



CITY COUNCIL MEETING AGENDA
REGULAR MEETING
TUESDAY FEBRUARY 05, 2019

CITY COUNCIL MEETING TIME: 6:30 PM

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

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

- a. Approval of City Council minutes From the January 15, 2019 Regular City Council Meeting.
 - b. Approval of City Council minutes From the January 10, 2019 City Council Workshop.
 - c. Approval of Accounts Payable; Checks Numbered 18571-18624.
 - d. Approve Purchase of New 800 MHZ Radios in Accordance with Capital Improvement Plan.
 - e. Annual Liquor License Renewals for:
 - i. Ox Yolk Inn
 - ii. Windsong Golf Club
 - iii. Pioneer Creek Golf Club
 - f. **RESOLUTION 19-0205-01** - Authorizing City Membership in the 4M Fund.
 - g. **RESOLUTION 19-0205-02** - Approving the Pay Equity Report for the City.
 - h. Consideration of Approving Settlement Agreement Relating to the Property Located at 5835 Drake Drive.
5. Set Agenda – Anyone Not on the Agenda can be Placed Under Open/Misc.
 6. Reports of Boards and Committees by Council and Staff.
 7. Kati Johnston (Applicant) and Kathleen Theissen (Owner) request that the City consider the following actions for the property located at 3035 Lake Sarah Road, Independence, MN (PID No. 16-118-24-11-0001):

- a. **RESOLUTION 19-0205-03** – Considering approval of a conditional use permit allowing the following:
 - i. A commercial riding stable.
 - ii. An accessory building which is greater than 5,000 square feet.
8. Verizon Wireless (Applicant) and Wesley Bendickson (Owner) request that the City consider the following actions for the property located at 6705 State Highway 12, Independence, MN (PID No. 22-118-24-44-0001):
 - a. **RESOLUTION 19-0205-04** – Considering approval of a Conditional Use Permit to allow a new 159' tall telecommunications tower on the subject property.
9. Adoption of 2019 Fee Schedule.
 - a. **RESOLUTION 19-0205-05**
10. Consider Revocation of Conditional Use Permits No Longer in Use or Required Due to Rezoning or Not in Compliance with Applicable Conditions of Approval.
 - a. **RESOLUTION 19-0205-06**
11. Open/Misc.
12. Adjourn.

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, JANUARY 15, 2019 –6:30 P.M.

1. CALL TO ORDER.

Pursuant to due call and notice thereof, a regular meeting of the Independence City Council was called to order by Mayor Johnson at 6:30 p.m.

2. PLEDGE OF ALLEGIANCE.

Mayor Johnson led the group in the Pledge of Allegiance.

3. ROLL CALL

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

ABSENT: Councilor McCoy

STAFF: City Administrator Kaltsas, City Administrative Assistant Horner, City Attorney Vose

VISITORS: Bob Volkenant, Lynda Franklin, Anita Volkenant

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

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

- a. a. Approval of City Council minutes From the December 18, 2018 Regular City Council Meeting.
- b. Approval of City Council minutes From the December 18, 2018 Joint City Council/Planning Commission Meeting.
- c. Approval of Accounts Payable; Checks Numbered 18507-18570.
- d. Approve Annual Payment to WeCAN and Delano Senior Center for Services Provided to Independence Residents.
- e. **RESOLUTION 19-0115-01** - Supporting the WeCAN Community Development Block Grant (CDBG) Application.
- f. Approval of Mayors Attendance at the National League of Cities Congressional Cities Conference March 9-13, 2019.
- g. Annual Building Permit Report – For Information

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

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

Johnson added a request to approve the new agenda for the Highway 55 Corridor Coalition.

6. REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF

Spencer attended the following meetings:

- Planning Commission Meeting/ 2040 Comp Plan
- Highway 55 Safety Coalition Meeting
- City Council Workshop

Grotting attended the following meetings:

- Planning Commission Meeting/ 2040 Comp Plan
- City Council Workshop

McCoy attended the following meetings:

- None

Betts attended the following meetings:

- Planning Commission Meeting/ 2040 Comp Plan
- City Council Workshop
- Highway 12 Coalition Meeting
- Fire Commission Meeting
- West Hennepin Chamber of Commerce Meeting

Johnson attended the following meetings:

- Congressman Phillips breakfast meeting
- Hennepin County Community Action Partnership Meeting
- Minnetonka Orchard Winery Open House
- Highway 55 Safety Coalition
- Highway 12 Safety Coalition
- County Commissioners Swearing-In Ceremony
- Fire Commission Meeting
- Northwest League of Minnesota Cities Meeting
- City Council Workshop
- Regional Mayors Meeting
- Orono School Board Meeting
- Planning Commission Meeting/ 2040 Comp Plan

Horner attended the following meetings:

- Planning Commission Meeting/ 2040 Comp Plan
- City Council Workshop

Kaltsas attended the following meetings:

- None

7. Annual City Council Appointments.

- a. **RESOLUTION 19-0115-02** - Annual Council Appointments.
- b. **RESOLUTION 19-0115-03** - Approval of Planning Commission Appointment of Robert Gardner to a Three (3) Year Term.

Motion by Spencer, second by Grotting to approve RESOLUTION 19-0115-02 - Annual Council Appointments. Ayes: Johnson, Grotting, Betts and Spencer. Nays: None. Absent: McCoy. MOTION DECLARED CARRIED.

Motion by Spencer, second by Betts to RESOLUTION 19-0115-03 - Approval of Planning Commission Appointment of Robert Gardner to a Three (3) Year Term. Ayes: Johnson, Grotting, Betts and Spencer. Nays: None. Absent: McCoy. MOTION DECLARED CARRIED.

8. Open/Misc.

Highway 55 Letter of Support.

Motion by Betts, second by Johnson to approve letter of support for the Highway 55 Corridor Safety Coalition. Ayes: Johnson, Grotting, Betts and Spencer. Nays: None. Absent: McCoy. MOTION DECLARED CARRIED.

9. Adjourn

Motion by Grotting, second by Spencer to adjourn at 6:46 p.m. Ayes: Johnson, Grotting, Betts and Spencer. Nays: None. Absent: McCoy. MOTION DECLARED CARRIED.

Respectfully Submitted,
Trish Gronstal/ Recording Secretary

MINUTES OF A WORK SESSION OF THE
INDEPENDENCE CITY COUNCIL
THURSDAY, JANUARY 10, 2019 –7:00 A.M.

1. CALL TO ORDER.

Pursuant to due call and notice thereof, a work session of the Independence City Council was called to order by Mayor Johnson at 7:00 a.m.

2. ROLL CALL

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

ABSENT: None

STAFF: City Administrator Kaltsas, Administrative Assistant Beth Horner, City Attorney Vose, ABDO Steve McDonald and Liz Lindrud

VISITORS: A large group of people were present in regard to the Drake Street Property discussion. The mayor had announced at the beginning of the meeting that this meeting was a “work shop” and the only discussion would be between council members and staff- no public comments.

3. General Administration

a. Short Term Investment Strategy:

- o Discussion on City’s short-term investments and possible change to 4M investment fund.

Kaltsas said Staff looked at opportunities to increase short term interest earnings on the City’s available cash balances. The City currently has funds invested in a short-term CD, money market account and checking account. The City has approximately 1.7 million in cash funds and investments. The City met with a representative from the 4M fund that is offered through the League of Minnesota Cities to review interest rates on short term investments. Based on the information provided and analyzing current and estimated balances, it appears that the City could realize approximately \$15,000 more annually by investing in the 4M funds rather than with the Bank of Maple Plain. All the City’s banking could still be maintained at Maple Plain and the City would transfer funds as necessary to the checking account. A summary of the existing and estimated cash funds available and estimated earnings in the existing and proposed conditions is shown below for Council’s review. Staff is seeking discussion and direction relating to a possible change in short term investments funds.

Johnson asked if anyone talked to the Bank of Maple Plain about rates. Lindrud said she spoke with them about rates but so far was just given the standard information. Johnson asked if we compared rates and Kaltsas said that yes, the rates were compared with other banks. Betts said it was smart to do this now.

b. Sewer Rate Discussion:

- o Discussion on recent sewer rate study and possible update of sewer rate study.

Kaltsas said the Metropolitan Council recently completed a study of municipal sewer rates in the metro area. Independence was identified as the municipality with the highest sewer rate (sewer rate study attached). The City was contacted prior to the holiday by the Pioneer Press about an article that was being prepared relating to sewer rates. Staff wanted to briefly discuss the City’s current sewer rates and the condition of the sewer

fund heading into 2019 based on several years of increased revenues. The City has increased sewer rates by 8% in 2017, 10% in 2018 and is projected to increase rates by 10% again in 2019 (see table below).

The City annually adopts sewer rates in the fee schedule.

Grotting asked how much it was to replace a lift station. Kaltsas noted that we are not replacing but rather upgrading and that cost is between 7500-10,000. He noted the system is aging and is going to need more repairs. Betts said with the added density south of Maple Plain that would provide more hook-ups to the system. Kaltsas said right now there are 36 lift stations serving 220 homes. Grotting asked if all the lift stations were critical. Kaltsas said it was designed this way with the lakes and topography changes. Johnson asked how many lift stations Greenfield had and Kaltsas said it was similar to ours, but they have more hookups.

c. E. Lake Rebecca Road Vacation:

- o Discussion on vacation of road through from CSAH 11 into Lake Rebecca Park.

Kaltsas said the City has historically owned and maintained E. Lake Rebecca Road north of CSAH 11 to the Independence/Greenfield border in Lake Rebecca Park. Staff has noted that the road is in poor condition and no longer directly serves any residents of the City. Council directed staff to move forward with vacating the street and staff has been working with Three Rivers Park District relating to the vacation. Three Rivers has verified their interest in obtaining the right of way. It is anticipated that Three Rivers would maintain a secured access to the existing shelter (pink star on aerial below). Three Rivers has noted that they would reach out to Greenfield regarding the change. It is anticipated that the road vacation would be formally brought forward to the City Council after proper notice is given.

d. Settlement Agreement for 5835 Drake Drive Property:

- o Discussion regarding possible settlement agreement with property owner.

Kaltsas said the City has previously discussed the concerns expressed to the City relating to the use of the subject property and staff has discussed the issues with Council. Over the past year, staff has had several meetings with the business owner operating on the property located at 5835 Drake Drive. Based on the discussions with the property owner, a draft Settlement Agreement has been prepared which would set the framework for the property owner making application to the City for an Interim Use Permit (see draft agreement attached). The discussion has revolved around the notion that the City's zoning ordinance allows Horticulture as a permitted land use in the Rural Residential Zoning District.

The City defines Horticulture as follows:

"Horticulture." The use of land for the growing or production of fruits, vegetables, flowers, cultured sod and nursery stock, including ornamental plants and trees, for the production of income.

Based on recent issues relating to several permitted uses, it is recommended that the City review the zoning ordinance and potentially update/clearly define the permitted uses and definitions relating to horticulture, forestry, forestry products processing and agriculture to ensure that they align with the intent of the rural residential and agricultural zoning districts. Staff will present the proposed settlement agreement and discuss this issue further at the workshop.

Vose stated this was a creative way to solve a property dispute. This would allow some form of business subject to an Interim Use Permit. He noted there would be a formal process before the Planning Commission and Public Hearing. Vose said the current zoning does not permit a full-blown landscaping business. The land owner disputes this and views it as using the property for horticulture purposes. Vose said there are also accessory building limits and the total size of the buildings on this property exceeds the limit set by City

Code. The landowner argues that some of the outbuildings should not be considered as they were built before the limits were in place and should be grandfathered in. Vose noted under the proposed arrangement employees would park off-site and one hoop house would go away seasonally which would impact the total square footage. Spencer noted this would be an Interim Use Permit after going through the normal process and could be tied to sale of the property, etc. Betts noted the main concern with this item is that it is in the rural residential district. Kaltsas said it gets down to interpreting the “intent” of an ordinance. Vose stated there is nothing in the language that a temporary building does not count towards square footage. Spencer asked if applicant agreed and Vose stated yes.

e. Accessory Building Height:

- o Discussion relating to possibility of alternative review options.

Kaltsas said the current ordinance is more of a one size fits all intent but that does not necessarily apply to everything. He said the thought is maybe there could be an “architectural review board” that would look at applications that don’t meet the standards per the ordinance. Betts asked if there was a height limit on homes being built and Kaltsas said the limit is 35 feet. Kaltsas said he didn’t want to create more layers rather hopes to simplify the process.

f. Revocation of Conditional Use Permits No Longer in Use:

- o Discussion and review of possible revocation of CUP’s.

Kaltsas said the City has reviewed all the active conditional use permits over the last year. The City initially notified property owners of the intent and need to review the conditions of the conditional use permit and asked owners to contact the City to schedule an inspection. The City has identified a handful of conditional use permits on property where the CUP is no longer in use. In addition, the City has several property owners that have not contacted the City to schedule an inspection following four separate notification letters being sent. The City intends to send one final letter to those property owners informing them that the City Council is going to consider revocation along with the date and time of the meeting. A list of all CUPs’ and their status is attached. CUP’s that would be considered for revocation are highlighted in red. CUP’s that are still in the process of being inspected are highlighted in blue. There is a total of 18 CUP’s that would be recommended for revocation. Staff would like Council to review the list and provide any comments and or insight relating to the proposed revocation.

Kaltsas said all CUP holders have received three notices to date. All attempts and inspections are recorded. Johnson suggested a registered letter could be sent to confirm receipt.

g. Planning Updates:

- o Update on several planning items.

Kaltsas said a new plan was sent in for the Otten development and he wanted to ask Council what they thought about a potential application. He said the new plan is 48 lots with 3 units an acre. Betts said the City could not support this infrastructure. The new plan proposed is not addressed in the Comp Plan. Johnson stated something like this is the only hope to fix sewer financing.

4. Public Works

a. Engineering Services:

- o Discussion about adding additional consultant to engineers list.

Kaltsas said the City has two engineering firms that currently provide engineering services to the City. The City has been using the services of Bolton & Menk to prepare information relating to the Comprehensive Plan and to prepare updated sewer mapping. Staff would like to have the option of continuing to utilize Bolton & Menk's services for other similar projects while still maintaining the ability to use Hakanson Anderson for water resources/wetlands and MSA for general civil projects. Adding one additional consultant to our approved list of consultants would provide the City with the best possible service options depending on the project. The Council would consider this along with the annual appointments.

b. Lake Sarah Sewer Line Crossing:

- o Discussion relating to existing sewer line running under Lake Sarah.

Kaltsas said Public Works continues to analyze, inspect and repair the sanitary sewer system. During an inspection and review of the sewer along Sunset Lane, the City reviewed the existing 4" pressure line which crosses underneath the channel on Lake Sarah at the end of Sunset Lane. This pressure line runs underneath the channel and is not currently encased in any sort of protective layer. Public Works identified this pipe section as a potential weakness in the City's overall sanitary sewer system. Should the City experience a leak and or break in this line, it would be difficult to repair in a timely manner and would affect a considerable number of homes in Independence and Greenfield. In addition, it has been estimated that the repair of a break or leak in this pipe could cost close to \$100,000 due to the complexity of boring a new pipe below the channel. Public Works met with one of the contractors that does sewer repair work for the City and asked him to look at the issue and provide a general idea of how the issue could be resolved in the future. It was determined that the City could correct the potential weakness in two different ways:

- o Bore a casing under the channel and run a new pipe inside the casing.
 - o Install a new force main south along Lake Sarah Hts. Dr. from the point of channel crossing to Sunset Drive
- Staff would like to further discuss this issue with Council.

5. ADJOURN

Mayor Johnson adjourned the work session at 8:45 a.m.

Respectfully submitted,

Trish Gronstal, Recording Secretary

City of Independence

Consideration of 800 MHZ Radio Purchase

To: City Council
From: Mark Kaltsas, City Administrator
Meeting Date: February 5, 2019

Discussion:

The City is currently using radios for Public Works that will longer be supported for hardware and programming at the end of 2019. The City prepares a capital improvement plan that projects long term equipment funding needs. This plan also identifies how the City can fund capital expenditures over the projected period. In accordance with the capital improvement plan, the City budgeted \$15,000 for the acquisition of new 800 MHZ radios in 2019. Staff has obtained a quote for the replacement of 5 radios using a state bid vendor and state bid pricing. The total cost of the new radios, charges and associated charging equipment is \$14,818.33 (see quotation attached). This amount is in line with the amount budgeted by the City.

Council Recommendation:

City Council is asked to consider authorizing staff to purchase five (5) new 800 MHZ radios for \$14,818.33.

Attachments: Radio Quotation and Information

Purchase Order Checklist:

Fax purchase order to
952-808-0034 or email to
randy.beach@ancom.org

- Document is a "Purchase Order" ☐
- Made out to: Motorola Solutions, Inc.
500 W. Monroe St.
44th Floor Tax Dept.
Chicago, IL 60661 ☐
- Has a date ☐
- Has a Purchase Order Number ☐
- Is signed (if place for a signature) ☐
- PO dollar amount matches quote dollar amount ☐
- Terms - Add the following to your PO ☐
 - Per MN State Contract # 119587
 - Terms - Net 30
- Bill To and Ship To address ☐
- Description of goods / services ☐
- Customer contact name ☐
- Customer contact phone number ☐

Dealer Contact:	Randy Beach
Dealer Name:	Ancom Communications Inc.
Phone / Fax:	763-428-7884 / 952-808-0034
Email:	randy.beach@ancom.org

**MOTOROLA SOLUTIONS**

Quote Number: QU0000464116

Effective: 10 JAN 2019

Effective To: 11 MAR 2019

Bill-To:

INDEPENDENCE, CITY OF
1920 COUNTY RD 90
INDEPENDENCE, MN 55359
United States

Ultimate Destination:

INDEPENDENCE PUBLIC WORKS
1920 COUNTY RD 90
INDEPENDENCE, MN 55359
United States

Attention:

Name: Mark Kaltsas
Email: MKaltsas@ci.independence.mn.us
Phone: 763-479-0527
Fax: 763-479-0528

Sales Contact:

Name: Randy Beach
Email: randy.beach@ancom.org
Phone: 763-428-7884

Request For Quote: 5 APX4000 Portables with Accessories**Contract Number:** MINNESOTA DOT**Freight terms:** FOB Destination**Payment terms:** Net 30 Due

Item	Quantity	Nomenclature	Description	List price	Your price	Extended Price
1	5	H51UCF9PW6AN	APX 4000 7/800 MHZ MODEL 2 PORTABLE	\$1,963.00	\$1,429.50	\$7,147.50
1a	5	QA04865AA	ADD: TWO KNOB CONFIGURATION	-	-	-
1b	5	H885BK	ADD: 3Y ESSENTIAL SERVICE	\$90.00	\$90.00	\$450.00
1c	5	QA02750AB	ALT: IMPRES LI-ION 2800MAH (PMNN4448)	\$100.00	\$75.00	\$375.00
1d	5	QA02756AB	ENH: 3600 OR 9600 TRUNKING BAUD SIN	\$1,570.00	\$1,177.50	\$5,887.50
1e	5	H122BV	ALT: 1/4- WAVE 7/800 STUBBY (NAR659)	\$24.00	\$18.00	\$90.00
1f	5	QA01648AA	ADD: ADVANCED SYSTEM KEY - HARDWARE KEY	\$5.00	\$3.75	\$18.75
2	7	PMPN4174A	CHGR DESKTOP SINGLE UNIT IMPRES, US/NA	\$69.25	\$51.94	\$363.58
3	3	NNTN8525A	CHARGER TRAVEL	\$95.00	\$71.25	\$213.75
4	3	PMMN4069A	MICROPHONE,IMPRES RSM, 3.5MM JACK, IP55	\$121.00	\$90.75	\$272.25

Total Quote in USD**\$14,818.33**

System ID 740F - PO Worksheet Attached - Thank you for your order!! Randy w/ANCOM-MSI

THIS QUOTE IS BASED ON THE FOLLOWING:

1 This quotation is provided to you for information purposes only and is not intended to be an offer or a binding proposal.

If you wish to purchase the quoted products, Motorola Solutions, Inc. ("Motorola") will be pleased to provide you with our standard terms and conditions of sale (which will include the capitalized provisions below), or alternatively, receive your purchase order which will be acknowledged.

Thank you for your consideration of Motorola products.

- 2 Quotes are exclusive of all installation and programming charges (unless expressly stated) and all applicable taxes.
- 3 Purchaser will be responsible for shipping costs, which will be added to the invoice.

4 Prices quoted are valid for thirty(30) days from the date of this quote.

5 Unless otherwise stated, payment will be due within thirty days after invoice. Invoicing will occur concurrently with shipping.

MOTOROLA DISCLAIMS ALL OTHER WARRANTIES WITH RESPECT TO THE ORDERED PRODUCTS, EXPRESS OR IMPLIED INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

MOTOROLA'S TOTAL LIABILITY ARISING FROM THE ORDERED PRODUCTS WILL BE LIMITED TO THE PURCHASE PRICE OF THE PRODUCTS WITH RESPECT TO WHICH LOSSES OR DAMAGES ARE CLAIMED. IN NO EVENT WILL MOTOROLA BE LIABLE FOR INCIDENTAL OR CONSEQUENTIAL DAMAGES.



MOTOROLA SOLUTIONS



MISSION READY WHEN IT MATTERS MOST

APX™ 4000 PROJECT 25 PORTABLE RADIO

Chemical spill. Catastrophic storm. Power outage. When every minute matters, you must communicate instantly with other agencies and responders. But how do you prepare for a disaster and keep control of operating costs? That's where the APX 4000 P25 portable radio answers the call, expertly and affordably.

The APX 4000 delivers all the benefits of TDMA technology in the smallest P25 capable portable in the industry. Easy to use, tough as nails, a hard value to beat, it seamlessly connects agencies throughout your city for fast, interoperable communications.

TRUSTED APX QUALITY

The APX 4000 leverages the leading attributes of the APX family of P25 TDMA portables. From the 2-microphone design that reduces background noise so you can speak and hear clearly over heavy equipment, diesel engines and sirens to the high-spec RF performance for excellent coverage in challenging environments.

With its easy-to-use interface, color display, intelligent lighting and radio profiles, you get all the power of APX in a compact radio. Plus, you can extend the performance of your radio with a complete portfolio of industry-leading IMPRES™ smart energy and audio accessories.

COMPACT AND UNCOMPROMISING

A compact P25 Phase 2 capable portable, the APX 4000 gets the job done without getting in the way. With two dedicated knobs for volume and channel control, the APX 4000 provides readiness for any type of work setting. And its standard IP67 and MIL-STD certified to withstand dust, heat, shock, drops and water immersion, so you can count on it wherever you need it – at the factory line, power line or fire line.

P25 PERFORMANCE, INSIDE AND OUT

Loaded with key P25 features to increase safety, the APX 4000 features Mission Critical Wireless. This unique Bluetooth® solution provides an encrypted link to a high performance earpiece, GPS for quickly locating personnel outdoors, AES encryption for improved security, and over-the-air programming to program radios in the field without interrupting voice operation.

IMPROVE RESPONSE AND EXPENSES

The APX 4000 is P25 Phase 2 capable for twice the voice capacity so you can add more users without adding more frequencies or infrastructure. And it's backwards and forwards compatible with all Motorola mission critical radio systems, so you can interoperate with confidence while you improve operating expenses.

POWER UP WITH APX 4000 ACCESSORIES

- Designed, tested and certified for optimum performance with your radio.
- Complete portfolio of remote speaker microphones, headsets and Mission Critical Wireless Bluetooth® accessories.
- High-powered IMPRES™ batteries that have a slim design to fit the compact radio size.



FEATURES AND BENEFITS

Available in 700/800 MHz, VHF, UHF R1, UHF R2 and 900 MHz bands

- Trunking standards supported:
 - Clear or digital encrypted ASTRO®25 Trunked Operation
 - Capable of SmartZone®, SmartZone Omnilink, SmartNet®
- Analog MDC-1200 and Digital APCO P25 Conventional
- System Configurations
- Narrow and wide bandwidth digital receiver (6.25 kHz equivalent / 12.5 kHz / 30 kHz / 25 kHz)¹
- Standard with 2 dedicated control knobs for volume and channel changes
- Embedded digital signaling (ASTRO & ASTRO 25)
- Man Down
- Available in 2 models
- Lightbar with Intelligent Lighting
- Radio Profiles
- Unified Call List
- Software Key
- ASTRO 25 Integrated Voice & Data
- User programmable Voice Announcement
- Meets Applicable MIL-STD-810C, D, E, F and G
- IP67 standard

- Rugged Submersible housing (2 meters for 2 hours)²
- Superior Audio Features:
 - 0.5 W high audio speaker
 - 2-mic noise canceling technology
- Integrated GPS/GLONASS for outdoor location tracking
- Utilizes Windows XP, Vista and Windows 7 and 8 Customer Programming Software (CPS)³
 - Supports USB communications
 - Built in FLASHport™ support
- Full portfolio of accessories including IMPRES batteries, chargers and audio devices⁴
- Mission Critical Wireless Bluetooth²

OPTIONAL FEATURES

- AES Encryption
- Programming Over Project 25
- Text Messaging
- Man Down
- Site Selectable Alert Tones
- P25 Over the Air Re-keying
- P25 Link Layer Authentication
- Enhanced Data
- Rugged Option: Mil Std 512.X, Delta - T

¹ Per the FCC Narrowbanding rules, new products (APX7000 UHF R1 with UHF R2 combination) submitted for FCC certification after January 1, 2011 are restricted from being granted certification at 25KHz for United States - State & Local Markets only.

² Compatible with BT 2.1 HSP, PAN, DUN and SPP BT Profiles.

³ CPS version R12.00.00 and greater ordered after June 2014 will only support Windows 7 and 8

⁴ Chargers and batteries for the APX 4000 radios are not compatible with other APX radios.

TRANSMITTER - TYPICAL PERFORMANCE SPECIFICATIONS

		700/800	VHF	UHF Range 1	UHF Range 2	900 MHz ⁴
Frequency Range/ Bandplits	700 MHz 800 MHz	763-776, 793-806 MHz 806-824, 851-870 MHz	136-174 MHz	380-470 MHz	450-520 MHz	896-902, 935-941MHz
Channel Spacing		25/12.5 kHz	30/25/12.5 kHz	25/12.5 kHz	25/12.5 kHz	12.5 kHz
Maximum Frequency Separation		Full Bandsplit	Full Bandsplit	Full Bandsplit	Full Bandsplit	Full Bandsplit
Rated RF Output Power Adj ¹		1-3 Watts Max	1-5 Watts Max	1-5 Watts Max	1-5 Watts Max	1-2.5 Watts Max
Frequency Stability ¹ (-30°C to +60°C; +25°C Ref.)		±0.00010 %	±0.00010 %	±0.00010 %	±0.00010 %	±0.00010 %
Modulation Limiting ¹		±5 kHz / ±4 kHz / ±2.5 kHz	±5 kHz / ±4 kHz / ±2.5 kHz	±5 kHz / ±4 kHz / ±2.5 kHz	±5 kHz / ±4 kHz / ±2.5 kHz	±2.5 kHz
Emissions (Conducted and Radiated) ¹		-75 dB	-75 dB	-75 dB	-75 dB	-75 dB
Audio Response ¹		+1, -3 dB	+1, -3 dB	+1, -3 dB	+1, -3 dB	+1, -3 dB
FM Hum & Noise	25 kHz 12.5 kHz	-47 dB -45 dB	-47 dB -47 dB	-47 dB -45 dB	-47 dB -45 dB	-45 dB
Audio Distortion ¹	25 kHz 12.5 kHz	1.00%	1.00%	1.00%	1.00%	1.00%

BATTERIES FOR APX 4000

Battery Capacity / Type	Dimensions (HxWxD)	Weight	Battery Part Number	Battery Capacity
Li-Ion IMPRES 1900 mAh IP67**	114.5x55.04x17.85	150 grams	NNTN8128A	1900 mAh
Li-Ion IMPRES 2300 mAh IP67 Non-HazLoc	114.5x55.04x23.15	160 grams	PMNN4424AR	2300 mAh
Li-Ion IMPRES 2300 mAh IP67 HazLoc*	114.5x55.04x23.15	210 grams	NNTN8560A	2500 mAh
Li-Ion IMPRES 2700 mAh IP54 Non-HazLoc	114.5 x 55.04 x 23.15	160 grams	PMNN4448AR	2700 mAh

*When used with a Hazardous Location tested radio.

** Standard shipping battery

RADIO MODELS



MODEL 2



MODEL 3

Display	Full bitmap color LCD display 3 lines of text x 14 characters 1 line of icons 1 menu line x 3 menus White backlight	Full bitmap color LCD display 3 lines of text x 14 characters 1 line of icons 1 menu line x 3 menus White backlight
Keypad	Backlight keypad 3 soft keys 4 direction Navigation key Home and Data buttons	Backlight keypad 3 soft keys 4 direction navigation key 4x3 keypad Home and Data buttons
Channel Capacity	512	512
FLASHport Memory	64 MB	64 MB
700/800 MHz (763-870 MHz)	H51UCF9PW6AN	H51UCH9PW7AN
VHF (136-174 MHz)	H51KDF9PW6AN	H51KDH9PW7AN
UHF Range 1 (380-470 MHz)	H51QDF9PW6AN	H51QDH9PW7AN
UHF Range 2 (450-520 MHz)	H51SDF9PW6AN	H51SDH9PW7AN
900 MHz (896-902, 935-941MHz)	H51WCF9PW6AN	H51WCH9PW7AN
Buttons & Switches	Large PTT button ■ Angled On/Off Volume Control ■ 16 position top-mounted rotary switch ■ Orange emergency button ■ 3 programmable side buttons	
TRANSMITTER CERTIFICATION		
700/800 (764-869 MHz)	AZ489FT7049	
VHF (136-174 MHz)	AZ489FT3828	
UHF Range 1 (380-470 MHz)	AZ489FT4905	
UHF Range 2 (450-520 MHz)	AZ489FT4910	
900 MHz (896-901, 935-940 MHz)	AZ489FT5864	
FCC EMISSIONS DESIGNATORS		
FCC Emissions Designators	11K0F3E, 16K0F3E, 8K10F1D, 8K10F1E, 8K10F1W, 20K0F1E*	
FCC Emissions Designators for 900 MHz	11K0F3E, 8K10F1D, 8K10F1E, 8K10F1W	
POWER SUPPLY		
Power Supply	One rechargeable Li-Ion 1900 mAh battery standard, with alternate battery options available.	

RECEIVER - TYPICAL PERFORMANCE SPECIFICATIONS

		700/800	VHF	UHF Range 1	UHF Range 2	900 MHz
Frequency Range/Bandsplits	700 MHz 800 MHz	763-776 MHz 851-870 MHz	136-174 MHz	380-470 MHz	450-520 MHz	900 MHz (896-902, 935-941MHz)
Channel Spacing		25/12.5 kHz	30/25/12.5 kHz	25/12.5 kHz	25/12.5 kHz	12.5 kHz
Maximum Frequency Separation		Full Bandsplit	Full Bandsplit	Full Bandsplit	Full Bandsplit	Full Bandsplit
Audio Output Power at Rated ¹		500mW	500mW	500mW	500mW	500mW
Frequency Stability ¹ (-30°C to +60°C; +25°C Ref.)		±0.00010 %	±0.00010 %	±0.00010 %	±0.00010 %	±0.00010 %
Analog Sensitivity ³	12 dB SINAD	0.250µV	0.216µV	0.234µV	0.234µV	0.236µV
Digital Sensitivity ⁴	1% BER (800 MHz) 5% BER	0.400µV 0.250µV	0.277µV 0.188µV	0.307µV 0.207µV	0.307µV 0.207µV	0.33µV 0.222µV
Selectivity ¹	25 kHz channel 12.5 kHz channel	-76 dB -67 dB	-76 dB -70 dB	-76 dB -67 dB	-76 dB -67 dB	-67 dB
Intermodulation		-75 dB	-79 dB	-77 dB	-77 dB	-75 dB
Spurious Rejection		-76.6 dB	-80.5 dB	-80.3 dB	-80.3 dB	-80 dB
FM Hum and Noise	25 kHz 12.5 kHz	-53 dB -47 dB	-51 dB -45 dB	-50 dB -45 dB	-50 dB -45 dB	-47 dB
Audio Distortion ¹		1.00%	1.00%	1.00%	1.00%	1.00%

PORTABLE MILITARY STANDARDS 810 C, D, E, F & G

	MIL-STD 810C		MIL-STD 810D		MIL-STD 810E		MIL-STD 810F		MIL-STD 810G	
	Method	Proc./Cat.	Method	Proc./Cat.	Method	Proc./Cat.	Method	Proc./Cat.	Method	Proc./Cat.
Low Pressure	500.1	I	500.2	II	500.3	II	500.4	II	500.5	II
High Temperature	501.1	I, II	501.2	I/A1, II/A1	501.3	I/A1, II/A1	501.4	I/Hot, II/Basic Hot	501.5	I/A1, II/A2
Low Temperature	502.1	I	502.2	I/C3, II/C1	502.3	I/C3, II/C1	502.4	I/C3, II/C1	502.5	I/C3, II/C1
Temperature Shock	503.1	I	503.2	I/A1C3	503.3	I/A1C3	503.4	I	503.5	I/C
Solar Radiation	505.1	II	505.2	I	505.3	I	505.4	I	505.5	I/A1
Rain	506.1	I, II	506.2	I, II	506.3	I, II	506.4	I, III	506.5	I, III
Humidity	507.1	II	507.2	II	507.3	II	507.4	1 Proc	507.5	II/Aggravated
Salt Fog	509.1	I	509.2	I	509.3	I	509.4	1 Proc	509.5	1 Proc
Blowing Dust	510.1	I	510.2	I	510.3	I	510.4	I	510.5	I
Blowing Sand	1 Proc	1 Proc	510.2	II	510.3	II	510.4	II	510.5	II
Vibration	514.2	VIII/F, Curve-W	514.3	I/10, II/3	514.4	I/10, II/3	514.5	I/24	514.6	I/24
Shock	516.2	I, III, V	516.3	I, V, VI	516.4	I, V, VI	516.5	I, V, VI	516.6	I, V, VI
Shock (Drop)	516.2	II	516.2	IV	516.4	IV	516.5	IV	516.6	IV

DIMENSIONS OF THE RADIOS WITHOUT BATTERY

	Inches	Millimeters
Length	5.42	137.7
Width Push-To-Talk button	2.42	61.4
Depth Push-To-Talk button	1.41	35.75
Width Top	2.62	66.55
Depth Top	1.84	46.7
Weight of the radios without battery	10.05 oz	285 g

GPS SPECIFICATIONS

Channels	12
Tracking Sensitivity	-159 dBm
Accuracy ⁵	<10 meters (95%)
Cold Start	<60 seconds (95%)
Hot Start	<10 seconds (95%)
Mode of Operation	Autonomous (Non-Assisted) GPS

ENCRYPTION

Supported Encryption Algorithms	AES/ADP
Encryption Algorithm Capacity	8
Encryption Keys per Radio	Module capable of storing 1024 keys. Programmable for 48 Common Key Reference (CKR) or 16 Physical Identifier (PID)
Encryption Frame Re-sync Interval	P25 CAI 300 mSec
Encryption Keying	Key Loader
Synchronization	XL – Counter Addressing OFB – Output Feedback
Vector Generator	National Institute of Standards and Technology (NIST) approved random number generator
Encryption Type	Digital
Key Storage	Tamper protected volatile or non-volatile memory
Key Erasure	Keyboard command and tamper detection
Standards	FIPS 140-2 Level 3; FIPS 197

ENVIRONMENTAL SPECIFICATIONS

Operating Temperature ⁶	-30°C / +60°C
Storage Temperature ⁶	-40°C / +85°C
Humidity	Per MIL-STD
ESD	IEC 801-2 KV
Water and Dust Intrusion	Mil Std 512.X, Delta - T

¹ Measured in the analog mode per TIA / EIA 603 under nominal conditions

² When used with an UL approved intrinsically safe radio

³ Measured conductively in analog mode per TIA / EIA 603 under nominal conditions.

⁴ Measured conductively in digital mode per TIA / EIA IS 102.CAAA under nominal conditions

⁵ Accuracy specs are for long-term tracking (95th percentile values >5 satellites visible at a nominal -130 dBm signal strength).

⁶ Temperatures listed are for radio specifications. Battery storage is recommended at 25°C, ±5°C to ensure best performance.

Specifications subject to change without notice. All specifications shown are typical. Radio meets applicable regulatory requirements.

Motorola Solutions, Inc. 1301 East Algonquin Road Schaumburg, Illinois 60196, U.S.A. 800-367-2346
motorolasolutions.com

MOTOROLA, MOTO, MOTOROLA SOLUTIONS and the Stylized M Logo are trademarks or registered trademarks of Motorola Trademark Holdings, LLC and are used under license. All other trademarks are the property of their respective owners. © 2016 Motorola Solutions, Inc. All rights reserved. 06-2016



City of Independence

Liquor License Renewals

To: City Council
From: Mark Kaltsas, City Administrator
Meeting Date: February 5, 2019

Discussion:

The City annually reviews and considers renewal of both on and off sale liquor licenses. The City has three (3) businesses which annually renew their respective liquor licenses. The following applications have been made to the Council:

Ox Yoke Inn:	Off Sale, On Sale and Sunday License
Windsong Golf Club:	Off Sale, On Sale and Sunday License
Pioneer Creek Golf Club:	On Sale, Sunday License

Attachments: Liquor Applications

TO: CITY ADMINISTRATOR
FROM: AEM FINANCIAL SOLUTIONS, LLC
SUBJECT: AUTHORIZING MEMBERSHIP IN THE 4M FUND
DATE: 1/30/2019

Currently The Bank of Maple Plain is the official depository of the City of Independence and staff requests to add the 4M Fund as an additional institution. The 4M Fund is sponsored and governed by the League of Minnesota Cities, and is a cash management and investment program for Minnesota public funds. They are able to offer higher interest rates than The Bank of Maple Plain, as well as short term investment options. These interest earnings are becoming more nominal as the City continues to grow it's fund balance.

Total Cash and Investments as of 12/31/18	2,164,821.03		
CD	(194,000.00)		
Projected Revenues through June 30th, 2019*	1,300,000.00		
Projected Expenditures through June 30th 2019*	(1,730,000.00)		
Total liquid Cash	1,540,821.03		
*Based on 2018 Revenues and Expenditures through June 30th			
Current Cash and Investments	Rates	Average Balance	Interest Earnings
Checking	0.45%	\$ 500,000.00	\$ 2,250.00
Money Market	1.05%	\$ 1,040,821.00	\$ 10,928.62
Brokered CD - 1 year	0.85%	\$ 194,000.00	\$ 1,649.00
		\$ 1,734,821.00	\$ 14,827.62
Cash and Investments with 4M Liquid Fund	Rates	Average Balance	Interest Earnings
Checking	0.45%	\$ 500,000.00	\$ 2,250.00
4M Liquid Fund	2.14%	\$ 1,040,821.00	\$ 22,273.57
Brokered CD - 1 year	2.70%	\$ 194,000.00	\$ 5,238.00
		\$ 1,734,821.00	\$ 29,761.57
Difference in Interest earnings			\$ 14,933.95

7-Day Average Rate as of
12/28/2018

The 7-Day Average Rate refers to income generated over the previous seven day period; the income is then annualized.

CD Rates as of 12/26/2018

Agency Rates as of
12/26/2018

Term	Rate
2 years	2.80%
2.5 years	2.90%
5 years	3.20%



RESOLUTION NO. 19-0205-01

RESOLUTION AUTHORIZING THE CITY OF INDEPENDENCE MEMBERSHIP IN THE 4M FUND

WHEREAS, Minnesota Statutes (the Joint Powers Act) provides that governmental units may jointly exercise any power common to the contracting parties; and

WHEREAS, the Minnesota Municipal Money Market Fund (the 4M Fund) was formed in 1987, pursuant to the Joint Powers Act and in accordance with Minnesota Investment Statutes, by the adoption of a joint powers agreement in the form of a Declaration of Trust; and

WHEREAS, the Declaration of Trust, which has been presented to this Council, authorizes municipalities of the State of Minnesota to become Participants of the Fund and make use from time to time including the 4M Liquid Asset Fund, the 4M Plus Fund, the Term Series, the Fixed Rate Programs, and other Fund services offered by the Fund; and

WHEREAS, the Independence City Council deems it to be in the best interest for the municipality to make use of, from time to time, the approved services provided by the 4M Fund's service providers including the Investment Advisor (Prudent Man Advisors, Inc.) or Sub-Advisor (RBC Global Asset Management (U.S.) Inc.), the Administrator (PMA Financial Network, Inc.), the Distributor (PMA Securities, Inc.) or the Fixed Rate Program Providers, PMA Financial Network, Inc. and PMA Securities, Inc., and the Custodian, U.S. Bank National Association, ("Service Providers") and/or their successors.

