



**CITY OF CORCORAN
Corcoran Planning
Commission Agenda
January 4, 2024 - 7:00 pm**

Meeting Via Telephone/Other Electronic Means

Call-in Instructions:

+1 305 224 1968 US

Enter Meeting ID: 844 7089 1252

Video Link and Instructions:

<https://us02web.zoom.us/j/82558464572>

visit <http://www.zoom.us> and enter

Meeting ID: 825 5846 4572

MEETING VIEWABLE VIA ZOOM

**Please note in-person comments will be taken at the scheduled meeting where noted.*

Comments received via email to the Planning Technician (dklingbeil@corcoranmn.gov) or via

public comment cards will also be accepted.

All email and public comment cards must be

received by 4PM the day before the meeting.

For more information on options to provide

public comment visit:

www.corcoranmn.gov

1. Call to Order / Roll Call

2. Pledge of Allegiance

3. Agenda Approval

4. Open Forum

5. Minutes

- a. December 5, 2023, Regular Meeting Minutes*

6. New Business

- a. **Public Hearing.** Minks Preliminary Plat and Variance (City File No. 23-025)
 - i. Staff Report
 - ii. Open Public Hearing
 - iii. Close Public Hearing
 - iv. Commission Discussion & Recommendation

7. Reports/Information

- a. Other Business
- b. Planning Project Update*
- c. City Council Report* – Council Liaison Vehrenkamp

8. Commissioner Liaison Calendar

City Council Meetings

1/11/2024	1/25/2024	2/8/2024	2/22/2024	3/14/2024	3/28/2024
Brummond	Horn	Lind	Lanterman	Van Den Einde	Brummond

9. Adjournment

**Includes Materials - Materials relating to these agenda items can be found in the House Agenda Packet by Door.*



CITY OF CORCORAN
Corcoran Planning Commission Minutes
December 5, 2023 - 7:00 pm

The Corcoran Planning Commission met on December 5, 2023, in Corcoran, Minnesota. All Planning Commissioners were present in the Council Chambers. Members of the public were able to participate in-person.

Present: Commissioners Lanterman, Brummond, Horn, Lind, and Van Den Einde.

Also present: Planner Davis McKeown, Planner Lindahl, City Administrator Tobin, and Council Liaison Vehrenkamp.

1. Call to Order / Roll Call

The meeting was called to order at 7:00 PM.

2. Pledge of Allegiance

3. Agenda Approval

Motion made by Horn, seconded by Brummond, to approve the agenda for the December 5, 2023, Planning Commission meeting.

Voting Aye: Lanterman, Brummond, Horn, Lind, and Van Den Einde.
(Motion passed 5:0)

4. Open Forum (none)

- a. City Administrator Jay Tobin took a moment during the open forum to introduce himself to the Planning Commission.

5. Minutes

- a. September 7, 2023, Regular Meeting Minutes
Motion made by Brummond, seconded by Van Den Einde, to approve the September 7, 2023, Planning Commission Minutes.

Voting Aye: Lanterman, Brummond, Horn, Lind, and Van Den Einde.
(Motion passed 5:0)

- b. October 5, 2023, Regular Meeting Minutes
Motion made by Lind, seconded by Brummond, to approve the October 5, 2023, Planning Commission Minutes.

Voting Aye: Lanterman, Brummond, Horn, Lind, and Van Den Einde.
(Motion passed 5:0)

6. Other Business

- a. Draft 2023 Annual Report and 2024 Priorities

- i. Staff Report – Staff Report presented by Planner Davis McKeown.
 - ii. Commission Discussion & Recommendation – The Commission discussion included the consideration of expanding the landscaping ordinance to encourage more diverse options for preserving natural habitats beyond tree plantings; supplementing landscaping requirements of new developments with the preservation of existing natural habits; clarification of the Planned Unit Development (PUD) design standard guidelines; encouraging the creation of community farms; preserving agricultural areas through agricultural zoning; clarification of the Green Acres program; a question regarding the schedule for the 2050 Comprehensive Plan; staff priorities for 2024, such as updating residential district standards, updating the home occupation licensing; setting goals that address the standards for landscaping; supporting community farms/agribusiness; revising the home occupation ordinance, the standards for the commercial/industrial zoning districts; receiving more information about Metropolitan (Met) Council density requirements; adding background information for the Met Council density requirements to the next training session; and a request for a training session to go over the City Code, the Comprehensive Plan, and applicable state laws to help the Commission and public better understand their role within the legal system.
- b. Commercial/Industrial Updates Discussion
- i. Staff Report – Staff Report was presented by Planner Davis McKeown.
 - ii. Commission Discussion – Commission discussion included a summary of the Council's response to the questions posed to them during the September 14, 2023, Work Session; clarification on who will participate in the business survey; a question of what prompted the update; the need to clean up the ordinance and reduce variance requests; wanting to get input from everyone; future discussion surrounding where future development will occur; cohesion of development; a request for a list of all of the permitted and conditional uses for each district; removing extraneous language throughout the Commercial and Industrial sections of the Zoning Ordinance; making the code easier to read for business owners and prospective owners; wanting to hear from business owners, landowners, and lessees; a reference to the commercial area in the City of Stillwater; a reference to Arbor Lakes of Maple Grove; controlling the flow of development to ensure a variety of business types; emphasis of a community perspective; the community element in Downtown Delano; encouraging the development of a charter school; the possibility of a municipal liquor store; designing a business community that serves Corcoran residents; the market reality of Corcoran's position in development; trying to create a downtown versus letting the market drive development; the lack of authenticity in recently built downtowns; creating community commercial areas rather than large commercial areas; revisit the vision of the City and guiding documents to guide economic development; development being driven by private interests; identifying a zoning district to allow the operation of butcher shops; addressing the lighting standards for commercial developments; creating more opportunities for allowed uses rather than conditional uses; addressing the height transition between uses; options to restrict specific land uses and the legal risk of doing so; the encouragement of sustainable business practices; the architectural standards and flexibility for commercial districts; and offering a credit for commercial businesses that invest in infrastructure.

7. Reports/Information

- a. Other Business - None
- b. Planning Project Update – Planner McKeown informed the Commission about the items expected for the January 2024, Planning Commission Meeting.
- c. City Council Report* – City Council Report included a discussion about City projects and a question about the Met Council density requirements.

8. Commissioner Liaison Calendar

City Council Meetings

12/18/2023 (M)	1/11/2024	1/25/2024	2/8/2024	2/22/2024	3/14/2024
Van Den Einde	Brummond	Horn	Lind	Lanterman	Van Den Einde

9. Adjournment

Motion made by Lanterman, seconded by Brummond, to adjourn the December 5, 2023, Planning Commission meeting.

Voting Aye: Lanterman, Brummond, Horn, Lind, and Van Den Einde.
(Motion passed 5:0)

The meeting adjourned at 8:50 pm.

DRAFT

STAFF REPORT

Agenda Item 6a.

Planning Commission Meeting: January 4, 2024	Prepared By: Natalie Davis McKeown
Topic: Minks Addition Preliminary Plat and Variance (PID 27-119-23-43-0005 and 27-119-23-43-0006) (City File No. 23-025)	Action Required: Recommendation

Review Deadline: March 6, 2024

1. Application Request

The applicant, Lyndon Minks, requests approval of a preliminary plat application for “Minks Addition,” which adjusts the shared western lot line between two lots at 6925 Old Settlers Road and 7005 Old Settlers Road. The request includes a variance to allow a reduced lot width as measured at the front lot line for Lot 2 of the plat.



Figure 1 Site Location Map

2. Background

The applicant owns both 6925 Old Settlers Road and 7005 Old Settlers Road. These properties were originally divided in 1987 through a subdivision process. This process was not handled through a formal plat or Registered Land Survey. This division allowed the applicant to carve off roughly 6 acres for the purpose of building a single-family home on 6925 Old Settlers Road. The exhibit from the original subdivision is attached to this report.

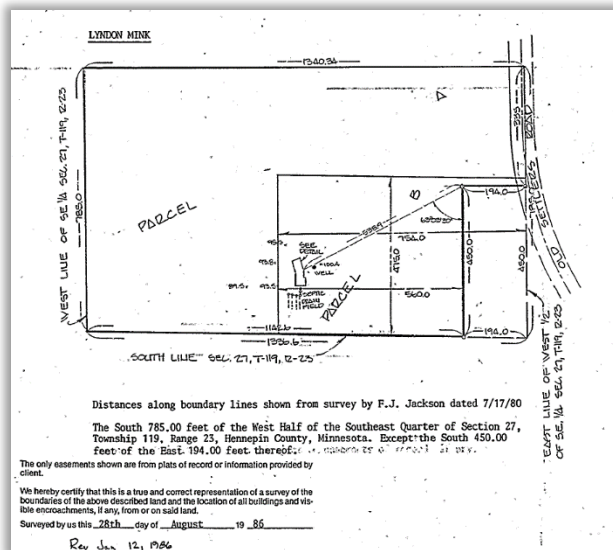


Figure 2 1987 Subdivision Exhibit

3. Context

Zoning and Land Use

The two existing parcels are located in the Rural Residential (RR) zoning district, and the Comprehensive Plan designates the site as Rural/Ag Residential. The properties are not located within the Metropolitan Urban Service Area (MUSA).

Surrounding Properties

All surrounding properties are located within the RR district, designated as Rural/Ag Residential, and outside of the MUSA. The present land uses on all surrounding properties include single-family residential and agricultural uses.

Natural Characteristics of the Site

The City's Natural Resource Inventory Areas map shows a high-quality natural community of Maple/Basswood on both properties. A wetland delineation confirmed the boundaries of one large wetland in the southwest portion of Lot 1. Four smaller wetlands were identified throughout Lot 2. None of these wetlands are classified on the City's Natural Resources Community Quality Ranking Map. The City assumes wetlands not classified on this map to be of medium quality. However, there is a MNRAM process with the State of MN the applicant can pursue to confirm the quality of the wetlands.

