



## CITY OF WACONIA PLANNING COMMISSION AGENDA

Regular Meeting of  
Planning Commission  
Waconia, Minnesota

Thursday, Dec. 1, 2016  
City Hall – 6:30 PM

MEMBERS: Mike Blanchfield, Steve Hebeisen, Don Osmundson, John Meisch, Nathan Vilmain  
ALTERNATE MEMBER: Robert Grohmann  
CITY COUNCIL MEMBER LIAISON: Jim Sanborn

STAFF: Lane Braaten, Community Development Director  
Brenda Wurst, Recording Secretary  
Ethan Nelson, Assistant Planner

1. Call meeting to order and roll call
2. Adopt Agenda
3. Minutes Approval from: November 3<sup>rd</sup>, 2016 Regular Planning Commission Meeting. Pages 1-3
4. New Business
  - A. PUBLIC HEARING: Hilgers and Tenth Street PRELIMINARY AND FINAL PLAT APPLICATION submitted by Dean Hilgers for the properties located at 10580 10<sup>th</sup> Street West. Pages 4-12
  - B. INTERIM USE PERMIT: Extension Request by Dean Hilgers for an unsurfaced parking lot for the property located at 10580 10<sup>th</sup> Street West. Pages 13-16
  - C. INFORMAL DISCUSSION: SKETCH PLAN – Dean Hilgers for the properties located at 300 Burandt Blvd. and 224 Redwood Street South. Pages 17-23
5. Other
  - A. 2017 Planning Commission Schedule

Adjourn

WORK SESSION: Utility Sheds/Accessory Structures

WACONIA PLANNING COMMISSION  
THURSDAY, November 3, 2016

Pursuant to due call and notice thereof, a regular meeting of the Waconia Planning Commission was called to order by Chairperson Blanchfield at 6:30 p.m.

1. CALL MEETING TO ORDER.

MEMBERS PRESENT: Vilmain, Hebeisen, Osmundson, Meisch, Blanchfield  
ALTERNATE: Grohmann-present  
MEMBERS ABSENT: All present  
STAFF PRESENT: Braaten, Wurst, Nelson  
VISITORS: See attached sign in sheet  
CITY COUNCIL LIAISON: Mayor Sanborn-Present

2. ADOPT AGENDA: Motion by Vilmain seconded by Meisch, to adopt the Agenda as presented. All present voted aye. MOTION CARRIED.

3. APPROVE MINUTES: Motion by Osmundson, second by Vilmain to approve the Minutes from the October 18, 2016 meeting. All present voted aye. MOTION CARRIED.

4. NEW BUSINESS

**A. PUBLIC HEARING; VARIANCE-REQUEST BY PHILIP HAZEL TO CONSTRUCT A DECK AT A REDUCED SETBACK FROM THE OHWL OF LAKE WACONIA FOR THE PROPERTY LOCATED AT 70 POINT DRIVE.**

Nelson presented the deck variance request for 70 Point Drive. He showed the location of the existing deck and pointed out the proposed replacement deck. This variance is needed because the of the proposed set back of 28.5 feet for the OHWL of Lake Waconia, versus the 50 ft. required in the Shore land Overlay District.

Nelson displayed pictures of the property and site survey of the property with the existing decks. The impervious surface is not changing for this property as decks are not currently considered as impervious surface. Nelson also explained that the roadway easement for Point Drive will not be considered as part of the property for review of this application. Nelson described the building setback for the property showing part of the existing house is already within said setback area.

The applicant is proposing to reduce the existing encroachment into the 50 ft. setback requirement from the ordinary high water level (OHWL) of Lake Waconia. The closest point of the current deck to the OHWL is 28.1 feet and the applicant is proposing an expanded deck at a setback of 28.5 feet from the OHWL, which is more conforming than the existing deck structure.

The principal structure is located 6.5 ft. from the side lot line versus the minimum 10 ft. requirement stated in City Code. The landing for the proposed deck structure is proposed to be located as close as 8.1 ft. from the side lot line. The deck structure proper is proposed to meet the required 10 feet setback requirement.

The current hardcover calculation of 26.8% is non-conforming as the Shoreland Overlay District allows a maximum impervious surface of 25%. Deck structures are not currently counted as impervious surfaces for the purposes of this review, which results in no additional hardcover being proposed on the property.

Braaten clarified that the roadway easement area was considered as the road right of way for this application and would not count against the hard surface coverage or green space requirement for the project. Also, we are taking the setback from that easement line rather and the right of way line.

No comments from neighbors regarding this project.

Meisch stated that it's a larger deck, but there is a reduction in setback and no effect on impervious surface.

Blanchfield stated that the side yard setback will remain at 6.5 ft. Braaten clarified that landings are typically allowed within structure setbacks.

Blanchfield opened the public hearing.

Philip Hazel, property owner, stated that he had not been aware of the process and regulations for building this deck when he bought the home and hopes that the variance is passed.

Motion by Meisch, second by Vilmain to close the public hearing. All in favor voted aye. MOTION CARRIED.

Braaten reminded the Commission Members about the review criteria for variance approval.

MOTION BY OSMUNDSON, SECOND BY MEISCH TO RECOMMEND APPROVAL OF THE PUBLIC HEARING –VARIANCE REQUEST BY PHILIP HAZEL TO CONSTRUCT A DECK AT A REDUCED SETBACK FORM THE OHWL OF LAKE WACONIA FOR THE PROPERTY LOCATED AT 70 POINT DRIVE WITH THE FOLLOWING CONDITIONS:

- 1) The proposed improvements shall be constructed as proposed and as conditionally revised by the Planning Commission and City Council.
- 2) The applicant shall obtain the necessary building permit(s) prior to any work commencing.
- 3) The applicant shall be required to schedule a site inspection with the Community Development Director when all improvements have been completed to verify compliance with the variance.
- 4) The variance shall be considered void if it is not executed within one year of the date in which it is approved.

ALL IN FAVOR VOTED AYE. MOTION CARRIED.

Braatens update:

- Council denied Mr. Otto's shed variance. Mr. Otto is going to construct a shed that meets our requirements.
- 105 New Construction permits have been issued so far this year.
- Council will be reviewing the Oppidan project at their next meeting.
- Dean Hilgers development concept plan will be presented at the next meeting.
- Extension request from Mr. Hilgers interim use permit for the unsurfaced parking lot.
- Members to look over the draft schedule for the 2017 meeting schedule.

Short work session after tonight's meet to talk over the shed ordinance.

