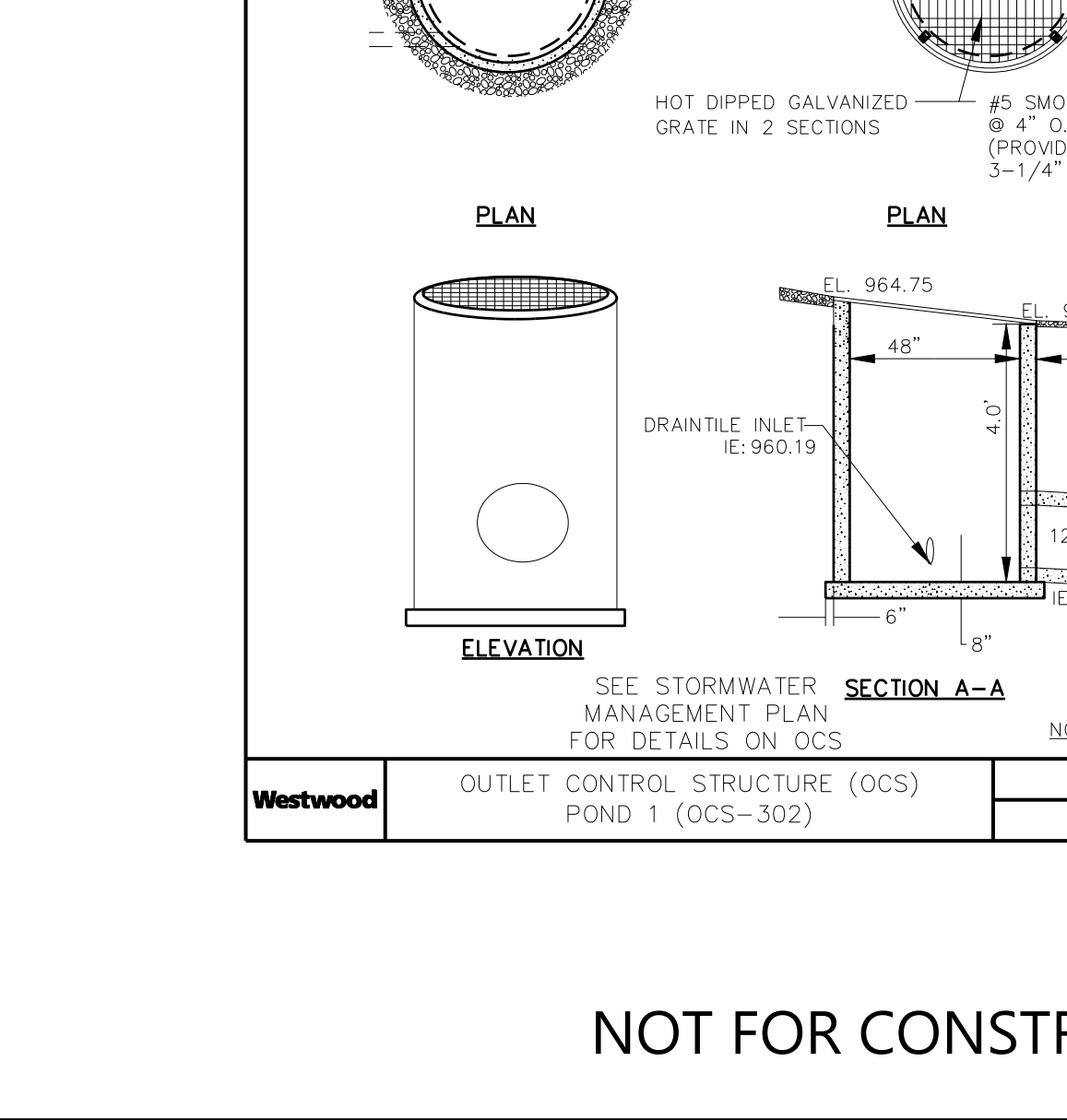
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**Westwood** STORM SEWER CASTING SCHEDULE **ST16** LAST REVISED: 08/11/17



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**Westwood** FILTRATION BASIN **ST06a** LAST REVISED: 08/10/17

**Westwood** NOT FOR CONSTRUCTION

Call 48 Hours before digging:  
**811 or call811.com**  
Common Ground Alliance

DESIGNED: \_\_\_\_\_  
CHECKED: \_\_\_\_\_  
DRAWN: \_\_\_\_\_  
HORIZONTAL SCALE: ###  
VERTICAL SCALE: ## OR ##

INITIAL ISSUE: 02/09/23  
REVISIONS:  
1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_  
5. \_\_\_\_\_

PREPARED FOR:  
**SEASONAL INVESTMENTS, LLC**  
4068 SUNSET DRIVE  
SPRING PARK, MN 55384

I HEREBY CERTIFY THAT THIS PLAN 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

CHRISTIAN H. FROEMKE  
DATE: 02/09/23 LICENSE NO. 56208

**Westwood**  
Phone (952) 937-5150 12701 Whitewater Drive, Suite #300  
Fax (952) 937-5822 Minneapolis, MN 55343  
Toll Free (888) 937-5150 westwoodps.com  
Westwood Professional Services, Inc.

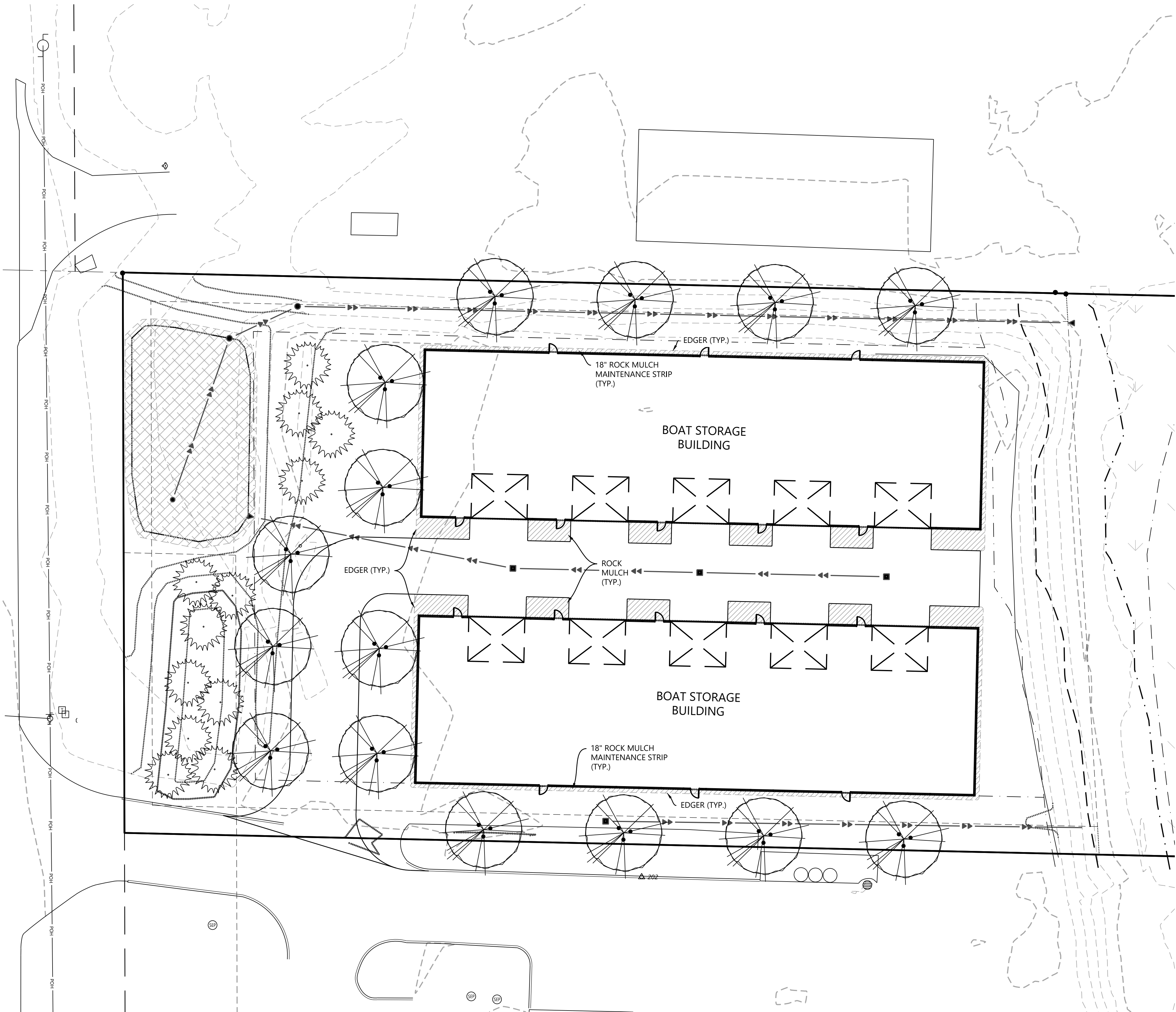
**RockvAM Boat Yards Storage Facility**  
INDEPENDENCE, MN

