PLANNING COMMISSION

APRIL 12, 2021

6:30 O'CLOCK P.M.

- 1. Call to Order
- 2. Minutes of the Previous Meeting March 8, 2021
- 3. Public Hearing Language change to Section 154.127 Site Dimensional Standards increase maximum impervious surface for institutional uses in residential districts.
- 4. Public Hearing ZED Comprehensive Plan Amendment
- 5. Public Hearing ZED Rezone Request
- 6. Public Hearing Komet Acres Comprehensive Plan Amendment
- 7. Public Hearing Komet Acres Rezone Request
- 8. Public Hearing Komet Acres Preliminary Plat
- 9. Discussion regarding Kennels
- 10. Other
- 11. Adjourn

MINUTES OF PLANNING COMMISSION MEETING March 8, 2021

Pursuant to due call and notice thereof, a regular Planning Commission meeting was held at City Hall on the 8th day of March, 2021 at 6:30 PM

THE FOLLOWING WERE PRESENT: Commissioner Ferris, Commissioner Thompson, Commissioner Burton, Commissioner Torkelson, Commissioner Zelinske, Commissioner Tinsley and Commissioner Fitch

THE FOLLOWING WERE ABSENT: None

THE FOLLOWING WERE ALSO PRESENT: Administrator Tim Ibisch, Clerk Linda Rappe, Brad Scheib – HKgi, Kim White, Tim O'Morro, Nate Bell and Jack Moyer, WHKS

CALL TO ORDER AT 6:30PM

MINUTES OF THE PREVIOUS MEETING – February 8, 2021 - Motion to Approve the Minutes as Submitted made by Commissioner Burton, second by Commissioner Tinsley With All Voting Aye.

WITZEL PROPERTY DISCUSSION — Administrator Ibisch stated that we are working through a number of issues and staff has done a preliminary review. Brad Scheib stated that this property is located on the far north east of Kasson. We have to rezone this to single family residential; this is proposed as large 1 acre lots. The way the comp plan is written, large lots are not allowed so the Comprehensive Plan will have to be revised. Is this a sustainable pattern for water and sewer extension over the large lots. This would have to be annexed, rezoned and then platted. We did request that a street be added on the east side. The DNR has a concept trail, this is a very challenging plan. We could extend a current trail along 16th street. Commissioner Thompson asked about from a city standpoint if we need to limit lot width. Commissioner Zelinske likes the idea of the stub street going to the east for future development but do we need an access to the north as well. Mr. Scheib stated the first thing we have to do is amend the comprehensive plan because large lots are not allowed. Commissioner Burton stated that this is needed in the community. The demand is there. Administrator Ibisch summed this up as needing to discuss the access route to the north, the density and the assessment potential?

PUBLIC HEARING – SMILING MOOSE CONDITIONAL USE PERMIT FOR A DRIVE THROUGH
BUSINESS – Administrator Ibisch stated that this has been an accelerated process and the City
modified the code to provide for this conditional use permit.
Public hearing opened
No comments
Public hearing closed

Staff has shared concerns with pedestrian interaction with the traffic flow and back up turns. Mr. Scheib is concerned if they are successful and then this could very well back up traffic onto Main St. No access on 5th Ave SW so they will barricade with planter boxes that are on casters to be moved when drive through is not in use. There are also concerns with having to cross through the drive through to get to the patio. Another concern is the patio area and the site triangle. If this is successful and traffic backups up then this could be revoked or a solution would have to be sought. The conditions laid out are about enforcement. There is an access easement with the KM Telecom to use their property for exiting the drive through.

Commissioner Thompson asked if the planters on casters could pose a problem. Concerned with the back-up of cars in the drive through and the backing up area for the parking spaces. Commissioner Torkelson asked that instead of cutting off 5th Ave SW would it work to make it an exit only?

Commissioner Burton asked if there is opportunity for stacking on the property on the south. Mr. Scheib stated that if there is a problem there are options right now to mitigate the problem if they arise.

Commissioner Thompson believes there may be problems with the one entrance/exit on Main St.

Kim White stated that the store will be open at 6AM to get your coffee and they are looking at an APP to be able to order your coffee ahead of time and pick it up. She is anticipating their busy time to be from 6 to 7AM.

Commissioner Tinsley recused himself as planning commissioner to speak on Ms. White's behalf as her Architect. He stated that they were trying to get the most stacking as possible in the drive through. They put in another window to speed up the process, to pay at one window and pick up at the other.

Motion to Approve as Presented made by Commissioner Thompson, second by Commissioner Zelinske. Ayes: Ferris, Fitch, Thompson, Burton, Torkelson and Zelinske Nays: None Abstain Tinsley.

PUBLIC HEARING – KASSON MEADOWS 7TH REZONE AND PRELIMINARY PLAT – Administrator lbisch gave the background. A couple of issues are transportation issues and pedestrian. Mr. Schieb stated that this is only to rezone and plat the southerly portion of this land. There is only one access to this subdivision via 10th Ave NE and a potential access of 22nd St NE. One of the conditions of approval is creating the access via 22nd St NE and upgrading 10th Ave NE. We anticipate 22nd St NE going all the way across to Hwy 57. To the west is school property. Parkland fees have already been arranged. Wac and sac will apply. Administrator Ibisch stated that staff is not in favor of platting these small areas.

Commissioner Burton stated that he has no issue with the way this is laid out but has an issue with the GDP and the cul de sac in the northeast corner and that should connect with the development to north in the township.

Administrator Ibisch stated that there was a letter submitted by resident of the Kasson Meadows Subdivision Dale Godbout regarding access to that subdivision and the condition of 10th Ave NE.

Commissioner Thompson asked who is doing the reconstruction of 10^{th} Ave NE. Administrator lbisch stated the City would and the City is anticipating a cost share on 22^{nd} St NE.

Mr. Schieb stated that we can't hold up this request since we are connecting 22nd St NE and upgrading 10th Ave NE. Mr. Scheib stated that with the next development an exit to the west to Hwy 57 seems obvious. Commissioner Burton we need a concept plan for transportation on a map so that we have something to follow especially with the ZED discussion coming up. Public hearing opened

No comments

Public hearing closed

Commissioner Burton asked if we have any leverage to make them plat the whole thing so that it aligns with the GDP. Mr. Schieb stated that the conditions of approval are that the northern section of the lot will be a outlot so that we can get the trail section and access through the developers agreement. Motion to Approve the Rezone and Preliminary Plat with the conditions stated made by Commissioner Burton, second by Commissioner Zelinske with All Voting Aye.

SOLAR FARM DISCUSSION – Administrator Ibisch stated that this is not in the city limits. They installed the Zumbro gardens in 2019 on Jeff Ulve's property and the County wanted them to come and get the City's blessing before he came to the County. This is across from the landfill. Nate presented the schedule of the process. They have an option with landowner for 25-35 years. Mr. Schieb asked if Mr. Bell has ever seen solar farms decommissioned? Mr. Bell has not seen that but there are guarantees in the contract with compensation in case the project owner is not there. The Commissioners had a variety of questions asked if the motorized tracking system make any sound, Mr. Bell stated that if you are within the fence there is a slight humming from the inverters but outside the fence you would not hear anything. What percentage of the panel is recyclable? These panels are 99%. What happens when the land owner is no longer with us? Mr. Bell stated that it would go to the heir. The cup would run with the property. Why here? Mr. Bell stated that the substation can hold one more and we want to be closer to a viable feeder with 3 phase. Cost? Mr. Bell these programs could cost range from \$100K to close to \$200k. Does your company works directly with Xcel? Mr. Bell stated that yes that is the main garden program. Is there a benefit to Kasson? Mr. Bell stated that they are not able to sell to Kasson except through Xcel.

ZED DISCUSSION – Administrator Ibisch stated there will be a 3 acre parcel for the school and a 3 acre parcel for the parking on the north side of the Catholic Church. Mr. Scheib stated that from a comp plan standpoint we have to reguide it to a public institution. If we do a platting process then we have more ability to work with them to get the questions that we have worked out. Commissioner Burton stated that he understands from the City Engineer the school has already applied to MnDOT for an access. Commissioner Thompson wanted to know if we can annex only the 3 acre parcel where the school would be and leave the parking lot on school property. Commissioner Zelinske stated that previously MnDOT did not want accesses off 57 on the Radel property directly across the road. Administrator Ibisch would like to annex all of the school property at once.

OTHER
ADJOURN 8:15PM

Respectfully Submitted,	
Linda Rappe, City Clerk	





STAFF REPORT

TO: Planning and Zoning Commission

FROM: Laura Chamberlain, Consulting Planner, HKGi

DATE: April 8, 2021

SUBJECT: Ordinance Updates: Amending and Revoking Variances

MEETING DATE: April 12, 2021

BACKGROUND

- The City adopted an updated Land Use Title in October 2020, including a complete update for the Zoning Chapter, 154.
- As new code language is being implemented, minor questions and needs for clarification have arisen and will likely continue to come up.
- In early 2021, City staff saw a need to clarify the impervious surface maximums for institutional uses within Residential Zoning Districts (R-1, R-1A, R-2, R-3, and R-C). The current impervious surface limits in the district are based more on a residential use. In the past, the City would formerly address impervious surface for institutional uses in residential districts through the conditional use permit (CUP) process. The more appropriate approach to this would be to have a specific standard established for institutional uses. This standard was not included in the updated zoning code and should be established.
- Staff has researched the topic and has drafted language for the Planning and Zoning Commission to consider that proposes an increased maximum of impervious surface for institutional uses within the Residential Zoning Districts.

REVIEW PROCEDURE

Zoning Amendment

City Code § 154.02.25 states that changes to the provisions of Chapter 154: Zoning, may proceed with a recommendation by the Planning and Zoning Commission. The Planning and Zoning Commission should consider in their recommendation, and the City Council should consider in their decision, the compliance of the zoning amendment with the overall guidance of the Comprehensive Plan.

Public Hearing

City Code § 154.02.25 requires a public hearing for review of the zoning amendment be held by the Planning and Zoning Commission. The public hearing notice for the amendment was published in the Dodge County Independent and posted on the City website.

DISCUSSION

- Existing impervious surface limits for each district will remain for residential uses.
- Public, Social, and Heathcare buildings are already allowed to have increased building height in R Districts – the proposed language suggests modifying impervious surface maximum for the same uses
- Staff reviewed f existing institutional uses within R Districts in the City of Kasson, considered various site design elements necessary for these uses, and find that a 65% impervious surface maximum is a reasonable development standard.

STAFF RECOMMENDATION

Staff recommends that the Planning and Zoning Commission make recommendation to the City Council to approve the draft ordinance language related to impervious surface maximums in Residential Districts.

CITY COUNCIL REVIEW

In the event a recommendation is received from the Planning and Zoning Commission, it will be forwarded to the City Council for action at an upcoming meeting.

ATTACHMENTS

- A. Draft Ordinance: Ordinance Regarding Maximum Impervious Surface Standards for Institutional Uses in Residential Districts
- B. Draft Resolution: Resolution Authorizing Publication of Ordinance by Title and Summary

CITY OF KASSON ORDINANCE NO. 2021-XX

ORDINANCE REGARDING MAXIMUM IMPERVIOUS SURFACE STANDARDS FOR INSTITUTIONAL USES IN RESIDENTIAL DISTRICTS

The City Council of Kasson does ordain:

Section 1: Chapter 154, Section 154.127(D)(2) is hereby amended to add the following underlined text to the relevant table rows:

(2) Residential Districts Site Dimensional Standards Table

District	Uses	Min Setbacks		Max Building Height	Max Impervious Surface	
		Front Yard	Rear Yard	Side Yard		Juliace
	Dwellings, one to four units	20'	25'	6.5' (0' for shared wall)	35' / 2.5 stories	40%
R-1	Non Residential	20'	45'	12'	35' / 2.5 stories [see § 154.04.33(C)(2) for exceptions]	40% [65% for those institutional uses listed in § 154.04.33(C)(2)]
	Dwellings, one to four units	20'	25'	6.5' (0' for shared wall)	35' / 2.5 stories	45%
R-1A	Non Residential	15'	35'	12'	35' / 2.5 stories [see § 154.04.33(C)(2) for exceptions]	40% [65% for those institutional uses listed in § 154.04.33(C)(2)]
	Dwellings, two to four units	20'	25'	6.5' (0' for shared wall)	35' / 2.5 stories	50%
R-2	Dwellings, five plus units	25'	25'	8'		
	Non Residential	25'	45'	12'	35' / 2.5 stories [see § 154.04.33(C)(2) for exceptions]	40% [65% for those institutional uses listed in § 154.04.33(C)(2)]

District	Uses	Min Setbacks		Max Building Height	Max Impervious Surface	
		Front Yard	Rear Yard	Side Yard		Surface
	Dwellings, two to four units	20'	25'	6.5' (0' for shared wall)	45' / 3.5 stories	55%
R-3	Dwellings, five plus units	25'	25'	8'		
	Non Residential	25'	45'	12'	35' / 2.5 stories [see § 154.04.33(C)(2) for exceptions]	40% [65% for those institutional uses listed in § 154.04.33(C)(2)]
	Dwellings, one to four units	20'	25'	6.5' (0' for shared wall)	35' / 2.5 stories	50%
R-C	Dwellings, five plus units	25'	25'	8'		
	Non Residential	20'	35'	12'	35' / 2.5 stories [see § 154.04.33(C)(2) for exceptions]	40% [65% for those institutional uses listed in § 154.04.33(C)(2)]

Section 2: This ordinance is effective upon adoption and official publication.

Adopted by the City Council this XX day of April, 2020.

	Mayor Chris McKern
Attest: Linda Rappe, City Clerk	

CITY OF KASSON RESOLUTION NO. XX-21

RESOLUTION AUTHORIZING PUBLICATION OF ORDINANCE 2021-XX BY TITLE AND SUMMARY

WHEREAS, the City Council of the City of Kasson has adopted Ordinance No. 2021-XX Regarding Maximum Impervious Surface Standards for Institutional Uses in Residential Districts; and

WHEREAS, Minnesota Statutes, Section 412.191, subdivision 4, allows publication by title and summary in the case of lengthy ordinances; and

WHEREAS, the following summary of Ordinance No. 2021-XX has been approved by the City Council of the City of Kasson as clearly informing the public of the intent and effect of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Kasson has reviewed the following summary of the ordinance and approved its publication in accordance with Minnesota Statutes, Section 412.191, subdivision 4:

Ordinance No. 2021-XX has been approved by the City Council of the City of Kasson. The Ordinance regards maximum impervious surface standards for institutional uses in residential zoning districts. Changes within the chapter include increasing the allowed maximum impervious surface coverage for public, social, and healthcare uses in residential districts to sixty-five percent (65%).

BE IT FURTHER RESOLVED that the City Clerk keep a copy of the entire text of the ordinance in their office at City Hall for public inspection.

Passed by the City Council this XXth day of, 2	021.
	Mayor Chris McKern
Attest: Linda Rappe, City Clerk	





STAFF REPORT

TO: Planning and Zoning Commission

FROM: Laura Chamberlain, Consulting Planner, HKGi

DATE: April 8, 2021

SUBJECT: Zumbro Educational District (ZED) – Comprehensive Plan Amendment

and Annexation with Rezoning

APPLICANT: Zumbro Education District
OWNER: Zumbro Education District

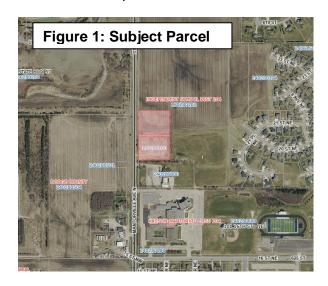
LOCATION: 2002 Mantorville Avenue North

MEETING DATE: April 12, 2021

COMPREHENSIVE PLAN: Current: Low Density Residential; Proposed: Public/Institutional **ZONING:** Current: Township; Proposed: R-1 Single Family Residential

OVERVIEW

The applicant, Zumbro Educational District (ZED), represented by Patrick Gordon, has applied for the development of their property located at 2002 Mantorville Avenue N. The proposed development, will annex an existing 6.12 acre township parcel and develop the site for a school facility providing special educational services for the District. The applicant recently went through a lot split process with Dodge County to establish the new parcel. For a school use, the Comprehensive Plan future land use designation needs to be amended from Low Density Residential to Public/Institutional. Upon annexation, the parcel will also need to establish its zoning as R-1 Single Family Residential.



REVIEW PROCEDURE

The applications submitted include the following requests:

- Comprehensive Plan amendment of future land use of property to Public/Institutional.
- Annexation of property into City boundaries and related ordinance to establish the zoning district for the property as R-1
- Site Plan Review (to be shown to P&Z, but approved by Zoning Administrator)

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 Comprehensive Plan amendment and Rezoning applications was determined to be March 9, 2021. The City's deadline for action or extension is on May 8, 2021.

Public Hearing

City Code Section 30.034 requires the Planning and Zoning Commission hold a public hearing for any amendment to the Comprehensive Plan. Section 154.069 requires that a public hearing for a zoning amendment, including rezoning of parcels, be held by the Planning and Zoning Commission. The public hearing notices for the comprehensive plan amendment and the zoning amendment were published in the Dodge County Independent and posted on the City website. The public hearing notices were mailed to all affected property owners located within 350 feet of the subject property.

COMPREHENSIVE PLAN AMENDMENT REVIEW

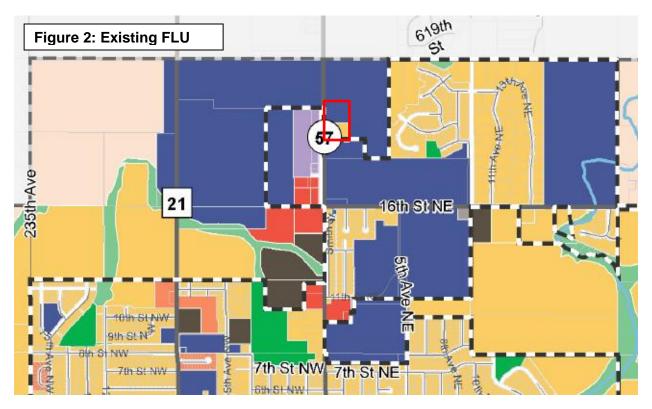
Future Land Use Map Amendment

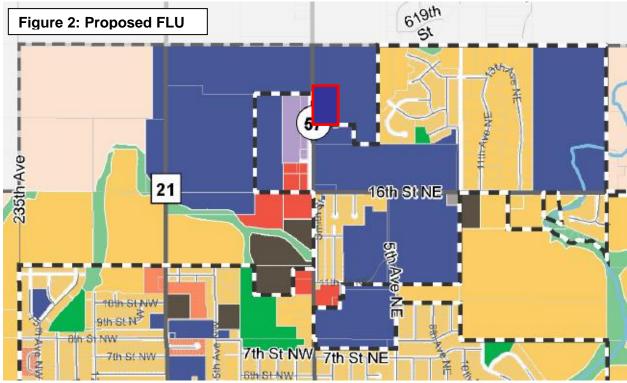
Applicant Request:

Change the Future Land Use category of the site from "Low Density Residential" to "Public/Institutional".

From the Comprehensive Plan:

Public/Institutional: Represents uses such as churches, schools, and government facilities. Properly integrated into neighborhoods, public/institutional uses can be a strong anchor.





Discussion:

 The subject property is suited for a Public/Institutional land use category, as most surrounding properties are guided for institutional uses as well.

ANNEXATION AND ZONING AMENDMENT REVIEW

The applicant has petitioned for annexation into the City. The parcel is part of the OAA with the Township, thus allowed for annexation. The request will be reviewed by the Township Board at their May 3rd, 2021 meeting. After review, the Township Board is expected to sign a Joint Resolution for the City to annex the property into the City, which will go to the City Council for signing as well.

While a recommendation from the Planning and Zoning Commission is not required for the City Council to sign this joint resolution, the annexation process also involves an amendment to the City's Zoning Map, by adding the parcel within the City's boundaries and establishing a zoning district for the parcel. This zoning amendment requires a public hearing and recommendation by the Planning and Zoning Commission. Any approval of the zoning will be conditional upon the approval of the annexation.

The proposed R-1 Single-Family Residential District is in compliance with the applicant's requested Comprehensive Plan's guidance of this area for Public/Institutional land uses.

SITE PLAN REVIEW

With the adoption of the updated Zoning Ordinance in October 2020, the approval process for certain uses shifted from approval through a Conditional Use Permit to Permitted with Standards, meaning the application goes through a Site Plan Review, reviewed and approved by the Zoning Administrator. Within the R-1 district, Elementary and Secondary Schools are Permitted with Standards. Those standards are as follows:

- (1) The lot area shall be a minimum of two acres and all principal structures and uses shall be a minimum of 40 feet from any lot line.
- (2) Access shall be located so that access can be provided without generating significant traffic on local residential streets.
- (3) An off-street passenger loading area shall be provided in order to maintain vehicular and pedestrian safety.
- (4) Outdoor recreational and play areas shall be located at least 25 feet from any lot in a residential district.

The Zoning Administrator has reviewed the Site Plan for compliance with these standards, as well as district standards for the R-1 district as well as the applicable Performance Standards, such as Parking and Landscaping standards.

The Site Plan for the proposed project has been included for the Commission to reference during discussion, however, the Commission is not required to take any action on the Site Plan, nor should issues with the Site Plan impact the recommendations made regarding the Comprehensive Plan Amendment and Zoning Amendment.

RECOMMENDATIONS

Comprehensive Plan Amendment

Staff recommends that the Planning and Zoning Commission recommend to the City Council the proposed change in the future land use map for the subject property from Low Density Residential to Public/Institutional.

A draft resolution of this recommendation has been included as an attachment for the Commission's information.

Zoning Amendment

Staff recommends that the Planning and Zoning Commission recommend approval to the City Council of the proposed zoning of 2002 Mantorville Avenue North to R-1 Single Family Residential District upon annexation into the City.

This recommendation is based on the following findings of fact:

- 1. The proposed zoning of R-1 Single-Family Residential District complies with the overall guidance of the comprehensive plan of Public/Institutional land use for the site; and
- 2. The proposed zoning will not have a negative impact on the site and adjacent properties.

CITY COUNCIL REVIEW

In the event a recommendation is received from the Planning and Zoning Commission and there are no significant outstanding issues or items to resolve, it will be forwarded to the City Council for action, at the April 14th, 2021 meeting.

ATTACHMENTS

- A. Applicant Narrative, March 29, 2021
- B. ZED School Site Plan, March 29, 2021
- C. DRAFT Resolution Comprehensive Plan Amendment
- D. DRAFT Ordinance Zoning Amendment



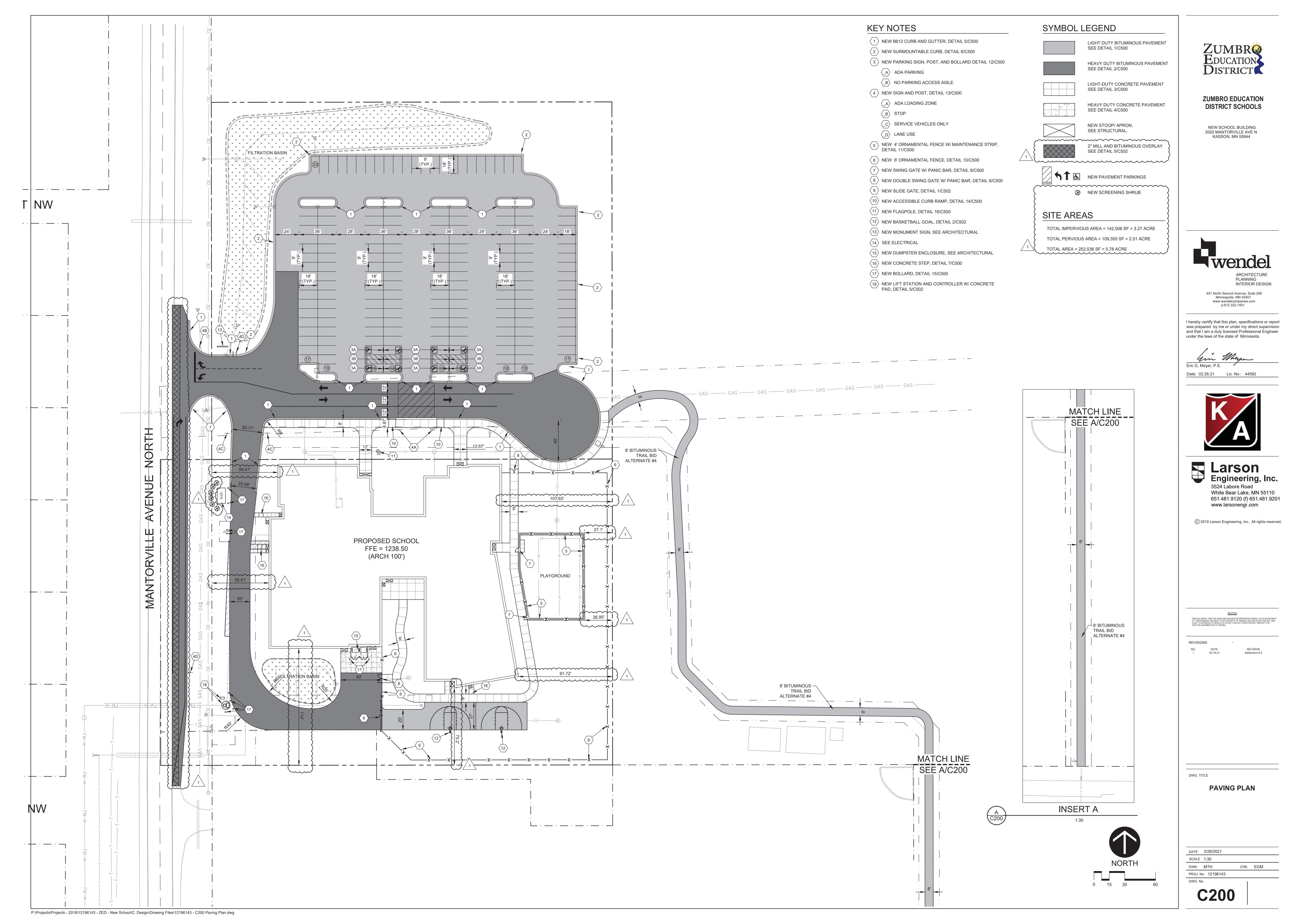
March 29, 2021

RE: Site Plan Review Project narrative Zumbro Education District New School

The proposed new school project will house all the programing for Zumbro Education District #6012. The district provides special educational services to member school districts by staffing and delivering special learning programs, administrative services, and staff support.

The proposed project will result in one new school building on a single campus, which will replace three currently used existing buildings and sites in Byron, MN. The 61,000 SF two-story building will efficiently house all ZED programs and staff and administrative services under one roof. With a current student count of around 130 and estimated enrollment of 160 students in the new facility. ZED has approximately 75 teachers and staff members.

The site includes 170 parking spaces for staff and students. A drop off lane and turn around circle for the approximately 11 vans and minibuses that transport students to and from the district morning and afternoon. This area also allows for parent pickups and drop offs. A new righthand turn lane will be added South on Mantorville Avenue to access the parking and drop off. There is within the property a drive that runs parallel to Mantorville Ave to receiving doors and trash/recycling enclosure at the south end of the building. At the south end and west side of the site is a fenced in playground and outdoor sport courts area.



CITY OF KASSON RESOLUTION # XX-21

RESOLUTION APPROVING AMENDMENT TO 2040 COMPREHENSIVE PLAN TO REGUIDE PROPERTY AT 2002 MANTORVILLE AVENUE NORTH

WHEREAS, the applicant, Zumbro Educational District, represented by Patrick Gordon, has submitted an application for a Comprehensive Plan Amendment; and

WHEREAS, the proposed Comprehensive Amendment would reguide the property located at 2002 Mantorville Avenue North [Subject Property] from Low Density Residential to Public/Institutional; and

WHEREAS, the appropriate City Staff and consultants have performed a technical review of the application and submitted a staff report dated April 6th, 2021; and,

WHEREAS, pursuant to Chapter 462, Section 355, Subdivision 2 of the Minnesota State Statutes, the Planning and Zoning Commission held an official public hearing on April 12, 2021, to allow formal public comment on the proposed comprehensive plan amendment; and

WHEREAS, following the public testimony and report of the technical review, the Planning and Zoning Commission reviewed all relevant information regarding the proposed amendment and recommended approval; and,

WHEREAS, the City Council reviewed the matter at its April 14, 2021, meeting.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KASSON, MINNESOTA does hereby incorporate and restate the recitals set forth above and an amendment to the Future Land Use map, shown within Figure 4.3 on page 4-6 to change the future land use designation for the Subject Property from Low Density Residential (LDR) to Public/Institutional.

Adopted by the City Council this 14th day of April, 2021.

ATTEST:	
Linda Rappe, City Clerk	Chris McKern, Mayor
The motion to approve the foregoing resolu-	tion was made by Council Member and
duly seconded by Council Member U	Jpon a vote being taken, the following
members voted in favor thereof: Tho	se against same:

CITY OF KASSON ORDINANCE NO. 2021-XX

ORDINANCE AMENDING THE KASSON OFFICIAL ZONING MAP TO ADD 2002 MANTORVILLE AVENUE NORTH TO BE WITHIN THE CITY BOUNDARY AND ESTABLISH ZONING AS R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

The City Council of Kasson does ordain:

	The Kasson Official Zoning X-XX for annexation, by chan led by the legal description de	nging the zoning district bou	ndaries to classify the
Section 4:	This ordinance is effective of	upon adoption and official p	publication.
Adopted by th	ne City Council this XX day o	of April, 2021.	
			Mayor Chris McKerr
Attest: Linda I	Rappe, City Clerk	_	

EXHIBIT A Legal Description of Property

That part of the West One-half of the Northeast Quarter (W ½ NE ¼) of Section Twenty-Eight (28), Township One Hundred Seven (107) North, Range Sixteen (16) West, Dodge County, Minnesota, described as follows:

Commencing at the southwest corner of the NE ¼ of said Section 28; thence North, assumed bearing along the west line of said NE ¼, 1236.66 feet for a point of beginning; thence continue North, along said west line 265.30 feet; thence East, 440.00 feet; thence South, 357.08 feet; thence West 79.83 feet; thence North 45.20 feet; thence West, 150.00 feet; thence North 50.00; thence South 89 degrees 04 minutes 00 seconds West, 210.20 feet to the point of beginning.

AND

Commencing at the southwest corner of said NE ¼; thence North, assumed bearing along the west line of said NE ¼, 1204.08 feet for a point of beginning; thence continue North, 32.58 feet; thence North 89 degrees 04 minutes 00 seconds East, 210.20 feet; thence South 36.00 feet; thence West 210.17 feet to the point of beginning.

EXCEPT

Commencing at the southwest corner of said NE ¼; thence North, assumed bearing, along the West line of said NE ¼, 1204.08 feet; thence East, 210.17 feet for a point of beginning; thence continue East, 229.83 feet; thence South 59.20 feet; thence West, 79.83 feet; thence North, 45.20 feet; thence West, 150.00 feet; thence North 14.00 feet to the point of beginning.

ALSO INCLUDING

That part of the West Half of the Northeast Quarter of Section 28, Township 107 North, Range 16 West, Dodge County, Minnesota, described as follows:

Commencing at the southwest corner of the Northeast Quarter of said Section 28; thence North 00 degrees 03 minutes 56 seconds West, assumed bearing, along the west line of said Northeast Quarter, 1501.96 feet for the point of beginning; thence North 89 degrees 56 minutes 04 seconds East, 440.00 feet; thence North 00 degrees 03 minutes 56 seconds West, 307.89 feet; thence South 89 degrees 56 minutes 04 seconds West, 440.00 feet to the west line of said Northeast Quarter; thence South 00 degrees 03 minutes 56 seconds East, along said west line, 307.89 feet to the point of beginning.

Containing in all, 6.12 acres, more or less.





STAFF REPORT

TO: Planning and Zoning Commission

FROM: Brad Scheib, Consulting Planner, HKGi

Laura Chamberlain, Consulting Planner, HKGi

DATE: April 8, 2021

SUBJECT: Komet Acres – Comprehensive Plan Amendment, Annexation with

Rezoning, and Preliminary Plat

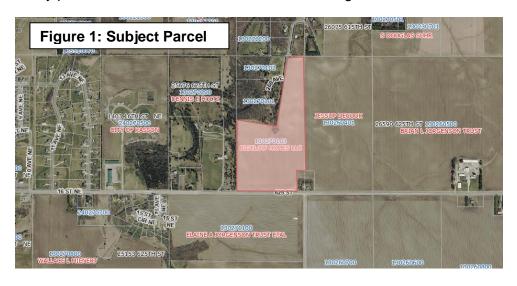
APPLICANT: Bigelow Homes, LLC
OWNER: Bigelow Homes, LLC
LOCATION: PID No. 130270103

MEETING DATE: April 12, 2021

COMPREHENSIVE PLAN: Current: Long Term Growth; Proposed: Low Density Residential **ZONING:** Current: Township; Proposed: R-1 Single Family Residential

OVERVIEW

The applicant, Bigelow Homes, LLC., represented by Tony Bigelow, has applied for the development of their property located at PID No. 130270103. The proposed development requires a number of processes and reviews by the City, including a comprehensive plan amendment, annexation and related rezoning of the parcel, and a preliminary plat for subdivision. The proposed development, called Komet Acres, will annex then subdivide an existing 51.56 acre township parcel into 38 large-lot single family parcels and one outlot for stormwater drainage.



The property is an agricultural township parcel located north of 16th Street NE, just south of Masten Creek. The Comprehensive Plan identifies the parcel as "Long-Term Growth;" the applicant has requested a comprehensive plan amendment to change the property to Low Density Residential (LDR) land use as well as a text amendment to the description of LDR to allow for residential densities less than the existing 2-4 units per acre. The property is located within the Orderly Annexation Agreement (OAA) area between the City and the Township. The applicant's petition to annex into the City will be presented to the Township Board at their May 3, 2021 meeting and the Township Board is expected to join the City Council in signing a joint resolution allowing annexation into the City. With the resolution to annex, the City must also establish the zoning for the parcel through ordinance to add the parcel to the Zoning Map. The proposed zoning for the site is R-1 Single-Family Residential District. Any approval of the zoning and platting will be conditional upon the approval of the annexation.