There being no further business, Motion by Osmundson, seconded by Vilmain to adjourn at 6:50 P.M. All present voted aye. **MOTION CARRIED.**

Respectfully submitted,

Brenda Wurst  
Recording Secretary

Tuesday, November 3, 2016

# WACONIA PLANNING COMMISSION MEETING

PLEASE SIGN IN

	NAME	ADDRESS
1.	Phil & Kim Hazel	70 POINT DRIVE - WACONIA
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## REQUEST FOR PLANNING COMMISSION ACTION

<b>Meeting Date:</b>	December 1 <sup>st</sup> , 2016
<b>Item Name:</b>	PUBLIC HEARING – Hilgers and Tenth Street Preliminary and Final Plat Applications submitted by Dean Hilgers for the property located at 10580 10 <sup>th</sup> Street West
<b>Originating Department:</b>	Community Development
<b>Presented by:</b>	Lane L. Braaten, Community Development Director
<b>Previous Commission Action (if any):</b>	

### ***RECOMMENDATIONS/ ACTION/MOTION REQUESTED (Include motion in proper format.)***

**Open Public Hearing**  
**Motion to close the Public Hearing**  
**Motion recommending either approval or denial of the proposed Hilgers and Tenth Street Preliminary and Final Plat Applications.**

### ***EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations.)***

#### **BACKGROUND:**

**Applicant:** Dean Hilgers  
**Owner:** Dean Hilgers  
**Address:** 10580 10<sup>th</sup> Street West  
**P.I.D. #:** 750232400 & 752560081  
**Zoning District:** B-1, Highway Business District

#### **REQUEST:**

The City has received a preliminary and final plat application from Dean Hilgers for the properties located at 10580 10<sup>th</sup> Street West. The preliminary and final plat, titled Hilgers and Tenth Street, is proposed to include two (2) commercial parcels.

#### **APPLICABLE ORDINANCE PROVISIONS:**

1. Section 900.05, Subd. 2.F – B-1, Highway Business District
2. Section 1000 – Subdivision Ordinance

#### **EXISTING CONDITIONS:**

The subject parcel is currently home to a used car sales lot. Further, the applicant received approval of an Interim Use Permit (IUP) in 2012 for an unsurfaced parking lot, which was originally set to expire on September 1<sup>st</sup>, 2015. Prior to the expiration of the interim use in 2015 the applicant requested an extension as a portion of his property was being used for construction purposes during the Hwy. 5 project and the reconfiguration of 10<sup>th</sup> Street West. The City Council approved the IUP extension request allowing the unsurfaced parking lot to remain until December 31<sup>st</sup>, 2016. A secondary extension request has been submitted by the applicant as part of this plat and the redevelopment of the property.

#### **PRELIMINARY PLAT REVIEW:**

#### **SUBDIVISION DESIGN FEATURES**

The City of Waconia staff have reviewed the Hilgers and Tenth Street Preliminary Plat drafted by Otto Associates, dated October 18<sup>th</sup>, 2016, and provide the following review and comments:

### **Streets/Access**

The applicant is not proposing the construction of any streets and/or accesses at the time of the application. Future access points to the subject parcels will be reviewed at the time of Site Plan review.

The City purchased a permanent right of way easement for the construction of a segment of Fischer Way and a portion of the realignment of 10<sup>th</sup> Street West and said easement is noted on the preliminary and final plat documents. As the properties are now being platted staff recommends the area indicated as “Right of Way Easement per Doc. 608847” be dedicated as public road right-of-way and the submittal information be revised to reflect the updated lot size and setbacks. Staff has included the right of way dedication and revisions as a recommended condition of approval.

### **Easements**

Section 1000.06, Subd. 4 of the City Ordinance requires drainage and utility easements at least 10 feet wide, centered on the rear and side lot lines of abutting lots and shall have continuity from block to block and lot to lot. The submittal information is recommended to be updated to reflect the required drainage and utility easements and staff has noted this as a condition of approval.

### **Lots**

The subject parcel is zoned B-1, Highway Business District, which requires a minimum lot area of 17,500 sq. ft. and a minimum lot width of 100 ft. The proposed parcels are in conformance with the afore-mentioned standards.

### **Outlots**

The applicant is not proposing any outlots as part of the Hilgers and Tenth Street Plat.

### **Public Land Dedication, Open Space**

City Ordinance requires at least 10% of the gross land in a subdivision shall be dedicated for parks, schools, playgrounds and open space. The City, upon consideration of the particular type of development proposed in the subdivision, may require larger or lesser amounts of land to be dedicated if it determines that the present and future residents of the subdivision would require greater or lesser amounts of land for such purposes. Further, City Ordinance requires payment in lieu of land if the area is not suitable or desirable for park/playground/open space purposes.

The Park & Recreation Board will review the Hilgers and Tenth Street Preliminary Plat at their upcoming meeting on December 1<sup>st</sup>, 2016 to determine if the area is suitable or desirable for land dedication or if cash in lieu, or some combination thereof, may be appropriate. If it is determined by the City Council that payment in lieu of land is appropriate then the applicant shall be required to pay \$5,000 per gross acre as stated in Chapter 1000 of the City Code.

### **Pedestrian Ways and Trails**

City Ordinance states “*Subdividers shall define and construct a meaningful pedestrian circulation system subject to City approval which connects to the major trail system and to schools, parks, and shopping areas and shall provide easements to accommodate such movement. Said pedestrian ways shall be coordinated with those of adjacent subdivisions and the Comprehensive Plan.*”

### **Sidewalks**

There is an existing sidewalk along 10<sup>th</sup> Street West. The future development of Lots 1 and 2, Block 1, of the Hilgers and Tenth Street Plat will require consideration of pedestrian ways and trails connecting to said sidewalk as part of the Site Plan review for each of the parcels.

### Trails

There is an existing bituminous trail section along the Hwy. 5 corridor. The future development of Lots 1 and 2, Block 1, of the Hilgers and Tenth Street Plat will require consideration of pedestrian ways and trails connecting to said trail segment during the Site Plan review for each of the parcels.

### Landscaping

The landscaping of the properties will be reviewed and approved as part of the Site Plan and Design Review Applications for each of the subject parcels at the time of development/redevelopment.

### Utilities & Storm Water Management

The utility and storm water elements will be reviewed and approved as part of the Site Plan and Design Review Applications for each of the subject parcels at the time of development/redevelopment.

### FINAL PLAT REVIEW:

Attached you will also find the application material pertaining to the Hilgers and Tenth Street Final Plat as proposed by Dean Hilgers. The proposed final plat is consistent with the Hilgers and Tenth Street Preliminary Plat, which includes the development of two (2) commercial parcels.

Staff recommends approval of the proposed Hilgers and Tenth Street Final Plat application if the Commission finds that the preliminary plat meets the City Ordinance requirements.

### PUBLIC NOTICE/COMMENT:

The notices were published in the WACONIA PATRIOT on November 17<sup>th</sup>, 2016 and posted at Waconia City Hall. Individual notices were mailed to all property owners within 350 feet of the subject parcel. As of the date and time of this report the City has not received any comments regarding the proposed Hilgers and Tenth Street Plat.

### CONCLUSION/RECOMMENDATION:

The Planning Commission should hold the public hearing and make a recommendation to the City Council regarding the Preliminary and Final Plat applications for Hilgers and Tenth Street. Upon recommendation by the Planning Commission this item will be forwarded to the City Council for review at their upcoming meeting scheduled for December 12<sup>th</sup>, 2016.

If the Planning Commission chooses to recommend approval of the Hilgers and Tenth Street Preliminary and Final Plats staff would recommend the approvals with the following conditions:

1. The Hilgers and Tenth Street Preliminary and Final Plats shall be completed as approved and as conditionally revised by the Planning Commission and the City Council.
2. All applicable permits are applied for by the applicant with all supporting documentation and issued prior to the start of construction.
3. The applicant shall obtain, if necessary, Carver County Water Management Organization (CCWMO) approval and permitting for erosion control and storm water management. A copy of any approvals or permits shall be submitted prior to any land disturbing activities.
4. The applicant shall obtain, if necessary, a General Construction Stormwater Permit (NPDES) from the Minnesota Pollution Control Agency and submit a copy to the City prior to any land disturbing activities.
5. All indirect costs related to the permitting, review, and plans associated with engineering and administrative costs shall be paid by the applicant/owner.
6. The watermain, sanitary sewer, grading and storm water issues shall be resolved to the satisfaction of the City Engineer and Public Services Director prior to the issuance of a building permit for the Hilgers and Tenth Street development.
7. Compliance with applicable items contained in Chapter 1000 of the City of Waconia Subdivision Ordinance.
8. The area indicated as "Right of Way Easement per Doc. 608847" shall be dedicated as public road right-of-way and the submittal information be revised to reflect the updated lot sizing and setbacks.

