

# ***CITY OF EDEN PRAIRIE***

## **DEVELOPMENT REVIEW PROCESS HANDBOOK - 2010**

City Code (including Chapter 11-Land Use Regulations (Zoning) and Chapter 12-Subdivision Regulations (Platting) can now be accessed on the City's web site at:  
[www.edenprairie.org](http://www.edenprairie.org)

LAND DEVELOPMENT APPLICATION  
SUBMITTAL DEADLINE IS 10:00 A.M. ON  
SUBMITTAL DATE

*\*\*Please note the new requirement of a title commitment or opinion for all submitted projects\*\**

**When you pay by check, the City of Eden Prairie will present the check for payment to your bank electronically. Your original check will be destroyed once processed and you will not receive our cancelled check back.**

## 2010 MEETING CALENDAR AND APPLICATION DEADLINES

**The publication date of this calendar is January 1, 2010. Commission and Council meetings can change during the year. Please call the Planning Division at 952-949-8485 to make sure you have the most current calendar.**

Planning Commission (PC) meetings are held on the 2<sup>nd</sup> and 4<sup>th</sup> Monday of each month at 7:00 P.M.  
 City Council (CC) meetings are held on the 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of each month at 7:00 P.M.

**ALL MEETINGS ARE HELD IN THE COUNCIL CHAMBERS AT THE EDEN PRAIRIE CITY CENTER**

PC Application Deadline	PC Meeting Date	CC Public Hearing Date (Unless Continued)	CC Consent Agenda Date (Unless Continued)
12/04/09	01/11/10	02/16/10	03/02/10
12/18/09	01/25/10	02/16/10	03/16/10
*12/31/09	02/08/10	03/03/10	04/06/10
01/15/10	02/22/10	03/16/10	04/20/10
01/29/10	03/08/10	04/20/10	05/18/10
02/12/10	03/22/10	04/20/10	05/18/10
03/05/10	04/12/10	05/04/10	06/15/10
03/19/10	04/26/10	05/19/10	06/15/10
04/02/10	05/10/10	06/15/10	07/20/10
04/16/10	05/24/10	06/15/10	07/20/10
05/07/10	06/14/10	07/20/10	08/17/10
05/21/10	06/28/10	07/20/10	08/18/10
06/04/10	07/12/10	08/17/10	09/21/10
06/18/10	07/26/10	08/17/10	09/21/10
07/02/10	08/09/10	09/07/10	10/05/10
07/16/10	08/23/10	09/21/10	10/19/10
08/06/10	09/13/10	10/05/10	11/16/10
08/27/10	09/27/10	10/19/10	12/07/10
09/03/10	10/11/10	11/16/10	12/21/10
09/17/10	10/26/10	11/16/10	12/21/10
10/01/10	11/08/10	12/07/10	01/04/11
10/15/10	11/22/10	12/21/10	01/18/11
11/05/10	12/13/10	01/04/11	02/01/11
11/19/10	**12/27/10	01/19/11	02/15/11
12/03/10	01/10/11	02/01/11	03/01/11
12/17/10	01/24/11	02/15/11	03/15/11
12/31/10	02/07/11	03/01/11	04/05/11
01/14/11	02/21/11	03/15/11	04/19/11

\*Early deadline

\*\*No public hearings due to holiday recognition

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## **INTRODUCTION**

All land development requests including Comprehensive Guide Plan changes, Planned Unit Developments, Re-zonings, Zoning Amendments, Site Plans, Preliminary and Final Plats, EAW/EIS and Variances require City review. The review process takes about 90 days. Your project review will be completed in a timely manner if you do the following:

1. Call if you have questions.
2. Provide **complete** information according to the enclosed submission checklist.
3. Work with staff to resolve problems early in the process.

## **REVIEW PROCESS**

All development proposals are reviewed according to the following sequence of events:

1. Meet with Community Development staff
2. Meet with City Departments and other agencies
3. Neighborhood Meeting (where applicable)
4. Informational Meetings and Submittal Requirements (where applicable)
5. Submit a Land Development Application
6. Development Review Committee evaluates the application
7. Board and Commission Review
8. City Council – Public Hearing
9. City Council – Consent Agenda (Development Agreement Preparation)
10. Final Plat

### **1. MEETING WITH COMMUNITY DEVELOPMENT STAFF**

An important step in the review process is the initial meeting with City staff to discuss the land development proposal. This meeting will also help determine if the project involves any significant issues that would require an Informational Meeting. Before this meeting, you should do the following:

- A. Follow Chapters 11 and 12 of the City Code specifying development standards.
- B. Prepare conceptual plans that illustrate your land development proposal in relation to existing and surrounding land uses and City services such as sewer, water, storm drainage, streets, and historic sites.
- C. Pre-meeting preparation facilitates a more productive meeting. At the initial meeting, City staff will help you become more familiar with the review process, answer questions regarding the land development application and give general direction on plan development. Incorporating staff suggestions regarding City policies and issues into further refinement of the plan will help minimize potential delays and problems later in the review process.

### **2. MEETING WITH CITY DEPARTMENTS AND OTHER AGENCIES**

The Public Works Department reviews streets, utilities, and wetland issues. The Parks and Recreation Department reviews sidewalks, trees, trails and park dedication. The Public Safety Department - Inspections Staff, reviews building and Fire codes. Comprehensive Guide Plan changes and Environmental Assessment Worksheets (EAW)/Environmental Impact Statements (EIS) require review

by Metropolitan Council and the Environmental Quality Board. These reviews occur **concurrently** with the City review process. Approval by the Metropolitan Council and the Environmental Quality Board is required before the final City approval. City staff will initiate the review process with both agencies.

Other Departments and agencies that may review land development proposals include:

- A. Other City Departments (Public Works, Parks and Recreation, Public Safety – Inspections)
- B. County and State Highway Departments
- C. Watershed Districts
- D. Department of Natural Resources
- E. U.S. Army Corps of Engineers
- F. State Historic Preservation Office
- G. Office of the State Archaeologist (for all burial related matters)

Staff recommends you contact these agencies (where applicable) early in the review process to incorporate requirements early in the process. This will help minimize the potential of future problems and delays.

### **3. NEIGHBORHOOD MEETINGS**

If your project is adjacent to a residential neighborhood, it is in your best interest to conduct a neighborhood meeting. A neighborhood meeting can help you identify neighborhood concerns early in the process so comments can be incorporated into the plans. **The neighborhood meeting must be held at least three weeks before any Planning Commission Public Hearing or Informational Meeting.**

**For property that is zoned I-General, a neighborhood meeting is mandatory. Notice of the meeting shall be mailed to all property owners within 2,000 feet.**

The City Hall has rooms available for neighborhood meetings. Contact the City's Room Reservation Hotline at (952) 949-8305. Contact Lori Creamer with the Community Development Staff at (952) 949-8485 to order mailing labels at least one week prior to your mailing date.

### **4. INFORMATIONAL MEETINGS AND APPLICATION REQUIREMENTS**

Projects that involve significant issues and are adjacent to existing neighborhoods may require an Informational Meeting in addition to a neighborhood meeting. Staff will determine if the project requires an Informational Meeting. This meeting is held approximately 30 days prior to the Land Development Application Submittal. The purpose of this meeting is to identify and incorporate issues/concerns raised by residents, staff, and the Planning Commission. Staff may require an Informational Meeting when:

- A Comprehensive Guide Plan Change is being requested.
- The project can be considered "infill" development.
- The project is inconsistent with a previously approved plan.
- The project is inconsistent with an adjacent neighborhood with regard to density, lot sizes, or unit types.
- The project is adjacent to an existing neighborhood.
- There are unresolved road, utility, or park issues.

