

# **PLANNING COMMISSION**

**JANUARY 13, 2020**

**6:30 O'CLOCK P.M.**

1. Call to Order
2. Minutes of the Previous Meeting – December 9, 2019
3. Public Hearing General Development Plan for Bigelow-Voigt 8th
4. Public Hearing Conditional Use Permit Bigelow-Voigt 8th
5. Public Hearing Planned Unit Development Bigelow-Voigt 8th
6. Public Hearing Conditional Use Permit Wilker Landscaping and Nursery
7. Blaine's 14<sup>th</sup> General Development Plan – tabled from December
8. Blaine's 14<sup>th</sup> Preliminary Plat – Tabled from December
9. Commissioner Terms Expiring
10. Other
11. Adjourn

## MINUTES OF PLANNING COMMISSION MEETING

December 9, 2019

Pursuant to due call and notice thereof, a regular Planning Commission meeting was held at City Hall on the 9th day of December, 2019 at 6:30 PM

**THE FOLLOWING MEMBERS WERE PRESENT:** Commissioner Ferris, Commissioner Thompson, Commissioner Zelinske Commissioner Tinsley and Commissioner Burton.

**THE FOLLOWING WERE ABSENT:** Commissioner Torkelson and Commissioner Fitch

**THE FOLLOWING WERE ALSO PRESENT:** Interim-Administrator Nancy Zaworski, City Clerk Rappe, City Attorney Leth and Les Conway

### **CALL TO ORDER AT 6:30PM**

**MINUTES OF THE PREVIOUS MEETINGS – October 14, 2019 – Motion to Approve the Minutes as presented by Commissioner Burton, second by Commissioner Zelinske with All Voting Aye.**

Bigelow has requested an extension of the 60 day rule to 120 days and to move their public hearings to January.

**PUBLIC HEARING FOR BLAINE'S 14<sup>TH</sup> GENERAL DEVELOPMENT PLAN:** - Interim Administrator Zaworski shared Engineer comments and staff review comments. This plat involves going to the comprehensive plan for reference and guidance for greenspaces and roadways. This tells us where roadways and trails should be. The Engineer is concerned with the cost of building the parkway and that this would be in the development agreement. Zaworski also consulted Hoisington-Koegler as a planning consultant and they concurred with the Engineer and Staff to designate area on the north and south side of the creek to the City and that the out lots be left in a natural state.

Public hearing opened

Les Conway, WSE Massey Engineering and Survey – Mr. Conway handed out a Supreme Court ruling that may apply to this. Mr. Conway believes that the City could not enforce Engineer's comments 5, 6, 7 and 13 and they cannot be written into the Development Agreement.

Mr. Conway pointed out that the out lots would have to be procured by the City. Attorney Leth asked what the developer wants. Mr. Conway stated that there could be some offset of parkland fees and storm water charges going back to 2003 for some of the other Blaine's subdivisions. Mr. Conway stated that they are making the retention pond to the east large enough to handle all of the latest Blaine's subdivisions. Zaworski added that an additional request of combining all of the back of the lots to the creek. Commissioner Burton asked for the distance from front lot to utility easement on 3<sup>rd</sup> St. Mr. Conway stated about 150 to 160 feet. Understanding the northern line of the sanitary sewer to the south side of the creek will be out lots.

Public Hearing Closed

Commissioner Burton has three reservations; one - our attorney hasn't had an opportunity to review the handout, two - the City is waiting on the floodplain report from the county regarding potential



greenspace, three - we are working on a potential policy at the encouragement of our planning consultant regarding greenspace out lots.

**Motion to Table Until the January 13, 2020 Meeting made by Commissioner Burton, second by Commissioner Zelinske with All Voting Aye.**

**PUBLIC HEARING FOR BLAINE'S 14<sup>TH</sup> PRELIMINARY PLAT** – Interim Administrator Zaworski stated the same comments as already shared.

Public hearing opened

Les Conway stated that the omissions and easements and labels are all doable. The review of the floodplain, the grading plan would show structures on all of the lots, and all houses that will be built on the south side of 3<sup>rd</sup> St. will be built 5 to 6 feet above the castings. Mr. Conway is comfortable that there won't be a change in the FIRM that would impact this subdivision and that includes the retention pond. They have no problem making the adjustments in the engineer comments for the preliminary plat. Commissioner Zelinske would like Blaine to consider putting backflow preventers as mandatory in the houses along the creek.

Public hearing closed

Attorney Leth commented that this decision is more of a transportation improvement district and disagrees that this precludes the City from requiring at least contribution for the parkway.

**Motion to Table Until the January 13, 2020 Meeting made by Commissioner Burton, second by Commissioner Thompson with All Voting Aye.**

**OTHER** – Interim City Administrator Zaworski stated that staff has received sections of the zoning ordinance from Hoisington-Koegler to review. Zaworski will forward these to the Planning Commission in case they have any comments.

**OTHER -**

ADJOURN 7:09PM

Respectfully Submitted,

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Linda Rappe, City Clerk



The applicant originally applied for a General Development Plan, Preliminary Plat, and Conditional Use Permit for single-family attached residences and the application was originally intended to be reviewed at the Planning and Zoning Commission meeting on December 9<sup>th</sup>, 2019. In their review, city staff and the City Engineer identified the proposed private streets in the subdivision would also require a Planned Unit Development (PUD). The applicant requested an extension to be considered at the next meeting to give them time to submit an application for a PUD.

The City's PUD process requires a Conditional Use Permit to approve a PUD. Additionally, the PUD process includes two steps: the Preliminary Development Plan and the Final Development Plan. The city is allowing the applicant to combine the preliminary and final development plans into one consideration; these elements supersede the need for a General Development Plan as in traditional subdivision process. The PUD process also allows for the preliminary plat to be considered at the same time as the PUD. Finally, the PUD approved through CUP has the capacity to include the elements of the single-family attached dwelling conditional use permit without requiring an additional permit

As these process elements have shifted since the applicant's original submittal, some changes will need to be made to the application's drawings:

1. The drawing titled "Revised General Development Plan" with revision date 11/20/2019 should be renamed "Planned Unit Development: Preliminary and Final Development Plan" – this report will from now on refer to this exhibit as "PUD"
2. The drawing titled "Conditional Use Permit" with date 11/20/2019 should be renamed "Preliminary Plat" – this report will from now on refer to this exhibit at "Preliminary Plat"

The PUD and the Preliminary Plat show the subdivision of the 11.81 acre property into 42 residential lots (14 single family detached residential parcels and 28 single family attached residential parcels) as well an outlot for stormwater ponding and an outlot for private streets.

The applicant is seeking approval of the Preliminary Plat and approval of a Conditional Use Permit for a PUD with a Preliminary and Final Development Plan.

## **BACKGROUND**

- This is the most recent phase of development of a series of Bigelow Voigt developments in western Kasson.
- The subject site had been part of previous General Development Plans reviewed by the Planning and Zoning Commission. The last GDP can be seen in an attachment which will be provided at the meeting

## **REVIEW PROCEDURE**

The applications submitted include the following subdivision requests:

- Preliminary Plat approval
- Conditional Use Permit approval for a Planned Unit Development (PUD) Preliminary & Final Development Plan that allows for single family attached residential units

### **60-Day Land Use Application Review Process**

Pursuant to Minnesota State Statutes Section 15.99, local government agencies are required to approve or deny land use requests within 60 days. Within the 60-day period, an automatic extension of no more than 60 days can be obtained by providing the applicant written notice containing the reason for the extension and specifying how much additional time is needed. For the purpose of Minnesota Statutes Section 15.99, “Day 1” for the Conditional Use Permit for a PUD application was determined to be December 19, 2019. The City's deadline for action is on February 17, 2020.

### **120-Day Subdivision Review Process**

Pursuant to Minnesota State Statutes Section 462.358, local government agencies are required to approve or deny subdivision requests within 120 days. “Day 1” is determined to be November 20, 2019 in accordance with Minnesota Statutes 645.15. The 120-day timeline for the preliminary plat expires on March 19, 2020.

### **Public Hearing**

City Code Section 152.052 requires that a public hearing for review of the preliminary plat be held by the Planning and Zoning Commission. The public hearing notice for the preliminary plat was published in the Dodge County Independent on November 28, 2019 and posted on the City website on December 5, 2019. The preliminary plat public hearing notice was mailed to all affected property owners located within 350 feet of the subject properties on November 27, 2019. Prior to the scheduled public hearing at the December 9, 2019 Planning and Zoning Commission meeting, the applicant requested that the public hearing be tabled until the next scheduled Planning and Zoning Commission meeting, as staff had identified that a Planned Unit Development would be required for the application.

City Code Section 154.340 requires that a public hearing for review of the final development plan of a Planned Unit Development be held by the Planning and Zoning Commission. The public hearing notice for the Conditional Use Permit for a PUD was published in the Dodge County Independent on January 2, 2020 and posted on the City website on January 2, 2020. The preliminary plat public hearing notice was mailed to all affected property owners located within 350 feet of the subject properties on January 2, 2020.

## **DEVELOPMENT SUBMITTAL REVIEW**

The following is a review of the submitted materials as they relate to the City of Kasson's adopted 2040 Comprehensive Plan, the Subdivision Ordinance (Chapter 152 of the City Code), and the Zoning Ordinance (Chapter 154 of the City Code). Additional elements related to technical aspects of subdivision have been reviewed by the City Engineer and are addressed later in this report.

### **Comprehensive Plan and Zoning**

#### **Land Use**

The City's Comprehensive Plan guides this area for Low Density Residential and Open Space land uses.

- Low Density Residential consists of single family detached residential as the prevailing development type but may also consist of limited amounts of two unit buildings (twin homes or

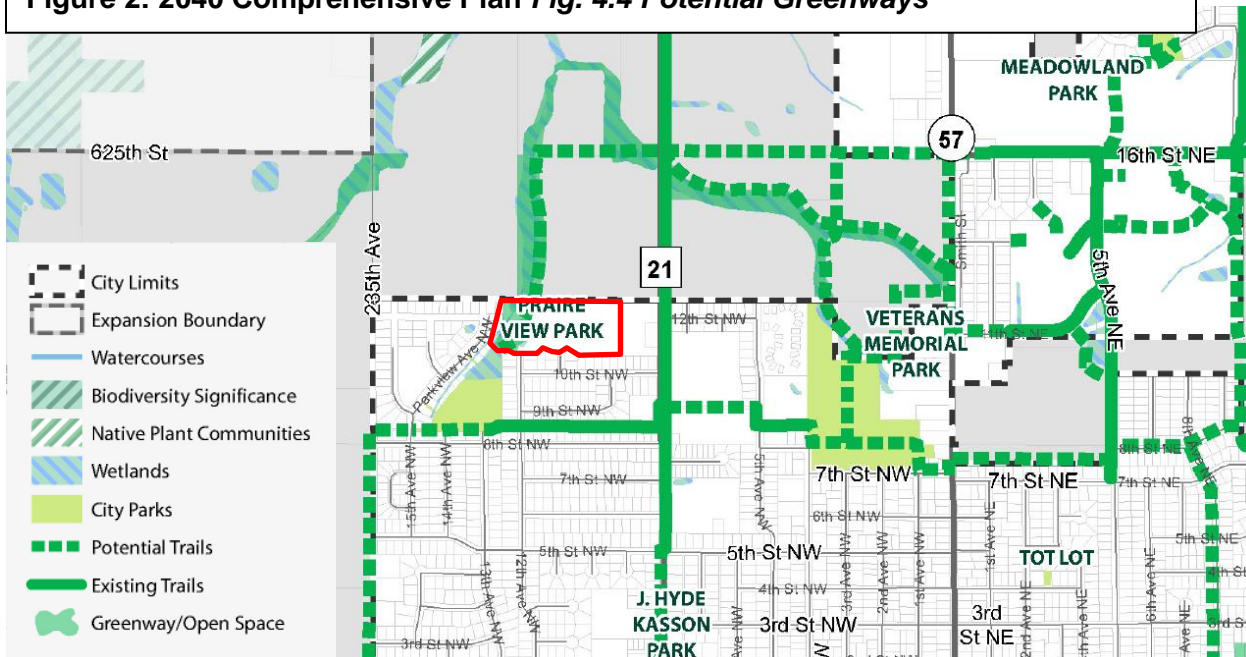
duplexes). Density of development within the Low Density Residential areas falls within a range of 2 to 4 housing units per acre (detached lot sizes ranging from 8,000 to 20,000 square feet).

- The PUD and the Preliminary Plat show 42 residential units on an estimated 11.81 acres of land, resulting in a density of 3.56 units per acre, which is within the Low Density Residential land use designation.
- As a condition of approval, the PUD should have a list of lot types and the number of lots of each type
- As a condition of approval, the Preliminary Plat should update the “number of lots” calculation shown in the “General Notes” section
- Open Space represents areas where the community intends to preserve and manage the valued natural resources. Open space is passive in character. Recreational trails may be included in open space corridors where appropriate, but development is kept to a minimum.
  - The PUD and the Preliminary Plat show the areas designated as Open Space to be entirely located within Outlot A, which will be used for open space as well as stormwater retention.

The City’s Comprehensive Plan also designates this area’s open space to contribute to a greenway/natural area system throughout the city, connecting the city’s natural resources through trails and passive open space. Future trails are shown on the site along the western side, connecting Prairie View Park to future trail connections north of the site.

- The PUD and preliminary plat do not indicate where a trail will be placed on the Outlot A
  - The general location of the trail should be shown on the PUD and Preliminary Plat as a condition of approval
  - If a useable location of a trail cannot be shown within Outlot A, the applicant should find an alternative alignment through the site and dedicate the land required for the trail.

**Figure 2: 2040 Comprehensive Plan Fig. 4.4 Potential Greenways**



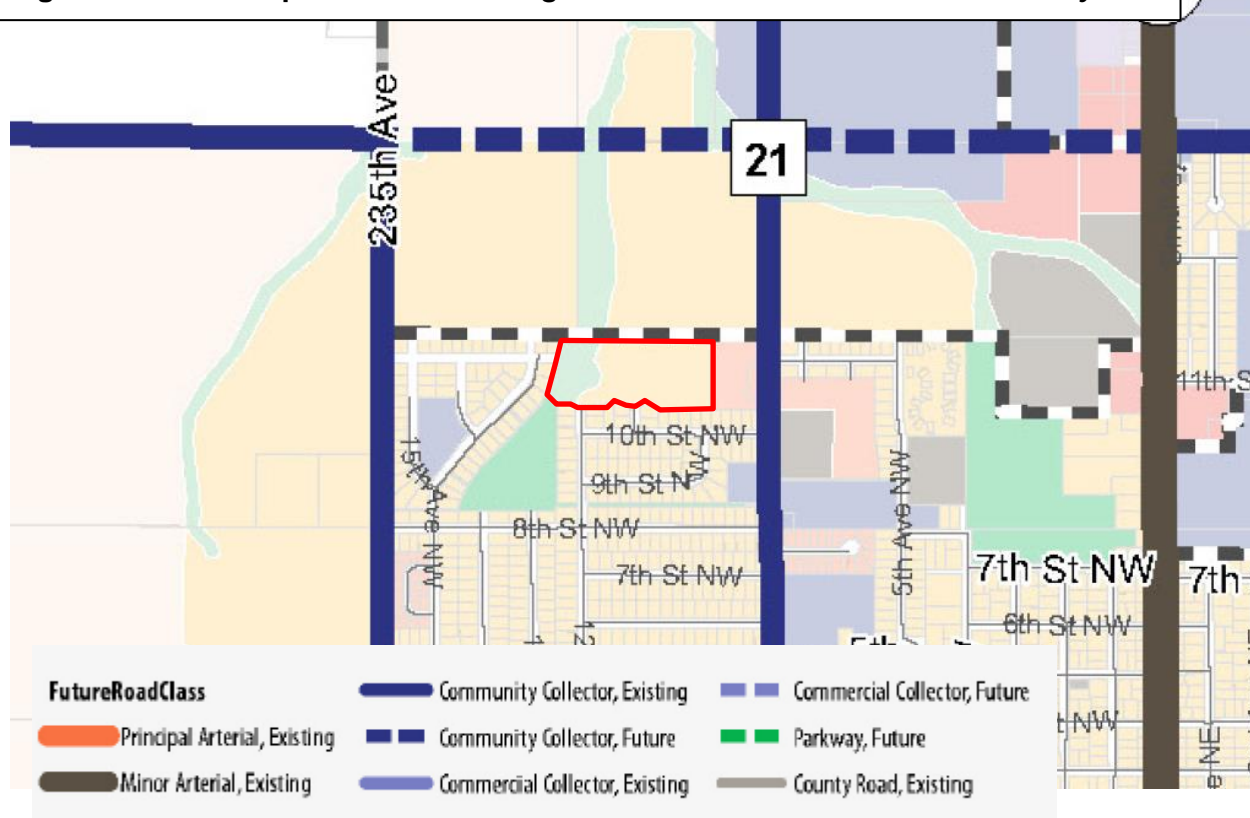


## Transportation

The site does not have any future functional class roadways going through the site; however, it is centrally located between current and future Community Collector Roads on 240 Avenue (CR 21), 235 Avenue, and 16<sup>th</sup> Street NW. The subject site should develop a network of local roads that allow for connections between these collectors not just for this site but for neighboring sites. This will result in a network of local roadways that increase connectivity throughout the community, in line with the 2040 Comprehensive Plan Goal 7.1 and Policies 7.1.1 and 7.1.4:

- Goal 7.1: “Offer a greater degree of connectivity for all roadway users in future developments”
  - Policy 7.1.1 “Require new neighborhoods to have multiple ingress and egress points from local streets connecting to collector and arterial street systems”
  - Policy 7.1.4 “Plan beyond a specific development projects boundaries. Roads and trails do not just end [at] a particular project’s edges. As development is proposed in new growth areas make sure that the circulation system considers how adjacent property might develop and how a circulation system works for the larger area and connects to the collector and arterial roadway system.”

**Figure 6: 2040 Comprehensive Plan Fig. 7.2 Future Functional Class Roadways**



New local roads are guided to have sidewalks constructed on both sides of the roads, to increase the network of non-vehicle transportation throughout the city.

### **Zoning**

The site is currently zoned R-1 Single Family Residential. The proposed use of single-family detached dwellings is a permitted use in the R-1 Zoning District; the proposed use of single family attached residential units is conditionally permitted in the R-1 Zoning District. As part of the PUD, the single-family attached units would become an approved use for this site, thus not requiring separate CUP approval. The city code's conditions for single-family attached dwellings should still be conditions of approval of the PUD. Those conditions are listed in Sec. 154.085:

1. The dwelling shall be attached on the side, and only on the side, to another single-family dwelling.
2. The applicant shall record all covenant and deed restrictions on all property which will abut the common line. The covenants and deed restrictions shall:
  - a. Provide access for repair and maintenance of common walls, service lines and overhangs;
  - b. Provide for easements for service lines, common walls, footings and overhangs; and
  - c. Provide for restrictions to limit changes in color, material and design of the dwelling.

### **Surrounding Land Uses**

The site has the following land uses in the immediate proximity:

- To the north are agricultural uses that are slated for low density residential uses in the future
- To the east is a nursery/landscaping business that is slated for medium density residential uses in the future
- To the south and west are existing single family residential subdivisions

The proposed uses for the site fit with the existing and future character of the area

### **Preliminary Plat**

The purpose of a preliminary plat is to give preliminary review and approval of the subdivision of land that meets the guidance of the City's Comprehensive Plan and the standards of the subdivision and zoning ordinances. The approval of a preliminary plat gives developers the right to develop the site as shown within the preliminary plat, as long as the final plat substantially meets the standards and conditions of the preliminary plat approval. This right lasts one year after preliminary approval and two years after final approval, unless otherwise agreed upon between the developer and the City. With that in mind, the preliminary plat should be reviewed with care and a technical eye. Conditions of approval are common, and should be addressed by the applicant, submitted to the City and approved by appropriate staff before the City will accept a final plat application.

As the elements of the Preliminary Plat and the PUD are intertwined, this report will cover those in detail under the "Site Plan Review" section.

### Conditional Use Permit for PUD

The City of Kasson uses the Conditional Use Permit (CUP) as the regulatory tool for allowing a Planned Unit Development (PUD) in the City. The PUD design and development standards identified will be established within the resolution to approve the CUP.

### CUP Considerations

Conditional Use Permits may be allowed with appropriate restrictions in accordance with the findings listed in Sec. 154.029(A):

1. Certain conditions as detailed in this chapter exist;
2. The use or development conforms to the comprehensive plan; and,
3. Is compatible with the existing area

In addition to the above, specific conditions for a Planned Unit Development are also required by Sec. 154.338(A):

1. The planned unit development is consistent with the comprehensive plan of the city;
2. The planned unit development is an effective and unified treatment of the development plan and provides for the preservation of unique natural amenities such as streams, stream banks, wooded cover, rough terrain and similar areas;
3. The planned unit development will be developed to harmonize with any existing or proposed development in the areas surrounding the project site;
4. The proposed primary uses are listed as either permitted or conditional uses in the zoning district in which the proposed development is located; and
5. Financing is available to the applicant on conditions and in an amount which is sufficient to assure completion of the planned unit development.

### Site Plan Review

The following review will assess all aspects of the Preliminary Plat and the PUD Final Development Plan and highlight any areas where the proposed PUD varies from the underlying zoning.

### Lot Size and Layout Requirements

	R-1 Requirement		PUD Proposed		PUD Vary from R-1?	Notes
	SFD	SFA	SFD	SFA		
Lot Area	7,920 sf min	4,000 sf min	8,709 sf to 13,060 sf	4,250 sf to 8,185 sf	No	
Lot Width – at Street	45' min	30' min	64' to 159'	45' to 101'	No	
Lot Width – at Building Line	66' min	45' min	Not provided		Unknown	Add to PUD & Preliminary Plat as condition of approval
Yard Setbacks	Front: 20' Rear: 20' Side: 20'	Front: 6.5' Rear: 6.5' Side: 6.5'	Not provided		Unknown	Add to PUD & Preliminary Plat as condition of approval
Hardcover	40% max	40% max	Not provided		Unknown	Add to PUD as condition of approval Finalized hardcover will be reviewed



					and verified at the time of building permit application
Building Height	35' or 2.5 stories	35' or 2.5 stories	Not provided	Unknown	Submit general proposed design of buildings as condition of approval of PUD Finalized building height will be reviewed and verified at the time of building permit application

### ***Wetlands, Floodplain, Grading and Stormwater Management***

- Wetlands – there is an existing wetland in the northwestern corner of the site that also serves as a stormwater drainage area for the site.
  - The preliminary plat does not include a wetland delineation
  - A wetland delineation report should be submitted as a condition of approval of the preliminary plat
  - A certificate of survey of the site including the delineated wetland should be submitted as a condition of approval for the preliminary plat
- Floodplain – there is no mapped floodplain present on the site
- Grading
  - Both the preliminary plat and the PUD show “existing contours”, however, these contours do not match each other between the drawings.
    - Additionally, these contours are not labeled with the elevation on the Preliminary Plat
    - As a condition of approval, the existing contours of the PUD and the preliminary plat should be updated to match between the documents as well as both sets labeled clearly
  - No grading plan has been submitted with the application
    - A grading plan and drainage plan for the preliminary plat should be required as a condition of approval and should be reviewed by the City Engineer
  - The existing contours shown on the PUD drawing show significant slope/elevation change over Block 6 lots 7-12, as well as Block 2 lots 7 and 8; these elevations/contours are not reflected on the preliminary plat, so it is unclear what the existing conditions are on the site
    - As mentioned above, the existing contours should match on these two drawings
    - If significant slopes exist on these lots, the grading and drainage plan needs to address the proposed grading of these lots to make them buildable but also not create drainage and erosion issues for neighboring properties
  - There are steep slopes shown on the Preliminary Plat within Outlot A. These steep slopes should be protected from erosion.
    - Soil erosion and sedimentation control elements during construction as well as permanent facilities need to be included with the grading and drainage plan mentioned above
- Stormwater Management

- Drainage and Utility Easements – the applicant has shown drainage and utility easements on each block of the preliminary plat
  - All elements listed as “Utility Easements” or “U.E.” on the preliminary plat should be labeled as “Drainage and Utility Easements” or “D&U”, as a condition of approval
  - Drainage and utility easements should be shown on each individual residential lot as a condition of approval; this includes rear yard drainage and utility easements
- The existing wetland on Outlot A will serve the stormwater needs of the site. An additional wetpond is also proposed on Outlot A to serve the stormwater needs of the site. The design of the drainage and stormwater system to the ponds should meet all standards of the City Engineer

### ***Utilities***

- Public water and sanitary sewer utilities are available to the site.
- The sewer access charge (SAC) and water access charge (WAC) for the project shall be determined as part of final plat which shall be the responsibility of the applicant.
- Sewer connection and water connection fees shall be applied to individual buildings during the building permit process.

### ***Open Space and Landscaping***

- Sec. 154.339(A)(2) states: “a minimum of 30% of the PUD, residential development is recommended to be maintained in green space consisting of vegetative plantings such as grass, trees, shrubs or flowers. No portion of sidewalks, boulevards or paved areas should be considered in calculating the green space.”
- Open space for the development as a whole seems to be contained in Outlot A.
  - At 2.03 acres, that is approximately 17% of the site
    - i. The total area of Outlot A may be decreased, as an extension of 12<sup>th</sup> street NW through the Outlot is recommended elsewhere in this report
  - Typically, the open space recommendation of Sec. 154.339(A)(2) would apply if the open space of the PUD was commonly owned, where an association owned the yard and lawn areas of the development, and individual lots only covered the building footprint area
  - PUDs are required to indicate the organization proposed to own and maintain public or private open space
    - i. No such indication of ownership was submitted with the PUD
    - ii. As a condition of approval, the organization proposed to own and maintain Outlot A and any other public or private open space shall be submitted
- No Landscaping Plan has been submitted with the PUD
  - As a condition of approval, a landscaping plan should be submitted, in particular showing locations of green space, vegetative plantings, and types of plantings

### ***Park Dedication***

- The current PUD and preliminary plat show the development having no recreational facilities; as such, a park dedication fee as provided by City Code Sec. 152.023, in lieu of land dedication would be recommended by Staff.

- As indicated previously, the Comprehensive Plan proposes a trail within Outlot A; the PUD and preliminary plat should show what areas are usable within Outlot A to accommodate the trail.
  - That useable area can be assessed for its value and contribute to the overall dedication of land allowed through Sec. 152.023
  - If no area is useable within Outlot A, the applicant should show an alternative useable alignment through the development for the trail
- The required amount for park dedication shall be determined as part of the final plat.

### ***Roads/Access/ROW***

- The PUD and Preliminary Plat show the installation of public roads (12<sup>th</sup> Avenue NW, 12<sup>th</sup> Street NW, and 11<sup>th</sup> Avenue NW) and private roads (Outlot B)
- The applicant has shown 12<sup>th</sup> Street NW turning into 12<sup>th</sup> Avenue NW, however, this conflicts with previous general development plans for the area as well as goals of the Comprehensive Plan
  - As a condition of approval, the PUD and Preliminary Plat and Preliminary Construction Plans should show 12<sup>th</sup> Street NW going through the site, connecting to the existing 12<sup>th</sup> Street NW in Bigelow-Voigt 7<sup>th</sup> Addition to the west and the future extension of 12<sup>th</sup> Street NW through the Wilker parcel to the east
- Right of way for 12<sup>th</sup> Avenue NW, 12<sup>th</sup> Street NW, and 11<sup>th</sup> Avenue NW is 66 feet, which meets city design standards
- Temporary turn-arounds are needed for roads where future extensions will be on neighboring properties
  - As a condition of approval, a temporary turn-around should be shown for 12<sup>th</sup> Street NW around Block 2 Lot 8 and Block 6 Lot 12
  - As a condition of approval, a temporary turn-around should be shown for 11<sup>th</sup> Avenue NW around Block 1 Lot 3 and Block 2 Lot 1
- The developer has proposed private roads for the access of Block 5 Lots 5, 6, 7, 8 and Block 6 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10. The existence of private roads on the application triggered the need for a PUD.
  - The outlot for this private road is 40' wide, with a drive aisle 20' wide
  - No sidewalks are shown on the private road
  - Proposed ownership and maintenance of the private road have not been indicated
    - As a condition of approval, the PUD should indicate the proposed ownership and maintenance of the private road/Outlot B
- Sidewalks are shown on the Preliminary Construction Plans for both sides of 12<sup>th</sup> Avenue NW, 12<sup>th</sup> Street NW, and 11<sup>th</sup> Avenue NW;
  - The Preliminary Construction Plans show sidewalks as 4' wide; city code requires public sidewalks to be 5' wide
  - As a condition of approval, the Preliminary Construction Plans should be updated to show sidewalks that are 5' wide

## **STAFF / CONSULTANT / AGENCY REVIEW**

### **City Staff Review**

Review comments by the Admin/Zoning Administrator, Finance, Electric, Zoning Clerk, and Public Works Director may be found in the memo in Attachment D.

### **City Engineer Review**

The City Engineer, in consultation with City Administrative and Public Works Staff, has prepared the letter in Attachment E to address engineering and utility related concerns for the proposed development. At this time the applicant has only provided conceptual plans for engineering review. Detailed plans will be required before final approvals. The applicant is advised that if in preparing the detailed plans substantive changes are required to the preliminary plat, an amendment to the preliminary plat approval may be required.

### **City Fire Chief Review**

In their review of the application, the City Fire Chief had the following comments:

1. Re: Private streets- it is VERY difficult to maneuver the streets (it would be easiest to get rid of the private roads)
2. The streets would have to be "no parking"---- and even then, if there are two fire trucks side by side on the street, the street would then become impassable.
3. 12th Street needs to go all the way through for fire protection services
4. What are the sizes of the ponds (and depth) (for possible future water
5. rescue)
6. There needs to be a turnaround at the 2 streets on the east side and would prefer a hammerhead turnaround (not a cul de sac).
7. Will need to know final hydrant placement

## **RECOMMENDATIONS**

### **Conditional Use Permit for PUD**

Staff recommends that the Planning and Zoning Commission table the recommendation for the CUP for PUD. There are a number of items that need to be submitted by the applicant for consideration with the PUD that the Planning and Zoning Commission will want to review before making their recommendation.

Should the Planning and Zoning Commission want to recommend to City Council approval of the Conditional Use Permit for a Planned Unit Development: Preliminary Development Plan and Final Development Plan, the following conditions are suggested:

1. The applicant shall resubmit the drawing labeled on 11/20/2019 as "General Development Plan" with a new label "Planned Unit Development: Preliminary Development Plan and Final Development Plan"; the following conditions shall refer to this drawing as "PUD"
2. The PUD shall be drawn at a scale so that the subject site takes up the majority of the drawing page, such as 1 inch = 100 feet

3. The following changes shall be made to the PUD drawing
  - a. The PUD shall have a list of lot types and the number of lots
  - b. The general location of the trail shall be shown on the PUD
  - c. Setback lines shall be added to all residential lots within the PUD
  - d. Lot width at the building setback line shall be added to all residential lots within the PUD and will be verified by staff to ensure compliance with the R-1 zoning district
  - e. The PUD shall show calculations for the shown hardcover (building, driveway, patio) and show that these counts do not exceed 40% per lot
  - f. The PUD shall show the general building pad location on all residential lots
  - g. The existing contours of the PUD and the preliminary plat shall be updated to match between the documents as well as both sets labeled clearly
  - h. As a condition of approval, the PUD and Preliminary Plat and Preliminary Construction Plans should show 12<sup>th</sup> Street NW going through the site, connecting to the existing 12<sup>th</sup> Street NW in Bigelow-Voigt 7<sup>th</sup> Addition to the west and the future extension of 12<sup>th</sup> Street NW through the Wilker parcel to the east
4. The following shall be submitted as a supplemental material in addition to the PUD drawing:
  - a. The applicant shall submit general proposed design of buildings for both SFD and SFA housing types; these design diagrams shall show side-views with elevation/building height indicated
  - b. The organization proposed to own and maintain Outlot A and any other public or private open space shall be submitted
  - c. The organization proposed to own and maintain the private road/Outlot B shall be submitted
  - d. A landscaping plan shall be submitted, in particular showing locations of green space, vegetative plantings, and types of plantings
5. The following shall also apply:
  - a. Association documents shall be submitted to the City that establishes ownership of common areas, accepts responsibility for the maintenance of those areas, commits the association to professional management and establishes an adequate funding mechanism for that maintenance. Any change in association management must be approved by the Planning and Zoning Commission
  - b. The single-family attached dwellings shall be attached on the side, and only on the side, to another single-family dwelling.
  - c. The applicant shall record all covenant and deed restrictions on all property which will abut the common line. The covenants and deed restrictions shall:
    - i. Provide access for repair and maintenance of common walls, service lines and overhangs;
    - ii. Provide for easements for service lines, common walls, footings and overhangs; and
    - iii. Provide for restrictions to limit changes in color, material and design of the dwelling.

This recommendation is based on the following findings of fact:

1. The proposed use is compatible with the existing area

2. The planned unit development is consistent with the comprehensive plan of the city;
3. The planned unit development is an effective and unified treatment of the development plan and provides for the preservation of unique natural amenities such as streams, stream banks, wooded cover, rough terrain and similar areas;
4. The planned unit development will be developed to harmonize with any existing or proposed development in the areas surrounding the project site;
5. The proposed primary uses are listed as either permitted or conditional uses in the zoning district in which the proposed development is located; and
6. Financing is available to the applicant on conditions and in an amount which is sufficient to assure completion of the planned unit development.

### **Preliminary Plat**

Staff recommends that the Planning and Zoning Commission table the recommendation for the Preliminary Plat. As the Preliminary Plat and the PUD are so intertwined, the Preliminary Plat should be decided on at the same time as the PUD.

Should the Planning and Zoning Commission want to recommend to City Council preliminary approval of the plat, the following conditions are suggested:

1. The applicant shall resubmit the drawing labeled on 11/20/2019 as “Conditional Use Permit” with a new label “Preliminary Plat”; the following conditions shall refer to this drawing as “preliminary plat”
2. The following changes shall be made to the preliminary plat:
  - a. Update the “number of lots” calculation shown in the “General Notes” section
  - b. The general location of the trail shall be shown on the Preliminary Plat
  - c. Setback lines shall be added to all residential lots within the Preliminary Plat
  - d. Lot width at the building setback line shall be added to all residential lots within the Preliminary Plat and will be verified by staff to ensure compliance with the R-1 zoning district
  - e. The existing contours of the PUD and the preliminary plat shall be updated to match between the documents as well as both sets labeled clearly
  - f. All existing adjoining road names, owners of adjoining unplatted parcels and adjoining subdivision names shall be clearly depicted on the plat
  - g. Items related to easements:
    - i. All elements listed as “Utility Easements” or “U.E.” on the preliminary plat shall be labeled as “Drainage and Utility Easements” or “D&U”, as a condition of approval
    - ii. Drainage and utility easements shall be shown on each individual residential lot; this includes rear yard drainage and utility easements;
      1. Drainage and utility easements on the shared lot line of single-family attached lots need not be shown
    - iii. Ten foot utility easements shall be provided along the street frontage for the Private Streets
    - iv. The existing ten foot U.E. along the easterly boundary line of Bigelow Voigt 7 shall be added to the plat.
  - h. Items related to roads:

- i. The Preliminary Plat shall show 12<sup>th</sup> Street NW going through the site, connecting to the existing 12<sup>th</sup> Street NW in Bigelow-Voigt 7<sup>th</sup> Addition to the west and the future extension of 12<sup>th</sup> Street NW through the Wilker parcel to the east
    - ii. A temporary turn-around shall be shown for 12<sup>th</sup> Street NW around Block 2 Lot 8 and Block 6 Lot 12
    - iii. A temporary turn-around shall be shown for 11<sup>th</sup> Avenue NW around Block 1 Lot 3 and Block 2 Lot 1
  - i. Items related to utilities:
    - ii. Existing adjoining water, sewer and storm shall be depicted, and the sizes shall be clearly labeled
    - iii. The 2003 wetland exception area shall be depicted on the plat
    - iv. The 100 year design storm shall be contained within Outlot “A” or within a drainage easement
    - v. The water service for Wilker runs across the project area. The Developer shall provide an adequate water service for Wilker as part of the project
3. The following changes shall be made to the Preliminary Construction Plans:
- a. A wetland delineation report shall be submitted
  - b. A certificate of survey of the site including the delineated wetland shall be submitted
  - c. A grading and drainage plan for the preliminary plat shall be submitted and shall be reviewed by the City Engineer
    - i. The grading and drainage plan shall address the conditions of the existing contours shown on the PUD drawing related to Block 6 lots 7-12, as well as Block 2 lots 7 and 8
    - ii. If significant slopes exist on these lots, the grading and drainage plan shall address the proposed grading of these lots to make them buildable but also not create drainage and erosion issues for neighboring properties
    - iii. Soil erosion and sedimentation control elements during construction as well as permanent facilities shall be included with the grading and drainage plan
    - iv. The existing 5’ U.E. along the easterly boundary line of Bigelow Voigt 7th shall be depicted on the grading and drainage plan
  - d. The Preliminary Construction Plans shall be updated to show sidewalks that are 5’ wide
    - i. The plans shall include 5’ sidewalks on at least one side of the private streets
  - e. A hydrant shall be provided at each intersection. Hydrant locations and spacing shall also accommodate the existing portions of 12th Avenue NE and 11th Avenue NW to their intersections with 10th Street NW to ensure proper hydrant spacing and coverage. Hydrant locations and spacing shall be reviewed by the City Fire Chief.
  - f. A blow off hydrant shall be provided at every watermain dead end
  - g. The wet ponds shall be sized to provide rate control for the 2 year, 10 year and 100 year Atlas 14 design storms for the post development condition to equal or less than pre development conditions for the tributary portions of Bigelow Voigt 7th and Bigelow Voigt 8th. The wet ponds shall also be designed to comply with NPDES permit requirements
  - h. Removed hydrants shall be salvaged to the City
  - i. The pipe crowns for differing storm sewer pipes sizes shall be aligned at manhole junctions

- j. Turning movements shall be provided in the final construction plan set for the Private Streets to illustrate accessibility for emergency vehicles and approved by the Fire Chief
- k. On street parking along the Private Streets shall be prohibited due to the proposed 20 foot width
  - i. The applicant shall be required to install “No Parking” signs on the Private Streets and submit general sign plans for the signs with the Final Plat
- l. Other changes as indicated by the City Engineer in their letter to the City Administrator dated December 4, 2019, as drawn on the plans attached to the letter.

This recommendation is based on the following findings of fact:

- 1. The proposed preliminary plat, with conditions, is consistent with the Comprehensive Plan and policies of the City of Kasson.
- 2. The physical characteristics of the site are suitable for the type of development and use being proposed.
- 3. The proposed development will not negatively impact the health, safety, or welfare of the community.
- 4. The proposed preliminary plat, with conditions, gives effective protection to the natural resources of the community, especially ground water and surface waters.

## PLANNING AND ZONING COMMISSION ACTIONS

After the discussion, the Planning and Zoning Commission could take one of the following actions (actions recommended by Staff are **bolded**):

### Conditional Use Permit for PUD

- 1. **Table the request to the next Planning and Zoning Commission meeting and provide direction to Staff and the applicant as to the additional information needed.**
- 2. Recommend approval with the recommended conditions and findings of fact as presented by Staff.
- 3. Recommend denial with findings of fact (provide own).

### Preliminary Plat

- 1. **Table the request to the next Planning and Zoning Commission meeting and provide direction to Staff and the applicant as to the additional information needed.**
- 2. Recommend approval with the recommended conditions and findings of fact as presented by Staff.
- 3. Recommend denial with findings of fact (provide own).

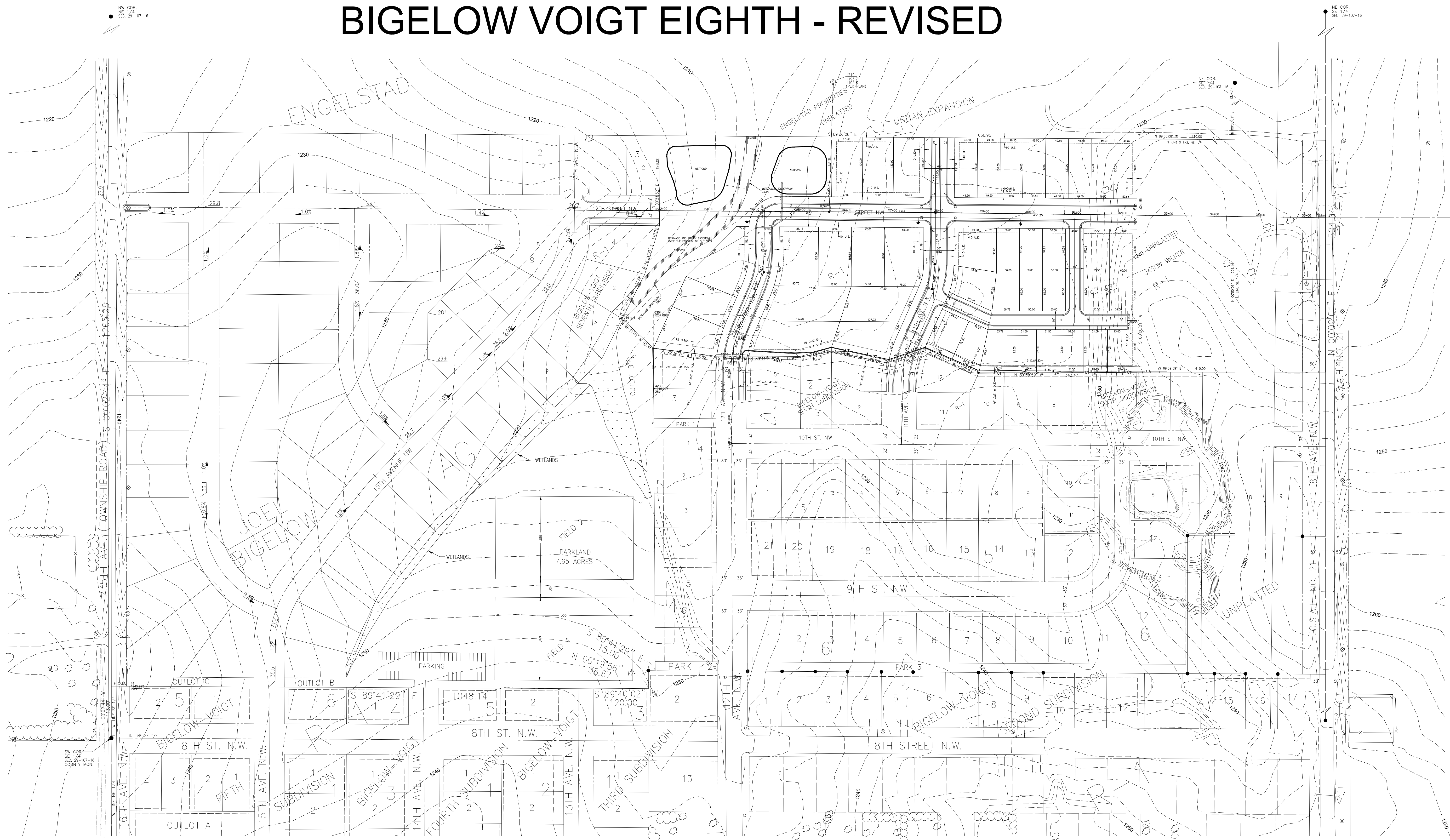
## ATTACHMENTS

- A. Bigelow Voigt 8<sup>th</sup> Addition – “General Development Plan” dated November 20, 2019 to be renamed “Planned Unit Development: Preliminary and Final Development Plan”



- B. Bigelow Voigt 8<sup>th</sup> Addition – “Conditional Use Permit” dated November 20, 2019 to be renamed “Preliminary Plat”
- C. Bigelow Voigt 8<sup>th</sup> Addition – Preliminary Construction Plans “Public Improvements to Serve Bigelow Voigt Eighth,” dated November 20, 2019
- D. City Staff Review Comments, dated December 5, 2019
- E. City Engineer Letter – Review of General Development Plan, Preliminary Plat, Preliminary Construction Plans and Conditional Use Exhibit, dated December 4, 2019

# BIGELOW VOIGT EIGHTH - REVISED



OWNER  
BIGELOW ENTERPRISES, INC.  
706 COUNTY ROAD 3 NW  
BYRON, MN 55920

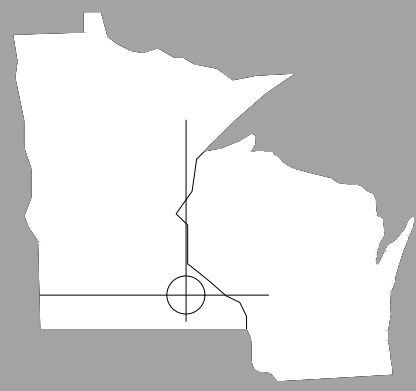
BASIS OF BEARINGS  
All Bearings are in relationship with  
the Dodge County Coordinate System  
NAD 83, Adjusted 1996.

0 50 100 150 200  
SCALE IN FEET

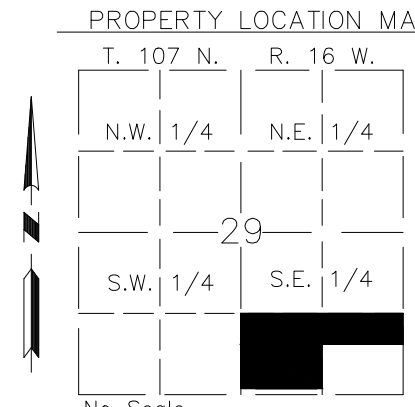
I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Date \_\_\_\_\_  
REG. NO.: \_\_\_\_\_

**MASSEY**  
LAND SURVEYING & ENGINEERING  
P.O. BOX 428, KASSON, MN 55944  
PH. NO. 507-634-4505, FAX NO. 507-634-6560



REVISED GENERAL DEVELOPMENT PLAN  
BIGELOW VOIGT EIGHTH  
SECTION 29  
CITY OF KASSON, MINNESOTA



MONUMENTS  
● FOUND (AS INDICATED)  
○ SET (5/8" PIPE UNLESS NOTED OTHERWISE)  
SCALE: 1" = 100'  
DATE: 09/21/05  
DRAWN BY: D.A.M./R.A.S./T.A.C.  
JOB NUMBER: 023.2-19001  
DWG. FILE: General Dev. Plan  
REVISION DATE: 11/20/2019

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SURVEYING, INC.  
THIS SURVEY AND DRAWING  
WAS PREPARED FOR THE  
EXCLUSIVE USE OF:  
BIGELOW ENTERPRISES  
BYRON, MN  
SHEET NO. 1 OF 1

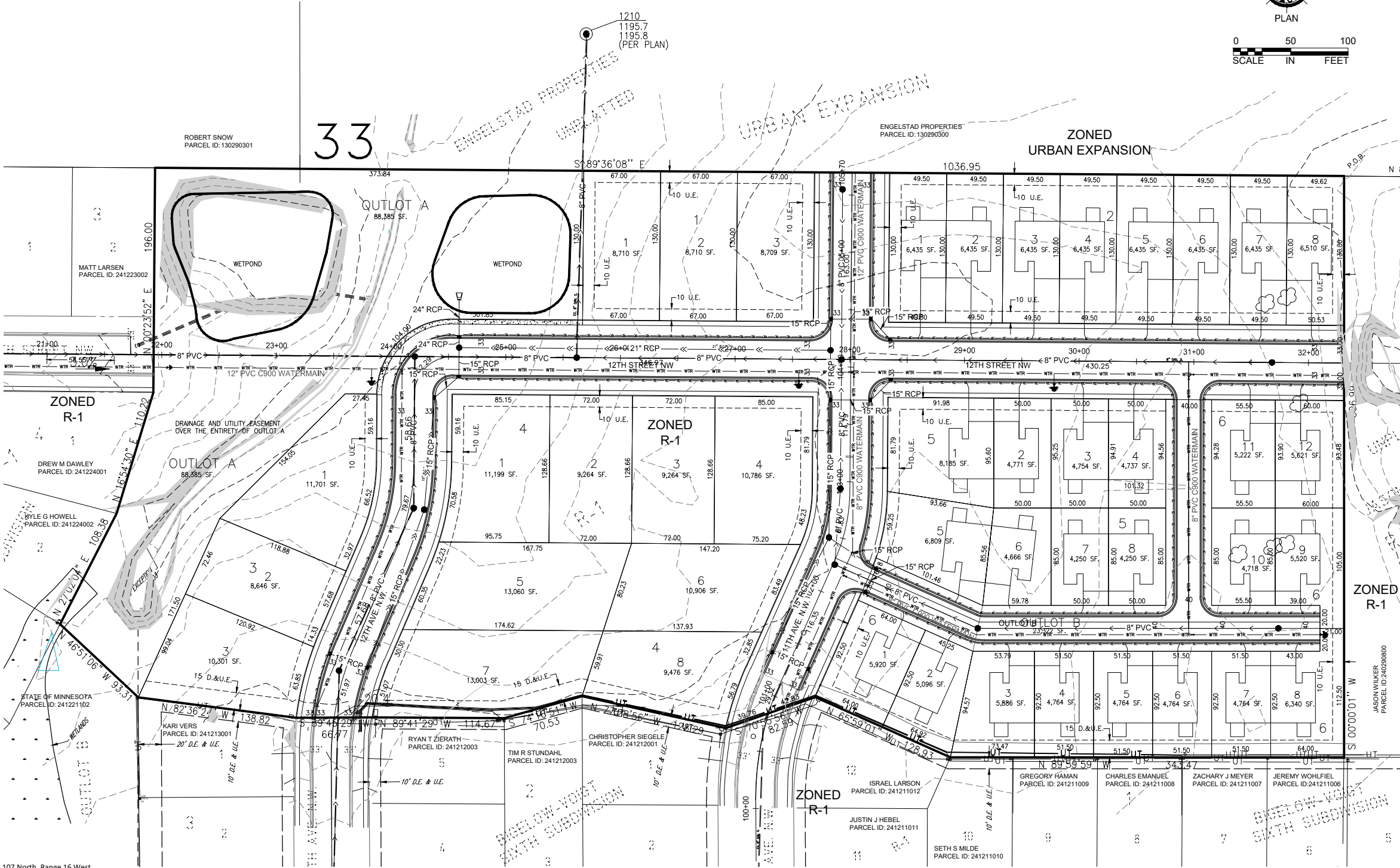
LEGAL DESCRIPTION:

DESCRIPTION OF RECORD (DOC. #A-226301)

That part of the South One-Half of the Southeast Quarter of Section 29, Township 107 North, Range 16 West, Dodge County, Minnesota, described as follows:

Commencing at the northeast corner of the South One-Half of said Southeast Quarter; thence North 89 degrees 36 minutes 08 seconds West (NOTE: All bearings are in relationship with the Dodge County Coordinate System NAD 83, Adjusted 1996) along the North line of said South One-Half of the Southeast Quarter, 410.00 feet to the POINT OF BEGINNING; thence South 00 degrees 00 minutes 01 seconds West, parallel with the East line of said Southeast Quarter, 506.99 feet to the North line of BIGELOW-VOIGT SIXTH SUBDIVISION; thence North 89 degrees 59 minutes 59 seconds West, (NOTE: the next 8 courses are along the North line of said BIGELOW-VOIGT SIXTH SUBDIVISION), 343.46 feet; thence North 65 degrees 59 minutes 01 seconds West, 128.93 feet; thence South 70 degrees 55 minutes 56 seconds West, 82.59 feet; thence North 77 degrees 28 minutes 56 seconds West, 128.29 feet; thence South 74 degrees 16 minutes 51 seconds West, 70.53 feet; thence North 89 degrees 41 minutes 29 seconds West, 114.67 feet; thence South 89 degrees 45 minutes 29 seconds West, 66.77 feet; thence North 82 degrees 36 minutes 24 seconds West, 138.82 feet to the Northwest corner of said subdivision and to the Northeast corner of Outlot B, BIGELOW-VOIGT SEVENTH SUBDIVISION; thence North 46 degrees 51 minutes 06 seconds West, along the Northerly line of said Outlot B, 93.31 feet to the Easterly line of Block 4, said BIGELOW-VOIGT SEVENTH SUBDIVISION; thence North 27 degrees 02 minutes 04 seconds East, along said Easterly line, 108.38 feet; thence North 16 degrees 54 minutes 30 seconds East, along the East line of said subdivision, 196.00 feet to the Northeast corner thereof and to the North line of said South One-Half of the Southeast Quarter, thence South 89 degrees 36 minutes 08 seconds East, along said North line, 1036.95 feet to the point of beginning.

Said Parcel contains 11.81 acres more or less.  
Said parcel is subject to a 15.00 foot Utility Easement lying Northerly of and parallel with the Northerly line of Block 1, said BIGELOW-VOIGT SIXTH SUBDIVISION, and is subject to any other easements or encumbrances of record.



OWNER / DEVELOPER

Bigelow Voigt Dev, LLC  
4057 28th Street NW Suite 100  
Rochester, MN 55901  
PH. NO. 507-529-1161

CIVIL ENGINEERS / SURVEYORS

WSE & MASSEY LAND SURVEYING & ENGINEERING  
P.O. BOX 100  
KASSON, MN. 55944  
PH. NO. 507-634-4505

UTILITY EASEMENT (U.E.) Defined:

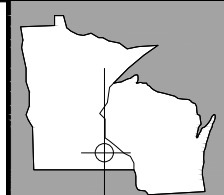
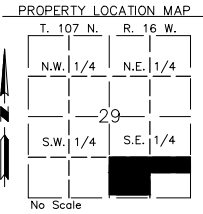
An unobstructed easement for the construction and maintenance of all necessary underground or surface public utilities including rights to conduct drainage and trimming on said easement.

GENERAL NOTES

Number of lot = 48  
Number of outlots = 1  
Total area of property = 11.81 acres

LEGEND

STEEP SLOPE  
EXISTING CONTOURS  
TREES  
WATERMAIN PIPE  
STORM SEWER PIPE  
SANITARY PIPE



**MASSEY**  
LAND SURVEYING  
& ENGINEERING

P.O. BOX 100  
KASSON, MN 55944  
PH. NO. 507-634-4505



**BIGELOW VOIGT EIGHTH  
KASSON, MINNESOTA  
CONDITIONAL USE PERMIT**

THIS SURVEY AND DRAWING  
WAS PREPARED FOR THE  
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SCALE: NONE  
DATE: 11/20/2019  
DRAWN BY: T.A.C.  
JOB NUMBER: 023.2-19001  
DWG. FILE:  
REVISION DATE:



023.2-19001CT01.dwg

11/20/2019 10:54:09 AM

# PUBLIC IMPROVEMENTS TO SERVE BIGELOW VOIGT EIGHTH

Kasson, MN

Issue Date - 11/20/2019 Preliminary Plat Submittal

LEGAL DESCRIPTION:

DESCRIPTION OF RECORD (DOC. #A-226301)

That part of the South One-Half of the Southeast Quarter of Section 29, Township 107 North, Range 16 West, Dodge County, Minnesota, described as follows:

Commencing at the northeast corner of the South One-Half of said Southeast Quarter; thence North 89 degrees 36 minutes 08 seconds West (NOTE: All bearings are in relationship with the Dodge County Coordinate System NAD '83, Adjusted 1996) along the North line of said South One-Half of the Southeast Quarter, 410.00 feet to the POINT OF BEGINNING; thence South 00 degrees 00 minutes 01 seconds West, parallel with the East line of said Southeast Quarter, 506.99 feet to the North line of BIGELOW-VOIGT SIXTH SUBDIVISION; thence North 89 degrees 59 minutes 59 seconds West, (NOTE: the next 8 courses are along the North line of said BIGELOW-VOIGT SIXTH SUBDIVISION), 343.46 feet; thence North 65 degrees 59 minutes 01 seconds West, 128.93 feet; thence South 70 degrees 55 minutes 56 seconds West, 82.59 feet; thence North 77 degrees 28 minutes 56 seconds West, 128.29 feet; thence South 74 degrees 16 minutes 51 seconds West, 70.53 feet; thence North 89 degrees 41 minutes 29 seconds West, 114.67 feet; thence South 89 degrees 45 minutes 29 seconds West, 66.77 feet; thence North 82 degrees 36 minutes 24 seconds West, 138.82 feet to the Northwest corner of said subdivision and to the Northeast corner of Outlot 8, BIGELOW-VOIGT SEVENTH SUBDIVISION; thence North 46 degrees 51 minutes 06 seconds West, along the Northerly line of said Outlot 8, 93.31 feet to the Easterly line of Block 4, said BIGELOW-VOIGT SEVENTH SUBDIVISION; thence North 27 degrees 02 minutes 04 seconds East, along said Easterly line, 108.38 feet; thence North 16 degrees 54 minutes 30 seconds East, along the East line of said subdivision, 196.00 feet to the Northeast corner thereof and to the North line of said South One-Half of the Southeast Quarter, thence South 89 degrees 36 minutes 08 seconds East, along said North line, 1036.95 feet to the point of beginning.

