



CITY OF CORCORAN
Corcoran Planning Commission Agenda
February 3, 2022 - 7:00 pm

HYBRID MEETING OPTION AVAILABLE
The public is invited to attend the regular Council meetings at City Hall.

1. Call to Order / Roll Call

2. Pledge of Allegiance

3. Agenda Approval

4. Open Forum

5. Minutes

- a. Minutes – January 6, 2022 Special Work Session*
- b. Minutes – January 6, 2022 Regular Meeting*

6. New Business - Public Comment Opportunity

- a. Final Planned Unit Development (PUD) Plan for Bellwether 7th Addition (city file 21-060)
 - i. Staff Report
 - ii. Commission Discussion & Recommendation
- b. Landscape Variance for St. Therese (city file 21-061)
 - i. Staff Report
 - ii. Commission Discussion & Recommendation

7. Unfinished Business - Public Comment Opportunity

- a. Municipal Separate Storm Sewer System (MS4) Ordinance Update (city file 21-051)
 - i. Staff Report
 - ii. Commission Discussion & Recommendation

8. Reports/Information

- a. Planning Project Update*
- b. City Council Report* – Council Liaison Vehrenkamp
- c. Other Business

9. Commissioner Liaison Calendar

City Council Meetings

Meeting Via Telephone/Other Electronic Means

Call-in Instructions:

+1 312 626 6799 US

Enter Meeting ID: 817 0605 8530

Press *9 to speak during the Public Comment Sections in the meeting.

Video Link and Instructions:

<https://us02web.zoom.us/j/81706058530>

visit <http://www.zoom.us> and enter

Meeting ID: 817 0605 8530

Participants can utilize the Raise Hand function to be recognized to speak during the Public Comment sections in the meeting. Participant video feeds will be muted. **In-person comments will be received first, with the hybrid electronic means option following.**

For more information on options to provide public comment visit:

www.corcoranmn.gov

2/10/22	2/24/22	3/10/22	3/24/22	04/14/22	04/28/22
Shoulak	Van Den Einde	Brummond	Jacobs	Lanterman	Shoulak

10. Adjournment

**Includes Materials - Materials relating to these agenda items can be found in the House Agenda Packet by Door.*



CITY OF CORCORAN
Corcoran Planning Commission Minutes
Special Work Session
January 6, 2022 - 5:00 pm

The Corcoran Planning Commission met on January 6, 2022, in Corcoran, Minnesota. All Planning Commissioners were present in the Council Chambers, but members of the public were able to participate in-person as well as through electronic means using the audio and video conferencing platform Zoom.

Present: Commissioners Jacobs, Brummond, Lanterman, Shoulak, and Van Den Einde.

Also present: City Planner Davis McKeown and City Planner Lindahl.

1. Call to Order

Commissioner Jacobs called the meeting to order at 5:06 pm.

2. Roll Call

3. Work Session

a. Planning Commission Training

Planner Davis McKeown presented a training PowerPoint to the Commission going over several topics, including: the basis for planning; guiding documents; role of planning staff, consultants, and commission; land use application types; typical procedures; and legally defensible decisions. The Commission asked for clarification on items presented in the PowerPoint throughout the presentation in addition to a 15-minute Q&A portion of the meeting. The Commission played "Planning Jeopardy" to review the items presented in the training PowerPoint.

4. Adjournment

Commissioner Jacobs adjourned the Work Session meeting at 6:29 PM.



CITY OF CORCORAN
Corcoran Planning Commission Minutes
January 6, 2022 - 7:00 pm

The Corcoran Planning Commission met on January 6, 2022, in Corcoran, Minnesota. All Planning Commissioners were present in the Council Chambers, but members of the public were able to participate in-person as well as through electronic means using the audio and video conferencing platform Zoom.

Present: Commissioners Jacobs, Brummond, Lanterman, Shoulak, and Van Den Einde.

Also present: City Planner Davis McKeown and City Planner Lindahl. Council Liaison Nichols.

1. Call to Order / Roll Call

Commissioner Jacobs called the meeting to order at 7:00 pm.

2. Pledge of Allegiance

3. Agenda Approval

Motion made by Lanterman, seconded by Shoulak, to approve the January 6, 2022 agenda.

Voting Aye: Jacobs, Brummond, Lanterman, Shoulak, and Van Den Einde.
(Motion carried 5:0).

4. Open Forum (none)

5. Minutes

a. Minutes – December 2, 2021

The Commission discussed two corrections to the December 2, 2021 minutes: addition of “surmountable curbs” under the discussion of green infrastructure for the assembly uses zoning ordinance amendment, as well as removal of “Wu” to replace with “Van Den Einde” under the approval of the agenda.

Motion made by Lanterman, seconded by Brummond, to approve the December 2, 2021 minutes.

Voting Aye: Jacobs, Brummond, Lanterman, Shoulak, and Van Den Einde.
(Motion carried 5:0).

6. New Business - Public Comment Opportunity

a. **PUBLIC HEARING.** Municipal Separate Storm Sewer System (MS4) Ordinance Update (City File 21-051).

- i. Staff Report – Planner Davis McKeown presented the staff report.
- ii. Public Hearing – Chair Jacobs opened the public hearing.
- iii. Close Hearing.

Motion made by Lanterman, seconded by Van Den Einde, to close the public hearing.

Voting Aye: Jacobs, Brummond, Lanterman, Shoulak, and Van Den Einde.

(Motion carried 5:0).

- iv. Commission Discussion & Recommendation – The Commission discussion included the stated purpose of proposed Chapter 54, the definition of “land disturbance activities”, the proposed applicability clause within Chapter 54, the responsibility of Public Works and Engineering to approve and monitor land disturbance permits and Storm Water Pollution Prevention Plans (SWPPPs), the lack of environmental expertise in reviewing land disturbance permits and SWPPPs, the proposed verbiage added to the agricultural exemption and how this relates to landowners clearing trees on their property for tillable acreage, and concern that landowners will tear down trees prior to a development application under the guise of agriculture.

The Commission discussed the application process for SWPPPs for land use applications such as subdivisions, the nature of SWPPPs as a working document that allows for plans to be set back to the applicant until it is deemed acceptable, the necessity of occasional amendments of SWPPPs when they are found to be problematic, the City’s role to provide oversight and monitoring, and the property owner’s responsibility to make sure their site is in compliance.

The Commission discussed the exemption for general yard maintenance and landscaping if the volume of earth and soil disturbance is equal to or less than 50 cubic yards, potentially removing clearing from the definition of land use disturbance, potentially adding the removal of trees and brush as a specific exemption, when the 12-month clock started for compliance with the new MS4 permitting requirements, whether tilling as a part of gardening would be considered exempt, and the application/permitting process for land disturbance areas of one-acre or less.

Motion made by Lanterman, seconded by Van Den Einde, to table item 6A. for further discussion at a future Planning Commission meeting.

Voting Aye: Jacobs, Brummond, Lanterman, Shoulak, and Van Den Einde.

(Motion carried 5:0).

b. **PUBLIC HEARING.** Urban Conservation Ordinance Update (City File 21-011).

- i. Staff Report – Planner Lindahl presented the staff report.
- ii. Public Hearing – Chair Jacobs opened the public hearing.
- iii. Close Hearing.

Motion made by Lanterman, seconded by Shoulak, to close the public hearing.

Voting Aye: Jacobs, Brummond, Lanterman, Shoulak, and Van Den Einde.
(Motion carried 5:0).

- iv. Commission Discussion & Recommendation – The Commission discussion included how the proposed subdivision differs from the PUD, the loss of City Council’s discretion to negotiate other standards by granting lot size flexibility by right in exchange for 25% of the site being set aside as open space, preservation of identified ecologically significant areas, tax implications of a conservation easement for an HOA, whether playgrounds would be added when open space is dedicated as public park, density calculations and requirements, quality of the open space, the perceived benefit to the public, the underlying goal of the conservation subdivision to permanently protect the rural feel of Corcoran, the process of negotiation for PUDs, the different open space percentages explored, and connection of the open space to public trails.

Motion made by Lanterman to recommend denial of the draft ordinance amending Title IX of Subdivision Ordinance and Title X of the Zoning Ordinance to allow Urban Conservation Subdivisions as well as the draft resolution approving findings of fact.

Motion failed due to lack of a second.

Additional Commission discussion included defining noxious weeds, treatment of noxious weeds in the maintenance of open areas, required maintenance plans for developments, who is involved in the negotiation for PUDs, and examples of negotiations that can occur within standard plats.

Motion made by Lanterman, seconded by Shoulak, to recommend denial of the draft ordinance amending Title IX of Subdivision Ordinance and Title X of the Zoning Ordinance to allow Urban Conservation Subdivisions as well as the draft resolution approving findings of fact.

Voting Aye: Jacobs, Lanterman, and Shoulak.
Voting Nay: Brummond
Abstained: Van Den Einde
(Motion carried 3:1:1).

- c. Tavera 3rd Addition Final Planned Unit Development (PUD) Plan (City File 21-044)
 - i. Staff Report – Planner Lindahl presented the staff report.
 - ii. Commission Discussion & Recommendation – The Commission discussion included the lack of discretion in approving a final PUD plan, the general compliance of the final PUD as compared to the preliminary PUD, the small footprint of the houses, ability for residents to build a deck or elevated patio, the amount of proposed outlots, width of the townhome units, the minimum setback between blocks of townhomes, the replacement of shrubs with trees within the landscaping plan, ability of eliminating conflict between utilities and landscaping, minimum garage width, federal litigation with a financial branch of Lennar, the process for designing the gateway sign, and the management structure of the HOA.

Motion made by Lanterman, seconded by Van Den Einde, to recommend approval of the draft resolution approving the final PUD development plan.

Voting Aye: Jacobs, Brummond, Shoulak, and Van Den Einde.
Abstained: Lanterman.
(Motion carried 4:0:1).

7. Reports/Information

- a. Planning Project Update – The Commission asked for clarification on the updates provided for Kariniemi Acres, Cook Lake Highlands, and Saint Therese.
- b. City Council Report – Councilor Nichols updated the Commission on working with Saint Therese for a comprehensive storm water design between their site and the City’s property, signs related to the Saint Therese development, property tax levy, Hennepin County’s analysis of market value increases, and the candidate search for a new City Administrator.
- c. Other Business – Planner Davis McKeown discussed 2022 appointments for the Planning Commission including re-appointments to the Commission and appointment of the Chair and Vice-Chair. The Commission was reminded of ongoing efforts for the Northeast District Corridor Planning process and encouraged to complete the online community survey and attend the Landowners Open House on January 11, 2022.

8. Commissioner Liaison Calendar

City Council Meetings

01/13/2022	01/27/2022	02/10/2022	02/24/2022	03/10/2022	03/24/2022
Shoulak	Brummond	Jacobs	Lanterman	Shoulak	Van Den Einde

9. Adjournment

Motion made by Lanterman, seconded by Brummond, to adjourn the January 6, 2022, Planning Commission meeting.

Voting Aye: Jacobs, Brummond, Lanterman, Shoulak, and Van Den Einde.
(Motion carried 5:0).

Meeting adjourned at 11:04 PM.

DRAFT



TO: Corcoran Planning Commission

FROM: Nicholas Ouellette through Kendra Lindahl, Landform

DATE: January 26, 2022 for the February 3, 2022 Planning Commission Meeting

RE: Final Plat and Final Planned Unit Development (PUD) for “Bellwether 7th Addition” (PID 01-119-23-43-0009) (city file no. 21-060)

REVIEW DEADLINE: March 12, 2022

1. Description of Request

The applicant, Pulte Homes of Minnesota, LLC, has submitted a request for approval of a final plat and final PUD plan application for “Bellwether 7th Addition”, a residential development of 17 new single-family homes on 3.74 acres. The final plat is reviewed by City Council only.

2. Background

On June 28, 2018, the Council approved a rezoning, preliminary plat and preliminary PUD plan for the Bellwether project. The Bellwether project included the construction of 398 single family homes to be built in six phases.

On October 18, 2018, the Council approved phase 1 of Bellwether for 78 single family homes and six outlots.

On April 25, 2019, the Council approved phase 2 of Bellwether for 79 single family homes and 12 outlots. The Council also approved the final PUD for phase 3.

On September 26, 2019, the Council approved the final plat for phase 3 of Bellwether for 29 single family homes and four outlots.

On March 26, 2020, the Council approved phase 4 of Bellwether for 74 single family homes and one outlot.

On July, 23, 2021, the Council approved phase 5 of Bellwether for 46 single family homes and one outlot.

On July 22, 2021, the Council approved a rezoning, preliminary plat and preliminary PUD plan for “Amberley and Bellwether” on two separate parcels acquired by the applicant.

- The first parcel, the 73.48 acre Van Blaricom property, was not part of the original Bellwether PUD approved June 28, 2018. The Van Blaricom property will be subdivided and developed as an extension of the Bellwether neighborhood (Bellwether 6th Addition) and a new single family neighborhood (Amberley, which is not part of Bellwether).



- The second parcel, the 3.74 acre Schober homestead, was included in the original Bellwether approval. The property was platted as part of Bellwether 2nd Addition. Several lots that were created and the homeowner retained this 3.74 acre parcel for their homestead. The homeowner is now prepared to sell the property and it will be redeveloped as part of the Bellwether project as originally planned albeit on an earlier timeline. The Schober property will be platted as Bellwether 7th Addition.

On October 28, 2021, the Council approved the final plat and final PUD for 25 single family homes in Amberley 1st Addition, 62 single family homes in Bellwether 6th Addition and seven outlots. The preliminary approvals allow 192 lots and the remaining 105 lots will be platted in future phases on the former Van Blaricom property.

3. Analysis

Staff has reviewed the application for consistency with the Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance and City Code requirements, as well as City Policies. The City Engineer's comments are incorporated into this staff report, the detailed comments are included in the attached engineering memo and the approval conditions required compliance with the memo.

A. Level of City Discretion in Decision-Making

The City's discretion in approving a final PUD is limited to whether the proposed plan is in substantial conformance with the preliminary PUD development plan. If it meets these standards, the City must approve the final PUD development plan.

The City's discretion in approving a final plat is limited to whether the proposed plat meets the standards outlined in the City's subdivision and zoning ordinance. If it meets these standards, the City must approve the final plat.

B. Consistency with Ordinance Standards

Final PUD Development Plan

Staff finds the final PUD development plan is consistent with the approved preliminary plans. The parcel was included in the original approvals and was planned for future construction. A future development date for this parcel was undetermined at the time of original approvals and these units were ghost platted as 45-foot wide lots for the 35 foot wide homes (Discover, Passport and Trailblazer plans). These are the lot widths in Bellwether 4th Addition to the west.

The 7th Addition includes 17 new single family homes. The single family lots range in size from 5,524 to 14,093 sq. ft. There is a master association responsible for the maintenance of common areas (yard maintenance, snow removal, etc.) in this phase. Bellwether is an age-restricted active adult community. The HOA documents will be amended to include this phase.



Lot Dimensions and Setbacks

The preliminary PUD approval granted flexibility from the lot size, width standards and side yard setback. The approved standards are included in the approving resolutions and the single family lots appear to comply. However, since single family home buyers will select their individual home for each lot, staff will review setbacks for compliance with these standards as part of the building permit application.

Architecture

The applicant has three widths of homes (34-ft., 45-ft. and 50-ft. wide homes) that have the option of being finished with five different architectural styles (prairie, heartland, craftsman, northern craftsman and euro country) in Bellwether. All homes in this phase will be 34-ft. wide homes. Architectural exhibits and elevations have previously been approved to comply with Condition #21 of Resolution 2021-48. All homes in this phase must comply with these architectural requirements.

The applicant is required to provide architectural upgrades on the elevations of a home that face a public right-of-way or park. Staff has included a condition that the homes on Lot 6, Block 1 and Lots 1 through 11, Block 2 must comply with this requirement. Figure 1 below highlights which lots are required to provide architectural upgrades.



Figure 1: Lots highlighted in pink must provide architectural upgrades on elevations that face a public right-of-way or park.



Homeowners Association

A homeowner's association (HOA) will maintain all common ownership areas of the development, including the open space areas, development signage and cul-de-sac/island plantings.

Landscaping

Staff note two existing trees on site which will be removed as part of the development. Section 1060.070 of the Zoning Ordinance requires one overstory tree for each single family home and a variety of landscaping along the perimeter of the site, along the streets, within the private park and adjacent to wetlands. Plans show plantings at sizes and percentages that comply with ordinance requirements. One overstory for each single family lot has been provided tree along the public right-of-way, with 23 additional trees in the rear yards of lots which back onto Stieg Road. The City Engineer's memo notes the additional trees in the rear yard are located within the drainage swale. The applicant must adjust the location of the trees or drainage swale to avoid this conflict.

Staff notes the developer is required to maintain all common areas including the boulevard plantings and will be required to enter into a maintenance agreement with the City.

Signage

The original Bellwether approvals granted approval for signage at the main entrance and secondary entrance off Stieg Road. No signs are proposed for this addition.

Streets

A new street connection from 103rd Avenue on the west will be extended to connect with 102nd Place to the south of this phase. A sidewalk is provided along the south side of 103rd Avenue. The street layout and design are consistent with the preliminary approvals. Parking is restricted to one side of the street; the location of parking signage is not shown in plans and will be field located during construction in coordination with the City.

Utilities

Municipal sewer and water are available to serve the site. The City Engineer's memo provides detailed utility comments. The project will connect sewer and water on either side of the of the 103rd Avenue extension.

Wetlands

No wetlands are located on this site.



Stormwater Management

The stormwater pond in the 2nd Addition will be expanded to manage additional stormwater from the 7th Addition. Stormwater management will be managed on site and the engineer's memo includes conditions to ensure compliance with local, watershed and State standards. A stormwater maintenance agreement must be prepared and submitted for review and approval by staff and will be required to be recorded with the final plat.

Easements

The developer has provided 10 ft. drainage and utility easements along the front and rear lot lines and 5 ft. drainage and utility easements along the side lot lines for single family lots. A drainage and utility easement is provided over the stormwater pond within the 3rd Addition.

Lighting

The applicant has submitted a lighting plan that shows lighting locations. One new streetlight has been provided at along the curve of 103rd Avenue on the sidewalk side of the street. Final streetlight locations will be field located during construction in coordination with the City.

Parks, Trails and Open Space

The City should accept park dedication in the form of land where shown on the plans. The park dedication requirements are based on the entire Bellwether development and will be satisfied, as approved by Council, by a combination of:

- Dedication of a 9-acre open space park at the center of the development.
- 3.96 acres of land as part of the dedication for the neighborhood park on the northern portion of the development.
- 4.4 acres of land for the proposed amenity center.
- Off-road trails.
- Cost of constructing the boardwalk across Wetland 7.
- Cost of paving off-road trails.

No park land or trails are proposed with this Addition.



Final Plat

The applicant is requesting approval of a final PUD development plan for 17 single family lots.

If this subdivision is approved, it would bring the total number of platted lots to 323 of 415 approved in the original Bellwether project:

- Bellwether 1st Addition = 78 Units
- Bellwether 2nd Addition = 79 units
- Bellwether 3rd Addition = 29 units
- Bellwether 4th Addition = 74 units
- Bellwether 5th Addition = 46 units
- Bellwether 6th Addition = 62 units*
- Bellwether 7th Addition = 17 units**

Total Units = 323 units (78% of the original Bellwether approved lots)

**Bellwether 6th Addition added land and units to the Bellwether neighborhood and the total increased from 398 to 497 units and 225.9 gross acres to 275.22 gross acres.*

***Bellwether 7th Addition land was part of the original project area but was retained as a single homestead so the total land area remains at 275.22 gross acres. The Bellwether 7th Addition adds units to the project and the total increased from 497 to 514 units.*

With the addition of the existing and Bellwether developments on the Van Blaricom property, the entire Bellwether project includes 514 units on 275.22 acres. Of the remaining 130 lots to be developed, 93 will be developed on the former Newman property and 37 will be developed on the southern portion of the former Van Blaricom property.

Only the City Council reviews the final plat. The Planning Commission will not provide a recommendation on the Final Plat.

Conclusion

Staff finds that the proposed plan is consistent with the Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance and preliminary PUD approvals. The staff report has noted outstanding issues that must be addressed and staff has included conditions in the attached resolution to address these issues.

4. Recommendation

Recommend approval of the draft resolution approving the final PUD development plan for Bellwether 7th Addition.



Attachments

1. Draft Resolution Approving Final Planned Unit Development Plan
2. City Engineer's Memo dated January 24, 2022
3. Site Location Map
4. Applicant's Narrative dated January 7, 2022
5. Final Planned Unit Development Plans dated January 7, 2022
6. Final Plat dated January 7, 2022
7. Concept plan dated May 2018
8. Phasing Plan dated January 21, 2022

RESOLUTION NO. 2022-XX

Motion By:
Seconded By:

**APPROVING FINAL PLANNED UNIT DEVELOPMENT (PUD) PLAN FOR
“BELLWETHER 7TH ADDITION” FOR PULTE HOMES OF MINNESOTA LLC (PID 01-
19-23-43-0009) (CITY FILE NO. 21-060)**

WHEREAS, Pulte Homes of Minnesota, LLC (the “applicant”) has requested approval of a final planned unit development (PUD) plan for “Bellwether 7th Addition for 17 new single family lots on the property legally described as:

Lot 1, Block 4, Bellwether 2nd Addition, Hennepin County, MN

WHEREAS, the Planning Commission has reviewed the plan at a public meeting and recommends approval, and;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORCORAN, MINNESOTA, that it should and hereby does approve the request for a final PUD plan, subject to the following conditions:

1. A final PUD plan is approved to create 17 single family lots for “Bellwether 7th Addition”, in accordance with the plans and application received by the City December 17, 2021 and additional information received on January 7, 2022, and January 11, 2022, except as amended by this resolution.
2. Approval is subject to the preliminary approvals (Resolutions 2018-48 and 2018-49).
3. Approval is contingent upon City Council approval of the final plat (Resolution 2022-XX).
4. The applicant shall comply with all requirements of the City Engineer’s memo dated January 24, 2022.
5. Park dedication is based on the development of the entire Bellwether and shall be satisfied through contribution of land, construction of the private amenity facility and associated land shown on plans, pavement of trails and construction of the boardwalk, as outlined in the PUD approvals. No park dedication is provided with this Addition.
6. All utility facilities shall be located underground.
7. Lawn sprinklers/irrigation systems (if provided) shall have rain sensors to limit unnecessary watering.
8. The HOA shall be responsible for the maintenance of ponds, sidewalks, and all common areas, including signage, lighting and landscaping in those areas.
9. Parking shall be permitted on one side of the local streets and shall be signed in accordance with city standards.

RESOLUTION NO. 2022-XX

10. Lighting shall comply with the lighting requirements of Section 1060.040 of the Zoning Ordinance and generally be placed on the sidewalk side of the street.

a. The applicant shall work with City staff to finalize the streetlight locations.

11. PUD Flexibility is granted to establish the following lot standards for this development:

	Single Family Detached
Minimum Lot Area	5,000 sq. ft. <i>(for flexibility--the smallest lot shown is 5,718)</i>
Minimum lot width (measured at front building setback)	44 feet
Minimum Principal Structure Setbacks	
Front, County Road 101	100 feet
Front, From all other streets	20 feet
Front Porch (≤ 120 square feet)	15 feet
Side (living)	5 feet
Side (garage)	5 feet
Rear	25 feet
Maximum Principal Building Height	35 feet
Driveway setback	5 feet

12. The following items must be addressed prior to issuance of building permits:

- a. Mechanical equipment (including air conditioning units) must be located in the side or rear yard and shown on plans.
- b. The plans must show centralized mailbox locations. These mailbox locations shall be approved by the US Postal Service and proof of the approved locations provided to the City.
- c. PUD flexibility is provided from the standard that requires architectural upgrades to all four sides of the building, based on the following conditions:
 - i. The applicant shall provide equal architectural treatment on the elevations of a home that face a public right-of-way or park. For example, if three sides of the home face a public right-of-way or park, then equal architectural treatment shall be provided on those three sides of the building. Lots with double frontages subject to this standard include:
 - a) Lot 6, Block 1 and Lot 11, Block 6 are corner lots and must upgrade facades facing the 102nd Place and 103rd Avenue right-of-ways.
 - b) Lots 1-10, Block 2 facing the Stieg Road right-of-way.

RESOLUTION NO. 2022-XX

VOTING AYE

- McKee, Tom
- Bottema, Jon
- Nichols, Jeremy
- Schultz, Alan
- Vehrenkamp, Dean

VOTING NAY

- McKee, Tom
- Bottema, Jon
- Nichols, Jeremy
- Schultz, Alan
- Vehrenkamp, Dean

Whereupon, said Resolution is hereby declared adopted on this XXth day of February 2022.

Tom McKee - Mayor

ATTEST:

Jessica Beise – Administrative Services Director

City Seal

To: Kevin Mattson, City of Corcoran From: Kent Torve, City Engineer
Steve Hegland, PE

Project: Bellwether 7th Addition Date: 1/28/2022

Exhibits:

This Memorandum is based on a review of the following documents:

1. Stormwater Management Plan, Prepared by AE2S, Dated April, 2018, and revised November 22, 2021.
2. Site Plans for Bellwether 7th Addition, Prepared by Sathre-Bergquist Inc., Signed and Dated 12/17/2021.

Comments:General:

1. Consistent with the review process, a comment response letter shall be provided in response to the following comments provided in this Memorandum in which the applicant provides a written response to each item.
2. In addition to engineering related comments per these plans, the proposed plans are subject to additional planning, zoning, land-use, and other applicable codes of the City of Corcoran.
3. A grading and erosion control plan review will be required by the Elm Creek Watershed Management Commission. The stormwater management for the site was reviewed and approved by the Elm Creek Watershed with a previous review.
4. For any site activity (demo, grading, utilities, etc.) no closures or restrictions of any kind shall be imposed upon the public use of Stieg Road without the City's permission. Should any lane restrictions be necessary, the Contractor shall notify the City at least 48 hours in advance and provide a Traffic Control Plan.
5. The well and septic system abandonment shall be completed by a licensed contractor and abandonment shall be permitted with final documentation provided to the City.
6. The curb cut on Stieg Road should be removed and replaced with full curb.
7. An encroachment agreement shall be required for all site improvements or items placed within the City ROW or easements if approved by the city.
8. Provide updated city of Corcoran standard details in the plan set.

Plat:

1. The applicant shall have all drainage and utility easements provided and shown and all platting requirements met per the City Code. Drainage and utility easements (5' – 10') shall be provided along property lines, as standard per City requirements.

January 28, 2022

Bellwether 7th Addition

Kevin Mattson

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2. Adjust required drainage and utility easements if necessary if any subsequent comments effect easement needs.

Erosion Control/SWPPP

1. Preparation of and compliance with a SWPPP shall be required for construction.

Transportation

1. Include "No parking this side of street" mid block on opposite side of sidewalk.

Grading /Stormwater

1. Reference the City of Corcoran Stormwater Guidelines for Development Review for standards for stormwater systems and modeling.
2. Rational calculations shall be provided to confirm all pipe sizes and inlet capacity at the time of final plat.
3. Show pond access routes for Pond 6N.
 - o Previous phases show pond access off of Stieg road. Show existing pond access and verify pond expansion does not affect access.
4. Numerous grading contour issues are present on the plans. Contours cannot converge, diverge, or end except where matching into existing contours around the perimeter of the grading.
5. The plan shows the pond 6N EOF at 943.5 on the north end. No EOF is in the XP model. Build EOF into model to ensure it is complete.
6. In the model, HWL for pond 6N is at 941.9, plan shows 943. Please make sure plans and modeling are consistent.
7. In the model, the 15" pipe connecting S8 and S7 has U/S and D/S inverts as 939.4 and 939. In the plan, this appears to be the pipe from CBMH 1 to CBMH EX. It is an 18" pipe at a lower invert (937.6 to 937.3)? Please verify.
8. Retaining walls shall not be allowed within the ROW or easement

Watermain/Sanitary Sewer

1. Gas, electric, and other private and public utilities are located adjacent and/or on the property. Preservation of existing easements and coordination with all public and private utilities must be conducted prior to commencing any grading or construction.

Other Comments:

1. Landscaping plans show trees planted in the drainage swale within the rear yard. Adjust trees or drainage swale to avoid this conflict.
2. Provide copies of all permit approvals to City

January 28, 2022
Bellwether 7th Addition
Kevin Mattson
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End of Comments



Hennepin County Property Map

Date: 1/25/2022



PARCEL ID: 0111923430009

OWNER NAME: J R & M S Martin Trust

PARCEL ADDRESS: 19319 Stieg Rd, Corcoran MN 55374

PARCEL AREA: 3.74 acres, 162,910 sq ft

A-T-B: Abstract

SALE PRICE:

SALE DATA:

SALE CODE:

ASSESSED 2020, PAYABLE 2021

PROPERTY TYPE: Residential
HOMESTEAD: Non-Homestead
MARKET VALUE: \$506,000
TAX TOTAL: \$6,779.40

ASSESSED 2021, PAYABLE 2022

PROPERTY TYPE: Residential
HOMESTEAD: Non-Homestead
MARKET VALUE: \$541,000

Comments:

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“Bellwether 7th Addition”

**APPLICATION FOR:
PUD Final Development Plan, Final Plat 7th Addition**

**CORCORAN, MINNESOTA
December 20, 2021**

Introduction

Pulte Homes of Minnesota, LLC (“Pulte”) is pleased to be submitting this application.

In July of 2021 we received Preliminary Plat approval for the Van Blaricom property along with the Schober Homestead property. The Van Blaricom property will be split between extensions of Bellwether and a new single-family neighborhood called Amberly.

The Schober Homestead was originally not part of the Bellwether Preliminary Plat approvals because the owner wanted to keep the property and potentially move into the home in the future. They have changed their mind and decided to sell so we are now adding this property into the Bellwether neighborhood. We anticipated the potential of this happening, so we had ghost platted extending the 44’ Garden lots in the Bellwether 4th Addition through this property.

We are submitting this application for final plat of the Schober Homestead which will be called Bellwether 7th Addition. This will add 17 new lots to the overall Bellwether neighborhood

Pulte will act as both developer of the property and builder of the homes within Bellwether 7th Addition. The primary contact for Pulte is:

Developer:

Chad Onsgard, Director of Development
7500 Flying Cloud Drive, Suite 670
Eden Prairie, MN 55344
952-229-0723
Chad.Onsgard@pultegroup.com

Current Owner:

Mary Schober Martin and Joel Martin
(JR & MS Martin Trust)
19319 Stieg Road
Corcoran, MN 55374

Property Legal Description

Lot 1, Block 4, Bellwether 2nd Addition.

Bellwether 7th Addition Final Plat & Final PUD Plan

The final plat for the 7th Addition is consistent with the approved Preliminary PUD Development plan for Bellwether.

Scope & Boundary

The Schober Homestead will be platted into 17 lots adjacent to Stieg Road. Utilities and streets will be extended from the 2nd and 4th additions and road connections will be made to 103rd Avenue to the West and 102nd Place to the South. The stormwater pond in the 2nd addition will be expanded to handle the additional stormwater from the new 7th Addition plat.

Park Dedication

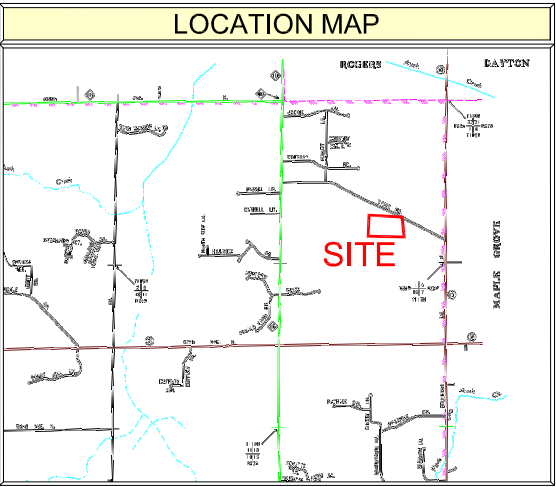
As part of the Bellwether 6th Addition plat, property was deeded in excess of required park dedication. Park credits shall be used for this plat with any remaining park fees to be paid in cash.

Right-of-Way Dedication

Required Right of Way will be dedicated along public streets as well as required drainage and utility easements for drainage areas and ponding.

The Homes

The homes that will be built on this property will be the 34' Garden series similar to other additions of Bellwether and the adjacent Bellwether 4th Addition. Setbacks, driveways, materials and architecture will be consistent with the Preliminary PUD Development plan for Bellwether and previous Bellwether approvals.



