



# City of New Hope Community Development

4401 Xylon Ave N • New Hope MN 55428 • Phone: 763-531-5110 • Fax: 763-531-5136 • newhopemn.gov

## Application to Planning Commission and City Council

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	Basic Fee	Deposit	Land Use Petition Signs(s)
Case # _____			
Planning Deadline _____	_____	_____	_____
Receipt # _____	_____	_____	_____
Received by _____	_____	_____	_____

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Name of Applicant: \_\_\_\_\_ Phone: \_\_\_\_\_

Applicant Address: \_\_\_\_\_

Street Location of Property: \_\_\_\_\_ PID: \_\_\_\_\_

Legal Description of Property: \_\_\_\_\_

OWNER OF RECORD: Name: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Applicant's nature of Legal or Equitable Interest: \_\_\_\_\_

Type of Request: (pertaining to what section of City Code) \_\_\_\_\_

Please outline Description of Request: (use additional pages if necessary)

Why Should Request be Granted: \_\_\_\_\_

(Attach narrative to application form if necessary)



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Applicant acknowledges that before this request can be considered and/or approved, all fees, including the basic zoning fee and any zoning deposits (as outlined in the attached application materials) must be paid to the city. There are three city consultants – legal, planning, and engineering - that generate additional expenses. Expenses incurred that exceed the amount of the zoning deposit will be billed and are the responsibility of the applicant.

The city hereby notifies the applicant that state law requires that the development review be completed within 60 days from the city's acceptance of this application. If the development review cannot be completed within 60 days, regardless of the reason, the city shall extend the review completion deadline an additional 60 days as also permitted by state law. Development review shall be completed within 120 days unless additional review extensions are approved by the applicant in writing. The Community Development Department will notify you of all meetings.

Signed: \_\_\_\_\_

Fee Owner (print or type name)

\_\_\_\_\_

Applicant Other than Owner (print or type)

### FOR CITY USE ONLY

Evidence of Ownership Submitted: Yes \_\_\_ No \_\_\_ Required \_\_\_

Certified Lot Survey: Yes \_\_\_ No \_\_\_ Required \_\_\_

Legal Description Adequate: Yes \_\_\_ No \_\_\_ Required \_\_\_

Legal Ad Required: Yes \_\_\_ No \_\_\_ Required \_\_\_

Date of Design & Review Meeting: \_\_\_\_\_

Date of Planning Commission Meeting: \_\_\_\_\_ Approved: \_\_\_ Denied: \_\_\_

By Planning Commission on: \_\_\_\_\_ Approved: \_\_\_ Denied: \_\_\_

By City Council on: \_\_\_\_\_

Subject to the following conditions: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



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### ACKNOWLEDGEMENT OF RESPONSIBILITY

This is to certify that I am making application for the described action, and that I am responsible for complying with all city requirements with regard to this request. This application should be processed in my name and I am the party whom the city should contact regarding any matter pertaining to this application.

I have read and understand the instructions supplied for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I will keep myself informed of the deadlines for submission of material and of the progress of this application.

I understand that this application may be reviewed by city staff and consultants. I further understand that additional information may be required for review of this application. I agree to pay to the city upon demand, expenses, determined by the city, that the city incurs in reviewing this application and shall provide an escrow deposit to the city in an amount to be determined by the city's established fee schedule. Said expenses shall include, but are not limited to, staff time, engineering, legal expenses, other consultant expenses, and finance charges which may include late payments and collection fees. I understand that if expenses for these services exceed the amount of the escrow deposit, they will be billed to me by the city and I agree to pay them.

I agree to allow access by city personnel to the property for purpose of review of my application and to place a temporary sign indicating the application proposed (if required).

Signature \_\_\_\_\_ Date \_\_\_\_\_

Name of applicant \_\_\_\_\_ Date \_\_\_\_\_ (please print)

### **Fee owner contact information (if other than applicant)**

Name \_\_\_\_\_  
Phone \_\_\_\_\_

Address \_\_\_\_\_



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### INSTRUCTIONS AND NOTES TO APPLICANTS

#### 1. FILING INSTRUCTIONS

Before application to the Planning Commission can be accepted it must:

- Be filled out in its entirety and signed by both applicant and property owner if not one and the same.
- Be accompanied by all required fees.
- Be accompanied by evidence of property title - explained in instructions and notes.
- Include a certified lot survey if the request is for a: rezoning, replatting, setback variance, construction approval, or if requested by the Planning Commission or City Council.
- Be accompanied by all necessary background materials in written and plan form, which is required for a complete and thorough review of the request.

