

To: HONORABLE MAYOR AND CITY COUNCIL.

FROM: Dave Maroney, Director of Economic Development and Planning.

SUBJECT: Land Reclamation Permit – CF Holdings.

DATE: June 25, 2013.

BACKGROUND.

The prime contractor for the Highway 52 project is searching for locations throughout the immediate area to excavate fill material for the project. According to the Contractor, material is available on property owned by CF Holdings which is located in the vicinity of the new interchange west of Highway 52 – map attached. According to Goodhue County records, CF Holdings owns two parcels in Cannon Falls (15.10 acres) and one parcel located in Cannon Falls Township (16.87 acres). The June 6, 2013 application submitted by G-Cubed (the “Applicant”) proposes to reclaim material from all three parcels subject to review by Goodhue County, Cannon Falls Township and the City of Cannon Falls. Section 152.400 (Procedure) of the Zoning Code allows land reclamation operations subject to compliance with various special requirements, performance standards and approval by the City Council.

Staff and the City Engineer have reviewed the application materials. Section 152.401 (A)(6) stipulates that the proposed *final grade shall not adversely affect the surrounding land or development of the site on which the excavation is being conducted.*

On March 29, 2013 the Applicant was informed in writing that both Cannon Falls Township and Goodhue County must approve the proposed land reclamation permit. On June 5, 2013, Goodhue County provided conditional approval. At this point Cannon Falls Township has not informed Staff that the Town Board has approved the proposal.

Information provided by the Applicant to Goodhue County and Cannon Falls Township represents that the parcel located outside of Cannon Falls will be excavated in accordance with the proposed plan, annexed and then developed with medium density residential land use. At present, CF Holdings has not made application for any zoning, public improvements or subdivision approvals for the property that they own within the City of Cannon Falls. The grading plan and residential land use proposal are not feasible because of the steep grades that would be left. The grades would make it unfeasible to develop the property in any reasonable manner. The two parcels owned by CF Holdings that are currently located within Cannon Falls are zoned Urban Reserve (UR) District.

The application does not satisfy Section 152.401 (A)(6) of the Zoning Code and Staff recommends denial of the application because (a) in excess of 50-feet of existing elevation will be substantially modified creating a development area that would be difficult or unfeasible to develop and which -is incompatible with adjacent sites and uses because of the marked change in elevation; (b) as further development occurs in the immediate area it is unlikely that the grading of adjacent sites will be effectively blended

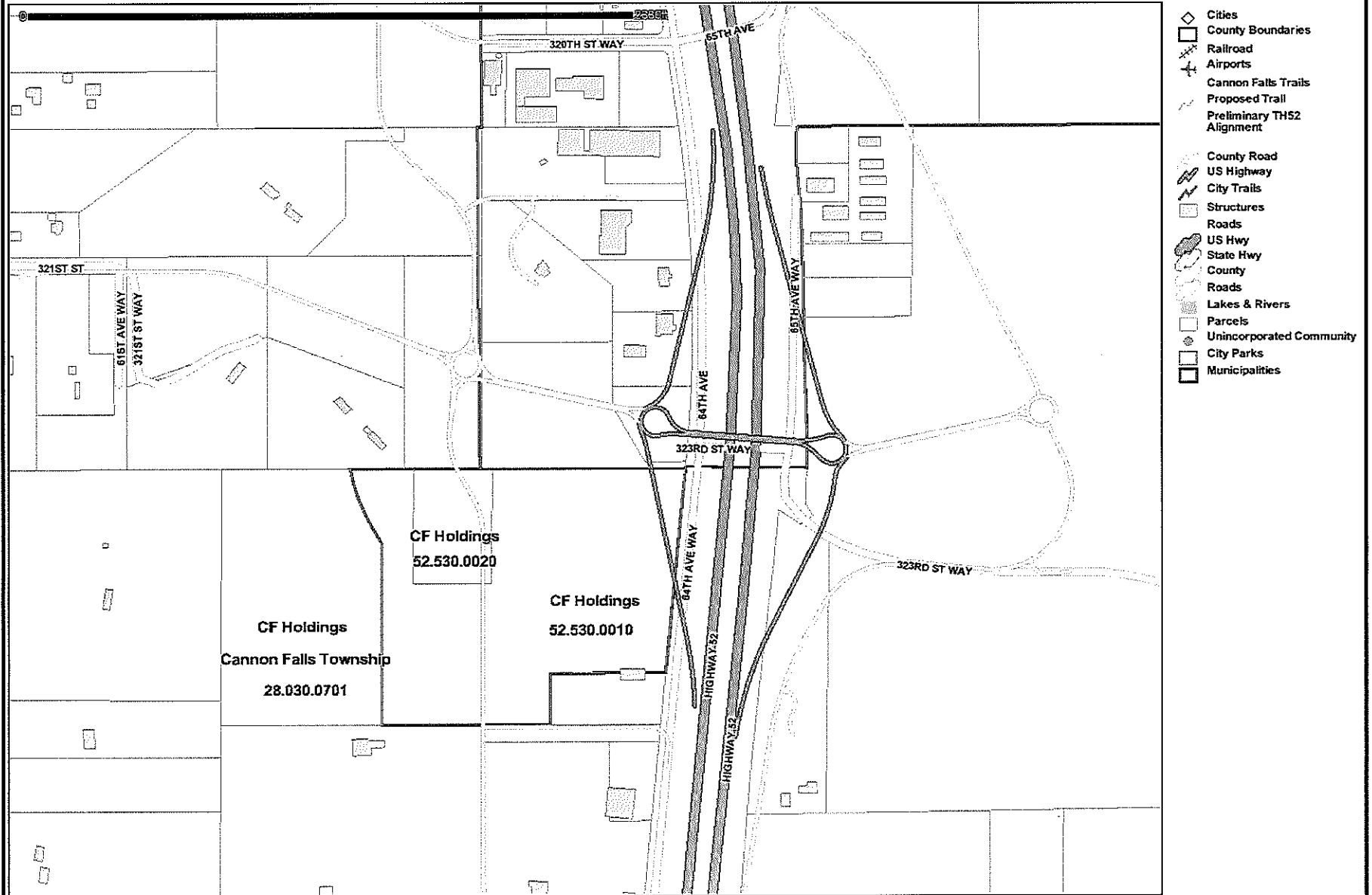
and matched to the final grades represented by the proposed plan; and (c) to date, Cannon Falls Township has not approved the proposal.

REQUESTED COUNCIL ACTION.

Staff requests denial of the application for the Land Reclamation Permit submitted by G-Cubed for the properties owned by CF Holdings, PID's 52.530.0010 and 52.530.0020.

Land Reclamation Permit

CF Holdings Property



This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. Created From Cannon Falls Online Mapping Site. Sources: Goodhue County, MN; City of Cannon Falls, MN.
 Map Created: 6/25/2013

**CITY OF CANNON FALLS
GOODHUE COUNTY, MINNESOTA**

RESOLUTION NUMBER 2025

DENYING LAND RECLAMATION PERMIT

WHEREAS, staff has reviewed information submitted relating to a request by CF Holdings LLC for a Land Reclamation Permit. Based upon project information presented and considered, the City Council hereby finds that:

A. The property that the proposed Land Reclamation will occur on is described in the attached application; and

B. In considering Land Reclamation Permits, Section 152.401 (A) (6) of the Cannon Falls Zoning Ordinance directs consideration of the possible effects of a Land Reclamation Permit on surrounding land and future development of the site. The City Council's findings relating to this Section are:

- (1) Information provided by the Applicant to Goodhue County and Cannon Falls Township represents that the parcel located outside of Cannon Falls will be excavated in accordance with the proposed plan, annexed and then developed with medium density residential land use. At present, CF Holdings LLC has not made application for any zoning, public improvements or subdivision approvals for the property that they own within the City of Cannon Falls.
- (2) The grading plan and residential land use proposal are not feasible because of the steep grades that would be left.
- (3) The grades would make it unfeasible to develop the property in any reasonable manner.
- (4) The two parcels owned by CF Holdings that are currently located within Cannon Falls are zoned Urban Reserve (UR) District.
- (5) In excess of 50-feet of existing elevation will be substantially modified creating a development area that would be difficult or unfeasible to develop and which is incompatible with adjacent sites and uses because of the marked change in elevation.
- (6) As further development occurs in the immediate area it is unlikely that the grading of adjacent sites will be effectively blended and matched to the final grades represented by the proposed plan.
- (7) To date, Cannon Falls Township has not approved the proposal.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF CANNON FALLS, MINNESOTA that based upon the findings stated herein the Land Reclamation Permit requested by CF Holdings LLC is denied.

Adopted this 2nd day of July, 2013.

BY: _____
Lyman M. Robinson, Mayor

ATTEST: _____
Aaron S. Reeves, City Administrator

February 22, 2013

City of Cannon Falls
918 River Road
Cannon Falls, MN 55009

Re: CF Holdings Land Reclamation Permit

On behalf of the property owner CF Holdings, G-Cubed Inc. is writing to comply with the information requirements for the Land Reclamation application for CF Holdings parcel of land located in part of the Government Lots 4 and 5, Section 30, Township 112 North, Range 17 West, City of Cannon Falls, Goodhue County, Minnesota.

Below are our responses to the following requested information per Section 152.401 Special Requirements of the City of Cannon Falls Zoning Ordinance. (The City requests for information are in **Bold**. Our response is in *Italics*)

1. The purpose of the excavation or grading;

The property is located directly adjacent to Minnesota State Project No. 2506-52. The state project requires a significant amount of quality fill material which is available on the CF Holdings property. Excavating fill material on this property will help streamline the hauling of fill material and the state project.

2. The description of the type and amount of material to be excavated or graded from the premises;

Material that will be hauled from the site is typical common embankment material to be used as fill for the previously described state project. The amount of material to be removed from the site is approximately 105,000 Yds³.

3. The highway, street or streets or other public ways in the city upon and along which any material is to be hauled or carried;

Material excavated from the property will be used directly adjacent to the property to construct the public roadways. By using onsite material no additional roadways shall be impacted by haul trucks.

4. An estimate of the time required to complete the excavation or grading;

The timeframe for the material excavation is completely dependent on the progress of State Project No. 2506-52 it is estimated it may take 6 to 12 months to complete the borrow and reclamation activities.

5. A site plan showing present topography and also including boundary lines for all properties, watercourses, wetlands and other significant features within 300 feet;

See Attached

6. A site plan showing the proposed finished grade and landscape plan. Erosion control measures shall be provided on the plan. Final grade shall not adversely affect the surrounding land or the development of the site on which the excavation is being conducted. Top soil shall be of a quality capable of establishing normal vegetative growth;

See Attached

7. A security statement demonstrating the proposed activity will in no way jeopardize the public health, safety and welfare or is appropriately fenced to provide adequate protection.

