



## CITY OF WACONIA PLANNING COMMISSION AGENDA

City of Waconia  
Planning Commission  
Waconia, Minnesota

Thursday, September 1<sup>st</sup>, 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  
Ethan Nelson, Assistant Planner  
Brenda Wurst, Recording Secretary

1. Call meeting to order and roll call
2. Adopt Agenda
3. Minutes Approval from: August 4<sup>th</sup>, 2016 Pages 2-6
4. New Business
  - A. STEEP SLOPE LAND ALTERATION PERMIT – Request by Colorscapes By Design, on Behalf of Chad Stiernagle, to allow Landscape Improvements within the Steep Slope at 211 Lakeview Terrace Blvd. Pages 7-24
5. Other Business
  - A. VARIANCE - Request by Leland Otto to locate a 170 sq. ft. Utility Shed 9 ft. from the Side Lot Line without Improvement of a Driveway Surface for the property at 509 Pine Street South.  
– This item was Tabled at the August 4<sup>th</sup>, 2016 Planning Commission Meeting. Pages 25-33

Adjourn

WACONIA PLANNING COMMISSION  
THURSDAY, August 4, 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:	Hebeisen, Blanchfield, Osmundson, Meisch
MEMBERS ABSENT:	Vilmain
ALTERNATE:	Grohmann-Present
STAFF PRESENT:	Braaten, Nelson, Wurst
VISITORS:	See attached sign in sheet
CITY COUNCIL LIASON:	Jim Sanborn- Absent

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

3. APPROVE MINUTES: Motion by Meisch, seconded by Hebeisen, to adopt the Minutes from the July 7, 2016, meeting. All present voted aye. MOTION CARRIED.

4. NEW BUSINESS:

**A. PUBLIC HEARING VARIANCE – REQUEST BY LELAND OTTO TO LOCATE A 170 SQ. FT. UTILITY SHED 9FT FROM THE SIDE LOT LINE WITHOUT IMPROVEMENT OF A DRIVEWAY SURFACE FOR THE PROPERTY AT 509 PINE STREET SOUTH.**

Owner of property located at 509 Pine Street South was not present at the meeting.

The City received a Variance Application from Mr. Leland Otto, 509 Pine Street South, to locate a 170 sq. ft. utility shed/accessory building 9 ft. from the side lot line of his property. The variance request is necessary as Section 900.06, Subd. 1.C. Accessory Structures, Recreational Vehicles and Other Matters requires that any accessory structure exceeding 144 square feet provide an improved driveway access to a public street. Further, the applicant is requesting a reduced side yard setback of 9 ft. versus the 10 ft. minimum requirement stated in City Code.

Braaten demonstrated the location on the map showing the property address of the variance request and the proposed location of the shed/accessory structure.

The R-5, High Density Residential District dictates that utility sheds/accessory buildings are a Permitted Accessory Use: "Same as R-1 District." As such, seeing as there are no specific standards in the R-5 zoning district applying to utility buildings, is it staff's interpretation that the utility building setbacks indicated in the R-1 section of the City Code would apply to this application as the current use of the property is single-family residential. The setbacks are indicated below.

**Utility Shed Setback Requirements:**

Rear Yard Setback = 10 ft. minimum

Interior Side Yard Setback (North Side) = 10 ft.

Street Side Yard Setback (South Side) = 25 ft.  
minimum

The applicant is proposing to locate the shed 9 ft. from the north/side lot line within the backyard of the property. It appears all other setbacks will be met for said structure.

**Accessory Structure/Utility Building Requirements:**

Lot Area: Lots less than 10,500 sq. ft. are allowed a total floor area for all accessory structures of 1,000 sq. ft.

Location Requirement: Accessory structures, detached from the principal structure shall not be located in any front or side yard, except that a detached garage may be located in a side yard if it meets required setbacks.

Utility Building: Utility buildings shall not exceed 144 square feet.

Height Requirement: *No accessory structure detached from the principal structure shall exceed 20 ft. in height.*

The proposed 170 sq. ft. utility shed/accessory building is in compliance with the height stated in the City Code. A variance is necessary because the applicant plans to exceed 144 sq. ft. without providing a driveway access to a public street.

The subject parcel is approximately 6,534 sq. ft. in total area, which allow for a maximum accessory structure floor area of 1,000 sq. ft., currently the applicant has a 96 sq. ft. utility shed in the rear yard. The addition of another 170 sq. ft. of accessory building would be in compliance with the accessory structure lot area requirements stated in City Code.

Braaten stated that if the Commission is comfortable with making the decision without the applicant being present they could make a motion or table the Variance and have Mr. Otto come back next month.

Meisch asked about the 9 foot set back versus a 10 foot setback because of there being enough room. Braaten commented that the applicant did not want to take down a tree that would allow for the 10 foot setback.

Hebeisen wondered about the right of way to which Braaten stated that he is within the 25 foot setback.

Osmundson had concerns regarding the proposed tarp for a door. The Commission members indicated that they needed more information regarding the door and the building materials. Blanchfield stated that the dimensions seemed unusual for a shed structure and is wondering why so large along with the fact of not putting in a driveway along with the variance.

Motion by Osmundson to open the Public Hearing.

Motion by Blanchfield, second by Mesch to close the Public Hearing. All in favor voted aye. MOTION CARRIED.

Motion by Osmundson, second by Hebeisen to table Variance request by Leland Otto to locate a 170 sq. ft. utility shed 9 ft from the side lot line without improvement of a driveway surface for the property at 509 Pine Street North. All in favor voted aye. MOTION CARRIED.

Blanchfield –asked the commission to forward any questions or additional concerns regarding this variance to Braaten for additional research.

**B. PUBLIC HEARING: PRELIMINARY AND FINAL PLAT – SUDHEIMER HOMESTEAD ADDITION PLAT REQUEST BY THE CITY OF WACONIA FOR THE PROPERTY LOCATED AT 10525 10<sup>TH</sup> STREET WEST.**

Braaten demonstrated the location of the Preliminary and Final Plat location for the Sudheimer Homestead Addition. The City acquired the property located at 10525 10<sup>th</sup> Street West to help facilitate the roadway and utility improvements included in the Highway 5 and 10<sup>th</sup> Street projects, which were completed earlier this year. The City is requesting consideration of the Sudheimer Homestead Addition Plat, which will designate the road right-of-way for a portion of the new alignment for 10<sup>th</sup> Street West, develop one approximately 4 acre parcel for future industrial development, and create two outlots.