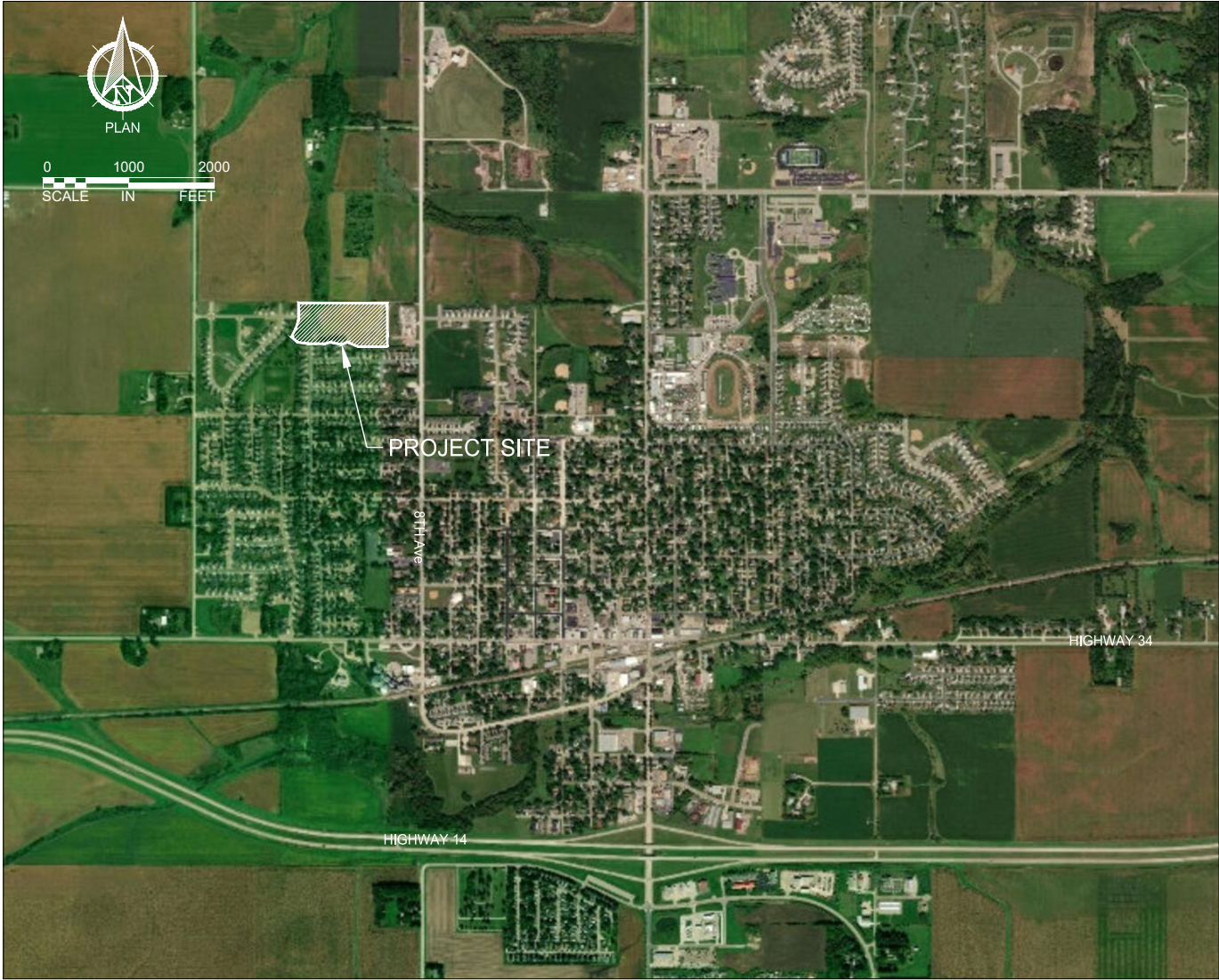
Said Parcel contains 11.81 acres more or less.  
Said parcel is subject to a 15.00 foot Utility Easement lying Northerly of and parallel with the Northerly line of Block 1, said BIGELOW-VOIGT SIXTH SUBDIVISION, and is subject to any other easements or encumbrances of record.

OWNER / DEVELOPER

Bigelow Voigt Dev, LLC  
4057 28th Street NW Suite 100  
Rochester, mn 55901  
PH. NO. 507-529-1161

CIVIL ENGINEERS / SURVEYORS

WSE & MASSEY LAND SURVEYING & ENGINEERING  
P.O. BOX 100  
KASSON, MN. 55944  
PH. NO. 507-634-4505



PROJECT LOCATION

DODGE COUNTY  
KASSON DISTRICT

UTILITY QUALITY LEVEL

The subsurface utility information in this plan is quality level D.  
This quality level was determined according to the guidelines of CIASCE 38-2, entitled "Standard Guidelines for the Collection and Depiction of Existing Subsurface Utility Data."

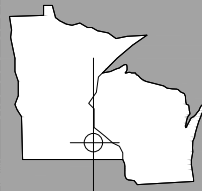
BENCHMARK ELEVATION = 1235.22  
TOP NUT HYDRANT AT THE NORTH SIDE OF 3RD STREET N.E. & 12 AVENUE N.E.

LEGEND	
-1245-	DENOTES PROPOSED CONTOUR ANNOTATION
x 46.84	DENOTES PROPOSED SPOT ELEVATION
→	DENOTES DRAINAGE DIRECTION
-SF-	DENOTES SILT FENCE OR BIOROLL PER 7-01SDP
●	DENOTES INLET PROTECTION PER 7-05SDP
▨	DENOTES PROPOSED EROSION MAT
▨	DENOTES PROPOSED BITUMINOUS
1131	DENOTES EXISTING CONTOURS
—	DENOTES TREE LINE
—	DENOTES WATERMAIN PIPE
—>	DENOTES STORM SEWER PIPE
—>	DENOTES SANITARY PIPE

INDEX TO PLANS	
Sheet Title	Sht. No.
TITLE SHEET	1
TYPICAL SECTION	2
ALIGNMENT PLAN	3
UTILITY PROFILES	4-10
POND DETAIL	11

This plan contains 11 Total sheets

Approved By: \_\_\_\_\_  
City Engineer Date



MASSEY  
LAND SURVEYING  
& ENGINEERING

P.O. BOX 100  
KASSON, MN 55944  
PH. NO. 507-634-4505

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

Les Conway

23292 11/20/19  
Number Date



BIGELOW VOIGT EIGHTH  
KASSON, MINNESOTA

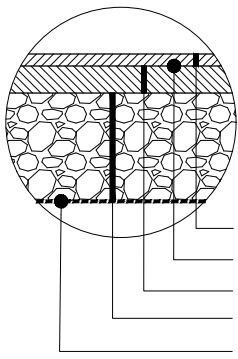
THIS SURVEY AND DRAWING WAS PREPARED FOR THE EXCLUSIVE USE OF:

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DRAWN BY: T.A.C.  
JOB NUMBER: 023.2-19001  
DWG. FILE:  
REVISION DATE:

Project Number 23.2-19001

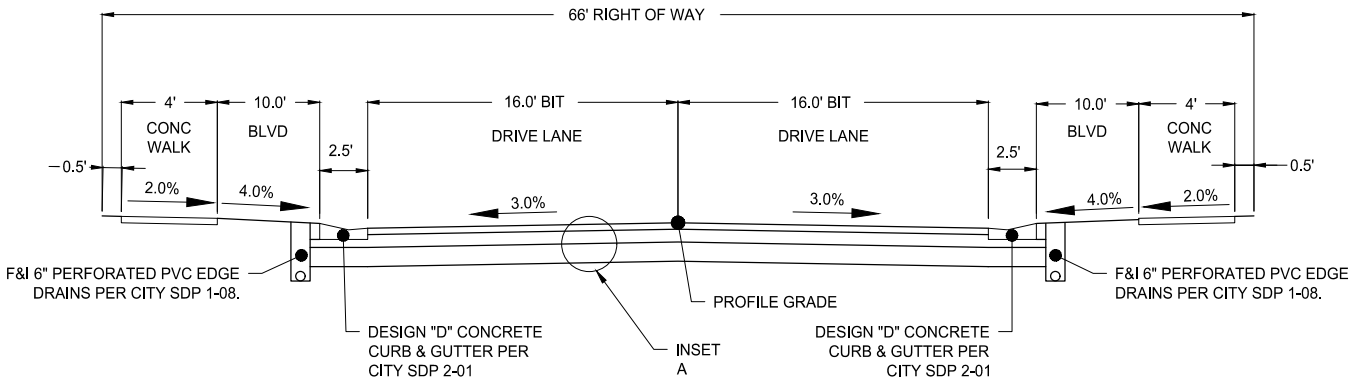
SHEET 1 OF 11

23.2-19001CG\_TY01.dwg

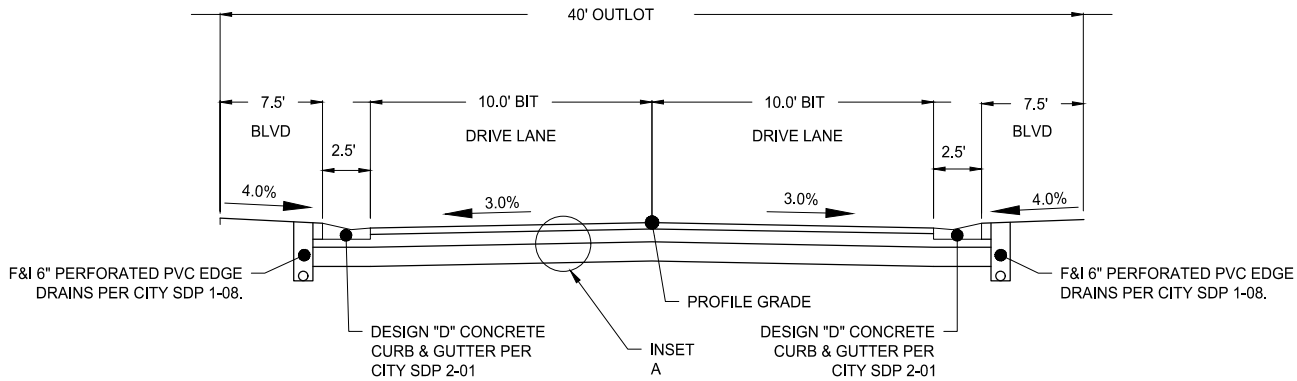


INSET A  
BITUMINOUS ROAD SECTION

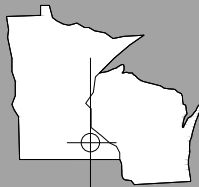
1.5" BITUMINOUS WEAR COURSE, MN DOT 2360  
2357 BITUMINOUS TACK COAT  
2.5" BITUMINOUS BASE COURSE, MN DOT 2360  
8" MN DOT CLASS 5 AGGREGATE BASE  
MnDOT TYPE V GEOTEXTILE SEPARATION FABRIC



12th STREET N.W. & 11th AVENUE N.W.



PRIVATE STREET



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KASSON, MN 55944  
PH. NO. 507-634-4505

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*Les Conway*  
Les Conway

23292 11/20/19  
Number Date



BIGELOW VOIGT EIGHTH  
KASSON, MINNESOTA

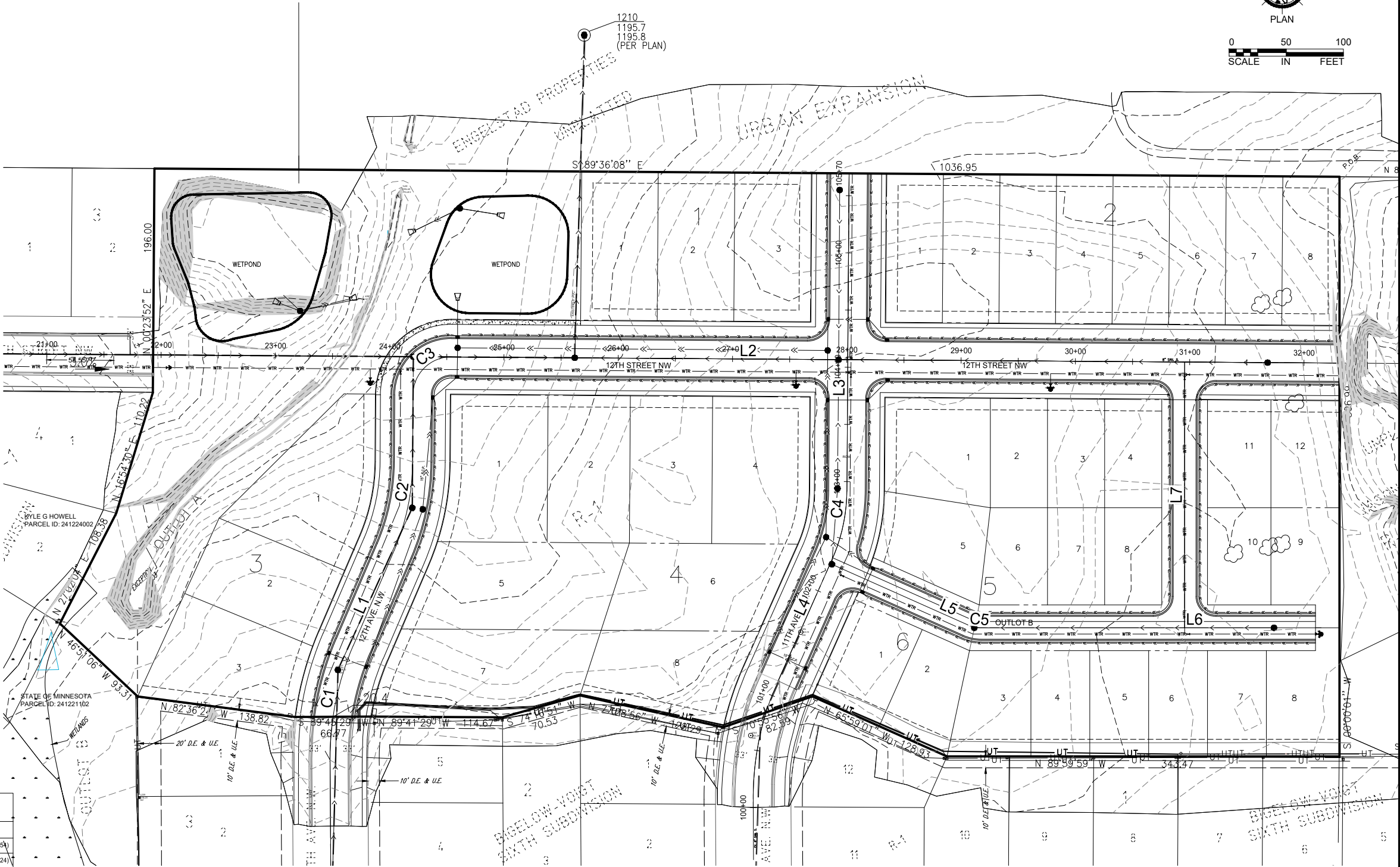
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DWG. FILE:  
REVISION DATE:

SHEET 2 OF 11

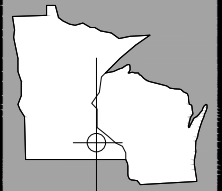
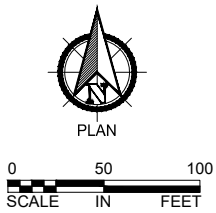
11/20/2019 10:54:14 AM





Line Table: Alignments				
Line #	Length	Direction	Start Point	End Point
L3	114.98	N0° 23' 52.30"E	(540800.81,175032.57)	(540801.60,175147.54)
L4	129.02	N23° 53' 02.60"E	(540735.80,174855.27)	(540788.04,174973.24)
L5	131.62	S65° 59' 01.74"E	(540786.26,174969.24)	(540906.48,174915.67)
L6	297.16	S89° 59' 59.32"E	(540918.69,174913.07)	(541215.85,174913.07)
L7	232.42	N0° 00' 00.68"E	(541096.35,174913.07)	(541096.35,175145.50)
L1	90.65	N23° 13' 15.23"E	(540368.89,174897.25)	(540404.63,174980.56)
L2	779.29	S89° 36' 06.62"E	(540454.97,175149.95)	(541234.24,175144.53)

Curve Table: Alignments					
Curve #	Radius	Length	Chord Direction	Start Point	End Point
C4	149.08	61.11	N12° 08' 27.45"E	(540788.04,174973.24)	(540800.81,175032.57)
C5	30.00	12.57	S77° 59' 30.53"E	(540906.48,174915.67)	(540918.69,174913.07)
C1	250.00	102.73	N11° 26' 55.25"E	(540348.64,174797.27)	(540368.89,174897.25)
C2	200.00	79.67	N11° 48' 33.77"E	(540404.63,174980.56)	(540420.83,175058.03)
C3	33.50	52.62	N45° 23' 52.30"E	(540421.23,175116.68)	(540454.97,175149.95)



**MASSEY**  
LAND SURVEYING  
& ENGINEERING

P.O. BOX 100  
KASSON, MN 55944  
PH. NO. 507-634-4505

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

*Les Conway*  
Les Conway

23292 11/20/19  
Number Date

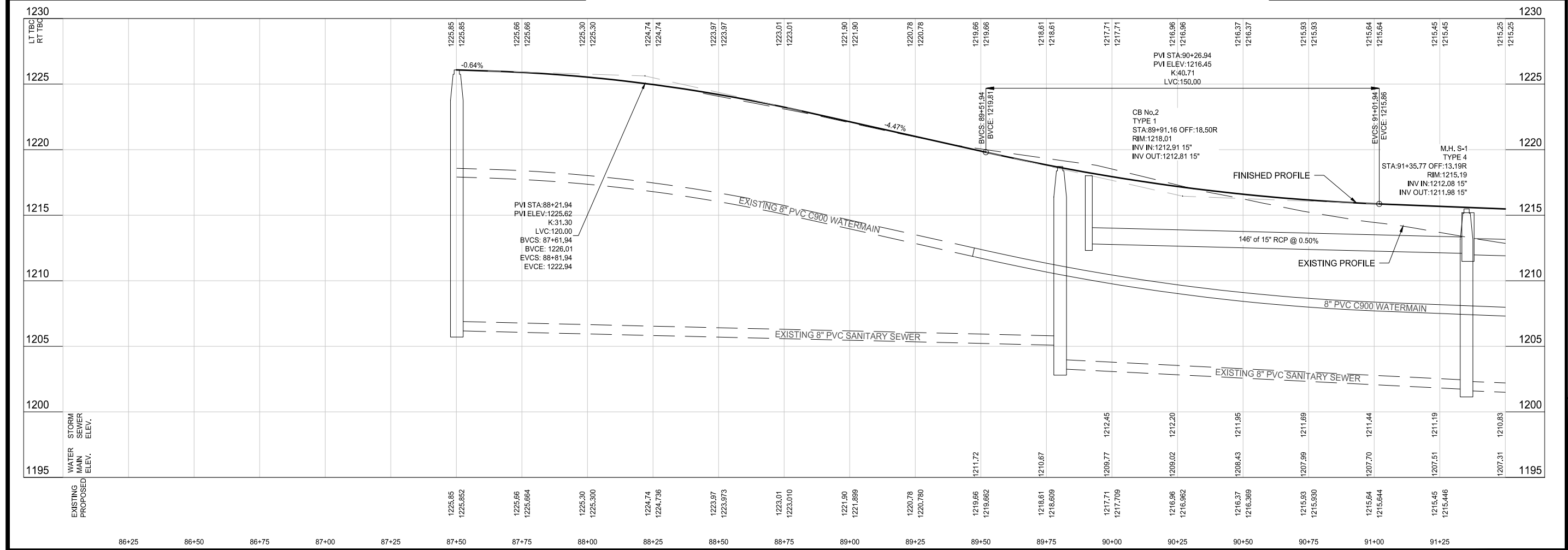


**BIGELOW VOIGT EIGHTH  
KASSON, MINNESOTA**

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JOB NUMBER: 023.2-19001  
DWG. FILE:  
REVISION DATE:





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3292	11/20/19
Number	Date

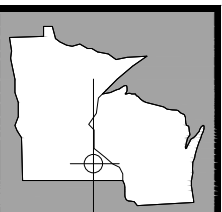
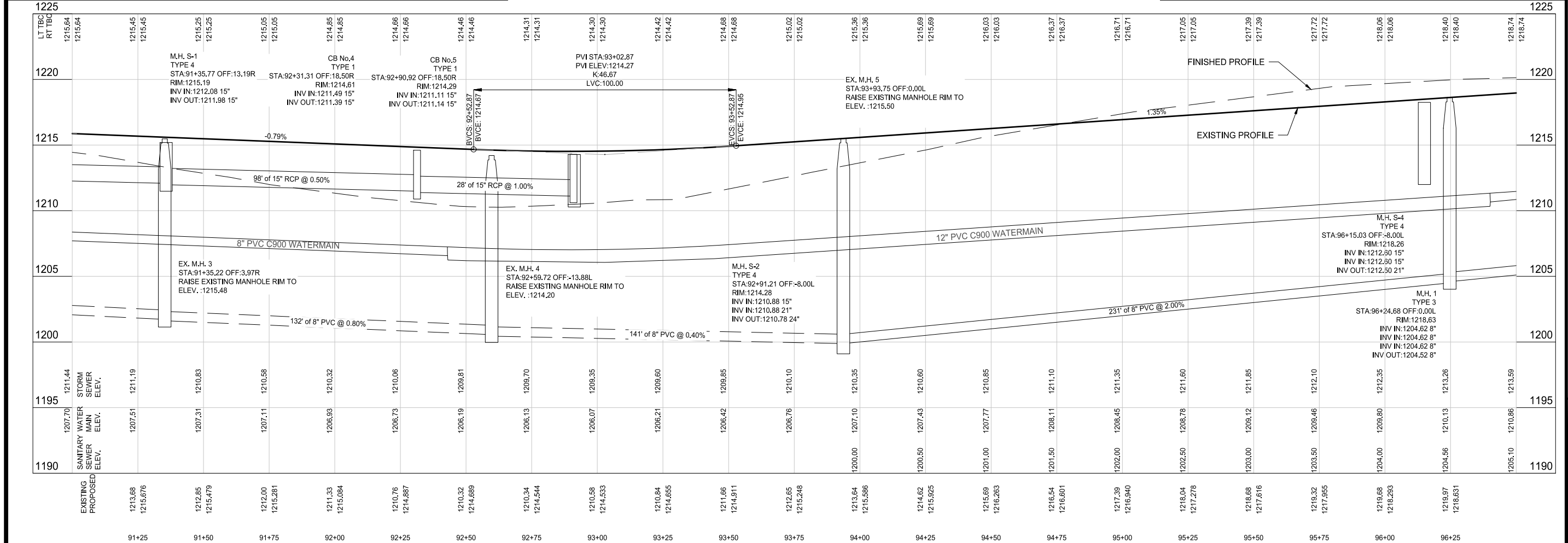


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KASSON, MINNESOTA**

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EXCLUSIVE USE OF:

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DATE: \_\_\_\_\_ 11/20/2019  
DRAWN BY: \_\_\_\_\_ T.A.C.  
JOB NUMBER: \_\_\_\_\_ 023.2-19001  
PWG. FILE: \_\_\_\_\_  
REVISION DATE: \_\_\_\_\_





**MASSEY**  
LAND SURVEYING  
& ENGINEERING

P.O. BOX 100  
KASSON, MN 55944  
PH. NO. 507-634-4505

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

Les Conway  
Les Conway

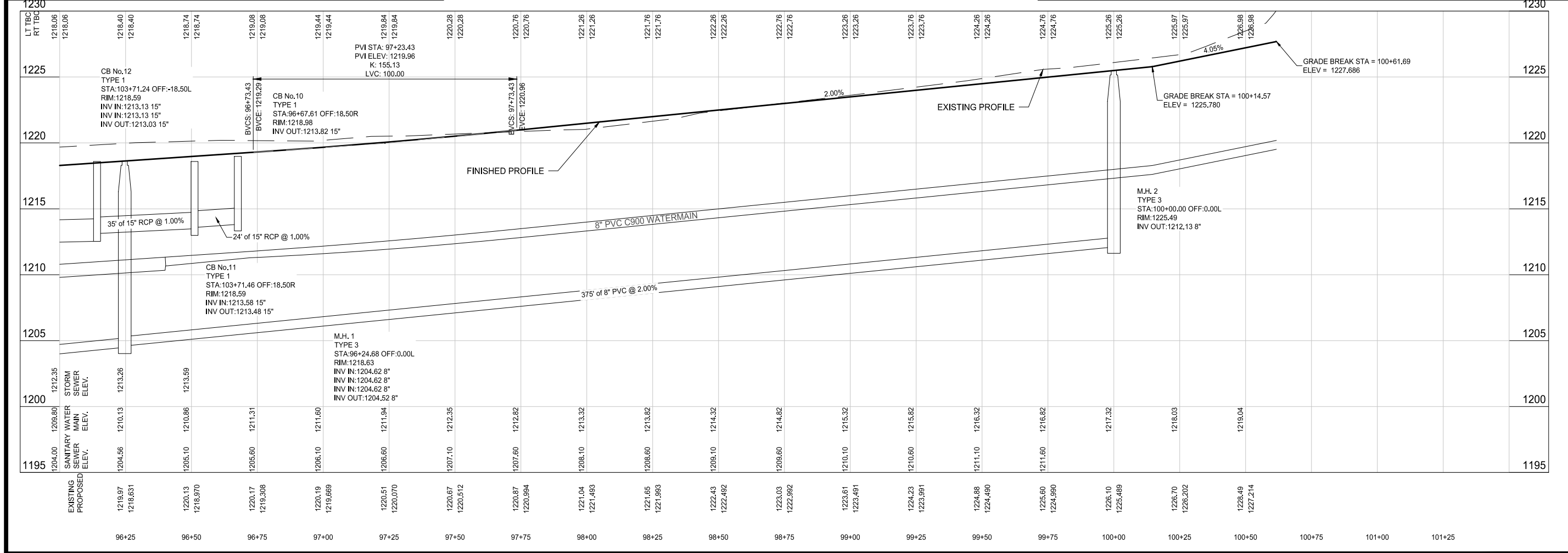
23292	11/20/19
Number	Date



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KASSON, MINNESOTA**

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DATE: 11/20/2019  
DRAWN BY: T.A.C.  
JOB NUMBER: 023.2-19001  
DWG. FILE: \_\_\_\_\_  
REVISION DATE: \_\_\_\_\_



P.O. BOX 100  
KASSON, MN 55944  
PH. NO. 507-634-450

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Les Conway

23292	11/20/19
Number	Date



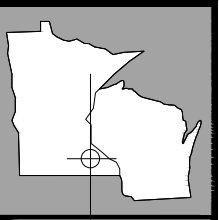
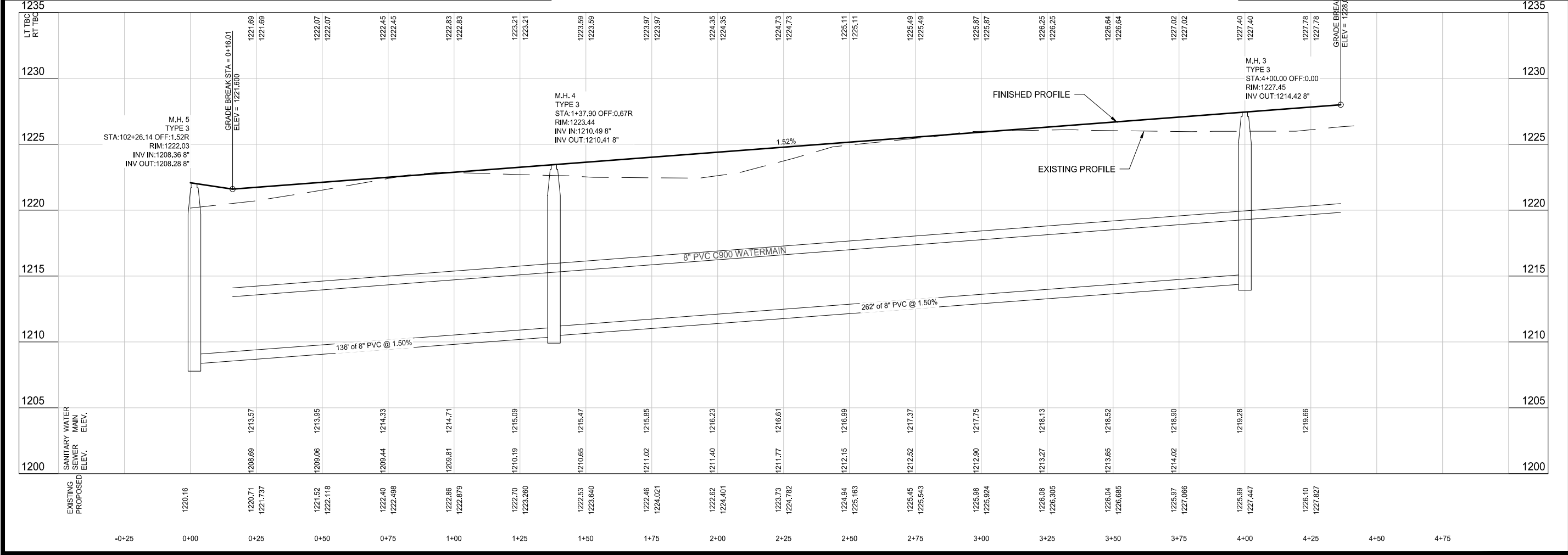
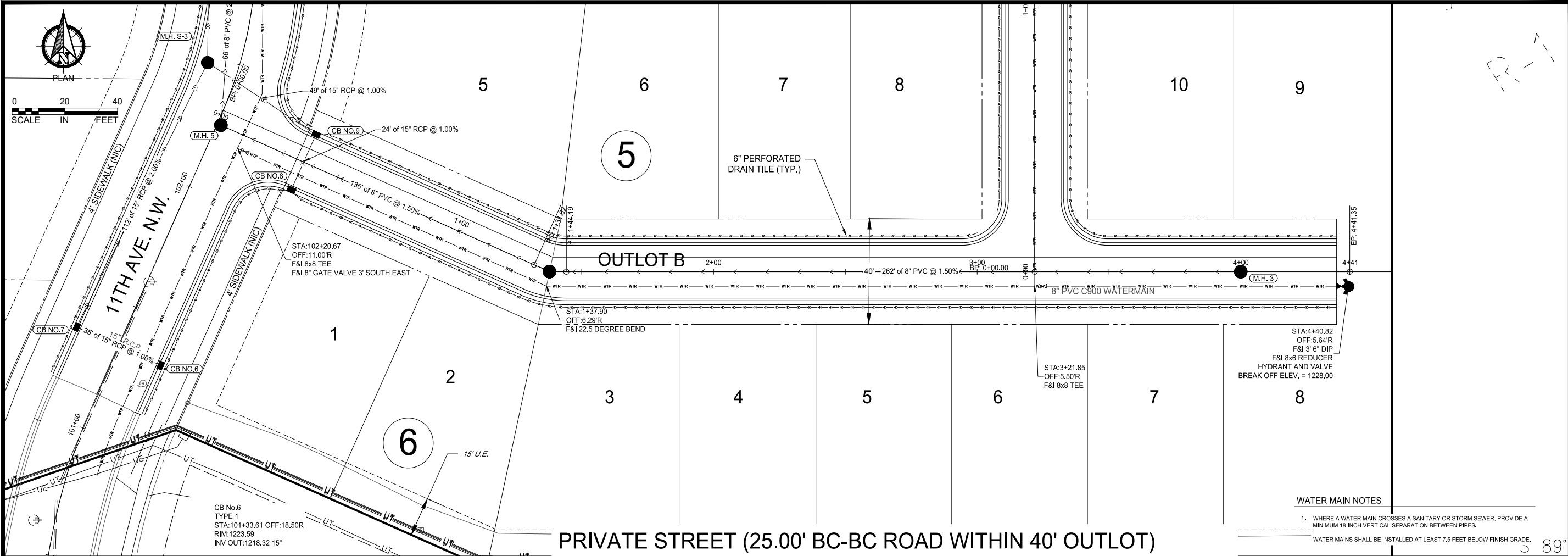
**BIGELOW VOIGT EIGHTH  
KASSON, MINNESOTA**

THIS SURVEY AND DRAWING  
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DATE: \_\_\_\_\_ 11/20/2019  
DRAWN BY: \_\_\_\_\_ T.A.C.  
JOB NUMBER: \_\_\_\_\_ 023.2-19001  
DWG. FILE: \_\_\_\_\_  
REVISION DATE: \_\_\_\_\_

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**MASSEY**  
LAND SURVEYING  
& ENGINEERING

P.O. BOX 100  
KASSON, MN 55944  
PH. NO. 507-634-4505

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

*Les Conway*  
Les Conway

23292 11/20/19  
Number Date

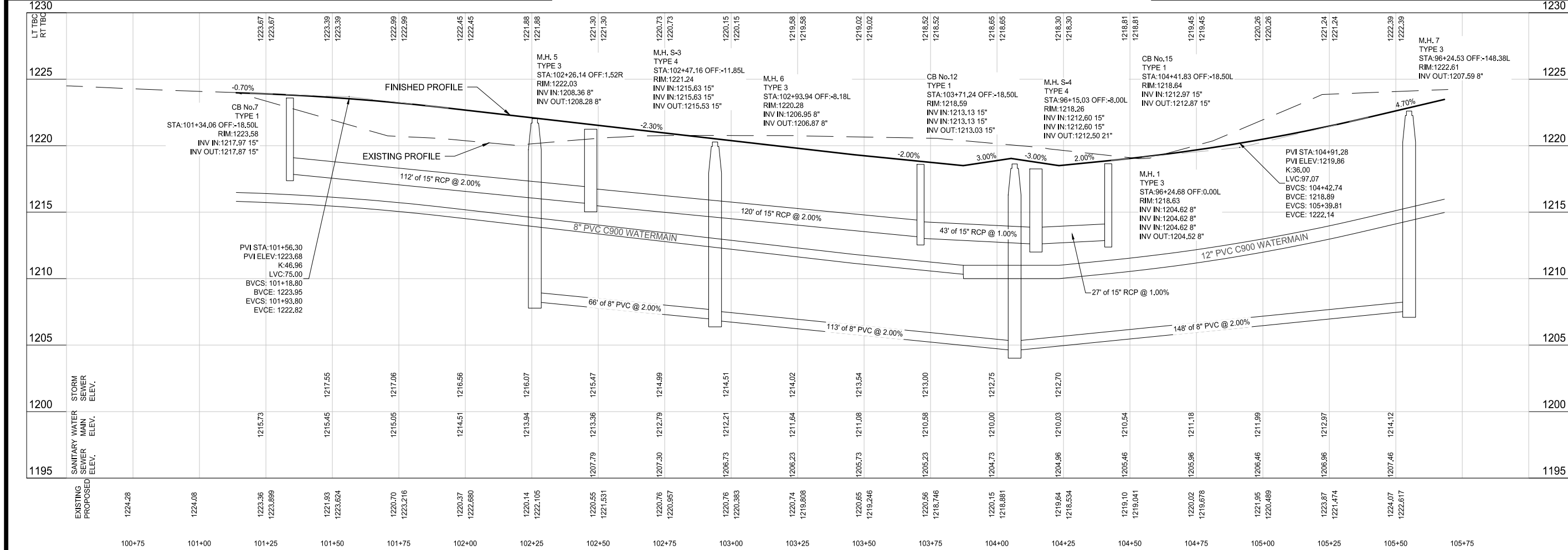


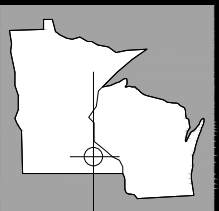
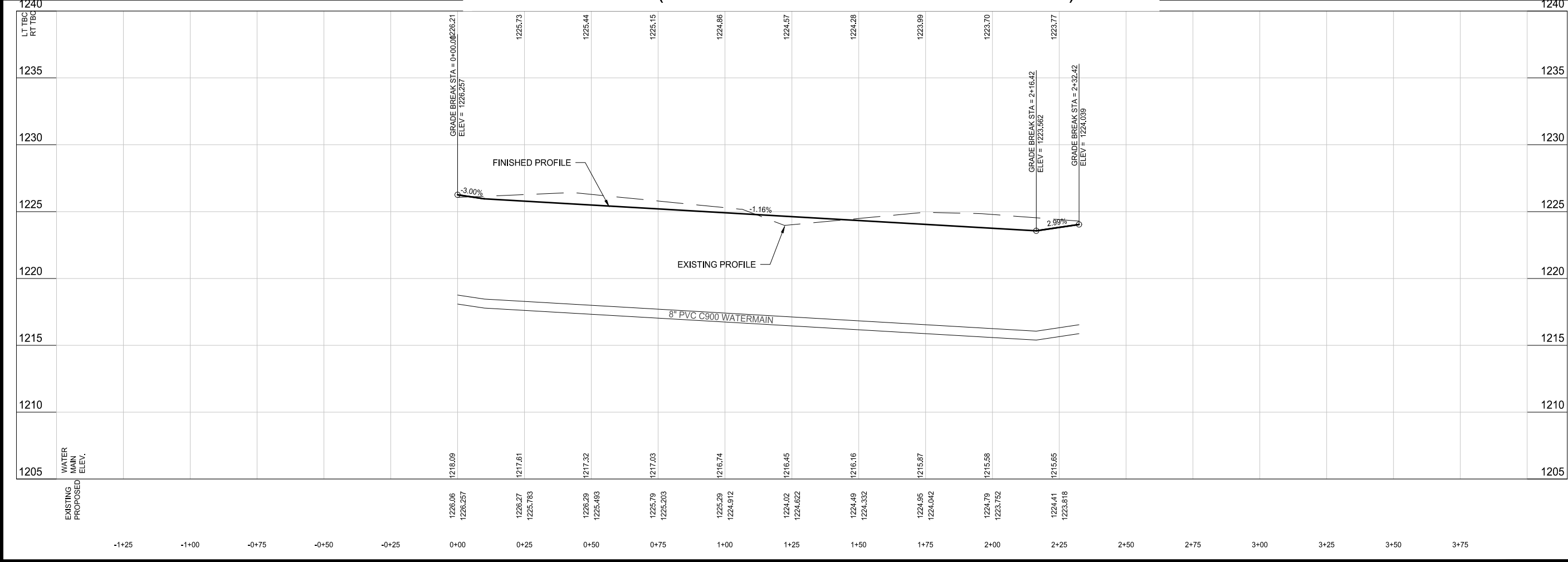
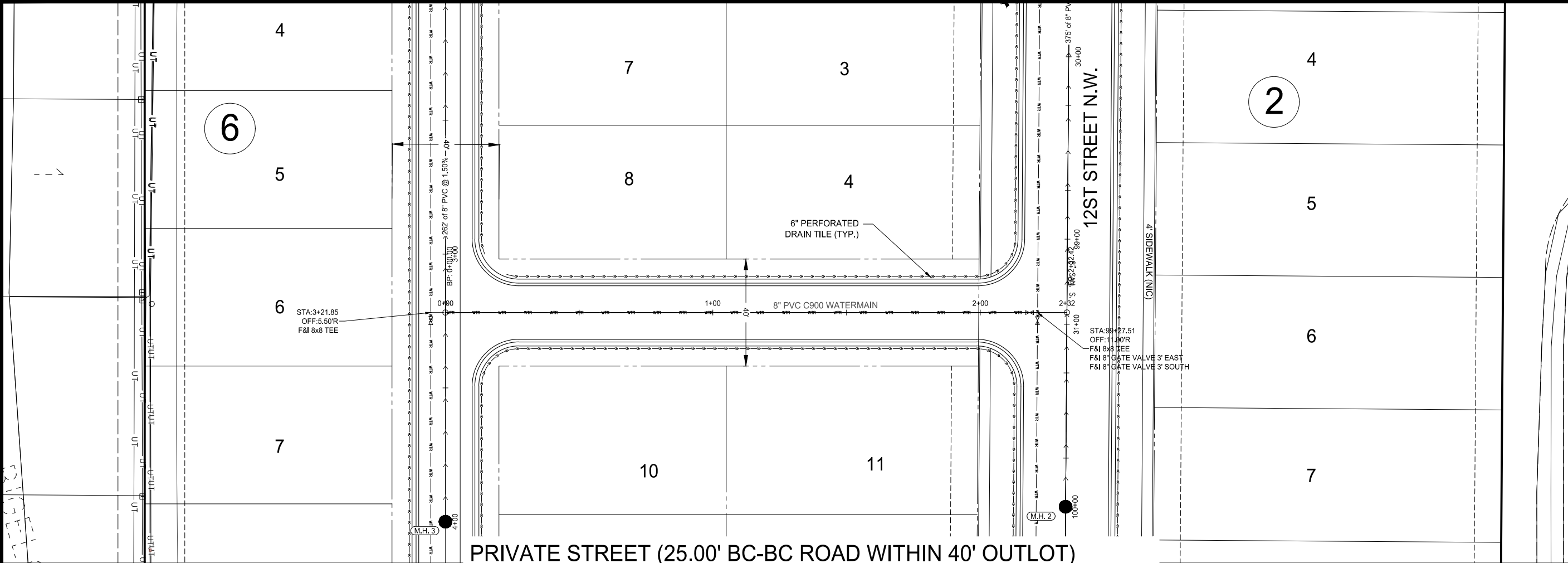
BIGELOW VOIGT EIGHTH  
KASSON, MINNESOTA

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SHEET 8 OF 11





**MASSEY**  
LAND SURVEYING  
& ENGINEERING

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*Les Conway*  
Les Conway

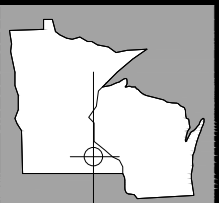
23292 11/20/19  
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KASSON, MINNESOTA

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23292	11/20/19
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REVISION DATE: \_\_\_\_\_



**Admin/Zoning Administrator**

- 1) As per the Comprehensive Plan, 12<sup>th</sup> St is a planned roadway connecting the west side of Kasson to the east/park (See Attachment A). This was also reflected in the original GDP.
- 2) As per the Comprehensive Plan, parkland/trails follow 12<sup>th</sup> St NW, connecting the west side of Kasson to the east/park (See Attachments B & C).
- 3) This is an application for a Conditional Use Permit. Based on what is proposed, a planned unit development is also required.
- 4) Collect trail fees for future trail; costs to be included in development agreement. .
- 5) Developer engineering fees to be included in development agreement.
- 6) Require sidewalks in the development and in the PUD
- 7) Final plat to include Storm water information for NPDES and rate control.
- 8) Easement access to ponds.
- 9) Turnarounds resolved on 12<sup>th</sup> and on the street in Outlot B.

**Additional Comments:**

- 1) Building permits may be issued when streets are certified by City Engineer being capable of supporting construction vehicles.
- 2) Association documents to the City that establishes community ownership of common areas, accepts responsibility for the maintenance of those areas, commits the Association to professional management and establishes an adequate funding mechanism for that maintenance. Any change in association management must be approved by the Planning commission.
- 3) A Capital Maintenance account of appropriate size will be placed on deposit and that an annual fund account of this fund will be furnished to the city. Prior to January 1<sup>st</sup> of each year.
- 4) Waiver agreement to be signed by each property owner at the time of applying for a building permit or transferring utility billing, detailing the City's lack of maintenance responsibility.
- 5) Supply As-built documents to the city for all existing and future streets and utility connections.
- 6) City agrees to flush city hydrants, but only in order to maintain the integrity of the water product. The flushing is not intended to serve as maintenance of the water mains.
- 7) Agrees to notify City Public Works, on an emergency basis, in the event of future water main repair or maintenance.
- 8) All service lines will be installed as per city specifications.

**FINANCE**

Development agreement  
WAC/SAC/Parkland fees  
Access easements, and all recorded  
Verify electric utility provider  
Wells sealed as necessary  
Wetland issues  
Parkway  
Trails

**ELECTRIC**

The electric dept. will review the final plat and make recommendations at that time. Currently

**ZONING CLERK**

12<sup>th</sup> St to go through wider streets on 11<sup>th</sup> St and the n/s road to avoid a PUD  
Turnarounds at the end of 11th and 12<sup>th</sup> Sts and 11<sup>th</sup> Av

**PUBLIC WORKS DIRECTOR**

See Engineer comments

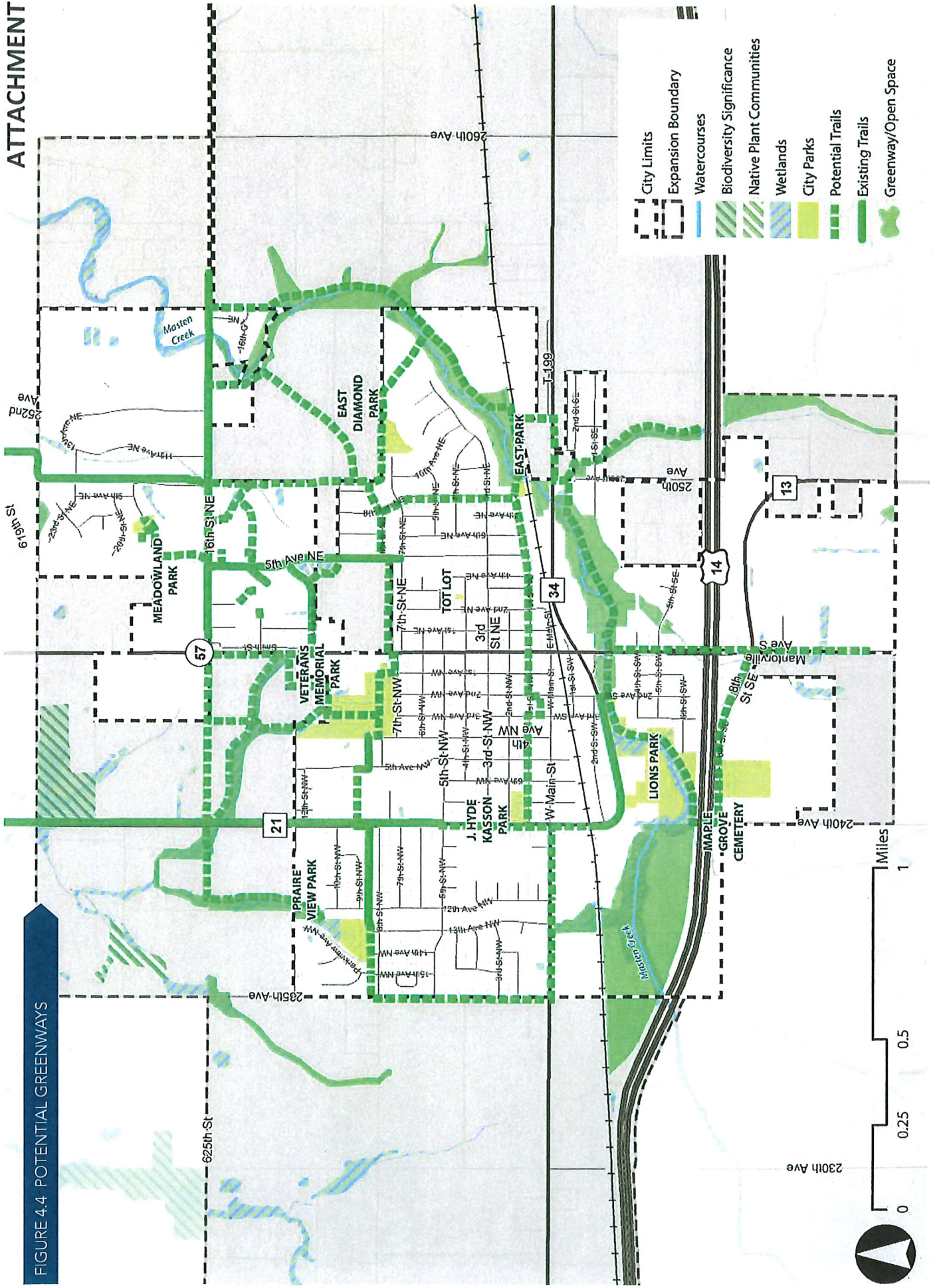


# ATTACHMENT A





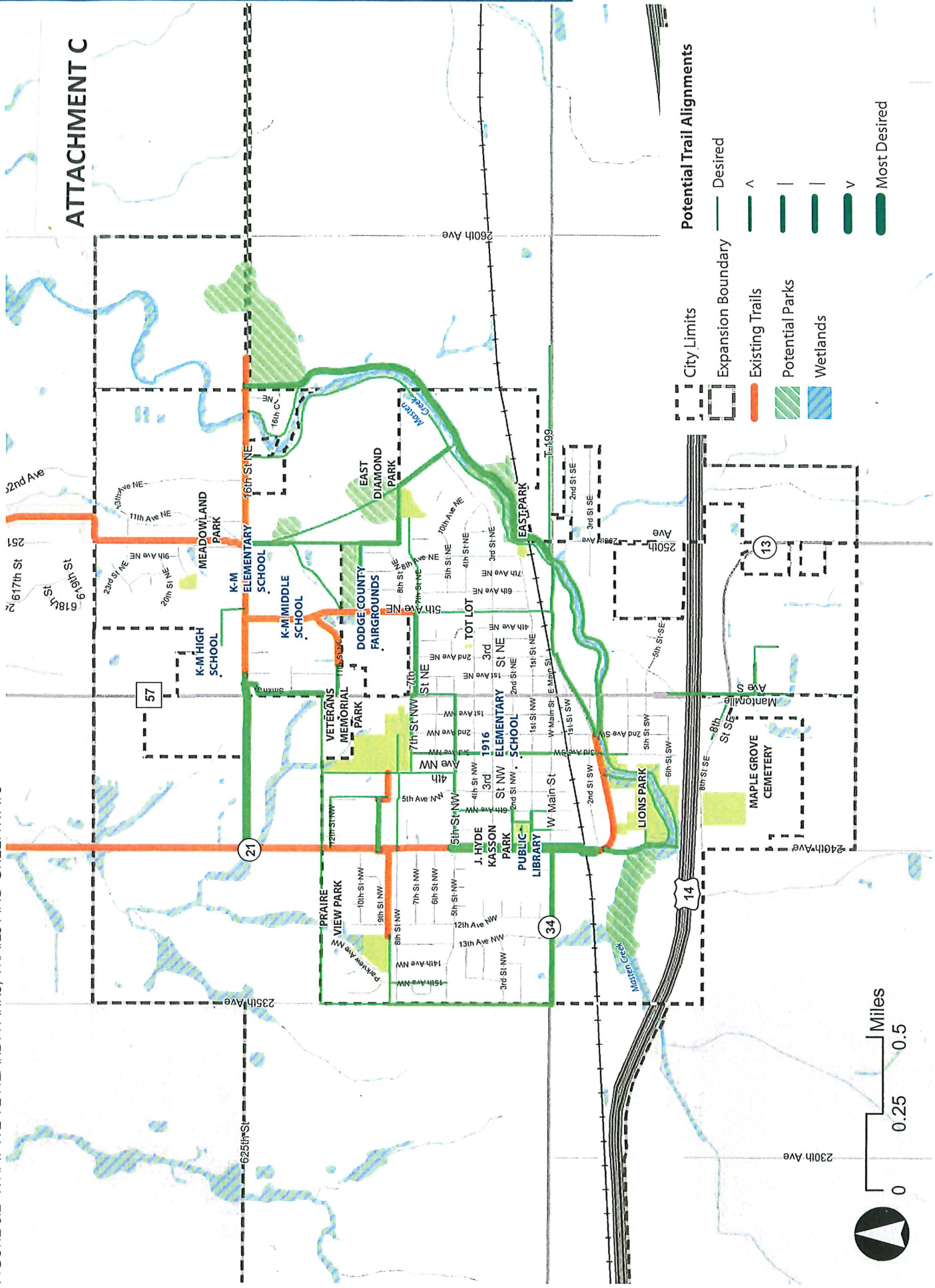
FIGURE 4.4 POTENTIAL GREENWAYS





## ATTACHMENT C

FIGURE 6.2 WHAT WE'VE HEARD: PARKS, TRAILS AND GREENWAYS



2905 South Broadway  
Rochester, MN 55904-5515  
Phone: 507.288.3923  
Fax: 507.288.2675  
Email: rochester@whks.com  
Website: www.whks.com



December 4, 2019

Ms. Nancy Zaworski  
Interim City Administrator  
City of Kasson  
401 5th St. SE  
Kasson, MN 55944

RE: Kasson, MN  
Bigelow Voigt Eighth  
**Review of General Development Plan, Preliminary  
Plat, Preliminary Construction Plans and Conditional Use Permit Exhibit**

Dear Nancy:

We have reviewed the general development plan, preliminary plat, preliminary construction plans and conditional use permit exhibit as submitted for the referenced project, as requested. We offer the following comments on the submitted plans in addition to the comments on the attached plans.

#### General Comments

1. The subject property to be platted is Zoned R-1.
2. Figure 4.4 Potential Greenways and figure 6.1 Potential Parks, Trails and Greenways of the City of Kasson Comprehensive Plan both depict a potential greenway/open space and a trail along existing drainage way.
3. The applicant is proposing single family detached and single family attached (zero lot line) uses. The single family attached (zero lot line) use is a conditional use and requires a conditional use permit.
4. A Planned Unit Development is required due to the proposed Private streets.
5. The subject property is located within Flood Zone C (areas of minimal flood hazard).
6. Any existing wetlands shall be delineated and depicted on the final plat and construction plan set.
7. We recommend that the construction costs for the future trail along the stream be included in the development agreement. The future trail will be constructed by the City at a later date.
8. Additional comments may follow upon review of the final construction plan set, final plat and drainage plans and report.

### General Development Plan

1. We recommend that the developer extend 12<sup>th</sup> Street NW from the dead end east of the intersection of Park View Avenue NW, east across the stream to the intersection of 12<sup>th</sup> Street NW and 12<sup>th</sup> Avenue NW, per the previously approved general development plan. 12<sup>th</sup> Avenue NW serves as a local collector.
2. Lots fronting more than one street shall maintain a yard on those streets conforming to the requirements for front yard setbacks; side yard setbacks shall be maintained from the remaining lot line, except when a lot line is adjacent to an alley from which a rear yard setback shall be maintained. A 20 foot front yard setback is required along the easterly side of Lot 1, Block 3. The resulting building envelope width would be 40.5 feet. The developer shall verify that the proposed dwelling footprint will fit within the building envelope.
3. The name and address of the developer shall be provided on the plan.
4. The adjacent existing road names shall be labeled on the plan
5. Unneeded items such as the survey points, slope labels, private utilities, text, property corners and stationing shall be removed for clarity.
6. The proposed lots shall be appropriately labeled on the plan.
7. The area proposed for the single family attached dwelling use shall be clearly depicted and labeled accordingly on the plan.
8. Extend 12<sup>th</sup> Street NW east to C.S.A.H. 21 and label as future from the easterly boundary line of the subject property to C.S.A.H. 21.