The proposed activity will in no way jeopardize the public health, safety and welfare if the City of Cannon Falls requires safety fencing CF Holdings will construct the fencing adjacent to the borrow area.

8. A statement that the applicant will comply with all conditions prescribed by the city or its officers or agents;

CF Holdings will comply with all the conditions prescribed by the City of Cannon Falls or its officers or agents.

9. A written right-of-entry given to the city and/or its officers in accordance with 10.20 to enter the land for the purpose of determining compliance with all applicable conditions imposed on the operation;

CF Holdings authorizes the City of Cannon Falls and/or its officers to enter the property for the purpose of determining compliance with all applicable conditions imposed on the operation in accordance with section 10.20 of the City of Cannon Falls Zoning Ordinance.

10. If the site is more than one acre in size, the applicant shall complete a State Pollution Control Agency National Pollutant Discharge Elimination System (NPDES) Phase II permit for all excavation.

Any contractor working at the site will be required to receive a NPDES Phase II permit for construction and comply with all requirements outlined by the permit.

This Submittal shall be attached to the Land Reclamation Permit, The site Grading and Reclamation Plan, and all other submitted documents. If you have any questions pertaining to the contents of the attached plan, please contact me at (507) 867-1666 ext 104.

Sincerely,



Christopher Priebe
Engineering Specialist

G-Cubed



DEVELOPMENT APPLICATION

918 River Road
Cannon Falls, MN 55009
507-263-9312

SUBJECT TO STAFF REVIEW

Street Location of Property: 32277 - 64th Ave Way

Legal Description of Property: See Attached Certificate of Survey

Owner of Record: Name: CF Holdings, LLC
Daytime Phone: (507) 867-1666 ext 102
Address: 14070 Hwy 52 SE
Chaska, MN 55923

Applicant (if other than owner) Name:
Daytime Phone:
Address:
E-Mail Address:
Notary Stamp

Nature of Legal or Equitable Interest of Applicant (Documentation must be attached :)

- Request: [] Conditional Use Permit [] Rezoning/Ordinance Text Amendment
[] Subdivision [] Variance
[] Concept [] Interim Use Permit
[] Preliminary Plat [] Amendment
[] Final Plat [] CUP/PUD
[] Administrative [] Site Plan Review
[] Administrative Permit [] Special Home Occupation
[] Vacation [] Annexation Petition
[] Comp Plan Amendment [] Appeal
[] Other

Note: Each requested approval may require a separate fee and/or escrow amount, even where they apply to the same project.

Date Application Received: _____

Date Submission Deemed to be Complete: _____

Give detailed description of project and reason for conditional use or variance, if applicable:

See Attached Cover Letter

SUPPORTING DOCUMENTATION: Applicant must submit with the application all documentation required by the Zoning or Subdivision Ordinance relating to the requested approval. Applicant will be advised of the completeness. Only when it has been determined that an application is complete will it be placed on a Planning Commission agenda for consideration. Applications that do not include the proper plans and/or documentation may be delayed from formal review. **FAILURE ON THE PART OF THE APPLICANT TO SUPPLY ALL NECESSARY SUPPORTIVE INFORMATION MAY BE GROUNDS FOR DENIAL OF THE REQUEST.**

APPLICANT RESPONSIBILITY FOR PAYMENT OF ALL CITY FEES AND COSTS IN PROCESSING APPLICATION: Applicant acknowledges that she/he understands that before this request can be considered and/or approved, all fees, including the basic application fee and any escrow processing deposits must be paid to the city and that, if additional fees are required to cover costs incurred by the City, the City Clerk has a right to require additional escrow amounts and payment. These fees include all actual costs including, but not limited to, planning, engineering, public notification and legal costs. All processing of an application will be halted if payments are not made within 30 days of receipt of a monthly statement from the City, in the event any escrow account established is insufficient to cover the costs.

SIGNED:


Property Owner

Applicant (if not the Property Owner)

Land Reclamation Permit
 Section 152.400 - Attached
 February 19, 2013



**APPLICATION PROCEDURES
 CHECKLIST**

Applicant (Project) Name: CF Holdings
2-13-13

CONDITIONAL USE PERMIT,
 VARIANCE,
 INTERIM USE PERMIT,
 ZONING ORDINANCE TEXT
 OR MAP AMENDMENT

SUBJECT TO STAFF REVIEW

A checklist of background information and submittal requirements for the processing of conditional use permits, variances, Interim Use Permits and Zoning Ordinance amendments (text or map) is provided below. Should there be an item which is not included in the submittal of the application, a detailed, written explanation should be made outlining the reason for the omission.

The City staff will also utilize the attached form as a checklist in the review of information which you submit. The decision on whether a request will be granted rests with the Cannon Falls City Council. Please read all applicable ordinances and the attached checklist thoroughly.

	Compliance		
	Yes	No	NA
Procedures:			
Review the appropriate sections of the City Zoning Ordinance			
Meet with City staff/Planner to discuss proposal			
Application filed concurrently with review fee			
Submittal Requirements:			
1. Proof of title and the legal description of the property for which the CUP is requested.			
2. Narrative explaining why the request should be approved			
3. Five (5) large scale copies and one (1) reduced scale (11 x 17 inches) copy of detailed written materials fully explaining the proposed change, development or use, and graphic materials as specified below, unless waived by the Zoning Administrator.			
a. Site Development Plan			
1) Location of all buildings on lots including both existing and proposed structures.			
2) Location of all adjacent buildings located within two hundred (200) feet of the exterior boundaries of the property.			
3) Location and number of existing and proposed parking spaces.			

4) Vehicular circulation.			
5) Architectural elevations (type and materials used in all external surfaces).			
6) Location and type of all proposed lights.			
7) Curb cuts, driveways, number of parking spaces.			
8) Site plan details such as trash receptacles, etc.			
b. Dimension Plan			
1) Lot dimensions and area.			
2) Dimensions of proposed and existing structures.			
3) "Typical" floor plan and "typical" room plan.			
4) Setbacks of all buildings located on property in question.			
5) Proposed setbacks.			
6) Sanitary sewer and water plan with estimated use per day.			
c. Grading Plan			
1) Existing contours. (2 foot intervals)			
2) Proposed grading elevations.			
3) Drainage configuration.			
4) Storm sewer catch basins and invert elevations.			
5) Spot elevations.			
6) Proposed road profile.			
d. Landscape Plan			
1) Location of all existing trees, type, diameter, and which trees will be removed.			
2) Location, type and diameter of all proposed plantings.			
3) Location and material used for all screening devices.			

Failure on the part of the applicant to supply all necessary information listed herein or any supportive information as requested by the City may be grounds for denial of the request.

LAND RECLAMATION**§ 152.400 PROCEDURE.**

(A) *Grading permit.* The placement or extraction of sand, gravel, black dirt or other natural material from the land or the grading of land by a person in the amount of 50 cubic yards or more shall require a grading permit.

(B) *Permit exceptions.* Exceptions to the grading permit requirement shall be allowed in land reclamation activities:

(1) Conducted by a governmental jurisdiction; and

(2) Associated with a private development which were approved as part of a subdivision or other development.

(Prior Code, § 11-27-1) (Ord. 258, passed 5-4-2006)

§ 152.401 SPECIAL REQUIREMENTS.

(A) *Applications.* All applications for a grading permit shall be accompanied by a detailed site plan drawn to scale and dimensioned displaying the information as specified in § 152.135 of this chapter and the following:

(1) The purpose of the excavation or grading;

(2) A description of the type and amount of material to be excavated or graded from the premises;

(3) The highway, street or streets or other public ways in the city upon and along which any material is to be hauled or carried;

(4) An estimate of the time required to complete the excavation or grading;

(5) A site plan showing present topography and also including boundary lines for all properties, watercourses, wetlands and other significant features within 300 feet;

(6) A site plan showing the proposed finished grade and landscape plan. Erosion control measures shall be provided on the plan. Final grade shall not adversely affect the surrounding land or the development of the site on which the excavation is being conducted. Top soil shall be of a quality capable of establishing normal vegetative growth;

(7) A security statement demonstrating the proposed activity will in no way jeopardize the public health, safety and welfare or is appropriately fenced to provide adequate protection;

(8) A statement that the applicant will comply with all conditions prescribed by the city or its officers or agents;

(9) A written right-of-entry given to the city and/or its officers in accordance with § 10.20 to enter the land for the purpose of determining compliance with all applicable conditions imposed on the operation; and

(10) If the site is more than one acre in size, the applicant shall complete a State Pollution Control Agency National Pollutant Discharge Elimination System (NPDES) Phase II permit for all excavation.

(B) *Technical reports.* The Zoning Administrator shall immediately upon receiving a completed application present that information at the next city staff meeting for staffs review and comment. A recommendation and appropriate technical reports shall be prepared and reviewed at the next City Council meeting.

(C) *Issuance of permit.* Upon receiving information and reports from the city staff and other applicable agencies, the City Council shall make its determination as to whether, and when and under what conditions the permit for an excavation is to be issued to the applicant by the city. (Prior Code, § 11-27-2) (Ord. 258, passed 5-4-2006)

§ 152.402 PERFORMANCE STANDARDS.

(A) *City requirements.* The city, as a prerequisite to the granting of a permit, or after a permit has been granted, may require the applicant to whom the permit is issued, or the owner or user of the property on which the land reclamation is located to:

(1) Properly fence the project site with both silt fences to control erosion and safety fences as determined appropriate;

(2) Slope the banks and otherwise properly guard to keep the fill or excavation in a condition as not to be dangerous from caving or sliding banks;

(3) Properly drain, fill or level the project site so as to make the site safe, as determined by the city. The property owner is liable for ensuring the safety of the site;

(4) Keep the fill/excavation/grading within the limits for which the particular permit is granted;

(5) Remove or transport fill/excavated/graded material upon the along highways, streets or other public ways as the city shall order and direct. The cleaning of the streets shall be the responsibility of the developer on a daily basis; and

(6) Retain and store top soil from the site in question and to utilize materials in the restoration of the site.

(B) *Hours of operation.* Unless expressly extended by permit, the hours of operation shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday.

(C) *Security.* The city shall require either the applicant or the owner or user of the property on which the fill/excavation/grading is occurring to post a security in a form and sum as the city shall determine, with sufficient surety provided to the city, conditioned to pay to the city the extraordinary cost and expense of repairing, from time to time, and highways, streets or other public ways where repair work is made necessary by the special burden resulting from hauling and travel in transporting the material, the amount of the costs and expense to be determined by the city; and conditioned further to comply with all requirements of this subchapter, and the particular permit and to pay any expense the city may incur by reason of doing anything required to be done by any applicant to whom a permit is issued.