WHEREAS, the Independence City Council deems it advisable for this municipality to enter into the Declaration of Trust and become a Participant of the Fund for the purpose of joint investment with other municipalities so as to enhance the investment earnings accruing to each;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The City of Independence shall become a Participant of the Fund and adopt and enter into the Declaration of Trust, a copy of which shall be filed in the minutes of this meeting. The appropriate officials are hereby authorized to execute those documents necessary to effectuate entry into the Declaration of Trust and the participation of all Fund programs.

Section 2. The City of Independence is authorized to invest monies from time to time and to withdraw such monies from time to time in accordance with the provisions of the Declaration of Trust. The following officers of the municipality or their successors are designated as "Authorized Officials" with authority to effectuate investments and withdrawals in accordance with the Declaration of Trust:

Print Name

Title

Signature

Print Name

Title

Signature

Print Name

Title

Signature

(Additional names may be added on a separate list. The administrator shall advise the Fund of any changes in Authorized Officials in accordance with Fund procedures.)

Section 3. The Trustees of the Fund are designated as having official custody of those monies invested in accordance with the Declaration of Trust.

Section 4. That the municipality may open depository and other accounts, enter into wire transfer agreements, safekeeping agreements, third party surety agreements securing deposits, collateral agreements, letters of credit, lockbox agreements, or other applicable or related documents with institutions participating in Fund programs including U.S. Bank National Association, or its successor, or programs of PMA Financial Network, Inc. or PMA Securities, Inc. for the purpose of transaction clearing and safekeeping, or the purchase of certificates of deposit ("CDs") or other deposit products and that these institutions shall be deemed eligible depositories for the municipality. PMA Financial Network, Inc. and PMA Securities, Inc. and their successors are authorized to act on behalf of this municipality as its agent with respect to such accounts and agreements. Monies of this entity may be deposited in such depositories, from time to time in the discretion of the Authorized Officials, pursuant to the Fund's Programs available through its Services Providers.

This resolution was adopted by the City Council of the City of Independence on this 5th day of February, 2019, by a vote of ___ ayes and ___ nays.

Marvin D. Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator

COUNCIL MEMO

TO: CITY ADMINISTRATOR
FROM: AEM FINANCIAL SOLUTIONS, LLC
SUBJECT: APPROVING 2019 PAY EQUITY REPORT
DATE: 1/31/2019

Background

Cities are required to complete a Pay Equity Report every three years. The last report for the City of Independence was completed in 2016. Attached is the completed Pay Equity Report for the City of Independence for 2019.

Explanation of Compliance Results

Section I General Job Class Information

This section is general information based on the data provided by the city based on the number of male and females working at the City.

Section II Statistical Analysis Test

This section evaluates the underpayment ratio between male and female employees. The minimum requirement to pass is a ratio of 80%. The City of Independence has a ratio of 100%, which is a passing ratio. The T-Results and Degrees of Freedom are only used for Cities that fall below the 80% ration.

Section III Salary Range Test

This section tests how many years it takes for employees to reach maximum salaries. The minimum requirement to pass is 80%. The City of Independence has a ratio of 100%, which is a passing ratio.

Section IV

This section must be either 0% or 80% or above to pass. This test evaluates the percentage of male to female employees receiving exceptional service pay. The City of Independence has 0% because none of the employees receive exceptional service pay.



RESOLUTION NO. 19-0205-02

APPROVING THE 2019 PAY EQUITY REPORT

WHEREAS, the City of Independence is required to submit a Pay Equity Report every three years; and

WHEREAS, the attached report was completed by matching the City of Independence job positions and duties against the best match of the State Job Match System.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Independence, Minnesota hereby approves the 2019 Pay Equity Report.

This resolution was adopted by the City Council of the City of Independence on this 5th day of February 2019 by a vote of ___ ayes and ___ nays.

Marvin D. Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator

Compliance Report

Jurisdiction: Independence
1920 County Road 90

Report Year: 2019
Case: 1 - 2019 DATA (Private (Jur Only))

Independence MN 55359

Contact: Beth Horner

Phone: (763) 479-0527

E-Mail: bhorner@ci.independence.mn.us

The statistical analysis, salary range and exceptional service pay test results are shown below. Part I is general information from your pay equity report data. Parts II, III and IV give you the test results.

For more detail on each test, refer to the Guide to Pay Equity Compliance and Computer Reports.

I. GENERAL JOB CLASS INFORMATION

	Male Classes	Female Classes	Balanced Classes	All Job Classes
# Job Classes	4	2	0	6
# Employees	4	2	0	6
Avg. Max Monthly Pay per employee	6,054.00	5,128.98		5,745.66

II. STATISTICAL ANALYSIS TEST

A. Underpayment Ratio = 100.00 *

	Male Classes	Female Classes
a. # At or above Predicted Pay	2	1
b. # Below Predicted Pay	2	1
c. TOTAL	4	2
d. % Below Predicted Pay (b divided by c = d)	50.00	50.00

*(Result is % of male classes below predicted pay divided by % of female classes below predicted pay.)

B. T-test Results

Degrees of Freedom (DF) = 4	Value of T = 0.746
-----------------------------	--------------------

- a. Avg. diff. in pay from predicted pay for male jobs = (\$21)
b. Avg. diff. in pay from predicted pay for female jobs = (\$203)

III. SALARY RANGE TEST = 100.00 (Result is A divided by B)

- A. Avg. # of years to max salary for male jobs = 16.00
B. Avg. # of years to max salary for female jobs = 16.00

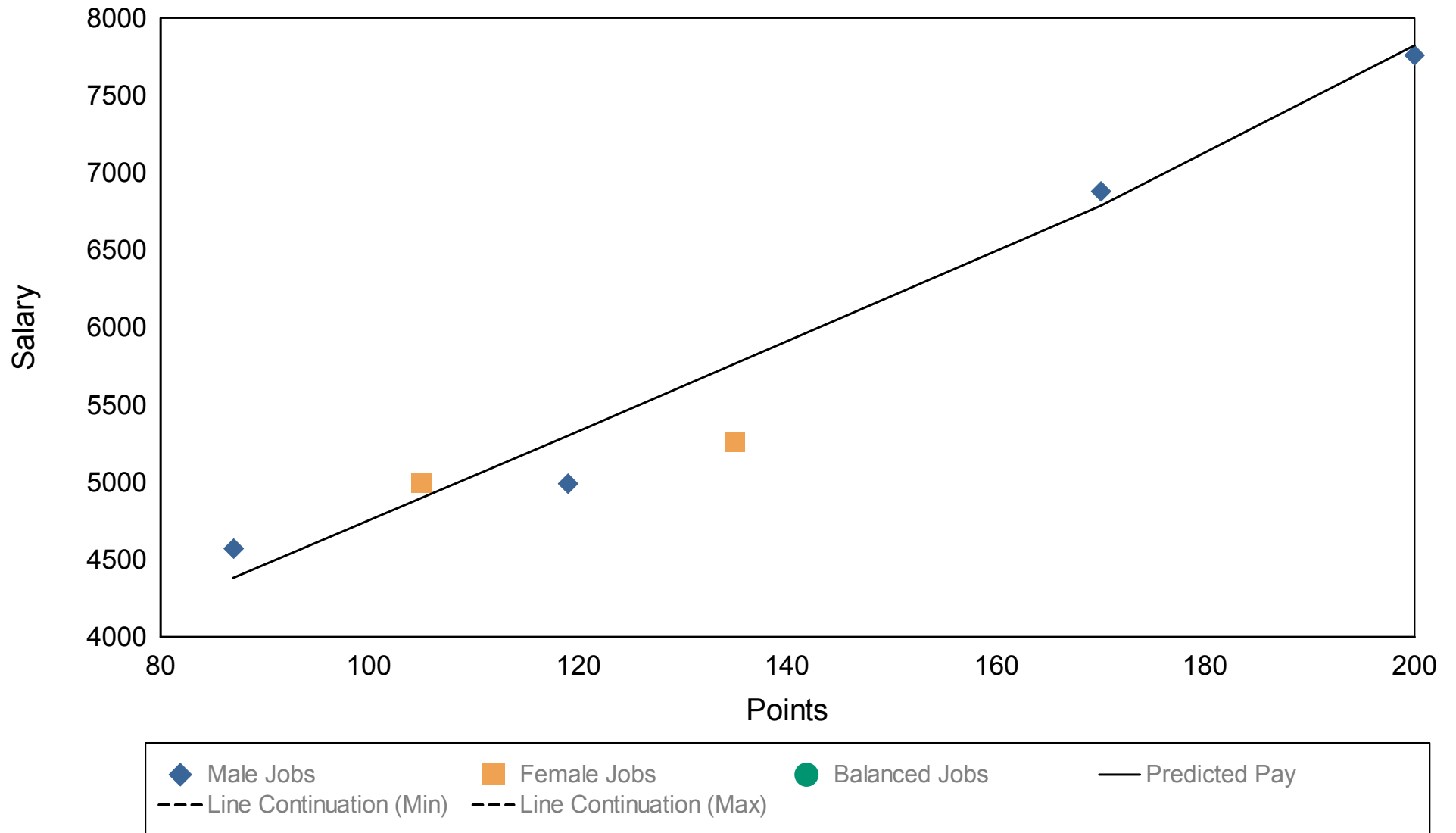
IV. EXCEPTIONAL SERVICE PAY TEST = 0.00 (Result is B divided by A)

- A. % of male classes receiving ESP 50.00 *
B. % of female classes receiving ESP 0.00

*(If 20% or less, test result will be 0.00)

Predicted Pay Report for Independence
Case : 2019 DATA

12/13/2018



Predicted Pay Report for Independence
Case : 2019 DATA

12/13/2018

Job Nbr	Job Title	Nbr Males	Nbr Females	Total Nbr	Job Type	Job Points	Max Mo Salary	Predicted Pay	Pay Difference
1	PUBLIC WORKS WORKER/SEWER	1	0	1	Male	87	\$4,575.40	\$4,385.94	\$189.46
2	ADMINISTRATIVE ASSISTANT	0	1	1	Female	105	\$4,994.52	\$4,901.62	\$92.90
6	SENIOR PUBLIC WORKS WORKER	1	0	1	Male	119	\$4,994.52	\$5,302.83	(\$308.31)
7	ASSISTANT CITY ADMINISTRATOR	0	1	1	Female	135	\$5,263.45	\$5,761.36	(\$497.91)
3	CHIEF BUILDING OFFICIAL/CODE	1	0	1	Male	170	\$6,883.24	\$6,788.23	\$95.01
4	PUBLIC WORKS DIRECTOR	1	0	1	Male	200	\$7,762.83	\$7,822.65	(\$59.82)

Job Number Count: 6

City of Independence

Consider Approval of Negotiated Settlement Agreement for Property Located at 5835 Drake Drive

To: City Council
From: Mark Kaltsas, City Administrator
Meeting Date: February 5, 2019

Discussion:

Staff presented a proposed settlement of the pending zoning dispute involving Anita Vokenant's property and landscaping business at 5835 Drake Drive. In sum, the settlement agreement outlines the terms and conditions that Ms. Volkenant would include in an application for an IUP. Those terms and conditions would mitigate some of the impacts of the current business activities, relocate employee parking to a more appropriate site, and reduce the excess square footage of accessory buildings on the property. The agreement provides a path forward but does not result in a final resolution since Ms. Volkenant's IUP application would be subject to the City's normal processes including a hearing before the planning commission.

Recommendation:

Ms. Volkenant has signed the agreement and staff recommends City Council approval.

.

ATTACHMENTS: Settlement Agreement

City of Independence

Request for a Conditional Use Permit to Allow a Commercial Riding Stable on the Property located 3035 Lake Sarah Road

<i>To:</i>	City Council
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	February 5, 2019
<i>Applicant:</i>	Kati Johnston
<i>Property Owner:</i>	Kathleen Theissen
<i>Location:</i>	3035 Lake Sarah Road

Request:

Kati Johnston (Applicant) and Kathleen Theissen (Owner) request that the City consider the following actions for the property located at 3035 Lake Sarah Road, Independence, MN (PID No. 16-118-24-11-0001):

- a. A conditional use permit allowing the following:
 - i. A commercial riding stable with bunkhouse (caretaker apartment).
 - ii. A detached accessory building which is greater than 5,000 square feet.

Property/Site Information:

The property is located at the northwest corner of the intersection of Lake Sarah Road, Pagenkopf Road and Valley Road. The property is comprised of an existing home, barn and several additional detached accessory structures. The property has pasture areas, paddocks and is heavily wooded along the north property line. The property has the following characteristics:

Property Information: 3035 Lake Sarah Road
Zoning: *Agriculture*
Comprehensive Plan: *Agriculture*
Acreage: *39 acres*



Discussion:

The Applicant approached the City about purchasing the subject property and continuing to operate the existing commercial riding stable. The existing horse farm was granted a conditional use in 1979 to operate a commercial riding stable for 38 horses on the subject property. One of the conditions attached to the CUP stated, "A permit is granted to the person & expires when the property is under new management or ownership". The City reviewed the conditions with the potential buyer and noted that the best way to proceed was to seek a new conditional use permit to operate the facility on the property. It was also noted that there was an existing bunkhouse historically used on the property for a care takers quarters that was not specifically permitted in the 1979 CUP approval. In addition to taking over operations of the existing commercial riding stable, the applicant noted that they would like to construct a covered (not enclosed) riding arena over the existing outdoor arena. A conditional use permit would be required as a result of the proposed structure being larger than 5,000 square feet.

Commercial riding stables are a conditional use in the Agriculture zoning district. The subject property is zoned Agriculture. The City generally allows 1 animal unit on the first two acres and then 1 additional animal unit for each additional acre of property. The existing CUP granted approval for 38 horses on the property based on the notion that they had approximately 39 gross acres. The subject property is comprised of approximately 39 acres including the cartway easement which provides access to this property and future access to the adjacent properties to the north and east. Of the 39 acres, approximately 36 acres is useable upland based on the national wetland inventory. Applying the City's typical standard, the site would accommodate 38 animals using the gross acreage or 35 animals using the upland acreage.

The City has historically required that the applicants maintain a manure management plan, maintain all applicable permits relating to the management of manure on the property and maintain 1/3 acre of open pasture per animal unit. In December 2018, City Council adopted a Manure Management Policy for the City. The policy provides regulations relating to the management of manure associated with commercial horse operations in the City. This property would be subject to the new Manure Management Policy. The subject property is wooded along the north property line and has a small wetland in the southwest corner. There are approximately 16 acres of open pasture without the removal of existing woodlands. The open pasture areas on this property in the existing condition would accommodate 48 horses using the City's standard of 1/3 acre per horse which is more than the number that would be permitted. The applicant noted that the horses are not dependent on pasture grazing as all horses are boarded inside the stall barn and receive hay and feed supplements.

The proposed commercial boarding stable would have the additional following characteristics:

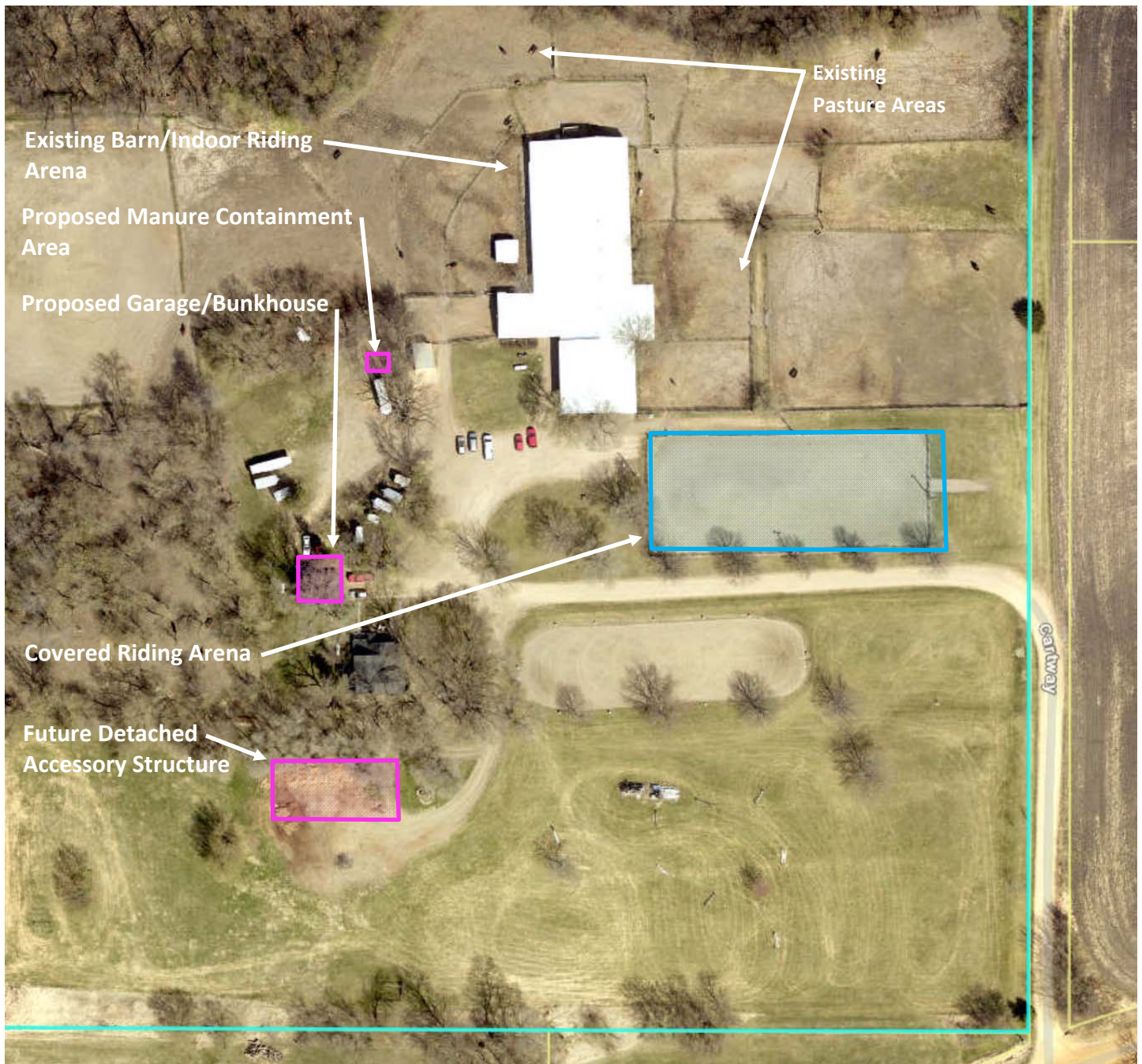
NOTE: Applicants narrative attached to this report may have several discrepancies from the report. The information in this report is the most current information and should be considered.

1. The existing horse barn/indoor riding arena is generally one-story with a hay loft, 19,500 SF in size and has a total of 44 stalls.
2. The proposed covered riding arena would be 22,000 sf and would not be fully enclosed. The proposed structure would essentially cover the existing outdoor arena.
3. One additional detached accessory building (approximately 4,000 sf) is proposed to be constructed on the south side of the property.
4. There is an existing 1-bedroom bunkhouse in the existing detached garage. The applicant is proposing to raze the existing detached garage and construct a new garage and bunkhouse in the same location (exact location may be adjusted slightly to accommodate existing conditions).
5. There are currently 3 full time and 3 part time employees.
6. There are currently 38 horses on the subject property and the applicant is proposing to maintain a maximum of 38 horses boarded on the property at any time.
7. The Applicant would have regular deliveries of shavings which typically come via a single-axel truck weekly or less.
8. There is a total of 3 ferriers that come to the site to shoe the horses on a regular basis. This results in approximately one visit per week.
9. There would be regular weekly garbage service to the property.
10. Manure is proposed to be collected on-site and stored in a new concrete manure enclosure. The manure would be hauled off-site on a monthly basis.

11. Hay is delivered to the property once per month in the winter and once per every two months in the summer.
12. The applicant noted that there are typically no more than 5-10 guests coming to the property at any given time and usually less. The current conditional use permit allows for no more than 2 events per year.
13. The Applicant has put together a sketch of the existing and proposed conditions.

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

1. The conditional use will not adversely affect the health, safety, morals and general welfare of occupants of surrounding lands.
2. The proposed use will not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity for the proposes already permitted or on the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
3. Existing roads and proposed access roads will be adequate to accommodate anticipated traffic.
4. Sufficient off-street parking and loading space will be provided to serve the proposed use.
5. The proposed conditional use can be adequately serviced by public utilities or on-site sewage treatment, and sufficient area of suitable soils for on-site sewage treatment is available to protect the city form pollution hazards.
6. The proposal includes adequate provision for protection of natural drainage systems, natural topography, tree growth, water courses, wetlands, historic sites and similar ecological and environmental features.
7. The proposal includes adequate measures to prevent or control offensive odor, fumes, dust, noise, or vibration so that none of these will constitute a nuisance.
8. The proposed condition use is consistent with the comprehensive plan of the City of Independence.
9. The proposed use will not stimulate growth incompatible with prevailing density standards.



The City has visited the site and discussed the operation of the proposed commercial riding stable with the applicant. The following considerations should be noted by the City:

- This property has historically been operated as a commercial riding stable.

- The proposed continued use as a commercial riding stable generally fits into the character of the surrounding area and is in keeping with the City's Comprehensive Land Use Plan.
- Any new building constructed on this site will be subject applicable building codes, applicable setbacks as well as to any additional approvals from the Pioneer Sarah Creek Watershed Management Commissions.
- All existing and proposed building lighting will need to fully comply with the City's applicable light standards including being full cut-off type lighting. The City will work with the applicant to obtain the cut sheets and detailed plan for all proposed lighting. The City typically reviews building and site lighting during the building permit review process.
- The existing home on the property is served by an on-site septic system. The system was replaced in 2018 and is fully compliant. The system does accommodate the existing bunkhouse.
- The applicant shall fully comply with the City's recently adopted Manure Management Policy. This will include maintaining the prescribed buffer from the existing wetland located in the southwest corner of the property and constructing a new manure containment area.

Given the location of the property, the orientation of the buildings and their relationship to the surrounding properties and the existing use of the property as a commercial riding stable, it appears that the proposed application can be found to meet the requirements for granting a conditional use permit to allow a commercial riding stable.

Neighbor Comments:

The City received several comments pertaining to the proposed application at the public hearing. The following comments were provided to the City:

1. A question was asked on whether or not the new CUP would expire if the property were sold or business transferred? It was noted that the City can no longer apply time limits to conditional use permits due to statutory rights of CUP holders. The City could consider changing how it processes CUP's for commercial riding stables in the future.
2. A question was asked relating to lighting and whether or not additional lighting was going to be added to the property. It was noted that the City has current standards in place and that all existing and proposed lighting would need to be brought into compliance with applicable standards. The applicant noted that they are not intended to add any additional site lighting to the premises.

3. A question was asked about artificial or amplified sounds. It was noted that the City has an ordinance which regulates sound. The applicant noted that they do not have any plans for amplified sound on the property.
4. A question was asked about the proposed detached accessory structure on the south side of the property and whether or not it could be moved to a different location and or screened. It was noted that the structure needed to be setback a minimum of 15 feet from the property line and the proposed structure is currently shown with a setback of approximately 100 feet.
5. A question was asked relating to signage. It was noted that the City has signage allowances for properties zoned agriculture and that any proposed signage would be required to meet applicable standards.

Planning Commission Discussion:

Planning Commissioners discussed the request for a conditional use permit and asked questions of staff and the applicant. Commissioners commented on the new Manure Management Policy and how it delineates and provides direction on many of the concerns that are usually expressed during the review of commercial riding stables. Commissioners noted the historic use of the property as a commercial riding stable and that the proposed use is essentially a continuation of that use. Commissioners found that the application for a commercial riding stable met the criteria for granting a conditional use permit and recommended approval to the City Council with the findings and conditions stated within this report.

Recommendation:

The Planning Commission recommended approval to the City Council of the request for a conditional use permit with the following findings and conditions:

1. The proposed conditional use permit requests meet all applicable conditions and restrictions stated in Chapter V, Section 510, Zoning, in the City of Independence Ordinances.
2. The conditional use permit will include the following conditions:
 - a. The conditional use permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.
 - b. Any new signage shall comply with all applicable standards of the City's ordinance and require a sign permit.
 - c. All existing and proposed lighting shall be brought into compliance and fully meet applicable City lighting standards.

- d. No more than 38 horses shall be boarded on the property.
 - e. The applicant and facility must operate in compliance with the City of Independence Manure Management Policy.
 - f. The hours of operation are: 7:00 am – 10:00 pm.
 - g. No parking shall be permitted on public roadways.
 - h. Two (2), one day, horse related events will be permitted per year and shall comply with the following provisions:
 - The horse related events shall occur during the permitted hours of operation.
 - No more than 50 participants shall be permitted at each event.
 - i. No renting of hack horses shall be permitted.
 - j. No riding on adjacent private land unless authorized by owners.
 - k. Must utilize appropriate management practices to control flies and odor.
 - l. No future expansion of the existing barn, proposed detached garage, proposed covered riding arena and proposed detached accessory structure shall be permitted on the property without the further review and approval by the City through the conditional use permit amendment process.
3. The applicant shall pay for all costs associated with the review and recording of the resolution for a conditional use permit.
4. City Council approval of the conditional use permit is subject to the following:
- a. If applicable, the applicant shall obtain all requisite approvals from the Pioneer Sarah Watershed Management Commission for the proposed site work and disturbance.
 - b. The applicant shall provide the City with information and details pertaining to any and all building and site lighting. All lighting will be required to comply with the City's applicable lighting standards.
5. The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.

Attachments:

1. Application
2. Applicants Narrative
3. Site Plan Sketch
4. Manure Management Policy
5. Original Conditional Use Permit
6. Covered Riding Arena/Future Detached Accessory Building Plans



RESOLUTION NO. 19-0205-03

A RESOLUTION GRANTING APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW A COMMERCIAL RIDING STABLE AND DETACHED ACCESSORY STRUCTURE LARGER THAN 5,000 SQUARE FEET ON THE PROPERTY LOCATED AT 3035 LAKE SARAH ROAD

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

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

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

WHEREAS, Kati Johnston (the “Applicant”) and Kathleen Theissen (the “Owner”) submitted a request for a Conditional Use Permit to allow a Commercial Riding Stable, an Accessory Structure larger than 5,00 square feet and a bunkhouse on the property located 3035 Lake Sarah Road and identified by (PID No. 16-118-24-11-0001) (the “Property”); and

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

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

WHEREAS, the Property is zoned AG-Agriculture; and

WHEREAS the requested Conditional Use Permit meets all requirements, standards and specifications of the City of Independence zoning ordinance for Agriculture lots; and

WHEREAS the Planning Commission held a public hearing on January 15, 2019 to review the application for the Conditional Use Permit, following mailed and published noticed as required by law; and

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

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MINNESOTA, that it should and hereby does approve the application by Kati Johnston for a Conditional Use Permit to allow a Commercial Riding Stable, an Accessory Structure larger than 5,00 square feet and a bunkhouse per the City's zoning regulations with the following conditions:

1. The proposed conditional use permit requests meet all applicable conditions and restrictions stated in Chapter V, Section 510, Zoning, in the City of Independence Ordinances.
2. The conditional use permit will include the following conditions:
 - a. The conditional use permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.
 - b. All improvements shall be in accordance with the approved plans attached hereto as Exhibit B.
 - c. Any new signage shall comply with all applicable standards of the City's ordinance and require a sign permit.
 - d. All existing and proposed lighting shall be brought into compliance and fully meet applicable City lighting standards.
 - e. No more than 38 horses shall be boarded on the property.
 - f. The applicant and facility must operate in compliance with the City of Independence Manure Management Policy.
 - g. The hours of operation are: 7:00 am – 10:00 pm.
 - h. No parking shall be permitted on public roadways.
 - i. Two (2), one day, horse related events will be permitted per year and shall comply with the following provisions:
 - The horse related events shall occur during the permitted hours of operation.
 - No more than 50 participants shall be permitted at each event.
 - j. No renting of hack horses shall be permitted.
 - k. No riding on adjacent private land unless authorized by owners.
 - l. Must utilize appropriate management practices to control flies and odor.
 - m. No future expansion of the existing barn, proposed detached garage, proposed covered riding arena and proposed detached accessory structure shall be permitted on

the property without the further review and approval by the City through the conditional use permit amendment process.

3. The applicant shall pay for all costs associated with the review and recording of the resolution for a conditional use permit.
4. City Council approval of the conditional use permit is subject to the following:
 - a. If applicable, the applicant shall obtain all requisite approvals from the Pioneer Sarah Watershed Management Commission for the proposed site work and disturbance.
 - b. The applicant shall provide the City with information and details pertaining to any and all building and site lighting. All lighting will be required to comply with the City's applicable lighting standards.
5. The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.

This resolution was adopted by the City Council of the City of Independence on this 5th day of February 2019, by a vote of ____ ayes and ____ nays.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator

EXHIBIT A
(Legal Description)

EXHIBIT B

(Proposed Improvements)



■ Manure pit
35x40

▨ Care taker Apt
Garage
30x35

▨ 50x100
garage

▨ covered outdoor
100x200



PLANNING APPLICATION

Case No. _____

Type of application

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

Site Location— Additional addresses on back and legal description attached

Property address 3035 Lake Sarah Rd PID _____

Proposal -Full documentation must accompany application

Applicant

Name Kati Johnston Email KcJohnston09@yahoo.com

Address 425 Ferndale Wds Rd Wayzata 55391

Phone 612 804 9391 Additional phone/contact _____

Printed Name Kati Johnston Signature Kati Johnston

Owner Information (if different from applicant)

Name Kathleen Theissen Email john-theissen@gmail.com

Address 3035 Lake Sarah Rd, Maple Plain, MN 55359

Phone 763-479-3278 Additional phone/contact cell 612-747-2191

Printed Name KATHLEEN THEISSEN Signature Kathleen Theissen

Office Use Only

Date _____

Application Amount _____

Check # _____

Accepted By _____

Escrow Paid _____

Check # _____

Date Accepted by Planner _____

City of Independence

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

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

Application for Planning Consideration Fee Statement

The City of Independence has set forth a fee schedule for the year 2018 by City Ordinance. However, projects of large scope that include two or more requests will be required to provide a larger deposit than the resolution sets forth as set by the City Administrator. The fees collected for land use projects are collected as deposits. All invoices associated with each land use application will be billed to the applicant within 30 days upon receipt by the City for each project. The City of Independence often utilizes consulting firms to assist in the review of projects. The consultant and City rates are noted on the current fee schedule. By signing this form, the applicant recognizes that he/ she is solely responsible for any and all fees associated with the land use application from the plan review stage to the construction monitoring stage through to the release of any financial guarantee for an approved project. If a project is denied by the City Council or withdrawn by the applicant, the fees associated for the project until such denial or withdrawal, remain the applicant's responsibility.

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

Applicant Signature: Kate Johnston

Date: _____

Owner Signature (if different): Kathleen Theissen

Date: 12-10-18



■ manure pit
35x40

▨ caretaker Apt
Garage
30x35

▧ 50x100
garage

▩ covered outdoor
100x200

Brightonwood Farm

3035 Lake Sarah Rd Maple Plain MN 55359

I grew up at Brightonwood Farm. Memories of being left for hours to ride and clean eventually graduating to busy farm work are a main source of my primary nostalgia. In high school I spent my school breaks cleaning stalls and doing whatever else I could do, just to be there.

Recently my husband and I made the decision to purchase the beloved farm I deemed home. John and Kathy have been there for years and have been an active part in my life. They plan to stay there and help the transition.

Besides amending the conditional use permit to us, there are some updates we'd like to make to the property. A new garage/caretakers apartment, a new manure containment area, a cover over an existing outdoor arena and eventually a garage for the equipment.

The garage/apt would be in the same spot and about the same size. Right now it is roughly 25'x30' and connects to the main houses septic.

The manure containment would be directly north of the apartment in a concrete 3 sided enclosure(25'x35) with regular monthly removal. Away from water run offs and pasture.

The cover for the outdoor arena would serve as a dual purpose. In the outdoor months (April through November) it would be used to train and teach when the weather is bad or the ground is saturated and cannot be ridden upon. I teach and donate time to the local Pony Club and it would help me continue that service. In the winter months (November-March), it would be able to house our winter hay. Right now we get a delivery of hay every 2-3 weeks during the winter. (This would drastically cut down on the traffic to the barn with hay deliveries).(100x200)

Based on the previous permit, we would like everything extended/amended to us to continue Brightonwood. We will continue to run the facility as the Theissen's had a commercial riding facility.

Kati and Charlie Johnston



City of Independence Manure Management Policy

1. Determination of Need and Introduction

The City has determined that it is in the best interest of the residents of Independence to protect the valuable water resources of our region. Management of surface water runoff relating to the storage and land application of manure generated by commercial riding stables has been identified as an important measure to protect water quality. The City has found that the consistent application of standards relating to manure management is important and warrants the establishment of this manure management policy.

In order to ensure that best management practices are being followed, Independence has identified a need for all commercial riding stables to prepare and maintain a manure management plan and adhere to established manure management standards. The required plan will provide detailed information pertaining to the management of manure generated from commercial riding stables.

2. Manure Management Best Practices

The City has developed the following best management practices that shall be used in the preparation of the manure management plan:

- a. Animal unit density should be based on the buildable, upland acres of a property. Existing and proposed building areas, parking areas as well as wetlands, steep slopes and other natural impediments should be subtracted from the total acreage.
- b. Each animal unit shall have 1/3 of an acre of grazable pasture. If the grazable pasture area restricts the number of animal units, the lesser number should be used to determine the maximum number of animal units permitted.
 - i. The applicant shall manage the pasture areas by rotating their use during the growing months. A minimum of 70 percent vegetative cover shall be maintained on the pasture areas during the growing season. The City shall determine the 70% coverage by using a dimensional transect method.
- c. Manure management shall be addressed using one of the following methods:
 - i. Contain manure on-site and remove manure from the property by taking off-site.

- ii. Contain manure on-site and compost by using an approved compost system.
 - iii. Contain manure on-site and land apply manure.
- d. Land application of manure shall consider the following best practices:
- i. Time of year – manure shall not be land applied to frozen ground.
 - ii. Setbacks from wetlands, steep slopes, drainage ditches/creeks/other water resources – a minimum of a twenty-five (25) foot setback (buffer) shall be maintained for all land applications.
 - iii. Shoreland Overlay – no land application of manure shall be permitted in the shoreland overlay zoning district.
 - iv. Manure Containment - detailed plans for the manure containment area, including the type of surface and or structure to be used for manure storage. Manure containment areas shall be impervious and located in an area which avoids direct run-off into wetlands, drainage swales and other similar water resource areas.
 - v. Soil Testing – the City will review the plan and may require that prior to land application of manure, the soil will be tested to determine the existing level of nutrients. The City will review the site and determine the best locations for testing. Test samples should be taken at a rate of three samples for each twenty acres. The soil test samples taken shall be analyzed using the University of Minnesota recommended maximum nutrient levels for in-situ phosphorous concentration (the phosphorous uptake from the vegetation). Based on the findings of the analysis and at the discretion of the City, the applicant may not be permitted to land apply the manure until such time as the phosphorus levels decrease.

3. Plan Requirements

The manure management plan shall address and provide information relating to the following:

- a. Site Plan – Provide a scaled site plan indicating the location of the manure containment area, existing natural resources (wetlands, drainage swales, wooded areas, etc.), two-foot contours, pasture areas, and existing and proposed structures.
- b. Manure Containment - Detailed plans for the manure containment area, including the type of surface and or structure to be used for manure storage.
- c. Buffer Areas – Indicate on the plan the twenty-five-foot buffer setback from wetlands and drainage swales.

Minutes, Sept. 11, 1979

Brightonwood Farms, Inc. - Susan Bedford & Kathy Theisen

Susan Bedford appeared before the Council requesting approval to expand their facilities for boarding and training horses and to allow a total of 38 horses to be boarded at one time. The farm is located in Sec. 16, the NE 1/4 of NE 1/4 and contains approximately 40 acres, P.I.D. #16-118-24 11 0001. They received conditional use permit Oct 11, 1977 to board 24 horses.

A public hearing was held August 28, 1979 by the Planning Commission to consider their application. The Planning Commission recommended to the City Council that the conditional use permit be granted.

Harold Haavisto, a neighbor to the Brightonwood Farm was present and spoke in opposition to the request. He stated that he is opposed to it if it means more traffic and people riding horses on the road.

Moved by McCulley, seconded by Mevissen that the requested change in the conditional use permit be granted with the following conditions.

1. A permit is granted to the person & expires when the property is under new management or ownership.
2. No more than two events per year.
3. No renting of hack horses would be permitted.
4. Stable rules posted and enforced to include without limitations.
 - a. location of area for safe riding.
 - b. no riding on adjacent properties without permission of the owner.
 - c. no parking on public roadway.
5. No signs or advertising to be erected.
6. No additional lighting other than security.
7. No more than 38 horses be resident at any time.
8. A continued effort be made by the operator to discourage vehicle traffic on Valley Rd. and effort be made to discourage riding on adjacent roads.

All ayes, motion declared carried.

6. Moritorium on Property Division

Mevissen offered the following resolution and moved its adoption.

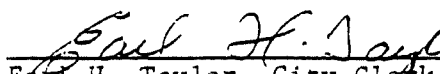
RESOLUTION NO. 09-79-01

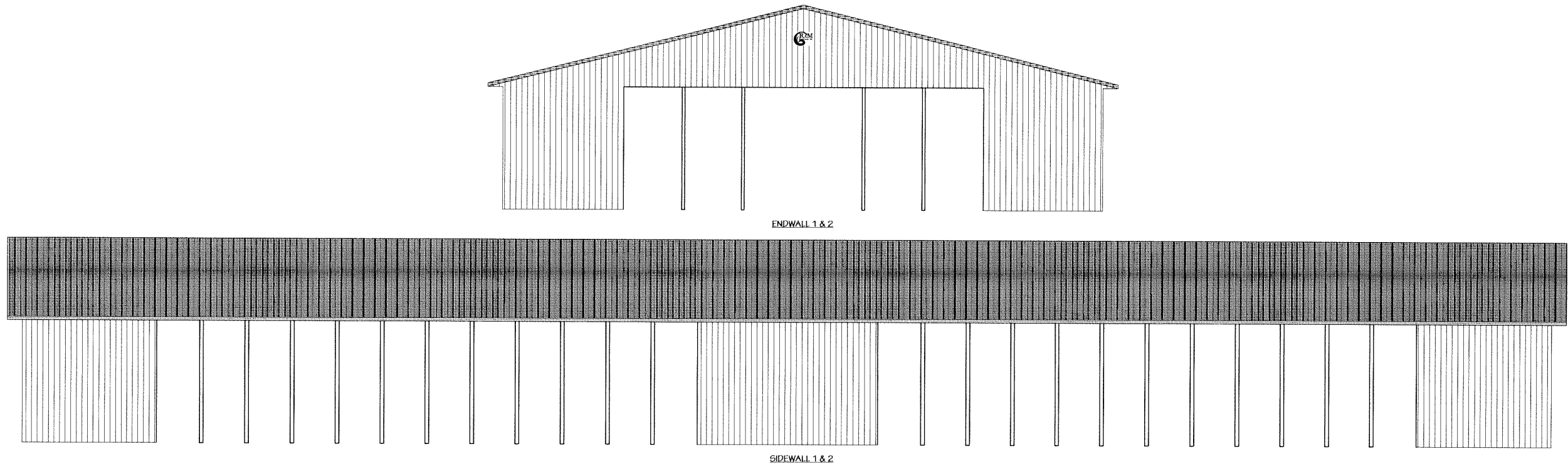
RESOLUTION TO ADOPT ORDINANCE NO. 82-B
AN ORDINANCE EXTENDING AND AMENDING THE MORITORIUM
ORDINANCE OF THE CITY OF INDEPENDENCE

A copy of the ordinance marked exhibit "A" is attached to and made a part of the official minutes.

The motion for the adoption of the foregoing resolution was duly seconded by McCulley and upon vote being taken thereon, the following voted in favor thereof: Mevissen, Taylor, Johnson and McCulley; Naves- Kuntz; whereupon said resolution was declared passed and adopted.