### Preliminary Plat

1. Any covenants or deed restrictions shall be provided with the final plat submittal.
2. A maintenance agreement for the maintenance of the Private Streets shall be provided with the final plat submittal.
3. Lot widths at the building line shall be provided in the final construction plans.
4. Ten foot utility easements shall be provided along the street frontage for the Private Streets.
5. Existing adjoining water, sewer and storm shall be depicted, and the sizes shall be clearly labeled.
6. The existing road and subdivision names are cutoff. All existing adjoining road names, owners of adjoining unplatted parcels and adjoining subdivision names shall be clearly depicted on the plat.

7. The existing ten foot U.E. along the easterly boundary line of Bigelow Voigt 7 shall be added to the plat.
8. The 2003 wetland exception area shall be depicted on the plat.
9. A temporary turnaround shall be provided at the end of 12<sup>th</sup> Street NW.
10. The 100 year design storm shall be contained within Outlot "A" or within a drainage easement.
11. The water service for Wilker runs across the project area. The Developer shall provide an adequate water service for Wilker as part of the project.

#### Preliminary Construction Plans

1. A hydrant shall be provided at each intersection. Hydrant locations and spacing shall also accommodate the existing portions of 12<sup>th</sup> Avenue NE and 11<sup>th</sup> Avenue NW to their intersections with 10<sup>th</sup> Street NW to ensure proper hydrant spacing and coverage. Hydrant locations and spacing shall be reviewed by the City Fire Chief.
2. A blow off hydrant shall be provided at every watermain dead end.
3. The wet ponds shall be sized to provide rate control for the 2 year, 10 year and 100 year Atlas 14 design storms for the post development condition to equal or less than pre development conditions for the tributary portions of Bigelow Voigt 7<sup>th</sup> and Bigelow Voigt 8<sup>th</sup>. The wet ponds shall also be designed to comply with NPDES permit requirements.
4. The existing 5' U.E. along the easterly boundary line of Bigelow Voigt 7<sup>th</sup> shall be depicted on the grading plan.
5. Removed hydrants shall be salvaged to the City.
6. All sidewalks shall be 5 feet wide.
7. The pipe crowns for differing storm sewer pipes sizes shall be aligned at manhole junctions.
8. Turning movements shall be provided in the final construction plan set for the Private Streets to illustrate accessibility for emergency vehicles and approved by the Fire Chief.
9. On street parking along the Private Streets shall be prohibited due to the proposed 20 foot width.
10. Additional comments are provided on the attached preliminary construction plans.

Conditional Use Permit Exhibit

1. Lots fronting more than one street shall maintain a yard on those streets conforming to the requirements for front yard setbacks; side yard setbacks shall be maintained from the remaining lot line, except when a lot line is adjacent to an alley from which a rear yard setback shall be maintained. The required building set back lines are not depicted for the single family attached dwellings. It appears that Lot 1, Block 2 violates the required 20 foot front yard setback along 12<sup>th</sup> Avenue NW, Lots 4 and 8, Block 5 violates the required 20 foot front yard setback along the Private Street and Lots 10 and 11, Block 6 may violate the required 20 foot front yard setback along the Private Street. The lot layout for the single family attached dwellings shall be revised to comply with the setback requirements and the setbacks shall be depicted to illustrate compliance. A Planned Unit Development could allow for flexibility with the required setbacks.
2. We recommend that a five foot wide ADA compliant side walk be provided along the Private Streets.

We do not recommend approval of the submitted General Development Plan and Preliminary Plat due to the required Planned Unit Development for the Private Roads. A revised General Development Plan and Preliminary Plat shall be submitted for review.

Please contact us if you have any questions.

Sincerely,

**WHKS** & co.

Brandon W. Theobald, P.E.

BWT/bwt

Cc: Charlie Bradford, Public Works Director  
Linda Rappe, City Clerk  
Melanie Leth, City Attorney  
Laura Chamberlain, HKG inc., Consulting Planner  
Rich Massey, WSE & Massey Land Surveying and Engineering  
Les Conway, WSE & Massey Land Surveying and Engineering  
Tony Bigelow, Developer



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# PUBLIC IMPROVEMENTS TO SERVE BIGELOW VOIGT EIGHTH

Kasson, MN

Issue Date - 11/20/2019 Preliminary Plat Submittal

LEGAL DESCRIPTION:

DESCRIPTION OF RECORD (DOC. #A-226301)

That part of the South One-Half of the Southeast Quarter of Section 29, Township 107 North, Range 16 West, Dodge County, Minnesota, described as follows:

Commencing at the northeast corner of the South One-Half of said Southeast Quarter; thence North 89 degrees 36 minutes 08 seconds West (NOTE: All bearings are in relationship with the Dodge County Coordinate System NAD '83, Adjusted 1996) along the North line of said South One-Half of the Southeast Quarter, 410.00 feet to the POINT OF BEGINNING; thence South 00 degrees 00 minutes 01 seconds West, parallel with the East line of said Southeast Quarter, 506.99 feet to the North line of BIGELOW-VOIGT SIXTH SUBDIVISION; thence North 89 degrees 59 minutes 59 seconds West, (NOTE: the next 8 courses are along the North line of said BIGELOW-VOIGT SIXTH SUBDIVISION), 343.46 feet; thence North 65 degrees 59 minutes 01 seconds West, 128.93 feet; thence South 70 degrees 55 minutes 56 seconds West, 82.59 feet; thence North 77 degrees 28 minutes 56 seconds West, 128.29 feet; thence South 74 degrees 16 minutes 51 seconds West, 70.53 feet; thence North 89 degrees 41 minutes 29 seconds West, 114.67 feet; thence South 89 degrees 45 minutes 29 seconds West, 66.77 feet; thence North 82 degrees 36 minutes 24 seconds West, 138.82 feet to the Northwest corner of said subdivision and to the Northeast corner of Outlot B, BIGELOW-VOIGT SEVENTH SUBDIVISION; thence North 46 degrees 51 minutes 06 seconds West, along the Northerly line of said Outlot B, 93.31 feet to the Easterly line of Block 4, said BIGELOW-VOIGT SEVENTH SUBDIVISION; thence North 27 degrees 02 minutes 04 seconds East, along said Easterly line, 108.38 feet; thence North 16 degrees 54 minutes 30 seconds East, along the East line of said subdivision, 196.00 feet to the Northeast corner thereof and to the North line of said South One-Half of the Southeast Quarter, thence South 89 degrees 36 minutes 08 seconds East, along said North line, 1036.95 feet to the point of beginning.

Said Parcel contains 11.81 acres more or less.

Said parcel is subject to a 15.00 foot Utility Easement lying Northerly of and parallel with the Northerly line of Block 1, said BIGELOW-VOIGT SIXTH SUBDIVISION, and is subject to any other easements or encumbrances of record.

OWNER / DEVELOPER

Bigelow Voigt Dev, LLC  
4057 28th Street NW Suite 100  
Rochester, mn 55901  
PH. NO. 507-529-1161

CIVIL ENGINEERS / SURVEYORS

WSE & MASSEY LAND SURVEYING & ENGINEERING  
P.O. BOX 100  
KASSON, MN. 55944  
PH. NO. 507-634-4505



PROJECT LOCATION

DODGE COUNTY  
KASSON DISTRICT

UTILITY QUALITY LEVEL

The subsurface utility information in this plan is quality level D.  
This quality level was determined according to the guidelines of CUSCE 38-2, entitled "Standard Guidelines for the Collection and Depiction of Existing Subsurface Utility Data."

BENCHMARK ELEVATION = 1235.22  
TOP NUT HYDRANT AT THE NORTH SIDE OF 3RD  
STREET N.E. & 12 AVENUE N.E.

LEGEND	
—1245—	DENOTES PROPOSED CONTOUR ANNOTATION
x 46 84	DENOTES PROPOSED SPOT ELEVATION
→	DENOTES DRAINAGE DIRECTION
—SF—	DENOTES SILT FENCE OR BIOROLL PER 7-01SDP
⊙	DENOTES INLET PROTECTION PER 7-06SDP
▨	DENOTES PROPOSED EROSION MAT
▨	DENOTES PROPOSED BITUMINOUS
—	DENOTES EXISTING CONTOURS
—	DENOTES TREE LINE
—	DENOTES WATERMAIN PIPE
—	DENOTES STORM SEWER PIPE
—	DENOTES SANITARY PIPE

INDEX TO PLANS	
Sheet Title	Sht. No.
TITLE SHEET	1
TYPICAL SECTION	2
ALIGNMENT PLAN	3
UTILITY PROFILES	4-10
POND DETAIL	11

This plan contains 11 Total sheets

Approved By: \_\_\_\_\_  
City Engineer Date



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Les Conway

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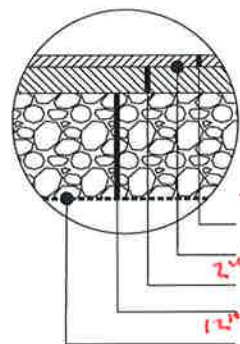
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Project Number 23.2-19001

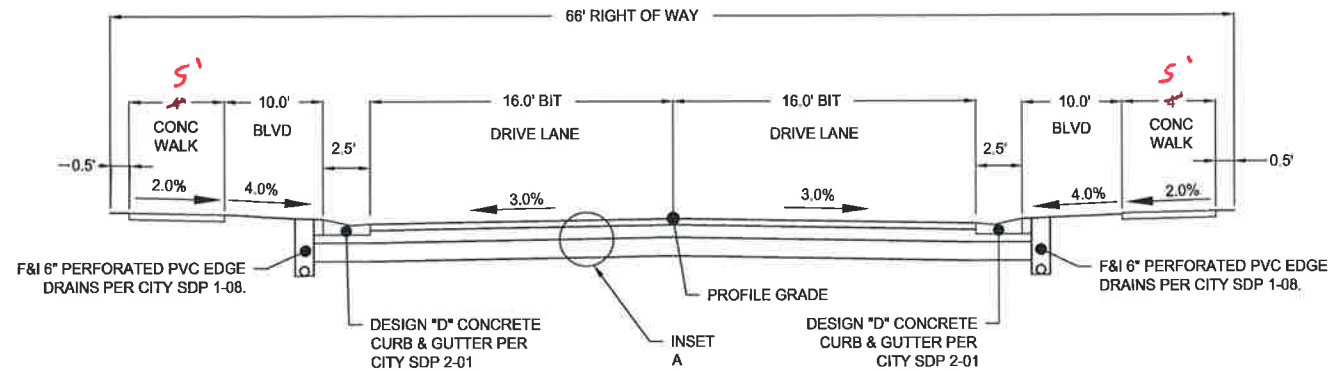
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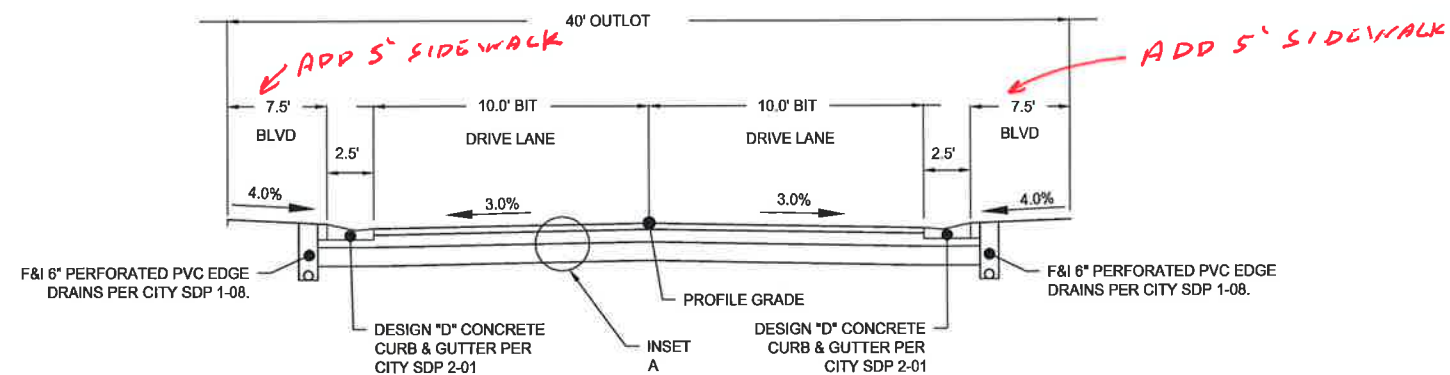


**INSET A**  
BITUMINOUS ROAD SECTION

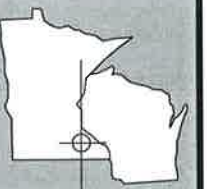
- 1.5" BITUMINOUS WEAR COURSE, MN DOT 2360
- 2357 BITUMINOUS TACK COAT
- 2.5" BITUMINOUS BASE COURSE, MN DOT 2360
- 12" MN DOT CLASS 5 AGGREGATE BASE
- MnDOT TYPE V GEOTEXTILE SEPARATION FABRIC



12th STREET N.W. & 11th AVENUE N.W.



PRIVATE STREET



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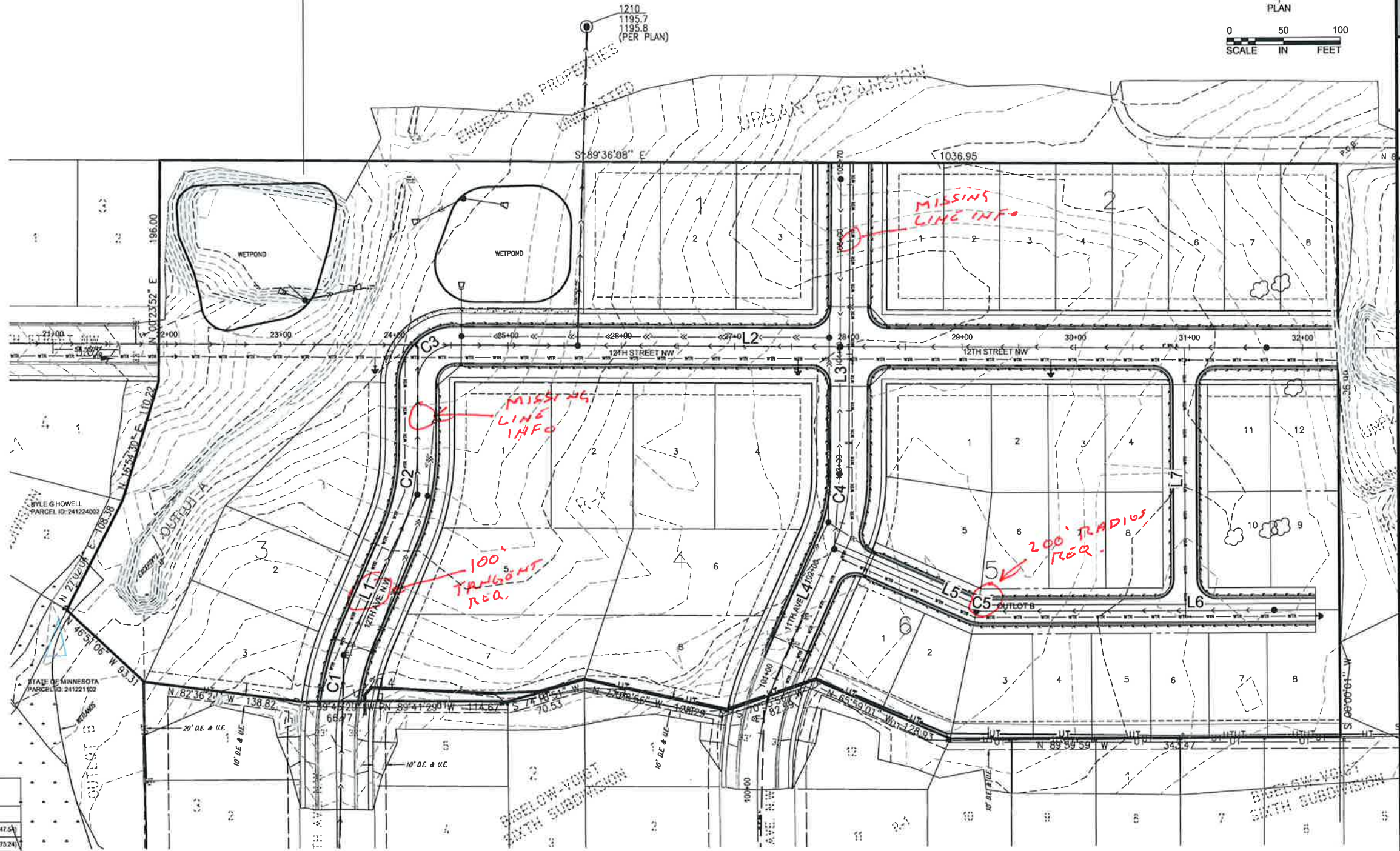
SHEET 2 OF 11

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Line Table: Alignments				
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L3	114.98	N0° 23' 52.30"E	(540800.81,175032.57)	(540801.60,175147.53)
L4	129.02	N23° 53' 02.60"E	(540735.80,174855.27)	(540786.04,174973.24)
L5	131.62	S85° 56' 01.74"E	(540786.26,174968.24)	(540906.48,174915.67)
L6	297.16	S89° 59' 59.32"E	(540918.68,174913.07)	(541215.65,174913.07)
L7	232.42	N0° 00' 00.00"E	(541096.35,174913.07)	(541096.35,175145.50)
L1	90.85	N23° 13' 15.23"E	(540368.89,174897.25)	(540404.63,174980.56)
L2	779.29	S88° 36' 06.62"E	(540454.97,175149.95)	(541234.24,175144.53)

Curve Table: Alignments					
Curve #	Radius	Length	Chord Direction	Start Point	End Point
C4	149.06	61.11	N12° 06' 27.45"E	(540786.04,174973.24)	(540800.81,175032.57)
C5	30.00	12.57	S77° 59' 30.53"E	(540906.48,174915.67)	(540918.69,174913.07)
C1	250.00	102.73	N11° 26' 55.25"E	(540348.64,174797.27)	(540368.89,174897.25)
C2	200.00	79.67	N11° 48' 33.77"E	(540404.63,174980.56)	(540420.83,175058.03)
C3	33.50	52.62	N45° 23' 52.30"E	(540421.23,175116.68)	(540454.97,175149.95)



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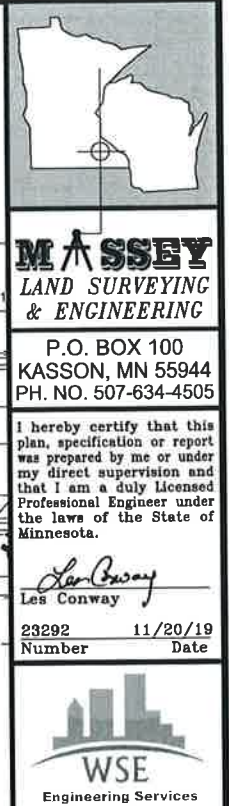
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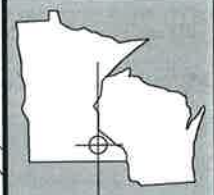
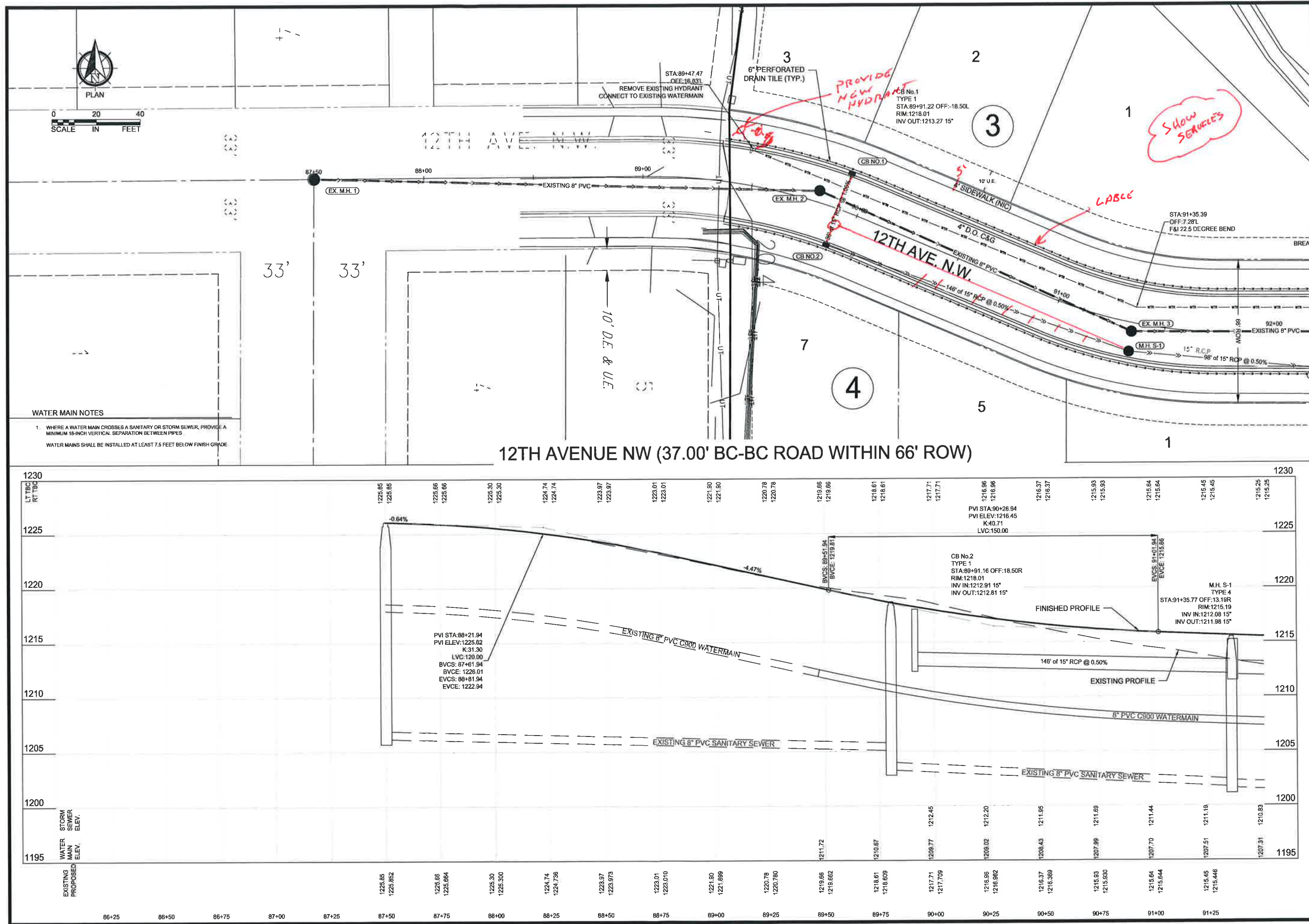


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**WSE**  
Engineering Services

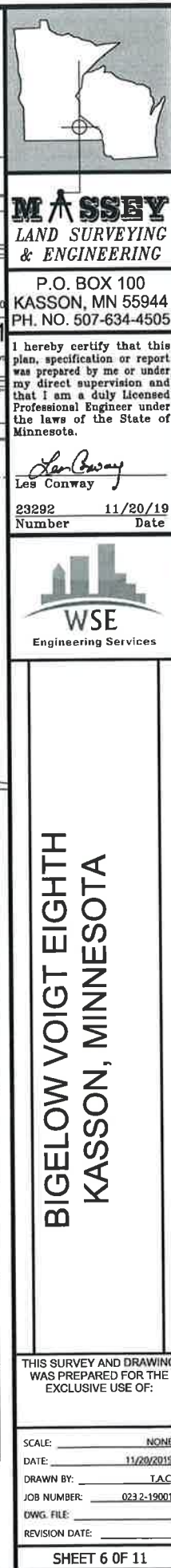
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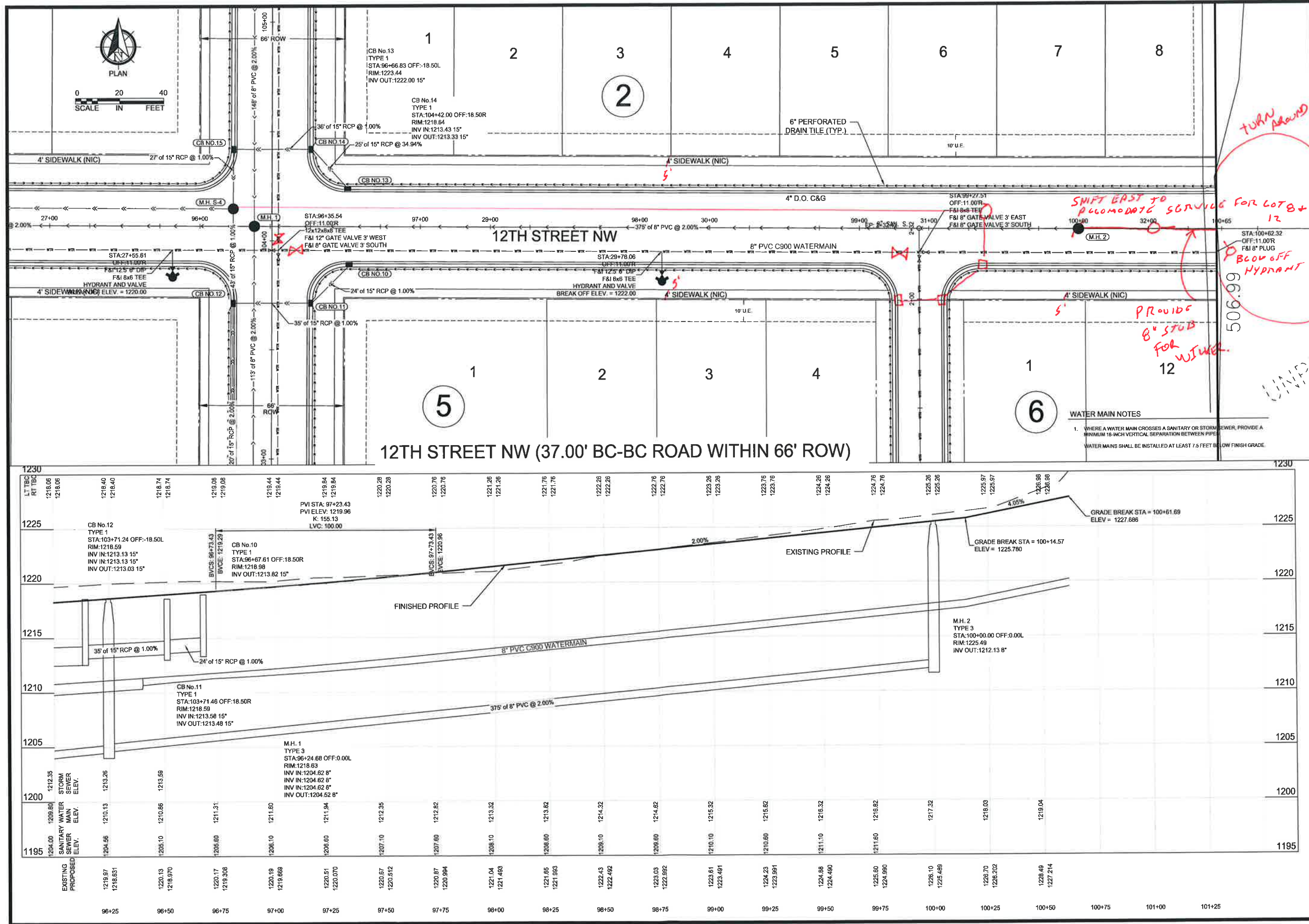






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PH. NO. 507-634-4505

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

*Les Conway*  
Les Conway  
23292 11/20/19  
Number Date



**BIGELOW VOIGT EIGHTH  
KASSON, MINNESOTA**

THIS SURVEY AND DRAWING WAS PREPARED FOR THE EXCLUSIVE USE OF:

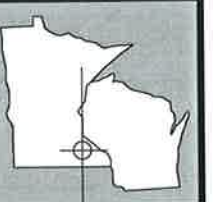
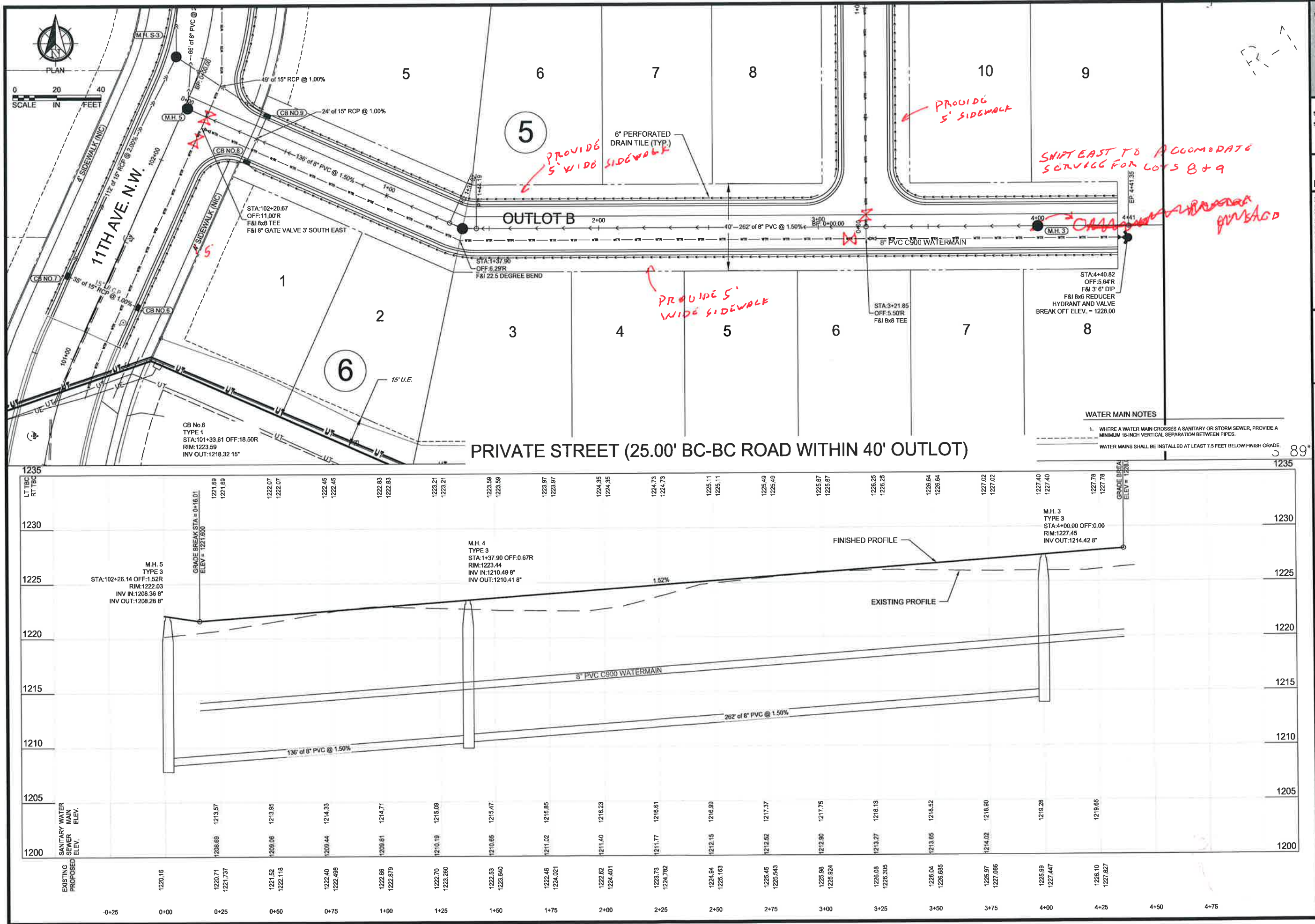
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DATE: 11/20/2019  
DRAWN BY: T.A.C.  
JOB NUMBER: 023.2-19001  
DWG. FILE:  
REVISION DATE:

SHEET 7 OF 11



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**M. Ssey**  
LAND SURVEYING  
& ENGINEERING

P.O. BOX 100  
KASSON, MN 55944  
PH. NO. 507-634-4505

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*Les Conway*  
Les Conway

23292 11/20/19  
Number Date



**WSE**  
Engineering Services

**BIGELOW VOIGT EIGHTH  
KASSON, MINNESOTA**

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DWG. FILE:  
REVISION DATE:

SHEET 8 OF 11

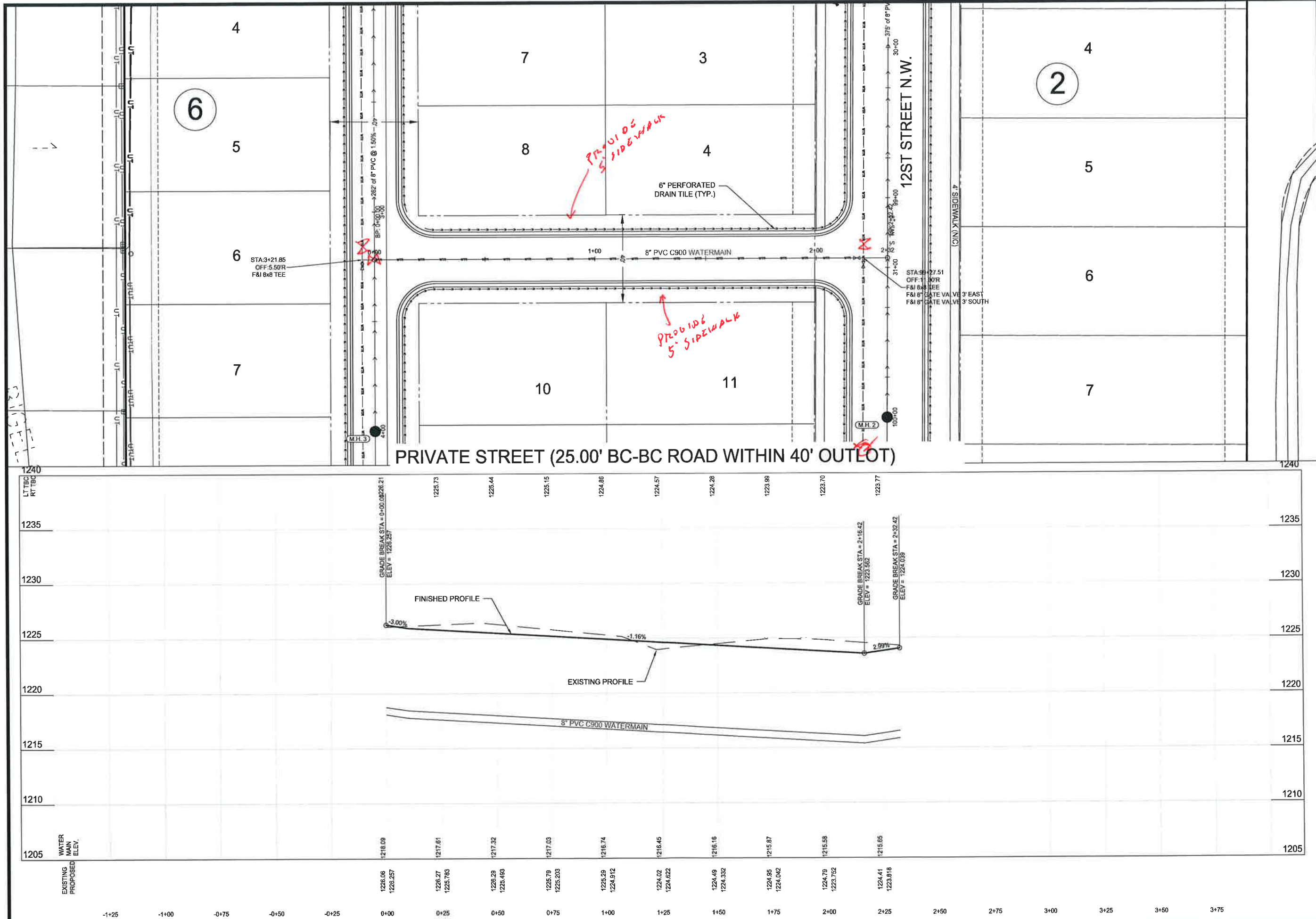






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**MASSEY**  
LAND SURVEYING  
& ENGINEERING

P.O. BOX 100  
KASSON, MN 55944  
PH. NO. 507-634-4505

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*Les Conway*  
Les Conway

23292 11/20/19  
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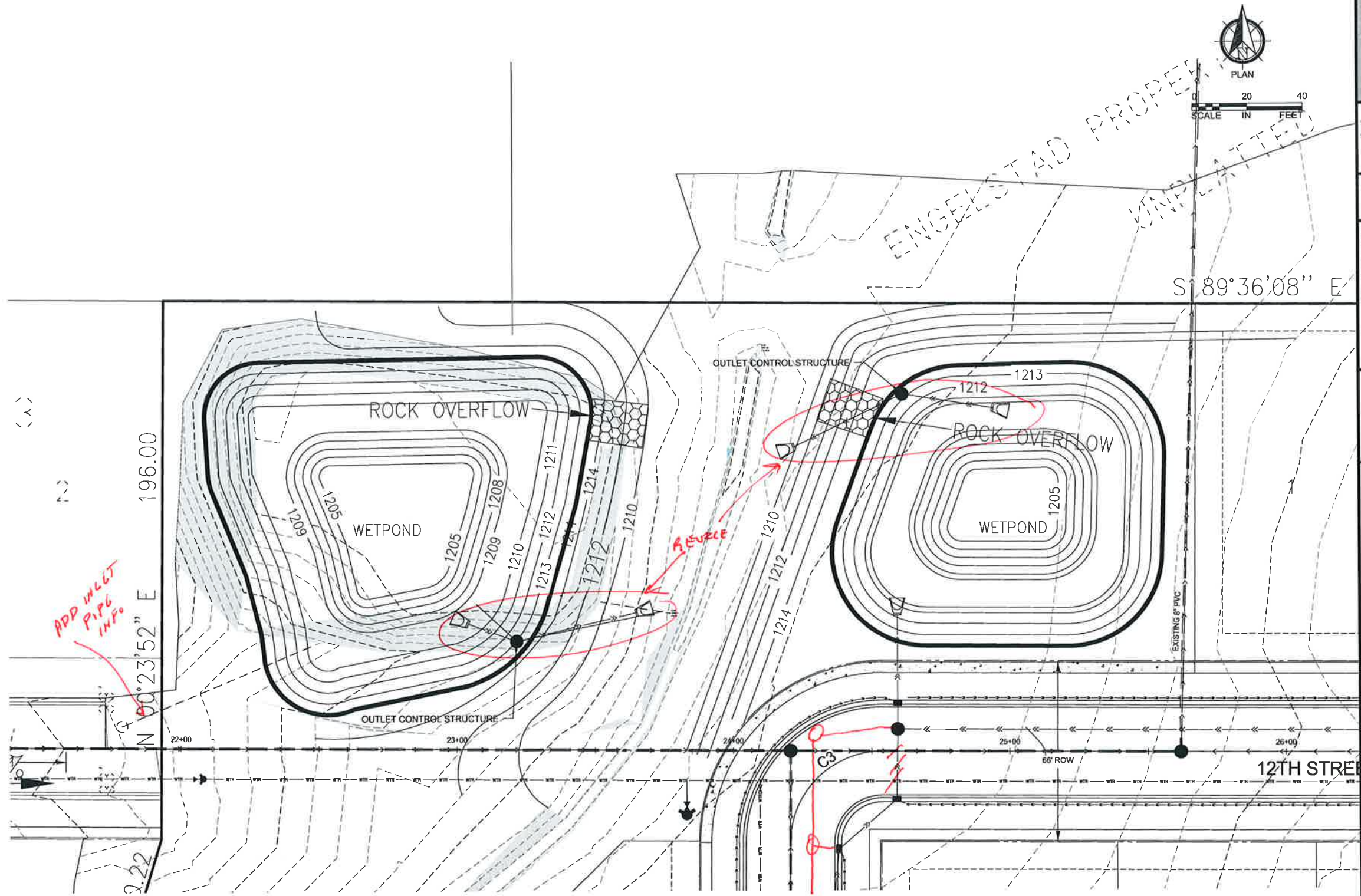


**BIGELOW VOIGT EIGHTH  
KASSON, MINNESOTA**

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DATE: 11/20/2019  
DRAWN BY: T.A.C.  
JOB NUMBER: 023.2-19001  
DWG. FILE:  
REVISION DATE:

SHEET 10 OF 11



**MASSEY**  
LAND SURVEYING  
& ENGINEERING

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Les Conway

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DWG. FILE:  
REVISION DATE:

SHEET 11 OF 11



## STAFF REPORT

**TO:** Planning and Zoning Commission  
**FROM:** Laura Chamberlain, Consulting Planner, HKGi  
**DATE:** January 9, 2020  
**SUBJECT:** Conditional Use Permit for a Nursery in the R-1 Zoning District  
**APPLICANT:** Jason Wilker  
**OWNER:** Jason Wilker  
**LOCATION:** 1103 8<sup>th</sup> Avenue NW ; PID No. 240290800  
**MEETING DATE:** January 13, 2020  
**COMPREHENSIVE PLAN:** MDR – Medium Density Residential  
**ZONING:** R-1 Single Family Residential District

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## OVERVIEW

The applicant, Jason Wilker, has applied for approval of a Conditional Use Permit (CUP) for a nursery in the R-1 Zoning District. The CUP will allow for the continuance of an existing non-conforming use on a parcel located on the northwest border of Kasson (see Figure 1).



## **BACKGROUND**

- The applicant has been running a nursery on the property since 2009. At that time, the applicant was leasing the property from then-owner Bigelow Voigt Land Development. The applicant purchased the property in June of 2010.
- In early 2010, the City informed the then-owner that the use of a nursery would require a CUP and to cease activity until a CUP was approved.
- In March 2010, the City approved a CUP for the “operation of a nursery and landscaping business on the property and in the existing structure” with the following conditions:
  - “That no additional commercial structures will be allowed on the property
  - That, at a minimum, 60% of the entire lot be planted and maintained in trees, shrubs, or other plants in a density certified as appropriate by the City Forester
  - That the applicant shall install and maintain a buffer along the south and west sides of the property prior to commencing operations
  - That the applicant acknowledges that any additional lighting installed on the property will require a separate conditional use permit
  - That no overnight, outside storage of equipment will be permitted on the property
  - That hours of operation shall be limited to 7:00 am to 9:00 pm
  - That outside storage and/or display of landscaping materials shall be allowed only north of the existing structure
  - That the operator must have a valid nursery license prior to beginning operations”
- The City became aware of violations of the conditions of the CUP on the property in early 2017. Through the next couple of years, the City and the Planning and Zoning Commission worked with the applicant to rectify the violations. The violations were not resolved and the City revoked the CUP on the property in March 2019.
- The applicant and the City are currently engaged in pending legal decisions surrounding the use of the buildings on site.

## **REVIEW PROCEDURE**

### **60-Day Land Use Application Review Process**

Pursuant to Minnesota State Statutes Section 15.99, local government agencies are required to approve or deny land use requests within 60 days. Within the 60-day period, an automatic extension of no more than 60 days can be obtained by providing the applicant written notice containing the reason for the extension and specifying how much additional time is needed. For the purpose of Minnesota Statutes Section 15.99, “Day 1” for the Conditional Use Permit was determined to be November 27, 2019. The City's deadline for action is on January 26, 2020.

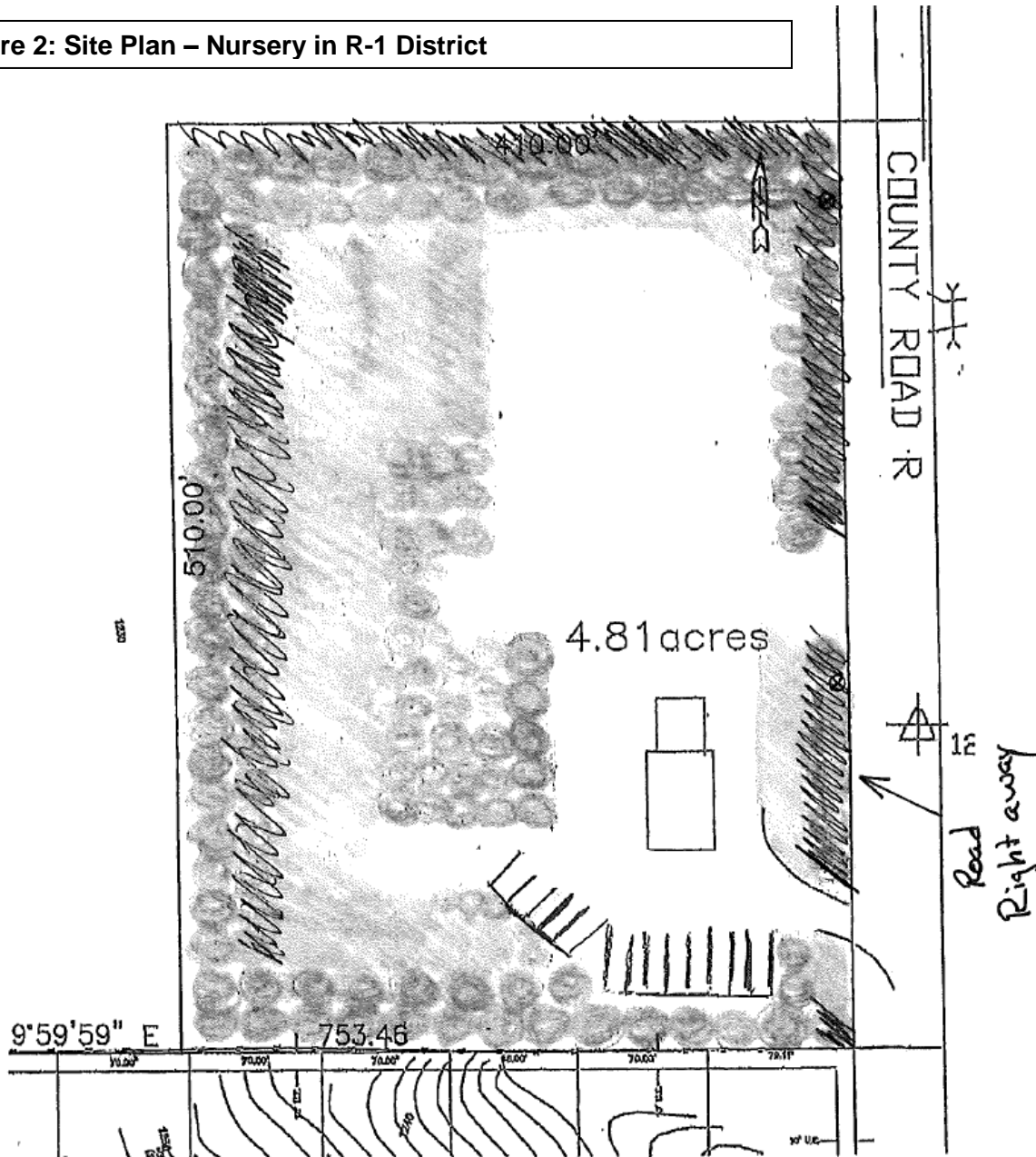
### **Public Hearing**

City Code Section 154.029 requires a public hearing for review of the Conditional Use Permit be held by the Planning and Zoning Commission. The public hearing notice for the Conditional Use Permit was published in the Dodge County Independent on January 2, 2020 and posted on the City website on January 2, 2020. The preliminary plat public hearing notice was mailed to all affected property owners located within 350 feet of the subject properties on January 2, 2020.

## CONDITIONAL USE PERMIT REVIEW

A Conditional Use Permit (CUP) allowing the site to be used for a nursery in the R-1 zoning district is being requested. The site is guided Medium Density Residential by the Comprehensive Plan and is zoned R-1 Single Family Residential District. The site is surrounded by residential properties to the south and east, and the areas to the west and north are vacant and guided for residential development.

### Figure 2: Site Plan – Nursery in R-1 District



### **Considerations for CUP**

CUPs may be allowed with appropriate restrictions in accordance with the findings listed in Sec. 154.029(A):

1. Certain conditions as detailed in this chapter exist;
2. The use or development conforms to the comprehensive plan; and,
3. Is compatible with the existing area

Additional considerations from Sec. 154.029(B)(2) include:

1. The use will not create an excessive burden on existing parks, schools, streets and other public facilities which serve or are proposed to serve the area.
2. The use will be sufficiently compatible or separated by distance or screening from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.
3. The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties.
4. The use, in the opinion of the city, is reasonably related to the overall needs of the city and to the existing land use.
5. The use is consistent with the purpose of this chapter and the purposes of the zoning district in which the applicant intends to locate the proposed use.
6. The use is not in conflict with the comprehensive plan of the city.
7. The use will not cause traffic hazards or congestion.
8. The traffic generated by the proposed use can be safely accommodated on existing or planned street systems; and the existing public roads providing access to the site will not need to be upgraded or improved by the city in order to handle the additional traffic generated by the use.
9. Adequate measures have been taken or are proposed to prevent or control offensive odor, fumes, dust, noise, vibration or lighting which would otherwise disturb the use of neighboring property.
10. Adequate utilities, parking, drainage and other necessary facilities will be provided.
11. The proposed use will not impede the normal and orderly development or improvements of the surrounding property.
12. The proposed use will not be injurious to the use and enjoyment of other property in the neighborhood and will not significantly diminish or impair the values of the property.
13. The use will not disrupt the character of the neighborhood.

The City Code does not provide specific conditions for nurseries in addition to considerations taken for all CUPs. The conditions established by the City Council approval should set standards so that the use meets those considerations listed above.



### Required Exhibits for CUP

Sec. 154.029(D) lists the elements required for a CUP. As seen below, there are exhibits missing from the application that are needed to make an informed decision about the proposed CUP.

Required Exhibit	Included in Application?
A completed application form	Yes, included in application
An accurate boundary description of the property	Yes, shown on the Certificate of Survey
Evidence of ownership or enforceable option on the property	Yes, included in the application
A development plan of the property showing the existing or proposed buildings, streets, access roads, driveways, parking spaces and signs	No, a site plan has been included, but the development plan needs to be shown on a to-scale drawing, preferably on the Certificate of Survey. The site plan is also missing a number of existing and proposed elements including location and size of all buildings, driveways and other impervious surfaces, outdoor storage areas, parking spaces, signs, and location of fences, berms or walls used for screening
Landscaping and screening plans	No, a site plan has been included, but the landscaping and screening plans need to be shown on a to-scale drawing, preferably on the Certificate of Survey. Landscaping elements used for bufferyards and screening need to be shown, with planting plans included, and areas intended for cultivation of plants needs to be distinguished from the landscaped areas. As mentioned above, the location of fences, berms, or walls used for screening also need to be included
Any additional information deemed necessary by the city to determine the suitability of the particular site for the proposed use	A lighting plan and a sign plan, if applicable

As the required exhibits are necessary to assess the impact of the proposed use, having elements missing from the application make it difficult to move forward.

## RECOMMENDATION

### Conditional Use Permit

Staff recommends that the Planning and Zoning Commission recommend to City Council denial of the Conditional Use Permit for a nursery in the R-1 Zoning District.

This recommendation is based on the following findings of fact:

1. The application materials, as provided by the applicant, do not fully convey the extent or the effectiveness of measures proposed to buffer, screen, or otherwise protect the neighboring properties from the proposed use.

2. Adequate measures have not been taken or are not proposed to prevent or control offensive odor, fumes, dust, noise, vibration or lighting which would otherwise disturb the use of neighboring property.
3. The use has not been found to be separated by distance or screening from adjacent residentially zoned or used land, so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.
4. Finally, evidence of adequate utilities, parking, drainage and other necessary facilities have not been provided.

Should the Planning and Zoning Commission recommend to City Council approval of the Conditional Use Permit, the City Attorney has prepared a set of conditions they would recommend that relate to the pending litigation between the applicant and the City. Those conditions can be found in Attachment B.

### PLANNING AND ZONING COMMISSION ACTIONS

After the discussion, the Planning and Zoning Commission could take one of the following actions (actions recommended by Staff are **bolded**):

#### Conditional Use Permit

1. Table the request to the next Planning and Zoning Commission meeting and provide direction to Staff and the applicant as to the additional information needed.
2. Recommend approval with conditions and findings of fact (provide own).
3. **Recommend denial with findings of fact as presented by Staff.**

### ATTACHMENTS

- A. Application for CUP for 1103 8<sup>th</sup> Avenue NW, dated November 27, 2019
- B. Memo from City Attorney with advised conditions, dated January 9, 2020

**APPLICATION FOR CONDITIONAL USE PERMIT**

Fee Paid \$ 300.00

Date Filed 11/27/19

Street Address of Property 1103 Eighth Avenue Northwest, Kasson, Minnesota

Owner's Name Jason Wilker Phone 507-208-1819

Address 630 Meadowlark Court Northwest, Byron, MN 55920

Applicant (if other than Owner):

Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

Description of Request Conditional Use Permit to Operate a Landscaping and Nursery Business on Property Zoned for Single-Family Residential and Conditionally Permitted for a Nursery and Landscaping Business for Nine Years

Reason(s) for Request See attached narrative and its incorporated exhibits

Present Zoning Classification CUP for Operation of Nursery and Landscaping Business on Property in R-1 Single Family Residential District

Existing Use of Property Landscaping and Nursery Business

Signature of Applicant [Signature] Date 11-27-19

**FOR OFFICE USE ONLY**

Date accepted \_\_\_\_\_

Recommended \_\_\_\_\_ Denied \_\_\_\_\_ by the Planning Commission on \_\_\_\_\_, 20\_\_\_\_

Approved \_\_\_\_\_ Denied \_\_\_\_\_ by the City Council on \_\_\_\_\_, 20\_\_\_\_

If approved, the following conditions were prescribed:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

If Denied, denial was for the following reason(s): \_\_\_\_\_

**WILKER RETAINING WALLS & PAVERS LLC**  
1103 8th Avenue Northwest  
Kasson, MN 55944

November 27, 2019

City of Kasson Planning Commission and City Council  
Attn: City Administrator  
City Hall  
401 5th Street SE  
Kasson, MN 55944

***RE: Property Located at 1103 Eighth Avenue Northwest, Kasson, Minnesota***

Dear Members of the City Council and Planning Commission:

I am supplying this information in connection with the CUP application I am submitting today for my property located at 1103 Eighth Avenue Northwest, Kasson, Minnesota. Its legal description is set forth on **Exhibit 1**.

**FACTS**

**A. My Property**

My property is located to the west of Eighth Avenue in the City of Kasson, with 10th Street Northwest to the south and 12th Street Northwest to the north on the east side of Eighth Avenue. See **Exhibit 2** (Google satellite aerial photograph); **Exhibit 3** (Google street map). My property is at the northern limit of the City. To its north is agricultural land outside of the City limits.<sup>1</sup> To its west is land that is zoned for single family residential development but that is and has always been used for agricultural production. To its immediate east is Eighth Street and to the east of Eighth Street is land that is zoned for single family residential but has been used for agricultural production and is only recently seeing some residential development. Only to the south of my property does any development exist. There, five homes border the southern side of my property and my business exists and has operated for years in harmony with the owners of those homes. Some of the owners of the homes there bought their properties long after I started my business; they moved into the neighborhood knowing about my business. They have not lodged any complaints about my property or the way that I run my business.

My property is and at all relevant times has been zoned in the City's R-1 residential zoning district. See **Exhibit 4** (City's zoning map). The City's comprehensive guide plan adopted in June 2018 guides it for medium-density residential. See **Exhibit 5** (City's 2018 Comp Plan map).

