



City of Nowthen  
**PLANNING & ZONING COMMISSION MEETING**  
**TUESDAY MARCH 26, 2024**  
**A G E N D A**  
**7:00 PM**

1. **Call to Order and Pledge of Allegiance: 7:00 p.m.**
2. **Roll Call**
3. **Approval of Agenda**
4. **Approval of Minutes from February 22, 2024, Regular Meeting**
5. **Public Hearings**
  - a. **Preliminary Plat – Peterson Acres (PID: 21-2-33-25-22-0004)**
  - b. **Ordinance Amendment related to Home Occupations in Commercial Zoning District**
  - c. **Interim Use Permit for a Home Occupation – 8150 Viking Boulevard**
6. **Unfinished Business**
7. **New Business**
  - a. **Final Plat – Mackenzie Hills**
8. **Adjournment**

**CITY OF NOWTHEN MEETING MINUTES  
PLANNING AND ZONING COMMISSION REGULAR MEETING  
FEBRUARY 22, 2024**

CALL TO ORDER

Chair Ames called the meeting to order at 7:02 pm.

Those assembled recited the pledge of allegiance.

Present: Chair Ames, Commissioners Haapala, Jorgensen, Carlson, Pearo, Bies and Lewis.

Also Present: Liaison Mayor Pilon, Planner Nash, City Administrator Lehner, Deputy Clerk Johnson and Administrative Assistant Riley.

SELECTION OF CHAIR AND VICE-CHAIR

**MOTION BY COMMISSIONER BIES TO NOMINATE COMMISSIONER HAAPALA FOR CHAIR.**

**MOTION BY COMMISSIONER JORGENSEN TO NOMINATE CHAIR AMES FOR CHAIR.**

**MOTION VOTED ON 4 – CHAIR AMES AND 3 COMMISSIONER HAAPALA. MOTION CARRIED FOR CHAIR AMES TO BE RELECTED TO CHAIR.**

**MOTION BY CHAIR AMES TO NOMINATE COMMISSIONER JORGENSEN FOR VICE-CHAIR**

**MOTION BY COMMISSIONER PEARO TO NOMINATE COMMISSIONER HAAPALA FOR VICE-CHAIR**

**MOTION VOTED ON 6 – COMMISISONER HAAPALA AND 1 – COMMISISONER JORGENSEN. MOTION CARRIED FOR COMMISSIONER HAAPALA TO BE VICE-CHAIR.**

**MOTION BY PEARO, SECOND BY HAAPALA TO APPROVE THE AGENDA AS PRESENTED. MOTION CARRIED FIVE (5) AYES.**

**MOTION BY PEARO, SECOND BY BIES TO APPROVE THE MEETING MINUTES OF NOVEMBER 28, 2023. MOTION CARRIED FIVE (5) AYES.**

**INTRODUCTION OF THE NEW CITY PLANNER, CINDY NASH**

**ITEM 6A. PUBLIC HEARING – Interim Use Permit for Home Occupation – 8150 Viking Blvd**

The public hearing was opened by Chair Ames at 7:14 pm.

Current property is zoned C-1. The current ordinance does not support home occupation. Proposing to change ordinance to include home occupancy for zoned C-1 properites to be presented at next City Council Meeting, March 12, 2024

Shawn Hemmelgren (owner) gave the committee an overview of his business, Sota Solar. They provide solar panels for mainly RV's, Work Trailers and some cabins. Work is done on the premises, mostly brought into the pole building, but if too large the work is completed outside but he tries to hide it behind the building so it is not seen by the road traffic. He is looking to add more trees to property for even more seclusion.

Discussion on how much is being delivered on a daily basis. Mr. Hemmelgren said most deliveries are small in nature and delivered by UPS/Amazon/Fed Ex in their normal trucks. If he does get a bigger item shipped it is delivered by a larger truck/trailer and he intends to put in a turn around in the back of his property to help with these larger deliveries.

It was asked if it was possible to work on a different site until this issue has been approved, Mr. Hemmelgren stated that it could not be moved and will greatly affect his business to be delayed until April.

Discussion on the current ordinance, if zoned C-1 – it's either home or business, can't have both. It was noted that there are currently a few homes that are zoned C-1 and have both home and businesses on the property with an IUP/CUP. Commissioner Bies asked if we can allow the business to run with a temporary IUP and Planner Nash explained that it could not be issued because of the current ordinance and the city could use enforcement action if necessary if business continues without an approved IUP and a change in the ordinance is needed moving forward.

Glen Connelly, a neighbor to the Hemmelgren's came to show his support of their business.

Mayor Pilon stated that the Public Hearing will need to be extended until March 26, 2024.

**MOTION MADE BY HAAPALA, SECOND BY BIES TO CONTINUE PUBLIC HEARING TO MARCH 26, 2024 THE DATE OF NEXT PLANNING AND ZONING MEETING. MOTION CARRIED. FIVE (5) AYES**

**NEW BUSINESS**

Discussion for December 2024 meeting, in the past a meeting was not needed for December, will leave the date open at this time and add a date in December if it is needed.

**MOTION BY HAAPALA, SECOND BY CARLSON TO ADJOURN THE MEETING. MOTION CARRIED. FIVE (5) AYES.**

The meeting was adjourned at 7:43 PM.

\_\_\_\_\_  
Chairman Dale Ames

Attest:

\_\_\_\_\_  
City Administrator Scott Lehner

Nowthen City Office  
8188 199<sup>th</sup> Ave. NW  
Nowthen MN, 55330  
(763)-441-1347



Council Meeting Location:  
Historic Townhall  
19800 Nowthen Blvd NW  
Nowthen MN, 55330

CITY OF NOWTHEN  
COUNTY OF ANOKA  
STATE OF MINNESOTA

**NOTICE OF PUBLIC HEARING  
FOR PRELIMINARY PLAT**

TAKE NOTICE, that pursuant to the requirements of Minnesota Law, a public hearing shall be held before the Nowthen PLANNING & ZONING COMMISSION on Tuesday, March 26, 2024 at 7:00 P.M. at Nowthen Historic Town Hall located at 19800 Nowthen Boulevard NW, Nowthen, Minnesota.

Greg Petersen (PID 21-2-33-25-22-0004), is requesting approval of an application for preliminary plat to subdivide the property into a road, 6 lots and an outlot known as Petersen Acres. At such hearing both written and oral comments will be heard.

Please contact the City of Nowthen at 763-441-1347 or the City Planner at 763-473-0569 with any questions or concerns





**ENGINEERING REVIEW  
for City of Nowthen  
by  
Hakanson Anderson**

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**Submitted to:** City of Nowthen

**cc:** Scott Lehner, City Administrator  
Cindy Nash, City Planner  
Bob Ruppe, City Attorney  
Gregory Petersen, Applicant  
Craig Wensmann, Applicant's Surveyor/Engineer

**Reviewed by:** Shane Nelson, City Engineer

**Date:** March 20, 2024

**Proposed  
Project:** Peterson Acres

**Street Location:** Nowthen Blvd NW and 205<sup>th</sup> Ave NW

**Applicant:** Gregory Petersen

**Owner(s) of Record:** Gregory Petersen

**Jurisdictional Agencies:** City of Nowthen, Anoka County, Upper Rum River  
(but not limited to) Watershed Management Organization

**Permits Required:** City Approval, NPDES Construction Permit, WCA -  
(but not limited to) Wetland Delineation Approval

## **INFORMATION AVAILABLE**

Petersen Acres Preliminary Plat, dated February 27, 2024, prepared by Bogart, Pederson & Associates, Inc.

Peterson Court Design Preliminary Plans, dated February 2024, prepared by Bogart, Pederson & Associates, Inc.

Peterson Court Design Stormwater Management Report, dated February 27, 2024, prepared by Bogart, Pederson & Associates, Inc.

Wetland Delineation Report, dated December 5, 2023, prepared by Bogart, Pederson & Associates, Inc.

## **SITE ACCESS / VEHICULAR TRAFFIC**

1. The project is proposed to receive direct access from 205<sup>th</sup> Avenue NW, which is an existing gravel road. The proposed "new road" is located approximately 900 feet from Nowthen Blvd NW. Consideration should be given whether or not this portion of 205<sup>th</sup> Avenue NW should be improved to a paved surface in conjunction with this proposed development.
2. Soil Borings are required (minimum of 3) in the location of the proposed road alignment to determine the suitability of the subgrade soils to support the proposed street. The soil borings shall be included in a geotechnical report which is certified by a licensed geotechnical engineer and shall include an estimated stabilometer R-value. Additionally, if 205<sup>th</sup> Avenue NW is proposed to be improved, soil borings shall also be provided along 205<sup>th</sup> Avenue NW.
3. Street naming shall be in accordance with the Anoka County grid system.

## **PRELIMINARY PLAT**

1. In accordance with City Code, all lots must have a one (1) acre contiguous parcel at the proposed building site that meets the following characteristics: a minimum of twenty-three thousand (23,000) square feet of land area with a three (3) foot separation between the final surface elevation and mottled soil or highest known water table. The balance of the acre is to have at least a one (1) foot separation consisting of only existing natural soils (10-3-5.B). Please provide a buildability plan which shades or otherwise depicts the areas with 3 feet and 1 foot of separation to demonstrate compliance with the City Code.
2. All wetlands, wetland buffers, stormwater structures, conveyance systems, emergency over flows, cross lot drainage, and stormwater detentions basins must be within an easement that contains the entire 100-year high water level. Please show these easements on the preliminary plat.

3. Please provide a 10' drainage and utility easement along the road frontages and south lot line of Outlot A.

## **GRADING AND EROSION CONTROL**

1. Please depict and label all existing culverts adjacent to the subject area.
2. The grading plan must be revised to depict fill where necessary such that 23,000 square feet of land area has three (3) feet of separation from mottled soils.

## **WETLANDS**

1. A wetland delineation report has been received and a Notice of Decision for the wetland boundary and types was issued on February 26<sup>th</sup> of 2024.
2. It will be necessary to establish the wetland buffers with native grasses. The final plans shall include an establishment plan specifying an accepted MnDOT BWSE, NRCS, or SWCD seed mix that is appropriate for the area.
3. Wetland buffer monumentation shall be installed in accordance with the URRWMO standards.
4. This project proposes 882 square feet of wetland fill, which is subject to the review and approval of the regulatory agencies.

## **STORMWATER**

1. A skimmer structure per the City of Nowthen Engineering Manual (Standard Plate No. 408 & 409) shall be added to the 15" RCP from the proposed retention pond before discharging stormwater into the wetland to the east. Please incorporate into the final plans.
2. The high water level elevation (HWL) for the proposed retention ponds is 934.85' while the top of the proposed ponds is 933.5' – therefore the ponds as designed will overtop the design location(s) of the pond(s). Please revise the ponds such that they are designed in accordance with Standard Plate No. 410 as included in the City of Nowthen Engineering Manual (such that a minimum of 1 foot of freeboard is provided between the HWL of the pond and the top of the berm).
3. Please clearly depict the outlet for Pond 3P (existing wetland) on the plans. It appears that there may be an existing road culvert on 205<sup>th</sup> Avenue NW?



4. Please clearly depict the outlet for Pond 7P (existing wetland) on the plans if it is located on the project site, or if it is located off the project site please describe it in the narrative. Note that these subwatersheds may be subject to the "landlocked" basin requirements if there is no positive outlet.

### **SEPTIC SITES**

1. Suitability of septic sites to be reviewed by Building Official.

### **WATER SUPPLY**

1. Individual wells are proposed to provide water supply to the proposed lots. Wells must meet the requirements of the Minnesota Department of Health and applicable state laws and regulations.

### **OTHER ITEMS**

1. Final Plans shall be in accordance with the approved City of Nowthen standard details and Engineering Manual.
2. This project disturbs more than 1 acre and will require a NPDES Construction Stormwater Permit from the Minnesota Pollution Control Agency.
3. Zoning review is to be completed by the City Planner and provided under separate cover.

### **RECOMMENDATION**

Overall, the general development pattern and lot layout seems conducive to the property. We recommend approval contingent upon the above comments being addressed.

**CITY OF NOWTHEN  
ANOKA COUNTY, MINNESOTA**

**PLANNING AND ZONING COMMISSION**

**FINDINGS AND RECOMMENDATION  
Preliminary Plat for Petersen Acres**

**APPLICANTS:** Greg Petersen  
22575 Jarvis Street  
Elk River, MN 55330

**APPLICATION:** Request for approval of a Preliminary Plat for Petersen Acres

**PLANNING AND ZONING COMMISSION MEETING:** March 26, 2024

**FINDINGS:** Based upon review of the application and evidence received the Planning and Zoning Commission of the City of Nowthen now makes the following findings of fact:

1. Greg Petersen is the fee owner of the real property located at 7780 205<sup>th</sup> Ave NW, Nowthen, Minnesota as legally described in paragraph 2, herein after referred to as the "Subject Property", which real property is proposed to be platted into six (6) residential lots.
2. The legal description of the property is:

Property Description (Trustee's Deed - Doc. No. 2395109.003): The Northwest 1/4 of the Northwest 1/4 of Section 21, Township 33, Range 25, Anoka County, Minnesota, EXCEPT the North 233 feet lying West of the East 946 feet thereof. AND That part of the Northeast 1/4 of the Northwest 1/4 of Section 21, Township 33, Range 25, lying West of the following described line: Commencing at a point on the North line of the said Northeast 1/4 of the Northwest 1/4 which point is 320 feet East of the Northwest corner thereof; thence South at right angles to said North line to the South line of said Northeast 1/4 of the Northwest 1/4; EXCEPT that part of the Northeast 1/4 of the Northwest 1/4 of Section 21, Township 33, Range 25 described as the East 200 feet of the West 320 feet of the North 440 feet as measured along the North and West lines of the Northeast 1/4 of the Northwest 1/4 of said

Section 21. Applicant's plans for the site involve no interior or exterior changes to the building at the present time.

3. The Subject Property is zoned RRA – Rural Residential Agriculture District.
4. The Subject Property contains approximately 45.53 acres with direct access onto 205<sup>th</sup> Avenue NW.
5. The Developer has requested a preliminary plat so as to allow the Developer to plat the Subject Property into various lots as shown on a preliminary for a development entitled Petersen Acres, the most recent revision of said preliminary and plans prepared by Bogart, Pederson & Associates, Inc. and last updated February 15, 2024 (unless noted differently below) and containing the following sheets:

- Preliminary Plat – February 29, 2024
- Sheet C1 Site Plan
- Sheet C2 Grading Plan
- Sheet C3 Erosion Control
- Sheet C4 Plan and Profile
- Sheet C5 SWPPP Narrative
- Sheet C6 Construction Details

(the “Site Plans”); and

6. The memo from the City Planner dated March 19, 2024 is incorporated herein by reference. The staff report from the City Planner dated March 20, 2024 is incorporated herein by reference.
7. The memo from the City Engineer dated March 20, 2024 is incorporated herein by reference.
8. The Planning Commission held a public hearing, preceded by a published and mailed notice, on March 26, 2024.

**RECOMMENDATION:** Based on the foregoing information and applicable ordinances, the Planning and Zoning Commission recommends approval of the **preliminary plat for Petersen Acres** subject to the following conditions:

1. Outlot A is not buildable. It shall either be combined with Lot 1, Block 1; or shall be transferred to the adjacent property owner to the north. If transferred to the property owner to the north, the area shown as the outlot should be combined with the off-site property at the time of recording of the final plat.

2. Lot 6 is proposed to be a flag lot. Flag lots are only permitted upon the granting of a Conditional Use Permit. Either a Conditional Use Permit must be secured prior the granting of final plat approval, or the plat should be reconfigured to remove the flag lot.
3. All public infrastructure including but not limited to water, sanitary sewer, stormwater, and roads shall either be dedicated or located within a drainage and utility easement.
4. All comments contained within the City Engineer memo from Hakanson Anderson dated March 20, 2024 and the memo from Collaborative Planning dated March 19, 2024 are incorporated herein (collectively referred to as the "Staff Memos").
5. The improvements to the Subject Property shall be constructed in substantial conformance with the Site Plans as revised to conform to the requirements of the Staff Memos.
6. If the updated Site Plans addressing the comments of the resolutions, Staff Memos, or outside agencies necessitate revisions to any of the lot lines or easements on the Subject Property, then those revisions shall be incorporated into the Final Plat submitted by the Developer. Compliance with these requirements may result in changes to or the removal of lots, outlots, easements, or right of way, in which case the Developer shall revise the Site Plans and Final Plat as necessary in conformance thereto. If an off-site easement is required to address a comment, then a separate easement document shall be provided to the City for review and approval prior to release of the Final Plat for recording.
7. To the extent that there are differences or conflicts between the Site Plans and this resolution, the terms of this resolution shall be controlling unless and until modified by a final plat resolution.
8. The timing of the construction of the infrastructure improvements on the Subject Property will be subject to the conditions of a Developer's Agreement between the City and the Developer.
9. A title commitment shall be provided for the review of the City Attorney before the final plat is released for recording.
10. Financial security in a form approved by the City Attorney and in an amount approved by the City Engineer must be provided by the Developer prior to release of the final plat for recording. The Developer's Agreement shall specify the amount of the financial security.
11. The Developer must reimburse the City for all costs incurred by the City and its consultants in relation to review of the proposed development plans as well as the preparation of the Developer's Agreement.
12. No wetlands may be impacted during construction of the homes. Buffers require that unmowed areas adjacent to wetlands are maintained with non-invasive vegetation for the purpose of filtering pollutants before they enter the wetland, reducing erosion, and minimizing human impacts.

13. Individual septic system design is required at the time of building permit application and shall be reviewed and approved by the Building Official.
14. Building permits shall be required for the new homes which requires submittal of a certificate of survey for individual lots, lowest floor elevations noted and custom grading/erosion control plans are subject to review of the City.
15. Any new utility lines installed to serve the Subject Property are required to be placed underground.
16. The Developer shall be responsible for securing necessary easements and for constructing all streets, utility, trail, stormwater, and other improvements shown on the Approved Construction Plans at their own expense. However, to the extent that such utilities are oversized at the request of the City, the City shall reimburse the Developer for the cost of the extra diameter of the pipe. All reimbursements by the City under this paragraph are subject to the submittal by the Developer of the engineer's estimate and other supporting information as requested by the City. The engineer's estimate will be reviewed by the City to verify that the costs requested for reimbursement are reasonable at the sole determination of the City, and the amount determined by the City to be eligible for reimbursement shall be included within the Developers Agreement.
17. The Subject Property shall be final platted in one phase. Prior to the release of the Final Plat for recording, a Developer's Agreement must be entered into which Agreement(s) will include, but not be limited to, the following:
  - a. Street and utility construction details, processes, plans, and financial guaranties.
  - b. Park dedication and other fee requirements.
  - c. All required approvals from other governmental agencies.
  - d. Final grading and drainage plans.
  - e. Maintenance requirements during construction.
  - f. Financial guaranties.
  - g. Other planning and engineering items, as appropriate.
18. The Developer shall be responsible for obtaining and complying with all necessary permits from any other governmental agencies.
19. The Developer shall incorporate the standards and procedures of the Best Management Practices Handbook for site restoration and erosion control measures during the construction process.
20. Park dedication shall be payment-in-lieu of land dedication. Park dedication fees shall be paid prior to release of the final plat for recording as per the City fee schedule in effect at the time of the execution of the Developer's Agreement.
21. The Developer shall survey all storm water holding ponds as required by the City. The Developer shall be responsible for storm sewer cleaning and pond dredging, as required by the City prior to completion of the development of the Subject Property.

22. The approval of the preliminary plat shall terminate if a final plat has not been applied for by April 9, 2024 unless an extension has been granted by the City Council as per Section 10-6-3 B. of the Subdivision Ordinance.
23. Additional conditions as determined necessary by the City Planner, City Engineer, and City Attorney as review of the project progresses and is completed.
24. The property owner is responsible for all costs associated with the processing of this request.