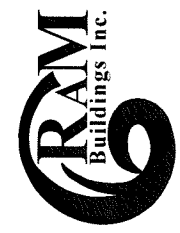

Jerry Mevissen, Mayor


Earl H. Taylor, City Clerk



SCALE
1/16" = 1'-0"

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



592 Industrial Drive
P.O. Box 660
Winsted, Minnesota 55395
320-485-2844 800-710-4726
Fax 320-485-3625
www.rambuildings.com
Contractor License Number BC171976

PROJECT NAME: **BRIGHTONWOOD ARENA**

PROJECT NUMBER: (18-___)

BUILDING DESCRIPTION:

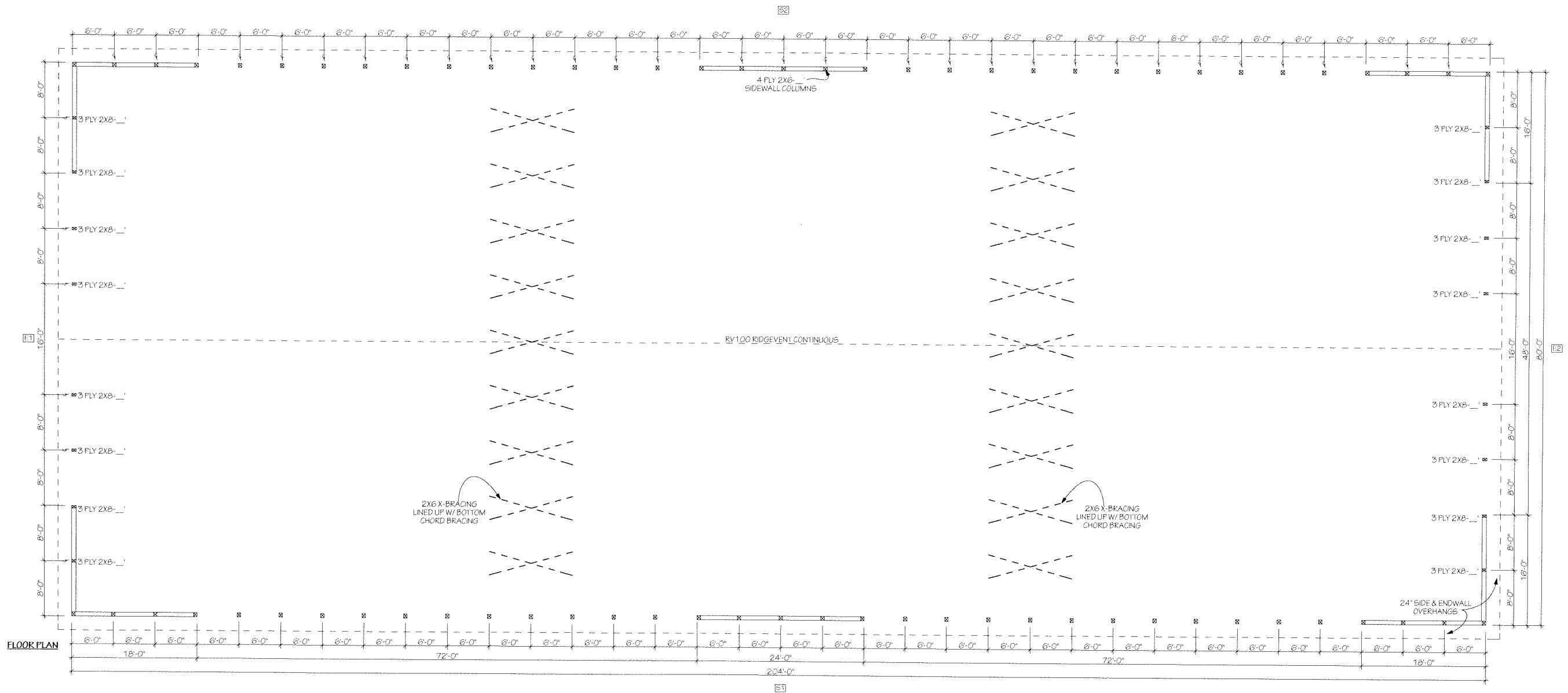
80'-0" X 204'-0" X 16'-0"

DESIGN NUMBER: P18336

DRAWN BY: JEREMY B.

DATE: 12/18/2018

SHEET 2 OF 2



SCALE
1/16" = 1'-0"

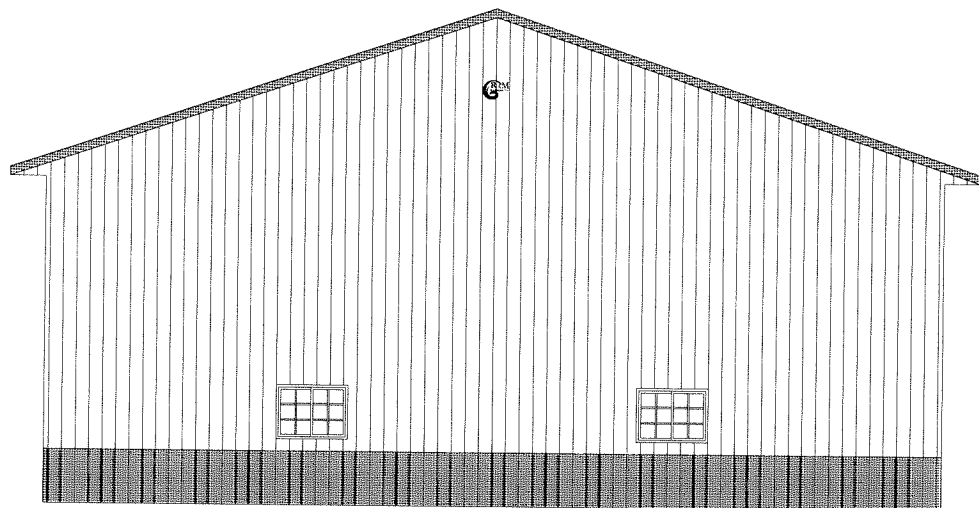
© All drawings and content copyright RAM Buildings Inc.
Call RAM Buildings Inc. to obtain copies of this plan.
Unauthorized reproduction of these plans is a violation of federal law.



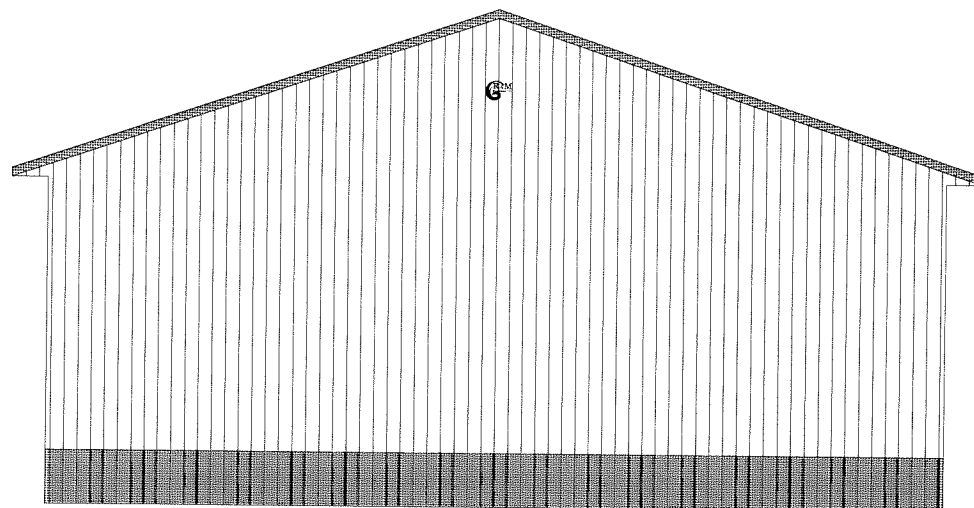
592 Industrial Drive
P.O. Box 660
Winnet, Minnesota 55395
320-485-2844 800-710-4726
Fax 320-485-3625
www.rambuildings.com
Contractor License Number BC171976

PROJECT NAME: **BRIGHTONWOOD ARENA**
PROJECT NUMBER: (18-___)
BUILDING DESCRIPTION: **80'-0" X 204'-0" X 16'-0"**
DESIGN NUMBER: P18336

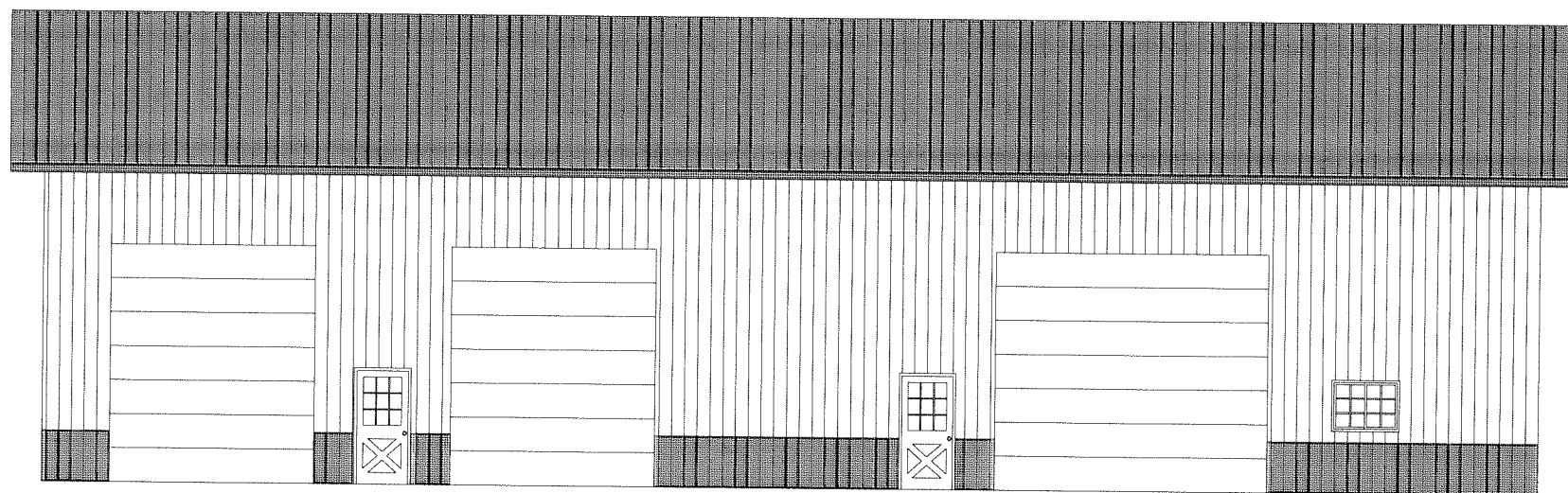
DRAWN BY: JEREMY B.
DATE: 12/18/2018
SHEET 2 OF 2



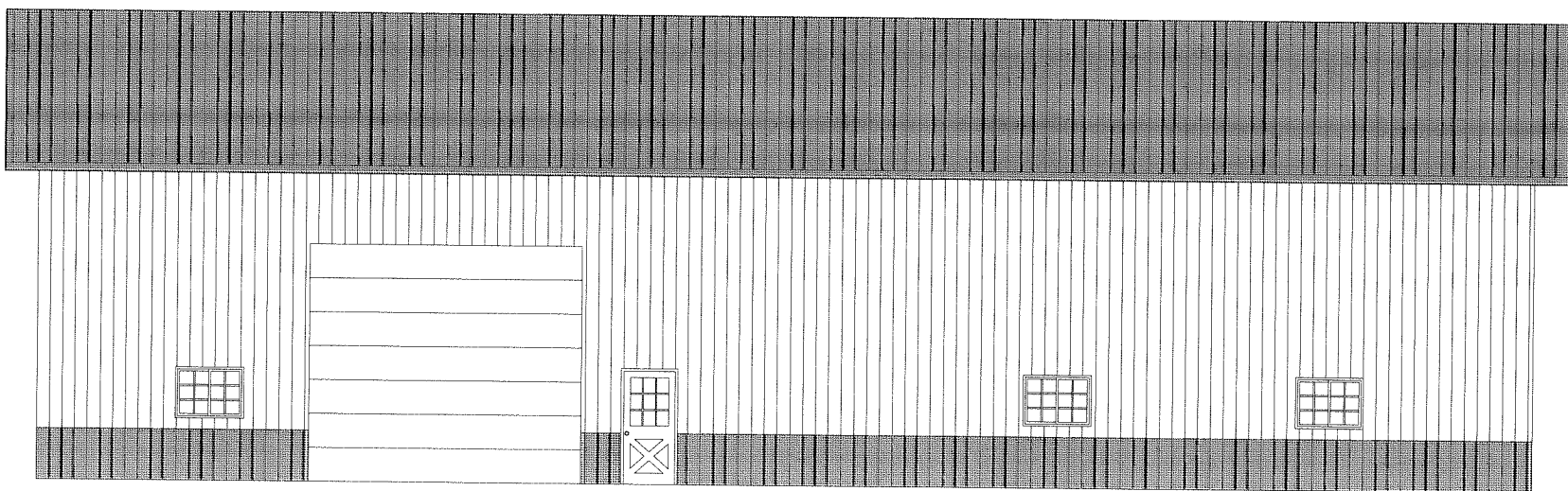
ENDWALL 1



ENDWALL 2



SIDEWALL 1



SIDEWALL 2

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



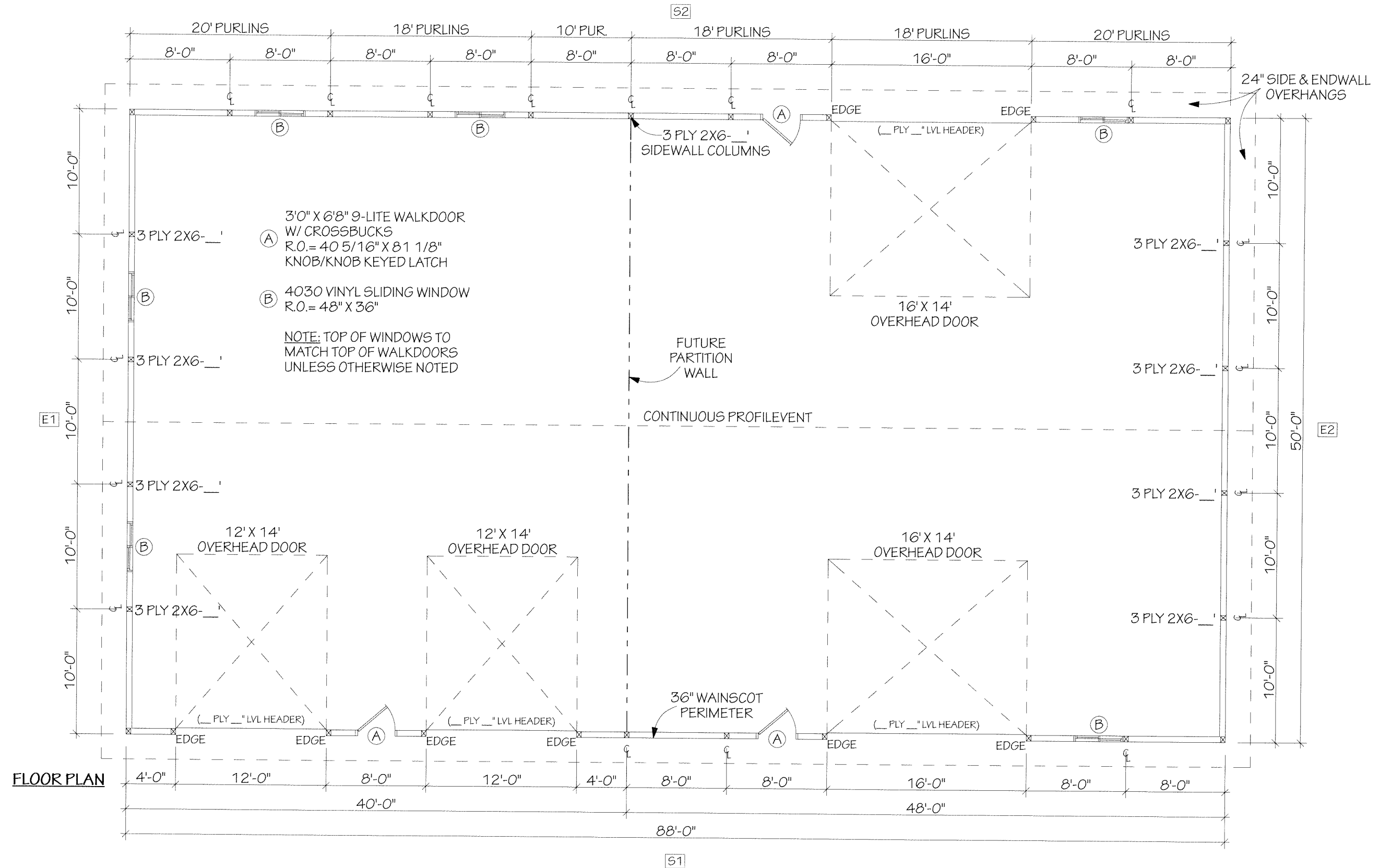
592 Industrial Drive
 P.O. Box 660
 Winsted, Minnesota 55395
 320-485-2844 800-710-4726
 Fax 320-485-3625
www.rambuildings.com
 Contractor License Number BC171976

PROJECT NAME:
 PROJECT NUMBER: (18-___)
 BUILDING DESCRIPTION:
 DESIGN NUMBER: P18335

BRIGHTONWOOD

50'-0" X 88'-0" X 18'-0"

DRAWN BY: JEREMY B.
 DATE: 12/18/2018
 SHEET 1 OF 2



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

DRAWN BY: JEREMY B.
DATE: 12/18/2018
SHEET 2 OF 2

BRIGHTONWOOD

PROJECT NAME:
PROJECT NUMBER: (18-___)
BUILDING DESCRIPTION:
DESIGN NUMBER: P18335

592 Industrial Drive
P.O. Box 660
Winnetka, Minnesota 55395
320-485-2844 800-710-4726
Fax 320-485-3625
www.rambuildings.com
Contractor License Number BC171976



City of Independence

Request for a Conditional Use Permit to Allow a New Telecommunications Tower and Site Plan Approval on the Property Located Adjacent to 6705 US Highway 12

<i>To:</i>	City Council
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	February 5, 2019
<i>Applicant:</i>	Verizon Wireless
<i>Owner:</i>	Wesley Bendickson
<i>Location:</i>	Property Adjacent to 6705 US Highway 12

Request:

Verizon Wireless (Applicant) and Wesley Bendickson (Owner) request that the City consider the following actions for the property located adjacent to 6705 State Highway 12, Independence, MN (PID No. 22-118-24-44-0001):

1. A Conditional Use Permit to allow a new telecommunications tower on the subject property.
2. Site plan approval for the proposed telecommunications tower.

Property/Site Information:

The property is located on the south side of US Highway 12 and west of CSAH 90. The property has no existing structures. The property has rolling terrain with tillable acreage on the north side and wetlands on the south side and no tree coverage. The property has the following characteristics:

Property Information for PID No. 22-118-24-44-0001
Zoning: *Agriculture*
Comprehensive Plan: *CLI – Commercial Light Industrial*
Acreage: 18.77 acres

SUBJECT PROPERTY (ADJACENT TO 6705 US HWY 12)



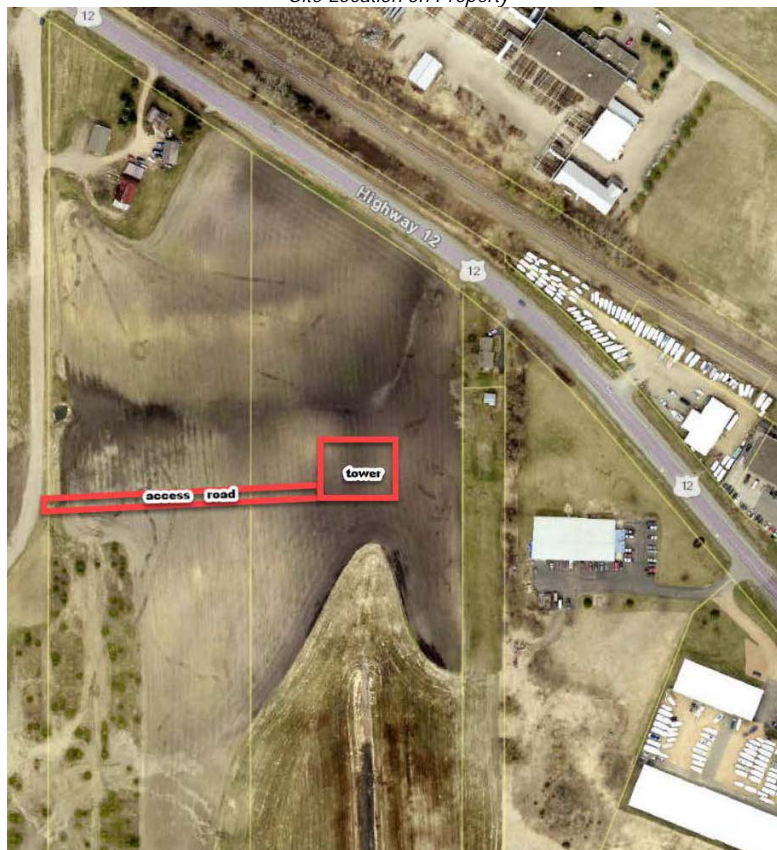
Discussion:

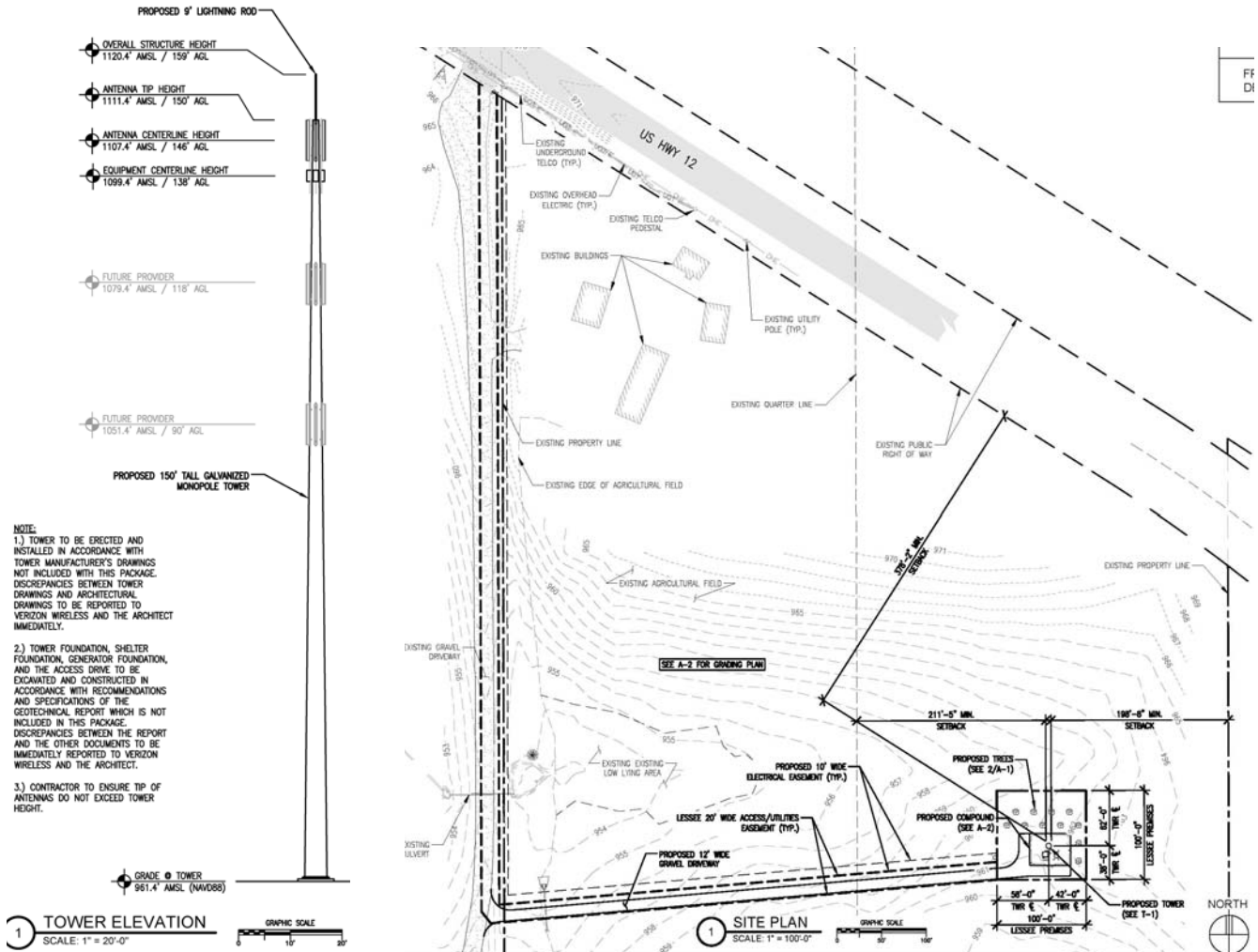
Verizon Wireless has submitted an application to the City asking for approval to construct a wireless telecommunications tower on the property adjacent to the property that was considered for a similar request in 2015. The subject property is owned by the same owner that owned the property considered in 2015. At that time the City found that the proposed tower did not meet the criteria for granting approval due to the tower and associated base equipment not being adequately screened from the views of surrounding residential property. The Planning Commission recommended approval of the tower subject to the

applicant moving the tower further to the south (approximately 1,000 feet) on the adjacent property to aid in screening and reduce impacts on the surrounding properties. Ultimately, the application was withdrawn by the applicant and no further action was taken by the City Council. The applicant has now made a new application to the City seeking a conditional use permit and site plan approval to allow a new telecommunications tower and associated ground equipment to be located on the property that is essentially adjacent to the property previously considered by the City. The City has criteria relating to the location (setbacks), site improvements and landscaping for new telecommunications tower development.

The proposed tower is a monopole type structure proposed to be 159 feet in height (to the tip of the highest antenna, pole is 150'). The required setback from the property line is equal to the height of the tower. The maximum height allowed for a telecommunications tower is 185 feet. For a tower that is 159' tall, the tower may be located no closer than 159 feet from any property line. The proposed tower location meets the requisite setbacks from the nearest property line (see attached site plan). The applicant is proposing to construct a gravel access drive to the proposed site from the existing driveway that provides access to the 6705 Highway 12 property. The proposed location on the property is currently farmed. The applicant is proposing to provide ground mounted base equipment associated with the tower. The equipment would be located within a fenced area comprised of approximately 1350 SF. A free-standing generator would be located within this area and not inside of a building. This is a departure from the last plan presented to the City in which all equipment was located within a fully enclosed structure. In addition to the ground mounted equipment, a new electric transformer would need to be installed on the property.

Site Location on Property





The City has criteria that should be considered relating to telecommunications towers. The criteria provided in the ordinance are as follows:

- (a) *To regulate the location of telecommunication towers and facilities;*
- (b) *To protect residential areas and land uses from potential adverse impacts of telecommunication towers and facilities;*
- (c) *To minimize adverse visual impacts of telecommunication towers and facilities through design, siting, landscaping, and innovative camouflaging techniques;*
- (d) *To promote and encourage shared use and co-location of telecommunication towers and antenna support structures;*
- (e) *To avoid damage to adjacent properties caused by telecommunication towers and facilities by ensuring that those structures are soundly and carefully designed,*

constructed, modified, maintained and promptly removed when no longer used or when determined to be structurally unsound;

- (f) To ensure that telecommunication towers and facilities are compatible with surrounding land uses;*
- (g) To facilitate the provision of wireless telecommunications services to the residents and businesses of the city in an orderly fashion.*

There are several factors that should be considered relating to the conditional use permit and site plan approval. The following issues should be noted by the City:

1. The City requires that all towers and associated structures accessory to the tower must be of stealth design, landscaped and or screened and blend into the surrounding environment.

“Stealth” means designed to blend into the surrounding environment; examples of stealth facilities include, without limitation, architecturally screened roof-mounted antennas, antennas integrated into architectural elements, and telecommunications towers designed to appear other than as a tower, such as light poles, power poles, and trees.

Subd. 8. Landscaping. Landscaping on parcels containing towers, antenna support structures or telecommunications facilities must be in accordance with landscaping requirements as approved in the site plan. Utility buildings and structures accessory to a tower must be architecturally designed to blend in with the surrounding environment and to meet setback requirements that are compatible with the actual placement of the tower. Ground mounted equipment must be screened from view by suitable vegetation, except where a design of non-vegetative screening better reflects and complements the character of the surrounding neighborhood.

Subd. 11. Design. Towers must be of stealth design as approved in the site plan unless the city determines that such design is infeasible due to the lack of comparable vertical structures in the vicinity of the proposed site.

The proposed tower is a monopole type tower with the low-profile antennas integrated with the tower rather than “hanging” off of the tower. This design appears to be different than other towers located in the City in that it is more streamlined. The ground mounted equipment is proposed to be located within a fenced area. The proposed fence is 10 feet in height and of an opaque composite fence design. The City will need to determine if the proposed tower is of a stealth type design. The City requires towers to be of stealth design and further defines stealth as “towers designed to appear other than a tower, such as light poles, power poles and trees”. Staff is seeking additional direction from Planning Commissioners relating to the design of the tower.

2. The proposed tower is located on a property that is currently zoned AG-Agriculture but guided by the City's Comprehensive Plan as future CLI – Commercial/Light Industrial. Locating a tower on

commercial property will likely be more advantageous than locating the tower on a residential property. The location of the proposed tower on the subject site is largely a result of the setback requirement (towers must be setback a distance equal to or greater than the height of the tower). It was noted that this location in the middle of the subject property may hinder the future developability of the property and does not offer much ability to successfully screen the base of the tower. It was further noted that the tower could be moved further to the east (~30 feet without a variance and further with a variance) and south to allow future development and to better screen the tower from visibility. The applicant has stated that they would rather not move the proposed location of the tower.

3. The applicant has provided the City with verification of the need for the proposed tower (see attached letter and coverage map).
4. The City requires all towers to be able to accommodate colocation. The applicant has provided a letter from an engineer verifying that the proposed tower can accommodate additional antennas on this tower. In addition, the proposed tower elevations show the potential locations for colocation along with a lease area that appears to be suitable for accommodating additional providers.
5. The applicant is proposing to screen the ground mounted tower base equipment utilizing a 10-foot-tall, composite, opaque fence and eleven (11) 6-foot-tall evergreen trees around the north and east sides of the proposed site. While the proposed fence and associated landscaping will provide a visual barrier from Highway 12 to the proposed ground mounted equipment, the proposed screening could be vastly improved by installing a more complex and complete landscape and berming plan. The City recommends that the applicant provide a combination of an earthen berm and a more diverse and dense landscape screening plan around the north, east and west sides of the proposed tower base. This plan would need to be revised and resubmitted to the City. The City is anticipating that the applicant will resubmit a plan prior to City Council consideration but did not have the plan at the time this report was prepared.
6. The applicant has provided the City with a lighting fixture cut sheet for the proposed building lighting. All lighting will need to comply with the City's lighting ordinance. The proposed light does not appear to meet the cut-off requirements of the City as the light source appears to angle outwards from the head. Staff will work with the applicant to specify a compliant light fixture. The location of the proposed lights are noted on the building plans.
7. The applicant has provided the City with a copy of relevant portions of a lease signed by the applicant and property owner(s), requiring the applicant to remove the tower and associated telecommunications facilities upon cessation of operations on the leased site, or, if a lease does not yet exist, a written agreement to include such a provision in the lease to be signed.
8. The City received correspondence from the Pioneer Sarah Creek Watershed Commission that is has reviewed and approved the proposed site improvements associated with the telecommunications tower.

A request for a Conditional Use Permit must meet the requirements established for granting a Conditional Use Permit in the City's Zoning Ordinance. The criteria for granting a conditional use permit are clearly delineated in the City's Zoning Ordinance (Section 520.11 subd. 1, a-i) as follows:

1. *The conditional use will not adversely affect the health, safety, morals and general welfare of occupants of surrounding lands.*
2. *The proposed use will not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity for the proposes already permitted or on the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
3. *Existing roads and proposed access roads will be adequate to accommodate anticipated traffic.*
4. *Sufficient off-street parking and loading space will be provided to serve the proposed use.*
5. *The proposed conditional use can be adequately serviced by public utilities or on-site sewage treatment, and sufficient area of suitable soils for on-site sewage treatment is available to protect the city form pollution hazards.*
6. *The proposal includes adequate provision for protection of natural drainage systems, natural topography, tree growth, water courses, wetlands, historic sites and similar ecological and environmental features.*
7. *The proposal includes adequate measures to prevent or control offensive odor, fumes, dust, noise, or vibration so that none of these will constitute a nuisance.*
8. *The proposed condition use is consistent with the comprehensive plan of the City of Independence.*
9. *The proposed use will not stimulate growth incompatible with prevailing density standards.*

The proposed telecommunications tower and associated ground mounted equipment is similar to those located within the City. The proposed site improvements will help to screen the new equipment required to support the antennas on the tower. Landscaping will further mitigate the impacts of the proposed equipment and building. It should be noted that the adjacent properties to the north (across Highway 12) east, south and west are guided for Commercial/Light Industrial by the City's 2030 Comprehensive Plan and Draft 2040 Comprehensive Plan. The proposed location in an area of the City that is guided for commercial development appears to be less impactful than if located in or adjacent to an area that was guided for or zoned residential. The tower will likely be visible from residential properties to the west and possible to the east. The closest existing residential structure that is zoned and guided for residential is approximately 1,450 feet from the base of the tower. There is a rental residential property located on the adjacent property to the east.

The applicant has provided several photo simulations that attempt to demonstrate views of the tower from several adjacent vantage points. The photo simulations show both the existing and proposed conditions form the designated vantage points. Staff has reviewed the photo simulations and noted that the base screening and landscaping is shown in a fully mature form and is not representative of the screening at the time the tower would be constructed.

In the AG-Agriculture zoning district, telecommunication towers are permitted as a conditional use. Resulting traffic, noise, and other measurable impacts (other than the height of the tower) should not be

incrementally amplified as a result of the proposed telecommunications tower and associated base site improvements. The City will need to determine if the requested conditional use permit and site plan meet all of the aforementioned conditions and restrictions as well as the criteria for granting a conditional use permit and approving a wireless communications tower.

Existing Cellular Communication Towers (Blue) and Proposed Towers (Red) in or Adjacent to Independence



Neighbor Comments:

The City received several comments pertaining to the proposed application at the public hearing. The following comments were provided to the City:

1. A question was asked regarding why the tower was not located on City property. It was noted that the City was working on a potential tower site on City property several years ago and was ultimately notified by Verizon that they were no longer going to pursue the City property...no reason was provided at that time. It was additionally noted that the City cannot prohibit towers on all other property but City property.
2. It was noted that the applicant did not reach out to any property owners regarding the proposed tower prior to notification of the public hearing being provided by the City.
3. A resident stated that they were concerned with the proposed location of the tower, the lack of screening and the visibility from their property. It was further stated that they did not believe that the proposed site was the best location within the City for a new wireless communications tower.
4. A resident stated that they were in favor of the tower and believed that the City needed to have another tower to improve service in the area.

Planning Commission Discussion:

Planning Commissioners discussed the request for a conditional use permit and asked questions of staff and the applicant. Commissioners commented that they had reviewed the location of the other towers in the area and their distance/relationship to surrounding residential properties. Commissioners noted that this tower appeared to have a better design aesthetic than the other towers in the area. Commissioners asked if the location of the tower on the property was going to be detrimental to the future development of the property. It was noted that the proposed location would likely impact future development in some manner. It was discussed whether or not the tower could be located closer to the east property line to aid in screening and to allow for the highest redevelopment potential of the property. The applicant has noted that they reviewed moving the tower and are not interested in moving the tower further east at this time. Commissioners asked if there was going to be a light on the top of the tower. The applicant noted that they would comply with the FCC regulation regarding lights. At this time, the tower is not proposed to have a light. Commissioners discussed the proposed screening and landscaping and recommended that the applicant work with the City to develop a more robust and better screen utilizing an earthen berm and additional and more mature landscaping. Planning Commissioners found that the proposed tower met

the criteria for granting a conditional use permit and recommended approval to the City Council with the conditions and findings stated within this report.

Recommendation:

Planning Commissioners recommended approval to the City Council of the request for a conditional use permit and site plan approval with the following findings and conditions:

1. The proposed conditional use permit and site plan review meet all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. The conditional use permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.
3. This conditional use permit will approve a monopole tower with a maximum height of 159 feet and the associated site improvements, ground mounted equipment and landscaping as indicated on the approved site plans and attached hereto as **Exhibit B**. The ground equipment and antennas shall be installed in accordance with the approved site plans and tower elevations.
4. The conditional use permit shall allow six (6) antennas to be located on the proposed tower.
5. Any expansion of the existing ground equipment, buildings or antenna will be subject to the City's review and an amendment to the conditional use permit.
6. The City can administratively approve replacement of existing antennas as long as the size and location are consistent with the existing equipment. Any expansion or increase to the size or area of the existing antennas or similar mounted transmission equipment, ground equipment, buildings or number of antennas will be subject to the City's review and require an amendment to the conditional use permit.
7. City Council approval of the Conditional Use Permit and Site Plan is subject to the Applicant completing the following items:
 - a. Completion of all comments and conditions made by the Planning Commission during their review of the Conditional Use Permit and Site Plan and including the following:
 - Revision to the landscape and screening plan to include an earthen berm and more diverse and dense landscape screening plan.
 - Moving the tower to the east ~30 feet to allow future development on the property.
8. The applicant shall pay for all fees associated with the City's processing and review of the Conditional Use Permit and Site Plan Review.

Attachments:

1. Application and Associated Documentation
2. Proposed Plan Set
3. Photo Simulations



RESOLUTION NO. 19-0205-04

A RESOLUTION GRANTING APPROVAL OF A CONDITIONAL USE PERMIT AND SITE PLAN REVIEW TO ALLOW A TELECOMMUNICATIONS TOWER ON THE PROPERTY IDENTIFIED BY PID NO. 22-118-24-44-0001

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

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

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

WHEREAS, Verizon Wireless (the “Applicant”) and Wesley Bendickson (the “Owner”) request that the City consider approval of site plan review and a conditional use permit to allow a telecommunications tower on the property located adjacent to 6705 State Highway 12, Independence, MN and further identified by (PID No. 22-118-24-44-0001); and

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

WHEREAS, the approved site and tower plans are further depicted on Exhibit B attached hereto; and

WHEREAS, the Property is zoned AG-Agriculture; and

WHEREAS the requested Conditional Use Permit and Site Plan Review meets all requirements, standards and specifications of the City of Independence zoning ordinance for Agriculture lots; and

WHEREAS the Planning Commission held a public hearing on January 15, 2019 to review the application for the Conditional Use Permit, following mailed and published noticed as required by law; and

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

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MINNESOTA, that it should and hereby does approve the application by Verizon Wireless for a Conditional Use Permit and Site Plan Review to allow a telecommunications tower per the City's zoning regulations with the following conditions:

1. The proposed conditional use permit and site plan review meet all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. The conditional use permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.
3. This conditional use permit will approve a monopole tower with a maximum height of 159 feet and the associated site improvements, ground mounted equipment and landscaping as indicated on the approved site plans and attached hereto as **Exhibit B**. The ground equipment and antennas shall be installed in accordance with the approved site plans and tower elevations.
4. The conditional use permit shall allow six (6) antennas to be located on the proposed tower.
5. Any expansion of the existing ground equipment, buildings or antenna will be subject to the City's review and an amendment to the conditional use permit.
6. The City can administratively approve replacement of existing antennas as long as the size and location are consistent with the existing equipment. Any expansion or increase to the size or area of the existing antennas or similar mounted transmission equipment, ground equipment, buildings or number of antennas will be subject to the City's review and require an amendment to the conditional use permit.
7. The Applicant or land owner shall be required to remove the tower and associated telecommunications facilities upon cessation of operations on the site, and failure to remove the tower and facilities within a reasonable time not exceeding four (4) months from cessation of operations shall be a basis for summary revocation of this CUP without further notice.
8. City Council approval of the Conditional Use Permit and Site Plan is subject to the Applicant completing the following items:
 - a. Completion of all comments and conditions made by the Planning Commission during their review of the Conditional Use Permit and Site Plan and including the following:
 - Revision to the landscape and screening plan to include an earthen berm and more diverse and dense landscape screening plan.

- Moving the tower to the east ~30 feet to allow future development on the property.
9. The applicant shall pay for all fees associated with the City's processing and review of the Conditional Use Permit and Site Plan Review.

This resolution was adopted by the City Council of the City of Independence on this 5th day of February 2019, by a vote of ____ ayes and ____ nays.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator

EXHIBIT A
(Legal Description)

PROPERTY DESCRIPTION: (per U.S. Title Solutions File No. 57894—MN1708—5030, effective date August 8, 2017.)