The following information must be submitted according to the time table on Page 2 of this handbook, in correlation with the appropriate Planning Commission meeting:

- A. **One copy of the land development application form identifying an Informational Meeting request (based on acreage, refer to fees on page 11).**
- B. **A Deposit Agreement (based on acreage, refer to fees on page 11).**
- C. **Seventeen (17) copies of any written supportive information and conceptual site plan and architectural plans (11"x 17").**

The 5 week submittal requirement is necessary to allow:

- Adequate time for public meeting publication and mailed notification to surrounding property owners.
- Plan distribution to other departments for comments and analysis.
- Staff Report preparation.
- Distribution to the Planning Commission.

## 5. **SUBMITTAL OF LAND DEVELOPMENT APPLICATION**

A **complete** land development application allows a timely review of a development proposal. The following information must be submitted at least 5 weeks prior to any Planning Commission meeting:

- A. **One copy of the land development application form and applicable fees.**
- B. **One copy of the Development Deposit Agreement and applicable deposit fee.**
- C. **Ten (10) copies of any written supportive information.**
- D. **Ten (10) copies of plans - MUST be folded, collated and stapled together to an 8½" x 11" format (If the project is along a County, State, or Federal Highway, additional copies may be needed).**

The 5 week submittal requirement is necessary to allow for:

- Adequate time for public hearing publication and mailed notification to surrounding property owners as required by City Code and State Statute.
- Plan distribution to other departments and agencies for their comments and analysis.
- Staff Report preparation.
- Distribution to the Planning Commission.

Scheduling for Planning Commission review is based on the following criteria:

- A. Date application is received
- B. Completeness of the application and plan requirements
- C. Agenda availability
- D. Identification of issues and problems that may cause a project to be continued or denied

## 6. **DEVELOPMENT REVIEW COMMITTEE (DRC)**

Once submitted, your land development application will be scheduled for a Staff Development Review Committee meeting. This is an internal meeting for reviewing the proposal by the city departments. The Committee will determine the completeness of the application, identify major issues, recommend plan changes, and request any additional information. Comments from this meeting will be forwarded to you in writing. **You should incorporate these comments into the project and submit fifteen (15) sets of the written information and revised plans, folded, collated and stapled to an 8½" x 11" format within two weeks prior to the Planning Commission Meeting.**

After your land development application is determined to be complete and scheduled for Planning Commission review, a detailed staff report will be prepared for the Planning Commission. This report and the Planning Commission agenda will be available **Friday afternoon** prior to the meeting on the following Monday.

## **7. BOARD AND COMMISSION REVIEW**

A staff report and any written information or plans submitted that describes the proposal are provided to each Commission, Board or Council member.

- **PRESENTATIONS**

**The most effective presentations include colored presentation boards and scaled models showing a site plan, architectural elevations and landscaping plans.** Since there are usually several development requests on an agenda, your presentation should be **limited to 10 minutes**. Please make a **brief** presentation summarizing your development request and highlighting any significant issues. Lastly, inform the officials that you are available to answer any questions they might have. Presentations are requested at the Planning Commission and first City Council meetings only (continued projects will require additional presentations).

- **PLANNING COMMISSION**

Planning Commission public hearings are held on the second and fourth Mondays of each month. There are nine (9) members.

- **HERITAGE PRESERVATION COMMISSION**

After review by the Planning Commission, the Heritage Preservation Commission schedules the project for review **if** there are any historic site, archaeology, Native American burial, or other cultural issues. This is a mandatory review for all designated sites and requires a permit. This Commission meets on the third Monday of each month. Contact the Community Development Department for additional information.

## **8. CITY COUNCIL – PUBLIC HEARING**

Once the Planning Commission, and any other relevant Commissions, have reviewed your project and made recommendations, your application will be reviewed by the City Council. This occurs within thirty days of a Planning Commission action. The City Council meets on the first and third Tuesdays of the month. Public hearings for Comprehensive Guide Plan changes, Planned Unit Developments, Zoning District changes and Site Plan Review are held at the City Council. A public meeting is held for Preliminary Plats. In cases where the Planning Commission has recommended approval subject to changes being completed prior to City Council review, a second staff report reviewing the changes is prepared.

**You are required to submit ten (10) sets of reduced to scale plans (11" x 17"), an electronic copy of the plans (pdf format on disk), and a copy of any associated written information ten (10) working days prior to the City Council meeting.**

## 9. CITY COUNCIL – CONSENT AGENDA (DEVELOPMENT AGREEMENT)

Once the City Council approves your development application, the City staff is directed to prepare a Development Agreement outlining conditions under which the project is to be constructed. The Agreement outlines your responsibilities on specific items such as streets, landscaping, architecture, phasing, sidewalks and storm drainage. A thirty (30) day process is needed to draft, distribute, review, amend and sign the Agreement.

**You and the current owners (if these are different entities) must provide four (4) signed and notarized copies of the Agreement to the Community Development Department six (6) working days prior to the scheduled City Council meeting.** The Developer must initiate an action on the Development Agreement within six (6) months of the City Council's first reading. If the Development Agreement is not signed during this period, the City Council has the option to take a negative action for the second and final reading. **You should submit four (4) sets of the City approved plans reduced to scale (11" x 17"), folded and collated to an 8½" x 11" format to be submitted to the Community Development Staff with the signed Development Agreements.**

Once you have signed the Development Agreement, your request will be scheduled on the consent agenda at the City Council. **You are not obligated to attend or make a presentation for consent agenda items.** After approval of the consent agenda item, you have two years to proceed with the project before a new land development application submission is required for review by the Planning Commission and City Council review. Extensions from the two year time limit may be granted by the City Council based upon justified circumstances.

## 10. FINAL PLAT

You must request a separate City Council Consent Agenda approval of a Final Plat. **A total of three (3) copies of the Final Plat and one copy of the final plat application must be submitted to the Public Works Department (Contact: Randy Slick at 952-949-8322) at least two weeks before the requested City Council date.** The Final Plat request can be placed on the same consent calendar as the Development Agreement or any meeting agenda following approval of the Development Agreement. A final plat report is provided to those representatives listed on the final plat application before the City Council meeting.

Upon approval of your final plat request by the City Council, you should submit:

- A final plat application (this is separate from the land use application) and applicable fees;
- Two (2) reproducible mylars of the approved plat (with any required corrections);
- A digital representation (i.e., disk) of the plat compatible with City software;
- All signatures other than the Mayor, City Manager and Hennepin County must appear on the plat at this time; and
- All applicable fees, financial guarantees (refer to City Code Sec. 12.50), deeds for dedicated property and other documents as defined in the Public Works Department Final Plat report and in the Development Agreement must be provided by you and reviewed by the Public Works Department before the plat will be released.

The executed final plat will be released to you or an authorized representative upon satisfaction of all platting requirements. The owner is responsible to record the plat with Hennepin County. Contact the Public Works Department for additional information.

**SUBMISSION  
REQUIREMENTS  
&  
APPLICATION  
CHECKLIST**

## APPLICATION CHECKLIST

The Application Checklist is a comprehensive list of information necessary for staff review. You may be requested to submit additional information to explain aspects unique to your development request, but not on the checklist.