**MOTION BY:**

**SECOND BY:**

**ALL IN FAVOR:**

**THOSE OPPOSED:**

**THOSE ABSENT:**

Adopted by the Planning and Zoning Commission of the City of Nowthen on this 26<sup>th</sup> day of March, 2024.

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Chair Dale Ames

ATTEST:

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Scott Lehner, City Administrator

# Collaborative Planning, LLC

## MEMORANDUM

To: Scott Lehner, City Administrator

From: Cindy Nash, City Planner

Date: March 19, 2024

Subj: Planning Review Comments – Petersen Acres

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### Information Available

- Preliminary plat of Petersen Acres dated February 27, 2024, prepared by Bogart, Pederson & Associates, Inc.
- Preliminary plans, dated February 15, 2024, prepared by Bogart, Pederson & Associates, Inc.

### General

1. Outlot A is not buildable. It shall either be combined with Lot 1, Block 1; or shall be transferred to the adjacent property owner to the north. If transferred to the property owner to the north, the area shown as the outlot should be combined with the off-site property at the time of recording of the final plat. Consider adding the exception property to the final plat to facilitate the ease of recording that combination.
2. Provide an exhibit showing which part of each lot was utilized for calculating the information shown in the “Schedule of Buildable Area for Lots” table on the preliminary plat.
3. Lot 6 is proposed to be a flag lot. Flag lots are only permitted upon the granting of a Conditional Use Permit. Either a Conditional Use Permit must be secured prior the granting of final plat approval, or the plat should be reconfigured to remove the flag lot.
4. Signage approved by the City will need to be placed along lot lines or corners next to storm ponds, wetlands, and conservation areas.
5. Comments from the City Engineer will be provided in a separate memo.

6. The plans must be reviewed by the City's septic consultant.
7. The plans have been submitted to the DNR for review. Any comments from that review will be provided separately.
8. A title commitment shall be provided with the application for final plat.

cc: Shane Nelson, HAA



# Collaborative Planning, LLC

## Memorandum

**Date:** March 20, 2024  
**To:** Planning and Zoning Commission  
**From:** Cindy Nash, City Planner  
**RE:** Preliminary Plat – Petersen Acres

### Description of Request

Greg Petersen has submitted an application for a preliminary plat. The property consists of approximately 45.53 acres and is located east of Nowthen Blvd NW and south of 205<sup>th</sup> Ave NW.

The Developer is proposing to develop the site into six (6) lots and one (1) outlot. There is an existing home on what is proposed to be Lot 6.

The following items are included in the packet for review:

1. City Planner Comment Letter
2. City Engineer Comment Letter
3. Preliminary Plat
4. Preliminary Plan Set

## **Item 2: Recommendation on Preliminary Plat**

**Public Hearing:      March 26, 2024 Planning Commission**

Preliminary plats provide the layout for lots and blocks for future sale and ownership of specific parcels. The preliminary plat is “preliminary”, however, approval of a preliminary plat gives the property rights by State law.

### **Land Use**

The proposed land use is six (6) lots. Stormwater ponding is located within the lots and the outlet.

Outlot A is not buildable and is proposed to be sold to the property owner to the northwest.

The property is also located in the shoreland overlay district and appears to meet shoreland requirements. The plans have been submitted to the DNR for comment. If comments are received that require any modification to the plat, they will be added as a condition to the City Council’s review of the plat.

### **Access, Roads, Guest Parking, Pedestrian Circulation**

One street is proposed to be constructed, which is a new cul-de-sac proposed to be named Petersen Court which is proposed to gain access from 205<sup>th</sup> Ave NW.

### **Lots**

Lots 1 through 5 appear to meet the City’s ordinances requirements, subject to any comments in the City Planner or City Engineer comment memos.

Section 10-3-4 G. of the Subdivision Ordinance does not permit flag lots unless a Conditional Use Permit is granted. The applicant did not apply for a Conditional Use Permit coincident with the preliminary plat application. The proposed flag lot (Lot 6) contains the existing house on the property and would preserve its orientation and driveway to 205<sup>th</sup> Ave NW.

### **Utilities**

Ponding is located in lots and will have a Drainage & Utility easement over them. A stormwater maintenance agreement will be required.

All lots will be served by individual well and ISTS. Septic review is pending.

### **Park Dedication**

Park dedication is required for this plat and will be calculated at the time of execution of the development agreement.

### **Septic Systems**

The Developer must address any comments related to review of proposed septic sites once that memo is received.

### **Engineering and Planning**

The development should comply with the comments in the City Engineer and City Planner comment memos.

### **Recommendation**

Staff recommends approval of the preliminary plat subject to the conditions found in the draft “Findings and Recommendations” document.

# GREG PETERSON PETERSON COURT DESIGN

## CITY OF NOWTHEN, ANOKA COUNTY, MN

FEBRUARY, 2024  
PRELIMINARY PLANS

**SHEET INDEX:**

|                      |    |
|----------------------|----|
| SITE PLAN            | C1 |
| GRADING              | C2 |
| EROSION CONTROL      | C3 |
| PLAN & PROFILE       | C4 |
| SWPPP NARRATIVE      | C5 |
| CONSTRUCTION DETAILS | C6 |

**CIVIL & SURVEY PLANS PREPARED BY:**



**PLAT BENCHMARK:**  
RAILROAD SPIKE SET IN EAST FACE OF POWER POLE LOCATED ON  
NORTH SIDE OF 205TH AVE AND EAST OF PROPOSED ENTRANCE.  
ELEVATION = 933.71' (NAVD 88)



**ANOKA COUNTY, MINNESOTA**

**PROJECT LOCATION**

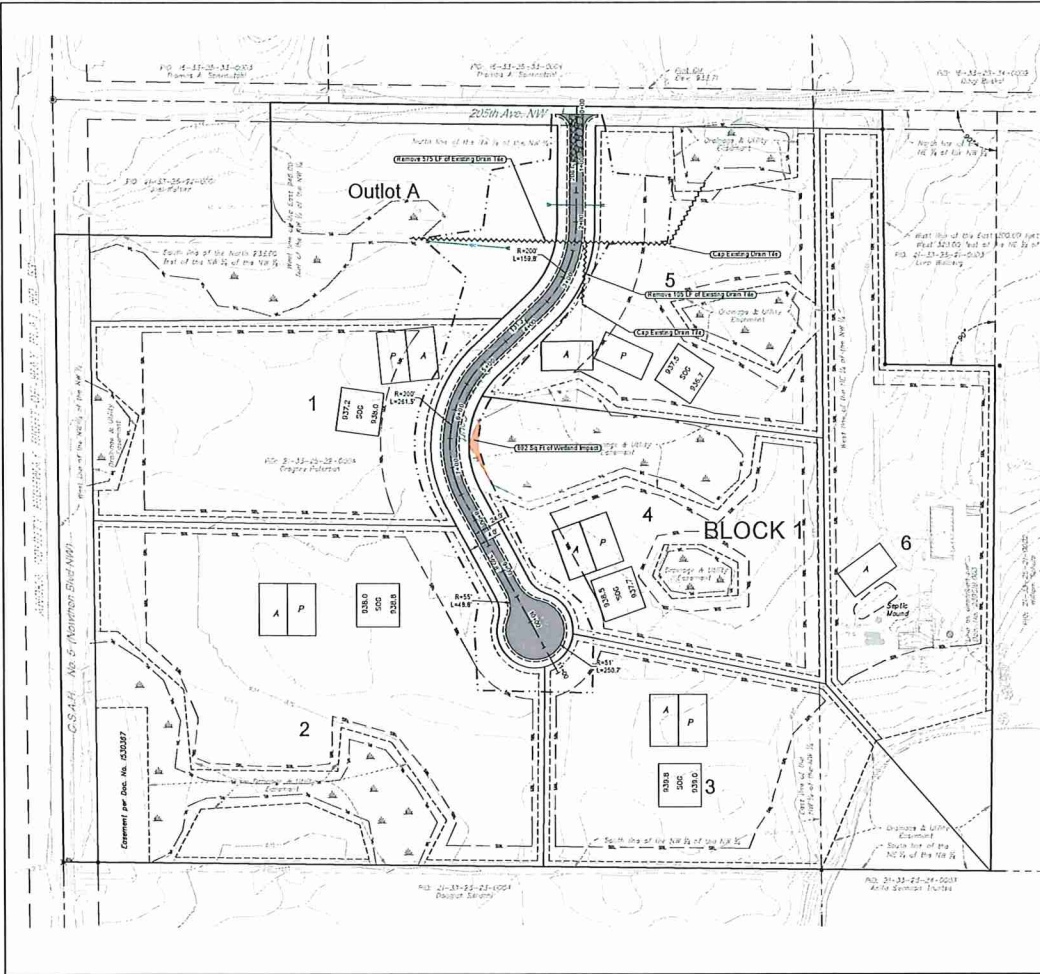


**VICINITY MAP**



| REV. NO. | DATE | DESCRIPTION |
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PROJECTIONS SHOWN ARE SUBJECT TO FIELD QUALITY CHECKS AND THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE DATA. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.



**LEGEND:**

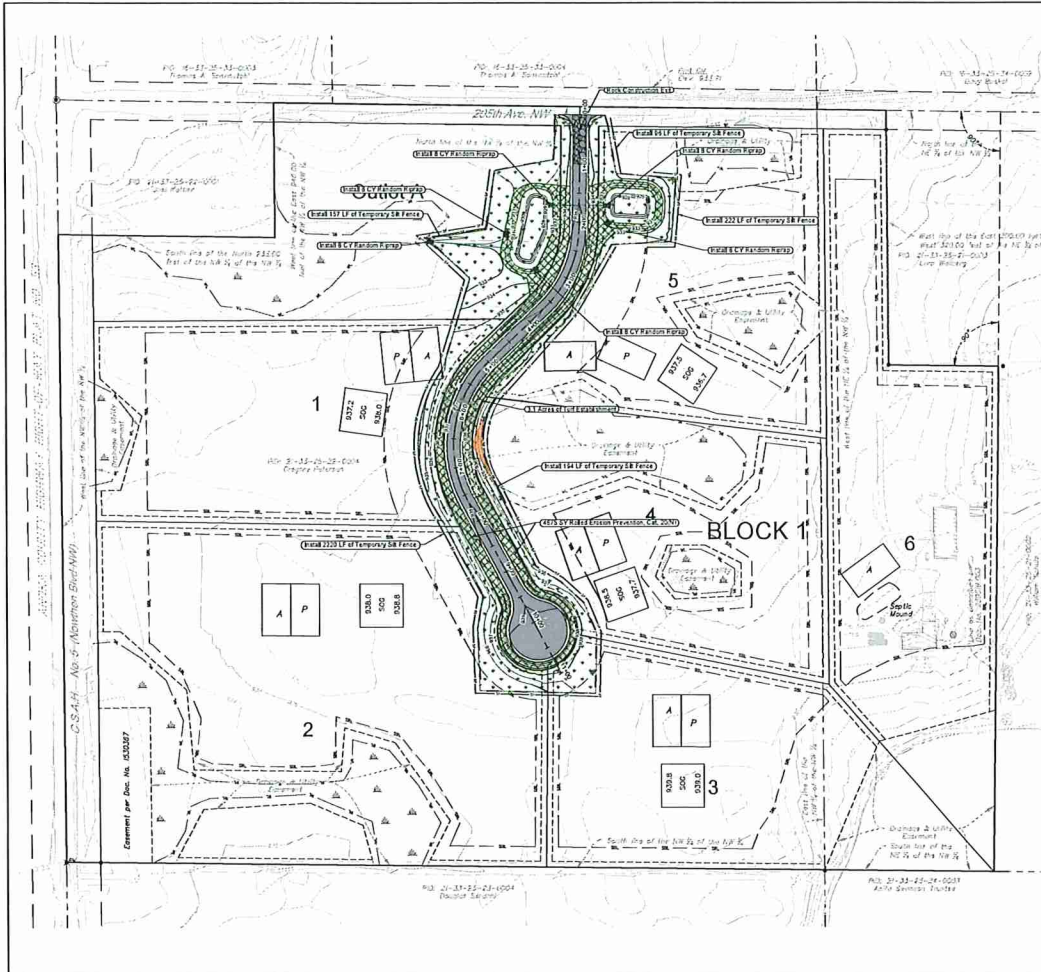
- PROPOSED BITUMINOUS PAVEMENT
- PROPOSED GRAVEL SHOULDER/PS
- PROPOSED ROLLED EROSION PREVENTION
- PROPOSED TURF ESTABLISHMENT
- PROPOSED CONSTRUCTION LIMITS
- PROPOSED SET FENCE, TYPE MS
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED REMOVAL (AS INDICATED)
- EXISTING STREAM FLE
- PROPOSED STORM SEWER
- PROPOSED FLARED END SECTION


**SITE PLAN NOTES:**

1. CONTRACTOR SHALL FIELD VERIFY HORIZONTAL AND VERTICAL LOCATION OF EXISTING UTILITIES PRIOR TO START OF CONSTRUCTION.
2. CONTRACTOR SHALL INSTALL EROSION CONTROL MEASURES PRIOR TO THE START OF CONSTRUCTION.
3. CONSTRUCTION SHALL BE IN ACCORDANCE WITH APPLICABLE CITY, COUNTY AND STATE REGULATIONS.
4. SITE SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE PLANS APPROVED BY THE CITY.
5. LANDSCAPING AND TURF ESTABLISHMENT PER LANDSCAPE PLANS & SPECIFICATIONS.
6. ALL DISTURBED AREAS OUTSIDE THE BUILDING PAD WHICH ARE NOT DESIGNATED TO BE PAVED OR RECEIVED AGAIN, SHALL RECEIVE AT LEAST 1" OF TOPSOIL, AND SHALL BE SEEDED OR SOILED. REFER TO THE EROSION CONTROL PLAN FOR SOIL AND SEED LOCATIONS. ALL OTHER AREAS DESTROYED BY CONSTRUCTION MUST SPECIFICALLY IDENTIFIED TO RECEIVE A CERTAIN SEED MIX SHALL BE MIXED WITH SEED MIX 25-31.
7. WHERE A NEW SOE MEETS EXISTING SOE, EXISTING SOE EDGE SHALL BE CUT TO ALLOW FOR A CONSISTENT, UNIFORM STRAIGHT EDGE. RASSED OR UNEVEN EDGES WILL NOT BE ACCEPTABLE. REMOVE TOP SOIL AT JOINT BETWEEN EXISTING AND NEW AS REQUIRED TO ALLOW NEW SOE SURFACE TO BE FLUSH WITH EXISTING.

|  |            |           |             |           |              |
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| <b>NOT FOR CONSTRUCTION</b>  |            |           |             |           |              |
| <p><b>BOGART, PEDERSON &amp; ASSOCIATES, INC.</b><br/>         100 WASHINGTON BLVD<br/>         MINNEAPOLIS, MN 55402<br/>         TEL: 612.338.7470 FAX: 612.338.7471</p> |            |           |             |           |              |
| Peterson Court Design<br>for Greg Peterson<br>City of Nowthen, Anoka County, MN  |            |           |             |           |              |
| SITE PLAN  |            |           |             |           |              |
| SHEET NO.  |            |           |             |           |              |
| <b>C1</b>  |            |           |             |           |              |

CALL 48 HOURS BEFORE DRIVING  
**GOPHER STATE ONE CALL**  
 TARIFF AREA 614-640-0001  
 MINNESOTA TOLL FREE 1-800-252-1114





SCALE: 1" = 20'

**LEGEND:**

- [Pattern] PROPOSED EMBANKMENT PAVEMENT
- [Pattern] PROPOSED GRAVEL SHOULDER PAVEMENT
- [Pattern] PROPOSED ROLLED EROSION PREVENTION
- [Pattern] PROPOSED TURF ESTABLISHMENT
- [Pattern] PROPOSED CONSTRUCTION LIMITS
- [Line] PROPOSED SILT FENCE, TYPE MS
- [Line] PROPOSED MAJOR CONTOUR
- [Line] PROPOSED MINOR CONTOUR
- [Line] EXISTING MAJOR CONTOUR
- [Line] EXISTING MINOR CONTOUR
- [Line] EXISTING DRAIN TILE
- [Line] PROPOSED STORM SEWER
- [Symbol] PROPOSED FLAGGED END SECTION

**EROSION CONTROL NOTES:**

- CONTRACTOR SHALL COMPLY CONSTRUCTION OPERATIONS TO THE CONSTRUCTION AGENCIES LIMITS SHOWING.
- ALL WORK SHALL CONFORM TO THE MINNESOTA POLLUTION CONTROL AGENCY'S STORM WATER PERMIT REQUIREMENTS. CONTRACTOR SHALL OBTAIN ALL PERMITS AND COMPLY WITH ALL PERMIT REQUIREMENTS.
- THE SITE SOIL EROSION AND SEDIMENT CONTROL FACILITIES SHALL BE INSTALLED PRIOR TO ANY EROSION OR GRADING OPERATIONS AND MAINTAINED TO CONFORM WITH THE STANDARDS SPECIFIED BY THE PERMITS.
- CONTRACTOR SHALL INSPECT TEMPORARY EROSION CONTROL MEASURES ON THE ENTIRE SITE AT LEAST EVERY 7 DAYS AND WITHIN 24 HOURS OF ANY SIGNIFICANT RAINFALL. DAMAGED SILT FENCE OR OTHER EROSION CONTROL DEVICES OR PRACTICES SHALL BE REPAIRED IMMEDIATELY. INSPECTION AND MAINTENANCE OF DEVICES SHALL CONTINUE UNTIL THE SITE HAS UNDERGONE FINAL STABILIZATION AND A NOTICE OF TERMINATION IS SUBMITTED TO THE MPCA.
- ALL GRADING OPERATIONS SHALL BE CONDUCTED IN A MANNER TO MINIMIZE THE POTENTIAL FOR SITE EROSION.
- THE SITE SOIL EROSION AND SEDIMENT CONTROL FACILITIES SHALL BE INSTALLED AND MAINTAINED TO CONFORM WITH THE STANDARDS SPECIFIED BY THE CITY OF NEWTOWN AND THE MPCA.
- EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE DISTURBANCE OF ANY AREAS AND MAINTAINED UNTIL ALL TEMPORARY DISTURBED AREAS ARE RESTORED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL EROSION CONTROL MEASURES, INCLUDING SILT FENCE AND BALES, UPON ESTABLISHMENT OF PERMANENT VEGETATION IN SAID AREAS.
- ALL SOILS TRACKED ONTO PAVEMENT OR ANY OTHER OFF-SITE AREA SHALL BE REMOVED DAILY.
- THE SITE SEDIMENT CONTROL FACILITIES FOR THE PROJECT MUST BE INSTALLED PRIOR TO ANY GRADING OPERATIONS.
- ALL AREAS DISTURBED DURING CONSTRUCTION SHALL BE RESTORED AND VEGETATED AS SOON AS POSSIBLE. ANY FINISHED AREAS SHALL BE SEEDED AND MULCHED WITHIN 14 DAYS AFTER FINISHED GRADING IS COMPLETED IN ACCORDANCE TO MHFOT 25T5.
- ALL DISTURBED AREAS SHALL BE REVEGETATED WITH MIXED TREE MUD, MULCHED, FERTILIZED & DISK ANCHORED, PER THE FOLLOWING SCHEDULE:
 

|                                   |            |
|-----------------------------------|------------|
| STANDARD SEED MIX 25-15-15        | 320 LB/AC  |
| DISTRIBUTION BALE SEED MIX 3-20-1 | 350 LB/AC  |
| FERTILIZER 25-10                  | 350 LB/AC  |
| MULCH TYPE 3                      | 2700 LB/AC |
- CONTRACTOR SHALL INSTALL TEMPORARY SEDIMENT BMP'S SHOWN AND NOT SHOWN ON PLANS DURING FINISHING ON PROJECT TO COMPLY WITH MPCA, CITY INSPECTOR AND DEVELOPER REQUEST.