9. The Preliminary Plat and Final Plat documents shall be updated to reflect the required drainage and utility easements per Section 1000.06, Subd. 4.
10. The applicant shall surface the existing gravel parking lot prior to the December 31<sup>st</sup>, 2016 Interim Use Permit deadline or the City Council shall approve an additional extension for the unsurfaced parking lot not to exceed September 1<sup>st</sup>, 2017.
11. The future development/redevelopment of the subject properties shall require Site Plan and Design Review by the Planning Commission and City Council prior to any work commencing.
12. The applicant shall revise the application to conform to the City staff review comments included on the attached memo dated November 15<sup>th</sup>, 2016.

**ATTACHMENTS:**

1. Location Map (1 page)
2. Public Hearing Notice (1 page)
3. City Staff Review Comments dated November 15<sup>th</sup>, 2016 (1 page)
4. Preliminary Plat of Hilgers and Tenth Street (1 page)
5. Hilgers and Tenth Street Final Plat (1 page)

# LOCATION MAP—10580 10TH STREET WEST



CITY OF WACONIA, MN  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Waconia, MN, will hold a public hearing on December 1<sup>st</sup>, 2016 at 6:30 p.m., at the Waconia City Hall, 201 South Vine Street, Waconia, MN, to consider a Preliminary and Final Plat application by Dean Hilgers for the property legally described as follows:

All that part of the South Half of the Northeast Quarter of Section 23, Township 116, Range 25 lying Southeasterly of the Southeasterly right of way of Minnesota Highway 5; Westerly and Southerly of the Southwest line of Outlots B and D of the plat of FIVE AND TWO EIGHTY FOUR BUSINESS PARK, Carver County, Minnesota.

AND

That part of Outlot D, FIVE AND TWO EIGHTY FOUR BUSINESS PARK, according to the recorded plat thereof described as follows:

Commencing at the most Southerly corner of said Outlot D; thence on an assumed bearing of North 27 degrees 13 minutes 00 seconds West, along the Southwesterly line of said Outlot D, 100.00 feet to the most Westerly corner of Outlot D; thence North 62 degrees 47 minutes 00 seconds East, along the Northwesterly line of said Outlot D, 30.00 feet; thence South 27 degrees 13 minutes 00 seconds East, 100.00 feet to the Southeasterly line of said Outlot D; thence South 62 degrees 47 minutes 00 seconds West, along said Southeasterly line, 30.00 feet to the point of beginning, Carver County, Minnesota.

AND

Outlot A, SUDHEIMER HOMESTEAD ADDITION, Carver County, Minnesota, according to the recorded plat thereof.

The proposed Preliminary and Final Plat titled Hilgers and Tenth Street includes approximately 1.72 acres of land south of Hwy. 5 and west of Fischer Way located at 10580 10<sup>th</sup> Street West (PID# 750232400).

Pertinent information pertaining to this request is available at the City Hall. Interested persons may submit written or oral comments pertaining to this matter any time prior to the hearing, or at the hearing on Thursday, December 1<sup>st</sup>, 2016. Written comments will be distributed to the Planning Commission for review and consideration. Please submit written comments by mail, email or in person as follows:

Mail/in person: Lane L. Braaten, 201 South Vine Street, Waconia, MN 55387  
Email: [lbraaten@waconia.org](mailto:lbraaten@waconia.org)

By: WACONIA PLANNING COMMISSION  
ATTEST: Lane L. Braaten, Community Development Director

(Published in the November 17<sup>th</sup>, 2016 Waconia Patriot newspaper)



# City of Waconia

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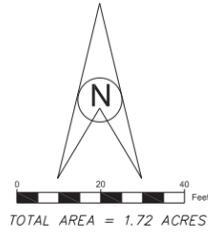
## **Hilgers and 10<sup>th</sup> Street Prelim and Final Plat - Review #1 November 15<sup>th</sup>, 2016**

This review is based on the Preliminary and Final Plat documents for Hilgers and Tenth Street submitted on November 2<sup>nd</sup>, 2016.