Braaten demonstrated the location on the overhead map along with the new connecting roads. This property was just annexed into the city limits in July. Braaten explained that the proposed final plat is consistent with the Sudheimer Homestead Addition Preliminary Plat. The Homestead addition final plat includes the development of one industrial lot and two outlots. The proposed final plat is consistent with the preliminary plat information and therefore staff recommends approval of the Sudheimer Homestead Additional Final Plat.

Motion by Blanchfield to open the Public Hearing.

A member from the audience was wondering what type of industry would be allowed. The I-2 industrial district lists about 25 different permitted uses such as manufacturing, printing, trade school, etc., the person from the audience was concerned about fumes.

Motion by Osmundson, second by Meisch to close the Public Hearing. All in favor voted aye. MOTION CARRIED.

Motion by Meisch, second by Osmundson to approve the Preliminary and Final Plat – Sudheimer Homestead Addition Plat request by the city of Waconia for the Property located at 10525 10<sup>th</sup> Street West. All in favor voted aye. MOTION CARRIED.

5. OTHER BUSINESS:

**A. DISCUSSION – ARCHITECTURAL DESIGN STANDARDS – KOCH BUS COMPANY.**

Gail Schuette, GDS Design and Build, Inc., on behalf of Koch Bus Company, has requested an informal discussion with the Planning Commission in order to determine the design of a future bus garage for Koch Bus Company. The subject property is currently located in Waconia Township and not currently included in the City's Comprehensive Plan, but they are considering submitting an application to amend the Comprehensive Plan and a Site Plan to construct a new building on the property.

If the City Council were to approve an amendment to the City's Comprehensive Plan and annex the property to allow for a commercial use, it would be staff's opinion that the property be guided C, Commercial in the Comp Plan and zoned B- 1, Highway Business District for future use as the property is located at the intersection of Hwy. 5 and future CSAH 110. The first segment of CSAH 110 extending from Hwy. 5 to Community Drive is proposed to be constructed in 2017, with the north segment being constructed in 2018.

Mr. Schuette was requesting some direction from the Planning Commission regarding our Architectural Design Standards in our Highway District for the proposed 350 ft. x 140 ft. Koch Bus Company garage. If the property were to be regulated C, Commercial, and if the property were then zoned B-1, Highway Business District, our design standards would dictate the style of building, including type of materials, that could be constructed on the site. The structure, as currently proposed, would not meet our Design Standards, but the Ordinance does allow variances and some flexibility, so Mr. Schuette requested a conversation prior to committing to a formal design of the building.

Discussion took place regarding building façades, breaking up the long expanses of the building façades, location of building, building materials, stone veneer, and tip up panel's vs steel and surrounding potential businesses.

Concerns:

- not complying with the building materials that are required in the B-1 district.
- is steel appropriate because of location and other business that will surround this property.
- how a bus garage would fit among other businesses in this area.
- how to break the façade with block face materials.

Braaten mentioned that the existing Koch buildings are in the B-1 Business District.

Mr. Schuette, spoke in regard to the different types of building materials that could be used for this building, then passed around pictures of what would work for the bus garage. Tip up panels are also prohibited by ordinance, but may be an option with a variance request.

The next steps in the process would be to come in for a Comprehensive Plan Amendment and to work through some access issues with Carver County. The Planning Commission and then to City Council would hear the Comp Plan Amendment application upon submittal. The goal is to have the bus garage open and functioning by 2017.

Osmundson summarized the conversation by saying that the location is great, the building should be conducive with the neighborhood and the tip-up wall panels along with the brick face to change the façade would be acceptable. Blanchfield also suggested taking into consideration when this comes back to Planning Commission to have plans prepared showing the height, windows, façade and color of the structure. Mr. Schuette also mentioned the energy code does not complying with what the City Ordinance allows.

Braaten introduced Ethan Nelson, City of Waconia's new Assistant Planner.

Braaten's updates:

- City Council approved the Machtemes and McLain Variances.
- Oppidan Zoning Amendment was approved.
- City of Waconia decided to opt out of the Temporary Health Care Dwellings legislation.
- The Avalon Group has not yet submitted for the development on the north side of Target.
- Elementary School will be ready to open by the beginning of the school year 2016.

There being no further business, motion by Hebeisen to adjourn at 7:45p.m. second by Osmundson. All present voted aye.  
MOTION CARRIED.

Respectfully submitted,

Brenda Stein  
Recording Secretary

Thursday, August 4, 2016

# WACONIA PLANNING COMMISSION MEETING

PLEASE SIGN IN

NAME	ADDRESS
1. Joanna Johus	8880 Hwy 284
2. Dean Hilgers	1961 Silver St.
3. Paul Schmidt	228 WEST MAIN
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## REQUEST FOR PLANNING COMMISSION ACTION

<b>Meeting Date:</b>	September 1 <sup>st</sup> , 2016
<b>Item Name:</b>	Steep Slope Land Alteration Permit request by Colorscapes by Design to allow landscape improvements within a steep slope for the property located at 211 Lakeview Terrace Blvd.
<b>Originating Department:</b>	Community Development
<b>Presented by:</b>	Lane L. Braaten, Community Development Director

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

<b>Item Type (X only one):</b>	Consent		Regular Session	<input checked="" type="checkbox"/>	Discussion Session	
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**RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED** (Include motion in proper format.)