SHEET INDEX TABLE	
SHEET	Description
1	Title Sheet
2	Final Street Plan
3	Final Sanitary Sewer & Watermain Plan
4	Final Storm Sewer Plan
5	Final Grading Plan
6	Final Erosion Control Plan
7-13	Construction Details

DEVELOPMENT DATA

Street: 50' ROW - 30' B-B
CDS - 50' R

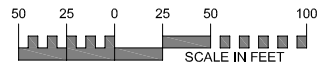
SETBACKS

Active Adult

Frontyard Setback: 20'
22' Minimum Driveway
Sideyard Setback: 5/5'
Rearyard Setback: 25'

44' WIDE ACTIVE ADULT LOT

PREPARED BY	PREPARED FOR
ENGINEER SATHRE-BERGQUIST, INC. 150 SOUTH BROADWAY WAYZATA, MINNESOTA 55391 PHONE: (952) 476-6000 FAX: (952) 476-0104 CONTACT: ROBERT S. MOLSTAD, P.E. EMAIL: MOLSTAD@SATHRE.COM	DEVELOPER PULTE HOMES OF MINNESOTA 7500 FLYING CLOUD DRIVE EDEN PRAIRIE, MN 55344 CONTACT: CHAD ONSGARD PHONE: (952) 229-0723 EMAIL: CHAD.ONGSARD@PULTEGROUP.COM



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

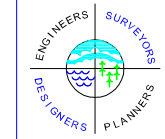
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Eric R. Johnson

ERIC R. JOHNSON, P.E.
Date: 12/17/21 Lic. No. 56659



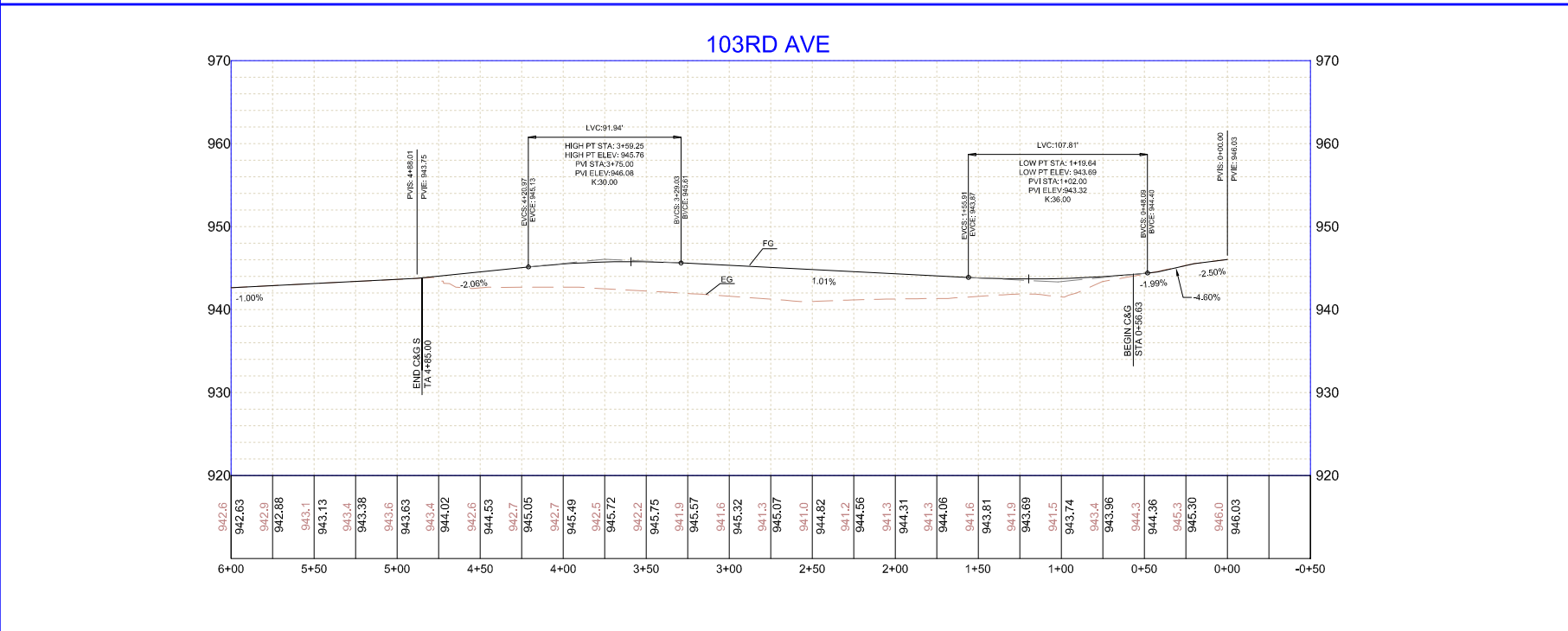
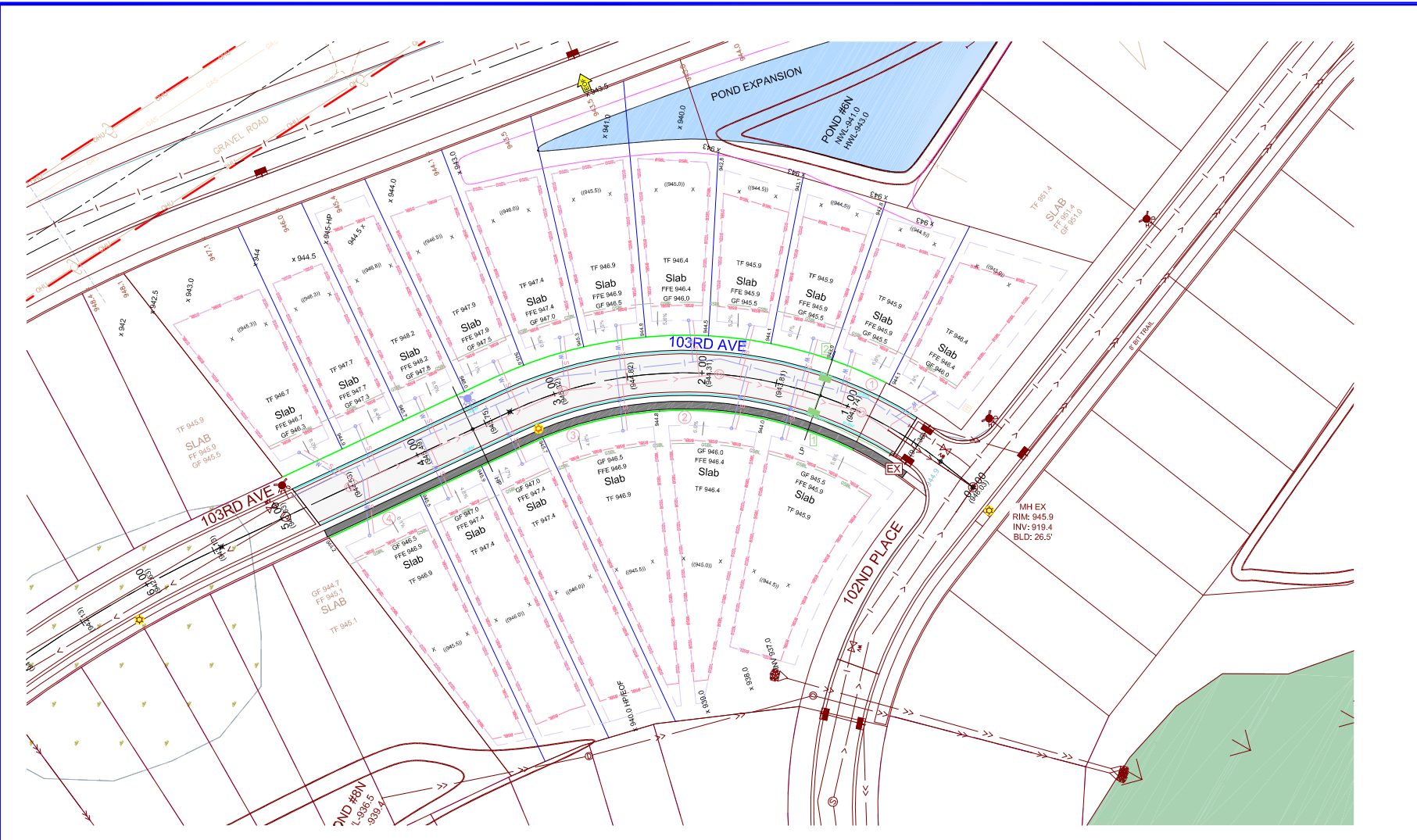
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150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

CITY PROJECT NO.
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CORCORAN, MINNESOTA

Title Sheet
BELLWETHER 7TH ADDITION
PULTE HOMES OF MINNESOTA, LLC

FILE NO.
72905-313-8000
1
13

72905-313-8000



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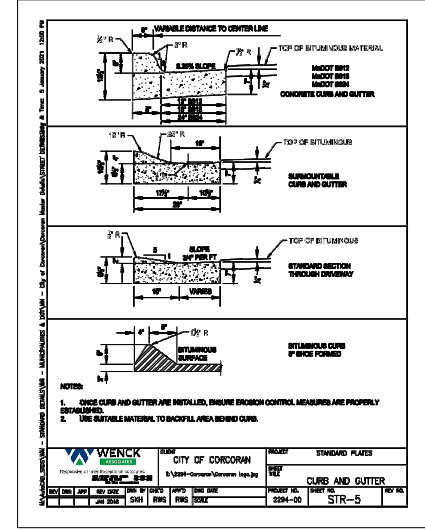
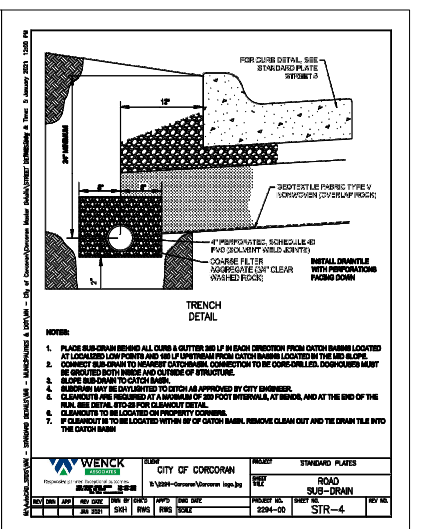
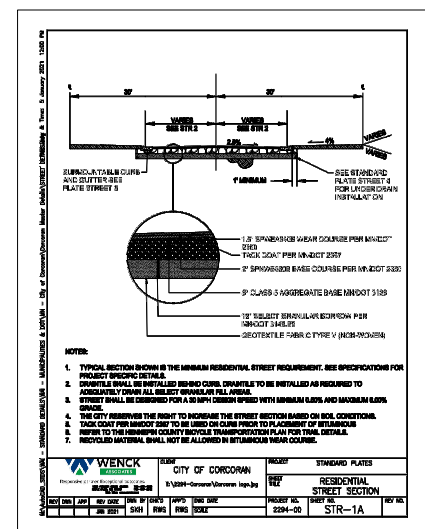
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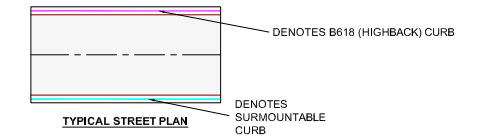
FINAL STREET PLAN
BELLWETHER 7TH ADDITION
PULTE HOMES OF MINNESOTA, LLC

FILE NO. 72905-313-8000
 2
 13



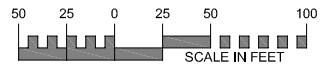
- STREET NOTES**
- ALL PUBLIC STREETS ARE 28' FF UNLESS OTHERWISE NOTED. CURB DIMENSIONS ARE SHOWN BACK TO BACK.
 - ALL TEMPORARY, DEAD-END STREETS SHALL BE CLOSED WITH TEMPORARY BARRICADES AND ARE TO BE FULLY REFLECTORIZED AND PROPERLY MAINTAINED UNTIL THE STREET IS EXTENDED, OR TEMPORARY CUL-DE-SACS ARE REQUIRED.
 - SEE DETAILS STR-1 TO STR-14 FOR STREET DESIGN STANDARDS.
 - ALL SIDEWALKS SHALL BE 6" THICK AND 5' WIDE PER DETAIL STR-14. CONSTRUCT A PED RAMP AT EACH CURB AND/OR ROAD INTERSECTION PER STANDARD DETAIL STR-13.
 - NO PARKING PERMITTED IN CUL-DE-SACS.
 - CUL-DE-SAC ISLAND CURB SHALL BE OUTFALL GUTTER.
 - STREET DRAINAGE SHALL BE INSTALLED 1FT BEHIND CURB PER DETAIL STR-4. INSTALL 250 LF IN EACH DIRECTION FROM LOW POINTS & 150 LF IN UPSTREAM DIRECTION FROM CATCH BASINS ON GRADE.
 - INSTALL CENTER ISLAND RADIUS CURB RAMP PER CITY DETAIL STR-23.

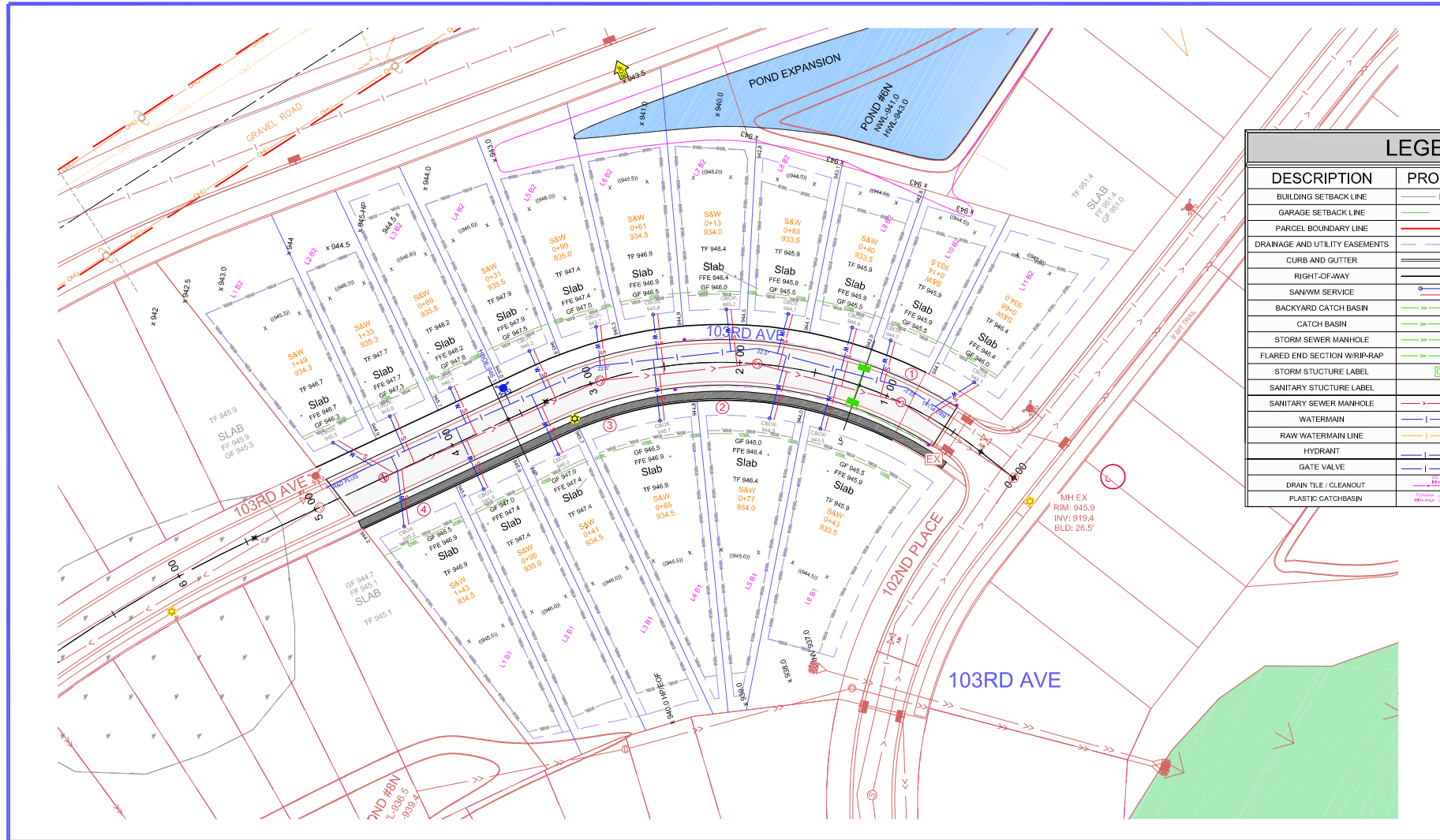
ALL STORM SEWER STRUCTURES SHALL BE EXPOSED DURING STRING LINE OF CURB TO ENSURE PROPER FIT WITH CONCRETE RINGS.



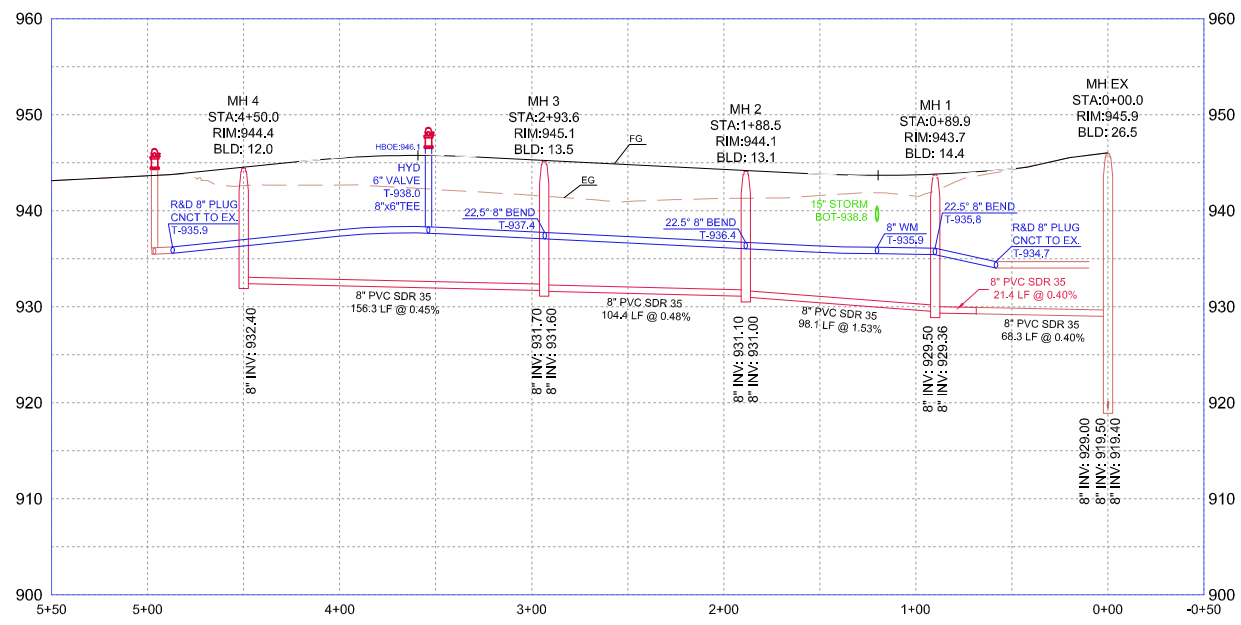
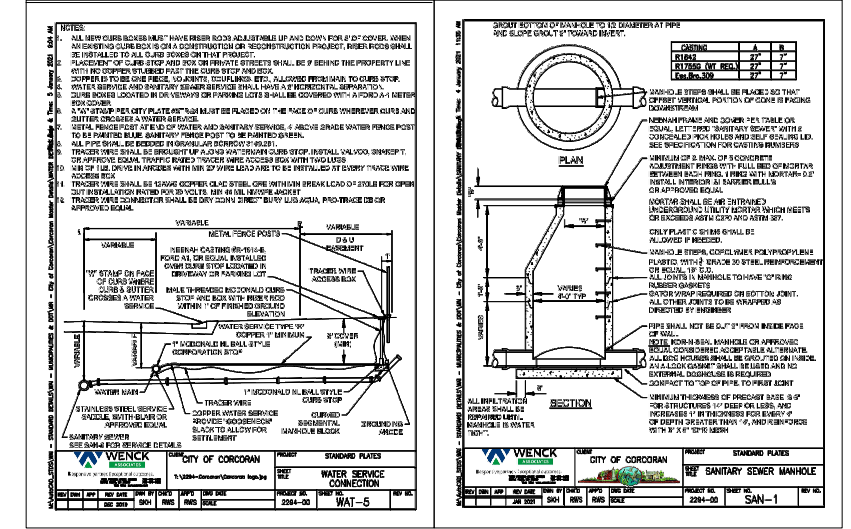
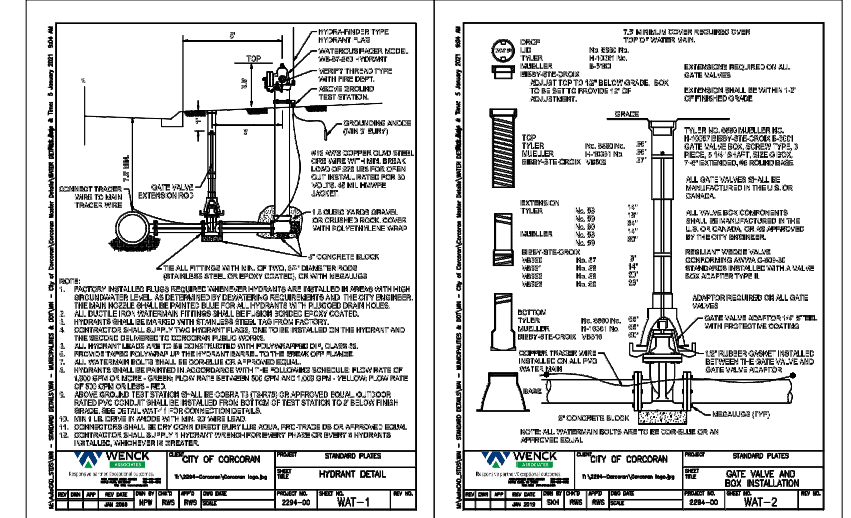
LEGEND

DESCRIPTION	PROPOSED	EXISTING
BUILDING SETBACK LINE	BSSL	BSSL
GARAGE SETBACK LINE	GSSL	GSSL
PARCEL BOUNDARY LINE		
DRAINAGE AND UTILITY EASEMENTS		
CURB AND GUTTER		
RIGHT-OF-WAY		
SANITARY SERVICE		
BACKYARD CATCH BASIN		
CATCH BASIN		
STORM SEWER MANHOLE		
FLARED END SECTION WRIP-RAP		
STORM STRUCTURE LABEL	CB H3	CB H3
SANITARY STRUCTURE LABEL		
SANITARY SEWER MANHOLE		
WATERMAIN		
RAW WATERMAIN LINE		
HYDRANT		
GATE VALVE		
DRAIN TILE / CLEANOUT		
PLASTIC CATCH BASIN		





DESCRIPTION	PROPOSED	EXISTING
BUILDING SETBACK LINE	BSBL	BSBL
GARAGE SETBACK LINE	CSBL	CSBL
PARCEL BOUNDARY LINE		
DRAINAGE AND UTILITY EASEMENTS		
CURB AND GUTTER		
RIGHT-OF-WAY		
SAN/W SERVICE		
BACKYARD CATCH BASIN		
CATCH BASIN		
STORM SEWER MANHOLE		
FLARED END SECTION WRAP-RAP		
STORM STRUCTURE LABEL		
SANITARY STRUCTURE LABEL		
SANITARY SEWER MANHOLE		
WATERMAIN		
RAW WATERMAIN LINE		
HYDRANT		
GATE VALVE		
DRAIN TILE / CLEANOUT		
PLASTIC CATCH BASIN		



- NOTES:
- SANITARY CASTINGS SHALL BE NEENAH R-1642B.
 - 8" SANITARY SEWER - SDR 35 TO 16", SDR 26 FOR DEPTHS BETWEEN 16" AND 25", C900 FOR DEPTHS OVER 25".
 - 16" SANITARY SEWER SHALL HAVE 4" DIP CL 52 TEES, SERVICES AND RISERS. DUCTILE IRON TO BE LINED WITH PROTECTO 401 COATING. ALL OTHER TEES, SERVICES, AND RISERS TO BE INSTALLED PER DETAILS SAN-6 & SAN-7.
 - INSTALL INTERIOR I & I BARRIER EULL'S OR APPROVED EQUAL ON ALL MANHOLES.
 - EXTERNAL JOINT WRAP ARE REQUIRED ON ALL MANHOLES.
 - ALL WATERMAIN SHALL BE PVC C900 DESIGNED TO OPERATE AT 150 PSI PLUS WATERHAMMER, 6" DIP CL52, 8" C900 C135 DR 18, 12" C900 C135 DR14)
 - BUTTERFLY GATE VALVES ARE REQUIRED ON ALL WATERMAIN 12" AND LARGER.** ALL GATE VALVES SHALL HAVE STAINLESS STEEL BOLTS.
 - CURB BOXES TO HAVE EXTENSION (RMS) TO CURB STOP.
 - PROVIDE POLYETHYLENE WRAP (8ML TUBE TYPE) AROUND ALL WATERMAIN IN ACCORDANCE WITH AWWA C-105 STANDARDS. MEG-A-LUG JOINT RESTRAINTS SHALL BE USED ON ALL FITTINGS.
 - HYDRANTS TO BE WB NO. WB-67 250 PP MODIFIED WITH STAINLESS BOLTS. PROVIDE 2 HYDRAFINDER MARKING DEVICE AND RE-PAINT AFTER INSTALLATION.
 - HYDRANT SHALL BE 8.0' BURY. WATERMAIN SHALL HAVE 7.5' COVER. HYDRANT LEADS SHALL BE CLASS 52 D.I.P. ALL HYDRANTS SHALL HAVE STORZ CONNECTIONS INSTALLED.
 - ALL WATERMAIN BOLTS SHALL BE CORE-BLUE T-BOLTS WITH PROTECTED END CAPS.
 - TRACER WIRE SHALL BE RATED UL AND #12 COPPER SOLID WIRE STRAND. CONNECTED TO HYDRANT AT BOTTOM BREAKOFF BOLT WITH ELECTRICAL CONNECTOR.
 - INSTALL TRACER WIRE (GREEN) WITH SANITARY SEWER MAIN. PLACEMENT OF CONNECTION BOXES AND GROUND ANODES SHALL BE IN THE BOULEVARD PERPENDICULAR TO THE MANHOLE STRUCTURES.
 - MINIMUM TYPE "K" COPPER SERVICE WITH CURB STOP. CURB BOXES SHALL BE INSTALLED 9' BEYOND RIGHT-OF-WAY.
 - ALL SEWER SERVICES ARE LOCATED 3' DOWNSTREAM OF WATER SERVICES.
 - ALL DUCTILE IRON FITTINGS SHALL BE EPOXY COATED AND WRAPPED IN POLY.
 - ALL DROP MANHOLES TO BE LINED WITH A GSE STUDLINER EMBEDDED INTO CONCRETE WALL AS MANUFACTURED BY ROYAL CONCRETE PRODUCTS. ARGU SURE GRIP THERMOPLASTIC LINING APPROVED EQUAL.
 - REQUIRE THREAD TYPE ON ALL HYDRANTS TO BE HOSE - NST 2" TP75327 THREADS PER INCH, NOMINAL THREAD O.D. 3.062, PUMPER - 5" STORZ NOZZLE. #5 NUT - NST 1" PENTAGON. OPEN LEFT. RED. SPECIFICATIONS TO MATCH PREVIOUS STANDARDS. IN ADDITION TO THE 5" STORZ PUMPER NOZZLE.
 - STORZ CONNECTIONS SHALL BE INSTALLED ON ALL HYDRANTS.

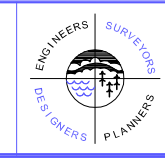
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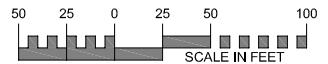


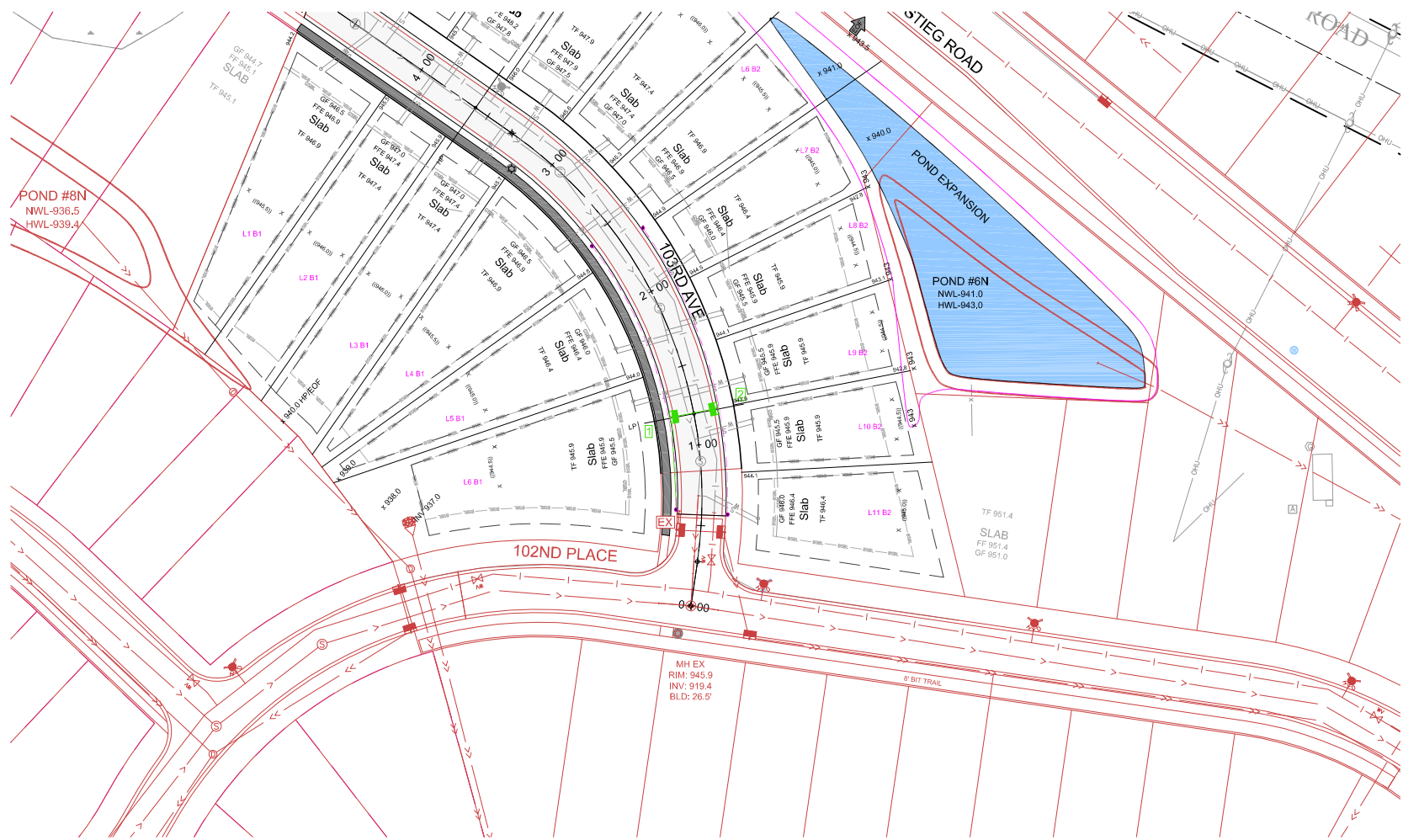
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CORCORAN, MINNESOTA

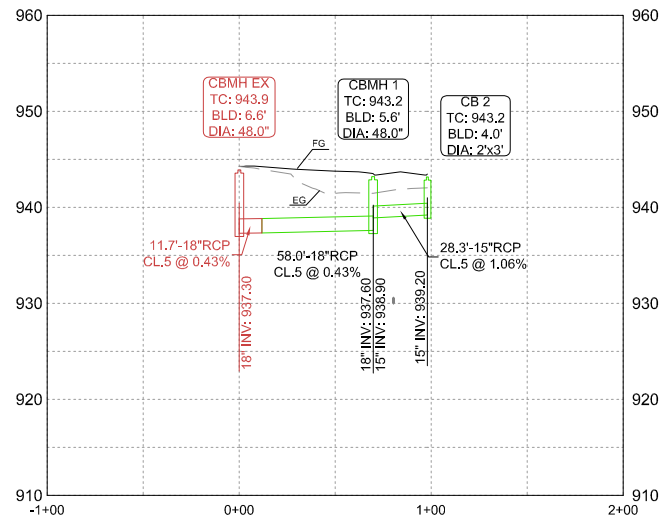
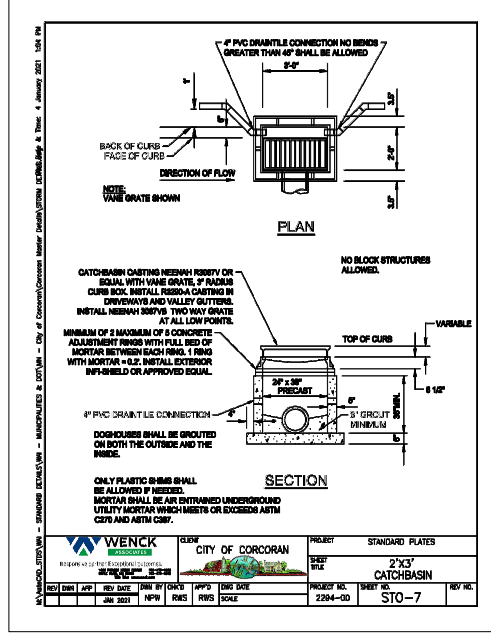
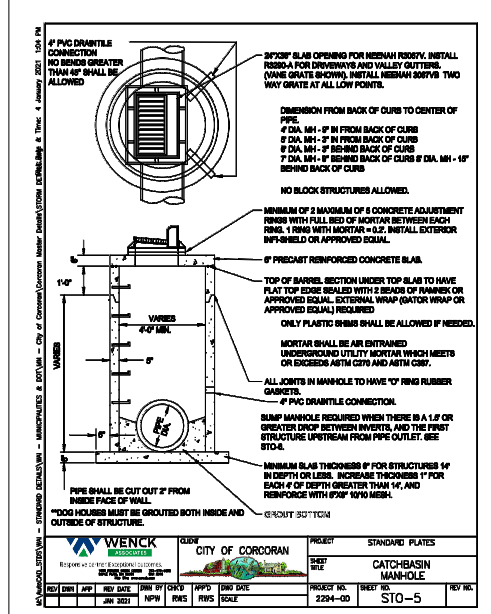
FINAL SANITARY SEWER & WATERMAIN PLAN
BELLWETHER 7TH ADDITION
 PULTE HOMES OF MINNESOTA, LLC

FILE NO. 72905-313-8000
3
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LEGEND		
DESCRIPTION	PROPOSED	EXISTING
BUILDING SETBACK LINE	BSBL	BSBL
GARAGE SETBACK LINE	GSBL	GSBL
PARCEL BOUNDARY LINE		
DRAINAGE AND UTILITY EASEMENTS		
CURB AND GUTTER		
RIGHT-OF-WAY		
SAN/WM SERVICE		
BACKYARD CATCH BASIN		
CATCH BASIN		
STORM SEWER MANHOLE		
FLARED END SECTION WRIP-RAP		
STORM STRUCTURE LABEL	CB H3	CB H3
SANITARY STRUCTURE LABEL		
SANITARY SEWER MANHOLE		
WATERMAIN		
RAW WATERMAIN LINE		
HYDRANT		
GATE VALVE		
DRAIN TILE / CLEANOUT		
PLASTIC CATCHBASIN		



STRUCTURE TABLE							
STRUCTURE NAME	TYPE	DIAMETER	RIM	BUILD	INV	CASTING	NOTES
1	CBMH	48.0"	943.2	5.6'	937.6	R-3067	
2	CB	2'x3'	943.2	4.0'	939.2	R-3067	

- NOTES**
- 4" DRAINTILE SHALL BE INSTALLED AT THE LOWPOINT CATCH BASINS 250' MIN. (STD) IN EACH DIRECTION & 150' IN THE UPHILL DIRECTION FOR ON SLOPE CATCH BASINS.
 - 6" PERFORATED DRAINTILE SHALL BE INSTALLED THROUGH THE INFILTRATION/FILTRATION AREAS AS SHOWN ON THE PLANS. SEE THE "TYPICAL DETAIL - INFILTRATION/FILTRATION AREA" ON GRADING PLAN, SHEET XX FOR INSTALLATION PURPOSES.
 - 6" PERFORATED REAR YARD DRAINTILE NOT WITH THE INFILTRATION/FILTRATION AREAS SHALL COMPLY TO CITY DETAIL ST0-14.
 - TIE THE LAST 6 PIPE JOINTS TO FLARED END SECTIONS (TYPICAL).
 - TRASH GUARDS SHALL BE PLACED ON ALL FLARED END SECTIONS.
 - TIE ALL JOINTS ON STORM SEWER BETWEEN APRONS AND OSC STRUCTURES AND ALL CULVERT APRONS.
 - WIMCO'S OR APPROVED EQUAL TO BE INSTALLED AT ALL STORM INLETS. SEE CITY DETAILS ERO-4A, ERO-4C, AND ERO-4D.
 - GRANULAR MATERIAL SHALL BE PLACED UNDER STORM SEWER PIPE OR STRUCTURES THAT ARE LESS THAN 48" BELOW FINISHED GRADE AND EXTEND TO AT LEAST 48" BELOW FINISHED GRADE.
 - RIP-RAP FOR STORM SEWER SHALL BE CONSTRUCTED USING GRANITE ROCK, 1" DIAMETER OR LARGER AND SHALL BE HAND PLACED.
 - ALL ADJUSTING RINGS TO BE CONCRETE.
 - ALL STORM STRUCTURES SHALL BE PRECAST OR POURED IN PLACE. NO BLOCK STRUCTURES ALLOWED.