The eight types of land development requests are:

1. Comprehensive Guide Plan Amendment
2. Planned Unit Development Concept and District Review
3. Zoning (including Zoning District Amendment and Rezoning)
4. Site Plan Review
5. Preliminary Plat
6. Final Plat
7. EAW or EIS

## DEVELOPMENT REQUEST REQUIREMENTS

Requirements as per Development Requests (some items may be duplicated with additional requests):

Item	Comp. Guide Plan Amendment	Site Plan Review	PUD	Zoning	Preliminary Plat	Final Plat	EAW or EIS
<b>A</b>	Deposit Agreement	X	X	X	X	X	X
<b>B</b>	Fees	X	X	X	X	X	X
<b>C</b>	Sheet Requirements	X	X	X	X	X	
<b>D</b>	Legal Descriptions	X	X	X	X	X	
<b>E</b>	Location Map	X	X	X	X		
<b>F</b>	Project Narrative	X	X	X	X		
<b>G</b>	Existing Conditions Map /Certificate of Survey	X	X	X	X		
<b>H</b>	Comp. Guide Plan	X					
<b>I</b>	PUD Concept Plan		X				
<b>J</b>	PUD Grading Plan		X				
<b>K</b>	PUD Utility Plan		X				
<b>L</b>	PUD Narrative		X				
<b>M</b>	PUD Architectural Plans		X				
<b>N</b>	Site Plan		X	X	X		
<b>O</b>	Grading/Drainage Plan		X	X	X		
<b>P</b>	Utility Plan		X	X	X		
<b>Q</b>	Landscape/Tree Replacement Plan		X	X	X		
<b>R</b>	Architectural Plans		X	X			
<b>S</b>	Tree Inventory		X	X			
<b>T</b>	Wetland Plans		X	X			
<b>U</b>	Traffic Study/Analysis		X	X			X
<b>V</b>	TDM Plan		X	X			
<b>W</b>	Preliminary Plat				X		
<b>X</b>	Final Plat					X	
<b>Y</b>	Level I Environmental Assessment		X	X			
<b>Z</b>	EAW/EIS						X

**A. APPLICATION**

The following materials are necessary for submittal of a complete land development application:

- 1. One copy of the land development application form with the signatures of **ALL** property owners.
- 2. A current title commitment or title opinion for the subject property.
- 3. Development Deposit Agreement is required for **ALL** Land Development Applications, Informational Meetings and any EAW/EIS. Additional funds may be required if the balance in the deposit account is inadequate to pay for all of the fees and costs incurred by the City. The deposit amount is based on the following:
  - 0 to 40 acres - \$3,800**
  - 41 to 80 acres- \$4,140**
  - 81 or more acres - \$4,700**

**B. FEES (All fees are nonrefundable.)**

REQUEST	FEE
<input type="checkbox"/> <b>Comprehensive Guide Plan Change</b>	\$650 + \$5 per acre
<input type="checkbox"/> <b>PUD Concept Review, Amendment, and District Review</b>	\$710 + \$5 per acre
<input type="checkbox"/> <b>Zoning District Amendment or Rezoning:</b> <i>Residential:</i> 0 – 10 Units 11 or More Units <i>Commercial/Industrial/Office/Public:</i> 0-3 Acres 3.1 or More Acres	 \$465 + \$5 per unit \$580 + \$5 per unit \$465 + \$25 per acre \$580 + \$25 per acre
<input type="checkbox"/> <b>Site Plan Review:</b> <i>Residential - Multiple Family Only:</i> 0 – 10 Units 11 or More Units <i>Commercial/Industrial/Office/Public:</i> 0-3 Acres <b>or More Acres</b> <i>Administrative Site Plan Review:</i>	 \$460 + \$5 per unit \$580 + \$5 per unit \$460 + \$25 per acre \$565+ \$25 per acre \$320
<input type="checkbox"/> <b>Preliminary Plat:</b> <i>Residential:</i> 0 – 10 Units 11 or More Units <i>Commercial/Industrial/Office/Public:</i> 0-3 Acres 3.1 or More Acres	 \$465+ \$5 per unit \$575 + \$5 per unit \$465 + \$25 per acre \$590 + \$25 per acre
<input type="checkbox"/> <b>Final Plat:</b> <i>Residential:</i> <i>Commercial/Industrial/Office/Public</i>	 \$59 per Unit (\$320 Minimum) \$114 per Acre (\$320 Minimum)
<input type="checkbox"/> <b>EAW/EIS</b>	\$310 + \$5 per acre
<input type="checkbox"/> <b>CASH PARK FEES</b>	\$6,500 per unit/Single Family \$5,500 per unit/all other Residential \$11,500 per acre/Commercial
<input type="checkbox"/> <b>Wetland Review</b> <i>Local Government Unit (Wetland) Fee</i> <i>Local Government Unit (Wetland) Deposit</i> <i>Site or Development Plan Review</i> <i>Wetland Alteration or Wetland Replacement Plan Review</i>	 \$85 per hour \$1,030 \$3,600

**C. SHEET REQUIREMENTS**

- 1. 24"x 36" standardized sheet format at a scale of 1" = 50'. Different scales may be appropriate depending upon the size of the project. The scale selected must result in sufficient detail and clarity of drawings. (11" x 17" to scale may be used for smaller projects)
- 2. Title Block.
  - a. Name of project.
  - b. Sheet title.
  - c. Name, address, phone no. for owner, developer, surveyor, and architect.
  - d. Date of preparation and revision dates.
  - e. Sheet number.
  - f. Drawn by.
  - g. Checked by.
- 3. North Arrow.
- 4. Written and graphic scale.
- 5. Revision Block.
- 6. Registration seal.
- 7. Legend, notes, labels.

**D. LEGAL DESCRIPTIONS**

- A **separate** legal description is required for each individual land development request (i.e. Rezoning, Preliminary Plat, Planned Unit Development, and Comprehensive Guide Plan Change).
  - If the action requested is the same throughout the site, then only one legal is required.
  - If separate actions are requested for different areas of the site, then a legal description is required for each action (this may warrant a metes and bounds description).
  - **Each legal description must be submitted on 8½" x 11" sheets of paper and one electronic copy.**

**E. LOCATION MAP**

- 1. Local street system with names.
- 2. Surrounding existing land use patterns within 1/4 mile of the site.
- 3. North Arrow.
- 4. Project location boldly outlined and labeled.
- 5. Identify adjacent property owners.

**F. PROJECT NARRATIVE**

Written Materials - A written narrative shall accompany each land development request. It should describe the project, its relationship to the Comprehensive Guide Plan, surrounding land uses, and compliance with zoning regulations. The narrative should also include the following:

- 1. General description of the request or proposal.
- 2. City Guide Plan framework.
- 3. Zoning classification(s).
- 4. Variances requested.
- 5. Existing land use.
- 6. Phasing and construction schedule.
- 7. Development method (i.e., sales, lease, owner occupied).
- 8. Legal instruments, association documents, easements, covenants, and restrictions.
- 9. Housing or land/building use profile (i.e., square foot of building, site area, Floor Area Ratio, Base Area Ratio, amount of parking, etc.)
- 10. Signage (locations, sizes, materials, and details).
- 11. Lighting (locations, type, and height).
- 12. Transportation capacity, impacts, Average Daily Trips, trip distributions, p.m. peak hour movements, and sight lines at access points to public roads.
- 13. Level I Environmental Assessment.
- 14. Environmental Assessment Worksheet or Environmental Impact Statement (if applicable).
- 15. Shoreland Ordinance/Floodplain restrictions (if applicable).
- 16. Airport Zones (if applicable).
- 17. Disposition of any excess land.
- 18. Storm water, erosion control and run-off attenuation plans.
- 19. Storm water run-off calculations.
- 20. Water and Wetlands (type of wetland, Department of Natural Resources number, determination of public or private waters, shoreland classifications,

depict Ordinary High Water Mark and 100 year flood elevation, proposed impacts, Identify by City wetland or water body number).