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<sup>1</sup> That parcel to the north of my property has been listed for sale for quite some time, with no buyers, in part due to fear of annexation of the parcel into the City and the costs that would be imposed on that parcel as a result.



**B. The 2010 CUP and My Business**

Leading up to March 2010, what is now my property at 1103 Eighth Avenue Northwest had a large commercial structure located on it. It was owned by Bigelow-Voigt Land Development, a real estate development company that did not engage in landscaping and was in 2010 struggling. I had been operating a landscaping business out of Byron and then Rochester since 1999 and many of my customers were located in Kasson and throughout Dodge County.

To better serve my customers, I leased the property from Bigelow in 2009 and operated my landscaping business there as a tenant. I was interested in buying the property only if I could operate my landscaping business there. In 2009 and 2010, my business was primarily hardscapes (retaining walls and pavers), but I do grow, collect, and distribute some trees and shrubs there.

I am not a retailer. While customers do come to my property, it is usually to see me, look at some of my supplies, or formulate landscaping plans. The building at the property includes office space, but I do not employ anyone to work full-time in the office and I do not employ anyone to staff the yard for retail nursery sales.

The amount of trees and shrubs that I grow, collect, and distribute on and from the property varies from year to year, and it is now generally more than it had been in the 2009-2010 time frame. Photographs showing some of the trees that I purchased and located on my property for nursery purposes are attached as Exhibit 6. Again, my business is not a retail nursery. My business is a nursery and landscaping business. The vast majority of the trees and other supplies for my business are installed by me and my employees; generally, individuals do not come to me to buy a single tree or shrub that they wish to plant on their own in their yard. Because I am not a retailer, because my business is in Kasson, and because I am a small business, I do not keep an overload of inventory available. I cannot afford to do so. Rather, I buy trees and shrubs, as well as my other supplies, when the time and the price is right. These are decisions that I make as the owner of my business based on budgetary constraints and forecasted project needs.

To facilitate the sale of the property to me, Bigelow-Voigt Land Development submitted an application to the City in early 2010 for a CUP which would allow my landscaping business to operate on the property. When Bigelow-Voigt Land Development submitted that application, I had already been operating my landscaping business there for some time. The nature of my business as focusing in hardscapes was plainly visible.

On March 8, 2010, the City held a public hearing regarding the CUP application. During the public hearing, I disclosed that I planned to eventually enclose the lean-to on the west side of the building to keep the equipment associated with and necessary for my business stored indoors. See **Exhibit 7** (March 8, 2010 minutes of public hearing).

The Kasson City Council granted the CUP on March 24, 2010 to Bigelow-Voigt Land Development for property described generally as 4.81 acres within the southeast 1/4 of Section 29 Township 107 Range 16, Dodge County. A copy of the CUP is attached hereto as **Exhibit 8**. The City granted the CUP “to allow the operation of a nursery and landscaping business on the property and in the existing structure.” *Id.* (emphasis added).

The property has long been improved with a commercial structure, as the CUP expressly acknowledges.

Only after the City granted the CUP for the nursery and landscaping business did I purchase the property from Bigelow-Voigt Development LLC. I paid substantial valuable consideration and I am still paying on the purchase money mortgage. Bigelow-Voigt Development LLC provided me with a warranty deed executed on June 3, 2010 and recorded with the Dodge County Recorder on June 15, 2010. *See Exhibit 9* (deed).

As stated above, I have operated my business on the property since before I purchased the property.<sup>2</sup> My business – until recently – uses the existing structure, which is approximately 3,305.25 square feet (50.6 feet by 84 feet, plus an eight foot extension on 56.5 feet of its length), to store equipment associated with and necessary for my business.

Since I have owned the property, I have continuously improved it. *See Exhibit 14* (2018 drone photographs). I regularly plant trees, shrubs, and other plants. In 2010 and 2011, I planted trees along the southern border which are now over 20 feet tall. I also planted trees on the western side of the property, but a farmer mowed them over. Throughout the years, I have also planted trees on the property's frontage on Eighth Avenue and in other areas on the property. The trees I planted were not saplings; they were large when I planted them, and they are still growing. Further, in about 2011, I invested in building the bunkers on the south side of the property. They place the materials below the eye line of the neighbors to the south and therefore provide a buffer.

Throughout the time that I have operated my business at the property, the City Forester has never notified me of any certified density of vegetation on the property and has never notified me that the density of vegetation on the property is deficient in any manner.

Most recently, in 2018, after building a lengthy earthen berm along the western edge of the property to better buffer it as opposed to the fence that had been there in the 2009-2010 time period, I planted 320 trees on top of that berm and in various locations on the property.

I sell trees and shrubs off of the property. Because I use the property to grow and sell trees, I invested in installing irrigation in the growing area located to the west of the building.

The Minnesota Department of Agriculture issued me a nursery stock dealer certificate in both 2018 and 2019. *See Exhibit 15* (Nursery Stock Dealer Certificate).

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<sup>2</sup> A recent survey shows that the property contains about 4.76 acres. *See Exhibit 10* (Certificate of Survey). The property had contained what constituted two separate parcels for taxation purposes until December 2017. *See Exhibit 11* (aerial image depicting two taxation parcels); *Exhibit 12* (property tax statements). As of December 13, 2017, however, the Dodge County Assessor's Office combined the two taxation parcels into one. *See Exhibit 13* (Assessor's letter).

My business has been successful leading up to November 2017. I am in my 19th year of business, ten of which have been in the City. My neighbors appreciate my ownership and use of the property. There have been no complaints about my property, the one exception being a baseless complaint in 2017 by Jerry Berg, who does not live near my property and who routinely complains about non-issues throughout the City.

I employ 17 people. My customer base continues to be within Kasson city limits – including the City itself which regularly purchased trees from me, and the surrounding area – and throughout Dodge County, as well as within Olmsted and other nearby counties.

My customers come through referrals from existing satisfied customers and from area residents that drive by the property and thereby learn of my business and its services and products. The location of the business is ideal as it reduces mileage from the property to most of my various job sites and thus limits the amount of gas that we use, the sum that we expend on gas, and the mileage and wear and tear on the business vehicles.

To continue to operate and grow, I need the property. There is no equivalent property in Kasson or the immediate vicinity with both the acreage and the large commercial structure my business requires. Further, the cost of acquiring a new alternative large-acreage property and building the commercial structure necessary for the business and improving the property with bunkers, irrigation, and buffers is exorbitant.<sup>3</sup> Even if an alternative property was available for sale, I cannot afford the costs to move my business and continue to operate it. Moreover, renting an alternative location for storage of equipment is impossible. No alternative commercial structures in the area are available for rent. Even if one was available for rent, I could not afford the monthly rent payment and continue to operate my business.<sup>4</sup>

Some of my equipment is stored outdoors, exposed to both vandals and the elements. My insurer has informed me that storing equipment indoors will lead to reduced insurance premiums. The existing commercial structure on the property, however, is filled. To store equipment indoors, I must construct an addition to the existing commercial structure on the property.

### **MY APPLICATION**

I respectfully request a conditional use permit so that I can continue to use the property to operate my business. I want to continue the economically-beneficial use of the property to which I have put it for almost a decade.

The property is zoned R-1 Single Family Residential. Conditional uses in the R-1 district include gardens and nurseries. *See* City Code, § 154.147. The City defines a “nursery” as “land or green houses used to raise flowers, shrubs and plants for sale.” *Id.* § 154.007 (definition of

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<sup>3</sup> I learned that a pole barn that is a fraction of the size of my commercial building that was recently built in the area cost over \$200,000 to construct. I believe that it would cost over \$500,000 to construct the equivalent of my building in 2020.

<sup>4</sup> I learned that a large building in the area that is used agriculturally rents for nearly \$5,000 monthly.

“nursery”). Because I use the Property to raise shrubs and trees for sale, it is a nursery under City law and I therefore meet the conditions necessary for the issuance of a CUP to continue to operate my business at my property.

#### **A. PROPOSED CONDITIONS**

For the CUP for a nursery and landscaping business for my property, I propose the following conditions:

1. **Structures.** No additional commercial structures will be allowed on the property. This requirement does not prohibit greenhouses, hoop buildings, which are temporary in nature, or additions to or enlargements of the commercial structure on the property, so long as a building permit, if required by the Minnesota State Building Code, is issued.
2. **Open spaces.** At a minimum, sixty percent of the entire property shall be planted and maintained in trees, shrubs, grasses, or other plants. Annually, trees and shrubs removed from or destroyed on the property shall be replaced. For the next five years, an additional twenty trees or shrubs shall be planted and maintained on the property, not for the nursery or for sales, but to increase the number of trees on the property.
3. **Screening.**
  - a. *North Side.* The existing vegetative screen on the north side of the property shall be maintained.
  - b. *East Side.* The existing vegetative screen on the east side of the property shall be maintained.
  - c. *South Side.* The existing earthen and vegetative buffers along the south side of the property shall be maintained.
  - d. *West Side.* The existing earthen and vegetative buffers along the west side of the property shall be maintained.
  - e. *Bunkers.* The bunkers located along the south side of the Property shall be maintained or moved to a location on the Property that facilitates the use of the Property and the bunkers, without expansion of their square footage.
4. **Signage and Outdoor Lighting.** The owner may light one sign no greater than 4’x8’ on the property. Outdoor lighting in areas impacted by additions to the existing structure shall be permitted to reasonably alleviate safety concerns.
5. **Outdoor Storage of Equipment.** All equipment shall be stored within a building or fully screened so as not to be visible from adjoining properties and public streets.
6. **Hours of Operation.** Operation of equipment on the property shall be limited to the hours of 7:00 a.m. to 9:00 p.m., with reasonable exceptions during the snowplowing season.



7. **Outdoor Storage of Materials.** Outside storage and/or display of landscaping materials shall be allowed on the south side of the property in the existing bunkers, along County Road 21 in the areas where it presently exists, and otherwise on the property so long as it is reasonably screened from the view of persons on the south, west, and north sides of the property.
8. **Licensing.** The operator shall comply with the law of the State of Minnesota concerning nursery licensing as appropriate to the operation of the business on the property and as determined and enforced by the State of Minnesota. If the State of Minnesota undertakes enforcement action against the operator, the operator must notify the City of the same.

## **B. REQUIRED EXHIBITS FOR CONDITIONAL USE PERMITS**

I am submitting the following items as required exhibits:

- (1) A completed application form;
- (2) An accurate boundary description of the property (*see* Exhibits 1 and 9);
- (3) Evidence of ownership (*see* Exhibit 8);
- (4) A development plan of the property showing the existing buildings, streets, driveways, parking spaces, and signs (*see* Exhibit 16);
- (5) Landscaping and screening plans (*see* Exhibit 17);
- (6) Additional information establishing the suitability of the particular site for the proposed use in the form of numerous of the exhibits hereto; and
- (7) Payment of my application fee in the amount of \$300.00.

## **C. PROPOSED FINDINGS IN SUPPORT OF MY APPLICATION**

My CUP application proposes a use of the property that conforms with the City's comprehensive plan and is compatible with the existing area.

1. **The use will not create an excessive burden on existing parks, schools, streets and other public facilities which serve or are proposed to serve the area.**

The use will not create demands on parks or schools as it is not a residential use. Given that the property has for nearly ten years been used pursuant to a 2010 CUP as a business, the use to be permitted by this CUP will not add to the traffic in the area or along Eighth Avenue Northeast.

2. **The use will be sufficiently compatible or separated by distance or screening from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.**

The use is sufficiently compatible with adjacent residentially-zoned and -used land, as is evidenced by its long-standing operation in cooperation with the residential neighbors to the south of the property. The existing structure is at least 100 feet from

any residential property. It is screened. Screening will continue. There will be no deterrence to development of vacant land as a result of the CUP given the existence of the 2010 CUP for nine years and the operation of my business that has occurred pursuant to it.

- 3. The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties.**

As is shown by the betterments of the property while I have operated my business pursuant to the 2010 CUP, the structure and site have an appearance that does not adversely affect adjacent residential properties.

- 4. The use is reasonably related to the overall needs of the City and to the existing land use.**

Compatible commercial development and retaining existing businesses and growing local businesses and jobs, particularly in light of the high turnover of local business, are needs of the City. *See* 2018 Comp Plan, Chapter 5. This use helps to satisfy those needs. Additionally, the use reasonably relates to the existing land use given that the property has long operated as a business employing and otherwise serving residents of the City pursuant to the 2010 CUP.

- 5. The use is consistent with the purpose of the ordinance and the purposes of the zoning district in which the applicant intends to locate the use.**

The use contemplates a low-intensity use of the majority of the property and substantial amounts of green space throughout it. It is compatible with the R-1 district where nurseries and parks, playgrounds, and hiking and biking trails are permitted and it is consistent with the purpose of the zoning ordinance.

- 6. The use is not in conflict with the Comprehensive Plan of the City.**

The City's Comprehensive Plan seeks to retain and grow local businesses, particularly those that service Kasson's residents. *See* 2018 Comp Plan, Chapter 5. The 2010 CUP facilitated a conversion of the property into an economically-feasible use that coexists with its neighbors. The use of the property by my small and local business is in accordance with the Comprehensive Plan.

- 7. The use will not cause traffic hazards or congestion.**

Given that the property has long been used pursuant to the 2010 CUP for my business, the use to be permitted by this CUP will not add to the traffic in the area or along Eighth Avenue Northeast.

- 8. The traffic generated by the proposed use can be safely accommodated on existing or planned street systems; and the existing public roads providing access**

**to the site will not need to be upgraded or improved by the City in order to handle the additional traffic generated by the use.**

Since (a) this is not a particularly traffic-intensive use, (b) Eighth Avenue is an existing thoroughfare carrying commercial and other traffic, and (c) the property is already used pursuant to the 2010 CUP, this use will not require the upgrading or improvement of the existing public roads.

- 9. Adequate measures have been taken or are proposed to prevent or control offensive order, fumes, dust, noise, vibration or lighting which would otherwise disturb the use of neighboring property.**

Any offensive odors, fumes, dust, noise, vibration or lighting, if any, are confined to the property itself and all measures required by the City Code are in place. To the extent that any offensive odors, fumes, dust, noise, vibration or lighting exceed the property boundaries, the conditions on the permit minimize any impact.

- 10. Adequate utilities, parking, drainage and other necessary facilities will be provided.**

Adequate utilities to serve the property and its use are already in place. The plans provide adequate parking. Drainage control of the property was enhanced by its use pursuant to the 2010 CUP and is likely to be enhanced by the conditions of the permit.

- 11. The proposed use will not impede the normal and orderly development or improvements of the surrounding property.**

The use will be contained entirely on the property and is expected to allow the orderly development of the surrounding property to proceed.

- 12. The proposed use will not be injurious to the use and enjoyment of the other property in the neighborhood and will not significantly diminish or impair the values of such property.**

The proposed use is separated by space and screening from surrounding properties so that interference with the enjoyment of surrounding properties has not occurred and is not expected nor is any impairment of property values.

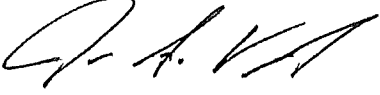
- 13. The use will not disrupt the character of the neighborhood.**

The use is of a nature that is an improvement over the former use of the property as a dump neglected by its owner so no disruption of the neighborhood is anticipated.

## CONCLUSION

If you have any questions or concerns about my application, I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. A. Wilker', written in a cursive style.

Jason Wilker

### **Exhibits to My CUP Application**

1. Legal Description of Property
2. Google Satellite Aerial Photograph
3. Google Street Map
4. Kasson Zoning Map
5. Kasson Comp Plan Map
6. Photographs of nursery trees
7. Kasson March 8, 2010 Planning Commission Minutes
8. 2010 Conditional Use Permit
9. Warranty Deed
10. Certificate of Survey
11. Aerial Photograph Showing two Property IDs for Taxation
12. Property Tax Statements
13. Dodge County December 13, 2017 Letter
14. Photographs Taken on September 10, 2018 with Drone
15. Nursery Stock Dealer Certificates
16. Development Plan – Existing
17. Landscaping and Screening Plans





**Exhibit 1**  
**Legal Description Wilker Property**

The SE 1/4 of Section 29, Township 107, Range 16, Dodge County, Minnesota described as follows: Commencing at the southeast corner of said SE 1/4, thence on an assumed bearing of North along the East line of said SE 1/4 a distance of 810.00 feet for a point of beginning of the tract to be described; thence West at right angles to said East line 410.00 feet; thence North parallel with said East line 510.00 feet, more or less, to the north line of the SE 1/4 SE 1/4; thence East along said North line 410.00 feet to the East line of said SE 1/4; thence South along said East line 510.00 feet to the point of beginning.

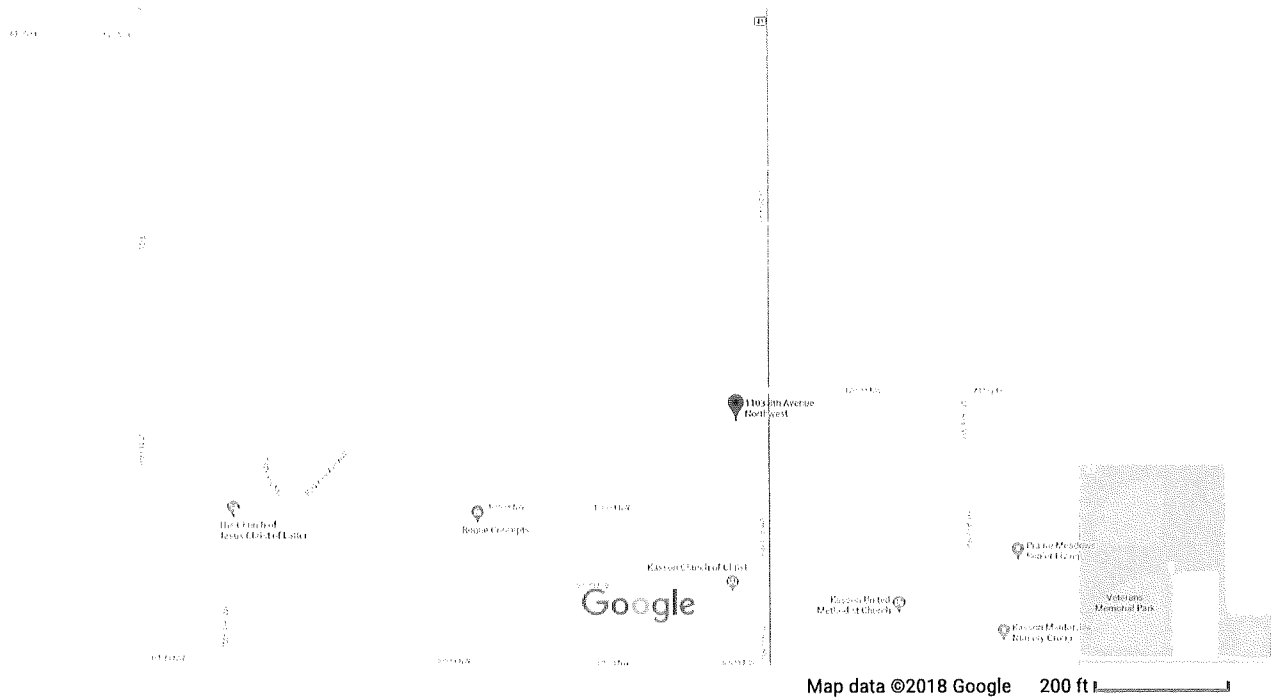








## Google Maps 1103 8th Ave NW



EXHIBIT

3

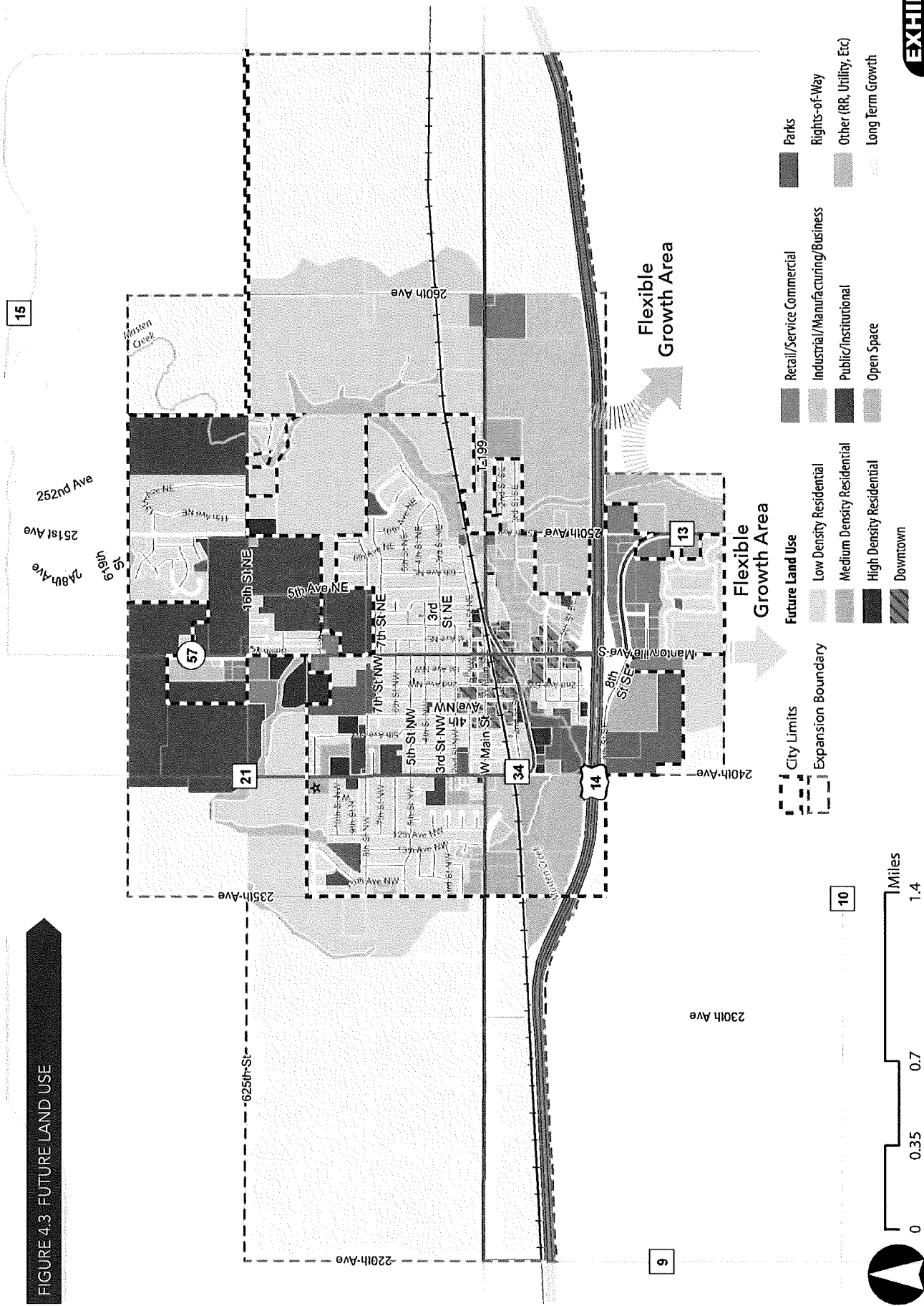








FIGURE 4.3 FUTURE LAND USE







EXHIBIT

6



















MINUTES OF PLANNING COMMISSION MEETING  
March 8, 2010

Pursuant to due call and notice thereof, a regular Planning Commission meeting was held at City Hall on the 8th day of March, 2010 at 6:30 PM

**THE FOLLOWING MEMBERS WERE PRESENT:** Nelson, Sannes, Dean, Coleman, Jorgenson and Ferris  
Borgstrom arrived at 6:45

**THE FOLLOWING WERE ABSENT:** None

**THE FOLLOWING WERE ALSO PRESENT:** Community Development Director Mike Martin, Deputy Clerk Linda Rappe, Lorraine and Al Hopkins, Ken Etchason, John Buckingham, John Talcott and Jim and Dorothy Larsen, Tony Bigelow, Jason Wilker, Don Marti, Eric and Jessica Ask, Bill and Sue Theobald, Chad Boelter, Ben Finley, John VanCamp, Carol Malecha, Deanna Tompkins, Vern and Tracie Kerns, Chuck Emanuell, Jason Marwardt

**CALL TO ORDER:** Chairman Nelson called the meeting to order at 6:30 PM.

**MINUTES FROM PLANNING COMMISSION:** Motion made by Coleman, second by Jorgenson to approve the minutes from the February 8, 2010 meeting with the date corrected. All Ayes.

**PUBLIC HEARING OPENED FOR CONDITIONAL USE PERMIT:** A Conditional Use Permit has been applied for by Rick and Melissa Scott to operate an antique reupholstering and sales shop on the property of 301 5<sup>th</sup> St SE. Zoning Administrator Martin stated that the Scott's are out of the country and will not be in attendance for this meeting. Martin stated that the refurbishing business is a permitted use but the retail sales portion of the business requires a conditional use permit. All activity will be contained within the existing building. They are putting up a banner type sign 3 feet by 16 feet. There were no comments by the public in attendance and there are no comments that have been submitted.

**PUBLIC HEARING CLOSED.**

**DISCUSSION:** Commission Dean questioned the parking spaces, Martin stated that there is sufficient parking for this type of business. Chairman Nelson questioned if there would be any hazardous waste issues, Martin stated that all of that would be taken care of at permitting. There was no other discussion.

**MOTION:** Motion to recommend approval of the Conditional Use Permit, made by Jorgenson, seconded by Sannes. All Ayes.

**PUBLIC HEARING OPENED FOR CONDITIONAL USE PERMIT:** Bigelow-Voigt Land Development has requested a conditional use permit to allow Jason Wilker to operate a nursery and landscaping business on the former Bob More Property located at 62847 240<sup>th</sup> Ave NW. The building is a permitted non-conforming use. Martin stated that he has listed in his sample resolution the conditions he suggests to put on the conditional use permit. Jason Wilker was in attendance for this meeting as well as land owner Tony Bigelow. Mr. Bigelow stated that it is finally nice to be able to get use out of this building that has been sitting empty. Justin Zea – 807 10<sup>th</sup> St NW – concerned about loading and unloading of materials and is concerned about herbicides and pesticides, diesel smells, etc. He has talked to department of

EXHIBIT

7

agriculture and was told that Mr. Wilker would need a license and does not have one at this time. Mr. Zea concerned about this business since Mr. Wilker does not have a license at the present time what his education is in this area. Mr. Zea concerned about the appearance of the property. Don Marti – 63797 250<sup>th</sup> Ave – Mr. Marti owns property to the east of this property and thinks that this is a good use.

Jon Van Camp – 804 10<sup>th</sup> St NW – excited about a nursery and greenhouse and something that would beautify the area. Mr. VanCamp wants to know Mr. Wilker's business plan and if the licenses are applied for and what licenses would be in place and how much of the property will be set aside for garden center. Mr. VanCamp wants to know from the Mr. Wilker exactly what he is putting in his backyard to see what conditions really should be put on the property and on this business.

Jason Wilker – he has not currently applied for the licenses until he knew the conditional use permit was approved. Does plan on planting a few hundred trees the first year and a few hundred each year following. Primarily he does do landscaping. He would primarily put in pine trees to sell as a cut your own Christmas tree area. Also plans on planting some deciduous trees. He does get shrubs in from time to time. Primarily now his business is landscaping but he would like to branch off in the nursery business also. Questions from Commissioner Coleman as to whether his equipment will fit into the building. Mr. Wilker stated that he plans on eventually enclose the lean-to on the west side to keep the equipment stored indoors. Mr. Wilker stated that he is not planning on using any pesticides or chemicals.

Bill Theobald – 802 10<sup>th</sup> St NW – worried about gravel dust.

Eric Ask – 805 10<sup>th</sup> St NW – his property is backed up to this property and is thrilled if this property is getting cleaned up.

#### **PUBLIC HEARING CLOSED.**

**DISCUSSION:** Commissioner Borgstrom – permanent buffer, hours of operation.

Commissioner Sannes – sounds like a good opportunity for improving an eyesore.

Commissioner Jorgenson – it would improve the look of the area, dust control should be addressed.

Commissioner Coleman – Good use

Commissioner Ferris – has worked with Mr. Wilker before and has no concerns with this.

Commissioner Dean – lives in that neighborhood and feels this is a good use. Asked about how many crews work for Mr. Wilker. Mr. Wilker stated that he has two crews and there would be some coming and going.

Chairman Nelson – likes the use of the property and would encourage residents and Mr. Wilker to work together.

**MOTION TO RECOMMEND APPROVAL:** Motion to recommend approval of the conditional use permit with the eight conditions stated made by Coleman, second by Jorgenson. All Ayes.

**AMENDMENT RECOMMENDATION:** Martin stated that the Commissioners should use the last revision of the amendment in their packets which incorporates recommendations made by Commissioner Coleman. The changes were in action item #1 consider zoning adjustments on all streets carrying over 5000 trips per day and only on lots large enough to support commercial development. If you are looking at North Mantorville avenue the only lots this would apply to are lots north of 7<sup>th</sup> St. The other change is in #4 “should encourage annexations requests on north mantorville ave north of the Carriage House to be C-3”. Martin also stated that the EDA has not met since the last Planning Commission meeting but he has heard from three members of the EDA that were in favor of the positive resolution.

DISCUSSION: Commissioner Coleman – This incorporates all of his suggested changes. Commissioner Borgstrom – is going back to “why” we are doing this. Chairman Nelson stated that we have been requested by two property owners to revisit and revise the comprehensive plan. We have it in place to have a comprehensive plan and the comprehensive plan is only for bringing in new undeveloped land. Commissioner Borgstrom wants to know if anyone has read the comp plan. He doesn’t see anywhere along Mantorville avenue to put this in place. Commissioner Borgstrom wants discussion. Chairman Nelson stated that the property north of the Carriage House is still in the comp plan as being R-C so the comp plan would still need this amendment to allow commercial development in that area. Martin stated that the comp plan encompasses the entire City. Borgstrom doesn’t believe that that it is the City’s responsibility to change the comp plan to allow for commercial development. Chairman Nelson stated that if we change the comp plan we would invite commercial development. Commissioner Sannes – doesn’t want the hopscotch effect, and all action items state that “Kasson should consider” these are considerations it does not say that this will happen. Is in favor of sending this to the City Council to be part of the entire City plan. Commissioner Jorgenson – wants it clarified that since the Casey scenario brought this to a head that if this amendment is put into place and Casey’s came back do we have the ability to deny the request. Martin stated absolutely the Planning Commission could deny the application. Jorgenson does not want to see the “hopscotch” effect. And the business district should be a continuous segment. Commissioner Dean – did not like the 5000 trip per day clause in the former proposal because that opens all of Mantorville Avenue up for commercial, but with the clarification of only on lots that support a commercial development. We have to look at the whole picture and we do the appropriate steps with can avoid a contentious discussion. Dean believes this is the way to go about it. Likes the way it is worded as “encourage retail development on all streets meeting criteria, including, but not solely limited to, carrying more than 5000 car trips a day” Lot size clearly a very basic measurement for consideration. Concerned with someone buying more than one lot somewhere else on Mantorville Avenue would they be able to be considered? Martin stated that the lots would have to go through a minor subdivision to be able to be considered as one lot so that would not be an issue and they would have to go through a rezone, which is a very rigid process. Commissioner Ferris – nothing more to add. Commissioner Borgstrom – cannot see doing anything south of the Carriage House, and does not foresee any commercial development ever going into those lots. Martin stated that the comprehensive plan does give the Planning Commission considerable leeway but you have to start with measurable and objective criteria and not an arbitrary and capricious point. The measurable and objective criteria is the street must carry 5000 car trips per day and the lots must be of sufficient size and have the frontage for the C-3 district. Borgstrom does not want to change any zoning south of the Carriage House. Martin stated that we are NOT changing any zoning with this amendment it would only allow the Planning Commission to consider it on its merits based upon measurable criteria. John Talcott interrupted as a public speaker and this is not a public hearing. Chairman Nelson stated that this is not substantially different than the amendment that the public hearing was held on.

**MOTION RECOMMEND APPROVAL OF THE AMENDMENT:** Motion made by Sannes, second by Dean to recommend approval of the amendment, Ayes: Nelson, Coleman, Jorgenson, Sannes and Dean. Nays: Borgstrom, Ferris

**SEMDC COMPREHENSIVE PLAN PROPOSAL:** A proposal has been submitted by the Southeast Minnesota Development Corporation to guide us through and do the legwork to update our Comprehensive Plan. Martin stated that the funds have been budgeted. Shord Elliott

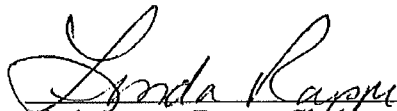
submitted a quote of \$75K and WSN submitted a quote of \$30, SEMDC submitted a quote not to exceed \$14,500. Borgstrom would like to keep the process in house. Chairman Nelson stated that Martin, Nelson the Mayor and the City Administrator have discussed this and they believe that having outside input at this point in time would be the best. Borgstrom stated that everyone should read the entire comp plan and that we should not spend money to get these people up to speed. Chairman Nelson stated that all the companies have seen the comprehensive plan and are up to speed and we will have a hand in this all the way through the project. Commissioner Coleman stated that with the plan that is laid out by SEMDC there are more goals. Commissioner Ferris wouldn't mind having someone from the outside pushing us a little and has a focus beyond Kasson.

**MOTION TO RECOMMEND:** Motion to recommend hiring SEMDC to help the Planning Commission update the Comprehensive Plan made by Coleman, second by Sannes. All Ayes.

**OTHER BUSINESS:** Commissioner Borgstrom has been asked to find out about vendors setting up in Veterans Memorial Park. Staff stated that this person should talk to the Park Board.

**ADJOURN:** Since the agenda had been met the meeting was adjourned at 7:55

Respectfully submitted,

  
Linda Rappe, Deputy Clerk





## **WILKER CONDITIONAL USE PERMIT**

Bigelow Homes, on behalf of Jason Wilker, has applied for a Conditional Use Permit to operate a nursery and landscaping business on the former Bob More property in 8<sup>th</sup> Ave. NW.

The Planning Commission has held a Public Hearing at which a number of comments were received, both positive and slightly negative. After review, the Commission decided that the proposed Conditions were sufficient to answer the concerns of the neighborhood.

The Commission also specifically determined that the operation of a landscaping business is an "incidental use" commonly associated with the operation of a nursery. Therefore, the landscaping business is permitted as a part of the nursery facility.

**The Commission voted unanimously to recommend approval of the CUP. The Council is asked to concur with the Commission.**

CITY OF KASSON

Meeting: P2 Date: 3-8-10

ALL ATTENDEES PLEASE SIGN IN

- |                         |                     |
|-------------------------|---------------------|
| 1. L E Hopkins          | 20. Jason Markwardt |
| 2. John Buehl           | 21. Dorothy lauer   |
| 3. Ma Hopkins           | 22. Tim Larsen      |
| 4. Tony Bjelke          | 23.                 |
| 5. J & V H              | 24.                 |
| 6. [Signature]          | 25.                 |
| 7. [Signature]          | 26.                 |
| 8. Eric Ask             | 27.                 |
| 9. Jessica Ask          | 28.                 |
| 10. Bill & Sue Sheabald | 29.                 |
| 11. Chad Boelter        | 30.                 |
| 12. Ben Finlay          | 31.                 |
| 13. John Camp           | 32.                 |
| 14. John T. [Signature] | 33.                 |
| 15. Carol Malcha        | 34.                 |
| 16. Deanna Tompkins     | 35.                 |
| 17. Vern Kerns          | 36.                 |
| 18. Tracie Kerns        | 37.                 |
| 19. Chuck Emannell      | 38.                 |





**CITY OF KASSON,  
CONDITIONAL USE PERMIT**

---

Conditional Use Permit Number: 2010-2

Date of Hearing: March 8, 2010

Date Approved: March 24, 2010

Owner: Bigelow-Volgt Land Development

Address: 62847 240<sup>th</sup> Ave NW  
Kasson, MN 55944

Property Description: 4.81 acres of the SE ¼ of Section 29 Township 107 Range 16  
Dodge County

After conducting a hearing in the matter of granting a Conditional Use Permit under the provisions of the Zoning Ordinance of the City of Kasson;

THE CITY COUNCIL HEREBY GRANTS said Conditional Use Permit to Bigelow-Volgt Land Development to allow the operation of a nursery and landscaping business on the property and in the existing structure;

- 3) That no additional commercial structures will be allowed on the property.
- 4) That, at a minimum, 60 % of the entire lot be planted and maintained in trees, shrubs, or other plants in a density certified as appropriate by the City Forester.
- 3) That the applicant shall install and maintain a buffer along the south and west sides of the property prior to commencing operations.
- 4) That the applicant acknowledges that any additional lighting installed on the property will require a separate conditional use permit.
- 5) That no overnight, outside storage of equipment will be permitted on the property.
- 6) That hours of operation shall be limited to 7:00 am to 9:00 pm.
- 7) That outside storage and/or display of landscaping materials shall be allowed only north of the existing structure.
- 8) That the operator must have a valid nursery license prior to beginning operations.

#### Special Conditions on Granting Conditional Use Permit:

- 1) That no additional commercial structures will be allowed on the property.
- 2) That, at a minimum, 60 % of the entire lot be planted and maintained in trees, shrubs, or other plants in a density certified as appropriate by the City Forester.
- 3) That the applicant shall install and maintain a buffer along the south and west sides of the property prior to commencing operations.
- 4) That the applicant acknowledges that any additional lighting installed on the property will require a separate conditional use permit.
- 5) That no overnight, outside storage of equipment will be permitted on the property.
- 6) That hours of operation shall be limited to 7:00 am to 9:00 pm.
- 7) That outside storage and/or display of landscaping materials shall be allowed only north of the existing structure.
- 8) that the operator must have a valid nursery license prior to beginning operation.

#### Findings of Fact for Approval or Denial

1. The use will not create an excessive burden on existing parks, schools, streets and other public facilities which serve or are proposed to serve the area.  
The use will not create demands on parks or schools as it is not a residential use. The use may add slightly to the traffic in the area, but, as the existing traffic on 8<sup>th</sup> Ave. NW is 1,110 ADT, it is unlikely that the increase will be significant or noticeable.
2. The use will be sufficiently compatible or separated by distance or screening from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.  
As "Nurseries" are specifically included as a permitted Conditional Use in the R-1 District, it has been found that the use is sufficiently compatible as to be allowed adjacent to residential properties. The existing structure is at least 100 feet from any residential property and will be screened as a Condition of this permit. As the plantings are, by definition, removable, it is unlikely that development of vacant land will be deterred by this Permit.

3. The structure and site shall have an appearance that will not have an adverse affect upon adjacent residential properties.

As a commercial enterprise in the business of improving the appearance of property, it can be assumed that, if anything, the structure and site will have an improved appearance with the addition of trees and shrubs to the site.

4. The use, in the opinion of the City, is reasonably related to the overall needs of the City and to the existing land use.

Compatible commercial development has been identified as an overall need of the City. And, as the operation of a Nursery is listed as a permitted Conditional Use on the District, it must be considered as being reasonably related to the existing land use.

5. The use is consistent with the purpose of this Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use.

Since Nurseries are specifically listed as Conditional Uses in this Zoning District, it must be considered compatible with the Ordinance.

6. The use is not in conflict with the Comprehensive Plan of the City.

Additional commercial development is identified as a goal of the Comprehensive Plan, and, since no other use is proposed for this area, the use is in accordance with the Comprehensive Plan.

7. The use will not cause traffic hazards or congestion.

As with all uses, a certain amount of traffic increase can be expected. However, in this case, the increase will not be significant. In addition, the majority of the traffic past this site is already commercial in nature.

8. The traffic generated by the proposed use can be safely accommodated on the existing or planned street systems and the existing public roads providing access to the site will not need to be upgraded or improved by the City in order to handle the additional traffic generated by the use.

Since this is not a particularly traffic-intense use and 8<sup>th</sup> Street is an existing thoroughfare carrying commercial and other traffic, congestion is not anticipated.

9. Adequate measures have been taken or are proposed to prevent or control offensive odor, fumes, dust, noise, vibration or lighting which would otherwise disturb the use of neighboring property.

Offensive odors, fumes, dust, noise, vibration or lighting should be confined to the site itself and all measures required by the Code will be in place. The impact of the odors, fumes, dust, noise, vibration or lighting is expected to be minimized by the Conditions placed on this Permit.

10. Adequate utilities, parking, drainage and other necessary facilities will be provided.

Adequate utilities to serve this site and use are already in place. The plans, as presented, provide adequate parking. Drainage control is likely to be enhanced by the additional plantings.

11. The proposed use will not impede the normal and orderly development or improvement of the surrounding property.

The proposed use will be contained entirely on land owned by the applicant and is expected to allow the orderly development of the surrounding property to proceed.

12. The proposed use will not be injurious to the use and enjoyment of other property in the neighborhood and will not significantly diminish or impair the values of such property.

The proposed use will be separated by space and screening from surrounding properties so that enjoyment of surrounding property is not expected nor is any diminishing of property values.

13. The use will not disrupt the character of the neighborhood.

The proposed use is of a nature that is expected to be an improvement over the present use of the property as a dump and storage facility that no disruption of the neighborhood is anticipated.

#### General Provisions

- A) This permit is not valid until it has been recorded at the Office of the County Recorder. A true and correct copy of the full legal description of the affected property must be attached to this document.
- B) This permit does not constitute a building permit, sewage system permit, grading permit, land alteration permit, well permit or the like. Separate permits may have to be applied for and obtained in order to accomplish all the goals of the project authorized herein.
- C) The issuance of this permit does not negate the need to secure other permits from other local units of government, state agencies or federal agencies who may also have jurisdiction over portions of your project.
- D) Unless otherwise specified by the City at the time it is authorized, a conditional use permit shall expire if the applicant fails to utilize such conditional use permit within one (1) year from the date of authorization.



Date of Recording Decision at County Recorder: \_\_\_\_\_

Signature of Zoning Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

.....

### ***ACCEPTANCE OF CONDITIONS OF CONDITIONAL USE***

I understand and agree to abide by the conditions as set forth by the granting of this conditional use and also understand that failure to comply with the conditions of the conditional use constitutes failure to comply with the Zoning Ordinance which will result in the following: halting of construction, order to take corrective action, being charged with a misdemeanor offense, subject to fines and reimbursement of prosecution costs.

\_\_\_\_\_ Date \_\_\_\_\_  
To be signed by the applicant after City Council Action



**Warranty Deed**

Limited Liability Company to Individual(s)

**WARRANTY DEED**

No delinquent taxes and transfer  
entered; Certificate of Real Estate  
Value (✓) filed ( ) not required

Certificate of Real Estate

Value No. 5111  
June 15, 2010

by Wendy S. Peterson County Auditor  
Deputy Auditor/Treasurer

DATE 6/16/2010  
DEED TAX HEREON OF \$ 495.00 PAID  
RECEIPT NO. 7243  
Kimberly Hambel Dep.  
County Auditor/Treasurer

STATE DEED TAX DUE  
HEREON: \$495.00  
Date: June 3, 2010

FOR VALUABLE CONSIDERATION, Bigelow-Voigt Development LLC, a Limited Liability Company under the laws of Minnesota, Grantor(s), hereby convey(s) and warrant(s) to Jason Wilker, Grantee(s), real property in Dodge County, Minnesota, described as follows:

Lengthy - see attached

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Subject to covenants, easements and restrictions of record.

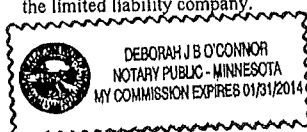
Sellers certify that they do not know of any wells on the subject property.

Bigelow-Voigt Development LLC

By: Joel Bigelow  
Joel Bigelow, ~~Managing Director~~ Chief Manager

STATE OF MINNESOTA )  
                                  ) ss.  
COUNTY OF DODGE     )

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of June, 2010 by Joel Bigelow, ~~managing~~ Chief Manager of Bigelow-Voigt Development LLC, a limited liability company under the laws of Minnesota, on behalf of the limited liability company.



This instrument drafted by:  
Atypical Title, Inc.  
16 N. Mantorville Avenue  
Kasson, MN 55944

Deborah J. B. O'Connor  
Notary Public

Tax Statements for the real property  
described herein shall be sent to:

Jason Wilker  
308 10th Street NW  
Byron MN 55920

240320701  
240390800

**EXHIBIT**  
**9**

## EXHIBIT A

The SE 1/4 of Section 29, Township 107, Range 16, Dodge County, Minnesota described as follows:  
Commencing at the Southeast corner of said SE 1/4, thence on an assumed bearing of North along the East line of said SE 1/4 a distance of 810.00 feet for a point of beginning of the tract to be described; thence West at right angles to said East line 410.00 feet; thence North parallel with said East line 510.00 feet, more or less, to the north line of the SE 1/4 SE 1/4; thence East along said North line 410.00 feet to the East line of said SE 1/4; thence South along said East line 510.00 feet to the point of beginning.





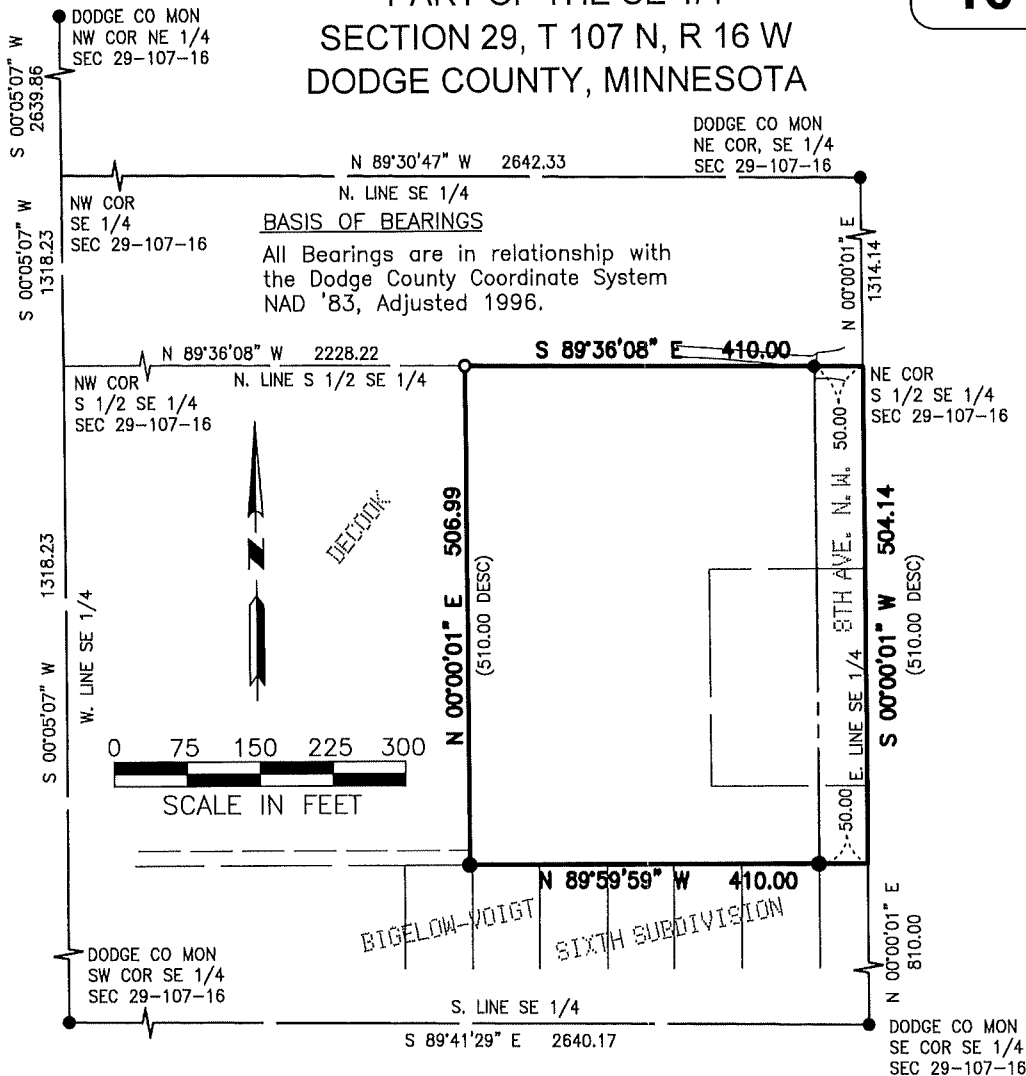
# CERTIFICATE OF SURVEY

## PART OF THE SE 1/4

### SECTION 29, T 107 N, R 16 W

### DODGE COUNTY, MINNESOTA

**EXHIBIT**  
10



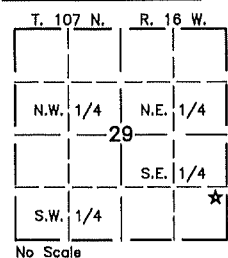
#### DESCRIPTION OF RECORD

That part of the Southeast Quarter of Section 29, Township 107 North, Range 16 West, Dodge County, Minnesota described as follows:

Commencing at the Southeast corner of said Southeast Quarter; thence on an assumed bearing of North along the East line of said Southeast Quarter a distance of 810.00 feet for a point of beginning of the tract to be described; thence West at right angles to said East line, 410.00 feet; thence North parallel with said East line, 510.00 feet more or less to the north line of the Southeast Quarter of the Southeast Quarter; thence East along said North line, 410.00 feet to the East line of said Southeast Quarter; thence South along said East line, 510.00 feet to the point of beginning.

Said parcel contains 4.76 acres, more or less including the 8th Avenue NW right-of-way. Said parcel is subject to the 8th Avenue NW right-of-way over the Easterly boundary thereof and is subject to any other easements or encumbrances of record.

#### PROPERTY LOCATION MAP



**MASSEY**  
**LAND SURVEYING & ENGINEERING**  
 P.O. BOX 100, KASSON, MN 55944  
 PH. NO. 507-634-4505, FAX NO. 507-634-6560

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.

Date 12-18-17  
 Richard J. Massey LIC. NO. 41814

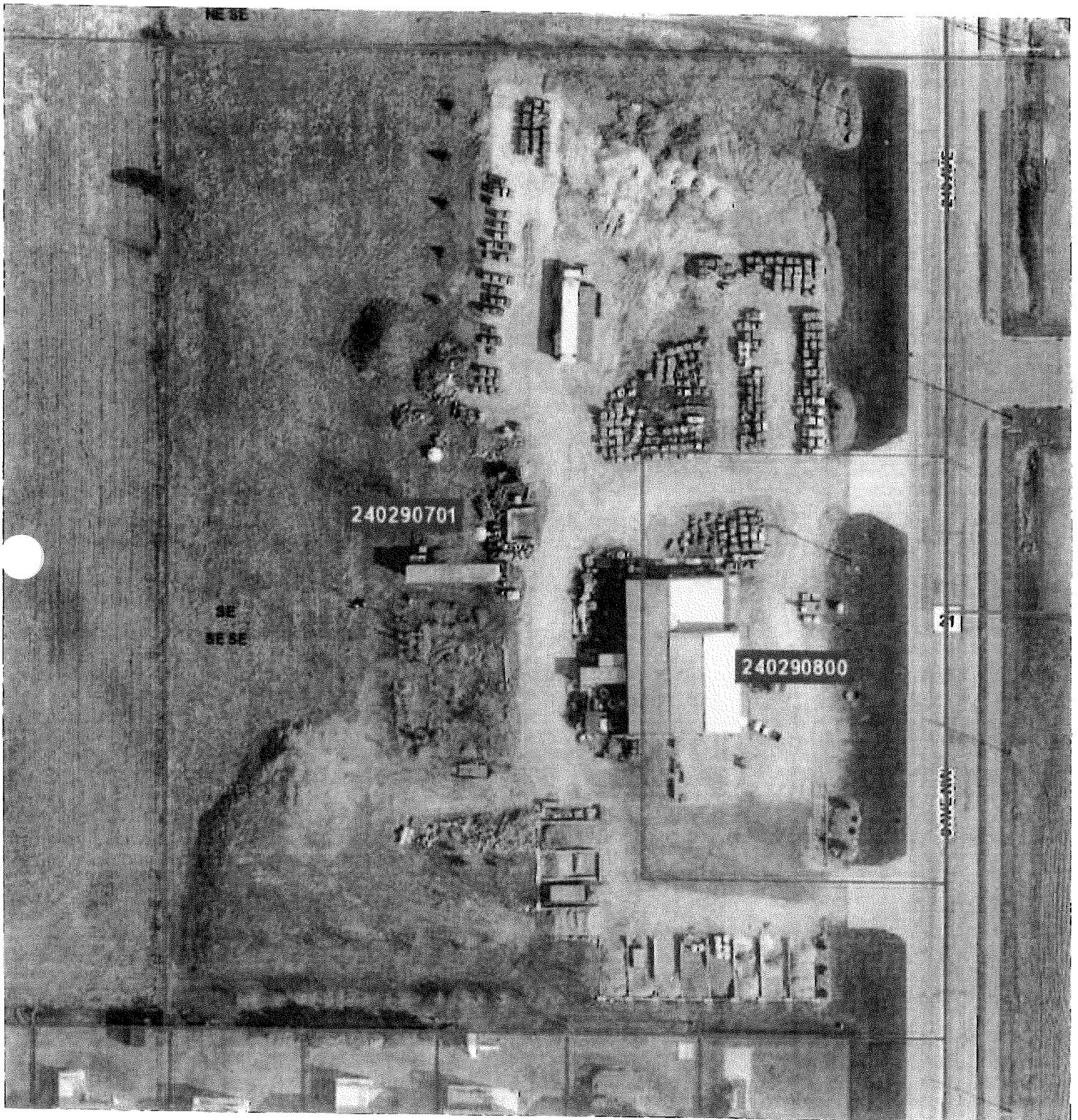
THIS SURVEY AND DRAWING WAS PREPARED FOR THE EXCLUSIVE USE OF:

JASON WILKER  
 KASSON, MN

**MONUMENTS**  
 ● FOUND (5/8" PIPE UNLESS NOTED OTHERWISE)  
 ○ SET (5/8" PIPE UNLESS NOTED OTHERWISE)

DATE: 12/12/2017  
 DWG NO. 2802SC01 JOB NO. 2802  
 DRAWN BY: D.A.T. SHEET 1 OF 1











DODGE COUNTY  
JIM ELMQUIST  
721 MAIN STREET NORTH  
MANTORVILLE MN 55955

# PROPOSED TAXES 2018

THIS IS NOT A BILL. DO NOT PAY.

**Taxpayer:**

7426 1 AB 0.400

C 11  
S 7426

0022103  
JASON WILKER  
308 10TH ST NW  
BYRON MN 55920-1388

## Property Information

**Property ID:**  
R24.029.0800

**Property Address:**  
1103 8TH AVE NW  
KASSON MN 55944

## Legal Description:

Sect-29 Twp-107 Range-016  
.81 AC .81 AC  
.81 ACRES -COM AT THE SE COR OF  
SE1/4 N890FT TO BEG W160FT

Step	VALUES AND CLASSIFICATION		
	Taxes Payable Year	2017	2018
1	Estimated Market Value	\$ 107,700	\$ 106,200
	Homestead Exclusion	N/A	N/A
	Other Exclusions/Deferrals		
	Taxable Market Value	\$ 107,700	\$ 106,200
	Property Classification	COMM	COMM
2	PROPOSED TAX		
	Property Taxes before credits	\$	3,020.00
	School building bond credit		
	Agricultural market value credit		
	Other credits		
	Property Taxes after credits	\$	3,020.00
3	PROPERTY TAX STATEMENT		
	Coming in 2018		TBD
The time to provide feedback on <b>PROPOSED LEVIES IS NOW</b> It is too late to appeal your value without going to Tax Court.			

