

**RESOLUTION NO.: 10-\_\_\_\_\_**

**CITY OF DELANO  
WRIGHT COUNTY, MINNESOTA**

**RESOLUTION APPROVING A SITE AND BUILDING PLAN AND A CONDITIONAL USE PERMIT FOR THE PLACEMENT OF OVER 400 CUBIC YARDS OF FILL ON PROPERTY IDENTIFIED AS LOT 1, BLOCK 1, LANDSCAPE STRUCTURES ADDITION WITHIN THE CITY OF DELANO, MINNESOTA**

**WHEREAS**, Landscape Structures Inc. submitted an application for site and building plan review and a conditional use permit for placing over 400 cubic yards of fill on the property to facilitate the construction of a 30,000 square foot industrial building on Lot 1, Block 1, Landscape Structures Addition; and

**WHEREAS**, the site is guided for industrial land use and is zoned I-2, General Industrial and the proposed use is consistent with the City's Comprehensive Plan and zoning; and

**WHEREAS**, the Delano Planning Commission held a public hearing on July 12, 2010 to consider Landscape Structures application request; and

**WHEREAS**, upon Planning Commission review of the application information, the NAC planning report dated July 7, 2010, the City Engineer report dated July 7, 2010, and public testimony, the Planning Commission recommended approval of the requested conditional use permit and site and building plan review applications subject to the conditions of the NAC report and the City Engineer's report; and

**WHEREAS**, the Delano City Council has review the application and agrees with the recommendations of the Planning Commission and City staff.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of Delano, Minnesota hereby approves the conditional use permit for placing more than 400 cubic yards of fill on the site and the site and building plans based on plans dated 6-09-10 and subject to the following conditions:

**Certificate of Survey**

1. It is our understanding that a drainage easement was dedicated over the storm water pond when it was constructed. An easement is not shown over the pond on the certificate of survey. The City and property owner shall verify an easement covers the entire pond.
2. The pond outlet is on the adjacent parcel to the east. The soil around the outlet structure and pipe is eroding and is in need of compaction, stabilization and repair. The actual outlet structure and pipe are in acceptable condition.

The repair of the soil and replacement of riprap shall be done as part of the improvement of Lot 1 prior to the discharge of additional run off to the pond.

3. The City access to sanitary sewer along the south property line will not be altered by improvement of Lot 1. The City will still maintain access to the sanitary sewer from the west.

### **Grading and Erosion Control**

1. The proposed improvements include property accesses from Industrial Avenue and from the adjacent Lot to the west.
  - a. The driveway access to Industrial Avenue must be constructed to maintain storm water flow through the curb line. The driveway apron shall be consistent with the Delano standard detail plate.
  - b. It is not clear if the access from the adjacent lot is proposed to be paved. The access shall be paved on Lot 1, Block 1 at a minimum.
  - c. This driveway also crosses a city drainage and utility easement, as well as, a gas line easement. It is acceptable for the driveway to cross the city easement. The applicant shall verify proposed improvements in the gas line easement area on Lot 1 and the adjacent lot are acceptable.
2. The disturbed acreage associated with the improvement is greater than one acre therefore requiring a SWPPP. Provide the City with a copy of the NPDES permit and SWPPP.
3. The applicant is responsible for all erosion control including dust control during construction. Provisions shall be made for water during construction to control dust. All materials tracked onto Industrial Avenue shall be cleaned at the end of each work day at a minimum. More frequent cleaning can be required if deemed necessary by the City Engineer. All disturbed areas not paved shall be seeded and protected within 7 days of disturbance.
4. Inlet erosion control protection shall be provided at all storm sewer inlets downstream to construction as noted on the plans. This includes the existing catch basin at the end of Industrial Avenue.
5. The proposed storm sewer serving Lot 1 connects to the existing storm sewer from Industrial Avenue. This configuration is preferred as it limits the number of flared end structures into the pond.
  - a. The applicant shall keep the discharge velocity below 10 ft/s and shall account for offsite drainage (i.e. the total flow through the 24-inch pipe).
  - b. Repair/replace rip rap at existing 24" flared end section appropriately sized for the discharge velocities.

## **Utility Plan**

1. A water service connection is shown along Industrial Avenue. The applicant shall coordinate the water service connection and configuration with DMU. DMU standards may require separate domestic and fire services.
2. Fire hydrant location and spacing and fire connections shall be approved by Fire Chief.
3. Sanitary sewer service is shown for the existing trunk sewer line along the south property line. An 8 inch service is shown connecting to an existing manhole. The sanitary sewer service connection to the existing manhole shall be at the invert elevation. The connection shall be core drilled and equipped with a water-tight boot/seal. The applicant shall reshape the existing manhole invert to direct flow downstream.
4. The proposed 15 inch storm sewer connection to the existing storm manhole shall be modified to match the crown elevations. The existing storm manhole is shown as a 48 inch structure. Lowering the 15 inch storm sewer will require an additional structure that would help facilitate the connection to the existing manhole. The additional structure will also improve energy dissipation.

## **Parking**

1. The applicant provide a revised site plan that shows proof of parking for 78 parking stalls.
2. The City approve the parking layout with 32 striped parking stalls.
3. If on-site parking demand exceeds parking supply, the applicant shall provide additional striped parking upon notice of the City. No parking shall be allowed on Industrial Boulevard, driveways, landscaped areas, or un-striped parking areas.
4. Any change of building occupancy shall be evaluated against the available parking supply.

## **Site Access**

1. The City Engineer approve the 42 foot wide curb cut.
2. The applicant provide evidence of a cross easement for access at the rear of the building being recorded with Wright County.
3. The applicant provide documentation from the gas company granting approval to cross their easement.

4. The western gravel drive be narrowed or divided to reduce the gravel surface. The driveway be paved on the applicant's lot.

**Miscellaneous**

1. All exterior light fixtures must be 90 degree cut off design. Light poles shall be less than 30 feet in height.
2. Mechanical equipment shall be screened or painted to match the building.
3. Trash receptacles shall be stored within the building, unless an exterior trash enclosure is sited and constructed in compliance with the Delano zoning performance standards.
4. The applicant shall provide separate water connection for both the potable water and fire protection.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF DELANO, MINNESOTA  
THIS 20<sup>th</sup> DAY OF JULY 2010.**

---

Joe McDonald, Mayor

ATTEST:

---

Marlene E. Kittock, Clerk/Treasurer