That part of the West 1/2 of the Southeast 1/4 of Section 22, Township 118, Range 24, described as follows: Beginning at the Southeast corner of the West 1/2 of the Southeast 1/4 of Section 22, Township 118, North Range 24 West of the 5th Principal Meridian; thence west on the South line of said Section 24 rods; thence north on a line parallel with the East line of said Section 22 to the south line of the right of way of the Great Northern Railway; thence Southeasterly along said South line of the Great Northern Railway to the line between the East 1/2 of the West 1/2 of said Southeast 1/4 of said Section 22; thence South on a line between the East 1/2 and the West 1/2 of said Section 22, Township 118, Range 24, to the point of beginning, less that deeded to the State of Minnesota for highway purposes, Hennepin County.

AND

That part of the East 1/2 of the Southeast 1/4 of Section 22, Township 118, Range 24 described as follows: Beginning at the Southwest corner of the East 1/2 of the Southeast 1/4 of Section 22, Township 118, Range 24, thence East 25 rods and 6 links; thence North to the South line of the Great Northern Railway right of way; thence in a Westerly direction along said right of way to the West line of the East 1/2 of the Southeast 1/4; thence South to the point of beginning. Except that portion taken by the State of Minnesota for road purposes, Hennepin County, Minnesota.

AND

Commencing at the Southwest corner of the Southeast Quarter (SE 1/4); thence North to a point 57 and 3/4 rods South from Northwest corner thereof; thence Southeasterly parallel with railroad right-of-way, a distance of 32 rods; thence North to the Southerly line of said right-of-way; thence Southeasterly along said right-of-way line to a point 56 rods East from West line of Southeast Quarter (SE 1/4); thence South to South line thereof; thence West to beginning, except road, all in Section Twenty-two (22), Township One Hundred eighteen (118), Range Twenty-four (24).

EXHIBIT B

(Proposed Improvements)

December 10, 2018
Mark Kaltsas
City of Independence
1920 County Road 90
Independence, MN 55359

Re: Conditional Use Permit Application - Proposed 159' Stealth Wireless Communication Tower

Dear Mr. Kaltsas,

On behalf of Verizon Wireless I am submitting an application for a Conditional Use Permit to allow the placement of a 159' stealth wireless communication tower on parcel number 2211824440001. The parcel is zoned Agricultural and owned by Wesley and Julia Bendickson.

Along with this letter please find analysis of current telecommunications code, relevant exhibits and materials. Specifically provided herein for review include:

- **Zoning Fees**
 - Sent by USPS Priority Mail tracking # 9405 5036 9930 0338 1049 29
 - Planning Application Type II – Application Fee: \$1,750.00
 - Additional Fee Deposit: \$1,500.00
 - Miscellaneous Permit / Reimbursement Fee: \$1,000.00
- **Conditional Use Permit Application Form**
- **Landowner Written Consent Letter** dated 12-8-18
- **REV. E Construction Drawings** dated 10-29-18
- **Engineering Compliance Letter (Sabre Industries)** dated 11-9-18
- **Pioneer Sarah Creek Watershed District Approval Letter** dated 11-8-2018
- **Signed Lease Amendment** dated 9-21-2018
- **Lease Language Removal Clause**
- **Photo Simulations** dated 9-18-17
- **RF Engineering Letter – Statement of Need**
- **Lithonia Lighting Fixture Spec Sheet**

It is Verizon's intent to have this item heard before the City of Independence Planning Commission's regular meeting on January 15, 2019 and brought to City Council for final vote on February 5, 2019. I am happy to provide any additional items required to complete your review.

Very sincerely,



Karyn O'Brien
kobrien@techscapewireless.com
952-288-8130

ANALYSIS OF CITY OF INDEPENDENCE TELECOMMUNICATIONS CODE SEC. 540

540.07. - Application process.

Subd. 1.

Required: A person desiring to construct a tower must submit an application for site plan approval and, if applicable, for a conditional use permit, to the city administrator-clerk.

Adherence: See Cover Letter and CUP Application Form.

Subd. 2. An application to develop a tower must include:

- Required:**
- (a) Name, address and telephone number of the applicant
 - (b) Name, address and telephone numbers of the owners of the property on which the tower is proposed to be located;
 - (c) Legal description of the parcel on which the tower is proposed to be located;
 - (d) Written consent of the property owner(s) to the application;
 - (e) A scaled site plan depicting the parcel and proposed tower, including the proposed landscaping, camouflage, lighting and fencing;
 - (f) Written evidence from an engineer that the proposed structure meets the structural requirements of this Code;
 - (g) Written information demonstrating the need for the tower at the proposed site in light of the existing and proposed wireless telecommunications network(s) to be operated by persons intending to place telecommunications facilities on the tower;
 - (h) A copy of relevant portions of a lease signed by the applicant and property owner(s), requiring the applicant to remove the tower and associated telecommunications facilities upon cessation of operations on the leased site, or, if a lease does not yet exist, a written agreement to include such a provision in the lease to be signed;
 - (i) Such other information as the zoning administrator reasonably requests; and
 - (j) An application fee established from time to time by resolution of the city council.

Adherence to Subd. 2.:

- (a) See **Conditional Use Permit Application Form**
- (b) See **Conditional Use Permit Application Form**
- (c) See **"PROPERTY DESCRIPTION"** on page 11 of enclosed **REV E Construction Drawings** dated 10-29-18
- (d) See **Landowner Written Consent Letter** dated 12-8-18
- (e) See **REV E Construction Drawings** dated 10-29-18 and **Photo Simulations** dated 9-18-17
- (f) See **Engineering Compliance Letter (Sabre Industries)** dated 11-9-18
- (g) See **RF Engineering Letter – Statement of Need**
- (h) See **Lease Language Removal Clause**
- (i) Such other information as the zoning administrator reasonably requests; and
- (j) Applicable Fees Sent USPS Priority Mail tracking # 9405 5036 9930 0338 1049 29

540.09. - Performance standards.

Subd. 1.

Required: *Co-location capability.* Unless the applicant presents clear and convincing evidence to the city council that co-location is not feasible, a new tower may not be built, constructed or erected in the city unless the tower is capable of supporting at least two telecommunications facilities comparable in weight, size, and surface area to each other.

Adherence: **REV E Construction Drawings** dated 10-29-18 page 1 (T-1) illustrate two additional wireless providers of comparable size and weight as those proposed by Verizon (95.9" panel antennas) and the Enlarged Site Plan on page 4 (A-3) of the drawings illustrate a 100' x 100' lease area premises with a 42' x 32' proposed privacy fence. This 100' x 100' lease area provides adequate space for not only Verizon's proposed ground equipment but also for the ground equipment of two future wireless providers with comparable shelter sizes.

Subd. 2.

Required: *Setback requirements.* A tower must comply with the following setback requirements:

- (a) A tower must be located on a single parcel having a dimension equal to the height of the tower, as measured between the base of the tower located nearest the property line and the actual property line, unless an engineer specifies in writing that the collapse of the tower will occur within a lesser distance under reasonably foreseeable circumstances.
- (b) Setback requirements for towers are measured from the base of the tower to the property line of the parcel on which it is located.

Adherence to Subd. 2:

(a) and (b)

Setbacks from the nearest property lines all well exceed the overall height of proposed 159' tower. See page 2 (A-1) **REV E Construction Drawings** dated 10-29-18 which illustrate a 378' setback from the north property line along the ROW; a 211'-5" setback from the western property line; a 198'-8" setback from the eastern property line.

Subd. 3.

Required: *Engineer certification.* Towers must be designed and certified by an engineer to be structurally sound and in conformance with the Uniform Building Code, and any other standards set forth in this Code.

Adherence: See **Engineering Compliance Letter (Sabre Industries)** dated 11-9-18

Subd. 4.

Required: *Height restriction.* A tower may not exceed the lesser of 185 feet in height or a height equivalent to ten feet more than the distance from the base of the tower to the nearest point of any property line. Measurement of tower height must include the tower structure itself, the base pad, and any other telecommunications facilities attached thereto. Tower height is measured from grade.

Adherence: Proposed overall tower height of 159' (tower height of 150' plus 9' lightning rod) does not exceed maximum height of 185' or tower-property-line setback plus 10' (approximately 208'-8") per code.

Subd. 5.

Required: *Lighting.* Towers may not be artificially lighted except as required by the Federal Aviation Administration. At time of construction of a tower, in cases where there are residential uses located within a distance that is three times the height of the tower from the tower, dual mode lighting must be requested from the Federal Aviation Administration. Notwithstanding this provision, the city may approve the placement of an antennae on an existing or proposed lighting standard, provided that the antennae is integrated with the lighting standard.

Not Applicable: The tower itself is neither required nor proposed to have lighting as it does not trigger the 200' FAA lighting and marking requirement. The proposed shelter would have a lighting fixture affixed on the north and south exterior walls. These fixtures would be located well below the top of fence and have cut-off features/downtilt (see **Lithonia Lighting Fixture Spec Sheet**) which comply with the City's lighting ordinance. Additionally, the compound base area would be surrounded by eleven (11) Black Hills Spruce trees with a height of 6 feet at planting (mature size of 20'-25' in height and 10'-12' in width). The trees would screen the north and east sides of the compound, which would otherwise have visibility from the right-of-way and neighboring property to the east. The southern side of the compound would not be screened because the parent parcel extends approximately 2,700 feet to the southern property line and no homes are located within this vicinity.

Subd. 6.

Required: *Exterior finish.* Towers not requiring Federal Aviation Administration painting or marking must have an exterior finish as approved in the site plan.

Adherence: Proposed tower would be constructed of and have a galvanized steel finish. See **Photo Simulations** dated 9-18-17.

Subd. 7.

Required: *Fencing.* Fences constructed around or upon parcels containing towers, antenna support structures, or telecommunications facilities must be constructed in accordance with the applicable fencing requirements in the zoning district where the tower or antenna support structure is located, unless more stringent fencing requirements are required by Federal Communications Commission regulations.

Adherence: A 10' privacy fence encompassing the entirety of tower base and ground equipment is proposed. According to City of Independence Municipal Code Chapter 5 Section 530 Subd. 3 (C), *Fences* are a permitted accessory use in the Agricultural zoning district; a minimum or maximum height is not specified for this district. See page 6 (A-6) Spec 002-8001 FENCING on the **REV E Construction Drawings** dated 10-29-18 for documentation on the privacy fence. Verizon proposes a 10' tall privacy Trex Fence in 'Seclusions' Composite Fencing, shadowbox configured with pyramid post caps, "Woodland Brown" color, which matches with the surrounding environment.

Subd. 8.

Required: *Landscaping.* Landscaping on parcels containing towers, antenna support structures or telecommunications facilities must be in accordance with landscaping requirements as approved in the site plan. Utility buildings and structures accessory to a tower must be architecturally designed to blend in with the surrounding environment and to meet setback requirements that are compatible with the actual placement of the tower. Ground mounted equipment must be screened from view by suitable vegetation, except where a design of non-vegetative screening better reflects and complements the character of the surrounding neighborhood.

Adherence: The Site Plan on page A-3 of the **REV E Construction Drawings** dated 10-29-18 and the **Photo Simulations** dated 9-18-17 illustrate the type of architectural elements proposed that would blend into the surrounding environment. The surrounding environment is a vacant farm field that seasonally grows typically either corn or beans. All ground equipment would be screened from view by the proposed 10' tall Trex Privacy Fence and eleven (11) 6-foot Black Hills Spruce trees. All ground equipment would be located within reasonable proximity to the tower base, thereby meeting the setback requirement.

Subd. 9.

Required: *Accessory buildings and equipment.* No more than one accessory building is permitted per tower. Accessory buildings may be no more than 300 square feet in size. Telecommunications facilities not located on a tower or in an accessory building must be of stealth design.

Adherence: Only one accessory building is proposed. In addition to the accessory building, there are two telecommunications facilities proposed that are not located on the tower: 1) a backup generator and 2) an ice bridge. These facilities would be screened behind the 10' tall Trex Privacy Fence and the group of eleven (11) 6' Black Hills Spruce trees. In this way, we are providing a stealth alternative that meets the same objective.

Subd. 10.

Required: *Security.* Towers must be reasonably posted and secured to protect against trespass. All signs must comply with applicable sign regulations.

Adherence: The tower compound area would be reasonably posted and secured with a non-climbable and locking gate. Signage would consist of no advertisements of any kind, only the signage and dimensions required by the FCC safety standards. Signage is posted onto the gate of the fence and complies with industry standards per FCC.

Subd. 11.

Required: *Design.* Towers must be of stealth design as approved in the site plan unless the city determines that such design is infeasible due to the lack of comparable vertical structures in the vicinity of the proposed site.

Adherence: There is no comparable vertical structure located within the vicinity of the proposed site. Verizon proposes a type of stealth tower design consisting of one straight vertical pole with low-profile antennas that maintain a tight configuration to the pole. This design reduces visual impact than alternative tower designs such as a guyed, three-legged lattice self-support or typical monopole with “crow’s nest”-type mounting.

Subd. 12.

Required / Not Applicable:

Non-tower facilities. Telecommunications facilities not attached to a tower may be permitted as an accessory use to any antenna support structure at least 75 feet in height (except residential occupancies of three stories or less), or any existing tower, regardless of any other provision of this Code, provided that the owner of the telecommunications facility, by written certification to the building official, establishes the following facts at the time plans are submitted for a building permit:

- (a) That the height from grade of the telecommunications facilities and antennae support structure does not exceed the maximum height from grade of the antenna support structure by more than 20 feet;
- (b) That the antenna support structure and telecommunications facilities comply with the Uniform Building Code;
- (c) That the telecommunications facilities located above the primary roof of an antenna support structure are set back one foot from the edge of the primary roof for each one foot in height above the primary roof of the telecommunications facilities. This setback requirement does not apply to antennas that are mounted to the exterior of antenna support structures below the primary roof, but that do not protrude more than six inches from the side of the antenna support structure.

Subd. 13.

Required: *Removal of towers.* Abandoned or unused towers and associated above-ground facilities must be removed within 12 months of the cessation of operations of the telecommunications facility at the site unless an extension is approved by the city council. Any tower and associated telecommunications facilities that are not removed within 12 months of the cessation of operations at a site are declared to be public nuisances and may be removed by the city and the costs of removal assessed against the property pursuant to section 2010 of this Code.

Adherence: Verizon complies with this provision and has a clause in the lease with landowner to this regard. See **Lease Language Removal Clause**.

540.11. - Additional requirements.

Subd. 1.

Required: *Inspections.* The city may conduct inspections at any time, upon reasonable notice to the property owner and the tower owner to inspect the tower for the purpose of determining if it complies with the Uniform Building Code and other construction



323 Cedar Street North
Chaska, MN 55318

standards provided by the city Code, federal and state law. The expense related to the inspections will be borne by the property owner. Based upon the results of an inspection, the building official may require repair or removal of a tower.

Adherence: Verizon complies with this provision.

Subd. 2.

Required / Adherence:

Maintenance. Towers must be maintained in accordance with the following provisions:

- (a) Tower owners must employ ordinary and reasonable care in construction and use commonly accepted methods and devices for preventing failures and accidents that are likely to cause damage, injuries, or nuisances to the public.
- (b) Tower owners must install and maintain towers, telecommunications facilities, wires, cables, fixtures and other equipment in compliance with the requirements of the National Electric Safety Code and all Federal Communications Commission, state, and local regulations, and in such a manner that they will not interfere with the use of other property.
- (c) Towers, telecommunications facilities, and antenna support structures must be kept and maintained in good condition, order, and repair.
- (d) Maintenance or construction on a tower, telecommunications facilities or antenna support structure must be performed by qualified maintenance and construction personnel.
- (e) Towers must comply with radio frequency emissions standards of the Federal Communications Commission.
- (f) If the use of a tower is discontinued by the tower owner, the tower owner must provide written notice to the city of its intent to discontinue use and the date when the use will be discontinued.



PLANNING APPLICATION

Case No.

Type of application

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

Site Location— Additional addresses on back and legal description attached


Property address Unassigned

PID 2211824440001

Proposal -Full documentation must accompany application

Verizon Wireless is seeking a Conditional Use Permit for a 159' low-profile/stealth monopole wireless communication tower and associated ground equipment with privacy fence and vegetative screening to be located on property owned by Wesley and Julia Bendickson. The property address is not assigned. Attached please review Cover Letter and Code Analysis, along with supporting documentation.

Applicant

Name	Verizon Wireless	Email	kobrien@techscapewireless.com
Address	10801 Bush Lake Road, Bloomington, MN 55438		
Phone	Karyn O'Brien 952-288-8130	Additional phone/contact	Ron Reiter (612) 720-0052
Printed Name	Karyn O'Brien	Signature	

Owner Information (if different from applicant)

Name	Wesley & Julia Bendickson	Email	NA
Address	6705 US Highway 12 / PO Box 298, Maple Plain, MN 55359		
Phone	612-201-9889 (Wes Bendickson)	Additional phone/contact	952-288-8130 (Karyn O'Brien)
Printed Name	Signature		

Office Use Only

Date	Application Amount	Check #	Accepted By
Escrow Paid	Check #	Date Accepted by Planner	

City of Independence

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

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

Application for Planning Consideration Fee Statement

The City of Independence has set forth a fee schedule for the year 2018 by City Ordinance. However, projects of large scope that include two or more requests will be required to provide a larger deposit than the resolution sets forth as set by the City Administrator. The fees collected for land use projects are collected as deposits. All invoices associated with each land employ application will be billed to the applicant within 30 days upon receipt by the City for each project. The City of Independence often utilizes consulting firms to assist in the review of projects. The consultant and City rates are noted on the current fee schedule. By signing this form, the applicant recognizes that he/ she is solely responsible for any and all fees associated with the land use application from the plan review stage to the construction monitoring stage through to the release of any financial guarantee for an approved project. If a project is denied by the City Council or withdrawn by the applicant, the fees associated for the project until such denial or withdrawal, remain the applicant's responsibility.

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

Applicant Signature:  _____

Date: 12/10/2018

Owner Signature (if different): See Landowner Zoning Consent Letter

Date: 12/8/2018

Wesley & Julia Bendickson

6705 US Highway 12, Independence, MN 55359
Phone: 763-479-1107

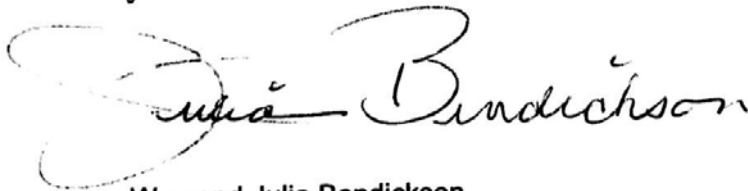
Date: December 7, 2018

City of Independence
Attention: Planning and Zoning
1920 County Road 90
Independence, MN 55359

To Whom It May Concern:

This letter is to provide written consent to the conditional use permit application filed by Verizon Wireless for a 159' stealth monopole wireless communication tower and associated ground equipment proposed on our property (parcel ID: 2211824440001) along US-Hwy 12 in Independence.

Sincerely,

Handwritten signature of Wesley Bendickson in black ink.Handwritten signature of Julia Bendickson in black ink.

12-8-18

Wes and Julia Bendickson

July 12, 2018

Brian Schriener
Design 1 of Eden Prairie
9973 Valley View Road
Eden Prairie, MN 55344

Re: Proposed 159'ft Monopole for MIN Moria, MN

Dear Mr. Schriener,

We propose to design and supply a 159'ft tower for the above referenced site. The tower will be designed in accordance with ANSI/TIA-222-G and the 2012 International Building Code.

If you have any questions, please contact the undersigned. **PROFESSIONAL ENGINEER**

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the Laws of the State of Minnesota.

Sincerely,

Robert E. Beacom, P.E., S.E.
Engineering Supervisor

Print Name Robert E. Beacom

Signature 

Date 11/9/18 License #49156



ADMINISTRATIVE OFFICE: 3235 Fernbrook Lane N • Plymouth, MN 55447
763.553.1144 • Fax: 763.553.9326 • judie@jass.biz

TECHNICAL ADVISOR: Hennepin County Environment and Energy Department
701 Fourth Avenue S. MC 609 • Minneapolis, MN 55415
612.348.7338 • james.kujawa@hennepin.us

Verizon Wireless MIN MORIA Cell Tower
U.S. Highway 12
Independence, Project #2018-14

Project Overview: Verizon Wireless is proposing to build a 159-foot cell tower and an equipment building just south of U.S. Highway 12 about ¼ mile west of the Hwy 12/CR 90 intersection. Access to the project site will be from an existing driveway on the Bendickson's parcels PID's 2211824430002 and 0001) just to the west of the proposed cell tower site (PID 221182444001). The Commission rules require review and approval of the grading and erosion control site plans and any floodplain impacts. Disturbance and grading on this project will be less than 1 acre. Approximately 15,000 square feet (0.34 acre) of new impervious area will be created. The disturbance and new impervious area do not trigger the thresholds for the Commission's review of stormwater management for this site.

Applicant: Verizon Wireless, 10801 East Bush Lake Road, Bloomington, MN 55438. Phone: 952-288-8130. Email: Kobrien@techscapewireless.com

Agent: TechScope Wireless, Karyn O'Brien, 323 Cedar Street North, Chaska, MN 55318. Phone: 952-288-8130. Email: Kobrien@techscapewireless.com

Exhibits:

- 1) PSCWMC Request for Plan Review received September 11, 2018
- 2) Project review fee of \$400 for review of a commercial/industrial grading and erosion control plan and for a development with mapped floodplain on site (no impacts or impacts \leq 100 cubic yards).
- 3) Verizon Wireless MIN MORIA New Build Site Plans (Project #20141070235) dated July 31, 2017 with most recent revision dated October 29, 2018.
 - a. Sheet T-1, Project Information, Tower Elevation and Sheet Index
 - b. Sheet A-1, Site Plan, Tree Detail and Detail Index
 - c. Sheet A-2, Grading Plan, Erosion Control Plan, Details and Photos
 - d. Sheet A-3, Enlarged Site Plan
 - e. Sheet A-4, Antenna and Equipment Key, Cable Bridge Plan, and Notes
 - f. Sheet A-5, Elevations
 - g. Sheet A-6, Outline Specifications
 - h. Sheets G-1 and G-2, Grounding Notes, Plans and Details
 - i. Sheet U-1 Site Utility Plan and Notes
 - j. Sheets 1 and 2 of 2, Site Survey
- 4) FEMA Flood Insurance Rate Map 27053C0139E, Effective date November 4, 2016.

Findings:

- 1) A complete application was received on September 11, 2018. The initial 60-day review period per MN Statute 15.99 expires November 10, 2018.
- 2) PSCWMC rules that govern this review are the Pioneer Sarah Creek Watershed Management Plan, Appendix C, Standards, Rule E (Erosion and Sediment Control) and Rule F (Floodplain Alteration)
- 3) Disturbance during construction is estimated to be 0.5 acres.
- 4) This project will create approximately 15,000 sq. ft. (0.34 acre) of new impervious area.
- 5) FEMA Flood Insurance Rate Maps (map #27053C1039E effective date November 4, 2016) shows zone A flood zone on this property. FEMA zone A is described as an area inundated during a 1% storm chance, but no base flood elevation has been determined.
- 6) FEMA digital overlay maps on this property show a portion of this site work will be within the 1% flood zone. The lowest elevation on this project where fill is proposed is 954.7. Staff determined there were no or insignificant (<1 cubic yard) floodplain impacts with this project based on a high, estimated floodplain elevation of 955.0 and lower.
- 7) Erosion and sediment controls submitted with the October 29th revision meet the Commissions Rule E requirements. These controls consist of;
 - Silt fence located on the downhill side of disturbed areas
 - Temporary seeding of disturbed areas, if idle more than 14 days, during construction
 - Permanent seeding on all disturbed areas not being landscaped.
 - Riprap outlet protection on the 15" CMP.
 - BMPs as necessary to prevent erosion and sediment from leaving the project area.

Decision:

Approved.

Hennepin County
Department of Environment and Energy

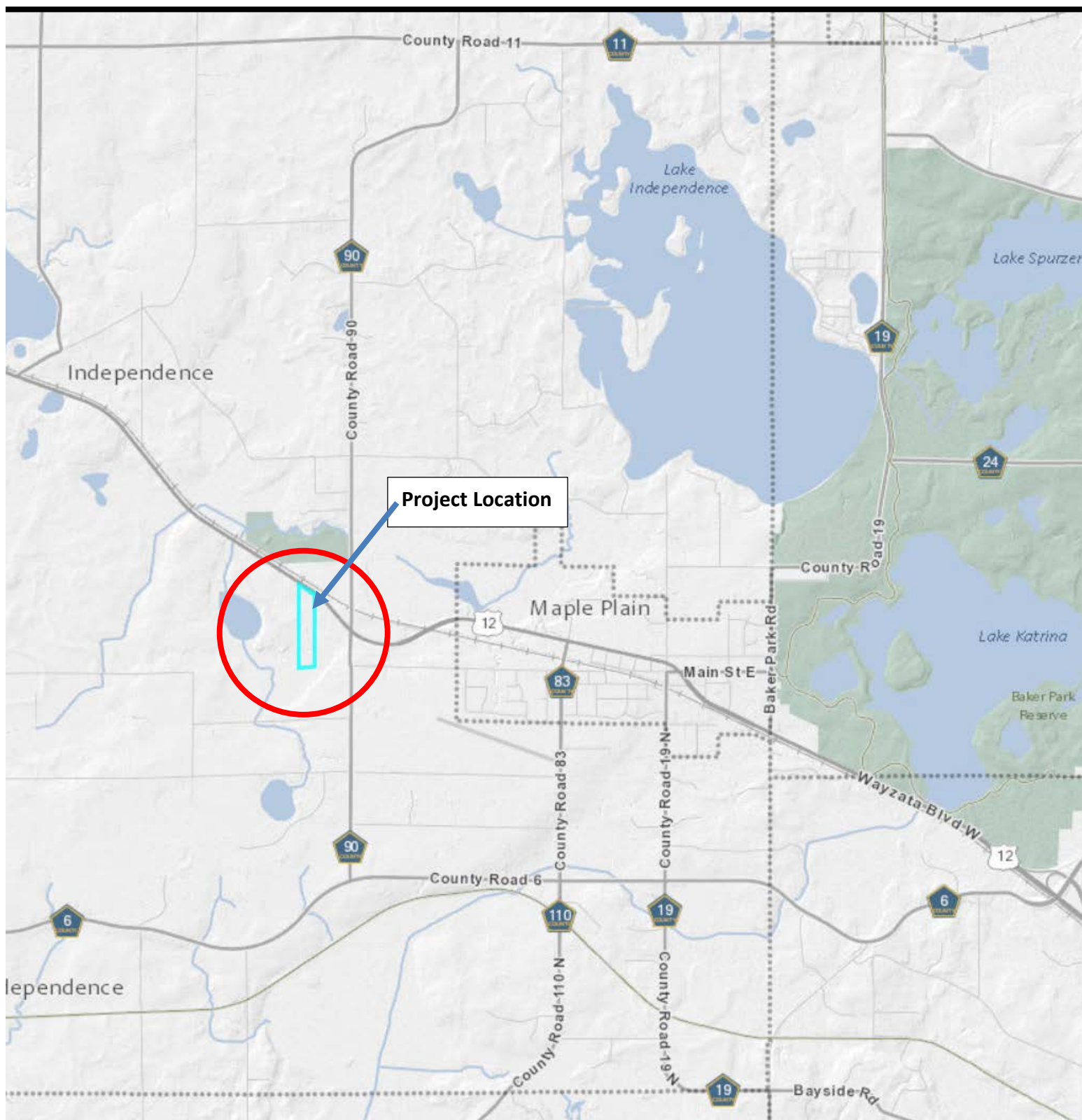


James C. Kujawa
Advisor to the Commission

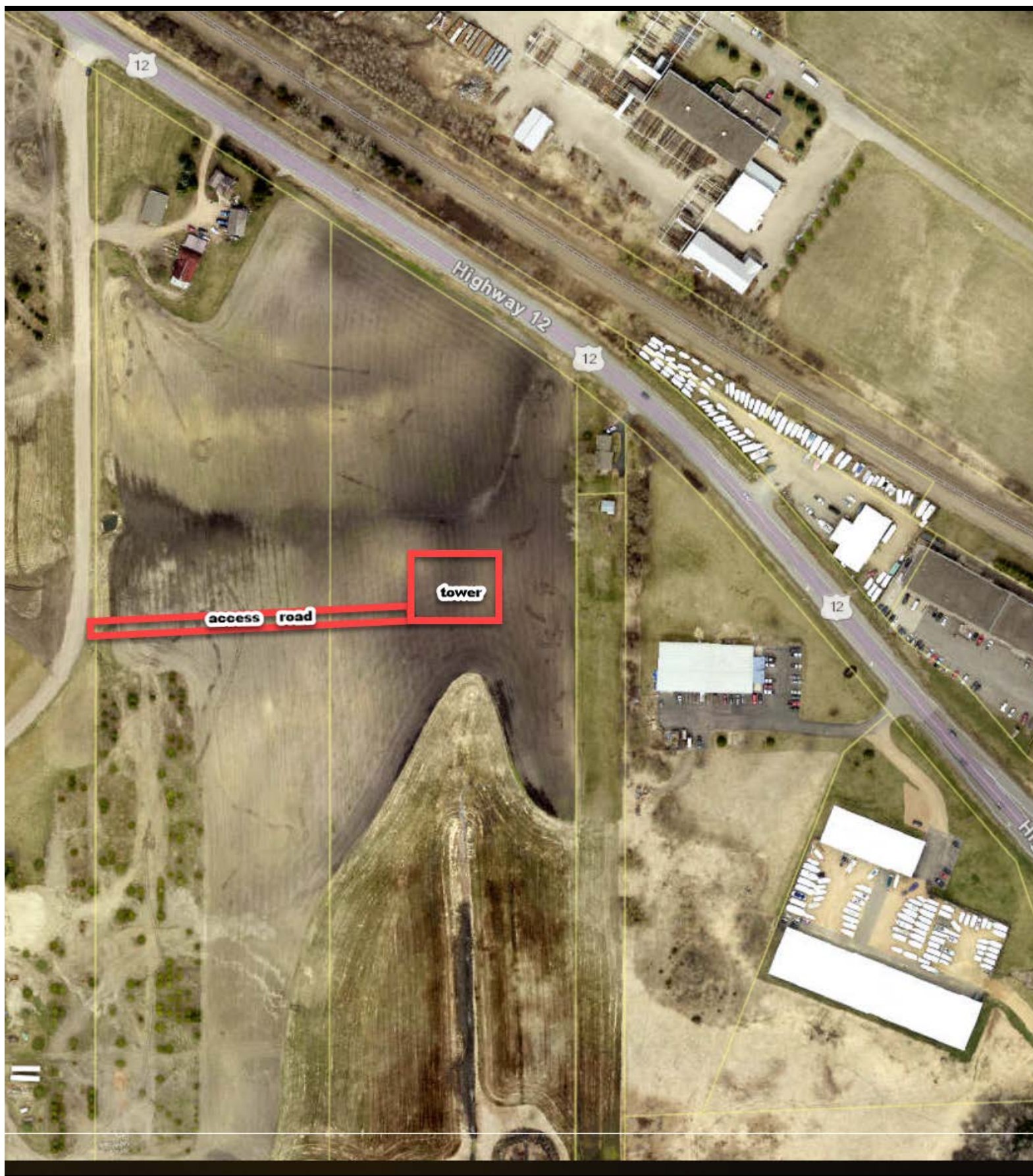
November 8, 2018
Date

Verizon Wireless MIN MORIA Cell Tower
Project # 2018-14
November 8, 2018

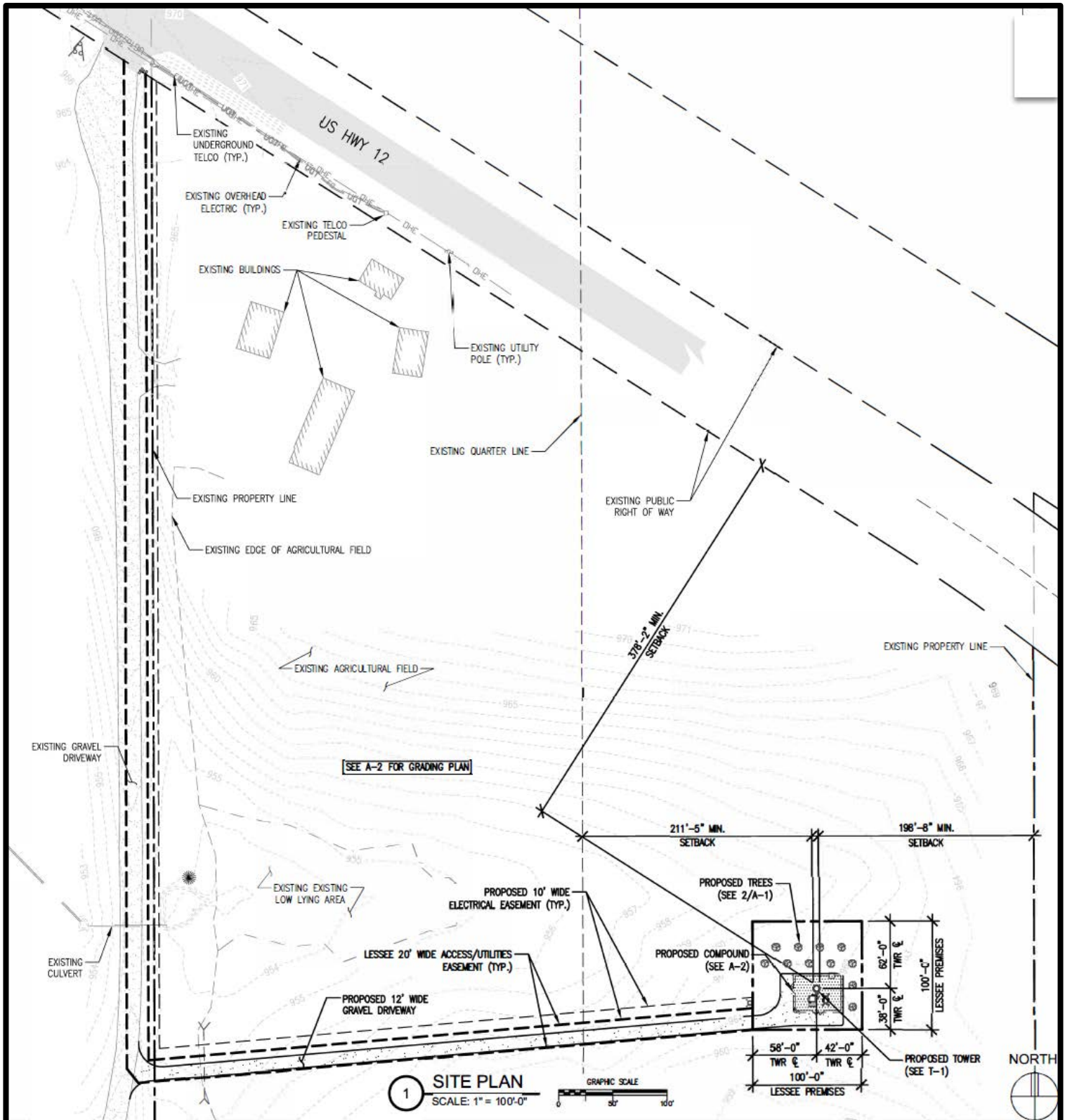
Location Map

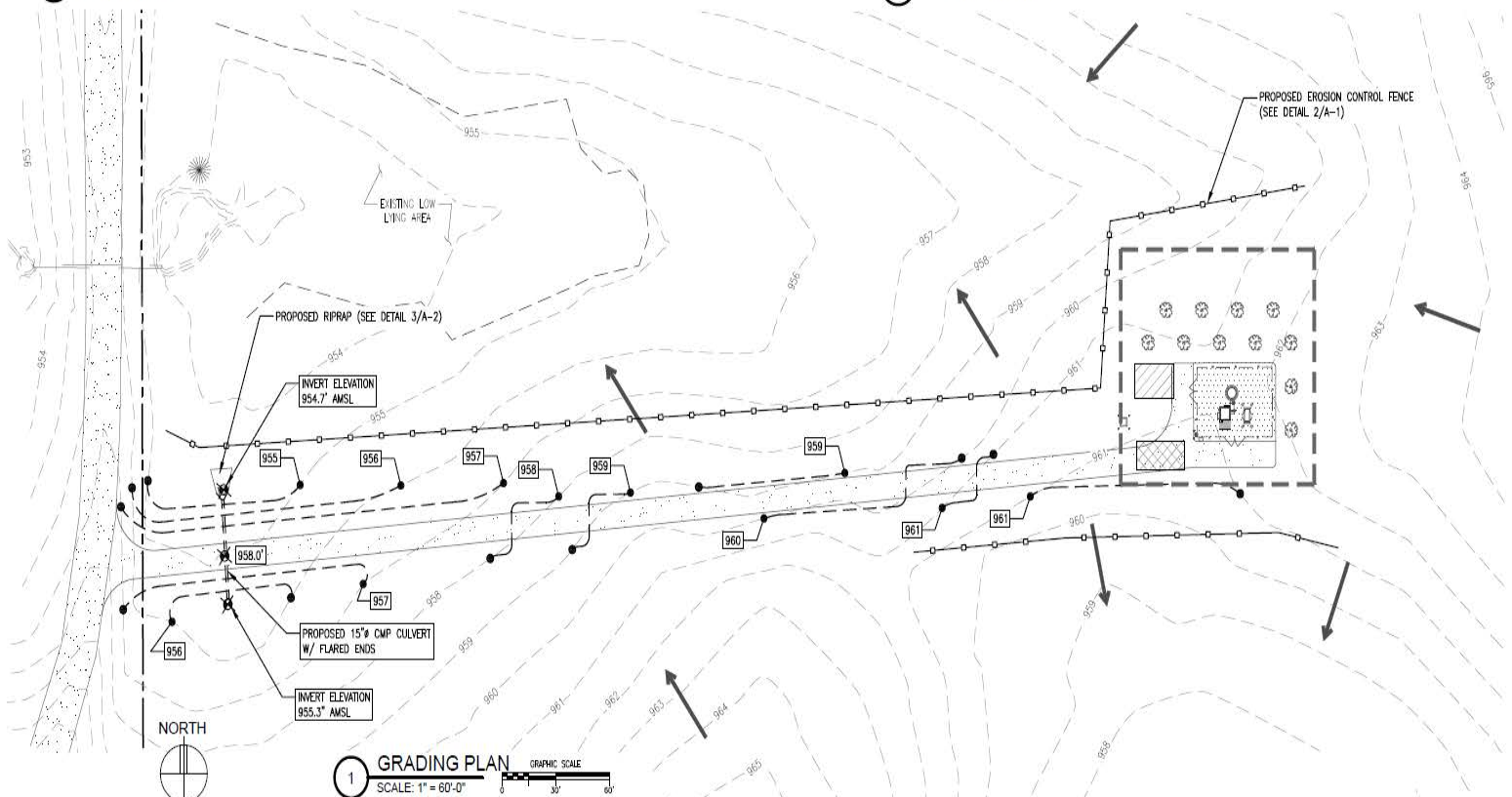


Verizon Wireless MIN MORIA Cell Tower
Project # 2018-14
November 8, 2018



Site Plan





SITE NAME: MIN Moria
SITE NUMBER:
ATTY/DATE: 8/15/18

AMENDMENT NO. 1 TO LAND LEASE AGREEMENT

This AMENDMENT NO. 1 TO LAND LEASE AGREEMENT ("Amendment") is made this 21st day of September, 2018, by and between Wesley Sherman Bendickson and Julia A. Bendickson, married to each other ("LESSOR"), with a mailing address of 6705 US Highway 12, P.O. Box 298, Maple Plain, Minnesota 55359, and Verizon Wireless (VAW) LLC d/b/a Verizon Wireless ("LESSEE"), with its principal office located at One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920 (telephone number 866-862-4404), with reference to the facts set forth in the Recitals below:

RECITALS

A. LESSOR and LESSEE are parties to a Land Lease Agreement, dated May 30, 2018 ("Agreement"), whereby LESSOR has leased a portion (the "Premises") of LESSOR's property (the "Property") to LESSEE.

B. LESSOR and LESSEE desire to amend the Agreement to provide for a revised survey.

AGREEMENT

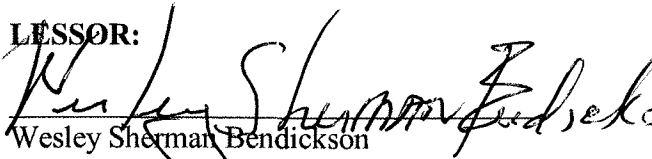
NOW, THEREFORE, in consideration of the facts contained in the Recitals above, the mutual covenants and conditions below, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. REVISED SURVEY. The Agreement is hereby amended so that Exhibit B of the Agreement is deleted in its entirety and replaced by the attached Exhibit B-1.