## Proposed Property Taxes and Meetings by Jurisdiction for Your Property

Contact Information	Actual 2017	Proposed 2018	Meeting Information
<b>DODGE COUNTY</b> JIM ELMQUIST 721 MAIN STREET NORTH MANTORVILLE MN 55955	\$ 797.93	\$ 828.30	DODGE COUNTY TUESDAY, DECEMBER 26, 2017 6:00 P.M. GSB BOARD ROOM 507-635-6239
<b>CITY OF KASSON</b> NANCY ZAWORSKI 401 5TH ST SE KASSON, MN 55944	\$ 1,393.12	\$ 1,363.34	KASSON CITY HALL WEDNESDAY, DECEMBER 13, 2017 6:00 P.M. COUNCIL CHAMBERS 507-634-7071
<b>STATE GENERAL TAX</b>	\$ 740.16	\$ 41.85	NO MEETING REQUIRED
<b>SCHOOL DISTRICT 0204</b> K-M HIGH SCHOOL MARK MATUSKA 101 16TH STREET NE KASSON MN 55944			KASSON-MANTORVILLE ELEMENTARY MONDAY, DECEMBER 18, 2017 7:00 PM COMMUNITY FORUM ROOM KMHS 507-634-1100
	Voter Approved Levy \$ 555.88	\$ 506.00	
	Other Local Levies \$ 278.91	\$ 280.51	
<b>Total excluding any special assessments</b>			
	\$ 3,766.00	\$ 3,020.00	-19.8 %

IMPORTANT INFORMATION IS PRINTED ON THE BACK OF THIS FORM.

EXHIBIT

12



DODGE COUNTY  
JIM ELMQUIST  
721 MAIN STREET NORTH  
MANTORVILLE MN 55955

# PROPOSED TAXES 2018

THIS IS NOT A BILL. DO NOT PAY.

Taxpayer:

7426 1 AB 0.400

0022103  
JASON WILKER  
308 10TH ST NW  
BYRON MN 55920-1388

C 11  
S 7426



## Property Information

Property ID:

R24.029.0701

Property Address:

## Legal Description:

Sect-29 Twp-107 Range-016  
4.00 AC 4.00 AC  
4.00 ACRES - COMM SECOR SE1/4  
N810FT TO BEG W410FT N510FT

VALUES AND CLASSIFICATION			
Step	Taxes Payable Year		
	2017	2018	
1	Estimated Market Value	\$ 11,600	\$ 11,600
	Homestead Exclusion	N/A	N/A
	Other Exclusions/Deferrals		
	Taxable Market Value	\$ 11,600	\$ 11,600
	Property Classification	COMM	COMM
PROPOSED TAX			
2	Property Taxes before credits	\$	326.00
	School building bond credit		
	Agricultural market value credit		
	Other credits		
	Property Taxes after credits	\$	326.00
PROPERTY TAX STATEMENT			
3	Coming in 2018		TBD
The time to provide feedback on PROPOSED LEVIES IS NOW It is too late to appeal your value without going to Tax Court.			

## Proposed Property Taxes and Meetings by Jurisdiction for Your Property

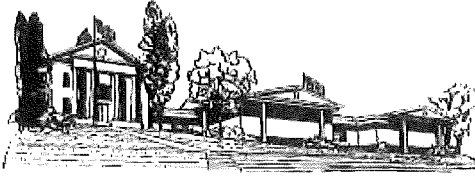
Contact Information	Actual 2017	Proposed 2018	Meeting Information
<b>DODGE COUNTY</b> JIM ELMQUIST 721 MAIN STREET NORTH MANTORVILLE MN 55955	\$ 86.41	\$ 91.18	DODGE COUNTY TUESDAY, DECEMBER 26, 2017 6:00 P.M. GSB BOARD ROOM 507-635-6239
<b>CITY OF KASSON</b> NANCY ZAWORSKI 401 5TH ST SE KASSON, MN 55944	\$ 150.00	\$ 148.91	KASSON CITY HALL WEDNESDAY, DECEMBER 13, 2017 6:00 P.M. COUNCIL CHAMBERS 507-634-7071
<b>STATE GENERAL TAX</b>	\$ 79.70	\$ .00	NO MEETING REQUIRED
<b>SCHOOL DISTRICT 0204</b> K-M HIGH SCHOOL MARK MATUSKA 101 16TH STREET NE KASSON MN 55944	Voter Approved Levy \$ 59.85 Other Local Levies \$ 30.04	\$ 55.27 \$ 30.64	KASSON-MANTORVILLE ELEMENTARY MONDAY, DECEMBER 18, 2017 7:00 PM COMMUNITY FORUM ROOM KMHS 507-634-1100
Total excluding any special assessments			
	\$ 406.00	\$ 326.00	-19.7 %

IMPORTANT INFORMATION IS PRINTED ON THE BACK OF THIS FORM.



# DODGE COUNTY ASSESSOR'S OFFICE

Ryan DeCook, SAMA  
County Assessor  
721 Main St N  
Mantorville, MN 55955



Kim Mills  
Matt Naatz, AMA  
Mike Stupka, SAMA  
Wendy Iverson, CMA

Phone: (507) 635-6245

Fax: (507) 635-6265

Toll-Free: (888) 600-5169

**December 13, 2017**

**JASON WILKER  
308 10TH ST NW  
BYRON MN 55920**

RECEIVED  
DEC 13 2017

RE: Combining of Parcels: \* 24.029.0800 & 24.029.0701

To Mr. Wilker:

You have the opportunity to combine the two parcels listed above. Combining these parcels will not change values or amount of tax, it will simply create one tax statement.

If you have any questions, please let me know. (507) 635-6245 or our toll free number, (888) 600-5169, ask for the Assessor's Office.

Sincerely,

Wendy S. Iverson  
Assessment Office Manager

---

Please combine Parcel \*24.029.0800 & 24.029.0701

X   
JASON WILKER

12-13-17  
DATE

X

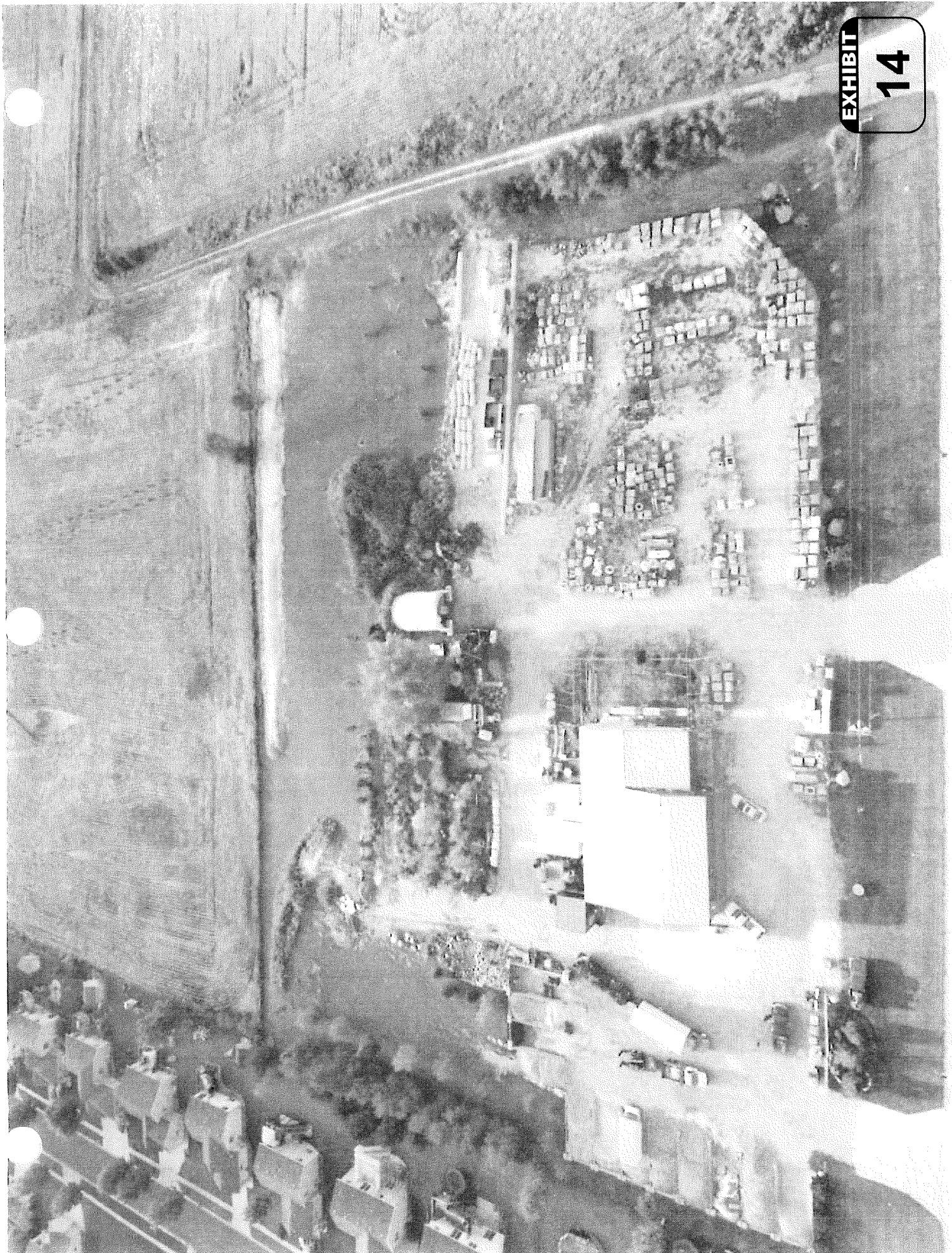
DATE

By signing this form you have acknowledged that you are aware of the potential changes to your property rights. It is the responsibility of the property owner to understand the possible Zoning ordinance changes that could occur as a result of a combination. Before signing this form it is recommended that you talk to your local Environmental Service/Zoning department.

**EXHIBIT**  
**13**







EXHIBIT

14











MINNESOTA DEPARTMENT OF AGRICULTURE

NURSERY STOCK DEALER CERTIFICATE

WILKER JASON J DBA  
J WILKER RETAINING  
1103 8TH AVE NW  
KASSON MN 55944

20195897 05/02/2018

Certificate Number Effective date

12/31/2018

Expiration date

WILKER JASON J DBA  
J WILKER RETAINING  
1103 8TH AVE NW  
KASSON MN 55944

20195897

\$225.00

12/31/2018

Certificate Number Certificate Fee Paid Expiration date

MINNESOTA DEPARTMENT OF AGRICULTURE

625 ROBERT STREET NORTH, ST. PAUL, MINNESOTA 55155-2538  
NURSERY STOCK DEALER CERTIFICATE

WILKER JASON J DBA  
J WILKER RETAINING  
1103 8TH AVE NW  
KASSON MN 55944

Certificate Categories

20195897

\$225.00

05/02/2018

12/31/2018

Certificate Number

Certificate Fee Paid

Effective date

Expiration date

*This certificate must be posted in a conspicuous place and is not transferable.*

AG-00853 In accordance with the Americans With Disabilities Act, an alternative form of communication is available upon request.

EXHIBIT

15



MINNESOTA DEPARTMENT OF AGRICULTURE

NURSERY STOCK DEALER CERTIFICATE

WILKER JASON J DBA  
J WILKER RETAINING  
1103 8TH AVE NW  
KASSON MN 55944



20195897 01/01/2019 12/31/2019  
Certificate Number Effective date Expiration date

WILKER JASON J DBA  
J WILKER RETAINING  
1103 8TH AVE NW  
KASSON MN 55944

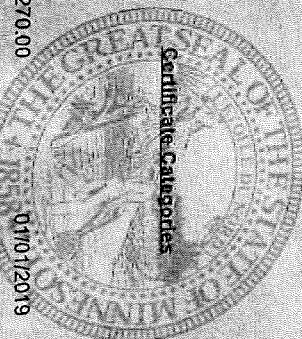
20195897 \$270.00 12/31/2019  
Certificate Number Certificate Fee Paid Expiration date

MINNESOTA DEPARTMENT OF AGRICULTURE

625 ROBERT STREET NORTH, ST. PAUL, MINNESOTA 55155-2538

NURSERY STOCK DEALER CERTIFICATE

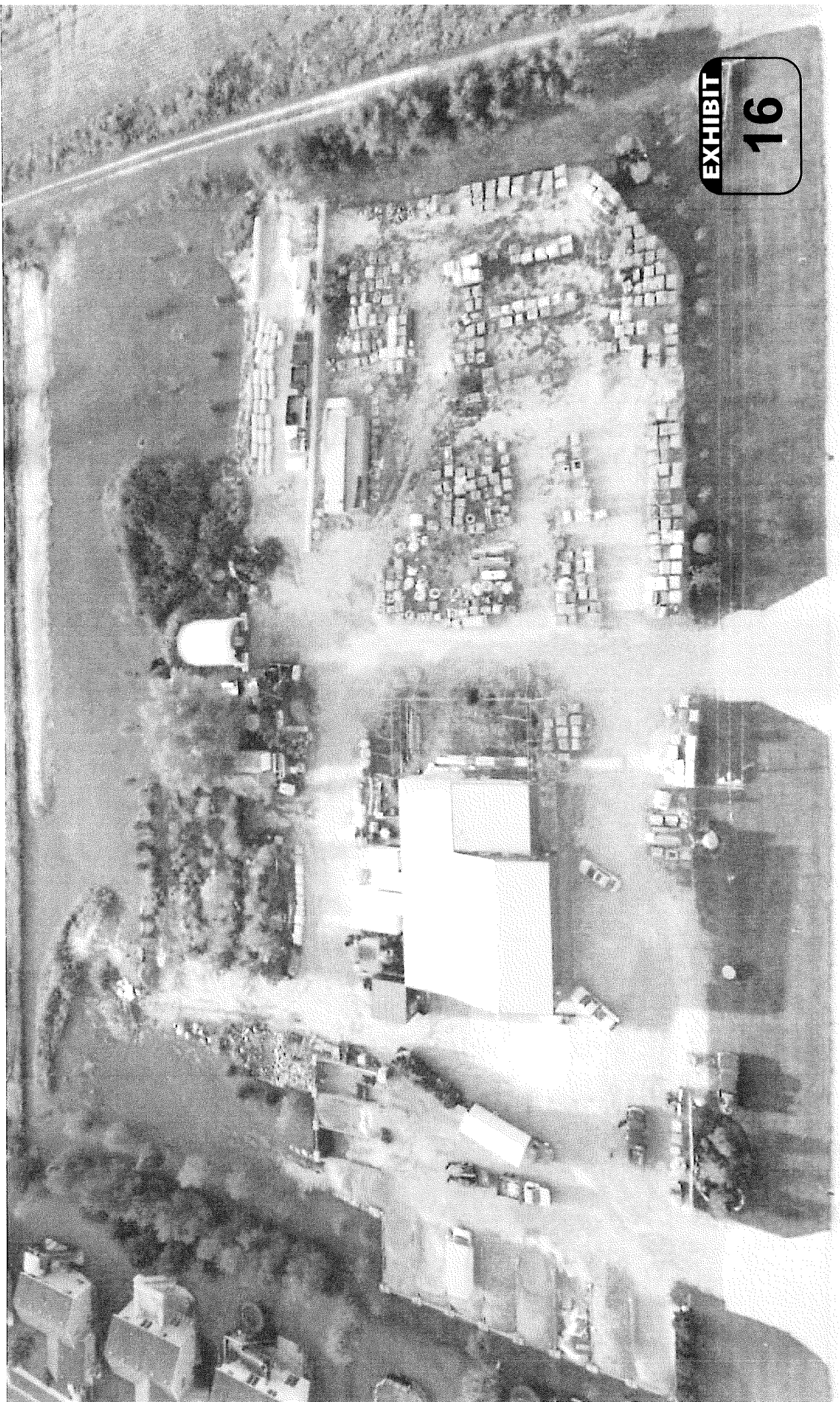
WILKER JASON J DBA  
J WILKER RETAINING  
1103 8TH AVE NW  
KASSON MN 55944



20195897 \$270.00 01/01/2019 12/31/2019  
Certificate Number Certificate Fee Paid Effective date Expiration date

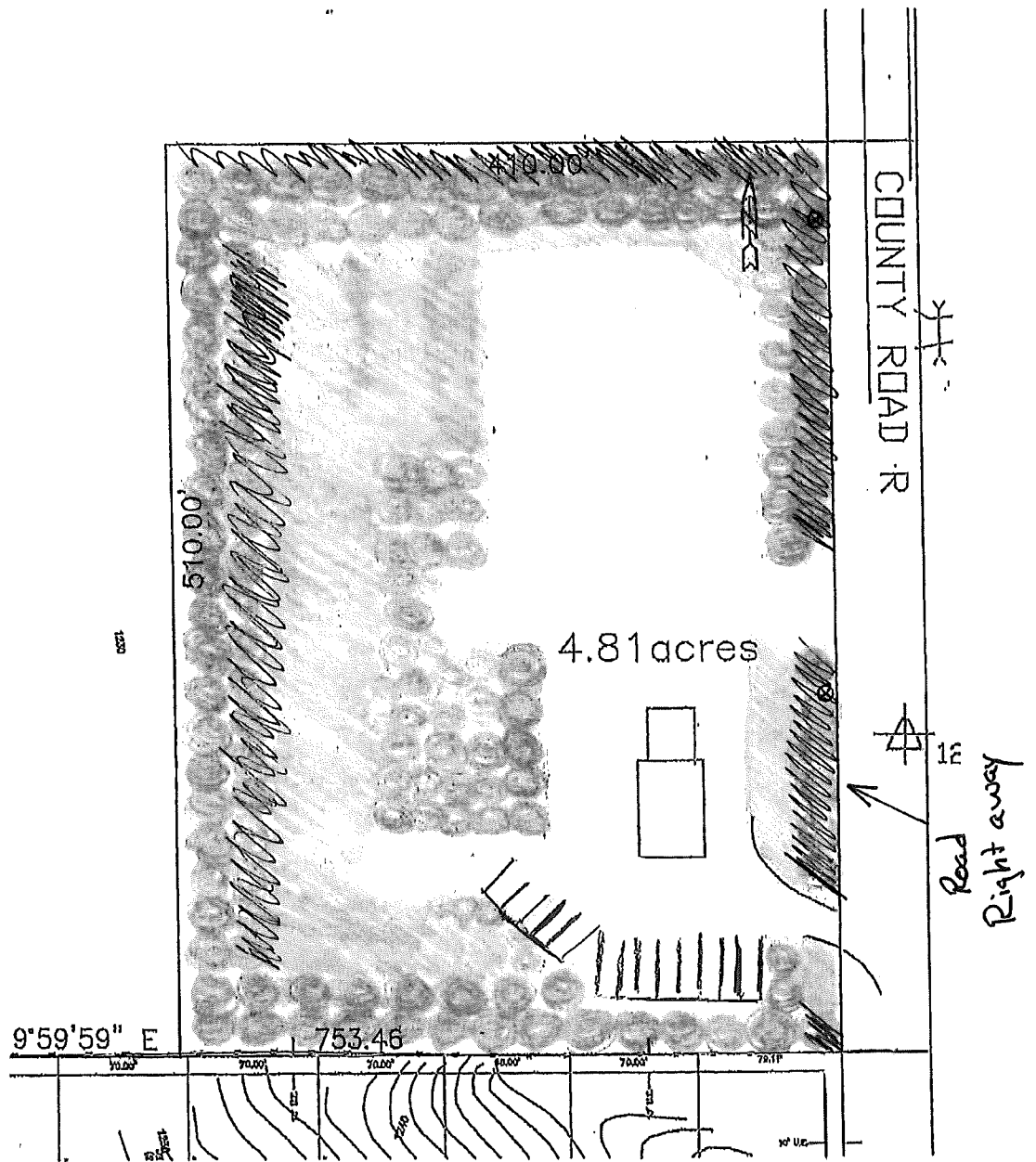
*This certificate must be posted in a conspicuous place and is not transferable.*  
AG-00853 In accordance with the Americans With Disabilities Act, an alternative form of communication is available upon request.













## MEMO

DATE: January 9, 2020

TO: City Staff

FROM: Melanie J. Leth, City Attorney

RE: Application for CUP for 1103 Eighth Avenue NW, Kasson

I understand that the City's consultant from Hoisington Koegler Group has reviewed the application and will be making a recommendation regarding approval/denial. However, if the recommendation of the Planning Commission is to grant the application, I recommend the following conditions be imposed upon the CUP:

Easement: The property owner shall grant to the City via easement agreement, a 10' utility easement along the entire north boundary of the property.

Dedication: The property owner shall grant to the City the public right-of-way for the extension of future 12<sup>th</sup> Street NW through his property to allow for the orderly development of the adjacent property.

Buildings/Structures: No additional building or structure shall be allowed on the property. No addition to an existing building or structure shall be allowed on the property.

Nursery Stock: The property owner shall plant and maintain a nursery stock of no less than three hundred (300) new trees (not counting existing trees, border trees, or seasonal nursery stock) on the property at all times, subject to the following:

- The 300 new trees shall be of a diameter of at least 1".
- The 300 new trees shall be certified nursery stock obtained from a certified nursery stock grower or dealer. The property owner shall maintain documentation from the grower or dealer from whom the new trees were acquired, and shall provide such documentation to the City within seven (7) days of a written request for same by the City.
- The 300 new trees may be planted in phases of 100 new trees per year. The first 100 new trees shall be planted by July 1, 2020; the second 100 new trees shall be planted by July 1, 2021, and the final 100 new trees shall be planted by July 1, 2022.
- Commencing July 2, 2020, the City shall schedule "nursery stock reviews" to occur three (3) times annually, once in the spring, once in the summer, and once in the fall, to ensure that there are the requisite number of new trees on the property, and that the new trees comply with these requirements.
- The City will schedule the nursery stock reviews giving the property owner at least seven (7) days written and emailed notice. The property owner shall allow the City's staff and agents upon the property for scheduled nursery stock reviews and shall fully cooperate with all such reviews.

- The property owner shall, within thirty (30) days, replace any of the 300 new trees that die, that are destroyed, or that are sold.

Buffers: The property owner shall maintain the existing buffers along the south and west sides of the property, including but not limited to regular mowing, tree trimming, and weed control.

Lighting: The property owner acknowledges that any additional lighting installed on the property, including on the addition or bumpout, shall require a separate application pursuant to City Ordinance.

Equipment Storage: There shall be no outside storage of trucks or equipment on the property overnight without an approved bufferyard and screening unless all such trucks and equipment is properly screened from offsite viewing from areas within the City.

Operation: Hours of operation shall be between 7:00 a.m. and 9:00 p.m., except snow plowing operations which may occur outside these hours of operation.

Landscaping Material Storage: Outside storage and/or display of landscaping materials shall only be allowed within the existing storage bunkers located on the south side of the existing structure. The existing storage bunkers shall not be increased in size or number, and the property owner shall reasonably maintain such bunkers. No other outside storage or display of landscaping materials shall be allowed without an approved bufferyard and screening unless all such materials are properly screened from offsite viewing from areas within the City.

License: The property owner shall at all times maintain a valid nursery stock dealer certificate from the State of Minnesota.

Misc: The property owner shall comply with applicable laws and City Ordinances.

## STAFF REPORT

**TO:** Planning and Zoning Commission  
**FROM:** Laura Chamberlain, Consulting Planner, HKGi  
**DATE:** January 9, 2020  
**SUBJECT:** Blaine's 14<sup>th</sup> Addition – General Development Plan; Preliminary Plat  
**APPLICANT:** Tierra AKA Partnership  
**OWNER:** Tierra AKA Partnership  
**LOCATION:** PID No. 240340700 and PID No. 240340701  
**MEETING DATE:** January 13, 2020  
**COMPREHENSIVE PLAN:** LDR – Low Density Residential  
**ZONING:** R-1 Single Family Residential District

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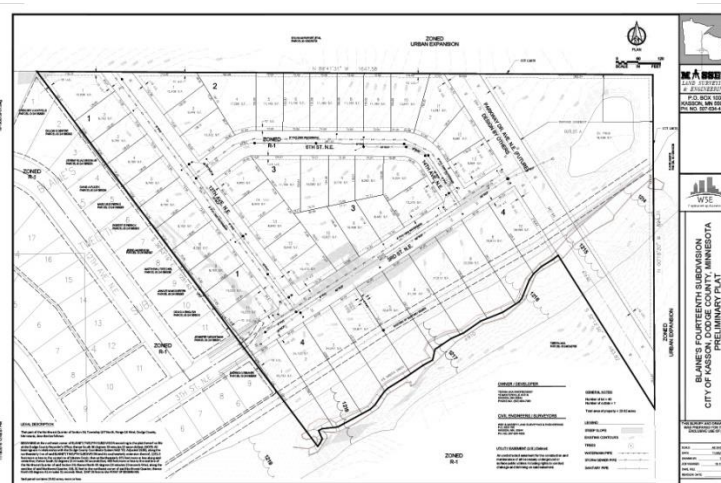
## OVERVIEW

The applicant, Tierra AKA Partnership, represented by Carter Blaine, has applied for General Development Plan review and Preliminary Plat approval for the property located at PIDs No. 240340700 and 240340701. The proposed development, called Blaine's 14<sup>th</sup> Addition, will subdivide two existing parcels located on the east side of Kasson just north of the Canadian Pacific Railroad.



[illegible]

The Preliminary Plat shows the development of the first phase of the GDP, which includes all property north of Masten Creek, as well as a stormwater outlot and right of way that cross Masten Creek. The Preliminary Plat shows 48 single family detached residential parcels as well as a stormwater outlot.



### Figure 3: Blaine's 14<sup>th</sup> Preliminary Plat

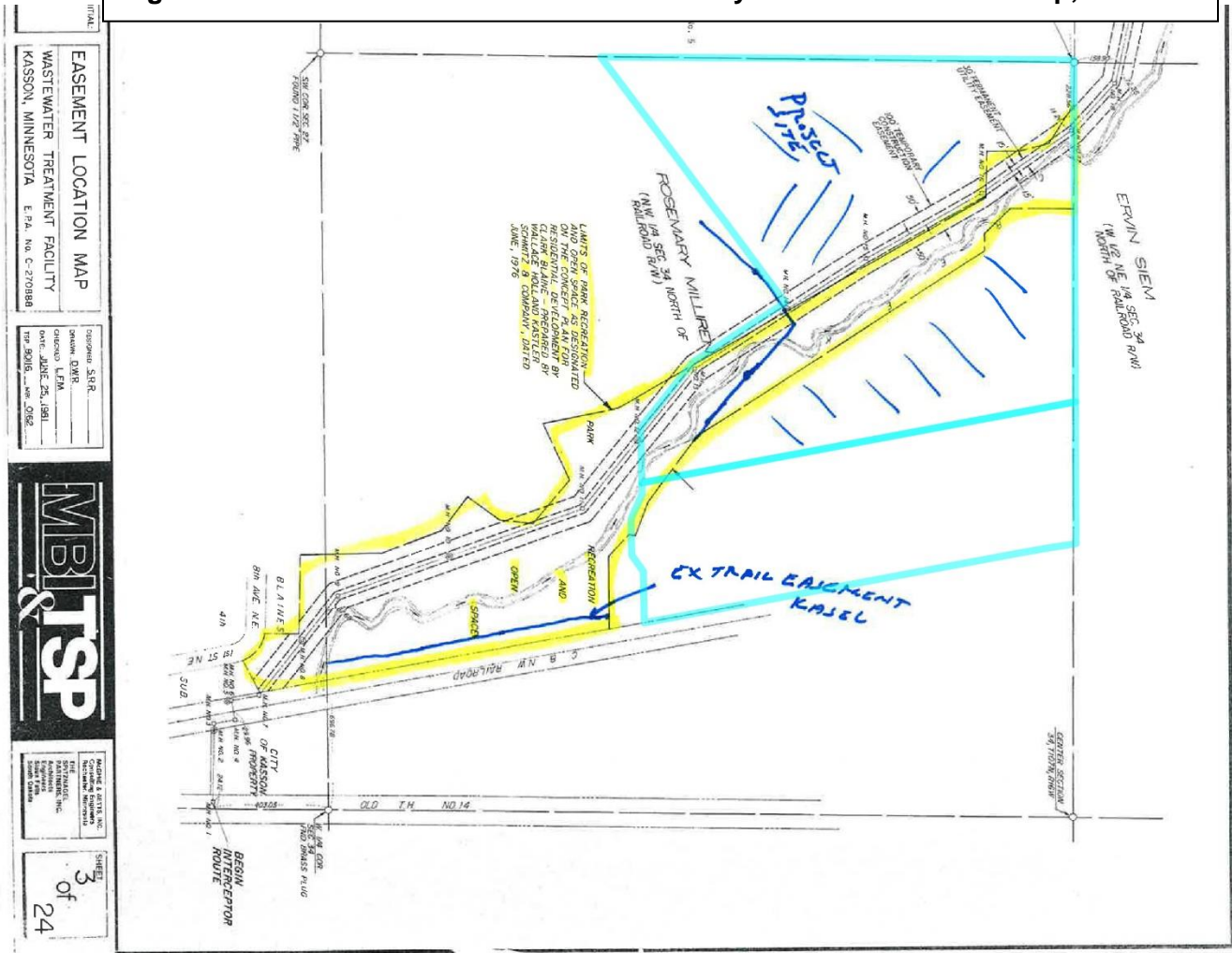


The applicant is seeking General Development Plan review and approval of the Preliminary Plat.

## BACKGROUND

- This is the most recent phase of development of the Blaine's farm in eastern Kasson.
- The subdivision of Blaine's farm began with concept planning by Clark Blaine in 1976. Blaine's 4<sup>th</sup> and 5<sup>th</sup> Additions were platted in 1977 and 1978, respectively. The 1976 concept plan showed a recreation and open space buffer around both sides of Masten Creek. The 1976 concept plan recreation and open space buffer was then used on City plans for the Wastewater Treatment Facility easement location on the north side of Masten Creek, as shown on plans in 1981

**Figure 4: Kasson Wastewater Treatment Facility Easement Location Map, 1981**



- Other development in the area were platted as follows:
  - Huse's 3<sup>rd</sup> Addition in 1978
  - Blaine's 8<sup>th</sup> Addition in 1982
  - Blaine's 9<sup>th</sup> Addition in 1989
  - Blaine's 10<sup>th</sup> Addition in 1997



- Blaine’s 11<sup>th</sup> Addition in 2005
- Blaine’s 12<sup>th</sup> Addition in 2005
- Houston’s 1<sup>st</sup> Addition in 2018
- Kasel’s 1<sup>st</sup> Addition in 2018
- This subject site was included within previous General Development Plans for various stages of the Blaine’s Subdivisions. Notably, a General Development Plan last revised in 2014 shows generally how the subject site’s roads would connect to the future extension of 8<sup>th</sup> Street NE

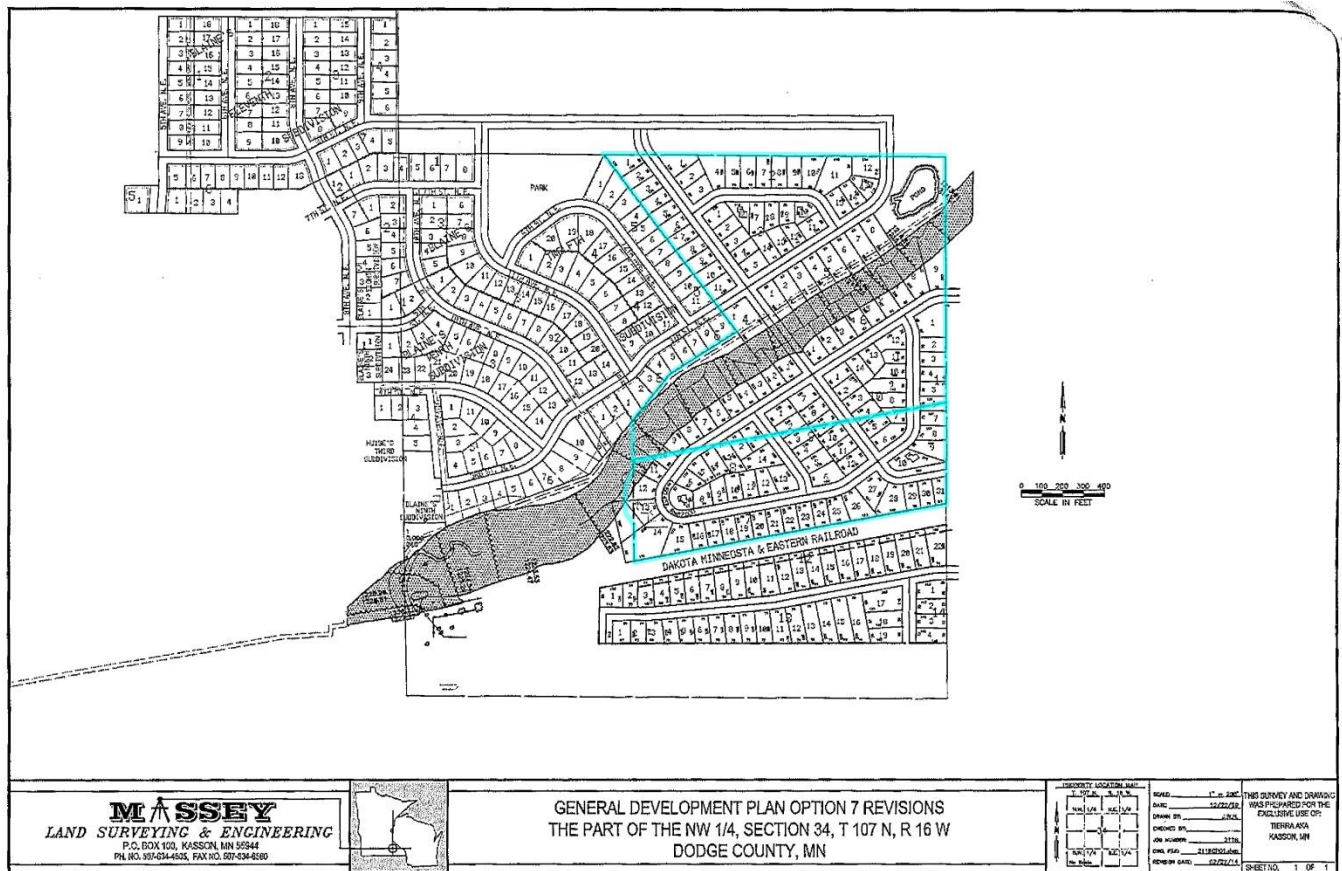


Figure 5: 2014 update to Blaine’s General Development Plan

## REVIEW PROCEDURE

The applications submitted include the following subdivision requests:

- General Development Plan review
- Preliminary Plat approval

### 120-Day Subdivision Review Process

Pursuant to Minnesota State Statutes Section 462.358, local government agencies are required to approve or deny subdivision requests within 120 days. “Day 1” is determined to be November 18, 2019 in accordance with Minnesota Statutes 645.15. The 120-day timeline for the preliminary plat expires on March 17, 2020.

### Public Hearing

City Code Section 152.052 requires that a public hearing for review of the preliminary plat be held by the Planning and Zoning Commission. The public hearing notice was published in the Dodge County Independent on November 28, 2019 and posted on the City website on December 5, 2019. The public hearing notice was mailed to all affected property owners located within 350 feet of the subject properties on November 27, 2019.

The public hearing was held on December 9, 2019 by the Planning and Zoning Commission. A representative of the applicant was the only person to speak at the public hearing and the public hearing was closed. After discussion of the Planning and Zoning Commission regarding changes to the General Development Plan and the Preliminary Plat recommended by the City Engineer in their letter dated December 4, 2019, the Commission moved to table the action to the January 13, 2020 meeting. A draft of the minutes for the Public Hearing and the following discussion has been included as an attachment to this report.

## DEVELOPMENT SUBMITTAL REVIEW

The following is a review of the submitted materials as they relate to the City of Kasson’s adopted Comprehensive Plan, the Subdivision Ordinance (Chapter 152 of the City Code), and the Zoning Ordinance (Chapter 154 of the City Code). Additional elements related to technical aspects of subdivision have been reviewed by the City Engineer and are addressed later in this report.

### Comprehensive Plan and Zoning

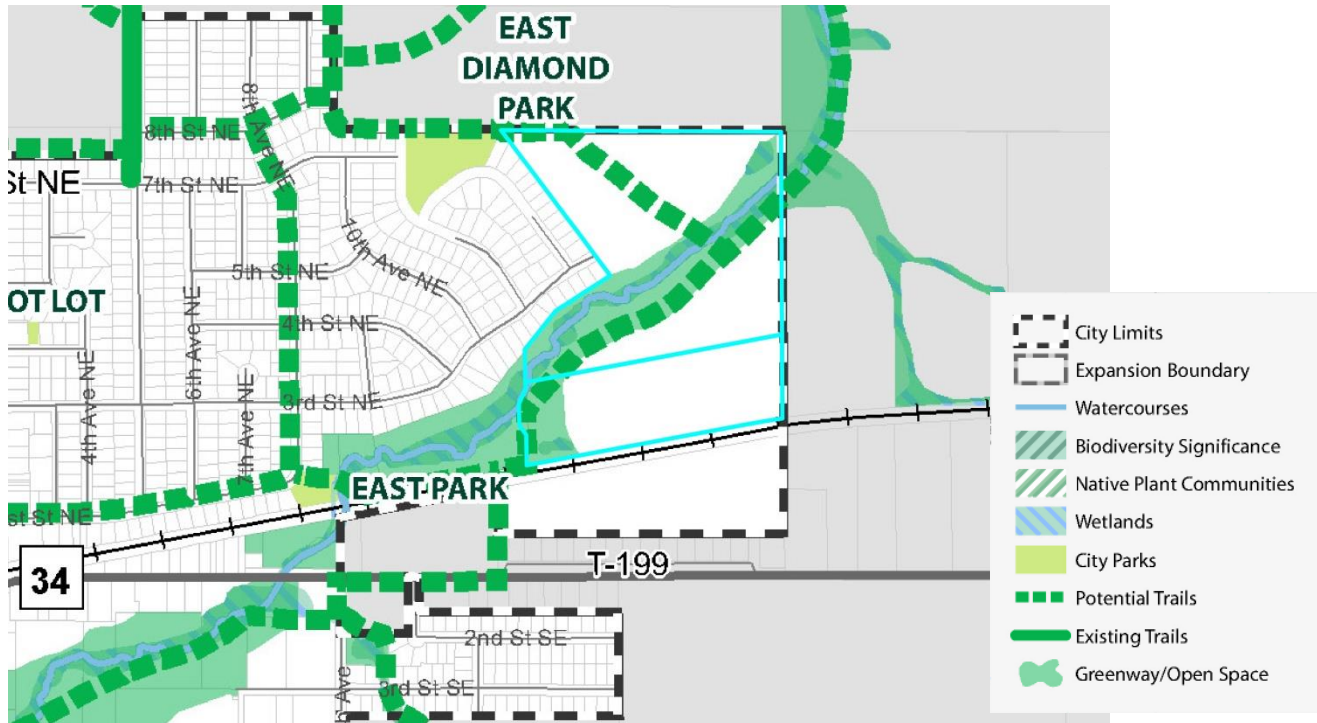
#### *Land Use*

The City’s Comprehensive Plan guides this area for Low Density Residential and Open Space land uses.

- Low Density Residential consists of single family detached residential as the prevailing development type but may also consist of limited amounts of two unit buildings (twin home or duplexes). Density of development within the Low Density Residential areas falls within a range of 2 to 4 housing units per acre (lot sizes ranging from 8,000 to 20,000 square feet).
  - The General Development Plan shows 131 residential units on an estimated 57.07 gross acres of land, resulting in a density of 2.30 units per acre, which fits with the Low Density Residential land use designation.

- The Preliminary Plat shows 48 residential units on an estimated 23.62 gross acres of land, resulting in a density of 2.03 units per acre, which fits with the Low Density Residential land use designation.
- Any future platting of the site will also have to fall within this density range.
- Open Space represents areas where the community intends to preserve and manage the valued natural resources. Open space is passive in character. Recreational trails may be included in open space corridors where appropriate, but development is kept to a minimum.
  - The area designated for open space is also the boundary of the floodplain of Masten Creek. It is the city’s policy that the floodplain remain undeveloped and also kept in a relative natural state to prevent erosion and degradation of the slopes on the creek.
  - The General Development Plan and the Preliminary Plat show property boundaries of residential lots that go all the way to the center of the creek. City Staff recommend that the areas within the floodplain be set in a single outlot and deeded to the City; this will result in reducing the lot areas of each residential lot on Block 4. This will then prevent the development of the floodplain areas into residential lawns, as has happened further down the creek, and protect the natural resource/greenway area designated in the Comprehensive Plan.

The City’s Comprehensive Plan also designates this area’s open space to contribute to a greenway/natural area system throughout the city, connecting the city’s natural resources through trails and passive open space. Future trails are shown on the site along the southern edge of Masten Creek and along the future parkway.



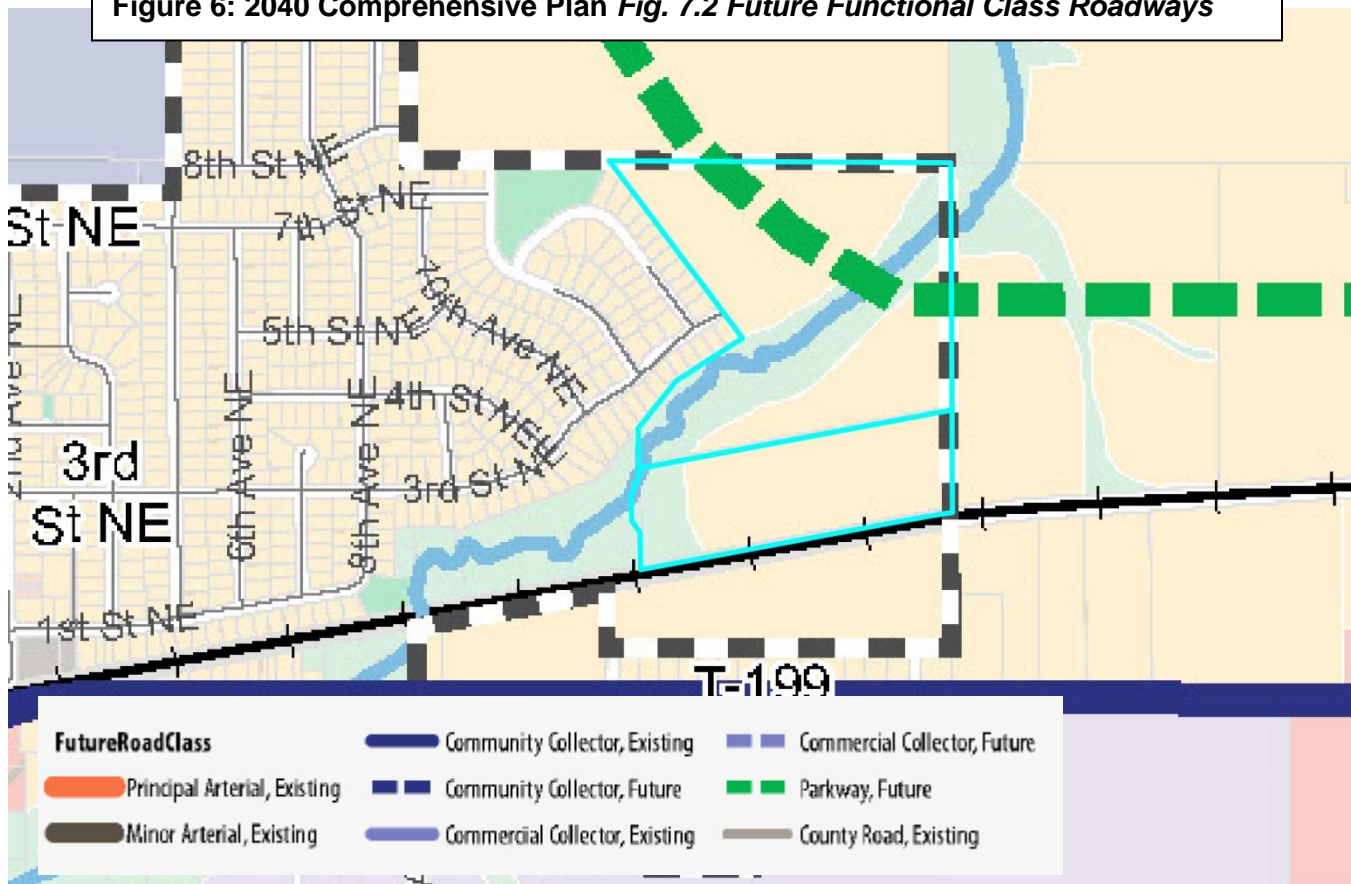
**Figure 6: 2040 Comprehensive Plan Fig. 4.4 Potential Greenways**

- As noted above, the area designated as open space and shown as the future greenway are also areas within the floodplain. Staff recommend that these areas be shown on the General Development Plan and the Preliminary Plat as a single outlot and deeded to the city.
- The alignment of the trail along the southern side of Masten Creek is not addressed within the General Development Plan or the Preliminary Plat. Staff recommend that area useable for a trail be shown on the GDP and the Preliminary Plat; the value of the useable land could be assessed and count towards the development’s park dedication. It is possible that this area can be within the floodplain, as trails are considered a passive use; however, in order to be credited towards park dedication the land needs to be “usable,” which in this case means having enough width for the trail right of way and no steep slopes.

### Transportation

The future parkway through the site is shown within the Transportation Chapter of the Comprehensive Plan.

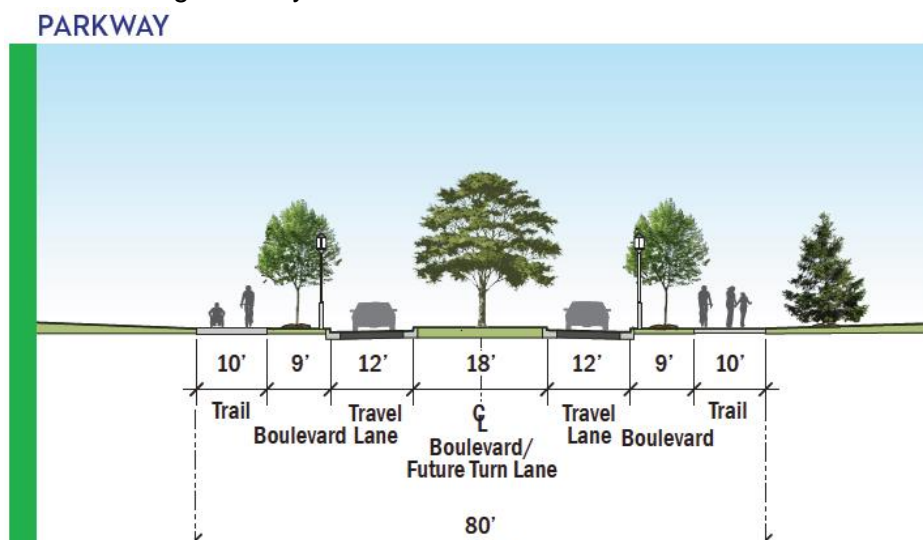
**Figure 6: 2040 Comprehensive Plan Fig. 7.2 Future Functional Class Roadways**



- The proposed parkway helps achieve goals and policies established in the 2040 Comprehensive Plan
  - Goal 7.1: “Offer a greater degree of connectivity for all roadway users in future developments”
    - Policy 7.1.1 “Require new neighborhoods to have multiple ingress and egress points from local streets connecting to collector and arterial street systems”



- Policy 7.1.4 “Plan beyond a specific development projects boundaries. Roads and trails do not just end [at] a particular project’s edges. As development is proposed in new growth areas make sure that the circulation system considers how adjacent property might develop and how a circulation system works for the larger area and connects to the collector and arterial roadway system.”
- Goal 7.2: “Offer a full range of travel modes as well as routes. This includes transit, walking, biking, and alternative vehicles that are energy efficient or that serve less mobile populations”
  - Policy 7.2.3 “As roadway improvements are planned, incorporate off street multi-use trails and sidewalks along all major road corridors (collectors) that lead to key destinations such as downtown Kasson, schools, churches, or recreation destinations”
- Parkway are a variation of a collector and serve the same travel purpose. These roadways feature a wide landscaped median as well as landscaped boulevards and walk/bike trails. They provide a greater focus on pedestrian and bicyclist comfort.
- As this is the first proposed plat that is affected by the future parkway, this proposed plat will establish a location for a segment of the parkway. Future development will need to connect to this segment. Policy 7.1.4 provides for the need to plan beyond a single project’s boundaries in order to understand a projects larger circulation and access to the collector and arterial street network.
- The future parkway on the site is shown in the Comprehensive Plan to provide a community connection in the eastern growth areas of the City between 16<sup>th</sup> Street NE and 260<sup>th</sup> Avenue (and beyond).
  - The General Development Plan and the Preliminary Plat show an 80-foot right of way for a portion of the parkway across the north east corner of the site
  - The Comprehensive Plan shows a general cross-section of a parkway, with two drive lanes, a landscaped median, and 10-foot multi-use trails on each side all within the 80-foot right of way.



**Figure 7: 2040 Comprehensive Plan *Roadway Elevation for Parkway* from p. 7-6**



### **Zoning**

The site is currently zoned R-1 Single Family Residential. The proposed use of single family detached residential units are a permitted use in the R-1 Zoning District

Masten Creek traverses through the southerly portion of the subject property. There is a floodplain associated with the creek on the property.

- Dodge County is in the process of preparing a LOMR to revise the floodplain for the portion of Masten Creek through the city. The flood elevations depicted on the current map and within the Flood Insurance Rate Report may differ from the LOMR which has not yet been approved by FEMA.
- The applicant has shown boundaries and base flood elevation for the 100 year floodplain on the GDP; it is unclear from the labeling if these boundaries and elevations reflect the proposed LOMR by Dodge County or the existing FEMA map from 1981.
- As the Dodge County LOMR has been identified as the likely floodplain elevations, these elevations are fine to show on the General Development Plan and Preliminary Plat. The applicant should note, however, that until such a time that the LOMR is adopted by FEMA, the existing FEMA maps are what the City will continue to enforce with Chapter 153 of the City Code.
- The applicant has not shown any proposed building areas within the floodplain; however, City Staff recommend that the floodplain remain on an individual outlot, owned by the City, rather than be subdivided into individual properties. The recommended trail on the south side of Masten Creek could be developed within the floodplain, if the applicant can show an area that is usable for the trail.

### **Surrounding Land Uses**

The site has the following land uses in the immediate proximity:

- To the north and east are agricultural uses that are slated for low density residential uses in the future
- To the south is the existing railroad
- To the west are existing single family residential subdivisions

The proposed uses for the site fit with the existing and future character of the area

### **General Development Plan**

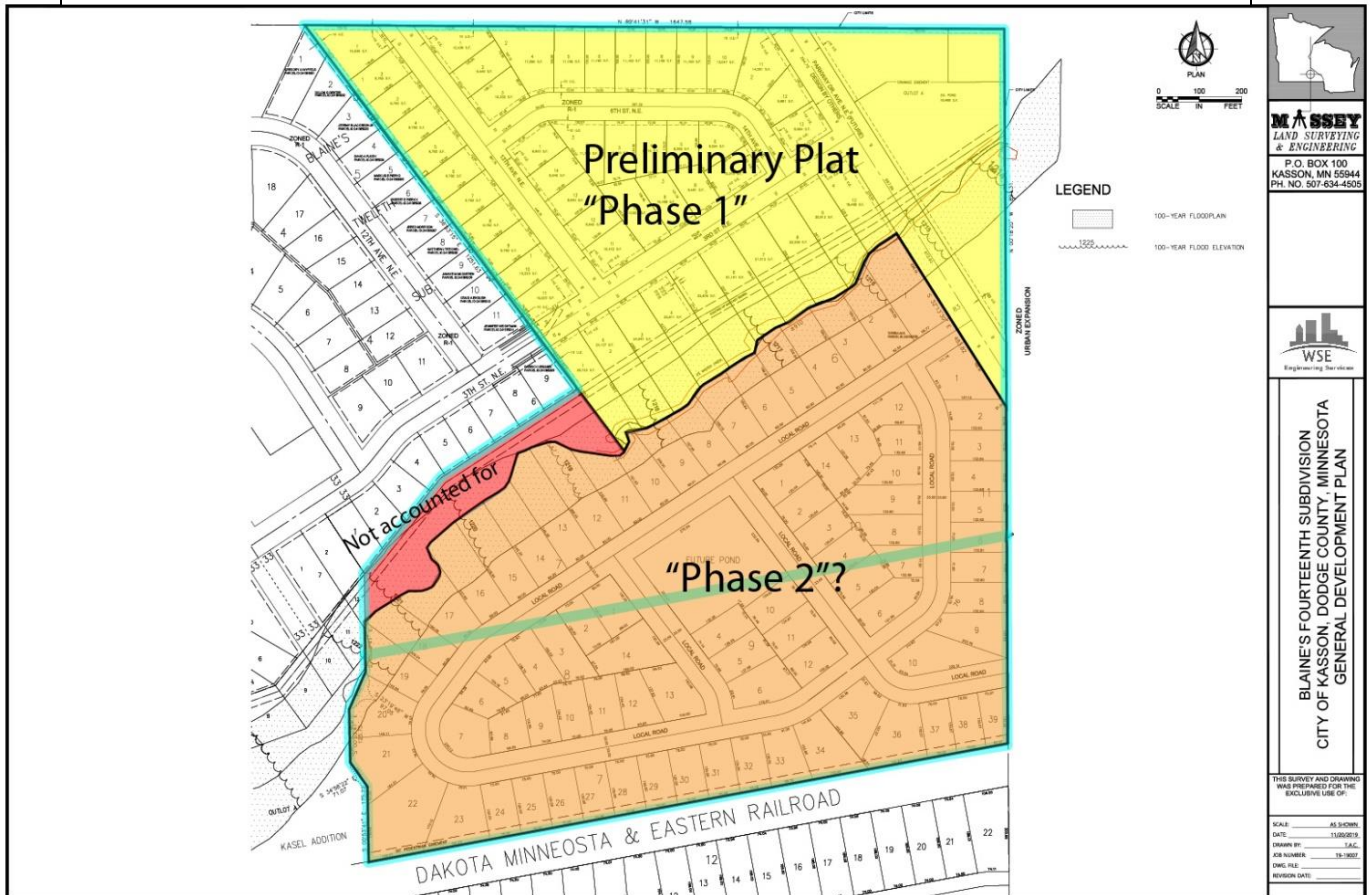
The purpose of a General Development Plan is to give developers a chance to present their development ideas to City Staff and the Planning and Zoning Commission for general development feedback before investing significant money into the technical details needed for the preliminary and final plats. The Planning and Zoning Commission reviews the General Development Plan to note if it generally meets the objectives of the Subdivision and Zoning ordinances. A positive review by the Planning and Zoning Commission does not indicate approval of the plat or any element of the plat; approval actions are taken by the City Council during the Preliminary Plat and Final Plat stages.

The applicant has submitted a General Development Plan (GDP) for two parcels (PIDs No. 240340700 and 240340701) located on the east side of Kasson just north of the Canadian Pacific Railroad. The

GDP shows the subdivision of 131 single family detached residential parcels as well as two outlots for stormwater ponding. Masten Creek bisects the site.

- The General Development Plan (GDP) shows the general proposed layout of the subdivision of two existing parcels: PID No. 240340700 and 240340701. The GDP needs to clearly show the extent of this entire area to be subdivided. Currently, a western portion of PID 240340700 which branches along the creek, south of Blaine’s 12<sup>th</sup> Addition is not included within the extent of the subdivision area. This area should be included on the GDP.