(D) *Completion of operation.*

(1) All operations shall be completed within one year of the issuance of the permit. Upon completion, the permit holder shall notify in writing the date of completion. If additional time beyond the one year is needed for completion, the permit holder may apply to the city and upon a satisfactory showing of need, the city may grant an extension of time. If an extension is granted, it shall be for a definite period and the city shall issue an extension permit. Extensions shall only be granted in cases where the permit holder shows that good faith efforts were made to complete the land reclamation operation within the allotted one-year period and that failure to complete the operation was due to circumstances beyond the permit holder's control, such as teamster's strike, unusually inclement weather, illness or other valid and reasonable excuse for noncompletion. In the event request for an extension is denied, the permit holder shall be allowed a reasonable time to comply with the other provisions of this subchapter relating to grading, leveling and seeding or sodding. What constitutes "reasonable time" shall be determined by the City Engineer after reviewing the premises.

(2) At the completion of land reclamation project in accordance with the approved plan, the premises shall be graded, leveled and stabilized with seeded or sodded with grass. The grade shall be the elevation with reference to any abutting street or public way as the City Engineer shall prescribe in the permit. The site shall also conform to the prerequisites as the City Engineer may determine with reference to stormwater drainage runoff and stormwater passage or flowage so that the excavation cannot become a source of, or an aggravation to, stormwater drainage conditions in the area. The City Engineer shall review the project following completion to determine if the applicant has complied with the conditions imposed as part of the permit.

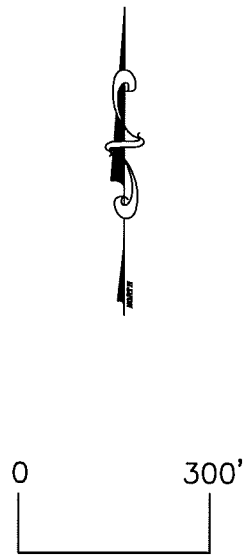
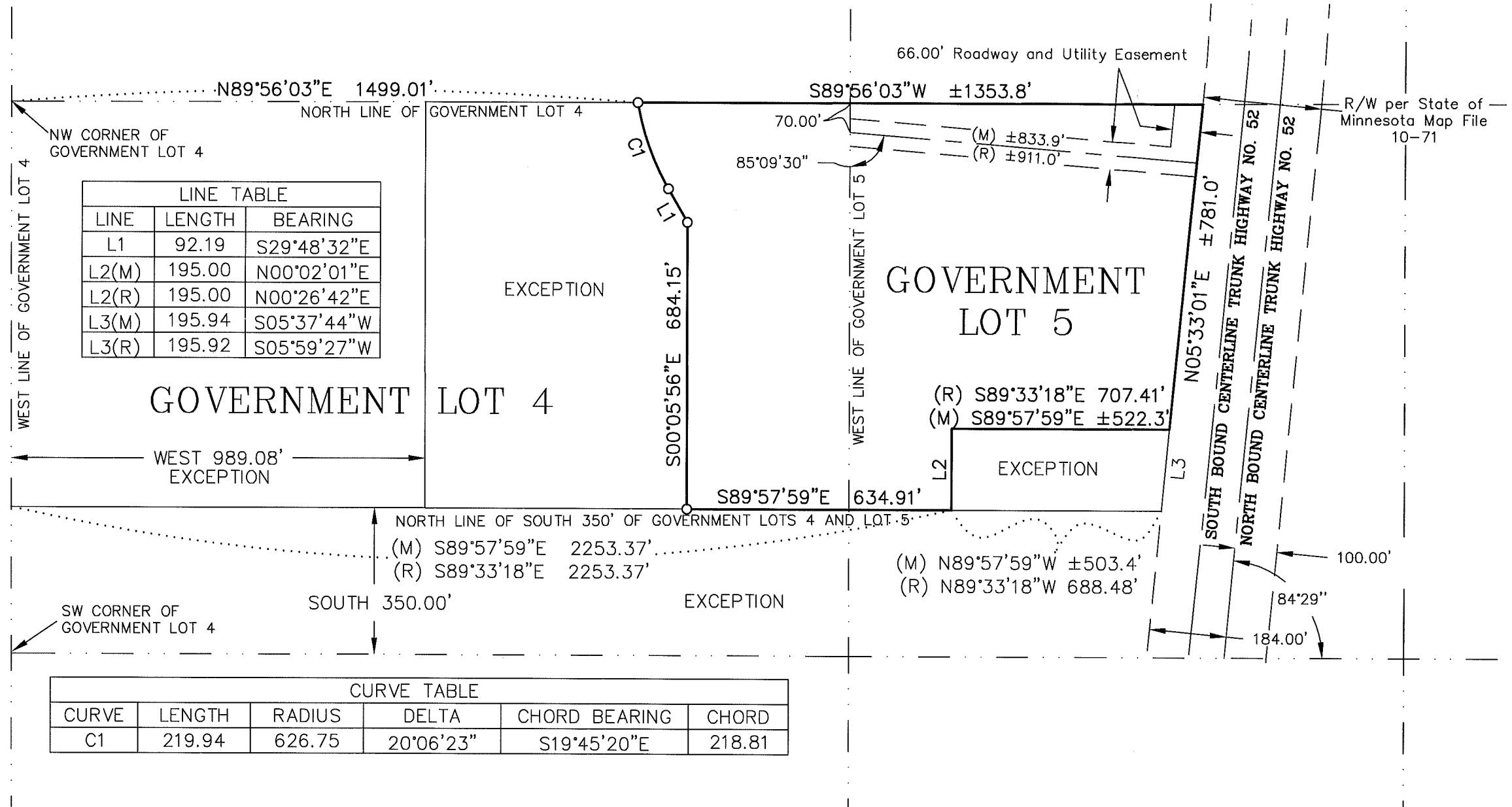
(E) *Failure to comply.* The city may, for failure of any person to comply with any requirement made of them in writing under the provisions of the permit, as promptly as same can reasonably be done, proceed to cause the requirement to be complied with, and the cost of the work shall be taxed against the property whereon the land reclamation is located, or the city may, at its option, proceed to collect costs by an action against the person to whom the permit has been issued, and their superiors if a security exists.

(Prior Code, § 11-27-3) (Ord. 258, passed 5-4-2006)

CERTIFICATE OF SURVEY

SECTION 30

T. 112 N., R. 17 W.



○ IRON PIPE WITH PLASTIC CAP
STAMPED R.L.S.#21940 SET

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.		<h2 style="margin: 0;">G-Cubed</h2> <p style="margin: 0;">ENGINEERING SURVEYING PLANNING</p> <p style="margin: 0;">14070 Hwy 52 S.E. Chatfield, MN 55923</p> <p style="margin: 0; font-size: x-small;">Ph. 58674666 Fax 58674665 www.ggg.to</p>	DATE OF SURVEY: 2-1-2010 Prepared For: CF Holdings, LLC 4410 19th Street NW Rochester, MN 55901
DATE: <u>2/1/2010</u> REG. NO. 21940			SHEET 1 OF 2 FILE NO: 09-082

CERTIFICATE OF SURVEY

SECTION 30
T. 112 N., R. 17 W.

LAND DESCRIPTION

That part of the following described Parcels 1 and 2, lying easterly of the following described line:

Commencing at the northwest corner of Government Lot 4, Section 30, Township 112 North, Range 17 West, Goodhue County, Minnesota; thence on an assumed bearing of North 89°56'03" East along the north line of said Government Lot 4 a distance of 1499.01 feet to the point of beginning of the line to be described; thence southeasterly 219.94 feet along a non tangential curve concave to the east, said curve has a radius of 626.75 feet, a central angle of 20°06'23", and the chord of said curve bears South 19°45'20" East 218.81 feet; thence South 29°48'32" East tangent to said curve 92.19 feet; thence South 00°05'56" East 684.15 feet to the north line of the South 350.00 feet of Government Lot 4 and there terminating.

The above described parcel contains 24.62 acres, more or less, and is subject to any easements, covenants and restrictions of record.

PARCEL 1 LAND DESCRIPTION:

Government Lot 4, Section 30, Township 112, Range 17, Goodhue County, Minnesota, EXCEPT the South 350.00 feet thereof and ALSO EXCEPT the West 989.08 feet thereof.

Together with that part of Government Lot 5, Section 30, Township 112, Range 17, Goodhue County, Minnesota, lying westerly of the centerline of State Trunk Highway No. 52, EXCEPT the South 350.00 feet thereof, and ALSO EXCEPT THE FOLLOWING:

That part of Government Lots 4 and 5, Section 30, Township 112, Range 17, Goodhue County, Minnesota described as follows: Commencing at the intersection of the north line of the South 350.00 feet of Government Lot 4, said Section 30 and the west line of said Government Lot 4; thence South 89 degrees 33 minutes 18 seconds East, assumed bearing, along said north line of the South 350.00 feet of Government Lots 4 and 5 a distance of 2031.41 feet; thence North 0 degrees 18 minutes 50 seconds East 570.13 feet to the point of beginning of land to be described; thence North 89 degrees 33 minutes 18 seconds West 300 feet; thence North 0 degrees 18 minutes 50 seconds East 400 feet to the north line of Government Lot 4; thence South 89 degrees 39 minutes 05 seconds East 300 feet along said north line of Government Lot 4; thence South 0 degrees 18 minutes 50 seconds West 400 feet to the point of beginning.

ALSO EXCEPT THE FOLLOWING:

That part of Government Lot 5, Section 30, Township 112, Range 17, Goodhue County, Minnesota, described as follows: Commencing at the intersection of the north line of the South 350.00 feet of Government Lot 4, said Section 30, and the west line of said Government Lot 4; thence South 89 degrees 33 minutes 18 seconds East (assumed bearing) along said north line of the South 350.00 feet of Government Lots 4 and 5 a distance of 2253.37 feet to the point of beginning of the land to be described; thence North 0 degrees 26 minutes 42 seconds East 195.00 feet; thence South 89 degrees 33 minutes 18 seconds East, parallel with said north line of the South 350.00 feet of Government Lots 4 and 5 a distance of 707.41 feet to the centerline of the north bound lane of U.S. Highway No. 52; thence South 5 degrees 59 minutes 27 seconds West along said centerline 195.92 feet to said north line of South 350.00 feet of Government Lot 5; thence North 89 degrees 33 minutes 18 seconds West along said north line of the South 350.00 feet of Government Lot 5 a distance of 688.48 feet to the point of beginning.

