

CITY OF CHANHASSEN
CARVER AND HENNEPIN COUNTIES

INTERIM USE PERMIT #2020-01

1. **Permit.** Subject to the terms and conditions set forth herein, the City of Chanhassen hereby grants an interim use to permit for grading, excavation and slope restoration on the Minnesota Bluff LRT Regional trail within the Hennepin County Regional Railroad Authority (HCRRA) on the north and south side of the trail per plans prepared by Barr Engineering Co., dated December 13, 2019.

2. **Property.** The permit is for the following described property ("subject property") in the City of Chanhassen, Carver County, Minnesota:

Hennepin County Regional Railroad Authority (HCRRA) right-of-way for Minnesota River Bluffs LRT Regional Trail in Sections 25, 34, 35 and 36, Twsp 116, Range 23, Carver County, Minnesota.

3. **Conditions.** The permit is issued subject to the following conditions:

- a) The interim use permit shall be approved for a period of two (2) years from the date of City Council approval. The applicant will need to request a formal extension 60 days prior to the expiration date of the interim use permit.
- b) Permits from the appropriate regulatory agency must be obtained; including but not limited to the Minnesota Pollution Control Agency, Lower Minnesota River Watershed District and Carver County.
- c) The applicant must provide the city with a cash escrow or letter of credit in the amount of 110% of the construction costs for the appropriate phase of the grading operations to guarantee erosion control measures, site restoration, and compliance with the interim use permit.
- d) Documentation and/or load tickets from the approved waste disposal facility where contaminated soils will be disposed of shall be provided to the city.
- e) All required Right-of-Way (ROW) permits, access agreements, and temporary construction easements shall be secured prior to the commencement of any construction activities.
- f) All oversize/overweight (OS/OW) loads leaving the site to the east must apply for County Transportation OS/OW trip permits.
- g) Permitted hours of operation will be 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday with no work permitted on Sunday or legal holidays.

- h) If any excess material is hauled to another site in Chanhassen, a separate grading permit will be required for the other property.
- i) The applicant shall schedule a walk-through of the site with city staff to review boundary staking and removals of edge trees prior to any activity commencing.
- j) The applicant shall identify conservation easement boundary on site. Vegetation within the easement may not be irrevocably damaged by construction activities. If irrevocable damage is caused, the applicant shall be responsible for replacement plantings at a rate of 2:1 diameter inches.
- k) Applicant shall report tree removal quantities to the city.
- l) Upon completion of the installation of initial erosion control measures, the contractor shall contact the city's Engineering Department (Ryan Pinkalla, 952-227-1173) for an initial erosion control inspection prior to grading operations.
- m) HDPE pipe installed shall be furnished with tracer wire meeting the City of Chanhassen's Standard Specifications.
- n) The applicant shall submit hydraulic design calculations and follow-up analysis for the newly proposed stormwater conveyance system, including analysis for riprap stilling basins and rock check dams as energy dissipaters.
- o) One hundred percent (100%) construction plans shall be provided for review and approval prior to commencement of any construction activities.
- p) The applicant shall enter into maintenance agreements with the city and/or Lower Minnesota River Watershed District to ensure maintenance responsibilities and ownership are the responsibility of the HCRRA or their designee, in perpetuity, prior to commencement of any construction activities.
- q) The applicant shall provide further justification to the wetlands being impacted being incidental. This can be accomplished through the WCA permit process that is currently underway.

4. **Termination of Permit.** The city may revoke the permit following a public hearing for violation of the terms of this permit.

5. **Lapse.** If within one year of the issuance of this permit the authorized construction has not been substantially completed or the use commenced, this permit shall lapse, unless an extension is granted in accordance with the Chanhassen Zoning Ordinance.

6. **Criminal Penalty.** Violation of the terms of this Interim Use Permit is a criminal misdemeanor.

Dated: February 10, 2020

CITY OF CHANHASSEN

By: _____
Mayor

By: _____
City Manager

STATE OF MINNESOTA)
 (ss.
COUNTY OF CARVER)

The foregoing instrument was acknowledged before me this _____ day of _____, 2019, by Elise Ryan, Mayor, and Todd Gerhardt, City Manager, of the City of Chanhassen, a Minnesota municipal corporation, on behalf of the corporation and pursuant to authority granted by its City Council.

Notary Public

DRAFTED BY:
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