**Motion recommending either approval or denial of the Steep Slope Land Alteration Permit Request by Colorscapes by Design (on behalf of the property owner Chad Stiernagle) to allow landscape improvements within a steep slope at 211 Lakeview Terrace Blvd.**

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

**BACKGROUND:**

**Applicant:** Colorscapes by Design  
**Owner:** Chad Stiernagle  
**Address:** 211 Lakeview Terrace Blvd.  
**PID#** 752960030  
**Zoning:** R-2, Single-Family Residential District  
**Special District:** Shoreland Overlay District

**REQUEST:**

The City has received a Steep Slope Alteration Permit Application from Colorscapes by Design, on behalf of Chad Stiernagle, (the “applicant”) to allow landscape improvements within a steep slope on the property located at 211 Lakeview Terrace Blvd. Specifically, the applicant is requesting approval to install retaining walls, approximately 150 c.y. of fill material, and a 220 sq. ft. paver patio within the steep slope on the lake side of the existing home. The permit is necessary as the City Ordinance requires a Steep Slope Land Alteration Permit for all Shoreland properties which are developing within a slope of 12% or greater and the approximate slope on the lake side of the property is 26%.

**APPLICABLE ORDINANCE PROVISIONS:**

1. Section 900.05 – District Regulations, Subd. 2.B – R-2, Single-Family Residential District
2. Section 900.06 – Supplementary Regulations, Subd. 7 – Shoreland Overlay District
3. Section 900.06 – Supplementary Regulations, Subd. 8 – Environmental Protection Regulations
4. Section 900.12 – Administration, Enforcement and Procedures, Subd. 11 – Land Alterations

**DEFINITIONS:**

**Sensitive Resource Management** – The preservation and management of areas unsuitable for development in their natural stage due to constraints such as shallow soils over groundwater to bedrock, highly erosive or expansive soils, steep slopes, susceptibility to flooding or occurrence of flora or fauna in need of special protection.

**Shore Impact Zone** – Land located between the ordinary high water level of a public water and a line parallel to it at a setback of 50% of the structure setback.

**Shoreland** – Land located within the following distances from public water; 1,000 feet from the ordinary high water level of a lake, pond, or flowage; and, 300 feet from a river or stream, whichever is greater. The limits of shorelands may be reduced whenever the waters involved are bounded by topographic divides which extend landward from the waters for lesser distances and when approved by the Commissioner.

**Steep Slope** – Land where agricultural activity or development is either not recommended or described as poorly suited due to slope steepness and the site’s soil characteristics, as mapped and described in available county soil surveys or other technical reports, unless appropriate design and construction techniques and farming practices are used in accordance with the provisions of these regulations. Where specific information is not available, steep slopes are lands having average slopes over 12% as measured over horizontal distances of 50 feet or more, that are not bluffs.

**STEEP SLOPE ALTERATION PERMIT PROCEDURES:**

The City Code requires, prior to the commencement of any development on a steep slope, an application for a permit shall be made to the City for review and approval by the Planning Commission and City Council. Steep Slopes, as defined in the Shoreland Overlay District, are slopes exceeding 12% over a distance of 50 feet or more, which are not bluffs. Properties outside of the Shoreland area are also required to get approval of a Steep Slope Permit prior to commencement of any work for slopes of 18% or more.

The Shoreland Overlay District states *“Local government officials must evaluate the possible soil erosion impacts and development visibility from public waters before issuing a permit for construction of sewage treatment systems, roads, driveways, structures or other improvements on steep slopes. When determined necessary, conditions must be attached to issued permits to prevent erosion and to preserve existing vegetation screening of structures, vehicles, another facilities as viewed from the surface of the public waters, assuming summer, leaf-on vegetation.”*

Further, Section 900.06, Subd. 7. Shoreland Overlay District, F. Shoreland Alterations has been attached to this report for your review. In summary, Shoreland alterations are allowed as long as the applicant is not intensively clearing the vegetation on the steep slope, the structures on the property are reasonably screened as viewed from the water, pesticide use is minimized on the property, grading and/or filling done in way so as not to detrimentally affect the lake or neighboring properties, exposure of bare ground is limited and methods to control soil erosion are put in place (see attached).

**ENVIRONMENTAL PROTECTION REGULATIONS**

*“Land alteration is the process of changing the existing landscape by excavating, filling, or grading.....no land shall be altered, excavated, filled or graded and no vegetation removed without first obtaining a permit from the City.”*

**PLANNING CONSIDERATIONS:**

1. The applicant is proposing landscape improvements within the steep slope on the property, which will require fill material in the amount of approximately 150 cubic yards. Therefore, consideration of the Steep Slope Land Alteration Permit request also includes consideration of a Grading Permit for the project.
2. The applicant is proposing the construction of retaining walls on the lakeside of the property at a maximum height of 3 ft. Any retaining walls constructed at 4 ft., or higher will require the issuance of a building permit prior to installation.
3. The property is located in the Shoreland Overlay District and therefore the maximum hardcover allowed on the parcel is 25%. The applicant is not proposing to exceed the 25% hardcover maximum with the improvement of a 220 sq. ft. paver patio.
4. All landscape improvements are proposed to be located outside of the Shore Impact Zone.
5. The Shoreland Alteration section of the City Code states that no intensive clearing of vegetation on a steep slope is allowed. The applicant is not proposing to remove any trees as part of the project.
6. City staff, specifically the City Engineer and Public Services Director, have reviewed the application and are recommending approval of the Steep Slope Alteration Permit subject to the conditions stated in Attachment 5.

7. The existing lake side slope rises approximately 23 ft. from the ordinary high water level (OHWL) to the top of the slope and the existing slope is approximately 26%. Based on this information the slope does not meet the requirements of a bluff, which would not allow any improvement in the slope at all. For reference purposes a bluff is defined as a slope draining toward a water body that has at least 25 ft. of rise and a 30% or greater slope.
8. Approval of the Steep Slope Land Alteration Permit request shall also serve as approval for the grading and filling to be done in conjunction with the proposed improvements. The grading shall be completed per the requirements stated in City Code and as summarized below:
  - a. All operations shall be conducted within the property lines. Grading that extends over the property lines shall require easements from adjacent property owners.
  - b. Upon completion of filling operations the disturbed areas shall be restored with topsoil or other approved cover material and shall be reseeded to establish approved vegetation.
  - c. Finished grades shall not adversely affect adjacent properties.
  - d. Drainage facilities shall be provided to effectively divert or convey storm water run-off.
  - e. Provisions of effectively controlling fire, rodents, and dispersal of material by wind or by hauling to and from the site, and for general maintenance of the site shall be made.
  - f. The excavation or filling permit shall run for six (6) months unless a lesser or greater period is requested and approved by the City Council.