**ESTIMATED EROSION CONTROL DEVICES**

|                                     |           |
|-------------------------------------|-----------|
| SILT FENCE, TYPE MS                 | 2859 LF   |
| ROCK CONSTRUCTION EXIT              | 1 EACH    |
| ROLLED EROSION PREVENTION, CAT. 20A | 4875 S.Y. |
| RP RAP (CLASS 3)                    | 45 C.Y.   |

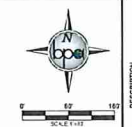
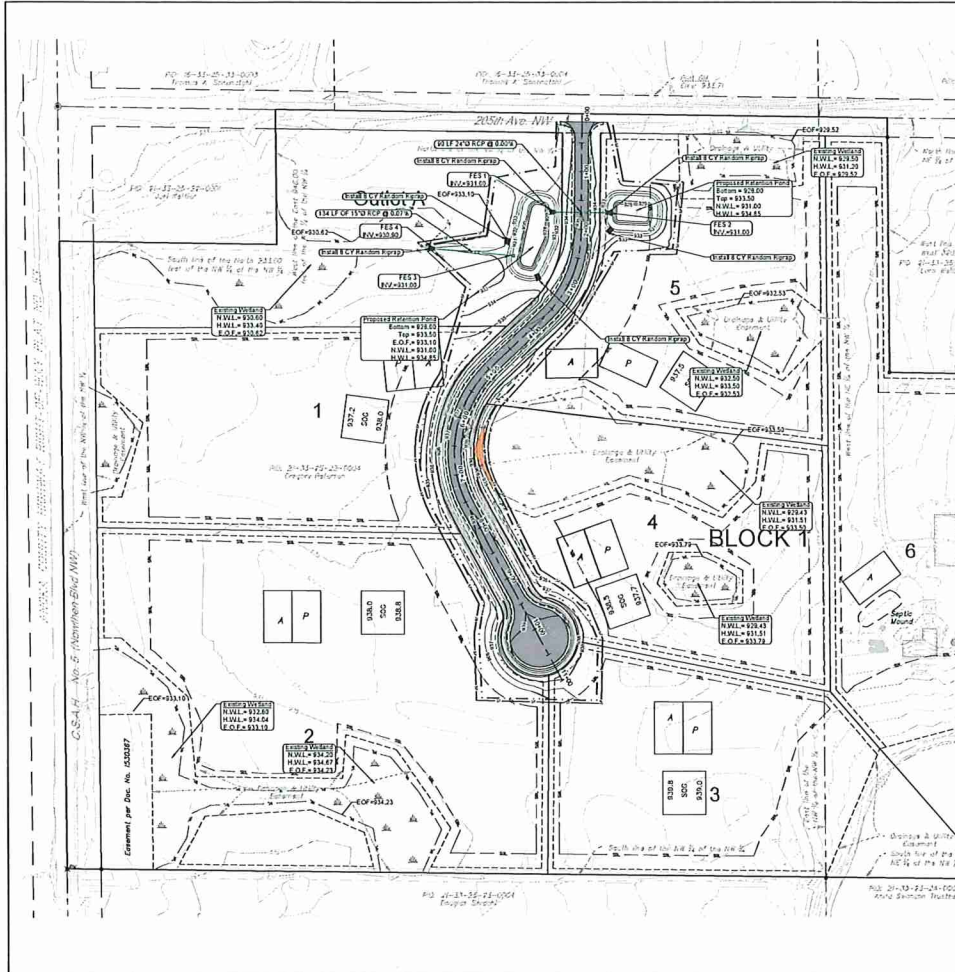
CALL 48 HOURS BEFORE ERADING  
**GOPHER STATE ONE CALL**  
 TOLL FREE 1-800-841-4000  
 MINNESOTA TOLL FREE 1-800-352-1114

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**NOT FOR CONSTRUCTION**  
**BOGART, PEDERSON & ASSOCIATES, INC.**  
 3300 UNIVERSITY AVENUE  
 ANN ARBOR, MI 48106-1432  
 TEL: 734.232.2277 FAX: 734.232.2278

**Peterson Court Design**  
 for Greg Peterson  
 City of Newtown, Anoka County, MN

**EROSION CONTROL**  
 SHEET NO. **C2**



**LEGEND:**

|            |  |
|------------|--|
| M.H.C.E.F. | EXISTING ELEVATION                     |
| N.W.L.     | NEW FINISHED GRADE ELEVATION           |
| E.O.P.     | PROPOSED ELEVATION OVER FLOW ELEVATION |
| ---        | PROPOSED MAJOR CONTOUR                 |
| ---        | PROPOSED MINOR CONTOUR                 |
| ---        | EXISTING MAJOR CONTOUR                 |
| ---        | EXISTING MINOR CONTOUR                 |
| ---        | PROPOSED SLOPE                         |

**GRADING GENERAL NOTES:**

- THE CONTRACTOR SHALL NOTE ANY DISCREPANCIES BETWEEN EXISTING CONDITIONS IN THE FIELD REPRESENTED UPON THE PLANS AS SHOWN AND ALERT THE ENGINEER BEFORE BEGINNING THE PROJECT AND BEGINNING CONSTRUCTION.
- CONTRACTOR SHALL LOCATE AND VERIFY ALL UTILITIES WHICH MAY AFFECT THIS WORK AND NOTIFY THE OWNER OF ANY CHANGES. CONTACT LOCAL UTILITY COMPANIES FOR EXACT LOCATION PRIOR TO BEGING THE PROJECT AND COMMENCING WORK.
- CONTRACTOR SHALL TAKE NECESSARY PRECAUTIONS TO PREVENT EILT AND DEBRIS RUN-OFF DURING GRADING OPERATIONS. USE SILT FENCES, STRAW BALES, ETC.
- CONTRACTOR SHALL VERIFY CRITICAL ELEVATIONS TO ENSURE CONFORMANCE WITH GRADING PLAN, PARTICULARLY WITH EXISTING STRUCTURES AND/OR PAVEMENTS TO REMAIN. MEET EXISTING GRADES ALONG STREETS, PROPERTY LINES, AND HIGHWAY ENTRIES. RESTORE ALL PAVEMENTS THAT REMAIN TO THEIR ORIGINAL IF NOT BETTER CONDITION. NOTIFY OWNER OF ANY CONFLICTS PRIOR TO BEGING THE PROJECT.
- TUFF ESTABLISHMENT AREAS SHALL RECEIVE MINIMUM OF 4" DEPTH AS REQUIRED IN PLACE OF TOPSOIL. TOPSOIL SHALL BE SUPPLIED AND LAYEED BY THE CONTRACTOR. ALL GRADED SLOPES GREATER THAN OR EQUAL TO 5:1 SHALL BE HYDROSEDED. EROSION CONTROL BLANKETS OR MATS SHOULD BE PLACED TO ESTABLISH THE SLOPES BY GENERAL CONTRACTOR.
- CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR DETERMINING QUANTITIES OF CUT, FILL AND WASTE MATERIALS TO BE HANDLED, AND FOR AMOUNT OF GRADING TO BE DONE IN ORDER TO COMPLETELY PERFORM ALL WORK INDICATED BY THE DRAWINGS. SOURCE OF SUITABLE MATERIAL AND EXPORT UNSUITABLE EXCESS WASTE MATERIAL AS REQUIRED. ALL COSTS ASSOCIATED WITH IMPORTING AND EXPORTING MATERIALS SHALL BE INCIDENTAL TO THE CONTRACT.
- FAILURE OF TUFF DEVELOPMENT IN THE EVENT THE CONTRACTOR FAILS TO PROVIDE AN ACCEPTABLE TUFF. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING THE AREA, AT NO ADDITIONAL COST TO THE OWNER, TO THE SATISFACTION OF THE ENGINEER.
- ANY MANHOLE, CATCH BASIN, STORM SEWER, SANITARY SEWER, DRAINAGE, OR OTHER POTENTIAL SOURCE FOR CONTAMINATION SHALL BE INSTALLED AT LEAST 10 FEET HORIZONTALLY FROM ANY WATER MAIN PER MINNESOTA PLUMBING CODE. THIS ELEVATION DISTANCE SHALL BE MEASURED FROM THE OUTER EDGE OF THE PIPE TO THE OUTER EDGE OF THE CONTAMINATION SOURCE (OUTER EDGE OF STRUCTURES OR PIPING OR SIMILAR)

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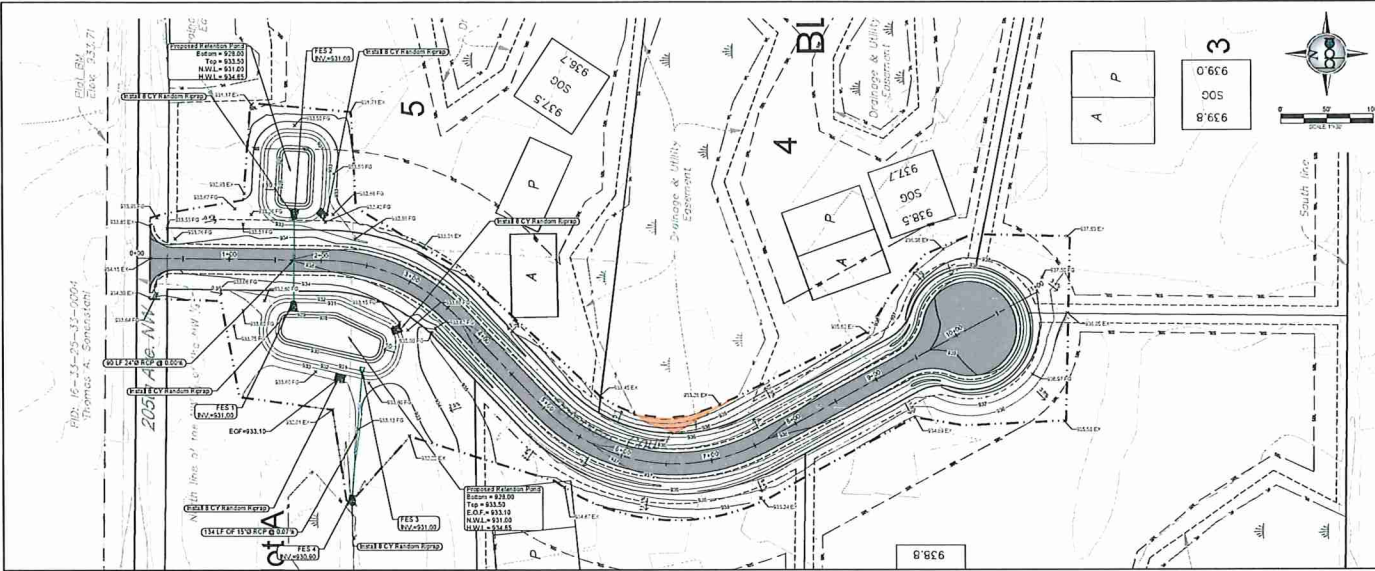
**NOT FOR CONSTRUCTION**

**BOGART, PEDERSON & ASSOCIATES, INC.**  
 LAND SURVEYORS  
 1150 E. UNIVERSITY AVE., SUITE 100  
 MINNEAPOLIS, MN 55414  
 TEL: 763.333.2444

Peterson Court Design  
 for Greg Peterson  
 City of Nowdhen, Anoka County, MN

GRADING

SHEET NO.  
**C3**



| DATE | REVISION | DATE | DESCRIPTION |
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NOT FOR CONSTRUCTION

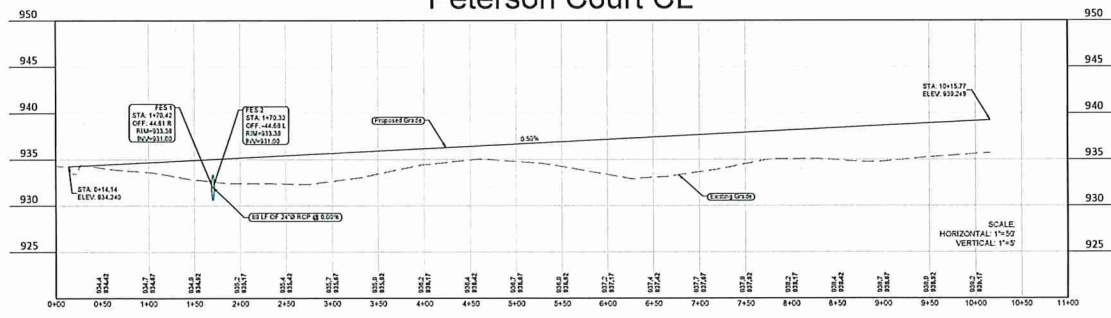
DESIGN BY: [Name]  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 DATE: [Date]

**BOGART, PEDERSON & ASSOCIATES, INC.**  
 1000 UNIVERSITY AVENUE, SUITE 100  
 MINNEAPOLIS, MN 55415  
 TEL: 763.552.7474 FAX: 763.552.7475

Peterson Court Design  
 for Greg Peterson  
 City of Newbun, Anoka County, MN

PLAN & PROFILE

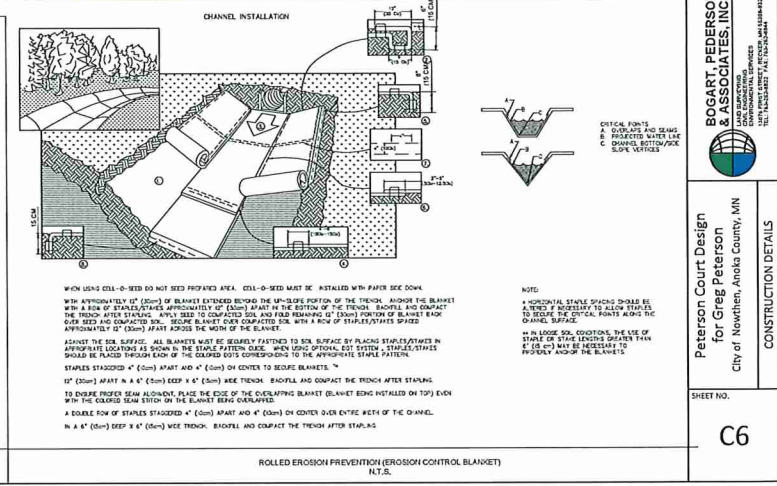
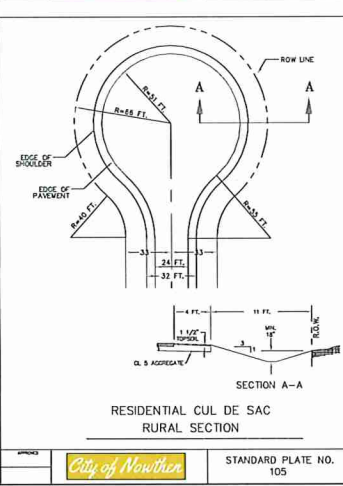
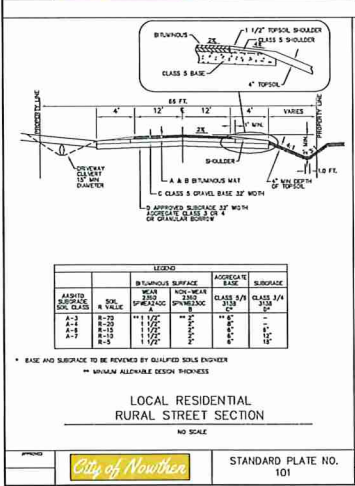
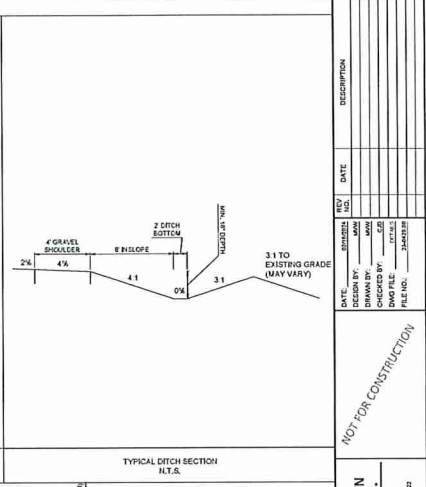
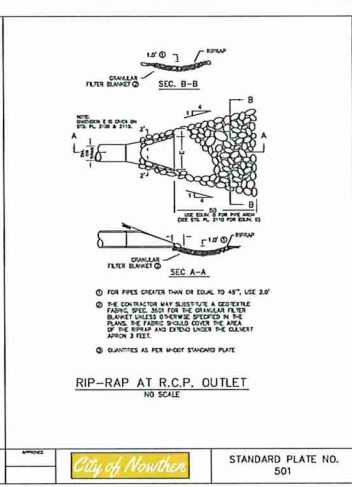
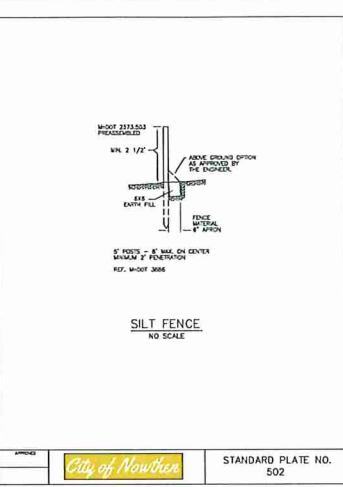
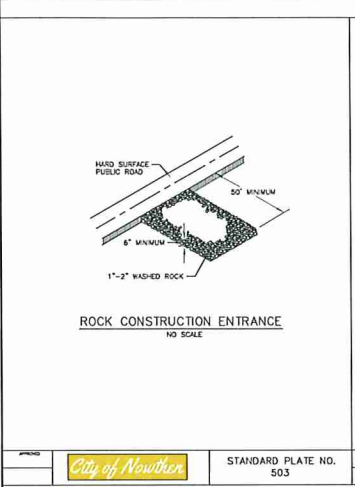
### Peterson Court CL



SHEET NO.  
**C4**







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DESIGNED BY: [Blank]  
DRAWN BY: [Blank]  
CHECKED BY: [Blank]  
DATE: [Blank]

DATE: [Blank]  
DESIGNER: [Blank]  
DRAWING NO.: [Blank]  
SCALE: [Blank]  
SHEET NO.: [Blank]  
FILE NO.: [Blank]

**Peterson Court Design**  
for Greg Peterson  
City of Nowthen, Anoka County, MN

**BOGART, PEDERSON & ASSOCIATES, INC.**  
LAND SURVEYORS  
ENVIRONMENTAL SERVICES  
300 W. 10TH STREET, SUITE 100  
MINNEAPOLIS, MN 55402  
TEL: 612.338.2121 FAX: 612.338.2122

**CONSTRUCTION DETAILS**

SHEET NO. **C6**



# Collaborative Planning, LLC

## Memorandum

To: Planning Commission  
From: Cindy Nash, AICP, EDFP  
Date: March 20, 2024  
Subject: Ordinance Amendment – Home Occupations in the Commercial Zoning District

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An ordinance amendment has been initiated related to home occupations in the Commercial District to address ordinance inconsistencies noted during review of the SotaSolar IUP application.

The purpose of the change is to specify that home occupations (both permitted and extended) may be permitted in the C-1 Commercial District. The Zoning Ordinance does not currently list home occupations as a possible use in the C-1 zoning district, but there are also existing dwellings in that district that have historically been granted IUPs for extended home occupations.

A redline and clean version of an ordinance amendment is attached for review and consideration.

**CITY OF NOWTHEN  
ANOKA COUNTY  
STATE OF MINNESOTA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE CITY OF NOWTHEN ZONING ORDINANCE  
RELATED TO HOME OCCUPATIONS IN THE C-1 COMMERCIAL DISTRICT**

**The City Council of Nowthen, Minnesota ordains:**

**SECTION 1. AMEND SECTION.** Section 11-3-8 B. of the Nowthen Zoning Ordinance is hereby amended to add a new permitted use as follows:

15. Home occupations as provided for in this Chapter, if the residential use associated with the home occupation meets the requirements of paragraph D.5. of this Section.