AND

PARCEL 2 LAND DESCRIPTION:

That part of Government Lots 4 and 5, Section 30, Township 112, Range 17, Goodhue County, Minnesota, described as follows:

Commencing at the intersection of the north line of the South 350.00 feet of Government Lot 4, said Section 30, and the west line of said Government Lot 4; thence South 89 degrees 33 minutes 18 seconds East, assumed bearing, along said north line of the South 350.00 feet of Government Lots 4 and 5 a distance of 2031.41 feet; thence North 0 degrees 18 minutes 50 seconds East 570.13 feet to the point of beginning of land to be described; thence North 89 degrees 33 minutes 18 seconds West 300 feet; thence North 0 degrees 18 minutes 50 seconds East 400 feet to the north line of Government Lot 4; thence South 89 degrees 39 minutes 05 seconds East 300 feet along said north line of Government Lot 4; thence South 0 degrees 18 minutes 50 seconds West 400 feet to the point of beginning.

ALSO, a roadway and utility easement for the benefit of the above-described property in perpetuity described as follows:


A strip of land 66 feet in width located in Government Lots 4 and 5 of Section 30, Township 112, Range 17, Goodhue County, the centerline of which is described as follows: Beginning at the northwest corner of said Government Lot 5; thence South along the West line thereof a distance of 70.00 feet; thence deflecting 85 degrees 09 minutes 30 seconds left a distance of 911 feet, more or less, to its intersection with the westerly right of way line of State Highway No. 52 and said centerline there terminating.

AND

Together with a strip of land 66.00 feet in width lying west of and adjacent to the westerly right of way line of State Highway No. 52 which lies north of the north line of the above described 66 foot strip and south of the north line of said Government Lot 5.

The side lines of said strips are to be lengthened or shortened to terminate at the westerly right of way line of State Highway No. 52 and the north line of said Government Lot 5.

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA


Geoffrey G. Griffin
DATE 4/22/10 REG. NO. 21940

G³

G-Cubed

14070 Hwy 52 S.E.
Chatfield, MN 55923

ENGINEERING
SURVEYING
PLANNING

Ph. 508674666
Fax 508674665
www.ggg.to

DATE OF SURVEY: 2-1-2010

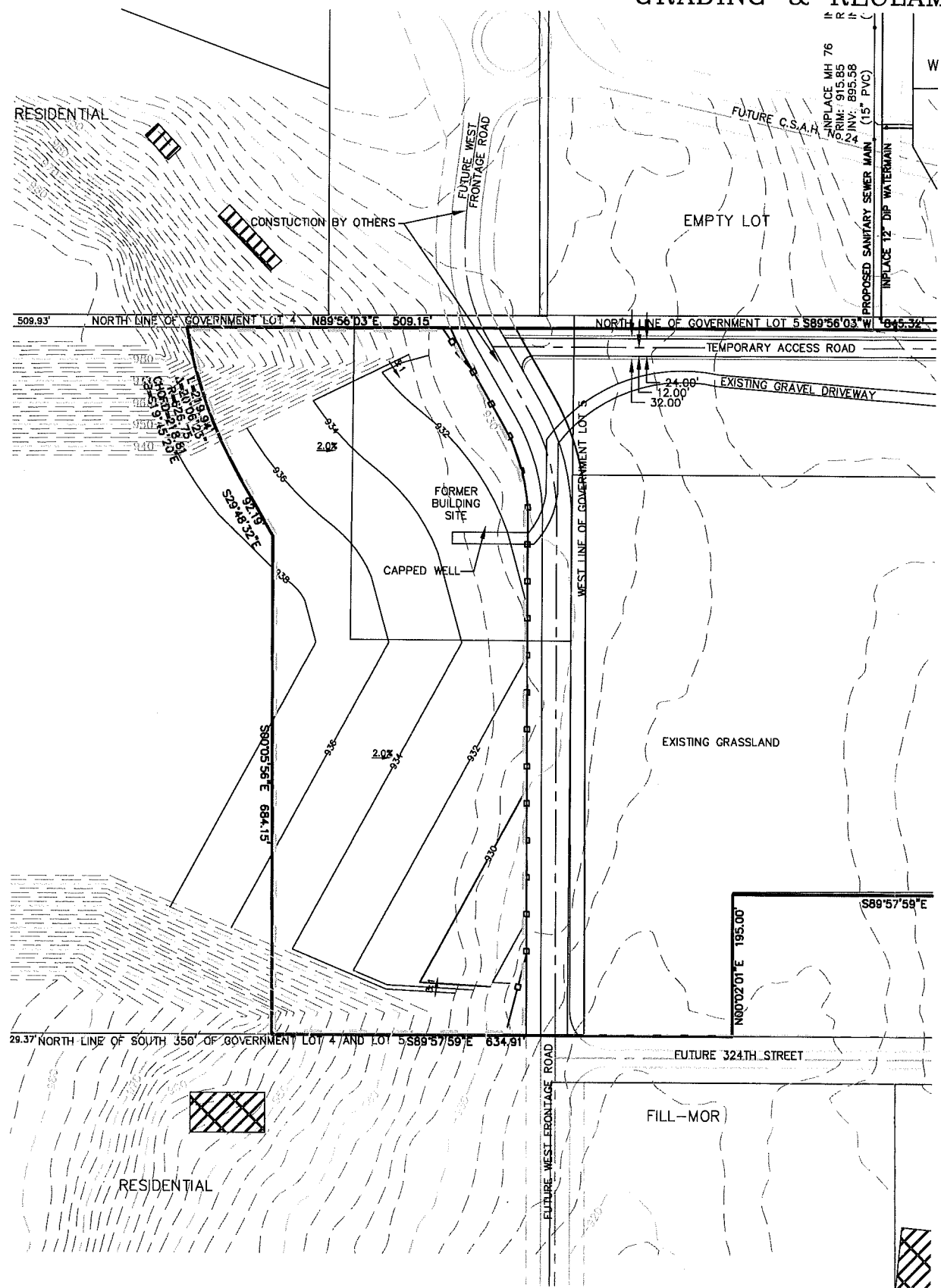
Prepared For:
CF Holdings, LLC

4410 19th Street NW

Rochester, MN 55901

SHEET 2 OF 2 FILE NO: 09-082

CF HOLDINGS COMMERCIAL CENTER GRADING & RECLAMATION PLAN



GENERAL EROSION CONTROL AND CONSTRUCTION NOTES:

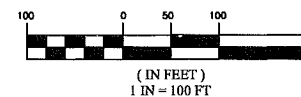
- 1) THE CONTRACTOR SHALL APPLY FOR AND COMPLY WITH THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT AND DESIGN A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) FOR THIS PROJECT. SAID PERMIT AND SWPPP SHALL BE A PART OF THESE PLANS & SPECIFICATIONS.
- 2) PLACE MACHINE SLICED SILT FENCE AS SHOWN ON THE PLANS AND WHERE DIRECTED BY THE ENGINEER, AT TOE OF FILL SLOPES AND MAINTAIN UNTIL TURF HAS BEEN WELL ESTABLISHED. (CONSTRUCTION OF SILT FENCE MUST TAKE PLACE PRIOR TO DISTURBING THE WATERSHED.)
- 3) SALVAGE ALL TOPSOIL AND ORGANIC MATERIAL FOR USE IN THE RECLAMATION OF THE SITE.
- 4) ALL EXPOSED SOIL AREAS SHALL HAVE TEMPORARY PROTECTION OR PERMANENT COVER WITHIN THE FOLLOWING TIME FRAMES:

TYPE OF SLOPE	TIME	(MAXIMUM TIME AN AREA CAN REMAIN OPEN WHEN THE AREA IS NOT ACTIVELY BEING WORKED.)
STEEPER THAN 3:1	7 DAYS	
10:1 TO 3:1	14 DAYS	
FLATTER THAN 10:1	21 DAYS	
- 5) THE CONTRACTOR SHALL ROUTINELY INSPECT THE CONSTRUCTION SITE ONCE EVERY 7 DAYS DURING ACTIVE CONSTRUCTION AND WITHIN 24 HOURS AFTER A RAINFALL EVENT GREATER THAN 0.5 INCHES IN 24 HOURS. ALL INSPECTIONS AND MAINTENANCE CONDUCTED DURING CONSTRUCTION MUST BE RECORDED IN WRITING.
- 6) RESPREAD TOPSOIL (4" MIN.), FERTILIZED, SEED, & DISK ANCHOR MULCHED ALL DISTURBED AREAS. SEED WITH MNDOT MIXTURE 270. FERTILIZER SHALL 24-12-24 AND BE APPLIED AT A RATE OF 300 LBS./ACRE. MIXTURE 270 SEEDING SHALL BE APPLIED AT A RATE OF 120 LBS./ACRE. MULCH SHALL BE APPLIED AT A RATE OF 2 TONS/ACRE. *THE SEASON FOR SEEDING SHALL BE FROM APRIL 1 - SEPT. 15, AND AS DORMANT SEEDING AFTER NOV. 1. ONLY TEMPORARY SEEDING WILL BE ALLOWED SEPT. 20 - NOV. 1
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- 9) DISTURBED SLOPES IN EXCESS OF 4:1 AND 4:1 SLOPES LONGER THAN 30' ARE TO BE SEEDED AND PROTECTED WITH EROSION CONTROL BLANKETS. BLANKET CATEGORY PER MNDOT 3885.1.
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LEGEND

- EXISTING MAJ. CONTOUR
- EXISTING MIN. CONTOUR
- PROPOSED MAJ. CONTOUR
- PROPOSED MIN. CONTOUR
- AREA DISTURBED IN CITY
- SILT FENCE
- INPLACE BUILDING
- DRAINAGE FLOW DIRECTION AND GRADE
- LARGE DIAMETER COTTONWOOD (1 TOTAL)
- 24" OR LARGER WHITE PINE (65 TOTAL)
- 18" OR LARGER NORWAY PINE (11 TOTAL)

GRAPHIC SCALE



NOTE: STREET AND UTILITY CONSTRUCTION BY OTHERS UNDER SEPERATE PLAN.