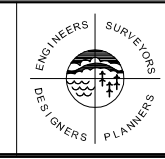
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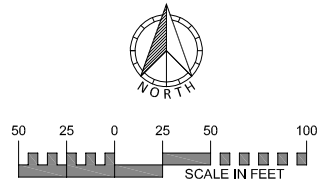


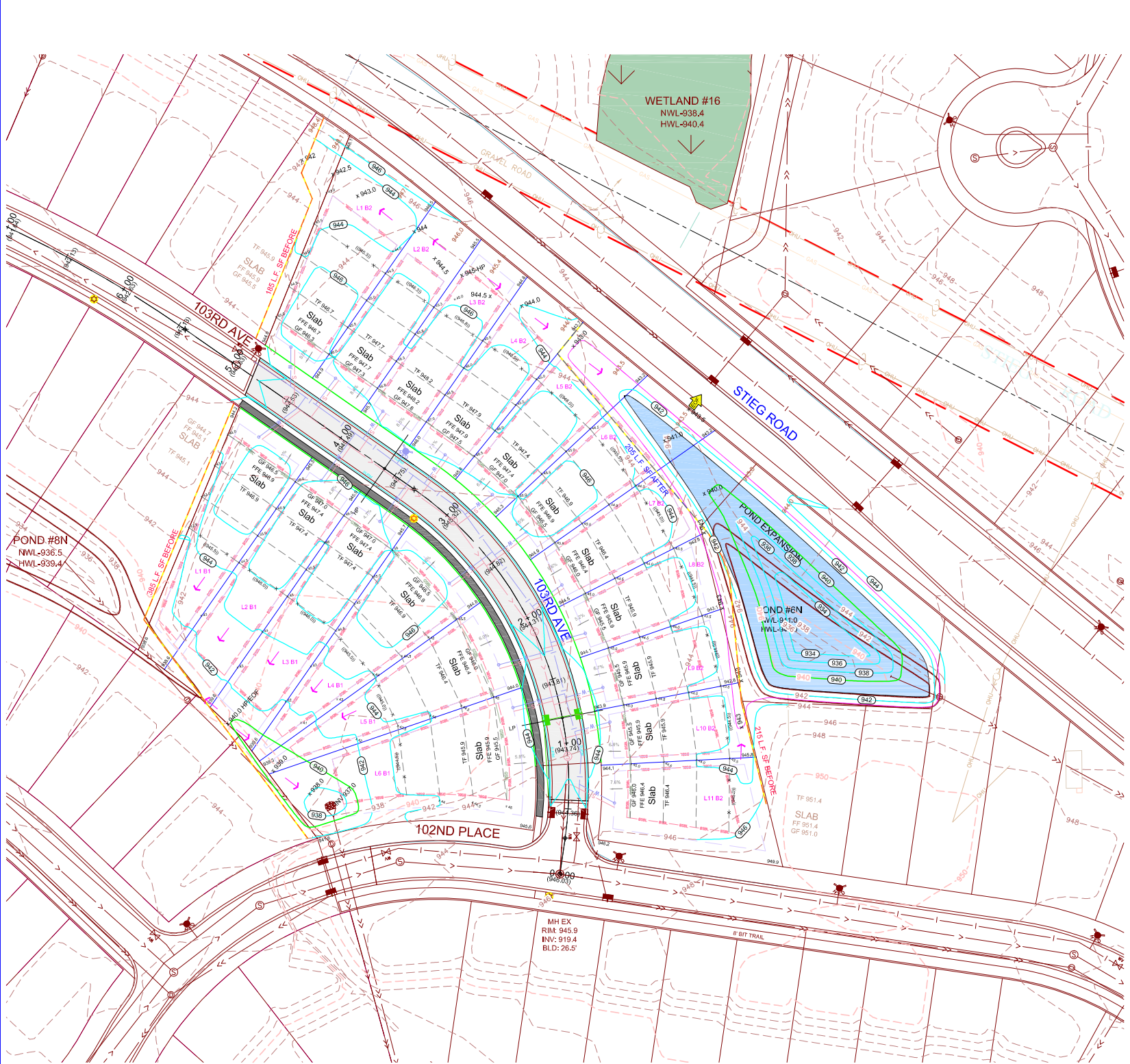
SATHRE-BERGQUIST, INC.
 150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

CITY PROJECT NO. ---
CORCORAN, MINNESOTA

FINAL STORM SEWER PLAN
BELLWETHER 7TH ADDITION
PULTE HOMES OF MINNESOTA, LLC

FILE NO. 72905-313-8000
4
 13



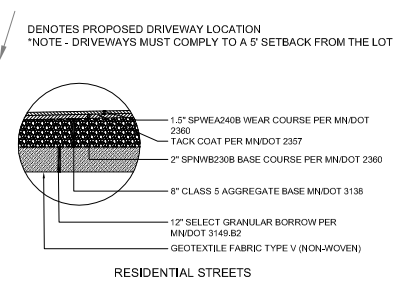
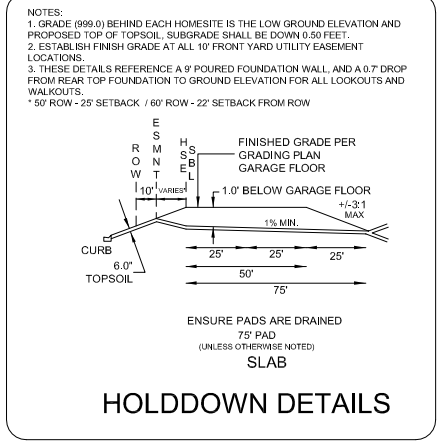
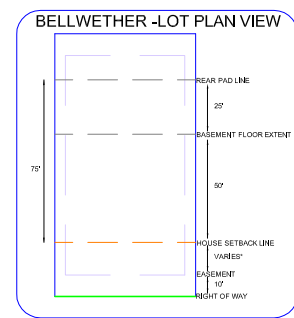


- CONSTRUCTION NOTES**
1. INSTALL SILT FENCE AS SHOWN ON PLAN, AS REQUIRED BY THE CITY OF CORCORAN, ELM CREEK WATERSHED DISTRICT OR DIRECTED BY THE ENGINEER.
 2. THE WATER QUALITY POND MUST BE EXCAVATED AT THE BEGINNING OF GRADING OPERATIONS TO PROVIDE TEMPORARY STORM WATER DETENTION DURING CONSTRUCTION. SAND, CLAYS, AND SILTS MUST BE REMOVED FROM THE POND AS NECESSARY DURING CONSTRUCTION AND AT THE COMPLETION OF THE PROJECT. REFER TO SECTION 2.2 OF THE STORM WATER POLLUTION PREVENTION PLAN.
 3. BEGIN GRADING. INSTALL PERFORATED RISER PIPE IN PONDS WHEN POND GRADING IS COMPLETE. TEMPORARY DRAINAGE PIPE SHALL BE USED FOR INTERMEDIATE DRAINAGE DURING THE CONSTRUCTION PERIOD AS NECESSARY AND DIRECTED BY THE ENGINEER. THE TEMPORARY DRAINAGE PIPES SHALL BE INCIDENTAL TO THE GRADING OPERATIONS. INSTALL SILT FENCE AROUND EXCAVATED POND, AFTER THE AS-BUILT ELEVATIONS HAVE BEEN VERIFIED BY THE ENGINEER.
 4. INSPECT POND, SILT FENCE, AND ROCK ENTRANCE BERM AFTER ALL RAINFALL EVENTS AS REQUIRED BY THE NPDES PERMIT.
 5. LINE ALL PONDS WITH A MINIMUM 4" ORGANIC SOILS & SEED SLOPES BETWEEN NWL AND 100 YR HWL WITH A WATER TOLERANT MIX. (OR AS NOTED)
 6. REMOVE PERFORATED RISER PIPE WHEN STORM SEWER AND OUTLET STRUCTURE FOR PONDS ARE INSTALLED (INCIDENTAL).
 7. POND - 10:1 BENCH (1 FOOT) THEN 4:1 MAX
 8. LO & WO FINISHED PADS SHALL BE FLATTER THAN 3:1. ALL OTHER SLOPES 4:1 MAX (UNLESS NOTED)
 9. RESTORATION -
 - A. RESTORE ALL DISTURBED AREAS WITH 4" TO 6" OF TOPSOIL, OR EXISTING ON-SITE ORGANIC MITL.
 - B. SEED ALL DISTURBED AREAS WITH MNDOT MIXTURE #290 AT A RATE OF 100 LBS./ACRE AND FERTILIZER WITH 20-0-10 AT 100 LBS./ACRE. (UNLESS OTHERWISE NOTED)
 - C. SEED WETLAND BUFFER AREAS WITH MIX 35-241 (MESIC PRAIRIE GENERAL), TEMPORARY WETLAND 10 IMPACT-STATE SEED MIX 34-271, WETLAND EXCAVATION/IRRIGATION AREA - STATE SEED MIX 34-181 (EMERGENT WETLAND OR SIMILAR)
 - D. ONLY PHOSPHOROUS FREE FERTILIZER IS TO BE USED ON SITE.
 - E. MULCH WITH TYPE 1 AT A RATE OF 2 TONS/ACRE AND DISC ANCHOR IMMEDIATELY AFTER PLACEMENT. USE WOODFIBER BLANKET ON ALL SLOPES 3:1 (FT) OR GREATER.
 - F. PLACE APPROVED STORM SEWER INLET PROTECTION IN OR AROUND ALL STORM SEWER INLETS AND MAINTAIN UNTIL STREET CONSTRUCTION IS COMPLETED.
 - G. MAINTAIN ALL SILT FENCE UNTIL TURF HAS BEEN ESTABLISHED.
 - H. RESTORATION WORK WILL BE COMPLETED WITHIN 72 HOURS OF GRADING COMPLETION

- GENERAL NOTES:**
1. THE GRADING CONTRACTOR IS RESPONSIBLE FOR ALL STORM WATER INSPECTIONS ACCORDING TO THE MPCA STORM WATER PERMIT. THIS INCLUDES BOTH WEEKLY INSPECTIONS AND INSPECTIONS DONE AFTER A 0.5" RAIN EVENT. A COPY OF THE INSPECTION REPORT MUST BE EMAILED TO THE ENGINEER AND DEVELOPER ON A WEEKLY BASIS.
 2. THE CONTRACTOR SHALL PLACE INLET PROTECTION DEVICES FOR ALL STORM SEWER INLETS (EXISTING AND PROPOSED) AND MAINTAIN THEM AS AN EFFECTIVE SILT CONTROL DEVICE. INLET PROTECTION SHALL BE REMOVED WHEN RESTORATION HAS BEEN ESTABLISHED.
 3. ALL RETAINING WALLS WILL REQUIRE A STRUCTURAL DESIGN, A BUILDING PERMIT & A FINAL INSPECTION REPORT (IF APPLICABLE)
 4. A 1'-2" CRUSHED ROCK ENTRANCE BERM SHALL BE PLACED AT THE SITE ENTRANCE, TO REPLACE SILT FENCE, AND MINIMIZE EROSION ON TO THE STREETS. THE ROCK BERMS SHALL BE THE WIDTH OF THE ENTRANCE AND 2 FEET HIGH WITH 4:1 SLOPES. (SEE DETAIL)
 5. THE CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE AWAY FROM THE BUILDING PAD AND STREET AREAS THROUGHOUT CONSTRUCTION.
 6. THE CONTRACTOR SHALL ATTEMPT TO PREVENT SOIL MATERIALS FROM LEAVING THE SITE BY EROSION AND VEHICLE WHEEL TRACKING. HE SHALL BE RESPONSIBLE FOR CLEANING OF STREET, BOULEVARD AND UTILITY FACILITIES THAT RECEIVE ANY ERODED OR TRACKED SOIL MATERIAL OR OTHER CONSTRUCTION DEBRIS OR MATERIAL. THE GRADING CONTRACTOR WILL BE REQUIRED TO PROVIDE STREET SWEEPING ON HUNTER DRIVE DURING THE GRADING OPERATIONS, IF REQUIRED.
 7. EXISTING UTILITIES SHOWN ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES ARISING OUT OF HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.

- ON-SITE BMPs**
1. NURP POND - NURP POND WILL BE UTILIZED TO MEET OR EXCEED QUALITY AND RATE CONTROL REQUIREMENTS.
 2. SKIMMERS - THE POND OUTLET STRUCTURE INCLUDES A SUBMERGED INLET PIPE TO ALLOW SKIMMING (Utility Contractor)
 3. RIP RAP - RIP RAP WILL BE UTILIZED AT ALL APRONS FOR ENERGY DISSIPATION AND PROVIDE SEDIMENT CONTROL (Utility Contractor)
 4. INLET PROTECTION - INLET PROTECTION WILL BE INSTALLED AND MAINTAINED IN ALL CATCH BASINS & REAR YARD STRUCTURES. (WIMCO'S OR EQUAL) (Utility Contractor)
 5. SLOPE STABILIZATION - SILT FENCE WILL BE INSTALLED ALONG DOWN GRADIENT GRADING LIMITS AND WOODFIBER BLANKET WILL BE UTILIZED ON ALL SLOPES 3:1 OR GREATER TO PROVIDE ADEQUATE SLOPE STABILIZATION. (Grading Contractor)
 6. BERRILLS - BERRILLS WILL BE INSTALLED ALONG REAR YARD SWALES TO PREVENT SEDIMENT FROM REACHING THE NURP POND AND ULTIMATELY DOWNSTREAM WETLANDS (Grading Contractor)
 7. INFILTRATION AREAS - INFILTRATION AREAS WILL BE UTILIZED TO REDUCE THE AMOUNT OF RUNOFF FROM THE INCREASED HARDSURFACE. (Grading Contractor)
 8. STREET SWEEPING - STREET SWEEPING WILL BE DONE A MINIMUM OF ONCE PER WEEK OR AS NEEDED TO MINIMIZE DUST CONTROL AND VEHICLE TRACKING. (Grading and Utility Contractor)
 9. PHOSPHOROUS FREE FERTILIZER - PHOSPHOROUS FREE FERTILIZER WILL ALSO BE USED ON SITE.
 10. ALL CONCRETE WASHOUT WASTE PRODUCED SHALL BE REMOVED FROM THE SITE. (Utility Contractor)
 12. ADDITIONAL BMPs SHALL BE INSTALLED AROUND ALL WETLANDS WHERE GRADING IS TO OCCUR WITHIN 50FT. SUCH BMPs INCLUDE DOZER CUT DITCH.

DESCRIPTION	PROPOSED	EXISTING
MINOR CONTOUR	954	954
MAJOR CONTOUR	960	960
LOT LINE		
BUILDING SETBACK LINE	B'SBL	B'SBL
GARAGE SETBACK LINE	G'SBL	G'SBL
PARCEL BOUNDARY LINE		
DRAINAGE AND UTILITY EASEMENTS		
CURB AND GUTTER		
RIGHT-OF-WAY		
BACKYARD CATCH BASIN		
CATCH BASIN		
STORM SEWER MANHOLE		
FLARED END SECTION WRAPARAP		
SANITARY SEWER MANHOLE		
HYDRANT		
GATE VALVE		
DRAIN FLOW/RUNOFF ARROW		
EMERGENCY OVERFLOW SWALE		
SILT FENCE (PRE CONSTRUCTION)		
SILT FENCE (POST CONSTRUCTION)		
SPOT ELEVATION	x 960.0	x 960.0
TBC SPOT ELEVATION	x 960.00	x 960.0



*AS OUTLINED IN THE PROJECT ENVIRONMENTAL ASSESSMENT WORKSHEET, INVASIVE SPECIES SUCH AS BUCKTHORN WILL BE ERADICATED THROUGH THE SITE CONSTRUCTION AND DEVELOPMENT PROCESS. IN ALL DISTURBED AREAS, BUCKTHORN MUST BE REMOVED AND DISPOSED OF IN CONJUNCTION WITH THE TREE REMOVAL AND GRADING PROCESS.

*IF SITE WORK IS PERFORMED DURING THE SPRING, ALL TREE REMOVAL CONTRACTORS WILL BE REQUIRED TO INSPECT TREES AND SHRUBS PRIOR TO REMOVAL TO ENSURE THERE ARE NO ACTIVE LOGGERHEAD SHRIKE NESTS. IF ANY ARE DISCOVERED, LEAVE THE VEGETATION AND NEST IN PLACE AND REPORT ANY LOGGERHEAD SHRIKE SIGHTINGS TO PULTE HOMES, WHO WILL NOTIFY THE DNR. FOR INFORMATION ON HOW TO IDENTIFY A LOGGERHEAD SHRIKE NEST, SEE <https://www.dnr.state.mn.us/rs/g/profile.html#action=elementdetail&selectedelement=ABP801030>.

*NOTE - TEMPORARY DRAINAGE MEASURES MAY BE NECESSARY AT LOW POINTS. CONTRACTOR SHALL MAKE FIELD ADJUSTMENTS AS NECESSARY PER THE DIRECTION OF THE CITY ENGINEER IN ORDER TO MAINTAIN PROPER DRAINAGE AND PROVIDE PROPER EROSION CONTROL MEASURES.

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

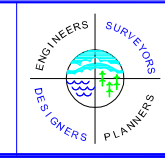
DRAWING NAME	NO.	BY	DATE	REVISIONS
7TH ADD				
DRAWN BY				
CHECKED BY				
DATE				

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

Eric R. Johnson

ERIC R. JOHNSON, P.E.
Date: 12/17/21 Lic. No. 56659

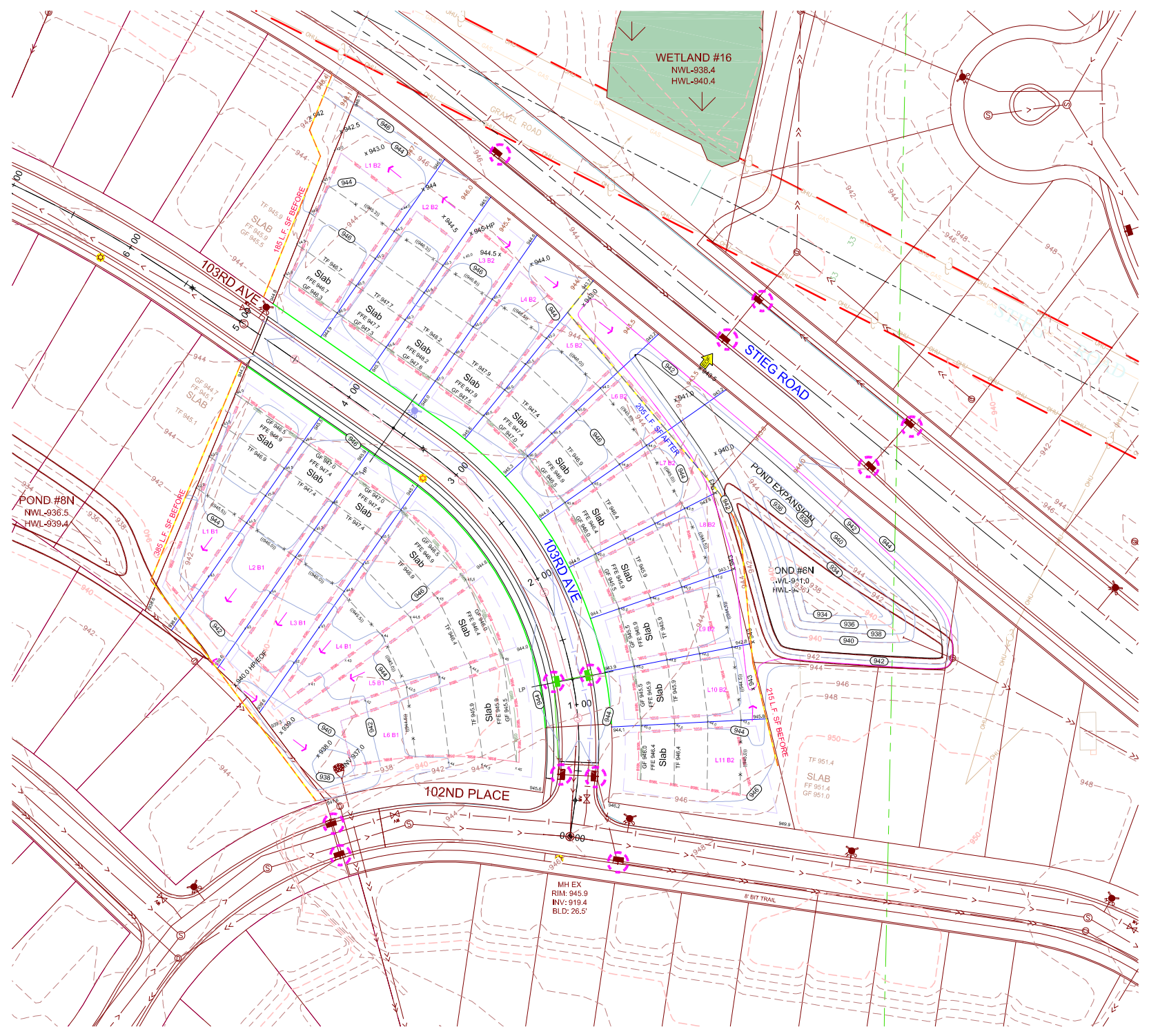










SATHRE-BERGQUIST, INC.
150 SOUTH BROADWAY WAYZATA, MN, 55391 (952) 476-6000

CITY PROJECT NO.
CORCORAN, MINNESOTA

FINAL GRADING PLAN
BELLWETHER 7TH ADDITION
PULTE HOMES OF MINNESOTA, LLC

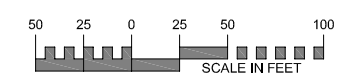
FILE NO.
72905-313-8000
5
13



-  ROCK ENTRANCE BERM
-  SILT FENCE
-  POST GRADING SILT FENCE
-  BIO-ROLL
-  CONCRETE WASHOUT
-  INLET PROTECTION (WIMCO)
-  WOODFIBER BLANKET
-  POND EOF

SITE DATA

- GRADED AREA - +/- 4.1 ACRES
- RESTORATION AREA - +/- 3.4 ACRES
- POND NWL AREA - +/- 0.4 ACRES
- STREET AREA - 0.3 ACRES
- SILT FENCE (PRE- CONSTRUCTION) - 785 LF
- SILT FENCE (POST-CONSTRUCTION) - 205 LF
- WIMCOS - 12
- EROSION BLANKET - **AS NEEDED** - AS REQUIRED ON ALL SLOPES 4:1 OR STEEPER (PER CITY ENGINEER)



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

DRAWING NAME	NO.	BY	DATE	REVISIONS
7TH ADD				
DRAWN BY				
CHECKED BY				
DATE				
12/17/21				

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

Eric R. Johnson

ERIC R. JOHNSON, P.E.
Date: 12/17/21 Lic. No. 56659

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



CITY PROJECT NO. ---

CORCORAN, MINNESOTA

FINAL EROSION CONTROL PLAN
BELLWETHER 7TH ADDITION
PULTE HOMES OF MINNESOTA, LLC

FILE NO. 72905-313-0000

6

13

KNOW ALL PERSONS BY THESE PRESENTS: That Pulte Homes of Minnesota, LLC, a Minnesota limited liability company, owner of the following described property situated in the State of Minnesota, County of Hennepin, to wit:

Lot 1, Block 4, BELLWETHER 2ND ADDITION.

Has caused the same to be surveyed and platted as BELLWETHER 7TH ADDITION and does hereby dedicate to the public for public use the public ways and the easements for drainage and utility purposes as created by this plat.

In witness whereof said Pulte Homes of Minnesota, LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this _____ day of _____, 2022.

Signed: Pulte Homes of Minnesota, LLC

Jamie Tharp, Chief Manager

STATE OF MINNESOTA, COUNTY OF _____

This instrument was acknowledged before me this _____ day of _____, 2022, by Jamie Tharp, Chief Manager of Pulte Homes of Minnesota, LLC, a Minnesota limited liability company, on behalf of the company.

Notary Public, _____ County, Minnesota (Signature) _____ (Notary Printed Name) My Commission Expires: _____

SURVEYORS CERTIFICATE

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

Dated this _____ day of _____, 2022.

Daniel L. Schmidt, Licensed Land Surveyor
Minnesota License No. 26147

STATE OF MINNESOTA, COUNTY OF HENNEPIN

This instrument was acknowledged before me this _____ day of _____, 2022, by Daniel L. Schmidt.

Notary Public, Hennepin County, Minnesota (Signature) _____ (Notary Printed Name) My Commission Expires: _____

CITY COUNCIL, CITY OF CORCORAN, MINNESOTA

This plat of BELLWETHER 7TH ADDITION was approved and accepted by the City Council of the City of Corcoran, Minnesota at a regular meeting held this _____ day of _____, 2022, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

City Council, City of Corcoran, Minnesota

By: _____, Mayor By: _____, Clerk

RESIDENT AND REAL ESTATE SERVICES

Hennepin County, Minnesota

I hereby certify that taxes payable in _____ and prior years have been paid for land described on this plat, dated this _____ day of _____, 2022.

Mark V. Chapin, County Auditor By: _____, Deputy

SURVEY DIVISION

Hennepin County, Minnesota

Pursuant to Minnesota Statutes Section 383B.565 (1969), this plat has been approved this _____ day of _____, 2022.

Chris F. Mavis, County Surveyor By: _____

COUNTY RECORDER

Hennepin County, Minnesota

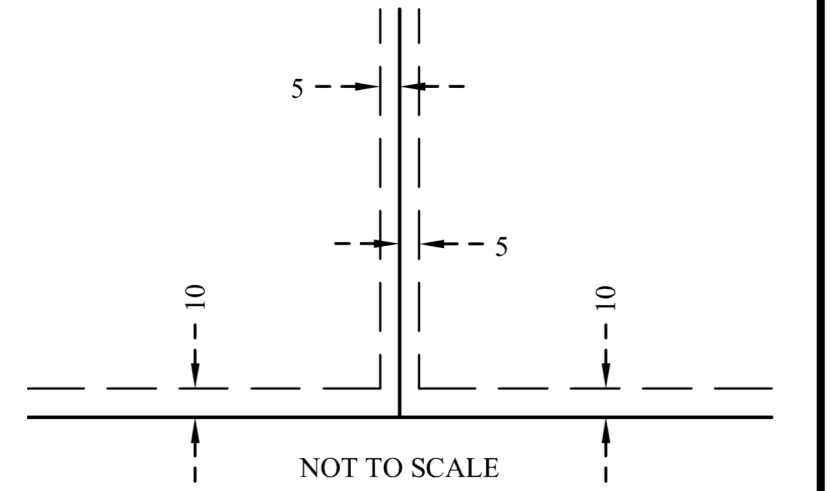
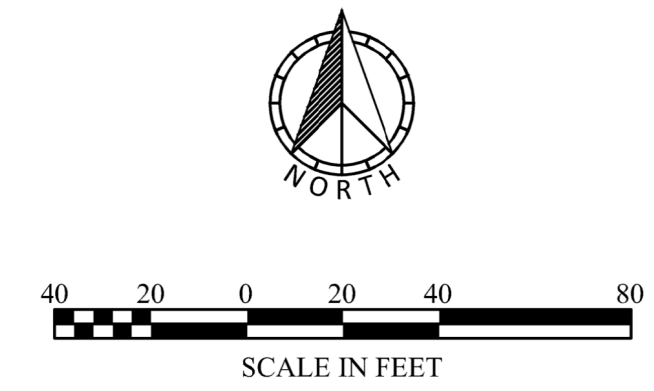
I hereby certify that the within plat of BELLWETHER 7TH ADDITION was recorded in this office this _____ day of _____, 2022, at _____ o'clock _____ M.

Amber Bougie, County Recorder By: _____, Deputy

BELLWETHER 7TH ADDITION

C.R. DOC. NO. _____

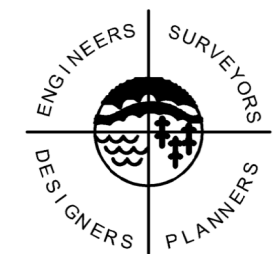
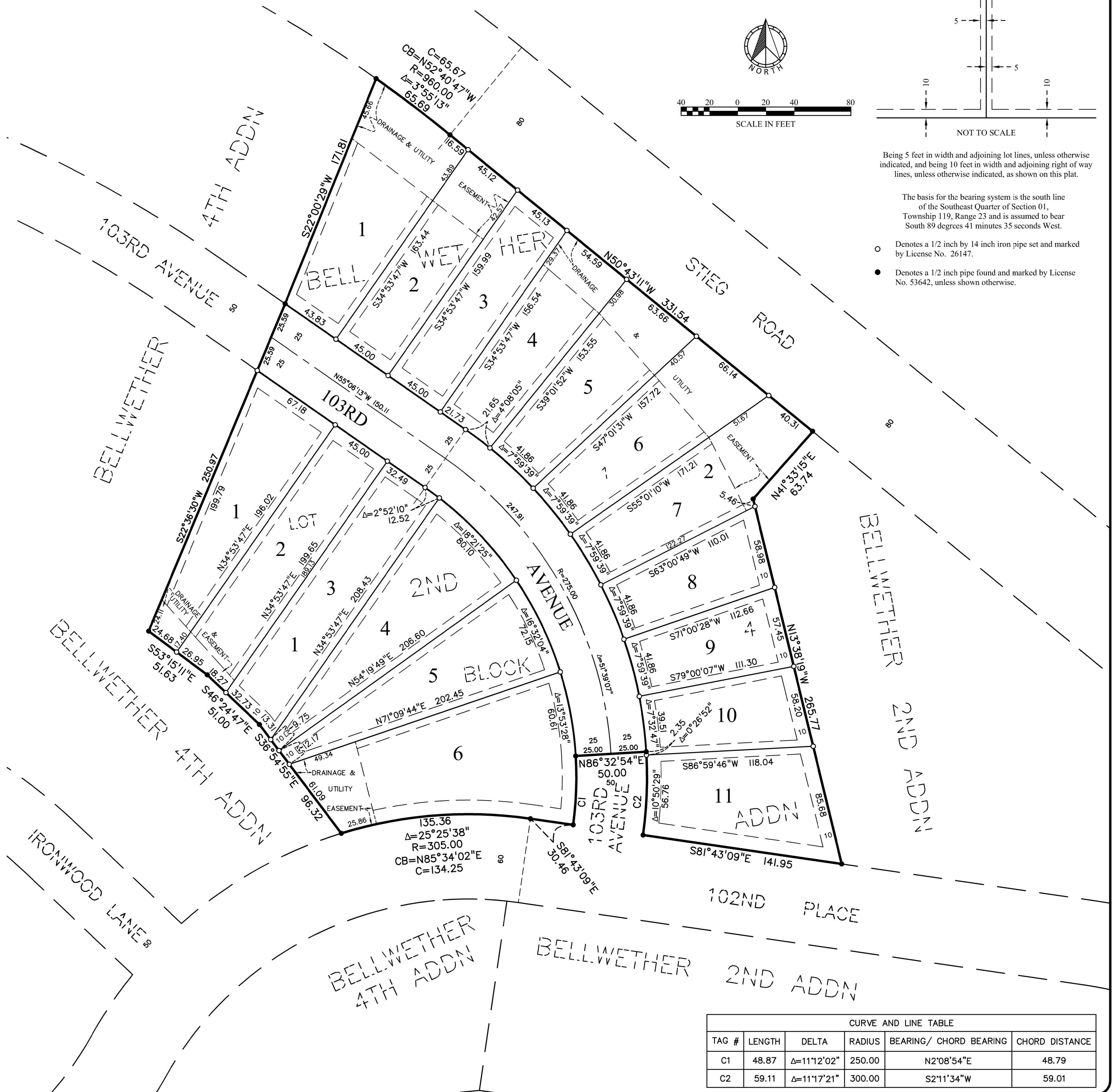
DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



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

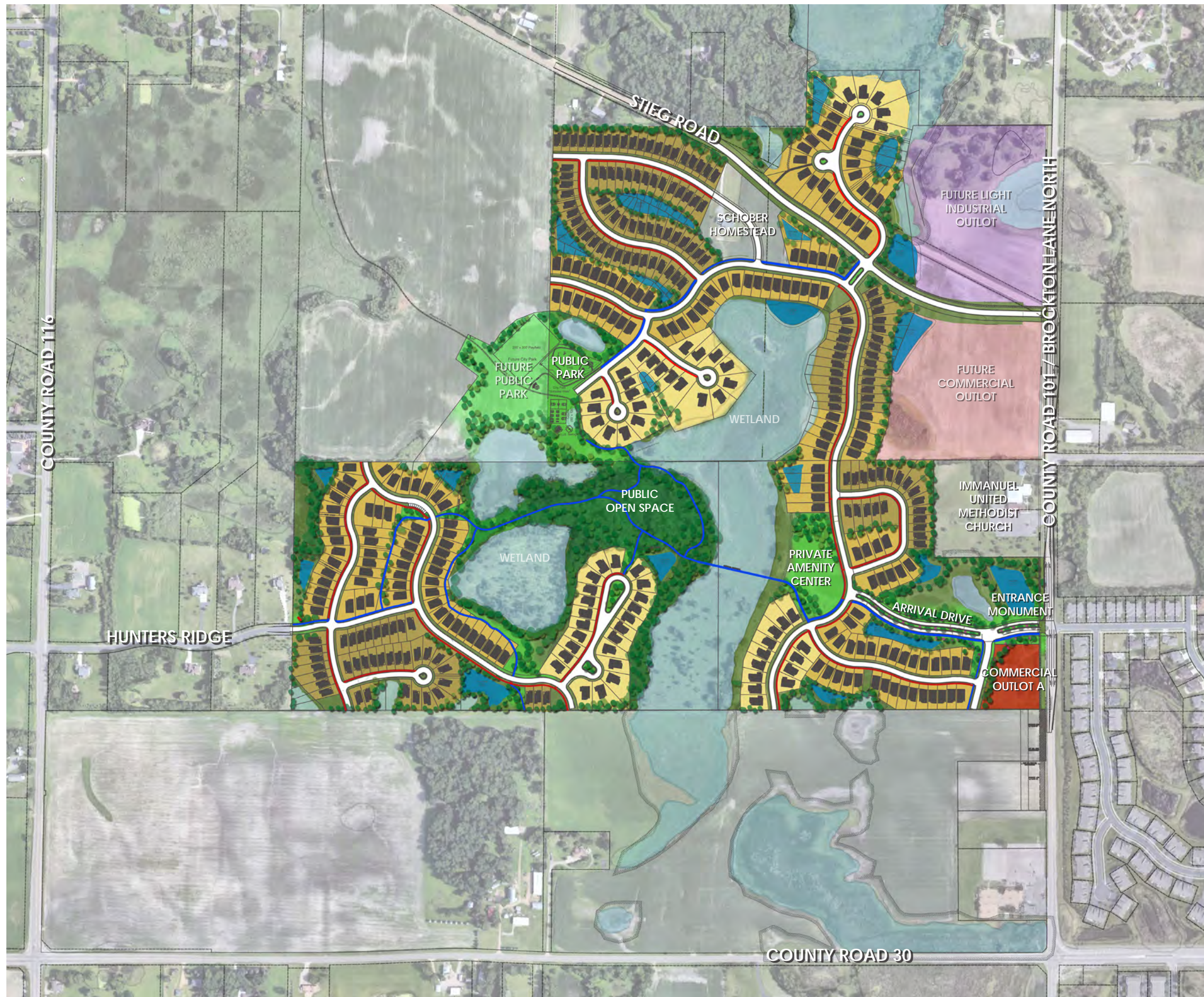
The basis for the bearing system is the south line of the Southeast Quarter of Section 01, Township 119, Range 23 and is assumed to bear South 89 degrees 41 minutes 35 seconds West.

- Denotes a 1/2 inch by 14 inch iron pipe set and marked by License No. 26147.
- Denotes a 1/2 inch pipe found and marked by License No. 53642, unless shown otherwise.



SATHRE-BERGQUIST, INC.

CURVE AND LINE TABLE					
TAG #	LENGTH	DELTA	RADIUS	BEARING/ CHORD BEARING	CHORD DISTANCE
C1	48.87	Δ=11°12'02"	250.00	N2°08'54"E	48.79
C2	59.11	Δ=11°17'21"	300.00	S211°34'W	59.01

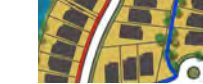


LEGEND

44' WIDE LOT



50' WIDE LOT



60' WIDE LOT



SIDEWALK



WETLAND



POND



TRAIL



FUTURE TRAIL



SITE DATA

44' LOTS - 153

50' LOTS - 181

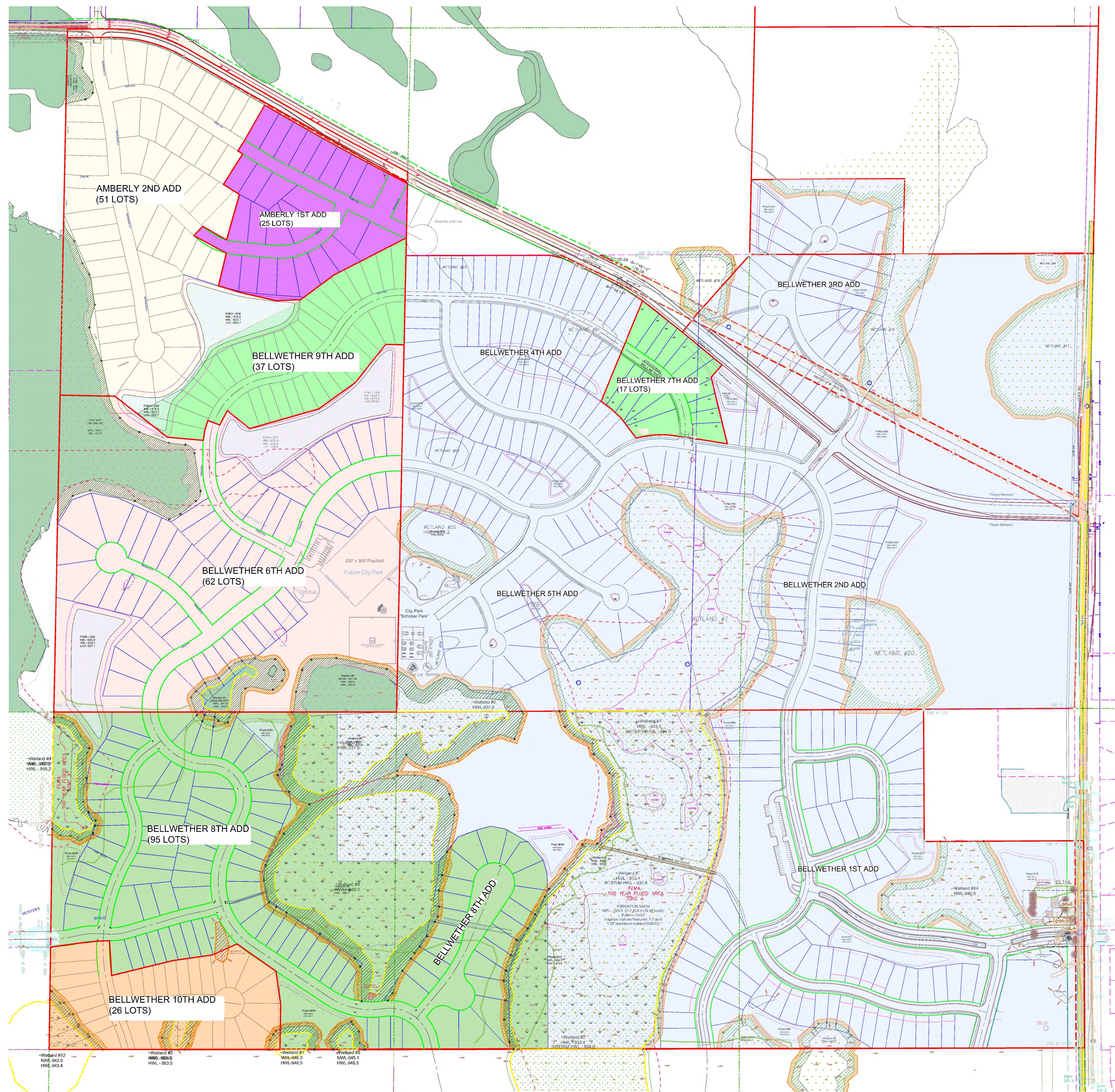
60' LOTS - 64

TOTAL - 398 SINGLE FAMILY LOTS

CONCEPT PLAN

ENCORE | PULTE HOMES
Corcoran, Minnesota

May, 2018





TO: Corcoran Planning Commission

FROM: Nicholas Ouellette through Kendra Lindahl, Landform

DATE: January 25, 2022 for the February 3, 2022 Planning Commission Meeting

RE: Variance for Saint Therese Communities on the property located at 8200 Co Rd No 116 (PID 24-119-23-23-0001) (city file no. 21-061)

REVIEW DEADLINE: April 20, 2022

1. Description of Request

Saint Therese Communities has requested approval of a variance to allow fewer trees than the 259 trees required for the senior living community project.

2. Background

On November 22, 2021, the Council approved a site plan, conditional use permit (CUP) and preliminary plat for Saint Therese Communities, a senior living community with 206 units and accessory complementary uses. The landscape plans provided 181 trees (159 overstory and 66 understory) where 259 trees are required. Approving Resolution 2021-131 required the applicant to provide 259 overstory trees (or equivalent) or submit a variance application to allow fewer trees.

3. Context

Zoning and Land Use

The site is guided Mixed Use in the 2040 Future Land Use Plan and zoned Downtown Mixed Use (DMU) district.

Surrounding Properties

The project is part of a subdivision of the City Hall property. The property to the south of the existing City Hall property is guided Mixed Use and zoned DMU district. The properties to the north and east are guided Low Density Residential and zoned Urban Reserve (UR) district. Properties to the west are guided Medium Density Residential and zoned Medium Density Residential (RMF-1) district. The site is located in the Town Center of the Southeast District.

Natural Characteristics of the Site

There are no natural features on the portion of the property where Saint Therese is planned to develop (Lot 1, Block 1, Town Center Addition).



4. Analysis

Staff has reviewed the application for consistency with Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance and City Code requirements, as well as City policies. The City Engineer's comments are incorporated into this staff report, the detailed comments are included in the attached engineering memo and the approval conditions require compliance with the memo.