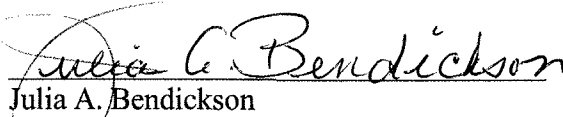
2. RATIFICATION OF THE AGREEMENT. Except as specifically modified by this Amendment, the parties agree that all of the terms and conditions of the Agreement are in full force and effect and remain unmodified, and the parties hereby ratify and reaffirm the terms and conditions of the Agreement and agree to perform and comply with the same. In the event of a conflict between any term or provision of the Agreement and this Amendment, the terms and provisions of this Amendment shall control. In addition, except as otherwise stated in this Amendment, all initially capitalized terms will have the same respective defined meaning stated in the Agreement. All captions are for reference purposes only and shall not be used in the construction or interpretation of this Amendment.

IN WITNESS WHEREOF, LESSOR and LESSEE have caused this Amendment to be executed by each party's duly authorized representative on the date written below.

LESSOR:


Wesley Sherman Bendickson

Date: 8/23/18


Julia A. Bendickson

Date: 8-23-2018

LESSEE:

Verizon Wireless (VAW) LLC
d/b/a Verizon Wireless

By: 

Name: Rommel Angeles

Its: Director-Network Field Engineering

Date: 09/21/2018

The remainder of this page intentionally left blank

negligence against the other which may hereafter arise on account of damage to the Premises or the Property, resulting from any fire, or other casualty which is insurable under "Causes of Loss – Special Form" property damage insurance or for the kind covered by standard fire insurance policies with extended coverage, regardless of whether or not, or in what amounts, such insurance is now or hereafter carried by the Parties, even if any such fire or other casualty shall have been caused by the fault or negligence of the other Party. These waivers and releases shall apply between the Parties and they shall also apply to any claims under or through either Party as a result of any asserted right of subrogation. All such policies of insurance obtained by either Party concerning the Premises or the Property shall waive the insurer's right of subrogation against the other Party.

12. LIMITATION OF LIABILITY. Except for indemnification pursuant to Paragraphs 10 and 24, a violation of Paragraph 29, or a violation of law, neither Party shall be liable to the other, or any of their respective agents, representatives, or employees for any lost revenue, lost profits, diminution in value of business, loss of technology, rights or services, loss of data, or interruption or loss of use of service, incidental, punitive, indirect, special, trebled, enhanced or consequential damages, even if advised of the possibility of such damages, whether such damages are claimed for breach of contract, tort (including negligence), strict liability or otherwise, unless applicable law forbids a waiver of such damages.

13. INTERFERENCE.

(a). LESSEE agrees that LESSEE will not cause interference that is measurable in accordance with industry standards to LESSOR's equipment. LESSOR agrees that LESSOR and other occupants of the Property will not cause interference that is measurable in accordance with industry standards to the then existing equipment of LESSEE.

(b). Without limiting any other rights or remedies, if interference occurs and continues for a period in excess of 48 hours following notice to the interfering party via telephone to LESSEE'S Network Operations Center at (800) 621-2622) or to LESSOR at (612) 201-9889, the interfering party shall or shall require any other user to reduce power or cease operations of the interfering equipment until the interference is cured.

(c). The Parties acknowledge that there will not be an adequate remedy at law for noncompliance with the provisions of this Paragraph and therefore the Parties shall have the right to equitable remedies such as, without limitation, injunctive relief and specific performance.

RF ENGINEERING - STATEMENT OF NEED

RF Coverage Maps for Proposed Site at Hwy-12 Independence, MN

The following maps demonstrate the need for a new site at Hwy-12 Independence, MN 55359. The measurements considered in this study will be the Coverage level surrounding the proposed site in Independence, MN. A new site such as the one proposed in this document will be designed with the goal of improving coverage in an area, especially in target areas such as neighborhoods or busy highways.

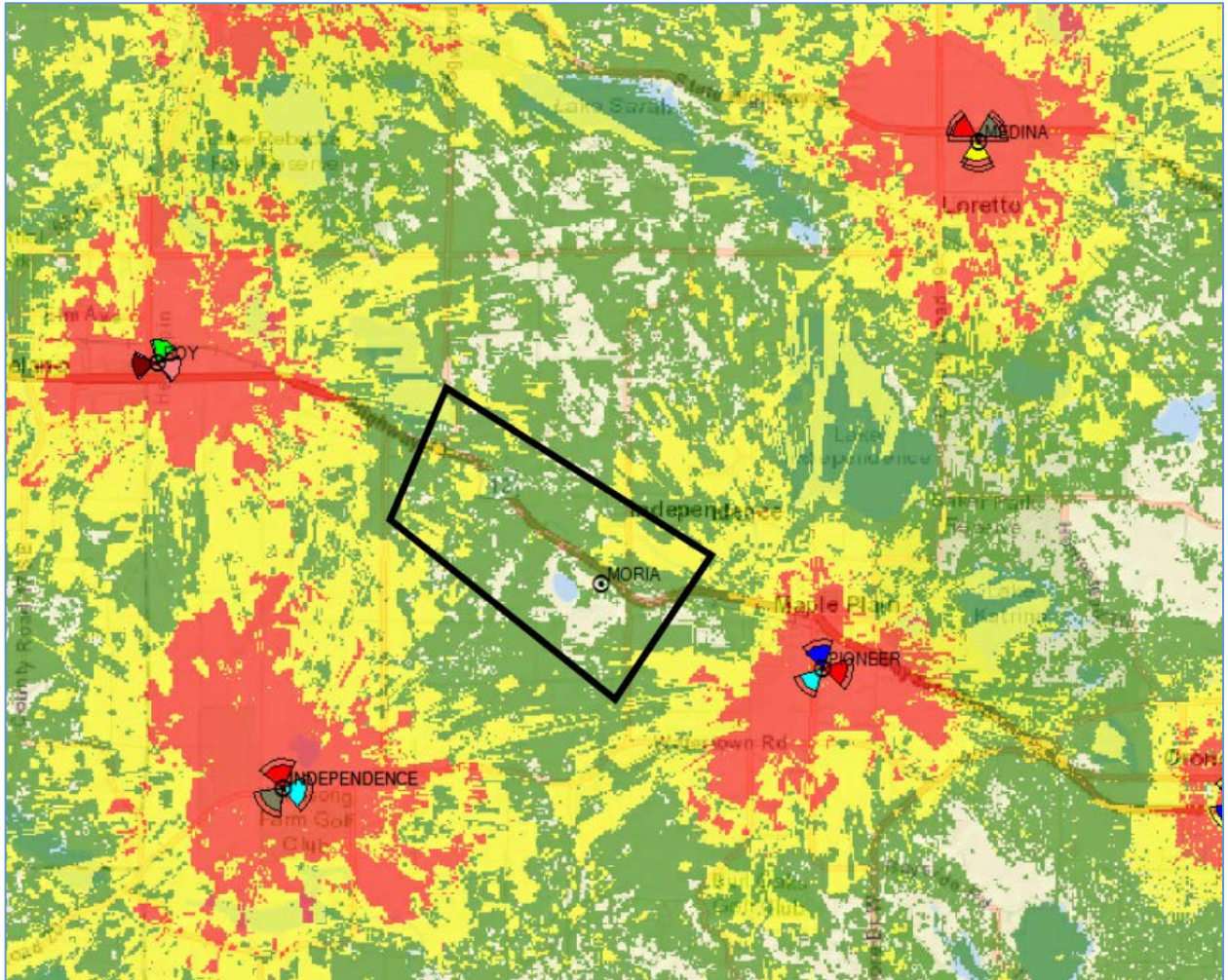
First case: Coverage

In general, at analysis we can identify three levels of coverage:

- **Good (Red)** – at this level customers will be able to establish and maintain reliable connections both *indoors and outdoors*;
- **Fair (Yellow)** – at this level customers will be able to establish a reliable connection *outdoors* but performance will most probably suffer indoors. Reliable connections will still be possible *in vehicle*;
- **Poor (Green)** – at this level, connections can only be established *outdoors*. Reliable connections indoors or in vehicle are highly unlikely.

If the coverage is below poor level, it is generally considered that the signal is ‘non-existing’, meaning that no reliable connection will likely be possible. The following maps show the existing and expected coverage in the area surrounding the proposed site.

Figure 1. Existing Coverage (Without the Simulated Effect of the Proposed Site)

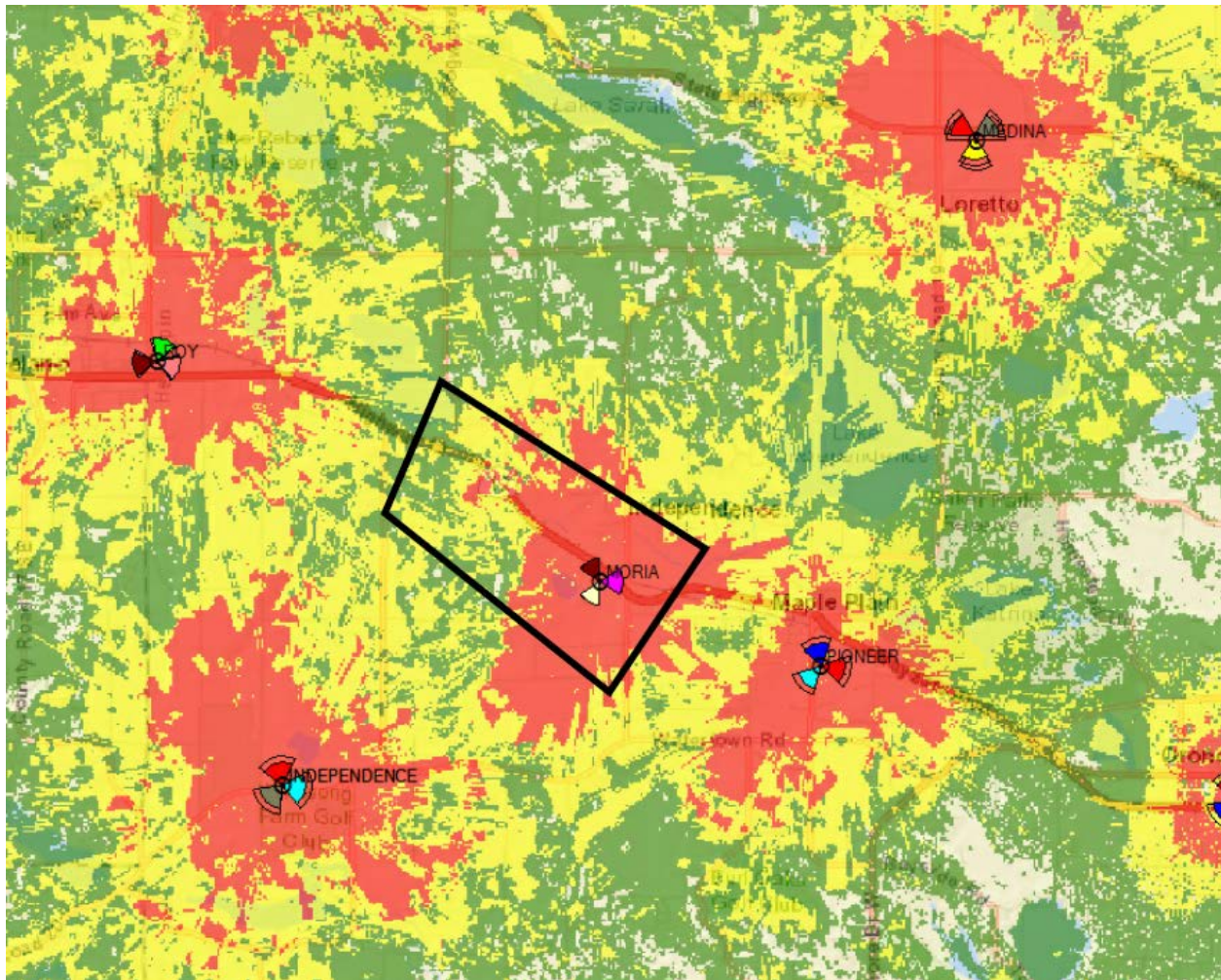


The above map shows the existing coverage in the area surrounding the proposed site MIN Moria. Areas with Good coverage levels are shown in red; areas with Fair coverage are shown in yellow, and areas with Poor coverage levels are shown in green. Areas shown with no color have a coverage level below Poor which is considered to be unreliable signal. The expected coverage impact of the proposed site is not simulated in this case.

As can be seen in the above coverage map, the area surrounding the proposed site, Moria has mostly Fair to Poor coverage and pockets of below Poor level of coverage along Hwy-12 in Independence, MN. Fair to Poor coverage will experience connection reliability issues especially for customers in indoor locations or in vehicles.

RF ENGINEERING - STATEMENT OF NEED

Figure 2. Expected Coverage (With the Simulated Effect of the Proposed Site)



The above map shows the predicted coverage in the area surrounding the proposed site Moria. Areas with Good coverage levels are shown in red; areas with Fair coverage are shown in yellow, and areas with Poor coverage levels are shown in green. Areas shown with no color have a coverage level below Poor which is considered to be unreliable signal. The expected coverage impact of the proposed site is simulated in this case.

As can be seen in the above map, the coverage with the proposed site is expected to be significantly improved. To be noted that the areas that are currently being served at below poor coverage are expected to be eliminated on Hwy-12 going west.

I hope the above maps show the coverage improvement that is needed along Hwy-12, Independence MN. Your approval of this project will enable Verizon Wireless to continue to maintain the best, most reliable wireless service in your area.

Respectfully,

Nithyakalyani Jaipurayar
Verizon Wireless
RF Engineer

FEATURES & SPECIFICATIONS

INTENDED USE

Provides years of maintenance-free general illumination for outdoor use in commercial applications such as retail, education, multi-unit housing and storage. Ideal for lighting building facades, parking areas, walkways, garages, loading areas and any other outdoor space requiring reliable safety and security.

CONSTRUCTION

Sturdy weather-resistant aluminum housing with a bronze finish, standard unless otherwise noted. A clear polycarbonate lens protects the optics from moisture, dirt and other contaminants.

OPTICS

8 high performance LEDs are powered by a multi-volt (120V-277V) LED driver that uses 18 input watts and provides 1,490 delivered lumens. 100,000 hour LED lifespan based on IESNA LM-80-08 results and calculated per IESNA TM-21-11 methodology.

ELECTRICAL

Rated for outdoor installations, -40°C minimum ambient.

Adjustable Dusk-to-dawn, multi-volt photocell standard automatically turns light on at dusk and off at dawn for convenience and energy savings.

Photocell can be disabled by rotating the photocell cover.

6KV

Surface or recessed mount. A universal junction box is included standard.

All mounting hardware included.

LISTINGS

UL Certified to US and Canadian safety standards. Wet location listed for mounting higher than 4 feet off the ground.

Tested in accordance with IESNA LM-79 and LM-80 standards.

WARRANTY

5-year limited warranty. Complete warranty terms located at

www.acuitybrands.com/CustomerResources/Terms_and_conditions.aspx

Actual performance may differ as a result of end-user environment and application.

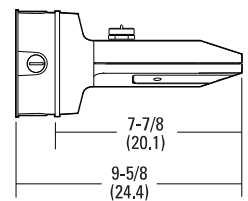
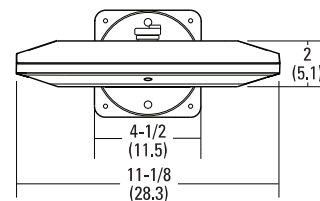
Note: Specifications subject to change without notice.

Catalog Number
Notes
Type

Outdoor General Purpose

OLW14

LED WALL PACK



All dimensions are inches (centimeters) unless otherwise indicated.

ORDERING INFORMATION

For shortest lead times, configure product using **bolded options**.

Example: OLW14

OLW14				
Series	Color temperature (CCT) ¹	Voltage	Control	Finish
OLW14 1400 lumen LED wall pack	(blank) 5000K ¹	(blank) MVOLT (120V-277V)	(blank) MVOLT photocell included	(blank) Bronze WH White

Accessories: Order as separate catalog number.

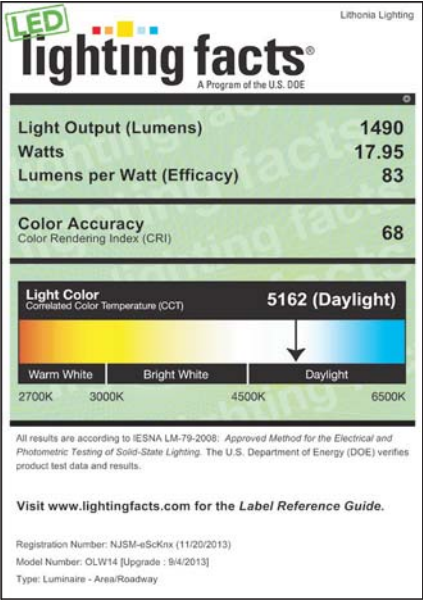
FCOS M24	Full cutoff shield
FCOS WH M24	Full cutoff shield, white

Notes

¹ Correlated Color Temperature (CCT) shown is nominal per ANSI C78,377-2008.

PHOTOMETRIC DIAGRAMS

Full photometric data report available within 2 weeks from request. Consult factory. Tested in accordance with IESNA LM-79 and LM-80 standards.





MIN MORIA NEW BUILD

PROJECT INFORMATION

SITE NAME: MIN MORIA

SITE ADDRESS: HWY 12
INDEPENDENCE, MN 55359

COUNTY: HENNEPIN

LATITUDE: N 45° 00' 42.38" (NAD83)

LONGITUDE: W 93° 41' 27.26" (NAD83)

DRAWING BASED ON
SITE DATA FORM DATED: 12-11-17

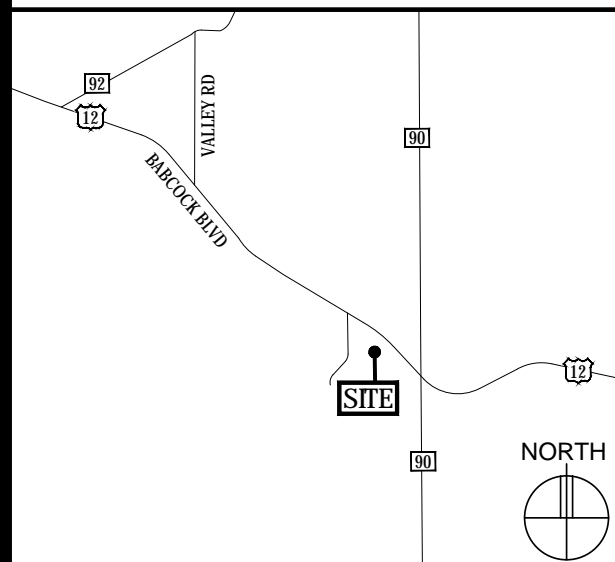
BUILDING TYPE: IIB OCCUPANCY: S-2

SITE AREA: 100' X 100' = 10,000 S.F.

SHEET INDEX

SHEET	SHEET DESCRIPTION
T-1	PROJECT INFORMATION, TOWER ELEVATION, & SHEET INDEX
A-1	SITE PLAN, TREE DETAIL, NOTES & DETAIL INDEX
A-2	GRADING PLAN, EROSION CONTROL DETAILS, & PHOTOS
A-3	ENLARGED SITE PLAN
A-4	ANTENNA & EQUIPMENT KEY, CABLE BRIDGE PLAN, & NOTES
A-5	ELEVATIONS
A-6	OUTLINE SPECIFICATIONS
G-1	GROUNDING NOTES
G-2	GROUNDING PLAN & GROUNDING DETAIL INDEX
U-1	SITE UTILITY PLANS & NOTES
-	SURVEY

VICINITY MAP



LOCATION SCAN



ISSUE SUMMARY

REV	DESCRIPTION	SHEET/DETAIL
A	ISSUED FOR REVIEW 12-21-17	ALL
B	ISSUED FOR OWNER SIGNOFF 01-30-18	ALL
C	REVISED ACCESS ROUTE 07-17-18	ALL
D	ADDED ELEVATIONS 07-26-18	ALL
E	ADDED EROSION CONTROL 10-29-18	ALL

DEPARTMENTAL APPROVALS

JOB TITLE	NAME	DATE
RF ENGINEER	NITHYAKLYANI JAIPURIYAR	01-16-18
OPERATIONS MANAGER	JONATHAN FOWLER	12-22-17
CONSTRUCTION ENGINEER	STEVE COLLIN	01-11-18

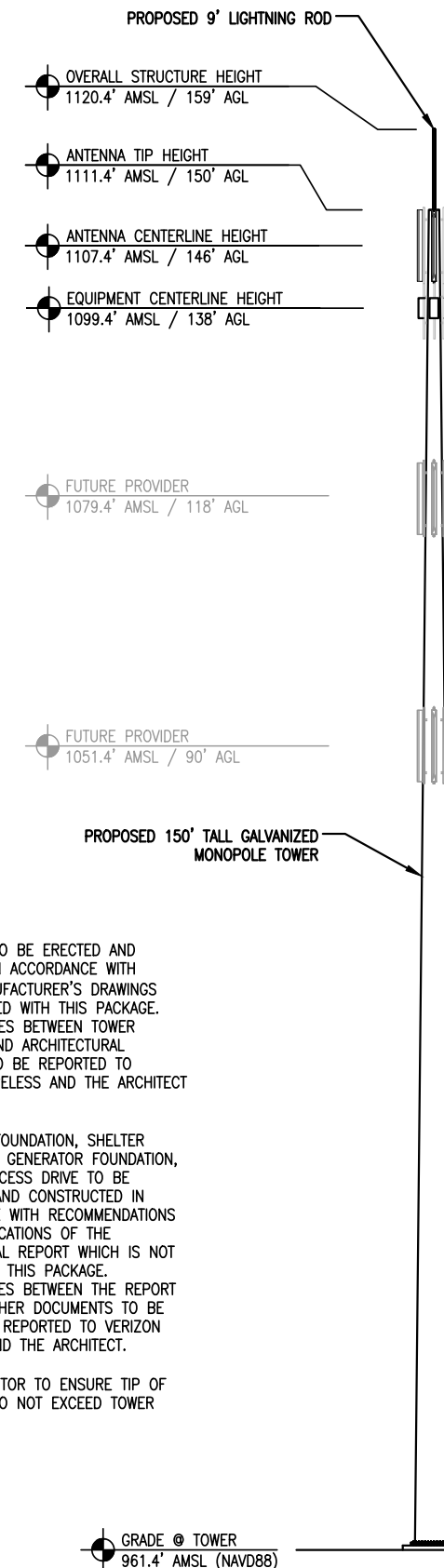
LESSOR / LICENSOR APPROVAL

SIGNATURE	PRINTED NAME	DATE
LESSOR / LICENSOR: PLEASE CHECK THE APPROPRIATE BOX BELOW		
<input type="checkbox"/> NO CHANGES.	<input type="checkbox"/> CHANGES NEEDED. SEE COMMENTS.	

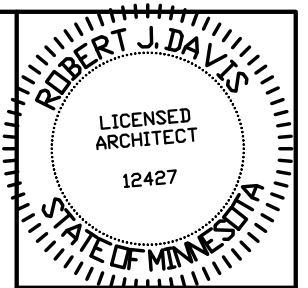
CONTACTS

LESSOR / LICENSOR:	WESLEY & JULIA BENDICKSON 6705 US HIGHWAY 12 MAPLE PLAIN, MN 55359 WESLEY (763) 479-1107
LESSEE:	VERIZON WIRELESS 10801 BUSH LAKE ROAD BLOOMINGTON, MN 55438 RON REITER (612) 720-0052
POWER UTILITY COMPANY CONTACT:	XCEL ENERGY 1518 CHESTNUT AVE MINNEAPOLIS, MN 55403 LINN LONGFIELD (763) 470-3313
TELCO UTILITY COMPANY CONTACT:	T.B.D.
ARCHITECT:	DESIGN 1 ARCHITECTS LLC 9973 VALLEY VIEW ROAD EDEN PRAIRIE, MN 55344 (952) 903-9299
SURVEYOR:	WIDSETH SMITH NOLTING 610 FILLMORE STREET - PO BOX 1028 ALEXANDRIA, MN 56308-1028 320-762-8149
STRUCTURAL ENGINEER:	N/A
GEOTECHNICAL ENGINEER:	TERRACON CONSULTANTS, INC. 13400 15TH AVENUE, PLYMOUTH, MN 55441 (763) 489-3100

TOWER ELEVATION



1 TOWER ELEVATION
SCALE: 1" = 20'-0"



I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota, ROBERT J. DAVIS, Reg. No. 12427

Signed: *Robert J. Davis*
Date: 07-26-18



9973 VALLEY VIEW RD.
EDEN PRAIRIE, MN 55344
(952) 903-9299
WWW.DESIGN1EP.COM



10801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
(612) 720-0052

PROJECT
20141070235
LOC. CODE: 297919

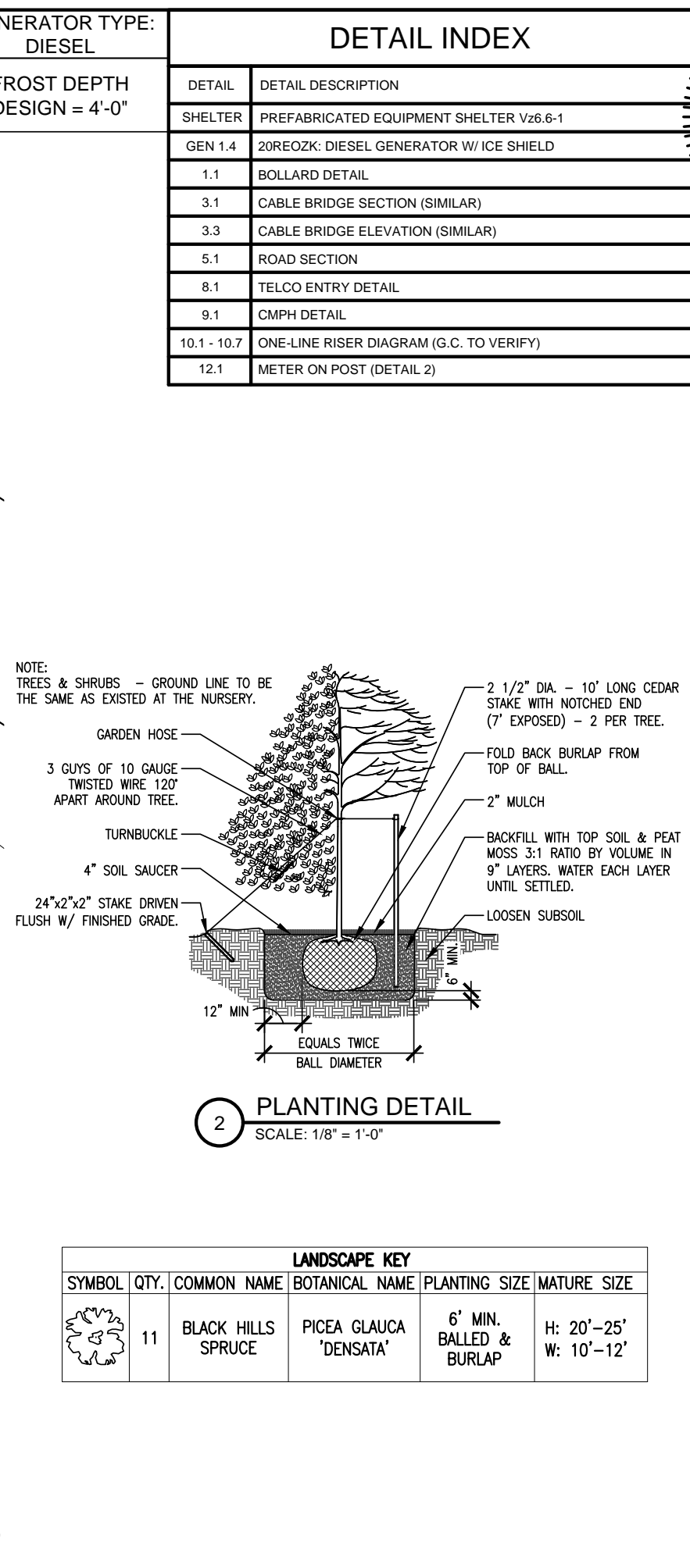
MIN MORIA

HWY 12
INDEPENDENCE, MN
55359

SHEET CONTENTS:
CONTACTS
ISSUE SUMMARY
SHEET INDEX
DEPARTMENTAL APPROVALS
LESSOR APPROVAL
PROJECT INFORMATION
AREA & VICINITY MAPS
GENERAL NOTES

DRAWN BY:	R.E.P.
DATE:	07-31-17
CHECKED BY:	A.P.S.
REV. A	12-21-17
REV. B	01-30-18
REV. C	07-17-18
REV. D	07-26-18
REV. E	10-29-18

T-1




ROBERT J. DAVIS

LICENSED
ARCHITECT

12427

STATE OF MINNESOTA

I hereby certify that this plan,
specification or report was
prepared by me or under my direct
supervision and that I am a duly
Licensed Architect under
the laws of the State of Minnesota.
ROBERT J. DAVIS, Reg. No. 12427


Signed: _____

07-26-18
Date: _____

verizon[✓]
10801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
(612) 720-0052

MIN MORIA

SHEET CONTENTS:
SITE PLAN
PLANTING DETAIL
LANDSCAPE KEY
DETAIL INDEX

DRAWN BY:	R.E.P.
DATE:	07-31-17
CHECKED BY:	A.P.S.
REV. A	12-21-17
REV. B	01-30-18
REV. C	07-17-18
REV. D	07-26-18
REV. E	10-29-18

A-1

LESSEE ACCESS EASEMENT

SECTION B-B

12" DEEP RIPRAP (CLASS II)

GRANULAR CUSHION

GEOTEXTILE FABRIC

**TABLE OF QUANTITIES
RIPRAP AT RCP OUTLETS**

DIA. OF ROUND PIPE (IN.)	L (FT.)	CLASS II d ₅₀ = 6"		CLASS III d ₅₀ = 9"	
		12" DEPTH RIPRAP (CU. YDS.)	6" DEPTH GRANULAR FILTER (CU. YDS.)	18" DEPTH RIPRAP (CU. YDS.)	9" DEPTH GRANULAR FILTER (CU. YDS.)
12	8	2.8	1.4	4.1	2.1
15	8	2.9	1.5	4.4	2.2

PLAN

RIPRAP

2'-0"

2'-6"

8'-0"

1'-0"

SECTION A-A

RIPRAP

GRANULAR CUSHION

GEOTEXTILE FABRIC

CRUSHED ROCK

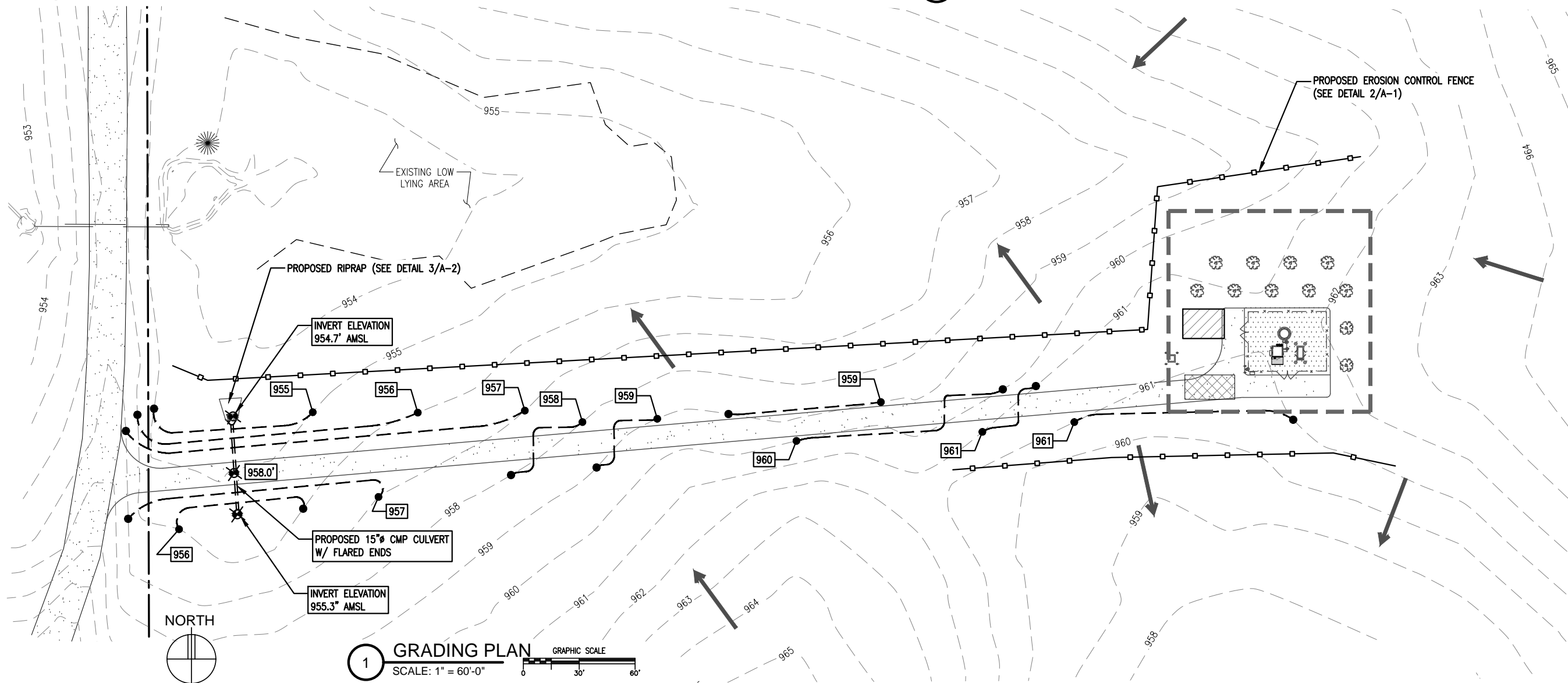
EROSION CONTROL FENCE NOTES:

- PLACE BOTTOM EDGE OF FENCE INTO 6" (153 mm) DEEP TRENCH AND BACKFILLED IMMEDIATELY.
- POSTS SHALL BE:
 - 4' (1.22 m) ON CENTER
 - 2" (50.8 mm) X 2" (50.8 mm) HARDWOOD, PINE OR STEEL FENCE POSTS. MINIMUM LENGTH 4.5'
 - DRIVEN 2' (0.61 m) INTO THE GROUND.

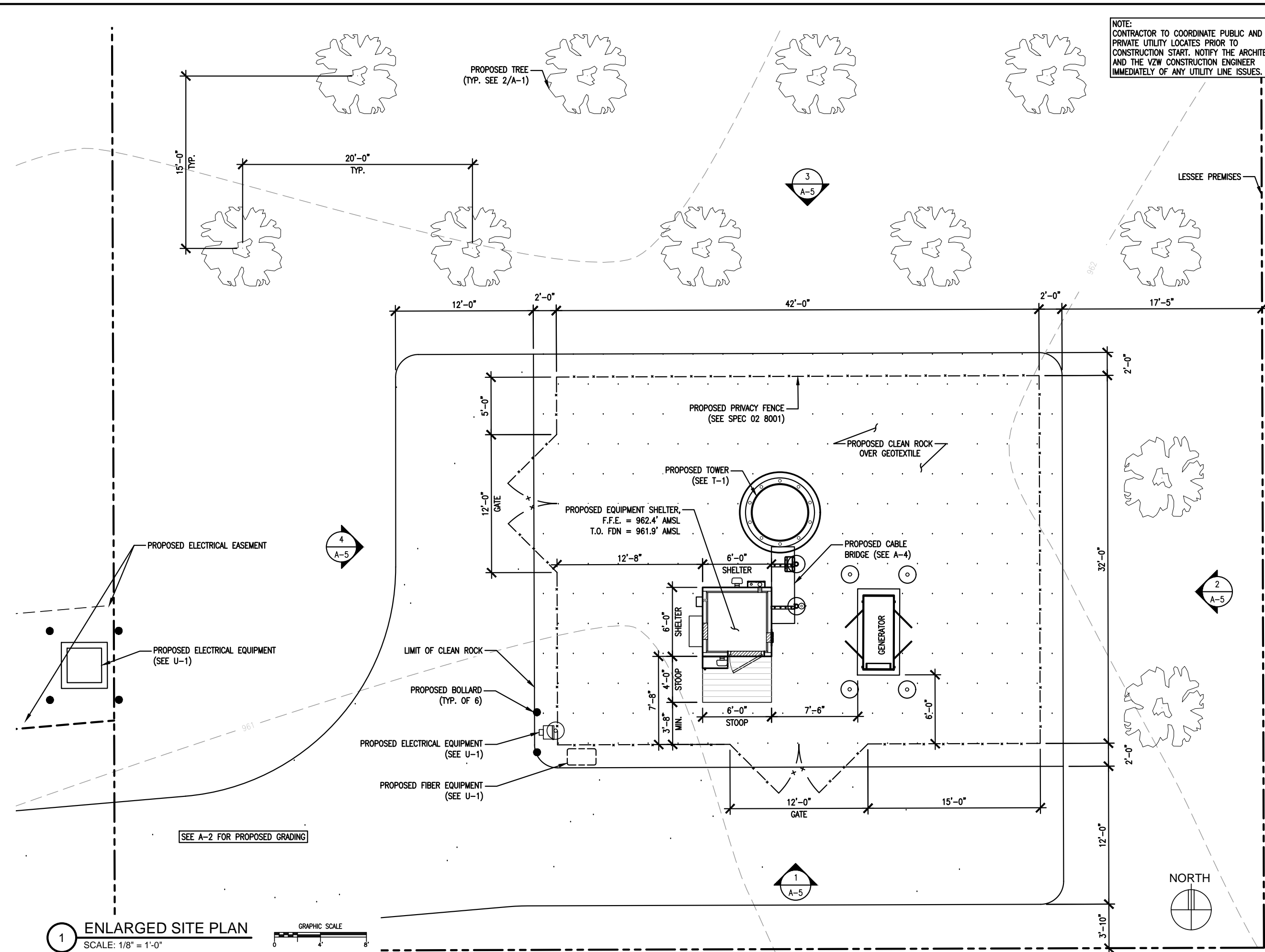
The diagram illustrates the installation of an erosion control fence. The main view shows a side profile of the fence with a height of 2.5' (0.76 m). The fence consists of a fabric panel supported by vertical posts. A circular inset provides a detailed cross-section of the fence's base. This inset shows the fence fabric being secured into a 6" (153 mm) deep trench. The trench is backfilled with material, and the bottom edge of the fabric is embedded within it. A label 'FABRIC' points to the fabric panel, and an arrow labeled 'FLOW' indicates the direction of water flow over the fence. The bottom edge of the fence is shown being driven into the ground, with a label '6" (153 mm)' indicating the depth of the trench and the length of the fence post driven into the ground.