**SECTION 2. AMEND SECTION.** Section 11-3-8 D. of the Nowthen Zoning Ordinance is hereby amended to add a new interim use as follows:

8. Extended Home Occupation

**SECTION 3. RESCIND AND REPLACE SECTION.** Section 11-4-3 B. of the Nowthen Zoning Ordinance is hereby amended added as follows:

- B. Extended Home Occupations: An extended home occupation shall be reviewed as an interim use and shall be allowed in zoning districts that permit Extended Home Occupations if the business complies with the requirements as stated herein and of those stated in Section 10 of this Chapter.

**SECTION 4. EFFECTIVE DATE**

This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat. § 412.191, subd. 4, as it may be amended from time to time, which meets the requirements of Minn. Stat. § 331A.01, subd. 10, as it may be amended from time to time.

**SECTION 5. REPEALER**

All prior ordinances to the extent that they are inconsistent with the terms and provisions of this Ordinance, shall be deemed repealed after the effective date of this Ordinance with regard to those inconsistent terms and provisions. This repealer is not applicable to Ordinance 2023-06 Placing a Temporary Moratorium on the Leasing of Space as Part of Any Extended Home Occupation adopted by the City Council of the City of Nowthen on October 10, 2023.

Passed by the City Council of Nowthen this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Approved:

\_\_\_\_\_  
Jeff Pilon  
Mayor

Attested:

\_\_\_\_\_  
Scott Lehner  
City Administrator

C:\Users\cnash\Dropbox\Nowthen\Ordinance Amendment\Home occupation in Commercial District\Ordinance Amend Home occupation in commercial district draft1.docx

**11-3-8: C-1 -- COMMERCIAL DISTRICT:**

B. Permitted Uses: The following shall be permitted by right:

1. Bank, savings and loan, savings credit unions and other financial institutions.
2. Commercial recreation.
3. Day care facilities.
4. Funeral homes and mortuaries.
5. Governmental and public utility buildings and structures; City of Nowthen only.
6. Hotels.
7. Instructional classes.
8. Nurseries, greenhouses and landscape businesses.
9. Office businesses.
10. Public parking lots.
11. Public parks and playgrounds, City of Nowthen only.
12. Restaurants, general with on- and off-sale liquor.
13. Retail businesses.
14. Service Businesses, on and off site.
15. Home occupations as provided for in this Chapter, if the residential use associated with the home occupation meets the requirements of paragraph D.5. of this Section.

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**11-3-8: C-1 -- COMMERCIAL DISTRICT:**

D. Interim Uses: All interim uses shall be reviewed and allowed in accordance with the standards of Section 10 of this Chapter, shall terminate upon a change of occupancy or other date as determined by the City Council in accordance with Section 10 of this Chapter and subject to those performance standards outlined

herein any additional stipulations determined to be necessary and reasonable by the City Council to meet the criteria outlined in Section 10 of this Chapter.

1. Any and all forms of agriculture and horticulture as defined by this Chapter existing on October 11, 2011 provided that:
  - a. Once converted to an allowed commercial use in conformance with the requirements of this Chapter, the interim agricultural use shall not be re-established.
2. Farm buildings and accessory structures existing on October 11, 2011 provided that:
  - a. Once converted to an allowed commercial use in conformance with the requirements of this Chapter, the interim farm building shall not be re-established.
3. Outdoor service, sale and rental as a principal or accessory use, provided that:
  - a. Outside services, sales and equipment rental connected with the principal use is limited to thirty percent (30%) of the gross floor area of the principal use.
  - b. Outside sales areas are fenced or screened from view of neighboring residential uses or an abutting residential district.
  - c. Sales area is surfaced with asphalt, concrete or pavers to control dust.
  - d. The use does not take up parking space as required by this Chapter.
4. Outdoor storage as a principal or accessory use, provided that:
  - a. The storage area is fenced and screened from view of neighboring residential uses, abutting residential districts and the public right-of-way.
  - b. The storage area is surfaced with asphalt, concrete or pavers to control dust.
  - c. The storage area does not take up parking space as required by this Chapter.
5. Residential uses existing as of October 11, 2011 shall be designated as interim uses provided that:



- a. Existing residential uses may continue and may be enlarged or expanded upon provided that the uses maintain compliance with all other provisions of this Chapter applicable to such residences. (Ordinance 2014-01, adopted February 11, 2014)
  - b. Not more than one (1) principal use shall be allowed upon the property.
  - c. Commercial uses as provided for within the C-1 District shall not be allowed until such time as the interim residential use ceases and the property complies with all requirements of this Chapter applicable to commercial uses; once converted to an allowed commercial use in conformance with the requirements of this Chapter, the residential use shall not be re-established, except by approval of an interim use permit subject to the following conditions: (Ordinance 2015-01, adopted March 10, 2015)
    - (1) Commercial use of the residential structure was established prior to March 10, 2015;
    - (2) If the residential use is not the only principal use of the property, a Conditional Use Permit is processed according to Section 11-3-8.C.7 to allow for multiple principal uses on a single property;
    - (3) The residential use shall be located upon a lot that complies with the minimum requirements of the C-1 District;
    - (4) The residential use may only be re-established once per property or structure.
6. Wireless communication antennas as regulated by this Chapter.
  7. Housing Shelters, Nursing Homes  
(Ordinance 2013-09, adopted December 10, 2013)
  8. Bed and Breakfast Facilities and Craft Houses within residential structures currently in existence, provided:
    - a. Residential structures are not enlarged or expanded upon and are located on a minimum of one (1) acre.
    - b. When four (4) or more beds are available for rent, a State of Minnesota lodging license is obtained.

- c. A maximum of ten (10) guestrooms are established that meet the State guidelines for lodging licensing. The number of guestrooms permitted shall be based on the square footage requirements of the City's adopted building standards for bedrooms and the standards of the State lodging license.
- d. A registration ledger shall be kept for a minimum of three (3) years or as otherwise required by State law, whichever is greater, and shall be made available to the Code Enforcement Officer or Zoning Administrator upon request.
- e. C-1 District permitted uses may be allowed in association with the residential structure, provided off-street parking and loading areas can be accommodated.
- f. The structure shall comply with the City's minimum residential structure size requirements in Section 11-4-13 of this Chapter.
- g. Overnight guests shall be limited exclusively to those persons registered as a lessee at the facility.
- h. Small group gatherings or meetings may be allowed as part of an approved Interim Use Permit provided the gathering area is large enough to meet building occupancy standards and parking can be accommodated on site.
- i. When food service is provided to the renters by the building's owner, caterer, hired cook, or anyone other than the person(s) contracted to rent the craft house, a State of Minnesota food service license shall be obtained.
- j. Parking shall be subject to established parking design requirements of the underlying zoning district provided for in Section 11-6 of this Chapter.
- k. Signs conform to regulations established in Section 11-7 of this Chapter.
- l. A site survey and detailed floor plan shall be submitted with the requested IUP, Interim Use Permit.
- m. All Interim Use Permits shall be reviewed annually by the Zoning Administrator. If violations of City ordinances, building code, or conditions of approval are found, or valid complaints are received from adjacent or nearby property owners, the Zoning Administrator may require that the IUP be reviewed according to Section 11-10 of this Chapter.

n. The facility complies with all health, safety, building and fire codes as may be required or applicable. (Ordinance 2013-09, adopted December 10, 2013)

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n. 8. Extended Home Occupation

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### 11-4-3 Home Occupations

- B. Extended Home Occupations: An extended home occupation shall be reviewed as an interim use and shall be allowed in zoning districts that permit Extended Home Occupations ~~the Rural Residential Agriculture District~~ if the business ~~is listed as an interim use in and if the business~~ complies with the requirements as stated herein and of those stated in Section 10 of this Chapter.

# Collaborative Planning, LLC

## Memorandum

Date: March 19, 2024  
To: Planning Commission  
From: Cindy Nash, City Planner  
RE: IUP for a Home Occupation – 8150 Viking Boulevard NW - SotaSolar

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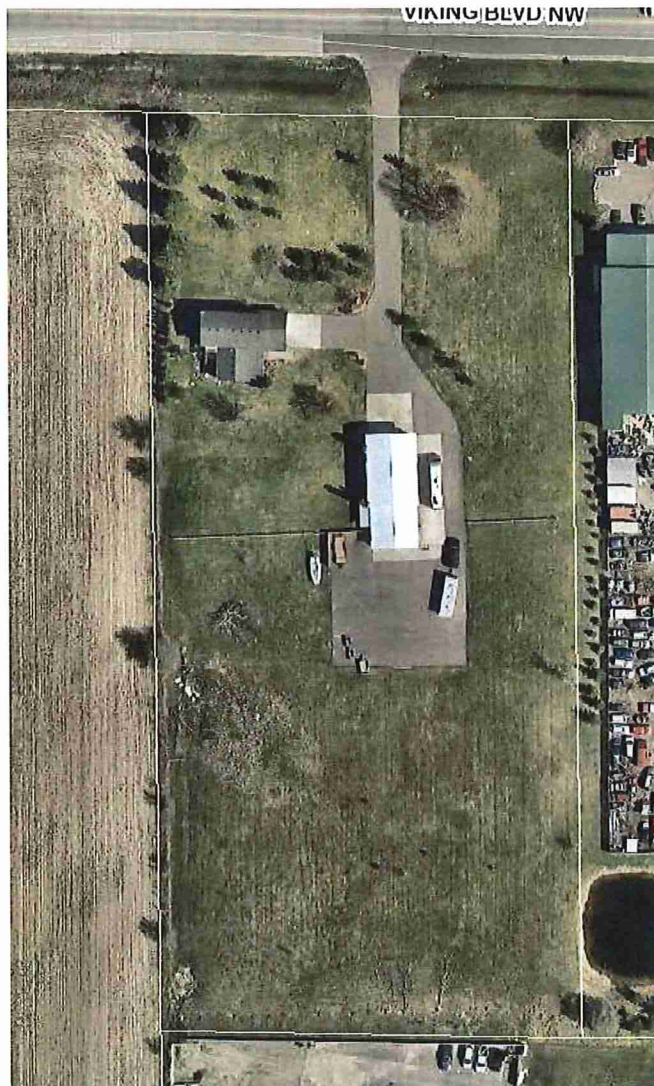
### Overview of Request

Shawn Himmelberger with SotaSolar has submitted an application for an Interim Use Permit for an Extended Home Occupation to allow for RV solar installations with online sales. The property is located in the C-1 Commercial District.

The application is included in your packets and contains their proposed request.

### Evaluation of Request

**Use, Where Permitted.** The C-1 zoning district does not list “Extended Home Occupations” as a possible use under Section 11-3-8 D. (pages 11-47 to 11-50 of the Zoning Ordinance. In addition, Section 11-4-3 B. (page 11-151) related to Extended Home Occupations specifies that they are allowed in the Rural Residential Agriculture District and doesn’t mention the C-1 zoning district. Also on the Planning Commission agenda is a proposed amendment to the zoning ordinance to remedy this finding; if approved, the use would be eligible for an IUP for an Extended Home Occupation.



**Outdoor Storage.** Outdoor sales and service and outdoor storage are addressed in the C-1 zoning district as potentially being permitted subject to an Interim Use Permit (page 11-47) provided that these areas are surfaced with asphalt, concrete or pavers to control dust. In the Extended Home Occupations section, there is a requirement that outside storage may be permitted if such storage conforms to the setback, location and maximum size requirement for accessory structures. Section 11-4-2 related to accessory structures (page 11-148) references that on lots of at least 5 acres to less than 10 acres in size the maximum floor area shall not exceed 6,400 square feet.

**Evaluation of Request as an Extended Home Occupation (if the Zoning Ordinance allowed Extended Home Occupations in the C-1 zoning district)**

Despite that the C-1 zoning district does not permit Extended Home Occupations, this could potentially be remedied if the proposed ordinance amendment that is also on the agenda was approved. A review of the proposed project as compared to the extended home occupation standards is as follows:

- B. Extended Home Occupations: An extended home occupation shall be reviewed as an interim use and shall be allowed in the Rural Residential Agriculture District if the business is listed as an interim use in and if the business complies with the requirements as stated herein and of those stated in Section 10 of this Chapter.

**Staff Comment: This project does not meet this requirement as the property is zoned C-1 and not RRA.**

- 1. Extended home occupations shall be carried on by one (1) or more members of the property owner’s family who shall reside in the dwelling unit, with not more than one (1) full-time or (2) two part-time on-site employees who are not part of the family. If the extended home occupation is on property that is fully accessed on bituminous roads, up to two (2) full-time or (4) part-time on-site employees may be permitted. (Ordinance 2013-04, adopted April 9, 2013)

**Staff Comment: The Subject Property appears to meet this requirement.**

- 2. Extended home occupation may be permitted within either the principal structures or within accessory structures. The number and

sizing of accessory structures shall be as defined in Section 11-4-2 of this Chapter.

**Staff comment: The use is proposed to occur in the accessory building, which consists of approximately 3,000 square feet.**

3. The leasing of space to another person or firm requires an Interim Use Permit and must be obtained by the property owner, not the lessee. The rental of space for the storage of boats, vehicles, etc. are considered as extended home occupations and are subject to the interim use provisions.

**Staff Comment: This is not applicable.**

4. Retail sales related to extended home occupations shall be limited to minor products that are ancillary to a home occupation service. Such minor retail sales shall be similar to:
  - a. Hair care products ancillary to home beauty or hair care occupations;
  - b. Spare or replacement parts ancillary to a small engine or a small machine (motorcycle, lawn mower, snow blower or snowmobile) repair occupation.

**Staff Comment: No retail sales are proposed. It is proposed that all sales are completed online, with drop-off and pickup of the RV by the customer.**

4. An extended home occupation may be identified by one sign, without lights or illumination and a maximum of twelve (12) square foot size. All signs shall be subject to review. With the exception of any such permitted sign there shall be no exterior displays. No exterior indication of a home occupation or any variation from the residential character of the principal structure shall be permitted.

**Staff Comment: Per the application, no signage is proposed.**

5. Objectionable noise, vibration, smoke, dust, electrical disturbance, odors, heat, or glare shall not be produced. No hazardous or toxic chemical/wastes shall be generated or discharged.

**Staff Comment: It is anticipated that they can meet this requirement, subject to conditions related to complying with nuisance regulations being included as a permit condition.**

6. Access:

- a. If the extended home occupation is conducted on property that is accessed in total or in part on a gravel or aggregate surfaced street, the home occupation shall not create vehicular traffic within the neighborhood in greater volume than would normally be expected in the zoning district. For purposes of this Section, maximum normal residential traffic consists of two (2) round trip vehicle trips per driving age family member.
- b. If the extended home occupation is located on and has access totally from bituminous surfaced streets, the use shall not create vehicular traffic that would cause unusual damage to the road or create excessive traffic volumes with the determination of unusual damage or excessive volume totally by the City Council on a specific cost permit basis.
- c. Limited scale trucking operations may be permitted as Extended Home Occupations only if the property is accessed from a continuous network of bituminous streets and the limitations related to the occupation are being carried on by family members and no more than two (2) on-site employees is met.

**Staff Comment: The property has access from a paved road.**

8. Outside storage of materials and equipment used for extended home occupations may be permitted if such storage conforms to the setback, location and maximum size requirement for accessory structures. All outside storage shall be screened from view. If such storage is within one hundred (100) feet of the property line or one hundred twenty (120) feet from any current or potential abutting property residence, it shall be screened by opaque fencing.

**Staff Comment: The outside paved area would only be used to park RVs that are either waiting for installations or awaiting pickup. No materials and equipment would be stored outside.**

9. All extended home occupations shall be reviewed as an interim use and shall be periodically reviewed for compliance with such interim use permits with the review frequency as established by the City Council. (Ordinance #3, adopted November 9, 2010)

### **Recommendation**

Staff recommends that if the ordinance amendment was recommended for approval that the Planning Commission recommend approval of the IUP to the City Council as per the Findings of Fact included in the packet.

# Anoka County Parcel Viewer



**Parcel Information:**

Approx. Acres:  
Commissioner:

**Owner Information:**



Plat:

Anoka County GIS

1:1,200

Date: 12/20/2023

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.



**CITY OF NOWTHEN  
ANOKA COUNTY, MINNESOTA**

**PLANNING AND ZONING COMMISSION**

**FINDINGS AND RECOMMENDATION  
Interim Use Permit for Extended Home Occupation**

**APPLICANTS:** Shawn Himmelberger  
SotaSolar  
8150 Viking Blvd NW  
Nowthen, MN 55330

**APPLICATION:** Request for approval of an Interim Use Permit to allow an Extended Home Occupation for RV solar installations with online sales

**PLANNING AND ZONING COMMISSION MEETING:** March 26, 2024

**FINDINGS:** Based upon review of the application and evidence received the Planning and Zoning Commission of the City of Nowthen now makes the following findings of fact:

1. Shawn Himmelberger and Jenifer Himmelberger are the fee owners of the real property located at 8150 Viking Boulevard NW, Nowthen, Minnesota as legally described in paragraph 2, herein after referred to as the “Subject Property”, which real property is proposed to be used for an Extended Home Occupation for RV solar installations with online sales.
2. The legal description of the property is:

The North 726.00 feet of the West 300.00 feet of the Northeast Quarter of the Northeast Quarter of Section 29, Township 33, Range 25, Anoka County, Minnesota
3. Applicant’s plans for the site involve no interior or exterior changes to the building at the present time.
4. The Subject Property is zoned C-1 Commercial.
5. The Subject Property contains 5.00 acres with direct access onto Viking Boulevard NW.

6. Section 11-4-3 B of the Zoning Ordinance permits Extended Home Occupations subject to conditions. The proposed operation appears to meet the requirements as more fully described in the memo from the City Planner dated March 19, 2024.
7. The memo from the City Planner dated March 19, 2024 is incorporated herein by reference.
8. The Planning Commission held a public hearing, preceded by a published and mailed notice, on February 22, 2024.

**RECOMMENDATION:** Based on the foregoing information and applicable ordinances, the Planning and Zoning Commission recommends approval of the **SotaSolar Interim Use Permit for an Extended Home Occupation for recreational vehicle (RV) solar installations with online sales** subject to the following conditions:

1. The Subject Property shall be in substantial compliance with the site plan as shown on Exhibit A attached hereto.
2. Screening/landscaping shall be installed as shown on Exhibit A.
3. Hours of operation are limited to Monday through Saturday 8:00 AM to 8:00 PM, except that any online or phone communication/sales and the parking of vehicles as indicated in Conditions \_\_\_\_\_ shall be allowed to extend into or through evenings or weekends. Buying, selling or meeting people in person to show items for sale or to pick-up/drop-off vehicles shall be during the hours of operation.
4. Not more than one (1) full-time or two (2) part-time on-site employees or subcontractors may be permitted on the property at any given time, excluding family members.
5. Installation shall occur inside the accessory building, with the exception that for any RVs that are too large to be accommodated within the accessory building that installation may be completed outside on the existing paved area to the south and east of the building as shown on Exhibit A.
6. All materials, equipment and parts used for the business shall be stored in the accessory building. No outside storage of any items with the exception of RVs is permitted.
7. Not more than ten (10) RVs may be on the Subject Property, both within the accessory building or parked outside. There shall be no parking of RVs anywhere on

the Subject Property except for within the accessory building or on the existing paved parking area south of the accessory building as shown on Exhibit A.