A. Level of City Discretion in Decision-Making

The City's discretion in approving a variance is limited to whether or not the proposed project meets the standards in the Zoning Ordinance for a variance. The City has a higher level of discretion with a variance because the burden of proof is on the applicant to show that the variance standards have been met.

B. Consistency with Ordinance Standards

Variance

The applicant is requesting a variance from the minimum 259 overstory trees required by Section 1060.070 of the Zoning Ordinance. Landscape plans submitted with the variance application show 181 equivalent overstory trees (159 overstory and 66 understory trees) and 535 shrubs where 259 trees and 535 shrubs are required. The applicant is requesting a variance from the requirement to provide 34 additional trees.

The developed portion of the site is well landscaped and there is limited space to provide additional landscaping. The only apparent space to plant the additional 78 trees required by ordinance is on the approximately four acres of vacant land on the north portion of the proposed lot (Lot 1, Block 1, Town Center Addition). A community garden is planned in the northwest corner of the proposed lot, but no details have been provided at this time. The applicant's landscape narrative indicated there may be future development in the vacant area, but no details or timeline have been provided and no approvals are granted for future development. Planting trees in this area would be temporary.

The burden of proof is on the applicant to show that all of the following criteria from Section 1070.040, Subd. 2(B), have been met:

A. *That there are practical difficulties in complying with the Zoning Ordinance.*

The proposed development has both residential and non-residential uses and the Zoning Ordinance requires a minimum number of trees for both uses according to the standards in Section 1060.070 of the Zoning Ordinance. The applicant has practical difficulty in complying with the required number of trees for the development. The project site consists of a development area, community garden and land for future phases of development. Trees could be planted within all open areas of the site; however, the applicant is not proposing to plant in



future development areas. Trees planted in vacant areas would be temporary because they will be removed with any future development. The urban nature of the DMU and Town Center districts makes it difficult to meet landscaping requirements.

- B. That the conditions upon which a petition for a variation is based are unique to the parcel of land for which the variance is sought and were not created by the landowner.*

The Town Center and DMU districts are guided to establish an integrated mix of uses for downtown. The districts are intended to maximize development in this area of the City in a more urban nature. The requirement for trees does not consider the limited amount of green space typical for high density mixed uses and conflicts with the urban development style planned for the Town Center.

The applicant provides a mix of uses, design features and amenities in accordance with and in support of the district guidelines. For example, the minimum lot lines for buildings, amphitheater and main street style public realm space of this development contribute to the dense, built-up environment the Town Center and DMU districts are guided to establish. These features and amenities also occupy spaces typically reserved for landscaped areas in less dense and urban developments. Green space provided within the development site are well landscaped.

The Town Center is intended to be a community gathering space. Further developments, in addition to Saint Therese, are necessary to support the Town Center as a destination and gathering space for the community. Vacant land should be reserved for future development and planting trees in these areas does not support the intent of the Town Center. Permanent tree plantings in future development areas restricts the potential for development in support of the Town Center.

- C. That the granting of the variation will not alter the essential character of the locality.*

This development is the first within the Town Center in the Southeast District. Granting the variation will allow this development to maintain the urban and dense character of the Town Center and DMU districts. The development site is well landscaped and preserving areas of land for future development will allow the entire area to develop in a manner that supports the intent of the Town Center and DMU districts.

- D. The proposed variance would be in harmony with the general purposes and intent of the Ordinance.*

The intent of the DMU district is to establish a strong identity for the City of Corcoran downtown. The district is guided to create and orderly and integrated mix of high-quality uses for downtown Corcoran that includes a mix of shops, restaurants, offices, housing, recreation, community facilities, parks and open spaces, all within a walkable area designed to be both pedestrian-friendly and auto-accessible. The landscape standards were developed for a more suburban style of development where more green space is available and desired. Reducing the number of



required trees and preserving areas for future development will allow for the orderly and integrated development of a high quality-quality downtown.

E. The variance is consistent with the Comprehensive Plan.

The guidance for the Mixed Use district is to combine residential and commercial uses into a coordinated, planned development project. The Town Center is intended to support the Downtown Core through walkable blocks, a variety of housing types and densities, and a unified public realm aesthetic. Reducing the number of required trees required for this development will still provide high quality landscaping in this development and maintain these Comprehensive Plan goals.

F. The City may impose conditions on the variance to address the impact of the variance.

Staff has not included any conditions on the variance.

With the findings given above, staff believes the variance criteria has been met.

Summary

Staff finds that the proposed variance is consistent with the City Comprehensive Plan and Ordinance goals.

If the Commission finds that the variance standards have not be met, they could recommend denial of the variance and provide findings of fact for denial.

5. Recommendation

Move to recommend approval of the resolution approving the variance.

Attachments

1. Draft Resolution Approving the Variance
2. Site Location Map
3. Applicant Narrative dated December 21, 2021
4. Preliminary Plat dated December 21, 2021
5. Landscape Plan dated December 21, 2021

RESOLUTION NO. 2022-XX

Motion By:
Seconded By:

**APPROVING A VARIANCE FOR SAINT THERESE COMMUNITIES AT 8200 CO RD
NO 116 (PID 24-119-23-23-001) (CITY FILE NO. 21-061)**

WHEREAS, Saint Therese Communities (the “applicant”) has requested approval of a variance from the required number of trees for the senior living community on the property legally described as;

Lot 1, Block 1, Town Center Addition

WHEREAS, the Planning Commission has reviewed the variance at a duly called public meeting, and;

NOW, THEREFORE, BE IT RESOLVED that the Corcoran City Council approves the request for a variance subject to the following findings and conditions:

1. The applicants have requested a landscape variance for the construction of a senior living community as show on the application received by the City on December 21, 2021.
2. The requested variance from the required number of trees is approved based on the following findings:
 - a. That there are practical difficulties in complying with the Zoning Ordinance. The urban nature of the Downtown Mixed Use (DMU) district and Town Center make it difficult for the applicant to meet the landscaping requirements. The dense nature of this development constricts available green space for tree planting. Trees planted in land for future phases of development would be temporary because they will be removed when these areas are developed in support of the dense and urban guidelines of the DMU and Town Center districts.
 - b. That the conditions upon which a petition for a variation is based are unique to the parcels of land for which the variance is sought and were not created by the landowners. The requirement for trees does not consider the limited green space available with higher density mixed-use developments. The mix of uses, design elements and amenities provided by the applicant in support of the DMU and Town Center district guidelines occupy space typically reserved for landscaping features in less urban developments. Vacant areas should be reserved for future developments that further support the Town Center as a dense urban environment and gathering space for the community. Permanent tree plantings in future development areas restricts the potential for future development in support of the Town Center and DMU districts.
 - c. That the granting of the variation will not alter the essential character of the locality. The variation will allow this development to maintain the urban and dense character of the Town Center and DMU districts. The development site is well landscaped and preserving areas for future development will allow the entire

RESOLUTION NO. 2022-XX

area to develop in a manner that supports the intent of the Town Center and DMU districts.

- d. The proposed variance would be in harmony with the general purposes and intent of the ordinance. The intent of the DMU district is to establish a strong identity for downtown through an orderly and integrated mix of high-quality land uses. The landscape standards reflect a more suburban style of development where more green space desired. Reducing the number of required trees will allow for the orderly and integrated development of a high-quality downtown.
- e. The variance is consistent with the Comprehensive Plan. The guidance for the Mixed Use district is to combine residential and commercial uses into a coordinated, planned development project. The Town Center is intended to support the Downtown Core through walkable blocks, a variety of housing types and densities and a unified public realm aesthetic. Reducing the number of required trees for this development will maintain the Comprehensive Plan goals for the Mixed Use district and Town Center.

VOTING AYE

- McKee, Tom
- Bottema, Jon
- Nichols, Jeremy
- Schultz, Alan
- Vehrenkamp, Dean

VOTING NAY

- McKee, Tom
- Bottema, Jon
- Nichols, Jeremy
- Schultz, Alan
- Vehrenkamp, Dean

Whereupon, said Resolution is hereby declared adopted on this XXth day of February 2022.

Tom McKee - Mayor

ATTEST:

Jessica Beise – Administrative Services Director

City Seal



Hennepin County Property Map

Date: 1/20/2022



PARCEL ID: 2411923230001

OWNER NAME: City Of Corcoran

PARCEL ADDRESS: 8200 Co Rd No 116, Corcoran MN 55340

PARCEL AREA: 78.88 acres, 3,436,132 sq ft

A-T-B: Torrens

SALE PRICE:

SALE DATA:

SALE CODE:

ASSESSED 2020, PAYABLE 2021

PROPERTY TYPE: Commercial-Preferred

HOMESTEAD: Non-Homestead

MARKET VALUE: \$0

TAX TOTAL: \$0.00

ASSESSED 2021, PAYABLE 2022

PROPERTY TYPE: Commercial

HOMESTEAD: Non-Homestead

MARKET VALUE: \$0

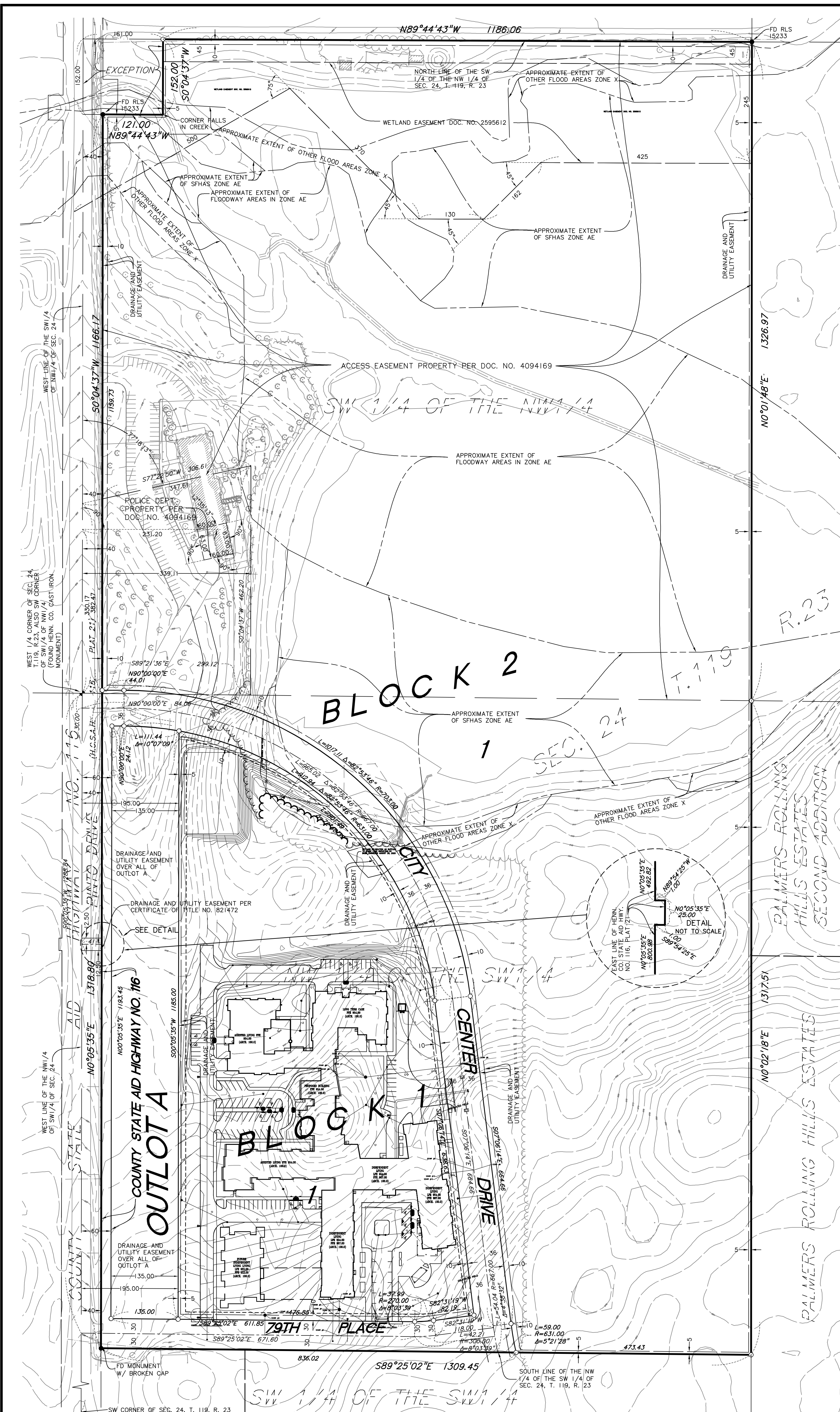
Comments:

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

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Revised 12/18/20

Please attach a brief description of your project/reason for your request.



DESCRIPTION OF PROPERTY SURVEYED
(Per Certificate of Title No. 821472)

Par 1: All that part of the following described tract:

The Southwest quarter of the Northwest quarter of Section 24, Township 119, Range 23, Hennepin County, Minnesota, except the North 152 feet of the West 161 feet as measured along the North and West lines thereof, and except the West 339.11 feet thereof lying South of the following described line: Commencing at the Southwest corner of said Southwest Quarter of the Northwest Quarter of the Northwest Quarter a distance of 382.47 feet to the point of beginning of the line to be described; thence Easterly deflecting 77 degrees, 18 minutes, 13 seconds right, a distance of 347.61 feet to the East line of said West 339.11 feet and said line there terminating.

which lies East of a line drawn parallel with and distant 40.0 feet Easterly of the West line of said Section 24.

Par 2: That part of the Northwest quarter of the Southwest quarter of Section 24, Township 119, Range 23, Hennepin County, Minnesota, lying East of a line drawn parallel with and distant 40.0 feet Easterly of the West line of said Section 24.

AND
(Per Certificate of Title No. 1150838)

That part of the Southwest Quarter of the Northwest Quarter of Section 24, Township 119, Range 23, described as follows: Commencing at the southwest corner of said Southwest Quarter of Northwest Quarter; thence northerly, along the west line of said Southwest Quarter of Northwest Quarter 330.17 feet; thence easterly, deflecting 90 degrees right 231.20 feet to the actual point of beginning of the parcel to be described; thence northeasterly, deflecting 12 degrees 35 minutes 13 seconds left 60.00 feet; thence southeasterly, deflecting 90 degrees right 63.00 feet; thence southwesterly, deflecting 90 degrees right 60.00 feet; thence northerly, deflecting 90 degrees right 63.00 feet to the point of beginning.

AND
(Per Certificate of Title No. 1150839)

The West 339.11 feet of the Southwest Quarter of the Northwest Quarter of Section 24, Township 119, Range 23, Hennepin County, Minnesota lying south of the following described line:

Commencing at the Southwest corner of said Southwest Quarter of the Northwest Quarter; thence North along the West line of said Southwest Quarter of the Northwest Quarter, a distance of 382.47 feet to the point of beginning of the line to be described; thence Easterly deflecting 77 degrees 18 minutes 13 seconds right, a distance of 347.61 feet to the East line of said West 339.11 feet of the Southwest Quarter of the Northwest Quarter and said line there terminating.

which lies East of a line drawn parallel with a distant 40.0 feet Easterly of the West line of said Section 24;

except that part thereof described as follows: Commencing at the southwest corner of said Southwest Quarter of Northwest Quarter; thence northerly, along the west line of said Southwest Quarter of Northwest Quarter 330.17 feet; thence easterly, deflecting 90 degrees right 231.20 feet to the actual point of beginning of the parcel to be described; thence northeasterly, deflecting 12 degrees 35 minutes 13 seconds left 60.00 feet; thence southeasterly, deflecting 90 degrees right 63.00 feet; thence southwesterly, deflecting 90 degrees right 60.00 feet; thence northerly, deflecting 90 degrees right 63.00 feet to the point of beginning.

TITLE COMMITMENT

This survey was prepared without the benefit of current title work. Easements, appurtenances, and encumbrances may exist in addition to those shown hereon. This survey is subject to revision upon receipt of a current title insurance commitment or attorney's title opinion.

LEGEND

- Denotes iron monument set marked with P.L.S. No. 44900
- Denotes found iron monument

GENERAL NOTES

- 1.) Survey coordinate basis: Hennepin County Coordinate System (NAD83 1986)
- 2.) Wetlands shown hereon are per delineation markers observed in the process of conducting the fieldwork.

UTILITY NOTES

- 1.) Utility information from plans and markings was combined with observed existence of utilities to develop a view of the underground utilities shown hereon. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. In addition, Gopher State One Call locate requests from surveyors may be ignored or result in an incomplete response. Where additional or more detailed information is required, excavation and/or a private utility locate request may be necessary.
- 2.) Other underground utilities of which we are unaware may exist. Verify all utilities critical to construction or design.
- 3.) Some underground utility locations are shown as marked onsite by those utility companies whose locators responded to our Gopher State One Call, ticket number 202383165.
- 4.) Contact GOPHER STATE ONE CALL at 651-454-0002 (800-252-1166) for precise onsite location of utilities prior to any excavation.

FLOOD ZONE NOTES

- 1.) The subject property appears to lie within Other Areas Zone X (Areas determined to be outside the 0.2% annual chance floodplain), Other Flood Areas Zone X (areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood), Floodways Areas in Zone AE (The floodway is the channel to a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood height), and Special Flood hazard areas (SFHAs) subject to inundation by the 1% annual chance flood Zone AE (Base flood elevations determined.) per the National Flood Insurance Program, Flood Insurance Rate Map Community Panel No. 2701550156F, dated November 4, 2016. This information was obtained from the FEMA Map Service Center web site.
- 2.) The flood zone demarcation line shown hereon is approximate only per scaled map location and/or graphic plotting. FEMA maps are not precisely drawn and do not scale uniformly. Contact FEMA for final determination.

BENCHMARKS (BM)

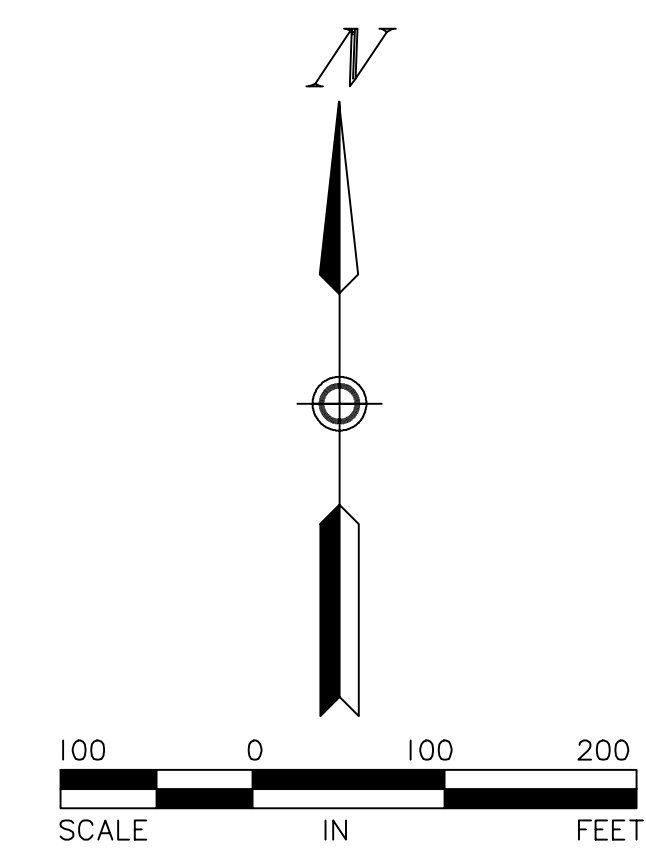
- 1.) Top of well head 367 feet NE of NE corner of building Elevation = 950.76 feet
- 2.) Top of garden spike in east side of power pole on the south side of driveway entrance Elevation = 958.17 feet

AREAS

- Gross = 3,436,154 square feet or 78.883 acres
- Proposed Lot 1, Block 1 = 561,296 Square Feet or 12.886 Acres
- Proposed Lot 1, Block 2 = 2,519,574 square feet or 57.841 acres
- Proposed Outlot A = 160,846 square feet or 3.693 acres

OWNER:
City of Corcoran

APPLICANT:
Saint Therese
1660 Highway 100 S, Suite 103
St. Louis Park, MN 55416
Contact: Calvin Shelongoski
952-283-2204



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

Dated this 20th day of September, 2021

SUNDE LAND SURVEYING, LLC
By: *Arlee J. Carlson*
Arlee J. Carlson, P.L.S. Minn. Lic. No. 44900

Revision	By	Date
Drawing Title:		
PRELIMINARY PLAT OF: TOWN CENTER ADDITION 8200 COUNTY ROAD 116, CORCORAN, MN		
SUNDE LAND SURVEYING		Main Office: 9001 East Bloomington Freeway (35W) • Suite 118 Bloomington, Minnesota 55420-3435 952-881-2455 (Fax: 952-888-9526)
Project: 2020-077-A	Bk/Pg: 964/63	Date: 09/20/2021
Township: 119	Range: 23	Section: 24
File: 2020077A-PREPLAT.dwg	Sheet: 1 of 1	



6100 East Brown Drive, Suite 700
Minneapolis, MN 55430
Phone: (763) 843-0400
Fax: (763) 843-0421
www.bkbm.com
BKBM Job Number: 21109.00

NOT FOR CONSTRUCTION

Revisions		
No.	Description	Date

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 Landscape Architect under the laws of the State of MINNESOTA.

Benjamin Hedberg, P.L.A.
Landscape Architect

DATE: 12/21/2021
PROJECT #: 20398
PROJECT STATUS:

DRAWN BY: HL
CHECKED BY: BH

KEY PLAN

LANDSCAPE PLAN

L0.0

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This document is an instrument of service and is the property of BKBM Engineers and may not be used or copied without prior written consent.

Irrigation Note:

An underground irrigation system is required as part of this project. All turf sod and landscape bed areas indicated per plan shall receive irrigation.

Proposed Plant Quantities Shown:

Overstory Trees Shown: 159
Understory Trees Shown: 66
Shrubs Shown: 535

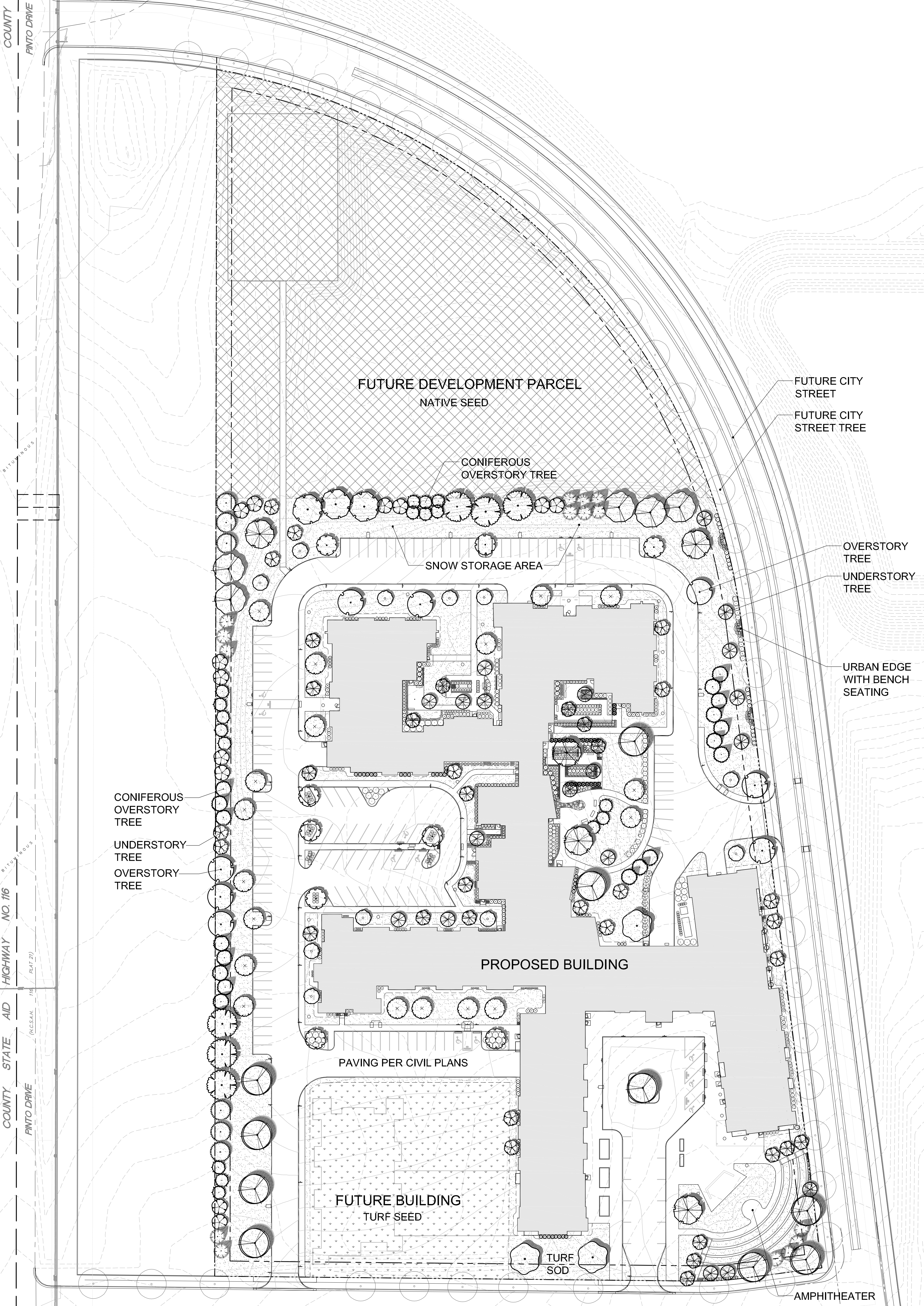
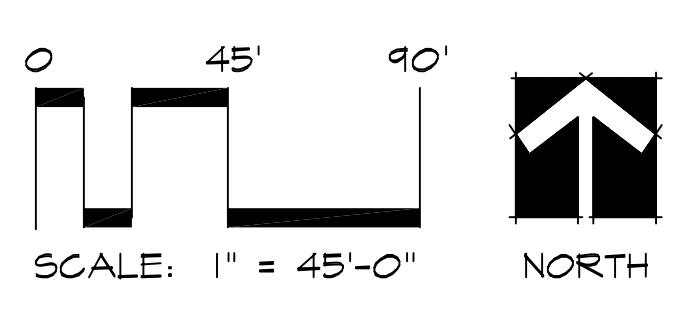
Total Proposed Trees Shown: 225

Landscape Symbols:

- New Turf Sod
- New Low Maintenance Turf Seed
- New Native Seed

PLANT SCHEDULE

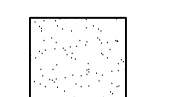

DECIDUOUS OVERSTORY TREE	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY	REMARKS
	As	Acer x freemanii 'Sienna'	Sienna Glen Maple	2.5' Cal.	B&B	10	
	Br	Betula nigra	River Birch	2.5' Cal.	B&B	5	Clump Form
	Co	Celtis occidentalis	Common Hackberry	2.5' Cal.	B&B	6	
	Gm	Ginkgo biloba 'Magyar'	Magyar Maidenhair Tree	2.5' Cal.	B&B	6	
	Gd	Gleditsia triacanthos inermis 'Draves' TM	Street Keeper Honey Locust	2.5' Cal.	B&B	9	
	Gi	Gymnocladus dioica 'McKBranded' TM	Decal Kentucky Coffeetree	2.5' Cal.	B&B	3	
	Oc	Quercus	Crimson Spire Oak	2.5' Cal.	B&B	11	
	Ob	Quercus bicolor	Swamp White Oak	2.5' Cal.	B&B	3	Spring Dug
	Or	Quercus rubra	Northern Red Oak	2.5' Cal.	B&B	5	Spring Dug
	Tb	Tilia americana 'Boulevard'	Boulevard American Linden	2.5' Cal.	B&B	8	
	Ua	Ulmus x 'Accolade'	Accolade Elm	2.5' Cal.	B&B	18	
EVERGREEN TREES	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY	REMARKS
	Bf	Abies balsamea	Balsam Fir	6' Hgt.	B&B	17	
	Pd	Picea glauca 'Densata'	Black Hills Spruce	6' Hgt.	B&B	18	
	Pr3	Pinus nigra	Austrian Pine	6' Hgt.	B&B	15	
	Ta	Thuja occidentalis 'Art Boe' TM	North Pole Arborvitae	6' Hgt.	B&B	25	
ORNAMENTAL TREES	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY	REMARKS
	Ac	Aesculus glabra	Ohio Buckeye	1.5' Cal.	B&B	12	
	Mp	Malus x 'Prairifire'	Prairifire Crab Apple	1.5' Cal.	B&B	16	
	Ms	Malus x 'Spring Snow'	Spring Snow Crab Apple	1.5' Cal.	B&B	19	
	Sl	Syringa reticulata 'Ivory Silk'	Ivory Silk Japanese Tree Lilac	1.5' Cal.	B&B	19	
SHRUBS	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY	REMARKS
	Am	Aronia melanocarpa 'Morton' TM	Iroquois Beauty Black Chokeberry	5 gal.	Pot	61	
	Cr2	Clethra alnifolia 'Ruby Spice'	Ruby Spice Clethra	3 gal.	Pot	37	
	Ci	Cornus sericea 'Isanti'	Isanti Redosier Dogwood	3 gal.	Pot	11	
	Ci	Cotoneaster lucidus	Shiny Cotoneaster	5 gal.	Pot	20	30" Hgt. Minimum, Clip to Hedge at Install
	Di	Dienella ionocera	Dwarf Bush Honeysuckle	3 gal.	Pot	64	
	Ef	Euonymus alatus 'Fire Ball'	Fire Ball Burning Bush	3 gal.	Pot	21	
	Ec	Euonymus fortunei 'Canadale Gold'	Canadale Gold Euonymus	3 gal.	Pot	50	
	Ha	Hydrangea arborescens 'Annabelle'	Annabelle Hydrangea	5 gal.	Pot	57	
	Jf	Juniperus chinensis 'Sea Green'	Sea Green Juniper	5 gal.	Pot	28	
	Rg	Rhus aromatica 'Gro-Low'	Gro-Low Fragrant Sumac	5 gal.	Pot	43	
	Ra	Ribes alpinum	Alpine Currant	5 gal.	Pot	33	30" Hgt. Minimum, Clip to Hedge at Install
	Sa	Spiraea x bumalda 'Anthony Waterer'	Anthony Waterer Spiraea	3 gal.	Pot	45	
	Sm3	Spiraea x bumalda 'Goldmound'	Gold Mound Spiraea	3 gal.	Pot	46	
	Sm2	Syringa patula 'Miss Kim'	Miss Kim Lilac	3 gal.	Pot	19	
ANNUALS/PERENNIALS	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY	REMARKS
	Af	Agastache foeniculum	Blue Giant Hyssop	4"	Pot	103	
	Am2	Allium x 'Millenium'	Millenium Ornamental Chive	1 gal.	Pot	68	
	Ba	Baptisia australis	Blue Wild Indigo	4"	Pot	26	
	Hh	Hemerocallis x 'Happy Returns'	Happy Returns Daylily	1 gal.	Pot	147	
	Hp	Heuchera micrantha 'Palace Purple'	Palace Purple Coral Bells	1 gal.	Pot	102	
	Hg	Hosta x 'Guacamole'	Guacamole Hosta	2 gal.	Pot	87	
	Lb	Leucanthemum x superbum 'Becky'	Shasta Daisy	1 gal.	Pot	114	
GRASSES	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY	REMARKS
	Ck	Calamagrostis x acutiflora 'Karl Foerster'	Feather Reed Grass	1 gal.	Pot	162	
	Mp2	Miscanthus sinensis 'Purpurescens'	Flame Grass	1 gal.	Pot	87	
	Ss2	Schizachyrium scoparium 'Standing Ovation'	Little Bluestem Grass	1 gal.	Pot	129	



General Notes:

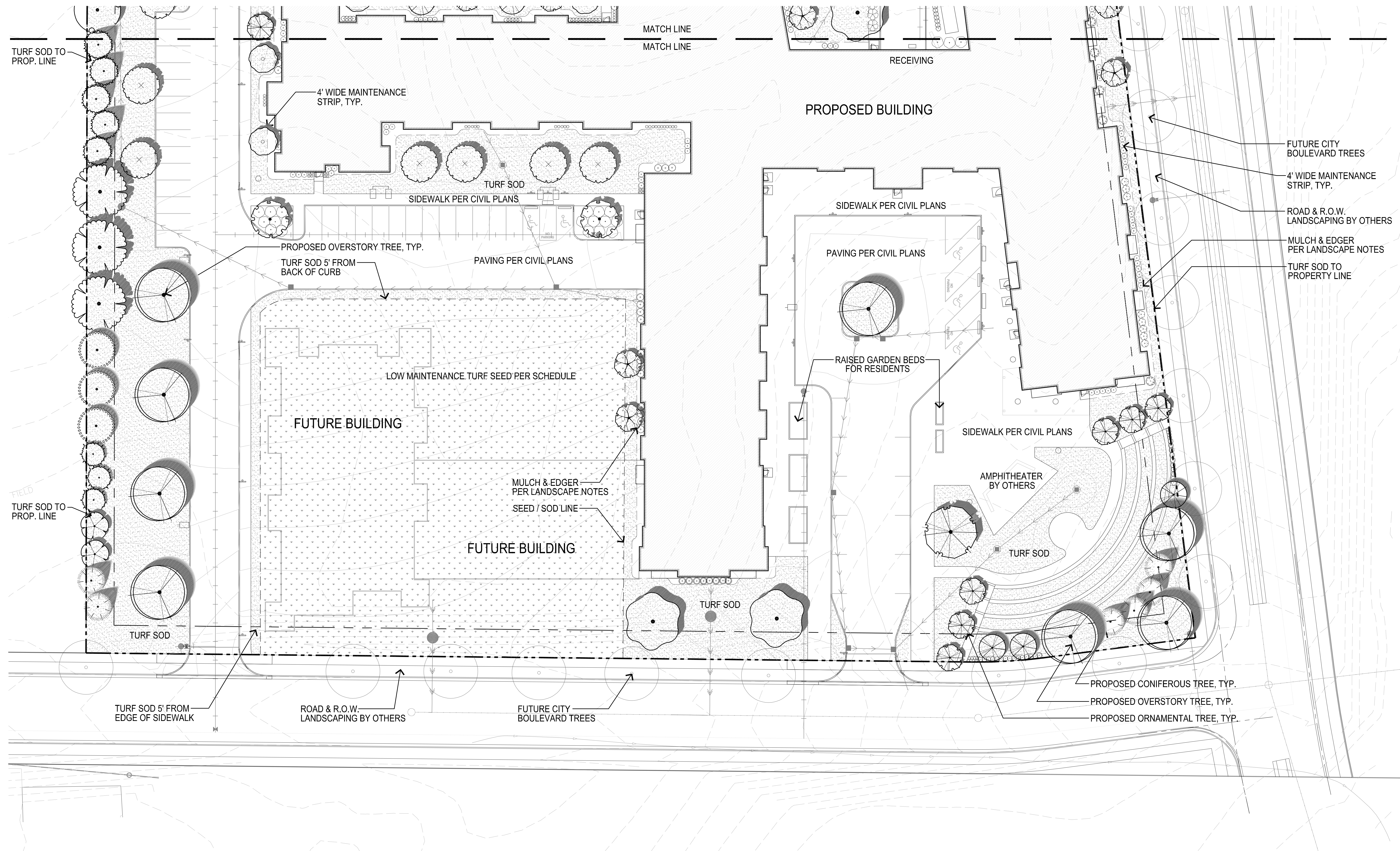
01. Refer to Sheet L4.0+L5.0 for Details, Notes, and Schedules.
02. See Civil Engineer's plans for site plan layout and dimensions.
03. Protect adjacent landscape areas from damage during construction.
04. Place topsoil or slope dressing on all areas disturbed by construction, including right-of-way boulevards, unless specified otherwise. See specifications.
05. Ensure care is taken not to damage paving and other site improvements during landscape installation.
06. The Landscape Contractor is required to coordinate with the Owner, General Contractor, and City prior to any work in the right-of-way. Obtain permits as necessary for work on city or county property.
- 07: Irrigation/Landscape contractor is required to coordinate irrigation steeve installation with paving and earthwork contractors. Sleeves to be provided by the irrigation/landscape contractor.
- 08: Refer to specifications regarding maintenance and warranty of newly installed landscape materials.

Landscape Symbols:

-  New Turf Sod Per Notes
-  New Low Maintenance Turf Seed Per Schedule

Irrigation Note:

An underground irrigation system is required as part of this project. All turf sod and landscape bed areas indicated per plan shall receive irrigation.



NOT FOR CONSTRUCTION

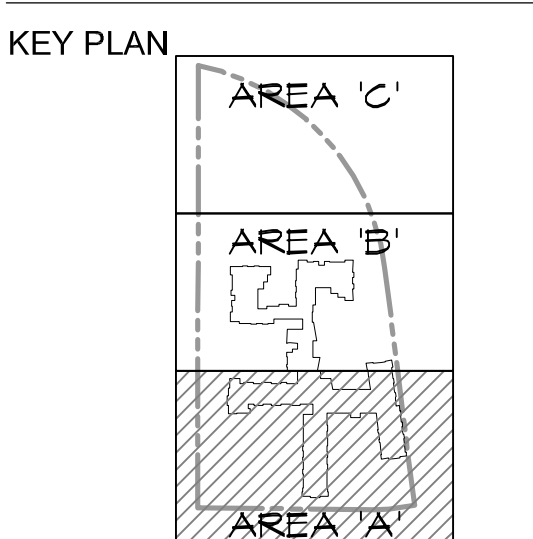
Revisions		
No.	Description	Date

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 Landscape Architect under the laws of the State of MINNESOTA.