BACKGROUND

The applicant submitted a Concept Plan to the City, which was presented to the Planning and Zoning Commission at the March 8, 2021 meeting for discussion and feedback. Topics discussed at that time included:

- Concern over densities for residential going below 2 units an acre, especially with extension of City services
- Looking at the need to have street connectivity, creating a street connection to the north to the township road at 260th Avenue.
- Discussion over the DNR's long-range plan to have a state trail run through this area

REVIEW PROCEDURE

The applications submitted include the following requests:

- Comprehensive Plan amendment of future land use of property to LDR and text change for LDR to include densities less than the current 2-4 units per acre.
- Annexation of property into City boundaries and related ordinance to establish the zoning district for the property as R-1
- Preliminary Plat approval

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 Comprehensive Plan amendment and Rezoning applications was determined to be March 10, 2021. The City's deadline for action or extension is on May 9, 2021.

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 March 10, 2021 in accordance with Minnesota Statutes 645.15. The 120-day timeline for the preliminary plat expires on July 8, 2021.

Public Hearing

City Code Section 30.034 requires the Planning and Zoning Commission hold a public hearing for any amendment to the Comprehensive Plan. Section 154.069 requires that a public hearing for a zoning amendment, including rezoning of parcels, be held by the Planning and Zoning Commission. Furthermore, City Code Section 153.083 requires that a public hearing for review of the preliminary plat be held by the Planning and Zoning Commission. The public hearing notices for the comprehensive plan amendment, the zoning amendment, and preliminary plat were published in the Dodge County Independent and posted on the City website. The public hearing notices were mailed to all affected property owners located within 350 feet of the subject property.

COMPREHENSIVE PLAN AMENDMENT REVIEW

Text Amendment

Applicant Request:

Allow for densities lower than the existing minimum 2 units per acre within the LDR

Current Language:

Description of the Low Density Residential (LDR) future land use category:

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 gross acre (lot sizes ranging from 8,000 to 20,000 square feet).

Discussion:

- The minimum density of 2 units per acre allows for the extension of City services in an efficient manner. Densities lower than 2 units an acre can cause extension of City services at a higher per unit cost, while serving fewer people/lots.
- The proposed subdivision is on the very edge of the OAA boundary with a large natural feature, Masten Creek, separating it from other future residential areas of the City.
- The large-lot development fits into the existing adjacent residential pattern of the Township neighborhood to the north
- The applicant is proposing an extension of sewer and water to the area, however, the public road is intended to be a rural open ditch design instead of an urban curb-and-gutter design, with culverts and a drainage ditch rather than a traditional stormwater system. No sidewalks are proposed as part of this design.
- The sanitary sewer of the development is proposed to be facilitated through individual grinders on individual lots.
- The Comprehensive Plan has a goal of providing a variety of housing types throughout the city; large-lot single family residential could be considered as adding to the spectrum on housing types available.

Staff Recommendation:

While there are a few different ways the Comprehensive Plan could be amended to meet the request of the applicant, staff believe the most appropriate direction is to amend with language that provides

flexibility on density under certain circumstances, but keeps the density range of 2-4 acres for most LDR development in the urban service area.

Consulting planning staff have drafted the following language for your consideration:

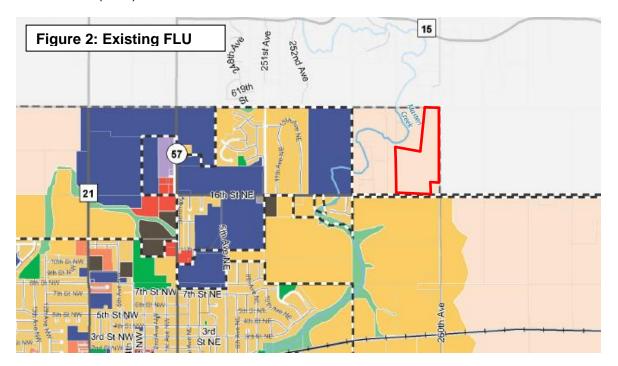
Consists of single family detached residential as the prevailing development type but may also consist of limited amounts of two unit buildings (twin home or duplexes). Density of development within the Low Density Residential areas falls within a range of 2 to 4 housing units per gross acre (lot sizes ranging from 8,000 to 20,000 square feet). Residential developments with densities lower than 2 units an acre may be appropriate in the LDR if certain circumstances exist:

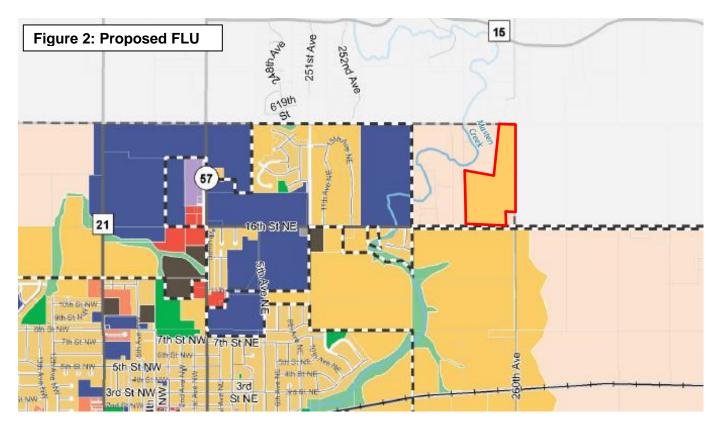
- A lower-density neighborhood pattern already exists on adjacent parcels
- The development is on the outer edges of the City's growth boundary
- The extension of city services will not place an unnecessary burden on the City or existing residences
- Existing natural resource or habitat areas warrant a more conservation-oriented design pattern that results in larger lots

Future Land Use Map Amendment

Applicant Request:

Change the Future Land Use category of the site from "Long-Term Growth" to "Low Density Residential" (LDR).





Discussion:

 The request largely rests on the results of the Comprehensive Plan text amendment request above. The direction of that conversation should direct what the future land use category should be for the site.

ANNEXATION AND ZONING AMENDMENT REVIEW

The applicant has petitioned for annexation into the City. The parcel is part of the OAA with the Township, thus allowed for annexation. The request will be reviewed by the Township Board at their May 3rd, 2021 meeting. After review, the Township Board is expected to sign a Joint Resolution for the City to annex the property into the City, which will go to the City Council for signing as well.

While a recommendation from the Planning and Zoning Commission is not required for the City Council to sign this joint resolution, the annexation process also involves an amendment to the City's Zoning Map, by adding the parcel within the City's boundaries and establishing a zoning district for the parcel. This zoning amendment requires a public hearing and recommendation by the Planning and Zoning Commission. Any approval of the zoning will be conditional upon the approval of the annexation.

The proposed R-1 Single-Family Residential District is in compliance with the applicant's requested Comprehensive Plan's guidance of this area for Low Density Residential land uses. Establishing zoning of the parcel to R-1 would be conditional upon the Comprehensive Plan Amendment approval

PRELIMNARY PLAT 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 153 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 applicant has requested the Comprehensive Plan guidance for this area to be Low Density Residential 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).
 - o The Preliminary Plat is for a single family detached residential subdivision
- Currently, 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),
 but the applicant has requested a Comprehensive Plan Amendment allowing for densities lower
 than 2 units an acre.
 - The Preliminary Plat shows 38 residential units on an estimated 51.56 acres of land, resulting in a gross density of 0.74 units per acre, which is lower than the current density range, but the applicant has requested a CPA allowing for a lower density.
 - The lot areas proposed fall between 34,135 sf and 70,623 sf, which larger than the guidance of the current Comprehensive Plan, but the applicant has requested a CPA allowing for flexibility.

Zoning Standards

The site is proposed to be zoned R-1 Single Family Residential. The proposed use of single-family detached dwellings is a permitted use in the R-1 Zoning District.

Zoning Standard	Required	Proposed	Analysis
Minimum Lot Area	8,000 sf	34,135 sf - 70,623 sf	Meets Standards
Minimum Lot Width (Building Line)	66'	Staff analysis of Plat show all lot widths over 66' at the building line	Meets Standards
Minimum Lot Width (Street Line)	45'	Plat shows all lot widths at the street are over 45'	Meets Standards
Front Yard Setback	20'		Applicant shall add the setback lines to the preliminary plat as a condition of approval.
Side Yard Setback	6.5'	Preliminary Plat does not show setback lines or general building pad area	Setbacks will be verified at time of individual building permit, but it
Rear Yard Setback	25'		appears generally the subdivision is designed in such a way to accommodate them

Zoning Standard	Required	Proposed	Analysis
Maximum Building Height	35' / 2.5 stories	Building Height is not required for preliminary plat	These will be enforced at the time of building permit review
Maximum Impervious Surface	40%	Preliminary Plat does not provide impervious surface estimates for individual lots	These will be enforced at the time of building permit review

Surrounding Land Uses

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

- To the north are large-lot single-family homes located within the Township
- To the east and south are sites used for agriculture/farming
- To the west is Masten Creek which separates the site from other large-lot single-family homes within the Township

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.

Section 153.083 (D) lists the following considerations to be made when reviewing a Preliminary Plat:

- (D) Criteria for review. In making their determination, the Planning and Zoning Commission and City Council shall consider the following:
 - (1) Consistency with the design standards and other requirements of this chapter;
 - (2) Consistency with the city's comprehensive plan or other adopted plans applicable to the area;
 - (3) Consistency with Chapter 154 of the City Code;
 - (4) The physical characteristics of the site, including but not limited to topography, erosion and flooding potential, development or use contemplated; and
 - (5) The proposed development's potential for a negative fiscal or environmental impact upon the city.

City development review staff have reviewed the preliminary plat and find it generally meets the criteria listed above. Below are a few highlights for the Planning and Zoning Commission to consider:

- Density the density of the proposed plat is directly related to the applicant's request for a Comprehensive Plan Amendment. Any approval of the Preliminary Plat would be conditional upon the CPA approval and approval of the Zoning Amendment to R-1 for the parcel
- Street Connectivity the proposed Plat shows the development with two cul-de-sacs and a
 stubbed street to the property to the east, which is also owned by the applicant. To the north is
 an existing Township road serving large-lot residences. During the Concept Plan Review, the
 Planning and Zoning Commission highlighted street connectivity as a priority, especially related
 to the Comprehensive Plan. Staff have also recommended to the applicant to provide a drawing
 showing a potential connection of right-of-way to the Township road. This drawing will be
 reviewed at the Planning and Zoning Commission meeting and a direction should be
 recommended by the Commission.

The Commission is asked to consider the pros and cons of requiring a street connection to the north and to give their recommendation to the Council:

- o Pros:
 - Existing street already there more cost efficient
 - Provides better access for delivery and emergency
 - Provides redundancy in access for neighborhoods
 - Provides alternative routes for traffic flow and relief of other street corridors
- o Cons:
 - Likely opposition from Township residents
 - Complexity of ownership, road maintenance
 - Land use pattern and street character do not support possible increase in through traffic
- Walkability the subdivision proposes an open-ditch street design, which does not include sidewalks. Because of the rural-residential character of the neighborhood and low traffic volumes anticipated on the roadway, walkability can be achieved through wide shoulders of the road or other strategies.
- Park dedication The Comprehensive Plan shows this parcel as a potential area for a future
 City park. The City Parks director found that a future park would be better served south of 16th
 Street NE, along Masten Creek. That area is also shown in the Comprehensive Plan as a
 potential City park. With that direction, the subdivision will pay a park dedication fee instead of
 dedicating park land.
- Trails -
 - There is an existing City trail on 16th Street NE; the applicant has proposed the continuation of the trail from its current terminus along the property along 16th Street NE and will construct the trail as part of the development.
 - This property has been identified by the MnDNR as a connection point for a State Recreational Trail. The last time the City discussed the possible Trail with the DNR, there were no current efforts to plan or fund the project. The City believes this

development will not impede the ability of a future state trail to connect through the area, either by working with individual properties on the subject property, or finding an alternative connection point.

Stormwater and Drainage – There have been concerns raised about stormwater and drainage
due to flooding problems within a similar existing large-lot subdivision (Little's Subdivision) in the
City which has an open-ditch street design. The City Engineer has looked at the conditions of
the proposed subdivision and has found that since the area is out of a significant drainageway, it
should have less drainage issues than the other subdivision.

As the lots are so large and individual building pad sites could vary across the subdivision, the City Engineer has waived the requirement for developing building pads as part of the Grading Plan for the whole subdivision. Individual parcels will be graded at the time of building permit. Staff recommend that a condition of approval be added requiring City Engineer approval of individual grading plans at the time of building permit applications.

STAFF / CONSULTANT / AGENCY REVIEW

Staff discussed the applicant's requests at development review meetings. Substantive comments from that are included below.

City Engineer

The City Engineer, in consultation with the Public Works Director, has prepared the letter as an attachment to this report to address engineering and utility related concerns for the proposed development. At this time the applicant has provided preliminary construction plans for engineering review.

Electric Supervisor

The Electric Supervisor noted that the development is currently within Xcel Territory, as a point of reference.

RECOMMENDATIONS

Comprehensive Plan Amendment

Staff recommends that the Planning and Zoning Commission discuss the issues within the staff report and make a recommendation to the City Council approving the proposed text amending the description of the LDR future land use designation earlier in this report and the change in the future land use map from Long-Term Growth to LDR, with any changes recommended by the Commission.

A draft resolution of this recommendation has been included as an attachment for the Commission's consideration.

Zoning Amendment

Staff recommends that the Planning and Zoning Commission discuss the issues within the staff report and make a recommendation to the City Council approving the proposed zoning of PID No. 130270103 upon annexation into the City with any changes recommended by the Commission, along with the following conditions:

1. The zoning amendment shall be conditional upon the approval of the Comprehensive Plan Amendment, mentioned above.

This recommendation is based on the following findings of fact:

- 1. The proposed zoning of R-1 Single-Family Residential District complies with the overall guidance of the comprehensive plan of Low Density Residential land use for the site; and
- 2. The proposed zoning will not have a negative impact on the site and adjacent properties.

A draft ordinance of this recommendation has been included as an attachment for the Commission's consideration.

Preliminary Plat

Staff recommends that the Planning and Zoning Commission discuss the issues within the staff report and make a recommendation to the City Council approving the proposed Preliminary Plat of Komet Acres, with any changes recommended by the Commission, along with the following conditions:

- 1. Preliminary Plat approval is conditional upon the annexation of the property into the City of Kasson, approved by a joint resolution by the Kasson City Council and Mantorville Township.
- 2. Preliminary plat shall be conditional upon the approval of the Comprehensive Plan Amendment and Zoning Amendment, mentioned above.
- 3. The applicant shall add setback lines to individual lots on the preliminary plat prior to submittal of the final plat
- 4. The applicant shall record with the plat that all properties within will be required to submit a grading plan, to be reviewed by the City Engineer, prior to building permit approval.
- 5. Other changes as indicated by the City Engineer in their letter to the City Administrator dated March 25, 2021, as drawn on the plans attached to the letter shall be required prior to submittal of the final plat.

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.

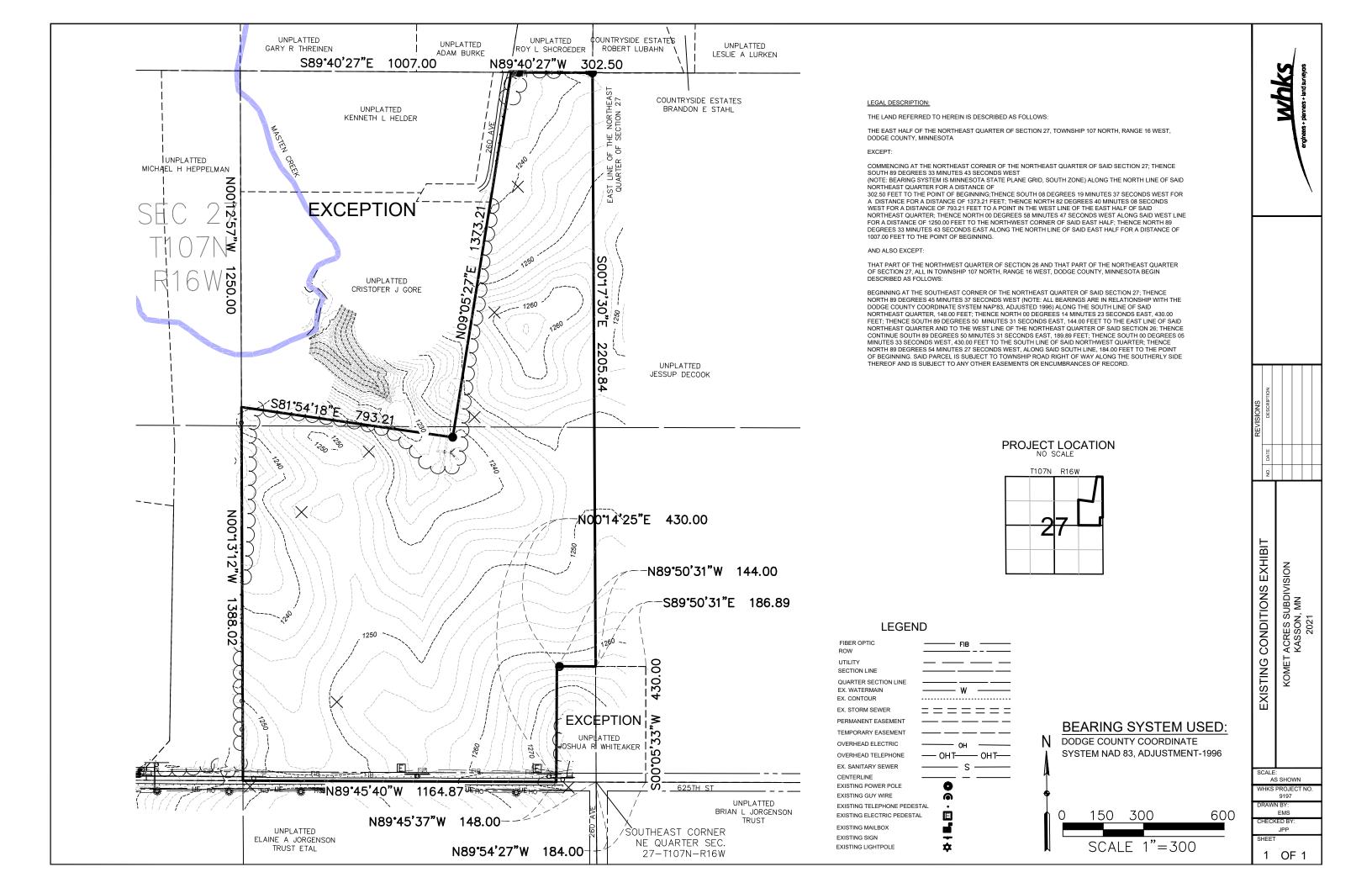
A draft resolution of this recommendation has been included as an attachment for the Commission's consideration.

CITY COUNCIL REVIEW

In the event a recommendation is received from the Planning and Zoning Commission, it will be forwarded to the City Council for action.

ATTACHMENTS

- A. Komet Acres Existing Conditions Exhibit, March 10, 2021
- B. Komet Acres Preliminary Plat, March 10, 2021
- C. Possible Road Connection Sketch, April 7, 2021
- D. DRAFT Resolution Comprehensive Plan Amendment
- E. DRAFT Ordinance Zoning Amendment
- F. DRAFT Resolution Preliminary Plat
- G. City Engineer Review Letter and Marked-Up Exhibits, March 25, 2021



KOMET ACRES SUBDIVISION

PRELIMINARY PLAT

LEGAL DESCRIPTION:

THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 107 NORTH RANGE 16 WEST, DODGE COUNTY, MINNESOTA

EXCEPT:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE SOUTH 89 DEGREES 33 MINUTES 43 SECONDS WEST (NOTE: BEATING SYSTEM IS MINNESOTA STATE PLANE GRID, SOUTH ZONE) ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER FOR A DISTANCE OF 302.50 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 08 DEGREES 19 MINUTES 37 SECONDS WEST FOR A DISTANCE FOR A DISTANCE OF 1373.21 FEET; THENCE NORTH 82 DEGREES 40 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 793.21 FEET TO A POINT IN THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 58 MINUTES 47 SECONDS WEST ALONG SAID WEST LINE FOR A DISTANCE OF 1250.00 FEET TO THE NORTHWEST CORNER OF SAID EAST HALF; THENCE NORTH 89 DEGREES 33 MINUTES 43 SECONDS EAST ALONG THE NORTH LINE OF SAID EAST HALF FOR A DISTANCE OF 1007.00 FEET TO THE POINT OF BEGINNING.

AND ALSO EXCEPT:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 26 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 27, ALL IN TOWNSHIP 107 NORTH, RANGE 16 WEST, DODGE COUNTY, MINNESOTA BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE NORTH 89 DEGREES 45 MINUTES 37 SECONDS WEST (NOTE: ALL BEARINGS ARE IN RELATIONSHIP WITH THE DODGE COUNTY COORDINATE SYSTEM NAD '83, ADJUSTED 1996) ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER, 148.00 FEET; THENCE NORTH 00 DEGREES 14 MINUTES 23 SECONDS EAST, 430.00 FEET; THENCE SOUTH 89 DEGREES 50 MINUTES 31 SECONDS EAST, 144.00 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER AND TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 26; THENCE CONTINUE SOUTH 89 DEGREES 50 MINUTES 31 SECONDS EAST, 186.89 FEET; THENCE SOUTH 00 DEGREES 05 MINUTES 33 SECONDS WEST, 430.00 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE NORTH 89 DEGREES 54 MINUTES 27 SECONDS WEST, ALONG SAID SOUTH LINE, 184.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL IS SUBJECT TO TOWNSHIP ROAD RIGHT-OF-WAY ALONG THE SOUTHERLY SIDE THEREOF AND IS SUBJECT TO ANY OTHER EASEMENTS OR ENCUMBRANCES OF RECORD.

OWNER/

DEVELOPER: BIGELOW HOMES, LLC
4057 28TH STREET NW STE 100
ROCHESTER, MN 55901

SURVEYOR: TIMOTHY A. HRUSKA, P.E., L.S.

WHKS & CO 2905 SOUTH BROADWAY

ROCHESTER, MN 55904

ENGINEER: DAREN SIKKINK, P.E.

WHKS & CO

2905 SOUTH BROADWAY ROCHESTER, MN 55904

PLAT AREA: TOTAL PROPERTY AREA = 51.56 ACRES

TOTAL ROW AREA = 5.85 ACRES

NUMBER OF LOTS = 38 LOT AND 1 OUTLOT

ZONING EXISTING HOLDING

PROPOSED R-1 LOW DENSITY RESIDENTIAL

SETBACKS: 20' FRONT YARD 25' REAR YARD

6.5' SIDE YARDS

CORNER LOT

SETBACKS: 20' FRONT YARD 20' SIDE YARD

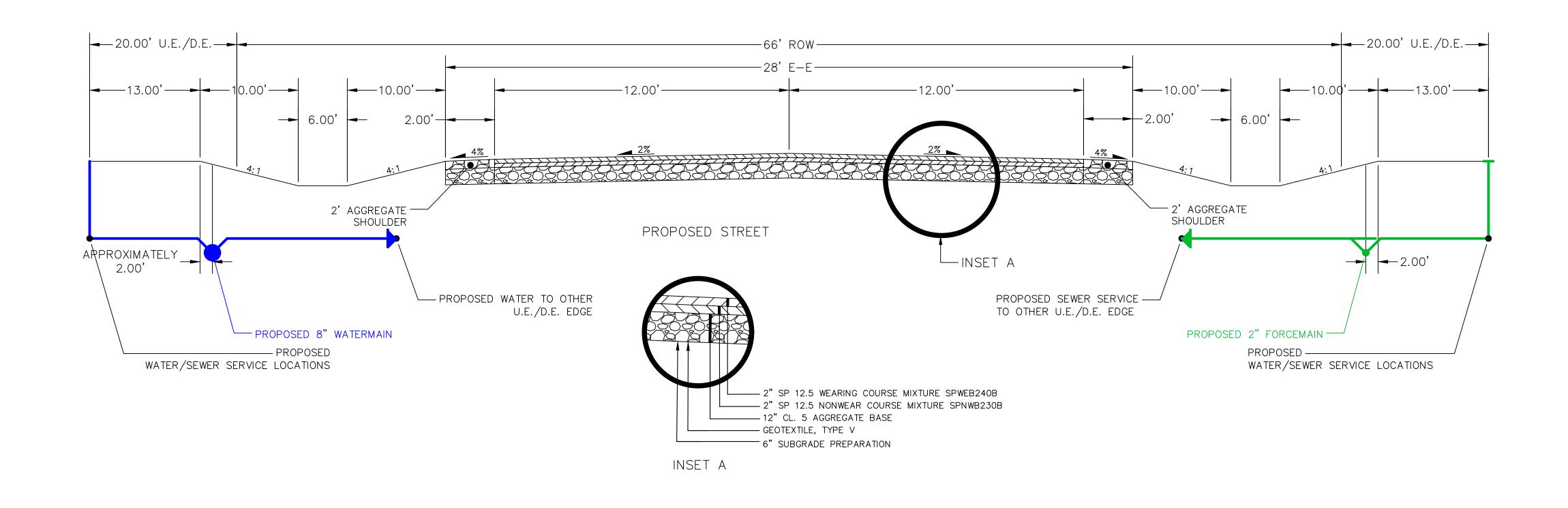
6.5' REAR YARD

6.5' SIDE YARD

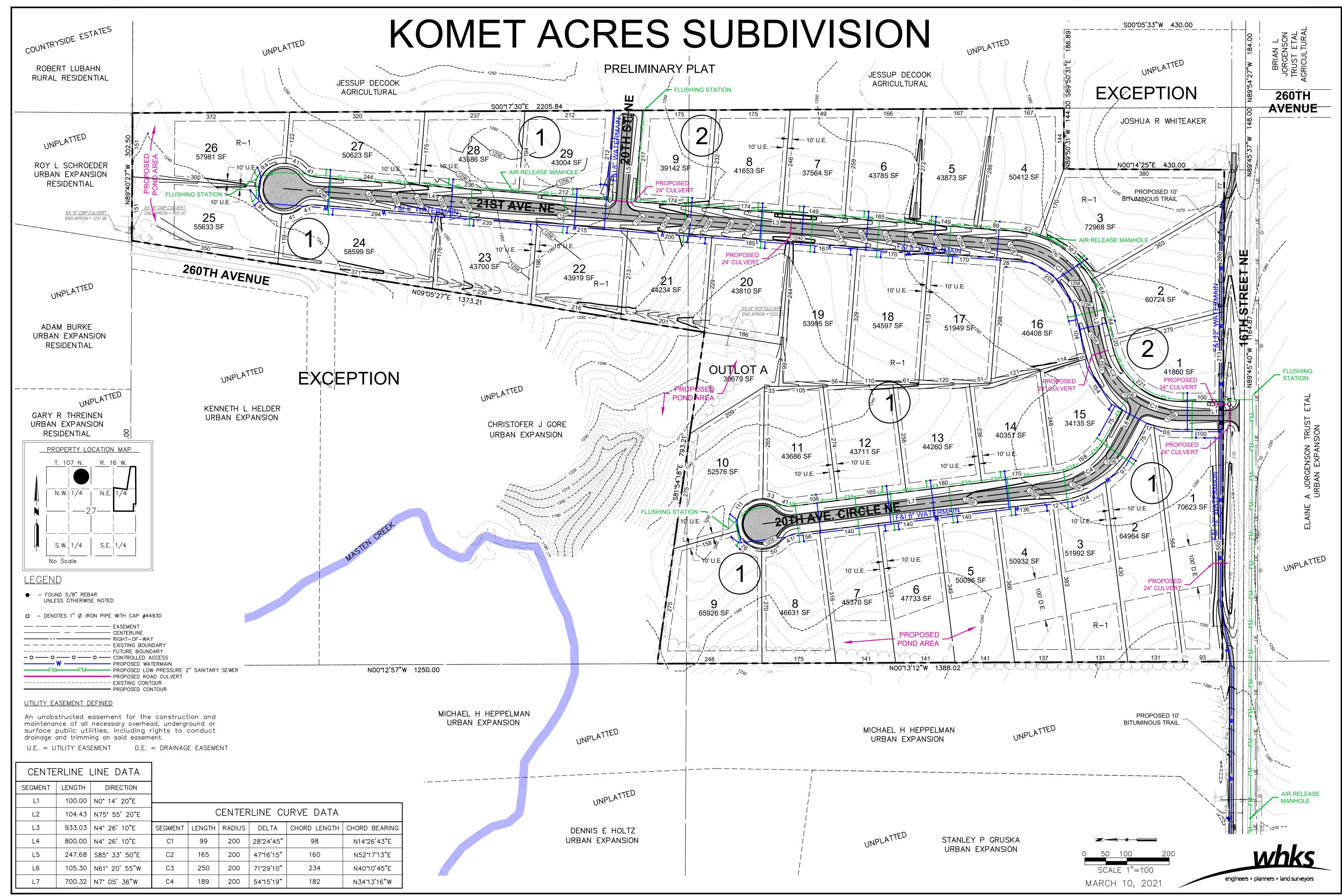
MIN. LOT AREA: 8,000 SF

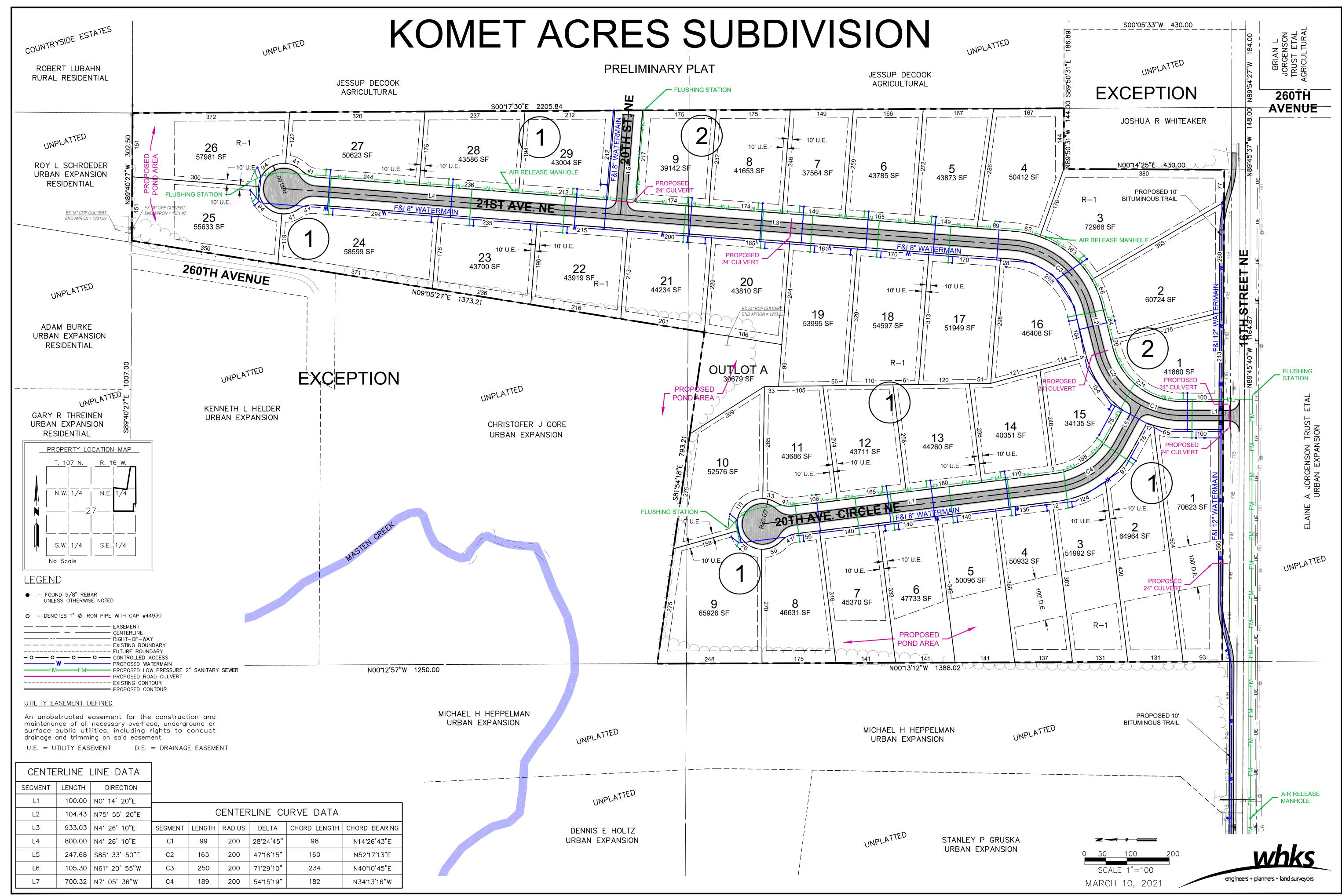
MAX IMPERVIOUS

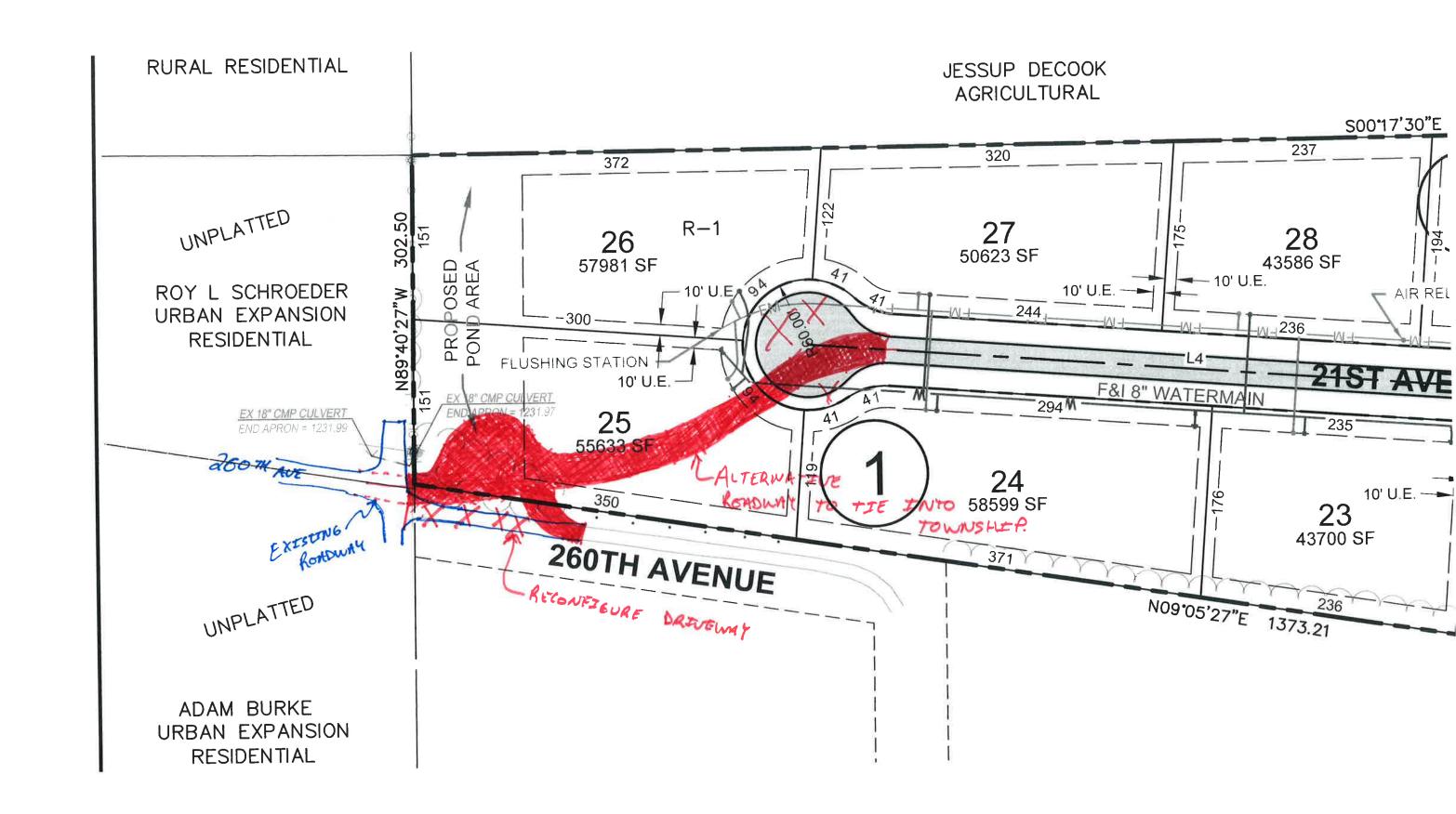
COVER: 40% LOT AREA











CITY OF KASSON RESOLUTION # XX-21

RESOLUTION APPROVING AMENDMENT TO 2040 COMPREHENSIVE PLAN TO AMEND LOW DENSITY RESIDENTIAL LAND USE CATEGORY AND TO REGUIDE PROPERTY AT PID NO. 130270103

WHEREAS, the applicant, Bigelow Homes, LLC, represented by Tony Bigelow, has submitted an application for a Comprehensive Plan Amendment; and

WHEREAS, the proposed Comprehensive Amendment would reguide the property identified as PID No. 130270103 [Subject Property] from Long-Term Growth to Low Density Residential and to allow residential densities in Low Density Residential areas to be less than two units an acre under certain circumstances; and

WHEREAS, the appropriate City Staff and consultants have performed a technical review of the application and submitted a staff report dated April 6th, 2021; and,

WHEREAS, pursuant to Chapter 462, Section 355, Subdivision 2 of the Minnesota State Statutes, the Planning and Zoning Commission held an official public hearing on April 12, 2021, to allow formal public comment on the proposed comprehensive plan amendment; and

WHEREAS, following the public testimony and report of the technical review, the Planning and Zoning Commission reviewed all relevant information regarding the proposed amendment and recommended approval; and,

WHEREAS, the City Council reviewed the matter at its April XX, 2021, meeting.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KASSON, MINNESOTA does hereby incorporate and restate the recitals set forth above and approve an amendment to the 2040 Comprehensive Plan description of the Low Density Residential Future Land Use Category, found on page 4-8, with the underlined text added as follows:

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 gross acre (lot sizes ranging from 8,000 to 20,000 square feet). Residential developments with densities lower than 2 units an acre may be appropriate in the LDR if certain circumstances exist:

A lower-density neighborhood pattern already exists on adjacent parcels

- The development is on the outer edges of the City's growth boundary
- The extension of city services will not place an unnecessary burden on the City or existing residences
- Existing natural resource or habitat areas warrant a more conservation-oriented design pattern that results in larger lots

BE IT FURTHER RESOLVED that the City Council approves an amendment to the Future Land Use map, shown within Figure 4.3 on page 4-6 to change the future land use designation for the Subject Property from Long-Term Growth to Low Density Residential (LDR).