**RECOMMENDATION:**

The Planning Commission should review the Steep Slope Land Alteration request submitted by Colorsapes by Design based on the Steep Slope Alteration Procedures stated above and make a recommendation to the City Council. Upon a formal recommendation by the Planning Commission this application will be forwarded to the City Council for review at their upcoming meeting on September 19<sup>th</sup>, 2016.

If the Planning Commission chooses to recommend approval of the steep slope permit for Mr. Chad Stiernagle, staff would recommend the approval upon the following conditions:

- 1) The Site Plan/Erosion Control Plan submitted with the application be followed as approved and revised by the Planning Commission and 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 comply with the Bolton and Menk memo dated August 16<sup>th</sup>, 2016, which is attached to this report as Attachment #5.
- 4) All retaining walls exceeding 4 ft. in height shall require a permit and shall be designed by a licensed engineer.
- 5) Approval of the Steep Slope Land Alteration Permit request shall also serve as approval for the grading and filling to be done in conjunction with the proposed improvements.
- 6) The excavation or filling permit shall run for six (6) months unless a lesser or greater period is requested and approved by the City Council.
- 7) The bare ground shall be exposed for the shortest time possible.
- 8) Altered areas must be stabilized to acceptable erosion control standards consistent with the field office technical guides of the local soil and water conservation districts and the United States Soil Conservation Service.

**ATTACHMENTS:**

1. Land Alteration Permit Application (2 pages)
2. Location Map (1 page)
3. Site Plan/Erosion Control Plan (1 page)
4. Project Description (2 pages)
5. August 16<sup>th</sup>, 2016 City Engineer Memo (1 page)
6. Section 900.06, Subd. 7. Shoreland Overlay District, F. Shoreland Alterations (3 pages)
7. Property Photographs (5 pages)



CITY OF WACONIA  
201 South Vine Street  
Waconia, MN 55387  
Phone: (952) 442-2184 Ext. 2  
Fax (952) 442-2135  
[www.waconia.org](http://www.waconia.org)

### APPLICANT INFORMATION

1. Owner's Name: CHAD STIERNAGLE
2. Address of Property: 211 LAKEVIEW TERRACE
3. Legal Description: HOUSE HAS NO SURVEY
4. Applicant's Name: COLORSCAPES BY DESIGN
5. Mailing Address: 968 EARLEY LAKE CRUIE
6. Daytime Phone(s): 612-366-5000 - CELL BOB
7. Email Address: BOULDERBOB23@GMAIL.COM

\*The City will distribute copies & appropriate information to applicant via email\*

### OFFICE USE ONLY

Date Received: \_\_\_\_\_

Fee: \$ \_\_\_\_\_  
Receipt #: \_\_\_\_\_



CITY OF WACONIA  
201 South Vine Street  
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**STEEP SLOPE ALTERATION PERMIT** X

**LAND ALTERATION/GRADING PERMIT** \_\_\_\_\_

(Check One)

Present zoning classification: SINGLE FAMILY HOME

Existing use of property: SECOND HOME - CABIN

**THE FOLLOWING INFORMATION MUST BE SUBMITTED  
IN ORDER TO PROCESS THE APPLICATION**

1. Site plan showing locations of excavation on property and location of any adjacent structures.
2. Show existing grade elevations prior to alteration and finished grade elevations after alterations are completed (FINISHED GRADES SHALL NOT ADVERSELY AFFECT ADJACENT PROPERTIES).
3. During excavation, proper erosion control measures shall be implemented to prevent eroding of topsoil. Show plans for erosion control.
4. Provide plans for restoration of disturbed area after excavation is completed. Specify whether area will be seeded, sodded, etc. to prevent run-off of excavated material.
5. If applicable, show plans for controlling dispersal of material by wind or by hauling to and from the site.
6. Payment of application fee (As determined in Chapter 70 of the Uniform Building Code + \$50 deposit). Additional consulting review fees may apply, such as civil engineering and legal counsel.