Benjamin Hartberg, P.L.A., L.S.

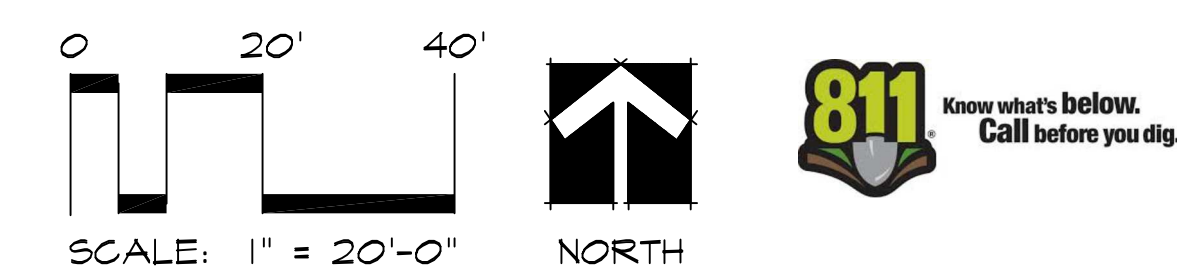
DATE: 12/21/2021
PROJECT # 20398
PROJECT STATUS

DRAWN BY: HL
CHECKED BY: BH



LANDSCAPE PLAN
AREA 'A'

L1.0



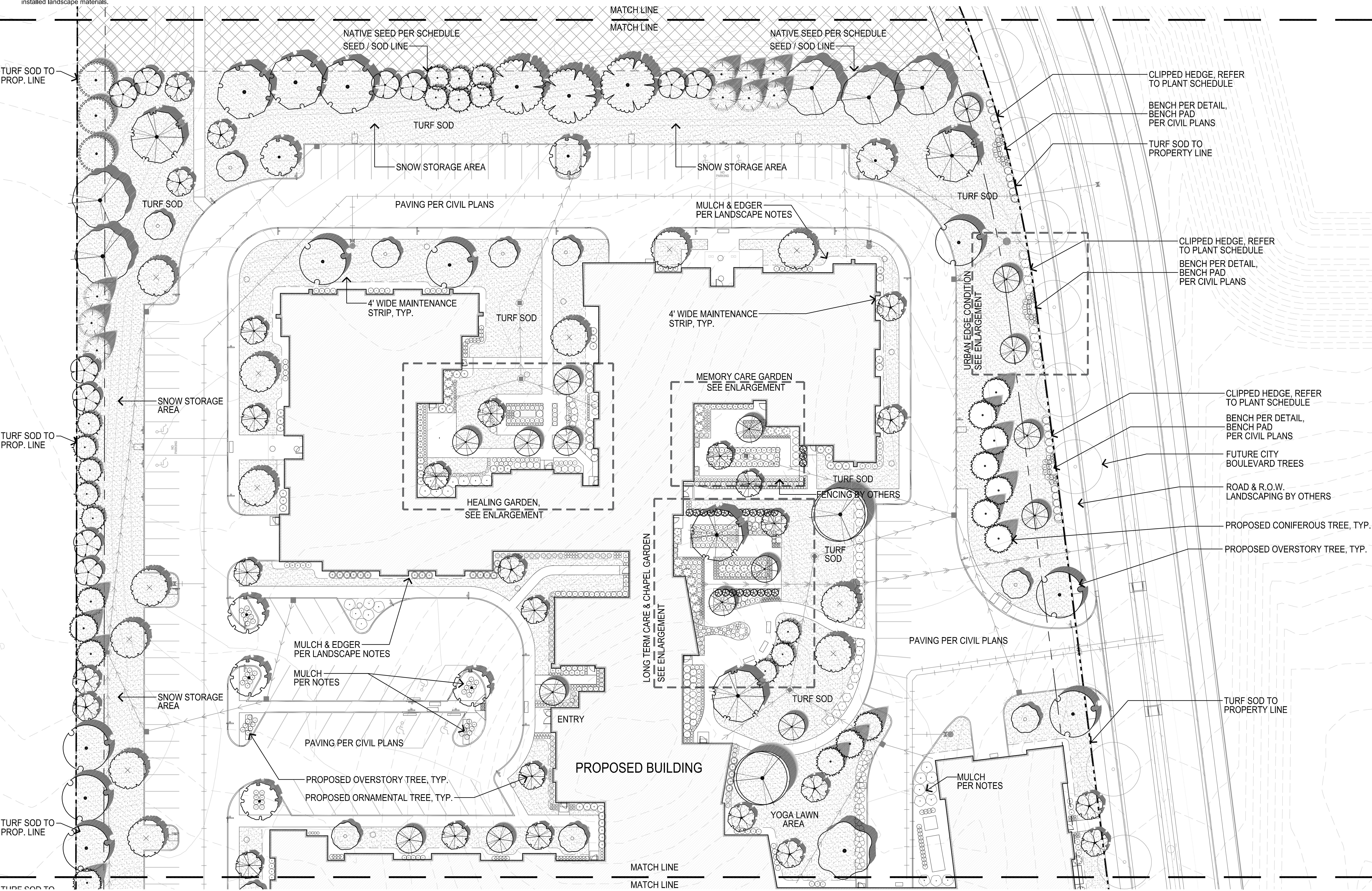
- General Notes:**
01. Refer to Sheet L4.0+L5.0 for Details, Notes, and Schedules.
 02. See Civil Engineer's plans for site plan layout and dimensions.
 03. Protect adjacent landscape areas from damage during construction.
 04. Place topsoil or slope dressing on all areas disturbed by construction, including right-of-way boulevards, unless specified otherwise. See specifications.
 05. Ensure care is taken not to damage paving and other site improvements during landscape installation.
 06. The Landscape Contractor is required to coordinate with the Owner, General Contractor, and City prior to any work in the right-of-way. Obtain permits as necessary for work on city or county property.
 07. Irrigation/Landscape contractor is required to coordinate irrigation sleeve installation with paving and earthwork contractors. Sleeves to be provided by the irrigation/landscape contractor.
 08. Refer to specifications regarding maintenance and warranty of newly installed landscape materials.

Landscape Symbols:

- New Turf Sod Per Notes
- New Native Seed Per Schedule

Irrigation Note:

An underground irrigation system is required as part of this project. All turf sod and landscape bed areas indicated per plan shall receive irrigation.



- CLIPPED HEDGE, REFER TO PLANT SCHEDULE
- BENCH PER DETAIL, BENCH PAD PER CIVIL PLANS
- TURF SOD TO PROPERTY LINE
- CLIPPED HEDGE, REFER TO PLANT SCHEDULE
- BENCH PER DETAIL, BENCH PAD PER CIVIL PLANS
- CLIPPED HEDGE, REFER TO PLANT SCHEDULE
- BENCH PER DETAIL, BENCH PAD PER CIVIL PLANS
- FUTURE CITY BOULEVARD TREES
- ROAD & R.O.W. LANDSCAPING BY OTHERS
- PROPOSED CONIFEROUS TREE, TYP.
- PROPOSED OVERSTORY TREE, TYP.
- TURF SOD TO PROPERTY LINE

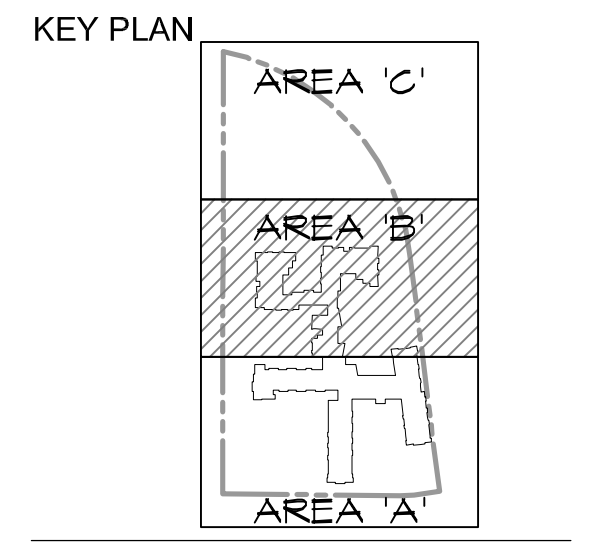


NOT FOR CONSTRUCTION

No.	Revisions Description	Date

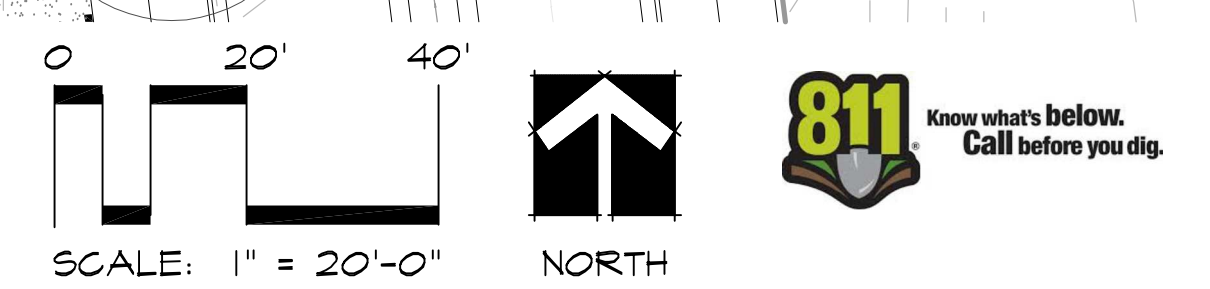
I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Landscape Architect under the laws of the State of MINNESOTA.

DATE	12/21/2021
PROJECT #	20398
PROJECT STATUS	
DRAWN BY	HL
CHECKED BY	BH



LANDSCAPE PLAN
AREA 'B'

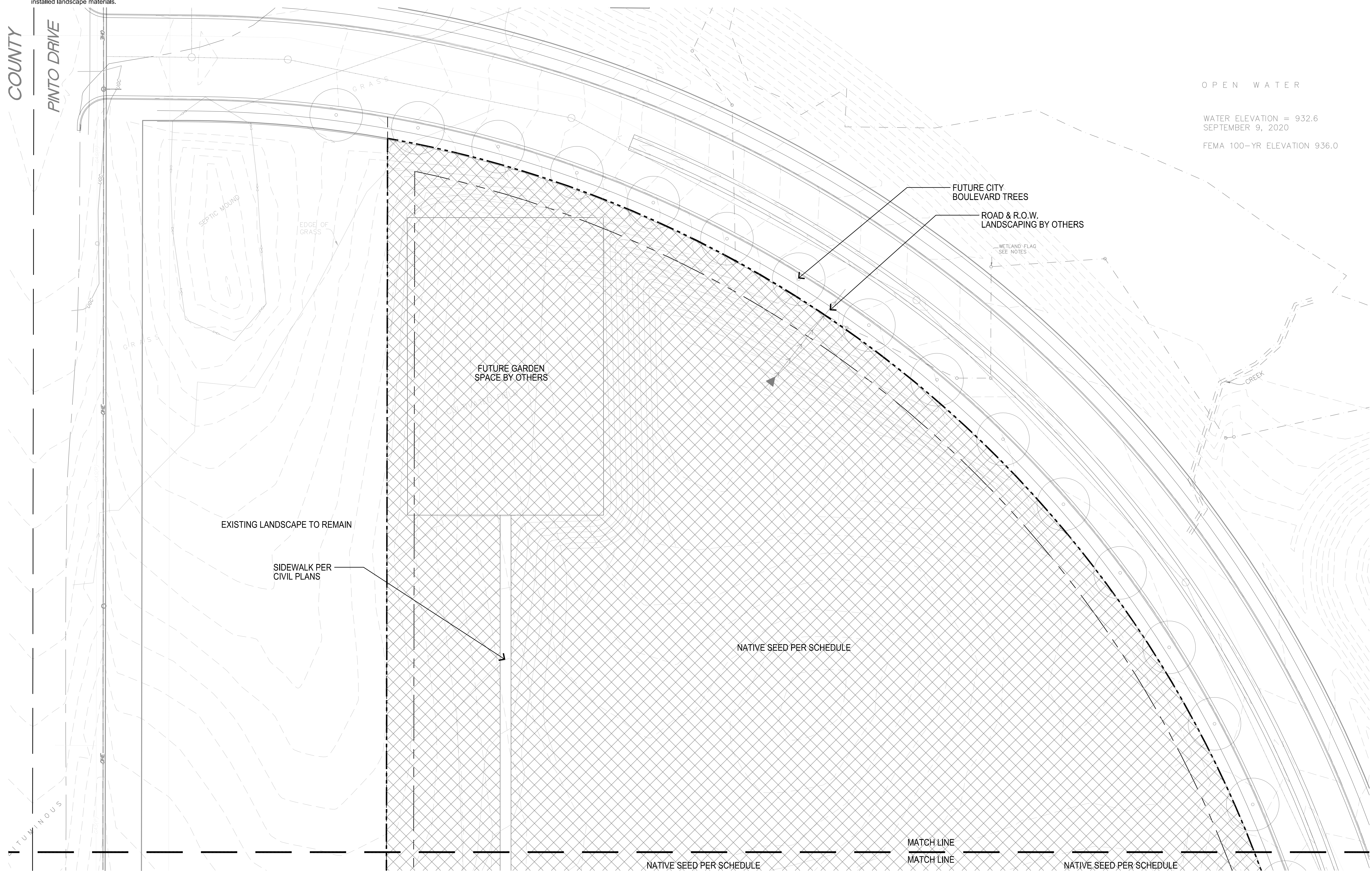
L2.0



- General Notes:**
01. Refer to Sheet L4.0+L5.0 for Details, Notes, and Schedules.
 02. See Civil Engineer's plans for site plan layout and dimensions.
 03. Protect adjacent landscape areas from damage during construction.
 04. Place topsoil or slope dressing on all areas disturbed by construction, including right-of-way boulevards, unless specified otherwise. See specifications.
 05. Ensure care is taken not to damage paving and other site improvements during landscape installation.
 06. The Landscape Contractor is required to coordinate with the Owner, General Contractor, and City prior to any work in the right-of-way. Obtain permits as necessary for work on city or county property.
 - 07: Irrigation/Landscape contractor is required to coordinate irrigation sleeve installation with paving and earthwork contractors. Sleeves to be provided by the irrigation/landscape contractor.
 - 08: Refer to specifications regarding maintenance and warranty of newly installed landscape materials.

Landscape Symbols:

New Native Seed Per Schedule



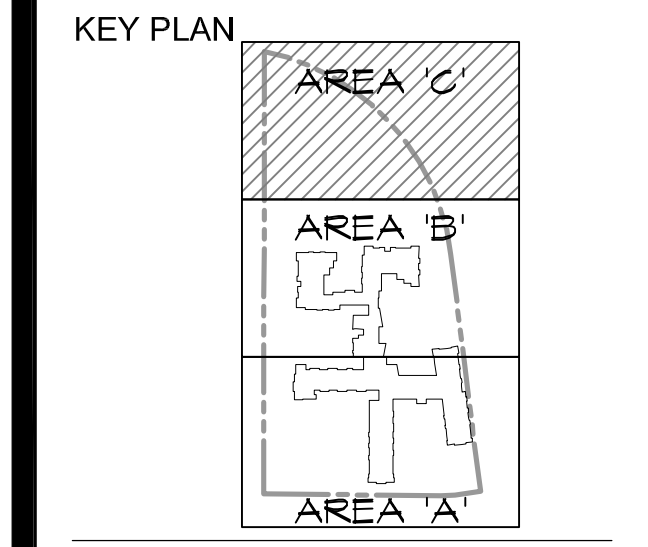
OPEN WATER
WATER ELEVATION = 932.6
SEPTEMBER 9, 2020
FEMA 100-YR ELEVATION 936.0

NOT FOR CONSTRUCTION

Revisions		
No.	Description	Date

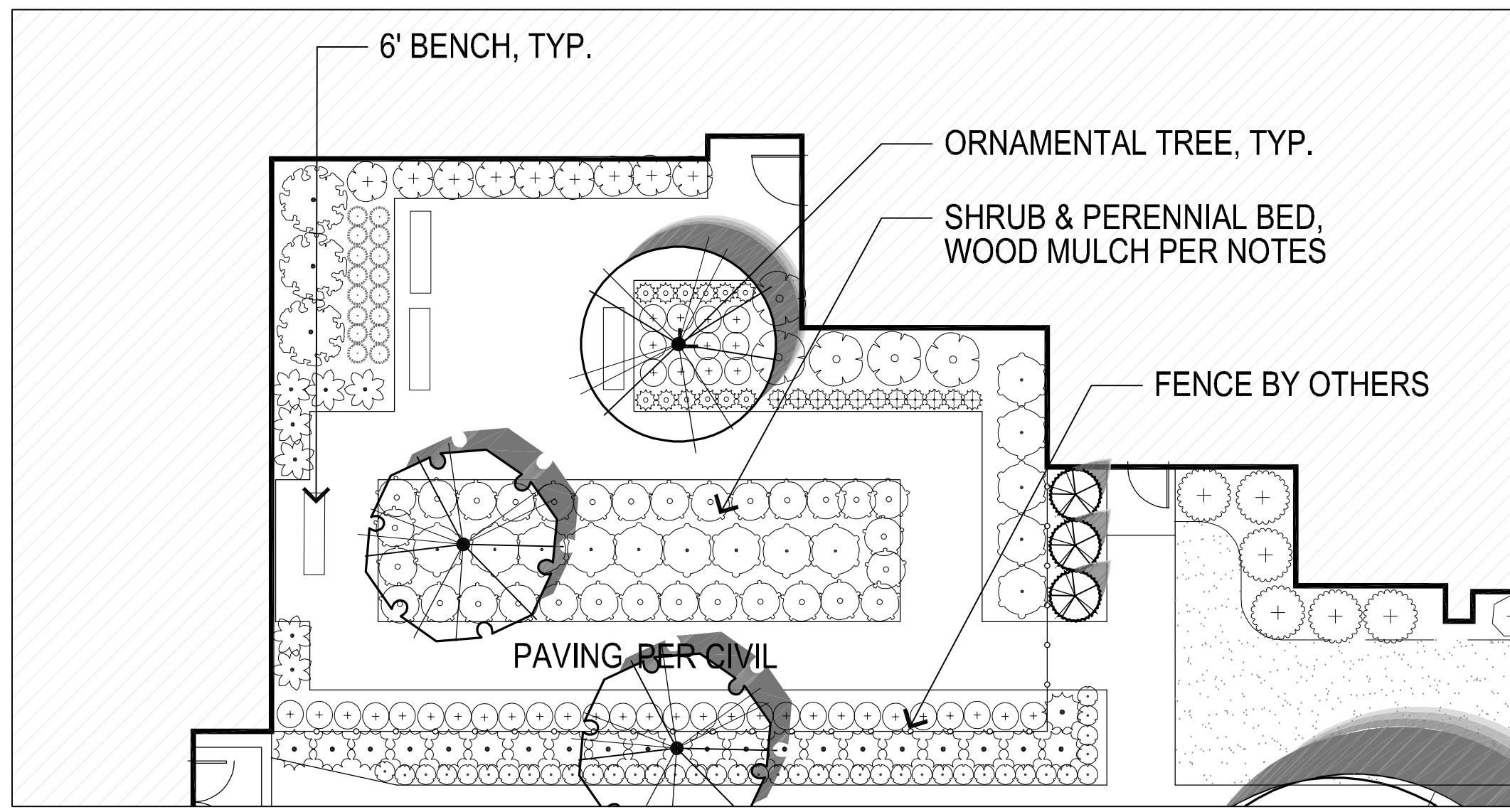
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Benjamin Hedberg, P.L.A.
DATE: 12/21/2021
PROJECT #: 20398
PROJECT STATUS:
DRAWN BY: HL
CHECKED BY: BH

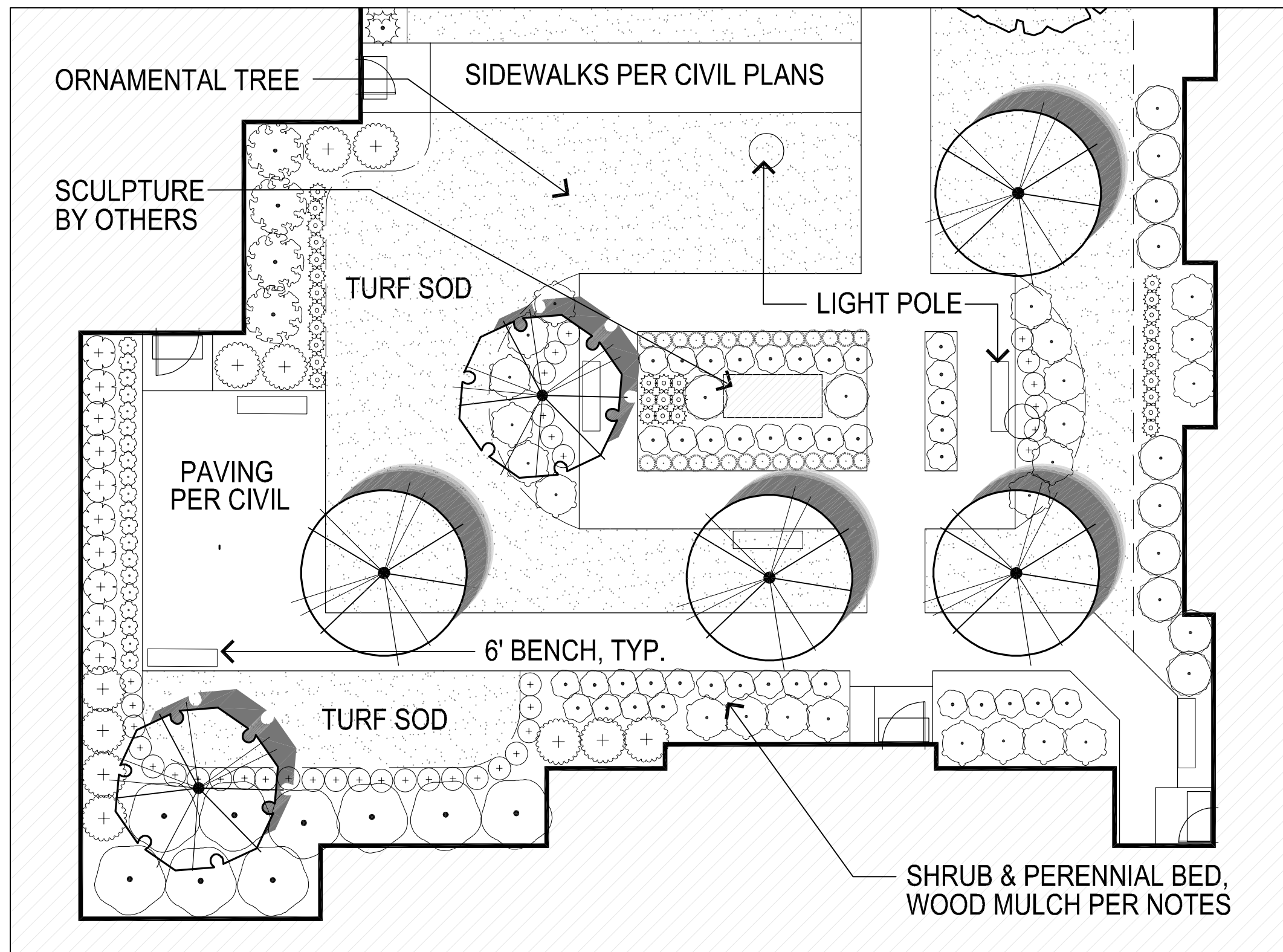


LANDSCAPE PLAN
AREA 'C'

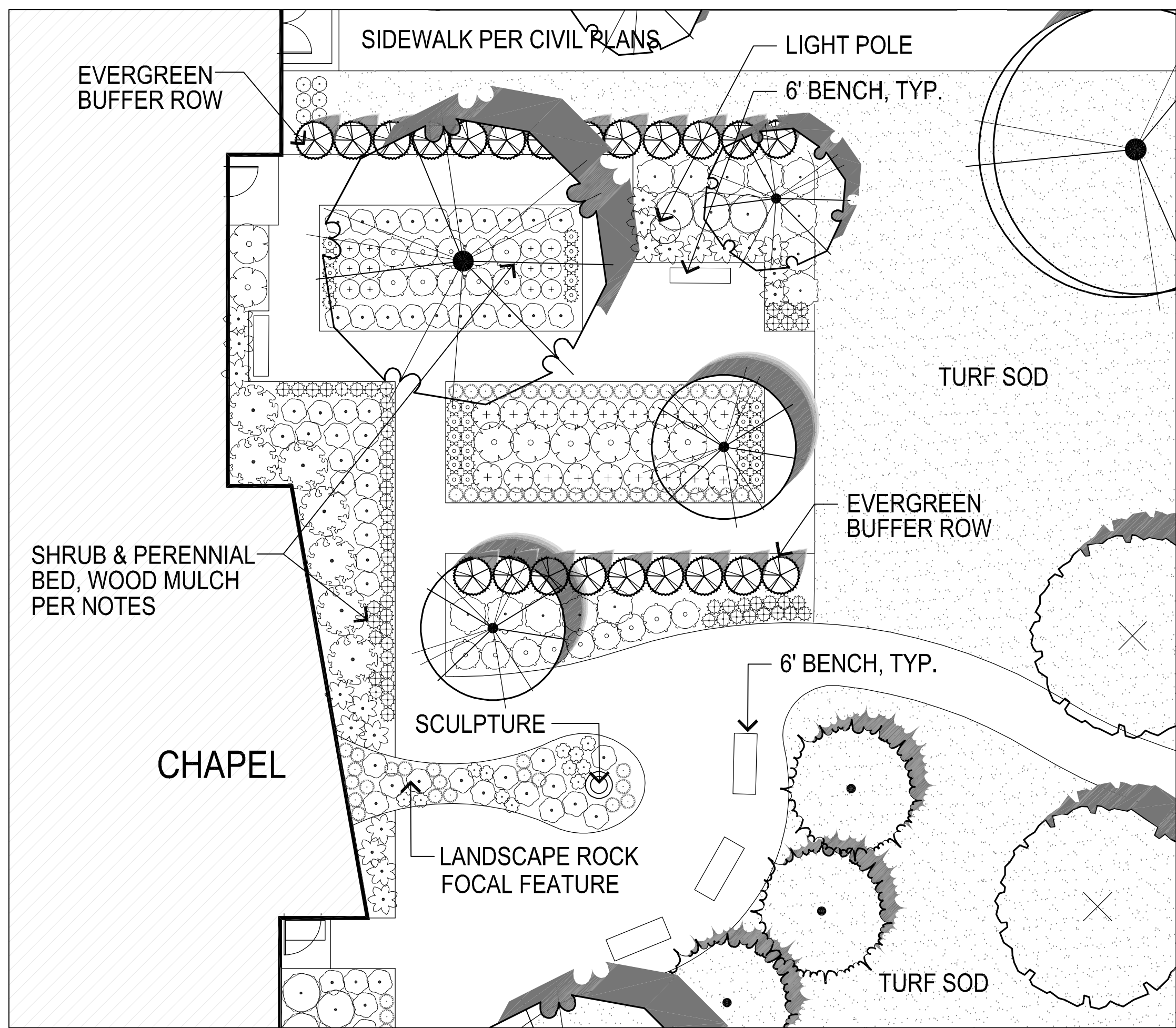
L3.0



MEMORY CARE GARDEN ENLARGEMENT: SCALE: 1" = 10'-0"



HEALING GARDEN ENLARGEMENT: SCALE: 1" = 10'-0"



LONG TERM CARE & CHAPEL GARDEN ENLARGEMENT: SCALE: 1" = 10'-0"

PLANT SCHEDULE

DECIDUOUS OVERSTORY TREE	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY	REMARKS
	As	Acer x freemanii 'Sienna'	Sienna Glen Maple	2.5' Cal.	B&B	10	
	Br	Betula nigra	River Birch	2.5' Cal.	B&B	5	Clump Form
	Co	Celtis occidentalis	Common Hackberry	2.5' Cal.	B&B	6	
	Gm	Ginkgo biloba 'Magyar'	Magyar Maidenhair Tree	2.5' Cal.	B&B	6	
	Gd	Gleditsia triacanthos inermis 'Draves' TM	Street Keeper Honey Locust	2.5' Cal.	B&B	9	
	Gi	Gymnocladus dioica 'McKBranded' TM	Decal Kentucky Coffeetree	2.5' Cal.	B&B	3	
	Qc	Quercus	Crimson Spire Oak	2.5' Cal.	B&B	11	
	Ob	Quercus bicolor	Swamp White Oak	2.5' Cal.	B&B	3	Spring Dug
	Or	Quercus rubra	Northern Red Oak	2.5' Cal.	B&B	5	Spring Dug
	Tb	Tilia americana 'Boulevard'	Boulevard American Linden	2.5' Cal.	B&B	8	
	Ua	Ulmus x 'Accolade'	Accolade Elm	2.5' Cal.	B&B	18	
EVERGREEN TREES	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY	REMARKS
	Bf	Abies balsamea	Balsam Fir	6' Hgt.	B&B	17	
	Pd	Picea glauca 'Densata'	Black Hills Spruce	6' Hgt.	B&B	18	
	Pr3	Pinus nigra	Austrian Pine	6' Hgt.	B&B	15	
	Ta	Thuja occidentalis 'Art Boe' TM	North Pole Arborvitae	6' Hgt.	B&B	25	
ORNAMENTAL TREES	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY	REMARKS
	Ao	Aesculus glabra	Ohio Buckeye	1.5' Cal.	B&B	12	
	Mp	Malus x 'Prairifire'	Prairifire Crab Apple	1.5' Cal.	B&B	16	
	Ms	Malus x 'Spring Snow'	Spring Snow Crab Apple	1.5' Cal.	B&B	19	
	Si	Syringa reticulata 'Ivory Silk'	Ivory Silk Japanese Tree Lilac	1.5' Cal.	B&B	19	
SHRUBS	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY	REMARKS
	Am	Aronia melanocarpa 'Morton' TM	Iroquois Beauty Black Chokeberry	5 gal.	Pot	61	
	Cr2	Clethra alnifolia 'Ruby Spice'	Ruby Spice Clethra	3 gal.	Pot	37	
	Ci	Cornus sericea 'Isanti'	Isanti Redosier Dogwood	3 gal.	Pot	11	
	Cl	Cotoneaster lucidus	Shiny Cotoneaster	5 gal.	Pot	20	30" Hgt. Minimum, Clip to Hedge at Install
	DI	Diervilla lonicera	Dwarf Bush Honeysuckle	3 gal.	Pot	64	
	Ef	Euonymus alatus 'Fire Ball'	Fire Ball Burning Bush	3 gal.	Pot	21	
	Ec	Euonymus fortunei 'Canadale Gold'	Canadale Gold Euonymus	3 gal.	Pot	50	
	Ha	Hydrangea arborescens 'Annabelle'	Annabelle Hydrangea	5 gal.	Pot	57	
	Jf	Juniperus chinensis 'Sea Green'	Sea Green Juniper	5 gal.	Pot	28	
	Rg	Rhus aromatica 'Gro-Low'	Gro-Low Fragrant Sumac	5 gal.	Pot	43	
	Ra	Ribes alpinum	Alpine Currant	5 gal.	Pot	33	30" Hgt. Minimum, Clip to Hedge at Install
	Sa	Spiraea x bumalda 'Anthony Waterer'	Anthony Waterer Spiraea	3 gal.	Pot	45	
	Sm3	Spiraea x bumalda 'Goldmound'	Gold Mound Spiraea	3 gal.	Pot	46	
	Sm2	Syringa patula 'Miss Kim'	Miss Kim Lilac	3 gal.	Pot	19	
ANNUALS/PERENNIALS	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY	REMARKS
	Af	Agastache foeniculum	Blue Giant Hyssop	4"	Pot	103	
	Am2	Allium x 'Millenium'	Millenium Ornamental Chive	1 gal.	Pot	68	
	Ba	Baptisia australis	Blue Wild Indigo	4"	Pot	26	
	Hh	Hemerocallis x 'Happy Returns'	Happy Returns Daylily	1 gal.	Pot	147	
	Hp	Heuchera micrantha 'Palace Purple'	Palace Purple Coral Bells	1 gal.	Pot	102	
	Hg	Hosta x 'Guacamole'	Guacamole Hosta	2 gal.	Pot	87	
	Lb	Leucanthemum x superbum 'Becky'	Shasta Daisy	1 gal.	Pot	114	
GRASSES	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY	REMARKS
	Ck	Calamagrostis x acutiflora 'Karl Foerster'	Feather Reed Grass	1 gal.	Pot	162	
	Mp2	Miscanthus sinensis 'Purpureus'	Flame Grass	1 gal.	Pot	87	
	Ss2	Schizachyrium scoparium 'Standing Ovation'	Little Bluestem Grass	1 gal.	Pot	129	

SEEDING NOTE: Requirements of the seed installer including the following:

- removal of weeds ahead of seeding
- fine grading ahead of seeding
- tilling ahead of seeding
- temporary irrigation watering after seeding
- 3 years of maintenance under base bid

NATIVE SEED TYPE:

Native Seed areas shall be: MndOT #35-221 Dry Prairie General, seeded into the topsoil layer at 50.00 lbs per acre. Submit seed mix for approval. Grading and Erosion Control per Civil Plans and Specifications. Add an additional 20.00 lbs per acre of MndOT #21-111 Oats Cover Crop to the mix below.

LOW MAINTENANCE TURF SEED TYPE:

Where noted on the plan, Low Maintenance seed areas shall be: Remy Turf Products 'CUT LESS' Low Growing Turf seed mix, drilled into the topsoil layer at 260.00 lbs per acre. Use a Brillion drill with dual cultipacker. Following seeding, cover soil with a hydromulch consisting of natural wood or paper fiber, water, and M-Binder at 100lbs per acre. Submit seed mix for approval. Grading and Erosion Control per Engineer's Plans and Specifications. Contractor is required to maintain low maintenance turf per native seed maintenance requirements. See specifications.

- 20% Cardinal Creeping Red Fescue
- 20% Jetty Hard Fescue
- 20% Blue Ray Sheep Fescue
- 20% Boreal Creeping Red Fescue
- 20% Sonar Chewings Fescue

NATIVE SEED REQUIRED MAINTENANCE - 3 YRS:

Below is an outline of required maintenance. See specifications for full details and exact requirements.

Native Grass and Forb Mixtures (mixtures beginning with the number 3)

- Year 1 Establishment (spring seeding):**
- 1) Prepare site - Late April - May
 - 2) Seed - May 1 - June 1
- Maintenance:**
- 1) Mow (6-8 inches) - every 30 days after planting until September 30.
 - 2) Weed Control - mowing should help control annual weeds. Spot spray thistles, etc.

- Establishment (fall seeding):**
- 1) Prepare site - Late August - early September
 - 2) Seed - late September to freeze-up
- Maintenance (following season):**
- 1) Mow (6-8 inches) - once in May, June, and July
 - 2) Weed Control - mowing should keep annual weeds down. Spot spray thistles, etc.

- Evaluation:**
- 1) Cover crop growing within 2 weeks of planting (except dormant plantings).
 - 2) Seedlings spaced 1-6 inches apart in drill rows.
 - 3) Native grass seedlings may only be 4-6 inches tall.
 - 4) If there is a flush of growth from foxtail etc., mow as necessary.

- Year 2 Maintenance:**
- 1) Mow (6-8 inches) one time between June 1 - August 15 before weeds set seed.
 - 2) Weed Control - mowing should keep annual weeds down. Spot spray thistles, etc.
 - 3) Some sites may not require much maintenance the second year.

- Evaluation:**
- 1) Cover crop will be gone unless winter wheat was used in a fall planting.
 - 2) Grasses forming clumps 1-6 inches apart in drill rows, but still short.
 - 3) Some flowers should be blooming (black-eyed Susans, bergamot, etc.).
 - 4) If there is a flush of growth from foxtail etc., mow site.

- Year 3 Maintenance:**
- 1) Mow only if necessary.
 - 2) Weed Control - Spot spray thistles, etc.
 - 3) Sites usually do not require much maintenance the third year.

- Evaluation:**
- 1) Planting should begin looking like a prairie - tall grasses, flowers, etc.

- Long-term Maintenance:**
- 1) Weed Control - Spot spray thistles, etc.
 - 2) Burning (3-5 year rotation) alternate spring and fall if possible.
 - 3) Haying (3-5 year rotation) late summer or early fall. Alternate with burning (may substitute for burning).
 - 4) Burning two years in a row will really "clean up" rough-looking sites.

NATIVE SEEDING INSTALLATION METHOD:

Drop Seeding Onto Tilled Sites
This is the "standard" method for seeding on prepared sites such as those on construction projects.

- a) Site Preparation:** The site should be prepared by loosening topsoil to a minimum depth of 3 inches.
- b) Fertilizer:** Use a fertilizer analysis based on a soil test or a general recommendation is a 10-10-10 (NPK) commercial grade analysis at 200 lbs/acre.
- c) Seed Installation:** Seed should be installed with a drop seeder that will accurately meter the types of seed to be planted, keep all seeds uniformly mixed during the seeding and contain drop seed tubes for seed placement (Brillion-type). The drop seeder should be equipped with a cultipacker assembly to ensure seed-to-soil contact.
- d) Seeding Rates:** Rates are specified in the mixture tabulation for the specified mix.
- e) Packing:** If the drop seeder is not equipped with a cultipacker, the site should be cultipacked following the seeding to ensure seed-to-soil contact.
- f) Mulch:** Cover soil with a hydromulch consisting of natural wood fiber or paper fiber, water, and M-Binder at 100 lbs per acre.