- 21. Wildlife (identify habitats, type, location, impacts and any mitigating measures).
- 22. Soils (building constraints or special conditions of construction).
- 23. Existing structures (include historic features, e.g., foundations).
- 24. Steep slopes (slopes in excess of 12% and/or elevation difference of 30 feet or more)
- 25. 8½ x 11 reductions of all plans.
- 26. Any other relevant issues associated with the project not already addressed.

**G. EXISTING CONDITIONS MAP/CERTIFICATE OF SURVEY**

- 1. Boundary lines, distances, and bearings.
- 2. Easements.
- 3. Right-of-way.
- 4. Existing structures, (include historic features)
- 5. Existing vegetation (Refer to Item S., Tree Inventory).
- 6. Existing topography. (2 ft. contours, minimum 250 ft. perimeter)
- 7. Wetlands, creeks, and ponds (type of wetland, Department of Natural Resources number, determination of public or private waters, shoreland classifications, depict Ordinary High Water Mark and 100 year flood elevation, Identify by City wetland or water body number).
- 8. Conservancy zone if located on Purgatory Creek.
- 9. Elevation of the ground water.
- 10. Septic and well locations.
- 11. Pedestrian trails or sidewalks.
- 12. Native American burial mounds. (individual mound & group earthworks)

**H. COMPREHENSIVE GUIDE PLAN CHANGE**

**It is the responsibility of the proponent requesting the Comprehensive Guide Plan Change to provide information that substantially supports a change.** The reasons for a Comprehensive Guide Plan Change will vary according to the request; however, there are basic questions that are fundamental to any Guide Plan Change which include the following:

- 1. What impact does the requested Comprehensive Guide Plan change have on the balance of land uses in the City?**

Indicate the current balance of land use in the community for different land use types, including residential, commercial, office, and industrial, and describe what effect the proposed change would have on this balance, reflecting an increase or decrease in acreage or densities in any of the City's land use categories. Maps should be included that depict the extent of available land in the land use categories in the community.

- 2. What impact does the Comprehensive Guide Plan change have on surrounding land uses?**

Describe the adjacent land uses, identify the extent of noise, visual, physical, and environmental impacts, and describe proposed mitigating measures.

- 3. What impact does the Comprehensive Guide Plan change have on the site?**

Describe the impact of the Guide Plan Change on the natural features on-site. If the impacts are significant, explain the extent to which mitigating measures may off-set the potential impacts. Describe areas to be preserved or restored. Include a site analysis that describes the inherent natural features and their suitability for the proposed type of development.

- 4. What impact does the Comprehensive Guide Plan change have on City services, such as sewer, water, storm water run-off, and roads?**

Indicate the current capacities of the City's services including sewer, water, and roads. A description of the impacts in terms of water run-off and sewage flow should be included with any recommendations for improvements. A traffic study should be prepared which would include total daily trips, a.m./p.m. peak movements, trip attraction, trip destination, trip distribution, and appropriate graphics, which illustrate the traffic impacts. There also should be a conclusion statement that addresses the level of service at affected intersections and recommendations for any road or intersection improvements.

- 5. Does the proposed land use/Comprehensive Guide Plan change result in a better use of the land?**

Provide a summary of the above statements and explain why the Guide Plan change is warranted. This section should summarize the extent of potential impacts on the community, site, and surrounding land uses, and indicate what mitigating measures are proposed.

## **I. PUD CONCEPT PLAN**

- 1. Gross Floor Area including a breakdown of floor areas for types of use.
- 2. Base Area Ratio (BAR).
- 3. Floor Area Ratio (FAR).

- 4. Density and units per acre.
- 5. Site area per dwelling.
- 6. Lot size.
- 7. Average lot size.
- 8. Parking lot layout, calculation of total number of stalls based on building usage.
- 9. Total site area by acreage and square footage.
- 10. Setbacks and property lines, building configurations, and locations.
- 11. Street alignment and adjacent streets within 250 ft.
- 12. Sidewalk/trail alignment.
- 13. Proposed street names.
- 14. Access to parcel.
- 15. Location of medians and driveways within 250 feet of the property.
- 16. Outlot phasing and disposition of ownership.
- 17. Project phasing.
- 18. Location of all structures within 350 feet of the property.
- 19. Floodplain, wetlands, and shoreland setbacks (if applicable).
- 20. Street names.

**J. PUD GRADING PLAN**

- 1. Property lines.
- 2. Grading limits.
- 3. Existing contours at two-foot intervals to mean sea level datum within 250 feet of the property.
- 4. Proposed contours at ten-foot intervals to mean sea level datum within 1,000 feet of the property.
- 5. Finished floor elevation.
- 6. Proposed building, accessory structures, parking areas, and roads.
- 7. Significant trees lost and preserved with development.

- 8. Location of 100-year floodplain, lakes, creeks, or ponds and buffers with Normal Ordinary High Water Mark, Department of Natural Resources and U.S. Army Corps of Engineers wetlands identified by City number, Identify by City wetland or water body number.
- 9. Stormwater Calculations.
- 10. Bounce Calculations.

**K. PUD UTILITY PLAN**

- 1. Property lines.
- 2. Proposed building, accessory structure, parking areas, and roads.
- 3. Existing and proposed utility line location, type and size.

All public surface utility data should be collected utilizing a GPS system in the following coordinate system: "NAD 83 Hennepin County Coordinates (US survey feet) 1996 adjustment". The horizontal and vertical precision shall be less than or equal to one tenth (1/10<sup>th</sup>) of a U.S. foot. Upon final completion of the project all surface data must be submitted to the Engineering Division in the form of a comma delineated text file with the following specific text headers and a GIS shape file that includes .shx, .dbf, and .shp files. All features must be separated into individual files for water, sanitary sewer and storm sewer.

Text headers shall be: Feat\_Code, Northing, Easting, Elevation, Start\_Time, Stop\_Time, Hz\_Prec, and Vt\_Prec.

The feature codes will be given as follows: Air Release MH, Butterfly Valve, Curb Stop, Gate Valve, Hydrant, IRR Box, IRR Gate Valve, IRR Curb Stop, PIV, Lift Station, Meter Station, Sanitary Manhole, Control Strc, Flared End, Pond inlet, Pond Outlet, Storm Manhole, Sump, Sump Manhole. Any features not included in the above list must be clearly defined and labeled.

**L. PUD NARRATIVE**

- 1. Ownership - Identify all owners legal and equitable of all encumbrances and easements upon the land within the proposed PUD.
- 2. Developer - Identify all parties involved in the development including their previous experience and the nature and extent of their participation.
- 3. Financing the project - Identify the source and type of financing of project including public financing.
- 4. Development method - Describe what will be done with the property if approved and who will do it. Will the property be marketed undeveloped, rough graded, developed, or will the developer carry the project through actual construction of structures? Will the structures be retained, sold, or leased?

