

WACONIA CITY COUNCIL MEETING AGENDA



Tuesday, June 20, 2023
6:00 PM

VISION STATEMENT

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

MISSION STATEMENT

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

MAYOR: NICOLE WALDRON
COUNCIL MEMBER : RANDY SORENSEN
COUNCIL MEMBER: STEVE YETZER
COUNCIL MEMBER: NICK GLEASON
COUNCIL MEMBER: JEFF GRENGS

NOTE: TO ENSURE THAT YOU ARE PRESENT FOR ITEMS OF INTEREST, PLEASE BE PRESENT AT 6:00 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 City Administrator at 952-442-3100 or sfineran@waconia.org to make certain that you are called upon during the meeting.

1. **CALL MEETING TO ORDER AND ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **ADOPT AGENDA**
4. **VISITOR'S PRESENTATIONS, PETITIONS, CORRESPONDENCE**
5. **PUBLIC HEARING**
 - 1) **PUBLIC HEARING: 2023 Fee Schedule Ordinance Amendment**

Call Public Hearing to Order and Accept Comments

Motion to Close the Public Hearing

Adopt Ordinance No. 760 Amending Chapter 1100 of the Waconia City Code related to Permits, Licenses, and Fees to Authorize Summary Publication
 - 2) **PUBLIC HEARING: Annual Storm Water Pollution Prevention Plan Report for Calendar Year 2022**

Adopt Resolution 2023-153; Authorizing Approval of Public Hearing of Annual Storm Water Pollution Prevention Plan, (SWPPP) Report for Calendar Year 2022
6. **ADOPT CONSENT AGENDA**

The items listed on the Consent Agenda are considered routine and non-controversial by the Council and will be approved by one motion. There will be no separate discussion of these items unless a Councilmember, City

Staff, or Citizen so requests; in which case, the item will be removed from the Consent Agenda and considered at the end of the Regular Agenda.

- 1) [May 22, 2023 Special City Council Meeting Minutes](#)
Approve May 22, 2023 Special City Council Meeting Minutes
- 2) [June 5, 2023 City Council Meeting Minutes](#)
June 5, 2023 City Council Meeting Minutes
- 3) [June 20, 2023 Expenditures](#)
Payment of June 20, 2023 Expenditures
- 4) [Rink Management Services Corporation Waconia Ice Arena Expenditures Incurred May 2023](#)
Motion to Approve Rink Management Corporation Expenditures for Waconia Ice Arena Incurred in May 2023
- 5) [Rink Management Services Corporation Safari Island Community Center Expenditures Incurred May 2023](#)
Motion to Approve Rink Management Corporation Expenditures for Safari Island Community Center Incurred in May 2023
- 6) [Contractor Pay Request #9 - New Fire Station](#)
Motion to Approve Contractor Payment Request for the New Fire Station Project
- 7) [Printer Lease Contract for Safari Island, Public Services, and Fire Station](#)
Adopt Resolution 2023-141, Authorizing Printer Lease Contract with Marco
- 8) [Resignation of Street Maintenance Worker Peter Storms](#)
Adopt Resolution 2023-142, Accepting Resignation of Street Maintenance Worker Peter Storms
- 9) [Resignation of Firefighter](#)
Adopt Resolution 2023-143, Accepting Resignation of Firefighter Tyler Chase
- 10) [Authorize Recruitment for Public Services Technician](#)
Adopt Resolution 2023-144, Authorizing Recruitment for Public Services Technician
- 11) [Appointment of Street Maintenance Worker](#)
Adopt Resolution 2023-145, Appointing Street Maintenance Worker
- 12) [Support for Highway 5 Funding](#)
Adopt Resolution 2023-146
- 13) [Authorize Advertisement of 2023 Improvement Projects](#)
Adopt Resolution 2023-147; Authorizing Advertisement of 2023 Infrastructure Improvement Projects

7. COUNCIL BUSINESS

- 1) [Variance - 1077 Kinder Drive - Martha Vangen](#)
Adopt Resolution 2023-148, approving the variance for the property located at 1077 Kinder Drive to construct a 7'6" privacy fence that would replace the existing rear portion of chain link fence that runs parallel to the rear property line.
- 2) [SITE PLAN & DESIGN REVIEW and VARIANCE - Waconia 1 Collision & Auto](#)
Adopt Resolution 2023-149, approving the proposed Site Plan & Design Review and Variance applications submitted by Sperides Reiners Architects - Jeff Gears & Laura Cragoe for the property located at 500 and 524 Elm Street South
- 3) [Zoning Administrator Appeal - Recyy - Permitted Use within the B-2, General Business District](#)
Motion to deny the appeal as the proposed use is not consistent with the B-2, General Business District.
- 4) [Ordinance Amendment - Section 900.10 Sign Regulations - Lamar Advertising](#)
Adopt Resolution 2023-150 denying the proposed amendment to Section 900.10, which proposes to permit dynamic signage on off-premises signs, including billboards and other outdoor advertising signage.
- 5) [SITE PLAN, DESIGN REVIEW and INTERLAKEN VILLAGE 3RD ADDITION - Twin Cities Orthopedics](#)
Adopt Resolution 2023-151 approving the Interlaken Village 3rd Addition Preliminary and Final Plat.

Adopt Resolution 2023-152 approving Site Plan and Design Review for the proposed TCO expansion project located at 820 Village Way.

- 6) [Approve Execution of Joint Powers Agreement with Carver County for Construction of Turbo Roundabout](#)
Adopt Resolution 2023-154; Authorizing Mayor and City Administrator to Execute Joint Powers Agreement with Carver County for Highway 10 and Waconia Parkway North Turbo Roundabout Construction, City Capital Improvement, Project 129-C
- 7) [Award of Olive & Elm Street Drainage Improvement](#)
Adopt Resolution 2023-155; Award of 2023 Olive & Elm Street Alley Improvements to Kusske Construction at a cost of \$197,280.00 and City Staff \$18,109.00 to supply Pave Drain product for installation
- 8) [Authorize Approval of Right of Way Agent Services](#)
Adopt Resolution 2023-156; Authorize Approval of Right of Way Services Scope and Fee for CSAH 10 and Waconia Parkway North Roundabout With Henning Professional Services

8. ITEMS REMOVED FROM CONSENT AGENDA

9. STAFF REPORTS

10. BOARD REPORTS

- 1) Councilmember Sorensen
- 2) Councilmember Yetzer
- 3) Councilmember Gleason
- 4) Councilmember Grengs
- 5) Mayor Waldron

11. ANNOUNCEMENTS

12. ADJOURN REGULAR MEETINGOFFICE OF THE CITY ADMINISTRATOR

Shane Fineran

Work Session: Public Services Facility Tours

UPCOMING CALENDAR OF EVENTS/MEETINGS:



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:	June 20, 2023
Item Name:	PUBLIC HEARING: 2023 Fee Schedule Ordinance Amendment
Originating Department:	Finance
Presented by:	Nicole Meyer
Previous Council Action (if any):	June 5, 2023 - Call Public Hearing - Revision to City's Fee Schedule: Waconia City Code - Chapter 1100

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.)*

Call Public Hearing to Order and Accept Comments

Motion to Close the Public Hearing

Adopt Ordinance No. 760 Amending Chapter 1100 of the Waconia City Code related to Permits, Licenses, and Fees to Authorize Summary Publication

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

Under Minnesota law, the City must hold a public hearing before a zoning ordinance is amended. Chapter 1100 of the City's Code contains zoning and land use fees charged by the City. Changes to these types of fees require a public hearing. Therefore, the city will hold a public hearing for the entire fee schedule to avoid inadvertently violating the requirement for land use/zoning fee changes. The following mid-year fee modifications are recommended by staff after review of the 2023 fee schedule.

Ice Rental Fees & Daily Fees - Staff took part in an analysis of ice arenas throughout Minnesota and found an average for ice rental and daily fees. In this analysis, 32 rinks fees were reviewed and an average was determined. Based on the average fees, the City of Waconia's fees were a little low. Prior to the 2023-2024 ice season, staff would recommend an increase in these fees to remain competitive in the current market.

Pickleball & Facility Visit Punch Cards - Safari Island Community Center - The punch passes listed are new passes provided at the Safari Island facility. Staff would like them identified on the fee schedule along with the other punch passes sold at the facility.

Cell Tower Modification Escrow - Staff is adding this escrow fee to ensure proper funds are on hand for cell tower modifications. Right now, staff starts work with an engineer and an estimate is provided to the company requesting the modification. Staff then collects from the company requesting the modification. Going forward, staff will collect this escrow before work starts. Once an estimate is provided by the engineer, additional escrow may need to be paid before work can continue. If the entire escrow is not needed for the modification project, it will be returned to the company requesting modification.

These fee changes are to be effective after adoption and publication. With the City Council's approval, staff will publish the updated fee information in the Waconia Patriot and update Ordinance 1100 on the

City's website.

Attachments:

1. [Ord 760_Fee_Schedule_Changes.doc](#)

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
ORDINANCE NO. 760**

**AN ORDINANCE AMENDING CHAPTER 1100 OF THE WACONIA CITY CODE
RELATED TO PERMITS, LICENSES AND FEES**

The City Council of the City of Waconia does hereby ordain:

SECTION 1. Chapter 1100 of the Waconia City Code is hereby amended as shown, effective June 20, 2023.

Department	Fee Description	Current Rate	Proposed New	Unit	Additional Information
Recreation					
Safari Island					
	Daily Entrance Fee				
	25 Visit Facility Punch Pass	\$ -	\$ 150.00	Card	Includes Tax
	10 Visit Pickleball Punch Pass	\$ -	\$ 45.00	Card	
Ice Arena					
	Ice Rental				
	Winter Prime Season Fee	\$ 225.00	\$ 235.00	Hour	Plus Tax
	Winter Non-Prime Season Fee	\$ 165.00	\$ 175.00	Hour	Plus Tax
	Summer Prime Season Fee	\$ 165.00	\$ 175.00	Hour	Plus Tax
	Open Skate				
	Adult	\$ 5.00	\$ 6.00	Day	Includes Tax
	Youth/Senior	\$ 4.00	\$ 5.00	Day	Includes Tax
	Open Hockey	\$ -	\$ 7.00	Day	Includes Tax
	Skate Rental	\$ 3.00	\$ 4.00	Day	Includes Tax
	Skate Sharpening	\$ 6.00	\$ 7.00	Each	Includes Tax
Water					
	Cell Tower Modification Escrow	\$ -	\$ 6,500.00	Each	Minimum escrow due on account. Engineer may request additional funds depending on services provided.

SECTION 2. The remainder of Section 1100 of the Waconia City Code shall remain in full force and effect.

SECTION 3. This ordinance shall become effective upon passage, approval, and publication according to law.

SUMMARY

The following official summary of Ordinance No. 760 has been approved by a four-fifths vote of the City Council of the City of Waconia as clearly informing the public of the intent and effect of the Ordinance:

AN ORDINANCE AMENDING CHAPTER 1100 REGARDING FEE SCHEDULE
has been amended to include updated fees for ice arena rental and daily fees along with the addition of punch card passes for Safari Island Community Center and establishment of an escrow fee for cell tower modifications.

The full text of the ordinance is available for public inspection during regular office hours at the office of the City Clerk, 201 South Vine Street, Waconia, and shall be posted by law. Any person may request the City to send the full text of the ordinance via standard electronic mail by calling City Hall at (952) 442-2184.

Adopted by the City Council of the City of Waconia this 20th day of June, 2023.

Nicole Waldron, Mayor

ATTEST: _____
Jacqueline Schulze, City Clerk



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		June 20, 2023					
Item Name:		PUBLIC HEARING: Annual Storm Water Pollution Prevention Plan Report for Calendar Year 2022					
Originating Department:		Public Services					
Presented by:		Craig Eldred					
Previous Council Action (if any):		None					
Item Type (X only one):	Consent		Regular Session	X	Discussion Session		
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Adopt Resolution 2023-153; Authorizing Approval of Public Hearing of Annual Storm Water Pollution Prevention Plan, (SWPPP) Report for Calendar Year 2022							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Annually by June 30th of each calendar year the city is required to hold a Public Hearing for its annual Storm Water Pollution Prevention Plan, (SWPPP). This year's report is being held, but not required for reporting until calendar year 2024. The Minnesota Pollution Control Association has been working on modifications to the reporting documents and tables where once completed items relative to calendar year's 2022 and 2023 will be required to be complete. Staff have attended some training on what some of the new features will look like in order to prepare for reporting in 2024. What are some of the goals we must continue to work on? 1. Monitoring and Inspection of storm water structures and facilities; ponds, treatment devices or basins, and conveyance systems including inlets and outlets. 2. Training of staff is critical; providing understanding of current systems and new. What's necessary for reporting and documentation 3. Public Education; reaching out to the public about impacts or issues of storm water as it relates to public activities as simple as grass clippings and turf management. 4. Site and Construction Management; monitoring internal and external projects for installation of best management practices and prevention of pollution impacts to storm water systems. What are some achievements for Waconia? 1. Complete the required basin and outlet inspections 2. Completed some much needed repairs to the conveyance system, and programmed items into the Capital Improvement Plan 3. Work with outside agencies to acquire grant funds to assist in installation of best management practices 4. Work with Developer's on modifications and improvements of previous storm water issues and increase storm water volume storage for future use in irrigation applications 5. Increased the use of storm water reuse as an irrigation source to off-set potable water to irrigate turf and open spaces 6. Reduce impervious surfaces in efforts of reducing run-off and potential pollution of receiving waters 7. Completed storm water basin inspections for sediment volumes and contaminants for future capital planning improvements Staff would recommend that Council ask if anyone is present to provide public comment for public record.							

Attachments:

1. [23153res 2022_SWPPP_Report_Resolution.doc](#)

FINANCIAL IMPLICATIONS:

Funding Sources & Uses:

Storm Water Budget

Budget Information:

☒ Budgeted☐ Non Budgeted☐ Amendment Required***ADVISORY BOARD RECOMMENDATIONS:***

Planning Commission

Parks and Recreation Board

Safari Island Advisory Board

Other

**CITY OF WACONIA
RESOLUTION NO. 2023-153**

**RESOLUTION AUTHORIZING APPROVAL OF ANNUAL STORM WATER POLLUTION
PREVENTION PLAN (SWPPP) REPORT FOR CALENDAR YEAR 2022**

WHEREAS, one of the City’s Priorities “Environment, protecting the quality of our land, air, trees, natural space, water and lakes”; and

WHEREAS, annually each year the City of Waconia is required to hold a Public Hearing regarding its Storm Water Pollution Prevention Plan (SWPPP); and

WHEREAS, public notice was published in advance of the June 20th, 2023 Public Hearing, fulfilling the necessary requirement; and

WHEREAS, Council shall ask if anyone present for the Public Hearing would like to provide comments of the City Storm Water Pollution Prevention Plan; and

WHEREAS, Council shall then provide comment and accept the Storm Water Pollution Prevention Plan (SWPPP) according to any public comment.

NOW, THEREFORE, BE IT RESOLVED That the City Council of the City of Waconia hereby authorizes approval of annual Storm Water Pollution Prevention Plan (SWPPP) report for calendar year 2022.

Adopted by the City Council of the City of Waconia this 20th day of June, 2023.

Nicole Waldron, Mayor

Attest: _____
Jackie Schulze, City Clerk



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		June 20, 2023					
Item Name:		May 22, 2023 Special City Council Meeting Minutes					
Originating Department:		Administration					
Presented by:		Ann Meyerhoff					
Previous Council Action (if any):							
Item Type (X only one):	Consent	X	Regular Session		Discussion Session		
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Approve May 22, 2023 Special City Council Meeting Minutes							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Attachments: 1. 5-22-2023 Minutes.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			

CITY OF WACONIA
May 22, 2023

1) **CALL MEETING TO ORDER AND ROLL CALL**

Pursuant to due call and notice thereof, the special meeting of the City Council of the City of Waconia was called to order by Mayor Waldron at 5:30 p.m. The following members were present: Nicole Waldron, Randy Sorensen, Steve Yetzer, Nick Gleason, Jeff Grengs

Staff Present: Shane Fineran, Jackie Schulze, Ann Meyerhoff, Lane Braaten, Mike Melchert, Christophe Morschen.

2) **PLEDGE OF ALLEGIANCE**

3) **ADOPT AGENDA**

Motion by Sorensen, by Gleason 3) ADOPT AGENDA

MOTION carried

4) **COUNCIL BUSINESS**

4.1 **Violation of Tobacco Ordinance Hearing - Cloud X**

[Cover Page](#)

[Cloud X citations for hearing.pdf](#)

[ICR 23006548.pdf](#)

[23129res_Suspending_and_Admonishing_Cloud_X_TX6RWN2TNU6F-560593110-1819.pdf](#)

Shane Fineran stated that this meeting has been called because of alleged violations of the city of Waconia's Code of Ordinances, as it applies to a license to sell tobacco and related products held by Tobacco City LLC. which does business as Cloud X Vapes. Within the past three years, Licensee and its owner, Cade Chouinard, have received three citations for alleged violations of the City's Code of Ordinances by selling licensed products to individuals who were underage. City Staff are concerned that repeated citations have not prompted Licensee to diligently comply with the City's ordinances and Minnesota law. Therefore, because of a recent compliance check failure, Staff are recommending that the City Council suspend Licensee's License for a period of 7 days.

Fineran turned the matter over to Attorney Christophe Morschen. Morschen called Deputy Ben Sinko to the podium and asked if he was the one who issued the citations and what was the basis for issuing them.

Deputy Sinko replied that the citations were for civil violations on the business for breaking the ordinance for selling to underage individuals. The violations occurred on 11/15/21, 2/11/ 2022 and 3/12/2023. The citations were mailed to licensee, Cade Chouinard.

Morschen asked Sargent Dewitt Meier to recall the incident on March 12, 2023. Deputy Meier stated that he is in charge of tobacco compliance. On March 12th he used a decoy that is under the age of 21.

Courtney Kujala, 144 depot drive, informed Council of the store policies and measures that have been taken since the sting. Since the sting all employees have had identification retraining. Sargent Stahn has been a resource for helping keep them on the straight and narrow.

Mayor Waldron asked if there are any other locations and are there any online sales in Waconia.

Kujala replied that they have stores in Minnetonka and Ramsey. Online sales stopped during COVID.

Sargent Stahn stated that he had been a point of contact for Cloud X about what they can do better to avoid another failed sting.

Council Member Sorensen asked how often the stings are conducted.

Deputy Meier responded that they are done at least once a year.

Kujala added that they are getting at least 3 compliance checks in a year either from law enforcement or the county.

Christoph gave a closing statement summarizing everything that was said in the hearing.

Council Member Yetzer asked why was the owner was not present?

Kujala said that he has another job and was unavailable.

Motion by Grengs, seconded by Sorensen Adopt Resolution 2023-129, Suspending and Admonishing Cloud X starting on May 28, 2023 and ending at close of business on June 3, 2023.

MOTION carried

5) **ADJOURN MEETING**

Motion by Yetzer, seconded by Sorensen 5) ADJOURN REGULAR MEETING at 6:01 p.m.

MOTION carried

Nicole Waldron, Mayor

ATTEST: _____

Ann Meyerhoff, Office Assistant



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		June 20, 2023					
Item Name:		June 5, 2023 City Council Meeting Minutes					
Originating Department:		Administration					
Presented by:		Ann Meyerhoff					
Previous Council Action (if any):							
Item Type (X only one):		Consent	X	Regular Session		Discussion Session	
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
June 5, 2023 City Council Meeting Minutes							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Attachments: 1. 6-05-2023 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
June 5, 2023

1) [CALL MEETING TO ORDER AND ROLL CALL](#)

Pursuant to due call and notice thereof, the regular meeting of the City Council of the City of Waconia was called to order by Mayor Waldron at 6:00 p.m. The following members were present: Nicole Waldron, Randy Sorensen, Steve Yetzer, Jeff Grengs

Staff Present: Shane Fineran, Jackie Schulze, Lane Braaten, Nicole Meyer, Craig Eldred, Ann Meyerhoff, Justin Sorensen, Mike Melchert.

2) [PLEDGE OF ALLEGIANCE](#)

3) [ADOPT AGENDA](#)

Motion by Sorensen, seconded by Grengs 3) ADOPT AGENDA
MOTION carried

4) [VISITOR'S PRESENTATIONS, PETITIONS, CORRESPONDENCE](#)

Jody Edstrom and Paul Ericsson presented the State of the Library Address.

5) [ADOPT CONSENT AGENDA](#)

5.1 May 15, 2023 City Council Meeting Minutes

[Cover Page](#)

[5-15-2023 Minutes.pdf](#)

5.2 June 5, 2023 Expenditures

[Cover Page](#)

[Council List-Expenditures 06.05.23.pdf](#)

5.3 Contractor Pay Request #8 - New Fire Station

[Cover Page](#)

[Waconia - Pay App #8 - April 2023.pdf](#)

5.4 Contractor Pay Request #1 - Waconia Downtown Reconstruction - Phase 1

[Cover Page](#)

[2023-05-31 Downtown Ph 1 Payment #1.pdf](#)

- 5.5 Call Public Hearing - Revision to City's Fee Schedule : Waconia City Code - Chapter 1100

[Cover Page](#)

- 5.6 Track Flooring Replacement - Safari Island Community Center

[Cover Page](#)

[2388res SI_Project_Approval_Track_Flooring_Res_final.docx](#)

[Becker Arena Products Proposal.pdf](#)

[Kiefer USA Proposal - 20230221 - Waconia Track.pdf](#)

[Safari Island_Track Pad and Pour V4_New Date.pdf](#)

- 5.7 Special Event Permit - Lake Waconia Band Festival

[Cover Page](#)

[23130res_Approving_Lake_Waconia_Band_Festival.docx](#)

[LWBF Special Event Permit](#)

- 5.8 Carver County CDA Community Growth Partnership Initiative Grant

[Cover Page](#)

[23131res_CDA_CGPI_Application_Waterford_Evolution.doc](#)

[2023-CGPI-application-guidelines_Waterford Evolutions.pdf](#)

- 5.9 Woodland Creek 5th Addition - Development Agreement

[Cover Page](#)

[23132res_Approving_Development_Agreement_for_Woodland_Creek_5th_Addn.docx](#)

[DA Woodland Creek 5th Addition \(05-18-2023\)_DRAFT.docx](#)

- 5.10 Approve Contract with Youth Sports Plus for Waconia Ice Arena

[Cover Page](#)

[23133res_Youth_Sports_Plus.doc](#)

[YSP Waconia Video Services Venue Agreement 2023.04.12.pdf](#)

5.11 Authorize Hire for Finance Clerk

[Cover Page](#)

[23134res_Finance_Clerk_Resolution.docx](#)

5.12 Donation Acceptance & Pass Thru Recommendation - Cash Donation for Fire Safety & Prevention Efforts

[Cover Page](#)

[23135res_Donations_Received_Fire_06.05.23_National_Fire_Safety.doc](#)

5.13 Donation Acceptance - Cash Donation for Maintenance of City Public Cemetery

[Cover Page](#)

[23136res_Donations_Received_Parks_06.05.23.doc](#)

5.14 Acceptance of Grant Proceeds from Board of Water & Soil Resources - Downtown Storm Water Reuse Improvement

[Cover Page](#)

[23137res_Acceptance_of_Grant_Funds_-_Storm_Water_Reuse.doc](#)

Motion by Yetzer, seconded by Grengs 5) ADOPT CONSENT AGENDA
MOTION carried

6) COUNCIL BUSINESS

6.1 Purchase Agreement with Amcon Outland, Inc. for a portion of 150 Sparrow Road

[Cover Page](#)

[Purchase Agreement \(Draft 05-31-2023v2\).docx](#)

[23139res_Approving_Sale_of_Property__Draft_05-31-2023_.docx](#)

Lane Braaten stated that the City Council, at a previous closed session, reviewed and considered the sale of a portion of the city owned commercial parcel located at 150

Sparrow Road. Subsequent to the closed session staff has been working with Amcon Outland, inc. to formalize a purchase agreement for the described property.

City Staff has worked with Amcon Outland, inc. on the purchase agreement draft. If the Council finds the terms of the agreement acceptable, staff recommends approval of the proposed purchase agreement for a portion of 150 Sparrow Road subject to the findings and conditions stated in the draft resolution.

Motion by Yetzer, seconded by Grengs Adopt Resolution 2023-139 approving the attached purchase agreement between the City of Waconia and Amcon Outland, Inc. for a portion of the property located at 150 Sparrow Road.

MOTION carried

6.2 [Authorize Obtaining Quotes for Storm Sewer Improvements](#)

[Cover Page](#)

[23140res Olive_and_Elm_Street_Alley_Res.doc](#)

[Project Area.pdf](#)

[Project improvement image.pdf](#)

[Pipe Profile Image Alley Olive and Elm.pdf](#)

Craig Eldred presented a request of City Council for Staff and City Engineer to obtain quotes for storm water improvements for the alley located between Olive Street South. For the existence of the alley, drainage has overtopped the sidewalk adjacent Olive Street South and eventually captured in the storm system inlet near Second Street South. In calendar year 2022 the new Uptown Apartment structure was approved for construction. Previously in 2014, storm water improvements were designed and put into place with no confirmed outlet for the Nagel Assisted Living Improvements on Elm Street.

The focus of this overall improvement is to capture the previous storm water from Nagel Assisted Living and a portion of the Uptown Apartment complex as a overflow feature and reduce the hard surface and capture of storm water for slowing release of storm water to our current storm system directed to Fountain Park. This improvement is consistent with our downtown storm water plans to reduce high flow run-off of storm water to Lake Waconia. In addition, a sediment manhole is being proposed to reduce downstream impacts of total solids loading for Fountain Park storm basin.

Eldred shared images of the project area, project improvement image and pipe profile image of alley between Olive and Elm Streets.

Funding for the improvements are to come from the Storm Water Fund. Staff has altered, or delayed previously planned 2023 improvement schedules to cover this higher priority improvement for the downtown storm water system.

Motion by Grengs, seconded by Sorensen Adopt Resolution 2023-140; Authorizing Obtaining Quotes For Olive & Elm Street Alley Improvements

MOTION carried

7) ITEMS REMOVED FROM CONSENT AGENDA

8) STAFF REPORTS

Sargent Stahn presented the Calls for Service for May 2023.

9) BOARD REPORTS

Council Member Sorensen attended the CIP meeting and Park Board meeting.

Council Member Yetzer Planning Commission Meeting.

Council Member Grengs attended Coffee Connection with the Chamber.

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10) ANNOUNCEMENTS

Music and Movie in the Park this Thursday, June 8th.

Groundbreaking the new Fire Station is on June 20th.

11) ADJOURN REGULAR MEETING

Motion by Sorensen, seconded by Grengs 11) ADJOURN REGULAR MEETING at 6:44 p.m.

MOTION carried

Work Session:

UPCOMING CALENDAR OF EVENTS/MEETINGS:

Nicole Waldron, Mayor

ATTEST: _____

Ann Meyerhoff, Office Assistant



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		June 20, 2023					
Item Name:		June 20, 2023 Expenditures					
Originating Department:		Finance					
Presented by:		Nicole Meyer					
Previous Council Action (if any):							
Item Type (X only one):		Consent	X	Regular Session		Discussion Session	
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Payment of June 20, 2023 Expenditures							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Attached is the claim and disbursements registers for the City of Waconia as of June 20, 2023. Payments are made to vendors via check, electric payment, and through the City's purchasing card program.							
<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:		June 20, 2023					
Item Name:		Rink Management Services Corporation Waconia Ice Arena Expenditures Incurred May 2023					
Originating Department:		Finance					
Presented by:		Amanda Ortloff					
Previous Council Action (if any):							
Item Type (X only one):	Consent	☒ X	Regular Session	☐	Discussion Session	☐	
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Motion to Approve Rink Management Corporation Expenditures for Waconia Ice Arena Incurred in May 2023							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Rink Management Services Corporation has provided the attached report for expenditures paid in May 2023. Per the City's contract with Rink Management, these expenditures are paid by Rink Management for the City's operation of the Waconia Ice Arena.							
<u>Attachments:</u>							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses: Ice Arena Fund (678)							
Budget Information:				Planning Commission			
☒ Budgeted				Parks and Recreation Board			
☐ Non Budgeted				Safari Island Advisory Board			
☐ Amendment Required				Other			



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		June 20, 2023					
Item Name:		Rink Management Services Corporation Safari Island Community Center Expenditures Incurred May 2023					
Originating Department:		Finance					
Presented by:		Amanda Ortloff					
Previous Council Action (if any):							
Item Type (X only one):	Consent	☒ X	Regular Session	☐	Discussion Session	☐	
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Motion to Approve Rink Management Corporation Expenditures for Safari Island Community Center Incurred in May 2023							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Rink Management Services Corporation has provided the attached report for expenditures paid in May 2023. Per the City's contract with Rink Management, these expenditures are paid by Rink Management for the City's operation of the Safari Island Community Center.							
<u>Attachments:</u>							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses: Safari Island Fund (231)							
Budget Information: ☒ X Budgeted ☐ Non Budgeted ☐ Amendment Required				Planning Commission			
				Parks and Recreation Board			
				Safari Island Advisory Board			
				Other			



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		June 20, 2023					
Item Name:		Contractor Pay Request #9 - New Fire Station					
Originating Department:		Finance					
Presented by:		Amanda Ortloff					
Previous Council Action (if any):							
Item Type (X only one):	Consent	☒ X	Regular Session	☐	Discussion Session	☐	
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Motion to Approve Contractor Payment Request for the New Fire Station Project							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Kraus-Anderson Construction Co. has reviewed the contractor pay request #9 for the new fire station project. The contractors requesting payment are as follows: Ebert Construction \$11,248.81 Central Roofing Company \$2,850.00 Superset Tile & Stone, LLC \$10,093.75 Twin City Acoustics, Inc. \$17,062.00 Sentra-Sota Sheet Metal, Inc. \$16,207.95 Electrical Production Services, Inc. \$150,479.12 The total amount of the contractor payments for this request is \$207,941.63. Retainage remains due for each contractor until the project is complete and upon review of liquidated damages. <u>Attachments:</u>							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses: PIR Fund							
Budget Information: ☒ X Budgeted ☐ Non Budgeted ☐ Amendment Required				Planning Commission			
				Parks and Recreation Board			
				Safari Island Advisory Board			
				Other			



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		June 20, 2023					
Item Name:		Printer Lease Contract for Safari Island, Public Services, and Fire Station					
Originating Department:		Administration					
Presented by:		Jackie Schulze					
Previous Council Action (if any):							
Item Type (X only one):	Consent	X	Regular Session		Discussion Session		
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Adopt Resolution 2023-141, Authorizing Printer Lease Contract with Marco							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
The City of Waconia currently leases printers from Marco for Safari Island, Public Services, and the Fire Station. The current printer lease is expiring, and Marco has recommended an updated lease which provides a cost savings to the City. The City currently pays \$2,676 quarterly for both the printer lease and copies at these facilities. Under the terms of the new lease, we would update the printer at the Fire Station to match the printer at Public Services and Safari Island. In addition, we looked at the actual usage of these printers and modified the terms of the contract to better reflect actual usage. The new quarterly total is approximately \$2,227 per quarter. Any overages are billed at a rate that is less than overages billed under the current contract. We do not anticipate having many overages under this new contract, as we plan to do some education of our staff at these facilities regarding printing. Upon approval, staff will execute the updated contract with Marco for printing services.							
<u>Attachments:</u>							
1. 23141res_Printer_Contract.docx 2. PRINTER CONTRACT.pdf							
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			

**CITY OF WACONIA
RESOLUTION NO. 2023 - 141**

**RESOLUTION AUTHORIZING PRINTER
CONTRACT WITH MARCO**

WHEREAS, the City of Waconia contracts with Marco for printer leases for Safari Island, the Ice Arena, and Public Services; and

WHEREAS, the City's contract is set to expire; and

WHEREAS, staff recommend the approval of a new contract with Marco; and

WHEREAS, the updated contract will cost approximately \$2,228 per quarter; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Waconia authorizes City staff to execute the updated contract with Marco.

Adopted by the City Council of the City of Waconia this 20th day of June, 2023.

Nicole Waldron, Mayor

ATTEST: _____
Jackie Schulze, City Clerk



May 11, 2023

PROPOSAL FOR
CITY OF WACONIA

Prepared by:

Curtis Thompson

Technology Advisor

651-288-6944

Curt.thompson@marconet.com@marconet.com

Expiration Date: 6/11/23



Managed Services



Copiers & Printers



Audio Visual



Business IT Services

CITY OF WACONIA

CURRENT PAYMENT SUMMARY:

Monthly Payment (Lease)	\$1,306.44
Average Monthly Overage	
KM Monochrome 6,563 @ \$.011713.....	\$76.87
KM Color 15,699 @ \$.073205.....	\$1,149.25
HP Monochrome 1,590 @ \$.023426.....	\$37.25
HP Color 908 @ \$.117128.....	\$106.35

Total.....\$2,676.16/Qtr

RECOMMENDED PRINT SOLUTION

QTY	ITEM	DESCRIPTION
1	AA2J011X001	KONICA C360i COLOR MFP + DF-714
1	AA2M011X001	KONICA C250i COLOR MFP + DF-714
1	AA2M011X001	KONICA C250i COLOR MFP + DF-714

Specifications

- 36-25 Monochrome Pages Per Minute
- 36-25 Color Pages Per Minute
- 100 Sheet Bypass Tray
- (2) 500 Sheet Paper Tray
- 100 Sheet Single Pass Document Feeder
- (2) Stapling Finisher
- (2) Fax Board



MANAGED ACCOUNT PROGRAM (MAP)

Our Managed Account Program includes equipment, service, and supplies (except staples and paper). The result is a system with the capabilities and features you need—without the administrative headaches.

60 Month MAP\$2,227.74/Qtr

- Black and White Prints included per Month: 2,000
- Black and White Print Overage: \$0.0079/Print
- Color Prints included per Month: 4,000
- Color Print Overages: \$0.051 /Print

DELIVERY, INSTALLATION, INITIAL SUPPLIES AND INITIAL TRAINING

Delivery, Installation, Initial Supplies & Initial Training.....Included

Accepted by: _____ Date: _____

By signing this proposal, you are authorizing Marco Technologies LLC to order, install and invoice the above listed equipment.



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		June 20, 2023					
Item Name:		Resignation of Street Maintenance Worker Peter Storms					
Originating Department:		Administration					
Presented by:		Jackie Schulze					
Previous Council Action (if any):							
Item Type (X only one):	Consent	X	Regular Session		Discussion Session		
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Adopt Resolution 2023-142, Accepting Resignation of Street Maintenance Worker Peter Storms							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Peter Storms, Street Maintenance Worker, has submitted his voluntary resignation from employment with the City of Waconia to be effective June 20, 2023. We thank Peter for his years of service to the City of Waconia and wish him well on his new endeavor. City Staff ask that the City Council accept the resignation of Peter Storms and authorize recruitment for his replacement. The City is currently recruiting for a Street Maintenance Worker due to Jesse Michel's transfer from Streets to Parks, and hopes to find two solid candidates through this active process. Due to not having a meeting until July 17, we would request that the City Administrator have authority to appoint the top candidates to the Street Maintenance Worker positions, pending Personnel Committee review. Attachments: 1. 23142res_Street_Maintenance_Resignation_Authorize_Recruitment__1_.docx							
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			

**CITY OF WACONIA
RESOLUTION NO. 2023 - 142**

**RESOLUTION ACCEPTING VOLUNTARY
RESIGNATION OF STREET MAINTENANCE WORKER**

WHEREAS, the City has received the voluntary resignation of Street Maintenance Worker Peter Storms; and

WHEREAS, the City has received this notice in accordance with its personnel policies to be effective June 21, 2023; and

WHEREAS, the City currently has an open Street Maintenance Worker position and hopes to find two potential candidates from this open position; and

WHEREAS, the City Council will not meet again until July 17; and

NOW, THEREFORE, BE IT RESOLVED, that, the City Council hereby accepts the resignation of Peter Storms, authorizes recruitment for a Street Maintenance Worker position, and provides the City Administrator the ability to appoint to the vacant Street Maintenance Worker positions pending Personnel Committee review and approval.

Adopted by the City Council of the City of Waconia this 20th day of June, 2023.

Nicole Waldron, Mayor

Attest: _____
Jackie Schulze, City Clerk



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		June 20, 2023			
Item Name:		Resignation of Firefighter			
Originating Department:		Administration			
Presented by:		Jackie Schulze			
Previous Council Action (if any):					
Item Type (X only one):	Consent	X	Regular Session		Discussion Session
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>					
Adopt Resolution 2023-143, Accepting Resignation of Firefighter Tyler Chase					
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>					
On June 8, Chief Sorensen received a resignation letter from Firefighter Tyler Chase. Firefighter Chase has moved out of the City of Waconia and is no longer eligible to be a Waconia Firefighter based on his address. Firefighter Chase has been with the department approximately two years. Thank you to Firefighter Chase for your service to the Waconia Fire Department and we wish you the best.					
<u>Attachments:</u>					
1. 23143res_Firefighter_Resignation.docx					
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		

**CITY OF WACONIA
RESOLUTION NO. 2023 - 143**

**RESOLUTION ACCEPTING VOLUNTARY
RESIGNATION OF FIREFIGHTER TYLER CHASE**

WHEREAS, the City has received the voluntary resignation of Firefighter Tyler Chase;
and

WHEREAS, the City has received this notice in accordance with its personnel policies to
be effective immediately; and

WHEREAS, the City plans to do a firefighter recruitment this fall with hopes to find new
firefighters who will start in the spring; and

NOW, THEREFORE, BE IT RESOLVED, that, the City Council hereby accepts the
resignation of Firefighter Tyler Chase.

Adopted by the City Council of the City of Waconia this 20th day of June, 2023.

Nicole Waldron, Mayor

Attest: _____
Jackie Schulze, City Clerk



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		June 20, 2023					
Item Name:		Authorize Recruitment for Public Services Technician					
Originating Department:		Administration					
Presented by:		Jackie Schulze					
Previous Council Action (if any):		February 21, 2023: 2023-44 Accept Resignation of Public Services Technician					
Item Type (X only one):	Consent	☒ X	Regular Session	☐	Discussion Session	☐	
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Adopt Resolution 2023-144, Authorizing Recruitment for Public Services Technician							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
In February, the City Council accepted the resignation of Public Services Technician Andrew Brick. At the time, it was decided to wait a few months to evaluate the need for the position prior to conducting a recruitment for this position. The City feels it is now in a good place to recruit for this position, and internal candidates have expressed interest. Due to the technical nature of this position, we would recommend an internal recruitment cycle for this position, followed by an external recruitment cycle if no internal candidate is selected. If an internal candidate is selected, we would ask that the City Council allow us to immediately authorize recruitment for the backfill of the position, prior to formal appointment at the July 17 City Council Meeting.							
<u>Attachments:</u>							
1. 23144res_PS_Tech_Authorize_Recruitment__1_.docx 2. Public Services Technician.pdf							
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			

**CITY OF WACONIA
RESOLUTION NO. 2023 - 144**

**RESOLUTION TO AUTHORIZE RECRUITMENT
FOR PUBLIC SERVICES TECHNICIAN**

WHEREAS, one of the City's two Public Services Technician jobs has remained vacant since February; and

WHEREAS, the City is now ready to recruit for this position; and

WHEREAS, the City believes there are strong and interested internal candidates for this position; and

WHEREAS, the City Council will not meet again until July 17; and

NOW, THEREFORE, BE IT RESOLVED, that, the City Council hereby authorizes internal recruitment for the Public Services Technician position and, if an internal candidate is selected, authorizes recruitment for backfill of this position pending Personnel Committee review and prior to formal appointment by the City Council.

Adopted by the City Council of the City of Waconia this 20th day of June, 2023.

Nicole Waldron, Mayor

Attest: _____
Jackie Schulze, City Clerk

Job Title: Public Services Technician

Department: Public Services

Status: Full-time regular position, Non-Exempt

Benefits: Qualifies for full-time benefits

Reporting Relationship: Reports to Public Services Director



Supervisory Duties: This position has no supervisory duties.

Position Details: The Public Services Technician performs technical support involving responsibility for technical fieldwork, office, and computer work. Assignments are consistent with Public Services review, locating, processing and inspections of assets visual and buried. Position coordinates closely with Public Service Director, Supervisors and Consulting Engineers on technical accuracy of Public Service infrastructure assets.

Technical Duties:

- Perform all on-site locates including requests and on-site requirements.
- Perform routine asset condition inspections including pavement, stormwater BMP, sign retroreflectivity, tree, and underground pipe televising.
- Create and maintain data for all on-site private and commercial inspections relevant to water, sewer, storm connection lateral installation, utility testing, topsoil, landscaping, and final grade. Communicate deficiencies to Public Services Director.
- Create and maintain data on small site & boulevard erosion control, NPDES compliance inspections and MS4 permit inspections to ensure compliance with the Storm Water Pollution Prevention Program (SWPPP) City Permit. Report deficiencies to Developer or Contractor and inform Public Services Director.
- Remove snow from streets, alleys, sidewalks, trails, intersections, catch basins, municipal parking lots and around city buildings; apply gravel and/or salt to streets and walkways.
- Create and maintain GPS data collection in compliance with established policies for inspection of Public Service assets visual and buried and effectively inspect as necessary, maintain and modify all data in asset management software system. Maintain the accuracy and integrity of inspection records, the asset management database, the GIS database, and the digital as-built database.
- Assist with maintaining digital and hard copy record drawing information for all Public Service Infrastructure and its utilization within asset management software system.
- Assist in development and implementation of Public Service Infrastructure Maintenance Manuals and Standard Procedures. Develop new procedures/applications/workflows to improve the efficiency of daily operations.
- Create and manage data for inspection processes of right-of-way utility permit applications.
- Create accurate, professional-looking maps for all City departments for use internally, in the field, or in public presentations.
- Create automatically generated reports using various software applications/programming languages to assist in project, financial, and administrative planning.
- Meet with outside representatives and residents on permit and encroachment complaint

- issues and other matters related to easements and right of way issues.
- Work cooperatively with internal staff, outside departments, contractors, and public as needed to complete assigned tasks.

Customer Service and Ancillary Duties:

- Respond to requests from the public for information, complaints, etc.
- Assist other City departments with operations and duties as required.
- Participates in meetings, training, education, conferences, etc.
- Perform other duties and assume responsibilities as apparent or assigned.

While these are the primary focus of the position, we believe strongly in teamwork and employees will be called upon to perform a variety of duties as part of their role with the City.

Position Requirements

Knowledge, Skills and Abilities:

- Knowledge of standard engineering construction principles, and land survey nomenclature methods for street, parks, water, wastewater, street lighting and storm water utilities.
- Ability to work independently to complete projects in a timely manner and possess strong time-management and organizational skills.
- Ability to gather precise in-field data asset points, work from oral and written instructions, and to write clearly and concisely.
- Proficient knowledge and use of personal computer using a variety of software applications utilized to maintain information data and records, including but not limited to Microsoft Office and GIS software, Trimble GPS equipment and software, fuel system integration software, speed radar sign software, and Cartegraph asset management software.
- Basic knowledge of programming languages (Python, Arcade, HTML, CSS, SQL, etc.)
- Technical knowledge and field experience of computer database use and its functionality.
- Ability to communicate effectively, tactfully, professionally, and in a courteous manner in-person with other City employees and the general public.
- Ability to write simple correspondence with the ability to effectively present information to supervisor, subordinates, government agencies, contractors, and the general public.
- Ability to read and interpret technical manuals, conduct minor calculations and understand the most efficient and effective way to achieve the desired end product.
- Ability to operate and maintain department vehicles and equipment including pickups, skid loader, front end loader, and dump trucks as necessary.
- Ability to recognize and use proper safety equipment when performing or witnessing Public Service maintenance duties.
- Knowledge of Confined Space Entry procedures.
- Ability to work under limited supervision with general autonomy in determining how objectives are achieved.
- Ability to use considerable analytical ability to select, evaluate and interpret data from several sources and to interpret guidelines, policies, and procedures.
- Normal working hours: Monday – Friday, 6:30 a.m. – 3:00 p.m. Ability to work extended hours, weekends, holidays, be on-call and respond to calls during non-working hours as required.
- Ability to attend work punctually and regularly.

Education: High School Diploma or equivalent and two-year technical degree in Civil Engineering or related field.

Requirements:

- Two or more years relevant work experience.
- Must successfully pass and comply with DOT drug and alcohol testing regulations.
- Successful completion of a criminal background check.

Desired Qualifications:

- Bachelor's Degree in related field.
- Technical knowledge and field experience of municipal water, sewer, and storm water utilities and their operations.
- Underground Utilities Construction Inspector Certification
- Knowledge/experience in Excel, Windows, Word, Power Point and Publisher.
- Knowledge/experience using AutoCAD (Autodesk Land Desktop 2005 civil design software).
- Knowledge of native tree species and ability to identify them in the field.

Licenses/Certifications: This position will require the acquisition and maintenance of the following additional certificates/licenses:

- Must possess and maintain a valid Minnesota Class A Driver's License (CDL) with tanker and air brake endorsement, or the ability to obtain one with two years of hire.
- Erosion Control Construction Installer Certification
- Stormwater BMP Inspection and Maintenance Certification

Physical and Mental Requirements: The employee frequently is required to sit and talk or hear; use hands to finger, handle or feel objects, tools or controls; and reach with hands and arms. Must be able to walk and climb on all terrains and various stages of a construction site. Must be able to drive, bend, stoop, crouch, kneel, push and pull, and perform near activity. Considerable ability to use fine motor skills to manipulate objects requiring manual dexterity. Ability to work outside year-round, during inclement weather, and under adverse field conditions. Ability to frequently lift and/or move objects weighing 50 pounds. Ability to hear, talk, see, touch, smell and taste. Specific vision abilities required by this position include close vision, distance vision, depth perception, peripheral vision and ability to focus as it relates to such tasks as reading manuals, processing paperwork, overseeing public activities, viewing a computer monitor. Ability to operate, maneuver and/or control the actions of equipment, machinery, tools, and/or materials used in performing essential functions.

***The physical demands described here are representative to those that must be met by an employee to successfully perform the essential functions of the job. Reasonable accommodations can be made to enable individuals with disabilities to perform the essential functions.*

Working Conditions: Work is performed primarily in vehicles, outdoor and office settings; the employee regularly sits for extended periods at a personal computer using repetitive movements and small motor skills and is exposed to moderate noise levels in the office environment. The employee may be exposed to fumes or airborne particles, toxic or caustic chemicals, risk of electrical shock and exposure to loud noises from operating equipment. The employee is occasionally exposed to inclement weather conditions.

Position Competencies

Technology

- Considerable knowledge of modern office equipment, practices and procedures including a computer and other basic office equipment.
- software skills, including excellent typing skills, and the ability to use Microsoft Office products including but not limited to Outlook, Word, Excel, and PowerPoint.

Safety

- Maintains a safe work environment by complying with City safety policies and procedures and attends necessary trainings.
- Performs work in a safe manner at all times. Avoids shortcuts that increase health and safety risks to self or others. Organizes the personal workspace to minimize the likelihood of an accident or other unsafe situation.
- Maintains emergency supplies and/or personal protective gear.
- Reports safety concerns or incidents and near misses to appropriate parties.

Equipment Operation

- Uses tools, machines, and/or vehicles to complete the assigned work.
- Accurately sets up and calibrates tools and machines. Routinely inspects equipment and adheres to the proper maintenance schedule.
- Follows safety and other regulations when handling and operating equipment. Uses equipment for its intended purpose only, protecting it from damage and misuse.

Competencies Common to All City Positions:

- Develop, maintain a thorough working knowledge of, and comply with all departmental and applicable City policies and procedures.
- Demonstration by personal example the spirit of service, excellence, and integrity expected from all staff.
- Develop respectful and cooperative working relationships with co-workers, including willing assistance to newer staff so job responsibilities can be performed with confidence as quickly as possible.
- Confer regularly with and keep immediate supervisor informed of all important matters which pertain to the applicable job functions and responsibilities.
- Represent the City of Waconia in a professional manner to the public, outside contacts and constituencies.

***The work environment characteristics described here are representative to those an employee encounters while performing essential functions of this job. Reasonable accommodations can be made to enable individuals with disabilities to perform the essential functions.*

NON-DISCRIMINATION POLICY: The City of Waconia will not discriminate against or harass any employee or applicant for employment because of race, color, creed, religion, national origin, sex, disability, age, marital status, sexual orientation or status with regard to public assistance. (These examples are intended only as illustrations of various types of work performed and are not necessarily all inclusive. The job description is subject to change as the needs of the employer and requirements of the job change. The City of Waconia reserves the right to change and/or eliminate any and all job duties if needed.



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		June 20, 2023					
Item Name:		Appointment of Street Maintenance Worker					
Originating Department:		Administration					
Presented by:		Jackie Schulze					
Previous Council Action (if any):		May 15, 2023: Resolution 2023-122, Authorize Hire of Park Maintenance Worker and Authorize Recruitment for Vacancy					
Item Type (X only one):	Consent	X	Regular Session		Discussion Session		
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Adopt Resolution 2023-145, Appointing Street Maintenance Worker							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
On May 15, the City Council authorized the transfer of Jesse Michel from Street Maintenance Worker to Park Maintenance Worker. At this time, recruitment was also authorized to backfill Jesse's position. City staff recently completed interviews and recommend the hire of Tyler Schwindt to this position. Tyler has previous seasonal experience with the City of Chaska, recently completed an internship across all Public Works divisions with the City of Mound, and is currently a seasonal maintenance worker with the City of Mound. He also has his Public Works Certificate from Hennepin Technical College. Tyler is expected to start at Step 1 on the Street Maintenance Worker pay scale. He will accrue PTO at the standard accrual rate. He will be expected to obtain his Class A CDL within two years of hire. His appointment is contingent on the successful completion and City's evaluation of the following: • pre-employment physical • background check • driving check July 3, 2023 is Tyler's anticipated start date. Attachments: 1. 23145res_Appointment_of_Street_Maintenance_Worker (1).docx							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses:				Personnel Committee: Recommend			
Budget Information:				Planning Commission			
_____ Budgeted				Parks and Recreation Board			
_____ Non Budgeted				Safari Island Advisory Board			
_____ Amendment Required				Other			

**CITY OF WACONIA
RESOLUTION NO. 2023 - 145**

**RESOLUTION AUTHORIZING
HIRE OF STREET MAINTENANCE WORKER**

WHEREAS, on May 15, 2023, the City Council authorized the recruitment for the vacant Street Maintenance Worker position; and

WHEREAS, the City recently completed recruitment for this position; and

WHEREAS, staff recommend the appointment of Tyler Schwindt to this position;

WHEREAS, Tyler will start at Step 1 on the Street Maintenance Worker pay scale and accrue PTO at the standard rate for new employees; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Waconia authorizes the hire of Tyler Schwindt for the Street Maintenance Worker position, effective July 3, 2023.

Adopted by the City Council of the City of Waconia this 20th day of June, 2023.

Nicole Waldron, Mayor

ATTEST: _____
Jackie Schulze, City Clerk



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		June 20, 2023					
Item Name:		Support for Highway 5 Funding					
Originating Department:		Administration					
Presented by:		Shane Fineran					
Previous Council Action (if any):							
Item Type (X only one):	Consent	☒ X	Regular Session	☐	Discussion Session	☐	
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Adopt Resolution 2023-146							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Staff continue to identify and pursue outside funding sources for the reconstruction of Highway 5 between Olive Street and Main Street as well as supporting local road connections and pedestrian facilities. During the 2022 state legislative session bills were supported by Representative Nash and Senator Coleman for appropriation in the transportation bill for additional state support for this reconstruction effort. Ultimately the bills introduced were not passed into law at the conclusion of the session but efforts are to continue to to secure dedicated transportation funding through state omnibus budget process. Another strategy to secure significant state funding is through the Capital Budget process of the state, or is commonly referred to as the "bonding bill". The state's capital investment cycle is in even numbered legislative session years, opposite of he state's operating budget process. Capital investment requests by local governments are due in June with final submissions in October. Requests are submitted to the Minnesota Management & Budget office, compiled, reviewed and then submitted to the legislature in January. Staff recommend an application be submitted via this process in the amount of \$9.6 million dollars. This amount coupled with awarded regional solicitation funds, local aid, and congressional appropriation funds being sought would provide enough funding to complete the estimated \$21 million dollar project cost and meet local match requirements of the state capital investment requirements. This would also add an additional avenue to secure state funding for this state asset within the community, through the operating and capital investment budgeting processes. Once submitted the City's governmental relations consultant, Lockridge, Grindal, & Nauen will continue to shepherd and advocate for this request through the capital investment debate process with legislators and key decision makers at the capital.							
<u>Attachments:</u>							
1. 23146res_Trunk_Hwy_5_State_Bonding_funding.doc 2. 2023-02-01 Waconia Hwy 5 One Pager.pdf							
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			

**CITY OF WACONIA
RESOLUTION NO. 2023-146**

**RESOLUTION SUPPORTING STATE HIGHWAY 5 PHASE 2
CAPITAL INVESTMENT REQUEST**

WHEREAS, the City of Waconia is one of the fastest growing cities in the fastest growing county in the state; and

WHEREAS, State Trunk Highway 5 is a A minor arterial roadway through the community; and

WHEREAS, the City of Waconia has been an active partner in over \$18 million dollars of previous investment in this corridor to enhance safety, mobility, and capacity; and

WHEREAS, improvements necessary along the eastern portion of State Trunk Highway 5 as a second phase to previous improvements along the corridor to complete are identified; and

WHEREAS, the residents and businesses of the City of Waconia need the state to be invested in order to complete these improvements through funding of \$9.6 million dollars; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Waconia hereby supports the identified improvements and commits to the project completion if adequately funded;

THEREFORE, BE IT FURTHER RESOLVED, that the City Council of the City of Waconia respectfully requests that the State of Minnesota provide funding that would allow completion of the Trunk Highway 5 Phase 2 Reconstruction.

Nicole Waldron, Mayor

Attest: _____
Jackie Schulze, City Clerk



TH 5 Phase 2 Reconstruction

City of Waconia, Carver County, Minnesota

in partnership
with



The Highway 5 Phase 2 Reconstruction project will address both safety and mobility issues by adding dedicated turn lanes and eliminating conflict points along one of the highest crash rate corridors in Carver County. The proposed project is the final phase in over \$18 million in previous investments since 2012 to reconstruct and urbanize Highway 5 throughout the City of Waconia, one of the fastest growing cities in the fastest growing county in Minnesota.

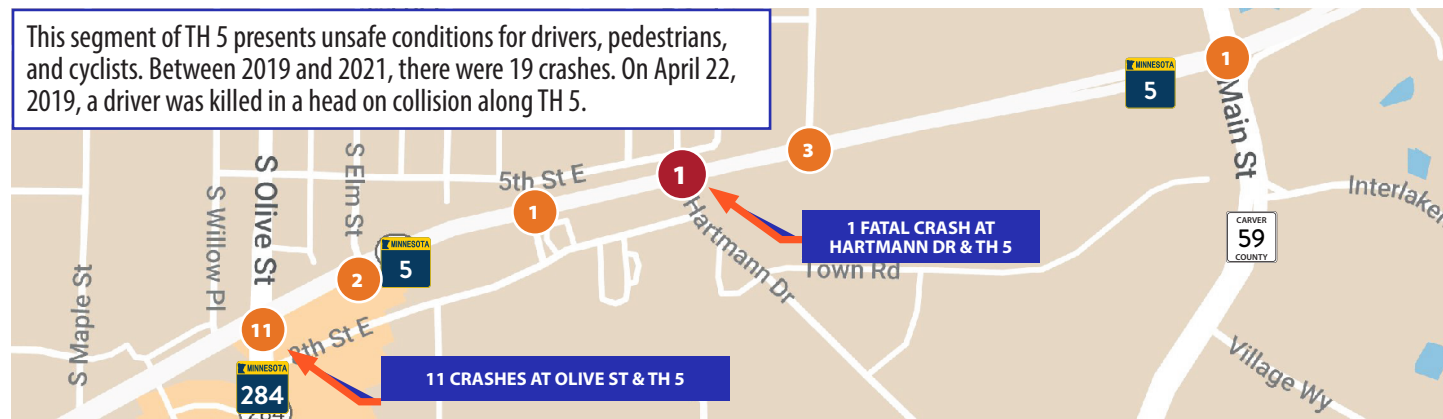
Today's Issues

- One of the highest crash rate corridors in Carver County
- Gaps in the pedestrian & bicyclist network
- Critical delays during peak travel hours along this tier 3 freight corridor
- Clear zone standards are not met, causing unsafe sightline issues

Investment Results

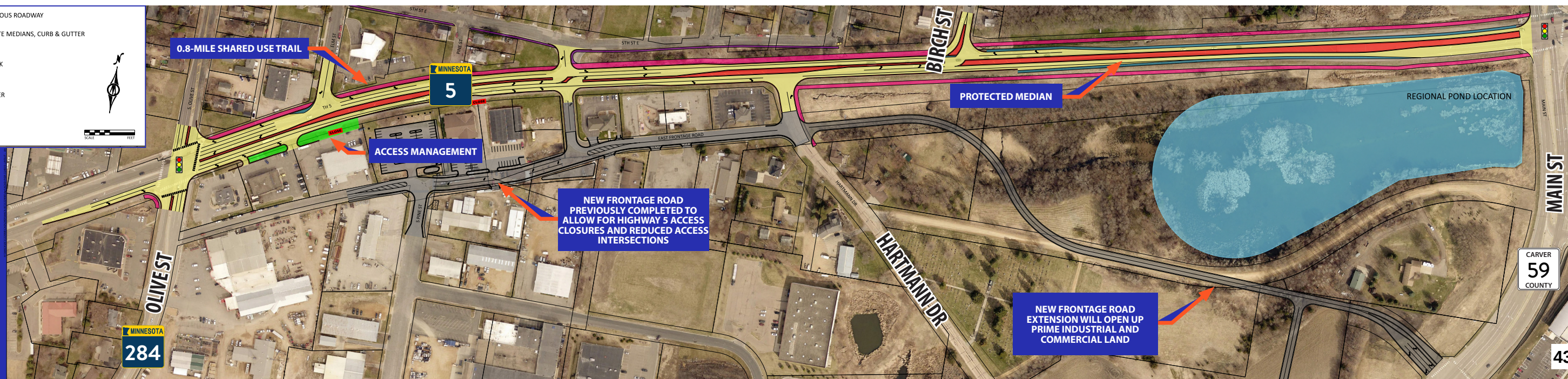
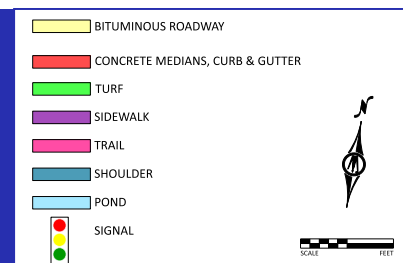
- Safer driving conditions and reduced travel times through reduced speeds and improved roadway capacity
- Improved sightlines through managed access and design
- Frontage Road extension opens prime industrial and commercial land
- Estimated economic impacts include 100-150 new jobs for \$10M in annual earned income, and a \$5M increase in income and property tax revenues
- Shared-use trail will link schools, regional health center, downtown, and Lake Waconia Regional Park

This segment of TH 5 presents unsafe conditions for drivers, pedestrians, and cyclists. Between 2019 and 2021, there were 19 crashes. On April 22, 2019, a driver was killed in a head on collision along TH 5.



Total Investment Secured **\$7M**
in Regional Solicitation Funds

Total Investment Needed **\$21M**
Inflated to 2026 dollars





REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		June 20, 2023					
Item Name:		Authorize Advertisement of 2023 Improvement Projects					
Originating Department:		Public Services					
Presented by:		Craig Eldred					
Previous Council Action (if any):		Approval of Capital Improvement Plan and Projects					
Item Type (X only one):	Consent	X	Regular Session		Discussion Session		
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Adopt Resolution 2023-147; Authorizing Advertisement of 2023 Infrastructure Improvement Projects							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
As part of the 2023 Capital Improvements we have three outstanding projects to obtain bids for completion in calendar year 2023.							
Project Identification				Area of Improvements			
Project 128-A Asphalt Mill and Overlay				Burandt Boulevard and Farmline Road			
Project 128-A Reconstruction of Asphalt Trail				Burandt Boulevard and Farmline Road			
Project 128-B Trail Construction				CSAH 10; Interlaken Parkway to Somerwood Drive			
Culvert Replacements				Waconia Parkway North			
Projects 128 A & B are related to State Aid Improvements and are being reviewed a second time by MnDOT for final design items. The work area of Burandt Boulevard initiates at the termination point of Third Street and 2020 Improvement Project to Farmline Road. Farmline Road; Burandt Boulevard to Waconia Parkway South. Culvert replacements are programmed improvements to replace failing storm pipe crossings one-year in advance of resurfacing Waconia Parkway in 2024. Trail improvements are as noted within the North Boulevard of CSAH 10; Somerwood Drive to Interlaken Parkway North. This improvement will link the new Interlaken 8th Edition and Underpass at Somerwood Drive under CSAH 10 linking Interlaken Woods. Staff will bring before the City Council a recommendation of award after bids are received. This request of obtaining bids is dependent on MnDOT review and approval for the asphalt improvements adjacent Burandt Boulevard and Farmline Road all known a State Aid funded roadways in Waconia' transportation system. Staff recommends approval of this request of action allowing for future award consideration.							
Attachments:							
1. 23147res Advertisement_2023_Improvements_Res.doc 2. 2023-06-08 2023 Project Auth Memo.pdf							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			

Funding Sources & Uses:		
State Aid, PIR, Storm Water		
Budget Information: ☒ Budgeted ☐ Non Budgeted ☐ Amendment Required	Planning Commission	
	Parks and Recreation Board	
	Safari Island Advisory Board	
	Other	

**CITY OF WACONIA
RESOLUTION NO. 2023-147**

**RESOLUTION AUTHORIZING ADVERTISEMENT OF 2023 INFRASTRUCTURE
IMPROVEMENT PROJECT**

WHEREAS, one of the City’s Priorities is to “manage, maintain, and improve our current and future physical assets”; and

WHEREAS, City Engineer has prepared plans and specification for review by MnDOT for asphalt improvements, Tail, and Culvert Replacements; and

WHEREAS, staff are requesting the ability to advertise the improvements upon approval by MnDOT for asphalt improvements; and

WHEREAS, bids will be brought before City Council for award approval at a later date.

NOW, THEREFORE, BE IT RESOLVED That the City Council of the City of Waconia hereby authorizes advertisement of 2023 Infrastructure Improvement Project.

Adopted by the City Council of the City of Waconia this 20th day of June, 2023.

Nicole Waldron, Mayor

Attest: _____
Jackie Schulze, City Clerk



**BOLTON
& MENK**

Real People. Real Solutions.

2638 Shadow Lane
Suite 200
Chaska, MN 55318-1172

Ph: (952) 448-8838
Fax: (952) 448-8805
Bolton-Menk.com

MEMORANDUM

Date: June 8, 2023
To: Craig Eldred, Public Services Director
From: Jake Saulsbury, Bolton & Menk
Subject: 2023 Infrastructure Improvement Project

Honorable Mayor and City Council Members:

The purpose of this memo is to request approval of the plans and specifications and to receive authorization to advertise for bids for the above referenced project.

The project contains the following components:

- Mill & overlay of Burandt Blvd and Farmline Road
- Trail reconstruction along Burandt Blvd and Farmline Road
- Trail construction along CSAH 10 from Interlaken Parkway North to Somerwood Drive
- Culvert replacement of three culverts under Waconia Parkway North

Due to State Aid funds being planned to fund a portion of this project, the final bidding documents require review and approval from the MN Department of Transportation. The second submittal for this project was submitted to MnDOT this week. Therefore, this authorization to advertise is required to be contingent on MnDOT approval of the plans and specifications. Once the MnDOT approval is obtained, a bidding schedule will be provided.

Please let me know if you have any questions or require any additional information.



REQUEST FOR CITY COUNCIL ACTION

Meeting Date: June 20, 2023

Item Name: Variance - 1077 Kinder Drive - Martha Vangen

Originating Department: Community Development

Presented by: Ethan Nelson

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.)

Adopt Resolution 2023-148, approving the variance for the property located at 1077 Kinder Drive to construct a 7'6" privacy fence that would replace the existing rear portion of chain link fence that runs parallel to the rear property line.

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

BACKGROUND

Applicant: Martha Vangen

Owner: Martha and Michael Vangen

Address: 1077 Kinder Drive

PID# 753640060

Zoning: R-1, Single Family Residential District

REQUEST:

The City has received a Variance application from Martha Vangen (the "applicant") requesting approval of a variance to construct a 7' 6" fence at 1077 Kinder Drive (the "Subject Property") that would replace the existing 4' rear portion of chain link fence versus the maximum 6 ft. height requirement for the R-1, Single Family Residential District. The applicant has indicated that the variance is necessary due to the Waconia Parkway South trail improvements resulting in raised elevations, additional noise and light.

APPLICABLE ORDINANCE PROVISIONS:

1. Section 900.05 - District Regulations, Subd. 2.A - R-1, Single Family Residential District
2. Section 900.07 - Landscaping and Screening Regulations, Subd. 3 - Fencing
3. Section 900.12 - Administration, Enforcement and Procedures, Subd. 4 - Variances

VARIANCE REVIEW CRITERIA:

Waconia City Code Section 900.12, Subd. 4 and Minnesota State Statue 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:

The R-1, Single Family District has a maximum fence height requirement of 6 ft. for side and rear yard areas. The Subject Property exists with a 4' tall chain link fence surrounding the area behind the principal structure. The applicant is proposing to remove and replace only the existing portion of the fence that runs parallel with Waconia Parkway South with a 7' 6" privacy fence. The proposed fence would be constructed with Western Red Cedar. Staff has noted some items below that the City Council may wish to consider and discuss further with the applicant:

1. In 2022, the City made improvements to the grade of the trail that runs along Waconia Parkway South as part of the construction project that resulted in the elevations being raised roughly 1.5 to 2 feet higher than before the project occurred. The City also installed lighting with downward facing shields along the trail. Due to the wide road right-of-way area, the City did not precisely locate property lines or monuments. Since the applicant did not conduct a survey of the property prior to the variance request, it shall be required to have the relevant property lines surveyed prior to permit issuance to verify the proposed fence modifications are located completely on the Subject Property.
2. The Subject Property has a blue tarp material attached to the existing chain link fence that does not meet code and should be removed.

PUBLIC NOTICE/COMMENT

The Planning Commission, at their regular meeting on June 1, 2023, reviewed the pertinent information and recommended approval of the proposed Variance application via a 3-1 vote.

If the City Council chooses to approve the afore-mentioned land use application, the Planning Commission and staff would recommend the approvals with the following conditions:

1. The applicant shall remove any material attached to the existing and proposed fence.
2. The applicant shall have the applicable property lines located and marked by a licensed land surveyor and indicated in the required building permit review prior to permit issuance and visible for final inspection.

Attachments:

1. [23148res Variance 1077 Kinder Drive.docx](#)
2. [Location Map \(1 Page\).pdf](#)
3. [Application & Letter \(4 Pages\)](#)

4. [Site & Fence Plan \(4 Pages\)](#)
5. [Site Photos \(6 Pages\)](#)

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
RESOLUTION 2023-148**

**A RESOLUTION APPROVING A VARIANCE
FOR THE PROPERTY LOCATED AT 1077 KINDER DRIVE**

WHEREAS, Martha Vangen (the “**Applicant**”), has submitted a Variance application for the property located at 1077 Kinder Drive (the “**Property**”) pursuant to Section 900.12 of the City Zoning Code; and

WHEREAS, the subject parcel is identified as PID# 753640060; and

WHEREAS, the City received a variance application from the Applicant to construct a 7' 6" fence at 1077 Kinder Drive that would replace the existing 4' rear portion of chain link fence versus the maximum 6 ft. height requirement for the R-1, Single Family Residential District.; and

WHEREAS, the Planning Commission, at their regular meeting on June 1st, 2023, held the required public hearing and recommended approval of the Variance application to allow the proposed fence for the property located at 1077 Kinder Drive via a 3-1 vote with the following conditions:

1. The applicant shall remove any material attached to the existing and proposed fence.
2. The applicant shall have the applicable property lines located and marked by a licensed land surveyor and indicated in the required building permit review prior to permit issuance and visible for final inspection.

WHEREAS, the City Council finds and concludes:

- 1) There is a unique circumstance that was not created by the property owners when the City made improvements to Waconia Parkway South.
- 2) The property would be put to use in a reasonable manner as the fence height proposed would be utilized for privacy purposes.
- 3) The variance is in harmony with the purposes and intent of the ordinance because privacy fencing is a permitted use within the district.
- 4) The applicant’s request is reasonable because the proposed fence is only facing the rear property line where the grade improvements occurred.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Waconia hereby approves the Variance application for Martha Vangen to construct a fence exceeding the maximum height allowed in the R-1, Single Family Residential District for the property located at 1077 Kinder Drive subject to the conditions, findings and recommendations of the Waconia City Council and Planning Commission stated above.

Adopted by the City Council of the City of Waconia this 20th day of June, 2023.

Nicole Waldron, Mayor

ATTEST: _____
Jackie Schulze, City Clerk



City of Waconia

201 Vine Street South, Waconia, MN 55387

Landscape_8x11

May 2023
52



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

VARIANCE

APPLICANT INFORMATION

1. Owner's Name: Martha and Michael Vangen
2. Address of Property: 1077 Kinder Drive, Waconia, MN 55387
3. Legal Description: Lot 6, Block 1, Pheasant Ridge 4th Addition, Carver County, Minnesota
4. Applicant's Name: Martha Vangen
5. Mailing Address: 1077 Kinder Drive, Waconia, MN 55387
6. Daytime Phone(s): 952-292-8257
7. Email Address: Ticavangen@gmail.com

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

OFFICE USE ONLY

Date Received: _____

Fee: \$ 125⁰⁰
Receipt #: online



CITY OF WACONIA
201 South Vine Street
Waconia, MN 55387
Phone: (952) 442-2184 Ext. 2
Fax (952) 442-2135

VARIANCE APPLICATION

1. Present Zoning: Single Family Residential
 2. Existing use of Property: Primary Residence
 3. Has request for a variance on this property been sought previously? If so, when? No
-
-

IMPORTANT

Subd. 4. Variances

- A. No variance shall be granted to allow a use not permitted under the terms of this Ordinance in the district involved. In granting a variance the Board may prescribe appropriate conditions in conformity with this Ordinance. When such conditions are made part of the terms under which the variance is granted, violation of the conditions is a violation of this Ordinance. A variance shall not be granted by the Board unless it conforms to the following standards:
1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and do not result from the actions of the petitioner.
 2. Literal interpretation of the provisions of this Ordinance would deprive the petitioner of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
 3. Granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.
 4. The proposed variance will not impair an adequate supply of light and air to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the City.
 5. FINANCIAL SAVINGS WILL NOT CONSTITUTE A HARDSHIP.

THE FOLLOWING INFORMATION MUST BE FURNISHED IN ORDER TO PROCESS THE APPLICATION

1. A letter from the applicant(s) which should address the following:
 - Explain (in detail) the variance you are requesting (giving distances where appropriate).
 - Conditions or peculiar difficulties to the structure or land, which makes a variance necessary.
 - Why do you feel a variance should be granted in this instance?
2. Payment of application fee (**\$125 residential; \$275 non-residential**)
3. **Residential applications requiring the submittal of a stormwater plan shall submit a \$150 non-refundable stormwater plan review fee.**
4. **Non-residential variance requests are required to submit an escrow payment in the amount of \$1,000.00.**

****Additional information may be requested by staff, based on the proposal. Additional consulting review fees may apply, such as civil engineering and legal counsel.**

5. Certificate of Survey with north arrow indicating existing structures and proposed additions or modification to structures.
6. Show all distances of buildings and structures from property lines.
7. Show any unique features to property associated with variance request (i.e. trees, ravines, steep slopes, etc.).
8. Stormwater Plan for all properties located within the Shoreland Overlay District and for all properties that currently exceed, or propose to exceed, the hardcover maximum identified in the applicable zoning district.

The Planning Commission may or may not hold a public hearing on the request (based on the amount of the variance requested). The Planning Commission should make a recommendation to the City Council within sixty (60) days. If they do not, the City Council may proceed without the Planning Commission's recommendation.

The City Council may approve, approve with conditions, or deny the variance. If a variance is denied the applicant cannot resubmit a variance request for that same property until six (6) months has lapsed. If a variance is approved, it should be made use of within one (1) year or it will become void.

A violation of any condition set forth in the granting of the variance shall be a violation of the zoning ordinance and automatically terminate the variance.

Applicant's Signature: Martha Vangen

Date: 4/21/23

Printed Name: Martha Vangen

Property Owner Signature: Martha Vangen

Date: 4/21/23

Printed Name: Martha Vangen

This is our formal request for a fence height variance at 1077 Kinder Drive, Waconia, legally described as Block 1, Lot 6, Pheasant Ridge 4th Addition, Carver County, Minnesota.

The variance is being requested for the following reasons:

1. The paved trail that abuts our backyard on the south side of home was raised last summer (2022) by the city. The exact height the trail was raised is not known but it was raised to the extent that people walking behind our home now have a Birdseye view into our yard. The new trail height is anywhere from 19" to 26" above the base of our fence using a string level from trail to existing fence. Our current 4' chainlink fence with screening used to give us adequate privacy to enjoy our backyard prior to the construction. As further evidence to the height change, our neighbors to the east, put up a 6' privacy fence (2022) and now people passing by on the trail can look over their fence and into their yard. A 6' high fence will not give the privacy we need to use and enjoy our backyard. A 7'6" fence height will allow us the privacy from passerby on the trail. This new privacy height will feel like a 6' high fence from the raised trail given the height difference from where our fence base is and the trail. The road and trail construction that has affected our use and enjoyment of our backyard/home was not in our control.
2. We believe the road was also lifted during the 2022 construction. This has created a more noticeable difference in our view looking out into our backyard and has increased the sound level of passing cars. Not to mention the traffic increase due to the new development with over 200 homes going in just to the west. Building a higher fence will help dampen the sound not only into our backyard but also into our home. It also will hopefully stop people who feel the need to honk their approval as they pass in their cars.
3. The installed light along the path behind our home sits very high and shines all night long into our home. This is irritating as my husband often works late at night and the light is shining into his eyes when he faces the window. We want to screen the light from our view so he can work in his office without annoyance from light.
4. We are not asking for any special privilege but only to have the peaceful privacy to use and enjoy our back yard like our neighbors who do not abut a public trail or county road. This variance will not impede the use and enjoyment of our neighbors nor diminish their property values.

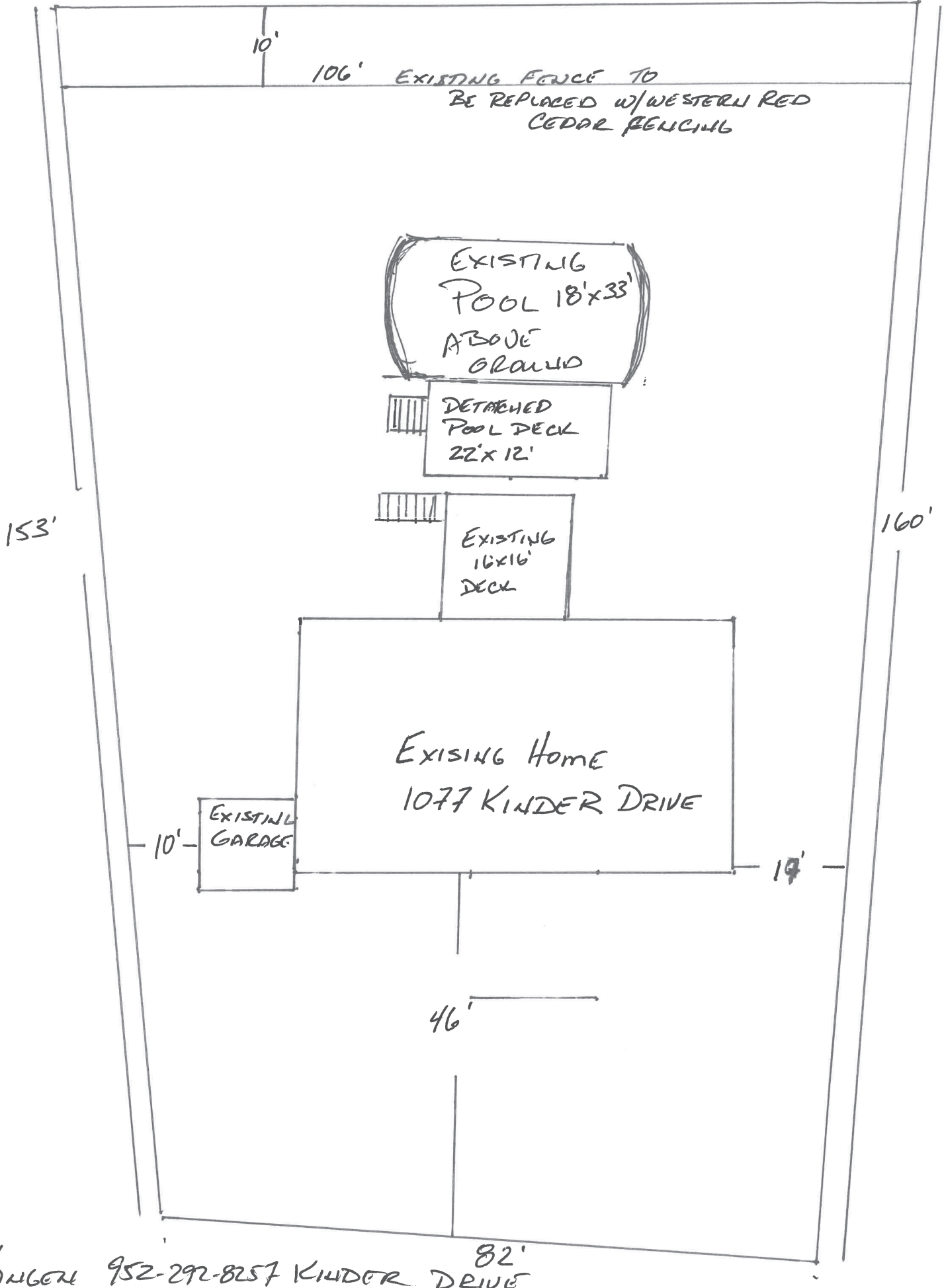
For the above reasons stated, we do not have the same use and enjoyment of our backyard as we did prior to the trail and road construction in 2022. We do believe that we will have more use and enjoyment with the addition of an 7'6" fence as described in our application.

Thank You.

Sincerely,

1077 KINDER DRIVE FENCE PROPOSAL
PART 1 TRAIL

North



WAGNER
952-292-8257

1077 KILDER DRIVE PROPOSED FENCE
REPLACEMENT FOR 106' ON BACK LOT LINE

MAY 2023

1 1/8" = 1'

1 1/8" = 1'



- 18 POST 4"x4"x6 FEET TRIMMED FOR GROUND CONTACT
SET IN CONCRETE
- HOLES - 42" DEEP
- POSTS - CUT TO 7'6" ABOVE GROUND & CAPPED BY 2"x4" LUMBER

(WESTERN RED)
CEDAR FENCING SET IN HORIZONTAL POSITION TO A
HEIGHT OF 7'6" ABOVE GROUND
3/8" x 6" x 6" FENCING / CH

FRAMING TOWARD PROPERTY HOME WILL CONSIST OF
2x4x12 GREEN TREATED LUMBER

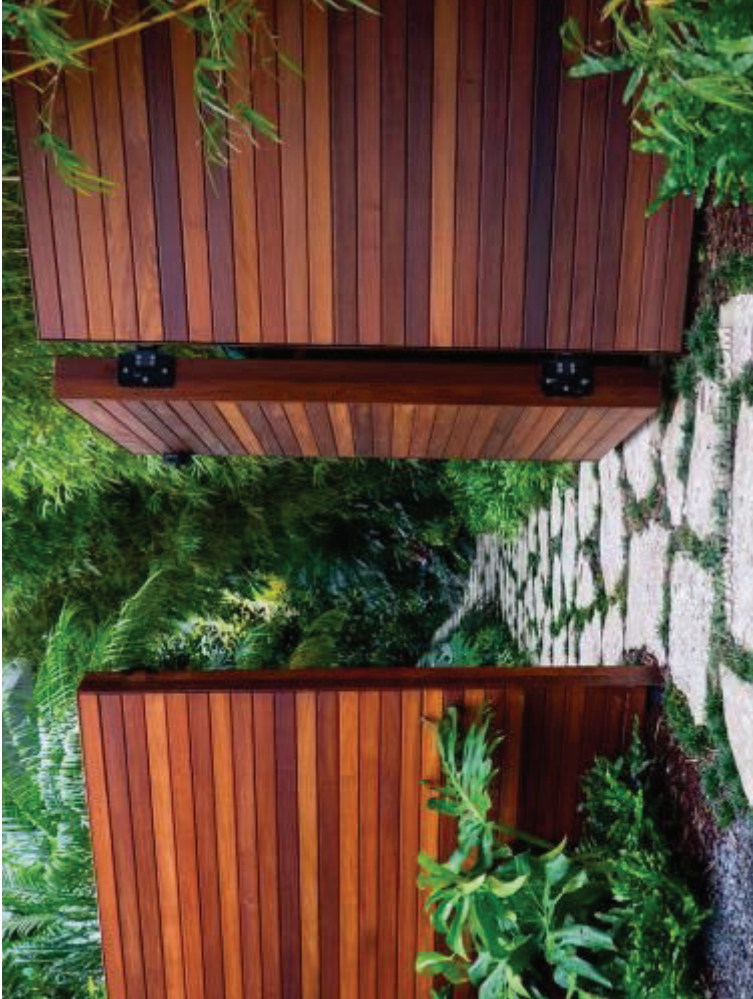
1 1/8" = 1'

7'6"



VIEW FROM TRAIL

SCAM BOARD WILL BE CEDAR



Close

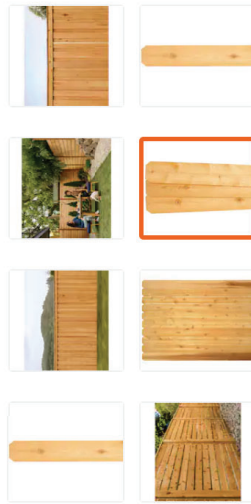
5/8 in. x 6 in. x 6 ft. Western Red Cedar Dog-Ear Fence Picket

by Alta Forest Products

Related Videos & 360° View



Product Images



Hover Image to Zoom















REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		June 20, 2023				
Item Name:		SITE PLAN & DESIGN REVIEW and VARIANCE - Waconia 1 Collision & Auto				
Originating Department:		Community Development				
Presented by:		Ethan Nelson				
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.)

Adopt Resolution 2023-149, approving the proposed Site Plan & Design Review and Variance applications submitted by Sperides Reiners Architects - Jeff Gears & Laura Cragoe for the property located at 500 and 524 Elm Street South

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

BACKGROUND

Applicant: Sperides Reiners Architects - Jeff Gears & Laura Cragoe

Owner: Chad & Michelle Bijou

Address: 500 and 524 Elm Street South

PID# 755000500 & 755000490

Zoning: B-1, Highway Business District

Design District: Highway District

REQUEST

The applicant, Sperides Reiners Architects - Jeff Gears & Laura Cragoe (the "Applicants"), on behalf of Chad & Michelle Bijou (the "Property Owners"), have submitted a Site Plan and Design Review and Variance application for the property located at 500 and 524 Elm Street South (the "Subject Parcel"). The applicant is proposing to construct an addition to the principal structure and make site improvements on the respective properties. Based upon the comments from the Planning Commission during their regular session on May 4th, 2023 and June 1st, 2023, the revised applications include the following:

1. Site Plan and Design Review for expansion of the existing building and site which includes removal of the existing residential structure on 500 Elm Street South
2. Variance request to allow:
 - Hardcover surface to exceed the 80% maximum allowed in the B-1, Highway Business District.
 - The proposed addition to exceed the minimum 35 ft. setback for lots adjacent to

residential districts.

- Site improvements that cause the off-street parking to be setback closer than 8 ft. to the road right-of-way.

APPLICABLE ORDINANCE PROVISIONS:

1. Section 900.05 - District Regulations, Subd. 2.F - B-1, Highway Business District
2. Section 900.06 - Supplementary Regulations, Subd. 9 - Architectural Design Standards
3. Section 900.06 - Supplementary Regulations, Subd. 8 - Environmental Protection Regulations
4. Section 900.07 - Landscaping and Fencing
5. Section 900.08 - Performance Standards
6. Section 900.09 - Off-Street Parking, Loading, and Access Regulations
7. Section 900.10 - Sign Regulations
8. Section 900.12 - Administration, Enforcement and Procedures
 4. 4. Variances
 5. 5. Conditional Use Permits
 6. 10. Site Plan Review

SITE PLAN REVIEW

City Ordinance requires Site Plan Review “in order to further promote the safe and efficient use of land and to further enhance the value of property in the City.” City Ordinance requires Site Plan Review for any construction for which a building permit is required, except for construction of detached, single-family residential structures or structures accessory thereto.

EXISTING USE

500 Elm Street South currently has a residential home and related improvements. 524 Elm Street South has the existing Waconia 1 Collision and Auto building, sidewalk areas and off-street parking for the business.

ZONING

500 and 524 Elm Street South are both zoned B-1, Highway Business District. The proposed automotive use is permitted in the district.

LOT REQUIREMENTS

The subject properties are located in the B-1, Highway Business District. Section 900.05, Subd. 2.F of City Ordinances states "*The purpose of this district is to provide for an appropriate range of businesses that will be utilized by area residents as well as vehicular traffic generated from the surrounding area.*" The Lot Requirements for the Highway Business District are indicated in Table 1-1 below. It is important to note that the table assumes a future required lot combination of 500 and 524 Elm Street South. This requirement is reflected into the Existing and Proposed lot circumstances and requirements.

Table 1-1.*

	B-1, Highway Business District - Lot Requirements	Existing Site Improvements	Proposed Site Improvements
Lot Area	17,500 sq. ft.	35,645 sq. ft.	35,654 sq. ft.
Lot Width	100 ft.	159.27	159.27 ft.
Maximum Hardcover Surface	80%	Conforming	80.4%
Front Yard Setback	25 ft.	73 ft.	48.9 ft.
Residential Alley Side Setback	35 ft.	24.2 ft.	24.2 ft.
Side Street Setback	20 ft.	14.7 ft.	14.7
Rear Yard Setback	20 ft.	64.2 ft.	64.2 ft.

*Assumes a future required lot combination of both 500 and 524 Elm Street South

VEHICULAR ACCESS

The applicant currently utilizes the existing access of 524 Elm Street South for the principal structure for primary access and the alley for secondary access. The proposed site plan indicates an additional access on the north side of the building, which had been previously reviewed and deemed acceptable by the City Engineer.

SCREENING OF EQUIPMENT

The existing principal structure has rooftop units that are screened. It does not appear that additional mechanical equipment has been proposed. Any future mechanical equipment shall be screened.

OFF-STREET PARKING

The purpose of off-street parking regulation is to alleviate or prevent congestion of public streets, and to promote the safety and welfare of the public, by establishing minimum requirements for the off-street parking, loading and unloading of motor vehicles in accordance with the use to which the property is put.

The off-street parking requirements stated for motor vehicle service establishments are as follows:
Four (4) spaces for each 1,000 square feet of gross floor space, less storage space.

Additional Code Off-Street Parking Regulations (related to this application):

1. The replacement or expansion of an existing building shall comply with applicable parking requirements.
2. Adequate space for snow storage shall be provided on site so as not to reduce the required minimum number of parking spaces.
3. Trash, trash handling equipment and trash enclosures shall not occupy designated parking spaces.
4. All off-street parking facilities shall be designed and constructed according to the design standards stated in Section 900.09, Subd. 1.E.

Off-Street Parking Comments/Analysis

1. The applicant is proposing 39 parking spaces on the subject parcel, which includes existing area on the south side of the property, 6 parallel parking spaces on the west side towards the alley and 13 spaces on the north side. City Ordinance requires 36 parking spaces to conform to the motor vehicle service establishment standard of 4 spaces per 1,000 sq. ft. less storage.
2. The 2019 Site Plan approval included a Proof of Parking Agreement. The applicant shall remove the recorded Proof of Parking Agreement that was previously required by the Conditional Use Permit approval and meet off-street parking requirements as indicated by City code.
3. The applicant previously noted angled parking spaces which was proposed on the west side of the subject parcel towards the alley. That area has been revised to parallel parking with screening on the north and west side.

LANDSCAPING

900.07, Subd. 2.B of the City Ordinance requires one (1) tree for every one thousand (1,000) square feet of total building floor area or one (1) tree for fifty (50) feet of site perimeter, whichever is greater.

The total site perimeter is 765.8 lineal feet, which requires 15.3162, or 16 trees. The applicant is currently proposing 15 trees on the north side of the property around the proposed improvements. One additional tree shall be added to the landscaping plan to meet City requirements.

SIGNS

The applicant is not proposing any additional signage as part of the proposed addition. Any future signage shall require a separate sign permit application.

LIGHTING

Section 900.08, Subd. 1.C provides standards for exterior lighting. The City Code indicates “The intent of this subsection is to minimize the adverse effect of light and glare on operators of motor vehicles, pedestrians, and on residential and other land uses in the vicinity of a light source, to promote traffic and personal safety, and to prevent the nuisance associated with the intrusion of spillover light and glare.”

A lighting plan was not included in the initial submission, however it would appear the existing and proposed addition conform to City standards. Staff have required submission of a lighting plan to meet City requirements.

PEDESTRIAN ACCESS

There is an existing sidewalk extending along Elm Street South and an access walk into the street side façade of the former furniture store building and an internal site sidewalk extending from the parking area to the main front door that faces the south side of the property. No additional pedestrian access is proposed as part of the site plan.

TRASH

City Ordinance requires “*All trash and trash handling equipment to be stored within the principal*

structure, within an attached structure accessible from within the principal structure, or totally screened from eye -level view from public streets and adjacent residential properties. If accessory structures are proposed, they shall be constructed of the same building material as the principal structure.”

The applicant has indicated the trash enclosure location on the north-east portion of the north parking lot. The enclosure is screened by a 6' privacy fence with black vinyl inserts.

GRADING, DRAINAGE & UTILITIES

The Public Services Director and City Engineer have reviewed the revised plans dated May 18, 2023 and have found that the majority of the comments have been addressed adequately. Items that require additional discussion have been listed below:

1. The applicant response letter says the pavement section was increased (#14). However, the typical section still shows 3” of bituminous with 8” of aggregate rather than 4”/8”. This may have been missed on the plan revisions. With the clay soils, low elevations, and flat grades, this pavement section will have a shorter life span than on previous similar projects.

PLANNING & SITE PLAN ANALYSIS AND STAFF REVIEW COMMENTS:

1. The existing site is developed with a principal building (8,902 sq. ft.) and a parking surface that is bituminous and partially gravel on the west side.
2. The off-street parking requirements are intended to alleviate or prevent congestion of the public streets, and so to promote the safety and welfare of the public, by establishing minimum requirements for the off-street parking, loading and unloading of motor vehicles in accordance with the use to which the property is put. There currently exists a Conditional Use Permit for Proof of Parking that would require the property owner to improve 500 Elm Street South in the event of additional parking demand on the site.
3. The current alley right-of-way to the west of the property is only 15 feet wide and remains a challenge for snow removal and vehicle circulation. Additionally, this alley provides use for both commercial and residential property owners. A 5 ft. buffer and screening was originally provided to screen the proposed 8 vehicle storage/parking spaces proposed between the building and alley. The vegetation was removed and there is currently no screening element being provided to provide this buffer. Staff observed the plantings prior to their removal and do not recommend a vegetative replacement of that size in the future. Staff further recommend at least a 6 ft. setback of a future screening element such as a privacy fence to avoid future damage or removal in the event of future snow removal issues. Staff has added this requirement in the staff comment letter dated April 27th, 2023 and in the recommended conditions. The applicant has revised this area following the May 4th Planning Commission meeting and has included a fence that bounds the north and part of the west side parking area. This area does not include a gate or additional screening on the southwest side of the premises. The Planning Commission reviewed the proposed fence area on June 1, 2023 and was comfortable with the layout as proposed.

DESIGN REVIEW - HIGHWAY DISTRICT

City Ordinance requires Design Review with the understanding that *“the visual character and historic resources of the City are important attributes of its quality of life.”* City Ordinance requires Design Review to be conducted as part of the Site Plan Review process.

City Code indicates that *"The standards shall apply only to the building and site elements being developed or altered. That is, a proposal for changes to a building would be required to meet only those standards that pertain to buildings, while changes to the parking area would be required to meet all standards for parking areas, but not for buildings"*

Based on the previous Planning Commission review of the plan set provided by the applicant for Waconia 1 Collision and Auto, staff finds that the application meets the design requirements stated in the Highway Design District.

VARIANCE REVIEW CRITERIA:

Waconia City Code Section 900.12, Subd. 4 and Minnesota State Statue 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

The applicant is proposing three (3) variance requests as part of the proposed addition. Staff has provided a separate explanation for each item below:

1. 8 ft. minimum Parking Lot Setback from street right-of-way: The applicant is proposing to locate their proposed north parking lot 5.6 ft. from the street right-of-way. The applicants have indicated that there were practical limitations due to the addition, minimum drive aisle widths and minimum parking stall lengths so they needed to locate the parking lot closer than code allows. Staff notes that a future sidewalk will be located on the south side of 5th Street, directly adjacent to the subject properties, and thus will require a Sidewalk Agreement with the applicant requiring them to pay for said sidewalk improvement when the City improves the area in the future.
2. The proposed addition encroaches into the minimum 35 ft. setback for lots adjacent to residential districts: The existing building currently encroaches 10 ft. 8 inches into the required setback and the applicant is requesting to extend the building along this encroachment to keep in line with architectural expression of the building.
3. The applicant is proposing to improve the combined lots to 80.4% hardcover. This amount has been revised and reduced from the initial 84% proposal. The Planning Commission discussed this during their regular session on April 6th, 2023 and requested the applicant reduce the hardcover as much as possible to try to conform to the 80% hardcover standard. The applicant came back to the Planning Commission on May 4th, 2023 with the 80.4% proposal and the Planning Commission indicated the reduction was satisfactory.

CONCLUSION / RECOMMENDATION

The Planning Commission, at their regular meeting on June 1, 2023, reviewed the pertinent information and recommended approval of the proposed Site Plan & Design Review and Variance application via a 4-0 vote.

If the City Council chooses to approve the afore-mentioned land use application, the Planning Commission and staff would recommend the approvals with the following conditions:

1. The proposed improvements shall be completed as approved and conditionally revised by the Planning Commission and City Council
2. The applicant/owners shall remove the recorded Proof of Parking Agreement that was previously required by the Conditional Use Permit approval.
3. The applicant shall submit a lighting plan in conformance with Section 900.08, Subd. 1.C.
4. The applicant shall update the proposed plans to detail the location of the proposed trash enclosure and provide screening that meets the requirements of Section 900.07 Subd. 2.B.6
5. The applicant shall submit a revised landscaping plan meeting Section 900.07, Subd. 2.B
6. The applicant shall provide the City with a letter of credit/escrow funds to guarantee the property installation and growth of the approved landscape plan. The letter of credit/escrow funds shall be submitted by the developer prior to obtaining a building permit that is equal to the amount of the required landscaping to be installed. The letter of credit/escrow funds shall be held by the City and must cover one full calendar year subsequent to the installation of said landscaping and must be conditioned upon complete and satisfactory implementation of the approved landscaping plan.
7. The applicant shall submit a revised parking plan meeting Section 900.09. The applicant shall install a privacy fence on the west side of the property set back 6 ft. adjacent to the alley to screen the proposed parking area from the residential properties to the satisfaction of the Community Development Department. The applicant shall submit an escrow to be held by the City and must be conditioned on complete and satisfactory implementation.
8. All indirect costs with the building permit, review, and final plans associated with engineering and administrative costs shall be paid by the applicant/owner.
9. The applicant shall be required to enter into a sidewalk agreement with the City for the future sidewalk improvements.
10. The subject properties shall be combined through a separate lot combination application.
11. The applicant shall comply with the staff review comment letter dated April 27th, 2023.

Attachments:

1. [23149res Waconia Collision Site Plan and Variance.docx](#)
2. [Location Map \(1 Page\)](#)
3. [Site Plan \(10 Pages\)](#)

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
RESOLUTION 2023-149**

**RESOLUTION APPROVING SITE PLAN & DESIGN REVIEW AND VARIANCE
FOR THE PROPERTIES LOCATED AT 500 & 524 ELM STREET SOUTH**

WHEREAS, Sperides Reiners Architects - Jeff Gears & Laura Cragoe (the “**Applicant**”), has submitted a Site Plan & Design Review and Variance application for the property located at 500 Elm Street South and 524 Elm Street South (the “**Property**”) pursuant to Section 900.12 of the City Zoning Code; and

WHEREAS, the subject parcels are identified as PID# 755000500 & 755000490; and

WHEREAS, the property is zoned for B-1, Highway Business District and is located within the Highway Design Standards District; and

WHEREAS, the Applicant is proposing a new 3,050 sq. ft. addition and site improvements; and

WHEREAS, the City’s Planning Commission, at their regular meeting on June 1, 2023, recommended approval of the Site Plan & Design Review and Variance application via a 4-0 vote with the following conditions:

1. The proposed improvements shall be completed as approved and conditionally revised by the Planning Commission and City Council
2. The applicant/owners shall remove the recorded Proof of Parking Agreement that was previously required by the Conditional Use Permit approval.
3. The applicant shall submit a lighting plan in conformance with Section 900.08, Subd. 1.C.
4. The applicant shall update the proposed plans to detail the location of the proposed trash enclosure and provide screening that meets the requirements of Section 900.07 Subd. 2.B.6
5. The applicant shall submit a revised landscaping plan meeting Section 900.07, Subd. 2.B
6. The applicant shall provide the City with a letter of credit/escrow funds to guarantee the property installation and growth of the approved landscape plan. The letter of credit/escrow funds shall be submitted by the developer prior to obtaining a building permit that is equal to the amount of the required landscaping to be installed. The letter of credit/escrow funds shall be held by the City and must cover one full calendar year subsequent to the installation of said landscaping and must be conditioned upon complete and satisfactory implementation of the approved landscaping plan.
7. The applicant shall submit a revised parking plan meeting Section 900.09. The applicant shall install a privacy fence on the west side of the property set back 6 ft. adjacent to the alley to screen the proposed parking area from the residential properties to the satisfaction of the Community Development Department. The applicant shall submit an escrow to be held by the City and must be conditioned on complete and satisfactory implementation.
8. All indirect costs with the building permit, review, and final plans associated with engineering and administrative costs shall be paid by the applicant/owner.
9. The applicant shall be required to enter into a sidewalk agreement with the City for the future sidewalk improvements.
10. The subject properties shall be combined through a separate lot combination application.
11. The applicant shall comply with the staff review comment letter dated April 27th, 2023.

WHEREAS, the City Council finds and concludes:

- 1) There is a unique circumstance that was not created by the property owners because the existing structure has been historically encroaching within the alley side setback.
- 2) The variance is in harmony with the purposes and intent of the ordinance because the proposed improvements attempt to provide a business for area residents that has greater screening for the nearby R-1, Single Family District parcels.
- 3) The variance would not alter the essential character of the locality as the parcels are zoned B-1, Highway Business District and proposed use is permitted within the district.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Waconia hereby approves the Site Plan & Design Review and Variance application submitted by Sperides Reiners Architects - Jeff Gears & Laura Cragoe for the property located at 500 Elm Street South and 524 Elm Street South subject to the conditions, findings and recommendations of the Planning Commission and staff stated above.

Adopted by the City Council of the City of Waconia this 20th day of June, 2023.

Nicole Waldron, Mayor

ATTEST: _____
Jackie Schulze, City Clerk



EXTERIOR ELEVATION
MATERIAL PERCENTAGES

NORTH ELEVATION	NEW STUCCO PAINT GRAY:	1,207 SQ FT	60%
	EXISTING STUCCO PAINT GRAY:	175 SQ FT	8%
	TOTAL	1,382 SQ FT	68%
EAST ELEVATION	NEW STUCCO PAINT GRAY:	422 SQ FT	23%
	EXISTING STUCCO PAINT GRAY:	175 SQ FT	10%
	TOTAL	597 SQ FT	33%
SOUTH ELEVATION (NOT SHOWN - NO WORK)	NEW STUCCO PAINT GRAY:	1,706 SQ FT	100%
	EXISTING STUCCO PAINT GRAY:	175 SQ FT	10%
	TOTAL	1,881 SQ FT	110%
WEST ELEVATION	NEW STUCCO PAINT GRAY:	285 SQ FT	21%
	EXISTING STUCCO PAINT GRAY:	175 SQ FT	13%
	TOTAL	460 SQ FT	34%
TOTAL	NEW STUCCO PAINT GRAY:	2,410 SQ FT	100%
	EXISTING STUCCO PAINT GRAY:	525 SQ FT	22%
	TOTAL	2,935 SQ FT	122%



MTL-1
EXISTING SMOOTH METAL PANEL -
GRAY/WHITE FIRE STONE



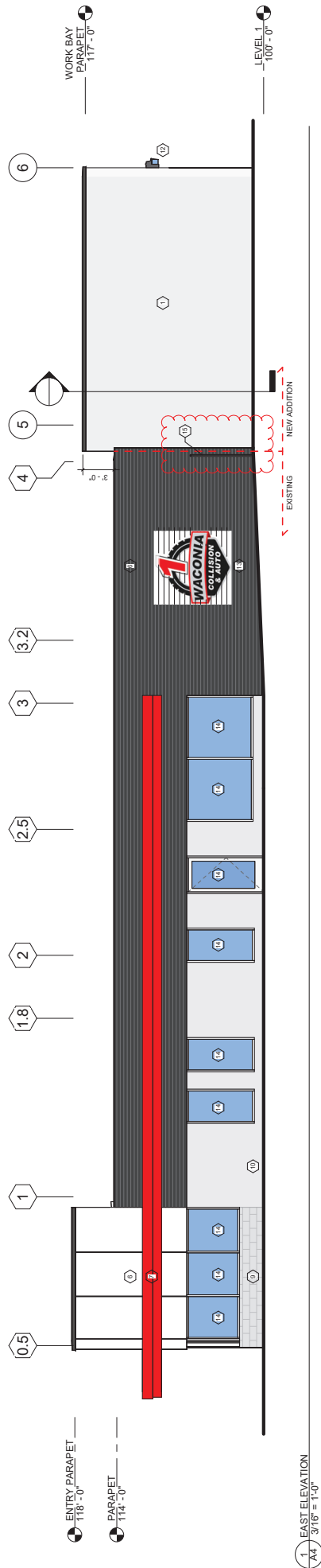
PT-1
EXISTING RIBBED METAL PANEL -
GRAY/WHITE FIRE STONE



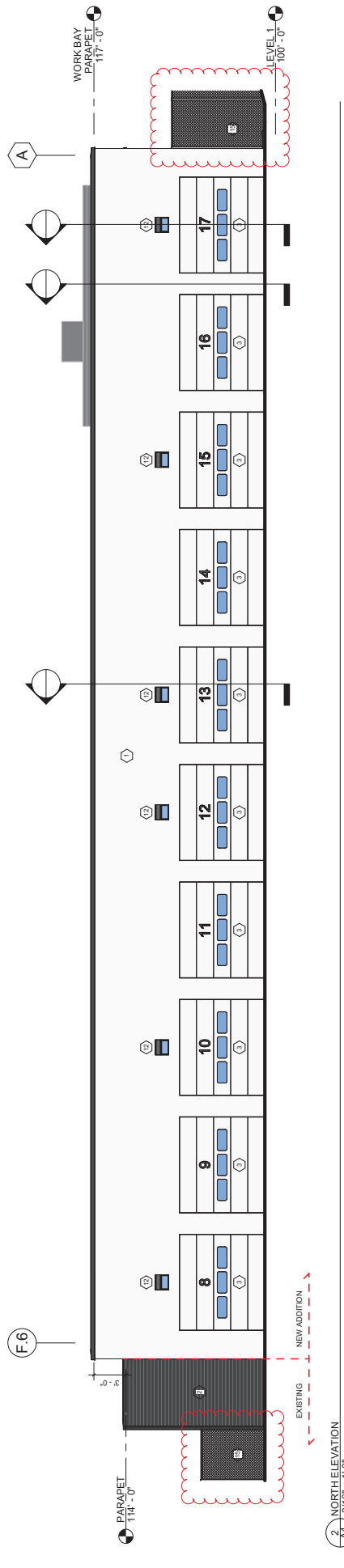
MTL-2
EXISTING RIBBED METAL PANEL -
GRAY/WHITE FIRE STONE



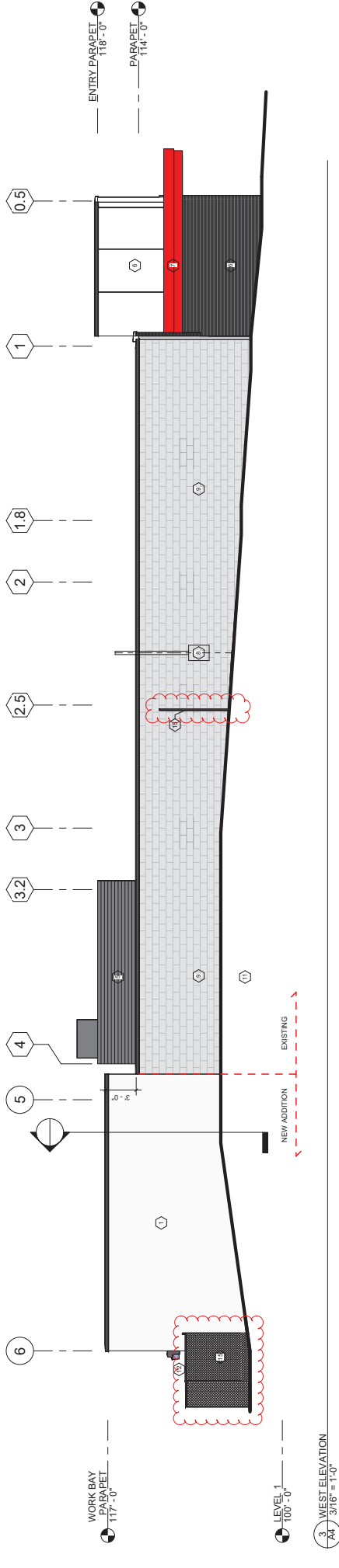
EXTERIOR ELEVATION KEYNOTES	
1	STUCCO PAINT PT-1
2	PRE-FINISHED RIBBED METAL PANEL BOO FIRESTONE DELTA
3	CONCEALED FASTENERS - 1/8" UNCLAD KYNAR 500 COLOR EXTRA
4	9" WIDE X 6" HIGH INSULATED OVERHEAD DOOR, COLOR WHITE
5	NOT USED
6	EXISTING RIBBED METAL PANEL ROOFTOP EQUIPMENT SCREEN
7	EXISTING METAL PANEL
8	EXISTING METAL CANGRY
9	EXISTING ELECTRICAL SUPPLY
10	EXISTING PAINTED CMU
11	EXISTING STUCCO
12	GRADE
13	WALL/ACK LIGHT
14	EXISTING SIGNAGE
15	EXISTING GLAZING
16	6" WIDE X 6" HIGH INSULATED OVERHEAD DOOR, COLOR WHITE
17	LOCATIONS



1 EAST ELEVATION
A4 3/16" = 1'-0"



2 NORTH ELEVATION
A4 3/16" = 1'-0"



3 WEST ELEVATION
A4 3/16" = 1'-0"

W1CA SERVICE BAY
ADDITION
524 ELM ST S
WACONIA, MN 55387

EXTERIOR
ELEVATIONS

2. NW VIEW (NOT TO SCALE)
A5 12" = 10'



1. NE VIEW (NOT TO SCALE)
A5 12" = 10'



A5

PROJECT 22-127
DRAWN Author
CHECKED Checker
BY:

EXTERIOR
RENDERINGS

W1CA SERVICE BAY ADDITION

524 ELM ST S
WACONIA, MN 55387

ISSUE RECORD	
ISSUE #	DATE
DESCRIPTION	

PRELIMINARY
NOT FOR
CONSTRUCTION

4200 WEST OLD SHAKOPEE
ROAD
SUITE 220
BLOOMINGTON, MINNESOTA
55437
PH: 952-996-9662
FX: 952-996-9663
ARCHITECTS, INC.
SPERIDES REINERS
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SPERIDES REINERS ARCHITECTS, INC.
SRA

NIA AUTO BODY EXPANSION

624 ELM STREET S, WACONIA, MN 55387

CRS PROPERTIES LLC

8160 WILLOWOOD RD WACONIA, MN 55387

I HEREBY CERTIFY THAT THIS PLAN,
SPECIFICATION, OR REPORT WAS
PREPARED BY ME OR UNDER MY DIRECT
SUPERVISION AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER
UNDER THE LAWS OF THE STATE OF
MINNESOTA.

DATE 6/5/23
David J. Knaeble
LICENSE NO. 48776

[illegible]

SITE PLAN

C2.0

© COPYRIGHT 2022 CIVIL SITE GROUP INC

1. ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (601-454-0002 OR 800-292-1168) FOR UTILITY LOCATIONS 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
2. CONTRACTOR SHALL VERIFY LOCATIONS AND LAYOUT OF ALL SITE ELEMENTS PRIOR TO BEGINNING CONSTRUCTION, INCLUDING BUT NOT LIMITED TO LOCATIONS OF EXISTING AND PROPOSED PROPERTY LINES, EASEMENTS, SETBACKS, UTILITIES, BUILDINGS AND PAVEMENTS. CONTRACTOR IS RESPONSIBLE FOR FINAL LOCATIONS OF ALL ELEMENTS FOR THE SITE. ANY REVISIONS REQUIRED AFTER COMMENCEMENT OF CONSTRUCTION, DUE TO LOCAL/ADJ. ADJUSTMENTS SHALL BE CORRECTED AT NO ADDITIONAL COST TO OWNER. ADJUSTMENTS TO THE LAYOUT SHALL BE APPROVED BY THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF MATERIALS. STAKE LAYOUT FOR APPROVAL.
3. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION, INCLUDING A RIGHT-OF-WAY AND STREET OPENING PERMIT.
4. THE CONTRACTOR SHALL VERIFY/RECOMMENDATIONS NOTED IN THE GEO TECHNICAL REPORT PRIOR TO INSTALLATION OF SITE IMPROVEMENT MATERIALS.
5. CONTRACTOR SHALL FIELD VERIFY COORDINATES AND LOCATION DIMENSIONS & ELEVATIONS OF THE BUILDING AND STAKE FOR REVIEW AND APPROVAL BY THE OWNERS REPRESENTATIVE PRIOR TO INSTALLATION OF FOOTING MATERIALS.
6. LOCATIONS OF STRUCTURES, ROADWAY PAVEMENTS, CURBS AND GUTTERS, BOLLARDS, AND WALKS ARE APPROXIMATE AND SHALL BE STAKED IN THE FIELD, PRIOR TO INSTALLATION, FOR REVIEW AND APPROVAL BY THE ENGINEER/LANDSCAPE ARCHITECT.
7. CURB DIMENSIONS SHOWN ARE TO FACE OF CURB. BUILDING DIMENSIONS ARE TO FACE OF CONCRETE FOUNDATION. LOCATION OF BUILDING IS TO BUILDING FOUNDATION AND SHALL BE AS SHOWN ON THE DRAWINGS.
8. THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OR SAMPLES AS SPECIFIED FOR REVIEW AND APPROVAL BY THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO FABRICATION FOR ALL PREPARED SITE IMPROVEMENT MATERIALS SUCH AS, BUT NOT LIMITED TO THE FOLLOWING: BOLLARDS, SIGNPOSTS, SIGNAGE, BOLLARDS, SIGNPOSTS, SIGNAGE, BOLLARDS, SIGNPOSTS, SIGNAGE, BOLLARDS, SIGNPOSTS, SIGNAGE. THE OWNER RESERVES THE RIGHT TO SELECT INSTALLED MATERIALS NOT PREVIOUSLY APPROVED.
9. PEDESTRIAN CURB RAMPS SHALL BE CONSTRUCTED WITH TRUNCATED DOME LANDING AREAS IN ACCORDANCE WITH A.D.A. REQUIREMENTS-SEE DETAIL.
10. CROSSWALK STRIPING SHALL BE 24" WIDE WHITE PAINTED LINE, SPACED 48" ON CENTER PERPENDICULAR TO THE FLOW OF TRAFFIC. WIDTH OF CROSSWALK SHALL BE 1' WIDE. WALK OTHER PAVEMENT MARKINGS SHALL BE WHITE IN COLOR UNLESS OTHERWISE NOTED OR REQUIRED BY ADA OR LOCAL GOVERNING BODIES.
11. SEE SITE PLAN FOR CURB AND GUTTER TYPE, TAPER BETWEEN CURB TYPES-SEE DETAIL.
12. ALL CURB RADIi ARE MINIMUM 3' UNLESS OTHERWISE NOTED.
13. CONTRACTOR SHALL REFER TO FINAL PLAN FOR LOT BOUNDARIES, NUMBERS, AREAS AND DIMENSIONS PRIOR TO SITE IMPROVEMENTS.
14. FIELD VERIFY ALL EXISTING SITE CONDITIONS, DIMENSIONS.
15. PARKING IS TO BE SET PARALLEL OR PERPENDICULAR TO EXISTING BUILDING UNLESS NOTED OTHERWISE.
16. ALL PARKING LOT PAINT STRIPING TO BE WHITE, 4" WIDE TYP.
17. BITUMINOUS PAVING TO BE "LIGHT DUTY" UNLESS OTHERWISE NOTED. SEE DETAIL SHEETS FOR PAVEMENT SECTIONS.
18. ALL TREES THAT ARE TO REMAIN ARE TO BE PROTECTED FROM DAMAGE WITH A CONSTRUCTION FENCE AT THE DRIP LINE. SEE LANDSCAPE DOCUMENTS.

CITY OF WACONIA SITE SPECIFIC NOTES:

1. RESERVED FOR CITY SPECIFIC REMOVAL NOTES.

OPERATIONAL NOTES:

SNOW REMOVAL	ALL SNOW SHALL BE STORED ON-SITE OUTSIDE PARKING LOT. WHEN FULL, REMOVAL CO. SHALL REMOVE EXCESS OF SITE.
TRASH REMOVAL:	TRASH SHALL BE PLACED IN EXTERIOR TRASH AREA AND REMOVED BY COMMERCIAL CO. WEEKLY.
DELIVERIES:	DELIVERIES SHALL OCCUR AT THE FRONT OF THE BUILDING ON COMMERCIAL DELIVERY VEHICLES (UPS, FEDEX, USPS).

SITE PLAN LEGEND:

BITUMINOUS PAVEMENT (IF APPLICABLE): SEE GEOTECHNICAL REPORT FOR AGGREGATE BASE & WEAR COURSE DEPTH. SEE DETAIL.

BITUMINOUS PAVEMENT OVER EXISTING GRAVEL AREA: SEE GEOTECHNICAL REPORT FOR FINAL PAVEMENT RECOMMENDATION.

CONCRETE PAVEMENT (IF APPLICABLE): AS SPECIFIED (PAD OR WALK) SEE GEOTECHNICAL REPORT FOR AGGREGATE BASE & CONCRETE DEPTHS. WITHIN ROW SEE CITY DETAIL. WITHIN PRIVATE PROPERTY SEE C39 DETAIL.

PROPERTY LINE

CONSTRUCTION LIMITS

CURB AND GUTTER: SEE NOTES (I.O.I.) TIP OUT GUTTER WHERE APPLICABLE-SEE PLAN

TRAFFIC DIRECTIONAL ARROW PAVEMENT MARKINGS

SIGN AND POST ASSEMBLY: SHOP DRAWINGS REQUIRED

STREET LIGHTING: SEE CITY DETAIL

NP = NO PARKING FREE LAKE

ST = STOP

CP = COMPACT CAR PARKING ONLY

TRAFFIC DIRECTIONAL ARROW PAVEMENT MARKINGS

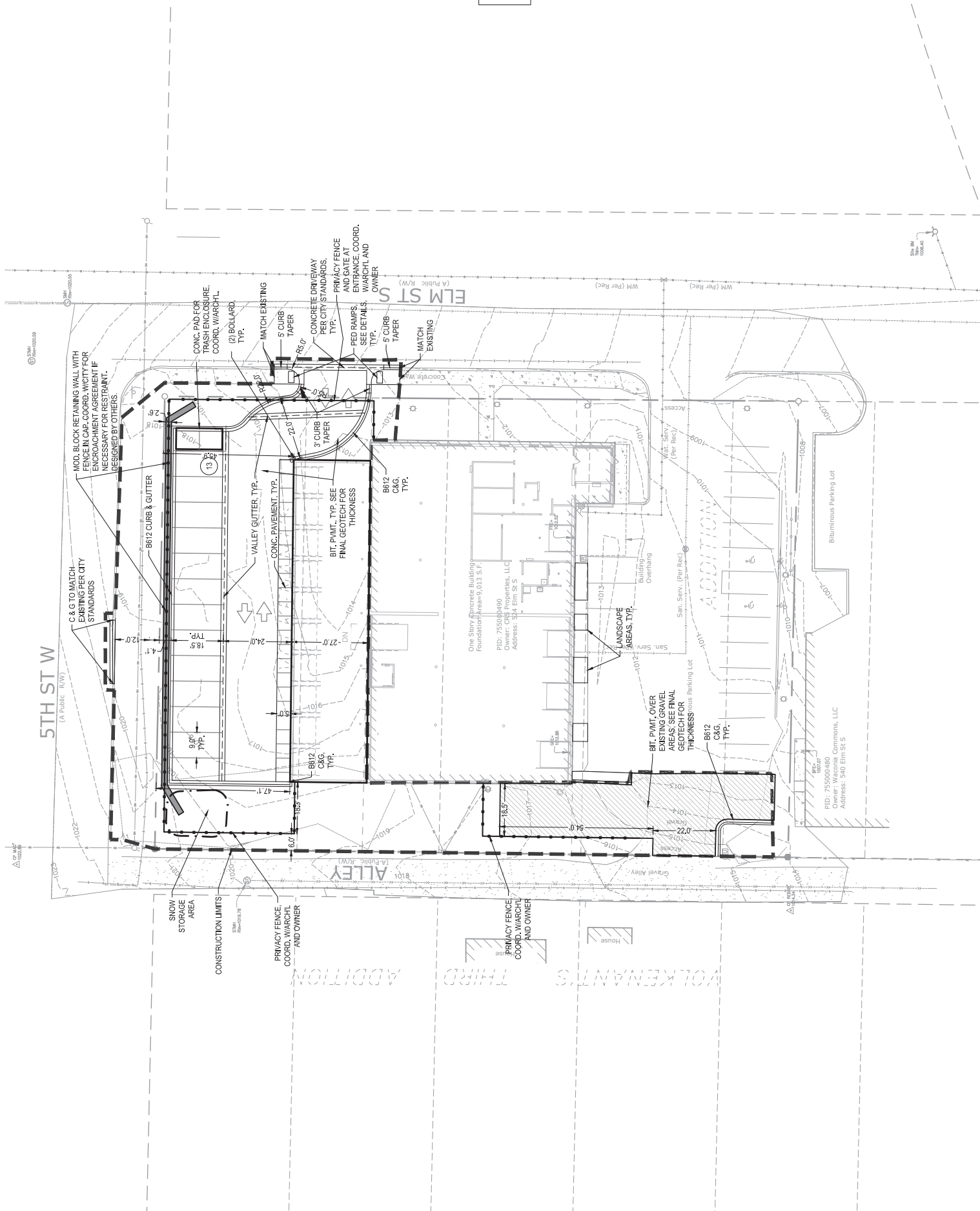
SIGN AND POST ASSEMBLY. SHOP DRAWINGS REQUIRED
 HC = ACCESSIBLE SIGN
 NP = NO PARKING FIRE LANE
 ST = STOP
 CP = COMPACT CAR PARKING ONLY



Know what's below.
Call before you dig.



1" = 20'-0"



SITE AREA TABLE:

SITE AREA CALCULATIONS		
	EXISTING	PROPOSED
BUILDING COVERAGE	10,708 SF	30.0%
ALL PAVEMENTS	12,874 SF	36.1%
ALL NON-PAVEMENTS	10,675 SF	30.5%
TOTAL SITE AREA	35,654 SF	100.0%

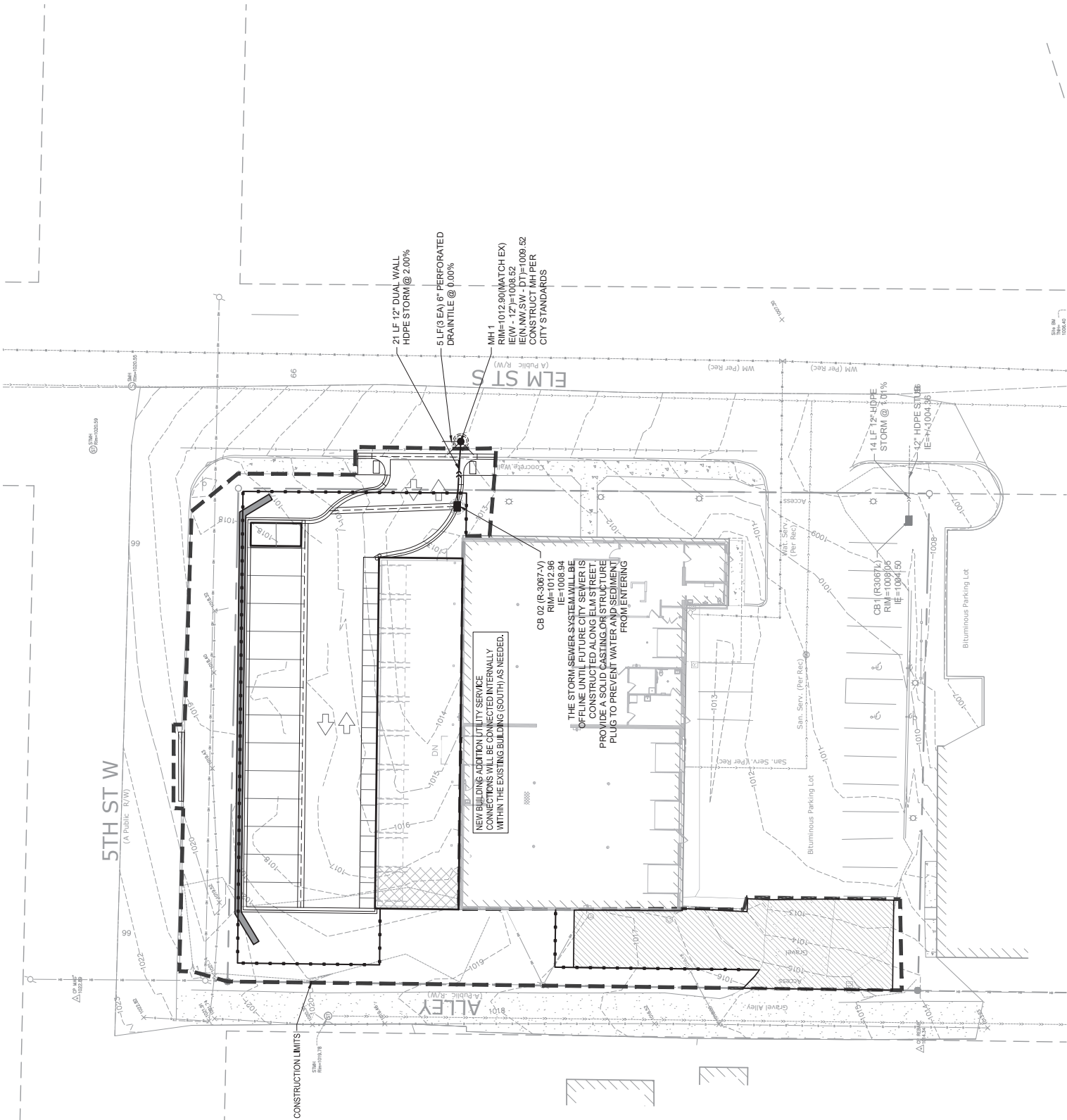
IMPERVIOUS SURFACE	
EXISTING CONDITION	23,582 SF 66.1%
PROPOSED CONDITION	28,648 SF 80.4%
DIFFERENCE (EX. VS. PROP.)	5,066 SF 14.2%
IMPERVIOUS TOTAL	28,648 SF 80.4%

GENERAL UTILITY NOTES:

1. ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPIHER STATE ONE CALL" (651-454-0002 OR 800-252-1168) FOR UTILITY LOCATIONS. 48 HOURS PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
2. SEE SITE PLAN FOR HORIZONTAL DIMENSIONS AND LAYOUT.
3. CONTRACTOR SHALL FIELD VERIFY LOCATION AND ELEVATION OF EXISTING UTILITIES AND TOPOGRAPHIC FEATURES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF DISCREPANCIES OR VARIATIONS FROM THE PLANS.
4. UTILITY INSTALLATION SHALL CONFORM TO THE CURRENT EDITION OF "STANDARD SPECIFICATIONS FOR WATER MAIN AND SERVICE LINE INSTALLATION" AND "SANITARY SEWER AND STORM SEWER INSTALLATION" AS PREPARED BY THE CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM), AND SHALL CONFORM WITH THE REQUIREMENTS OF THE CITY AND THE PROJECT SPECIFICATIONS.
5. CASTINGS SHALL BE SALVAGED FROM STRUCTURE REMOVALS AND REUSED OR PLACED AT THE DIRECTION OF THE OWNER.
6. ALL WATER PIPE SHALL BE CLASS 52 DUCTILE IRON PIPE (DIP) ANWWA C151, A516M B16.4, ANWWA C110, ANWWA C153 UNLESS OTHERWISE NOTED.
7. ALL SANITARY SEWER SHALL BE SDR 26 POLYVNYL CHLORIDE (PVC) ASTM D3334 & F679, OR SCH 40 ASTM D785, 2605, ASTM F794, 1866) UNLESS OTHERWISE NOTED.
8. ALL STORM SEWER PIPE SHALL BE HDPE ASTM F714 & F2306 WITH ASTM D3212 SPEC FITTINGS UNLESS OTHERWISE NOTED.
9. PIPE LENGTHS SHOWN ARE FROM CENTER TO CENTER OF STRUCTURE OR TO END OF FLARED END SECTION.
10. UTILITIES ON THE PLAN ARE SHOWN TO WITHIN 5' OF THE BUILDING FOOTPRINT. THE CONTRACTOR IS ULTIMATELY RESPONSIBLE FOR THE FINAL CONNECTION TO BUILDING LINES. COORDINATE WITH ARCHITECTURAL AND MECHANICAL PLANS.
11. CATCH BASINS AND MANHOLES IN PAVED AREAS SHALL BE SUMPED 0.64 FEET. ALL CATCH BASINS IN GUTTERS SHALL BE SUMPED 0.15 FEET PER FEET. MIN. ELEVATIONS SHOWN ON THIS PLAN DO NOT REFLECT SUMPED ELEVATIONS.
12. A MINIMUM OF 8 FEET OF COVER IS REQUIRED OVER ALL WATER MAIN, UNLESS OTHERWISE NOTED. EXTRA DEPTH MAY BE REQUIRED TO MAINTAIN A MINIMUM OF 18" VERTICAL SEPARATION TO SANITARY OR STORM SEWER LINES. EXTRA DEPTH WATERMAIN IS INDICATED.
13. A MINIMUM OF 18 INCHES OF VERTICAL SEPARATION AND 10 FEET OF HORIZONTAL SEPARATION IS REQUIRED FOR ALL UTILITIES, UNLESS OTHERWISE NOTED.
14. ALL CONNECTIONS TO EXISTING UTILITIES SHALL BE IN ACCORDANCE WITH CITY STANDARDS AND COORDINATED WITH THE CITY PRIOR TO CONSTRUCTION.
15. CONNECTIONS TO EXISTING STRUCTURES SHALL BE CORE-DRILLED.
16. COORDINATE LOCATIONS AND SIZES OF SERVICE CONNECTIONS WITH THE MECHANICAL DRAWINGS.
17. COORDINATE INSTALLATION AND SCHEDULING OF THE INSTALLATION OF UTILITIES WITH ADJACENT CONTRACTORS AND CITY STAFF.
18. ALL STREET REPAIRS AND PATCHING SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CITY. ALL PAVEMENT CONNECTIONS SHALL BE SAWNOUT. ALL TRAFFIC CONTROLS SHALL BE PROVIDED BY THE CONTRACTOR AND SHALL BE ESTABLISHED PER THE REQUIREMENTS OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND THE CITY. THIS SHALL INCLUDE BUT NOT BE LIMITED TO, SIGNAGE, BARRICADES, FLASHERS, AND FLAGGERS AS NEEDED. ALL PUBLIC STREETS SHALL BE OPEN TO TRAFFIC AT ALL TIMES. NO ROAD CLOSURES SHALL BE IMPLEMENTED WITHOUT APPROVAL BY THE CITY.
19. ALL STRUCTURES, PUBLIC AND PRIVATE, SHALL BE ADJUSTED TO PROPOSED GRADES WHERE REQUIRED. THE REQUIREMENTS OF ALL OWNERS MUST BE COMPLIED WITH. STRUCTURES BEING RESET TO PAVED AREAS MUST MEET OWNERS REQUIREMENTS FOR TRAFFIC LOADING.
20. CONTRACTOR SHALL COORDINATE ALL WORK WITH PRIVATE UTILITY COMPANIES.
21. CONTRACTOR SHALL COORDINATE CONNECTION OF IRRIGATION SERVICE TO UTILITIES. COORDINATE THE INSTALLATION OF IRRIGATION SLEEVES NECESSARY AS TO NOT IMPACT INSTALLATION OF UTILITIES.
22. CONTRACTOR SHALL MAINTAIN AS-BUILT PLANS THROUGHOUT CONSTRUCTION AND SUBMIT THESE PLANS TO ENGINEER UPON COMPLETION OF WORK.
23. ALL JOINTS AND CONNECTIONS IN STORM SEWER SYSTEM SHALL BE CAST-IRON OR WATER-TIGHT. APPROVED RESILIENT RUBBER JOINTS MUST BE USED TO MAKE WATER-TIGHT CONNECTIONS TO MANHOLES, CATCH BASINS, OR OTHER STRUCTURES.
24. ALL PORTIONS OF THE STORM SEWER SYSTEM LOCATED WITHIN 10 FEET OF THE BUILDING OR WATER SERVICE LINE MUST BE TESTED IN ACCORDANCE WITH MN RULES, CHAPTER 4714, SECTION 1109.00.
25. FOR ALL SITES LOCATED IN CLAY SOIL AREAS, DRAIN TILE MUST BE INSTALLED AT ALL LOW POINT CATCH BASINS 25' IN EACH DIRECTION. SEE PLAN AND DETAIL. INSTALL LOW POINT DRAIN TILE PER PLANS AND GEOTECHNICAL REPORT RECOMMENDATIONS AND REQUIREMENTS.

CITY OF WACONIA UTILITY NOTES:

1. RESERVED FOR CITY SPECIFIC UTILITY NOTES.



UTILITY LEGEND:

	MANHOLE
	CATCH BASIN
	GATE VALVE AND VALVE BOX
	PROPOSED FIRE HYDRANT
	WATER MAIN
	SANITARY SEWER
	STORM SEWER
	FES AND RIP RAP



Know what's below.
Call before you dig.



1" = 20'-0"

UTILITY PLAN

C4.0

LANDSCAPE NOTES:

1. ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "COPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS. 48 HOURS PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
2. WHERE SHOWN, SHRUB & PERENNIAL BEDS SHALL BE MULCHED WITH 4" DEPTH (MINIMUM AFTER INSTALLATION AND TOP DRESSING OPERATIONS) OF SHREDDED CEDAR MULCH.
3. ALL TREES SHALL BE MULCHED WITH SHREDDED CEDAR MULCH TO OUTER EDGE OF SAUCER OR TO EDGE OF PLANTING BED, IF APPLICABLE. ALL MULCH SHALL BE KEPT WITHIN A MINIMUM OF 2' FROM TREE TRUNK.
4. IF SHOWN ON PLAN, RANDOM SIZED LESTMONE BOULDER COLOR AND SIZE TO COMPLEMENT NEW LANDSCAPING. OWNER TO APPROVE BOULDER SAMPLES PRIOR TO INSTALLATION.
5. PLANT MATERIALS SHALL CONFORM WITH THE AMERICAN ASSOCIATION OF NURSERMEN STANDARDS AND SHALL BE OF HARDY STOCK, FREE FROM DISEASE, DAMAGE AND DISFIGURATION. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING PLUMPNESS OF PLANT MATERIAL FOR DURATION OF ACCEPTANCE PERIOD.
6. UPON DISCOVERY OF A DISCREPANCY BETWEEN THE QUANTITY OF PLANTS SHOWN ON THE SCHEDULE AND THE QUANTITY SHOWN ON THE PLAN, THE PLAN SHALL GOVERN.
7. CONDITION OF VEGETATION SHALL BE MONITORED BY THE LANDSCAPE ARCHITECT THROUGHOUT THE DURATION OF THE CONTRACT. LANDSCAPE MATERIALS PART OF THE CONTRACT SHALL BE WARRANTED FOR TWO (2) FULL GROWING SEASONS FROM SUBSTANTIAL COMPLETION DATE.
8. AREAS DISTURBED BY CONSTRUCTION ACTIVITIES SHALL RECEIVE 6" LAYER TOPSOIL AND \$500 AS SPECIFIED UNLESS OTHERWISE NOTED ON THE DRAWINGS.
9. COORDINATE LOCATION OF VEGETATION WITH UNDERGROUND AND OVERHEAD UTILITIES, LIGHTING FIXTURES, DOORS AND WINDOWS, CONTRACTOR SHALL STATE IN THE FIELD FINAL LOCATION OF TREES AND SHRUBS FOR REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
10. ALL PLANT MATERIALS SHALL BE WATERED AND MAINTAINED UNTIL ACCEPTANCE.
11. REPAIR AT NO COST TO OWNER ALL DAMAGE RESULTING FROM LANDSCAPE CONTRACTOR'S ACTIVITIES.
12. SWEET AND MAINTAIN ALL PAVED SURFACES FREE OF DEBRIS GENERATED FROM LANDSCAPE CONTRACTOR'S ACTIVITIES.
13. PROVIDE SITE WIDE IRRIGATION SYSTEM DESIGN AND INSTALLATION. SYSTEM SHALL BE FULLY PROGRAMMABLE AND CAPABLE OF ALTERNATE DATE WATERING. THE SYSTEM SHALL PROVIDE HEAD TO HEAD OR DRIP COVERAGE AND BE CAPABLE OF DELIVERING ONE INCH OF PRECIPITATION PER WEEK. SYSTEM SHALL EXTEND INTO THE PUBLIC RIGHT-OF-WAY TO THE EDGE OF PAVING BACK OF CURB.
14. CONTRACTOR SHALL SECURE APPROVAL OF PROPOSED IRRIGATION SYSTEM INCLUDING PRIORITIZING FROM OWNER, PRIOR TO INSTALLATION.

SCREENING REQUIREMENTS:

1. THE LIGHT FROM AUTOMOBILE HEADLIGHTS AND OTHER SOURCES SHALL BE SCREENED WHENEVER IT MAY BE DIRECTED ONTO ADJACENT RESIDENTIAL WINDOWS.

LANDSCAPE REQUIREMENTS:

- ONE (1) TREE FOR EVERY ONE THOUSAND (1,000) SQUARE FEET OF TOTAL BUILDING AREA OF ONE (1) TREE FOR EVERY FIFTY (50) FEET OF SITE PERIMETER, WHICH IS GREATER
- THE COMPLIMENT OF TREES FULFILLING THE REQUIREMENTS OF THIS POLICY SHALL BE NOT LESS THAN 25% DECIDUOUS AND NOT LESS THAN 35% CONIFEROUS

LANDSCAPE REQUIREMENTS:		EXISTING BUILDING SQ. FT.	ADDITION BUILDING SQ. FT.	SITE PERIMETER L
LANDSCAPE FOOTAGE		8,520	3,050	765.8
(ONE (1) TREE FOR EVERY ONE THOUSAND (1,000) SQUARE FEET OF TOTAL BUILDING FLOOR AREA			3	
(ONE (1) TREE FOR EVERY ONE (1) THOUSAND (1,000) SQUARE FEET OF TOTAL BUILDING FLOOR AREA				
(ONE (1) TREE FOR EVERY (50) FEET ON SITE PERIMETER WHICH EVER IS GREATER				
TOTAL:				15

LANDSCAPE SUMMARY:

OVERALL PROPOSED TREES 15

CONIFEROUS TREES = 9 PROPOSED OUT OF 15 = 9/15 = 60%

DECIDUOUS TREES = 6 PROPOSED OUT OF 15 = $6/15 = 40\%$

POLLINATOR SAFE PLANT MATERIAL:

1. THE CONTRACTOR SHALL PROVIDE ONLY PLANT MATERIAL FREE OF NEONICOTINOID BASED INSECTICIDES AND/OR TREATMENTS OF ANY KIND, INCLUDING BUT NOT LIMITED TO IMIDACLOPRID (CONFIDOR, ADIRE, GALECHO, ADVOCATE), THIAMETHOXAM (ACTARA, PLATINUM, CRUISER), CLOTHIANIDIN (PONCHO, DANTOSI), DANTOSI, ACETAMIPRID (MUSPLAN, ASSAIL, CHPCOTRISTAR), THIALOCYPRID (CALYPSO), DINOTEFURAN (STARKE, SAFARI, VENOM), AND NITENYPYRAN (CAPSANT, GUARDIAN).
2. CONTRACTOR SHALL CERTIFY, THROUGH SUPPLIERS POLICY STATEMENT OR AFFIDAVIT, THAT NO NEONICOTINOID BASED INSECTICIDES HAVE BEEN USED ON SITE OR DIRECTLY ADJACENT TO THE GROWING OR STORAGE PLOTS OF THE SUPPLIED PLANT MATERIAL, INCLUDING THE PLANTING OF AGRICULTURAL, (OR OTHER) SEED TREATED WITH NEONICS.

MULCH SCHEDULE				
AREA	MULCH TYPE	EDGING	FABRIC	REMARKS
TREE RINGS	4" DEPTH, SHREDED CEDAR	NO	NO	SEE DETAIL SHT. L1.1
PLANTING BEDS	4" DEPTH, SHREDED CEDAR	YES	NO	

NOTE: COORDINATE ALL MULCH AND PLANTING BED MATERIAL PRIOR TO INSTALLATION. PROVIDE SAMPLES AND SHOT DRAWINGS/PHOTOS/DATA SHEETS OF ALL MATERIALS

LEGEND

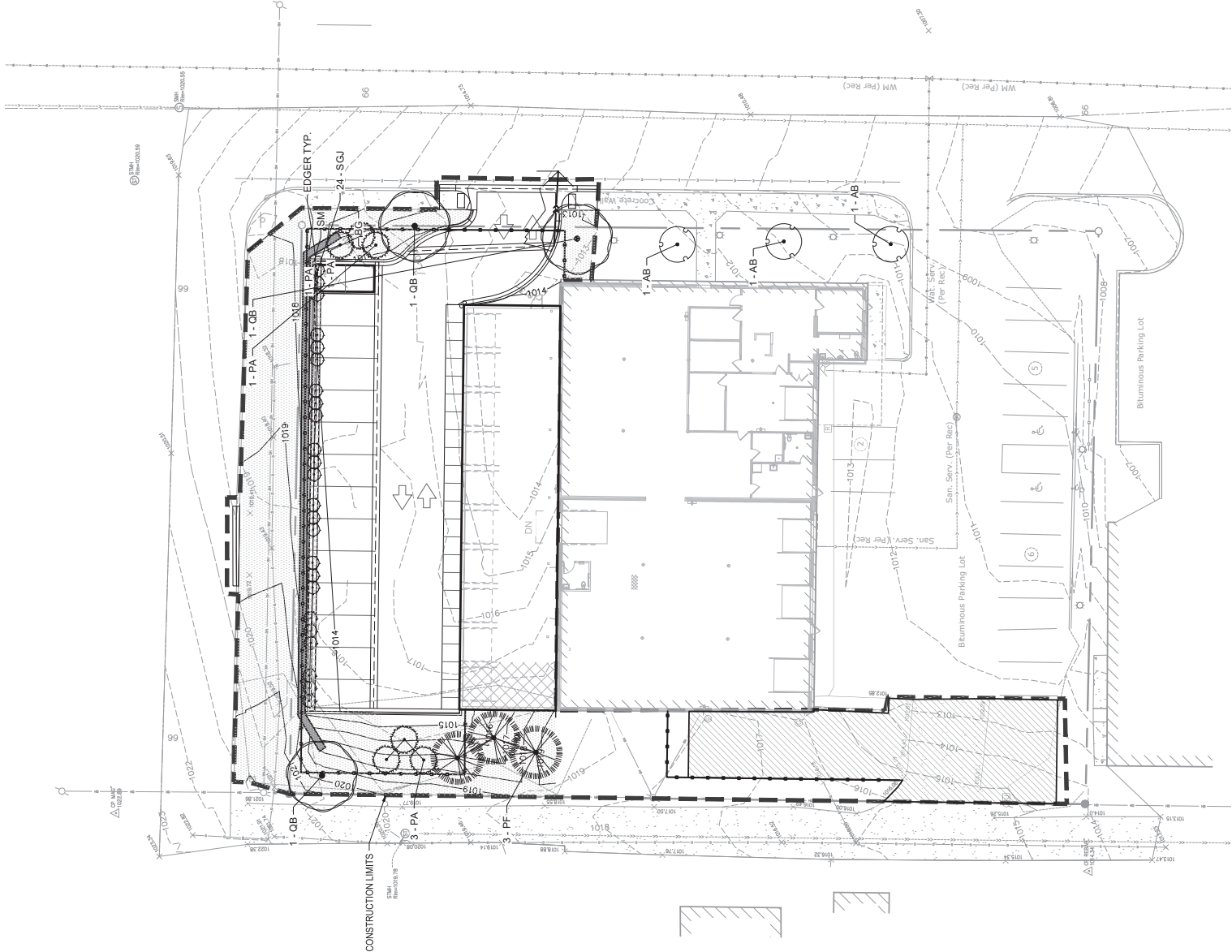
GROUND COVER SCHEDULE		
GROUND COVERS	CODE	COMMON / BOTANICAL NAME
	SM	Shredded Cedar Mulch / Shredded Hardwood Mulch
	BG	Blue Grass Based / Sod Commercial grade, locally grown, "Big Roll" preferred

EDGING - SHALL BE COMMERCIAL GRADE, 4" DEPTH ALUMINUM, BLACK OR DARK GREEN IN COLOR, INCLUDE ALL CONNECTORS, STAKES, & ALL APPURTENANCES PER MANUF. INSTALL PER MANUF. INSTRUC./SPECS.

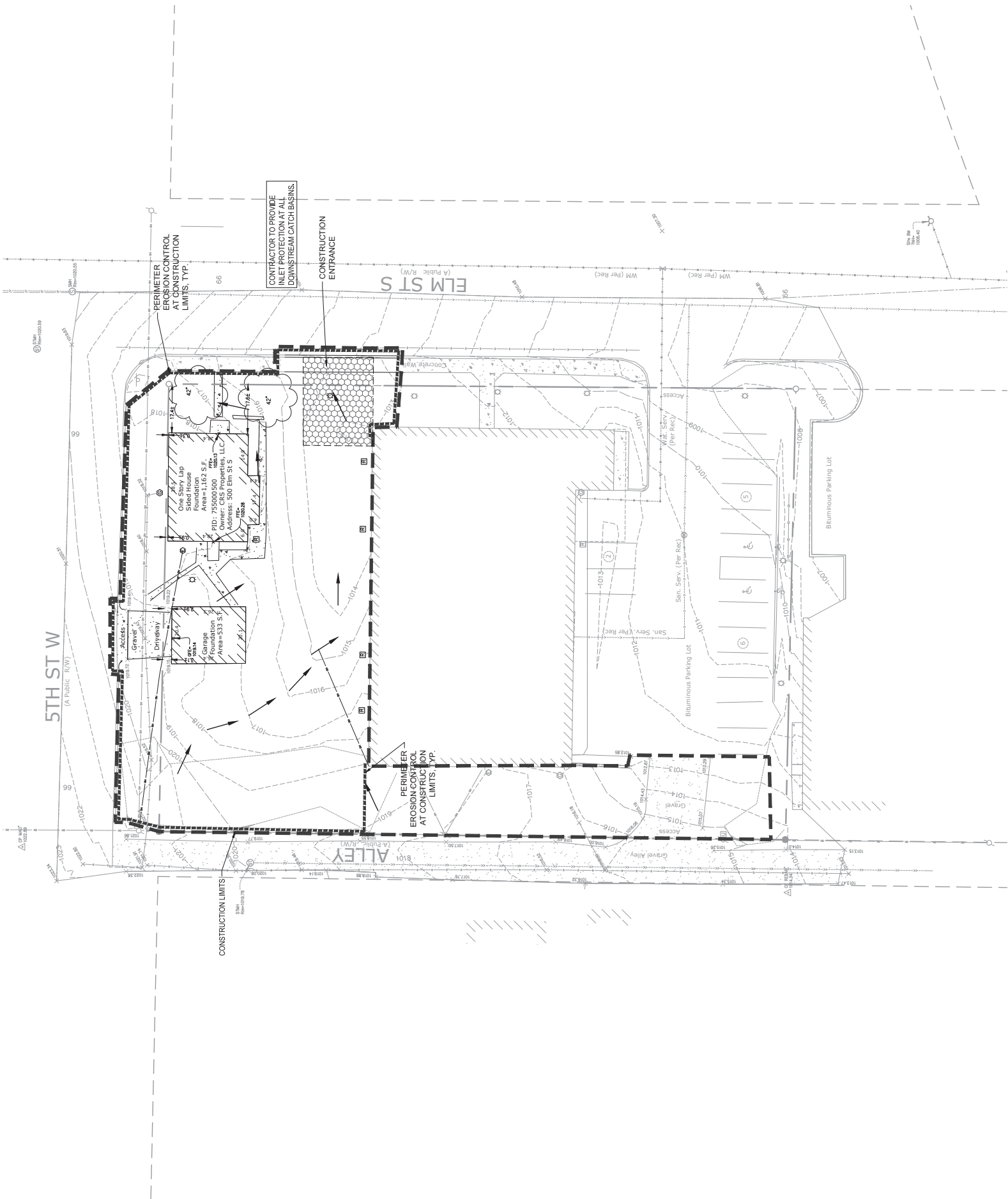
[illegible]

LANDSCAPE PLAN

Know what's below.
Call before you dig.



PLANT SCHEDULE					
TREES	QTY	COMMON / BOTANICAL NAME	CONT	NATIVE PLANTS	POLLINATOR FRIENDLY
AB	3	Apoll [®] Sugar Maple / Acer saccharum 'Barrett Cole'	7 GAL.	N	Y
QB	3	Swamp White Oak / Quercus bicolor	2.5" Cal. B&B	NATIVE	Y
EVERGREEN TREES	QTY	COMMON / BOTANICAL NAME	CONT	NATIVE PLANTS	POLLINATOR FRIENDLY
PA	6	Norway Spruce / Picea abies 'Acrocona'	#10 CONT	NOT NATIVE	
PF	3	Colorado Spruce / Picea pungens 'Fat Albert'	6' B&B	NOT NATIVE	
SHRUBS	QTY	COMMON / BOTANICAL NAME	SIZE	NATIVE PLANTS	POLLINATOR FRIENDLY
SGJ	24	Sea Green Juniper / Juniperus chinensis 'Sea Green'	#5 CONT	NOT NATIVE	N



SWPPP NOTES:

1. ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOLDER STATE UTILITY CALL" (855-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS. 48 HOURS PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
2. THIS PROJECT IS LESS THAN ONE ACRE AND WILL NOT REQUIRE AN NPDES PERMIT. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ANY EROSION CONTROL PERMITS REQUIRED BY THE CITY.
3. SEE SHEETS SW1.0 - SW1.3 FOR ALL EROSION CONTROL NOTES, DESCRIPTIONS, AND PRACTICES.1
4. SEE GRADING PLAN FOR ADDITIONAL GRADING AND EROSION CONTROL NOTES.
5. CONTRACTOR IS RESPONSIBLE FOR SWPPP IMPLEMENTATION, INSPECTIONS, AND COMPLIANCE WITH NPDES PERMIT.

CITY OF WACONIA EROSION CONTROL NOTES:

- RESERVED FOR CITY SPECIFIC EROSION CONTROL NOTES.

ALL SPECIFIED EROSION AND SEDIMENT CONTROL PRACTICES, AND MEASURES CONTAINED IN THIS SWPPP ARE THE MINIMUM REQUIREMENTS. ADDITIONAL PRACTICES MAY BE REQUIRED DURING THE COURSE OF CONSTRUCTION.

[illegible]

[illegible]



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		June 20, 2023					
Item Name:		Zoning Administrator Appeal - Recyy - Permitted Use within the B-2, General Business District					
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 deny the appeal as the proposed use is not consistent with the B-2, General Business District.							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
The City Council shall act as the Board of Appeals and Adjustments per the Waconia City Code and the Board shall have the power and duty of hearing and deciding appeals in the following cases: 1. Appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by an administrative officer in the enforcement of the ordinance. 2. Requests for variances from the literal provisions of the Ordinance in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration. REQUEST: The City has received a Notice of Appeal from Ryan Miryala, Recyy and Edward Rupp/Mark Battles (the "Landlord Representatives") requesting the City Council/Board of Appeals review the applicable information regarding permitted uses in the B-2, General Business District and determine if the City Zoning Administrator's interpretation indicating that an electronic waste (e-waste) collector and recycler is not a permitted use requires revision or modification (see attached Notice of Appeal). BACKGROUND/TIMELINE 1. Ryan Miryala, Recyy emailed staff in April of 2023 introducing the company and asking if the Waconia Square property would be permitted to collect and store e-waste in the existing zoning district. 2. Subsequently, a representative from Recyy had a conversation with Ethan Nelson, Assistant Planner in which he vaguely described the proposed use. Mr. Nelson indicated it might be a possible location, but he would need further information as no plans or specifics were given at the time. 3. April 25th, 2023, Lane Braaten, Community Development Director emailed Mr. Miryala indicating that the property is zoned B-2, General Business District and that the purpose and intent of the district is to continue to serve its role as the social, cultural and commercial center of the City and the surrounding areas. It further references continuing to redevelop to strengthen the district as the market area's shopping, entertainment and office center. As such, the use described is not consistent with the intent/purpose of the permitted uses identified in the district. In reviewing our City Code the use proposed would be more appropriate in our industrially zoned properties. 4. Ned/Edward Rupp emailed on April 25th asking for further clarification and providing a clarification from Ryan with Recyy, which stated "As a note to clarify, we would only be collecting and storing (in compliance with, and, for less than the state-stipulated time frame recommended by the state) electronic waste from households, schools, and businesses from the city of North Branch and from the neighboring cities within the Chisago county. We will not be refurbishing, recycling, dismantling, or reselling the collected items. We look forward to hearing your suggestions/comments/recommendations on how to proceed further." 5. May 1st, 2023, Ryan Miryala asked for an update and Lane Braaten responded stating I appreciate the							

follow up email. Based on the understanding that the business is mainly storage/warehousing until such time as the product is picked up, my determination of industrial zoning is consistent with the application of the City zoning code. Please let us know if you plan to locate in any of our industrially zoned properties in the City.

6. Based on staff's recollection, it was in the next two weeks Mr. Michael Corbey, property owner, stopped in at City Hall to discuss the space, the proposed use, and options. Lane Braaten indicated that the use was not consistent with the zoning district and therefore Recyy should find a location which conforms to the proposed use. Additionally, Mr. Corbey was made aware that they could appeal the Zoning Administrators determination to the City Council if they believed the decision was in error. Staff indicated that we would need the appeal information at least a week before the meeting to ensure we had time to get the pertinent information into the packet.
7. May 15th, 2023, Ned Rupp presented information to the City Council at the meeting requesting them to allow Recyy in the Waconia Square building. Representatives from Recyy, I believe, also showed up late requesting to present some information. As a notice of appeal was not provided before the meeting the City Council was unaware of the situation and the request being made. They took the information in and thanked them for their comments.
8. May 23rd, 2023, Mark Battle, property representative, emailed Shane Fineran and Jackie Schulze asking if there was any answer/direction from City Council.
9. May 24th, 2023, Shane Fineran responded indicating that an appeal, per the direction Mr. Braaten gave to Mr. Corbey, had not been filed with the City for the City Council to review and discuss. In fact, they had shown up at the meeting under visitors presentation and presented information on a topic that the Council was unaware of. Further, he stated that if you want to appeal the Community Development Directors decision, they would need to provide the appeal request in writing, the basis for the appeal and all information that they felt was pertinent to the discussion at least one week prior to any future meeting.
10. June 12, 2023, Ned Rupp submitted the attached Waconia Square - Recyy City Council Letter - 061223, which is what is in front of you for consideration this evening.

STAFF REVIEW COMMENTS

1. The subject property is zoned B-2, General Business District. The Intent and Purpose for the district states "It is intended that this district continue to serve its role as the social, cultural and commercial center of the City and its hinterland and that downtown continue to be redeveloped in a manner that will strengthen it as the market area's shopping, entertainment and office center."
2. Permitted uses, and I summarize, include shopping facilities, barber shops, bookstores, frozen dessert/delicatessen stores, drug stores, print shops, taverns, restaurants, clothing and apparel, indoor theatres, etc. An electronic waste collection and recycling center is not consistent with the afore-mentioned permitted uses.
3. Additionally, the B-2, General Business District allows for incidental storage to be allowed as part of a permitted use but shall not exceed 30% of the floor area of the principal building/space. Based on a review of the proposed use it appears that storage is the major component of the proposed use, which is also inconsistent with the zoning district.
4. The applicants include two addresses for context in their written appeal where they have current locations in retail centers. Staff took some opportunity to review both locations via google maps and it appears that both locations are located well outside of the downtown activity areas in each community. The locations are actually near very significant road/highway systems, well away from their downtowns. Based on my experience with the City zoning code these areas would be generally zoned B-1, Highway Business District in the City of Waconia. With this said, staff continues to identify industrial zoning as the most appropriate for this type of use.
5. An electronic waste (e-waste) collector and recycler would be a great addition to the City of Waconia, but location with the B-2, General Business District, or the B-3, Central Business District for that matter, is not consistent with the City Code.

RECOMMENDATION

Staff recommends the denying the appeal as the proposed use is not consistent with the B-2, General Business District.

Attachments:

1. [Notice of Appeal - Waconia Square - Recyy City Council Letter - 061223.pdf](#)
2. [EMAIL Correspondence Record_Recyy Project.pdf](#)
3. [Zoning Map of Downtown Waconia.pdf](#)
4. [B-2 General Business District Standards - Waconia City Code.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

Dear Council,

We are writing to you hoping that you will reconsider the determination that 236 West 1st St, Waconia, MN 55387 (Waconia Square) is zoned such that an electronics collection facility cannot function on the premises. This address is zoned B-2, General Business District. Thus far we have been told by the City that an electronics collection facility does not fit this zoning requirement, and if this use is located within Waconia, we would need to find property within an industrially-zoned district. This letter outlines the reasons why we hope you will reconsider this determination.

Summary of Business Activities by Recyy:

Recyy, an electronic waste (e-waste) collector and recycler, is hoping to open a new collection center in Waconia, Minnesota. The collection center will be open from 10am to 7pm Tuesday through Sunday and will be staffed by one or two employees. The collection center will collect a variety of electronic waste from households, schools, and businesses, including computers, peripherals, gaming and entertainment systems, phones and fax machines, TVs and monitors, printers and copiers, household appliances, and miscellaneous items. The collected items will be stored indoors in separate gaylord boxes by each item category.

The collection center will not accept broken CRT TVs, refrigerators, air conditioners, pressurized canisters, paint, chemicals, oils, broken fluorescent tubes, car parts, power tools, solar panels, sharps, medication, hygiene products, thermostats, pressure/vacuum gauges, VHS tapes, cassettes, compact discs, or any other damaged/broken e-waste that is non-recyclable.

All collected materials will be stored indoors and will be moved promptly upon filling the indoor storage area. The site will be continuously monitored using security cameras and any breach of the use will be promptly reported to the appropriate law enforcement authorities. All required permissions from the local Fire Department will be satisfied and obtained prior to starting operations.

The collected e-waste would not be processed, dismantled, repaired, refurbished, shredded, offered for sale, or recycled at this location. The proposed location is simply a conveniently located storefront where your citizens can safely drop off electronic items which belong in the recycling stream rather than the landfill

Additionally, for context, here are Recyy's other locations (both retail centers):

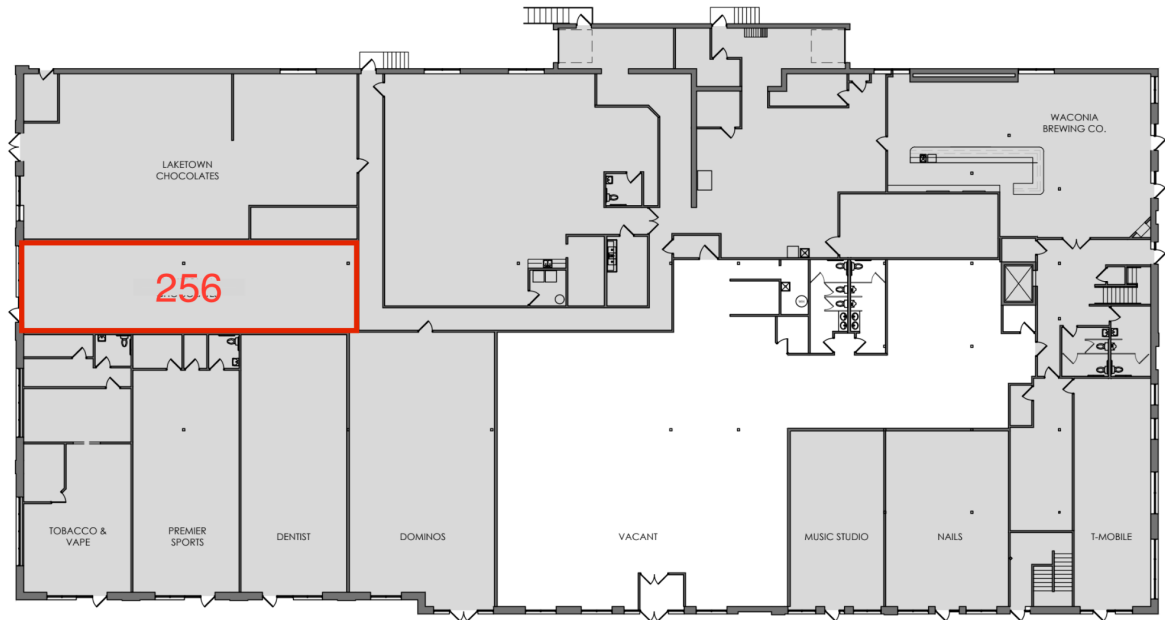
- 38500 Tanger Dr, North Branch, MN 55056
- 764 Broadway St, Berlin, WI 54923

Reasons why we believe Recyy would be a great fit for both Waconia Square and Waconia

- Waconia Square is not currently functioning as a "pure retail" center, which is demonstrated by the fact that there are rear manufacturing tenants, Laketown Chocolates and Waconia Brewing, along with loading docks. There are also numerous service-oriented businesses like Recyy, including a nail salon, a CPA, and a State Farm insurance agency.
- The space is further towards the "rear" of the building than the parking lot-adjacent retail spaces, and thus it is even closer to the manufacturing uses. The space in question, Suite 256, is approximately 1,732 square feet, and it is adjacent to the Laketown Chocolates manufacturing space. It formerly had a small retail footprint for Laketown Chocolates, but was otherwise used to support the manufacturing operations next door.



- Suite 256 can connect directly to the back hallway which services the loading docks, and thus all loading will happen at the rear of the building



- The rent for this suite is lower than the front spaces precisely because it isn't located at the front of the building adjacent to the parking lot
- Recyy would not store any of these technology items for long periods of time, nor would any of the items be disassembled on-site; they would be brought to their warehouse location after a short time being stored at the center.
- The landlord can control what people see from the exterior with blinds, etc. In addition, a partition wall can be created between the front "retail" portion of the space (less than 500 square feet), and the rear "staging" area. If we were to do this none of the stored technology would be visible from the street or the sidewalk.
- This is a more difficult to lease space due to its location in the center.
- The use is consistent with the diverse tenant mix that is already in place.
- The foot traffic that this use will generate will be notable for the downtown area.

Benefits to the community:

The proposed collection center would provide several benefits to the community, including:

- Avoiding e-waste from ending up in landfills: E-waste is a major environmental problem. When it is not properly disposed of, it can release harmful toxins into the environment. The proposed collection center would help to prevent e-waste from ending up in landfills by providing a safe and convenient way to recycle it.
- Avoiding e-waste from ending up in water streams: E-waste can also pollute water streams. The proposed collection center would help to prevent this by requiring that all e-waste be brought to the collection center for eventual recycling at another location.
- Reducing e-waste contamination in household garages: E-waste can contaminate household garages if it is not properly stored. The proposed collection center would help to reduce this problem by providing a safe and convenient place to dispose of e-waste.

- Supporting/supplementing city of Waconia waste collection efforts: The proposed collection center would support/supplement the City of Waconia waste collection efforts by reducing the amount of e-waste that needs to be collected by the City.
- Supporting/supplementing Carver County waste collection efforts: The proposed collection center would support/supplement the Carver County waste collection efforts by reducing the amount of e-waste that needs to be collected by the County.
- Ease of access to recycle e-waste: The proposed collection center would improve the ease of access to recycle e-waste by allowing it to be collected at a location that is close to the community.
- Making e-waste recycling affordable for the community: The proposed collection center would make e-waste recycling affordable for the community by allowing the members to dispose of e-waste at an affordable price.
- Providing proper disposal of e-waste: The proposed collection center would provide proper disposal of e-waste by requiring that it be recycled.
- Providing educational opportunities: The proposed collection center could provide educational opportunities about the importance of recycling e-waste to educational institutions nearby.
- Eliminating barriers to recycle e-waste: The proposed collection center would eliminate barriers to recycle e-waste by making it more convenient and affordable to do so.

Relationship of the proposed use to community plans:

The proposed use is consistent with the city of Waconia's comprehensive plan, which outlines the city's goals and objectives for the future. The comprehensive plan includes a goal of "protecting and enhancing the environment." The proposed use would help to achieve this goal by reducing the amount of e-waste that ends up in landfills and water streams. The proposed use is also consistent with the Carver County Solid Waste Management Plan, which outlines the county's goals and objectives for managing solid waste. The plan includes a goal of "increasing recycling and reuse." The proposed use would help to achieve this goal by increasing the amount of e-waste that is recycled.

Impacts of the proposed use on those affected by it:

The proposed use would have a positive impact on those who live and work in the community. It would help to protect the environment, reduce the cost of waste collection, and provide educational opportunities about the importance of recycling e-waste.

The proposed use would also have a positive impact on the city of Waconia and Carver County. It would help them to reduce the amount of e-waste that they need to collect and dispose of. This would save them money and help them to protect the environment.

We urge the city council to approve this use.

Please note this recent article in the Star Tribune today that talked about the importance of these facilities. [Don't need that iPhone from 2014 anymore? Offload old tech using these tips](#)

Thank you for your time and consideration.

Sincerely,

Ryan Miryala

[Recyy](#)

Edward Rupp

[SVN | Northco](#)

Representative of Landlord

Mark Battles

[SVN | Northco](#)

Representative of Landlord

Lane Braaten

From: Lane Braaten
Sent: Monday, May 1, 2023 11:59 AM
To: Ryan Miryala; Edward Rupp
Cc: Ethan Nelson; Mark Battles
Subject: RE: Waconia Square zoning

I appreciate the follow up email. Based on the understanding that the business is mainly storage/warehousing until such time as the product is picked up, my determination of industrial zoning is consistent with the application of the City zoning code.

Please let us know if you plan to locate in any of our industrially zoned properties in the City.

Thanks,

Lane L Braaten

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



The City of Waconia now has some limited Residential over the counter permits available via ePermits. For more information on this, please go to: www.waconia.org/epermits

From: Ryan Miryala <info@recyy.com>
Sent: Monday, May 1, 2023 11:18 AM
To: Edward Rupp <edward.rupp@svn.com>; Lane Braaten <LBraaten@waconia.org>
Cc: Ethan Nelson <enelson@waconia.org>; Mark Battles <mark.battles@svn.com>
Subject: Re: Waconia Square zoning

Hi Ethan/Lane,

We want to circle back with you on this request.

Could you please share an update on the comments from Ned, below?

Look forward to hearing from you!

Thank you,
Team Recyy

Info@recyy.com
320-372-1551



From: Edward Rupp <edward.rupp@svn.com>
Sent: Tuesday, April 25, 2023 8:20 PM
To: Lane Braaten <LBraaten@waconia.org>
Cc: Ryan Miryala <info@recyy.com>; Ethan Nelson <enelson@waconia.org>; Mark Battles <mark.battles@svn.com>
Subject: Re: Waconia Square zoning

Lane and Ethan,

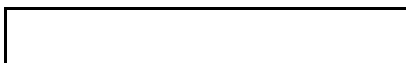
We have spoken to the City previously, and when we last spoke to an official there we were told that the use is permitted in the B-2 zoning district. Can you please advise whether the use is permitted? If not, would it be permitted with a CUP? References to the ordinance would be appreciated. Please note the following from Ryan with Recyy:

As a note to clarify, we would only be collecting and storing (in compliance with, and, for less than the state-stipulated time frame recommended by the state) electronic waste from households, schools, and businesses from the city of North Branch and from the neighboring cities within the Chisago county. We will not be refurbishing, recycling, dismantling, or reselling the collected items. We look forward to hearing your suggestions/comments/recommendations on how to proceed further.

Thank you in advance.

Ned

Edward Rupp | Principal
SVN | Northco Real Estate Services
1660 Highway 100 S, Suite 330 | Minneapolis, MN 55416
Direct: 952.820.1634 | Cell: 651.492.0563
edward.rupp@svn.com | northco.com



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On Tue, Apr 25, 2023 at 10:13 AM Lane Braaten <LBraaten@waconia.org> wrote:

Ryan,

Thanks for the email and for your interest in locating in our community. The property located at 236 1st Street West is currently zoned B-2, General Business District. The intent and purpose of the district is to continue to serve its roles as the social, cultural and commercial center of the City and the surrounding areas. It further references continuing to redevelop to strengthen the district as the market area's shopping, entertainment and office center. The use you describe below does not appear to be consistent with the intent/purpose or the permitted uses identified in the district. In reviewing our City Code the use proposed would be more appropriate in our industrially zoned properties.

If you have any questions please let me know.

Regards,

Lane L Braaten

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



From: Ryan Miryala <info@recyy.com>

Sent: Sunday, April 23, 2023 3:34 PM

To: Lane Braaten <LBraaten@waconia.org>; Ethan Nelson <enelson@waconia.org>

Cc: edward.rupp@svn.com

Subject: Waconia Square zoning

Hi Lane & Ethan,

I'm Ryan from Recyy.

We are a growing Midwestern electronic waste (e-waste) collector and recycler. We have recently been authorized in the state of Minnesota to collect e-waste. We are interested in connecting with you to learn if the stores located at Waconia Square would be permitted to collect and store e-waste as per your zoning laws. If they are not currently authorized, we would like to understand the process involved in obtaining a CUA or rezoning request and work with you. The property we are intending to lease is located at 236 1st St W, Waconia, MN. We learned from Ned, the realtor (copied on this email), that this property is currently zoned as Commercial. We would like to understand if this zoning allows to collect e-waste collection.

As a note to clarify, we would only be collecting and storing (in compliance with, and, for less than the state-stipulated time frame recommended by the state) electronic waste from households, schools, and businesses from the city of North Branch and from the neighboring cities within the Chisago county. We will not be refurbishing, recycling, dismantling, or reselling the collected items. We look forward to hearing your suggestions/comments/recommendations on how to proceed further.

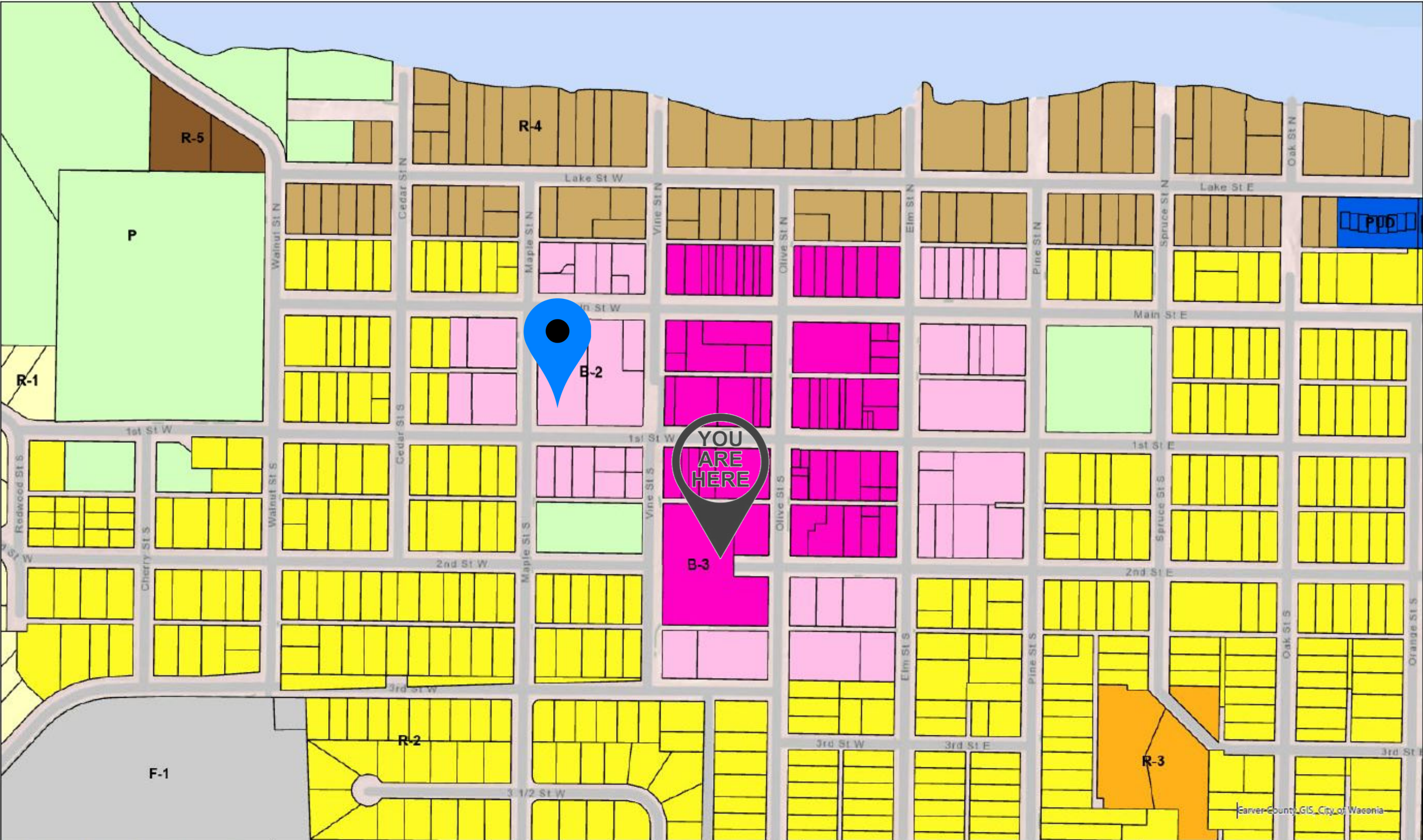
We will also reach out to the carver county zoning office and solicit their input on this matter and keep you posted.

We look forward to your guidance and advice.

Thank you,
Ryan M

Info@recyy.com
320-372-1551





G. B-2 General Business District.

1. Intent and Purpose: It is intended that this district continue to serve its role as the social, cultural and commercial center of the City and its hinterland and that downtown continue to be redeveloped in a manner that will strengthen it as the market area's shopping, entertainment and office center.
2. Permitted Uses: Shopping facilities that are not large retail buildings nor large retail projects, clothing and apparel, restaurants, governmental buildings, hotels, indoor theaters, financial institutions, fraternal and/or service clubs, offices/office buildings, grocery stores, video stores, barber/beauty shops, commercial kennels, travel agencies, laundromats, dry cleaners, photo/art studios, indoor recreational facilities, on and off sale liquor establishments, small breweries operated in conjunction with taprooms, frozen desserts/delicatessen stores, drug stores, print shops, book stores, real estate sales, medical clinics, taverns, mixed-use buildings and multiple family dwellings, parks, churches, schools (public and private), mortuaries, public utility installations, public buildings (community center, museum, library, administrative buildings, specialty care clinics).
3. Permitted Accessory Uses: Fences, off-street parking, business signs, any incidental repair, processing, and storage necessary to conduct a permitted principal use but not exceeding 30% of the floor area of the principal building.
4. Uses Permitted with Special Restrictions:
 - a. Day care facilities licensed by the State of Minnesota.
 - b. Car washes with same restrictions as in the B-1 District.
 - c. Motor vehicle sales lots with same restrictions as in the B-1 District.
 - d. Motor fuel stations subject to restrictions in the B-1 District except provisions 4c(9) and 4c(14).
 - e. Automobile Collision Repair Facility subject to the following restrictions:
 1. All trash and waste materials shall be stored inside the main building or within a separate enclosure.
 2. There shall be no outside storage of any usable or obsolete automobile parts, junked vehicles, or other items associated with the business.

3. There shall be no vehicle access to a building that directly faces a residential zoning district.
4. All other regulations (Uniform Building Code, State, etc.) guiding the use of equipment related to collision repair shall be followed.
5. Uses Permitted by Conditional Use Permit (CUP): The following uses are permitted by CUP subject to the requirements of Section 900.11.
 - a. Large Retail Projects.
6. Uses Permitted by Interim Use Permit (IUP): The following uses are permitted by IUP subject to the requirements of Section 900.11.
 - a. Parking lots without a hardcover surface.
7. Lot Requirements:
 - a. Uses in the B-2 District are exempt from all setback and lot-size requirements except the noted provisions below. Provisions shall be made for meeting parking and on-site loading requirements.
 - b. Maximum Structure Height 45 ft.
 - c. Side and rear yard setback adjacent to residential district 10 ft.



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		June 20, 2023					
Item Name:		Ordinance Amendment - Section 900.10 Sign Regulations - Lamar Advertising					
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>							
Adopt Resolution 2023-150 denying the proposed amendment to Section 900.10, which proposes to permit dynamic signage on off-premises signs, including billboards and other outdoor advertising signage.							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
<u>APPLICANT INFORMATION</u>							
Applicant: Lamar Advertising							
<u>REQUEST</u>							
The applicant, Lamar Advertising, has submitted an Ordinance Amendment application proposing to amend Section 900.10 Sign Regulations to allow dynamic signage on off-premises signs. Specifically, they are proposing language to convert existing non-conforming billboard signs to dynamic message boards that would be allowed to change every 8 seconds.							
<u>APPLICABLE ORDINANCE PROVISIONS:</u>							
1. Section 900.10 - Sign Regulations							
<u>SIGN REGULATION DEFINITIONS:</u>							
"Dynamic sign" means a sign or portion thereof that appears to have movement or that appears to change using any method other than a person physically removing and replacing the sign or its components. For example, any sign or portion thereof that rotates, revolves, moves, flashes, blinks or changes color or intensity of illumination (using a method other than a person physically removing and replacing the sign or its components) is a dynamic sign. Further, any sign or portion thereof that incorporates LED lights, "digital ink" or any other method or technology that allows the sign face to present a series of images or displays is a dynamic sign.							
"Freestanding sign" means a sign that is placed in the ground and not affixed to any part of any structure.							
"Monument sign" means any one-sided or two-sided free-standing sign with its entire sign area mounted on the ground or mounted on a base at least eighty percent (80%) as wide as the sign area.							
"Non-conforming existing sign" means a sign lawfully existing prior to the adoption of these regulations, but not conforming to the newly enacted requirements of these regulations.							
"Off-premises commercial sign" means a sign (including any structure whose primary purpose is to support such sign) advertising a business, commodity or service (including those of nonprofits) which business, commodity or service is not located or performed on the premises of record where the sign is located (e.g., billboards and other outdoor advertising).							
"Permitted dynamic sign" means a a) rotating barber pole; or b) any other dynamic sign that meets all the following requirements:							

- i. It appears to move or change no more than once every ten (10) minutes or it solely displays time and temperature readings irrespective of the frequency of movement or change; and
- ii. The images or messages displayed between transitions are static and each transition from one display to the next is instantaneous and without special effects (e.g., scrolling messages or flashing messages); and
- iii. The images or messages displayed are complete in themselves, without continuation in content from one display to the next.

"Sign" means any letter, symbol, device, poster, mural, picture, statuary, reading matter or representation that is displayed outdoors for informational, communicative or artistic purposes.

"Sign area" means the entire area within a continuous perimeter enclosing the extreme limits of the sign message and background. However, such perimeter shall not include any structural elements lying outside of such sign and not forming an integral part of the sign. The area of a sign within a continuous perimeter shall be computed by means of the smallest circle, rectangle or triangle that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the building façade against which it is placed.

BACKGROUND:

Lamar Advertising ("the applicant") provides billboard signage within the community. In previous conversations with the applicant, they were made aware that the city would not allow existing static billboard signage to be converted to an electronic message board/dynamic display as this would be considered an expansion of an existing non-conforming sign (see attached City Attorney comments dated August 8th, 2018). As such, the applicant is requesting an amendment to the Sign Regulations to allow conversion of the existing static structures, which would allow increased advertising power of local businesses.

ORDINANCE AMENDMENT ANALYSIS:

1. Based on a staff review, it appears there are four (4) off-premises signs that would be affected by the proposed ordinance amendment. They include:
 - i. Billboard - located between the Ford dealership and Subway
 - ii. Billboard - located near the intersection of Hwy. 5 and Hartmann Drive
 - iii. Billboard - located on the south side of Hwy. 5 and the intersection with Birch Street South
 - iv. Movie Theatre/Downtown Waconia Sign - located at the corner of Olive Street and Hwy. 5
2. The existing signs referenced above were either constructed and placed prior to the adoption of the City Sign Regulations or were allowed as part of a variance request (see former movie theatre sign). By definition, this makes the off-premises commercial signage existing legal non-conforming structures.
3. Off-premises Commercial signs (e.g. billboards) are currently prohibited by the City Sign Regulations.
4. Each non-conforming existing sign shall be permitted to remain until such time as the use of the sign materially changes, the premises of record on which the non-conforming existing sign is located is subdivided, or the non-conforming existing sign is removed or replaced. At such time, the non-conforming existing sign shall be brought into full compliance with these regulations. This shall not prevent routine maintenance or repair of any non-conforming existing sign.
5. The current sign regulations allow movement or change of the dynamic signage once every ten minutes. The applicant is proposing the sign copy would be changeable every eight (8) seconds, which is a significant deviation from our existing standards.

PUBLIC NOTICE/COMMENT:

The notice was published in the WACONIA PATRIOT on May 18th, 2023, and posted at Waconia City Hall. City staff have received one public hearing comment, which has been attached to this report for review and consideration.

RECOMMENDATION:

The Planning Commission, at their regular meeting on June 1st, 2023, reviewed the pertinent information and held the required public hearing. The Planning Commission recommended denial of the proposed ordinance amendment.

via 2-1 vote, but also indicated some willingness to review the entire sign ordinance in the near future as there may be other elements that the community would like to see changed from the existing code, which was adopted/updated in 2019.

Attachments:

1. [23150res_Denying_Ordinance_Amendment.docx](#)
2. [Ordinance Amendment Application and Information.pdf](#)
3. [20180808_Billboard Memorandum.pdf](#)
4. [Public Comment](#)

<i>FINANCIAL IMPLICATIONS:</i>		<i>ADVISORY BOARD RECOMMENDATIONS:</i>	
Funding Sources & Uses:			
Budget Information:		Planning Commission	
_____ Budgeted		Parks and Recreation Board	
_____ Non Budgeted		Safari Island Advisory Board	
_____ Amendment Required		Other	

**CITY OF WACONIA
RESOLUTION 2023-150**

**RESOLUTION DENYING ORDINANCE AMENDMENT BY LAMAR ADVERTISING TO
AMEND SECTION 900.10 OF THE WACONIA CITY CODE REGARDING DYNAMIC
SIGNAGE**

WHEREAS, Lamar Advertising (the “**Applicant**”), has requested an amendment to Section 900.10 Sign Regulations to allow dynamic signage on off-premises signs and to allow said signage to change copy every eight (8) seconds; and

WHEREAS, the City of Waconia currently allows dynamic signs consistent with the definition requirements; and

WHEREAS, a Permitted dynamic sign is defined as a rotating barber pole, or any other dynamic sign that meets all of the following requirements: i) It appears to move or change no more than once every ten minutes or it solely displays time and temperature readings irrespective of the frequency of movement or change; and ii) The images or message displayed between transitions are static and each transition from one display to the next is instantaneous and without special effect (e.g., scrolling messages or flashing messages); and iii) The images or messages displayed are complete in themselves, without continuation in content from one display to the next.; and

WHEREAS, the City of Waconia prohibits off-premise commercial signs; and

WHEREAS, the public hearing notice was published in the Waconia Patriot on May 18th, 2023, and the Planning Commission held a public hearing during their regular meeting on June 1st, 2023, and received all public comment; and

WHEREAS, the Planning Commission, voted 2-1 to recommend denial of the Ordinance Amendment to Section 900.10; and

WHEREAS, the Planning Commission recommended denial of said application based on the following findings:

1. Concerns over the number of times the dynamic signage would be allowed to change within a given period of time and how that might affect motorists and/or the general public.
2. The limited nature of the ordinance amendment language may affect other sections of the City Sign Code unintentionally.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Waconia hereby denies the Ordinance Amendment submitted by Lamar Advertising to amend section 900.10, subject to the conditions, findings and recommendations of the Waconia Planning Commission stated above.

Adopted by the City Council of the City of Waconia this 20th day of June, 2023.

Nicole Waldron, Mayor

ATTEST: _____
Jacqueline Schulze, City Clerk



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

ORDINANCE AMENDMENT

APPLICANT INFORMATION

1. Applicant's Name: Lamar Advertising
2. Mailing Address: P.O. Box 865, St. Cloud, MN 56302
3. Daytime Phone(s): 320. 253. 3000
4. Email Address: dlaubach@lamar.com

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

OFFICE USE ONLY

Date Received: _____

Application Fee: \$ 350.00
Escrow Fee: \$ 500.00
Receipt #: _____



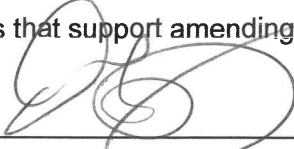
CITY OF WACONIA
201 South Vine Street
Waconia, MN 55387
Phone: (952) 442-2184 Ext. 2
Fax (952) 442-2135
www.waconia.org

ORDINANCE AMENDMENT

1. Reference specific part of the ordinance to be amended: Section 900.10
10 "Dynamic Signs"
2. Description of the amendment request: To allow conversion on
Existing Static Structures
3. Reason for the amendment request: To increase advertising power of
local business.

THE FOLLOWING INFORMATION MUST BE SUBMITTED IN ORDER TO PROCESS THE REQUEST

1. Payment of application fee of \$350.00 and an escrow payment of \$500.00. Additional consulting review fees may apply, such as civil engineering and legal counsel.
2. Any studies or reports that support amending the ordinance.

Applicant's Signature: 

Date: April 27, 2023

Printed Name: Don Laubach

Electronic Message sign are permitted on existing structures located in the Industrial and Commercial Districts; however, there shall be no blinking, flashing, scrolling animation, or motion on the display. The message must be static.

MELCHERT • HUBERT • SJODIN, PLLP

MEMORANDUM

DATE: August 8, 2018

TO: Lane Braaten, Community Development Director

FROM: Mike Melchert, City Attorney

RE: Billboard Request by Lamar Advertising

Lamar Advertising (“**Lamar**”) owns a parcel of land along Highway 5 (PID 75.0245400) that has a traditional (i.e., static print) billboard on it. The City of Waconia (“**City**”) has received a request from Lamar to convert the traditional billboard to a dynamic, electronic billboard. For the reasons discussed below, I recommend the City deny Lamar’s request.

The applicable billboard is an “Advertising Sign” under the §900.10, Subd. 2(A), of the Waconia City Code. Although Advertising Signs are prohibited in all zoning districts pursuant to §900.10, Subd. 3(A)(8), I understand the billboard predates this ordinance provision. Therefore, the billboard exists as a legal nonconforming sign pursuant to §900.10, Subd. 6(I).

The Waconia City Code has two zoning ordinance provisions applicable to nonconforming sign uses. The first can be found at §900.12, Subd. 12(A), which classifies legal nonconforming uses into two classes. Class 1 nonconformities are: i) uses that are not permitted in the district; and ii) uses that are permitted in the district but violate one or more lot requirements by more than 50%. Class 2 nonconformities are uses that are permitted in the zoning district and violate no district requirement by more than 50%. Because Advertising Signs are prohibited in all zoning districts, Lamar’s billboard is a Class 1 legal nonconforming use. Pursuant to §900.12, Subd. 12(A), Class 1 nonconforming uses may not be expanded. The second zoning ordinance provision can be found at §900.10, which has additional provisions regarding the alternation of legal nonconforming signs. Section 900.10, Subd. 6(I) states that legal nonconforming signs may remain until use of the sign materially changes. This subdivision also notes the ordinance does not restrict maintenance or repair of legal nonconforming signs.

I understand that you, as the City’s Zoning Administrator, interpret the above provisions to preclude conversion of the traditional billboard to a dynamic, electronic billboard. I agree. Specifically, the proposal constitutes a prohibited expansion of the legal nonconforming use for the following reasons:

First, even if Lamar keeps the dimensions of the billboard the same, it would need to replace the entire display area to make it a dynamic, electronic sign. The express language of §900.10, Subd. 6(l), prohibits material changes to any legal nonconforming sign. This type of wholesale conversion is a material change. The third sentence of §900.10, Subd. 6(l) supports this conclusion. It states that §900.10, Subd. 6(l) “shall not prevent routine maintenance or repair to any such Signs.” What Lamar is proposing extends well beyond maintenance and repair.

Second, it seems unlikely Lamar could complete the conversion without increasing the dimensions of the billboard in some respect. At a minimum, it seems the width and/or weight of the sign would increase to accommodate the sign’s electronic components. This would constitute physical expansion of the nonconforming use.

Third, as proposed, Lamar would replace the billboard with a new unit that has additional, expanded capabilities. As a result, Lamar would be able to increase the number of advertisements it is able to display on its billboard and, in turn, increase its revenue from the billboard. This also represents an expansion of the nonconforming use in respect to the use itself.

Lane Braaten

From: Todd Hann <thann@myht.bank>
Sent: Thursday, May 25, 2023 4:02 PM
To: Lane Braaten
Cc: Nicole Waldron
Subject: FW: Agenda for Planning Commission on Thursday, June 1, 2023 - Section 900.10 - Sign Regulations

Good afternoon Lane,

I saw this on the planning commission agenda for June 1st and wanted to contribute another perspective to the conversation.

If city regulations regarding dynamic signs are going to be amended, it should apply to all dynamic signage in the city. The current 10-minute timeframe is an extreme for all, not just billboards. Local, tax paying businesses that invest in real estate and signage at their place should not be excluded.

I agree that a review of the current ordinance is necessary. There needs to be a balance between the current 10 minutes and the requested 8 seconds.



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REQUEST FOR CITY COUNCIL ACTION

Meeting Date: June 20, 2023

Item Name: SITE PLAN, DESIGN REVIEW and INTERLAKEN VILLAGE 3RD ADDITION - Twin Cities Orthopedics

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.)

Adopt Resolution 2023-151 approving the Interlaken Village 3rd Addition Preliminary and Final Plat.

Adopt Resolution 2023-152 approving Site Plan and Design Review for the proposed TCO expansion project located at 820 Village Way.

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

BACKGROUND

Applicant: Twin Cities Orthopedics, Keith Heimer

Owner(s): TCO Real Estate Fund 2, LLC and Waconia Interlaken OVA, LLC

Address(es): 820 Village Way

PID#s: 753240010 and 753240020

Existing Zoning: B-1, Highway Business District

Design District: Highway District

REQUEST

The applicant, Twin Cities Orthopedic, has submitted Site Plan, Design Review and plat applications proposing the construction of a 35,500 square foot addition to the existing 18,938 square foot sports performance building within the Interlaken Village commercial development.

APPLICABLE ORDINANCE PROVISIONS:

1. Section 900.05 - District Regulations, Subd. 2.F - B-1, Highway Business District
2. Section 900.06 - Supplementary Regulations, Subd. 9 - Architectural Design Standards
3. Section 900.07 - Landscaping and Fencing
4. Section 900.08 - Performance Standards
5. Section 900.09 - Off-Street Parking, Loading, and Access Regulations
6. Section 900.10 - Sign Regulations
7. Section 900.12 - Administration, Enforcement and Procedures, Subd. 10 - Site Plan Review
8. Section 1000 - Subdivision Ordinance

SITE PLAN REVIEW

City Ordinance requires Site Plan Review “in order to further promote the safe and efficient use of land and to further enhance the value of property in the City.” City Ordinance requires Site Plan Review for any construction for which a building permit is required, except for construction of detached, single-family residential structures or structures accessory thereto.

EXISTING USE

The subject parcel includes the existing sports performance facility, which is nearly 19,000 square feet in overall area. The site also includes parking and pedestrian improvements consistent with the initial building approval in 2018.

ZONING

The subject parcel is zoned B-1, Highway Business District. Medical related clinics/uses and offices are permitted uses in the B-1 zoning district.

LOT REQUIREMENTS

The B-1, Highway Business District section of the City Ordinance states “The purpose of this district is to provide for an appropriate range of businesses that will be utilized by area residents as well as vehicular traffic generate from the surrounding area.” The Lot Requirements for the Highway Business District are indicated in Table 1-1 below.

Table 1-1.	B-1 - Lot Requirements	Proposed Site Improvements*
Lot Area	17,500 sq. ft. min.	10.8 Acres
Lot Width	100 ft. min.	Conforming
Maximum Hardcover Surface	80% max.	41.3%
Maximum Structure Height	35 ft. max.	Conforming
Front Yard Setback	25 ft. min.	Conforming
Street Side Yard Setback	20 ft. min.	Conforming
Interior Side Yard Setback	15ft. min.	Conforming
Rear Yard Setback	20 ft. min.	Conforming
Parking Area Setback	8 ft. min.	Conforming

*The review of setbacks were completed based upon the Interlaken Village 3rd Addition lot lines. Review based on said preliminary and final plat does not constitute formal approval of the subdivision.

The proposed Twin Cities Orthopedics sports performance building expansion meets all required setbacks, impervious surface and building height requirements for the B-1, Highway Business District.

VEHICULAR ACCESS

The applicant is proposing continued access to the subject parcel via a shared access off of the existing Village Way private road segment.

SCREENING OF EQUIPMENT

The building plans indicate an indoor mechanical room and rooftop mechanical. Consistent with City Code, the roof top mechanical is shown to be screened with 4” Corrugated T15 Metal Wall Panels. Any other, or future outdoor mechanical equipment shall be screened in conformance with City Ordinance requirements. The proposed screening appears to be in conformance with City Ordinance requirements.

OFF-STREET PARKING

City Ordinance requires the following parking requirements for a medical, dental and veterinarian clinics; Three (3) spaces plus at least one (1) space for each 200 square feet of gross floor area.

The total number of parking spaces required for the existing building and the proposed addition is 276 [(54,438 square feet/200 square feet) +3]. The applicant is proposing 286 parking spaces for the overall project, which is conforming.

LANDSCAPING

Section 900.07, Subd. 2.B of the City Ordinance requires one (1) tree for every one thousand (1,000) square feet of total building floor area or one (1) tree for every fifty (50) feet of site perimeter, whichever is greater.

Based on a review of the existing and proposed site dimensions, and the square footage of existing and proposed building footprint, the total number of trees required to be planted shall be determined based on the overall site

perimeter. The number of trees required to be planted for the site is 65 trees. All proposed trees shall meet the minimum sizing and species requirements.

The proposed landscape plan includes 37 existing trees and 45 proposed trees to be planted, which conforms to City Code requirements.

OFF-STREET PARKING LANDSCAPING

All off-street parking areas over one hundred (100) stalls shall include unpaved, landscaped islands meeting Section 900.07, Subd. 2.E.3. The proposed landscape plan appears to conform to the minimum standards stated in City Code.

SIGNS

A sign plan was not submitted with the Site Plan application. The applicant is aware that any future signage shall require a permit through the City and be formally reviewed at that time. Further, the Interlaken Village commercial development received approval of a sign plan for the overall development. Any future monument signage for Twin Cities Orthopedic will require an amendment to the Interlaken Village sign plan before City staff can formally approve a sign permit for the property.

LIGHTING

Section 900.08, Subd. 1.C provides standards for exterior lighting. Exterior lighting is required to be designed and arranged to limit direct illumination and glare in any contiguous parcel of land. Reflected glare or spill light shall not exceed one (1.0) foot candle when the source of light abuts any commercial parcel or public right-of-way.

The lighting plan indicates general compliance with this standard. Further, light poles and standards shall not exceed 35 feet.

PEDESTRIAN ACCESS

The applicant has proposed an internal sidewalk system generally in conformance with City Ordinance requirements, which connects and modifies the original pedestrian plan approved as part of Phase 1 of the project. The applicant should provide the following revisions to the plan regarding pedestrian access.

1. Pedestrian ramps should be indicated in all locations where sidewalk connects to streets or parking lots and along the accessible route.
2. Crosswalk striping should be provided between sidewalk connections across the entrance drive and the proposed sidewalk to the pedestrian amenity space.

TRASH

City Ordinance requires “All trash and trash handling equipment to be stored within the principal structure, within an attached structure accessible from within the principal structure, or totally screened from eye-level view from public streets and adjacent residential properties. If accessory structures are proposed, they shall be constructed of the same building material as the principal structure.”

The applicants have proposed a trash enclosure on the east side of the proposed addition. The trash enclosure, as proposed, would be constructed of “4” Corrugated T15 Metal Wall Panel”, which is also what the rooftop mechanical screening is proposed to be constructed of.

GRADING, DRAINAGE & UTILITIES

The utility, grading and storm water information has been reviewed by the City Engineer and the Public Services Director. There are a few outstanding items which require resolution, but nothing significant enough to preclude the Planning Commission and City Council from reviewing the site plan application. Any recommendation of approval shall require the applicant to work with the City Engineer to revise the grading, drainage, and utility information to the satisfaction of the City prior to any work commencing on site.

INTERLAKEN VILLAGE - Pedestrian Amenity

The subject parcel was included in the original approval and subdivision of Interlaken Village, which consisted of up to 9 commercial parcels on approximately 40 acres. Lot 1 of the development was developed as the Target

store and the first parcel to develop north of Village Way was Lot 1, Block 1, Interlaken Village 2nd Addition, which was the construction of Phase 1 of the TCO project. The remaining parcels are undeveloped. The intention of the other undeveloped parcels was to be a future location of uses consistent with the B-1 zoning district, e.g., retail, service, restaurant, and office.

The Interlaken Village Development included Target as the initial tenant and planned for a larger shopping center type of development, which included other smaller buildings and associated improvements. The approval required an amenity package which included pedestrian trails and walkways extending from the Target site into this property and further included the elements such as tree lined walkways, pergolas, patios and a pedestrian overlook area to the north. As the property is developing in a significantly different manner than what was originally considered TCO submitted a revised plan for pedestrian amenity on the south side of their proposed development. The location would allow the future development sites to the south to connect their future portions of pedestrian amenity to the TCO amenity and meet the original intent of the agreement between the City and Developer. The City Council considered the TCO portion of the plan on Monday, May 15th and approved the pedestrian amenity.

Any future development on Outlot A, Interlaken 3rd Addition and/or Outlot B of Interlaken 2nd Addition will require that the public space/amenity element be addressed prior to City Council approval.

SEWER AVAILABILITY CHARGE (SAC) AND CITY TRUNK FEES

New construction, a new business, a change in location or change in the use of space in a way that creates more potential demand on the wastewater system will require submission to the Metropolitan Council for a Sewer Availability Charge (SAC) determination. The SAC determination made by the Metropolitan Council informs the City sewer and water trunk fees associated with the potential development, redevelopment and/or remodeling of the subject property, location, or business. City Code requires that for every SAC unit determined by the Metropolitan Council, the project will require the payment of one City sewer trunk fee and one City water trunk fee. The SAC and City trunk fees are included below for convenience.

SAC Charge	\$2,485 per SAC unit determined by the Metropolitan Council
Sewer Trunk Fee	\$3,300 per SAC unit determined by the Metropolitan Council
Water Trunk Fee	\$5,100 per SAC unit determined by the Metropolitan Council
Stormwater Trunk Fee	\$11,050 per acre
Stormwater Access Fee	\$1,600 per acre

DESIGN REVIEW - HIGHWAY DISTRICT

City Ordinance requires Design Review with the understanding that “the visual character and historic resources of the City are important attributes of its quality of life.” City Ordinance requires Design Review to be conducted as part of the Site Plan Review process.

The Planning Commission reviewed the plan set provided by the applicant for the Twin Cities Orthopedic and finds that all of the design requirements stated in the Highway Design District have been met.

PRELIMINARY PLAT REVIEW:

SUBDIVISION DESIGN FEATURES

The City of Waconia staff have reviewed the proposed Preliminary Plat application for the Interlaken Village 3rd Addition development drafted by Westwood Professional Services, Inc. and recommend approval of said plat as drafted.

Streets/Access

The existing access via Village Way shall continue to be the access point to the TCO property. The access point is

consistent with previous approvals.

Zoning

The property is zoned B-1, Highway Business District. Specific standards related to this district can be found in 900.05, Subd. 2.F of the City Code.

Easements

Section 1000.06, Subd. Subd. 4 of the City Ordinance requires drainage and utility easements from block to block and lot to lot. The proposed plat appears to conform to City Ordinance requirements. Any approval of the preliminary plat should include a condition of approval requiring a final review and approval by the Public Services Director and the City Engineer to ensure all necessary drainage and utility easements have been satisfactorily included prior to recording of the plat.

Blocks

The block proposed in the Interlaken Village 3rd Addition commercial development is in conformance with the standards set forth in City Ordinance.

Lots

The commercial lot proposed in the Interlaken Village 3rd Addition Preliminary Plat is consistent with the Lot Requirements stated in the B-1, Highway Business District.

Outlots

The proposed plans indicate one (1) outlot being created with the approval of the Interlaken Village 3rd Addition development (Outlot A).

Outlot A - The parcel meets minimum sizing requirements, and it is anticipated it will be developed in a commercial manner consistent with the B-1, Highway Business District Standards.

Public Land Dedication, Open Space

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

The initial Interlaken Village approval required the property owner to pay cash in lieu of land for the platting of the commercial development. Further, the Interlaken Village Developers Agreement indicates "Future platting of the outlot on the Final Plat shall have additional park dedication requirements." If it is determined by the City Council that payment in lieu of land continues to be appropriate, then the applicant shall be required to pay \$5,000 per gross acre as stated in Chapter 1000 of the City Code.

Pedestrian Ways and Trails

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

The City approved a sidewalk and trail plan for Interlaken Village. The trails along the periphery of the development have been constructed and the sidewalks and trails associated with the Target store have been completed. The remaining elements of the sidewalk and trails plan, especially on the north side of Village Way, will require revision and approval based on the proposed TCO Site Plan and Design Review applications. Phase 1 of the TCO project included an internal sidewalk system consistent with City Ordinance, which connects to the sidewalk along Village Way. The proposed addition/development continues the internal sidewalk system and

includes a sidewalk connection to the pedestrian amenity on the southern property line. The future development of Outlot A, INTERLAKEN VILLAGE 3RD ADDITION, and Outlot B, INTERLAKEN VILLAGE 2ND ADDITION will require further modifications to the sidewalk and trail plan to ensure that the pedestrian circulation system meets City Ordinance requirements.

Landscaping

The landscaping of the commercial parcel and each of the outlots will be reviewed and approved as part of the Site Plan and Design Review Applications for each at the time of development. The future landscaping will also need to take into account the required public amenities, which were approved and required as part of Interlaken Village.

Utilities & Stormwater Management

An initial review of the proposed utilities and stormwater management items have been reviewed by the Public Services Director and the City Engineer. An approval of the Interlaken Village 3rd Addition should include a condition of approval requiring final review and approval by the Public Services Director and City Engineer prior to issuance of a building permit for the property.

Interlaken Village Commercial Development - 2006/2007

The subject parcels are included in the original developer's agreement titled "Developer's Agreement for Interlaken Village, City of Waconia, County of Carver, State of Minnesota." All terms and obligations stated as part of this document remain in force and effect in the future development of Outlot A, INTERLAKEN 3RD ADDITION and Outlot B of INTERLAKEN VILLAGE 2ND ADDITION unless modified/revised and approved by the City Council or via approval of a subsequent development agreement for the properties.

FINAL PLAT REVIEW:

The proposed final plat is consistent with the Interlaken Village 3rd Addition Preliminary Plat. The Interlaken Village 3rd Addition Final Plat includes the revised description of one (1) commercial lot and one (1) outlot. The proposed final plat information is consistent with the preliminary plat information and therefore staff recommends approval of the Interlaken Village 3rd Addition Final Plat as proposed with the conditions stated below.

PUBLIC NOTICE/COMMENT

The notices were published in the WACONIA PATRIOT on May 18th, 2023, and posted at Waconia City Hall. Individual notices were mailed to all property owners within 350 feet of the subject parcel. As of the date and time of this report the city has not received any comments regarding the proposed Interlaken Village 3rd Addition plat.

CONCLUSION / RECOMMENDATION

The Planning Commission, at their regular meeting on June 1st, 2023, reviewed the pertinent information, held the required public hearing for the proposed subdivision, and recommended approval of the Site Plan, Design Review and plat applications for 820 Village Way via a 4-0 vote.

If the City Council chooses to approve the Site Plan, Design Review and plat requests, the Planning Commission and 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.
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 work with the City Engineer to revise the grading, drainage and utility information to the satisfaction of the City prior to any work commencing on site.
4. The applicant shall provide the City with a letter of credit to guarantee the proper installation and growth of the approved landscape plan. The letter of credit shall be submitted by the developer prior to obtaining a building permit that is equal to the amount of the required landscaping to be installed in phase 1 of the project. The letter of credit shall be held by the City and must cover one full calendar year subsequent to the installation of said landscaping and must be conditioned upon complete and satisfactory implementation of the approved landscape plan. A subsequent landscaping letter of credit will be required for phase 2 prior to building permit issuance and must also meet the minimum requirements stated above.

5. All indirect costs with the building permit, review, and final plans associated with engineering and administrative costs shall be paid by the applicant/owner.
6. The applicant shall revise the final landscape plan in conformance with the City Ordinance requirements. Specifically, the applicant shall comply with the minimum tree sizing stated in City Code.
7. Pedestrian ramps should be indicated in all locations where sidewalk connects to streets or parking lots and along the accessible route.
8. Crosswalk striping shall be provided between sidewalk connections across the entrance drive and the proposed sidewalk to the pedestrian amenity space.
9. All future signage shall require a sign permit from the City of Waconia. Future monument signage may require an amendment to the Interlaken Village Sign Plan, which requires City Council approval.
10. All future exterior mechanical equipment shall be screened in conformance with City Ordinance requirements.
11. Light poles and standards shall not exceed 35 feet.
12. The Fire Chief shall review and approve the final plans for any required fire access lanes and hydrant placement prior to work commencing on the site.
13. The applicant shall contact the City Community Development Department for a final site inspection when all conditions of approval regarding this application have been completed.
14. Execution of a Developer's Agreement.
15. The applicant shall obtain, if necessary, Carver County Water Management Organization (CCWMO) approval and permitting for erosion control and storm water management. A copy of any approvals or permits shall be submitted prior to any land disturbing activities.
16. The applicant shall obtain, if necessary, a General Construction Stormwater Permit (NPDES) from the Minnesota Pollution Control Agency and submit a copy to the City prior to any land disturbing activities.
17. The easement, watermain, sanitary sewer, grading and storm water issues shall be resolved to the satisfaction of the City Engineer and Public Services Director prior to the issuance of a building permit for the Interlaken Village 3rd Addition development.
18. Compliance with applicable items contained in Chapter 1000 of the City of Waconia Subdivision Ordinance.
19. The future development of Outlot A, Interlaken Village 3rd Addition and Outlot B, Interlaken Village 2nd Addition shall require Site Plan and Design Review at a minimum, and depending upon the proposed improvements may require modifications/amendments to the Interlaken Village developer's agreement or approval of another developer's agreement.
20. The applicant shall be required to pay \$5,000 per gross acre for park dedication as stated in Chapter 1000 of the City Code prior to the issuance of any building permits for Interlaken Village 3rd Addition.

Attachments:

1. [23151res_Approving_Interlaken_Village_3rd_Addition_Prelim_and_Final_Plat.doc](#)
2. [23152res_Approving_Site_Plan_and_Design_Review_for_TCO.docx](#)
3. [Location Map_TCO Project.pdf](#)
4. [TCO Waconia MOB Statement of use.pdf](#)
5. [TCO Waconia Phase II_Preliminary Plans.pdf](#)
6. [TCO Waconia - Expansion - Architectural.pdf](#)
7. [TCO Waconia_Perspectives.pdf](#)
8. [INTERLAKEN VILLAGE 3RD ADDITION FINAL PLAT.pdf](#)

<i>FINANCIAL IMPLICATIONS:</i>		<i>ADVISORY BOARD RECOMMENDATIONS:</i>	
Funding Sources & Uses:			
Budget Information:	_____ Budgeted	Planning Commission	
	_____ Non Budgeted	Parks and Recreation Board	
	_____ Amendment Required	Safari Island Advisory Board	
		Other	

**CITY OF WACONIA
RESOLUTION NO. 2023-151**

**RESOLUTION APPROVING THE INTERLAKEN VILLAGE 3RD ADDITION
PRELIMINARY & FINAL PLAT**

WHEREAS, Twin Cities Orthopedics (the “Applicant”) has submitted a preliminary plat application titled Interlaken Village 3rd Addition consisting of one (1) commercial parcel and one (1) outlot pursuant to Chapter 1000 of the Waconia Code of Ordinances; and

WHEREAS, the Applicant has also submitted a final plat application for the Interlaken Village 3rd Addition plat pursuant to Chapter 1000 of the Waconia Code of Ordinances; and

WHEREAS, the property is legally described as Lot 1, Block 1 and Outlot A, Interlaken Village 2nd Addition, Carver County, Minnesota; and

WHEREAS, the Planning Commission conducted a public hearing for the Interlaken Village 3rd Addition Preliminary and Final Plat applications on June 1st, 2023, and received all public comment; and

WHEREAS, the Planning Commission and staff have reviewed the preliminary and final plat applications and recommend approval of the Interlaken Village 3rd Addition Preliminary and Final Plat consisting of one (1) commercial parcel and one (1) outlot subject to the following conditions:

1. The Interlaken Village 3rd Addition Preliminary and Final Plats shall be completed as approved and as conditionally revised by the Planning Commission and the City Council.
2. All applicable permits are applied for by the applicant with all supporting documentation and issued prior to the start of construction.
3. Execution of a Developer’s Agreement.
4. The applicant shall obtain, if necessary, Carver County Water Management Organization (CCWMO) approval and permitting for erosion control and storm water management. A copy of any approvals or permits shall be submitted prior to any land disturbing activities.
5. The applicant shall obtain, if necessary, a General Construction Stormwater Permit (NPDES) from the Minnesota Pollution Control Agency and submit a copy to the City prior to any land disturbing activities.
6. The easement, watermain, sanitary sewer, grading and storm water issues shall be resolved to the satisfaction of the City Engineer and Public Services Director prior to the issuance of a building permit for the Interlaken Village 3rd Addition development.
7. Compliance with applicable items contained in Chapter 1000 of the City of Waconia Subdivision Ordinance.
8. The future development of Outlot A, Interlaken Village 3rd Addition and Outlot B, Interlaken Village 2nd Addition shall require Site Plan and Design Review at a minimum, and depending upon the proposed improvements may require modifications/amendments to the Interlaken Village developer’s agreement or approval of another developer’s agreement.
9. The applicant shall be required to pay \$5,000 per gross acre for park dedication as stated in Chapter 1000 of the City Code prior to the issuance of any building permits for Interlaken Village 3rd Addition.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Waconia hereby approves the Interlaken Village 3rd Addition Preliminary and Final Plat subject to the findings noted above.

Adopted by the City Council of the City of Waconia this 20th day of June, 2023.

Nicole Waldron, Mayor

Attest: _____
Jacqueline Schulze, City Clerk

**CITY OF WACONIA
RESOLUTION 2023-152**

**RESOLUTION APPROVING SITE PLAN & DESIGN REVIEW FOR THE PROPERTY
LOCATED AT 820 VILLAGE WAY**

WHEREAS, Twin Cities Orthopedics (the “**Applicant**”), has submitted a Site Plan & Design Review application for the property located at 820 Village Way (the “**Property**”) pursuant to Section 900.12 of the City Zoning Code; and

WHEREAS, the subject parcel is described as Lot 1, Block 1 and Outlot A, INTERLAKEN VILLAGE 2ND ADDITION and identified as PID#s 753240010 and 753240020; and

WHEREAS, the Property is zoned for B-1, Highway Business District and is located within the Highway Design Standards District; and

WHEREAS, the Applicant is proposing the construction of an 35,500 square foot addition to the existing 18,938 square foot sports performance building; and

WHEREAS, the City’s Planning Commission, at their regular meeting on June 1st, 2023, recommended approval of the Site Plan & Design Review application via a 4-0 vote with the following conditions:

1. The proposed improvements shall be completed as approved and as conditionally revised by the Planning Commission and the City Council.
2. All applicable permits are applied for by the applicant with all supporting documentation and issued prior to the start of construction.
3. The applicant shall work with the City Engineer to revise the grading, drainage and utility information to the satisfaction of the City prior to any work commencing on site.
4. The applicant shall provide the City with a letter of credit to guarantee the proper installation and growth of the approved landscape plan. The letter of credit shall be submitted by the developer prior to obtaining a building permit that is equal to the amount of the required landscaping to be installed in phase 1 of the project. The letter of credit shall be held by the City and must cover one full calendar year subsequent to the installation of said landscaping and must be conditioned upon complete and satisfactory implementation of the approved landscape plan. A subsequent landscaping letter of credit will be required for phase 2 prior to building permit issuance and must also meet the minimum requirements stated above.
5. All indirect costs with the building permit, review, and final plans associated with engineering and administrative costs shall be paid by the applicant/owner.
6. The applicant shall revise the final landscape plan in conformance with the City Ordinance requirements. Specifically, the applicant shall comply with the minimum tree sizing stated in City Code.
7. Pedestrian ramps should be indicated in all locations where sidewalk connects to streets or parking lots and along the accessible route.
8. Crosswalk striping shall be provided between sidewalk connections across the entrance drive and the proposed sidewalk to the pedestrian amenity space.

9. All future signage shall require a sign permit from the City of Waconia. Future monument signage may require an amendment to the Interlaken Village Sign Plan, which requires City Council approval.
10. All future exterior mechanical equipment shall be screened in conformance with City Ordinance requirements.
11. Light poles and standards shall not exceed 35 feet.
12. The Fire Chief shall review and approve the final plans for any required fire access lanes and hydrant placement prior to work commencing on the site.
13. The applicant shall contact the City Community Development Department for a final site inspection when all conditions of approval regarding this application have been completed.

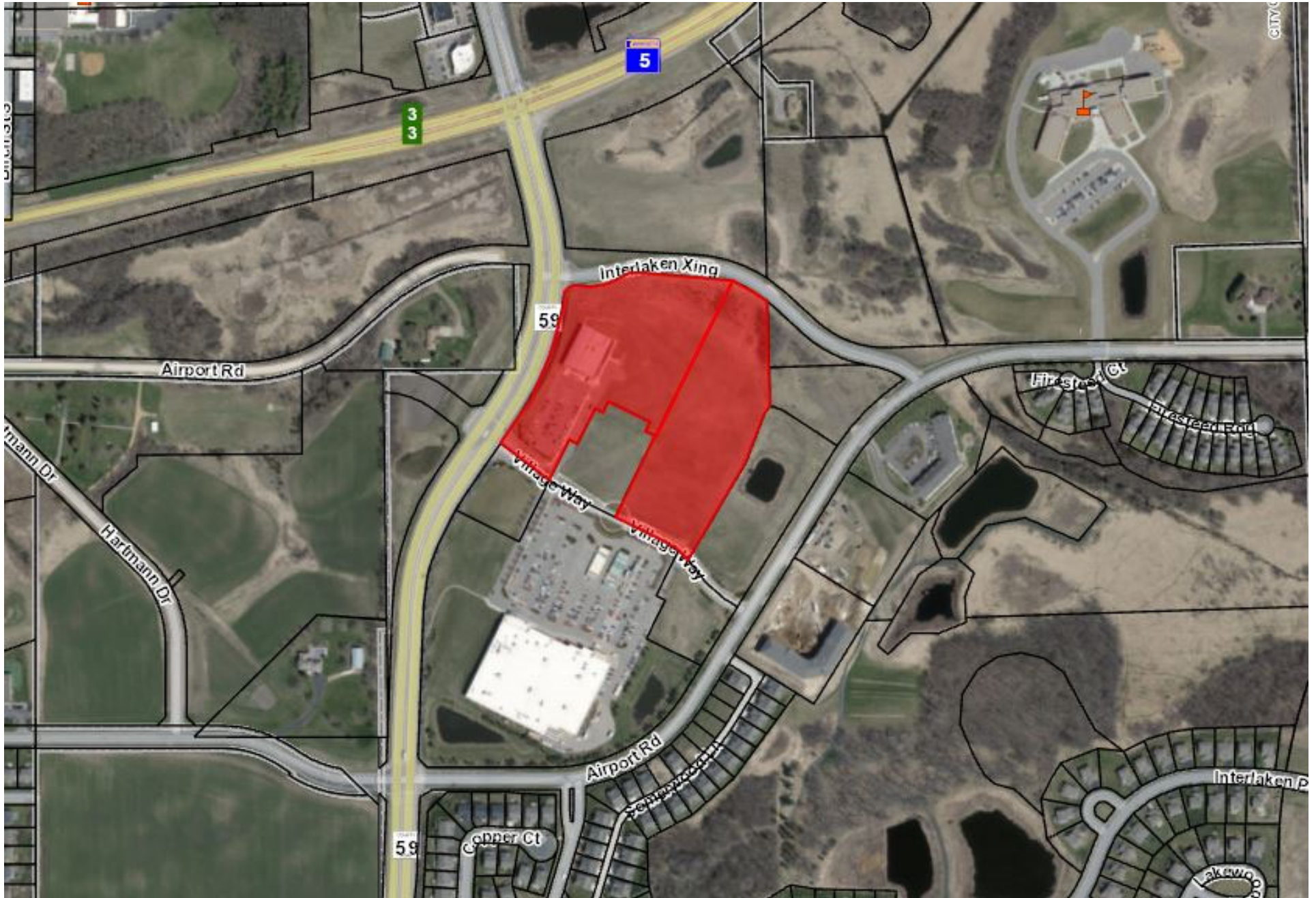
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Waconia hereby approves the Site Plan & Design Review plan set submitted by Twin Cities Orthopedics for the property located at 820 Village Way subject to the conditions, findings and recommendations of the Planning Commission and staff stated above.

Adopted by the City Council of the City of Waconia this 20th day of June, 2023.

Nicole Waldron, Mayor

ATTEST: _____
Jacqueline Schulze, City Clerk

LOCATION MAP



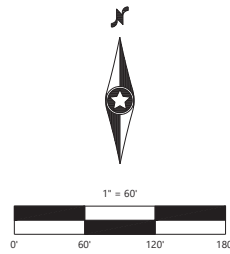
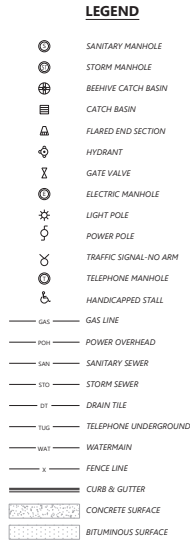
To Whom It May Concern:

The Twin Cities Orthopedics Waconia Facility will include a state of the art orthopedic clinic, orthopedic urgent care, and an 1.5T MRI. Other programs within the facility include prosthetics and orthotics along with prosthetics lab. These services are conducted in a 1:1 provider to patient ratio. The Facility will also expand athletic medicine, sports performance, and personal training.

The primary business will occur between the hours of 7 a.m. to 5:30 p.m. Monday through Friday; however, the Orthopedic Urgent Care will be open 8:00 am to 8:00 pm seven days a week. The MRI could also be open on Saturdays if needed.

Twin Cities Orthopedics would expect to have up to 50 - 70 employees at the Facility in a given day. We expect around 350 total patients a day.

Sincerely: Keith Heimer
 Director Facilities and Construction



Lot 1, Block 1 and Outlot A, INTERLAKEN VILLAGE 2ND ADDITION, Carver County, Minnesota.

1. This survey was prepared using First American Title Insurance Company, Title Commitment Number NCS-1165663-MPLS having an effective date of February 08, 2023 at 7:30 A.M.
2. The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area surveyed. The surveyor does not warrant that the underground utilities shown are in the exact location indicated although the surveyor does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities. (Gopher State One Call ticket number: 223261156)
3. Bearings of property lines shown herein are based on the Carver County coordinate system, (NAD 83 - 96 Control Adjustment).
4. Lengths of lines and distances between features are measured in US Survey Feet.

PROPOSED LOT 1, BLOCK 1 = 470,405 Square Feet /10.80 Acres
PROPOSED OUTLOT A = 102,871 Square Feet / 2.36 Acres
TOTAL PROPERTY = 573,276 Square Feet / 13.16 Acres

TCO Real Estate fund 2 LLC
4200 Dahlberg Dr. Ste. 300
Golden Valley MN 55422

Waconia Interlaken OVA LLC
6600 France Avenue S. Ste. 1
Edina, MN 55435

Twin Cities Orthopedic
4200 W. Dahlgren Dr., Ste. 300
Phone: 952-442-2163

*Westwood Professional Services
12701 Whitewater Drive, Suite 300,
Minnetonka, Minnesota 55343
Phone: 952-937-5150*

CHECKED: CNA	REVISIONS
DRAWN: RNY	
FIELD CREW	
FIELD WORK DATE:	

TWIN CITIES ORTHOPEDIC

820 VILLAGE WAY
Waconia, MN

Westwood

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

Westwood Professional Services, Inc.

PRELIMINARY PLAT OF
INTERLAKEN VILLAGE 3RD
ADDITION

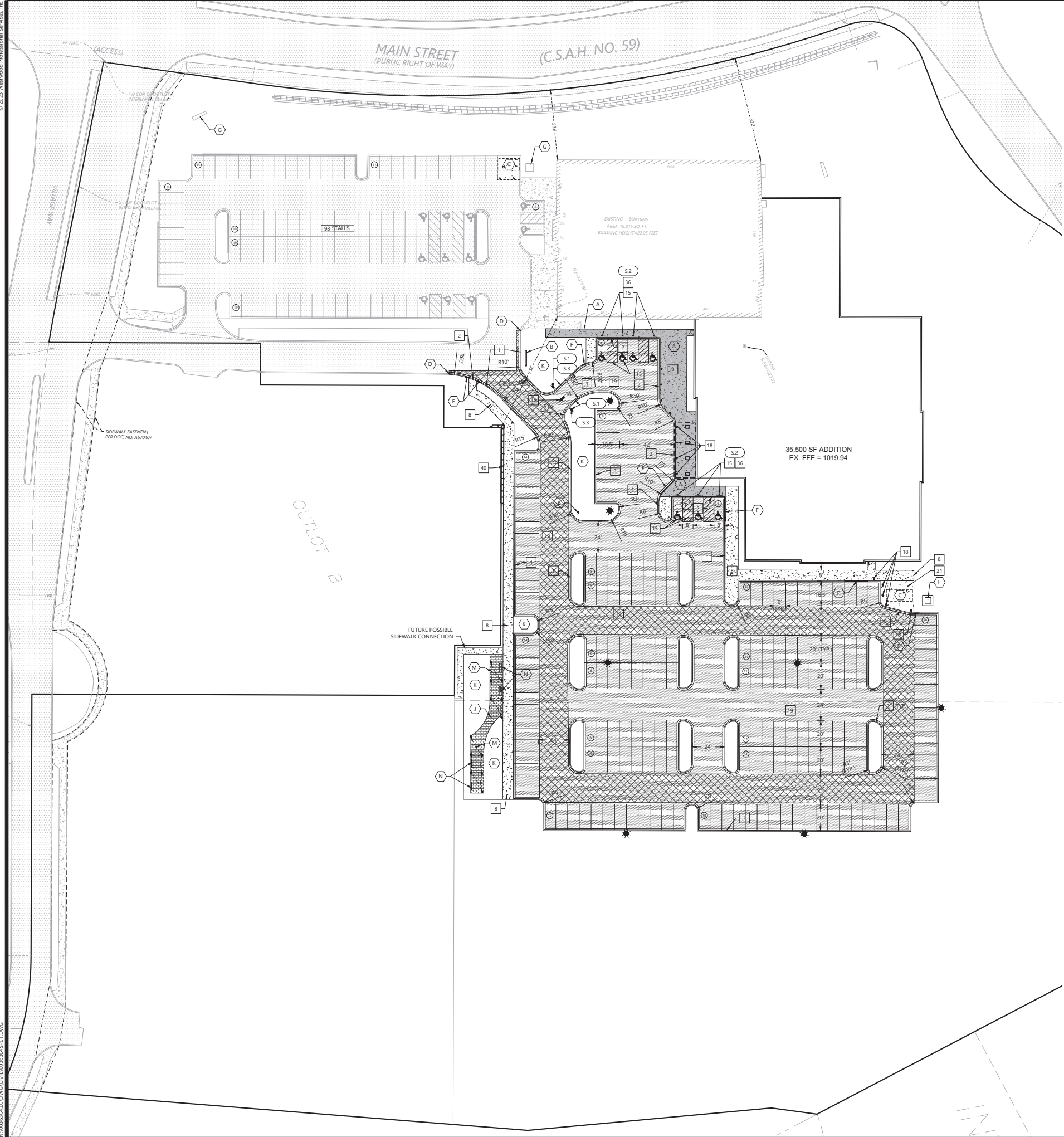
OF
BRD

PROJECT NUMBER: 0036304

SHEET NUMBER:
1 OF

DATE: 03/30/2023

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SITE LEGEND		
EXISTING	PROPOSED	
		PROPERTY LINE
		LOT LINE
		SETBACK LINE
		EASEMENT LINE
		CURB AND GUTTER
		TIP-OUT CURB AND GUTTER
		TRANSITION CURB
		RETAINING WALL
		FENCE
		CONCRETE PAVEMENT
		CONCRETE SIDEWALK
		HEATED CONCRETE SIDEWALK
		NORMAL DUTY BITUMINOUS PAVEMENT
		NORMAL DUTY BITUMINOUS PAVEMENT
		NUMBER OF PARKING STALLS
		TRANSFORMER
		SITE LIGHTING
		TRAFFIC SIGN
		POWER POLE
		BOLLARD / POST

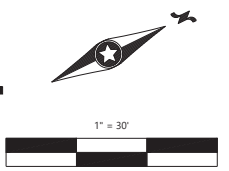
- GENERAL SITE NOTES**
- BACKGROUND INFORMATION FOR THIS PROJECT PROVIDED BY WESTWOOD PROFESSIONAL SERVICES, MINNETONKA, MN, 12/02/2022.
 - LOCATIONS AND ELEVATIONS OF EXISTING TOPOGRAPHY AND UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY SITE CONDITIONS AND UTILITY LOCATIONS PRIOR TO EXCAVATION/CONSTRUCTION. IF ANY DISCREPANCIES ARE FOUND, THE ENGINEER SHOULD BE NOTIFIED IMMEDIATELY.
 - REFER TO BOUNDARY SURVEY FOR LOT BEARINGS, DIMENSIONS AND AREAS.
 - ALL DIMENSIONS ARE TO FACE OF CURB OR EXTERIOR FACE OF BUILDING UNLESS OTHERWISE NOTED.
 - REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS AND LOCATIONS OF EXITS, RAMPS, AND TRUCK DOCKS.
 - ALL CURB RADII ARE SHALL BE 3.0 FEET (TO FACE OF CURB) UNLESS OTHERWISE NOTED.
 - ALL CURB AND GUTTER SHALL BE B612 UNLESS OTHERWISE NOTED.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGGERS AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE CITY AND ENGINEER PRIOR TO PLACEMENT. TRAFFIC CONTROL DEVICES SHALL CONFORM TO APPROPRIATE MNDOT STANDARDS.
 - BITUMINOUS PAVEMENT AND CONCRETE SECTIONS TO BE IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER.
 - CONTRACTOR SHALL MAINTAIN FULL ACCESS TO ADJACENT PROPERTIES DURING CONSTRUCTION AND TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES.
 - SITE LIGHTING SHOWN ON PLAN IS FOR REFERENCE ONLY. REFER TO LIGHTING PLAN PREPARED BY OTHERS FOR SITE LIGHTING DETAILS AND PHOTOMETRICS.

SITE DEVELOPMENT SUMMARY	
ZONING:	B-1, HIGHWAY BUSINESS DISTRICT
PARCEL DESCRIPTION:	LOT 1, BLOCK 1 AND OUTLOT A, INTERLAKEN VILLAGE 2ND ADDITION, CARVER COUNTY, MINNESOTA
PROPERTY AREA:	470,404 SF (10.80 AC)
PERVIOUS SURFACE:	276,164 SF (59.7%)
IMPERVIOUS SURFACE(RATIO):	194,240 SF (41.3%)
BUILDING GROSS SIZE:	54,438 SF
EXISTING:	18,938 SF
PROPOSED EXPANSION:	35,500 SF
BUILDING SETBACK PER CODE:	25'-FRONT 15'-SIDE / 20'-SIDE TO ROW 20'-REAR
PARKING SPACE/DRIVE AISLE:	9' WIDE X 20' LONG, 24' AISLE MIN. LENGTH MAY BE DECREASED BY 1.5' WHEN BUMPER OVERHANG IS AVAILABLE
PARKING RATIO REQUIREMENT	CITY OF WACONIA
MEDICAL/HEALTH FACILITY:	3 SPACES + 1 SPACE / 200 SF OF BLDG
TOTAL SPACES REQUIRED:	3 + (18,938 + 35,500) / 200 = 275.2 SPACES
PARKING PROVIDED:	93 STALLS
EXISTING PARKING:	193 STALLS
PROPOSED PARKING:	286 SPACES
TOTAL PROPOSED PARKING:	286 SPACES
ADA STALLS PROVIDED:	18 STALLS

- 1 SITE DETAILS (SI-0XX)**
- B612 CURB AND GUTTER
 - FLUSH CURB AND GUTTER
 - PRIVATE CONCRETE SIDEWALK
 - PRIVATE PEDESTRIAN CURB RAMP
 - PRIVATE PARALLEL PEDESTRIAN CURB RAMP
 - CROSS WALK STRIPING
 - TRAFFIC ARROW
 - HANDICAP ACCESSIBLE SIGNAGE AND STRIPING
 - BOLLARD
 - PAVEMENT SECTIONS
 - HEAVY DUTY CONCRETE SECTION
 - SIGN POST WITH BOLLARD
 - MODULAR BLOCK RETAINING WALL

- A KEY NOTES**
- A HEATED CONCRETE - SEE ARCH PLANS, CONFIRM LIMITS
B DIRECTIONAL SIGN - SEE ARCH PLANS
C TRASH ENCLOSURE - SEE ARCH PLANS
D MATCH EXISTING CURB & GUTTER
E MATCH EXISTING PAVEMENT
F TRANSITION CURB
G EXISTING TRANSFORMER
H EXISTING MONUMENT SIGN
J STAMPED CONCRETE - SEE ARCH PLANS
K PLANTED AREA
L TRANSFORMER LOCATION
M SHADE CANOPY - SEE ARCH PLANS
N BENCH - SEE ARCH PLANS

SIGN LEGEND		
REFERENCE	SIZE	MNDOT DESIGNATION
S.1	30" X 30"	R1-1
S.2	12" X 18"	R7-8M
S.3	30" X 30"	RS-1



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

DESIGNED	04/07/2023
CHECKED	05/09/2023
DRAWN	CITY RESUBMITAL
DATE	05/09/2023
PROJECT	6442 CITY WEST PARKWAY SUITE 300
LOCATION	EDEN PRAIRIE, MN 55344

PREPARED FOR:
SPERIDES REINERS ARCHITECTS, INC.
6442 CITY WEST PARKWAY SUITE 300
EDEN PRAIRIE, MN 55344

DESIGNED BY: SHARITVYNN S. AHRENS
DATE: 05/09/2023
LICENSE NO. _____

TCO WACONIA PHASE II
WACONIA, MN

Westwood
Professional Services, Inc.
10270 W. Highway 100, Suite #1200
Minnetonka, MN 55345
Phone: (763) 533-4400
Fax: (763) 533-4400
Email: info@westwoodps.com
www.westwoodps.com

SITE PLAN

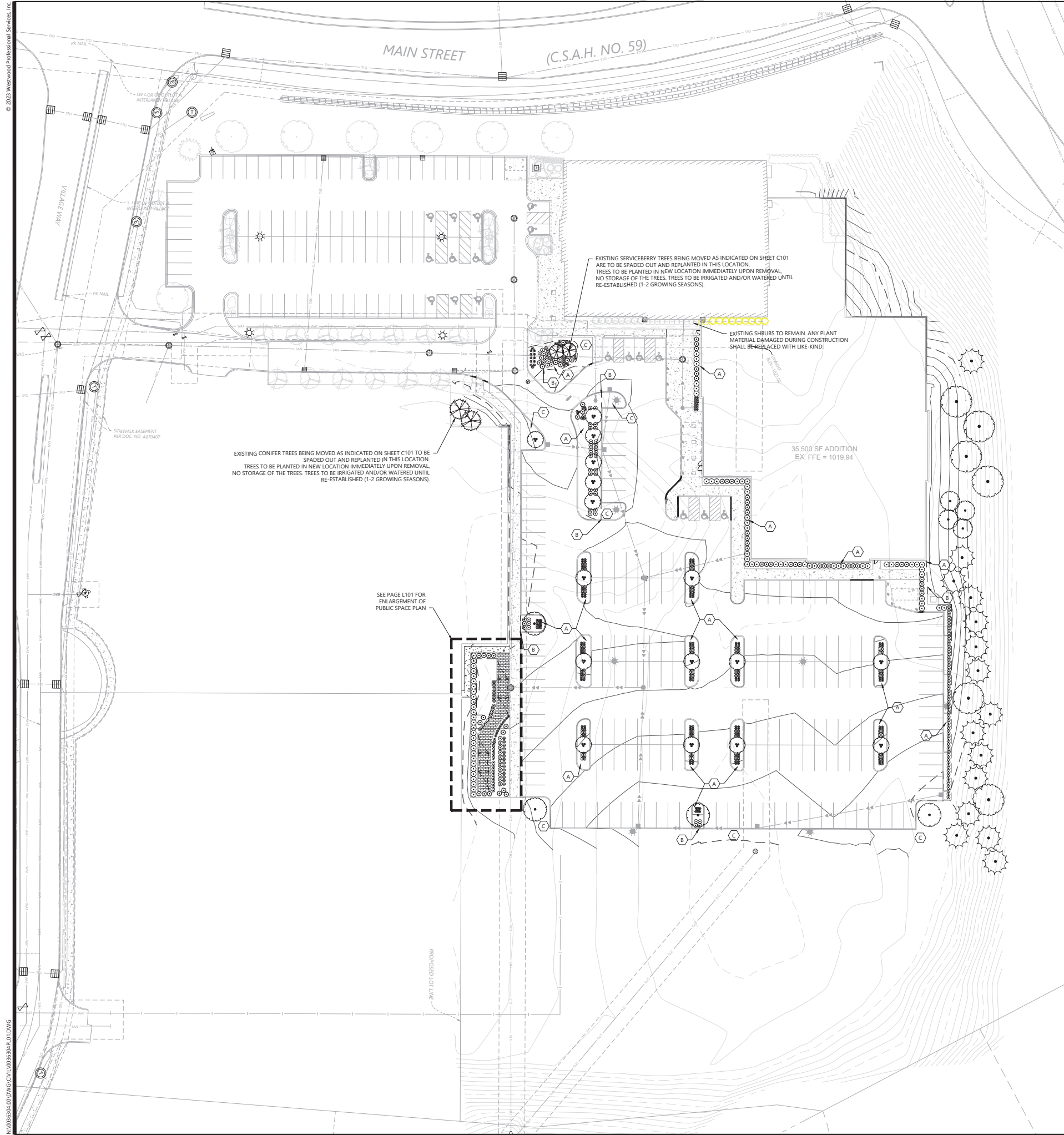
SHEET NUMBER:

C200

DATE: 05/09/2023

PROJECT NUMBER: 0036304.00

TCO WACONIA PHASE II



CONIFEROUS TREES	15	COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
BHS		BLACK HILLS WHITE SPRUCE / PICEA GLAUCA 'DENSATA'	6' HT B&B	AS SHOWN
WHP		WHITE PINE / PINUS STROBUS	6' HT B&B	AS SHOWN
DECIDUOUS TREES	10	COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
SGM		SIENNA GLEN® MAPLE / ACER X FREEMANI 'SIENNA'	2.5" CAL	AS SHOWN
BOL		BOULEVARD AMERICAN LINDEN / TILIA AMERICANA 'BOULEVARD'	2.5" CAL	AS SHOWN
ORNAMENTAL TREES	20	COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
ALS		ALLEGHENY SERVICEBERRY MULTI-TRUNK / AMELANCHIER LAEVIS	6' HT B&B	AS SHOWN
QUA		QUAKING ASPEN / POPULUS TREMULOIDES	2.5" CAL	AS SHOWN
CONIFEROUS SHRUBS	62	COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
MJJ		MINT JULEP® JUNIPER / JUNIPERUS CHINENSIS 'MONLEP'	#5 CONT.	4'-0" O.C.
ARI		ARCADIA JUNIPER / JUNIPERUS SABINA 'ARCADIA'	#5 CONT.	4'-0" O.C.
HMP		HONEY BUN MUGO PINE / PINUS MUGO 'HONEY BUN'	#5 CONT.	4'-0" O.C.
DECIDUOUS SHRUB	179	COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
AFD		ARCTIC FIRE® RED TWIG DOGWOOD / CORNUS SERICEA 'FARROW'	#5 CONT.	4'-0" O.C.
DBH		DWARF BUSH HONEYSUCKLE / DIERILLA LONICERA	#5 CONT.	3'-0" O.C.
CAV		BAILEY'S COMPACT AMERICAN CRANBERRYBUSH / VIBURNUM TRILOBUM 'BAILEY COMPACT'	#5 CONT.	4'-0" O.C.
ANNUALS/PERENNIALS	279	COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
BJD		BAJA DAYLILY / HEMEROCALLIS X 'BAJA'	#1 CONT.	24" O.C.
KOG		KOBOLD BLAZING STAR / LIATRIS SPICATA 'KOBOLD'	#1 CONT.	18" O.C.
RUS		RUSSIAN SAGE / PEROVSKIA ATRIPLICIFOLIA	#1 CONT.	3'-0" O.C.
BES		GOLDSTURM BLACK EYED SUSAN / RUDBECKIA FULGIDA SULLIVANTH 'GOLDSTURM'	#1 CONT.	24" O.C.
GRASSES	129	COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
KFG		KARL FOERSTER FEATHER REED GRASS / CALAMAGROSTIS X ACUTIFOLIA 'KARL FOERSTER'	#1 CONT.	24" O.C.
BLB		BLAZE LITTLE BLUESTEM / SCHIZACHYRIUM SCOPARIUM 'BLAZE'	#1 CONT.	18" O.C.

NOTE: QUANTITIES ON PLAN SUPERSEDE LIST QUANTITIES IN THE EVENT OF A DISCREPANCY.

The diagram illustrates six types of tree symbols used in landscape architecture, arranged in two columns. Each symbol is accompanied by its name in all caps.

- OVERSTORY DECIDUOUS TREE:** A large circle with a small solid black dot in the center and a wavy, irregular outer edge.
- ORNAMENTAL TREE:** A medium-sized circle with a small solid black dot in the center and a wavy, irregular outer edge.
- SHRUBS:** A small circle with a small solid black dot in the center and a wavy, irregular outer edge.
- PERENNIALS:** A small circle with a small solid black dot in the center and a wavy, irregular outer edge.
- EDGER:** A small circle with a small solid black dot in the center and a wavy, irregular outer edge.
- RELOCATED CONIFEROUS TREE:** A large circle with a small solid black dot in the center and a wavy, irregular outer edge.
- RELOCATED ORNAMENTAL TREE:** A medium-sized circle with a small solid black dot in the center and a wavy, irregular outer edge.

A SHREDDED HARDWOOD MULCH (TYP.)
B EDGER (TYP.)
C SOD (TYP.)

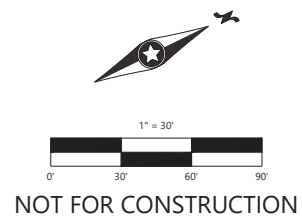
CANOPY/EVERGREEN TREE REQUIREMENT

1 CANOPY/EVERGREEN TREE PER 1000 SF OF GROSS BUILDING FLOOR AREA (35,500/1000= 35.5 TREES)

TREES REQUIRED= 36

TREES PROVIDED= 45 (15 PROPOSED CONIFEROUS TREES + 10 PROPOSED DECIDUOUS TREES
+20 PROPOSED ORNAMENTAL TREES)

*PARKING LOT LANDSCAPE- 1 LANDSCAPED ISLAND PER 16 STALLS OVER 100 STALLS.



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

DESIGNED: _____	_____
CHECKED: _____	_____
DRAWN: _____	_____
HORIZONTAL SCALE: $\frac{1}{4}'' = 1'$	_____
VERTICAL SCALE: $\frac{1}{4}'' = 1'$	_____

PREPARED FOR:
**SPERIDES REINERS ARCHITECTS,
INC.**
6442 CITY WEST PARKWAY SUITE 300
EDEN PRAIRIE, MN 55344

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME
 OR UNDER MY DIRECT SUPERVISION AND THAT I AM A
 DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS
 OF THE STATE OF MINNESOTA.

 JEFF R. WESTENDORF
 DATE 05/09/2023 LICENSE NO. _____

TCO WACONIA PHASE II
WACONIA, MN

Westwood

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
Fax (952) 937-5822 Minneapolis, MN 55413
Toll Free (800) 937-5150 westwoodpe.com
Westwood Professional Services, Inc.

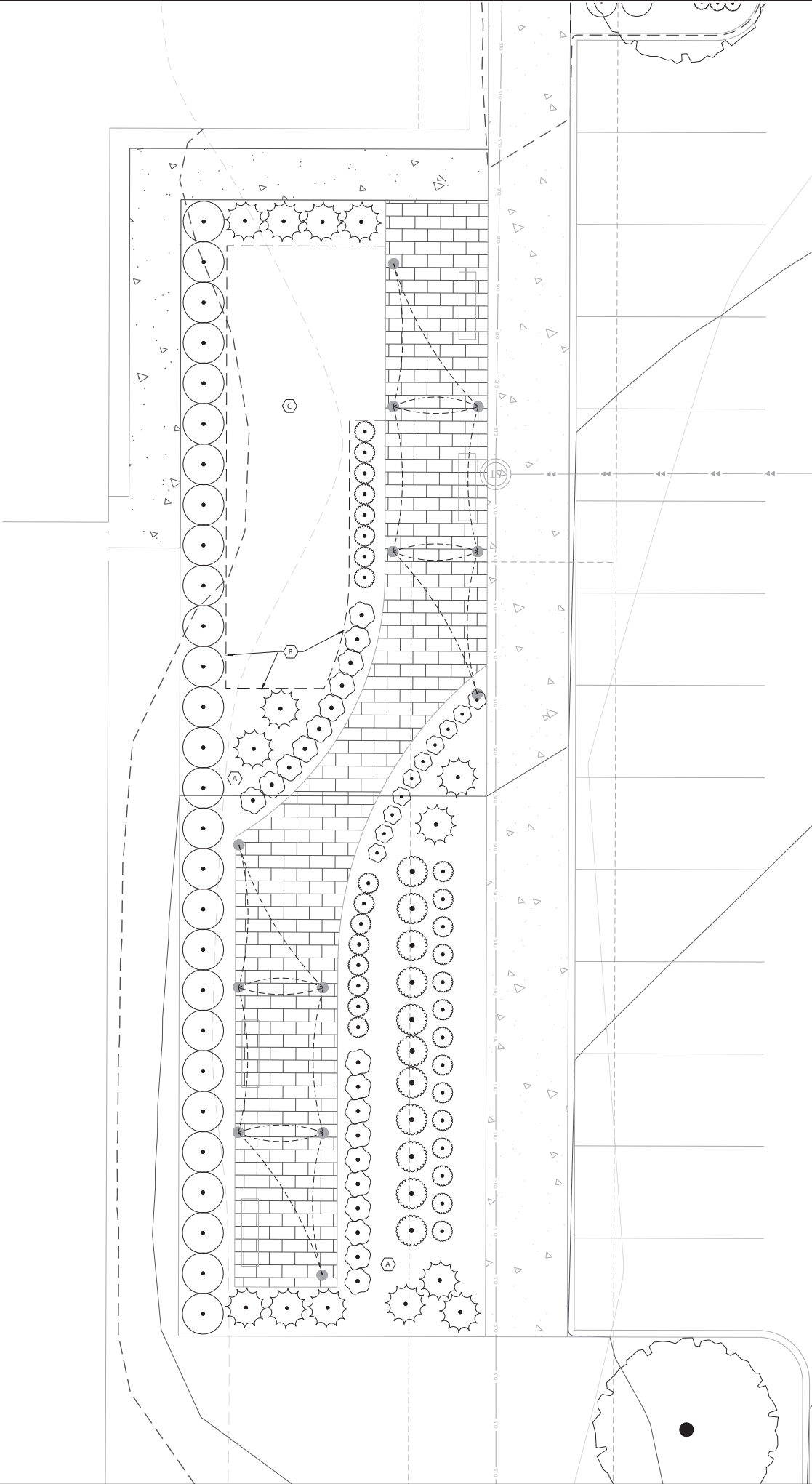
LANDSCAPE PLAN

SHEET NUMBER:

L100

DATE: 05/09/2023

PROJECT NUMBER: 0036304.00



PLANT SCHEDULE

SGM	SIENNA GLEN® MAPLE / ACER X FREEMANII 'SIENNA'	2.5" CAL	AS SHOWN
BOL	BOULEVARD AMERICAN LINDEN / TILIA AMERICANA 'BOULEVARD'	2.5" CAL	AS SHOWN
ORNAMENTAL TREES	COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
ALS	ALLEGHENY SERVICEBERRY MULTI-TRUNK / AMELANCHIER LAEVIS	6' HT B&B	AS SHOWN
QUA	QUAKING ASPEN / POPULUS TREMULOIDES	2.5" CAL	AS SHOWN
CONIFEROUS TREES	COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
BHS	BLACK HILLS WHITE SPRUCE / PICEA GLAUCA 'DENSATA'	6' HT B&B	AS SHOWN
WHP	WHITE PINE / PINUS STROBUS	6' HT B&B	AS SHOWN
DECIDUOUS TREES	COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
ANNUALS/PERENNIALS	COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
BID	BAJA DAYLILY / HEMEROCALLIS X 'BAJA'	#1 CONT	24" O.C.
KOG	KOBOLD BLAZING STAR / LIATRIS SPICATA 'KOBOLD'	#1 CONT	18" O.C.

ABBREVIATIONS: B&B = BALLED AND BURLAPPED CAL = CALIPER HT. = HEIGHT MIN. = MINIMUM O.C. = ON CENTER SP. = SPREAD QTY. = QUANTITY
CONT. = CONTAINER

NOTE: QUANTITIES ON PLAN SUPERSEDE LIST QUANTITIES IN THE EVENT OF A DISCREPANCY.

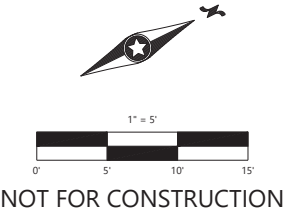
LANDSCAPE LEGEND

- OVERSTORY DECIDUOUS TREE
- ORNAMENTAL TREE
- SHRUBS
- PERENNIALS
- EDGER

LANDSCAPE KEYNOTES A

- A SHREDDED HARDWOOD MULCH (TYP.)
- B EDGER (TYP.)
- C SOD (TYP.)

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811 or call811.com
Common Ground Alliance



DESIGNED	04/07/2023
CHECKED	
DRAWN	CITY NEURUMITAL
DATE	05/09/2023
HORIZONTAL SCALE	
VERTICAL SCALE	

PREPARED FOR:
SPEIDES REINERS ARCHITECTS, INC.
6442 CITY WEST PARKWAY SUITE 300
EDEN PRAIRIE, MN 55344

PROFESSIONAL SEAL
JEFF L. WESTENDORF
DATE 05/09/2023 LICENSE NO. _____

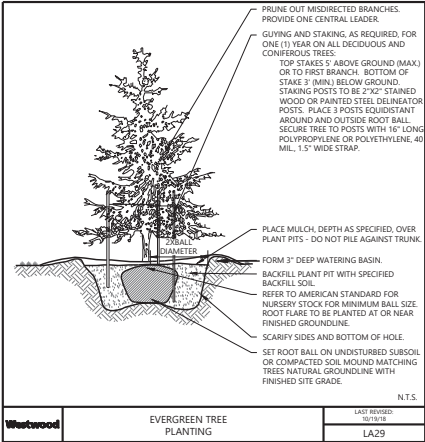
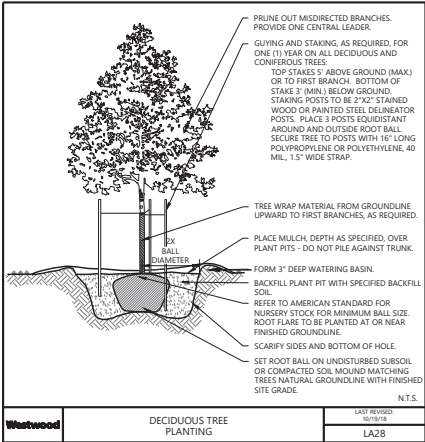
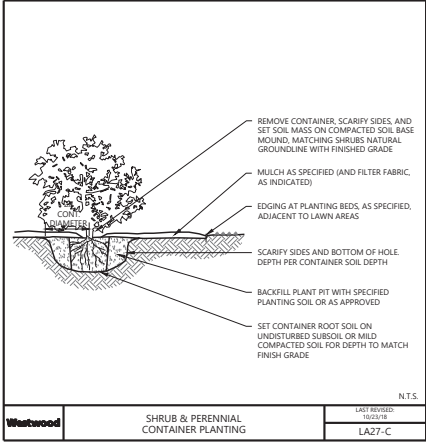
TCO WACONIA PHASE II
WACONIA, MN

Westwood
PROFESSIONAL SERVICES, INC.
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Minnetonka, MN 55345
Phone: (952) 837-9400
Fax: (952) 837-9820
Email: info@westwoodps.com
www.westwoodps.com

**PUBLIC SPACE
LANDSCAPE PLAN**

SHEET NUMBER:
L101
DATE: 05/09/2023
PROJECT NUMBER: 0036304.00

TCO WACONIA PHASE II



PLANTING NOTES

1. CONTRACTOR SHALL CONTACT COMMON GROUND ALLIANCE AT 811 OR CALL811.COM TO VERIFY LOCATIONS OF ALL UNDERGROUND UTILITIES PRIOR TO INSTALLATION OF ANY PLANTS OR LANDSCAPE MATERIAL.
2. ACTUAL LOCATION OF PLANT MATERIAL IS SUBJECT TO FIELD AND SITE CONDITIONS.
3. NO PLANTING WILL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
4. ALL SUBSTITUTIONS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO SUBMISSION OF ANY BID AND/OR QUOTE BY THE LANDSCAPE CONTRACTOR.
5. CONTRACTOR SHALL PROVIDE TWO YEAR GUARANTEE OF ALL PLANT MATERIALS. THE GUARANTEE BEGINS ON THE DATE OF THE LANDSCAPE ARCHITECT'S OR OWNER'S WRITTEN ACCEPTANCE OF THE INITIAL PLANTING. REPLACEMENT PLANT MATERIAL SHALL HAVE A ONE YEAR GUARANTEE COMMENCING UPON PLANTING.
6. ALL PLANTS TO BE SPECIMEN GRADE, MINNESOTA-GROWN AND/OR HARDY. SPECIMEN GRADE SHALL ADHERE TO, BUT IS NOT LIMITED BY, THE FOLLOWING STANDARDS:
ALL PLANTS SHALL BE FREE FROM DISEASE, PESTS, WOUNDS, SCARS, ETC.
ALL PLANTS SHALL BE FREE FROM NOTICEABLE GAPS, HOLES, OR DEFORMITIES.
ALL PLANTS SHALL BE FREE FROM BROKEN OR DEAD BRANCHES.
ALL PLANTS SHALL HAVE HEAVY, HEALTHY BRANCHING AND LEAVING.
CONIFEROUS TREES SHALL HAVE AN ESTABLISHED MAIN LEADER AND A HEIGHT TO WIDTH RATIO OF NO LESS THAN 5:3.
7. PLANTS TO MEET AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1-2014 OR MOST CURRENT VERSION) REQUIREMENTS FOR SIZE AND TYPE SPECIFIED.
8. PLANTS TO BE INSTALLED AS PER MNLA & ANSI STANDARD PLANTING PRACTICES.
9. PLANTS SHALL BE IMMEDIATELY PLANTED UPON ARRIVAL AT SITE. PROPERLY HEEL-IN MATERIALS IF NECESSARY; TEMPORARY ONLY.
10. PRIOR TO PLANTING, FIELD VERIFY THAT THE ROOT COLLAR/ROOT FLAIR IS LOCATED AT THE TOP OF THE BALLED & BURLAP TREE. IF THIS IS NOT THE CASE, SOIL SHALL BE REMOVED DOWN TO THE ROOT COLLAR/ROOT FLAIR. WHEN THE BALLED & BURLAP TREE IS PLANTED, THE ROOT COLLAR/ROOT FLAIR SHALL BE EVEN OR SLIGHTLY ABOVE FINISHED GRADE.
11. OPEN TOP OF BURLAP ON BB MATERIALS; REMOVE POT ON POTTED PLANTS; SPLIT AND BREAK APART PEAT POTS.
12. PRUNE PLANTS AS NECESSARY - PER STANDARD NURSERY PRACTICE AND TO CORRECT POOR BRANCHING OF EXISTING AND PROPOSED TREES.
13. WRAP ALL SMOOTH-BARKED TREES - FASTEN TOP AND BOTTOM. REMOVE BY APRIL 1ST.
14. STAKING OF TREES AS REQUIRED; REPOSITION, PLUMB AND STAKE IF NOT PLUMB AFTER ONE YEAR.
15. THE NEED FOR SOIL AMENDMENTS SHALL BE DETERMINED UPON SITE SOIL CONDITIONS PRIOR TO PLANTING. LANDSCAPE CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT FOR THE NEED OF ANY SOIL AMENDMENTS.
16. BACKFILL SOIL AND TOPSOIL TO ADHERE TO MN/DOT STANDARD SPECIFICATION 387T (SELECT TOPSOIL BORROW) AND TO BE EXISTING TOP SOIL FROM SITE FREE OF ROOTS, ROCKS LARGER THAN ONE INCH, SUBSOIL DEBRIS, AND LARGE WEEDS UNLESS SPECIFIED OTHERWISE. MINIMUM 4" DEPTH TOPSOIL FOR ALL LAWN GRASS AREAS AND 12" DEPTH TOPSOIL FOR TREE, SHRUBS, AND PERENNIALS.
17. MULCH TO BE AT ALL TREE, SHRUB, PERENNIAL, AND MAINTENANCE AREAS. TREE AND SHRUB PLANTING BEDS SHALL HAVE 4" DEPTH OF SHREDDED HARDWOOD MULCH. SHREDDED HARDWOOD MULCH TO BE USED AROUND ALL PLANTS WITHIN TURF AREAS. PERENNIAL AND ORNAMENTAL GRASS BEDS SHALL HAVE 2" DEPTH SHREDDED HARDWOOD MULCH. MULCH TO BE FREE OF DELETERIOUS MATERIAL AND COLORED RED, OR APPROVED EQUAL. ROCK MULCH TO BE BURL Limestone, 1 1/2" TO 3" DIAMETER, AT MINIMUM 5" DEPTH. OR APPROVED EQUAL. ROCK MULCH TO BE ON COMMERCIAL GRADE FILTER FABRIC, BY TYPAR, OR APPROVED EQUAL WITH NO EXPOSURE. MULCH AND FABRIC TO BE APPROVED BY OWNER PRIOR TO INSTALLATION. MULCH TO MATCH EXISTING CONDITIONS (WHERE APPLICABLE).
18. EDGING TO BE COMMERCIAL GRADE VALLEY-VIEW BLACK DIAMOND (OR EQUAL) POLY EDGING OR SPADED EDGE, AS INDICATED. POLY EDGING SHALL BE PLACED WITH SMOOTH CURVES AND STAKED WITH METAL SPIKES NO GREATER THAN 4 FOOT ON CENTER WITH BASE OF TOP BEAD AT GRADE, FOR MOWERS TO CLUT ABOVE WITHOUT DAMAGE. UTILITY CURBS AND SIDEWALKS FOR EDGING WHERE POSSIBLE. SPADED EDGE TO PROVIDE V-SHAPED DEPTH AND WIDTH TO CREATE SEPARATION BETWEEN MULCH AND GRASS. INDIVIDUAL TREE, SHRUB, OR RAIN-GARDEN BEDS TO BE SPADED EDGE, UNLESS NOTED OTHERWISE. EDGING TO MATCH EXISTING CONDITIONS (WHERE APPLICABLE).
19. ALL DISTURBED AREAS TO BE SOODED OR SEEDED, UNLESS OTHERWISE NOTED. PARKING LOT ISLANDS TO BE SOODED WITH SHREDDED HARDWOOD MULCH AROUND ALL TREES AND SHRUBS. SOO TO BE STANDARD MINNESOTA GROWN AND HARDY BLUEGRASS MIX, FREE OF LAWN WEEDS. ALL TOPSOIL AREAS TO BE RAKED TO REMOVE DEBRIS, AND ENSURE DRAINAGE. SLOPES OF 3:1 OR GREATER SHALL BE STAKED. SEED AS SPECIFIED AND PER MN/DOT SPECIFICATIONS. IF NOT INDICATED ON LANDSCAPE PLAN, SEE EROSION CONTROL PLAN.
20. PROVIDE IRRIGATION TO ALL PLANTED AREAS ON SITE. IRRIGATION SYSTEM TO BE DESIGN/BUILD BY LANDSCAPE CONTRACTOR. LANDSCAPE CONTRACTOR TO PROVIDE SHOP DRAWINGS TO LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION OF IRRIGATION SYSTEM. CONTRACTOR TO PROVIDE OPERATION MANUALS, AS-BUILT PLANS, AND NORMAL PROGRAMMING. SYSTEM SHALL BE WINTERIZED AND HAVE SPRING STARTUP DURING FIRST YEAR OF OPERATION. SYSTEM SHALL HAVE ONE-YEAR WARRANTY ON ALL PARTS AND LABOR. ALL INFORMATION ABOUT INSTALLATION AND SCHEDULING CAN BE OBTAINED FROM THE GENERAL CONTRACTOR.
21. CONTRACTOR SHALL PROVIDE NECESSARY WATERING OF PLANT MATERIALS UNTIL THE PLANT IS FULLY ESTABLISHED OR IRRIGATION SYSTEM IS OPERATIONAL. OWNER WILL NOT PROVIDE WATER FOR CONTRACTOR.
22. REPAIR, REPLACE, OR PROVIDE SOO/SEED AS REQUIRED FOR ANY ROADWAY BOULEVARD AREAS ADJACENT TO THE SITE DISTURBED DURING CONSTRUCTION.
23. REPAIR ALL DAMAGE TO PROPERTY FROM PLANTING OPERATIONS AT NO COST TO OWNER.
24. RAIN GARDEN NOTE: PROVIDE AND INSTALL EROSION CONTROL BLANKET AT RAIN GARDEN AREA SIDE SLOPES AFTER ALL PLANTING HAVE BEEN INSTALLED. BLANKET TO BE ONE SEASON GEOLITE, MN/DOT CATEGORY 2 STRAW 15, WOOD FIBER 15, OR APPROVED EQUAL. BLANKET TO BE OVERLAPPED BY 4" AND ANCHORED BY SOO STAPLES. PLACE BLANKET PERPENDICULAR TO THE SLOPE. TRENCH IN EDGES OF BLANKET AREA TO PREVENT UNDER MINING. PROVIDE SALT FENCE AT TOP OF SLOPE AS NEEDED. SHREDDED HARDWOOD MULCH TO MATCH OTHER PROJECT PLANTING MULCH. PLACE 4" DEPTH OF MULCH AT ALL PLANTING AND EROSION CONTROL BLANKET AREA (NO FILTER FABRIC). SEE RAIN GARDEN DETAIL FOR FURTHER INFORMATION. RAIN GARDEN TO PROVIDE PROPER INFILTRATION AND DRAINAGE REQUIREMENTS PER ENGINEERS APPROVAL.

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811 or call811.com
Common Ground Alliance

DESIGNED	04/07/2023
CHECKED	
DRAWN	CITY RELIANT/MTAL
DATE	05/09/2023
HORIZONTAL SCALE	
VERTICAL SCALE	
SHEET NO.	

PREPARED FOR:
SPERIDES REINERS ARCHITECTS, INC.
6442 CITY WEST PARKWAY SUITE 300
EDEN PRAIRIE, MN 55344

DESIGNED BY: JEFF WESTENDORF
DATE: 05/09/2023
CITY RELIANT/MTAL

TCO WACONIA PHASE II
WACONIA, MN

Westwood
Professional Services, Inc.
10771 W. Lake Street, Suite #1200
Minnetonka, MN 55345
Phone: (952) 837-5400
Fax: (952) 837-5400
Email: info@westwoodps.com
www.westwoodps.com

LANDSCAPE DETAILS & NOTES

SHEET NUMBER:

L102

DATE: 05/09/2023

PROJECT NUMBER: 0036304.00

NOT FOR CONSTRUCTION

TCO WACONIA PHASE II

ISSUE RECORD		
ISSUE #	DATE	DESCRIPTION

TCO WACONIA
EXPANSION
820 VILLAGE WAY
WACONIA, MN 55387

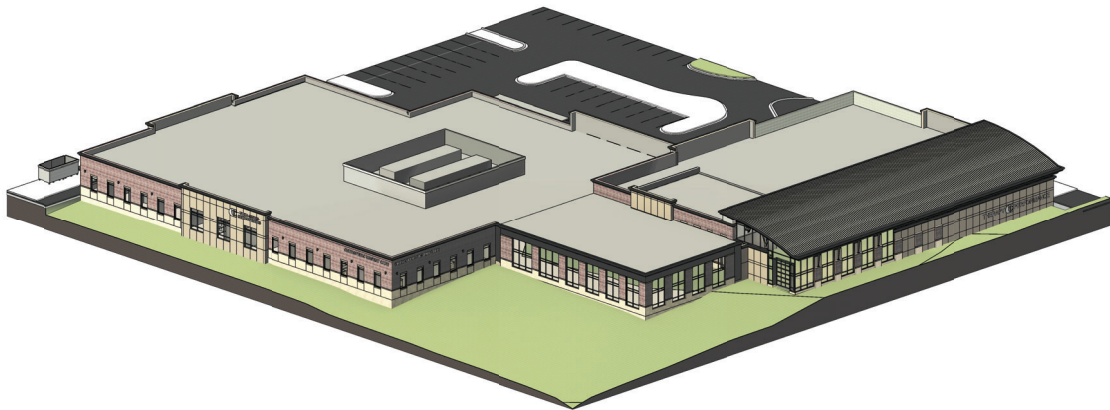
OVERALL FLOOR
PLAN

PROJECT NO: 21-124
DRAWN BY: DK/BW/AO
CHECKED BY: DM

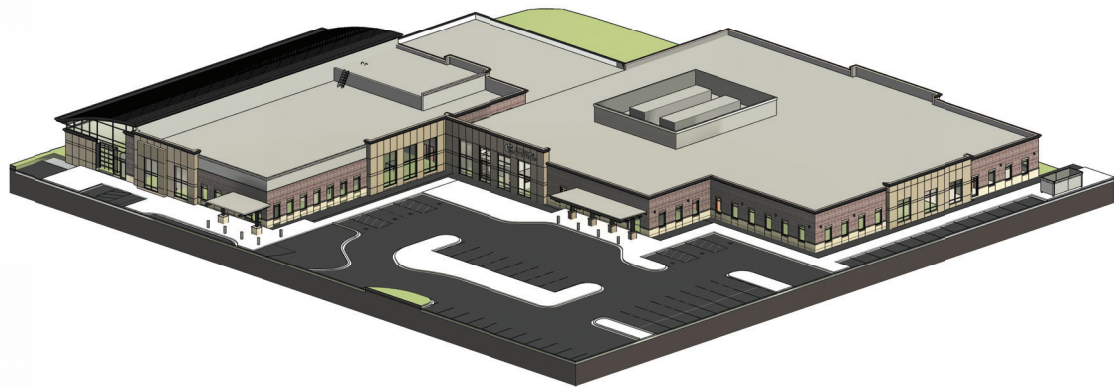
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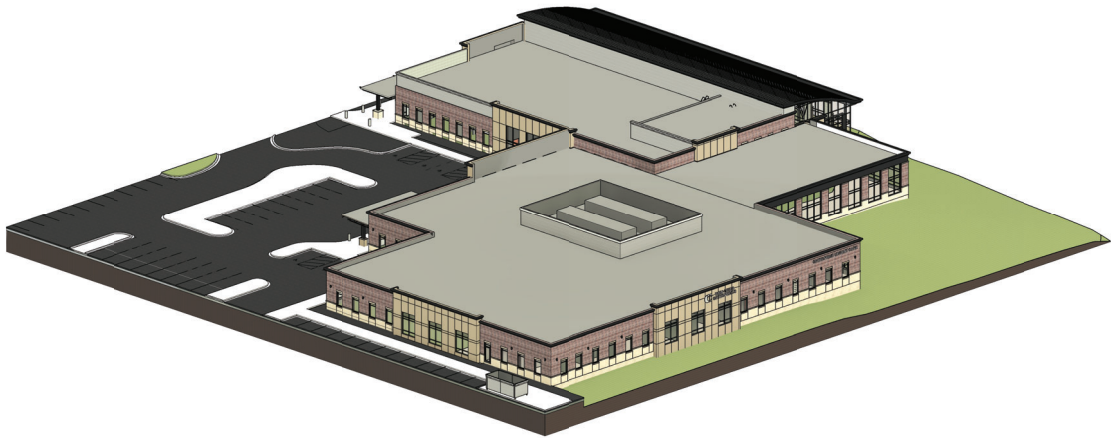




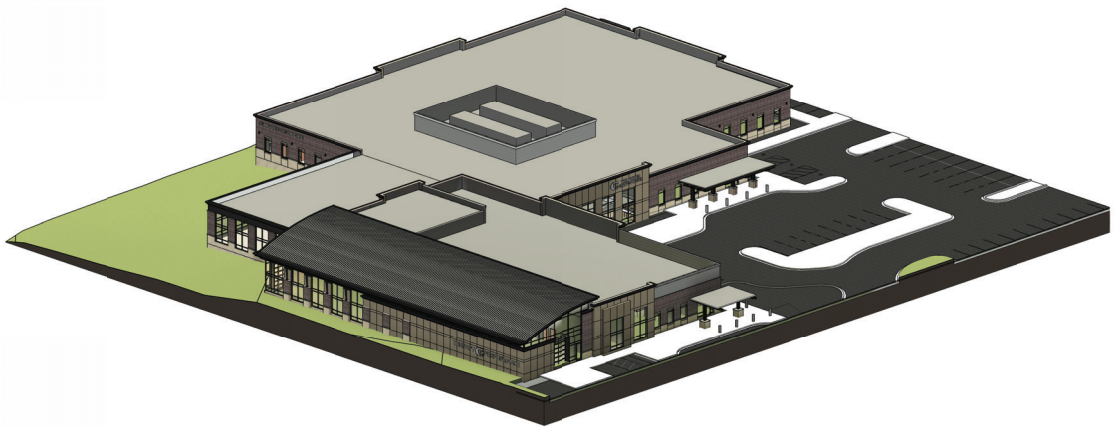
1
A300 AXON - NORTH
SCALE



2
A300 AXON - SOUTH
SCALE



3
A300 AXON - EAST
SCALE



4
A300 AXON - WEST
SCALE

EXTERIOR MATERIAL PALATE



6448 CITY WEST PARKWAY
SUITE 300
WACONIA, MINNESOTA 55344
PH: 953-995-5662
WWW.SBA-MN.COM

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ISSUE #	DATE	DESCRIPTION

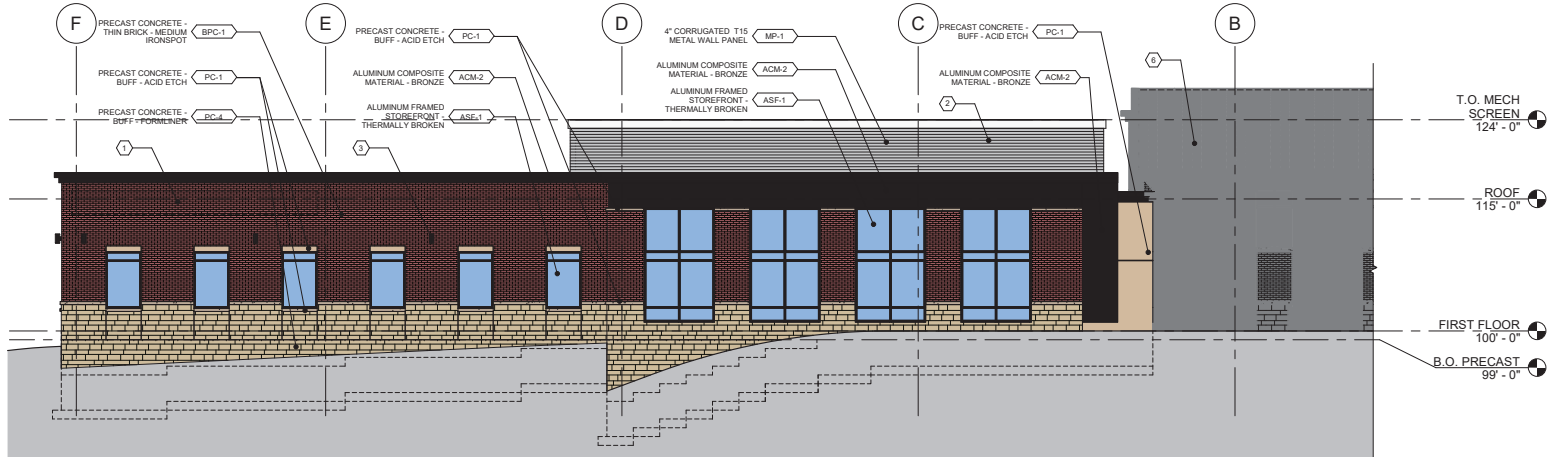
TCO WACONIA
EXPANSION
890 VILLAGE WAY
WACONIA, MN 55387

AXONS

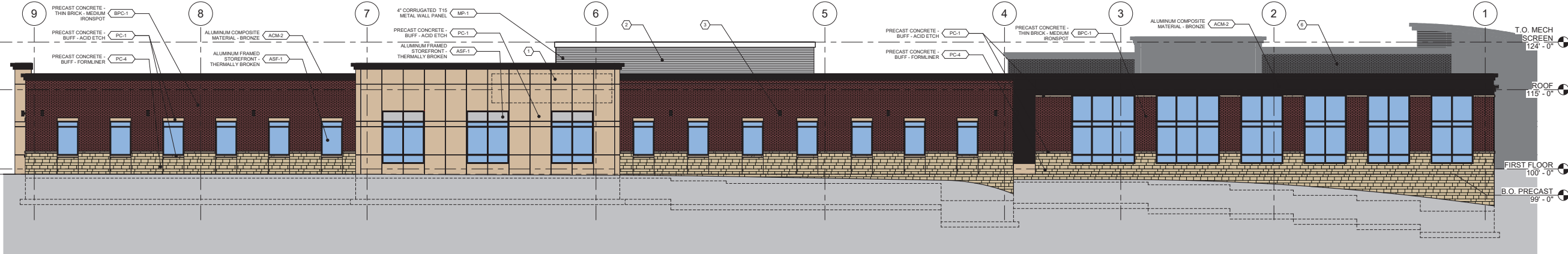
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CHECKED BY: Checker

A300

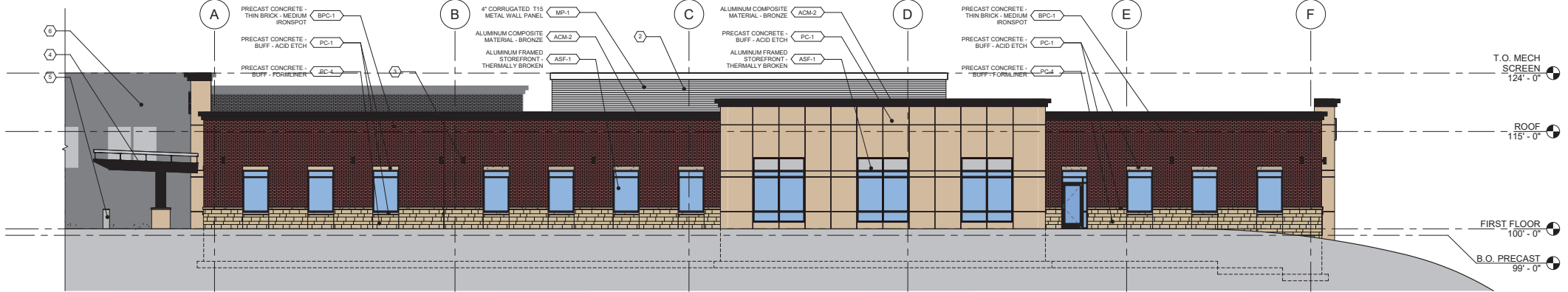
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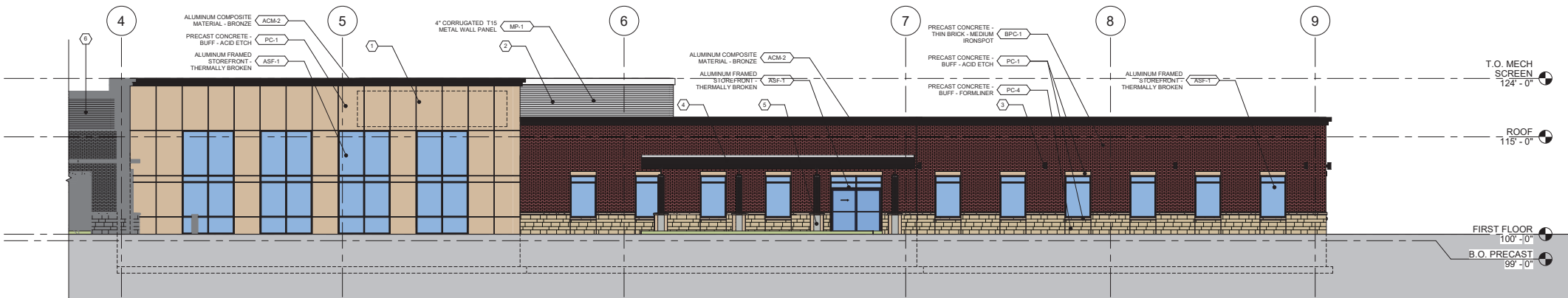
1 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



2 EAST ELEVATION
SCALE: 1/8" = 1'-0"



3 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



4 WEST ELEVATION
SCALE: 1/8" = 1'-0"

EXTERIOR MATERIAL LEGEND								
MATERIAL ID	SPEC SECTION	MATERIAL DESCRIPTION	MANUFACTURER	TYPE	FINISH	COLOR	SIZE	NOTES
ACM-2	074213	ALUMINUM COMPOSITE MATERIAL - BRONZE	EPFO	ACM-2				
ASF-1	084313	ALUMINUM FRAMED STOREFRONT - THERMALLY BROKEN	EPFO	ASF-1				DARK BRONZE MULLIONS
BPC-1	074213	PRECAST CONCRETE - THIN BRICK - MEDIUM IRONSPOT	ENESCOOT	BPC-1				
MP-1	074213	4" CORRUGATED T15 METAL WALL PANEL	PRESTONE	MP-1				OMEGA VR CLASSIC - ANODIZED ALUMINUM
PC-1	034100	PRECAST CONCRETE - BUFF - ACID ETCH	WELLS CONCRETE	PC-1				
PC-4	034100	PRECAST CONCRETE - BUFF - FORMLINER	RECALL FORMLINERS	PC-4				

- EXTERIOR ELEVATION KEYNOTES**
- 1 BUILDING SIGNAGE
 - 2 ROOF TOP SCREEN
 - 3 WALL SOUNGE LIGHT FIXTURE
 - 4 STEEL FABRICATED CANOPY
 - 5 ARCHITECTURAL PRECAST BOLLARD
 - 6 EXISTING BUILDING

NORTH BUILDING MATERIALS	
GLASS: 570 SF (20%)	
BRICK: 980 SF (32%)	
PRECAST: 628 SF (22%)	
METAL PANEL: 728 SF (26%)	
TOTAL: 2,906 SF	
EAST BUILDING MATERIALS	
GLASS: 1,303 SF (22%)	
BRICK: 1,833 SF (31%)	
PRECAST: 1,891 SF (32%)	
METAL PANEL: 807 SF (15%)	
TOTAL: 5,834 SF	
SOUTH BUILDING MATERIALS	
GLASS: 533 SF (15%)	
BRICK: 1,368 SF (39%)	
PRECAST: 1,107 SF (32%)	
METAL PANEL: 497 SF (14%)	
TOTAL: 3,505 SF	
WEST BUILDING MATERIALS	
GLASS: 842 SF (22%)	
BRICK: 1,367 SF (36%)	
PRECAST: 1,248 SF (33%)	
METAL PANEL: 358 SF (9%)	
TOTAL: 3,815 SF	
TOTAL BUILDING MATERIALS	
GLASS: 3,248 SF (20%)	
BRICK: 5,474 SF (34%)	
PRECAST: 4,875 SF (30%)	
METAL PANEL: 2,485 SF (16%)	
TOTAL: 16,082 SF	

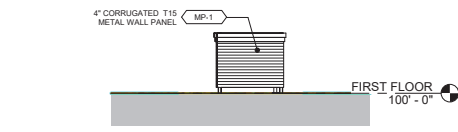
SRA
ARCHITECTURE + INTERIORS

6448 CITY WEST PARKWAY
SUITE 300
MINNETONKA, MINNESOTA 55344
TEL: 953-095-5652
WWW.SRA-MN.COM

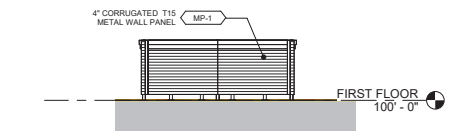
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CONSTRUCTION

ISSUE #	DATE	DESCRIPTION



5 TRASH ENCLOSURE - SIDES
SCALE: 1/8" = 1'-0"



6 TRASH ENCLOSURE - FRONT
SCALE: 1/8" = 1'-0"

**TCO WACONIA
EXPANSION**
890 VILLAGE WAY
WACONIA, MN 55387

EXTERIOR
ELEVATIONS

PROJECT NO: 91-124
DRAWN BY: DK
CHECKED BY: DM

A301

4/6/2023 11:47:42 AM



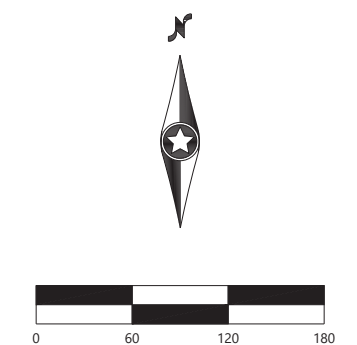
SHI



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



- Denotes 1/2 inch by 14 inch iron rebar set and marked by License No. 43055
- FOUND 1/2 INCH REBAR INSCRIBED LICENSE NO. 23021 UNLESS OTHERWISE NOTED





REQUEST FOR CITY COUNCIL ACTION

Meeting Date:	June 20, 2023					
Item Name:	Approve Execution of Joint Powers Agreement with Carver County for Construction of Turbo Roundabout					
Originating Department:	Public Services					
Presented by:	Craig Eldred					
Previous Council Action (if any):	February 4, 2019; Approval of Joint Powers Agreement Intersection Study June 15, 2020; Authorize Highway Safety Improvement Project Application for Hwy 10 and Waconia Parkway North					
Item Type (X only one):	Consent		Regular Session	X	Discussion Session	
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>						
Adopt Resolution 2023-154; Authorizing Mayor and City Administrator to Execute Joint Powers Agreement with Carver County for Highway 10 and Waconia Parkway North Turbo Roundabout Construction, City Capital Improvement, Project 129-C						
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>						
Some of the earliest documentation on improvement requests of the Hwy 10 and Waconia Parkway North intersection dates back into early calendar year 2018. As noted in the previous council action heading two major steps took place; 1. Joint Powers Study of the intersection. 2. Authorization to complete and submit a Highway Safety Improvement Program grant for improvement funds. In February of 2021 Carver County Officials were informed of funding of HSIP funds of \$1,797,895.00 and a local match of \$195,544.00. for a project project total at that date of \$1,955,439.00. Classification of the funding was programmed in the Advance Needs Category with a Fiscal Year 2025 project completion date. Waconia and Carver County programmed the improvements for fiscal year 2024. Much like other mixed intersection improvements or studies with Carver County; Council Members will find a Joint Powers Agreement with significant emphasis on Carver Counties Cost Participation Policy. Most roadway system agreements with Carver County are extremely similar to the language within the attached agreement. Right of way acquisition costs are one which may provide some confusion. However, it has a been a standard in our previous transportation improvements of an even split. Language supporting trail improvements adjacent the intersection improvements are to be split 50/50. Carver County and the City have additional programmed improvements in the corridor or linked to the Turbo Roundabout intersection improvement. Waconia has a trail link programmed from Sterling Hills Development to the Turbo Roundabout and asphalt resurfacing on Waconia Parkway North programmed for 2024. Carver County intends to complete asphalt resurfacing both south and north of the Turbo Roundabout. Combining these improvements with the Turbo Roundabout construction should provide some financial benefits for each entity. Bolton Menk who assisted in the intersection study and submission of the HSIP application will serve as the Engineer for the Intersection and City project improvements. Carver County have most of their items completed to assist in their asphalt resurfacing improvements. Project Communications will be programmed through Carver County. Project time line includes execution of the Joint Powers Agreement, initiate Project Management Team meetings to define work scope and project costs in greater detail. In addition, a second item will be approval of land acquisition services for the rights of way and land acquisition to complete the necessary improvements. End goals are to provide review of the programmed improvements for review by Fall of 2023 with efforts of bidding the						

improvements by March of 2024 for summer 2024 construction.

Funding on the city side will include HSIP cost apportionments, State Aid, and minor Storm Water Costs apportioned by agreement.

Staff recommends approval of this request of action allowing for this project to meet the goals established by County and City to improve transportation safety improvements of Hwy 10 and Waconia Parkway North intersection.

Attachments:

1. [23154res Authorize_Execution_of_JPA_Document_Hwy_10___WPN_TRAB.doc](#)
2. [Enhanced Intersection WPN Turbo RAB.pdf](#)
3. [198864_JPA City Construction Project_Draft.pdf](#)

FINANCIAL IMPLICATIONS:

Funding Sources & Uses:

Grants, State Aid, Storm Water

ADVISORY BOARD RECOMMENDATIONS:

Budget Information:

☒ Budgeted
☐ Non Budgeted
☐ Amendment Required

Planning Commission

Parks and Recreation Board

Safari Island Advisory Board

Other

**CITY OF WACONIA
RESOLUTION NO. 2023-154**

**RESOLUTION AUTHORIZING MAYOR AND CITY ADMINISTRATOR TO
EXECUTE JOINT POWERS AGREEMENT WITH CARVER COUNTY FOR
HIGHWAY 10 AND WACONIA PARKWAY NORTH TURBO ROUNDABOUT, CITY
CAPITAL IMPROVEMENT, PROJECT 129-C**

WHEREAS, one of the City’s Priorities is to “manage, maintain, and improve our current and future physical assets”; and

WHEREAS, Waconia and Carver County Staff have worked on this programmed improvement through the study and design phase for submission of a Highway Safety grant application; and

WHEREAS, Carver County received notice of Highway Safety Improvement Program dollars for construction of a Turbo Roundabout with a termination date of Fiscal Year 2025; and

WHEREAS, City and County Officials are prepared to execute a Joint Powers Agreement for Construction of a Turbo Roundabout in Fiscal Year 2024 as programmed in each entities Capital Improvement Plan.

NOW, THEREFORE, BE IT RESOLVED That the City Council of the City of Waconia hereby authorizes the Mayor and City Administrator to execute Joint Powers Agreement with Carver County for Highway 10 and Waconia Parkway North Turbo Roundabout, City Capital Improvement Project, 129-C.

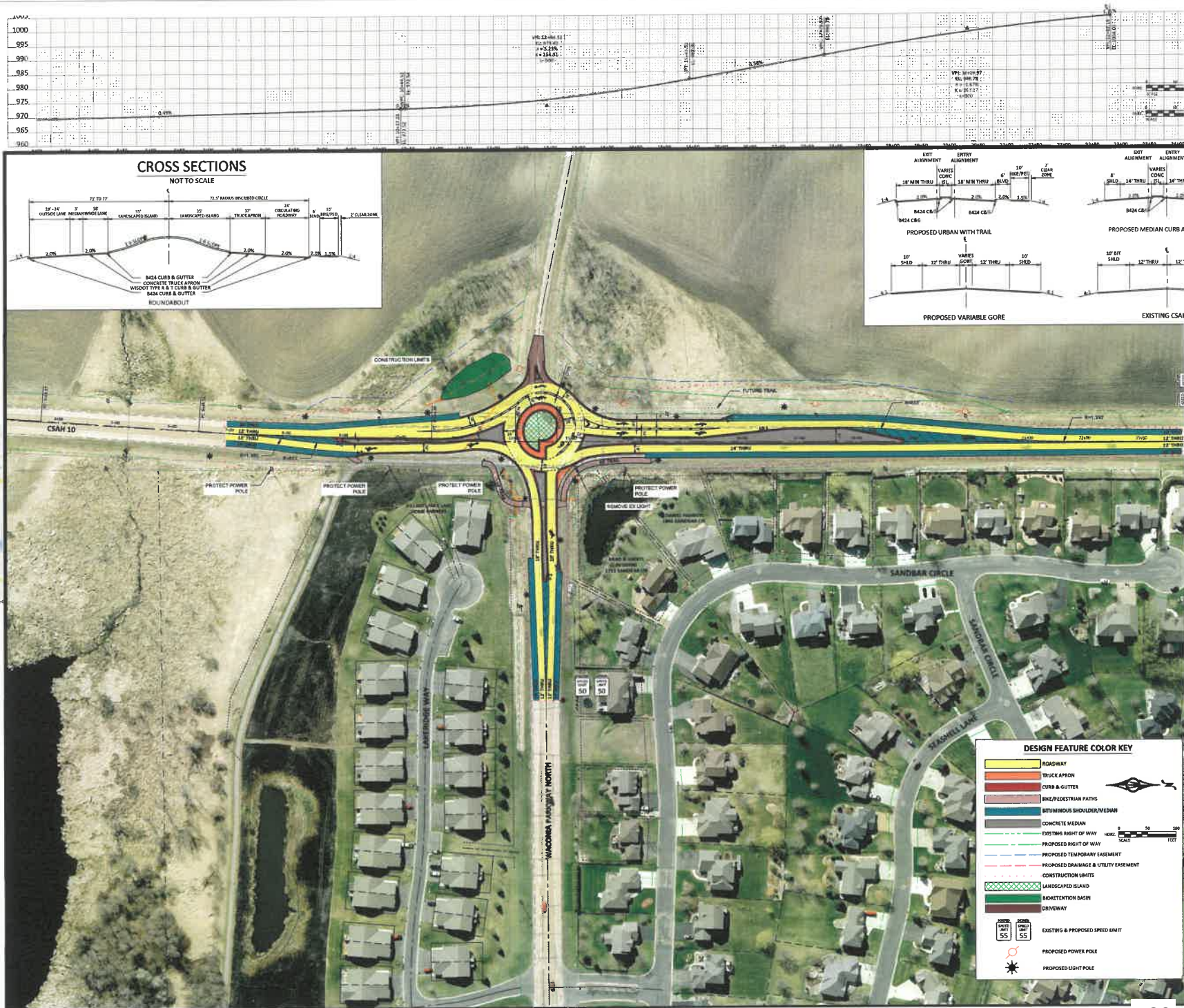
Adopted by the City Council of the City of Waconia this 20th day of June, 2023.

Nicole Waldron, Mayor

Attest: _____
Jackie Schulze, City Clerk

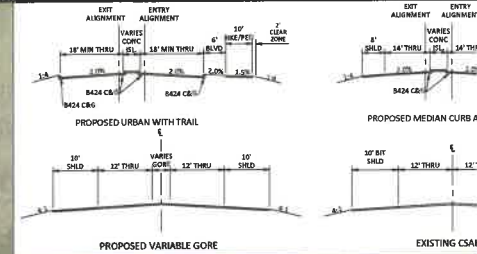
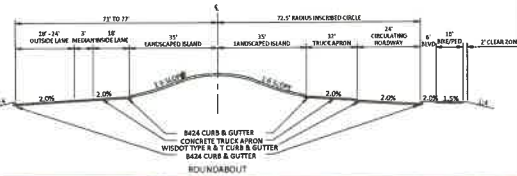
WACONIA PKWY & CSAH 10 ROUNDBOUT

Waconia, Minnesota
January 2021

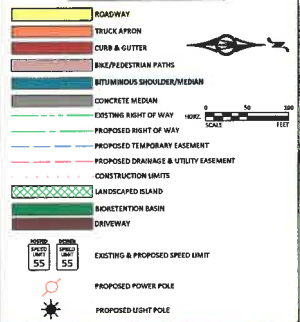


CROSS SECTIONS

NOT TO SCALE



DESIGN FEATURE COLOR KEY



**JOINT POWERS AGREEMENT FOR CONSTRUCTION ON
COUNTY STATE AID HIGHWAY 10**

THIS AGREEMENT FOR CONSTRUCTION ON COUNTY STATE AID HIGHWAY 10, ("Agreement") shall be in effect from the date of execution and shall continue until the completion of the Project, by and between the City of Waconia ("City"), and the County of Carver ("County") (each sometimes hereinafter called "Party" and both sometimes collectively "Parties") the Parties being governmental and political subdivisions of the State of Minnesota.

WITNESSETH:

WHEREAS, each of the Parties has the authority to construct, maintain, repair, and improve public streets within their respective jurisdictions; and

WHEREAS, County State Aid Highway 10 (CSAH 10) is a duly dedicated public street, located within the corporate limits of City; and

WHEREAS, the Parties desire to undertake a joint project involving roundabout construction, grading, aggregate base, pavement surfacing, curb & gutter, storm sewer, lighting and other incidentals, and to share the costs of such improvement as herein provided; and

WHEREAS, the authority of the Parties to enter into this Agreement is provided by Minnesota Statutes, Section 471.59.

NOW, THEREFORE, in consideration of the mutual promises and covenants of each to the other contained in this Agreement and other good and valuable consideration, receipt of which is hereby acknowledged, the Parties hereto do covenant and agree as follows:

ARTICLE I
THE AGREEMENT

Section 1.01. Purposes. The purpose of this Agreement is to define the rights and obligations of the City and the County with respect to the Project and the sharing of the costs of the Project.

Section 1.02. Cooperation. The City and the County shall cooperate and use their best efforts to ensure the most expeditious implementation of the various provisions of this Agreement. The Parties agree in good faith to undertake resolution of disputes, if any, in an equitable and timely manner. The Project will be open to inspection of duly authorized representatives of the Parties at any time during normal business hours and as often as reasonably deemed necessary.

Section 1.03. Relationship To Other Contracts. The City and the County acknowledge that Contract Documents will be entered into by the City on behalf of the Parties with respect to the Project, and that Change Orders or other documents may be entered into by the City on behalf of the Parties, with respect to the Project. This Agreement shall be construed so as to give the fullest effect to its provisions, consistent with the provisions of the other contracts and documents referred to above.

Section 1.04. Term. The term of this Agreement shall be for a period commencing on the date hereof and terminating on the date the Project is completed, accepted by the Parties and all amounts owed by one Party to the other have been paid in full.

Section 1.05. Recitals. The above recitals are true and correct as of the date hereof and constitute a part of this Agreement.

Section 1.06 Enabling Authority. Minnesota Statutes, Section 471.59, authorizes two or more governmental units to jointly exercise any power common to the contracting Parties.

ARTICLE II **DEFINITIONS**

Section 2.01. Definitions. In this Agreement the following terms shall have the following meanings unless the context requires otherwise:

- (a) **Agreement:** this Agreement, as it may be amended, supplemented, or restated from time to time.
- (b) **Change Order:** a written order, change order or supplemental agreement to the Contractor approved in writing, which may be electronic, by both Parties hereto and signed by the City Representative on behalf of the Parties authorizing a change in the work included within the Contract Documents and/or an adjustment in the price and/or an adjustment in the construction schedule, issued after execution of the contract for the construction of the Project.
- (c) **City:** the City of Waconia.
- (d) **City Representative:** Shane Fineran, City Administrator
- (e) **City/County Costs:** the direct and indirect costs of City and County employees performing services on behalf of the Project, and other incidentals.
- (f) **Concept and Design Phase Professional Services Costs:** the fees and costs for all professional services performed in concept and design phase activities for the Project.
- (g) **Construction Phase Professional Services Costs:** the fees and costs for all professional services performed in construction phase activities for the Project.
- (h) **Contract Documents:** drawings; Engineers Estimate; specifications; general and special conditions; addenda, if any; Change Orders; and the construction contract for the Project; approved by the Parties, or their respective representatives.
- (i) **Contractor:** the person or entity that is awarded the contract for the construction of the Project.

- (j) **County:** Carver County.
- (k) **County Representative:** Lyndon Robjent, P.E., Carver County Engineer.
- (l) **Engineers Estimate:** the professional engineer's opinion of probable cost prior to the bidding of the Project, which encompasses all projected costs tabulated for each Party.
- (m) **Project:** roundabout construction, grading, aggregate base, concrete surfacing, bituminous surfacing, curb & gutter, sidewalk, storm sewer, lighting, and other incidentals.
- (n) **Project Costs:** all costs for and associated with the construction of the Project, excluding Concept and Design Phase Professional Services Costs, Construction Phase Professional Services Costs, and City/County Costs.
- (o) **Project Location:** CSAH 10 at the intersection with Waconia Parkway North, as generally depicted in **Exhibit A**.
- (p) **Uncontrollable Circumstances:** the occurrence or non-occurrence of acts or events beyond the reasonable control of the Party relying thereon, and not the result of willful or negligent action or inaction of the Party claiming the event as an Uncontrollable Circumstance, that materially adversely affects the performance of the Party claiming the event as an Uncontrollable Circumstance including but not limited to the following:
 - (1) Acts of God, including, but not limited to floods, ice storms, blizzards, tornadoes, landslides, lighting and earthquakes (but not including reasonably anticipated weather conditions for the geographic area), riots insurrections, war or civil disorder affecting the performance of work, blockades, power or other utility failure, and fires or explosions.
 - (2) The adoption of or change in any federal, state, or local laws, rules, regulations, ordinances, permits, or licenses, or changes in the interpretation of such laws, rules, regulations, ordinances, permits, or licenses by a court or public agency having appropriate jurisdiction after the date of the execution of this Agreement.
 - (3) A suspension, termination, interruption, denial, or failure of renewal of any permit, license, consent, authorization, or approval essential to the construction of the Project.
 - (4) Orders and/or judgment of any federal, state, or local court, administrative agency, or governmental body, provided, however, that the contesting in good faith by such Party of any such order and/or judgment shall not constitute or be construed to constitute a willful or negligent action or inaction of such

Party.

- (5) Strikes or other such labor disputes shall not be considered an Uncontrollable Circumstance, unless such strike or labor dispute involves persons with whom the Parties have no employment relationship and the Parties, or either of them, cannot, using best efforts, obtain substitute performance.

ARTICLE III **ALLOCATION OF DUTIES**

Section 3.01. Concept and Design Phase Activities. Concept and design phase activities, including, but not limited to, field surveys, right of way plats, design, engineering, right of way acquisition, and other matters, shall be completed by the Parties as follows:

See attached **Exhibit B- Allocation of Duties.**

Section 3.02. Construction Phase Activities. Construction phase activities, including, but not limited to, the bid process, preparation of contract documents, awarding of contract, construction inspection and surveying and other matters, shall be completed by the Parties as follows:

See attached **Exhibit B- Allocation of Duties.**

Section 3.03. Contract Award. The Contract Documents shall be approved in writing, which may be electronic, by the Parties prior to the solicitation of bids. In accordance with the applicable provisions of Minnesota Statutes, City will cause bids to be received by it for the construction of the Project and, subject to approval by the County if the low responsible bidder is more than the Engineers Estimate, shall award the contract for the construction of the Project to the lowest responsible bidder.

Section 3.04. Project Construction. Subject to Uncontrollable Circumstances, the Parties shall cause the Project to be constructed in accordance with the Contract Documents. The County shall have the right to review and approve of any proposed changes to the plans and specifications as they relate to County's cost participation prior to the work being performed.

Section 3.05. Maintenance Upon Project Completion and Final Acceptance. Highway maintenance shall be completed by the Parties, upon project completion and final acceptance of the Project, as follows:

The Parties agree to perform highway maintenance responsibilities that are consistent with the Carver County Cost Participation Policy, Maintenance Section, as shown in **Exhibit D**, unless superseded by a separate highway maintenance agreement between the Parties. The City will perform all maintenance responsibilities on all streets under the City jurisdiction.

ARTICLE IV
PROJECT COST SHARING

Section 4.01. Allocation.

(a) The Project Costs for all items shall be divided between the City and County as follows:

See attached **Exhibit C- Project Cost Sharing.**

(b) The Concept and Design Phase Professional Services Costs for all items shall be divided between the Parties as follows:

See attached **Exhibit C- Project Cost Sharing.**

(c) The Construction Phase Professional Services Costs for all items shall be divided between the Parties as follows:

See attached **Exhibit C- Project Cost Sharing.**

(d) All other costs including, but not limited to City/County Costs, shall be allocated between the Parties as follows:

See attached **Exhibit C- Project Cost Sharing.**

Section 4.02. Payments to Contractor. The City shall make partial progress payments to the Contractor and, upon approval of both Parties hereto, the final payment to the Contractor in accordance with the Contract Documents. The designated County Representative shall have the right to approve of any Change Orders prepared by the City that affect the County's share of the construction cost.

The County further agrees that it will participate in the settlement of any claim from the City's contractor for the Project that involve delays attributable to unreasonable delays in approval by the County for plan or specification changes deemed necessary by the City Engineer or staff. The amount of the County's participation in any such claim shall be commensurate with the percentage of delay directly attributable to County's actions.

Section 4.03. Adjustments and Reconciliation. To the extent that the actual value of any item included in an invoice cannot be accurately determined at the time of submission of the invoice, such item shall be invoiced on an estimated basis and an adjustment shall be made to reflect the difference between such estimated amount and the actual amount of such item on the next invoice after determination of the actual amount.

Prior to final acceptance of the Project, the designated City representative shall provide County with a reconciliation of all costs for the Project and the respective contributions of the Parties for the review and approval of the Parties.

Section 4.04. Exclusive Responsibility. All aspects of application for State of Minnesota

for State and Federal Funds and the grant thereof by the State, are the exclusive responsibility of the County, including but not limited to the investment, expenditure, and allocation of such funds. It is specifically agreed that any interest on the investment of any such funds is the sole property of the County, to use as the County shall see fit.

Section 4.05. Payment to County. The City agrees to reimburse the County for costs incurred, pursuant to Section 4.01. Unless previously deposited as provided herein, the City is responsible to pay these monies to the County within thirty (30) days of being invoiced for costs incurred or services performed. Costs will be invoiced at the completion of each Project phase and upon final acceptance of the Project by the Parties, unless an alternate schedule is mutually agreed upon in writing by the authorized representatives of the Parties.

Section 4.06. Payment to City. The County agrees to reimburse the City for costs incurred, pursuant to Section 4.01. The County is responsible to pay these monies to the City within thirty (30) days of being invoiced for costs incurred or services performed. Costs will be invoiced at the completion of each Project phase and upon final acceptance of the Project by the Parties, unless an alternate schedule is mutually agreed upon in writing by the authorized representatives of the Parties.

After an award by City to the successful bidder on the Project, City shall invoice the County for ninety five (95) percent of the estimated County's share in the Project Costs which shall be deposited with the City within thirty (30) days of the County's receipt of such invoice.

ARTICLE V **GENERAL PROVISIONS**

Section 5.01. Notices. All notices or communications required or permitted pursuant to this Agreement shall be either hand delivered or mailed to City and County, certified mail, return-receipt requested, at the following address:

City: Shane Fineran
City Administrator
City of Waconia
201 S. Vine Street
Waconia, MN 55387

County: Lyndon Robjent, PE
County Engineer
Carver County Public Works
11360 Hwy 212 West, Suite 1
Cologne, MN 55322

Either Party may change its address or authorized representative by written notice delivered to the other Party pursuant to this Section 5.01.

Section 5.02. Counterparts. This Agreement may be executed in more than one counterpart,

each of which shall be deemed to be an original but all of which taken together shall be deemed a single instrument.

Section 5.03. Survival of Terms, Representations and Warranties. The representations, warranties, covenants, and agreements of the Parties under this Agreement, and the remedies of either Party for the breach of such representations, warranties, covenants, and agreements by the other Party shall survive the execution and termination of this Agreement. The terms of Sections 3.05, 5.14, 5.15, 5.16 and 5.17 shall survive the expiration, termination or withdrawal from this Agreement.

Section 5.04. Non-Assignability. Neither the City nor the County shall assign any interest in this Agreement nor shall transfer any interest in the same, whether by subcontract, assignment or novation, without the prior written consent of the other Party. Such consent shall not be unreasonably withheld.

Section 5.05. Alteration. It is understood and agreed that the entire Agreement between the Parties is contained herein and that this Agreement supersedes all oral agreements and negotiations between the Parties relating to the subject matter hereof. All items referred to in this Agreement are incorporated or attached and are deemed to be part of this Agreement. Any alteration, variation, modification or waiver of the provisions of the Agreement shall be valid only after it has been reduced to writing and duly signed by all Parties.

Section 5.06. Waiver. The waiver of any of the rights and/or remedies arising under the terms of this Agreement on any one occasion by any Party hereto shall not constitute a waiver or any rights and/or remedies in respect to any subsequent breach or default of the terms of this Agreement. The rights and remedies provided or referred to under the terms of this Agreement are cumulative and not mutually exclusive.

Section 5.07. Severability. The provisions of this Agreement are severable. If any paragraph, section, subdivision, sentence, clause or phrase of this Agreement is for any reason held to be contrary to law, or contrary to any rule or regulation having the force and effect of law, such decision shall not affect the remaining portions of this Agreement.

Section 5.08. Interpretation According to Minnesota Law. The Laws of the State of Minnesota shall apply to this Agreement.

Section 5.09. Final Payment. Before final payment is made to the Contractor, the Contractor shall provide a certificate of compliance from the Commissioner of Revenue certifying that the Contractor and any out-of-state subcontractors have complied with the provisions of Minnesota Statutes, Section 290.92.

Section 5.10. Headings. The headings to the various sections of this Agreement are inserted only for convenience of reference and are not intended, nor shall they be construed, to modify, define, limit, or expand the intent of the Parties as expressed in this Agreement.

Section 5.11. Further Actions. The Parties agree to execute such further documents and take such further actions as may reasonably be required or expedient to carry out the provisions and

intentions of this Agreement, or any agreement or document relating hereto or entered into in connection herewith.

Section 5.12. Parties in Interest. This Agreement shall be binding upon and inure solely to the benefit of the Parties hereto and their permitted assigns, and nothing in this Agreement, express or implied, is intended to confer upon any other person any rights or remedies of any nature under or by reason of this Agreement.

Section 5.13. Employees. It is further agreed that any and all full-time employees of County and all other employees of said County engaged in the performance of any work or services required or provided for herein to be performed by the County shall be considered employees of County only and not of City and that any and all claims that may or might arise under Workman's Compensation Act of the State of Minnesota on behalf of said employees while so engaged and any and all claims made by any third Parties as a consequence of any act or omission on the part of County employees while so engaged on any of the work or services provided to be rendered herein shall be the sole obligation and responsibility of County.

It is further agreed that any and all full-time employees of City and all other employees of said City engaged in the performance of any work or services required or provided for herein to be performed by City shall be considered employees of City only and not of County and that any and all claims that may or might arise under Workman's Compensation Act of the State of Minnesota on behalf of said employees while so engaged and any and all claims made by any third Parties as a consequence of any act or omission on the part of said City employees which so engaged on any of the work or services to be rendered herein shall be the sole obligation and responsibility of City.

Section 5.14. Indemnification. The Parties' total liability under this Agreement shall be governed by Minn. Statutes, Section 471.59, Subd. 1a.

Each Party agrees that it will be responsible for the acts or omissions of its officials, agents, and employees, and the results thereof, in carrying out the terms of this Agreement, to the extent authorized by law and shall not be responsible for the acts/omissions of the other Party and the results thereof. For purposes of determining total liability for damages, the participating governmental units are considered to be a single governmental unit, the total liability of which shall not exceed the limits for a single governmental unit as provided in Minn. Statutes, Section 466.04, Subd. 1.

Each Party agrees to defend, hold harmless, and indemnify the other Party, its officials, agents, and employees, from any liability, loss, or damages the other Party may suffer or incur as the result of demands, claims, judgments, or cost arising out of or caused by the indemnifying Party's negligence in the performance of its respective obligations under this Agreement. This provision shall not be construed nor operate as a waiver of any applicable limitation of liability, defenses, immunities, or exceptions by statute or common law.

To the full extent permitted by law, actions by the Parties pursuant to this Agreement are intended to be and shall be construed as a "cooperative activity" and it is the intent of the Parties that they shall be deemed a "single governmental unit" for the purposes of liability, all as set

forth in Minnesota Statutes, Section 471.59, Subd. 1a(a); provided further that for purposes of that statute, each Party to this Agreement expressly declines responsibility for the acts or omissions of the other Party.

The Parties of this Agreement are not liable for the acts or omissions of the other participants to this Agreement except to the extent to which they have agreed in writing to be responsible for acts or omissions of the other Parties.

Section 5.15. Records – Availability and Access

- A. Pursuant to Minnesota Statutes, Section 16C.05, Subd. 5, the City agrees that the County, the State Auditor, or any of their duly authorized representatives at any time during normal business hours and as often as they may reasonably deem necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, records, etc., which are pertinent to the accounting practices and procedures of the City and involve transactions relating to this Agreement.

City agrees to maintain these records for a period of six years from the date of termination of this Agreement.

- B. Pursuant to Minnesota Statutes, Section 16C.05, Subd. 5, the County agrees that the City, the State Auditor, or any of their duly authorized representatives at any time during normal business hours and as often as they may reasonably deem necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, records, etc., which are pertinent to the accounting practices and procedures of the County and involve transactions relating to this Agreement.

County agrees to maintain these records for a period of six years from the date of termination of this Agreement.

Section 5.16. Data Practices. Each Party, its employees, agents, owners, partners, and subcontractors agree to abide by the provisions of the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13 and implementing regulations, if applicable, and all other applicable state and federal laws, rules, regulations and orders relating to data privacy or confidentiality, and as any of the same may be amended.

Section 5.17. Nondiscrimination. During the performance of this Agreement, the City and the County agree to the following: No person shall, on the grounds of race, color, religion, age, sex, disability, marital status, public assistance status, criminal record, creed or national origin be excluded from full employment right in, participation in, be denied the benefits of or be otherwise subjected to discrimination under any and all applicable Federal and State laws against discrimination.

Section 5.18. Default and Withdrawal. Default in this Agreement may occur when a Party fails to perform any of the provisions of this Agreement or so fails to administer the work as to endanger the performance of the Agreement. Unless the Party's default is excused by the non-defaulting Party, the non-defaulting Party may, upon written notice to the defaulting Party

representative listed herein, cancel this Agreement in its entirety as indicated below.

Any Party may withdraw from this Agreement with or without cause by providing thirty (30) days' prior written notice to the other Parties herein. Only the governing bodies of the Participating Parties have authority to act pursuant to this provision of the Agreement.

Each Party to this agreement reserves the right to withdraw from and cancel this agreement within 30 days from the opening of bids for the project in the event either or both Parties consider any or all bids unsatisfactory; the withdrawal from or cancellation of the agreement to be accomplished by either or both Parties within 30 days of opening of bids by serving a written notice thereof upon the other, unless this right is waived by both Parties in writing.

Section 5.19. Third Party. This Agreement does not create any rights, claims or benefits inuring to any person that is not a Party hereto nor create or establish any third Party beneficiary.

IN TESTIMONY WHEREOF, The Parties hereto have caused these presents to be executed.

City of Waconia, Minnesota

Mayor

Date: _____

Attest:

Administrator

Date: _____

County of Carver, Minnesota

County Board Chair

Date: _____

Attest:

County Administrator

Date: _____

Approved As To Form:

County Attorney

Date: _____

Hwy 10/Waconia Pkwy Intersection Project

Exhibit A



This map was created using a compilation of information and data from various City, County, State, and Federal offices. It is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

 Project Location

1 inch = 500 feet



Public Works Division
11360 Hwy 212, Suite 1
Cologne, MN 55322
(952) 466-5200
Created: 1/13/2023

Highway 10/ Waconia Parkway Intersection Project

Exhibit B – Allocation of Duties

Concept and Design Phase Activities

City will complete all concept and design phase activities of the Project and procure necessary Concept and Design Phase Professional Services.

It is mutually agreed that the City has the authority to acquire all fee title, permanent and temporary easements required for the Project on behalf of the County including exercising eminent domain for such acquisitions as necessary.

It is mutually agreed upon that County staff will need to be involved in giving direct input and direction to City's consultant for the design of County infrastructure improvements.

City agrees to include resurfacing and trail construction plans for CSAH 10 as a tied project.

Construction Phase Activities

City will complete all construction phase activities of the Project and procure necessary Construction Phase Professional Services, and that City will provide for the construction inspection services for all City utilities constructed with the Project.

Highway Safety Improvement Program (HSIP) Administration

County will transfer ownership of HSIP funds so City can administer the HSIP funds as required by the State. HSIP funds will be allocated in accordance to Exhibit C.

Highway 10/ Waconia Parkway Intersection Project

Exhibit C – Project Cost Sharing

The County and City agree that items not specifically covered by this agreement will be cost shared by the parties in accordance with the current version of the Carver County Cost Participation Policy, for a Conventional Project, which is attached hereto as Exhibit D. County and City agree to cost share as follows:

Project Costs

The County and City agree to cost share Project Costs in accordance with the Carver County Cost Participation Policy (Exhibit D) and augmented by the following:

1. The County and City have secured a Highway Safety Improvement Program (HSIP) federal funding grant from the Minnesota Department of Transportation for the roundabout portion of this Project.
2. The roundabout included in this Project at the intersection of CSAH 10 and Waconia Parkway North will be treated as a three-leg roundabout in which two legs are considered County owned and one leg is considered City owned, and the County and City agree to cost split the roundabout by said legs. The County and City agree to pro-rate the HSIP funding to the Parties respective eligible participating HSIP costs for the Project.
3. The County and City agree to evenly split (50% County/50% City) trail costs along CSAH 10 from the intersection of CSAH 10 and Waconia Parkway North, south to the southern limits of the reconstruction work on CSAH 10.
4. The County and City wish to add separate pavement resurfacing and trail construction plans on and along CSAH 10 through a tied construction contract to this Project. The City agrees to pay for all trail and related costs along CSAH 10 beyond the reconstruction limits of the Project south to Sterling Road. County agrees to pay for all costs for the existing pavement resurfacing work on CSAH 10 from approximately 500 feet north of Waconia Parkway North to CSAH 30, excluding the reconstruction limits of the roundabout and approaches.
5. The County and City agree to evenly split (50% County/50% City) all right of way acquisition costs. Right of way acquisition includes all costs related to the acquisition of property except professional services.
6. The City agrees to transfer property or grant easement rights to the County of City owned property needed for the Project at no cost to the County.
7. The City agrees to pay for all City requested improvements that are included in the Project, that the County does not deem necessary to carry out the scope of the Project. The Engineers Estimate and any Change Orders will show such City requested improvement costs for City approval.

Concept and Design Phase Professional Services Costs

The County and City agree to cost share Concept and Design Phase Professional Services Costs in accordance with the Carver County Cost Participation Policy (Exhibit D) and augmented by the following:

1. The County and City agree to evenly split (50% County/50% City) all right of way related professional services costs.
2. All remaining professional services costs will be split in accordance with the Carver County Cost Participation Policy (Exhibit D) and will be considered the same as engineering services.

Construction Phase Professional Services Costs

The County and City agree to cost share Construction Phase Professional Services Costs in accordance with the Carver County Cost Participation Policy (Exhibit D) and augmented by the following:

1. The County and City agree to evenly split (50% County/50% City) all right of way related professional services costs.
2. All remaining professional services costs will be split in accordance with the Carver County Cost Participation Policy (Exhibit D) and will be considered the same as engineering services.

Other Costs

The County and City agree to cost share Other Costs in accordance with the Carver County Cost Participation Policy (Exhibit D) and augmented by the following:

1. The County and City agree to evenly split (50% County/50% City) all right of way related County or City direct and indirect costs of staff costs.
2. All remaining incidental costs will be split in accordance with the Carver County Cost Participation Policy (Exhibit D) and will be considered the same as engineering services.
3. The County and City agree to not bill each other for direct and indirect internal staff costs for the Project.



Carver County

Division of Public Works

COST PARTICIPATION POLICY

Applicable to Cooperative Highway Projects between Carver County and Municipalities.

Adopted by the Carver County Board of Commissioners on February 17, 1998.

Amended by the Carver County Board of Commissioners on February 13, 2007, and March 19, 2013.

A. Construction Cost Share – Conventional Project (Projects programmed in the County 5-year CIP.)

Project Items	County Share	Municipality Share	Note
Right of Way	By Negotiation	By Negotiation	1
Retaining Wall in lieu of right of way	Same %age as R/W	Same %age as R/W	
Clearing and Grubbing	100%	0%	
Grading	100%	0%	2
Aggregate Base and Surfacing	100%	0%	3
Parking Lanes on 4-lane or 6-lane road	0%	100%	4
Storm Sewer and Ponds/Treatment Basins	%age of Contributing Flow	%age of Contributing Flow	5
Culverts	100%	0%	
Concrete Sidewalk	0%>5000 Population 50%<5000 Population	100%>5000 Population 50%<5000 Population	6
Concrete Curb and Gutter and Pedestrian Ramps	0%>5000 Population 50%<5000 Population	100%>5000 Population 50%<5000 Population	7
Concrete Median and Median Curb	100%	0%	8
Concrete Driveway Entrances (Apron)	100%	0%	9
Municipal Utility Adjustment or Construction	0%	100%	
Roundabouts	By Leg	By Leg	
Traffic Signals	By Leg	By Leg	10
Intersection Lighting	By Leg	By Leg	11
Street Lighting	0%	100%	12
Bridges	By Negotiation	By Negotiation	
Trails along county highway	0% Local 50% Linking & Regional 100% Destination	100% Local 50% Linking & Regional 0% Destination	13
Trail Underpass/Overpass	0% Local 50% Linking & Regional 100% Destination	100% Local 50% Linking & Regional 0% Destination	14
Landscaping	25% up to State Aid Limit	75%	15
Aesthetic Treatments	0%	100%	16
Highway Signs	100%	0%	
Electronic/Specialty Signs	By Negotiation	By Negotiation	
Noise Walls	By Negotiation	By Negotiation	17
Mobilization	Pro-rated by const. share	Pro-rated by const. share	
Erosion Control	Pro-rated by const. share	Pro-rated by const. share	
Traffic Control	Pro-rated by const. share	Pro-rated by const. share	
Engineering Services	Pro-rated by const. share	Pro-rated by const. share	
Other items	By Negotiation	By Negotiation	



Carver County

Division of Public Works

Conventional Project Notes

1. Fee title and permanent and temporary easements needed for projects on the existing county highway system or newly established or dedicated county highway system including the property needed for storm water treatment basins and wetland mitigation sites.
2. Includes grading and removal items. Applies to county roads and work necessary to tie in existing public street approaches. Enhancements to public streets approaches are the responsibility of the municipality. New public or private street approaches are the responsibility of the municipality.
3. Applies to county roads and work necessary to tie in existing public street approaches. Enhancements to public streets approaches are the responsibility of the municipality. New public or private street approaches are the responsibility of the municipality.
4. Includes grading, base and surfacing. Applies to county roads and work necessary to tie in existing public street approaches. Enhancements to public streets approaches are the responsibility of the municipality. New public or private street approaches are the responsibility of the municipality.
5. Includes catch basins, manholes, storm sewer pipes, outlet structures, grit chambers, and water quality and rate control ponds/basins. The county share is based on the ratio of contributing flow from the right of way to the total contributing flow.
6. Existing sidewalk impacted by the highway construction will be replaced in kind by the county.
7. Existing curb and gutter and pedestrian ramps impacted by the highway construction will be replaced in kind by the county.
8. The county pays for standard median design which is plain concrete. If a municipality requests decorative median the municipality pays the additional cost above the cost of a standard median.
9. Concrete aprons are installed at locations determined by the county. Driveways beyond the apron are constructed in-kind.
10. Applies to new and replacement traffic signals. Includes all components that make up a permanent warranted traffic control signal system with steel poles and mast arms installed at an intersection of a county highway and public roadway at an approved location by the county. The county pays 0% of a signal system at a private access/road. The municipality pays 100% of the furnishing and maintenance of electrical power to the traffic signal. The cost to modify, update or completely reconstruct the signal system will be shared at the same percentage as the original installation.
11. Designed to light an intersection for traffic safety purposes. Locations will be determined by the county.
12. Decorative type lighting along the roadway.
13. Applies to trails constructed with county road projects only. Stand alone trail projects are handled separately. Locations and descriptions are shown in the Carver County Comprehensive Plan and other related trail plans and policy documents. Applies to all costs associated with trail including but not limited to: grading, drainage, base, surfacing, pedestrian ramps, wetland mitigation due to trail impacts and additional right way needed for the trail. The county will only participate in trails constructed to meet State Aid Rules and Standards. Costs for major rehabilitation or replacement will be shared at the same percentage as the original installation. Townships are exempt from paying for trails.
14. Underpasses spanning 10 feet or more are considered bridges and will be added to the county bridge safety inspection program.
15. Landscaping items as approved by the county. State Aid limit is 5% of annual construction allotment.
16. Aesthetic items that do not serve a specific transportation use such as streetscaping, median plantings, decorative railing, ornamental fencing etc. All approved median plantings require irrigation.
17. Additional costs for decorative noise walls will be the responsibility of the requesting agency.



Carver County

Division of Public Works

B. Construction Cost Share – Development Driven Project (Projects not programmed in the County 5-year CIP)

Project Items	County Share	Municipality Share	Note
Right of Way	0%	100%	1
Retaining Wall in lieu of right of way	Same %age as R/W	Same %age as R/W	
Clearing and Grubbing	100%	0%	
Grading	100% for through lane and shoulder (up to 44' wide). 50% for additional through lanes and median. 100% for county rd. to county rd. turn lanes.	0% for through lane and shoulder (up to 44' wide). 50% for additional through lanes and median. 100% for city st. to county rd. turn lanes and county rd. to city st. turn lanes	2
Aggregate Base and Surfacing	Same as Grading	Same as Grading	
Parking Lanes on 4-lane or 6-lane road	0%	100%	3
Storm Sewer and Ponds/Treatment Basins	%age of Contributing Flow	%age of Contributing Flow	4
Culverts	100%	0%	
Concrete Sidewalk	0%	100%	
Concrete Curb and Gutter and Pedestrian Ramps	0%	100%	
Concrete Median and Median Curb	50%	50%	5
Concrete Driveway Entrances (Apron)	100%	0%	6
Municipal Utility Adjustment or Construction	0%	100%	
Roundabouts	By Leg if meets warrants by opening. By Leg up to 50% if meets warrants for design year. 0% if does not meet warrants for design year.	By Leg if meets warrants by opening. By Leg but no less than 50% if meets warrants for design year. 100% if does not meet warrants for design year.	
Traffic Signals	By Leg if meets warrants by opening. 50% of County Legs if meets warrants for design year. 0% if does not meet warrants for design year.	By Leg if meets warrants by opening. 100% of City legs plus 50% of County Legs if meets warrants for design year. 100% if does not meet warrants for design year.	7
Intersection Lighting	By Leg	By Leg	8
Street Lighting	0%	100%	9
Bridges	By Negotiation	By Negotiation	



Carver County

Division of Public Works

	0% Local 50% Linking & Regional 100% Destination	100% Local 50% Linking & Regional 0% Destination	
Trails along county highway			10
Pedestrian Underpass/Overpass	0%	100%	11
Landscaping	0%	100%	12
Aesthetic Treatments	0%	100%	13
Highway Signs	100%	0%	
Electronic/Specialty Signs	By Negotiation	By Negotiation	
Noise Walls	0%	100%	14
Mobilization	Pro-rated by const. share	Pro-rated by const. share	
Erosion Control	Pro-rated by const. share	Pro-rated by const. share	
Traffic Control	Pro-rated by const. share	Pro-rated by const. share	
Engineering Services	Pro-rated by const. share	Pro-rated by const. share	
Other items	By Negotiation	By Negotiation	

Development Driven Project Notes

1. Fee title and permanent and temporary easements needed for projects on the existing county highway system or newly established or dedicated county highway system including the property needed for storm water treatment basins and wetland mitigation sites. The cost share for right of way needed outside the boundaries of a development plat will be negotiated.
2. Includes grading and removal items. Enhancements to public streets approaches are the responsibility of the municipality. New public or private street approaches are the responsibility of the municipality.
3. Includes grading, base and surfacing. Applies to county roads and work necessary to tie in existing public street approaches. Enhancements to public streets approaches are the responsibility of the municipality. New public or private street approaches are the responsibility of the municipality.
4. Includes catch basins, manholes, storm sewer pipes, outlet structures, grit chambers, and water quality and rate control ponds/basins. The county share is based on the ratio of contributing flow. County share is based on the contributing flow from the right of way less roadway surface areas that the municipality pays for. The municipality share is the contributing flow from outside the right of way plus roadway surface area the municipality pays for. Costs to replace elements of storm sewer systems will be shared at the same percentage as the original installation.
5. The county pays for standard median design which is plain concrete. If a municipality requests decorative median the municipality pays the additional cost above the cost of a standard median.
6. Concrete aprons are installed at locations determined by the county. Driveways beyond the apron are constructed in-kind.
7. Applies to new and replacement traffic signals. Includes all components that make up a permanent warranted traffic control signal system with steel poles and mast arms installed at an intersection of a county highway and public roadway at an approved location by the county. To meet signal warrants, the intersection must meet either the four hour or the eight hour vehicular volume warrant standard. The county pays 0% of a signal system at a private access/road. The municipality pays 100% of the furnishing and maintenance of electrical power to the traffic signal. The cost to modify, update or completely reconstruct the signal system will be shared at the same percentage as the original installation.
8. Designed to light an intersection for traffic safety purposes. Locations will be determined by the county.
9. Decorative type lighting along the roadway.
10. Applies to trails constructed with county road projects only. Locations and descriptions are shown in the Carver County Comprehensive Plan and other related trail plans and policy documents. Costs associated with trail include grading, drainage, base, surfacing, pedestrian ramps, wetland mitigation due to trail impacts and additional right way needed for the trail. The county will only participate in trails constructed to meet State Aid Rules and Standards. Costs for major rehabilitation or replacement will be shared at the same percentage as the original installation.
11. Underpasses spanning 10 feet or more are considered bridges and will be added to the county bridge safety inspection program.
12. Landscaping items as approved by the county.
13. Aesthetic items that do not serve a specific transportation use such as streetscaping, median plantings, decorative railing, ornamental fencing etc. All approved median plantings require irrigation.
14. Additional costs for decorative noise walls will be the responsibility of the requesting agency.



Carver County

Division of Public Works

- C. Maintenance - Maintenance of county highways constructed under this policy will be as follows unless specified differently in a separate maintenance agreement.**
1. The county is responsible for maintenance of the county highway between curbs or between outside edges of shoulders. This includes but is not limited to snow and ice control, patching, crack sealing, seal coating, pavement rehabilitation, shouldering, striping and sign replacement. In addition, the county is responsible for routine maintenance outside the edge of shoulder and within the right of way of a rural county highway. The county may enter into agreements with municipalities to perform highway maintenance.
 2. The municipality is responsible for maintenance of the boulevard, landscaped median, trees, shrubs, irrigation systems, sidewalk, retaining walls, steps, aesthetic treatments, and other urban appurtenances within the right-of-way of an urban county highway.
 3. The county is responsible for maintenance of bridges and culverts on the county route.
 4. The municipality is responsible for maintenance of its utilities and storm sewer systems including detention/treatment basins. Costs to replace elements of storm sewer systems will be shared at the same percentage as the original installation.
 5. The county is responsible for maintaining roundabouts with the exception of island landscaping and aesthetic treatments which are the responsibility of the municipality.
 6. Unless stipulated by special agreement, the county will own and is responsible for maintaining traffic signal systems (with the exception of the attached lighting) at county road intersections with local public roadways and private streets. The municipality is responsible for maintaining the signal lighting and the electrical power to the signal system. The cost to modify, update or completely reconstruct the signal system will be shared at the same percentage as the original installation.
 7. The municipality is responsible for maintenance of intersection lighting at a county road and local road intersection. The county is responsible for maintenance of intersection lighting at a county road and county road intersection.
 8. The municipality is responsible for the maintenance of street lights.
 9. The municipality is responsible for maintaining trails within the county highway right-of-way. Costs for major rehabilitation or replacement will be shared at the same percentage as the original installation.
 10. The municipality is responsible for maintaining pedestrian underpasses and overpasses.
 11. The county is responsible for maintaining highway signs.
 12. The county is responsible for maintaining electronic/specialty signs. The costs of maintenance will be shared at the same percentage as the original installation.
 13. Maintenance of noise walls is the responsibility of the agency paying for the initial installation.



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:	June 20, 2023
Item Name:	Award of Olive & Elm Street Drainage Improvement
Originating Department:	Public Services
Presented by:	Craig Eldred
Previous Council Action (if any):	June 5th Authorization to Obtain Quotes for Olive & Elm Alley Drainage Improvements

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.)*

Adopt Resolution 2023-155; Award of 2023 Olive & Elm Street Alley Improvements to Kusske Construction at a cost of \$197,280.00 and City Staff \$18,109.00 to supply Pave Drain product for installation

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

Most recently staff obtained authorization to obtain quotes for storm water drainage improvements of Olive and Elm Street Alley. As discussed this project provides numerous benefits of managing storm water, sediment capture, and slow release to downstream infrastructure before being discharged into Lake Waconia. All goals of decreasing pollution impacts to Lake Waconia. As stated previously this improvement also eliminates storm water from overtopping the boulevard and sidewalk before traveling north on Olive Street for capture.

Two quotes were obtained as provided below:

Supplier of Quote	Quote Value
Kusske Construction	\$197,280.00
Schneider Excavating & Grading	\$241,235.50

Attached with this request is a letter of recommendation from Jake Saulsbury, City Engineer on award of the work related to this improvement to Kusske Construction. Staff attached the bid abstract with the Engineer Estimate and bid items broken out. Line #17 provides for installation of the pervious pavers. Like other projects installed around Downtown Waconia our paver standard is Pave Drain. Coordination of acquiring Pave Drain is being secured by staff to confirm the correct product is acquired for this improvement. Pave Drain water storage pavers allow for improved water holding capacity, and working with the supplier directly secures the product for installation. Improvements in the alley are critical to matching up with programmed improvements of the Uptown Apartments. If we were to complete this improvement afterwards cost for the improvements would escalate. The improvements associated with the alley were coordinated with the Uptown Apartment Contractor and Design Build team to off-set costs of replacing individual improvements.

Funding of the improvements will come from the Storm Water fund as programmed. As discussed previously, we altered two 2023 project improvement dates to allow for the Lakeview Terrace Storm Water Improvements and the Olive & Elm Street Improvements to be funded. Presently, if each project comes in at budgetary costs we will have \$132,394.00 remaining of the proposed, or planned expenditures of \$465,000.00.

Staff recommends approval of this request allowing for the programmed improvements to occur in the best manageable and cost effective means while maintaining emphasis of protecting Lake Waconia.

Attachments:

1. [23155res Award_of_Olive_Elm_Street_Alley_Improvements_Res.doc](#)
2. [2023-06-13 2023 Alley Improvements Award.pdf](#)
3. [Bid Abstract Alley Improvements.pdf](#)

FINANCIAL IMPLICATIONS:

Funding Sources & Uses:

Storm Water

ADVISORY BOARD RECOMMENDATIONS:

Budget Information:

☒ Budgeted
☐ Non Budgeted
☐ Amendment Required

Planning Commission

Parks and Recreation Board

Safari Island Advisory Board

Other

**CITY OF WACONIA
RESOLUTION NO. 2023-155**

**RESOLUTION AUTHORIZING AWARD 2023 OLIVE & ELM STREET ALLEY
IMPROVEMENTS TO KUSKE CONSTRUCTION AT A COST OF \$197,280.00 AND
CITY STAFF \$18,109.00 TO SUPPLY PAVEDRAIN PRODUCT FOR INSTALLATION**

WHEREAS, one of the City’s Priorities is to “manage, maintain, and improve our current and future physical assets”; and

WHEREAS, two quotes were received for storm water improvements of Olive and Elm Street Alley as provided below; and

Supplier of Quote	Quote Value
Kusske Construction	\$197,280.00
Schneider Excavating & Grading	\$241,235.50

WHEREAS, Kusske Construction provided the lowest quote for improvements proposed; and

WHEREAS, City staff are authorized to \$18,109.00 to have delivered and supply for installation by Kusske Construction the necessary Pave Drain product.

NOW, THEREFORE, BE IT RESOLVED That the City Council of the City of Waconia hereby authorizes award of 2023 Olive & Elm Street Alley Improvements to Kusske Construction at a cost of \$197,280.00 and city staff \$18,109.00 to supply Pave Drain product for installation.

Adopted by the City Council of the City of Waconia this 20th day of June, 2023.

Nicole Waldron, Mayor

Attest: _____
Jackie Schulze, City Clerk



June 13, 2023

City of Waconia
Attn: Shane Fineran
201 South Vine Street
Waconia, MN 55387

Re: 2023 Alley Improvements

Honorable Mayor and City Council Members:

Quotes were received for the above referenced project on June 9, 2023. Two quotes were received and are tabulated below. The low bid was submitted by Kusske Construction Company, LLC. from Chaska, MN.

CONTRACTOR	TOTAL BID
Kusske Construction	\$197,280.00
Schneider Excavating & Grading	\$241,235.50

Evaluation of the quotes indicates the bidding process was competitive. The two contractors were chosen to provide quotes based on their quality of work and current active jobs in the Waconia Downtown area. The engineer's estimated amount was below the quote threshold of \$175,000.00.

Kusske Construction has successfully completed projects of this type in the past and thereby have shown themselves to be a responsible contractor. Based on the items above, we recommend the City award a contract in the amount of \$197,280.00 to Kusske Construction Company, LLC. I am open to discuss this information with you and answer any questions you or the City Council may have.

Respectfully Submitted,
BOLTON & MENK, INC.

Jake Saulsbury, P.E.

cc: Craig Eldred, Public Services Director
Nicole Meyer, Finance Director
Ryan Johnson, Bolton & Menk

ABSTRACT OF QUOTES
2023 ALLEY IMPROVEMENTS
CITY OF WACONIA, MINNESOTA
BMI PROJECT NO. C14.128366

ITEM NO.	BID ITEM	APPROX. QUAN.	UNIT	1		2			
				Engineer's Estimate		Kusske Construction		Schnelder Excavating	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
BASE BID									
1	MOBILIZATION	1	LUMP SUM	\$10,000.00	\$10,000.00	\$26,209.00	\$26,209.00	\$15,000.00	\$15,000.00
2	TRAFFIC CONTROL	1	LUMP SUM	\$5,000.00	\$5,000.00	\$3,000.00	\$3,000.00	\$7,500.00	\$7,500.00
3	REMOVE CONCRETE BLOCK RETAINING WALL	30	LUMP SUM	\$20.00	\$600.00	\$40.00	\$1,200.00	\$30.00	\$900.00
4	REMOVE CURB AND GUTTER	165	EACH	\$7.00	\$1,155.00	\$5.00	\$825.00	\$10.00	\$1,650.00
5	REMOVE BITUMINOUS PAVEMENT	539	EACH	\$4.00	\$2,156.00	\$11.00	\$5,929.00	\$6.00	\$3,234.00
6	REMOVE CONCRETE WALK	83	EACH	\$5.00	\$415.00	\$1.00	\$83.00	\$10.00	\$830.00
7	SALVAGE & INSTALL SIGN	1	EACH	\$100.00	\$100.00	\$750.00	\$750.00	\$500.00	\$500.00
8	SALVAGE & INSTALL CASTING	2	EACH	\$1,200.00	\$2,400.00	\$575.00	\$1,150.00	\$1,500.00	\$3,000.00
9	COMMON EXCAVATION (P)	211	LIN FT	\$30.00	\$6,330.00	\$40.00	\$8,440.00	\$40.00	\$8,440.00
10	SUBGRADE EXCAVATION	15	LIN FT	\$50.00	\$750.00	\$45.00	\$675.00	\$75.00	\$1,125.00
11	STABILIZING AGGREGATE - 3 INCH MINUS CRUSHED	15	EACH	\$65.00	\$975.00	\$60.00	\$900.00	\$85.00	\$1,275.00
12	GEOTEXTILE FABRIC TYPE V	275	EACH	\$2.00	\$550.00	\$2.00	\$550.00	\$3.00	\$825.00
13	SELECT GRANULAR BORROW	101	EACH	\$30.00	\$3,030.00	\$51.00	\$5,151.00	\$40.00	\$4,040.00
14	AGGREGATE BASE CL 5	86	EACH	\$45.00	\$3,870.00	\$68.00	\$5,848.00	\$55.00	\$4,730.00
15	TYPE SP 12.5 NON WEAR COURSE MIX (3,B)	50	LIN FT	\$95.00	\$4,750.00	\$161.00	\$8,050.00	\$125.00	\$6,250.00
16	TYPE SP 9.5 WEARING COURSE MIX (3,C)	43	LIN FT	\$110.00	\$4,730.00	\$210.00	\$9,030.00	\$150.00	\$6,450.00
17	INSTALLATION OF PERVIOUS PAVERS (INCLUDES ROCK S	207	LIN FT	\$250.00	\$51,750.00	\$175.00	\$36,225.00	\$335.00	\$69,345.00
18	CONNECT TO EXISTING STORM SEWER	2	LIN FT	\$1,200.00	\$2,400.00	\$1,500.00	\$3,000.00	\$1,500.00	\$3,000.00
19	6" PERF HDPE PIPE DRAIN	172	LIN FT	\$22.00	\$3,784.00	\$8.00	\$1,376.00	\$30.00	\$5,160.00
20	15" RC PIPE SEWER DESIGN 3006 CLASS V	185	LIN FT	\$95.00	\$17,575.00	\$75.00	\$13,875.00	\$135.00	\$24,975.00
21	8" DUAL WALL HDPE PIPE	268	LIN FT	\$60.00	\$16,080.00	\$56.00	\$15,008.00	\$90.00	\$24,120.00
22	CONSTRUCT DRAINAGE STRUCTURE 2'X3'	4.0	LIN FT	\$600.00	\$2,400.00	\$720.00	\$2,880.00	\$798.00	\$3,192.00
23	CONSTRUCT DRAINAGE STRUCTURE DESIGN 48-4022	7.9	LIN FT	\$800.00	\$6,320.00	\$710.00	\$5,609.00	\$1,065.00	\$8,413.50
24	CONSTRUCT DRAINAGE STRUCTURE DESIGN 48-4020	13.4	SQ FT	\$800.00	\$10,720.00	\$785.00	\$10,519.00	\$1,065.00	\$14,271.00
25	CASTING ASSEMBLY (STORM)	3	SQ FT	\$1,200.00	\$3,600.00	\$1,235.00	\$3,705.00	\$1,500.00	\$4,500.00
26	CONCRETE CURB & GUTTER DESIGN B618	165	SQ FT	\$35.00	\$5,775.00	\$75.00	\$12,375.00	\$45.00	\$7,425.00
27	4" CONCRETE WALK(W/6" AGG. BASE CL 5)	83	SQ YD	\$17.00	\$1,411.00	\$26.00	\$2,158.00	\$25.00	\$2,075.00
28	CONSTRUCT RETAINING WALL	27	SQ YD	\$65.00	\$1,755.00	\$260.00	\$7,020.00	\$80.00	\$2,160.00
29	STORM DRAIN INLET PROTECTION	4	SQ FT	\$150.00	\$600.00	\$250.00	\$1,000.00	\$500.00	\$2,000.00
30	BIOLOG	75	SQ YD	\$4.50	\$337.50	\$8.00	\$600.00	\$10.00	\$750.00
31	HYDROMULCH W/SEED MIX 25-151	100	TON	\$5.00	\$500.00	\$8.00	\$800.00	\$10.00	\$1,000.00
32	EROSION CONTROL BLANKET W/SEED MIX 25-151	85	CU YD	\$7.00	\$595.00	\$8.00	\$680.00	\$10.00	\$850.00
33	COMMON TOPSOIL BORROW	32	CU YD	\$40.00	\$1,280.00	\$75.00	\$2,400.00	\$50.00	\$1,600.00
34	4" SOLID WHITE PAINT	65	TON	\$5.00	\$325.00	\$4.00	\$260.00	\$10.00	\$650.00
TOTAL BASE BID:				\$174,018.50		\$197,280.00		\$241,235.50	



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:	June 20, 2023
Item Name:	Authorize Approval of Right of Way Agent Services
Originating Department:	Public Services
Presented by:	Craig Eldred
Previous Council Action (if any):	February 6, 2023 Seek Right of Way Agent for CSAH 10 and Waconia Parkway North Roundabout

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.)*

Adopt Resolution 2023-156; Authorize Approval of Right of Way Services Scope and Fee for CSAH 10 and Waconia Parkway North Roundabout With Henning Professional Services

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

As Council Members are aware the city has been working with Carver County on multiple transportation items to improve safety, prepare for development impacts and capital planning purposes. CSAH 10 and Waconia Parkway North intersection study was initiated several years ago and received Federal Funding classified under the Advanced Highway Safety Improvement Program. Construction completion for these funds is Fiscal Year 2025. Waconia and Carver County have programmed Fiscal Year 2024 as the targeted completion year for the new roundabout and intersection improvements.

As part of the improvement process there are two parcels identified for needs of construction acquisition as noted within the attached scope of services document. Needs surround pedestrian trail adjustments in the SE quadrant and storm water treatment improvements in the SW quadrant of the programmed improvements. Additional drivers of the needs are to eliminate impacts of existing XCEL Transmission Poles which are costly to relocate.

Provided is a copy of the proposal acquired by our Engineer's for professional services through Henning Professional Services at a estimated cost of \$24,200.00. Said services are necessary to meet the Federal requirements outlined for land acquisition and rights of way. The Joint Powers Agreement with Carver County states these costs and those associated for land acquisition and right of way are shared at 50%.

Staff recommend approval of this request of City Council action allowing for execution of the proposal provided by Henning Professional Services an estimated cost of \$24,000.00.

Attachments:

1. [23156res Approval_Right_of_Way_Agent_Res_6_20_23.doc](#)
2. [Waconia 2 par RAB - ROW Scope Fee from Henning 04.19.23.pdf](#)

FINANCIAL IMPLICATIONS:

Funding Sources & Uses:
State Aid

Budget Information:
☒ Budgeted
☐ Non Budgeted
☐ Amendment Required

ADVISORY BOARD RECOMMENDATIONS:

Planning Commission	
Parks and Recreation Board	
Safari Island Advisory Board	
Other	

**CITY OF WACONIA
RESOLUTION NO. 2023-156**

**RESOLUTION AUTHORIZING APPROVAL OF RIGHT OF WAY SERVICES SCOPE
AND FEE FOR CSAH 10 AND WACONIA PARKWAY NORTH ROUNDABOUT
IMPROVEMENT PROJECT WITH HENNING PROFESSIONAL SERVICES**

WHEREAS, one of the City’s Priorities is to “manage, maintain, and improve our current and future physical assets”; and

WHEREAS, Federal Funding processes of right of way acquisition require more detail than those of a local funded improvements; and

WHEREAS, Henning Professional Services has successfully completed many projects for Federal Funding projects; and

WHEREAS, the right of way acquisitions are required for construction of the roundabout project and costs shared as part of the Joint Powers Agreement with Carver County.

NOW, THEREFORE, BE IT RESOLVED That the City Council of the City of Waconia hereby authorizes approval of right of way services scope and fee for CSAH 10 and Waconia Parkway North Roundabout Improvement Project with Henning Professional Services.

Adopted by the City Council of the City of Waconia this 20th day of June, 2023.

Nicole Waldron, Mayor

Attest: _____
Jackie Schulze, City Clerk



PO Box 25376
Woodbury, MN 55125
651.955.5594

April 19, 2023

Mr. Dan Lonnes, PE
Bolton and Menk, Inc.

Re: Right of Way Services Scope and Fee – City of Waconia Roundabout – CSAH 10

Dear Mr. Lonnes,

I am pleased to offer right of way acquisition services to assist the City of Waconia with securing the land rights for their CSAH 10 Roundabout Project. It is my understanding that this is a federally funded project and acquisition services are required for up to two parcels. The project includes federal funding and will require a R/W Certificate. I have successfully coordinated and acquired 5 fully executed R/W Certificates in just the last few months with the MnDOT Metro District, not to mention the certificates I have completed over the past 27 years as a MnDOT District R/W Engineer and consultant R/W Specialist. I have assembled a solid acquisition team who has delivered numerous projects together in the past. Acquisition services will be provided by my firm and appraisal services will be provided by Kelly Lindstrom. Review appraisals will be completed by Foster Appraisals.



Our team is proposing to provide the following scope of services which are provided in accordance with the MnDOT R/W Manual and FWHA guidelines:

Right of Way Agent Services:

- a) Maintain and provide acquisition spread sheets for information on acquisition
- b) Attend a neighborhood meeting and several PMT meetings, as needed
- c) Early Notification letter to owner with formal project information and property rights
- d) Contact the landowner and schedule Field Title Investigation meeting
- e) Conduct Field Title Investigation and complete Report, coordinating with Appraiser
- f) Work closely with the City and designer related to landowner questions and project details
- g) Prepare offer letter and packet for each parcel
- h) Present offer of compensation
- i) Negotiate purchase of the easements
- j) Draft Administrative Settlements as appropriate
- k) Obtain signed easements and provide executed documents to City
- l) Draft and submit Pay Request for payment to owner
- m) Process appraisal reimbursements for landowners, as needed
- n) This task will also provide coordination with the City Attorney (CA) who will provide the conveyance documents and other required legal documents and lender consents
- o) Coordinate with MnDOT and represent the City at the MnDOT review of the parcel files as related to the review required for the R/W Certificate #1

Appraiser and Review Appraiser Services:

Kelly Lindstrom, appraisers, will provide the appraisal reports. Appraisal reviews will be completed by John Foster, Foster Appraisals. Please see the attached proposal from the appraiser for additional information and appraiser assumptions.

Assumptions:

- a) The City or their design consultant will provide the title work, parcel sketches, staking and survey services needed.
- b) Henning Professional Services, Inc. (HPS) is not a law firm and does not provide legal services. The city attorney (CA) will provide legal documents such as deeds, easements, consents, disclaimers, etc., as required. The CA will also review title work and ensure that all interested parties are defined and listed prior to the agent meeting with the landowner.
- c) The City will provide review of any permits required (fence, sign, etc.) and request and issue permits as required.
- d) The City will record all documents that they would like recorded.
- e) The City will provide all tax forms such as 1099's.
- f) No relocation is included in this estimate, including sign relocation.
- g) The CA will provide all eminent domain tasks, if needed. HPS assistance would be limited to providing all information and files in HPS's possession and to strategize with CA, if requested.

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- h) This estimate includes the time to acquire an assumed one lender consent per permanent easement parcel, if needed.
 - i) This estimate does not provide translation services for ASL or languages other than English.
 - j) It is assumed that the easterly townhome association parcel can be treated as one parcel and that acquisition will be through their board.

Estimated Fee:

Right of way agent services are provided on an hourly basis only for hours required. The proposed fee is estimated for the above scope of services:

Right of Way Agent Fees (\$5,000 per parcel avg. x 2 parcels)	\$ 10,000
This includes all tasks listed under "agent" above.	
Right of Way Project Manager at Meetings/R/W Certificate review, etc.	\$ 3,800
Appraisal Fee	\$ 9,000
Appraisal Review Fee	\$ 1,100
Estimated Expenses:	
Certified mail (2 parcels x \$50 each)	\$ 100
<u>Mileage estimate</u>	<u>\$ 200</u>
Estimated Fee	\$ 24,200

Please contact me at 651-955-5594 with any questions. Thank you for the opportunity to provide this proposal.

Sincerely,
Henning Professional Services, Inc.



Sonya A. Henning, PE
President

Kelly Lindstrom, Certified General Appraiser
10779 Falling Water Lane, Unit C, Woodbury, MN 55129
Klindstrom1@msn.com
Telephone: 651-436-8842

April 18, 2023

Sonya Henning
Henning Professional Services
PO Box 25376
Woodbury, MN 55125

Re: Waconia Hwy 10 Roundabout

Dear Ms. Henning,

I am in receipt of your Request for Proposal (RFP) with accompanying attachment for appraisal services related to the preparation of Appraisal Reports for use in acquiring permanent and/or temporary construction easements.

Please consider this my proposal for providing appraisal reports as outlined below. I am a Certified General Appraiser (Certified General Appraiser License, Minn. #20315256) and am on the Mn/DOT's Official Pre-Qualified Consultant List. Additionally, I am a certified DBE (11-013-MJ12). We are able to prepare the Appraisal Reports for review within 90 days of receipt of authorization to commence work. I understand the reports will be used in conjunction with negotiating an acquisition of permanent &/or temporary construction easements.

Experience

I have considerable experience preparing appraisals in Minnesota including the following areas: Baudette, Bemidji, North Branch, International Falls, Duluth, Mankato, Fergus Falls, Warroad, Roseau, Kanabec County, Anoka County, Dakota County, Washington County, Ramsey County, Hennepin County, Scott County, Isanti County, Chisago County, and Pine County. I have prepared appraisals for the federal government, specifically the U.S. General Services Administration and other governmental entities, namely MnDOT, Metropolitan County, Isanti County, Pine County, Anoka County, Hennepin County, Ramsey County, Scott County, Carver County, Dakota County, Washington County, and Chisago County. I have worked on and managed appraisal projects of various sizes and of multiple property types, including both residential and commercial properties.

Personnel/Work Assignments

I have located the project area and have noted the range of zoning classifications within the project area, agricultural and residential, along with possible impacts, specifically landscaping issues and consideration of proximity to existing/future improvements on a site; it is my understanding that structures will not be physically impacted by the project. I will meet with Project Staff to discuss the project and/or other project partners to discuss this project.

Fees Estimates:

Given the zoning classifications (Agricultural, SFR), the estimates are for an appraisal report (land only before/after format; no severance damages) are as follows:

1 Appraisal Report SFR:	\$4,500	
1 Appraisal Report Agricultural:	<u>\$4,500</u>	
		\$9,000

If there the highest and best use requires two agricultural reports, the fee for the second report will be \$2,000.

Appraisal reviews by John Foster will be \$550/report. Estimate of \$1,100 for two reports.

Thank you for your consideration.

I hereby certify that I am a duly authorized representative of the Company, that I am not aware of any potential conflict of interest the Company may have in providing these Appraisal Services, and that the information contained within this proposal is current, true, and correct to the best of my knowledge.



4/18/2023

Kelly Lindstrom
Certified General Appraiser
Minnesota Certified General Appraiser License #20315256