Adopted by the City Council this XX day of April, 2021.

ATTEST:

Linda Rappe, City Clerk

Chris McKern, Mayor

The motion to approve the foregoing resolution was made by Council Member _____ and duly seconded by Council Member _____. Upon a vote being taken, the following members voted in favor thereof: _____. Those against same: ____.

CITY OF KASSON ORDINANCE NO. 2021-XX

ORDINANCE AMENDING THE KASSON OFFICIAL ZONING MAP TO ADD PID NO. 130270103 TO BE WITHIN THE CITY BOUNDARY AND ESTABLISH ZONING AS R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

The City Council of Kasson does ordain:

	The Kasson Official Zoning Map is hereb X-XX for annexation, by changing the zonion fied by the legal description described in Ex	ng district boundaries to classify the
Section 4:	This ordinance is effective upon adoption	and official publication.
Adopted by th	he City Council this XX day of April, 2021.	
		Mayor Chris McKern
Attest: Linda	Ranne City Clerk	

EXHIBIT A Legal Description of Property

The East Half of the Northeast Quarter of Section 27, Township 107 North Range 16 West, Dodge County, Minnesota

EXCEPT:

Commencing at the northeast corner of the Northeast Quarter of said Section 27; thence South 89 degrees 33 minutes 43 seconds West (NOTE: Beating System is Minnesota State Plane Grid, South Zone) along the north line of said Northeast Quarter for a distance of 302.50 feet to the Point of Beginning; thence South 08 degrees 19 minutes 37 seconds West for a distance for a distance of 1373.21 feet; thence North 82 degrees 40 minutes 08 seconds West for a distance of 793.21 feet to a point in the west line of the East Half of said Northeast Quarter; thence North 00 degrees 58 minutes 47 seconds West along said west line for a distance of 1250.00 feet to the northwest corner of said East Half; thence North 89 degrees 33 minutes 43 seconds East along the north line of said East Half for a distance of 1007.00 feet to the Point of Beginning.

AND ALSO EXCEPT:

That part of the Northwest Quarter of Section 26 and that part of the Northeast Quarter of Section 27, all in Township 107 North, Range 16 West, Dodge County, Minnesota being described as follows:

BEGINNING at the Southeast corner of the Northeast Quarter of said Section 27; thence north 89 degrees 45 minutes 37 seconds West (Note: All bearings are in relationship with the Dodge County Coordinate System NAD '83, Adjusted 1996) along the South line of said Northeast Quarter, 148.00 feet; thence North 00 degrees 14 minutes 23 seconds East, 430.00 feet; thence South 89 degrees 50 minutes 31 seconds East, 144.00 feet to the East line of said Northeast Quarter and to the West line of the Northwest Quarter of said Section 26; thence continue South 89 degrees 50 minutes 31 seconds East, 186.89 feet; thence South 00 degrees 05 minutes 33 seconds West, 430.00 feet to the South line of said Northwest Quarter; thence North 89 degrees 54 minutes 27 seconds West, along said South line, 184.00 feet to the POINT OF BEGINNING. Said parcel is subject to Township Road right-of-way along the Southerly side thereof and is subject to any other easements or encumbrances of record.

CITY OF KASSON RESOLUTION # XX-21

RESOLUTION APPROVING THE PRELIMINARY PLAT FOR THE PROPERTY AT PID NO. 130270103, KNOWN AS KOMET ACRES

WHEREAS, the applicant, Bigelow Homes, LLC, represented by Tony Bigelow, on March 10, 2021 submitted a request for a Preliminary Plat, for the property at PID No. 130270103; and,

WHEREAS, the subject site is generally located north of the intersection of 16th Street NE and 260th Avenue, adjacent to the Kasson City boundary along 16th Street NE; and,

WHEREAS, the applicant is proposing to plat the 51.56 acre parcel into 38 single family detached lots and one outlots; and,

WHEREAS, the appropriate City Staff and consultants have performed a technical review of the application and submitted a staff report dated April 6th, 2021; and,

WHEREAS, at a public hearing duly held on the 12th day of April, 2021, the Planning and Zoning Commission heard testimony of all persons wishing to comment; and,

WHEREAS, following the public testimony and report of the technical review, the Planning and Zoning Commission reviewed all relevant information regarding the proposed Preliminary Plat and recommended approval subject to conditions; and,

WHEREAS, the City has considered how the proposed project might affect public health, safety, or welfare and will be imposing conditions upon the approval addressing these considerations; and,

WHEREAS, the City Council has studied the practicality of the preliminary plat, taking into consideration the present and future development of the property and the requirements of the Zoning, Subdivision Ordinances, and other official controls.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KASSON, MINNESOTA that the Preliminary Plat for PID No. 130270103, known as Komet Acres, is hereby approved, subject to the following conditions:

- 1. Preliminary Plat approval is conditional upon the annexation of the property into the City of Kasson, approved by a joint resolution by the Kasson City Council and Mantorville Township.
- 2. Preliminary Plat approval is conditional upon the approval of Resolution No. XX-21 Amending the Kasson Comprehensive Plan and Ordinance No. XX-21 Amending the Kasson Official Zoning Map.
- 3. The applicant shall add setback lines to individual lots on the preliminary plat prior to submittal of the final plat.

- 4. The applicant shall show a street connecting to 260th Avenue into the Township; this shall be added to the preliminary plat prior to submittal of the final plat.
- 5. Other changes as indicated by the City Engineer in their letter to the City Administrator dated March 25, 2021, as drawn on the plans attached to the letter shall be required prior to submittal of the final plat.

BE IT FURTHER RESOLVED, in granting approval of the preliminary plat, the City Council makes 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.

Adopted by the City Council this XX of April, 2021.

ATTEST:	
Linda Rappe, City Clerk	Chris McKern, Mayor
The motion to approve the foregoing resolution was	•
seconded by Council Member Upon a vote befavor thereof: Those against same:	•

2905 South Broadway Rochester, MN 55904-5515 Phone: 507.288.3923

Fax: 507.288.2675

Email: rochester@whks.com Website: www.whks.com

March 25, 2021



Mr. Tim Ibisch City Administrator City of Kasson 401 5th St. SE Kasson, MN 55944

RE: Kasson, MN

Komet Acres

Review of Preliminary Plat and Preliminary Construction Plans

Dear Tim:

We have reviewed the 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 marked up plans.

General Comments

- 1. Development Agreement, Zoning Review and Fee related items are not included in our review
- The subject property is located outside of the City Limits and will require annexation. The property owner petition for annexation by Ordinance has been submitted by the Developer.
- Upon annexation the subject property will require rezoning.
- The sizing of the watermain and sanitary sewer forcemain to be reviewed. 4.
- The subject property is located within Flood Zone C (areas of minimal flood hazard). 5.
- 6. Any existing wetlands shall be delineated and depicted on the final plat and construction plan set.
- 7. An Engineer's Opinion of Construction Costs and Construction Schedule shall be submitted with the final plat.
- The applicant must secure all necessary permits before construction begins including the NPDES construction storm water, Health Department watermain extension, and MPCA sanitary sewer extension. The Owner, or their representative, will be responsible for permit compliance.

- 9. The Owner and Contractor will be required to have a pre-construction meeting with the City for the installation of public infrastructure. Contractor shall coordinate any watermain and sewer disturbances with the City maintenance staff.
- 10. Monuments disturbed/missing should be set at the end of construction.
- 11. The bituminous paving wear course shall be paved after one construction season.
- 12. Drainage report and pre and post development drainage plans shall be submitted with the final construction plans.
- 13. Project specifications shall be submitted with the final construction plans.
- 14. It is recommended that the City require the Developer to perform testing and observation of all engineered fill outside the right-of-way. The Developer should be required to submit test results and observation records to the City upon completion. This information is provided to the City for informational purposes only and is not reviewed by the City.
- 15. ADA ramps must meet ADA requirements and shall be constructed as part of the subdivision. ADA ramps shall be detailed on the plans to illustrate compliance with ADA requirements. Non-compliant ramps will need to be removed and replaced at the Developers cost.
- 16. As-built construction plans shall be provided.
- 17. The soil boring report shall be submitted with final construction plans.
- 18. The MnDNR has conceptual plans for a regional trail connecting the City's existing trail system to the Byron High School. The City of Byron is planning on continuing a trail in line with the 16th Street corridor along Byron's (13th Street NW) (Bus Barn Road). Long term plans would likely connect the two Cities with a trail.
 - After discussion with the MnDNR, City Staff and City of Byron Staff we are recommending continuing the trail along the 16th Street roadway corridor as proposed through this subdivision. Future trail extensions between the Cities still could be along different corridors. The developer has agreed to dedicate a trail easement along the north side of 16th Street NE, on the Jessup DeCook parcel to the east to accommodate any future trails. The easement should be dedicated with the Final Plat process.
- 19. Outlot A shall be conveyed to the City. A drainage and utility easement shall be over the entire extents of the outlot.
- 20. Additional comments may follow upon review of the final construction plan set, final plat, and drainage plans and report.

Preliminary Plat

1. Access control shall be added along the frontage of 16th Street NE.

2. Show future trail and trail easement along the northerly side of 16th Street on the Jessup DeCook parcel to the east.

Preliminary Construction Plans

- 1. Hydrant locations and spacing shall be reviewed by the City Fire Chief.
- 2. Structural fill areas shall be added to the grading plan.
- 3. All proposed private utility roadway crossing conduit locations should be shown on the construction plans and installed before roadway construction.
- 4. Easements shall be provided for the swales along the west boundary line and the large pond (see markups). Some easements may be able to be reduced based on final pond locations.
- 5. Add Mn Rural Water tracer wire specifications.
- 6. Provide a casting over the flushing station PVC cap.
- 7. Additional comments are provided on the attached preliminary construction plans.

We recommend approval of the preliminary plat conditional upon the above items being addressed and resubmitted. A revised preliminary plat, construction plan set, and grading plan shall be submitted with the final plat 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

Brad Scheib, HKG inc., Consulting Planner

Laura Chamberlain, HKG inc., Consulting Planner

Jesse Preston, WHKS & Co.

Tony Bigelow, Bigelow Homes

LINE LEGEND _______________UTILITY EX DRAINAGE DITCH MNDOT-ROW - O --- CHAINLINK FENCE QUARTER SECTION LINE — ■ WOODEN FENCE TREELINE RETAINING WALL ---- EX. SEALCOAT GUARD RAIL EX CRUSHED ROCK UNDERGROUND TELEPHONE ----- UG ------ UNDERGROUND GAS EX. CONTOUR ____ EX. STORM SEWER OHT OVERHEAD TELEPHONE - S ---- S ---- EX. SANITARY SEWER

SYMBOL LEGEND

EXISTING SANITARY CLEANOUT

EXISTING SANITARY MANHOLE

EXISTING HYDRANT

PROPOSED GATE VALVE

PROPOSED MANHOLE

EXISTING CONIFER TREE

EXISTING SOIL BORE

EXISTING GUY WIRE

EXISTING MAILBOX

EXISTING LIGHTPOLE
EXISTING BOLLARD

EXISTING SIGN

EXISTING TELEPHONE PEDESTAL

EXISTING ELECTRIC PEDESTAL

EXISTING CABLE TV PEDESTAL

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KOMET ACRES KASSON MINNESOTA 2021

- LABEL EASEMENTS ON ALL SHEETS

TITLE SHEET

SHEET 1 TITLE SHEET

SHEET 2-9 DETAILS

SHEET 10 TYPICAL SECTION (COLOR)*

SHEET 11-12 SWPPP

SHEET 13-16 GRADING/EROSION CONTROL (COLOR)*

SHEET 17-35 PLAN AND PROFILE (COLOR)*

SHEET 36-39 SHARED USED PATH (COLOR)*

*SELECT PLAN SHEETS WERE PRODUCED IN COLOR AND SHOULD BE PRINTED AS SUCH TO AVOID MISREPRESENTATIONS OR MISUNDERSTANDINGS.

PRELIMINARY PLANS

PROJECT LOCATION



GOVERNING SPECIFICATIONS

THE 2018 EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION" AND ANY SUPPLEMENTAL SPECIFICATIONS SHALL GOVERN, EXCLUDING DIVISION I.

OTES:

- 1. WHERE PUBLIC UTILITY FIXTURES OR FACILITIES ARE SHOWN AS EXISTING ON THE PLANS OR ENCOUNTERED WITHIN THE CONSTRUCTION AREA, IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE OWNERS OF THESE UTILITIES PRIOR TO THE BEGINNING OF ANY CONSTRUCTION INVOLVING EXCAVATION. THE CONTRACTOR SHALL AFFORD ACCESS TO THESE FACILITIES FOR NECESSARY MODIFICATION OF SERVICES OR RELOCATION. UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS, RECORDS AND UTILITY OPERATOR LOCATION MARKINGS THAT WERE REQUESTED THROUGH GOPHER STATE ONE CALL; THEREFORE THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. TYPE, SIZE AND GENERAL LOCATION OF THE FACILITIES WERE REQUESTED OF THE OPERATORS AND SHOWN ON THE PLANS, AND IF NECESSARY, UPDATED WITHIN 90 DAYS OF COMPLETION OF THE FINAL PLANS. IT IS POSSIBLE THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS PRESENTLY NOT KNOWN OR SHOWN. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THEIR EXISTENCE AND EXACT LOCATION AND TO AVOID DAMAGE THERETO. NO CLAIMS FOR ADDITIONAL COMPENSATION WILL BE ALLOWED TO THE CONTRACTOR FOR ANY INTERFERENCE OR DELAY CAUSED BY THE WORK.
- 2. GOPHER STATE ONE CALL TELE: 1-800-252-1166.
- 3. CONTRACTOR SHALL COORDINATE UTILITY RELOCATIONS WITH THE UTILITY COMPANIES. THIS SHALL BE INCIDENTAL TO THE PROJECT.



UTILITY LOCATION UTILITY QUALITY LEVEL C UNLESS OTHERWISE INDICATED

UTILITY LOCATION PERFORMED ON: 12-23-2020 GOPHER ONE CALL TICKET NUMBERS: 203520047 203520048

UTILITY DESIGN MEETING HELD ON: X_XX_XX_90 DAY UPDATE PERFORMED ON: _X_XX_XX_GOPHER ONE CALL TICKET NUMBERS:

XXXXXXXX

CITY OFFICIALS

MAYOR: CHRIS McKERN

COUNCIL: DUANE BURTON

DAN EGGLER MELISA FERRIS LONNIE ZELINKE

CITY ADMINISTRATOR TIM IBISCH

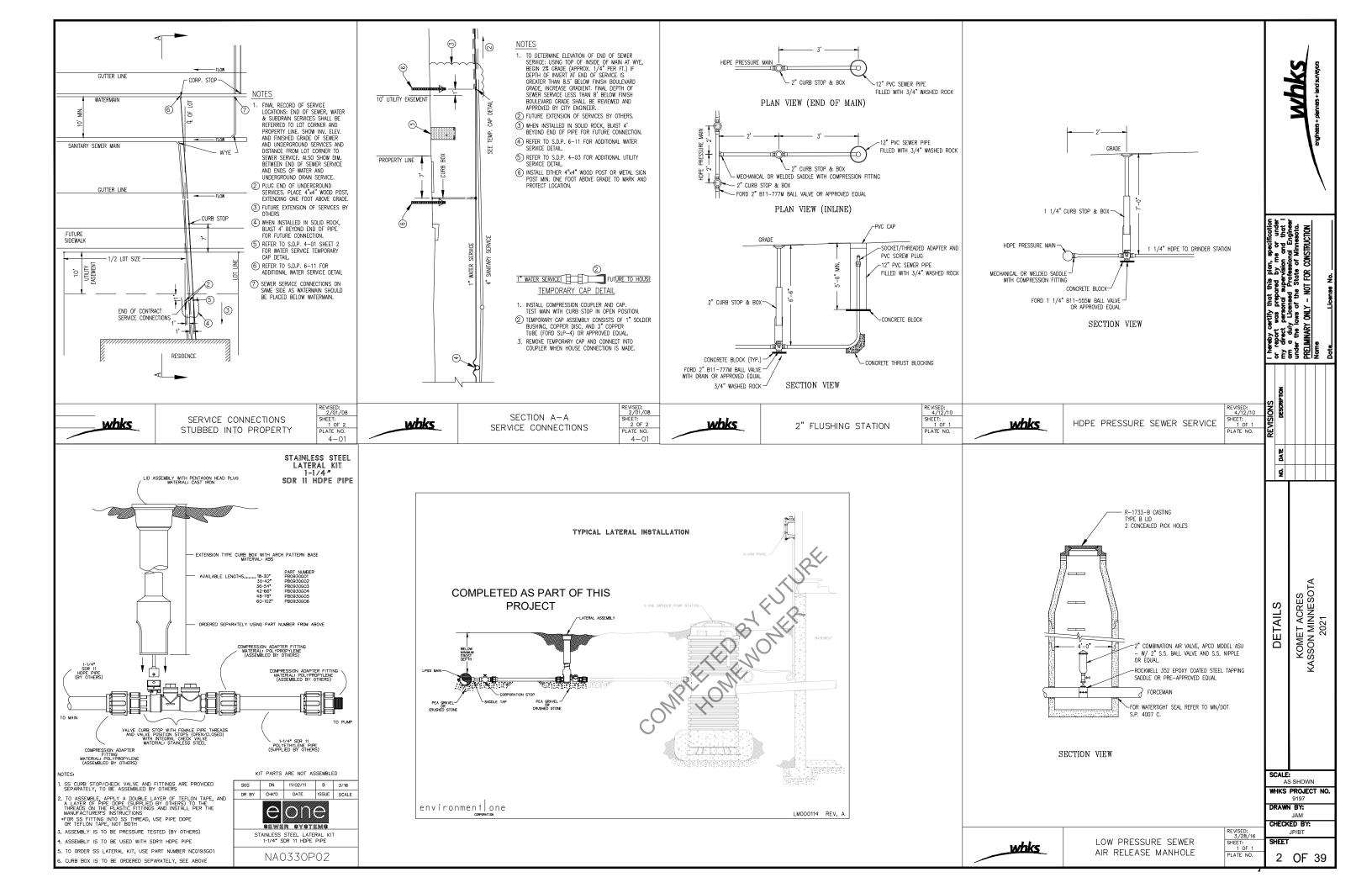
PUBLIC WORKS SUPERINTENDENT: CHARLIE BRADFORD

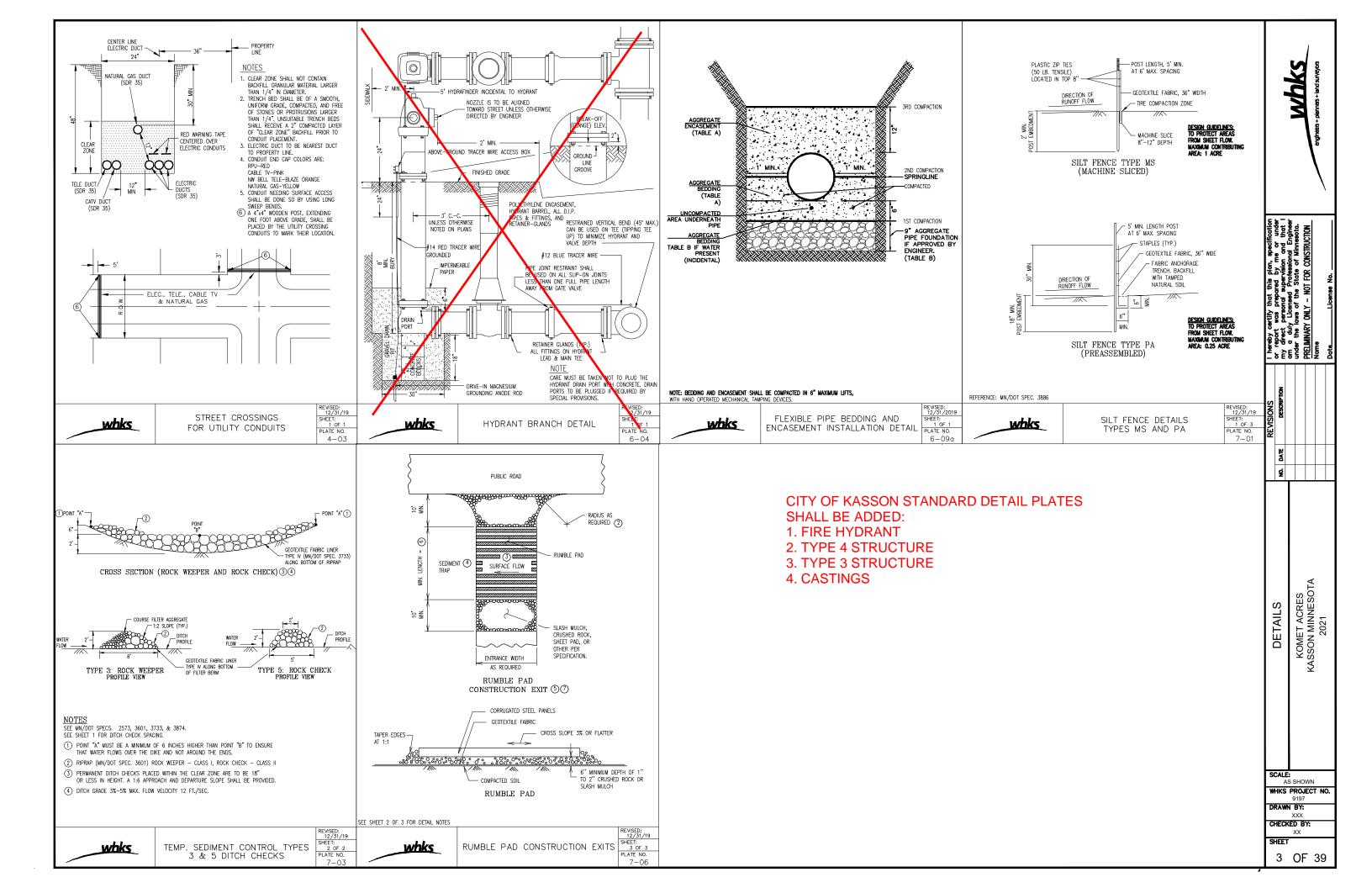
I hereby certify that this plan, specification or report was prepared by me or under my direct personal supervision and that am a duly Licensed Professional Enginee under the laws of the State of Minnesota.

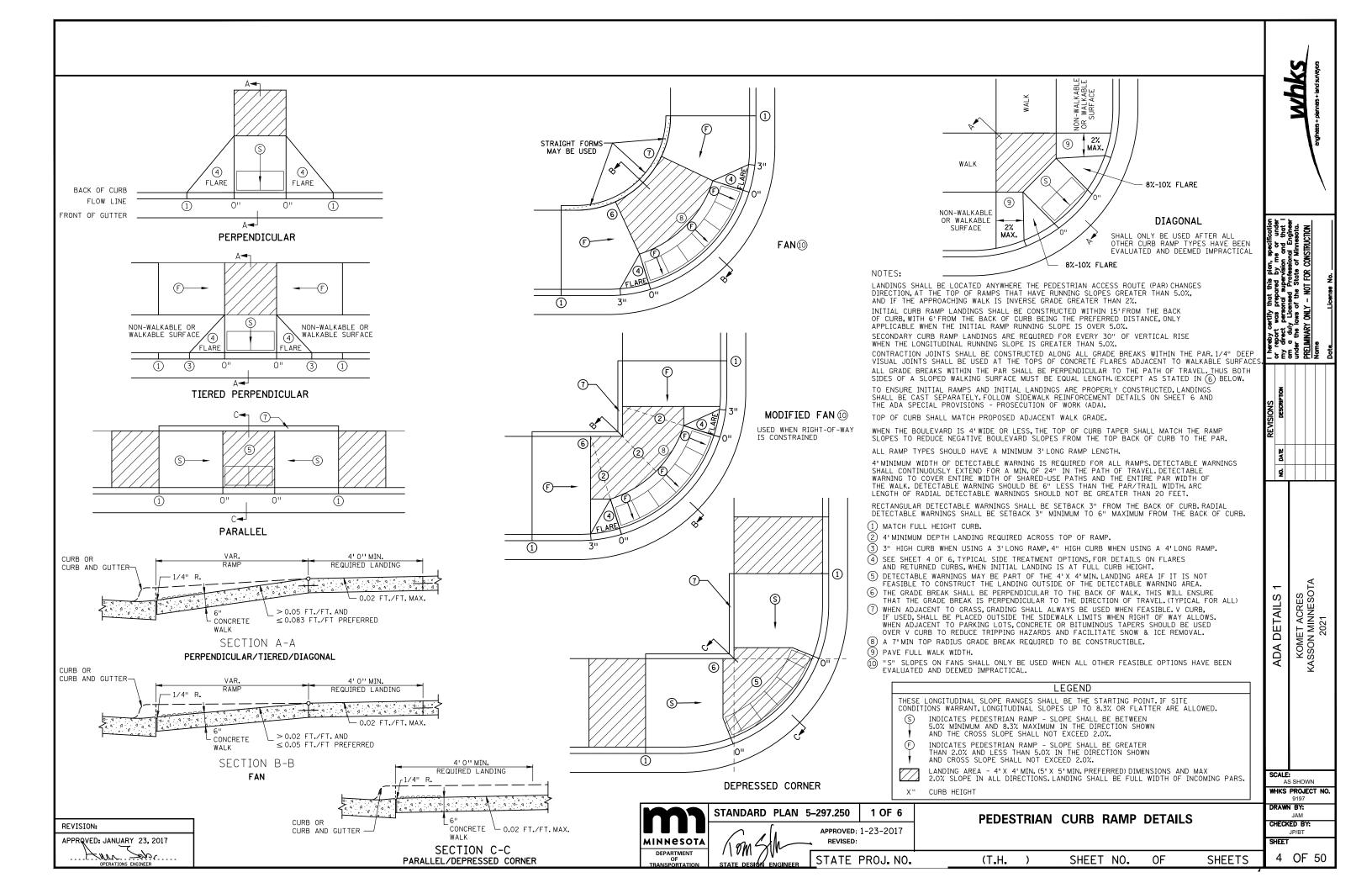
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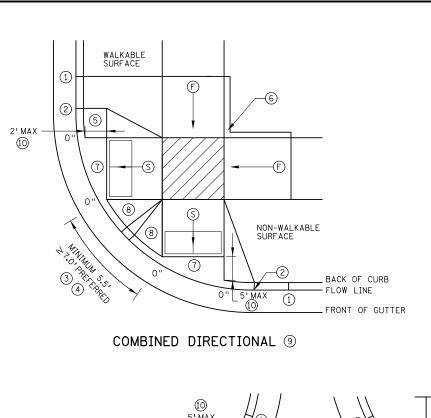


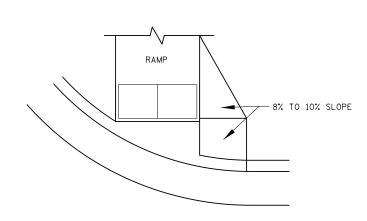
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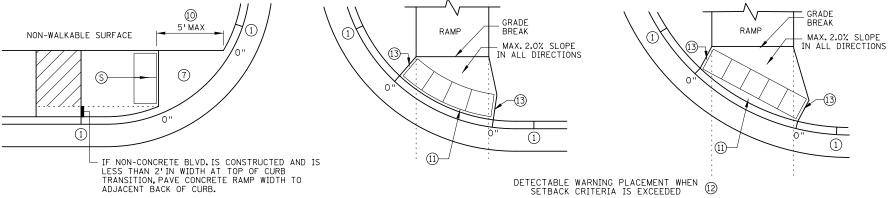








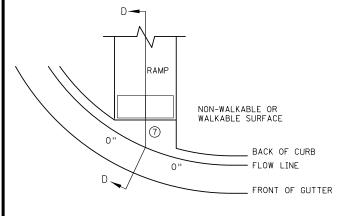
DIRECTIONAL RAMP WALKABLE FLARE

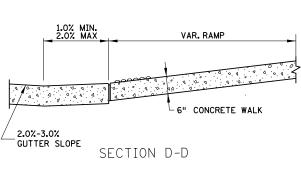


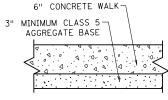
CURB FOR DIRECTIONAL RAMPS 19

STANDARD ONE-WAY DIRECTIONAL 9

ONE-WAY DIRECTIONAL WITH DETECTABLE WARNING AT BACK OF CURB







TYPICAL SIDEWALK SECTION WITHIN INTERSECTION CORNER

LANDINGS SHALL BE LOCATED ANYWHERE THE PEDESTRIAN ACCESS ROUTE (PAR) CHANGES DIRECTION, AT THE TOP OF RAMPS THAT HAVE RUNNING SLOPES GREATER THAN 5.0%, AND IF THE APPROACHING WALK IS INVERSE GRADE.

INITIAL CURB RAMP LANDINGS SHALL BE CONSTRUCTED WITHIN 15'FROM THE BACK OF CURB, WITH 6'FROM THE BACK OF CURB BEING THE PREFERRED DISTANCE, ONLY APPLICABLE WHEN THE INITIAL RAMP RUNNING SLOPE IS OVER 5.0%.

SECONDARY CURB RAMP LANDINGS ARE REQUIRED FOR EVERY 30" OF VERTICAL RISE WHEN THE LONGITUDINAL SLOPE IS GREATER THAN 5.0%.

CONTRACTION JOINTS SHALL BE CONSTRUCTED ALONG ALL GRADE BREAKS WITHIN THE PAR.1/4" DEEP VISUAL JOINTS SHALL BE USED AT THE TOP GRADE BREAK OF CONCRETE FLARES ADJACENT TO WALKABLE SURFACES.

ALL GRADE BREAKS WITHIN THE PAR SHALL BE PERPENDICULAR TO THE PATH OF TRAVEL. THUS BOTH SIDES OF A SLOPED WALKING SURFACE MUST BE EQUAL LENGTH.

TO ENSURE INITIAL RAMPS AND INITIAL LANDINGS ARE PROPERLY CONSTRUCTED, LANDINGS SHALL BE CAST SEPARATELY. FOLLOW SIDEWALK REINFORCEMENT DETAILS ON SHEET 6 AND THE ADA SPECIAL PROVISION (PROSECUTION OF WORK).

TOP OF CURB SHALL MATCH PROPOSED ADJACENT WALK GRADE.

WHEN THE BOULEVARD IS 4'WIDE OR LESS, THE TOP OF CURB TAPER SHALL MATCH THE RAMP SLOPES TO REDUCE NEGATIVE BOULEVARD SLOPES FROM THE TOP BACK OF CURB TO THE PAR.

ALL RAMP TYPES SHOULD HAVE A MINIMUM 3'LONG RAMP LENGTH.

