

6:30 PM

A thriving, connected community with deep roots: a great place to live for a lifetime.

A city that leads, serves, and governs to enhance the quality of life for all community members.

CHAIR: ROBERT GROHMANN
MEMBER: JIM SARCLETTI
MEMBER: DAN LESHER
MEMBER: MIKE SHERMAN
MEMBER: TINA ZELLMAN
ALTERNATE MEMBER: J.D. LUDFORD

NOTE: TO ENSURE THAT YOU ARE PRESENT FOR ITEMS OF INTEREST, PLEASE BE PRESENT AT 6:30 P.M.

Those with items on the agenda should reach out to their staff contact. Others who wish to participate in the meeting, please contact the Community Development Director at 952-442-3106 or lbraaten@waconia.org to make certain that you are called upon during the meeting.

1. **Call meeting to order and roll call**
2. **Adopt Agenda**
3. **Minutes Approval**
 - 1) [July 7th, 2022 Planning Commission Meeting Minutes](#)
Motion to adopt the July 7th, 2022 Planning Commission Meeting Minutes
4. **New Business**
 - 1) [PUBLIC HEARING - Airport Road Addition Preliminary and Final Plat](#)
Open the Public Hearing.
Motion to close the Public Hearing.
Motion recommending either approval or denial of the Preliminary and Final Plat applications for the Airport Road Addition.
 - 2) [PUBLIC HEARING - After-the-Fact Variance request by Gregory & Kelly Payette](#)
Open the Public Hearing.
Motion to close the Public Hearing.
Motion recommending either approval or denial of an after-the-fact variance to allow impervious surface exceeding the 35% maximum allowed in the Planned Unit Development (PUD) District.
 - 3) [Lake Waconia Regional Park - Waterfront Services Building UPDATE](#)
No action required.
5. **Old Business**

6. Other

Adjourn

Work Session

Ordinance Amendment Discussion regarding Minor Subdivisions, Lot Combinations and the Chicken and Bee License



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 1, 2022					
Item Name:		July 7th, 2022 Planning Commission Meeting Minutes					
Originating Department:		Community Development					
Presented by:		Lane Braaten					
Previous Council Action (if any):							
Item Type (X only one):		Consent		Regular Session	X	Discussion Session	
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Motion to adopt the July 7th, 2022 Planning Commission Meeting Minutes							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
<u>Attachments:</u> 1. July 7 2022 Planning Commission Meeting Minutes.pdf							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses:							
Budget Information: _____ Budgeted _____ Non Budgeted _____ Amendment Required				Planning Commission			
				Parks and Recreation Board			
				Safari Island Advisory Board			
				Other			

**CITY OF WACONIA
JULY 7, 2022**

1) [Call meeting to order and roll call](#)

Pursuant to due call and notice thereof, the regular meeting of the Planning Commission of the City of Waconia was called to order by Grohmann at 6:30 pm.

Members Present:	Zellman, Sarcletti, Grohmann, Sherman, Leshner
Members Absent:	Ludford
Alternate:	Ludford - Absent
Staff Present:	Braaten, Nelson, Havlik, Stein
City Liaison:	Sorensen

2) [Adopt Agenda](#)

No changes to the agenda.

Motion by Leshner, seconded by Sarcletti to approve the agenda as presented. All present voted aye. MOTION carried

3) [Minutes Approval](#)

June 2nd, 2022, Planning Commission Meeting Minutes

Motion by Zellman, second by Sherman to approve the June 2, 2022, Planning Commission Minutes. All present voted aye. MOTION carried

4) [New Business](#)

[PUBLIC HEARING - Prohibition of Permanent Docks and Removal of Seasonal Docks.](#)

Braaten presented the public hearing information relating to the possible prohibition of permanent docks, and the removal of seasonal docks. If adopted by the city council this would affect all docks in public waters that have shoreline within the City limits. This chapter does not propose to regulate commercial docks, marinas, or public docks. Braaten also went through the proposed definitions. All seasonal docks and their components, including, but not limited to, supports, decking and footings, shall be removed from public waters for a period of not less than 90 days between the months of November 1 and April 1 of each year.

Leshner reconfirmed that this would only cover the Waconia city limits. Braaten stated that the County does not currently regulate docks. The County follows the DNR regulations.

Sherman asked if this language matched the previous ordinance. Braaten stated the language has not changed.

Grohmann opened the Public Hearing.

No comments were received.

Motion by Leshner, seconded by Sherman to close the Public Hearing. All in favor aye. MOTION carried.

Motion by Leshner, seconded by Sarcletti to approve the draft ordinance regulating permanent and seasonal docks within the City of Waconia. All in favor voted aye. MOTION carried.

SITE PLAN & DESIGN REVIEW - Darabi Dermatology - submitted by Stephen Paetzel, Mohagen Hansen Architectural Group

Nelson presented and displayed the location of 839 Vista Blvd explaining the proposed project was the second phase of Darabi Dermatology. All zoning and setback requirements are conforming. The proposed expansion of the parking lot conforms to City Code requirements. Nelson stated that an easement is required in the location of the fire hydrant. Landscaping, building materials and elevations are all compliant. The applicant shall be required to submit a sign permit when applicable.

Mr. Darabi asked about the 6 conditions of approval. Discussion followed.

Leshner asked when construction will start, and Mr. Darabi stated next spring.

Motion by Sherman, seconded by Sarcletti to recommend approval of the site plan for the Darabi Dermatology Clinic for the property located at 839 Vista Boulevard with the 6 recommended conditions of approval. All in favor voted aye. MOTION carried.

5) Old Business

PUBLIC HEARING – Woodland Creek 5th Addition Preliminary Plat and PUD Zoning Request

Nelson presented the Woodland Creek 5th Addition Preliminary Plat and PUD Rezoning request by Hartman Communities. The project includes 37 single family villa lots. The location of the property is just south of the previous Woodland Creek residential development. This vacant land consists of a partially open area, woods, and the creek. The applicant is proposing access to the development from the north via Campfire Drive West and Campfire Drive East. Both connections are from the original Woodland Creek development which is accessed by Minnesota Highway 284 and Campfire Court North.

Nelson described this addition as:

55-foot-wide medium density lots

- Required setbacks: 25ft front yard setbacks.

15ft side yard setbacks. (7 ½ ft on both sides)

30 ft rear yard setback.

Maximum impervious coverage 35%

-Shoreland District: Lot width of 75ft, maximum impervious coverage 25%.

There is a request to increase the maximum impervious coverage to 50%.

Nelson stated this development has 3 outlots and described each of them.

No signage has been proposed other than the development sign.

Nelson displayed and described the landscaping plan, tree inventory, removal of trees and the replacement process.

Sherman asked Nelson about the previous Woodland Creek additions and what they were approved at in regard to impervious surface. Discussion followed.

Grohmann opened the Public Hearing

Leshner asked if the trail ends at Carver Creek. As of now it does but hopes of a trail at some point crossing the creek.

Leshner asked if there should be a condition in place to talk with Westwood about the trail. No extra conditions are required.

Leshner recalled signage by the creek regarding that the area needs to remain unchanged. This could be included in the Developers Agreement.

Leshner asked Mr. Hartman if he had any concerns regarding a few of the lots having very limited building envelopes.

Terry Hartman, Hartman Communities, 1750 Tower Blvd, Victoria, MN.

Lengthy discussions about impervious surface coverage, shoreland overlay restrictions, buffers, setbacks regulations and building height.

Braaten addressed a possible work session with Commission members on a way to provide education, clarity, and communication to potential property owners about what is allowed and what is not allowed in setbacks, buffers, etc. This could be built into the Developers Agreement to explain to the potential homeowners.

Motion by Sherman, second by Zellman to close the Public Hearing. All in favor voted aye. MOTION carried.

Motion by Leshner, second by Zellman to recommend approval of the Preliminary Plat Application and PUD Zoning request titled Woodland Creek 5th Addition, which proposes the development of the property located at PID# 750250300 with the 16 recommended conditions of approval. All in favor voted aye. MOTION carried.

6) Other

Staff Update

- Lane gave an update on epermits that are available on the city website.
- Bus tour last Wednesday.
- 24 Dana Circle variance was denied by City Council.
- 115 Maple Terrace was denied by City Council they did not have a plan that was acceptable to the City Engineer and/or Public Services Director.
- Application for Scooters Coffee was submitted.
- 1,000 permits or the year, 112 single family homes, 8 townhome units, 163-unit apartment building.

Adjourn

There being no further business, Motion by Leshner, seconded by Sarcletti to adjourn at 7:45 pm. **All present voted aye. MOTION carried**

Brenda Stein & Dave Havlik, Office Assistants



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 1, 2022				
Item Name:		PUBLIC HEARING - Airport Road Addition Preliminary and Final Plat				
Originating Department:		Community Development				
Presented by:		Lane Braaten				
Previous Council Action (if any):						
Item Type (X only one):	Consent		Regular Session	X	Discussion Session	

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

Open the Public Hearing.
Motion to close the Public Hearing.
Motion recommending either approval or denial of the Preliminary and Final Plat applications for the Airport Road Addition.

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

BACKGROUND:

Applicants: Carver County and the Kirsch Family
Owners: Carver County and the Kirsch Family
Address(es) & PID#s: 8065 Paradise Lane (PID# 750180300), 9350 Airport Road (PID# 070191700), 9120 Airport Road (PID# 070193000), and PID#s 750181000, 070191600, and 070191200.

Carver County Public Works and the Kirsch Family have been working on a land swap to preserve the needed right-of-way for the future County Road 92 corridor proposed to extend south from State Hwy. 5. A portion of the properties described above are located within the City of Waconia and the remaining property is located within Laketown Township. The City Council approved Resolution 2022-87 extending subdivision authority over the properties located within the township to help facilitate the proposed land swap.

REQUEST:

The City has received a Preliminary Plat and Final Plat application from Carver County and the Kirsch Family titled Airport Road Addition. Specifically, the applicants are requesting to plat the subject properties identified above into fourteen (14) outlots.

APPLICABLE ORDINANCE PROVISIONS:

Section 1000 – Subdivision Ordinance

PUBLIC NOTICE/COMMENT

The notice was published in the WACONIA PATRIOT on August 18th, 2022 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 of this report no written comments have been received regarding the public hearing notice.

CONCLUSION / RECOMMENDATION

The Planning Commission should hold the required public hearing, review the pertinent information 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 19th.

If the Planning Commission recommends approval of the Airport Road Addition Preliminary and Final Plat, staff would recommend the approval with the following conditions:

1. The Airport Road Preliminary Plat and Final Plat shall be completed as approved and as conditionally revised by the Planning Commission and the City Council.

2. All indirect costs related to the permitting, review, and plans associated with engineering and administrative costs shall be paid by the applicant/owner.
3. Future platting and/or development of the property/properties shall be subject to the applicable park dedication requirements.

Attachments:

1. [Location Map.pdf](#)
2. [Public Hearing_Preliminary & Final Plat_Airport Road Addition.pdf](#)
3. [Airport Road Preliminary Plat.pdf](#)
4. [Airport Road Final Plat.pdf](#)

FINANCIAL IMPLICATIONS:

Funding Sources & Uses:

Budget Information:

_____ Budgeted
 _____ Non Budgeted
 _____ Amendment Required

ADVISORY BOARD RECOMMENDATIONS:

Planning Commission

Parks and Recreation Board

Safari Island Advisory Board

Other



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 September 1st, 2022, 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 Carver County and the Kirsch Family for the properties described as follows:

8065 PARADISE LANE (PID# 750180300), 9350 AIRPORT ROAD (PID# 070191700), 9120
AIRPORT ROAD (PID# 070193000), and PID #s 750181000, 070191600, and 070191200,
CARVER COUNTY, MINNESOTA

The proposed Preliminary and Final Plat titled Airport Road Addition includes approximately 274.91 acres of land south Highway 5 and east of Laketown Elementary School and proposes the subdivision of the properties into fourteen (14) outlots.

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, September 1st, 2022. 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

By: WACONIA PLANNING COMMISSION

ATTEST: Lane L. Braaten, Community Development Director

(Published in the August 18th, 2022, Waconia Patriot newspaper)

PRELIMINARY PLAN

FOR

AIRPORT ROAD ADDITION

WACONIA, MN

PREPARED FOR:
CARVER COUNTY PUBLIC WORKS
11360 HIGHWAY 212, SUITE 1
COLOGNE, MN 55322
CONTACT: LUKE KRANZ
PHONE: 952-361-1015
EMAIL: LKRANZ@CO.CARVER.MN.US

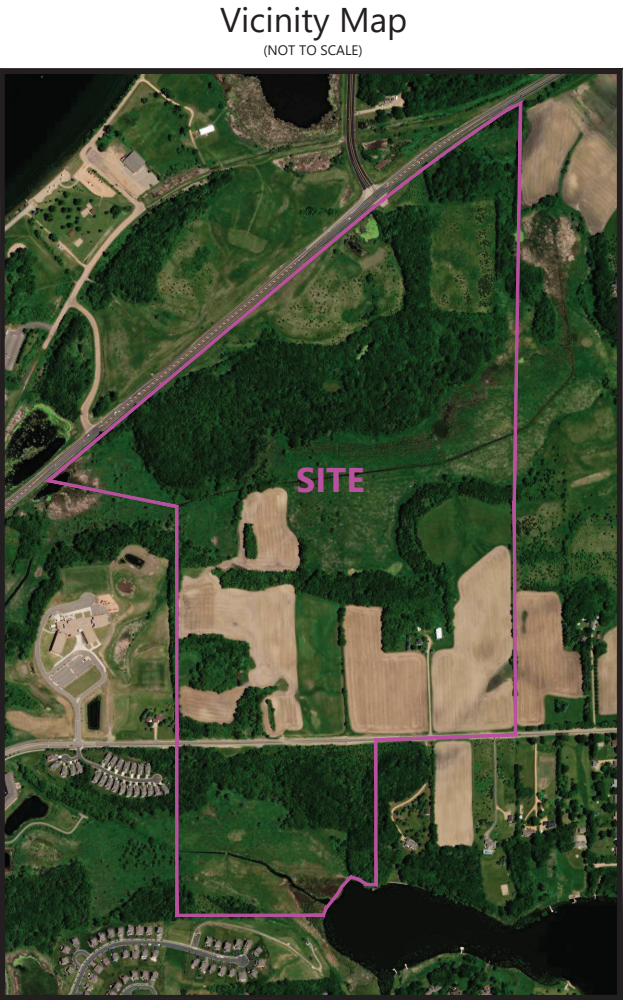
PREPARED BY:

Westwood

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
Fax (952) 937-5822 Minnetonka, MN 55343
Toll Free (888) 937-5150 westwoodps.com

Westwood Professional Services, Inc.

PROJECT NUMBER: 0033942.00
CONTACT: MATHEW J. WELINSKI

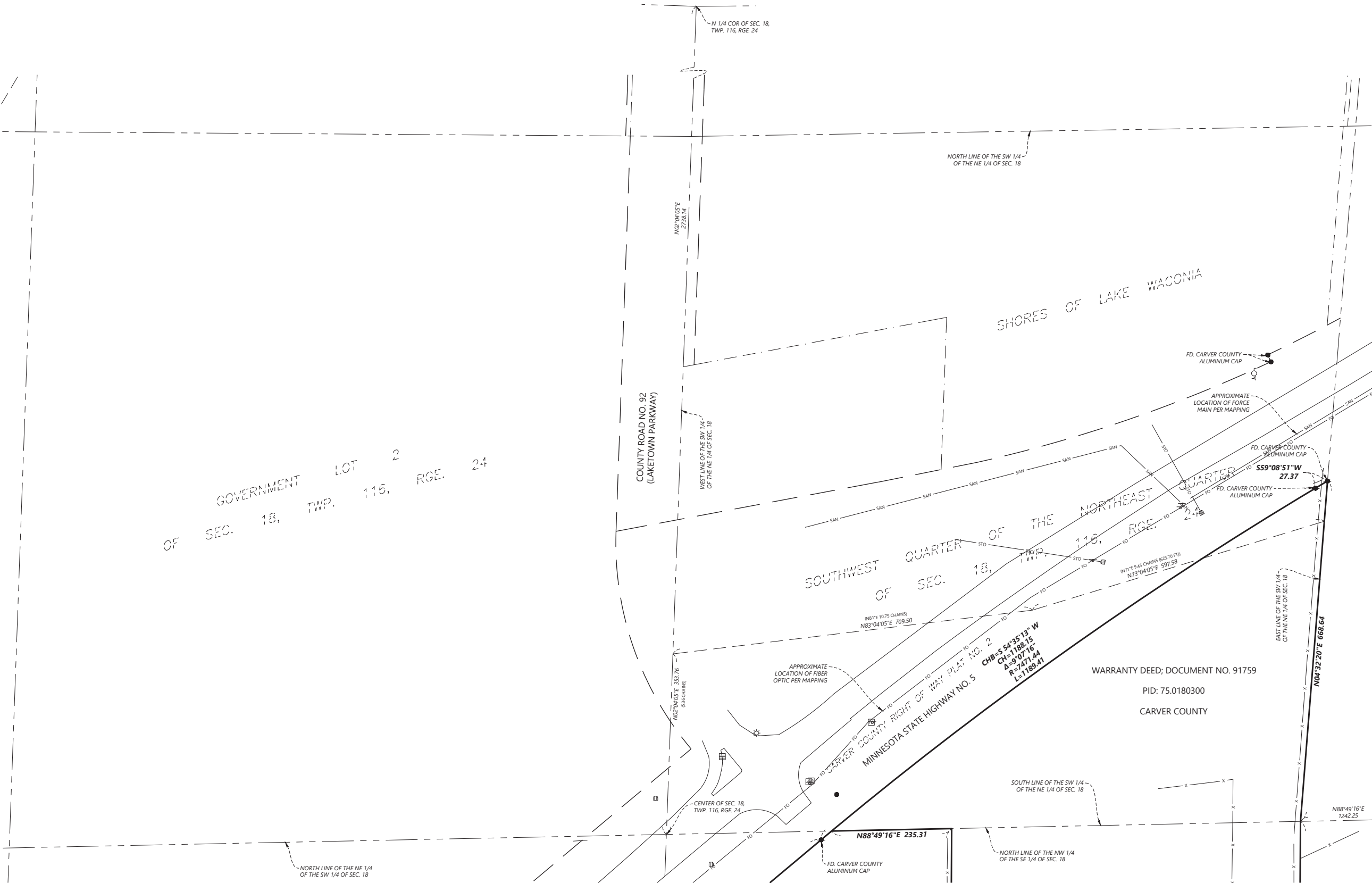


SHEET INDEX

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1	COVER
2	EXISTING CONDITIONS
3	EXISTING CONDITIONS
4	EXISTING CONDITIONS
5	EXISTING CONDITIONS
6	EXISTING CONDITIONS
7	PRELIMINARY PLAT

PRELIMINARY PLAN
FOR
AIRPORT ROAD ADDITION
WACONIA, MN

INITIAL SUBMITTAL DATE: 08/03/2022 SHEET: 1 OF 7



Call 48 Hours before digging:

811 or call811.com
Common Ground Alliance

LEGAL DESCRIPTION

Warranty Deed; Document No. 605575
That part of Government Lot 3, Section 19, Township 116 North, Range 24 West, described as follows:
Commencing at the southwest corner of Government Lot 3, Section 19, Township 116, Range 24; thence North on the westerly line of said Lot 3 to a point which is 712 feet South of the northwest corner of said Lot 3; thence northeasterly to a point on the east line of said Lot 3 which is 648 feet South of the northeast corner of said Lot 3; thence South along the east line of said Lot to shore of lake; thence southwesterly along said shore line to the south line of said Lot 3; thence West to the place of beginning, Carver County, Minnesota.

Warranty Deed; Document No. 586777
Beginning at the Northwest corner of Lot 3, Section 19, Township 116 North, Range 24 West, running thence Easterly a distance of 1945 feet, more or less, to a point 651 feet East of the Northwest corner of Lot 2 in said section; thence Southerly 1255 feet, more or less, to the shore of Reitz Lake; thence Westerly along the shore of said Lake to the West line of said Lot 2; thence North along the West line of said Lot 2 to a point 648 feet South of the North line of said Lot 2; thence West to a point on the West line of said Lot 3 which is 712 feet South of the point of beginning; thence North along the West line of said Lot 3 to the point of beginning, containing 37.8 acres, more or less.
EXCEPT the following described parcel of land; That part of Government Lot 2, Section 19, Township 116, Range 24, Carver County, Minnesota, commencing at the Northwest corner of said Government Lot 2; thence Easterly along the North line of said Government Lot, 270.43 feet to the actual point of beginning; thence continue Easterly, along said North line, 380.57 feet to a point 651.00 feet East of said Northwest corner; thence Southerly 1255.00 feet to the shore of Reitz Lake; thence Westerly, along said shore to its intersection with a line drawn Southerly from the actual point of beginning; thence Northerly, along last described line, to the actual point of beginning.

Warranty Deed; Document No. 183788
The Southeast Quarter of the Southwest Quarter of Section 18 and the Northeast Quarter of the Northwest Quarter of Section 19, Township 116 North, Range 24 West.

Warranty Deed; Document No. 250808
Southwest Quarter of the Southeast Quarter (SW1/4 of SE1/4) of Section 18, Township 116 North, Range 24 West.
AND
Northwest Quarter of the Northeast Quarter (NW1/4 of NE1/4) Section 19, Township 116 North, Range 24 West, according to the Government Survey thereof, Carver County, Minnesota.

Warranty Deed; Document No. 91759
That part of the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4) of Section 18, Township 116, Range 24, lying South of the right-of-way of the M. & St. L. Ry. Co., described as follows: Commencing at the center post of Section 18 aforesaid; thence North along quarter section line 5.36 chains to the M. & St. L. right-of-way; thence North 81 degrees East along said right-of-way 10.75 chains; thence North 71 degrees East along said right-of-way 9.45 chains to the East line of the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4) of said Section 18; thence South 10 chains to the East and West Quarter Section line; thence West along said line 18.88 chains to the place of beginning.

Also, the East 10.35 chains of the Northwest Quarter of the Southeast Quarter (NW 1/4 of SE 1/4) of said Section 18.

Also, Government Lot Two (2), Section 18, Township 116, Range 24, excepting therefrom 6 acres of land as follows:

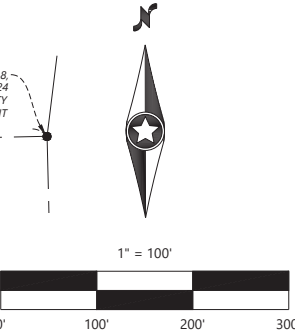
Commencing at the Northwest (NW) corner of the Northeast Quarter of the Southwest Quarter (NE 1/4 of SW 1/4) of said Section 18, running thence West along the quarter section line 11.0 chains to the shore of Clearwater Lake; thence North 46 degrees East along the shore of said Lake 11.06 chains; thence South 53 1/2 degrees East 11.75 chains to the place of beginning. Also excepting the right-of-way of the M. & St. L. Ry. Co. across said Lot 2, containing 3.55 acres. Also excepting 2.9 acres sold to Rauven & Klatt as recorded in Book 18 of Deeds, page 294, records of the Register of Deeds in and for Carver County, Minnesota.

Warranty Deed; Document No. 252072
All of Government Lot 3, Section 18, Township 116, Range 24, lying easterly and southeasterly of the easterly and southeasterly right-of-way line of the railroad corridor formerly owned by the Chicago & North Western Transportation Company.

All of the Southwest Quarter of the Southwest Quarter of Section 18, Township 116, Range 24, lying easterly and southeasterly of the easterly and southeasterly right-of-way line of the railroad corridor formerly owned by the Chicago & North Western Transportation Company, and lying northerly of a line which commences at a point on the east line of said Southwest Quarter of the Southwest Quarter distant 500.00 feet northerly of the southeast corner thereof; thence North 81 degrees 30 minutes West (the east line of the Southwest Quarter of the Southwest Quarter has an assumed bearing of North) to the easterly right-of-way of said railroad corridor and there terminating.

The Northeast Quarter of the Southwest Quarter of Section 18, Township 116, Range 24.

All of the Northwest Quarter of the Southeast Quarter of Section 18, Township 116, Range 24, lying west of the East 10.35 chains thereof.



DESIGNED: _____
CHECKED: _____
DRAWN: _____
HORIZONTAL SCALE: 100.000002"
VERTICAL SCALE: 20' OR 10'

INITIAL ISSUE: 08/03/2022
REVISIONS:
△ -
△ -
△ -
△ -
△ -

PREPARED FOR:
CARVER COUNTY PUBLIC WORKS
11360 HIGHWAY 212, SUITE 1
COLOGNE, MN 55322

I HEREBY CERTIFY THAT THIS PLAN 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

MATHEW J. WELINSKI
DATE: 08/03/2022 LICENSE NO. 53596

AIRPORT ROAD ADDITION
WACONIA, MN

Westwood

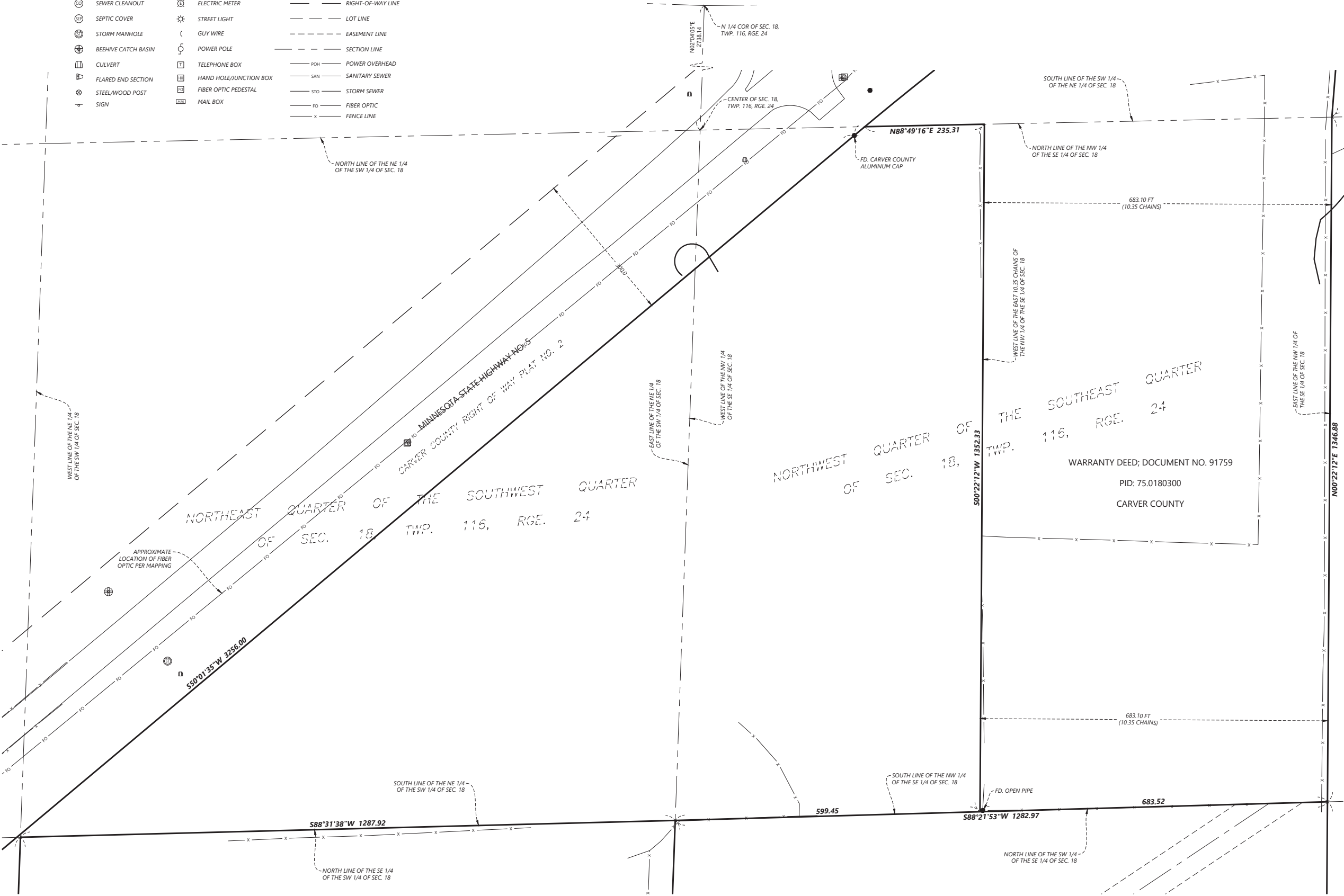
Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
Fax (952) 937-5822 Minnetonka, MN 55343
Toll Free (888) 937-5150 westwoodps.com
Westwood Professional Services, Inc.

EXISTING CONDITIONS

SHEET NUMBER:
2 OF 7
DATE: 08/03/2022
PROJECT NUMBER: 0033942.00

LEGEND

	SANITARY MANHOLE		ELECTRIC BOX		BOUNDARY LINE
	SEWER CLEANOUT		ELECTRIC METER		RIGHT-OF-WAY LINE
	SEPTIC COVER		STREET LIGHT		LOT LINE
	STORM MANHOLE		GUY WIRE		EASEMENT LINE
	BEEHIVE CATCH BASIN		POWER POLE		SECTION LINE
	CULVERT		TELEPHONE BOX		POWER OVERHEAD
	FLARED END SECTION		HAND HOLE/JUNCTION BOX		SANITARY SEWER
	STEEL/WOOD POST		FIBER OPTIC PEDESTAL		STORM SEWER
	SIGN		MAIL BOX		FIBER OPTIC
					FENCE LINE



LEGAL DESCRIPTION

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AND
Northwest Quarter of the Northeast Quarter (NW 1/4 of NE 1/4) Section 19, Township 116 North, Range 24 West, according to the Government Survey thereof, Carver County, Minnesota.

Warranty Deed; Document No. 91759
That part of the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4) of Section 18, Township 116 North, Range 24, lying South of the right-of-way of the M. & St. L. Ry. Co., described as follows: Commencing at the center post of Section 18 aforesaid; thence North along quarter section line 5.36 chains to the M. & St. L. right-of-way; thence North 81 degrees East along said right-of-way 10.75 chains; thence North 71 degrees East along said right-of-way 9.45 chains to the East line of the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4) of said Section 18; thence South 10 chains to the East and West Quarter Section line; thence West along said line 18.88 chains to the place of beginning.

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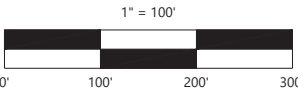
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All of the Southwest Quarter of the Southwest Quarter of Section 18, Township 116 North, Range 24, lying easterly and southeasterly of the easterly and southeasterly right-of-way line of the railroad corridor formerly owned by the Chicago & North Western Transportation Company, and lying northerly of a line which commences at a point on the east line of said Southwest Quarter of the Southwest Quarter distant 500.00 feet northerly of the southeast corner thereof; thence North 81 degrees 30 minutes West (the east line of the Southwest Quarter of the Southwest Quarter has an assumed bearing of North) to the easterly right-of-way of said railroad corridor and there terminating.

The Northeast Quarter of the Southwest Quarter of Section 18, Township 116 North, Range 24.

All of the Northwest Quarter of the Southeast Quarter of Section 18, Township 116 North, Range 24, lying west of the East 10.35 chains thereof.



NOT FOR CONSTRUCTION

DESIGNED: _____
CHECKED: _____
DRAWN: _____
HORIZONTAL SCALE: 100.000001"
VERTICAL SCALE: 20' OR 10'

INITIAL ISSUE: 08/03/2022
REVISIONS:
Δ _____
Δ _____
Δ _____
Δ _____
Δ _____

PREPARED FOR:
CARVER COUNTY PUBLIC WORKS
11360 HIGHWAY 212, SUITE 1
COLOGNE, MN 55322

I HEREBY CERTIFY THAT THIS PLAN 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
MATHEW J. WELINSKI
DATE: 08/03/2022 LICENSE NO. 53596

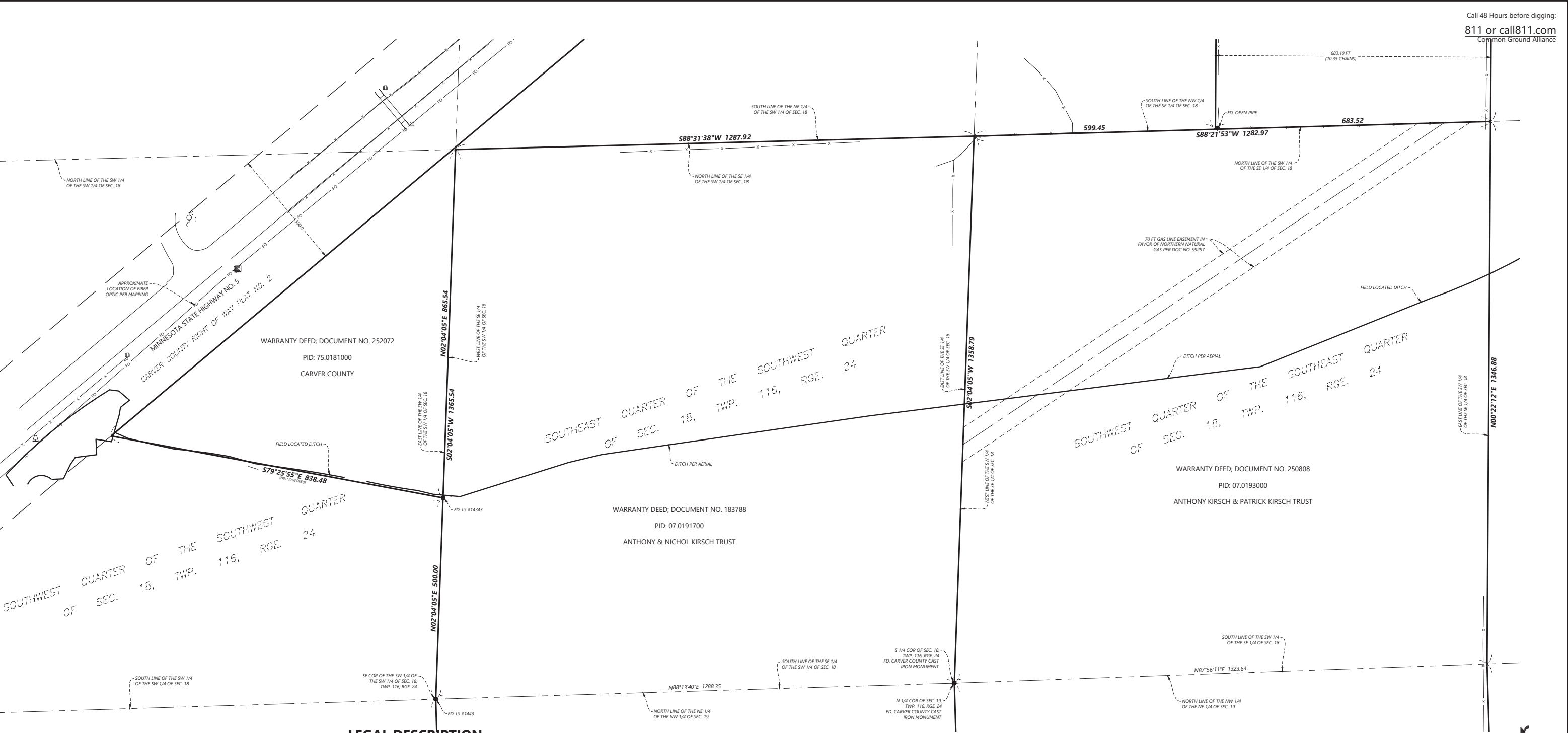
AIRPORT ROAD ADDITION
WACONIA, MN

Westwood

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
Fax (952) 937-5822 Minnetonka, MN 55343
Toll Free (888) 937-5150 westwoodps.com
Westwood Professional Services, Inc.

EXISTING CONDITIONS

SHEET NUMBER:
3 OF 7
PROJECT NUMBER: 0033942.00 DATE: 08/03/2022



LEGEND

⊙	SANITARY MANHOLE	⊞	ELECTRIC BOX	— — — — —	BOUNDARY LINE
⊙	SEWER CLEANOUT	⊞	ELECTRIC METER	— — — — —	RIGHT-OF-WAY LINE
⊙	SEPTIC COVER	⊞	STREET LIGHT	— — — — —	LOT LINE
⊙	STORM MANHOLE	⊞	GUY WIRE	- - - - -	EASEMENT LINE
⊙	BEEHIVE CATCH BASIN	⊞	POWER POLE	— — — — —	SECTION LINE
⊙	CULVERT	⊞	TELEPHONE BOX	— — — — —	POH ——— POWER OVERHEAD
⊙	FLARED END SECTION	⊞	HAND HOLE/JUNCTION BOX	— — — — —	SAN ——— SANITARY SEWER
⊙	STEEL/WOOD POST	⊞	FIBER OPTIC PEDESTAL	— — — — —	STO ——— STORM SEWER
⊙	SIGN	⊞	MAIL BOX	— — — — —	FO ——— FIBER OPTIC
		⊞		— — — — —	FENCE LINE

LEGAL DESCRIPTION

Warranty Deed; Document No. 605575

That part of Government Lot 3, Section 19, Township 116 North, Range 24 West, described as follows:
Commencing at the southwest corner of Government Lot 3, Section 19, Township 116, Range 24; thence North on the westerly line of said Lot 3 to a point which is 712 feet South of the northwest corner of said Lot 3; thence northeasterly to a point on the east line of said Lot 3 which is 648 feet South of the northeast corner of said Lot 3; thence South along the east line of said Lot to shore of lake; thence southwesterly along said shore line to the south line of said Lot 3; thence West to the place of beginning, Carver County, Minnesota.

Warranty Deed; Document No. 586777

Beginning at the Northwest corner of Lot 3, Section 19, Township 116 North, Range 24 West, running thence Easterly a distance of 1945 feet, more or less, to a point 651 feet East of the Northwest corner of Lot 2 in said section; thence Southerly 1255 feet, more or less, to the shore of Reitz Lake; thence Westerly along the shore of said Lake to the West line of said Lot 2; thence North along the West line of said Lot 2 to a point 648 feet South of the North line of said Lot 2; thence West to a point on the West line of said Lot 3 which is 712 feet South of the point of beginning; thence North along the West line of said Lot 3 to the point of beginning, containing 37.8 acres, more or less.
EXCEPT the following described parcel of land: That part of Government Lot 2, Section 19, Township 116, Range 24, Carver County, Minnesota, commencing at the Northwest corner of said Government Lot 2; thence Easterly along the North line of said Government Lot, 270.43 feet to the actual point of beginning; thence continue Easterly, along said North line, 380.57 feet to a point 651.00 feet East of said Northwest corner; thence Southerly 1255.00 feet to the shore of Reitz Lake; thence Westerly, along said shore to its intersection with a line drawn Southerly from the actual point of beginning; thence Northerly, along last described line, to the actual point of beginning.

Warranty Deed; Document No. 183788

The Southeast Quarter of the Southwest Quarter of Section 18 and the Northeast Quarter of the Northwest Quarter of Section 19, Township 116 North, Range 24 West.

Warranty Deed; Document No. 250808

Southwest Quarter of the Southeast Quarter (SW1/4 of SE1/4) of Section 18, Township 116 North, Range 24 West.
AND
Northwest Quarter of the Northeast Quarter (NW1/4 of NE1/4) Section 19, Township 116 North, Range 24 West, according to the Government Survey thereof, Carver County, Minnesota.

Warranty Deed; Document No. 91759

That part of the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4) of Section 18, Township 116, Range 24, lying South of the right-of-way of the M. & St. L. Ry. Co., described as follows: Commencing at the center post of Section 18 aforesaid; thence North along quarter section line 5.36 chains to the M. & St. L. right-of-way; thence North 81 degrees East along said right-of-way 10.75 chains; thence North 71 degrees East along said right-of-way 9.45 chains to the East line of the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4) of said Section 18; thence South 10 chains to the East and West Quarter Section line; thence West along said line 18.88 chains to the place of beginning.

Also, the East 10.35 chains of the Northwest Quarter of the Southeast Quarter (NW 1/4 of SE 1/4) of said Section 18.

Also, Government Lot Two (2), Section 18, Township 116, Range 24, excepting therefrom 6 acres of land as follows:

Commencing at the Northwest (NW) corner of the Northeast Quarter of the Southwest Quarter (NE 1/4 of SW 1/4) of said Section 18, running thence West along the quarter section line 11.0 chains to the shore of Clearwater Lake; thence North 46 degrees East along the shore of said Lake 11.06 chains; thence South 53 1/2 degrees East 11.75 chains to the place of beginning. Also excepting the right-of-way of the M. & St. L. Ry. Co. across said Lot 2, containing 3.55 acres. Also excepting 2.9 acres sold to Rouen & Klatt as recorded in Book 18 of Deeds, page 294, records of the Register of Deeds in and for Carver County, Minnesota.

Warranty Deed; Document No. 252072

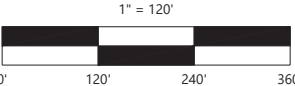
All of Government Lot 3, Section 18, Township 116, Range 24, lying easterly and southeasterly of the easterly and southeasterly right-of-way line of the railroad corridor formerly owned by the Chicago & North Western Transportation Company.

All of the Southwest Quarter of the Southwest Quarter of Section 18, Township 116, Range 24, lying easterly and southeasterly of the easterly and southeasterly right-of-way line of the railroad corridor formerly owned by the Chicago & North Western Transportation Company, and lying northerly of a line which commences at a point on the east line of said Southwest Quarter of the Southwest Quarter distant 500.00 feet northerly of the southeast corner thereof; thence North 81 degrees 30 minutes West (the east line of the Southwest Quarter of the Southwest Quarter has an assumed bearing of North) to the easterly right-of-way of said railroad corridor and there terminating.

The Northeast Quarter of the Southwest Quarter of Section 18, Township 116, Range 24.

All of the Northwest Quarter of the Southeast Quarter of Section 18, Township 116, Range 24, lying west of the East 10.35 chains thereof.

Call 48 Hours before digging:
811 or call811.com
Common Ground Alliance



NOT FOR CONSTRUCTION

PREPARED FOR:

CARVER COUNTY PUBLIC WORKS

11360 HIGHWAY 212, SUITE 1
COLOGNE, MN 55322

I HEREBY CERTIFY THAT THIS PLAN 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

MATHEW J. WELINSKI
DATE: 08/03/2022 LICENSE NO. 53596

AIRPORT ROAD ADDITION

WACONIA, MN

Westwood

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
Fax (952) 937-5822 Minnetonka, MN 55343
Toll Free (888) 937-5150 westwoodps.com
Westwood Professional Services, Inc.

EXISTING CONDITIONS

PROJECT NUMBER: 0033942.00

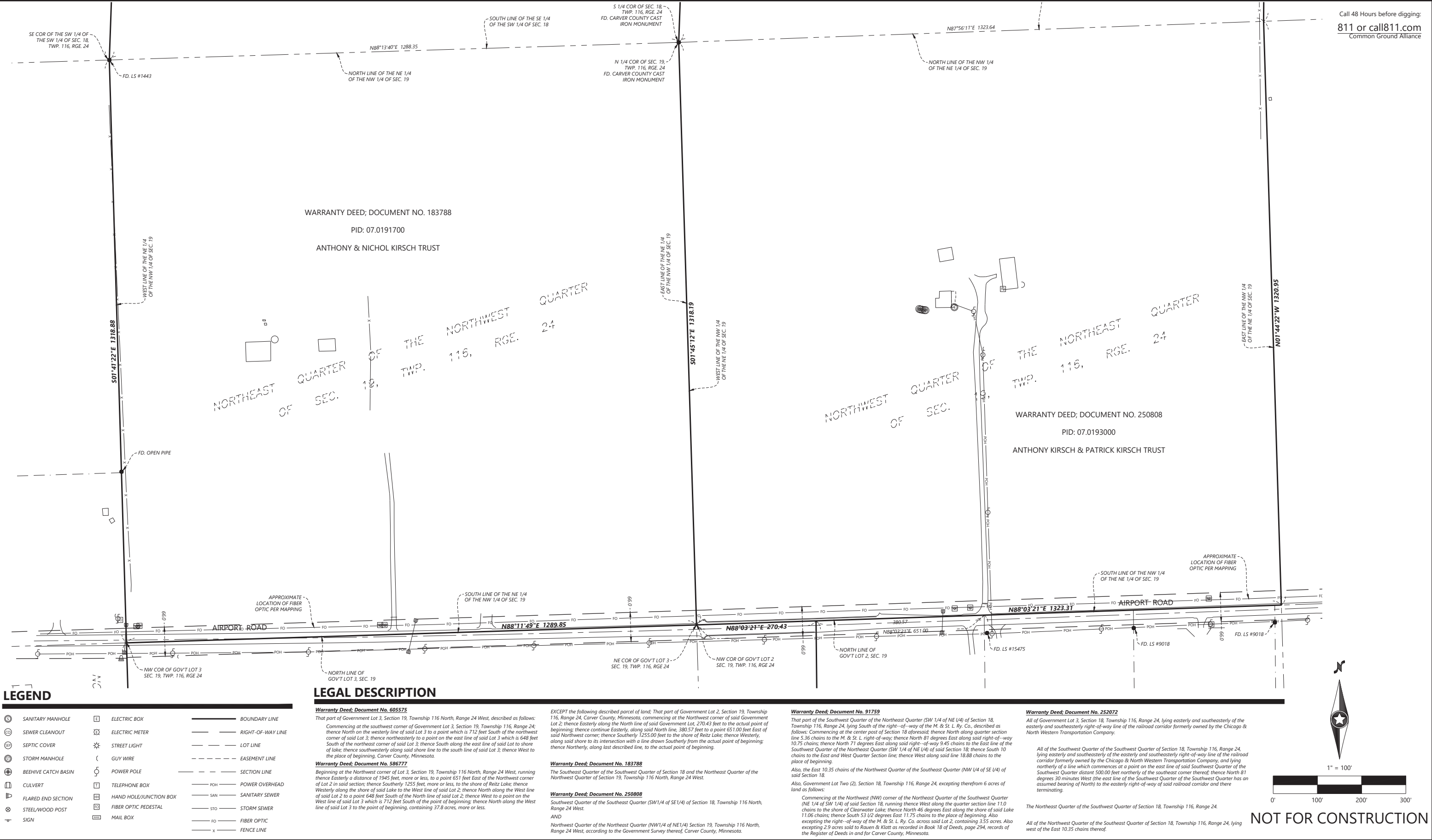
SHEET NUMBER:

4

OF

7

DATE: 08/03/2022



DESIGNED: _____
CHECKED: _____
DRAWN: _____
HORIZONTAL SCALE: 1"=100.000001'
VERTICAL SCALE: 2"=10' OR 10'

INITIAL ISSUE: 08/03/2022
REVISIONS:
1. _____
2. _____
3. _____
4. _____
5. _____

PREPARED FOR:

CARVER COUNTY PUBLIC WORKS

11360 HIGHWAY 212, SUITE 1
COLOGNE, MN 55322

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME
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MATHEW J. WELINSKI
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EXISTING CONDITIONS

PROJECT NUMBER: 0033942.00

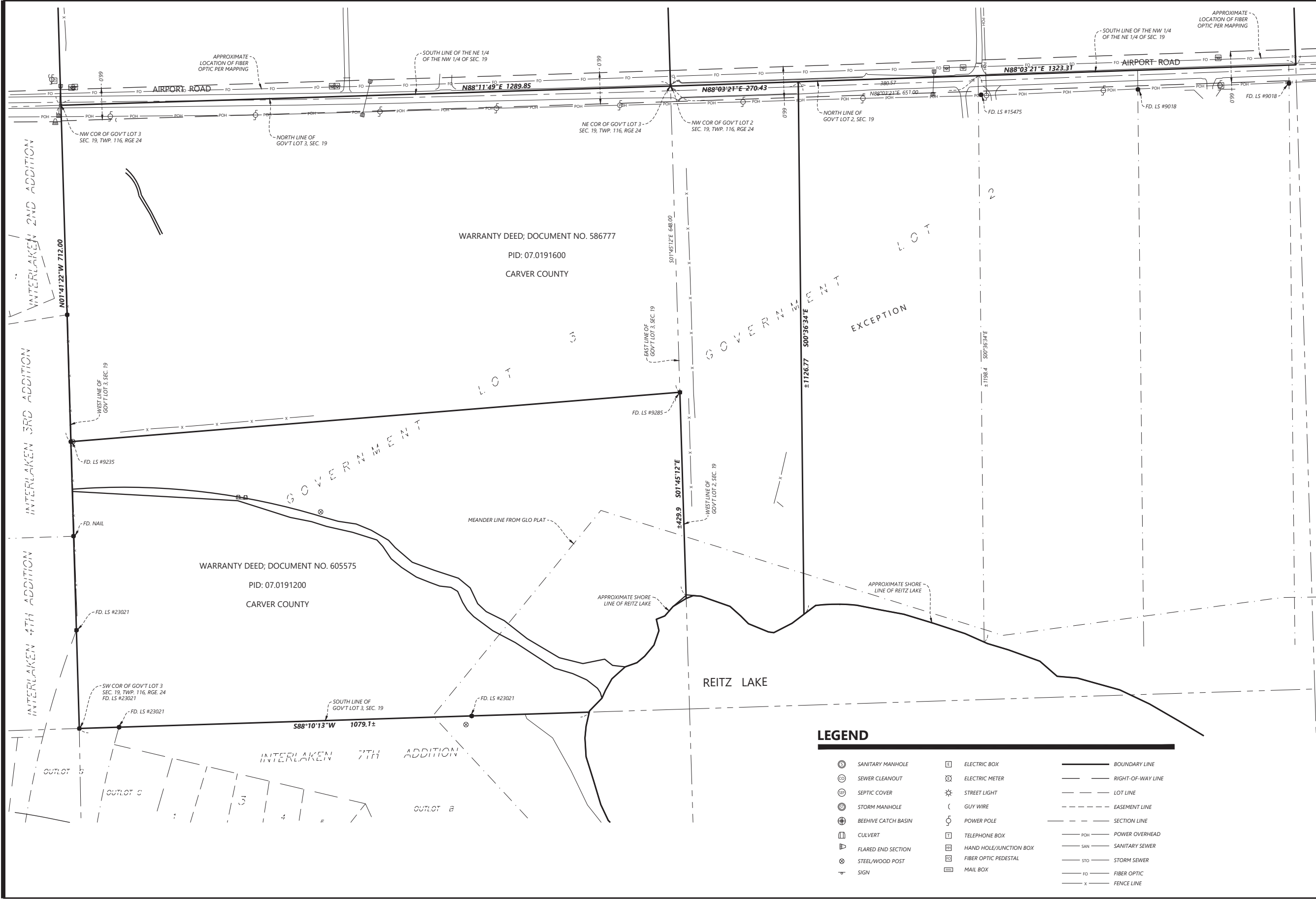
SHEET NUMBER:

5

OF

7

DATE: 08/03/2022



Call 48 Hours before digging:
811 or call811.com
Common Ground Alliance

LEGAL DESCRIPTION
Warranty Deed; Document No. 605575
That part of Government Lot 3, Section 19, Township 116 North, Range 24 West, described as follows:
Commencing at the southwest corner of Government Lot 3, Section 19, Township 116, Range 24; thence North on the westerly line of said Lot 3 to a point which is 712 feet South of the northeast corner of said Lot 3; thence northeasterly to a point on the east line of said Lot 3 which is 648 feet South of the northeast corner of said Lot 3; thence South along the east line of said Lot 3 to shore of lake; thence southwesterly along said shore line to the south line of said Lot 3; thence West to the place of beginning, Carver County, Minnesota.

Warranty Deed; Document No. 586777
Beginning at the Northwest corner of Lot 3, Section 19, Township 116 North, Range 24 West, running thence Easterly a distance of 1945 feet, more or less, to a point 651 feet East of the Northwest corner of Lot 2 in said section; thence Southerly 1255 feet, more or less, to the shore of Reitz Lake; thence Westerly along the shore of said Lake to the West line of said Lot 2; thence North along the West line of said Lot 2 to a point 648 feet South of the North line of said Lot 2; thence West to a point on the West line of said Lot 3 which is 712 feet South of the point of beginning; thence North along the West line of said Lot 3 to the point of beginning, containing 37.8 acres, more or less.

Warranty Deed; Document No. 183788
The Southeast Quarter of the Southwest Quarter of Section 18 and the Northeast Quarter of the Northwest Quarter of Section 19, Township 116 North, Range 24 West.

Warranty Deed; Document No. 250808
Southwest Quarter of the Southeast Quarter (SW1/4 of SE1/4) of Section 18, Township 116 North, Range 24 West.
AND
Northwest Quarter of the Northeast Quarter (NW1/4 of NE1/4) Section 19, Township 116 North, Range 24 West, according to the Government Survey thereof, Carver County, Minnesota.

Warranty Deed; Document No. 91759
That part of the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4) of Section 18, Township 116, Range 24, lying South of the right-of-way of the M. & St. L. Ry. Co., described as follows: Commencing at the center post of Section 18 aforesaid; thence North along quarter section line 5.36 chains to the M. & St. L. right-of-way; thence North 81 degrees East along said right-of-way 10.73 chains; thence North 71 degrees East along said right-of-way 9.45 chains to the East line of the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4) of said Section 18; thence South 10 chains to the East and West Quarter Section line; thence West along said line 18.88 chains to the place of beginning.
Also, the East 10.35 chains of the Northwest Quarter of the Southeast Quarter (NW 1/4 of SE 1/4) of said Section 18.
Also, Government Lot Two (2), Section 18, Township 116, Range 24, excepting therefrom 6 acres of land as follows:
Commencing at the Northwest (NW) corner of the Northeast Quarter of the Southwest Quarter (NE 1/4 of SW 1/4) of said Section 18, running thence West along the quarter section line 11.0 chains to the shore of Clearwater Lake; thence North 46 degrees East along the shore of said Lake 11.06 chains; thence South 53 1/2 degrees East 11.75 chains to the place of beginning. Also excepting the right-of-way of the M. & St. L. Ry. Co. across said Lot 2, containing 3.55 acres. Also excepting 2.9 acres sold to Rau & Klatt as recorded in Book 18 of Deeds, page 294, records of the Register of Deeds in and for Carver County, Minnesota.

Warranty Deed; Document No. 252072
All of Government Lot 3, Section 18, Township 116, Range 24, lying easterly and southeasterly of the easterly and southeasterly right-of-way line of the railroad corridor formerly owned by the Chicago & North Western Transportation Company.
All of the Southwest Quarter of the Southwest Quarter of Section 18, Township 116, Range 24, lying easterly and southeasterly of the easterly and southeasterly right-of-way line of the railroad corridor formerly owned by the Chicago & North Western Transportation Company, and lying northerly of a line which commences at a point on the east line of said Southwest Quarter of the Southwest Quarter distant 500.00 feet northerly of the southeast corner thereof; thence North 81 degrees 30 minutes West (the east line of the Southwest Quarter of the Southwest Quarter has an assumed bearing of North) to the easterly right-of-way of said railroad corridor and there terminating.
The Northeast Quarter of the Southwest Quarter of Section 18, Township 116, Range 24.
All of the Northwest Quarter of the Southeast Quarter of Section 18, Township 116, Range 24, lying west of the East 10.35 chains thereof.

1" = 100'

NOT FOR CONSTRUCTION

EXISTING PID AREAS

PID	OWNERSHIP	GROSS AREA
070191600	CARVER COUNTY	26.82 AC
070191200	CARVER COUNTY	18.35 AC
070191700	KIRSCH	79.22 AC
070193000	KIRSCH	80.51 AC
750180300	CARVER COUNTY	28.611 AC
750181000	CARVER COUNTY	41.40 AC

GROSS SITE AREA

TOTAL GROSS SITE ARE = 274.91 ACRES

OUTLOT TABLE

OUTLOT	OWNERSHIP	GROSS AREA
A	COUNTY	13.70 AC
B	COUNTY	16.36 AC
C	KIRSCH	13.09 AC
D	COUNTY	1.53 AC
E	COUNTY	0.91 AC
F	KIRSCH	50.27 AC
G	KIRSCH	19.26 AC
H	COUNTY	4.22 AC
I	COUNTY	46.52 AC
J	COUNTY	34.65 AC
K	KIRSCH	61.38 AC
L	COUNTY	1.92 AC
M	COUNTY	1.82 AC
N	COUNTY	9.28 AC

PREPARED FOR:

CARVER COUNTY PUBLIC WORKS

11360 HIGHWAY 212, SUITE 1
COLOGNE, MN 55322

I HEREBY CERTIFY THAT THIS PLAN 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

MATHEW J. WELINSKI
DATE: 08/03/2022 LICENSE NO. 53596

AIRPORT ROAD ADDITION

WACONIA, MN

Westwood

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
Fax (952) 937-5822 Minnetonka, MN 55343
Toll Free (888) 937-5150 westwoodps.com
Westwood Professional Services, Inc.

PRELIMINARY PLAT

PROJECT NUMBER: 0033942.00

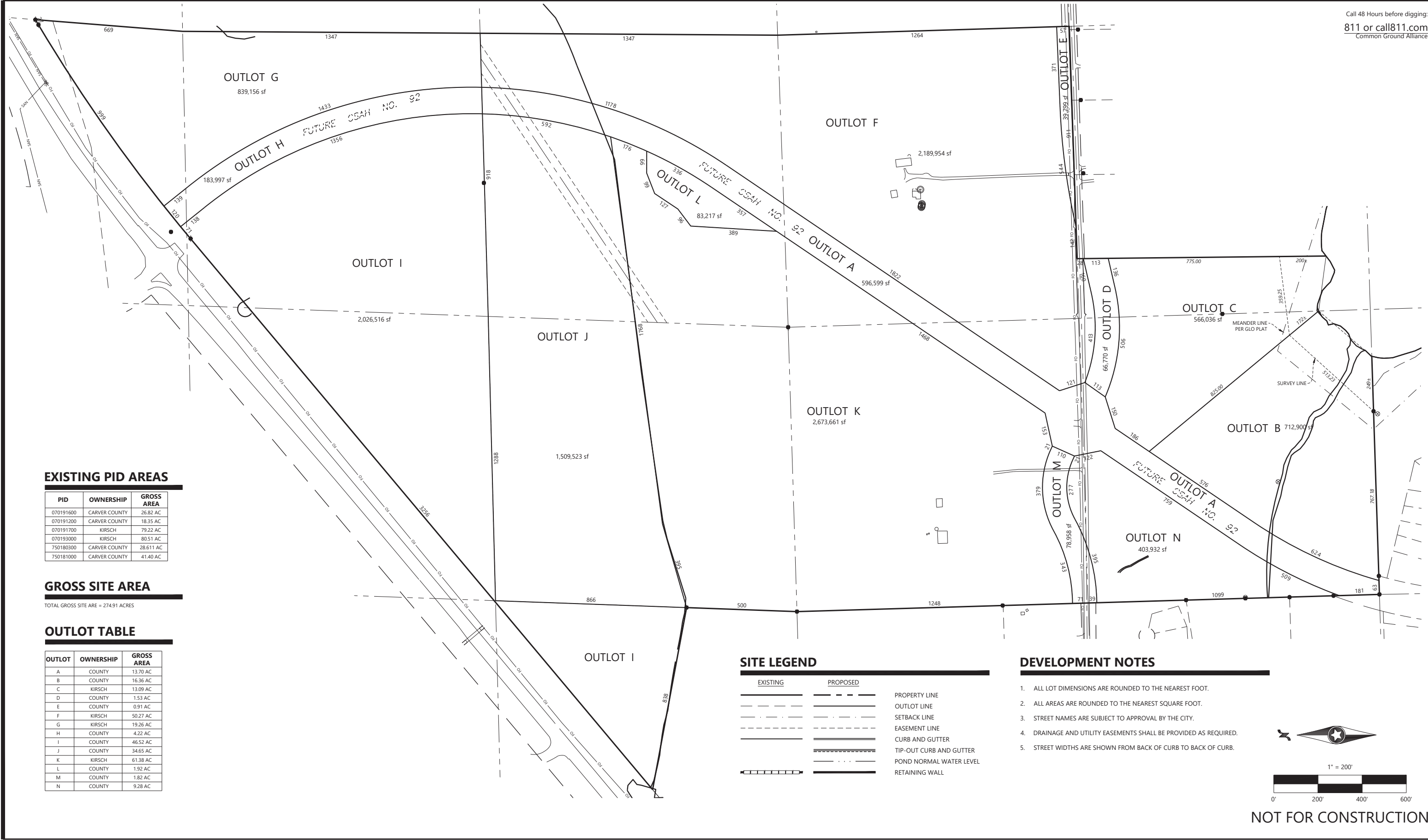
SHEET NUMBER:

7

OF

7

DATE: 08/03/2022



AIRPORT ROAD ADDITION

PLAT FILE NO.

C.R. DOC. NO.

KNOW ALL PERSONS BY THESE PRESENTS: That the County of Carver, a body of politic and corporate under the laws of the State of Minnesota, owner of the following described property situated in the County of Carver, State of Minnesota, to wit:

That part of Government Lot 3, Section 19, Township 116 North, Range 24 West, described as follows:

Commencing at the southwest corner of Government Lot 3, Section 19, Township 116, Range 24; thence North on the westerly line of said Lot 3 to a point which is 712 feet South of the northwest corner of said Lot 3; thence northeasterly to a point on the east line of said Lot 3 which is 648 feet South of the northeast corner of said Lot 3; thence South along the east line of said Lot to shore of lake; thence southwesterly along said shore line to the south line of said Lot 3; thence West to the place of beginning, Carver County, Minnesota.

AND

Beginning at the Northwest corner of Lot 3, Section 19, Township 116 North, Range 24 West, running thence Easterly a distance of 1945 feet, more or less, to a point 651 feet East of the Northwest corner of Lot 2 in said section; thence Southerly 1255 feet, more or less, to the shore of Reitz Lake; thence Westerly along the shore of said Lake to the West line of said Lot 2; thence North along the West line of said Lot 2 to a point 648 feet South of the North line of said Lot 2; thence West to a point on the West line of said Lot 3 which is 712 feet South of the point of beginning; thence North along the West line of said Lot 3 to the point of beginning, containing 37.8 acres, more or less.

EXCEPT the following described parcel of land; That part of Government Lot 2, Section 19, Township 116, Range 24, Carver County, Minnesota, commencing at the Northwest corner of said Government Lot 2; thence Easterly along the North line of said Government Lot, 270.43 feet to the actual point of beginning; thence continue Easterly, along said North line, 380.57 feet to a point 651.00 feet East of said Northwest corner; thence Southerly 1255.00 feet to the shore of Reitz Lake; thence Westerly, along said shore to its intersection with a line drawn Southerly from the actual point of beginning; thence Northerly, along last described line, to the actual point of beginning.

AND

That part of the Southwest Quarter of the Northeast Quarter, the Northwest Quarter of the Southeast Quarter, Government Lot 3 and the Northeast Quarter of the Southwest Quarter, all in Section 18, Township 116, Range 24, Carver County, Minnesota lying southeasterly of the southeasterly right of way line of the Carver County Right of Way Plat No. 9.

TOGETHER WITH

That part of the Southwest Quarter of the Southwest Quarter of Section 18, Township 116, Range 24, lying southeasterly of the southeasterly right of way line of the Carver County Right of Way Plat No. 9 and northeasterly of the following described line:
Commencing at the southeast corner of said Southwest Quarter of the Southwest Quarter; thence North 02 degrees 04 minutes 05 seconds East, assumed bearing along the east line of said Southwest Quarter of the Southwest Quarter, a distance of 500.00 feet to the point of beginning of the line to be described; thence North 79 degrees 25 minutes 55 seconds West, a distance of 838.48 feet more or less to said southeasterly right of way line of the Carver County Right of Way Plat No. 9 and said line there terminating.

KNOW ALL PERSONS BY THESE PRESENTS: That Catherine A. Seck, Kerik K. Seck, Anthony A. Kirsch Revocable Trust and Nichol E. Kirsch Revocable Trust, owners of the following described property situated in the County of Carver, State of Minnesota, to wit:

The Southeast Quarter of the Southwest Quarter of Section 18 and the Northeast Quarter of the Northwest Quarter of Section 19, Township 116 North, Range 24 West.

KNOW ALL PERSONS BY THESE PRESENTS: That Anthony A. Kirsch and Patrick L. Kirsch Revocable Trust, owners of the following described property situated in the County of Carver, State of Minnesota, to wit:

Southwest Quarter of the Southeast Quarter (SW1/4 of SE1/4) of Section 18, Township 116 North, Range 24 West.

AND

Northwest Quarter of the Northeast Quarter (NW1/4 of NE1/4) Section 19, Township 116 North, Range 24 West, according to the Government Survey thereof, Carver County, Minnesota.

Have caused the same to be surveyed and platted as **AIRPORT ROAD ADDITION** and do hereby donate and dedicate to the public for public use forever the public ways and also dedicates the easements as shown on this plat for drainage and utility purposes only.

In witness whereof said the County of Carver, a body of politic and corporate under the laws of the State of Minnesota, has caused these presents to be signed by its proper officers this _____ day of _____, 20_____.

COUNTY OF CARVER

By _____
Gayle Degler, Board Chair

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____, by Gayle Degler, Board Chair of the County of Carver, a body of politic and corporate under the laws of the State of Minnesota, on behalf of the county.

(Signature) (Name Printed)

Notary Public, _____ County, Minnesota

My Commission Expires _____

In witness whereof said Catherine A. Seck and Kerik K. Seck, wife and husband, have hereunto set their hands this _____ day of _____, 20_____.

Catherine A. Seck Kerik K. Seck

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____, by Catherine A. Seck and Kerik K. Seck, wife and husband.

(Signature) (Name Printed)

Notary Public, _____ County, Minnesota

My Commission Expires _____

In witness whereof said Anthony A. Kirsch and Nichol E. Kirsch, Trustees of the Anthony A. Kirsch Revocable Trust, dated May 29, 2002, have hereunto set their hands this _____ day of _____, 20_____.

Anthony A. Kirsch, Trustee of the Anthony A. Kirsch Revocable Trust Nichol E. Kirsch, Trustee of the Anthony A. Kirsch Revocable Trust
dated May 29, 2002 dated May 29, 2002

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____, by Anthony A. Kirsch and Nichol E. Kirsch, Trustees of the Anthony A. Kirsch Revocable Trust, dated May 29, 2002.

(Signature) (Name Printed)

Notary Public, _____ County, Minnesota

My Commission Expires _____

In witness whereof said Nichol E. Kirsch and Anthony A. Kirsch, Trustees of the Nichol E. Kirsch Revocable Trust, dated May 29, 2002, have hereunto set their hands this _____ day of _____, 20_____.

Nichol E. Kirsch, Trustee of the Nichol E. Kirsch Revocable Trust Anthony A. Kirsch, Trustee of the Nichol E. Kirsch Revocable Trust
dated May 29, 2002 dated May 29, 2002

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____, by Nichol E. Kirsch and Anthony A. Kirsch, Trustees of the Nichol E. Kirsch Revocable Trust, dated May 29, 2002.

(Signature) (Name Printed)

Notary Public, _____ County, Minnesota

My Commission Expires _____

AIRPORT ROAD ADDITION

PLAT FILE NO.

C.R. DOC. NO.

In witness whereof said Anthony A. Kirsch and Nichol E. Kirsch, husband and wife, have hereunto set their hands this _____ day of _____, 20_____.

Anthony A. Kirsch

Nichol E. Kirsch

STATE OF MINNESOTA
COUNTY OF _____
The foregoing instrument was acknowledged before me this _____ day of _____, 20_____, by Anthony A. Kirsch and Nichol E. Kirsch, husband and wife.

(Signature)

(Name Printed)

Notary Public, _____ County, Minnesota

My Commission Expires _____

In witness whereof said Patrick L. Kirsch, Trustee of the Patrick L. Kirsch Revocable Trust, dated December 21, 1999, has hereunto set his hands this _____ day of _____, 20_____.

Patrick L. Kirsch, Trustee of the Patrick L. Kirsch Revocable Trust
dated December 21, 1999

STATE OF MINNESOTA
COUNTY OF _____
The foregoing instrument was acknowledged before me this _____ day of _____, 20_____, by Patrick L. Kirsch, Trustee of the Patrick L. Kirsch Revocable Trust, dated December 21, 1999.

(Signature)

(Name Printed)

Notary Public, _____ County, Minnesota

My Commission Expires _____

I, Mathew J. Welinski, 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_____.

Mathew J. Welinski, Licensed Land Surveyor
Minnesota License No. 53596

STATE OF MINNESOTA
COUNTY OF HENNEPIN
This instrument was acknowledged before me on _____ by Mathew J. Welinski, Licensed Land Surveyor.

(Signature)

(Name Printed)

Notary Public, _____ County, Minnesota

My Commission Expires _____

CITY COUNCIL, CITY OF WACONIA, MINNESOTA
This plat of **AIRPORT ROAD ADDITION** was approved and accepted by the City Council of the City of Wacoina, Minnesota at a regular meeting thereof held this _____ day of _____, 20_____, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2. And also by Extension of Subdivision Authority within Laketown Township per City Resolution No. 2022-87 and recorded as Document Number A745557, Carver County, Minnesota.

City Council, City of Waconia, Minnesota

By: _____ By: _____

COUNTY SURVEYOR, Carver County, Minnesota
Pursuant to Chapter 395, Minnesota Laws of 1971, this plat has been approved this _____ day of _____, 20_____.

Brian E. Praske, County Surveyor

COUNTY AUDITOR, Carver County, Minnesota
I hereby certify that taxes payable in 20____ and prior years have been paid for land described on this plat. Dated this _____ day of _____, 20__.

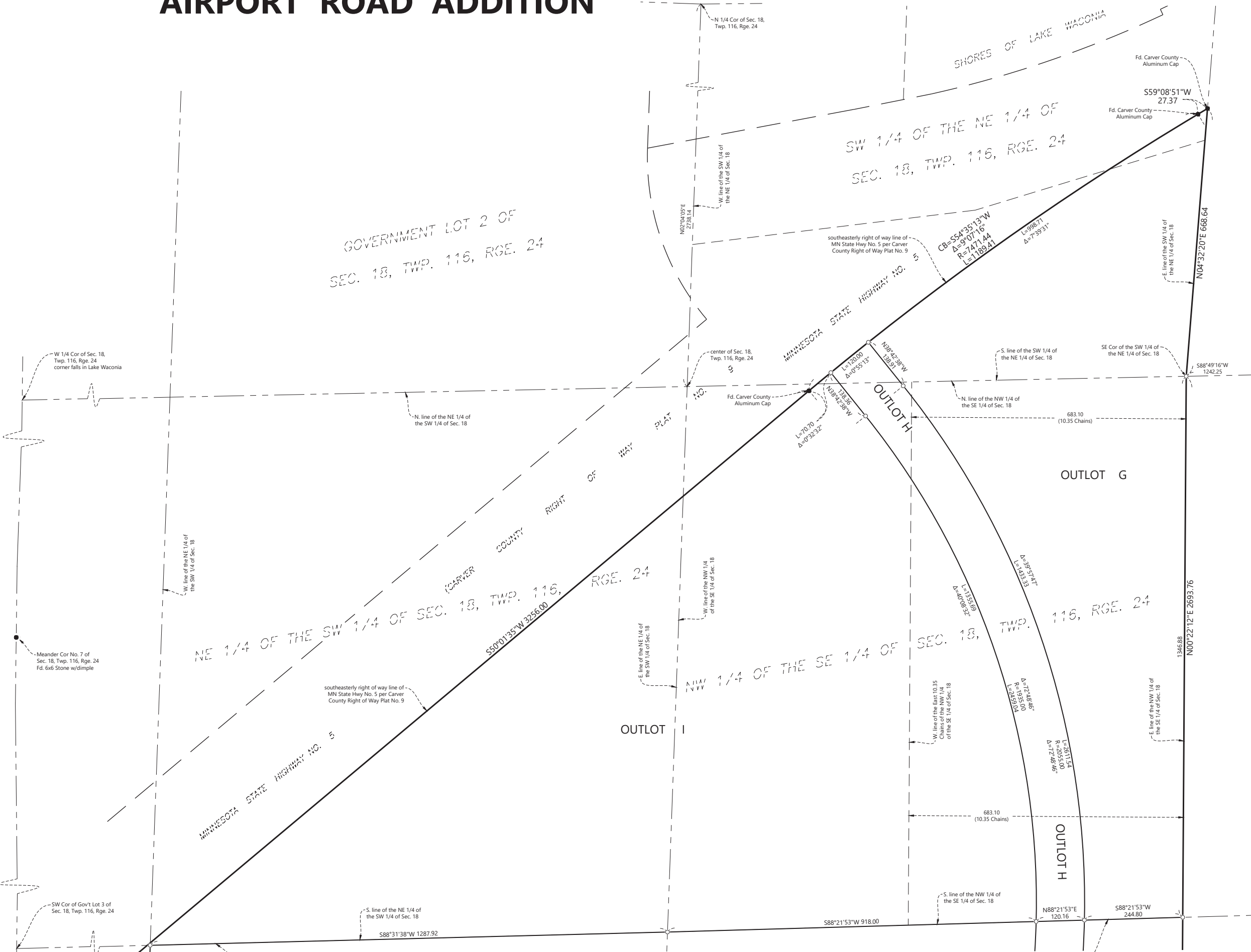
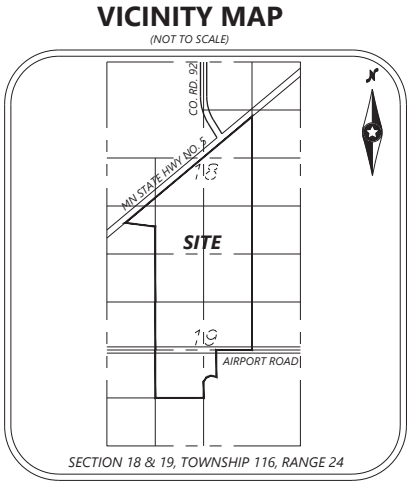
Crystal Campos, County Auditor

COUNTY RECORDER, Carver County, Minnesota
I hereby certify that this plat of **AIRPORT ROAD ADDITION** was filed this _____ day of _____, 20_____, at _____ o'clock _____ M., as Document No. _____.

Kaaren Lewis, County Recorder

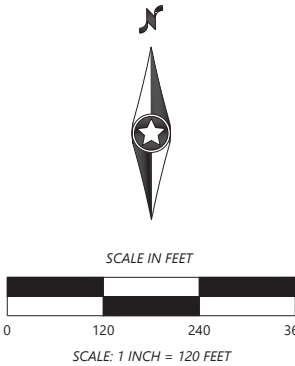
AIRPORT ROAD ADDITION

PLAT FILE NO.
C.R. DOC. NO.



- SET 1/2" BY 14" IRON PIPE WITH CAP #53596
- FOUND MONUMENT AS NOTED ON PLAT DRAWING

THE EAST LINE OF THE NORTHWEST QUARTER OF THE
SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 116,
RANGE 24, HAS A BEARING OF N 00°22'12" E
(CARVER COUNTY, NAD83 (1986AD))



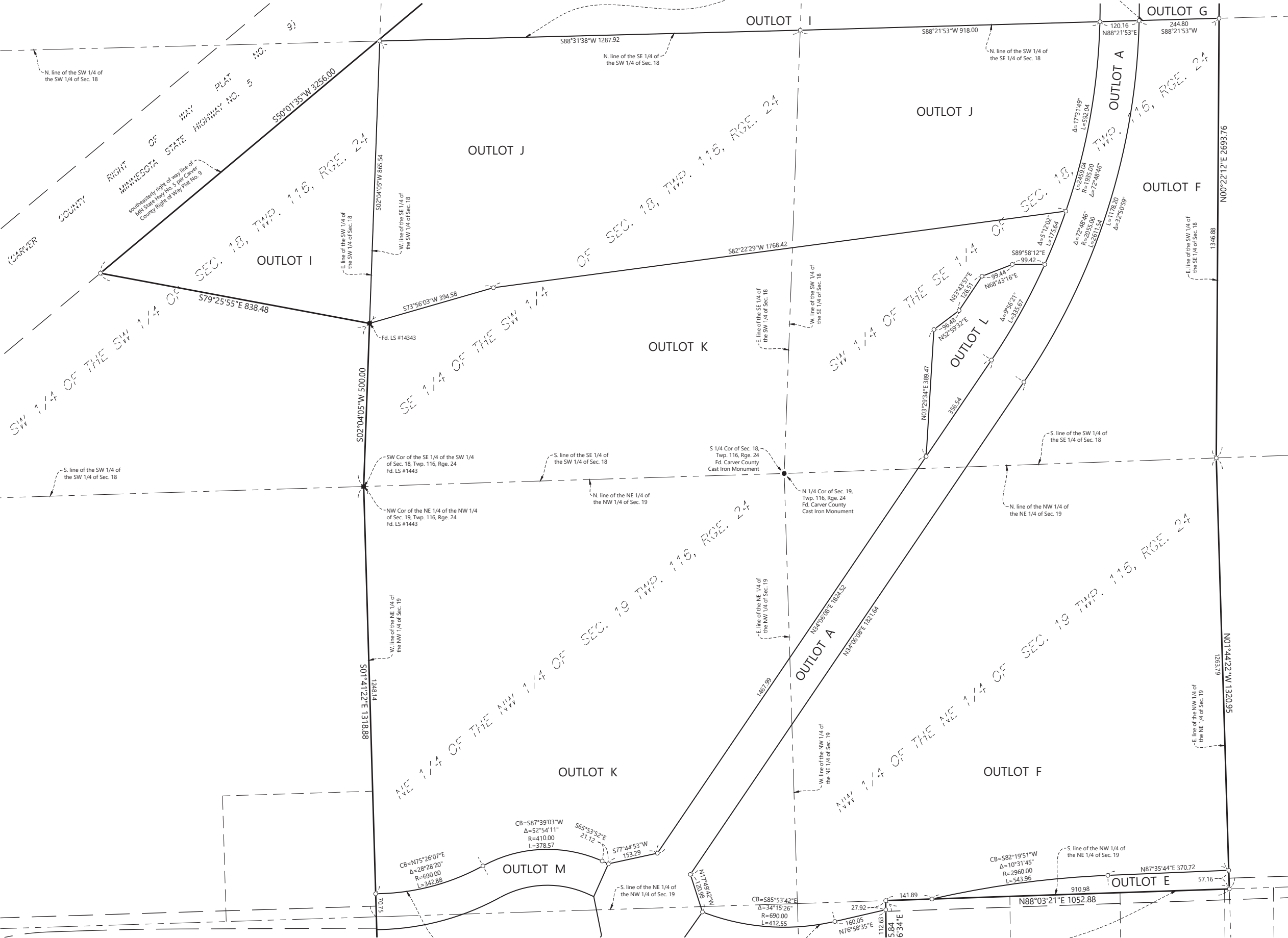
MATCH LINE "A"
(SEE SHEET 4 OF 5 SHEETS)

Westwood
Professional Services, Inc.

AIRPORT ROAD ADDITION

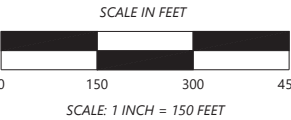
MATCH LINE "A"
(SEE SHEET 3 OF 5 SHEETS)

PLAT FILE NO.
C.R. DOC. NO.



- SET 1/2" BY 14" IRON PIPE WITH CAP #53596
- FOUND MONUMENT AS NOTED ON PLAT DRAWING

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RANGE 24, HAS A BEARING OF N 00°22'12" E
(CARVER COUNTY, NAD83 (1986ADJ))



PLAT FILE NO.
C.R. DOC. NO.





REQUEST FOR CITY COUNCIL ACTION

Meeting Date: September 1, 2022

Item Name: PUBLIC HEARING - After-the-Fact Variance request by Gregory & Kelly Payette

Originating Department: Community Development

Presented by: Lane Braaten

Previous Council Action (if any):

Item Type (X only one):	Consent		Regular Session	X	Discussion Session	
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RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED (Include motion in proper format.)

Open the Public Hearing.

Motion to close the Public Hearing.

Motion recommending either approval or denial of an after-the-fact variance to allow impervious surface exceeding the 35% maximum allowed in the Planned Unit Development (PUD) District.

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

BACKGROUND

Applicant: Gregory and Kelly Payette

Owner: Gregory and Kelly Payette

Address: 144 Maple Terrace

PID# 754430790

Zoning: PUD, Planned Unit Development District

REQUEST:

The City has received a Variance application from Gregory and Kelly Payette (the “applicants”) requesting approval of an after-the-fact to exceed the 35% hardcover maximum allowed in the PUD, Planned Unit Development District. The existing hardcover improvements cover 36.1% of the subject property.

APPLICABLE ORDINANCE PROVISIONS:

1. Section 900.12 - Administration, Enforcement and Procedures, Subd. 4 - Variances

VARIANCE REVIEW CRITERIA:

Waconia City Code Section 900.12, Subd. 4 and Minnesota State Statute 462.357, Subd. 6 establishes criteria to be considered when contemplating the issuance of a Variance in terms of “practical difficulty” as follows: “Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the terms of the Variance are consistent with the Comprehensive Plan.” So a City evaluating a Variance application should make findings as to:

1. Is the Variance in harmony with the purposes and intent of the ordinance?
2. Is the Variance consistent with the Comprehensive Plan?
3. Does the proposal put the property to use in a reasonable manner?
4. Are there unique circumstances to the property not created by the landowner?
5. Will the Variance, if granted, alter the essential character of the locality?

State Statute specifically notes that economic considerations alone cannot create a practical difficulty. Whereas, practical difficulties exist only when the three statutory factors are met (1. Reasonableness, 2. Uniqueness, and 3. Essential character).

VARIANCE ANALYSIS AND PLANNING CONSIDERATIONS:

Table 1.1 below indicates the pertinent information regarding existing, required, and proposed lot requirements for the property as indicated in the PUD, Planned Unit Development District for the Shores of Lake Waconia East Site

The analysis of this variance submittal is based on the information provided on the attached survey and applicant site plan.

	Lot Requirements Planned Unit Development District – Shores of Lake Waconia East	Conditions approved via initial building permit issuance for the new home on the property	Existing Conditions
Typical Lot Width	65 ft.	65 ft.	65 ft.
Lot Area		8,775 sq. ft.	8,775 sq. ft.
Maximum Impervious Surface	35%	31.2%	36.1%
Front Yard Setback/Right-of- Way Setback	25 ft.	25 ft.	25 ft.
Side Yard	5 ft. w/ min. 15 ft. between houses	Conforming	Conforming
Rear Yard Setback	30 ft.	Conforming	Conforming

PLANNING CONSIDERATIONS:

1. M/I Homes was issued a new home construction permit in May of 2021 to allow construction of the home at 144 Maple Terrace. The new home construction checklist was reviewed by City staff at the time of building permit issuance and the setbacks and hardcover calculations are included on the attached Certificate of Survey that was submitted with the building permit.
2. The subject property is located within the Shores of Lake Waconia residential subdivision, which was approved by the City Council in 2019 with very specific lot requirements based on the request of the developer and considered when reviewing the overall stormwater and utility plans.
3. The applicants have installed a new front walkway and a rear patio at their home, which has caused the property to exceed the 35% hardcover maximum allowed in the PUD, Planned Unit Development District for the Shores of Lake Waconia East Site. As the improvements have already been installed the applicants are requesting an after-the-fact variance to allow the improvements to stay in their current location and configuration.
4. Based on the measurements of the patio and new walkway provided by the applicant, they are currently over the allowed hardcover maximum by 97.75 sq. ft.
5. The Variance application submittal requirements include the submittal of a stormwater plan for all properties that currently exceed, or propose to exceed, the hardcover maximum identified in the applicable zoning district. A stormwater plan has not been submitted. If the Planning Commission is considering recommending approval of the after-the-fact variance the recommendation should include the submittal of a stormwater plan for review and approval by the City Engineer prior to the review and approval by the City Council. Additionally, you could also require that the item be continued if the Planning Commission would like to review the stormwater plan prior to a recommendation to the City Council.
6. The after-the-fact variance application was submitted in response to staff following up on a complaint filed with our office.
7. The Planning Commission should review the information and determine if the request meets all of the variance criteria stated above.

PUBLIC NOTICE/COMMENT

The notice was published in the WACONIA PATRIOT August 18th, 2022, and posted at Waconia City. Individual notices were mailed to all property owners within 350 feet of the subject parcel. The public hearing comments received have been attached to this report for review and consideration.

RECOMMENDATION

The Planning Commission should hold the public hearing and review the Variance application based upon the Variance Criteria stated above and the information provided 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 19th, 2022.

If the Planning Commission chooses to recommend approval of the Variance stated above, staff would recommend the approval upon the following conditions:

1. The proposed improvements shall be completed as approved and as conditionally revised by the Planning Commission and the City Council.

Attachments:

1. [Location Map.pdf](#)
2. [Public Hearing Notice.pdf](#)
3. [Applicant Statement.pdf](#)
4. [Applicant Site Plan.pdf](#)
5. [Certificate of Survey submitted with New Home Construction Permit.pdf](#)
6. [Public Hearing Comments.pdf](#)

FINANCIAL IMPLICATIONS:

Funding Sources & Uses:

ADVISORY BOARD RECOMMENDATIONS:

Budget Information:

_____ Budgeted
 _____ Non Budgeted
 _____ Amendment Required

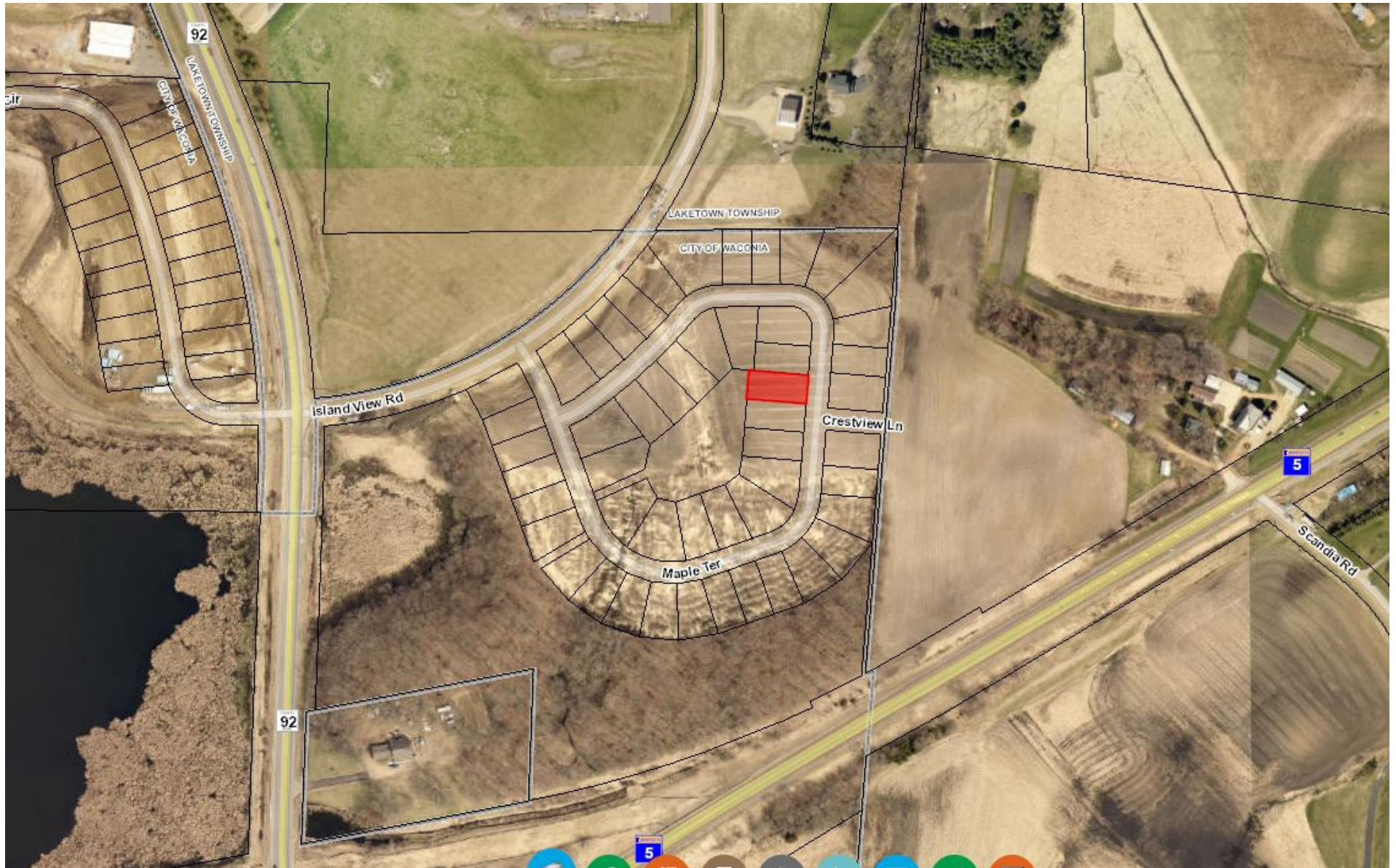
Planning Commission

Parks and Recreation Board

Safari Island Advisory Board

Other

Location Map—144 Maple Terrace



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 Thursday, September 1st, 2022, at 6:30 p.m., at the Waconia City Hall, 201 South Vine Street, Waconia, MN, to consider an after-the-fact variance from the City's hardcover/impervious surface maximum for the property located at 144 Maple Terrace (PID# 754430790).

The applicants, Gregory and Kelly Payette, are requesting approval of an after-the-fact variance to allow impervious surface exceeding the 35% maximum allowed in the Planned Unit Development (PUD) District associated with their property.

Pertinent information pertaining to this request is available at 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 September 1st, 2022. 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: Attention: Lane L. Braaten, 201 South Vine Street, Waconia, MN 55387

Email: lbraaten@waconia.org

By: WACONIA PLANNING COMMISSION

ATTEST: Lane L. Braaten, Community Development Director

(Published in the August 18th, 2022, Waconia Patriot newspaper)

Greg and Kelly Payette
144 Maple Terrace
Waconia, Minnesota 55387

Dear Waconia Planning Commission and Waconia City Council
Members,

We are asking for a variance on the overall permeable surface at our residence; 144 Maple Terrace, Waconia, Minnesota.

After not seeing that a permit required on the Waconia City site for a patio or change in a walkway or any residential ordinances pertaining to permeable – non permeable surface guidelines, we had a back patio installed 385 sq ft and a front walk installed totaling 104 sq ft.

It was 3 weeks later that we were contacted by Lane Braaten due to a complaint by a neighbor in our subdivision. As I explained to Lane during our initial call there is no permit required by the city on the Waconia City site for either project (I currently have permits for my deck, basement and sod watering) but he stated that we did need to stay within the percentage of permeable surface or file for a variance. After further discussion with Lane and again during Lane's visit to my house, we again spoke about the lack of information when it pertains to patios, walkways or permeable vs impermeable surfaces ordinances and codes within the city or subdivisions on the Waconia City website. He reiterated that both he and the City are aware and that there are discussion were happening in the City prior to the complaint about my property and our addition of a patio and walk.

We would like to have our variance granted as it was not our intention to violate any ordinance(s) or not file for a needed permit. We have done everything reasonable as it pertains to following the law, published ordinances and filing proper permits when it comes to adding additions to our home at 144 Maple Terrace. Thank you for your considerations and we look forward to your decisions.

Regards,

Greg and Kelly Payette

Greg and Kelly Payette
144 Maple Terrace

Lot is 8775 sq ft

Allowable Coverage is 35% or 3071 sq ft

Current Coverage is 37.4% or 3284 sq ft

Circumstances:

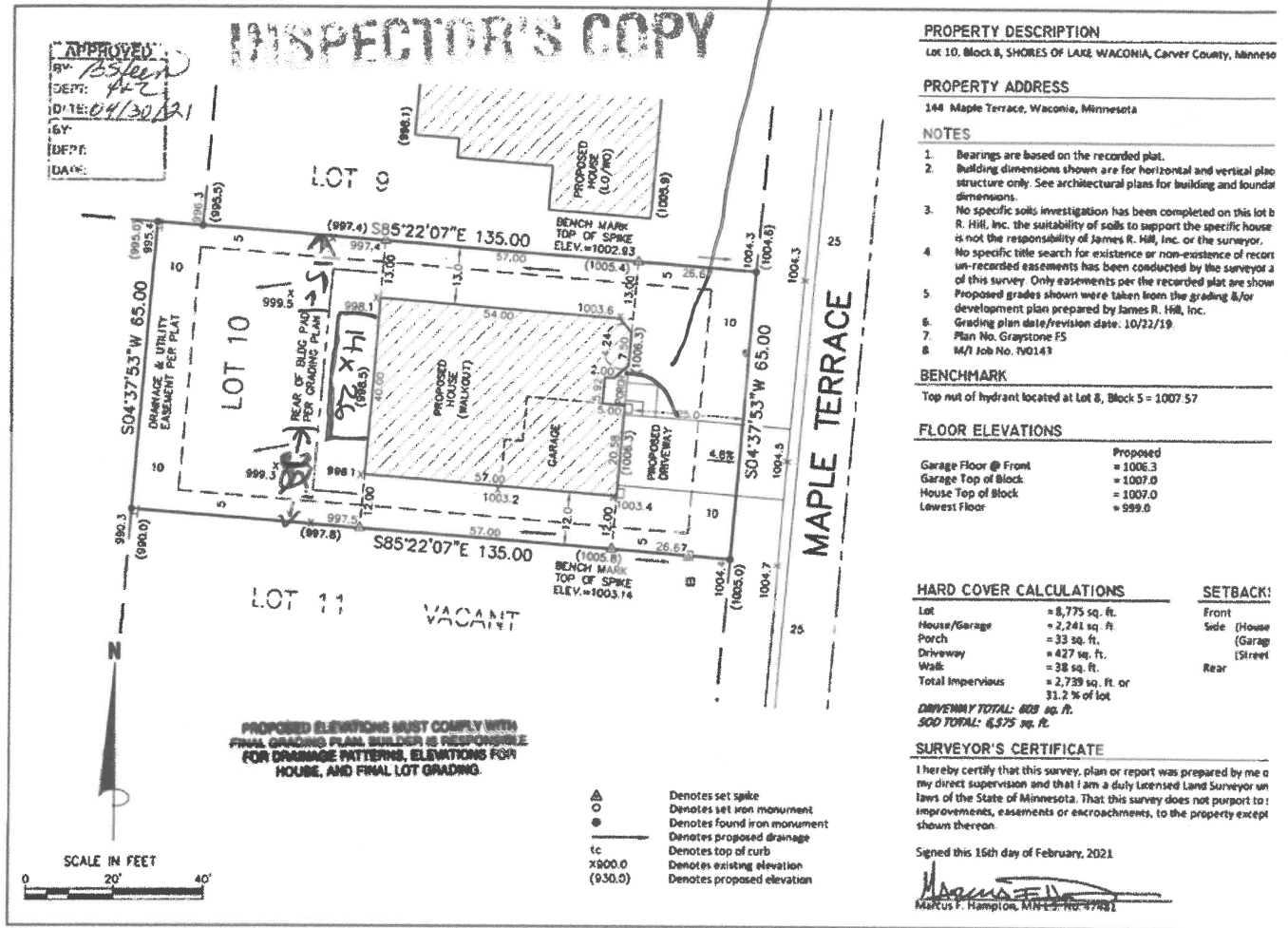
1. No published or accessible ordinance currently on Waconia City website to direct citizens.
2. No permit currently on Waconia City website required for cement work.
3. Resident shows that they follow protocols for City permitting
 - a. 2 current and one closed permit
4. Does not affect neighbor's property lines:
 - a. Patio sits back 15 ft on one side and 22 from other with
5. Neighbors within 350 ft have all signed letter stating that they are in favor of approving the variance. They all understand the permeable vs impermeable piece now because of our situation.

ASK:

Approve Variance of 2.4% and please put a note on the City Website on surface coverage

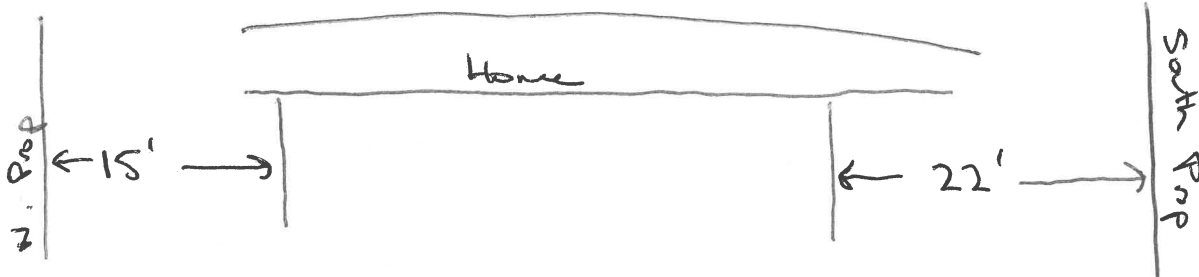
Applicant Site Plan

Removed old
walk inside
Drainage
38 Sq Ft



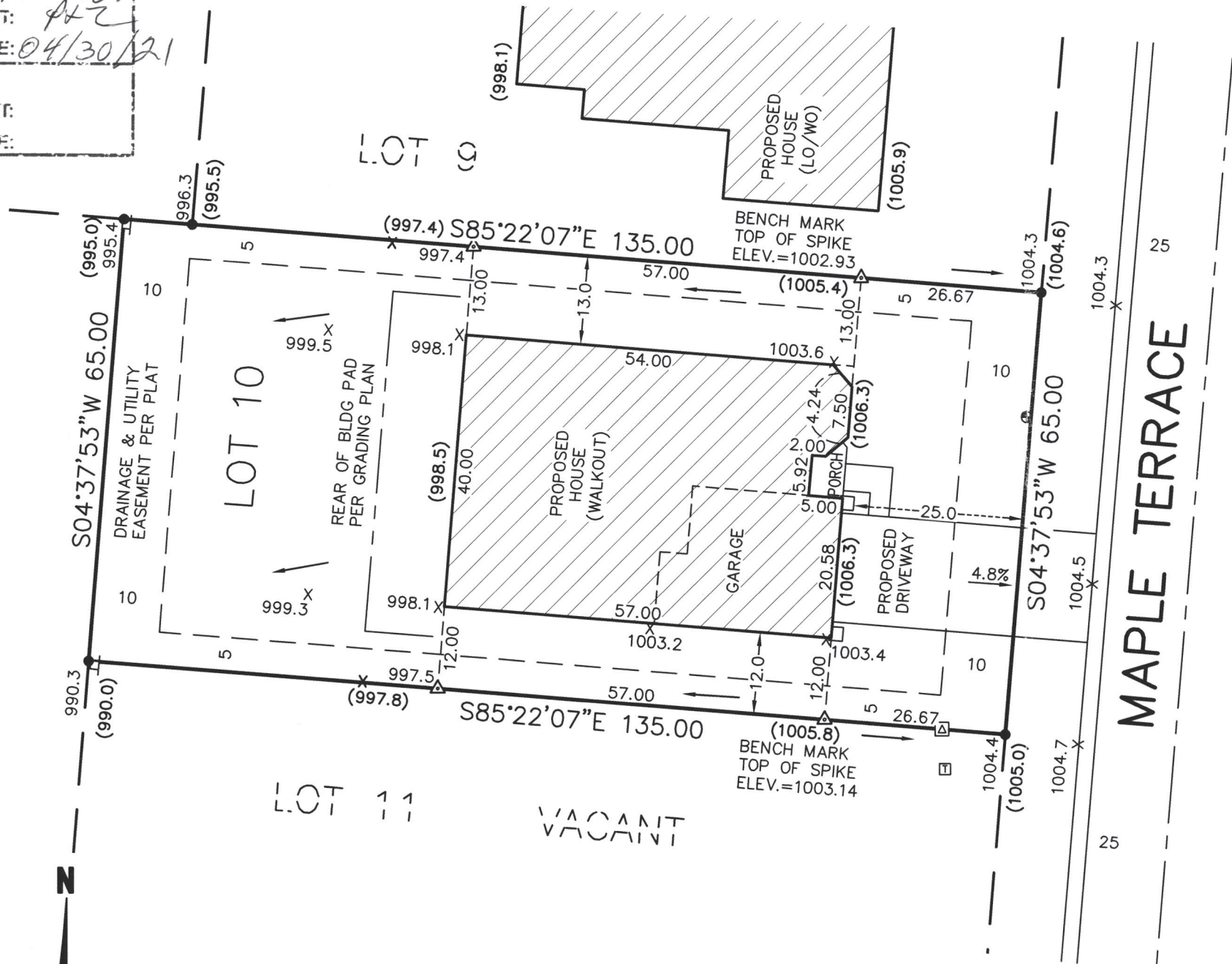
FRONT WALK -  = 104 SQ FT NEW
- 38 SQ FT "old walk"
66 SQ FT

REAR Patio - 14 x 26 = 364 SQ FT



INSPECTOR'S COPY

APPROVED
BY: *B. Steen*
DEPT: *PL*
DATE: *04/30/21*
BY:
DEPT:
DATE:



PROPOSED ELEVATIONS MUST COMPLY WITH
FINAL GRADING PLAN. BUILDER IS RESPONSIBLE
FOR DRAINAGE PATTERNS, ELEVATIONS FOR
HOUSE, AND FINAL LOT GRADING.

- △ Denotes set spike
○ Denotes set iron monument
● Denotes found iron monument
→ Denotes proposed drainage
tc Denotes top of curb
X900.0 Denotes existing elevation
(930.0) Denotes proposed elevation

PROPERTY DESCRIPTION

Lot 10, Block 8, SHORES OF LAKE WACONIA, Carver County, Minnesota

PROPERTY ADDRESS

144 Maple Terrace, Waconia, Minnesota

NOTES

- Bearings are based on the recorded plat.
- Building dimensions shown are for horizontal and vertical placement of structure only. See architectural plans for building and foundation dimensions.
- No specific soils investigation has been completed on this lot by James R. Hill, Inc. the suitability of soils to support the specific house proposed is not the responsibility of James R. Hill, Inc. or the surveyor.
- No specific title search for existence or non-existence of recorded or un-recorded easements has been conducted by the surveyor as a part of this survey. Only easements per the recorded plat are shown.
- Proposed grades shown were taken from the grading &/or development plan prepared by James R. Hill, Inc.
- Grading plan date/revision date: 10/22/19.
- Plan No. Graystone FS
- M/I Job No. IV0143

BENCHMARK

Top nut of hydrant located at Lot 8, Block 5 = 1007.57

FLOOR ELEVATIONS

	Proposed
Garage Floor @ Front	= 1006.3
Garage Top of Block	= 1007.0
House Top of Block	= 1007.0
Lowest Floor	= 999.0

HARD COVER CALCULATIONS

Lot	= 8,775 sq. ft.
House/Garage	= 2,241 sq. ft.
Porch	= 33 sq. ft.
Driveway	= 427 sq. ft.
Walk	= 38 sq. ft.
Total Impervious	= 2,739 sq. ft. or 31.2 % of lot

DRIVEWAY TOTAL: 603 sq. ft.

SOD TOTAL: 6,575 sq. ft.

SETBACKS

Front	= 25'
Side (House)	= 5'
(Garage)	= 5'
(Street)	= 15'
Rear	= 30'

SURVEYOR'S CERTIFICATE

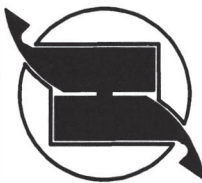
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota. That this survey does not purport to show all improvements, easements or encroachments, to the property except as shown thereon.

Signed this 16th day of February, 2021

Marcus F. Hill
Marcus F. Hill, MN L.S. No. 47481

James R. Hill, Inc.

PLANNERS / ENGINEERS / SURVEYORS
2999 WEST C.R. 42, SUITE 100, BURNSVILLE, MN 55306
PHONE: 952.890.6044 www.jrhinc.com



CERTIFICATE OF SURVEY

FOR
M/HOMES

Lot 10, Block 8, SHORES OF LAKE WACONIA,
Carver County, Minnesota

DRAWN BY
JCB

DATE
2/16/2021

REVISIONS

CAD FILE
410218.dwg

PROJECT NO.
410218

SHEET 1 OF 1

Greg and Kelly Payette
144 Maple Terrace
Waconia, Minnesota 55387

Waconia Planning Committee and City Council,

We have been informed by Mr. and Mrs. Payette of their request for a variance on both the front walkway and rear patio as it pertains to the total square footage exceeding the 35% non permeable surface covering.

If I am able to attend the Planning Committee meeting on September 1, 2022 and the City Council meeting on September 19, 2022 to voice my approval and answer any questions I will. If I am not able to attend please take my signature as my acceptance of Greg and Kelly Payette's request for the variance as filed on 7/27/22 with the City of Waconia.

Name: Tyler Krieger

Address: 146 Maple Terrace

Phone: 952-406-2323

Owners Signature's:

Handwritten signatures of Tyler Krieger and Jacquie Krieger.

Name: Taylor Kerscher

Address: 147 Maple Terrace

Phone: 262-354-2226

Owners Signature's:

Handwritten signature of Taylor Kerscher.

Name: Stacey Dormann

Address: 145 Maple Terr

Phone: 320 266 6519

Owners Signature's:

Handwritten signature of Stacey Dormann.

Name: Paul Van Overbeke
Address: 158 Maple Terrace
Phone: 952-406-1716

Owners Signature's: 

Name: Carrie Van Overbeke
Address: 158 Maple Terrace
Phone: ~~952-841-8954~~ 952-761-8954
Owners Signature's: 

Name: Blake Vetter
Address: 142 Maple Terr
Phone: 612-616-6189
Owners Signature's: 

Lane Braaten

From: dale worm <daleworm8975@msn.com>
Sent: Tuesday, August 23, 2022 8:15 AM
To: Lane Braaten; dale worm
Subject: Notice of Public Hearing - Regarding 144 Maple Terrace - Impervious Surface

Lane,

I live at 133 Maple Terrace. After receiving the public hearing notice I reviewed the Declaration of covenants, conditions and restrictions that I asked for and received before we purchased our home. I see nothing in this document regarding the matter in the public hearing. I was aware of this restriction only because there was only one lot that my one story home would fit on with a 3 car garage. I was told at that time that the development across County Rd 92 was given a variance to go to 45%. And that M/I Home also petitioned for that same variance but was denied.

I believe the variance given to the neighboring development sets a precedent by the city. Therefore I believe the city should not only grant the residents at 144 Maple Terrace the variance it should also be grant to all 50 lots at this time.

I also believe the city and planning commission are 80% responsible for this even being an issue. Approval was given to the developer with postage stamp lot sizes and streets that are too narrow. Allowing this and not changing setbacks and pervious surface requirements does not make sense. My neighbor and myself had to reduce the size of our decks during construction as they were too close to the back lot line. Not sure but am guessing this happen to many other residents as well. All the back lots either back up to a woods owned by the city or the center pond. I can't see why the back lot line requirement which was established for much larger lots years ago wasn't changed for this development and others with similar densities.

I have signed Mr and Mrs Payette's petition and I am asking that they be given their variance. As stated above I would also petition that all 50 lots are included in the variance. Adding a patio under a deck is what 99% of home owners do and should be expected. Any requirement to do so with a pervious material should have been listed in the covenants.

Thank You,
Dale Worm
133 Maple Terrace



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 1, 2022					
Item Name:		Lake Waconia Regional Park - Waterfront Services Building UPDATE					
Originating Department:		Community Development					
Presented by:		Lane Braaten					
Previous Council Action (if any):							
Item Type (X only one):	Consent		Regular Session	X	Discussion Session		
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
No action required.							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Marty Walsh with Carver County Parks will be in attendance to update the Planning Commission on the next phase of the Lake Waconia Regional Park improvements, which includes the construction of the new waterfront services building at 8170 Paradise Lane. <u>Attachments:</u>							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses:							
Budget Information: _____ Budgeted _____ Non Budgeted _____ Amendment Required				Planning Commission			
				Parks and Recreation Board			
				Safari Island Advisory Board			
				Other			



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 1, 2022					
Item Name:		Ordinance Amendment Discussion regarding Minor Subdivisions, Lot Combinations and the Chicken and Bee License					
Originating Department:		Community Development					
Presented by:		Lane Braaten					
Previous Council Action (if any):							
Item Type (X only one):	☐ Consent	☐	☐ Regular Session	☐	☐ Discussion Session	☒ X	
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
<u>Attachments:</u>							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses:							
Budget Information:				Planning Commission			
_____ Budgeted				Parks and Recreation Board			
_____ Non Budgeted				Safari Island Advisory Board			
_____ Amendment Required				Other			