SHEET NUMBER:  
**5** OF **7**

DETAILS

PROJECT NUMBER: 0040835.00 DATE: 02/09/23





Call 48 Hours before digging:  
811 or call811.com  
Common Ground Alliance

PRELIMINARY PLANT SCHEDULE

COMMON / BOTANICAL		SIZE	SPACING O.C.	MATURE SIZE
OVERSTORY DECIDUOUS TREES	15 ACCOLADE™ ELM / ULMUS X'MORTON'	2.5" CAL, B&B	AS SHOWN	H 70' W 40'-50'
	HACKBERRY / CELTIS OCCIDENTALIS	2.5" CAL, B&B	AS SHOWN	H 50'-75' W 50'
	RED OAK / QUERCUS RUBRA	2.5" CAL, B&B	AS SHOWN	H 50'-70' W 40'-50'
EVERGREEN TREES	12 BLACK HILLS SPRUCE / PICEA GLAUCA DENSATA	6' HT B&B	AS SHOWN	H 35'-45' W 20'-25'
	CONCOLOR FIR / ABIES CONCOLOR	6' HT B&B	AS SHOWN	H 40'-50' W 15'-30'
	WHITE PINE / PINUS STROBUS	6' HT B&B	AS SHOWN	H 50'-80' W 25'-40'
ABBREVIATIONS: B.B. = BALLED AND BURLAPPED CAL = CALIPER HT. = HEIGHT MIN. = MINIMUM O.C. = ON CENTER SP. = SPREAD QTY. = QUANTITY CONT. = CONTAINER NOTES: QUANTITIES ON PLAN SUPERSEDE LIST QUANTITIES IN THE EVENT OF A DISCREPANCY.				

OVERALL LANDSCAPE REQUIREMENTS

TOTAL TREES REQUIRED	27 TREES
* MINIMUM LANDSCAPE REQUIREMENTS IN THE PROTECTIVE BUFFER MUST INCLUDE ONE TREE (AT LEAST 2.5-INCH CALIPER DECIDUOUS TREE OR SIX-FOOT-HIGH CONIFER TREE) FOR EACH 40 FEET OF PROPERTY LINE. - PROPERTY LINE LENGTH (UP TO AND INCLUDING WETLAND SETBACK LINE): 1,073 LF - 1,073 LF / 40 LF = 27 TREES	

OVERALL LANDSCAPE PROVISIONS

TOTAL LANDSCAPE PROVIDED:	27 TREES
* OVERSTORY DECIDUOUS TREES:	15 TREES
* EVERGREEN TREES:	12 TREES

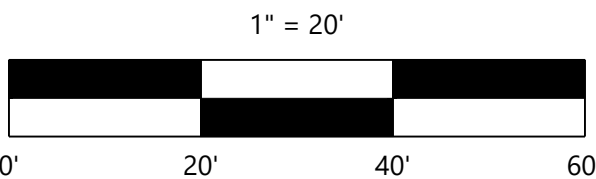
GROUNDCOVER LEGEND

	DENOTES STORMWATER NATIVE SEED MIX (33-261) TOTAL AREA (0.08 AC)
	LANDSCAPE ROCK MULCH TOTAL AREA (2,456 SF)

\* ALL DISTURBED AREAS TO BE SODDED  
UNLESS NOTED OTHERWISE  
\* TURF WITHIN R/W TO BE HYDROSEEDED.

NOTES:

- TREE LOCATIONS AND SPACING ARE SUBJECT TO CHANGE BASED ON CONSTRUCTED DRIVEWAY AND UTILITY LOCATIONS.
- TREES SHALL BE PLANTED MIN. 5' FROM BACK OF CURB IN A LOCATION THAT DOES NOT INTERFERE WITH CURBSTOPS OR INDIVIDUAL SEWER & WATER CONNECTIONS.
- NO PLANTING WILL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
- DECIDUOUS TREES SHOULD BE LOCATED A MINIMUM OF 5' OFF ANY UTILITY PIPE AND CONIFEROUS TREES SHOULD BE LOCATED A MINIMUM OF 15' OFF ANY UTILITY PIPE.
- NO TREE SHOULD BE LOCATED WITHIN 10' OF A HYDRANT OR 15' FROM A STREETLIGHT.
- NO TREES SHOULD BE LOCATED WITHIN A STORM POND HWL.
- NO TREES SHOULD BE LOCATED WITHIN STORM POND ACCESS ROUTE.
- NO DECIDUOUS TREE WITH 5' OF A SIDEWALK OR TRAIL AND NO CONIFEROUS TREES WITHIN 20' OF A PROPOSED SIDEWALK OR TRAIL.



NOT FOR CONSTRUCTION

DESIGNED:	CHF
CHECKED:	CHF
DRAWN:	TAS
HORIZONTAL SCALE:	20'
VERTICAL SCALE:	4' OR 2'

INITIAL ISSUE:	02/09/23
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PREPARED FOR:  
**SEASONAL INVESTMENTS, LLC**  
4068 SUNSET DRIVE  
SPRING PARK, MN 55384

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA  
**NICHOLAS T. MEYER**  
DATE: 02/09/23 LICENSE NO. 53774

**ROCKVAM BOAT YARDS STORAGE FACILITY**  
INDEPENDENCE, MN

**Westwood**

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300  
Fax (952) 937-5822 Minnetonka, MN 55343  
Toll Free (888) 937-5150 westwoodps.com  
Westwood Professional Services, Inc.

LANDSCAPE PLAN

PROJECT NUMBER: 0040835.00

SHEET NUMBER:

6

OF

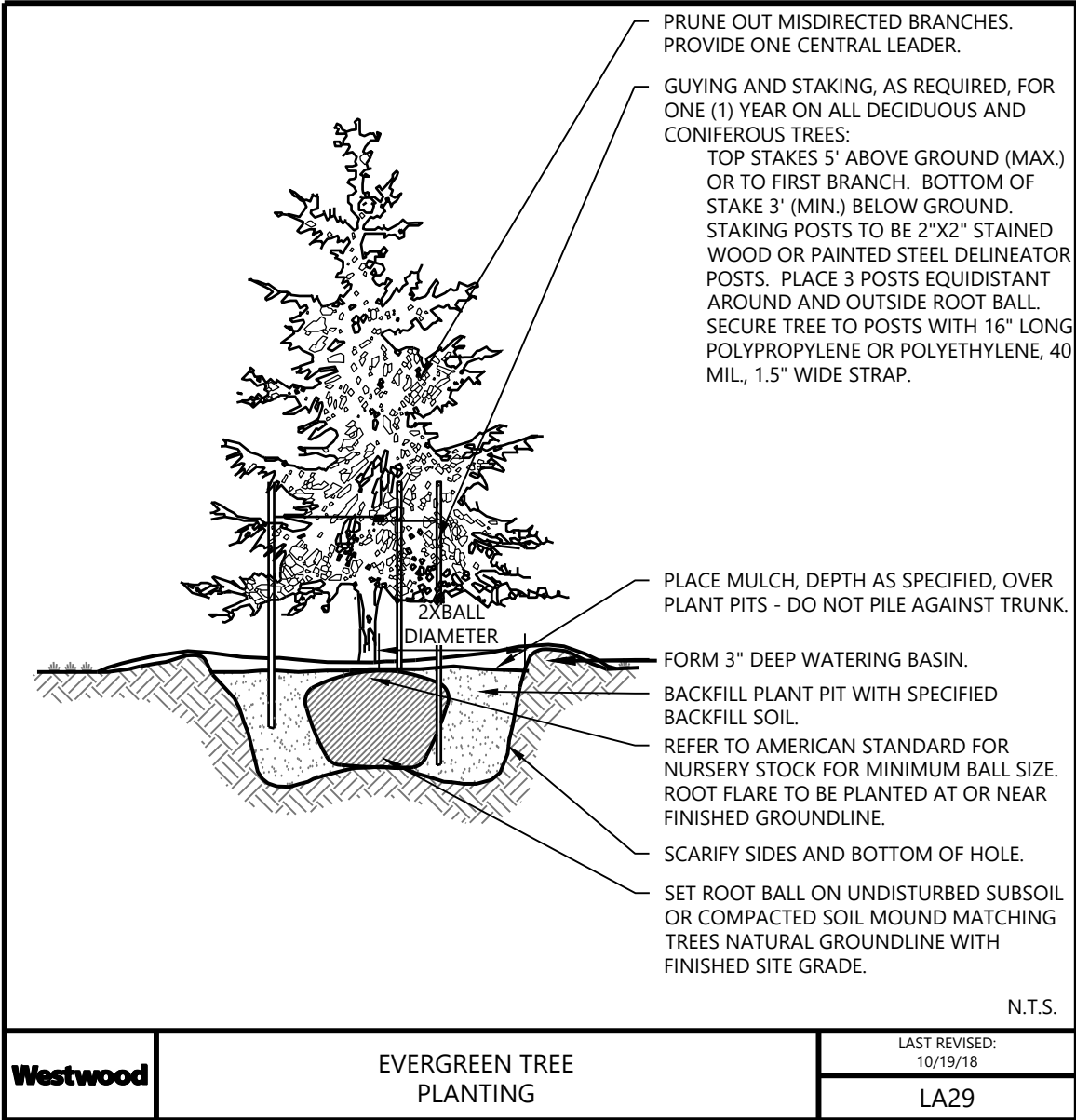
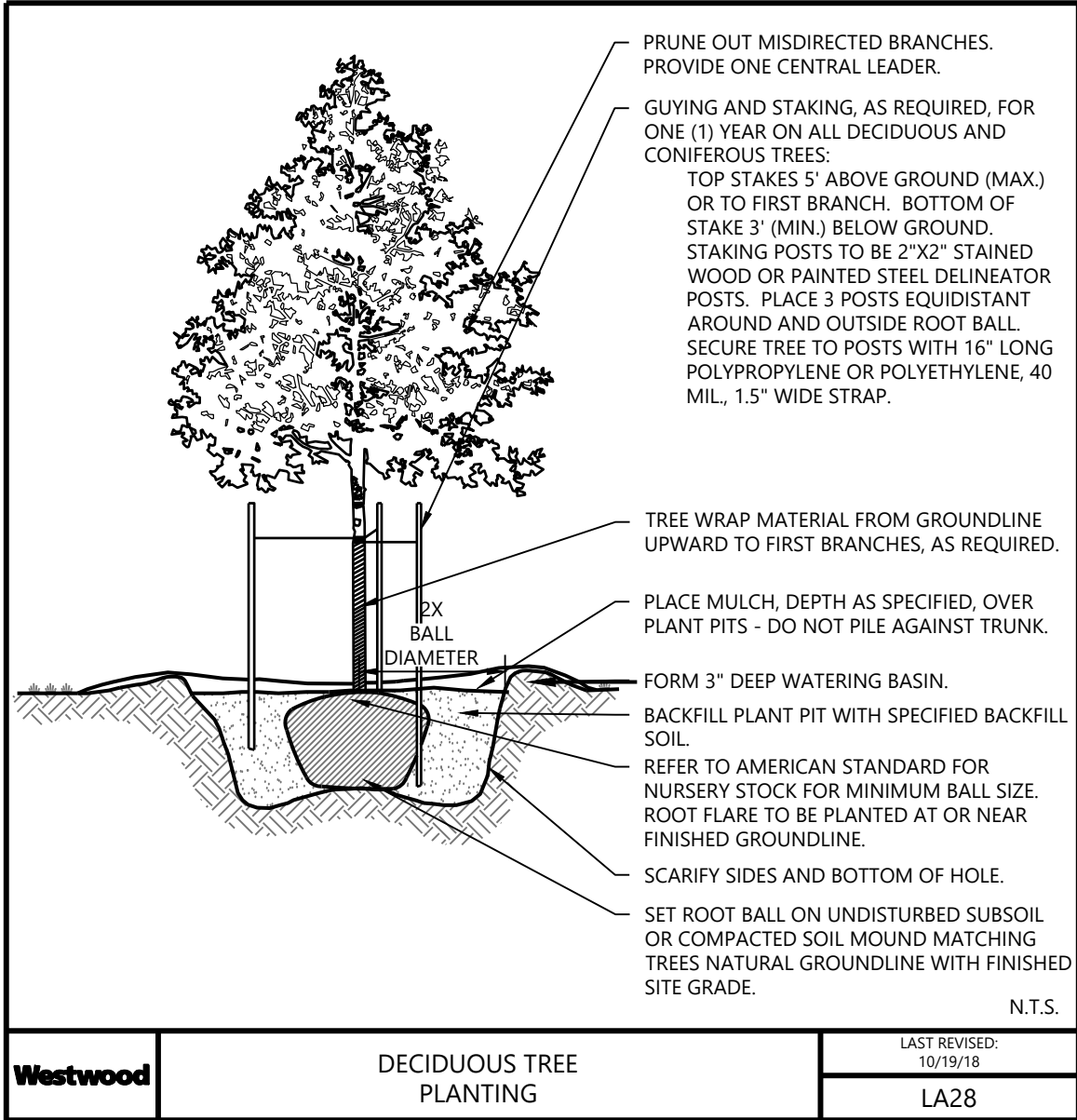
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DATE: 02/09/23