LAST REVISED: 02-22-2013

Prepared For:
CF Holdings, LLC
14070 HWY 52 SE
Chatfield, MN 55923



G-Cubed

14070 Hwy 52 S.E.
Chatfield, MN 55923

ENGINEERING
SURVEYING
PLANNING

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Fax 507-867-1665
www.ggg.to

FILE NO.: 09-082 GDP.dwg



March 29, 2013

Mr. Christopher Priebe
G-Cubed
14070 Highway 52 S.E.
Chatfield, MN 55923

RE: Land Reclamation Permit Application

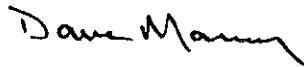
Dear Mr. Priebe,

Upon preliminary review of your application, the City Engineer has provided the following comments:

- 1. It doesn't appear from the grading plan that the drainage conditions (pre/post rates, direction off of site, etc.) will change after the grading is complete. The applicant should submit a written statement addressing the drainage pre and post construction.*
- 2. The duration of their grading will likely extend beyond the 12 month permit window as the interchange construction, which this work is being tied to, will last approximately 18 months. The applicant may need to request an extension next year or perhaps the permit should be adjusted now?*
- 3. The applicant/land owner should prepare the NPDES permit and SWPPP or at least be a co-permittee along with the contractor who will be performing the grading and not depend on MnDOT's project for the permitting. Also, the City should have a copy of the approved permit and SWPPP in their files.*
- 4. Will the grading affect the existing capped well on the site? Will a portion of the well casing be exposed by the grading? Will the well need to be recapped as part of the improvements?*
- 5. The cost of the work is estimated to be approximately \$157,500. Additionally we estimate that the City should request \$32,000 in escrow to cover the cost of city inspections of the project and any sweeping/dust control/temporary and/or permanent erosion control should the contractor not complete that work. Any unused escrow funds will be returned to the applicant upon approval of the completed restoration of the reclamation.*

In addition to responding to the questions and recommendations of the City Engineer, Section 152.401 (C) of the Land Reclamation Code provides the opportunity for other affected jurisdictions to offer comments and recommendations. In these circumstances, the project that you propose substantially impacts property located immediately adjacent to Cannon Falls within Cannon Falls Township. So that I might continue to process your application, please provide evidence that Cannon Falls Township and Goodhue County have approved your proposal. If you have any questions, please let me know.

Sincerely,

A handwritten signature in black ink that reads "Dave Maroney". The signature is written in a cursive style with a long, sweeping tail on the "y".

Dave Maroney
Director of Economic Development and Planning



ENGINEERING
SURVEYING
PLANNING

June 6, 2013

Mr. Dave Maroney
City of Cannon Falls
918 River Road
Cannon Falls, MN 55009

Re: CF Holdings Land Reclamation Permit Application

Dear Mr. Maroney

On behalf of the property owner, CF Holdings, G-Cubed is providing a written response to your letter dated March 29, 2013 in regards to the above reference application:

1. Grading is designed to minimize any impacts on the existing watershed. The Pre/Post direction of runoff will be remaining the same.
2. We would like to formally request the duration of the permit be extended to November of 2014 to coincide with the grading permit issued by Goodhue County and the Highway 52 Interchange project.
3. Please see the attached NPDES Permit Application and SWPPP.
4. The existing well casing will need to be lowered at the time of construction.
5. The proposed grading will be performed as part of the MnDOT Interchange project by MnDOT's contractor. Any runoff from the CF Holdings property outlets directly onto the proposed frontage road which the same contractor is responsible for erosion and sediment control. Thus, we do not anticipate the need for any sweeping, etc. CF Holdings has no problem escrowing the \$32,000 as long as there is an escrow agreement which clearly outlines what the money will be used for and sets a monetary cap for the inspection services. We can't imagine the city inspections of a 350' x 850' area can be more than \$1,000.

Goodhue County is the responsible governmental agency for the zoning and permitting of this type of project in Cannon Falls Township. On 06/05/2013 that portion of the project lying in Cannon Falls Township was approved to proceed with grading.

For your review we have also attached the revised site Grading and Reclamation Plan which was submitted and approved by Goodhue County. If you have any questions pertaining to the contents of the attached plan, please contact me at (507) 867-1666 ext 104.

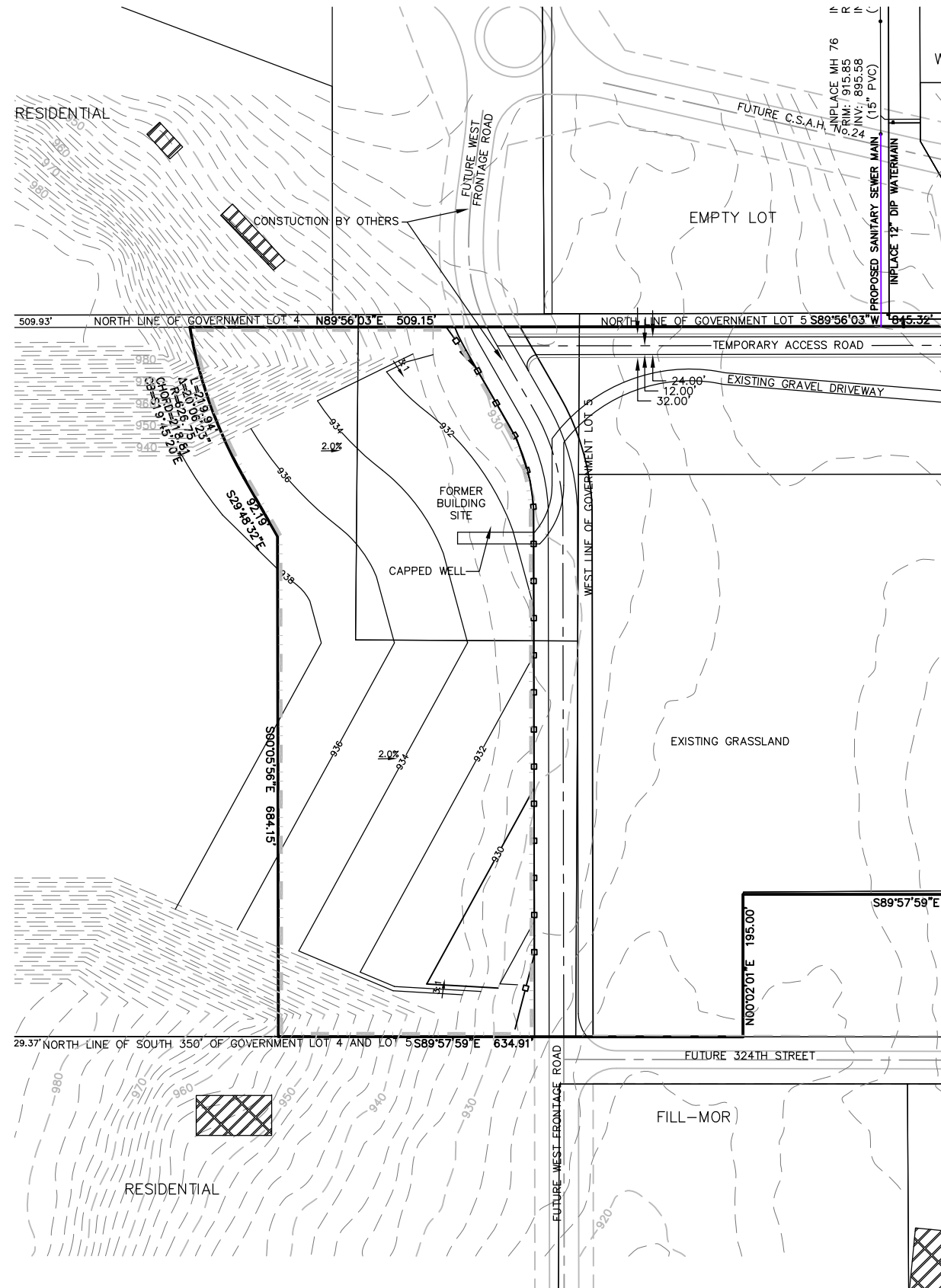
Sincerely,

A blue ink handwritten signature of Christopher Priebe.

Christopher Priebe
Engineering Specialist

G-Cubed

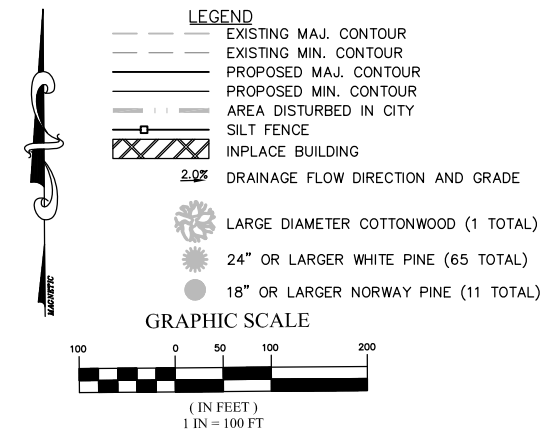
CF HOLDINGS COMMERCIAL CENTER GRADING & RECLAMATION PLAN



GENERAL EROSION CONTROL AND CONSTRUCTION NOTES:

- 1) THE CONTRACTOR SHALL APPLY FOR AND COMPLY WITH THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT AND DESIGN A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) FOR THIS PROJECT. SAID PERMIT AND SWPPP SHALL BE A PART OF THESE PLANS & SPECIFICATIONS.
- 2) PLACE MACHINE SLICED SILT FENCE AS SHOWN ON THE PLANS AND WHERE DIRECTED BY THE ENGINEER, AT TOE OF FILL SLOPES AND MAINTAIN UNTIL TURF HAS BEEN WELL ESTABLISHED. (CONSTRUCTION OF SILT FENCE MUST TAKE PLACE PRIOR TO DISTURBING THE WATERSHED.)
- 3) SALVAGE ALL TOPSOIL AND ORGANIC MATERIAL FOR USE IN THE RECLAMATION OF THE SITE.
- 4) ALL EXPOSED SOIL AREAS SHALL HAVE TEMPORARY PROTECTION OR PERMANENT COVER WITHIN THE FOLLOWING TIME FRAMES:

TYPE OF SLOPE	TIME	(MAXIMUM TIME AN AREA CAN REMAIN OPEN WHEN THE AREA IS NOT ACTIVELY BEING WORKED.)
STEEPER THAN 3:1	7 DAYS	
10:1 TO 3:1	14 DAYS	
FLATTER THAN 10:1	21 DAYS	
- 5) THE CONTRACTOR SHALL ROUTINELY INSPECT THE CONSTRUCTION SITE ONCE EVERY 7 DAYS DURING ACTIVE CONSTRUCTION AND WITHIN 24 HOURS AFTER A RAINFALL EVENT GREATER THAN 0.5 INCHES IN 24 HOURS. ALL INSPECTIONS AND MAINTENANCE CONDUCTED DURING CONSTRUCTION MUST BE RECORDED IN WRITING.
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NOTE: STREET AND UTILITY CONSTRUCTION BY OTHERS UNDER SEPERATE PLAN.