8. All personal property stored on site shall be in compliance with outdoor storage regulations for residential properties outlined in Section 11-4-16 of the Nowthen City Code.
9. If a business sign is desired, a sign plan will be required for review/approval of the City. The sign is limited to twelve (12) square feet in size, or such other size as may be permitted by the City Code at the time a permit for a sign is requested.
10. Any change or intensification of the property use, or activities not permitted by the Interim Use Permit issued shall require an amended IUP. No other business(es) shall be operated from the Subject Property and no unauthorized outside storage of materials or equipment shall be permitted.
11. The Subject Property shall be in compliance with ALL State, County, and City building codes and is subject to review and approval by the City Building Official.
12. The Subject Property may be reviewed for compliance upon notification of the City.
13. This Interim Use Permit shall expire on April 9<sup>th</sup>, 2034. The property owner may apply for a new Interim Use Permit prior to the expiration of this permit to allow for an extension of time if the use is permitted at the time of application for a new interim use permit in the Zoning Ordinance.
14. Pursuant to Section 11-10 of the Nowthen Zoning Ordinance, this interim use shall terminate on the occurrence of any of the following events, whichever occurs first:
  - a. The date or event stated in the permit as determined by the City Council.
  - b. Upon violation of conditions under which the permit was issued.
  - c. The interim use permit shall terminate upon a change of occupancy or ownership of the principal use.
  - d. The use or operation is discontinued for a period of one (1) year. This does not apply to a specific part of a use or operation, or a single event, when the remainder of the use or operation has been on-going.
  - e. Termination of the IUP shall occur at the time the Subject Property is sold, upon violation of any condition or following discontinuation of the business or use for one (1) year.
  - f. If an interim use approved by the City Council is not exercised or put into effect within one (1) year of the date of approval, by fulfilling each and every condition attached thereto, it shall terminate unless a request is submitted to the City in writing no less than thirty (30) days prior to the deadline.

15. The City Council may revoke an interim use permit, following notice and hearing, upon violation of any condition of the interim use permit, any City ordinance, or any law of any other applicable jurisdiction.

16. The property owner is responsible for all costs associated with the processing of this request.

**MOTION BY:**

**SECOND BY:**

**ALL IN FAVOR:**

**THOSE OPPOSED:**

**THOSE ABSENT:**

Adopted by the Planning and Zoning Commission of the City of Nowthen on this 26<sup>th</sup> day of March, 2024.

---

Chair Dale Ames

ATTEST:


---

Scott Lehner, City Administrator

**EXHIBIT A  
SITE PLAN**

**Anoka County Parcel Viewer**



|   |   |   |
|---|---|---|
|  | <b>Parcel Information:</b><br>Approx. Acres:<br>Commissioner: | <b>Owner Information:</b>                           |
|   | Plat:   | Anoka County GIS      1:1,200      Date: 12/20/2023 |

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

## Elizabeth Stockman

---

**From:** Shawn Himmelberger <shawn@sotasolar.com>  
**Sent:** Wednesday, December 20, 2023 9:56 AM  
**To:** Elizabeth Stockman  
**Subject:** Siteplan Sota Solar 8150 Viking Blvd  
**Attachments:** 8150 Site Plan.pdf

Elizabeth,

Thank you for your time yesterday. Attached is a site plan and descriptions.

### **Business Use Description**

Sota Solar is an RV and Off Grid Solar installation and online sales company. We would have customers onsite by appointment only.

We expect to have 2 RV waiting to be worked on / customer drop offs, 2 RVs being worked on and 2 RVs waiting to be picked up. As business continues to grow we'd like to as many as 10 RVs onsite. RV installation projects typically take as much as a week. We also do limited RV repair and other upgrades in conjunction with a solar project.

Deliveries will be primarily UPS / Fedex / USPS .

### **Site Plan Description**

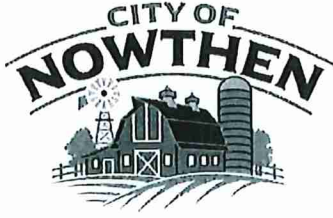
The majority of work would be completed inside the shop building, however some RVs may not accommodate that indoor space and work would be completed outside. Primary RV parking would be on paved pad b behind shop to minimally impact line of sight from Viking. When larger RVs or capacity necessitates we'd like the ability to park RVs in an overflow parking area.

Our longterm line of sight issues would be solved from evergreen tree plantings as indicated on site plan drawing. Many of these RVs are over 12' to 13' tall, any fence would likely still allow visibility from Viking.

To accommodate the length of these vehicles we'd like to add a class 5 turn around loop in the back of property approximately as drawn on site plan.

Shawn Himmelberger  
763 639 3584  
shawn@sotasolar.com

<https://sotasolar.com>



CONDITIONAL & INTERIM USE PERMITS

8188 199TH AVENUE NW, NOWTHEN, MN 55330  
(763) 441-1347

RETURN TO: [INFO@NOWTHENMN.NET](mailto:INFO@NOWTHENMN.NET)

|   |  |
|---|--|
| <input type="checkbox"/> <b>CONDITIONAL USE PERMIT</b><br><input checked="" type="checkbox"/> <b>INTERIM USE PERMIT</b>   | <p>***FOR OFFICE USE ONLY *** FOR OFFICE USE ONLY***</p>   |
|   | <p>Date Application Received: <u>12-19-23</u></p> <p>Date Application Complete: _____<br/>(60-day review period starts from this date)</p> <p>Public Hearing Date: <u>1-23-24</u></p> <p>City Council Approval/Denial Date: <u>2-13-24</u></p> <p>60-Day Review Period Ends: _____</p> <p>60-Day Extension: Yes No Expires On: _____</p> <p>Received By: <u>LPZ Stockman</u></p> |
| <p>Base Fee: \$200</p> <p>Escrow: \$1,000</p> <p>Public Hearing Fee: \$250</p> <p>Recording Fee: \$46</p> <p><b>Total Amt. Due: \$1,496</b></p> <p>Amt. Paid: <u>\$1496.00</u></p> <p>CC/Check# _____</p> |  |

Property Information

Street Address: 8150 Viking Blvd NW

Property Identification Number (PIN#): 29-33-25-11-0008

Legal Description (Attach full description of Metes & Bounds if necessary):  
N 276 ft of W 300 ft of NE 1/4 of NE 1/4 Sec. 29  
Twp. 33 Rge 25 ex rd. subj. to ease of rec.

Type of Business or Use Requested: Home Business  
Rv Solar Installation / online sales

Zoning Designation: C-1

Applicant Information

Name(s): Shawn Himmelberger

Business Name: SotaSolar

Mailing Address: 8150 Viking Blvd NW ~~Nowthen~~

City: Nowthen State: MN Zip Code: 55330

Cell Phone: 763 639 5584 Alternate Phone: \_\_\_\_\_

e-mail: Shawn@SotaSolar.com

**Property Owner Information** (If other than applicant):

Name: \_\_\_\_\_ Business Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code : \_\_\_\_\_

Cell Phone: \_\_\_\_\_ Alternate Phone: \_\_\_\_\_

e-mail: \_\_\_\_\_

**Description of Request** (attach additional sheets as necessary)

Existing Use of Property: Residential w/ Pole Barn

Description of Proposed Use: Use Pole Barn and property to install Solar Systems on RV's and other off grid applications

Reason(s) to Approve Request: Few property impacts + future expansion.

**Please describe any previous applications pertaining to the subject site:**

Project Name: none Date of Application: \_\_\_\_\_

Nature of Previous Request : \_\_\_\_\_

**Existing Building Sizes:**

**RESIDENTIAL LOTS:** House (main floor/footprint of living area): 2800 SF

Garage 1: 500 SF(attached/detached?) Garage 2: 2310 SF(attached/detached?)

**COMMERCIAL/INDUSTRIAL LOTS:** Main Building(s): \_\_\_\_\_ SF \_\_\_\_\_ SF

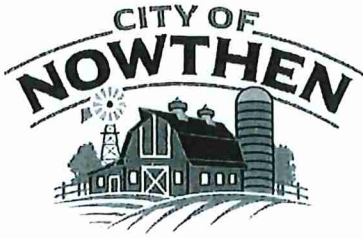
Office Area: \_\_\_\_\_ SF; Warehouse/Storage: \_\_\_\_\_ SF; Manufacturing: \_\_\_\_\_ SF

**ALL LOTS:**

Accessory Buildings: (type/size) \_\_\_\_\_ / \_\_\_\_\_ SF: \_\_\_\_\_ / \_\_\_\_\_ SF

\_\_\_\_\_ / \_\_\_\_\_ SF: \_\_\_\_\_ / \_\_\_\_\_ SF; \_\_\_\_\_ / \_\_\_\_\_ SF





**LETTER OF INTENT  
(TO BE COMPLETED FOR ALL CUPs AND IUPs)**

**8188 199TH AVENUE NW, NOWTHEN, MN 55330  
(763) 441-1347**

**RETURN TO: INFO@NOWTHENMN.NET**

**Name of Applicant(s):** Shawn Himmelberger

**Address of Property:** 8150 Viking Blvd NW Nowthen, MN 55330

**Home Phone No:** \_\_\_\_\_ **Mobile No:** 7636393584

**What type of business is proposed on this property?** \_\_\_\_\_

RV and Off Grid Solar system installation (RVs, Vans, Buses ,Trailers, Ice House, Work Trailer, etc)

**Is this business currently being operated on this property?** \_\_\_\_\_ Yes  No

**If yes, for how long?** \_\_\_\_\_

**Has a Conditional Use Permit or Interim Use Permit ever been approved for this business or property? If so, when?** \_\_\_\_\_ (attach a copy if you have one)

**What will be the days and hours of operation:** M-F 9am - 5pm

**Number of proposed employees?** 1 Full time 1 Part time

**Traffic Impacts:**

- a) Do you live on a  paved or \_\_\_\_\_ gravel road?
- b) How many access points/driveway entrances do you have onto the adjacent roadway(s)? 1
- c) How many times during an average week will you have pickups or deliveries to or from the property? 3-4

- d) Please describe the type(s) of trucks making deliveries (UPS, box truck, semi-truck, etc) and what is being transported (type of merchandise, refuse, scrap lumber, etc) UPS, Fedex
- 
- e) How are the trucks unloaded? (ie: pallets are removed with a fork lift, boxes are removed by hand) Boxes by hand, if LTL will request liftgate service.
- 
- f) How many customers, clients or business related visitors do you expect to have in a typical week?3-4
- 
- g) Is there space for trucks and cars to park and turn around on the property or is it necessary that they stop on the street? They can turn around on property
- 

**Effects your business may have upon neighboring properties:**

- a) Does your business generate any noises or vibrations?  Yes  No
- b) If yes, from what? \_\_\_\_\_
- 
- c) Can the noise be heard from outside the building? \_\_\_\_\_
- 
- d) Does the business generate any odors, smoke, or fumes?  Yes  No  
If yes, please explain \_\_\_\_\_

**Storage of Materials:**

- a) Do you have any material(s) on site that may be classified as toxic or hazardous?  Yes  No
- b) Do you have material(s) on site that could be explosive?  Yes  No
- c) If you answered yes to either (a) or (b) above, identify the material(s): \_\_\_\_\_
-

- d) Please list any materials or equipment that will be stored within an accessory structure on the property. *Note: The storage of business materials and equipment may not take up garage space otherwise intended for the parking of vehicles.* Solar Panels, Inverters, Chargers, Lithium (LiFePo4) Batteries and  
Accesories
- e) Please list any materials or equipment that will be stored outside and where on the property it will be stored: Possibly some aluminum solar racking, stored behind privacy  
fence on property now.

**Accessory Structures:**

- a). What is the size of your property?  
4.7-4.98 Acres          Feet of Street Frontage, if known
- b). How large is the principal structure (residence)? 2800 Square Feet
- c). How many accessory structures exist on the property? 1
- d). List all accessory structures by type and size (i.e. detached garages, barns, pole buildings, sheds, free-standing decks/screen porches, etc.)  
Pole Barn

**Site Inspection:**

- a) Please list the name and phone number of someone who can be considered a contact person. A city staff member will call to arrange for a site review visit.  
Shawn Himmelberger 7636393584
- b) Please state a convenient day and time for a site review visit.  
Mid Week Most Days

**Signs:** Do you intend to place a sign on the property which identifies the business?

         Yes      x   No    Commercially zoned properties should contact City Hall regarding sign regulations for specific land uses.

For residentially zoned property, you must include a colored drawing of the sign that indicates how it will be constructed and installed. The sign may not exceed twelve (12) square feet in total area (a two-sided sign is limited to six (6) square feet per side).

# **MINNESOTA RV SOLAR SYSTEMS**

*RV SOLAR SYSTEM INSTALLATION, ESTIMATION & CONSULTATION*

We design, sell and install **offgrid & RV solar systems** around your needs and budget.

[\*\*GET YOUR RV SOLAR SYSTEM INSTALLATION QUOTE\*\*](#)

This is our busy season, we can better respond to your requests this way.

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[\*\*📊 HOW MUCH DOES AN RV SOLAR SYSTEM COST?\*\*](#)

**SOTASOLAR**

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SOLAR SYSTEMS FOR BATTERIES INSTALLATION & SERVICE

**SEE OUR WORK IN A RECENT RV SOLAR INSTALL VIDEO**

2018 Fuzion 5th wheel RV 1600w Solar Install

# Fuzion 5th Wheel 1600w Solar Install

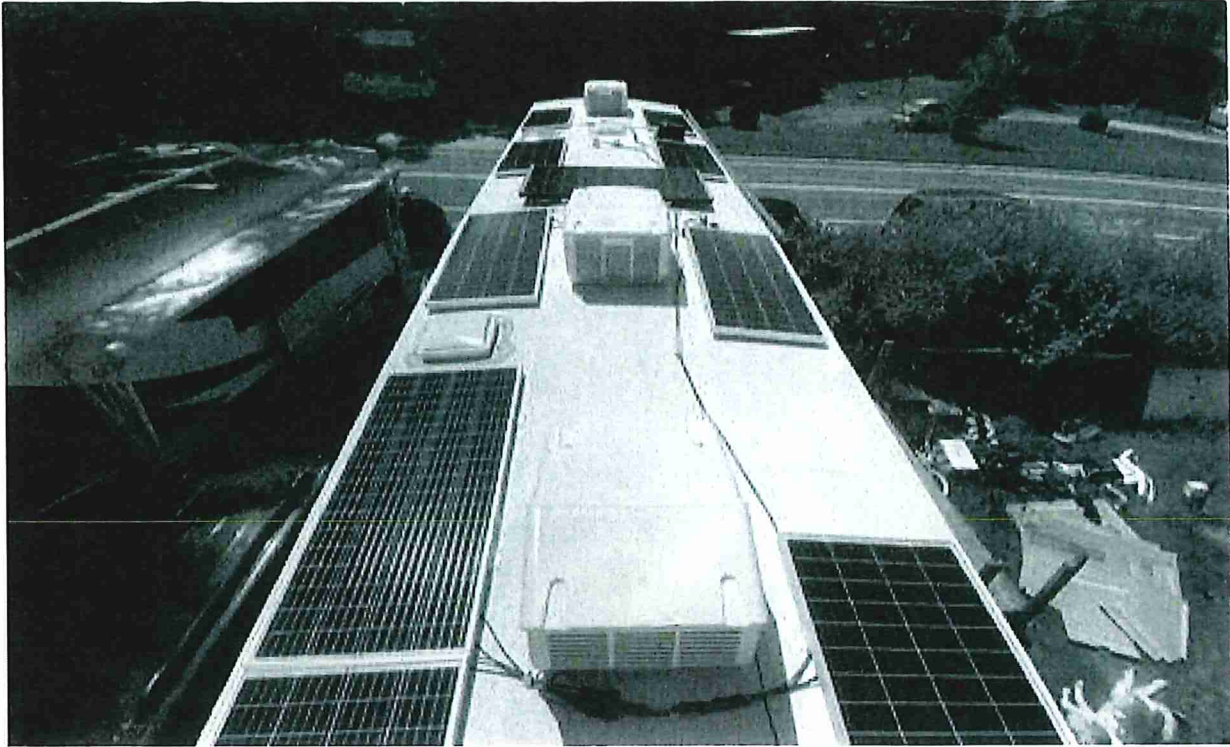
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### SOLAR FOR RVs AND CAMPERS

We design & install solar systems for RVs & campers for people looking to reduce or eliminate generator run time. With a properly sized and designed rv solar system you'll enjoy all that nature has to offer not just campgrounds with power pedestals.



### OFFGRID CABIN

As you well know, the cost to run electricity from the utility company to your cabin could be in the thousands to 10s of thousands. Then you still need to pay for it

# PREVIOUS RV SOLAR SYSTEM INSTALLATIONS & UPGRADES



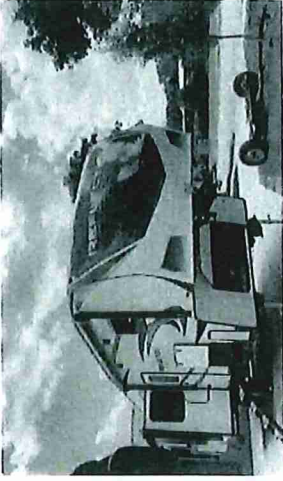
## GRAND DESIGN IMAGINE 2400BH

Victron RV Solar System for Grand Design Reflection  
2400BH with 800Ah of lithium batteries in hidden  
compartment



## GRAND DESIGN REFLECTION 312BHTS

Victron RV Solar system & Battle Born Batteries for  
Grand Design Reflection 303RLS



## GRAND DESIGN REFLECTION 303RLS

Victron RV Solar system & Battle Born Batteries for  
Grand Design Reflection 303RLS



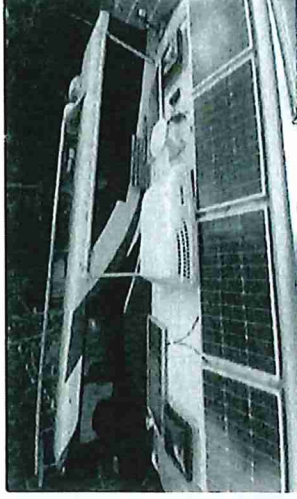
## GRAND DESIGN MOMENTUM G CLASS TOY HAULER

Mid Weekend warriors looking to make more of their  
time on the trails with their toy hauler



## ALLIANCE PARADIGM 5TH WHEEL

A working couple looking to go fulltime RVing is going  
to need big solar and enough batteries to stay powered  
in any conditions



## AIRSTREAM GLOBETROTTER

Victron RV Solar system for Airstream Globetrotter - We  
fit 550Ah of battery and a Multiplex 3000 and gave up  
very little storage space

# Collaborative Planning, LLC

## MEMORANDUM

To: Scott Lehner, City Administrator

From: Cindy Nash, City Planner

Date: March 19, 2024

Subj: Planning Review Comments – Mackenzie Hills

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### Information Available

- Final Plat prepared by Carlson McCain
- Preliminary Plans dated January 27, 2024 prepared by Carlson McCain

### General

1. Provide an exhibit and calculations demonstrating compliance with the City's lot area requirements:  
**Lot Area and Width Regulations:** Each single-family dwelling shall be located on a lot having an area of not less than one (1) acre, twenty-three thousand (23,000) square feet of which must be buildable and a minimum of three (3) feet above highest known ground water or ordinary high water of adjacent wetlands. Each lot shall have a minimum width of one hundred twenty (120) feet as measured at the building setback line.
2. Signage approved by the City will need to be placed next to storm ponds, wetlands, and conservation areas.
3. Comments from the City Engineer will be provided in a separate memo.
4. The plans must be reviewed by the City's septic consultant.
5. The plans must be reviewed by the DNR. Any comments from that review will be provided separately.

cc: Shane Nelson, HAA





**ENGINEERING REVIEW  
for City of Nowthen  
by  
Hakanson Anderson**

---

**Submitted to:** City of Nowthen

**cc:** Scott Lehner, City Administrator  
Cindy Nash, City Planner  
Bob Ruppe, City Attorney  
Jason Gustafson, Applicant  
Aaron Briski, Applicant's Engineer

**Reviewed by:** Shane Nelson, City Engineer

**Date:** March 20, 2023

**Proposed  
Project:** Mackenzie Hills

**Street Location:** XXXX Engen Blvd

**Applicant:** Jason Gustafson

**Owners of Record:** Gustafson, Daniel Elvin

**Jurisdictional Agencies:** City of Nowthen, Anoka County, Upper Rum River  
(but not limited to) Watershed Management Organization

**Permits Required:** City Approval, NPDES Construction Permit, WCA -  
(but not limited to) Wetland Delineation Approval

## **INFORMATION AVAILABLE**

Mackenzie Hills Preliminary Plat, prepared by Carlson McCain

Mackenzie Hills Preliminary Plans, dated January 22, 2024, prepared by Carlson McCain

Mackenzie Hills Stormwater Management Plan, dated January 27, 2024, prepared by Carlson McCain

Mackenzie Hills Stormwater Pollution Prevention Plan, dated January 22, 2024, prepared by Carlson McCain

20840 Engen Boulevard NW Wetland Delineation report, dated August 5, 2022, prepared by Kjolhaug Environmental Services Company, Inc.