PLANTING NOTES

1. CONTRACTOR SHALL CONTACT COMMON GROUND ALLIANCE AT 811 OR CALL811.COM TO VERIFY LOCATIONS OF ALL UNDERGROUND UTILITIES PRIOR TO INSTALLATION OF ANY PLANTS OR LANDSCAPE MATERIAL.
2. ACTUAL LOCATION OF PLANT MATERIAL IS SUBJECT TO FIELD AND SITE CONDITIONS.
3. NO PLANTING WILL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
4. ALL SUBSTITUTIONS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO SUBMISSION OF ANY BID AND/OR QUOTE BY THE LANDSCAPE CONTRACTOR.
5. CONTRACTOR SHALL PROVIDE ONE YEAR GUARANTEE OF ALL PLANT MATERIALS. THE GUARANTEE BEGINS ON THE DATE OF THE LANDSCAPE ARCHITECT'S OR OWNER'S WRITTEN ACCEPTANCE OF THE INITIAL PLANTING. REPLACEMENT PLANT MATERIAL SHALL HAVE A ONE YEAR GUARANTEE COMMENCING UPON PLANTING.
6. ALL PLANTS TO BE SPECIMEN GRADE, MINNESOTA-GROWN AND/OR HARDY. SPECIMEN GRADE SHALL ADHERE TO, BUT IS NOT LIMITED BY, THE FOLLOWING STANDARDS:  
ALL PLANTS SHALL BE FREE FROM DISEASE, PESTS, WOUNDS, SCARS, ETC.  
ALL PLANTS SHALL BE FREE FROM NOTICEABLE GAPS, HOLES, OR DEFORMITIES.  
ALL PLANTS SHALL BE FREE FROM BROKEN OR DEAD BRANCHES.  
ALL PLANTS SHALL HAVE HEAVY, HEALTHY BRANCHING AND LEAFING.  
CONIFEROUS TREES SHALL HAVE AN ESTABLISHED MAIN LEADER AND A HEIGHT TO WIDTH RATIO OF NO LESS THAN 5:3.
7. PLANTS TO MEET AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1-2014 OR MOST CURRENT VERSION) REQUIREMENTS FOR SIZE AND TYPE SPECIFIED.
8. PLANTS TO BE INSTALLED AS PER MNLA & ANSI STANDARD PLANTING PRACTICES.
9. PLANTS SHALL BE IMMEDIATELY PLANTED UPON ARRIVAL AT SITE. PROPERLY HEEL-IN MATERIALS IF NECESSARY; TEMPORARY ONLY.
10. PRIOR TO PLANTING, FIELD VERIFY THAT THE ROOT COLLAR/ROOT FLAIR IS LOCATED AT THE TOP OF THE BALLED & BURLAP TREE. IF THIS IS NOT THE CASE, SOIL SHALL BE REMOVED DOWN TO THE ROOT COLLAR/ROOT FLAIR. WHEN THE BALLED & BURLAP TREE IS PLANTED, THE ROOT COLLAR/ROOT FLAIR SHALL BE EVEN OR SLIGHTLY ABOVE FINISHED GRADE.
11. OPEN TOP OF BURLAP ON BB MATERIALS; REMOVE POT ON POTTED PLANTS; SPLIT AND BREAK APART PEAT POTS.
12. PRUNE PLANTS AS NECESSARY - PER STANDARD NURSERY PRACTICE AND TO CORRECT POOR BRANCHING OF EXISTING AND PROPOSED TREES.
13. THE NEED FOR SOIL AMENDMENTS SHALL BE DETERMINED UPON SITE SOIL CONDITIONS PRIOR TO PLANTING. LANDSCAPE CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT FOR THE NEED OF ANY SOIL AMENDMENTS.
14. BACKFILL SOIL AND TOPSOIL TO ADHERE TO MN/DOT STANDARD SPECIFICATION 3877 (SELECT TOPSOIL BORROW) AND TO BE EXISTING TOP SOIL FROM SITE FREE OF ROOTS, ROCKS LARGER THAN ONE INCH, SUBSOIL DEBRIS, AND LARGE WEEDS UNLESS SPECIFIED OTHERWISE. MINIMUM 4" DEPTH TOPSOIL FOR ALL LAWN GRASS AREAS AND 12" DEPTH TOPSOIL FOR TREE, SHRUBS, AND PERENNIALS.
15. MULCH TO BE AT ALL TREE, SHRUB, PERENNIAL, AND MAINTENANCE AREAS. TREE AND SHRUB PLANTING BEDS SHALL HAVE 4" DEPTH OF SHREDDED HARDWOOD MULCH. SHREDDED HARDWOOD MULCH TO BE USED AROUND ALL PLANTS WITHIN TURF AREAS. PERENNIAL AND ORNAMENTAL GRASS BEDS SHALL HAVE 2" DEPTH SHREDDED HARDWOOD MULCH. MULCH TO BE FREE OF DELETERIOUS MATERIAL AND COLORED RED, OR APPROVED EQUAL. ROCK MULCH TO BE BUFF LIMESTONE, 1 1/2" TO 3" DIAMETER, AT MINIMUM 3" DEPTH, OR APPROVED EQUAL. ROCK MULCH TO BE ON COMMERCIAL GRADE FILTER FABRIC, BY TYPAR, OR APPROVED EQUAL WITH NO EXPOSURE. MULCH AND FABRIC TO BE APPROVED BY OWNER PRIOR TO INSTALLATION. MULCH TO MATCH EXISTING CONDITIONS (WHERE APPLICABLE).
16. EDGING TO BE COMMERCIAL GRADE VALLEY-VIEW BLACK DIAMOND (OR EQUAL) POLY EDGING OR SPADED EDGE, AS INDICATED. POLY EDGING SHALL BE PLACED WITH SMOOTH CURVES AND STAKED WITH METAL SPIKES NO GREATER THAN 4 FOOT ON CENTER WITH BASE OF TOP BEAD AT GRADE, FOR MOWERS TO CUT ABOVE WITHOUT DAMAGE. UTILIZE CURBS AND SIDEWALKS FOR EDGING WHERE POSSIBLE. SPADED EDGE TO PROVIDE V-SHAPED DEPTH AND WIDTH TO CREATE SEPARATION BETWEEN MULCH AND GRASS. INDIVIDUAL TREE, SHRUB, OR RAIN-GARDEN BEDS TO BE SPADED EDGE, UNLESS NOTED OTHERWISE. EDGING TO MATCH EXISTING CONDITIONS (WHERE APPLICABLE).
17. ALL DISTURBED AREAS TO BE SODDED OR SEEDED, UNLESS OTHERWISE NOTED. PARKING LOT ISLANDS TO BE SODDED WITH SHREDDED HARDWOOD MULCH AROUND ALL TREES AND SHRUBS. SOD TO BE STANDARD MINNESOTA GROWN AND HARDY BLUEGRASS MIX, FREE OF LAWN WEEDS. ALL TOPSOIL AREAS TO BE RAKED TO REMOVE DEBRIS AND ENSURE DRAINAGE. SLOPES OF 3:1 OR GREATER SHALL BE STAKED. SEED AS SPECIFIED AND PER MN/DOT SPECIFICATIONS. IF NOT INDICATED ON LANDSCAPE PLAN, SEE EROSION CONTROL PLAN.
18. CONTRACTOR SHALL PROVIDE NECESSARY WATERING OF PLANT MATERIALS UNTIL THE PLANT IS FULLY ESTABLISHED OR IRRIGATION SYSTEM IS OPERATIONAL. OWNER WILL NOT PROVIDE WATER FOR CONTRACTOR.
19. REPAIR, REPLACE, OR PROVIDE SOD/SEED AS REQUIRED FOR ANY ROADWAY BOULEVARD AREAS ADJACENT TO THE SITE DISTURBED DURING CONSTRUCTION.
20. REPAIR ALL DAMAGE TO PROPERTY FROM PLANTING OPERATIONS AT NO COST TO OWNER.
21. RAIN GARDEN NOTE: PROVIDE AND INSTALL EROSION CONTROL BLANKET AT RAIN GARDEN AREA SIDE SLOPES AFTER ALL PLANTING HAVE BEEN INSTALLED. BLANKET TO BE ONE SEASON GEOJUTE, MN/DOT CATEGORY 2 (STRAW 1S, WOOD FIBER 1S), OR APPROVED EQUAL. BLANKET TO BE OVERLAPPED BY 4" AND ANCHORED BY SOD STAPLES. PLACE BLANKET PERPENDICULAR TO THE SLOPE. TRENCH IN EDGES OF BLANKET AREA TO PREVENT UNDER MINING. PROVIDE SILT FENCE AT TOP OF SLOPE AS NEEDED. SHREDDED HARDWOOD MULCH TO MATCH OTHER PROJECT PLANTING MULCH. PLACE 4" DEPTH OF MULCH AT ALL PLANTING AND EROSION CONTROL BLANKET AREA (NO FILTER FABRIC). SEE RAIN GARDEN DETAIL FOR FURTHER INFORMATION. RAIN GARDEN TO PROVIDE PROPER INFILTRATION AND DRAINAGE REQUIREMENTS PER ENGINEERS APPROVAL.

PLANTING DETAILS



Call 48 Hours before digging:

811 or call811.com  
Common Ground Alliance

DESIGNED:	CHF
CHECKED:	CHF
DRAWN:	TAS
HORIZONTAL SCALE:	###
VERTICAL SCALE:	## OR ##

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PREPARED FOR:

SEASONAL INVESTMENTS, LLC

4068 SUNSET DRIVE  
SPRING PARK, MN 55384

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

NICHOLAS T. MEYER  
DATE: 02/09/23 LICENSE NO. 53774

ROCKVAM BOAT YARDS STORAGE  
FACILITY

INDEPENDENCE, MN

Westwood

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Fax (952) 937-5822 Minnetonka, MN 55343  
Toll Free (888) 937-5150 westwoodps.com  
Westwood Professional Services, Inc.