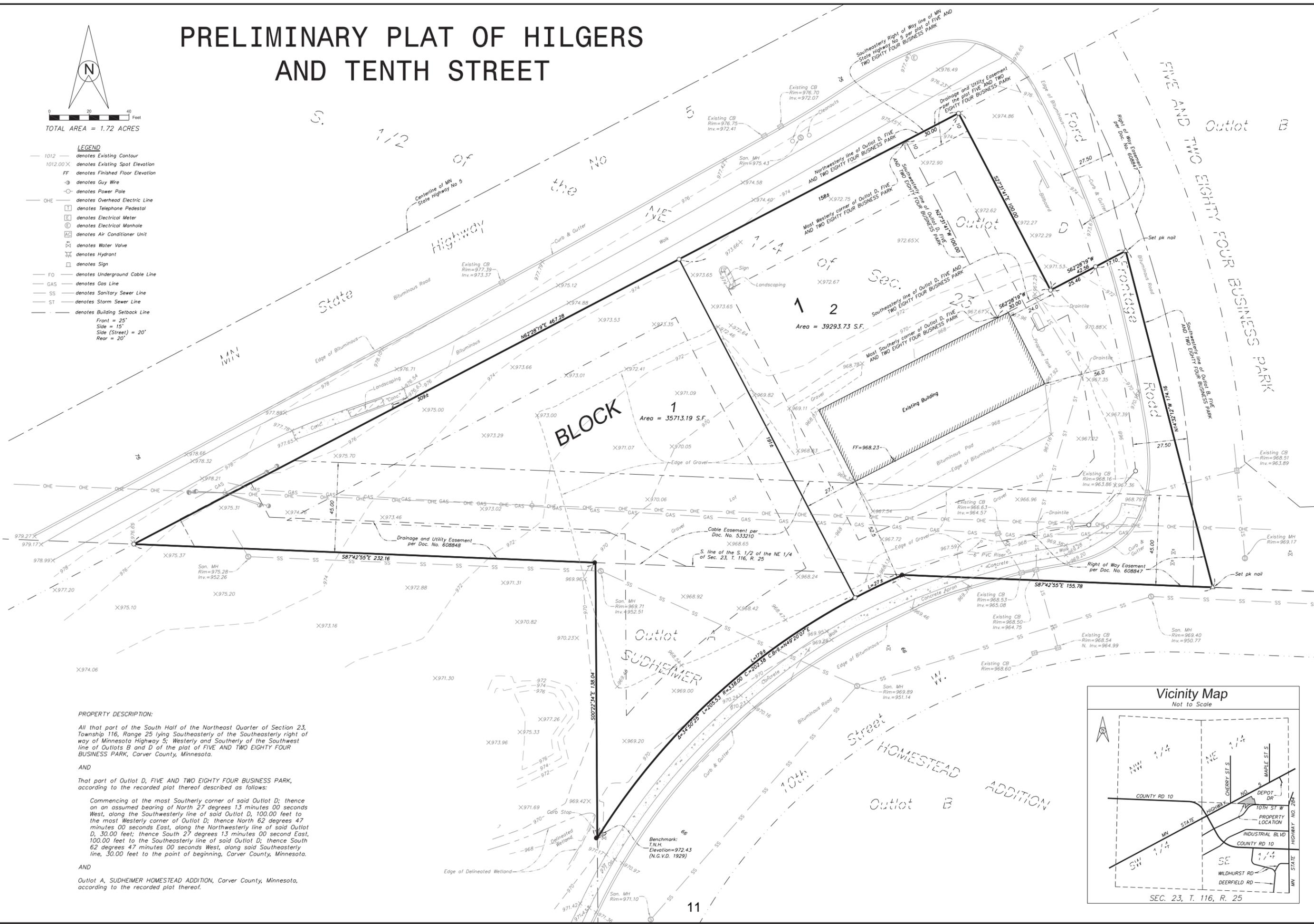
### General Comments

1. The plats should be revised dedicating the road right of way indicated in the Right of Way Easement per Doc. No. 608847 and the lot sizing and setbacks indicated for Lot 2, Block 1 should be revised accordingly.
2. Stormwater management is provided for this site via a regional system. The pond located southeast of the Cherry Street and 10th Street intersection provides rate control as agreed upon on in Easement Acquisition Memorandum of Understanding dated; February 12, 2015, Item Number 15. The regional stormwater reuse system has the ability to provide irrigation infiltration treatment as described below, and required by Carver County Water Management Organization. In addition, water quality impact costs will be attributed as a result of parcel Development. The one-time Stormwater Reuse Management Connection fee for infiltration, and water quality for parcel Development will assist in storm water compliance. Yearly Operation and Maintenance fees for infiltration reuse must be coordinated with City. In addition, a meter will be required for connection to the irrigation system with annual monthly billing of irrigation reuse water for infiltration requirements.
3. There are private easements on the subject parcel that may prohibit or restrict future development of the proposed parcels.
4. The subdivision of the property shall require payment or dedication of park land presumed at least 10% of the gross land in the subdivision or a payment in lieu of land. The Preliminary Plat will be submitted to the Waconia Park Board for review and comment on November 17<sup>th</sup>, 2016 to determine if land dedication, payment or a combination of each shall be required.
5. The existing building on Lot 2, Block 1, Hilgers and Tenth Street is indicated to meet all setback requirements in the B-1, Highway Business District. The existing unsurfaced parking for the subject property is currently allowed under an Interim Use Permit approved by the City Council which has been extended until December 31<sup>st</sup> of 2016. The applicant should clarify timelines for redevelopment and/or the ability to provide all necessary parking and improvements on site if the intent is to retain the existing building for any length of time.
6. If the applicant intends to remove all site improvements and redevelop the properties in a conforming manner Site Plan and Design Review approval will be required prior to any work commencing on site.
7. The specific improvements regarding access, use, landscaping, grading and utilities, etc. will be addressed as part of the Site Plan and Design Review Applications for the subject parcels.

# PRELIMINARY PLAT OF HILGERS AND TENTH STREET



- LEGEND**
- 1012 --- denotes Existing Contour
  - 1012.00 X denotes Existing Spot Elevation
  - FF --- denotes Finished Floor Elevation
  - ⊕ --- denotes Guy Wire
  - --- denotes Power Pole
  - OHE --- denotes Overhead Electric Line
  - ⊞ --- denotes Telephone Pedestal
  - ⊞ --- denotes Electrical Meter
  - ⊞ --- denotes Electrical Manhole
  - ⊞ --- denotes Air Conditioner Unit
  - ⊞ --- denotes Water Valve
  - ⊞ --- denotes Hydrant
  - ⊞ --- denotes Sign
  - FO --- denotes Underground Cable Line
  - GAS --- denotes Gas Line
  - SS --- denotes Sanitary Sewer Line
  - ST --- denotes Storm Sewer Line
  - denotes Building Setback Line
- Front = 25'  
Side = 15'  
Side (Street) = 20'  
Rear = 20'



**PROPERTY DESCRIPTION:**

All that part of the South Half of the Northeast Quarter of Section 23, Township 116, Range 25 lying Southeastly of the Southeastly right of way of Minnesota Highway 5; Westerly and Southerly of the Southwest line of Outlots B and D of the plat of FIVE AND TWO EIGHTY FOUR BUSINESS PARK, Carver County, Minnesota.

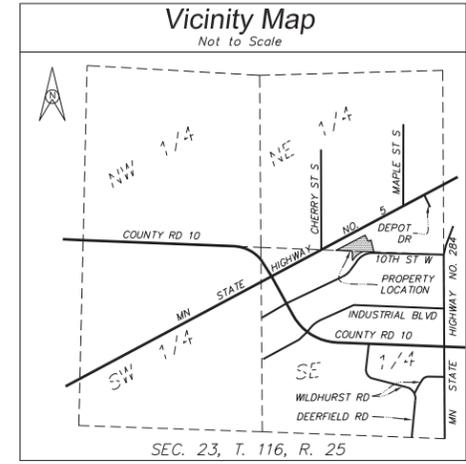
AND

That part of Outlot D, FIVE AND TWO EIGHTY FOUR BUSINESS PARK, according to the recorded plat thereof described as follows:

Commencing at the most Southerly corner of said Outlot D; thence on an assumed bearing of North 27 degrees 13 minutes 00 seconds West, along the Southwesterly line of said Outlot D, 100.00 feet to the most Westerly corner of Outlot D; thence North 62 degrees 47 minutes 00 seconds East, along the Northwesterly line of said Outlot D, 30.00 feet; thence South 27 degrees 13 minutes 00 second East, 100.00 feet to the Southeastly line of said Outlot D; thence South 62 degrees 47 minutes 00 seconds West, along said Southeastly line, 30.00 feet to the point of beginning, Carver County, Minnesota.

AND

Outlot A, SUDHEIMER HOMESTEAD ADDITION, Carver County, Minnesota, according to the recorded plat thereof.