6100 East Brown Drive, Suite 700
Minneapolis, MN 55425
Phone: (763) 843-0400
Fax: (763) 843-0421
www.bkbm.com
BKBM Job Number: 21109.00

NOT FOR CONSTRUCTION

Revisions		
No.	Description	Date

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 Landscape Architect under the laws of the State of MINNESOTA.

Benjamin Hedberg, P.L.A.

DATE: 12/21/2021
PROJECT #: 20398
PROJECT STATUS:

DRAWN BY: HL
CHECKED BY: BH

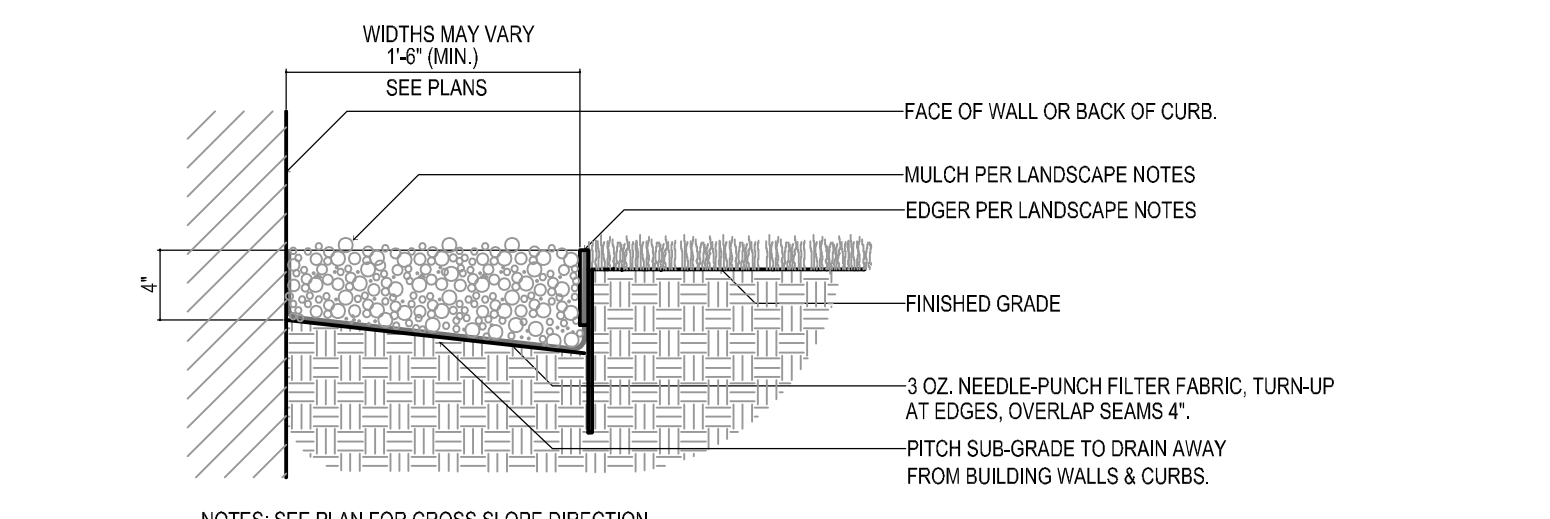
KEY PLAN

LANDSCAPE DETAILS

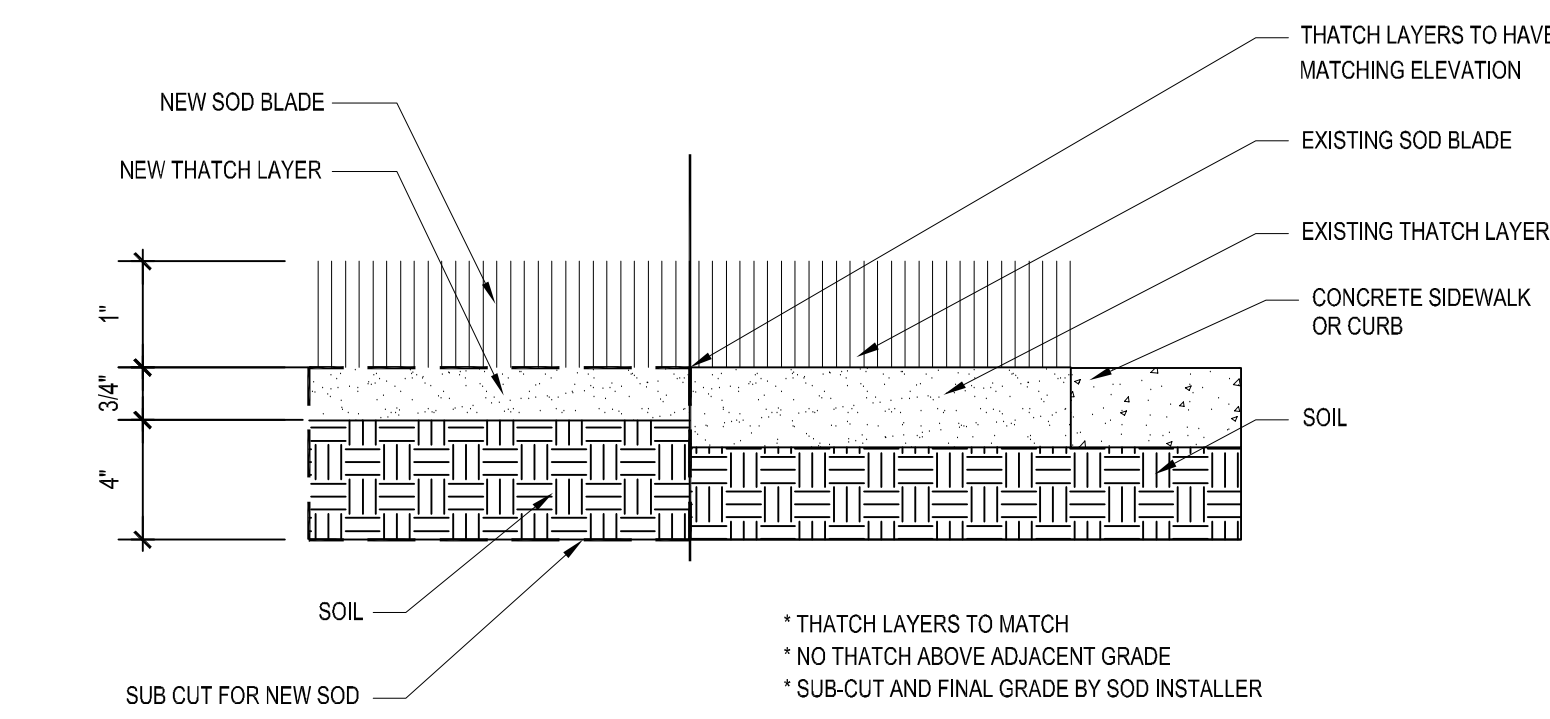
L4.0

Landscape Notes & Requirements:

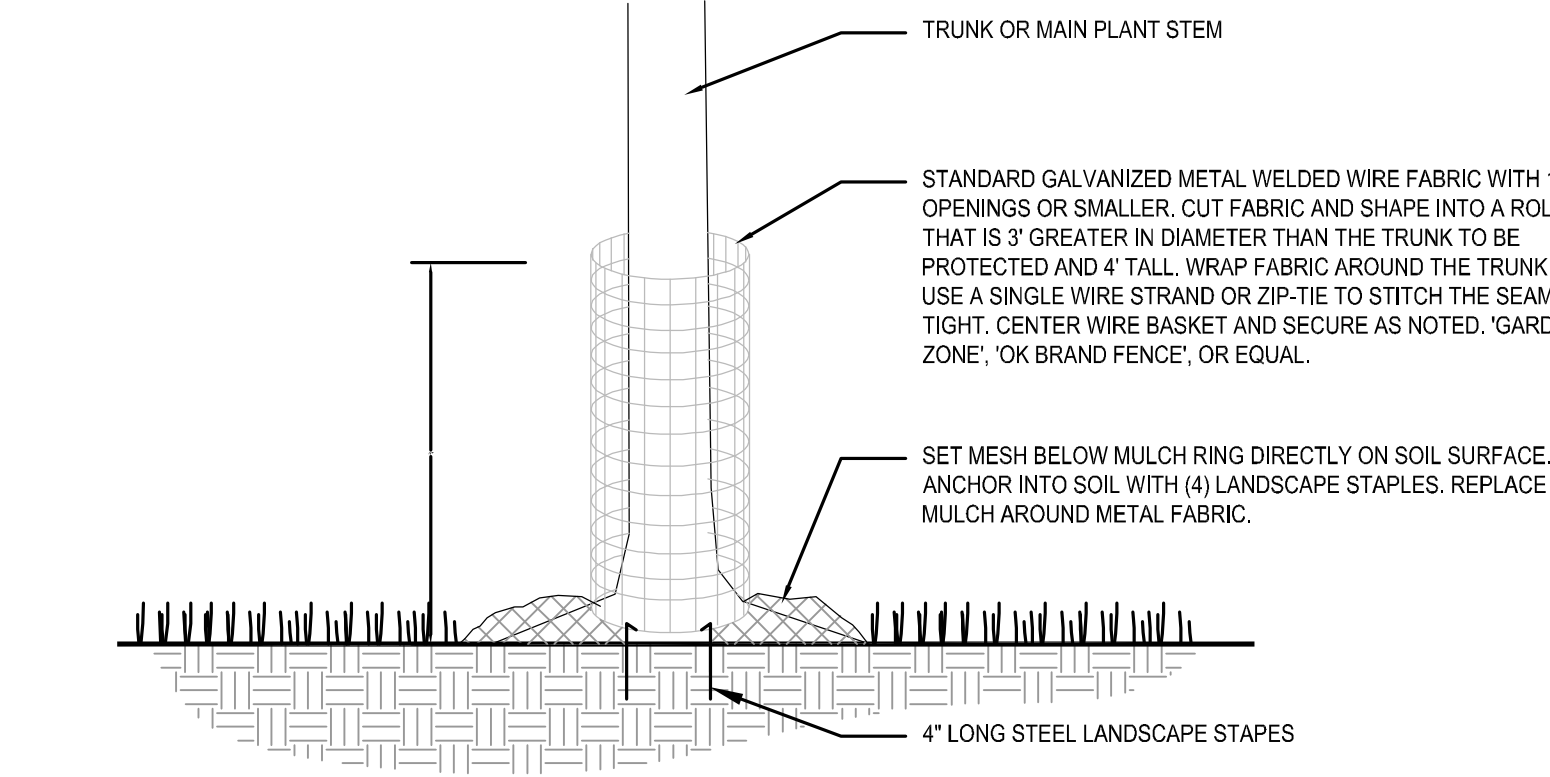
1. Tree saucer for individual trees outside of a plant bed to be four inches (4") depth natural single-shred Western Red Cedar mulch. Install per tree planting detail. Dyed mulch is not accepted. Do not place mulch against tree trunk. Remove wire and burrap from top third of root ball before final soil back-fill and mulch.
2. Refer to civil plan sheets for grading, drainage, site dimensions, survey, tree removal, proposed utilities & erosion control.
3. All plant material shall comply with the latest edition of the American Standard for Nursery Stock, American Association of Nurserymen. Unless noted otherwise, deciduous shrubs shall have at least 5 canes at the specified shrub height. Plant material shall be delivered as specified.
4. Plan takes precedence over plant schedule if discrepancies in quantities exist.
5. All proposed plants shall be located and staked as shown.
6. Adjustment in location of proposed plant material may be needed in field. Should an adjustment be required, the client will provide field approval. Significant changes may require city review and approval.
7. The project landscape contractor shall be held responsible for watering and properly handling all plant materials brought on the site both before and after installation. Schedule plant deliveries to coincide with expected installation time within 36 hours.
8. All plant materials shall be fertilized upon installation as specified.
9. The landscape contractor shall provide the owner with a watering schedule appropriate to the project site conditions and to plant material growth requirements.
10. If the landscape contractor is concerned or perceives any deficiencies in the plant selections, soil conditions, drainage or any other site condition that might negatively affect plant establishment, survival or guarantee, they must bring these deficiencies to the attention of the landscape architect & client prior to bid submission. Plant bed drainage concerns during plant installation shall be brought to the attention of the Owner and General Contractor immediately.
11. Contractor shall establish to his/ her satisfaction that soil and compaction conditions are adequate to allow for proper drainage at and around the building site.
12. Contractor is responsible for ongoing maintenance of all newly installed material until time of written owner acceptance. Any acts of vandalism or damage which may occur prior to owner acceptance shall be the responsibility of the contractor. Contractor shall provide the owner with a maintenance program including, but not limited to, pruning, fertilization and disease/pest control.
13. The contractor shall guarantee newly planted material through one calendar year from the date of written owner acceptance. Plants that exhibit more than 10% die-back damage shall be replaced at no additional cost to the owner. The contractor shall also provide adequate tree wrap and deer/rodent protection measures for the plantings during the warranty period.
14. This layout plan constitutes our understanding of the landscape requirements listed in the ordinance. Changes and modifications may be requested by the city based on applicant information, public input, council decisions, etc.
15. The landscape contractor shall be responsible for obtaining any permits and coordinating inspections as required throughout the work process.
16. Plant size & species substitutions must be approved in writing prior to acceptance in the field.
17. **Irrigation:** The landscape contractor shall furnish an Irrigation Layout Plan for head-to-head coverage of all tree, turf and shrub planting areas. Use commercial-grade irrigation equipment and provide product cut-sheets and (4) copies of the proposed layout plan to the landscape architect for review and approval prior to installation. Coordinate irrigation connection point, controller, back-flow and valving locations with the mechanical engineer, architect, & general contractor. Include 1" fall shut-down and spring start-up in irrigation bid. Sch 80 PVC sleeves necessary under paved areas to be coordinated between the landscape contractor, irrigation contractor, excavator, paving contractor, and General Contractor.
18. All edger shall be professional grade Coyote perforated aluminum industrial edging, 1/2" thickness with black finish. Anchor every 18" on-center (minimum). Submit sample.
19. Landscape Contractor is responsible for coordination with the General Contractor, to protect the new improvements on and off-site during landscape work activities. Report any damage to the General Contractor immediately.
20. **Mulch:** Unless otherwise noted/indicated, plant beds shall receive 4" depth of locally available 3/4" limestone rock mulch over fabric weed mat, per detail. Submit mulch sample for Owner approval. Do not install weed mat under perennials, with the exception of ornamental grasses. Where wood mulch is noted per plan (in the Healing and Memory Care Gardens only), plant beds shall receive 4" depth locally available natural single-shred Western Red Cedar Mulch over fabric weed mat, per detail. Submit sample for Owner approval. Do not install weed mat under perennials, with the exception of ornamental grasses. Dyed mulch is not accepted.
21. All planting, seeding, and sodded areas shall be prepared prior to installation activities with a harley power box rake or equal to provide a firm planting bed free of stones, slicks, construction debris, etc.
22. Turf Sodding and Seeding activity shall conform to all rules and regulations as established in the MnDOT Seeding Manual, 2014 edition, for turf bed preparation, installation, maintenance, acceptability, and warranty. Turf Seed installation to include TWO years of maintenance in the bid price. This includes mowing, weeding, & spot-spraying invasive weeds no less than 3 times per year. Maintenance also includes re-seeding bare patches larger than 6" in any direction, and fertilization no less than twice per calendar year. An acceptable stand of seeded turf is lush, full, and weed-free.
23. The Landscape Contractor shall furnish samples of all landscape materials for approval prior to installation.
24. The Landscape Contractor shall clear and grub the underbrush from within the work limits to remove dead branches, leaves, trash, weeds and foreign materials.
25. The landscape contractor shall contact Gopher State One Call no less than 48 hours before digging for field utility locations.
26. The landscape contractor shall be responsible for the removal of erosion control measures once vegetation has been established to the satisfaction of the municipal staff. This includes silt curtain fencing and sediment logs placed in the landscape.
27. The landscape contractor shall be responsible for visiting the site to become familiar with the conditions prior to bidding and installation. Coordinate with the general contractors on matters such as fine grading, landscaped area conditions, staging areas, irrigation connection to building, etc.
28. See Site and Civil plans for additional information regarding the project, including infiltration area soils and sub-surface drainage requirements and performance.
29. **Topsoil Requirements:** All graded areas of the site that are designated on the plan set for turf sod shall have no less than 6" of imported top soil, meeting MnDOT classifications for planting soil for trees, shrubs, and turf. Slope away from building.
30. **Percolation Testing:** Landscape contractor must prove the open sub-grade of all planting areas after their excavation is capable of infiltrating a minimum requirement of 1/4-inch of water per hour prior to installation of plant materials, topsoil, irrigation, weed mat, and mulch. Planting areas not capable of meeting this requirement shall have 4" diameter X 48" depth holes augured every 36" on-center and filled with MnDOT Free-Draining Coarse Filter Aggregate. Re-test sub-grade percolation for compliance to infiltration minimum requirement.
31. Landscape contractor to provide nursery pull list (bill of lading) including plant species and sizes shipped to the site. Additionally, the landscape contractor shall provide nursery stock traceability, proving none of the materials provided contain or are genetic strains of the neonicotinoid family including acetamiprid, clothianidin, imidacloprid, nitenpyram, nithiazine, thiacloprid and biamethoxan.



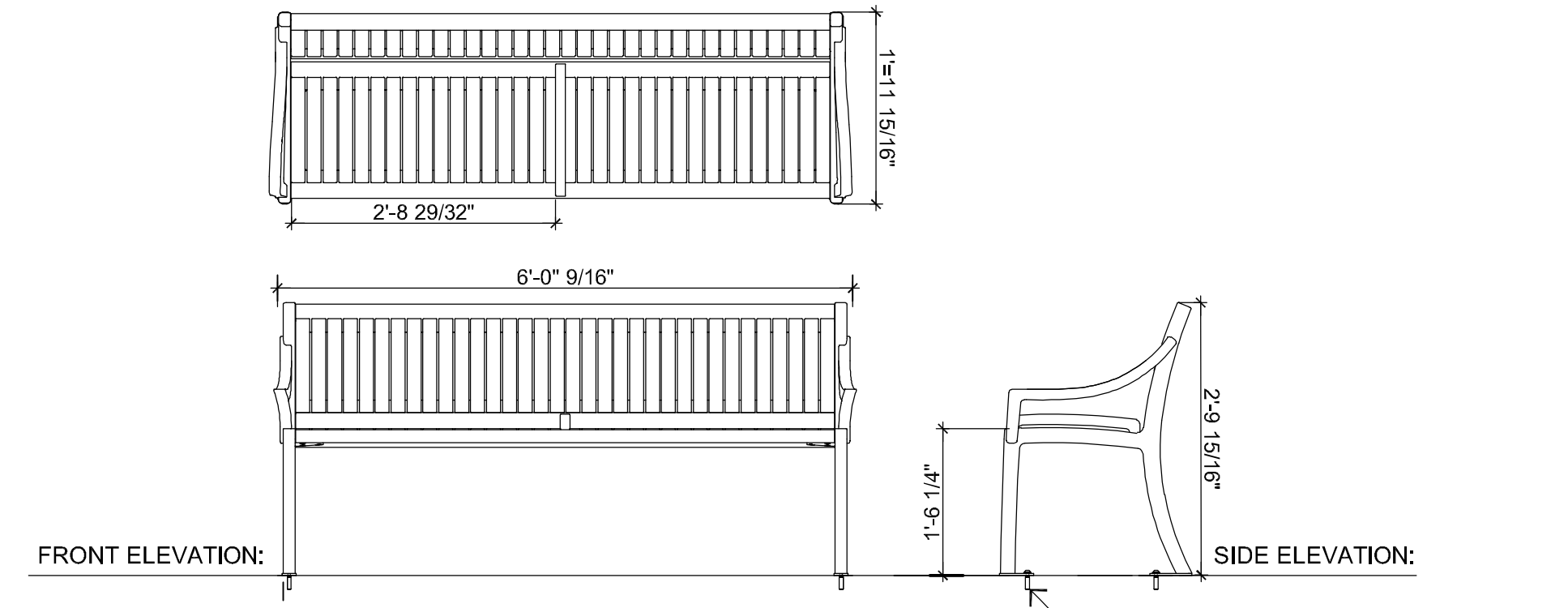
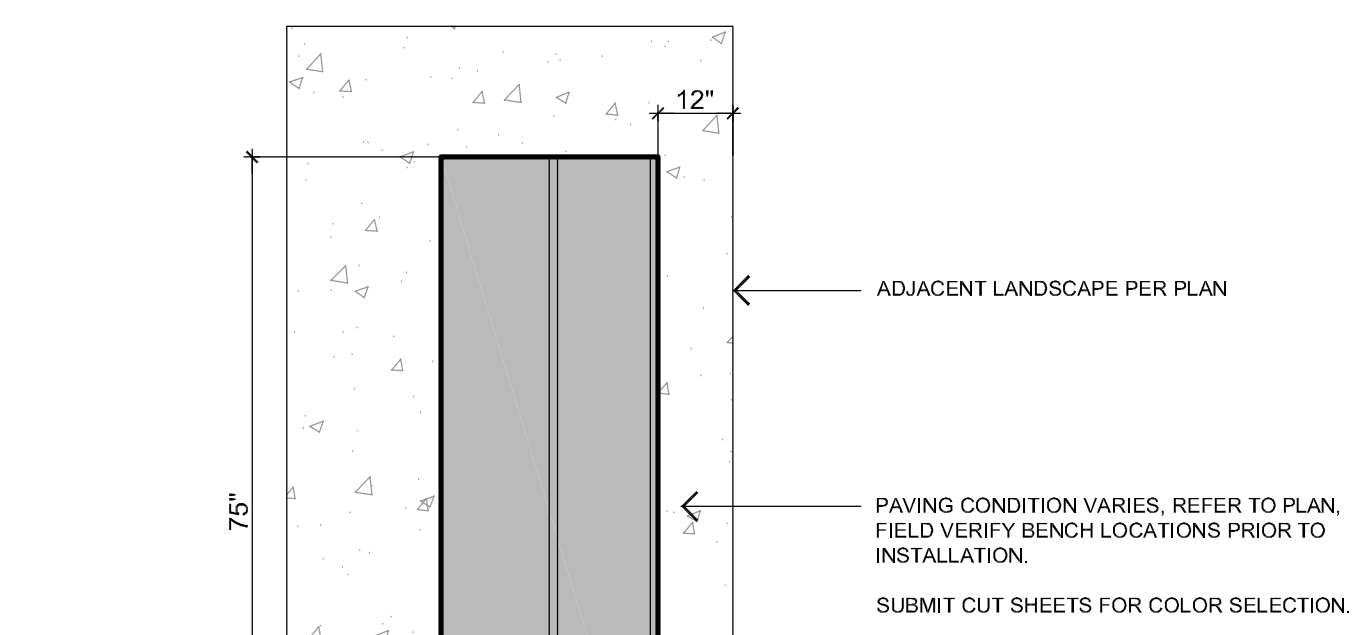
1 TYP. MULCH DETAIL
NOT TO SCALE



2 NEW SOD TO EXISTING SOD DETAIL
NOT TO SCALE



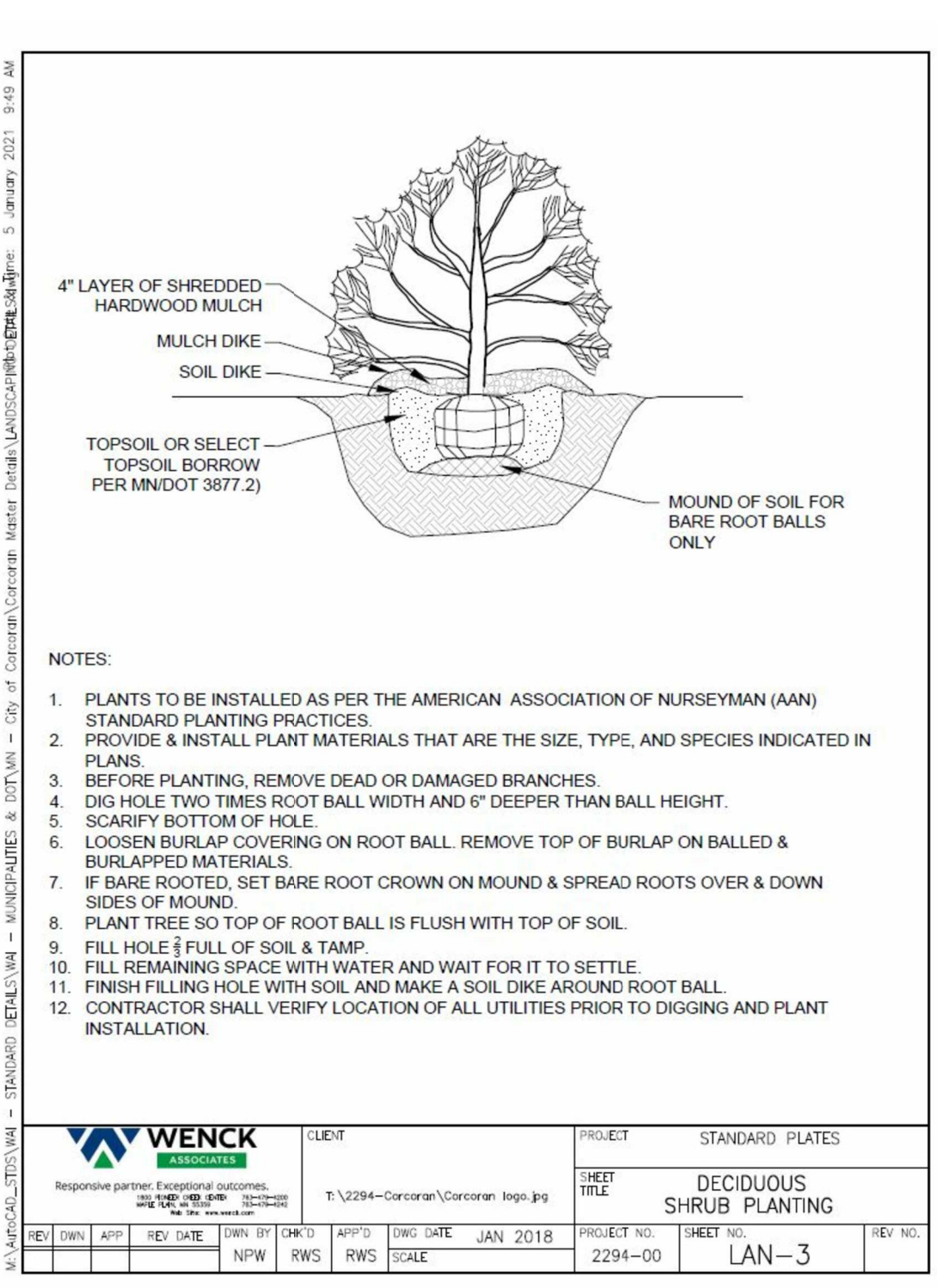
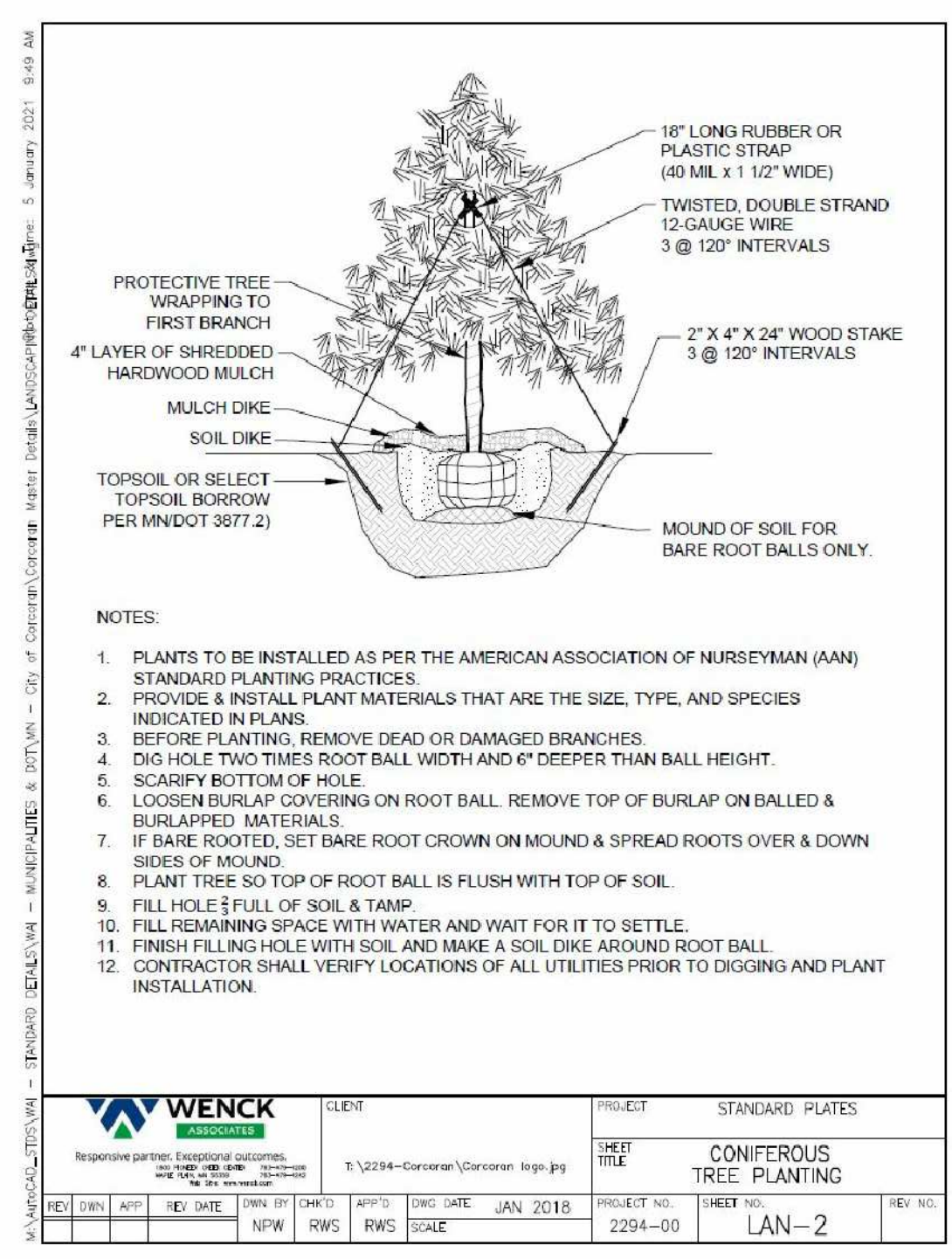
3 TREE TRUNK DEER & RODENT PROTECTION
NOT TO SCALE



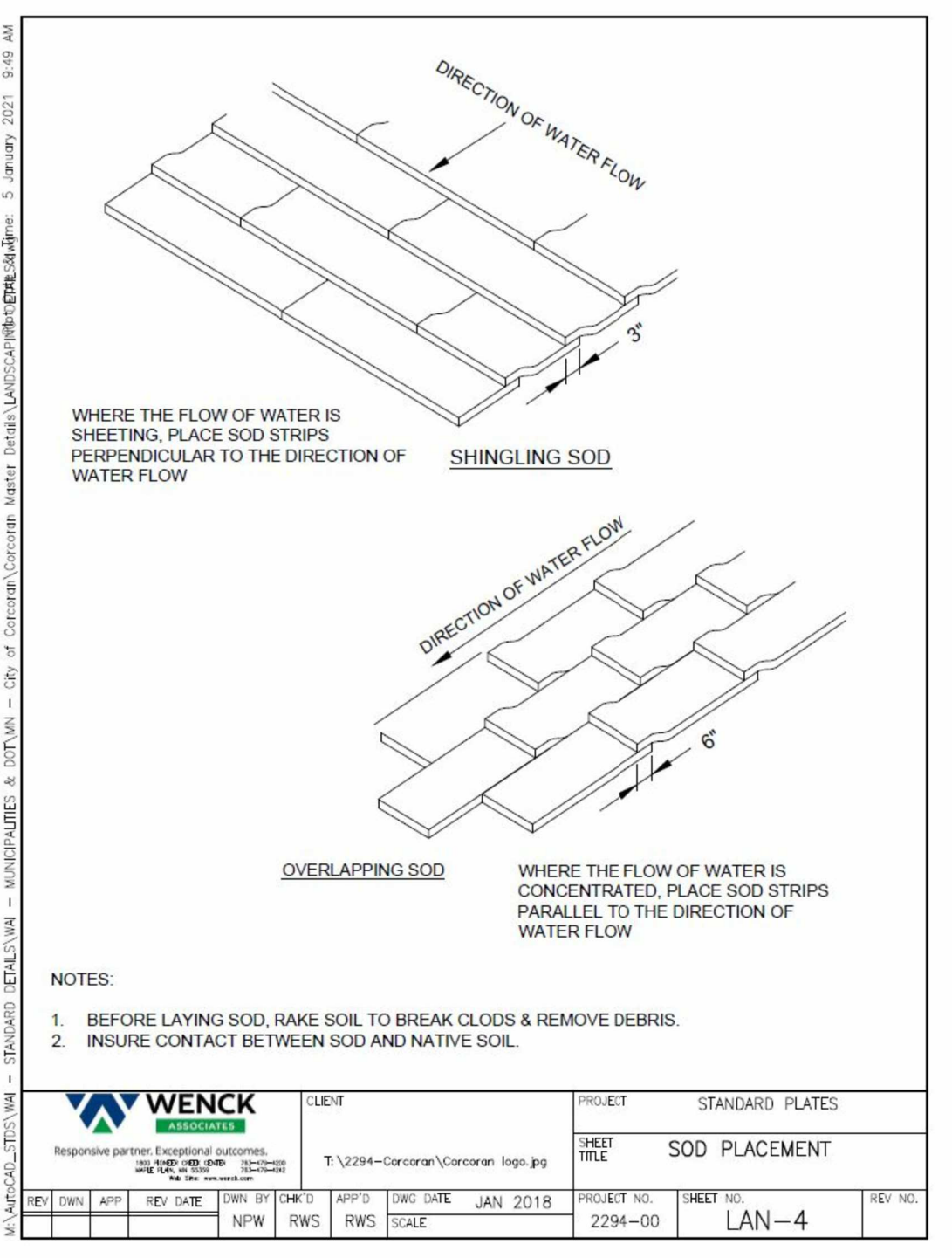
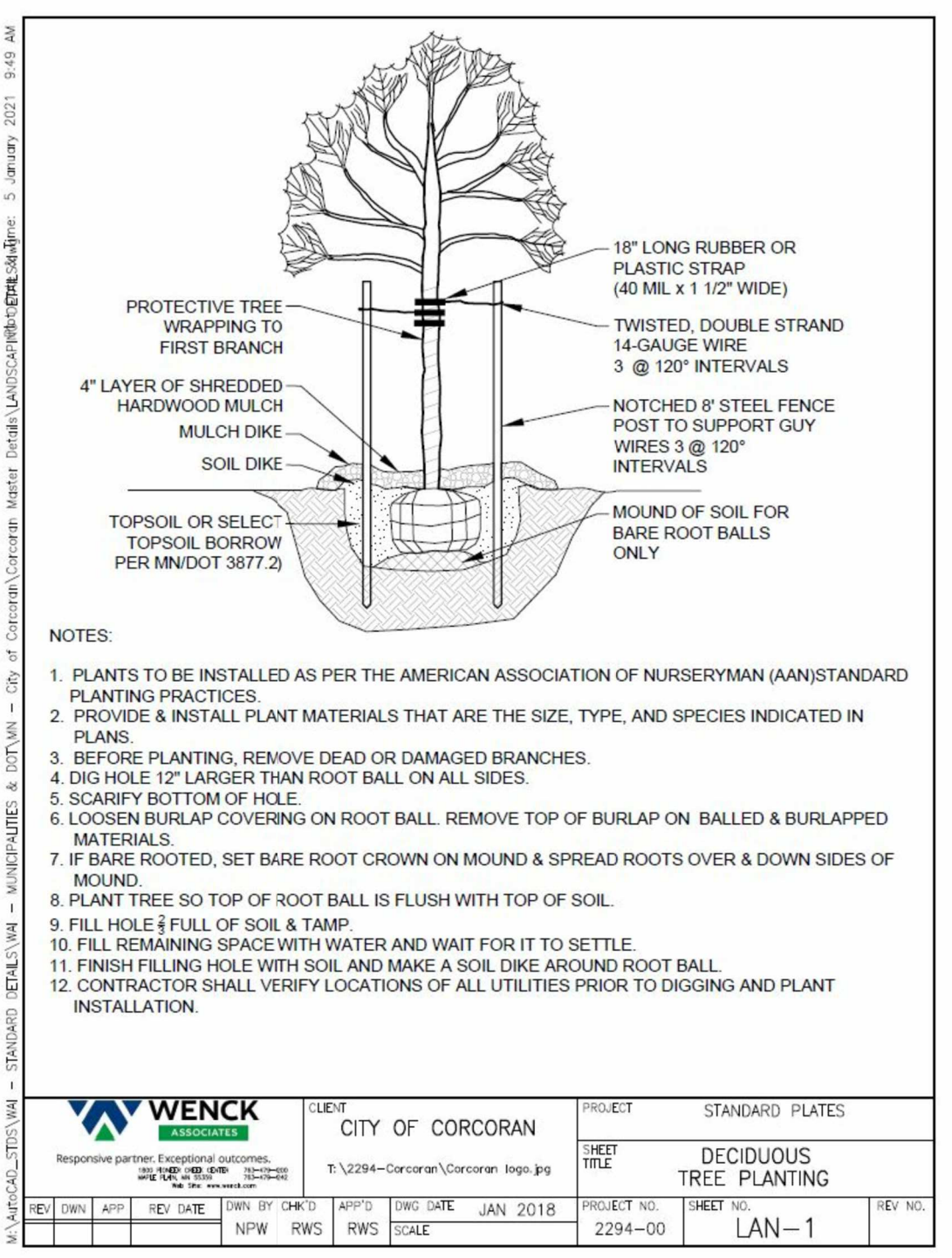
PRODUCT: 6'-0" CORDIA BENCH
 DESCRIPTION: PRODUCT ID: SBOR-72BW www.forms-surfaces.com
 FRAME: POWDER COAT COLOR: DARK CORTEN
 SEAT & BACK: FSC 100% JATOPA HARDWOOD SLATS

- NOTES:
1. INSTALL SURFACE MOUNT BENCHES ACCORDING TO MANUFACTURER'S SPECIFICATIONS.
 2. SUBMIT PRODUCT DATA SHEET FOR FINAL APPROVAL, PRIOR TO ORDERING.
 3. SEE SITE PLAN FOR LOCATION OR CONSULT OWNER.
 4. SITE FURNISHINGS CONTRACTOR TO INCLUDE ASSEMBLY, MOUNTING HARDWARE, AND LABOR IN BID.