LANDSCAPE NOTES &  
DETAILS

PROJECT NUMBER: 0040835.00

SHEET NUMBER:

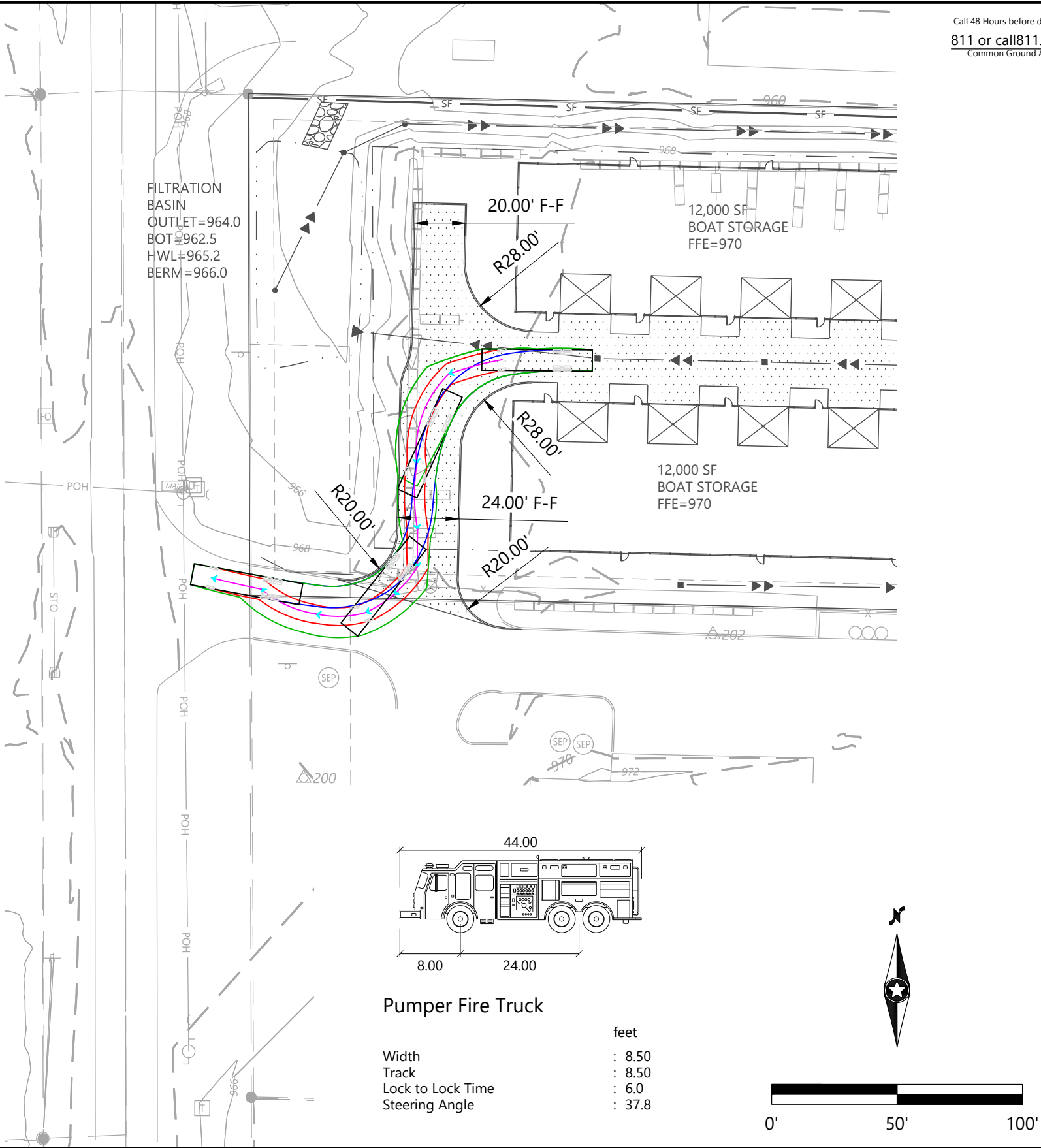
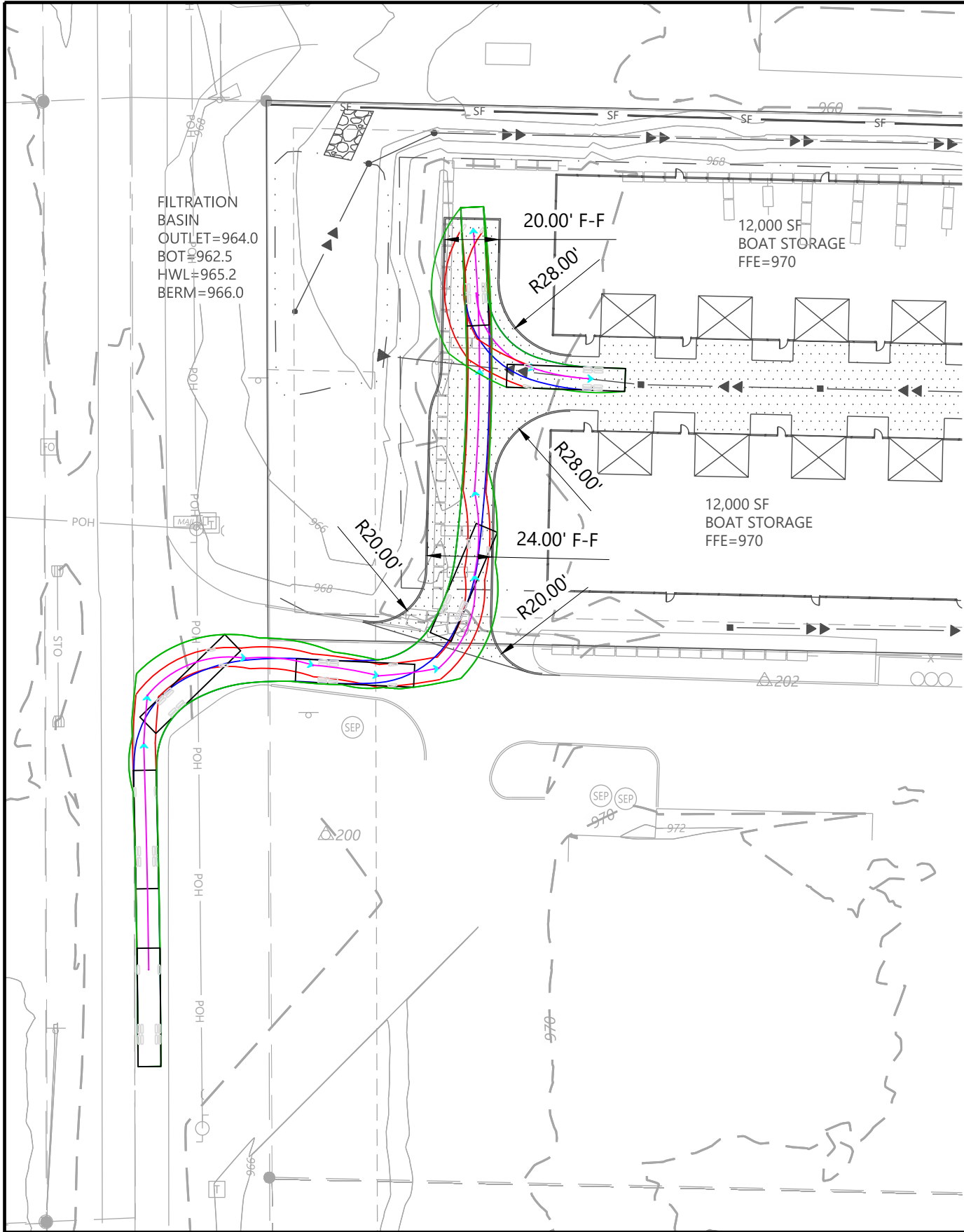
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OF

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DATE: 02/09/23

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ROCKVAM BOAT YARDS STORAGE FACILITY

DESIGNED: \_\_\_\_\_  
CHECKED: \_\_\_\_\_  
DRAWN: \_\_\_\_\_  
FIELD CREW: \_\_\_\_\_  
FIELD WORK DATE: \_\_\_\_\_

PREPARED FOR:

**SEASONAL INVESTMENTS, LLC**

4068 SUNSET DRIVE  
SPRING PARK, MN 55384

**ROCKVAM BOAT YARDS STORAGE  
FACILITY**

INDEPENDENCE, MN

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Toll Free (888) 937-5150 [westwoodps.com](http://westwoodps.com)  
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**TURNING MOVEMENT  
EXHIBIT**