Requested By: **Dean Hilgers** Scale: 1"=20'

Drawn By: **T.J.B.** Checked By: **P.E.O.**

Date: **10-18-16**

Project No. **16-0236**

www.ottoassociates.com  
9 West Division Street  
Buffalo, MN 55313  
(763)682-4727  
Fax: (763)682-3522

**OTTO ASSOCIATES**  
Engineers & Land Surveyors, Inc.

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

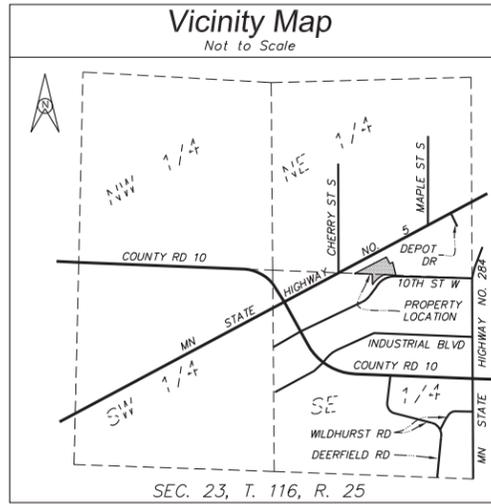
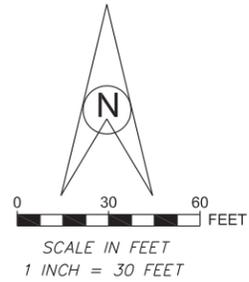
Paul E. Otto  
License #10062 Date: 10-26-16

Revised:

# HILGERS AND TENTH STREET

PLAT FILE NO. \_\_\_\_\_

C.R. DOC. NO. \_\_\_\_\_



KNOW ALL PERSONS BY THESE PRESENTS: That Dean B. Hilgers, a \_\_\_\_\_, fee owner, of the following described property:

All that part of the South Half of the Northeast Quarter of Section 23, Township 116, Range 25 lying Southeasterly of the Southeasterly right of way of Minnesota Highway 5; Westerly and Southerly of the Southwest line of Outlots B and D of the plot of FIVE AND TWO EIGHTY FOUR BUSINESS PARK, Carver County, Minnesota.

AND

That part of Outlot D, FIVE AND TWO EIGHTY FOUR BUSINESS PARK, according to the recorded plat thereof described as follows:

Commencing at the most Southerly corner of said Outlot D; thence on an assumed bearing of North 27 degrees 13 minutes 00 seconds West, along the Southwesterly line of said Outlot D, 100.00 feet to the most Westerly corner of Outlot D; thence North 62 degrees 47 minutes 00 seconds East, along the Northwesterly line of said Outlot D, 30.00 feet; thence South 27 degrees 13 minutes 00 second East, 100.00 feet to the Southeasterly line of said Outlot D; thence South 62 degrees 47 minutes 00 seconds West, along said Southeasterly line, 30.00 feet to the point of beginning, Carver County, Minnesota.

AND

Outlot A, SUDHEIMER HOMESTEAD ADDITION, Carver County, Minnesota, according to the recorded plat thereof.

Has caused the same to be surveyed and platted as HILGERS AND TENTH STREET and does hereby dedicate to the public for public use the public way and the drainage easements and utility easements as created by this plat.

In witness whereof said Dean B. Hilgers has hereunto set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Dean B. Hilgers

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by Dean B. Hilgers, a \_\_\_\_\_

\_\_\_\_\_  
(Notary Signature)

\_\_\_\_\_  
(Notary Printed Name)

Notary Public, \_\_\_\_\_

My Commission expires \_\_\_\_\_

### SURVEYORS CERTIFICATE

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Paul E. Otto, Licensed Land Surveyor  
Minnesota License Number 40062

STATE OF MINNESOTA  
COUNTY OF WRIGHT

This instrument was acknowledged before me on \_\_\_\_\_ by Paul E. Otto.

\_\_\_\_\_  
(Notary Signature)

\_\_\_\_\_  
(Notary Printed Name)

Notary Public, \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

### WACONIA, MINNESOTA

This plat of HILGERS AND TENTH STREET was approved and accepted by the City Council of the City of Waconia, Minnesota at a regular meeting thereof held this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

CITY COUNCIL OF THE CITY OF WACONIA, MINNESOTA

By: \_\_\_\_\_ Mayor By: \_\_\_\_\_ Clerk

County Surveyor, Carver County, Minnesota

Pursuant to Chapter 395, Minnesota Laws of 1971, this plat has been approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
County Surveyor

By: \_\_\_\_\_

County Auditor/Treasurer, Carver County, Minnesota

I hereby certify that taxes payable in \_\_\_\_\_ and prior years have been paid for land described on this plat. Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Laurie Davies, County Auditor/Treasurer

By: \_\_\_\_\_

County Recorder, Carver County, Minnesota

I hereby certify that this plat of HILGERS AND TENTH STREET was filed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M. as Document No. \_\_\_\_\_

\_\_\_\_\_  
County Recorder

By: \_\_\_\_\_

Bearing Note:  
The South line of the S. 1/2 of the NE 1/4 of Section 23, Township 116, Range 25, Carver County, Minnesota, is assumed to bear S87°42'55"E.

- denotes iron monument found
- denotes 1/2 inch by 14 inch iron pipe set and marked by License number 40062.
- ⊙ denotes found Carver County Cast Iron Monument unless otherwise noted.





## REQUEST FOR PLANNING COMMISSION ACTION

<b>Meeting Date:</b>	December 1 <sup>st</sup> , 2016
<b>Item Name:</b>	Interim Use Permit Extension Request Submitted by Dean Hilgers for the Unsurfaced Parking Lot Located at 10580 10th Street West
<b>Originating Department:</b>	Community Development
<b>Presented by:</b>	Ethan Nelson, Assistant Planner
<b>Previous Commission Action (if any):</b>	August 20 <sup>th</sup> , 2012 – Interim Use Permit approval for an unsurfaced parking lot for the property located at 10580 10 <sup>th</sup> Street West May 19 <sup>th</sup> , 2015 – Interim Use Permit Extension approval for unsurfaced parking lot for the property located at 10580 10 <sup>th</sup> Street West

### ***RECOMMENDATIONS/ ACTION/MOTION REQUESTED (Include motion in proper format.)***

**Recommendation to the City Council for the requested Deadline Extension for the Interim Use Permit.**

### ***EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations.)***

#### **BACKGROUND:**

**Applicant:** Dean Hilgers

**Owner:** Dean Hilgers

**Address:** 10580 10<sup>th</sup> Street West, Waconia MN

**PID#:** 750232400

**Zoning:** B-1, Highway Business District

#### **REQUEST:**

The City has received a request from Dean Hilgers (the “applicant”) to extend the deadline for the Interim Use Permit (IUP) granted by the City for the unsurfaced (gravel) parking lot on the subject property. The initial IUP was approved by the City Council in 2012 and extended in May of 2015 as the City was working through the Hwy. 5 project, the realignment of 10<sup>th</sup> Street West and the construction of Fischer Way, which impacted the subject property. The current IUP for the unsurfaced parking lot is set to expire on December 31<sup>st</sup>, 2016.

The applicant has requested additional time as he is currently working through development/redevelopment plans for the subject parcel, which is indicated by the Hilgers and Tenth Street Preliminary and Final Plats considered by the Planning Commission this evening.

#### **APPLICABLE ORDINANCE PROVISIONS:**

1. Section 900.05, Subd. 2. F. B-1, Highway Business District
2. Section 900.1 1, Subd. 2 Uses Permitted by IUP

#### **RECOMMENDATION:**

The Planning Commission should make a recommendation to the City Council to approve or deny the IUP extension request by Mr. Hilgers. Upon recommendation by the Planning Commission, this item will be forwarded to the City Council for review at their upcoming meeting scheduled for December 12<sup>th</sup>, 2016.