- 5. Development timing - Specify timing of each stage of development from initial site development through building construction. Any phasing of different portions of the project should be clearly explained.
- 6. Critical public decisions - Identify all governmental agencies that have review authority over any portion of the development, what aspect of the project requires their review, and what approvals are necessary. Explain what public improvements would be necessary to serve the project, such as utilities, roads, trails, sidewalks and schools, road improvements, parks, schools, etc.
- 7. Significant trees and tree masses to be removed or preserved.
- 8. Conservancy line if located on Purgatory Creek.
- 9. Other information - Include any other information necessary to explain the unique characteristics of the project. (Include any historic sites or features. Native American burial mounds.)
- 10. PUD boundaries - A plan clearly denoting the overall project boundaries.
- 11. PUD area - A plan that shows the overall PUD area and the adjacent parcels and their ownership.
- 12. Regional relationships - Describe the regional factors that the plan is predicated upon such as market area, population centers, major roads, railroad, airport, proximity to regional services, etc. Also describe any impact the PUD would have on regional services and systems.
- 13. Existing land use.
- 14. Existing transportation systems - Describe how the land within the PUD will be served by transportation systems and provide a traffic study that analyzes the impact of the PUD on such transportation systems (refer to Item S., Traffic Study). If transportation systems are not adequate to accommodate the traffic expected from the development, describe improvements necessary. Illustrate how the plan provides for pedestrian and bicycle circulation, sidewalks, and trails, and how they tie into City-wide system. **Office and industrial Land Development Applications will be required to submit a Traffic Demand Management (TDM) Plan.**
- 15. Existing zoning - A map that shows the existing zoning on the property and on adjacent parcels. A listing of any zoning district changes or variances from city code provisions should be provided.
- 16. Guide Plan and PUD Concept Framework - A map that shows the Guide Plan designation of the project and surrounding uses. If the plan was originally part of a previously approved PUD concept, the plan reviewed should be submitted along with a comparative analysis of the proposed PUD.
- 17. Analysis and conclusions.

- 18. Photographs of the site to convey its general visual qualities in relationship to the area and the proposed development.
- 19. Describe the natural ecological factors, analysis, and conclusions.
- 20. Legal instruments for plan implementation including Homeowners' Association documents, scenic, pathway, drainage, or other easements, and private documents, etc.
- 21. Housing or land/building use profile, including computations of gross/leasable square footage, housing unit breakdown to square foot, bedrooms, persons per unit, parking requirements, etc.
- 22. List all requested code waivers related to the Planned Unit Development.

**M. PUD ARCHITECTURAL PLANS**

- 1. Preliminary architectural drawings depicting normal detail achieved during "design development phase" of architectural design process. Include general floor plans, general building elevations general exterior materials.

**N. SITE PLAN**

- 1. Parking lot layout, calculation of total number of stalls based on building usage.
- 2. Total site area by acreage and square footage.
- 3. Setbacks and property lines, building configurations, and locations.
- 4. Signage location depicting size and type of sign.
- 5. Lighting location depicting size and type of lighting.
- 6. Garbage and trash container location and method of screening.
- 7. Sidewalk/trail alignment, location, size, and specifications.
- 8. Access to parcel, location of medians, and driveways within 250 feet of property.
- 9. Proposed street location and right-of-way, driveway width, and radii.
- 10. Outlot locations.
- 11. Project phasing.
- 12. Gross Floor Area including a breakdown of floor areas for types of uses (i.e., office, warehouse, manufacturing).
- 13. Base Area Ratio (BAR).
- 14. Floor Area Ratio (FAR).

- 15. Location of all structures within 350 feet of the property.
- 16. Floodplain and shoreland setbacks if applicable.
- 17. Density (units per acre).
- 18. Site area per dwelling unit.
- 19. Lot size range.
- 20. Average lot size.
- 21. Location of Historic and Cultural Resources
- 22. Wetland Delineation and required buffers/setbacks if applicable.

**O. GRADING/DRAINAGE PLAN**

- 1. Property lines.
- 2. Grading limits.
- 3. Existing contours with spot grades at two-foot intervals to mean sea level datum within 250 feet of the property.
- 4. Proposed contours with spot grades at two-foot intervals to mean sea level datum within 250 feet of the property.
- 5. Finished floor elevation.
- 6. Proposed building, auxiliary structures, parking areas, and roads.
- 7. Significant trees lost and preserved with development.
- 8. Means of protection of trees to be preserved (i.e., snow fence, tagging).
- 9. Plan showing erosion control, location and type and method of restoration of all areas disturbed by grading.
- 10. Location of 100-year floodplain, lakes, creeks, or ponds and wetland buffers, with Normal Ordinary High Water Mark, Dept. of Natural Resources and U.S. Army Corps of Engineers wetlands identified by City wetland identification number. Conservancy line if located on Purgatory Creek.
- 11. Worksheet showing cut and fill balance to indicate grading feasibility of the project as proposed.
- 12. Watershed limits for project including drainage areas for each existing and proposed structure.
- 13. Ponding areas with anticipated normal and high water levels.

- 14. Proposed and existing storm sewer location, size and elevations.
- 15. Water quality analysis.
- 16. Means of protection of Native American burial mounds (i.e., a standard zone of at least 50 feet of undeveloped buffer should be planned and maintained around a single burial or burial mound or between the outermost burial mounds in a group or the exterior boundary of the cemetery, and any development).
- 17. Stormwater Calculations.

**P. UTILITY PLAN**

- 1. Property lines.
- 2. Proposed building, auxiliary structure, parking areas, and roads.
- 3. Existing and proposed utility line location, type and size.

All public surface utility data should be collected utilizing a GPS system in the following coordinate system: "NAD 83 Hennepin County Coordinates (US survey feet) 1996 adjustment". The horizontal and vertical precision shall be less than or equal to one tenth (1/10<sup>th</sup>) of a U.S. foot. Upon final completion of the project all surface data must be submitted to the Engineering Division in the form of a comma delineated text file with the following specific text headers and a GIS shape file that includes .shx, .dbf, and .shp files. All features must be separated into individual files for water, sanitary sewer and storm sewer.

Text headers shall be: Feat\_Code, Northing, Easting, Elevation, Start\_Time, Stop\_Time, Hz Prec, and Vt\_Prec.

The feature codes will be given as follows: Air Release MH, Butterfly Valve, Curb Stop, Gate Valve, Hydrant, IRR Box, IRR Gate Valve, IRR Curb Stop, PIV, Lift Station, Meter Station, Sanitary Manhole, Control Strc, Flared End, Pond inlet, Pond Outlet, Storm Manhole, Sump, Sump Manhole. Any features not included in the above list must be clearly defined and labeled.

- 4. Proposed utility mains and laterals locations, type and size:
  - Storm sewer elevations
  - Sanitary sewer elevations
  - Water
  - Electric
- 5. N.U.R.P. ponds.
- 6. Proposed hydrant locations and manholes.
- 7. Utility easement locations and right-of-way.

- 8. At time of Planning Commission review, proponents must submit a letter indicating whether the utility improvements will be privately constructed or petitioned for City installation. If petitioned to City, proponent must provide a preliminary design and cost estimate for review.