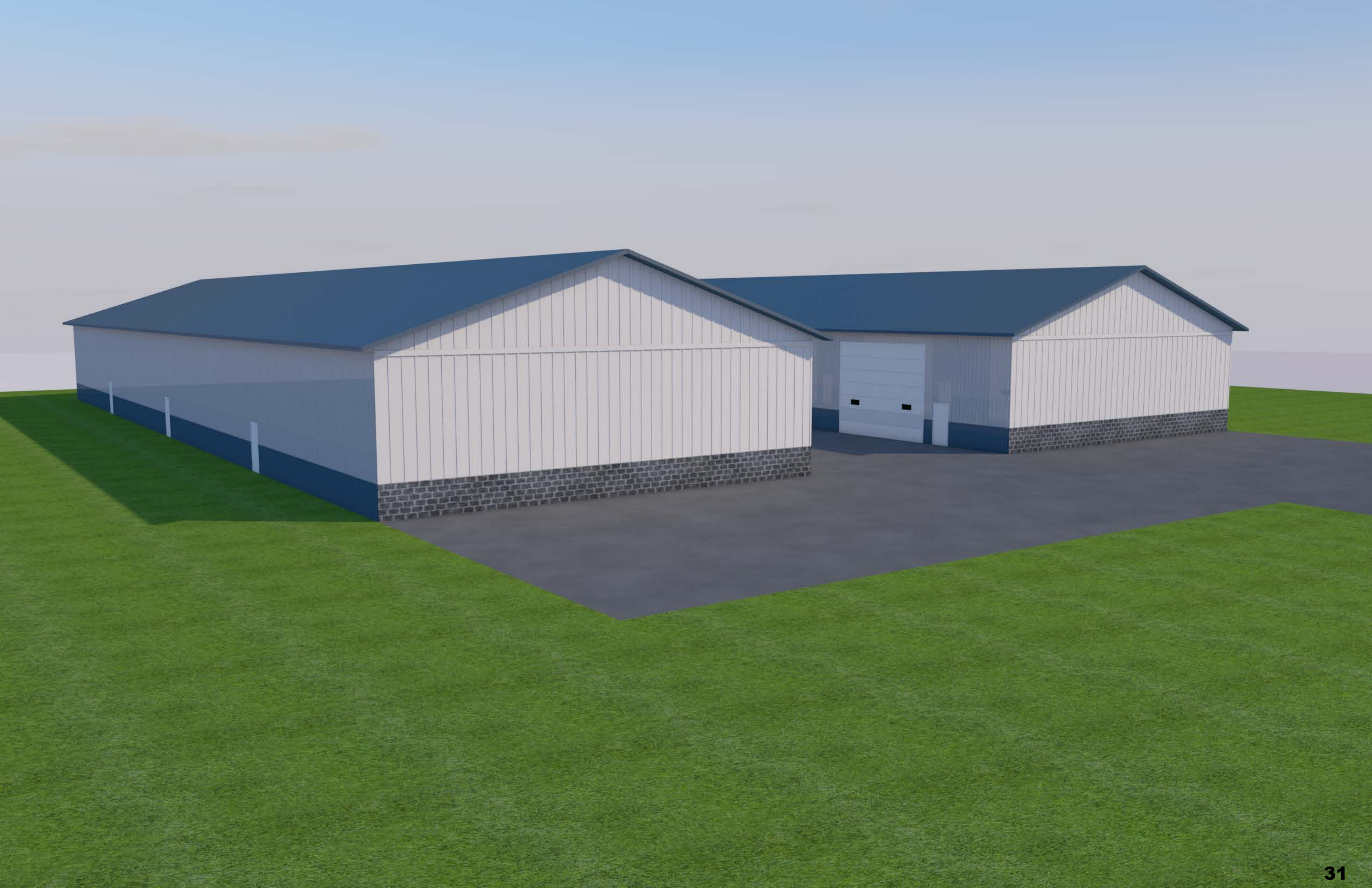
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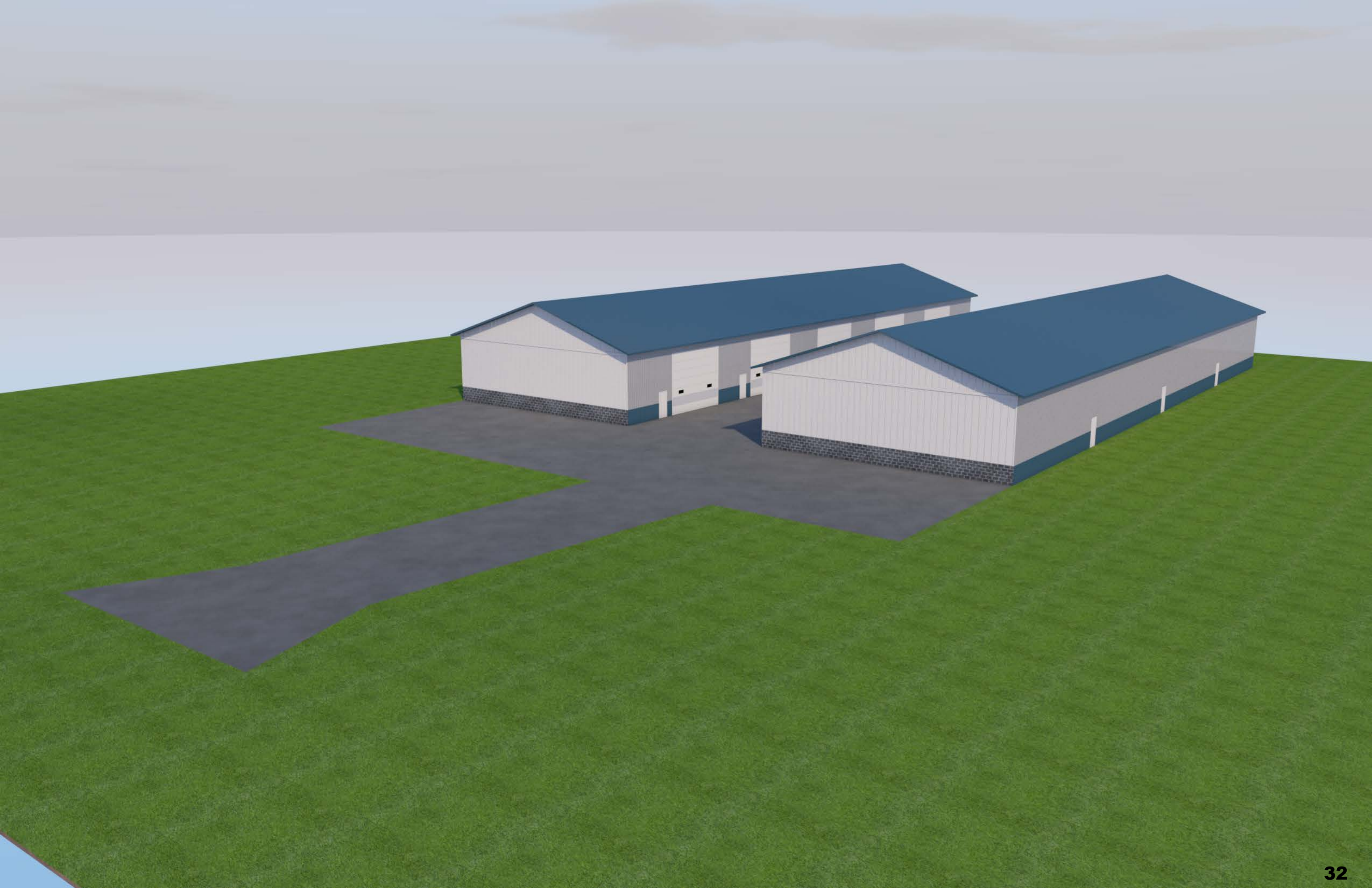
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DATE: 03/17/2023









■City of Independence

***Request for a Conditional Use Permit to Allow an Attached 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>	April 18, 2023
<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 conditional use permit to allow an attached accessory dwelling unit (ADU) to be located on the subject property.