Applicant's Signature: Bob Schroeder

Date: 8-2-16

Printed Name: BOB SCHROEDER



ATT. CRAIG

FROM BOULDER BOB

612-366-5000-CELL

211 LAKEVIEW TERRACE BLVD.

LOT LINE

LOT LINE

SILT FENCE AND SWADLES

FLATTEN YARD SPACE

3" HIGH BOULDER WALL

39' FLAT WHEN FINISHED

SILT FENCE - SWADLES

3" HIGH BOULDER WALL

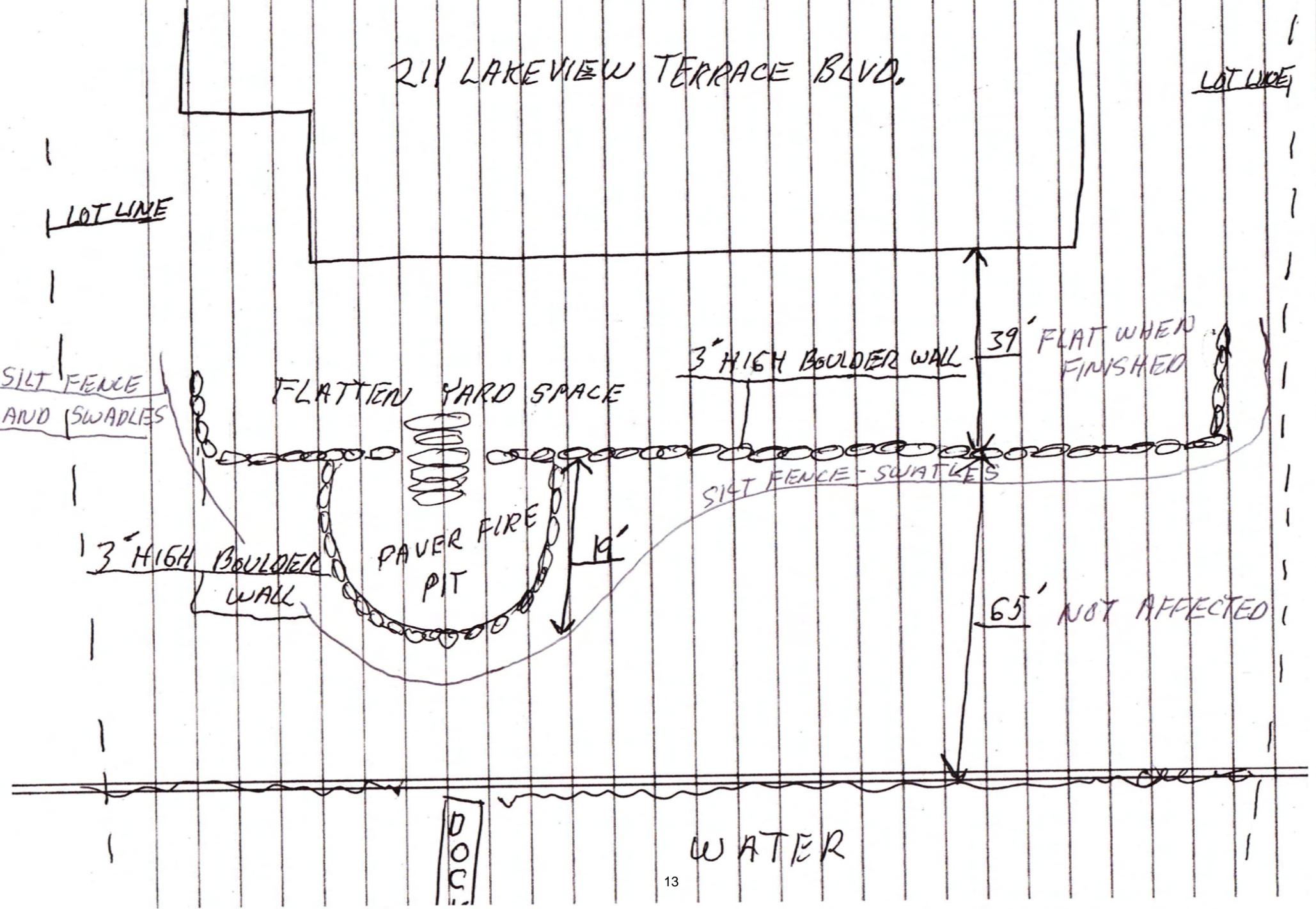
PAVER FIRE PIT

19'

65' NOT AFFECTED

DOC

WATER



## Lane Braaten

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**From:** Florence Ratliff <florence.ratliff@yahoo.com>  
**Sent:** Tuesday, August 02, 2016 10:12 PM  
**To:** bob schroeder; Lane Braaten  
**Subject:** Re: Fwd: Steep Slope Land Alteration Permit - 211 Lakeview Terrace Blvd  
**Attachments:** IMG\_20160802\_0006.pdf; Steep Slope Permit App\_City of Waconia\_2016.pdf; 900.06\_Subd 7\_Shoreland Overlay District.pdf; 900.12 Admin\_Enf\_Procedure.pdf

CURRENT GRADE FLAT FOR 25 FEET FROM BACK OF HOUSE. 3.5 TO 1 SLOPE TO LAKE.

FINISH GRADE FLAT TO 39 FEET MAIN WALL FIRE PIT AREA FLAT ADDITIONAL 19 FEET TO 20 FEET FLAT.

REST OF GRADE UNALTERED.

SILT FENCE AND SWATLES BELOW WALL , WE ALSO WILL USE THE WALL ITSELF TO STOP ANY RUNOFF BY NOT BACKFILLING WALL AT THE END OF EACH DAY, FABRIC BEHIND WALL WILL STOP ANY SOIL FROM REACHING SWATLES AND SILT FENCE.

3-4 DAYS TO BUILD WALLS. WE WILL USE PLYWOOD FROM STREET TO WALL SITE SO NO DAMAGE TO SOD.

WE WILL BRING IN 10 - 12 LOADS BLACK SOIL AND SOD EVERYTHING IN 1 DAY.

NOTE TO EVERYONE... WE ARE THE SAME PEOPLE THAT BUILT WALLS AND LANDSCAPED THE GREG MEYER HOME ON OLD BEACH LANE WITH A MUCH STEEPER SLOPE AND HAS LASTED A YEAR WITH A TON OF RAIN THE ENTIRE TIME WE HAVE NOT HAD ONE BIT OF SOIL REACH THE LAKE AND WILL FINISH FRI. AUGUST 5TH.

On Tuesday, August 2, 2016 9:11 PM, bob schroeder <boulderbob23@gmail.com> wrote:

----- Forwarded message -----

**From:** Lane Braaten <[LBraaten@waconia.org](mailto:LBraaten@waconia.org)>  
**Date:** Wed, Jul 20, 2016 at 9:30 AM  
**Subject:** Steep Slope Land Alteration Permit - 211 Lakeview Terrace Blvd  
**To:** "[boulderbob23@gmail.com](mailto:boulderbob23@gmail.com)" <[boulderbob23@gmail.com](mailto:boulderbob23@gmail.com)>

Bob,

As I indicated on the phone, if you are planning to do any work on a slope that exceeds 12% within the Shoreland Area (w/in 1,000 ft. of a waterbody) you will need the approval of the City Council via our Steep Slope Land Alteration Permit. I have attached the following information:

1. Steep Slope Land Alteration Application
2. Shoreland Overlay District of the City Code
3. Administration Section of the City Code – SEE SUBD. 11 Land Alterations regarding permit procedures, etc.

Our next Planning Commission meeting is on Thursday, August 4<sup>th</sup>, 2016. I will need your application and application materials submitted by July 26<sup>th</sup> in order to get you on said agenda. If you cannot make this deadline your application cannot be heard by the Planning Commission and City Council until the September meetings.

If you have any questions please don't hesitate to give me a call or drop me an email.