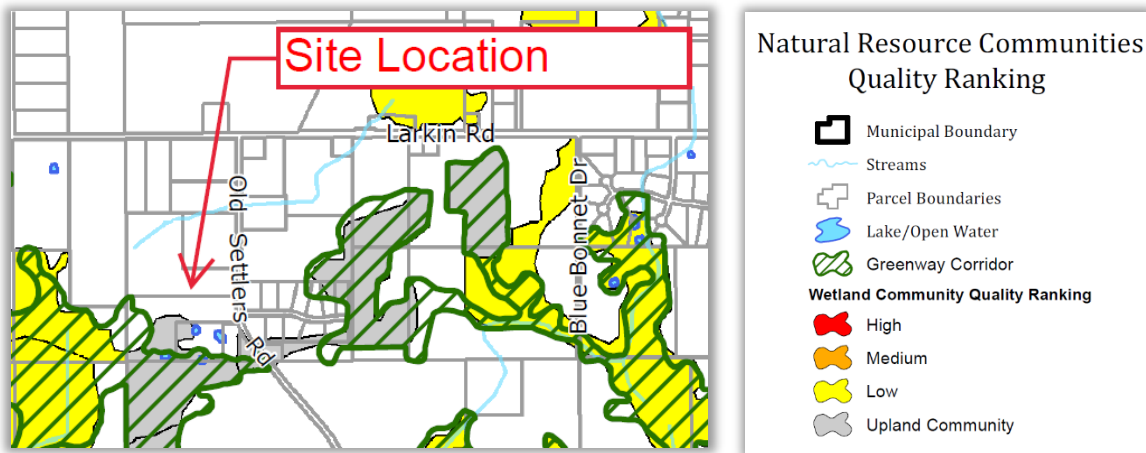


Figure 3 Natural Resources Community Quality Ranking Map

4. Analysis

Staff reviewed the application for consistency with the Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance, and City Code requirements, as well as City policies. The City Engineer's comments are incorporated into this staff report, the detailed comments are included in the attached engineering memo and the approval conditions require compliance with the memo.

A. Level of City Discretion in Decision-Making

The City's discretion in approving a preliminary plat is limited to whether the proposed plat meets the standards outlined in the City's subdivision and zoning ordinances. If the proposed subdivision meets these standards, the City must approve the preliminary plat. The Planning Commission may choose to discuss whether they agree with staff's analysis that the preliminary plat is consistent with ordinance standards. Should the Commission find that the preliminary plat does not comply with the City's ordinance standards, conditions for preliminary approval can be recommended by the Commission. If the Commission recommends denial, findings of fact should be provided.

The City has a higher discretion with a variance because the burden of proof is on the applicant to show that the variance standards have been met. Conditions can be applied to mitigate the impact of granting the variance.

B. Consistency with Ordinance Standards

Preliminary Plat

Lot line adjustments are allowed without platting if the standards in Section 926, Subd. 1 of the City Code are met. Section 926, Subd. 1(C) includes the requirement that the affected lots be a part of a previously recorded plat or Registered Land Survey. This standard was not satisfied with the two existing lots. Theoretically, a minor subdivision could be processed when a lot line adjustment between two lots cannot be processed due to not satisfying this standard. However, per the standards for a Minor Subdivision in Section 927, Subd. 1(C), the resulting lots must meet the minimum dimensional requirement for the zoning district in which the property is located. The front lot width for proposed Lot 2 (6925 Old Settlers Road) is 26' where 200' is required. Since the proposed plat does not meet the minimum dimensional requirements to allow a minor subdivision, the change in lot lines must be processed as a preliminary plat with a variance.

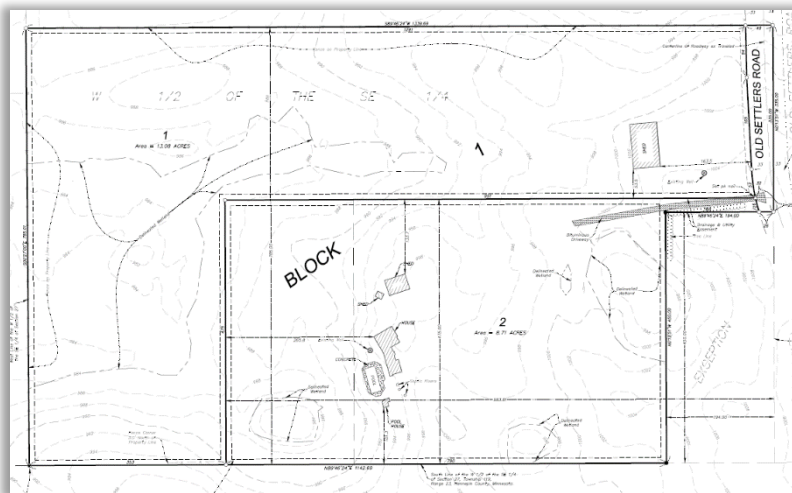


Figure 4 Minks Addition Preliminary Plat

Lot Size

A comparison of the RR district standards and the proposed lot dimensions are reflected in the table below.

	RR District Minimum	Lot 1	Lot 2
Lot area	2 acres	13.08 acres	8.71 acres
Lot width*	200 feet	311 feet	26 feet
Lot depth	300 feet	822 feet	870.50 feet

* As measured at the front lot line. Also referred to as “street frontage”.

Lot 1 complies with the RR district standards. Lot 2 does not comply with the minimum lot width standard for the RR district. While the lot lines could be rearranged to further comply with the lot width requirement, there is not enough frontage between the two properties for each parcel to meet the minimum lot width requirement. Therefore, the applicant proposes keeping the street frontage as is. This must be memorialized as a variance; the variance request is analyzed further later in this report.

Setbacks

The minimum setbacks for the RR district are detailed in the table below:

	Minimum Principal Structure Setback	Minimum Accessory Structure Setback
Front (All Other Roads)	50 feet	50 feet
Side	25 feet	20 feet
Rear	25 feet	15 feet

The existing home and all existing accessory buildings more than exceed the required front, side, and rear setbacks.

Accessory Structures

Section 1030.020 provides that a principal structure must be constructed prior to an accessory structure. Additionally, Subd. 4 of the same section limits accessory structure footprint based on the acreage of the site. Properties are allowed one structure not exceeding 200 square feet to be considered exempt from the footprint calculation. Additionally, the first 1,000 square feet of attached accessory structure space is considered exempt from the footprint calculations.

Lot 1 has a shed of roughly 3,800 square feet with no other structures on the property. Sheds are considered accessory structures. Based on aerial views of the property, the presence of the accessory structure without a principal structure is considered a legal, non-conforming use as it pre-dates the prevailing Zoning Ordinance. An additional variance is not required because the change in lot lines does not create the non-conformity nor can the change in lot lines minimize the extent of the non-conformity. A

property of more than 10 acres is allowed an accessory structure footprint of 3,969 square feet by right. The structure on the property complies with the footprint limit.

Based on the provided survey, Lot 2 has a principal structure (i.e., the house) and an estimated accessory structure footprint of less than 3,000 square feet. The proposed acreage for the site would allow a footprint of up to 3,594 square feet. The proposed plat complies with this standard.

Streets and Access

No new streets are proposed. However, road right-of-way (ROW) for Old Settlers Road must be dedicated as a requirement of the plat. As a collector roadway, a 40' half ROW must be shown on the plat, and this revision is a requirement of the drafted resolution and Engineering Memo.

Both properties will continue to have direct access to Old Settlers Road. The provided survey shows that a portion of the driveway for Lot 2 was constructed over the shared northern lot line and encroaches on to Lot 1. This appears to have been a mistake as this was not addressed in the approvals from 1987 or the existing Driveway Agreement for this property, both enclosed with this report. The draft resolution includes a condition of approval for the applicant to address this condition in one of three ways:

1. Correct the driveway so that it is entirely contained within Lot 2.
 - a. If this route is chosen, a Site Improvement Performance Agreement (SIPA) will be needed with a security for the value of the estimated work required to relocate the driveway.
 - b. Additionally, since the driveway will be located within a drainage and utility easement (D&U), an encroachment agreement with the City is required.
 - i. City staff do not believe the private drive agreement addresses encroachment into D&Us as D&Us did not appear to be established with the subdivision in 1987.
2. Adjust the shared northern lot line further to the north to have the driveway entirely contained within Lot 2.
 - a. This would arguably decrease the existing non-conformity of the lot width and reduce the extent of the variance being requested without creating a new nonconformity with Lot 1.
 - b. If this route is chosen, the preliminary plat must be revised.
 - c. It appears an encroachment agreement with the City will still be required in this instance due to the existing location of the driveway in relation to the non-common lot boundaries.
3. Prepare and record a private easement between Lot 1 and Lot 2 to formalize the encroachment.
 - a. While a formal encroachment agreement may not be necessary with the current property owners, it will protect the interests of future

property owners should either or both of the two properties be sold to unrelated properties in the future.

- b. Additionally, an encroachment agreement with the City will still be required.

Perimeter Drainage and Utility Easements

The preliminary plat reflects a 10' perimeter D&U for both lots. This complies with City standards. D&Us were not established with the original subdivision in 1987, so it does not appear that an easement vacation must be processed for pre-existing D&Us.

Well and Septic

Lot 1 has an existing well shown on the property. No septic is shown. However, given the size of the property, there is likely a viable septic location should a home be placed on the property in the future. Should the current landowner or a future landowner plan to construct a single-family home on Lot 1, approval of the septic location must be provided by Hennepin County prior to issuance of a building permit. Lot 2 has an existing septic site and well to serve the property.