***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. A new single-family home is proposed 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 applicant applied for a Variance and CUP seeking approval of a detached ADU on the property. The Planning Commission did review the request in 2022, but the applicant ultimately withdrew the application. The applicant has revised the plans and request for an attached ADU to be connected to the proposed new single-family home on the property.

The City considers allowing ADU's as a conditional use in the RR-Rrural Residential zoning district. The applicant has prepared plans for the development of the property which include both the principal and now attached accessory dwelling unit. 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:

**Principal Home:**

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

1,094 SF\* (Excludes attached garage)

\*Applicant has noted that the garage will be 453 SF.

<u>Setbacks</u>	<u>Required</u>	<u>Proposed</u>
Front Yard	85' from CL	100'+
Side Yard	30'	34' (north side)
Rear Yard	100' from OHWL	200'+

The proposed accessory dwelling unit is comprised 2 bedrooms, 2 baths, kitchen, family 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 an attached accessory dwelling unit as a result of the property being less than 2.5 acres.**

- (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 fully separated by the attached garage that would separate the principal home and the proposed accessory structure.**

- (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 proposed a 1,094 SF detached accessory structure.**

- (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 attached structure would not count towards the total detached accessory structure 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, floor plan and illustrations of the proposed ADU and principal structure. 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 from 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.*

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

1. The applicant has revised the proposed ADU to be an attached structure in compliance with the applicable standards for lots less than 2.5 acres.

Ultimately the City will need to find that the criteria for granting a conditional use permit 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. The proposed new home and ADU appear to be designed so that they are compatible and consistent.

### ***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 can be 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. An updated and signed survey confirming and detailing all proposed building setbacks and grading and drainage will be required to be submitted prior to issuance of the building permit.
3. The Applicant shall pay for all costs associated with the City's review of the requested conditional use permit.

***Attachments:***

1. Application
2. Site Plan
3. Proposed Accessory Dwelling Unit Floor Plan
4. ADU Illustration
5. Principal Home First Floor Plan and Elevation

## City of Independence

The Independence City Code was established to protect both current and future residents from the negative impacts of improper development and to ensure a positive future for the city. The land use application review is the mechanism that allows the city to examine proposed uses to ensure compatibility with the surrounding environment, natural or otherwise. It is important to understand that a proposed use may be acceptable in some circumstances, but unacceptable in others—all applications are viewed on a case-by-case basis.

- ☐ *Appeal*

☐ *Comprehensive Plan Amendment*

☐ *Concept Plan*

☒ *Conditional Use Permit*

☒ Residential

☐ Commercial/Light Industrial

☐ Telecommunications

☐ Agriculture

☐ Home Occupation

☐ Non-Conforming Use

☐ Guest/Bunk House

☐ Institutional

☐ CUP Amendment

☐ *Extension Request*

☐ *Final Plat*

☐ *Interim Use Permit*

☐ *Lot Consolidation*

☐ *Minor Subdivision (Survey)*

☐ Lot Subdivision

☐ Lot Combination

☐ Lot Line Rearrangement

☐ *Moving Buildings*

☐ *Preliminary Plat*

☐ *Rezoning*

☐ *Site Plan Review (Commercial)*

☐ *Variance*

☐ Subdivision Regulations

☐ Zoning

☐ Road Frontage

☐ *Zoning Text Amendment*

*\*Please check all that apply*

**Request:** \_\_\_\_\_

Conditional Use Permit for an Accessory Dwelling Unit attached to the garage of the main dwelling. Refer to Conceptual Planning Diagram and Exterior 3D Massing Study for details.

**Site Address or Property Identification Number(s):**

4082 Woodhill Drive, Independence, MN 55357

NOTE: Minnesota State Statute 15.99 requires local governments to review an application within 15 days of its submission to determine if an application is complete and/or if additional information is needed to adequately review the subject request. ***To ensure an expedited review, applicants shall schedule a pre-application meeting with the City Planner/Administrator at least one week prior to submittal.*** Most applications have a review period of 60 days, with the City's ability to extend an additional 60 days if necessary due to insufficient information or schedule.

**Office Use Only**

\_\_\_\_\_  
Date

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

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

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

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

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

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

\_\_\_\_\_  
City Planner

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

**Applicant Information:**

Name: Kasey Johnson

Address: 2150 3rd St, Ste 5

City, State, Zip: White Bear Lake, MN 55110

Phone: 612-201-3504

Email: kasey@bluepencilcollective.com

Signature: Kasey Johnson

**Owner Information (if different than applicant)**

Name: Jeff and Leah Pitzenberger

Address: 4082 Woodhill Drive

City, State, Zip: Independence, MN 55357

Phone: 763-458-3907

Email: pitzy20@hotmail.com

Signature: Jeff Pitzenberger

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

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

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

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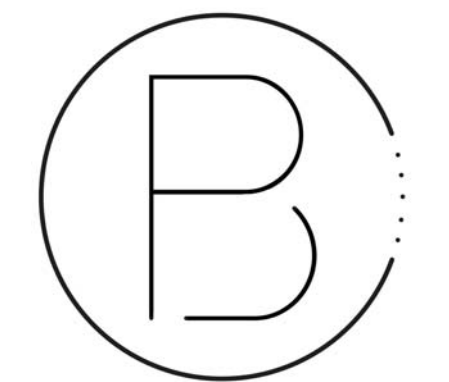
The City of Independence has an annually adopted fee schedule. However, projects of large scope that include two or more requests will be required to provide a larger deposit than the resolution sets forth as set by the City Administrator. The fees collected for land use projects are collected as deposits.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

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

Applicant Signature: Kasey Johnson  
Date: 03/10/2023

Owner Signature (if different): Jeff Pitzenberger  
Date: 03/10/2023





BLUE-PENCIL COLLECTIVE  
2150 3rd St. Suite 5  
White Bear Lake, MN 55110  
(651) 968-4487  
hello@bluepencilcollective.com  
www.bluepencilcollective.com

GENERAL CONTRACTOR

PROJECT

PITZENBERGER  
RESIDENCE

PROJECT ISSUE

FOR REFERENCE  
ONLY

Job Number 00097.01  
Drawn KJ  
Checked RN/KJ  
Approved RN

TITLE

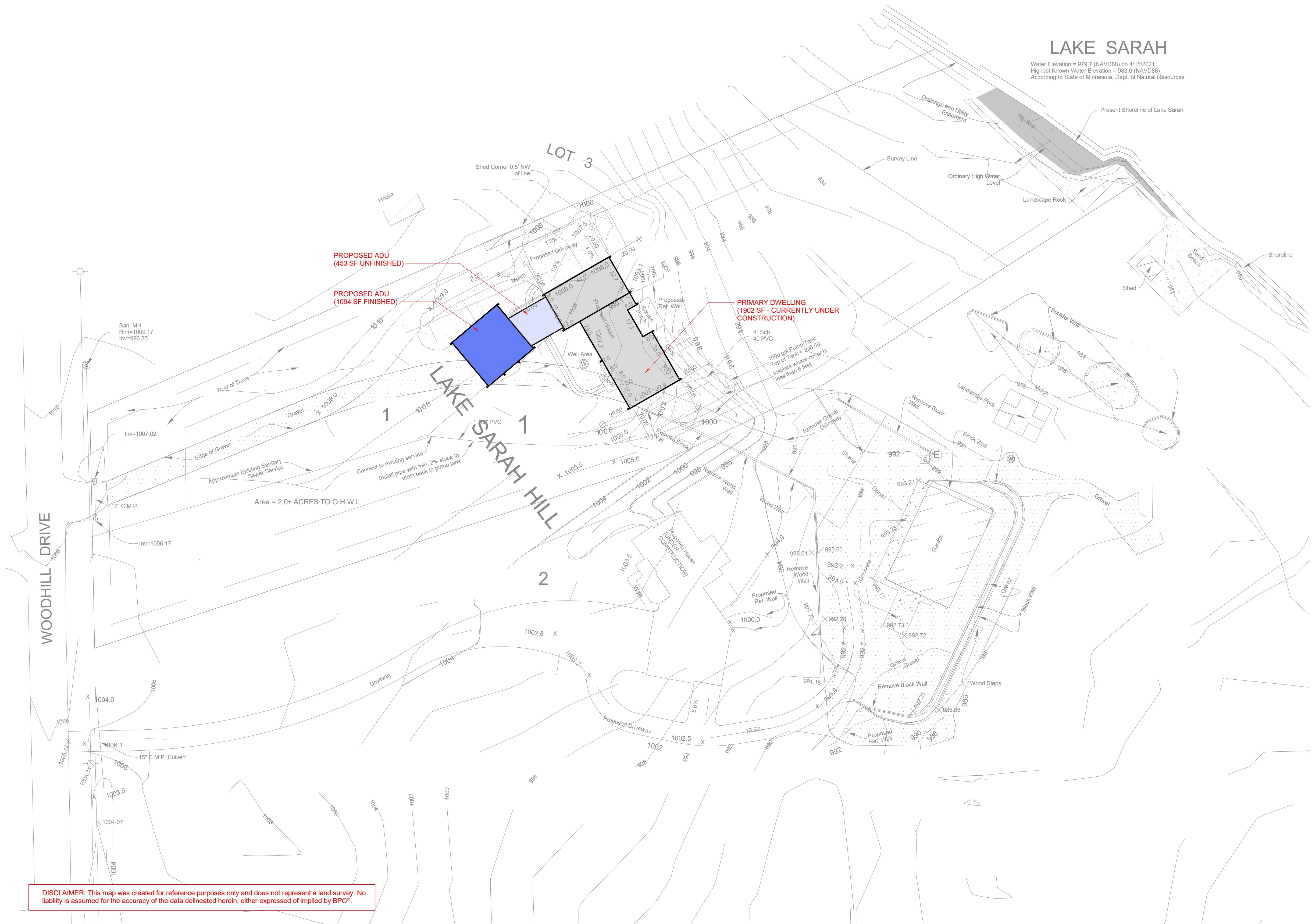
ADU CONDITIONAL  
USE PERMIT -  
CONCEPTUAL  
PLANNING DIAGRAM