**Q. LANDSCAPE/TREE REPLACEMENT PLAN**

- 1. Property lines.
- 2. Building, paved areas, fences, walls, parking lot, loading areas, service areas.
- 3. Existing and proposed contours and berming at two-foot contour intervals to mean sea level datum.
- 4. Location, type, and size of existing plant material.
- 5. Significant plant material lost and preserved with development.
- 6. Location, type, size, and number of proposed plant materials.
- 7. Areas to be seeded, sodded, or left undisturbed.
- 8. Method of screening parking areas, loading areas, and rooftop mechanical units, including sight lines illustrating effectiveness of screening.
- 9. Legend, plant list, key.
- 10. Location of 100-year floodplain, lakes, creeks, and ponds with Normal Ordinary High Water Mark, Department of Natural Resources and U.S. Army Corps of Engineers wetlands identified by City wetland or waterbody number.
- 11. Location and height of retaining walls with details of construction.
- 12. Identify all existing and proposed slopes more than 3:1 and restoration method.
- 13. Irrigation plan.

**R. ARCHITECTURAL PLANS**

- 1. Elevation of front, side, and rear of building.
- 2. Type, color, and percentages of exterior materials proposed.
- 3. Treatment of rooftop mechanical screening.
- 4. Type, location, and size of all signs.
- 5. Type, location, and size of all lighting.
- 6. Preliminary floor plans with square footage and building height.

- 7. Include preliminary floor plans showing:
  - a. Square footage
  - b. Occupancy classifications and separations
  - c. Proper exiting
  - d. Any hazardous materials used or stored in the building and its intended location.
- 8. Indicate type of construction and occupancy classification of the building.
- 9. Show allowable floor area calculations for the occupancy and type of construction of the building.
- 10. Indicate height of building and number of stories.
- 11. Indicate whether the building is sprinkled according to Appendix Chapter 38 of the Uniform Building Code.
- 12. Specifications showing design load used in designing the building. Requirements for structural plans (if available).

**S. TREE INVENTORY**

- 1. By survey on the grading plan, locate and identify by species all deciduous hardwood trees of 12 inch diameter or greater in size, or a coniferous tree measuring 8 inches in diameter or greater. Indicate trees in poor health or that will be lost due to construction.
- 2. By table list all trees by type and size. Indicate trees that are saved and lost. Provide a calculation of tree loss.
- 3. Identify by survey on the grading plan, general massing areas of trees on-site. Describe the general characteristics of species and sizes.

**T. WETLAND PLANS**

- 1. Wetland determination or delineation report.
- 2. Wetland buffer strip evaluation report.
- 3. Wetland erosion control plan.
- 4. Wetland buffer monument location diagram.
- 5. Wetland / wetland buffer strip restoration (including plant list and seed mix).
- 6. Wetland function & value determination (using current version of Minnesota Routine Assessment Methodology) or other method outlined in Minnesota Rules Chapter 8420.
- 7. Any proposed wetland alterations.

- 8. Conceptual wetland replacement plan for any proposed wetland alteration.

**U. TRAFFIC IMPACT STUDY**

- 1. All development projects require documentation of the expected traffic impacts of the development. The extent of the traffic analysis is dependent on several factors including the size, type, and location of the development. The City Traffic Engineer (Randy Newton 952-949-8339) should be contacted early in the project to determine the appropriate scope of traffic analysis and to determine if a formal Traffic Impact Study is required. If sufficient time is not given to complete the required traffic analysis or Traffic Impact Study and to incorporate any recommendations the project may be delayed.
- 2. If a Traffic Impact Study is required the City will hire a traffic consultant to perform the work. In these situations, the developer will incur all costs associated with the study. Prior to authorization of the Traffic Impact Study, the developer or property owner will be required to supply the City with a separate check for the estimated amount of the traffic impact study. Any unused portion of this amount will be refunded.
- 3. All development applications, regardless of size, shall document the size and type of the proposed development and provide Daily, AM Peak, and PM Peak traffic generation estimates for the development.
- 4. Document the size and type of development and the corresponding Daily, AM and PM traffic generation.

**V. TRANSPORTATION DEMAND MANAGEMENT PLAN**

- 1. All office and industrial developments will be required to submit a Transportation Demand Management (TDM) Plan. Contact Randy Newton at (952) 949-8339 for specific details and requirements.
- 2. Project description including location, size, type and expected traffic generation.
- 3. TDM objective and quantifiable goal.
- 4. TDM Plan/program description. Plan shall describe the various TDM measures that will be used and who will be responsible for managing the individual plan elements.
- 5. Two year TDM plan budget. A Letter of Credit (or other approved security) equal to the two year budget will required prior to release of the final plat or the building permit.
- 6. TDM plan evaluation.

**W. PRELIMINARY PLAT (Chapter 12)**

- 1. Proposed name of subdivision.

- 2. Name and address of the owner, owner's agent, subdivider, surveyor, and designer of the plat.
- 3. Graphic scale, north point and date of preparation.
- 4. Property lines with bearing and distances.
- 5. Public roads and right-of-way locations.
- 6. Lot and Block numbers and square footage of each lot.
- 7. Overall site area.
- 8. Existing zoning classifications.
- 9. Legal descriptions of areas to be platted.
- 10. Total acreage in each zoning district.
- 11. Outlot designation and square footage, and a tentative plan for future development.
- 12. Existing and proposed easement locations and types.
- 13. Front, rear, and side yard setbacks.
- 14. Locations of existing and proposed utilities.
- 15. Locations of all lakes, ponds, wetlands identified by Department of Natural Resources and U.S. Army Corps of Engineers numbers, include City wetland or water body identification number.
- 16. Location of Historic and Cultural Resources

**X. FINAL PLAT (CHAPTER 12)  
(Application processed through Public Works Department after Preliminary Plat approval)**

- 1. Accurate angular and lineal dimensions for all lines, angles, and curvatures used to describe boundaries, streets, easements, areas to be reserved for public use and other important features. All dimensions including lot lines in feet and hundredths of feet.
- 2. An identification system for all lots and blocks.
- 3. True angles and distances to the nearest established official monuments (not less than three) that shall be accurately described in the plat.
- 4. Municipal or section lines accurately tied to the lines of the subdivision by distances and angles.

- 5. Name and right-of-way width of each street or other rights-of-way.
- 6. Accurate outlines and legal description of any areas to be dedicated or reserved for public use or for the exclusive use of property owners within the subdivision with the purposes indicated therein.
- 7. A list of areas (to the nearest square foot) of all lots, outlots, and road rights-of-way certified by the surveyor who signs the plat.
- 8. An up-to-date certified abstract of title or registered property report and such other evidence as the City Attorney may require showing title or control in the applicant.
- 9. Certification by a registered surveyor.
- 10. Execution by all owners of any interest in the land and any holders of a mortgage thereon of the certificate as required by Minnesota Statutes. The certificate shall include a dedication of the utility easements and any other public areas in such form as shall be approved by the City Attorney.
- 11. 2 reduced mylars each, 1" = 200 ft. and 1" = 500 ft.
- 12. Form of approval of Council as follows:  
**"Approved by the City Council of the City of Eden Prairie, Hennepin County, Minnesota this \_\_\_ day of \_\_\_\_\_, 20\_\_.**

**Mayor**

**City Manager"**

**Y. LEVEL I ENVIRONMENTAL ASSESSMENT**

- 1. Identify/locate any underground or ground level storage tanks.
- 2. Identify/locate any spills or leaks of hazardous, flammable or combustible substances.
- 3. Identify/locate abandoned municipal or farm dump sites.
- 4. Identify/locate fugitive dump sites.
- 5. Identify/locate water supply wells.
- 6. Identify/locate contaminated wells.
- 7. Describe past and present land use.
- 8. List all past, present and pending permits for Items 1-7.
- 9. List all historic features (e.g., foundations, fencing, abandoned machinery, extant buildings, etc.).