Wetlands

A wetland delineation was finalized in September of 2023. Five wetlands were identified between the two properties. These are assumed to be medium quality wetlands. With the change in lot lines, the delineated medium-quality wetlands are required to be protected by a vegetated buffer and wetland buffer monuments must be installed as required in the Wetlands Overlay District (Section 1050.010 of the Zoning Ordinance). D&U easements must be placed over the identified wetlands and buffers; this is confirmed in the Engineering Memo. Medium quality wetlands must have an average wetland buffer width of 25' (no wider than 40' and no less than 20' for the purposes of calculating the average) and a structure setback of 15' must be applied. It appears this will not conflict with any existing structures on the sites. Further, the preliminary plat must be revised to show the required wetland buffers and buffer signs.

The applicant must establish the vegetation of the buffers to be in compliance with Section 1050.010. It is unclear if there is existing vegetation undisturbed for the last 10 years that will satisfy the buffer requirements. As a condition of approval in the draft resolution, the applicant must confirm the existing vegetation will satisfy the buffer requirements with the City's wetland specialist. If the vegetation does not meet the buffer requirements, the applicant must submit a wetland establishment and planting plan for review and approval. Additionally, the applicant must enter into a Site Improvement Performance Agreement with the City if the buffer must be established.

Landscaping

A landscape plan is not required since this plat involves less than 4 residential units. Per Section 1060.070, a minimum of one overstory tree must be provided per dwelling unit.

Since no new lots are being created with this plat, staff believes no additional trees are required at this time. Should Lot 1 subdivide in the future, additional trees would be required at that time.

Park Dedication

Section 955.020 of the Subdivision Ordinance states, “Park Dedication is only due in cases where additional new parcels are created.” Since this preliminary plat is a lot line adjustment, no new lots are created. Therefore, park dedication is not due.

Development Rights

The current Development Rights Map reflects 2 property rights on Lot 1 based on the lot area of 15.89-acres. In the 1990s, a reset of the Development Rights program occurred which assigned 1 development right for every 10 acres, and this is rounded up in favor of property owners. There is an implied development right on Lot 2 which is exhausted with the existing house. Even though the acreage is being rearranged between the two properties and Lot 1 will now be less than 15 acres, staff do not propose eliminating a development right since a new lot is not being created. The draft resolution confirms that 2 development rights remain on Lot 1.

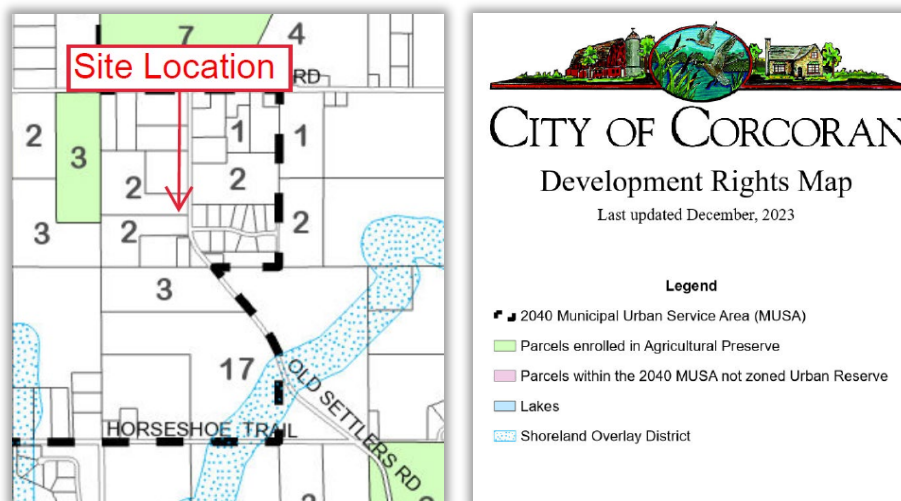


Figure 5 Development Rights Map

Variance

The applicant requests a variance to allow a minimum lot width of 26’ for Lot 2 where a minimum of 200’ is required. It is important to clarify that the lot width requirement is also referred to as the minimum street frontage requirement; this is because lot width is measured at the front lot line. Section 1070.040 provides the standards to review variance requests. The applicant must show that the following standards are satisfied with their request:

1. *That there are practical difficulties in complying with the Zoning Ordinance.*

The League of MN Cities defines a three-factor test for the term “practical difficulties”:

- a. The property owner proposes to use the property in a reasonable manner not otherwise allowed by the zoning ordinance.
- b. The plight of the landowner is due to circumstances unique to the property and not created by the landowner; and
- c. The variance will not alter the essential character of the locality.

Section 1070.040, Subd. 2(B) of the Zoning Ordinance specifically calls out the last two factors as their own standards and will be discussed individually. Therefore, this first standard can focus on evaluating the “reasonableness” of the request.

The applicant’s narrative provides that the variance will allow the applicant to add 2.6 acres along the shared western lot boundary, which will not create any new nonconformities while allowing for all backyard improvements to be fully encompassed within Lot 2. Additionally, the combined street frontage is approximately 335’. There is no way for both lots to comply with the minimum street frontage requirement. The lot width of 26’ for Lot 2 is an existing legal nonconformity, and the combined street frontage is not changing.

2. *That the conditions upon which a petition for a variation is based are unique to the parcel of land for which the variance is sought and were not created by the landowner.*

These two properties were originally subdivided in 1987 by the landowner. It was unanticipated at that time that the City’s zoning requirements for minimum lot width would change to prevent “flag lots” such as Lot 2. The fact that there is not 400’ of street frontage between the two properties was not a condition created by the landowner and is a fairly unique constraint of the plat.

3. *That the granting of the variation will not alter the essential character of the locality.*

The reduced lot width of Lot 2 will not alter the essential character of the locality as it has already existed since 1987. Additionally, there are other flag lots in the City that were created prior to the current Zoning Ordinance and still exist today.

4. *The proposed variance would be in harmony with the general purposes and intent of the Ordinance.*

It is unclear exactly why the City of Corcoran adopted a minimum lot width of 200’, but it is assumed to be a way to ensure sufficient street frontage, control density along public streets, and protect property values (as flag lots have less “curb appeal”). Additionally, Section 1010.020 of Zoning Ordinance lists 12 purposes and intents of the Ordinance in general, including the following purposes most relevant to this application:

1. Protecting the public health, safety, morals, comfort, convenience, and general welfare.
2. Facilitating adequate provisions for transportation, water, sewage, schools, parks, and other public requirements.
3. Conserving natural resources and maintaining a high standard of environmental quality.
4. Conserving the natural, scenic beauty, rural character, and attractiveness of the Corcoran countryside.

Lot 2 will continue to have the same amount of street frontage as the property has today. The variance will allow for a larger parcel to be created which will arguably not conflict with the City's density requirements in the RR and should not negatively impact property values in the immediate vicinity. It does not appear that granting the variance will conflict with the general purposes of the intent of the Ordinance.

5. The variance is consistent with the Comprehensive Plan.

The applicant's narrative explains he is not changing the land use of the properties. His proposal results in two lots of 8.71 acres and 13.08 acres. These large lots are consistent with the Rural/Ag Residential land use category of the 2040 Comprehensive Plan which specifically lists large residential lots as a planned feature of the area.

Conditions of Approval

Section 1070.040 provides that the City may impose conditions on the variance to address the impact of the variance. The Planning Commission could recommend that the shared northern property line be adjusted further north to fully encompass the driveway as a way to minimize the permanent protection granted to the nonconformity through approval of the variance. As of right now, adjusting the shared northern lot boundary is just one of three options for the applicant to pursue to address the driveway encroachment on to Lot 1. The draft resolution does not propose any conditions of approving the variance.

Summary

Staff find that the proposed preliminary plat and variance are generally consistent with the City's Comprehensive Plan, Subdivision Ordinance, and Zoning Ordinance. The draft resolution approves the preliminary plat and variance with conditions. It is recognized that conditions of approval for the preliminary plat related to the driveway could result in a further adjusted lot line and increase the lot width more than the 26' lot width minimum requested. The resolution clarifies that the variance granted to the property must be no less than 26' to provide the applicant with flexibility.

5. Recommendation

Move to recommend the approval of the draft resolution approving the preliminary plat and variance.

Attachments:

1. Resolution 2024- Approving the Preliminary Plat and Variance.
2. Applicant Variance Narrative.
3. City Engineer's Memo Dated 12/21/2023.
4. Existing Conditions Survey.
5. Preliminary Plat "Minks Addition".
6. Exhibit of 1987 Subdivision.
7. Resolution 1987-3
8. Driveway Agreement Dated 2/12/1987.

RESOLUTION NO. 2024-

Motion By:
Seconded By:

A RESOLUTION APPROVING A PRELIMINARY PLAT AND A VARIANCE FOR “MINKS ADDITION” ON THE PROPERTIES LOCATED AT 6925 OLD SETTLERS ROAD AND 7005 OLD SETTLERS ROAD (PID 27-119-23-43-0005 AND 27-119-23-43-0006) (CITY FILE NO. 23-025)

WHEREAS, Lyndon Minks (“the applicant”) requested approval of a preliminary plat to allow for a lot line adjustment between the two properties described as follows;

See Attachment A.