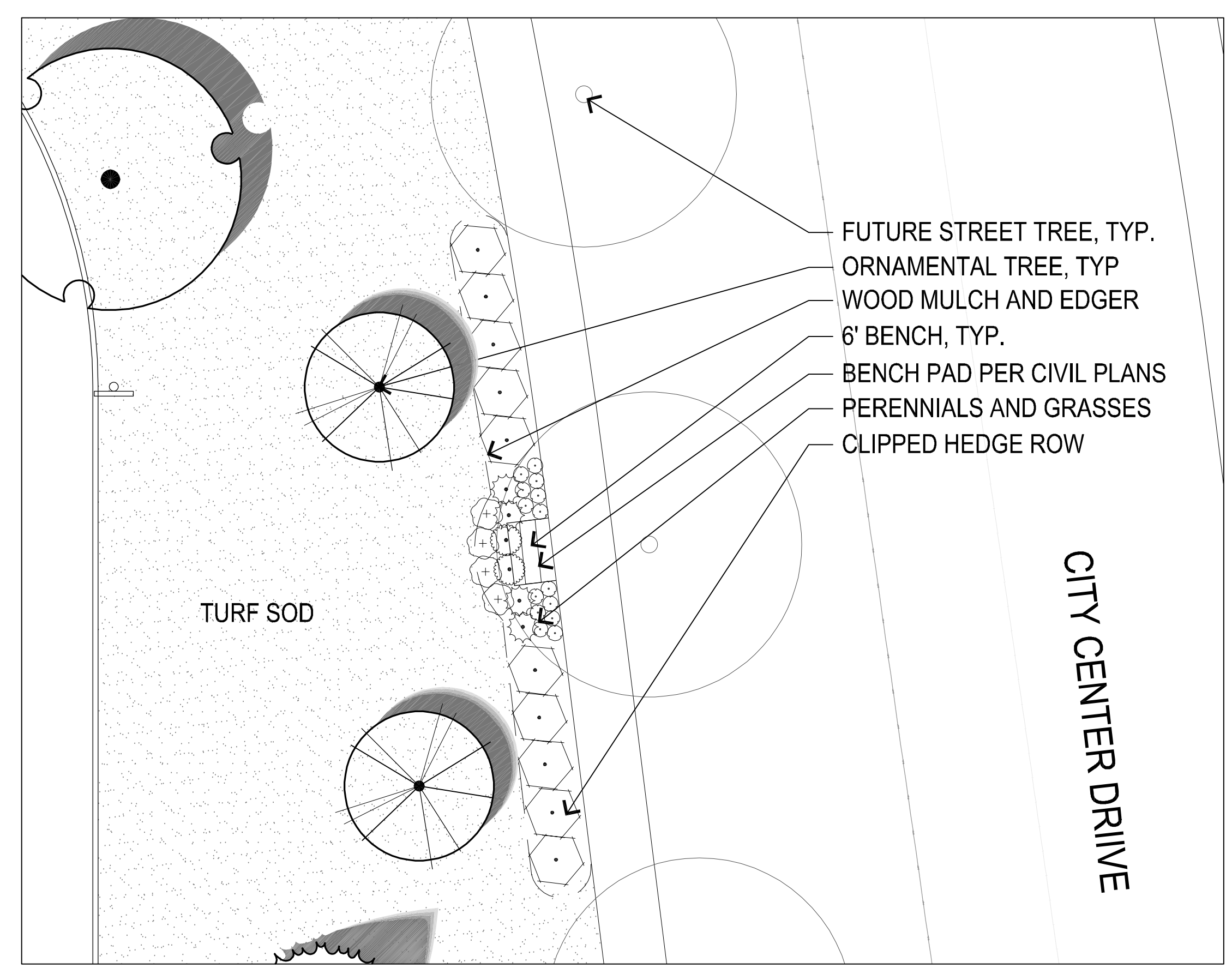
4 6' BENCH DETAIL
NOT TO SCALE



Note: City standard landscape installation details shown per City requirement. Contractor to use industry best practices at install.



LAN-4



URBAN EDGE ALONG CITY CENTER DRIVE ENLARGEMENT: SCALE: 1" = 10'-0"



ST. THERESE

8200 COUNTY ROAD 116
CORCORAN, MN 55340



NOT FOR CONSTRUCTION

Revisions		
No.	Description	Date

DATE: 12/21/2021
 PROJECT #: 20398
 PROJECT STATUS:
 DRAWN BY: HL
 CHECKED BY: BH
 KEY PLAN

LANDSCAPE DETAILS

L5.0

LANDSCAPE DETAILS, NOTES, & SCHEDULES:

STAFF REPORT

Agenda Item 7a.

Planning Commission Meeting: February 3, 2022	Prepared By: Michael Pritchard Natalie Davis
Topic: MS4 Ordinance Update (City File No. 21-051)	Action Required: Recommendation for City Council

Review Deadline: N/A

1. Request:

City Staff proposes several city code text amendments within Title IV, Title V, the Subdivision Ordinance, and the Zoning Ordinance to bring the City’s MS4 (Municipal Separate Storm Sewer System) General Permit No. MN R04000 into compliance with state stormwater system requirements established by the Minnesota Pollution Control Agency (MPCA) pursuant to Minnesota Rule 7090.

2. Background:

As part of the City’s MS4 permit, the City is required to have a regulatory mechanism to control land disturbance activities of at least one acre. The regulatory mechanism must be at least as stringent as the MPCA general construction site stormwater permit. The state requirements are updated every 5 years with the last round of updates completed in November 2020. The City is expected to bring relevant ordinances into compliance this year, and staff has worked to have policies codified and clarified in time for the construction season in 2022. The largest task for the City to complete because of the 2020 MPCA updates is to codify its Storm Water Pollution Prevention Program; however, the new requirements are consistent with existing City practices. The proposed text changes to the City’s land disturbance permit will bring the City into compliance with the MPCA requirements, codify current City practices, as well as put the City in a better position to bring the City Code in compliance when the MPCA makes updates in the future.

The Planning Commission held a public hearing and reviewed the proposed City Code updates on January 6, 2022. The item was tabled for further discussion at a later meeting date.

3. Analysis:

Historically, City Council advised staff to meet the minimum standards to be in compliance with the MS4 permitting requirements. MPCA required that certain policies and practices be put into place, but it is just now required that these policies be codified as a part of the recent update to the permitting requirements. These practices have been in place and evolved over the last decade, and staff is not proposing any changes

to our current practices with this Code update. The reason these practices are being reviewed by the Planning Commission and City Council is due to the requirement that these policies be codified for the City's MS4 General Permit.

When evaluating the City's MS4 practices, the discretion is limited to the exemptions and the permitting process for land disturbance areas of under 1-acre in size. The rest of the proposed language are based on the state requirements and meet the minimum standards for the MS4 permit. This includes the application submittal standards for sites over 1-acre in size. At the last Planning Commission meeting, there was significant discussion about the proposed exemptions discussed below.

Under 50 Cubic Yards Exemption

In Chapter 54.06, Subd. 2(h), a 50 cubic yard threshold is identified for general yard maintenance and landscaping:

Any land disturbing activities relating to general yard maintenance or landscaping, unless the volume of soil or earth stored or moved exceeds 50 cubic yards or has the potential to impact drainage [...]

This differs from the previous verbiage in City Code with the volume threshold reduced from 301 cubic yards down to 50 cubic yards and by adding "or has the potential to impact drainage." There was concern that vegetation and brush would be included in the calculation of this identified threshold. The way the exemption is written, the 50 cubic yards threshold is specifically looking at the volume of *soil or earth*. Public Works does not include trees, brush, or vegetation being removed against the 50 cubic yards threshold. This threshold is meant to specifically measure the actual disturbance of earth and soil.

Public Works confirmed examples of "general yard maintenance" include mowing, dethatching, mulching, trimming, weeding, top dressing, leveling, re-seeding, noxious weed control/removal, or trimming or removing trees/brush/leaves and other vegetation. Examples of landscaping include planting trees, shrubs, flowers, grasses, vegetables, general gardening, prairie restoration, paths/walkways, patios, edging/borders, fire pit surround, and other projects that do not substantially alter the topography. Again, Public Works does not currently and will not begin to calculate the removal of brush and trees or other vegetation against the 50 cubic yards of earth and soil threshold. Additionally, if any of these activities are found to have a potential impact to drainage, a permit would be required as indicated in the exemption verbiage. This is more likely when an activity usually considered general yard maintenance or landscaping occurs within a drainage and utility easement, fills a swale, interrupts a drainage pattern, or has the potential to impact a floodplain, wetland, or shoreland.

Staff continues to recommend a threshold of 50 cubic yards for the exemption. This is based on a decade of experience dealing with land disturbance permits, complaints received by concerned neighbors, and seeing when issues with drainage tend to

develop. This is the threshold staff is comfortable with as problems are more likely to occur when more than 50 cubic yards of earth and soil have been impacted and a review of the project was not completed by staff beforehand. The City encourages all residents to call to discuss their projects beforehand, and this threshold further enables conversations and education to occur proactively rather than needing to delay an active project that may be causing an issue (most often with drainage, easements, and wetland impacts). For reference, attached to this report are visual aids to show the volume of soil that would be involved at various thresholds, including 50 cubic yards and 300 cubic yards. If the Planning Commission disagrees with staff's recommended threshold, the Commission should make a specific recommendation as to the desired threshold for City Council to consider.

Gardening Exemption

There was a desire to include gardening as an exemption. Chapter 54.06, Subd. 2(d) in the proposed ordinance now states:

Tiling, planting, or harvesting of agricultural, horticultural, or silvicultural (forestry) crops or other agricultural production operations, including private gardens [...]

Agricultural Exemption

Finally, there was discussion on removing the exemption for agriculture, especially as it relates to the clearing of trees for the planting of crops. This is a question of City policy and values that requires a larger discussion with City Council while including a broader lens to understand the implications within the City's guiding documents. The 2040 Comprehensive Plan states:

Agriculture remains a significant and valued part of the community.

Agriculture is a significant element of Corcoran's rural character. Two surveys conducted in 2017 confirmed residents have a desire to both retain the rural character and land that is used for active agricultural production. In the Implementation chapter of the 2040 Comprehensive Plan, the following goal was identified:

Review and consider updates to ordinance standards that preserve rural character, including preservation of natural areas and agriculture, open spaces, and large lots with low density, especially in the non-MUSA area.

Currently, there are several places within City Code that agriculture is supported by exempting agricultural uses from requirements applicable to other uses. For example, agricultural buildings are exempt from the square footage limitations for accessory structures. Staff believes the proposed exemption is in line with the City's goals and values. Furthermore, this exemption is in line with the existing exemption listed within Mining and Soils Processing (Section 1030.060, Subd. 6(D)):

Routine agriculture crop management practices.

At the same time, the proposed verbiage in Chapter 54.06, Subd. 3 includes a clause that provides the City with the ability to terminate *any* of the listed exemptions if a problem occurs and a review through a land disturbance permit or SWPP is warranted:

Termination of Exemption. *If the land disturbance activity threatens or impedes the ability of the City to meet its own permit requirements under the National Pollutant Discharge Elimination System (NPDES) program, obstructs a water course, or has the potential to impact drainage, the Issuing Authority may terminate the exemption and require the Applicant to obtain a land disturbance permit in full compliance with this chapter.*

If the Commission would like the City Council to reconsider how the City supports agriculture through policy and practice, then this recommendation can be forwarded to City Council outside of the MS4 permitting process. This will allow for a larger discussion with the City Council as well as those who would be most impacted by this change – the agricultural community within Corcoran. If the City Council confirms this policy change, staff can complete a larger update within the City Code to reflect and be consistent with the new policy, including the agriculture exemption in Chapter 54.

4. Recommendation:

The Planning Commission should recommend any specific verbiage changes to proposed Chapter 54 and move to recommend approval or denial of the following:

- a. Ordinance Amendment to Section 950, Section 1030.060, Title IV, and Title V of the City Code.
- b. Resolution Approving Findings of Fact.

Attachments:

1. Draft Ordinance Amendment to Section 950, Section 1030.060, Title IV, and Title V of the City Code.
2. Draft Resolution Approving Findings of Fact
3. Soil Volume Visual Aids

ORDINANCE NO. 2022-

Motion By:
Seconded By:

AN ORDINANCE AMENDING THE TEXT OF SECTION 950 OF THE SUBDIVISION ORDINANCE, SECTION 1030.060 OF THE ZONING ORDINANCE, CHAPTER 40 OF TITLE IV, AND TITLE V OF THE CORCORAN CITY CODE RELATED TO LAND DISTURBANCE AND EROSION AND SEDIMENT CONTROL REGULATIONS (CITY FILE 21-051)

THE CITY OF CORCORAN ORDAINS:

SECTION 1. Amendment of the City Code. The text of Section 950 of the Corcoran City Code is hereby amended by removing the ~~stricken~~ material and adding the underlined material as follows:

SECTION 950 – EROSION CONTROL

950.010 - EROSION CONTROL PLAN.

Prior to commencing any ~~earth land~~ disturbing activity in a subdivision, the ~~subdivider~~ developer shall submit an erosion control plan for approval by the City Engineer. All grading and construction activity that results in disturbance of the ground shall comply with Minnesota Pollution Control Agency's General Stormwater Permit for Construction Activity No. MN R10001, the Minnesota Stormwater Manual, Chapter 54 of the City Code, and all other applicable City Ordinances. The plan shall be approved if it complies with the City's Zoning Ordinance and Erosion Control Ordinance and the requirements contained herein.

~~950.020 – EROSION CONTROL MEASURES.~~

~~Subd. 1.~~ ~~All development must comply with the City Erosion Control Ordinance. The following erosion control measures are required for an erosion control plan:~~

- ~~A. The developer must provide the City Engineer with both a temporary and permanent erosion control plan which shall be suited to the topography and soils so as to create the least erosion potential. Acceptable temporary and permanent erosion control plans shall include, but not be limited to, the following elements:~~
- ~~1. A site map with existing and final grades. These grades shall include dividing lines and direction of flow for all pre and post construction storm water runoff drainage areas located within the project limits. The site map must also include impervious surfaces and soil types.~~
 - ~~2. Locations of all critical areas, and areas delineated for non-disturbance.~~
 - ~~3. Locations of areas where construction will be phased to minimize duration of exposed soil areas.~~
 - ~~4. Locations and types of all temporary and permanent erosion and sediment control Best Management Practices (BMPs). Standard plates and/or~~

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~~specification for the BMPs used on the project must be included in the final plans and specifications for the project.~~

- ~~5. Locations and type of sediment control treatment for all stockpiles located on the project.~~
- ~~6. Plans and specifications for temporary seeding and mulching any exposed soils during construction.~~
- ~~7. Plans and specifications for final vegetation establishment, including where appropriate utilizing a long term vegetation management plan for controlling noxious weeds.~~
- ~~8. All plans shall include maintenance requirements and who will be responsible for such maintenance requirements.~~
- ~~B. The land shall be developed in increments of workable size on which adequate controls of erosion and siltation can be provided and maintained during the construction period. Grading operations and other land disturbing operations shall be staged so that the area being developed is not exposed for long periods of time without stabilization. Developments are encouraged to plan and implement appropriate construction phasing, vegetative buffer strips, horizontal slope grading, and other construction land management practices that minimize erosion.~~
- ~~C. Temporary vegetation and/or mulching shall be used to protect the areas exposed during the development. These areas shall be seeded, mulched and stabilized with erosion control netting or blanket acceptable to the City Engineer.~~
- ~~D. Soil shall be exposed for the shortest feasible period of time. Unless the areas are discharging to a special water, or 303 (d) listed water, the following restraints for soil exposure shall apply.~~

Type of Slope	Time of Exposure without being actively worked
Steeper than 3:1	7 days
10:1 to 3:1	14 days
Flatter than 10:1	21 days

- ~~E. Where the topsoil is removed, sufficient topsoil shall be set aside for respreading over the developed area. Topsoil shall be restored or provided to a depth of 4 inches or to a depth directed by the City Engineer and shall be of a quality at least equal to the soil quality prior to development.~~
- ~~F. Natural vegetation shall be protected whenever practical. All areas of natural vegetation that are to be protected shall be identified prior to any construction activity commencing.~~
- ~~G. Sediment basins (debris basins, desilting basins, or silt traps) shall be installed and maintained to remove sediment from runoff waters from the land undergoing development. Storm sewer inlets shall be provided with debris guards and micro silt basins to trap sediment and avoid possible damage from blockage. The silt~~

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~~shall be removed when necessary. If sediment/siltation measures taken are not adequate and result in downstream sediment, the subdivider shall be responsible for cleaning out or dredging downstream storm sewers and ponds as necessary. During construction activity, all curb and gutter openings, manholes, and catch basins shall be temporarily protected with some type of inlet protection as approved by the City Engineer.~~

~~H.—Before grading is commenced, all control measures as shown on the approved plan shall be installed. Also, any areas not to be disturbed must be delineated (e.g. with flags, stakes, signs, silt fences, etc.) on the development site before the work begins.~~

~~I.—Before grading is commenced, a schedule such as the below listed example shall be provided to the City Engineer:~~

Activity	Date
Install perimeter protection devices	
Install vegetation and non-disturbance protection	
Install erosion control practices	
Start Clearing and Grubbing	
Start grading	
Installation of Temporary Stabilization Practices	
Installation of Permanent Stabilization Practices	

~~J.—Erosion control practices shall comply with the Minnesota Pollution Control Agency's Best Management Practices and all applicable NPDES Phase II construction site permit requirements.~~

~~K.—The subdivider shall be responsible for cleaning all streets in the subdivision and adjacent to the subdivision from silt and dirt from the subdivision. Vehicle tracking of sediment from the construction site must be minimized by appropriate BMPs, and street sweeping must be used if the BMPs are not adequate to prevent sediment from being tracked onto the street.~~

~~L.—Maintenance standards and requirements shall include, but not be limited to, the following:~~

- ~~1.—Inspection for effectiveness of all erosion and sediment control BMPs will occur on a schedule determined by the City Engineer. This inspection could occur as frequent as weekly or after each 1/4" rain event, if determined to be appropriate by the City Engineer.~~
- ~~2.—Accumulated sediment will be removed from all sediment control devices after they reach one third their capacity.~~
- ~~3.—All sediment that moves off site due to construction activities shall be removed at the end of each workday.~~
- ~~4.—All sediment that moves off site due to storm events will be cleaned up as soon as possible, but at least by the end of the next day.~~

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~~5. Temporary gravel access drives will be maintained throughout construction in working condition.~~

~~6. All erosion control practices will be maintained until the disturbed areas they protect are permanently stabilized and established. Upon permanent stabilization establishment, the temporary practices shall be removed.~~

~~**Subd. 2. Financial Guarantee:**~~

~~A. A financial guarantee to provide a financial guarantee in accordance with Section 960 of the City Code in an amount determined adequate by the City to guarantee compliance with erosion control measures shall be furnished before work is commenced. The financial guarantee shall remain in place until all the subdivider's obligations under the erosion control plan have been satisfied.~~

~~B. If the City draws upon the financial guarantee, the subdivider shall within 10 days of the draw, deposit with the City additional security of the same type and amount that the City has drawn. No further inspections will be conducted, no new building permits will be issued, and all work shall stop within the development until the cash deposit for erosion control is restored to the pre-draw balance.~~

~~**Subd. 3. Street Cleaning.** Prior to commencement of grading, the subdivider shall enter into a contract with an unrelated third party to scrape and sweep the streets in the subdivision and on abutting streets from soil and silt deposited on the streets. At a minimum, scraping and sweeping shall take place on a weekly basis. The City shall be furnished a copy of the contract. The contract shall provide that the contract cannot be canceled without at least 30 days advance written notice to the City. The contract shall further provide that the City may order cleaning of the streets and that the subdivider shall pay the cost. If the subdivider fails to do so, the City may draw on the subdivider's financial guarantee with the City and use it to provide payment for the cleaning.~~

~~**Subd. 4. Enforcement.**~~

~~A. The City may issue a stop work order halting all development work and building construction for noncompliance with the erosion control plan.~~

~~B. The City will conduct site inspections for compliance with appropriate erosion control measures, and any related issues regarding non-compliance will be addressed as appropriate.~~

~~C. The City may draw down the posted financial guarantee and perform any work necessary to achieve compliance with the erosion control plan. The City will endeavor to give the subdivider advance notice of such action. The issuing authority may act against the appropriate security if there exists any of the conditions below. The issuing authority shall use funds from the appropriate security to finance remedial work undertaken by the City or a private contractor under contract to the City, and to reimburse the City for all direct costs incurred in the process of remedial work including, but not limited to, staff time, attorneys, and~~

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~~inspection fees. Reasons for drawing down the posted financial guarantee may be, but are not limited to, the following:~~

- ~~1. The permittee ceases land disturbing activities and/or filling and abandons the work site prior to the completion of the grading plan.~~
- ~~2. The permittee fails to conform to the temporary or permanent erosion control plan as approved or as modified and has his/her permit revoked.~~
- ~~3. The techniques utilized under the temporary or permanent erosion control plan fail within one year of installation, or before a final plan is implemented for the site or portions of the site, whichever is later.~~
- ~~4. The issuing authority determines that action by the City is necessary to prevent excessive erosion from occurring on the site.~~

(Ord. 378, passed 09-13-18)

SECTION 2. Amendment of the City Code. The text of Section 1030.060 of the Corcoran City Code is hereby amended by removing the ~~stricken~~ material and adding the underlined material as follows:

1030.060 - ~~MINING AND SOILS PROCESSING~~ GRADING AND LAND DISTURBANCE

All grading and construction activity that results in disturbance of the ground shall comply with Minnesota Pollution Control Agency's General Stormwater Permit for Construction Activity No. MN R10001, the Minnesota Stormwater Manual, Chapter 54 of the City Code, and all other applicable City Ordinances. Every person, prior to commencing any land disturbing activities, shall apply for and secure all applicable permits from the City.

~~Subd. 1. Purpose. The purpose of this Section is to safeguard property, and to preserve and enhance the natural environment, including but not limited to water quality, by regulating clearing and grading on public and private property.~~

~~Subd. 2. Scope. This Section sets forth rules and regulations to control land disturbances, landfill, soil storage, and erosion and sedimentation resulting from such activities. This Section established procedures for issuance, administration and enforcement of a permit.~~

~~Subd. 3. Permit Required. No person, except an authorized City employee or a contractor performing work under a contract with the City, shall perform any grading or land reclamation within the City of Corcoran without first having secured a permit from the City Clerk's office. The fee for such permit shall be set from time to time by resolution of the City Council.~~

~~Subd. 4. Application and Regulations. The City shall prepare the necessary application forms and permits required. The Council shall adopt rules and regulations with respect to excavations as it finds necessary to protect the public from injury, prevent damage to public or private sidewalks, and public grounds. Any person making an excavation covered by this Section shall comply with such rules and regulations.~~

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- ~~Subd. 5. — Surety. Any permittee except those doing work under contract with the City shall file with the City Clerk's office a letter of credit or cash in an amount to be determined by the City Engineer based on the type of work to be performed.~~
- ~~Subd. 6. — General Exemptions. The following activities are exempt from the permit requirements:~~
- ~~A. — An excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid building permit.~~
 - ~~B. — Cemetery graves.~~
 - ~~C. — Mining, quarrying, excavating, processing, stockpiling of rock, sand, gravel, aggregate or clay where established and provided for by law, provided such operations do not affect the lateral support or increase the stresses in or pressure upon any adjacent or contiguous property.~~
 - ~~D. — Routine agriculture crop management practices.~~
 - ~~E. — Any land disturbing or land filling activities relating to general yard maintenance or landscaping, unless the volume of soil or earth stored or moved exceeds 301 cubic yards.~~
- ~~Subd. 7. — Site Map and Plan. A site map and plan must be submitted with the application, which shall include the following (No application will be reviewed until all necessary information has been submitted):~~
- ~~A. — Existing and proposed topography, sufficiently detailed to define the topography over the entire site.~~
 - ~~B. — Site's property lines shown in true location with respect to the topography.~~
 - ~~C. — Location of all and proposed drainage on site.~~
 - ~~D. — Locations of any buildings or structures located on the property or adjacent property that are within 20 feet of the areas where work is to be performed.~~
- ~~Subd. 8. — Erosion Control Methods. Erosion control methods to be used, may include, but are not limited to, types of mulches, vegetation, diverters, dikes and drains. The method to be used shall be identified on the application.~~
- ~~Subd. 9. — Permit Approval / Denial. City staff shall review all documents submitted pursuant to this Section, and, if necessary, shall require additional data or clarification of data submitted. City staff shall notify the applicant within 20 days of submission of the decision on the permit. In the event that the permit is denied by staff, the applicant shall have the right to request a hearing before the City Council within five (5) days of notification of permit denial.~~
- ~~Subd. 10. — Permittee's Duties. The applicant shall inform the City at least 24 hours prior to beginning the permitted activity. Then upon completion of rough grading, the City shall be notified to perform an inspection. Once that inspection has been completed~~

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~~and any corrections or modifications to the grade are completed, the applicant may then complete the finished grade and set the appropriate erosion control devices in place and complete any planting or seeding as required by the permit. Upon completion, the permittee shall notify the City that the project has been completed and an inspection shall be performed by the City to assure that the appropriate erosion control devices are in place. A final inspection shall be required prior to the release of any security. The final inspection shall ensure that all grading is completed and that all erosion has been controlled as required. Staff shall prepare written documentation of all inspections performed, which shall be filed at the City Office in the appropriate address file.~~

~~Subd. 11. — Suspension or Revocation of Permit. The City shall suspend the permit and issue a stop work order when the City has determined:~~

- ~~A. — The permit was issued in error or on the basis of incorrect information being supplied by the applicant.~~
- ~~B. — The Permittee has failed to meet the requirements as identified within the permit.~~
- ~~C. — Inspection by the City reveals that the work is not in compliance with the permit, City ordinance, or other regulations, which may govern such activity.~~

~~Subd. 12. — Fines and Penalties. Any person, firm, corporation or agency acting as principal agent, employee, or otherwise, who fails to comply with the provisions of this Code shall be guilty of a misdemeanor and upon convictions thereof shall be punishable by a fine of not more than \$1,000.00, or by imprisonment in jail for not more than 90 days, or by both, for each separate offense. Each day a violation of this Chapter is committed or permitted to continue shall constitute a separate offense.~~

~~Subd. 13. — Action Against the Security. The City may act against the appropriate security if any of the conditions identified within the permit or this code have not been satisfied. The City shall use funds from the security to finance remedial work to be performed either directly by the City or by a private contractor under contract with the City, and to reimburse for all direct costs incurred in the process of the remedial work.~~

~~Subd. 14. — Release of Security. The security deposited with the City for faithful performance of the grading and erosion control work shall be released at the time that all conditions have been met and no action against such security has been filed. Release of the security shall be documented and filed in the appropriate address file, in conjunction with the inspections as identified in Section 1070.050, Subd. 9.~~

SECTION 3. Amendment of the City Code. The text of Title IV of the Corcoran City Code is hereby amended by adding the underlined material as follows:

TITLE IV: CONSTRUCTION REGULATIONS

CHAPTER 40: BUILDING CODE 37-1

 40.01: CODES ADOPTED BY REFERENCE. 37-1

 40.02: APPLICATION, ADMINISTRATION AND ENFORCEMENT. 37-1

 40.03: PERMITS AND FEES..... 37-1

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40.04: VIOLATIONS AND PENALTIES. 37-1
40.05: CERTIFICATE OF SURVEY REQUIRED..... 37-2
40.06: EMERGENCY COMMUNICATION SYSTEMS FEE. 37-2
40.07: EROSION AND SEDIMENT CONTROL..... 37-3

SECTION 4. Amendment of the City Code. The text of Chapter 40 of Title IV of the Corcoran City Code is hereby amended by adding Section 40.07 with the underlined material as follows:

40.07: EROSION AND SEDIMENT CONTROL

Subd. 1. All grading and construction activity that results in disturbance of the ground shall comply with Minnesota Pollution Control Agency’s General Stormwater Permit for Construction Activity No. MN R10001, the Minnesota Stormwater Manual, Chapter 54 of the City Code, and other applicable City Ordinances and may require a separate land disturbance permit.

Subd. 2. Satisfactory erosion control shall be installed prior to the initiation of any site grading or construction that will result in disturbing the soil. Noncompliance shall constitute grounds for a stop work order from the City to halt all construction. The City may require additional controls to correct specific site related problems as normal inspection are performed.

SECTION 5. Amendment of the City Code. The text of Title V of the Corcoran City Code is hereby amended by adding the underlined material as follows:

TITLE V: PUBLIC WORKS

TITLE V: PUBLIC WORKS..... V-1
CHAPTER 50: STORMWATER ILLICIT DISCHARGE AND ILLICIT
CONNECTIONS TO THE STORM SEWER SYSTEM 37-1
50.01: PURPOSE AND INTENT..... 37-1
50.02: STATUTORY AUTHORIZATION 37-1
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50.05: ADMINISTRATION 37-4
50.06: ILLEGAL DISPOSAL AND DUMPING OF SUBSTANCES
AND MATERIALS 37-4
50.07: ILLICIT DISCHARGES AND CONNECTIONS TO THE
STORM DRAINAGE SYSTEM 37-4
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THE STORM DRAINAGE SYSTEM 37-6
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50.11: ACCESS TO BUILDINGS FOR INSPECTION, SAMPLING, DYE
TESTING AND EXAMINATION RELATED TO STORM WATER DISCHARGE 37-7
50.12: SUSPENSION OF STORM DRAINAGE SYSTEM ACCESS..... 37-7
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50.14: PENALTY 37-8
CHAPTER 51: REGULATING PUBLIC SANITARY SEWER AND WATER
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51.030: CHARGES, RATES AND BILLING 51-3

51.040 CONSTRUCTION, MAINTENANCE, OWNERSHIP 51-5

51.050 ADMINISTRATION AND ENFORCEMENT..... 51-10

CHAPTER 52: RIGHT OF WAY MANAGEMENT 52-1

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52.02: ELECTION TO MANAGE THE PUBLIC RIGHTS OF WAY 52-1

52.03: DEFINITIONS..... 52-1

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52.29: INDEMNIFICATION AND LIABILITY 52-18

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SECTION 6. Amendment of the City Code. The text of Title V of the Corcoran City Code is hereby amended by adding Chapter 54 with the underlined material as follows:

CHAPTER 54: LAND DISTURBANCE AND EROSION AND SEDIMENT CONTROL

54.01: INTENT

The intent of this chapter is to promote the health, safety, and general welfare of the citizens of the City by requiring storm water management practices for construction activity.

54.02: STATUTORY AUTHORIZATION

This chapter is adopted pursuant to Minnesota Statute § 462.351 (for cities and towns), as it may be amended from time to time, and as required by the latest version of the Minnesota Pollution Control Agency’s (MPCA) General Stormwater Permit for Construction Activity (MN R100001) and General Small Municipal Separate Storm System (MS4) Permit (MN R04000).

54.03: FINDINGS

The City hereby finds that uncontrolled Land Disturbing Activity, as defined herein, at construction sites are subject to soil erosion and other pollutants which enter into receiving water bodies adversely affecting the public health, safety, and general welfare by impacting water quality, creating nuisances, impairing other beneficial uses of environmental resources and hindering the ability of the City to provide adequate water, sewage, flood control, and other community services.

54.04: PURPOSE

The purpose of this chapter is to promote, preserve, and enhance the natural resources within the City and protect them from adverse effects occasioned by poorly sited development or incompatible activities by regulating land disturbing activities that would have an adverse and potentially irreversible impact on water quality and environmentally sensitive land; by minimizing conflicts and encouraging property installation and maintenance of best management practices (BMPs) for land

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disturbing activities; and by requiring detailed review standards and procedures for land disturbing activities proposed for such areas thereby achieving a balance between development, redevelopment, and protection of water quality and natural areas.

54.05: DEFINITIONS

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. When inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number and words in the singular number include the plural number. The word “shall” is always mandatory and not merely directive.

Applicant. Any person or persons, firm, governmental agency, or other institution that signs a permit application submitted to the City.

Best Management Practice (BMP). Erosion prevention and sediment control, and water quality management practices that are the most effective and practicable means of controlling, preventing, and minimizing the degradation of surface water, including avoidance of impacts, construction-phasing, minimizing the length of time soil areas are exposed, prohibitions, pollution prevention through good housekeeping, and other management practices published by state or designated area-wide planning agencies.

Dewatering. The removal of surface or ground water to dry and/or solidify a construction site to enable construction activity. Dewatering may require a Minnesota Department of Natural Resources water appropriation permit and, if dewatering is contaminated, a discharge of such water may require an individual Minnesota Pollution Control Agency (MPCA) National Pollutant Discharge Elimination System (NPDES) or State Disposal System (SDS) permit.

Discharge. The release, conveyance, channeling, runoff, or drainage of storm water, including snowmelt, from a construction site.

Exposed Soil Areas. All areas of the construction site where the vegetation (trees, shrubs, brush, grasses, and the like) or impervious surface has been removed, thus rendering the soil more prone to erosion. This includes topsoil stockpile areas, borrow areas, and disposal areas within the construction site. It does not include stockpiles or surcharge areas of gravel, concrete, or bituminous. Once soil is exposed, it is considered exposed soil until it meets the definition of “final stabilization”.

Erosion. The wearing down or washing away of the soil and land surface by the action of wind, water, gravity, ice, or a combination thereof.

Final Stabilization. All soil disturbing activities at the site have been completed, and that a uniform perennial vegetative cover of at least 70% of the expected final vegetative growth density or other permanent cover has been established over the entire pervious surfaces.

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Issuing Authority. A City employee or authorized designee who has the authority over application reviews, inspection, determinations of compliance, enforcement actions, and other matters, as it relates to this chapter.

Land Disturbing Activity. Any disturbance to the land that results in a change of the existing soil cover, both vegetative and nonvegetative, creates bare soil, alters hydrology, or may cause erosion or sedimentation. Such activities include, but are not limited to, clearing, stripping, grubbing, excavating, filling, grading, logging, storing of materials, and the construction of any structure.

Person. Any individual, firm, corporation, partnership, franchise, association, or government entity.

Perennial Vegetation. Grass or other appropriate natural growing vegetation that provides substantial land cover, erosion protection, soil stability, and that is capable of sustained and healthy growth over multiple years. Annual grasses that do not regenerate after winter, ornamental plants or shrubs that do not offer effective erosion and sediment protection shall not be considered perennial vegetation.

Permanent Cover. Surface types that will prevent soil failure under erosive conditions. Examples include: concrete, perennial vegetation, or other landscaped material that will permanently arrest soil erosion. Permittees must establish a uniform perennial vegetative cover (i.e., evenly distributed, without large bare areas) with a density of 70 percent of the native background vegetative cover on all areas not covered by permanent structures, or equivalent permanent stabilization measures. Permanent cover does not include temporary BMPs such as wood fiber blanket, mulch, and rolled erosion control products.

Permit. Written warrant or license granted for construction, subdivision approval, or to allow land disturbing activities.

Permit Holder. Person or persons, firm, governmental agency, or other institution that is issued a permit and is responsible for compliance with the terms and conditions of this chapter.

Public Waters. All water basins and water courses, as defined in Minnesota Statute § 103G.005, Subd. 15, as it may be amended from time to time.

Responsible Person(s). The responsible person(s) are the owner of the property upon which a Land Disturbing Activity takes place and any person(s) performing a Land Disturbing Activity.

Sediment. Solid matter carried by water, sewage, or other liquids.

Storm Sewer System. Any conveyance or system of conveyances for storm water, including road with drainage systems, streets, catch basins, curbs, gutters, ditches, man-made channels, ponds, or storm drains.

Storm Water. Water that is generated by rainfall or snowmelt which causes runoff.

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Storm Water Pollution Prevention Plan (SWPPP). A plan for storm water discharge that includes all required content under Section 54.07 that describes the erosion prevention, sediment control, and waste control BMPs.

Structure. Anything manufactured, constructed, or erected which is normally attached to or positioned on land, including portable structures, earthen structures, roads, parking lots, paved storage areas, fences and retaining walls.

Waters of the State. As defined in Minnesota Statute § 115.01, Subd. 22, the term “waters of the state” means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.

Wetlands. As defined in Minnesota Statute § 7050.0186, Subd. 1a.B, the term “wetlands” means those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Constructed wetlands designed for wastewater treatment are not waters of the state. Wetlands must have the following attributes:

1. A predominance of hydric soils;
2. Inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in a saturated soil condition; and
3. Under normal circumstance support a prevalence of such vegetation.