**Z. EAW (Environmental Assessment Worksheet)/ EIS (Environmental Impact Statement)**

- 1. An EAW/EIS will be required if the project exceeds any of the thresholds defined in Environmental Quality Board Rules parts 4410.0200-4410.7800. The comment period must be completed **four (4) weeks** prior to the scheduling of a Planning Commission meeting.

## **PUBLIC WORKS DEPARTMENT CONSTRUCTION FEE**

### **I. PURPOSE AND AUTHORIZATION**

The 1996 Fee Resolution adopted by the City Council January 2, 1996 authorized a 5% construction fee to be collected by the Public Works Department on privately developed and constructed public infrastructure, including streets, sidewalks, trails, storm drainage systems, watermain and sanitary sewer. The purpose of this fee is to partially recover Public Works staff costs associated with development review, final plan and specification review, monitoring of the construction phase and administration of the infrastructure acceptance process.

### **II. RESPONSIBILITY**

The Public Works Department will be responsible for the collection and administration of the engineering construction fee process and will determine which portions of the proposed infrastructure improvements are to be publicly owned and maintained and therefore subject to the construction fee.

### **III. PROCEDURE FOR FEE COLLECTION**

The 5% construction fee will be based on **FINAL** project construction costs of the public infrastructure. Therefore, the fee collection will be a two-step process. The first step will be the collection of an estimated fee. The second step will occur after project completion when actual final project costs have been determined.

#### **Step 1 - Estimated Fee**

The estimated fee will be determined with the use of the Engineers Estimate of the project costs. A certified Engineers Estimate for the project should be submitted showing item unit prices. The initial 5% construction fee will be based on 110% of the Engineers Estimate of the public infrastructure costs. (This equates to 5.5% of the Engineers Estimate). If during the course of the project a change to the contract value of 10% or more occurs, the Developer shall be responsible for submitting the additional fee associated with the change in contract price to the Public Works Department. Estimated project cost information should be submitted to the Public Works Department as part of the final plan review approval process. The Public Works Department will not schedule the Pre-Construction Conference for the project until the estimated 5% construction fee has been submitted to the City.

#### **Step 2 - Final Construction Fee**

After final payment has been made to the Contractor (after the wear course has been placed and/or the public infrastructure has been accepted by the City for Ownership) a final pay estimate including all change orders, contract additions or deletions, certified by the Engineer should be submitted to the Public Works Department. A comparison will be made between the estimated project cost and actual project cost to determine if there is a balance due to the City or if a refund is due to the Developer. The amount due to either party should be remitted within 45 days of the final fee determination. If it is determined that the Developer has a balance due to the City, the Developers project bonds and/or letters of credit will not be released until the additional fee is remitted to the City

### **IV. EFFECTIVE DATE**

The 1996 Fee Resolution adopting the collection of the 5% Engineering Construction Fee was effective January 2, 1996 for all private development projects that are to be constructed after January 2, 1996 and that have not had a pre-Construction Conference.

## CONTACT LIST

### **Nine Mile Creek Watershed District**

7710 Computer Avenue  
Suite 135  
Edina, MN 55435-5478  
Contact: Kevin Bigalke  
Phone: 952-835-2078

### **Riley-Purgatory-Bluff Creek Watershed District**

CH2MHill  
1295 Northland Drive, Suite 200  
Mendota Heights, MN 55120  
Contact: Mark Enochs  
Phone: 651-365-8542

### **Lower MN River Watershed District**

112 East Fifth Street, Suite 102  
Chaska, MN 55318  
Contact: Terry Schwalbe  
Contact: 952-856-5880

### **Metropolitan Council**

230 E. Fifth Street  
St. Paul, MN 55101  
Richard Thompson  
Phone: 651-602-1000

### **Department of the Army Corps of Engineers St. Paul District**

190 5<sup>th</sup> Street East  
St. Paul, MN 55101-1638  
Attention: Construction -Operations  
Regulatory Functions (IF86-31-15)  
Contact: Mike Webery  
Phone: 651-290-5200

### **Minnesota State Highway Department**

1500 West County Road B2  
Roseville, MN 55113  
Contact: Sherry Natusiewicz  
Phone: 651-593-8537

## CITY CONTACTS

### **Community Development Department**

Michael Franzen, City Planner  
Scott Kipp, Senior Planner  
Regina Herron, Planner II  
Steve Durham, Planner II

### **Zoning Enforcement**

Jim Schedin

### **Environmental Quality Board**

300 Centennial Office Building  
658 Cedar Street  
St. Paul, MN 55155  
Contact: Gregg Downing  
Phone: 651-296-2603

### **Office of the State Archaeologist**

Fort Snelling History Center  
St. Paul, MN 55111-4061  
Attn: Scott Anfinson  
Phone: 612-725-2411

### **Department of Natural Resources**

1200 Warner Road  
St. Paul, MN 55106  
Contact: John (Jack) Gleason, Area Hydrologist  
Phone: 651-259-5756

### **Metropolitan Airports Commission (MAC)**

6040 28<sup>th</sup> Ave South  
Minneapolis, MN 55450-2799  
Contact: Bridget M. Reif, P.E.  
Phone: 612-725-8371

### **Minnesota Pollution Control Agency**

520 Lafayette Road No.  
St. Paul, MN 55155  
Contact: Brian Grove  
Phone: 651-757-2397

### **Hennepin County Highway Department**

600 Prairie Drive  
Medina, MN 55340-5421  
Contact: Tom Johnson  
Phone: 763-745-7630

### **Minnesota Historical Society**

690 Cedar Street  
St. Paul, MN 55155  
Phone: 651-296-6126

952-949-8487  
952-949-8489  
952-949-8490  
952-949-8491

952-949-6222

**CONTACT LIST (Continued)**

**Parks and Recreation Department**

Stuart Fox, City Forester 952-949-8445

**Public Safety Department (Building/Inspections)**

Allen Nelson, Fire Marshall 952-949-8356

**Public Works Department (Engineering)**

Mary Krause, Design Engineer 952-949-8315

Randy Slick, Engineering Technician – Final Plat 952-949-8322

Leslie Stovring, Environmental Specialist 952-949-8327

Randy Newton – Traffic Engineer/TDM Coordinator 952-949-8339

# APPLICATION FORMS

## CITY OF EDEN PRAIRIE LAND DEVELOPMENT APPLICATION

<b>PROJECT NAME AND LOCATION</b>	NAME: _____					
	LOCATION: _____					
<b>APPLICANT/ FEE OWNER INFORMATION</b>	APPLICANT: _____		PHONE: _____			
	ADDRESS: _____		FAX: _____			
	CITY: _____ STATE _____ ZIP _____		E-MAIL _____			
	MAIL _____					
	FEE OWNER: _____		PHONE: _____			
	ADDRESS: _____		FAX: _____			
	CITY: _____ STATE _____ ZIP _____		E-MAIL _____			
<b>REQUEST AND FEES</b>		GUIDE PLAN CHANGE	\$		PRELIMINARY PLATTING	\$
		PUD REVIEW	\$		EAW OR EIS	\$
		ZONING REVIEW	\$		DEVELOPMENT DEPOSIT	\$
		SITE PLAN REVIEW	\$		INFORMATIONAL MEETING	\$
		TRAFFIC STUDY	\$		<b>TOTAL AMOUNT DUE</b>	\$
<b>REQUIRED SIGNATURES</b>	<p>The undersigned certifies that they are familiar with the procedural requirements of Chapter 11 of the City Code, application fee and other applicable City ordinances. The undersigned also acknowledges that Planning Commission meetings are held the second and fourth Mondays of every month. The <u>minimum</u> time required between a complete submission and a Planning Commission meeting is five weeks, and projects will not be scheduled for any meeting until information is found to be complete by the City Planner.</p>					
	<p>SIGNED BY <u>(Applicant)</u> _____ DATE: _____</p> <p>AND</p> <p>SIGNED BY <u>(Fee Owner)</u> _____ DATE: _____</p>					

RECEIVED BY	
DATE	
RECEIPT NUMBER	

**CITY OF EDEN PRAIRIE**  
**DEPOSIT AGREEMENT**

**THIS AGREEMENT** is made and entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_,

("Applicant") for the benefit of the City of Eden Prairie, a Minnesota Municipal corporation ("City").