4'MINIMUM WIDTH OF DETECTABLE WARNING IS REQUIRED FOR ALL RAMPS.DETECTABLE WARNINGS SHALL CONTINUOUSLY EXTEND FOR A MIN. OF 24" IN THE PATH OF TRAVEL.DETECTABLE WARNING TO COVER ENTIRE WIDTH OF SHARED-USE PATH AND THE ENTIRE PAR WIDTH OF THE WALK. DETECTABLE WARNING SHOULD BE 6" LESS THAN THE PAR/PATH WIDTH. ARC LENGTH OF RADIAL DETECTABLE WARNINGS SHOULD NOT BE GREATER THAN 20 FEET.

RADIAL DETECTABLE WARNINGS SHALL BE SETBACK 3" MINIMUM TO 6" MAXIMUM FROM THE BACK OF CURB. SEE NOTES 0 & 1 FOR INFORMATION REGARDING RECTANGULAR DETECTABLE WARNING PLACEMENT.

- 1) MATCH FULL CURB HEIGHT.
- (2) 3" HIGH CURB WHEN USING A 3'LONG RAMP 4" HIGH CURB WHEN USING A 4'LONG RAMP.
- 3 3" MINIMUM CURB HEIGHT (5.5'MIN. DISTANCE REQUIRED BETWEEN DOMES) 4" PREFERRED (7'MIN. DISTANCE REQUIRED BETWEEN DOMES).
- (4) THE "BUMP" IN BETWEEN THE RAMPS SHOULD NOT BE IN THE PATH OF TRAVEL FOR COMBINED DIRECTIONAL RAMPS. IF THIS OCCURS MODIFY THE RAMP LOCATION OR SWITCH RAMP TO A FAN/DEPRESSED CORNER.
- (5) WHEN USING CONCRETE PAVED FLARES ON THE OUTSIDE OF DIRECTIONAL RAMPS, AND ADJACENT TO A WALKABLE SURFACE, DIRECTIONAL RAMP FLARES SHOULD BE USED. SEE THE DETÁIL ON THIS SHEET.
- (6) GRADING SHALL ALWAYS BE USED WHEN FEASIBLE. V CURB, IF USED, SHALL BE PLACED OUTSIDE THE SIDEWALK LIMITS WHEN RIGHT OF WAY ALLOWS. WHEN ADJACENT TO PARKING LOTS, CONCRETE OR BITUMINOUS TAPERS SHOULD BE USED OVER V CURB TO REDUCE TRIPPING HAZARDS AND FACILITATE SNOW & ICE REMOVAL.
- 7 MAX. 2.0% SLOPE IN ALL DIRECTIONS IN FRONT OF GRADE BREAK AND DRAIN TO FLOW LINE. SHALL BE CONSTRUCTED INTEGRAL WITH CURB AND GUTTER.
- (8) 8% TO 10% WALKABLE FLARE.
- (9) PLACE DOMES AT THE BACK OF CURB WHEN ALLOWABLE SETBACK CRITERIA IS EXCEEDED.
- (1) FRONT EDGE OF DETECTABLE WARNING SHALL BE SET BACK 2' MAXIMUM WHEN ADJACENT TO WALKABLE SURFACE, AND 5' MAXIMUM WHEN ADJACENT TO NON-WALKABLE SURFACE WITH ONE CORNER SET 3" FROM BACK OF CURB. A WALKABLE SURFACE IS DEFINED AS A PAVED SURFACE ADJACENT TO A CURB RAMP WITHOUT RAISED OBSTACLES THAT COULD MISTAKENLY BE TRAVERSED BY A USER WHO IS VISUALLY IMPAIRED.
- (1) RECTANGULAR DETECTABLE WARNINGS MAY BE SETBACK UP TO 9" FROM THE BACK OF CURB WITH CORNERS SET 3" FROM BACK OF CURB. IF 9" SETBACK IS EXCEEDED USE RADIAL DETECTABLE WARNINGS.
- (2) FOR DIRECTIONAL RAMPS WITH THE DETECTABLE WARNINGS PLACED AT THE BACK OF CURB, THE DETECTABLE WARNINGS SHALL COVER THE ENTIRE WIDTH OF THE WALK/PATH. THIS ENSURES A DETECTABLE EDGE AND HELPS ELIMINATE THE CURB TAPER OBSTRUCTING THE PATH OF PEDESTRIAN TRAVEL.
- $\stackrel{\hbox{\scriptsize (3)}}{}$ The concrete walk shall be formed and constructed perpendicular to the back of curb. Maintain 3" between edge of domes and edge of concrete.
- ④ TO BE USED FOR ALL DIRECTIONAL RAMPS, EXCEPT WHERE DOMES ARE PLACED ALONG THE BACK OF CURB.

LEGEND

THESE LONGITUDINAL SLOPE RANGES SHALL BE THE STARTING POINT. IF SITE CONDITIONS WARRANT, LONGITUDINAL SLOPES UP TO 8.3% OR FLATTER ARE ALLOWED.

- INDICATES PEDESTRIAN RAMP SLOPE SHALL BE BETWEEN 5.0% MINIMUM AND 8.3% MAXIMUM IN THE DIRECTION SHOWN AND THE CROSS SLOPE SHALL NOT EXCEED 2.0%.
- INDICATES PEDESTRIAN RAMP SLOPE SHALL BE GREATER THAN 2.0% AND LESS THAN 5.0% IN THE DIRECTION SHOWN AND CROSS SLOPE SHALL NOT EXCEED 2.0%.
- LANDING AREA 4'X 4'MIN.(5'X 5'MIN.PREFERRED) DIMENSIONS AND MAX 2.0% SLOPE IN ALL DIRECTIONS.LANDING SHALL BE FULL WIDTH OF INCOMING PARS
- CURB HEIGHT

AINNESOTA

STANDARD PLAN 5-297,250 2 OF 6 APPROVED: 1-23-2017 \ ØM STATE PROJ. NO.

PEDESTRIAN CURB RAMP DETAILS

DRAWN BY: CHECKED BY: JP/BT

5 OF 50

APPRQVED: JANUARY 23, 2017 Hun Jepi

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SHEET NO.

SHEETS

SCALE: AS SHOWN

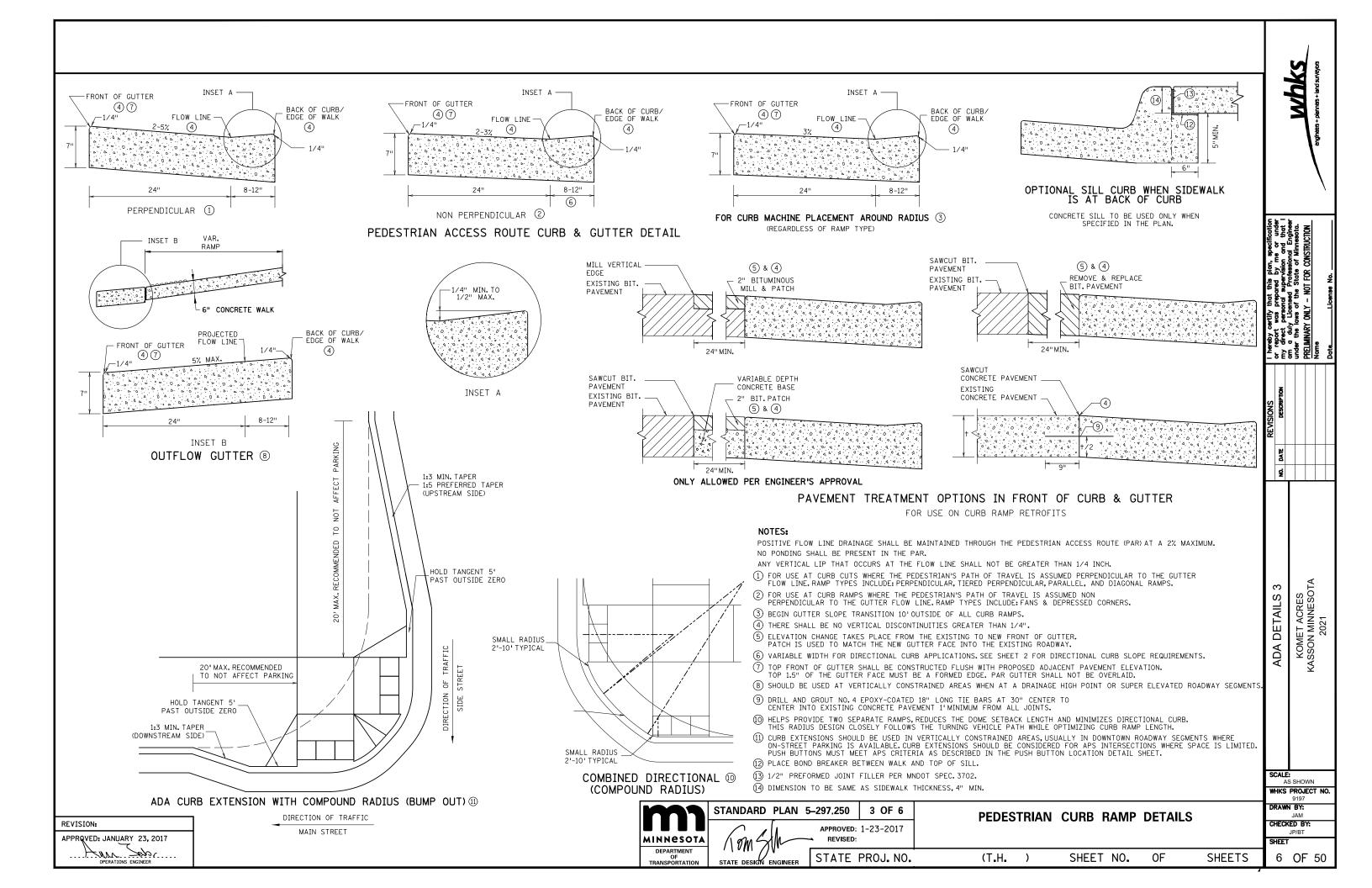
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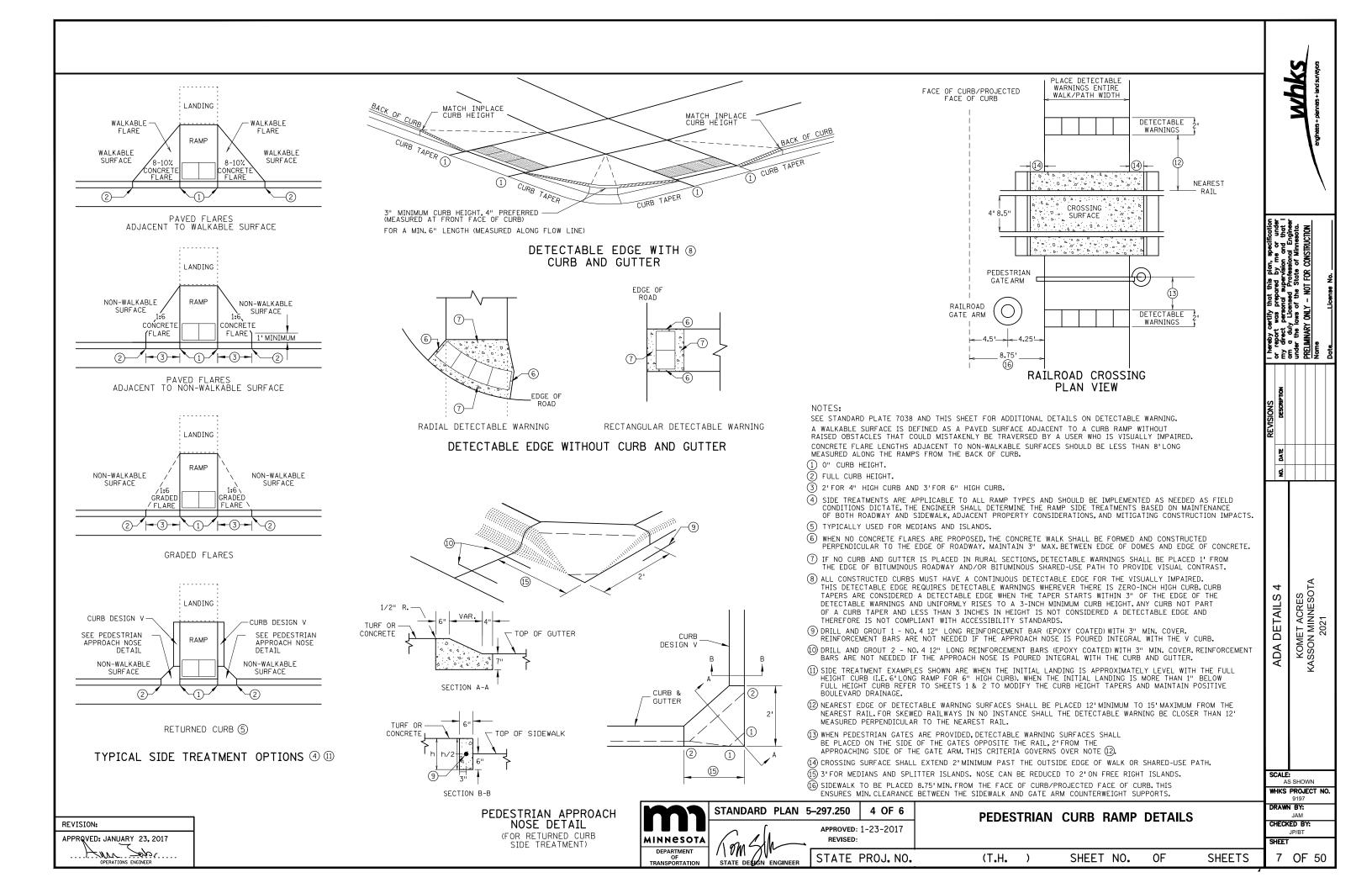
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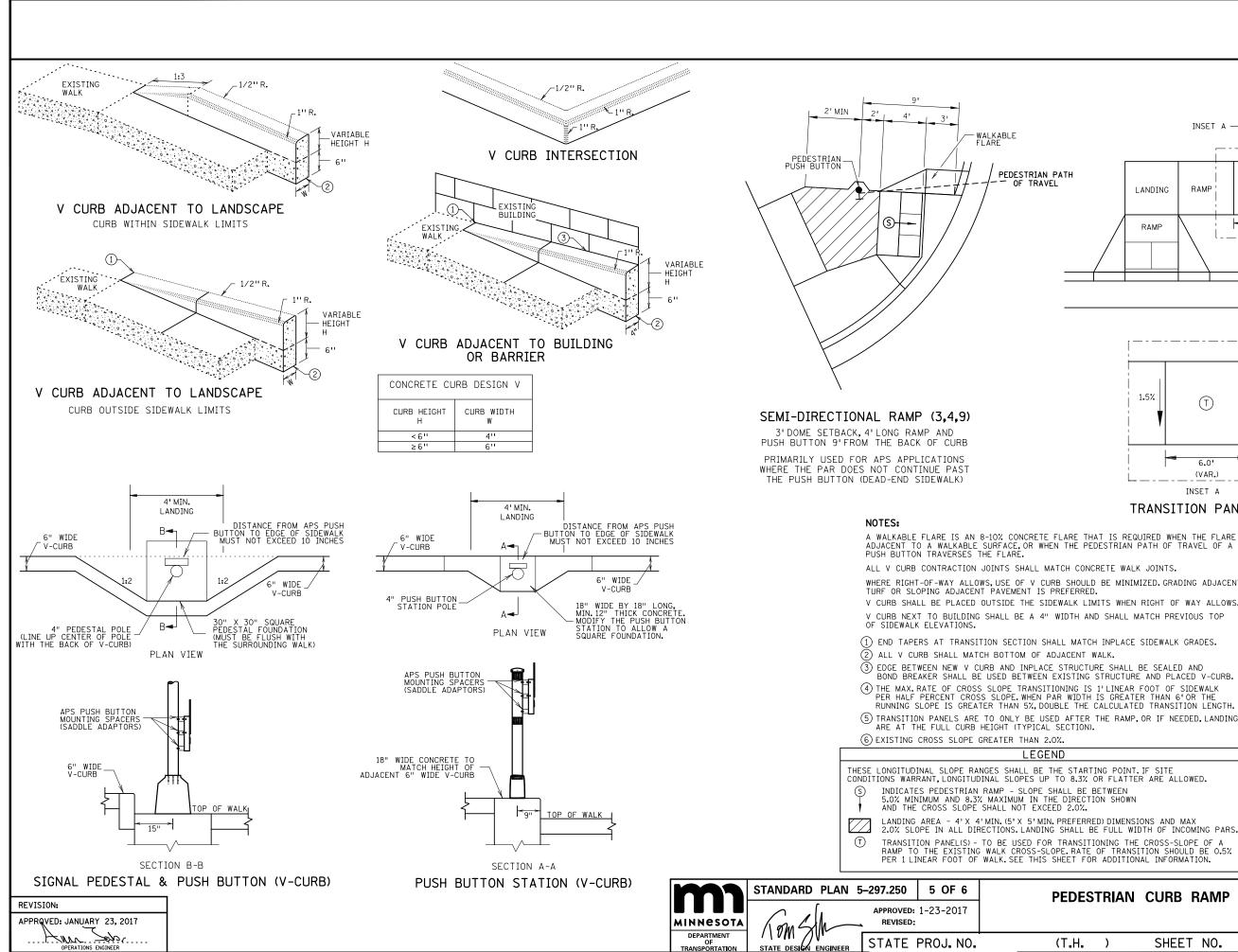
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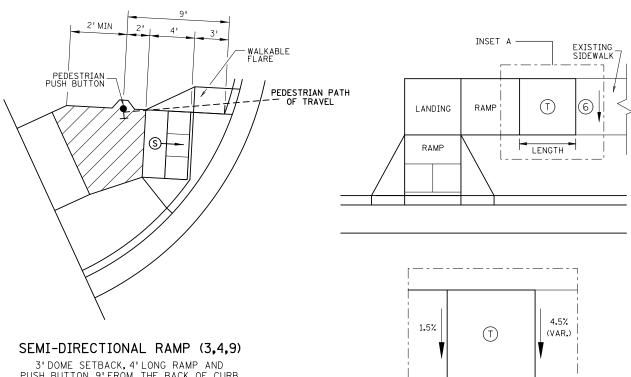
KOMET ACRES ASSON MINNESOT 2021

ADA DETAILS









A WALKABLE FLARE IS AN 8-10% CONCRETE FLARE THAT IS REQUIRED WHEN THE FLARE IS ADJACENT TO A WALKABLE SURFACE, OR WHEN THE PEDESTRIAN PATH OF TRAVEL OF A

(VAR.)

TRANSITION PANEL 45

INSET A

ALL V CURB CONTRACTION JOINTS SHALL MATCH CONCRETE WALK JOINTS.

WHERE RIGHT-OF-WAY ALLOWS, USE OF V CURB SHOULD BE MINIMIZED. GRADING ADJACENT TURF OR SLOPING ADJACENT PAVEMENT IS PREFERRED.

V CURB SHALL BE PLACED OUTSIDE THE SIDEWALK LIMITS WHEN RIGHT OF WAY ALLOWS.

V CURB NEXT TO BUILDING SHALL BE A 4" WIDTH AND SHALL MATCH PREVIOUS TOP

- (1) END TAPERS AT TRANSITION SECTION SHALL MATCH INPLACE SIDEWALK GRADES.

- (4) THE MAX. RATE OF CROSS SLOPE TRANSITIONING IS 1'LINEAR FOOT OF SIDEWALK PER HALF PERCENT CROSS SLOPE. WHEN PAR WIDTH IS GREATER THAN 6'OR THE RUNNING SLOPE IS GREATER THAN 5%, DOUBLE THE CALCULATED TRANSITION LENGTH.

THESE LONGITUDINAL SLOPE RANGES SHALL BE THE STARTING POINT. IF SITE CONDITIONS WARRANT, LONGITUDINAL SLOPES UP TO 8.3% OR FLATTER ARE ALLOWED.

- LANDING AREA 4'X 4'MIN. (5'X 5'MIN. PREFERRED) DIMENSIONS AND MAX 2.0% SLOPE IN ALL DIRECTIONS. LANDING SHALL BE FULL WIDTH OF INCOMING PARS.
- TRANSITION PANEL(S) TO BE USED FOR TRANSITIONING THE CROSS-SLOPE OF A RAMP TO THE EXISTING WALK CROSS-SLOPE, RATE OF TRANSITION SHOULD BE 0.5% PER 1 LINEAR FOOT OF WALK, SEE THIS SHEET FOR ADDITIONAL INFORMATION.

PEDESTRIAN CURB RAMP DETAILS **SHEETS** SHEET NO. (T.H.



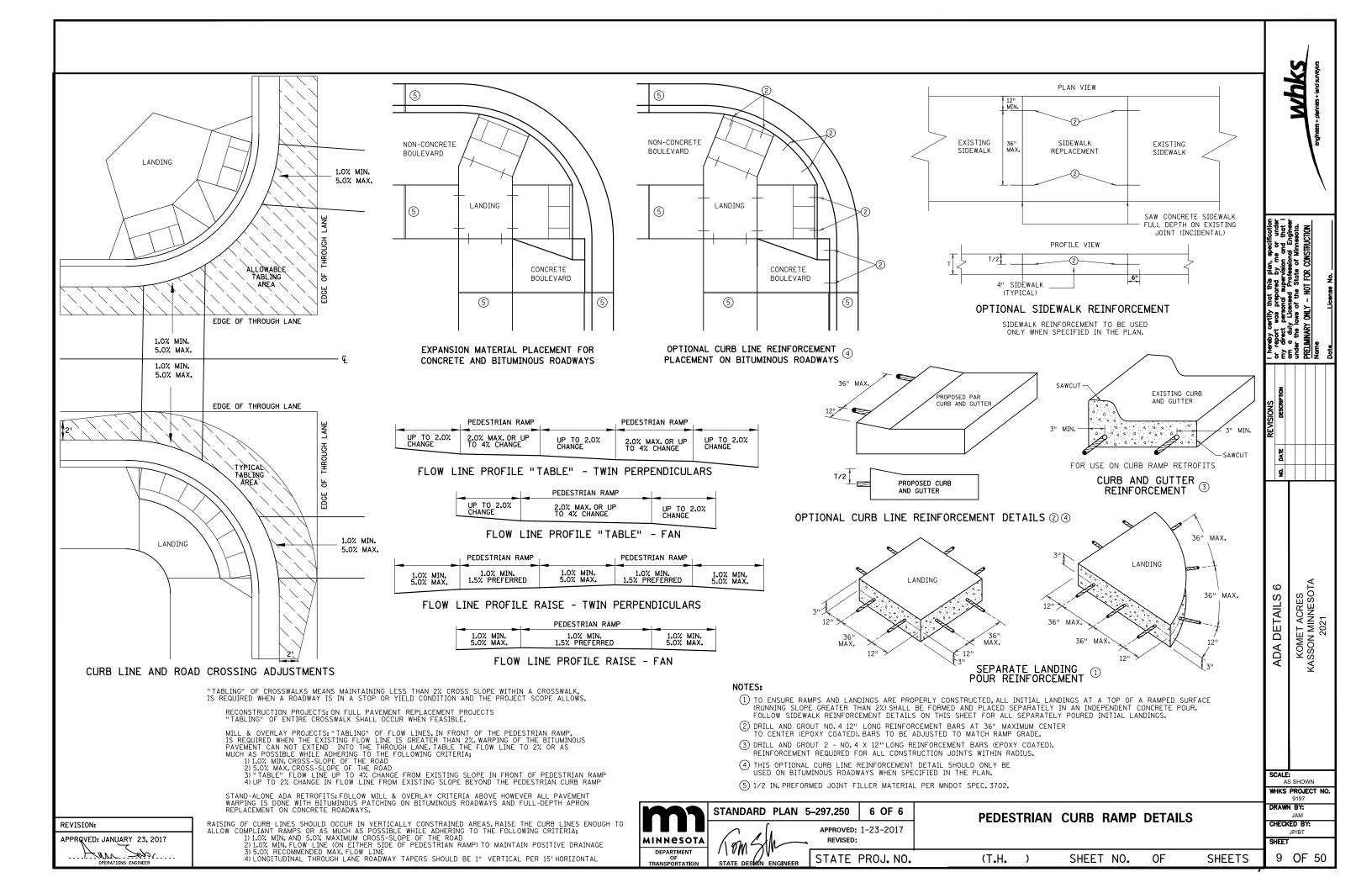
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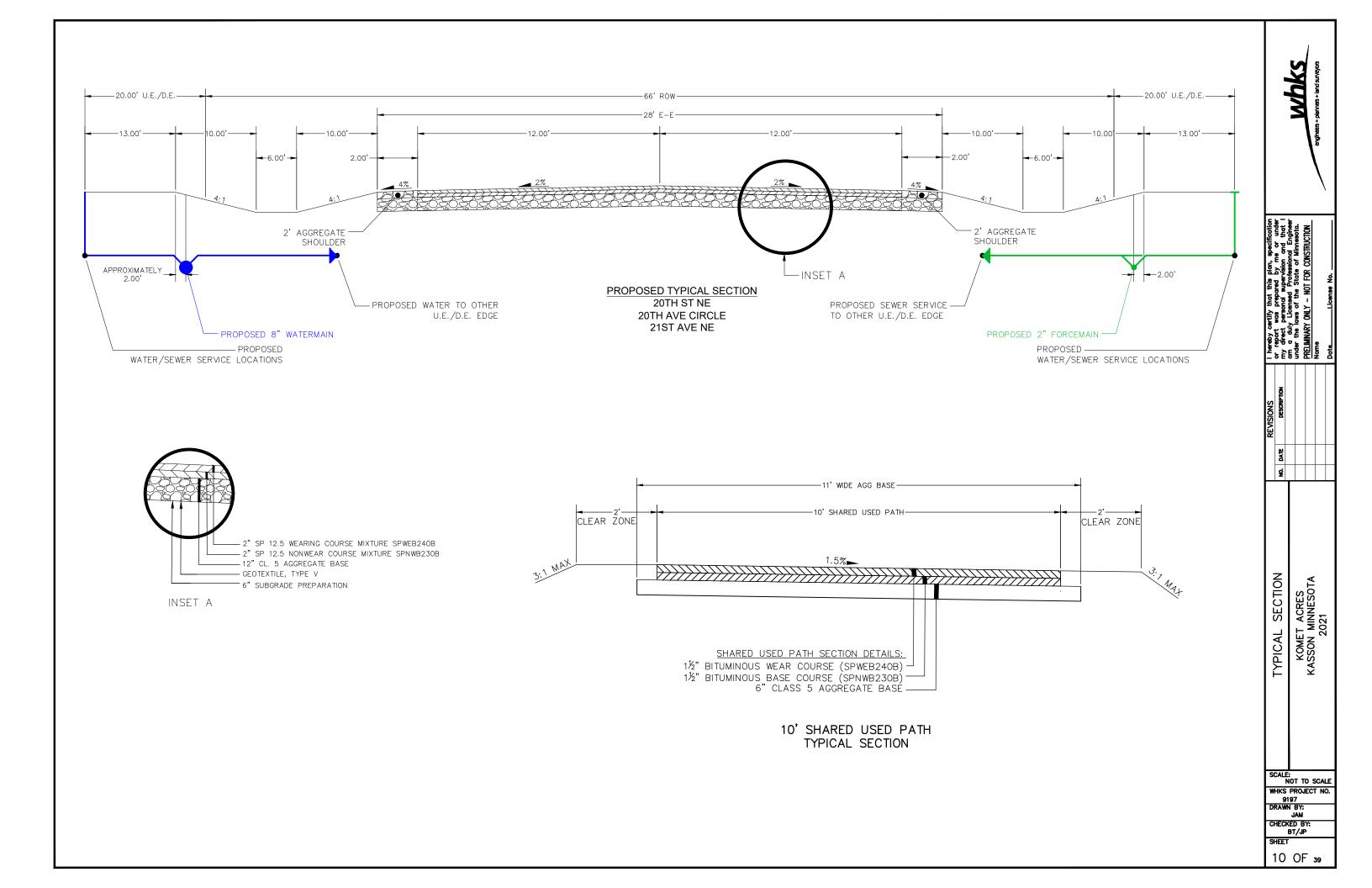
KOMET ACRES
KASSON MINNESOT, ADA DETAILS

SCALE: AS SHOWN WHKS PROJECT NO

DRAWN BY: CHECKED BY: JP/BT

8 OF 50





PROJECT LOCATION AND GENERAL SITE INFORMATION

THIS PROJECT WILL BE DEVELOPING EXISTING AGRICULTURE LAND INTO A 38 LOT SUB-DIVISION. CONSTRUCTION TO INCLUDE WATERMAIN, FORCEMAIN, STORM SEWER, PONDS, AND SURFACE

TRAINING REQUIREMENTS

THE CONTRACTOR WILL ENSURE THAT THE TRAINING REQUIRED IN THE GENERAL STORMWATER PERMIT FOR CONSTRUCTION ACTIVITY IS COMPLIED WITH.

THE INDIVIDUAL TRAINED AND THE TRAINING RECEIVED WILL BE RECORDED IN THE SWPPP BEFORE THE START OF CONSTRUCTION OR AS SOON AS PERSONNEL FOR THE PROJECT HAVE

LONG TERM OPERATION AND MAINTENANCE

THE CITY OF KASSON MAINTENANCE DEPARTMENT WILL BE RESPONSIBLE FOR THE LONG TERM OPERATION AND MAINTENANCE OF THE PERMANENT STORMWATER MANAGEMENT.

CHARLIE BRADFORD PUBLIC WORKS SUPERINTENDENT 1401 16TH ST KASSON, MN 55944 (507) - 634-7302

<u>KARST REGION</u> THERE ARE NO KNOWN KARST FEATURES (SINKHOLES, BLIND VALLEYS, MAPPED CAVES, SPRINGS,

INSPECTIONS AND REPORTS PRACTICES

ROUTINE INSPECTION OF THE ENTIRE CONSTRUCTION SITE SHALL OCCUR AT LEAST ONCE EVERY SEVEN (7) DAYS DURING ACTIVE CONSTRCUTION AND WITHIN 24 HOURS AFTER A RAINFALL EVENT GREATER THAN 0.5 INCHES IN 24 HOURS.

AT A MINIMUM, INSPECTIONS AND REPORTS MUST INCLUDE THE FOLLOWING:

- (1) DATE AND TIME OF INSPECTION.
- NAME OF PERSON CONDUCTING INSPECTIONS
- (3) CONDITIONS OF SURFACE WATERS, DITCHES, CONVEYANCE SYSTEMS, AND VEHICLE EXITS.
- (4) FINDING OF INSPECTIONS, INCLUDING RECOMMENDATIONS FOR CORRECTIVE ACTIONS.
- CORRECTIVE ACTIONS TAKEN, INCLUDING DATES, TIMES, AND PARTY
- COMPLETING MAINTENANCE ACTIVITIES. (6) DATE AND AMOUNT OF ALL RAINFALL EVENTS GREATER THAN 0.5
- INCHES IN 24 HOURS. (7) DOCUMENTATION OF CHANGES MADE TO THE SWPPP WITHIN 7 DAYS.

RECEIVING SURFACE WATERS, DISCHARGE TO IMPAIRED WATERS & SPECIAL WATERS

THE TABLE BELOW IDENTIFIES ALL SURFACE WATERS WITHIN 1-MILE OF THE DISTURBED SOIL PROJECT BOUNDARIES, WHICH WILL RECEIVE STORMWATER RUNOFF FROM THE CONSTRUCTION SITE. DURING OR AFTER CONSTRUCTION

RECEIVING SURFACE WATERS

NAME OF WATER BODY	SPECIAL WATER (1)	IMPAIRED WATER (2)
MASTEN CREEK	NO	NO

WETLAND AREAS

THIS PROJECT DOES NOT DISCHARGE STORMWATER WITH THE POTENTIAL FOR SIGNIFICANT ADVERSE IMPACTS TO A WETLAND.

TOTAL DISTURBED SOILS AREA FOR THIS PROJECT IS 51.56 ACRES.

IMPERVIOUS SOIL AREA

EXISTING AREA OF IMPERVIOUS SURFACE IS X.XX ACRES. POST CONSTRUCTION AREA OF IMPERVIOUS SURFACE IS X.XX ACRES. INCREASE OF IMPERVIOUS SURFACE IS X.XX ACRES.

THE INCREASE OF IMPERVIOUS SURFACES IS MORE THAN 1.00 ACRE, THE WATER QUALITY VOLUME OF 1 INCH WILL BE TREATED.

SOIL TYPES

THE SOIL TYPES FOUND ON THIS PROJECT ARE INSERT SOIL TYPE.

TEMPORARY SEDIMENT BASINS

THIS CONSTRUCTION PROJECT IS DESIGNED TO INCLUDE A SEDIMENT BASIN, SEE PLANS FOR

PERMANENT STORMWATER MANAGEMENT SYSTEM

THIS PROJECT HAS AN INCREASE OF 1 OR MORE ACRE(S) OF IMPERVIOUS AREA. A PERMANENT STORMWATER MANAGEMENT SYSTEM IS PROPOSED. 3-REGIONAL PONDS.

CONSTRUCTION PHASING - EROSION AND SEDIMENT CONTROL SEQUENCING

SILT FENCE. CONSTRUCTION ENTRANCES. AND/OR OTHER SUITABLE PERIMETER BMP'S AS PROVIDED IN THE PLANS WILL BE INSTALLED PRIOR TO THE START OF ANY LAND DISTURBING ACTIVITY. CONSTRUCTION WILL BE REQUIRED TO BE PHASED SO THAT ALL DOWN GRADIENT SEDIMENT CONTROL MEASURES ARE INSTALLED PRIOR TO OR IN CONJUNCTION WITH ANY SOIL DISTURBING ACTIVITIES. THESE BMPS SHALL REMAIN IN PLACE UNTIL FINAL

WHEN THE EXISTING TOPSOIL IS DISTURBED. THE TOPSOIL WILL BE STRIPPED AND STOCKPILED IN SOIL BERMS. STOCK PILED TOPSOIL BERMS WILL NOT BE PLACED IN ANY STORMWATER CONVEYANCES

UPON COMPLETION OF THE CONSTRUCTION ACTIVITIES, THE STOCKPILED TOPSOIL BERMS WILL BE RE-SPREAD AND PERMANENT VEGETATION WILL BE ESTABLISHED AS PROVIDED IN THE PLAN.