LAST REVISED: 02-22-2013

Prepared For:

CF Holdings, LLC
14070 HWY 52 SE
Chatfield, MN 55923

FILE NO.: 09-082 GDP.dwg

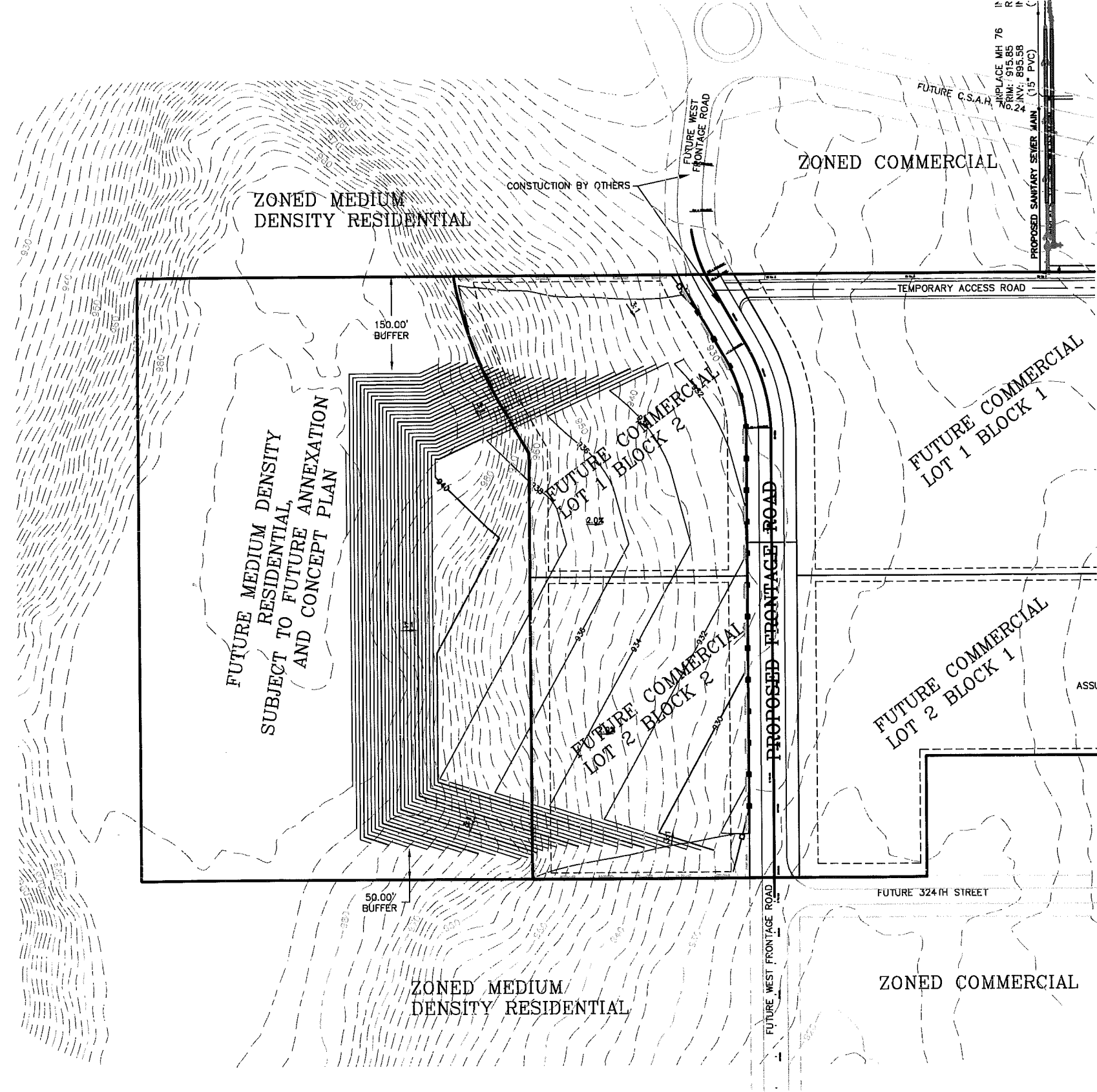
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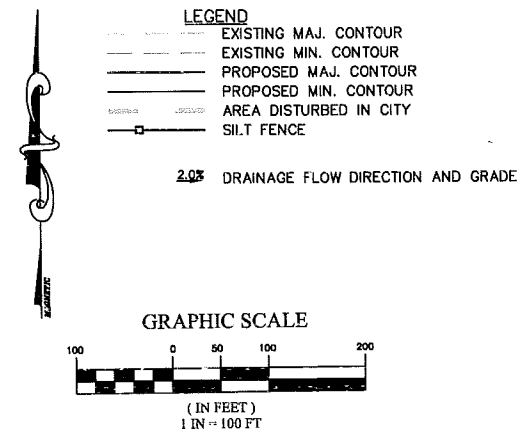
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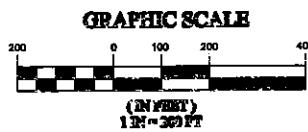
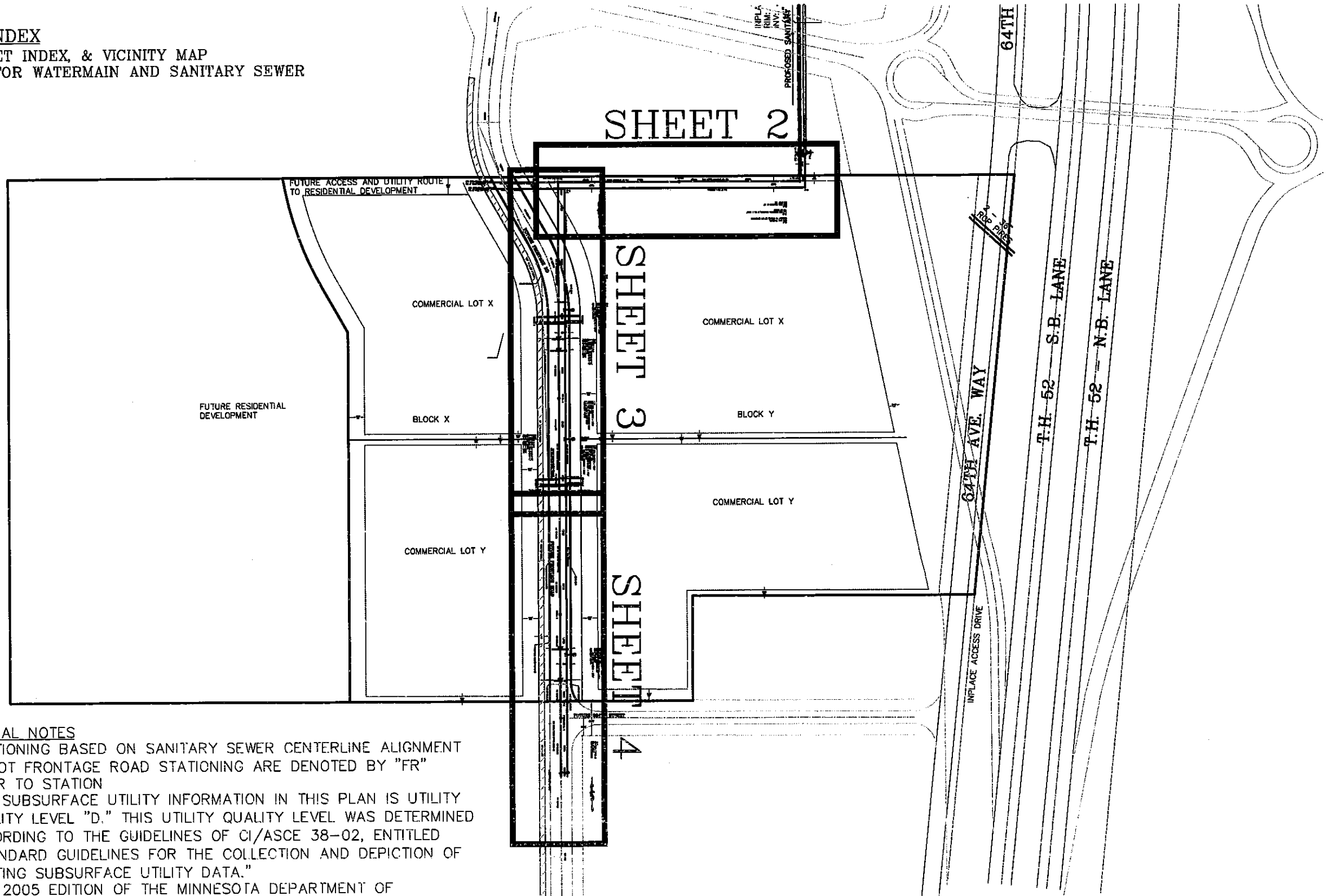
NOTE: STREET AND UTILITY CONSTRUCTION BY OTHERS UNDER SEPERATE PLAN.

LAST REVISED: 05-16-2013 Prepared For: CF Holdings, LLC 14070 HWY 52 SE Chatfield, MN 55923 FILE NO.: 09-082 GDP.dwg		ENGINEERING SURVEYING PLANNING Ph. 507-867-1666 Fax 507-867-1665 www.ggg.to
14070 Hwy 52 S.E. Chatfield, MN 55923		

CONSTRUCTION PLANS FOR SEWER & WATER EXTENSION

SHEET INDEX

SHEET 1 TITLE SHEET, SHEET INDEX, & VICINITY MAP
 SHEET 2-4 PLAN & PROFILE FOR WATERMAIN AND SANITARY SEWER



GENERAL NOTES

- STATIONING BASED ON SANITARY SEWER CENTERLINE ALIGNMENT
- MNDOT FRONTAGE ROAD STATIONING ARE DENOTED BY "FR" PRIOR TO STATION
- THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL "D." THIS UTILITY QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF CI/ASCE 38-02, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA."
- THE 2005 EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION" SHALL GOVERN.