WHEREAS, the applicant also requested approval of a variance from the minimum lot width requirement for Lot 2, and;

WHEREAS, the Planning Commission reviewed the preliminary plat and variance at a duly called public hearing, and;

WHEREAS, the Planning Commission recommended approval, and;

NOW, THEREFORE, BE IT RESOLVED that the Corcoran City Council approves the request for a preliminary and variance subject to the following findings and conditions:

1. A preliminary plat is approved, in accordance with the plans received by the City on November 7, 2023, except as amended by this resolution.
2. The requested variance from the lot width requirement to allow a minimum lot width of 26’ for Lot 2 is approved based on the following findings:
 - a. That there are practical difficulties in complying with the Zoning Ordinance. The lot width of Lot 2 is an existing legal nonconformity, and the combined street frontage of the two lots is not changing. There is practical difficulty in complying with the zoning ordinance because it is not possible for both lots to meet the minimum lot width requirement. Adjusting the western common lot line will not increase the nonconformity of the lot width for Lot 2.
 - b. That the conditions upon which a petition for a variation is based are unique to the parcels of land for which the variance is sought and were not created by the landowners. The current minimum lot width requirement for which the variance is being sought was established after the two properties were originally subdivided. The combined street frontage of 335’ existed prior to the subdivision in 1987 and was not created by the current landowner.
 - c. That the granting of the variation will not alter the essential character of the locality. The proposed lots are being created where two lots already exist. No new lots are being created, and the minimum lot width will be no less than it exists today. There

RESOLUTION NO. 2024-

are other lots in the surrounding areas that do not meet the minimum lot width requirement of the Rural Residential district.

- d. The proposed variance would be in harmony with the general purposes and intent of the ordinance. The intent of the minimum lot width requirement is to ensure street frontage for every property, control density, and protect property rights. Granting the variance does not conflict with these intents, nor does it conflict with the general intents and purposes of the Zoning Ordinance as provided in Section 1010.020.
 - e. The variance is consistent with the Comprehensive Plan and maintains the Rural/Ag Residential land use designation.
3. The applicant must comply with all conditions in the City Engineers Memo dated December 21, 2023.
 4. There are two development rights remaining on Lot 1.
 5. Prior to construction of a single-family home on Lot 1, a septic system permit must be approved through Hennepin County and submitted to the City.
 6. The encroachment of the driveway for Lot 2 onto Lot 1 must be addressed in one of the following ways:
 - a. Correct the driveway so that it is entirely contained within Lot 2.
 - i. The applicant will be required to enter into a Site Improvement Performance Agreement and submit a financial security based on the estimated cost of the improvement.
 - ii. An encroachment agreement with the City will be required due to the driveway's location within a drainage and utility easement.
 - b. Adjust the shared northern lot line further north to have the driveway entirely contained within Lot 2.
 - i. An encroachment agreement with the City may still be required due to the driveway's location within a drainage and utility easement.
 - c. Prepare and record a private easement between Lot 1 and Lot 2 to formalize the encroachment.
 - i. An encroachment agreement with the City will still be required due to the driveway's location within a drainage and utility easement.
 7. The applicant must meet all wetland requirements of Section 1050.010 of the Zoning Ordinance.

RESOLUTION NO. 2024-

- a. Where buffer areas are not vegetated or have been disturbed within the last 10 years, such buffer areas shall be replanted and maintained according to the standards in Section 1050.010, Subd. 8(C) of the Zoning Ordinance.
 - i. If existing wetland buffers are proposed to remain, the City's wetland buffer specialist must inspect and confirm existing buffers are undisturbed and in acceptable condition prior to release of the final plat.
 - ii. If the wetland buffers need to be reestablished, the applicant must submit a wetland buffer planting and establishment plan for approval prior to the release of the final plat. This should show the wetland buffers, plantings, and seeding areas.
 1. The applicant will be required to enter into a Site Improvement Performance Agreement and submit a financial security based on the estimated value of the cost to reestablish the buffers.
 2. Wetland buffers must be planted and inspected by the City prior to release of the financial security and escrow account.
 - b. Wetland buffer monument signs must be installed according to the approved plan and must be certified by a registered land surveyor prior to release of the escrow account.
 - i. Wetland buffer monument signs must be purchased from the City.
 - ii. Wetland buffer monument signs must be installed on a treated 4x4 wooden post.
8. The preliminary plat must be revised to reflect the following prior to release of the final plat:
- a. A 40-foot half right-of-way for Old Settlers Road.
 - b. If the applicant chooses to address the driveway encroachment by correcting the driveway location or adjusting the northern shared lot line further north, this must be reflected on the preliminary plat.
 - c. The preliminary plat must show the required wetland buffers and wetland buffer monument signs.
 - d. Drainage and utility easements must be provided over the wetlands and wetland buffers.
9. Approval of the preliminary plat shall expire within one year of the date of approval unless the applicant has filed a complete application for approval of a final plat.

RESOLUTION NO. 2024-

VOTING AYE

- McKee, Tom
- Bottema, Jon
- Thomas, Manoj
- Nichols, Jeremy
- Schultz, Alan

VOTING NAY

- McKee, Tom
- Bottema, Jon
- Thomas, Manoj
- Nichols, Jeremy
- Schultz, Alan

Whereupon, said Resolution is hereby declared adopted on this 25th day of January 2024.

Tom McKee - Mayor

ATTEST:

Michelle Friedrich – City Clerk

City Seal

RESOLUTION NO. 2024-

ATTACHMENT A

The South 785.00 feet of the West Half of the Southeast Quarter of Section 27, Township 119, Range 23, Hennepin County, Minnesota, except the South 475.00 feet of the East 754.00 feet thereof.

AND

The South 475.00 feet of the East 754.00 feet of the West Half of the Southeast Quarter of Section 27, Township 119, Range 23, Hennepin County, Minnesota, except the South 450.00 feet of the East 194.00 feet thereof.

11/7/2023: Minks Variance

1.)

The street frontage including both my properties is approx. 335', including the driveway to access the property I'm asking to extend the west survey line on the parcel with the home. The current requirement is 200' which I don't have between the 2-properties, A private driveway agreement was made with the city February 12, 1987, which at that time, almost 37 years ago, we thought lot requirements & frontage requirements would've changed with development. I anticipated moving this west line in the future, just not at the time purchased as this entire property was purchased as 1-PID, with other individuals as "Tenants in Common", it was divided later so I could build on 1-parcel. The additional request to add 2.60 acres to the west does not in any way affect any planning or city regulations. I'm only asking to increase the size of one of my properties & taking it from my other property, I'm not asking for building/accessory building variances, just an increase in land size on 1-PID.

2.)

The current home & land are currently 6.21 acres, I'm asking to increase to 8.71 acres, 2.60 acres larger than it is currently. I'm only asking to move my west line to create a larger parcel, it would then encompass the back pond-(dug by ducks-unlimited years ago), the back yard & landscaping over the years by myself & family living there. I was always intending on moving the west line in the future but didn't think it'd be a problem or become a "variance" owning both parcels. This parcel would almost be "unsaleable" without the additional acres-(look at aerial), the landscaping & conformity of the land, including the pond.

3.)

The granting of the variance would not have any impact on the city/neighborhood, I think it would actually benefit it as the home would have the pond encompassed on it & part of the landscaping & adding to the value of the parcel. The pond serves as a wildlife magnet, as deer/turkeys/ducks are always seen by it.

4.)

This in total harmony with the general purpose, as I know frontage requirements actually encourage larger parcel sizes. I'm actually conforming with this by making this parcel larger, only taking 2.60 acres from my adjoining parcel, making that parcel 13.08 acres instead of current 15.68 acres. I believe this totally goes along with the city vision, especially adding to the west line where it doesn't effect anything, it only adds natural woodland & wetland.

5.)

In allowing this variance I believe this follows the comprehensive plan 2040, everything I've read goes along with what I'm asking for, I'm not asking to change any of the land use, only creating one larger parcel. It seems to comply with preserving Corcoran & keeping it a rural setting by creating a larger parcel.

To: Kevin Mattson, PE Public Works
Director City of Corcoran

From: Steve Hegland, PE

Project: Minks Preliminary and Final Plat

Date: 12/20/2023

Exhibits:

This Memorandum is based on a review of the following documents:

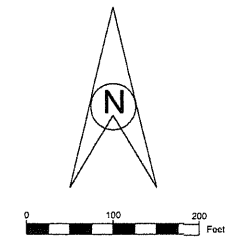
1. Minks Addition Final Plat by Otto Associates
2. Preliminary Plat of Minks Addition by Otto Associates dated 10/17/23

Comments:General:

1. Old Settler Road is a collector roadway and the right of way dedication should be revised to be 40' of half right of way.
2. Wetlands have been delineated for the site and are shown on the preliminary plat. Wetland buffers shall be established around the wetlands in accordance with the City Code. Drainage and utility easements shall be provided over the wetlands and buffers.
3. The existing driveway to Lot 2 Block 1 crosses Lot 1 Block 1. This shall be resolved by either
 - o Moving the lot line delineating the properties so the driveway is entirely on Lot 2.
 - o Moving the driveway to be entirely on the newly created Lot 1
 - o Providing a private driveway agreement for the driveway to encroach onto the other property.