NOTE:

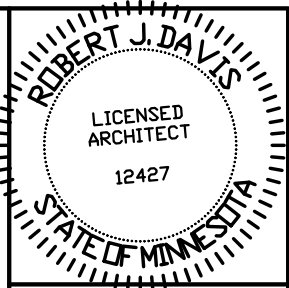
- 1) INSTALL EROSION CONTROL PRIOR TO CONSTRUCTION AND HAVE INSPECTED BEFORE ANY GROUND DISTURBANCE. EROSION AND SEDIMENT CONTROLS SHALL BE MAINTAINED UNTIL PERMANENT GROUND COVER IS ESTABLISHED.
- 2) MAINTAIN EROSION CONTROL WHEN 1/3 FULL OF SEDIMENT OR IF DAMAGED, INSPECT ONCE WEEKLY AND AFTER EVERY 1/2" RAIN EVENT.
- 3) TRACKING ON STREETS OR OTHER PAVED SURFACES MUST BE SWEEPED DAILY; ESPECIALLY PRIOR TO ANY STORM EVENT OR WITHIN 24 HOURS AS REQUESTED BY ANY CITY OR COUNTY OFFICIAL. ANY OTHER SEDIMENT LEAVING THE SITE SHALL BE REMOVED AND THE AREA CLEANED AND RESTORED.
- 4) STORM SEWER CATCH BASINS RECEIVING RUNOFF FROM THE SITE MUST BE PROTECTED WITH INLET PROTECTION. APPROVED MATERIALS: BASKET (WIMCO), SACK-STYLE (SILT-SACK), DAM-STYLE (BEAVER-DAM) OR ROCK SNAKE BAG (MAY REQUIRE A TYPE I FLASHER IN TRAFFIC AREAS).
- 5) CONTAIN ALL CONCRETE TRUCK WASHOUT SLURRY AND SOLIDS IN A POLY-LINED PIT, SEALED ROLL-OFF CONTAINER OR TRUCK MOUNTED CONTAINMENT DEVICE. MAINTAIN BY PUMPING AND HAULING OFF LIQUID AND EXCAVATING SOLIDS, AS REQUIRED. CONCRETE WASHOUT INTO THE STORM SEWER IS PROHIBITED.
- 6) STORAGE OF MATERIALS AND/OR EQUIPMENT SHALL NOT BE ALLOWED
ON PUBLIC STREETS OR WITHIN THE PUBLIC RIGHT-OF-WAY.
- 7) CONTRACTOR TO PROVIDE TEMPORARY SEED ALL DISTURBED AREAS, IF IDLE MORE THAN 14DAYS DURING CONSTRUCTION.
- 8) CONTRACTOR TO PROVIDE PERMANENT SEEDING OF ALL DISTURBED AREAS NOT BEING LANDSCAPED



																	
<p>I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota. ROBERT J. DAVIS, Reg. No. 12427</p>																	
<p style="text-align: center;"></p> <p>Signed: _____</p> <p>07-26-18</p> <p>Date: _____</p>																	
<div style="text-align: center;"><h1 style="margin: 0;">DESIGN1</h1><hr/><hr/><hr/><p>9973 VALLEY VIEW RD. EDEN PRAIRIE, MN 55344 (952) 903-9299 WWW.DESIGN1EP.COM</p></div>																	
<h2 style="margin: 0;">verizon[✓]</h2> <p>10801 BUSH LAKE ROAD BLOOMINGTON, MN 55438 (612) 720-0052</p>																	
<p>PROJECT 20141070235 LOC. CODE: 297919</p>																	
<h1 style="margin: 0;">MIN MORIA</h1>																	
<p>HWY 12 INDEPENDENCE, MN 55359</p>																	
<p>SHEET CONTENTS: GRADING PLAN PHOTOS</p>																	
<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%;">DRAWN BY:</td><td style="width: 50%;">R.E.P.</td></tr><tr><td>DATE:</td><td>07-31-17</td></tr><tr><td>CHECKED BY:</td><td>A.P.S.</td></tr><tr><td>REV. A</td><td>12-21-17</td></tr><tr><td>REV. B</td><td>01-30-18</td></tr><tr><td>REV. C</td><td>07-17-18</td></tr><tr><td>REV. D</td><td>07-26-18</td></tr><tr><td>REV. E</td><td>10-29-18</td></tr></table>		DRAWN BY:	R.E.P.	DATE:	07-31-17	CHECKED BY:	A.P.S.	REV. A	12-21-17	REV. B	01-30-18	REV. C	07-17-18	REV. D	07-26-18	REV. E	10-29-18
DRAWN BY:	R.E.P.																
DATE:	07-31-17																
CHECKED BY:	A.P.S.																
REV. A	12-21-17																
REV. B	01-30-18																
REV. C	07-17-18																
REV. D	07-26-18																
REV. E	10-29-18																
<h1 style="font-size: 48px; margin: 0;">A-2</h1>																	



NOTE:
CONTRACTOR TO COORDINATE PUBLIC AND
PRIVATE UTILITY LOCATES PRIOR TO
CONSTRUCTION START. NOTIFY THE ARCHITECT
AND THE VZW CONSTRUCTION ENGINEER
IMMEDIATELY OF ANY UTILITY LINE ISSUES.



I hereby certify that this plan,
specification or report was
prepared by me or under my direct
supervision and that I am a duly
Licensed Architect under
the laws of the State of Minnesota.
ROBERT J. DAVIS, Reg. No. 12427

Signed: *Robert J. Davis*
Date: 07-26-18

DESIGN 1

9973 VALLEY VIEW RD.
EDEN PRAIRIE, MN 55344
(952) 903-9299
WWW.DESIGN1EP.COM

verizon

10801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
(612) 720-0052

PROJECT
20141070235
LOC. CODE: 297919

MIN MORIA

HWY 12
INDEPENDENCE, MN
55359

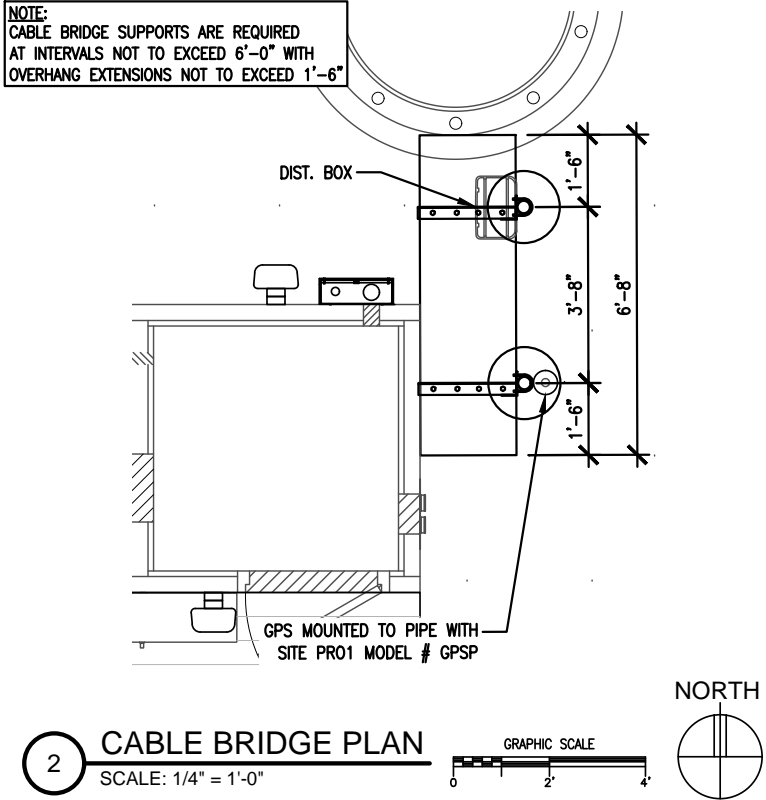
SHEET CONTENTS:
ENLARGED SITE PLAN

DRAWN BY:	R.E.P.
DATE:	07-31-17
CHECKED BY:	A.P.S.
REV. A	12-21-17
REV. B	01-30-18
REV. C	07-17-18
REV. D	07-26-18
REV. E	10-29-18

A-3

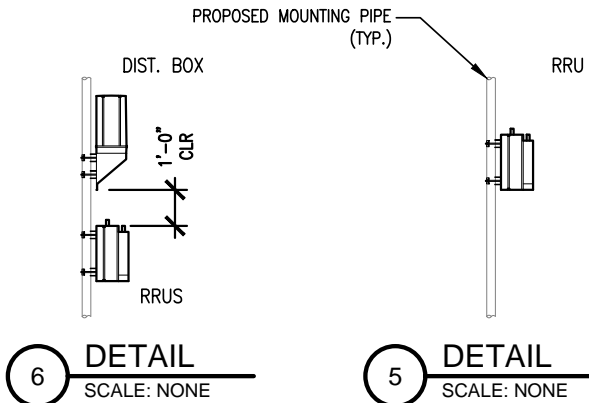
ANTENNA KEY													EQUIPMENT KEY			
	AZIMUTH	POSITION	FUNCTION	QTY	MANUFACTURER	MODEL	MOD TYPE	ANTENNA LENGTH	ANTENNA TIP	ANTENNA CENTER	ELEC DOWNTILT	MECH DOWNTILT	QTY	MANUFACTURER	MODEL	RRU PORT
"X" SECTOR	330°	2.1	TX/RX1	1	JMA	MX06FR0860-02	700/850 +45	95.9"	150'	146'	3°	0°	1	ERICSSON	4449	1
	-	2.2	TX/RX1	-	-	2ND PORT	700/850 -45	-	-	-	-	-	-	-	-	4
	-	2.3	TX/RX1	-	-	3RD PORT	AWS +45	-	-	-	0°	-	1	ERICSSON	8843	1
	-	2.4	TX/RX2	-	-	4TH PORT	AWS -45	-	-	-	-	-	-	-	-	2
	-	2.5	TX/RX3	-	-	5TH PORT	AWS +45	-	-	-	0°	-	-	ERICSSON	8843	3
	-	2.6	TX/RX4	-	-	6TH PORT	AWS -45	-	-	-	-	-	-	-	-	4
	330°	3.1	TX/RX2	1	JMA	MX06FR0860-02	700/850 +45	95.9"	150'	146'	3°	0°	-	ERICSSON	4449	2
	-	3.2	TX/RX2	-	-	2ND PORT	700/850 -45	-	-	-	-	-	-	-	-	3
	-	3.3	TX/RX1	-	-	3RD PORT	PCS +45	-	-	-	0°	-	-	ERICSSON	8843	5
	-	3.4	TX/RX2	-	-	4TH PORT	PCS -45	-	-	-	-	-	-	-	-	6
	-	3.5	TX/RX3	-	-	5TH PORT	PCS +45	-	-	-	0°	-	-	ERICSSON	8843	7
	-	3.6	TX/RX4	-	-	6TH PORT	PCS -45	-	-	-	-	-	-	-	-	8
"Y" SECTOR	90°	2.1	TX/RX1	1	JMA	MX06FR0860-02	700/850 +45	95.9"	150'	146'	2°	0°	1	ERICSSON	4449	1
	-	2.2	TX/RX1	-	-	2ND PORT	700/850 -45	-	-	-	-	-	-	-	-	4
	-	2.3	TX/RX1	-	-	3RD PORT	AWS +45	-	-	-	0°	-	1	ERICSSON	8843	1
	-	2.4	TX/RX2	-	-	4TH PORT	AWS -45	-	-	-	-	-	-	-	-	2
	-	2.5	TX/RX3	-	-	5TH PORT	AWS +45	-	-	-	0°	-	-	ERICSSON	8843	3
	-	2.6	TX/RX4	-	-	6TH PORT	AWS -45	-	-	-	-	-	-	-	-	4
	90°	3.1	TX/RX2	1	JMA	MX06FR0860-02	700/850 +45	95.9"	150'	146'	2°	0°	-	ERICSSON	4449	2
	-	3.2	TX/RX2	-	-	2ND PORT	700/850 -45	-	-	-	-	-	-	-	-	3
	-	3.3	TX/RX1	-	-	3RD PORT	PCS +45	-	-	-	0°	-	-	ERICSSON	8843	5
	-	3.4	TX/RX2	-	-	4TH PORT	PCS -45	-	-	-	-	-	-	-	-	6
	-	3.5	TX/RX3	-	-	5TH PORT	PCS +45	-	-	-	0°	-	-	ERICSSON	8843	7
	-	3.6	TX/RX4	-	-	6TH PORT	PCS -45	-	-	-	-	-	-	-	-	8
"Z" SECTOR	210°	2.1	TX/RX1	1	JMA	MX06FR0860-02	700/850 +45	95.9"	150'	146'	5°	0°	1	ERICSSON	4449	1
	-	2.2	TX/RX1	-	-	2ND PORT	700/850 -45	-	-	-	-	-	-	-	-	4
	-	2.3	TX/RX1	-	-	3RD PORT	AWS +45	-	-	-	0°	-	1	ERICSSON	8843	1
	-	2.4	TX/RX2	-	-	4TH PORT	AWS -45	-	-	-	-	-	-	-	-	2
	-	2.5	TX/RX3	-	-	5TH PORT	AWS +45	-	-	-	0°	-	-	ERICSSON	8843	3
	-	2.6	TX/RX4	-	-	6TH PORT	AWS -45	-	-	-	-	-	-	-	-	4
	210°	3.1	TX/RX2	1	JMA	MX06FR0860-02	700/850 +45	95.9"	150'	146'	5°	0°	-	ERICSSON	4449	2
	-	3.2	TX/RX2	-	-	2ND PORT	700/850 -45	-	-	-	-	-	-	-	-	3
	-	3.3	TX/RX1	-	-	3RD PORT	PCS +45	-	-	-	0°	-	-	ERICSSON	8843	5
	-	3.4	TX/RX2	-	-	4TH PORT	PCS -45	-	-	-	-	-	-	-	-	6
	-	3.5	TX/RX3	-	-	5TH PORT	PCS +45	-	-	-	0°	-	-	ERICSSON	8843	7
	-	3.6	TX/RX4	-	-	6TH PORT	PCS -45	-	-	-	-	-	-	-	-	8
ADDITIONAL: (2) DISTRIBUTION BOXES, MODEL RVZDC-6627-PF-48: (EQUAL QUANTITIES AT SHELTER & ON TOWER) (2) ROSENBERGER HYBRID CABLE, MODEL HL-9612170 (DIST. BOX AT SHELTER TO DIST BOX ON TOWER) (12) ROSENBERGER HYBRID JUMPER, MODEL HJ-C8609-15 (DIST. BOX TO RRU) (36) ANDREW COAX JUMPER, MODEL LDF4-50A, 1/2"Ø FOAM DIELECTRIC, 10' EACH (RRU TO ANTENNA) (6) RET JUMPERS (RRU TO ANTENNA & ANTENNA TO ANTENNA PER SECTOR)													CABLE BRIDGE = 10' RAD CENTER = 147' EXTRA = 5' TOTAL = 162'			

NOTE:
CABLE BRIDGE SUPPORTS ARE REQUIRED
AT INTERVALS NOT TO EXCEED 6'-0" WITH
OVERHANG EXTENSIONS NOT TO EXCEED 1'-6"



2 CABLE BRIDGE PLAN
SCALE: 1/4" = 1'-0"

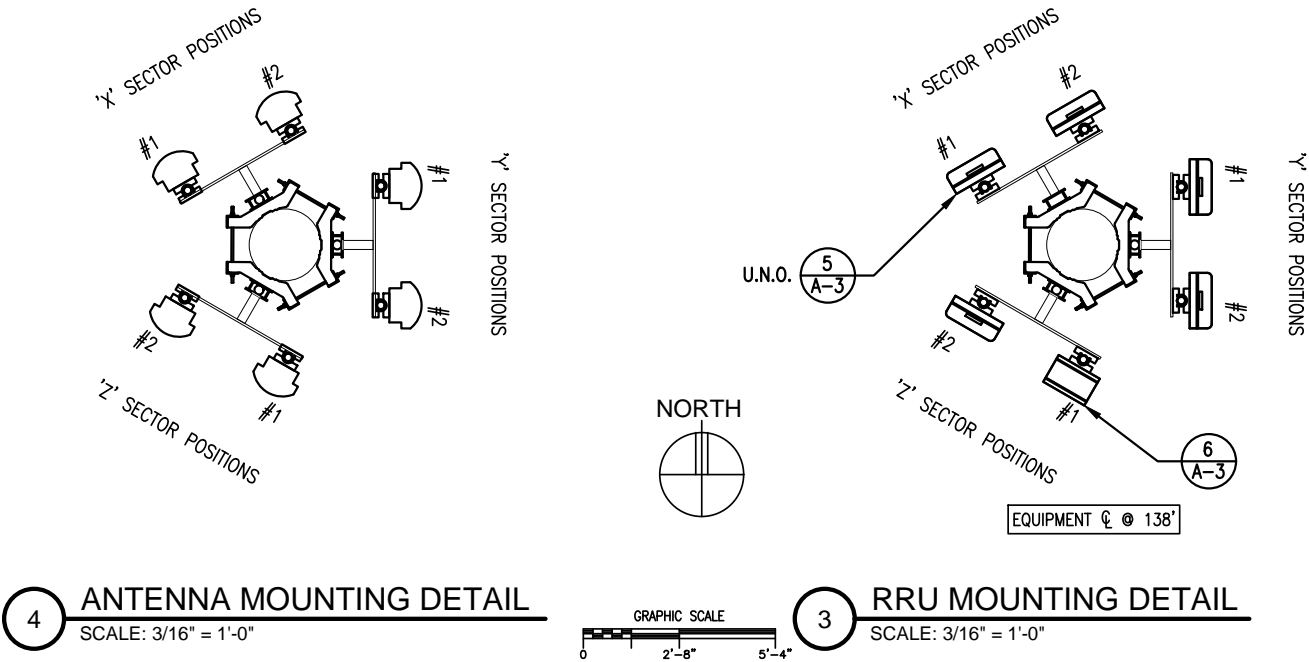
1 ANTENNA & EQUIPMENT KEY



6 DETAIL
SCALE: NONE

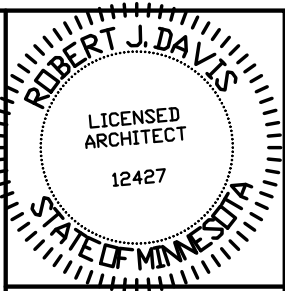
5 DETAIL
SCALE: NONE

NOTE:
(2) SITE PRO 1, MONOPOLE DOUBLE SUPPORT ARM
KITS PART # RDS-296



4 ANTENNA MOUNTING DETAIL
SCALE: 3/16" = 1'-0"

3 RRU MOUNTING DETAIL
SCALE: 3/16" = 1'-0"



I hereby certify that this plan,
specification or report was
prepared by me or under my direct
supervision and that I am a duly
Licensed Architect under
the laws of the State of Minnesota.
ROBERT J. DAVIS, Reg. No. 12427

Signed: *Robert J. Davis*
Date: 07-26-18

DESIGN 1
9973 VALLEY VIEW RD.
EDEN PRAIRIE, MN 55344
(952) 903-9299
WWW.DESIGN1EP.COM

verizon
10801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
(612) 720-0052

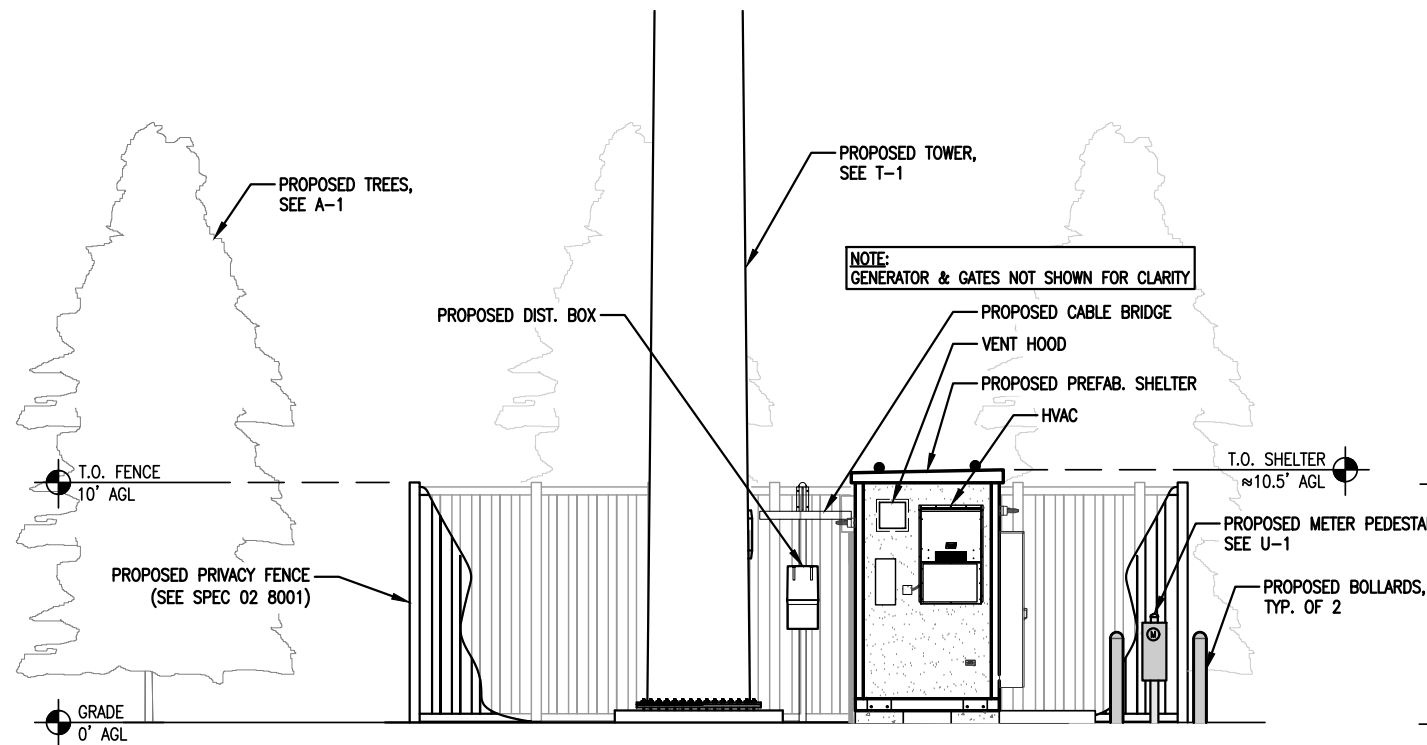
PROJECT
20141070235
LOC. CODE: 297919

MIN MORIA

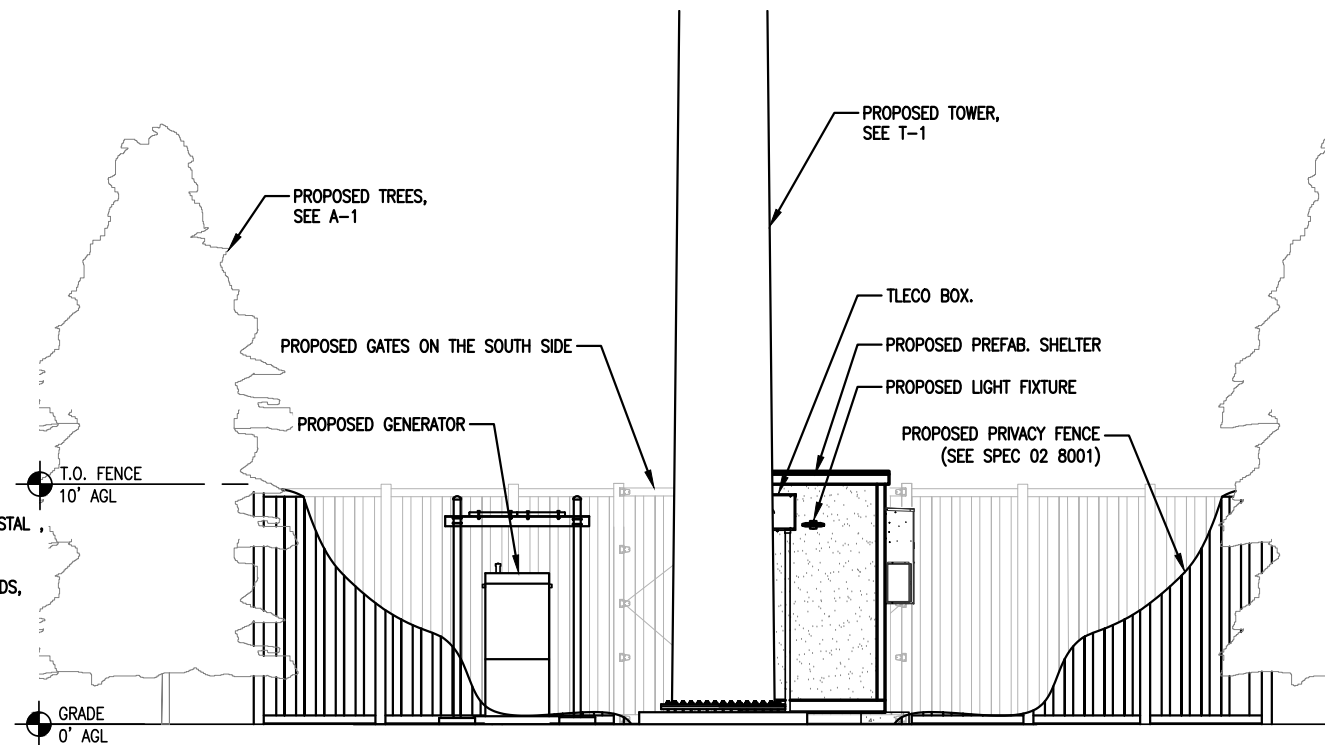
HWY 12
INDEPENDENCE, MN
55359

SHEET CONTENTS:
ANTENNA & EQUIPMENT KEY
CABLE BRIDGE PLAN
MOUNTING DETAILS

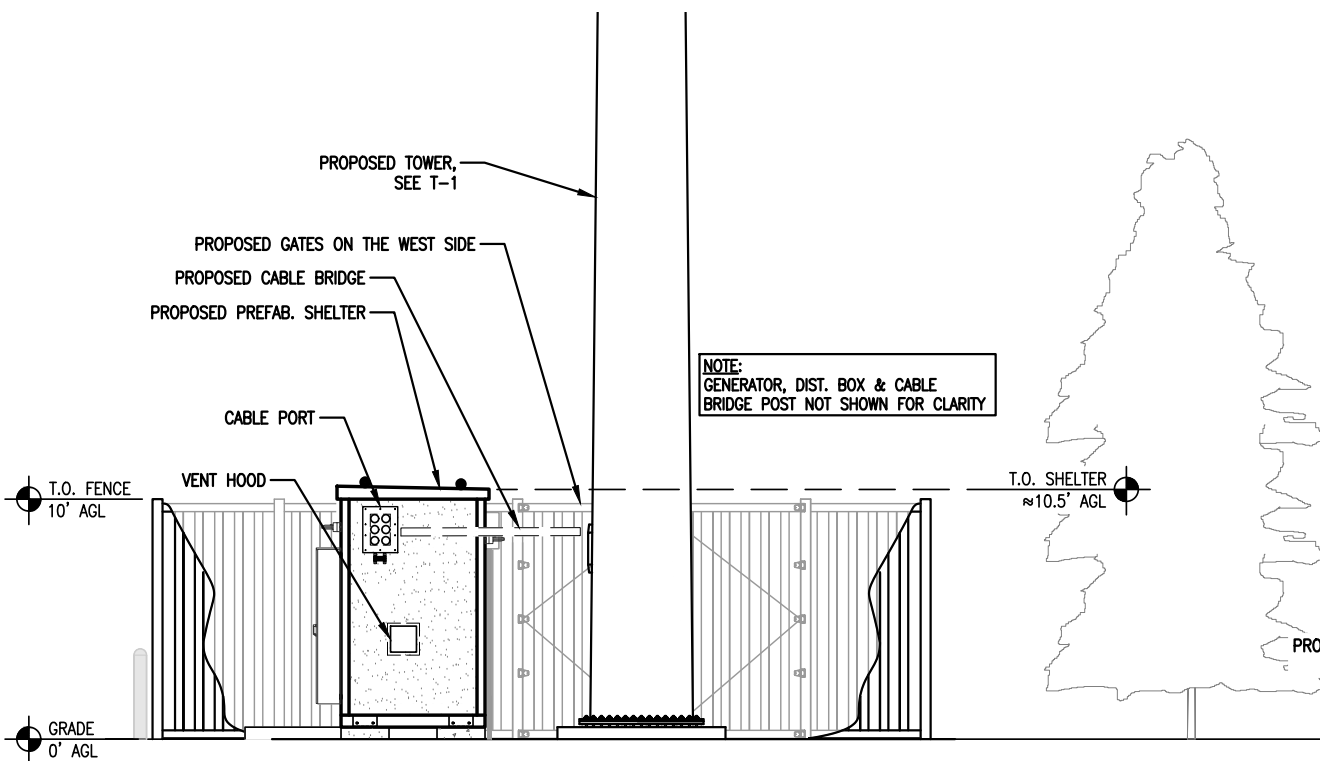
DRAWN BY: R.E.P.
DATE: 07-31-17
CHECKED BY: A.P.S.
REV. A 12-21-17
REV. B 01-30-18
REV. C 07-17-18
REV. D 07-26-18
REV. E 10-29-18



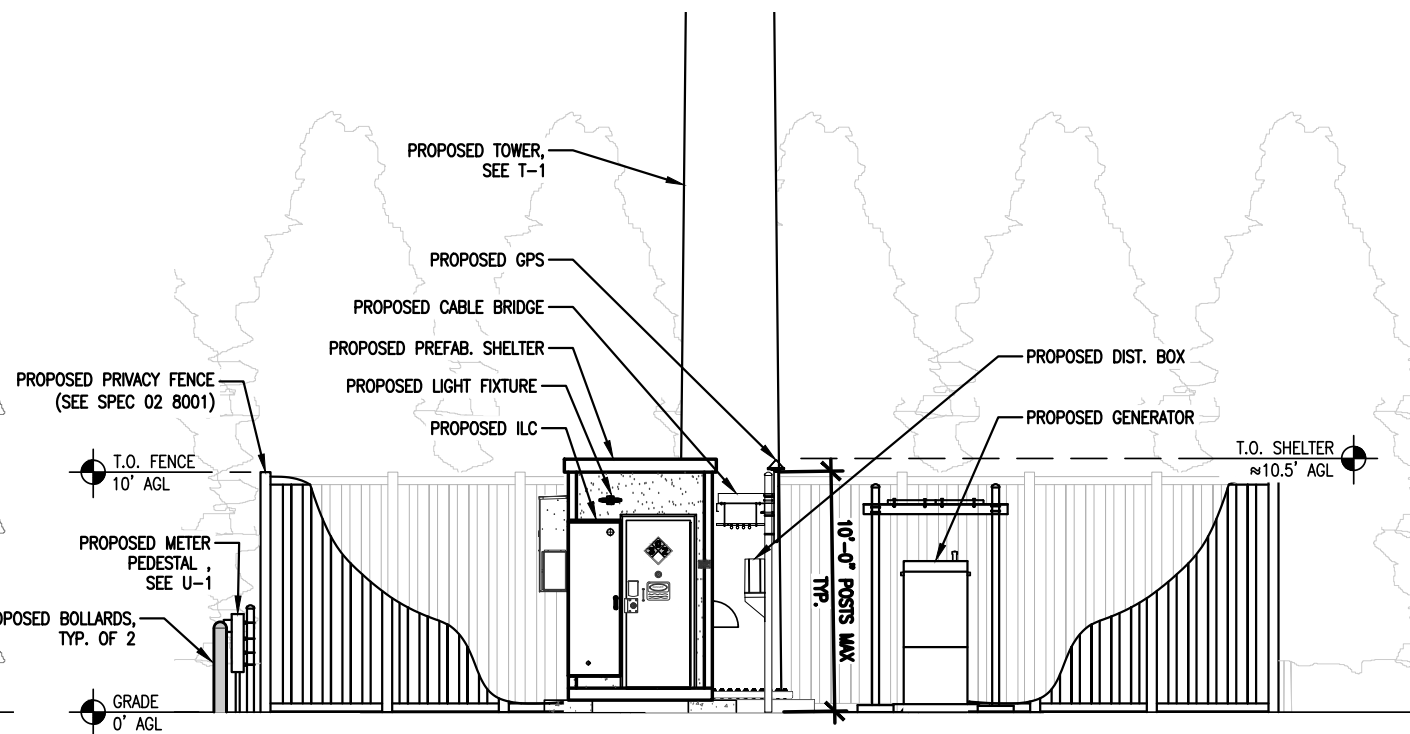
4 WEST ELEVATION
SCALE: 1/8" = 1'-0"



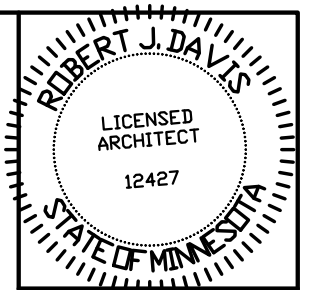
3 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



2 EAST ELEVATION
SCALE: 1/8" = 1'-0"



1 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota. ROBERT J. DAVIS, Reg. No. 12427

Signed: *Robert J. Davis*
Date: 07-26-18

DESIGN 1

9973 VALLEY VIEW RD.
EDEN PRAIRIE, MN 55344
(952) 903-9299
WWW.DESIGN1EP.COM

verizon

10801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
(612) 720-0052

PROJECT
20141070235
LOC. CODE: 297919

MIN MORIA

HWY 12
INDEPENDENCE, MN
55359

SHEET CONTENTS:
ELEVATIONS

DRAWN BY:	R.E.P.
DATE:	07-31-17
CHECKED BY:	A.P.S.
REV. A	12-21-17
REV. B	01-30-18
REV. C	07-17-18
REV. D	07-26-18
REV. E	10-29-18

A-5

GENERAL CONDITIONS

00 0001 PERMITS
Construction Permit shall be acquired by, or in the name of, Verizon Wireless, to be hereinafter referred to as the OWNER. Other permits shall be acquired by the Contractor.

00 0002 SURVEY FEES
Survey shall be furnished by the Architect. Layout Staking shall be coordinated with the Surveyor per "Request For Quote", (RFQ).

01 0010 INSURANCE & BONDS
Contractor is to furnish Insurance certificates for themselves and subcontractors. Contractor will provide any required Bonding. Contractor agrees to warranty the project for (1) one year after completion.

01 0400 SUPERVISION & COORDINATION
Contractor shall provide supervision throughout the Project, coordinating the work of the Subcontractors, and delivery & installation of Owner–furnished items. Contractor’s responsibilities include arranging & conducting of Underground Utilities Locates. Contractor shall comply with municipal, county, state and/or federal codes, including OSHA.

01 0600 TESTING
Contractor is responsible for providing Agencies with sufficient notice to arrange for Test Samples (i.e.: Concrete Cylinders), and for Special Inspections.

01 2000 MEETINGS
Contractor shall make themselves aware of, and attend, meetings with the Owner and/or Architect. Contractor is to attend a Pre–Construction Meeting of all parties involved, prior to the start of construction.

01 5100 TEMPORARY UTILITIES
Contractor shall maintain the job site in a clean and orderly fashion, providing temporary sanitary facilities, waste disposal, and security (fence area or trailer module).

01 5300 EQUIPMENT RENTAL
Contractor shall furnish equipment necessary to expedite work.

01 5900 FIELD OFFICES & SHEDS
Contractor shall provide security (fence area or trailer module) for tools and materials that remain overnight on site.

01 7000 CLEAN UP & CLOSE OUT
Contractor shall clean up the Site to the satisfaction of Owner. Contractor shall complete the items listed on the Owner’s Punch List, and shall sign and return the List to the Owner. Contractor shall maintain a set of drawings during the job, on which changes shall be noted in red ink. A full set of redlined drawings (As–Builts) are to be given to the Architect at Job completion and submit "construction work complete memo" to Construction Engineer.

01 8000 TRUCKS & MILEAGE
Contractor shall provide transportation for their own personnel.

01 8300 TRAVEL TIME & PER DIEM
Contractor shall provide room and board for their own personnel, and reasonable time for traveling to & from job site.

01 9200 TAXES
Contractor shall pay sales and/or use tax on materials and taxable services.

SITework

02 1000 SITE PREPARATION
Contractor is to mobilize within 7 calendar days of the Owner issuing a 'START' document. Contractor will immediately report to Architect if any environmental considerations arise. Site shall be scraped to a depth of 3" minimum to remove vegetative matter, and scrapings shall be stockpiled on site. Excess material to be disposed of in accordance with RFQ.

02 1100 ROAD IMPROVEMENT & CONSTRUCTION
Contractor shall furnish materials for, and install, a twelve foot (12') wide gravel roadway from the road access to the work area, for truck and crane access to site. Base course shall be 6" deep, 3"+ crushed rock, topped with 3" deep, 1½" crushed rock, topped with 3" deep MN Class 5 Aggregate, (3/4" minus with binder) or Driveway Mix. Contractor shall furnish & install culverts as necessary to prevent ponding or washing–out from normal surface runoff. Contractor shall obtain city, county, state and/or federal approvals for road approach and culvert work within or adjacent to right–of ways. Road shall be graded smooth, and edges dressed, at job completion.

02 2000 EARTHWORK & EXCAVATION
Excavation material shall be used for surface grading as necessary; excess to be stockpiled on site. Excess material to be disposed of in accordance with RFQ. For dewatering excavated areas, contractor shall utilize sock or sediment filter for filtering of water discharge.

02 5000 PAVING & SURFACING
Contractor shall protect existing paving elements (driveways, parking areas, etc.) not in the Scope of Work. Damage resulting from disregard of this Article shall be compensated and at a cost to be determined by Property Owner, Architect, and Owner.
Gravel paving shall be as described in 02 1100.

02 7800 POWER TO SITE
Contractor shall coordinate the electrical service to the building with the Utility Provider. Conduits shall include pull strings. Underground conduits shall be 2–1/2" Schedule 40 PVC. (schedule 80 PVC under roads and drives) Cable to be 3/0 THWN CU. Trenches shall be backfilled in a timely fashion, using a compactor, and including two (2) detectable ribbons; one each at 3" and 15" above conduit. Service shall be 200 amp, single phase, 120/240 volt. Service type shall be "General Time–Of–Day" if available, and meter base shall be approved by utility provider.

02 7900 TELCO TO SITE
Contractor shall provide 2" SDR–11 HDPE conduit for fiber conduit as noted on Drawings when directional boring is utilized. Contractor shall provide 2" schedule 40 PVC conduit and 2" schedule 80 PVC conduit under roadways with large–sweep elbows for fiber conduit as noted on Drawings when hand trenched. Trenches shall be as in 02 7800.

Contractor to provide and install handholes as noted in the Drawings. Additional handholes shall be provided and installed a maximum of 500 feet on center; at 90° bends if directional boring; and every third bend if hand trenched. Handholes size per Drawings and traffic–rated in roadways.

Contractor to provide and install Carlon expansion joint connections at shelter/platform location per manufacturer’s specifications and recommendations.

02 8000 SITE IMPROVEMENTS
Areas bounded by fence and adjacent to Equipment Shelter shall receive polyethylene geotextile, 200 mesh woven, topped with 3" deep 3/4" to 1 1/2" clean rock (no fines), raked smooth.

02 8001 FENCING
Proposed 10'–0" tall privacy Trex Fence in 'Seclusions', Composite Fencing, shadowbox configured with pyramid post caps, "Woodland Brown" color. Fence to be constructed per manufacturer’s recommended specifications. Fence/gate post installation set in 12"Ø concrete to frost depth, per sheet A–1. Fence to be constructed by manufactures recommended specifications by Town & Country Fence; Address: 8511 Xylon Avenue, Brooklyn Park, MN 55445
Phone#: (763) 425–9006 Email: info@tcfence.com.

Fences gates are to provide "hold open" and latch operable from both sides of gates to ensure egress and prevent unintentional detainment. All latches shall be lockable & compatible with Verizon supplied Combination style padlock with extended shackle. Fence enclosures shall be completed within 7 days of tower erecting.

02 8500 IRRIGATION SYSTEMS
Contractor shall provide temporary irrigation of new trees, shrubs, and sod, to be maintained so it survives 1 year after planting.

02 9000 LANDSCAPING
Contractor shall protect existing landscape elements that are not in the Scope of Work. Reasonable precautions shall be taken to assure the health of existing trees and shrubbery. If conflicts arise regarding the location of root systems, branch lines, etc., the Architect must be contacted prior to performing Work that may cause damage. Damage resulting from disregard of this Article shall be compensated by the Responsible Party and at a cost to be determined by the Property Owner, Architect, and Owner. Contractor shall furnish and install new trees as noted in the Drawings. Watering shall be as described in 02 8500.

CONCRETE

03 1000 CONCRETE FORMWORK
Concrete forms shall be dimension lumber, modular, or steel.

03 8001 CATHODIC PROTECTION
N/A

03 9000 EQUIPMENT SHELTER/GENERATOR FOUNDATION
Contractor shall furnish & install materials for Equipment Shelter/Generator foundation. Concrete shall be 6% ±1% air entrained, and 4,000 psi at 28 days. All reinforcing steel is to be Grade 60 (ASTM 615). Anchor bolts are furnished by Contractor. Contractor shall comply with the Owner’s Standard CONSTRUCTION SPECIFICATIONS MINIMUM CONCRETE STANDARDS.

MASONRY

N/A

METALS

05 0000 METALS
Contractor will furnish and install structural and fabricated steel items not specifically furnished by Owner, and install Owner–furnished items. Welding shall conform to AWS standards. Miscellaneous iron and steel, shall be hot dipped galvanized per ASTM A123 thickness grade 55. Fabricated iron and steel hardware shall be hot dipped galvanized per ASTM A153. Repair of damaged or uncoated galvanized surfaces shall be per ASTM A780.

WOOD & PLASTICS

N/A

THERMAL & MOISTURE

N/A

DOORS AND HARDWARE

N/A

FINISHES

09 9000 PAINTING
N/A

SPECIAL CONSTRUCTION

13 1260 CABLE BRIDGE & ICE SHIELDS
Contractor shall furnish & install materials for the Cable Bridge as indicated on the drawings and Verizon Wireless Standard Details.