Regards,

**Lane L Braaten**

Community Development Director

City of Waconia

201 South Vine Street

Waconia, MN 55387

Office: [952-442-2184](tel:952-442-2184)

Direct: [952-442-3106](tel:952-442-3106)

[www.waconia.org](http://www.waconia.org)





# BOLTON & MENK, INC.<sup>®</sup>

Consulting Engineers & Surveyors

2638 Shadow Lane, Suite 200 • Chaska, MN 55318-1172

Phone (952) 448-8838 • Fax (952) 448-8805

www.bolton-menk.com

## \*\*\* MEMO \*\*\*

DATE: August 16, 2016  
TO: Lane Braaten, City of Waconia  
CC: Craig Eldred, Public Services Director  
FROM: Jake Saulsbury, Bolton & Menk  
SUBJECT: Steep Slope Land Alteration Permit Application  
211 Lakeview Terrace Blvd

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As requested, we have reviewed the submittal for the proposed grading and retaining wall work located at 211 Lakeview Terrace Blvd. The property is located on Lake Waconia and contains a steep slope from the rear of the home to the lake.

The following items should be considered as part of the project:

- Any wattles or temporary log rolls installed on site shall be staked to the slope and monitored throughout the project.
- The proposed silt fence should be extended up gradient approximately 10' along each side yard lot line.
- Disturbed turf areas shall be restored with sod or seed and mulch within 5 days of inactivity.
- The proposed height of the retaining walls are 3 feet. It is difficult to determine if this is accurate without having a site survey. Please note the project will require a building permit if the final retaining wall heights meet or exceed a height of 4 feet.

Please contact our office with any questions you may have.

- b. The deck encroachment toward the ordinary high water level does not exceed 15% of the existing shoreline setback of the structure from the ordinary high water level or does not encroach closer than 30 feet, whichever is more restrictive; and
- c. The deck is constructed primarily of wood, and is not roofed or screened.

F. Shoreland Alterations

- 1. Intensive vegetation clearing within the shore and bluff impact zones and on steep slopes is not allowed.
- 2. Limited clearing of trees and shrubs and cutting, pruning and trimming of trees to accommodate the placement of stairways and landings, picnic areas, access paths, livestock watering areas, beach and watercraft access areas and permitted water-oriented accessory structures or facilities, as well as providing a view to the water from the principal dwelling site, in shore and bluff impact zones and on steep slopes is allowed, provided that:
  - a. The screening of structures, vehicles, or other facilities as viewed from the water, assuming summer, leaf-on conditions, is not substantially reduced;
  - b. Along rivers, existing shading of water surfaces is preserved; and
  - c. The above provisions are not applicable to the removal of trees, limbs or branches that are dead, diseased, or pose safety hazards.
- 3. Use of fertilizer and pesticides in the shoreland management district must be done in a way as to minimize runoff into the shore impact zone or public water by the use of earth, vegetation, or both.
- 4. Grading or Filling: Before any grading or filling activities take place on steep slopes or within shore or bluff impact zones involving the movement of more than ten (10) cubic yards of material or anywhere else in a shoreland area involving movement of more than 50 cubic yards of material, it must be established by local official permit issuance that all of the following conditions will be met. The following conditions must also be considered during subdivision, variance, building permit, and other conditional use permit reviews:
  - a. Before authorizing any grading or filling activity in any type 2 through 8 wetland, local officials must consider how extensively the proposed activity would affect the following functional qualities of the wetland:
    - 1. Sediment and pollutant trapping and retention;

2. Storage of surface runoff to prevent or reduce flood damage;
3. Fish and wildlife habitat;
4. Recreational use;
5. Shoreline or bank stabilization; or
6. Noteworthiness, including special qualities such as historic significance, critical habitat for endangered plants and animals, or others.

This evaluation must also include a determination of whether the wetland alteration being proposed requires permits, reviews or approvals by other local, state or federal agencies such as a watershed district, the Minnesota Department of Natural Resources or the United States Corps of Engineers.

- b. Alterations must be designed and conducted in a manner that ensures only the smallest amount of bare ground is exposed for the shortest time possible.
- c. Mulches or similar materials must be used, where necessary, for temporary bare soil coverage, and a permanent vegetation cover must be established as soon as possible.
- d. Methods to minimize soil erosion and to trap sediments before they reach any surface water feature must be used.
- e. Altered areas must be stabilized to acceptable erosion control standards consistent with the field office technical guides of the local soil and water conservation districts and the United States Soil Conservation Service.
- f. Fill or excavated material must not be placed in bluff impact zones.
- g. Any alterations below the ordinary high water level of public waters must first be authorized by the commissioner under Minnesota Statutes, Section 103.
- h. Alterations of topography must only be allowed if they are accessory to permitted or conditional uses and do not adversely affect adjacent or nearby properties.