**WHEREAS**, Applicant has applied to City for the following approval(s) or action(s)

- a.
- b.
- c.
- d.
- e.

(the "Requested Approval"); and,

**WHEREAS**, in conjunction with City's review of the Requested Approval, City may incur costs, including administrative, planning, engineering, and other consulting costs, and City requires a guaranty that such costs will be paid by Applicant; and

**WHEREAS**, Applicant acknowledges the receipt of a benefit from City's review of the Requested Approval and from City's Review Costs;

**NOW, THEREFORE**, Applicant agrees as follows for the benefit of the City:

1. Deposit. Applicant has made the following deposits required for the Requested Approvals, consistent with Resolution 93-6 (all such deposits hereafter collectively referred to as the "Deposit Funds"):

<u>Requested Approval</u>	<u>Amount</u>
a. _____	a. _____
b. _____	b. _____
c. _____	c. _____
d. _____	d. _____

e. \_\_\_\_\_

e. \_\_\_\_\_

2. Use of Deposit Funds. City may, at any time, draw upon the Deposit Funds to pay Review Costs for the Requested Approvals. City shall determine the Review Costs based upon the rates listed in the most current fee schedule adopted by the Eden Prairie City Council.

The fee schedule is subject to change by the City Council, without notice to the Applicant.

3. Conditions of Deposit. The following conditions shall apply to the Deposit Funds:

- a. Administrative hourly rates for processing applications shall be charged at a flat rate of \$100.00 per hour.
- b. Payment shall be made to City consultants, including but not limited to, engineering, legal and planning, in the amounts actually billed, according to the customary consulting rates in effect at that time. Such consulting services or costs shall reasonably and necessarily relate to the subject matter of the Requested Approval, as determined by City in its sole discretion.
- c. Payment shall be made to cover costs relating to public hearing mailings.
- d. City shall not be responsible for paying any interest on the Deposit Funds.
- e. If in the discretion of City, there is deemed to be an inadequate balance in Applicant's deposit account to pay for all the Review Costs incurred or to be incurred by City, City will notify Applicant of the need for additional Deposit Funds. Applicant agrees to make such additional deposits within ten (10) days of mailing of such notice.
- f. No Requested Approval will be acted upon or processed by any City personnel until all Deposit Funds due at the time of original submission, or which thereafter become due pursuant to subparagraph 3.d., have been paid in full.

4. Positive Balances in Account. In the event there is a positive balance in the deposit account and there is (a) completion of the development process, either in the form of final approval or final denial of the Requested Approvals, or (b) an application is withdrawn, in writing, by Applicant, then the balance shall be paid to Applicant within ninety (90) days of receipt by City of a written request by Applicant for payment.
5. Accounting. Upon Request by Applicant, City will provide an accounting of all expenses charged against the account, but in no event more often than once every 30 days. An accounting will be provided when City notifies Applicant of a requirement for additional deposits and when the account is closed.
6. Application Fees. Applicant understands and agrees that the Review Costs and Deposit Funds are in addition to, and not in lieu of, City application fees.
7. Breach. In the event of breach of any terms of this Agreement by Applicant, City may, at its option, cease processing any Requested Approval which has been submitted by Applicant to cease any further development or work on any project to which the Requested Approval relates. Applicant shall be responsible for all costs and expenses, including attorney's and expert's fees and costs, incurred by City to enforce this Agreement or to collect any monies due to City from Applicant pursuant to this Agreement.
8. Validity. If any portion, section, subsection, sentence, clause, paragraph or phrase of this Agreement is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Agreement.
9. Amendments. No amendment or change of any kind to this Agreement shall be valid unless made in writing and with the consent of the City.
- 10 Binding Agreement. Applicant recognizes and agrees that all terms and conditions of this Agreement shall be binding upon the heirs, successors, administrators, and assigns of Applicant.



## CITY OF EDEN PRAIRIE

### FINAL PLAT APPLICATION

<b>PLAT NAME</b>	
<b>APPLICANT/FEE OWNER INFORMATION</b>	APPLICANT _____ PHONE _____ ADDRESS _____ CITY _____ STATE _____ ZIP _____
	FEE OWNER _____ PHONE _____ ADDRESS _____ CITY _____ STATE _____ ZIP _____
<b>SURVEYOR INFORMATION</b>	NAME _____ ADDRESS _____ CITY _____ STATE _____ ZIP _____
<b>COUNCIL INFORMATION</b>	City Council meetings are normally scheduled the first and third Tuesdays of every month. All material necessary for the Public Works Department to process this request must be submitted two weeks prior to the meeting for which approval is requested.
	City Council action is requested on _____
<b>SIGNATURES REQUIRED</b>	The undersigned representative of the applicant hereby certifies that they are familiar with the procedural requirements of Chapter 12 of the City Code and acknowledges that all required final plat fees, financial guarantees and certain Development Agreement requirements must be satisfied prior to City release of this plat.
	SIGNED BY _____ DATE _____ REPRESENTING _____

RECEIVED BY	
DATE	
RECEIPT NUMBER	

**CITY OF EDEN PRAIRIE**  
**TELECOMMUNICATIONS REQUEST APPLICATION**

<b>SITE SPECIFICATIONS</b>	LOCATION _____ (Circle One) TEMPORARY OR PERMANENT ZONING DISTRICT _____ HEIGHT _____ SETBACKS _____ GROUND ELEVATION _____
<b>APPLICANT INFORMATION</b>	APPLICANT _____ PHONE _____ ADDRESS _____ CITY _____ STATE _____ ZIP _____ EMAIL ADDRESS _____
<b>FEES</b>	<ul style="list-style-type: none"> <li>• \$255.00 – Administrative Review if meets City Code</li> <li>• \$550.00 – Variance Fee, if requested and Site Plan Review Fees (see Fees listed in Development Review Process Handbook)</li> <li>• \$2,000.00 – Non-refundable fee for review on public (city owned) land</li> <li>• \$1,000.00 – Deposit for Attorney/Consultant costs to City for review</li> </ul>
<b>SUBMISSION REQUIREMENTS</b>	<p>Refer to and follow specifications of Telecommunications Code, Ord. 27-97. Include the required attachments with application submittal. Any structure requiring a variance or sit plan review must complete other applicable land development applications in addition to telecommunications application.</p> <p>Letter of Intent must be completed to begin investigation and negotiations of City Lease Agreement.</p> <p><b>CITY CONTACT – STEVE DURHAM 952-949-8491</b></p>
<b>SIGNATURES REQUIRED</b>	APPLICANT _____ DATE _____ LAND OWNER _____ DATE _____

RECEIVED BY	
RECEIPT NUMBER	
GRANTED	DENIED
CONDITIONS	
STAFF SIGNATURE	