2. Applicants are asked to contact the building official, 763-531-5122, or community development director at 763-531-5196 if they have questions. Also for the more difficult requests, a meeting can be set up between the applicant and the planning consultant in order to assist in explaining procedures, reviewing requests, and providing advice.

#### 3. FEES (as set by City Ordinance)

All applicants must pay a non-refundable basic zoning fee at the time of application. In addition, a zoning deposit is required at the time of application. This zoning deposit is intended to pay for outside planning/legal/engineering consulting expenses that may be incurred because of your application. Expenses incurred that exceed the amount of deposit will be billed to and are the responsibility of the applicant. If expenses do not exceed the deposit, the deposit may be refunded upon the written request of the applicant.

Usually the largest direct costs are incurred when the application is reviewed by the city's planning consultant. Although not all cases are referred to the consultant, the city reserves the right to refer any application it believes warrants such scrutiny to the planner. Normally, all but minor residential requests are referred to this consultant.

	TYPE OF REQUEST	BASIC ZONING FEE	ZONING DEPOSIT
A.	Conditional Use Permits (R-1 and R-2)	\$200	\$300
B.	Variances (R-1 and R-2)	\$150	\$300
C.	Zoning Amendments (district or text)	\$500	\$1,000
D.	All other Conditional Use Permits	\$500	\$1,500
E.	All other Variances	\$500	\$1,500
F.	Planned Unit Development	\$1,000	\$1,500
G.	Subdivision & Platting	\$500	\$1,000
H.	Site Plan Review	\$400	\$750
I.	Comprehensive Sign Plan	\$200	\$200
J.	Vacation of Easement	\$325	\$500
	Land Use Petition Sign(s)	\$15 deposit per street frontage	



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#### 4. CERTIFIED LOT SURVEYS

Applications for rezoning, conditional use permits and some variances must be accompanied by Certified Lot Surveys. The survey must show these items:

- Location of all existing structures on lot
- Location of proposed structure
- Dimensions of front, side and rear setbacks
- Dimensions of proposed structure
- Location of adjacent existing buildings

#### 5. CONSTRUCTION APPROVAL

If the applicant is seeking construction approval, plans must be submitted which meet the standards of the Design and Review Committee of the Planning Commission. Contact the building official for this review checklist.

#### 6. EVIDENCE OF TITLE

State law now requires that zoning, conditional uses and variances must be filed with the county.

Since each filing has an effect on the question of real estate title marketability, each application must be appropriately screened. Consequently, you must submit evidence of ownership of the property for which you are requesting a change. It is also necessary that the legal description of the property be absolutely accurate.

Acceptable evidence of title is as follows:

- If property is Registered/Torrens - applicant must present the Owner's Duplicate Certificate of Title or a photocopy of same showing both sides of the certificate.

If the Owner's Duplicate is presented, the city office shall photocopy the certificate at once and return it to the owner. If you do not have your Owner's Duplicate Certificate of Title, it may be on file at the Torrens Office (612-348-3070).

- If the property is Abstract, an Abstract certified to a current date must be presented showing ownership in the name of the applicant, or a photocopy.
  - Generally, an Abstract will not show the name of the applicant because after a purchase, the Abstract is frequently not brought to a current status. Certification to date by an abstract company would be necessary to establish ownership of record.
    - If the title evidence presented does not show the applicant as a fee owner, a recorded or recordable document showing a chain of title to the applicant from the last owner shown in the Certificate of Title or Abstract must be presented to supplement title information.
    - These documents may include warranty deed, contract for deed or quit claim deed, or a series of such documents eventually showing title in the applicant.
    - If the title evidence shows that the applicant is buying under a contract for deed, or purchase agreement, the fee owners and any other contract for deed owners in the chain of title down to the applicant must also sign the application.