## **SITE ACCESS / VEHICULAR TRAFFIC**

1. The project is proposed to receive access from Engen Boulevard. Right-of-way is proposed to be dedicated for 205<sup>th</sup> Avenue NW and a shared driveway is proposed within the right-of-way of 205<sup>th</sup> Avenue NW. The shared driveway will be privately owned and maintained by the property owners.

## **PRELIMINARY PLAT**

1. In accordance with City Code, all lots must have a one (1) acre contiguous parcel at the proposed building site that meets the following characteristics: a minimum of twenty-three thousand (23,000) square feet of land area with a three (3) foot separation between the final surface elevation and mottled soil or highest known water table. The balance of the acre is to have at least a one (1) foot separation consisting of only existing natural soils (10-3-5.B). Please provide a buildability plan which shades or otherwise depicts the areas with 3 feet and 1 foot of separation to demonstrate compliance with the City Code.

## **GRADING AND EROSION CONTROL**

1. The grading plan must be revised to depict fill where necessary such that 23,000 square feet of land area has three (3) feet of separation from mottled soils on each of the lots.

## **WETLANDS**

1. A wetland delineation report has been received and a Notice of Decision for the wetland boundary and types was issued on September 20, 2022.
2. Wetland buffer monumentation shall be installed to URRWMO standards. The wetland buffer sign locations as depicted on the preliminary plans are acceptable.

## **SEPTIC SITES**

1. Suitability of septic sites to be reviewed by Building Official.

## **WATER SUPPLY**

1. Individual wells are proposed to provide water supply to the proposed lots. Wells must meet the requirements of the Minnesota Department of Health and applicable state laws and regulations.

## **OTHER ITEMS**

1. This project disturbs more than 1 acre and will require a NPDES Construction Stormwater Permit from the Minnesota Pollution Control Agency. A Stormwater Pollution Prevention Plan (SWPPP) will be required with the Final Plans.
2. Zoning review is to be completed by the City Planner and provided under separate cover.

## **RECOMMENDATION**

Overall, the general development pattern and lot layout seems conducive to the property. We recommend approval contingent upon the above comments being addressed.

**CITY OF NOWTHEN  
ANOKA COUNTY, MINNESOTA**

**PLANNING AND ZONING COMMISSION**

**FINDINGS AND RECOMMENDATION  
Final Plat for Mackenzie Hills**

**APPLICANTS:** Daniel and Jill Gustafson  
22575 Jarvis Street  
Elk River, MN 55330

**APPLICATION:** Request for approval of a Preliminary Plat for Petersen Acres

**PLANNING AND ZONING COMMISSION MEETING:** March 26, 2024

**FINDINGS:** Based upon review of the application and evidence received the Planning and Zoning Commission of the City of Nowthen now makes the following findings of fact:

1. Daniel Gustafson and Jill Gustafson are the fee owners of the real property located in Nowthen, Minnesota as legally described in paragraph 2, herein after referred to as the "Subject Property", which real property is proposed to be platted into six (6) residential lots.

2. The legal description of the property is:

The South 600.00 feet of the Southeast Quarter of the Southwest Quarter of Section 17, Township 33, Range 25, Anoka County, Minnesota

AND

The North 831.31 feet of the Northeast Quarter of the Northwest Quarter of Section 20, Township 33, Range 25, Anoka County, Minnesota except the East 330.00 feet of the North 660.00 feet of the Northeast Quarter of the Northwest Quarter of said Section 20.

3. The Subject Property is zoned RRA – Rural Residential Agriculture District.

4. The City Council approved a Preliminary Plat and Conditional Use Permit for Street Construction Deferral at their December 12, 2023 meeting (the “December Findings of Fact”).
5. The Developer has requested a final plat so as to allow the Developer to plat the Subject Property into various lots as shown on a preliminary for a development entitled Mackenzie Hills, the most recent revision of said preliminary and plans prepared by Carlson McCain and last updated January 22, 2024 (unless noted differently below) and containing the following sheets:
  - Final Plat
  - Preliminary Plans dated January 27, 2024
  - Stormwater Pollution Prevention Pla dated January 22, 2024(the “Site Plans”); and
6. The memo from the City Engineer dated March 20, 2024 and the City Planner dated March 19, 2024 is incorporated herein by reference.
7. The Planning Commission reviewed the plans at their meeting on March 26, 2024.

**RECOMMENDATION:** Based on the foregoing information and applicable ordinances, the Planning and Zoning Commission recommends approval of the **final plat for Mackenzie Hills** subject to the following conditions:

1. All comments contained within the City Engineer memo from Hakanson Anderson dated March 20, 2024 are incorporated herein (collectively referred to as the “Staff Memos”).
2. The December Findings of Fact are incorporated herein as though set out in full.
3. The improvements to the Subject Property shall be constructed in substantial conformance with the Site Plans as revised to conform to the requirements of the Staff Memos and the December Findings of Fact.
4. If the updated Site Plans addressing the comments of the resolutions, Staff Memos, or outside agencies necessitate revisions to any of the lot lines or easements on the Subject Property, then those revisions shall be incorporated into the Final Plat submitted by the Developer. Compliance with these requirements may result in changes to or the removal of lots, outlots, easements, or right of way, in which case the Developer shall revise the Site Plans and Final Plat as necessary in conformance thereto. If an off-site easement is required to address a comment, then a separate easement document shall be provided to the City for review and approval prior to release of the Final Plat for recording.

5. To the extent that there are differences or conflicts between the Site Plans and this resolution, the terms of this resolution shall be controlling unless and until modified by a final plat resolution.
6. The timing of the construction of the infrastructure improvements on the Subject Property will be subject to the conditions of a Developer's Agreement between the City and the Developer.
7. A title commitment shall be provided for the review of the City Attorney before the final plat is released for recording.
8. Financial security in a form approved by the City Attorney and in an amount approved by the City Engineer must be provided by the Developer prior to release of the final plat for recording. The Developer's Agreement shall specify the amount of the financial security.
9. The Developer must reimburse the City for all costs incurred by the City and its consultants in relation to review of the proposed development plans as well as the preparation of the Developer's Agreement.
10. No wetlands may be impacted during construction of the homes. Buffers require that unmowed areas adjacent to wetlands are maintained with non-invasive vegetation for the purpose of filtering pollutants before they enter the wetland, reducing erosion, and minimizing human impacts.
11. Individual septic system design is required at the time of building permit application and shall be reviewed and approved by the Building Official.
12. Building permits shall be required for the new homes which requires submittal of a certificate of survey for individual lots, lowest floor elevations noted and custom grading/erosion control plans are subject to review of the City.
13. The Developer shall be responsible for obtaining and complying with all necessary permits from any other governmental agencies.
14. Park dedication shall be payment-in-lieu of land dedication. Park dedication fees shall be paid prior to release of the final plat for recording as per the City fee schedule in effect at the time of the execution of the Developer's Agreement.
15. The approval of the Final Plat shall terminate if a Developer's Agreement has not been entered into between the City and Developer by July 8, 2024.
16. The approval of the Final Plat shall terminate unless all conditions of this resolution are completed and the Final Plat is recorded no later than July 8, 2024.

17. If the Subject Property is subject to a mortgage, the Developer will need to provide a Consent to Plat and a Subordination Agreement from the mortgage holder in a form acceptable to the City Attorney.
18. Additional conditions as determined necessary by the City Planner, City Engineer, and City Attorney as review of the project progresses and is completed.
19. The property owner is responsible for all costs associated with the processing of this request.

**MOTION BY:**

**SECOND BY:**

**ALL IN FAVOR:**

**THOSE OPPOSED:**

**THOSE ABSENT:**

Adopted by the Planning and Zoning Commission of the City of Nowthen on this 26<sup>th</sup> day of March, 2024.

---

Chair Dale Ames

ATTEST:

---

Scott Lehner, City Administrator

**CITY OF NOWTHEN  
ANOKA COUNTY, MINNESOTA**

**CITY COUNCIL**

**FINDINGS & DECISION  
PRELIMINARY PLAT  
CONDITIONAL USE PERMIT  
Street Construction Deferral**

**APPLICANTS:**

Dan and Jill Gustafson  
20840 Engen Boulevard  
Nowthen, MN 55330  
(PID 20-33-25-21-0006)

**APPLICATION:** Request for approval of a 3-lot Preliminary Plat and a CUP to allow deferral of street construction requirements

**CITY COUNCIL MEETING:** December 12, 2023

**FINDINGS:** Based upon review of the application and evidence received, the City Council of the City of Nowthen now makes the following findings of fact:

Whereas, the legal description of the property is: S 600 FT OF SE1/4 OF SW1/4 OF SEC 17 TWP 33 RGE 25 TOG/W N 831.31 FT OF NE1/4 OF NW1/4 OF SEC 20 TWP 33 RGE 25, EX E 330 FT OF N 660 FT THEREOF, EX RD, SUBJ TO EASE OF REC

Whereas, the subject site is zoned RRA, Rural Residential Agriculture;

Whereas, the applicant owns one (1) parcel encompassing 35.47 acres;

Whereas, the applicant wishes to subdivide three (3) new lots upon which new homes will be built for family members;

Whereas, the property abuts Engen Boulevard and is not required to dedicate additional ROW;



Whereas, the subdivision includes the provision of new local street ROW (+/- 1,400 foot cul-de-sac) and associated CUP to allow deferral of street paving construction requirements;

Whereas, adherence with Section 10-3-3.C of the City Code is required:

Street surfacing requirements may be deferred for local streets through approval of a Conditional Use Permit by the City Council, subject to the following:

1. The property is residentially zoned.
2. The division involves no more than three (3) buildable lots which front upon and gain direct driveway access to the right-of-way required in Section 10-3-3.C.4 below, excluding outlots that may be reserved for future development.
3. Divisions containing an existing principal residential structure which relies upon direct lot frontage or driveway access to the right-of-way required in Section 10-3-3.C.4 below, to meet all applicable City, County or State regulations, shall be considered one (1) of the three (3) lots.
4. Right-of-way is dedicated for public use in accordance with the width requirements contained in Section 10-3-2.
5. The right-of-way shall be considered a shared driveway until such time as the City agrees by resolution to accept and maintain the dedicated right-of-way as a public street, provided:
  - a. Construction Standards. The shared driveway is constructed to meet street base and subbase requirements required by Section 10-3-3.B.
  - b. Emergency Access. The driveway access requirements of Section 11-6-2.J are met and shown on approved plans.
  - c. Maintenance of Shared Driveway. Until such time as the shared driveway is constructed to City road bituminous standards and accepted by the City as a public road, property owners shall agree on behalf of themselves, their successors and assigns, that maintenance of the shared driveway shall be the sole responsibility of property owners fronting on the dedicated right-of-way and/or gaining access from the shared driveway unless otherwise agreed to in writing by the City. A shared driveway maintenance agreement shall be required, is subject to review and approval of the City Attorney and shall be recorded against all impacted properties.
  - d. Deed Restriction Required. Until such time as the shared driveway is constructed to City road bituminous standards and accepted by the City as a public road, property owners shall agree on behalf of themselves their successors and assigns, that no additional property subject to the shared driveway agreement shall be further subdivided or platted without the City's express written consent. Further, the property owners shall acknowledge on behalf of themselves, their successors and assigns, that the properties may be subject to a future assessment pursuant to Minnesota Statute Chapter 429 or other relevant statute for the future improvement of the shared

driveway, as constructed to City bituminous road standards, once the right-of-way is accepted by the City. The deed restriction is subject to review and approval of the City Attorney and shall be recorded against all properties impacted.

Whereas, a private shared driveway will be allowed on an interim basis until such time as a public road is constructed and accepted by the City under Section 10-3-3.C of the City Code;

Whereas, the applicant agrees that no future divisions will be permitted without the written approval of the Nowthen City Council until such time as a public street is constructed and accepted by the City;

Whereas, the following driveway standards of City Code Section 11-6-2.J.4 shall be required:

Effective Jun 19, 2020, all new principal uses shall be required to provide driveway access that complies with the following:

- a. The driveway shall be a minimum of twelve (12) feet in width and shall be designed to accommodate the maneuvering and turnaround of emergency vehicles and fire apparatus in accordance with Section 503 of the International Fire Code. A twenty (20) foot wide access drive shall be required for shared driveways which serve three (3) or more properties/homes.
- b. Overhead clearance shall be no less than 13 feet, 6 inches for the passage of fire vehicles beneath trees, power lines, property entrances, and any other building overhangs, appurtenances, or site features between the public road and principal structure(s).
- c. The distance as measured from the driveway or public street to all sides of the principal structure(s) must be within 250 feet to allow fire hose access.

Whereas, the Conditional Use Permit criteria from Section 11-10-3 of the Nowthen City Code have been considered and satisfactorily met;

Whereas, the Planning Report dated October 17, 2023 prepared by the City Planner, The Planning Company LLC, is incorporated herein;

Whereas, the Engineering Memo dated October 17, 2023 prepared by the City Engineer Hakanson Anderson Assoc. is incorporated herein;

Whereas, the Nowthen Planning and Zoning Commission held a public hearing at their regular meeting on October 24, 2023 and November 28<sup>th</sup>, 2023 preceded by a public notice and letters to affected property owners. The Commission voted 5-0 in favor of the development.

**DECISION:** Based on the foregoing information and applicable ordinances, the City Council recommends that **the Preliminary Plat of Mackenzie Hills and a CUP for deferral of street construction be APPROVED** subject to the following conditions:

1. A Development Agreement is drafted by the City Attorney, signed and recorded which prohibits any further subdivision of the lots contained in the Mackenzie Hills Subdivision until such time as the public street is built to the full width of proposed parcels and accepted by the City. Applicants shall comply with the terms and conditions contained in the Lot Split Agreement.
2. No wetlands may be impacted during construction of the homes or private driveway(s). Buffers require that unmowed areas adjacent to wetlands are maintained with non-invasive vegetation for the purpose of filtering pollutants before they enter the wetland, reducing erosion, and minimizing human impacts.
3. The Shoreland Overlay District of Bear Lake shall be shown on the plat.
4. Shared driveway agreements, including maintenance provisions, and deed restrictions filed against all parcels shall be a condition of approval and subject to review and endorsement of the City Attorney.
5. The requirements of Section 10-3-3.C are met, except that the construction standards are to be amended to allow private driveways to be constructed within the required ROW at 12 feet in width for 1-2 residential units and 20 feet in width for three or more residential units without any base or subbase requirements specified:
  - a. Construction Standards. The shared driveway is constructed to meet street base and subbase requirements required by Section 10-3-3.B.
  - b. Emergency Access. The driveway access requirements of Section 11-6-2.J are met and shown on approved plans.
  - c. Maintenance of Shared Driveway. Until such time as the shared driveway is constructed to City road bituminous standards and accepted by the City as a public road, property owners shall agree on behalf of themselves, their successors and assigns, that maintenance of the shared driveway shall be the sole responsibility of property owners fronting on the dedicated right-of-way and/or gaining access from the shared driveway unless otherwise agreed to in writing by the City. A shared driveway maintenance agreement shall be required, is subject to review and approval of the City Attorney and shall be recorded against all impacted properties.
  - d. Deed Restriction Required. Until such time as the shared driveway is constructed to City road bituminous standards and accepted by the City as a public road, property owners shall agree on behalf of themselves their successors and assigns, that no additional property subject to the shared driveway agreement shall be further subdivided or platted without the City's express written consent. Further, the property owners shall acknowledge on behalf of themselves, their successors and assigns, that the properties may be subject to a future assessment pursuant to Minnesota Statute Chapter 429 or other relevant statute for the future improvement of the shared driveway, as constructed to City bituminous road standards, once the right-of-way is accepted by the City. The deed restriction is subject to review and approval of the City Attorney and shall be recorded against all properties impacted.
6. The driveway requirements of Section 11-6-2.J.4 are met:

Effective Jun 19, 2020, all new principal uses shall be required to provide driveway access that complies with

the following:

- a. The driveway shall be a minimum of twelve (12) feet in width and shall be designed to accommodate the maneuvering and turnaround of emergency vehicles and fire apparatus in accordance with Section 503 of the International Fire Code. A twenty (20) foot wide access drive shall be required for shared driveways which serve three (3) or more properties/homes.
  - b. Overhead clearance shall be no less than 13 feet, 6 inches for the passage of fire vehicles beneath trees, power lines, property entrances, and any other building overhangs, appurtenances, or site features between the public road and principal structure(s).
  - c. The distance as measured from the driveway or public street to all sides of the principal structure(s) must be within 250 feet to allow fire hose access.
10. Individual septic system design is required at the time of building permit application and shall be reviewed and approved by MNspect.
  11. All grading, drainage, stormwater and erosion control issues shall be subject to review and approval by the City Engineer and subject to necessary revisions as outlined in the HAA Engineer's Report dated 10-17-23.
  12. As indicated in the City Engineer's report, soil borings are required in the location of the proposed road to determine the suitability of subgrade soils to support the proposed street. The soil borings shall be included in a geotechnical report which is certified by a licensed geotechnical engineer and shall include an estimated stabilometer R-value.
  13. The Applicants engage a geotechnical engineer to perform field monitoring of the groundwater with piezometers as allowed by Section 10-3-5.B.5 of the City Code to determine required areas of 23,000 SF with three (3) feet of separation or otherwise create the separation required by the City Code through fill/ revised grading plan.
  14. Building permits shall be required for the new homes which requires submittal of a certificate of survey for individual lots, lowest floor elevations noted and custom grading/erosion control plans which are subject to review and approval of the City Engineer and City Planner.
  15. Prior to issuance of the certificate of occupancy for structures within the subdivision, a permanent address placard must be placed at the shared driveway entrance at Engen Boulevard so that it's visible from the public road as well as at the point where individual driveways split off from the shared driveway.
  16. A sign shall be required at the terminus of the cul-de-sac shall be required notifying people of future extension over to Tiger Street.
  17. The park and trail dedication fee of \$2,500 PER LOT (for the one new lot) shall be paid prior to the City signing final documents, before recording.
  18. All costs associated with the review of the submitted plat, Development Agreement and any other costs generated by the City or its representatives are the responsibility of the applicants.