ALL SOIL DISTURBING ACTIVITIES MUST BE COMPLETED AND ALL SOILS MUST BE STABILIZED BY A UNIFORM PERENNIAL VEGETATIVE COVER WITH A DENSITY OF 70% OVER THE ENTIRE PERVIOUS SURFACE AREA, OR OTHER EQUIVALENT MEANS NECESSARY TO PREVENT FUTURE SOIL FAILURE UNDER EROSIVE CONDITIONS. ALL SEDIMENT MUST BE REMOVED FROM CONVEYANCE SYSTEMS AND DITCHES MUST BE STABILIZED WITH PERMANENT COVER. FINAL STABILIZATION SHALL BE DONE IN ACCORDANCE WITH THE PERMIT

EROSION PREVENTION PRACTICES

FOR AREAS WHERE DISTURBED SOILS DRAIN TO AN IMPAIRED OR SPECIAL WATER THE EXPOSED SOIL MUST BE STABILIZED NO LATER THAN 7 DAYS (14 DAYS IF NOT IMPAIRED OR SPECIAL WATER) AFTER THE CONSTRUCTION ACTIVITY IN THAT AREA CEASED. SEE THE IMPAIRED & SPECIAL WATERS SECTION OF THIS SWPPP FOR ADDITIONAL BMP REQUIREMENTS FOR DISTURBED AREAS THAT DRAIN TO A SPECIAL OR IMPAIRED WATER.

SOILS SHALL BE STABILIZED WITHIN 24 HOURS FOR ACTIVITIES THAT ARE ADJACENT TO AND DRAIN TO PUBLIC WATERS WITH RESTRICTIONS DURING FISH SPAWING TIMES.

THE NORMAL WETTED PERIMETER OF ANY TEMPORARY OR PERMANENT DRAINAGE DITCH OR SWALE THAT DRAINS WATER FROM ANY PORTION OF THE CONSTRUCTION SITE, OR DIVERTS WATER AROUND THE SITE, MUST BE STABILIZED WITHIN 200 LINEAL FEET FROM THE POINT OF DISCHARGE INTO ANY SURFACE WATER. STABILIZATION OF THE LAST 200 LINEAL FEET MUST BE COMPLETED WITHIN 24 HOURS AFTER CONNECTION TO A SURFACE WATER.

PIPE CULVERT OUTLETS MUST BE PROVIDED WITH TEMPORARY OR PERMANENT ENERGY DISSIPATION WITHIN 24 HOURS AFTER CONNECTION TO A SURFACE WATER. THIS WILL INCLUDE DRAINAGE DITCHES THAT DRAIN WATER FROM ANY PORTION OF THE CONSTRUCTION SITE.

SEDIMENT CONTROL PRACTICES

TEMPORARY STOCKPILED TOPSOIL BERMS MUST INCLUDE PERIMETER BMP'S AS PROVIDED IN THE PLAN AT LOCATIONS WHERE CONSTRUCTION STORMWATER DRAINS FROM THE PROJECT.

A 50 FOOT NATURAL BUFFER, OR REDUNDANT SEDIMENT CONTROLS IF BUFFER IS NOT FEASIBLE, SHALL BE USED NEAR SURFACE WATERS.

IN ORDER TO MAINTAIN SHEET FLOW AND MINIMIZE RILLS AND/OR GULLIES, THERE SHALL BE NO UNBROKEN SLOPE LENGTH OF GREATER THAN 75 FEET FOR SLOPES WITH A GRADE OF 1:3 OR STEEPER. ALL STORM DRAIN INLETS AND CULVERTS MUST BE PROTECTED BY APPROPRIATE BMP'S DURING CONSTRUCTION

UNTIL ALL SOURCES WITH A POTENTIAL DISCHARGE TO THE INLET OR CULVERT HAVE BEEN STABILIZED VEHICLE TRACKING OF SEDIMENT FROM THE CONSTRUCTION SITE MUST BE MINIMIZED BY THE USE OF A STABILIZED CONSTRUCTION ENTRANCE AND OTHER BMPS. STREET SWEEPING MUST BE USED IF SEDIMENT IS BEING TRACKED

OFF THE CONSTRUCTION SITE. UNLESS OTHERWISE SPECIFIED IN THE PERMIT, ALL NONFUNCTIONAL BMP'S MUST BE CLEANED, REPAIRED, REPLACED,

OR SUPPLEMENTED WITH FUNCTIONAL BMP'S WITHIN 24 HOURS AFTER DISCOVERY, OR AS SOON AS FIELD CONDITIONS ALLOW FOR ACCESS.

PROJECT CONTACTS

, CONTACT NAME	PHONE NUMBER
ROBERTA GETMAN	507-280-2996
STATE DUTY OFFICER	800-422-0798
PETER LEETE	651-296-6569
DAVE STUDENSKI	507-895-2064
SCOTT HUNEKE	507-288-3923
TO BE DETERMINED	
SCOTT HUNEKE	507-288-3923
TO BE DETERMINED	
TO BE DETERMINED	
	TO BE DETERMINED

- 1) MARK GRADING LIMITS AND "DO NOT DISTURB AREAS".
- 2) INSTALL PERIMETER EROSION CONTROL
- 3) CONSTRUCT STABILIZED VEHICLE EXITS.
- 4) INSTALL INLET PROTECTION. 5) BEGIN GRADING OPERATIONS
- 6) INCREMENTALLY SEED AND BLANKET AREAS OR SOD AS GRADING PROGRESSES.
- 7) MAINTAIN AND UPDATE INLET PROTECTION THROUGH JOB PHASES.
- 8) COMPLETE MAINTENANCE AND REPAIRS OF EROSION AND SEDIMENT CONTROLS.
- 9) STABILIZE FINAL INCREMENT OF GRADING AREA.
- 10) MONITOR GRASS GROWTH AND RESEED/RESOD WHERE NEEDED UNTIL SITE IS STABILIZED
- 11) REMOVE SILT FENCE AND OTHER TEMPORARY FROSION CONTROLS.
- 12) CLEAN BASINS OF ALL CONSTRUCTION RELATED SEDIMENTATION WHENEVER VOLUME REACHES 1/2 STORAGE
- 13) FILE "NOTICE OF TERMINATION" WITH THE MPCA.

RECORD RETENTION

THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) WILL BE AMENDED IF THERE IS A CHANGE IN DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, WEATHER OR SEASONAL CONDITIONS THAT HAS A SIGNIFICANT IMPACT ON THE DISCHARGE TO SURFACE WATERS OR UNDERGROUND WATERS. THE PLAN WILL ALSO BE AMENDED IF IT IS PROVEN TO BE INADEQUATE IN CONTROLLING POLLUTANTS IN STORM WATER DISCHARGES DUE TO CONSTRUCTION ACTIVITIES.

THE SWPPP, ORIGINAL AND COPIES, MUST BE KEPT ON SITE DURING CONSTRUCTION BY THE PERMITTEE WHO HAS OPERATIONAL CONTROL OF THE SITE. ALL OWNERS MUST KEEP THE SWPPP, TRAINING DOCUMENTATION, RECORDS OF ALL INSPECTION AND MAINTENANCE, ALL PERMANENT OPERATION AND MAINTENANCE AGREEMENTS, ALL REQUIRED CALCULATIONS FOR DESIGN OF STORMWATER MANAGEMENT SYSTEMS, AND ANY OTHER PERMITS REQUIRED FOR THE PROJECT FOR THREE (3) YEARS AFTER SUBMITTAL OF THE NOTICE OF TERMINATION AS DESCRIBED IN III.D

QUANTITIES

TEMPORARY ROCK CONSTRUCTION ENTRANCE

XXX L.F. SILT FENCE

XX EACH INLET PROTECTION

ADDITIONAL TEMPORARY BMP'S MAY BE USED IF NECESSARY, AS APPROVED BY THE ENGINEER

LOCATION OF SWPPP REQUIREMENTS

REQUIREMENT	TITLE	LOCATION	MN/DOT SPECIFICATION	SPECIAL PROVISION		
NPDES PERMIT COMPLIANCE	SWPPP		1701, 1702, & 1717	1717 (AIR, LAND, & WATER) 1717 (NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT)		
CERTIFIED PERSONNNEL IN EROSION AND SEDIMENT CONTROL SITE MANAGEMENT	PROJECT CONTACTS	SWPPP PLANSET PAGE	1506, 1717, &	1717 (AIR, LAND, & WATER) 1717 (NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT)		
CHAIN OF RESPONSIBILITY	PROJECT CONTACTS	SWPPP PLANSET PAGE 2573 1717 (THE HARTONAL TOLLOTARY DISCHARGE ELIMINATION STOTEM (NEDLS) FLIXMIT)		
PROJECT SCHEDULE / WEEKLY EROSION & SEDIMENT CONTROL SCHEDULE / COMPLETED INSPECTION / MAINTENANCE LOG				1717 (AIR, LAND, & WATER) 1717 (NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT)		
SWPPP PREPARATION						
SITE MAP / RECEIVING WATERS / DIRECTION OF FLOW	GENERAL LAYOUT	PLANS	1717			
PROJECT SPECIFIC CONSTRUCTION STAGING			1717	1717 (AIR, LAND, & WATER) 1717 (NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT) 1806 (DETERMINATION AND EXTENSION OF CONTRACT TIME)		
TEMPORARY EROSION AND SEDIMENT CONTROL BMP LOCATIONS, INSTALLATION, TIMING OF INSTALLATION, AND TYPE OF BMP	QUANTITY TABULATIONS	PLANS	2573 & 2575	2573 (STORMWATER MANAGEMENT)		
ADDITIONAL TEMPORARY AND OR PERMANENT EROSION AND SEDIMENT CONTROL BMP'S NOT PROVIDED OR SHOWN IN THE PLAN			1717, 2573, & 2575	1717 (AIR, LAND, & WATER) 1717 (NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT) 2575 (RAPID STABILIZATION SPECIFICATION)		
MAINTENANCE OF EROSION AND SEDIMENT CONTROL DEVICES, REMOVAL OF TRACKED SEDIMENT, REMOVAL OF DEVICES	SEDIMENT CONTROL PRACTICES	SWPPP PLANSET PAGE	1717 & 2573	1514 (MAINTENANCE DURING CONSTRUCTION) 1717 (AIR, LAND, & WATER) 1717 (NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT)		
DEWATERING	DEWATERING & DRAINING	SWPPP DOCUMENT	2105.3B & 2451.3C	DEWATERING MAY ALSO REQUIRE A DNR PERMIT. NO DEWATERING IS ANTICIPATED FOR THIS PROEJCT.		
FINAL STABILIZATION	QUANTITY TABULATIONS	PLANS & SPECS	1717, 2573, & 2575	1717 (AIR, LAND, & WATER) 1717 (NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT)		
TEMPORARY EROSION AND SEDIMENT CONTROL DETAILS	EROSION CONTROL	PLAN DETAILS				
PERMANENT EROSION CONTROL DETAILS	EROSION CONTROL	PLAN DETAILS				



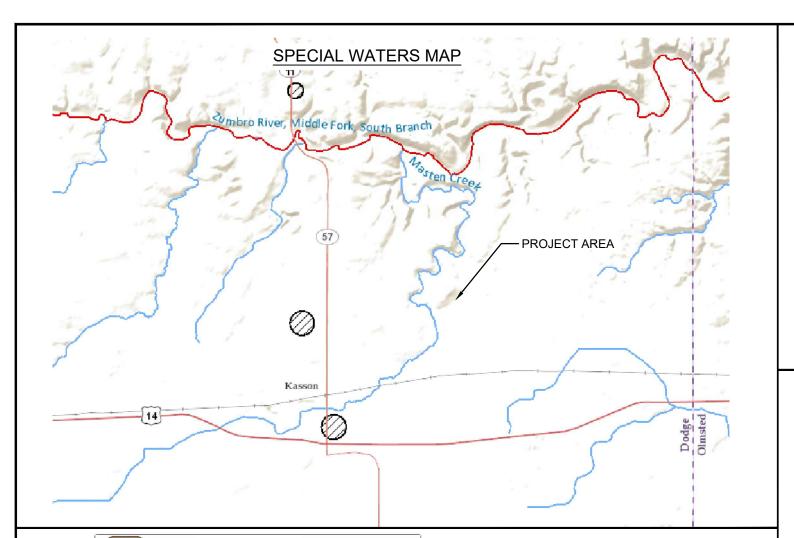
I hereby certify that this plan, specification or report was prepared by me or under my direct personal supervision and that I am a duly Licensed Professional Engineer under the lows of the State of Minnesota. PRELIMINARY ONLY – NOT FOR CONSTRUCTION Name						
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REVISIONS	DESCRIPTION					
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KOMET ACRES ASSON MINNESOTA 2021 SWPPP

SCALE: AS SHOWN WHKS PROJECT NO

DRAWN BY: CHECKED BY: JP/BT SHEE1

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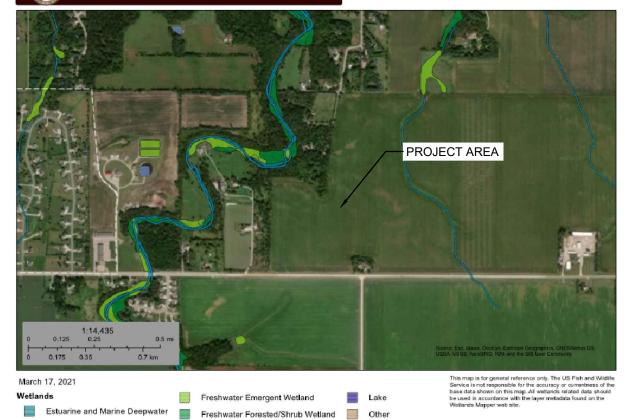


National Wetlands Inventory

Estuarine and Marine Wetland

Freshwater Pond

KOMET ACRES SITE



Riverine

National Wetlands Inventory (NWI) This page was produced by the NWI mapper

POLLUTION PREVENTION MEASURES

THE CONTRACTOR WILL IMPLEMENT THE POLLUTION PREVENTION MANAGEMENT MEASURES AS DIRECTED IN THE NPDES PERMIT AS PERTAINING TO SOLID WASTE, HAZARDOUS MATERIALS, EXTERNAL TRUCK WASHING, AND CONCRETE WASHOUT ON SITE.

SOLID WASTE: NON-HAZARDOUS WASTE SUCH AS COLLECTED SEDIMENT, FLOATING DEBRIS, PAPER, PLASTIC, FABRIC, CONSTRUCTION DEBRIS AND OTHER WASTES SHALL BE STOCKPILED AT AN APPROVED LOCATION. ALL NON-HAZARDOUS WASTE SHALL BE DISPOSED OF PROPERLY AND IN ACCORDANCE WITH MPCA REQUIREMENTS AND MNDOT SPECIFICATION 1717.A.4.

HAZARDOUS WASTE: ALL HAZARDOUS WASTE SUCH AS OIL, GASOLINE, PAINT AND ANY HAZARDOUS SUBSTANCES MUST BE PROPERLY STORED. STORAGE SHALL INCLUDING SECONDARY CONTAINMENT OR OTHER MEASURES TO PREVENT SPILLS, LEAKS OR OTHER DISCHARGES. ACCESS TO STORAGE AREAS MUST BE RESTRICTED TO PREVENT VANDALISM. STORAGE AND DISPOSAL OF HAZARDOUS WASTE MUST COMPLY WITH MANUFACTURERS' RECOMMENDATIONS AND THE

CONSTRUCTION VEHICLE WASHING: EXTERNAL WASHING OF TRUCKS AND CONSTRUCTION VEHICLES WILL NOT BE ALLOWED ON SITE. ENGINE DEGREASING IS NOT ALLOWED ON SITE.

FUELING AND SPILL PLAN: THE CONTRACTOR SHALL HAVE A FUELING OPERATION PLAN AND A PLAN IN THE EVENT OF A SPILL

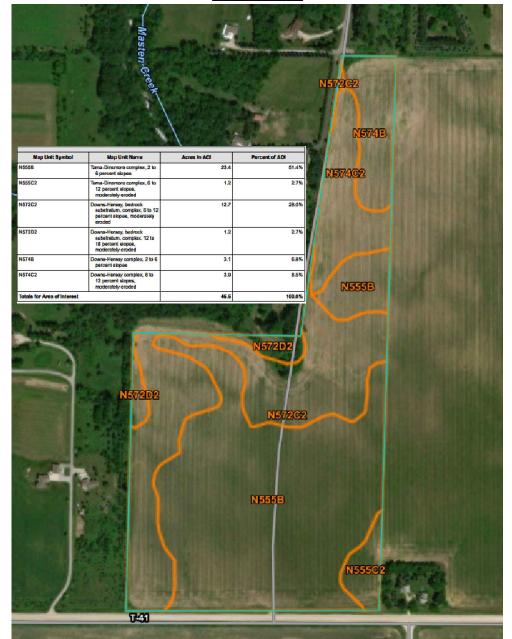
CHEMICAL TREATMENT PLAN: THE CONTRACTOR SHALL HAVE A CHEMICAL TREATMENT PLAN THAT INCLUDES CHEMICALS USED FOR FLOCCULATION

SANITARY AND SEPTIC WASTE: PORTABLE TOILETS ON THE SITE MUST BE SECURED AND SANITARY WASTE DISPOSAL WILL COMPLY WITH THE MPCA SEPTAGE MANAGEMENT GUIDELINES INCORPORATING 40 CFR PART 503.

FOR CONCRETE WASHOUT ON SITE, ALL LIQUID AND SOLID WASTES GENERATED BY CONCRETE WASHOUT OPERATIONS MUST BE CONTAINED IN A LEAK-PROOF CONTAINMENT FACILITY OR IMPERMEABLE LINER. A COMPACTED CLAY LINER THAT DOES NOT ALLOW WASHOUT LIQUIDS TO ENTER GROUND WATER IS CONSIDERED AN IMPERMEABLE LINER. THE LIQUID AND SOLID WASTES MUST NOT CONTACT THE GROUND, AND THERE MUST NOT BE RUNOFF FROM THE CONCRETE WASHOUT OPERATIONS OR AREAS. LIQUID AND SOLID WASTES MUST BE DISPOSED OF PROPERLY AND IN COMPLIANCE WITH MPCA REGULATIONS. A SIGN MUST BE INSTALLED ADJACENT TO EACH WASHOUT FACILITY TO INFORM CONCRETE EQUIPMENT OPERATORS TO UTILIZE THE PROPER FACILITIES.

THESE MANAGEMENT MEASURES FOR POLLUTION PREVENTION WILL BE STRICTLY ENFORCED.

SOILS MAP



I hereby certify that this plan,	or report was prepared by me my direct personal supervision o	am a duly Licensed Profession	under the laws of the State of	PRELIMINARY UNLY - NOT FOR CONS	© E D V	ON egreci I
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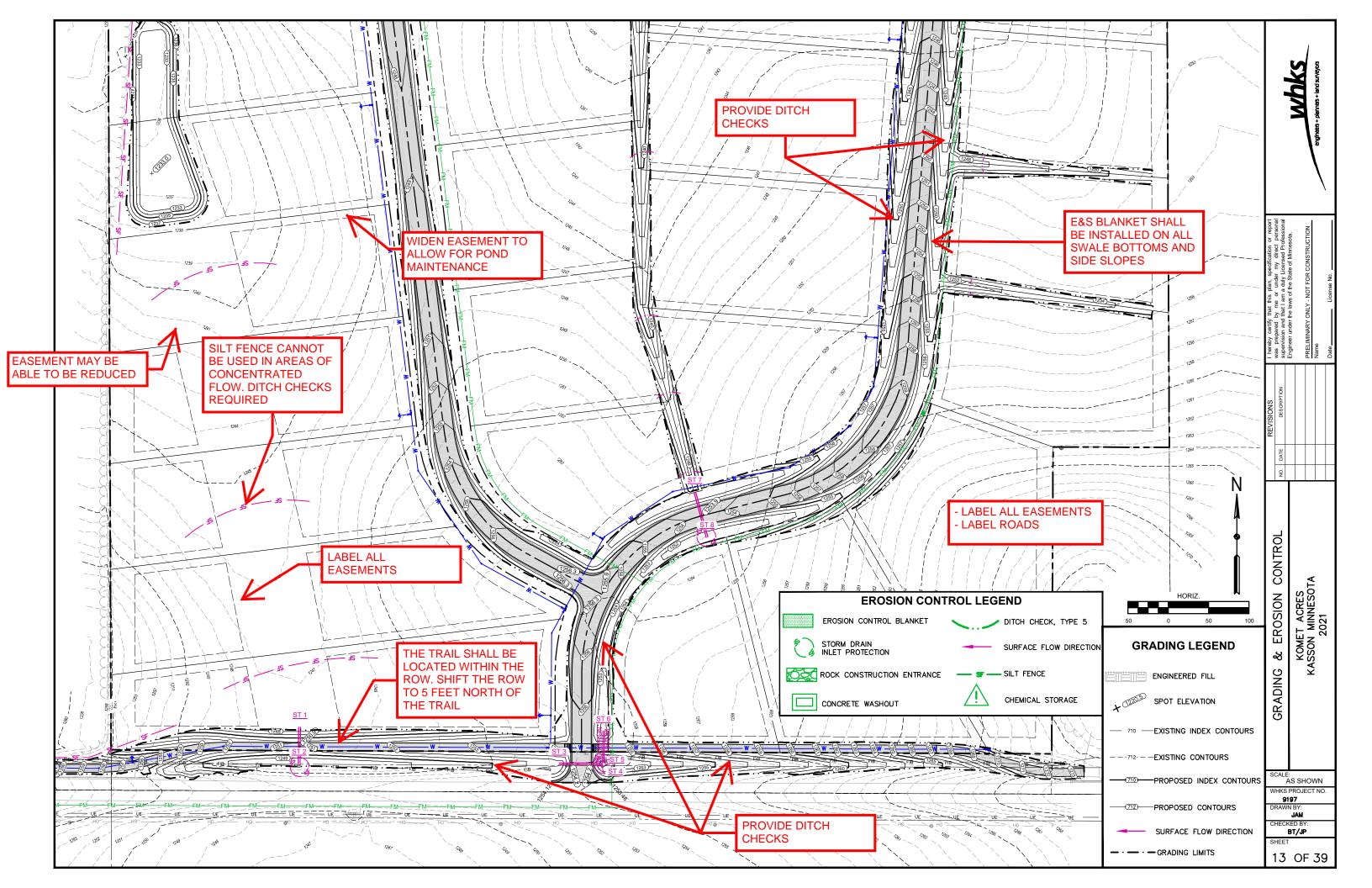
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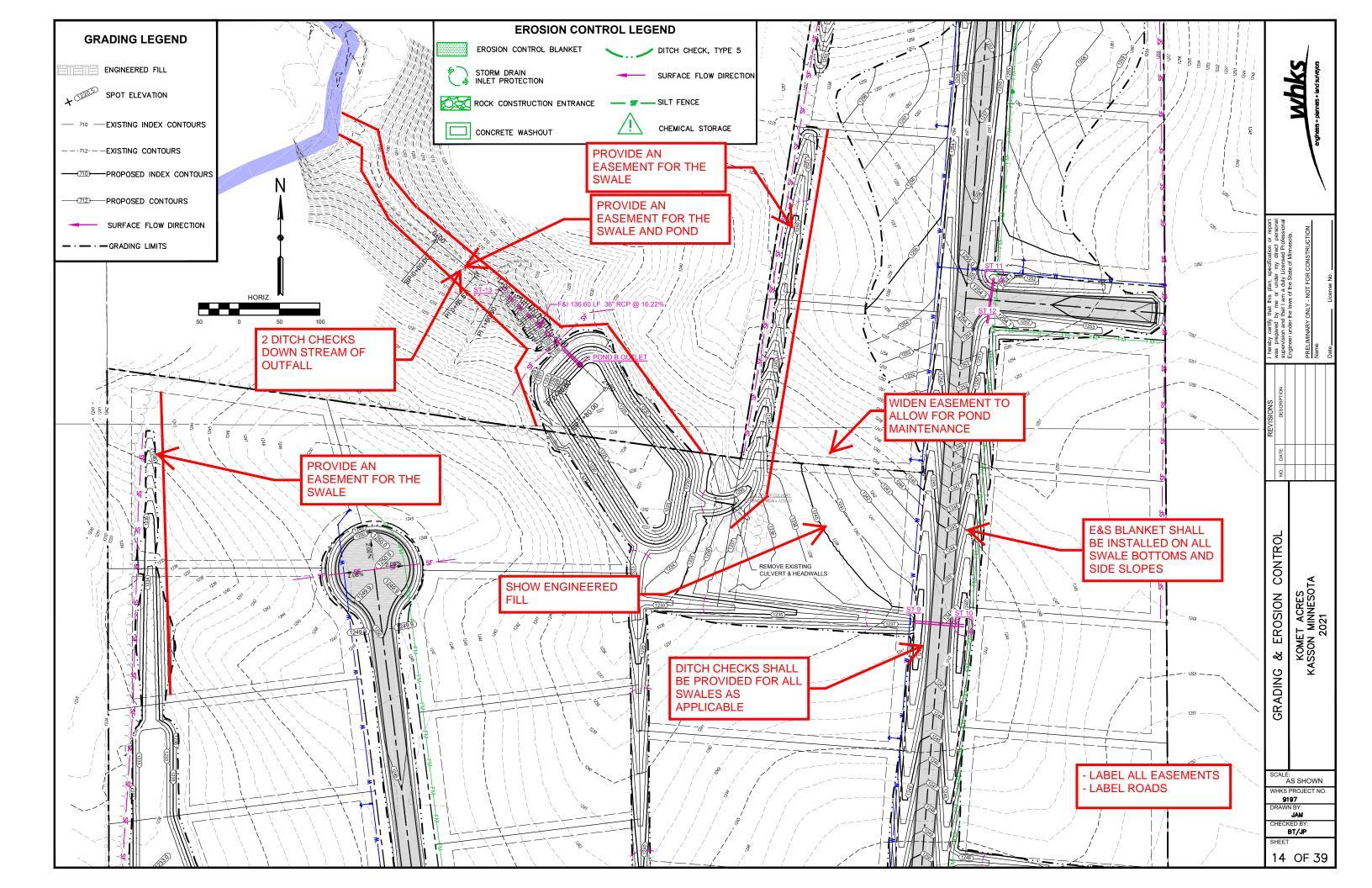
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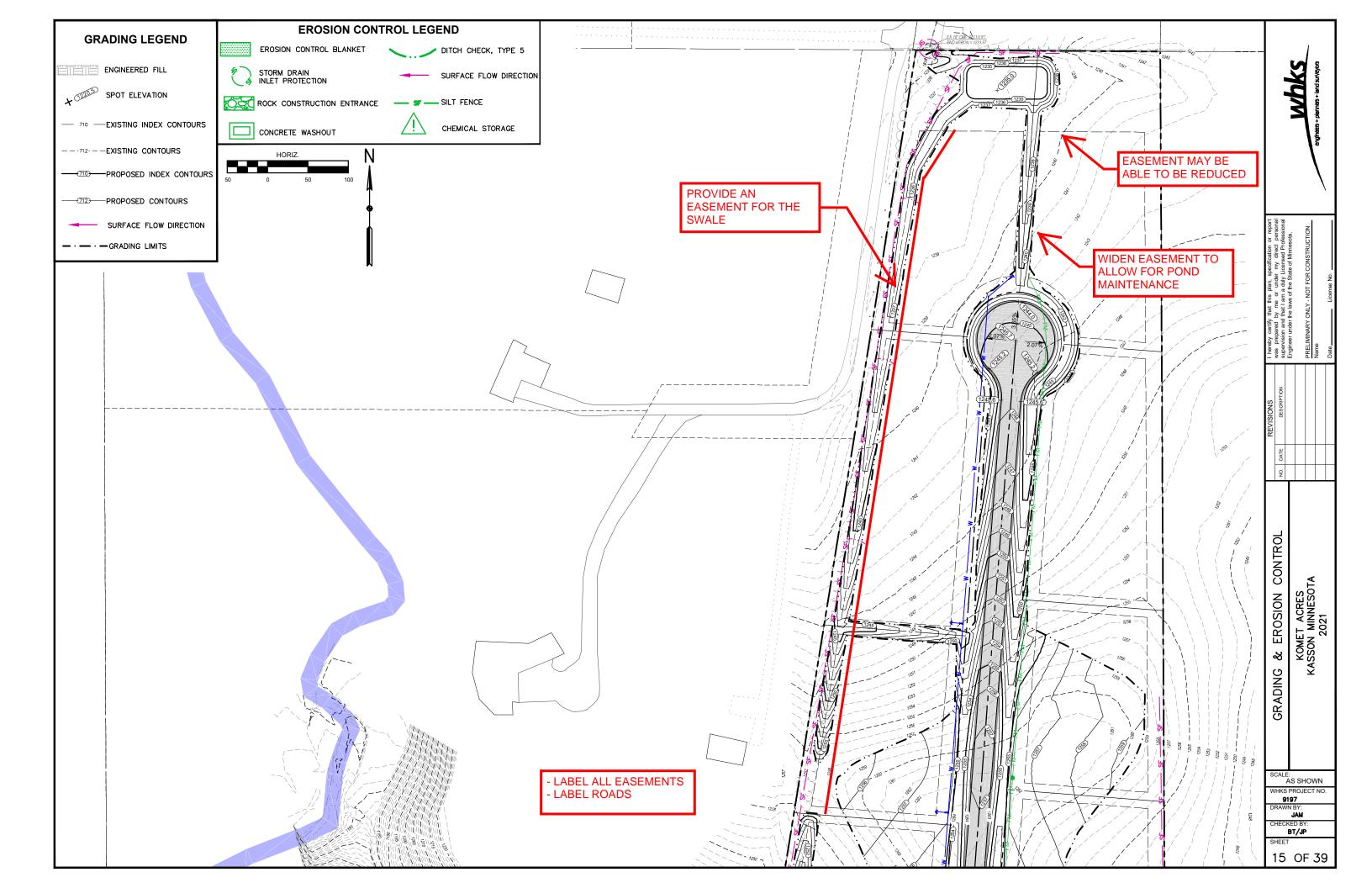
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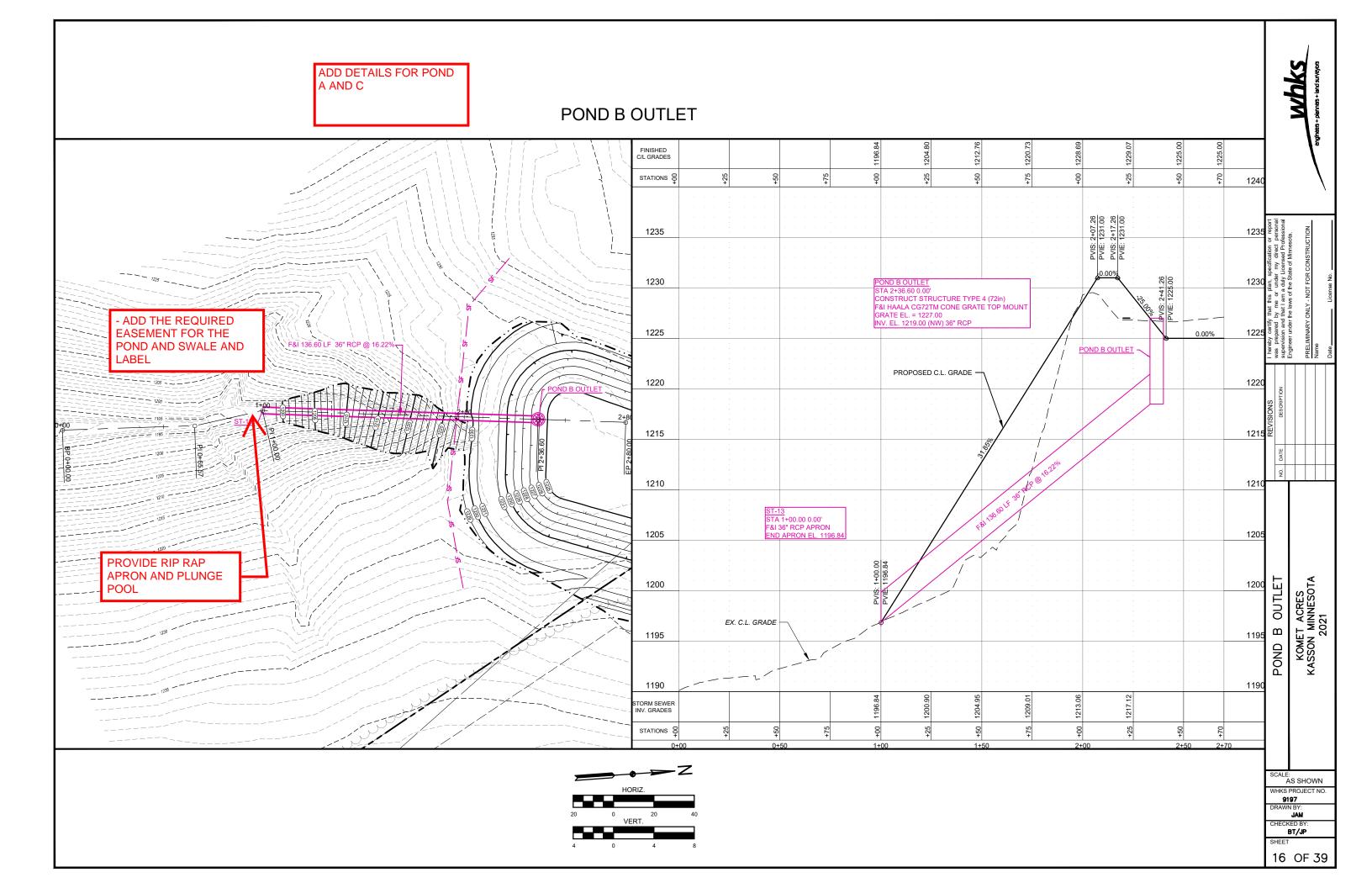
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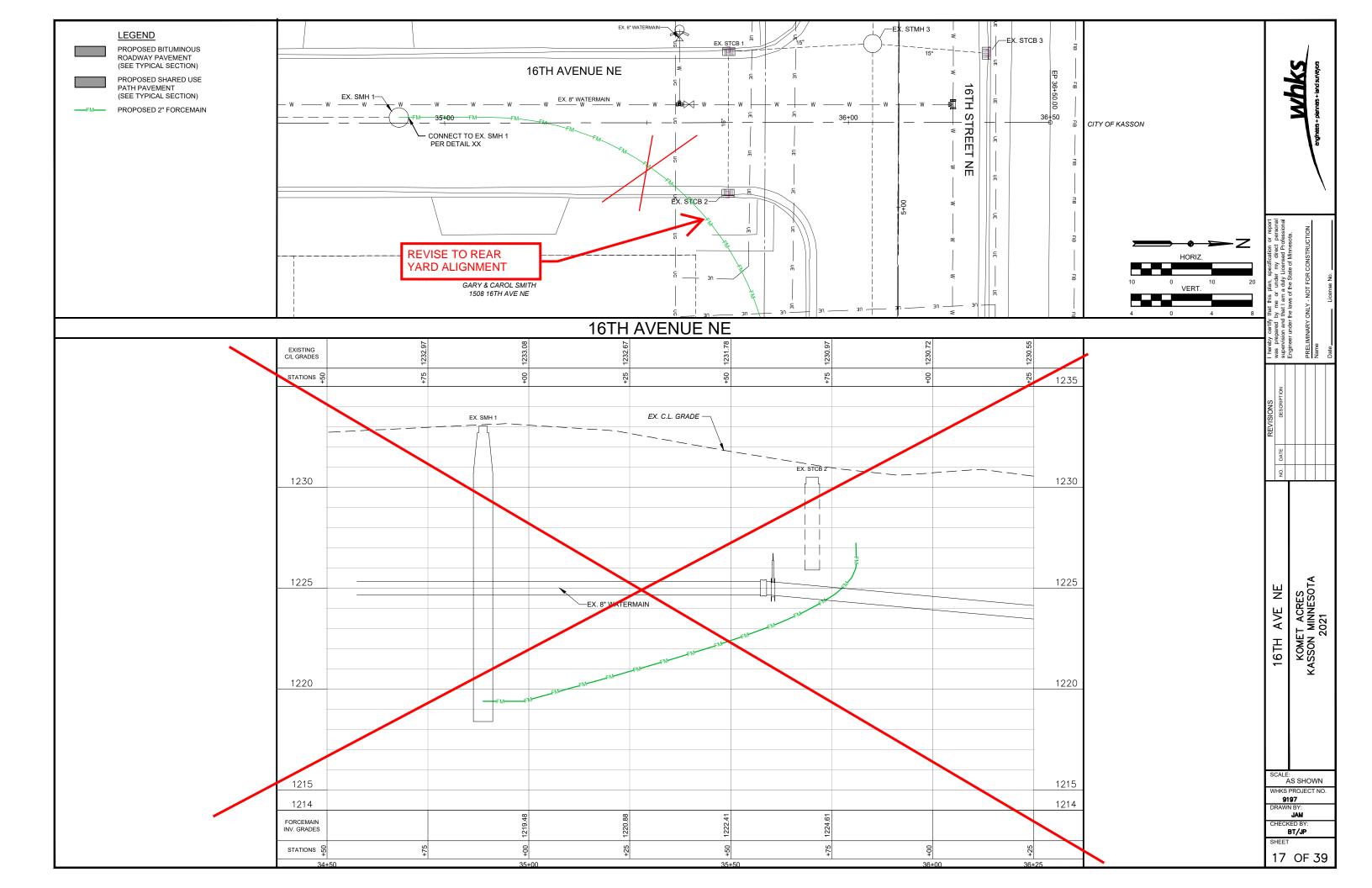
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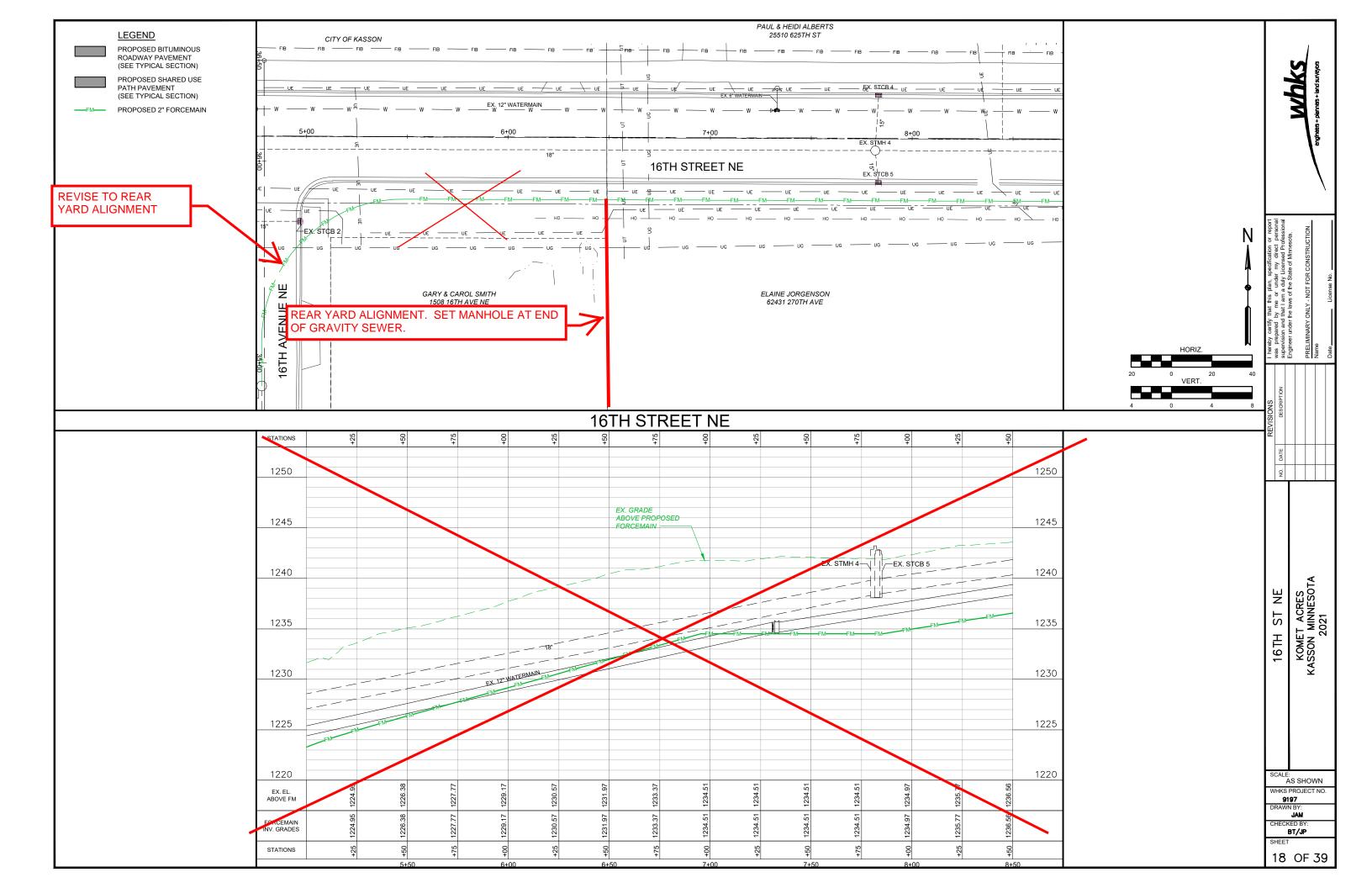