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.
 MARK R. WELCH, P.E.
 REG. NO. 42738
 DATE _____

DATE: 05-28-2013
 Prepared For:
 CF Holdings, LLC
 14070 HWY 52 SE
 Chatfield, MN 55923
 FILE NO.: 09-082-CP.DWG

G-Cubed
 14070 Hwy 52 S.E.
 Chatfield, MN 55923

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 Ph: 507-867-1666
 Fax: 507-867-1665
 www.gcg.to

DESIGNED: MRW
 DRAWN: JLF
 CHECKED: GGG

REVISED	BY	DATE
CITY SUBMITTAL	GGG	8-28-13

CITY OF CANNON FALLS
 2013 CONSTRUCTION

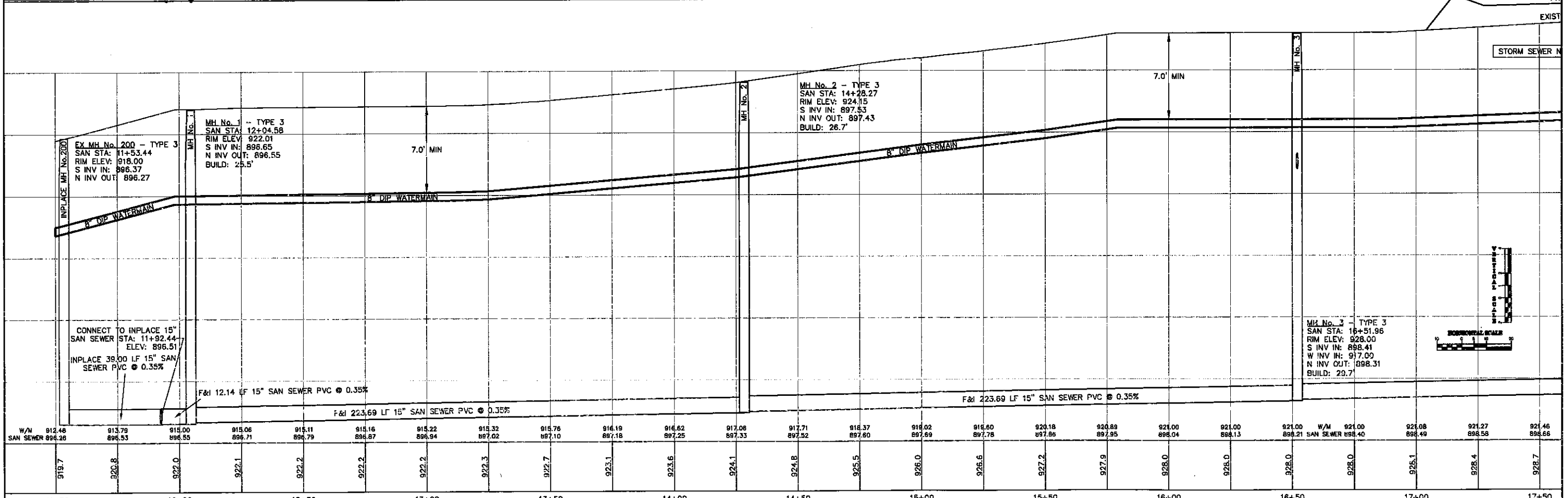
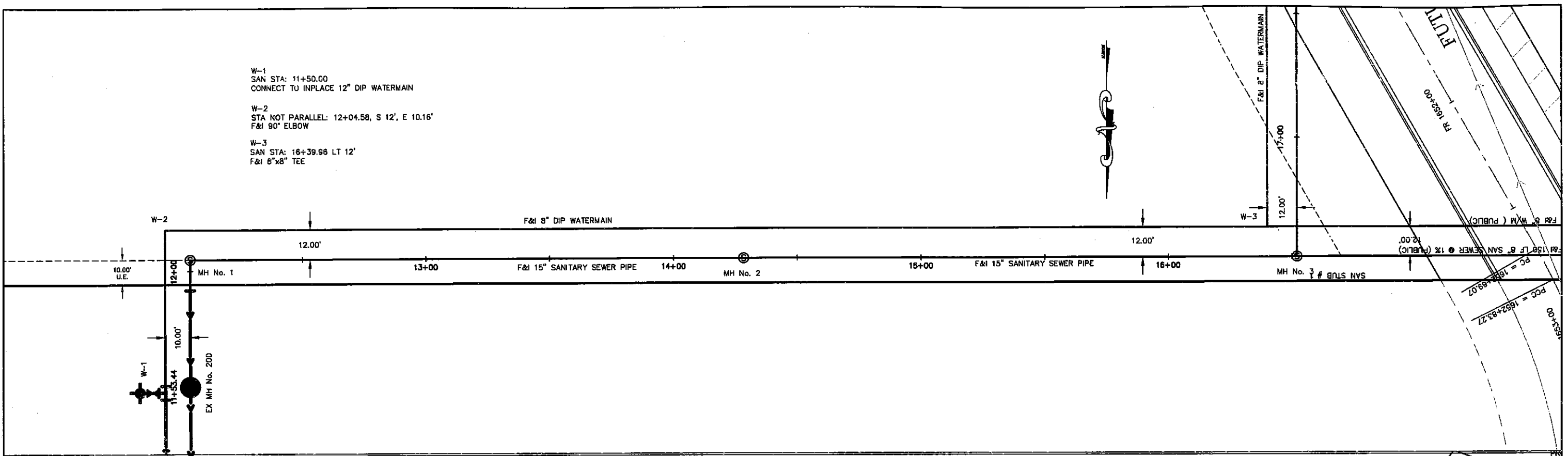
TITLE SHEET/TYPICAL SECTIONS
 CANNON FALLS

SHEET 1
 OF 4 SHEETS

W-1
SAN STA: 11+50.00
CONNECT TO INPLACE 12" DIP WATERMAIN

W-2
STA NOT PARALLEL: 12+04.58, S 12', E 10.16'
F&I 90° ELBOW

W-3
SAN STA: 16+39.96 LT 12'
F&I 8"x8" TEE



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.

MARK R. NELSON, PE
DATE: _____ REG. NO. 42738

DATE: 05-28-2013
Prepared For:
CF Holdings, LLC
14070 HWY 52 SE
Chotfield, MN 55923
FILE NO.: 09-082-CP.DWG

G-Cubed
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DESIGNED: MRW
DRAWN: JLF
CHECKED: GGG

REVISED	BY	DATE
CITY SUBMITTAL	GGG	6-26-13

CITY OF CANNON FALLS
2013 CONSTRUCTION

PLAN & PROFILE SANITARY SEWER
CANNON FALLS

SHEET 2
OF 4 SHEETS

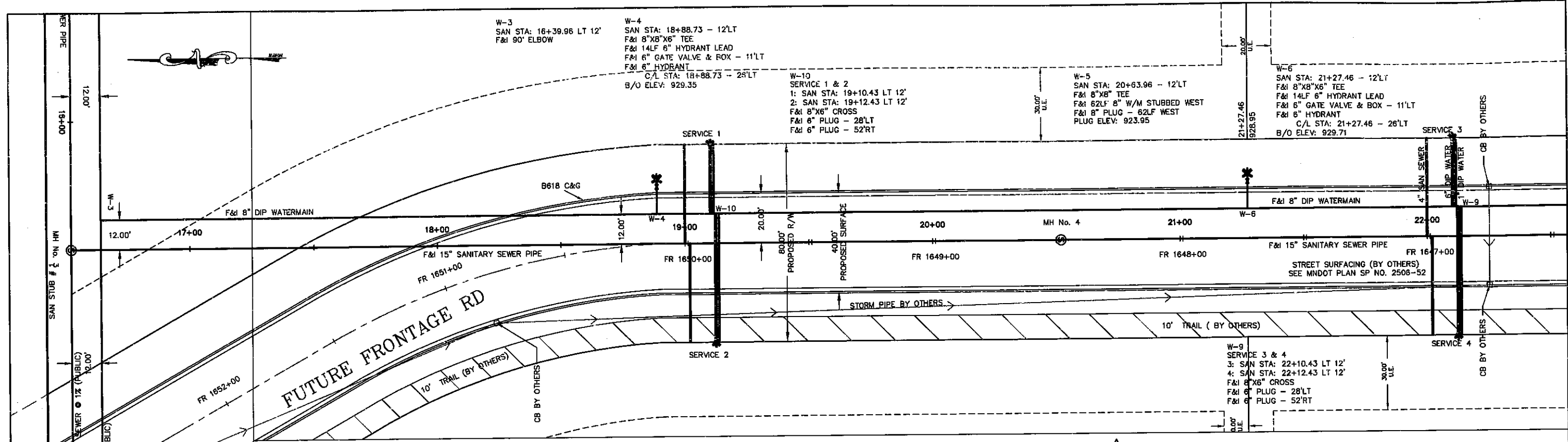
W-3
SAN STA: 16+39.96 LT 12'
F&I 90° ELBOW

W-4
SAN STA: 18+88.73 - 12'LT
F&I 8"X8"X6" TEE
F&I 14LF 6" HYDRANT LEAD
F&I 6" GATE VALVE & BOX - 11'LT
F&I 6" HYDRANT
C/L STA: 18+88.73 - 28'LT
B/O ELEV: 929.35

W-10
SERVICE 1 & 2
1: SAN STA: 19+10.43 LT 12'
2: SAN STA: 19+12.43 LT 12'
F&I 8"X6" CROSS
F&I 6" PLUG - 28'LT
F&I 6" PLUG - 52'RT

W-5
SAN STA: 20+63.96 - 12'LT
F&I 8"X8" TEE
F&I 62LF 6" W/M STUBBED WEST
F&I 8" PLUG - 62LF WEST
PLUG ELEV: 923.95

W-6
SAN STA: 21+27.46 - 12'LT
F&I 8"X8"X6" TEE
F&I 14LF 6" HYDRANT LEAD
F&I 6" GATE VALVE & BOX - 11'LT
F&I 6" HYDRANT
C/L STA: 21+27.46 - 26'LT
B/O ELEV: 929.71



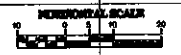
STATION	PROPOSED GROUND (CL. FRONTAGE ROAD)	EXISTING GROUND	8" DIP WATERMAIN	15" SANITARY SEWER PIPE	8" DIP WATERMAIN	PROPOSED SURFACE	PROPOSED R/W	STORM PIPE BY OTHERS	10' TRAIL (BY OTHERS)	STREET SURFACING (BY OTHERS)
16+00	920.0	898.21	928.0	928.0	928.0	928.0	928.0	928.0	928.0	928.0
17+00	928.1	898.49	928.1	928.1	928.1	928.1	928.1	928.1	928.1	928.1
17+50	928.4	898.58	928.4	928.4	928.4	928.4	928.4	928.4	928.4	928.4
18+00	928.7	898.65	928.7	928.7	928.7	928.7	928.7	928.7	928.7	928.7
18+50	929.1	898.75	929.1	929.1	929.1	929.1	929.1	929.1	929.1	929.1
19+00	929.5	898.84	929.5	929.5	929.5	929.5	929.5	929.5	929.5	929.5
19+50	929.8	898.93	929.8	929.8	929.8	929.8	929.8	929.8	929.8	929.8
20+00	930.1	899.01	930.1	930.1	930.1	930.1	930.1	930.1	930.1	930.1
20+50	930.4	899.08	930.4	930.4	930.4	930.4	930.4	930.4	930.4	930.4
21+00	930.7	899.15	930.7	930.7	930.7	930.7	930.7	930.7	930.7	930.7
21+50	930.9	899.22	930.9	930.9	930.9	930.9	930.9	930.9	930.9	930.9
22+00	931.1	899.29	931.1	931.1	931.1	931.1	931.1	931.1	931.1	931.1
22+50	931.3	899.36	931.3	931.3	931.3	931.3	931.3	931.3	931.3	931.3

MH No. 4 - TYPE 3
SAN STA: 20+51.96
FR STA: 1649+50.73
RIM ELEV: 930.98
S INV IN: 899.91
N INV OUT: 899.81
W INV IN: 919.93
BUILD: 31.2'