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- If the property is Abstract, and an Abstract of Title is unavailable, a copy of an Owner's Policy of Title Insurance and endorsements showing applicant as fee owner of the property certified to a current date must be presented.
  - In the alternative, an Owners and Encumbrance Report, certified to date by a company that provides Abstracts of Title, can be presented.
- Refusal of the fee owner(s) to join in the application should not invalidate the application, providing the fee owner(s) is served with notice of the application. Proof of service of such notice is a part of the record before the Planning Commission and Council.
  - Prior to final processing of a variance, conditional use permit, or rezoning, one of the following items must be presented:
    - Updated title, or
    - Certification from city attorney that the chain of title is sufficient for the purpose.
  - If you are the applicant and do not own the property, you will have to have the fee owner(s) and any prior contract for deed owner who still has an interest in the property join in the application.
  - INFORMATION RELATIVE TO OBTAINING TITLE INFORMATION

How do you know whether your property is Torrens or Abstract and how do you get the Title or Abstract?

- If you do not know, you could call your mortgage company. They should be able to tell you whether the property is Torrens or Abstract, or
- To make inquiry at the county, you will need your legal description. If you do not have this information available, you may obtain this information from City Hall.
- If you think the property is Torrens, you may call Hennepin County Registrar of Titles. The number is 612-348-3070. From your legal description, they will tell you whether or not the property is Torrens and whether the Certificate is on file or not. If it is not on file, they will tell you who signed for it. If it is on file, they can tell you how to go about picking up the Owners' Duplicate Copy.
- If you think the property is Abstract, you should call the mortgage company and ask to check out the Abstract. If you do not have a mortgage, you should have the Abstract in your possession. If you do not have the Abstract, you should contact an attorney to assist you in obtaining the Abstract. (An Abstract is usually a several page document showing all filed entries pertaining to the property.)



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### DESIGN & REVIEW MEETING CHECKLIST

All construction projects that require Planning Commission and City Council approval must be introduced to city staff at a scheduled pre-application meeting. These are held at 8 a.m. one week before the Friday filing deadline listed on the attached schedule. Please call 763-531-5196 or 763-531-5110 to reserve a time at a pre-application meeting. In addition to a Planning Commission application, fees and evidence of title, each proposal MUST include all of the starred (\*) data:

\*Project Name: \_\_\_\_\_ \*Applicant: \_\_\_\_\_

\*Address: \_\_\_\_\_ \*Value of Construction: \$ \_\_\_\_\_

\*Land Owner: \_\_\_\_\_ Planning Case No. \_\_\_\_\_

	1.	*	3 full-size sets of plans and 15 sets of 11" x 17" copies (industrial, residential)
			Electronic copy of plans (CD or e-mail) formatted to print maximum size
		*	2 sets color renderings
		*	One set of 8 ½" x 11" reductions
	2.	*	20 current lot surveys with legal description
	3.	*	Detailed site plans designed and signed by a registered architect
		*	All setbacks to property lines
		*	All building locations and dimensions
			Adjacent building locations
			Adjacent building and land use
		*	Adjacent streets
		*	Existing and finished grading and drainage plans, with erosion control
		*	Exterior lighting plans (building, parking lots)
		*	Refuse storage and required screening
		*	Utility connections: water, sanitary and storm sewer
		*	Lot coverages: Building % _____ Green Area % _____ Asphalt % _____ 100%
		*	Sign plan and details
	4.	*	Traffic circulation and parking plan including:
		*	Access points
		*	Sidewalk plans, public and private
		*	Parking areas with all dimensions
			Internal truck loading and maneuvering areas with dimensions (50' r for semis)



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		*	Type and locations of curbing
		*	Snow storage (Area = 10% of asphalt)
	5.	*	Detailed landscape plan and schedule illustrating the following:
		*	Location of existing plantings
		*	Location of proposed plantings
		*	Size of plants
		*	Type of plants (species)
		*	Number of plants
		*	Lawn irrigation plan
		*	Specify "boulevard trees" close to property lines (minimum 2½" diameter)
	6.	*	Exterior elevations and floor plans designed by a MN registered architect
		*	Building materials
			Special details and features (security, amenities, etc.)
		*	Fire protection sprinkler system, if included
		*	Layout and dimensions in plan review
		*	Rooftop and ground-mounted equipment