**MOTION BY:**

**SECOND BY:**

**ALL IN FAVOR:**

**THOSE OPPOSED:**

**ADOPTED by the City Council of the City of Nowthen this 12<sup>th</sup> day of December 2023.**

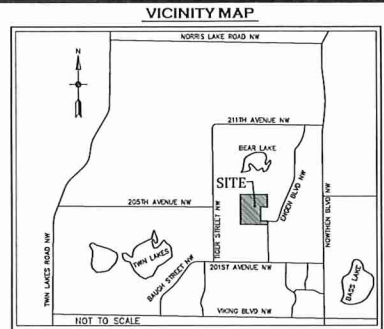
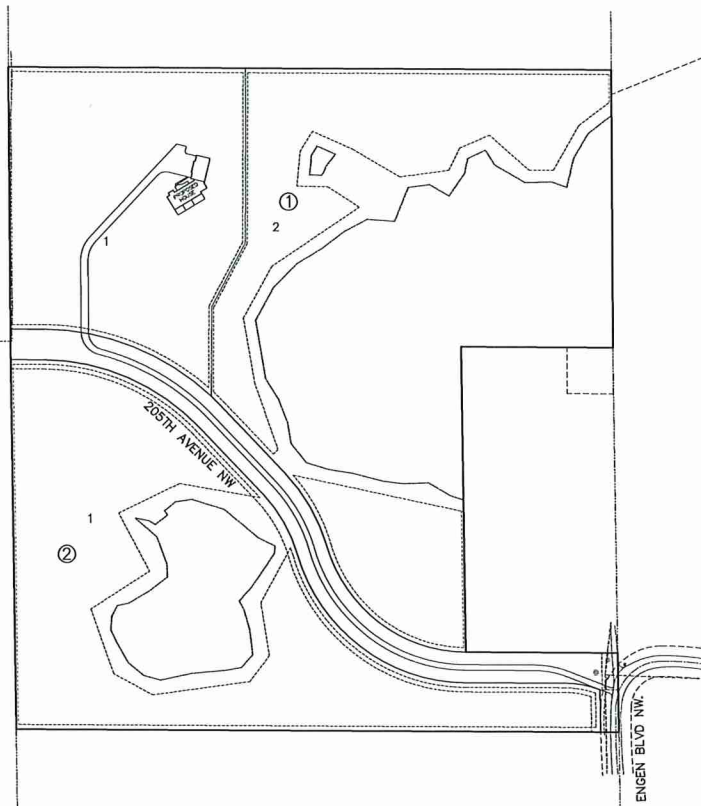
**CITY OF NOWTHEN**

By: \_\_\_\_\_  
Mayor Jeff Pilon

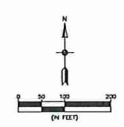
Attest: \_\_\_\_\_  
Scott Lehner, City Administrator

# MACKENZIE HILLS

## NOWTHEN, MINNESOTA



- SHEET INDEX**
1. COVER
  2. PRELIMINARY PLAT/EXISTING CONDITIONS
  3. PRELIMINARY SITE & UTILITY PLAN
  4. GRADING INDEX
  - 5-6. PRELIMINARY GRADING & EROSION CONTROL PLAN
  7. DETAILS



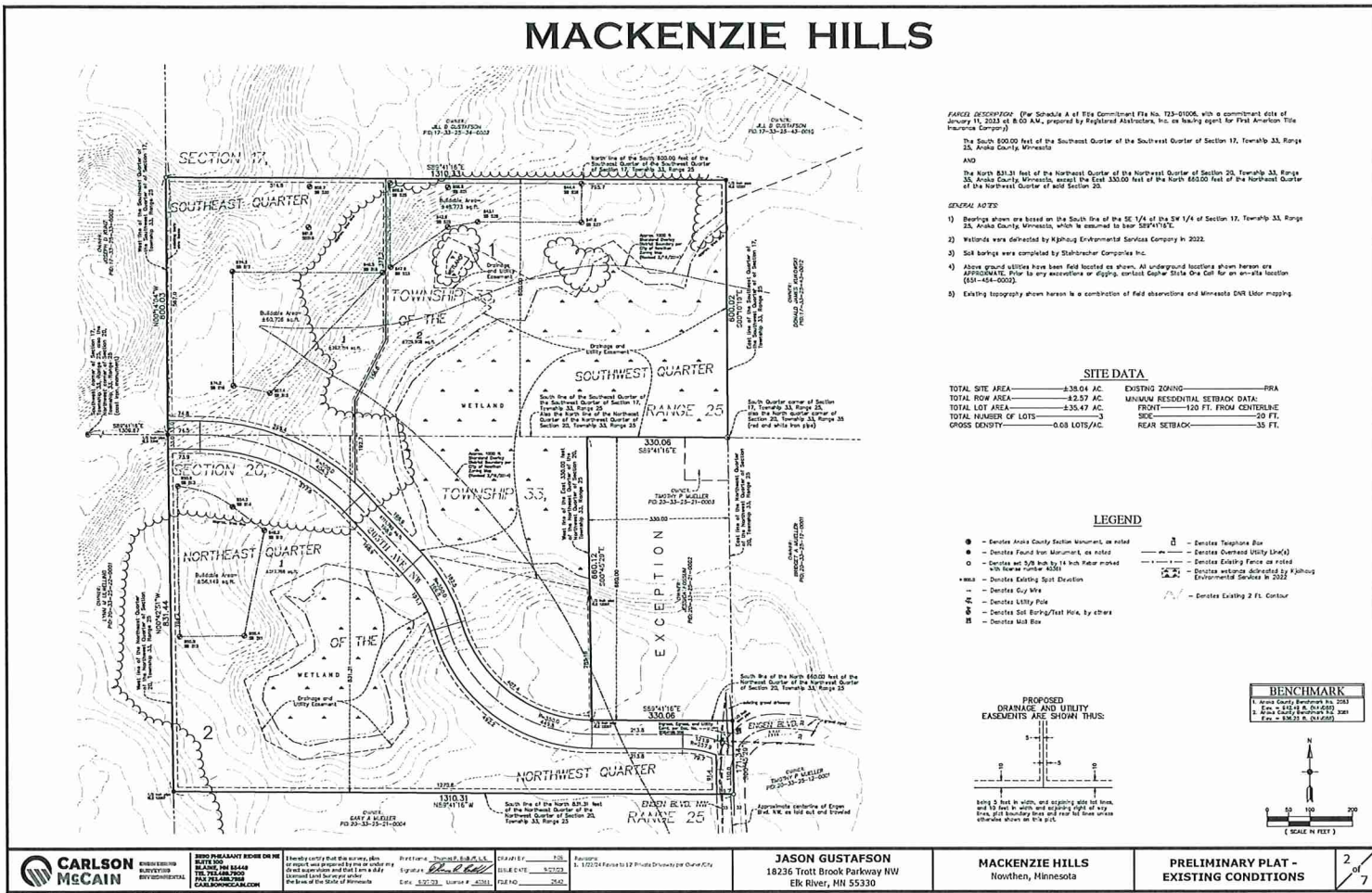
| BENCHMARK   |  |
|---|--|
| 1. Iron County Benchmark No. 2083<br>Elev. = 141.16 (NAD 83)    |  |
| 2. Iron County Benchmark No. 2081<br>Elev. = 826.55 N. (NAD 83) |  |



The following utility information shown on this plan is utility quality level 2. The utility user has determined accuracy to the tolerance of 0/1000 30:30, vertical tolerance 30:30, for the location and elevation of existing subsurface utility lines.

|  |   |   |  |  |              |        |
|--|---|---|--|--|--------------|--------|
| <b>CARLSON MCCAIN</b><br>8000 85TH AVENUE<br>BOVINGTON<br>MN 55002-1001<br>TEL: 763.429.8000<br>FAX: 763.429.8000<br>WWW.CARLSONMCCAIN.COM | I hereby certify that the plan, specification and notes hereon were 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.<br>Engineer: <u>Jason Gustafson</u><br>Date: <u>8/27/23</u> License #: <u>37411</u> | Project: <u>Phase 1 of 2 Roads Enclosure per Owner/Client</u><br>Client: <u>JKS</u><br>Designer: <u>KCS</u><br>Date: <u>8/27/23</u> | <b>JASON GUSTAFSON</b><br>18236 Trott Brook Parkway<br>Elk River, MN 55330 | <b>MACKENZIE HILLS</b><br>Nowthen, Minnesota | <b>COVER</b> | 1 of 7 |
|  | <p style="text-align: right; font-size: small;">#10416</p>  |   |  |  |              |        |

# MACKENZIE HILLS



**PARCEL DESCRIPTION** (Per Schedule A of the Commitment File No. T23-01006, with a commitment date of January 11, 2023 at 8:00 A.M., prepared by Registered Abstractors, Inc. as listing agent for First American Title Insurance Company)

The South 800.00 feet of the Southeast Quarter of the Southeast Quarter of Section 17, Township 33, Range 25, Anoka County, Minnesota  
 AND  
 The North 831.31 feet of the Northeast Quarter of the Northeast Quarter of Section 20, Township 33, Range 25, Anoka County, Minnesota, against the East 330.00 feet of the North 650.00 feet of the Northeast Quarter of the Northeast Quarter of said Section 20.

- GENERAL NOTES:**
- 1) Bearings shown are based on the South line of the SE 1/4 of the SW 1/4 of Section 17, Township 33, Range 25, Anoka County, Minnesota, which is assumed to bear S89°41'15"E.
  - 2) Wetlands were delineated by Kijung Environmental Services Company in 2022.
  - 3) Soil borings were completed by Stahrecher Company Inc.
  - 4) Above ground utilities have been field located as shown. All underground locations shown herein are APPROXIMATE. Prior to any excavations or digging, contact Gopher State One Call for an on-site location (888-454-4000).
  - 5) Existing topography shown herein is a combination of field observations and Minnesota DNR LIDAR mapping.

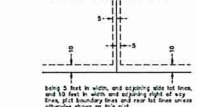
### SITE DATA

|                      |               |                                   |                         |
|----------------------|---------------|-----------------------------------|-------------------------|
| TOTAL SITE AREA      | 2.38 64 AC.   | EXISTING ZONING                   | RRA                     |
| TOTAL ROW AREA       | 42.57 AC.     | MINIMUM RESIDENTIAL SETBACK DATA: |                         |
| TOTAL LOT AREA       | 2.35 47 AC.   | FRONT                             | 120 FT. FROM CENTRALISE |
| TOTAL NUMBER OF LOTS | 3             | SIDE                              | 20 FT.                  |
| GROSS DENSITY        | 0.08 LOTS/AC. | REAR SETBACK                      | 35 FT.                  |

### LEGEND

- - Denotes Anoka County Section Monument, as noted
- - Denotes Found Iron Monument, as noted
- - Denotes well 20ft. deep by 14 inch diameter marked with lower number 43301
- - Denotes Existing Spot Elevation
- - Denotes Gully line
- - Denotes Utility Pole
- - Denotes Cell Boring/Test Hole, by others
- - Denotes Well Bore
- - Denotes Telephone Line
- - Denotes Overhead Utility Lines
- - Denotes Existing Fence as noted
- - Denotes Easement delineated by Kijung Environmental Services in 2022
- - Denotes Existing 2 Ft. Contour

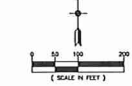
### PROPOSED DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



Utility 2 feet in width, and spacing side set back, and 10 feet in width and spacing right of way line, 60' boundary area and final lot lines unless otherwise shown on this plat.

### BENCHMARK

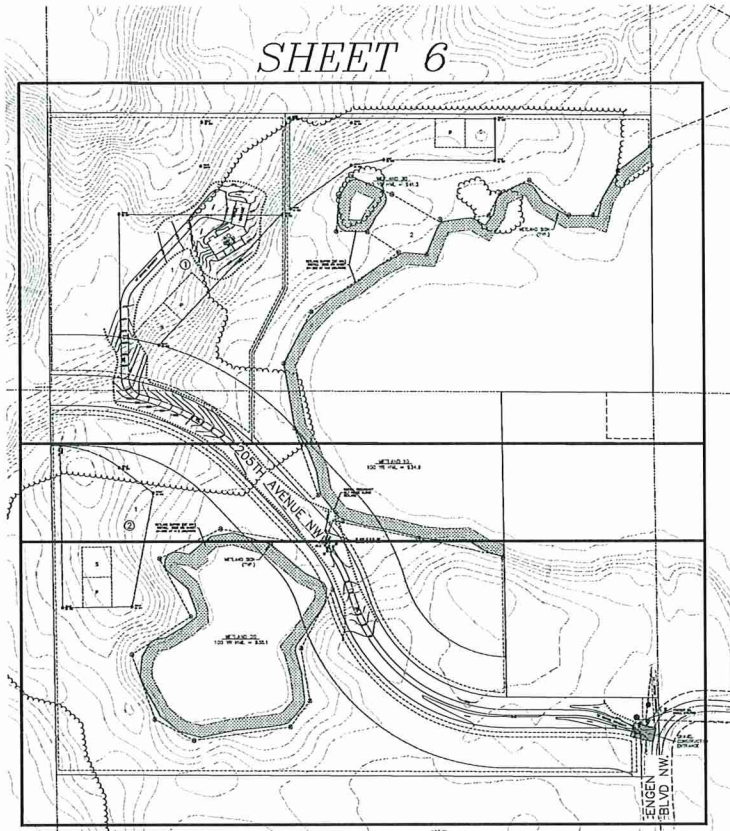
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 E.T. = 471.4 A. 0.00000  
 L.S. = 542.14700  
 E.T. = 136.31 A. 0.00000







# SHEET 6

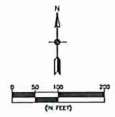


**LEGEND**

| EXISTING                 | PROPOSED                 |
|--------------------------|--------------------------|
| PROPERTY LINE            | PROPERTY LINE            |
| EASEMENT LINE            | EASEMENT LINE            |
| GRASS LINE               | GRASS LINE               |
| SEWERAGE                 | SEWERAGE                 |
| CONCRETE                 | CONCRETE                 |
| SMALLER SEWER            | SMALLER SEWER            |
| STORM SEWER              | STORM SEWER              |
| WATER MAIN               | WATER MAIN               |
| OVERHEAD UTILITY         | OVERHEAD UTILITY         |
| STORM GUTTER             | STORM GUTTER             |
| STONE MANHOLE            | STONE MANHOLE            |
| OUTLET CONTROL STRUCTURE | OUTLET CONTROL STRUCTURE |
| MANHOLE                  | MANHOLE                  |
| WYPOINT                  | WYPOINT                  |
| CAST IRON                | CAST IRON                |
| TELEPHONE BOX            | TELEPHONE BOX            |
| TELEPHONE POLE           | TELEPHONE POLE           |
| UTILITY POLE             | UTILITY POLE             |
| RETAINING WALL           | RETAINING WALL           |
| FENCE                    | FENCE                    |
| 1/2 CENTER               | 1/2 CENTER               |
| 3/4 CENTER               | 3/4 CENTER               |
| FOUR FOOT PLAN           | FOUR FOOT PLAN           |
| WETLAND LINE             | WETLAND LINE             |
| SPOT ELEVATION           | SPOT ELEVATION           |
| EXISTING GRADING         | EXISTING GRADING         |
| 1/2 FENCE                | 1/2 FENCE                |
| 3/4 FENCE                | 3/4 FENCE                |
| WETLAND BUFFER           | WETLAND BUFFER           |
| BOX BORING               | BOX BORING               |

**WETLAND SUMMARY**  
(SEE ARE AS PROPOSED WETLAND IMPACTS)

|                                 |                      |
|---------------------------------|----------------------|
| WETLAND BUFFER (50' MIN. W/30') | 81,570 SF.           |
| WETLAND BUFFER (50')            | (81,570 SF. REQUIRE) |



**BENCHMARK**

|                                    |                       |
|------------------------------------|-----------------------|
| 1. Andes County Benchmark No. 2043 | Elv. = 814.16 (NAD83) |
| 2. Andes County Benchmark No. 2081 | Elv. = 818.25 (NAD83) |

# SHEET 5



The subsurface utility information shown on this plan is verified through a utility location survey conducted in accordance with the guidelines of OSHA 29 CFR 1926.950 and the Minnesota Guidelines for the Location and Marking of Existing Subsurface Utility Data.

**CARLSON MCGAIN** ENGINEERING & ARCHITECTURE  
 1800 PINEBERRY RIDGE DR NE  
 SUITE 200  
 ELK RIVER, MN 55330  
 TEL: 763.883.8000  
 FAX: 763.883.8001  
 WWW.CARLSONMCGAIN.COM

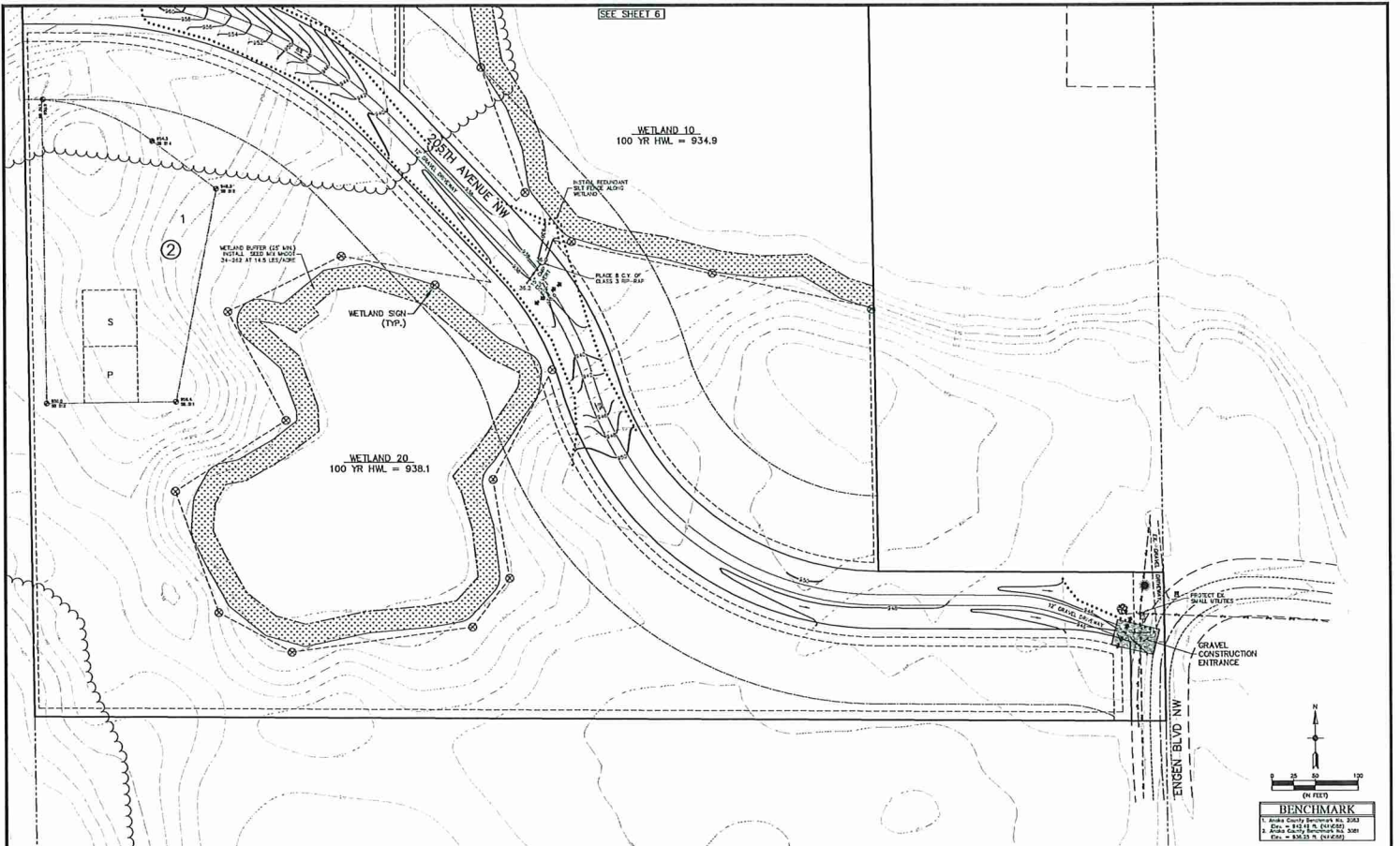
I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.  
 Date: 8/27/23 License #: 23711  
 Drawn: JG Design: JG  
 Checked: JG Date: 8/27/23