If the Planning Commission chooses to recommend approval of the Interim Use Permit Extension Request by Mr. Hilgers staff would recommend the approval with the following conditions:

1. The Interim Use Permit shall expire on September 1<sup>st</sup>, 2017.

**ATTACHMENTS:**

1. Location Map (1 page)
2. IUP Deadline Extension Request (1 page)



## Lane Braaten

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**From:** Dean Hilgers <dhilgers@earthlink.net>  
**Sent:** Thursday, November 03, 2016 10:16 AM  
**To:** Lane Braaten  
**Cc:** dhilgers@earthlink.net  
**Subject:** Re: Interim Use Permit for Unsurfaced Parking Lot - 10580 10th Street West, Waconia MN

Good morning. I am asking you to put me on the next meeting schedule to apply for an extension of the IUP at 10580 10th Street in Waconia. I believe that the request can be a part of my plat application (preliminary & final) for "Hilgers And Tenth" that I dropped off on Tuesday this week. I have questions on some fee issues as well as public improvement bond questions. Actually the City of Waconia did the improvements already on the site (they are not completely done) but are getting close. Additionally, I dropped off three concept layouts for the "Gramith" property for a workshop discussion with the planning commission at the next meeting. Sincerely, Dean Hilgers 612-750-0904

-----Original Message-----

**From:** Lane Braaten  
**Sent:** Oct 24, 2016 3:57 PM  
**To:** "dhilgers@earthlink.net"  
**Subject:** Interim Use Permit for Unsurfaced Parking Lot - 10580 10th Street West, Waconia MN

Dean,

I hope all is well. I am sending this email to remind you that your Interim Use Permit (IUP) for an unsurfaced parking lot at 10580 10<sup>th</sup> Street is set to expire on December 31<sup>st</sup> of 2016. As you may recall your initial IUP was extended by the City Council on May 19<sup>th</sup>, 2015 allowing the unsurfaced parking lot until the afore-mentioned date per your request. If you are not in front of the Planning Commission and City Council with a land use application prior to the end of the year you should either request an additional extension or pave the existing parking area to come into compliance with your permit.

I realize your intent is to remove the existing improvements and redevelop the property, but we also need you to be in compliance with the temporary parking solutions granted to you by the City Council back in 2012. Please let me know how you would like to proceed.

Regards,

### Lane L Braaten

Community Development Director  
City of Waconia  
201 South Vine Street  
Waconia, MN 55387  
Office: 952-442-2184  
Direct: 952-442-3106  
[www.waconia.org](http://www.waconia.org)





## REQUEST FOR PLANNING COMMISSION ACTION

<b>Meeting Date:</b>	December 1 <sup>st</sup> , 2016
<b>Item Name:</b>	Sketch Plan – Dean Hilgers for the Properties located at 300 Burandt Blvd. and 224 Redwood Street South
<b>Originating Department:</b>	Community Development
<b>Presented by:</b>	Lane Braaten, Community Development Director

**Previous Commission Action** (if any):

**RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED** (Include motion in proper format.)

**Informally discuss the Sketch Plan submitted by Dean Hilgers for PID #s 750234200 and 750143500 and advise the applicant of the extent to which the plan conforms to the Comprehensive Plan and City Ordinances and discuss possible modifications that may be necessary.**

**EXPLANATION OF AGENDA ITEM** (Include a description of background, benefits, and recommendations.)

### **BACKGROUND:**

**Applicant:** Dean Hilgers

**Project:** Sketch Plan

**Address:** 300 Burandt Blvd. and 224 Redwood Street South

**PID#s:** 750234200 & 750143500

**Zoning:** R-1, Single-Family Residential

### **REQUEST:**

The City has received a Sketch Plan Application from Mr. Dean Hilgers (the “applicant”) to facilitate a discussion with the Planning Commission regarding the possible future development of the properties located at 300 Burandt Blvd. and 224 Redwood Street South (the “subject parcels”). Submittal of a Sketch Plan allows possible developers to provide a concept plan to the Planning Commission to receive feedback on a potential project to determine any conflicts prior to submittal of any future applications such as Preliminary Plat, Comprehensive Plan Amendments, Annexation, etc.

### **APPLICABLE ORDINANCE PROVISIONS:**

1. Section 1000.03 – Sketch Plan

City Ordinance Section 1000.03 Sketch Plan, Subd. 1. states “*Subdividers shall prepare ten (10) copies of a subdivision sketch plan for review by the Planning Commission. Such sketch plan will be considered as having been submitted for informal discussion between the subdivider and the Planning Commission. No fee shall be required of the subdivider for the submission of a sketch plan.*”

Further, Section 1000.03 Sketch Plan, Subd. 3. States “*Submission of a subdivision sketch plan shall not constitute formal filing of a plan with the City. On the basis of the subdivision sketch plan, the Planning Commission may informally advise the subdivider of the extent to which the plan conforms to the Comprehensive Plan, design standards of this ordinance and to other ordinances of the City, and may discuss possible modification necessary to secure approval of the plan.*”

### **SKETCH PLAN ANALYSIS:**

The applicant has submitted a sketch plan for PID#s 090250310 & 090250320 (see attached location map) indicating three possible development concepts resulting in the number of lots ranging from 10 to 30 units on the approximately 5 acre site.

1. The existing zoning of the subject property is R-1, Low Density Residential (R-1) and said properties are located within the Shoreland Overlay District as the property is located within 1,000 ft. of Burandt Lake. The lot requirements for the R-1 zoning district and Shoreland Overlay District have been combined and are listed below:

	<b>Lot Area</b>	<b>Lot Width</b>	<b>Density</b>
R-1, Single- Family Residential	10,500 sq. ft. min.	75 ft. min.	2 to 4 Units/Net Acre
Concept Plan 1 – 10 Lots	10,500 sq. ft.	75 ft.	2 units/acre
Concept Plan 2 – 30 Lots	4,400 sq. ft.	40 ft.	6 units/acre
Concept Plan 3 – 21 Lots	7,000 sq. ft.	50 ft.	4.2 units/acre

2. Concept Plan 1 provided by the applicant would provide 10 parcels sized per existing City Code requirements for the R-1 zoning district and it appears the lot width and hardcover requirements could be met also.
3. Concept Plan 2 indicates a more densely developed neighborhood with minimum lot widths of 40 ft. and lot sizes just under 4,500 sq. ft. This concept would greatly exceed the standards of the R-1 zoning district and would have to be developed under a Planned Unit Development District (PUD), which allows flexibility in the City’s development standards if the development can meet the eligibility and objectives of said district. The applicant has indicated that the opportunity to develop the property at a higher density, while still allowing single family homes and properties, would allow for more choice for prospective homeowners at a lower price point in the community.
4. Concept Plan 3 illustrates a hybrid of the two plans above, indicating a minimum lot width of 50 ft., a parcel area of approximately 7,000 sq. ft., which would result in approximately 21 proposed units on the approximately 5 acre parcel. The lot sizing indicated in this concept is more typical of the lot sizing for the single family residential parcels located near downtown Waconia.
5. Concept Plans 2 and 3 would both require the property to be rezoned and developed as a PUD to allow for the reduced lot sizing and setbacks indicated by the applicant.
6. Stormwater management (i.e. storage, treatment and reuse) is always a large component of any residential development. Two of the plans submitted indicate a small stormwater storage pond along the west property line. Based on the current Carver County Water Management Organizations regulations it appears that significantly more acreage would be required to develop that subject property than what is currently indicated on the concept plans. This will be reviewed by the CCWMO at the time of preliminary plat application to insure compliance with said regulations.
7. City staff discussed the concept plans provided and have determined that one access off of Burandt Blvd. would be most appropriate in this location due to spacing and site lines from said property.
8. Any future development of the property will require park land dedication. City Ordinance indicates that typically 10% of the property shall be dedicated for park purposes or cash in lieu of land may be required if the area is not suitable or desirable for park purposes.
9. If either Concept 2 or Concept 3 are developed an internal sidewalk/trail system may be appropriate with some type of controlled crossing to the City trail on the southeast side of Burandt Blvd. This could be something similar to the rapid flashing beacon installed by Ridgeview during their construction of the parking lot on the west side of Cherry Street.