**Figure 8: General Development Plan Parcel Analysis**



- The area of the development within the floodplain should be shown as an outlot, with individual property lines going to the outlot, not the center of the creek.
- The GDP is intended for the entire 131 lots within “Blaine’s 14<sup>th</sup> Subdivision” but the preliminary plat only includes 48 lots of that subdivision, it is assumed that the remaining lots shown in the GDP will be platted at a later date (2<sup>nd</sup> Phase). Therefore, the GDP should reflect intended phasing of the subdivision, with Phase 1 and Phase 2 clearly labeled in the GDP.
- Connections to general roads outside of the subdivision area should be shown, particularly how the proposed 13<sup>th</sup> Avenue NE and the Parkway will connect with the general east/west extension of 8<sup>th</sup> Street NE in the parcel to the north, as seen in the 2014 General Development Plan in Figure 5 of this report.

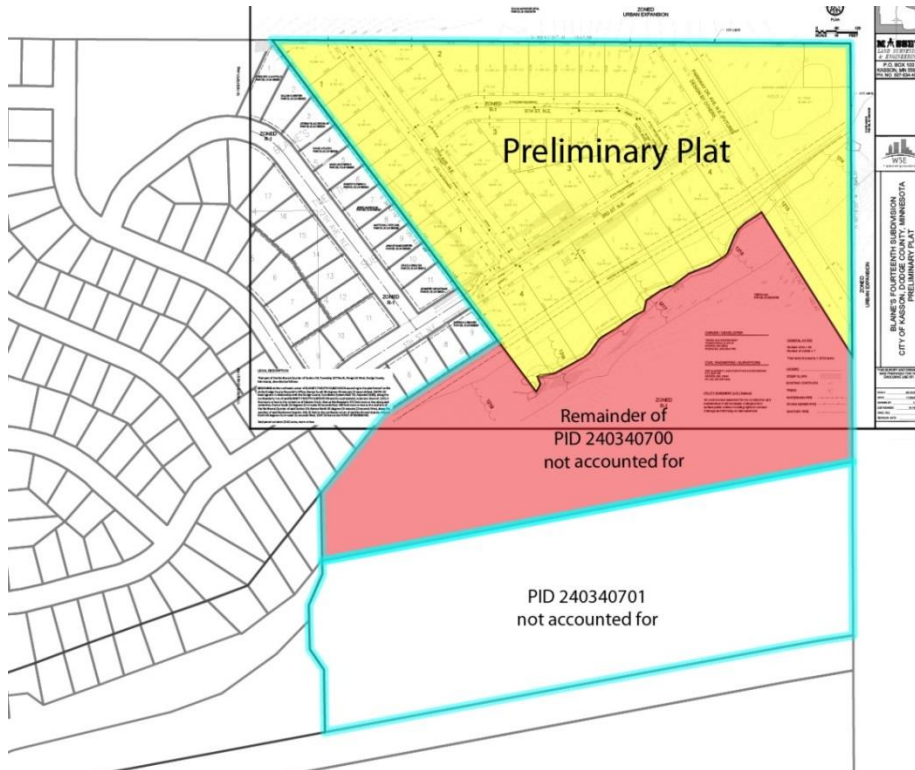
While these elements should be included within the GDP, the Planning and Zoning Commission’s review of the GDP does not include any recommendation of approval. Neither the developer nor the City are held to the elements shown in the GDP. Any element the Planning and Zoning Commission want to make sure are reflected during development need to be present within the Preliminary Plat.

### **Preliminary Plat**

The purpose of a preliminary plat is to give preliminary review and approval of the subdivision of land that meets the guidance of the City’s Comprehensive Plan and the standards of the subdivision and zoning ordinances. The approval of a preliminary plat gives developers the right to develop the site as shown within the preliminary plat, as long as the final plat substantially meets the standards and conditions of the preliminary plat approval. This right lasts one year after preliminary approval and two years after final approval, unless otherwise agreed upon between the developer and the City. With that in mind, the preliminary plat should be reviewed with care and a technical eye. Conditions of approval are common, and should be addressed by the applicant, submitted to the City and approved by appropriate staff before the City will accept a final plat application.

### **Existing Parcels**

The submitted Blaine’s 14<sup>th</sup> Addition Preliminary Plat encompasses 23.62 gross acres of the 57.07 acre site. The preliminary plat shows 48 residential lots and one stormwater outlot. The preliminary plat represents the subdivision of one or more parcels into many parcels for development. The applicant’s submitted Preliminary Plat does not account for the entirety of the parcel(s) being subdivided. PID No. 240340700 is approximately 40.73 gross acres, but the preliminary plat only accounts for 23.62 acres of the parcel. The remainder of the parcel, including those areas south of Masten Creek and the areas south of Blaine’s 12<sup>th</sup> Addition need to be included on the preliminary plat. The applicant has also not indicated if PID No. 240340701 is also part of this subdivision (as it was included in the GDP); if it is included, it needs to be accounted for on the Preliminary Plat. Any areas that will be developed in the future but not being developed as part of this “Phase 1” should be placed into outlots and future uses labeled as a condition of approval for the preliminary plat. These outlots would require preliminary and final plat prior to future development.



**Figure 9: Preliminary Plat Parcel Analysis**

- Lot area – the minimum lot size for single-family detached lots in the R-1 Zoning District is 7,920 square feet.
  - All residential lots on the submitted preliminary plat meet this minimum lot size requirement
  - However, Lots 1-10 in Block 4 are recommended by City Staff to be altered as a condition of approval; the portion of those lots within the floodplain should be converted into a single outlot, so as a condition of approval, all lots in Block 4 will need to have their area recalculated and reviewed to make sure they still meet the minimum lot size
- Lot width – the R-1 Zoning District has a minimum lot width for single-family detached lots is 45 feet at the street line and 66 feet at the front yard setback (20')
  - The applicant has not included setback lines on the preliminary plat
  - As a condition of approval, setback lines should be added to all residential lots within the preliminary plat and lot width at the building setback line will be verified by staff to ensure compliance with the R-1 zoning district
- Setbacks – the R-1 Zoning District has a front yard setback of 20 feet, a side yard setback of 20 feet, and a rear yard setback of 20 feet
  - As mentioned above, the applicant did not include yard setbacks on the preliminary plat
  - As a condition of approval, setback lines should be added to all residential lots within the preliminary plat to show the general buildable area of each lot
- Hardcover – the applicant should note that hardcover in the R-1 Zoning District is limited to 40% per lot. The hardcover of individual properties will be reviewed at the time of building permit application

- Building Height – the applicant should note that building heights in the R-1 Zoning District are limited to 35 feet or 2 ½ stories. The height of individual buildings will be reviewed at the time of building permit application.

#### ***Wetlands, Floodplain, Grading and Stormwater Management***

- Wetlands – there is an existing wetland in the northeastern corner of the site that also serves as a stormwater drainage area for the site.
  - The preliminary plat does not include a wetland delineation
  - A wetland delineation report should be submitted as a condition of approval of the preliminary plat
  - A certificate of survey of the site including the delineated wetland should be submitted as a condition of approval for the preliminary plat
- Floodplain – the area around Masten Creek includes the floodplain of the creek
  - Dodge County is in the process of preparing a LOMR to revise the floodplain for the portion of Masten Creek through the city. The flood elevations depicted on the current map and within the Flood Insurance Rate Report may differ from the LOMR which has not yet been approved by FEMA.
  - As the Dodge County LOMR has been identified as the likely floodplain elevations, these elevations are fine to show on the General Development Plan and Preliminary Plat. The applicant should note, however, that until such a time that the LOMR is adopted by FEMA, the existing FEMA maps are what the City will continue to enforce with Chapter 153 of the City Code.
  - The applicant has drawn in an area around the creek that resembles the floodplain, along with cross-elevations. These elements should be labeled and described on the preliminary plat document, along with an explanation if they reflect the proposed LOMR from Dodge County or the existing FEMA map; these elements should be required as a condition of approval.
  - As indicated previously in this report, staff recommend the areas within the floodplain of Masten Creek be put into an outlot and deeded to the City of Kasson; an updated preliminary plat should be submitted showing this change as a condition of approval
  - Any residential development near a floodplain must be above the Regulatory Flood Protection Elevation, which is one-foot higher than the 100-year floodplain contour. This elevation should be shown on properties surrounding the floodplain to show the buildable area on the areas above the Regulatory Flood Protection Elevation; this should be added to the Preliminary Plat as a condition of approval
- Grading – the preliminary plat shows existing topography, with one-foot contours
  - No grading plan has been submitted with the application, a grading plan for the preliminary plat should be required as a condition of approval and should be reviewed by the City Engineer
  - The existing contours of the site show a number of areas that are considered steep slopes (areas with grade over 18%); located on Block 1 Lots 6-11, Block 3 Lots 9-11, Block 4 Lots 5-8, as well as the right-of-way for 3<sup>rd</sup> Street NE
    - Sec 152.020 (A)(1)(c) of the City Code states that “slopes over 18% in grade shall not be developed”



- Given the topography of the surrounding area, it is likely that these steep slopes were not naturally occurring, and were created to drain water to the wetland at the northeast corner of the site. As such, these steep slopes do not need to be maintained with the grading of the site.
  - The grading plan should show how these areas will be graded, as the steep slopes should not remain and currently limit the developability of the residential lots
- There are additional steep slopes shown on the Preliminary Plat along the banks of Masten Creek. These steep slopes should be protected from erosion. Soil erosion and sedimentation control elements during construction as well as permanent facilities need to be included with the Grading Plan mentioned above
- Stormwater Management
  - Drainage and Utility Easements – the applicant has shown drainage and utility easements on each block of the preliminary plat
    - All elements listed as “Utility Easements” or “U.E.” on the preliminary plat should be labeled as “Drainage and Utility Easements” or “D&U”, as a condition of approval
    - Drainage and utility easements should be shown on each individual residential lot as a condition of approval; this includes rear yard drainage and utility easements
    - Outlot A should be entirely covered by a drainage and utility easement
    - The recommended outlot over the floodplain of Masten Creek should be entirely covered by a drainage and utility easement
  - The existing wetland on Outlot A will serve the stormwater needs of the site. The design of the drainage and stormwater system to the pond should meet all standards of the City Engineer

### **Utilities**

- Public water and sanitary sewer utilities are available to the site.
- The sewer access charge (SAC) and water access charge (WAC) for the project shall be determined as part of final plat which shall be the responsibility of the applicant.
- Sewer connection and water connection fees shall be applied to individual buildings during the building permit process.

### **Park Dedication**

- As the current preliminary plat shows the development of only areas north of Masten Creek and no recreational facilities are shown, a park dedication fee as provided by City Code Sec. 152.023, in lieu of land dedication would be recommended by Staff.
  - However, as staff has recommended that the preliminary plat be expanded to show the entirety of PID 240340700, including the areas south of Masten Creek, a usable area for the trail along Masten Creek needs to be shown on the preliminary plat
  - That useable area can be assessed for its value and contribute to the overall dedication of land allowed through Sec. 152.023
- The required amount for park dedication shall be determined as part of the final plat.

### **Roads/Access/ROW**

- The Preliminary Plat and preliminary construction documents include plans for 3<sup>rd</sup> Street NE, 13<sup>th</sup> Avenue NE, and 6<sup>th</sup> Street NE/14<sup>th</sup> Avenue NE
  - Naming for all streets shall be reviewed by Public Works, the City Fire Chief and the City Chief of Police; a change to the name for 6<sup>th</sup> Street NE/14<sup>th</sup> Avenue NE is recommended so that the street name does not change halfway through the street. This should be reflected within the final plat
- Right of way has been set aside for the Parkway across the northeastern corner of the site
  - The right of way width of 80 feet for the Parkway is in line with what is shown in the Comprehensive Plan
  - In order for the Parkway to cross Masten Creek, more right of way may be required at the future bridge crossing. The applicant’s engineer should work with the City Engineer to determine the right of way needs at that area and if it impacts the size of Block 4 Lot 10. These changes may be shown in the final plat.
- Sidewalks are shown on the Preliminary Construction Plans for both sides of 3<sup>rd</sup> Street NE, 13<sup>th</sup> Avenue NE, and 6<sup>th</sup> Street NE/14<sup>th</sup> Avenue NE; sidewalks will be 5 feet wide
- Multi-use trails will be installed on both sides of the future parkway, as indicated in the 2040 Comprehensive Plan; these trails will be 10 feet wide and within the right-of-way of the Parkway.

### **CITY ENGINEER**

The City Engineer, in consultation with City Administrative and Public Works Staff, has prepared the attached memo to address engineering and utility related concerns for the proposed development. At this time the applicant has only provided conceptual plans for engineering review. Detailed plans will be required before final approvals. The applicant is advised that if in preparing the detailed plans substantive changes are required to the preliminary plat, an amendment to the preliminary plat approval may be required.

### **RECOMMENDATIONS**

#### **General Development Plan**

As mentioned above, a General Development Plan does not involve an approving action by the Planning and Zoning Commission. Rather, in their review, the Planning and Zoning Commission is asked to indicate to the applicant whether or not the GDP meets the objectives of the subdivision and zoning ordinances. Staff recommend taking this action by making a motion directing staff to inform the applicant in writing the GDP, with suggested revisions, will meet the objectives of the subdivision and zoning ordinance.

The suggested revisions include:

1. The existing boundaries of parcels of PID No. 240340700 and 240340701 shall be shown and all areas of those parcels shall be accounted for in the Plan

2. General phasing of development shall be shown, with all areas of the site accounted for within the phasing
3. General connections to future roads outside of the subdivision area shall be shown
4. The area within the floodplain of Masten Creek be shown in a single outlot
5. The general alignment of the trail south of Masten Creek be shown
6. The names and addresses of the owner and developer shall be added to the Plan

### **Preliminary Plat**

Staff recommends that the Planning and Zoning Commission recommend City Council preliminary approval of the plat, as submitted, with the following conditions:

1. The following changes shall be made to the preliminary plat:
  - a. The areas immediately north and south of Masten Creek shall be put into a single outlot which will be owned by the City; this outlot shall have a drainage and utility easement over its entirety
    - i. All residential parcels on Block 4 shall have their lot areas recalculated; no residential parcel shall be less than 7,920 square feet
  - b. The preliminary plat shall show the location south of Masten Creek where usable land shall be dedicated for future trail usage and this usable land shall be shown as its own outlot or within the outlot required in item 1.a above
    - i. Such “useable” area shall have slopes that are flat enough to accommodate a 10-foot wide trail and the surrounding right-of-way, as determined by the City Engineer
    - ii. The trail shall connect to the trail easement shown on Kasel 1<sup>st</sup> Addition
  - c. The applicant shall submit a certificate of survey of the existing properties to be subdivided. This survey shall include:
    - i. Boundaries and labels of existing parcels to be subdivided
    - ii. Delineated wetlands
    - iii. Labeled 100-year floodplain and elevation cross section, and their source
  - d. The preliminary plat shall be expanded to show the subdivision of the entirety of PID No. 240340700; if the subdivision includes PID No. 240340701, that shall be included as well.
    - i. Any portion of the site not included as residential lots, right of way, dedicated open space, or stormwater outlots shall be labeled as land for future subdivision and designated as outlots
    - ii. If these outlots are proposed for future subdivision, a label indicating such shall be included under the outlot name
  - e. Lot widths at the building line shall be provided
    - i. No residential parcel shall have a lot width at the building line be less than 66 feet
  - f. Yard setback lines shall be shown for all residential parcels; this shall show the buildable area of all residential parcels
  - g. The Regulatory Flood Protection Elevation of Masten Creek shall be added to all areas within or adjacent to the floodplain

- h. Drainage and utility easements shall be shown for each residential parcel, including a drainage and utility easement for the rear yard
  - i. All existing labels of “Utility Easement” or “U.E.” shall be revised to read “Drainage and Utility Easement” or “D&U”
  - j. The proposed 10 foot utility easement shown on Outlot “A” shall be revised to show the entirety of the outlot under the easement, by relabeling the “Drainage easement” as “Drainage and Utility Easement”
  - k. The existing 10 foot utility easement along the westerly boundary line of Blaine’s 12<sup>th</sup> shall be labeled.
  - l. The easement for the existing 18” sanitary sewer main shall be labeled on the plat
  - m. Existing storm, water and sanitary sewer adjacent to the proposed development shall be added to the plat
  - n. A stormwater easement conforming substantially with the lines of the water course shall be provided for the portion of Masten Creek that traverses through the subject property
  - o. The label “PARKWAY DR. AVE. N.E. (FUTURE) DESIGN BY OTHERS” shall be changed to read “(FUTURE PARKWAY)”.
2. The following changes shall be made to the Preliminary Construction Plans:
- a. The applicant shall submit a Wetland Delineation Report for the site
  - b. The applicant shall submit a Grading and Drainage Plan for the site
    - i. The Plan shall show proposed grading contours of the site, with contours no less than 2-foot
    - ii. The Plan shall show soil and sedimentation control measures for construction as well as permanent measures
    - iii. The Plan shall address the grading of the areas with steep slopes on Block 1 Lots 6-11, Block 3 Lots 9-11, Block 4 Lots 5-8, as well as the right-of-way for 3<sup>rd</sup> Street NE
    - iv. The Plan shall preserve the steep slopes around Masten Creek and shall indicate measures for soil and sedimentation control for the Creek
    - v. The Plan shall be reviewed by the City Engineer
  - c. The proposed 20 foot easement for the sewer main between Lots 4 and 5, Block 4 shall be increased to 40 feet due to the depth of the proposed sewer main. This may affect the layout of the adjacent lots.
  - d. Other changes as indicated by the City Engineer in their letter to the City Administrator dated December 4, 2019, as drawn on the plans attached to the letter.
3. The following shall be provided with the final plat submittal:
- a. Any covenants or deed restrictions shall be provided with the final plat submittal
  - b. An updated name for 6<sup>th</sup> Street NE/14<sup>th</sup> Avenue NE; only one name shall be accepted for the street
    - i. The naming of the street shall be approved by the Public Works Director, the City Fire Chief, and the City Chief of Police
  - c. The applicant shall work with the City Engineer to determine if additional right of way will be required at the bridge crossing of the future parkway over Masten Creek. The final plat should reflect the needed right of way, as well as ensure that no resulting residential lots are less than 7,920 square feet

- d. Final Construction Plans including the following conditions:
  - i. Hydrant locations and spacing shall be reviewed by the City Fire Chief.
  - ii. The wet pond shall be sized to provide rate control for the 2 year, 10 year and 100 year Atlas 14 design storms for the post development condition to equal or less than pre development conditions for the tributary portions of Blaine’s Twelfth and Blaine’s Fourteenth. The improvements associated with the future Parkway through the subject property shall also be included in the pond sizing. The wet pond shall also be designed to comply with NPDES permit requirements.
  - iii. Removed hydrants shall be salvaged to the City.
  - iv. All sidewalks shall be 5 feet wide; all trails shall be 10 feet wide
  - v. The pipe crowns for differing storm sewer pipes sizes shall be aligned at manhole junctions.
  - vi. The vertical alignment for the Parkway shall be extended to a point south of Masten Creek. The vertical alignment and bridge sizing will have to be reviewed for coordination of the future bridge crossing.
  - vii. The Developer shall acquire an easement from the adjoining property to the north and moving the temporary turnaround for 13th Avenue NE to the north, or shall update the current driveway access for Lots 1 and 2, Block 1 as the temporary turnaround likely makes these lots unbuildable.

This recommendation is based on the following findings of fact:

1. The proposed preliminary plat, with conditions, is consistent with the Comprehensive Plan and policies of the City of Kasson.
2. The physical characteristics of the site are suitable for the type of development and use being proposed.
3. The proposed development will not negatively impact the health, safety, or welfare of the community.
4. The proposed preliminary plat, with conditions, gives effective protection to the natural resources of the community, especially ground water and surface waters.

## PLANNING AND ZONING COMMISSION ACTIONS

After the discussion, the Planning and Zoning Commission could take one of the following actions (actions recommended by Staff are **bolded**):

### General Development Plan

1. Table the request to the next Planning and Zoning Commission meeting and provide direction to Staff and the applicant as to the additional information needed.
2. **Direct Staff to inform the applicant in writing that the General Development Plan, with suggested revisions, will meet the objectives of the subdivision and zoning ordinance.**
3. Direct Staff to inform the applicant in writing that the General Development Plan does not meet the objectives of the subdivision and zoning ordinance.

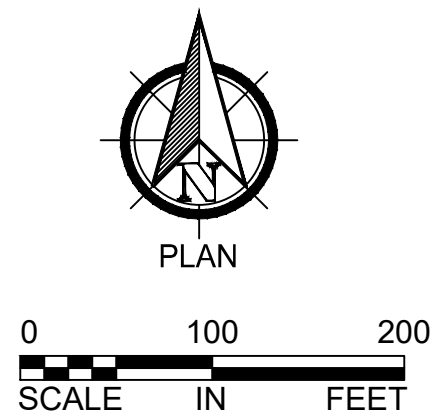
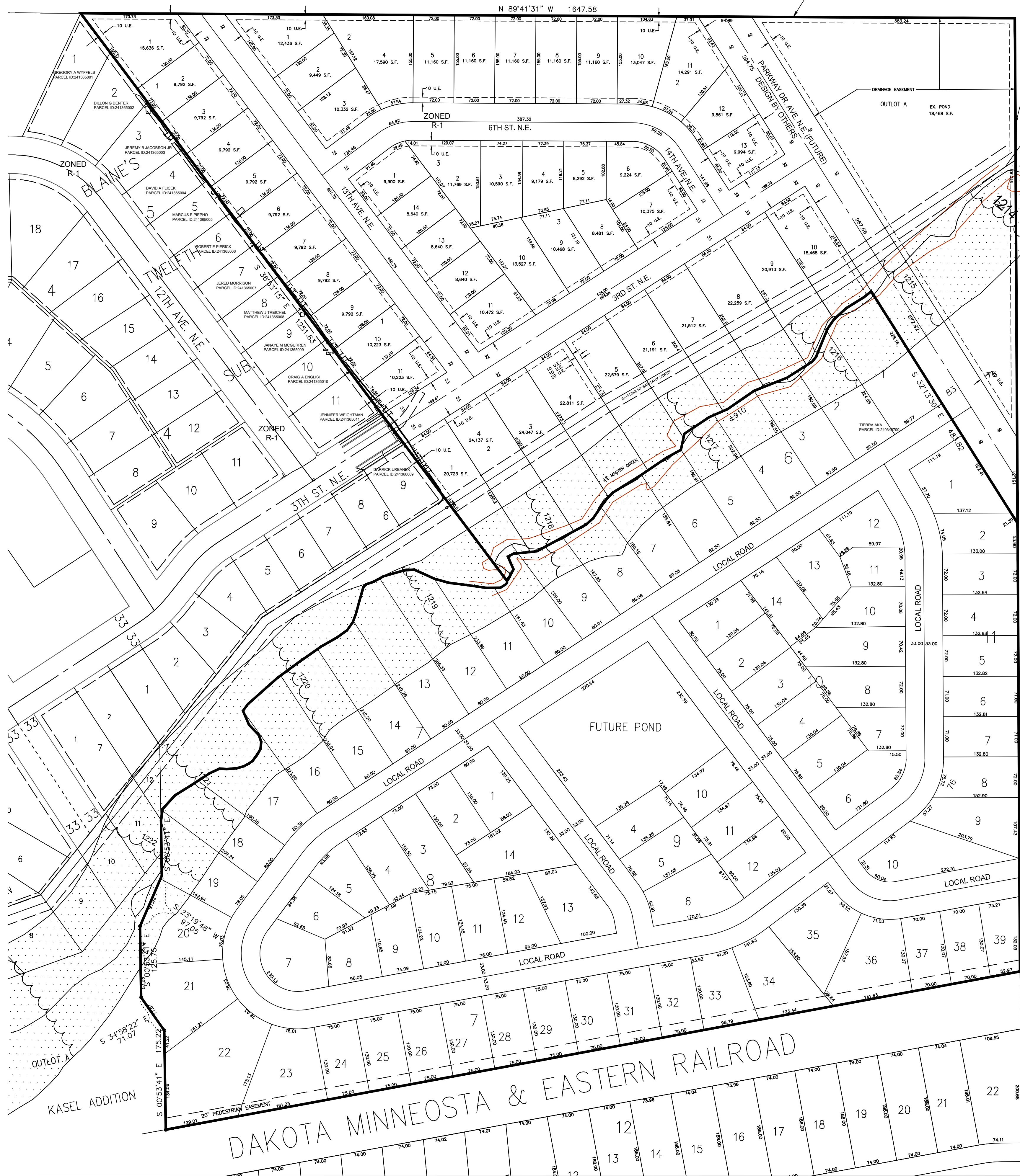


### **Preliminary Plat**

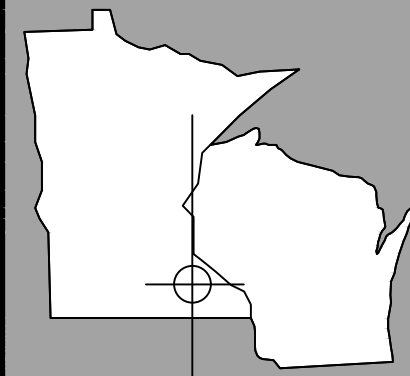
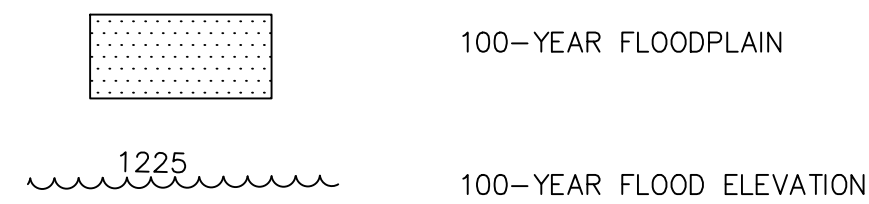
1. Table the request to the next Planning and Zoning Commission meeting and provide direction to Staff and the applicant as to the additional information needed.
2. **Recommend approval with the recommended conditions and findings of fact as presented by Staff.**
3. Recommend denial with findings of fact (provide own).

### **ATTACHMENTS**

- A. Blaine’s 14<sup>th</sup> – General Development Plan, dated November 20, 2019
- B. Blaine’s 14<sup>th</sup> – Preliminary Plat, dated November 20, 2019
- C. Blaine’s 14<sup>th</sup> – Preliminary Construction Plans “Public Improvements to Serve Blaine’s Fourteenth Subdivision,” dated November 20, 2019
- D. City Engineer Letter – Review of General Development Plan, Preliminary Plat and Preliminary Construction, dated December 4, 2019
- E. Planning Consultant Letter – Review of General Development Plan, Preliminary Plat and Preliminary Construction, dated January 3, 2019
- F. Draft Minutes of December 9, 2019 Planning and Zoning Commission Meeting, including Public Hearing for Blaine’s 14<sup>th</sup> Preliminary Plat



LEGEND



**MASSEY**  
LAND SURVEYING  
& ENGINEERING

P.O. BOX 100  
KASSON, MN 55944  
PH. NO. 507-634-4505



BLAINE'S FOURTEENTH SUBDIVISION  
CITY OF KASSON, DODGE COUNTY, MINNESOTA  
GENERAL DEVELOPMENT PLAN

THIS SURVEY AND DRAWING  
WAS PREPARED FOR THE  
EXCLUSIVE USE OF:

SCALE: \_\_\_\_\_ AS SHOWN  
DATE: 11/20/2019  
DRAWN BY: T.A.C.  
JOB NUMBER: 19-19007  
DWG. FILE: \_\_\_\_\_  
REVISION DATE: \_\_\_\_\_



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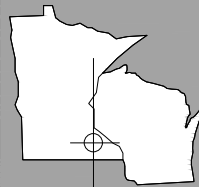
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SYLVIA M RUPORT, ET AL  
PARCEL ID: 130270701

ZONED  
URBAN EXPANSION



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SCALE IN FEET



**MASSEY**  
LAND SURVEYING  
& ENGINEERING

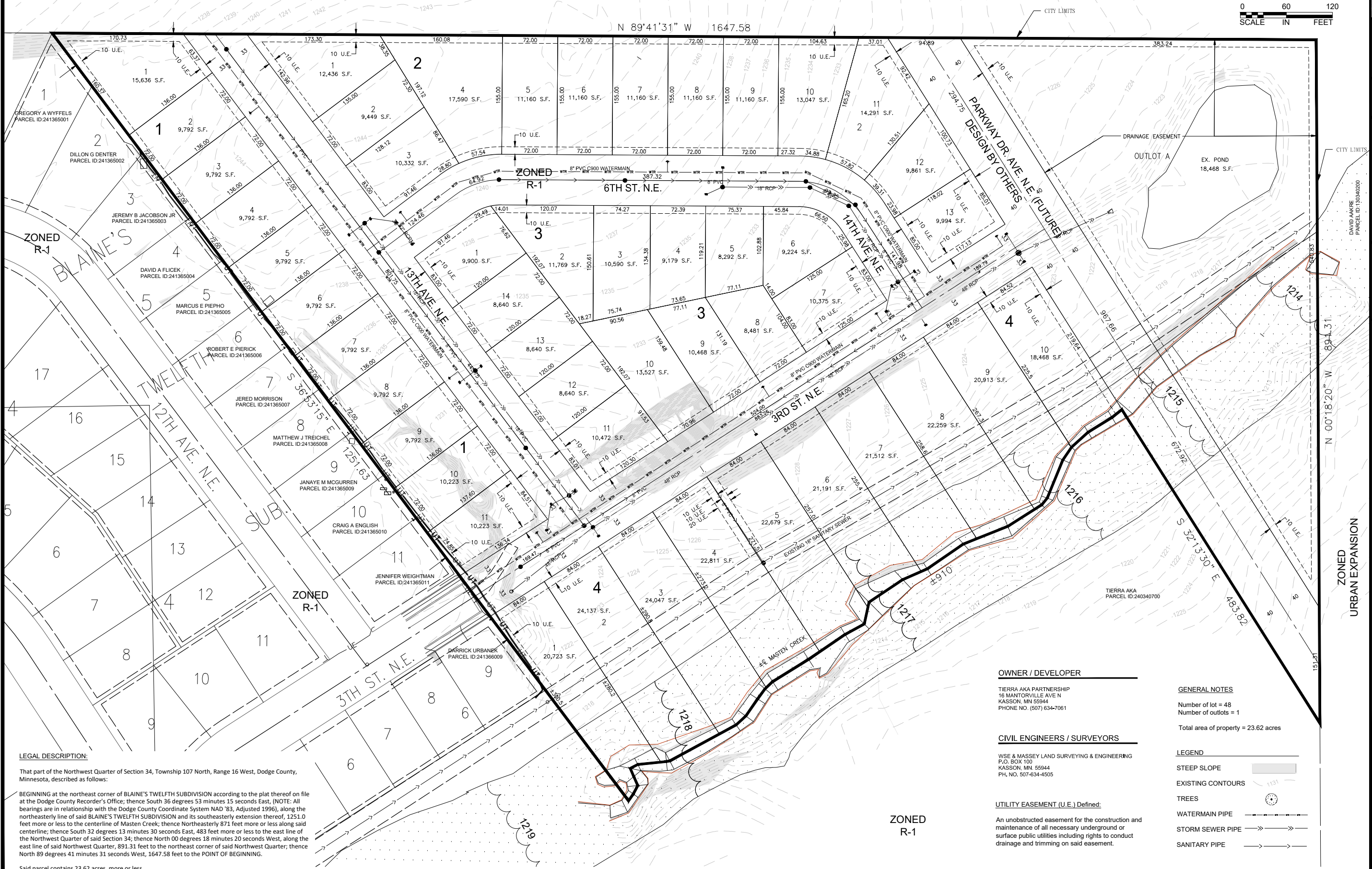
P.O. BOX 100  
KASSON, MN 55944  
PH. NO. 507-634-4505



BLAINE'S FOURTEENTH SUBDIVISION  
CITY OF KASSON, DODGE COUNTY, MINNESOTA  
PRELIMINARY PLAT

THIS SURVEY AND DRAWING  
WAS PREPARED FOR THE  
EXCLUSIVE USE OF:

SCALE: AS SHOWN  
DATE: 11/20/2019  
DRAWN BY: T.A.C.  
JOB NUMBER: 19-19007  
DWG. FILE:  
REVISION DATE:



**LEGAL DESCRIPTION:**

That part of the Northwest Quarter of Section 34, Township 107 North, Range 16 West, Dodge County, Minnesota, described as follows:

BEGINNING at the northeast corner of BLAINE'S TWELFTH SUBDIVISION according to the plat thereof on file at the Dodge County Recorder's Office; thence South 36 degrees 53 minutes 15 seconds East, (NOTE: All bearings are in relationship with the Dodge County Coordinate System NAD '83, Adjusted 1996), along the northeasterly line of said BLAINE'S TWELFTH SUBDIVISION and its southeasterly extension thereof, 1251.0 feet more or less to the centerline of Masten Creek; thence Northeasterly 871 feet more or less along said centerline; thence South 32 degrees 13 minutes 30 seconds East, 483 feet more or less to the east line of the Northwest Quarter of said Section 34; thence North 00 degrees 18 minutes 20 seconds West, along the east line of said Northwest Quarter, 891.31 feet to the northeast corner of said Northwest Quarter; thence North 89 degrees 41 minutes 31 seconds West, 1647.58 feet to the POINT OF BEGINNING.

Said parcel contains 23.62 acres, more or less.

**OWNER / DEVELOPER**

TIERRA AKA PARTNERSHIP  
16 MANTORVILLE AVE N  
KASSON, MN 55944  
PHONE NO. (507) 634-7061

**CIVIL ENGINEERS / SURVEYORS**

WSE & MASSEY LAND SURVEYING & ENGINEERING  
P.O. BOX 100  
KASSON, MN. 55944  
PH. NO. 507-634-4505

**UTILITY EASEMENT (U.E.) Defined:**

An unobstructed easement for the construction and maintenance of all necessary underground or surface public utilities including rights to conduct drainage and trimming on said easement.

**GENERAL NOTES**

Number of lot = 48  
Number of outlots = 1  
Total area of property = 23.62 acres

**LEGEND**

STEEP SLOPE  
EXISTING CONTOURS  
TREES  
WATERMAIN PIPE  
STORM SEWER PIPE  
SANITARY PIPE



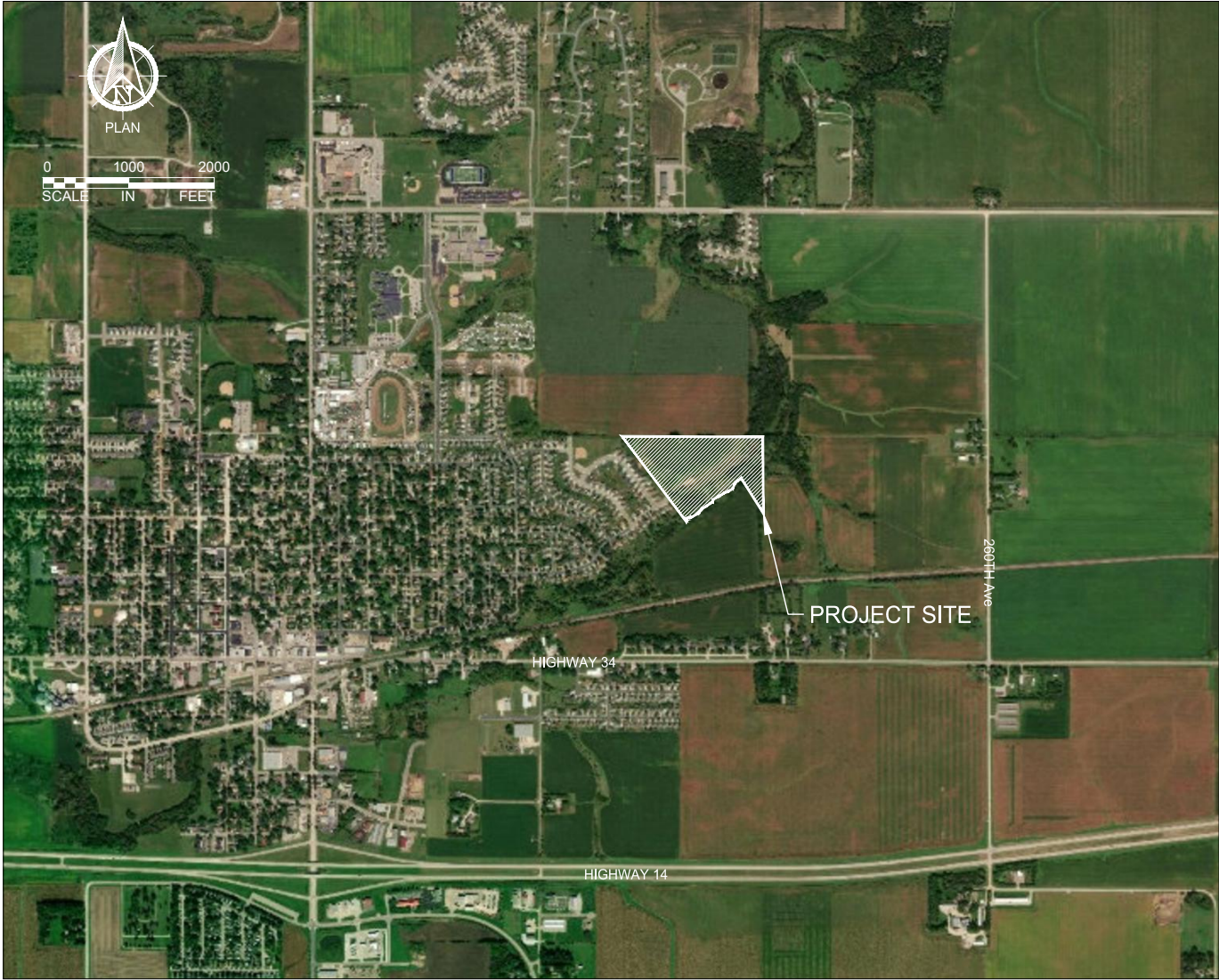
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# PUBLIC IMPROVEMENTS TO SERVE BLAINE'S FOURTEENTH SUBDIVISION

Kasson, MN

Issue Date - 11/20/2019 Preliminary Plat Submittal



LEGAL DESCRIPTION:

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Said parcel contains 23.62 acres, more or less.

OWNER / DEVELOPER

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16 MANTORVILLE AVE N  
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PHONE NO. (507) 634-7061

CIVIL ENGINEERS / SURVEYORS

WSE & MASSEY LAND SURVEYING & ENGINEERING  
P.O. BOX 100  
KASSON, MN. 55944  
PH. NO. 507-634-4505



PROJECT LOCATION

...DODGE... COUNTY  
...KASSON... DISTRICT

UTILITY QUALITY LEVEL

The subsurface utility information in this plan is quality level D.  
This quality level was determined according to the guidelines of CIASCE 38-2, entitled "Standard Guidelines for the Collection and Depiction of Existing Subsurface Utility Data."

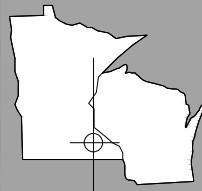
**BENCHMARK ELEVATION = 1235.22**  
TOP NUT HYDRANT AT THE NORTH SIDE OF 3RD STREET N.E. & 12 AVENUE N.E.

LEGEND	
—1245—	DENOTES PROPOSED CONTOUR ANNOTATION
x 46.84	DENOTES PROPOSED SPOT ELEVATION
—>—	DENOTES DRAINAGE DIRECTION
—SF—	DENOTES SILT FENCE OR BIOROLL PER 7-01SDP
●	DENOTES INLET PROTECTION PER 7-05SDP
▨	DENOTES PROPOSED EROSION MAT
—	DENOTES PROPOSED BITUMINOUS
—1131—	DENOTES EXISTING CONTOURS
—	DENOTES TREE LINE
—	DENOTES WATERMAIN PIPE
—>>—	DENOTES STORM SEWER PIPE
—>—	DENOTES SANITARY PIPE

INDEX TO PLANS	
Sheet Title	Sht. No.
TITLE SHEET	1
TYPICAL SECTION	2
ALIGNMENT PLAN	3
SERVICE TABLES	4
UTILITY PROFILES	5-11
POND DETAIL	12

This plan contains 12 Total sheets

Approved By: \_\_\_\_\_  
City Engineer Date



**MASSEY**  
LAND SURVEYING  
& ENGINEERING

P.O. BOX 100  
KASSON, MN 55944  
PH. NO. 507-634-4505

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

*Les Conway*  
Les Conway

23292 11/20/19  
Number Date



BLAINE'S FOURTEENTH SUBDIVISION  
CITY OF KASSON, DODGE COUNTY, MINNESOTA

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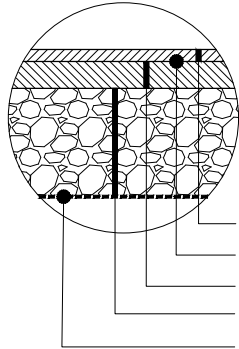
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DRAWN BY: T.A.C.  
JOB NUMBER: 19-19007  
DWG. FILE: \_\_\_\_\_  
REVISION DATE: \_\_\_\_\_

Project Number 19-19007

SHEET 1 OF 12

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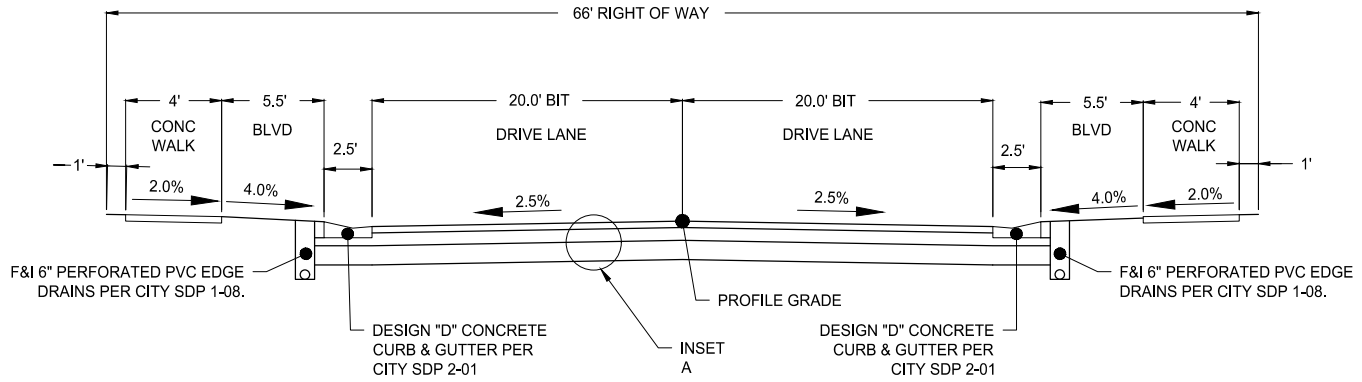
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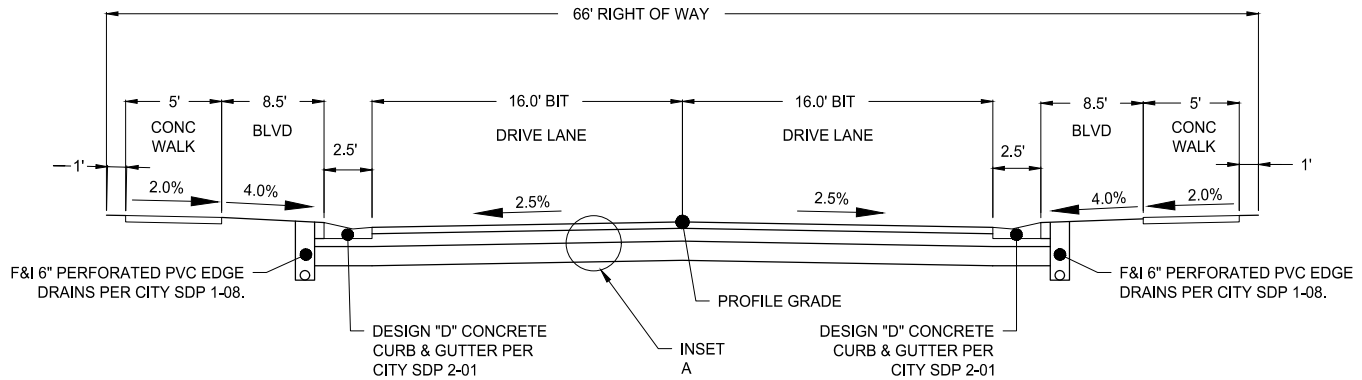
INSET A

BITUMINOUS ROAD SECTION

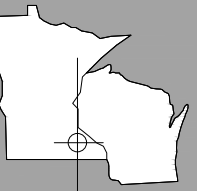
- 1.5" BITUMINOUS WEAR COURSE, MN DOT 2360
- 2357 BITUMINOUS TACK COAT
- 2.5" BITUMINOUS BASE COURSE, MN DOT 2360
- 8" MN DOT CLASS 5 AGGREGATE BASE
- MnDOT TYPE V GEOTEXTILE SEPARATION FABRIC



3RD STREET N.E.



6TH STREET N.E. & 13TH AVENUE N.E



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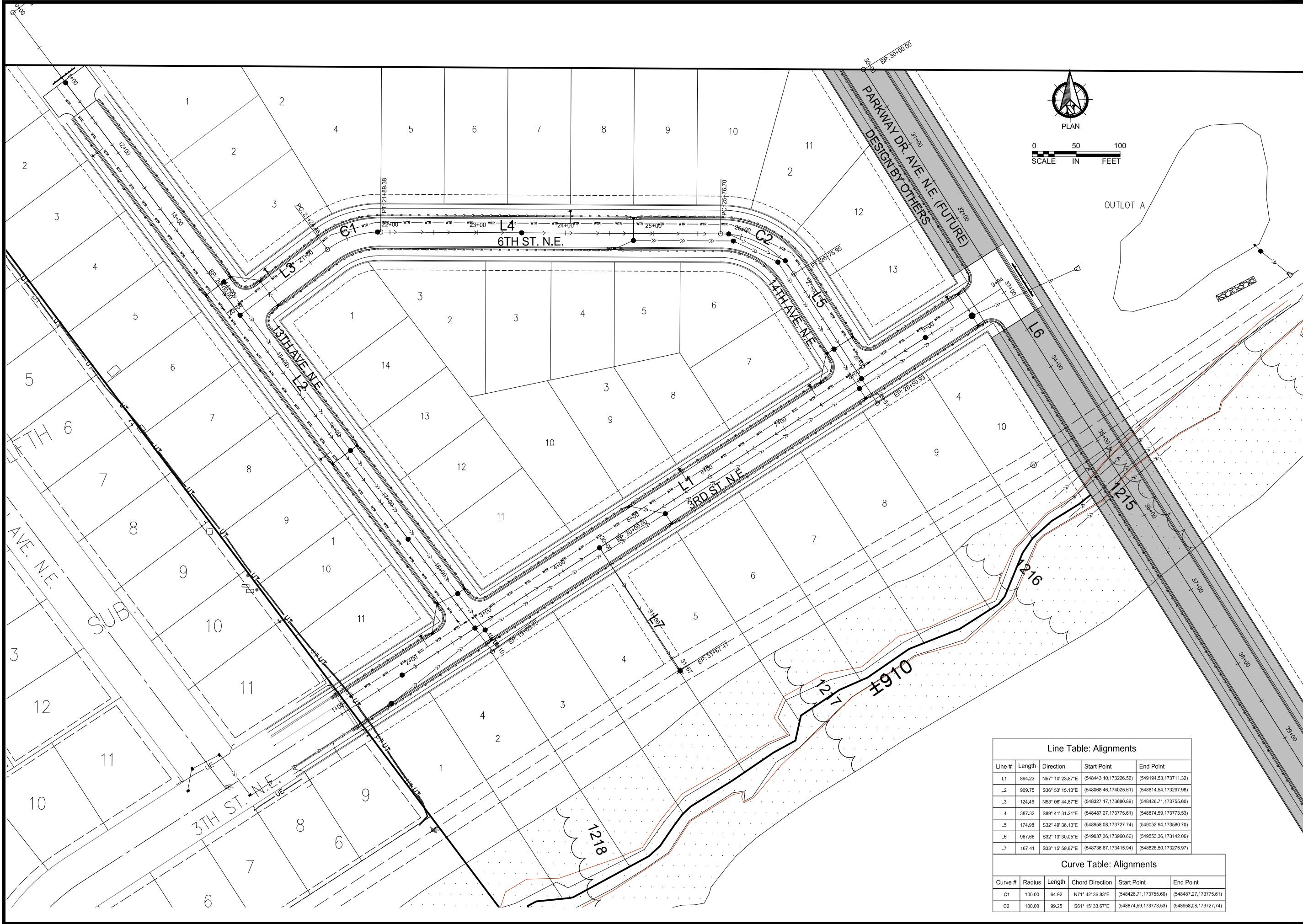
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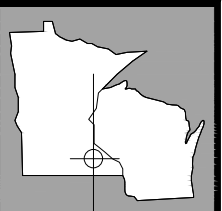
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Line Table: Alignments				
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L2	909.75	S36° 53' 15.13"E	(548068.46,174025.61)	(548614.54,173297.98)
L3	124.46	N53° 06' 44.87"E	(548327.17,173680.89)	(548426.71,173755.60)
L4	387.32	S89° 41' 31.21"E	(548487.27,173775.61)	(548874.59,173773.53)
L5	174.98	S32° 49' 36.13"E	(548958.08,173727.74)	(549052.94,173580.70)
L6	967.66	S32° 13' 30.05"E	(549037.36,173960.66)	(549553.36,173142.06)
L7	167.41	S33° 15' 59.87"E	(548736.67,173415.94)	(548828.50,173275.97)

Curve Table: Alignments					
Curve #	Radius	Length	Chord Direction	Start Point	End Point
C1	100.00	64.92	N71° 42' 36.83"E	(548426.71,173755.60)	(548487.27,173775.61)
C2	100.00	99.25	S61° 15' 33.67"E	(548874.59,173773.53)	(548895.08,173727.74)



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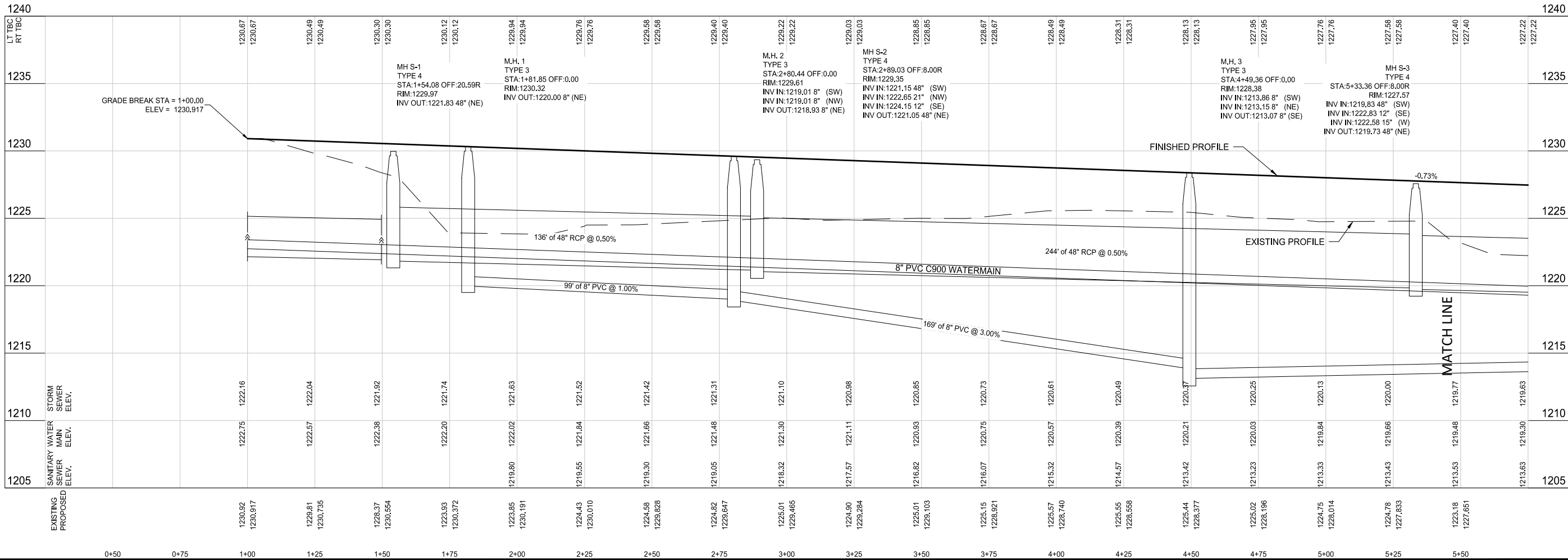
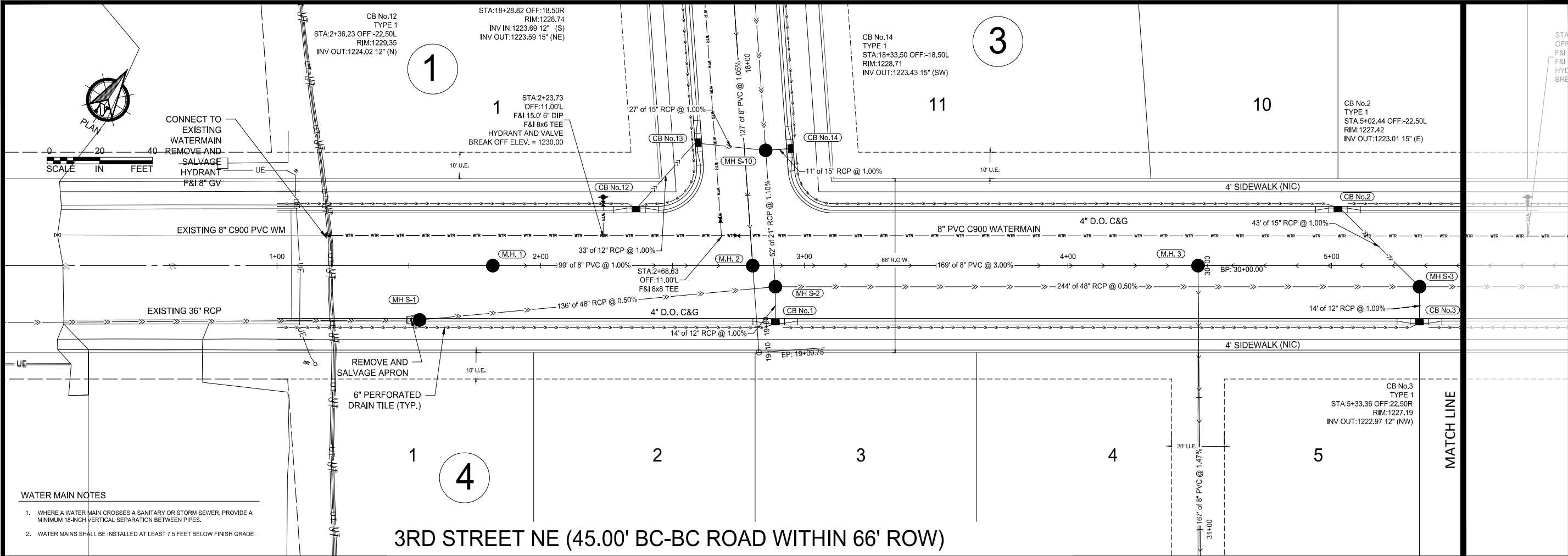
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Les Conway