Contractor shall furnish & install materials for the Shelter & Generator Ice Shields as indicated on the Drawings & Verizon Wireless Standard Details.

13 1400 ANTENNA INSTALL
Contractor shall install Owner’s antennas and feed lines during erecting. Contractor shall test and certify feed lines per current VZW standards.

13 3423 TRANSPORT AND SET EQUIPMENT SHELTER/GENERATOR
Contractor shall provide crane(s) and/or truck for transporting, setting and erecting Equipment Shelter/Generator per RFQ. Contractor shall install items shipped loose with the Equipment Shelter/Generator including, but not limited to, the following: anchoring plates; exterior lighting; and buss bar.

13 3613 TRANSPORT AND ERECT TOWER/ANTENNA MOUNTS
Contractor shall schedule delivery of Owner–furnished Tower, and provide cranes for unloading and erecting. Contractor to install antenna mounts. Contractor shall ensure the existence of a 3/8" cable safety climb (DBI/Sala or equal) on the Tower.

MECHANICAL

15 4000 PLUMBING
N/A

15 5000 HVAC
N/A

ELECTRIC

16 5000 LIGHTING AND ELECTRICAL
Contractor shall provide labor and materials as necessary to complete the work shown on Drawings including items shipped loose with the Equipment Shelter/Generator assembly.

16 6000 GROUNDING
Contractor shall make themselves familiar with and follow the current GROUNDING STANDARDS of VERIZON WIRELESS. Contractor shall perform work as shown on Grounding Plans. Any site–specific grounding issues not covered by the GROUNDING STANDARD are to be addressed by the Contractor to the Owner.

OWNER–FURNISHED EQUIPMENT & FEES

EQUIPMENT SHELTER (10' GRIP STRUT)
GENERATOR
MONOPOLE TOWER
ANTENNA FRAMES
COAX AND/OR CABLES
ANTENNAS & DOWNTILT BRACKETS
GPS
BUILDING PERMIT FEES
MATERIALS TESTING FEES
SPECIAL INSPECTIONS FEES

CONTRACTOR–FURNISHED EQUIPMENT

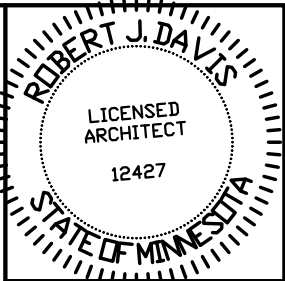
POWER TO SITE
TELCO TO SITE
CABLE BRIDGE & ICE SHIELDS (POSTS, ANGLE, HARDWARE, ETC.)
GPS MOUNTING
GROUNDING MATERIALS
FENCING
TREES
CONNECTORS, BOOTS, & RELATED HARDWARE

SCOPE OF WORK:

CONTRACTOR SHALL PROVIDE MATERIALS, LABOR, TOOLS, TRANSPORTATION, SUPERVISION, ETC. TO FULLY EXECUTE WORK. WORK REQUIREMENTS ARE DETAILED ON THE DRAWINGS AND SPECIFICATIONS AND SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING ITEMS:

SITE PREPARATION
SITE WORK & DRIVEWAY CONSTRUCTION
EQUIPMENT SHELTER, GENERATOR, & TOWER FOUNDATIONS
SET EQUIPMENT SHELTER, SET GENERATOR, & ERECT TOWER
ROUTING OF GROUND, POWER, FIBER & ALARM
SITE GROUNDING
ELECTRICAL & TELEPHONE SERVICES
INSTALL ANTENNAS & CABLES
CABLE BRIDGE & ICE SHIELDS
GRAVEL SURFACING & FENCING
PLANT TREES

Contractor to compare drawings against Owner’s "Request for Quote", (RFQ). If discrepancies arise, Contractor shall verify with Owner that the RFQ supersedes the drawings.



I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota. ROBERT J. DAVIS, Reg. No. 12427

Signed: *Robert J. Davis*

07-26-18
Date:



9973 VALLEY VIEW RD.
EDEN PRAIRIE, MN 55344
(952) 903-9299
WWW.DESIGN1EP.COM



10801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
(612) 720-0052

PROJECT
20141070235
LOC. CODE: 297919

MIN MORIA

HWY 12
INDEPENDENCE, MN
55359

SHEET CONTENTS:
OUTLINE SPECIFICATIONS

DRAWN BY:	R.E.P.
DATE:	07-31-17
CHECKED BY:	A.P.S.
REV. A	12-21-17
REV. B	01-30-18
REV. C	07-17-18
REV. D	07-26-18
REV. E	10-29-18

GENERAL GROUNDING NOTES:

An external buried ground ring (Lead 1) shall be established around the equipment shelter and tower foundations. Lead 1 shall be kept 24" from foundations; if foundations are less than 48" apart, keep Lead 1 centered between them. If the tower base is over 20'-0" from the equipment shelter, a separate Lead 1 shall be established around each foundation, and the two Lead 1s shall be bonded with two parallel leads at least 6 feet apart horizontally. Connections between the two Lead 1s shall be bi-directional.

All subgrade connections shall be by exothermic weld, brazed weld, or gas-tight UL467-listed compression fittings pre-filled with anti-oxidant compound. Subgrade connections shall not be 'cold galvanize' coated.

Lead 1 shall be #2 solid bare tin-clad (SBTC) copper wire buried at local frost depth. Lead 1 bends shall be minimum 24" radius. 'Whip' lead bends may be of 12" radius.

Ground rods shall be galvanized steel, 5/8"Ø, spaced twenty feet apart, or as shown. Rods shall be kept min. 24 inches from foundations. Ground rods are required to be installed at their full specified length. Depth shall be as shown in Detail 11.1 in the Verizon Wireless Standard Detail Booklet.

SPECIAL CONSIDERATIONS FOR GROUND RODS:

When ground rods are not specified to be backfilled w/ Bentonite Slurry: If boulders, bedrock, or other obstructions prevent driving of ground rods, the Contractor will need to have drilling equipment bore a hole for ground rod placement. Hole to be backfilled w/ Bentonite Slurry.

When specified with slurried Bentonite encasement, drilling equipment will be need to be used to be bore a hole for ground rod placement. Slurry shall be made from pelletized material ("Grounding Gravel"); powdered Bentonite is not allowed. If boulders, bedrock, or other obstructions are found, Contractor shall drill to the specified depth and provide Bentonite encasements.

Above-grade connections shall be by lugs w/ two-hole tongues unless noted otherwise, joined to solid leads by welding (*T&B 54856BE "BROWN"*), self-threading (*RECOGNIZED, EM 2522DH.75.312*), or 10,000psi crimping (*BURNDY YA3C 2TC 14E2*). Surfaces that are galvanized or coated shall have coating(s) removed prior to bolting. Bolts shall be stainless steel with flat washers on each side of the connection and a lock washer beneath the fastening nut. Star-tooth washers shall be used between lug & dissimilar metal (copper-to-steel, etc) but are not required between tin-clad CU lugs & tin-clad CU bus bars. Lug tongues shall be coated with anti-oxidant compound, and excess compound wiped clean after bolting. The connection shall then be coated with cold-galvanizing compound, or with color-matching paint.

Ground bars exposed to weather shall be tin-clad copper, and shall be clean of any oxidation prior to lug bolting.

Galvanized items shall have zinc removed within 1" of weld area, and below lug surface contact area. After welding or bolting, the joint shall be coated with cold galvanizing compound.

Ground Bar leads

Ground bars are isolated electrically from tower bottoms and equipment shelters by their standoff mounts. Leads from each ground bar to the ground ring shall be a pair of #2 SBTC, each connected to Lead 1 bi-directionally with #2 SBTC 'jumpers'. Pairs of #2 SBTC may be required between ground bars. Leads shall be routed to ground bars as follows:

- * The Main Ground Bar (MGB), typically mounted inside on the equipment shelter 'back' wall; or mounted to the equipment platform steel beam (location varies).
- * The Port Ground Bars (PGB), mounted inside and outside on the equipment shelter walls beneath the transmission line port. Note: Transmission line grounds also attach to the PGBs.
- * The Tower Ground Bar (TGB) mounted at the base of the tower. Note: Transmission line grounds also attach to the TGBs.

NOTE: Contractor shall confirm that TGBs exist at 75-foot vertical intervals on any guyed or self-support tower, and that transmission lines are grounded to each TGB. Only the bottom-most TGB is isolated from the tower steel frame; upper TGBs may use the tower steel frame as common ground, requiring no copper leads between TGBs.

#2 SBTC Whip leads

"Whip" leads shall connect the buried external ground ring to the following items:

Monopole Towers:

- * Three whips to flanges on the monopole base, at least 90° apart. If none are provided, attach to the baseplate or consult tower manufacturer.

Self-Support Towers:

- * Two whips to flange(s) on each tower leg base. If none are provided, attach to the baseplate or consult tower manufacturer.

Guyed Towers:

- * Two whips to flange(s) on the tower base. If none are provided, attach to the baseplate or consult tower manufacturer.
- * Establish a Lead 1 within the fence enclosure of each guy anchor, at least 40 foot perimeter and having 4 ground rods.
- * #2 SBTC leads shall extend up, and be clamped (bronze clamshell or equal), to any two guy wires. NEVER weld leads to the guy wires. The lead to the guy anchor 'hand' plate may be welded.

Fences:

Metallic fence within 25 feet of tower Lead 1, or within 6 feet of shelter lead 1, shall have whip leads as follows:

- * Each corner post.
- * Each pair of gate posts.
- * Any line post over 20'-0" from a grounded post.
- * Each gate leaf to its respective gatepost using braided strap (3/4", tin-clad copper w/ lug ends).
- * Fences around guy anchors shall be grounded in similar fashion.

Fuel tanks:

NEVER WELD to any fuel enclosure. NEVER penetrate the fuel containment. Metal tanks shall have one whip lead attached. Use an approved clamp or two-hole lug on an available flange.

Equipment Shelter/Platform and Other General Requirements (including but not limited to):

- Extend new Lead 21B up to shelter halo, remaking two-way connections as needed. Generator-equipped shelters have 6 such connections. Connections within the shelter shall be by compression; NEVER weld inside the shelter.
- Each vertical support pipe of the exterior cable bridge. Bridge end shall be kept at least 6" from the tower structure. The cable bridge shall be jumpered to the vertical support pipes with #2 SBTC at each vertical support pipe.
- Opposite corners of the steel equipment platform.
- Opposite corners of the roof shield over the equipment shelter.
- Each HVAC unit shield, if separate (may be 'jumpered' to main roof shield).
- Each HVAC package unit.
- Commercial electric meter box.
- Generator receptacle, if present.
- Steel building skid, if shelter is metal frame.
- Each air intake or exhaust fan vent louver.
- Each generator vent hood or louver.
- Generator exhaust stack, external.
- Opposite corners of generator support frame, if separate from shelter.
- Generator fuel tank, if separate from generator unit.
- Host building rain gutter, downspouts, and roof flashings within 25 feet.
- Telco MPOP (Main Point of Presence), if external to equipment shelter.
- Within cable vaults, one each to the ladder and to the manhole rim.

Note: The door frame is connected to the interior ground halo, and need no separate connection to the external ground ring.

Inspection & Testing

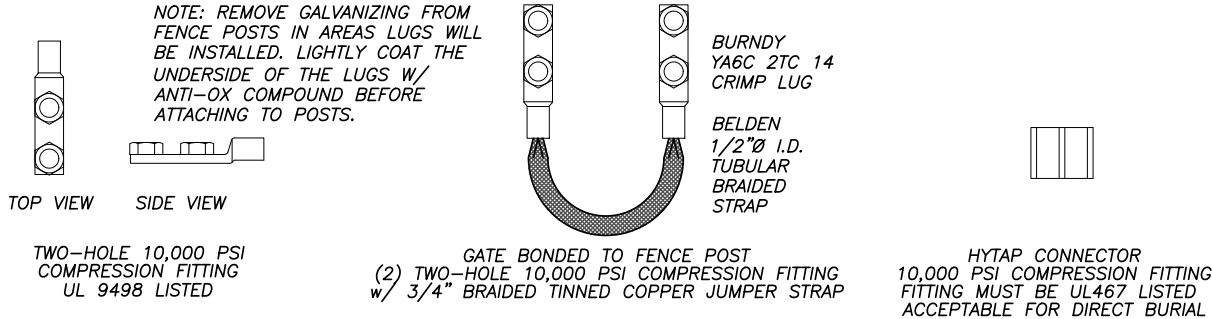
Test lead #1 and ground rods after installation but before backfilling or connecting to any other grounding, using the 3-point fall of potential method. Contractor to notify Verizon Wireless senior construction engineer at least 48 hours prior to testing. Document installation and test results with photographs.

SYMBOL AND NOTE LEGEND

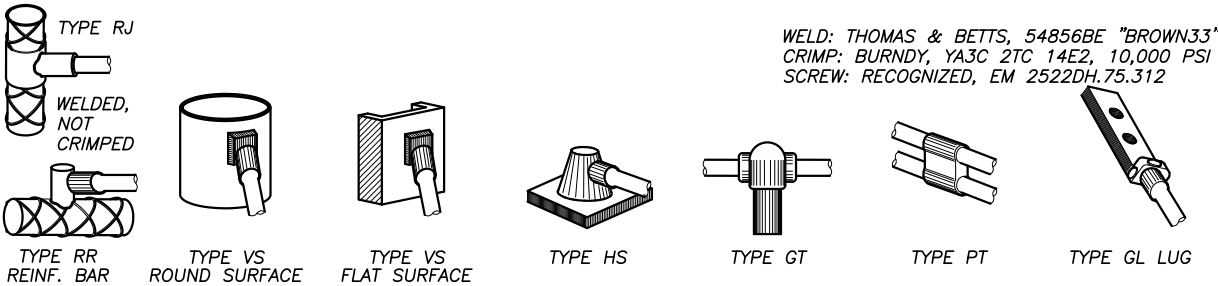
	#2 SBTC AROUND SHELTER/PLATFORM, TOWER, OR GUY ANCHOR
	5/8" X 10'-0" GALVANIZED STEEL GROUND ROD
	TEST WELL PREFERRED LOCATION
	#2 SBTC 'WHIP' LEAD
	(2) #2 SBTC FROM MGB, PGB, OR TGB TO LEAD 1
	AC HVAC UNIT
	BUILDING CORNER
	BOLLARD
	CABLE BRIDGE SUPPORT POST
	CAMLOK
	ELECTRICAL SERVICE GROUND
	COMMERCIAL ELECTRICAL METER
	GUY ANCHOR PLATE
	FENCE POST
	GENERATOR
	GATE POST, 3/4" BRAID STRAP TO LEAF
	GPS UNIT
	GUY WIRE, MECH. CLAMP ONLY - NO WELDS
	HOOD OR LOUVER
	OUTSIDE OF HOFFMAN BOX
	INTEGRATED LOAD CENTER
	MAIN GROUND BAR
	GENERATOR MUFFLER
	PORT GROUND BAR
	FOUNDATION REINFORCING
	ROOF SHIELD
	STEEL BEAM
	STEEL POST
	STEEL PLATFORM
	HOFFMAN BOX
	TOWER GROUND BAR
	TOWER BASE
	DIESEL FUEL VENT PIPE

Note:

Contractor to provide #2 solid bare tin-clad (SBTC) copper wire lead from #1 ground ring to air conditioner & ice shield if provided by VZW.



2 COMPRESSION CONNECTOR DETAILS
SCALE: NTS

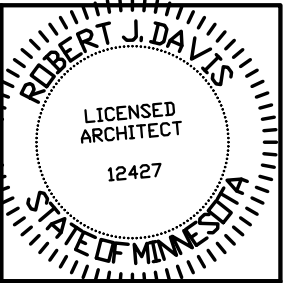


1 EXOTHERMIC WELD DETAILS
SCALE: NTS

LEAD IDENTIFICATION & DESCRIPTION:

1	RING, EXTERNAL BURIED w/ RODS	#2 SBTC
1A	RING, CONCRETE ENCASED	#2 SBTC
2	DEEP ANODE (TO IMPROVE OHMS)	ROD OR PIPE
3	RING TO BLDG STL FRAME	#2 SBTC
4	MAIN AC PANEL NEUTRAL BUS TO (2) GROUND RODS, ISOLATED FROM LEAD #1	NEC 250.66
5	RING TO GROUND BAR	(2) #2 SBTC
6	RING TO EXT MTL OBJECT	#2 SBTC
7	DEEP ANODE TO MGB	NSTD33-9
8	AC PANEL TO WATER METER	NEC 250.66
9	EXT WATER TO INT WATER PIPES	NSTD33-9
10	INT WATER PIPE TO MGB	NSTD33-9
11-12	NOT USED	
13	AC PANEL TO MGB	NSTD33-9
14	MGB/FGB TO BLDG STL FRAME	#2/0 I-STR
14C	MGB/FGB TO ROOF/WALL MTL PNL	#1/0 I-STR
15	MGB/FGB TO FGB-HE SAME FLOOR	#2/0 I-STR
16	NOT USED	
16A	ECPGB TO CABLE ENTRY RACK	#1/0 I-STR
17	MGB TO CABLE SHIELDING	#6 I-STR
17A	ECPGB TO CABLE SHIELDING	#6 I-STR
17B	MGB/FGB TO F-O SPLICE SHELF	#1 I-STR
18	LOWEST MGB/FGB TO HIGHEST FGB	#2/0 I-STR
19	LEAD 18 TO OTHER FGBs, <6'	#2/0 I-STR
20	MGB/FGB TO BRANCH AC PNL	#6 I-STR
20A	NEAREST GRND TO DISCONNECT PNL	NEC 250.66
20B	GWB TO AC DISTR PNL	#6 I-STR
21	MGB/FGB TO INT HALO	#2 I-STR
21A	INTERIOR 'GREEN' HALO	#2 I-STR
21B	INT HALO TO EXT RING	#2 SBTC
21C	INT HALO TO EQUIPMENT MTL	#6 I-STR
22	ROOF TOWER RING TO ROOF GRND	NFPA 780
23	MGB/FGB TO ECPGB, SAME FLOOR	#1 I-STR
23A	MGB/FGB TO CXR-HF LINR PROT	#6 I-STR
24	ECPGB TO EACH PROTECTOR ASSEMBLY	#6 I-STR
24A	LOWER PROT ASSY TO UPPER	#6 I-STR

25	RING TO NEAREST LIGHTNING ROD	#2 SBTC
26	LGHTNG ROD SYS TO NEARBY MTL	NFPA 780
27	RING TO TOWER RING	(2) #2 SBTC
28	RING TO SHELTER RING	(2) #2 SBTC
29	BRANCH AC PNL TO BTTY CHG FRM	NSTD33-11
30	BRANCH AC PNL TO OUTLETS	NSTD33-11
31	MGB/FGB TO PWR, BTTY FRAMES	#2/0 I-STR
32	#31 TO BATTERY CHARGER FRAME	#6 I-STR
33	#31 TO BATTERY RACK FRAME	#6 I-STR
34	#31 TO PCU FRAME	#6 I-STR
35	#31 TO DSU FRAME	#6 I-STR
36	#31 TO PDU FRAME	#6 I-STR
37	MGB/FGB TO BTTY RETURN	NSTD33-14.5
37A	MGB/FGB TO RTN TERM CARR SUPP	#6 I-STR
38	FGB TO PDU GB	#750MCM I-STR
38A	FGB TO PDU GB CARRIER SUPPLY	#2/0 I-STR
39	DC BUS DUCT TO NEXT SECTION	#6 I-STR
40	DC BUS DUCT TO MGB/FGB	#6 I-STR
41A	MGB/FGB TO #58	#2/0 I-STR
42-44	NOT USED	
45	MAIN AC PNL TO BRANCH AC PNL	NSTD33-11
46	BRANCH AC PNL TO DED OUTLET	NSTD33-11
47	FGB TO INTEG FRM	#2 I-STR
48	LEAD #31 TO INTEG FRM	#6 I-STR
49	INTEG FRM TO EQUIP SHELF	BY FASTENERS
50	PDU BTTY RET TO #51	#2/0 I-STR
51	#50 TO TRANS FRM ISO DC PWR	#6 I-STR
52	TRANS FRM FUSE TO FRM OR BAR	#8 I-STR
53A	MGB/FGB TO PDF/BDFB	NSTD33-22
54	MGB/FGB TO STATIC DEVICES	#6 I-STR
55	MGB/FGB TO CABLE AT ENTRY	#6 I-STR
56	MGB/FGB TO AC PWR RADIO XMTR	#6 I-STR
57A	MGB/FGB TO CBL GRID/RUNWAY	#2/0 I-STR
58A	#41A TO AISLE FRAME	#2 I-STR
59A	#58A TO EACH SGL FRAME GRND	#6 I-STR
60-89	NOT USED	
90	GENERATOR FRAME TO EXT RING	#2 SBTC



I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota. ROBERT J. DAVIS, Reg. No. 12427

Signed:
07-26-18
Date:



9973 VALLEY VIEW RD.
EDEN PRAIRIE, MN 55344
(952) 903-9299
WWW.DESIGN1EP.COM



10801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
(612) 720-0052

PROJECT
20141070235
LOC. CODE: 297919

MIN MORIA

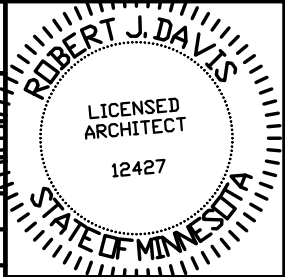
HWY 12
INDEPENDENCE, MN
55359

SHEET CONTENTS:
GROUNDING NOTES

DRAWN BY:	R.E.P.
DATE:	07-31-17
CHECKED BY:	A.P.S.
REV. A	12-21-17
REV. B	01-30-18
REV. C	07-17-18
REV. D	07-26-18
REV. E	10-29-18

G-1

GROUNDING DETAIL INDEX	
DETAIL	DETAIL DESCRIPTION
SHELTER	6' X 6' SHELTER GROUNDING ELEVATIONS
11.1	TEST WELL DETAIL, GROUND RING & ROD DETAIL
11.2	SHELTER HALO DETAIL
11.3	REBAR GROUNDING DETAIL
11.4	CONDUIT DETAIL
11.5	TYPICAL GROUNDING CABLE BRIDGE DETAIL
11.6	TYPICAL TOWER GROUNDING DETAIL



I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.
ROBERT J. DAVIS, Reg. No. 12427

Robert J. Davis
Signed: _____
07-26-18
Date: _____

DESIGN1

9973 VALLEY VIEW RD.
EDEN PRAIRIE, MN 55344
(952) 903-9299
WWW.DESIGN1EP.COM

verizon

10801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
(612) 720-0052

PROJECT
20141070235
LOC. CODE: 297919

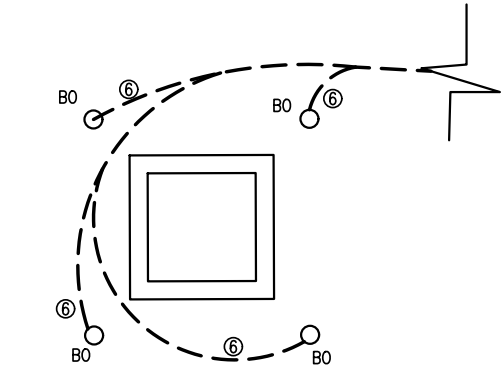
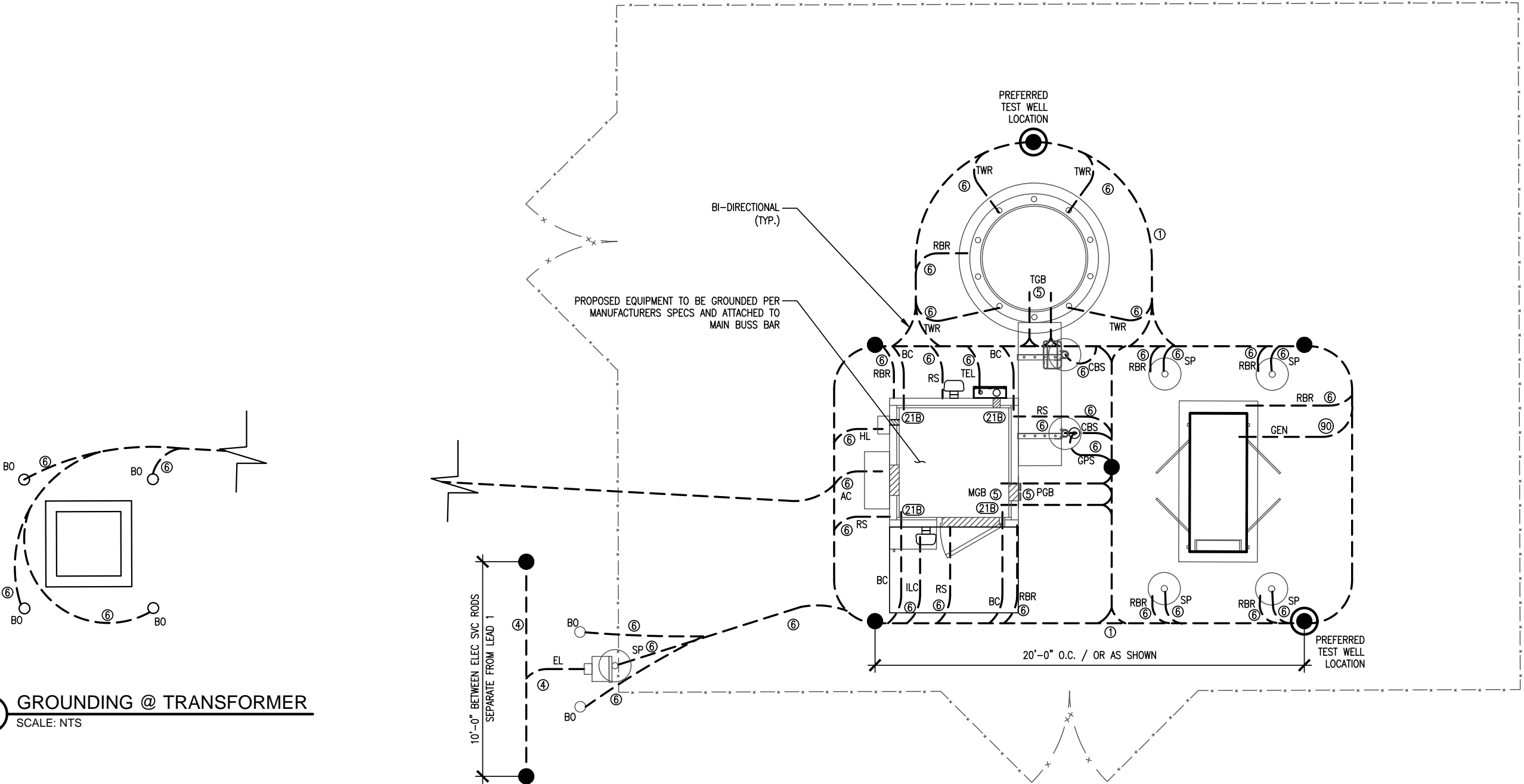
MIN MORIA

HWY 12
INDEPENDENCE, MN
55359

SHEET CONTENTS:
GROUNDING PLAN
GROUNDING DETAIL INDEX

DRAWN BY:	R.E.P.
DATE:	07-31-17
CHECKED BY:	A.P.S.
REV. A	12-21-17
REV. B	01-30-18
REV. C	07-17-18
REV. D	07-26-18
REV. E	10-29-18

G-2

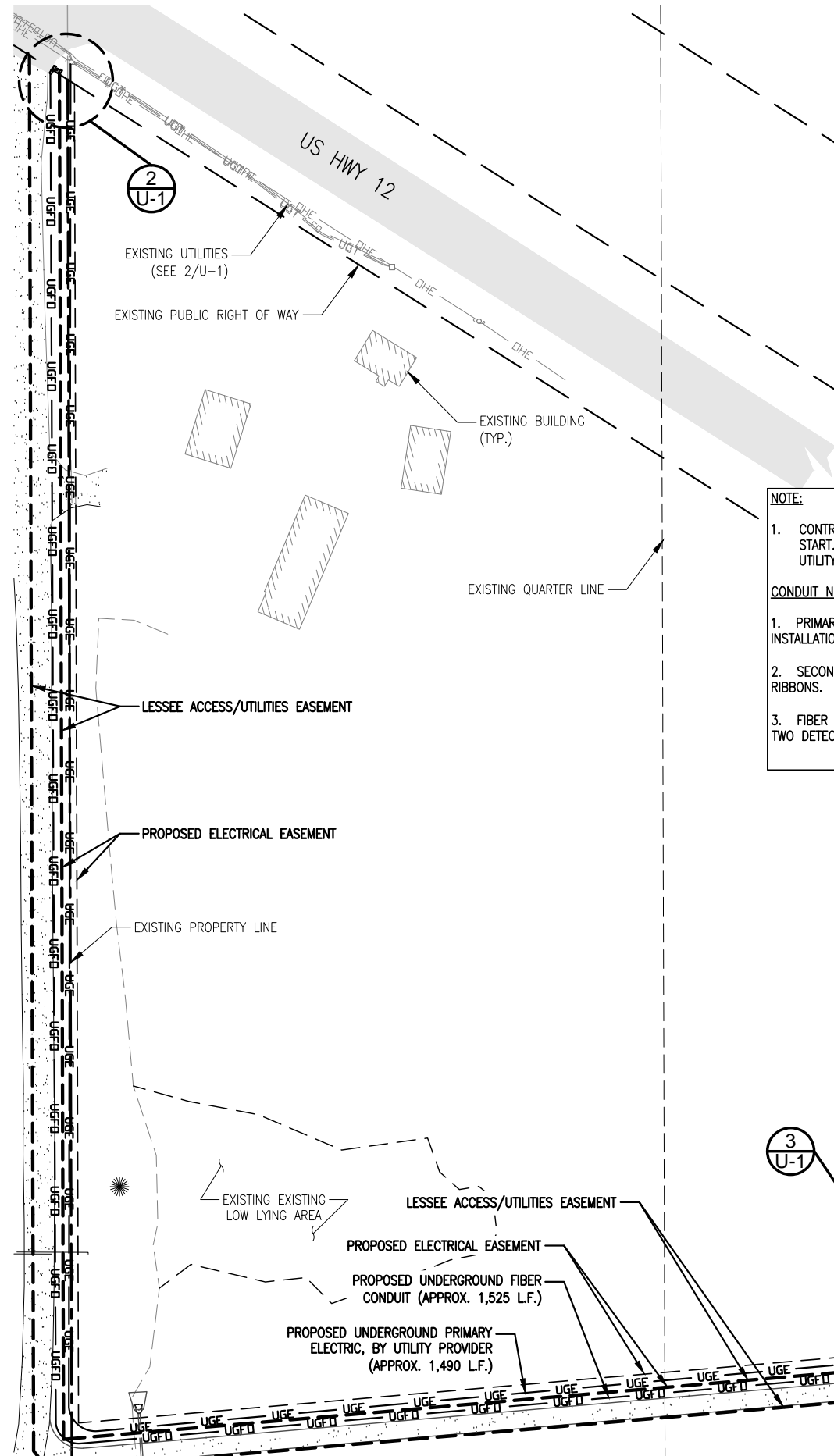


2 GROUNDING @ TRANSFORMER
SCALE: NTS

NOTE:
CONTRACTOR SHALL ENSURE THAT EACH WHIP IS ROUTED TO LEAD 1 BY THE SHORTEST PATH, AND BENDS SHALL NOT BE LESS THAN 12" RADIUS

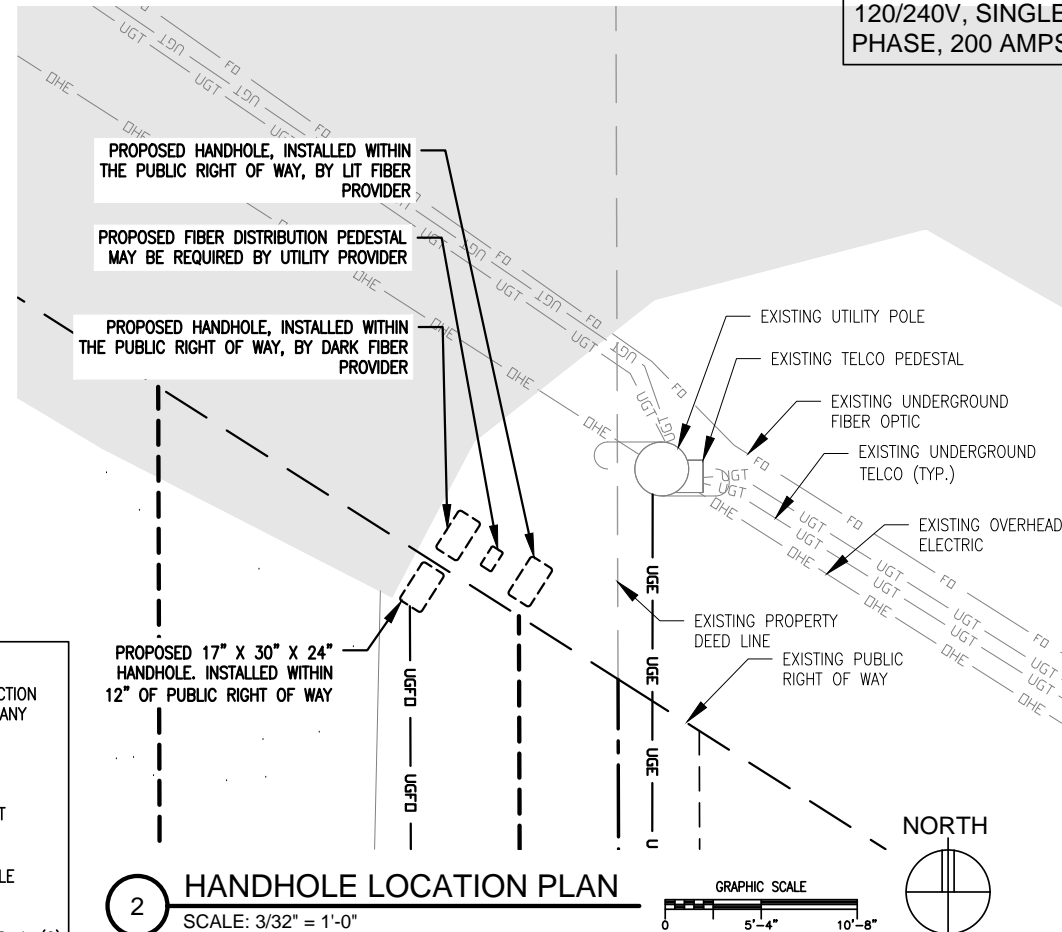
1 GROUNDING PLAN
SCALE: NTS



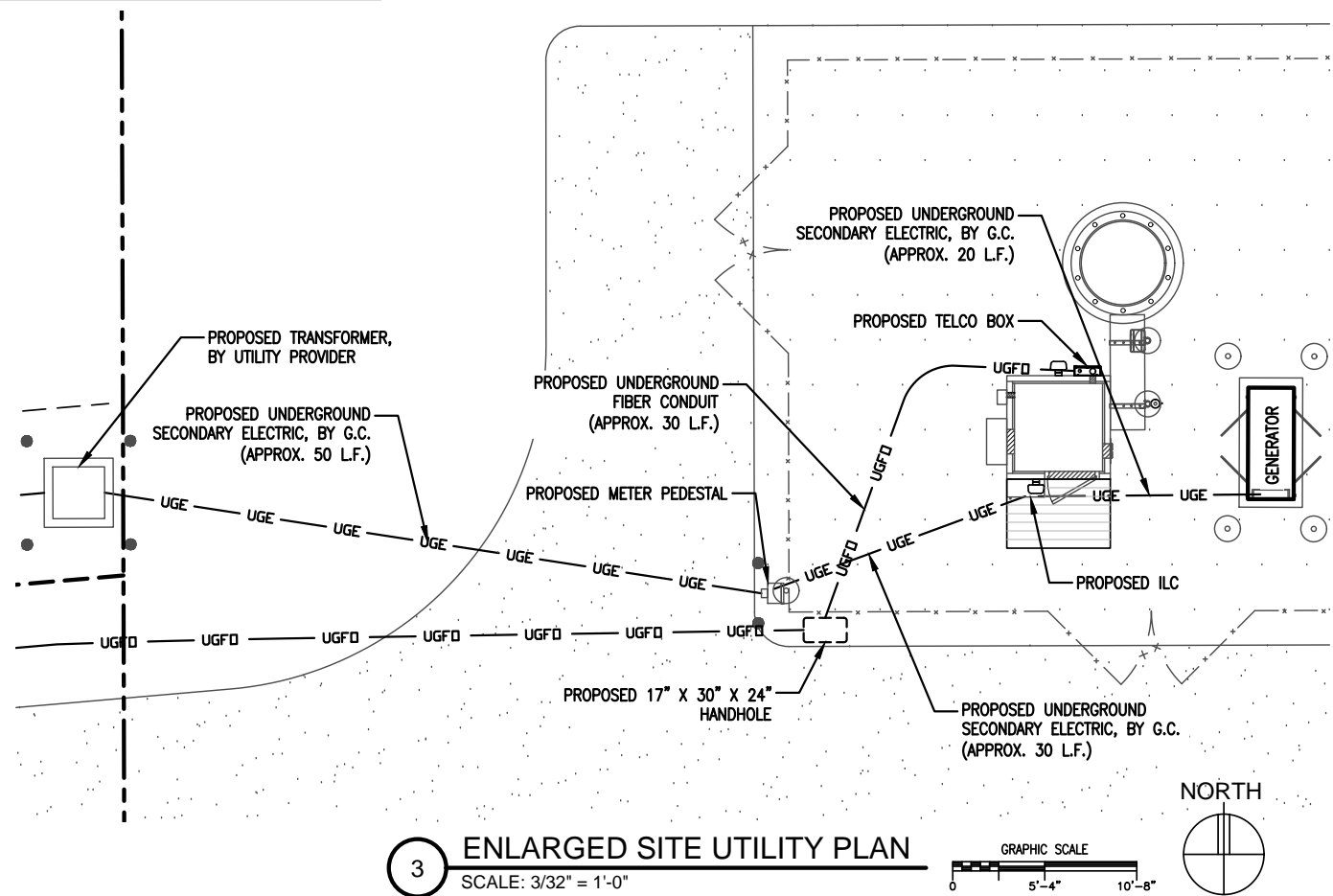


1 SITE UTILITY PLAN
SCALE: 1" = 100'-0"

- NOTE:**
1. CONTRACTOR TO COORDINATE PUBLIC AND PRIVATE UTILITY LOCATES PRIOR TO CONSTRUCTION START. NOTIFY THE ARCHITECT AND THE VZW CONSTRUCTION ENGINEER IMMEDIATELY OF ANY UTILITY LINE ISSUES.
- CONDUIT NOTES:**
1. PRIMARY ELECTRIC - SPECIFICATION & INSTALLATION BY POWER UTILITY PROVIDER, POST INSTALLATION RESTORATION BY CONTRACTOR.
 2. SECONDARY ELECTRICAL - INSTALL CONDUIT 32" BELOW GRADE WITH (2) TWO DETECTABLE RIBBONS.
 3. FIBER OPTIC - INSTALL CONDUIT 42" BELOW GRADE WITH PULL STRING, TRACEABLE WIRE, & (2) TWO DETECTABLE RIBBONS

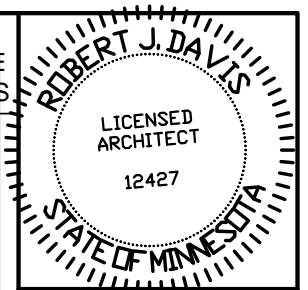


2 HANDHOLE LOCATION PLAN
SCALE: 3/32" = 1'-0"



3 ENLARGED SITE UTILITY PLAN
SCALE: 3/32" = 1'-0"

POWER TYPE:
120/240V, SINGLE
PHASE, 200 AMPS



I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota. ROBERT J. DAVIS, Reg. No. 12427

Signed: *Robert J. Davis*
Date: 07-26-18

DESIGN 1
9973 VALLEY VIEW RD.
EDEN PRAIRIE, MN 55344
(952) 903-9299
WWW.DESIGN1EP.COM

verizon
10801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
(612) 720-0052

PROJECT
20141070235
LOC. CODE: 297919

MIN MORIA

HWY 12
INDEPENDENCE, MN
55359

SHEET CONTENTS:
SITE UTILITY PLANS
HANDHOLE LOCATION PLAN

DRAWN BY:	R.E.P.
DATE:	07-31-17
CHECKED BY:	A.P.S.
REV. A	12-21-17
REV. B	01-30-18
REV. C	07-17-18
REV. D	07-26-18
REV. E	10-29-18

U-1

SITE SURVEY

PROPERTY DESCRIPTION: (per U.S. Title Solutions File No. 57894–MN1708–5030, effective date August 8, 2017.)