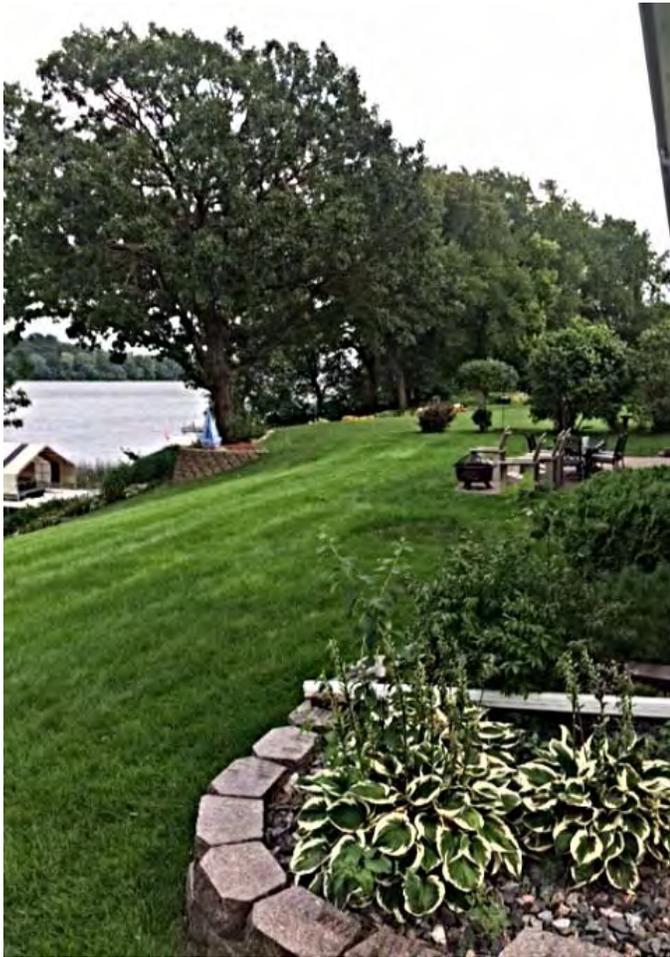
- i. Placement of natural rock riprap, including associated grading of the shoreline and placement of a filter blanket, is permitted if the finished slope does not exceed three feet horizontal to one foot vertical, the landward extent of the riprap is within ten (10) feet of the ordinary high water level, and the height of the riprap above the ordinary high water level does not exceed three (3) feet.
5. Connection to Public Waters. Excavations where the intended purpose is connection to a public water, such as boat slips, canals, lagoons and harbors must be controlled by local shoreland controls. Permission for excavations may be given only after the commissioner has approved the proposed connection to public waters.
6. Placement of Roads, Driveways, Parking Areas. Public and private roads, driveways and parking areas must be designed to take advantage of natural vegetation and topography to achieve maximum screening from view from public waters. They must be designed and constructed to minimize and control erosion to public waters consistent with the field office technical guides of the local soil and water conservation district, or other applicable technical materials.
  - a. Roads, driveways and parking areas must meet structure setbacks and must not be placed within bluff and shore impact zones, when other reasonable and feasible placement alternatives exist. If no alternatives exist, they may be placed within these areas and must be designed to minimize adverse impacts.
  - b. Public and private watercraft access ramps, approach roads and access related parking areas may be placed within shore impact zones provided the vegetative screening and erosion control conditions in this subpart are met. For private facilities, the grading and filling provisions of this section must be met.

G. Stormwater Management.

1. When possible, existing natural drainageways, wetlands and vegetated soil surfaces must be used to convey, store, filter and retain stormwater runoff before discharge to public waters.
2. Development must be planned and conducted in a manner that will minimize the extent of disturbed areas, runoff velocities, erosion potential and reduce and delay runoff volumes. Disturbed areas must be stabilized and protected as soon as possible and facilities or methods used to retain sediment on the site.













## REQUEST FOR PLANNING COMMISSION ACTION

<b>Meeting Date:</b>	September 1 <sup>st</sup> , 2016
<b>Item Name:</b>	Variance Request by Leland Otto for the property at 509 Pine Street South – Additional Requested Information
<b>Originating Department:</b>	Community Development
<b>Presented by:</b>	Lane L. Braaten, Community Development Director
<b>Previous Council Action (if any):</b>	
<b>Item Type (X only one):</b>	<input type="checkbox"/> Consent <input type="checkbox"/> Regular Session <input checked="" type="checkbox"/> Discussion Session <input type="checkbox"/>
<b>RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED</b> (Include motion in proper format.)	

**Motion recommending either approval or denial of the variance request by Leland Otto to locate a 170 sq. ft. utility shed/accessory building 9 feet from the side lot line versus the 10 ft. minimum requirement stated in City Code and placement of an accessory structure exceeding 144 sq. ft. without constructing an improved driveway access for the property located at 509 Pine Street South.**

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

**BACKGROUND:**

The Planning Commission, at their regular meeting on August 4<sup>th</sup>, 2016, held the public hearing for and briefly discussed the Variance request submitted by Mr. Leland Otto to construct a 170 sq. ft. shed/accessory building on his property 9 ft. from the side lot without the improvement of a driveway access. As Mr. Otto was not able to attend the meeting on August 4<sup>th</sup> the application was tabled until the September 4<sup>th</sup>, 2016 regular meeting of the Commission.

On August 4<sup>th</sup> the Planning Commission requested additional information regarding the shed/accessory structure, which was provided to the Commission, along with property photographs, via an email from staff on August 16<sup>th</sup>, 2016. Said information has also been attached to this staff memo for consideration.

Please note that this information is provided in addition to the original staff report dated August 4<sup>th</sup>, 2016 and the Planning Commission should refer to said report when considering further recommendation of this land use application.