54.06: SCOPE AND EFFECT

Subd. 1. Applicability. Every person, prior to commencing any land disturbing activities, shall apply for and secure a permit from the City. Land disturbance permits shall fall under two main categories: *over one acre* and *under one acre*. Where the area to be disturbed is greater than or equal to one acre or part of a larger common plan or development greater than or equal to one acre, a Storm Water Pollution Prevention Plan (SWPPP) must be submitted to the Issuing Authority. No land disturbance permit, grading permit, building permit, subdivision approval, or other permit to allow land disturbing activities shall be issued until approval of the SWPPP or a waiver of the approval requirement has been obtained in strict conformance with the provisions of this chapter. All Land Disturbing Activity, including without limitation such Activity which disturbs less than one acre of land, must meet the requirements of this section. The provisions of Subd. 2. Below apply to all land, public or private.

Subd. 2. Exemptions. The provisions of this chapter do not apply to:

- (a) Any part of a subdivision if a plat for the subdivision has been approved by the City Council on or before the effective date of this chapter;
- (b) A lot for which a building permit has been approved on or before the effective date of this chapter;
- (c) Emergency work to protect life, limb, or property, provided that erosion control measures, including any necessary remedial action, are implemented as soon as possible;

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- (d) Tilling, planting, or harvesting of agricultural, horticultural, or silvicultural (forestry) crops, or other agricultural production operations, including private gardens;
- (e) An excavation below finished grade and backfilling for basements and footings of a building, retaining wall, or other structure authorized by a valid building permit;
- (f) Cemetery graves;
- (g) A separate grading permit may not be required in cases where a grading and drainage plan for a private development has been approved as part of a subdivision or other land use approval;
- (h) Any land disturbing or land filling activities relating to general yard maintenance or landscaping, unless the volume of soil or earth stored or moved exceeds 50 cubic yards or has the potential to impact drainage; or
- (i) Mining, quarrying, excavating, processing, stockpiling operations subject to an alternative City regulatory process.

Subd. 3. Termination of Exemption. If the land disturbance activity threatens or impedes the ability of the City to meet its own permit requirements under the National Pollutant Discharge Elimination System (NPDES) program, obstructs a water course, or has the potential to impact drainage, the Issuing Authority may terminate the exemption and require the Applicant to obtain a land disturbance permit in full compliance with this chapter.

Subd. 4. Responsible Person(s). When a permit is issued, the person or entity to whom the permit is issued shall be responsible for all Land Disturbing Activities from permit issuance to closure, unless the Issuing Authority approves a transfer of responsibility to a new owner or Responsible Person when the land is sold.

54.07: LAND DISTURBANCE PERMIT SUBMITTAL PROCEDURES

Subd. 1. Land Disturbance Permit Application. A land disturbance permit shall be submitted to the City on a City-approved application and shall conform to the standards set forth in this chapter. The Issuing Authority shall review the application and submitted documents to determine if the application is complete. Incomplete applications will be returned to the Applicant, the Issuing Authority shall advise the Applicant which elements are not in compliance.

Subd. 2. Application and Regulations. The City shall make available the necessary application forms for the permits required. Application for a grading and land disturbance permit shall be filed with the City by the property owner or designated agent on an official application form.

Subd. 3. Fees and Financial Security.

- (a) Permit fees shall be charged to the Applicant based on the most recent fee schedule adopted by City Council resolution.
- (b) The Applicant may also be required to provide an escrow and shall agree to pay the total cost of staff and consultant time spent exclusively in reviewing and inspecting the project.
- (c) All Applicants, except in those situations in which the Applicant is performing the work for which the permit is sought under contract with the City, shall file with the City a letter of credit or cash surety in an amount and form to be determined by the City Engineer, based on

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the type of work to be performed. The letter of credit or cash surety shall guaranty the Applicant's performance of all requirements related to the permit.

Subd. 4. Site Map and Plan. A site map and plan must be submitted with the application, which shall include the following (no application will be reviewed until all necessary information has been submitted):

- (a) Property lines and existing/proposed structures.
- (b) Existing and proposed topography (not exceeding two-foot contours) and clearly marked drainage patterns, ditches, and swales.
- (c) Locations and dimensions of all proposed land disturbing activities.
- (d) Wetlands, floodplain/floodway, streams, etc. (may require separate delineation).
- (e) Erosion prevention and sediment control BMPs.
- (f) Restoration plan/permanent erosion prevention and sediment control BMPs.
- (g) Areas not to be disturbed on site (septic sites, buffers, etc.)
- (h) Protective fencing.
- (i) Staff may require more information, including technical reports, as deemed necessary for the review of the project.

Subd. 5 Storm Water Pollution Prevention Plan (SWPPP). A SWPPP shall be a required component of the land disturbance permit when the area of disturbance is equal to or greater than one acre. At a minimum, the SWPPP shall contain the following information:

- (a) Project Information:
 - (1) A project description, including the nature and purpose of the Land Disturbing Activity and the amount of grading, utilities, and building construction involved.
 - (2) A project narrative describing the timing for installation of all erosion prevention and sediment control BMPs.
 - (3) Site location and property address.
 - (4) Property owner's name, address, and telephone number.
 - (5) The name, address, and telephone number of the Applicant.
 - (6) Names, addresses, telephone numbers, and responsibilities of all contractors, subcontractors, and other persons who will engage in the Land Disturbing Activities.
 - (7) Name, address, and telephone number of a single individual responsible for overseeing implementation of the erosion control plan on site.
 - (8) Number of acres to be disturbed, number of acres of impervious surface for pre- and post-construction.
 - (9) Phasing of construction, including time frames and schedules.
 - (10) Date SWPPP was prepared and name of preparer.
- (b) Existing Site Map. A map of existing site conditions showing the site and immediately adjacent areas, including:
 - (1) Location of the tract by an insert map at a scale sufficient to clearly identify the location of the property and giving such information as the names and numbers of adjoining roads, railroads, utilities, subdivision, towns, and districts or other landmarks.
 - (2) Existing topography with a contour interval appropriate to the topography of the land, but in no case having a contour interval greater than two feet.

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- (3) A delineation of all receiving waterbodies, including streams, rivers, public waters, and wetlands located on, immediately adjacent or to which the site discharges to. Including any designations for special or impaired waters. The classification given to water body or wetland shall be consistent with the State Department of Natural Resources, the State Pollution Control Agency and/or the United States Army Corps of Engineers.
- (4) Location and dimensions of existing storm water drainage systems and natural drainage patterns on and immediately adjacent to the site delineating in which direction and at what rate storm water is conveyed from the site, identifying the receiving stream, river, public water, or wetland, and setting forth those areas of the unaltered site where storm water collects.
- (5) A description of the soils of the site, including a map indicating soil types of areas to be disturbed as well as a soil report containing information on the suitability of the soils for the type of development proposed and for the type of sewage disposal proposed and describing any remedial steps to be taken by the Applicant to render the soils suitable.
- (6) Existing vegetative cover and clearly delineating any vegetation proposed for removal.
- (7) Locations of existing buffer strips.
- (8) One-hundred-year floodplain, flood fringes, and floodways.
- (c) Site Construction Plan. A site construction plan including:
 - (1) Schedule of anticipated starting and completion date of each Land Disturbing Activity, including the timing of installation of construction site erosion and sediment control measures.
 - (2) Locations and dimensions of all proposed land disturbing activities.
 - (3) Locations and dimensions of all temporary stockpiles.
 - (4) Description of all BMPs for the site and the sequence and schedule of when BMPs will be implemented.
 - (5) Location and type of all temporary and permanent erosion prevention and sediment control BMPs.
 - (6) Estimated quantities for all erosion prevention and sediment control BMPs.
 - (7) Standard details and/or specifications for all BMPs.
 - (8) Identify temporary sediment basins, if more than ten acres are disturbed and drain to a single point of discharge.
 - (9) Calculations used for the design of temporary sediment basins.
 - (10) Dewatering practices.
 - (11) Procedures used to establish additional temporary BMPs as necessary for the site conditions during construction.
 - (12) Any vehicular access locations for the site.
 - (13) Locations of areas to be phased to minimize duration of exposed soils.
 - (14) Final stabilization plan for each phase.
 - (15) Methods used for permanent cover of all exposed soil areas.
 - (16) Areas not to be disturbed on site.
 - (17) Identification of required buffer zone areas.

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- (18) A description of construction and waste materials to be stored on-site, and a description of controls and storage practices to minimize exposure of the materials to stormwater.
- (19) A description of spill prevention controls.
- (d) Plan of Final Site Conditions. A plan of final site conditions on the same scale as the existing site map showing the site changes including:
 - (1) Finished grading shown at contours at the same interval as provided above or as required to clearly indicate the relationship or proposed changes to existing topography and remaining features.
 - (2) A landscape plan, drawn to an appropriate scale, including dimensions and distances and the location, type, size, and description of all proposed landscape materials which will be added to the site as part of the development.
 - (3) A drainage plan of the developed site delineating in which direction and at what rate storm water will be conveyed from the site and setting forth the areas of the site where storm water will be allowed to collect.
 - (4) The proposed size, alignments and intended use of any structures to be erected on the site.
 - (5) A clear delineation and tabulation of all areas which shall be paved or surfaced, including a description of the surfacing material to be used.
 - (6) Any other information pertinent to the project which, in the opinion of the applicant, is necessary for the review of the project.
- (e) MPCA Permit. Copy of MPCA permit for discharging storm water from construction activity (MN R100001).

54.08: PLAN REVIEW PROCESS

Subd. 1. Permit Approval/Denial. City staff shall review all documents submitted pursuant to this section, and, if necessary, shall require additional data or clarification of data submitted. City staff shall notify the Applicant of the decision on the permit. In the event that the permit is denied by staff the Applicant shall have the right to request a hearing before the City Council within five days of notification of permit denial. Failure to timely make a request for such review hearing, in writing, shall be deemed a waiver of such appeal right.

Subd. 2. SWPPP Process. SWPPPs meeting the requirements of Section 54.07 of this chapter and minimum BMP requirements of Section 54.09 of this chapter will be reviewed by the Issuing Authority which may approve, approve with conditions, or deny the SWPPP.

- (a) Duration. Approval of a SWPPP submitted under the provisions of this chapter shall expire one year after the date of approval unless construction has commenced in accordance with the plan. However, if prior to the expiration of the approval, the Permit Holder makes a written request to the City for an extension of time to commence construction setting forth the reason for the requested extension, the City may grant one extension of not greater than one additional year. Receipt of any request for an extension shall be acknowledged by the City within 15 days. The City shall make a decision on the extension within 30 days of receipt.

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- (b) Condition. A SWPPP may be approved subject to compliance with conditions reasonable and necessary to ensure that the requirements contained in this chapter are met. Such conditions may, among other matters, limit the size, kind, or character of the proposed development, require replacement of vegetation, establish required monitoring procedures, stage the work over time, or require alteration of the site design to ensure buffering.
- (c) Financial Security. Prior to approval of any SWPPP, the Applicant shall submit a financial security in the amount specified by the current City fee and security structure, or as determined by the City Engineer. The securities shall guarantee completion and compliance with conditions within a specific time, which time may be extended in accordance with Subd. 2. (a) above. The adequacy, conditions, form, and acceptability of any financial security shall be determined by the City.

54.09 MINIMUM CONSTRUCTION SITE BEST MANAGEMENT PRACTICES

Subd. 1. General. No land disturbance which fails to meet the standards contained in this section shall be approved by the City Council or Issuing Authority. Temporary and permanent erosion and sediment control methods to be used, may include, but are not limited to, types of mulches, vegetation, diverters, silt fence, bio-logs, rock construction entrances, dikes, and drains. The method to be used shall be identified on the application and will be performance based and must be installed prior to any land disturbance. All grading and construction activity that results in disturbance of the ground shall comply with MPCA's General Permit to Discharge Stormwater Associated with Construction Activity (MN R100001) and the Minnesota Stormwater Manual.

Subd. 2. Site Dewatering. Waters related to Dewatering or basin draining must be discharged to a temporary or permanent sediment basin on the project site unless infeasible. If discharging to a sediment basin is infeasible, it must be treated with appropriate BMPs such that the discharge does not adversely affect the surface water or downstream properties. All discharge from dewatering activities must be done in a manner that does not cause erosion, scour, or flooding.

Subd. 3. Construction Site Waste.

- (a) Solid Waste. Collected sediment, asphalt and concrete millings, floating debris, paper, plastic, fabric, construction and demolition debris, and other wastes must be disposed of properly and must comply with MPCA disposal requirements.
- (b) Hazardous Materials. Oil, gasoline, paint, and any hazardous substances must be properly stored, including secondary containment, to prevent spill, leaks, or other discharge. Restricted access to storage areas must be provided to prevent vandalism. Storage and disposal of hazardous waste must be in compliance with MPCA regulations.
- (c) Liquid Waste. All other non-storm water discharges (concrete truck washout, vehicle washing, maintenance spills, and the like) conducted during the construction activity shall be managed and disposed of in a way that will prevent discharge to the municipal storm sewer, wetlands, natural drainageways, or waters of the state.
- (d) Erosion Prevention Practices. Channelized runoff from adjacent areas passing through the site shall be diverted around disturbed areas, if practical. Otherwise, the channel shall be protected as necessary to prevent erosion. Sheet flow runoff from adjacent areas shall also be

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diverted around disturbed areas, if practical. Diverted runoff shall be conveyed in a manner that will not cause erosion, scour, or flooding.

- (e) Sequencing. All activities on the site shall be conducted in a logical sequence to minimize the area of bare soil exposed at any one time.
- (f) Stabilization. Exposed soils shall be stabilized, including stockpiles, whenever it is known that Land Disturbing Activity will cease for 14 days or more. The stabilization must be initiated immediately and completed within 14 days.
- (g) Stockpiles. Stockpiles must be located outside of buffers and stormwater conveyances and have effective sediment controls in place to prevent discharge. For soil stockpiles greater than ten cubic yards, the toe of the pile must be more than 25 feet from a road, drainage channel, or stormwater inlet. If such stockpiles will be left for 14 days, they shall be stabilized by mulching, vegetative cover, tarps, or other means. If left for less than 14 days, stockpiles shall be controlled by placing effective sediment controls around the base of the pile. In-street utility repair or construction storage piles must be covered with tarps or a suitable alternative control, and storm drain inlets must be protected with an appropriate filtering barrier.

Subd. 4. Sediment Control Practices.

- (a) Perimeter Controls. Establish sediment control BMPs on all downgradient perimeters of the site and downgradient areas of the site that drain to any surface water, including curb and gutter systems.
- (b) Inlet Protection. All storm drain inlets shall be protected during construction until final stabilization has been established or until approval from the City.
- (c) Vehicle Tracking. Vehicle tracking of sediment from the site must be minimized by BMPs such as rock construction entrances, track pads, wash racks, or equivalent systems. Vehicle tracking of sediment onto paved surfaces must be removed by street sweeping as needed to prevent discharge of sediment laden water from entering the City storm sewer system.
- (d) Buffer. Maintain a 50-foot natural buffer or, if a buffer is infeasible on the site, provide redundant (double) perimeter sediment controls when a surface water is located within 50 feet of the land disturbances and storm water flows to the surface water. Redundant perimeter controls must be at least five feet apart unless limited by lack of available space.

54.10: INSPECTION AND MAINTENANCE

Subd. 1. Initial Inspection. The Permit Holder shall notify the Issuing Authority when initial erosion and sediment control measures are installed in accordance with the permit. No Land Disturbance Activities shall begin prior to approval from the Issuing Authority that all pre-construction erosion and sediment control measures are correctly installed per the approved plans and/or BMPs.

Subd. 2. Routine Inspection.

- (a) For permits under one acre, the Permit Holder, upon completion of rough grading, shall notify the City to perform an inspection. Once that inspection has been completed and any corrections or modifications to the grade are completed, the Permit Holder may then

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complete the finished grade and set the appropriate erosion control devices in place and complete any planting or seeding as required by the permit. The Issuing Authority may require additional inspections or re-inspections as needed and deemed necessary.

- (b) For permits requiring a SWPPP, the Permit Holder shall ensure the entire construction site is inspected on a regular schedule and that BMPs on the site are maintained and functioning. The Permit Holder shall inspect the construction site at least once every seven days during active construction and within 24 hours after a rainfall event greater than one-half inch in 24 hours. A written record must be kept of each inspection. The inspection frequency may be reduced to once per month on areas of the site with permanent cover. If there is no active construction at the site and permanent cover is in place, monthly inspections may cease after 12 months. Inspections may cease during frozen conditions when construction has stopped but must resume within 24 hours of runoff or it construction begins again. Any deficiencies shall be noted in a report and shall be signed by the person performing the inspection. All site inspection reports are subject to review by the City at any time and the Permit Holder shall promptly provide such documentation to the City, upon request.
- (1) Applicants must record all inspections and maintenance activities within 24 hours of being conducted and retain records with the SWPPP. The inspection report shall include the following minimum information:
- (A) Date and time of inspection.
 - (B) Name of persons conducting inspection.
 - (C) Findings of inspections, including specific location where corrective actions are needed.
 - (D) Corrective actions taken (including dates, times, and party completing maintenance activities).
 - (E) Date of all rainfall events greater than one-half inch in 24 hours.
 - (F) Any observed discharges during the inspection, with photographs, locations, and a description of the discharge.
 - (G) Any amendments to the SWPPP proposed as a result of the inspection.
- (c) The Issuing Authority may also perform inspections of the site to verify compliance with the approved plans and/or SWPPP. Should it be found that the control methods are ineffective or not being maintained properly, the Issuing Authority may take enforcement actions described within this chapter, and may utilize any posted escrow or security funds to finance such enforcement actions.

Subd. 3. Final Inspection. Once the site is stabilized a final inspection shall be requested. The site shall be considered stabilized when a final inspection performed by the City determines that the following conditions are met:

- (a) All soil disturbing activities have been completed.
- (b) All areas that have been disturbed are covered with perennial vegetation or permanent cover. Perennial vegetation shall be considered established and completed for stabilization when it has established a healthy and growing stand with a uniform cover of at least 70 percent of the expected final vegetative growth density.
- (c) The permanent stormwater management system has been constructed and is operational.
- (d) Sediment has been removed from basins, ditches, and other conveyance systems.

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- (e) Temporary BMPs have been removed.

Subd. 4. Maintenance. The Permit Holder must inspect and maintain all erosion and sediment control BMPs to ensure integrity and effectiveness. The Permit Holder must repair, replace, or supplement all nonfunctional BMPs with functional BMPs by the end of the next business days after discovery. Permit Holders may take additional time if field conditions prevent access to the area.

54.11: COMPLETION OF WORK

Work will be considered complete when all exposed soil areas have undergone final stabilization and have permanent cover as defined in Section 54.05 of this chapter, is constructed to finish grade, is in conformance with all permit conditions of approval to the satisfaction of the City and has passed a final inspection. The Permit Holder or representative shall notify the Issuing Authority when the land disturbing operations are ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices, and all erosion control measures, have been completed and final stabilization has occurred in accordance with this chapter.

54.12: ENFORCEMENT PROCEDURES

The Issuing Authority may also perform inspections of the site to verify compliance with the approved plans and this chapter. Should it be found that the site control methods are ineffective or not being maintained properly, the Issuing Authority may proceed with any or all of the following enforcement actions:

Subd. 1. Right of Entry. The Permit Holder shall allow Issuing Authority to:

- (a) Enter upon the permitted site for the purpose of obtaining information, examination of records, conducting investigations, inspections, surveys, or correcting deficiencies in erosion and sediment control.
- (b) Bring such equipment upon the permitted site as is necessary to conduct such surveys and investigations.
- (c) Examine and copy any books, papers, records, or memoranda pertaining to activities or records required to be kept under the terms and conditions of this permitted site.
- (d) Inspect the storm water pollution control measures.
- (e) Sample and monitor any items or activities pertaining to storm water pollution. Any temporary or permanent obstruction to the safe and easy access of such an inspection shall be promptly removed upon the inspector's request. The cost of providing such access shall be borne by the Applicant.

Subd. 2. Warning Letter. If, upon inspection by the Issuing Authority, the Permit Holder fails to implement the erosion and sediment control practices outlined in the approved SWPPP or minimum BMP standards outlined in this chapter, the Issuing Authority will notify the Permit Holder with a letter of warning which outlines the issues of non-compliance and a timeline for completion of any work to bring the site into compliance. However, nothing in this paragraph shall prohibit the City from taking Emergency Action, without the provision of such Warning Letter, pursuant to subdivision 9 below.

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Subd. 3. Refusal of Inspection. Request for an inspection of any permitted activity may be denied if it is found that the erosion and sediment control measures have not been implemented or are found to be ineffective or are not maintained. No permits will be issued until the erosion and sediment control measures have been implemented and any violations have been abated.

Subd. 4. Denial of Permit Issuance. The Issuing Authority is authorized to deny the issuance of any permit to the Permit Holder or other Responsible Persons if it is found that the erosions and sediment control measures have not been implemented or are found to be ineffective or are not maintained. No permits will be issued until the erosion and sediment control measures have been implemented and any violations have been abated.

Subd. 5. Stop Work Order. The Issuing Authority is authorized to issue a stop work order for any or all construction activity within the established boundary of the permit. The stop work order shall be in writing and shall be given to the owner of the property involved, the owner's agent, or the person doing the work. In addition, notice of the stop work order shall be posted on the site. Upon issuances of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the work will be permitted to resume. Any person who shall continue to work after having been served a stop work order, except such work as directed by the City to perform to remove a violation or unsafe condition, is guilty of a public offense and may be subject to penalties as prescribed herein.

Subd. 6. Abatement. Should any person fail to comply with the provisions of this chapter, the Issuing Authority is authorized to correct or abate such violation. The work will be done by a designated governmental agency, or a contractor, and the expense thereof will be charged to the Permit Holder and/or recovered from Permit Holder's posted escrow or security. This action can be taken in lieu of, or in conjunction with, any enforcement actions set forth in this chapter.

Subd. 7. Notice of Violation. The Issuing Authority is authorized to serve a Notice of Violation or order on the Permit Holder or any person or entity found to be doing work in violation of the provision of this chapter. Such order shall direct the discontinuance of the illegal action or condition and order the abatement of the violation by the Responsible Person. Delivery of such Notice to a contractor or other person or entity performing the work shall be deemed as the provision of Notice to the Permit Holder as well.

Subd. 8. Action Against the Financial Security. The Issuing Authority may act against the financial security, if any of the conditions listed below exist. The Issuing Authority shall use funds from this security to finance any corrective or remedial work undertaken by the Issuing Authority or a contractor under contract to the City and to reimburse the City for all direct cost incurred in the process of remedial work including, but not limited to, staff time, costs, and attorneys' fees:

- (a) The Permit Holder ceases land disturbing activities and/or filling and abandons the work site prior to completion.
- (b) The Permit Holder fails to conform to any Issuing Authority approved grading plan and/or the SWPPP, or related supplementary instructions, or any other permit requirement.
- (c) The techniques utilized under the SWPPP fail within one year of installation.
- (d) The Permit Holder fails to reimburse the City for corrective action taken, or for other costs incurred by the City in processing, reviewing, or otherwise enforcing the applicable permit.

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(e) Emergency action under Subd. 9 below.

Subd. 9. Emergency Action. If circumstances exist such that non-compliance with this chapter poses an immediate danger to the public health, safety, and welfare, as determined by the Issuing Authority, the Issuing Authority may take emergency preventative action. The work will be done by a designated governmental agency, or a contractor and the expense thereof will be charged to the Permit Holder. The Issuing Authority shall also take every reasonable action possible to contact and direct the Permit Holder to take any necessary action.

Subd. 10. Recovery of Costs. Should the financial security/surety or escrow account carry a negative balance anytime during or after the project, the City shall send notice stating the deficit and amount due, including any amounts anticipated to come due related to the project, as well as terms for payment. In the event the invoice is not paid or the escrow is not replenished per the provided terms, the City shall collect the amount due from the property owner or the property owner's designated Responsible Person. To recover these costs, and in addition to any other remedies contemplated within this division, City Code, or other remedies available to the City at law or in equity, the City may approve a special assessment against the property on which the Land Disturbing Activity was proposed, pursuant to the process outlined in Minnesota Statute §429. By signing the application and directing the City to review and enforce the same, the Applicant agrees that the City's review and enforcement of the provisions of the permit provide a benefit to the affected property which is difficult to quantify but vital to the functionality of the property and removal of nuisance conditions thereon. Correspondingly, by signing the application and directing the City to review and enforce the same, Applicant waives any appeal to such special assessment related exclusively to the recovery of City costs incurred related to review and enforcement of the provisions of the permit. The City may issue a stop work order and/or discontinue City work on and review of the project at any time should the balance go negative.

54.13: RELEASE OF SECURITY.

The security and any unused escrow funds deposited with the City for faithful performance of the land disturbances, grading, and erosion control work shall be released at the time when all conditions have been met and no action against such security has been filed.

54.14: PENALTY.

Any person, firm, corporation, or agency acting as principal agent, employee, or otherwise, who fails to comply with the provisions of this chapter shall be guilty of a misdemeanor and upon convictions thereof shall be punishable by a fine of not more than \$1,000.00, or by imprisonment in jail for not more than 90 days, or by both, for each separate offense. Each day a violation of this chapter is committed or permitted to continue shall constitute a separate offense.

54.15 SEVERABILITY

Should any portion of this division be determined to be unenforceable or contrary to applicable federal or state law, such determination shall not affect the validity of all remaining portions of this division.

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SECTION 7. Effective Date

This Ordinance shall be in full force and effect upon its adoption.

ADOPTED by the City Council on the 27th day of January 2022.

VOTING AYE

- McKee, Tom
- Bottema, Jon
- Nichols, Jeremy
- Schultz, Alan
- Vehrenkamp, Dean

VOTING NAY

- McKee, Tom
- Bottema, Jon
- Nichols, Jeremy
- Schultz, Alan
- Vehrenkamp, Dean

Tom McKee - Mayor

ATTEST:

Jessica Beise – Administrative Services Director

City Seal

RESOLUTION NO. 2022-

Motion By:
Seconded By:

**A RESOLUTION APPROVING FINDINGS OF FACT FOR AN ORDINANCE
AMENDING THE TEXT OF SECTION 950 OF THE SUBDIVISION ORDINANCE,
SECTION 1030.060 OF THE ZONING ORDINANCE, CHAPTER 40 OF TITLE IV, AND
TITLE V OF THE CORCORAN CITY CODE RELATED TO LAND DISTURBANCE
AND EROSION AND SEDIMENT CONTROL REGULATIONS
(CITY FILE 21-051)**

WHEREAS, the Minnesota Pollution Control Agency last updated and reissued the Municipal Separate Storm Sewer System (MS4) General Permit No. MN R04000 on November 16, 2020, pursuant to Minnesota Rule 7090; and

WHEREAS, the City of Corcoran's MS4 permit requires revisions to and codification of the City's Stormwater Pollution Prevention Program (SWPPP) within 12 months of the date General Permit coverage is extended; and

WHEREAS, the proposed text amendments to the City Code meet or exceed all minimum standards to comply with the updated MS4 requirements; and

WHEREAS, the Planning Commission has reviewed the proposed text amendments at a duly called Public Hearing;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Corcoran, Minnesota, that it approves amendments to Section 950 (Erosion Control), Section 1030.060 (Mining and Soils Processing), Title IV (Construction Regulations), and Title V (Public Works) of the City Code to update regulations related to Land Disturbance and Erosion and Sediment Control, based on the following findings:

1. Uncontrolled Land Disturbing Activities, particularly at construction sites, are subject to soil erosion and other pollutants.
2. When soil erosion and pollutants enter receiving water bodies, the public health, safety, and general welfare is adversely affected by impacts to water quality, creations of nuisances, impairment of other beneficial uses of environmental resources, and obstructing the ability of the City to provide adequate water, sewage, flood control, and other community services.
3. The proposed text amendments consolidate Land Disturbance and Erosion and Control regulations into a single chapter within Title V of the City Code to reflect its function within Public Works, provide ease of use to the public, and allow for efficient updates in the future when MPCA revises permits on an anticipated timeline of every five years.

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4. The proposed text amendments are consistent with and codify existing City practices in the implementation of MS4 and SWPPP requirements.

VOTING AYE

- McKee, Tom
 Bottema, Jon
 Nichols, Jeremy
 Schultz, Alan
 Vehrenkamp, Dean

VOTING NAY

- McKee, Tom
 Bottema, Jon
 Nichols, Jeremy
 Schultz, Alan
 Vehrenkamp, Dean

Whereupon, said Resolution is hereby declared adopted on this 27th day of January 2022.

Tom McKee - Mayor

ATTEST:

Jessica Beise – Administrative Services Director

City Seal

How Much Material Will My Vehicle Hold?

PICKUP Up to 2 Yards or 2 Tons

SOLO Up to 12 Yards or 15 Tons

SIDE DUMP Up to 24 Yards or 30 Tons

TRUCK TRAILER Up to 30 Yards or 30 Tons

Yards = Cubic Yards
1 Cubic Yard = 27 Cubic Feet

© Washington Rock Quarries, Inc.

Approx. 50 cy



Approx. 100 cy



APPROX 100cy



Approx. 300 cy






4 ft high

21 ft long

18 ft wide



10 Cubic Yards

15 Cubic Yards

*Disclaimer- The height and width of the mulch piles in the picture may vary to the actual piles that are dropped and spread out by the delivery trucks.

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MEMORANDUM

DATE January 19, 2022

TO Jessica Beise, Natalie Davis McKeown

CC City Council, Planning Commission, Parks & Trails Commission

FROM Kendra Lindahl, City Planner

RE Active Corcoran Planning Applications

Projects/Comments in blue italics are new

The following is a summary of project status for current, active projects:

1. **Vacation of Cain Road Right-of-Way (ROW) (city file 21-022).** The City Council voted to commence the vacation process as requested by Michael Galbraith to remove an easement containing an unimproved portion of Cain Road adjacent to his property at 20700 70th Avenue. The item was reviewed at the August 12th meeting, but did not have a 4/5 vote and will be brought back to Council at February 10th Council meeting.
2. **Final Plat and PUD Final Plan for “Tavera 3rd Addition” (PID 35-119-23-44-0004) (city file no. 21-044).** The final plat for phase 3 includes 134 townhomes. *The application was reviewed at the January 6th Planning Commission and action is expected at the January 27th or February 10th City Council meeting.*
3. **NE District Plan and Design Guidelines (City file 21-050).** The City received a planning grant from Hennepin County. Staff is developing a work plan to update these standards and hopes to kick-off the work plan this month and create a plan for adoption in May prior to expiration of the moratorium on June 10, 2022.
4. **Municipal Separate Storm Sewer System (MS4) Ordinance Amendments (city-initiated) (city file 21-051).** Planning and Engineering staff have been working on ordinance updates required to comply with State MS4 standards. *The ordinance amendments were reviewed at a public hearing at the Planning Commission on January 6th and the commission continued the item to the February 3rd meeting. City Council approval is expected on February 24th.*
5. **Final Plat and Final PUD Development Plan for “Cook Lake Highlands” at 19220 CR 10 (PID 25-119-23-14-0002) (City file 21-057).** *Trek Real Estate has submitted the application and staff is currently reviewing for completeness. The item is tentatively scheduled for the March 3rd Planning Commission and the March 24th City Council meeting.*
6. **Final Plat and PUD Final Plan for “Bellwether 7th Addition” (PID 01-119-23-43-0009) (city file no. 21-060).** *Pulte has submitted an application for 17 lots on the former Schober Homestead property. The item is tentatively scheduled for the March 3rd Planning Commission and the March 24th City Council meeting.*
7. **Wright Hennepin Electric Preliminary Plat, Site Plan and Administrative Permit at 7400 Larkin Road (PID 25-119-23-23-0001) (city file 22-004).** *The applicant has submitted an application and staff is currently reviewing it for completeness. The application is tentatively scheduled for March 3rd Planning Commission and March 24th City Council.*

8. **City wide Zoning Ordinance Amendment for Ground Mounted Solar (City file 22-005).** Barry and Linda Swanson have submitted a request for an amendment to allow larger footprint ground mounted solar on residential parcels. Staff is reviewing for completeness and this item is tentatively scheduled for March 3rd Planning Commission and March 24th City Council.

The following projects were recently acted upon and will be closed out:

1. **Zoning Ordinance Amendment for Assembly Uses (city file 21-034).** At the June 24th meeting, the City Council discussed removing assembly uses in low residential zoning districts within the MUSA. Staff was directed to proceed with a Public Hearing. The Planning Commission and City Council reviewed options and provided direction to staff. *A public hearing was held at the December 2nd Planning Commission meeting and Council approved the request on December 23rd.*
2. **Site Plan, Conditional Use Permit and Preliminary Plat for Saint Therese Communities on the property located at 8200 Co Rd No 116 (PID 24-119-23-23-0001) (City File No. 21-042).** St. Therese is requesting approval for a preliminary plat of the city-owned property to create a parcel for the new St. Therese campus with a mix of independent, assisted living, memory care and skilled nursing units. The site plan and conditional use permit for the project will be reviewed with the plat. The application was reviewed at a public hearing at the November 4th Planning Commission and approved at the November 22nd City Council meeting. *An extension to the purchase agreement was approved at the December 23rd City Council meeting.*
3. **Preliminary and Final Plat for “Magnan Acres at 9257 Trail Haven Road (PID 09-119-23-44-0017, 16-119-23-11-0001 and 16-119-23-11-0002) (City file no. 21-046).** The applicant is requesting plat approval to plat two existing lots and one unbuildable outlot into two lots. *The preliminary plat was reviewed at a public hearing at the December 2nd Planning Commission and approved by the City Council on December 22nd meeting.*
4. **Zewde Wetland Waiver (PID 28-119-23-21-0001) (city file 21-049).** The applicant has requested a wetland delineation waiver for a future preliminary plat. *The request was approved by the City Council on December 23rd.*
5. **Minor Site Plan Amendment for Lithgow Automotive at 20055 75th Ave N (PID 26-119-23-11-0037) (City File 21-055).** The applicant has requested a site plan modification to modify the approved landscaping/fence plan. *This item was approved by the City Council on December 22nd.*



CITY OF CORCORAN

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MEMO

Meeting Date: February 3, 2022
To: Planning Commission
From: Jessica Beise, Interim City Administrator
Re: City Council Report

January 13, 2022 Council Meeting

- City Council Goal Setting
 - The Council called a work session for January 19th from 4:30pm to 10pm for Strategic Planning and provided direction on the format.
- City Administrator Recruitment and Position Profile
 - Reviewed and adopted the profile with changes, adopted the job description updates and called special meetings for March 3rd at 5:30pm for the selection of candidates and March 25th at 12:00pm for interviews.
- Annual Appointments
 - Approved the annual appointments and appointed Councilmember Bottema as Acting Mayor.
- Commission Liaison Schedule
 - Appointed Councilmember Nichols as Parks and Trails Commission Liaison; appointed Councilmember Vehrenkamp as Planning Commission Liaison; and appointed Councilmember Bottema as Elm Creek Watershed Commission Liaison.
- Schedule Work Session – Water Supply Planning
 - Called a work session for water supply planning for January 27th at 5:30pm.
- Police Department Staffing

- Accepted the resignation of Detective Steve Cole; authorized an internal/external recruitment for the detective position; and authorized an Employment Offer to Abigail Edstrom for the position of Police Officer.
- City Purchasing Card Vendor
 - Approved moving forward with the creation of a city purchasing card program with US Bank.
- City Purchasing Card Policy and User Agreement
 - Approved a purchasing card policy and user agreement with a 10-day timeline for receipts to be submitted.
- Folder Inserter Purchase
 - Approved the purchase of a folder inserter for folding mail including utility bills.
- Horseshoe Bend Drive Drainage Improvements – Feasibility Study Proposal
 - Authorized a feasibility study for drainage improvements along Horseshoe Bend Drive; discussed funding mechanisms for the project.
- Elected Officials Training
 - Discussed the transfer of a training to other Councilmembers who are available to attend.

January 19, 2022 Council Goal Setting Session

- Council met with Department heads for the City’s Goal Setting Session. Phil Kern assisted in moderating the event. The team reviewed the mission, vision, and then discussed goals for 2022. The final report is being compiled and staff is working on action steps to complement the goals.

January 27, 2022 Work Session

- Years of Service Recognition – Steve Warren – 25 Years
 - Recognized Officer Warren’s 25 years of service with the City of Corcoran.
- Senator Osmek
 - Heard an update from Senator Osmek on the upcoming legislative session.
- Northeast District Plan Update
 - Reviewed feedback from the survey and landowner open house; solicited feedback from Council to begin drafting the plan update.
- Medina Comprehensive Plan Amendment
 - Reviewed the amendment proposed by Medina and provided feedback for Medina to consider with the change in the plan amendment.
- Recycling Forgiveness Request
 - Denied a recycling forgiveness request.
- Ordinance Amendment Request – Fence Amendment
 - Reviewed the Ordinance Amendment and directed staff to look at the definition of a front yard.
- 2022-23 Capital Improvement Plan
 - Approved the 2022-2023 Capital Improvement Plan.
- Bond Refunding 2021
 - Directed staff to proceed with bond refunding.
- 2022 Legislative Priorities
 - Adopted the 2022 legislative priorities.

- Comprehensive Housing Affordability Act
 - Review the proposed legislation and directed staff to draft an ordinance that could take effective if the legislation were to proceed.
- Southeast Water Supply Planning Study
 - Approved a feasibility study to being planning for the expansion of the Southeast Water Supply.
- COVID-19 Pay Program
 - Reinstated the COVID-19 pay program.
- Administration Assistance Proposal
 - Authorized staff to engage KDV to aid the administration department.