**PUBLIC NOTICE/COMMENT:**

As this application is an informal discussion with the Planning Commission no public notice was required.

**CONCLUSION / RECOMMENDATION**

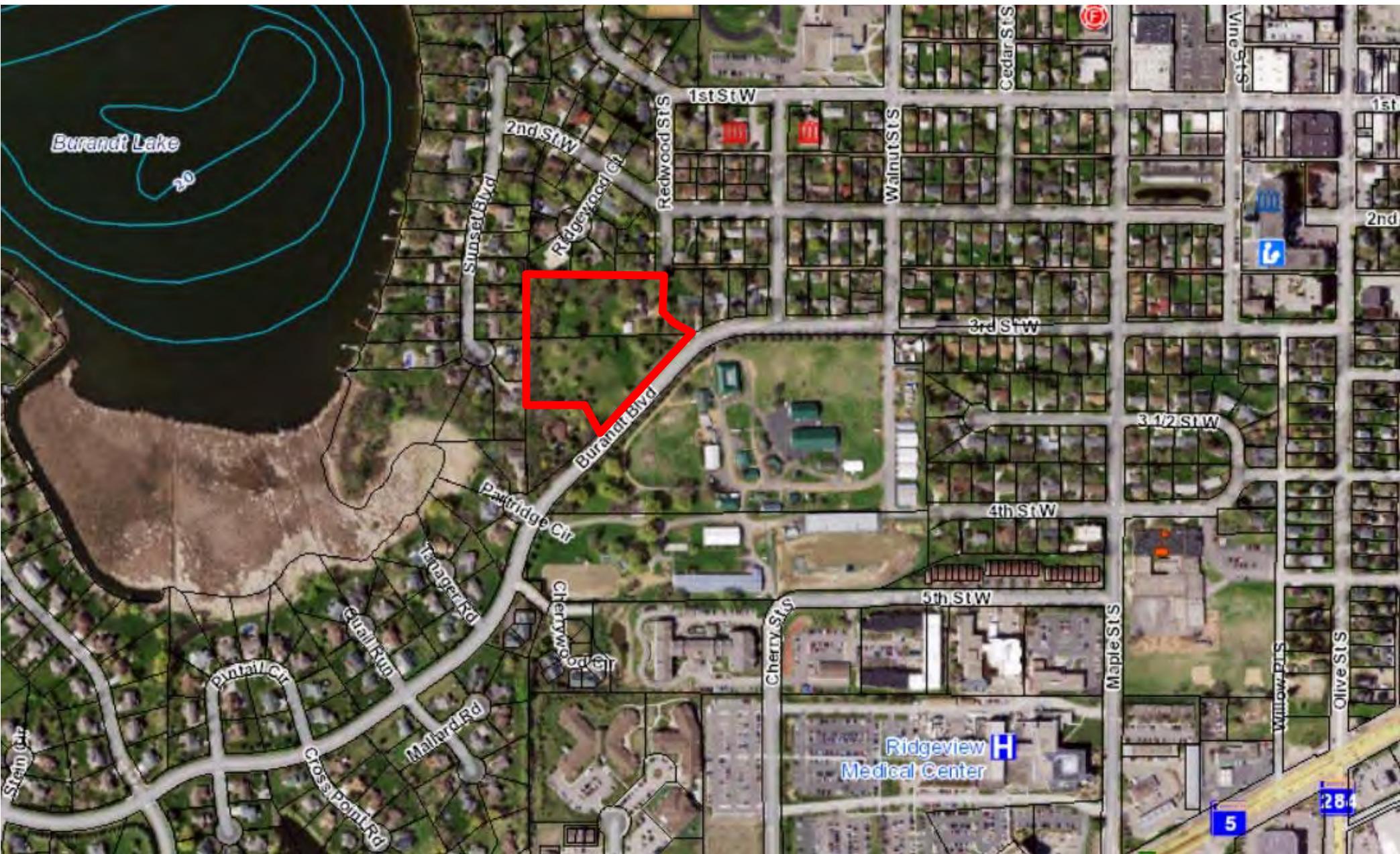
The Planning Commission should review the proposed submittal and how it relates to the City of Waconia’s Comprehensive Plan and to the City Ordinances and advise the applicant of the extent to which the plan conforms to said documents. It would also be appropriate to discuss possible modifications that may be necessary prior to submittal of a subdivision application for the properties.

**NOTE:**

The Sketch Plans submitted by Mr. Hilgers do not require review or consideration by the City Council. The Sketch Plan practice is a Planning Commission process to allow informal review of a potential development and to discuss possible modifications necessary to secure future approval of the plan. There is an optional Sketch Plan procedure for processing a PUD which would allow the Planning Commission and City Council to review if the applicant decides to move forward with a rezoning request.

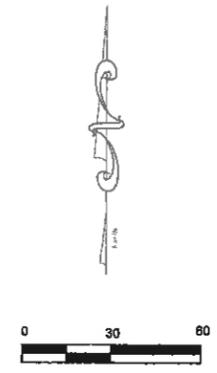
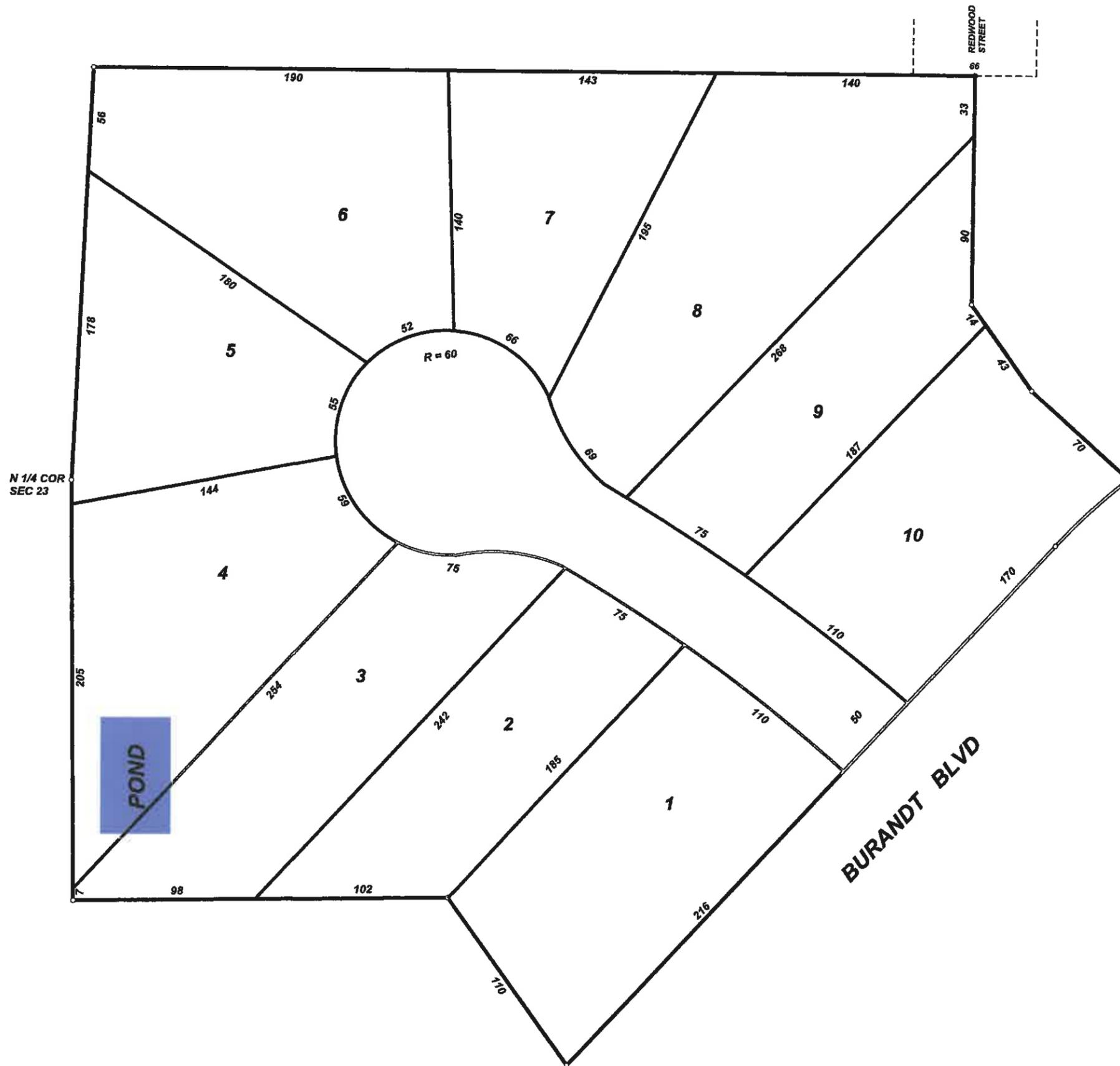
**ATTACHMENTS:**