That part of the West 1/2 of the Southeast 1/ 4 of Section 22, Township 118, Range 24, described as follows: Beginning at the Southeast corner of the West 1/2 of the Southeast 1/4 of Section 22, Township 118, North Range 24 West of the 5th Principal Meridian; thence west on the South line of said Section 24 rods: thence north on a line parallel with the East line of said Section 22 to the south line of the right of way of the Great Northern Railway; thence Southeasterly along said South line of the Great Northern Railway to the line between the East 1/2 of the West 1/2 of said Southeast 1/4 of said Section 22: thence South on a line between the East 1/2 and the West 1/2 of said Section 22, Township 118, Range 24, to the point of beginning, less that deeded to the State of Minnesota for highway purposes, Hennepin County.

AND

That part of the East 1/2 of the Southeast 1/ 4 of Section 22, Township 118, Range 24 described as follows: Beginning at the Southwest corner of the East 1/2 of the Southeast 1/4 of Section 22, Township 118, Range 24, thence East 25 rods and 6 links; thence North to the South line of the Great Northern Railway right of way; thence in a Westerly direction along said right of way to the West line of the East 1/2 of the Southeast 1/4; thence South to the point of beginning. Except that portion taken by the State of Minnesota for road purposes, Hennepin County, Minnesota.

AND

Commencing at the Southwest corner of the Southeast Quarter (SE 1/4); thence North to a point 57 and 3/4 rods South from Northwest corner thereof; thence Southeasterly parallel with railroad right–of–way, a distance of 32 rods; thence North to the Southerly line of said right–of–way; thence Southeasterly along said right–of–way line to a point 56 rods East from West line of Southeast Quarter (SE 1/4); thence South to South line thereof; thence West to beginning, except road, all in Section Twenty–two (22), Township One Hundred eighteen (118), Range Twenty–four (24).

SCHEDULE "B" EXHIBITS: (per U.S. Title Solutions File No. 57894–MN1708–5030, effective date August 8, 2017.)

1–5.) Not related to the survey.

6.) Declaration of Restrictions for Impacted Wetland under Agricultural Exemption by The Christian and Missionary Alliance, a Colorado Corporation (formerly a New York Corporation) dated as of 2/7/1996 recorded 2/15/1996 in Instrument No. 6539172.

This document states restrictions for a 0.56 acre impacted wetland in the S 1/2 of Sec. 22, Twp. 118 N, Rng. 24 W. No specific description was provided in this document. The restrictions expired on August 31, 2005. This document is not shown on the survey.

7.) Highway Easement by Gust T. Larson and Christina Larson to State of Minnesota, dated 8/17/1927 recorded 12/20/1927 in Instrument No :1457954.

This document describes an easement for highway purposes in the NE 1/4 of Sec. 22, Twp. 118 N, Rng. 24 W. This easement is for the right of way of U.S. Highway No. 12. This document is as shown on the survey.

8.) Highway Easement by Orlando Styner to State of Minnesota, dated 8/19/1927 recorded 12/20/1927 in Instrument No :1457966.

This document describes an easement for highway purposes for the right of way of U.S. Highway No. 12. This document is as shown on the survey.

9.) Highway Easement by John A. Carlson and Anna L. Carlson to State of Minnesota, dated 8/18/1927 recorded 12/20/1927 in Instrument No :1457941.

This document describes an easement for highway purposes for the right of way of U.S. Highway No. 12. This document is as shown on the survey.

10.) Judgment and Decree dated 3/18/1927 recorded 3/24/1927 in Instrument No. 1409789 In The Matter Of The Petition Of Frank E. Moody and Clara A. Moody to Vacate A Part Of A Street In Fagerness, AN Addition In Hennepin County, Minnesota.

This document is in a different part of Hennepin County and is not related to the survey.

11.) Hennepin County Highway No. 90, Plat 25 recorded 5/29/1975 in book 5 page 11. Doc. No. 1140782–T.

Hennepin County Highway No. 90 runs along the East line of Sec. 22, Twp. 118, Rng. 24 W. The highway right of way does not affect the property described above.

12.) Final Certificate recorded 3/26/1985 in Instrument No. 4977113.

This document describes the acquisition of rights and interests for highway purposes for the right of way of U.S. Highway No. 12. This document is as shown on the survey.

13.) Certification of Filing Land Use Control Pursuant to Minnesota Statutes recorded 12/18/1986 in Instrument No. 5200666.

This document describes a boundary line issue for a property to the east of the property described above. This document is not related to the survey.

14.) Certification of Filing Land Use Control Pursuant to Minnesota Statutes recorded 12/18/1986 in Instrument No. 5200667

This document describes a boundary line issue for a property to the east of the property described above. This document is not related to the survey.

15.) Memorandum of Land Lease Agreement between Wesley S. Bendickson and Julia A. Bendickson, married to each other and Verizon Wireless (VAW) LLC d/b/a Verizon Wireless dated 2/4/2015 recorded 2/10/2015 in Instrument No. A10162502.

No specific lease areas or easement descriptions were provided in this document. This document is not shown on the survey.

PREMISES DESCRIPTION:

That part of the East Half of the Southeast Quarter of Section 22, Township 118 North, Range 24 West of the Fifth Principal Meridian, Hennepin County, Minnesota, described as follows:

Commencing at the southeast corner of said East Half of the Southeast Quarter; thence South 87 degrees 34 minutes 34 seconds West along the South line of said East Half of the Southeast Quarter, a distance of 1175.22 feet; thence North 0 degrees 10 minutes 24 seconds West, a distance of 1473.46 feet to the Point of Beginning of the premises to be described; thence continue North 0 degrees 10 minutes 24 seconds West, a distance of 100.00 feet; thence North 89 degrees 49 minutes 36 seconds East, a distance of 100.00 feet; thence South 0 degrees 10 minutes 24 seconds East, a distance of 100.00 feet; thence South 89 degrees 49 minutes 36 seconds West, a distance of 100.00 feet to the Point of Beginning.

ACCESS AND UTILITIES EASEMENT DESCRIPTION:

A 20.00 foot wide easement for ingress, egress and utility purposes over, under and across the East Half and the West Half of the Southeast Quarter of Section 22, Township 118 North, Range 24 West of the Fifth Principal Meridian, Hennepin County, Minnesota, the centerline of said easement is described as follows:

Commencing at the southeast corner of said East Half of the Southeast Quarter; thence South 87 degrees 34 minutes 34 seconds West along the South line of said East Half of the Southeast Quarter, a distance of 1175.22 feet; thence North 0 degrees 10 minutes 24 seconds West, a distance of 1483.49 feet to the Point of Beginning of the centerline to be described; thence South 85 degrees 03 minutes 54 seconds West, a distance of 569.55 feet; thence North 0 degrees 10 minutes 24 seconds West, a distance of 927.87 feet to the southwesterly right of way line of U.S. Highway Number 12 and said centerline there terminating.

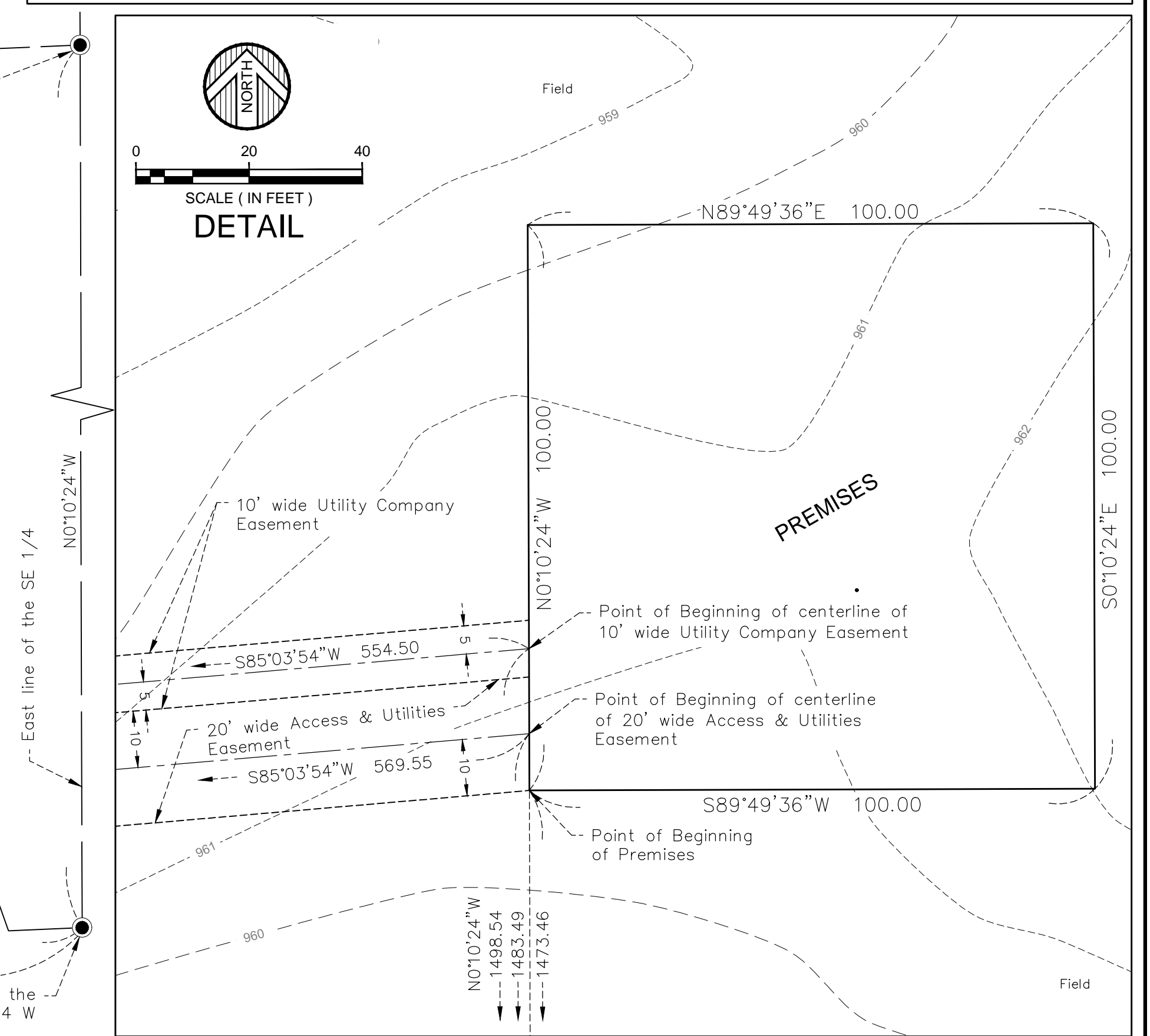
The sidelines of said easement shall be shortened or lengthened to terminate at said southwesterly right of way line of U.S. Highway Number 12 and at lines bearing North 0 degrees 10 minutes 24 seconds West and South 0 degrees 10 minutes 24 seconds East from the Point of Beginning.

PROPOSED UTILITY COMPANY EASEMENT DESCRIPTION:

A 10.00 foot wide easement for utility purposes over, under and across the East Half and the West Half of the Southeast Quarter of Section 22, Township 118 North, Range 24 West of the Fifth Principal Meridian, Hennepin County, Minnesota, the centerline of said easement is described as follows:

Commencing at the southeast corner of said East Half of the Southeast Quarter; thence South 87 degrees 34 minutes 34 seconds West along the South line of said East Half of the Southeast Quarter, a distance of 1175.22 feet; thence North 0 degrees 10 minutes 24 seconds West, a distance of 1498.54 feet to the Point of Beginning of the centerline to be described; thence South 85 degrees 03 minutes 54 seconds West, a distance of 554.50 feet; thence North 0 degrees 10 minutes 24 seconds West, a distance of 901.97 feet to the southwesterly right of way line of U.S. Highway Number 12 and said centerline there terminating.

The sidelines of said easement shall be shortened or lengthened to terminate at said southwesterly right of way line of U.S. Highway Number 12 and at lines bearing North 0 degrees 10 minutes 24 seconds West and South 0 degrees 10 minutes 24 seconds East from the Point of Beginning.



DESIGN

1

SITE NAME:

MIN MORIA

Hennepin County, MN

1	7/25/18	REVISED 20' WIDE ACCESS AND UTILITIES EASEMENT REVISED 10' WIDE UTILITY COMPANY EASEMENT	SMK	JBr	SMK
No.	Date	REVISIONS	By	CHK	APP'D
FIELD WORK:		10/17/17	CHECKED BY: SMK	DRAWN BY: JPB/SMK/JMB	

I HEREBY CERTIFY THAT THIS DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

SIGNATURE:

SHAWN M. KUPCHO, L.S.
LICENSE # 49021

DATE: 2/12/18

WIDSETH SMITH NOLTING

Engineering | Architecture | Surveying | Environmental

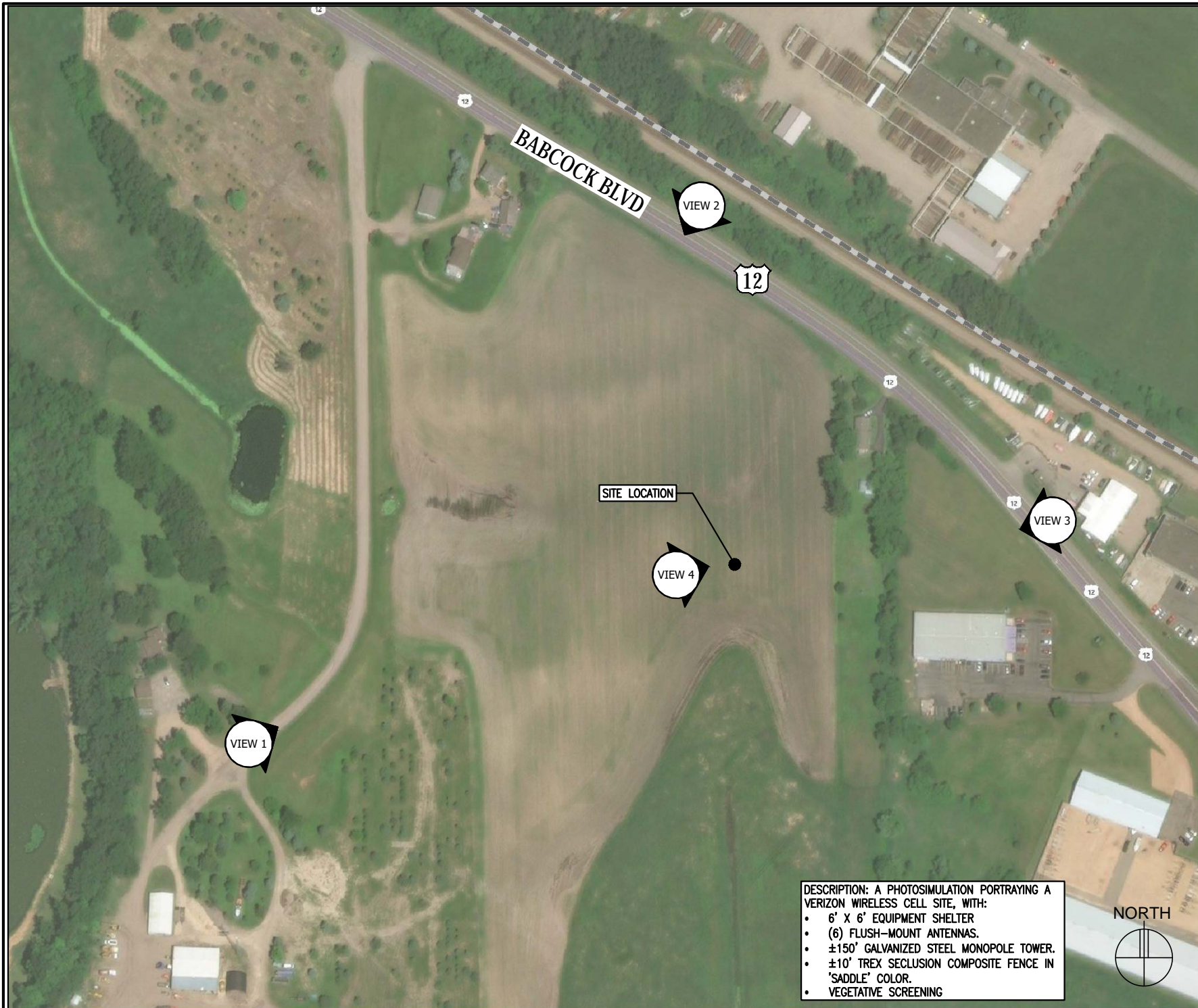
SHEET 2 OF 2 SHEETS

FULL SCALE ON 22"x34"

HALF SCALE ON 11"x17"

0494A2439.000

© 2018 WIDSETH SMITH NOLTING



DESCRIPTION: A PHOTOSIMULATION PORTRAYING A VERIZON WIRELESS CELL SITE, WITH:

- 6' X 6' EQUIPMENT SHELTER
- (6) FLUSH-MOUNT ANTENNAS.
- ±150' GALVANIZED STEEL MONOPOLE TOWER.
- ±10' TREX SECLUSION COMPOSITE FENCE IN 'SADDLE' COLOR.
- VEGETATIVE SCREENING



DESIGN 1
 9873 VALLEY VIEW ROAD
 EDEN PRAIRIE, MN 55344
 (952) 933-9299
 WWW.DESIGNTEP.COM

VERIZON WIRELESS
 10801 BUSH LAKE ROAD
 BLOOMINGTON, MN 55438
 (612) 720-0052

PROJECT: 20141070235	
MINC MORIA	
HWY 12	
INDEPENDENCE, MN 55357	
V.5	09-18-17
V.4	09-06-17
V.3	08-22-17
DRAWN BY:	TRD
DATE:	08-09-17
PS-1	



VIEW 1 – EXISTING CONDITIONS.
LOOKING NORTHEAST FROM GRAVEL DRIVE

DESIGN **1**

9873 VALLEY VIEW ROAD
EDEN PRAIRIE, MN 55344
(952) 903-9299
WWW.DESIGN1EP.COM

VERIZON
WIRELESS

10801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
(612) 720-0052

PROJECT: 20141070235

MINC
MORIA

HWY 12
INDEPENDENCE, MN 55357

V.5 09-18-17

V.4 09-06-17

V.3 08-22-17

DRAWN BY: TRD

DATE: 08-09-17

PS-2



DISCLAIMER: THIS PICTURE IS AN ARTIST'S RENDERING OF THE COMPLETED SITE PRIOR TO CONSTRUCTION. THE COMPLETE CONSTRUCTION MAY VARY IN LAYOUT, COLOR, AND DIMENSION FROM THE ABOVE PICTURE.

VIEW 1 - PROPOSED SITE.
LOOKING NORTHEAST FROM GRAVEL DRIVE

V.5	09-18-17
V.4	09-06-17
V.3	08-22-17
DRAWN BY:	TRD
DATE:	08-09-17



VIEW 2 - EXISTING CONDITIONS.
LOOKING SOUTHWEST FROM HWY 12



9873 VALLEY VIEW ROAD
EDEN PRAIRIE, MN 55344
(952) 903-9299
WWW.DESIGN1EP.COM

**VERIZON
WIRELESS**

10801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
(612) 720-0052

PROJECT: 20141070235

**MINC
MORIA**

HWY 12
INDEPENDENCE, MN 55357

V.5 09-18-17

V.4 09-06-17

V.3 08-22-17

DRAWN BY: TRD

DATE: 08-09-17

PS-4



DISCLAIMER: THIS PICTURE IS AN ARTIST'S RENDERING OF THE COMPLETED SITE PRIOR TO CONSTRUCTION. THE COMPLETE CONSTRUCTION MAY VARY IN LAYOUT, COLOR, AND DIMENSION FROM THE ABOVE PICTURE.

VIEW 2 - PROPOSED SITE.
LOOKING SOUTHWEST FROM HWY 12

DESIGN 1
9873 VALLEY VIEW ROAD
EDEN PRAIRIE, MN 55344
(952) 903-9299
WWW.DESIGN1EP.COM

**VERIZON
WIRELESS**
10801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
(612) 720-0052

PROJECT: 20141070235
**MINC
MORIA**
HWY 12
INDEPENDENCE, MN 55357

V.5	09-18-17
V.4	09-06-17
V.3	08-22-17
DRAWN BY: TRD	
DATE: 08-09-17	

PS-5



VIEW 3 - EXISTING CONDITIONS.
LOOKING WEST FROM HWY 12



DISCLAIMER: THIS PICTURE IS AN ARTIST'S RENDERING OF THE COMPLETED SITE PRIOR TO CONSTRUCTION. THE COMPLETE CONSTRUCTION MAY VARY IN LAYOUT, COLOR, AND DIMENSION FROM THE ABOVE PICTURE.

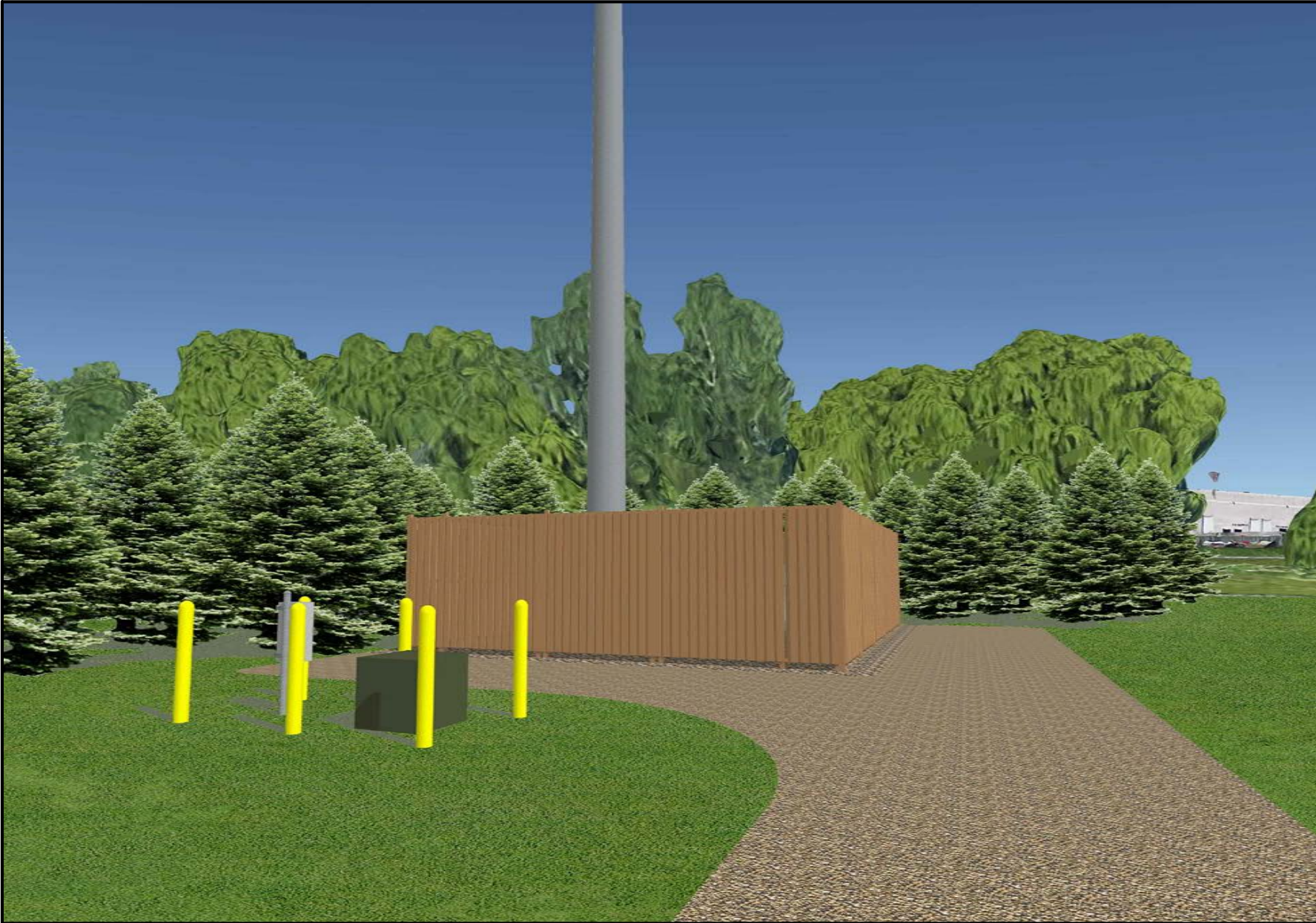
VIEW 3 - PROPOSED SITE.
LOOKING WEST FROM HWY 12

DESIGN 1
9873 VALLEY VIEW ROAD
EDEN PRAIRIE, MN 55344
(952) 903-9299
WWW.DESIGNTEP.COM

**VERIZON
WIRELESS**
10801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
(612) 720-0052

PROJECT: 20141070235
**MINC
MORIA**
HWY 12
INDEPENDENCE, MN 55357

V.5	09-18-17
V.4	09-06-17
V.3	08-22-17
DRAWN BY:	TRD
DATE:	08-09-17



DISCLAIMER: THIS PICTURE IS AN ARTIST'S RENDERING OF THE COMPLETED SITE PRIOR TO CONSTRUCTION. THE COMPLETE CONSTRUCTION MAY VARY IN LAYOUT, COLOR, AND DIMENSION FROM THE ABOVE PICTURE.

VIEW 4 - PROPOSED SITE.
 LOOKING EAST FROM IN FIELD

City of Independence 2019 Fee Schedule Update

To: City Council
From: Mark Kaltsas, City Administrator
Meeting Date: February 5, 2019

Discussion:

The City annually reviews the fee schedule to ensure that the cost of providing various services is commensurate with the services provided. The City identified several fees that should be amended based on experience and or application of fees in 2018. In addition, the City would raise the quarterly sewer charges in accordance with the adopted Sewer Rate Study. It should be noted that the proposed quarterly availability charge of \$150 is slightly different than originally intended in order to allow the City to stay on the projected increases for 2020 and beyond. The originally scheduled rate was \$158 for 2019.

The following fees are proposed to be amended:

1. Farm Nameplate Signs:
 - a. Farm Nameplate Signs \$25 (\$250 in 2018)
2. Assembly Permits:
 - a. Large Assembly Permits \$100 (\$250 in 2018)
 - b. Medium Assembly Permits \$25 (\$250 in 2018)
 - c. Small Assembly Permits \$25 (\$250 in 2018)
 - d. Non-profit Organizations Per category above (\$25 in 2018 regardless of category)
3. Quarterly sewer charges are proposed to be amended in accordance with the City's sewer charge study that was updated in January of 2017. The quarterly sewer fees will be amended as follows:
 - a. Quarterly sewer access charge \$200 (\$200 in 2018)
 - b. Quarterly availability charge \$150 (\$100 in 2018)

Council Recommendation:

City Council is asked to consider approval of **RESOLUTION NO. 19-0205-05** adopting the 2019 fee schedule.

Attachments: Proposed Fee Schedule 2019
RESOLUTION NO. 19-0205-05



**CITY OF INDEPENDENCE
RESOLUTION NO. 19-0205-05**

**A RESOLUTION APPROVING AN UPDATE TO THE
CITY'S FEE SCHEDULE**

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

WHEREAS, the City has adopted a Fee Schedule to set forth fees for certain services provided by the City;

AND WHEREAS, the Fee Schedule is referred to in the City's Code of Ordinances and determined to be necessary to ensure that the City is reimbursed for the cost of providing the services.

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

1. The Fee Schedule attached hereto as **Exhibit A** is hereby adopted.

This resolution was adopted by the City Council of the City of Independence on this 5th day of February 2019, by a vote of ____ ayes and ____ nays.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator

LIQUOR LICENSES

Wine, on sale	\$ 600
On-sale intoxicating	\$5500
Off-sale intoxicating	\$ 240
Sunday On-sale	\$ 200
Beer Off-sale	\$ 50
Beer On-sale	\$ 500
Setup	\$ 500
Investigation fee	\$ 500
Temporary liquor (1-4 days)	\$ 100/day

DOG LICENSES (#)

Lifetime License	\$ 20
Replacement tag	\$ 2
Dangerous Dog annual fee	\$ 500
Dog Impound Fee 1 st Violation	\$ 35
2 nd Violation	\$ 70
3 rd Violation	\$ 105

SERVICE FEES (#)

Address Labels	\$ 50
Address List	\$ 30
Copies 8 ½ x 11	\$.25
Copies, Oversize	\$.50
Copies: City Code Book	\$ 60
Copies: Subdivision Ordinance	\$ 15
Copies: Zoning Ordinance	\$ 15
Copies: Shoreland Ordinance	\$ 15
Copies: City Comp. Plan	\$ 40
Copies: Park Comp. Plan	\$ 15
Copies: Audit Book	\$ 45
City Address Map	\$ 8
Zoning Map (color)	\$ 3
Land Use Map (color)	\$ 3
Assessment Search written req.	\$ 25
Flood Zone Search written req.	\$ 25
Ag Preserve Application	\$ 50
Ag Preserve Expiration	\$ 50
NSF Check	\$ 30
Special Council Meeting fee	\$ 250
Election Filing fee	\$ 2

SIGN PERMIT (#)

Temporary (administrative)	\$ 100
Permanent Sign/Site Plan Review	\$ 250
Farm Nameplate Sign Permit	\$ 25

ZONING FEES

Extension	\$ 250
Appeal Admin. Decision	\$ 750
Move Building	\$ 175
Right-of-way permit	\$ 75

Grading Permit (100 cu yd or more) \$ 500
(if less than 100 cu. yd, no permit required.)

Other (non-defined) Planning/Review: \$ 250

Staff time in excess of application fees:

Professional per hour	\$ 100
Clerical per hour	\$ 50

Planning Application Type I-Application Fee:
\$1,250/Additional Fee Deposit \$750

- Minor Subdivision (Minor Subdivision (Lot Line Rearrangement, Lot Consolidation, Rural View Lot Subdivision, Lot Split-2 lots or less)
- Rezoning
- Conditional Use Permit (residential)
- Interim Use Permit (residential)
- Right of Way or Easement Vacation
- Simple Concept Plan
- Simple Zoning Text Amendment
- Simple Site Plan Review

Planning Application Type II-Application Fee:
\$1,750/Additional Fee Deposit \$1,500

- Preliminary Plat (3 lots or more) - (plus \$250 per lot)
- Final Plat (plus \$250 per lot)
- Conditional Use Permit (commercial)
- Interim Use Permit (commercial)
- Comprehensive Plan Amendment
- Complex Concept Plan
- Complex Site Plan Review
- Complex Zoning Text Amendment

After-the-fact fees double

Grading Permit (100 cu yd or more) \$ 500
(if less than 100 cu. yd, no permit required.)

PARK DEDICATION FEES

\$3500 per lot to 4.99 acres + \$750 per acre over 5 acres.

MISC. PERMIT/REIMBURSEMENT FEES

Fireworks Dealer License	\$ 75
Tower (wireless communication)	\$ 1000
Mailbox Reimbursement	\$ 125

LICENSES (#)

Garbage hauler/per year	\$ 150
Per truck per year	\$ 20
Tobacco	\$ 100
1 st Offense	\$ 75
2 nd Offense	\$ 200
3 rd Offense & over	\$ 250
Solicitation	\$ 100

FLAT FEE BUILDING PERMIT FEES (#)

Mechanical	
Furnace	\$ 100
Air Conditioner	\$ 100
Gas Fireplace	\$ 100
Water Heater	\$ 50
Wood stove/fireplace	\$ 100
Chimney	\$ 100
Fuel tank removal	\$ 100
Lawn Sprinkler	\$ 100
Plumbing remodel	\$ 100
Plumbing new	\$ 100
(10 per fixture over five)	
Re-roof	\$ 100
Re-side	\$ 100
Window replacement same size	\$ 100 (1) +
(10 each additional opening)	

Flat Fee State Permit Surcharge Add \$ 1
(Example: A/C + Furnace = \$201)

Demolition	\$ 100
Driveway	\$ 100

All Other Building Permits Based on Value

Electrical Permits (Contact State)

SEWER FEES

Private On-site Permit	\$	300
Mound Repair	\$	150
Abandonment of System/Tank	\$	75
Holding Tank with Pumping Agreement	\$	100
First Year	\$	50
Annual	\$	25
Operating Permit Business	\$	175
First Year	\$	175
Annual	\$	75
Mid-Size System	\$	400
(+ \$1,000 escrow)		
Total Sewer Connection Fee	\$	3860
- Includes \$ 1250 City Sewer Permit		
- Includes \$ 125 Street to house connect		
- Includes \$ 2485 SAC (MUSA line)		
Quarterly sewer access charge	\$	220
Quarterly availability charge	\$	150
(dwelling not connected to available sewer)		
SAC (MUSA line)	\$	2485
Winter septic holding tank escrow*	\$	8000
*Plus Administrative fee	\$	55

OTHER INSPECTION FEES

Investigation/Re-inspection Fee	\$	100/1 st Hr
	\$	50/Hr.
Fire Damage Inspection	\$	100

COMMUNITY ROOM RENTAL (#)

(maximum 200 guests)

Non-Profit	\$	75
Security /Damage Deposit	\$	650
False Fire Alarm	\$	350
Organizations regular mtgs.	\$	100
Events under 50 – resident	\$	150
Events under 50 – <i>non-resident</i>	\$	250
Events 50 – 100 – resident	\$	200
Events 50 – 100 – <i>non-resident</i>	\$	400
Events 101 – 150 – resident	\$	300
Events 101 – 150 – <i>non-resident</i>	\$	500
Events 151 – 200 – resident	\$	400
Events 151 – 200 – <i>non-resident</i>	\$	750
Funeral – resident	\$	50
Funeral – <i>non-resident</i>	\$	100
Wedding – resident	\$	400
Wedding – <i>non-resident</i>	\$	1000

CONFERENCE ROOM RENTAL (#)

(seats 25 people)

Rent per day	\$	100
with kitchen	\$	150
per hour	\$	35

ASSEMBLY PERMIT FEES

Small Assembly Permit (50+ attendees)	\$	25
Medium Assembly (100+ attendees)	\$	25
Large Assembly (200+ attendees)	\$	100

PARK RENTAL FEES (#)

Commercial, daily - resident	\$	200
Commercial, daily - <i>non-resident</i>	\$	300
Individual, daily - resident	\$	75
Individual, daily – <i>non-resident</i>	\$	150
(Liability Insurance Required)		

FREQUENTLY CALLED NUMBERS

Public Works Director Larry Ende	763-479-0530
City Administrator Mark Kaltsas	763-479-0527
Building Inspector Bruce Satek	763-479-0531
Administrative Asst. Beth Horner	763-479-0527
Office Assistant Trish Bemmels	763-479-0514
West Hennepin Public Safety	763-479-0500
Burn permits WHPS	763-479-0500
Hennepin County	612-348-3000

CREDIT CARD PAYMENTS ACCEPTED FOR FEES IDENTIFIED WITH THE (#) SYMBOL. THE CITY WILL CHARGE THE LISTED FEE, PLUS APPLICABLE CHARGES FOR PROCESSING THE CREDIT CARD (CURRENTLY 2.75%, PLUS \$0.50 FOR ANY TRANSACTION LESS THAN \$100).

FEE SCHEDULE

Effective September 1, 2003

Revised February 5, 2019



1920 COUNTY ROAD 90
INDEPENDENCE MN 55359

PHONE: 763-479-0527

FAX: 763-479-0528

Website: <https://ci.independence.mn.us>

ALL FEES ARE NON-REFUNDABLE.

Fees are Subject to change

City of Independence

Consider Revocation of Conditional Use Permits No Longer in Use

To: City Council
From: Mark Kaltsas, City Administrator
Meeting Date: February 5, 2019

Discussion:

The City has reviewed all of the active conditional use permits over the last year. The City initially notified property owners of the intent and need to review the conditions of the conditional use permit and asked owners to contact the City to schedule an inspection. The City has identified a handful of conditional use permits on property where the CUP is no longer in use. In addition, the City has several property owners that have not contacted the City to schedule an inspection following four separate notification letters being sent. The City sent a certified letter at the beginning of this year to notify property owners of the City's desire to review and confirm compliance of all conditional use permit conditions or if no longer compliant and or being used, to revoke the conditional use permit. The notice that was sent notified property owners that the City Council is going to consider revocation at this meeting. A list of all CUPs' and their current status is attached. CUP's that would be considered for revocation are highlighted in red. CUP's that are still in the process of being inspected are highlighted in yellow. CUP's that are highlighted in blue have already been revoked at a previous time by the City. There is a total of 17 CUP's that are recommended for revocation as follows:

NAME:	ADDRESS:	PID:
Gerald & Donna Hendley	5850 County Road 11	02-118-24-43-0001
Phillip (Barbara) Saterbo	4724 County Road 92	04-118-24-12-0003
Joe Kittok	3850 County Line Road	07-118-24-22-0006
Michael Price	3870 Lake Haughey Road	08-118-24-22-0007
John Uran	8790 Highway 12	08-118-24-33-0003
Detta Juusola	2592 Geggentina Road	15-118-24-34-0001
Cindy McWilliams	7899 Highway 12	16-118-24-32-0001
Paula Gregg	7902 Egret	16-118-24-32-0001
Kimberly Reed	2510 County Road 92	16-118-24-33-0003
Joe & Wendy VanLoy	1925 Highstead Drive	20-118-24-31-0002
Donald Baird & Adam Young	2076 County Road 90	23-118-24-23-0001
Wilma Schoening	2020 County Road 90	23-118-24-23-0002
Brad Kieley	5112 Perkinsville Road	24-118-24-13-0003
Rodney Grandstand	1862 Budd Ave.	24-118-24-42-0006
Dennis Hagen	1410 County Road 90	26-118-24-22-0007
Curtis Johnson	8975 County Road 6	31-118-24-14-0001
George & Linda Boyadjis	5372 Saddle Ridge Trail	36-118-24-24-0004

Recommendation:

The City Council is being asked to consider approving **RESOLUTION 19-0205-06** revoking the aforementioned conditional use permits.

ATTACHMENTS: **RESOLUTION 19-0205-06**



**CITY OF INDEPENDENCE
RESOLUTION NO. 19-0205-06**

**A RESOLUTION REVOKING CONDITIONAL USE PERMITS
THAT ARE NO LONGER IN USE, NO LONGER NEEDED OR NOT IN COMPLIANCE
WITH ALL APPLICABLE CONDITIONS**

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

WHEREAS, the City has adopted a zoning ordinance which establishes certain conditional uses in all zoning districts; and

WHEREAS, the City considers each conditional use permit on an individual basis and may include conditions which further regulate the use of properties that have been granted a conditional use permit; and

WHEREAS, the City reviews all conditional use permits on a regular basis to ensure compliance with adopted conditions; and

WHEREAS, following review of all conditional use permits in the City, the City has determined that there are conditional uses which are no longer being used by the property owner and can and should be removed;

WHEREAS, the City has provided notice to property owners using certified mail of non-use or non-compliance with the conditions of conditional use permits; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INDEPENDENCE, MINNESOTA that it shall revoke the following conditional use permits that are no longer being used, no longer required or not in compliance with applicable conditions:

NAME:	ADDRESS:	PID:
Gerald & Donna Hendley	5850 County Road 11	02-118-24-43-0001
Phillip (Barbara) Saterbo	4724 County Road 92	04-118-24-12-0003
Joe Kittok	3850 County Line Road	07-118-24-22-0006
Michael Price	3870 Lake Haughey Road	08-118-24-22-0007
John Uran	8790 Highway 12	08-118-24-33-0003
Detta Juusola	2592 Geggentina Road	15-118-24-34-0001
Cindy McWilliams	7899 Highway 12	16-118-24-32-0001
Paula Gregg	7902 Egret	16-118-24-32-0001
Kimberly Reed	2510 County Road 92	16-118-24-33-0003
Joe & Wendy VanLoy	1925 Highstead Drive	20-118-24-31-0002
Donald Baird & Adam Young	2076 County Road 90	23-118-24-23-0001
Wilma Schoening	2020 County Road 90	23-118-24-23-0002
Brad Kiele	5112 Perkinsville Road	24-118-24-13-0003
Rodney Grandstand	1862 Budd Ave.	24-118-24-42-0006
Dennis Hagen	1410 County Road 90	26-118-24-22-0007
Curtis Johnson	8975 County Road 6	31-118-24-14-0001
George & Linda Boyadjis	5372 Saddle Ridge Trail	36-118-24-24-0004

This resolution was adopted by the City Council of the City of Independence on this 5th day of February 2019, by a vote of ____ ayes and ____ nays.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator