
CITY OF LITTLE FALLS

BOARD OF ADJUSTMENT/ PLANNING COMMISSION

April 13, 2015



AGENDA
PLANNING COMMISSION
 Conference Room, City Hall
 April 13, 2015, 6:30 p.m.

P	A	Member	P	A	Member
		Bieganek, Justin			Schilling, Kara
		Dahlberg, Doug			Schulte, Ray
		Gosiak, Frank			Silbernick, Keith
		Hanfler, Jeremy			Oleson, Ben (Zoning Official)
					Kimman, Greg (City Engineer)

CALL TO ORDER: Planning Commission Chairperson

ADOPT THE AGENDA: April 13, 2015

APPROVAL OF MINUTES: March 18, 2015

PUBLIC HEARINGS:

- 1) After-the-fact variance request to allow for an approximate 681 sq ft single-story garage to be located 25.4 ft from a front yard (min. 30 ft required).
 - a. Applicant: NRFC Little Falls Holdings, LLC
 - b. Legal Description: Part of NW4 of Section 9, Township 41, Range 32
 - c. Property Address: 1401/1405 5th Avenue NE, Little Falls
 - d. Parcel number(s): 48.6075.000

- 2) Request to rezone an approximate 5 acre property with an existing assisted living facility from R-3 (Multiple-Family Residential District) to B-3 (Noncentral Business District) or to remove a conditional requiring such rezoning from a previously granted (2006) conditional use permit.
 - a. Applicant: NRFC Little Falls Holdings, LLC
 - b. Legal Description: Part of NW4 of Section 9, Township 41, Range 32
 - c. Property Address: 1401/1405 5th Avenue NE, Little Falls
 - d. Parcel number(s): 48.6075.000

- 3) Request to rezone an approximate 8.8 acre parcel from R-1C (Country Homes, One- and Two-Family Residential District) to R-1C with a Planned Unit Development (PUD) overlay.
 - a. Applicant: Roach Development LLC
 - b. Legal Description: Part of Government Lot 2, Section 27 and NW4 of SW4, Section 26, Township 41, Range 32
 - c. Property Address: None (near intersection of Derosier Drive/Riverwood Drive), Little Falls)
 - d. Parcel number(s): 48.6960.001

- 4) Conditional use permit to allow for a Planned Unit Development to include the construction of eight single-story four-plex residential buildings for rental purposes on an approximate 8.8 acre parcel.
 - a. Applicant: Roach Development LLC
 - b. Legal Description: Part of Government Lot 2, Section 27 and NW4 of SW4, Section 26, Township 41, Range 32
 - c. Property Address: None (near intersection of Derosier Drive/Riverwood Drive), Little Falls)

d. Parcel number(s): 48.6960.001

OLD BUSINESS:

1) None

NEW BUSINESS:

1) Discussion - Tiny Homes/Small Lots

NEXT MEETING: Monday, May 11, 2015

ADJOURNMENT:

AGENDA
PLANNING COMMISSION
 Conference Room, City Hall
 March 19, 2015, 6:30 p.m.

P	A	Member	P	A	Member
	x	Bieganek, Justin	x		Schilling, Kara
x		Dahlberg, Doug		x	Schulte, Ray
x		Gosiak, Frank	x		Silbernick, Keith
x		Hanfler, Jeremy	x		Oleson, Ben (Zoning Official)
			x		Kimman, Greg (City Engineer)

CALL TO ORDER: The Planning Commission Meeting was called to order by Frank Gosiak, Planning Commission Chairperson, at 6:30 p.m.

ADOPT THE AGENDA: A motion was made by Hanfler, seconded by Silbernick to adopt the agenda as presented. Motion carried.

APPROVAL OF MINUTES: A motion was made by Silbernick, seconded by Dahlberg to adopt the minutes as presented. Motion carried.

PUBLIC HEARINGS:

- 1) **Rezoning request from R-1 One and Two Family District to R-3 Multiple Family Residential District**
 - a. **Applicant: Scott Gall (Owners: Wayne & Karen Gall)**
 - b. **Legal Description: Part of Government Lot 4, Section 19, Township 129, Range 29.**
 - c. **Property Address: 1115 Lindbergh Drive, Little Falls**
 - d. **Parcel number: 491258000**

Oleson summarized the rezoning request. Public hearing opened at 6:31 pm. Scott Gall, 217 1st street NE spoke on behalf of the owners and explained that they would like to put a 4-plex rental unit on the property. The Committee discussed the requirements of R-1 zoning vs R-3 zoning. The meeting was then opened to public comment. John Carpenter, 1118 Lindbergh Drive S, commented that he would prefer to see a single family residential home(s) instead of a rental property. He cited the increased traffic, increased noise, and neighborhood aesthetics as reasons against approving the request. James Abelt, 1124 Lindbergh Drive S, also spoke against approving the request saying that a 4-plex unit would not fit the neighborhood aesthetically. He also commented on how the current property is in serious disrepair. Public hearing closed at 6:42 pm. The committee discussed the current property and what type of housing would be allowed under the different zoning options. A motion was made by Hanfler, seconded by Silbernick to approve the rezoning request. Motion carried.

OLD BUSINESS:

None

NEW BUSINESS:

1. Discussion – Derosier Drive development

Kimman summarized the development proposal and existing zoning in the development location. Kimman also mentioned that no formal plan has yet been presented and the development is in the preliminary stages.

2. Discussion – Future MN DOT Improvements to Trunk Highway 27

Kimman presented information stating the MN DOT has the resurfacing of Trunk Highway 27 through Little Falls on its calendar for 2019. He mentioned that several considerations will need to be addressed including utilities, parking, and foot traffic before the project begins.

3. Discussion – Storage POD regulations

Oleson summarized that the city currently has no ordinance to address storage PODS which have become more popular in the last few years. He will research some other ordinances currently in place in other communities and come to a future meeting with recommendations.

NEXT MEETING: Monday, April 13, 2015

ADJOURNMENT: A motion was made by Silbernack, seconded by Schilling to adjourn at 8:24 p.m. Motion carried.

Minutes submitted by Doug Dahlberg, Secretary.

Minutes approved on

STAFF REPORT

Application: After-the-fact variance request to allow for an approximate 681 sq ft single-story garage to be located 25.4 ft from a front yard (min. 30 ft required).

Applicant: NRFC Little Falls Holdings, LLC

Background Information:

- 1) **Proposal:** NRFC Little Falls Holdings, LLC operates the “Diamond Willow” assisted living facility on the subject property. The facility was originally constructed in 2006 and had a conditional use permit approved at that time as assisted living facilities required such approval in the B-3 zoning district.

At the time of the construction of the Diamond Willow Assisted Living facility in 2006, a 24' x 24' detached garage was also constructed in the SE corner of the property - adjacent to a public right-of-way (the right-of-way does not contain a constructed street in the area closest to the detached garage, but does contain city stormwater facilities.

Various notes, letters and drawings from the City’s file indicated that this garage would meet the required 30 ft setback from this front lot line. However, as indicated in a 2013 survey of the property, the garage was actually constructed 25’4” from the front property line - 4’8” closer than is allowed by ordinance.

The applicants are seeking a variance to allow for the garage to remain in its current location rather than having to move the garage, which is located on a permanent foundation/slab.

- 2) **Location:**
- Legal Description: Part of NW4 of Section 9, Township 41, Range 32
 - Property Address: 1401/1405 5th Avenue NE, Little Falls
 - Parcel number(s): 48.6075.000
- 3) **Property Owner:** NRFC Little Falls Holdings, LLC
-

Applicable Statutes/Ordinances:

Minnesota Statutes

462.357 (2011) OFFICIAL CONTROLS: ZONING ORDINANCE.

Subd. 6. Appeals and adjustments.

Appeals to the board of appeals and adjustments may be taken by any affected person upon compliance with any reasonable conditions imposed by the zoning ordinance. The board of appeals and adjustments has the following powers with respect to the zoning ordinance:

- (1) To hear and decide 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 zoning ordinance.

(2) To hear requests for variances from the requirements of the zoning ordinance including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. Variances shall be granted for earth sheltered construction as defined in section [216C.06, subdivision 14](#), when in harmony with the ordinance. The board of appeals and adjustments or the governing body as the case may be, may not permit as a variance any use that is not allowed under the zoning ordinance for property in the zone where the affected person's land is located. The board or governing body as the case may be, may permit as a variance the temporary use of a one family dwelling as a two family dwelling. The board or governing body as the case may be may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

Little Falls City Code

11.04: ADMINISTRATION AND ENFORCEMENT

C. Variances:

1. The timelines for variance requests shall be governed by Minnesota Statute 15.99, as amended from time to time.
2. The processing of variances shall be governed by Minnesota Statute 462.357, as amended from time to time.
3. No variance permitting the erection or alteration of a building shall be valid for a period longer than six [6] months, unless a building permit is issued and the construction actually begun within that period, and is thereafter diligently pursued to completion.
4. A variance shall lapse and become void if the variance for which a permit has been granted is discontinued for a period of one year, or if a variance is no longer required by the provisions of this chapter.
4. Revocation: A variance may be revoked by following the requirements and procedures in Section 11.04.H of the City Code.

11.05: ZONING DISTRICTS AND MAP:

F. R2 One- And Two-Family Residential District:

4. Lot Area, Floor Area, Height, Lot Width And Yard Requirements: All uses in the R2 district shall comply with the requirements of the R1 district of this section, except as hereinafter modified:

Lot Size	Lot Width	Front Yard	Rear Yard	Side Yard	
				Interior	Corner
One- and two-family 9,000 square feet	60 feet	30 feet	30 feet	5 feet	15 feet

K. B3 Noncentral Business District:

4. Lot Area, Height, Lot Width And Area Requirements:

b. Requirements Of Uses:

(2) Residential uses shall be governed by lot size and setback requirements as provided in R2 districts.

Findings of Fact: The following findings of fact are presented by Staff for consideration by the Planning Commission:

1) **Current Zoning:**

- o Subject Property: B-3 Noncentral Business District (R-2 if related rezoning application liis approved)
- o Surrounding Properties: B-3 Noncentral Business District for all immediately adjacent properties as well as those located directly across Highway 10 to the east. The nearest residentially-zoned property (R-3) is 1.5 blocks to the west.

2) **Current Land Use:**

- o Subject Property: Assisted living facility
- o Surrounding Properties: There is a residential development located immediately to the south. Property immediately to the west and south is used residentially. The property to the immediate north is vacant City-owned land that is essentially all wetland. Highway 10 is immediately to the east.

3) **Lot size:** Approx. 5 acres

4) **Sewer/Water:** The property is served with stubs for City sewer/water.

5) **Natural Features:**

Floodplain: The property is not within an identified floodplain.

Bluff/Steep Slopes: The property is relatively flat and does not contain any bluffs or steep slopes.

Wetlands: There is a significant amount of wetland on the property, but not in the area of the garage which is the subject of this variance.

6) Will the granting of the variance be in harmony with the general purposes and intent of the Zoning and/or Subdivision Ordinance?

The City's subdivision ordinance does not apply to this application.

The general purposes and intent of the Zoning Ordinance in setting minimum setbacks from a front lot line is generally to ensure that there is adequate separation from street right-of-way so that structures do not interfere with the potential future expansion of streets and to prevent the feeling of crowding along certain city streets.

7) Will the granting of the variance be consistent with the City of Little Falls' Comprehensive Plan?

The Comprehensive Plan does not directly address front yard setback requirements.

8) Is the proposed use of the property reasonable?

The requested variance is reasonable in that the front lot line to which the garage is closest does not contain a city street and is very unlikely that it ever will given that it abuts Highway 10. As such, it is not a typical situation for which front yard setbacks are required and would not "crowd" the road. Further, the right-of-way is unlikely to be expanded in width given that it abuts Highway 10.

9) Is the plight of the landowner due to circumstances unique to the property not created by the landowner?

The owner at the time of construction had the ability, and apparently the intention, of meeting the required 30 ft setback, but obviously did not when the building was constructed.

10) Will the variance, if granted, alter the essential character of the locality?

The character of the locality will not change whether the garage is allowed to be within the 30 ft setback or not.

11) Are economic considerations the only reason the applicant cannot meet the strict requirements of the ordinance?

It appears physically possible to meet the required 30 ft setback. Moving the building would involve taking the building off its existing foundation (slab), pouring additional slab and moving the building over - all of which would involve additional cost and disturbance of soil.

12) Could the practical difficulty be alleviated by a feasible method other than a variance (taking into account economic considerations)?

Moving the building would involve taking the building off its existing foundation (slab), pouring additional slab and moving the building over - all of which would involve additional cost and disturbance of soil.

Board of Adjustment Direction: The Board of Adjustment may approve the variance request, deny the request, or table the request if the Board should need additional information from the applicant. If the Board should approve or deny the request, the Board should state the findings which support either of these actions.

Staff Comments: As the Planning Commission/Board of Adjustment considers this application, Staff would make the following comments:

1. There are several notes in the City's 2006 file indicating that the garage would meet the setback requirements. There is also a note from the building inspector noting that the setbacks are "OK" although that appears to be for the primary assisted living facility building rather than the garage that is the subject of this variance.
2. Staff has received one phone calls with questions about the details of the proposal. No objections were expressed after providing the explanation. Any comments received before the meeting will be presented to the Planning Commission/Board of Adjustment at the hearing.
3. A denial of the requested variance would mean that the landowner would need to remove the shed completely from the property, or move it so that it meets all required setbacks.



Phone: 320-616-5500
Fax: 320-616-5505

Fee Paid _____ Date Filed _____ Receipt Number _____

Application For: REZONING, VARIANCE AND CONDITIONAL USE

Have you reviewed Chapter 11, Section 11.04 of the City Code dealing with zoning laws of the City of Little Falls? (available online: www.cityoflittlefalls.com)

Yes No _____

Street Address of Property 1401 5th Avenue Northeast & 1405 5th Avenue Northeast

Legal Description of Property See Exhibit "A" Attached Hereto

Parcel Identification Number 48.6075.000

Owner - Name NRFC Little Falls Holdings, LLC Phone _____

Address 1401 5th Avenue NE

City Little Falls State MN Zip 56345

Applicant (if other than owner) -

Name _____ Phone _____

Address _____

City _____ State _____ Zip _____

Type of Request - Rezoning _____ Variance Conditional Use _____ Other _____

Description of Request A variance to the setback requirements found in Section 11.05(F)(4) of the Code of City of Little Falls

Reason for Request the initial developer of the Property caused to be constructed a 681 sq. ft. single story garage pursuant to the site plan attached hereto as Exhibit "C". The aforementioned garage when constructed, was located within 4.6 ft of the 30' setback requirement as shown on the ALTA Survey attached as Exhibit "B".

Present Zoning Classification R-2

Existing Use of Property Assisted Living Facility

Existing Use and Zoning of the Surrounding Area (two blocks) B-3

Has a request for a variance, special use permit, or rezoning on the subject site - or any part thereof - been previously sought?

Yes X No _____ When 2006 CUP, 2007 Sign Permit, 2015 Rezoning

Signature of Applicant/s _____
Date 2/24/15
NRFC Little Falls Holdings, LLC
By: NRFC DW Holdings, LLC, its sole member
By: NorthStar Realty Healthcare, LLC, its sole member
By: _____
Name: Paul J. [Signature]

I am the legal fee owner of the property described on this application and I consent to this application
Signature of owner/s _____
NRFC Little Falls Holdings, LLC
By: NRFC DW Holdings, LLC, its sole member
By: NorthStar Realty Healthcare, LLC, its sole member
By: _____
Name: Paul J. [Signature]

Approved _____ Denied _____ by the Planning Commission on _____ Date

Approved _____ Denied _____ by the City Council on _____ Date

Mailing Address: City of Little Falls, P.O. Box 244, Little Falls, MN 56345

The following questions must be answered.

1. What changes are you proposing to make to this property?

Building: none

Landscaping: none

Parking/Signs: none

2. Describe the character of the area and the existing patterns and use of development in the area. How is the proposal consistent with those patterns and uses? _____

The present location of the garage has remained unchanged since the structure was initially completed. Unbeknownst to the owner, the garage was not located behind the 30ft setback even though the architectural site plan contemplated compliance with the 30ft' setback.

3. Describe the impact on the character of the neighborhood in which the property is located. The property to the north is vacant, the property to the east US Highway 10, and the property to the South is located across a green space and is buffered by trees. See Exhibit "D" for an overhead view of the property. For these reasons, the impact on the surrounding neighborhood will be minimal, if any.

4. Describe the impact to the traffic on roads and highways in the vicinity, and the expected traffic generated by the proposed use. Is there adequate off-street parking available to accommodate the proposal? No impact on traffic.

5. What part of the City Zoning Ordinance creates a practical difficulty to the property in question? What is the practical difficulty that prevents the land to be used in a reasonable way? In order to comply with the setback requirements in the R-2 district, the owner of the Property will be forced to expend thousands of dollars to move the structure 4.6 ft. The benefit to the City of Little Falls, especially given the surrounding landscape, is significantly outweighed by the burden that would be imposed on the owner if compliance is required.

Use other side of page if necessary.

Mailing Address: City of Little Falls, P.O. Box 244, Little Falls, MN 56345

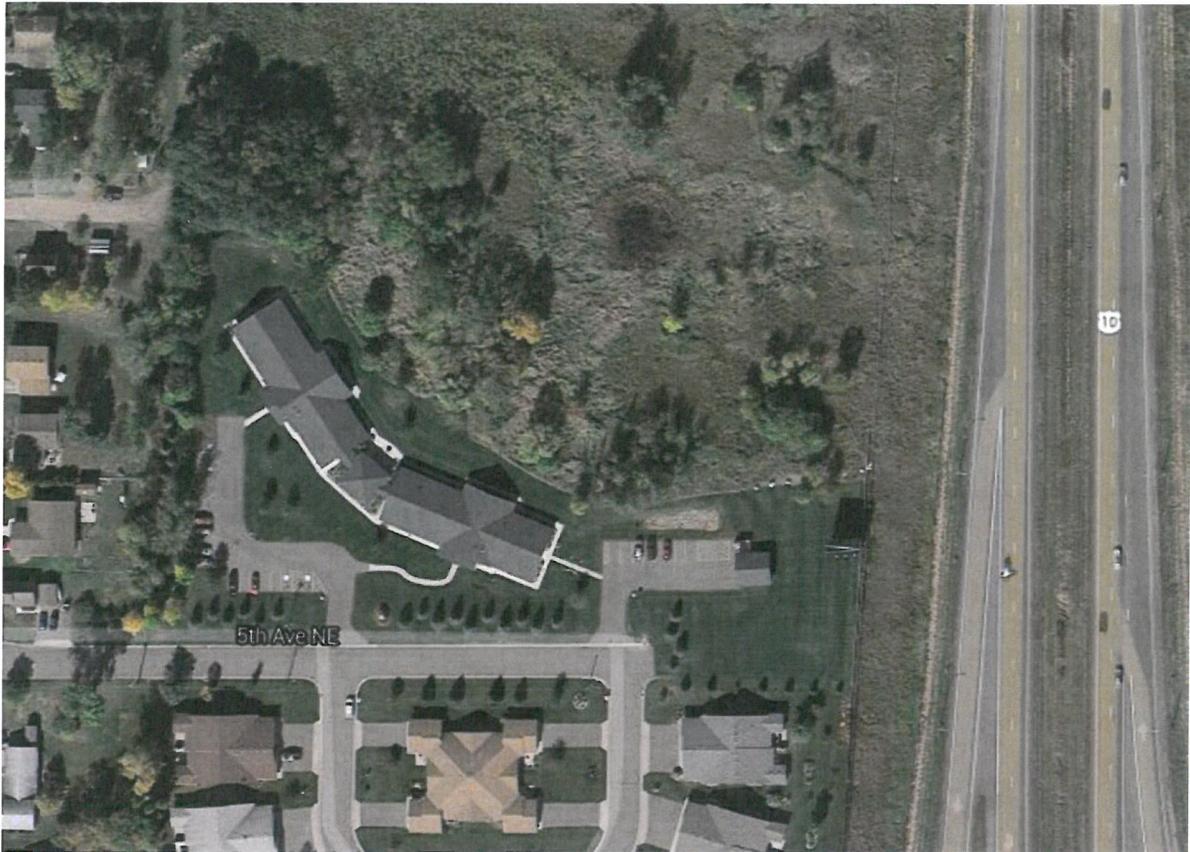
EXHIBIT "A"
LEGAL DESCRIPTION

Real property in the County of Morrison, State of Minnesota, described as follows:

That part of the Northwest Quarter of Section 9, Township 40 North, Range 32 West, Morrison County, Minnesota, described as follows: Commencing at the northeast corner of Lot 14, Fairview Addition to Little Falls, according to the plat thereof on record in the Morrison County Recorder's Office; thence South 89 degrees 41 minutes 26 seconds West, bearing based on the City of Little Falls Coordinate Database NAD 83 Harns Adjustment, a distance of 587.08 feet along the southerly line of vacated Cedar Street according to said plat of Fairview Addition to Little Falls to the west line of said plat of Fairview Addition to Little Falls, said line also being the east line of Berg's Addition to Little Falls, according to the plat thereof on record in said Recorder's Office; thence North 00 degrees 37 minutes 56 seconds East 66.01 feet along said east line of Berg's Addition to Little Falls, to the point of beginning of the tract to be described; thence North 89 degrees 41 minutes 26 seconds East 597.77 feet to the westerly right-of-way line of Trunk Highway No. 10; thence North 03 degrees 35 minutes 07 seconds East 359.83 feet along said westerly right-of-way line of Trunk Highway No. 10; thence South 89 degrees 41 minutes 26 seconds West 616.31 feet to said east line of Berg's Addition to Little Falls; thence South 00 degrees 37 minutes 56 seconds West 359.05 feet, along said east line of Berg's Addition to Little Falls, to the point of beginning.

(Abstract Property)

EXHIBIT "D"
OVERHEAD VIEW



STAFF REPORT

Application: Request to rezone an approximate 5 acre property with an existing assisted living facility from R-3 (Multiple-Family Residential District) to B-3 (Noncentral Business District) or to remove a conditional requiring such rezoning from a previously granted (2006) conditional use permit.

Applicant: NRFC Little Falls Holdings, LLC

Background Information:

1) **Proposal:** NRFC Little Falls Holdings, LLC operates the “Diamond Willow” assisted living facility on the subject property. The facility was originally constructed in 2006 and had a conditional use permit approved at that time as assisted living facilities required such approval in the B-3 zoning district.

One of the conditions of the 2006 conditional use permit approval was that “the developer will petition to rezone the approximately five acre site from Non-Central Business District, “B-3”, to One- and Two-Family Residential, “R-2”. This rezoning petition apparently never was made and the property remains zoned B-3 at this time.

2) **Location:**

- Legal Description: Part of NW4 of Section 9, Township 41, Range 32
- Property Address: 1401/1405 5th Avenue NE, Little Falls
- Parcel number(s): 48.6075.000

3) **Property Owner:** NRFC Little Falls Holdings, LLC

Applicable Statutes/Ordinances:

Little Falls City Code

11.04: ADMINISTRATION AND ENFORCEMENT

E. Amendments:

1. This chapter may be amended according to the provisions of the city charter.
2. Initiation: Proceedings for amendment of this chapter shall be initiated by: a) a petition of the owner or owners of the actual property, the zoning of which is proposed to be changed; b) a recommendation of the planning commission; or c) by action of the council.
4. Action By Planning Commission: Within sixty (60) days after the date or receipt of the petition by the zoning administrator, the planning commission shall make a written report to the council stating its findings and recommendations, unless the applicant, in writing, requests an extension of time.
5. Action By Council: On receipt of the written report from the planning commission, the council shall hold a hearing within thirty (30) days after the receipt of the report and recommendations from the planning commission. If the

planning commission fails to make a report within sixty (60) days after receipt of the application, then the council shall hold a public hearing within thirty (30) days after the expiration of said sixty (60) day period, unless the applicant, in writing, requests an extension of time. Failure to receive a report from the planning commission as herein provided shall not invalidate the proceedings or actions of the council. The council shall give not less than ten (10) days nor more than thirty (30) days' notice of time and place of such hearing published in the designated legal newspaper, and such notice shall contain a description of the land and the proposed change in zoning. At least ten (10) days before the hearing, the council shall order the zoning administrator to mail an identical notice to the owner and to each of the property owners within three hundred feet (300') of the outside boundaries of the land proposed to be rezoned. Failure to mail the notice or failure of the property owners to receive the notice shall not invalidate the proceedings. At the time of hearing, the council may take final action upon the application or it may continue the hearing from time to time for further investigation and hearing. The council may also request further information and report from the planning commission.

6. Referral To Planning Commission: The council shall not rezone any land or area in any zoning district or make any other proposed amendment to this chapter without having first referred it to the planning commission for their consideration and recommendation.

7. Effect Of Denial: Rezoning applications may be denied by motion of the council and such motion shall constitute a finding and determination that the proposed rezoning is not in the best interest for the physical development of the city. No application which has been denied wholly or in part shall be resubmitted for a period of six (6) months from the date of said order of denial, except on grounds of new evidence or proof of change of conditions found to be valid by the planning commission. (Ord. 801, eff. 6-3-1974)

11.05: ZONING DISTRICTS AND MAP

G. R-2 Multiple-Family Residential District:

1. Permitted Uses:

a. Any use permitted in the R-1 district.

K. B-3 Noncentral Business District:

1. Permitted Uses:

[The B-3 district allows any use permitted in any other business or residential district within the City]

Findings of Fact: The following findings of fact are presented by Staff for consideration by the Planning Commission:

1) Current Zoning:

- Subject Property: B-3 Noncentral Business District (R-2 if related rezoning application liis approved)
- Surrounding Properties: B-3 Noncentral Business District for all immediately adjacent properties as well as those located directly across Highway 10 to the east. The nearest residentially-zoned property (R-3) is 1.5 blocks to the west.

2) **Current Land Use:**

- Subject Property: Assisted living facility
- Surrounding Properties: There is a residential development located immediately to the south. Property immediately to the west and south is used residentially. The property to the immediate north is vacant City-owned land that is essentially all wetland. Highway 10 is immediately to the east.

3) **Lot size:** Approx. 5 acres

4) **Sewer/Water:** The property is served with stubs for City sewer/water.

5) **Natural Features:**

Floodplain: The property is not within an identified floodplain.

Bluff/Steep Slopes: The property is relatively flat and does not contain any bluffs or steep slopes.

Wetlands: There is a significant amount of wetland on the property, but not in the area of the garage which is the subject of this variance

6) **Comprehensive Plan:**

The property is identified for future use as “High Density” Residential (10-30 units per acre).

**PROPOSED
LAND USE**

The plan has the following land uses:

AGRICULTURE - RURAL

This designation includes rural uses, hobby farms, agriculture and, in some instances, very large lots all of which are not planned for urban development by 2020 unless growth or other circumstances dictate otherwise in which case an amendment to the plan will be evaluated.

RESIDENTIAL

Country and Suburban- This designation is for country and suburban style residential development and related uses served by City water and sewer at a density of 1-3 units per acre.

Urban (Single-Family)- This designation is for primarily single-family residential and compatible, associated uses, e.g. churches. Density would be 3-4 units per acre.

Medium Density (Residential)- This designation is for residential and associated public type uses including single-family, two-family and townhouses at a density of 4-10 units per acre.

High Density (Multi-Family Residential)- This designation is for townhouses, apartments and condominium developments at a density in the range of 10-30 units per acre.

**PROPOSED LAND
USE COMPARED
TO ZONING**

Table 1-1 is a matrix which shows the relationship between the Comprehensive Plan and the zoning districts.

Table 1-1

COMPREHENSIVE PLAN COMPARISON TO ZONING DISTRICT			
Comprehensive Plan		Zoning Ordinance	
<i>Land Use Designations</i>	<i>Density</i>	<i>Comparable Zoning Districts</i>	<i>Minimum Lot Area per Dwelling</i>
RESIDENTIAL			
COUNTRY AND SUBURBAN	1-3 units/ac	R-1.C Country Homes, One-and-Two Family Residential District	16,000 sf per dwelling, 2.7 units/acre
		Planned Unit Development-Country Homes, PUD- CH	Min lot size 16,000 sf/20,000 sf
URBAN (SINGLE-FAMILY)	3-4 units/ac	Mississippi Headwaters Corridor District (Morrison County)	Interim Lot 11,000 sf per dwelling Corner Lot 12,000 sf per dwelling
		R-1 One-and-Two Family Residential District	Interior Lot- 11,000 sf per dwelling, 3.96 units/acre Corner- 12,000 sf per dwelling, 3.63 units/acre
MEDIUM DENSITY	4-10 units/ac	R-2 One-and-Two Family Residential District	9,000 sf for one and two units, 4,500 sf per dwelling. 9.68 units/acre
HIGH DENSITY(MULTI-FAMILY)	10-30 units/ac	R-3 Multiple-Family Residential District	Max. Density 29 units/acre
		R-4 Mobile Homes	Refers to MN Mobile Home Law

Planning Commission Action: The Planning Commission may approve the rezoning request, deny the request, or table the request if the Commission should need additional information from the applicant. The applicant has also requested that the Commission consider removing the condition requiring rezoning from the 2006 approval and leave the zoning in its existing B-3 classification. If the Commission should approve or deny the request, it should state the findings which support either of these actions. If the application is tabled, the Commission should provide specific direction as to what additional information is needed.

Staff Comments: As the Planning Commission considers this application, Staff would make the following comments:

1. The applicant has requested either 1) rezoning from B-3 to R-2 as was required as a condition of the 2006 conditional use permit; or 2) removing the 2006 condition and leaving the property zoned B-3.
2. The setback requirements, whether zoned R-2 or B-3, remain those applicable for R-2 (residential uses in the B-3 district are regulated according to the R-2 setback requirements).
3. The primary difference is B-3 vs. R-2 zoning is that B-3 would allow for a multitude of commercial uses that would not be permitted in the R-2.
4. The Comprehensive Plan identifies this property for High Density Residential uses rather than commercial. As such, an R-2 or R-3 zoning classification would be more consistent with the Comprehensive Plan than the current B-3 zoning.



Phone: 320-616-5500
Fax: 320-616-5505

Fee Paid _____ Date Filed _____ Receipt Number _____

Application For: REZONING, VARIANCE AND CONDITIONAL USE

Have you reviewed Chapter 11, Section 11.04 of the City Code dealing with zoning laws of the City of Little Falls? (available online: www.cityoflittlefalls.com)

Yes X No _____

Street Address of Property 1401 5th Avenue Northeast & 1405 5th Avenue Northeast

Legal Description of Property See Exhibit "A" Attached Hereto. The property is also graphically depicted on the ALTA survey attached hereto as Exhibit "B".

Parcel Identification Number 48.6075.000

Owner - Name NRFC Little Falls Holdings, LLC Phone _____
Address 1401 5th Avenue NE
City Little Falls State MN Zip 56345

Applicant (if other than owner) -

Name _____ Phone _____
Address _____
City _____ State _____ Zip _____

Type of Request - Rezoning _____ Variance X Conditional Use _____ Other _____

Description of Request Rezone the Property from B-3 to R-2, or waive requirement of Condition Use Permit #55543, approved on September 11, 2006 (the "CUP")

Reason for Request The CUP requires the property owner to petition for a rezoning of the property from a B-3 district, to a R-2 district.

Present Zoning Classification B-3

Existing Use of Property Assisted Living Facility consisting of two, ten bed buildings

Existing Use and Zoning of the Surrounding Area (two blocks) North B-3, South B-3, East B-3, and West B-3.

Has a request for a variance, special use permit, or rezoning on the subject site - or any part thereof - been previously sought?

Yes No When 2006 Conditional Use Permit, 2007 Sign Permit

Signature of Applicant/s

NRFC Little Falls Holdings, LLC
By: NRFC DW Holdings, LLC, its sole member
By: NorthStar Realty Healthcare, LLC, its sole member

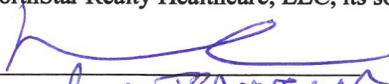
Date 2/24/15

By: 
Name: NO STAR REALTY

I am the legal fee owner of the property described on this application and I consent to this application

Signature of owner/s

NRFC Little Falls Holdings, LLC
By: NRFC DW Holdings, LLC, its sole member
By: NorthStar Realty Healthcare, LLC, its sole member

By: 
Name: LOW STAR REALTY

Approved _____ Denied _____ by the Planning Commission on _____ Date

Approved _____ Denied _____ by the City Council on _____ Date

Mailing Address: City of Little Falls, P.O. Box 244, Little Falls, MN 56345

The following questions must be answered.

1. What changes are you proposing to make to this property?

Building: none

Landscaping: none

Parking/Signs: none

2. Describe the character of the area and the existing patterns and use of development in the area. How is the proposal consistent with those patterns and uses? _____

This proposal has been previously vetted by the City of Little Falls and was made a

requirement pursuant to the previously issued CUP. The use as an assisted living facility

is a conditionally permitted use within the R-2 district.

3. Describe the impact on the character of the neighborhood in which the property is located. Converting from a B-3 to a R-2 district will reduce the future density and developmental impact on the surrounding neighborhood by limiting the permitted/conditional uses of the property

to the less impactful uses permitted in an R-2 district.

4. Describe the impact to the traffic on roads and highways in the vicinity, and the expected traffic generated by the proposed use. Is there adequate off-street parking available to accommodate the proposal? No change anticipated.

5. What part of the City Zoning Ordinance creates a practical difficulty to the property in question? What is the practical difficulty that prevents the land to be used in a reasonable way? The CUP granted in 2006 required the property to be rezoned from B-3 to R-2.

The current owner is submitting this rezoning application to comply with the requirements of the CUP that was obtained by a prior owner of the Property.

Use other side of page if necessary.

Mailing Address: City of Little Falls, P.O. Box 244, Little Falls, MN 56345

EXHIBIT "A"
LEGAL DESCRIPTION

Real property in the County of Morrison, State of Minnesota, described as follows:

That part of the Northwest Quarter of Section 9, Township 40 North, Range 32 West, Morrison County, Minnesota, described as follows: Commencing at the northeast corner of Lot 14, Fairview Addition to Little Falls, according to the plat thereof on record in the Morrison County Recorder's Office; thence South 89 degrees 41 minutes 26 seconds West, bearing based on the City of Little Falls Coordinate Database NAD 83 Harns Adjustment, a distance of 587.08 feet along the southerly line of vacated Cedar Street according to said plat of Fairview Addition to Little Falls to the west line of said plat of Fairview Addition to Little Falls, said line also being the east line of Berg's Addition to Little Falls, according to the plat thereof on record in said Recorder's Office; thence North 00 degrees 37 minutes 56 seconds East 66.01 feet along said east line of Berg's Addition to Little Falls, to the point of beginning of the tract to be described; thence North 89 degrees 41 minutes 26 seconds East 597.77 feet to the westerly right-of-way line of Trunk Highway No. 10; thence North 03 degrees 35 minutes 07 seconds East 359.83 feet along said westerly right-of-way line of Trunk Highway No. 10; thence South 89 degrees 41 minutes 26 seconds West 616.31 feet to said east line of Berg's Addition to Little Falls; thence South 00 degrees 37 minutes 56 seconds West 359.05 feet, along said east line of Berg's Addition to Little Falls, to the point of beginning.

(Abstract Property)

STAFF REPORT

Application: Conditional use permit to allow for a Planned Unit Development to include the construction of eight single-story four-plex residential buildings for rental purposes on an approximate 8.8 acre parcel.

Applicant: Roach Development LLC

Background Information:

- 1) **Proposal:** Roach Development LLC owns an approximate 8.8 acre property which they wish to develop into eight single-story four-plex residential buildings. The property, if the development is approved, would all remain under one owner and the units would be rented.

As part of the proposed development of this property, the developer would build a new private road system for the units on the property. Those private roads would then connect to existing public roads at three points – two approaches onto Derosier Drive to the north and one approach onto Riverwood Drive to the east. A stormwater pond would be constructed within the development to address stormwater management requirements of the City Code.

The property contains several relatively large stands of coniferous trees. It is unknown how many of these trees would be removed, although it is clear a good share of them would be removed.

In discussions with the City Attorney, it has been determined that the City Code allows for a “planned unit development” in any zoning district as a conditional use without the need for rezoning to any PUD-specific zoning district. A planned unit development is described in the ordinance as encompassing “all developments having two (2) or more principal uses or structures on a single parcel of land” and lists “apartment projects involving more than one building” as one of the allowable uses within a planned unit development.

- 2) **Location:**
- Legal Description: Part of Government Lot 2, Section 27 and NW4 of SW4, Section 26, Township 41, Range 32
 - Property Address: None (near intersection of Derosier Drive/Riverwood Drive), Little Falls)
 - Parcel number(s): 48.6960.001
- 3) **Property Owner:** Roach Development LLC
-

Applicable Statutes/Ordinances:

Little Falls City Code

11.03: GENERAL PROVISIONS

N. Planned Unit Developments: Planned developments shall include all developments having two (2) or more principal uses or structures on a single

parcel of land and may include townhouses, apartment projects involving more than one building, residential subdivision submitted under "density zoning" provisions, multi-use structures such as an apartment building with retail at ground floor level, all development located within the planned unit development district (PUD district) and similar projects. Such developments may be excluded from certain requirements of this chapter, provided the development meets the requirements of subsection [11.07D](#) of this chapter.

1. A complete detailed plan is submitted to the zoning administrator showing the location of all proposed structures, driveways, landscaping, parking, screening, sidewalks, access drives, land uses and such other information as may be requested. It is the intent of this subsection to provide a means to allow design flexibility by substantial variances from the provisions of this chapter, including uses, setbacks, height and similar regulations, but not including parking requirements, off street loading, necessary screening and the like. Variances may be granted for planned unit developments (PUDs) provided:

- a. Certain regulations contained in this chapter do not realistically apply to the proposed development due to the unique nature of the proposed development.

- b. The variances, if granted, would be fully consistent with the general intent and purpose of this chapter.

- c. The planned unit development (PUD) would produce urban development and an urban environment of equal or superior quality to that which would result from strict adherence to the provisions of this chapter.

- d. The variances will not constitute a threat to the property values, safety, health or general welfare of the owners or occupants of adjacent or nearby land nor be detrimental to the health, safety, morals or general welfare of the people. The proposed development is of such a unique nature as to require consideration under conditions of a planned unit development (PUD). It shall be determined that the variances are required for reasonable and practicable physical development according to a plan and are not required solely on the basis of financial consideration.

2. The council, upon review and recommendations of the planning commission, shall find that the proposed development is fully consistent with the purposes of this chapter and in conformity to the comprehensive plan.

3. A special use permit is granted. (Ord. 116, 3rd Series, eff. 3-23-1992)

11.07: SPECIAL PROVISIONS

D. Planned Unit Development: The purpose of this subsection is to establish provisions for the granting of a conditional use permit to provide for a planned

development project wherein there is more than one principal building or land use per lot, and with adequate controls to protect adjacent development and ensure high standards of development in accordance with an integrated design and coordinated physical plan which is appropriately located and in accordance with the following conditions. It is also the intent of this subsection to provide more flexible means to permit construction according to changing trends, techniques and materials in the process of urban development.

1. A complete site plan of the planned development project shall be submitted, which plan shall show proposed location of all buildings, parking areas, drives, lot lines, landscaped areas and other features, and shall be subject to approval of the council.
2. The council shall refer such plan to the planning commission for review and recommendations and such additional conditions as the council may direct to protect the general welfare may be imposed. (Ord. 801, 3rd Series, eff. 6-3-1974)
3. The tract of land for which a project is proposed and a permit requested shall be not less than one acre in area. (Ord. 33, 3rd Series, eff. 9-28-1987)
4. Uses may include only those uses generally considered associated with the general land use category shown for the area on the official land use plan of the city.
5. Where proposed private streets are determined by the council to better serve the traffic flow and the general welfare as a public street, the council may require such dedication and construction in conformance with city standards.
6. All other development regulations not specified in the "planned unit development" subdivision or specified as a condition to the conditional use permit, shall apply as regulated in the zoning district in which structure or use would be placed if the land were to be placed in a zoning district classification to permit said use of structure.
7. It is the intent of this subsection to provide a means to allow substantial variances from the provisions of this chapter, including uses, setbacks, height and similar regulations, but not including parking requirements, off street loading, necessary screening and the like. Variances may be granted for planned unit developments provided:
 - a. Certain regulations contained in this chapter do not realistically apply to the proposed development due to the unique nature of the proposed development.
 - b. The variances, if granted, would be fully consistent with the general intent and purpose of this chapter.
 - c. The planned unit development would produce urban development and an urban environment of equal or superior

quality to that which would result from strict adherence to the provisions of this chapter.

d. The variances will not constitute a threat to the property values, safety, health or general welfare of the owners or occupants of adjacent or nearby land, nor be detrimental to the health, safety, morals or general welfare of the people of the city.

e. The proposed development is of such a unique nature as to require consideration under conditions of a planned unit development.

f. It shall be determined that the variances are required for reasonable and practicable physical development according to a plan and are not required solely on the basis of financial considerations.

g. Motor fuel stations granted a conditional use permit as part of a planned unit development shall be constructed concurrently with the major portion of such planned unit development. (Ord. 801, eff. 6-3-1974)

8. The council, upon review and recommendations of the planning commission, shall find that the proposed development is fully consistent with the purposes of this chapter and in conformity to the comprehensive plan, before it grants a special use permit. (Ord. 33, 3rd Series, eff. 9-28-1987)

11.07: SPECIAL PROVISIONS

A. Off Street Parking And Loading Spaces:

(12) Required Spaces: Parking shall be provided according to the following schedule:

Principal Use Or Structure Served	Required Number Of Parking Spaces (Open Or Enclosed)
Dwelling, multi-family	2 spaces per dwelling unit
Dwelling, one- and two-family	2 spaces per dwelling unit

Findings of Fact: The following findings of fact are presented by Staff for consideration by the Planning Commission:

1) **Current Zoning:**

- Subject Property: R-1C Country Homes, One- and Two-Family Residential District
- Surrounding Properties: R-1C Country Homes, One- and Two-Family Residential District to the southeast, east, north and northwest; R-2.M Mississippi Headwaters Corridor - One- and Two-Family Residential District to the southwest and west.

2) **Current Land Use:**

- Subject Property: Vacant land
- Surrounding Properties: Residential (mostly single-family homes) and vacant (one parcel immediately to the west). Adjacent lots range in size from about 0.3 acres (~13,000 sq ft) to over 8 acres, although the majority of them are around 30,000 sq ft in size (~0.65-0.70 acres) or less.

3) **Lot size:** Approx. 8.8 acres

4) **Sewer/Water:** The property has existing city sewer/water to the east under Riverwood Drive. Extension of sewer/water under part of Derosier Drive has been recently discussed by the City Council.

5) **Natural Features:**

Floodplain: The property is not within an identified floodplain.

Bluff/Steep Slopes: The property is relatively flat and does not contain any bluffs or steep slopes.

Wetlands: There does not appear to be any wetlands on the property.

6) **Comprehensive Plan:**

The property is identified for future use as “Country and Suburban Residential (1-3 units per acre).

**PROPOSED
LAND USE**

The plan has the following land uses:

AGRICULTURE - RURAL

This designation includes rural uses, hobby farms, agriculture and, in some instances, very large lots all of which are not planned for urban development by 2020 unless growth or other circumstances dictate otherwise in which case an amendment to the plan will be evaluated.

RESIDENTIAL

Country and Suburban- This designation is for country and suburban style residential development and related uses served by City water and sewer at a density of 1-3 units per acre.

Urban (Single-Family)- This designation is for primarily single-family residential and compatible, associated uses, e.g. churches. Density would be 3-4 units per acre.

Medium Density (Residential)- This designation is for residential and associated public type uses including single-family, two-family and townhouses at a density of 4-10 units per acre.

High Density (Multi-Family Residential)- This designation is for townhouses, apartments and condominium developments at a density in the range of 10-30 units per acre.

**PROPOSED LAND
USE COMPARED
TO ZONING**

Table 1-1 is a matrix which shows the relationship between the Comprehensive Plan and the zoning districts.

Table 1-1

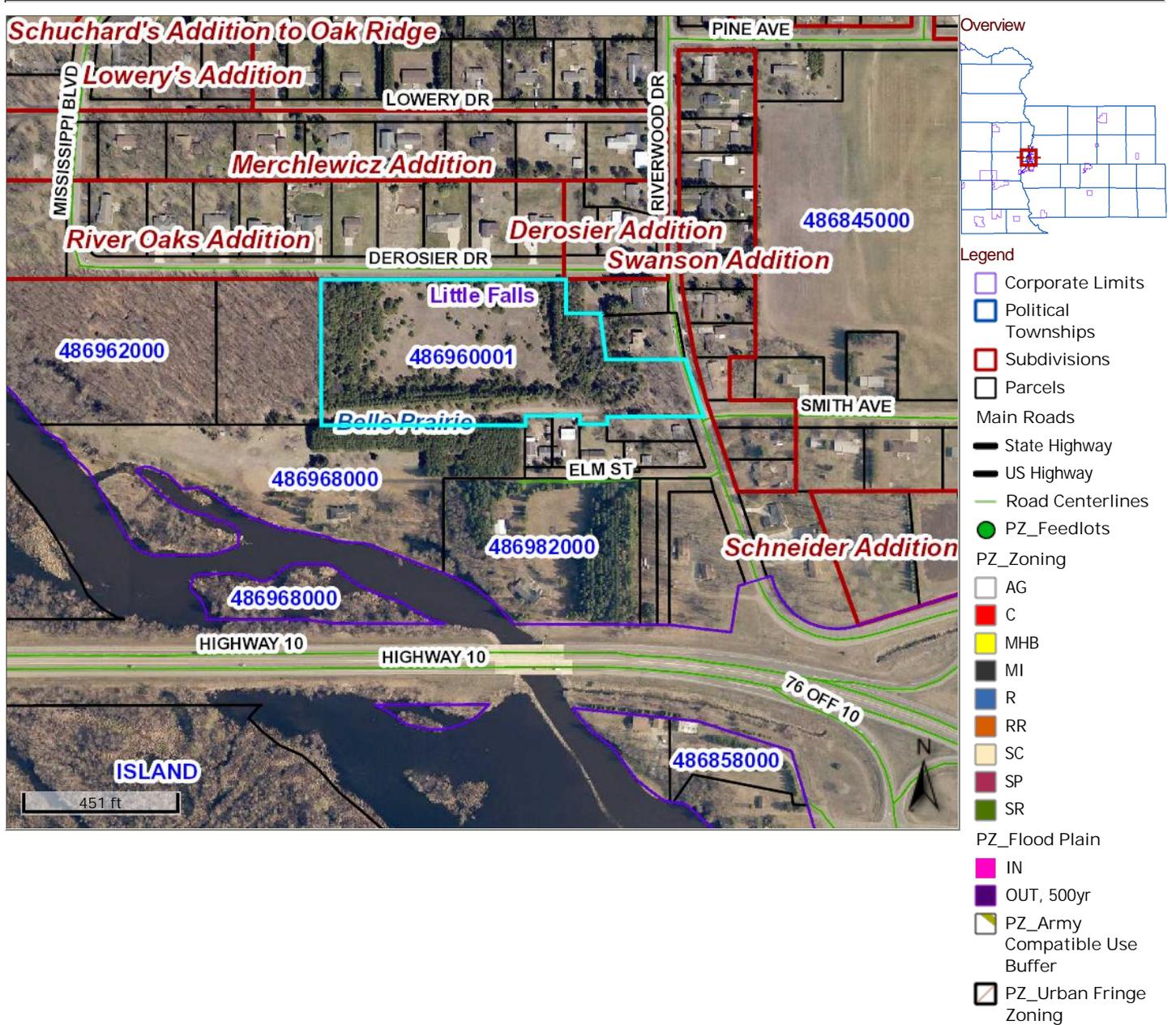
COMPREHENSIVE PLAN COMPARISON TO ZONING DISTRICT			
Comprehensive Plan		Zoning Ordinance	
<i>Land Use Designations</i>	<i>Density</i>	<i>Comparable Zoning Districts</i>	<i>Minimum Lot Area per Dwelling</i>
RESIDENTIAL			
COUNTRY AND SUBURBAN	1-3 units/ac	R-1.C Country Homes, One-and-Two Family Residential District	16,000 sf per dwelling, 2.7 units/acre
		Planned Unit Development-Country Homes, PUD- CH	Min lot size 16,000 sf/20,000 sf
URBAN (SINGLE-FAMILY)	3-4 units/ac	Mississippi Headwaters Corridor District (Morrison County)	Interim Lot 11,000 sf per dwelling Corner Lot 12,000 sf per dwelling
		R-1 One-and-Two Family Residential District	Interior Lot- 11,000 sf per dwelling, 3.96 units/acre Corner- 12,000 sf per dwelling, 3.63 units/acre
MEDIUM DENSITY	4-10 units/ac	R-2 One-and-Two Family Residential District	9,000 sf for one and two units, 4,500 sf per dwelling. 9.68 units/acre
HIGH DENSITY(MULTI-FAMILY)	10-30 units/ac	R-3 Multiple-Family Residential District	Max. Density 29 units/acre
		R-4 Mobile Homes	Refers to MN Mobile Home Law

Planning Commission Action: The Planning Commission may approve the rezoning request, deny the request, or table the request if the Commission should need additional information from the applicant. If the Commission should approve or deny the request, it should state the findings which support either of these actions. If the application is tabled, the Commission should provide specific direction as to what additional information is needed.

Staff Comments: As the Planning Commission considers this application, Staff would make the following comments:

1. The primary questions relating to this application given the requirements of the ordinance and the guidelines laid out in the Comprehensive Plan appear to be:
 - a. Whether the overall density of the proposed development (31 dwelling units / 8.8 acres = 3.5 dwelling units/acre) is consistent with the Comprehensive Plan guidelines indicating a desired density of 1-3 dwelling units/acre.
 - i. Under current R-1C zoning, and if the property were subdivided into the minimum size lots allowable (100 ft wide and 16,000 sq ft), it would appear that the landowner could achieve a density similar to what is proposed under and then developed with two-family dwellings, it would appear possible to achieve about the same number of dwelling units as what is proposed under the PUD.
 - ii. Assuming that each 16,000 sq ft lot allowable under current R-1C zoning were developed with a two-family dwelling, the density allowed would be about 5.4 dwelling units/acre.
 - iii. The above suggests somewhat of a disconnect between the Comprehensive Plan (which serves as a guideline for future planning) and the Zoning Code (which serves as the regulatory document). The Plan suggests a lower density than what the Zoning Code allows. The Commission may wish to address this disconnect at some point in the future.
 - b. Whether varying from the typical prohibition on multi-family dwellings in the R-1C district by allowing this Planned Unit Development would:
 - i. "produce urban development and an urban environment of equal or superior quality to that which would result from strict adherence to the provisions of [Chapter 11 of the City Code]."
 - ii. "not constitute a threat to the property values, safety, health or general welfare of the owners or occupants of adjacent or nearby land nor be detrimental to the health, safety, morals or general welfare of the people".

2. Any development of the site will need to meet City requirements relating to stormwater management, setbacks from property lines, etc... Unless otherwise specified in any approval of the conditional use permit for a planned unit development, the requirements will be those otherwise applicable to the R-1C zoning district, which are as follows:
 - a. Maximum building height: Three stories or 40 feet in height.
 - b. Front yard setback: Minimum 20 feet.
 - c. Rear yard setback: Minimum 10 feet.
 - d. Side yard interior setback: Minimum 15 feet.
 - e. Setbacks for buildings to private road: Not in City Code (could be determined in conditions of approval)
3. Any future increase in the number of dwelling units within this development would be subject to additional review, in accordance with the requirements of the City Code at that time. If no changes are made to the current ordinance, additional dwelling units would require a new conditional use permit and public hearing.



Parcel ID	486960001	Alternate ID	486960001	Owner Address	ROACH DEVELOPMENT LLC
Sec/Twp/Rng	26-41-32	Class	4BB-Residential Non-Homestead SFD		1414 PAUL LARSON DR
Property Address		Acreage	8.800		LITTLE FALLS MN 56345

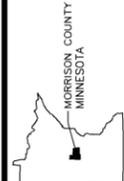
District: LITTLE FALLS EAST-#482-HRA

Brief Tax Description: PT OF GOV LOT 2 SEC 27 & OF NW1/4 OF SW1/4 SEC 26 DESC AS: COM AT NE COR OF SAID GOV LOT 2, S 0*01'33" E 937.97 FT ALG E LN, N 89*54'45" W 183.36 FT, N 7*33'25" W 127.21 FT TO SW COR OF DOC 295754 PT OF BEG, S 7*33'25" E 127.21 FT, S 89*54'45" E 232 FT TO CTRLN OF CO RD, S 17*10'39" E 134.38 FT ALG CTRLN, CONT ALG CTRLN S 19*15'32" E 36.95 FT TO INTERS WITH N LN OF DOC 321712, S 89*57'19" W 280.85 FT ALG SAID N LN TO ITS NW COR, S 0*02'41" E 25.46 FT ALG W LN TO S LN OF N 1130.84 FT OF GOV LOT 2, N 89*54'45" W 80.07 FT TO E LN OF DOC 298594, N 0*11'22" W 25.58 FT ALG E LN OF SAID DOC TO ITS NE COR, S 89*48'38" W 160 FT ALG N LN TO ITS NW COR, S 0*11'22" E ALG W LN TO S LN OF SAID N 1130.84 FT OF GOV LOT 2, N 89*54'45" W 597.95 FT TO W LN OF E 1017.88 FT OF SAID GOV LOT 2, N 0*01'33" W 427.95 FT ALG SAID W LN TO N LN OF S 427.95 FT OF SAID N 1130.84 FT OF GOV LOT 2, S 89*54'45" E 717.88 FT ALG SAID N LN TO NW COR OF DOC 290606, S 0*01'33" E

NA2015 PROJECTS\DEROSIER DRIVE\ROACH PLAT OPTION.DWG



PROPERTY ZONED R-1C
 MIN. LOT SIZE = 16,000 S.F.
 MIN. LOT WIDTH = 100' @ FRONT SETBACK LINE
 FRONT YARD SETBACK = 20'
 REAR YARD SETBACK = 10'
 SIDE YARD SETBACK = 15'
 ASSUMED PARK DEDICATION OFF-SITE OR \$\$ PAID TO CITY
 ■ DENOTES 500' MISSISSIPPI HEADWATERS CORRIDOR



DATE	REVISION DESCRIPTION	BY

JOB NUMBER: 1"=100'
 SCALE: 1"=100'
 DRAWN BY: B.D.R.
 CHECKED BY: D.H.S.
 PLOTTED: 4/17/2015 11:10 AM

CITY OF LITTLE FALLS
 LITTLE FALLS, MINNESOTA

0 100 200



Deroiser Drive

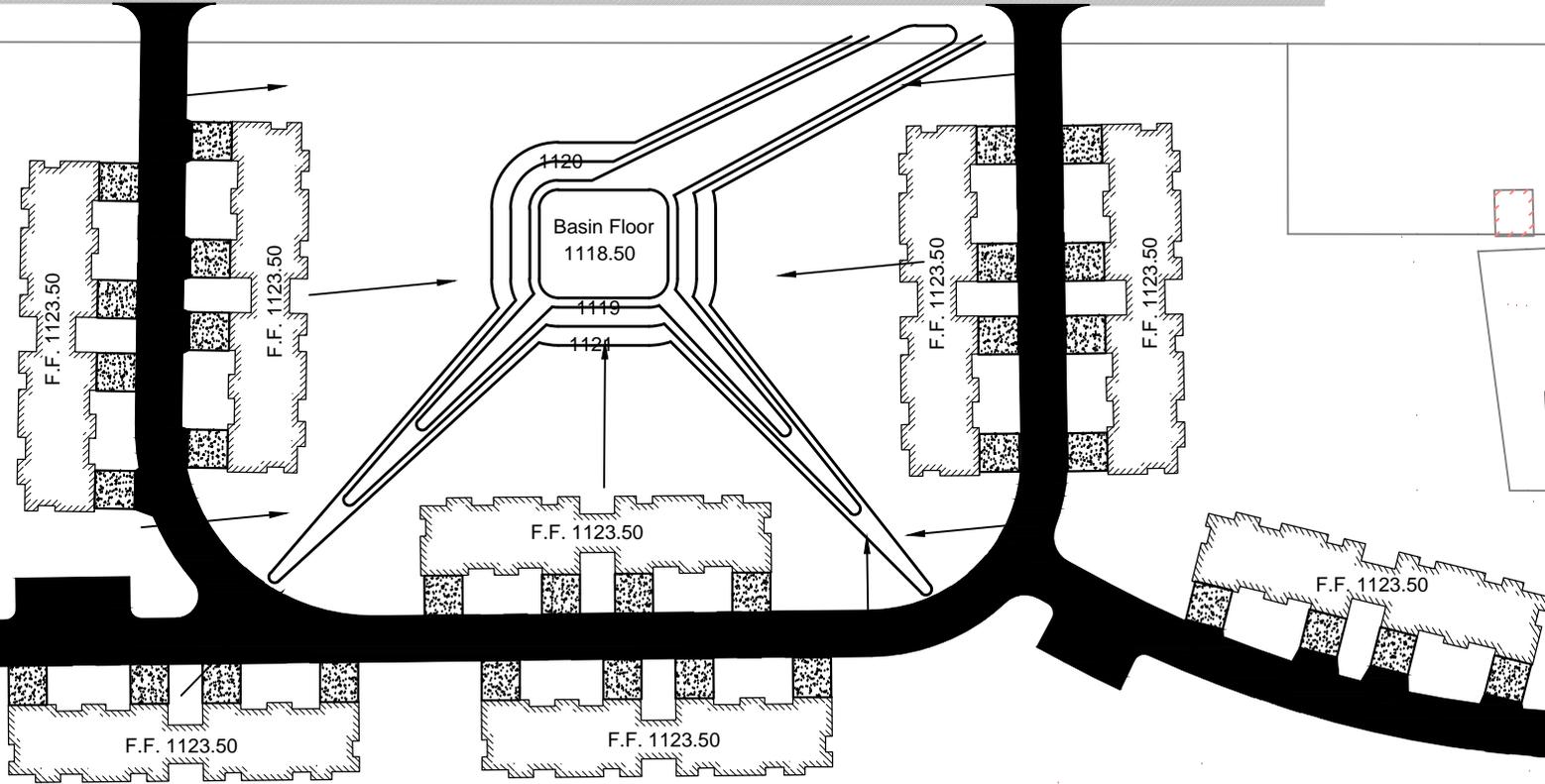
Riverwood Drive

MS EHL
THE SW
NW 1/4 OF

County 260

1
BLOCK

3



PROPOSED DRAINAGE PATTERNS

Project Name:

LITTLE FALLS TOWNHOMES

Project Location:

LITTLE FALLS, MINNESOTA
 PROJECT LOCATION: SOUTHWEST OF THE INTERSECTION OF DEROISER DR AND RIVERWOOD DR
 APPROXIMATE CENTROID OF PROJECT: LATITUDE: 46.0026° N LONGITUDE: 94.3575° W

Project Description:

THE CONSTRUCTION OF THE LITTLE FALLS TOWNHOMES WILL CONSIST OF THE CONSTRUCTION OF A NEW STREET AND UTILITY EXTENSIONS ON THE NORTH SIDE OF THE CITY OF LITTLE FALLS WITHIN PRIVATE PROPERTY OWNED BY ROACH DEVELOPMENT, LLC. THE ACTIVITIES ASSOCIATED WITH THE CONSTRUCTION OF THE FACILITIES WILL RESULT IN THE DISTURBANCE OF EXISTING SOILS. THIS STORM WATER POLLUTION PREVENTION PLAN (SWPPP) WILL OUTLINE THE STRATEGIES AND STEPS THAT WILL BE TAKEN TO PREVENT DISCHARGING OF SOILS FROM THE CONSTRUCTION SITE. CONSTRUCTION ACTIVITIES AND UNFORESEEN PROCESSES MAY NECESSITATE THE MODIFICATION OF THE SWPPP BY THE CONTRACTOR AND ENGINEER

Project Information:

PROJECT SIZE: 8.80 ACRES
 EXISTING IMPERVIOUS SURFACE AREA IN PROJECT LIMITS: 0.30 ACRES
 PROPOSED IMPERVIOUS SURFACE IN PROJECT LIMITS: 2.57 ACRES
 RECEIVING WATERS FROM PROJECT SITE: ON SITE TREATMENT AND OVERFLOW TO AN EXISTING DRAINAGE WAY TOWARD THE MISSISSIPPI RIVER.
 ACCORDING TO THE MINNESOTA POLLUTION CONTROL AGENCY WEBSITE, THERE IS ONE IMPAIRED WATER WITHIN ONE MILE OF THE PROJECT LIMITS. THE MISSISSIPPI RIVER IS AN IMPAIRED RIVER/STREAM BUT ONLY FOR AQUATIC CONSUMPTION. THERE ARE ALSO NO KNOWN CALCAREOUS FENS NEAR DISCHARGE LOCATIONS.
 EXISTING SOILS IN THE PROJECT AREA CONSIST PRIMARILY OF LOAMY SANDS (TYPE A).

Responsible Parties:

OWNER:
 ROACH DEVELOPMENT, LLC
 MR. TERRY ROACH
 terryroachnosparking@hotmail.com
 1414 PAUL LARSON DRIVE
 LITTLE FALLS, MN 56345

CONTRACTOR:

NAME OF CONTRACTOR

ADDRESS

SWPPP DESIGNER:
 MR. JADE BERUBE, P.E.
 APEX ENGINEERING GROUP
 JADE.BERUBE@APEXENGGROUP.COM

SWPPP SITE INSTALLER:

SWPPP SITE INSPECTOR:

INSPECTION AND MAINTENANCE DOCUMENTS FOR THE PROJECT SHALL BE KEPT AT AN ON SITE LOCATION TO BE DETERMINED BY THE SWPPP SITE INSPECTOR. THE INSPECTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE LOCATION, AS WELL AS PROVIDING THE INFORMATION TO ANY INTERESTED PARTIES.

Temporary Erosion Control:

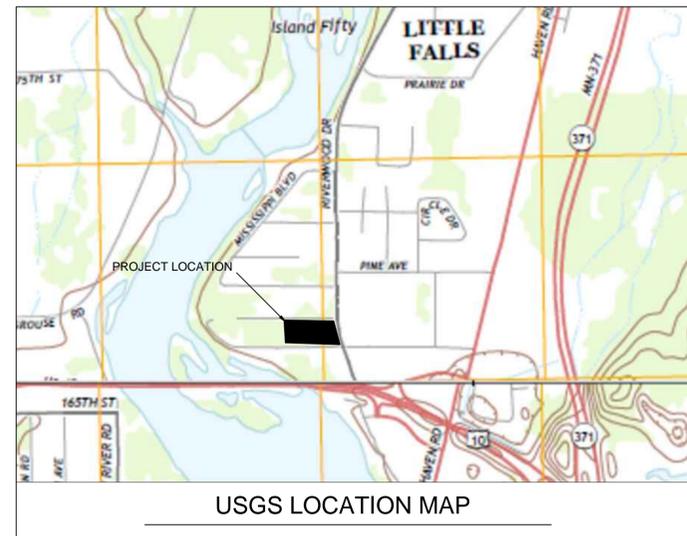
THE ITEMS INDICATED BELOW ARE TO BE CONSIDERED A PRELIMINARY ESTIMATE OF THE TEMPORARY EROSION CONTROL DEVICES NECESSARY TO LIMIT EROSION FROM THE SITE. THE CONTRACTOR'S MEANS AND METHODS WILL ULTIMATELY DICTATE THE QUANTITY AND PLACEMENT OF TEMPORARY EROSION CONTROL DEVICES.

ITEM	QUANTITY
TEMPORARY SILT FENCE	250 L.F.
CULVERT INLET PROTECTION	5 EACH

OTHER POLLUTANT SOURCES ON THE SITE WILL BE THOSE CONSISTENT WITH CONSTRUCTION ACTIVITY AND MUST BE CONTROLLED BY THE CONTRACTOR. THESE SOURCES WILL INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING: DUST, OILS, GREASES, GARBAGE, CONSTRUCTION DEBRIS.

Permanent Erosion Control:

THE IMPROVEMENTS WILL BE TREATED THROUGH A VARIETY OF STORM WATER TREATMENT METHODS INCLUDING VEGETATED STRIPS, HOLDING DITCHES, AND INFILTRATION BASINS.



STORMWATER SUMMARY:

EXISTING CONDITIONS CONTRIBUTING AREAS:

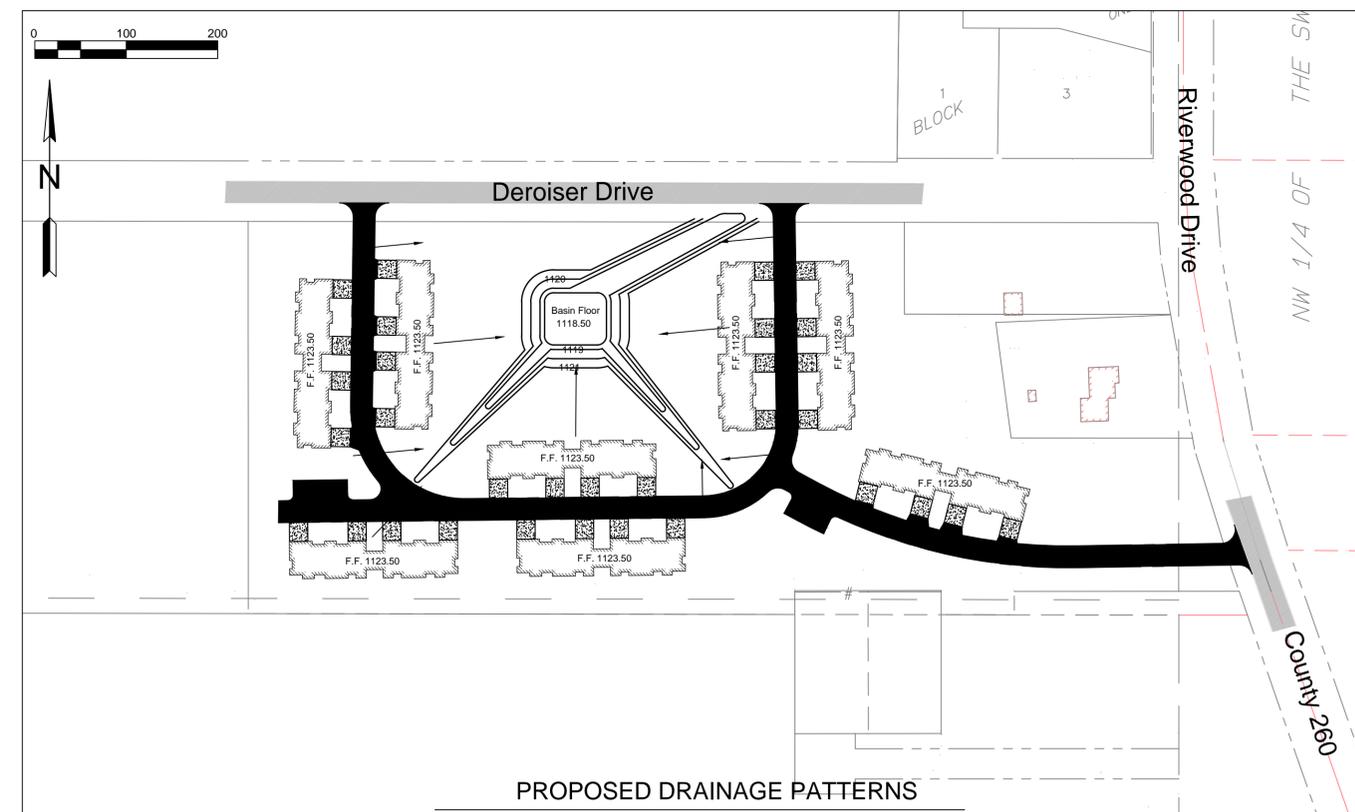
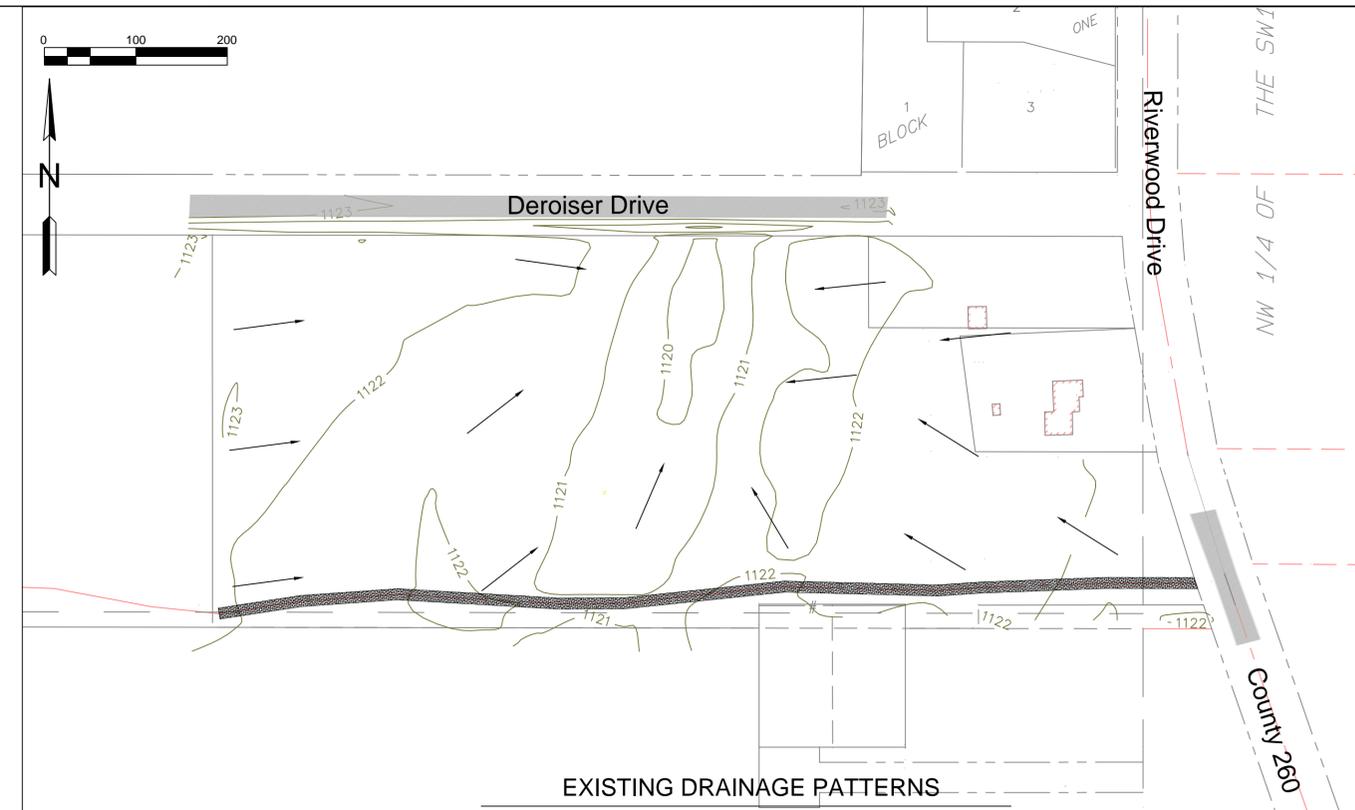
- PROJECT SITE:
 - 8.80 Acres
 - Soil Type A
 - Time of Concentration: 67.2 MINUTES
 - Design Storm Discharge 100 YEAR

POST CONSTRUCTION CONDITIONS CONTRIBUTING AREAS:

- PROJECT SITE:
 - 8.80 Acres
 - Percent Impervious: 29

STORMWATER QUALITY:

- INFILTRATION BASIN
 - Top of Basin Elevation = 1120.00 (MIN.)
 - Bottom Elevation = 1118.50 (MIN.)
 - Pond Emergency Overflow Elevation = 1121.00 (MIN.)
 - Surface Area at Bottom Elevation = 3,920 S.F.
 - Side Slopes Of Basin = 10:1
 - Design Infiltration Rate (1/2 USGS Rate) = 107/Hour
 - Design Year (100) High Water = 1119.38



REVISIONS		
Issue #	Description	Date

STORM WATER POLLUTION PREVENTION PLAN (SWPPP)



Bismarck - Detroit Lakes - Fargo
 1265 Highway 10 West, Suite # 4
 Detroit Lakes, Minnesota 56501
 Office: 218-844-2580
 www.apexenggroup.com

Apex Project #: 15.214.0044
 Date: April XX, 2015
 Drawn By: Cade K.
 Checked By: Bob S.
 Approved By: Jade B.

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.

Jade A. Berube
 Date: XX/XX/XXXX License Number: 47122

PRELIMINARY

Sheet:

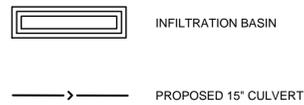
G-01

SYMBOLS LEGEND

TEMPORARY EROSION CONTROL

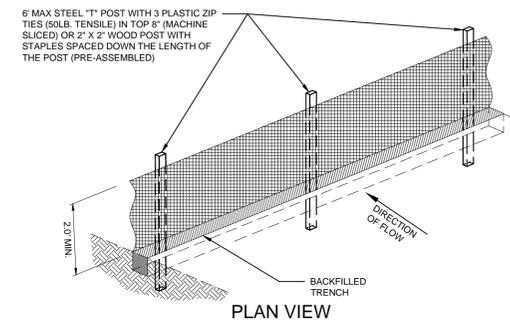
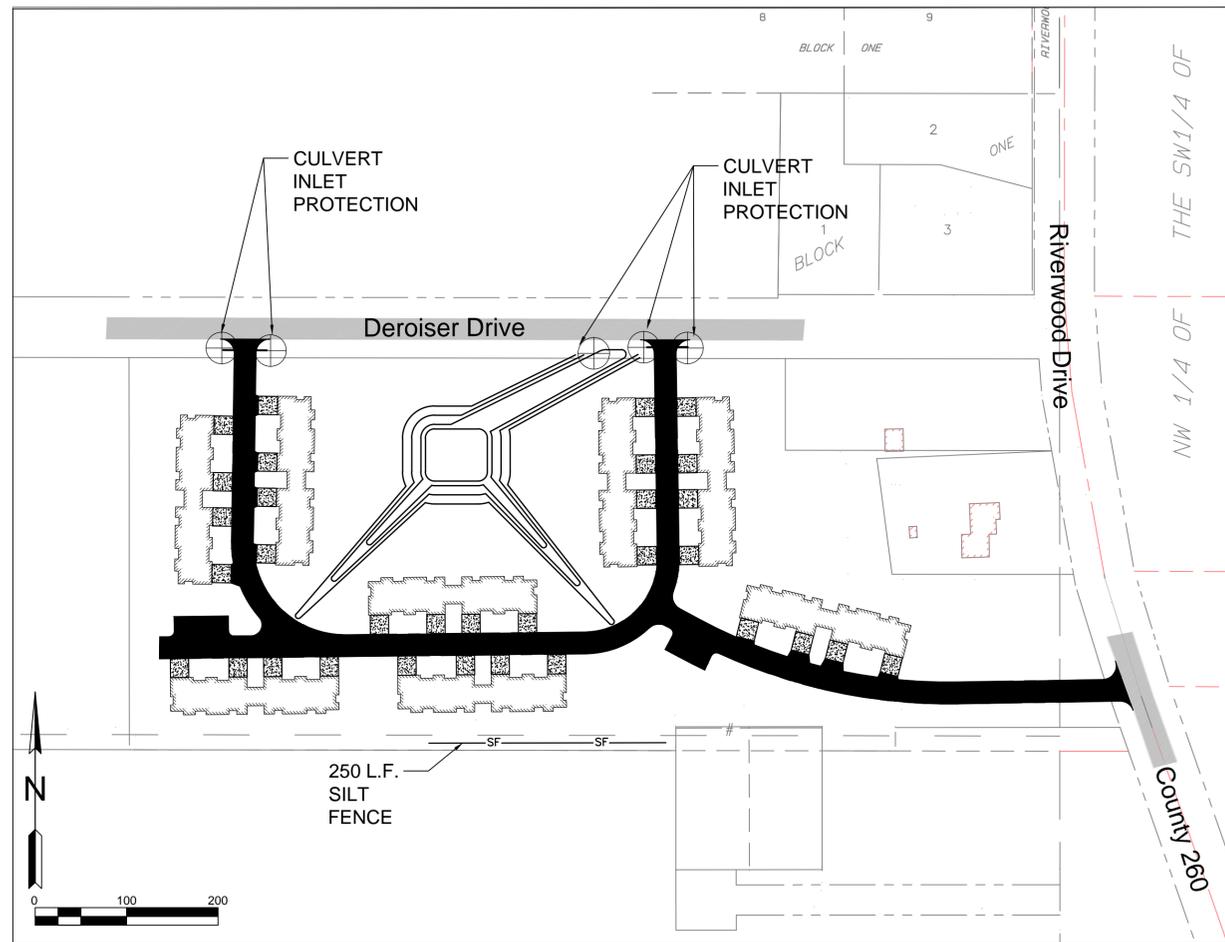


PERMANENT EROSION CONTROL

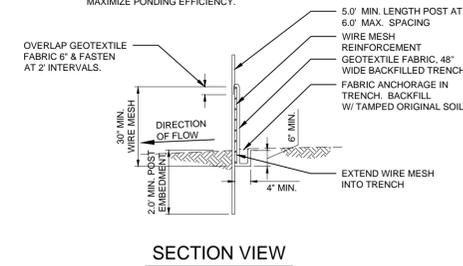


PLAN NOTES

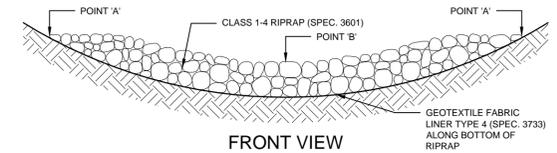
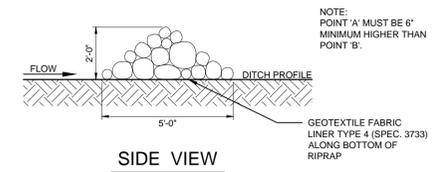
1. ALL AREAS DISTURBED BY THE CONSTRUCTION ACTIVITY SHALL BE RESTORED BY THE CONTRACTOR AS SOON AS PRACTICAL AND IN ACCORDANCE WITH THE NPDES PERMIT.
2. IN THE EVENT THAT PERMANENT RESTORATION CANNOT BE COMPLETED WITHIN THE PERMITTED TIME FRAMES, THE CONTRACTOR WILL BE RESPONSIBLE FOR TEMPORARY STABILIZATION.
3. ALL TEMPORARY STOCKPILES SHALL BE STABILIZED TO COMPLY WITH THE MPCA NPDES PERMIT.
4. THE DEPICTED EROSION AND SEDIMENT CONTROL PLAN SHOULD BE USED AS A GENERAL GUIDELINE. THE CONTRACTOR'S CONSTRUCTION METHODS MAY REQUIRE ADDITIONAL EROSION AND SEDIMENT CONTROL DEVICES TO REMAIN WITHIN THE REQUIREMENTS OF THE NPDES GENERAL STORM WATER PERMIT.
5. THE CONTRACTOR IS RESPONSIBLE FOR MINIMIZING AREAS OF DISTURBANCE AND MUST ESTIMATE THE AREA THAT WILL REQUIRE TURF RESTORATION BASED ON THE PROPOSED WORK AND THE CONTRACTOR'S CONSTRUCTION METHODS.
6. TURF ESTABLISHMENT SHALL INCLUDE TOPSOIL PLACEMENT/PREPARATION, SEEDING, AND WATERING AS ILLUSTRATED IN THIS STORM WATER POLLUTION PREVENTION PLAN.
7. CONSTRUCTION OF INFILTRATION BASINS SHALL NOT BE COMPLETED UNTIL THE CONTRIBUTING DRAINAGE AREA HAS BEEN CONSTRUCTED AND FULLY STABILIZED.



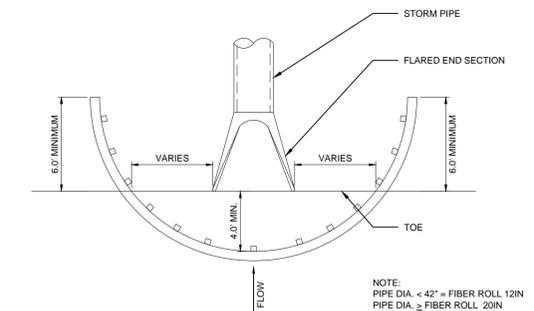
- NOTES:**
1. INSPECT AND REPAIR FENCE AFTER EACH STORM EVENT AND REMOVE SEDIMENT WHEN NECESSARY.
 2. REMOVED SEDIMENT SHALL BE DEPOSITED TO AN AREA THAT WILL NOT CONTRIBUTE SEDIMENT OFF-SITE AND CAN BE PERMANENTLY STABILIZED.
 3. SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE PONDING EFFICIENCY.



1 SILT FENCE DETAILS
NO SCALE



2 EROSION CONTROL ROCK CHECK DETAIL
NO SCALE



3 FIBER ROLL END OF PIPE PROTECTION
NO SCALE

REVISIONS

Issue #	Description	Date

SITE EROSION CONTROL PLAN AND DETAILS (SWPPP)



Bismarck - Detroit Lakes - Fargo
1265 Highway 10 West, Suite # 4
Detroit Lakes, Minnesota 56501
Office: 218-844-2580
www.apexenggroup.com

Apex Project #: 15.214.0044
Date: April XX, 2015
Drawn By: Cade K.
Checked By: Bob S.
Approved By: Jade B.

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.

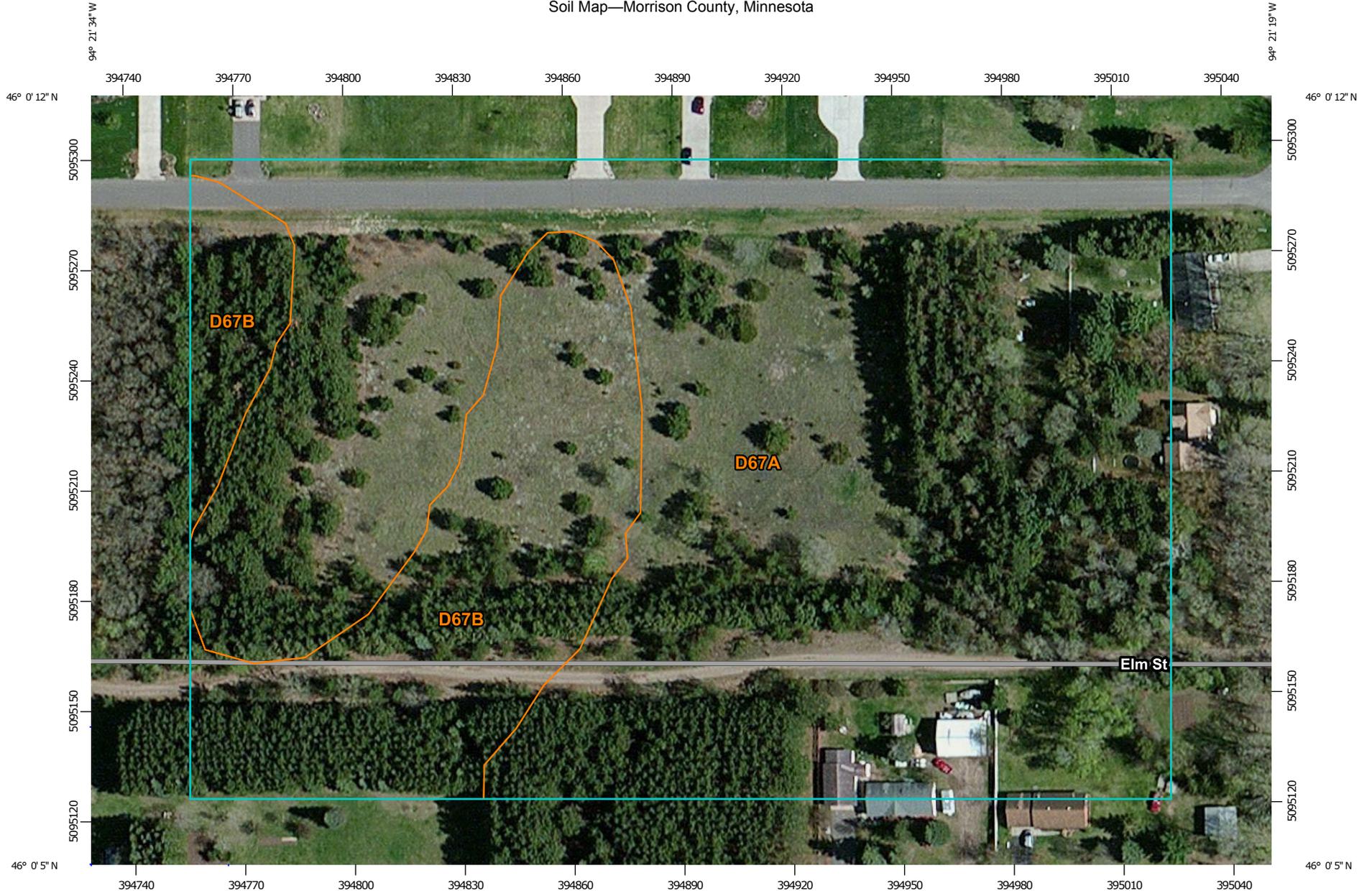
Jade A. Bernabe
Date: XXXX-XXXX License Number: 47122

PRELIMINARY

Sheet:

G-02

Soil Map—Morrison County, Minnesota



Map Scale: 1:1,470 if printed on A landscape (11" x 8.5") sheet.

0 20 40 80 120 Meters

0 50 100 200 300 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 15N WGS84

Map Unit Legend

Morrison County, Minnesota (MN097)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
D67A	Hubbard loamy sand, Mississippi River Valley, 0 to 2 percent slopes	8.9	77.1%
D67B	Hubbard loamy sand, Mississippi River Valley, 2 to 6 percent slopes	2.7	22.9%
Totals for Area of Interest		11.6	100.0%

Morrison County, Minnesota

D67A—Hubbard loamy sand, Mississippi River Valley, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: 2sfcn
Elevation: 660 to 1,710 feet
Mean annual precipitation: 25 to 33 inches
Mean annual air temperature: 37 to 48 degrees F
Frost-free period: 120 to 170 days
Farmland classification: Not prime farmland

Map Unit Composition

Hubbard, terrace, and similar soils: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hubbard, Terrace

Setting

Landform: Stream terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy alluvium

Typical profile

Ap - 0 to 8 inches: loamy sand
AB - 8 to 20 inches: loamy sand
Bw - 20 to 32 inches: loamy sand
C - 32 to 79 inches: sand

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Excessively drained
Capacity of the most limiting layer to transmit water (Ksat): High to very high (6.00 to 20.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 15 percent
Salinity, maximum in profile: Nonsaline (0.0 to 2.0 mmhos/cm)
Available water storage in profile: Low (about 4.6 inches)

Interpretive groups

Land capability classification (irrigated): 4s
Land capability classification (nonirrigated): 4s
Hydrologic Soil Group: A
Other vegetative classification: Sandy (G091AN022MN)

Minor Components

Duelm, terrace

Percent of map unit: 5 percent

Landform: Stream terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Other vegetative classification: Sloping Upland, Low AWC, Acid
(G091AN008MN)

Mosford

Percent of map unit: 2 percent

Landform: Stream terraces

Landform position (three-dimensional): Tread

Down-slope shape: Concave

Across-slope shape: Linear

Other vegetative classification: Sandy (G091AN022MN)

Glendorado, terrace

Percent of map unit: 2 percent

Landform: Stream terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Other vegetative classification: Level Swale, Low AWC, Acid
(G091AN007MN)

Isan, terrace

Percent of map unit: 1 percent

Landform: Stream terraces

Landform position (three-dimensional): Tread

Down-slope shape: Concave

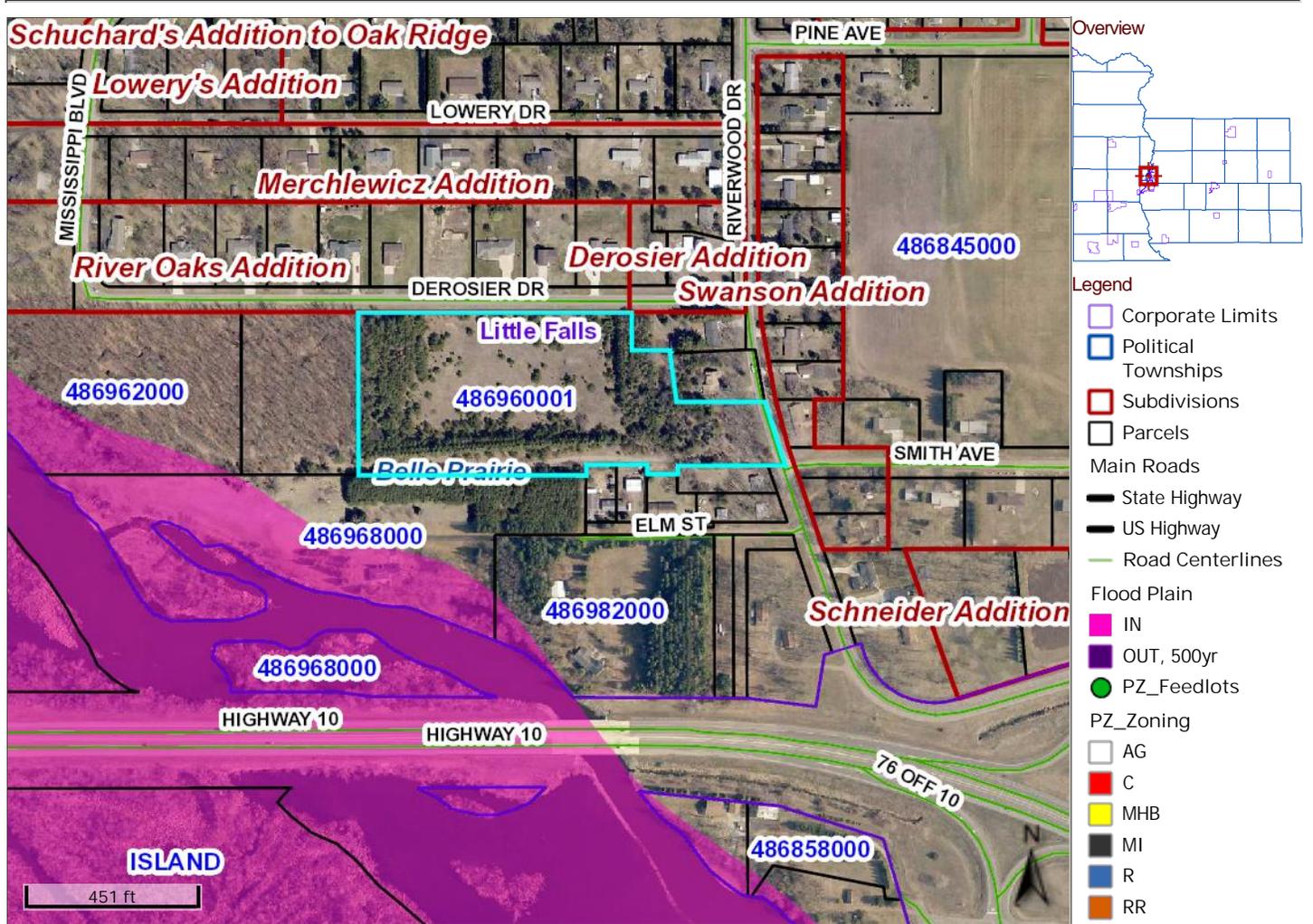
Across-slope shape: Linear

Other vegetative classification: Level Swale, Low AWC, Acid
(G091AN007MN)

Data Source Information

Soil Survey Area: Morrison County, Minnesota

Survey Area Data: Version 12, Sep 16, 2014



Parcel ID	486960001	Alternate ID	486960001	Owner Address	ROACH DEVELOPMENT LLC
Sec/Twp/Rng	26-41-32	Class	4BB-Residential Non-Homestead SFD		1414 PAUL LARSON DR
Property Address		Acreage	8.800		LITTLE FALLS MN 56345
District	LITTLE FALLS EAST-#482-HRA				
Brief Tax Description	PT OF GOV LOT 2 SEC 27 & OF NW1/4 OF SW1/4 SEC 26 DESC AS: COM AT NE COR OF SAID GOV LOT 2, S 0*01'33" E 937.97 FT ALG E LN, N 89*54'45" W 183.36 FT, N 7*33'25" W 127.21 FT TO SW COR OF DOC 295754 PT OF BEG, S 7*33'25" E 127.21 FT, S 89*54'45" E 232 FT TO CTRLN OF CO RD, S 17*10'39" E 134.38 FT ALG CTRLN, CONT ALG CTRLN S 19*15'32" E 36.95 FT TO INTERS WITH N LN OF DOC 321712, S 89*57'19" W 280.85 FT ALG SAID N LN TO ITS NW COR, S 0*02'41" E 25.46 FT ALG W LN TO S LN OF N 1130.84 FT OF GOV LOT 2, N 89*54'45" W 80.07 FT TO				



U.S. Fish and Wildlife Service National Wetlands Inventory

Little Falls
Townhomes

Mar 27, 2015



Wetlands

- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
- Estuarine and Marine
- Freshwater Pond
- Lake
- Riverine
- Other

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

User Remarks:

