

Request for a conditional use permit to place more than 50 cubic yards of material in a shoreland impact zone for the purpose of raising an existing flood protection levee located in the Conservation and Shoreland zoned districts. The sites include Lot 1 Block 1 and Outlot D of Cedar Meadows Subdivision Number Two located in the NW Qtr of the SE Qtr of Section 18, Decoria Township.

Applicants

Ned & Shelly Rector and Cedar Meadows Coop Association
174 Limestone Lane 3151 River Meadows Drive
Mankato, MN 56001 Mankato MN 56001

Request

Request for a conditional use permit to place more than 50 cubic yards of material in a shoreland impact zone.

Legal Description

Lot 1, Block 1, Cedar Meadows No. 2 (T-107-N, R-26-W)
and
Outlot D, Cedar Meadows No. 2 (T-107-N, R-26-W)

Zoning

Conservation and Shoreland

General Site Description and Project Description

The applicants own a building site located near the Cobb River. The property includes a protective levee located along the river bank and to the north and south along two old oxbows. Staff has no record of the construction or design plans of this protective levee.

During the September 2010 flood event, the applicants experienced flooding of their property. In an attempt to prevent future flood damage to their home, they are proposing to add to the existing levee. The applicants have retained the design and construction services of Bolton & Menk, Inc. Bolton & Menk staff will provide project oversight and frequent spot checks and will verify in writing that the improvements are in conformance with the design plans.

The majority of the project will focus along the north and south portions of the levee. Both of these areas lie next to oxbows. The project will include a smaller berm closer to the home. This area will include a tile line for the removal of roof drain water and retaining wall drainage. This tile line will include a sump and a shutoff valve. When needed the shutoff valve can be closed to prevent high water levels from the river from back feeding the tile line. During these same periods, the sump can be activated to discharge water collecting on site.

Access

No new access is required. The applicant's existing driveway will be used to bring the materials and equipment on site.

Existing Land Use, 1/4 Mile

North: Three dwellings, wooded areas, wetlands, crop land, and the Cobb River
South: Multiple dwellings, wetland, wooded ravines, dwellings, and the Cobb River
East: Multiple dwellings, wetland, and wooded areas
West: Cobb River, wooded ravines, and crop land

Land Use Plan

The proposal does not conflict with the Land Use Plan.

Township Review

At the time this report was written, no comment had been received from the Township.

Environmental Health Review – See Attachment A4

Minnesota Department of Natural Resources Review

In an email dated June 23, 2011, DNR Area Hydrologist Leo Getsfried indicated the following: *Under MNDNR review I expressed no concern with the proposed fill since it will occur above the 100-year flood elevation, will not affect any sensitive areas, and the fill will be adequately stabilized with permanent vegetation.* The email also indicated that the applicant has been given permission to undertake repairs of the previously constructed riprap along the riverbank using natural rock.

Opinions

Standards for Granting a Conditional Use Permit (Section 24-466 of the Code of Ordinances)

Staff believes the request will meet the following standards required for the granting of a conditional use permit:

1. That the proposed use conforms with the county land use plan.
2. The demonstrated need for the proposed use.
3. That the proposed use will not degrade the water quality of the county.
4. That the proposed use will not adversely increase the quantity of water runoff.
5. That soil conditions are adequate to accommodate the proposed use.
6. That the proposed use does not create a potential pollution hazard.
7. (NA) That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
8. (NA) That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
9. (NA) That facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.
10. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

11. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.

12. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

13. (NA) That the density of proposed residential development is not greater than the density of the surrounding neighborhood or not greater than the density indicated by the applicable zoning district.

14. That site specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals and general welfare.

NA 15. That the intensity of the proposed residential development is not greater than the intensity allowed in the Agricultural Zoning District. Section 24-111 of the Agricultural District States: "Owners of property, residents, other users of property in the agricultural zone, and neighboring properties adjacent to the agricultural zone may be subjected to inconvenience or discomfort arising from normal and accepted agricultural practices and operations including, but not limited to; noise, odors, dust, operation of aircraft and late night operation of farm machinery, the storage and application of manure, fertilizers, soil amendments, herbicides, and pesticides associated with normal agricultural operations.

Recommendations

Staff recommends **approval** contingent upon the following:

1. That the project shall be completed prior to the end of the 2011 construction season. This shall include the final placement of fill, final grading, proper armoring (where needed), and permanent vegetation must be established.

2. That adequate erosion control is installed in all work areas susceptible to erosion prior to commencement of the project and maintained until sufficient vegetation is established. This may include, but is not limited to, temporary seeding, silt fencing, placement of fiber blanket, mulching, staked straw or hay bales etc.

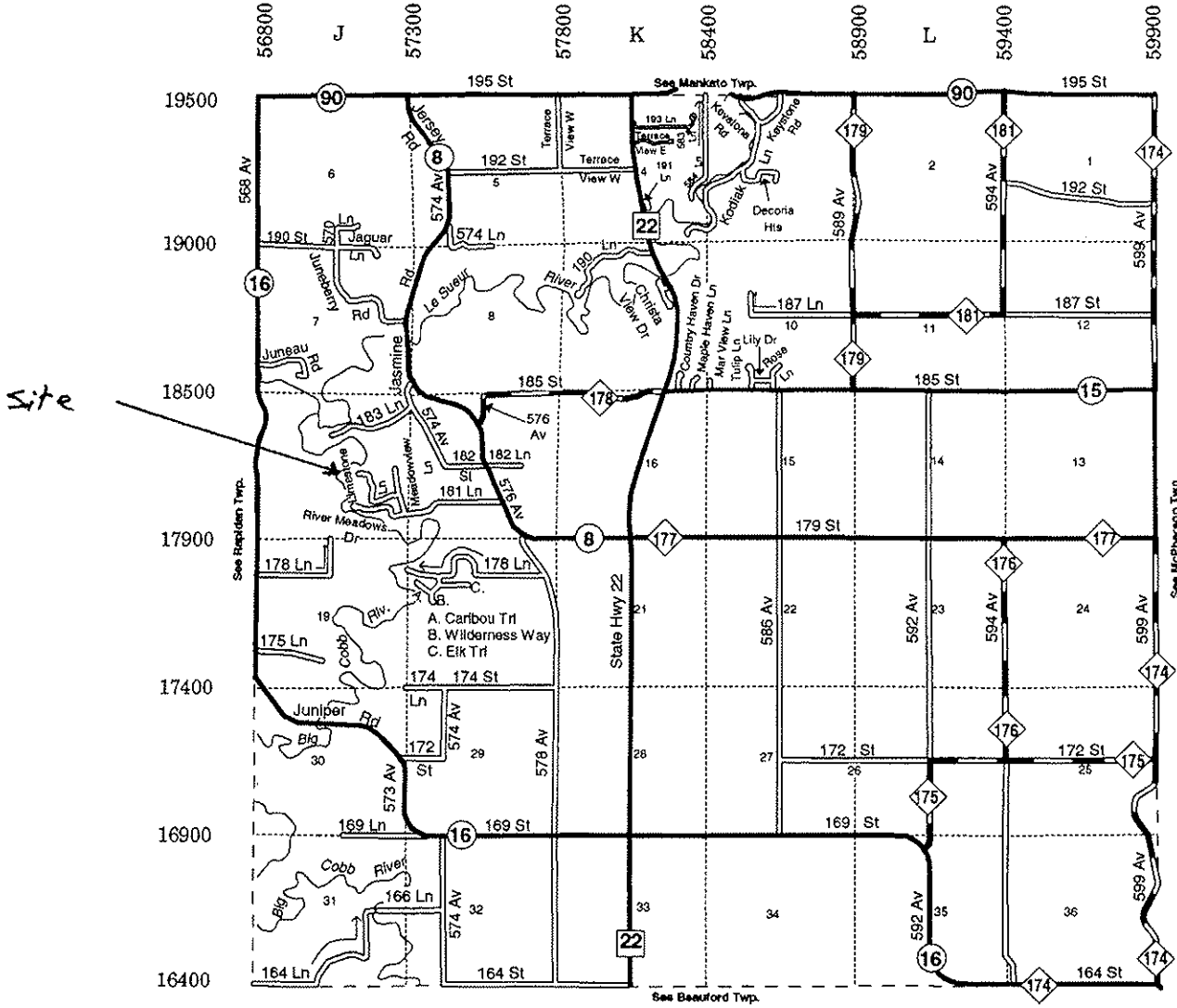
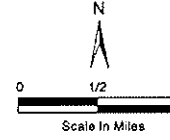
Attachments

- A1 Location Map
- A2 Aerial Photo
- A3 Site Plan
- A4 Environmental Health Review

**Attachment A-1
General Location Map**



Decoria

T 107 N - R 26 W



	U.S. Highway		Township Road
	State Highway		Railroad
	County State Aid Highway		Section Line
	County Road		Township Boundary

A-2 Aerial Photo

-  Added Levee
-  Added back slope
-  Drain Tile Line
-  Approx Property Lines



Disclaimer: This map was created using SmartEarth County's GIS and was created for SmartEarth County, Inc. It is intended to be used for reference purposes only and does not represent a land survey. No liability is assumed for the accuracy of the data obtained, herein, or for opinions or judgments by Smart Earth County or its employees.



- F&I:
- 12 CY - CLASS III RIPRAP W/GEOTEXTILE FABRIC
 - 50 LF - 12" C-900 PIPE
 - 1 EA - 12" FLAP GATE
 - 1 EA - 12" KNIFE VALVE
 - 1 EA - DES. H SUMP STRUCTURE (SEE DETAIL)
 - 1 EA - VALVE HOUSING STRUCTURE (SEE DETAIL)

12" FLAP GATE

VALVE HOUSING STRUCTURE
W/12" KNIFE VALVE
R = 834.0
I = 827.85

SUMP STRUCTURE
R = 830.0
I = 826.0 (SUMP)

EXISTING RETAINING WALL
FOUNDATION DRAIN

EXISTING ROOF
DRAIN PIPE

APPROXIMATE DRIVEWAY
LOCATION

WATER EDGE
10/25/2010
TENTATIVE FLOOD
ELEVATION=830

NOTES:

1. CONTRACTOR TO COORDINATE INTERIM TREE REMOVAL/RELOCATION WITH OWNER.
2. CONTRACTOR TO COORDINATE ALL UTILITY/STRUCTURE RELOCATIONS WITH OWNER.
3. CONTRACTOR TO COORDINATE ADDITIONAL PIPE NEEDS (RET. WALL, ROOF DRAIN) WITH OWNER.
4. 8:1 (H:V) SLOPES SHALL BE USED IN ALL AREAS THAT ARE TO BE MOWED (SEE PLANS).

NOTE: EXISTING UTILITY INFORMATION SHOWN ON THIS PLAN HAS BEEN PROVIDED BY THE UTILITY OWNER. THE CONTRACTOR SHALL FIELD VERIFY EXACT LOCATIONS PRIOR TO COMMENCING CONSTRUCTION AS REQUIRED BY STATE LAW. NOTIFY GOPHER STATE ONE CALL, 1-800-252-1166 OR 651-454-0002.

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."



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.

WILLIAM R. DOUGLASS
18240 DATE 06/10/2011

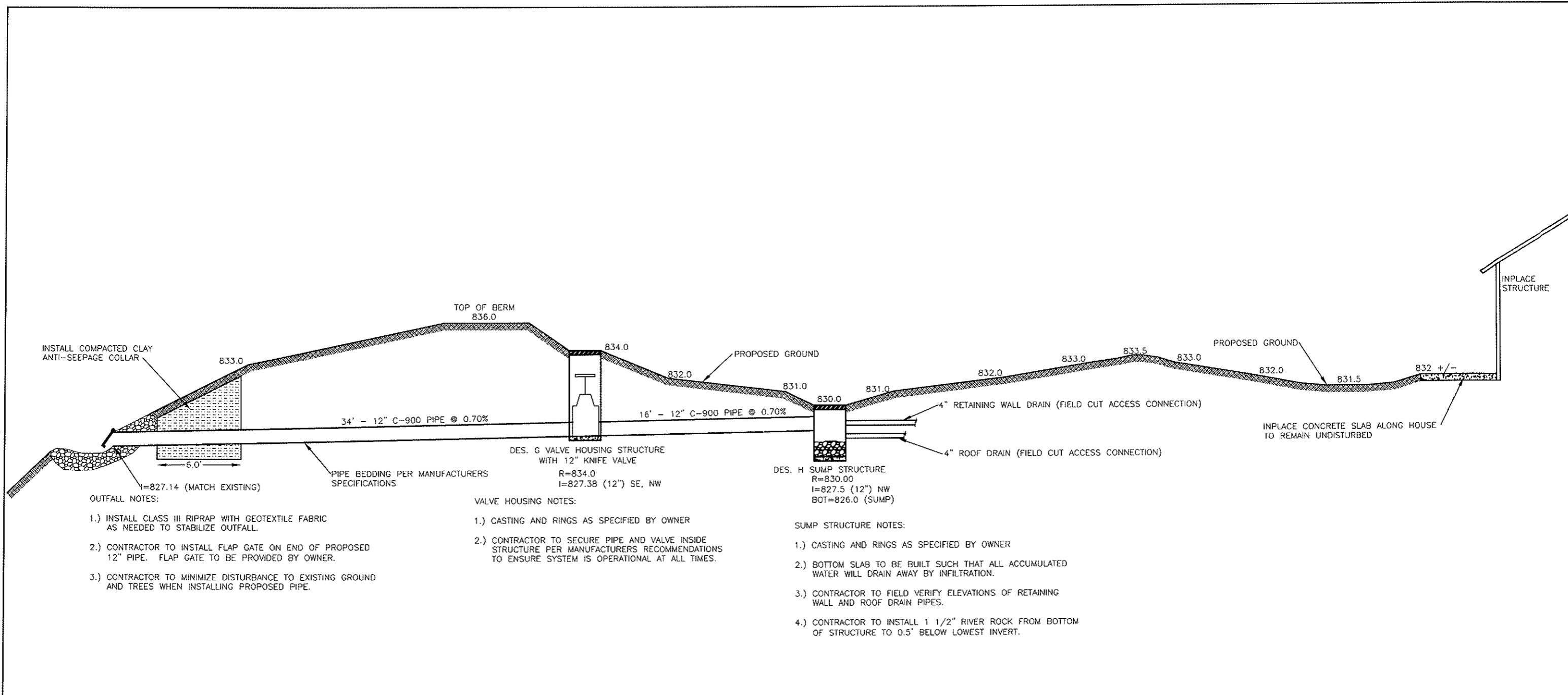
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BOLTON & MENK, INC.
Consulting Engineers & Surveyors
MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN WILLMAR, MN BURNSVILLE, MN
CHASKA, MN RAMSEY, MN MAPLEWOOD, MN BRAINERD, MN AMES, IA

REV.	BY	DATE

NED RECTOR
FLOODPROOFING - 2011
GRADING/DRAINAGE PLAN

SHEET
1.1



OUTFALL NOTES:

- 1.) INSTALL CLASS III RIPRAP WITH GEOTEXTILE FABRIC AS NEEDED TO STABILIZE OUTFALL.
- 2.) CONTRACTOR TO INSTALL FLAP GATE ON END OF PROPOSED 12" PIPE. FLAP GATE TO BE PROVIDED BY OWNER.
- 3.) CONTRACTOR TO MINIMIZE DISTURBANCE TO EXISTING GROUND AND TREES WHEN INSTALLING PROPOSED PIPE.

VALVE HOUSING NOTES:

- 1.) CASTING AND RINGS AS SPECIFIED BY OWNER
- 2.) CONTRACTOR TO SECURE PIPE AND VALVE INSIDE STRUCTURE PER MANUFACTURERS RECOMMENDATIONS TO ENSURE SYSTEM IS OPERATIONAL AT ALL TIMES.

SUMP STRUCTURE NOTES:

- 1.) CASTING AND RINGS AS SPECIFIED BY OWNER
- 2.) BOTTOM SLAB TO BE BUILT SUCH THAT ALL ACCUMULATED WATER WILL DRAIN AWAY BY INFILTRATION.
- 3.) CONTRACTOR TO FIELD VERIFY ELEVATIONS OF RETAINING WALL AND ROOF DRAIN PIPES.
- 4.) CONTRACTOR TO INSTALL 1 1/2" RIVER ROCK FROM BOTTOM OF STRUCTURE TO 0.5' BELOW LOWEST INVERT.

OUTLET PIPING SCHEMATIC

NOT TO SCALE

NOTES:

- 1.) SEE GRADING PLAN FOR DRAINAGE PATTERNS

NOT TO SCALE

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.

W. R. Douglass

WILLIAM R. DOUGLASS
LIC. NO. 18240 DATE 6/10/2011

DESIGNED
ACR
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CHASKA, MN RAMSEY, MN MAPLEWOOD, MN BRAINERD, MN AMES, IA

REV.	BY	DATE

NED RECTOR	SHEET 1.2
FLOODPROOFING - 2011	
OUTLET DETAIL	

A-4

**BLUE EARTH COUNTY
ENVIRONMENTAL SERVICES**

Government Center, 410 South Fifth Street
P.O. Box 3566, Mankato, Minnesota 56002-3566
Phone: (507) 304-4381 Fax: (507) 304-4431

Environmental Health Section - Planning Application Reviews

Date Printed: June 28, 2011 **Permit Number:** PL20110042
Property Owner: RECTOR NED D & SHELLY **Applicant:** RECTOR NED D & SHELLY
RCEDAR MEADOWS COOP RCEDAR MEADOWS COOP
ASSN INC ASSN INC
Parcel Number: R35.14.18.401.010R35.14.18.401. **File ID:**
009

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Septic Review

Status: Complete - Comments Received

Comments: Septic is compliant based on inspection 4/22/2011. Valid until 4/21/2014 All fill must be outside the 20' setbacks of the existing septic system. (P. Otterness 06/21/2011 3:15 PM)

Well Review

Status: Complete - Comments Received

Comments: In 2000 a new home and well, unique # 620933, were constructed on this property. The well is located just north of the NW corner of the house. The proposed dike construction does not appear to negatively impact this well. (T. Grant 06/16/2011 3:04 PM)

Wetland Review

Status: Complete - Comments Received

Comments: BEC wetland specialists met with Ned Rector onsite on June 14, 2011 to verify where the levee would be placed to ensure that it would not impact any wetlands. Bolten and Menk engineered plans for the levee and submitted the site plan to BEC via email prior to doing the site visit. The homeowner walked us all over the site explaining the proposed work and the levee will not impact any wetlands. While on the site visit it was noticed that a part of the existing driveway turnaround has fill going down into the wetland. The homeowner was asked to have that fill removed from the wetland while they are constructing the levee and then place rip rap on the slope so it will not erode any fill into the wetland in the future. (S. Feser 06/21/2011 2:30 PM)