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WSE  
Engineering Services

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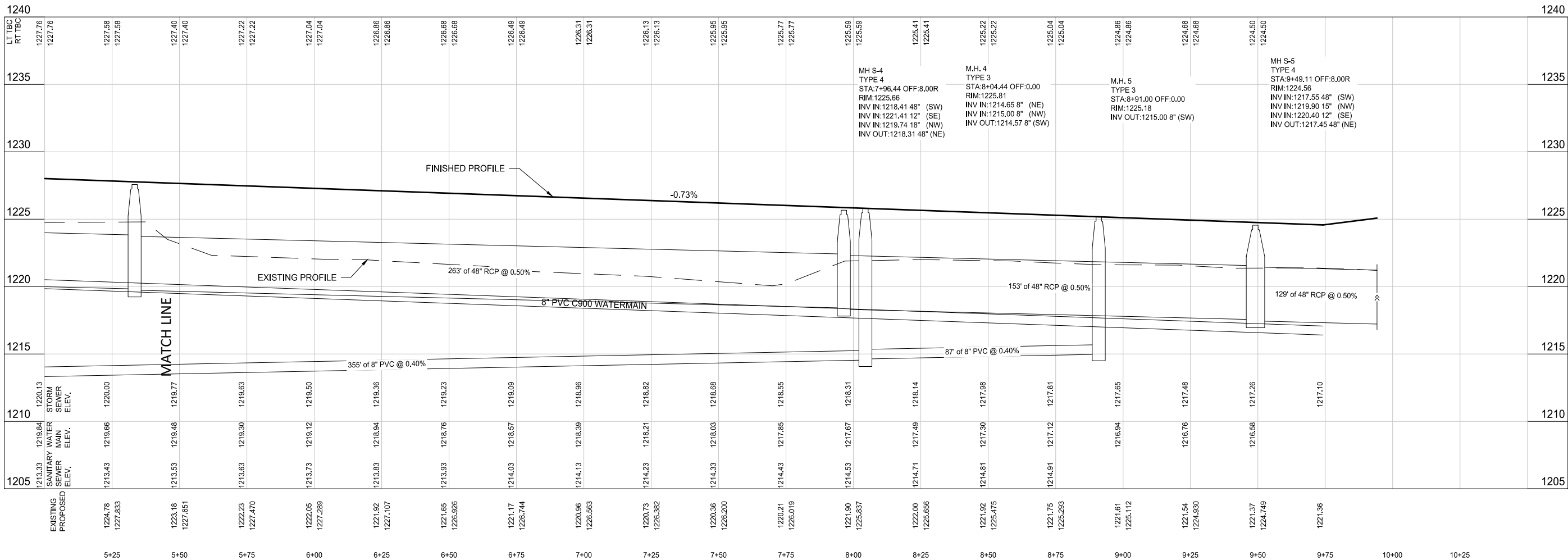
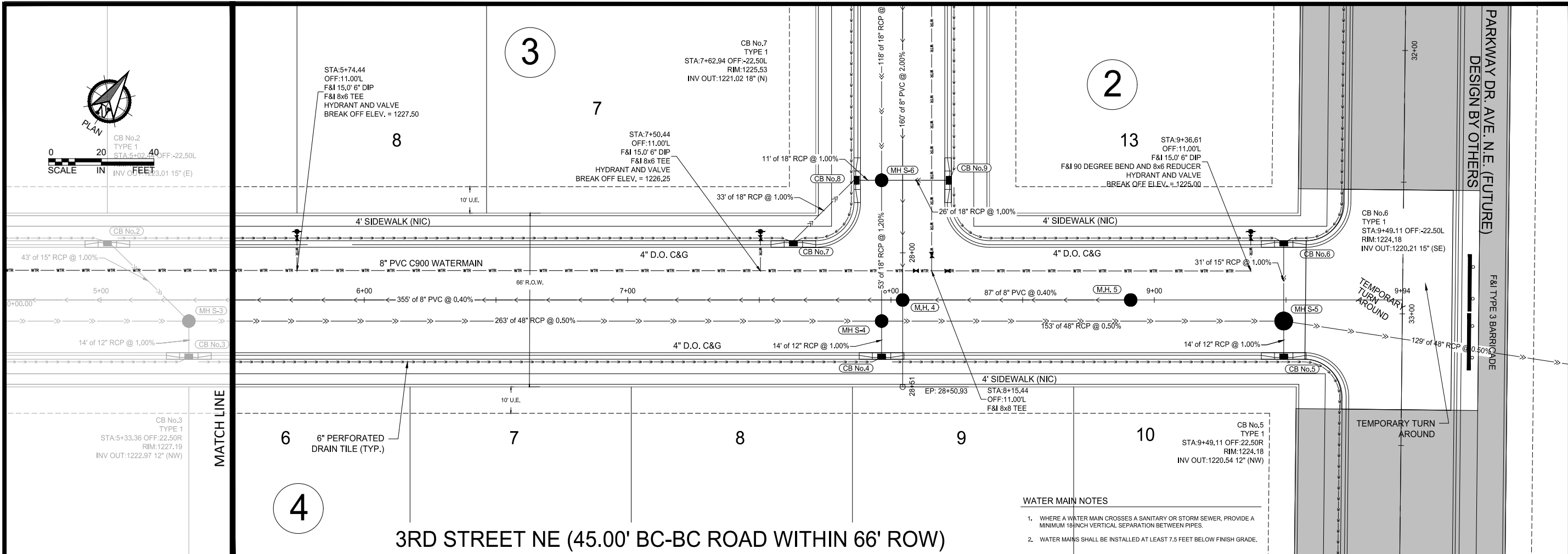
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Les Conway

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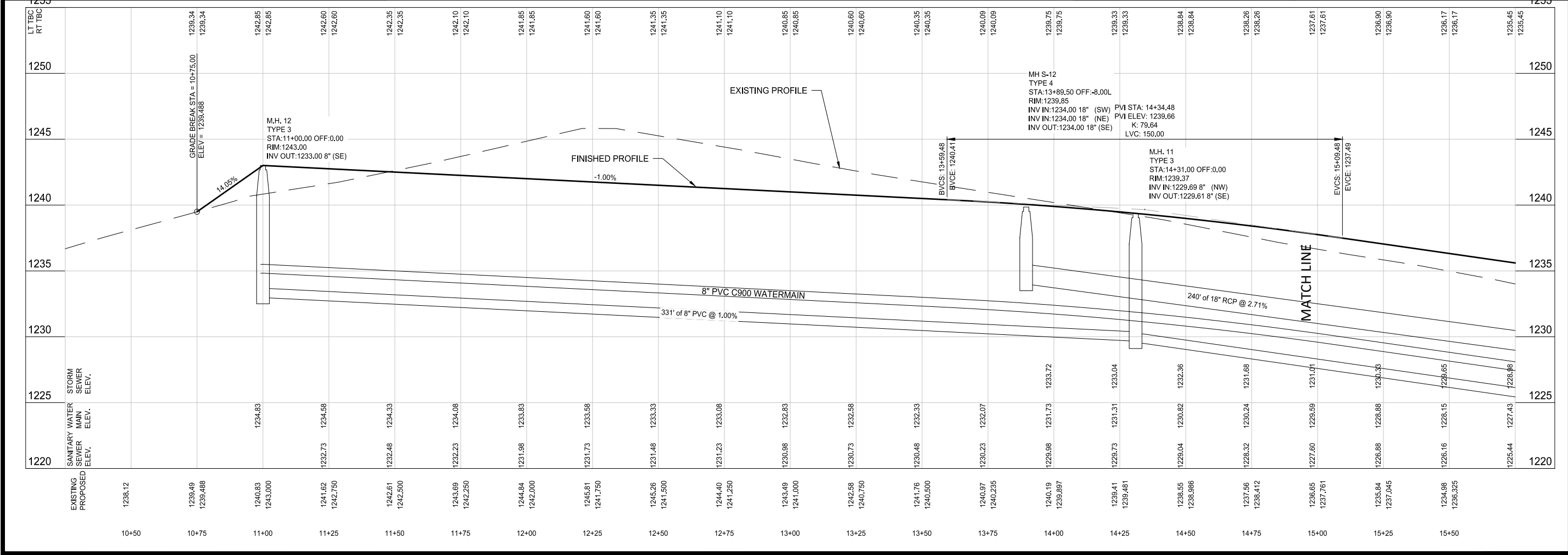
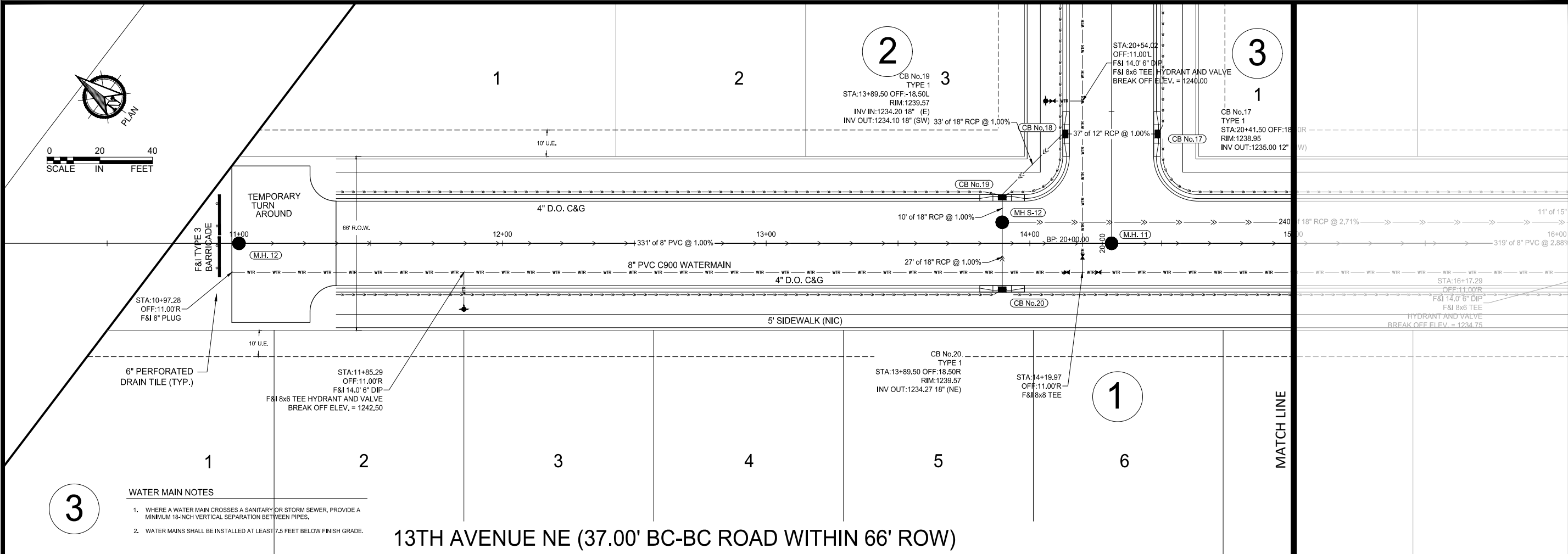
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MINNESOTA

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Les Conway

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CITY OF KASSON, DODGE COUNTY, MINNESOTA

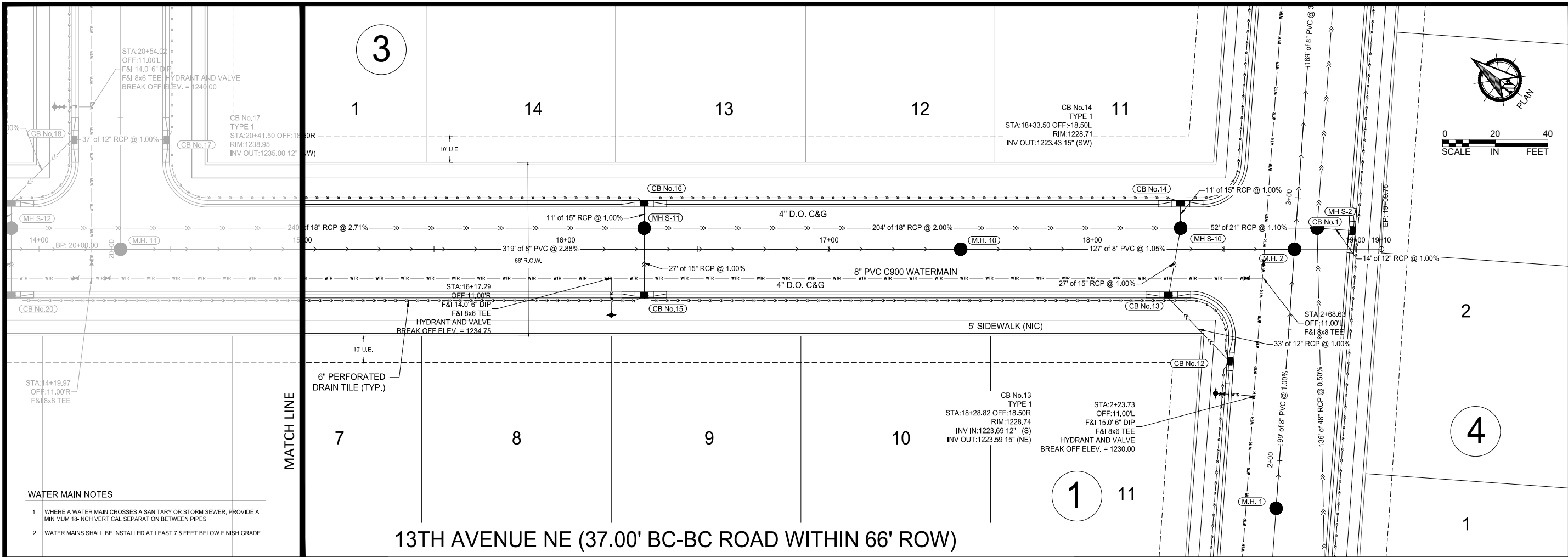
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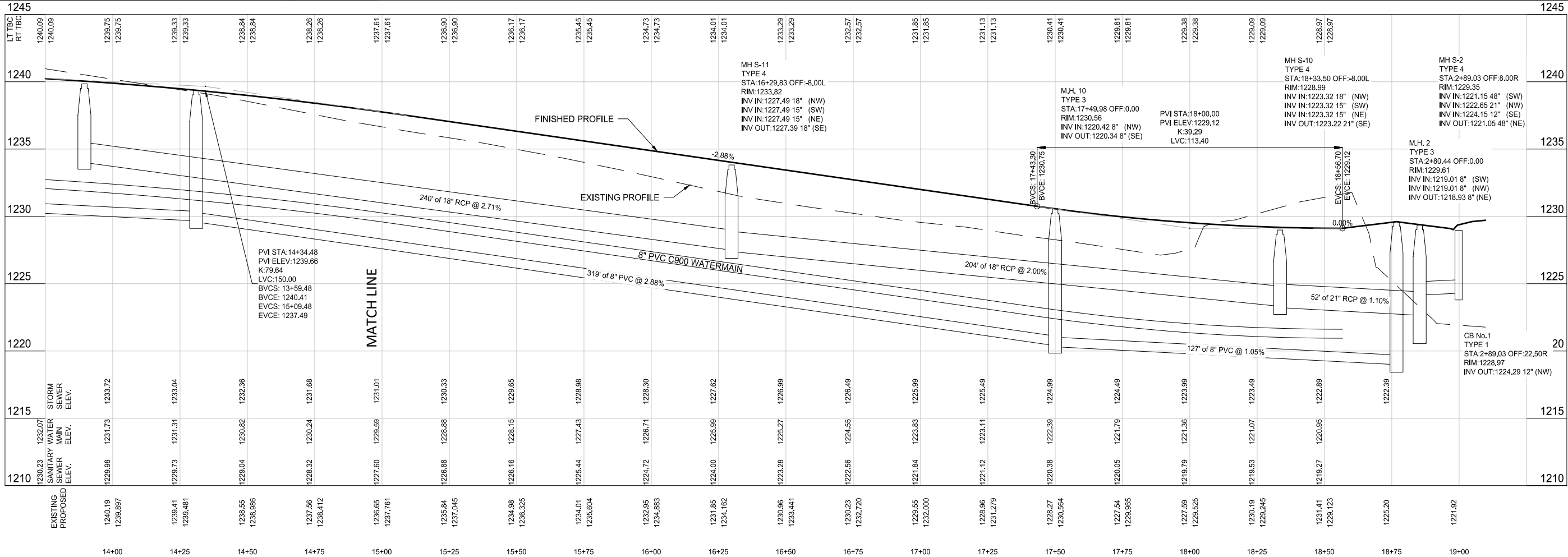
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WATER MAIN NOTES

- WHERE A WATER MAIN CROSSES A SANITARY OR STORM SEWER, PROVIDE A MINIMUM 18-INCH VERTICAL SEPARATION BETWEEN PIPES.
- WATER MAINS SHALL BE INSTALLED AT LEAST 7.5 FEET BELOW FINISH GRADE.



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Les Conway

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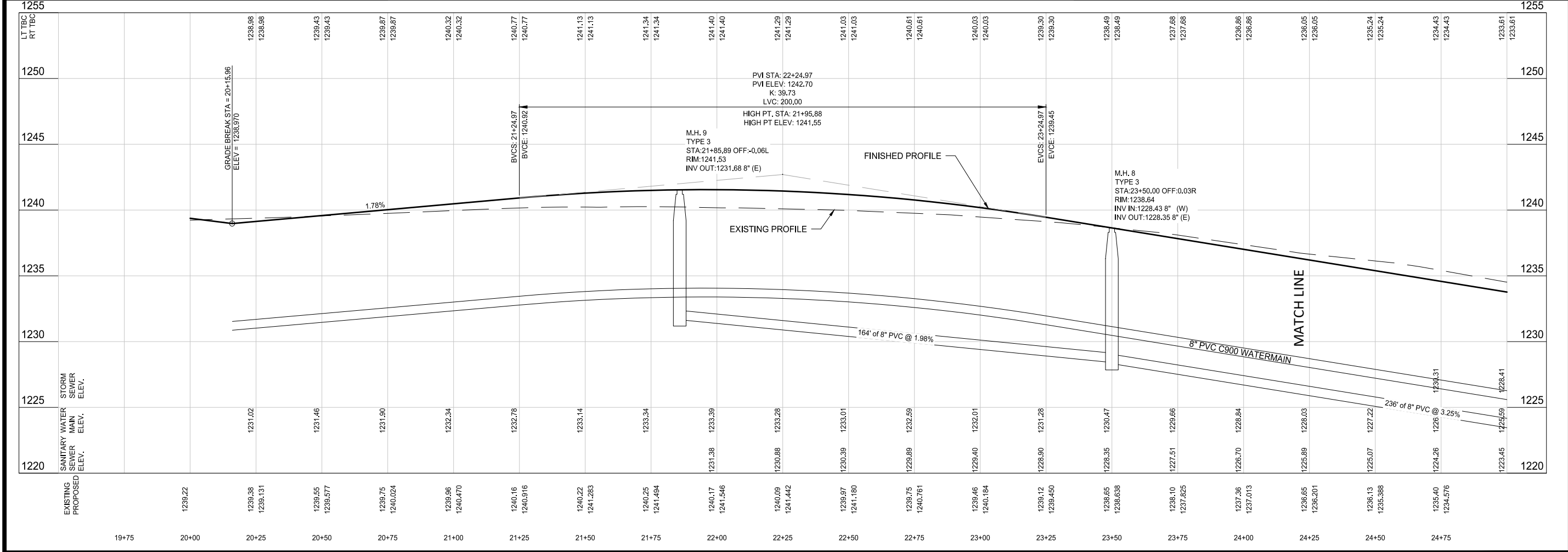
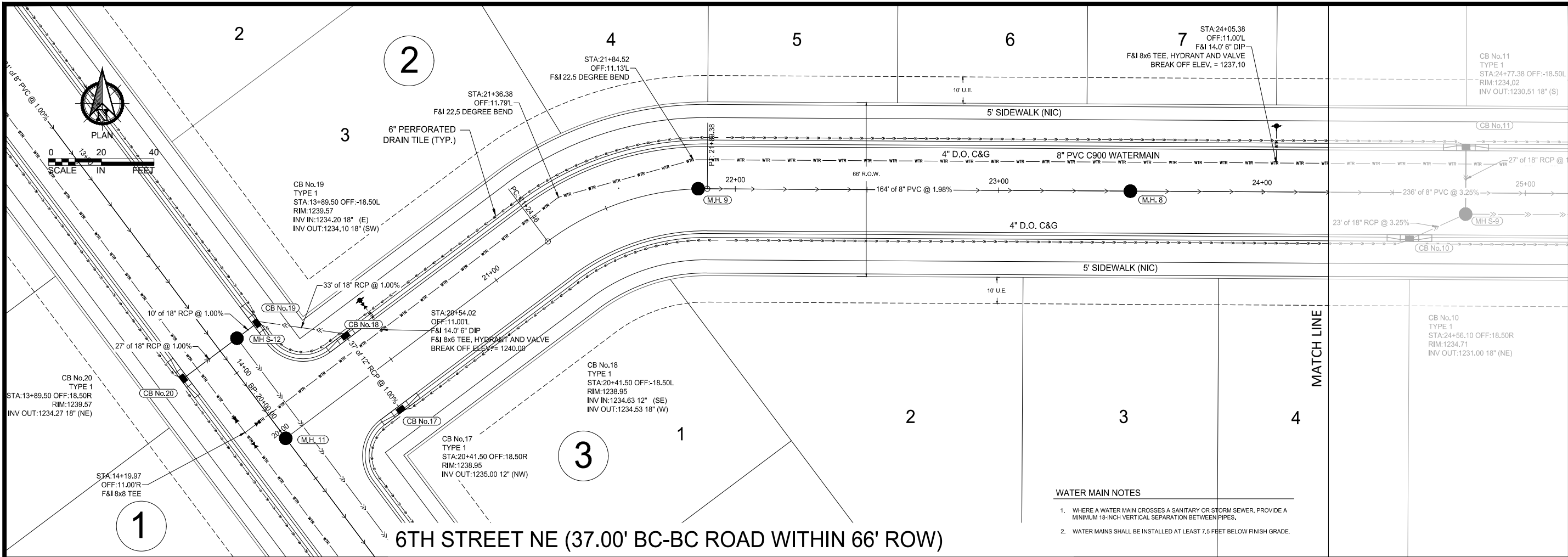
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*Les Conway*  
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23292 11/20/19  
Number Date

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CITY OF KASSON, DODGE COUNTY, MINNESOTA

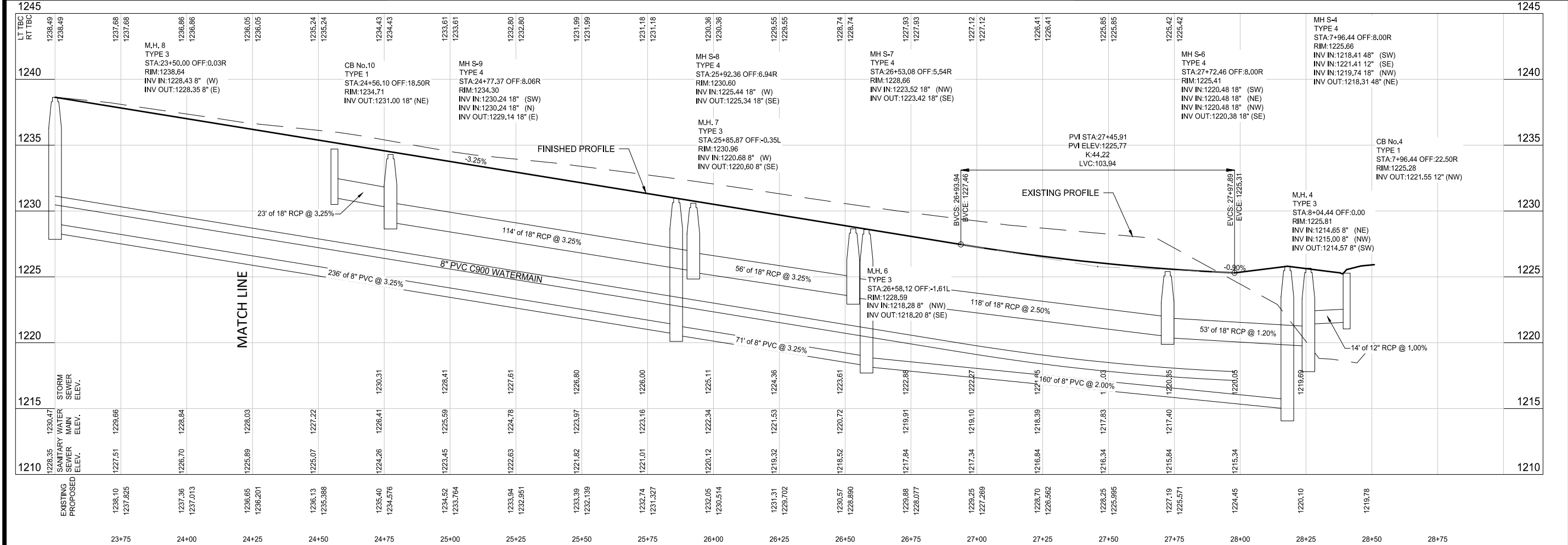
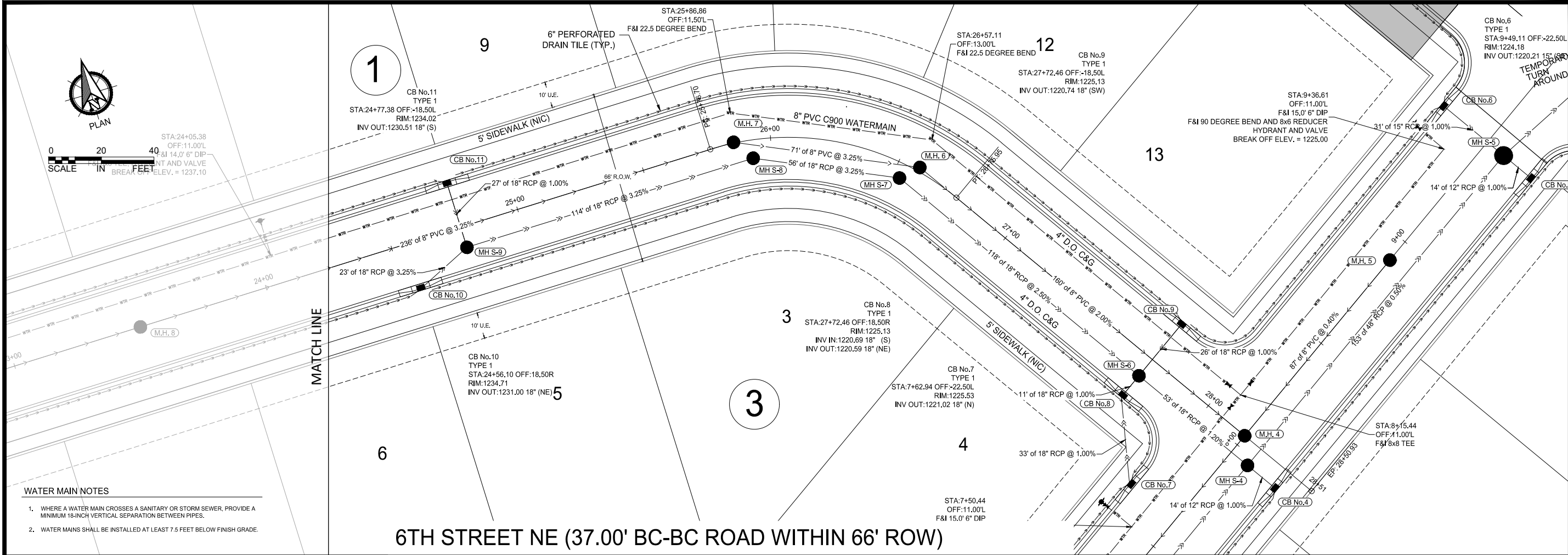
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SHEET 8 OF 12

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PH. NO. 507-634-4505

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Les Conway

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Number Date

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Engineering Services

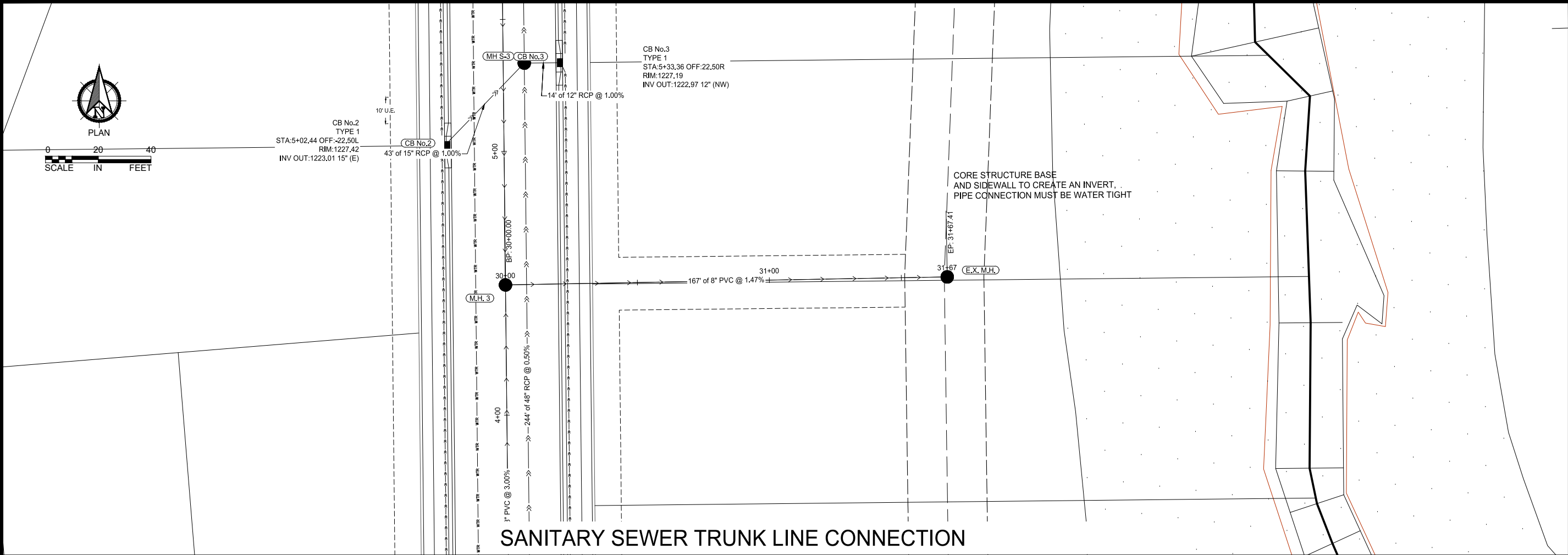
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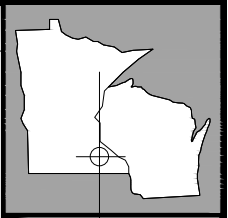
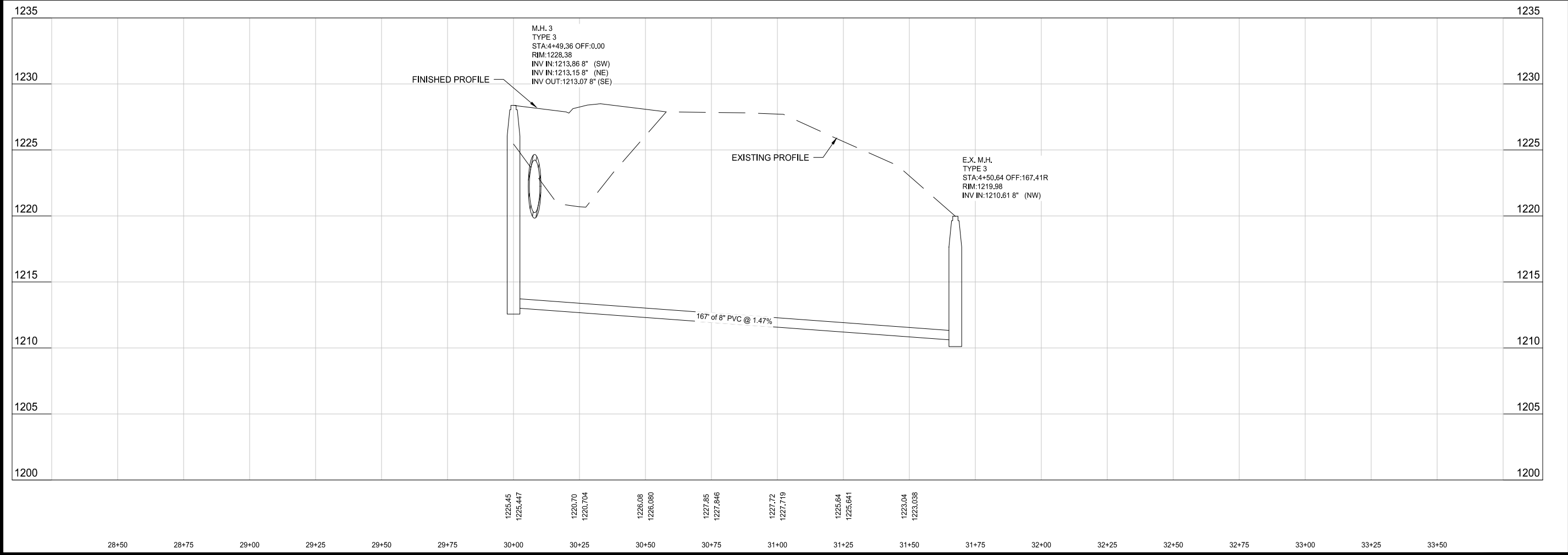
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SANITARY SEWER TRUNK LINE CONNECTION



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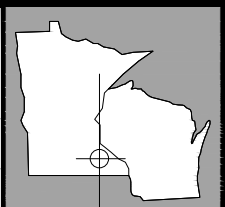
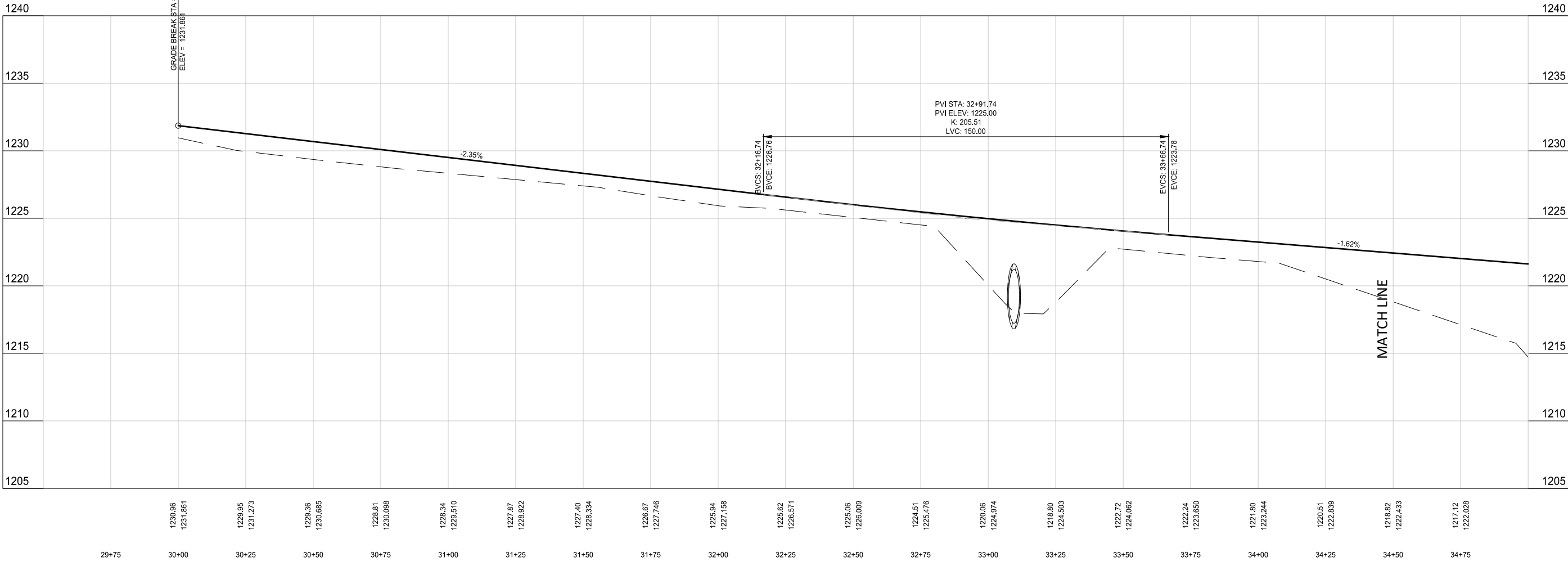
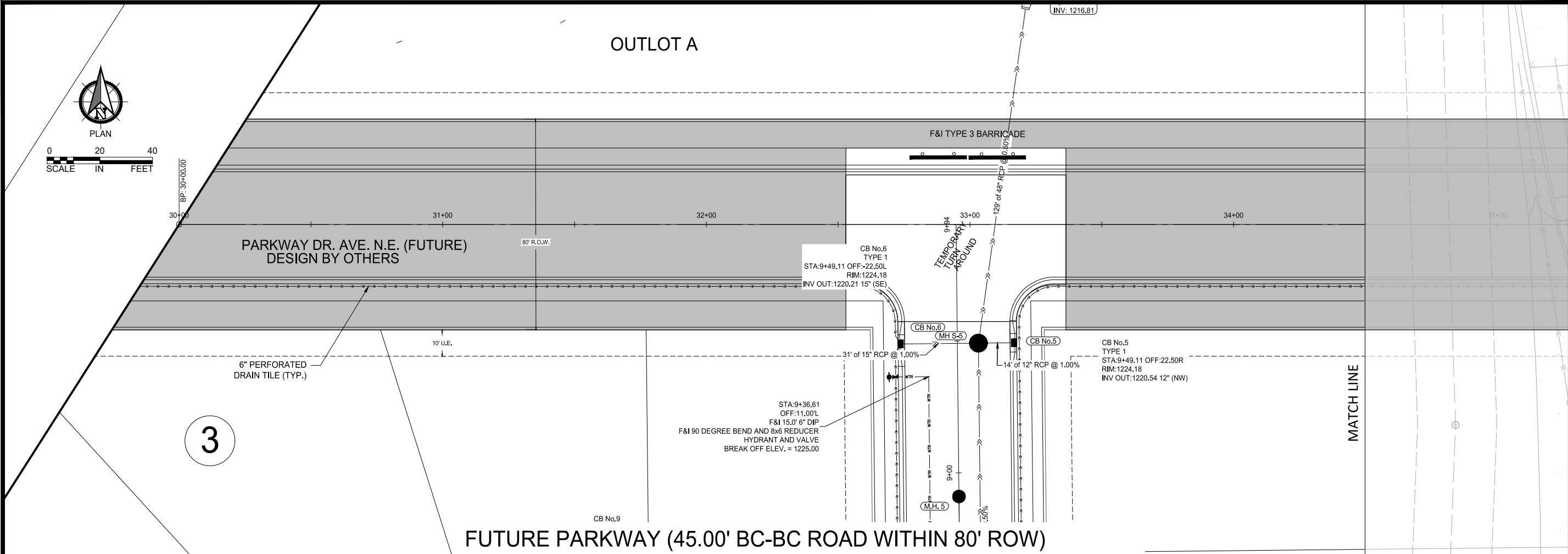
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Les Conway

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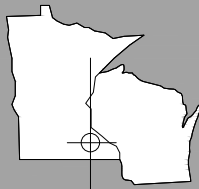
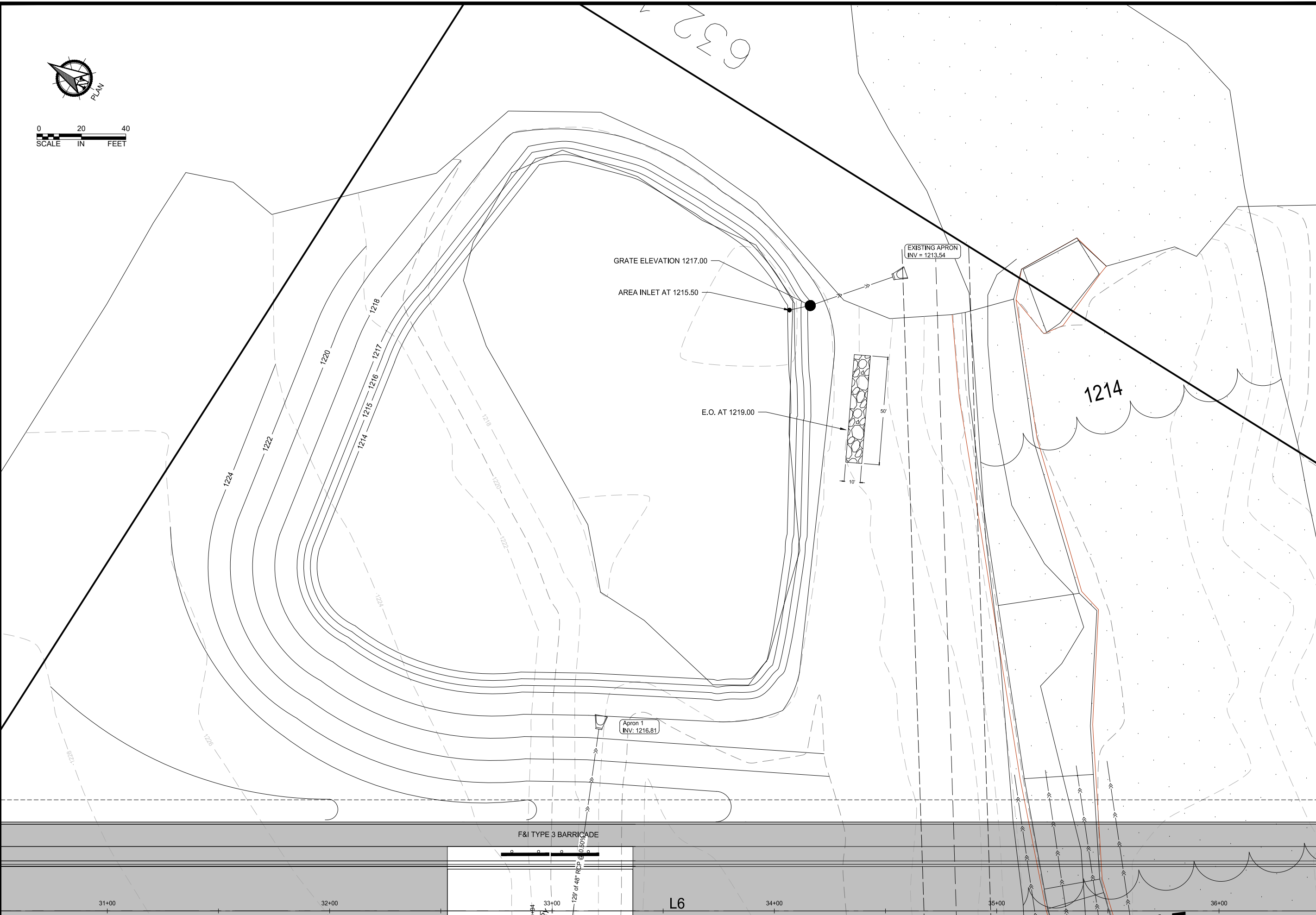
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2905 South Broadway  
Rochester, MN 55904-5515  
Phone: 507.288.3923  
Fax: 507.288.2675  
Email: rochester@whks.com  
Website: www.whks.com



December 4, 2019

Ms. Nancy Zaworski  
Interim City Administrator  
City of Kasson  
401 5th St. SE  
Kasson, MN 55944

RE: Kasson, MN  
Blaine's Fourteenth Subdivision  
**Review of General Development Plan, Preliminary  
Plat and Preliminary Construction Plans**

Dear Nancy:

We have reviewed the general development plan, preliminary plat and preliminary construction plans as submitted for the referenced project, as requested. We offer the following comments on the submitted plans in addition to the comments on the attached plans.

#### General Comments

1. The subject property to be platted is Zoned R-1.
2. Figure 4.4 Potential Greenways and figure 6.1 Potential Parks, Trails and Greenways of the City of Kasson Comprehensive Plan both depict a potential greenway/open space and a trail along existing stream. The figures also depict a potential trail traversing through the subject property.
3. The applicant is proposing single family detached dwelling use.
4. Masten Creek traverses through the southerly portion of the subject property. There is a floodplain associated with the creek. Dodge County is in the process of preparing a LOMR to revise the floodplain for the portion of Masten Creek through Town. The flood elevations depicted on the current map and within the Flood Insurance Rate Report may differ from the LOMR which has not yet been approved by FEMA.
5. We recommend that the construction costs for the portion of the future Parkway that traverses through the subject property and future trail along the Parkway be included in the development agreement. That portion of the future Parkway including the bridge and trail would be constructed by the City at a later date.

6. Costs of the future bridge should be addressed.
7. We recommend that the construction costs for the future trail planned along the southerly side of Masten Creek from the westerly boundary line of the subject property to the future Parkway be included in the development agreement. The future trail will be constructed by the City at a later date.
8. We recommend that the portion of the subject property southeast of the northerly sewer easement line to the southerly limits of the 100 year floodplain, including the area to the Kasel Addition be conveyed to the City as an outlot for greenway/open space.
9. We recommend that a 30 foot wide strip along the westerly boundary line be incorporated into the outlot for use as a future trail. The Kasel trail easement ends at the southwesterly corner of the subject property.
10. Any existing wetlands shall be delineated and depicted on the final plat and construction plan set.
11. The Developer shall develop a plan to serve the future phases south of the Masten Creek with two watermain connections during this phase of development to provide a looped system. An easement will likely be required through the residential lots for the waterman.
12. Additional comments may follow upon review of the final construction plan set, final plat and drainage plans and report.
13. The proposed watermain at the easterly end of 3<sup>rd</sup> Street shall be extended to the southerly boundary line of the Sylvia M. Ruport Etal. Parcel within the future Parkway for future looping.

#### General Development Plan

1. The general development plan contains a conceptual future development south of Masten Creek. The conceptual future development was not part of this review.
2. The right-of-way needed for the future bridge construction should be reviewed.
3. The names and addresses of the owner and developer shall be added to the plan.

### Preliminary Plat

1. Any covenants or deed restrictions shall be provided with the final plat submittal.
2. It is unclear if Lot 1, Block 1 and Lots 4, 10, 11 and 12 meet the required 66 foot lot width at the building line. Lot widths at the building line shall be provided in the final construction plans.
3. The existing 10 foot U.E. along the westerly boundary line of Blaine's Twelfth shall be labeled.
4. The easement for the existing 18" sanitary sewer main shall be labeled on the plan.
5. Existing storm, water and sanitary sewer adjacent to the proposed development shall added to the plat.
6. A stormwater easement conforming substantially with the lines of the water course shall be provided for the portion Masten Creek that traverses through the subject property.
7. The proposed 10 foot utility easement along the northerly and easterly boundary lines of Outlot "A" shall be removed.

### Preliminary Construction Plans

1. Hydrant locations and spacing shall be reviewed by the City Fire Chief.
2. The wet pond shall be sized to provide rate control for the 2 year, 10 year and 100 year Atlas 14 design storms for the post development condition to equal or less than pre development conditions for the tributary portions of Blaine's Twelfth and Blaine's Fourteenth. The improvements associated with the future Parkway through the subject property shall also be included in the pond sizing. The wet pond shall also be designed to comply with NPDES permit requirements.
3. Removed hydrants shall be salvaged to the City.
4. All sidewalks shall be 5 feet wide.
5. The pipe crowns for differing storm sewer pipes sizes shall be aligned at manhole junctions.

6. The vertical alignment for the Parkway shall be extended a point south of Masten Creek. The vertical alignment and bridge sizing will have to be reviewed for coordination of the future bridge crossing.
7. The Developer shall consider acquiring an easement from the adjoining property to the north and moving the temporary turnaround for 13<sup>th</sup> Avenue NE to the north. With the current layout driveway access for Lots 1 and 2, Block 1 is impeded by the temporary turnaround and not likely buildable.
8. The proposed 20 foot easement for the sewer main between Lots 4 and 5, Block 4 shall be increased to 40 feet due to the depth of the proposed sewer main. This may effect the layout of the adjacent lots.
9. Review future grading to for the property to the north to determine if the road profile for 13<sup>th</sup> Avenue NE is acceptable.
10. Additional comments are provided on the attached preliminary construction plans and general development plan.

We recommend approval of the General Development Plan and Preliminary Plat condition upon the above items being addressed at the Final Plat Submission. Copies of the revised General Development Plan and Preliminary Plat shall be submitted with the Final Plat.

Please contact us if you have any questions.

Sincerely,

**WHKS & CO.**

Brandon W. Theobald, P.E.

BWT/bwt

Cc: Charlie Bradford, Public Works Director  
Linda Rappe, City Clerk  
Melanie Leth, City Attorney  
Laura Chamberlain, HKG inc., Consulting Planner  
Rich Massey, WSE & Massey Land Surveying and Engineering  
Les Conway, WSE & Massey Land Surveying and Engineering  
Carter Blaine, Developer





P.O. BOX 100  
KASSON, MN 55944  
PH. NO. 507-634-4505



**WSE**  
Engineering Services

BLAINE'S FOURTEENTH SUBDIVISION  
CITY OF KASSON, DODGE COUNTY, MINNESOTA  
GENERAL DEVELOPMENT PLAN

THIS SURVEY AND DRAWING  
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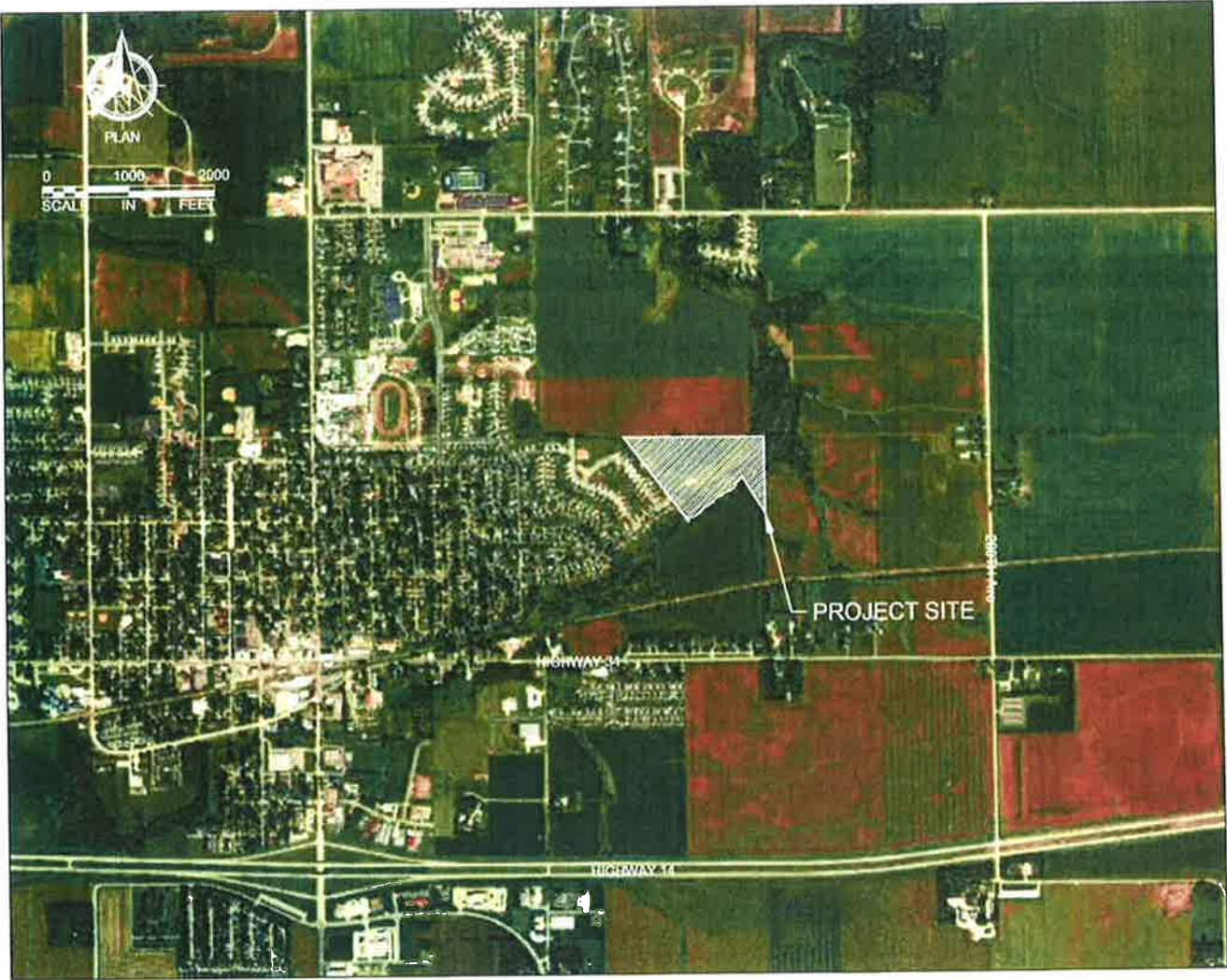
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DATE: 11/20/20  
DRAWN BY: TA  
JOB NUMBER: 19-190  
DWG. FILE: \_\_\_\_\_  
REVISION DATE: \_\_\_\_\_



# PUBLIC IMPROVEMENTS TO SERVE BLAINE'S FOURTEENTH SUBDIVISION

Kasson, MN

Issue Date - 11/20/2019 Preliminary Plat Submittal



LEGAL DESCRIPTION:

That part of the Northwest Quarter of Section 34, Township 107 North, Range 16 West, Dodge County, Minnesota, described as follows:

BEGINNING at the northeast corner of BLAINE'S TWELFTH SUBDIVISION according to the plat thereof on file at the Dodge County Recorder's Office; thence South 36 degrees 53 minutes 15 seconds East, (NOTE: All bearings are in relationship with the Dodge County Coordinate System NAD '83, Adjusted 1996), along the northeasterly line of said BLAINE'S TWELFTH SUBDIVISION and its southeasterly extension thereof, 1251.0 feet more or less to the centerline of Masten Creek; thence Northeasterly 871 feet more or less along said centerline; thence South 32 degrees 13 minutes 30 seconds East, 483 feet more or less to the east line of the Northwest Quarter of said Section 34; thence North 00 degrees 18 minutes 20 seconds West, along the east line of said Northwest Quarter, 891.31 feet to the northeast corner of said Northwest Quarter; thence North 89 degrees 41 minutes 31 seconds West, 1647.58 feet to the POINT OF BEGINNING.

Said parcel contains 23.62 acres, more or less.

OWNER / DEVELOPER

TIERRA AKA PARTNERSHIP  
16 MANTORVILLE AVE N  
KASSON, MN 55944  
PHONE NO. (507) 634-7061

CIVIL ENGINEERS / SURVEYORS

WSE & MASSEY LAND SURVEYING & ENGINEERING  
P.O. BOX 100  
KASSON, MN. 55944  
PH. NO. 507-634-4505



PROJECT LOCATION  
DODGE COUNTY  
KASSON DISTRICT

UTILITY QUALITY LEVEL

The subsurface utility information in this plan is quality level D. This quality level was determined according to the guidelines of CUSCE 38-2, entitled "Standard Guidelines for the Collection and Depiction of Existing Subsurface Utility Data."

BENCHMARK ELEVATION = 1235.22  
TOP NUT HYDRANT AT THE NORTH SIDE OF 3RD  
STREET N.E. & 12 AVENUE N.E.