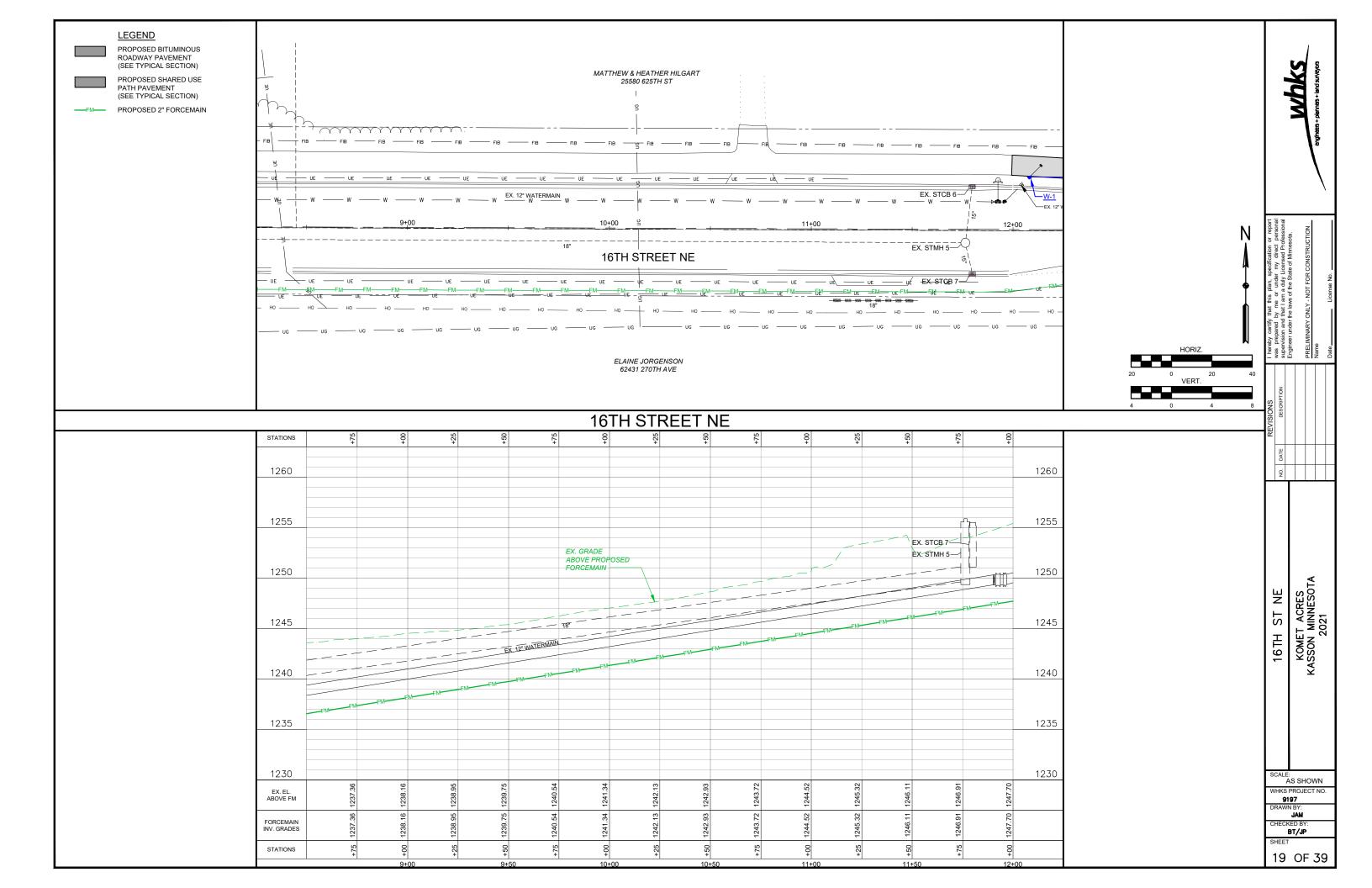


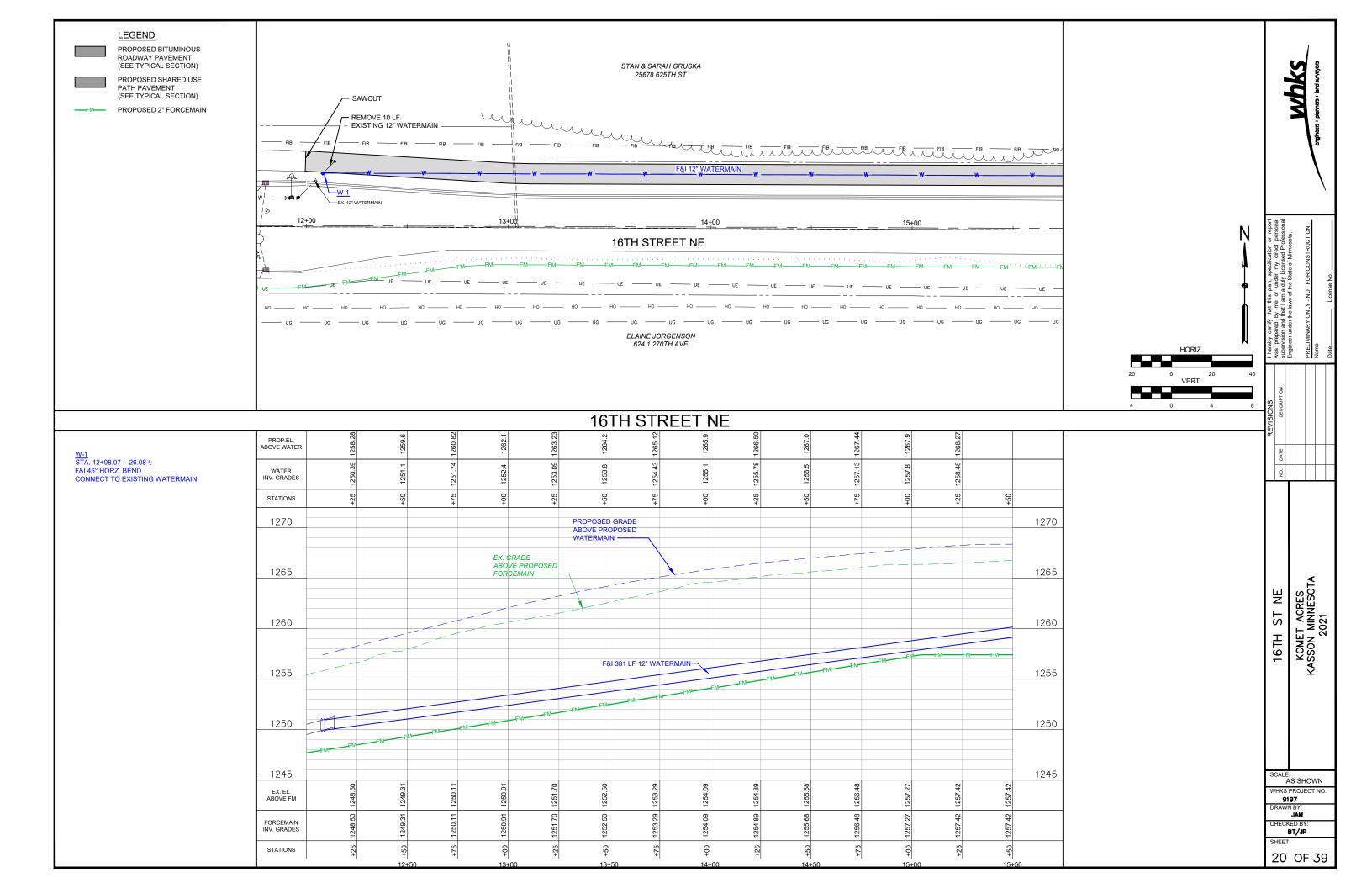


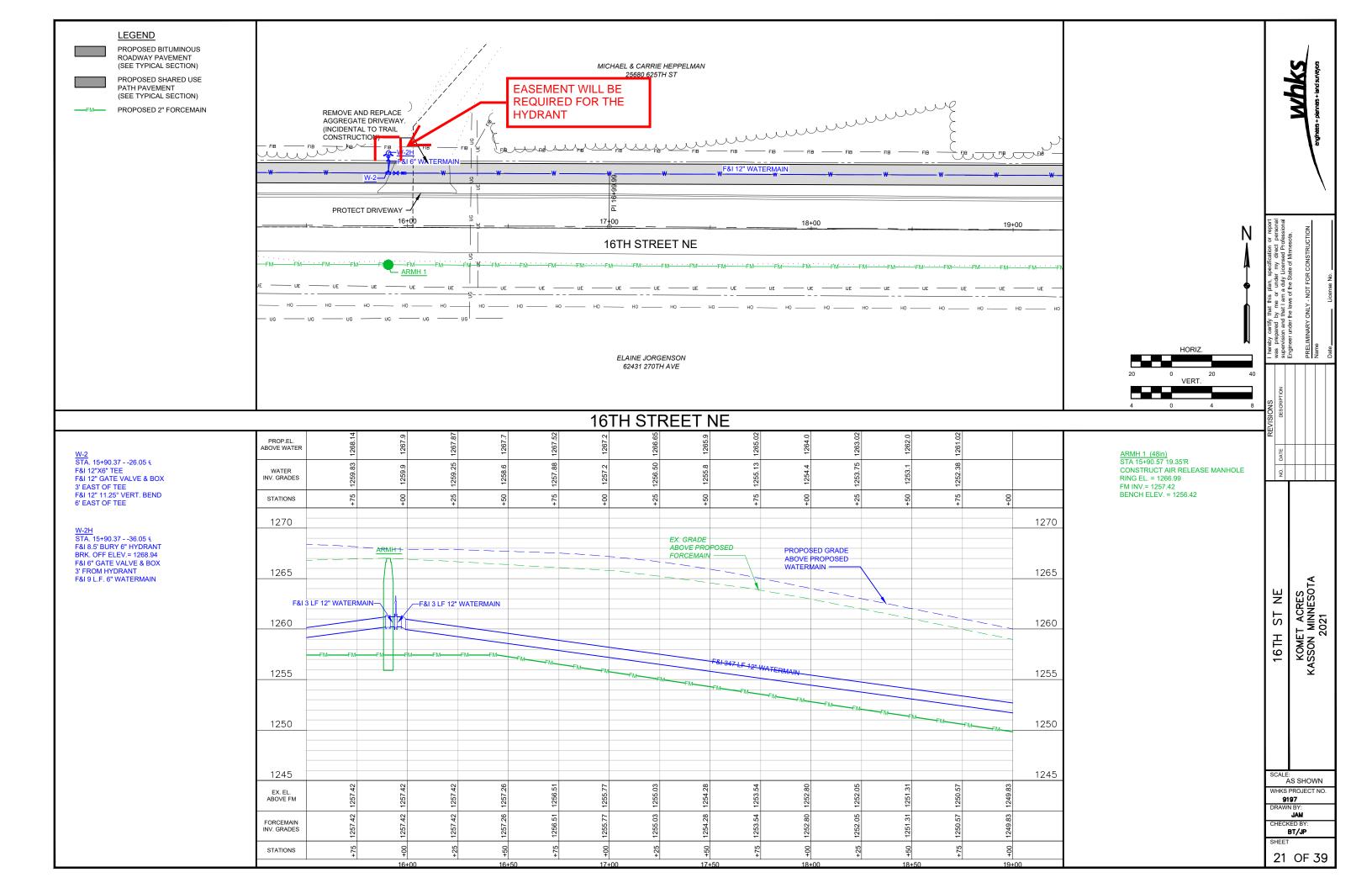


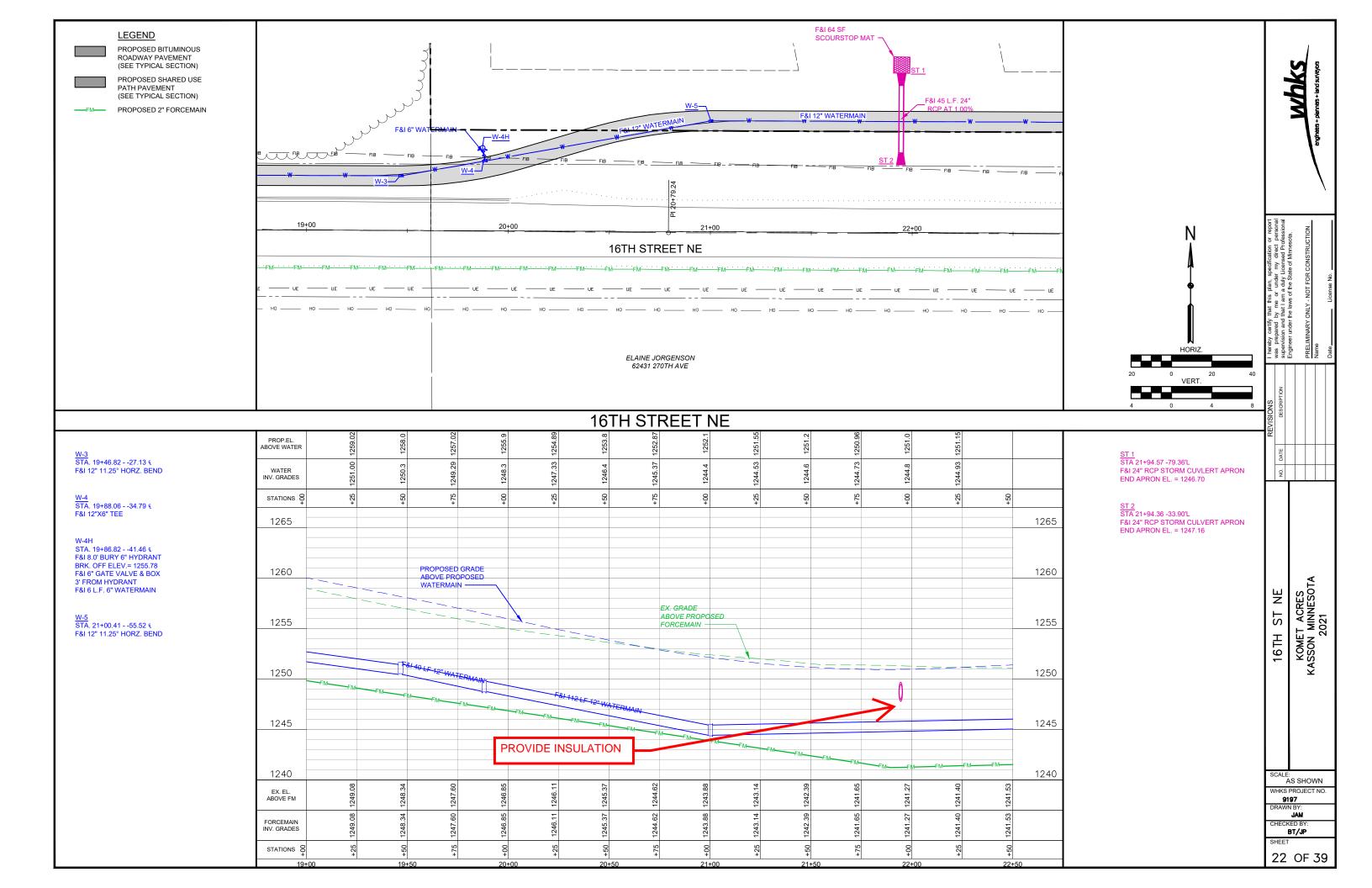


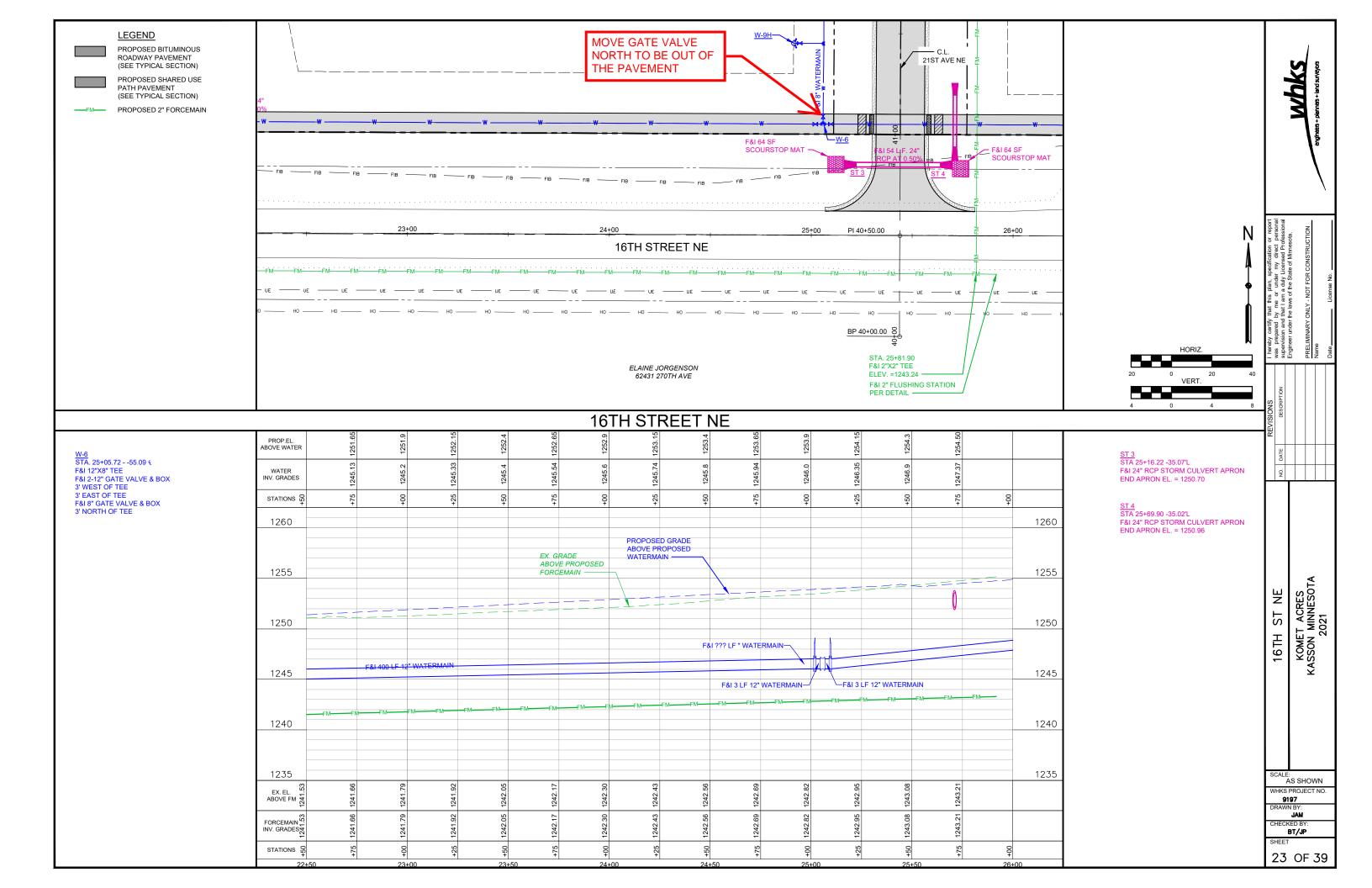


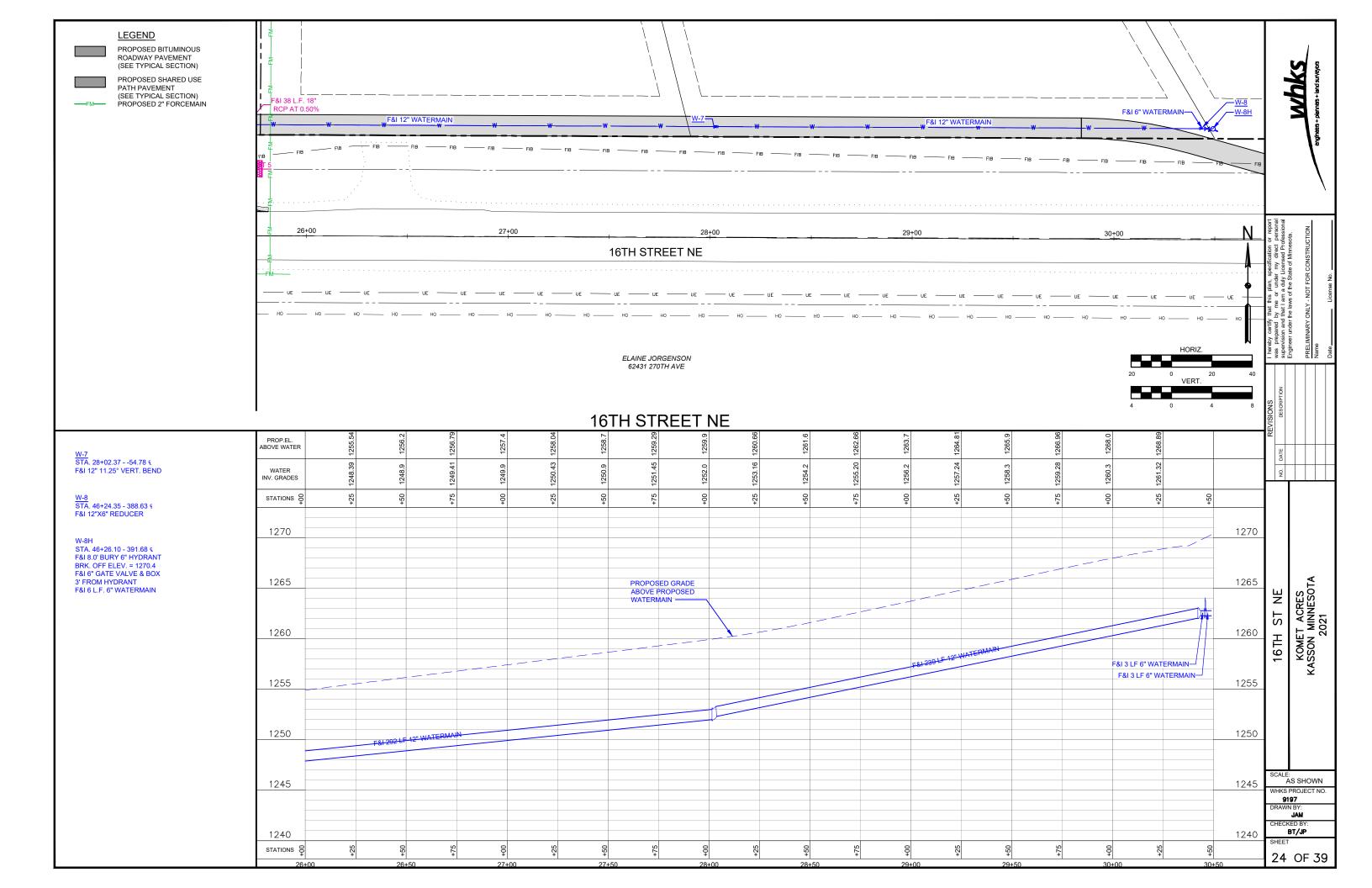


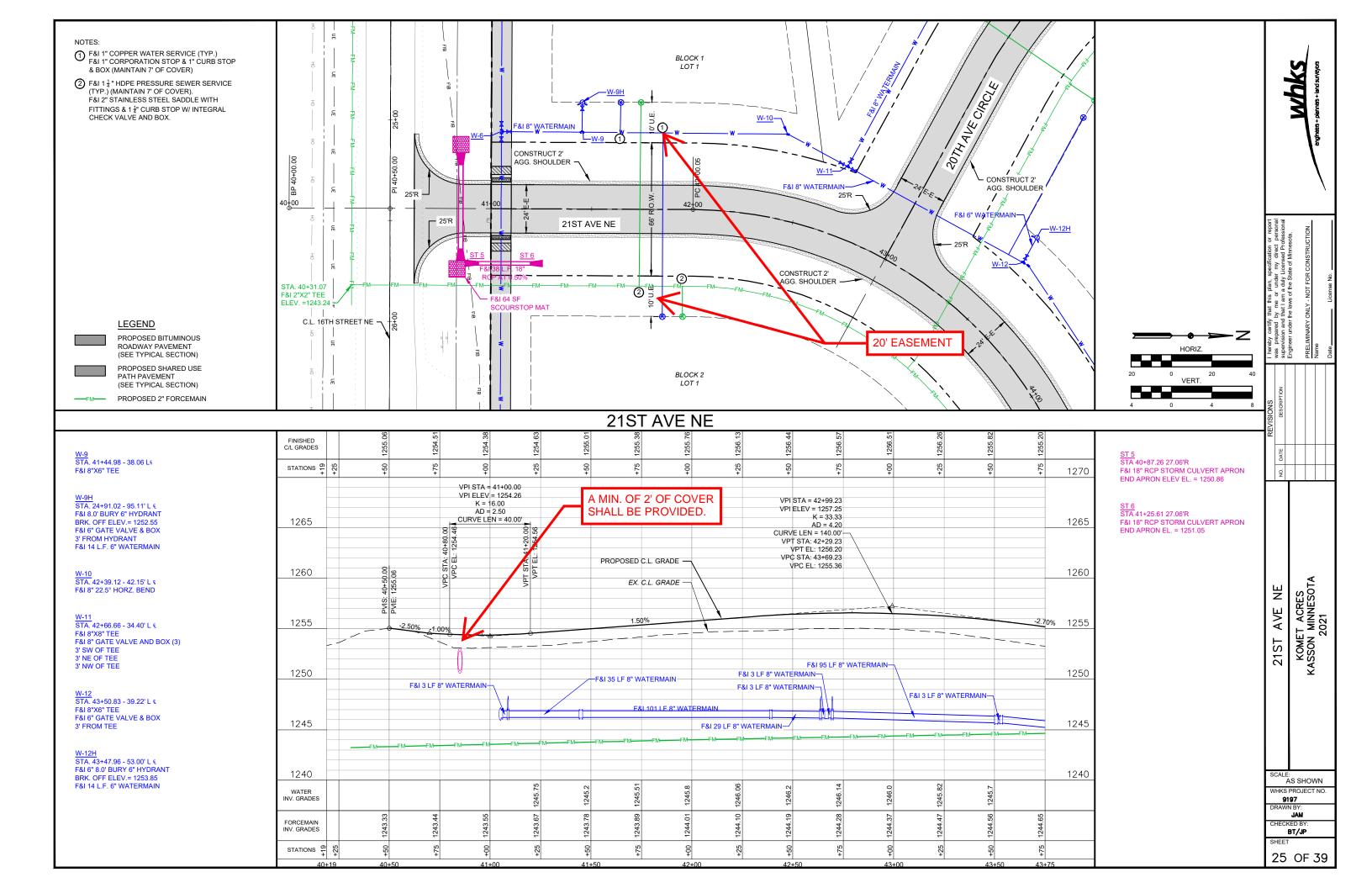


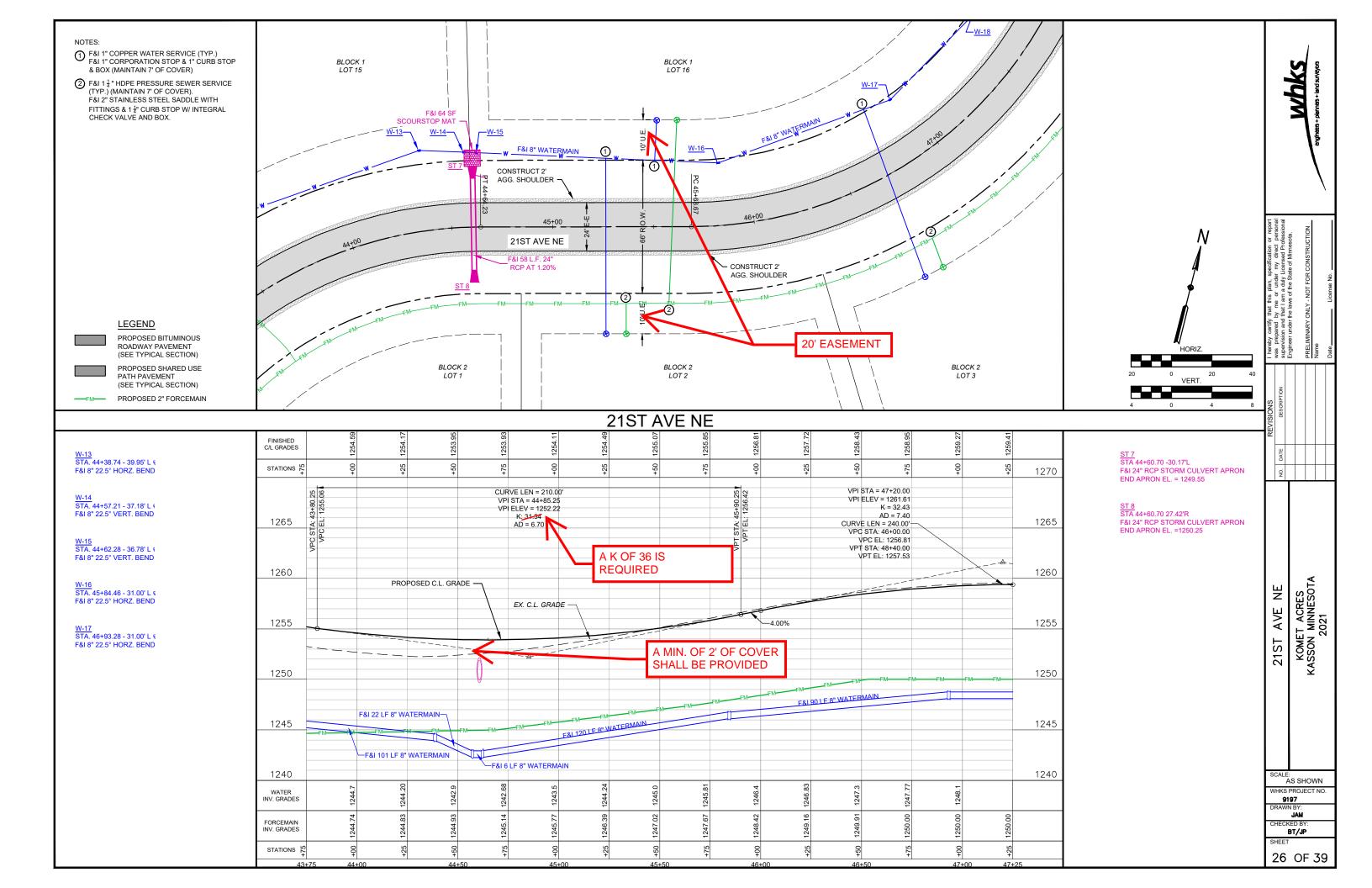


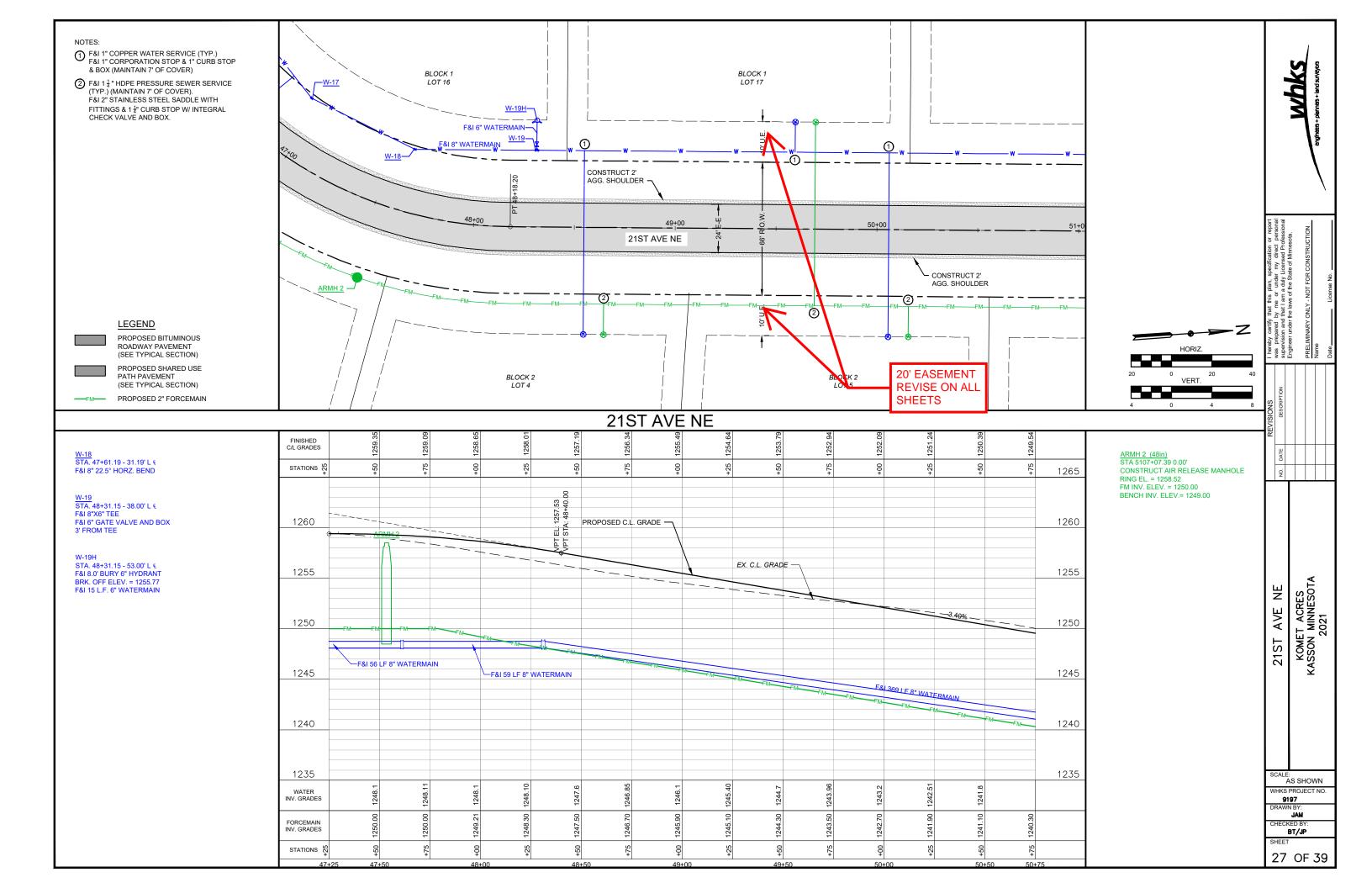


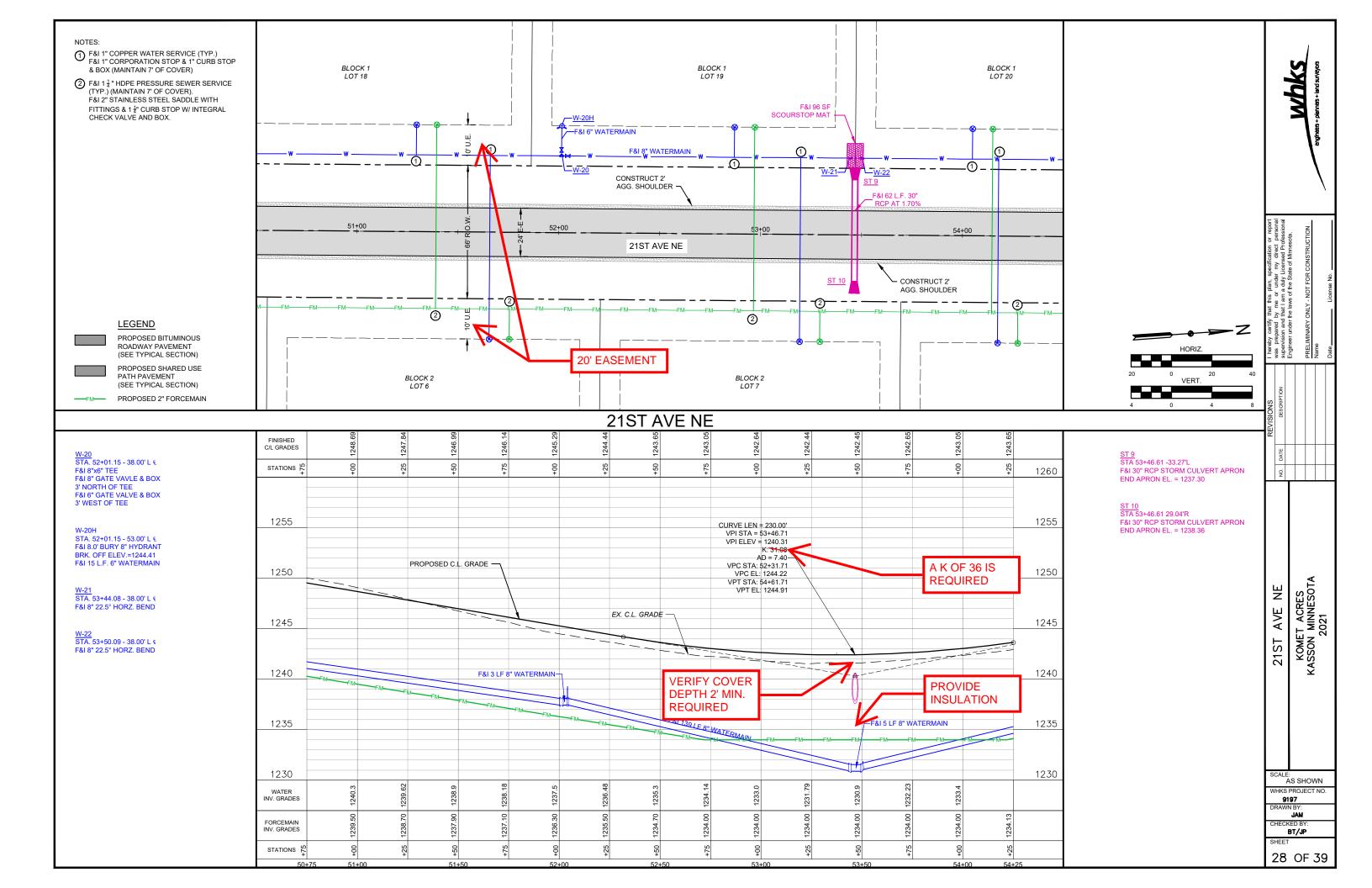


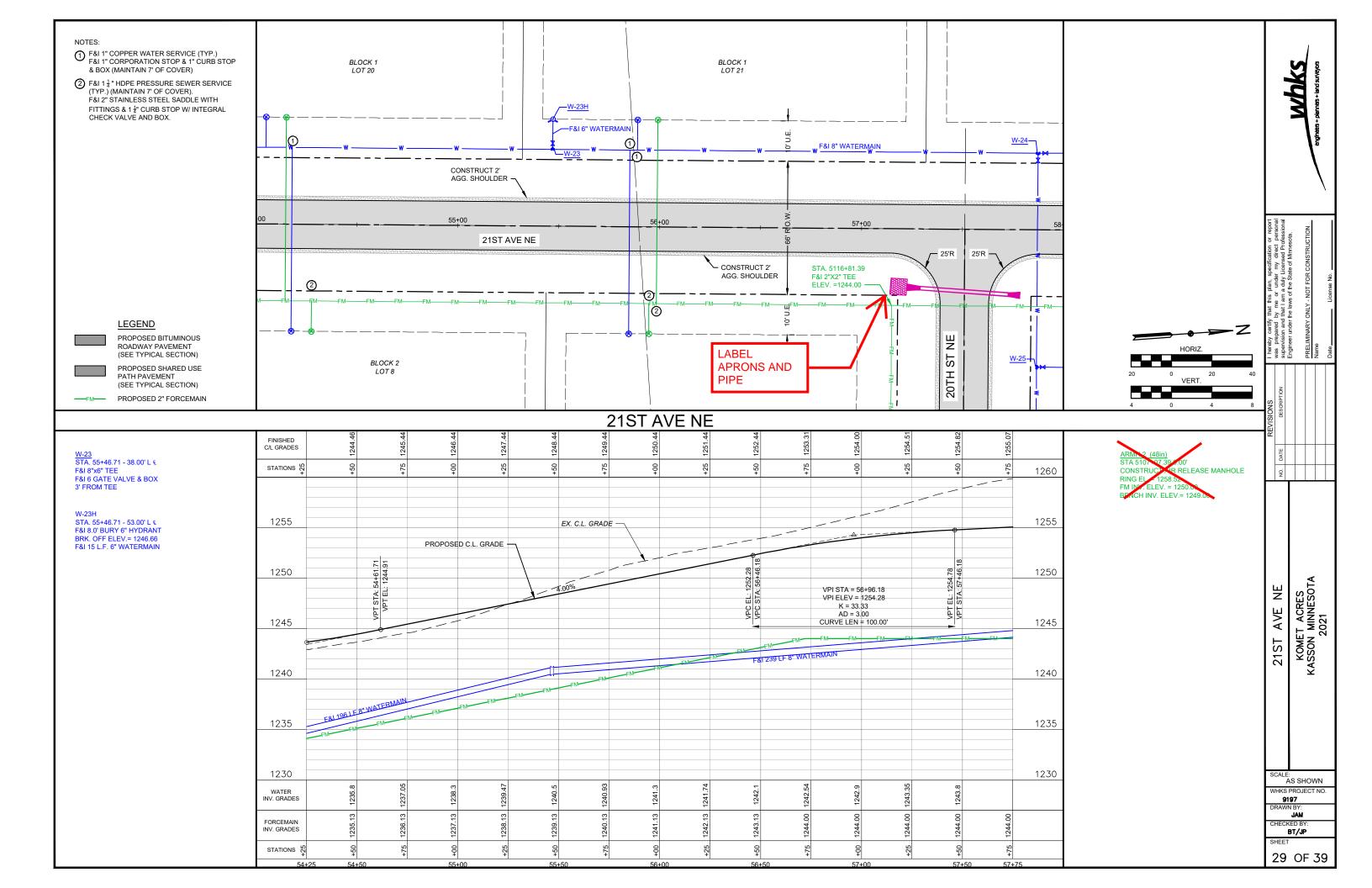


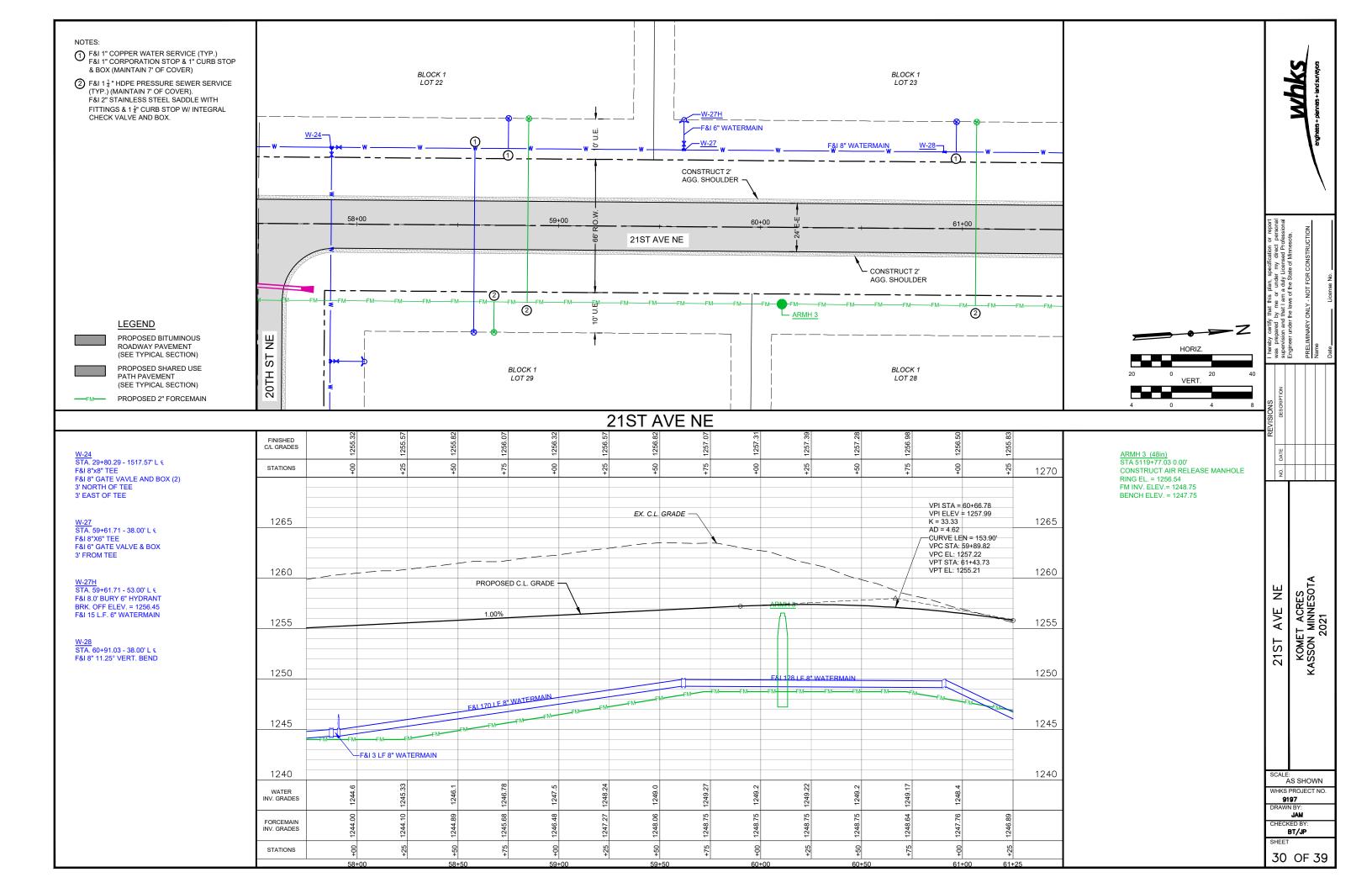


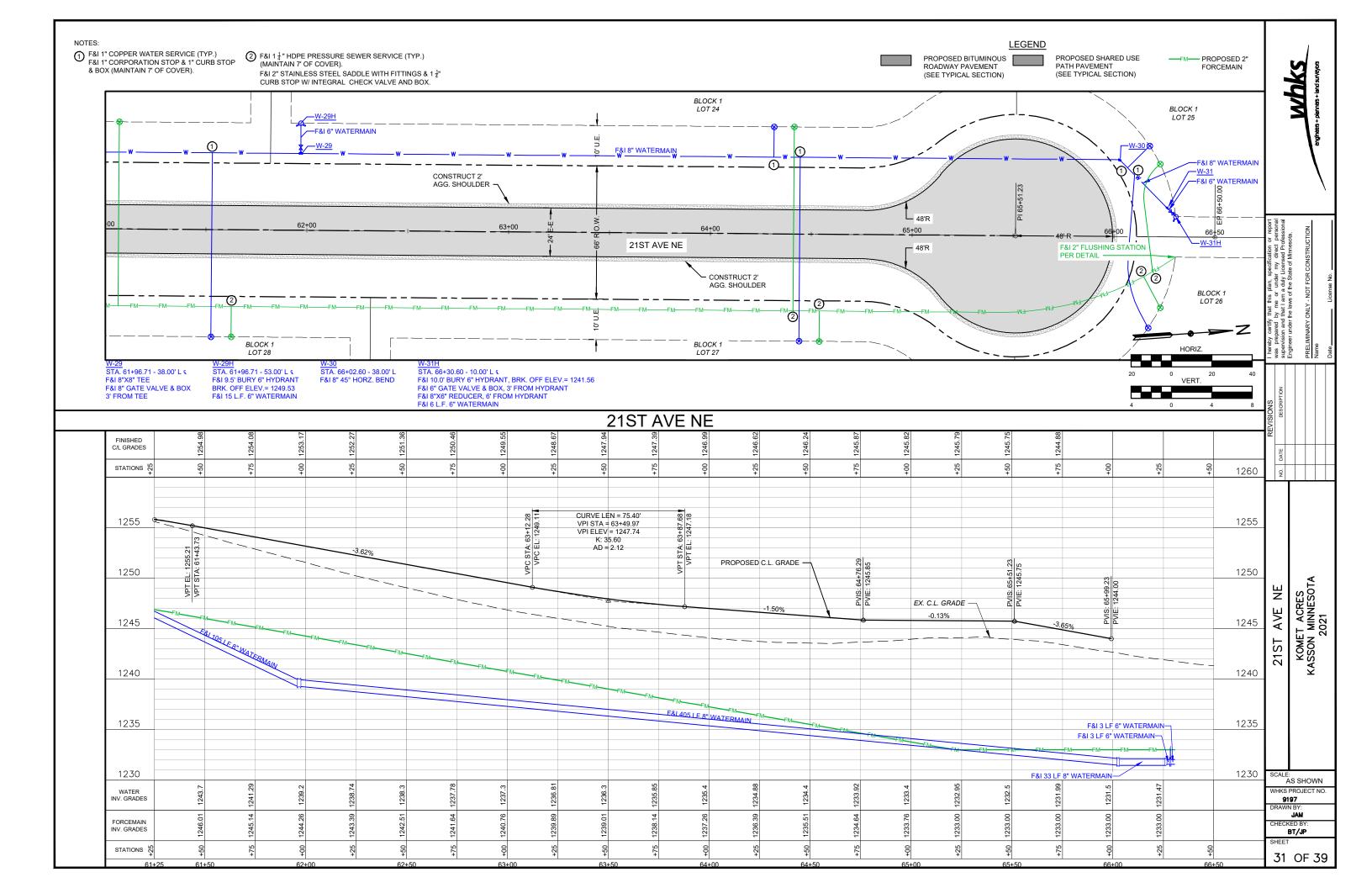


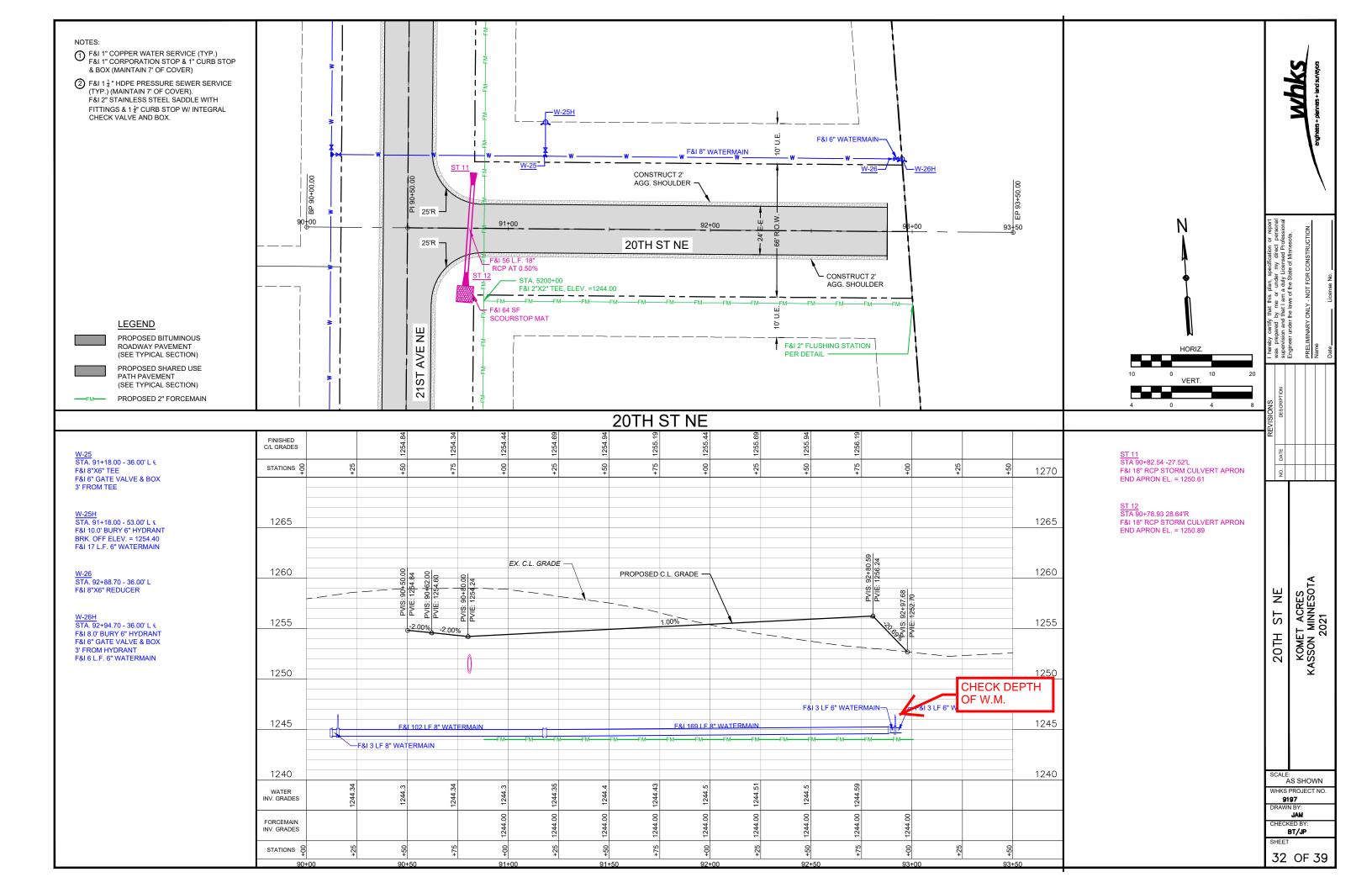


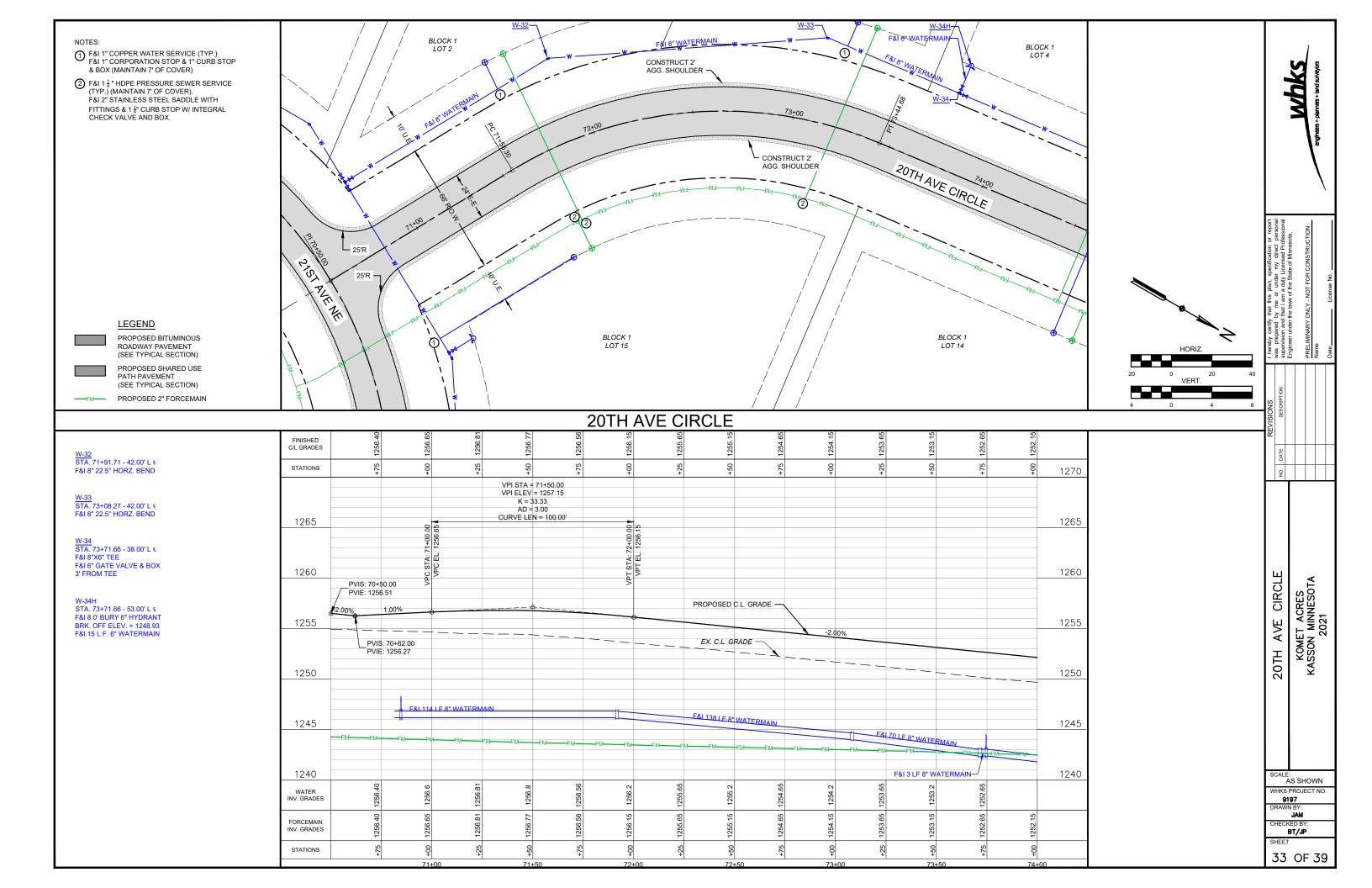


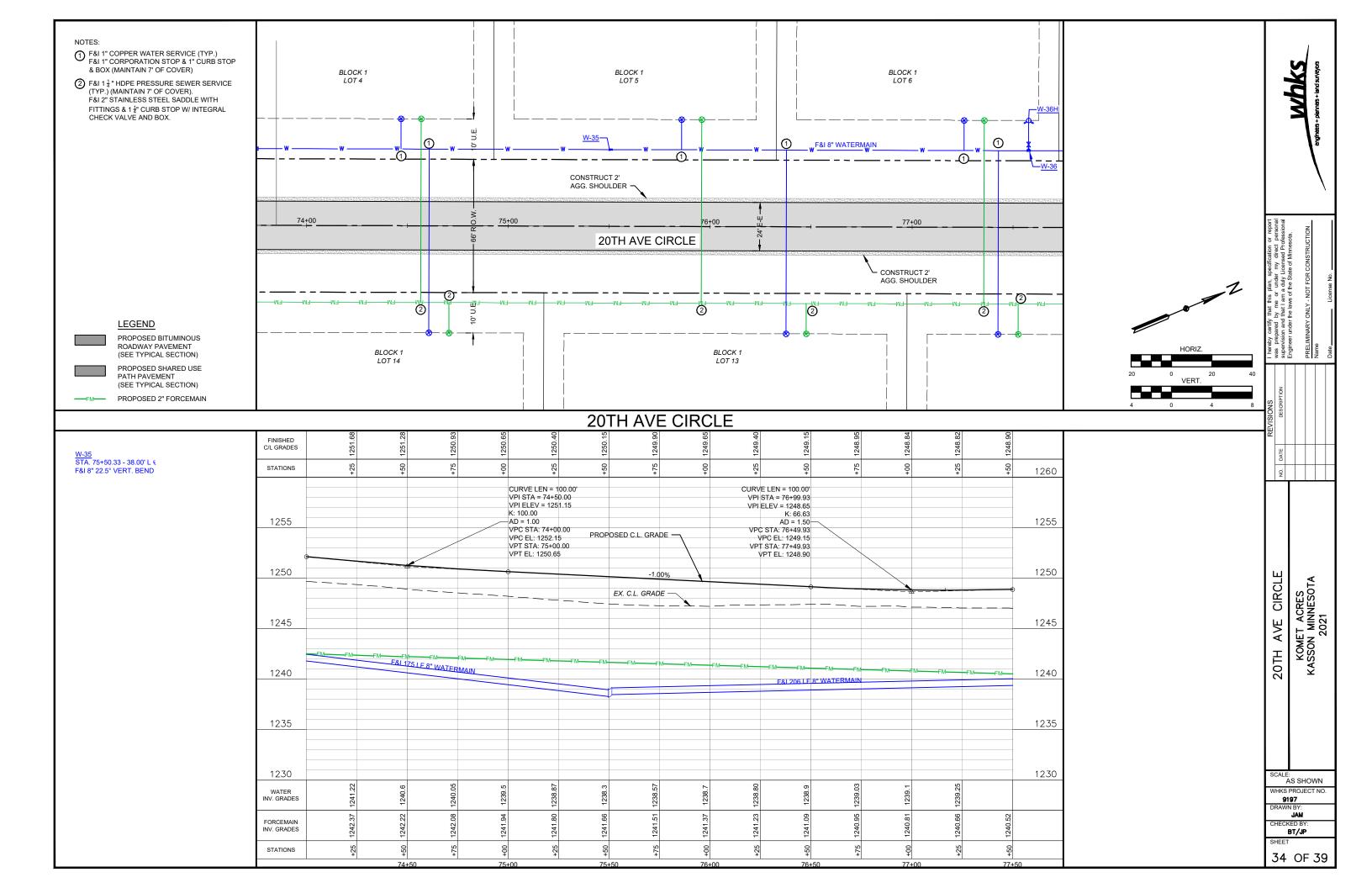


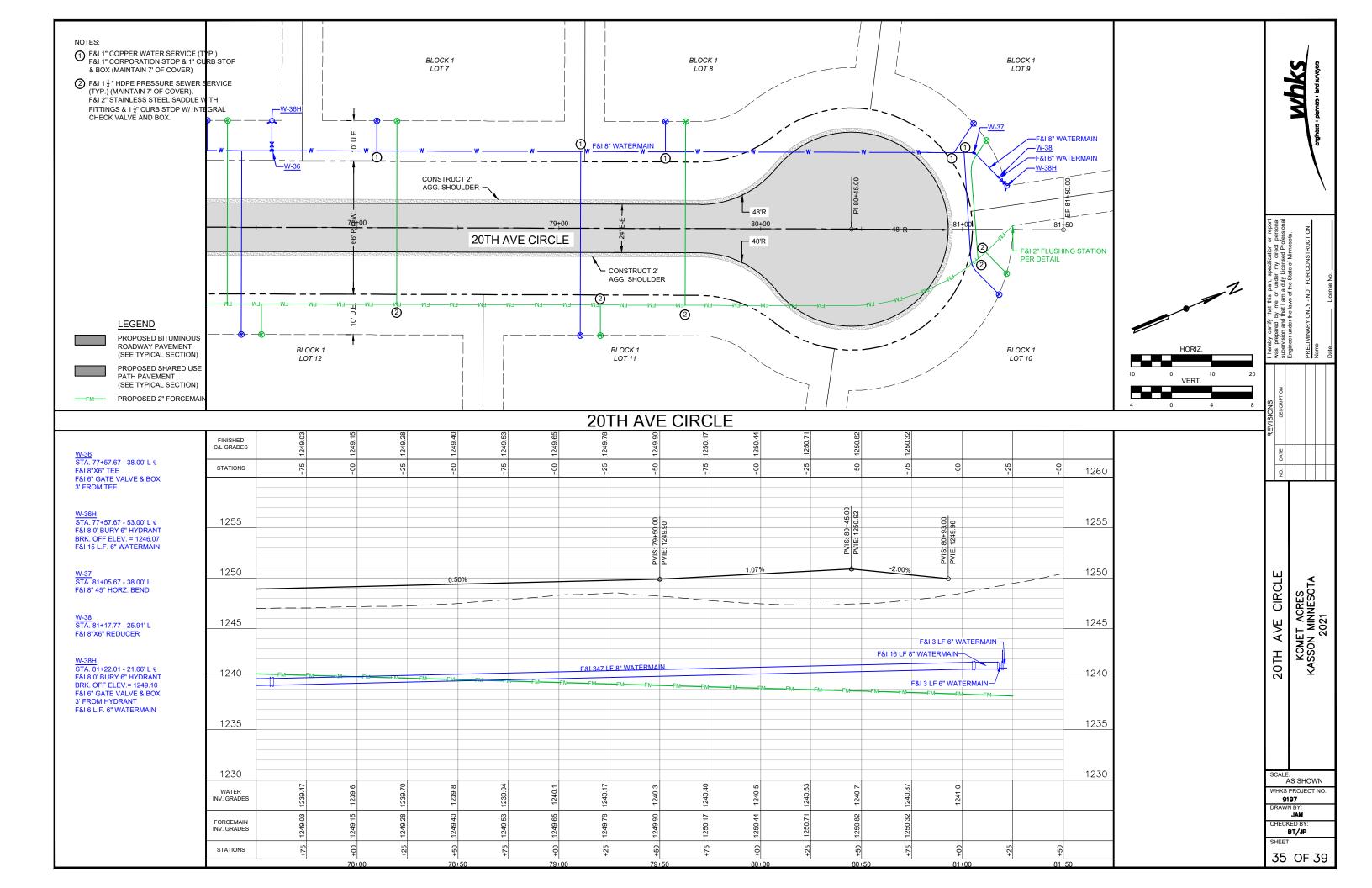


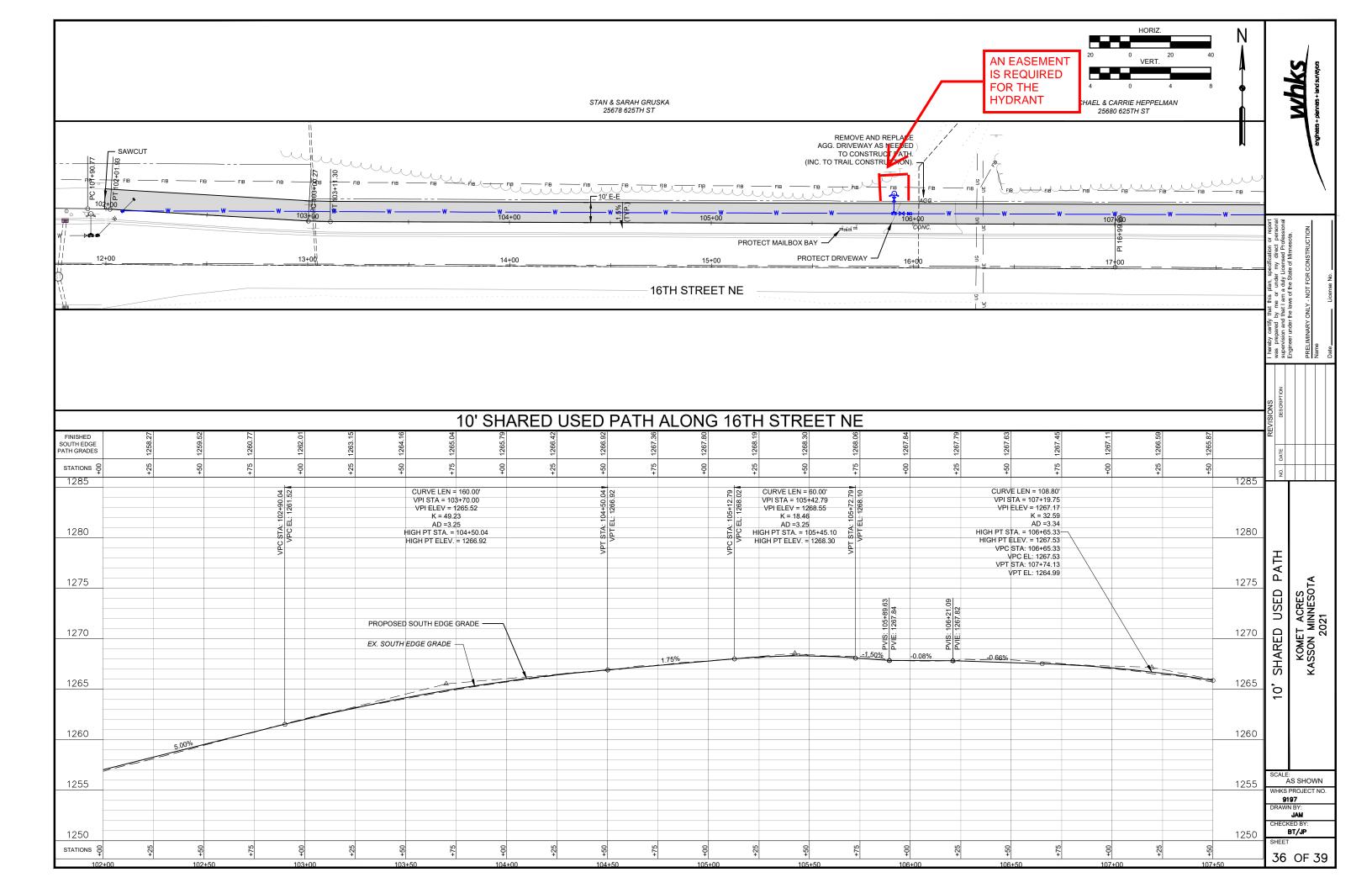


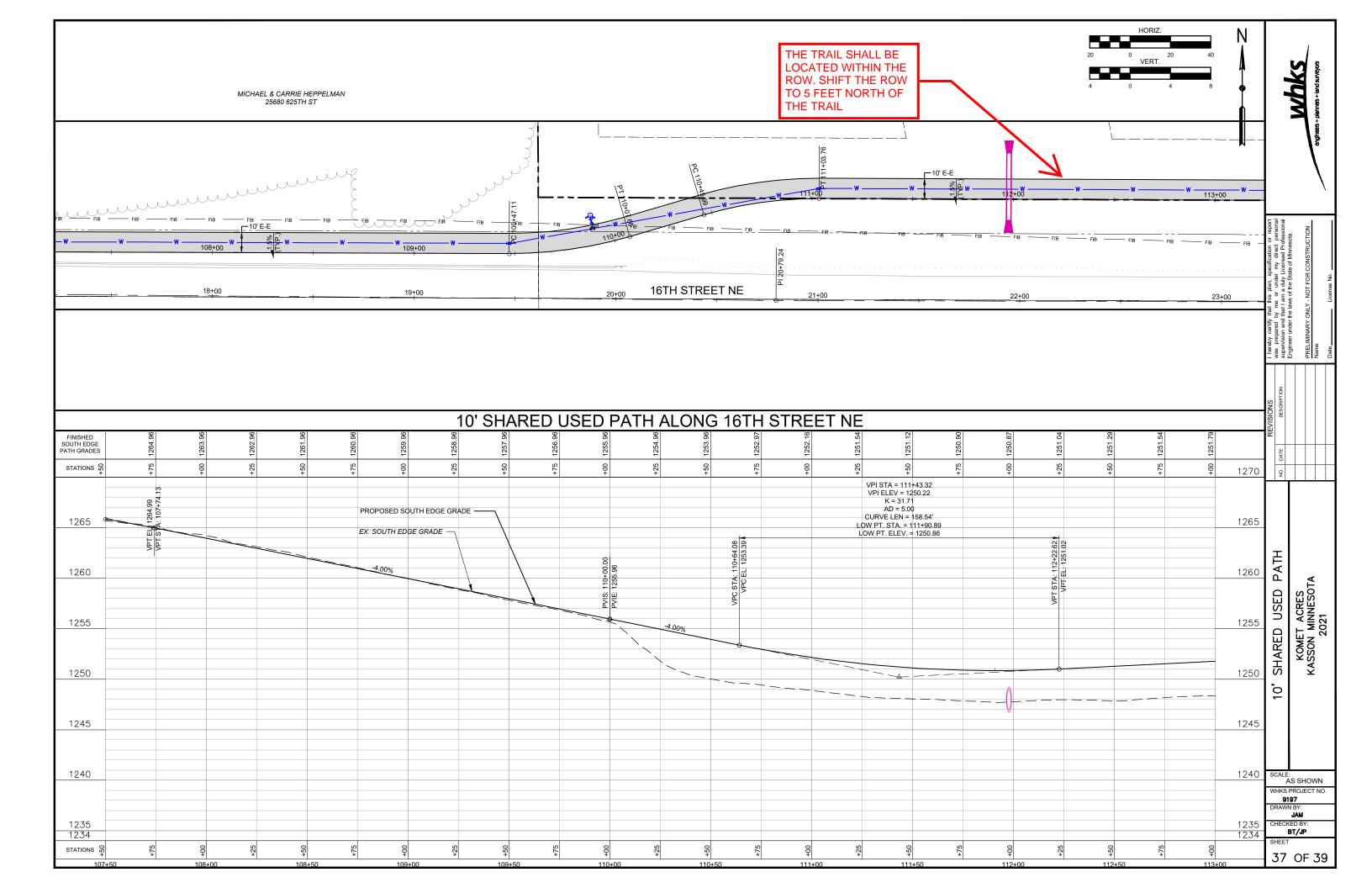


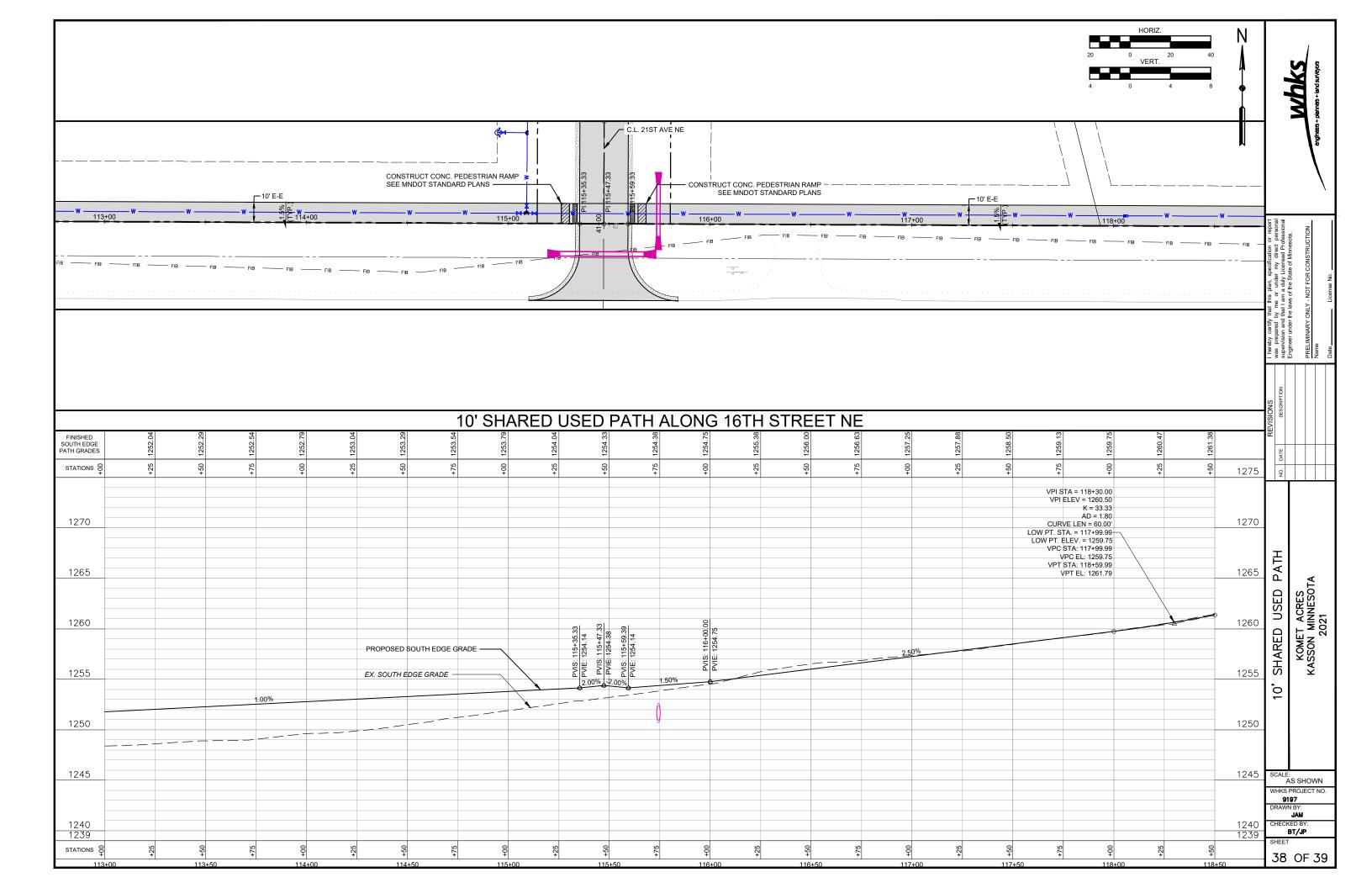


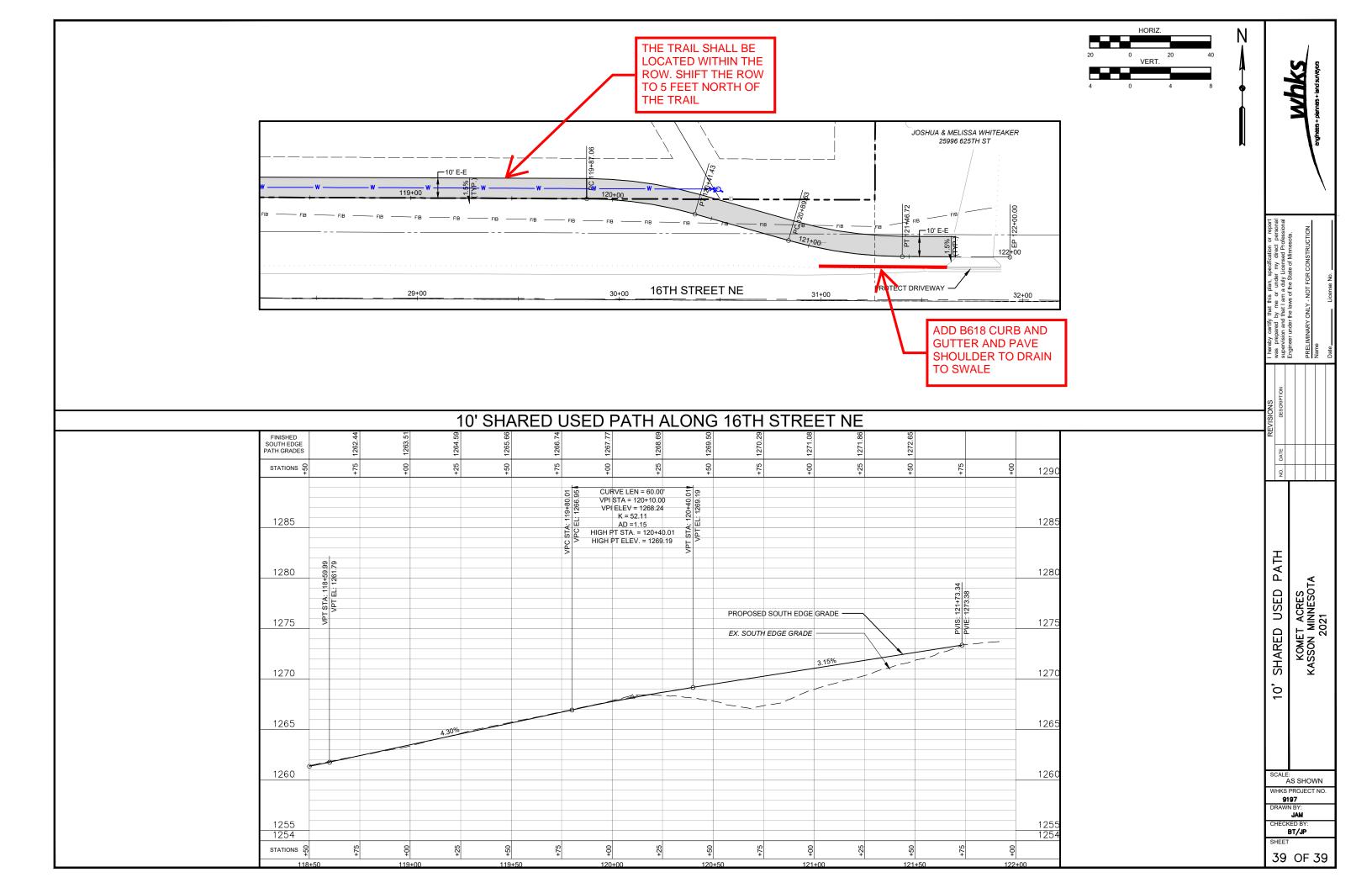












CHAPTER 90: ANIMAL CONTROL

Section

General Provisions

90.01	Definitions
90.02	Dog license required; tags
90.03	Keeping or harboring prohibited
90.04	Animals at large
90.05	Barking, nuisances, property damage and fecal clean-up
90.06	Rabies control
90.07	Dangerous and potentially dangerous animals
90.08	Dangerous animals
90.09	Potentially dangerous animals
90.10	Animal biting; quarantine
90.11	Animals subject to impoundment
90.12	Redemption
90.13	Disposition of unredeemed animals
90.14	Interference with officers
90.15	Service animals
90.16	Kennels; license required
	Chickens
90.30	Definitions
90.31	Purpose and intent
90.32	Permit required; number limited
90.33	Conditions and restrictions
90.34	Confinement
90.35	Sanitary conditions
90.36	Inspections
90.99	Penalty

GENERAL PROVISIONS

§ 90.01 DEFINITIONS.

As used in this chapter, unless the context otherwise indicates, the following words shall be defined to mean:

ANIMAL CONTROL OFFICER. The city staff charged with the duty of picking up and impounding unlicensed dogs, strays, and abandoned animals as herein provided.

ANIMAL SHELTER. Any premises designated by the city for the purpose or impounding or caring for animals held under the authority of this chapter.

AT LARGE. Off the premises of the owner and not under the control of the owner, or other competent person, by leash not exceeding eight feet in length.

DANGEROUS ANIMAL. An animal that has:

- (1) Without provocation, inflicted substantial bodily harm on a human being on public or private property; or
- (2) Killed or caused substantial bodily harm to a domestic animal without provocation while off the owner's property; or
- (3) Been found to be potentially dangerous, and after the owner has notice that the animal is potentially dangerous, the animal aggressively bites, attacks, or endangers the safety of humans or domestic animals; or
- (4) Been declared a dangerous dog pursuant to Minnesota Statutes by the animal control authority of another jurisdiction.

DOMESTIC ANIMAL. Any various non-venomous animals domesticated so as to live and breed in a tame condition. Domestic animals do not include any animal considered **NON-DOMESTIC** as defined by this section. **DOMESTIC ANIMALS** are limited to:

- (1) Dogs;
- (2) Cats;
- (3) Rabbits;
- (4) Ferrets;
- (5) Any of the class of Aves (birds) that are caged and otherwise kept inside the residence, specifically excluding poultry;
 - (6) Any of the order of Rodentia such as mice, rats, gerbils, hamsters, chinchillas and guinea pigs;

- (7) Any of the class of Reptilia such as snakes, lizards, and turtles excepting those meeting the **NON-DOMESTIC ANIMAL** definition; and
- (8) Any of the class of Amphibian such as salamanders, frogs, toads excepting those meeting the NON-DOMESTIC ANIMAL definition.

KENNEL. Any place, building, tract of land, abode, or vehicle where four or more dogs over the age of six months are kept and maintained. **KENNEL** does not include a veterinarian licensed to practice in the State of Minnesota who keeps, congregates or confines dogs in the normal pursuit of the practice of veterinary medicine. **KENNEL** does not include an animal shelter owned and operated by any political subdivision of the state or providing animal sheltering services under contract with any political subdivision of the state.

NON-DOMESTIC ANIMAL. Those animals considered to be naturally wild and not naturally trained or domesticated; or which are considered to be farm animals or inherently dangerous to the health, safety, and welfare of people. Unless otherwise defined, **NON-DOMESTIC ANIMALS** shall include:

- (1) Any member of the cat family (Felidae) including, but not limited to, lions, tigers, cougars, bobcats, leopards and jaguars, but excluding those recognized as domesticated house cats.
- (2) Any naturally wild member of the canine family (Canidae) including, but not limited to, wolves, foxes, coyotes, dingoes, and jackals, but excluding those recognized as domesticated dogs.
- (3) Any hybrid or crossbreeds between an animal defined in divisions (1) or (2) and a domestic animal and offspring from all subsequent generations of those hybrids or crosses, such as the crossbreed between a wolf and a dog.

- (4) Any member or relative of the mammal family including any skunk (whether or not descented), raccoon, or squirrel, but excluding those members otherwise defined or commonly accepted as domesticated pets.
- (5) Any poisonous, venomous, constricting (when snake is of size causing inherent risk to humans), or inherently dangerous member of the reptile or amphibian families including, but not limited to, rattlesnakes, boa constrictors, pit vipers, crocodiles and alligators.
 - (6) Goats, pigs (including pot bellied pigs), poultry, horses, cattle, llama, bison.
- (7) Any other animal that is not explicitly listed above but which can be reasonably defined by the terms of this section including, but not limited to exotic animals, human primates, bear, deer, elk, ducks, and game fish.
- **OWNER.** Any person, keeper, custodian or legal entity owning, harboring or keeping an animal, whether temporary or permanent.

POTENTIALLY DANGEROUS ANIMAL. An animal which has:

- (1) When unprovoked, bitten a human or a domestic animal on public or private property; or
- (2) When unprovoked, chased or approached a person, including a person on a bicycle, upon the streets, sidewalks, or any public or private property, other than the animal owner's property, in an apparent attitude of attack; or
- (3) A known history or propensity, tendency or disposition to attack while unprovoked, causing injury or otherwise threatening the safety of humans or domestic animals; or
- (4) Been declared a potentially dangerous dog pursuant to Minnesota Statutes by the animal control authority of another jurisdiction.

PREMISES. Any building, structure, shelter or land whereupon animals are kept or confined.

PROPER ENCLOSURE. Securely confined indoors or in a securely enclosed and locked pen or structure suitable to prevent the animal from escaping and providing protection from the elements for the animal. A proper enclosure does not include a porch, patio, or any part of a house, garage, or other structure that would allow the animal to exit of its own volition, or any house or structure in which windows are open or in which door or window screens are the only obstacles that prevent the animal from exiting.