End of Comments

Certificate of Survey "Before"



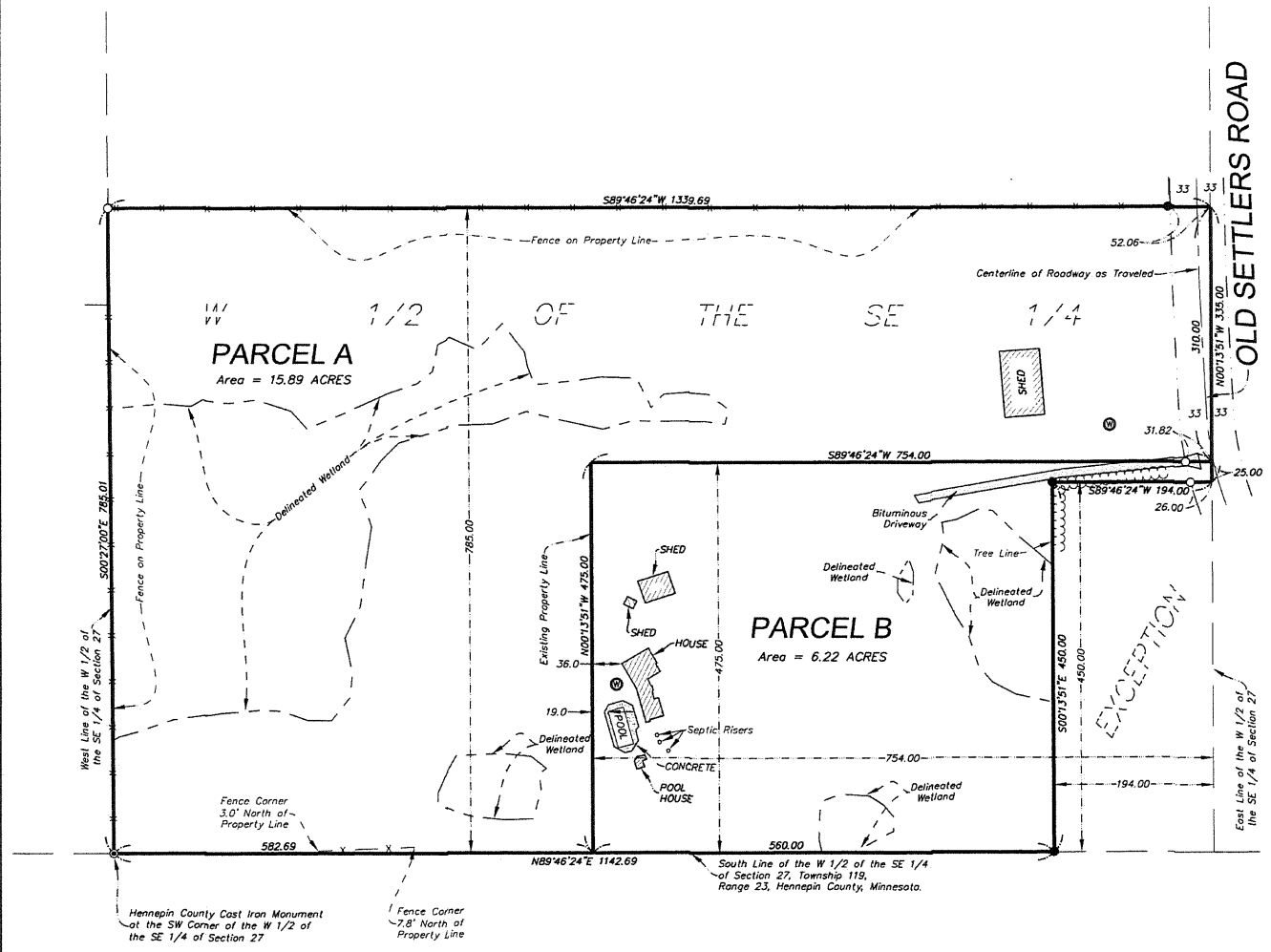
LEGEND
 --- denotes Delineated Wetland
 ---x--- denotes Fence Line
 (N) denotes Well

Note: Wetlands Delineated by Kjolhaug Environmental Services Company.

EXISTING PROPERTY DESCRIPTIONS

Parcel A:
 The South 785.00 feet of the West Half of the Southeast Quarter of Section 27, Township 119, Range 23, Hennepin County, Minnesota, except the South 475.00 feet of the East 754.00 feet thereof.

Parcel B:
 The South 475.00 feet of the East 754.00 feet of the West Half of the Southeast Quarter of Section 27, Township 119, Range 23, Hennepin County, Minnesota, except the South 450.00 feet of the East 194.00 feet thereof.



Certificate of Survey on Part of the West Half of the Southeast Quarter of Section 27, Township 119, Range 23, Hennepin County, Minnesota.

Revised:
 ADD DELINEATED WETLANDS T.J.B. 7-14-23
 ADD TEP APPROVED WETLANDS' PEO 9-19-23

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.

Paul E. Otto
 Paul E. Otto
 License # 40062 Date: 9-19-23

Requested By:
Lyndon Minks

Date: 6-23-23 Drawn By: N.N.B. Scale: 1"=100' Checked By: P.E.O.

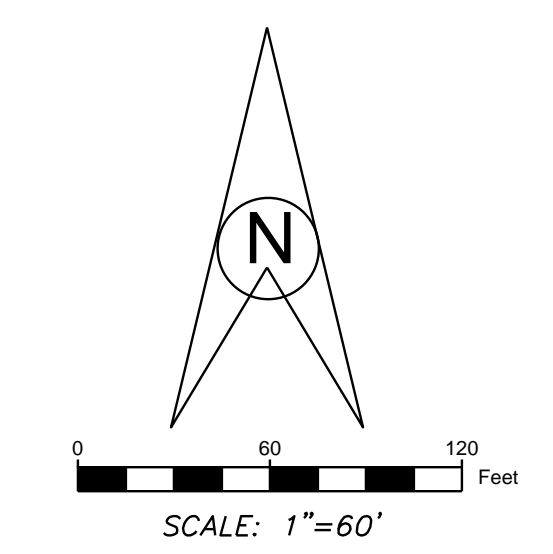
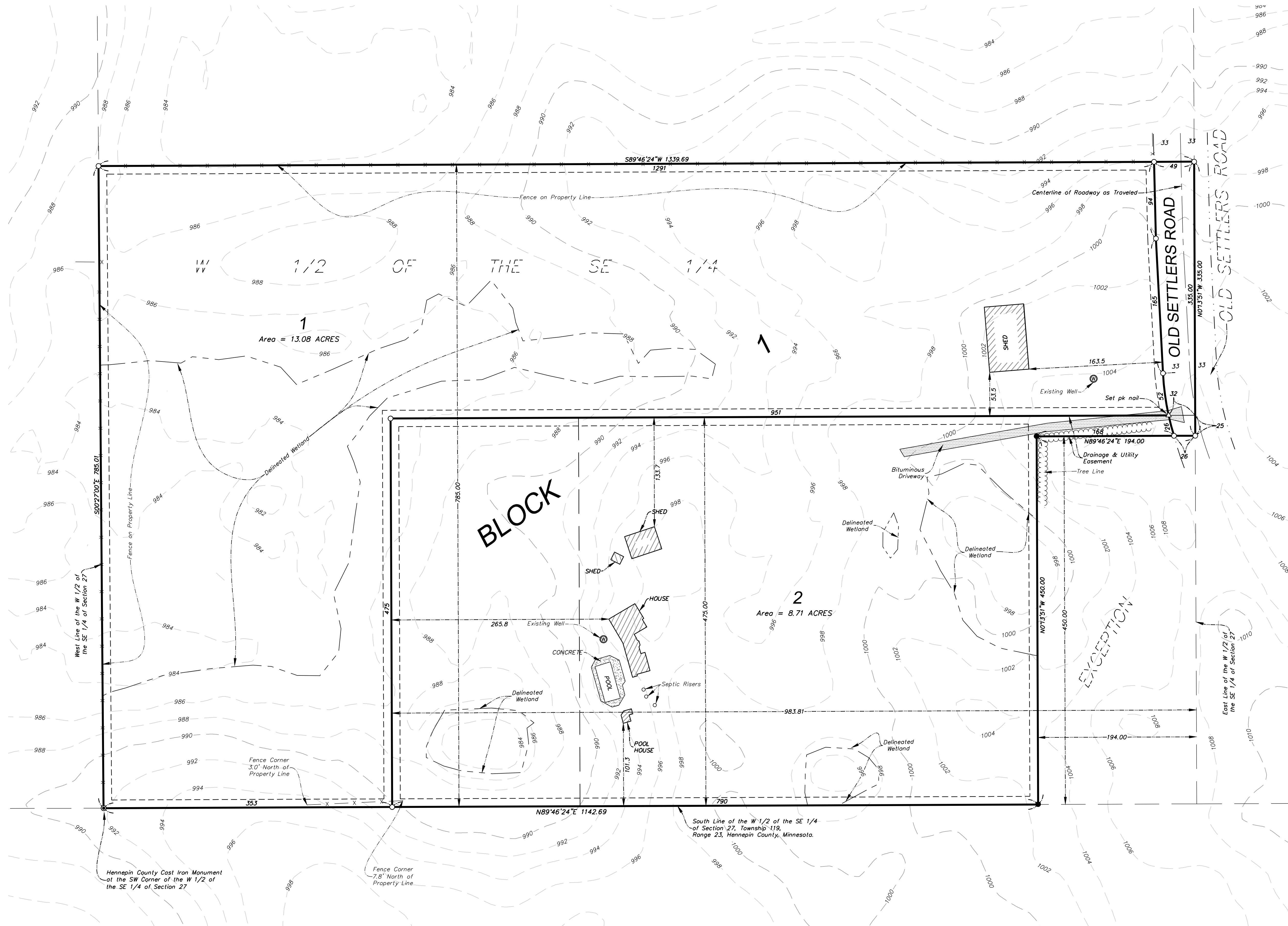
OTTO ASSOCIATES
 Engineers & Land Surveyors, Inc.

www.ottoassociates.com
 9 West Division Street
 Buffalo, MN 55313
 (763)682-4727
 Fax: (763)682-3522

- denotes iron monument found
- denotes 1/2 inch by 14 inch iron pipe set and marked by License #40062
- denotes found Hennepin County Cast Iron Monument