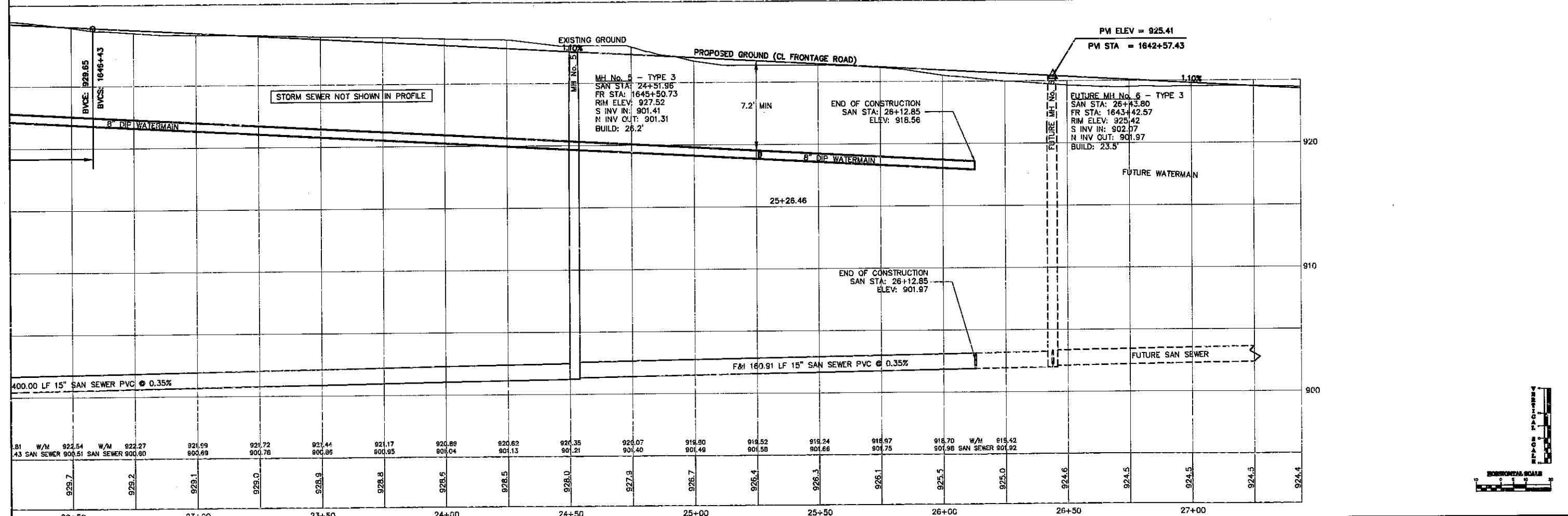
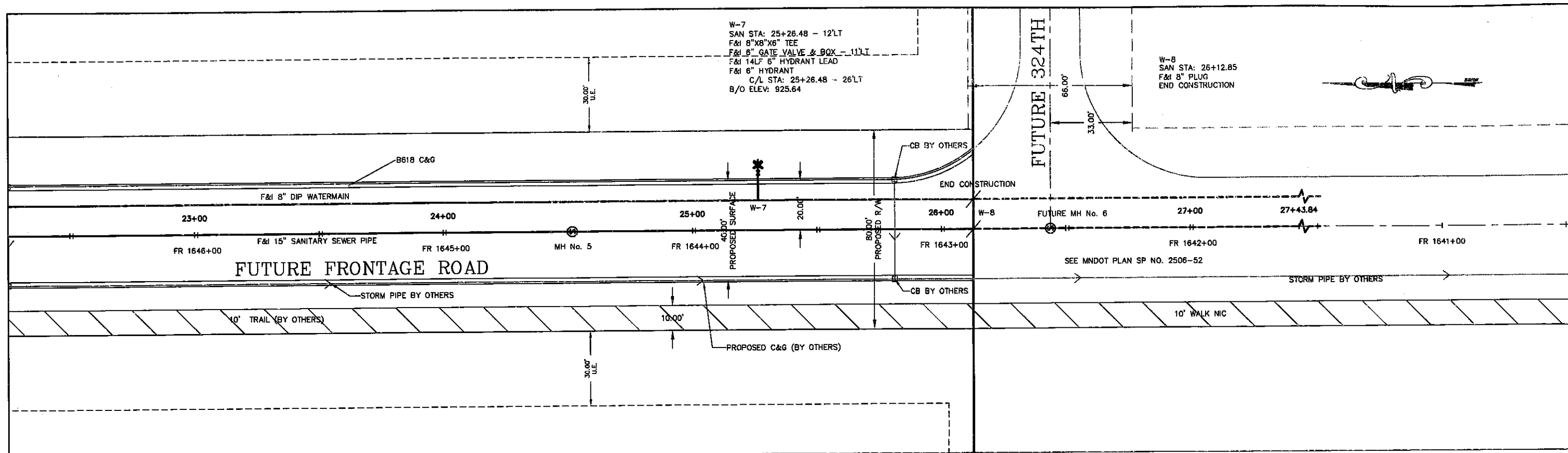
SAN STUB No. 1
SAN STA: 20+51.96
FR STA: 1649+50.73
ELEV: 919.93
F&I 8" PLUG

370.0000' VC
PVI ELEV = 931.88

SERVICE #	CL ALIGN STA	CL ALIGN STA OS	CL ALIGN & OS	SERVICE INV	CURB STOP ELEV
1	19+00	19+10.43	19+10.43-12'LT	919.13	929.13
2	19+02	19+12.44	19+12.44-12'LT	920.19	930.19
3	22+00	22+10.43	22+10.43-12'LT	918.57	928.57
4	22+02	22+12.44	22+12.44-12'LT	922.19	932.19

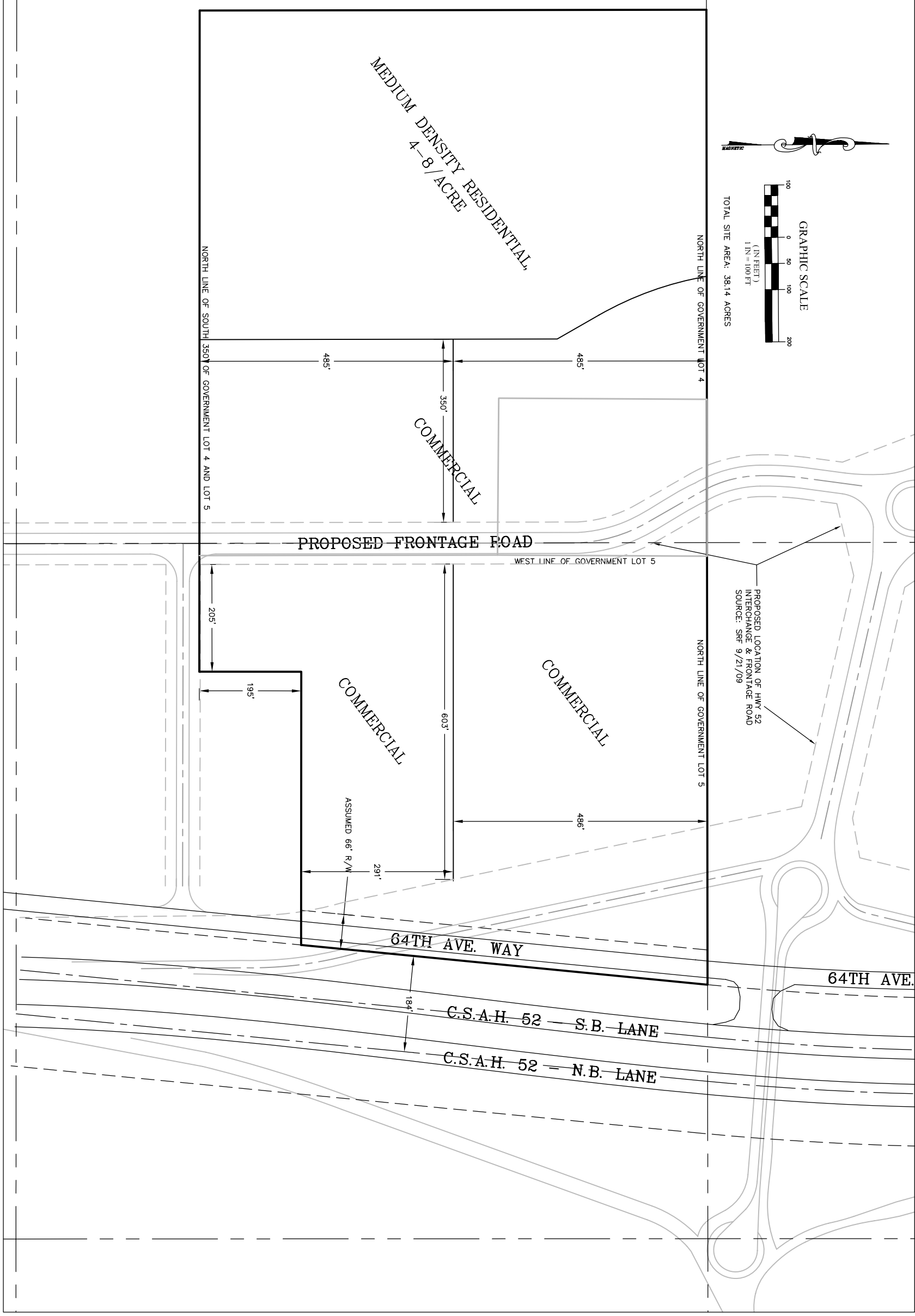
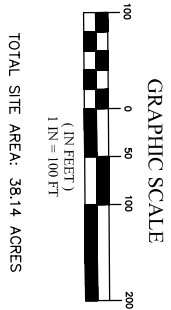


I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA. MARK R. WELCH, PE REG. NO. 42736	DATE: 05-28-2013 Prepared For: CF Holdings, LLC 14070 HWY 52 SE Chatfield, MN 55923	G-Cubed ENGINEERING SURVEYING PLANNING 14070 Hwy 52 S.E. Chatfield, MN 55923 Ph. 507-887-1666 Fax 507-887-1665 www.gcg.to	DESIGNED: MRW DRAWN: JLF CHECKED: GGG	REVISED: BY DATE CITY SUBMITTAL: GGG 6-26-13	CITY OF CANNON FALLS 2013 CONSTRUCTION	PLAN & PROFILE SANITARY SEWER CANNON FALLS	SHEET 3 OF 4 SHEETS
	FILE NO.: 08-082-CP.DWG		REVISIONS:	CITY OF CANNON FALLS	SHEET 3 OF 4 SHEETS		



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CITY SUBMITTAL	GGG	6-28-13																		

CANNON FALLS COMMERCIAL GENERAL DEVELOPMENT PLAN



LAST REVISED: 9-22-09
Prepared For:
CF Holdings, LLC
4410 19th Street NW
Rochester, MN 55901
FILE NO.: 09-082 GDP.dwg

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