PROVOCATION. An act that an adult could reasonably expect may cause an animal to attack or bite.

SUBSTANTIAL BODILY HARM. Bodily injury which involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss or impairment of the function of any bodily member or organ, or which causes a fracture of any bodily member.

UNPROVOKED. The condition in which the animal is not purposely agitated or disturbed. It is a rebuttable presumption that any attack on a child 14 years of age or younger for which a reasonable person connotes an intent to inflict bodily harm will be considered to be unprovoked unless the child is engaged in the commission of a crime or illegal activity, including activities classified under Minnesota Statutes as cruelty to animals. (Ord. 857, passed 10-14-2015; Ord. 869, passed 9-13-2017)

§ 90.02 DOG LICENSE REQUIRED; TAGS.

- (A) License required. It will be unlawful for any person to own, keep or harbor any dog or dogs over six months of age within the city, without having obtained a license.
- (1) Dog licenses. No license will be issued for any dog unless the applicant presents proof of vaccination from a licensed veterinarian as proof that the dog has been immunized as required by § 90.06.
- (2) Information required. The owner is required to state the dog's name, sex, breed, color and any other information required by the Chief of Police on each license application.
- (3) Date of payment of license fee. It is the duty of the owner of a dog required to be licensed to pay the license fee on or before January 1 of each year, or upon acquiring ownership or possession of an unlicensed dog, or upon establishing residence in the city. All licenses will expire on the last day of December of the same calendar year following its issuance, unless a lifetime license is purchased. If any owner does not obtain a license for his/her dog by this date, a late license fee will be added onto the regular dog license fee.
- (4) Non-refundable. No refunds will be made on any dog license fee because of the removal of the dog from the city or because of the death of the dog before the expiration of the license period.

(B) Tags.

- (1) Generally. Upon approval of a dog license application, the applicant will be provided with a tag which shall be permanently fastened to the collar of the dog in such manner that the tag may be seen easily, and the tag will be worn constantly by such dog.
- (2) Duplicate tags. When any dog tag is lost, a duplicate may be issued upon presentation of a receipt showing the payment of the license fee for the then current year. Fees for duplicate tags will be established by City Council.
- (3) Offenses involving tags. It is unlawful to counterfeit, or attempt to counterfeit, the tags provided for in this section or to remove from any dog a tag legally placed upon it with the intent of placing it upon another dog, or to place such tag upon another dog. It is unlawful for any person to transfer any tag issued, or to place a tag upon any dog other than the one for which it was issued, provided a tag may be transferred with the dog for which it was issued.

(Ord. 857, passed 10-14-2015; Ord. 866, passed 6-14-2017)

§ 90.03 KEEPING OR HARBORING PROHIBITED. (1) No person shall own, care for, have custody or control of, within the city limits, any non-domestic

- animal as defined in this chapter.
- (2) Exceptions. An exception may be made to this prohibition for the following: non-domestic animals within the City's Agricultural Zoning District as specifically provided within the city's Zoning Ordinance.

(B) Restrictions on food and drink establishments. It is unlawful for the owner or operator of any establishment wherein the selling, handling, processing or preparation of food is done to permit any animal in such establishment except as allowed by Minnesota Statutes.

(Ord. 857, passed 10-14-2015)

§ 90.04 ANIMALS AT LARGE.

- (A) It will be unlawful for any person having or maintaining any animal to permit the animal to be at large or to be upon any premises other than as provided in the permit whether or not a permit for such animal has been issued as provided under the licensing and permit provisions of this chapter or other ordinances of the city.
 - (B) It is unlawful for any owner to allow a domestic animal to be at large at any time.
- (C) Dog parks. Dogs are permitted to be unleashed in off leash dog park areas as designated by the city under the following conditions:
 - (1) The dog owner or owner's designee as allowed by park rules must be present; and
 - (2) The dog must be under the voice control of the owner at all times; and
 - (3) Feces must be properly removed and disposed of; and
- (4) A dog deemed a dangerous or potentially dangerous animal under this chapter is not permitted to use off leash areas.

 (Ord. 857, passed 10-14-2015)

§ 90.05 BARKING, NUISANCES, PROPERTY DAMAGE AND FECAL CLEAN-UP.

- (A) Barking. No person will keep or harbor a dog which habitually barks, cries, howls or whines for a period of six or more minutes out of a ten consecutive minute period.
- (B) *Nuisance noise*. It is unlawful for any owner to maintain at any place within the city any animals which, by their habitual whining, barking, howling or other disagreeable noises, disturbs the people in the locality where kept.
- (C) Damage to property by animals prohibited. No person having the custody or control of a dog, cat or other animal will permit the animal to damage any lawn, garden or other property, public or private, or to defecate on private property, without the consent of the property owner.
- (D) (1) Fecal clean-up. It is the duty of each person having the custody or control of a dog, cat or other animal to voluntarily and promptly remove any feces left by such dog or animal on any sidewalk, gutter, street, park land or other public property, or any public area, and to dispose of the feces in a sanitary manner and to have in immediate possession a device or equipment for the picking up and removal of feces. For the purpose of this division, PUBLIC AREA will include any property open for public use or travel, even though it is privately owned.

(2) Exception. The provisions of this division do not apply to a guide dog or service animal accompanying a blind person or to a dog when used in police or rescue activities by or with the permission of the city. This division will not be construed by implication or otherwise to allow dogs to be where they are otherwise prohibited by the ordinances of the city. (Ord. 857, passed 10-14-2015)

§ 90.06 RABIES CONTROL.

- (A) (1) Dogs and cats rabies immunization required. All dogs and cats over the age of six months harbored or maintained within the city shall be immunized against rabies by a licensed veterinarian. The vaccines used and their duration of immunity against rabies will be as recommended by the National Association of State Public Health Veterinarians (NASPHV) in their current Compendium of Animal Rabies Prevention and Control.