Project No. 23-0274

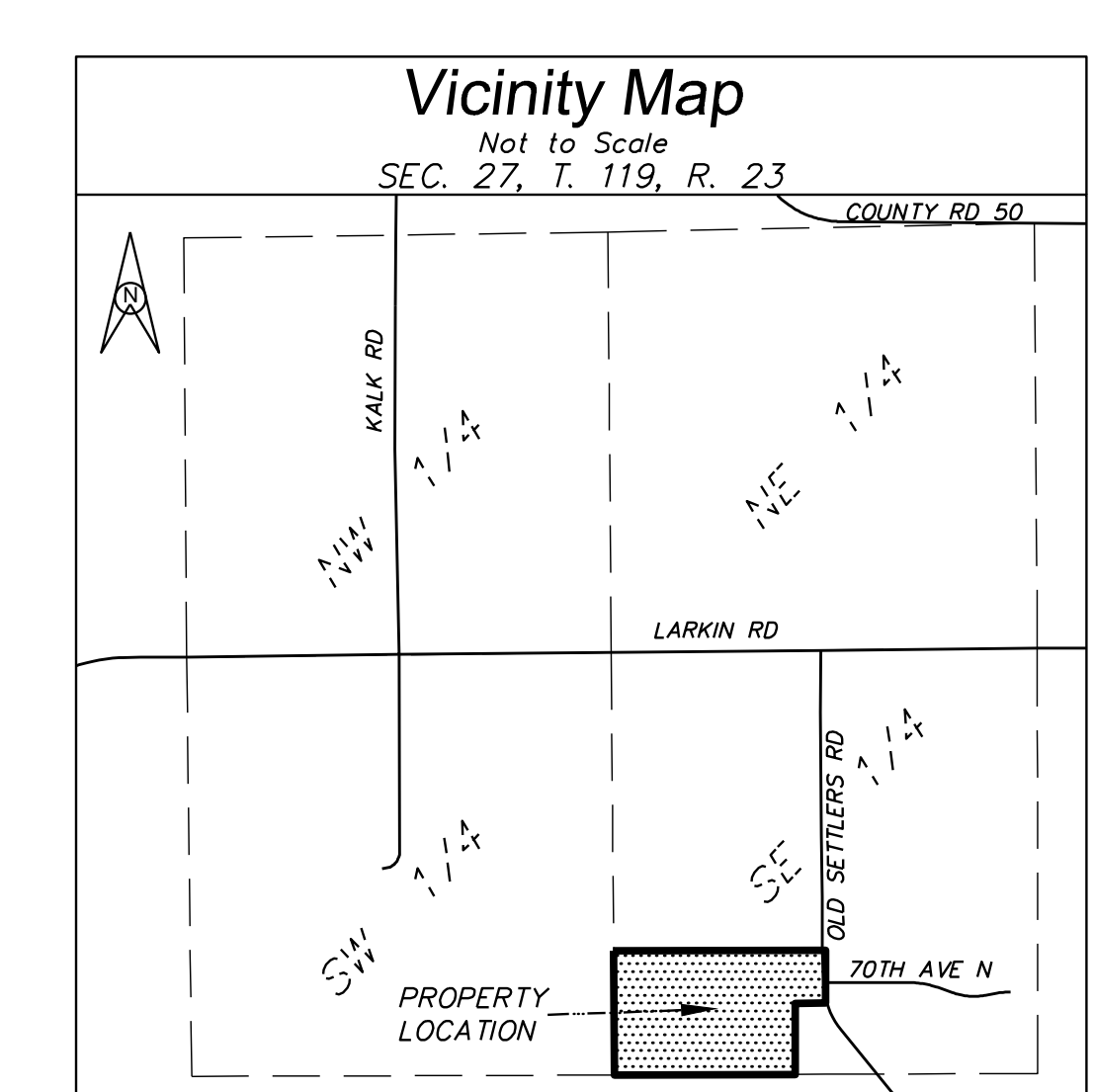
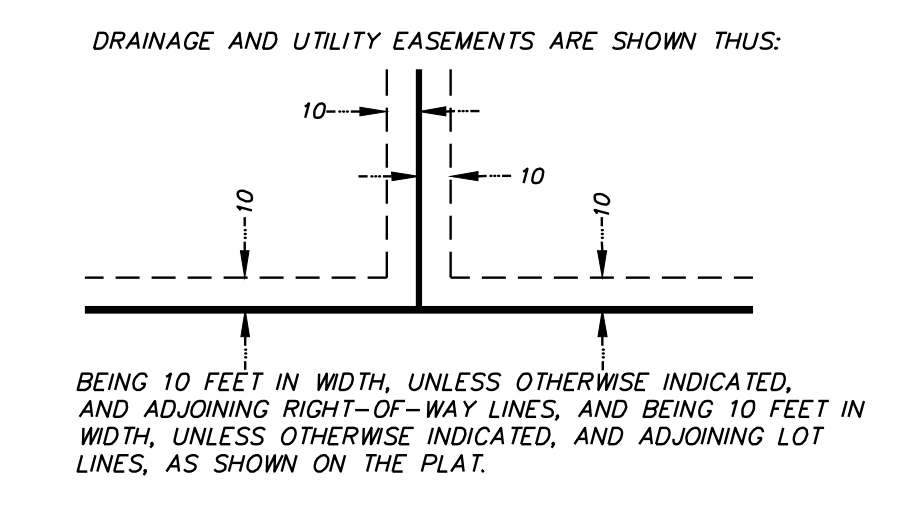
Preliminary Plat of MINKS ADDITION



- LEGEND**
- 1002 --- denotes Existing Contour
 - 1002.00x --- denotes Existing Spot Elevation
 - denotes Delineated Wetland
 - - - - - denotes Fence Line
 - ⊙ denotes Existing Well
 - - - - - denotes Proposed Drainage and Utility Easement

Note: Wetlands Delineated by Kjolhaug Environmental Services Company.

PROPERTY DESCRIPTION:
 The South 785.00 feet of the West Half of the Southeast Quarter of Section 27, Township 119, Range 23, Hennepin County, Minnesota, except the South 475.00 feet of the East 983.81 feet thereof.
 AND
 The South 475.00 feet of the East 983.81 feet of the West Half of the Southeast Quarter of Section 27, Township 119, Range 23, Hennepin County, Minnesota, except the South 450.00 feet of the East 194.00 feet of said West Half of the Southeast Quarter.



Requested By: **Lyndon Minks** Checked By: **P.E.O.**

Date: **10-17-23** Drawn By: **T.J.B.** Scale: **1"=60'**

Revised: _____

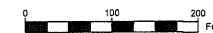
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
 Paul E. Otto License # 40062 Date: 10-17-23

www.ottoassociates.com
 9 West Division Street
 Buffalo, MN 55313
 (763) 662-4727
 Fax: (763) 662-3522

OTTO ASSOCIATES
 Engineers & Land Surveyors, Inc.

denotes iron monument found and marked by 1/2 inch by 1/4 inch iron pipe set and marked by License #40062
 denotes found Hennepin County Cast Iron Monument
 denotes P.K. nail set
 Project No. **23-0274**

Certificate of Survey "After"



LEGEND

- denotes Delineated Wetland
- x- denotes Fence Line
- ⊙ denotes Well
- - - - denotes Proposed Drainage and Utility Easement

Note: Wetlands Delineated by Kjolhaug Environmental Services Company.

PROPOSED PROPERTY DESCRIPTIONS

Parcel A:

The South 785.00 feet of the West Half of the Southeast Quarter of Section 27, Township 119, Range 23, Hennepin County, Minnesota, except the South 475.00 feet of the East 983.81 feet thereof.

Parcel B:

The South 475.00 feet of the East 983.81 feet of the West Half of the Southeast Quarter of Section 27, Township 119, Range 23, Hennepin County, Minnesota, except the South 450.00 feet of the East 194.00 feet of said West Half of the Southeast Quarter.

PROPOSED DRAINAGE AND UTILITY EASEMENTS

Parcel A:

A 10.00 foot perpetual easement for drainage and utility purposes over, under, and across the following described property:

The South 785.00 feet of the West Half of the Southeast Quarter of Section 27, Township 119, Range 23, Hennepin County, Minnesota, except the South 475.00 feet of the East 983.81 feet thereof.