SHEET NUMBER

A01.01

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FOR REFERENCE ONLY - MARCH 10, 2023



**Note: All finishes to match the Proposed Primary Dwelling.**



**RE: ADU Conditional Use Permit**

Prepared by:  
Blue Pencil Collective®, LLC  
Architecture + Design Agency for the Pitzenberger Residence



7-22-2022

# PITZENBERGER

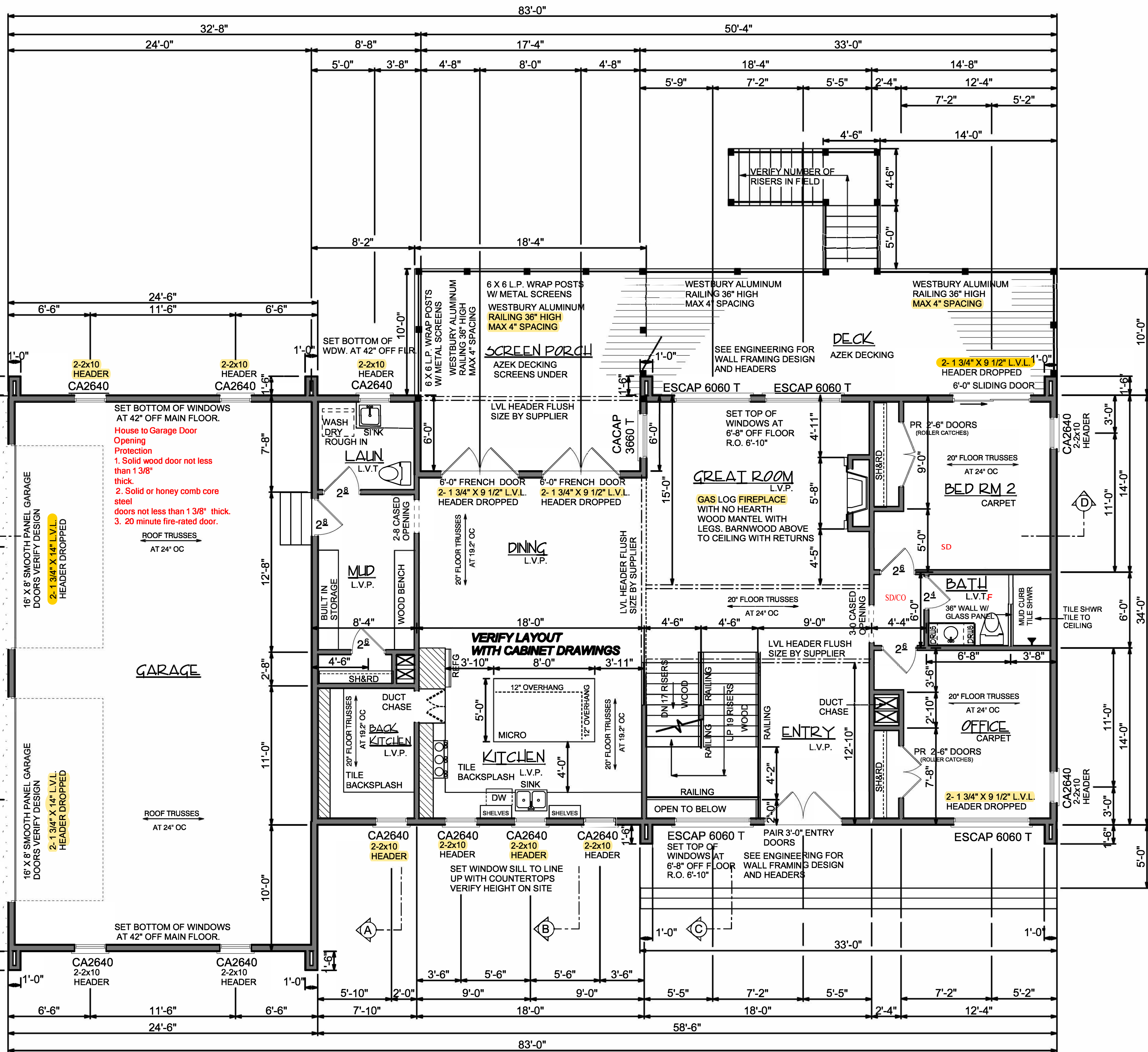


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PLAN NUMBER

22-041

DATE

6-28-2022

REVISIONS

7-22-2022

**ZONED HEAT  
THIS FLOOR**

**WINDOW FALL PROTECTION**

ALL OPENABLE WINDOWS THAT ARE 72" ABOVE FINISH GRADE AND LESS THAN 36" ABOVE FINISH FLOOR SHALL NOT PERMIT OPENINGS THAT ALLOW PASSAGE OF A 4" SPHERE.

ALL OPENABLE WINDOWS THAT ARE 72" ABOVE FINISH GRADE AND LESS THAN 36" ABOVE THE FLOOR MUST HAVE WINDOW FALL PROTECTION DEVICES PER ASTM F 2090 AND IRC CODE SECTION ( R312.2.2 )

**NOTE: ALL CHASES AND PENETRATIONS NEED FIRE BLOCKING AT MAX. 10'-0" OC**

ALL HEADERS UP TO 4'-11" SINGLE TRIMMER

ALL HEADERS OVER 5'-0" DOUBLE TRIMMER UNLESS NOTED

**NOTE: ALL WINDOW AND DOOR HEADERS TO BE 2-2X10 UNLESS NOTED**

**ALL HEADER SIZES TO BE VERIFIED BY BUILDER / LUMBER SUPPLIER BEFORE CONSTRUCTION**

INDICATES MIN 3-2X6 SOLID BLOCING TO FOUNDATION

**ALL CEILINGS TO HAVE KNOCK DOWN FINISH UNLESS NOTED**

**FRAMING NOTE: ALLOW 4" AT ALL DOOR AND WINDOW OPENINGS FOR WIDE CASING**

**ALL INTERIOR DOORS ARE 6'-8" TALL UNLESS NOTED**

**10'0" CEILING HGT. THIS FLOOR UNLESS NOTED**

RESIDENCE FOR:

PITZENBERGER

BUILT BY:



BEYOND DESIGN  
— ARCHITECTURE —

Excellence from every angle

612-597-4269

SHEET

3 of 9