**ATTACHMENTS:**

1. Elevation Photo (1 page)
2. Location Map w Indicated Views (1 page)
3. Property Photographs (6 pages)

**10 FT. x 17 FT.  
PORTABLE GARAGE**



**SAVE  
\$111**



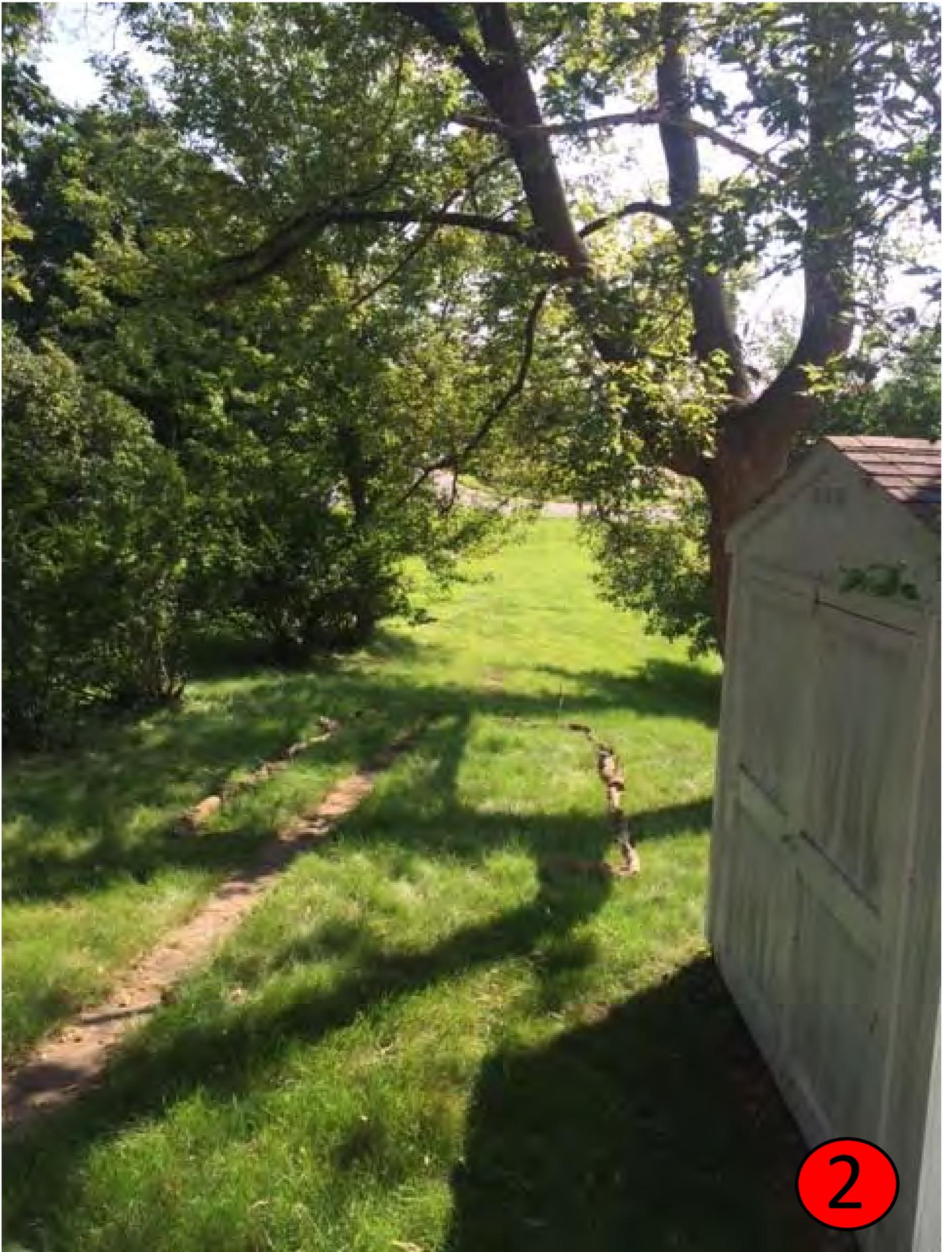
**LOT 60727/62286 Customer Rating**  
**62860/62859** ★★★★★  
**63055/69039 shown**

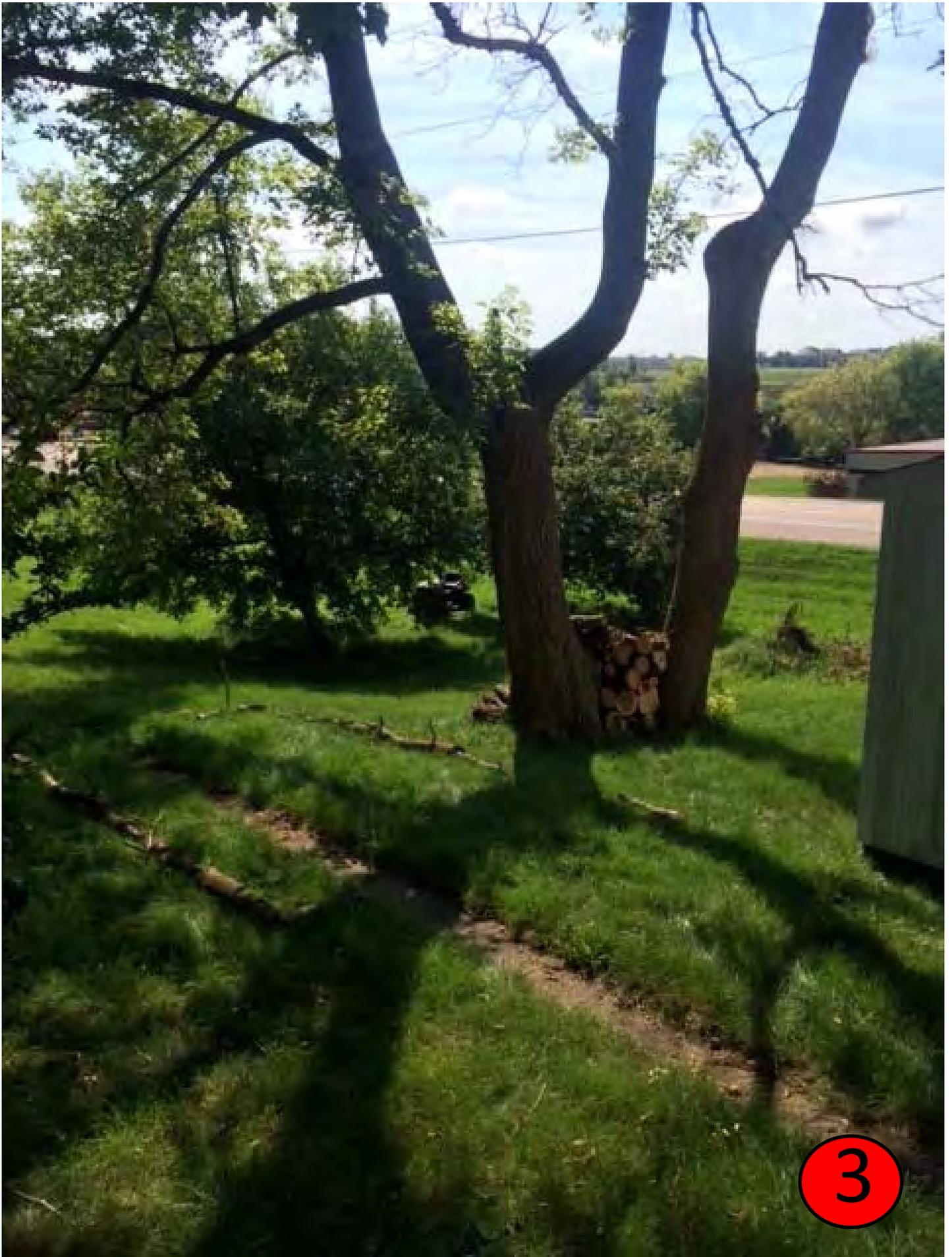


**comp at \$311**











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