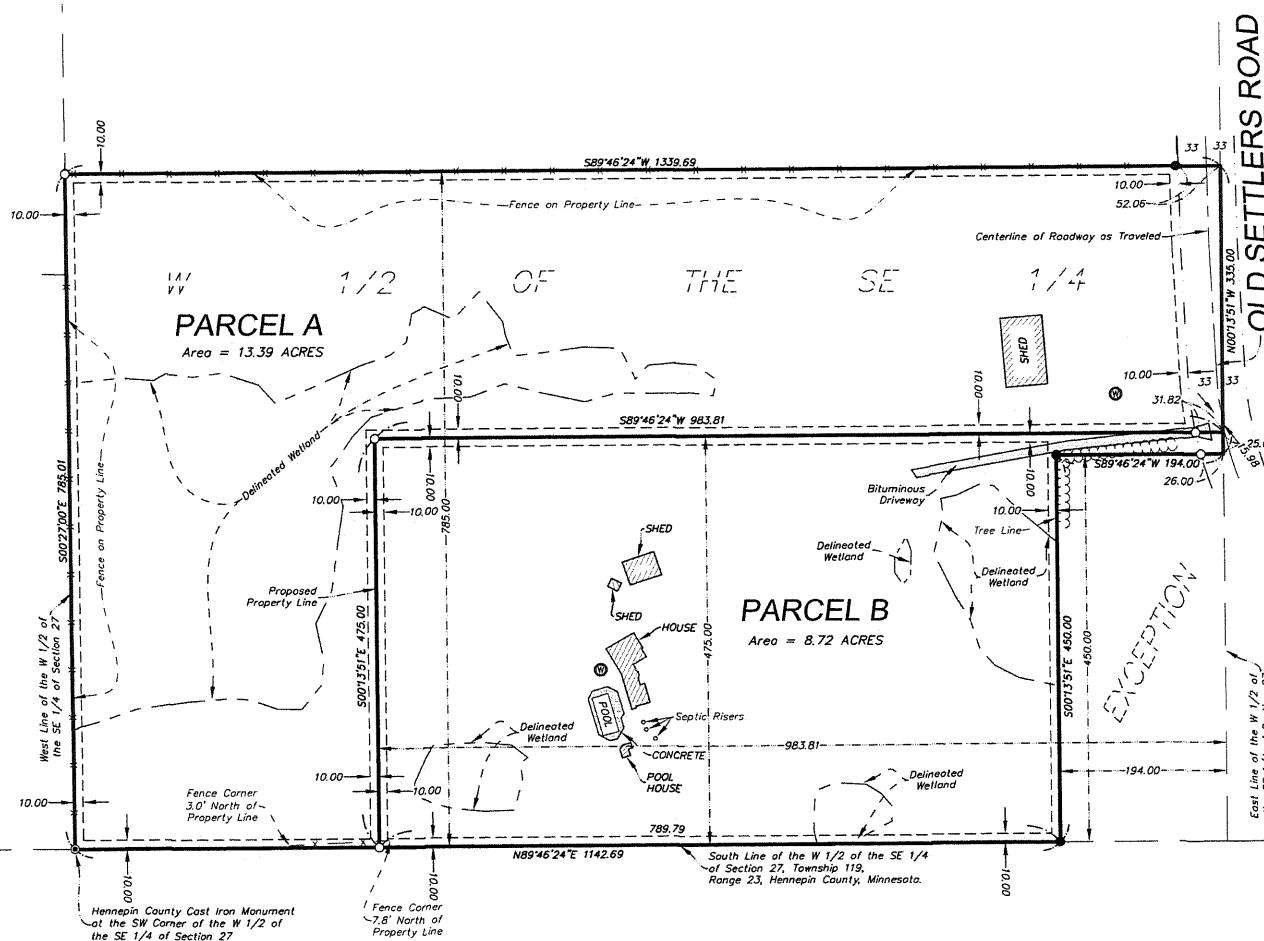
Said 10.00 foot drainage and utility easement is measured inwardly from the perimeter property lines not adjacent to the road right of way lines and measured 10.00 feet inwardly from the road right of way lines.

Parcel B:

A 10.00 foot perpetual easement for drainage and utility purposes over, under, and across the following described property:

The South 475.00 feet of the East 983.81 feet of the West Half of the Southeast Quarter of Section 27, Township 119, Range 23, Hennepin County, Minnesota, except the South 450.00 feet of the East 194.00 feet of said West Half of the Southeast Quarter.

Said 10.00 foot drainage and utility easement is measured inwardly from the perimeter property lines not adjacent to the road right of way lines and measured 10.00 feet inwardly from the road right of way lines.



Certificate of Survey on Part of the West Half of the Southeast Quarter of Section 27, Township 119, Range 23, Hennepin County, Minnesota.

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.

Paul E. Otto
Paul E. Otto
License # 40062 Date: 9-19-23

Requested By:

Lyndon Minks

Date: 6-23-23

Drawn By: N.N.B.

Scale: 1"=100'

Checked By: P.E.O.



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- denotes iron monument found
- denotes 1/2 inch by 14 inch iron pipe set and marked by License #40062
- ⊙ denotes found Hennepin County Cast Iron Monument

Project No. 23-0274

Revised:
ADD DELINEATED WETLANDS T.J.B. 7-14-23
ADD TEP APPROVED WETLANDS PEO 9-19-23

Exhibit "A"

LOT SURVEYS COMPANY, INC.

LAND SURVEYORS

REGISTERED UNDER LAWS OF STATE OF MINNESOTA

7601 - 73rd Avenue North

560-3093

Minneapolis, Minnesota 55428

Surveyors Certificate

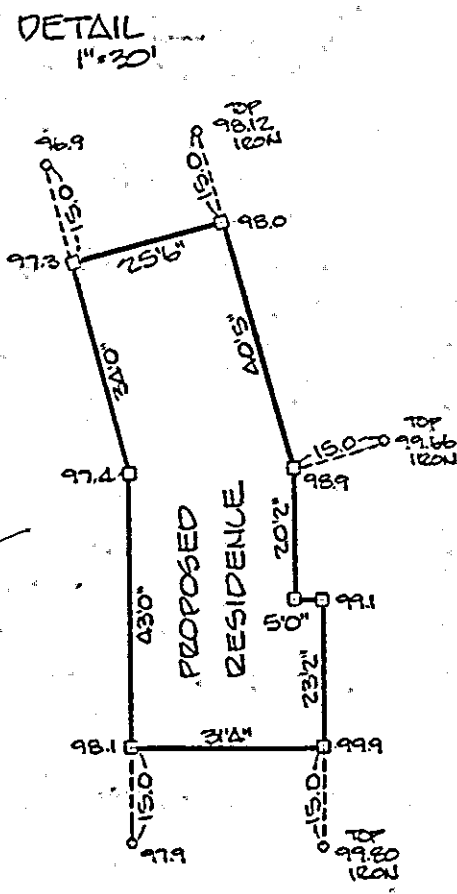
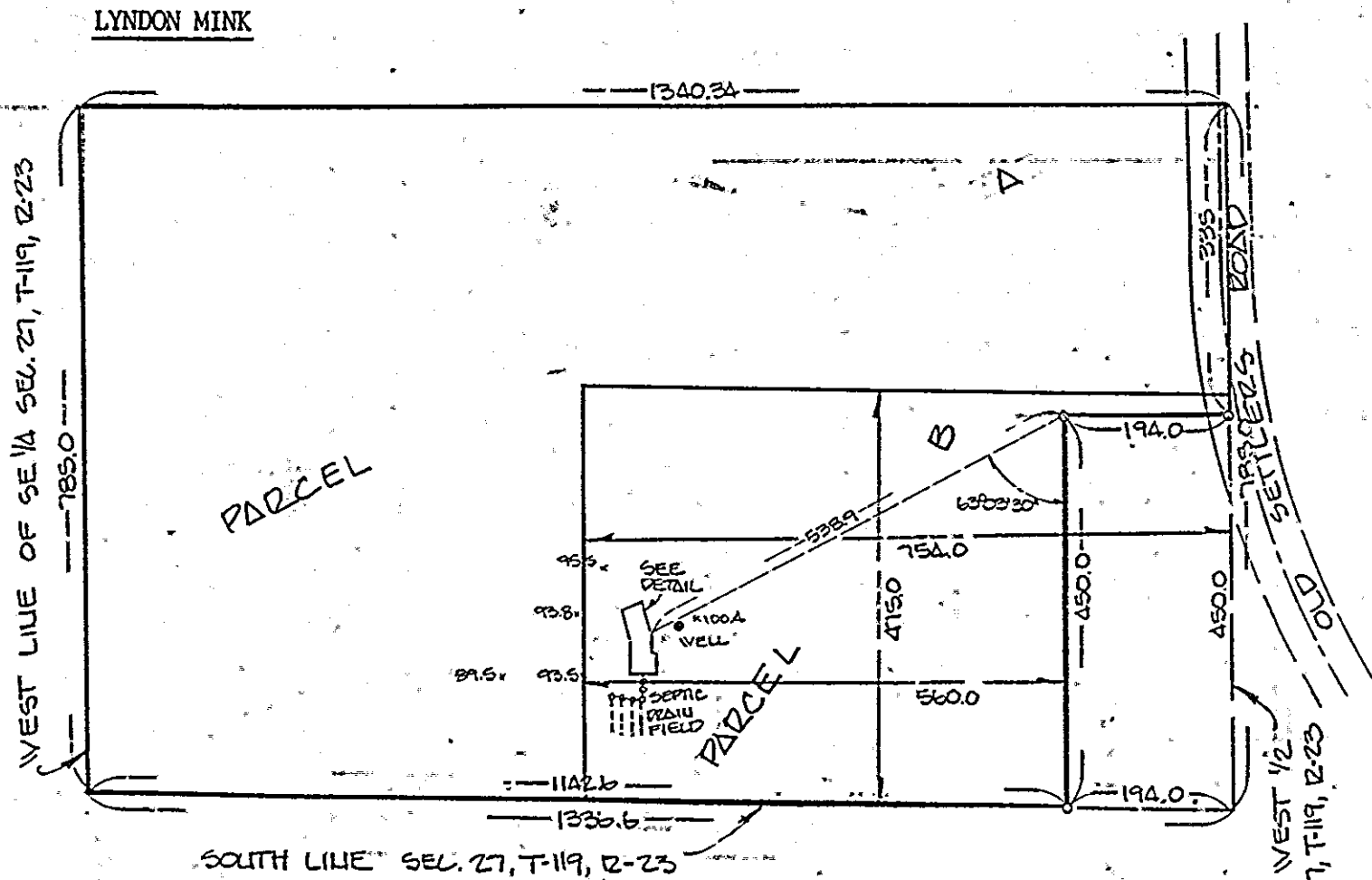
INVOICE NO. 18312

F. B. NO. 339-143

SCALE 1" = 200'

0 - DENOTES IRON

- Denotes wood hub set for excavation only
 - 000.0 Denotes existing elevation
 - Denotes proposed elevation
 - ↘ Denotes proposed surface drainage
- Elevation datum assumed



A RESOLUTION PROVIDING PRELIMINARY AND FINAL APPROVAL OF THE LYNDON MINK LAND DIVISION TO CREATE A 6.21 ACRE LOT FROM A 22.15 ACRE PARCEL, FOR THE PURPOSE OF SECURING A RESIDENTIAL MORTGAGE, AT 6925 OLD SETTLERS ROAD.