1. Location Map (1 page)
2. Concept Plan 1 (1 page)
3. Concept Plan 2 (1 page)
4. Concept Plan 3 (1 page)



**CONCEPT PLAN 1**

**Number of Lots:** 10  
**Minimum Lot Size:** 10,500 s.f  
**Minimum Lot Width:** 75'  
**Current Zoning:** R1  
**Proposed Zoning:** R1



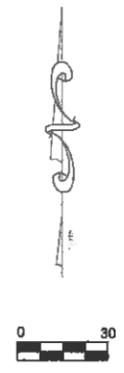
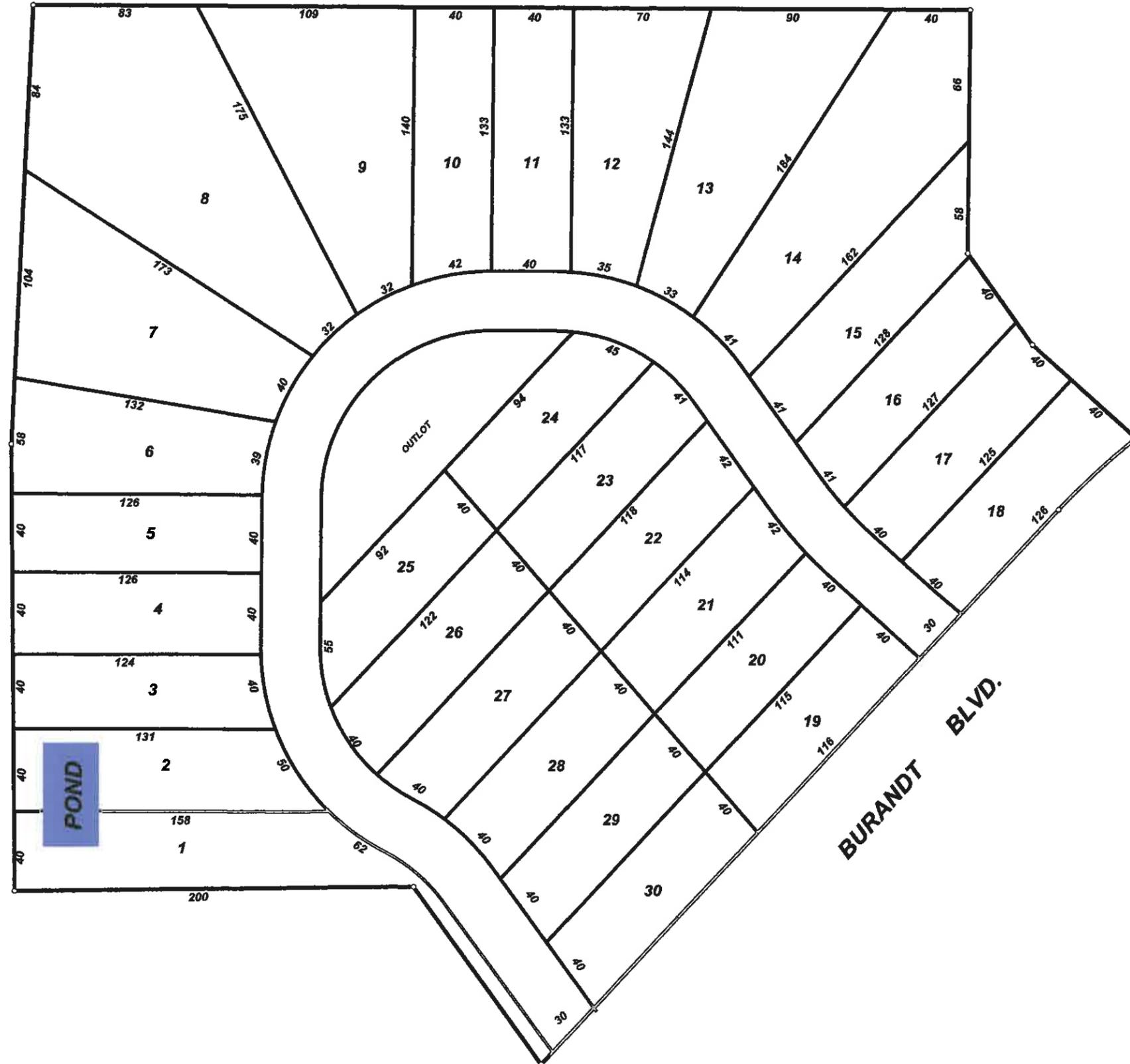
**PREMIER**  
LAND SURVEYING, LLC

1600 Arboretum Blvd., Suite 203  
Victoria, MN 55386  
952-443-3010

**CONCEPT PLAN 2**

**Proposed P.U.D**

**Number of Lots 30**  
**Minimum Lot Size: 4440 S.F**  
**Minimum Lot Width: 40'**



**PREMIER**  
LAND SURVEYING, LLC  
1600 Arboratum Blvd., Suite 203  
Victoria, MN 55386  
952-443-3010

**CONCEPT PLAN 3**

*Proposed P.U.D.*

**Number of Lots:** 21  
**Minimum Lot Size:** 7,000 S.F.  
**Minimum Lot Width:** 50'

**SETBACKS:**

**FRONT:** 25'  
**SIDE:** 5'



 **PROPOSED 30' X 40' HOUSE PAD**

 **PROPOSED 22' X 22' GARAGE PAD**