- (2) Exceptions. No dog or cat need be vaccinated when a licensed veterinarian has examined the animal and certified that, at such time, vaccination would endanger its health because of its age, infirmity, debility, illness, or other medical consideration; and such exception certificate is presented to the city. The animal shall be vaccinated against rabies as soon as its health and age permit.
- (B) *Exposure*. Dogs, cats or other animals known to have been bitten by or exposed to a rabid animal must be euthanized or the animal's owner must adhere to procedures as described in the NAHSPV Compendium of Animal Rabies Prevention and Control. Notification of exposure shall be made immediately to the city. Costs associated with exposure are incurred at the animal owner's expense.
- (C) Disposition of diseased dogs, cats or other animals. If a dog, cat or other animal quarantined under § 90.10 is found to be sick or diseased, the operator of the quarantine facility will immediately report in writing to the city on the condition of the dog or animal. The city may then take possession of the dog, cat or animal for the purpose of submitting it to determine if it is suffering from rabies. A diseased dog, cat or animal may be euthanized, if the city determines such action necessary for the protection of public health and safety, or as recommended by a licensed veterinarian.

 (Ord. 857, passed 10-14-2015)

§ 90.07 DANGEROUS AND POTENTIALLY DANGEROUS ANIMALS.

- (A) Designation as a dangerous or potentially dangerous animal. The Animal Control Officer or their designee will designate any animal as a dangerous or potentially dangerous animal upon receiving evidence that such animal meets the definition set forth in this chapter.
- (B) Exemption. Animals may not be designated as dangerous or potentially dangerous if the threat, injury, or damage was sustained by a person who was:
- (1) Committing, at the time, a willful trespass or other tort upon the premises occupied by the owner of the animal;
- (2) Provoking, tormenting, abusing, or assaulting the animal or who can be shown to have repeatedly, in the past, provoked, tormented, abused, or assaulted the animal; or

	R-1	R- 1A	R-2	R-3	R-C	C-1	C-2	C-3	I-1	I-	2 U	se Standards
OMMERCIAL (Cont'd)											
other Services									ore sign	140000	0	154 206(4)
nimal/Pet Services			Q.C.	DIRANGE.	339	PS	PS	PS	PS	3	8	154,206(A)
Banks, Finance, nsurance and Real Estate Services					P	P	P	P				
Building Services						P	P	P	P			
Business Services					P	P	P	P	P	<u> </u>		
Equipment Services						P	P	P	F	-		
Personal Services						P	P	P				
Professional Services					P	P	P	P]	P		
Services otherwise allowed with drive- through or drive-in							PS	P	S			§ 154.206(B)
Retail												
Convenience Store						P	. P		?	_		
Food Retail (Grocery Store)						P	P		P			
General Retail						P	P	_	P			2 171 207(1)
Shopping Center							C	UP	P			§ 154.207(A)
Wholesale Retail									P	P	P	
Arts and Entertainme	ent										1	1
Art Gallery/Museum					P	P	P		P		-	
Commercial recreation facility, indoor	nal					P	P	•	P	P		0.454.200/4
Commercial recreation facility, outdoor	nal						Condition		CUP	CUP		§ 154.208(A

SPECIFIC COMMERCIAL USES

§ 154.205 FOOD AND BEVERAGE SERVICES.

- (A) Off-sale liquor. The business shall have a current license in compliance with state standards for off-sale liquor.
 - (B) Restaurant with drive-through or drive-in.
- (1) Drive-through facilities and stacking areas shall not be within 100 feet of any parcel that is zoned residential, or has an occupied institutional building, including but not limited to schools, religious institutions and community centers unless the entire facility and stacking areas are separated from said parcel by a building wall.
- (2) Stacking shall be provided for six cars per customer service point and shall comply with all yard requirements.
- (3) This use shall only be permitted when it can be demonstrated that the operation will not have a significant adverse effect on the existing level of service of adjacent streets and intersections.
- (4) The drive-through facility shall be designed so it does not impede traffic or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian or vehicular conflicts.
- (5) Access shall be located so that access can be provided without generating significant traffic on local residential streets.
- (6) Any canopy as part of this use shall be compatible with the architectural design and materials of the principal structure.

 (Ord. 879, passed 10-28-2020)

§ 154.206 OTHER SERVICES.

(A) Animal/pet services.

- (1) Animal hospitals shall be located no closer than 100 feet to any residential district, restaurant, hotel or motel in any district and shall show that adequate measures and controls will be taken to prevent offensive noise and odor. No incineration of refuse shall be permitted on the premises.
 - (2) Animal daycare center:
- (a) An odor mitigation plan shall be provided to demonstrate how impacts from odors will be minimized.
 - (b) All outdoor areas for animals shall be enclosed with a fence.

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(c) A facility sharing a common building wall, ceiling, or floor plate with another use or structure must provide engineering detail demonstrating sound attenuation to STC rating of 55 or higher for such common walls and ceilings. Noise testing by a qualified noise professional may be required as a condition of approval prior to issuance of a building certificate of occupancy.

Zoning

- (d) All outdoor designated areas for animals shall be located a minimum of 125 feet from a residential property line.
 - (e) An indoor facility must be located at a minimum of 50 feet from a residential property line.
 - (f) Overnight boarding of animals shall not be permitted.
 - (B) Services otherwise allowed with drive-through or drive-in.
- (1) Drive-through facilities and stacking areas shall not be within 100 feet of any parcel that is zoned residential, or has an occupied institutional building, including but not limited to schools, religious institutions and community centers unless the entire facility and stacking areas are separated from said parcel by a building wall.
- (2) Stacking shall be provided for six cars per customer service point and shall comply with all yard requirements.
- (3) This use shall only be permitted when it can be demonstrated that the operation will not have a significant adverse effect on the existing level of service of adjacent streets and intersections.
- (4) The drive-through facility shall be designed so it does not impede traffic or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian or vehicular conflicts.
- (5) Access shall be located so that access can be provided without generating significant traffic on local residential streets.
- (6) Any canopy as part of this use shall be compatible with the architectural design and materials of the principal structure.

 (Ord. 879, passed 10-28-2020)

§ 154.207 RETAIL.

Shopping center. Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.

(Ord: 879, passed 10-28-2020)

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