PID # 27-119-23-43-0004

WHEREAS, Lydon Mink has constructed a single family residence on a 22.15 acre parcel, identified as PID # 27-119-23-43-0004, which has 0.73 basic development rights; and

WHEREAS, Lydon Mink desires to place a home mortgage on this property; and

WHEREAS, The financial institutions/mortgage companies have placed restrictions on the eligibility of home mortgages on lots in excess of 10 acres in size; and

WHEREAS, On January 8, 1987, the Planning Commission considered this request and moved to recommend approval with conditions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Corcoran, Minnesota.

That the Lyndon Mink Land Division to create a 6.21 acre lot from a 22.15 acre parcel, at 6925 Old Settlers Road, legally described on attached Exhibit "A", for the purpose of securing a residential mortgage, be and is hereby approved, subject to the following conditions:

1. That the City Attorney approve a restrictive covenant on the remaining parcel, which acknowledges the absense of development rights and agreement that owners shall not cause to be filed any applications for building permits on said property, until such time as the provisions of the zoning ordinance would permit additional development in this area.
2. The execution of a private driveway agreement, as approved by the City Attorney.
3. That the Restrictive Covenant and Private Driveway Agreement be filed with Hennepin County.

Moved by member Geo, seconded by member Past.

The following voted in favor of said resolution:

The following voted against the same:

Whereupon said resolution was declared carried.

Dated this 15th day of January, 1987.

Mayor

ATTEST:

Clerk/Administrator

*Geo. Anasimov
Atty. for Dept. of
ref*

*Jim
Atkins
Member*

5352007

PRIVATE DRIVEWAY AGREEMENT

THIS AGREEMENT is made the 12 day of February, 1987, between the City of Corcoran, Hennepin County, Minnesota, a municipal corporation (hereinafter CITY); and Lyndon E. Minks, a single person (hereinafter MINKS).

WHEREAS, MINKS is the fee owner of real property located in the City of Corcoran and described as follows:

The South 475.00 feet of the East 754.00 feet of the West Half of the Southeast Quarter of Section 27, Township 119, Range 23, Hennepin County, Minnesota.

Except the South 450.00 feet of the East 194.00 feet thereof.

Subject to easements of record.

WHEREAS, MINKS intends to provide for the construction of one single family dwelling unit with accessory buildings upon said real property above described, and the dwelling unit and accessory buildings will be served by a private driveway, which is described as follows:

A strip of land 33 feet in width extending west from the northeast corner of the above described parcel a distance of 194 feet.

NOW, THEREFORE, MINKS and CITY agree that the above described real property shall be held subject to the following covenants and conditions which shall run with the land and be binding upon MINKS, his heirs, successors, and assigns, and shall enure to the benefit of the CITY:

1. MINKS covenants and agrees to maintain the private driveway upon the above described real property and that said driveway is to serve the dwelling unit and accessory units proposed to be constructed on said property.

AND PRIOR TAXES PAID
DEPT. OF PROPERTY TAX & PUBLIC RECORDS
TRANSFER ENTERED

SEP 22 1987

HENNEPIN COUNTY MINN.



CITY OF CORCORAN

8200 County Road 116 • Corcoran, MN 55340
763-420-2288 • www.corcoranmn.gov

MEMO

Meeting Date: January 4, 2023
To: Planning Commission
From: Dwight Klingbeil, Planning Technician
Re: Planning Project Update

Projects/comments in blue italics are new.

The following is a status summary of active planning projects:

1. **Commercial and Industrial Development Standards (Citywide) (City File 23-023)**

The purpose of this zoning ordinance amendment is to address and evaluate the allowed uses and use specific standards within commercial and industrial developments. The Council adopted a work plan at the November 20, 2023, regular meeting, and requested the Planning Commission to provide their initial feedback. *The Planning Commission discussed this item at the December 5, 2023, meeting and expressed their desire for commercial and industrial development standards to address a number of items, such as: specific architectural standards, infrastructure investment incentives, encouragement toward sustainable development practices, proper transitions of intensities and height, the permitted and conditional uses of each zoning type, verbiage, and lighting standards. The Commission also referenced and discussed the commercial areas of other municipalities such as Stillwater, Maple Grove, Delano, and Rogers.*

2. **Minks Preliminary Plat, Final Plat, and Variance (PID 27-119-23-43-0005) (City File 23-025)**

Lyndon Minks applied for a preliminary plat, a final plat, and a variance which would allow him to adjust the western lot line of his property at 6925 Old Settlers Road. This item is complete for review, the public hearing is scheduled for the January 4, 2024, Planning Commission meeting.

3. **3019 Addition Comprehensive Plan Amendment, Rezoning, and Preliminary Plat (PID 07-119-23-14-0003) (City File 23-027)**

Craig Scherber & Associates LLC have applied for a Preliminary Plat, Rezoning, and Comprehensive Plan Amendment for a Residential and Commercial Development on the property at PID 07-119-23-14-0003. The application includes 15 commercial lots and 4 single-family residential lots. This item is incomplete for City Review and is not currently scheduled for an upcoming meeting.

4. **Hope Community Comprehensive Plan Amendment, Rezoning, Preliminary PUD, Preliminary Plat (PIDs 11-119-23-14-0003, 11-119-23-14-0005, 11-119-23-14-0006, and 11-119-23-11-0012)(City File 23-028).**

Hope Community Church submitted application materials for a Preliminary Plat, Preliminary PUD, Rezoning, and Comprehensive Plan Amendment to allow for a mixed-use development around Hope Community Church. The proposed development includes medical offices, retail space, market rate apartments, townhomes, senior villas, and assisted living units. *This item is complete for city review and the public hearing is scheduled for the February 1, 2024, Planning Commission meeting.*

5. **Khacholing Center Home Occupation IUP (PID 06-119-23-13-0002) (City File 23-029)**

Lobsang Yeshi & Nga Thi Ngoc Nguyen, of the Khacholing Center, *is applying for an interim use permit for a conditional home occupation license to hold meditation classes of up to 25 people* at 23360 Oakdale Drive. This item is incomplete for City review and is not currently scheduled for any upcoming meetings.

6. **Pioneer Trail Industrial Park Final Plat & Final PUD (PID 32-119-23-43-0005, 32-119-23-43-0006, 32-119-23-43-0013) (City File 23-030).**

Contour Development LLC has applied for a Final Plat and a Final PUD at 6210 Pioneer Trail. The application consists of 0 lots and 3 outlots. This application is incomplete for City review and is not currently scheduled for any upcoming meetings.

7. **Lister Garage CUP (PID 32-119-23-21-0007) (City File 23-031).**

J Brothers Design, Build, and Remodel has applied for a Conditional Use Permit to allow the construction of an accessory structure with sidewalls that exceed 10 feet in height in the front yard of 23615 Julie Ann Drive. *This item is incomplete for city review and is not currently scheduled for any upcoming meetings.*

8. **Tavera 6 Final Plat & Final PUD (PID 35-119-23-11-0003) (City File 23-032).**

Lennar submitted application materials to create 79 single-family lots and 4 outlots as part of the Final Plat and Final PUD for Tavera 6th Addition. This item is not complete for city review and is not currently scheduled for any upcoming meetings.

9. **Woodland Hills Preliminary Plat, Rezone, & Variance (PID 36-119-23-33-0010, 36-119-23-33-0003, 36-119-23-33-0007) (City File 23-033).**

Woodland Hills of Corcoran, Inc. & Gonyea Company submitted application materials for a Preliminary Plat, Rezoning, and a Variance to develop 60 single family lots on the northeast corner of the Hackamore Road and County Road 116 intersection. The proposal is to create 60 detached single-family lots, 1 amenity lot, and 5 outlots on a

36.74-acre site. Council provided informal feedback to the applicant's concept plan (Northeast Hackamore 116 Concept Plan) during the July 27, 2023, Regular Meeting. This item is not complete for city review and is not currently scheduled for any upcoming meetings.



CITY OF CORCORAN
8200 County Road 116, Corcoran, MN 55340
763-420-2288
email: general@corcoranmn.gov / website: www.corcoranmn.gov

MEMO

Meeting Date: January 4, 2024
To: Planning Commission
From: Michelle Fredrich
Re: City Council Report

The Planning Commission last met on December 5, 2023. The following is a recap of some of the items discussed at City Council meetings since that time. A full recap can be found by reviewing the approved City Council minutes on the website.

December 18, 2023, Council Meeting

- 2023 Truth-in-Taxation and Proposed Budget and Property Tax Levy
 - Council approved the 2024 final general fund budget and the 2023 Property Tax levy. Staff reduced the preliminary proposed tax levy from 43.371%, by reducing the proposed budget in the amount of \$237,617 to meet the previous year's tax rate of 42.122%.
- 2024 Fill-time, Part-time, and Seasonal Wage Schedule
 - Council approved a 4% COLA and 3% market adjustment for the 2024 wage schedule for city employees.
- 2024 Fee Schedule Adoption
 - Approved as presented.
- Website Maintenance Update and Cost Compensation
 - Council approved the current vendor, CivicLive, for 2024.
- Logo Final Design
 - Council requested some final minor adjustments.
- City Logo Water Tower
 - Council formed a subcommittee for the water tower design and moved forward with the brand strategy timeline.
- Recycling Forgiveness Request
 - Council apologetically denied the recycling forgiveness request.
- Earned Safe and Sick Time (ESST) Process
 - Council approved as presented.
- MS4 Stormwater Pollution Prevention Plan – Annual Public Input Opportunity
 - No public input was received.
- 2024 Strategic Planning Discussion

- Directed staff to coordinate Goal Setting Work Session on Jan 3, 2024.
- Call for Work Sessions First Quarter 2024
 - Mayor called for work session for January 3rd, February 8th, and March 14 to discuss goal setting, LPR Cameras, and review interest options for Parks & Trail Fund.