LEGEND	
- 1245 -	DENOTES PROPOSED CONTOUR ANNOTATION
x 46 84	DENOTES PROPOSED SPOT ELEVATION
→	DENOTES DRAINAGE DIRECTION
- SF -	DENOTES S&T FENCE OR BIOROLL HLR 7-01SDP
⊙	DENOTES INULTI PROTECTION PER 7-06SDP
▨	DENOTES PROPOSED EROSION MAT
▨	DENOTES PROPOSED BITUMINOUS
▨	DENOTES EXISTING CONTOURS
—	DENOTES TREE LINE
—	DENOTES WATERMAIN PIPE
—	DENOTES STORM SEWER PIPE
—	DENOTES SANITARY PIPE

INDEX TO PLANS	
Sheet Title	Shl. No.
TITLE SHEET	1
TYPICAL SECTION	2
ALIGNMENT PLAN	3
SERVICE TABLES	4
UTILITY PROFILES	5-11
POND DETAIL	12

This plan contains 12 Total sheets

Approved By: \_\_\_\_\_  
City Engineer Date



WSE & MASSEY  
LAND SURVEYING  
& ENGINEERING

P.O. BOX 100  
KASSON, MN 55944  
PH. NO. 507-634-4505

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

Les Conway  
23292 11/20/19  
Number Date



BLAINE'S FOURTEENTH SUBDIVISION  
CITY OF KASSON, DODGE COUNTY, MINNESOTA

THIS SURVEY AND DRAWING  
WAS PREPARED FOR THE  
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SCALE: AS SHOWN  
DATE: 11/20/2019  
DRAWN BY: TAC  
JOB NUMBER: 19-19007  
DWG. FILE:  
REVISION DATE:

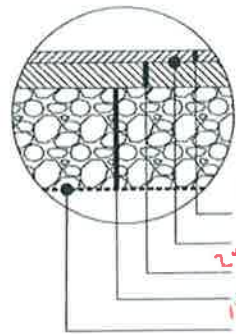
Project Number 19-19007

SHEET 1 OF 12



19-19007CG\_TY01.dwg

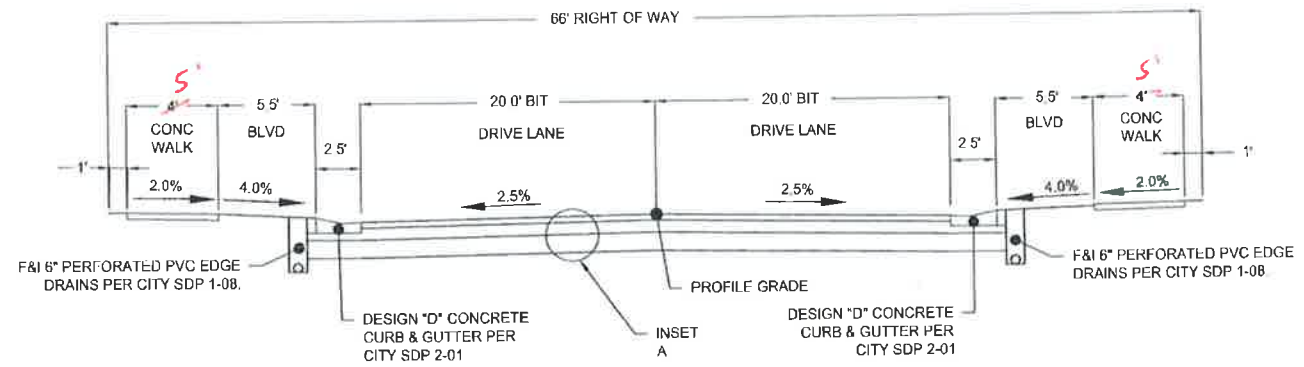
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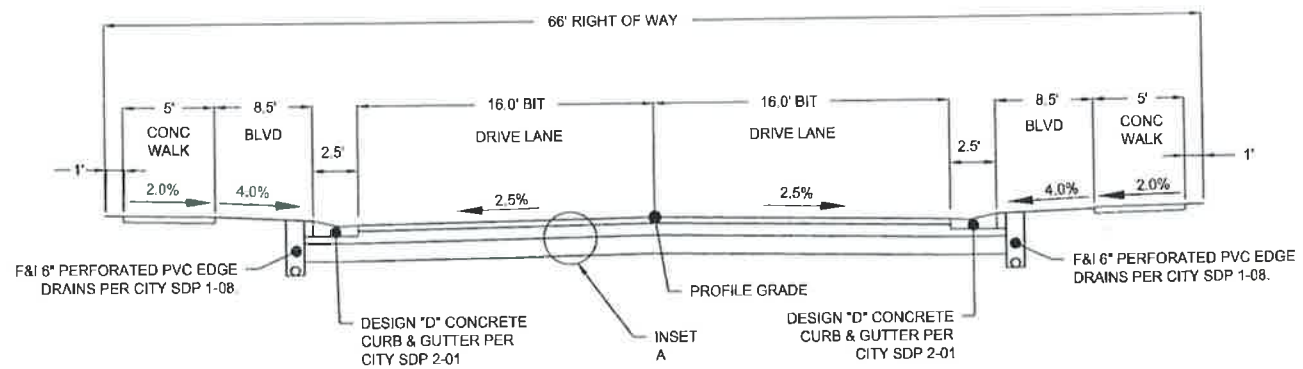
INSET A

BITUMINOUS ROAD SECTION

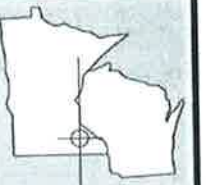
- 1.5" BITUMINOUS WEAR COURSE, MN DOT 2360
- 2357 BITUMINOUS TACK COAT
- 2.5" BITUMINOUS BASE COURSE, MN DOT 2360
- 4" MN DOT CLASS 5 AGGREGATE BASE
- MnDOT TYPE V GEOTEXTILE SEPARATION FABRIC



3RD STREET N.E.



6TH STREET N.E. & 13TH AVENUE N.E.



**MASSEY**  
LAND SURVEYING  
& ENGINEERING

P.O. BOX 100  
KASSON, MN 55944  
PH. NO. 507-634-4505

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

*Les Conway*  
Les Conway

23282 11/20/19  
Number Date



BLAINE'S FOURTEENTH SUBDIVISION  
CITY OF KASSON, DODGE COUNTY, MINNESOTA

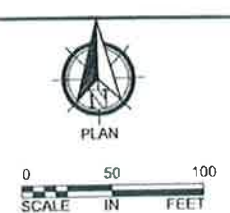
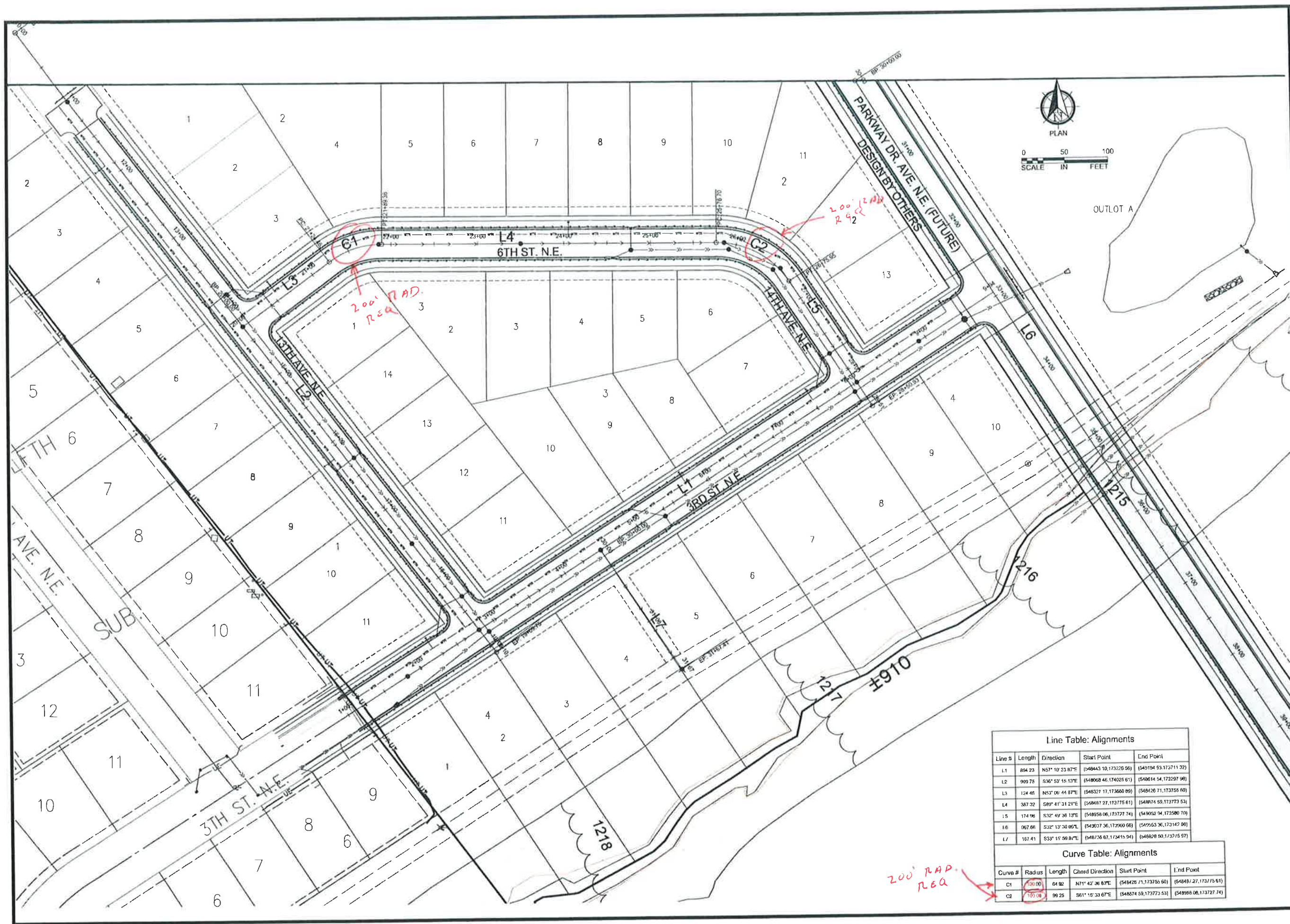
THIS SURVEY AND DRAWING  
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DATE: 11/20/2019  
DRAWN BY: LAC  
JOB NUMBER: 19-19007  
DWG FILE:  
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& ENGINEERING

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KASSON, MN 55944  
PH. NO. 507-634-4505

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*Les Conway*  
Les Conway

23292 11/20/19  
Number Date

WSE  
Engineering Services

BLAINE'S FOURTEENTH SUBDIVISION  
CITY OF KASSON, DODGE COUNTY, MINNESOTA

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JOB NUMBER: 19-19007  
DWG FILE:  
REVISION DATE:

SHEET 3 OF 12

Line Table: Alignments				
Line #	Length	Direction	Start Point	End Point
L1	894.23	N57° 10' 23.87"E	(548443 10,173226 56)	(548194 53,173711 32)
L2	909.75	S36° 53' 15.13"E	(548068 48,174025 61)	(548614 54,173297 98)
L3	124.46	N53° 06' 44.87"E	(548327 17,173660 89)	(548426 71,173755 80)
L4	387.32	S89° 41' 31.21"E	(548467 27,173775 61)	(548474 59,173773 53)
L5	174.96	S32° 49' 36.13"E	(548958 06,173727 74)	(548052 94,173580 70)
L6	967.66	S22° 13' 30.05"E	(548077 36,173960 66)	(549563 36,173147 06)
L7	167.41	S33° 15' 59.87"E	(548736 67,173415 94)	(548828 50,173715 97)

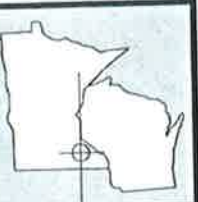
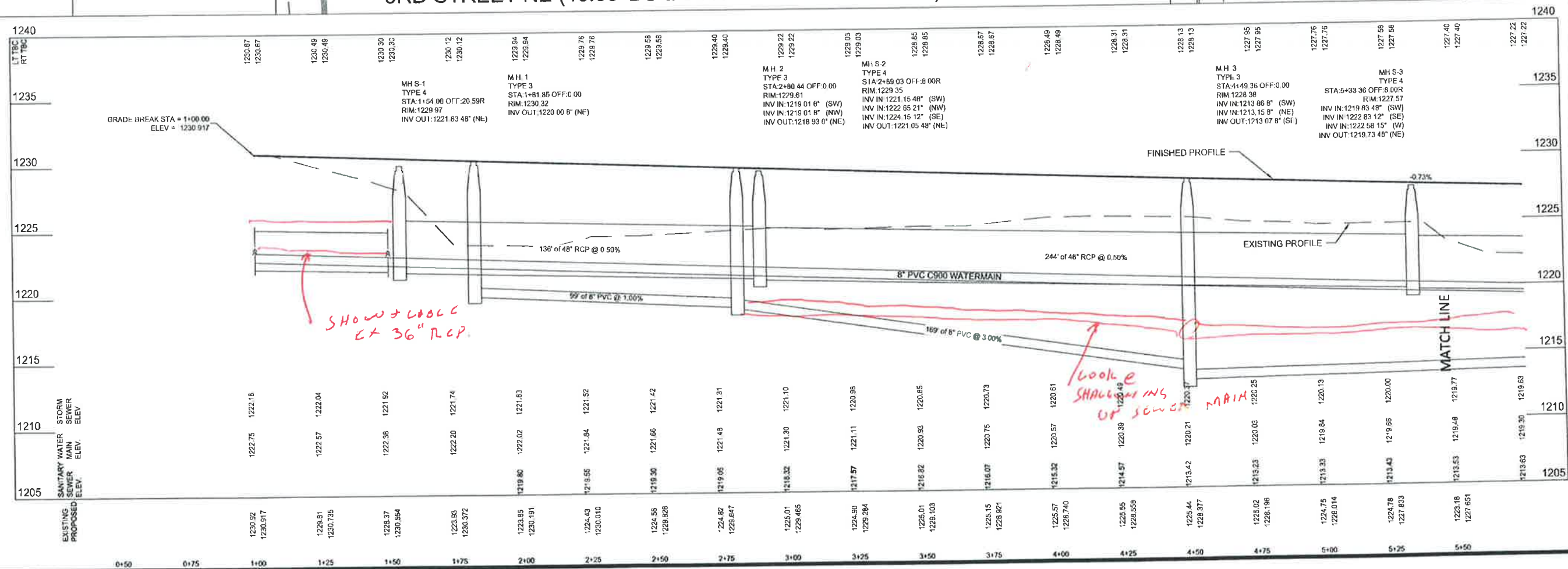
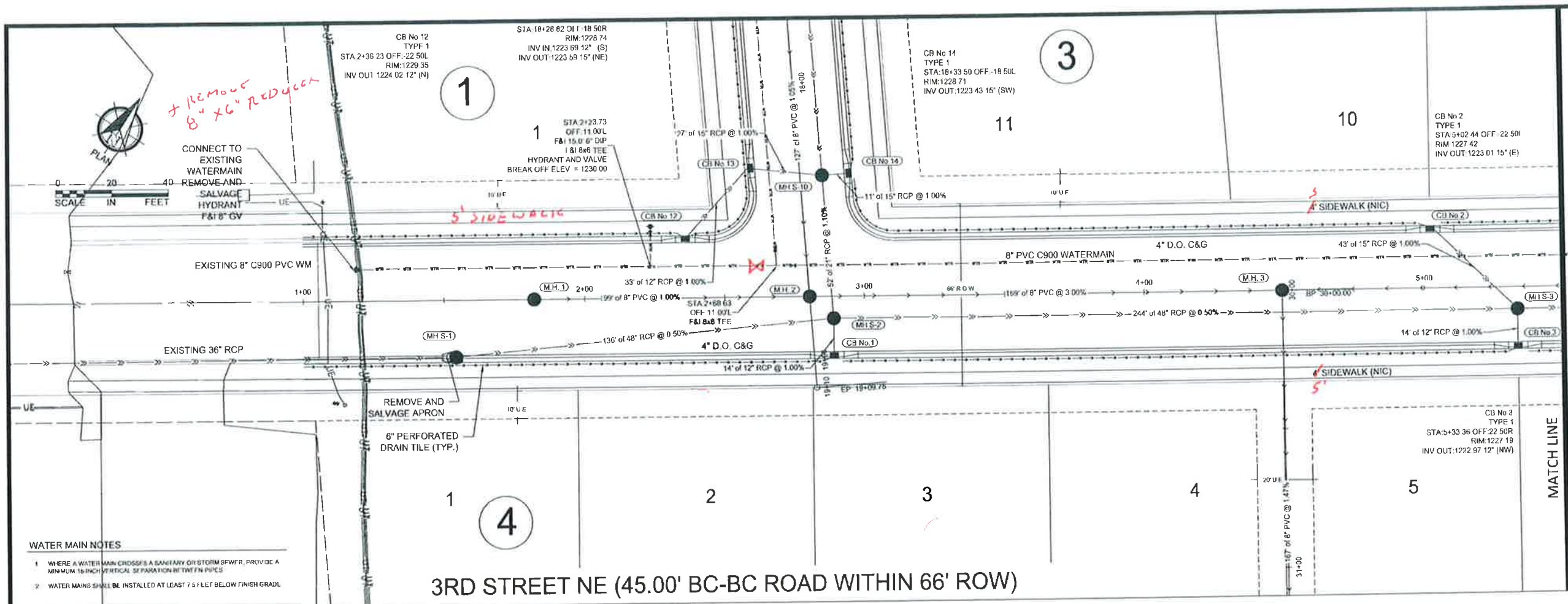
Curve Table: Alignments					
Curve #	Radius	Length	Chord Direction	Start Point	End Point
C1	100.00	64.92	N71° 42' 36.87"E	(548426 71,173755 80)	(548487 27,173715 61)
C2	100.00	99.25	S61° 15' 33.67"E	(548874 59,173773 53)	(548958 06,173727 74)

200' RAD. REQ.



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11/20/2019 9:15:08 AM



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P.O. BOX 100  
KASSON, MN 55944  
PH. NO. 507-634-4505

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

Lee Conway  
23292  
Number

11/20/19  
Date



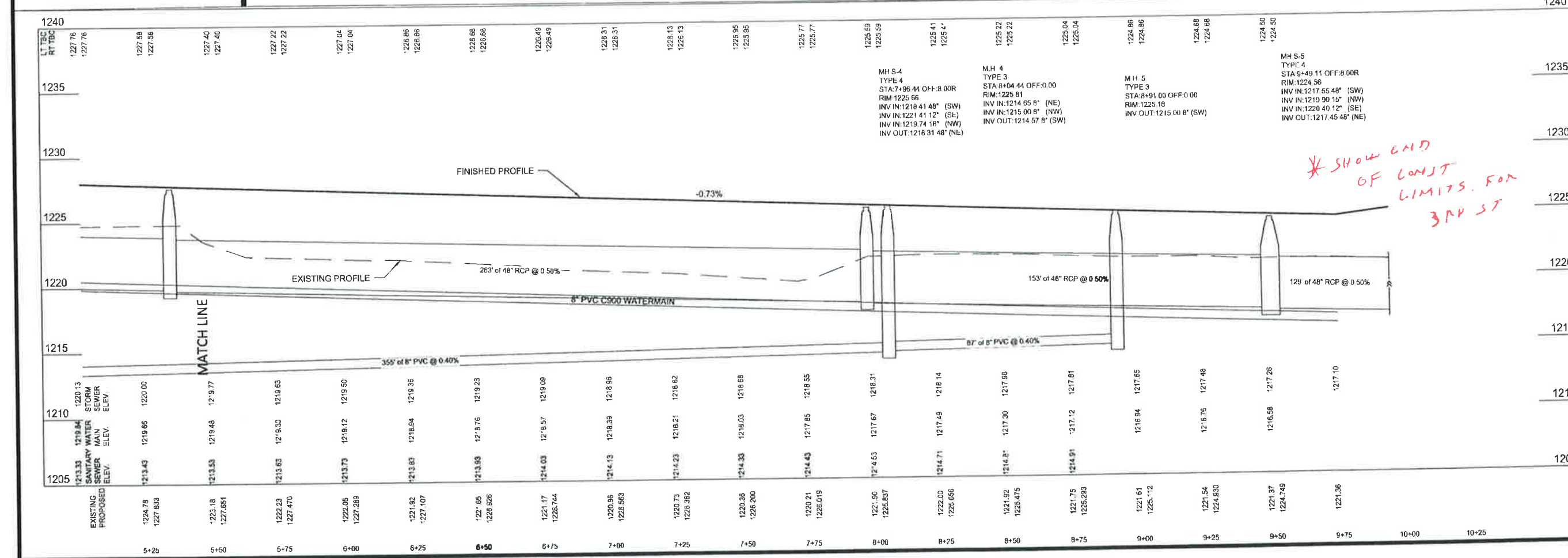
BLAINE'S FOURTEENTH SUBDIVISION  
CITY OF KASSON, DODGE COUNTY, MINNESOTA

THIS SURVEY AND DRAWING WAS PREPARED FOR THE EXCLUSIVE USE OF:

SCALE: AS SHOWN  
DATE: 11/20/2019  
DRAWN BY: L.A.C.  
JOB NUMBER: 19-19007  
DWG FILE:  
REVISION DATE:

SHEET 4 OF 12





SHEET 5 OF 12





P.O. BOX 100  
KASSON, MN 55944  
PH. NO. 507-634-4505

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Lee Conway

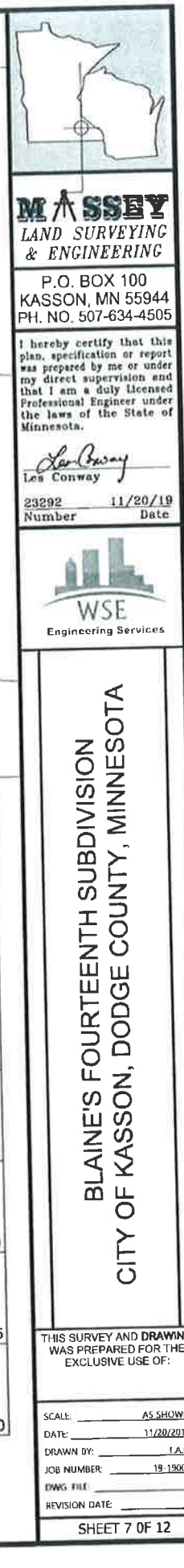
23292	11/20/19
Number	Date



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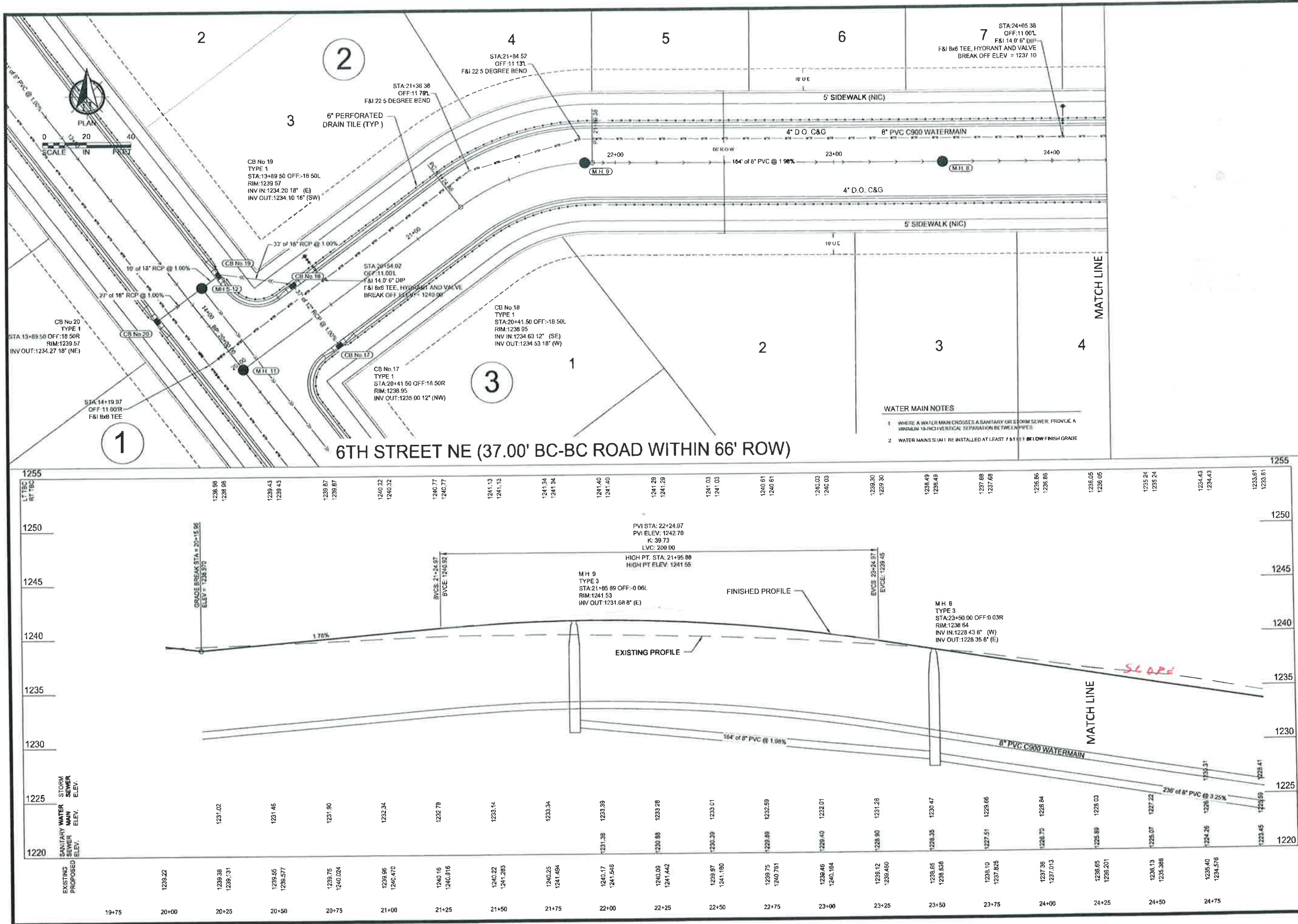
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REVISION DATE: \_\_\_\_\_





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KASSON, MN 55944  
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*Les Conway*  
Les Conway

23292 11/20/19  
Number Date



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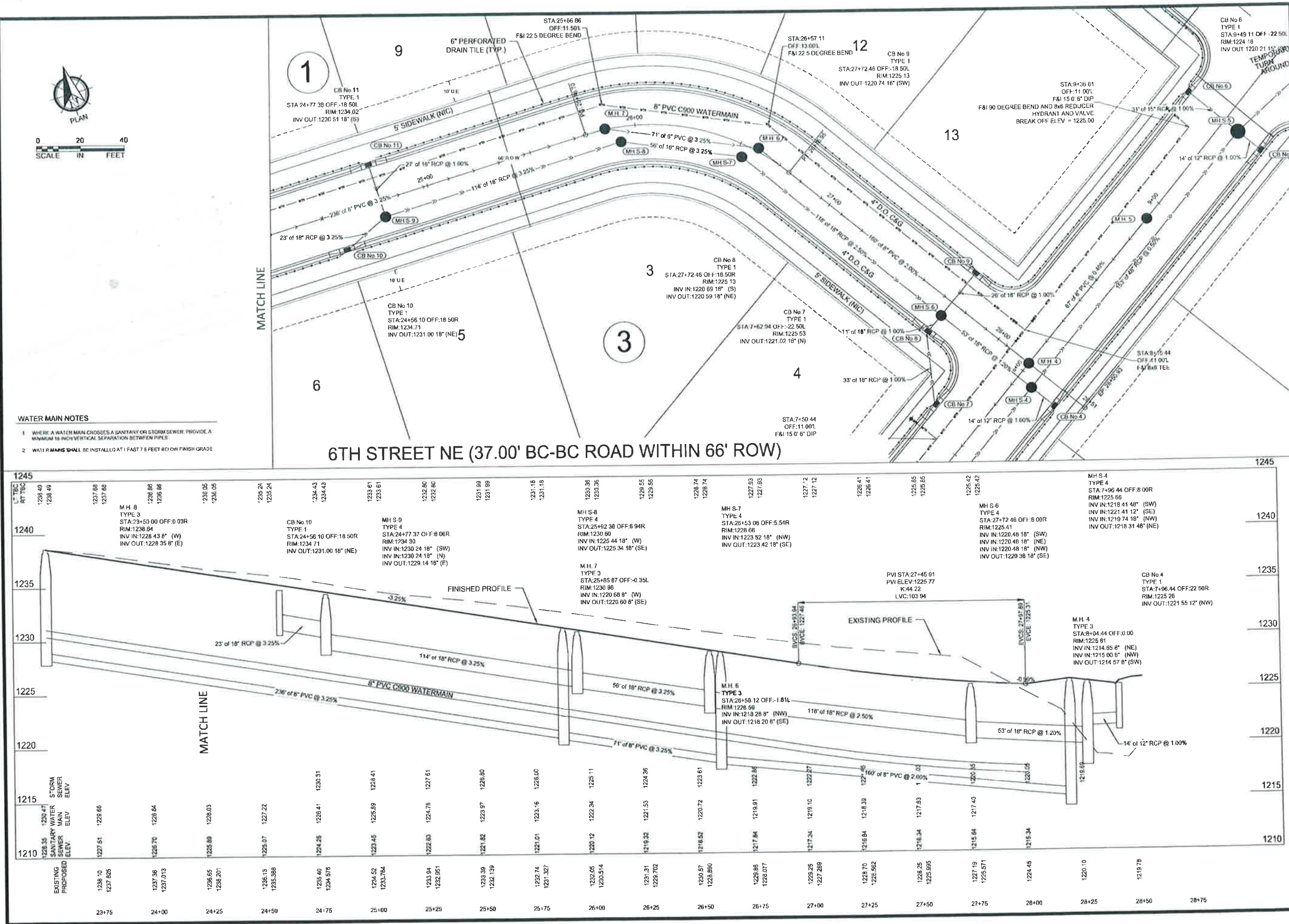
SCALE: AS SHOWN  
DATE: 11/20/2019  
DRAWN BY: T.A.C.  
JOB NUMBER: 19-19007  
DWG FILE:  
REVISION DATE:

SHEET 8 OF 12



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KASSON, MN 55944  
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*Les Conway*  
Les Conway

23292 11/20/19  
Number Date

**WSE**  
Engineering Services

BLAINE'S FOURTEENTH SUBDIVISION  
CITY OF KASSON, DODGE COUNTY, MINNESOTA

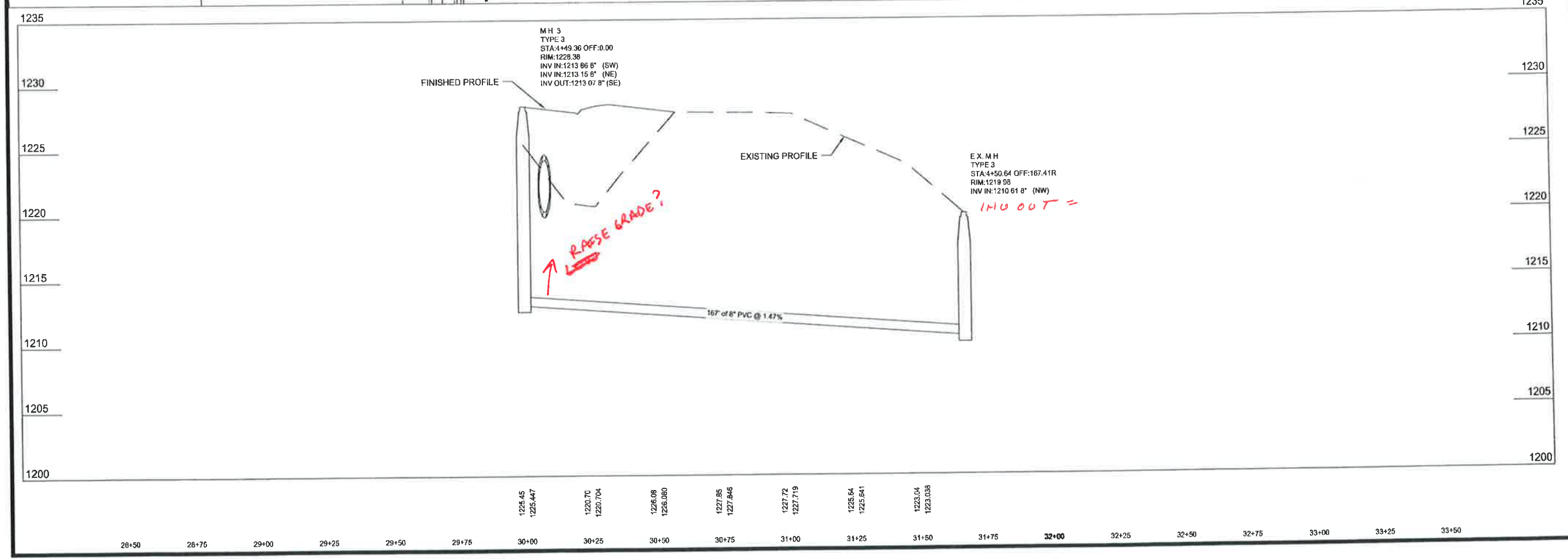
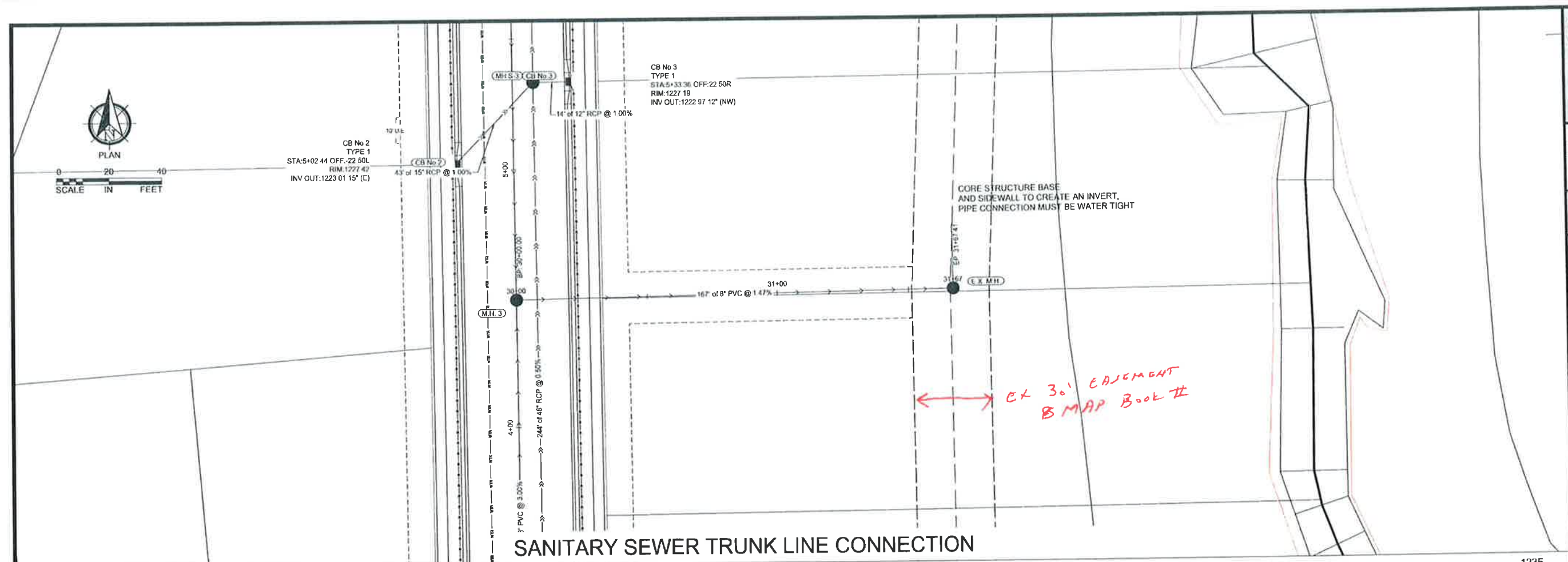
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DRAWN BY: T.A.C.  
JOB NUMBER: 19-19007  
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SHEET 9 OF 12

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*Les Conway*  
Les Conway

23292 11/20/19  
Number Date

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Engineering Services

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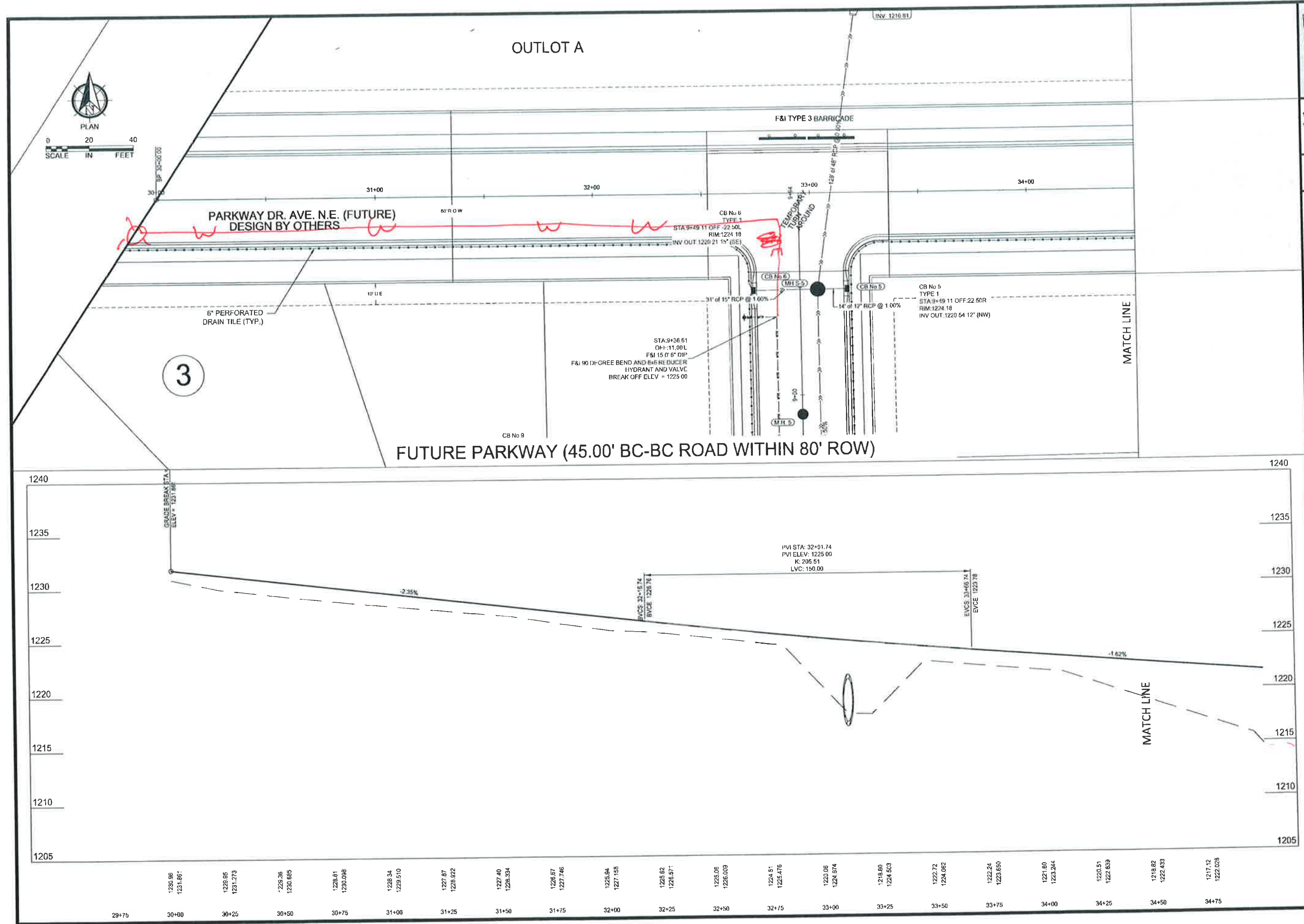
SCALE: AS SHOWN  
DATE: 11/20/2019  
DRAWN BY: JAC  
JOB NUMBER: 19-19007  
DWG FILE:  
REVISION DATE:

SHEET 10 OF 12



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*Los Conway*  
Los Conway

23292 11/20/19  
Number Date



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CITY OF KASSON, DODGE COUNTY, MINNESOTA

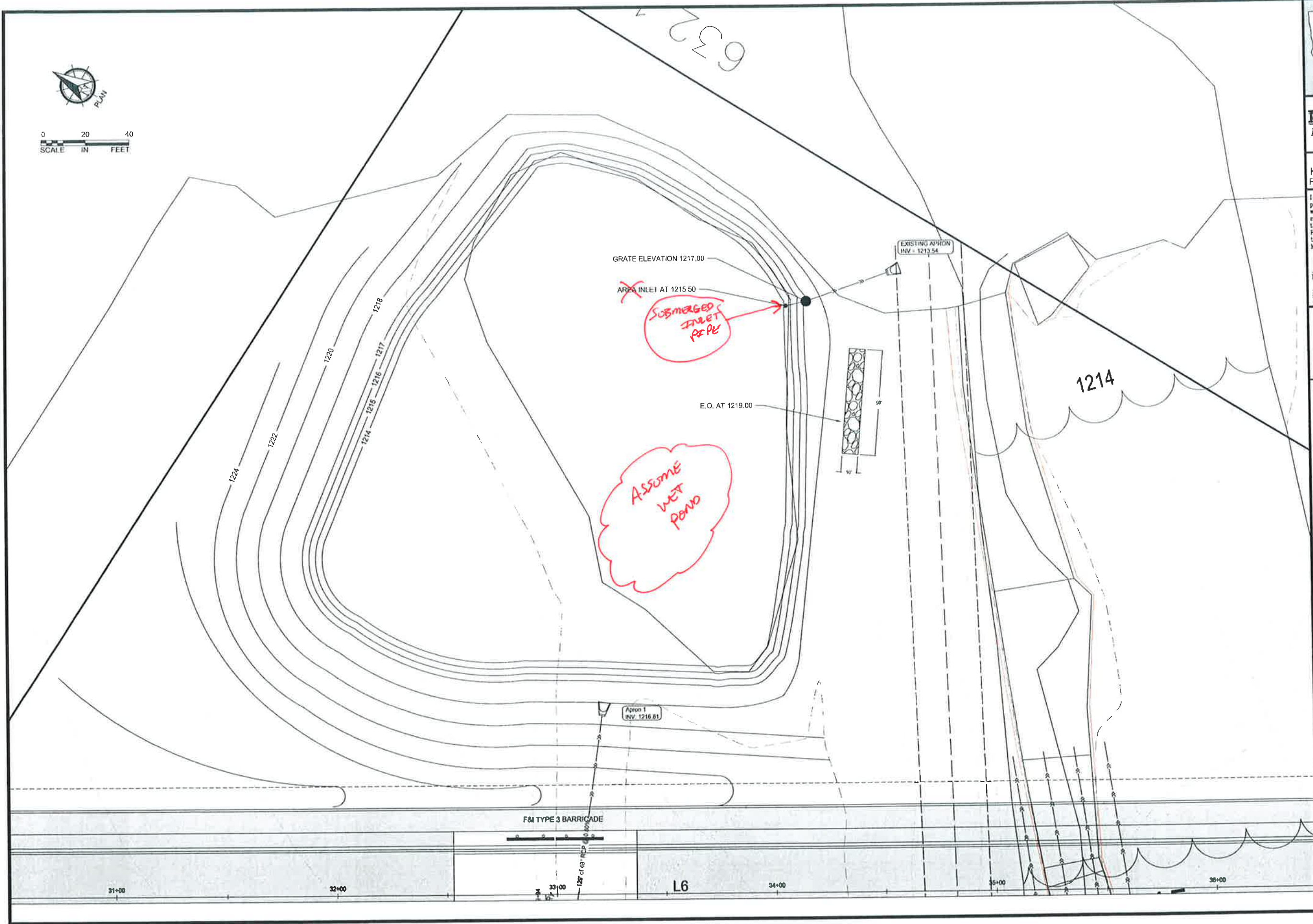
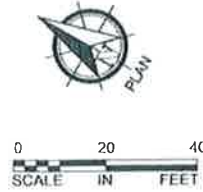
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JOB NUMBER: 19-19007  
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SHEET 11 OF 12

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**MASSEY**  
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KASSON, MN 55944  
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*Les Conway*  
Les Conway

23292 11/20/19  
Number Date



**WSE**  
Engineering Services

BLAINE'S FOURTEENTH SUBDIVISION  
CITY OF KASSON, DODGE COUNTY, MINNESOTA

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DATE: 11/20/2019  
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JOB NUMBER: 19-19007  
DWG FILE:  
REVISION DATE:

SHEET 12 OF 12



January 3, 2020

Ms. Nancy Zaworski  
Interim City Administrator  
City of Kasson  
401 5<sup>th</sup> St. SE  
Kasson, MN 55944

RE: Blaine's Fourteenth Subdivision  
**Review of General Development Plan, Preliminary Plat and Preliminary Construction Plans**

Dear Ms. Zaworski,

HKGi has conducted a zoning and planning review of the general development plan, preliminary plat, and preliminary construction plans as submitted for the Blaine's Fourteenth Subdivision. This review is intended to supplement comments already provided by the City Engineer in their letter dated December 5, 2019.

Overall Comments

1. Through the City's Comprehensive Plan, the City has designated the area around Masten Creek to be a significant natural resource as well as potential for a future greenway and trail.
  - a. In order to prevent residential lawn encroachment into the floodplain and steep slopes around the area, as has happened in adjacent developments, we recommend the area of the creek within the floodplain to be put into an outlot and deeded to the City.
  - b. If any of that outlot could be useable for a future trail along the southern bank of the creek, then that useable portion of land could be credited towards the development's park dedication fee; this dedication would be in alignment with City Code Sec. 152.023 as well as Minnesota Statute 462.358.2b
2. The developer is responsible for the construction and installation of all improvements on the site, including sewers, streets, electric, gas, drainage, and water facilities, and similar utilities and improvements. This responsibility includes the construction and installation of the portion of the Parkway on the property.
  - a. Constructing a portion of the parkway at this time does is premature, so the City recommends the establishment of a financial security (ex: letter of credit) by the developer to cover the cost of constructing the portion of the parkway that is on the subject parcel. That financial security would then be used by the City at a

later time when the surrounding property is developed and the need for the parkway is warranted.

- b. Establishing a financial security for the construction of the portion of the parkway is in alignment with Minnesota Statute 462.358.2a. The details of the financial security would be established at the time of the Development Agreement and recorded with the Final Plat.

#### General Development Plan Review

1. The General Development Plan (GDP) shows the general proposed layout of the subdivision of two existing parcels: PIDs 240340700 and 240340701. The GDP needs to clearly show the extent of this entire area to be subdivided. Currently, a western portion of PID 240340700 which branches along the creek, south of Blaine's 12<sup>th</sup> Addition is not included within the extent of the subdivision area. This area should be included on the GDP.
2. The area of the development within the floodplain should be shown as an outlot, with individual property lines going to the outlot, not the center of the creek.
3. As the GDP is intended for "Blaine's 14<sup>th</sup> Subdivision" but the preliminary plat only shows part of that subdivision, the GDP should reflect intended phasing of the subdivision, with Phase 1 and Phase 2 clearly labeled in the GDP
4. Connections to general roads outside of the subdivision area should be shown, particularly how the proposed 13<sup>th</sup> Avenue NE and the Parkway will connect with the general east/west extension of 8<sup>th</sup> Street NE in the parcel to the north

#### Preliminary Plat Review

1. The applicant shall include as part of their submittal a certificate of survey for the entire property proposed to be subdivided; this may be just PID 240340700 or may also include 240340701 (it is unclear within the current application).
2. Related to the comment above, the preliminary plat must show the entirety of the parcel(s) being subdivided, any areas not being actively subdivided into residential lots need to be shown as outlots or lot/blocks, including any part of "Phase 2" which is not proposed for subdivision at this time.
3. The drainage and utility easements for each individual parcel need to be shown; additionally, the zoning district's setback lines should also be shown, in order to show the "buildable area" of each parcel.
4. A grading and drainage plan for all parcels needs to be included with the final construction plans

Unless otherwise noted, it is recommended that these comments be addressed in a resubmittal of documents prior to the City accepting a final plat application. It is also recommended that the general development plan and the preliminary plat not be considered approved until the resubmitted items are reviewed and approved by the City Engineer and Zoning Administrator.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Laura Chamberlain". The signature is fluid and cursive, with the first name "Laura" being more prominent than the last name "Chamberlain".

Laura Chamberlain, AICP

Consulting Planner

HKGi

CC: Charlie Bradford, Public Works Director  
Linda Rappe, City Clerk  
Melanie Leth, City Attorney  
Brandon Theobald, WHKS & Co., City Engineer  
Rich Massey, WSE & Massey Land Surveying and Engineering  
Les Conway, WSE & Massey Land Surveying and Engineering  
Carter Blaine, Developer



## 2019 COMMITTEES

COUNCIL MEMBER	HOME	OFFICE	ADDRESS	E-MAIL	EXPIRES
----------------	------	--------	---------	--------	---------

Meets 2<sup>nd</sup> and 4<sup>th</sup> Wednesday at 6:00 P.M. (Mayor-2 year term; Council-4 year term)

Nancy Zaworski- Interim Admin	259-0135	634-6321		<a href="mailto:financedept@cityofkasson.com">financedept@cityofkasson.com</a>	
<b>Mayor Chris McKern</b>	<b>634-4029</b>	<b>634-4307</b>	<b>405 5<sup>th</sup> St NW</b>	<a href="mailto:mavormckern@cityofkasson.com">mavormckern@cityofkasson.com</a>	<b>1-3-21</b>
Melisa Ferris	2069323		204 4 <sup>th</sup> Ave NW	<a href="mailto:councilpersonferris@cityofkasson.com">councilpersonferris@cityofkasson.com</a>	1-1-23
Duane Burton	634-7027		2001 11 <sup>th</sup> Ave NE	<a href="mailto:councilpersonburton@cityofkasson.com">councilpersonburton@cityofkasson.com</a>	1-1-23
Lonnie Zelinske	634.4410		1005 2 <sup>nd</sup> Place NW	<a href="mailto:councilpersonzelinske@cityofkasson.com">councilpersonzelinske@cityofkasson.com</a>	1-3-21
Dan Egglar	951-7741		1503 16 <sup>th</sup> Ave NE	<a href="mailto:councilpersoneggler@cityofkasson.com">councilpersoneggler@cityofkasson.com</a>	1-3-21

### PLANNING COMMISSION

Meets 2<sup>nd</sup> Monday of each month at 6:30 P.M. (3 year term)

Nancy Zaworski -Interim Zoning Adm	634-6321		401 5 <sup>th</sup> St SE	<a href="mailto:financedept@cityofkasson.com">financedept@cityofkasson.com</a>	
Linda Rappe – City Clerk/ PC sec’y	634-6324			<a href="mailto:cityclerk@cityofkasson.com">cityclerk@cityofkasson.com</a>	
Duane Burton		Council Appointee			x
Lonnie Zelinske		Council Appointee			x
<b>Tom Ferris - Chair</b>	<b>634-6692</b>	<b>775-7878</b>	<b>204 4<sup>th</sup> Ave NW</b>	<a href="mailto:ralphf@globaldairysolutions.com">ralphf@globaldairysolutions.com</a>	<b>12-31-21</b>
Joe Fitch	517-4113		1301 Main St W	<a href="mailto:joefitch24@gmail.com">joefitch24@gmail.com</a>	12-31-20
Aaron Thompson	9512273	2867869	504 16 <sup>th</sup> St NE	<a href="mailto:aaron@thedesigconnection.net">aaron@thedesigconnection.net</a>	12-31-19
Collin Tinsley	535-6596		105 1 <sup>st</sup> St NW	<a href="mailto:collin@armonarch.com">collin@armonarch.com</a>	12-31-21
Sheldon Torkelson	634-7976	696-5546	1200 Main St W	<a href="mailto:stoneystone@kmtel.com">stoneystone@kmtel.com</a>	12-31-19

\*City Code of Ordinances Article 3 - Chapter 2

### LIBRARY BOARD

Meets 2nd Tuesday of each month at 6:00 P.M. (3 year term)

Art Tiff-Director	634-7615		607 1 <sup>st</sup> St NW	<a href="mailto:atiff@selco.info">atiff@selco.info</a>	
Melisa Ferris		Council Appointee			x
Lisa Carlsen	635-5453	61205 251 <sup>st</sup> Ave; Mantorville 55955		<a href="mailto:carlsen@kmtel.com">carlsen@kmtel.com</a>	12-31-21
Jon Wright	261-3170		106 7 <sup>th</sup> Ave SW		12-31-19
<b>Tarik Kamel - Chair</b>	<b>634-6460</b>		<b>108 2<sup>nd</sup> Ave NE</b>	<a href="mailto:tkkamel@hotmail.com">tkkamel@hotmail.com</a>	<b>12-31-21</b>
Laurie Schultz	634-6894		1505 15 <sup>th</sup> Ave NE	<a href="mailto:Schultz@pobox.com">Schultz@pobox.com</a>	12-31-19

\*State Statute 134-Ordinance 706

### ECONOMIC DEVELOPMENT AUTHORITY (EDA)

Meets 1<sup>st</sup> Tuesday of each month at 12:00 noon (6 year term)

Nancy Zaworski		Interim Admin		<a href="mailto:financedept@cityofkasson.com">financedept@cityofkasson.com</a>	
Nicholas Ouellette - CEDA/ EDA sec’y	202-2629			<a href="mailto:nicholas.ouellette@cedausa.com">nicholas.ouellette@cedausa.com</a>	
Chris McKern		Council Appointee			x
Dan Egglar		Council Appointee			x
Janice Borgstrom-Durst	273-0890		401 3 <sup>rd</sup> Ave NW	<a href="mailto:taxxx@kmtel.com">taxxx@kmtel.com</a>	12-31-24
Michael Peterson	951-1373		903 6th St NW	<a href="mailto:peteronappraisal@charter.net">peteronappraisal@charter.net</a>	12-31-23
Liza Larsen – Chamber Apptee	202-3511	288-7665	24198 670 <sup>th</sup> St	<a href="mailto:liza@lstop-realty.com">liza@lstop-realty.com</a>	12-31-20
Tom Monson	507-413-2500	Same	101 3 <sup>rd</sup> St NW	<a href="mailto:tomonson@gmail.com">tomonson@gmail.com</a>	12-31-21
Richard Wegner	634-7510	634-7022	PO Box 187	<a href="mailto:richtwegner@gmail.com">richtwegner@gmail.com</a>	12-31-19

Star City Commission Ordinance 665 - Resolution #1123 - State Statute 469.091

### PARK BOARD

Meets 3<sup>rd</sup> Tuesday of each month at 6:00 PM (3 year term)

Ron Unger-Park & Rec Supr	634-4165		1401 16 <sup>th</sup> St NE	<a href="mailto:parknrec@cityofkasson.com">parknrec@cityofkasson.com</a>	
Jan Naig-Deputy Clerk/Park Board Sec’y	634-6301		401 5 <sup>th</sup> St SE	<a href="mailto:acctspay@cityofkasson.com">acctspay@cityofkasson.com</a>	
Dan Egglar		Council Appointee			x
Jason Farnsworth	696-1588		18 5 <sup>th</sup> St SW	<a href="mailto:farnsworths@charter.net">farnsworths@charter.net</a>	12-31-20
Greg Kuball	634-3104	634-2771	604 Main St W	<a href="mailto:kassnhdw@kmtel.com">kassnhdw@kmtel.com</a>	12-31-21
<b>Liza Larsen - Chair</b>	<b>202-3511</b>	<b>288-7665</b>	<b>24198 670<sup>th</sup> St</b>	<a href="mailto:liza@lstop-realty.com">liza@lstop-realty.com</a>	<b>12-31-19</b>
Chuck Coleman	634-4602		1109 1 <sup>st</sup> Ave NE	<a href="mailto:cscolemn@kmtel.com">cscolemn@kmtel.com</a>	12-31-20
Janet Sinning	634-4668		606 5 <sup>th</sup> Ave NE	<a href="mailto:jsinning@charter.net">jsinning@charter.net</a>	12-31-19
Roger Franke	634-4544		605 7 <sup>th</sup> St NE	<a href="mailto:Franke.Roger@mayo.edu">Franke.Roger@mayo.edu</a>	12-31-21

\*City Code of Ordinances. Chapter 15.1