182236 Trott Brook Parkway  
 Elk River, MN 55330

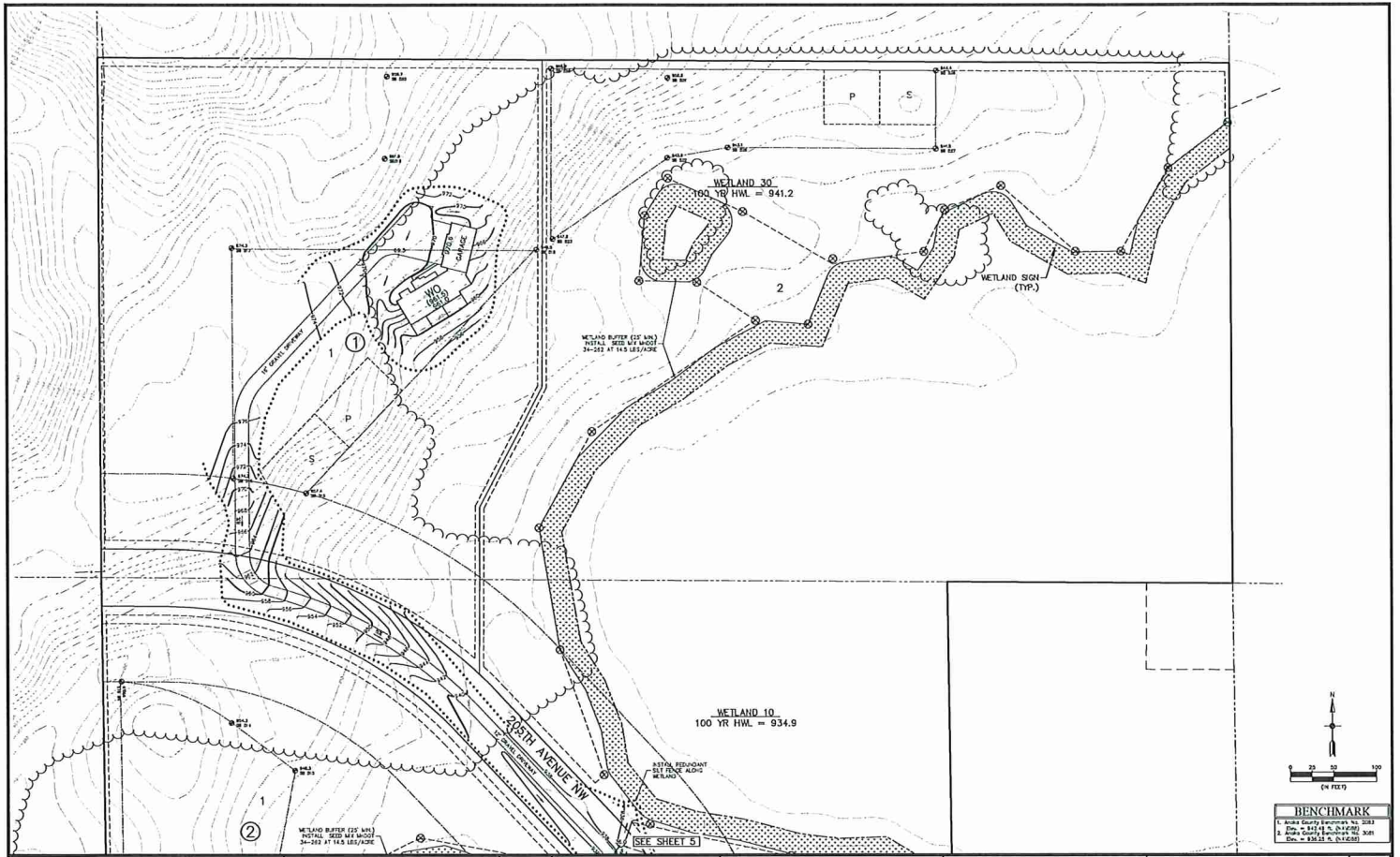
**JASON GUSTAFSON**  
 18236 Trott Brook Parkway  
 Elk River, MN 55330

**MACKENZIE HILLS**  
 Nowthen, Minnesota

**GRADING INDEX**



|  |   |   |   |  |  |   |                       |
|--|---|---|---|--|--|---|-----------------------|
|  | <p>3800 PINEBANK BOULEVARD<br/>SUITE 200<br/>BLAINE, MN 55425<br/>TEL: 763.479.1000<br/>FAX: 763.479.1001<br/>WWW.CARLSONMCCAIG.COM</p> | <p>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.</p> <p>Signature: <i>Jason Gustafson</i><br/>Exp. 8/31/23 License # 27411</p> | <p>DESIGNED BY: Jason Gustafson<br/>CHECKED BY: [Signature]<br/>DATE: 8/27/23</p> | <p>JASON GUSTAFSON<br/>18236 Trott Brook Parkway<br/>Elk River, MN 55330</p> | <p>MACKENZIE HILLS<br/>Northfield, Minnesota</p> | <p>PRELIMINARY GRADING<br/>&amp; EROSION CONTROL PLAN</p> | <p>5<br/>of<br/>7</p> |
|--|---|---|---|--|--|---|-----------------------|



**CARLSON MCCAIG**  
 ENGINEERING  
 ENVIRONMENTAL  
 1800 PREAKANT BROS DR NE  
 SUITE 200  
 ALBUQUERQUE, NM 87112  
 TEL: 505.263.3300  
 FAX: 505.263.3301  
 CARLSONMCCAIG.COM

I hereby verify that this plan, specification or report and design is my own work and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.  
 Date: 3/20/23 License #: 27311

Project Name: 18236 Trott Brook Parkway  
 Designer: JG  
 Signature: Jason Gustafson  
 Date: 3/20/23 License #: 27311

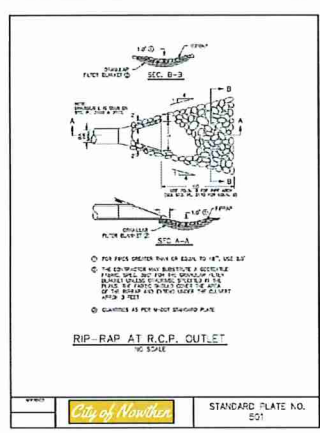
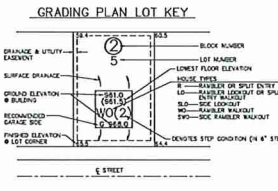
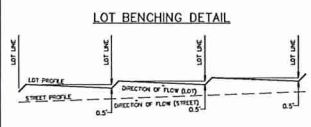
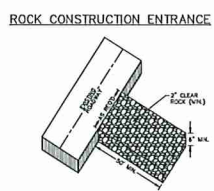
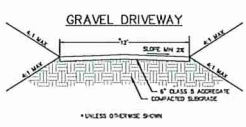
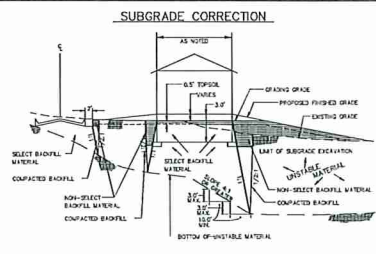
**JASON GUSTAFSON**  
 18236 Trott Brook Parkway  
 Elk River, MN 55330

**MACKENZIE HILLS**  
 Nowthen, Minnesota

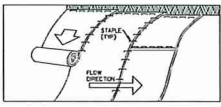
**PRELIMINARY GRADING & EROSION CONTROL PLAN**  
 6 of 7

**BENCHMARK**  
 1. State Geodetic System No. 5003  
 2. State Geodetic System No. 5003  
 3. State Geodetic System No. 5003  
 Date: 3/20/23

| Lot | Block | Boring Number | Boring Elevation | Boring Depth | Bottom Boring Elevation | Mottles Depth | Mottles Elevation | Water Depth |
|-----|-------|---------------|------------------|--------------|-------------------------|---------------|-------------------|-------------|
| 1   | 2     | 510           | 948.3            | 2.1          | 946.2                   | 2.1           | 946.2             | -           |
|     |       | 511           | 956.4            | 1.8          | 954.6                   | 1.8           | 954.6             | -           |
|     |       | 512           | 950.0            | 1.7          | 948.3                   | 1.7           | 948.3             | -           |
|     |       | 513           | 950.9            | 2.0          | 948.9                   | 2.0           | 948.9             | -           |
| 1   | 1     | 514           | 954.3            | 2.1          | 952.2                   | 2.1           | 952.2             | -           |
|     |       | 515           | 957.4            | 2.4          | 955.0                   | 2.4           | 955.0             | -           |
|     |       | 516           | 974.2            | 2.3          | 971.9                   | -             | -                 | -           |
|     |       | 517           | 974.3            | 2.7          | 971.6                   | 2.7           | 971.6             | -           |
| 2   | 1     | 518           | 949.5            | 1.2          | 948.3                   | 1.2           | 948.3             | -           |
|     |       | 521           | 958.6            | 2.6          | 956.0                   | 2.6           | 956.0             | -           |
|     |       | 522           | 942.9            | 2.4          | 940.5                   | 2.4           | 940.5             | -           |
|     |       | 523           | 947.9            | 1.3          | 946.6                   | 1.3           | 946.6             | -           |
|     |       | 525           | 969.8            | 2.6          | 967.2                   | 2.6           | 967.2             | -           |
|     |       | 526           | 944.4            | 2.4          | 942.0                   | 2.4           | 942.0             | -           |
|     |       | 527           | 941.6            | 2.2          | 939.4                   | 2.2           | 939.4             | -           |
|     |       | 528           | 943.1            | 2.4          | 940.7                   | 2.4           | 940.7             | -           |

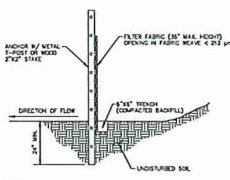


**EROSION CONTROL BLANKET**



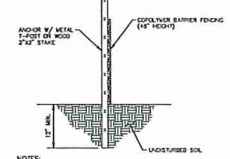
- NOTES**
- PREPARE SOIL BEFORE INSTALLING BLANKETS, INCLUDING APPLICATION OF LIME, FERTILIZER AND/OR SEED.
  - SEED AT THE TOP OF THE SLOPE (OR CHANNEL) BY ANCHORING THE BLANKET IN A 4" DEEP X 8" WIDE TRENCH. BACKFILL AND COMPACT THE TRENCH AFTER STAKING.
  - ROLL THE BLANKETS DOWN (LEAVING DOWNSTREAM PROCEEDING UPSTREAM) HORIZONTALLY ACROSS THE SLOPE.
  - THE EDGES OF PARALLEL BLANKETS MUST BE STAPLED WITH A MINIMUM 4" OVERLAP.
  - WHEN BLANKETS MUST BE SPALLED DOWN THE SLOPE, PLACE BLANKETS TOO CLOSE AND OVERLAP STAPLED WITH MINIMUM 4" OVERLAP. USE A DOUBLE ROW OF STAGGERED STAPLES 4" APART TO SECURE BLANKETS.
  - IN HIGH FLOW CHANNEL APPLICATIONS, A STAPLE CHECK SILEX IS RECOMMENDED AT 20 TO 40 FOOT INTERVALS. USE A ROW OF STAPLES 4" APART OVER THE WIDTH OF THE CHANNEL. PLACE A SECOND ROW 4" BELOW THE FIRST ROW IN A STAGGERED PATTERN.
  - THE SPACING OF THE BLANKETS MUST BE ANCHORED IN A 4" DEEP X 8" WIDE TRENCH. BACKFILL AND COMPACT THE TRENCH AFTER STAKING.

**SILT FENCE**



- NOTES**
- DO A 6"X8" TRENCH ALONG THE INDICATED SILT FENCE LINE.
  - DRIVE ALL ANCHOR POSTS INTO THE GROUND AT THE DOWNHILL SIDE OF THE TRENCH.
  - POSTS SHALL BE SPACED A MINIMUM OF 8 FEET APART.
  - LAY OUT SILT FENCE ALONG THE UPRILE SIDE OF THE ANCHOR POSTS AND BACK FILL 8"X8" TRENCH.
  - SECURELY ATTACH SILT FENCE TO ANCHOR POSTS BY MINIMUM OF THREE ATTACHMENTS PER POST.
  - SEE MOST SPECIFICATION 2373 & 2006.

**TREE FENCE**



- NOTES**
- TREE FENCING SHALL BE PLACED A MINIMUM OF 1 FOOT PER CALIPER INCH OF TREE DIAMETER FROM TREES THAT SHALL BE TO BE SAVED.
  - ANCHOR POST MAY BE SPACED UP TO 10 FEET APART.
  - SECURELY ATTACH TREE FENCE TO ANCHOR POSTS BY MINIMUM OF TWO ATTACHMENTS PER POST.
  - SEE MOST SPECIFICATION 2376.

**TURF ESTABLISHMENT**

TURF ESTABLISHMENT SHALL APPLY TO ALL DISTURBED AREAS AND SHALL BE ACCORDING TO SWANSON EROSION PREVENTION FOR CONSTRUCTION (EPC) EXCEPT AS NOTED BELOW.

TURF ESTABLISHMENT SHALL OCCUR AS SOON AS POSSIBLE BUT IN NO CASE MORE THAN 7 DAYS.

SEED: WHOOFT WHYTE 23-241 AT 30 POUNDS PER ACRE.

WEEDS: WHYTE 23-241 AT 30 POUNDS PER ACRE.

DOMINANT SEEDS SHALL BE APPLIED AT THREE THE NORMAL RATE AFTER NOVEMBER 1ST.

MATERIAL: TYPE 1 AT 2 TONS PER ACRE (DISEK ANCHORED)

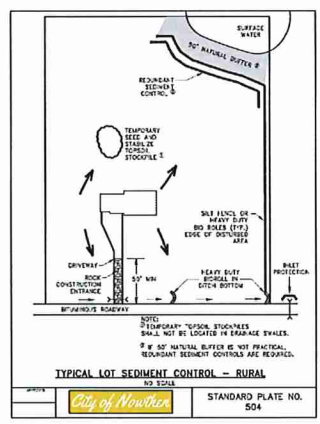
FERTILIZER: TYPE 21-12-14 AT 300 POUNDS PER ACRE.

## Wetland Buffer

No mowing, yard waste, structures or similar impacts allowed.

Violators subject to enforcement action.

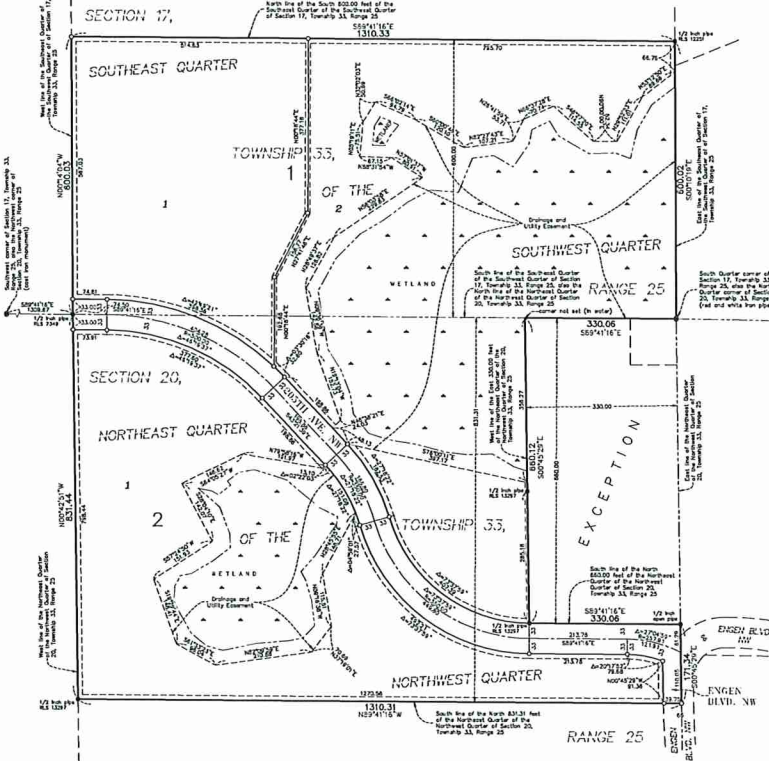
800-542-6476 1008 SOUTH E. 1-800-672-5918 www.Wetlands.com



|   |   |  |   |
|---|---|--|---|
| <p style="font-size: x-small;">BRAND BELIEVED<br/>ENVIRONMENTAL<br/>INTEGRITY</p> <p style="font-size: x-small;">1800 PRESIDENT BOULEVARD<br/>SUITE 200<br/>MILWAUKEE, WI 53217<br/>TEL: 414-764-2000<br/>FAX: 414-764-2000<br/>CARLSONMCCAIN.COM</p> | <p style="font-size: x-small;">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. City: 55103 License # 31111 Exp: 03/31/23</p> <p style="font-size: x-small;">Drawn: JGP<br/>Checked: JGP<br/>Title: JASON GUSTAFSON</p> | <p style="font-size: x-small;">PROJECT: 18236 TROTT BROOK PARKWAY</p> <p style="font-size: x-small;">JASON GUSTAFSON<br/>18236 Trott Brook Parkway<br/>Elk River, MN 55330</p> | <p style="font-size: x-small;">MACKENZIE HILLS<br/>Northtown, Minnesota</p> <p style="text-align: right;">DETAILS</p> |
|---|---|--|---|

# MACKENZIE HILLS

CITY OF NOWTHEN  
COUNTY OF ANOKA  
SECTIONS. 17 & 20, TWP. 33, RGE. 25



KNOW ALL PERSONS BY THESE PRESENTS, That David E. Gustafson and Jill D. Gustafson, husband and wife, owners of the following described property

The South 833.00 feet of the Southwest Quarter of the Southwest Quarter of Section 17, Township 33, Range 25, Anoka County, Minnesota

AND

The North 833.31 feet of the Northeast Quarter of the Northeast Quarter of Section 20, Township 33, Range 25, Anoka County, Minnesota, except the East 330.00 feet of the Northeast Quarter of the Northeast Quarter of said Section 20

Have caused the same to be surveyed and plotted as MACKENZIE HILLS and do hereby dedicate to the public for public use the public ways and the drainage and utility easements as shown on this plat.

In witness whereof said David E. Gustafson and Jill D. Gustafson, husband and wife, have hereunto set their hands this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

DAVID E. GUSTAFSON \_\_\_\_\_ JILL D. GUSTAFSON \_\_\_\_\_  
 David E. Gustafson \_\_\_\_\_ Jill D. Gustafson \_\_\_\_\_  
 STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by David E. Gustafson and Jill D. Gustafson.

\_\_\_\_\_  
 (Sign)  
 (Print)  
 Notary Public, \_\_\_\_\_  
 My commission expires \_\_\_\_\_

I, Thomas R. Butik, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly depicted on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wetlands, as defined in Minnesota Statutes, Section 50B.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

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

\_\_\_\_\_  
 Thomas R. Butik, Licensed Land Surveyor  
 Minnesota License No. 42381

STATE OF MINNESOTA  
 COUNTY OF ANOKA

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by Thomas R. Butik.

\_\_\_\_\_  
 (Sign)  
 (Print)  
 Notary Public, \_\_\_\_\_  
 My commission expires \_\_\_\_\_

CITY COUNCIL, CITY OF NOWTHEN, MINNESOTA

This plat of MACKENZIE HILLS was approved and accepted by the City Council of the City of Nowthen, Minnesota at a regular meeting thereof held this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, and said plat is in compliance with the provisions of Minnesota Statutes, Section 50B.01, Subd. 2.

CITY COUNCIL, CITY OF NOWTHEN, MINNESOTA

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

COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, Section 50B.01, Subd. 11, this plat has been reviewed and approved this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
 David M. Engstrom  
 Anoka County Surveyor

COUNTY AUDITOR/TREASURER

Forwarded to Minnesota Statutes, Section 50B.01, Subd. 8, seven copies in the year 20\_\_ to the land heretofore described have been sent. Also, pursuant to Minnesota Statutes, Section 272A.12, there are no delinquent taxes and transfer related this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
 Property Tax Administrator  
 By \_\_\_\_\_ Deputy

COUNTY RECORDER/REGISTRAR OF TITLES

County of Anoka, State of Minnesota

I hereby certify that this plat of MACKENZIE HILLS was filed in the office of the County Recorder/Registrar of Titles for public record on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_ o'clock \_\_\_\_ M. and was duly recorded as Document Number \_\_\_\_\_.

\_\_\_\_\_  
 County Recorder/Registrar of Titles  
 By \_\_\_\_\_ Deputy

**DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THIS:**

Scale: 1 inch = 100 feet

For the purpose of this plat, the East line of the Southwest Quarter of the Southwest Quarter of Section 17, Township 33, Range 25 is accepted to have a bearing of South 88 degrees 55 minutes 18 seconds East.

- Denotes 5/8 inch by 14 inch Rebar, set or to be set within one year of recording of this plat and marked with corner number 42381
- Denotes Found Anoka County Section Monument, as noted
- Denotes waterline determined by Highways Environmental Services in 2022

